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PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, FIRST SESSION

## SENATE—Wednesday, July 12, 2017

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

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

Let us pray.

Eternal God, You alone reign supreme in our Nation and world. May our lawmakers permit You to direct their steps. Give our Senators a renewed sense of Your sacred presence, filling them with reverence for You. May this reverence engender in them a spirit of profound gratitude for Your goodness and grace.

Lord, inspire them to live such exemplary lives that Your Name will be glorified in the Earth. Help them to relinquish all anxieties to You, as they remember Your promise to supply all their needs. May they dedicate themselves to providing opportunities and justice for all Americans.

And, Lord, bring comfort to the families of our military personnel killed in the C-130 crash in Mississippi.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. ERNST). The majority leader is recognized.

### HEALTHCARE LEGISLATION

Mr. MCCONNELL. Madam President, I have often come to the floor to relay the stories of Kentuckians who have suffered under ObamaCare.

Under ObamaCare, Kentuckians have seen their premiums skyrocket—by an average of 75 percent since 2013.

Under ObamaCare, Kentuckians have seen their options for health insurance plummet. This year, families living in 90 percent of the counties in Kentucky will have little or no options of insurers to pick from; that is, two options or less.

We all know the statistics in our own States. We also know the pain of ObamaCare is about far more than just numbers on a page. Behind each of ObamaCare's unaffordable premium increases, there is a family struggling to make ends meet. Behind all the canceled plans and restricted choices, there are countless individuals who have been left behind by this failing law.

Today Vice President PENCE is traveling to Lexington in my State to hear directly from my constituents, including small business owners who have struggled under ObamaCare. As the Vice President knows, ObamaCare's pain is about more than just skyrocketing costs and plummeting choices; its taxes, mandates, and heavy-handed regulations hurt too. They have subjected small businesses across the country to serious challenges.

ObamaCare has been hurting the men and women we represent for many years in many different ways. I am thankful we finally have an administration that seems to care, an administration that has made a real effort to actually listen to those who have been forced to endure the negative consequences of this failing law.

ObamaCare has been spiraling toward collapse for years. Today it teeters on the brink of total meltdown, threatening to hurt even more of our friends and loved ones. We really can't allow that to happen.

Doing nothing about ObamaCare is simply not an option. That is why we have been working hard to move beyond the failures of ObamaCare with Better Care legislation. We want to stabilize and reform the collapsing insurance markets, we want to put downward pressure on premiums, and we want to put upward lift on choice. We want to give States dramatic new tools that can drive a new era of improved

health outcomes, especially for those most in need, and we want to put more affordable insurance in reach for Americans. ObamaCare continues to leave behind.

If we sit on our hands, families will continue to suffer. If we let this opportunity to move beyond ObamaCare pass us by, what other options will there be? One idea from the Democratic leader is simply to throw money at insurance companies—no reforms, no changes, just a multibillion-dollar bandaid.

Another idea from many other Democrats is to quadruple down on ObamaCare with a government-run single-payer system. It is called single payer because there is just one payer—one payer: the government. Nearly every healthcare decision would be decided by a Federal bureaucrat. Taxes could go up astronomically. The total cost could add up to \$32 trillion, according to an estimate of a leading proposal.

Now, Americans deserve better than a massive expansion of a failed idea. Americans deserve better than a bandaid. Americans deserve better than ObamaCare. What they really deserve is better care, and we continue to work together to provide it. We are having productive discussions about the future of healthcare, just like we should be doing, and soon it will be time to move those discussions right out here to the Senate floor.

Once we proceed to the bill, Members—Republicans and Democrats alike—will have the opportunity to engage in robust debate and a robust amendment process right here on the Senate floor. I am sure Members will have other good ideas then, and I hope they will offer them. They will certainly have the opportunity to offer them, but if the Senate is prevented from even proceeding to the bill, none of us will have an opportunity—not Republicans, not Democrats, not anyone.

I regret that our Democratic colleagues made clear from the outset that they weren't interested in working seriously with us to pursue the kind of comprehensive reforms needed to truly move beyond the pain of ObamaCare, but they will have a new

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

opportunity soon. Once we get on the bill, they will have another chance to offer their solutions. I hope they will offer more than just a bandaid. I hope they will offer more than just a \$32 trillion reup of a failed idea.

Whatever they would like to propose, I hope they will take the chance to open debate and advance the legislative process—for every Senator, for every American.

Leaving the American people to suffer under the ObamaCare status quo, I think, is unacceptable. We have seen the pain in our home States. We have seen the heartbreak all across our country. The American people are relying on us to bring them real relief, so we will keep working hard to deliver just that.

#### NOMINATIONS

Mr. MCCONNELL. Madam President, on another matter, yesterday I shared some data reflecting the historic level of obstruction Senate Democrats have displayed when it comes to confirming our President's nominees. I noted that the opposition they have shown to these nominees most of the time seems to have little to do with the nominees themselves, nor whether or not Democrats even support them. In many cases, our Democratic colleagues actually support the nominees.

Take the nominee before us today for a U.S. district court judge in Idaho. He was reported out of committee on a voice vote. Every single Democrat then voted for cloture on his nomination. Yet Democrats still chose to throw up procedural hurdles to a nominee for whom they have no objection.

In fact, Senate Democrats have continuously forced procedural hurdles more than 30 times, compared to only 8 cloture votes Republicans required on nominees at this point in President Obama's administration.

They are obviously bound and determined to impede the President from making appointments, and they are willing to go to increasingly absurd lengths to further that goal—like requiring 30 hours of debate time on a noncontroversial nominee after having just voted unanimously that debate on the nomination was unnecessary.

If our Democratic colleagues keep up this current rate of obstruction, only allowing about one confirmation every 3½ days, it will take the Senate almost 11½ years to confirm the remaining Presidential appointments that must come before us.

I will say that again. At this rate, it would take us nearly 11½ years to confirm the remaining Presidential appointments. That is why I say to my friends across the aisle, this near total obstruction simply cannot continue.

As the Democratic leader once said himself, "Who in America doesn't think a president, Democrat or Repub-

lican, deserves his or her picks for who should run the agencies? Nobody." That is a direct quote from the Democratic leader.

He went on. He said: "The American people deserve a functioning government, not gridlock."

So I would again ask my friend the Democratic leader and his party to consider the consequences of their actions and chart a different path. That is the best outcome for the country and for the Senate.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### HEALTHCARE LEGISLATION

Mr. SCHUMER. Madam President, yesterday my friend the majority leader announced he would be extending this work period by 2 weeks so the Republicans can have more time to finish their healthcare bill. With all due respect, time is not the issue. Two more weeks will not help Republicans fix this bill. Remember, the Republican leadership told everyone they would vote on the bill before July 4. Two weeks have gone by, and they don't seem any closer to having a bill that would actually improve healthcare in America. They seem even further away.

When you have a rotten product, time is not on your side. The longer you wait, the more people know about it, the fewer people like it, the less popular it is, and the harder it is to pass it. I don't even have to tell my good friend the leader that. He knows it.

I know why our colleagues are not so unhappy about what the leader said. We know why our Republican colleagues don't want to go home. They don't want to face the wrath of their constituents. If I were a Republican, I wouldn't want to go home either. I wouldn't want to face my constituents and try to defend this deeply unpopular and damaging bill.

Now, the most significant change proposed to their legislation over the course of 2 weeks is an amendment by the junior Senator from Texas that would actually make the bill worse. By allowing insurers to sell cutrate plans that cover very few services, the Cruz amendment creates a very dangerous bait and switch. The bait is that the

premiums would come down for a bit for some because insurance will not have to cover very much, and the switch is that deductibles and copays go way up to make up even more than the difference. Under the Cruz amendment, you could be paying a monthly premium for a healthcare insurance plan so threadbare, with a deductible so high that you will not get any benefit. For many, a Cruz policy could be worse than none at all. The Cruz policy leads to junk insurance, something nobody really wants, except maybe a few insurance companies.

Ironically, the Cruz amendment would cause exactly the kind of death spiral my Republican friends keep talking about. A group of patient advocates, including the AARP, the Cancer Action Network, and the American Heart Association—these are hardly political groups; these are patient advocates—said that if the Cruz amendment passed, "younger and healthier individuals would be allowed to purchase non-ACA compliant plans that have lower premiums but fewer benefits."

Without the younger, healthier people in the risk pool, the premiums for ACA-compliant plans would rise quickly and significantly. This same kind of risk pool segmentation occurred prior to the enactment of the ACA when 35 states operated high-risk pools . . . In that experience, most of those states . . . were forced to limit enrollment, reduce benefits, create waiting lists, and raise premiums and out-of-pocket costs to the point of unaffordability. Millions of patients lacked access to care and treatment.

That is not CHUCK SCHUMER, the minority leader, talking. That is the AARP, the Cancer Action Network, and the American Heart Association. Again, those groups said about the Cruz plan that it would "limit enrollment, reduce benefits, create waiting lists, and raise premiums and out-of-pocket costs to the point of unaffordability," because the Cruz plan is very similar to what we had before the ACA. Even the conservative American Action Forum said the Cruz amendment is "the definition of a death spiral." Higher costs, less care, waiting lists, death spirals—that is the Cruz amendment in a nutshell. How many are going to vote for that?

That is the most significant change Republicans came up with after an extra 2 weeks on the bill. Imagine, if they have another 2 weeks, what they will come up with.

My friends on the other side of the aisle should have no illusions. They can't distract our attention from this bill by phony complaints over nominations or any other issue. More time is not going to solve their problem on healthcare. It is much deeper than that. The problem is the substance of the bill, which so cruelly exchanges healthcare for working Americans for a massive tax cut for the very wealthy.

The idea is so backward that the American people have revolted against

this legislation. Even in the deeply conservative parts of my State, where I have met with my constituents, there is a revulsion to this bill. I am not surprised that some polls say that only 12 percent of Americans support it.

There is no fixing a bill as broken as this one. There is no tweaking a bill as fundamentally flawed as this one. An amended bill that only kicks 15 or 17 or 20 million Americans off their insurance, though less than the last CBO estimate, would still be a moral travesty. An amended bill that gives a slightly smaller tax break to the wealthy while still cutting Medicaid to the bone would still be gravely worse than the status quo. The only answer for my Republican friends is simple: Start over. Abandon cuts to Medicaid, abandon tax breaks for the wealthy, and abandon this one-party approach.

Democrats want to work with our Republican colleagues to actually improve our healthcare system, and, it turns out, that is what the American people want as well.

The Kaiser Family Foundation found that 71 percent of Americans favor a bipartisan effort to improve our healthcare system, as opposed to the Republican's partisan effort. That is, again, that 71 percent favor a bipartisan effort—72 percent of Independents and even 46 percent of Trump supporters.

When will my Republican colleagues start listening to the American people? Start over, drop this partisan process and this devastating bill, and work with us. We are willing to stay 2 weeks, 2 months, or 2 years to get a good healthcare bill for the American people, but we should be included in the process.

#### NET NEUTRALITY

Mr. SCHUMER. Madam President, today is the net neutrality day of action. So I wanted to add a few words to this issue.

We depend on a free and open internet to spur innovation and job creation, and our economy works best when innovators, entrepreneurs, and businesses of all sizes compete on a level playing field. Net neutrality, very simply, says that everyone—consumers, small businesses, startups—deserve the same access to and quality of internet as big corporations.

When I was growing up in Brooklyn, my father owned a small exterminating business. If his competitor down the street had received preferred electricity service, he would have been rightly outraged, and the law would have protected him from that unfair treatment. We don't reserve certain highways for a single trucking company, and we don't limit phone service to hand-picked stores. We shouldn't reserve high-speed internet for a favored few corporations, either, and that was

the basis of the FCC's decision to preserve net neutrality back in 2015.

Now, of course, conservative and industry interests see an opportunity to roll back these protections and free access to a free and open internet in order to favor powerful corporations. That seems to be what they want.

President Trump's appointee to the FCC, Chairman Ajit Pai, has already taken several actions to undercut fair internet access. In his first 2 weeks on the job, Chairman Pai stopped nine companies from providing discounted high-speed internet to low-income individuals, and he jammed through nearly a dozen industry-backed actions, including some to begin curtailing net neutrality.

Once again, this administration favors the big, wealthy, special corporate interests over the average American. The American people should realize that is what the Trump administration is doing time and again. They talk like they are for working people, but when it comes to actions like this one on net neutrality, they favor the big special interests that, Mr. and Mrs. American Consumer, are going to make sure that in many instances you pay more. It is another example of the Trump administration sticking up for big corporations and special interests to the detriment of the people and small businesses—exactly the opposite of what President Trump promised in his campaign.

The Open Internet Order is working well, and it should remain undisturbed. If President Trump and Chairman Pai proceed down the path of dismantling net neutrality, they can expect a wall of resistance from Senate Democrats. We will fight tooth and nail to protect fair and equal internet access for all Americans. President Trump, our Republican colleagues, and Chairman Pai can expect a wall of resistance from the American people, as well, who are already making their voices heard in record numbers. So far, over 6 million—6 million—Americans have sent comments to the FCC on this issue. The fight has just begun, and we will not let up until the FCC abandons its wrong-headed plans.

I yield the floor.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the Nye nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of David C. Nye, of Idaho, to be United States District Judge for the District of Idaho.

The PRESIDING OFFICER. All postcloture time is expired.

The question is, Will the Senate advise and consent to the Nye nomination?

Mr. SCHUMER. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 158 Ex.]

#### YEAS—100

|              |            |            |
|--------------|------------|------------|
| Alexander    | Franken    | Nelson     |
| Baldwin      | Gardner    | Paul       |
| Barrasso     | Gillibrand | Perdue     |
| Bennet       | Graham     | Peters     |
| Blumenthal   | Grassley   | Portman    |
| Blunt        | Harris     | Reed       |
| Booker       | Hassan     | Risch      |
| Boozman      | Hatch      | Roberts    |
| Brown        | Heinrich   | Rounds     |
| Burr         | Heitkamp   | Rubio      |
| Cantwell     | Heller     | Sanders    |
| Capito       | Hirono     | Sasse      |
| Cardin       | Hoeven     | Schatz     |
| Carper       | Inhofe     | Schumer    |
| Casey        | Isakson    | Scott      |
| Cassidy      | Johnson    | Shaheen    |
| Cochran      | Kaine      | Shelby     |
| Collins      | Kennedy    | Stabenow   |
| Coons        | King       | Strange    |
| Corker       | Klobuchar  | Sullivan   |
| Cornyn       | Lankford   | Tester     |
| Cortez Masto | Leahy      | Thune      |
| Cotton       | Lee        | Tillis     |
| Crapo        | Manchin    | Toomey     |
| Cruz         | Markey     | Udall      |
| Daines       | McCain     | Van Hollen |
| Donnelly     | McCaskill  | Warner     |
| Duckworth    | McConnell  | Warren     |
| Durbin       | Menendez   | Whitehouse |
| Enzi         | Merkley    | Wicker     |
| Ernst        | Moran      | Wyden      |
| Feinstein    | Murkowski  | Young      |
| Fischer      | Murphy     |            |
| Flake        | Murray     |            |

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, I ask unanimous consent that with respect to the Nye nomination, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the

Senate the pending cloture motion, which the clerk will state.

The assistant bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of William Francis Hagerty IV, of Tennessee, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Japan.

Mitch McConnell, Chuck Grassley, Deb Fischer, Steve Daines, Luther Strange, Bob Corker, Thom Tillis, Tom Cotton, Tim Scott, Johnny Isakson, Richard C. Shelby, Michael B. Enzi, Richard Burr, John Hoeven, David Perdue, Roy Blunt, Todd Young.

The PRESIDING OFFICER (Mr. TILLIS). By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of William Francis Hagerty IV, of Tennessee, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Japan, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

The yeas and nays resulted—yeas 89, nays 11, as follows:

[Rollcall Vote No. 159 Ex.]

#### YEAS—89

|              |           |            |
|--------------|-----------|------------|
| Alexander    | Feinstein | Murphy     |
| Baldwin      | Fischer   | Murray     |
| Barrasso     | Flake     | Nelson     |
| Bennet       | Franken   | Paul       |
| Blumenthal   | Gardner   | Perdue     |
| Blunt        | Graham    | Portman    |
| Boozman      | Grassley  | Reed       |
| Brown        | Hassan    | Risch      |
| Burr         | Hatch     | Roberts    |
| Cantwell     | Heitkamp  | Rounds     |
| Capito       | Heller    | Rubio      |
| Cardin       | Hoeven    | Sasse      |
| Carper       | Inhofe    | Schatz     |
| Casey        | Isakson   | Schumer    |
| Cassidy      | Johnson   | Scott      |
| Cochran      | Kaine     | Shaheen    |
| Collins      | Kennedy   | Shelby     |
| Coons        | King      | Strange    |
| Corker       | Klobuchar | Sullivan   |
| Cornyn       | Lankford  | Tester     |
| Cortez Masto | Leahy     | Thune      |
| Cotton       | Lee       | Tillis     |
| Crapo        | Manchin   | Toomey     |
| Cruz         | Markey    | Van Hollen |
| Daines       | McCain    | Warner     |
| Donnelly     | McCaskey  | Whitehouse |
| Duckworth    | McConnell | Wicker     |
| Durbin       | Menendez  | Wyden      |
| Enzi         | Moran     | Young      |
| Ernst        | Murkowski |            |

#### NAYS—11

|            |         |          |
|------------|---------|----------|
| Booker     | Hirono  | Stabenow |
| Gillibrand | Merkley | Udall    |
| Harris     | Peters  | Warren   |
| Heinrich   | Sanders |          |

The PRESIDING OFFICER. On this vote, the yeas are 89, the nays are 11.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of William Francis Hagerty IV, of Tennessee, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Japan.

The PRESIDING OFFICER. The Senator from Wyoming.

#### HEALTHCARE LEGISLATION

Mr. BARRASSO. Mr. President, I come to the floor today to talk about what I saw happen over the Fourth of July in Wyoming while visiting with people, visiting with patients, doctors, and nurses. What I am seeing is that the pain of ObamaCare continues to worsen. The healthcare crisis we are seeing across this country continues to grow. The crisis is rising, the choices are disappearing, and the American people are desperate for Congress to step in and do something to help rescue them from the rising costs and collapsing choices of the Obama healthcare law.

It is interesting. When the Democrats passed ObamaCare, the Democratic leader at the time, Harry Reid, said that we would all get an "earful of wonderment and happiness." Those were his words about how great the law was. Well, every weekend at home in Wyoming and I am sure in the Presiding Officer's State of North Carolina, we get an earful, too, and it is not about wonderment and happiness over ObamaCare. What I hear from patients, doctors, and nurses at home is that ObamaCare is hurting them, hurting our communities, hurting our State. I hear about the rise in premiums. I hear about the declining number of options, the collapse of ObamaCare. We have one choice in Wyoming. We used to have two. Both lost money in spite of very high premiums. What we saw is that one ended up going out of business, and the one we have in business—the only one we have—is still losing money.

We are fortunate because we have at least one provider providing coverage. There are now 40 counties across America where no one will be selling ObamaCare insurance next year—no one, not a single company will be selling ObamaCare insurance.

In Nevada, where prior Senator Harry Reid is from, only three counties are going to have anyone selling on the ObamaCare exchange—only three of the counties in the entire State, the State that Harry Reid represented in the Senate for many years. People living everywhere else in his home State will have I think one choice, maybe more, but in terms of these counties, no one is selling ObamaCare insurance at all. The State health insurance exchange put out a statement in his home State that said that the people living in the rest of the State face what they described as a healthcare crisis.

Democrats predicted wonderment and happiness about ObamaCare, but there is a healthcare crisis all across

the country. People in that State are going to have no access to the insurance plans the Democrats promised them under ObamaCare. A lot of Americans are not much better off or in better shape right now.

There was a headline in the Independence Day edition of USA TODAY that said "1,370-plus counties have only one ACA insurer." The article was about a study that was done by the Robert Wood Johnson Foundation. They found that people living in 1,300 counties have no choice when it comes to the ObamaCare plan; there is just one company offering the mandated coverage. Washington says you have to buy it; not many people want to sell it. Washington doesn't seem to care.

Democrats don't seem to care about the fact that what they promised was a marketplace and what we have ended up with is a monopoly. Remember when Democrats promised there would be more competition? Essentially there is none. When there is none, we end up with less competition and generally with higher prices, which is what people across the country are seeing. Prices have essentially doubled in ObamaCare marketplaces over the last 4 years. That is why a lot of people are finding out that while they may still have access to coverage, it is so expensive, they can't afford to buy it—because they are down to one choice.

Health insurance companies keep releasing information about how much higher they expect rates to go next year, which continues to be a problem. I have seen the headlines. "Another ObamaCare Rate Shock."

Look at what is happening in Tennessee. Earlier this year, Aetna and Humana both said they were dropping out of ObamaCare exchanges completely. Cigna is one of the last big companies that are still willing to sell these plans. Well, they say they are going to have to raise premiums by 42 percent next year.

Look at what is happening in Georgia, just across the border from Tennessee. Blue Cross Blue Shield is asking for an average rate hike of 41 percent in Georgia. The Atlanta Journal-Constitution had an article about it just last week. They said Blue Cross might charge as much as 75 percent more for one plan next year. That is ObamaCare.

Remember President Obama saying that if you like your plan, you can keep your plan? Those plans are gone.

Remember President Obama saying that rates would drop by \$2,500 a year for people? That is not what we saw. What we are seeing is what is continuing today.

The Atlanta Journal-Constitution is saying that Blue Cross Blue Shield may charge as much as 75 percent more next year. They quoted one man as saying: "That's a breath taker." Another woman quoted in the article responded to these price increases by



saying simply “Yikes!” That is what people are facing all across the country.

I remember President Obama, leaving office, forcefully defending it and being proud. There is very little to be proud of here.

People all across America are having the exact same reaction as they see how much their own insurance companies are raising their rates all across the country. That is not the wonderment and happiness the Democrats said we would be hearing about when this was passed. The high prices are a big reason so many people are dropping their insurance coverage. They can't afford it. The people most likely to drop out, we find out, are, of course, the young people.

Gallup came out with the results of a recent survey on Monday, just 2 days ago, with big headlines all across the country. What they found is that 2 million fewer Americans, under ObamaCare, have insurance today than they did at the end of last year, just 6 months ago. There have been 2 million fewer over the last 6 months.

So, in just 6 months, 2 million people have gone off insurance. Most of them are young, and according to the survey by Gallup, they basically say they dropped it because it was just too expensive. They do not feel that they are getting value for their money. These 2 million people are not talking about the wonderment and happiness of ObamaCare. They are just leaving it behind.

Democrats said people would love ObamaCare. They said ObamaCare would bring down prices. It has not. They said it would increase competition, but they did not get that one right either. None of this is happening. Now the Democrats are starting to say that having Washington-mandated health insurance is not enough. They say we need health insurance to be run entirely by Washington. Apparently, they did not learn the lesson that said that the Washington-mandated insurance—having to buy a Washington product—would be good enough. Now they are recognizing that it is not good enough. They are saying that we need Washington in charge of all of it.

They call it single-payer healthcare, but let's talk about what it is. It is government-controlled healthcare—government-mandated, government-controlled, government-run, one-size-fits-all healthcare. It is a single payer, with the American taxpayers paying the bill.

We see what happened in California when its legislature passed a similar thing in the State senate. They asked: What is the cost? \$400 billion. What is the budget of the entire State of California? \$190 billion. So what they proposed in the State senate has passed in the State of California and costs twice what the entire budget is in the State

of California. To give what the people of California have been promised by the State senate, they are going to have to raise taxes on people, and then you will get the rationing of care and the lines and the waiting time. It is what happens around the world with government-mandated, government-run insurance. We see that in Canada, and we see that in England.

I was practicing medicine prior to coming here to the Senate. I was an orthopedic surgeon in Wyoming. I knew we needed to do healthcare reform, but ObamaCare was the very wrong reform. Democrats were wrong then, and all of the talk about government-run healthcare is wrong today—wrong today for the people of this country.

Look, we understand that we need a better solution than ObamaCare. That is what I hear about every weekend in Wyoming. We need to put patients in charge, not the government. With the Democrats and the speeches they are giving and the bills that have been co-sponsored in the House by a majority of the Democrats, they want to put the government solely in charge of healthcare in this country.

We need to have people at home making their own decisions, making their own choices, and not have Washington, DC, imposing its one-size-fits-all approach. We need to give people options, not mandates. People deserve choices. That is what the American people want. That is what Democrats promised years ago, but they never delivered. That is what Republicans are committed to giving the American people today—doing it now so that patients can get the healthcare they need from doctors whom they choose and at lower costs so that patients can make the decisions, not Washington. That is where we are today as we continue to debate and discuss healthcare in this country at this time.

Just coming back from Wyoming, I visited with many folks—many former patients, a number of doctors whom I had worked with over the years, and nurses. I was at several hospitals. I just heard, unilaterally, across the State of Wyoming that ObamaCare continues to be a burden on the people of the State. They want freedom. They want choice. They want flexibility. They want to make decisions for themselves, not have Washington dictate to them and, certainly, not have government controlling healthcare in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I have had the good fortune of being in both the House and the Senate during the period of passage and implementation of the Affordable Care Act and now the debate over repeal, and I have heard consistently from my Republican colleagues two things. One is that they did not think the Affordable Care Act

was the right approach to fixing the problems of America's healthcare system. There were 60-some odd times that the House or the Senate voted to repeal all or parts of the Affordable Care Act. The second thing I heard consistently over that period of time, dating from 2009, is that the Republicans were prepared to offer a replacement to the Affordable Care Act that would be better, that would be an improvement over the Affordable Care Act—indeed, over the status of the American healthcare system when the Affordable Care Act was passed. The ground has shifted mightily since then.

The Congressional Budget Office tells us that, under the Republican plan either passed in the House or in the Senate, a humanitarian catastrophe will result in this country. Tens of millions of people would lose their healthcare. That is not what Republicans said their replacement would do. They said their replacement would be better than the Affordable Care Act.

The CBO says that rates will go up immediately by 20 percent on almost everybody. Then, after that, if you are young and healthy, rates will probably go down, but for everybody else, the amount of money you have to pay in premiums, copays, and deductibles will go up. There is nothing in the Republicans' bill about cost—nothing that addresses the underlying issues with an American healthcare system that, procedure by procedure, costs twice as much as in most other countries—and nothing about quality. There is not a single provision in the bill that encourages higher quality.

As we get ready for Republican repeal bill 3.0 or 4.0—whatever this next version will be that will be released secretly to Republicans tomorrow—I think it is just worth reminding everybody what Republicans said would happen. I will just use our President's words. I understand that many of my Republican colleagues here do not ascribe to all of the beliefs and statements of our President, but he is the leader of the Republican Party. All of my colleagues did support him, and they stood with him in the House of Representatives, arm in arm, when they passed the Republican House's repeal and replacement bill.

President Trump wrote this:

I was the first and only potential GOP candidate to state there will be no cuts to Social Security, Medicare, and Medicaid. Huckabee copied me.

So no cuts to Medicaid was the promise. Yet the bill that the President has endorsed and is trying to help Leader McConnell push through the Senate involves debilitating cuts to Medicaid—\$700 billion to \$800 billion worth of cuts to Medicaid—resulting in millions of people being pushed off of that benefit. The cut to the State of Connecticut would be \$3 billion. We are a tiny State. Our Medicaid Program is

somewhere in the neighborhood of \$8 billion. We would lose \$3 billion of that. The promise was that we would not cut Medicaid. This bill cuts Medicaid.

President Trump wrote:

If our healthcare plan is approved, you will see real healthcare, and premiums will start tumbling down. ObamaCare is in a death spiral!

There is always one long sentence and then one very short sentence.

Here are the two claims: "Premiums will start tumbling down." That has been the promise, and that has been a consistent promise—that costs will go down if the Affordable Care Act is repealed and replaced with a Republican plan. The CBO debunks this from beginning to end. It says that premiums will go up. They will start tumbling upwards immediately at rates of 20 percent. If you are older or if you have any history of preexisting conditions, your premiums will continue to go up. The danger, of course, is in thinking that the only thing that you pay in the healthcare system is premiums. I could pretty easily construct a healthcare reform proposal in which your premium would go dramatically down. How would I do that? I would just shift all of the payments onto deductibles, onto copays, and I would give you nothing with regard to the actuarial benefit of the plan. It is easy to get premiums to go down if you do not care about what you are actually covering and the size of your deductibles and the size of your copays.

Then, "ObamaCare is in a death spiral!" The CBO debunks that as well. The CBO says that, if you leave the Affordable Care Act in place over the course of the next 10 years, 2 or 3 million people will lose healthcare insurance. If you pass the Republicans' healthcare bill, that is where the death spiral occurs. There are 23 million people who will lose insurance if you pass the Republicans' bill, but 2 to 3 million people will lose insurance if you do not pass it.

Again, President Trump writes:

Healthcare plan is on its way. Will have much lower premiums and deductibles—

Here, he is making a commitment on deductibles. Once again, the Congressional Budget Office says that premiums will go up and deductibles will go up, especially for individuals who are older or individuals with preexisting conditions—while at the same time taking care of pre-existing conditions!

This bill does not take care of people with preexisting conditions. Why? Because it allows for any State to allow insurance companies to get out from the minimum benefits requirement. If you have cancer, technically, the Senate Republicans' bill says that you cannot be charged more, but you may not be able to find a plan that covers cancer treatments. So that is not protecting people with preexisting condi-

tions. The CBO says this specifically. It says that, especially for people with preexisting mental illness and preexisting addiction, they will be priced out of the marketplace because they will not find plans that cover their illnesses. You cannot just protect people with preexisting conditions by saying that insurance plans have to cover them. You actually have to require insurance plans to offer the medical benefit they need.

Once again:

Our healthcare plan will lower premiums and deductibles—and be great healthcare!

Insurance companies are fleeing ObamaCare—it is dead.

I have already covered the part about premiums and deductibles, but let's remember that insurance companies were not fleeing ObamaCare until President Trump was sworn into office. The period of open enrollment covered a period prior to his inauguration and a period after his inauguration. Before President Trump's inauguration, open enrollment was on pace to enroll a record number of Americans in exchange plans and Medicaid plans—record enrollment. Enrollment fell off a cliff after President Trump was sworn into office and signed an Executive order that told all of his agencies to unwind the Affordable Care Act. People listened to President Trump, who said that he was going to kill the Affordable Care Act, and they stopped signing up for those plans.

It got worse when he refused to pay insurance companies. Right now, the President will not commit to paying cost-sharing subsidies to insurance companies more than 30 days ahead of time. He stopped enforcing the individual mandate, and it is no surprise that insurance companies are saying they do not want to participate in these exchanges because the President is trying to kill them. He has made it very clear from day one.

I have had the benefit of being on the floor a number of times with Senator BARRASSO, who often came down to the floor, following my remarks, during the period of the implementation of the Affordable Care Act. I heard him talk about the fact that there will be freedom for Americans to have or not to have insurance if this piece of legislation is passed. It is a wonderful idea that people will be free to not be able to afford insurance. The reality is that, yes, some individuals buy insurance today because they are compelled to by the individual mandate, but there is a reason for that. If you do not compel people to buy insurance who are healthy, then you cannot protect people who are sick.

I sat where the Presiding Officer is during Senator CRUZ's 24-hour filibuster. In the middle of that filibuster, he said exactly that. Senator CRUZ, in the middle of the his filibuster, said that we all understand that you have

to have the individual mandate in order to prohibit companies from charging higher premiums for people who are sick, and my Republican colleagues know that because they kept the individual mandate in their bill.

So this nonsense about no one's being required to buy insurance is belied by the text of the legislation we are considering. There is a mandate in this bill. There is a penalty in this bill. It is just a far meaner and crueler penalty than was included in the Affordable Care Act.

What do I mean by that?

So the Affordable Care Act doesn't mandate that you buy insurance in the sense that if you don't buy it, you will be locked up in jail; it says that if you don't buy insurance, you will pay a penalty on your income tax. If you don't buy insurance, there will be a penalty.

That is exactly what the Republican Senate bill says. It says that if you don't buy insurance, you will incur a penalty. In their bill, the penalty is that you will be locked out of buying insurance for 6 months. If you are sick, or even, frankly, if you are healthy and you need to go see a doctor for something, you will have to pay for that out of your pocket for those 6 months. If you are sick, and you have a serious condition and you are legally refused healthcare because of this legislation, the consequences could be dire, but whatever the scope of the consequences, it is still a penalty, just like there was a penalty in the bill that the Democrats supported and passed in 2009 and 2010.

So it is just not true to say that now Americans have the freedom not to have healthcare. You don't because you are going to be penalized if you let your health insurance lapse. If you don't make payments for a couple months, you are locked out of the insurance market. That is just a different kind of penalty than the one that is in our bill.

The truth is that while I admit there are some people who buy insurance today because they fear that penalty, it is necessary, as Republicans realize, in order to make sure the markets don't spiral out of control, because if you say that you can't charge people with preexisting conditions more and you don't require healthy people to buy insurance, then why would any healthy person buy insurance? They will just wait until they are sick because they know that once they are sick and need very expensive care, they can't be charged any more for it.

The nature of insurance is that people who have the good fortune to be healthy or to be free of accident or natural disaster subsidize individuals who are not so fortunate—who are sick, who do have an accident occur to their home or who are subject to a natural disaster. That is how insurance works.

Republicans realize that because they put a penalty in their bill, but for as many people who buy insurance because they are forced to, most people buy insurance because they want it because they recognize it is better to have insurance in the case that they or a loved one gets sick, and that is whom we are talking about here. Of the 23 million who lose insurance, according to CBO, under the Republican bill, millions and millions of those are those people who want insurance but will not be able to get it because they are priced out by the Republican bill. I can see there will be some people who will make that choice, but there will be millions more who had insurance today who will not be able to get it moving forward.

As Republicans finish up this latest round of secret negotiations, I just want to make sure we are on the same page about what this bill does. It mandates that you buy insurance, just in a different way. It has a penalty just like the Affordable Care Act has a penalty.

I want to make sure we remember what Republicans stated as their goals for this replacement. The goals were that the system would be better, but by every single metric, this proposal will result in worse healthcare for people. Less people will have insurance. Rates will go up for everyone except for young, healthy people. Costs will continue to spiral out of control, and no additional measures will be taken to make quality better. Every single problem that Republicans address in the existing healthcare system gets worse.

Senator BARRASSO complains mercilessly about these exchanges. CBO says the exchanges will shed even more people. The costs will go even higher. Senator CORNYN regularly tweets out that the Affordable Care Act still left 28 million people uninsured, but this bill you are debating will double the number of people who don't have insurance.

For all of my Republican colleagues who rightly come to the floor and talk about the fact that the cost is too high for individuals in our system, there is not a single provision in this bill that deals with the actual cost of the service, of the procedure, of the visit, of the surgery.

I am deeply worried that this next version of the Republican repeal and replace bill will result in premiums going up by 15 percent and only 17 million Americans losing healthcare and it will be declared a victory, but that is not what Republicans promised. They promised to repeal the Affordable Care Act and replace it with something that is better, not something that is less bad than the original version of the replacement plan they introduced.

I think the reason that to many people it appears this bill is falling apart is because when my colleagues went home this weekend, they heard an earful from their constituents—from real

folks who will be affected by this piece of legislation.

Alison is 28 years old. She is from Milford, CT. She was in my office this week. She came to DC this week, she and her boyfriend, I think—I don't want to ascribe an engagement to them that is not true; I think her boyfriend. They came down here this week. They were supposed to be on vacation this week, and they decided to spend some of their vacation coming to Washington so Alison could tell her story to Members of Congress.

When she was 9 years old, she was diagnosed with a rare liver disease. At the time, she and her family were told that they would need to find a liver transplant in roughly 10 years or she wouldn't survive.

At the start of her sophomore year at Sacred Heart University in Connecticut, she was starting to have symptoms of a condition that results from a buildup of ammonia in her brain. She was having a hard time concentrating, abdominal pain, nose bleeds, nausea, vomiting, and joint pain. Her doctor said it was time for her to get that transplant, that she was at that critical moment when she needed it.

Unfortunately, none of her family or 8 other candidates—friends, I think, of the family—were a match. So in desperation, her parents wrote an email and just sent it out to people who lived in Trumbull and in the Sacred Heart University community. From that email, an anonymous young man stepped forward. He was tested and determined to be a match. The surgery was a success. When she walked on stage to receive her diploma from Sacred Heart University, she was joined by that anonymous donor, and her fellow graduates gave her a standing ovation.

Now, her family was lucky because she had insurance through her father. She is, because of the Affordable Care Act, allowed to do that, at the time being under 26 years old. Her insurance paid for virtually everything that was necessary, but, she says, had my dad not had the healthcare benefits he did, I know my family would not be in the place we are today because my parents would have lost everything they worked so hard for. There was no way we could have afforded to pay for all of those burdens.

Today she worries that if this bill is passed, she, as a young woman with a preexisting condition, will be destined to a life of discrimination because she may not be able to find a plan that covers her condition because of the withdrawal of protection with respect to the minimum benefits requirements. Even in Connecticut, she is vulnerable to that withdrawal of protection, not because Connecticut is likely to allow insurance plans to offer coverage that doesn't include the minimum benefits

but because if you work for a big company, and even if you are housed in Connecticut, if that company anchors their plan in a State that does strip away the insurance protections, then you lose the protections even as a resident of Connecticut.

Alison is now a nurse in the neonatal intensive care unit at Yale University Children's Hospital. She is contributing in a big way to our State and to the healthcare system. Yet she is living in fear of this legislation being passed. So she took some of her vacation to come to Washington to share her story with us.

I am with Senator COLLINS. I think the Republicans should scrap this garbage piece of legislation. I hope they understand our offer is sincere—it is not political—that Democrats do want to sit down with Republicans and try to provide some reasonable fix to what still ails our healthcare system.

I will end with this thought: It doesn't have to be like this. Healthcare does not have to be a political football that is just tossed from one side to the other every 10 years. That is what has been happening here for my entire political lifetime. I was elected to Congress in 2006, in part because of the tempest of popular frustration with the way in which Republicans passed the 2003 Medicare Modernization Act, which included the new prescription drug benefit that Democrats saw—and sold—as a giveaway to the drug and insurance industries. Democrats used healthcare as a political cudgel to bludgeon Republicans after the 2003 Medicare Modernization Act. Its implementation was very rocky, just as the implementation of the Affordable Care Act was. The Democrats used it against Republicans.

In 2009, it was the Republicans' turn to bludgeon Democrats. Democrats lost a lot of seats in 2010, in part because Republicans used the passage of the Affordable Care Act to politically harm Democrats. Now, once again, it is the Democrats' turn to politically bludgeon Republicans.

Whether this bill passes or not, the fact that Republicans have walked out on a plank with a partisan piece of legislation that takes insurance from 23 million people across the country and, as every poll shows, is widely unpopular will be a political liability for Republicans.

What if we decided to stop tossing healthcare back and forth? What if we decided to jointly own one-fifth of our economy? What if we decided to sit down and give a little bit, from our side to yours, from your side to ours? What if I said that I understood you cared about flexibility in these marketplaces, that I understood your desire for more flexibility for Governors and State legislatures under Medicaid? What if you said you understood our interest in providing long-term stability in these marketplaces, that you

understood our desire to try to get at some of the costs of the actual services and devices and prescription drugs that are sold? What if we sat down and fixed the things that aren't working, kept the things that are working, and held hands together and said that we are going to jointly own the American healthcare system?

It would leave plenty of things to fight over. There would still be no shortage of disagreements that we could run elections on. Whether it be immigration or taxes or minimum wage, there will still be lots of things we could disagree on, but for as long as I have been in politics, this issue has just been thrown back and forth, to hurt Democrats, to hurt Republicans. In the process, we have injected so much uncertainty into the healthcare system and into the economy at large, that we make it impossible for private sector reform to take hold.

Hospitals and healthcare providers have been doing really innovative things since the Affordable Care Act went into effect because they got a signal from the Federal Government that we wanted them to start building big coordinated systems of care, that we were going to reward outcomes rather than volume. So they started making all of these big changes, and then, about a year ago, they stopped because Republicans said they were going to blow up that model and pass something new. We frustrated innovation because we telegraphed that healthcare policy is just going to ping-pong back and forth between left and right. We hurt ourselves politically, we frustrate the private sector innovation, and get no benefit to us on the economy.

My offer, and I think the offer from most of my colleagues, is sincere. If my Republican friends do choose to throw away this piece of legislation because it doesn't comport with the goals that Republicans have long said were at the heart of their effort to repeal this bill, there is an important bipartisan conversation about keeping what is working in our healthcare system and admitting together that there are big things that aren't working and fixing them together.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. MERKLEY. Mr. President, the most important three words in our Constitution are the first three words: "We the People."

Our Founders chose to write those words in supersized font so that we

could, from some distance away, know exactly what the mission statement was. Their goal wasn't to write a structure for government that would repeat the governments of, by, and for the powerful of Europe but to pursue differently a vision in which the will of the people would be enacted; that government would work not just for the benefit of the citizens at large but also empowered by the citizens at large. This is a vision we have been very concerned about as we see the influence of the concentration of money in American politics.

Indeed, we have five members of the Supreme Court who don't understand the basic, fundamental nature of the first three words of our Constitution. They adopted a court case, *Citizens United*, which was the opposite of the vision of our Constitution. That vision was articulated by Thomas Jefferson, who said that the will of the people will be enacted only if each and every citizen has an equal voice. But *Citizens United* gives a dramatic, stadium-sized megaphone to the individuals who are the richest and most powerful in the country, at odds with that fundamental vision that Lincoln so well summarized as government of, by, and for the people.

We have certainly seen the case of government by and for the powerful in the context of the recent TrumpCare bill—the Senate version thereof—crafted in secret by 13 of my colleagues from across the aisle, hiding from the press, hiding from the healthcare stakeholders and experts, hiding from their own citizens. In fact, during this last break, of the 52 Members of the Republican caucus, apparently—reportedly—only a couple had townhalls because they were terrified of what their citizens would say about the bill they have been crafting in secret—the secret 13.

This bill is also known as the zero, zero, zero bill—zero committee meetings, zero amendments considered in committee, zero months of opportunity for Senators to go back and consult with their citizens back in their home States.

Then what do we find as a result of this secret process of government by and for the powerful? A bill to rip healthcare from 22 million Americans in order to deliver hundreds of billions of dollars to the richest Americans. In fact, if you want to summarize it, you can say that this bill gives \$33 billion—not \$33,000, not \$33 million but \$33 billion—to the richest 400 Americans while ripping healthcare away from 700,000. That is the number who could be funded by that same \$33 billion. That would cover all of the Medicaid recipients in Alaska and Arkansas and West Virginia and Nevada. This has incredibly grave consequences for the peace of mind and the quality of life for these millions of Americans. It rips \$772 billion out of Medicaid.

We know the Medicaid expansion in Oregon has enabled 400,000 people to acquire healthcare in my home State—400,000. If they were holding hands, they would stretch from the Pacific Ocean to the State of Idaho, across the entire east-west breadth of my State.

Think about how much of an impact this has on rural Americans. One out of three Oregonians in rural Oregon are on the Oregon Health Plan, Oregon's Medicaid Program. It has a big impact on our seniors—our seniors in long-term care.

Oregon is a leader in helping families, helping individuals stay in their homes as their healthcare deteriorates. But when they can no longer stay in their home because of the extensive nature of their care, many then are, through Medicaid, able to go and get care—long-term care—in a nursing home. That long-term care, paid for by the Oregon Health Plan, covers about 60 percent of the individuals in long-term care, but in rural Oregon, it is much higher.

I was in Klamath Falls at a nursing home. I was citing the national statistic, 60 percent, and the head of the nursing home said: Senator, here, it is virtually 100 percent.

I looked at those residents down that long hallway who needed intensive nursing healthcare, and one woman asked why I was there. Her name was Deborah. When I explained it, she said: I am paid for by Medicaid. If Medicaid goes away, I am out on the street. That is a problem because I can't walk.

It is not just a problem for Deborah. It is a problem for all of our residents in long-term care who need extensive nursing care. It is a challenge. It is a real challenge. It is a real problem for our mothers. One out of three women in maternity care are paid for by Medicaid. Don't we want our children to get a good, strong start in life? Don't we want maternity care from the moment a woman knows she is expecting a child? Don't we want that? Then why do so many of my colleagues support a bill to tear that care away from our expecting mothers?

It is a problem for our older Americans, our older Americans whose rates would go way up. For example, a man who is 60 years old, earning \$20,000 a year, who currently pays about \$80 a month for healthcare—an affordable policy. Under the Republican TrumpCare bill, that would go to \$570 a month.

I challenge my colleagues, find me someone earning \$20,000 a year who can pay \$570 a month for healthcare. Find that individual and defend your plan on the floor of the Senate as to why that isn't equivalent to just taking healthcare away from that individual.

Then, of course, we have the issue of preexisting conditions. People sometimes have an injury in high school football or maybe it is in softball or

gymnastics or in wrestling that they carry with them their entire lives. Maybe it is something that develops further on in life. Maybe it is asthma, diabetes, or an episode of cancer. Now they have a preexisting condition. Under our old healthcare system, prior to 2009, 2010, they couldn't acquire insurance unless they were fortunate enough to get it through that job, which millions of Americans do not get it through their workplace. They were out in the cold, out on the ice.

Now we have this Republican TrumpCare bill. They want to throw those citizens back on the ice who have preexisting conditions, not their friends who are wealthy enough to buy healthcare on their own or heads of corporations who get big benefit packages—not them, no, just the struggling working Americans.

Don't we care about struggling working Americans? Aren't we a "we the people" nation, not a "we the privileged" nation? I encourage my colleagues to read up on the first three words of our Constitution and what it means.

Then we have the plan my colleague from Texas has presented. It is referred to as the Cruz amendment. The Cruz amendment—the Cruz amendment for fake insurance. It works like this. It says, if an insurance company provides one policy with extensive benefits—that is, benefits essential to ordinary healthcare like maternity care and the ability to go to a hospital, the ability to get a broken bone repaired, the ability to get affordable drugs, just the basics of healthcare—they have one policy with these essential benefits. They can offer policies that cover virtually nothing. These are known as fake insurance.

We have a President who likes to talk about fake news virtually every day. Why do we have a President who hates fake news but loves fake insurance? Why do I have 52 colleagues here who apparently love fake insurance?

Here is what it does. It means the young and the healthy get those policies because they cost very little, and they make a bet that they aren't going to get hurt and they are not going to get sick. That means that those who are older and those who have preexisting conditions have to go for the policy that has those essential benefits, but now because only the older individuals and the sicker individuals are getting that policy, it is way beyond reach.

Earlier I described how a 60-year-old at \$20,000 has a policy that increases seven times, from \$80 a month to \$570 a month. The Cruz amendment would make that much worse. It makes fake insurance for the young or the wealthy and unaffordable policies for those who are older and have preexisting conditions.

Our President said the House bill is mean, but the Senate bill is meaner.

The House bill would knock 14 million people out of healthcare within a single year. The Senate bill, that is 15 million people.

The American Medical Association has long operated under the precept of, first, do no harm. Wouldn't that be a good principle for legislation on healthcare? Is it any wonder that the USA TODAY poll says only one out of eight Americans likes this Republican TrumpCare bill. We can turn to the PBS NewsHour poll, 17 percent. That is quite a small number of Americans who understand that ripping healthcare from 22 million people in order to give hundreds of billions of dollars to the richest Americans is one of the biggest takings this country has ever seen proposed and one that so deeply and profoundly damages the quality of life for these Americans.

Our Presidents—Republican and Democratic—over time have understood this. President Eisenhower said:

Because the strength of our nation is in its people, their good health is a proper national concern; healthy Americans live more rewarding, more productive and happier lives.

He continued:

Fortunately, the nation continues its advance in bettering the health of all its people.

Today, on the floor of the Senate, we have a different philosophy, not the Eisenhower strategy of advancing the bettering of the health of all of our people but in fact the Trump policy echoed by so many of my colleagues that is about destroying the healthcare for millions of people, taking us back in time to a place where peace of mind was missing for millions of Americans because they couldn't either afford healthcare or because their policies didn't cover anything. Other Presidents over time have weighed in with very similar sentiments to that which President Eisenhower put forward.

Let's hear it from the citizens back home. Kathryn, from Springfield, has battled cancer three times over the last 12 years. Kathryn says that during her last two bouts with cancer, in 2010 and 2011, she was "blessed enough to have qualified for the Oregon Health Plan" and that without it she would not be here today.

Indeed, healthcare coverage has been a blessing to so many. Let's not rip those blessings away.

Let's go to Beth in Bend and her 34-year-old son who is living with a rare genetic condition and relies on the Oregon Health Plan to survive. In 2012, doctors found tumors along his spine and areas of concern in his brain and his lungs. They are benign now but could turn into cancer at any time. Beth's son's life depends on regular, expensive MRIs to monitor them. He is only able to afford those MRIs because of the Oregon health plan.

As Beth says, "If the ACA is repealed and replaced with TrumpCare, my son

will most likely lose his current health insurance . . . the loss of access to affordable insurance is a potential death sentence for my son."

Medical professionals like Caitlin, a nurse in Portland, tell us how significant this is, and she writes:

With the passage of ObamaCare, I saw people were finally able to come and be seen by our medical teams. Often their disease processes were so advanced that we would have to take very extreme measures to try to halt or reverse these disease processes.

But as time has passed, we're able to catch things sooner and people can actually go to primary care rather than waiting until it's a matter of life or death and having to be seen in the Emergency Department.

I am struck by Liz from Enterprise, who works at a clinic and told me that the clinic has expanded in this very small, remote town in Northeast Oregon from 20-something employees to 50-something employees. It has doubled in size, which means an incredible improvement in healthcare. She went on to say that they have been able to take on mental health as well, which they never were able to do before. Why could they afford to do this? Because the uncompensated care dropped so dramatically that their finances improved, and they were able to hire more staff.

Let's ask about John in Sherwood. John wrote about his grandmother. He lost his grandmother to Alzheimer's a few months ago, but thanks to the Oregon Health Plan, his grandmother was able to live in a nursing home and get the care she needed 24 hours a day right up until the end.

As John says, "I'm forever thankful for the work of President Obama and Congress for passing the ACA. If they wouldn't have passed this bill, my grandmother wouldn't have gotten the care she needed from those great men and women at the nursing home."

These stories go on forever. Over this last weekend, I did a series of townhalls in rural Oregon, parts of Oregon that would be painted red on a political map. I held those townhalls and then went to a series of other Main Street walks with mayors and small incorporated cities. What I heard everywhere I went—inviting the entire community to come to the townhall and talk—was enormous anxiety, enormous anxiety and disappointment that the leaders they are counting on here to make our healthcare system work better care more about giving more American tax dollars away to the richest Americans than they do about fundamental healthcare for struggling working families across our Nation.

Let's listen to those individuals. I know most of my colleagues didn't go home and listen to their constituents. As I mentioned, it has been reported that only a couple of my Republican colleagues held a townhall, even though this bill would affect them so profoundly. Still, their voices are echoing through this building, through the

emails, through the phone calls, through the individuals who are coming and visiting our offices both here and back home. Let's listen to those voices. Let's be a "we the people" nation that works in partnership with the American people to make this world, this Nation, provide a foundation for every family to thrive.

That means we have to take an oak stick and pound it through the heart of TrumpCare and bury it 6 feet under and then work together in a bipartisan fashion. Think of all we could do. We know that when you strip away reinsurance, you destroy the market for insurance companies to go into new areas and compete. Let's restore that reinsurance.

We know that when the President holds on to the cost-share payments and will not say whether he is releasing them, our companies don't know how to price their policies, and they are dropping out of the exchanges across this Nation. County after county health insurance companies are fleeing because the President will not tell them whether he is releasing these cost-share payments. We can fix that.

We know we have a meth and opioid epidemic across this country. I have heard my colleagues on both sides say we have to take this on in a more courageous, more substantial fashion. We passed authorizing legislation, but let's put funds behind that. Let's do that, and let's take on the high cost of pharmaceuticals.

These four things we can do together. The country would love to see Democrats and Republicans working together to make our healthcare system work better. That is exactly what we should be doing in representing the citizens of the United States of America in a "we the people" democratic republic.

The PRESIDING OFFICER. The Senator from Utah.

#### TAX REFORM

Mr. HATCH. Mr. President, I rise to once again discuss the ongoing effort to reform our Nation's Tax Code. Over the past several years, I have come to the floor often to make the case for tax reform by highlighting the many shortcomings of our current tax system and discussing the benefits we could reap by making the necessary changes.

Over the last years while I have been serving as chairman or the lead Republican on the Senate tax-writing committee—both as ranking member and as chairman—I have made tax reform my top priority, and right now, I believe there is more momentum in favor of tax reform than we have seen in decades.

To capitalize on that momentum, reform advocates like myself need to continue to make the case for updating and fixing our broken tax system. Toward that end, I intend to come to the floor often in the coming weeks and

months to discuss various aspects of our tax system and make the case for reform. In my view, we need to go back to the drawing board and fundamentally rethink our entire tax system. This includes both the individual, as well as the business side of the tax ledger.

Today, I want to talk specifically about our Nation's business tax system, with a particular focus on the corporate tax.

Let's get the obvious out of the way first: The United States has the highest statutory corporate tax rate in the industrialized world. Looking at the effective corporate tax rates tells an equally gloomy story of the lack of American competitiveness. I will have more to say on that in a minute.

I know some like to rail on corporate America and claim they aren't paying their fair share, but the facts tell a different story. Companies doing business in the United States are saddled with statutory tax rates that are higher than any other industrialized country. This isn't just a Republican talking point; Members and commentators from both parties and across the ideological spectrum have acknowledged that this is the problem.

For example, just last year, former President Bill Clinton argued for a reduction in corporate tax rates, noting that he had urged for the corporate tax to be raised to 35 percent when he was President because "it was precisely in the middle of OECD countries. It isn't anymore."

Early in his Presidency, President Obama said: "Our current corporate tax system is outdated, unfair, and inefficient." He also said that our corporate tax system "hits companies that choose to stay in America with one of the highest tax rates in the world." I might add, he did nothing about it, though.

In addition, my counterpart on the Senate Finance Committee, Senator WYDEN, has introduced legislation that would reduce corporate tax rates by more than 10 percent.

In a Finance Committee report in 2015 on international tax reform, put out by a working group cochaired by my friends and colleagues Senators PORTMAN and SCHUMER, it was clearly stated that "no matter what jurisdiction a U.S. multinational company is competing in, it is at a competitive disadvantage."

There are plenty of other examples of prominent Democrats who recognized the impact of our obnoxiously high corporate tax rate.

I want to turn back to Bill Clinton's point, though, because it is an important one. We must always remember that businesses are, by and large, rational actors, making decisions based on what will help grow their business and what will cause their businesses to stagnate or move backward. Such deci-

sions inevitably include where a company will do business and where it will be incorporated.

According to the Organization for Economic Cooperation and Development, or OECD, businesses contemplating investment and other similar matters—especially incorporation in the United States—must first come to terms with the largest combined corporate tax rate among OECD member countries, which is currently at 39.1 percent.

Some of my friends on the other side of the aisle like to counter these inconvenient facts by acknowledging the difference between effective tax rates, which are rates after accounting for deductions and credits, and statutory tax rates. Of course, even when taking those differences into account and focusing solely on effective rates, the United States only falls from the highest to the fourth highest corporate rate among countries in the G20—and that is according to 2012 data that doesn't yet capture recent tax reforms in the UK and elsewhere.

In other words, whether we are talking about effective rates or statutory rates in the United States, we are talking about some of the highest corporate tax rates in the world, and, as the working group cochaired by Senators PORTMAN and SCHUMER made clear, this translates into American companies constantly being put at a competitive disadvantage. It doesn't take a Ph.D. in economics to recognize that this has had a major, negative impact on our economy and the ability of the American job creators to compete on the world stage.

As a result of the astronomically high corporate tax rates in our country, we have seen companies—that, keep in mind, have duties to their shareholders—engage in inversions, earnings stripping, and profit shifting, all of which erode our tax base and drive away American ingenuity and innovation. These types of activities ship jobs, economic activity, intellectual property, and capital offshore, rather than keeping them right here in America. The primary driver behind most of these practices—practices that have been decried in the harshest rhetoric by some of our friends here in the Senate—is the desire to avoid or at the very least mitigate the impact of the U.S. corporate tax.

While I am not a fan of inversions or foreign takeovers or aggressive tax-planning techniques that shift profits around the globe in search of low taxes, and I don't want to see any unnecessary erosion of the U.S. tax base, I can hardly fault any company for simply responding to the incentives created by our business tax system and the competitive actions of other countries that have been lowering their corporate tax rates.

Unfortunately, instead of recognizing the perverse incentives of our current



tax system, coupled with companies' duties to their shareholders, many of my Democratic friends—most notably, prominent officials in the previous administration—have derided the executives and board members making these decisions, claiming that they lack, in the words of our previous U.S. Treasury Secretary, "economic patriotism." The truth is that when it comes to our business tax system, some of our friends have buried their heads in the sand.

Let's take a quick stroll through recent history. In the 20 years between 1983 and 2003, there were just 29 corporate inversions in the United States. In the 11 years between 2003 and 2014—a period spanning both Democratic and Republican Presidencies—there were 47 tax inversions—nearly double the number in half the amount of time. A quick review of changes in other industrialized nations' tax schemes will show that while the United States has stubbornly maintained the same corporate tax rate for more than three decades, other countries have nimbly adapted to the growing competition in the global marketplace.

I have spoken at length about inversions before, so I will not belabor the issue now. What I do want to say is that when I talk to board members and CEOs of some of the largest companies in the country, they tend to be unequivocal when asked why they feel pressure to invert. Almost uniformly, their answer is our outrageously high corporate tax rate.

Personally, I think this is one of the reasons why my friends and colleagues who sit on committees that regularly engage in these topics have come to recognize the level of our corporate tax rate as the major problem that it is.

When I talk to constituents in Utah and Americans across the country, I hear of stagnant growth in wages and income, concerns over lack of opportunities and jobs, and worries about whether their employers will continue to operate here in the United States of America.

Of course, the problem with our corporate tax system isn't just that it incentivizes companies to move offshore or discourages businesses from forming here in the United States in the first place; the problems actually run much deeper.

Since 1947, the average growth of inflation-adjusted GDP in the United States has been 3.2 percent. Unfortunately, in the 8 years of the Obama administration, the growth rate was an anemic 1.8 percent.

I know that several of my colleagues would, in response to those data points, argue that much of that is due to the great recession that took place at the initial stages of President Obama's time in office; however, a quick review of the quarterly growth rates since 1947 will show that there are normally peri-

ods of growth following recessions as the economy rebounds and the values of assets normalize again. In the case of the great recession of 2008 to 2009, that normal rebound did not occur, and a big reason why is the downward pressure imposed by our outdated tax scheme. Let's remember that the recession ended in June 2009—more than 8 years ago.

Others still might argue that this is all academic. They might even be brazen enough to claim that when we talk about the corporate tax rate, we are talking about the problems of the rich and not the middle class. Again, anyone making such an argument would simply be ignoring the facts and could be considered an idiot. Make no mistake—the crippling corporate tax rate in our country has stifled growth and investment in American businesses. This doesn't just impact Wall Street investors or rich CEOs, it has a negative effect on the middle class and on lower income workers. That effect comes in the form of fewer jobs, less investment in America, and sluggish growth and productivity that fuels wage and income growth.

Since 1953, real median family income in the United States—meaning that half of the country earned more and half of the country earned less—has grown at an average rate of 1.3 percent. Under the Obama administration, that same indicator—one of the best indicators of the true status of the middle class—grew at approximately half that rate, or 0.7 percent. The growth of the average hourly earnings of production and nonsupervisory workers during the Obama administration was half of the historic long-run average. What is more, labor force participation was set firmly on a downward trajectory throughout the Obama administration and has yet to recover.

As you can see, there is clear evidence that the economy is not working well for many American workers and middle-class families. Anyone arguing that our current tax system is a benefit to the middle class is, in my view, sadly misinformed or being deliberately misleading.

Over the years, I have seen many of my friends on the other side come to the Senate floor demanding new standards, higher wages, and increased protections for middle-class workers. Yet many of the tax policies they tend to support would have the opposite effect.

There is almost universal agreement among economists that the corporate tax is the most inefficient tax in existence. In addition, a large percentage—some economists say as much as 75 percent—of the burden imposed by the corporate tax is borne by a corporation's employees. In other words, our high corporate tax rate isn't just a burden on faceless corporations or rich shareholders, the burden is disproportionately borne by the factory workers

and scientists and even the janitors who work for corporations, large and small.

A reduced corporate tax rate would allow American companies to compete with their international counterparts on a more level playing field. A reduced corporate tax rate would mean fewer businesses would move offshore, taking their jobs and investments elsewhere. A reduced corporate tax rate would incentivize more new companies to set up shop in the United States and lead more established companies to invest their capital and hire workers here rather than in lower tax jurisdictions found in places like Canada, the UK, Ireland, or elsewhere.

Mr. President, our shared goal should be to make the United States an inviting place to locate a business, invest, hire workers, and create new ideas and products, but that will not be the case so long as we cling to our punitive corporate tax system.

Now, of course, when it comes to tax reform, our focus needs to move beyond the corporate tax rates. We need to talk about making the individual tax system simpler and fairer and offer tax relief to the middle class and small, passthrough businesses. We need to talk more about fixing our international system to further improve the competitiveness of American job creators and prevent further erosion of our tax base. And we need to remove burdens on savings and investment that keep middle-class Americans from generating and accumulating wealth for the future.

I am going to talk more about all of these topics and others in the coming weeks and months.

All of the improvements that we can make on these tax issues will become key elements of an effective tax reform package. In addition, I believe they are all areas where Republicans and Democrats can find agreement if we are all committed to the same goal—growing our economy to benefit the middle class.

As I have said here on the floor many times, tax reform does not have to be another partisan exercise. I hope my Democratic colleagues will opt to join Republicans in this effort. As they have acknowledged the problems with our current tax system, I sincerely hope they will want to work with us to find a way to fix that tax system.

As I said, I will have more to say in the near future, but these issues—our outdated business tax system and profanely high corporate tax rate—will not simply go away. I personally am committed to fixing these problems and will work with anyone who is willing to join the effort in good faith.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### NET NEUTRALITY

Ms. CANTWELL. Mr. President, I come to the floor this afternoon with my colleague, the Senator from Hawaii, who has been leading our efforts on coordinating a very loud and resounding voice on trying to stop the FCC from running over an open internet, and I thank him for his organization for today. I know we will be joined by our colleague, Senator WYDEN from Oregon—and perhaps the other Senator from Oregon and several others—to talk about this important issue.

We are here today to try to draw attention to one of those important economic issues before us: the need to preserve an open internet with strong net neutrality laws.

We are facing a pivotal moment in the fight to preserve an open and fair internet. A strong and open internet is, without question, one of the great innovations of our time and one of the great job creators of our time. Yet the Trump administration stands poised to undo the bedrock principle of net neutrality in the face of evidence it would undermine our economy and undermine future job growth.

The FCC has announced its intention to go against the demands of 5 million American consumers and reverse what is an existing rule so that big cable companies and telecom providers can erect toll lanes; that is, if you want fast internet speed, you have to pay more. This would threaten the fundamental nature of our internet and the innovation economy.

Last week, FCC Commissioner Clyburn and I held a townhall meeting on net neutrality in Seattle. More than 300 people attended, and not one was in favor of paying higher prices to their cable company for worse or inhibited internet services.

Many people shared their personal stories about how an internet with toll lanes would affect them negatively. We heard from many small businesses and startups that they were afraid of losing business because they might have to charge higher prices to their customers if these important protections were reversed.

I heard from people with health problems and their concerns about health emergencies while away from home. The absence of net neutrality rules would mean that a doctor in their small hometown could not get critical information to the medical practitioners who are dealing with a patient in an emergency so that they could get important lifesaving treatments. Whether you are a doctor examining a patient via telemedicine or in an emergency room in Seattle or a student in

a rural community trying to access the internet to get information, take a test or do research, a fast connection is necessary. Your ability to have a fast connection is something you are more than just a little concerned about. Being artificially slowed down in favor of big companies that buy faster lanes would turn our economy in the wrong direction.

Our economy is in the midst of a massive technological transformation. As technology advances, incredible opportunities and new jobs are created. Every business plan of every startup relies on the ability to get content to consumers.

Largely as a result of innovation and the proliferation of hundreds of startups in the United States, the internet economy today is now worth \$966 billion and accounts for almost 6 percent of our U.S. GDP. This is a higher percentage of the U.S. economy than many other industry sectors, including construction, mining, utilities, agriculture, and education.

Net neutrality—meaning you have an open internet that is not artificially slowed down unless you pay a ransom—is important for small businesses and startups and entrepreneurs who rely so much now on an integrated business model where internet access, marketing, and advertising their products and services to reach customers is critical. We need an open internet. We need it to foster job creation, competition, and innovation for the almost 3 million Americans workers who already rely on the internet economy today.

When net neutrality was implemented a year-plus ago, we were protecting and making sure there was no uneven playing field. Basically, because of the regulations, we were able to help small businesses and entrepreneurs thrive. But our internet providers are internet gatekeepers, and without net neutrality, they would seize upon the opportunity to change that.

One slice of the internet economy—the app economy, which is growing every single day—consists of everyone who makes money and has a job, thanks to mobile apps powered by an open internet. Today, 1.7 million Americans have jobs because of this economy. Nearly 92,000 of those jobs are in my State of Washington.

Over the past 5 years, the app economy jobs have grown at an annual rate of 30 percent. I don't know of another sector that is growing that fast. The average growth rate for all other jobs is about 1.6 percent. By 2020, the app economy could grow to over \$100 billion. Why is this so important? Because we all know that these various applications and apps make our lives better. They make it easier. In a busy world, they are helping us do the things that are so important to us with more ease and more certainty.

The internet economy is dynamic and supercharged in creating job growth. This phenomenon of economic growth trajectory would not be possible without the internet as a platform for economic activity. This is why it is so important that the FCC not, in the dark of night, put down a rule without public comment to try to stop and change this direction that has already been protected by past FCC Commissioners. This is why my colleagues and I are here today on a date when everybody is trying to raise awareness—because the FCC could act as early as August 18 to try to change these rules.

It is important that we oppose any new FCC actions trying to dismantle an open internet. We need to make sure we are talking about the harm to consumers, the harm to innovation, and the fact that internet speeds for American consumers are important and consumers shouldn't be burdened by a cable company holding you at ransom to pay more just to get faster speeds.

Consumers are already struggling with high prices. Cable bills rose 39 percent from 2011 to 2015, eight times the rate of inflation. In 2015, the average consumer cable TV bill was \$99 a month; just a year later, the average consumer cable bill had risen by 4 percent to over \$103. My guess is a lot of people listening to this now are probably thinking, boy, where are we today?

One of the most popular arguments by the enemies of an open internet is that it suppresses investment and leaves consumers with poor broadband infrastructure. That is a false claim. Data shows that investment by publicly traded cable companies and big telephone companies was 5 percent higher during the 2-year period following our protection of an open internet. Clearly, people are continuing to make investment.

I want to make sure people understand that we do not want to see a change in this policy. We do not want to see American consumers run over by large cable companies that are demanding higher rates. We want to make sure that we don't end up with a two-tiered internet system—one for big companies who will pay and pay and pay for faster rates, and consumers who are left with a very slowed-down, challenging to use internet, which makes it hard for us to continue to innovate.

I encourage the American consumer to go out and contact the FCC. Yes, your voice can be heard. The FCC has already received 5 million comments, and they have until August 17 to hear more. Today, we are asking everybody in America to say: Please don't slow down my internet connection. Don't hurt our economy; don't hurt American business. Invest in innovation, and keep an open internet for the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I thank the Senator from Washington for her leadership on tech and technology issues and, in particular, on net neutrality.

I would like to amend one thing she said. She said that we got about 5 million comments in favor of net neutrality on this question. It is true. Yesterday we had 5 million and change, but I just checked, and we are at 6.728 million, and more and more people are weighing in on this important issue.

As of today, it is important to point out that net neutrality is the law of the land. We are not asking for a change in the way that the internet operates. We are asking for the internet, as we know it, to be preserved.

What does that really mean? It means you have an arrangement with your ISP. You pay your internet service provider for access to the internet, and you get the whole internet. Your provider does not get to decide what you access. You do. Whether it is NBC or ABC, Hulu or Netflix or Breitbart or Google or Yahoo or Facebook or the New York Times or RedState or HotAir or whatever you want, you get to go there, and everything comes down from the internet at whatever speed it comes down. But without net neutrality, that arrangement could change.

The free and open internet, as we understand it, is a premise of the way we use the internet. It is a premise of the internet economy. It is a premise of Silicon Valley. It has now become a premise of car companies and real estate companies and anybody who does business online that, of course, you wouldn't have to pay money to an ISP to make sure your website loads fast enough so that consumers can see it. But that freedom, that free and open internet, really is in danger.

Here is what is happening: The FCC, the Federal Communications Commission, is trying to change the internet by ending the net neutrality rules that were put in place. If they succeed, your ISP will have the power to stop you from seeing certain kinds of content. They will be the ones that get to make decisions about what you can access and how fast—not you. It is a foundational change in the way the internet operates.

Now, some people—including the internet company lobbyists and their CEOs—will say: Look, the companies aren't going to change the internet even if the law goes away. In fact, we are committing to voluntary net neutrality. That is what they say.

But I want you to think about how likely it is that a publicly traded company will not at least explore the possibility of different business models, and here is the problem: There may be opportunities without net neutrality for them to make more money.

Right now I have basic cable in my apartment. I don't have HBO. Back in Hawaii I have HBO and the whole deal, but in my apartment here I have more basic cable. I pay for a certain number of channels. I don't get access to the entire TV universe. I pay for packages. There is no reason under the law, should they repeal net neutrality, that an ISP couldn't give the liberal package, which you could pay \$75 for, or the conservative package, which you could pay \$75 for, or the NBC-related families package, which you could pay \$120 for—or maybe it is free because it is part of a vertical, which is included in your ISP.

The whole idea is that there is nothing preventing them—except these net neutrality laws—from deciding whom you get, where you get to visit, and how fast the downloads come. This is especially important, of course, in the entertainment space, when we are all streaming TV, news, movies, and even gaming online so the relationship between the person who creates the content and you is going to be intermediated by an ISP.

If you have a great app idea, right now you just have to have a great app idea. If you have a great website, people can log on to your website and you are in business. If you have the next great website, if you have eBay or Craigslist or Amazon, but it is post-net neutrality and the FCC goes through with this, you will not need a bunch of engineers but a bunch of lawyers and business sharks to try to negotiate with the ISP to even get in the door.

Students could have less access to online resources, including online classes. Realtors would be stopped from using online tools to sell their homes. Patients might not be able to use the internet to communicate with their doctors or monitor their health. Musicians, photographers, entrepreneurs will use the tools everybody depends on to make a living or share their art online.

I was talking to somebody I know in the tech community, and they were saying that this is a parade of horrors. None of this is going to come true.

I asked: Why do you think that is true? Why do you think this is just some apocryphal scenario I am describing? If you were an ISP, why wouldn't you slice up the internet and sell it for more? If you are the one controlling the access to it and you are a publicly traded company, you have no duty to a free and open internet. You have a duty to maximize shareholder profits.

If your board of directors comes to you and says: You know what, this whole "you pay a flat fee and you get the whole internet," that is not the right business model. Look at these areas where ISPs are the only provider in many communities. The idea that the consumer has a choice in lots of

rural communities, you have only one broadband provider in the first place.

Why wouldn't a broadband provider slice and dice up the internet and charge you a la carte? They can get more money for this. It is not that they are bad people. It is that they are duty bound to maximize profits.

Today, July 12, is the day of action. The internet is pushing back. Today we stand up to the FCC so the internet remains free and open. As we speak—I mean literally as we speak—thousands and thousands of people across the country by the minute are logging on to the FCC website to express themselves.

I have to say, this has become a Democratic issue. This has become a progressive issue, but it wasn't so long ago that people in the conservative movement were worried about media consolidation and the conservative movement was saying: Hey, listen, I don't know who is going to own my media company, but I want to get to my websites to get my content at whatever rate it comes down. Don't tell me what information I get to have access to.

Everybody uses the internet. Many people are spending dozens of hours a week on the internet via their phones, via their television, via their broadband connection at home, and the innovation economy that underlies our economic growth is really in jeopardy.

I know it is an arcane process. I know most people probably haven't even heard of the FCC. To talk about net neutrality and lay all this jargon on you, it is concerning that the free and open internet is really in danger. We have this unique opportunity because unlike what happened a few months ago with consumer privacy, where very quickly this body reversed a rule that provides for privacy so your broadband providers can't resell your personal browsing data to a third-party advertiser or any other company—that happened very quickly and without any public input.

Here is the really good thing about the FCC process. The statute provides for public input. We are in a public comment period, and July 17 is the deadline. There is an opportunity for people to let their voices be heard. The internet should be in the hands of people, not in the hands of companies.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I join with the Senator from Hawaii, the Senator from Washington State, and I know the Senator from Oregon is going to be joining us very soon and taking this long, hot summer day in Washington and turning up the heat on the Trump administration and the big broadband companies.

Today the internet is having a protest. More than 80,000 websites are participating in today's national day of

action on net neutrality to stand up for the fundamental right for a free and open internet.

Today's action involves some of the internet's biggest names: Netflix, Twitter, Amazon, Snapchat, Mozilla, Yelp, Airbnb. It also includes many others. My own website and other Democratic Senators and House Members have joined in today's protests.

Earlier today, right outside on the Capitol lawn, I gathered with many of my Senate and House colleagues, along with businesses and advocacy, consumer protection, nonprofit, and political organizations to send a singular message: We will defend net neutrality.

Net neutrality is the basic principle that says that all internet traffic is treated equally. It applies the principles of nondiscrimination to the online world, ensuring that internet service providers—AT&T, Charter, Verizon, Comcast, among others—do not block, do not slow down, do not censor or prioritize internet traffic.

Yet today, the internet—this monumental, diverse, dynamic, democratic platform—is under attack. President Trump and his FCC Chairman, Ajit Pai, are threatening to disrupt this hallmark of American innovation and democracy by gutting net neutrality rules. They have put internet freedom on the chopping block. We are facing a historic fight.

If Trump's FCC gets its way, a handful of big broadband companies will serve as gatekeepers to the internet. We cannot let this happen. That is why millions of Americans are standing up and making sure their voices are heard at the Federal Communications Commission.

They know the internet—the world's greatest platform for commerce and communications—is at stake. It is net neutrality that ensures that those with the best ideas, not merely the best access, can thrive in the 21st century economy; that a garage-based startup in Malden, MA, can have the same online reach and scope as a major tech firm in Silicon Valley.

It is net neutrality that has made the Internet an innovation incubator and job generator for the entire Nation. It is net neutrality that has been the internet's chief governing principle since its inception.

Consider that today essentially every company is an internet company. In 2016, almost half of the venture capital funds invested in the United States went toward internet-specific and software companies. That is \$25 billion worth of venture capital funding in our country. Half of all venture capital went into that sector, this innovation sector that continues to transform not only our own economy but the whole world's economy. At the same time, to meet America's insatiable demand for broadband internet, U.S. broadband and telecommunications industry com-

panies invested more than \$87 billion in capital expenditures in 2015. That is the highest rate of annual investment in the last 10 years by the broadband companies.

We have hit a sweet spot. Investment in broadband and wireless technologies is high. Job creation is high. Venture capital investment in online startups is high. That is what we want. We want both the broadband companies and all of these smaller companies—whose names escape us because there are tens of thousands of them—to have a chance to coexist and have the innovation continue, even as the large companies continue to invest in broadband expansion.

It is the free and open internet that has allowed us to enter a new phase of the digital revolution—the internet of things era—where our devices, our appliances, and everyday machines now connect with one another.

The digital revolution is a global economic engine, and net neutrality is its best fuel. Taking these rules off the books makes no sense. With these net neutrality protections in place, there is no problem that needs fixing. It is working right now perfectly.

In May, Chairman Ajit Pai and the Republican FCC voted to begin a proceeding that will effectively eliminate net neutrality protections, allowing a handful of broadband providers to control the internet. Chairman Pai's proposal would decimate the open internet order and the net neutrality rules that are protecting the free flow of ideas, commerce, and communications in our country.

Now the big broadband barons and their Republican allies say we need a light-touch regulatory framework. Let's be honest. When the broadband behemoths say "light touch," what they really mean is "hands off"—hands off their ability to choose online winners and losers.

We are not fooled when AT&T engages in alternative facts and says they support net neutrality and today's day of action. They don't support title II, and they don't support net neutrality. We must shine light on this kind of corporate deception.

What the broadband providers really want is an unregulated online ecosystem where they can stifle the development of competing services that cannot afford an internet easy pass.

Chairman Pai says he likes net neutrality but simply wants to eliminate the very order that established today's net neutrality rules. That is like saying you want to have your cake and eat it too. It makes no sense.

President Trump and his Republican allies are waging an all-out assault on every front that they can on our core democratic values. Whether it is healthcare, immigration, climate change, or net neutrality, they want to end the vital protections that safeguard our families and hand over power

to corporations and special interests. We know better.

We need to make our voices heard. A political firestorm of opposition will protect our economy, protect our free speech, protect our democracy. We must protect net neutrality as a core principle in a modern 21st century America, in a modern America where the smallest company online can aspire to reach all 320 million Americans in a nondiscriminatory way, where the smallest company can raise the capital in order to accomplish that goal, where the smallest company doesn't have to ask for permission to be able to innovate in our society, where the smallest doesn't have to first raise the money to ensure they can pay to have access to this incredible economic engine of entrepreneurial expression that has been the internet for this last generation, where free speech, the First Amendment, this ability to be able to speak unfettered, uncontrolled by corporate America and whether or not you can afford to speak, is something that continues to be protected in our country.

That is what net neutrality is all about. The principles of nondiscriminatory access is what gave us Google and eBay, Amazon and Hulu, YouTube and Etsy, Zulily, Wayfair, TripAdvisor, and company after company that knew they could access every single potential consumer in our country and could, as a result, raise the capital necessary to ensure that engine of economic entrepreneurial innovation could be deployed from their minds in changing fundamentally the economy of our country and the economy of the world.

In 2017, every company is an internet company. Every company depends upon free and open access to the internet. That is what we have been transformed into in just the last 20 years.

I was the Democratic coauthor of the Telecommunications Act of 1996. In 1996, not one home in America had broadband. Can I say that again? Just 20 years ago, not one home in America had broadband. But we changed the rules to create this chaotic entrepreneurial world where all of a sudden all of these companies whose names are now common household names could be created, transforming our economy.

There is no problem. They are trying to fix a problem that does not exist.

We need to give the next generation of entrepreneurs the same opportunity to innovate that the last generation had—not to get permission, not to ask: Pretty please, may I reach all 320 million Americans? No, ladies and gentlemen, that is not what this revolution is about. That is not what young people all across this country—with brilliant new ideas to further transform our American economy online—want to have as an obstacle.

What will happen now is you will have an idea, but if you can't raise the

money to pay for this fast-lane broadband access, that is going to throttle back your ability to be able to move in this agile way that the internet provides. Instead of agility, it will be hostility that you will be feeling as an entrepreneur, feeling you can't take the risk—you are not sure you can reach your customers; you are not sure you can pay the broadband company—rather than ensuring that you can reach all these consumers for your revolutionary idea.

This internet day of action we are having across the country is going to raise from 5 million, to 6 million, to 7 million, to 10 million, to 15 million, to 20 million, the number of Americans who are going to be saying to the Federal Communications Commission and to the U.S. House and Senate that something is fundamentally wrong with this FCC and its potential change of the internet—Open Internet Order.

If they do move, we are going to court. If they do move, we are going to be taking this all the way to the Supreme Court of the United States of America because that is how important this issue is. It goes right to the fundamental nature of what has happened to our economy in the last 20 years. And that is all it took. We moved from the black rotary dial phone to a world where everyone is carrying a computer in their pockets. It happened just like that. It could have happened before that, but it wasn't possible because the broadband companies didn't even exist. There were just telephone companies and cable companies that did not have a vision of the future. Their vision of the future is a lot like their vision of the past before that law passed, which is, let's go back to total control by a small handful of companies in our communications cocktail, rather than thinking of the future, as tens of thousands, hundreds of thousands of smaller companies can be started up in dorm rooms and garages across our Nation.

This is a dangerous and harmful plan the FCC has on the books today. Today's day of internet action will be increasing as each moment goes by between now and the day they make that decision at the FCC.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I want to build on the last point my colleague—a great advocate and champion of net neutrality—made about the rule of law and about the need to go to court when there is utter disrespect and contempt for the rule of law, which is reflected in the prospective plan of the Chairman of the FCC to undo that agency's net neutrality rules. It reflects an astonishing lack of respect and care for that agency's rules—in fact, the rules that apply to all agencies under the Administrative Procedure Act.

Chairman Pai wants to overturn a rule that was established after a fact-finding—an elaborate process of comment and response—without going through that same process that is required under the Administrative Procedure Act, a fact-based docket that requires him to show that something has changed—not a little bit; something significant has changed—in the market since the Open Internet Order was established in February 2015. The burden is on the FCC to make that finding. That finding is impossible, which is why they are avoiding the attempt to do it.

The fact is, the Open Internet Order was established based on 10 years of evidence about how internet access service provides people with broadband. It has been upheld by the DC Circuit Court of Appeals twice over the last year. The thicket of law that the Chairman wants to simply leap over—it is not within his discretion to do.

The most recent evidence shows that net neutrality has not inhibited network investment at all, in contrast to Chairman Pai's claims. According to statements this year by the internet service providers—AT&T, in fact, is expanding fiber deployment and calling fiber a growth opportunity. Comcast is saying that it doubles its network capacity every 18 to 24 months. Verizon is announcing a new \$1 billion investment in cable. That is why we are here saying we will not and we cannot allow Chairman Pai to succeed in this plan to gut neutrality at the behest of big cable companies.

I am proud to speak today in support of the Day of Action to Save Net Neutrality and against the FCC proposal to undo the Open Internet Order because it is really a consummate pro-consumer measure. The Open Internet Order serves the best interests of consumers directly but also the best interests of competition in promoting innovation, new ideas, and insights—an open platform that is necessary for innovation and insights that benefit consumers, as well as the products and services that companies generally provide.

The Open Internet Order created three bright-line rules: No blocking, no throttling, and no pay prioritization. These rules apply to both fixed and mobile broadband service, which protects consumers no matter how they access the internet, whether on a desktop or a mobile service. Consumers deserve equal access, an open platform—no walls benefiting the companies that may want their gardens walled in. The walls are against consumer interest, and breaking down those walls is what the open internet rule sought to do.

It also has real First Amendment significance. In one of the most recently proposed megamergers—AT&T and Time Warner—clearly content, access,

and neutrality are at stake. This merger gives the combined company, if the merger is approved, both the incentive and the means to throttle First Amendment expression. There have been reports that the White House will use this merger, in fact, to throttle the First Amendment rights of CNN, which is owned by Time Warner. This would be a direct threat to all First Amendment liberties.

Using antitrust policy and power to diminish or demean the rights of free expression would be a grave disservice to this country, as well as the rule of law. That is why I have written to the nominee for the Department of Justice Antitrust Division chief, the Assistant Attorney General for Antitrust, Makan Delrahim, and asked for a meeting so he can ensure us that, in fact, antitrust policy will be independently enforced, that these reports do not reflect his view or the administration policy. I want him to assure us that this merger will in no way be used to influence or impede any media outlet.

But access and an open internet are principles that go beyond the enforcement of antitrust law; they are principles enforced by the FCC for the public good. That is why this Day of Action to Save Net Neutrality is so critically important, because the grassroots movement here is what will save the day. The grassroots and consumer-driven impetus to make sure that the internet remains a free and open platform for consumers and innovators, not a walled garden for wealthy companies, is what we seek today.

That is why I am proud to stand with other colleagues who have spoken and to continue this battle and to say to all of our colleagues that we will go to court, because the rule of law and the Administrative Procedure Act are not technical, abstruse, arcane, unimportant rules; they are at the core of fairness and administrative regularity, not just regulation, the rule of law.

Thank you, Mr. President.

I yield the floor to my colleague from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, before he leaves the floor, let me just commend my friend from Connecticut on a very thoughtful statement. He has worked on these issues for many years since his days as attorney general in Connecticut. He is, in my view, the Senate's best lawyer. So it is great to have a chance to team up with him and our colleagues.

I think this issue can really be summed up in a sentence, and that is this: Without net neutrality, you do not have a free and open internet because the essence of the internet—and I will explain what we have today—would simply not be the same.

Today—and this is what net neutrality is all about, in a sentence—

after you pay your internet access fee, you get to go where you want, when you want, and how you want, and everybody is treated the same. From the most affluent person in America to those who are walking on an economic tightrope every single day, they all can use the internet to get access to those fundamental opportunities that are so essential to increasing the quality of life for our people. This, for example, is how a young person will have a chance to learn. If they are in a small, rural community in Colorado, Oregon, or elsewhere, this is how they get access to the kind of information that affluent kids get, who might live in Beverly Hills or Palm Beach or in any one of a number of communities where there are affluent people. This is what puts that youngster on the same plane as the affluent person. This is how, for example, those who are searching for jobs can go to the net and quickly get access to information where they will have a chance to get ahead.

The internet—and a free and open internet—is particularly important to our startups, the innovators, and the small businesses that we are all counting on to have a chance to grow big. When you talk, particularly, to the small tech startups, they will say: Our goal is to be Google or Facebook. Innovation is what makes it possible to have those kinds of dreams. If you are starting small, with real net neutrality, as I have described it, you have the same chance to succeed as everybody else in America.

Now the challenge here is that very powerful interests—the cable companies, for example—want to change that. They want to change what I described as net neutrality. They would like to set up what they call priority lanes, special lanes, or toll lanes, where, if you pay more, you can get access to more. You can get access to more content, and you can get access to data and information more quickly.

What this really does is that it means those other people I was talking about—that startup trying to come out of the gate and be a success in the marketplace, students, and people who need information about healthcare and jobs and the like—are not treated the same way as the people with the deep pockets. All of a sudden their access to data and information is going to be different. It might be slower. Maybe they will not get it at all.

The big powerful interests aren't going to tell everybody in America that they are against net neutrality. They will not be holding rallies saying: We have gotten together to oppose net neutrality. They will not be showing up in Denver, Minneapolis, Portland, or anywhere else and saying: We are against net neutrality. The reason they can't is because the public overwhelmingly supports net neutrality, as I have described it.

They are going to say things like this: They are for net neutrality, but they just don't want all this government associated with what they have. They will be for voluntary net neutrality.

I know the Presiding Officer of the Senate has young children as well. I can tell you that we are about as likely to make voluntary net neutrality work as we are to get William Peter Wyden, my 9-year-old son, to voluntarily agree to limit himself to one dessert with his deciding whether he has met his limit. It is not going to happen.

Voluntary net neutrality isn't that different than what we have had in a lot of instances before we had real net neutrality. The big cable companies and others were always looking for dodges and loopholes, and they found ways to tack on fees and the like because that has always been their end game. Boy, it is a lawyer's full employment program because they have the capacity to litigate this.

So this idea that people are going to hear a lot about in the next few weeks—that they are really for net neutrality, but we will just make it voluntary—I want people to understand that the history of those kinds of approaches is not exactly sterling. I think it is about as likely to be successful as limiting my kid to voluntarily holding back on dessert.

I also want to make clear what our challenge is going to be about because the Federal Communications Commission—Senator BLUMENTHAL talked about it and others—is going to be making decisions on this before too long. We know where the votes are. This is going to be a long battle, but one of the reasons I wanted to come to the floor today is to say that this is another one of these issues that is going to show that political change doesn't start in Washington, DC, and then trickle down to people. It will be bottom-up, as more and more Americans find out what is at stake here.

A few years back, I would say the Presiding Officer of the Senate—and I see my colleague from the Finance Committee here, as well—and my colleagues will remember the PIPA and SOPA bills. These were the bills, PIPA and SOPA, that were anti-internet bills. As with so much, people can have a difference of opinion, and the sponsors said: We have to fight piracy. We have to fight piracy, people ripping everybody off online. To fight piracy, we will use these two bills to kind of change the architecture of the internet, particularly the domain name system, which is basically the phone book of the internet.

I looked at it, and I said: We are all against piracy. We are against people selling fake Viagra, or whatever it is online, but why would we want to wreck the architecture of the internet in order to deal with it? There are other kinds of remedies.

So I put in a bill with a conservative Republican in the other body to come up with an alternative approach, and I put a hold on PIPA and SOPA. Here in the Senate, at that time, 44 Senators were cosponsors of that bill. That is an army—out of the 100, 44 Senators.

Everybody said: You know, RON is putting a hold on it, and, well, he is a nice guy and, you know, he is from Oregon.

Everybody smiled, and I said: OK, I understand that you think this is going to be a slam dunk, but I think I will tell you that you should know that there are more Americans who spend more time online in a week than they do thinking about their U.S. Senator in 2 years, and they aren't going to be happy with a whole bunch of powerful interests messing with the internet, just as we are doing with this situation where people want to unravel real net neutrality.

So a vote was scheduled on whether to oppose my hold—in effect, lift my hold—on this flawed bill, and 4 days before the vote, more than 10 million Americans called, texted, tweeted, and logged in to say to their Senator: Do not vote to lift RON WYDEN's hold.

About 36 hours after Americans had weighed in, the Senate leadership called me, not very happy, and said: You won. We are not going to have a vote. Your hold has prevailed.

I bring this up only by way of saying that it is going to take that same kind of grassroots uprising for Americans who want to keep real net neutrality, which is what you have after you pay your internet access fee, and you get to go where you want, when you want, and how you want, and everybody is treated equally in those efforts. For all of us who want to keep that, we need to understand that we are in for a long battle. We know where the votes are at the Federal Communications Commission, but that is just the beginning. That is just the beginning.

So now is the time to make your voice heard. Go to [battleforthenet.com](http://battleforthenet.com) so your voices can be heard. Make sure that Donald Trump's FCC Commissioner knows your view that the internet is better and stronger with real net neutrality protections. Americans have only until July 17 to do this.

I have already been speaking out in other kinds of sessions. So I think I will leave it at that.

I wish to close by saying again that without real strong net neutrality, which is what we have today, we will not have a free and open internet for all Americans to enjoy. So I come to the floor to say this is going to be a long battle. Nobody thought we had a prayer to win the fight to protect the internet that was PIPA and SOPA, and I am sure a lot of people are saying that this is another one where the powerful interests are going to win.

I say to the Senate again: Not so fast. You are going to see the power of



Americans speaking out. I urge all the people of this country who are following what goes on in the Senate today and in the days ahead to be part of this effort, because I think if they do, if we show that political change isn't top-down but bottom-up, it is going to be a long battle, but we will win, and our country will keep a bed-rock principle of the free and open internet, which is real net neutrality.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Texas.

#### HEALTHCARE LEGISLATION

Mr. CORNYN. Mr. President, as we continue to discuss the Better Care Act, which is an alternative bill that we will propose next week and vote on, which takes the disaster known as ObamaCare which for millions of Americans has led to sky-high premiums and unaffordable deductibles, if they can even find an insurance company that will sell them an insurance product—we will propose a better care act, as we call it, not a perfect care act but a better care act.

It would be even better if our Democratic colleagues would join us and work with us in this effort, but as we have come to find out, they are unwilling to acknowledge the failures of ObamaCare. So we are forced to do this without their assistance. It would be better if it were bipartisan, if they would work with us, but they have made it very clear that they are not interested in changing the broken structure of ObamaCare. What I predict is that what they would offer is an insurance company bailout, throwing perhaps hundreds of billions of dollars at insurance companies in order to sustain a broken ObamaCare that will never work—no matter how much money you throw at it. So people will continue to suffer from the failures of ObamaCare unless we will have the courage to step forward and to say we are going to do the very best we can with the tough hand we have been dealt to help save the American people who are being hurt right now.

Basically, there are four principles involved. One is we want to stabilize the individual insurance market, which is the one that insurance companies are fleeing now because they are bleeding red ink. They can't make any money, and they are tired of losing money so they basically pull their roots up and leave town, leaving customers in the lurch.

Secondly, we want to make sure we actually lower insurance premiums. Under the original discussion draft bill that we introduced about a week or so ago, the Congressional Budget Office said we will see premiums go down as much as 30 percent over time. Now, I wish I could say we were going to be able to have an immediate effect on those premiums, but the truth is this is much better than our friends across

the aisle have offered us with the offer to basically sustain a broken ObamaCare system.

The third thing we want to do is protect people who might have their health insurance hurt or impeded by preexisting conditions. We want to maintain the current law so people are protected when they leave their work or when they change jobs.

The fourth is, we want to put Medicaid on a sustainable path. Medicaid is one of the three major entitlement programs, and now we spend roughly \$400 billion on Medicaid in this country. Our friends across the aisle don't want to do anything that would keep that from growing higher and higher and higher, to the point where basically the system collapses. We believe that is not the responsible choice. What we propose is to spend \$71 billion more on Medicaid over the budget window and to work to transition those States that have expanded Medicaid and offer their people a better option in the private insurance area, but I just want to mention that I have shared a number of stories about, for example, a small business owner in Donna, TX, who was forced to fire their employees so they could afford to keep the doors open and provide health insurance for the remaining people. You have to ask: What in the world could lead us to a system which would discourage people from hiring more folks and basically put them in a position where they had to fire them in order to make ends meet? But that is what the employer mandate did under ObamaCare. If you have more than 50 employees, you are subject to the employer mandate. You get punished unless you make sure your employees are covered with insurance, and many times it is unaffordable so it had the perverse impact of small businesses saying: We can't afford to grow the number of people who are working in our business or we are going to need to shrink it in order to avoid that penalty. Stories like this remind me of just how important our efforts are to repeal and replace ObamaCare.

The status quo is not working. In fact, every year ObamaCare gets worse for the millions of people in the individual market in particular. It is important that ObamaCare is not just about insurance. ObamaCare is about penalties that are being imposed on businesses that hurt their ability to grow and create jobs. That is one reason I believe that since the great recession of 2008, where ordinarily you would see a sharp bounce up in the economy, that the economy has been largely flat and has not been growing, in part, because of the penalties, mandates, and regulations associated with ObamaCare.

Not only has ObamaCare made health insurance more expensive while taking away choices, it also has compounded fundamental problems with important

safety net programs like Medicaid. I wish to share a story from an emergency room employee in Lake Granbury, TX, who wrote to me about the alarming trend she has noticed in the hospital where she works. She says, because fewer and fewer physicians will see a Medicaid patient, she has seen an influx of these Medicaid patients who ostensibly have coverage coming to the emergency room for their primary care. As she points out, this is not a good situation for patients and hospitals. In my State, according to the latest survey of the Texas Medical Association that I have seen, only 31 percent of doctors in Texas will see a new Medicaid patient. That may sound crazy, but let me explain why. Because Medicaid basically pays a physician about half of what private insurance pays when it comes to see a patient, many of them simply say: Well, I can't afford to see a lot of Medicaid patients. I need to balance that or at least make sure I see enough private insurance patients to make sure I can keep the doors open and meet my obligations. What happens when fewer and fewer doctors actually see Medicaid patients is, people end up showing up in the emergency room for their primary care because they can't find a doctor to see them. The truth is, medical outcomes based on many studies that have been done in recent years are that Medicaid coverage in those instances can be no worse and no better than not having insurance at all. ObamaCare was put in place ostensibly to avoid reliance on emergency rooms for access to care, but as we all know, ObamaCare hasn't lived up to many of its promises and unfortunately making stories like this one commonplace.

I mentioned this earlier, but just to see the trend line, in 2000, 60 percent of Texas physicians accepted new Medicaid patients; today that number is 34 percent. I think I may have earlier said 31 percent. It is actually 34 percent, due to lower rates of provider reimbursement, leaving places like Lake Granbury in the lurch and causing them to have to turn to the emergency room for their primary care as a last resort.

Every 2 years, Texas doctors fight with the Texas legislature to raise payments for the Medicaid system, but the reality is, there is not enough money to go around, even though it is the No. 1 or No. 2 budget item in the Texas legislature's budget every year, and it is growing so fast it is crowding out everything from higher education to law enforcement and other priorities.

Across the country, Medicaid spending has ballooned out of control. In Texas, 25 percent of the State's budget, as I indicated, is dedicated to this program, 25 percent of its overall budget—usually No. 1 or No. 2.

So we have to be honest with ourselves and the people we represent that

this situation is not sustainable. We owe it to the millions of people to make sure the people who really need it—the fragile, elderly, disabled adults and children—that it is there for them, not only now but in the future. That is why we have been discussing ways we might strengthen the sustainability of Medicaid to ensure that families who actually need it can rely on it, and they don't have the rug pulled out from under them. This requires doing some hard work of reforming the way States handle Medicaid funding.

For example, Medicaid, as is currently applied, States are only allowed to review their list of Medicaid recipients once a year, but a lot can happen in a period of a year. Somebody can get a job, and they may be no longer eligible based on the income qualifications for Medicaid. If they can only check once a year, then people remain on the rolls, even though they may no longer qualify. Regardless of whether somebody gets a job or moves or passes away or no longer needs Medicaid, they are still in the system, and there is nothing the States can do about it. We would like to change that. While it sounds like a simple matter, when the average Medicaid patient costs the State more than \$9,000 each and as high as almost \$12,000 per elderly individual, it adds up.

One of the things we saw that ObamaCare did in the States that expanded Medicaid coverage is that those States decided to cover single adults who are capable of working. This bill would also allow States to experiment with a work requirement as part of the eligibility for Medicaid. We are not mandating it, saying they have to do it, but if the State chooses to do it, then they can do so. We need to give the States the flexibility they need so they can use the Medicaid funding they have more efficiently so more people can get access to quality care.

I want to be clear: 4.7 million Texans rely on Medicaid. Of course, those rolls tend to churn based on people's employment and their family circumstance, but it is not going anywhere. We want to make sure we preserve Medicaid for the people who actually need it the most. We are working to make it stronger, more efficient, and, yes, more sustainable. I guess some people live in a fantasy world, where they think we can continue to spend money we don't have and there will never be any consequences associated with it. The fastest items of spending in the Federal budget are entitlement programs including Medicaid. Right now we are at \$20 trillion. We have done a pretty good job—I know we don't get much credit for it—we have done a pretty good job of controlling discretionary spending, but the 70 percent of mandatory spending, including Medicaid, has been going up, on average, about 5.5 percent a year. That

can't happen in perpetuity. Right now, we know we have \$20 trillion, roughly, in debt—\$20 trillion. It is frankly immoral for those of us who are adults today to spend money borrowed from the next generation and beyond because somebody ultimately is going to have to pay it back, and it is going to have real-world consequences.

We know that since the great recession, the Federal Reserve has kept interest rates very low through their monetary policy, but we know as well that as the economy tends to get a little bit better and unemployment comes down, they are going to begin inching those interest rates up little by little, which means we are going to end up paying the people who own our debt, our bondholders, more and more money strictly for the purpose of giving them a return on their investment for the debt they buy. This is an opportunity for us not only to put Medicaid on a sustainable path, to do the responsible thing, to give the States ultimate flexibility in terms of how they handle it, it is also a matter of keeping faith with the next generation and beyond when it comes to this unsustainable debt burden.

I hear people talk about slashing Medicaid despite the fact that the Congressional Budget Office estimates that Medicaid spending will grow by \$71 billion over the next 10 years. Only in Washington, DC, is that considered a cut, where spending next year exceeds what it is this year and the next and so on, and it goes up by \$71 billion. Yet you will hear people come to the Senate floor and say that is a cut and that we are slashing Medicaid. It is nothing of the kind.

To me, the choice is clear. Do we want to continue with the failures of ObamaCare or do we want to do our very best to try to provide better choices and better options?

Do we want to continue to allow the status quo, which is hurting families, putting a strain on doctors and our emergency rooms and hospitals like I mentioned in Lake Granbury or do we actually want to address the fundamental flaws of our healthcare system?

I wish we could do something perfect, but certainly with the constraints imposed by the fact that our Democratic friends are not willing to lift a finger to help, and given the fact that we have to do this using the budget process—those are some pretty serious constraints. We basically have to do this with one arm tied behind our back, but we are going to do the best we can because we owe it to the people we represent. I encourage our colleagues on both sides of the aisle to try to take a fresh look at this and figure out how we can be part of the solution, not just to compound the problem.

There is one thing I haven't mentioned that I am particularly excited about in the Better Care Act; that is,

for States like Texas that did not expand Medicaid to cover able-bodied adults in the 100 to 138 percent of Federal poverty level, in the Better Care Act, we provide them access to private health insurance coverage and access for the first time. About 600,000 Texans—low-income Texans—who, for the first time under the provisions of this bill, will have access to a tax credit, and States, using the Innovation and Stability Fund and something called the section 1332 waivers, will be able to design programs which will make healthcare more affordable in the private insurance market.

One reason people prefer the private insurance market to Medicaid is for the reason I mentioned earlier, that Medicaid reimburses healthcare providers about 50 cents on the dollar compared to private health insurance. This actually will provide them more access to more choices than they have now, certainly. Certainly, for that cohort of people between 100 percent of Federal poverty and 138 percent of Federal poverty in those States that didn't expand.

I am excited about what we are trying to do here and its potential. Again, to stabilize the markets, which are in meltdown mode right now and we all know are unsustainable, our friends across the aisle will say: We will talk to you if you take all the reforms off the table, which translates to me: We will talk to you about bailing out a bunch of insurance companies but doing nothing to solve the basic underlying pathology in the system. So we are going to do that in our bill, the Better Care Act.

Secondly, we want to make sure that we do everything in our power to bring down premiums. I know the Presiding Officer cares passionately about this. This may well be the litmus test for our success. Under the discussion draft we released earlier, the CBO said that in the third year, you could see premiums as much as 30 percent lower, but we would like to see even more choices and premiums lower than that and more affordable.

The third thing our Better Care Act will do is to protect people against pre-existing conditions. Right now, people sometimes refuse to or are afraid to leave their jobs in search of other jobs because, if they have preexisting conditions, then they cannot get coverage with the new insurance companies for a period of time. That is called the pre-existing condition exclusion. We would like to protect people against that eventuality so that people do not have to be worried about changing jobs or losing their jobs and losing their coverage.

Fourth, as I have taken a few minutes to talk about here today, we want to put Medicaid—one of the most important safety net programs in the Federal Government—on a sustainable

path, one that is fair to the States that expanded Medicaid under the Affordable Care Act and to those that did not. I think any fair-minded person who is looking at what we have proposed here would agree with me that it is not perfect but that it, certainly, fits the name that we have ascribed to it. It is a better alternative than people have under the status quo.

I urge all of our colleagues to work with us in good faith to try to improve it.

Here is the best news of all, perhaps, to those who would have other ideas. We do have an opportunity to have an open amendment process, and sometimes that does not happen around here. People say: Here it is. Take it or leave it. You cannot change it. All you can do is vote for it or vote against it.

That is not what we are going to do. We are going to have an open amendment process. As long as Senators have the energy to stay on their feet and offer amendments, they can get votes on those amendments. I cannot think of a better way to reflect the will of the Senate and to come out with the very best product that we can under the circumstances.

We are on a trajectory next week to begin this process and will have, probably, some very late nights and early mornings come Thursday and Friday.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. REED. Mr. President, I would like to take a moment today to talk about the ongoing efforts by the Senate Republicans to take away health insurance from millions of Americans by repealing the Affordable Care Act.

I was here on the floor just a couple of weeks ago reading letters from my constituents about how they have benefited from the ACA and what TrumpCare would mean for them based on what we had seen of their bill so far. Since then, my colleagues on the other side of the aisle have continued forging ahead in their effort to repeal the ACA, in spite of overwhelming opposition. Indeed, nearly every major healthcare organization representing patients, doctors, nurses, and hospitals, among others, is opposed to this misguided effort, and that is on top of the millions of Americans who know firsthand how devastating TrumpCare would be for them and their families.

Senate Republicans are working on tweaks to convince their colleagues to vote for this disastrous bill. Unfortunately, their so-called “fixes” are not improvements. That is because, in my

view, TrumpCare is fatally flawed and cannot be fixed. My constituents know better and have continued to write and call—even stopping me in stores and on the streets—to express their opposition and fear, quite frankly, of all versions of the Senate TrumpCare bill.

For example, my Republican colleagues are looking to add a provision that would bring us back to the days when insurance companies could deny coverage or charge exorbitant amounts for those with preexisting conditions. The Affordable Care Act ended this practice once and for all, we hope, and I can’t imagine why my colleagues want to bring back those discriminatory policies. However, the amendments that several Senators have proposed would do just that. They would allow insurance companies to sell plans on the marketplace with no protections for those with preexisting conditions, which would create a death spiral in the marketplace, so that the very people who need health insurance the most would be priced out entirely.

Just last week, I heard from Anne in North Smithfield, RI, about this very issue. Anne said:

I am the parent of a childhood cancer survivor. The last 11 months of my life have been fighting alongside my warrior, my hero, my 9-year-old osteosarcoma survivor, Julia. She loves unicorns, horses, the beach, and going for walks. Due to no fault of her own, she hasn’t been able to walk for the past 11 months.

I am writing to ask for your support to ensure that all children fighting cancer have access to affordable, quality healthcare. If enacted into law, the current proposal for the healthcare bill will have devastating impacts on the hundreds of thousands affected by childhood cancer. Without quality health insurance and access to treatment, my child would not have survived.

Anne went on to explain that the Republican efforts to undermine preexisting conditions protections would be devastating for childhood cancer survivors. Even parents who get their insurance through their employer would be at risk. Anne pointed out that nearly half of families of children with cancer will experience gaps in coverage because one or both parents often need to stop working or reduce their hours to care for the child.

Further, TrumpCare erodes other critical consumer protections by allowing annual and lifetime limits on care.

Anne continues her message:

Additionally, childhood cancer patients must be assured of access to essential health benefits without the threat of lifetime or annual caps that would effectively price patients out of lifesaving treatments. Two-thirds of childhood cancer survivors will develop serious health conditions from the toxicity of treatment. My child’s future is already uncertain enough. We should not have to worry about annual or lifetime caps on coverage.

I agree with Anne. What use is healthcare coverage that expires just when you need it the most? Why would

anyone think it makes sense to sell a health insurance policy for thousands of dollars that doesn’t actually cover anything—or nothing—when you need it? This is a step in the wrong direction, and I continue to urge my Republican colleagues to reverse course.

I would also like to talk about what this bill would do to those suffering from opioid addiction, a public health crisis that has taken a tremendous toll on our country and particularly on my home State of Rhode Island.

I, along with many of my Democratic colleagues, have been talking about how the Senate TrumpCare bill would pull the rug out from many of those who are suffering from substance use disorders, like opioid addiction, by decimating Medicaid, which is how many people suffering from the opioid crisis access treatment.

News reports suggest that Republicans are considering adding a fund for opioid addiction treatment as another so-called fix to the TrumpCare bill. While we absolutely need more Federal funding to expand access to drug treatment—in fact, I have been urging Republican leaders to do just that for years—what they are proposing cannot make up for the bill’s nearly \$800 billion in cuts to Medicaid with a \$45 billion opioid fund. The math simply doesn’t work.

Second, short-term drug treatment programs do not provide a full spectrum of healthcare coverage over the long term, like Medicaid or other health insurance coverage. The Medicaid expansion under the ACA has provided the security of reliable healthcare coverage and long-term stability to help people with chronic conditions such as substance use disorders seek treatment and turn their lives around. TrumpCare takes that away.

In addition, people with opioid addiction suffer from other mental health conditions at twice the rate of the general population and higher rates of physical health conditions as well, which would still go unaddressed in this so-called fix. We will be setting people up for failure if we provide immediate drug treatment services but cut access to the other mental and physical healthcare services they need.

An opioid fund alone will not solve this public health crisis and, in fact, would be a drop in the bucket compared to how the rest of this bill would worsen the crisis.

The cuts to Medicaid under the Senate TrumpCare bill are beyond repair. The Senate TrumpCare bill fundamentally changes the structure of the Medicaid Program, making massive cuts, representing a 35-percent cut over the next two decades. Simply put, this will end the Medicaid Program as we know it, which will hurt not only those suffering from the opioid crisis but also seniors, children, and people with disabilities. We may see Republicans try

to spread out this harm over more years to hide the damage, but do not be fooled. Whether they make massive cuts to Medicaid in 2021 or 2022 or even 2026, for that matter, the cuts will be devastating.

In short, no fix can undo the damage this bill will cause. This bill is a massive tax break for the wealthiest Americans at the expense of everyone else. No amendment or tweak to the bill will change that.

Sharon from Wakefield, RI, wrote to me just a couple of days ago and summed this up very well. She said:

I do not support the so-called American Health Care Act because it is not a health care plan, it is a tax cut for the rich. I am 67 years old, and I have a mild version of muscular dystrophy, and I have Medicaid. Since the GOP wants to end Medicaid, I am asking you to vote NO on the bill.

Republicans must abandon this effort and come to the table to work with Democrats on a new path forward. Let's have productive conversations about how we can improve access to care and bring down costs. Let's harness this interest in improving access to drug treatment and work together on those efforts. But, coupled with the TrumpCare bill, those efforts will not mitigate the damage this bill will inflict on my constituents and those across the country.

I hope those on the other side of the aisle who have expressed misgivings will oppose TrumpCare in all of its forms so that we can work together on a bipartisan solution and attempt to do something positive for our constituents.

With that, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

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

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, there was an interesting press conference earlier today in which I joined with Senator HEITKAMP, Senator CAPITO, and Senator BARRASSO on a common piece of legislation that will help address climate change. That does not happen often, so it was a good sign.

This is not a comprehensive solution. It may not even make much of a measurable difference, but it will make some difference. It will help drive America's technological edge, and it will help, as it gets implemented, reduce our carbon emissions. It was very good to be working with those Senators.

The fundamental problem we face with carbon capture and utilization and the reason so little of it now happens is economics. There is a flaw in the market economics related to carbon capture utilization and sequestration. Here is the flaw: There is no business proposition for stripping out the carbon dioxide, and in a market economy, if no one will pay for something, you don't get very much of it.

LINDSEY GRAHAM and I flew up to Saskatchewan to see Boundary Dam, a carbon capture plant at a coal-powered electric generating facility where they are removing the carbon dioxide by running the exhaust from the plant through, essentially, a cloud of amines. They are able to sequester closing on 80 percent of the carbon, and they use it to pump out and into nearby oil fields to pressurize the oil to facilitate extraction. Up in Saskatchewan at Boundary Dam, they have proved that the technology works, and where they are, with a little financing help from the Province, the economics work also.

Unfortunately, not every coal-burning plant is on an oil field where the carbon dioxide can be used for extraction. Other than the facility in Saskatchewan, there is not a lot going on, on this continent. The Illinois facility collapsed, the facility in the South just collapsed, and there is one in Texas that is going on. But the bill the four of us got together on—which would be to create a tax credit paid for each ton of carbon that is captured and utilized or sequestered—could really make a difference. Knowing those credits are out there is the kind of reliance industry needs in order to invest in the technologies to make this happen.

Of course, a real market for carbon reduction technologies ultimately requires putting a price on carbon emissions. We can fiddle around with payments for reduced carbon, but ultimately a price on carbon is the sensible economic solution. I think that is pretty much universally agreed by economists. Everyone agrees that carbon dioxide emissions are not a good thing. Everyone also agrees that carbon dioxide emissions are free to emitters now, so we get a lot of them.

A harmful thing that is free to the emitter is called, in economic terms, an externality. It is an externality because the cost of the harm is external to the price of the product. A basic tenet of market economics is that the cost of a harm should be built into the price of the product that causes the harm.

It is basically an economic version of being polite. If you throw your trash over into your neighbor's yard instead of paying for your trash collection, well, your neighbor has to clean up your mess and you are being really rude—a bad neighbor.

In essence, that is what the fossil fuel industry has been doing with their

carbon dioxide emissions for years—not paying to clean them up, dumping them all into our common atmosphere and our common oceans, making their neighbors pay because they don't want to pay for their own waste.

Like that bad neighbor, they have come up with various excuses: Oh, it would be too expensive for us to pay for our trash collection. Or, our trash is actually good for your yard; it kind of composts it a bit. You will love it. It is better for you to clean it up.

Then there is my personal favorite: If you make us take care of our own waste, we will beat you up—politically, at least, which is why the fossil fuel industry spends so much money on politics, just to be able to make that threat credible. And around here, boy, is it credible. It explains virtually fully our failure as an institution to address this patently obvious problem that our own home State universities are telling us is real. From Utah to Rhode Island, the universities we support and root for know and teach climate science.

Anyway, I have a carbon price bill that would cause a technological boom in carbon capture and carbon utilization because, at last, there would be a reason to pay for it, and the free market could get to work. American ingenuity could get to work. With that market signal and with funding from revenues that the fee would generate, we could actually extend the life of existing coal plants being shuttered by competition from natural gas, by stripping their carbon dioxide emissions so that they actually didn't do the damage that they are doing now, they stopped throwing their trash into their neighbors' yard, and they paid for trash collection. The technology needs to be there and the economics need to be there, and then it can be done.

We really ought to pass the carbon fee bill. I would add that the carbon fee bill also creates a lot of revenue. We, I think, have agreed that revenue ought not go to fund the government—not to make Big Government—but there are other things we can do with it that would be very helpful. One would be to make coal country whole for the economic losses coal country has sustained.

Remember Huey Long's old slogan: "Every man a king." We could make every miner a king—with a solid pension, retirement at any time, full health benefits for life for the family, a cash account based on years worked, a voucher for a new vehicle, a college plan for their kids. It all becomes doable if we pass a carbon fee and use the revenues to help coal country. Otherwise, nothing will change.

Coal country will just keep suffering as natural gas keeps driving coal out of the energy market. There is no mechanism now to remedy that inevitability. People will suffer. There is a remedy right there—a carbon fee—that can

help fund and encourage the development of the technologies so that we can strip the carbon dioxide out of the emitting powerplants and so that we can go into these coal countries where pensions and benefits have been stripped by bankruptcy, by the collapse of this industry, and make those folks whole again.

Give them their dignity. Let them retire now. It is not their fault that the coal industry has collapsed. They worked hard. They did dangerous work. They went down in the mines. They worked big equipment. It is a dangerous occupation to be a coal miner, and it is entitled to respect. Retire any time, full health benefits for you and the family, a cash account to help, a new vehicle voucher, a college plan for the kids, to make sure they are well-educated—you could do a lot of those things. You could help those people pass a carbon fee and make every coal miner a king.

In the meantime, I am willing to find funding to flip the social cost of carbon—the way we did in our bill, announced today—and create a positive fee, a tax credit for carbon capture and carbon utilization. I am willing to work with Republican colleagues to find a way to pay our nuclear fleet for the carbon-free nature of its nuclear power.

It is crazy to be closing safely operating nuclear power facilities just because they get zero economic value for the carbon-free nature of their power. The carbon-free nature of their power has value. The carbon-free nature of power has significant value. That is why we are offering in our legislation a tax credit of \$30 to \$50 per avoided ton of carbon dioxide emissions. That implies that an avoided ton of carbon dioxide emissions is worth \$30 to \$50.

If nuclear power avoids that, I am willing to work with my Republican colleagues to figure out a way so that our nuclear fleet can enjoy the actual economic advantage of the carbon-free power they produce.

We close a nuclear plant so we can open a natural gas plant which pollutes more than the nuclear plant because the economics are so fouled up that the nuclear plant gets no value for carbon-free power and the natural gas plant pays no costs for the harm of its carbon emissions. It is economic madness.

We know that carbon-free nature has value. We know that the carbon-free nature of nuclear power has value. We just will not pay for it, and plants close due to that market failure, and jobs are lost, and power is lost, and new investments have to be stood up in polluting plants to make the difference. It is crazy.

In closing, the Heitkamp-Whitehouse-Capito-Barrasso bill, the FUTURE bill, to provide a tax credit for carbon capture utilization and sequestration in powerplants, in factories,

and in a variety of applications, is small. It is in some respects a gesture, but everything begins with small steps and small gestures. I am proud to be a part of it, but I want to remind my colleagues that there are also big win-win ways that we can solve the larger problem. I look forward to working together to accomplish just that.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

CALLING FOR THE RELEASE OF LIU XIAOBO

Mr. CRUZ. Mr. President, I stand here today on behalf of a hero of freedom and democracy in the People's Republic of China. Liu Xiaobo and his wife Liu Xia are the faces of liberty in China. They have sacrificed comfort and normalcy to chart a path toward political liberalization. For that, they have been detained, imprisoned, and abused.

In 2008, Liu Xiaobo coauthored "Charter 08," a manifesto that shined a light on the Communist Party of China and its totalitarian abuse of power. Though many brave souls signed their names and their fates to that document, Dr. Liu's name was at the very top. For this reason, he received the Nobel Peace Prize. He also received charges of "inciting subversion of state power" and an 11-year prison sentence. It is impossible to neglect the stark irony: a man dedicated to nonviolence, imprisoned for promoting peace.

Motivating Dr. Liu's tremendous courage and self-sacrifice was a determination to remember what the People's Republic of China desperately wants the world to forget: Tiananmen Square. A poet, author, and political scientist, Dr. Liu was, in 1989, a visiting scholar at Columbia University, but when the pro-democracy protests broke out in Beijing in June of that year, he raced back to China to support them. He staged a hunger strike in Tiananmen Square in the midst of the historic student protests and insisted that they would remain nonviolent in the faces of the tanks, which the Chinese military deployed to smash them.

In 1996, the party subjected him to 3 years of "reeducation through labor" for continuing to question China's one-party system.

In 2008, on the eve of the 100-year anniversary of China's first Constitution and the 30-year anniversary of Beijing's Democracy Wall movement, Dr. Liu dedicated his work on "Charter 08" to the martyrs at Tiananmen Square.

Today, 8 years into his unjust imprisonment, Dr. Liu needs our help more than ever. Last month, it was revealed

that Dr. Liu has contracted an aggressive, late stage form of liver cancer. Although PRC authorities "released" him "on medical parole," both Liu Xiaobo and Liu Xia linger without freedom. Even worse, Liu Xiaobo is dying. His condition is critical, and we are running out of time to act on his behalf.

Although Chinese authorities compelled the Lius to sign an affidavit allegedly attesting to their satisfaction with the medical care they have received in China and their wish to remain there, Liu Xia has communicated to their attorney their desire to spend Liu Xiaobo's final days in America. PRC doctors insisted that Dr. Liu was too ill to travel, but medical experts from the United States and Germany—one of them being Dr. Joseph Herman of the MD Anderson Cancer Center of the University of Texas—visited Dr. Liu and attested to the contrary. Issuing a joint statement, they agreed that Dr. Liu "can be safely transported with appropriate medical evacuation care and support." They then issued this stark warning: "However, the medical evacuation would have to take place as quickly as possible."

The urgency of this situation goes beyond Liu Xiaobo. Liu Xia's livelihood is inextricably linked to the ability of the two of them to leave China. Due to his imprisonment, Liu Xiaobo has been unable to receive his \$1.5 million in prize money from the Norwegian Nobel Committee. The holdup of transferring the funds is merely routine: a signed form from Dr. Liu and an open bank account with his name on it. But China has prevented these technical steps from progressing. If Liu Xiaobo dies without receiving this account, Liu Xia will be left destitute with no money. I shudder to think what a life would hold for the wife of China's boldest political prisoner.

Only one man stands between a dying man's wish and his wife's livelihood and freedom: Xi Jinping. Although no one action can undo the turmoil that the Lius have suffered over the past 28 years, it is not too late to do the right thing and to allow this man and his wife to spend their last days together according to their wishes.

It wouldn't be the first time that Xi has made a similar decision. Earlier this year, he agreed, after consultations with the Trump administration, to release an imprisoned Houstonian, Sandy Phan-Gillis, who was incarcerated on false charges. Although nothing could bring back the 2 years of separation from her family, she and her family are now reunited—something I spent considerable time urging and encouraging and was grateful to see come to pass.

Lest Xi forget, even Kim Jong Un, the dictator in North Korea, allowed Otto Warmbier, a young American college student from Ohio—in the prime of

his life before torture and abuse left him in a coma—to return home for his final hours. Surely, Xi can show the same degree of humanity shown by Kim Jong Un.

Indeed, toward that end, the bill that I have introduced numerous times to rename the street in front of the Chinese Embassy in honor of Liu Xiaobo is an instrument of leverage that can help produce his freedom. In 2015, I came to this floor and asked on three separate occasions for unanimous consent to pass my bill to rename the street in front of the Chinese Embassy after Liu Xiaobo. Over and over again, sadly, Democratic Senators stood up and objected, stymieing the effort. Each time I advocated on behalf of Liu Xiaobo and Liu Xia, my colleagues expressed procedural concerns: This is counterproductive. Doing so will only antagonize China.

Well, some of us are less concerned about antagonizing Chinese Communist dictators.

My fellow Senators assured me that they have negotiated the release of many political prisoners behind the scenes. Well, that is wonderful, and I encourage them to do so now in the few days and weeks Liu Xiaobo has ahead.

Even so, despite repeated Democratic objections—repeated Democratic obstructionism—ultimately, the U.S. Senate was able to pass my bill by voice vote in the 114th Congress, and the reason at the time was evident: China's stubbornness—wrongly imprisoning a Nobel Peace laureate—required public action to force the issue. The end goal should be clear. It is not merely to rename a street, but rather to use the action to shine light on the Lius and to pressure the PRC to do the right thing.

No Member can explain the success of this tactic better than my good friend Senator GRASSLEY, the senior Senator from Iowa, who led a very similar effort in 1984 to rename the street in front of the Soviet Embassy after Andrei Sakharov, the famed Soviet dissident. Senator GRASSLEY led that effort under Ronald Reagan, and when the street was renamed, it meant anytime a Soviet had to write to their Embassy, they had to write Sakharov's name. It meant anytime you had to pick up the phone and call the Embassy and say "Where exactly do I find this Embassy?" they had to address and highlight the dissident.

For the PRC, they do not want to highlight Liu Xiaobo because he is a powerful voice for freedom and against tyranny. Just as it worked against the Soviet Union, as Reagan demonstrated, public shaming, shining light, telling the truth can bring down the machinery of oppression. So, too, can public shaming—shining light—secure Dr. Liu's freedom.

As we stand here today, we don't know if Xi is going to allow Dr. Liu to

come to freedom, to live out his last days in peace, and to receive the Nobel Peace Prize that he was so justly awarded. If Xi does the right thing, we can all commend the action. But if not, I am announcing my intention to continue to press this bill, to seek its passage again in this Congress, just as the Senate passed it in the prior Congress. I intend to press forward and seek passage of this bill.

If Dr. Liu is not released—if he dies in China, still under their oppression—I intend to continue to fight until the day when the street is named in front of the Embassy and the Chinese Communists can bow their heads in shame at their injustice. If they don't want to be publicly shamed, there is an easy path: Don't commit shameful acts. Truth has power. Sunshine and light have power.

I urge my colleagues on both sides of the aisle—Republicans and Democrats: If there is an issue that should unite us all, it is that a Nobel Peace laureate speaking out for peace and democracy should not be wrongly imprisoned in Communist China. That should bring us together—and the full force of the United States.

I commend President Trump for leading on this issue, and I am hopeful that China will see its way to doing the right thing.

I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

GETTING OUR WORK DONE

Mr. MCCAIN. Mr. President, as we know, yesterday the majority leader announced that he plans to delay the start of the August recess by 2 weeks. He stated that this delay is necessary in order to "complete action on important legislative items and process nominees that have been stalled by a lack of cooperation from our friends on the other side of the aisle." Those are the majority leader's words.

I have no problem with the leader's decision. I will happily stay here an additional 2 weeks. I will stay 3, 4, or even 5 weeks as long as we have a plan to address the serious issues that face this Nation.

My friends, when the Senate completes its work this week, we will have considered a whopping total this entire week of three nominations, one of them being a noncontroversial district judge nominee on which the majority leader was forced to file cloture. That cloture vote was unanimous, 97 to 0. Yet we were still forced to burn postcloture time—30 hours—before being allowed to vote earlier today on

his confirmation—a vote that was again unanimous at 100 to 0. What? That is the way we are doing business in the Senate? I will repeat. The vote to stop debate was 97 to 0 after 30 hours. After we burned 30 hours, then we were allowed to vote earlier today—a vote that was again unanimous at 100 to 0. Why?

We have a war on. We have men and women in harm's way. We have nominees stacked up, and so we are spending an entire week with three nominees. So with an incredible act of another chapter in "Profiles in Courage," rather than say, OK, we will stay here Friday, we will stay here Saturday, we will stay here Sunday, but by God we are going to do the people's business—we are not doing the people's business.

I can't go through all the machinations between the Democratic leader and our majority leader, and I can't go through all the tos and fros and all of that, but I am supposed to go back and speak to a high school civics class and say: I am happy to be here. I have had a very tough week this week in the Senate, my young friends who may want to be engaged in public service someday, and we voted on a district judge 97 to 0. Thirty hours later, we were allowed to vote on his nomination, and the vote was 100 to 0.

That is what the Senate is supposed to do? There was no reason why we needed to take 3 days on this nominee.

I say to my friend the Democratic leader and I say to the Republican leader: This type of obstruction has gone on long enough, and it has to stop.

As I said, I am happy to stay here for the entire August recess to do the work the American people sent us here to do, but we must first have a plan of what we are going to do and how. What are we to say to the American people if we stay here for several weeks, have no legislative plan, and accomplish nothing? We have been in for 6 months now. What have we done? We have done Gorsuch, and we have done Gorsuch, and we have done Gorsuch, and we have repealed some regulations—all of it with my party in control of all three branches of government. I am not proud to go back to Arizona and talk about that record of nonaccomplishment.

Right now, we have no consensus on how to repeal and replace the failed policies of ObamaCare. I can't tell you the number of hours I have heard the same arguments go around and around and around and around. As far as I know, there is no consensus on how to best fund the government, no plan to do a bipartisan budget deal, and no path forward on appropriations bills. This is disgraceful.

What I am asking for is simple. If we are going to stay here to work, then let's get some work done. Why aren't we working now? Why aren't we working tonight? There are nominees in the



Department of Defense who are before this body, and we are in a war, and what are we doing? We are doing a vote on a district judge that we took 30 hours—30 hours—to discuss.

If we are going to stay here, let's get the work done. Let's come in early, stay late, negotiate a healthcare bill, and process nominations to make sure the administration is adequately staffed so the executive branch can function. Let's renew FDA user fees to streamline the regulatory process for lifesaving prescription drugs. Let's fund the Veterans Choice Program to ensure our veterans are able to access care in their communities. Let's address the debt limit before we default on our payments. Let's debate, amend, and pass the fiscal year 2018 National Defense Authorization Act. Perhaps, most importantly, let's get to work on the budget so we can begin moving individual appropriations bills to fund the government and not have to resort to a continuing resolution or omnibus.

To those who may be watching, the fact is that a continuing resolution and an omnibus means that we have two choices—yes or no. We don't have an amendment. We don't have a way to improve it. We are talking about trillions of dollars, but we are going to wait until we are right at the edge of the cliff, and then my distinguished friends and leaders on both sides will say: You have to vote aye; you have to vote aye because the government is going to be shut down. I am tired of that choice. We know it is coming. We know the cliff is here. So what did we do this week? We spent 30 hours discussing a district judge—30 hours debating a district judge. Is that the right use of American taxpayers' dollars?

Have we no shame?

The Senate Armed Services Committee successfully reported out the fiscal year 2018 National Defense Authorization Act 27 to 0, supporting \$650 billion for the base budget for national defense and an additional \$60 billion for Overseas Contingency Operations. At these levels, the national defense budget would be \$91 billion above the Budget Control Act spending cap. To put it another way, there was unanimous, bipartisan support for an increase in defense spending of the Budget Control Act, capped by more than a quarter of this body—more than a quarter of this body, on both sides of the aisle. In one sense this consensus isn't surprising because after years of budget cuts under the BCA sequestration, our military faces a serious crisis. As we ask them to do more and more in an increasingly dangerous world, Congress has failed to provide our men and women in uniform with the training, resources, and capabilities they need.

I will repeat that. Congress has failed to provide our men and women in uniform with the training, resources, and capabilities they need.

However, simply passing an authorization bill at higher defense spending levels will not solve the funding problems for our military. We know we must pass a bipartisan budget deal to undo the Budget Control Act caps and set an agreed upon budget top line to allow the appropriations bills to move forward. Absent a bipartisan budget deal, we will be stuck with another continuing resolution, which, I might add, will be below the BCA budget caps for defense, or, worse, we will be facing—guess what—a shutdown of the government.

Has it been that long since we had the last shut down?

I have come to this floor several times already this year demanding that we start negotiating a budget deal. We are 2 months away from the start of the fiscal year. We know that a budget deal must be done. The failure to begin negotiations means we are knowingly driving toward an outcome that will fund our military at levels below the Budget Control Act caps.

I don't understand why we haven't started. It is not because we think the BCA levels are acceptable. It is not because we believe there is a way to responsibly fund the government without adjusting the BCA caps. Even our leader, Senator McCONNELL, has publicly stated that we will need to adjust the caps. This leads me to believe that there is only one reason why we are stalling negotiations on a budget deal and forcing the government and our military to start the year on a "continuing resolution" and that is one word, and that word is "politics."

The same tactic that the Democratic leader is employing on nomination stalling is being applied to a budget deal. I find that to be shameful.

There is plenty of blame to go around. The White House has also been surprisingly absent. Their own budget submission asked for defense spending above the budget control caps and repeal of the defense sequester, but none of that—none of that—is possible without negotiating a bipartisan budget deal. Yet we have heard nothing from the White House—nothing. Any budget deal that would pass both the House and Senate and be signed by the President will be extremely difficult to negotiate. That is why we should have started long ago, and we must start now.

I have been ready and willing all year to begin working. My door and, I know, the majority of my colleagues' doors are open to any Senator, Republican or Democrat, but what we really need is for a select group of key Members to come together with leadership's blessings to begin negotiating.

Unless and until this body gets to work on a bipartisan budget deal, we will continue down the path we have been on for years, lurching from crisis to crisis, with no strategy for how to

meet our budget responsibilities or fund our national security needs.

My friends, colleagues, and fellow Americans, we must summon the political courage to do the hard work the American people expect of us to do a budget the way we are supposed to—a budget that is sufficient to meet the complex threats of today's world. Our brave servicemembers who are facing those threats every single day deserve no less.

Finally, every year for many years now, I have taken my time on the Fourth of July to have the honor of spending that national holiday in Afghanistan with the men and women who are serving in the military with courage, sacrifice, and skill. As part of our activities there, we have a town-hall meeting with several hundred of the men and women in uniform who are serving. My friend LINDSEY GRAHAM, who occasionally has a good idea—once every decade—asked the group: How many of you are here not for the first time? Almost everybody in that room raised their hand.

He said: How many of you have been more than twice? Two-thirds of the men in that room raised their hand.

He said: How many of you have been here multiple times? A good number of them raised their hand.

The point is that they are out there serving time after time after time, away from their homes, away from their families, working more than maybe 2 weeks in August. And what are we doing? What are we doing for them?

There are a lot of things they need, and there are a lot of things we need to give them. Yet, somehow, we can't see our way clear—Republicans and Democrats—to sit down and do the right thing for these men and women—to do the right thing so they can win.

We now have a new President, a new National Security Advisor, and a new Secretary of Defense. I don't agree with this President very often, but I do know that this President is committed to rebuilding the military and a winning strategy. The strategy for the last 8 years has been "don't lose." I know that General Mattis and General McMaster are people who want to win, and they have a strategy to win, and we have to be of assistance to them to provide the men and women with what they need to win.

So I ask my colleagues, with passion, that we sit down and figure out the budget deal, move forward with it, and not spend a week like we just spent this week with 30 hours in order to confirm one district judge.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

# LEGISLATIVE SESSION

## MORNING BUSINESS

Mr. PERDUE. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

## BUDGET SCOREKEEPING REPORT

Mr. ENZI. Mr. President, I wish to submit to the Senate the budget scorekeeping report for July 2017. The report compares current-law levels of spending and revenues with the amounts the Senate approved in the budget resolution for fiscal year 2017, S. Con. Res. 3. This information is necessary for the Senate Budget Committee to determine whether budget points of order lie against pending legislation. The Republican staff of the Senate Budget Committee and the Con-

gressional Budget Office, CBO, prepared this report pursuant to section 308(b) of the Congressional Budget Act (CBA).

My last filing can be found in the RECORD on June 7, 2017. The information contained in this report captures legislative activity from that filing through July 10, 2017.

Republican Budget Committee staff prepared tables 1 through 3 of this report. They remain unchanged since my last filing.

In addition to the tables provided by Budget Committee Republican staff, I am submitting CBO tables, which I will use to enforce budget totals approved by the Congress.

CBO provided a spending and revenue report for fiscal year 2017, which helps enforce aggregate spending levels in budget resolutions under CBA section 311. CBO's estimates show that current-law levels of spending fiscal year 2017 are below the amounts assumed in the budget resolution by \$303 million in budget authority and \$6.4 billion in outlays. CBO also estimates that revenues are \$1 million above assumed levels for fiscal year 2017, but \$21 million below assumed levels over the fiscal

year 2017–2026 period. Social Security levels are consistent with the budget resolution's fiscal year 2017 figures.

CBO's report also provides information needed to enforce the Senate pay-as-you-go, PAYGO, rule. The Senate's PAYGO scorecard currently shows increased deficits of \$226 million over the fiscal year 2016–2021 and \$227 million over fiscal year 2016–2026 periods. For both of these periods, outlays have increased by \$201 million, while revenues decreased by \$25 million over the 6-year period and \$26 million over the 11-year period. The Senate's PAYGO rule is enforced by section 201 of S. Con. Res. 21, the fiscal year 2008 budget resolution.

Finally, included in this submission is a table tracking the Senate's budget enforcement activity on the floor. No budget points of order have been raised since my last filing.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that the tables be printed in the RECORD.

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

TABLE 1.—SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (–) BUDGET RESOLUTIONS

(In millions of dollars)

|                                                   | 2017 | 2017–2021 | 2017–2026 |
|---------------------------------------------------|------|-----------|-----------|
| <b>Agriculture, Nutrition, and Forestry</b>       |      |           |           |
| Budget Authority .....                            | 0    | 0         | 0         |
| Outlays .....                                     | 0    | 0         | 0         |
| <b>Armed Services</b>                             |      |           |           |
| Budget Authority .....                            | 0    | 0         | 0         |
| Outlays .....                                     | 0    | 0         | 0         |
| <b>Banking, Housing, and Urban Affairs</b>        |      |           |           |
| Budget Authority .....                            | 0    | 0         | 0         |
| Outlays .....                                     | 0    | 0         | 0         |
| <b>Commerce, Science, and Transportation</b>      |      |           |           |
| Budget Authority .....                            | 1    | 1         | 1         |
| Outlays .....                                     | 1    | 1         | 1         |
| <b>Energy and Natural Resources</b>               |      |           |           |
| Budget Authority .....                            | 0    | 0         | 0         |
| Outlays .....                                     | 0    | 0         | 0         |
| <b>Environment and Public Works</b>               |      |           |           |
| Budget Authority .....                            | 0    | 0         | 0         |
| Outlays .....                                     | 0    | 0         | 0         |
| <b>Finance</b>                                    |      |           |           |
| Budget Authority .....                            | –239 | 468       | –204      |
| Outlays .....                                     | 38   | 763       | 91        |
| <b>Foreign Relations</b>                          |      |           |           |
| Budget Authority .....                            | 0    | 0         | 0         |
| Outlays .....                                     | 0    | 0         | 0         |
| <b>Homeland Security and Governmental Affairs</b> |      |           |           |
| Budget Authority .....                            | 0    | 0         | 0         |
| Outlays .....                                     | 0    | 0         | 0         |
| <b>Judiciary</b>                                  |      |           |           |
| Budget Authority .....                            | 0    | 0         | 0         |
| Outlays .....                                     | 0    | 0         | 0         |
| <b>Health, Education, Labor, and Pensions</b>     |      |           |           |
| Budget Authority .....                            | 0    | 0         | 0         |
| Outlays .....                                     | 0    | 0         | 0         |
| <b>Rules and Administration</b>                   |      |           |           |
| Budget Authority .....                            | 0    | 0         | 0         |
| Outlays .....                                     | 0    | 0         | 0         |
| <b>Intelligence</b>                               |      |           |           |
| Budget Authority .....                            | 0    | 0         | 0         |
| Outlays .....                                     | 0    | 0         | 0         |
| <b>Veterans' Affairs</b>                          |      |           |           |
| Budget Authority .....                            | 0    | 0         | 0         |
| Outlays .....                                     | 0    | 200       | 200       |
| <b>Indian Affairs</b>                             |      |           |           |
| Budget Authority .....                            | 0    | 0         | 0         |
| Outlays .....                                     | 0    | 0         | 0         |
| <b>Small Business</b>                             |      |           |           |
| Budget Authority .....                            | 0    | 0         | 0         |
| Outlays .....                                     | 0    | 0         | 0         |
| <b>Total</b>                                      |      |           |           |
| Budget Authority .....                            | –238 | 469       | –203      |
| Outlays .....                                     | 39   | 964       | 292       |

TABLE 2.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS <sup>1</sup>

[Budget authority, in millions of dollars]

|                                                                              | 2017                  |                          |
|------------------------------------------------------------------------------|-----------------------|--------------------------|
|                                                                              | Security <sup>2</sup> | Nonsecurity <sup>2</sup> |
| Statutory Discretionary Limits .....                                         | 551,068               | 518,531                  |
| Amount Provided by Senate Appropriations Subcommittee                        |                       |                          |
| Agriculture, Rural Development, and Related Agencies .....                   | 0                     | 20,877                   |
| Commerce, Justice, Science, and Related Agencies .....                       | 5,200                 | 51,355                   |
| Defense .....                                                                | 515,977               | 138                      |
| Energy and Water Development .....                                           | 19,956                | 17,815                   |
| Financial Services and General Government .....                              | 33                    | 21,482                   |
| Homeland Security .....                                                      | 1,876                 | 40,532                   |
| Interior, Environment, and Related Agencies .....                            | 0                     | 32,280                   |
| Labor, Health and Human Services, Education and Related Agencies .....       | 0                     | 161,025                  |
| Legislative Branch .....                                                     | 0                     | 4,440                    |
| Military Construction and Veterans Affairs, and Related Agencies .....       | 7,726                 | 74,650                   |
| State Foreign Operations, and Related Programs .....                         | 0                     | 36,586                   |
| Transportation and Housing and Urban Development, and Related Agencies ..... | 300                   | 57,351                   |
| Current Level Total .....                                                    | 551,068               | 518,531                  |
| Total Enacted Above (+) or Below (–) Statutory Limits .....                  | 0                     | 0                        |

<sup>1</sup> This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.<sup>2</sup> Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 3.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)

[Budget authority, millions of dollars]

|                                                                              | 2017   |
|------------------------------------------------------------------------------|--------|
| CHIMPS Limit for Fiscal Year .....                                           | 19,100 |
| Senate Appropriations Subcommittees                                          |        |
| Agriculture, Rural Development, and Related Agencies .....                   | 741    |
| Commerce, Justice, Science, and Related Agencies .....                       | 8,452  |
| Defense .....                                                                | 0      |
| Energy and Water Development .....                                           | 0      |
| Financial Services and General Government .....                              | 826    |
| Homeland Security .....                                                      | 187    |
| Interior, Environment, and Related Agencies .....                            | 28     |
| Labor, Health and Human Services, Education and Related Agencies .....       | 8,009  |
| Legislative Branch .....                                                     | 0      |
| Military Construction and Veterans Affairs, and Related Agencies .....       | 0      |
| State Foreign Operations, and Related Programs .....                         | 0      |
| Transportation and Housing and Urban Development, and Related Agencies ..... | 857    |
| Current Level Total .....                                                    | 19,100 |
| Total CHIMPS Above (+) or Below (–) Budget Resolution .....                  | 0      |

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, July 12, 2017.

Hon. MIKE ENZI,  
Chairman, Committee on the Budget,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2017 budget and is current

through July 10, 2017. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017.

Since our last letter dated June 7, 2017, the Congress has not cleared any legislation for the President's signature that has significant effects on budget authority, outlays, or revenues.

Sincerely,

KEITH HALL.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF JULY 10, 2017

[In billions of dollars]

|                                            | Budget Resolution | Current Level | Current Level Over/Under (–) Resolution |
|--------------------------------------------|-------------------|---------------|-----------------------------------------|
| On-Budget                                  |                   |               |                                         |
| Budget Authority .....                     | 3,329.3           | 3,329.0       | – 0.3                                   |
| Outlays .....                              | 3,268.2           | 3,261.8       | – 6.4                                   |
| Revenues .....                             | 2,682.1           | 2,682.1       | 0.0                                     |
| Off-Budget                                 |                   |               |                                         |
| Social Security Outlays <sup>a</sup> ..... | 805.4             | 805.4         | 0.0                                     |
| Social Security Revenues .....             | 826.0             | 826.0         | 0.0                                     |

Source: Congressional Budget Office.

<sup>a</sup> Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF JULY 10, 2017

[In millions of dollars]

|                                                                                                                              | Budget Authority | Outlays   | Revenues  |
|------------------------------------------------------------------------------------------------------------------------------|------------------|-----------|-----------|
| Previously Enacted <sup>a,b</sup>                                                                                            |                  |           |           |
| Revenues .....                                                                                                               | n.a.             | n.a.      | 2,682,088 |
| Permanents and other spending legislation .....                                                                              | 2,054,297        | 1,960,884 | n.a.      |
| Appropriation legislation .....                                                                                              | 132,558          | 614,655   | n.a.      |
| Offsetting receipts .....                                                                                                    | – 834,250        | – 834,301 | n.a.      |
| Total, Previously Enacted .....                                                                                              | 1,352,605        | 1,741,238 | 2,682,088 |
| Enacted Legislation:                                                                                                         |                  |           |           |
| National Aeronautics and Space Administration Authorization Act of 2017 (P.L. 115–10) .....                                  | 1                | 1         | 0         |
| A joint resolution making further continuing appropriations for fiscal year 2017, and for other purposes (P.L. 115–30) ..... | 2                | 2         | 0         |
| Consolidated Appropriations Act, 2017 (P.L. 115–31) .....                                                                    | 1,967,450        | 1,518,744 | 1         |
| Total, Enacted Legislation .....                                                                                             | 1,967,453        | 1,518,747 | 1         |

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF JULY 10, 2017—Continued  
(In millions of dollars)

|                                                                                             | Budget Authority | Outlays   | Revenues   |
|---------------------------------------------------------------------------------------------|------------------|-----------|------------|
| Entitlements and Mandatories:                                                               |                  |           |            |
| Budget resolution estimates of appropriated entitlements and other mandatory programs ..... | 8,928            | 1,795     | 0          |
| Total Current Level <sup>c</sup> .....                                                      | 3,328,986        | 3,261,780 | 2,682,089  |
| Total Senate Resolution <sup>d</sup> .....                                                  | 3,329,289        | 3,268,171 | 2,682,088  |
| Current Level Over Senate Resolution .....                                                  | n.a.             | n.a.      | 1          |
| Current Level Under Senate Resolution .....                                                 | 303              | 6,391     | n.a.       |
| Memorandum:                                                                                 |                  |           |            |
| Revenues, 2017–2026:                                                                        |                  |           |            |
| Senate Current Level .....                                                                  | n.a.             | n.a.      | 32,351,639 |
| Senate Resolution .....                                                                     | n.a.             | n.a.      | 32,351,660 |
| Current Level Over Senate Resolution .....                                                  | n.a.             | n.a.      | n.a.       |
| Current Level Under Senate Resolution .....                                                 | n.a.             | n.a.      | 21         |

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

<sup>a</sup> Includes the budgetary effects of enacted legislation cleared by the Congress during the 114th session, prior to the adoption of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017.<sup>b</sup> Sections 193–195 of Division A of P.L. 114–254 provided funding, available until expended, for innovation projects and state responses to opioid abuse. CBO estimates that, for fiscal year 2017:

The \$20 million in discretionary budget authority provided by section 193 would result in an additional \$5 million in outlays for FDA innovation projects;

The \$352 million in discretionary budget authority provided by section 194 would result in an additional \$91 million in outlays for NIH innovation projects;

The \$500 million in discretionary budget authority provided by section 195 would result in an additional \$160 million in outlays for state response to opioid abuse.

Consistent with sections 1001–1004 of P.L. 114–255, for the purposes of estimating the discretionary budget authority and outlays for these provisions under the Congressional Budget and Impoundment Act of 1974 and the Balanced Budget and Emergency Deficit Control Act of 1985, those amounts are estimated to provide no budget authority or outlays.

<sup>c</sup> For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.<sup>d</sup> Periodically, the Senate Committee on the Budget revises the budgetary levels in S. Con. Res. 3, pursuant to various provisions of the resolution. The total for the Initial Senate Resolution shown below excludes \$81,872 million in budget authority and \$40,032 million in outlays assumed in S. Con. Res. 3 for non regular discretionary spending, including spending that qualifies for adjustments to discretionary spending limits pursuant to section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985. The total for the Revised Senate Resolution shown below includes amounts for non regular discretionary spending:

|                                                                                   | Budget Authority | Outlays   | Revenues  |
|-----------------------------------------------------------------------------------|------------------|-----------|-----------|
| Initial Senate Resolution .....                                                   | 3,226,128        | 3,224,630 | 2,682,088 |
| Revisions:                                                                        |                  |           |           |
| Pursuant to sections 311 and 314(a) of the Congressional Budget Act of 1974 ..... | 103,161          | 43,541    | 0         |
| Revised Senate Resolution .....                                                   | 3,329,289        | 3,268,171 | 2,682,088 |

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 115TH CONGRESS, AS OF JULY 10, 2017

(In millions of dollars)

|                                                                                                                                                                                                                              | 2016–2021 | 2016–2026 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|
| Beginning Balance <sup>a</sup> .....                                                                                                                                                                                         | 0         | 0         |
| Enacted Legislation: <sup>b,c,d</sup>                                                                                                                                                                                        |           |           |
| Tested Ability to Leverage Exceptional National Talent Act of 2017 (P.L. 115–1) .....                                                                                                                                        | *         | *         |
| Disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule (P.L. 115–5) .....                                                                                                     | *         | *         |
| National Aeronautics and Space Administration Transition Authorization Act of 2017 (P.L. 115–10) .....                                                                                                                       | 1         | 1         |
| Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to teacher preparation issues (P.L. 115–14) .....                      | *         | *         |
| Disapproving the rule submitted by the Department of Labor relating to “Clarification of Employer’s Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness” (P.L. 115–21) ..... | 1         | 1         |
| Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees (P.L. 115–24) ..                            | *         | *         |
| An act to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes (P.L. 115–26) .....                                       | 200       | 200       |
| Making further continuing appropriations for fiscal year 2017, and for other purposes (P.L. 115–30) <sup>e</sup> .....                                                                                                       | *         | *         |
| Consolidated Appropriations Act, 2017 (P.L. 115–31) <sup>f</sup> .....                                                                                                                                                       | 24        | 25        |
| U.S. Wants to Compete for a World Expo Act (P.L. 115–32) .....                                                                                                                                                               | *         | *         |
| Modernizing Government Travel Act (P.L. 115–34) .....                                                                                                                                                                        | *         | *         |
| Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees (P.L. 115–35) .....                                                         | *         | *         |
| Public Safety Officers’ Benefits Improvement Act of 2017 (P.L. 115–36) .....                                                                                                                                                 | *         | *         |
| Follow the Rules Act (P.L. 115–40) .....                                                                                                                                                                                     | *         | *         |
| Department of Veterans Affairs Accountability and Whistleblower Protection Act of 2017 (P.L. 115–41) .....                                                                                                                   | *         | *         |
| A bill to amend section 1214 of title 5, United States Code, to provide for stays during a period that the Merit Systems Protection Board lacks a quorum (P.L. 115–42) .....                                                 | *         | *         |
| Current Balance .....                                                                                                                                                                                                        | 226       | 227       |
| Memorandum:                                                                                                                                                                                                                  |           |           |
| Changes to Revenues .....                                                                                                                                                                                                    | –25       | –26       |
| Changes to Outlays .....                                                                                                                                                                                                     | 201       | 201       |

Source: Congressional Budget Office.

Notes: P.L. = Public Law; \* = between –\$500,000 and \$500,000.

<sup>a</sup> Pursuant to the statement printed in the Congressional Record on January 17, 2017, the Senate Pay-As-You-Go Scorecard was reset to zero.<sup>b</sup> The amounts shown represent the estimated effect of the public laws on the deficit.<sup>c</sup> Excludes off-budget amounts.<sup>d</sup> Excludes amounts designated as emergency requirements.<sup>e</sup> The budgetary effects of this Act are excluded from the Senate’s PAYGO scorecard pursuant to section 202(c) of P.L. 115–30.<sup>f</sup> Division M of P.L. 115–31 contains the Health Benefits for Miners Act of 2017 and the Puerto Rico Section 1108(g) Amendment of 2017. Division N contains the HIRE Vets Act. Pursuant to section 301(b) of Division M, the budgetary effects of Division M and succeeding divisions are excluded from the Senate’s PAYGO scorecard.

## ENFORCEMENT REPORT OF LEGISLATION POST-S. CON. RES. 3, FY 2017 CONGRESSIONAL BUDGET RESOLUTION

| Vote | Date | Measure | Violation | Motion to Waive | Result |
|------|------|---------|-----------|-----------------|--------|
| —    | —    | —       | —         | —               | —      |

## ADDITIONAL STATEMENTS

## TRIBUTE TO SUZY DEYOUNG

• Mr. PORTMAN. Mr. President, today I wish to recognize Suzy DeYoung from Cincinnati, recipient of the Jacqueline Kennedy Onassis Award for Out-

standing Public Service. The Jefferson Awards Foundation was founded in 1972 by Jacqueline Kennedy Onassis, Senator Robert Taft, Jr., and Sam Beard to power others to have maximum impact on the things they care about most.

Suzy cares about helping her community and has a passion for good food. She was born to be a chef. Her father, Pierre Adrian, was head chef at the five-star Maisonette restaurant in Cincinnati and her grandparents were chefs in New York. She and her sister co-ran La Petite Pierre restaurant

until Suzy split off to focus on La Soupe.

Now, Suzy is more than a chef. She is a business owner, transportation manager, teacher, and a fundraiser.

In response to growing childhood poverty rates and the fact that one-third of all food produced worldwide is either lost or wasted each year, Suzy DeYoung started La Soupe to close the gap between food waste and hunger. La Soupe rescues otherwise wasted produce to create delicious and highly nutritious meals for customers, nonprofits, and food-insecure families.

In 2016 alone, La Soupe rescued 125,000 pounds of food from going to the landfill and donated over 95,000 servings to people living in food insecurity.

La Soupe partners with Kroger, Jungle Jims, Crosset Company, Sugar Creek, and various local organic farms who provide ingredients allowing La Soupe's team of volunteer chefs to share their culinary magic turning rescued produce into soup or sometimes stew or gumbo or a casserole to feed to people who are hungry.

Suzy also spends time helping parents learn how to feed their kids and teaches weekly cooking classes at area schools, sending kids home with ingredients and recipes to cook for their families. In addition, she operates a retail "Soupe Shack," where sales of the meals made from rich ingredients fuel donations to Cincinnati's food-deprived individuals.

An energetic social entrepreneur, Suzy has inspired chefs to create and give. She has inspired parents to provide healthier options to their families, and she has also inspired kids to pursue culinary careers.

I would like to congratulate Suzy DeYoung and thank her and all of the volunteers at LaSoupe for their dedication to closing the hunger gap for so many in greater Cincinnati.●

#### MESSAGE FROM THE HOUSE

At 12:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 597. An act to take lands in Sonoma County, California, into trust as part of the reservation of the Lytton Rancheria of California, and for other purposes.

H.R. 702. An act to amend the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 to strengthen Federal antidiscrimination laws enforced by the Equal Employment Opportunity Commission and expand accountability within the Federal Government, and for other purposes.

H.R. 954. An act to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes.

H.R. 1306. An act to provide for the conveyance of certain Federal land in the State of Oregon, and for other purposes.

H.R. 1397. An act to authorize, direct, facilitate, and expedite the transfer of administrative jurisdiction of certain Federal land, and for other purposes.

H.R. 1404. An act to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona.

H.R. 1541. An act to authorize the Secretary of the Interior to acquire certain property related to the Fort Scott National Historic Site in Fort Scott, Kansas, and for other purposes.

H.R. 1913. An act to establish the Clear Creek National Recreation Area in San Benito and Fresno Counties, California, to designate the Joaquin Rocks Wilderness in such counties, and for other purposes.

H.R. 1988. An act to designate the facility of the United States Postal Service located at 1730 18th Street in Bakersfield, California, as the "Merle Haggard Post Office Building".

H.R. 2156. An act to provide for the establishment of a national memorial and national monument to commemorate those killed by the collapse of the Saint Francis Dam on March 12, 1928, and for other purposes.

The message also announced that pursuant to section 703(c) of the Public Interest Declassification Act of 2000 (50 U.S.C. 3161 note), the Minority Leader appoints Mr. John F. Tierney of Massachusetts to the Public Interest Declassification Board.

#### MEASURES REFERRED

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

H.R. 597. An act to take lands in Sonoma County, California, into trust as part of the reservation of the Lytton Rancheria of California, and for other purposes; to the Committee on Indian Affairs.

H.R. 702. An act to amend the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 to strengthen Federal antidiscrimination laws enforced by the Equal Employment Opportunity Commission and expand accountability within the Federal Government, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1397. An act to authorize, direct, facilitate, and expedite the transfer of administrative jurisdiction of certain Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1404. An act to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona; to the Committee on Energy and Natural Resources.

H.R. 1913. An act to establish the Clear Creek National Recreation Area in San Benito and Fresno Counties, California, to designate the Joaquin Rocks Wilderness in such counties, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1988. An act to designate the facility of the United States Postal Service located at 1730 18th Street in Bakersfield, California, as the "Merle Haggard Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2156. An act to provide for the establishment of a national memorial and national monument to commemorate those

killed by the collapse of the Saint Francis Dam on March 12, 1928, and for other purposes; to the Committee on Energy and Natural Resources.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 954. An act to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes.

H.R. 1541. An act to authorize the Secretary of the Interior to acquire certain property related to the Fort Scott National Historic Site in Fort Scott, Kansas, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2097. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Part 4022 and 29 CFR Part 4044) received in the Office of the President of the Senate on June 21, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2098. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Assistance to States for the Education of Children with Disabilities and the Preschool Grants for Children with Disabilities Program; Early Intervention Program for Infants and Toddlers with Disabilities" (RIN1820-AB74) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-2099. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of General Counsel, Department of Education received in the Office of the President of the Senate on June 29, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2100. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary, Office of Legislation and Congressional Affairs, Department of Education received in the Office of the President of the Senate on June 29, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2101. A communication from the General Counsel, Office of Special Counsel, transmitting, pursuant to law, a report relative to the vacancy in the position of Special Counsel, received in the Office of the President of the Senate on June 27, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-2102. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Federal Emergency Management Agency,

Department of Homeland Security, received in the Office of the President of the Senate on June 28, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-2103. A communication from the Executive Secretary, Office of Personnel Management, transmitting, pursuant to law, the report of a vacancy for the position of Director, Office of Personnel Management, received in the Office of the President of the Senate on June 27, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-2104. A communication from the Acting Director, Employee Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Prevailing Rate Systems; Redefinition of Certain Nonappropriated Fund Federal Wage System Wage Areas" (RIN3206-AN48) received in the Office of the President of the Senate on June 27, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-2105. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the Semi-annual Report of the Inspector General and the Management Response for the period from October 1, 2016 through March 31, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-2106. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-91, "Primary Date Alteration Amendment Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-2107. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-92, "Medical Marijuana Cultivation Center Relocation Temporary Amendment Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-2108. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-90, "St. Mary's Way Designation Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-2109. A communication from the Senior Counsel for Regulatory and Legislative Affairs, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revival of Abandoned Applications, Reinstatement of Abandoned Applications and Cancelled or Expired Registrations, and Petitions to the Director" (RIN0651-AC41) received in the Office of the President of the Senate on June 28, 2017; to the Committee on the Judiciary.

EC-2110. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, an annual report to Congress concerning intercepted wire, oral, or electronic communications; to the Committee on the Judiciary.

EC-2111. A communication from the Acting Assistant Secretary of Defense (Legislative Affairs), transmitting proposed legislation entitled "National Defense Authorization Act for Fiscal Year 2018"; to the Committee on the Judiciary.

EC-2112. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the report entitled "2016 Report of Statistics Required by the Bankruptcy Abuse Pre-

vention and Consumer Protection Act of 2005"; to the Committee on the Judiciary.

EC-2113. A communication from the Assistant General Counsel, Office of Justice Programs, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Juvenile Justice and Delinquency Prevention Act Formula Grant Program" (RIN1121-AA83) received during adjournment of the Senate in the Office of the President of the Senate on June 16, 2017; to the Committee on the Judiciary.

EC-2114. A communication from the Deputy General Counsel, Office of Hearings and Appeals, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Rules of Procedure Governing Cases Before the Office of Hearings and Appeals" (RIN3245-AG82) received in the Office of the President of the Senate on June 28, 2017; to the Committee on Small Business and Entrepreneurship.

EC-2115. A communication from the Acting Chairman of the National Transportation Safety Board, transmitting, pursuant to law, the Board's 2016 Annual Report to Congress; to the Committee on Commerce, Science, and Transportation.

EC-2116. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, Office of International Affairs and Seafood Inspection, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Waterfront Construction" (RIN0648-BG32) received in the Office of the President of the Senate on June 21, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2117. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" (RIN2120-AA64) (Docket No. FAA-2016-9571) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2118. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" (RIN2120-AA64) (Docket No. FAA-2017-0573) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2119. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc Turbofan Engines" (RIN2120-AA64) (Docket No. FAA-2016-9553) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2120. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Lycoming Engines Reciprocating Engines" (RIN2120-AA64) (Docket No. FAA-2016-9512) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2121. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney Division Turbofan Engines" (RIN2120-AA64) (Docket No. FAA-2016-9405) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2122. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney Division Turbofan Engines" (RIN2120-AA64) (Docket No. FAA-2013-0740) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2123. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety Management System for Domestic, Flag and Supplemental Operations Certificate Holders; Technical Amendment" (RIN2120-AJ86) (Docket No. FAA-2009-0671) received in the Office of the President of the Senate on June 20, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2124. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment and Removal of VOR Federal Airways; Eastern United States" (RIN2120-AA64) (Docket No. FAA-2017-0107) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2125. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" (RIN2120-AA64) (Docket No. FAA-2016-9432) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2126. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" (RIN2120-AA64) (Docket No. FAA-2016-9115) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2127. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" (RIN2120-AA64) (Docket No. FAA-2017-0531) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2128. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company Turbofan Engines" (RIN2120-AA64) (Docket No. FAA-2017-0016) received in the Office of



the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2129. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2016-9490)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2130. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pilatus Aircraft Ltd. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2017-0194)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2131. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9387)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2132. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE Systems (Operations) Limited" ((RIN2120-AA64) (Docket No. FAA-2016-4220)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2133. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (Embraer) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-3143)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2134. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Aspen, CO; and Pueblo, CO" ((RIN2120-AA66) (Docket No. FAA-2017-0054)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2135. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Moses Lake, WA; Olympia, WA" ((RIN2120-AA66) (Docket No. FAA-2017-0217)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2136. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amend-

ment of VOR Federal Airways; Eastern United States" ((RIN2120-AA66) (Docket No. FAA-2016-9178)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2137. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace for the following Idaho towns; Lewiston, ID; Pocatello, ID; and Twin Falls, ID" ((RIN2120-AA66) (Docket No. FAA-2017-0216)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2138. A communication from the Senior Official performing the duties of the Senior Official performing the duties of the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, Selected Acquisition Reports (SARs) for the Chemical Demilitarization-Assembled Chemical Weapons Alternatives (Chem Demil-ACWA) and Ballistic Missile Defense System (BMDS) programs; to the Committee on Armed Services.

EC-2139. A communication from the Acting Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals relative to the "National Defense Authorization Act for Fiscal Year 2018"; to the Committee on Armed Services.

EC-2140. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Personnel and Readiness), Department of Defense, transmitting, pursuant to law, a report entitled "2017 Report to Congress on Sustainable Ranges"; to the Committee on Armed Services.

EC-2141. A communication from the Executive Director, Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the Office of the Comptroller's 2016 Annual Report on Preservation and Promotion of Minority-Owned National Banks and Federal Savings Institutions; to the Committee on Banking, Housing, and Urban Affairs.

EC-2142. A communication from the Chairman, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the Council's 2016 Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-2143. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC-2144. A communication from the Chair of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-2145. A communication from the Chair of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, a report entitled "Report to the Congress on the Profitability of Credit Card Operations of Depository Institutions"; to the Committee on Banking, Housing, and Urban Affairs.

EC-2146. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Availability of Funds and Collection of Checks" (RIN1700-AD68) received in the Office of the President of the Senate on July 10, 2017; to

the Committee on Banking, Housing, and Urban Affairs.

EC-2147. A communication from the Chair of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-2148. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Walk-In Cooler and Freezer Refrigeration Systems" ((RIN1904-AD59) (Docket No. EERE-2015-BT-STD-0016)) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Energy and Natural Resources.

EC-2149. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Annual Report to Congress on the Medicare and Medicaid Integrity Programs Report for Fiscal Year 2015"; to the Committee on Finance.

EC-2150. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Pre-Approved Plan Revenue Procedure" (Rev. Proc. 2017-41) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Finance.

EC-2151. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Cumulative List of Changes in Plan Qualification Requirements for Pre-Approved Defined Contribution Plans for 2017" (Notice 2017-37) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Finance.

EC-2152. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidelines for the Streamlined Process of applying for Recognition of Section 501(c)(3) Status" ((RIN1545-BM06) (TD 9819)) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Finance.

EC-2153. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0723); to the Committee on Foreign Relations.

EC-2154. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0722); to the Committee on Foreign Relations.

EC-2155. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0721); to the Committee on Foreign Relations.

EC-2156. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a

certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0720); to the Committee on Foreign Relations.

EC-2157. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0719); to the Committee on Foreign Relations.

EC-2158. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of defense articles, including technical data, and defense services for the operational support, maintenance, and overhaul of F110-GE-100/100B/129/129B/129C/129D/129E/132/132A aircraft engines used in F-15 and F-16 aircraft to the Republic of Turkey in the amount of \$50,000,000 or more (Transmittal No. DDTC 16-091); to the Committee on Foreign Relations.

EC-2159. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) and 36(d) of the Arms Export Control Act, the certification of defense articles, including technical data, and defense services to support the manufacture and maintenance of South Korea's T-50 aircraft program for ultimate end-use by the Kingdom of Thailand, Royal Air Force in the amount of \$50,000,000 or more (Transmittal No. DDTC 17-002); to the Committee on Foreign Relations.

EC-2160. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of 5.56mm carbines with extra magazines and parts to Malaysia in the amount of \$1,000,000 or more (Transmittal No. DDTC 17-027); to the Committee on Foreign Relations.

EC-2161. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of M16A4 rifles, spare parts, accessories, and training to the United Arab Emirates in the amount of \$1,000,000 or more (Transmittal No. DDTC 16-123); to the Committee on Foreign Relations.

EC-2162. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of M4A1 carbines with flash and sound suppressors, associated components and equipment to the Republic of Tunisia in the amount of \$1,000,000 or more (Transmittal No. DDTC 16-129); to the Committee on Foreign Relations.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. BARRASSO for the Committee on Environment and Public Works.

\*Susan Parker Bodine, of Maryland, to be an Assistant Administrator of the Environmental Protection Agency.

\*Annie Caputo, of Virginia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2021.

\*David Wright, of South Carolina, to be a Member of the Nuclear Regulatory Commis-

sion for the term of five years expiring June 30, 2020.

By Mr. CORKER for the Committee on Foreign Relations.

\*Mark Andrew Green, of Wisconsin, to be Administrator of the United States Agency for International Development.

Mr. CORKER. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

\*Foreign Service nominations beginning with Nicholas Raymond Abbate and ending with Elizabeth Marie Wysocki, which nominations were received by the Senate and appeared in the Congressional Record on June 6, 2017.

\*Foreign Service nominations beginning with Gabriela R. Arias Villela and ending with Haenim Yoo, which nominations were received by the Senate and appeared in the Congressional Record on June 6, 2017.

\*Foreign Service nominations beginning with Andrew Anderson-Sprecher and ending with Evan Nicholas Mangino, which nominations were received by the Senate and appeared in the Congressional Record on June 6, 2017.

\*Foreign Service nominations beginning with Rameeth Hundle and ending with Loren Stender, which nominations were received by the Senate and appeared in the Congressional Record on June 6, 2017.

\*Foreign Service nominations beginning with Andrew K. Abordonado and ending with Peter B. Winter, which nominations were received by the Senate and appeared in the Congressional Record on June 29, 2017.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. YOUNG (for himself and Mr. MANCHIN):

S. 1531. A bill to require reporting by the Secretary of Education on the implementation of recent Government Accountability Office recommendations; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE (for himself, Ms. KLOBUCHAR, and Mr. NELSON):

S. 1532. A bill to disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle in committing a felony involving human trafficking; to the Committee on Commerce, Science, and Transportation.

By Mr. GRASSLEY (for himself, Ms. STABENOW, Mr. COTTON, Mr. UDALL, Mr. HEINRICH, and Mr. BROWN):

S. 1533. A bill to amend title XIX of the Social Security Act to cover physician services

delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, and for other purposes; to the Committee on Finance.

By Mr. WICKER (for himself and Mr. BLUMENTHAL):

S. 1534. A bill to direct the Federal Communications Commission to amend its rules so as to prohibit the application to amateur stations of certain private land use restrictions, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. HEITKAMP (for herself, Mrs. CAPITO, Mr. WHITEHOUSE, Mr. BARRASSO, Mr. KAINE, Mr. GRAHAM, Mr. SCHATZ, Mr. BLUNT, Mr. BOOKER, Mr. PORTMAN, Mr. TESTER, Mr. COCHRAN, Mr. CASEY, Ms. KLOBUCHAR, Mr. DURBIN, Mr. FRANKEN, Mr. BROWN, Mr. WARNER, Mr. DONNELLY, Mr. MANCHIN, Ms. DUCKWORTH, Mr. PETERS, Mr. COONS, Mr. BENNETT, and Mr. KING):

S. 1535. A bill to amend the Internal Revenue Code of 1986 to improve, expand, and extend the credit for carbon dioxide sequestration; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself, Mr. THUNE, and Mr. NELSON):

S. 1536. A bill to designate a human trafficking prevention coordinator and to expand the scope of activities authorized under the Federal Motor Carrier Safety Administration's outreach and education program to include human trafficking prevention activities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CARDIN (for himself, Mr. COONS, Mr. VAN HOLLEN, Mr. FRANKEN, Mr. NELSON, Mr. UDALL, Mrs. FEINSTEIN, Mr. CARPER, Mr. LEAHY, and Mr. PORTMAN):

S. 1537. A bill to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act; to the Committee on Environment and Public Works.

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

S. 1538. A bill to amend the Small Business Act to establish awareness of, and technical assistance for, the creation of employee stock ownership plans, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Ms. KLOBUCHAR (for herself, Ms. HIRONO, and Mrs. FEINSTEIN):

S. 1539. A bill to protect victims of stalking from gun violence; to the Committee on the Judiciary.

By Ms. STABENOW (for herself, Mr. BROWN, and Mr. PETERS):

S. 1540. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for investments in qualified production facilities; to the Committee on Finance.

By Mr. CASSIDY:

S. 1541. A bill to modify the definition of an antique firearm; to the Committee on Finance.

By Mr. HATCH:

S. 1542. A bill for the relief of James Doyle, doing business as Rocky Mountain Ventures and Environmental Land Technologies, Ltd; to the Committee on the Judiciary.

By Mr. BLUMENTHAL:

S. 1543. A bill to amend title 10, United States Code, to improve protections for a member of the Armed Forces who is a survivor of a sexual assault during military

service regarding the separation, or the characterization of any separation, of the member from the Armed Forces, to make additional changes to the authorities and procedures of boards for the correction of military records and discharge review boards, and for other purposes; to the Committee on Armed Services.

By Ms. KLOBUCHAR (for herself, Mr. CARDIN, Mr. DURBIN, Mr. REED, Ms. WARREN, Mr. SANDERS, Mr. MARKEY, Ms. DUCKWORTH, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mrs. MURRAY, Mrs. SHAHEEN, Ms. HARRIS, and Mr. MERKLEY):

S. 1544. A bill to prevent Federal funds from being used to establish a cybersecurity unit in cooperation with the Russian Federation; to the Committee on Foreign Relations.

By Mr. WARNER (for himself, Mr. CARPER, Mr. COONS, Mr. NELSON, Ms. BALDWIN, Mr. KAINE, Mr. KING, Mr. PETERS, Mr. TESTER, and Ms. STABENOW):

S. 1545. A bill to amend title XIX of the Social Security Act to provide the same level of Federal matching assistance for every State that chooses to expand Medicaid coverage to newly eligible individuals, regardless of when such expansion takes place; to the Committee on Finance.

By Mr. WARNER (for himself, Mr. MANCHIN, Ms. HEITKAMP, and Mr. KING):

S. 1546. A bill to amend the Patient Protection and Affordable Care Act to provide greater flexibility in offering health insurance coverage across State lines; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOKER (for himself, Mr. MENENDEZ, Ms. HARRIS, Ms. CORTEZ MASTO, Ms. HIRONO, Ms. DUCKWORTH, Mrs. GILLIBRAND, Mr. MARKEY, Mr. REED, Mr. FRANKEN, Mr. DURBIN, Mr. COONS, Mr. BROWN, Mr. CARPER, Mrs. MURRAY, Mr. CASEY, Ms. HASSAN, Mrs. SHAHEEN, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. MURPHY, Mrs. FEINSTEIN, Mr. WYDEN, Mr. UDALL, Ms. WARREN, Mr. BLUMENTHAL, Mr. LEAHY, Mr. SCHUMER, Mr. HEINRICH, Mr. MERKLEY, Mr. SCHATZ, and Ms. CANTWELL):

S. 1547. A bill to nullify the effect of the recent Executive order that establishes an "election integrity" commission, which will be used and is designed to support policies that will suppress the vote in minority and poor communities across the United States; to the Committee on Rules and Administration.

#### ADDITIONAL COSPONSORS

S. 170

At the request of Mr. RUBIO, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 170, a bill to provide for nonpreemption of measures by State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 194

At the request of Mr. WHITEHOUSE, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 194, a bill to amend the

Public Health Service Act to establish a public health insurance option, and for other purposes.

S. 198

At the request of Mr. RUBIO, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 198, a bill to require continued and enhanced annual reporting to Congress in the Annual Report on International Religious Freedom on anti-Semitic incidents in Europe, the safety and security of European Jewish communities, and the efforts of the United States to partner with European governments, the European Union, and civil society groups, to combat anti-Semitism, and for other purposes.

S. 266

At the request of Mr. HATCH, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 266, a bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

S. 281

At the request of Mr. LEE, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 281, a bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes.

S. 301

At the request of Mr. LANKFORD, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 301, a bill to amend the Public Health Service Act to prohibit governmental discrimination against providers of health services that are not involved in abortion.

S. 397

At the request of Mr. ISAKSON, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 397, a bill to amend title XVIII of the Social Security Act to ensure fairness in Medicare hospital payments by establishing a floor for the area wage index applied with respect to certain hospitals.

S. 690

At the request of Mr. CARDIN, the names of the Senator from Maine (Mr. KING) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 690, a bill to extend the eligibility of redesignated areas as HUBZones from 3 years to 7 years.

S. 720

At the request of Mr. CARDIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts

fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

At the request of Mr. PORTMAN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 720, *supra*.

S. 925

At the request of Mrs. ERNST, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 925, a bill to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, and for other purposes.

S. 945

At the request of Mr. CORNYN, the names of the Senator from Utah (Mr. LEE) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 945, a bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 to authorize funds to identify and eliminate excessive occupational licensure.

S. 967

At the request of Ms. STABENOW, the names of the Senator from Montana (Mr. TESTER) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 967, a bill to amend title XVIII of the Social Security Act to increase access to ambulance services under the Medicare program and to reform payments for such services under such program, and for other purposes.

S. 1050

At the request of Mr. COCHRAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1050, a bill to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1068

At the request of Mr. WYDEN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1068, a bill to amend the Internal Revenue Code of 1986 to provide tax incentives for increased investment in clean energy.

S. 1104

At the request of Mr. MANCHIN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 1104, a bill to require the Federal Communications Commission to establish a methodology for the collection by the Commission of information about commercial mobile service and commercial mobile data service, and for other purposes.

S. 1179

At the request of Ms. MURKOWSKI, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1179, a bill to amend title 38, United States Code, to authorize the Secretary

of Veterans Affairs to inter in national cemeteries individuals who supported the United States in Laos during the Vietnam War era, and for other purposes.

S. 1182

At the request of Mr. YOUNG, the names of the Senator from Virginia (Mr. WARNER), the Senator from Mississippi (Mr. COCHRAN), the Senator from Mississippi (Mr. WICKER) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

S. 1292

At the request of Mr. RUBIO, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1292, a bill to amend the State Department Basic Authorities Act of 1956 to monitor and combat anti-Semitism globally, and for other purposes.

S. 1312

At the request of Mr. GRASSLEY, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1312, a bill to prioritize the fight against human trafficking in the United States.

S. 1343

At the request of Mr. CASEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1343, a bill to amend the Internal Revenue Code to extend and modify certain charitable tax provisions.

S. 1354

At the request of Mr. CARPER, the names of the Senator from Maine (Mr. KING) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1354, a bill to establish an Individual Market Reinsurance fund to provide funding for State individual market stabilization reinsurance programs.

S. 1361

At the request of Mr. CRAPO, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1361, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 1462

At the request of Mrs. SHAHEEN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1462, a bill to amend the Patient Protection and Affordable Care Act to improve cost sharing subsidies.

S. 1520

At the request of Mr. WICKER, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1520, a bill to expand rec-

reational fishing opportunities through enhanced marine fishery conservation and management, and for other purposes.

S. RES. 201

At the request of Mrs. MURRAY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. Res. 201, a resolution affirming the importance of title IX, applauding the increase in educational opportunities available to women and girls, and recognizing the tremendous amount of work left to be done to further increase those opportunities.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 257. Mr. CRAPO (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 257.** Mr. CRAPO (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXVIII, add the following:

#### **SEC. 2826. LAND CONVEYANCE, MOUNTAIN HOME AIR FORCE BASE, IDAHO.**

(a) **CONVEYANCE AUTHORIZED.**—The Secretary of the Air Force may convey, without consideration, to the City of Mountain Home, Idaho (in this section referred to as the “City”), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 4.25 miles of railroad spur located near Mountain Home Air Force Base, Idaho, as further described in subsection (b), for the purpose of economic development.

(b) **MAP AND LEGAL DESCRIPTION.**—

(1) **FINALIZING LEGAL DESCRIPTIONS.**—As soon as practicable after the date of the enactment of this Act, the Secretary of the Air Force shall finalize a map and the legal description of the property to be conveyed under subsection (a).

(2) **MINOR ERRORS.**—The Secretary of the Air Force may correct any minor errors in the map or the legal description.

(3) **AVAILABILITY.**—The map and legal description shall be on file and available for public inspection.

(c) **PAYMENT OF COSTS OF CONVEYANCE.**—

(1) **PAYMENT REQUIRED.**—The Secretary may require the City to cover all costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for

costs incurred by the Secretary, to carry out the conveyance under this section, including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the City in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance, or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) **USE RESERVATION.**—The Secretary may reserve a right to temporarily use, for urgent reasons of national defense and at no cost to the United States, all or a portion of the railroad spur conveyed under subsection (a).

(e) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. TILLIS. Mr. President, I have 11 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

#### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, July 12, 2017, at 9:30 a.m., in open session to consider the nominations.

#### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Wednesday, July 12, 2017, at 10 a.m., in room 253 of the Russell Senate Office Building.

The Committee will hold a Hearing on “Force Multipliers: How Transportation and Supply Chain Stakeholders are Combatting Human Trafficking.”

#### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, July 12, 2017, at 9:45 a.m., in room 406 of the Dirksen Senate office building.

## COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, July 12, 2017, at 10 a.m., in room 406 of the Dirksen Senate office building, to conduct a hearing entitled "The Use of TIFIA and Innovative Financing in Improving Infrastructure to Enhance Safety, Mobility, and Economic Opportunity."

## COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, July 12, 2017, at 10 a.m., to hold a business meeting.

## COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, July 12, 2017, at 10:05 a.m., to hold a hearing entitled "Consideration of the Taylor Force Act."

## COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on July 12, 2017, at 9:30 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

## COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, July 12, 2017, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a legislative hearing.

## COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Wednesday, July 12, 2017, to conduct a hearing entitled "Nourishing our Golden Years: How Proper and Adequate Nutrition Pro-

mote Healthy Aging and Positive Outcomes."

## SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, INTERNATIONAL CYBERSECURITY POLICY

The Committee on Foreign Relations Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy is authorized to meet during the session of the Senate on Wednesday, July 12, 2017 at 2:15 p.m., to hold a Human Rights, and the Rule of Law."

## COMMITTEE ON THE JUDICIARY SUBCOMMITTEE ON BORDER SECURITY AND IMMIGRATION

The Committee on the Judiciary, Subcommittee on Border Security and Immigration, is authorized to meet during the session of the Senate, on July 12, 2017, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Examining the Problem of Visa Overstays: A Need for Better Tracking and Accountability."

## PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Thomas Adamson, be granted privileges of the floor for the remainder of the day.

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

Mr. SCHATZ. Mr. President, I ask unanimous consent that two fellows from my office, Micaela Klein and Sunmin Kim, be granted floor privileges for the remainder of the calendar year.

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

Mr. HATCH. Mr. President, I ask unanimous consent that Andrew Rollo, a detailee on the Senate Committee on Finance, be granted floor privileges for the duration of the Congress.

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

## ORDERS FOR THURSDAY, JULY 13, 2017

Mr. PERDUE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12:30 p.m., Thursday, July 13; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate proceed to executive session and resume consideration of the Hagerty nomination, with all postcloture time expiring at 1:45 p.m.

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

## ADJOURNMENT UNTIL 12:30 P.M. TOMORROW

Mr. PERDUE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:57 p.m., adjourned until Thursday, July 13, 2017, at 12:30 p.m.

## CONFIRMATION

Executive nomination confirmed by the Senate July 12, 2017:

## THE JUDICIARY

DAVID C. NYE, OF IDAHO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF IDAHO.

## HOUSE OF REPRESENTATIVES—Wednesday, July 12, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. BRIDENSTINE).

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

July 12, 2017.

I hereby appoint the Honorable JIM BRIDENSTINE to act as Speaker pro tempore on this day.

PAUL D. RYAN,

*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

### CONGRATULATING FULBRIGHT RECIPIENTS FROM PENNSYLVANIA'S FIFTH CONGRESSIONAL DISTRICT

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize 16 individuals from Pennsylvania's Fifth Congressional District who have received prestigious Fulbright awards during the 2016-2017 school year.

Congress established the Fulbright Program in 1946. It promotes friendly and peaceful relations between Americans and people of other countries through international educational exchange. Each year, more than 3,000 U.S. students, scholars, artists, and professionals in more than 100 different fields of study are offered Fulbright Program grants to lecture, study, teach English, and conduct research in more than 140 countries.

Today, it is my privilege to recognize the following 16 individuals:

Dr. Farshid Ahrestani of State College, Pennsylvania, a scholar of biology, whose host country was India;

Dr. Luis Ayala Hernandez of State College, Pennsylvania, a scholar of engineering, whose host country was Colombia;

Ms. Maria Barboza of Clarion, Pennsylvania, a student with an English teaching apprenticeship, whose host country is Brazil;

Dr. Samuel Bufford of State College, Pennsylvania, a scholar of law, whose host country was Romania;

Ms. Alice Chen of Bradford, Pennsylvania, a student with an English teaching apprenticeship, whose host country was Taiwan;

Ms. Talia Cowen of State College, Pennsylvania, a student with an English teaching apprenticeship, whose host country is South Korea;

Dr. Zuleima Karpyn of State College, Pennsylvania, a scholar of engineering, whose host country was Colombia;

Ms. Lauren Knoth of State College, Pennsylvania, a student of sociology, whose host country was Finland;

Dr. Gerald LeTendre of Furnace, Pennsylvania, a scholar of education, whose host country was Japan;

Dr. Anthony Robinson of State College, Pennsylvania, a scholar of geology, whose host country was Austria;

Dr. Robert Roeser of State College, Pennsylvania, a scholar of psychology, whose host country is India;

Dr. Heather Snyder of Waterford, Pennsylvania, a scholar of psychology, whose host country was the United Kingdom;

Dr. Jacqueline Stefkovich of State College, Pennsylvania, a scholar of education, whose host country was Croatia;

Ms. Ann Tarantino of State College, Pennsylvania, a scholar of the arts, whose host country was Brazil;

Dr. Andrea Wyman of Edinboro, Pennsylvania, a scholar of library science, whose host country was Azerbaijan; and

Dr. Karl Zimmerer of State College, Pennsylvania, a scholar of geography, whose host country is Spain.

Congratulations to each and every one of you. You have earned this national recognition with your years of study, leadership, and service, and our community is proud of you.

Mr. Speaker, the Fulbright Program is one of the most sought-after exchange programs in the world. It encourages applications from individuals of academic and professional achievement who are current and future leaders in their respective fields. Selected through open, merit-based competition, Fulbrighters represent the excel-

lence and diversity of their societies around the world and in the United States.

Since 1946, more than 370,000 individuals from the United States and 180 countries have participated in the program, including 37 heads of state, 57 Nobel Laureates, 82 Pulitzer Prize winners, and 70 MacArthur Foundation Fellows.

These relationships form a foundation of trust on which the United States may advance global peace and security. I know that the memorable learning experiences individuals encounter through the program will never be forgotten.

I thank all the Fulbrighters, especially the 16 from Pennsylvania's Fifth Congressional District. We are grateful for your contributions and most proud of your achievements.

Congratulations.

### DEMOCRATIC VALUES

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

Mr. GUTIÉRREZ. Mr. Speaker, I want to bring to everyone's attention, especially my Democratic colleagues, a troubling incident that transpired over the recess.

It is important that people hear about how women and the LGBT community are treated at the highest levels of the current Puerto Rican government and the values and politics that run deeply throughout the politics of statehood for Puerto Rico.

It is fair to say that in the era of Trump, admitting a Spanish-speaking Caribbean country as the 51st State would depend on the strength of democratic votes, so it is important for my Democratic colleagues in particular to understand who the statehooders really are and what they really stand for, beyond their rhetoric in Washington, D.C.

The president of the senate in Puerto Rico, Thomas Rivera Schatz, is a key leader of the Statehood Party. In a recent interview on NotiUno radio, he was asked about the Financial Oversight and Management Board, known as la Junta de Supervisión Fiscal. This is the controversial board created by Congress a year ago to take over financial and fiscal decisions in Puerto Rico and to prioritize the payment of Puerto Rico's debt to Wall Street.

I was one of the chief opponents of the PROMESA legislation that created the junta, and I have spoken out against it on numerous occasions. But

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

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

it wasn't what the statehood senate president said about the junta that was so offensive; it is how he talked in public about one of its board members—in fact, the only woman on the board and an appointee nominated by NANCY PELOSI and the Democrats in the House.

Ana Matosantos has impeccable, bipartisan qualifications and also happens to be an openly gay woman. So during the interview, the senate president and statehood leader referred to Ms. Matosantos as Mr. Matosantos, using the masculine pronoun “senor.” He did it multiple times so that listeners would not miss his disdain for lesbians and for women. It was no accident or slip of the tongue. Given an opportunity to apologize or backtrack, Rivera Schatz has declined to back down.

This is not the first time he has displayed his contempt for women and for the gay and lesbian community. His agenda is clear, and he knows he has many like-minded allies in Puerto Rico's statehood movement.

Every time he has had an opportunity to block civil and human rights protections for LGBT individuals, he does so. He goes out of his way to belittle gay and lesbian citizens even when they are the victims of hate crimes.

To be clear, I don't see Rivera Schatz as one bad apple. He is a bad apple that exemplifies and is a voice for the other leaders in his party.

So as a Puerto Rican and as a supporter of equality, all of this is deeply disturbing to me. Gender and LGBTQ equality issues are deeply engrained values of the Democratic Party, and I think they are core issues that bind Democrats together: issues of justice, opportunity, and fair play.

So when the leaders of the statehood movement in Puerto Rico call upon Democrats in Congress to speak about equality and justice for Puerto Ricans, I want my colleagues to think about the agenda they are pursuing in Puerto Rico and the extent to which they have a very different approach to fairness and equality on the island.

In closing, I would like to offer a few words to the Puerto Rican people in their own language, Spanish, and I will provide a translation to the desk.

(English translation of the statement made in Spanish is as follows:)

Core values of equality and fair treatment values I know most Puerto Ricans hold deeply in our hearts.

So when the Statehood Party allows divisive and polarizing figures like Senator Rivera Schatz to be their face and their leading advocate in the Senate, it makes me and many others skeptical about the arguments we hear from people who support statehood say the words “equality” and “justice” in Washington, but fight against equality and justice in Puerto Rico.

How can they be taken seriously about equality when their agenda in

the legislature is to take away those rights from women, the LGBT community, students, peaceful protesters and others?

That is the fundamental hypocrisy I have pointed out to my Democratic colleagues, right now and in private meetings and correspondences.

If the statehood movement is really committed to equality, they should act accordingly and not just use it as a slogan when it suits them.

Los valores de la igualdad y del trato justo y equitativo son valores fundamentales que la mayoría de los puertorriqueños atesoramos profundamente en nuestros corazones.

Así que cuando el Partido Estadista, el PNP, permite que figuras polarizantes y divisivas como el Senador Rivera Schatz sean su cara y su principal representante en el Senado, eso me hace a mí y a muchos otros sentirnos escépticos en cuanto a los argumentos de los estadistas que usan palabras como “igualdad” y “justicia” en Washington, pero luchan en contra de la igualdad y la justicia en Puerto Rico.

¿Cómo esperan que se les tome en serio al hablar de “igualdad” cuando su agenda en la Legislatura es el quitarles derechos a las mujeres, a la comunidad LGBT, a los estudiantes, y a los que se manifiestan y protestan pacíficamente?

Esta es la fundamental hipocresía que le he señalado a mis colegas Demócratas, aquí, ahora, y en reuniones privadas, y a través de correspondencia.

Si el movimiento estadista en realidad tuviese un compromiso con la igualdad, actuarían conforme a la igualdad y no meramente usando el término como un lema cuando les conviene.

The SPEAKER pro tempore. The gentleman from Illinois will provide a translation of his remarks to the Clerk.

#### CELEBRATING THE PHILHOWER FAMILY'S 100TH ANNUAL FAMILY REUNION

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. LANCE) for 5 minutes.

Mr. LANCE. Mr. Speaker, on September 7, 2017, the Philhower family will have its 100th annual family reunion. I am proud to join my fellow family members in celebrating this very special occasion. My great-grandmother was Elizabeth Philhower Lance.

The Philhowers were some of the earliest settlers of Hunterdon County, New Jersey. The patriarch of the Philhower family was Philip Wulhauer, who emigrated from Germany on the ship the *Patience*, landing in the port of Philadelphia on September 16, 1738, at the age of 24. He met his wife, Anna

Maria, on their voyage to the Colonies. Together they traveled to Hunterdon County, New Jersey, to start a new life.

Philip went on to lease 14 acres in what is now Tewksbury Township in 1758 and established the Philhower homestead, which was first a log cabin that included one room and a loft. Shortly after, he built the house that still stands on the property. It was constructed of mortar, lime, sand, and clay, and its walls are 18 inches thick.

The Philhower homestead had grown to 100 acres when the house was completed. The Philhowers have occupied the land since then and have spread their roots all over Hunterdon County, all over the State of New Jersey, and, indeed, all over the rest of the country.

Among the family names entwined in the Philhowers are Apgar, Sutton, Fleming, Hoffman, and Lance. Philhowers have represented Hunterdon County in many of the military conflicts that have faced our Nation. They have also been farmers, millers, physicians, ministers, merchants, bankers, and educators.

In 1917, the Philhowers held their first family reunion at their homestead, attended by nearly 400 descendants of Philip and Anna Maria. This fine tradition has continued over the last century, usually marked by a turkey dinner, finance meeting, and exchanging of family mementos at Cokesbury United Methodist Church in Hunterdon County. This year, however, family members will travel back to the original Philhower homestead to be together.

Mr. Speaker, I am grateful to be a descendant of the Philhower family. This is but one example of the strong immigrant tradition in this country that continues to be one of our greatest strengths as a nation, as much a strength today as in the middle of the 18th century.

I am honored to share this milestone with colleagues in the United States House of Representatives and with the American people.

#### TWO-STATE SOLUTION

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

Mr. BLUMENAUER. Mr. Speaker, every time I visit Israel, I have such mixed feelings. It is a land of positive opportunities surrounded by intractable controversies.

The big question looming is how to achieve a two-state solution for the Israelis and the Palestinians with appropriate integrity so that they are actually separate countries. This has raised additional questions because of the ambiguity from the Trump administration about whether or not what, for years, has been American policy supporting a two-state solution is any longer a priority of theirs.



For several years, I have been deeply concerned about the looming environmental crisis in Gaza. This is a small strip of land about twice the size of Washington, D.C., but it is home to 1.9 million people, most of whom are leading a wretched existence, even more so since Hamas, the political faction, has seized control. That is Israel's implacable enemy which now controls Gaza.

They have little regard for their own people, using them as pawns, spending scarce resources, digging tunnels to try to kidnap Israeli children and soldiers, and launching rockets to terrorize Israeli communities in the surrounding areas.

□ 1015

Gaza has reached a crisis point in dealing with water and sanitation. The groundwater is so polluted that virtually all the water is unfit to drink—polluted by sewage, waste runoff, and seawater encroachment. They are pumping four times as much water out of the aquifer than can be replaced naturally, and seawater from the Mediterranean is encroaching.

We are told that, by the end of the year, there will probably be no sources of drinking water that are fit to drink. By 2020, the entire water system will be permanently damaged. Because of problems with drinking water that is not fit and raw sewage that is not treated, there is a real likelihood that we could have an outbreak of something like cholera, threatening not just the people in Gaza, but the Israelis as well.

Several times recently, sewage from Gaza has washed up on Israeli beaches and forced the shutdown of water treatment plants from desalinization. The Israeli military thinks this is a security threat.

In the course of this visit, I had an opportunity to put the question directly to Prime Minister Netanyahu; Jibril Rajoub, the number three person in the Palestinian Authority; and United States Ambassador Friedman about this pending crisis and the need for urgent action. Sadly, each of those conversations revealed I won't say indifference, but certainly a lack of urgency and no willingness for anybody to take the lead and break the impasse.

This is not a problem that is beyond our ability to solve. There are opportunities to increase electricity for pumping water and treating sewage. There is the capacity to build some smaller reservoirs to be able to mix saltwater with freshwater and extend the supplies.

For Israel, water is a mystery they have solved. They are the most water-rich country on the face of the planet, with very sophisticated technology. They could provide additional resources. Around the edges, the United States does some work with USAID, but it is not a priority for the United States at this point.

Mr. Speaker, I return perplexed. We will continue to push with the Israelis, the United States Government, the Palestinians, and with NGOs whenever we have the opportunity. But it seems to me, Mr. Speaker, if we cannot bring people together to solve a pending crisis with tools that are available to us now, at a relatively modest cost, what hope do we have of being able to work cooperatively to implement the two-state solution and be able to bring peace and security to Israel and the Palestinians?

I would hope my colleagues would lend their voices to this question.

#### SERBIAN GOVERNMENT MUST STEP UP AND DO THE RIGHT THING

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. ZELDIN) for 5 minutes.

Mr. ZELDIN. Mr. Speaker, I rise today to discuss my resolution, H. Con. Res 30.

In July of 1999, three brothers—Ylli, 25 years old; Agron, 23 years old; and Mehmet Bytyqi, 21 years old—who were born in the United States and resided in Hampton Bays, New York, went overseas towards the end of the Kosovo war to fight mass war crimes aimed to eradicate the civilian Albanian population from Kosovo.

These three men left the comfort and safety of their homes in the U.S. to embark on a civilian humanitarian mission. They were trying to stop abroad those horrific crimes against humanity. During that civilian humanitarian mission, they were arrested after accidentally crossing into Serbian-controlled territory.

Two weeks later, they were given a judicial order of release. Instead, the brutal execution of these men followed shortly after, and it was not until 2001, 2 years later, that their remains were found in a mass grave.

While Serbian authorities have investigated the deaths of the brothers, there have been no charges brought against those responsible for those murders. Moreover, the main suspect remains a prominent member of the governing political party.

Today we remember Ylli, Agron, and Mehmet, who were senselessly and brutally murdered 18 years ago.

Since taking office over 2 years ago, I have been committed to helping the Bytyqi family receive the justice they have long deserved. I have been in contact with the family as we work to resolve this.

In the last Congress, I introduced H. Con. Res. 51, calling for justice to be served in these horrible murders, and imploring the Serbian Government to make it a priority that this must be properly investigated and that those suspects be prosecuted to the fullest extent of the law. I am proud to have

reintroduced this legislation in the 115th Congress as H. Con. Res. 20.

It is absolutely reprehensible that, despite many promises by Serbian officials to resolve this case, no individual has ever been found guilty of this horrible crime, nor of any crimes associated with the deaths of these innocent Americans.

It is the responsibility of the Serbian Government to resolve this case, and my resolution notes that progress into this investigation should remain a significant factor which determines the further development of U.S.-Serbian relations. Their inaction on finding and prosecuting those responsible is an insult not only to the memory of Ylli, Agron, Mehmet, and the Bytyqi family, but to every American.

The Bytyqi brothers gave their lives to fight injustice. It is now upon us to return this favor and deliver justice for their family. Those responsible for these unspeakable acts against our citizens must face the law. It is vital that the Serbian Government steps up and does what is right. Eighteen years later, it is time we put an end to this sad story.

#### CELEBRATING 150TH ANNIVERSARY OF NEW LIGHT BEULAH BAPTIST CHURCH

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. CLYBURN) for 5 minutes.

Mr. CLYBURN. Mr. Speaker, I rise today to honor New Light Beulah Baptist Church of Hopkins, South Carolina, on the occasion of its 150th anniversary. Many members of the congregation have traveled here to Washington, D.C., from South Carolina to observe this tribute, and have joined us here in the gallery.

New Light Beulah Baptist Church grew out of Beulah Baptist Church, which was a place of worship for Whites and African Americans. In December of 1867, several years after the effective date of the Emancipation Proclamation, many newly freed slaves began exercising their new-found freedoms by taking control of their own affairs. Consequently, the 565 African-American members of the congregation began worshipping on alternating Sundays from the 11 White members of Beulah Baptist Church.

In 1870, after the dispersal of the White congregation, the African-American members of Beulah Baptist Church further asserted their independence by renaming the church New Light Beulah Baptist Church.

After a number of disputes over the church's land, the congregation decided to build a brush arbor on the land of Deacon Pharaoh Smith, a revered leader within the church. Over the following years, this humble brush arbor

evolved into the thriving spiritual center that New Light Beulah Baptist Church has become today.

New Light Beulah Baptist Church embodies the resilience and service of the African-American community. Forged from adversity, this congregation has stood strong throughout tumultuous times, both externally and internally. Their strength comes not from the brick and mortar within which they worship, but from God's good graces and the steadfast individuals who have labored in this historic church.

The church has been a leader in Hopkins, South Carolina, a small rural community southeast of Columbia, the State's capital. Through various community-oriented initiatives, such as their child development program, Meals on Wheels, the Neighboring Christian Athletic Association, and the Educational Society, the congregation has positively impacted the entire community.

Next month, New Light Beulah Baptist Church will become the first African-American church in the Hopkins community to be registered as a historic place by the South Carolina Department of Archives and History. I congratulate them on this special recognition.

Mr. Speaker, it is my great honor to represent this fine congregation in this august body. I ask my colleagues in the United States House of Representatives to join me in congratulating New Light Beulah Baptist Church on their 150th anniversary and wishing them continued prosperity in the days ahead.

The SPEAKER pro tempore. The Chair would remind Members that it is not in order to refer to occupants of the gallery.

#### FIGHTING ONLINE SEX TRAFFICKING

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Missouri (Mrs. WAGNER) for 5 minutes.

Mrs. WAGNER. Mr. Speaker, I rise today to call on the U.S. House of Representatives to bring my bipartisan Allow States and Victims to Fight Online Sex Trafficking Act to the floor.

Yesterday, The Washington Post revealed that backpage.com hired a contractor to solicit and create illegal sex trafficking ads. This confirms yet again what we have long known about Backpage: it is an online slave market that actively sells America's innocent women and children for sex.

If a business in America held a slave auction, it is impossible for me to imagine that the auctioneer would be able to carry on with impunity. After all, we amended the U.S. Constitution to ban slavery of all forms in the United States many years ago. But this is exactly what is happening with backpage.com. Backpage is selling our

children into sex slavery, and we must hold them accountable.

Backpage and other online slave markets can sell America's children over and over again because courts have misinterpreted section 230 of the Communications Decency Act to shield websites from criminal liability for the sex trafficking advertisements that they facilitate.

But the Communications Decency Act, passed over 20 years ago, was never intended to create a lawless internet where people can commit sex crimes online that they cannot commit offline. In fact, this misinterpretation of the CDA is the height of irony.

Speaking in favor of the CDA in 1995, then-Senator Exon said: "The information superhighway should not become a red-light district. Once this bill passes, our children and families will be better protected from those who would electronically cruise the digital world to engage children in inappropriate communications and introductions."

How sad his words ring today. The CDA, meant originally to protect children, has become now a safe harbor for America's pimps. The tech industry is rallying against any changes to the CDA, but freedom of speech online and the enforcement of the Nation's sex trafficking laws are in no way mutually exclusive. Sex trafficking is not a prerequisite of the free and open internet.

Last year, in *Jane Doe v. Backpage*, the U.S. Court of Appeals for the First Circuit made clear that legislation is the only remedy to any conflict between the CDA and America's sex trafficking laws.

□ 1030

In other words, Congress must clarify to the courts that the Communications Decency Act does not protect sex trafficking, and that is precisely what the Allow States and Victims to Fight Online Sex Trafficking Act will do.

We must bring this legislation to the floor and take a stand for victims across the country. We cannot claim to be antitrafficking advocates, then close our eyes and give a free pass to the websites that sell our children.

#### HONORING FIRST RESPONDERS OF ARIZONA'S SECOND CONGRESSIONAL DISTRICT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Arizona (Ms. MCSALLY) for 5 minutes.

Ms. MCSALLY. Mr. Speaker, I rise today to recognize the outstanding individuals in my congressional district who I was proud to award as First Responders of Distinction earlier this week.

We all benefit from the sacrificial work of our first responders, whether we have personally experienced it as they responded to our emergency or

whether we indirectly benefit from it by enjoying the safety that they provide.

The everyday acts of heroism by first responders in our community often go uncelebrated. They keep our streets safe, put their lives on the line during emergencies, provide assistance whenever needed, and save lives.

Above and beyond even that standard of greatness, there are outstanding first responders in my district who serve southern Arizona in truly extraordinary ways. These individuals organize community races, develop emergency preparedness training, log hundreds of volunteer hours, launch public education campaigns, and provide meals for disabled seniors.

That is why I created the First Responders of Distinction Award to shine a spotlight on individuals who make extraordinary contributions in our community.

This year, we reached a significant number of nominations, and I was pleased to recognize each one for the role they play. Our winner in the individual category goes to Lieutenant Mertie Stompro, who has served in the Sierra Vista Police Department for 20 years. His many leadership roles include team leader for the Sierra Vista Police Department Tactical Unit and founding member of the Sierra Vista Police Department's Special Response Team.

Mertie distinguished himself as the sergeant overseeing firearms training for the department. He developed force-on-force training to simulate real-life scenarios that officers face in the community. His steadfast approach to challenging officers in the training environment has greatly improved the skill level and preparedness of all ranks in the Sierra Vista Police Department.

In his spare time, Lieutenant Stompro has coordinated an annual Foot Pursuit 5K. It is a race that has become the largest organized race in the Sierra Vista area and fosters positive interaction between law enforcement and the community.

Last year, it raised \$6,000 for the annual Christmas with a Cop event sponsored by the Sierra Vista Police Officers' Association. In this photo, you can see Lieutenant Stompro engaging with a child at Christmas with a Cop, which gives 100 underprivileged children in Cochise County the opportunity to spend \$100 on whatever they wish to purchase.

For the last 2 years, during the National Bike and Walk to School Week, he comes in to work before shift and transforms one of the armored vehicles into a Batmobile, driving Batman and Ghostbuster around each school in the Sierra Vista neighborhoods to interact with the kids.

Lieutenant Stompro has also worked tirelessly over the last several years to develop emergency preparedness training exercises in the local schools and

developed a lasting partnership with the Sierra Vista Unified School District. He took the lead in developing exercises to coordinate efforts in the event of an active shooter situation.

Lieutenant Stompro embodies the Sierra Vista Police Department's mantra of "Service with Honor," and we are fortunate to have him in our community.

Our team winner for 2017 is the Davis-Monthan Air Force Base 355th Civil Engineering Squadron Fire Emergency Services, pictured here receiving their award. Davis-Monthan's Fire Emergency Services team provides fire, rescue, emergency medical, and combat support in 25 operating bases year round.

In the past year, they hosted over 500 firefighters from 12 neighboring departments, three local fire academies and local law enforcement agencies, and joint SWAT/Rescue Task Force training.

In the last year, this team provided more than 150 hours of fire prevention education, supporting over 300 children at Borman Elementary and Sonoran Science Academy. Additionally, they volunteered 250 hours to Habitat for Humanity, Tanque Verde Little League, STARBASE, Pima Interagency Training Committee, Arizona Center for Fire Service Excellence, the Public Safety and Emergency Services Institute, and numerous other organizations.

Despite being 30 percent undermanned, they protect \$50 billion in assets and 14,000 personnel. Even with the diverse demands, they were able to combine their experience, hard work, and talent to garner the prestigious milestone of Commission on Fire Accreditation International, an honor only 230 departments in the world have earned.

Mr. Speaker, these are just two examples of the heroic and extraordinary first responders we are blessed to have serving in my district. We will never fully be able to repay these individuals for the way they shaped and improved our lives, but we can applaud them and offer our sincerest gratitude.

Before I yield back, I want to point out I am standing here in my professional attire, which happens to be a sleeveless dress and open-toed shoes.

#### RECESS

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

Accordingly (at 10 o'clock and 35 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

#### PRAYER

Archbishop Hovnan Derderian, Western Diocese, Armenian Church of North America, Burbank, California, offered the following prayer:

Almighty God, it is with a grateful and humble heart that I gaze upon You with supplications for lasting peace, prosperity, and commonweal for the great country of the United States, which so many people of diverse backgrounds proudly call home.

As the spiritual leader of the Armenians on the West Coast, I bring the intercession of my flock, and I ask You O Lord to grant wisdom, compassion, and righteousness to all Congressmen and Congresswomen so that they may lead this country through the paths of justice, liberty, and equality.

Compassionate God, forgive the sins of all Your servants and make them vessels of Your divine will so that in all their endeavors they may remember Your commandments and act according to the United States' national interests in defense of the country's sovereignty.

This I ask in Your holy Name.

Amen.

#### THE JOURNAL

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

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

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

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

#### WELCOMING ARCHBISHOP HOVNAN DERDERIAN

The SPEAKER. Without objection, the gentleman from California (Mr. SCHIFF) is recognized for 1 minute.

There was no objection.

Mr. SCHIFF. Mr. Speaker, I rise to recognize my friend, Archbishop Hovnan Derderian, Primate of the Western Diocese of the Armenian Church of North America, and to thank him for delivering the opening prayer on the House floor today.

Archbishop Derderian has had a tremendous impact on people of all faiths

and has played a vital role in the religious and civic life of millions.

Since his election as primate in 2003, Archbishop Derderian has been a dedicated religious servant for the thousands of congregants who look to him for guidance, managing a diocese which covers the Western United States.

In the large Armenian-American diaspora community that I am proud to represent, Archbishop Derderian is an articulate and steadfast voice for the values of faith, family, and community service that are at the core of the Armenian people's perseverance and strength.

Archbishop Derderian and the Western Diocese have joined other religious and community leaders in rallying support and aid for Armenia, Artsakh, and for refugees fleeing the horrors of civil war in Syria and Iraq.

I thank the Archbishop for all that he does to make our community and our Nation stronger. I am proud that Congress today was able to hear the moral leadership he brings to his work in the Western Diocese.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE of Texas). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

#### PANAMA CITY BEACH HUMAN CHAIN

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

Mr. DUNN. Mr. Speaker, I rise today to recognize the bravery and the ingenuity of more than 80 beachgoers in Panama City Beach last weekend. As many were enjoying the crystal blue waters of the Gulf, a family of six and four others became caught up in a rip-tide. Losing strength to fight their way back to shore, the swimmers screamed for help and faced a tragic fate.

Thankfully, ordinary citizens did something extraordinary. One of them was Jessica Simmons, who noticed the struggling swimmers from a nearby sandbar. She said to herself: "Those people are not drowning today." Jessica helped coordinate dozens of others to form a human chain from the shore all the way out to the distressed swimmers, ultimately bringing all of them to shore and saving their lives.

It is a testament to the generosity of the human spirit to see complete strangers quite literally join hands to help those in need.

On behalf of the Second District, I thank Jessica Simmons and all who fought the churning currents of Panama City Beach on Saturday. May we all learn from their example.

# REMEMBERING THE VICTIMS OF THE NEWARK REBELLION AND OCCUPATION

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

Mr. PAYNE. Mr. Speaker, on July 12, 1967, a fire of rebellion sparked in my hometown and led to 5 days of conflict. Today we acknowledge the 50th anniversary of the Newark riots, or as the citizens called it, the Newark Rebellion and Occupation, and we memorialize the 26 people who lost their lives in those turbulent 5 days:

Rose Abraham,  
Elizabeth Artis,  
Mary Helen Campbell,  
Eloise Spellman,  
Eddie Moss,  
Captain Michael Moran,  
Isaac Harrison,  
Frederick Toto,  
Robert Martin,  
Albert Mersier, Jr.,  
Rufus Hawk,  
William Furr,  
Oscar Hill,  
Tedock Bell,  
Michael Pugh,  
Jessie Mae Jones,  
James Rutledge,  
Leroy Boyd,  
Rebecca Brown,  
Hattie Gainer,  
Raymond Gilmer,  
Cornelius Murray,  
Victor Louis Smith,  
James Sanders,  
Richard Taliaferro, and  
Rufus Council.

Mr. Speaker, those were turbulent days in the city's history, but we have not forgotten and we have learned great lessons from that time. May we also never forget these lives that perished in those 5 days.

## HOUSE COMBATS HUMAN TRAFFICKING

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

Mr. WILSON of South Carolina. Mr. Speaker, today the House of Representatives will consider three critical bills that will continue efforts to reduce and eliminate human trafficking and implement a stronger detection system for American families.

I appreciate the leadership of Congressman CHRIS SMITH, Congressman TIM WALBERG, and Congresswoman VICKY HARTZLER for their work to build a more effective system to apprehend traffickers.

As we take steps at the national level to prevent trafficking, equip local officials, and support vulnerable communities, I am grateful that the South Carolina Human Trafficking Task Force led by State Attorney General

Alan Wilson has been a pioneer in statewide efforts to combat human trafficking. Under his leadership, South Carolina has one of the strongest human trafficking laws in the country and has successfully worked for prosecution, protection, prevention, and partnership.

I am encouraged by South Carolina's commitment to protecting the dignity, freedom, and human rights of all citizens, and I hope their success can build a model for other States.

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

## SENATE BILL HURTS AMERICANS

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, once again, tomorrow, Senate Republicans will take another shot at passing the most widely hated and totally disastrous bill in modern American history—their bill to repeal the Affordable Care Act.

Once again, 22 million Americans will stand to lose their health insurance. Once again, Republicans will propose to send premiums and out-of-pocket costs soaring. Once again, Republicans would allow insurance companies to discriminate against the sick. Once again, they will try to pass a law that hurts children, veterans, seniors, and Americans with disabilities.

They seem desperately determined to pass something instead of doing the right thing—which would be working on a bill that treats healthcare as a fundamental American right—and that is as wrong as wrong can be.

## OFFICER DOWN: MIGUEL MORENO—TEXAS LAWMAN

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

Mr. POE of Texas. Mr. Speaker, Peace Officers Miguel Moreno and Julio Cavazos of the San Antonio Police Department were responding to a routine call when they were approached by two individuals. Suddenly, one dastardly criminal pulled out a firearm and began shooting at both officers.

As the shots rang out, both officers were hit. 32-year-old Officer Moreno took a bullet to the chest, collapsing to the ground. Officer Cavazos ran to his fellow officer, Moreno, pulling him out of the line of fire despite being shot himself. He fired back at the outlaw, hitting the mark; and, in my opinion, justice was then served.

Despite Cavazos' quick actions, 32-year-old Officer Moreno succumbed to his injuries. Another life needlessly stolen from the thin blue line.

Miguel Moreno was a 9-year veteran of the force. He woke up each morning ready to serve and protect his community. His life was stolen by an evil villain with no socially redeeming value.

Moreno stood for everything that is good in America. As we mourn his loss, we should thank the good Lord that such people as he ever lived. He was part of the rare breed, the American breed. Our peace officers are the best we have. America needs to stand with peace officers. We should stand with the thin blue line—the line that separates the lawful from the lawless.

God bless Officer Moreno and his family.

And that is just the way it is.

## INFRASTRUCTURE INVESTMENTS IN BUFFALO, NEW YORK

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, The Buffalo News, in a feature story this week, highlighted the impressive development of the once dormant urban streets in Buffalo, New York; streets like Niagara Street, Main Street, and Ohio Street.

What these road projects have in common in their resurgence is a smart and targeted Federal commitment to infrastructure that has been successfully leveraged to yield significant private investment and achieve the maximum benefit for our community and for the Nation.

Buffalo—long ago humbled by economic devastation—is now a national model for communities nationwide in showing how infrastructure investments can create jobs and improve the life quality of communities.

Infrastructure investment creates jobs in the construction trades and supply and materials industry immediately and unleashes the investment of the private sector in a cause-and-effect economic response.

Buffalo has come a long way, and we still have a long way to go. The lessons of our success can and should be shared with the Nation through this institution.

## CONGRATULATING CHIEF BILL OLNEY ON HIS RETIREMENT

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

Mr. HUIZENGA. Mr. Speaker, I rise today to congratulate my neighbor and friend, Chief Bill Olney, on his retirement from the Zeeland Police Department, and to thank him for his work and his service.

After attending both Grand Valley State University and Wayne State University, Bill received a degree in criminal justice from Madonna University.

He began his career in law enforcement in 1976 as a Michigan State Police trooper, where he served for 25 years protecting our great State.

In 2001, just one day after he retired from the Michigan State Police, Bill Olney joined the Zeeland Police Department, where he served as our chief of police for 16 years.

Chief Olney has dedicated his career to providing the highest quality law enforcement service and professionalism to the residents of Zeeland. His relentless work for our committee and dedication is clearly reflected by the numerous awards and commendations he has received over his career.

Chief Olney has served on the West Michigan Criminal Justice Training Consortium, Ottawa Substance Abuse Prevention Coalition, and Stop Child Abuse and Neglect Council.

As a lifelong Detroit Lions and Michigan State Spartans fan, I know he will enjoy his retirement with his wife, Kathryn; and his children, Shannon and Matt.

I think some football is in his kids' future.

Mr. Speaker, I want to ask my colleagues to join me in saying "thank you" on behalf of the Second District of Michigan as we thank Chief Bill Olney for his 41 years of service to the State of Michigan and to our country.

□ 1215

#### PROTECT NET NEUTRALITY

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

Ms. GABBARD. Mr. Speaker, net neutrality is something that is fundamental to our country. It is rooted in our First Amendment rights. It allows for an open marketplace, exchange of ideas, center for innovation, hub for communication, and so much more.

In today's digital age, especially, ensuring an open, free, and equal internet for all—not just for those who can afford to pay to play—is crucial to level the playing field for everyone.

The FCC's current proposal rolls back these freedoms for the benefit and profit of big internet service providers on the backs of students, entrepreneurs and innovators, small businesses, and all of us. Millions across the country have already sent in comments to the FCC expressing their strong opposition.

On today's net neutrality day of action, I encourage everyone to make their voices heard. In just 5 days, the FCC public comment period closes. Now is the time for us to raise our voices to protect net neutrality, fairness, and equality for all.

#### MAJORITY OF VOTERS BACK PRESIDENT'S TRAVEL VETTING

(Mr. SMITH of Texas asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, a recent Politico/Morning Consult poll shows that 60 percent of registered voters support "new guidelines which say visa applicants from six predominantly Muslim countries must prove a close family relationship with a U.S. resident in order to enter the country." Only 28 percent oppose. Also, respondents trust Republicans in Congress more than Democrats to handle the issue of immigration.

The new, nationwide poll demonstrates strong approval by the electorate for the President's effort to keep America safe, despite a question slanted to make respondents think his action is based on religion.

Had the question noted that the six nations that require additional visa scrutiny were also selected by the Obama administration as national security threats, the poll likely would have revealed even more support for the new guidelines.

When it comes to immigration policy, the American people support the President.

#### TRAINING SCHOOLS IN SEX TRAFFICKING AWARENESS

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

Mrs. DAVIS of California. Mr. Speaker, many people think of human trafficking as a problem that is happening abroad, but what they don't realize is that hundreds of thousands of victims are being trafficked within our own borders.

It is hard to imagine such an injustice occurring in your own neighborhood. When I learned that my city of San Diego is considered a high-intensity region for child trafficking, I knew I needed to take action.

In San Diego, we have an incredible community antitrafficking task force. They told me that a gap in the fight against trafficking is in our schools. This is why I wrote the Empowering Educators to Prevent Trafficking Act. I am proud to see it included in the Frederick Douglass Trafficking Victims Protection Act that is before us today.

My bill will fund programs to train teachers across the country to recognize and respond to signs of trafficking so that they can identify victims and get them the help they need. Teachers, in turn, can teach their students how to protect themselves from becoming victims.

With this training, our Nation's schools can be an important line of defense against this terrible injustice.

#### RECOGNIZING GASPERI FAMILY

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize the Gasperi family, who will be moving to Kenya in August on a mission to bring clean, fresh water to the schools in the surrounding area.

The Gasperi family seeks to provide clean water to schools in the city of Nakuru. Clean water will help the Kenyans avoid waterborne parasites and illnesses that interfere with childhood education.

Ashley Gasperi grew up in Kenya, and, with her husband, Chris, started a nonprofit called Ekenywa, which means a new beginning. Their mission is to improve the quality of life for school-aged children in Kenya and to eradicate poverty.

Both Chris and Ashley hold their master's degrees in nursing. Chris serves as a nurse manager at St. Mary Medical Center's orthopedic center, and Ashley serves as a clinical instructor at Temple University.

Mr. Speaker, on behalf of the entire Eighth Congressional District of Pennsylvania, we are so proud of the Gasperi family. We wish them the best as they work to provide a brighter future and cleaner water for all the children of Kenya.

#### HONORING OUR COMMITMENT TO VETERANS

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

Mr. O'ROURKE. Mr. Speaker, there are tens of thousands of veterans in this country who have served this country; put their lives on the line, literally; and saved the lives of countless other servicemembers who, because of their service, have mental healthcare-related conditions like post-traumatic stress disorder, or PTSD, which contributed to them having an other than honorable discharge.

Mr. Speaker, with an other than honorable discharge, those veterans are unable to go into a VA and see a mental healthcare provider, despite the fact that they are more than two times likely to take their own lives.

Now that we all know this, I hope that Members will join me in cosponsoring the Honor Our Commitment Act, which I introduced with MIKE BOST in the House and CHRIS MURPHY in the Senate. It is bipartisan and bicameral. It honors our commitment and obligation to those servicemembers who did right by this country, and it will save lives.

I look forward to the full support of this Chamber, passage of this bill, and having the President sign it into law.

#### RECOGNIZING ROBERT LEE BECERRA

(Ms. ROS-LEHTINEN asked and was given permission to address the House

for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to recognize Robert Lee Becerra, a very special young man from my district who is severely impacted by autism and has made a positive difference in thousands of lives in south Florida. How has he done this?

Mr. Speaker, for years, Robert has helped train 6,000 Miami police officers, firefighters, and EMTs to identify people with developmental issues and tailor their actions and responses accordingly. With Robert's help, officers and first responders in south Florida are trained to de-escalate volatile emergency situations involving individuals on the autism spectrum or with mental illness.

Robert's assistance in emergency response training has not only helped officers to connect with autism patients on an emotional level, but it has also made a positive impact and has saved many lives in our south Florida community.

I thank Robert for his tireless work and participation in police and first responder training for more than 10 years. His efforts have helped make south Florida an even better community for all of us.

Thank you, Robert.

#### NAS REPORT ON THE VALUE OF SBE SCIENCES

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

Mr. LIPINSKI. Mr. Speaker, I rise today to highlight the findings of a recent report by the National Academies of Sciences, Engineering, and Medicine entitled: "The Value of Social, Behavioral, and Economic Sciences to National Priorities." This report was requested by the National Science Foundation to examine whether the Federal Government should continue funding research in these disciplines. The resounding answer is: yes.

The report found that SBE funding furthers the mission of NSF and helps other agencies achieve their missions, and this funding provides tools and methods that have helped business and industry grow the U.S. economy and create jobs.

The report also highlights that virtually every major challenge the country faces today requires understanding the causes and consequences of people's behavior. The way we do this is by funding research in the social, behavioral, and economic sciences.

Mr. Speaker, investments in SBE are critical for our Nation's future, and we must continue this robust investment.

#### RECOGNIZING LEDVANCE

(Mr. THOMPSON of Pennsylvania asked and was given permission to ad-

dress the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, for the past 100 years, people in St. Marys, Pennsylvania, have been producing light for the world.

Earlier this week, I had the opportunity to visit the LEDVANCE manufacturing facility and visit with employees. St. Marys is located at the eastern edge of the Allegheny National Forest in the Pennsylvania Fifth District. It is a town this has a rich and storied history of being a leader in manufacturing.

The LEDVANCE facility in St. Marys manufactures nearly 2 million incandescent and halogen light bulbs—and soon, LED light bulbs—each day, in 1,700 packages and varieties. Its employees are skilled, knowledgeable, and dedicated to their craft. They are producing state-of-the-art lighting solutions right in the heart of north central Pennsylvania.

LEDVANCE has locations throughout North America and is a global leader in advancing light with LED, traditional and smart lighting, and accessories. It was a privilege to tour the St. Marys facility and meet with the talented local employees who work diligently each day to produce a quality product.

Congratulations to our workforce in St. Marys on 100 years of knowledge and expertise to advance light around the world.

#### IMMIGRATION REFORM

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

Mr. POLIS. Mr. Speaker, I rise today to highlight the need for bipartisan immigration reform.

Until Congress addresses our broken immigration system; secures our border; provides a pathway for people who have been here a long time to be able to eventually earn full citizenship; and provides a way for people who are here illegally and required to register, get right with the law, and get in line behind those who have come legally, it will remain a problem in cities and communities across our entire country.

There has been a failure of leadership in this body, the United States Congress, to actually address our broken immigration system. There has been a failure from both sides to provide a pathway forward for a problem that only Congress can solve, and that will only get larger until we take it up here.

Last week, I visited the ICE detention facility in Aurora, Colorado. I witnessed and talked to family members and mothers who had been taken away from their American children over something as minor as a speeding ticket.

We can, and we must, do better as a nation. We need an immigration system that reflects that we are both a nation of laws and a nation of immigrants. I call upon my Republican and Democratic colleagues to work together to achieve this end.

#### PROVIDING FOR CONSIDERATION OF H.R. 2810, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018, AND PROVIDING FOR CONSIDERATION OF H.R. 23, GAINING RESPONSIBILITY ON WATER ACT OF 2017

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 431 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 431

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-23, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived.

SEC. 2. (a) No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution.

(b) Each further amendment printed in part B of the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(c) All points of order against the further amendments printed in part B of the report of the Committee on Rules or amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in part B of the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

SEC. 4. At the conclusion of consideration of the bill for amendment pursuant to this resolution, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

SEC. 5. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 23) to provide drought relief in the State of California, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-24. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part C of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. MACARTHUR). The gentleman from Alabama is recognized for 1 hour.

□ 1230

Mr. BYRNE. Mr. Speaker, for the purpose of debate only, I yield the cus-

tomary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

#### GENERAL LEAVE

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

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

There was no objection.

Mr. BYRNE. Mr. Speaker, House Resolution 431 provides for full consideration, including making six amendments in order to H.R. 23, the Gaining Responsibility on Water Act, and allows us to begin consideration of H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018.

H.R. 23 is legislation necessary to deal with the severe water supply crisis facing California and other Western States. The region has experienced the worst drought in over 1,000 years, and many Western communities have been very negatively impacted.

This commonsense legislation fixes the broken regulatory system that is only exacerbating the impact of the drought conditions. The current regulatory system is overly complex and inconsistent. Making matters worse, various court decisions have only further complicated efforts to resolve these issues.

For example, this bill will help bring California's water infrastructure into the 21st century. The current water storage and delivery system is designed to serve approximately 22 million people, but the State currently has 37 million residents.

The bill is not only important to people in California. In fact, around half of our Nation's fruits and vegetables come from California. Every American could be hit in the pocketbook at the grocery store or checkout line if the California drought is allowed to continue.

Through this legislation, we can help expand water infrastructure and allow for greater water conveyance while ensuring environmental and water rights protections. Passing H.R. 23 will directly help address the drought crisis and benefit families, farms, the environment, and the American economy.

The rule also allows us to begin consideration of the National Defense Authorization Act. The bill provides for general debate and makes in order 88 amendments, including 41 minority amendments and 20 bipartisan amendments. Another rule is expected tomorrow to provide for consideration of additional amendments.

This open process actually started in the Armed Services Committee on which I serve. At the committee level, 275 amendments were offered, and 231

amendments were adopted during our committee markup last month.

I have said this many times on this floor, but it is worth saying again: there is no greater responsibility of the Federal Government than to provide for the safety and security of the American people. This year's NDAA does just that by reforming, repairing, and rebuilding the United States military.

The bill addresses the realities of the dangerous threat environment facing our Nation and ensures our troops and their families have the necessary resources and benefits.

Over the last decade, we have cut our military at an alarming rate. As the threats rack up, we have planes that can't fly, ships that can't sail, and soldiers who can't deploy. We must reverse this readiness crisis.

Thankfully, there is bipartisan support for boosting our Nation's military. In fact, this bill passed out of the Armed Services Committee by a vote of 60-1, continuing a strong bipartisan tradition of passing NDAAs.

I want to briefly highlight just a few of the positive provisions of this legislation.

The bill increases total military spending by 10 percent to rebuild the military from the current readiness crisis. This includes increasing the size of the Army, Navy, Air Force, Army Guard and Reserve, Naval and Air Reserve, and Air Guard.

Given the serious threat posed by North Korea, the bill boosts missile defense programs, including adding an additional \$2.5 billion above the President's budget request.

The bill also authorizes the construction of 13 new Navy ships, including three more littoral combat ships, as we work to grow toward a 355-ship fleet. It funds a 2.4 percent pay raise for our troops and extends special pay and bonuses for servicemembers.

Importantly, the bill continues to advance Chairman THORNBERRY's priority of reforming and strengthening the military's acquisition process to make it more effective and efficient.

Given the evolving threats related to cyber, the bill improves the oversight of cyber operations.

The bill also helps set policy for the U.S. military relating to Afghanistan, Syria, Iraq, Ukraine, Russia, Africa, and the Asian Pacific region.

All told, this bill achieves important priorities of reforming, repairing, and rebuilding our military.

Each and every day, more than 2 million men and women put on the uniform of the United States and serve our country. As we have seen by two recent tragedies, the Marine plane crash in Mississippi and the USS Fitzgerald collision off the coast of Japan, these individuals put their lives on the line in order to protect the freedoms we all hold dear. They deserve the resources



necessary to fulfill their mission and the benefits worthy of those who sacrifice so much.

So I am hopeful we can continue to move forward in a bipartisan manner to pass this NDAA, to support our troops, and to fulfill our constitutional obligation to provide for the common defense.

Mr. Speaker, I urge my colleagues to support House Resolution 431 and the underlying bills, and I reserve the balance of my time.

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

Mr. Speaker, I rise in opposition to the rule for providing debate on the National Defense Authorization Act, often called the NDAA, and also the Gaining Responsibility on Water Act. First let me address that act.

They tried to create an acronym called the GROW Act, Gaining Responsibility on Water, trying to make it seem like it actually might help things grow, when it actually picks winners and losers in water—and the losers are the environment, the State of California, and many others.

There are also a lot of problems around the process for the GROW Act. It bypassed hearings and markups. In fact, up until this bill was published on the Rules Committee website, only lobbyists and a few Republicans even knew what many of the provisions in this bill were. This kind of backroom dealmaking is one of the reasons the general public holds Congress in such low esteem.

There is an immense amount of opposition to this legislation, including from conservation groups, fishing groups, Native American Tribes, and the State of California.

Mr. Speaker, I have several letters that I include in the RECORD in regard to opposition to H.R. 23. One of the letters is signed by groups ranging from the American Bird Conservancy to the Animal Welfare Institute, to the Humane Society and a number of others, discussing how this bill would dramatically weaken protections for salmon, birds, and other fish and wildlife.

Another letter that I include in the RECORD is from a former colleague of ours, now the attorney general of the State of California, Xavier Becerra, and, finally, a letter from the Governor of California as well.

PLEASE OPPOSE H.R. 23

JULY 11, 2017.

DEAR REPRESENTATIVE: On behalf of the undersigned organizations, we write to urge you to oppose H.R. 23 (Valadao, R-CA). This bill would dramatically weaken protections for salmon, migratory birds, and other fish and wildlife in California's Bay-Delta watershed and would threaten thousands of fishing jobs in California and Oregon that depend on the health of these species. In addition to gutting critical federal environmental protections in California, H.R. 23 also preempts

a wide range of state environmental laws and would prevent the State of California from protecting and managing its own water and wildlife resources. In addition to these provisions focused on California, the bill also includes titles that would reduce public and environmental reviews of new dams and water infrastructure across the Western states. Both the Obama Administration and the State of California opposed similar legislation in recent years, including opposition to H.R. 3964 (Valadao, R-CA) and H.R. 5781 (Valadao, R-CA) in 2014, and H.R. 2898 (Valadao, R-CA) in 2015.

California has just emerged from a devastating drought, and the state is taking proactive steps to protect cities, farms, and the environment from future dry spells. However, several provisions in H.R. 23 would undermine California's efforts by permanently preempting critical state laws that protect salmon and other native fisheries and the jobs they support. In addition, this legislation would effectively repeal and preempt state and federal laws and a binding settlement agreement that require restoration of the San Joaquin River and its native salmon runs, instead permanently drying up 60 miles of California's second longest river. H.R. 23 not only preempts state law as applied to federal water projects in California, but it also preempts the application of state laws to the State Water Project and virtually all water rights holders in California's Bay-Delta watershed. This extensive preemption of state law in H.R. 23 is contrary to over a hundred years of Reclamation law and would set a dangerous precedent for other Western states.

H.R. 23 would also override the Endangered Species Act, increasing the risk that winter-run Chinook salmon and other native fish species are driven extinct. Further, H.R. 23 could devastate wildlife refuges that provide habitat for millions of birds that migrate along the Pacific Flyway by undermining the refuges' water rights and threatening critically important funding sources. H.R. 23 would also eviscerate the 1992 Central Valley Project Improvement Act, eliminating instream flows to benefit salmon and funding for habitat restoration projects, which help to mitigate the adverse effects of the Central Valley Project. The impacts from these provisions would reverberate along the entire West Coast, affecting fishing jobs and related industries in Oregon and Washington that depend on salmon from California's Central Valley and threatening populations of waterfowl and shorebirds that migrate to and from Alaska and Canada each year.

In addition to these provisions focused on gutting environmental protections in California, H.R. 23 also includes several titles that would weaken the public's right to know and environmental protection across the western United States. For instance, the bill's dam permitting provisions would give the U.S. Bureau of Reclamation unprecedented control over the environmental review process and could undermine the ability of the U.S. Fish and Wildlife Service and N.O.A.A. Fisheries to share expertise and inform the development of major infrastructure investments. These provisions would make it difficult, if not impossible, for responsible agencies to meaningfully analyze proposed projects and could limit the public's ability to weigh in on infrastructure that could affect communities for decades.

H.R. 23 has not been the subject of a single committee hearing to receive public input from the State of California, hunting organizations, sport and commercial fishermen,

tribes, or conservation groups, even though the bill could greatly interfere with state water rights and cripple the ability of state and federal agencies to manage limited water resources for all beneficial uses. Last year Congress passed legislation addressing California's water operations in the Water Infrastructure Improvements for the Nation Act of 2016 (P.L. 114-322). H.R. 23 would undermine that legislation, which supporters claim requires that state and federal water projects are operated in compliance with state law and the Endangered Species Act.

H.R. 23 also threatens thousands of fishing jobs in California, Oregon, and beyond that depend on healthy salmon runs from the Bay-Delta. The closure of the salmon fishery in 2008 and 2009 resulted in thousands of lost jobs in these states. The livelihoods and recreational interests of salmon fishermen, Delta farmers, fishing guides, tackle shops, bird watchers, waterfowl hunters, and communities across California and along the West Coast depend on the environmental protections that H.R. 23 would eliminate.

For these reasons, we respectfully urge you to oppose H.R. 23. Thank you for your attention.

Sincerely,  
American Bird Conservancy,  
American Rivers,  
Animal Welfare Institute,  
Audubon California,  
Center for Biological Diversity,  
Center for Food Safety,  
Defenders of Wildlife,  
Earthjustice,  
Endangered Species Coalition,  
Environmental Protection Information Center,  
Friends of the River,  
Humane Society Legislative Fund,  
International Marine Mammal Project of Earth Island Institute,  
Klamath Forest Alliance,  
League of Conservation Voters,  
Natural Resources Defense Council,  
San Juan Citizens Alliance,  
Sierra Club,  
The Bay Institute,  
Turtle Island Restoration Network,  
Western Nebraska Resources Council,  
Western Watersheds Project,  
WildEarth Guardians.

STATE OF CALIFORNIA,  
OFFICE OF THE ATTORNEY GENERAL,  
Sacramento, CA, July 11, 2017.

Re H.R. 23 (Valadao).

Hon. PAUL RYAN,  
*Speaker of the House of Representatives,*  
*Washington, DC.*  
Hon. NANCY PELOSI,  
*House Minority Leader,*  
*House of Representatives, Washington, DC.*

DEAR HOUSE SPEAKER RYAN AND HOUSE MINORITY LEADER PELOSI: I am writing to express my opposition to H.R. 23, the Gaining Responsibility on Water Act of 2017. This legislation would exempt California from the long-standing principle that Congress should defer to the individual states in the management of their water resources. While H.R. 23 purports to affirm state authority to regulate the waters within their borders as to other western states, the legislation singles out California by abrogating California water resource law and effectively federalizing the State's water resource management to the injury of the State's fish and wildlife resources.

Like its predecessors H.R. 1873 and H.R. 3964, H.R. 23 would transgress state sovereignty in at least three important respects. First, the legislation would mandate

that the federal Central Valley Project (CVP) and the California State Water Project (SWP), the largest water projects in the State, operate to outdated water quality standards for the Sacramento-San Joaquin Delta developed over twenty-two years ago, and would preclude state authorities from altering such standards notwithstanding the cumulative scientific evidence that these standards are insufficient to protect the State's fisheries. Second, the legislation would prohibit the California State Water Resources Control Board (SWRCB) and the California Department of Fish and Wildlife (DFW) from exercising their state law duties to protect fishery resources and public trust values, not only as to CVP and SWP operations, but as to all water right holders in California. Third, the legislation would overturn settled principles of cooperative federalism by materially altering the San Joaquin River Restoration Settlement Act, an act that implements a settlement reached by the United States, several environmental organizations, and local water users resolving a dispute over application of state fishery law to federal facilities on the San Joaquin River. California supported the compromise settlement and the implementing legislation and is a partner in the San Joaquin River Restoration Program.

These proposed constraints on California's ability to manage its natural resources conflict with historic principles of western water law. In *California v. United States* (1978) 438 U.S. 645, 654, the U.S. Supreme Court affirmed California's ability to impose state law terms and conditions on federal reclamation projects, and declared that, "[t]he history of the relationship between the Federal government and the States in the reclamation of the arid lands of the Western States is both long and involved, but through it runs the consistent thread of purposeful and continued deference to state water law by Congress."

California law grants the SWRCB the continuing authority to review and reconsider all water rights for the purpose of determining whether their exercise would violate the reasonable use requirement of the Article X, Section 2 of the California constitution and California's common law doctrine of the public trust. According to the California Supreme Court, "[t]he state has an affirmative duty to take the public trust into account in the planning and allocation of water resources, and to protect public trust uses whenever feasible." (*National Audubon Society v. Superior Court* (1983) 33 Cal.3d 319, 446.) The California Legislature has adopted these principles as "the foundation of state water management policy." (*Cal. Wat. Code*, 85023.) H.R. 23 would abrogate California's ability to apply its water resource laws while purporting to maintain and protect the ability of other western states to manage their water resources. H.R. 23 provides no explanation as to why California should be subject to such disparate treatment as to its sovereign authority to manage its natural resources.

In addition, H.R. 23 takes these steps in violation of settled constitutional principles of state sovereignty. Relying upon separation of powers principles set forth in the Tenth Amendment and elsewhere in the U.S. Constitution, the U.S. Supreme Court in *New York v. United States* has held that "even where Congress has the authority under the Constitution to pass laws requiring or prohibiting certain acts, it lacks the power directly to compel the States to require or prohibit those acts." (*New York v. United*

*States* (1992) 505 U.S. 144, 166-167.) In *Printz v. United States*, the U.S. Supreme Court expanded its ruling in *New York* and held that "[t]oday we hold that Congress cannot circumvent that prohibition by conscripting the States' officers directly." (*Printz v. United States* (1997) 521 U.S. 898, 935.)

By compelling the SWP, a state-funded and managed water project, to operate based upon congressionally-mandated Delta water quality standards, rather than allowing California to develop standards that reflect the most recent scientific information regarding the Delta, H.R. 23 is "requiring" a state agency to comply with a federal policy. By preventing the SWRCB, the DFW, and other state agencies from taking actions to protect fishery and other public trust values, H.R. 23 is "prohibiting" the State from enforcing state law. These provisions of H.R. 23 violate settled state sovereignty principles. Congressional passage of H.R. 23 would have, in effect, unconstitutionally "dragooned" state agencies and state officials "into administering federal law." (*Printz, supra*, 521 U.S. at p. 928.)

I urge you to oppose H.R. 23. Congress cannot justify the legislation's disparate treatment of California's sovereign authority to manage its natural resources and cannot compel California to act as its regional agent to enforce congressional policy. I ask that you affirm the long-standing congressional tradition of cooperative federalism and dual sovereignty in water and reject H.R. 23's attempt to federalize water resource management in the California.

Sincerely,

XAVIER BECERRA,  
*Attorney General.*

—  
OFFICE OF THE GOVERNOR,  
July 10, 2017.

Hon. PAUL RYAN,  
*Speaker, House of Representatives,*  
*Washington, DC.*

DEAR SPEAKER RYAN: I write to oppose H.R. 23, the "Gaining Responsibility on Water Act of 2017."

Water defines the west and for over a century Congress and the courts have consistently recognized that state law determines how water is developed and used. Western states have successfully resisted any attempted intrusion into this essential attribute of their sovereignty, including in the operation or construction of water projects involving the federal government. This bill overrides California water law, ignoring our state's prerogative to oversee our waters. Commandeering our laws for purposes defined in Washington is not right.

It is also not smart. California is the sixth-largest economy in the world, and its future depends on the wise and equitable use of its water. Making decisions requires listening to and balancing among the needs of California's nearly 40 million residents and taking into consideration economics, biodiversity and wildlife resources. All of this is best done at the state and local level—not in a polarized political climate 3,000 miles away.

Undermining state law is especially unwise today as California, with input from all stakeholders, is poised to make its boldest water infrastructure investments in decades: funding surface storage, updating an antiquated delta water conveyance, and adopting water-use efficiency targets.

I ask you to respect California's rights and shelve this bill.

Sincerely,

EDMUND G. BROWN, JR.

Mr. POLIS. Mr. Speaker, the only winners under this bill are actually a

few large agricultural producers who will take all the water, leaving none for many others. This bill is a water grab, plain and simple. The so-called GROW Act provides no new water, but it takes the existing water and gives it to those with the best lobbyists here in Washington.

Instead of this highly partisan bill, we should be taking steps to actually grow the water supply for everybody, with water recycling, with water conservation, water efficiency, many other nonideological, nonpartisan fixes, water infrastructure that can actually help deliver water to small farmers, protect our environment, and, yes, our legitimate agricultural producers as well.

Unfortunately, instead, we are stuck with this so-called GROW Act, which jeopardizes fishing jobs, preempts State conservation laws, overrides the Endangered Species Act for salmon and wildlife, weakens critical safeguards under the NEPA process, and undermines water rights. In doing so, this bill would permanently destroy California's rivers, Bay-Delta Estuary, needed fisheries, and the thousands of jobs that depend on those natural resources.

This bill is not a balanced protection. It picks winners and losers and hands over water rights to those who are present for the backroom deals in Washington.

Let's go back to the drawing board. I come from the State of Colorado, and we know how important water is. Let's find a way to find a bipartisan path to grow the water supply across the Western United States.

□ 1245

Let me address the other bill that is contained in this rule, the NDAA, National Defense Authorization Act. For 56 straight years, the United States Congress has come together to craft policies and recommendations for the United States Armed Forces and to put those policies into law under the authorizing statute for our military. Without question, this bill is one of the most consequential and important items that Congress undertakes each year.

Personally, I have found objections to policies, and I have been a fan of other policies contained in these bills while I have been in Congress. And I want to commend the work of my colleagues, Democratic and Republican, who serve on the Armed Services Committee for their important work on this legislation so important for our national security.

Many of my colleagues on the Armed Services Committee have served or do serve in our military. Members of the committee are dedicated public servants, they are experts in their field, they travel and learn and hear from experts, and they set aside many of their

political differences to do what it takes to keep America safe and secure, something that Republicans, Democrats, Independents are all committed to. We need to make sure that we give our military the tools they need to safely carry out the tasks that the Commander in Chief and elected officials ask them to undertake.

I commend the committee for putting forth a bill that takes constructive steps in filling military readiness gaps, requiring strategies from the administration and the Department of Defense with regard to contingencies in several countries, and acknowledging and planning for the real climate change threat that is posed to our national security.

Yet the work of the NDAA is not limited to members of the Armed Services Committee. The Members of this body as a whole, Democrats and Republicans who don't serve on that committee, have submitted over 400 amendments to do what each one of us believes would, in some way, improve this bill and strengthen our national security.

But the work of NDAA continues, and before this week is over, I expect to see the Rules Committee make in order an even greater number of these amendments. We took the first step in this rule by making a few dozen amendments in order, and we will continue that work in Rules Committee this afternoon as we thoughtfully go through the 400 amendments so a representative number of those from my Democratic and Republican colleagues who don't have the opportunity to serve on the Armed Services Committee can present those ideas for consideration by the full House.

But for all the hard work that the Armed Services Committee has done, what we have before us this week is essentially an argument that needs to be solved by the Budget Committee and can't, frankly, be solved by the authorizing committee.

What we are doing is we are having a very strange debate in this body. We are having effectively a budget debate within the defense bill. We are discussing authorization levels, when we know that the real discussion and battle over tradeoffs will be around the funding levels, not so much the authorization levels.

One of the tricks that we worry about is by blatantly disregarding the proper use of the overseas contingency fund and by deliberately flouting limitations set by the Budget Control Act, this Armed Services authorization bill has been completely overtaken by the debate on the Federal budget.

So this week we see a debate about the inability to pass a budget, adhere to a budget, and balance our budget, and, rather, we are operating kind of in this lala world of, if we had all the money in the world, here is what we would do, but as my Democratic and

Republican friends know, we live in a world of tradeoffs, and we as Democrats and Republicans will need to decide what those tradeoffs are. That is not being done in this bill, and, in fact, it is one week less that we have to have those important discussions about how to actually secure America and protect our country.

If the debate over armed services wasn't such a serious topic, I would, frankly, give the Republicans kudos for building such an elaborate and complex budget scheme. It is very clever, more so than the traditional overseas contingency gimmicks that have been presented within recent years. It took me a little while to even understand what this budget gimmick was, and I am going to now seek to explain it.

The Defense spending budget is capped at \$549 billion by the Budget Control Act of 2011. \$549 billion is the maximum that would be spent on defense. This bill authorizes \$621 billion as its discretionary base budget authority. That means that the bill we are debating today goes \$70 billion in spending above the spending caps that Congress agreed on. That is all deficit spending. That means Congress will increase the deficit by \$70 billion under this bill, but it gets worse.

The United States has been embroiled in conflict abroad since 2001, and many administrations, Democratic and Republican, have requested another pot of money that we call the overseas contingency fund. These funds, as the name indicates, are supposed to be used for paying costs that are incurred due to U.S. engagement in contingency operations, not baseline operations. And they are exempt, rightfully so, from the budget caps, because we never wanted to constrain our ability to provide funding for an unforeseen contingency situation that becomes a necessity for our national security.

This year, however, the bill provides for \$74 billion for this overseas contingency fund, a full \$10 billion above what was even requested by the President.

Now, a reminder, the Republicans haven't actually produced a budget this year, so we can't exactly make a comparison between the President's budget and the Republican majority's budget. I think one of the reasons they might be afraid to is they will show substantially increased deficits with these tax-and-spend Republican policies that have come to typify the Republican approach to grow our government with every new spending bill.

What the NDAA does is it takes this overseas contingency account, which is often called the slush fund for the Pentagon, it adds \$10 billion to that fund, but instead of paying for future contingencies, that will pay for baseline operations. Some of that \$10 billion goes to the unfunded priorities of the Pen-

tagon, things it couldn't quite fit in the \$621 billion, which already increases Federal spending by \$70 billion.

So it is just throwing money, Federal money, your taxpayer money, Mr. Speaker, hand-over-fist, without a plan, indebting future generations for spending money today. The Pentagon gets more big ticket items they want.

And, likewise, it is hard to argue with funds being allocated to operations and maintenance. We are all for maintenance, we are all for readiness, but we are all for understanding the tradeoffs that we have. We cannot simply continue to spend irresponsibly, indebting future generations.

At some level, Mr. Speaker, and I think this kind of throwing additional money well above and beyond the budget caps reaches that level, we make our Nation less secure rather than more secure by making us economically beholden to foreign nations and indebting future generations of Americans.

Congress has set limits on how much we can spend on defense versus non-defense. So when we run out of money under this NDAA plan, either we are going to be forced to spend more, which is what you and I can predict what will happen, of course that is what is going to happen, or they are somehow going to find the money elsewhere, which I can pretty much assure you, Mr. Speaker, is not going to happen. That is a prediction that I am giving you.

And not having seen a budget, by the way, this is, we think, why Republicans haven't come up with a budget, because they know they can't make enough devastating cuts to possibly pay for this military increase, and they certainly don't want to put their name to paper on those cuts. And we all know what is going to happen. They won't make those cuts, spending will go up, debt will go up. I mean, that is what we know will happen. We have been here before, seen that movie.

Now, again, theoretically, Draconian cuts can be made to schools and Head Start and NASA and medical research, money fighting the opioid epidemic, homeland security, police. Yeah, theoretically they can devastate everything inside of our country, leaving a hollowed-out core, a well protected hollowed-out core, but I know Republicans aren't cruel enough to do that. Instead, they are going to kick the can down the road and indebt future generations and make our country less secure by borrowing money from China and Saudi Arabia to fund today's military, making us economically beholden to the very foreign powers that represent a real geopolitical threat to American interests.

That is why budgets matter, that is why these budget gimmicks that are being used through the overseas contingency fund matter, and that is why we need to have a budget debate, not a fake budget debate in the context of a

national defense debate, which is what is being done here today.

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

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

Mr. Speaker, the gentleman referred to what this would do to the budget. I would point out to the gentleman, and I think I did this in committee yesterday, that if this is passed, it will only be 16.8 percent of total Federal outlays, which means the single most important thing that we do here in government only gets less than 20 percent of the money that we are going to spend. So I don't think it is asking too much of ourselves, as the people responsible for providing for the defense of America, that we spend 16.8 percent of all the Federal money we are going to spend next year on making the American people safe and secure.

He spoke about tradeoffs. Let me tell you one tradeoff I don't think any of us should be willing to make, and that is trading off the safety and security of the American people for trying to keep some other overspending in some other part of the budget going.

We need to focus today, and in this bill, on what it takes to authorize the defense and the safety and security of the American people, and I believe this bill does that, as did all but one of my colleagues on the House Armed Services Committee.

So I believe that we have struck the appropriate balance here that does all that. Yes, we have got some budget things we need to take care of. That is for later. For today, we are going to focus on defending the American people.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. AUSTIN SCOTT), my colleague on the Armed Services Committee.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I would like to thank the gentleman from Alabama (Mr. BYRNE) for his work on the National Defense Authorization Act.

Mr. Speaker, I rise today to ask my fellow Members to support the fiscal year 2018 National Defense Authorization Act.

After nearly 13 hours of debate, my colleagues and I on the Armed Services Committee, we came together, we passed the legislation to provide critical resources and reforms for our Nation's military to undertake the 21st century threats that our country and the world faces.

Part of facing these challenges is ensuring that our military personnel are able to combat the dangerous and illegal actions of transnational criminal organizations, particularly those close to home in the SOUTHCOM region.

Mr. Speaker, I appreciate the gentleman who spoke earlier about the opioid epidemic. I would just remind my fellow Americans that over 5,000

Americans die every month from drug overdoses.

Just a few months ago, I, along with the gentleman from Texas (Mr. VEASEY), had the opportunity to visit with the Joint Interagency Task Force South and SOUTHCOM's headquarters in Florida to hear and see firsthand the challenges that migrant and drug interdiction within the Caribbean region pose on homeland and national security.

Included in the fiscal year 2018 National Defense Authorization Act is a provision that I authored aimed at addressing the threat these transnational criminal organizations pose on our country and seeking to find new ways to support SOUTHCOM in their continuing efforts to tackle those threats head-on.

To all of the members of the SOUTHCOM team, I want to thank you for the important work that you do in securing our coastlines, supporting our national security, and protecting your fellow Americans.

To my colleagues, I urge your support in passage of the fiscal year 2018 NDAA to keep the U.S. military the best and most prepared fighting force in the world.

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

Mr. POLIS. Mr. Speaker, I yield 4 minutes to the gentleman from Arizona (Mr. GALLEGOS), a distinguished member of the Armed Services Committee.

Mr. GALLEGOS. Mr. Speaker, this rule is a travesty. If we vote to approve it, an amendment unanimously supported by the Armed Services Committee—unanimously, all Democrats and all Republicans would compromise language—to prevent President Trump from using our military's money to build his border wall will suddenly vanish. It is a legislative magic trick, a sneaky gimmick designed to disguise their actions.

Once again, Speaker RYAN and the House Republicans are doing President Trump's dirty work. They want to make sure that Trump can build his wall, but they are also desperate to avoid a clean up-or-down vote on this issue. They are hiding from the American voters.

They didn't have the courage to oppose my amendment in committee or even on the House floor. They passed this rule late at night with hardly anyone watching, in typical Republican fashion.

Republicans are resorting to deceptive legislative tactics to do Trump's bidding just for his small, fragile ego.

Mr. Speaker, this self-executing rule, if it comes to fruition, is going to attempt to slip one past Congress and the American people.

Just 6 months into this administration, it is already abundantly clear that Mexico won't pay for Trump's stu-

pid, dumb border wall. We must not allow precious resources to be robbed from our troops simply to score political points for Trump's ego.

Mr. Speaker, with Mexico refusing to entertain this absurd policy and without a direct appropriation from Congress, President Trump is going to get desperate. His administration will inevitably seek to pull money from other sources to make good on his promise to build this wall, including from the Defense budget.

That is why my amendment was so crucial. It would simply ensure that DOD resources aren't siphoned off for a pointless wall that we don't need and cannot afford. It was supported by Democrats and Republicans alike, the ranking member and the chairman.

As a Member of Congress, we have a sacred responsibility to ensure that money meant to address real national security challenges isn't diverted to combat imaginary ones that the President has created.

□ 1300

As a Marine Corps veteran, I believe it would be an insult to our members of the military if their resources were reallocated to build a wall that we don't need, that won't bring us more security, when we have tens of thousands of military members that are currently still on food stamps while serving this country.

Mr. Speaker, make no mistake: a vote for this rule is a vote to build the wall and take precious resources from the Department of Defense budget. Please vote "no."

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

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

Mr. Speaker, I appreciate the comments of my colleague from Arizona.

This was not done in the middle of the night in secrecy. This was done in full committee with cameras watching us, and done early in the evening with full debate, so I disagree with him about that.

Let's talk about the wall for a second.

I support President Trump and what he is trying to do with the wall. I hope we get to a point where we can deal with that.

This is a defense authorization bill. This is not a wall authorization bill. The wall is already authorized. We don't need an authorization bill for the wall. It is already there. The next step for us to take for the wall is an appropriations bill, and this is not an appropriations bill.

So what the Rules Committee has done is made it clear that we are not going to deal with the wall one way or the other in the National Defense Authorization Act. That is not the proper

place for it. That is not the proper place to be spending money for it. There is another part of our budget, another law for us to deal with there.

So I hope that we all will understand that what we have done is made it clear there is nothing in this bill—nothing—about a wall, nor should there be anything in this bill about a wall, because that is for another committee, another bill, another time, and another place.

Mr. Speaker, I yield 5 minutes to the gentlewoman from Wyoming (Ms. CHENEY), our newest member of the Armed Services Committee and the Rules Committee.

Ms. CHENEY. Mr. Speaker, I thank very much my colleague from both the Rules Committee and the Armed Services Committee, Mr. BYRNE, for his work on this bill.

Mr. Speaker, I rise today to urge my colleagues to support both of these underlying bills, and I want to speak particularly about the National Defense Authorization Act.

We are, today, living in a world where we face a more complex array of threats than at any time in the last 70 years. The obligation that we have to our men and women in uniform, to make sure that we provide them with the resources that they need to defend this Nation, is a more solemn obligation than any other we have.

There are many things that we were elected to do when we came to Washington, and we have done many of those things in this Congress. We have been a historically productive Congress in the months that we have been here. We have passed repeal and replace of healthcare reform, we have passed the repeal bill for Dodd-Frank, we have begun our important work on immigration reform, and we have done tremendous work on regulatory reform to lift the burden of the massive overreach of the Obama years. But there is nothing that we do that is more important than providing the resources for our men and women in uniform. This bill is a very important first step in that direction.

I want to mention a couple of things that this bill does in particular.

In the aftermath of the ICBM test, the first successful North Korean ICBM test, one of the most important challenges we face as a nation is ensuring that we have provided for the defense of this Nation with respect to missile defense. This bill adds \$2.5 billion above the administration's request for missile defense. It focuses on including additional interceptors for existing systems, as well as research for new technologies.

Total missile defense is still below the funding levels during the Bush administration. This bill is a very important first step, but, Mr. Speaker, we have got to do much more.

We also, in this bill, begin the process of providing the necessary addi-

tional resources and top line to begin to rebuild. We have not had a defense budget, Mr. Speaker, since 2011 that was based upon the Pentagon being able to assess the threats and telling us what we need to do to be able to defend against those threats.

We have now, because we are living under the Budget Control Act, had a Defense Department, instead, that has been obligated to fund at levels that are arbitrary and to cut at levels that are arbitrary. No nation can responsibly live under that system.

The next thing we have got to do is repeal the Budget Control Act. We have got to recognize that we have a huge and growing debt crisis, a huge fiscal crisis, but that crisis is not being driven by our defense budget. The Budget Control Act has been ineffective at getting at what we need to do in terms of reducing the debt. Instead, it has gutted our defense.

We are in a world today where the North Koreans, the Iranians, the Russians, the Chinese, ISIS, and al-Qaida are all continuing to make strides against us, Mr. Speaker.

One of the things that I am often asked as a new Member of this body is what has surprised me most in my time in Congress. I came to this body, Mr. Speaker, as somebody who has spent a lot of time focused on national security and defense issues, as someone who spent a large part of her career really invested in and studying and learning these issues, and I thought, Mr. Speaker, that I was relatively well informed about these issues.

I have been stunned, Mr. Speaker, as a member of the House Armed Services Committee, briefing after briefing after briefing, at the extent to which we have fallen so far behind. And I think it is critically important for my colleagues, Mr. Speaker, and for the American people to understand the extent to which our adversaries are, today, fielding and developing capabilities and systems against which we cannot, may not be able to defend.

Mr. Speaker, in closing, I want to read something that Ronald Reagan said back in 1982 on an issue when they were having similar issues and debates and discussions about defense spending. He said: "Now, I realize that many well-meaning people deplore the expenditure of huge sums of money for military purposes at a time of economic hardship. Similar voices were heard in the 1930s, when economic conditions were far worse than anything we're experiencing today. But the result of heeding those voices then was a disastrous military imbalance that tempted the forces of tyranny and evil and plunged the world into a ruinous war. . . . We must never repeat that experience."

Mr. Speaker, I urge my colleagues to remember that weakness is provocative, that it is when we are strong that

we are most able to protect ourselves and to defend ourselves, and we must learn the lessons of the past. Passing this rule and passing the underlying legislation, this National Defense Authorization Act, is the first step in that direction.

Mr. Speaker, I urge my colleagues to vote in the affirmative and to ensure that we do everything we can to defend our Nation and to make sure that we defend freedom for the next generation.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, we are here with H.R. 23 again discussing attempts to override State and Federal environmental law. The House and Senate negotiated additional pumping flexibility in last year's WIIN Act. This group has stated for years that they just want a little additional flexibility in environmental law, which actually means weakening or eliminating environmental law. They ignore the damage this would cause to California's delta region, its families, and its farmers.

We heard last year that governments are set up for the benefit of the people, but this means all of the people, not just a few people at the expense of others.

The person nominated to Deputy Secretary at the Department of the Interior worked for Westlands Water District just last December. He would make decisions to pump more water to Westlands, the Nation's largest water district—a clear conflict of interest, and a clear threat to farmers and residents in the delta.

This is also a clear example of what is wrong with H.R. 23. It will negate environmental protections; it will hurt one region to benefit another; and it allows corruption to seep into the Federal Government.

Mr. Speaker, I urge Members to oppose H.R. 23 for these reasons.

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

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

Mr. Speaker, in April, President Trump and congressional Republicans rolled back the FCC's rule to protect Americans' personal information and their internet browsing history. By doing so, they effectively sold personal privacy to the highest corporate bidder.

Today is Net Neutrality Day of Action, protesting the FCC's proposal to end equal access to online content, which would destroy the internet as we know it. What better day to also protect the future of our privacy by undoing the Republicans' reckless rollback that placed cable profits above our privacy and consumer protections.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up Representative ROSEN's Restoring American Privacy Act, H.R. 1868. This bill will restore Americans' privacy protections and tell internet service providers they can't sell their customers' personal information without the knowledge and consent of the customers.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. SCHWEIKERT). Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, to discuss our proposal, I yield 5 minutes to the gentlewoman from Nevada (Ms. ROSEN).

Ms. ROSEN. Mr. Speaker, if today's vote on the previous question fails, instead of voting on a partisan bill that rolls back key environmental laws, overturns State law, and ignores real solutions to our water supply shortages in the West, we will have the opportunity to vote on my bill, H.R. 1868, the Restoring American Privacy Act of 2017.

This bipartisan legislation will reverse the President's decision to assign a disastrous resolution allowing internet providers to sell their customers' personal information without their acknowledgment or without their consent.

As a former computer programmer and someone who has firsthand experience writing code, I can tell you that the first step towards protecting vulnerable and sensitive data is to make sure it remains private.

S.J. Res. 34, which now, unfortunately, is the law, prevents vital online protections for millions of Americans nationwide from taking effect later this year. The resolution, signed by the President, negating FCC broadband consumer privacy rules is not only wrong and a blatant violation of privacy, but it jeopardizes Americans' personal data and puts them at risk of hacking.

The October 2016 rule was the only rule that required internet service providers to obtain consumers' permission before selling their private internet browsing history and other sensitive information, including geolocation and app usage.

I am simply shocked that most of my colleagues across the aisle voted for a measure that violates Americans' privacy by selling our most intimate and personal information, all without our consent.

Repealing the FCC rule with S.J. Res. 34 now allows broadband providers to turn private personal information over to the highest bidder—or anybody they want, including the government—

without a warrant and without ever telling you.

That is right. Without this rule that President Trump and most Republicans in Congress blocked, internet service providers don't need to ask for permission to collect and share sensitive personal information. Even worse, the passage of this resolution also told providers they no longer have to use reasonable measures to protect consumers' personal data.

This is absolutely unacceptable. We are living in a time where identity theft and internet hacking have become the new norm. Shortly after President Trump and Republicans repealed these consumer protections, we experienced a massive ransomware attack that caused major damage to businesses and companies around the world. No American wants their most personal information to be up for grabs.

By using the Congressional Review Act to eliminate this rule, the FCC is now prevented from publishing rules that are substantially the same absent additional legislation, establishing a dangerous precedent for private citizens.

Americans should have the right to decide how their internet providers use their personal information, especially since many people can't choose their own broadband provider.

What my bill does, Mr. Speaker, is simple. H.R. 1868 makes it clear that the American people's browsing histories are not for sale; the American people's personal information is not for sale; the American people's financial information is not for sale; and the American people's location data is not for sale.

It is a very simple concept, one that I hope my colleagues across the aisle will recognize and support. The American people don't want the legislation that was signed into law this last spring. In overwhelming numbers, they are calling Congress and letting it be known they want to keep their private information private.

I am proud to stand up for the American people, and I hope you take up the Restoring American Privacy Act of 2017 for consideration. This is common-sense, bipartisan legislation that will reverse a misguided resolution by saying, once and for all, that ISPs cannot sell customers' personal information without their knowledge and without their permission. This bill says that your privacy is not for sale, period.

□ 1315

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

I appreciate the gentlewoman's comments and concerns about protecting all of our privacy on the internet. I think we all should be about that. But instead of having a misguided and unauthorized regulatory action that left

vast gaps in this system, we should have a comprehensive bill to deal with it. That bill is not before the House today.

What is before the House today in this rule are two bills: one that deals with the drought in the West, which is very important; and the second is provide for the safety and security of the American people. So that is what we are here today about.

I appreciate her concerns about that. I join with her, and I hope that we have a bill on this floor that comprehensively deals with the issues that she brought up, but now is not the time, these are not the bills, and this is not the rule to deal with it.

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

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Speaker, first of all, I want to acknowledge the good work of Chairman THORNBERRY and Ranking Member SMITH in the Armed Services Committee. As my colleague from Alabama said, there is nothing more important than having a secure national defense to protect the American people.

But this bill does have problems. Many of them are not created by the Armed Services Committee. They are created by us in Congress.

It has been catastrophic for us to have the millstone of the Budget Control Act that is limiting the ability of Congress to make decisions about where to spend more or where to spend less, and two things are happening as a result of that.

Number one, we abdicate our responsibility. In some places we should be spending more, but in many other places we should be spending less.

The second thing, Mr. Speaker, is that we put in straitjackets our managers at the Pentagon and in other programs because we micromanage where they must spend money. If we are going to give them a challenge—the budget cap right now is \$549 billion; this bill suggests that we spend close to \$700 billion—we have got to give them managerial flexibility and stability.

The Budget Control Act is the "Budget Paralysis Act." That is on all of us here in Congress.

Now, a second thing, this bill, in that context, where we are going to blow through that cap but do nothing about our ability to make decisions on the taxes and spending, means that this gets cut totally out of domestic spending. In my view, General Mattis' view is that is bad for national defense.

We plus-up the Defense budget, but we take a hatchet to the State Department budget, not something that you can address in the Armed Services bill, I understand. But the effect of it, as General Mattis said: We have to buy more bullets.



So this is a symptom of the problem that we have got to face squarely.

The other issue in this bill is that it hasn't given us a policy of what is our exit strategy in Afghanistan.

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

Mr. POLIS. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Vermont.

Mr. WELCH. What is our policy?

We are sleepwalking into an escalation. That has failed us before. We have to have that debate now.

Where is the money coming from?

\$150 billion is just going to magically appear. No discussion about that.

And this bill does not acknowledge the absolute vital importance of domestic and diplomatic programs to our national security.

I applaud the committee and the chairman and the ranking member for some very good work they did. I criticize us in Congress for putting the straitjacket on them so they can't do the job right.

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

I strongly agree with my colleague from Vermont's remarks regarding the Budget Control Act. It was passed for a good intention, but it has worked out quite differently from what people thought it was going to accomplish.

It is time for us to take responsibility, as the gentleman from Vermont said, and to do what we are supposed to do to make the priority decisions about what is important for America and what is not. Providing for the safety and security of the people of America, that is important. And if we have to make cuts in other parts of our budget to make sure we are doing that, first and foremost, I am happy to do it.

The gentleman is absolutely right about micromanagement. We have been micromanaging the people that we charge with defending America with how they are going to carry out combat responsibilities, particularly in the Middle East. President Trump, I think, quite rightly, has delegated many of those decisions down to Secretary Mattis so that our combatant commanders can make the decisions they have got to make as and when they need to make them.

I understand what he is saying about the State Department budget, something that we all should be concerned about. The appropriate time to talk about that is when the appropriations bill for the State Department is here, not when we are talking about the National Defense Authorization Act.

Finally, with regard to Afghanistan, which if I may make a little bit broader and talk about the Middle East in general, it is time for a new AUMF. The AUMFs that were passed in this Congress over 15 years ago were for a different time, with different circumstances altogether. And I do sense

a bipartisan urging for us to do that, but this is not the right time for us to do it on this particular piece of legislation.

I hope that at a future time the Foreign Affairs Committee, that has appropriate jurisdiction over that issue, will come forward with an AUMF that we can all discuss because we are now not just in Afghanistan and Iraq, we are in Syria, we are in Yemen, we are in Libya, we are in Somalia, where we have had some past history that is not so good.

We all—everybody, not just from the Armed Services Committee—need to understand these threats to our country and what we are going to do about them, have a strategy with a clear endgame, which we need and we haven't had for the last several years.

Then we should authorize it because only Congress has the power to declare war. We should authorize it. And by authorizing it, we not only take responsibility, but we communicate to our friends and our foes alike, and to those servicemen and -women who put themselves at risk out there that we are behind it. We, as the Representatives of the American people, are behind it. So I hope that we can do that, but it won't be in this particular bill.

Mr. Speaker, I appreciate the gentleman's remarks, and I reserve the balance of my time.

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

This bill has several other policies I want to address. For one, it ties our participation in the critical New START with Russia to a separate Europe-focused treaty that Russia is not in compliance with.

The New START is a nuclear arms reduction treaty between our Nation and Russia, and we should not remove ourselves from that, from an agreement that allows us to inspect and gather information about Russia's nuclear facilities.

In addition, this rule, if adopted, would fail to extend the Special Survivor Indemnity Allowance, causing it to expire in May of 2018. The Special Survivor Indemnity Allowance is a program that was originally created in the NDAA, and goes a long way to helping to mitigate the problems that recipients of the Defense Department's Survivor Benefit Plan face.

There are other provisions of this bill which I object to in their current form but are going to be debated through amendments very likely over the course of the next week. For instance, the bill currently prevents the transfer of any detainees at the Guantanamo Bay detention facility. This detention facility that is extralegal should be closed, not repopulated, and we certainly will have that debate this week.

This bill, unfortunately, also authorizes far too many funds and continues to overfund our nuclear weapons ac-

tivities, costing taxpayers hundreds of billions of dollars, in fact, as much as \$1 trillion over the next 30 years, for a stockpile of weapons that, even if substantially cut, would be enough to end life on the planet.

I testified before the Appropriations Subcommittee with regard to this matter and argued how can we possibly go before the taxpayers back home and say we need to overfund our nuclear arsenal to destroy the world seven times instead of five, or five times instead of three.

One would think that ending life on the planet once would be more than enough, and it is hard to argue from taxpayers that they should, in fact, pay for this planet's destruction multiple times.

We also continue to use force in our ongoing operations in Iraq, Syria, and elsewhere. I join my colleagues from the other side of the aisle in calling for an updated Authorization for Use of Military Force. To date, Congress has taken zero meaningful actions toward achieving that, yet we hear on this floor regularly from my friend from Alabama and others that Republicans and Democrats need to do that, especially before we put another soldier in harm's way.

That is the role of this body, and it is time to stop avoiding the task of writing an Authorization for Use of Military Force. Have that debate and make it happen.

These are the types of questions we should be debating, but instead we are continuing to avoid those and plunging our Nation deeper into debt without a real budget plan.

Instead of focusing on real questions about how to improve our defense, the general debate on this bill will largely focus on budget tricks. This debate on this budget should happen on the floor, in the Budget Committee, in a budget passed by this body.

One of the amendments I offered with my colleague, Ms. LEE, that we will be debating, would cut 1 percent of the money authorized in that bill. That would help. It would be a starting point. It would still be a spending level above the budget caps, but at least 1 percent in the record, reckless deficits from this Republican spending bill.

At some point we have to make decisions about tradeoffs, about the directions of our budgets, our entitlements, our discretionary, our revenues, our defense, and our nondefense. We can't resign ourselves to plunging future generations into further debt.

My amendment with Ms. LEE is a small, first step taking a stand against unsustainable budget levels that make our Nation less secure rather than more secure. It is the wrong way to do things. It is the wrong time to have this debate. I urge my colleagues to vote "no" on this rule so we can go back to the starting board and discuss



the items that my Republican colleagues agree are important in terms of the use of the Authorization for Use of Military Force, ending the budget gimmicks, and figuring out how to balance the budget, rather than plunge our Nation deeper into debt.

Mr. Speaker, I urge my colleagues to vote “no,” and I yield back the balance of my time.

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

If I may make sure that we are all clear about where we are on the START; the START runs through 2021. That is 4 years from now. What the bill says is that if we find that Russia is in violation of the INF Treaty—and there is some indication that that is true—that we wouldn’t extend it beyond 2021. But that is 4 years from now.

So what does that mean?

This is a shot across the bow to Russia. We are telling Russia: If you continue to violate the INF Treaty, we are not going to extend with you on START.

This is telling them: We are not going to let you get away with this.

And I would think, at this point, after all that we have heard, we would want to stand up to Russia, and this is a very vital way to do that.

Secondly, about the GTMO issue that he brought up, there are two amendments made in order by this rule for us to discuss GTMO, and I believe we are going to have that debate tonight. Now, I don’t agree with the amendments, but we made them in order so we can have that debate on this floor.

So we are going to debate GTMO. My prediction is that we are going to defeat both of those amendments, but the people on the other side of the aisle have been given a great opportunity to make their argument that we shouldn’t do that.

Nukes. Why are we trying to modernize our nuclear force?

Because our adversaries are modernizing theirs, and if we don’t, we are not doing the proper thing to protect the people of the United States.

And then the gentleman talks about the budget bills. Now, there is a budget bill coming. Now, the budget bill is for the next fiscal year, October 1, 2017. That is several weeks from now. We have got time to pass a budget for next fiscal year.

But the way we have everything set up here, we try to move these defense bills about this time of year so that we can do what we have got to do to make sure we have communicated to the military what they are going to have to do their jobs.

If I may walk briefly around the world to remind us about where we are. Kim Jong-un has continued to test missiles throughout last year and this year, and he is getting better. And what he seeks is not just to strike South Korea or Japan, he wants to

strike America. That is why you have an ICBM if you are in North Korea.

We need to step up to the plate and do more in missile defense and more in other things to make sure we are doing everything we can to protect America from an attack from North Korea.

China wants to take control of the South China Sea and the East China Sea. What does that mean to us for America?

Forty percent of the trade in the world moves through those two oceans. The greatest population center in the world is right there. It is where we want to do more business, where people there want to do more business with us; and not having a robust military presence there means we cede that part of the world to China.

I guess we could pull back to where we were on December 6, 1941, when we didn’t have a presence in Guam and Japan and South Korea and Singapore. Or we could take the understanding from what happened that terrible day on December 7, 1941, that we have to be thinking now for the challenge to us then and, by making those preparations and making sure we have the defense in place, we keep December 7, 1941, from happening again.

Then we have our good friends in Russia, as they push not only into Eastern Europe, but now into the Middle East. It used to be we thought that Russia was kind of off the table; you know, the Soviet Union collapsed; didn’t have to worry about Russia anymore.

Russia is back. They are back in many different military ways, in their navy, in their missiles, and what they are doing with their armed forces, including the little green men in Ukraine. We need to take that threat seriously, as we haven’t had to take it for years.

And then there is the Middle East. We know what is happening today in Mosul and in Raqqa. Perhaps ISIS is being pushed out of those places, but it is not disappearing. It is not going away as a threat, any more than al-Qaida has gone away as a threat. We still have terrorist groups like them and others who seek to do harm to the American people, whether it is over there or over here, and we have to provide for the defense against that.

Then there is Iran; Iran that, because of an ill-considered agreement reached with them by the Obama administration, now is on a path to get an ICBM of its own, which it doesn’t need to strike Israel. It needs an ICBM to strike us.

□ 1330

Then they get as close as they want to under that agreement that we reached with them. Right up to the edge of violation, where they perfect their nuclear technology, they decide in a short period of time to violate it,

put a nuclear weapon on one of those ICBMs and threaten us directly.

That and a host of other threats are what we are talking about in this bill. We have never faced such a complex set of threats since the end of World War II. It is not my word. It is the word of countless experts who have come before our committee.

We have to do this. The American people expect us to do this. Like many other people in this body, I do tele-townhalls. At my last two tele-townhalls, I have asked this open-ended question: What is the most important issue to you?

We give them a broad range of issues to pick from: healthcare, tax reform, you name it. The number one issue in those two tele-townhalls, by far, for the people in my district was national security. They see what is happening in North Korea. They see what is happening in the Middle East. They know what Russia is up to. They are worried about China, and they want to know what we are doing.

This bill that this rule provides for does what we need to do to protect the American people. Mr. Speaker, I appreciate everything that I have heard today from my colleagues on both sides of the aisle because I know people on both sides of the aisle care a great deal about these issues.

Mr. Speaker, I urge my colleagues to support House Resolution 431 and the underlying bill.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 431 OFFERED BY  
MR. POLIS

At the end of the resolution, add the following new sections:

SEC. 6. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1868) to provide that providers of broadband Internet access service shall be subject to the privacy rules adopted by the Federal Communications Commission on October 27, 2016. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 7. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1868.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

FDA REAUTHORIZATION ACT OF 2017

Mr. WALDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2430) to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2430

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "FDA Reauthorization Act of 2017".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—FEES RELATING TO DRUGS

Sec. 101. Short title; finding.

Sec. 102. Authority to assess and use drug fees.

Sec. 103. Reauthorization; reporting requirements.

Sec. 104. Sunset dates.

Sec. 105. Effective date.

Sec. 106. Savings clause.

TITLE II—FEES RELATING TO DEVICES

Sec. 201. Short title; finding.

Sec. 202. Definitions.

Sec. 203. Authority to assess and use device fees.

Sec. 204. Reauthorization; reporting requirements.

Sec. 205. Conformity assessment pilot program.

Sec. 206. Reauthorization of review.

Sec. 207. Electronic format for submissions.

Sec. 208. Savings clause.

Sec. 209. Effective date.

Sec. 210. Sunset dates.

TITLE III—FEES RELATING TO GENERIC DRUGS

Sec. 301. Short title; finding.

Sec. 302. Definitions.

Sec. 303. Authority to assess and use human generic drug fees.

Sec. 304. Reauthorization; reporting requirements.

Sec. 305. Sunset dates.

Sec. 306. Effective date.

Sec. 307. Savings clause.

TITLE IV—FEES RELATING TO BIOSIMILAR BIOLOGICAL PRODUCTS

Sec. 401. Short title; finding.

Sec. 402. Definitions.

Sec. 403. Authority to assess and use biosimilar fees.

Sec. 404. Reauthorization; reporting requirements.

Sec. 405. Sunset dates.

Sec. 406. Effective date.

Sec. 407. Savings clause.

TITLE V—PEDIATRIC DRUGS AND DEVICES

Sec. 501. Best pharmaceuticals for children.

Sec. 502. Pediatric devices.

Sec. 503. Early meeting on pediatric study plan.

Sec. 504. Development of drugs and biological products for pediatric cancers.

Sec. 505. Additional provisions on development of drugs and biological products for pediatric use.

TITLE VI—REAUTHORIZATIONS AND IMPROVEMENTS RELATED TO DRUGS

Sec. 601. Reauthorization of provision relating to exclusivity of certain drugs containing single enantiomers.

Sec. 602. Reauthorization of the critical path public-private partnerships.

Sec. 603. Reauthorization of orphan grants program.

Sec. 604. Protecting and strengthening the drug supply chain.

Sec. 605. Patient experience data.

Sec. 606. Communication plans.

Sec. 607. Orphan drugs.

Sec. 608. Pediatric information added to labeling.

Sec. 609. Sense of Congress on lowering the cost of prescription drugs.

Sec. 610. Expanded access.

Sec. 611. Tropical disease product application.

TITLE VII—DEVICE INSPECTION AND REGULATORY IMPROVEMENTS

Sec. 701. Risk-based inspections for devices.

Sec. 702. Improvements to inspections process for device establishments.

Sec. 703. Reauthorization of inspection program.

Sec. 704. Certificates to foreign governments for devices.

Sec. 705. Facilitating international harmonization.

Sec. 706. Fostering innovation in medical imaging.

Sec. 707. Risk-based classification of accessories.

Sec. 708. Device pilot projects.

Sec. 709. Regulation of over-the-counter hearing aids.

Sec. 710. Report on servicing of devices.

TITLE VIII—IMPROVING GENERIC DRUG ACCESS

Sec. 801. Priority review of generic drugs.

- Sec. 802. Enhancing regulatory transparency to enhance generic competition.
- Sec. 803. Competitive generic therapies.
- Sec. 804. Accurate information about drugs with limited competition.
- Sec. 805. Suitability petitions.
- Sec. 806. Inspections.
- Sec. 807. Reporting on pending generic drug applications and priority review applications.
- Sec. 808. Incentivizing competitive generic drug development.
- Sec. 809. GAO study of issues regarding first cycle approvals of generic medicines.

#### TITLE IX—ADDITIONAL PROVISIONS

- Sec. 901. Technical corrections.
- Sec. 902. Annual report on inspections.
- Sec. 903. Streamlining and improving consistency in performance reporting.
- Sec. 904. Analysis of use of funds.
- Sec. 905. Facilities management.

#### TITLE I—FEES RELATING TO DRUGS

##### SEC. 101. SHORT TITLE; FINDING.

(a) **SHORT TITLE.**—This title may be cited as the “Prescription Drug User Fee Amendments of 2017”.

(b) **FINDING.**—The Congress finds that the fees authorized by the amendments made in this title will be dedicated toward expediting the drug development process and the process for the review of human drug applications, including postmarket drug safety activities, as set forth in the goals identified for purposes of part 2 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and the Chairman of the Committee on Energy and Commerce of the House of Representatives, as set forth in the Congressional Record.

##### SEC. 102. AUTHORITY TO ASSESS AND USE DRUG FEES.

###### (a) TYPES OF FEES.—

(1) **IN GENERAL.**—Section 736(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(a)) is amended—

(A) in the matter preceding paragraph (1), by striking “fiscal year 2013” and inserting “fiscal year 2018”;

(B) in the heading of paragraph (1), by striking “AND SUPPLEMENT”;

(C) in paragraph (1), by striking “or a supplement” and “or supplement” each place either appears;

(D) in paragraph (1)(A)—

(i) in clause (i), by striking “(c)(4)” and inserting “(c)(5)”;

(ii) in clause (ii), by striking “A fee established” and all that follows through “are required.” and inserting the following: “A fee established under subsection (c)(5) for a human drug application for which clinical data (other than bioavailability or bioequivalence studies) with respect to safety or effectiveness are not required for approval.”;

(E) in the heading of paragraph (1)(C), by striking “OR SUPPLEMENT”;

(F) in paragraph (1)(F)—

(i) in the heading, by striking “OR INDICATION”;

(ii) by striking the second sentence;

(G) by striking paragraph (2) (relating to a prescription drug establishment fee);

(H) by redesignating paragraph (3) as paragraph (2);

(I) in the heading of paragraph (2), as so redesignated, by striking “PRESCRIPTION DRUG

PRODUCT FEE” and inserting “PRESCRIPTION DRUG PROGRAM FEE”;

(J) in subparagraph (A) of such paragraph (2), by amending the first sentence to read as follows: “Except as provided in subparagraphs (B) and (C), each person who is named as the applicant in a human drug application, and who, after September 1, 1992, had pending before the Secretary a human drug application or supplement, shall pay the annual prescription drug program fee established for a fiscal year under subsection (c)(5) for each prescription drug product that is identified in such a human drug application approved as of October 1 of such fiscal year.”;

(K) in subparagraph (B) of such paragraph (2)—

(i) in the heading of subparagraph (B), by inserting after “EXCEPTION” the following: “FOR CERTAIN PRESCRIPTION DRUG PRODUCTS”; and

(ii) by striking “A prescription drug product shall not be assessed a fee” and inserting “A prescription drug program fee shall not be assessed for a prescription drug product”; and

(L) by adding at the end of such paragraph (2) the following:

“(C) **LIMITATION.**—A person who is named as the applicant in an approved human drug application shall not be assessed more than 5 prescription drug program fees for a fiscal year for prescription drug products identified in such approved human drug application.”.

(2) **CONFORMING AMENDMENT.**—Subparagraph (C) of section 740(a)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-12(a)(3)) is amended to read as follows:

“(C) **LIMITATION.**—An establishment shall be assessed only one fee per fiscal year under this section.”.

(b) **FEE REVENUE AMOUNTS.**—Subsection (b) of section 736 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h) is amended to read as follows:

“(b) **FEE REVENUE AMOUNTS.**—

“(1) **IN GENERAL.**—For each of the fiscal years 2018 through 2022, fees under subsection (a) shall, except as provided in subsections (c), (d), (f), and (g), be established to generate a total revenue amount under such subsection that is equal to the sum of—

“(A) the annual base revenue for the fiscal year (as determined under paragraph (3));

“(B) the dollar amount equal to the inflation adjustment for the fiscal year (as determined under subsection (c)(1));

“(C) the dollar amount equal to the capacity planning adjustment for the fiscal year (as determined under subsection (c)(2));

“(D) the dollar amount equal to the operating reserve adjustment for the fiscal year, if applicable (as determined under subsection (c)(3));

“(E) the dollar amount equal to the additional direct cost adjustment for the fiscal year (as determined under subsection (c)(4)); and

“(F) additional dollar amounts for each fiscal year as follows:

“(i) \$20,077,793 for fiscal year 2018.

“(ii) \$21,317,472 for fiscal year 2019.

“(iii) \$16,953,329 for fiscal year 2020.

“(iv) \$5,426,896 for fiscal year 2021.

“(v) \$2,769,609 for fiscal year 2022.

“(2) **TYPES OF FEES.**—Of the total revenue amount determined for a fiscal year under paragraph (1)—

“(A) 20 percent shall be derived from human drug application fees under subsection (a)(1); and

“(B) 80 percent shall be derived from prescription drug program fees under subsection (a)(2).

“(3) **ANNUAL BASE REVENUE.**—For purposes of paragraph (1), the dollar amount of the annual base revenue for a fiscal year shall be—

“(A) for fiscal year 2018, \$878,590,000; and

“(B) for fiscal years 2019 through 2022, the dollar amount of the total revenue amount established under paragraph (1) for the previous fiscal year, not including any adjustments made under subsection (c)(3) or (c)(4).”.

(c) **ADJUSTMENTS; ANNUAL FEE SETTING.**—Subsection (c) of section 736 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h) is amended to read as follows:

“(c) **ADJUSTMENTS; ANNUAL FEE SETTING.**—

“(1) **INFLATION ADJUSTMENT.**—

“(A) **IN GENERAL.**—For purposes of subsection (b)(1)(B), the dollar amount of the inflation adjustment to the annual base revenue for each fiscal year shall be equal to the product of—

“(i) such annual base revenue for the fiscal year under subsection (b)(1)(A); and

“(ii) the inflation adjustment percentage under subparagraph (B).

“(B) **INFLATION ADJUSTMENT PERCENTAGE.**—The inflation adjustment percentage under this subparagraph for a fiscal year is equal to the sum of—

“(i) the average annual percent change in the cost, per full-time equivalent position of the Food and Drug Administration, of all personnel compensation and benefits paid with respect to such positions for the first 3 years of the preceding 4 fiscal years, multiplied by the proportion of personnel compensation and benefits costs to total costs of the process for the review of human drug applications (as defined in section 735(6)) for the first 3 years of the preceding 4 fiscal years; and

“(ii) the average annual percent change that occurred in the Consumer Price Index for urban consumers (Washington-Baltimore, DC-MD-VA-WV; Not Seasonally Adjusted; All items; Annual Index) for the first 3 years of the preceding 4 years of available data multiplied by the proportion of all costs other than personnel compensation and benefits costs to total costs of the process for the review of human drug applications (as defined in section 735(6)) for the first 3 years of the preceding 4 fiscal years.

“(2) **CAPACITY PLANNING ADJUSTMENT.**—

“(A) **IN GENERAL.**—For each fiscal year, after the annual base revenue established in subsection (b)(1)(A) is adjusted for inflation in accordance with paragraph (1), such revenue shall be adjusted further for such fiscal year, in accordance with this paragraph, to reflect changes in the resource capacity needs of the Secretary for the process for the review of human drug applications.

“(B) **INTERIM METHODOLOGY.**—

“(i) **IN GENERAL.**—Until the capacity planning methodology described in subparagraph (C) is effective, the adjustment under this paragraph for a fiscal year shall be based on the product of—

“(I) the annual base revenue for such year, as adjusted for inflation under paragraph (1); and

“(II) the adjustment percentage under clause (ii).

“(ii) **ADJUSTMENT PERCENTAGE.**—The adjustment percentage under this clause for a fiscal year is the weighted change in the 3-year average ending in the most recent year for which data are available, over the 3-year average ending in the previous year, for—

“(I) the total number of human drug applications, efficacy supplements, and manufacturing supplements submitted to the Secretary;

“(II) the total number of active commercial investigational new drug applications; and

“(III) the total number of formal meetings scheduled by the Secretary, and written responses issued by the Secretary in lieu of such formal meetings, as identified in section I.H of the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017.

“(C) CAPACITY PLANNING METHODOLOGY.—

“(i) DEVELOPMENT; EVALUATION AND REPORT.—The Secretary shall obtain, through a contract with an independent accounting or consulting firm, a report evaluating options and recommendations for a new methodology to accurately assess changes in the resource and capacity needs of the process for the review of human drug applications. The capacity planning methodological options and recommendations presented in such report shall utilize and be informed by personnel time reporting data as an input. The report shall be published for public comment no later than the end of fiscal year 2020.

“(ii) ESTABLISHMENT AND IMPLEMENTATION.—After review of the report described in clause (i) and any public comments thereon, the Secretary shall establish a capacity planning methodology for purposes of this paragraph, which shall—

“(I) replace the interim methodology under subparagraph (B);

“(II) incorporate such approaches and attributes as the Secretary determines appropriate; and

“(III) be effective beginning with the first fiscal year for which fees are set after such capacity planning methodology is established.

“(D) LIMITATION.—Under no circumstances shall an adjustment under this paragraph result in fee revenue for a fiscal year that is less than the sum of the amounts under subsections (b)(1)(A) (the annual base revenue for the fiscal year) and (b)(1)(B) (the dollar amount of the inflation adjustment for the fiscal year).

“(E) PUBLICATION IN FEDERAL REGISTER.—The Secretary shall publish in the Federal Register notice under paragraph (5) of the fee revenue and fees resulting from the adjustment and the methodologies under this paragraph.

“(3) OPERATING RESERVE ADJUSTMENT.—

“(A) INCREASE.—For fiscal year 2018 and subsequent fiscal years, the Secretary may, in addition to adjustments under paragraphs (1) and (2), further increase the fee revenue and fees if such an adjustment is necessary to provide for not more than 14 weeks of operating reserves of carryover user fees for the process for the review of human drug applications.

“(B) DECREASE.—If the Secretary has carryover balances for such process in excess of 14 weeks of such operating reserves, the Secretary shall decrease such fee revenue and fees to provide for not more than 14 weeks of such operating reserves.

“(C) NOTICE OF RATIONALE.—If an adjustment under subparagraph (A) or (B) is made, the rationale for the amount of the increase or decrease (as applicable) in fee revenue and fees shall be contained in the annual Federal Register notice under paragraph (5) establishing fee revenue and fees for the fiscal year involved.

“(4) ADDITIONAL DIRECT COST ADJUSTMENT.—

“(A) IN GENERAL.—The Secretary shall, in addition to adjustments under paragraphs (1), (2), and (3), further increase the fee revenue and fees—

“(i) for fiscal year 2018, by \$8,730,000; and

“(ii) for fiscal year 2019 and subsequent fiscal years, by the amount determined under subparagraph (B).

“(B) AMOUNT.—The amount determined under this subparagraph is—

“(i) \$8,730,000, multiplied by

“(ii) the Consumer Price Index for urban consumers (Washington-Baltimore, DC-MD-VA-WV; Not Seasonally Adjusted; All Items; Annual Index) for the most recent year of available data, divided by such Index for 2016.

“(5) ANNUAL FEE SETTING.—The Secretary shall, not later than 60 days before the start of each fiscal year that begins after September 30, 2017—

“(A) establish, for each such fiscal year, human drug application fees and prescription drug program fees under subsection (a), based on the revenue amounts established under subsection (b) and the adjustments provided under this subsection; and

“(B) publish such fee revenue and fees in the Federal Register.

“(6) LIMIT.—The total amount of fees charged, as adjusted under this subsection, for a fiscal year may not exceed the total costs for such fiscal year for the resources allocated for the process for the review of human drug applications.”.

(d) FEE WAIVER OR REDUCTION.—Section 736(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(d)) is amended—

(1) in paragraph (1)—

(A) by inserting “or” at the end of subparagraph (B);

(B) by striking subparagraph (C); and

(C) by redesignating subparagraph (D) as subparagraph (C);

(2) by striking paragraph (3) (relating to use of standard costs);

(3) by redesignating paragraph (4) as paragraph (3); and

(4) in paragraph (3), as so redesignated—

(A) in subparagraphs (A) and (B), by striking “paragraph (1)(D)” and inserting “paragraph (1)(C)”; and

(B) in subparagraph (B)—

(i) by striking clause (ii);

(ii) by striking “shall pay” through “(i) application fees” and inserting “shall pay application fees”; and

(iii) by striking “; and” at the end and inserting a period.

(e) EFFECT OF FAILURE TO PAY FEES.—Section 736(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(e)) is amended by striking “all fees” and inserting “all such fees”.

(f) LIMITATIONS.—Section 736(f)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(f)(2)) is amended by striking “supplements, prescription drug establishments, and prescription drug products” and inserting “prescription drug program fees”.

(g) CREDITING AND AVAILABILITY OF FEES.—Section 736(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(g)) is amended—

(1) in paragraph (3)—

(A) by striking “2013 through 2017” and inserting “2018 through 2022”; and

(B) by striking “and paragraph (4) of this subsection”; and

(2) by striking paragraph (4).

(h) ORPHAN DRUGS.—Section 736(k) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(k)) is amended by striking “product and establishment fees” each place it appears and inserting “prescription drug program fees”.

### SEC. 103. REAUTHORIZATION; REPORTING REQUIREMENTS.

Section 736B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h-2) is amended—

(1) in subsection (a)(1)—

(A) in the matter before subparagraph (A), by striking “2013” and inserting “2018”; and

(B) in subparagraph (A), by striking “Prescription Drug User Fee Amendments of 2012” and inserting “Prescription Drug User Fee Amendments of 2017”; and

(2) in subsection (b), by striking “2013” and inserting “2018”; and

(3) in subsection (d), by striking “2017” each place it appears and inserting “2022”.

### SEC. 104. SUNSET DATES.

(a) AUTHORIZATION.—Sections 735 and 736 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379g; 379h) shall cease to be effective October 1, 2022.

(b) REPORTING REQUIREMENTS.—Section 736B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h-2) shall cease to be effective January 31, 2023.

(c) PREVIOUS SUNSET PROVISION.—Effective October 1, 2017, subsections (a) and (b) of section 105 of the Food and Drug Administration Safety and Innovation Act (Public Law 112-144) are repealed.

### SEC. 105. EFFECTIVE DATE.

The amendments made by this title shall take effect on October 1, 2017, or the date of the enactment of this Act, whichever is later, except that fees under part 2 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act shall be assessed for all human drug applications received on or after October 1, 2017, regardless of the date of the enactment of this Act.

### SEC. 106. SAVINGS CLAUSE.

Notwithstanding the amendments made by this title, part 2 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, as in effect on the day before the date of the enactment of this title, shall continue to be in effect with respect to human drug applications and supplements (as defined in such part as of such day) that on or after October 1, 2012, but before October 1, 2017, were accepted by the Food and Drug Administration for filing with respect to assessing and collecting any fee required by such part for a fiscal year prior to fiscal year 2018.

## TITLE II—FEES RELATING TO DEVICES

### SEC. 201. SHORT TITLE; FINDING.

(a) SHORT TITLE.—This title may be cited as the “Medical Device User Fee Amendments of 2017”.

(b) FINDING.—The Congress finds that the fees authorized under the amendments made by this title will be dedicated toward expediting the process for the review of device applications and for assuring the safety and effectiveness of devices, as set forth in the goals identified for purposes of part 3 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and the Chairman of the Committee on Energy and Commerce of the House of Representatives, as set forth in the Congressional Record.

### SEC. 202. DEFINITIONS.

(a) IN GENERAL.—Section 737 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379i) is amended—

(1) by redesignating paragraphs (8) through (13) as paragraphs (9) through (14), respectively;

(2) by inserting after paragraph (7) the following new paragraph:

“(8) The term ‘de novo classification request’ means a request made under section 513(f)(2)(A) with respect to the classification of a device.”;

(3) in subparagraph (D) of paragraph (10) (as redesignated by paragraph (1)), by striking “and submissions” and inserting “submissions, and de novo classification requests”; and

(4) in paragraph (11) (as redesignated by paragraph (1)), by striking “2011” and inserting “2016”.

(b) **CONFORMING AMENDMENT.**—Section 714(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379d-3(b)(1)) is amended by striking “737(8)” and inserting “737(9)”.

#### SEC. 203. AUTHORITY TO ASSESS AND USE DE-VICE FEES.

(a) **TYPES OF FEES.**—Section 738(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j(a)) is amended—

(1) in paragraph (1), by striking “fiscal year 2013” and inserting “fiscal year 2018”; and

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking “October 1, 2012” and inserting “October 1, 2017”; and

(ii) in clause (viii), by striking “2” and inserting “3.4”; and

(iii) by adding at the end the following new clause:

“(xi) For a de novo classification request, a fee equal to 30 percent of the fee that applies under clause (i).”; and

(B) in subparagraph (B)(v)(I), by striking “or premarket notification submission” and inserting “premarket notification submission, or de novo classification request”.

(b) **FEE AMOUNTS.**—Section 738(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j(b)) is amended to read as follows:

“(b) **FEE AMOUNTS.**—

“(1) **IN GENERAL.**—Subject to subsections (c), (d), (e), and (h), for each of fiscal years 2018 through 2022, fees under subsection (a) shall be derived from the base fee amounts specified in paragraph (2), to generate the total revenue amounts specified in paragraph (3).

“(2) **BASE FEE AMOUNTS SPECIFIED.**—For purposes of paragraph (1), the base fee amounts specified in this paragraph are as follows:

|                                  | Fiscal<br>Year<br>2018 | Fiscal<br>Year<br>2019 | Fiscal<br>Year<br>2020 | Fiscal<br>Year<br>2021 | Fiscal<br>Year<br>2022 |
|----------------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|
| Premarket Application .....      | \$294,000              | \$300,000              | \$310,000              | \$328,000              | \$329,000              |
| Establishment Registration ..... | \$4,375                | \$4,548                | \$4,760                | \$4,975                | \$4,978                |

“(3) **TOTAL REVENUE AMOUNTS SPECIFIED.**—For purposes of paragraph (1), the total revenue amounts specified in this paragraph are as follows:

“(A) \$183,280,756 for fiscal year 2018.

“(B) \$190,654,875 for fiscal year 2019.

“(C) \$200,132,014 for fiscal year 2020.

“(D) \$211,748,789 for fiscal year 2021.

“(E) \$213,687,660 for fiscal year 2022.”.

(c) **ANNUAL FEE SETTING; ADJUSTMENTS.**—Section 738(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j(c)) is amended—

(1) in paragraph (1), by striking “2012” and inserting “2017”; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking “2014” and inserting “2018”; and

(B) by striking subparagraph (B) and inserting the following new subparagraph:

“(B) **APPLICABLE INFLATION ADJUSTMENT.**—The applicable inflation adjustment for fiscal year 2018 and each subsequent fiscal year is the product of—

“(i) the base inflation adjustment under subparagraph (C) for such fiscal year; and

“(ii) the product of the base inflation adjustment under subparagraph (C) for each of the fiscal years preceding such fiscal year, beginning with fiscal year 2016.”;

(C) in subparagraph (C), in the heading, by striking “TO TOTAL REVENUE AMOUNTS”; and

(D) by amending subparagraph (D) to read as follows:

“(D) **ADJUSTMENT TO BASE FEE AMOUNTS.**—For each of fiscal years 2018 through 2022, the Secretary shall—

“(i) adjust the base fee amounts specified in subsection (b)(2) for such fiscal year by multiplying such amounts by the applicable inflation adjustment under subparagraph (B) for such year; and

“(ii) if the Secretary determines necessary, increase (in addition to the adjustment under clause (i)) such base fee amounts, on a uniform proportionate basis, to generate the total revenue amounts under subsection (b)(3), as adjusted for inflation under subparagraph (A).”; and

(3) in paragraph (3)—

(A) by striking “2014 through 2017” and inserting “2018 through 2022”; and

(B) by striking “further adjusted” and inserting “increased”.

(d) **SMALL BUSINESSES; FEE WAIVER AND FEE REDUCTION REGARDING PREMARKET AP-**

**PROVAL FEES.**—Section 738(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j(d)) is amended—

(1) in paragraph (1), by striking “specified in clauses (i) through (v) and clauses (vii), (ix), and (x)” and inserting “specified in clauses (i) through (vii) and clauses (ix), (x), and (xi).”; and

(2) in paragraph (2)(C)—

(A) by striking “supplement, or” and inserting “supplement.”; and

(B) by inserting “, or a de novo classification request” after “class III device”.

(e) **SMALL BUSINESSES; FEE REDUCTION REGARDING PREMARKET NOTIFICATION SUBMISSIONS.**—Section 738(e)(2)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j(e)(2)(C)) is amended by striking “50” and inserting “25”.

(f) **FEE WAIVER OR REDUCTION.**—

(1) **REPEAL.**—Section 738 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j) is amended by striking subsection (f).

(2) **CONFORMING AMENDMENTS.**—

(A) Section 515(c)(4)(A) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e(c)(4)(A)) is amended by striking “738(h)” and inserting “738(g)”.

(B) Section 738 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j), as amended by paragraph (1), is further amended—

(i) by redesignating subsections (g) through (l) as subsections (f) through (k);

(ii) in subsection (a)(2)(A), by striking “(d), (e), and (f)” and inserting “(d) and (e).”; and

(iii) in subsection (a)(3)(A), by striking “and subsection (f)”.

(g) **EFFECT OF FAILURE TO PAY FEES.**—Subsection (f)(1), as so redesignated, of section 738 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j) is amended—

(1) by striking “or periodic reporting concerning a class III device” and inserting “periodic reporting concerning a class III device, or de novo classification request”; and

(2) by striking “all fees” and inserting “all such fees”.

(h) **CONDITIONS.**—Subsection (g)(1)(A), as so redesignated, of section 738 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j) is amended by striking “\$280,587,000” and inserting “\$320,825,000”.

(i) **CREDITING AND AVAILABILITY OF FEES.**—Subsection (h), as so redesignated, of section 738 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j) is amended—

(1) in paragraph (3)—

(A) by striking “2013 through 2017” and inserting “2018 through 2022”; and

(B) by striking “subsection (c)” and all that follows through the period at the end and inserting “subsection (c).”; and

(2) by striking paragraph (4).

#### SEC. 204. REAUTHORIZATION; REPORTING REQUIREMENTS.

(a) **PERFORMANCE REPORTS.**—Section 738A(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-1(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) by striking “2013” and inserting “2018”; and

(ii) by striking “the Medical Device User Fee Amendments of 2012” and inserting “the Medical Device User Fee Amendments of 2017”; and

(B) in subparagraph (B), by striking “the Medical Device User Fee Amendments Act of 2012” and inserting “the Medical Device User Fee Amendments of 2017”; and

(2) in paragraph (2), by striking “2013 through 2017” and inserting “2018 through 2022”.

(b) **REAUTHORIZATION.**—Section 738A(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-1(b)) is amended—

(1) in paragraph (1), by striking “2017” and inserting “2022”; and

(2) in paragraph (5), by striking “2017” and inserting “2022”.

#### SEC. 205. CONFORMITY ASSESSMENT PILOT PROGRAM.

(a) **IN GENERAL.**—Section 514 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360d) is amended by adding at the end the following:

“(d) **PILOT ACCREDITATION SCHEME FOR CONFORMITY ASSESSMENT.**—

“(1) **IN GENERAL.**—The Secretary shall establish a pilot program under which—

“(A) testing laboratories may be accredited, by accreditation bodies meeting criteria specified by the Secretary, to assess the conformance of a device with certain standards recognized under this section; and

“(B) subject to paragraph (2), determinations by testing laboratories so accredited that a device conforms with such standard or standards shall be accepted by the Secretary

for purposes of demonstrating such conformity under this section unless the Secretary finds that a particular such determination shall not be so accepted.

“(2) SECRETARIAL REVIEW OF ACCREDITED LABORATORY DETERMINATIONS.—The Secretary may—

“(A) review determinations by testing laboratories accredited pursuant to this subsection, including by conducting periodic audits of such determinations or processes of accredited bodies or testing laboratories and, following such review, taking additional measures under this Act, such as suspension or withdrawal of accreditation of such testing laboratory under paragraph (1)(A) or requesting additional information with respect to such device, as the Secretary determines appropriate; and

“(B) if the Secretary becomes aware of information materially bearing on safety or effectiveness of a device assessed for conformity by a testing laboratory so accredited, take such additional measures under this Act as the Secretary determines appropriate, such as suspension or withdrawal of accreditation of such testing laboratory under paragraph (1)(A), or requesting additional information with regard to such device.

“(3) IMPLEMENTATION AND REPORTING.—

“(A) PUBLIC MEETING.—The Secretary shall publish in the Federal Register a notice of a public meeting to be held no later than September 30, 2018, to discuss and obtain input and recommendations from stakeholders regarding the goals and scope of, and a suitable framework and procedures and requirements for, the pilot program under this subsection.

“(B) PILOT PROGRAM GUIDANCE.—The Secretary shall—

“(i) not later than September 30, 2019, issue draft guidance regarding the goals and implementation of the pilot program under this subsection; and

“(ii) not later than September 30, 2021, issue final guidance with respect to the implementation of such program.

“(C) PILOT PROGRAM INITIATION.—Not later than September 30, 2020, the Secretary shall initiate the pilot program under this subsection.

“(D) REPORT.—The Secretary shall make available on the internet website of the Food and Drug Administration an annual report on the progress of the pilot program under this subsection.

“(4) SUNSET.—As of October 1, 2022—

“(A) the authority for accreditation bodies to accredit testing laboratories pursuant to paragraph (1)(A) shall cease to have force or effect;

“(B) the Secretary—

“(i) may not accept a determination pursuant to paragraph (1)(B) made by a testing laboratory after such date; and

“(ii) may accept such a determination made prior to such date;

“(C) except for purposes of accepting a determination described in subparagraph (B)(ii), the Secretary shall not continue to recognize the accreditation of testing laboratories accredited under paragraph (1)(A); and

“(D) the Secretary may take actions in accordance with paragraph (2) with respect to the determinations made prior to such date and recognition of the accreditation of testing laboratories pursuant to determinations made prior to such date.”.

#### SEC. 206. REAUTHORIZATION OF REVIEW.

Section 523 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360m) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (A), by striking clauses (ii) and (iii) and inserting the following:

“(ii) a device classified under section 513(f)(2) or designated under section 515C(d);

“(iii) a device that is intended to be permanently implantable, life sustaining, or life supporting, unless otherwise determined by the Secretary in accordance with subparagraph (B)(i)(II) and listed as eligible for review under subparagraph (B)(iii); or

“(iv) a device that is of a type, or subset of a type, listed as not eligible for review under subparagraph (B)(iii).”;

(B) by striking subparagraph (B) and inserting the following:

“(B) DESIGNATION FOR REVIEW.—The Secretary shall—

“(i) issue draft guidance on the factors the Secretary will use in determining whether a class I or class II device type, or subset of such device types, is eligible for review by an accredited person, including—

“(I) the risk of the device type, or subset of such device type; and

“(II) whether the device type, or subset of such device type, is permanently implantable, life sustaining, or life supporting, and whether there is a detailed public health justification for permitting the review by an accredited person of such device type or subset;

“(ii) not later than 24 months after the date on which the Secretary issues such draft guidance, finalize such guidance; and

“(iii) beginning on the date such guidance is finalized, designate and post on the internet website of the Food and Drug Administration, an updated list of class I and class II device types, or subsets of such device types, and the Secretary's determination with respect to whether each such device type, or subset of a device type, is eligible or not eligible for review by an accredited person under this section based on the factors described in clause (i).”;

(C) by adding at the end the following:

“(C) INTERIM RULE.—Until the date on which the updated list is designated and posted in accordance with subparagraph (B)(iii), the list in effect on the date of enactment the Medical Device User Fee Amendments of 2017 shall be in effect.”;

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by striking subparagraph (D); and

(ii) by redesignating subparagraph (E) as subparagraph (D); and

(B) in paragraph (3)—

(i) by redesignating subparagraph (E) as subparagraph (F);

(ii) in subparagraph (F) (as so redesignated), by striking “The operations of” and all that follows through “it will—” and inserting “Such person shall agree, at a minimum, to include in its request for accreditation a commitment to, at the time of accreditation, and at any time it is performing any review pursuant to this section—”;

(iii) by inserting after subparagraph (D) the following new subparagraph:

“(E) The operations of such person shall be in accordance with generally accepted professional and ethical business practices.”;

and

(3) in subsection (c), by striking “2017” and inserting “2022”.

#### SEC. 207. ELECTRONIC FORMAT FOR SUBMISSIONS.

Section 745A(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379k-1(b)) is amended by adding at the end the following new paragraph:

“(3) PRESUBMISSIONS AND SUBMISSIONS SOLELY IN ELECTRONIC FORMAT.—

“(A) IN GENERAL.—Beginning on such date as the Secretary specifies in final guidance issued under subparagraph (C), presubmissions and submissions for devices described in paragraph (1) (and any appeals of action taken by the Secretary with respect to such presubmissions or submissions) shall be submitted solely in such electronic format as specified by the Secretary in such guidance.

“(B) DRAFT GUIDANCE.—The Secretary shall, not later than October 1, 2019, issue draft guidance providing for—

“(i) any further standards for the submission by electronic format required under subparagraph (A);

“(ii) a timetable for the establishment by the Secretary of such further standards; and

“(iii) criteria for waivers of and exemptions from the requirements of this subsection.

“(C) FINAL GUIDANCE.—The Secretary shall, not later than 1 year after the close of the public comment period on the draft guidance issued under subparagraph (B), issue final guidance.”.

#### SEC. 208. SAVINGS CLAUSE.

Notwithstanding the amendments made by this title, part 3 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379i et seq.), as in effect on the day before the date of the enactment of this title, shall continue to be in effect with respect to the submissions listed in section 738(a)(2)(A) of such Act (as defined in such part as of such day) that on or after October 1, 2012, but before October 1, 2017, were accepted by the Food and Drug Administration for filing with respect to assessing and collecting any fee required by such part for a fiscal year prior to fiscal year 2018.

#### SEC. 209. EFFECTIVE DATE.

The amendments made by this title shall take effect on October 1, 2017, or the date of the enactment of this Act, whichever is later, except that fees under part 3 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act shall be assessed for all submissions listed in section 738(a)(2)(A) of such Act received on or after October 1, 2017, regardless of the date of the enactment of this Act.

#### SEC. 210. SUNSET DATES.

(a) AUTHORIZATION.—Sections 737 and 738 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 739i; 739j) shall cease to be effective October 1, 2022.

(b) REPORTING REQUIREMENTS.—Section 738A (21 U.S.C. 739j-1) of the Federal Food, Drug, and Cosmetic Act (regarding reauthorization and reporting requirements) shall cease to be effective January 31, 2023.

(c) PREVIOUS SUNSET PROVISION.—Effective October 1, 2017, section 207(a) of the Food and Drug Administration Safety and Innovation Act (Public Law 112-144) is repealed.

### TITLE III—FEES RELATING TO GENERIC DRUGS

#### SEC. 301. SHORT TITLE; FINDING.

(a) SHORT TITLE.—This title may be cited as the “Generic Drug User Fee Amendments of 2017”.

(b) FINDING.—The Congress finds that the fees authorized by the amendments made in this title will be dedicated to human generic drug activities, as set forth in the goals identified for purposes of part 7 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate

and the Chairman of the Committee on Energy and Commerce of the House of Representatives, as set forth in the Congressional Record.

#### SEC. 302. DEFINITIONS.

Section 744A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-41) is amended—

(1) in paragraph (1)(B), by striking “application for a positron emission tomography drug.” and inserting “application—

“(i) for a positron emission tomography drug; or

“(ii) submitted by a State or Federal governmental entity for a drug that is not distributed commercially.”;

(2) by redesignating paragraphs (5) through (12) as paragraphs (6) through (13), respectively; and

(3) by inserting after paragraph (4) the following:

“(5) The term ‘contract manufacturing organization facility’ means a manufacturing facility of a finished dosage form of a drug approved pursuant to an abbreviated new drug application, where such manufacturing facility is not identified in an approved abbreviated new drug application held by the owner of such facility or an affiliate of such owner or facility.”.

#### SEC. 303. AUTHORITY TO ASSESS AND USE HUMAN GENERIC DRUG FEES.

(a) TYPES OF FEES.—Section 744B(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-42(a)) is amended—

(1) in the matter preceding paragraph (1), by striking “fiscal year 2013” and inserting “fiscal year 2018”;

(2) in paragraph (1), by adding at the end the following:

“(E) SUNSET.—This paragraph shall cease to be effective October 1, 2022.”;

(3) in paragraph (2)—

(A) by amending subparagraph (C) to read as follows:

“(C) NOTICE.—Not later than 60 days before the start of each of fiscal years 2018 through 2022, the Secretary shall publish in the Federal Register the amount of the drug master file fee established by this paragraph for such fiscal year.”; and

(B) in subparagraph (E)—

(i) in clause (i)—

(I) by striking “no later than the date” and inserting “on the earlier of—

“(I) the date”;

(II) by striking the period and inserting “; or”;

(III) by adding at the end the following:

“(II) the date on which the drug master file holder requests the initial completeness assessment.”; and

(ii) in clause (ii), by striking “notice provided for in clause (i) or (ii) of subparagraph (C), as applicable” and inserting “notice provided for in subparagraph (C)”;

(4) in paragraph (3)—

(A) in the heading, by striking “AND PRIOR APPROVAL SUPPLEMENT”;

(B) in subparagraph (A), by striking “or a prior approval supplement to an abbreviated new drug application”;

(C) by amending subparagraphs (B) and (C) to read as follows:

“(B) NOTICE.—Not later than 60 days before the start of each of fiscal years 2018 through 2022, the Secretary shall publish in the Federal Register the amount of the fees under subparagraph (A) for such fiscal year.

“(C) FEE DUE DATE.—The fees required by subparagraphs (A) and (F) shall be due no later than the date of submission of the abbreviated new drug application or prior approval supplement for which such fee applies.”;

(D) in subparagraph (D)—

(i) in the heading, by inserting “, IS WITHDRAWN PRIOR TO BEING RECEIVED, OR IS NO LONGER RECEIVED” after “RECEIVED”; and

(ii) by striking “The Secretary shall” and all that follows through the period and inserting the following:

“(i) APPLICATIONS NOT CONSIDERED TO HAVE BEEN RECEIVED AND APPLICATIONS WITHDRAWN PRIOR TO BEING RECEIVED.—The Secretary shall refund 75 percent of the fee paid under subparagraph (A) for any abbreviated new drug application that the Secretary considers not to have been received within the meaning of section 505(j)(5)(A) for a cause other than failure to pay fees, or that has been withdrawn prior to being received within the meaning of section 505(j)(5)(A).”

“(ii) APPLICATIONS NO LONGER RECEIVED.—The Secretary shall refund 100 percent of the fee paid under subparagraph (A) for any abbreviated new drug application if the Secretary initially receives the application under section 505(j)(5)(A) and subsequently determines that an exclusivity period for a listed drug should have prevented the Secretary from receiving such application, such that the abbreviated new drug application is no longer received within the meaning of section 505(j)(5)(A).”

(E) in subparagraph (E), by striking “or prior approval supplement”;

(F) in the matter preceding clause (i) of subparagraph (F)—

(i) by striking “2012” and inserting “2017”;

(ii) by striking “subsection (d)(3)” and inserting “subsection (d)(2)”;

(5) in paragraph (4)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i) and in clause (iii), by striking “, or intended to be identified, in at least one generic drug submission that is pending or” and inserting “in at least one generic drug submission that is”;

(ii) in clause (i), by striking “or intended to be identified in at least one generic drug submission that is pending or” and inserting “in at least one generic drug submission that is”;

(iii) in clause (ii), by striking “produces,” and all that follows through “such a” and inserting “is identified in at least one generic drug submission in which the facility is approved to produce one or more active pharmaceutical ingredients or in a Type II active pharmaceutical ingredient drug master file referenced in at least one such”;

(iv) in clause (iii), by striking “to fees under both such clauses” and inserting “only to the fee attributable to the manufacture of the finished dosage forms”;

(B) by amending subparagraphs (C) and (D) to read as follows:

“(C) NOTICE.—Within the timeframe specified in subsection (d)(1), the Secretary shall publish in the Federal Register the amount of the fees under subparagraph (A) for such fiscal year.

“(D) FEE DUE DATE.—For each of fiscal years 2018 through 2022, the fees under subparagraph (A) for such fiscal year shall be due on the later of—

“(i) the first business day on or after October 1 of each such year; or

“(ii) the first business day after the enactment of an appropriations Act providing for the collection and obligation of fees for such year under this section for such year.”;

(6) by redesignating paragraph (5) as paragraph (6); and

(7) by inserting after paragraph (4) the following:

“(5) GENERIC DRUG APPLICANT PROGRAM FEE.—

“(A) IN GENERAL.—A generic drug applicant program fee shall be assessed annually as described in subsection (b)(2)(E).

“(B) AMOUNT.—The amount of fees established under subparagraph (A) shall be established under subsection (d).

“(C) NOTICE.—Within the timeframe specified in subsection (d)(1), the Secretary shall publish in the Federal Register the amount of the fees under subparagraph (A) for such fiscal year.

“(D) FEE DUE DATE.—For each of fiscal years 2018 through 2022, the fees under subparagraph (A) for such fiscal year shall be due on the later of—

“(i) the first business day on or after October 1 of each such fiscal year; or

“(ii) the first business day after the date of enactment of an appropriations Act providing for the collection and obligation of fees for such fiscal year under this section for such fiscal year.”.

(b) FEE REVENUE AMOUNTS.—Section 744B(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-42(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) in the heading, by striking “2013” and inserting “2018”;

(ii) by striking “2013” and inserting “2018”;

(iii) by striking “\$299,000,000” and inserting “\$493,600,000”; and

(iv) by striking “Of that amount” and all that follows through the end of clause (ii); and

(B) in subparagraph (B)—

(i) in the heading, by striking “2014 THROUGH 2017” and inserting “2019 THROUGH 2022”;

(ii) by striking “2014 through 2017” and inserting “2019 through 2022”;

(iii) by striking “paragraphs (2) through (4)” and inserting “paragraphs (2) through (5)”;

(iv) by striking “\$299,000,000” and inserting “\$493,600,000”; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “paragraph (1)(A)(ii) for fiscal year 2013 and paragraph (1)(B) for each of fiscal years 2014 through 2017” and inserting “such paragraph for a fiscal year”; and

(ii) by striking “through (4)” and inserting “through (5)”;

(B) in subparagraph (A), by striking “Six percent” and inserting “Five percent”;

(C) by amending subparagraphs (B) and (C) to read as follows:

“(B) Thirty-three percent shall be derived from fees under subsection (a)(3) (relating to abbreviated new drug applications).

“(C) Twenty percent shall be derived from fees under subsection (a)(4)(A)(i) (relating to generic drug facilities). The amount of the fee for a contract manufacturing organization facility shall be equal to one-third the amount of the fee for a facility that is not a contract manufacturing organization facility. The amount of the fee for a facility located outside the United States and its territories and possessions shall be \$15,000 higher than the amount of the fee for a facility located in the United States and its territories and possessions.”;

(D) in subparagraph (D)—

(i) by striking “Fourteen percent” and inserting “Seven percent”;

(ii) by striking “not less than \$15,000 and not more than \$30,000” and inserting “\$15,000”; and



(iii) by striking “, as determined” and all that follows through the period at the end and inserting a period; and

(E) by adding at the end the following:

“(E)(i) Thirty-five percent shall be derived from fees under subsection (a)(5) (relating to generic drug applicant program fees). For purposes of this subparagraph, if a person has affiliates, a single program fee shall be assessed with respect to that person, including its affiliates, and may be paid by that person or any one of its affiliates. The Secretary shall determine the fees as follows:

“(I) If a person (including its affiliates) owns at least one but not more than 19 approved abbreviated new drug applications on the due date for the fee under this subsection, the person (including its affiliates) shall be assessed a small business generic drug applicant program fee equal to one-tenth of the large size operation generic drug applicant program fee.

“(II) If a person (including its affiliates) owns at least 6 but not more than 19 approved abbreviated new drug applications on the due date for the fee under this subsection, the person (including its affiliates) shall be assessed a medium size operation generic drug applicant program fee equal to two-fifths of the large size operation generic drug applicant program fee.

“(III) If a person (including its affiliates) owns 20 or more approved abbreviated new drug applications on the due date for the fee under this subsection, the person (including its affiliates) shall be assessed a large size operation generic drug applicant program fee.

“(ii) For purposes of this subparagraph, an abbreviated new drug application shall be deemed not to be approved if the applicant has submitted a written request for withdrawal of approval of such abbreviated new drug application by April 1 of the previous fiscal year.”.

(c) ADJUSTMENTS.—Section 744B(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-42(c)) is amended—

(1) in paragraph (1)—

(A) by striking “2014” and inserting “2019”;

(B) by inserting “to equal the product of the total revenues established in such notice for the prior fiscal year multiplied” after “a fiscal year.”; and

(C) by striking the flush text following subparagraph (C); and

(2) in paragraph (2)—

(A) by striking “2017” each place it appears and inserting “2022”;

(B) by striking “the first 3 months of fiscal year 2018” and inserting “the first 3 months of fiscal year 2023”; and

(C) by striking “Such fees may only be used in fiscal year 2018.”.

(d) ANNUAL FEE SETTING.—Section 744B(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-42(d)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

“(1) FISCAL YEARS 2018 THROUGH 2022.—Not more than 60 days before the first day of each of fiscal years 2018 through 2022, the Secretary shall establish the fees described in paragraphs (2) through (5) of subsection (a), based on the revenue amounts established under subsection (b) and the adjustments provided under subsection (c).”;

(2) by redesignating paragraph (3) as paragraph (2); and

(3) in paragraph (2) (as so redesignated), in the matter preceding subparagraph (A), by striking “fees under paragraphs (1) and (2)” and inserting “fee under paragraph (1)”.

(e) IDENTIFICATION OF FACILITIES.—Section 744B(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-42(f)) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively;

(3) in paragraph (1) (as so redesignated)—

(A) by striking “paragraph (4)” and inserting “paragraph (3)”;

(B) by striking “Such information shall” and all that follows through the end of subparagraph (B) and inserting “Such information shall, for each fiscal year, be submitted, updated, or reconfirmed on or before June 1 of the previous fiscal year.”; and

(4) in paragraph (2), as so redesignated—

(A) in the heading, by striking “CONTENTS OF NOTICE” and inserting “INFORMATION REQUIRED TO BE SUBMITTED”;

(B) in the matter preceding subparagraph (A), by striking “paragraph (2)” and inserting “paragraph (1)”;

(C) in subparagraph (A), by striking “or intended to be identified”;

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

(E) in subparagraph (E), by striking the period and inserting “; and”; and

(F) by adding at the end the following:

“(F) whether the facility is a contract manufacturing organization facility.”.

(f) EFFECT OF FAILURE TO PAY FEES.—Section 744B(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-42(g)) is amended—

(1) in paragraph (1), by adding at the end the following: “This paragraph shall cease to be effective on October 1, 2022.”;

(2) in paragraph (2)(C)(ii), by striking “of 505(j)(5)(A)” and inserting “of section 505(j)(5)(A)”;

(3) by adding at the end the following:

“(5) GENERIC DRUG APPLICANT PROGRAM FEE.—

“(A) IN GENERAL.—A person who fails to pay a fee as required under subsection (a)(5) by the date that is 20 calendar days after the due date, as specified in subparagraph (D) of such subsection, shall be subject to the following:

“(i) The Secretary shall place the person on a publicly available arrears list.

“(ii) Any abbreviated new drug application submitted by the generic drug applicant or an affiliate of such applicant shall not be received, within the meaning of section 505(j)(5)(A).

“(iii) All drugs marketed pursuant to any abbreviated new drug application held by such applicant or an affiliate of such applicant shall be deemed misbranded under section 502(aa).

“(B) APPLICATION OF PENALTIES.—The penalties under subparagraph (A) shall apply until the fee required under subsection (a)(5) is paid.”.

(g) LIMITATIONS.—Section 744B(h)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-42(h)(2)) is amended by striking “for Type II active pharmaceutical ingredient drug master files, abbreviated new drug applications and prior approval supplements, and generic drug facilities and active pharmaceutical ingredient facilities”.

(h) CREDITING AND AVAILABILITY OF FEES.—Section 744B(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-42(i)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking “subparagraphs (C) and (D)” and inserting “subparagraph (C)”;

(B) by striking subparagraph (C) (relating to fee collection during first program year);

(C) in subparagraph (D)—

(i) in the heading, by striking “IN SUBSEQUENT YEARS”; and

(ii) by striking “(after fiscal year 2013)”;

and

(D) by redesignating subparagraph (D) as subparagraph (C); and

(2) in paragraph (3), by striking “fiscal years 2013 through 2017” and inserting “fiscal years 2018 through 2022”.

(i) INFORMATION ON ABBREVIATED NEW DRUG APPLICATIONS OWNED BY APPLICANTS AND THEIR AFFILIATES.—Section 744B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-42) is amended by adding at the end the following:

“(o) INFORMATION ON ABBREVIATED NEW DRUG APPLICATIONS OWNED BY APPLICANTS AND THEIR AFFILIATES.—

“(1) IN GENERAL.—By April 1 of each year, each person that owns an abbreviated new drug application, or a designated affiliate of such person, shall submit, on behalf of the person and the affiliates of such person, to the Secretary a list of—

“(A) all approved abbreviated new drug applications owned by such person; and

“(B) if any affiliate of such person also owns an abbreviated new drug application, all affiliates that own any such abbreviated new drug application and all approved abbreviated new drug applications owned by any such affiliate.

“(2) FORMAT AND METHOD.—The Secretary shall specify in guidance the format and method for submission of lists under this subsection.”.

#### SEC. 304. REAUTHORIZATION; REPORTING REQUIREMENTS.

Section 744C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-43) is amended—

(1) in subsection (a)—

(A) by striking “2013” and inserting “2018”;

and

(B) by striking “Generic Drug User Fee Amendments of 2012” and inserting “Generic Drug User Fee Amendments of 2017”;

(2) in subsection (b), by striking “2013” and inserting “2018”; and

(3) in subsection (d), by striking “2017” each place it appears and inserting “2022”.

#### SEC. 305. SUNSET DATES.

(a) AUTHORIZATION.—Sections 744A and 744B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-41; 379j-42) shall cease to be effective October 1, 2022.

(b) REPORTING REQUIREMENTS.—Section 744C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-43) shall cease to be effective January 31, 2023.

(c) PREVIOUS SUNSET PROVISION.—

(1) IN GENERAL.—Effective October 1, 2017, section 304 of the Food and Drug Administration Safety and Innovation Act (Public Law 112-144) is repealed.

(2) CONFORMING AMENDMENT.—The Food and Drug Administration Safety and Innovation Act (Public Law 112-144) is amended in the table of contents in section 2 by striking the item relating to section 304.

#### SEC. 306. EFFECTIVE DATE.

The amendments made by this title shall take effect on October 1, 2017, or the date of the enactment of this Act, whichever is later, except that fees under part 7 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act shall be assessed for all abbreviated new drug applications received on or after October 1, 2017, regardless of the date of the enactment of this Act.

#### SEC. 307. SAVINGS CLAUSE.

Notwithstanding the amendments made by this title, part 7 of subchapter C of chapter

VII of the Federal Food, Drug, and Cosmetic Act, as in effect on the day before the date of the enactment of this title, shall continue to be in effect with respect to abbreviated new drug applications (as defined in such part as of such day) that were received by the Food and Drug Administration within the meaning of section 505(j)(5)(A) of such Act (21 U.S.C. 355(j)(5)(A)), prior approval supplements that were submitted, and drug master files for Type II active pharmaceutical ingredients that were first referenced on or after October 1, 2012, but before October 1, 2017, with respect to assessing and collecting any fee required by such part for a fiscal year prior to fiscal year 2018.

#### TITLE IV—FEES RELATING TO BIOSIMILAR BIOLOGICAL PRODUCTS

##### SEC. 401. SHORT TITLE; FINDING.

(a) **SHORT TITLE.**—This title may be cited as the “Biosimilar User Fee Amendments of 2017”.

(b) **FINDING.**—The Congress finds that the fees authorized by the amendments made in this title will be dedicated to expediting the process for the review of biosimilar biological product applications, including postmarket safety activities, as set forth in the goals identified for purposes of part 8 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and the Chairman of the Committee on Energy and Commerce of the House of Representatives, as set forth in the Congressional Record.

##### SEC. 402. DEFINITIONS.

(a) **ADJUSTMENT FACTOR.**—Section 744G(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-51(1)) is amended to read as follows:

“(1) The term ‘adjustment factor’ applicable to a fiscal year is the Consumer Price Index for urban consumers (Washington-Baltimore, DC-MD-VA-WV; Not Seasonally Adjusted; All items) for October of the preceding fiscal year divided by such Index for October 2011.”.

(b) **BIOSIMILAR BIOLOGICAL PRODUCT.**—Section 744G(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-51(3)) is amended by striking “means a product” and inserting “means a specific strength of a biological product in final dosage form”.

##### SEC. 403. AUTHORITY TO ASSESS AND USE BIOSIMILAR FEES.

(a) **TYPES OF FEES.**—Section 744H(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-52(a)) is amended—

(1) in the matter preceding paragraph (1), by striking “fiscal year 2013” and inserting “fiscal year 2018”;

(2) in the heading of paragraph (1), by striking “BIOSIMILAR” and inserting “BIOSIMILAR BIOLOGICAL PRODUCT”;

(3) in paragraph (1)(A)(i), by striking “(b)(1)(A)” and inserting “(c)(5)”;

(4) in paragraph (1)(B)(i), by striking “(b)(1)(B) for biosimilar biological product development” and inserting “(c)(5) for the biosimilar biological product development program”;

(5) in paragraph (1)(B)(ii), by striking “annual biosimilar biological product development program fee” and inserting “annual biosimilar biological product development fee”;

(6) in paragraph (1)(B)(iii), by striking “annual biosimilar development program fee” and inserting “annual biosimilar biological product development fee”;

(7) in paragraph (1)(B), by adding at the end the following:

“(iv) **REFUND.**—If a person submits a marketing application for a biosimilar biological product before October 1 of a fiscal year and such application is accepted for filing on or after October 1 of such fiscal year, the person may request a refund equal to the annual biosimilar biological product development fee paid by the person for the product for such fiscal year. To qualify for consideration for a refund under this clause, a person shall submit to the Secretary a written request for such refund not later than 180 days after the marketing application is accepted for filing.”;

(8) in paragraph (1)(C), by striking “for a product effective October 1 of a fiscal year by,” and inserting “for a product, effective October 1 of a fiscal year, by,”;

(9) in paragraph (1)(D)—

(A) in clause (i) in the matter preceding subclause (I), by inserting “, if the person seeks to resume participation in such program,” before “pay a fee”;

(B) in clause (i)(I), by inserting after “grants a request” the following: “by such person”;

(C) in clause (i)(II), by inserting after “discontinued” the following: “by such person”;

(10) in the heading of paragraph (1)(E), by striking “BIOSIMILAR DEVELOPMENT PROGRAM”;

(11) in paragraph (1)(F)—

(A) in the subparagraph heading, by striking “BIOSIMILAR DEVELOPMENT PROGRAM”;

(B) by amending clause (i) to read as follows:

“(i) **REFUNDS.**—Except as provided in subparagraph (B)(iv), the Secretary shall not refund any initial or annual biosimilar biological product development fee paid under subparagraph (A) or (B), or any reactivation fee paid under subparagraph (D).”;

(12) in paragraph (2)—

(A) in the paragraph heading, by striking “AND SUPPLEMENT”;

(B) by amending subparagraphs (A) and (B) to read as follows:

“(A) **IN GENERAL.**—Each person that submits, on or after October 1, 2017, a biosimilar biological product application shall be subject to the following fees:

“(i) A fee established under subsection (c)(5) for a biosimilar biological product application for which clinical data (other than comparative bioavailability studies) with respect to safety or effectiveness are required for approval.

“(ii) A fee established under subsection (c)(5) for a biosimilar biological product application for which clinical data (other than comparative bioavailability studies) with respect to safety or effectiveness are not required for approval. Such fee shall be equal to half of the amount of the fee described in clause (i).

“(B) **RULE OF APPLICABILITY; TREATMENT OF CERTAIN PREVIOUSLY PAID FEES.**—Any person who pays a fee under subparagraph (A), (B), or (D) of paragraph (1) for a product before October 1, 2017, but submits a biosimilar biological product application for that product after such date, shall—

“(i) be subject to any biosimilar biological product application fees that may be assessed at the time when such biosimilar biological product application is submitted; and

“(ii) be entitled to no reduction of such application fees based on the amount of fees paid for that product before October 1, 2017, under such subparagraph (A), (B), or (D).”;

(C) in the heading of subparagraph (D), by striking “OR SUPPLEMENT”;

(D) in subparagraphs (C) through (F), by striking “or supplement” each place it appears; and

(E) in subparagraph (D), by striking “or a supplement”;

(13) by amending paragraph (3) to read as follows:

“(3) **BIOSIMILAR BIOLOGICAL PRODUCT PROGRAM FEE.**—

“(A) **IN GENERAL.**—Each person who is named as the applicant in a biosimilar biological product application shall pay the annual biosimilar biological product program fee established for a fiscal year under subsection (c)(5) for each biosimilar biological product that—

“(i) is identified in such a biosimilar biological product application approved as of October 1 of such fiscal year; and

“(ii) as of October 1 of such fiscal year, does not appear on a list, developed and maintained by the Secretary, of discontinued biosimilar biological products.

“(B) **DUE DATE.**—The biosimilar biological product program fee for a fiscal year shall be due on the later of—

“(i) the first business day on or after October 1 of each such year; or

“(ii) the first business day after the enactment of an appropriations Act providing for the collection and obligation of fees for such year under this section.

“(C) **ONE FEE PER PRODUCT PER YEAR.**—The biosimilar biological product program fee shall be paid only once for each product for each fiscal year.

“(D) **LIMITATION.**—A person who is named as the applicant in a biosimilar biological product application shall not be assessed more than 5 biosimilar biological product program fees for a fiscal year for biosimilar biological products identified in such biosimilar biological product application.”.

(b) **FEE REVENUE AMOUNTS.**—Subsection (b) of section 744H of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-52) is amended to read as follows:

“(b) **FEE REVENUE AMOUNTS.**—

“(1) **FISCAL YEAR 2018.**—For fiscal year 2018, fees under subsection (a) shall be established to generate a total revenue amount equal to the sum of—

“(A) \$45,000,000; and

“(B) the dollar amount equal to the fiscal year 2018 adjustment (as determined under subsection (c)(4)).

“(2) **SUBSEQUENT FISCAL YEARS.**—For each of the fiscal years 2019 through 2022, fees under subsection (a) shall, except as provided in subsection (c), be established to generate a total revenue amount equal to the sum of—

“(A) the annual base revenue for the fiscal year (as determined under paragraph (4));

“(B) the dollar amount equal to the inflation adjustment for the fiscal year (as determined under subsection (c)(1));

“(C) the dollar amount equal to the capacity planning adjustment for the fiscal year (as determined under subsection (c)(2)); and

“(D) the dollar amount equal to the operating reserve adjustment for the fiscal year, if applicable (as determined under subsection (c)(3)).

“(3) **ALLOCATION OF REVENUE AMOUNT AMONG FEES; LIMITATIONS ON FEE AMOUNTS.**—

“(A) **ALLOCATION.**—The Secretary shall determine the percentage of the total revenue amount for a fiscal year to be derived from, respectively—

“(i) initial and annual biosimilar biological product development fees and reactivation fees under subsection (a)(1);

“(ii) biosimilar biological product application fees under subsection (a)(2); and

“(iii) biosimilar biological product program fees under subsection (a)(3).

“(B) LIMITATIONS ON FEE AMOUNTS.—Until the first fiscal year for which the capacity planning adjustment under subsection (c)(2) is effective, the amount of any fee under subsection (a) for a fiscal year after fiscal year 2018 shall not exceed 125 percent of the amount of such fee for fiscal year 2018.

“(C) BIOSIMILAR BIOLOGICAL PRODUCT DEVELOPMENT FEES.—The initial biosimilar biological product development fee under subsection (a)(1)(A) for a fiscal year shall be equal to the annual biosimilar biological product development fee under subsection (a)(1)(B) for that fiscal year.

“(D) REACTIVATION FEE.—The reactivation fee under subsection (a)(1)(D) for a fiscal year shall be equal to twice the amount of the annual biosimilar biological product development fee under subsection (a)(1)(B) for that fiscal year.

“(4) ANNUAL BASE REVENUE.—For purposes of paragraph (2), the dollar amount of the annual base revenue for a fiscal year shall be the dollar amount of the total revenue amount for the previous fiscal year, excluding any adjustments to such revenue amount under subsection (c)(3).”

(c) ADJUSTMENTS; ANNUAL FEE SETTING.—Section 744H of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-52) is amended—

(1) by redesignating subsections (c) through (h) as subsections (d) through (i), respectively;

(2) in subsections (a)(2)(F) and (h) (as redesignated by paragraph (1)), by striking “subsection (c)” and inserting “subsection (d)”;

(3) in subsection (a)(4)(A), by striking “subsection (b)(1)(F)” and inserting “subsection (c)(5)”;

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

“(c) ADJUSTMENTS; ANNUAL FEE SETTING.—

“(1) INFLATION ADJUSTMENT.—

“(A) IN GENERAL.—For purposes of subsection (b)(2)(B), the dollar amount of the inflation adjustment to the annual base revenue for each fiscal year shall be equal to the product of—

“(i) such annual base revenue for the fiscal year under subsection (b); and

“(ii) the inflation adjustment percentage under subparagraph (B).

“(B) INFLATION ADJUSTMENT PERCENTAGE.—The inflation adjustment percentage under this subparagraph for a fiscal year is equal to the sum of—

“(i) the average annual percent change in the cost, per full-time equivalent position of the Food and Drug Administration, of all personnel compensation and benefits paid with respect to such positions for the first 3 years of the preceding 4 fiscal years, multiplied by the proportion of personnel compensation and benefits costs to total costs of the process for the review of biosimilar biological product applications (as defined in section 744G(13)) for the first 3 years of the preceding 4 fiscal years; and

“(ii) the average annual percent change that occurred in the Consumer Price Index for urban consumers (Washington-Baltimore, DC-MD-VA-WV; Not Seasonally Adjusted; All items; Annual Index) for the first 3 years of the preceding 4 years of available data multiplied by the proportion of all costs other than personnel compensation and benefits costs to total costs of the process for the review of biosimilar biological product applications (as defined in section 744G(13)) for the first 3 years of the preceding 4 fiscal years.

“(2) CAPACITY PLANNING ADJUSTMENT.—

“(A) IN GENERAL.—Beginning with the fiscal year described in subparagraph (B)(ii)(II), the Secretary shall, in addition to the adjustment under paragraph (1), further increase the fee revenue and fees under this section for a fiscal year to reflect changes in the resource capacity needs of the Secretary for the process for the review of biosimilar biological product applications.

“(B) CAPACITY PLANNING METHODOLOGY.—

“(i) DEVELOPMENT; EVALUATION AND REPORT.—The Secretary shall obtain, through a contract with an independent accounting or consulting firm, a report evaluating options and recommendations for a new methodology to accurately assess changes in the resource and capacity needs of the process for the review of biosimilar biological product applications. The capacity planning methodological options and recommendations presented in such report shall utilize and be informed by personnel time reporting data as an input. The report shall be published for public comment not later than September 30, 2020.

“(ii) ESTABLISHMENT AND IMPLEMENTATION.—After review of the report described in clause (i) and receipt and review of public comments thereon, the Secretary shall establish a capacity planning methodology for purposes of this paragraph, which shall—

“(I) incorporate such approaches and attributes as the Secretary determines appropriate; and

“(II) be effective beginning with the first fiscal year for which fees are set after such capacity planning methodology is established.

“(C) LIMITATION.—Under no circumstances shall an adjustment under this paragraph result in fee revenue for a fiscal year that is less than the sum of the amounts under subsections (b)(2)(A) (the annual base revenue for the fiscal year) and (b)(2)(B) (the dollar amount of the inflation adjustment for the fiscal year).

“(D) PUBLICATION IN FEDERAL REGISTER.—The Secretary shall publish in the Federal Register notice under paragraph (5) the fee revenue and fees resulting from the adjustment and the methodologies under this paragraph.

“(3) OPERATING RESERVE ADJUSTMENT.—

“(A) INTERIM APPLICATION; FEE REDUCTION.—Until the first fiscal year for which the capacity planning adjustment under paragraph (2) is effective, the Secretary may, in addition to the adjustment under paragraph (1), reduce the fee revenue and fees under this section for a fiscal year as the Secretary determines appropriate for long-term financial planning purposes.

“(B) GENERAL APPLICATION AND METHODOLOGY.—Beginning with the first fiscal year for which the capacity planning adjustment under paragraph (2) is effective, the Secretary may, in addition to the adjustments under paragraphs (1) and 2—

“(i) reduce the fee revenue and fees under this section as the Secretary determines appropriate for long-term financial planning purposes; or

“(ii) increase the fee revenue and fees under this section if such an adjustment is necessary to provide for not more than 21 weeks of operating reserves of carryover user fees for the process for the review of biosimilar biological product applications.

“(C) FEDERAL REGISTER NOTICE.—If an adjustment under subparagraph (A) or (B) is made, the rationale for the amount of the increase or decrease (as applicable) in fee revenue and fees shall be contained in the annual Federal Register notice under para-

graph (5)(B) establishing fee revenue and fees for the fiscal year involved.

“(4) FISCAL YEAR 2018 ADJUSTMENT.—

“(A) IN GENERAL.—For fiscal year 2018, the Secretary shall adjust the fee revenue and fees under this section in such amount (if any) as needed to reflect an updated assessment of the workload for the process for the review of biosimilar biological product applications.

“(B) METHODOLOGY.—The Secretary shall publish under paragraph (5)(B) a description of the methodology used to calculate the fiscal year 2018 adjustment under this paragraph in the Federal Register notice establishing fee revenue and fees for fiscal year 2018.

“(C) LIMITATION.—No adjustment under this paragraph shall result in an increase in fee revenue and fees under this section in excess of \$9,000,000.

“(5) ANNUAL FEE SETTING.—For fiscal year 2018 and each subsequent fiscal year, the Secretary shall, not later than 60 days before the start of each such fiscal year—

“(A) establish, for the fiscal year, initial and annual biosimilar biological product development fees and reactivation fees under subsection (a)(1), biosimilar biological product application fees under subsection (a)(2), and biosimilar biological product program fees under subsection (a)(3), based on the revenue amounts established under subsection (b) and the adjustments provided under this subsection; and

“(B) publish such fee revenue and fees in the Federal Register.

“(6) LIMIT.—The total amount of fees assessed for a fiscal year under this section may not exceed the total costs for such fiscal year for the resources allocated for the process for the review of biosimilar biological product applications.”

(d) APPLICATION FEE WAIVER FOR SMALL BUSINESS.—Subsection (d)(1) of section 744H of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-52), as redesignated by subsection (c)(1), is amended—

(1) by striking subparagraph (B);

(2) by striking “; and” at the end of subparagraph (A) and inserting a period; and

(3) by striking “shall pay—” and all that follows through “application fees” and inserting “shall pay application fees”.

(e) EFFECT OF FAILURE TO PAY FEES.—Subsection (e) of section 744H of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-52), as redesignated by subsection (c)(1), is amended by striking “all fees” and inserting “all such fees”.

(f) CREDITING AND AVAILABILITY OF FEES.—Subsection (f) of section 744H of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-52), as redesignated by subsection (c)(1), is amended—

(1) in paragraph (2)—

(A) by striking subparagraph (C) (relating to fee collection during first program year) and inserting the following:

“(C) COMPLIANCE.—The Secretary shall be considered to have met the requirements of subparagraph (B) in any fiscal year if the costs described in such subparagraph are not more than 15 percent below the level specified in such subparagraph.”; and

(B) in subparagraph (D)—

(i) in the heading, by striking “IN SUBSEQUENT YEARS”; and

(ii) by striking “(after fiscal year 2013)”;

(2) in paragraph (3), by striking “2013 through 2017” and inserting “2018 through 2022”.

**SEC. 404. REAUTHORIZATION; REPORTING REQUIREMENTS.**

Section 744I of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-53) is amended—

(1) in subsection (a)—  
(A) by striking “2013” and inserting “2018”; and

(B) by striking “Biosimilar User Fee Act of 2012” and inserting “Biosimilar User Fee Amendments of 2017”;

(2) in subsection (b), by striking “2013” and inserting “2018”;

(3) by striking subsection (d);

(4) by redesignating subsection (e) as subsection (d); and

(5) in subsection (d), as so redesignated, by striking “2017” each place it appears and inserting “2022”.

**SEC. 405. SUNSET DATES.**

(a) **AUTHORIZATION.**—Sections 744G and 744H of the Federal Food, Drug, and Cosmetic Act shall cease to be effective October 1, 2022.

(b) **REPORTING REQUIREMENTS.**—Section 744I of the Federal Food, Drug, and Cosmetic Act shall cease to be effective January 31, 2023.

(c) **PREVIOUS SUNSET PROVISION.**—

(1) **IN GENERAL.**—Effective October 1, 2017, section 404 of the Food and Drug Administration Safety and Innovation Act (Public Law 112-144) is repealed.

(2) **CONFORMING AMENDMENT.**—The Food and Drug Administration Safety and Innovation Act (Public Law 112-144) is amended in the table of contents in section 2 by striking the item relating to section 404.

**SEC. 406. EFFECTIVE DATE.**

The amendments made by this title shall take effect on October 1, 2017, or the date of the enactment of this Act, whichever is later, except that fees under part 8 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act shall be assessed for all biosimilar biological product applications received on or after October 1, 2017, regardless of the date of the enactment of this Act.

**SEC. 407. SAVINGS CLAUSE.**

Notwithstanding the amendments made by this title, part 8 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, as in effect on the day before the date of the enactment of this title, shall continue to be in effect with respect to biosimilar biological product applications and supplements (as defined in such part as of such day) that were accepted by the Food and Drug Administration for filing on or after October 1, 2012, but before October 1, 2017, with respect to assessing and collecting any fee required by such part for the fiscal year prior to fiscal year 2018.

**TITLE V—PEDIATRIC DRUGS AND DEVICES****SEC. 501. BEST PHARMACEUTICALS FOR CHILDREN.**

Section 409I of the Public Health Service Act (42 U.S.C. 284m) is amended—

(1) in subsection (a)(2)(A)(ii), by inserting “and identification of biomarkers for such diseases, disorders, or conditions,” after “biologics.”;

(2) in subsection (c)—

(A) in paragraph (6)—

(i) by amending subparagraph (B) to read as follows:

“(B) **AVAILABILITY OF REPORTS.**—

“(i) **IN GENERAL.**—Each report submitted under subparagraph (A) shall be considered to be in the public domain (subject to section 505A(d)(4) of the Federal Food, Drug, and Cosmetic Act) and not later than 90 days after submission of such report, shall be—

“(I) posted on the internet website of the National Institutes of Health in a manner that is accessible and consistent with all applicable Federal laws and regulations, including such laws and regulations for the protection of—

“(aa) human research participants, including with respect to privacy, security, informed consent, and protected health information; and

“(bb) proprietary interests, confidential commercial information, and intellectual property rights; and

“(II) assigned a docket number by the Commissioner of Food and Drugs and made available for the submission of public comments.

“(ii) **SUBMISSION OF COMMENTS.**—An interested person may submit written comments concerning such pediatric studies to the Commissioner of Food and Drugs, and the submitted comments shall become part of the docket file with respect to each of the drugs.”; and

(ii) in subparagraph (C), by striking “appropriate action” and all that follows through the period and inserting “action in a timely and appropriate manner in response to the reports submitted under subparagraph (A), and shall begin such action upon receipt of the report under subparagraph (A), in accordance with paragraph (7).”; and

(B) in paragraph (7)—

(i) in the matter preceding subparagraph (A), by striking “During” and inserting “Within”;

(ii) in subparagraph (C)(i), by striking “place” and all that follows through “and of” and inserting “include in the public docket file a reference to the location of the report on the internet website of the National Institutes of Health and a copy of”;

(iii) in clause (ii), by striking “in the Federal Register and”;

(3) by striking subsection (d);

(4) by redesignating subsection (e) as subsection (d); and

(5) in paragraph (1) of subsection (d), as so redesignated, by striking “2013 through 2017” and inserting “2018 through 2022”.

**SEC. 502. PEDIATRIC DEVICES.**

(a) **PEDIATRIC USE OF DEVICES.**—Section 515A(a)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e-1(a)(3)) is amended—

(1) by redesignating subparagraphs (B) through (D) as subparagraphs (D) through (F), respectively;

(2) by inserting after subparagraph (A) the following:

“(B) any information, based on a review of data available to the Secretary, regarding devices used in pediatric patients but not labeled for such use for which the Secretary determines that approved pediatric labeling could confer a benefit to pediatric patients;

“(C) the number of pediatric devices that receive a humanitarian use exemption under section 520(m);”;

(3) in subparagraph (E), as so redesignated, by striking “; and” and inserting “;”;

(4) in subparagraph (F) (as so redesignated), by striking “(B), and (C).” and inserting “(C), (D), and (E);”;

(5) by adding at the end the following:

“(G) the number of devices for which the Secretary relied on data with respect to adults to support a determination of a reasonable assurance of safety and effectiveness in pediatric patients; and

“(H) the number of devices for which the Secretary relied on data from one pediatric subpopulation to support a determination of

a reasonable assurance of safety and effectiveness in another pediatric subpopulation. For the items described in this paragraph, such report shall disaggregate the number of devices by pediatric subpopulation.”.

(b) **HUMANITARIAN DEVICE EXEMPTION.**—Section 520(m) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j(m)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (B), by inserting “or an appropriate local committee” after “review committee” each place such term appears; and

(B) in the matter following subparagraph (B), by inserting “or an appropriate local committee” after “review committee” each place such term appears; and

(2) in paragraph (6)(A)(iv), by striking “2017” and inserting “2022”.

(c) **DEMONSTRATION GRANTS FOR IMPROVING PEDIATRIC AVAILABILITY.**—Section 305 of the Pediatric Medical Device Safety and Improvement Act of 2007 (Public Law 110-85; 42 U.S.C. 282 note) is amended—

(1) in subsection (c)—

(A) in paragraph (4), by striking “and” at the end;

(B) in paragraph (5), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(6) providing regulatory consultation to device sponsors in support of the submission of an application for a pediatric device, where appropriate.”; and

(2) in subsection (e), by striking “2013 through 2017” and inserting “2018 through 2022”.

(d) **MEETING ON PEDIATRIC DEVICE DEVELOPMENT.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall convene a public meeting on the development, approval or clearance, and labeling of pediatric medical devices. The Secretary shall invite to such meeting representatives from the medical device industry, academia, recipients of funding under section 305 of the Pediatric Medical Device Safety and Improvement Act of 2007 (Public Law 110-85; 42 U.S.C. 282 note), medical provider organizations, and organizations representing patients and consumers.

(2) **TOPICS.**—The meeting described in paragraph (1) shall include consideration of ways to—

(A) improve research infrastructure and research networks to facilitate the conduct of clinical studies of devices for pediatric populations that would result in the approval or clearance, and labeling, of medical devices for such populations;

(B) appropriately use extrapolation under section 515A(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e-1(b));

(C) enhance the appropriate use of postmarket registries and data to increase pediatric medical device labeling;

(D) increase Food and Drug Administration assistance to medical device manufacturers in developing devices for pediatric populations that are approved or cleared, and labeled, for their use; and

(E) identify current barriers to pediatric device development and incentives to address such barriers.

(3) **REPORT.**—The report submitted under section 515A(a)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e-1(a)(3)) with respect to the calendar year in which the meeting described in paragraph (1) is held shall include a summary of, and responses to, recommendations raised in such meeting.

**SEC. 503. EARLY MEETING ON PEDIATRIC STUDY PLAN.**

(a) IN GENERAL.—Clause (i) of section 505B(e)(2)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c(e)(2)(C)) is amended to read as follows:

“(i) shall meet with the applicant—

“(I) if requested by the applicant with respect to a drug or biological product that is intended to treat a serious or life-threatening disease or condition, to discuss preparation of the initial pediatric study plan, not later than the end-of-Phase 1 meeting (as such term is used in section 312.82(b) of title 21, Code of Federal Regulations, or successor regulations) or within 30 calendar days of receipt of such request, whichever is later;

“(II) to discuss the initial pediatric study plan as soon as practicable, but not later than 90 calendar days after the receipt of such plan under subparagraph (A); and

“(III) to discuss the bases for the deferral under subsection (a)(4) or a full or partial waiver under subsection (a)(5);”.

(b) CONFORMING CHANGES.—Section 505B(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c(e)) is amended—

(1) in the heading of paragraph (2), by striking “MEETING” and inserting “MEETINGS”;

(2) in the heading of paragraph (2)(C), by striking “MEETING” and inserting “MEETINGS”;

(3) in clauses (ii) and (iii) of paragraph (2)(C), by striking “no meeting” each place it appears and inserting “no meeting under clause (i)(II)”;

(4) in paragraph (3) by striking “meeting under paragraph (2)(C)(i)” and inserting “meeting under paragraph (2)(C)(i)(II)”.

**SEC. 504. DEVELOPMENT OF DRUGS AND BIOLOGICAL PRODUCTS FOR PEDIATRIC CANCERS.**

(a) MOLECULAR TARGETS REGARDING CANCER DRUGS AND BIOLOGICAL PRODUCTS.—Section 505B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margins accordingly;

(ii) by striking “A person” and inserting the following:

“(A) GENERAL REQUIREMENTS.—Except with respect to an application for which subparagraph (B) applies, a person”;

(iii) in clause (i), as so redesignated, by striking “, or” at the end and inserting “; or”;

(iv) by adding after subparagraph (A), as so designated by clause (ii), the following:

“(B) CERTAIN MOLECULARLY TARGETED CANCER INDICATIONS.—A person that submits, on or after the date that is 3 years after the date of enactment of the FDA Reauthorization Act of 2017, an original application for a new active ingredient under section 505 of this Act or section 351 of the Public Health Service Act, shall submit with the application reports on the investigation described in paragraph (3) if the drug or biological product that is the subject of the application is—

“(i) intended for the treatment of an adult cancer; and

“(ii) directed at a molecular target that the Secretary determines to be substantially relevant to the growth or progression of a pediatric cancer.”;

(B) in paragraph (2)(A), by striking “paragraph (1)” and inserting “paragraph (1)(A)”;

(C) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(D) by inserting after paragraph (2) the following:

“(3) MOLECULARLY TARGETED PEDIATRIC CANCER INVESTIGATION.—

“(A) IN GENERAL.—With respect to a drug or biological product described in paragraph (1)(B), the investigation described in this paragraph is a molecularly targeted pediatric cancer investigation, which shall be designed to yield clinically meaningful pediatric study data, gathered using appropriate formulations for each age group for which the study is required, regarding dosing, safety, and preliminary efficacy to inform potential pediatric labeling.

“(B) EXTRAPOLATION OF DATA.—Paragraph (2)(B) shall apply to investigations described in this paragraph to the same extent and in the same manner as paragraph (2)(B) applies with respect to the assessments required under paragraph (1)(A).

“(C) DEFERRALS AND WAIVERS.—Deferrals and waivers under paragraphs (4) and (5) shall apply to investigations described in this paragraph to the same extent and in the same manner as such deferrals and waivers apply with respect to the assessments under paragraph (2)(B).”;

(E) in paragraph (4), as so redesignated—

(i) by striking “assessments required under paragraph (1)” each place it appears and inserting “assessments required under paragraph (1)(A) or reports on the investigation required under paragraph (1)(B)”;

(ii) in subparagraph (A)(ii)(I), by inserting “or reports on the investigation” after “assessments”;

(iii) in subparagraph (B)(ii), by striking “assessment under paragraph (1)” and inserting “assessment under paragraph (1)(A) or reports on the investigation under paragraph (1)(B)”;

(iv) in subparagraph (C)(ii)(II), by inserting “or investigation” after “assessment”;

(F) in paragraph (5), as so redesignated, by inserting “or reports on the investigation” after “assessments” each place it appears;

(2) in subsection (d)—

(A) by striking “subsection (a)(3)” each place it appears and inserting “subsection (a)(4)”;

(B) by inserting “AND REPORTS ON THE INVESTIGATION” after “SUBMISSION OF ASSESSMENTS” in the heading; and

(C) by inserting “or the investigation described in subsection (a)(3)” after “assessment described in subsection (a)(2)” each place it appears;

(3) in subsection (e)—

(A) in paragraph (1), by inserting “or the investigation described in subsection (a)(3)” after “under subsection (a)(2)”;

(B) in paragraph (2)(A)(i), by inserting “or the investigation described in subsection (a)(3)” after “under subsection (a)(2)”;

(4) by adding at the end the following:

“(m) LIST OF PRIMARY MOLECULAR TARGETS.—

“(1) IN GENERAL.—Within one year of the date of enactment of the FDA Reauthorization Act of 2017, the Secretary shall establish and update regularly, and shall publish on the internet website of the Food and Drug Administration—

“(A) a list of molecular targets considered, on the basis of data the Secretary determines to be adequate, to be substantially relevant to the growth and progression of a pediatric cancer, and that may trigger the requirements under this section; and

“(B) a list of molecular targets of new cancer drugs and biological products in development for which pediatric cancer study requirements under this section will be automatically waived.

“(2) CONSULTATION.—In establishing the lists described in paragraph (1), the Sec-

retary shall consult the National Cancer Institute, members of the internal committee under section 505C, and the Pediatric Oncology Subcommittee of the Oncologic Drugs Advisory Committee, and shall take into account comments from the meeting under subsection (c).

“(3) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed—

“(A) to require the inclusion of a molecular target on the list published under such paragraph as a condition for triggering the requirements under subsection (a)(1)(B) with respect to a drug or biological product directed at such molecular target; or

“(B) to authorize the disclosure of confidential commercial information, as prohibited under section 301(j) of this Act or section 1905 of title 18, United States Code.”.

(b) ORPHAN DRUGS.—Section 505B(k) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c(k)) is amended to read as follows:

“(k) RELATION TO ORPHAN DRUGS.—

“(1) IN GENERAL; EXEMPTION FOR ORPHAN INDICATIONS.—Unless the Secretary requires otherwise by regulation and except as provided in paragraph (2), this section does not apply to any drug or biological product for an indication for which orphan designation has been granted under section 526.

“(2) APPLICABILITY DESPITE ORPHAN DESIGNATION OF CERTAIN INDICATIONS.—This section shall apply with respect to a drug or biological product for which an indication has been granted orphan designation under 526 if the investigation described in subsection (a)(3) applies to the drug or biological product as described in subsection (a)(1)(B).”.

(c) MEETING, CONSULTATION, AND GUIDANCE.—

(1) MEETING.—The Secretary of Health and Human Services (referred to in this subsection as the “Secretary”), acting through the Commissioner of Food and Drugs and in collaboration with the Director of the National Cancer Institute, shall convene a public meeting not later than 1 year after the date of enactment of this Act to solicit feedback from physicians and researchers (including pediatric oncologists and rare disease specialists), patients, and other stakeholders to provide input on development of the guidance under paragraph (2) and the list under subsection (m) of section 505B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c), as added by subsection (a). The Secretary shall seek input at such meeting on—

(A) the data necessary to determine that there is scientific evidence that a drug or biological product is directed at a molecular target that is considered to be substantially relevant to the growth or progression of a pediatric cancer;

(B) the data necessary to determine that there is scientific evidence that a molecular target is considered to be substantially relevant to the growth or progression of a pediatric cancer;

(C) the data needed to meet the requirement of conducting an investigation described in section 505B(a)(3) of the Federal Food, Drug, and Cosmetic Act, as amended by subsection (a);

(D) considerations when developing the list under section 505B(m) of the Federal Food, Drug, and Cosmetic Act that contains molecular targets shared between different tumor types;

(E) the process the Secretary shall utilize to update regularly a list of molecular targets that may trigger a pediatric study under section 505B of the Federal Food, Drug, and Cosmetic Act, as so amended, and how often such updates shall occur;

(F) how to overcome the challenges related to pediatric cancer drug and biological product development, including issues related to the ethical, practical, and other barriers to conducting clinical trials in pediatric cancer with small patient populations;

(G) scientific or operational challenges associated with performing an investigation described in section 505B(a)(1)(B) of the Federal Food, Drug, and Cosmetic Act, including the effect on pediatric studies currently underway in a pediatric patient population, treatment of a pediatric patient population, and the ability to complete adult clinical trials;

(H) the advantages and disadvantages of innovative clinical trial designs in addressing the development of cancer drugs or biological products directed at molecular targets in pediatric cancer patients;

(I) the ways in which the Secretary can improve the current process outlined under sections 505A and 505B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a, 355c) to encourage additional research and development of pediatric cancer treatments;

(J) the ways in which the Secretary might streamline and improve the written request process, including when studies contained in a request under such section 505A are not feasible due to the ethical, practical, or other barriers to conducting clinical trials in pediatric cancer populations;

(K) how the Secretary will facilitate collaboration among pediatric networks, academic centers and experts in pediatric cancer to conduct an investigation described in such section 505B(a)(3);

(L) how the Secretary may facilitate collaboration among sponsors of same-in-class drugs and biological products that would be subject to the requirements for an investigation under such section 505B based on shared molecular targets; and

(M) the ways in which the Secretary will help to mitigate the risks, if any, of discouraging the research and development of orphan drugs when implementing such section 505B as amended.

(2) **GUIDANCE.**—Not later than 2 years after the date of enactment of this Act, the Secretary, acting through the Commissioner of Food and Drugs, shall issue final guidance on implementation of the amendments to section 505B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c) regarding molecularly targeted cancer drugs made by this section, including—

(A) the scientific criteria, types of data, and regulatory considerations for determining whether a molecular target is substantially relevant to the growth or progression of a pediatric cancer and would trigger an investigation under section 505B of the Federal Food, Drug, and Cosmetic Act, as amended;

(B) the process by which the Secretary will engage with sponsors to discuss determinations, investigation requirements, deferrals, waivers, and any other issues that need to be resolved to ensure that any required investigation based on a molecular target can be reasonably conducted;

(C) the scientific or operational challenges for which the Secretary may issue deferrals or waivers for an investigation described in subsection (a)(3) of such section 505B, including adverse impacts on current pediatric studies underway in a pediatric patient population, studies involving drugs designated as orphan drugs, treatment of a pediatric patient population, or the ability to complete adult clinical trials;

(D) how the Secretary and sponsors will facilitate collaboration among pediatric net-

works, academic centers, and experts in pediatric cancer to conduct an investigation described in subsection (a)(3) of such section 505B;

(E) scientific and regulatory considerations for study designs, including the applicability of innovative clinical trial designs for pediatric cancer drug and biological product developments under sections 505A and 505B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a, 355c);

(F) approaches to streamline and improve the amendment process, including when studies contained in a request under such section 505A are not feasible due to the ethical, practical, or other barriers to conducting clinical trials in pediatric cancer populations;

(G) the process for submission of an initial pediatric study plan for the investigation described in section 505B(a)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c(a)(3)), including the process for a sponsor to meet and reach agreement with the Secretary on the initial pediatric study plan; and

(H) considerations for implementation of such section 505B, as so amended, and waivers of the requirements of such section 505B with regard to molecular targets for which several drugs or biological products may be under investigation.

(d) **REPORT TO CONGRESS.**—Section 508(b) of the Food and Drug Administration Safety and Innovation Act (21 U.S.C. 355c-1(b)) is amended—

(1) in paragraph (10), by striking “; and” and inserting “;”; and

(2) by striking paragraph (11) and inserting the following:

“(11) an assessment of the impact of the amendments to such section 505B made by the FDA Reauthorization Act of 2017 on pediatric research and labeling of drugs and biological products and pediatric labeling of molecularly targeted drugs and biological products for the treatment of cancer;

“(12) an assessment of the efforts of the Secretary to implement the plan developed under section 505C-1 of the Federal Food, Drug, and Cosmetic Act, regarding earlier submission of pediatric studies under sections 505A and 505B of such Act and section 351(m) of the Public Health Service Act, including—

“(A) the average length of time after the approval of an application under section 505(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)(1)) or section 351(a) of the Public Health Service Act (42 U.S.C. 262(a)) before studies conducted pursuant to such section 505A, 505B, or section 351(m) are completed, submitted, and incorporated into labeling;

“(B) the average length of time after the receipt of a proposed pediatric study request before the Secretary responds to such request;

“(C) the average length of time after the submission of a proposed pediatric study request before the Secretary issues a written request for such studies;

“(D) the number of written requests issued for each investigational new drug or biological product prior to the submission of an application under section 505(b)(1) of the Federal Food, Drug, and Cosmetic Act or section 351(a) of the Public Health Service Act; and

“(E) the average number, and range of numbers, of amendments to written requests issued, and the time the Secretary requires to review and act on proposed amendments to written requests;

“(13) a list of sponsors of applications or holders of approved applications who re-

ceived exclusivity under such section 505A or such section 351(m) after receiving a letter issued under such section 505B(d)(1) for any drug or biological product before the studies referred to in such letter were completed and submitted;

“(14) a list of assessments and investigations required under such section 505B;

“(15) how many requests under such section 505A for molecular targeted cancer drugs, as defined by subsection (a)(1)(B) of such section 505B, approved prior to 3 years after the date of enactment of the FDA Reauthorization Act of 2017, have been issued by the Food and Drug Administration, and how many such requests have been completed; and

“(16) the Secretary’s assessment of the overall impact of the amendments made by section 504 of the FDA Reauthorization Act of 2017 on the conduct and effectiveness of pediatric cancer research and the orphan drug program, as well any subsequent recommendations.”.

(e) **RULE OF CONSTRUCTION.**—Nothing in this section, including the amendments made by this section, shall limit the authority of the Secretary of Health and Human Services to issue written requests under section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a) or section 351(m) of the Public Health Service Act (42 U.S.C. 262(m)), or to negotiate or implement amendments to such requests proposed by the an applicant.

(f) **GAO REPORT.**—

(1) **IN GENERAL.**—Beginning on the date that is 5 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study of the effectiveness of requiring assessments and investigations described in section 505B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c), as amended by this section, in the development of drugs and biological products for pediatric cancer indications. The Comptroller General shall examine—

(A) the indications and associated molecular targets studied in assessments and investigations required for drugs or biological products intended for the treatment of an adult cancer;

(B) the indication for which the study was requested as compared to the indication requested under the new drug application filed by the sponsor;

(C) the number of pediatric cancer indications for which assessments and investigations have been required under such section 505B;

(D) the number of requests for deferral and waiver of pediatric assessments and investigations required under such section and the number of such deferral and waiver requests granted and denied;

(E) the number of orphan-designated indications for drugs and biological products for which assessments and investigations were required under such section;

(F) the number of drugs and biological products approved for the treatment of cancer in the pediatric population for which the supportive studies were required to be conducted under such section;

(G) the number of written requests made under section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a) relating to investigations required under subsection (a)(1)(B) of such section 505B; and

(H) any additional considerations by the Secretary regarding the effectiveness of requiring pediatric assessments described in such section 505B in the development of drugs and biological products for pediatric cancer indications.



(2) **REVIEW.**—The study under paragraph (1) shall include a review of the Food and Drug Administration's use of the authority under section 505B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c), as amended by this section, including the amendments to the deferral and waiver criteria under such section and how such criteria have been applied.

(3) **CONSULTATION.**—In conducting the study under paragraph (1), the Comptroller General of the United States shall consult with appropriate stakeholders that may be required to conduct the trials under section 505B of the Federal Food, Drug, and Cosmetic Act, and the ability of such stakeholders to adhere to the requests issued by the Food and Drug Administration.

(4) **REPORT.**—Not later than the date that is 6 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report containing the results of the study under paragraph (1) to the Secretary of Health and Human Services, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives.

**SEC. 505. ADDITIONAL PROVISIONS ON DEVELOPMENT OF DRUGS AND BIOLOGICAL PRODUCTS FOR PEDIATRIC USE.**

(a) **INFORMING INTERNAL REVIEW COMMITTEE.**—Section 505A(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a(f)) is amended by adding at the end the following:

“(7) **INFORMING INTERNAL REVIEW COMMITTEE.**—The Secretary shall provide to the committee referred to in paragraph (1) any response issued to an applicant or holder with respect to a proposed pediatric study request.”.

(b) **ACTION ON SUBMISSIONS.**—

(1) **IN GENERAL.**—Section 505A(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a(d)) is amended—

(A) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

(B) by inserting after paragraph (2) the following:

“(3) **ACTION ON SUBMISSIONS.**—The Secretary shall review and act upon a submission by a sponsor or holder of a proposed pediatric study request or a proposed amendment to a written request for pediatric studies within 120 calendar days of the submission.”.

(2) **CONFORMING AMENDMENTS.**—

(A) **FEDERAL FOOD, DRUG, AND COSMETIC ACT.**—Section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a), as amended by paragraph (1), is further amended by striking subsection “(d)(3)” each place it appears and inserting “(d)(4)”.

(B) **PUBLIC HEALTH SERVICE ACT.**—Paragraphs (2), (3), and (4) of section 351(m) of the Public Health Service Act (42 U.S.C. 262(m)) are amended by striking “section 505A(d)(3)” each place it appears and inserting “section 505A(d)(4)”.

(c) **PLAN.**—The Secretary of Health and Human Services, acting through the internal review committee established under section 505C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355d) shall, not later than one year after the date of enactment of this Act, develop and implement a plan to achieve, when appropriate, earlier submission of pediatric studies under section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a) or section 351(m) of the Public Health Service Act (42 U.S.C. 262(m)). Such plan shall include recommendations to achieve—

(1) earlier discussion of proposed pediatric study requests and written requests with

sponsors, and if appropriate, discussion of such requests at the meeting required under section 505B(e)(2)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c(e)(2)(C)), as amended by section 503(a);

(2) earlier issuance of written requests for a pediatric study under such section 505A, including for investigational new drugs prior to the submission of an application under section 505(b)(1) of such Act (21 U.S.C. 355(b)(1)); and

(3) shorter timelines, when appropriate, for the completion of studies pursuant to a written request under such section 505A or such section 351(m).

(d) **NEONATOLOGY EXPERTISE.**—

(1) **IN GENERAL.**—Section 6(d) of the Best Pharmaceuticals for Children Act (21 U.S.C. 393a(d)) is amended by striking “For the 5-year period beginning on the date of enactment of this subsection, at” and inserting “At”.

(2) **DRAFT GUIDANCE.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall issue draft guidance on clinical pharmacology considerations for neonatal studies for drugs and biological products.

(e) **SUBMISSION OF ASSESSMENTS.**—Section 505B(d)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c(d)(1)) is amended by adding at the end the following: “The Secretary shall inform the Pediatric Advisory Committee of letters issued under this paragraph and responses to such letters.”.

(f) **INTERNAL COMMITTEE.**—Section 505C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355d) is amended by inserting “or pediatric rare diseases” after “psychiatry”.

(g) **REPORT ON LABELING OF ORPHAN DRUGS.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to the Committee on Health, Education, Labor and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, and make publicly available, including through posting on the internet website of the Food and Drug Administration, a report on the lack of information in the labeling of drugs for indications that have received an orphan designation under section 526 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb) with respect to the use of such drugs pediatric populations.

(2) **CONTENTS.**—The report described in paragraph (1) shall include—

(A) a list of drugs for which—

(i) an indication was granted an orphan designation under section 526 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb);

(ii) an application described under section 505B(a)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c(a)(1)) for such indication was submitted to the Secretary of Health and Human Services on or after April 1, 1999; and

(iii) the labeling for such indication lacks important pediatric information, including information related to safety, dosing, and effectiveness;

(B) a description of the lack of information referred to in subparagraph (A)(iii) for each drug for an indication on such list; and

(C) Federal policy recommendations to improve the labeling of drugs for indications that have received an orphan designation under such section 526 with respect to the use of such drugs pediatric populations.”

**TITLE VI—REAUTHORIZATIONS AND IMPROVEMENTS RELATED TO DRUGS**

**SEC. 601. REAUTHORIZATION OF PROVISION RELATING TO EXCLUSIVITY OF CERTAIN DRUGS CONTAINING SINGLE ENANTIOMERS.**

Section 505(u)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(u)(4)) is amended by striking “2017” and inserting “2022”.

**SEC. 602. REAUTHORIZATION OF THE CRITICAL PATH PUBLIC-PRIVATE PARTNERSHIPS.**

Section 566(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-5(f)) is amended by striking “2013 through 2017” and inserting “2018 through 2022”.

**SEC. 603. REAUTHORIZATION OF ORPHAN GRANTS PROGRAM.**

Section 5(c) of the Orphan Drug Act (21 U.S.C. 360ee(c)) is amended by striking “2013 through 2017” and inserting “2018 through 2022”.

**SEC. 604. PROTECTING AND STRENGTHENING THE DRUG SUPPLY CHAIN.**

(a) **DIVERTED DRUGS.**—Paragraph (1) of section 801(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(d)) is amended—

(1) by striking “(d)(1) Except as” and inserting “(d)(1)(A) Except as”; and

(2) by adding at the end the following:

“(B) Except as authorized by the Secretary in the case of a drug that appears on the drug shortage list under section 506E or in the case of importation pursuant to section 804, no drug that is subject to section 503(b)(1) may be imported into the United States for commercial use if such drug is manufactured outside the United States, unless the manufacturer has authorized the drug to be marketed in the United States and has caused the drug to be labeled to be marketed in the United States.”.

(b) **COUNTERFEIT DRUGS.**—Subsection (b) of section 303 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333) is amended by adding at the end the following:

“(8) Notwithstanding subsection (a), any person who violates section 301(i)(3) by knowingly making, selling or dispensing, or holding for sale or dispensing, a counterfeit drug shall be imprisoned for not more than 10 years or fined in accordance with title 18, United States Code, or both.”.

**SEC. 605. PATIENT EXPERIENCE DATA.**

Section 569C(c)(2)(A) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-8c(c)(2)(A)) is amended by striking “impact of such disease or condition, or a related therapy,” and inserting “impact (including physical and psychosocial impacts) of such disease or condition, or a related therapy or clinical investigation”.

**SEC. 606. COMMUNICATION PLANS.**

Section 505-1(e)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355-1(e)(3)) is amended—

(1) in subparagraph (B), by striking “; or”;

(2) in subparagraph (C), by striking the period and inserting “; or”; and

(3) by adding at the end the following:

“(D) disseminating information to health care providers about drug formulations or properties, including information about the limitations or patient care implications of such formulations or properties, and how such formulations or properties may be related to serious adverse drug events associated with use of the drug.”.

**SEC. 607. ORPHAN DRUGS.**

(a) **IN GENERAL.**—Section 527 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360cc) is amended—



(1) in subsection (a), in the matter following paragraph (2), by striking “such drug for such disease or condition” and inserting “the same drug for the same disease or condition”;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “If an application” and all that follows through “such license if” and inserting “During the 7-year period described in subsection (a) for an approved application under section 505 or license under section 351 of the Public Health Service Act, the Secretary may approve an application or issue a license for a drug that is otherwise the same, as determined by the Secretary, as the already approved drug for the same rare disease or condition if”;

(B) in paragraph (1), by striking “notice” and all that follows through “assure” and inserting “of exclusive approval or licensure notice and opportunity for the submission of views, that during such period the holder of the exclusive approval or licensure cannot ensure”; and

(C) in paragraph (2), by striking “such holder provides” and inserting “the holder provides”; and

(3) by adding at the end the following:

“(c) **CONDITION OF CLINICAL SUPERIORITY.**—

“(1) **IN GENERAL.**—If a sponsor of a drug that is designated under section 526 and is otherwise the same, as determined by the Secretary, as an already approved or licensed drug is seeking exclusive approval or exclusive licensure described in subsection (a) for the same rare disease or condition as the already approved drug, the Secretary shall require such sponsor, as a condition of such exclusive approval or licensure, to demonstrate that such drug is clinically superior to any already approved or licensed drug that is the same drug.

“(2) **DEFINITION.**—For purposes of paragraph (1), the term ‘clinically superior’ with respect to a drug means that the drug provides a significant therapeutic advantage over and above an already approved or licensed drug in terms of greater efficacy, greater safety, or by providing a major contribution to patient care.

“(d) **REGULATIONS.**—The Secretary may promulgate regulations for the implementation of subsection (c). Beginning on the date of enactment of the FDA Reauthorization Act of 2017, until such time as the Secretary promulgates regulations in accordance with this subsection, the Secretary may apply any definitions set forth in regulations that were promulgated prior to such date of enactment, to the extent such definitions are not inconsistent with the terms of this section, as amended by such Act.

“(e) **DEMONSTRATION OF CLINICAL SUPERIORITY STANDARD.**—To assist sponsors in demonstrating clinical superiority as described in subsection (c), the Secretary—

“(1) upon the designation of any drug under section 526, shall notify the sponsor of such drug in writing of the basis for the designation, including, as applicable, any plausible hypothesis offered by the sponsor and relied upon by the Secretary that the drug is clinically superior to a previously approved drug; and

“(2) upon granting exclusive approval or licensure under subsection (a) on the basis of a demonstration of clinical superiority as described in subsection (c), shall publish a summary of the clinical superiority findings.”

(b) **RULE OF CONSTRUCTION.**—Nothing in the amendments made by subsection (a) shall affect any determination under sections 526 and 527 of the Federal Food, Drug, and Cos-

metic Act (21 U.S.C. 360bb, 360cc) made prior to the date of enactment of the FDA Reauthorization Act of 2017.

#### **SEC. 608. PEDIATRIC INFORMATION ADDED TO LABELING.**

Section 505A(o) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a(o)) is amended—

(1) in the subsection heading, by striking “**UNDER SECTION 505(j)**”;

(2) in paragraph (1)—

(A) by striking “under section 505(j)” and inserting “under subsection (b)(2) or (j) of section 505”; and

(B) by striking “or by exclusivity under clause (iii) or (iv) of section 505(j)(5)(F)” and inserting “, or by exclusivity under clause (iii) or (iv) of section 505(j)(5)(F), clause (iii) or (iv) of section 505(c)(3)(E), or section 527(a), or by an extension of such exclusivity under this section or section 505E”;

(3) in paragraph (2), in the matter preceding subparagraph (A)—

(A) by inserting “clauses (iii) and (iv) of section 505(c)(3)(E), or section 527,” after “section 505(j)(5)(F),”; and

(B) by striking “drug approved under section 505(j)” and inserting “drug approved pursuant to an application submitted under subsection (b)(2) or (j) of section 505”; and

(4) by amending paragraph (3) to read as follows:

“(3) **PRESERVATION OF PEDIATRIC EXCLUSIVITY AND EXTENSIONS.**—This subsection does not affect—

“(A) the availability or scope of exclusivity under—

“(i) this section;

“(ii) section 505 for pediatric formulations; or

“(iii) section 527;

“(B) the availability or scope of an extension to any such exclusivity, including an extension under this section or section 505E;

“(C) the question of the eligibility for approval under section 505 of any application described in subsection (b)(2) or (j) of such section that omits any other aspect of labeling protected by exclusivity under—

“(i) clause (iii) or (iv) of section 505(j)(5)(F);

“(ii) clause (iii) or (iv) of section 505(c)(3)(E); or

“(iii) section 527(a); or

“(D) except as expressly provided in paragraphs (1) and (2), the operation of section 505 or section 527.”

#### **SEC. 609. SENSE OF CONGRESS ON LOWERING THE COST OF PRESCRIPTION DRUGS.**

It is the sense of the Congress that the Secretary of Health and Human Services should commit to engaging with the House of Representatives and the Senate to take administrative actions and enact legislative changes that—

(1) will lower the cost of prescription drugs for consumers and reduce the burden of such cost on taxpayers; and

(2) in lowering such cost, will—

(A) balance the need to encourage innovation with the need to improve affordability; and

(B) strive to increase competition in the pharmaceutical market, prevent anti-competitive behavior, and promote the timely availability of affordable, high-quality generic drugs and biosimilars.

#### **SEC. 610. EXPANDED ACCESS.**

(a) **PATIENT ACCESS TO INVESTIGATIONAL DRUGS.**—

(1) **PUBLIC MEETING.**—

(A) **IN GENERAL.**—The Secretary of Health and Human Services (referred to in this sec-

tion as the “Secretary”), acting through the Commissioner of Food and Drugs, in coordination with the Director of the National Institutes of Health, and in consultation with patients, health care providers, drug sponsors, bioethicists, and other stakeholders, shall, not later than 270 days after the date of enactment of this Act, convene a public meeting to discuss clinical trial inclusion and exclusion criteria to inform the guidance under paragraph (3). The Secretary shall inform the Comptroller General of the United States of the date when the public meeting will take place.

(B) **TOPICS.**—The Secretary shall make available on the internet website of the Food and Drug Administration a report on the topics discussed at the meeting described in subparagraph (A) within 90 days of such meeting. Such topics shall include discussion of—

(i) the rationale for, and potential barriers for patients created by, research clinical trial inclusion and exclusion criteria;

(ii) how appropriate patient populations can benefit from the results of trials that employ alternative designs;

(iii) barriers to participation in clinical trials, including—

(I) information regarding any potential risks and benefits of participation;

(II) regulatory, geographical, and socioeconomic barriers; and

(III) the impact of exclusion criteria on the enrollment in clinical trials of particular populations, including infants and children, pregnant and lactating women, seniors, individuals with advanced disease, and individuals with co-morbid conditions;

(iv) clinical trial designs and methods, including expanded access trials, that increase enrollment of more diverse patient populations, when appropriate, while facilitating the collection of data to establish safe use and support substantial evidence of effectiveness, including data obtained from expanded access trials; and

(v) how changes to clinical trial inclusion and exclusion criteria may impact the complexity and length of clinical trials, the data necessary to demonstrate safety and effectiveness, and potential approaches to mitigating those impacts.

(2) **REPORT.**—Not later than 1 year after the Secretary issues the report under paragraph (1)(B), the Comptroller General of the United States shall report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives on individual access to investigational drugs through the expanded access program under section 561(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb(b)). The report shall include—

(A) a description of actions taken by manufacturers and distributors under section 561A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-0);

(B) consideration of whether Form FDA 3926 and the guidance documents titled “Expanded Access to Investigational Drugs for Treatment Use—Questions and Answers” and “Individual Patient Expanded Access Applications: Form FDA 3926”, issued by the Food and Drug Administration in June 2016, have reduced application burden with respect to individuals and physicians seeking access to investigational new drugs pursuant to section 561(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb) and improved clarity for patients, physicians, and drug manufacturers about such process;

(C) consideration of whether the guidance or regulations issued to implement section

561 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb) have improved access for individual patients to investigational drugs who do not qualify for clinical trials of such investigational drugs, and what barriers to such access remain;

(D) an assessment of methods patients and health care providers use to engage with the Food and Drug Administration or drug sponsors on expanded access; and

(E) an analysis of the Secretary's report under paragraph (1)(B).

(3) GUIDANCE.—

(A) IN GENERAL.—Not later than 1 year after the publication of the report under paragraph (1)(B), the Secretary, acting through the Commissioner of Food and Drugs, shall issue one or more draft guidances regarding eligibility criteria for clinical trials. Not later than 1 year after the public comment period on each such draft guidance ends, the Secretary shall issue a revised draft guidance or final guidance.

(B) CONTENTS.—The guidance documents described in subparagraph (A) shall address methodological approaches that a manufacturer or sponsor of an investigation of a new drug may take to—

(i) broaden eligibility criteria for clinical trials and expanded access trials, especially with respect to drugs for the treatment of serious and life-threatening conditions or diseases for which there is an unmet medical need;

(ii) develop eligibility criteria for, and increase trial recruitment to, clinical trials so that enrollment in such trials more accurately reflects the patients most likely to receive the drug, as applicable and as appropriate, while establishing safe use and supporting findings of substantial evidence of effectiveness; and

(iii) use the criteria described in clauses (i) and (ii) in a manner that is appropriate for drugs intended for the treatment of rare diseases or conditions.

(b) IMPROVING INSTITUTIONAL REVIEW BOARD REVIEW OF SINGLE PATIENT EXPANDED ACCESS PROTOCOL.—Not later than 1 year after the date of enactment of this Act, the Secretary, acting through the Commissioner of Food and Drugs, shall issue guidance or regulations, or revise existing guidance or regulations, to streamline the institutional review board review of individual patient expanded access protocols submitted under 561(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb(b)). To facilitate the use of expanded access protocols, any guidance or regulations so issued or revised may include a description of the process for any person acting through a physician licensed in accordance with State law to request that an institutional review board chair (or designated member of the institutional review board) review a single patient expanded access protocol submitted under such section 561(b) for a drug. The Secretary shall update any relevant forms associated with individual patient expanded access requests under such section 561(b) as necessary.

(c) EXPANDED ACCESS POLICY TRANSPARENCY.—Section 561A(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-0(f)) is amended—

(1) in the matter preceding paragraph (1), by striking “later” and inserting “earlier”;

(2) by striking paragraph (1);

(3) by redesignating paragraph (2) as paragraph (1);

(4) in paragraph (1) as so redesignated, by striking the period at the end and inserting “; or”; and

(5) by adding at the end the following:

“(2) as applicable, 15 days after the drug receives a designation as a breakthrough therapy, fast track product, or regenerative advanced therapy under subsection (a), (b), or (g), respectively, of section 506.”.

#### SEC. 611. TROPICAL DISEASE PRODUCT APPLICATION.

(a) IN GENERAL.—Subparagraph (A) of section 524(a)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360n(a)(4)) is amended—

(1) in clause (i), by striking “and” at the end; and

(2) by adding at the end the following:

“(iii) that contains reports of one or more new clinical investigations (other than bioavailability studies) that are essential to the approval of the application and conducted or sponsored by the sponsor of such application; and

“(iv) that contains an attestation from the sponsor of the application that such reports were not submitted as part of an application for marketing approval or licensure by a regulatory authority in India, Brazil, Thailand, or any country that is a member of the Pharmaceutical Inspection Convention or the Pharmaceutical Inspection Cooperation Scheme prior to September 27, 2007.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to human drug applications submitted after September 30, 2017.

#### TITLE VII—DEVICE INSPECTION AND REGULATORY IMPROVEMENTS

##### SEC. 701. RISK-BASED INSPECTIONS FOR DEVICES.

(a) IN GENERAL.—Section 510(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(h)) is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) RISK-BASED SCHEDULE FOR DEVICES.—

“(A) IN GENERAL.—The Secretary, acting through one or more officers or employees duly designated by the Secretary, shall inspect establishments described in paragraph (1) that are engaged in the manufacture, propagation, compounding, or processing of a device or devices (referred to in this subsection as ‘device establishments’) in accordance with a risk-based schedule established by the Secretary.

“(B) FACTORS AND CONSIDERATIONS.—In establishing the risk-based schedule under subparagraph (A), the Secretary shall—

“(i) apply, to the extent applicable for device establishments, the factors identified in paragraph (4); and

“(ii) consider the participation of the device establishment, as applicable, in international device audit programs in which the United States participates or the United States recognizes for purposes of inspecting device establishments.”; and

(2) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by striking “paragraph (3)” and inserting “paragraph (2) or (3)”; and

(B) in subparagraph (C), by inserting “or device” after “drug”.

(b) FOREIGN INSPECTIONS.—Section 809(a)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 384e(a)(1)) is amended by striking “section 510(h)(3)” and inserting “paragraph (2) or (3) of section 510(h)”.

##### SEC. 702. IMPROVEMENTS TO INSPECTIONS PROCESS FOR DEVICE ESTABLISHMENTS.

(a) IN GENERAL.—Section 704 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374) is amended by adding at the end the following:

“(h)(1) In the case of inspections other than for-cause inspections, the Secretary shall review processes and standards applicable to inspections of domestic and foreign device establishments in effect as of the date of the enactment of this subsection, and update such processes and standards through the adoption of uniform processes and standards applicable to such inspections. Such uniform processes and standards shall provide for—

“(A) exceptions to such processes and standards, as appropriate;

“(B) announcing the inspection of the establishment within a reasonable time before such inspection occurs, including by providing to the owner, operator, or agent in charge of the establishment a notification regarding the type and nature of the inspection;

“(C) a reasonable estimate of the timeframe for the inspection, an opportunity for advance communications between the officers or employees carrying out the inspection under subsection (a)(1) and the owner, operator, or agent in charge of the establishment concerning appropriate working hours during the inspection, and, to the extent feasible, advance notice of some records that will be requested; and

“(D) regular communications during the inspection with the owner, operator, or agent in charge of the establishment regarding inspection status, which may be recorded by either party with advance notice and mutual consent.

“(2)(A) The Secretary shall, with respect to a request described in subparagraph (B), provide nonbinding feedback with respect to such request not later than 45 days after the Secretary receives such request.

“(B) A request described in this subparagraph is a request for feedback—

“(i) that is made by the owner, operator, or agent in charge of such establishment in a timely manner; and

“(ii) with respect to actions proposed to be taken by a device establishment in a response to a report received by such establishment pursuant to subsection (b) that involve a public health priority, that implicate systemic or major actions, or relate to emerging safety issues (as determined by the Secretary).

“(3) Nothing in this subsection affects the authority of the Secretary to conduct inspections otherwise permitted under this Act in order to ensure compliance with this Act.”.

(b) GUIDANCE.—

(1) DRAFT GUIDANCE.—Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall issue draft guidance that—

(A) specifies how the Food and Drug Administration will implement the processes and standards described in paragraph (1) of subsection (h) of section 704 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374), as added by subsection (a), and the requirements described in paragraph (2) of such subsection (h);

(B) provides for standardized methods for communications described in such paragraphs;

(C) establishes, with respect to inspections of both domestic and foreign device establishments (as referred to in section 510(h)(2) of the Federal Food, Drug, and Cosmetic Act, as amended by subsection (a)), a standard timeframe for such inspections—

(i) that occurs over consecutive days; and

(ii) to which each investigator conducting such an inspection shall adhere unless the

investigator identifies to the establishment involved a reason that more time is needed to conduct such investigation; and

(D) identifies practices for investigators and device establishments to facilitate the continuity of inspections of such establishments.

(2) **FINAL GUIDANCE.**—Not later than 1 year after providing notice and opportunity for public comment on the draft guidance issued under paragraph (1), the Secretary of Health and Human Services shall issue final guidance to implement subsection (h) of section 704 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374), as added by subsection (a).

(c) **ADULTERATED DEVICES.**—Subsection (j) of section 501 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351) is amended by inserting “or device” after “drug”.

#### **SEC. 703. REAUTHORIZATION OF INSPECTION PROGRAM.**

Section 704(g)(11) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(g)(11)) is amended by striking “October 1, 2017” and inserting “October 1, 2022”.

#### **SEC. 704. CERTIFICATES TO FOREIGN GOVERNMENTS FOR DEVICES.**

Subsection (e)(4) of section 801 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(e)(4)) is amended—

(1) by adding at the end the following:

“(E)(i)(I) If the Secretary denies a request for certification under subparagraph (A)(ii) with respect to a device manufactured in an establishment (foreign or domestic) registered under section 510, the Secretary shall provide in writing to the person seeking such certification the basis for such denial, and specifically identify the finding upon which such denial is based.

“(II) If the denial of a request as described in subclause (I) is based on grounds other than an injunction proceeding pursuant to section 302, seizure action pursuant to section 304, or a recall designated Class I or Class II pursuant to part 7, title 21, Code of Federal Regulations, and is based on the facility being out of compliance with part 820 of title 21, Code of Federal Regulations, the Secretary shall provide a substantive summary of the specific grounds for noncompliance identified by the Secretary.

“(III) With respect to a device manufactured in an establishment that has received a report under section 704(b), the Secretary shall not deny a request for certification as described in subclause (I) with respect to a device based solely on the issuance of that report if the owner, operator, or agent in charge of such establishment has agreed to a plan of correction in response to such report.

“(ii)(I) The Secretary shall provide a process for a person who is denied a certification as described in clause (i)(I) to request a review that conforms to the standards of section 517A(b).

“(II) Notwithstanding any previous review conducted pursuant to subclause (I), a person who has been denied a certification as described in clause (i)(I) may at any time request a review in order to present new information relating to actions taken by such person to address the reasons identified by the Secretary for the denial of certification, including evidence that corrective actions are being or have been implemented to address grounds for noncompliance identified by the Secretary.

“(III) Not later than 1 year after the date of enactment of the FDA Reauthorization Act of 2017, the Secretary shall issue guidance providing for a process to carry out this subparagraph. Not later than 1 year after the

close of the comment period for such guidance, the Secretary shall issue final guidance.

“(iii)(I) Subject to subclause (II), this subparagraph applies to requests for certification on behalf of any device establishment registered under section 510, whether the establishment is located inside or outside of the United States, and regardless of whether such devices are to be exported from the United States.

“(II) If an establishment described in subclause (I) is not located within the United States and does not demonstrate that the devices manufactured, prepared, propagated, compounded, or processed at such establishment are to be exported from the United States, this subparagraph shall apply only if—

“(aa) the establishment has been inspected by the Secretary within 3 years of the date of the request; or

“(bb) the establishment participates in an audit program in which the United States participates or the United States recognizes, an audit under such program has been conducted, and the findings of such audit are provided to the Secretary within 3 years of the date of the request.”; and

(2) by moving the margins of subparagraphs (C) and (D) 4 ems to the left.

#### **SEC. 705. FACILITATING INTERNATIONAL HARMONIZATION.**

Section 704(g) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 374) is amended by adding at the end the following:

“(15)(A) Notwithstanding any other provision of this subsection, the Secretary may recognize auditing organizations that are recognized by organizations established by governments to facilitate international harmonization for purposes of conducting inspections of—

“(i) establishments that manufacture, prepare, propagate, compound, or process devices (other than types of devices licensed under section 351 of the Public Health Service Act), as required under section 510(h); or

“(ii) establishments required to register pursuant to section 510(i).

“(B) Nothing in this paragraph affects—

“(i) the authority of the Secretary to inspect any device establishment pursuant to this Act; or

“(ii) the authority of the Secretary to determine the official classification of an inspection.”.

#### **SEC. 706. FOSTERING INNOVATION IN MEDICAL IMAGING.**

(a) **APPROVAL OF APPLICATIONS FOR CERTAIN DIAGNOSTIC MEDICAL IMAGING DEVICES.**—Section 520 of the Federal Food, Drug, and Cosmetic Act (42 U.S.C. 360j) is amended by adding at the end the following:

“(p) **DIAGNOSTIC IMAGING DEVICES INTENDED FOR USE WITH CONTRAST AGENTS.**—

“(1) **IN GENERAL.**—The Secretary may, subject to the succeeding provisions of this subsection, approve an application (or a supplement to such an application) submitted under section 515 with respect to an applicable medical imaging device, or, in the case of an applicable medical imaging device for which a notification is submitted under section 510(k), may make a substantial equivalence determination with respect to an applicable medical imaging device, or may grant a request submitted under section 513(f)(2) for an applicable medical imaging device, if such application, notification, or request involves the use of a contrast agent that is not—

“(A) in a concentration, rate of administration, or route of administration that is

different from those described in the approved labeling of the contrast agent, except that the Secretary may approve such application, make such substantial equivalence determination, or grant such request if the Secretary determines that such differences in concentration, rate of administration, or route of administration exist but do not adversely affect the safety and effectiveness of the contrast agent when used with the device;

“(B) in a region, organ, or system of the body that is different from those described in the approved labeling of the contrast agent, except that the Secretary may approve such application, make such substantial equivalence determination, or grant such request if the Secretary determines that such differences in region, organ, or system of the body exist but do not adversely affect the safety and effectiveness of the contrast agent when used with the device;

“(C) in a patient population that is different from those described in the approved labeling of the contrast agent, except that the Secretary may approve such application, make such substantial equivalence determination, or grant such request if the Secretary determines such differences in patient population exist but do not adversely affect the safety and effectiveness of the contrast agent when used with the device; or

“(D) in an imaging modality that is different from those described in the approved labeling of the contrast agent.

“(2) **PREMARKET REVIEW.**—The agency center charged with premarket review of devices shall have primary jurisdiction with respect to the review of an application, notification, or request described in paragraph (1). In conducting such review, such agency center may—

“(A) consult with the agency center charged with the premarket review of drugs or biological products; and

“(B) review information and data provided to the Secretary by the sponsor of a contrast agent in an application submitted under section 505 of this Act or section 351 of the Public Health Service Act, so long as the sponsor of such contrast agent has provided to the sponsor of the applicable medical imaging device that is the subject of such review a right of reference and the application is submitted in accordance with this subsection.

“(3) **APPLICABLE REQUIREMENTS.**—An application submitted under section 515, a notification submitted under section 510(k), or a request submitted under section 513(f)(2), as described in paragraph (1), with respect to an applicable medical imaging device shall be subject to the requirements of such respective section. Such application, notification, or request shall only be subject to the requirements of this Act applicable to devices.

“(4) **DEFINITIONS.**—For purposes of this subsection—

“(A) the term ‘applicable medical imaging device’ means a device intended to be used in conjunction with a contrast agent (or class of contrast agents) for an imaging use that is not described in the approved labeling of such contrast agent (or the approved labeling of any contrast agent in the same class as such contrast agent); and

“(B) the term ‘contrast agent’ means a drug that is approved under section 505 or licensed under section 351 of the Public Health Service Act, is intended for use in conjunction with an applicable medical imaging device, and—

“(i) is a diagnostic radiopharmaceutical, as defined in section 315.2 and 601.31 of title 21, Code of Federal Regulations (or any successor regulations); or

“(ii) is a diagnostic agent that improves the visualization of structure or function within the body by increasing the relative difference in signal intensity within the target tissue, structure, or fluid.”

(b) APPLICATIONS FOR APPROVAL OF CONTRAST AGENTS INTENDED FOR USE WITH CERTAIN DIAGNOSTIC MEDICAL IMAGING DEVICES.—Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) is amended by adding at the end the following:

“(y) CONTRAST AGENTS INTENDED FOR USE WITH APPLICABLE MEDICAL IMAGING DEVICES.—

“(1) IN GENERAL.—The sponsor of a contrast agent for which an application has been approved under this section may submit a supplement to the application seeking approval for a new use following the authorization of a premarket submission for an applicable medical imaging device for that use with the contrast agent pursuant to section 520(p)(1).

“(2) REVIEW OF SUPPLEMENT.—In reviewing a supplement submitted under this subsection, the agency center charged with the premarket review of drugs may—

“(A) consult with the center charged with the premarket review of devices; and

“(B) review information and data submitted to the Secretary by the sponsor of an applicable medical imaging device pursuant to section 515, 510(k), or 513(f)(2) so long as the sponsor of such applicable medical imaging device has provided to the sponsor of the contrast agent a right of reference.

“(3) DEFINITIONS.—For purposes of this subsection—

“(A) the term ‘new use’ means a use of a contrast agent that is described in the approved labeling of an applicable medical imaging device described in section 520(p), but that is not described in the approved labeling of the contrast agent; and

“(B) the terms ‘applicable medical imaging device’ and ‘contrast agent’ have the meanings given such terms in section 520(p).”

#### SEC. 707. RISK-BASED CLASSIFICATION OF ACCESSORIES.

(a) IN GENERAL.—Subsection (f) of section 513 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360c) is amended by adding at the end the following new paragraph:

“(6)(A) Subject to the succeeding subparagraphs of this paragraph, the Secretary shall, by written order, classify an accessory under this section based on the risks of the accessory when used as intended and the level of regulatory controls necessary to provide a reasonable assurance of safety and effectiveness of the accessory, notwithstanding the classification of any other device with which such accessory is intended to be used.

“(B) The classification of any accessory distinct from another device by regulation or written order issued prior to December 13, 2016, shall continue to apply unless and until the accessory is reclassified by the Secretary, notwithstanding the classification of any other device with which such accessory is intended to be used. Nothing in this paragraph shall preclude the Secretary’s authority to initiate the classification of an accessory through regulation or written order, as appropriate.

“(C)(i) In the case of a device intended to be used with an accessory, where the accessory has been included in an application for premarket approval of such device under section 515 or a report under section 510(k) for clearance of such device and the Secretary has not classified such accessory distinctly from another device in accordance with sub-

paragraph (A), the person filing the application or report (as applicable) at the time such application or report is filed—

“(I) may include a written request for the proper classification of the accessory pursuant to subparagraph (A);

“(II) shall include in any such request such information as may be necessary for the Secretary to evaluate, based on the least burdensome approach, the appropriate class for the accessory under subsection (a); and

“(III) shall, if the request under subclause (I) is requesting classification of the accessory in class II, include in the application an initial draft proposal for special controls, if special controls would be required pursuant to subsection (a)(1)(B).

“(ii) The Secretary’s response under section 515(d) or section 510(n) (as applicable) to an application or report described in clause (i) shall also contain the Secretary’s granting or denial of the request for classification of the accessory involved.

“(iii) The Secretary’s evaluation of an accessory under clause (i) shall constitute an order establishing a new classification for such accessory for the specified intended use or uses of such accessory and for any accessory with the same intended use or uses as such accessory.

“(D) For accessories that have been granted marketing authorization as part of a submission for another device with which the accessory involved is intended to be used, through an application for such other device under section 515(c), a report under section 510(k), or a request for classification under paragraph (2) of this subsection, the following shall apply:

“(i) Not later than the date that is one year after the date of enactment of the FDA Reauthorization Act of 2017 and at least once every 5 years thereafter, and as the Secretary otherwise determines appropriate, pursuant to this paragraph, the Secretary shall publish in the Federal Register a notice proposing a list of such accessories that the Secretary determines may be suitable for a distinct classification in class I and the proposed regulations for such classifications. In developing such list, the Secretary shall consider recommendations from sponsors of device submissions and other stakeholders for accessories to be included on such list. The notices shall provide for a period of not less than 60 calendar days for public comment. Within 180 days after the end of the comment period, the Secretary shall publish in the Federal Register a final action classifying such suitable accessories into class I.

“(ii) A manufacturer or importer of an accessory that has been granted such marketing authorization may submit to the Secretary a written request for the appropriate classification of the accessory based on the risks and appropriate level of regulatory controls as described in subparagraph (A), and shall, if the request is requesting classification of the accessory in class II, include in the submission an initial draft proposal for special controls, if special controls would be required pursuant to subsection (a)(1)(B). Such request shall include such information as may be necessary for the Secretary to evaluate, based on the least burdensome approach, the appropriate class for the accessory under subsection (a). The Secretary shall provide an opportunity for a manufacturer or importer to meet with appropriate personnel of the Food and Drug Administration to discuss the appropriate classification of such accessory prior to submitting a written request under this clause for classification of the accessory.

“(iii) The Secretary shall respond to a request made under clause (ii) not later than 85 calendar days after receiving such request by issuing a written order classifying the accessory or denying the request. If the Secretary does not agree with the recommendation for classification submitted by the manufacturer or importer, the response shall include a detailed description and justification for such determination. Within 30 calendar days after granting such a request, the Secretary shall publish a notice in the Federal Register announcing such response.

“(E) Nothing in this paragraph may be construed as precluding a manufacturer of an accessory of a new type from using the classification process described in subsection (f)(2) to obtain classification of such accessory in accordance with the criteria and requirements set forth in that subsection.”

(b) CONFORMING CHANGE.—Section 513(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360c(b)) is amended by striking paragraph (9) (relating to classification of an accessory).

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date that is 60 days after the date of enactment of this Act.

#### SEC. 708. DEVICE PILOT PROJECTS.

(a) POSTMARKET PILOT.—Section 519 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360i) is amended by adding at the end the following:

“(i) POSTMARKET PILOT.—

“(1) IN GENERAL.—In order to provide timely and reliable information on the safety and effectiveness of devices approved under section 515, cleared under section 510(k), or classified under section 513(f)(2), including responses to adverse events and malfunctions, and to advance the objectives of part 803 of title 21, Code of Federal Regulations (or successor regulations), and advance the objectives of, and evaluate innovative new methods of compliance with, this section and section 522, the Secretary shall, within one year of the date of enactment of the FDA Reauthorization Act of 2017, initiate one or more pilot projects for voluntary participation by a manufacturer or manufacturers of a device or device type, or continue existing projects, in accordance with paragraph (3), that—

“(A) are designed to efficiently generate reliable and timely safety and active surveillance data for use by the Secretary or manufacturers of the devices that are involved in the pilot project;

“(B) inform the development of methods, systems, data criteria, and programs that could be used to support safety and active surveillance activities for devices included or not included in such project;

“(C) may be designed and conducted in coordination with a comprehensive system for evaluating medical device technology that operates under a governing board with appropriate representation of stakeholders, including patient groups and device manufacturers;

“(D) use electronic health data including claims data, patient survey data, or any other data, as the Secretary determines appropriate; and

“(E) prioritize devices and device types that meet one or more of the following criteria:

“(i) Devices and device types for which the collection and analysis of real world evidence regarding a device’s safety and effectiveness is likely to advance public health.

“(ii) Devices and device types that are widely used.

“(iii) Devices and device types, the failure of which has significant health consequences.

“(iv) Devices and device types for which the Secretary—

“(I) has received public recommendations in accordance with paragraph (2)(B); and

“(II) has determined to meet one or more of the criteria under clause (i), (ii), or (iii) and is appropriate for such a pilot project.

“(2) PARTICIPATION.—The Secretary shall establish the conditions and processes—

“(A) under which a manufacturer of a device may voluntarily participate in a pilot project described in paragraph (1); and

“(B) for facilitating public recommendations for devices to be prioritized under such a pilot project, including requirements for the data necessary to support such a recommendation.

“(3) CONTINUATION OF ONGOING PROJECTS.—The Secretary may continue or expand projects, with respect to providing timely and reliable information on the safety and effectiveness of devices approved under section 515, cleared under section 510(k), or classified under section 513(f)(2), that are being carried out as of the date of the enactment of the FDA Reauthorization Act of 2017. The Secretary shall, beginning on such date of enactment, take such steps as may be necessary—

“(A) to ensure such projects meet the requirements of subparagraphs (A) through (E) of paragraph (1); and

“(B) to increase the voluntary participation in such projects of manufacturers of devices and facilitate public recommendations for any devices prioritized under such a project.

“(4) IMPLEMENTATION.—

“(A) CONTRACTING AUTHORITY.—The Secretary may carry out a pilot project meeting the criteria specified in subparagraphs (A) through (E) of paragraph (1) or a project continued or expanded under paragraph (3) by entering into contracts, cooperative agreements, grants, or other appropriate agreements with public or private entities that have a significant presence in the United States and meet the following conditions:

“(i) If such an entity is a component of another organization, the entity and the organization have established an agreement under which appropriate security measures are implemented to maintain the confidentiality and privacy of the data described in paragraph (1)(D) and such agreement ensures that the entity will not make an unauthorized disclosure of such data to the other components of the organization in breach of requirements with respect to confidentiality and privacy of such data established under such security measures.

“(ii) In the case of the termination or non-renewal of such a contract, cooperative agreement, grant, or other appropriate agreement, the entity or entities involved shall comply with each of the following:

“(I) The entity or entities shall continue to comply with the requirements with respect to confidentiality and privacy referred to in clause (i) with respect to all data disclosed to the entity under such an agreement.

“(II) The entity or entities shall return any data disclosed to such entity pursuant to this subsection and to which it would not otherwise have access or, if returning such data is not practicable, destroy the data.

“(iii) The entity or entities shall have one or more qualifications with respect to—

“(I) research, statistical, epidemiologic, or clinical capability and expertise to conduct

and complete the activities under this subsection, including the capability and expertise to provide the Secretary access to de-identified data consistent with the requirements of this subsection;

“(II) an information technology infrastructure to support electronic data and operational standards to provide security for such data, as appropriate;

“(III) experience with, and expertise on, the development of research on, and surveillance of, device safety and effectiveness using electronic health data; or

“(IV) such other expertise which the Secretary determines necessary to carry out such a project.

“(B) REVIEW OF CONTRACT IN THE EVENT OF A MERGER OR ACQUISITION.—The Secretary shall review any contract, cooperative agreement, grant, or other appropriate agreement entered into under this paragraph with an entity meeting the conditions specified in subparagraph (A) in the event of a merger or acquisition of the entity in order to ensure that the requirements specified in this subsection will continue to be met.

“(5) COMPLIANCE WITH REQUIREMENTS FOR RECORDS OR REPORTS ON DEVICES.—The participation of a manufacturer in pilot projects under this subsection or a project continued or expanded under paragraph (3) shall not affect the eligibility of such manufacturer to participate in any quarterly reporting program with respect to devices carried out under this section 519 or section 522. The Secretary may determine that, for a specified time period to be determined by the Secretary, a manufacturer's participation in a pilot project under this subsection or a project continued or expanded under paragraph (3) may meet the applicable requirements of this section or section 522, if—

“(A) the project has demonstrated success in capturing relevant adverse event information; and

“(B) the Secretary has established procedures for making adverse event and safety information collected from such project public, to the extent possible.

“(6) PRIVACY REQUIREMENTS.—With respect to the disclosure of any health information collected through a project conducted under this subsection—

“(A) individually identifiable health information so collected shall not be disclosed when presenting any information from such project; and

“(B) any such disclosure shall be made in compliance with regulations issued pursuant to section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note) and sections 552 and 552a of title 5, United States Code.

“(7) LIMITATIONS.—No pilot project under this subsection, or in coordination with the comprehensive system described in paragraph (1)(C), may allow for an entity participating in such project, other than the Secretary, to make determinations of safety or effectiveness, or substantial equivalence, for purposes of this Act.

“(8) OTHER PROJECTS REQUIRED TO COMPLY.—Paragraphs (1)(B), (4)(A)(i), (4)(A)(ii), (5), (6), and (7) shall apply with respect to any pilot project undertaken in coordination with the comprehensive system described in paragraph (1)(C) that relates to the use of real world evidence for devices in the same manner and to the same extent as such paragraphs apply with respect to pilot projects conducted under this subsection.

“(9) REPORT TO CONGRESS.—Not later than 18 months after the date of enactment of this Act, and annually thereafter, the Secretary

shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate a report containing a description of the pilot projects being conducted under this subsection and projects continued or expanded pursuant to paragraph (3), including for each such project—

“(A) how the project is being implemented in accordance with paragraph (4), including how such project is being implemented through a contract, cooperative agreement, grant, or other appropriate agreement, if applicable;

“(B) the number of manufacturers that have agreed to participate in such project;

“(C) the data sources used to conduct such project;

“(D) the devices or device categories involved in such project;

“(E) the number of patients involved in such project; and

“(F) the findings of the project in relation to device safety, including adverse events, malfunctions, and other safety information.

“(10) SUNSET.—The Secretary may not carry out a pilot project initiated by the Secretary under this subsection after October 1, 2022.”.

(b) REPORT.—Not later than January 31, 2021, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall conduct a review through an independent third party to evaluate the strengths, limitations, and appropriate use of evidence collected pursuant to real world evidence pilot projects described in the letters described in section 201(b) of the Medical Device User Fee Amendments of 2017 and subsection (i) of section 519 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360i), as amended by subsection (a), for informing premarket and postmarket decisionmaking for multiple device types, and to determine whether the methods, systems, and programs in such pilot projects efficiently generate reliable and timely evidence about the effectiveness or safety surveillance of devices.

#### SEC. 709. REGULATION OF OVER-THE-COUNTER HEARING AIDS.

(a) IN GENERAL.—Section 520 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j), as amended by section 708, is further amended by adding at the end the following:

“(q) REGULATION OF OVER-THE-COUNTER HEARING AIDS.—

“(1) DEFINITION.—

“(A) IN GENERAL.—In this subsection, the term ‘over-the-counter hearing aid’ means a device that—

“(i) uses the same fundamental scientific technology as air conduction hearing aids (as defined in section 874.3300 of title 21, Code of Federal Regulations) (or any successor regulation) or wireless air conduction hearing aids (as defined in section 874.3305 of title 21, Code of Federal Regulations) (or any successor regulation);

“(ii) is intended to be used by adults age 18 and older to compensate for perceived mild to moderate hearing impairment;

“(iii) through tools, tests, or software, allows the user to control the over-the-counter hearing aid and customize it to the user's hearing needs;

“(iv) may—

“(I) use wireless technology; or

“(II) include tests for self-assessment of hearing loss; and

“(v) is available over-the-counter, without the supervision, prescription, or other order, involvement, or intervention of a licensed

person, to consumers through in-person transactions, by mail, or online.

“(B) EXCEPTION.—Such term does not include a personal sound amplification product intended to amplify sound for nonhearing impaired consumers in situations including hunting and bird-watching.

“(2) REGULATION.—An over-the-counter hearing aid shall be subject to the regulations promulgated in accordance with section 709(b) of the FDA Reauthorization Act of 2017 and shall be exempt from sections 801.420 and 801.421 of title 21, Code of Federal Regulations (or any successor regulations).”.

(b) REGULATIONS TO ESTABLISH CATEGORY.—

(1) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the “Secretary”), not later than 3 years after the date of enactment of this Act, shall promulgate proposed regulations to establish a category of over-the-counter hearing aids, as defined in subsection (q) of section 520 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j) as amended by subsection (a), and, not later than 180 days after the date on which the public comment period on the proposed regulations closes, shall issue such final regulations.

(2) REQUIREMENTS.—In promulgating the regulations under paragraph (1), the Secretary shall—

(A) include requirements that provide reasonable assurances of the safety and effectiveness of over-the-counter hearing aids;

(B) include requirements that establish or adopt output limits appropriate for over-the-counter hearing aids;

(C) include requirements for appropriate labeling of over-the-counter hearing aids, including requirements that such labeling include a conspicuous statement that the device is only intended for adults age 18 and older, information on how consumers may report adverse events, information on any contraindications, conditions, or symptoms of medically treatable causes of hearing loss, and advisements to consult promptly with a licensed health care practitioner; and

(D) describe the requirements under which the sale of over-the-counter hearing aids is permitted, without the supervision, prescription, or other order, involvement, or intervention of a licensed person, to consumers through in-person transactions, by mail, or online.

(3) PREMARKET NOTIFICATION.—The Secretary shall make findings under section 510(m) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(m)) to determine whether over-the-counter hearing aids (as defined in section 520(q) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j), as amended by subsection (a)) require a report under section 510(k) to provide reasonable assurance of safety and effectiveness.

(4) EFFECT ON STATE LAW.—No State or local government shall establish or continue in effect any law, regulation, order, or other requirement specifically related to hearing products that would restrict or interfere with the servicing, marketing, sale, dispensing, use, customer support, or distribution of over-the-counter hearing aids (as defined in section 520(q) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j), as amended by subsection (a)) through in-person transactions, by mail, or online, that is different from, in addition to, or otherwise not identical to, the regulations promulgated under this subsection, including any State or local requirement for the supervision, prescription, or other order, involvement, or intervention of a licensed person for

consumers to access over-the-counter hearing aids.

(5) NO EFFECT ON PRIVATE REMEDIES.—Nothing in this section shall be construed to modify or otherwise affect the ability of any person to exercise a private right of action under any State or Federal product liability, tort, warranty, contract, or consumer protection law.

(c) NEW GUIDANCE ISSUED.—Not later than the date on which final regulations are issued under subsection (b), the Secretary shall update and finalize the draft guidance of the Department of Health and Human Services entitled “Regulatory Requirements for Hearing Aid Devices and Personal Sound Amplification Products”, issued on November 7, 2013. Such updated and finalized guidance shall clarify which products, on the basis of claims or other marketing, advertising, or labeling material, meet the definition of a device in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) and which products meet the definition of a personal sound amplification product, as set forth in such guidance.

(d) REPORT.—Not later than 2 years after the date on which the final regulations described in subsection (b)(1) are issued, the Secretary of Health and Human Services shall submit to Congress a report analyzing any adverse events relating to over-the-counter hearing aids (as defined in subsection (q)(1) of section 520 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j)).

#### SEC. 710. REPORT ON SERVICING OF DEVICES.

(a) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall post on the internet website of the Food and Drug Administration a report on the continued quality, safety, and effectiveness of devices (as defined in section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h))) with respect to servicing (as defined in subsection (c)).

(b) CONTENTS.—The report submitted under subsection (a) shall contain—

(1) the status of, and findings to date, with respect to, the proposed rule entitled “Refurbishing, Reconditioning, Rebuilding, Remarking, Remanufacturing, and Servicing of Medical Devices Performed by Third-Party Entities and Original Equipment Manufacturers; Request for Comments” published in the Federal Register by the Food and Drug Administration on March 4, 2016 (81 Fed. Reg. 11477);

(2) information presented during the October 2016 public workshop entitled “Refurbishing, Reconditioning, Rebuilding, Remarking, Remanufacturing, and Servicing of Medical Devices Performed by Third-Party Entities and Original Equipment Manufacturers”;

(3) a description of the statutory and regulatory authority of the Food and Drug Administration with respect to the servicing of devices conducted by any entity, including original equipment manufacturers and third party entities;

(4) details regarding how the Food and Drug Administration currently regulates devices with respect to servicing to ensure safety and effectiveness, how the agency could improve such regulation using the authority described in paragraph (3), and whether additional authority is recommended;

(5) information on actions the Food and Drug Administration could take under the authority described in paragraphs (3) and (4)

to assess the servicing of devices, including the size, scope, location, and composition of third party entities;

(6) information on actions the Food and Drug Administration could take to track adverse events caused by servicing errors performed by any entity, including original equipment manufacturers and third party entities;

(7) information regarding the regulation by States, the Joint Commission, or other regulatory bodies of device servicing performed by any entity, including original equipment manufacturers and third party entities; and

(8) any additional information determined by the Secretary (acting through the Commissioner) to be relevant to ensuring the quality, safety, and effectiveness of devices with respect to servicing.

(c) SERVICING DEFINED.—In this section, the term “servicing” includes, with respect to a device, refurbishing, reconditioning, rebuilding, remarketing, repairing, remanufacturing, or other servicing of the device.

#### TITLE VIII—IMPROVING GENERIC DRUG ACCESS

##### SEC. 801. PRIORITY REVIEW OF GENERIC DRUGS.

Section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) is amended by adding at the end the following:

“(11)(A) Subject to subparagraph (B), the Secretary shall prioritize the review of, and act within 8 months of the date of the submission of, an original abbreviated new drug application submitted for review under this subsection that is for a drug—

“(i) for which there are not more than 3 approved drug products listed under paragraph (7) and for which there are no blocking patents and exclusivities; or

“(ii) that has been included on the list under section 506E.

“(B) To qualify for priority review under this paragraph, not later than 60 days prior to the submission of an application described in subparagraph (A) or that the Secretary may prioritize pursuant to subparagraph (D), the applicant shall provide complete, accurate information regarding facilities involved in manufacturing processes and testing of the drug that is the subject of the application, including facilities in corresponding Type II active pharmaceutical ingredients drug master files referenced in an application and sites or organizations involved in bioequivalence and clinical studies used to support the application, to enable the Secretary to make a determination regarding whether an inspection of a facility is necessary. Such information shall include the relevant (as determined by the Secretary) sections of such application, which shall be unchanged relative to the date of the submission of such application, except to the extent that a change is made to such information to exclude a facility that was not used to generate data to meet any application requirements for such submission and that is not the only facility intended to conduct one or more unit operations in commercial production. Information provided by an applicant under this subparagraph shall not be considered the submission of an application under this subsection.

“(C) The Secretary may expedite an inspection or reinspection under section 704 of an establishment that proposes to manufacture a drug described in subparagraph (A).

“(D) Nothing in this paragraph shall prevent the Secretary from prioritizing the review of other applications as the Secretary determines appropriate.

“(12) The Secretary shall publish on the internet website of the Food and Drug Administration, and update at least once every

6 months, a list of all drugs approved under subsection (c) for which all patents and periods of exclusivity under this Act have expired and for which no application has been approved under this subsection.”

**SEC. 802. ENHANCING REGULATORY TRANSPARENCY TO ENHANCE GENERIC COMPETITION.**

Section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), as amended by section 801, is further amended by adding at the end the following:

“(13) Upon the request of an applicant regarding one or more specified pending applications under this subsection, the Secretary shall, as appropriate, provide review status updates indicating the categorical status of the applications by each relevant review discipline.”

**SEC. 803. COMPETITIVE GENERIC THERAPIES.**

(a) IN GENERAL.—Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by inserting after section 506G the following:

**“SEC. 506H. COMPETITIVE GENERIC THERAPIES.**

“(a) IN GENERAL.—The Secretary may, at the request of an applicant of a drug that is designated as a competitive generic therapy pursuant to subsection (b), expedite the development and review of an abbreviated new drug application under section 505(j) for such drug.

“(b) DESIGNATION PROCESS.—

“(1) REQUEST.—The applicant may request the Secretary to designate the drug as a competitive generic therapy.

“(2) TIMING.—A request under paragraph (1) may be made concurrently with, or at any time prior to, the submission of an abbreviated new drug application for the drug under section 505(j).

“(3) CRITERIA.—A drug is eligible for designation as a competitive generic therapy under this section if the Secretary determines that there is inadequate generic competition.

“(4) DESIGNATION.—Not later than 60 calendar days after the receipt of a request under paragraph (1), the Secretary may—

“(A) determine whether the drug that is the subject of the request meets the criteria described in paragraph (3); and

“(B) if the Secretary finds that the drug meets such criteria, designate the drug as a competitive generic therapy.

“(c) ACTIONS.—In expediting the development and review of an application under subsection (a), the Secretary may, as requested by the applicant, take actions including the following:

“(1) Hold meetings with the applicant and the review team throughout the development of the drug prior to submission of the application for such drug under section 505(j).

“(2) Provide timely advice to, and interactive communication with, the applicant regarding the development of the drug to ensure that the development program to gather the data necessary for approval is as efficient as practicable.

“(3) Involve senior managers and experienced review staff, as appropriate, in a collaborative, coordinated review of such application, including with respect to drug-device combination products and other complex products.

“(4) Assign a cross-disciplinary project lead—

“(A) to facilitate an efficient review of the development program and application, including manufacturing inspections; and

“(B) to serve as a scientific liaison between the review team and the applicant.

“(d) REPORTING REQUIREMENT.—Not later than one year after the date of the approval

of an application under section 505(j) with respect to a drug for which the development and review is expedited under this section, the sponsor of such drug shall report to the Secretary on whether the drug has been marketed in interstate commerce since the date of such approval.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘generic drug’ means a drug that is approved pursuant to section 505(j).

“(2) The term ‘inadequate generic competition’ means, with respect to a drug, there is not more than one approved drugs on the list of drugs described in section 505(j)(7)(A) (not including drugs on the discontinued section of such list) that is—

“(A) the reference listed drug; or

“(B) a generic drug with the same reference listed drug as the drug for which designation as a competitive generic therapy is sought.

“(3) The term ‘reference listed drug’ means the listed drug (as such term is used in section 505(j)) for the drug involved.”

(b) GUIDANCE; AMENDED REGULATIONS.—

(1) IN GENERAL.—

(A) ISSUANCE.—The Secretary of Health and Human Services shall—

(i) not later than 18 months after the date of enactment of this Act, issue draft guidance on section 506H of the Federal Food, Drug, and Cosmetic Act, as added by subsection (a); and

(ii) not later than 1 year after the close of the comment period for the draft guidance, issue final guidance on such section 506H.

(B) CONTENTS.—The guidance issued under this paragraph shall—

(i) specify the process and criteria by which the Secretary makes a designation under section 506H of the Federal Food, Drug, and Cosmetic Act, as added by subsection (a);

(ii) specify the actions the Secretary may take to expedite the development and review of a competitive generic therapy pursuant to such a designation; and

(iii) include good review management practices for competitive generic therapies.

(2) AMENDED REGULATIONS.—The Secretary of Health and Human Services shall issue or revise any regulations as may be necessary to carry out this section not later than 2 years after the date of enactment of this Act.

**SEC. 804. ACCURATE INFORMATION ABOUT DRUGS WITH LIMITED COMPETITION.**

Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by inserting after section 506H, as added by section 803, the following:

**“SEC. 506I. PROMPT REPORTS OF MARKETING STATUS.**

“(a) NOTIFICATION OF WITHDRAWAL.—The holder of an application approved under subsection (c) or (j) of section 505 shall notify the Secretary in writing 180 days prior to withdrawing the approved drug from sale, or if 180 days is not practicable as soon as practicable but not later than the date of withdrawal. The holder shall include with such notice the—

“(1) National Drug Code;

“(2) identity of the drug by established name and by proprietary name, if any;

“(3) new drug application number or abbreviated application number;

“(4) strength of the drug;

“(5) date on which the drug is expected to no longer be available for sale; and

“(6) reason for withdrawal of the drug.

“(b) NOTIFICATION OF DRUG NOT AVAILABLE FOR SALE.—The holder of an application ap-

proved under subsection (c) or (j) shall notify the Secretary in writing within 180 calendar days of the date of approval of the drug if the drug will not be available for sale within 180 calendar days of such date of approval. The holder shall include with such notice the—

“(1) identity of the drug by established name and by proprietary name, if any;

“(2) new drug application number or abbreviated application number;

“(3) strength of the drug;

“(4) date on which the drug will be available for sale, if known; and

“(5) reason for not marketing the drug after approval.

“(c) ADDITIONAL ONE-TIME REPORT.—Within 180 days of the date of enactment of this section, all holders of applications approved under subsection (c) or (j) of section 505 shall review the information in the list published under subsection 505(j)(7)(A) and shall notify the Secretary in writing that—

“(1) all of the application holder's drugs in the active section of the list published under subsection 505(j)(7)(A) are available for sale; or

“(2) one or more of the application holder's drugs in the active section of the list published under subsection 505(j)(7)(A) have been withdrawn from sale or have never been available for sale, and include with such notice the information required pursuant to subsection (a) or (b), as applicable.

“(d) FAILURE TO MEET REQUIREMENTS.—If a holder of an approved application fails to submit the information required under subsection (a), (b), or (c), the Secretary may move the application holder's drugs from the active section of the list published under subsection 505(j)(7)(A) to the discontinued section of the list, except that the Secretary shall remove from the list in accordance with subsection 505(j)(7)(C) drugs the Secretary determines have been withdrawn from sale for reasons of safety or effectiveness.

“(e) UPDATES.—The Secretary shall update the list published under subsection 505(j)(7)(A) based on the information provided under subsections (a), (b), and (c) by moving drugs that are not available for sale from the active section to the discontinued section of the list, except that drugs the Secretary determines have been withdrawn from sale for reasons of safety or effectiveness shall be removed from the list in accordance with subsection 505(j)(7)(C). The Secretary shall make monthly updates to the list based on the information provided pursuant to subsections (a) and (b), and shall update the list based on the information provided under subsection (c) as soon as practicable.

“(f) LIMITATION ON USE OF NOTICES.—Any notice submitted under this section shall not be made public by the Secretary and shall be used solely for the purpose of the updates described in subsection (e).”

**SEC. 805. SUITABILITY PETITIONS.**

(a) IN GENERAL.—It is the sense of Congress that the Food and Drug Administration shall meet the requirement under section 505(j)(2)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(2)(C)) and section 314.93(e) of title 21, Code of Federal Regulations, of responding to suitability petitions within 90 days of submission.

(b) REPORT.—The Secretary of Health and Human Services shall include in the annual reports under section 807—

(1) the number of pending petitions under section 505(j)(2)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(2)(C)); and

(2) the number of such petitions pending a substantive response for more than 180 days from the date of receipt.



**SEC. 806. INSPECTIONS.**

Within 6 months of the date of enactment of this Act, the Secretary of Health and Human Services shall develop and implement a protocol for expediting review of timely responses to reports of observations from an inspection under section 704 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374). Such protocol shall—

(1) apply to responses to such reports pertaining to applications submitted under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355)—

(A) for which the approval is dependent upon remediation of conditions identified in the report;

(B) for which concerns related to observations from an inspection under such section 704 are the only barrier to approval; and

(C) where the drug that is the subject of the application is a drug—

(i) for which there are not more than 3 other approved applications under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) that reference the same listed drug and for which there are less than 6 abbreviated new drug applications tentatively approved; or

(ii) that is included on the list under section 506E of such Act (21 U.S.C. 356e);

(2) address expedited re-inspection of facilities, as appropriate; and

(3) establish a 6-month timeline for completion of review of such responses to such reports.

**SEC. 807. REPORTING ON PENDING GENERIC DRUG APPLICATIONS AND PRIORITY REVIEW APPLICATIONS.**

Not later than 180 calendar days after the date of enactment of this Act, and quarterly thereafter until October 1, 2022, the Secretary of Health and Human Services shall post on the internet website of the Food and Drug Administration a report that provides, with respect to the months covered by the report—

(1) with respect to applications filed under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) that, during the most recent calendar year, were subject to priority review under paragraph (1) of such section 505(j) (as added by section 801) or expedited development and review under section 506H of the Federal Food, Drug, and Cosmetic Act (as added by section 803), the numbers of such applications (with denotation of such applications that were filed prior to October 1, 2014) that are—

(A) awaiting action by the applicant;

(B) awaiting action by the Secretary; and

(C) approved by the Secretary;

(2) the number of applications filed under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) and prior approval supplements withdrawn in each month;

(3) the mean and median approval and tentative approval times and the number of review cycles for such applications;

(4) the number and type of meetings requested and held under such section 506H (as added by section 803); and

(5) the number of such applications on which the Secretary has taken action pursuant to subsection (c) of such section 506H (as added by section 803) and any effect such section 506H may have on the length of time for approval of applications under such section 505(j) and the number of review cycles for such approvals.

**SEC. 808. INCENTIVIZING COMPETITIVE GENERIC DRUG DEVELOPMENT.**

Section 505(j)(5) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(5)) is amended—

(1) in subparagraph (B), by adding at the end the following:

“(v) 180-DAY EXCLUSIVITY PERIOD FOR COMPETITIVE GENERIC THERAPIES.—

“(I) EFFECTIVENESS OF APPLICATION.—Subject to subparagraph (D)(iv), if the application is for a drug that is the same as a competitive generic therapy for which any first approved applicant has commenced commercial marketing, the application shall be made effective on the date that is 180 days after the date of the first commercial marketing of the competitive generic therapy (including the commercial marketing of the listed drug) by any first approved applicant.

“(II) LIMITATION.—The exclusivity period under subclause (I) shall not apply with respect to a competitive generic therapy that has previously received an exclusivity period under subclause (I).

“(III) DEFINITIONS.—In this clause and subparagraph (D)(iv):

“(aa) The term ‘competitive generic therapy’ means a drug—

“(AA) that is designated as a competitive generic therapy under section 506H; and

“(BB) for which there are no unexpired patents or exclusivities on the list of products described in section 505(j)(7)(A) at the time of submission.

“(bb) The term ‘first approved applicant’ means any applicant that has submitted an application that—

“(AA) is for a competitive generic therapy that is approved on the first day on which any application for such competitive generic therapy is approved;

“(BB) is not eligible for a 180-day exclusivity period under clause (iv) for the drug that is the subject of the application for the competitive generic therapy; and

“(CC) is not for a drug for which all drug versions have forfeited eligibility for a 180-day exclusivity period under clause (iv) pursuant to subparagraph (D).”; and

(2) in subparagraph (D), by adding at the end the following:

“(iv) SPECIAL FORFEITURE RULE FOR COMPETITIVE GENERIC THERAPY.—The 180-day exclusivity period described in subparagraph (B)(v) shall be forfeited by a first approved applicant if the applicant fails to market the competitive generic therapy within 75 days after the date on which the approval of the first approved applicant’s application for the competitive generic therapy is made effective.”.

**SEC. 809. GAO STUDY OF ISSUES REGARDING FIRST CYCLE APPROVALS OF GENERIC MEDICINES.**

(a) STUDY BY GAO.—The Comptroller General of the United States shall conduct a study to determine the following:

(1) The rate of first cycle approvals and tentative approvals for applications submitted under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) during the period beginning on October 1, 2012, and ending on September 30, 2017. The rate of first cycle approvals and tentative approvals shall be determined and reported per each GDUFA cohort year during this period.

(2) If the rate determined pursuant to paragraph (1) for any GDUFA cohort year is lower than 20 percent, the reasons contributing to the relatively low rate of first cycle approvals and tentative approvals for generic drug applications shall be itemized, assessed, and reported. In making the assessment required by this paragraph, the Comptroller General shall consider, among other things, the role played by—

(A) the Food and Drug Administration’s implementation of approval standards for generic drug applications;

(B) the extent to which those approval standards are communicated clearly to industry and applied consistently during the review process;

(C) the procedures for reviewing generic drug applications, including timelines for review activities by the Food and Drug Administration;

(D) the extent to which those procedures are followed consistently (and those timelines are met) by the Food and Drug Administration;

(E) the processes and practices for communication between the Food and Drug Administration and sponsors of generic drug applications; and

(F) the completeness and quality of original generic drug applications submitted to the Food and Drug Administration.

(3) Taking into account the determinations made pursuant to paragraphs (1) and (2) and any review process improvements implemented pursuant to this Act, whether there are ways the review process for generic drugs could be improved to increase the rate of first cycle approvals and tentative approvals for generic drug applications. In making this determination, the Comptroller General shall consider, among other things, options for increasing review efficiency and communication effectiveness.

(b) COMPLETION DATE.—Not later than the expiration of the 2-year period beginning on the date of enactment of this Act, the Comptroller General shall complete the study under subsection (a) and submit a report describing the findings and conclusions of the study to the Secretary, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate.

(c) DEFINITIONS.—For purposes of this section:

(1) The term “GDUFA cohort year” means a fiscal year.

(2) The term “generic drug” means a drug that is approved or is seeking approval under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)).

(3) The term “generic drug application” means an abbreviated new drug application for the approval of a generic drug under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)).

(4) The term “Secretary” means the Secretary of Health and Human Services.

(5)(A) The term “first cycle approvals and tentative approvals” means the approval or tentative approval of a generic drug application after the Food and Drug Administration’s complete review of the application and without issuance of one or more complete response letters.

(B) For purposes of this paragraph, the term “complete response letter” means a written communication to the sponsor of a generic drug application or holder of a drug master file from the Food and Drug Administration describing all of the deficiencies that the Administration has identified in the generic drug application (including pending amendments) or drug master file that must be satisfactorily addressed before the generic drug application can be approved.

**TITLE IX—ADDITIONAL PROVISIONS****SEC. 901. TECHNICAL CORRECTIONS.**

(a) Section 3075(a) of the 21st Century Cures Act (Public Law 114-255) is amended—

(1) in the matter preceding paragraph (1), by striking “as amended by section 2074” and inserting “as amended by section 3102”; and

(2) in paragraph (2), by striking “section 2074(1)(C)” and inserting “section 3102(1)(C)”.

(b) Section 506G(b)(1)(A) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356g(b)(1)(A)) is amended by striking “identity” and inserting “identify”.

(c) Section 505F(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355g(b)) is amended by striking “randomized” and inserting “traditional”.

(d) Section 505F(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355g(d)) is amended by striking “2” and inserting “3”.

(e) Section 510(h)(6) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(h)(6)) is amended by striking “February 1” and replacing with “May 1”.

(f) Effective as of the enactment of the 21st Century Cures Act (Public Law 114-255)—

(1) section 3051(a) of such Act is amended by striking “by inserting after section 515B” and inserting “by inserting after section 515A”; and

(2) section 515C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e-3), as inserted by such section 3051(a), is redesignated as section 515B.

(g) Section 515B(f)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e-3(f)(2)), as redesignated by subsection (e)(2) of this section, is amended by striking “a proposed guidance” and inserting “a draft version of that guidance”.

(h) Section 513(b)(5)(D) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360c(b)(5)(D)) is amended by striking “medical device submissions” and inserting “medical devices that may be specifically the subject of a review by a classification panel”.

#### SEC. 902. ANNUAL REPORT ON INSPECTIONS.

Not later than March 1 of each year, the Secretary of Health and Human Services shall post on the internet website of the Food and Drug Administration information related to inspections of facilities necessary for approval of a drug under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), approval of a device under section 515 of such Act (21 U.S.C. 360e), or clearance of a device under section 510(k) of such Act (21 U.S.C. 360(k)) that were conducted during the previous calendar year. Such information shall include the following:

(1) The median time following a request from staff of the Food and Drug Administration reviewing an application or report to the beginning of the inspection, and the median time from the beginning of an inspection to the issuance of a report pursuant to section 704(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(b)).

(2) The median time from the issuance of a report pursuant to such section 704(b) to the sending of a warning letter, issuance of an import alert, or holding of a regulatory meeting for inspections for which the Secretary concluded that regulatory or enforcement action was indicated.

(3) The median time from the sending of a warning letter, issuance of an import alert, or holding of a regulatory meeting to resolution of the regulatory or enforcement action indicated for inspections for which the Secretary concluded that such action was indicated.

(4) The number of times that a facility was issued a report pursuant to such section 704(b) and approval of an application was delayed due to the issuance of a withhold recommendation.

#### SEC. 903. STREAMLINING AND IMPROVING CONSISTENCY IN PERFORMANCE REPORTING.

(a) PDUFA.—Section 736B(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C.

379h-2(a)), as amended by section 103, is further amended by inserting after paragraph (2) the following:

“(3) REAL TIME REPORTING.—

“(A) IN GENERAL.—Not later than 30 calendar days after the end of the second quarter of fiscal year 2018, and not later than 30 calendar days after the end of each quarter of each fiscal year thereafter, the Secretary shall post the data described in subparagraph (B) on the internet website of the Food and Drug Administration for such quarter and on a cumulative basis for such fiscal year, and may remove duplicative data from the annual performance report under this subsection.

“(B) DATA.—The Secretary shall post the following data in accordance with subparagraph (A):

“(i) The number and titles of draft and final guidance on topics related to the process for the review of human drug applications, and whether such guidances were issued as required by statute or pursuant to a commitment under the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017.

“(ii) The number and titles of public meetings held on topics related to the process for the review of human drug applications, and whether such meetings were required by statute or pursuant to a commitment under the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017.

“(iii) The number of new drug applications and biological licensing applications approved.

“(iv) The number of new drug applications and biological licensing applications filed.

“(4) RATIONALE FOR PDUFA PROGRAM CHANGES.—Beginning with fiscal year 2020, the Secretary shall include in the annual report under paragraph (1)—

“(A) data, analysis, and discussion of the changes in the number of full-time equivalents hired as agreed upon in the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017 and the number of full time equivalents funded by budget authority at the Food and Drug Administration by each division within the Center for Drug Evaluation and Research, the Center for Biologics Evaluation and Research, the Office of Regulatory Affairs, and the Office of the Commissioner;

“(B) data, analysis, and discussion of the changes in the fee revenue amounts and costs for the process for the review of human drugs, including identifying drivers of such changes; and

“(C) for each of the Center for Drug Evaluation and Research, the Center for Biologics Evaluation and Research, the Office of Regulatory Affairs, and the Office of the Commissioner, the number of employees for whom time reporting is required and the number of employees for whom time reporting is not required.”.

(b) MDUFA.—Section 738A(a)(1)(A) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-1(a)(1)(A)), as amended by section 204, is further amended—

(1) by striking “Beginning with” and inserting the following:

“(i) GENERAL REQUIREMENTS.—Beginning with”; and

(2) by adding at the end the following:

“(ii) ADDITIONAL INFORMATION.—Beginning with fiscal year 2018, the annual report under this subparagraph shall include the progress of the Center for Devices and Radiological Health in achieving the goals, and future plans for meeting the goals, including—

“(I) the number of premarket applications filed under section 515 per fiscal year for each review division;

“(II) the number of reports submitted under section 510(k) per fiscal year for each review division; and

“(III) the number of expedited development and priority review designations under section 515C per fiscal year.

“(iii) REAL TIME REPORTING.—

“(I) IN GENERAL.—Not later than 30 calendar days after the end of the second quarter of fiscal year 2018, and not later than 30 calendar days after the end of each quarter of each fiscal year thereafter, the Secretary shall post the data described in subclause (II) on the internet website of the Food and Drug Administration for such quarter and on a cumulative basis for such fiscal year, and may remove duplicative data from the annual report under this subparagraph.

“(II) DATA.—The Secretary shall post the following data in accordance with subclause (I):

“(aa) The number and titles of draft and final guidance on topics related to the process for the review of devices, and whether such guidances were issued as required by statute or pursuant to the letters described in section 201(b) of the Medical Device User Fee Amendments of 2017; and

“(bb) The number and titles of public meetings held on topics related to the process for the review of devices, and if such meetings were required by statute or pursuant to a commitment under the letters described in section 201(b) of the Medical Device User Fee Amendments of 2017.

“(iv) RATIONALE FOR MDUFA PROGRAM CHANGES.—Beginning with fiscal year 2020, the Secretary shall include in the annual report under paragraph (1)—

“(I) data, analysis, and discussion of the changes in the number of full-time equivalents hired as agreed upon in the letters described in section 201(b) of the Medical Device User Fee Amendments of 2017 and the number of full time equivalents funded by budget authority at the Food and Drug Administration by each division within the Center for Devices and Radiological Health, the Center for Biologics Evaluation and Research, the Office of Regulatory Affairs, and the Office of the Commissioner;

“(II) data, analysis, and discussion of the changes in the fee revenue amounts and costs for the process for the review of devices, including identifying drivers of such changes; and

“(III) for each of the Center for Devices and Radiological Health, the Center for Biologics Evaluation and Research, the Office of Regulatory Affairs, and the Office of the Commissioner, the number of employees for whom time reporting is required and the number of employees for whom time reporting is not required.”.

(c) GDUFA.—Section 744C(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-43(a)), as amended by section 304, is further amended—

(1) by striking “Beginning with” and inserting the following:

“(1) GENERAL REQUIREMENTS.—Beginning with”; and

(2) by adding at the end the following:

“(2) REAL TIME REPORTING.—

“(A) IN GENERAL.—Not later than 30 calendar days after the end of the second quarter of fiscal year 2018, and not later than 30 calendar days after the end of each quarter of each fiscal year thereafter, the Secretary shall post the data described in subparagraph (B) on the internet website of the Food and

Drug Administration, and may remove duplicative data from the annual report under this subsection.

“(B) DATA.—The Secretary shall post the following data in accordance with subparagraph (A):

“(i) The number and titles of draft and final guidance on topics related to human generic drug activities and whether such guidances were issued as required by statute or pursuant to a commitment under the letters described in section 301(b) of the Generic Drug User Fee Amendments of 2017.

“(ii) The number and titles of public meetings held on topics related to human generic drug activities and whether such meetings were required by statute or pursuant to a commitment under the letters described in section 301(b) of the Generic Drug User Fee Amendments of 2017.

“(3) RATIONALE FOR GDUFA PROGRAM CHANGES.—Beginning with fiscal year 2020, the Secretary shall include in the annual report under paragraph (1)—

“(A) data, analysis, and discussion of the changes in the number of full-time equivalents hired as agreed upon in the letters described in section 301(b) of the Generic Drug User Fee Amendments of 2017 and the number of full time equivalents funded by budget authority at the Food and Drug Administration by each division within the Center for Drug Evaluation and Research, the Center for Biologics Evaluation and Research, the Office of Regulatory Affairs, and the Office of the Commissioner;

“(B) data, analysis, and discussion of the changes in the fee revenue amounts and costs for human generic drug activities, including identifying drivers of such changes; and

“(C) for each of the Center for Drug Evaluation and Research, the Center for Biologics Evaluation and Research, the Office of Regulatory Affairs, and the Office of the Commissioner, the number of employees for whom time reporting is required and the number of employees for whom time reporting is not required.”.

(d) BSUFA.—Section 744I(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-53(a)), as amended by section 404, is further amended—

(1) by striking “Beginning with” and inserting the following:

“(1) GENERAL REQUIREMENTS.—Beginning with”; and

(2) by adding at the end the following:

“(2) ADDITIONAL INFORMATION.—Beginning with fiscal year 2018, the report under this subsection shall include the progress of the Food and Drug Administration in achieving the goals, and future plans for meeting the goals, including—

“(A) information on all previous cohorts for which the Secretary has not given a complete response on all biosimilar biological product applications and supplements in the cohort;

“(B) the number of original biosimilar biological product applications filed per fiscal year, and the number of approvals issued by the agency for such applications; and

“(C) the number of resubmitted original biosimilar biological product applications filed per fiscal year and the number of approvals letters issued by the agency for such applications.

“(3) REAL TIME REPORTING.—

“(A) IN GENERAL.—Not later than 30 calendar days after the end of the second quarter of fiscal year 2018, and not later than 30 calendar days after the end of each quarter of each fiscal year thereafter, the Secretary

shall post the data described in subparagraph (B) for such quarter and on a cumulative basis for the fiscal year on the internet website of the Food and Drug Administration, and may remove duplicative data from the annual report under this subsection.

“(B) DATA.—The Secretary shall post the following data in accordance with subparagraph (A):

“(i) The number and titles of draft and final guidance on topics related to the process for the review of biosimilars, and whether such guidances were required by statute or pursuant to a commitment under the letters described in section 401(b) of the Biosimilar User Fee Amendments of 2017.

“(ii) The number and titles of public meetings held on topics related to the process for the review of biosimilars, and whether such meetings were required by statute or pursuant to a commitment under the letters described in section 401(b) of the Biosimilar User Fee Amendments of 2017.

“(4) RATIONALE FOR BSUFA PROGRAM CHANGES.—Beginning with fiscal year 2020, the Secretary shall include in the annual report under paragraph (1)—

“(A) data, analysis, and discussion of the changes in the number of full-time equivalents hired as agreed upon in the letters described in section 401(b) of the Biosimilar User Fee Amendments of 2017 and the number of full time equivalents funded by budget authority at the Food and Drug Administration by each division within the Center for Drug Evaluation and Research, the Center for Biologics Evaluation and Research, the Office of Regulatory Affairs, and the Office of the Commissioner;

“(B) data, analysis, and discussion of the changes in the fee revenue amounts and costs for the process for the review of biosimilar biological product applications, including identifying drivers of such changes; and

“(C) for each of the Center for Drug Evaluation and Research, the Center for Biologics Evaluation and Research, the Office of Regulatory Affairs, and the Office of the Commissioner, the number of employees for whom time reporting is required and the number of employees for whom time reporting is not required.”.

#### SEC. 904. ANALYSIS OF USE OF FUNDS.

(a) PDUFA REPORTS.—

(1) ANALYSIS IN PDUFA PERFORMANCE REPORTS.—Section 736B(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h-2(a)), as amended by section 903(a), is further amended by adding at the end the following:

“(5) ANALYSIS.—For each fiscal year, the Secretary shall include in the report under paragraph (1) an analysis of the following:

“(A) The difference between the aggregate number of human drug applications filed and the aggregate number of approvals, accounting for—

“(i) such applications filed during one fiscal year for which a decision is not scheduled to be made until the following fiscal year;

“(ii) the aggregate number of applications for each fiscal year that did not meet the goals identified in the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017 for the applicable fiscal year.

“(B) Relevant data to determine whether the Center for Drug Evaluation and Research and the Center for Biologics Evaluation and Research have met performance enhancement goals identified in the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017 for the applicable fiscal year.

“(C) The most common causes and trends of external or other circumstances affecting the ability of the Center for Drug Evaluation and Research, the Center for Biologics Evaluation and Research, Office of Regulatory Affairs, and the Food and Drug Administration to meet the review time and performance enhancement goals identified in the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017.”.

(2) ISSUANCE OF CORRECTIVE ACTION REPORTS.—Section 736B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h-2) is amended—

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

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

“(c) CORRECTIVE ACTION REPORT.—Beginning with fiscal year 2018, for each fiscal year for which fees are collected under this part, the Secretary shall prepare and submit a corrective action report to the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate. The report shall include the following information, as applicable:

“(1) GOALS MET.—For each fiscal year, if the Secretary determines, based on the analysis under subsection (a)(5), that each of the goals identified in the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017 for the applicable fiscal year have been met, the corrective action report shall include recommendations on ways in which the Secretary can improve and streamline the human drug application review process.

“(2) GOALS MISSED.—For any of the goals identified in the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017 for the applicable fiscal year that the Secretary determines to not have been met, the corrective action report shall include—

“(A) a detailed justification for such determination and a description, as applicable, of the types of circumstances and trends under which human drug applications that missed the review goal time were approved during the first cycle review, or application review goals were missed; and

“(B) with respect to performance enhancement goals that were not achieved, a description of efforts the Food and Drug Administration has put in place for the fiscal year in which the report is submitted to improve the ability of such agency to meet each such goal for the such fiscal year.

“(d) ENHANCED COMMUNICATION.—

“(1) COMMUNICATIONS WITH CONGRESS.—Each fiscal year, as applicable and requested, representatives from the Centers with expertise in the review of human drugs shall meet with representatives from the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives to report on the contents described in the reports under this section.

“(2) PARTICIPATION IN CONGRESSIONAL HEARING.—Each fiscal year, as applicable and requested, representatives from the Food and Drug Administration shall participate in a public hearing before the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, to report on the contents described in the reports under this section. Such hearing

shall occur not later than 120 days after the end of each fiscal year for which fees are collected under this part.”.

(b) MDUFA REPORTS.—

(1) ANALYSIS IN MDUFA PERFORMANCE REPORTS.—Section 738A(a)(1)(A) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-1(a)(1)(A)), as amended by section 903(b), is further amended by adding at the end the following:

“(iv) ANALYSIS.—For each fiscal year, the Secretary shall include in the report under clause (i) an analysis of the following:

“(I) The difference between the aggregate number of premarket applications filed under section 515 and aggregate reports submitted under section 510(k) and the aggregate number of major deficiency letters, not approvable letters, and denials for such applications issued by the agency, accounting for—

“(aa) the number of applications filed and reports submitted during one fiscal year for which a decision is not scheduled to be made until the following fiscal year; and

“(bb) the aggregate number of applications for each fiscal year that did not meet the goals as identified by the letters described in section 201(b) of the Medical Device User Fee Amendments of 2017 for the applicable fiscal year.

“(II) Relevant data to determine whether the Center for Devices and Radiological Health has met performance enhancement goals identified by the letters described in section 201(b) of the Medical Device User Fee Amendments of 2017 for the applicable fiscal year.

“(III) The most common causes and trends for external or other circumstances affecting the ability of the Center for Devices and Radiological Health, the Office of Regulatory Affairs, or the Food and Drug Administration to meet review time and performance enhancement goals identified by the letters described in section 201(b) of the Medical Device User Fee Amendments of 2017.”.

(2) ISSUANCE OF CORRECTIVE ACTION REPORTS.—Section 738A(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-1(a)) is amended—

(A) by redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively; and

(B) by inserting after paragraph (1) the following:

“(2) CORRECTIVE ACTION REPORT.—Beginning with fiscal year 2018, for each fiscal year for which fees are collected under this part, the Secretary shall prepare and submit a corrective action report to the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate. The report shall include the following information, as applicable:

“(A) GOALS MET.—For each fiscal year, if the Secretary determines, based on the analysis under paragraph (1)(A)(iv), that each of the goals identified by the letters described in section 201(b) of the Medical Device User Fee Amendments of 2017 for the applicable fiscal year have been met, the corrective action report shall include recommendations on ways in which the Secretary can improve and streamline the medical device application review process.

“(B) GOALS MISSED.—For each of the goals identified by the letters described in section 201(b) of the Medical Device User Fee Amendments of 2017 for the applicable fiscal year that the Secretary determines to not have been met, the corrective action report shall include—

“(i) a justification for such determination;

“(ii) a description of the types of circumstances, in the aggregate, under which applications or reports submitted under section 515 or notifications submitted under section 510(k) missed the review goal times but were approved during the first cycle review, as applicable;

“(iii) a summary and any trends with regard to the circumstances for which a review goal was missed; and

“(iv) the performance enhancement goals that were not achieved during the previous fiscal year and a description of efforts the Food and Drug Administration has put in place for the fiscal year in which the report is submitted to improve the ability of such agency to meet each such goal for the such fiscal year.

(3) ENHANCED COMMUNICATION.—

(A) COMMUNICATIONS WITH CONGRESS.—Each fiscal year, as applicable and requested, representatives from the Centers with expertise in the review of devices shall meet with representatives from the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives to report on the contents described in the reports under this section.

(B) PARTICIPATION IN CONGRESSIONAL HEARING.—Each fiscal year, as applicable and requested, representatives from the Food and Drug Administration shall participate in a public hearing before the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, to report on the contents described in the reports under this section. Such hearing shall occur not later than 120 days after the end of each fiscal year for which fees are collected under this part.”.

(c) GDUFA REPORTS.—

(1) ANALYSIS IN GDUFA PERFORMANCE REPORTS.—Section 744C(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-43(a)), as amended by section 903(c) is further amended by adding at the end the following:

“(4) ANALYSIS.—For each fiscal year, the Secretary shall include in the report an analysis of the following:

“(A) The difference between the aggregate number of abbreviated new drug applications filed and the aggregate number of approvals or aggregate number of complete response letters issued by the agency, accounting for—

“(i) such applications filed during one fiscal year for which a decision is not scheduled to be made until the following fiscal year; and

“(ii) the aggregate number of applications for each fiscal year that did not meet the goals identified by the letters described in section 301(b) of the Generic Drug User Fee Amendments of 2017 for the applicable fiscal year.

“(B) Relevant data to determine whether the Food and Drug Administration has met the performance enhancement goals identified by the letters described in section 301(b) of the Generic Drug User Fee Amendments of 2017 for the applicable fiscal year.

“(C) The most common causes and trends for external or other circumstances that affected the ability of the Secretary to meet review time and performance enhancement goals identified by the letters described in section 301(b) of the Generic Drug User Fee Amendments of 2017.”.

(2) ISSUANCE OF CORRECTIVE ACTION REPORTS.—Section 744C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-43) is amended—

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

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

“(c) CORRECTIVE ACTION REPORT.—Beginning with fiscal year 2018, for each fiscal year for which fees are collected under this part, the Secretary shall prepare and submit a corrective action report to the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate. The report shall include the following information, as applicable:

“(1) GOALS MET.—For each fiscal year, if the Secretary determines, based on the analysis under subsection (a)(4), that each of the goals identified by the letters described in section 301(b) of the Generic Drug User Fee Amendments of 2017 for the applicable fiscal year have been met, the corrective action report shall include recommendations on ways in which the Secretary can improve and streamline the abbreviated new drug application review process.

“(2) GOALS MISSED.—For each of the goals identified by the letters described in section 301(b) of the Generic Drug User Fee Amendments of 2017 for the applicable fiscal year that the Secretary determines to not have been met, the corrective action report shall include—

“(A) a detailed justification for such determination and a description, as applicable, of the types of circumstances and trends under which abbreviated new drug applications missed the review goal times but were approved during the first cycle review, or review goals were missed; and

“(B) with respect to performance enhancement goals that were not achieved, a detailed description of efforts the Food and Drug Administration has put in place for the fiscal year in which the report is submitted to improve the ability of such agency to meet each such goal for the such fiscal year.

(d) ENHANCED COMMUNICATION.—

(1) COMMUNICATIONS WITH CONGRESS.—Each fiscal year, as applicable and requested, representatives from the Centers with expertise in the review of human drugs shall meet with representatives from the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives to report on the contents described in the reports under this section.

(2) PARTICIPATION IN CONGRESSIONAL HEARING.—Each fiscal year, as applicable and requested, representatives from the Food and Drug Administration shall participate in a public hearing before the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, to report on the contents described in the reports under this section. Such hearing shall occur not later than 120 days after the end of each fiscal year for which fees are collected under this part.”.

(d) BSUFA REPORTS.—

(1) ANALYSIS IN BSUFA PERFORMANCE REPORTS.—Section 744I(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-53(a)) as amended by section 903(d) is further amended by adding at the end the following:

“(5) ANALYSIS.—For each fiscal year, the Secretary shall include in the report an analysis of the following:

“(A) The difference between the aggregate number of biosimilar biological product applications and supplements filed and the aggregate number of approvals issued by the agency, accounting for—

“(i) such applications filed during one fiscal year for which a decision is not scheduled to be made until the following fiscal year; and

“(ii) the aggregate number of applications for each fiscal year that did not meet the goals identified by the letters described in section 401(b) of the Biosimilar User Fee Amendments of 2017 for the applicable fiscal year.

“(B) Relevant data to determine whether the Center for Drug Evaluation and Research and the Center for Biologics Evaluation and Research have met the performance enhancement goals identified by the letters described in section 401(b) of the Biosimilar User Fee Amendments of 2017 for the applicable fiscal year.

“(C) The most common causes and trends for external or other circumstances affecting the ability of the Secretary to meet review time and performance enhancement goals identified by the letters described in section 401(b) of the Biosimilar User Fee Amendments of 2017.”.

(2) **ISSUANCE OF CORRECTIVE ACTION REPORTS.**—Section 744I of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-53), as amended by section 404, is further amended—

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

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

“(c) **CORRECTIVE ACTION REPORT.**—Beginning with fiscal year 2018, and for each fiscal year for which fees are collected under this part, the Secretary shall prepare and submit a corrective action report to the Committee on Energy and Commerce and Committee on Appropriations of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and Committee on Appropriations of the Senate. The report shall include the following information, as applicable:

“(1) **GOALS MET.**—For each fiscal year, if the Secretary determines, based on the analysis under subsection (a)(5), that each of the goals identified by the letters described in section 401(b) of the Biosimilar User Fee Amendments of 2017 for the applicable fiscal year have been met, the corrective action report shall include recommendations on ways in which the Secretary can improve and streamline the biosimilar biological product application review process.

“(2) **GOALS MISSED.**—For each of the goals identified by the letters described in section 401(b) of the Biosimilar User Fee Amendments of 2017 for the applicable fiscal year that the Secretary determines to not have been met, the corrective action report shall include—

“(A) a justification for such determination and a description of the types of circumstances and trends, as applicable, under which biosimilar biological product applications missed the review goal times but were approved during the first cycle review, or review goals were missed; and

“(B) with respect to performance enhancement goals that were not achieved, a description of efforts the Food and Drug Administration has put in place for the fiscal year in which the report is submitted to improve the ability of such agency to meet each such goal for the such fiscal year.

“(d) **ENHANCED COMMUNICATION.**—

“(1) **COMMUNICATIONS WITH CONGRESS.**—Each fiscal year, as applicable and requested,

representatives from the Centers with expertise in the review of human drugs shall meet with representatives from the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives to report on the contents described in the reports under this section.

“(2) **PARTICIPATION IN CONGRESSIONAL HEARING.**—Each fiscal year, as applicable and requested, representatives from the Food and Drug Administration shall participate in a public hearing before the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, to report on the contents described in the reports under this section. Such hearing shall occur not later than 120 days after the end of each fiscal year for which fees are collected under this part.”.

#### **SEC. 905. FACILITIES MANAGEMENT.**

(a) **EVALUATION.**—

(1) **STUDY.**—The Comptroller General of the United States shall conduct a study on the expenses incurred by the Food and Drug Administration related to facility maintenance and renovation in fiscal years 2012 through 2019. The study under this paragraph shall include the following:

(A) A review of purchases and expenses differentiated by appropriated funds, and resources authorized by the Food and Drug Administration Safety and Innovation Act (Public Law 112-144) and this Act, as applicable, that contributed to—

(i) the maintenance of scientific equipment and any existing facility plan or plans to maintain previously purchased scientific equipment;

(ii) the renovation of facilities in the Center for Drug Evaluation and Research, the Center for Biologics Evaluation and Research, and the Center for Devices and Radiological Health, and the purpose of such renovation including the need for the renovation;

(iii) the assets purchased or repaired under the “repair of facilities and acquisition” authority under parts 2, 3, 7, and 8 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379f et seq.);

(iv) the maintenance and repair of facilities and fixtures, including a description of any unanticipated repairs and maintenance as well as scheduled repairs maintenance, and the budget plan for the scheduled or anticipated maintenance;

(v) the acquisition of furniture, a description of the furniture purchased, and the purpose of the furniture including purchases for the Center for Drug Evaluation and Research, the Center for Biologics Evaluation and Research, and the Center for Devices and Radiological Health; and

(vi) the acquisition of other necessary materials and supplies by product category under the authority under parts 2, 3, 7, and 8 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379f et seq.).

(B) An analysis of the Food and Drug Administration’s ability to further its public health mission and review medical products by incurring the expenses listed in clauses (i) through (vi) of subparagraph (A). In conducting the analysis, the Comptroller General shall request information from and consult with appropriate employees, including staff and those responsible for the fiscal decisions regarding facility maintenance and renovation for the agency.

(2) **REPORT.**—

(A) **IN GENERAL.**—The Comptroller General shall issue a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives not later than July 30, 2020, containing the results of the study under paragraph (1).

(B) **RECOMMENDATIONS.**—As part of the report under this paragraph, the Comptroller General may provide recommendations, as applicable, on methods through which the Food and Drug Administration may improve planning for—

(i) the maintenance, renovation, and repair of facilities;

(ii) the purchase of furniture or other acquisitions; and

(iii) ways the Food and Drug Administration may allocate the expenses described in clauses (i) and (ii) of paragraph (1)(A), as informed by the analysis under paragraph (1)(B).

(b) **ADMINISTRATION.**—

(1) **PDUFA.**—Section 736(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(f)) is amended by adding at the end the following:

“(3) **LIMITATION.**—Beginning on October 1, 2023, the authorities under section 735(7)(C) shall include only expenditures for leasing and necessary scientific equipment.”.

(2) **MDUFA.**—Section 738(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j(h)) is amended by adding at the end the following:

“(3) **LIMITATION.**—Beginning on October 1, 2023, the authorities under section 737(9)(C) shall include only leasing and necessary scientific equipment.”.

(3) **GDUFA.**—Section 744B(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-42(e)) is amended—

(A) in the subsection heading, by striking “LIMIT” and inserting “LIMITATIONS”;

(B) by striking “The total amount” and inserting the following:

“(1) **IN GENERAL.**—The total amount”; and

(C) by adding at the end the following:

“(2) **LEASING AND NECESSARY EQUIPMENT.**—Beginning on October 1, 2023, the authorities under section 744A(1)(C) shall include only leasing and necessary scientific equipment.”.

(4) **BSUFA.**—Section 744H(e)(2)(B) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-52(e)(2)(B)) is amended—

(A) in the subparagraph heading, by striking “LIMITATION” and inserting “LIMITATIONS”;

(B) by striking “The fees authorized” and inserting the following:

“(i) **IN GENERAL.**—The fees authorized”; and

(C) by adding at the end the following:

“(ii) **LEASING AND NECESSARY EQUIPMENT.**—Beginning on October 1, 2023, the authorities under section 744G(9)(C) shall include only leasing and necessary scientific equipment.”.

The **SPEAKER pro tempore**. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

#### **GENERAL LEAVE**

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material in the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 2430, the FDA Reauthorization Act—FDARA—of 2017.

While it may not be headline news, for almost a year now, the Energy and Commerce Committee has been working in a bipartisan fashion on this critical legislation which will build on the landmark 21st Century Cures Act. The FDARA will ensure that innovative and lower cost treatments, as well as lifesaving medical technologies, reach patients sooner.

Last month we reported this bill out of committee on a 54-0 vote. Unanimously, Mr. Speaker.

For starters, the FDARA updates and reauthorizes four user fee programs at the Food and Drug Administration. Though they sound like just another set of wonky Washington acronyms, the UFAs, as they are called—user fee agreements—are absolutely critical to the Food and Drug Administration's timely and consistent review of brand and generic drugs, biosimilars, and medical devices. They also maintain the agency's gold standard of patient safety.

Before the generic drug user fee program was established 5 years ago, there were literally thousands of applications pending at that agency—thousands. Significant strides have been made to clear that backlog, and the FDARA will build on that progress so that generics come to market as soon as safely possible. Make no doubt about it, this bill will increase competition and it will provide lower cost alternative medications to patients.

Through a series of hearings and markups at the Energy and Commerce Committee, Members on both sides of the aisle proposed a number of additional provisions to improve the processes at the FDA and to strengthen this legislation in ways that will benefit patients, medical product manufacturers, and the agency itself.

For example, my colleague from Oregon (Mr. SCHRADER), who I know is on the floor, partnered with the gentleman from Florida (Mr. BILIRAKIS) on meaningful ways to incentivize generic entry into markets where competition was lacking and patients were being exploited by bad actors. I thank them for their work on this effort. Their work will save patients money, and their work will get new products into the market sooner.

In addition, there are a number of improvements to the regulation of various medical technologies that will expand access, that will streamline bureaucratic processes, and that will lower costs.

Further, this legislation includes provisions that have been championed

by Republicans and Democrats alike in both Chambers throughout their discussions on the user fee agreements, including a range of improvements to the pediatric drug and device development process, and guidance on ways to expand patient access to clinical trials.

Finally, this legislation includes a revised version of the RACE for Children Act that Representatives MCCAUL, MULLIN, and BUTTERFIELD have worked tirelessly on for quite some time.

H.R. 2430 is the product of significant bipartisan and bicameral discussions with a wide range of stakeholders that went throughout regular order at the committee after a series of substantive hearings and then received a unanimous vote. Which, Mr. Speaker, is probably why nobody will ever read about this or see it on television, because we actually worked together and did it in a bipartisan way and achieved the unanimous vote that will bring drugs and devices to patients quicker, sooner, and safer in the long run.

This legislation is yet another example of Congress getting good things done. We are working together. And it is important to thank my colleagues on both sides of the aisle for their work on this legislation, particularly full committee Ranking Member PALLONE, Health Subcommittee Ranking Member GREEN, Health Subcommittee Chairman BURGESS. This bipartisan work has produced a big win for patients.

The FDARA will help bring lower-cost generic drug alternatives and biosimilars to market faster, increasing competition, lowering drug costs. It will streamline the process for reviewing or approving new treatments and cures for patients, ultimately delivering new and innovative therapies, drugs, and devices to patients more quickly.

Finally, this bill is a big win for the millions of Americans working in the healthcare sector and the drug and device manufacturers that help us live better and healthier lives.

Mr. Speaker, I urge my colleagues to vote "yes." I want my colleagues and all Americans to know this is just step one in a long-term effort in our committee to help patients get access to better medicines and lower costs.

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

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

Mr. Speaker, I rise in support of H.R. 2430, the FDA Reauthorization Act, a bill that would allow the FDA to continue its critical mission of reviewing and approving drugs and medical devices that save lives and improve the quality of life for many Americans.

The legislation before us today is the product of compromise and almost 2 years of work between FDA, Congress, industry, and other stakeholders. The FDA Reauthorization Act reauthorizes

FDA's medical product user fee agreements, providing FDA with the resources the agency needs to continue its critical public health work and hire the necessary scientists and review staff, and improve the certainty and efficiency of the drug review process.

The sixth reauthorization of the Prescription Drug User Fee Act will maintain current review timelines, modernize the user fee structure, and build on the work of 21st Century Cures Act by investing resources in the development of biomarkers and innovative clinical trial designs.

The fourth reauthorization of the Medical Device User Fee Amendments includes some important new policies that will help to increase the consistency, efficiency, and effectiveness of drug and medical device reviews.

The bill advances the use of the patient perspective and the risk-benefit assessment of medical devices. It establishes a system utilizing real world data for pre-market approval of new uses and post-market safety monitoring, and it improves presubmission communication with manufacturers in an effort to expedite the review process.

This legislation also reauthorizes two of our newer user fee programs for generics and biosimilars. Both of these programs strive to expedite access to high-quality, lower-cost drugs for American families.

The FDARA will also allow the agency to undertake new initiatives to create a category of over-the-counter hearing aids, advance the development of pediatric cancer treatments, and provide greater assistance and incentives to encourage additional competition for generic drugs.

Since this is a bipartisan compromise—and I want to stress that—as my colleague Mr. WALDEN said, it really is important and people should take note that this is a major piece of legislation that is being done on a bipartisan basis by our committee. But it does not address every issue that I would have liked. It also includes troublesome language prohibiting the FDA from making the investments the agency needs as part of future user fee agreements. It is important that the FDA maintain a work environment that allows the agency to recruit and retain the world's best and brightest. I am concerned that this final agreement preserves language advanced in the Senate bill that will make it difficult in the future for the FDA to make the investments needed to recruit personnel and meet performance goals set out in the user fee reauthorizations.

This is a concern, again, that was put in by the Senate that I hope we can address in the future. But I do want to stress, at the end of the day, that this final product represents all of the significant discussions and compromises



that were made, and, of course, the legislation that is going to be effective is the result of compromise.

I am pleased that we are considering this in a very timely fashion, because, as I mentioned, we don't want the personnel who work at the FDA to be affected; and if we do this in a timely fashion, they won't have to worry about pink slips or their jobs.

Mr. Speaker, I strongly urge my colleagues to support H.R. 2430 so that we can continue to give the FDA the tools and resources it needs to continue doing the critical work of reviewing and improving lifesaving drugs and medical devices.

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

Mr. WALDEN. Mr. Speaker, I thank my colleague from New Jersey for his good work and kind comments on our legislation that we put together.

Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. BARTON), the former chairman of the full committee.

Mr. BARTON. Mr. Speaker, I commend Chairman WALDEN and Ranking Member PALLONE, along with subcommittee Chairman BURGESS and subcommittee Ranking Member GREEN for their excellent leadership on this piece of legislation.

If you look at the front page of *The Washington Post* this morning, you will see on the left-hand column the story about a miracle living drug to help cure cancer in children that have leukemia.

In the legislation before us, as the chairman just pointed out, there is the RACE for Children Act, which was introduced by Congressmen McCAUL, BUTTERFIELD, and MULLIN, and which I am a original cosponsor, that will make it possible to help children sooner.

This particular drug that is discussed on the front page of *The Washington Post* took decades to develop and has just now been approved.

How many thousands of children have died while that drug was being developed?

The legislation before us includes, as I said, the RACE for Children Act, which will make it possible to bring these innovative drugs to market much more quickly.

Mr. Speaker, I commend all the leaders and the members of the committee for this bipartisan piece of legislation, as Mr. PALLONE has just pointed out. I am proud to vote for it, and I encourage all Members of the House to do the same.

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Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. GENE GREEN), the ranking member of the Health Subcommittee.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of H.R. 2430, the FDA Reauthorization Act of 2017.

For many months, we have worked on a bipartisan basis to negotiate and prepare for the four FDA user fee agreements for reauthorization, across party lines, and you are seeing that. That is why I am proud to be a member of the Energy and Commerce Committee. We will fight when we have to, but we also can work together on things that are really important to our country.

These programs must be reauthorized in a timely manner to avoid a meltdown of the medical product development pipeline. We have had great collaboration and strong bipartisan working relationships throughout the process, from the publication of the goals letters, to the hearings, and the mark-ups in the Health Subcommittee, all the way through the unanimous vote out of the Energy and Commerce Committee last month.

Since the first PDUFA was established in 1992, Congress has created additional user fee programs for medical devices, generic drugs, and biosimilars. In this cycle, we see shortened review timelines and have given the FDA new tools to harness the latest science and streamline the review process.

FDARA would build on previous success by reauthorizing the user fees and make improvements in the review process like advancing the use of biomarkers and patient experience data. The bill includes additional provisions beyond the underlying agreements that are worthy of support.

To give some examples, it will promote generic drug development and competition, establish a category of over-the-counter hearing aids, crack down on counterfeit drugs, and foster innovation in medical imaging.

FDA approval is the global gold standard and reauthorizing the user fee programs will ensure the agency has the resources—particularly capable, qualified staffers—to fulfill this mission.

I look forward to working with my colleagues to establish a user fee program for over-the-counter products and reform the monograph systems once we have reauthorized the existing user fee programs that will soon expire.

I want to thank Ranking Member PALLONE, Chairman WALDEN, and the chair of the Health Subcommittee, Congressman BURGESS, for their work and commitment into timely user fee reauthorization.

I also want to thank the staff, Kim Trzeciak and John Stone, and my own staff, Kristen O'Neill, for the countless hours of work they did to get us to this place.

Mr. Speaker, I urge my colleagues to support H.R. 2430.

Mr. WALDEN. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BURGESS), chairman of the Subcommittee on Health.

Mr. BURGESS. Mr. Speaker, I thank the chairman for yielding me the time.

It is significant today to be here and be supporting H.R. 2430, the Food and Drug Administration Reauthorization Act of 2017.

The passage of this bill provides certainly the security to the scientists who are working even now in pursuit of better cures and, of course, hope for patients across the country who are awaiting better treatments of the diseases that are afflicting them.

By reauthorizing the Food and Drug Administration user fee program, we are ensuring that the Food and Drug Administration can continue to officially operate and approve new drugs for the market.

Upon becoming chairman of the Subcommittee on Health this year, I had the privilege of convening four separate legislative hearings on the policies that are included in H.R. 2430. In each of those hearings, we heard about the tremendous success of the user fee programs in expanding access to affordable medications, supporting biomedical innovation, and maintaining high standards at the FDA for safety, efficacy, and quality.

H.R. 2430 will build upon these successes and will also build upon the achievements that we achieved in the last Congress, in the 21st Century Cures Act. And now we can ensure that the FDA has resources necessary to get medical treatments and cures to patients and healthcare providers as quickly as possible.

This bill is an important step forward for our committee and for this Congress, and we continue to pursue meaningful improvements to the healthcare system.

Mr. Speaker, I thank Chairman WALDEN, Ranking Member GENE GREEN, Ranking Member PALLONE of the full committee, all members of the Energy and Commerce Committee, both subcommittee and full committee, who worked hard to improve the substance of this bill as it came through.

Clearly, I wish to thank the majority and minority staffs who worked so hard to bring this to fruition.

Mr. PALLONE. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I rise in support of this legislation, and I, too, want to thank all of the Members and staff who were engaged in preparing this bill for a vote on the floor of the House.

I wanted to focus on two of the amendments that are included in the bill—I am grateful for that—that I sponsored.

First, it includes my amendment to create a pilot project to evaluate postmarket safety of medical devices. It also includes my amendment which states that Congress and Federal agencies need to work together to lower drug prices. Everyone has been impacted by rising costs of prescription



drugs, which is why 60 percent of Americans believe addressing the cost of prescription drugs needs to be a top priority.

The drug pricing crisis cannot be attributed to a single bad actor or a few blockbuster drugs. A recent study found that 97 percent of widely used brand name drugs had a price increase that exceeded inflation.

This crisis requires a comprehensive solution that increases transparency; lowers prices for patients, Medicare, and Medicaid; and ensures that every American can get access to the drugs that they need.

It is time for Congress to get serious about lowering the cost of drugs for Americans, and I urge my colleagues to support this legislation.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. UPTON), the former chairman of the committee, and the leader of the 21st Century Cures Act legislation.

Mr. UPTON. Mr. Speaker, so this is a jobs bill. And those who know me know that I have a long record of supporting innovation when it comes to research and development of new drugs and devices.

That is why I was proud to help author the 21st Century Cures Act with my Democratic colleague DIANA DEGETTE. This bill broke down the barriers for research and development, put a greater focus on patient-centered care, and gave billions in resources to the National Institutes of Health.

President Obama signed our bill into law at the end of 2016. It marked a truly great victory for both patients and researchers across the country. And now that Cures is law, we have got to make sure that the FDA is able to handle the new breakthrough treatments in a timely and predictable fashion, all while still maintaining the highest levels of patient safety. That is why this agreement is so important.

My district in southwest Michigan has literally thousands of jobs on the line that are affected by this legislation, and whether it is on the drug side at Pfizer, or the device side at Stryker, or the generic side at Perrigo—all in my district—passing this legislation is vital to those good-paying local jobs, as well as to the patients who will benefit from the new therapies that get those products to market.

Mr. PALLONE. Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Mr. Speaker, I thank the gentleman for yielding time and for his leadership on the committee.

Mr. Speaker, I rise in strong support of H.R. 2430, the FDA Reauthorization Act of 2017, which reauthorizes the FDA's user fee programs that are critical to drug development, the medical device approval process, and, most importantly, to the patients who will benefit from these advances.

While I support this critical bill overall, I want to highlight, in particular, sections 503 through 505, which is the RACE for Children Act that my friend MIKE MCCAUL, Congressman MIKE MCCAUL, and I introduced earlier this year. Scientific advances have shown that some childhood and adult cancers share the same molecular targets.

RACE, Mr. Speaker, will help facilitate the expeditious development of innovative and promising treatments for children living with cancer by providing the FDA new authority to require a pediatric investigation into an adult cancer drug if that drug uses molecular targeting and is relevant to the cancer.

I am grateful to Mr. WALDEN and Ranking Member PALLONE and their respective staffs for understanding the urgent need to enact the RACE for Children Act and for working with me, working with my staff, to see that it was included.

I would also like to highlight section 701 and 702, which is the text of a bill I introduced with Dr. BUCSHON to modernize and streamline FDA's medical device inspection process by moving to a risk-based inspection approach. The provision will allow FDA to better use its limited resources and improve patient safety by focusing on facilities that have the most potential to impact public health.

Finally, passage of the FDA Reauthorization Act of 2017 will send a strong signal to the administration that Congress values the critical importance of medical research and patient safety.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LANCE), a very important member of our committee.

Mr. LANCE. Mr. Speaker, I congratulate the chairman, the ranking member of the full committee, and the chairman and the ranking member of the subcommittee for this important work.

I rise in strong support of the Food and Drug Administration Reauthorization Act. We need a strong FDA to make sure lifesaving medicines reach the market and that patients have the peace of mind of a safe regulatory process. This bill ensures the wheels of creation keep turning, and in no part of our Nation is this more important than New Jersey, one of the medicine chests of the world.

It means that patients here in the United States and hundreds of millions around the world have benefited from the genius of our biopharmaceutical and life science industries. Patient safety is always the critical priority, and I am pleased this legislation includes language I authored to crack down on counterfeit drugs that are flooding into the United States. Too many Americans are falling victim to knockoffs that have infiltrated the U.S. supply chain, and this legislation significantly changes that.

Disease knows no bounds and, one way or another, each of us is affected by disease. This work makes a difference in patients' lives and makes sure the system from idea to pharmacy is working.

Mr. Speaker, I am honored to support this product.

Mr. PALLONE. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, at a time of hyperpartisanship when traditions of consensus are seldom upheld, I am pleased to see Congress continue its tradition of passing FDA user fee reauthorization with broad bipartisan support.

It is absolutely critical that the FDA continue to promote medical innovation and support public health. To do so, it must have consistent funding, which this bill helps assure. I am also so proud that this bill builds directly on the 21st Century Cures Act, which I coauthored with Representative FRED UPTON.

Consistent with Cures, the bill before us today ensures that both the patient's voice and evidence from clinical practice can be considered during drug development when it is appropriate. It also helps establish a process for the FDA to qualify so-called biomarkers, which will facilitate the development of future cutting-edge therapies.

By reinforcing these key provisions of the 21st Century Cures Act, I am fully confident that the bill will help deliver on our bipartisan promise to jump-start treatments for families and for patients with unmet needs.

Mr. Speaker, I also want to thank Chairman WALDEN and Ranking Member PALLONE for incorporating provisions into the bill that will deepen our understanding of the psychosocial impact of disease. These provisions are based on the bipartisan Patient Experience in Research Act which Representative LANCE and I coauthored.

As more is learned about the social and emotional effects of disease, we can deliver better outcomes for patients by improving medication adherence, tailoring treatment regimens, and enhancing participation in clinical trials.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS), a very important member of our committee.

Mr. BILIRAKIS. Mr. Speaker, I rise today to urge the passage of the FDA Reauthorization Act. With this legislation, we can modernize the FDA and reduce the barriers to innovation and competition.

If America is going to lead the world in biomedical innovation, we need an FDA that can efficiently review and approve new drugs. The FDA must act with the same urgency that patients feel waiting for cures.

Importantly, this bill includes a bipartisan provision that I authored with my colleague KURT SCHRADER.

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The provision uses free market policies to help spur the development of new generic drugs, increase competition, and combat high drug prices.

I am also pleased we are including in the RACE for Children Act an important provision to advance pediatric cancer research and development.

With today's bill, we have an opportunity to truly make a difference for our families, our friends, our neighbors, and the millions of Americans living with a deadly disease. Let's get this done.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Speaker, I thank the chairman of our committee, our ranking member, Dr. BURGESS, and Mr. GREEN.

Facilitating the approval of these drugs, having the FDA work in a safe and constructive way, and having a quicker turnaround time is all really good. It is really important. I thank them for their leadership. This is something that had to be done. It is going to benefit everyone.

I want to talk about another issue that we didn't address but we did debate, and that is the high cost of prescription drugs.

In this legislation, on the one hand, we are accommodating a reasonable request by the pharmaceutical industry for a fast and efficient approval process; but on the other hand, we are denying any relief to consumers who are getting absolutely hammered day in and day out with unjustified price increases because of the pricing power of the pharmaceutical industry.

Yes, they do do good things, life-extending and pain-relieving drugs, but that doesn't justify grinding consumers into the dust who can't afford the cost of these prescriptions, where it is just within reach that they can provide relief to their family.

We know how much pharmaceutical prices have been going up. It is hurting our employers, who are working hard to provide good healthcare to their employees. It is hurting taxpayers.

But every single one of us has met a constituent like a mom who is struggling with this choice of trying to afford something she can't afford or risk a loss she would never endure. I am talking about the EpiPen; \$600 to get an EpiPen here in the United States.

Mylan makes that. They are a Netherlands-based company now. They moved over there for tax reasons. In the Netherlands, you can get it for \$100. This isn't justified. The chairman, the ranking member, and I know this.

When ELIJAH CUMMINGS and I met with President Trump, he knows it. He talked about the rip-off pricing. He talked about the possibility of importation of safe drugs from Canada as a way of getting some price pressure on these companies.

We have got the committee that can address this. I would like us to do that.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. BUCSHON).

Mr. BUCSHON. Mr. Speaker, the FDA Reauthorization Act we are considering today provides the FDA the resources it needs to ensure innovative and lifesaving drugs and medical devices are brought to the market in a safe and expedient manner, while providing transparency and certainty to manufacturers.

Further, the device inspection and regulatory improvements title reflects language I introduced with Representatives BROOKS, PETERS, and BUTTERFIELD, which sets forth a risk-based approach to medical device establishment inspections and improves predictability for scheduled inspections, among other provisions.

Mr. Speaker, I urge my colleagues to support this legislation. I look forward to moving it through Congress and sending it to the President's desk.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. SCHRADER).

Mr. SCHRADER. Mr. Speaker, I rise in strong support of the FDA Reauthorization Act, FDARA as it is called.

It could not be more evident that the time has come for Congress to reckon with the growing problem of exorbitant drug prices. Every few months sees the headlines about another extreme price hike, as was just mentioned. Some unscrupulous pharmaceutical CEO buys the rights to produce drugs that have been on the market for decades, usually where there are no competitors, then, seemingly overnight, they raise the price astronomically.

In the case of Daraprim, a drug that is used by some transplant patients and people living with AIDS, the price went from \$13.50 per pill to \$750. That is outrageous, a price increase of 5,000 percent. For this drug and many others, the drugs have been off patent for ages and there is no generic competitor on the market.

Competition from generic drugs saves patients and the government billions of dollars on a weekly basis. Unfortunately, generic drug manufacturers who want to bring these markets to competition face a long approval process, steep costs, and uncertainty. This FDA act reckons with that.

It is time for Congress to act, also, on those unscrupulous providers. GUS BILIRAKIS and I introduced a bill providing competition to drive down those costs. We provide new incentives for generic drugs to come to market and reform the process.

I am in support of the bill.

Mr. WALDEN. Mr. Speaker, I want to commend my colleague from Oregon for his good work on this part of the bill.

Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma (Mr. MULLIN).

Mr. MULLIN. Mr. Speaker, this spring in my district in Oklahoma, the McAlpin family of Tahlequah lost their 2-year-old son, Kai, to pediatric cancer. Kai's parents refer to Kai as Warrior Kai because he fought cancer every day with courage and dedication like a true warrior. Included in H.R. 2430 today is the RACE for Children Act, which aims to create new and better pediatric treatment options for warriors like Kai.

Currently, there are over 900 drugs in development to treat cancer in adults, while only a handful of drugs are being developed to fight cancer in children. Clearly, those statistics show that the law has not kept up with scientific innovation.

RACE can help deliver lifesaving treatments for pediatric cancer patients by updating the Pediatric Research Act. This bill requires all drug manufacturers to test a new drug in a pediatric population before applying it to children during cancer treatment. RACE for Children puts safety first and ensures that researchers use scientific evidence when declaring effectiveness of a drug before providing it to patients.

I am glad to see the RACE for Children Act included today, and I thank Chairman MCCAUL and Congressman BUTTERFIELD for their work on the bill. The fight of Warrior Kai continues with us.

Mr. PALLONE. Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY. Mr. Speaker, I thank Chairman WALDEN, Ranking Member PALLONE, Ranking Member GREEN, and Subcommittee Chairman BURGESS for their leadership in uniting our colleagues across the aisle on a bill that supports patients and the life sciences industry. This user fee bill is a testament to what can be achieved when we debate policies in the open and confront challenges together.

I would also like to specifically focus on one piece of the legislation, the Over-the-Counter Hearing Aid Act of 2017. A few weeks ago, a friend of mine wrote to me and shared her story of hearing loss. A 34-year-old lawyer, it nearly derailed her career by leaving her unable to argue cases in the courtroom. She continued by outlining the often overlooked side effects brought about by hearing loss—isolation, anxiety, depression, and memory loss—all compounded by prohibitive costs for hearing aids that aren't covered by Medicare or most private insurers. Faced with prices upwards of \$5,000, many Americans are denied the relief and the treatment that they deserve.

With this bipartisan bill, we will not only spark innovation and competition, we will help our constituents in their communities, offices, factory floors, and even their own homes. I hope my colleagues will support this bill.

I want to thank Representative BLACKBURN for her tireless work in getting it across the finish line as well.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, I rise today in strong support of the FDA Reauthorization Act, and I want to thank Chairman WALDEN and the other bipartisan leadership on the committee for bringing this bipartisan bill to the floor today.

As science and technology advances at a rapid rate, the potential for breakthroughs to treat and cure some of the worst diseases are truly within our reach; yet all too often, our laws and regulations are stuck in the past. That is why reauthorizing the Food and Drug Administration's user fee programs is so important.

This bipartisan bill builds off the important work we accomplished through the 21st Century Cures Act. It will help speed up the approval process for lifesaving drugs, foster greater competition, and bring down costs for patients. It will also help ensure America remains on the forefront of medical innovation and that good-paying jobs in the medical device industry remain here at home.

I urge my colleagues to support this bipartisan bill, and together we can offer a healthier future for our patients.

Mr. PALLONE. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. CÁRDENAS).

Mr. CÁRDENAS. Mr. Speaker, I rise today to speak in support of H.R. 2430, the FDA Reauthorization Act.

I also would like to thank the chairman and ranking member of the Energy and Commerce Committee for working so hard to get this important bill on the floor here today.

This reauthorization bill provides the FDA with the resources to complete an important and difficult job: ensuring timely and efficient drug review processes while maintaining rigorous scientific and safety standards to maintain the safety, efficacy, and security of drugs, biological products, medical devices, and therapies that Americans have access to today and tomorrow.

I am lucky to have been born and raised in this great country where we have access to the latest innovation in the life sciences sector. I wish my parents had been raised right here in this great, wonderful country so they may still be here today, so that they could enjoy time with their grandchildren if I have been so blessed to do so myself.

The FDA is seen as the gold standard around the world, and this bill keeps us right there, right at the top.

I am encouraged to see my colleagues working together to ensure that the FDA is able to continue to fulfill this responsibility, and I look forward to continue working to have this reauthorization passed out of Congress.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. COSTELLO), who is from the Philadelphia suburbs and is an important member of our committee.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today in support of the FDA Reauthorization Act, which is very important to our country and to Pennsylvania's Sixth Congressional District.

Many communities in my district are at the forefront of innovation in the life sciences industry, and this legislation will make sure our businesses remain competitive and on pace with public health needs.

This bill is critical to allowing us to continue our bipartisan work to reduce drug costs, to advance therapies that can save lives, and to develop safe and innovative treatments for patients and their families.

Finally, Mr. Speaker, it is important the public is aware that this is a bipartisan bill. There are some things that perhaps some Republicans would have liked to have seen in this bill that didn't make their way in, and there are some things that perhaps some Democrats would have liked to have seen make their way into this bill that didn't. We found consensus and we worked together. It was a unanimous vote out of the Energy and Commerce Committee. I am proud to stand behind that, and this is a good day for America.

Mr. PALLONE. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Speaker, I rise in strong support of H.R. 2430, the FDA Reauthorization Act of 2017.

We all have loved ones, friends, and neighbors who are suffering from life-threatening diseases and illnesses and who want hope that that next generation treatment or therapy will still be available to them.

It is our shared responsibility to support the FDA as well as countless researchers and patient advocates across the country who are working to bring new cures to market. This critical, bipartisan legislation helps us achieve that important goal by reauthorizing user fee programs at FDA for 5 years.

I want to thank Chairman WALDEN, Ranking Member PALLONE, Chairman BURGESS, and Ranking Member GREEN for continuing the longstanding tradition on the Energy and Commerce Committee of advancing this legislation in a bipartisan manner. Our work together on this bill should be a model for how we can cooperate on other issues in the future, and it is good that we are passing this bill on the House floor well in advance of the September 30 deadline.

I also want to thank the committee for including provisions that I worked on with Mr. LANCE, Dr. BURGESS, and Mr. GREEN to enhance penalties for

counterfeit and diverted drugs, and for including Mr. KENNEDY's over-the-counter hearing aid bill, which will go a long way to providing real relief to the 30 million Americans who suffer from hearing loss.

Hearing loss is a quality-of-life issue, plain and simple, and passage of today's legislation will help many receive the treatment that they need in a quick manner, while also ensuring safety.

It is a good bill that deserves our support.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. CARTER), who is the resident pharmacist on the committee.

Mr. CARTER of Georgia. Mr. Speaker, I rise today to speak in support of H.R. 2430, the FDA Reauthorization Act, because of its importance to our healthcare system and the millions of people who depend on it. The FDA Reauthorization Act is essential as we seek reforms to the way we develop new drugs and therapies and the ways in which we are able to get those to market.

Under this legislation, we are streamlining the approval process to maintain the provisions that make our market, while making changes to ensure new therapies aren't unnecessarily held up.

□ 1415

We have set benchmarks for reviews to ensure that the drug approval process is moving along and doesn't get bogged down by bureaucratic red tape. And most importantly, we are providing patients with a chance to pursue new and innovative drugs that can really make a difference in their life.

We have seen progress in the approval of rare disease drugs, helping millions who suffer from diseases that often have no treatment. With this bill, we can provide them with new opportunities.

Additionally, we will be able to see more generics entering the market, increasing competition and driving down costs for consumers.

I applaud Chairman WALDEN, Chairman BURGESS, and all of my colleagues on the committee for helping to get this essential legislation to the finish line.

Mr. WALDEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. MCCAUL), chairman of the Homeland Security Committee and one of the authors of a portion of this bill that is really important for kids.

Mr. MCCAUL. Mr. Speaker, I thank Chairman WALDEN for including my bill, the Research to Accelerate Cures and Equity, or RACE, for Children Act, in this FDA reauthorization. I introduced the bill with my colleague, Mr. BUTTERFIELD, to strengthen the FDA's ability to require pediatric studies of cancer drugs during development.

Despite current programs in place to require similar studies, they have never been undertaken for cancer drugs. This bill will require a study into any cancer drug that uses “molecular targeting,” which attacks specific cancer cells rather than the part of the body where the cancer resides. By requiring these studies, doctors can determine whether a drug is safe and effective in children and, ultimately, provide accurate labeling for pediatric use.

I founded the Childhood Cancer Caucus when I first entered Congress to give a voice to the 15,000 children diagnosed with cancer every year and the hundreds of thousands of survivors who face a lifetime of medical challenges. Passing this bill will provide these children access to the treatments they deserve.

I thank all those involved for their tireless work in bringing this bill to the House floor. As my good friend, little Sadie Keller, who is battling leukemia as I speak, once said: “Together, we can make a difference.”

To Sadie and all the children who are in the fight of their lives, I want you to know that today we are making a difference.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. BIGGS), a passionate advocate for those who really need access to medications at the end stage of their lives.

Mr. BIGGS. Mr. Speaker, I thank the chairman for bringing this bill forward and also for granting me time to speak on an issue that I am passionate about, which is Right to Try.

I support the underlying bill and hope that we have a chance, soon, to consider the Right to Try bill, which has been worked on by myself, Senator JOHNSON, and Representative FITZPATRICK.

As many know, Right to Try would allow terminally ill patients who have no other options left to receive drugs that have passed the Food and Drug Administration’s basic safety testing but which have not been fully approved.

In 2014, my home State of Arizona passed a similar Right to Try law with nearly 80 percent of the vote, due in large part to the heroic efforts of my late friend, Laura Knaperek, who was battling incurable cancer at the time.

Today, nearly 40 States have enacted Right to Try legislation. This is a bipartisan cause and one that has received strong support from the White House. I look forward to continuing to work with the chairman to find a path forward for Right to Try.

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

Mr. Speaker, as I said before, I am very proud of the fact that this bill is bipartisan, continuing a tradition of dealing with these FDA user fee and authorization bills on a bipartisan basis.

We worked long and hard to get this accomplished in a timely fashion, in particular, so that the personnel at the FDA are not threatened in any way. I am very hopeful that this will pass today, go over to the Senate and also pass there quickly, and be signed by the President soon.

Mr. Speaker, I urge all Members to support the bill, and I yield back the balance of my time.

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

Mr. Speaker, I encourage my colleagues to support this legislation. As I have said, it is a bipartisan bill. I think even more importantly than that, Mr. Speaker, this legislation will save lives. It will bring about quicker cures for those who need new medicines and medical devices.

This is the finest work that we can do in this body, working with those scientists and innovators in helping develop a system where they can get approvals and get new medicines to market that are safe and that will save lives. We are doing that today.

I want to thank the staff, who have been incredibly important in this effort and my colleagues on both sides of the aisle who worked together. We didn’t get everything everybody wanted in this bill, but we got a bill that passed unanimously out of our committee and that I believe the Senate will take up and adopt, as well, and we can move forward in such a positive direction for people that you heard about today from my colleagues.

Lives that are on the line can be saved by innovation. The quicker we get that innovation to the market, the more we can reduce costs and save lives.

Mr. Speaker, I call on my colleagues to support passage of this very important lifesaving legislation, and I yield back the balance of my time.

Ms. ESHOO. Mr. Speaker, I rise today in support of H.R. 2430, the FDA Reauthorization Act of 2017 to reauthorize four important user fee programs: the Prescription Drug User Fee Act, the Medical Device User Fee Act, the Generic Drug User Fee Act, and the Biosimilar User Fee Act. These critically important laws have improved patient access to important therapies and expedited the FDA’s approval times while upholding the most rigorous standards for patient safety.

The Prescription Drug User Fee Act (PDUFA) was enacted in 1992 when drug review times were lagging and FDA simply couldn’t keep up with the flood of new drug applications. Through user fees paid by applicants, PDUFA gave FDA the resources it needed to hire and support more staff. The program has been successful in reducing review-time backlogs and expediting safe and effective therapies to patients.

My legislation created the Medical Device User Fee Act (MDUFA), which was enacted in 2002 and has resulted in significant changes to the medical device industry and within the medical device center at the FDA. Through

this user fee program, the device center has improved its efficiency and reduced the time it takes to bring effective medical devices to market. This legislation builds on the progress made in previous user fee agreements and will produce important developments for the medical device industry.

The Generic Drug User Fee Agreement (GDUFA) was enacted in 2012 and takes important steps to bring lower-priced drugs to the market more quickly for the American people. Finally, the Biosimilar User Fee Agreement (BsUFA), which was first enacted in 2012 through legislation I authored, is critical to supporting the nascent biosimilar industry and will lead to meaningful progress, breakthroughs and cures for the American people.

Previous user fee reauthorizations have included significant gains for pediatric populations. Before the Better Pharmaceuticals for Children Act (BPCA) and the Pediatric Research Equity Act (PREA), which I authored, the vast majority of drugs (more than 80 percent) used in children were used off-label, without data for their safety and efficacy. Today, that number has been reduced to 50 percent because of my legislation. Both programs were permanently reauthorized in 2012, and while this agreement includes important changes to BPCA and PREA, there remains a need for more meaningful improvements. This legislation lays important groundwork and provides the foundation for future progress.

Finally, I urge my colleagues in the Senate to take up this legislation swiftly. It’s imperative that both houses of Congress pass this legislation and send it to the President in a timely manner for him to sign into law in order to provide essential resources to the FDA so they can continue to do their critical work.

Ms. MATSUI. Mr. Speaker, I rise today in support of H.R. 2430, the FDA user fee reauthorization bill that I worked on with my colleagues on the Energy & Commerce Committee.

Without Congress’ swift action to reauthorize this bill, the FDA would not be able to conduct its critical work ensuring that our nation’s drugs and devices are safe and effective.

Patients and families across the country battling diseases like Alzheimer’s, cancer, multiple sclerosis (MS), and diabetes, rely on innovation to provide new life-saving and life-enhancing treatments and hopefully one day, cures. Without the FDA, we would not be able to ensure that those treatments and cures work and that they’re safe.

To quote Dr. Jeff Allen of the Friends of Cancer Research, “for the people who currently depend on safe and effective medicines . . . for those who are holding strong for breakthroughs to come . . . and for every future patient . . . there isn’t time to waste.”

I urge my colleagues to support the passage of this bill.

Mrs. MIMI WALTERS of California. Mr. Speaker, I am pleased that the House is considering H.R. 2430, the FDA Reauthorization Act of 2017. I note that H.R. 2430 would provide the U.S. Food and Drug Administration (FDA) with new statutory authority to require the sponsor of an orphan-designated drug, which has certain similarities to an already approved drug, to demonstrate “clinical superiority” compared to the already approved drug

as a condition of receiving seven years of market exclusivity.

This authority will limit the number of drugs that are automatically entitled to seven years of exclusivity, while maintaining incentives for the development of innovative treatments for rare diseases.

I also note that the bill would improve transparency of the FDA's execution of the Orphan Drug Act. Specifically, the bill directs the FDA to notify a sponsor in writing of any clinical superiority rationale on which the FDA relied in designating the sponsor's drug as an orphan drug. Further, it would require the FDA to publish its clinical superiority findings summaries for all drugs granted exclusivity based on a demonstration of clinical superiority.

I urge my colleagues to support the FDA Reauthorization Act of 2017.

The SPEAKER pro tempore (Mr. MURPHY of Pennsylvania). The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 2430, as amended.

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

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

Ordering the previous question on House Resolution 431;

Adopting House Resolution 431, if ordered; and

Suspending the rules and passing H.R. 1492.

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

#### PROVIDING FOR CONSIDERATION OF H.R. 2810, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018, AND PROVIDING FOR CONSIDERATION OF H.R. 23, GAINING RESPONSIBILITY ON WATER ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 431) providing for consideration of the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, and providing for consideration of the bill (H.R. 23) to provide drought relief in the State of California, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 234, nays 183, not voting 16, as follows:

[Roll No. 347]

#### YEAS—234

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

#### NAYS—183

|                 |                |                |
|-----------------|----------------|----------------|
| Adams           | Gabbard        | Neal           |
| Aguilar         | Gallego        | Nolan          |
| Barragán        | Garamendi      | Norcross       |
| Bass            | Gomez          | O'Halleran     |
| Beatty          | Gonzalez (TX)  | O'Rourke       |
| Bera            | Gottheimer     | Pallone        |
| Beyer           | Green, Al      | Panetta        |
| Bishop (GA)     | Green, Gene    | Pascarell      |
| Blumenauer      | Grijalva       | Payne          |
| Blunt Rochester | Gutiérrez      | Perlmutter     |
| Bonamici        | Hanabusa       | Peters         |
| Boyle, Brendan  | Hastings       | Peterson       |
| F.              | Heck           | Pingree        |
| Brady (PA)      | Higgins (NY)   | Pocan          |
| Brown (MD)      | Himes          | Polis          |
| Brownley (CA)   | Hoyer          | Price (NC)     |
| Bustos          | Huffman        | Quigley        |
| Butterfield     | Jackson Lee    | Raskin         |
| Capuano         | Jayapal        | Rice (NY)      |
| Carbajal        | Jeffries       | Richmond       |
| Cárdenas        | Johnson (GA)   | Rosen          |
| Carson (IN)     | Johnson, E. B. | Roybal-Allard  |
| Cartwright      | Kaptur         | Ruiz           |
| Castor (FL)     | Keating        | Ruppersberger  |
| Castro (TX)     | Kelly (IL)     | Rush           |
| Chu, Judy       | Kennedy        | Ryan (OH)      |
| Cicilline       | Kihuen         | Sánchez        |
| Clark (MA)      | Kildee         | Sarbanes       |
| Clarke (NY)     | Kilmer         | Schakowsky     |
| Clay            | Kind           | Schneider      |
| Cleaver         | Krishnamoorthi | Schrader       |
| Clyburn         | Kuster (NH)    | Scott (VA)     |
| Cohen           | Langevin       | Scott, David   |
| Connolly        | Larsen (WA)    | Serrano        |
| Conyers         | Larson (CT)    | Sewell (AL)    |
| Cooper          | Lawrence       | Sherman        |
| Correa          | Lawson (FL)    | Sinema         |
| Courtney        | Lee            | Slaughter      |
| Crist           | Levin          | Smith (WA)     |
| Cuellar         | Lewis (GA)     | Soto           |
| Davis (CA)      | Lipinski       | Speier         |
| Davis, Danny    | Loebach        | Speizer        |
| DeFazio         | Lofgren        | Suzuki         |
| DeGette         | Lowenthal      | Swalwell (CA)  |
| Delaney         | Lowe           | Takano         |
| DeLauro         | Lujan Grisham, | Thompson (CA)  |
| DelBene         | M.             | Thompson (MS)  |
| Demings         | Luján, Ben Ray | Titus          |
| DeSaulnier      | Lynch          | Tonko          |
| Deutch          | Maloney,       | Tsongas        |
| Dingell         | Carolyn B.     | Vargas         |
| Doggett         | Maloney, Sean  | Veasey         |
| Doyle, Michael  | Matsui         | Vela           |
| F.              | McCollum       | Velázquez      |
| Ellison         | McEachin       | Visclosky      |
| Engel           | McGovern       | Walz           |
| Eshoo           | McNerney       | Wasserman      |
| Espallat        | Meeks          | Schultz        |
| Esty (CT)       | Meng           | Waters, Maxine |
| Evans           | Moore          | Watson Coleman |
| Foster          | Moulton        | Welch          |
| Frankel (FL)    | Murphy (FL)    | Wilson (FL)    |
| Fudge           | Nadler         | Yarmuth        |

#### NOT VOTING—16

|          |              |             |
|----------|--------------|-------------|
| Barr     | Johnson, Sam | Schiff      |
| Bucshon  | Khanna       | Shea-Porter |
| Costa    | Lieu, Ted    | Sires       |
| Crowley  | Napolitano   | Torres      |
| Cummings | Pelosi       |             |
| Guthrie  | Scalise      |             |

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1444

Messrs. LOEBSACK and DAVID SCOTT of Georgia changed their vote from "yea" to "nay."

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. SCHIFF. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 347.

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

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

## RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 187, not voting 14, as follows:

[Roll No. 348]

## AYES—232

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

Woodall  
Yoder

Yoho  
Young (AK)

Young (IA)  
Zeldin

## NOES—187

|                   |                     |                |
|-------------------|---------------------|----------------|
| Adams             | Gallego             | Nolan          |
| Aguilar           | Garamendi           | Norcross       |
| Barragán          | Gohmert             | O'Halleran     |
| Bass              | Gomez               | O'Rourke       |
| Beatty            | Gonzalez (TX)       | Pallone        |
| Bera              | Gottheimer          | Panetta        |
| Beyer             | Green, Al           | Pascarell      |
| Bishop (GA)       | Green, Gene         | Payne          |
| Blumenauer        | Grijalva            | Perlmutter     |
| Blunt Rochester   | Gutiérrez           | Peters         |
| Bonamici          | Hanabusa            | Peterson       |
| Boyle, Brendan F. | Hastings            | Pingree        |
| Brady (PA)        | Heck                | Pocan          |
| Brown (MD)        | Higgins (NY)        | Polis          |
| Brownley (CA)     | Himes               | Price (NC)     |
| Bustos            | Hoyer               | Quigley        |
| Butterfield       | Huffman             | Raskin         |
| Capuano           | Jackson Lee         | Rice (NY)      |
| Carbajal          | Jayapal             | Richmond       |
| Cárdenas          | Jeffries            | Rosen          |
| Carson (IN)       | Johnson (GA)        | Roybal-Allard  |
| Cartwright        | Johnson, E. B.      | Ruiz           |
| Castor (FL)       | Kaptur              | Ruppersberger  |
| Castro (TX)       | Keating             | Rush           |
| Chu, Judy         | Kelly (IL)          | Ryan (OH)      |
| Cicilline         | Kennedy             | Sánchez        |
| Hice, Jody B.     | Kihuen              | Sarbanes       |
| Clarke (MA)       | Kildee              | Schakowsky     |
| Clarke (NY)       | Kilmer              | Schiff         |
| Clay              | Kind                | Schneider      |
| Cleaver           | Krishnamoorthi      | Schrader       |
| Clyburn           | Kuster (NH)         | Scott (VA)     |
| Cohen             | Langevin            | Scott, David   |
| Connolly          | Larsen (WA)         | Serrano        |
| Conyers           | Larson (CT)         | Sewell (AL)    |
| Cooper            | Lawrence            | Sherman        |
| Correa            | Lawson (FL)         | Sinema         |
| Courtney          | Lee                 | Sires          |
| Crist             | Levin               | Slaughter      |
| Cuellar           | Lewis (GA)          | Smith (WA)     |
| Davis (CA)        | Lipinski            | Soto           |
| Davis, Danny      | Loeb sack           | Speier         |
| DeFazio           | Lofgren             | Suozzi         |
| DeGette           | Lowenthal           | Swalwell (CA)  |
| Delaney           | Lowe                | Takano         |
| DeLauro           | Lujan Grisham, M.   | Thompson (CA)  |
| DeBene            | Luján, Ben Ray      | Thompson (MS)  |
| Demings           | Lynch               | Titus          |
| DeSaulnier        | Maloney             | Tonko          |
| Deutch            | Maloney, Carolyn B. | Torres         |
| Dingell           | Maloney, Sean       | Tsongas        |
| Doggett           | Matsui              | Vargas         |
| Doyle, Michael F. | McCollum            | Veasey         |
| Ellison           | McEachin            | Vela           |
| Engel             | McGovern            | Velázquez      |
| Esch              | McNerney            | Visclosky      |
| Españalat         | Meeks               | Walz           |
| Esty (CT)         | Meng                | Wasserman      |
| Evans             | Moore               | Schultz        |
| Foster            | Moulton             | Waters, Maxine |
| Frankel (FL)      | Murphy (FL)         | Watson Coleman |
| Fudge             | Nadler              | Welch          |
| Gabbard           | Neal                | Wilson (FL)    |
|                   |                     | Yarmuth        |

## NOT VOTING—14

|          |              |             |
|----------|--------------|-------------|
| Barletta | Guthrie      | Napolitano  |
| Barr     | Hensarling   | Pelosi      |
| Costa    | Johnson, Sam | Scalise     |
| Crowley  | Khanna       | Shea-Porter |
| Cummings | Lieu, Ted    |             |

□ 1452

Mr. LOEBSACK changed his vote from "aye" to "no."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR H.R. 806, OZONE STANDARDS IMPLEMENTATION ACT OF 2017, AND H.R. 2997, 21ST CENTURY AVIATION INNOVATION, REFORM, AND REAUTHORIZATION ACT

Mr. SESSIONS. Mr. Speaker, this morning the Rules Committee issued announcements outlining the amendment processes for two measures that will likely be before the Rules Committee next week.

An amendment deadline has been set for Monday, July 17, at 10 a.m., for H.R. 806, the Ozone Standards Implementation Act of 2017; and Monday, July 17, at noon, for H.R. 2997, the 21st Century AIR Act.

The text of these measures is presently available on the Rules Committee website.

Feel free to contact me or my staff if we may provide any additional information.

## MEDICAL CONTROLLED SUBSTANCES TRANSPORTATION ACT OF 2017

The SPEAKER pro tempore. Without objection, 5-minute will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1492) to amend the Controlled Substances Act to direct the Attorney General to register practitioners to transport controlled substances to States in which the practitioner is not registered under the Act for the purpose of administering the substances (under applicable State law) at locations other than principal places of business or professional practice, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 2, not voting 15, as follows:

[Roll No. 349]

## YEAS—416

|            |                   |               |
|------------|-------------------|---------------|
| Abraham    | Bergman           | Brady (TX)    |
| Adams      | Beyer             | Brat          |
| Aderholt   | Biggs             | Bridenstine   |
| Aguilar    | Bilirakis         | Brooks (AL)   |
| Allen      | Bishop (GA)       | Brooks (IN)   |
| Amash      | Bishop (MI)       | Brown (MD)    |
| Amodei     | Bishop (UT)       | Brownley (CA) |
| Arrington  | Black             | Buchanan      |
| Babin      | Blackburn         | Buck          |
| Bacon      | Blum              | Bucshon       |
| Banks (IN) | Blumenauer        | Budd          |
| Barletta   | Blunt Rochester   | Burgess       |
| Barragán   | Bonamici          | Bustos        |
| Barton     | Bost              | Butterfield   |
| Bass       | Boyle, Brendan F. | Byrne         |
| Beatty     | F.                | Calvert       |
| Bera       | Brady (PA)        | Capuano       |

Carbajal  
Cárdenas  
Carson (IN)  
Carter (GA)  
Carter (TX)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chabot  
Cheney  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Coffman  
Cohen  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Connolly  
Conyers  
Cook  
Cooper  
Correa  
Costello (PA)  
Courtney  
Cramer  
Crawford  
Crist  
Cuellar  
Culberson  
Curbelo (FL)  
Davis (CA)  
Davis, Danny  
Davis, Rodney  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
Denham  
Dent  
DeSantis  
DeSaulnier  
DesJarlais  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Donovan  
Doyle, Michael  
F.  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Ellison  
Emmer  
Engel  
Eshoo  
Espallat  
Estes (KS)  
Esty (CT)  
Evans  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foster  
Foxy  
Frankel (FL)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gabbard  
Gaetz  
Gallagher  
Gallego  
Garamendi  
Garrett  
Gianforte  
Gibbs  
Gomez  
Gonzalez (TX)  
Goodlatte  
Gosar

Gottheimer  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green, Al  
Green, Gene  
Griffith  
Grijalva  
Grothman  
Hanabusa  
Handel  
Harper  
Harris  
Hartzler  
Hastings  
Heck  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Higgins (NY)  
Hill  
Himes  
Holding  
Hollingsworth  
Hoyer  
Hudson  
Huffman  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jackson Lee  
Jayapal  
Jeffries  
Jenkins (KS)  
Jenkins (WV)  
Johnson (GA)  
Johnson (LA)  
Johnson (OH)  
Johnson, E. B.  
Jones  
Jordan  
Joyce (OH)  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kelly (MS)  
Kelly (PA)  
Kennedy  
Kihuen  
Kildee  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Krishnamoorthi  
Kuster (NH)  
Kustoff (TN)  
Labrador  
LaMalfa  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latta  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lewis (MN)  
Lipinski  
LoBiondo  
Loebach  
Lofgren  
Long  
Loudermilk  
Love  
Lowenthal  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham,  
M.  
Luján, Ben Ray  
Lynch  
MacArthur

Maloney,  
Carolyn B.  
Maloney, Sean  
Marchant  
Marino  
Marshall  
Mast  
Matsui  
McCarthy  
McCaul  
McClintock  
McCollum  
McEachin  
McGovern  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meehan  
Meeks  
Meng  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Moore  
Moulton  
Mullin  
Murphy (FL)  
Murphy (PA)  
Nadler  
Neal  
Newhouse  
Noem  
Nolan  
Norcross  
Norman  
Nunes  
O'Halleran  
O'Rourke  
Olson  
Palazzo  
Pallone  
Palmer  
Panetta  
Pascarell  
Paulsen  
Payne  
Pearce  
Pelosi  
Perlmutter  
Perry  
Peters  
Peterson  
Pingree  
Pittenger  
Pocan  
Poe (TX)  
Poliquin  
Polis  
Posey  
Price (NC)  
Quigley  
Raskin  
Ratcliffe  
Reichert  
Renacci  
Rice (NY)  
Rice (SC)  
Richmond  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Ros-Lehtinen  
Rosen  
Roskam  
Ross  
Rothfus  
Rouzer  
Roybal-Allard  
Royce (CA)  
Ruiz  
Ruppersberger  
Rush  
Russell  
Rutherford  
Ryan (OH)

Sánchez  
Sanford  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Smucker  
Soto

Speier  
Stefanik  
Stewart  
Stivers  
Suozi  
Swalwell (CA)  
Takano  
Taylor  
Tenney  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Titus  
Tonko  
Torres  
Trott  
Tsongas  
Turner  
Upton  
Valadao  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Wagner

Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Weber (TX)  
Webster (FL)  
Welch  
Wenstrup  
Westerman  
Williams  
Wilson (FL)  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yarmuth  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

## NAYS—2

Gohmert

Massie

## NOT VOTING—15

Barr  
Costa  
Crowley  
Cummings  
Davidson

Guthrie  
Gutiérrez  
Johnson, Sam  
Khanna  
LaHood

Lieu, Ted  
Napolitano  
Reed  
Scalise  
Shea-Porter

□ 1506

So (two-thirds being in the affirmative), the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall votes No. 347, No. 348, and No. 349 due to my spouse's health situation in California. Had I been present, I would have voted "nay" on the Motion on Ordering the Previous Question on the Rule providing for consideration of both H.R. 23 and H.R. 2810. I would have also voted "nay" on H. Res. 431—Rule providing for consideration of both H.R. 23—Gaining Responsibility on Water Act of 2017 and H.R. 2810—National Defense Authorization Act for Fiscal Year 2018. I would have also voted "yea" on H.R. 1492—Medical Controlled Substances Transportation Act of 2017.

## PERSONAL EXPLANATION

Mr. CROWLEY. Mr. Speaker, on July 12, 2017, due to a family commitment I was absent for recorded votes No. 347, No. 348, and No. 349. Had I been present, on rollcall No. 347, I would have voted "no"; on rollcall No. 348, I would have voted "no"; and on rollcall No. 349, I would have voted "yes."

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

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

Any record votes on the postponed questions will be taken later.

ENHANCING DETECTION OF  
HUMAN TRAFFICKING ACT

Mr. WALBERG. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2664) to direct the Secretary of Labor to train certain Department of Labor personnel how to effectively detect and assist law enforcement in preventing human trafficking during the course of their primary roles and responsibilities, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2664

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

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Enhancing Detection of Human Trafficking Act".

## SEC. 2. DEFINITION OF HUMAN TRAFFICKING.

In this Act the term "human trafficking" means an act or practice described in paragraph (9) or (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

SEC. 3. TRAINING FOR DEPARTMENT PERSONNEL  
TO IDENTIFY HUMAN TRAFFICKING.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Labor shall implement a program to—

(1) train and periodically retrain relevant personnel across the Department of Labor that the Secretary considers appropriate, how to effectively detect and assist law enforcement in preventing human trafficking during the course of their primary roles and responsibilities; and

(2) ensure that such personnel regularly receive current information on matters related to the detection of human trafficking, including information that becomes available outside of the Department's initial or periodic retraining schedule, to the extent relevant to their official duties and consistent with applicable information and privacy laws.

(b) TRAINING DESCRIBED.—The training referred to in subsection (a) may be conducted through in-class or virtual learning capabilities, and shall include—

(1) methods for identifying suspected victims of human trafficking and, where appropriate, perpetrators of human trafficking;

(2) training that is most appropriate for a particular location or environment in which the personnel receiving such training perform their official duties;

(3) other topics determined by the Secretary to be appropriate reflecting current trends and best practices for personnel in their particular location or professional environment;

(4) a clear course of action for referring potential cases of human trafficking to the Department of Justice and other appropriate authorities; and

(5) a post-training evaluation for personnel receiving the training.

## SEC. 4. REPORT TO CONGRESS.

Not later than 1 year after the date of the enactment of this Act, and each year thereafter, the Secretary of Labor shall report to the appropriate congressional committees on the training provided to the personnel referred to in section 3(a), including—



(1) an evaluation of such training and the overall effectiveness of the program required by this Act;

(2) the number of cases referred by Department of Labor personnel in which human trafficking was suspected and the metrics used by the Department to accurately measure and track its response to instances of suspected human trafficking; and

(3) the number of Department of Labor employees who have completed such training as required by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. WALBERG) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

#### GENERAL LEAVE

Mr. WALBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2664.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 2664, the Enhancing Detection of Human Trafficking Act.

Labor trafficking is the illegal exploitation of an individual for commercial gain. It knows no geological limits. It happens across our country and around the globe, including in my home State of Michigan.

Victims of labor trafficking are not a uniform group of people. Victims are young children, teenagers, men, and women.

In my home State of Michigan, the National Human Trafficking Hotline reported over 38 cases in 2016 involving labor trafficking. This is a 52 percent increase in the number of reported cases since 2015.

Globally, the International Labor Organization estimates there are 21 million people trapped in forced labor.

The growing number of human trafficking cases is alarming and more needs to be done to identify victims, catch traffickers, and end this form of modern-day slavery.

In the course of inspecting workplace safety and labor law compliance within the United States, Department of Labor employees often have a front line to view and to identify patterns of labor exploitation. Providing these employees with the proper training to detect and respond to the signs of human trafficking is an important part of the larger comprehensive effort to eradicate this unthinkable crime.

The Enhancing Detection of Human Trafficking Act would ensure the Department has a formal framework in place to detect trafficking and refer cases to law enforcement for prosecution.

Specifically, H.R. 2664 would:

Direct the Department of Labor to train appropriate staff on how to effectively detect instances of human trafficking;

Ensure personnel regularly receive information on current trends and best practices;

Allow flexible training options, including in-class and virtual learning options;

Establish a clear course of action for referring suspected instances of human trafficking to law enforcement; and

Require an evaluation and report to Congress on the implementation of the training and the metrics used to measure and track the agency's response to human trafficking.

Mr. Speaker, one of the biggest obstacles we face in the fight against human trafficking is awareness. H.R. 2664 will ensure Department of Labor employees have the right training so that they recognize and effectively respond to this modern-day slavery.

I also thank Ranking Member SABLAN for his bipartisan support and work on this issue.

Mr. Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of H.R. 2664, a bill to assist the United States Department of Labor in identifying and preventing cases of human trafficking.

I thank Chairman WALBERG for his leadership on this issue and for introducing this legislation of which I am an original cosponsor. As chair and ranking member of the Subcommittee on Health, Employment, Labor, and Pensions of the Education and the Workforce Committee, Mr. WALBERG and I have found common ground on a number of important issues facing the American people, and human trafficking is one of them.

We may think that human trafficking is something that occurs in far-off countries. And, yes, according to the International Labor Organization, there are 21 million men, women, and children around the world who are currently subjected to forced labor. Unfortunately, however, the injustice of human trafficking happens right here at home in the United States as well.

Polaris, a nonprofit that operates the National Human Trafficking Resource Center hotline here in the United States received reports of over 8,000 cases of human trafficking in our country last year, an increase of 35 percent over the year before.

I have seen cases of this terrible scourge firsthand in my own district, the Northern Mariana Islands. A number of construction companies lured foreign workers to come to the Marianas with false promises and misrepresentations about pay and conditions.

The companies then withheld the employees' wages and confiscated their passports. The workers were subjected to horrible working conditions, crowded unsanitary barracks with barely enough food and water. They were forced to work in unsafe conditions, suffering serious injuries without access to adequate medical care. There was even a workplace fatality.

To their credit, the Department of Labor's OSHA and Wage and Hour divisions have worked to address these injustices, issuing fines and citations, recovering back wages. But we need to identify human traffickers and prevent cases like this before they happen.

That is the purpose of our bill, the Enhancing Detection of Human Trafficking Act. H.R. 2664 directs the Department of Labor to train appropriate Department staff on how to detect human trafficking, and ensure that these staff people get regular updates on how traffickers are adjusting to avoid detection.

□ 1515

Our bill establishes training for a clear course of action for referring cases of suspected human trafficking to the Department of Justice and other appropriate authorities so these offenders are prosecuted.

And the bill requires the Department to report back to Congress within a year on the progress that is being made because Congress needs to do more than simply enact programs with lofty goals. We also need to build in mechanisms to tell us whether our programs are working as intended.

Mr. Speaker, the Enhancing Detection of Human Trafficking Act will, I believe, give the Department of Labor the tools and resources it needs to combat human trafficking. I ask my colleagues to vote "yes" on this bill.

I would like to also thank the leadership of the House, especially Chairwoman VIRGINIA FOXX and Ranking Member BOBBY SCOTT of the Education and the Workforce Committee, for moving this bill to the floor. And again, I thank my friend, Chairman WALBERG, for his leadership in this important area of public policy.

I reserve the balance of my time.

Mr. WALBERG. Mr. Speaker, I am pleased to yield 4 minutes to the gentlewoman from North Carolina (Ms. FOXX), the distinguished chairman of the Education and the Workforce Committee.

Ms. FOXX. Mr. Speaker, I thank both of my colleagues for their leadership on H.R. 2664 and bringing this important matter to the attention of the House.

I rise to express my strong support for this bill, and to commend, again, my colleagues for making a difference in the fight to end modern slavery.

Over the past few years, we have only begun to comprehend the horrors of

human trafficking and how it established a foothold in this country. Thanks to the vigilance of faith-based groups, humanitarians across the globe, and the courage of survivors, we are learning more about the tactics and loopholes human traffickers exploit to prey on the most vulnerable among us.

Children are often the ones most vulnerable to exploitation. It is estimated that one in six endangered runaways are likely victims of this horrific crime. Earlier this year, with the leadership of Representatives GUTHRIE and COURTNEY, the House passed the Improving Support for Missing and Exploited Children Act.

That bipartisan legislation supports the critical efforts of the National Center for Missing & Exploited Children. It includes positive reforms to encourage new and innovative ways to recover and protect missing and exploited children, including those who are victims of trafficking. We need to do everything possible to ensure this vital work will continue, and that is what H.R. 1808 was all about.

But this is an issue that demands our ongoing attention. More solutions are needed, and that is why we are here today, to build on the bipartisan work we have already accomplished.

The Department of Labor has a unique vantage point for spotting violations in workplaces that can be tell-tale signs of modern slavery and labor exploitation. This bill equips DOL personnel to form partnerships with law enforcement to detect and address signs of human trafficking in America's workplaces.

Mr. Speaker, if we can shed light in any corner where this evil may lurk, we must.

Again, I commend Mr. WALBERG's leadership on this issue and Mr. SABLAN for working with him so passionately. I am proud that the Committee on Education and the Workforce could do its part to support their work and bring this bill to the floor.

I urge all Members to vote in favor of the Enhancing Detection of Human Trafficking Act.

Mr. SABLAN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. BASS).

Ms. BASS. Mr. Speaker, I rise today in support of H.R. 2664, the Enhancing Detection of Human Trafficking Act, a bill to assist the U.S. Department of Labor in identifying and preventing cases of human trafficking.

Human trafficking is a global and domestic threat to basic human rights and humanity as we know it. However, the injustice of human trafficking is not just a global program. Human rights abuses are happening right here in the United States every day and in every region across the country.

Polaris, a nonprofit that operates the National Human Trafficking Resource

Center hotline here in the U.S. received reports of over 8,000 cases of human trafficking in our country last year, an increase of 35 percent over the year before.

Government agencies must continue to work together to identify and eradicate all cases of human trafficking. We can and must do better to prevent cases of abuse before they happen. That is the purpose of this bill, the Enhancing Detection of Human Trafficking Act.

H.R. 2664 directs the Department of Labor to train appropriate Department staff on how to detect human trafficking and ensure that all personnel at the Department of Labor are provided with regular screening tools to identify and detect trafficking activity.

This bill establishes training for a clear course of action, including referring cases of suspected human trafficking to the Department of Justice and other appropriate authorities to properly investigate and prosecute offenders.

This bill also requires the Department of Labor to report back to Congress within a year on the progress that is being made by such efforts.

Mr. Speaker, the Enhancing Detection of Human Trafficking Act supports current efforts to combat human trafficking by providing the Department of Labor the tools and resources it needs to identify and properly respond to human rights abuses.

I ask my colleagues for a vote in favor of this bill.

Mr. WALBERG. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Pennsylvania (Mr. COSTELLO).

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today in support of H.R. 2664, the Enhancing Detection of Human Trafficking Act.

We all know human trafficking is a serious problem all over the world, but it is not a distant concept. It exists in communities all across this country. Last year, in Pennsylvania alone, there were over 150 human trafficking cases reported, and labor trafficking was the second highest type of trafficking in the Commonwealth. We should and must do all that we can to combat this disgusting activity.

This legislation before us now would help train Department of Labor inspectors to identify patterns and circumstances surrounding this abuse so that they can assist law enforcement in recognizing and stopping labor exploitation. A significant component of the fight against human trafficking is knowing where it exists, and this legislation is an important step forward.

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

Mr. WALBERG. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Speaker, I thank Chairman WALBERG for his invitation

to join him on the floor today to discuss combating human trafficking and in support of the Enhancing Detection of Human Trafficking Act.

When people hear the term "human trafficking," they often think of far-away places, or perhaps even movie plots. But, unfortunately, human trafficking is a horrible 21st century problem here in the United States.

We have to do all we can to help combat the scourge of human trafficking, and this measure is a strong addition to the actions already taken here in the House, and I commend the chairman, Ranking Member SABLAN, and also the full committee chair, Ms. Foxx, and Ranking Member SCOTT for their leadership on this issue.

Making sure Department of Labor employees can identify these practices will be another tool to work against these terrible crimes. We need workforce law violation investigators to be on the lookout for patterns of human trafficking and labor exploitation, and this bill will make it happen.

Since 2007, the National Human Trafficking Hotline has received nearly 150,000 reports of trafficking here in the United States. The majority of these victims are women and children forced into heinous situations. They need our help. I urge all my colleagues to join me in supporting this measure and to continue to do all we can to combat human trafficking.

Mr. SABLAN. Mr. Speaker, I have no further speakers, and I urge all my colleagues to please support, vote "aye" on H.R. 2664.

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

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

Mr. Speaker, each year millions of men, women, and children are trafficked around the world, including in the United States. It is important that we combat this epidemic.

The Enhancing Detection of Human Trafficking Act is truly a bipartisan bill that will ensure that those who are in the field have knowledge, skills, and tools that they need to identify instances of human trafficking, assist victims, and properly refer cases so perpetrators can be brought to justice.

I would like to reiterate my appreciation to Representative SABLAN for his support and work on this important issue. This is truly a bipartisan issue. It is an American issue. It is a human issue.

I urge my colleagues to vote in favor of H.R. 2664, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. WALBERG) that the House suspend the rules and pass the bill, H.R. 2664.

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

A motion to reconsider was laid on the table.

# EMPOWERING LAW ENFORCEMENT TO FIGHT SEX TRAFFICKING DEMAND ACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2480) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to include an additional permissible use of amounts provided as grants under the Byrne JAG program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2480

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

## SECTION 1. SHORT TITLE.

This Act may be cited as the “Empowering Law Enforcement to Fight Sex Trafficking Demand Act”.

## SEC. 2. ADDITIONAL AUTHORIZED USE OF BYRNE JAG FUNDS.

Section 501(a)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(a)(1)) is amended by adding at the end the following:

“(I) Programs to combat human trafficking (including programs to reduce the demand for trafficked persons).”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

### GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 2480, currently under consideration.

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

There was no objection.

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

Today, Mr. Speaker, we continue our battle against the scourge of human trafficking with H.R. 2480, the Empowering Law Enforcement to Fight Sex Trafficking Demand Act. This bill, introduced by our colleague, Congresswoman HARTZLER of Missouri, adds antihuman trafficking efforts as an allowable use for funds under the Byrne JAG program, the Justice Department’s flagship grant program for State and local governments and law enforcement. It specifies that the JAG funds may be used for demand reduction operations.

Mr. Speaker, there is no question that the fight against human trafficking starts at the local level. It infects every community, and our local officials and law enforcement are on the front lines in this battle. They are

in the best position to assess how to address this issue in their communities and how to use these taxpayer dollars.

As part of any comprehensive approach in combating trafficking, local government and law enforcement must address what many call the demand issue; that is, going after those who are buying young victims off the street and, very often, off the internet. This is simple economics applied to a horrific crime.

Human trafficking is driven by the demand for commercial sex, and this is costing victims their sense of worth and their dignity. By deterring demand, traffickers will have fewer buyers and may abandon their illegal and horrifyingly reprehensible activity.

These demand reduction operations and programs are most often carried out at the local level, and it is important to ensure local governments have the tools they need to prevent this destructive crime by deterring people from buying victims.

□ 1530

We cannot tolerate sex trafficking and must be able to act swiftly to combat this horrific crime. H.R. 2480 ensures our communities will be able to do just that.

Mr. Speaker, I want to thank Congresswoman HARTZLER for introducing this legislation, and I urge my colleagues to support her bill.

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

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me thank the chairman and ranking member of the Judiciary Committee for the work that we have done in a bipartisan manner on human trafficking, sex trafficking. Let me thank the gentlewoman, the sponsor, and the cosponsor, Mr. CLAY, for their leadership on this legislation and for recognizing that we must give direction, as Members of the United States Congress, to how grants are to be utilized. This is a very, very important initiative to be able to help our law enforcement.

Let me give you the real life of some of those who have been sex-trafficked.

The life of Esperanza: She was waiting for a cousin outside her high school in Mexico one day when a strange man drove up in a car and forced her inside with him and sped away. At that moment, Esperanza had, in effect, become a sex slave. “He beat me; he raped me,” she told CNN.

A few times, she tried to escape and failed to escape. The gentleman, the person, the perpetrator, the heinous man, Poncho, now 47, always tracked her down and then beat her again.

Eventually, Esperanza realized she was pregnant. Three months later, she said Poncho drove her across the Mexican/U.S. border and on to Houston,

Texas, where he forced her to work in a cantina called La Costenita.

This is a story that reads inside Houston’s sex trade. I am a Representative of the congressional district in Houston where we have recognized that it is one of the hot spots of the sex trade.

But I do want to acknowledge that law enforcement, a sheriff, the police chief, the mayor, the head of the city, local government, and county government have all come together, Members of Congress, faith organizations, and recognized and made a resistant stance to stand against this sex trade. In fact, I want to applaud them for recognizing the plight of Esperanza.

I want to, with enthusiasm, support a bill that would amend the omnibus Crime Control and Safe Streets Act of 1968 to include an additional permissible use of amounts provided as grants under the Edward Byrne Memorial Justice Assistance Grant, also known as the Byrne JAG Program, to combat human trafficking, sex trafficking, including programs to reduce the demand for trafficked persons.

The legislation was introduced by Mrs. HARTZLER and joined by her colleague, Mr. CLAY. I am glad to be a cosponsor, as are members of the Judiciary Committee and others.

Sadly, sex trafficking, like labor trafficking, is a modern-day form of slavery. It is slavery. The epidemic of this abhorrent practice of sex trafficking continues.

First, sex trafficking occurs nationwide, and the data from the National Human Trafficking Hotline shows that reports of human trafficking were almost doubled, from 372 reported cases in 2012 to 670 reported cases in 2016, with sex trafficking accounting for more than 75 percent of all human trafficking.

Let me be very clear that sex trafficking is easy. It is very profitable because, unfortunately, you use the vulnerable victim over and over again.

Take Esperanza. She was waiting to go to high school. She became pregnant. You would think there would be some form of mercy, but she was forced to be used again, to be sex-trafficked again, and to find herself in a cantina in Houston, Texas, all the way from Mexico.

“I really wanted to speak up, to ask the police for help,” Esperanza said, but she got caught up by the threats he would make against the little baby girl that she was now raising.

After waiting for this horrific nightmare to end, Esperanza eventually was rescued in a raid of that cantina that I remember very well, thanks to the bravery and steadfast approach of Houston’s finest, like Agent Steven Roskey, a native Houstonian, then, believe it or not, with the Texas Alcoholic Beverage Commission that was really going after the cantina for liquor violations. But he was astute and

he was law enforcement. Esperanza's prayers were answered.

And so, thankfully, although traumatized, Esperanza survived the horrors of sex trafficking, human trafficking. But not all victims are as lucky as that. Esperanza, who fell victim to human trafficking, should absolutely not be treated as a criminal for her involvement.

Mr. Speaker, I include the CNN article on Esperanza in the RECORD.

[From CNN, Aug. 12, 2016]

INSIDE HOUSTON'S SEX SLAVE TRADE

(By Thom Patterson)

(CNN) Esperanza was waiting for her cousins outside her high school in Mexico one day, when a strange man drove up in a car, forced her inside with him and sped away. At that moment, Esperanza had in effect become a sex slave.

"He beat and raped me," she told CNN's "The Hunt with John Walsh."

She said the man—who called himself Poncho—brought her to a madam who showed Esperanza how to charge clients and how to use a condom.

A few times Esperanza tried—and failed—to escape, but she said Poncho, now age 47, always tracked her down, and then beat her.

Eventually, Esperanza realized she was pregnant. Three months later, she said Poncho drove her across the Mexican-US border and on to Houston, Texas, where he forced her to work in a cantina called La Costenita.

She gave birth to a baby girl, but Poncho took the infant away as insurance that Esperanza would keep working as a sex slave and wouldn't escape.

"I really wanted to speak up, to ask the police for help," Esperanza said. "But I got caught up by the threats he would make towards my daughter. I didn't want anything to happen to her."

Esperanza—whose real name is being withheld for her protection—had become just like the more than 19,000 sex trafficking cases reported in the US since 2007, according to the National Human Trafficking Resource Center.

The site says more than 2,600 sex trafficking cases have been reported in the US this year alone, most of them in California. Texas ranks as the nation's number-two sex trafficking state, on the website.

For the uninitiated, it's hard to imagine that thousands of young people—overwhelmingly women—have been kidnapped in Mexico or elsewhere and taken against their will to the United States, where they serve as sex slaves.

"I thought human trafficking was just this crime that happens in third world countries. Until I started to look into my city," said Rachel Alvarez, a human trafficking case worker for the Houston YMCA.

Texas authorities first met Esperanza when they raided La Costenita in 2010.

"Her initial demeanor was just kind of stoic," remembered Steve Roskey, who took part in the raid when he was an agent with the Texas Alcoholic Beverage Commission. "But then, all of a sudden, we noticed tears start running down her face. She started telling us her story: how she got here, what she was forced to do."

When she told police that her pimp, a man named Alfonso Diaz-Juarez who also went by "Poncho," was holding her daughter, authorities sprang into action.

"We knocked on Poncho's family members' houses, we knocked on his friends' houses,"

Roskey said. "It irritated the family and friends so much that (Diaz-Juarez) eventually dropped off the child to a cousin, and at about 3 o'clock in the morning, we got a phone call. The child was safe."

But Diaz-Juarez was nowhere to be found.

Pimps will often lure women from Mexico across the border to the US by promising them better lives, perhaps a better job, Alvarez said. These pimps may get help from people the women already know and trust, like a neighbor.

Once they're kidnapped, these women are no longer viewed as people in the eyes of their handlers. They've been reduced to a commodity that can be bought and sold repeatedly in an open market. In the United States, Houston has become one of those markets.

"People see Houston as a hub for human trafficking because of its proximity to the border," said FBI special agent Suzanne Bradley. "It also has access to the I-10 highway corridor, which goes across the country, so if they're smuggling people in and trying to get them into human trafficking in other areas of the country, it's very easy to get them on that I-10 route and disperse them throughout the country."

After the kidnapped women are brought into the US, the beatings begin as a way to keep them from trying to escape. Their captors threaten to hurt family members. Pimps use fear to keep their sex slaves in bondage.

"Poncho was one of the most violent pimps I've come across in the 11 years I've worked human trafficking," said Edwin Chapuseaux, a former investigator with the Harris County Sheriffs Office. "He did a lot of brutal things, bordering into torture, to make the girls do what he wanted."

A former sex slave we'll call "Laura" said Poncho knew her "mother's name, her address, everything. He would threaten me, tell me if I talked to anyone that he would hurt my family."

A pimp would have a lot to lose if a girl walked out the door.

"If a pimp has, let's say, four or five girls, and each one is making him, you know, \$2,000, \$3,000 a week, do the math, tax-free," said Chapuseaux. That works out to a maximum of \$780,000 per year.

Laura recalls one night when she counted 70 women working. "The usual was 30 men. We each had to tend to 30 clients a night."

For years federal and local authorities had been gathering evidence against a huge Houston-area sex trafficking network led by Raquel Medeles Hortencia-Arguello.

The woman everyone knew as "Tench" owned a brothel called Las Palmas that offered minor-aged girls to customers who would pay up to \$500 an hour, according to the FBI.

Coincidentally, as a cautionary move, Tench had distanced herself from Las Palmas by leasing it to Diaz-Juarez.

When police found out, they arrested him on a previous warrant.

Diaz-Juarez pleaded guilty in a deal with prosecutors that led to his release several months later. Poncho was back on the loose.

Authorities continued to gather evidence in the big sex trafficking case.

"We realized early on that we had potential financial crimes, money laundering involved in the case, so we got the [Internal Revenue Service] involved in it," said Bradley. The IRS began following the money, reviewing bank statements, locating assets.

"We did an estimate on how much she made from the room rental, entrance fee, and the condoms for the whole entire period

she was operating Las Palmas and that estimated to be about \$12.5 million," said IRS Special Agent Lucy Tan.

When it was time for police to move in and raid Las Palmas, 13 people were arrested. Diaz-Juarez wasn't among them. But Tench was.

Twelve pleaded guilty.

Prosecutors charged Tench with one count of conspiracy to commit sex trafficking, one count of conspiracy to harbor aliens, three counts of money laundering and one count of conspiracy to money launder.

Tench pleaded not guilty.

When Tench began crying in front of the judge, saying she was innocent and she had no idea what was going on, it stirred something inside the freed women who once worked for her.

They began to get angry.

One by one they decided to take the stand and testify against their former captor.

"You didn't have to speak Spanish to see how much pain they had over what had been done to them, and what they had to do," remembered Bradley. "You could just see it in their face, hear it in their voice."

Ultimately, the jury found Tench guilty and the judge sentenced her to life in prison.

Despite the legal victory against Tench, authorities are disturbed by the fact that Diaz-Juarez remains free.

"It's very important to get Poncho arrested and prosecuted, because he will not stop doing what he does until he is arrested and put behind bars," said Chapuseaux.

Laura, who still fears Poncho, admits she'll "feel safer when he is captured. There aren't any words to describe what a terrible person he is."

Ms. JACKSON LEE. Mr. Speaker, second, we must provide our law enforcement with the necessary tools to fight the epidemic.

I would like to thank Agent Roskey, our fervent Houston Police Chief Art Acevedo, and chiefs before him for their entire effort and collaboration. Houston law enforcement has been working diligently, but they have limited funds.

To be able to use the Byrne grants in this effective way to save one more life, to stop another little girl from detouring from high school involuntarily and then be steered off, become pregnant, and no mercy given, driven to another country to continue to be utilized, abused, victimized, beaten, I think this legislation clearly speaks to the millions of little girls and boys who are not in line but apt to be victims from all over the world coming to the United States, finding themselves in hot points, victimized, and maybe even tragically losing their life.

Mr. Speaker, I rise today to discuss H.R. 2480, the "Empowering Law Enforcement to Fight Sex Trafficking Demand Act of 2017."

This bill would amend the Omnibus Crime Control and Safe Streets Act of 1968 to include an additional permissible use of amounts provided as grants under the Edward Byrne Memorial Justice Assistance Grant Program, also known as the Byrne JAG Program, to combat human trafficking (including programs to reduce the demand for trafficked persons).

This legislation was introduced by Representative VICKY HARTZLER (R-MO) on May

17, 2017 and I am proud to be a Co-Sponsor in this step forward to addressing concerns about sex trafficking in our cities.

Sadly, Sex Trafficking, like labor trafficking, is a modern-day form of slavery that includes U.S. citizens, foreign nationals, women, men and children as victims equally.

The epidemic of this abhorrent practice of sex trafficking is growing, which makes the need for consideration of all measures to help law enforcement prevent these crimes from occurring even more imperative.

First, sex trafficking occurs nationwide, and data from the National Human Trafficking Hotline show that reports of human trafficking cases have almost doubled in most states, including Texas, from 372 reported cases in 2012 to 670 reported cases in 2016; with sex trafficking accounting for more than 75% of all human trafficking cases reported.

Too often, thousands of young people—overwhelmingly women—have been kidnapped around the world and taken against their will to the United States, where they serve as sex slaves and become victims of these horrendous crimes—especially children—whom are afraid to seek help from law enforcement because of the risk that they will be treated as criminals rather than the victims they undoubtedly are.

Take Esperanza for example. She was waiting for her cousins outside of her high school in Mexico one day, when a strange man drove up in a car, forced her inside with him and sped away. At that moment, Esperanza had in effect become a sex slave.

Esperanza was an innocent child when she first became a victim of sex trafficking. Her 47 year old trafficker brought her to a madam at a Cantina, who taught her how to have sex with adult men for profit, and the trafficker would beat and rape this young child whenever she tried to escape.

Eventually Esperanza became pregnant and was driven across the Mexico-U.S. border onto Houston, Texas my congressional district, where her baby was taken by her perpetrator as insurance, in order to force Esperanza into his world of sex slave trade.

Like so many children living the daily nightmare of human trafficking, Esperanza was terrified to tell anyone what was occurring. “I really wanted to speak up, to ask the police for help,” Esperanza said. “But I got caught up by the threats he would make towards my daughter. I didn’t want anything to happen to her.”

After waiting for this horrific nightmare to end, Esperanza eventually was rescued in a raid of the Cantina, thanks to the bravery and steadfast approach of Houston’s finest, like Agent Steve Roskey, a native Houstonian, then with the Texas Alcoholic Beverage Commission in Houston.

Esperanza’s prayers were answered because once she started telling Agent Roskey and the other Houston officers her story of how she got here, what she was forced to do, the identification of her trafficker and the taking of her baby, Houston’s finest and Agent Roskey immediately started knocking on the perpetrator’s family members’ houses, knocked on his friends’ houses, and after the family and friends became irritated, they eventually dropped off the child to a cousin. The child was safe.

Thankfully, although traumatized, Esperanza survived the horrors of human trafficking but not all victims are as fortunate because there are many sad stories laced in this practice, which is why these unfortunate victims, like Esperanza, who fall prey to human trafficking, should absolutely not be treated as criminals for their involvement in these sex, and labor acts.

Second, we must provide our law enforcement with the necessary tools to fight this epidemic. I would like to thank Agent Steve Roskey, our fervent Houston Police Chief, Art Acevedo, his entire department, and various other entities for all the hard work they are doing daily to combat this epidemic in sex trafficking.

Houston’s law enforcement are working diligently to take our city back from the grips of those who seek to perpetuate this appalling practice of sex trafficking.

Like Houston, law enforcement everywhere are fighting mightily oftentimes, with limited funds to crush the glaring statistics reported across this country by the National Human Trafficking Hotline.

Hence we must provide them with meaningful resources to make this goal a reality, and ensure that victims are not penalized for the illegal enterprise of the traffickers that exploit them.

This is why we must empower our law enforcements everywhere, through the Byrne JAG Program, to fight the demand for sex trafficking by supporting this bill.

Finally, we understand it is already possible for state and local jurisdictions to use JAG Grant Program funding to combat human trafficking, including demand reduction, under the current purpose areas.

However, I support adding an additional purpose area for these grants that emphasizes the need to fund initiatives that target and fight human trafficking, as proposed under this bill.

H.R. 2480 will ensure that state and local law enforcement agencies have the funds needed to implement more programs to combat human trafficking such as that which occurred at the Cantina in Esperanza’s case and all the trafficked victims rescued there that day.

The addition of this purpose area would allow state and local jurisdictions to target and penalize buyers who drive the demand for sex acts, human trafficking, and sexual exploitation; including the demand for sex trafficking involving children.

An example of a project that could be funded by the addition of this purpose area is training for a multi-jurisdictional task force to conduct proactive stings on buyers in an effort to combat human trafficking, like the Cantina raid in my home district in Houston.

Accordingly, I urge my colleagues to support this measure.

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

Mr. GOODLATTE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Missouri (Mrs. HARTZLER), the chief sponsor of this legislation.

Mrs. HARTZLER. Mr. Speaker, I rise today to ask for support for H.R. 2480, the Empowering Law Enforcement to Fight Sex Trafficking Demand Act.

I would like to thank Chairman GOODLATTE and Ranking Member CONYERS for their support, as well as Congresswoman KAREN BASS, Congressman STEVE CHABOT, and Congressman WILLIAM LACY CLAY from Missouri, my friend, who have all co-lead this effort with me.

The Empowering Law Enforcement to Fight Sex Trafficking Demand Act expands the authority of the Edward Byrne Justice Assistance Grants Program, or Byrne JAG, to enable law enforcement agencies to compete for Federal funding specifically to develop and execute sex trafficking demand reduction programs. Adding this provision provides State and local agencies more flexibility in balancing precious resources to address sex trafficking.

Today, when many Americans hear the term “sex trafficking,” they might envision a young woman in Eastern Europe being abducted or a far-away brothel in Thailand. While both of these instances, sadly, happen, Americans must realize that sex trafficking happens in thousands of neighborhoods and cities all across our great country.

As recently as May, in the city of Springfield, Missouri, there were two young girls, ages 13 and 14, that were recently rescued. Those two innocent girls were locked in a neighborhood home and forced to do drugs and engage in sexual acts for money. After some heroic police work, the man responsible was caught, but not before he robbed these two young girls of their innocence and confined them to years of mental torment.

This type of event occurs all too often and serves as a stark reminder that this horrendous crime can occur anywhere. It is a domestic problem that we cannot ignore.

Since 2007, the National Human Trafficking Hotline has reported 22,191 sex trafficking cases in the United States, and countless cases remain unreported.

According to leading researchers and law enforcement agencies, one of the primary causes of sex trafficking is consumer-level demand for commercial sex. Sex traffickers have discovered that illicit support of commercial sex is a lucrative business. In 2014, the Urban Institute estimated that the underground sex economy ranged from \$39.9 million in Denver, Colorado, to \$290 million in Atlanta, Georgia.

Despite the fact that demand is the ultimate cause of commercial sexual exploitation of women and children, buyers are frequently overlooked as offenders in crimes of domestic sex trafficking. Recently, leaders in the law enforcement community have discovered that the only effective practices for combating sex trafficking are those that include combating demand for commercial sex.

There are two primary ways to directly influence actual and potential buyers of commercial sex, and these

are termed “demand reduction programs.” They are: education of actual and potential buyers of commercial sex, and law enforcement interventions aimed at deterring those who might buy sex and punishing those who do.

Many law enforcement agencies execute demand reduction programs, such as reverse sting operations, john schools, and community education. However, resource limitations preclude them from expanding these efforts. This bill provides law enforcement expanded funding opportunities to support demand reduction efforts.

This is a huge step in the right direction because the Byrne JAG grant is the cornerstone Federal crime-fighting program, enabling communities to target resources to their most pressing local needs.

Byrne JAG’s hallmark is its flexibility; thus, States and localities are able to deploy Byrne JAG funding against their most pressing public safety challenges, such as sex trafficking. This allows communities to design complete programs, fill gaps, leverage other resources, and work across city, county, and State lines.

The crime of sex trafficking rips through the fabric of our communities and our country. We as Members of Congress must shed light on this horrendous epidemic and provide our law enforcement agencies with adequate resources to attack this problem at its source. H.R. 2480 will do that. It is a bipartisan solution to a nationwide problem.

Mr. Speaker, I ask my colleagues to support this effort.

Ms. JACKSON LEE. Mr. Speaker, I yield 3 minutes to the distinguish gentlewoman from California (Ms. BASS), a member of the Judiciary Committee Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, who has a long history of dealing with the vulnerable children, children who have been in the foster care system, and a leading voice on the issue of sex and human trafficking.

Ms. BASS. Mr. Speaker, I rise in support of H.R. 2480, the Empowering Law Enforcement to Fight Sex Trafficking Demand Act, a simple but powerful bill that will amend the Byrne JAG Grant Program to include funding initiatives aimed at disrupting and reducing the demand for sex trafficking.

As we know, dismantling the multifaceted web of sex trafficking requires collaborative and comprehensive action at every level of government. I am pleased to join Representative HARTZLER and so many of my colleagues as we continue to address this problem.

In conjunction with a number of bills introduced this Congress to strengthen and reauthorize the Trafficking Victims Protection Act, H.R. 2480 acknowledges that a comprehensive approach to eliminate sex trafficking

necessarily requires the inclusion of demand reduction efforts. Specifically, this bill provides support to State and local jurisdictions working to eliminate sex trafficking by expanding the designated use of Byrne JAG funding to include the express purpose of combating sex trafficking demand.

It is important that we support concrete and effective measures in furtherance of demand reduction as a critical component of law enforcement. Yet in nearly every State across the country, especially when it comes to underage youth, the buyers of sex tend to be treated as johns. When we are looking at underage girls, anybody that is purchasing sex should be viewed as a child molester.

Just as we are beginning to see the need to acknowledge the shift in how we see and respond to victims of sex trafficking—most of whom are minors, 59 percent of all reported cases in 2016 per Polaris National Hotline, and nearly all of them having involvement in the child welfare system, 86 percent as reported in the 2016 National Center for Missing & Exploited Children—there must be a paradigm shift in how we see and respond to those engaged in the illicit buying of women and children for sex.

□ 1545

Sex trafficking reduction programs under this bill would support enhanced efforts to arrest and prosecute these offenders. This bill would further help jurisdictions implement and facilitate necessary training programs designed to help law enforcement understand, identify, and appropriately respond fundamentally to those who buy and perpetrate sex trafficking.

Just as law enforcement must make critical efforts in distinguishing and identifying victims in need of services from petty criminals, so, too, must efforts be made to identify and prosecute dangerous and predatory sex offenders. Thus, State and local justice systems would be eligible to receive Byrne JAG money to support innovative advancements in developing and acquiring cutting-edge technology.

For example, H.R. 2480 would support the use of programs like Spotlight, a web-based tool used by over 4,000 law enforcement agencies in the U.S. and Canada to enable them to collaborate across jurisdictions for streamlined tracking of child sex trafficking victims.

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

Ms. JACKSON LEE. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from California.

Ms. BASS. Mr. Speaker, over the past year, reports showed that Spotlight identified, on average, five kids per day, and that law enforcement using Spotlight daily are seeing a 60 percent time savings in their investigative process.

For these reasons, I urge my colleagues to support this bipartisan bill and the need to invest in comprehensive measures to prevent and attack sex trafficking demands.

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

Ms. JACKSON LEE. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. CLAY), a colleague of the sponsor of the bill, Mrs. HARTZLER from Missouri. I thank him for his leadership on the issues of sex trafficking and human trafficking.

Mr. CLAY. Mr. Speaker, I thank the gentlewoman from Texas for yielding.

I rise today as an original cosponsor of H.R. 2480, the Empowering Law Enforcement to Fight Sex Trafficking Demand Act, along with my friend and distinguished colleague from Missouri, Congresswoman HARTZLER, and other colleagues.

This bipartisan act aims to provide local law enforcement with additional tools to fight the heinous epidemic of sex trafficking by expanding the authority of the vital Byrne Justice Assistance Grant act to enable law enforcement agencies to compete for Federal funding, specifically to develop and implement sex trafficking demand reduction programs.

Our legislation would also add an additional provision for Byrne JAG funding to allow State and local agencies more flexibility in prioritizing precious resources to combat domestic sex trafficking. The trafficking of mostly young people for the purposes of sexual exploitation is a form of 21st century slavery that is pervasive around the world, around this country, and even in my home State of Missouri, as we heard earlier.

Sadly, because of my district’s central location and easy access to cross-country interstates and modes of transportation, the St. Louis area is one of the top 20 markets for the horrific and inhuman crime. Most of the victims are minor children, and some of them have been kidnapped, beaten, and deceived by organized criminal enterprises who are exploiting their bodies for profit.

But the sick and the inhuman practice could not continue without steady demand, and reducing that market is exactly the purpose of this important bill.

According to a recent report by the National Human Trafficking Resource Center, this multibillion dollar slavery system victimizes over 20 million young people worldwide, with at least 1½ million of those victims in North America. Yet, last year in the United States, only about 5,000 cases were actually reported, leaving tens of thousands of other victims in the shadows with no protection, no help, and no hope.

As reported in the February 23, 2016 edition of *The Atlantic* magazine:



According to the United Nations' Office on Drugs and Crime, sexual exploitation is the most commonly identified form of forced labor worldwide. And as a whole, human trafficking is a lucrative industry that, around the globe, rakes in at least \$150 billion.

But it is unclear whether the numbers are an accurate representation of the problem, because many cases are not reported, according to Monique Villa, the CEO of the Thomson Reuters Foundation, which works to combat human trafficking.

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

Ms. JACKSON LEE. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Missouri.

Mr. CLAY. Mr. Speaker, the article continues on:

The problem with human trafficking is that, of course, the victims are silenced. We don't have good data about it. You don't know how many slaves there are around the world.

Traffickers also play into the narrative by telling victims who are exploited for sex that they are offenders, threatening to call the police and report them for prostitution if they push back. This makes sex trafficking particularly challenging because victims might be fearful of going to law enforcement and being charged with a crime.

Mr. Speaker, I urge Members to support this legislation.

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

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Let me thank the sponsor of this bill for her leadership. I am delighted to work with her as a cosponsor. And the speakers on the outside who are cosponsors, I thank them for their important contribution.

I simply want to take this time to close and to say to all of us: Don't forget the *Esperanzas*—plural—and their little boys as well, who are sex trafficked. Let us not forget them.

The addition of this purpose area added to the Byrne grants would allow States and local jurisdictions to target and penalize buyers who drive the demand for sex acts, human trafficking, and sexual exploitation, including demand for sex trafficking involving children. An example of a project that could be funded by the addition of this purpose area is training for a multi-jurisdictional task force to conduct proactive stings on buyers in an effort to combat human trafficking, just like what was done at the cantina raid in my home community in Houston.

The Texas Alcoholic Beverage Commission officer was one of those who helped bring this cantina, this substitute for sex trafficking kingpin down, and saved *Esperanza*.

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

Mr. GOODLATTE. Mr. Speaker, I yield myself the balance of my time to thank Members on both sides of the

aisle for their hard work on this, especially the gentlewoman from Missouri (Mrs. HARTZLER) for taking the lead on this, also the gentleman from Missouri (Mr. CLAY), as well as the ranking member of the full Judiciary Committee, Mr. CONYERS; and of the subcommittee, Ms. JACKSON LEE; and the subcommittee chair, Mr. SENSENBRENNER.

Mr. Speaker, I urge all of my colleagues to support this very important legislation that will help direct important resources to State and local governments to reduce demand for sex trafficking, and help to maybe protect and save a few young people and other people from this horrible crime.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 2480.

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

A motion to reconsider was laid on the table.

#### FREDERICK DOUGLASS TRAFFICKING VICTIMS PREVENTION AND PROTECTION REAUTHORIZATION ACT OF 2017

Mr. ROYCE of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2200) to reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2200

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017”.

#### SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

#### TITLE I—COMBATING TRAFFICKING IN PERSONS IN THE UNITED STATES

Subtitle A—Programs To Support Victims and Persons Vulnerable to Human Trafficking

Sec. 101. Grants to assist in the recognition of trafficking.

Sec. 102. Preventing future trafficking in the United States through receipt of complaints abroad.

Sec. 103. Modification to grants for victims services.

#### Subtitle B—Governmental Efforts To Prevent Human Trafficking

Sec. 111. Required training to prevent human trafficking for certain contracting air carriers.

Sec. 112. Priority for use of funds for lodging expenses at accommodations lacking certain policies relating to child sexual exploitation.

Sec. 113. Ensuring United States procurement does not fund human trafficking.

Sec. 114. Training course on human trafficking and Government contracting.

Sec. 115. Modifications to the advisory council on human trafficking.

Sec. 116. Sense of Congress on strengthening Federal efforts to reduce demand.

Sec. 117. Sense of Congress on the senior policy operating group.

#### Subtitle C—Preventing Trafficking in Persons in the United States

Sec. 121. Demand reduction strategies in the United States.

Sec. 122. Designation of a labor prosecutor to enhance State and local efforts to combat trafficking in persons.

Sec. 123. Preventing human trafficking in foreign missions and diplomatic households.

Sec. 124. Ensuring that traffickers help pay for care for victims.

#### Subtitle D—Monitoring Child, Forced, and Slave Labor

Sec. 131. Sense of Congress.

Sec. 132. Report on the enforcement of section 307 of the Tariff Act of 1930.

Sec. 133. Modification to list of child-made and slavery-made goods.

#### TITLE II—FIGHTING HUMAN TRAFFICKING ABROAD

##### Subtitle A—Efforts To Combat Trafficking

Sec. 201. Including the Secretary of the Treasury and the United States Trade Representative as a member of the interagency task force to monitor and combat trafficking.

Sec. 202. Encouraging countries to maintain and share data on human trafficking efforts.

Sec. 203. Appropriate listing of governments involved in human trafficking.

Sec. 204. Requirements for strategies to prevent trafficking.

Sec. 205. Expansion of Department of State rewards program.

Sec. 206. Briefing on countries with primarily migrant workforces.

Sec. 207. Report on recipients of funding from the United States Agency for International Development.

##### Subtitle B—Child Soldier Prevention Act of 2017

Sec. 211. Findings.

Sec. 212. Amendments to the Child Soldiers Prevention Act of 2008.

#### TITLE III—AUTHORIZATION OF APPROPRIATIONS

Sec. 301. Authorization of appropriations under the Trafficking Victims Protection Act of 2000.

Sec. 302. Authorization of appropriations under the Trafficking Victims Protection Reauthorization Act of 2005.

Sec. 303. Authorization of appropriations for enhancing efforts to combat the trafficking of children.

Sec. 304. Authorization of appropriations under the International Megan's Law.

Sec. 305. Authorization of appropriations for airport personnel training to identify and report human trafficking victims.



# **TITLE I—COMBATING TRAFFICKING IN PERSONS IN THE UNITED STATES**

## **Subtitle A—Programs To Support Victims and Persons Vulnerable to Human Trafficking**

### **SEC. 101. GRANTS TO ASSIST IN THE RECOGNITION OF TRAFFICKING.**

(a) GRANTS TO ASSIST IN RECOGNITION OF TRAFFICKING.—Section 106(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(b)) is amended—

(1) by striking “The President” and inserting the following:

“(1) IN GENERAL.—The President”; and

(2) by adding at the end the following:

“(2) GRANTS TO ASSIST IN THE RECOGNITION OF TRAFFICKING.—

“(A) IN GENERAL.—The Secretary of Health and Human Services may award grants to local educational agencies, in partnership with a nonprofit, nongovernmental agency, to establish, expand, and support programs—

“(i) to educate school staff to recognize and respond to signs of labor trafficking and sex trafficking; and

“(ii) to provide age-appropriate information to students on how to avoid becoming victims of labor trafficking and sex trafficking.

“(B) PROGRAM REQUIREMENTS.—Amounts awarded under this paragraph shall be used for—

“(i) education on—

“(I) how to avoid becoming victims of labor trafficking and sex trafficking;

“(II) indicators that an individual is a victim or potential victim of labor trafficking or sex trafficking;

“(III) options and procedures for referring such an individual, as appropriate, to information on such trafficking and services available for victims of such trafficking;

“(IV) reporting requirements and procedures in accordance with applicable Federal and State law; and

“(V) how to carry out activities authorized under subparagraph (A)(ii); and

“(ii) a plan, developed and implemented in consultation with local law enforcement agencies, to ensure the safety of school staff and students reporting such trafficking.

“(C) PRIORITY.—In awarding grants under this paragraph, the Secretary shall give priority to local educational agencies serving a high-intensity child sex trafficking area.

“(D) DEFINITIONS.—In this paragraph:

“(i) ESEA TERMS.—The terms ‘elementary school’, ‘local educational agency’, ‘other staff’, and ‘secondary school’ have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(ii) HIGH-INTENSITY CHILD SEX TRAFFICKING AREA.—The term ‘high-intensity child sex trafficking area’ means a metropolitan area designated by the Director of the Federal Bureau of Investigation as a high-intensity child prostitution area.

“(iii) LABOR TRAFFICKING.—The term ‘labor trafficking’ means conduct described in section 103(9)(B) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9)(B)).

“(iv) SCHOOL STAFF.—The term ‘school staff’ means teachers, nurses, school leaders and administrators, and other staff at elementary schools and secondary schools.

“(v) SEX TRAFFICKING.—The term ‘sex trafficking’ means the conduct described in section 103(9)(A) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9)(A)).”

(b) INCLUSION IN AUTHORIZATION OF APPROPRIATIONS.—Section 113(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7110(b)(1)) is amended by striking

“section 107(b)” and inserting “sections 106(b) and 107(b)”.

### **SEC. 102. PREVENTING FUTURE TRAFFICKING IN THE UNITED STATES THROUGH RECEIPT OF COMPLAINTS ABROAD.**

(a) IN GENERAL.—The Secretary of State shall ensure that each diplomatic or consular post or other mission designates an employee to be responsible for receiving information from any person who was a victim of a severe form of trafficking in persons (as such term is defined in section 103(14) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(14))) while present in the United States, or any person who has information regarding such a victim.

(b) PROVISION OF INFORMATION.—Any information received pursuant to subsection (a) shall be transmitted to the Department of Justice, the Department of Labor, the Department of Homeland Security, and to any other relevant Federal agency for appropriate response. The Attorney General, the Secretary of Labor, and the head of any other such relevant Federal agency shall establish a process to address any actions to be taken in response to such information.

(c) ASSISTANCE FROM FOREIGN GOVERNMENTS.—The employee designated for receiving information pursuant to subsection (a) should coordinate with foreign governments or civil society organizations in the countries of origin of victims of severe forms of trafficking in persons, with the permission of and without compromising the safety of such victims, to ensure that such victims receive any additional support available.

### **SEC. 103. MODIFICATION TO GRANTS FOR VICTIMS SERVICES.**

Section 107(b)(2)(A) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(2)(A)) is amended by striking “programs for” and all that follows and inserting the following: “programs for victims of human trafficking, including programs that provide trauma-informed care or long-term housing options to such victims who are—

“(i) between the ages of 12 and 24 and who are homeless, in foster care, or involved in the criminal justice system;

“(ii) transitioning out of the foster care system; or

“(iii) women or girls in underserved populations.”.

### **Subtitle B—Governmental Efforts To Prevent Human Trafficking**

#### **SEC. 111. REQUIRED TRAINING TO PREVENT HUMAN TRAFFICKING FOR CERTAIN CONTRACTING AIR CARRIERS.**

(a) IN GENERAL.—Section 40118 of title 49, United States Code, is amended by adding at the end the following:

“(g) TRAINING REQUIREMENTS.—The Administrator of General Services shall ensure that any contract entered into for provision of air transportation with a domestic carrier under this section requires that the contracting air carrier provides to the Administrator of General Services, the Secretary of Transportation, the Administrator of the Transportation Security Administration, and the Commissioner of U.S. Customs and Border Protection an annual report regarding—

“(1) the number of personnel trained in the detection and reporting of potential human trafficking (as described in paragraphs (9) and (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)), including the training required under section 44734(a)(4);

“(2) the number of notifications of potential human trafficking victims received from staff or other passengers; and

“(3) whether the air carrier notified the National Human Trafficking Hotline or law

enforcement at the relevant airport of the potential human trafficking victim for each such notification of potential human trafficking, and if so, when the notification was made.”.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to any contract entered into after the date of enactment of this Act.

(c) EXCEPTION.—The amendment made by subsection (a) shall not apply to any contract entered into by the Secretary of Defense.

#### **SEC. 112. PRIORITY FOR USE OF FUNDS FOR LODGING EXPENSES AT ACCOMMODATIONS LACKING CERTAIN POLICIES RELATING TO CHILD SEXUAL EXPLOITATION.**

(a) IN GENERAL.—Subchapter I of chapter 57 of title 5, United States Code, is amended by adding at the end the following:

“§ 5713. Priority for use of funds for lodging expenses at accommodations lacking certain policies relating to child sexual exploitation.

“(a) IN GENERAL.—For the purpose of making payments under this chapter for lodging expenses each agency shall ensure that, to the extent practicable and within the United States, any commercial-lodging room nights for employees of that agency are booked in a preferred place of accommodation.

“(b) PREFERRED PLACE OF ACCOMMODATION DEFINED.—In this section, ‘preferred place of accommodation’ means a commercial place of accommodation that—

“(1) has a zero-tolerance policy in place regarding the sexual exploitation of children (as described in section 103(9)(A) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9)(A))) within the accommodation;

“(2) has procedures in place to identify and report any such exploitation to the appropriate authorities;

“(3) makes training materials available to all employees to prevent such exploitation;

“(4) has trained all employees annually on the identification of possible cases of such exploitation and procedures to report suspected abuse to the appropriate authorities;

“(5) protects employees who report suspected cases of such exploitation according to the protocol identified in training; and

“(6) keeps records of the number of suspected cases of such exploitation, including the reasons for suspicion, title of employee who reported the suspicion, and where the report was made.

“(c) REGULATIONS REQUIRED.—The Administrator of General Services shall—

“(1) maintain a list of each preferred place of accommodation; and

“(2) issue such regulations as are necessary to carry out this section.”.

(b) CONFORMING AMENDMENT.—The table of sections for subchapter I of chapter 57 of title 5, United States Code, is amended by adding at the end the following new item:

“5713. Priority for use of funds for lodging expenses at accommodations lacking certain policies relating to child sexual exploitation.”.

#### **SEC. 113. ENSURING UNITED STATES PROCUREMENT DOES NOT FUND HUMAN TRAFFICKING.**

Section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104) is amended by adding at the end the following new subsection:

“(k) AGENCY ACTION TO PREVENT FUNDING OF HUMAN TRAFFICKING.—

“(1) IN GENERAL.—The Secretary of State, Secretary of Labor, Administrator of the

United States Agency for International Development, and Director of the Office of Management and Budget shall each submit to the Administrator of General Services (who shall submit the reports to the appropriate congressional committees), at the end of each fiscal year, a report that includes each of the following:

“(A) The name and contact information of the individual within the agency’s office of legal counsel or office of acquisition policy who is responsible for overseeing the implementation of subsection (g) of this section, title XVII of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 7104a et seq.), and any related regulation in the Federal Acquisition Regulation (including the Federal Acquisition Regulation; Ending Trafficking in Persons (48 C.F.R. Parts 1, 2, 9, 12, 22, 42, and 52)).

“(B) Agency action to ensure contractors are educated on the applicable laws and regulations listed in subparagraph (A).

“(C) Agency action to ensure the acquisition workforce and agency officials understand implementation of the laws and regulations listed in subparagraph (A), including best practices for—

“(i) ensuring compliance with such laws and regulations;

“(ii) assessing the serious, repeated, willful, or pervasive nature of any violation of such laws or regulations; and

“(iii) evaluating steps contractors have taken to correct any such violation.

“(D) The number of contracts containing language referring to the laws and regulations listed in subparagraph (A) and the number of contracts that did not contain any language referring to the laws and regulations listed in subparagraph (A).

“(E) The number of allegations of severe forms of trafficking in persons received and the source type of the allegation (contractor, subcontractor, employee of contractor or subcontractor, or an individual outside of the contract).

“(F) The number of such allegations investigated by the agency, a summary of any findings of such investigation, and any improvements recommended by the agency to prevent such conduct from recurring.

“(G) The number of such allegations referred to the Attorney General for prosecution under section 3271 of title 18, United States Code, and the outcomes of such referrals.

“(H) Any remedial action taken as a result of such investigation, including whether—

“(i) a contractor or subcontractor (at any tier) was debarred or suspended due to a violation of a law or regulation relating to severe forms of trafficking in persons; or

“(ii) a contract was terminated pursuant to subsection (g) as a result of such violation.

“(I) Any other assistance offered to agency contractors to ensure compliance with a law or regulation relating to severe forms of trafficking in persons.

“(J) Any interagency meetings or data sharing regarding suspended or disbarred contractors or subcontractors (at any tier) for severe forms of trafficking in persons.

“(K) Any contract with a contractor or subcontractor (at any tier) located outside the United States and the country location for each such contractor or subcontractor.

“(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ‘appropriate congressional committees’ means—

“(A) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Education and the Workforce, the

Committee on the Judiciary, and the Committee on Oversight and Government Reform of the House of Representatives; and

“(B) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on the Judiciary, and the Committee on Health, Education, Labor, and Pensions of the Senate.”.

#### **SEC. 114. TRAINING COURSE ON HUMAN TRAFFICKING AND GOVERNMENT CONTRACTING.**

Any curriculum (including any continuing education curriculum) for the acquisition workforce used by the Federal Acquisition Institute established under section 1201 of title 41, United States Code, shall include at least one course, which shall be at least 30 minutes, on the law and regulations relating to human trafficking and Government contracting.

#### **SEC. 115. MODIFICATIONS TO THE ADVISORY COUNCIL ON HUMAN TRAFFICKING.**

Section 115 of the Justice for Victims of Trafficking Act of 2015 (Public Law 114-22; 129 Stat. 243) is amended—

(1) in subsection (f)(2), to read as follows:

“(2) shall receive travel expenses, including per diem in lieu of subsistence, in accordance with the applicable provisions under subchapter I of chapter 57 of title 5, United States Code.”; and

(2) in subsection (h), by striking “2020” and inserting “2021”.

#### **SEC. 116. SENSE OF CONGRESS ON STRENGTHENING FEDERAL EFFORTS TO REDUCE DEMAND.**

It is the sense of Congress that—

(1) all Federal anti-trafficking training (including training under section 114(c) of the Justice for Victims of Trafficking Act of 2015 (42 U.S.C. 14044g(c)) and under section 107(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4))) provided to Federal judges, prosecutors, and State and local law enforcement officials should—

(A) explain the circumstances under which sex buyers are considered parties to the crime of trafficking;

(B) provide best practices for arresting or prosecuting buyers of illegal sex acts as a form of sex trafficking prevention; and

(C) specify that any comprehensive approach to eliminating sex and labor trafficking must include a demand reduction component; and

(2) any request for proposals for grants or cooperative agreement opportunities issued by the Attorney General with respect to the prevention of trafficking should include specific language with respect to demand reduction.

#### **SEC. 117. SENSE OF CONGRESS ON THE SENIOR POLICY OPERATING GROUP.**

It is the sense of Congress that the Senior Policy Operating Group established under section 105(d) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(g)) should create a working group to examine the role of demand reduction, both domestically and internationally, in achieving the purposes of the Justice for Victims of Trafficking Act (Public Law 114-22; 129 Stat. 227) and Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.).

#### **Subtitle C—Preventing Trafficking in Persons in the United States**

#### **SEC. 121. DEMAND REDUCTION STRATEGIES IN THE UNITED STATES.**

(a) DEPARTMENT OF JUSTICE TASK FORCE.—Section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

(1) in subparagraph (Q)(vii), by striking “and” at the end;

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

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

“(S) tactics and strategies employed by human trafficking task forces sponsored by the Department of Justice to reduce demand for trafficking victims.”.

(b) REPORT ON STATE ENFORCEMENT.—Section 114(e)(1)(A) of the Justice for Victims of Trafficking Act of 2015 (42 U.S.C. 14044g(e)(1)(A)) is amended—

(1) by inserting “, noting the number of covered offenders” after “covered offense” in each place it occurs;

(2) in the matter preceding clause (i), by striking “rates” and inserting “number”; and

(3) in clause (i), by striking “arrest” and inserting “arrests”;

(4) in clause (ii), by striking “prosecution” and inserting “prosecutions”; and

(5) in clause (iii), by striking “conviction” and inserting “convictions”.

#### **SEC. 122. DESIGNATION OF A LABOR PROSECUTOR TO ENHANCE STATE AND LOCAL EFFORTS TO COMBAT TRAFFICKING IN PERSONS.**

Section 204(a)(1) of the Trafficking Victims Protection Reauthorization Act of 2005 is amended—

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

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

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

“(F) where appropriate, to designate at least one prosecutor for cases of severe forms of trafficking in persons (as such term is defined in section 103(9) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9))).”.

#### **SEC. 123. PREVENTING HUMAN TRAFFICKING IN FOREIGN MISSIONS AND DIPLOMATIC HOUSEHOLDS.**

Subsection (a) of section 203 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375c) is amended—

(1) in paragraph (2)—

(A) by striking “for such period as the Secretary determines necessary” and inserting “for the period of at least one year or longer if the Secretary determines a longer period is necessary”; and

(B) by striking “the Secretary determines that there is” and all that follows until the end of the paragraph and inserting “there is an unpaid default judgement directly or indirectly related to human trafficking against the employer or a family member accredited by the embassy, the employer or family member has refused to agree to a voluntary interview with United States law enforcement, or the diplomatic mission or international organization hosting the employer or family member has refused to waive immunity in a human trafficking case brought by the United States Government or to agree to prosecute the case in the country that accredited the employer or family member.”; and

(2) in paragraph (3)—

(A) by striking “is in place”; and

(B) by inserting “, as applicable, the default judgment has been resolved, the employer or family member has agreed to meet with United States law enforcement, the diplomatic mission or international organization hosting the employer or family member has waived immunity for the employer or family member or agreed to prosecute the case in the country that accredited the employer or family member, or the diplomatic mission or international organization

hosting the employer or family member has in place” after “appropriate congressional committees that”.

**SEC. 124. ENSURING THAT TRAFFICKERS HELP PAY FOR CARE FOR VICTIMS.**

Section 3014(a) of title 18, United States Code, is amended by striking “2019” and inserting “2021”.

**Subtitle D—Monitoring Child, Forced, and Slave Labor**

**SEC. 131. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) foreign assistance that addresses poverty alleviation and humanitarian disasters reduces the vulnerability of men, women, and children to human trafficking and is a crucial part of the response of the United States to modern-day slavery;

(2) the Deputy Under Secretary of the Bureau of International Labor Affairs of the Department of Labor and the grant programs administered by the Deputy Under Secretary play a critical role in preventing and protecting children from the worst forms of child labor, including situations of trafficking, and in reducing the vulnerabilities of men and women to situations of forced labor and trafficking; and

(3) the Secretary of Labor also plays a critical role in helping other Federal departments and agencies to prevent goods made with forced and child labor from entering the United States by consulting with such departments and agencies to reduce forced and child labor internationally and ensuring that products made by forced labor and child labor in violation of international standards are not imported into the United States.

**SEC. 132. REPORT ON THE ENFORCEMENT OF SECTION 307 OF THE TARIFF ACT OF 1930.**

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the committees listed in subsection (b) a report describing any obstacles or challenges to enforcing section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

(b) COMMITTEES.—The committees listed in this subsection are—

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

(2) the Committee on Foreign Relations, the Committee on Health, Education, Labor, and Pensions, the Committee on Commerce, Science, and Transportation, the Committee on the Judiciary, and the Committee on Finance of the Senate.

(c) REQUIREMENTS.—The report required under subsection (a) shall—

(1) describe the role and best practices of private-sector employers in the United States in complying with the provisions of section 307 of the Tariff Act of 1930;

(2) describe any efforts or programs undertaken by relevant Federal, State, or local government agencies to encourage employers, directly or indirectly, to comply with such provisions;

(3) describe the roles of the relevant Federal departments and agencies in overseeing and regulating such provisions, and the oversight and enforcement mechanisms used by such departments or agencies;

(4) provide concrete, actual case studies or examples of how such provisions are enforced;

(5) identify the number of petitions received and cases initiated (whether by petition or otherwise) or investigated by each

relevant Federal department or agency charged with implementing and enforcing such provisions, as well as the dates petitions were received or investigations were initiated, and their current statuses;

(6) identify any enforcement actions, including, but not limited to, the issuance of Withhold Release Orders, the detention of shipments, the issuance of civil penalties, and the formal charging with criminal charges relating to the forced labor scheme, taken as a result of these petitions and investigations by type of action, date of action, commodity, and country of origin in the past 10 years;

(7) with respect to any relevant petition filed during the 10-year period prior to the date of the enactment of this Act with the relevant Federal departments and agencies tasked with implementing such provisions, list the specific products, country of origin, manufacturer, importer, end-user or retailer, and outcomes of any investigation;

(8) identify any gaps that may exist in enforcement of such provisions;

(9) describe the engagement of the relevant Federal departments and agencies with stakeholders, including the engagement of importers, forced labor experts, and nongovernmental organizations; and

(10) based on the information required by paragraphs (1) through (9), identify any regulatory obstacles or challenges to enforcement of such provisions and provide recommendations for actions that could be taken by the relevant Federal departments and agencies to overcome these obstacles.

**SEC. 133. MODIFICATION TO LIST OF CHILD-MADE AND SLAVERY-MADE GOODS.**

(a) IN GENERAL.—Section 105(b)(2)(C) of the Trafficking Victims Protection Reauthorization Act of 2005 (22 U.S.C. 7112(b)(2)(C)) is amended by inserting “, including, to the extent practicable, goods that are produced with inputs that are produced with forced labor or child labor” after “international standards”.

(b) INCLUSION IN AUTHORIZATION OF APPROPRIATIONS.—Amounts appropriated pursuant to the authorization of appropriations under section 113(f) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7110(f)), as amended by section 301(a) of this Act, are authorized to be made available to carry out the purposes described in section 105(b)(2) of the Trafficking Victims Protection Reauthorization Act of 2005 (22 U.S.C. 7112(b)(2)), as amended by subsection (a).

**TITLE II—FIGHTING HUMAN TRAFFICKING ABROAD**

**Subtitle A—Efforts To Combat Trafficking**

**SEC. 201. INCLUDING THE SECRETARY OF THE TREASURY AND THE UNITED STATES TRADE REPRESENTATIVE AS A MEMBER OF THE INTERAGENCY TASK FORCE TO MONITOR AND COMBAT TRAFFICKING.**

Section 105(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(b)) is amended by inserting “the Secretary of the Treasury, the United States Trade Representative,” after “the Secretary of Education.”.

**SEC. 202. ENCOURAGING COUNTRIES TO MAINTAIN AND SHARE DATA ON HUMAN TRAFFICKING EFFORTS.**

Paragraphs (1) and (7) of section 108(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106(b)(1) and (b)(7)) are each amended by striking the final sentence of such paragraphs.

**SEC. 203. APPROPRIATE LISTING OF GOVERNMENTS INVOLVED IN HUMAN TRAFFICKING.**

Subsection (b) of section 110 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)) is amended as follows:

(1) In paragraph (1)—

(A) in subparagraph (C)—

(i) by striking “and whose governments do not” and inserting the following: “and whose governments—

“(i) do not”; and

(ii) by adding at the end the following new clauses:

“(ii) tolerate trafficking in government-funded programs; or

“(iii) have a government-supported practice of—

“(I) trafficking;

“(II) facilitating the use of forced labor (such as in agriculture, forestry, mining, or construction);

“(III) permitting sexual slavery in government camps, compounds, or outposts; or

“(IV) employing child soldiers;”;

(B) in subparagraph (F), by striking “and” at the end;

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

(D) by adding at the end the following:

“(H) for each country included in a different list than the country had been placed in the previous annual report, a detailed explanation of how the concrete actions (or lack of such actions) undertaken by the country during the previous reporting period contributed to such change, including a clear linkage between such actions and the minimum standards enumerated in section 108.”.

(2) In paragraph (2)—

(A) in subparagraph (A)(iii)—

(i) in subclause (I)—

(I) by inserting “and the country is not taking steps commensurate with the size of the trafficking problem” before the semicolon at the end; and

(II) by adding “or” at the end;

(ii) in subclause (II), by striking “; or” and inserting a period; and

(iii) by striking subclause (III);

(B) in subparagraph (B), by striking “the last annual report” and inserting “April 1 of the previous year”;

(C) in subparagraph (D)—

(i) in clause (i), by striking “the date of the enactment of this subparagraph,” and all that follows and inserting—

“the date of the enactment of this subparagraph—

“(I) shall be included on the list of countries described in paragraph (1)(C); and

“(II) shall be required to meet the requirements specified in paragraph (1)(B) before the country may be removed from the list of countries described in paragraph (1)(C).”;

(ii) in clause (ii)—

(I) by striking “2 years” and inserting “1 year”;

(II) in subclause (II), by striking “and”;

(III) in subclause (III), by striking the period at the end and inserting “; and”; and

(IV) by adding at the end the following:

“(IV) the country has taken concrete actions to implement the principal recommendations of the most recent annual report on trafficking in persons with respect to that country.”; and

(iii) by adding at the end the following:

“(iii) WRITTEN PLAN.—The Secretary of State shall endeavor to work with each country that receives a waiver under clause (ii) and with civil society organizations in each country to draft and implement a written plan described in such clause.”;

(D) in subparagraph (E)—

(i) by striking “through (III)” and inserting “through (IV)”;

(ii) by striking “shall provide” and all that follows and inserting the following: “shall provide, on a publicly available website maintained by the Department of State—

“(i) a detailed description of the credible evidence supporting such determination;

“(ii) the written plan submitted by the country under subparagraph (D)(ii)(I); and

“(iii) supporting documentation providing credible evidence of—

“(I) each concrete action by the country to bring itself into compliance with the minimum standards for the elimination of trafficking, including copies of relevant laws or regulations adopted or modified; and

“(II) any actions taken by that country to enforce the minimum standards for the elimination of trafficking, as appropriate.”.

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

“(F) SPECIAL RULE FOR CERTAIN COUNTRIES ON SPECIAL WATCH LIST THAT ARE DOWNGRADED AND REINSTATED ON SPECIAL WATCH LIST.—Notwithstanding subparagraphs (D) and (E), a country that—

“(i) was included on the special watch list described in subparagraph (A) for—

“(I) two consecutive years after the date of the enactment of subparagraph (D); and

“(II) any additional years after such date of enactment by reason of the President exercising the waiver authority under clause (i) of subparagraph (D); and

“(ii) was subsequently included on the list of countries described in paragraph (1)(C), may not thereafter be included on the special watch list described in subparagraph (A) for more than 1 consecutive year.”.

(3) In paragraph (3)—

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

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

(C) by adding at the end the following:

“(D) the extent to which the government of the country is devoting sufficient budgetary resources—

“(i) to investigate and prosecute acts of severe trafficking in persons;

“(ii) to convict and sentence persons responsible for such acts; and

“(iii) to obtain restitution for victims of human trafficking;

“(E) the extent to which the government of the country is devoting sufficient budgetary resources—

“(i) to protect and rehabilitate victims of trafficking in persons; and

“(ii) to prevent trafficking in persons;

“(F) the extent to which the government of the country has consulted with domestic and international civil society organizations to improve the provision of services to victims of trafficking in persons; and

“(G) whether—

“(i) government officials participate in or facilitate forced labor and human trafficking; and

“(ii) the government maintains policies that provide incentives for or otherwise support the participation in or facilitation of forced labor and human trafficking by officials at any level of government.”.

(4) By adding at the end the following:

“(4) SPECIAL RULE FOR CHANGES IN CERTAIN DETERMINATIONS.—Not later than 90 days after the submission of each annual report under paragraph (1), the Secretary of State shall submit a detailed description of the credible evidence supporting a change in listing of a country, accompanied by copies of

documents providing such evidence, as appropriate, to the appropriate congressional committees not later than 90 days after the submission of that report if—

“(A) a country is included on a list of countries described in paragraph (1)(C) in an annual report submitted in calendar year 2015 or in any calendar year thereafter; and

“(B) in the annual report submitted in the next calendar year, the country is listed on a list of countries described in paragraph (1)(B).

“(5) WRITTEN PLAN.—The Secretary of State shall endeavor to work with each country that has been listed pursuant to paragraph (1)(C) in the most recent annual report and civil society organizations to draft and implement the written plan described in paragraph (2)(D)(ii).

“(6) DEFINITIONS.—In this subsection:

“(A) CONCRETE ACTIONS.—The term ‘concrete actions’ means any of the following actions that demonstrably improve the condition of a substantial number of victims of human trafficking and persons vulnerable to human trafficking:

“(i) Enforcement actions taken.

“(ii) Investigations actively underway.

“(iii) Prosecutions conducted.

“(iv) Convictions attained.

“(v) Training provided.

“(vi) Programs and partnerships actively underway.

“(vii) Victim services offered, including immigration services and restitution.

“(viii) The amount of money the government in question has committed to the actions described in clauses (i) through (vii).

“(ix) An assessment of the impact of such actions on the prevalence of human trafficking in the country.

“(B) CREDIBLE EVIDENCE.—The term ‘credible evidence’ means information relied upon by the Department of State to make determinations relating to the provisions set forth in this division, including—

“(i) reports by the Department of State;

“(ii) reports of other Federal agencies, including the Department of Labor’s List of Goods Produced by Child Labor or Forced Labor and List of Products Produced by Forced Labor or Indentured Child Labor;

“(iii) documentation provided by a foreign country, including copies of relevant laws, regulations, policies adopted or modified, enforcement actions taken and judicial proceedings, training conducted, consultations conducted, programs and partnerships launched, and services provided;

“(iv) materials developed by civil society organizations;

“(v) information from survivors of human trafficking, vulnerable persons, and whistleblowers;

“(vi) all relevant media and academic reports that, in light of reason and common sense, are worthy of belief; and

“(vii) information developed by multilateral institutions.”.

#### SEC. 204. REQUIREMENTS FOR STRATEGIES TO PREVENT TRAFFICKING.

(a) REPORT ON NEW PRACTICES TO COMBAT TRAFFICKING.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter for 7 years, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report—

(A) describing any practices adopted by the Department or the Agency to better combat

trafficking in persons, in accordance with the report submitted under section 101(b)(4) of the Trafficking Victims Protection Reauthorization Act of 2005, in order to reduce the risk of trafficking in post-conflict or post-disaster areas; or

(B) if no such practices have been adopted, including a strategy to reduce the risk of trafficking in such areas.

(2) PUBLIC AVAILABILITY.—Each report submitted under paragraph (1) shall be posted on a publicly available internet website of the Department of State.

(b) CHILD PROTECTION STRATEGIES IN WATCH LIST COUNTRIES.—The Administrator of the United States Agency for International Development shall incorporate into the relevant country development cooperation strategy for each country on the special watch list described in section 110(b)(2)(A) or the list described in section 110(b)(1)(C) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(2)(A) and (b)(1)(C)), as amended by section 203 of this Act, strategies for the protection of children and the reduction of the risk of trafficking.

#### SEC. 205. EXPANSION OF DEPARTMENT OF STATE REWARDS PROGRAM.

Paragraph (5) of section 36(k) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(k)) is amended—

(1) in the matter preceding subparagraph (A), by striking “means”;

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and moving such clauses, as so redesignated, two ems to the right;

(3) by inserting before clause (i), as so redesignated, the following:

“(A) means—”;

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

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

“(B) includes severe forms of trafficking in persons, as such term is defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).”.

#### SEC. 206. BRIEFING ON COUNTRIES WITH PRIMARILY MIGRANT WORKFORCES.

Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall provide to the Committee on Foreign Affairs and the Committee on the Judiciary of the House and the Committee on Foreign Relations and the Committee on the Judiciary of the Senate a briefing that includes, with respect to each country that has a domestic workforce of which more than 80 percent are third-country nationals, each of the following:

(1) An assessment of the progress made by the government of such country toward implementing the recommendations with respect to such country contained in the most recent “Trafficking in Persons Report” submitted by the Secretary under section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)), as amended by section 203 of this Act.

(2) A description of the efforts made by the United States to ensure that any domestic worker brought into the United States by an official of such country is not a victim of trafficking.

#### SEC. 207. REPORT ON RECIPIENTS OF FUNDING FROM THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

Not later than 90 days after the date of the enactment of this Act, and by October 1 of each of the following 4 years, the Administrator of the United States Agency for International Development shall submit to the

Committee on Foreign Affairs and the Committee on Appropriations of the House and the Committee on Foreign Relations and the Committee on Appropriations of the Senate a report describing, with respect to the prior fiscal year—

(1) each obligation or expenditure of Federal funds by the Agency for the purpose of combating human trafficking and forced labor; and

(2) with respect to each such obligation or expenditure, the program, project, activity, primary recipient, and any sub-grantees or sub-contractors.

#### **Subtitle B—Child Soldier Prevention Act of 2017**

#### **SEC. 211. FINDINGS.**

Congress finds the following:

(1) The recruitment or use of children in armed conflict is unacceptable for any government or government-supported entity receiving United States assistance.

(2) The recruitment or use of children in armed conflict, including direct combat, support roles, and sexual slavery, occurred during 2015–2016 in Afghanistan, South Sudan, Sudan, Burma, the Democratic Republic of the Congo, Iraq, Nigeria, Rwanda, Somalia, Syria, and Yemen.

(3) Entities of the Government of Afghanistan, particularly the Afghan Local Police and Afghan National Police, continue to recruit children to serve as combatants or as servants, including as sex slaves.

(4) Police forces of the Government of Afghanistan participate in counterterrorism operations, direct and indirect combat, security operations, fight alongside regular armies, and are targeted for violence by the Taliban as well as by other opposition groups.

(5) In February 2016, a 10-year-old boy was assassinated by the Taliban after he had been publically honored by Afghan local police forces for his assistance in combat operations against the Taliban.

(6) Recruitment and use of children in armed conflict by government forces has continued in 2016 in South Sudan with the return to hostilities.

(7) At least 650 children have been recruited and used in armed conflict in South Sudan in 2016, and at least 16,000 have been recruited since that country's civil war began in 2013.

#### **SEC. 212. AMENDMENTS TO THE CHILD SOLDIERS PREVENTION ACT OF 2008.**

(a) **DEFINITIONS.**—Section 402(2)(A) of the Child Soldiers Prevention Act of 2008 (22 U.S.C. 2370c(2)(A)) is amended by inserting “, police, or other security forces” after “governmental armed forces” each place it appears.

(b) **PROHIBITION.**—Section 404 of the Child Soldiers Prevention Act of 2008 (22 U.S.C. 2370c–1) is amended—

(1) in subsection (a)—

(A) by inserting “, police, or other security forces” after “governmental armed forces”; and

(B) by striking “recruit and use child soldiers” and inserting “recruit or use child soldiers”;

(2) by amending subsection (b)(2) to read as follows:

“(2) **NOTIFICATION.**—

“(A) **IN GENERAL.**—Not later than 45 days after the date of submission of each report required under section 110(b) of the Trafficking Victims Protection Act of 2000, the Secretary of State shall formally notify each government included in the list required under paragraph (1) that such government is so included.

“(B) **CONGRESSIONAL NOTIFICATION.**—As soon as practicable after making all of the notifications required under subparagraph (A) with respect to a report, the Secretary of State shall notify the appropriate congressional committees that the requirements of subparagraph (A) have been met.”;

(3) in subsection (c)(1), by adding at the end before the period the following: “and certifies to the appropriate congressional committees that the government of such country is taking effective and continuing steps to address the problem of child soldiers”; and

(4) in subsection (e)(1), by striking “to a country” and all that follows through “subsection (a)” and inserting “under section 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347) through the Defense Institute for International Legal Studies or the Center for Civil-Military Relations at the Naval Post-Graduate School, and may provide nonlethal supplies (as defined in section 2557(d)(1)(B) of title 10), to a country subject to the prohibition under subsection (a)”.

(c) **REPORTS.**—Section 405 of the Child Soldiers Prevention Act of 2008 (22 U.S.C. 2370c–2) is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “, during any of the 5 years following the date of the enactment of this Act.”;

(B) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively;

(C) by inserting after paragraph (1) the following:

“(2) a description and the amount of any assistance withheld under this title pursuant to the application to those countries of the prohibition in section 404(a);”;

(D) in paragraph (5) (as so redesignated), by inserting “and the amount” after “a description”; and

(2) by adding at the end the following:

“(d) **INFORMATION TO BE INCLUDED IN ANNUAL TRAFFICKING IN PERSONS REPORT.**—If a country is notified pursuant to section 404(b)(2), or a waiver is granted pursuant to section 404(c)(1), the Secretary of State shall include in each report required under section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)) the information required to be included in the annual report to Congress under paragraphs (1) through (5) of subsection (c) of this section.”.

#### **TITLE III—AUTHORIZATION OF APPROPRIATIONS**

#### **SEC. 301. AUTHORIZATION OF APPROPRIATIONS UNDER THE TRAFFICKING VICTIMS PROTECTION ACT OF 2000.**

(a) **IN GENERAL.**—Section 113 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7110) is amended by striking “2017” each place it appears and inserting “2021”.

(b) **HUMAN SMUGGLING AND TRAFFICKING CENTER.**—Section 112A(b)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7109a(b)(4)) is amended by striking “2017” and inserting “2021”.

#### **SEC. 302. AUTHORIZATION OF APPROPRIATIONS UNDER THE TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.**

(a) **IN GENERAL.**—Section 201(c)(2) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044(c)(2)) is amended by striking “2017” and inserting “2021”.

(b) **ASSISTANCE PROGRAMS FOR CERTAIN PERSONS SUBJECT TO TRAFFICKING.**—

(1) **IN GENERAL.**—Section 202(i) of the Trafficking Victims Protection Reauthorization Act of 2005 is amended by striking “2017” and inserting “2021”.

(2) **REPEAL OF SUNSET.**—Section 1241 of the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4; 127 Stat. 149) is amended—

(A) by striking subsection (b); and

(B) by striking “(a) **IN GENERAL.**—Section 202” and inserting “Section 202”.

(c) **CHILD TRAFFICKING DETERRENCE PROGRAM.**—Section 203(i) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044b) is amended by striking “2020” and inserting “2021”.

(d) **ENHANCING STATE AND LOCAL EFFORTS.**—Section 204(e) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044c(e)) is amended by striking “2017” and inserting “2021”.

#### **SEC. 303. AUTHORIZATION OF APPROPRIATIONS FOR ENHANCING EFFORTS TO COMBAT THE TRAFFICKING OF CHILDREN.**

Section 235(c)(6)(F) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(6)(F)) is amended—

(1) in the matter preceding clause (i), by inserting “of Health” after “Secretary”; and

(2) in clause (ii), by striking “and 2017” and inserting “through 2021”.

#### **SEC. 304. AUTHORIZATION OF APPROPRIATIONS UNDER THE INTERNATIONAL MEGAN'S LAW.**

Section 11 of the International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders (42 U.S.C. 16935h) is amended by striking “and 2018” and inserting “through 2021”.

#### **SEC. 305. AUTHORIZATION OF APPROPRIATIONS FOR AIRPORT PERSONNEL TRAINING TO IDENTIFY AND REPORT HUMAN TRAFFICKING VICTIMS.**

There is authorized to be appropriated to the Commissioner of U.S. Customs and Border Protection \$250,000 for each of fiscal years 2017 through 2021 to expand outreach and live on-site anti-trafficking training for airport and airline personnel.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentlewoman from California (Ms. BASS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, the right word for the type of slavery we see today, the type of human trafficking that is slavery, is to focus on the fact that this is indentured servitude. This is human slavery, and traffickers around the world increasingly exploit over a million individuals—I am talking about women and children—in sex trafficking for commercial gain.

According to credible estimates, if we add to that those who are engaged

in forced labor, that number that are actually enslaved is some 20 million. It is a coercive, multibillion-dollar industry that destroys families, destroys communities, strengthens brutal criminal networks, and tramples human dignity.

This plague is really global. It is not limited to the developing world. At a regular meeting of the Human Trafficking Congressional Advisory Committee I set up in southern California nearly 4 years ago, I have met with brave survivors who endured forced labor and commercial sexual exploitation in my home State of California.

I think of Angela Guanzon locked into her abusive workplace, sleeping on the hallway floor. I think of Carissa Phelps being sold on the streets of Fresno at the age of 12 by a very violent pimp.

Meeting them and having them testify showed me and many others that the horror of trafficking lies not in statistics, but in stolen lives. In the words of the great abolitionist, Frederick Douglass, enslavement is such an affront to human conscience that, in his words, “. . . to expose it, is to kill it. Slavery is one of those monsters of darkness to whom the light of truth is death.”

Exposing the harsh reality of human trafficking to international daylight is a central tenet of the legislation here that we are reauthorizing today.

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In the late 1990s, under the leadership of Congressman CHRIS SMITH, the author of today's bill, the Foreign Affairs Committee initiated the Trafficking Victims Protection Act, which became law in 2000. That law created the annual Trafficking in Persons Report and the country tier rankings that put the issue on the radar screens of world governments for the first time and every year thereafter.

I was proud to have supported that legislation. It created the possibility of sanctions against the worst offenders. It also established law enforcement and other domestic initiatives to combat trafficking within the United States, which have been refined in the multiple reauthorizations that have followed.

The law has produced notable successes. More than 120 countries, in fact, have now enacted antitrafficking laws, and many are improving their prosecution and conviction of those who are involved in trafficking. Countless lives have been improved and have been saved as a result.

In the TIP Report released 2 weeks ago, 27 countries were upgraded to a higher tier, and that is progress. But sustained pressure and scrutiny are needed. Enacting a law is not the same thing as enforcing it, and, unfortunately, 21 countries slipped to a lower tier in last year's report.

I am proud to be an original cosponsor of H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act, which continues and updates our fight against human trafficking. It extends until 2021 the current authorizations for our international and domestic programs, which expire at the end of September. It also contains multiple reforms and refinements to U.S. programs, and it strengthens the annual TIP Report and tier rankings.

I am pleased that this bill incorporates the text of a bill of mine, H.R. 1625, the TARGET Act, which I introduced earlier this year and the House passed in March. This important provision turns the tables on international traffickers by authorizing the State Department to offer and publicize bounties for their arrest and for their conviction.

I again want to thank the gentleman from New Jersey (Mr. SMITH) and the gentlewoman from California (Ms. BASS) for introducing this strong, bipartisan bill. I also want to thank the other seven committees of referral for the input and assistance they provided on the portions of the bill within their jurisdiction.

H.R. 2200 is a critical contribution to the cause of human freedom and the cause of human dignity. It deserves our unanimous support.

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

COMMITTEE ON FOREIGN AFFAIRS,  
Washington, DC, July 10, 2017.

Hon. WILLIAM M. “MAC” THORNBERRY,  
Chairman, House Armed Services Committee,  
Washington, DC.

DEAR CHAIRMAN THORNBERRY: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 2200 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,  
Chairman.

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 12, 2017.

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

DEAR MR. CHAIRMAN: I am writing to you concerning H.R. 2200, the “Frederick Doug-

lass Trafficking Victims Prevention and Protection Reauthorization Act of 2017.” There are certain provisions in the bill which fall within the Rule X jurisdiction of the Committee on Armed Services.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important legislation, I am willing to waive this committee's further consideration of H.R. 2200. I do so with the understanding that by waiving consideration of the bill, the Committee on Armed Services does not waive any future jurisdictional claim over the subject matters contained in the legislation which fall within its Rule X jurisdiction.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,  
WILLIAM M. “MAC” THORNBERRY,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
Washington, DC, July 10, 2017.

Hon. VIRGINIA FOXX,  
Chairwoman, House Committee on Education  
and the Workforce, Washington, DC.

DEAR CHAIRWOMAN FOXX: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 2200 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,  
EDWARD R. ROYCE,  
Chairman.

HOUSE OF REPRESENTATIVES, COM-  
MITTEE ON EDUCATION AND THE  
WORKFORCE,  
Washington, DC, July 12, 2017.

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

DEAR MR. CHAIRMAN: I am writing to confirm our mutual understanding with respect to H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017. Thank you for consulting with the Committee on Education and the Workforce with regard to H.R. 2200 on those matters within the Committee's jurisdiction.

In the interest of expediting the House's consideration of H.R. 2200, the Committee on Education and the Workforce will forgo further consideration of this bill. However, I do so only with the understanding this procedural route will not be construed to prejudice my committee's jurisdictional interest



and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my committee in the future.

I respectfully request your support for the appointment of outside conferees from the Committee on Education and the Workforce should this bill or a similar bill be considered in a conference with the Senate. I also request you include our exchange of letters on this matter in the Congressional Record during consideration of this bill on the House Floor. Thank you for your attention to these matters.

Sincerely,

VIRGINIA FOXX,  
*Chairwoman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC, July 10, 2017.*

Hon. GREG WALDEN,  
*Chairman, Committee on Energy and Commerce,*  
*Washington, DC.*

DEAR CHAIRMAN WALDEN: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 2200 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,  
*Washington, DC, July 12, 2017.*

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

DEAR CHAIRMAN ROYCE: I write in regard to H.R. 2200, Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act 2017, which was referred in addition to the Committee on Energy and Commerce. I wanted to notify you that the Committee will forgo action on the bill so that it may proceed expeditiously to the House floor for consideration.

The Committee on Energy and Commerce takes this action with our mutual understanding that by foregoing consideration of H.R. 2200, the Committee does not waive any jurisdiction over the subject matter contained in this or similar legislation and will be appropriately consulted and involved as this or similar legislation moves forward to address any remaining issues within the Committee's jurisdiction. The Committee also reserves the right to seek appointment of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate your response confirming this understanding with respect to

H.R. 2200 and ask that a copy of our exchange of letters on this matter be included in your committee's report on the legislation or the Congressional Record during its consideration on the House floor.

Sincerely,

GREG WALDEN,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC, July 10, 2017.*

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

DEAR CHAIRMAN GOODLATTE: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 2200 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE JUDICIARY,  
*Washington, DC, July 12, 2017.*

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

DEAR CHAIRMAN ROYCE: I write with respect to H.R. 2200, the "Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act." As a result of your having consulted with us on provisions within H.R. 2200 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I forego any further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 2200 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 2200 and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of the bill.

Sincerely,

BOB GOODLATTE,  
*Chairman.*

COMMITTEE ON FOREIGN AFFAIRS,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, May 24, 2017.*

Hon. JASON CHAFFETZ,  
*Chairman, Committee on Oversight and Government Reform,*  
*Washington, DC.*

DEAR CHAIRMAN CHAFFETZ: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 2200 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,  
*Chairman.*

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES,  
*Washington, DC, May 22, 2017.*

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

DEAR MR. CHAIRMAN: I write concerning H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017. As you know, the Committee on Foreign Affairs received an original referral and the Committee on Oversight and Government Reform a secondary referral when the bill was introduced on April 27, 2017. I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Oversight and Government Reform will forego action on the bill.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 2200 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, I would ask that a copy of our exchange of letters on this matter be included in any bill report filed by the Committee on Foreign Affairs, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Sincerely,

JASON CHAFFETZ,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC, May 19, 2017.*

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

DEAR CHAIRMAN SHUSTER: Thank you for working with the Foreign Affairs Committee



on mutually agreeable text edits, and agreeing to be discharged from further consideration of H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislative process.

I will seek to place our letters on H.R. 2200 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,  
*Chairman.*

COMMITTEE ON TRANSPORTATION AND  
INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

*Washington, DC, May 19, 2017.*

Hon. ED ROYCE,  
*Chairman, Committee on Foreign Affairs,*  
*Washington, DC.*

DEAR CHAIRMAN ROYCE: I write concerning H.R. 2200, the "Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017." This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite Floor consideration of H.R. 2200, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. It is also conditional on our mutually agreed to changes to the text of the bill. I appreciate you working with us on the bill and request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest in the Congressional Record during House Floor consideration of the bill. I look forward to working with the Committee on Foreign Affairs as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,

*Washington, DC, May 16, 2017.*

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

DEAR CHAIRMAN BRADY: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislative process.

I will seek to place our letters on H.R. 2200 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON WAYS AND MEANS,  
*Washington, DC, May 16, 2017.*

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

DEAR CHAIRMAN ROYCE: I am writing with respect to H.R. 2200, the "Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017," on which the Committee on Ways and Means was granted an additional referral.

As a result of your having consulted with us on provisions in H.R. 2200 that fall within the Rule X jurisdiction of the Committee on Ways and Means, I agree to waive formal consideration of this bill so that it may move expeditiously to the floor. The Committee on Ways and Means takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 2200.

Sincerely,

KEVIN BRADY,  
*Chairman.*

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

Mr. Speaker, I rise today in support of H.R. 2200, a bill to reauthorize \$130 million in currently appropriated funds in order to continue, over the next 4 years, critical and necessary work to fight sex and labor trafficking. This bill builds upon the remarkable work of the original Trafficking Victims Protection Act of 2000, the cornerstone of Federal human trafficking legislation.

I want to thank my colleagues Chairman ROYCE and especially Chairman CHRIS SMITH for his pioneering leadership.

Despite great strides and the tremendous progress we have made in exposing and beginning to understand the

complexities and growing obstacles of human trafficking, we still have much to do.

I am particularly thankful for the inclusion of my language in section 103, which provides a modification to grants for victims services in order to provide a necessary focus on young victims in the child welfare system. Specifically, this section will amend the Trafficking Victims Protection Act to address a key reason children and women have difficulty leaving their exploiter: the lack of housing. They have nowhere to go.

As with all antitrafficking measures, I am particularly concerned about what we are doing to combat the devastating epidemic of young girls in the foster care system falling prey to child exploitation and sex trafficking. The average age of a girl entering into sex trafficking is 12 years old.

In 2016, an estimated one out of six endangered runaways reported to the National Center for Missing & Exploited Children were likely child sex trafficking victims. Of these reported victims, 86 percent were in the care of social services or foster care when they ran.

One seasoned detective in Los Angeles recently reported during a demonstration on law enforcement technology used to identify victims that every single girl he has ever encountered through sex trafficking or commercially exploited sex activity has been in the child welfare system.

It cannot be overstated that the purpose of the child welfare system is to protect children who are abused or neglected. It is our responsibility to make sure these children do not fall between the cracks. It is devastating to know that we have failed many of them.

Just as if one of our own children in our family went missing, a child that is under the care of the government that goes missing demands our most aggressive response and effort to find, save, and protect them.

Our most urgent priority should be disrupting the child welfare-to-trafficking pipeline and finding better, more effective ways to meet the critical needs of this vulnerable population. In particular, as we continue to tackle child sex trafficking in the United States, it is imperative that we provide a special focus on the immediate and long-term housing needs of at-risk foster youth. Young girls and disconnected youth have particular and sensitive needs as trafficking victims.

Current funding for housing and shelter for victims of child sex trafficking is insufficient to meet the growing demand for youth services, especially young foster girls exploited through their emotional and financial vulnerabilities. At every level of government, we have an urgent responsibility to

shut down pathways for child sex trafficking and to invest in critical housing needs for vulnerable youth and girls. This responsibility includes supporting and adopting H.R. 2200.

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

Mr. ROYCE of California. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. SMITH). He is the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, and, of course, he is the author of the original Trafficking Victims Protection Act. He is also the author of this bill today.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the distinguished chairman ED ROYCE for yielding. I thank him for his leadership on trafficking, for this bill in particular, for the markup, and for all of the assistance he provided. I also thank ELIOT ENGEL, our ranking member. I thank them from the bottom of my heart.

I want to thank KAREN BASS, the lead Democrat on the bill, for her exceptional leadership and her collaboration on this legislation.

I want to thank Speaker RYAN and Majority Leader MCCARTHY. I have to say—and I have been working on human trafficking since about 1995, chaired probably more than 30 hearings and written four laws—I have never seen such a deep commitment to fighting trafficking and protecting victims than our leadership. It is unparalleled and it is inspired.

KEVIN MCCARTHY helped ensure timely consideration. There are eight committees of referral. Sometimes that is a death knell for any bill. It is so hard to secure agreements and vote them out. Well, each of those chairmen and their staffs worked diligently and in good faith. At the end of the day, the leadership was there. They had our back on the legislation.

I want to thank Chairman ROYCE, again, for his extraordinary leadership as well.

Mr. Speaker, ever since the Trafficking Victims Protection Act of 2000 became law in 2000, combating human trafficking has been a major priority in the United States and, indeed, globally.

Over the last 17 years, police and civil society organizations—many of them faith based—have identified and rescued more than 250,000 victims worldwide. Some put that number at close to 300,000. Prosecution of traffickers in the U.S. has increased by more than 500 percent, but, frankly, our task is far from accomplished.

The International Labor Organization suggests that nearly 21 million people in the world today are enslaved, most of them women and children. That is unconscionable. Every human life is of infinite value. We have a duty to protect the weakest and most vulnerable from harm.

The Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017 is comprehensive. It is bipartisan, and it is designed to strengthen, expand, and create new initiatives to protect victims, prosecute traffickers, and prevent this cruelty and exploitation from happening in the first place.

Title I of the bill focuses on combating trafficking in the United States. Title II focuses on the world. Title III authorizes appropriations of more than half a billion dollars over 4 years, including reauthorization of the TVPA of 2000.

The legislation, Mr. Speaker, is named in honor of the incomparable Frederick Douglass on the eve of his 200th birthday. Born a slave in 1818, he escaped when he was 20 and heroically dedicated his entire life to abolishing slavery and, after emancipation, to ending the Jim Crow laws in order to achieve full equality for African-American citizens. A gifted orator, author, editor, statesman, and Republican, he died in 1895.

Human trafficking, Mr. Speaker, is modern-day slavery that needs a Herculean effort to eradicate.

Among its numerous provisions and one that is of special interest to the Frederick Douglass Family Initiative—and we worked very closely with them on this—it authorizes HHS grant money to “establish, expand, and support programs” to provide age appropriate information to students all across America to avoid becoming victims of sex and labor trafficking as well as to educate school staff to recognize and respond to signs of trafficking.

It adopts a number of best practices, like for example making sure that when government employees book rooms, that we utilize hotels where they have initiated efforts and sponsored training to eradicate child sex trafficking. We do the same thing with airlines. The flight attendants—Delta is a classic example—once trained, can spot trafficking in progress, inform the pilot, and when that plane lands or jet lands, ensure that if there is a situation, there is an arrest of the traffickers and a rescue of the woman or children who are being trafficked.

We will now try, to the best of our ability, to hold the airlines to account. There needs to be reporting. It is already the law that they should provide this training. Now we want to ensure that training actually happens.

Chairman ROYCE talked about the TIP Report. Just a couple weeks ago, Secretary Tillerson announced the 2017 TIP Report. It is a voluminous and very accurate report about what is happening in 190 countries around the world, including the United States. Those countries that are designated Tier 3, egregious violator, are subject to sanctions.

The SPEAKER pro tempore (Mr. PERRY). The time of the gentleman has expired.

Mr. ROYCE of California. Mr. Speaker, I yield an additional 2 minutes to the gentleman.

Mr. SMITH of New Jersey. Mr. Speaker, I just want to commend the Trump administration for finally holding China to account as a Tier 3 violator. A worst offender.

The pending bill makes a number of important reforms to the TIP Report and how it is prepared. My hope is that we will have an even better, more accurate, and more effective effort at holding countries to account.

Again, this legislation applies to the United States for labor and sex trafficking as well as to the world. Again, I do want to thank all those who have been involved in it.

Let me just say we worked on this bill for well over a year with ATEST; Polaris; IJM; World Vision; United; Humanity; ECPAT; United States Conference of Catholic Bishops; Shared Hope International; CATW; Ambassador Swanee Hunt; the National Center for Missing & Exploited Children, which provided valuable insight; and others. They were all very much a part of our effort.

I also want to thank critical staff, including Luke Murray and Kelly Dixon, from the Majority Leader's Office, who are outstanding—they get the job done, and they ask all the right questions about substance and process and helped us along—Doug Anderson, counsel of the House Committee on Foreign Affairs; Mary Noonan; my chief of staff, Piero Tozzi; Allison Hollabaugh; Krystal Williams, KAREN BASS' staff member; and so many others on the committees that also made such a huge difference in enabling us to get this through all the committees to the floor today.

I urge my colleagues to pass the bill.

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), who is the ranking member on the Crime, Terrorism, Homeland Security, and Investigations Subcommittee of the Judiciary Committee.

Ms. JACKSON LEE. Mr. Speaker, let me thank the authors of the legislation, Mr. SMITH and Ms. BASS, for their leadership, and thank Chairman ROYCE for again reemphasizing the importance of this in terms of all committees, including the number of committees that have been noted.

Let me thank the cosponsors for acknowledging as well, Frederick Douglass. It is right that he was born in slavery, but he reminded us that there is no power without struggle, and there will have to be a struggle to end sex trafficking and human trafficking.

Mr. Speaker, I am reminded of the 1990s, when I met my first real modern-day slaves on the border of Bangladesh,

where we were seeing women fleeing who had been trafficked and who had been utilized sexually. Their parents had sold them out of desperation.

□ 1615

They were actual true slaves who were fleeing to the border of Bangladesh. That is a startling and stark recognition that in the 1990s, and now in the 21st century, slavery still exists.

I am delighted to be an original cosponsor of this legislation and to have worked on these issues, and to acknowledge the commemoration of Mr. Douglass' 200th birthday.

So I am grateful for the \$130 million in current funds appropriated to ensure a robust response to fight human trafficking; again, to do this at home and abroad; and to acknowledge the alliance to end slavery and trafficking at the National Center for Missing & Exploited Children, who are supporting this.

The bill would also provide human services grants, opportunities to be used for educating children and staff in U.S. schools about human trafficking. Of course, it would help my own center in Houston, the Center to End Trafficking and Exploitation of Children, or CETEC. I thank them for their great work. It is the only center of its kind in Texas established to combat minor sex trafficking. In addition, this important bill helps many others.

Let me conclude by simply saying that I support the idea of holding airlines accountable. We have been working with them. Homeland Security has been working with them. The flight attendants want to be engaged. All of us should be engaged in fighting sex trafficking.

Mr. Speaker, I ask for support of the bill.

Mr. ROYCE of California. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT), a senior member of the Committee on Foreign Affairs.

Mr. CHABOT. Mr. Speaker, I rise today in strong support of H.R. 2200, H.R. 2480, and H.R. 2664, three overwhelmingly bipartisan bills curbing and combating modern-day slavery at home and abroad.

I want to particularly thank Chairman ROYCE, as well as Chairman SMITH and the gentlewoman from California, Ms. BASS, the ranking member, all who have been leaders in this area for quite some time now, and we appreciate that very much.

As a parent, a grandparent now, and as a former teacher, I know that education empowers children. These bills on the floor today ensure that we are doing our utmost to allow every child across the globe the opportunity to reach their highest potential. That is why I introduced the bipartisan H.R. 2408, Protecting Girls' Access to Education Act, earlier this year, along

with my Democratic colleague, ROBIN KELLY.

By providing access to safe primary and secondary education, our bill aims to offer educational opportunities to the approximately 62 million girls globally who are not in school. There are 62 million girls who are not in school.

Similarly, these three bills, and the one that we are discussing right now on the floor today, are aimed at eradicating human trafficking and should improve every girl's chances for a quality education and a more peaceful and stable life, both in the United States and abroad.

Unfortunately, there are young girls and women here in this country who are vulnerable in the greatest country on the face of the Earth. Obviously, the problem is much worse across the globe.

I want to thank all colleagues on both sides of the aisle for truly working in a bipartisan fashion to at least get a handle on one of the toughest things that we face globally, and that is child trafficking, human trafficking, and a whole range of issues along this line.

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Hawaii (Ms. GABBARD).

Ms. GABBARD. Mr. Speaker, too often we hear about human trafficking and sex slavery. It is often dismissed as a crime that only happens "over there"—overseas or in a foreign country.

The Global Slavery Index estimated that nearly 46 million people across 167 countries were victims of human trafficking in 2016. This problem is very real. But here at home, it is also a problem, where we have children and young people who are forced or coerced into sex work and hard labor in our communities all across the country.

As America's gateway to Asia, my home State of Hawaii sees an unprecedented number of people taken from their homes to be exploited here on our shores. In 2010, the FBI freed 400 Thai nationals from a Hawaii farm, the largest human trafficking case in our modern history.

In Hawaii, I know personally of girls as young as 11 and 13 years old who were recruited from schools, malls, beaches, and other places, and exploited by traffickers. While every State, including Hawaii, has passed legislation to ban trafficking and classify it as a felony, clearly stronger, further action is needed to combat this modern, international slave trade.

This bill, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act, will do many things, including expanding programs to help educators recognize and respond to signs of human trafficking in minors to try to prevent this abuse and support local law enforce-

ment as they identify prosecutors who will focus on cases involving sex and slave trafficking.

I strongly support this legislation and urge my colleagues to vote "yes" to give these innocent men, women, and children a chance for safe, proactive, and healthy lives in our communities.

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

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Mrs. BEATTY).

Mrs. BEATTY. Mr. Speaker, I thank my colleague, Congresswoman KAREN BASS of California, for her relentless work, and also my colleagues on the other side of the aisle, including Congressman CHRIS SMITH, for working on this.

Mr. Speaker, today is a historic day. I stand on the U.S. House floor to advocate for the passage of the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act.

I have had many meetings with Kenneth Morris, Frederick Douglass' great-great-grandson on this issue, sharing with him my work on my bill, H.R. 246, from the last Congress, which improves the response of victims of child sex trafficking. I am committed to ending human trafficking and to ensuring that this bill honoring Frederick Douglass' legacy becomes a law.

The Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act puts \$130 million in funding for the prevention, protection, and, yes, prosecution of human trafficking. This investment is so needed, Mr. Speaker, because victims of human trafficking often live in the shadows of society. That is why it is up to all of us and why it is a bipartisan bill.

This legislation makes an investment in education. We have heard what it does with airports and what it does if you have survivors and government working together.

So let me end by reminding all of us that, in the words of Frederick Douglass, if we talk about protecting our children and preventing human sex trafficking, he would say, as he has said, "It is easier to build strong children" than to repair a broken system.

Let us talk about protection. These young girls and boys are sometimes held by invisible chains. We are here today to remove those chains.

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

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. FRANKEL).

Ms. FRANKEL of Florida. Mr. Speaker, I also give my thanks to Mr. ROYCE; Mr. SMITH; and my colleague, Ms. BASS, for their leadership. I am very

proud to be part of this bipartisan act to stop what we call modern-day slavery of men, women, and children.

Human trafficking is a global crisis of epic proportions. After drug trafficking, it is the number two criminal enterprise on Earth. Yes, it happens right here in our own backyard.

Recently, I met Shandra. She is a mother; a college graduate; and formerly a banker in Indonesia, until a financial crisis hit. Looking for a better life for her family, she came legally to the United States, taking what she thought was a job in the hospitality industry. The minute she landed in the United States of America, her hopes turned into a living hell. It is hard to put what happened to her in words.

Shandra's new employer held her by force. With threats of violence, he drugged her and sold her into prostitution day after day, for years. Finally, after multiple attempts to escape, she actually climbed through a bathroom window and went to safety.

Mr. Speaker, shockingly, as we speak here in this room today, there are millions of innocent victims like Shandra who are held in some form of cruel servitude. Our effort today will save lives and prevent horrific suffering. I am proud to be part of these efforts.

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

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank my colleague and friend for yielding, and I thank her for her extraordinary leadership. I would like to be associated with her comments describing this horrific crime.

Human trafficking outpaces drugs and guns as the world's fastest growing and most prosperous criminal activity. But unlike guns and drugs, which can only be sold once, in trafficking, the human body is sold over and over and over again until it kills the person.

I very strongly support the ending of this modern-day slavery through the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act. I have worked closely with Representative SMITH since 1995, Representative POE, Representative WAGNER, and others, to combat this despicable crime.

This legislation, first passed in 2000, revolutionized U.S. efforts against trafficking here and abroad. It included language I offered targeting traffic on the demand side, which is very important and key to punishing the real criminals here: pimps, johns, and traffickers who buy and sell their victims.

This legislation makes improvements to programs and policies that combat trafficking here and around the world. It helps law enforcement in their efforts to prosecute, which is growing. It

improves professional training to identify potential trafficking victims and provides services to enable survivors to rebuild their lives with dignity.

Perpetrators of modern-day slavery are profiting to the tune of \$150 billion a year. We need a coordinated, comprehensive approach to stop it.

I urge all of my colleagues to vote "yes." This bill saves lives. It is important. I am thrilled to be part of the effort to combat human trafficking in our world.

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

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, I thank my colleagues, CHRIS SMITH and KAREN BASS, for spearheading this important bill and for really putting tremendous energy into it.

Mr. Speaker, far too often, it is our children who fall victim to the horror of human trafficking. As you have heard this afternoon, we must do everything that we can to stop this injustice.

Often it has been said of human trafficking that it is hiding in plain sight. Advocates and survivors are always telling me that it is important to punish traffickers, but we also need to focus on prevention.

The reauthorization of the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act strengthens what we need in this holistic approach. It includes my bill, the Empowering Educators to Prevent Trafficking Act. This language in the bill creates a training program that I think you have heard about that empowers educators to spot the signs of trafficking and, in turn, teach their students how to protect themselves from becoming victims.

With the passage of this bill, our schools can join the resistance in the fight against trafficking. Armed with knowledge, students and teachers can join the battle lines against the injustice of modern-day slavery.

I want to thank all those who have participated in this bill, and I urge my colleagues to support it.

□ 1630

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

Ms. BASS. Mr. Speaker, I thank the author of this important legislation, Mr. CHRIS SMITH; and I thank Chairman ROYCE for bringing it to the floor. I support this bill and I encourage my colleagues to do so as well.

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

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

I would just mention, Mr. Speaker, that 20 years ago, human trafficking

was unknown, I think, to most Americans and there was little public awareness of the severity of what we are calling here today modern-day slavery.

Seventeen years ago, Congress led on this issue by passing the Trafficking Victims Protection Act. We had very strong bipartisan support, and the rankings, the sanctions, the programs created by that law have been instrumental in building the momentum and awareness that exists out there today. And with each reauthorization, those laws have been fine-tuned, they have been strengthened. This bill continues that tradition. It is time to recommit ourselves to this noble fight against slave-like labor and sexual exploitation of underage children.

I have asked some of the victims why it is that so many of these criminal gangs move from drug running and other kinds of activity into this kind of behavior, and part of the response is: Because, you know, in a drug war, a gang member can get himself killed, but it is a lot easier to exploit a 14-year-old underage girl, it is a lot easier to be in that kind of business than it is in the more dangerous business.

We have got to overcompensate for this reality by passing legislation which allows these additional tools to be used to close down these criminal syndicates and to create real deterrence for those gang members who consider going into this line of work.

So I thank Mr. SMITH, Congresswoman KAREN BASS, and all my fellow cosponsors on this bill. It deserves our strong support.

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

Ms. JACKSON LEE. Mr. Speaker, as an original co-sponsor, I rise in strong support of H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017.

I thank my colleagues, Congressman CHRISTOPHER H. SMITH and Congresswoman KAREN BASS, the Chair and Ranking Member of the Foreign Affairs Subcommittee on Africa, for their work in shepherding this bipartisan legislation to the floor.

H.R. 2200 authorizes \$130 million to support a cause that has special significance for me—that is, the eradication of trafficking in persons—both domestic and abroad.

Throughout my tenure in Congress and as a founder and cochair of the Congressional Children's Caucus, I have consistently advocated on behalf of victims of human trafficking, especially children, who are the most vulnerable victims.

I am pleased that the title of this legislation honors the life and legacy of the great orator and abolitionist, Frederick Douglass, who vigorously opposed slavery not as a mere outside observer of the peculiar institution but as a survivor himself of what we could now call "trafficking in persons."

In fact, with regard to his own condition, Frederick Douglass famously said he would "prefer death to hopeless bondage."

In the 21st century, no one should be put in such a position where death becomes preferable in the face of being held captive against his or her own will.

Mr. Speaker, that is why I fully support this legislation's "whole-of-government" approach to eliminating this horrific crime wherever and whenever it is committed.

H.R. 2200 strengthens the Trafficking Victims Protection Act of 2000 by adding the following measures to reduce human trafficking including but not limited to:

1. Ensuring that vulnerable children and at-risk populations receive training on how to avoid traffickers;

2. Encouraging USAID to incorporate anti-trafficking measures during disaster relief efforts;

3. Pursuing the prosecution of individuals who use services provided by human trafficking victims as a deterrent for not only human traffickers but patrons as well;

4. Supporting the enforcement of the Tariff Act of 1930 to prohibit the importation of goods made by forced labor; and

5. Ensuring that foreign governments that use child soldiers are not the recipients of U.S. military assistance.

This legislation operates in the same spirit of H.R. 53, the CATCH Traffickers Act of 2017, which I reintroduced earlier this year that directs the Department of Homeland Security to create a national database to assist in human trafficking investigations.

In 2014, I also held a Homeland Security Committee field hearing focusing on human trafficking in my congressional district because Houston, Texas is one of the nation's largest hubs for human trafficking.

Mr. Speaker, both H.R. 2200 and H.R. 53 call on the federal government to formulate and utilize tools at its disposal to eradicate human trafficking.

Modern-day slavery which includes sex trafficking, child sex trafficking, forced labor, debt bondage, domestic servitude, forced child labor, and the recruitment and use of child soldiers is a violation of the principle of liberty that we hold dear in this country.

To effectively oppose human trafficking and eliminate modern-day slavery in all of its forms, the U.S. government must aggressively pursue, prosecute, and convict both traffickers and patrons of human trafficking victims.

Moreover, we must do everything in our power to educate and protect particularly vulnerable members of our human family from becoming victims of the barbaric practice of human trafficking.

I ask my colleagues to join me in supporting H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 2200, as amended.

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

A motion to reconsider was laid on the table.

## GAINING RESPONSIBILITY ON WATER ACT OF 2017

### GENERAL LEAVE

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 23.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 431 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 23.

The Chair appoints the gentleman from Pennsylvania (Mr. PERRY) to preside over the Committee of the Whole.

□ 1634

### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 23) to provide drought relief in the State of California, and for other purposes, with Mr. PERRY in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from California (Mr. MCCLINTOCK) and the gentleman from California (Mr. HUFFMAN) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, in California, 5 years of historic drought caused billions of dollars of damage to our economy, destroyed tens of thousands of jobs, and brought many communities within just months of literally running out of water, all because we couldn't store water from the wet years to assure plenty in the drought years.

Then back to back with this historic drought, we have just had one of the wettest winters on record. Massive torrents of water threatened entire communities on its way to be wasted in the Pacific Ocean, all because of the very same problem: we have few reservoirs to store this superabundance of water for the next drought.

Even before the drought, massive water diversions required by a growing tangle of laws and regulations had created devastating economic hardship in California's fertile Central Valley. Those same policies forced us to release what precious little water we had remaining behind our dams to adjust river temperatures for fish.

For three Congresses now, the House has acted to fix this folly. Today, H.R. 23, the GROW Act, by Congressman DAVID VALADAO, addresses the policy,

regulatory, and administrative failures that have mismanaged our water supplies across the West.

The GROW Act includes both short-term and long-term provisions aimed at restoring water reliability and certainty to cities and farms. It includes seven titles that expand water storage, improve infrastructure, protect water rights, and create more abundant and reliable water resources to benefit both communities and the environment.

The GROW Act gives Federal agencies the tools they need to help safeguard communities from the hardship of future droughts. It codifies the historic Bay-Delta accord that provided an equitable balance between human and environmental needs and guaranteed the reliability and predictability of our water supplies.

It strengthens northern California area-of-origin water rights and prevents the Federal Government from demanding that people give up their water rights in order to operate on Federal land.

It streamlines the endlessly time-consuming and cost-prohibitive environmental permitting that is blocking new reservoir construction by coordinating Federal agencies and requiring transparency of the science behind its decisions.

It requires completion of studies for five new reservoirs that have dragged on for decades.

In the past, we have heard three objections from opponents. The first is it will decimate salmon fisheries. On the contrary, it saves those fisheries where the environmental policies of the past 40 years have utterly failed to protect them.

The GROW Act targets the nonnative predators that are responsible for 90 percent of salmon losses as the smolts try to make their way to the ocean. It encourages the use of fish hatcheries to assure that salmon populations will increase dramatically in future years.

The second objection is that it will preempt State water rights laws. Read section 302 of the bill. "The Secretary of the Interior is directed, in operation of the Central Valley Project, to adhere to California's water rights laws governing water rights priorities . . ."

It goes on to say that diversions "shall not be undertaken in a manner that alters the water rights priorities established by California law."

It does have provisions necessary to codify the Bay-Delta agreement and combat invasive predators, but this doesn't set a precedent for other States. California is unique among the States in the fact that it operates with a coordinated operating agreement that combines the Federal Central Valley Project and the California State water projects and runs them as a unified system. This was at the request of California and with its consent.

The third objection is that it rewards powerful agricultural interests at the

expense of consumers. This is nonsense. An average consumer uses roughly 100 gallons a day to wash the dishes, water the lawn, everything else we do in our daily lives. But when you purchase a cheeseburger, you have just consumed 750 gallons of water because that is what it takes to grow the ingredients in that cheeseburger. Buy a pair of jeans, you have just used 1,800 gallons of water.

The fact is that all of this water benefits consumers and the tens of thousands of farm workers and others who provide for their families from this water.

Droughts are nature's fault. Water shortages are our fault. They are a choice we made a generation ago when we chose to neglect our infrastructure and mismanage our water resources. It has led to increasingly severe water shortages, spiraling utility and grocery bills, and economic stagnation. The GROW Act chooses a brighter future of abundance and prosperity that can begin today with our vote.

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

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, so much for regular order. The bill before us today has not received a hearing in committee where witnesses could have testified about its effects. It has not gone through the markup process so that the committee of jurisdiction could actually debate and offer amendments to improve it.

Moreover, we are about to vote on a bill with several provisions that no one has ever seen before last Wednesday, aside from a small group of Republican offices and special interests that have been working on the bill.

Now, this closed-door process not only ignores the changing conditions of drought in California and how the State has already been adapting to meet water conservation needs, but it also ignores all of California's water provisions that were included, albeit at the last minute, in the WIIN Act last year, which is now Federal law.

There has been no discussion, no hearing, no way to know how the provisions of this bill that overlap with the enacted law will actually be implemented by the Trump administration. This is legislating blind, and it is a bad idea.

On some level, I do understand my Republican colleagues' fear of regular order on this bill. The more sunlight and public scrutiny that this bill gets, the uglier it looks. Make no mistake, if enacted, this bill will hurt a lot of people.

This bill takes water away from fishermen, from tribes, the environment, Delta farmers, and others in order to redistribute it primarily to a small group of some of the Nation's biggest and most politically connected agribusiness interests.

My Republican colleagues often talk about States' rights, yet this bill repeatedly overrides State laws over the objection of that State. I am talking, of course, about California.

A letter of opposition to H.R. 23 recently came from Governor Jerry Brown, sent to the speaker of the house in the California Congressional Delegation attesting to this. Governor Brown writes: "This bill overrides California water law, ignoring our State's prerogative to oversee our waters. Commandeering our laws for purposes defined in Washington is not right."

This assault on California law and its values are why both California Senator DIANNE FEINSTEIN and Senator KAMALA HARRIS oppose this bill as well.

Now, here are just a few examples of the sections in this bill that preempt State law. Section 108(d) begins with the words "California law is preempted" on page 21, paragraph 3. That section goes on to remove State protections for certain fisheries.

Section 113 of the bill preempts California law that requires the restoration of California's second longest river and that river's native salmon runs.

Section 108 of the bill tells the State of California that it is barred from managing the State's water in any way that would "protect, enhance, or restore . . . any public trust value." In other words, the broader public interest can't be considered by the State when it is managing the water that belongs to the people of California.

Additionally, this bill eliminates existing fishery protections, which could put many of California's native fisheries and the thousands of jobs they support on a path to extinction. That means that this is more than just a California problem, because fishing communities in Oregon and Washington also depend on California salmon runs.

There was a recent UC Davis report that found that if present trends continue, many of California's salmon runs are on a path to extinction in the decades ahead. This bill would hasten that prediction into reality.

This is not just an environmental impact. It is a human one as well. We have heard from fishermen who are struggling to pay their mortgages, boats are being scrapped because owners can't pay mooring fees, homes are being repossessed. We have heard about the struggles of small-business owners running restaurants, hotels, and other retail and service businesses. We have also heard from Indian Country, like the Hoopa Valley Tribe that I represent, and others about the danger that this bill poses to tribal fisheries, to tribal water, fishing, property, and other rights.

□ 1645

Rather than simply picking winners and losers, as this destructive bill does,

Congress should be working together to grow water supplies for everyone without violating Tribal responsibilities or overriding State sovereignty. Congress could be supporting a range of modern water technologies like reuse, desalination, water use efficiency, storm water capture, and groundwater storage and remediation. These are the tools that have increased California's water supplies in recent years and are making our State more drought resilient, but this bill does none of that.

These are not controversial suggestions working on these modern water supply tools; in fact, it was the reclamation commissioner for President George W. Bush who described the water that we could tap through reuse as the next great river of the American West. We should be focusing on those kind of noncontroversial consensus solutions.

I urge my colleagues to vote "no" on this bill, and I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. NUNES), who has been a leader on this issue for more than two decades.

Mr. NUNES. Mr. Chairman, I thank Mr. MCCLINTOCK for yielding me the time and for his kind words.

Mr. Chairman, I am not going to respond to the other side of the aisle because some things that are said on this floor are so ridiculous that they don't deserve a response. So I just want to talk today, Mr. Chairman, about the facts that we face in the San Joaquin Valley.

So in the southern and central San Joaquin Valley, we have about 3 million acres of farm ground, land that is the most fertile farmland in the world—not just in the United States, in the world. We are in danger of losing about a third of that farmland largely because the leftwing government in California has overreached so far that they are now taking away people's private property rights.

So I want to talk first about our water shortage. So this is the shortage of water that we have in the valley. So it is about 2.6 million acre feet are what we need on average to farm all of the land that we have historically farmed in our area.

Now, these are farms that provide food for not only the people of the United States and all over the world but also for the families that work on these farms.

So we hear a lot about drought, and we have had supposedly a severe drought, and it was no question a severe drought, but what the left continues to not want to talk about is all the water that gets dumped out into the ocean every year. So just from October of last year to just a couple days ago, 46 million acre feet of water have gone out to the ocean. So if you go



back to the chart I just had, we are only short 2.6 million acre feet. So of the water that has flown into the delta in the middle of California, 92 percent of that water has gone out to the ocean, and it has been wasted.

Now, some on the other side of the aisle, they continually talk about global warming, and they continually talk about how the oceans are rising. Well, if you believe the oceans are rising, why would you want more water to flow out into the ocean? I don't understand that.

So this is about a million acres of farmland that is going to come out of production if we don't do anything about it. About 1 million acres over the next decade will begin to come out of production. In fact, some this year is already out of production because none of the water was moved early enough so that it could get to farms in time.

So even though we have flooding—so this picture was taken just a couple days ago—this is water spilling over the top of the dam that is going to go all the way out into the ocean and be wasted, for an ocean that supposedly is rising because of global warming. So this is happening because, as Mr. MCCLINTOCK said, we are not building water storage projects.

So what this bill does is it reverts back to what the Founding Fathers of our State built, mostly Democrats, by the way. It was Democrats working with the Republicans who built this water system in California. So if we take the existing water system that we have, we add to that four or five facilities, like Mr. MCCLINTOCK is talking about, all the land gets farmed, all the species get saved, everybody goes to work.

What you will not hear from the left, and this is very disturbing, I only picked the least disturbing of all the pictures, but I think it is important for people here in Washington and all over the United States to understand this, this is just one family of many of thousands of families where their homes actually ran out of water. So this picture is not from Africa, it is not from somewhere in Southeast Asia. This is a picture from my area, from my district, from the central and southern San Joaquin Valley. These are people who are out of water.

So the left always talks about wanting to protect people, wanting people to be able to work, yet we have people with no water in their homes, and yet they are willing to see 92 percent of the water flush right out by the Golden Gate Bridge and be wasted for an ocean that supposedly is filling up.

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may consume.

We often hear about water that flows through the estuary of California's Bay-Delta system, we hear that sometimes described as wasted. There are

some inconvenient facts that we have to bring up when that happens, like the fact that almost all of that water that flows out through the estuary is to prevent salt water intrusion so that the State and Federal water pumps aren't sending salty water to millions of Californians. That wouldn't work. In fact, if we shut down all of that outflow that my colleague just mentioned, that is exactly what you would see: massive salt water intrusion and a shutdown of the State and Federal water projects.

There is also incredible value in the water that flows through that estuary for downstream communities and farmers and senior water right holders, and others who have depended on it for decades. No one understands that better than my colleague who represents some of those communities in the estuary, in the delta, MIKE THOMPSON.

Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Chairman, I rise in opposition to this bill, and I rise on behalf of the fishermen, the landowners, the delta and north-of-delta farmers, the conservationists, the sportsmen, coastal communities, the counties in my district, and the water users across our State that will be harmed by this bill.

This is a disappointing effort to take care of the San Joaquin Valley's massive agro businesses at the expense of everyone else.

More times than I can count, I have stood on this floor with many of my colleagues from California to explain that our State's water system is complicated. It is because there are hundreds of stakeholders. There are decades of rules, laws, and court cases from every level of government and industry that regulate the delivery of water to users across our State.

Once again, this body is proposing to end-run that delicate balance to benefit one interest. That is wrong.

Once again, we are gutting Federal protections for fish and wildlife that support our State's \$3.5 billion hunting and angling industry and our \$1.5 billion salmon industry.

Once again, we are preempting California laws and regulations, telling States across America that we are okay with the Federal Government undermining State and local experts from coast to coast, but this time they are going further.

This bill isn't just about water anymore. It is about giving contractors a pass on their obligations to be good stewards of the resources they are using in the Central Valley of California; it is about reneging on this body's commitment to the restoration of wildlife and habitat that have suffered the consequences of water management plans that already put them last; it is about cutting stakeholders out of the picture and determining win-

ners and losers in Federal statute; taking a blunt ax to our State's water system over the objections of our Governor, both of our Senators, and many of our colleagues in the House. This is wrong for California.

It won't alleviate water shortages, but it will kill jobs, and it will ruin drinking water for millions.

We need real solutions that are based on sound science and that work for everyone. This bill is not that solution. It is bad for California's economy, bad for our State sovereignty, and bad for our environment. I urge my colleagues to vote "no."

Mr. MCCLINTOCK. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. VALADAO), the author of this legislation.

Mr. VALADAO. Mr. Chairman, the first slide that I wanted to present here is one that I think is very important when we talk about water going out into the ocean.

The first bar there, the dark blue one, is how much water was flowing through the estuary this past year.

The second bar is actually a little bit of an exaggeration. If we took every single reservoir that we propose in this bill, multiplied it by ten—ten times the amount of storage that we are proposing—we still wouldn't use all that water. There would still be quite a bit of water flowing out into the ocean. So multiply every single project times ten, and we still don't use up all the water.

So there was a lot of water wasted this year alone that we had the opportunity to capture if this bill had been presented earlier or passed into law, and we had the opportunity to actually make a difference.

Why does that make a difference to so many folks? It makes a difference because the Central Valley is very important to the country. We feed the Nation. When you look at all the different commodities, and this is just a small sample, we produce over 400 different commodities, and a lot of these, a big majority, some of them as much as 99 percent of the different commodities that go through.

So everyone sitting at home around the country should pay attention, because this affects their food supply. Even here in the Capitol, when you make yourself a salad at the salad bar, those salads, all those different products are produced mostly in the Central Valley, and so that is why this legislation is so important.

The reason why it is important to my farmers to get this done, even in a year like this, where we had a 200 percent rainfall, with the amount of water that was flowing through that was, again, in my opinion, wasted, they didn't find out until it was too late. Planning decisions need to be made over at the beginning of this when the rain is coming down and they know that the water is



there, not in March or in April, because the opportunity has passed.

Farmers are very optimistic people. They put stuff in the ground, cover it with dirt, and hope that it will grow so they can feed the world, but having them wait until April to make those decisions to plant those commodities and create those jobs is just way too late.

Now, this is the one that I think is the most important. This is Mendota, California. This is a farm worker. This is what happens when we allow water to flow out into the ocean that is wasted. People are living in shantytowns. These are people who want to work and people who want to feed the world, people who want to provide for their own families, and not wait for a check from the government. They just want to know when they are getting their water so that they can start to produce crops and feed the world, but this, because of the policies through Washington, D.C., is what we end up with.

Now all the folks who represent parts of my community in different ways, whether it is the water district, city, city councils, county governments, they have all sent in letters in support.

I include in the RECORD a list of all the folks who sent in letters in support of the legislation.

#### GROUPS SUPPORTING H.R. 23

Agricultural Retailers Association; ASV Wines; Blue Diamond Growers; California Cattlemen's Association; California Citrus Mutual; California Farm Bureau Federation; California Fresh Fruit Association; California Poultry Federation; California Water Alliance; City of Arvin; City of Atwater; City of Avenal; City of Clovis; City of Coalinga; City of Corcoran; City of Delano; City of Dinuba; City of Exeter; City of Farmersville; City of Firebaugh.

City of Fowler; City of Fresno; City of Hanford; City of Huron; City of Kerman; City of Kingsburg; City of Lemoore; City of Lindsay; City of McFarland; City of Mendota; City of Orange Cove; City of Parlier; City of Porterville; City of Reedley; City of San Joaquin; City of Sanger; City of Selma; City of Shafter; City of Tulare; City of Visalia; City of Wasco; City of Woodlake; Coalinga Chamber of Commerce; Corcoran Chamber of Commerce; Delano Chamber of Commerce.

Fresno Association of Realtors; Fresno Chamber of Commerce; Fresno County Board of Supervisors; Fresno County Farm Bureau; Fresno Economic Opportunities Commission; Fresno State; Friant Water Authority; Giumarra Vineyards; Gravelly Ford Water District; Greater Bakersfield Chamber of Commerce; Greater Reedley Chamber of Commerce; Hanford Chamber of Commerce; Kaweah Delta Water Conservation District; Kerman Chamber of Commerce; Kern County Board of Supervisors.

Kern County EDC; Kern County Farm Bureau; Kern County Hispanic Chamber of Commerce; Kern County Water Agency; Kern Ridge Growers, LLC; Kings County Board of Realtors; Kings County Board of Supervisors; Kings County Farm Bureau; Kings County Sheriff's Department; Kings River Conservation District/Water Association; Lakeside Irrigation Water District; Lemoore Chamber of Commerce; Madera County Farm Bureau; Merced County Farm Bureau.

Munger Farms; Municipal Water District of Orange County; National Milk Producers Federation; Nickel Family, LLC; Premier Valley Realty; San Joaquin River Exchange Contractors; San Joaquin Valley Water Infrastructure Authority; Shafter Chamber of Commerce; South Valley Water Association.

Sunview Vineyards; Tipton Community Council; Tulare Chamber of Commerce; Tulare County Association of Governments; Tulare County Association of Realtors; Tulare County Board of Supervisors; Tulare County Farm Bureau; Tule River Association; Western Growers; Westlands Water District.

Mr. VALADAO. Mr. Chairman, I think we need to have good, sound policy. I think it is time for the Governor and our Senators to play a role in this as well.

This bill has been passed. We have gotten some things passed, and I know that my friend across the aisle mentioned that earlier, but even after the WIIN Act was passed into law, we still had a delay in decisions made, because our farmers had no clue that they were getting their water.

So we have to pass legislation like this, this bill right here, and this is what can be helpful for us in the Central Valley in California and the Nation as a whole.

Mr. HUFFMAN. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Chairman, I thank my colleague for yielding.

Mr. Chairman, I rise in strong opposition to H.R. 23. Yet, again, it seems that instead of addressing the issues underlying California's water supply, some of my colleagues are more interested in fanning the flames of century-old water disputes.

The city of Sacramento, which I represent, sits at the confluence of two major rivers, the Sacramento and the American. Because there is no such thing as an average water year in California, living under the threat of drought and flood has become a way of life for Sacramento residents.

We are working with the Army Corps to invest billions of dollars in flood protection, and we are collaborating with the Bureau of Reclamation to build a groundwater bank and a water recycling facility to increase access to drinking water.

Congress should explore real solutions to drought challenges, as the Sacramento region is doing.

In the short term, we must be efficient about fixing leaks and waste while also continuing conservation efforts.

In the long-term, we should be taking advantage of new technologies to monitor our water use and making investments in wastewater cycling in above- and below-ground water storage.

Last Congress, I introduced a commonsense bill that removed barriers to wastewater cycling projects, making it possible for them to move forward more quickly and efficiently with Fed-

eral support. It ultimately became law. Yet instead of debating these types of solutions, we are wasting time on a bill that does not solve our underlying water supply problem.

□ 1700

I grew up on a farm in the Central Valley. My father, my uncles, and my grandfather were farmers. We raised peaches, plums, nectarines, and grapes. I recall living and understanding what water means to us, so I do understand the value and sensitivities about water.

Now, in the Sacramento region, where I now represent, we have tried to take a balanced approach, working to protect the environment while providing water for our farms and our cities.

It is misleading to claim that H.R. 23 will solve our drought problems. This legislation only prioritizes certain regions or industries instead of taking the comprehensive approach we need.

And by giving the Federal Government power to dictate the best uses of the State's water, H.R. 23 sets a disastrous precedent for other States across the country that should raise alarm on both sides of the aisle.

The bill we are discussing today undermines a State's autonomy. Ultimately, I am concerned that this bill will weaken environmental protections for the Sacramento-San Joaquin delta, and harm our State's ability to manage its own water.

That is why I join my district and the State of California in strongly opposing this bill. We cannot afford to give up California's right to control its own water future. We must focus on an all-of-the-above strategy that puts us on the path to a sustainable water supply while protecting our environment.

Mr. Chairman, I strongly urge my colleagues to reject this legislation.

Mr. MCCLINTOCK. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE of California. Mr. Chairman, the reason we are here today has to do with the drought in California that, frankly, could have been solved had we been allowed to move forward with the storage that we need. Because the process now is one of watching the rains come, watch the water run out to the ocean, and we do not have the ability to block the red tape that prevents us from building the storage that would hold that water so that we can use it during the drought.

What was the consequence of us not being able to address that? And why is it so important that we pass the GROW Act here that DAVID VALADAO from the Central Valley has introduced?

Well, the consequences were one of having thousands of jobs disappear. The consequences were having dead crops plowed under in hundreds of thousands of acres of farmland that

had been left idle. The consequences were that billions of dollars were lost in the State. And, frankly, the State of California produces 400 commodities that are one-third of the country's vegetables. It is two-thirds of this country's fruit. It is two-thirds of the nuts produced. The industry brings in \$47 billion. When this happens, the consequences are felt by the farmers and by the people across California, by those thrown out of their jobs.

This is an incredibly important industry not only in California, but for the entire country. So, for years, we haven't gotten the water we paid for or contracted for.

But not to let us go forward with the additional storage and to put roadblocks in front of that, to absolutely block commonsense solutions, this has got to stop. This is why this legislation needs to be made into law.

Mr. HUFFMAN. Mr. Chairman, just to clarify, our environmental laws are not preventing new dams from being built. In fact, the Bureau of Reclamation, the GAO, and the Congressional Research Service have looked at this and haven't been able to identify a single—nor my colleagues across the aisle have been able to identify a single dam project that somehow was blocked because of environmental laws.

What has been stopping many of them—not all, but many of them—has been the financing challenge because many of these projects just don't make a lot of sense. It is important to realize that projects that do make sense have moved forward. They have secured financing. They haven't needed special shortcuts from the environmental laws. And they have happened, projects like Diamond Valley, projects like Los Vaqueros, probably the coming expansion of Los Vaqueros.

Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I thank the gentleman for yielding to me.

We, in the San Joaquin Valley, know that where food grows, water flows. That is not just a saying; that is the truth. It takes water to grow the food that we rely on to sustain ourselves.

Luckily, this year, we have been blessed with an abundance of rain and snow on the mountains—a record year. However, it is only because of the wettest year in California's historical record that the agricultural heartland of California, a place where half of our Nation's fruits and vegetables are grown, is, this year, free from drought.

Only 1 year ago, over 83 percent of California was in a moderate drought or worse. We know that the next drought is sure to come, threatening valley families and farm communities. It is either feast or famine. We measure water on 10-year averages. That is why we need solutions that solve this long-term challenge.

I commend Congressman VALADAO for continuing this effort. As I noted in a letter I wrote to him in February, though, I have concerns that this legislation, without some improvements, will fail to be that long-term solution that the valley and our State so desperately needs. This solution must be, at the end of the day, multifaceted, must not pick winners and losers, as California water policies in the past have so frequently done, to the detriment of both the agricultural economy, which we have felt, and California's ecosystems. Sadly, some of the provisions within this legislation, in my opinion, I think fail to meet this test.

Language within titles 1 and 3 would pose threats to the wetlands of Grasslands Ecological Area, the largest wetlands west of the Mississippi, a vital component of the Pacific Flyway, in an area that contributes nearly \$73 million a year alone to Merced County, which I represent.

Section 106 would drastically cut collections to the Central Valley Project Restoration Fund, which pays for refuge water conveyance—that is very important—and that would transfer oversight of the fund to other water users. It would also, I think, supersede State laws in some areas that, frankly, over the experience I have had, in many years, will create more problems than it solves.

In addition to these concerns, I know from having worked on water solutions for over 30 years that both here and in Sacramento, the only path to legislative success is through bipartisan, bicameral action, as we experienced in December with the passage of the WIIN Act that, by the way, authorized four reservoirs that was contained in the WIIN Act that Senator FEINSTEIN and I and Republicans in the House worked on together in a very constructive way.

So, as always, I stand ready to work with my colleagues in both the House and the Senate on a bipartisan basis to improve this legislation and get solutions to fix California's broken water system to the President's desk.

I support moving this legislation forward to the Senate. But let's be clear, this is a work in progress, and much more work remains for this legislation, I think, to be successful.

Mr. MCCLINTOCK. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from California (Mr. CALVERT), the dean of the Republican delegation to the House.

Mr. CALVERT. Mr. Chairman, I thank the gentleman for yielding.

Last winter, two miracles occurred 3,000 miles apart. Here in Washington, our Nation's Capital, Republicans and Democrats came together and passed a significant water bill that was signed into law. Back in California, we saw massive amounts of rainfall that came down in our drought-stricken State, quickly filling our depleted reservoirs.

But I think we can actually take another big step forward by passing H.R. 23, the GROW Act. This bill before us provides even more long-term water solutions for California by expediting the consideration of feasibility studies for water storage projects that have languished for periods of time that are longer than it took to actually build the Hoover Dam. The GROW Act also includes provisions that are critical to the Bay-Delta operations and help improve water reliability.

Last year, Mr. Chairman, you heard a lot of doomsday predictions from certain groups that said the language we passed would push threatened species towards extinction. That did not happen. Today you hear a lot of the same talk. But solutions to H.R. 23 are common sense and will bring reliability to the water supply of California.

Mr. Chairman, I encourage a "yes" vote.

Mr. HUFFMAN. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, we see this bill every Congress. That is, every 2 years we fight this thing out.

Let's talk about what it would do. It would weaken the Endangered Species Act—that has been a target of the Republican Party for decades. It will benefit one region while harming another. It will make a few people very wealthy. It will likely cause additional drainage problems for the Westlands and other water districts. It will cause ocean salt water to come farther inland in the California delta, poisoning farmland, destroying marinas, disrupting water supplies for cities along the delta, basically destroying the delta as we now know it. It will use precious limited water to plant evermore thirsty orchards in the desert. And it may expedite the creation of new dams with weakened environmental control.

So let's look at what it won't do. It won't create any new water.

So why do we have to go through this every 2 years?

It is good political theater for some colleagues, but it is not going to get through the Senate.

But all may not be lost. Here is a novel suggestion: work across party lines, work across northern versus southern California lines, and come to a compromise that will actually create new water and take all stakeholder interests into account.

We need to take a holistic approach.

It means actually funding recycling and above- and below-ground water storage that makes environmental sense. It means capturing stormwater, early leak detection, data collection, efficiency, and conservation. It is all of these things, all of which can be done in a cost-effective way that prepares us for the long-term.

There are countless recharge, recycling, desalinization projects, as well as other storage projects that are ready to go and could create or save enough water for thousands of families in California.

Instead of considering a bill that wastes water and that California opposes, we should be discussing how to most efficiently utilize the rain and snowpack we have, which can be done while protecting the environment.

Let's oppose this bill and start working on legislation that can be signed into law and benefit everyone.

Mr. MCCLINTOCK. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona (Mr. GOSAR), the chairman of the bipartisan Western Caucus.

Mr. GOSAR. Mr. Chairman, I rise today in strong support of H.R. 23, legislation sponsored by my good friend and Western Caucus member, DAVID VALADAO.

For years, Western communities have suffered as a result of frivolous lawsuits, inefficient policies, and burdensome regulations that have prevented adoption of commonsense water solutions. These factors, coupled with a lack of rainfall, exacerbated a man-made drought that lasted for 5 years.

Rather than capturing precious water supplies, failed government policies that refused to put Americans first allowed billions of gallons to be funneled into the San Francisco Bay and Pacific Ocean. These deliberate diversions killed thousands of jobs, harmed our country's food supply, and led to local unemployment levels as high as 40 percent.

Today we have an opportunity to right these wrongs by passing the GROW Act, legislation that is supported by approximately 100 different cities, agriculture groups, water associations, irrigation districts, local chambers of commerce, and businesses throughout the country.

Most of the major provisions in this bill have been passed by this body numerous times. In fact, we have been working to enact similar legislation for nearly 5 years.

For example, title V includes Western Caucus member TOM MCCLINTOCK's Water Supply Permitting Coordination Act, an excellent bill that will streamline the permitting process for important water storage projects.

Title VI includes Western Caucus member DAN NEWHOUSE's Bureau of Reclamation Water Project Streamlining Act, much-needed legislation that will result in increased storage of surface water.

Title VII includes Western Caucus Vice Chairman TIPTON's Water Rights Protection Act, an essential bill that protects private water rights from Federal takings.

I strongly support these titles and the underlying bill. It is far past time that we put our communities, families, and America first.

H.R. 23 addresses previous policy failures and adopts worthwhile water policies that will benefit future generations.

Mr. Chairman, I thank the gentleman from California for sponsoring this much-needed legislation, and I urge my colleagues to vote in support of this commonsense bill.

Mr. HUFFMAN. Mr. Chairman, I want to briefly respond to my friend's reference to a manmade drought.

What California just went through is what hydrologists, scientists, and historians tell us is the most significant drought the State has ever experienced—a natural one. I certainly knew that human activities were impacting the climate, but, wow, if human beings could actually cause the snowpack to be 5 percent of normal and cause a drought like that, that is taking human-induced climate change to a whole new level. We have got to be careful in this debate. We are beginning to give hyperbole a bad name.

□ 1715

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GARAMENDI), representing the Sacramento Valley.

Mr. GARAMENDI. Mr. Chairman, we have a serious case of legislative amnesia here. Apparently, the sponsors of this bill and those who are speaking in support of it have totally forgotten what we did last year. The WIIN Act last year addressed every single problem that has been presented here this afternoon: new reservoirs, four were authorized in the WIIN Act, which became law less than a year ago—7 months, to be exact; all of the issues of the outflows of water to the delta were addressed so that additional export of water from the delta could occur.

I am wondering: What are we doing here with this piece of legislation, aside from totally eviscerating the protections for the largest estuary on the West Coast, of the Western Hemisphere? The environmental protections are eviscerated.

What are we doing with this legislation besides—oh, you wanted to talk about private water rights? Those private water rights are set in place by the laws of the State of California, which are overridden by this piece of legislation.

Yes, that is true. This legislation removes the water rights that the State of California has given to individuals as well as irrigation districts, but they are stripped away.

What is this all about?

Last year, a 2-year effort was completed and the WIIN Act was passed by this Congress, signed into law. It is in existence. Reservoirs can be built. Water conservation will take place. All of the things that we need to do are in place today.

So why are we fighting this fight? Because we don't know how to stop

fighting? Because we don't know how to actually implement a law that we passed last year?

And, by the way, where is the funding for all you want to do here? There is no money in this. You want to do these things. You want water; you want reservoirs—put up the money. Don't just sit here and regurgitate what we have done for the last 5 years and totally ignore the progress that was made with the WIIN legislation.

We ought not do this. I am opposed to this, and, hopefully, we will find some sensible action.

Mr. MCCLINTOCK. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Colorado (Mr. TIPTON).

Mr. TIPTON. Mr. Chairman, I would like to be able to address title VII of the Water Rights Protection Act in this bill.

Over many decades, Federal attempts to manipulate Federal permit, lease, and land management process to circumvent long-established State water law and hijack privately held water rights have sounded the alarm for all non-Federal water users that rely on these water rights for their livelihood.

The Federal Government's overreach and infringement on private property rights that led to the introduction of this original bill in the 113th Congress involved the U.S. Forest Service's attempt to require the transfer of privately held water rights to the Federal Government as a permit condition on National Forest System lands. With this permit condition, there is no compensation for the transfer of these privately held rights.

This Forest Service permit condition has already hurt a number of stakeholders in my home State of Colorado, including Powderhorn Ski Area in Grand Junction and the Breckenridge Ski Resort. The same nefarious tactic has been used in Utah, Nevada, and other Western States, where agencies have required the surrender of possession of water rights in exchange for approving the conditional use of grazing allotments. This Federal water grab has broad implications that have begun to extend beyond the recreation and the farming and ranching community and are now threatening municipalities and other businesses.

In 2014, the Forest Service proposed a groundwater directive that would have expanded the agency's reach over groundwater and established new bureaucratic hurdles to interfere with private water users' ability to be able to access their water. Though the Forest Service ultimately withdrew this controversial groundwater directive, there are no guarantees that the directive or something similar won't be back in the future.

The Water Rights Protection Act offers a sensible approach that preserves water rights and the ability to be able to develop water requisite to living in

the arid West without interfering with water allocations for non-Federal parties or allocations that protect an environment that is cherished by all West-erners.

I look forward to continuing to work with my colleagues from other Western States to ensure that no State-recognized water right goes unprotected from the class of actions that this bill prohibits.

I appreciate the inclusion of this legisla-tion and encourage its passage.

Mr. HUFFMAN. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. BERA), my colleague from the Sacramento area.

Mr. BERA. Mr. Chairman, here we go again. Today, we are debating a bill that many of my California colleagues and I have opposed time and time again on this House floor.

This bill allows Washington, D.C., politicians to pick winners and losers when it comes to California's water. Now, that is not right. This is a partisan bill that is opposed by both California Senators as well as our Governor.

Now, California water is complicated. It is a lot more complicated than healthcare. But it should be up to Californians to kind of decide how to use our water, what we ought to do with that water.

Water is incredibly critical to our State. This isn't about picking winners and losers. When we think about water, we have certainly got to have storage, we certainly know we are going to have conveyance, but we have got to do this in a California way.

Unfortunately, H.R. 23 is going to pit northern California against southern California while overriding California's own State laws. The bill is also going to gut environmental protections and threaten the critical Bay-Delta ecosystem.

I fish on the Sacramento River, and salmon fishing is incredibly important to the State of California as well as the States to the north of us. This bill is not going to be a good bill. It is going to devastate the fishing industry.

We also have to think about drinking water for northern California.

Folsom Dam is in my district and Folsom Lake is in my district. It provides not only flood protection, but Folsom Lake provides surface drinking water for a lot of my constituents. We tried to put a simple amendment in here that would actually protect the quality of that drinking water. Unfortunately, H.R. 23 would mandate pumping levels that could negatively impact the Folsom Reservoir water supply. That is going to place many of my constituents at risk.

This isn't a good bill. Let's kill this bill. Let's step back. Let Californians decide the best way to handle California water. That is what we ought to do.

Again, this bill is dramatic over-reach. It is the Federal Government stepping into something that the State should actually decide. I hope my col-leagues will join me in opposing this bill.

Mr. MCCLINTOCK. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, I rise in support of H.R. 23.

Today we have seen pictures, horrible pictures of some of the best agricul-tural land in the world that has been totally destroyed by the policies of people who are now claiming that they like the environment too much and that that should have, perhaps, some-thing more to do with their decision-making than what benefits people. Well, what happened is we have turned one of the most productive food-pro-duc-ing areas of the world into a catas-trophe, a desert that produces nothing.

And who has been in charge of this? Who has been in charge of seeing this total destruction of what could be a garden for the people of the world? It has been, yes, the Obama administra-tion appointees for the last year and, yes, in California, where we have had a leftwing liberal Democratic adminis-tration appointing radical environ-mentalists the same way Obama ap-pointed radical environmentalists to determine policy.

And what does that mean to us? It means there is less food being pro-duced. It means we have turned produc-tive land into a horrible desert that even animals can't exist upon.

No, it makes a lot of sense right now. What makes sense is that now we have gone through this drought and seen this destruction that didn't need to happen. What we need to do is build dams. What we need to do is to make sure that the water that we now have is being stored properly so that the people of our State don't suffer, so that wealth that can be grown from the land in central California, which used to be the world's breadbasket, that that wealth doesn't just disappear from the face of the planet.

No, you can't really love nature un-less you also love people, and right now the people of California deserve to have some planning done about storing water when we have it rather than suf-fering and having this type of destruc-tion during our droughts.

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may con-sume.

Responding briefly to a bit of hyper-bole just now that somehow environ-mental laws have created a "desert that produces nothing in California," we do need to remember the facts.

The truth is, even through this his-toric drought, farm employment rose statewide each year during the drought. The agricultural economy is thriving, and, thankfully, this year,

even the most junior Federal contrac-tors are enjoying a 100 percent alloca-tion. They are fully realizing the vision of being the breadbasket of this coun-try and the world. It is hardly a desert that produces nothing.

With that, I do need to contrast what has been happening on the other end of the system, many of the communities I represent, where fishing communities really do have nothing.

The California salmon season this year will be little or nothing. The Yurok Tribe that I represent that is de-pendent on fisheries, salmon fisheries in California since long before there was agriculture, will, for the second year in a row, close its Tribal fishery. We are seeing folks selling their boats. We are seeing fishing communities im-pacted in dramatic ways. There is real genuine hardship, much like what was just described by my friend. So the facts do matter.

I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Bakersfield, California (Mr. MCCARTHY), the majority leader.

Mr. MCCARTHY. Mr. Chairman, I thank the gentleman for yielding, and I thank him for his work when it comes to water in California.

Mr. Chairman, water is not optional, not in my district, not in California, not anywhere. But over the past 5 years, my constituents have struggled to survive without life-giving water in the face of a catastrophic drought.

This past winter, heavy rains and snowfall have brought much-needed relief. In fact, there was so much water this past winter we ran out of room to store it.

But we cannot always expect a year to bring monsoon-level rains and record snow. What happens if next year's rain and snowfall is average, or below average, or we have another drought? The Federal and State regula-tions that keep us from pumping and storing water will come back to haunt us.

The water bill passed by this body and signed into law last year was a downpayment on California's future. Today's legislation is another major investment in our State's future.

So let's look at pumping. There is no reason—absolutely no reason—we should prioritize potential benefit to fish over real benefits to families. This legislation increases delta pumping and will bring immediate relief to two-thirds of California south of the delta.

But a long-term solution demands more pumping. While California's pop-ulation has doubled since the 1970s, we haven't completed a single major stor-age project in that time.

Now, that is worth restating. While California's population has doubled since the 1970s, we have not completed a single major storage project in that time. How can California grow and

thrive in the future if we depend on inadequate infrastructure from nearly 50 years ago?

Currently, five reservoir projects have been stalled in regulatory and red tape for decades. If these reservoirs alone are built, we could store between 1 to 1.5 million acre-feet of additional water in our State. So we need to build more storage as soon as possible.

Last year's water bill jumpstarted the process for building new reservoirs in California and the West. It was a bipartisan bill, with the vote being hundreds of votes out of the House, more than 70 in the Senate.

Today's legislation builds on that by requiring the Federal Government to finally finish the feasibility studies for the five storage projects in California. Then we reform the permitting process so other projects aren't held up for years trying to get approval from a dozen different agencies.

So I want to thank Congressman DAVID VALADAO for his hard work, his persistence on this issue. Ultimately, American citizens haven't gotten the water they need because their government was failing them. Last year's bill was the start to change all that. Today, we take another major step to bring our communities the water they contract and pay for.

□ 1730

Now, Mr. Chairman, you are going to hear a lot of people on this side of the aisle talk about the need from California. Unfortunately, on the other side of the aisle, it looks like you will just hear from one. That should show you the need and desire of why this bill is so important.

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this debate is causing the fact checking machines to melt down, unfortunately. We just heard that there hasn't been a single major storage project in California since the 1970s. That is going to come as shocking news to the folks of the Metropolitan Water District which completed a huge storage project, Diamond Valley, during that period. It will certainly surprise the folks in Contra Costa, which completed Los Vaqueros without any special environmental shortcuts and with their own financing for the most part. It will surprise local water districts around the State, including my own Marin Municipal Water District, which completed two dam expansion projects in that same timeframe. It will surprise the folks at the current and semitropic groundwater banks that expanded significantly groundwater storage during that timeframe.

In fact, the truth is, California has added nearly 6 million acre feet of new storage, surface and groundwater storage, over the past few decades in this timeframe we have been talking about. So facts really do matter.

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

Mr. MCCLINTOCK. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. MIMI WALTERS).

Mrs. MIMI WALTERS of California. Mr. Chairman, I rise today in support of H.R. 23, the GROW Act, which makes important and necessary regulatory reforms to allow for better management of water resources throughout the West.

My home State of California recently suffered its worst drought on record, which significantly affected the entire State. Families, communities, workers, and businesses all made significant sacrifices to conserve water and mitigate the drought's impact.

I applaud the water agencies and residents in my home district of Orange County for taking the necessary steps to adapt to the severe drought conditions. While substantial rainfall this winter effectively ended California's drought, the recent crisis was not just from a lack of rain. It is also the result of failed State and Federal policies that have mismanaged critical water resources throughout the West.

The GROW Act is a crucial step toward addressing these failed policies. H.R. 23 will help California recover from this devastating drought and ensure the State is better equipped to handle future water deficiencies.

In addition to addressing water delivery and water rights issues, the bill also facilitates the development of new water storage projects, which is a key water management tool for southern California water agencies. These projects are critical to a number of California communities, like Orange County, that lack the access to water even during nondrought conditions. The GROW Act removes regulatory barriers from streamlining the permitting and approval process for new infrastructure projects.

Under current law, new water storage construction projects require approval from a number of Federal, State, and local agencies. This bill provides for a consolidated permitting process that would require Federal agencies to conduct coordinated reviews of non-Federal storage projects.

The GROW Act will also expedite feasibility studies for much-needed Federal storage projects, some of which have been unnecessarily delayed for years.

Mr. HUFFMAN. Mr. Chairman, I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. KNIGHT).

Mr. KNIGHT. Mr. Chairman, I rise today in support of H.R. 23, the Gaining Responsibility on Water Act, or GROW Act, which I am a proud cosponsor.

This bill takes an important step in protecting the water security of Californians and the food supply integrity of the United States.

As all of my colleagues from California know, the recent Western drought nearly crippled our State's agriculture industry and compromised the standard of living for all our constituents by raising prices at the grocery stores throughout the country. Mr. Chairman, while we can't control the weather, we can take steps to mitigate its potentially harmful effects.

I always like it when people say: Can we just scrap the bill? Or can we start over? Or can we work together on that?

That is just code for: please stop talking about water; please stop bringing issues to the floor where we can fix something. And that is what we hear today quite frequently.

One of the most baffling facets of this story is the fact that there were readily available water sources that could have been utilized but were held up by outdated regulations and red tape. Although we have received some relief from the drought this year, it would be a disgrace for us as lawmakers not to learn from this ordeal.

Mr. Chairman, we are blessed to live in the most developed Nation in the world where Americans only notice the absence of basic necessities, as opposed to other nations where people are found wanting of them.

Unfortunately, due to the misguided policies of the past, that is the situation so many families and businesses find themselves in.

Mr. Chairman, I want to thank my friend Mr. VALADAO for his continued leadership on this issue, and I urge my colleagues to support H.R. 23.

Mr. HUFFMAN. Mr. Chairman, I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think it is time to fact check the fact checker.

The last major reservoir of over a million acre feet was in 1979. It was in New Melones, 2.3 million acre feet. The two reservoirs that the gentleman referenced combined are less than a million acre feet. They would fill New Melones to less than half of that amount.

With respect to water salinity, the Bay-Delta Accord, that is codified by this bill, guarantees the water necessary to combat salt water intrusion.

And finally, I would point out that, no, dams don't create water. Nature creates water. Dams store that water from wet years so that we have plenty of it in dry years. That is where we have fallen a generation behind in our needs precisely because of the laws that the gentleman from California doggedly defends.

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

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I do appreciate the redefinition of "major water storage

projects.” It is not a definition that I think is recognized anywhere else other than just now on this floor, but I appreciate it.

Mr. Chair, there are many problems with this bill, and I do want to urge my colleagues to oppose it. I can’t keep track of the number of times the State of California has come up in our debate here these last several minutes. So let’s look to the State of California and see what the State of California says about this bill.

The Governor of the State of California opposes it in a hard-hitting letter that went out to the California delegation and others just a few days ago. The new attorney general of California, Xavier Becerra, wrote an equally critical letter opposing this bill. Both U.S. Senators from California oppose this bill.

It is going nowhere in the Senate and will not become law because of fundamental flaws that have been brought up each of the past several years that this bill has been introduced in this Congress.

It overrides California State sovereignty and State water laws in ways that are unacceptable to the people of California and to the government of California. So when we keep bringing up California, let’s just be very clear that California doesn’t want this bill. California opposes this bill.

Now, I represent the downstream end of some of these water systems that we are talking about. When we talk about people and fish and jobs, it is important to remember that fishing jobs matter, too. In the communities that I represent, and also communities throughout Oregon and Washington that depend on California salmon runs, they are hurting.

This summer we are going to probably see a closure, for all intents and purposes, of the commercial salmon season. We are certainly going to see a closure of the Yurok Tribal Salmon Fishery for the second year in a row. That is not only economically devastating to Tribal communities that I represent, it has an emotional impact as well. These are communities that are hurting. In fact, the Yurok are reporting suicide rates among young people that are alarmingly high. The closure of this sacred fishery that is their grocery store, that is a sacred part of their existence, is certainly not going to help, and I think could very well contribute to the very severe problems that they are experiencing.

Fishing jobs matter, the environment matters, downstream communities that depend on this water that would be redistributed and reallocated by Congress through this short-sighted bill, that all matters, too.

Mr. Chairman, I urge my colleagues to oppose this wrong-headed bill, and I urge my colleagues across the aisle to do what we have been inviting them to

do each of the past several years, and that is to reach across the aisle on bipartisan, commonsense water solutions. There is a lot that we could do together. Many of my colleagues served with me in the California State legislature. They know, because we did it together, that there is a different way. There is a better way.

We were able to pass landmark, bipartisan water legislation during our time together in Sacramento, and we did it because we didn’t try to pick winners and losers. We found all sorts of low-hanging fruit and consensus solutions, and we came up with something that was supported across party lines, and in every region of the State. We can do that here, too, but we won’t do it through this bill.

Mr. Chairman, I urge a “no” vote, and I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I yield myself the balance of my time.

Abundance or shortage, that is the question. And I want to thank and salute Mr. VALADAO for his work on this issue and for putting that choice so clearly before the House today.

It is true, we can choose to continue down this sad road that we have been on. That means increasingly severe government-induced shortages. It means higher and higher water and grocery prices and a permanently declining quality of life for our children who will be required to stretch and ration every drop of water in their bleak and parched homes.

With this bill, we choose a different future. We choose abundance. We choose a future in which water flows again to the fertile fields of the Central Valley, providing full employment for families and affordable groceries from America’s agricultural cornucopia. It is a future in which families need not watch their gardens shrivel and die, and towns and cities need not fear mandatory water rationing and uncertain and unpredictable supplies.

It is a future in which long-established water rights are safe and secure from the whims of politicians and bureaucrats. We choose a future in which thriving populations of young salmon can swim to the sea unmolested by the non-native predators that now kill 90 percent of them before they reach the ocean; a future in which new fish hatcheries assure the release of millions of additional salmon to supply a revived and rapidly expanding commercial fishing industry.

We choose a future in which great new reservoirs can store vast amounts of water in wet years to assure abundance in dry ones; a future in which families can enjoy the prosperity that abundant water and hydroelectricity and affordable groceries provide, and the quality of life that comes from that prosperity. Abundance or shortage? That is the question. We choose abundance.

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

Ms. ESHOO. Mr. Chair, I rise in strong opposition to H.R. 23 because it upends decades of State and federal water law and needlessly pits water users against one another. On the heels of the worst drought in California’s history, this bill mandates that certain interests come out ahead of others.

California has just recently emerged from six years of a punishing drought that forced every resident to conserve water, caused millions of acres of agricultural land to be fallowed, and dramatically increased our State’s risk of major wildfires. The drought was a massive disaster and Congress should respond by investing in long-term resilience against future droughts such as water conservation, recycling, groundwater recharge, and desalination. What Congress should not be doing is using the drought as an excuse to permanently upend a century of water law and countless protections for threatened and endangered wildlife.

H.R. 23 weakens or overrides decades of State and federal law, including the State and federal Endangered Species Acts; the National Environmental Policy Act; the Central Valley Project Improvement Act; and the San Joaquin River Settlement Act. This list should set off alarm bells for any proponent of States’ rights or cooperative federalism. For over a century, the Federal Government has deferred to State water law whenever possible. The GROW Act unwinds that history entirely.

By discarding a century of water law and species protections, this bill will decimate the San Francisco Bay-Delta ecosystem, drive the Delta smelt to extinction, and accelerate the decline of the wild salmon and steelhead runs which have been an important part of the Northern California economy since the mid-19th century.

This irresponsible bill also overrides science-based management of the delicate Delta infrastructure and would gut several of our most bedrock environmental laws. For these reasons I strongly oppose this legislation and I urge my colleagues to join me in voting no.

The Acting CHAIR (Mr. HILL). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-24. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

*H.R. 23*

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

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the “Gaining Responsibility on Water Act of 2017”.*

**SEC. 2. TABLE OF CONTENTS.**

*The table of contents for this Act is as follows:*

*Sec. 1. Short title.*

*Sec. 2. Table of contents.*



# **TITLE I—CENTRAL VALLEY PROJECT WATER RELIABILITY**

- Sec. 101. Amendment to purposes.
- Sec. 102. Amendment to definition.
- Sec. 103. Contracts.
- Sec. 104. Water transfers, improved water management, and conservation.
- Sec. 105. Fish, wildlife, and habitat restoration.
- Sec. 106. Restoration fund.
- Sec. 107. Additional authorities.
- Sec. 108. Bay-Delta Accord.
- Sec. 109. Natural and artificially spawned species.
- Sec. 110. Regulatory streamlining.
- Sec. 111. Additional emergency consultation.
- Sec. 112. Applicants.
- Sec. 113. San Joaquin River settlement.

## **TITLE II—CALFED STORAGE FEASIBILITY STUDIES**

- Sec. 201. Studies.
- Sec. 202. Temperance Flat.
- Sec. 203. Water storage project construction.

## **TITLE III—WATER RIGHTS PROTECTIONS**

- Sec. 301. Offset for State Water Project.
- Sec. 302. Area of origin protections.
- Sec. 303. No redirected adverse impacts.
- Sec. 304. Allocations for Sacramento Valley contractors.
- Sec. 305. Effect on existing obligations.

## **TITLE IV—MISCELLANEOUS**

- Sec. 401. Water supply accounting.
- Sec. 402. Operations of the Trinity River Division.
- Sec. 403. Report on results of water usage.
- Sec. 404. Klamath project consultation applicants.
- Sec. 405. CA State Water Resources Control Board.

## **TITLE V—WATER SUPPLY PERMITTING ACT**

- Sec. 501. Short title.
- Sec. 502. Definitions.
- Sec. 503. Establishment of lead agency and co-operating agencies.
- Sec. 504. Bureau responsibilities.
- Sec. 505. Cooperating agency responsibilities.
- Sec. 506. Funding to process permits.

## **TITLE VI—BUREAU OF RECLAMATION PROJECT STREAMLINING**

- Sec. 601. Short title.
- Sec. 602. Definitions.
- Sec. 603. Acceleration of studies.
- Sec. 604. Expedited completion of reports.
- Sec. 605. Project acceleration.
- Sec. 606. Annual report to Congress.
- Sec. 607. Applicability of WIIN Act.

## **TITLE VII—WATER RIGHTS PROTECTION**

- Sec. 701. Short title.
- Sec. 702. Definitions.
- Sec. 703. Treatment of water rights.
- Sec. 704. Policy development.
- Sec. 705. Effect.

# **TITLE I—CENTRAL VALLEY PROJECT WATER RELIABILITY**

## **SEC. 101. AMENDMENT TO PURPOSES.**

Section 3402 of the Central Valley Project Improvement Act (106 Stat. 4706) is amended—

(1) in subsection (f), by striking the period at the end; and

(2) by adding at the end the following:

“(g) to ensure that water dedicated to fish and wildlife purposes by this part is replaced and provided to Central Valley Project water contractors by December 31, 2018, at the lowest cost reasonably achievable; and

“(h) to facilitate and expedite water transfers in accordance with this Act.”.

## **SEC. 102. AMENDMENT TO DEFINITION.**

Section 3403 of the Central Valley Project Improvement Act (106 Stat. 4707) is amended—

(1) by amending subsection (a) to read as follows:

“(a) the term ‘anadromous fish’ means those native stocks of salmon (including steelhead) and sturgeon that, as of October 30, 1992, were present in the Sacramento and San Joaquin Rivers and their tributaries and ascend those rivers and their tributaries to reproduce after maturing in San Francisco Bay or the Pacific Ocean;”;

(2) in subsection (l), by striking “and,”;

(3) in subsection (m), by striking the period and inserting “; and”; and

(4) by adding at the end the following:

“(n) the term ‘reasonable flows’ means water flows capable of being maintained taking into account competing consumptive uses of water and economic, environmental, and social factors.”.

## **SEC. 103. CONTRACTS.**

Section 3404 of the Central Valley Project Improvement Act (106 Stat. 4708) is amended—

(1) in the heading, by striking “**LIMITATION ON CONTRACTING AND CONTRACT REFORM**” and inserting “**CONTRACTS**”; and

(2) by striking the language of the section and by adding:

“(a) **RENEWAL OF EXISTING LONG-TERM CONTRACTS.**—Upon request of the contractor, the Secretary shall renew any existing long-term repayment or water service contract that provides for the delivery of water from the Central Valley Project for a period of 40 years.

“(b) **ADMINISTRATION OF CONTRACTS.**—Except as expressly provided by this Act, any existing long-term repayment or water service contract for the delivery of water from the Central Valley Project shall be administered pursuant to the Act of July 2, 1956 (70 Stat. 483).

“(c) **DELIVERY CHARGE.**—Beginning on the date of the enactment of this Act, a contract entered into or renewed pursuant to this section shall include a provision that requires the Secretary to charge the other party to such contract only for water actually delivered by the Secretary.”.

## **SEC. 104. WATER TRANSFERS, IMPROVED WATER MANAGEMENT, AND CONSERVATION.**

Section 3405 of the Central Valley Project Improvement Act (106 Stat. 4709) is amended as follows:

(1) In subsection (a)—

(A) by inserting before “Except as provided herein” the following: “The Secretary shall take all necessary actions to facilitate and expedite transfers of Central Valley Project water in accordance with this Act or any other provision of Federal reclamation law and the National Environmental Policy Act of 1969.”;

(B) in paragraph (1)(A), by striking “to combination” and inserting “or combination”; and

(C) in paragraph (2), by adding at the end the following:

“(E) The contracting district from which the water is coming, the agency, or the Secretary shall determine if a written transfer proposal is complete within 45 days after the date of submission of such proposal. If such district or agency or the Secretary determines that such proposal is incomplete, such district or agency or the Secretary shall state with specificity what must be added to or revised in order for such proposal to be complete.

“(F) Except as provided in this section, the Secretary shall not impose mitigation or other requirements on a proposed transfer, but the contracting district from which the water is coming or the agency shall retain all authority under State law to approve or condition a proposed transfer.”; and

(D) by adding at the end the following:

“(4) Notwithstanding any other provision of Federal reclamation law—

“(A) the authority to make transfers or exchanges of, or banking or recharge arrange-

ments using, Central Valley Project water that could have been conducted before October 30, 1992, is valid, and such transfers, exchanges, or arrangements shall not be subject to, limited, or conditioned by this title; and

“(B) this title shall not supersede or revoke the authority to transfer, exchange, bank, or recharge Central Valley Project water that existed prior to October 30, 1992.”.

(2) In subsection (b)—

(A) in the heading, by striking “**METERING**” and inserting “**MEASUREMENT**”; and

(B) by inserting after the first sentence the following: “The contracting district or agency, not including contracting districts serving multiple agencies with separate governing boards, shall ensure that all contractor-owned water delivery systems within its boundaries measure surface water at the district or agency’s facilities up to the point the surface water is commingled with other water supplies.”.

(3) By striking subsection (d).

(4) By redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(5) By amending subsection (e) (as redesignated by paragraph (4))—

(A) by striking “as a result of the increased repayment” and inserting “that exceed the cost-of-service”; and

(B) by inserting “the delivery of” after “rates applicable to”; and

(C) by striking “, and all increased revenues received by the Secretary as a result of the increased water prices established under subsection 3405(d) of this section,”.

## **SEC. 105. FISH, WILDLIFE, AND HABITAT RESTORATION.**

Section 3406 of the Central Valley Project Improvement Act (106 Stat. 4714) is amended as follows:

(1) In subsection (b)—

(A) in paragraph (1)(B)—

(i) by striking “is authorized and directed to” and inserting “may”; and

(ii) by inserting “reasonable water” after “to provide”; and

(iii) by striking “anadromous fish, except that such” and inserting “anadromous fish. Such”; and

(iv) by striking “Instream flow” and inserting “Reasonable instream flow”; and

(v) by inserting “and the National Marine Fisheries Service” after “United States Fish and Wildlife Service”; and

(vi) by striking “California Department of Fish and Game” and inserting “United States Geological Survey”; and

(B) in paragraph (2)—

(i) by striking “primary purpose” and inserting “purposes”; and

(ii) by striking “but not limited to” before “additional obligations”; and

(iii) by adding after the period the following:

“All Central Valley Project water used for the purposes specified in this paragraph shall be credited to the quantity of Central Valley Project yield dedicated and managed under this paragraph by determining how the dedication and management of such water would affect the delivery capability of the Central Valley Project during the 1928 to 1934 drought period after fishery, water quality, and other flow and operational requirements imposed by terms and conditions existing in licenses, permits, and other agreements pertaining to the Central Valley Project under applicable State or Federal law existing on October 30, 1992, have been met. To the fullest extent possible and in accordance with section 3411, Central Valley Project water dedicated and managed pursuant to this paragraph shall be reused to fulfill the Secretary’s remaining contractual obligations to provide Central Valley Project water for agricultural or municipal and industrial purposes.”; and

(C) by amending paragraph (2)(C) to read:



“(C) If by March 15th of any year the quantity of Central Valley Project water forecasted to be made available to water service or repayment contractors in the Delta Division of the Central Valley Project is below 75 percent of the total quantity of water to be made available under said contracts, the quantity of Central Valley Project yield dedicated and managed for that year under this paragraph shall be reduced by 25 percent.”.

(2) By adding at the end the following:

“(i) **SATISFACTION OF PURPOSES.**—By pursuing the activities described in this section, the Secretary shall be deemed to have met the mitigation, protection, restoration, and enhancement purposes of this title.”.

#### SEC. 106. RESTORATION FUND.

(a) **IN GENERAL.**—Section 3407(a) of the Central Valley Project Improvement Act (106 Stat. 4726) is amended as follows:

(1) By inserting “(1) **IN GENERAL.**—” before “There is hereby”.

(2) By striking “Not less than 67 percent” and all that follows through “Monies” and inserting “Monies”.

(3) By adding at the end the following:

“(2) **PROHIBITIONS.**—The Secretary may not directly or indirectly require a donation or other payment to the Restoration Fund—

“(A) or environmental restoration or mitigation fees not otherwise provided by law, as a condition to—

“(i) providing for the storage or conveyance of non-Central Valley Project water pursuant to Federal reclamation laws; or

“(ii) the delivery of water pursuant to section 215 of the Reclamation Reform Act of 1982 (Public Law 97–293; 96 Stat. 1270); or

“(B) for any water that is delivered with the sole intent of groundwater recharge.”.

(b) **CERTAIN PAYMENTS.**—Section 3407(c)(1) of the Central Valley Project Improvement Act is amended—

(1) by striking “mitigation and restoration”;

(2) by striking “provided for or”; and

(3) by striking “of fish, wildlife” and all that follows through the period and inserting “of carrying out all activities described in this title.”.

(c) **ADJUSTMENT AND ASSESSMENT OF MITIGATION AND RESTORATION PAYMENTS.**—Section 3407(d)(2) of the Central Valley Project Improvement Act is amended by inserting “, or after October 1, 2016, \$4 per megawatt-hour for Central Valley Project power sold to power contractors (October 2016 price levels)” after “\$12 per acre-foot (October 1992 price levels) for municipal and industrial water sold and delivered by the Central Valley Project”.

(d) **COMPLETION OF ACTIONS.**—Section 3407(d)(2)(A) of the Central Valley Project Improvement Act is amended by inserting “no later than December 31, 2020,” after “That upon the completion of the fish, wildlife, and habitat mitigation and restoration actions mandated under section 3406 of this title.”.

(e) **REPORT; ADVISORY BOARD.**—Section 3407 of the Central Valley Project Improvement Act (106 Stat. 4714) is amended by adding at the end the following:

“(g) **REPORT ON EXPENDITURE OF FUNDS.**—At the end of each fiscal year, the Secretary, in consultation with the Restoration Fund Advisory Board, shall submit to Congress a plan for the expenditure of all of the funds deposited into the Restoration Fund during the preceding fiscal year. Such plan shall contain a cost-effectiveness analysis of each expenditure.

“(h) **ADVISORY BOARD.**—

“(1) **ESTABLISHMENT.**—There is hereby established the Restoration Fund Advisory Board (hereinafter in this section referred to as the ‘Advisory Board’) composed of 12 members selected by the Secretary, each for four-year

terms, one of whom shall be designated by the Secretary as Chairman. The members shall be selected so as to represent the various Central Valley Project stakeholders, four of whom shall be from CVP agricultural users, three from CVP municipal and industrial users, three from CVP power contractors, and two at the discretion of the Secretary. The Secretary and the Secretary of Commerce may each designate a representative to act as an observer of the Advisory Board.

“(2) **DUTIES.**—The duties of the Advisory Board are as follows:

“(A) To meet at least semiannually to develop and make recommendations to the Secretary regarding priorities and spending levels on projects and programs carried out pursuant to the Central Valley Project Improvement Act.

“(B) To ensure that any advice or recommendation made by the Advisory Board to the Secretary reflect the independent judgment of the Advisory Board.

“(C) Not later than December 31, 2018, and annually thereafter, to transmit to the Secretary and Congress recommendations required under subparagraph (A).

“(D) Not later than December 31, 2018, and biennially thereafter, to transmit to Congress a report that details the progress made in achieving the actions mandated under section 3406.

“(3) **ADMINISTRATION.**—With the consent of the appropriate agency head, the Advisory Board may use the facilities and services of any Federal agency.”.

#### SEC. 107. ADDITIONAL AUTHORITIES.

(a) **AUTHORITY FOR CERTAIN ACTIVITIES.**—Section 3408(c) of the Central Valley Project Improvement Act (106 Stat. 4728) is amended to read as follows:

“(c) **CONTRACTS FOR ADDITIONAL STORAGE AND DELIVERY OF WATER.**—

“(1) **IN GENERAL.**—The Secretary is authorized to enter into contracts pursuant to Federal reclamation law and this title with any Federal agency, California water user or water agency, State agency, or private organization for the exchange, impoundment, storage, carriage, and delivery of nonproject water for domestic, municipal, industrial, fish and wildlife, and any other beneficial purpose.

“(2) **LIMITATION.**—Nothing in this subsection shall be deemed to supersede the provisions of section 103 of Public Law 99–546 (100 Stat. 3051).

“(3) **AUTHORITY FOR CERTAIN ACTIVITIES.**—The Secretary shall use the authority granted by this subsection in connection with requests to exchange, impound, store, carry, or deliver nonproject water using Central Valley Project facilities for any beneficial purpose.

“(4) **RATES.**—The Secretary shall develop rates not to exceed the amount required to recover the reasonable costs incurred by the Secretary in connection with a beneficial purpose under this subsection. Such rates shall be charged to a party using Central Valley Project facilities for such purpose. Such costs shall not include any donation or other payment to the Restoration Fund.

“(5) **CONSTRUCTION.**—This subsection shall be construed and implemented to facilitate and encourage the use of Central Valley Project facilities to exchange, impound, store, carry, or deliver nonproject water for any beneficial purpose.”.

(b) **REPORTING REQUIREMENTS.**—Section 3408(f) of the Central Valley Project Improvement Act (106 Stat. 4729) is amended—

(1) by striking “Interior and Insular Affairs and the Committee on Merchant Marine and Fisheries” and inserting “Natural Resources”;

(2) in the second sentence, by inserting before the period at the end the following: “, including progress on the plan required by subsection (j)”;

(3) by adding at the end the following: “The filing and adequacy of such report shall be per-

sonally certified to the committees referenced above by the Regional Director of the Mid-Pacific Region of the Bureau of Reclamation.”.

(c) **PROJECT YIELD INCREASE.**—Section 3408(j) of the Central Valley Project Improvement Act (106 Stat. 4730) is amended as follows:

(1) By redesignating paragraphs (1) through (7) as subparagraphs (A) through (G), respectively.

(2) By striking “In order to minimize adverse effects, if any, upon” and inserting “(1) **IN GENERAL.**—In order to minimize adverse effects upon”.

(3) By striking “needs, the Secretary,” and all that follows through “submit to the Congress, a” and inserting “needs, the Secretary, on a priority basis and not later than September 30, 2018, shall submit to Congress a”.

(4) By striking “increase,” and all that follows through “options:” and inserting “increase, as soon as possible but not later than September 30, 2017 (except for the construction of new facilities which shall not be limited by that deadline), the water of the Central Valley Project by the amount dedicated and managed for fish and wildlife purposes under this title and otherwise required to meet the purposes of the Central Valley Project including satisfying contractual obligations. The plan required by this subsection shall include recommendations on appropriate cost-sharing arrangements and authorizing legislation or other measures needed to implement the intent, purposes, and provisions of this subsection and a description of how the Secretary intends to use the following options—”.

(5) In subparagraph (A), by inserting “and construction of new water storage facilities” before the semicolon.

(6) In subparagraph (F), by striking “and” at the end.

(7) In subparagraph (G), by striking the period and all that follows through the end of the subsection and inserting “; and”.

(8) By inserting after subparagraph (G) the following:

“(H) Water banking and recharge.”.

(9) By adding at the end the following:

“(2) **IMPLEMENTATION OF PLAN.**—The Secretary shall implement the plan required by paragraph (1) commencing on October 1, 2017. In order to carry out this subsection, the Secretary shall coordinate with the State of California in implementing measures for the long-term resolution of problems in the San Francisco Bay/Sacramento-San Joaquin Delta Estuary.

“(3) **FAILURE OF THE PLAN.**—Notwithstanding any other provision of Federal reclamation law, if by September 30, 2018, the plan required by paragraph (1) fails to increase the annual delivery capability of the Central Valley Project by 800,000 acre-feet, implementation of any non-mandatory action under section 3406(b)(2) shall be suspended until the plan achieves an increase in the annual delivery capability of the Central Valley Project by 800,000 acre-feet.”.

(d) **TECHNICAL CORRECTION.**—Section 3408(h) of the Central Valley Project Improvement Act (106 Stat. 4729) is amended—

(1) in paragraph (1), by striking “paragraph (h)(2)” and inserting “paragraph (2)”;

(2) in paragraph (2), by striking “paragraph (h)(i)” and inserting “paragraph (1)”.

(e) **WATER STORAGE PROJECT CONSTRUCTION.**—The Secretary, acting through the Commissioner of the Bureau of Reclamation, may partner or enter into an agreement on the water storage projects identified in section 103(d)(1) of the Water Supply Reliability, and Environmental Improvement Act (Public Law 108–361) (and Acts supplemental and amendatory to the Act) with local joint powers authorities formed pursuant to State law by irrigation districts and other local water districts and local governments

within the applicable hydrologic region, to advance these projects. No additional Federal funds are authorized for the activities authorized in sections 103(d)(1)(A)(i), 103(d)(1)(A)(ii), and 103(d)(1)(A)(iii) of Public Law 108-361. However, each water storage project under sections 103(d)(1)(A)(i), 103(d)(1)(A)(ii), and 103(d)(1)(A)(iii) of Public Law 108-361 is authorized for construction if non-Federal funds are used for financing and constructing the project.

#### SEC. 108. BAY-DELTA ACCORD.

(a) CONGRESSIONAL DIRECTION REGARDING CENTRAL VALLEY PROJECT AND CALIFORNIA STATE WATER PROJECT OPERATIONS.—The Central Valley Project and the State Water Project shall be operated pursuant to the water quality standards and operational constraints described in the “Principles for Agreement on the Bay-Delta Standards Between the State of California and the Federal Government” dated December 15, 1994, and such operations shall proceed without regard to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or any other law pertaining to the operation of the Central Valley Project and the California State Water Project. Implementation of this section shall be in strict conformance with the “Principles for Agreement on the Bay-Delta Standards Between the State of California and the Federal Government” dated December 15, 1994.

(b) APPLICATION OF LAWS TO OTHERS.—Neither a Federal department nor the State of California, including any agency or board of the State of California, shall impose on any water right obtained pursuant to State law, including a pre-1914 appropriative right, any condition that restricts the exercise of that water right in order to conserve, enhance, recover or otherwise protect any species that is affected by operations of the Central Valley Project or California State Water Project. Nor shall the State of California, including any agency or board of the State of California, restrict the exercise of any water right obtained pursuant to State law, including a pre-1914 appropriative right, in order to protect, enhance, or restore under the Public Trust Doctrine any public trust value. Implementation of the “Principles for Agreement on the Bay-Delta Standards Between the State of California and the Federal Government” dated December 15, 1994, shall be in strict compliance with the water rights priority system and statutory protections for areas of origin.

(c) COSTS.—No cost associated with the implementation of this section shall be imposed directly or indirectly on any Central Valley Project contractor, or any other person or entity, unless such costs are incurred on a voluntary basis.

(d) NATIVE SPECIES PROTECTION.—California law is preempted with respect to any restriction on the quantity or size of nonnative fish taken or harvested that preys upon one or more native fish species that occupy the Sacramento and San Joaquin Rivers and their tributaries or the Sacramento-San Joaquin Rivers Delta.

#### SEC. 109. NATURAL AND ARTIFICIALLY SPAWNED SPECIES.

After the date of the enactment of this title, and regardless of the date of listing, the Secretaries of the Interior and Commerce shall not distinguish between natural-spawned and hatchery-spawned or otherwise artificially propagated strains of a species in making any determination under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) that relates to any anadromous fish species present in the Sacramento and San Joaquin Rivers or their tributaries and ascend those rivers and their tributaries to reproduce after maturing in San Francisco Bay or the Pacific Ocean.

#### SEC. 110. REGULATORY STREAMLINING.

(a) APPLICABILITY OF CERTAIN LAWS.—Filing of a Notice of Determination or a Notice of Ex-

emption for any project, including the issuance of a permit under State law, related to any project of the CVP or the delivery of water therefrom in accordance with the California Environmental Quality Act shall be deemed to meet the requirements of section 102(2)(C) of the National Environmental Protection Act of 1969 (42 U.S.C. 4332(2)(C)) for that project or permit.

(b) CONTINUATION OF PROJECT.—The Bureau of Reclamation shall not be required to cease or modify any major Federal action or other activity related to any project of the CVP or the delivery of water therefrom pending completion of judicial review of any determination made under the National Environmental Protection Act of 1969 (42 U.S.C. 4332(2)(C)).

(c) PROJECT DEFINED.—For the purposes of this section:

(1) CVP.—The term “CVP” means the Central Valley Project.

(2) PROJECT.—The term “project”—

(A) means an activity that—

(i) is undertaken by a public agency, funded by a public agency, or that requires an issuance of a permit by a public agency;

(ii) has a potential to result in physical change to the environment; and

(iii) may be subject to several discretionary approvals by governmental agencies;

(B) may include construction activities, clearing or grading of land, improvements to existing structures, and activities or equipment involving the issuance of a permit; or

(C) as defined under the California Environmental Quality Act in section 21065 of the California Public Resource Code.

#### SEC. 111. ADDITIONAL EMERGENCY CONSULTATION.

For adjustments to operating criteria other than under section 108 or to take urgent actions to address water supply shortages for the least amount of time or volume of diversion necessary as determined by the Commissioner of Reclamation, no mitigation measures shall be required during any year that the Sacramento Valley Index is 6.5 or lower, or at the request of the State of California, and until two succeeding years following either of those events have been completed where the final Sacramento Valley Index is 7.8 or greater, and any mitigation measures imposed must be based on quantitative data and required only to the extent that such data demonstrates actual harm to species.

#### SEC. 112. APPLICANTS.

In the event that the Bureau of Reclamation or another Federal agency initiates or reinitiates consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service under section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)), with respect to construction or operation of the Central Valley Project and State Water Project, or any part thereof, the State Water Project contractors and the Central Valley Project contractors will be accorded all the rights and responsibilities extended to applicants in the consultation process.

#### SEC. 113. SAN JOAQUIN RIVER SETTLEMENT.

(a) PURPOSE AND FINDINGS.—

(1) PURPOSE AND FINDINGS.—Section 10002 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended to read as follows:

##### “SEC. 10002. PURPOSE AND FINDINGS.

“(a) PURPOSE.—The purpose of this part is to authorize implementation of the Settlement.

“(b) FINDINGS.—Congress finds that since the date of the enactment of this Act, the following conditions now persist with regard to implementation of the Settlement:

“(1) Millions of dollars of economic damages have occurred due to seepage from rivers flows and other impacts to third parties affected by the Settlement and San Joaquin River Restora-

tion Program and such impacts will continue for the duration of the Settlement and Restoration Program implementation.

“(2) Estimated costs of implementing the Settlement have more than doubled from the initial estimates for implementing the Settlement, from a high-end estimate of \$800,000,000 to more than \$1,700,000,000, due to unrealistic initial cost estimates, additional, unanticipated cost increases related to damages to land from seepage and to infrastructure from subsidence, and from increased construction costs to complete channel improvements, and other improvements not originally identified, but anticipated in the Settlement as necessary to implement the Restoration Goal.

“(3) Achievement of the Settlement’s Water Management Goal, to reduce or avoid water supply impacts to Friant Division long-term contractors, including the Friant-Kern Canal and Madera Canal capacity restoration projects have not progressed and are likely impossible given available and likely future funding and regulatory constraints.

“(4) Implementation of the Settlement’s Restoration Goal has already fallen short of the schedule agreed to by the Settling Parties and Congress, which required the reintroduction of Spring-run and Fall-run Chinook salmon in the river by December 31, 2012, and the majority of Paragraph 11 improvements construction to be complete by December 31, 2013, with the remainder of the paragraph (11) improvements to be completed by December 31, 2016, neither of which deadlines have been met and the Secretary has now made findings that such improvements will not be completed until 2030 at the earliest and likely beyond that timeframe, which schedule assumes full funding of the Restoration Program, which has not occurred.

“(5) Catastrophic species declines in the Sacramento-San Joaquin Delta and other changed conditions have affected the Friant Division’s water supply in ways unimagined during the time of the Settlement’s signing, resulting in additional reductions in water supply for the Friant Division beyond what was agreed to in the Settlement.

“(6) Recent scientific assessments of likely future climate change suggest that no amount of additional flow in the San Joaquin River will sustain Spring-run Chinook salmon, one of the target species for maintaining a self-sustaining population below Friant Dam.

“(7) In consideration of existing conditions, it is not reasonable, prudent and feasible to implement the Settlement as originally authorized.”.

(2) DEFINITIONS.—Section 10003 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended by adding at the end the following:

“(4) The term ‘Exchange Contractors’ means San Joaquin River Exchange Contractors Water Authority, whose members are the Central California Irrigation District, Columbia Canal Company, the Firebaugh Canal Water District, and the San Luis Canal Company.

“(5) The term ‘Governor’ means the Governor of the State of California.

“(6) The term ‘Gravelly Ford’ means the Gravelly Ford gaging station in the San Joaquin River located at approximately River Mile 230.

“(7) The term ‘Restoration Area’ means the San Joaquin River between Friant Dam and the Merced River confluence, and generally within 1,500 feet of the centerline of the river.

“(8) The term ‘Restoration Flow’ means the hydrograph flows (as provided in paragraph 18 and exhibit B of the Settlement), buffer flows of up to 10 percent of the applicable hydrograph flows, and any additional water acquired by the Secretary of the Interior from willing sellers to meet the Restoration Goal of the Settlement.

“(9) The term ‘Restoration Fund’ means that fund established by this part.

“(10) The term ‘Sack Dam’ means a low-head earth and concrete structure with wooden flap gates that diverts San Joaquin River flows into the Arroyo Canal at approximately River Mile 182.1.

“(11) The term ‘Warm Water Fishery’ means a water system that has an environment suitable for species of fish other than salmon (including any subspecies) and trout (including all subspecies).

“(12) The term ‘third party’ means the Exchange Contractors or any member thereof, current or former members of the San Joaquin Tributaries Authority, and current or former members of the San Luis and Delta Mendota Water Authority.”; and

(3) IMPLEMENTATION OF SETTLEMENT.—Section 10004 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(A) in subsection (f), by striking “pursuant to the Settlement and section 10011” and inserting “or other species for any reason”;

(B) in subsection (g), by inserting “or the implementation of the Settlement and the reintroduction of California Central Valley Spring Run Chinook salmon or any other species,” after “nothing in this part”;

(C) in subsection (h)—

(i) in the header by striking “INTERIM”;

(ii) in paragraph (1)—

(I) by striking “Interim Flows” and inserting “Flows” each place it appears;

(II) in subparagraph (C)(ii), by inserting “which shall be implemented” after “significant”; and

(III) in subparagraph (E), by striking “as a result of the Interim Flows” and inserting “or State laws as a result of Flows.”; and

(iii) by striking paragraphs (2), (3), and (4) and inserting the following:

“(2) CONDITIONS FOR RELEASE.—The Secretary is authorized to release Flows—

“(A) if all improvements and mitigation measures are completed or implemented, including all actions necessary to mitigate impacts on landowners, water agencies, and water users; and

“(B) if such Flows will not exceed existing downstream channel capacities.

“(3) SEEPAGE IMPACTS.—(A) The Secretary, in implementing this Act, shall not cause material adverse impacts to third parties. The Secretary shall reduce Flows to the extent necessary to address any material adverse impacts to third parties from groundwater seepage or levee instability caused by such flows identified based on the monitoring program of the Secretary. Notwithstanding the foregoing, the Secretary shall not directly or indirectly cause groundwater to rise above 10 feet below ground surface and shall provide at least 10 feet below ground surface as a minimum threshold elevation for groundwater beneath any fields where permanent or other deep rooted crops are grown, and at least 6 feet below ground surface as a minimum threshold elevation for groundwater beneath any fields where annual or shallow rooted crops are grown. These minimum thresholds shall be adjusted yearly based upon information provided by individual landowners regarding the minimum threshold that they will need in order to grow their crop(s) that year. If during the course of the year the landowner informs the Secretary that detrimental seepage is being experienced or is reasonably likely to occur despite the adherence to the minimum threshold, the Secretary shall reduce Restoration Flows to a volume sufficient to reduce seepage impacts by reducing the occurrence of groundwater to a non-damaging level below ground surface.

“(B) If Flow reduction alone is not sufficient to mitigate for seepage impacts the Secretary shall mitigate by real estate transaction or installation of physical measures, whichever option is requested by the landowner.

“(C) Any water that seeps onto private property shall thereupon become the property of that landowner if the landowner takes control of the water including by re-diverting it to the San Joaquin River. If seepage water is returned to the San Joaquin River it shall meet applicable water quality requirements.

“(4) TEMPORARY FISH BARRIER PROGRAM.—Using funds otherwise available from the San Joaquin River Restoration Fund if necessary, the Secretary is authorized to make improvements to the Hills Ferry Barrier or any replacement thereof in order to prevent upstream migration of any protected species to the restoration area. The Secretary is further authorized to work with the California Department of Fish and Wildlife for the improvement or replacement of the Hills Ferry Barrier in order to prevent the upstream migration of any protected species. If third parties south of the confluence with the Merced River are required to install their screens or fish bypass facilities in order to comply with the Endangered Species Act of 1973, the Secretary shall bear the costs of such screens or facilities, except to the extent that such costs are already or are further willingly borne by the State of California or by the third parties. Expenditures by Reclamation are non-reimbursable. Any protected species recovered at the Hills Ferry Barrier or in the Restoration Area or any river or false pathways thereto that is to be relocated outside of the Restoration Area shall only be relocated to an area where there is an established self-sustaining population of that same genotype or phenotype.”; and

(D) by amending subsection (j) to read as follows:

“(j) SAN JOAQUIN RIVER EXCHANGE CONTRACT AND RELATED.—Subject to section 10006(b), nothing in this part shall modify or amend the rights and obligations under the Purchase Contract between Miller and Lux and the United States including without exclusion of others, any right to enforce the power contracts identified in the Purchase Contract, the Second Amended Exchange Contract between the United States, Department of the Interior Bureau of Reclamation and Central California Irrigation District, San Luis Canal Company, Firebaugh Canal Water District, and Columbia Canal Company. Prior to releasing any restoration flow, the Secretary shall determine that such release will not affect its contractual obligations to the Exchange Contractors.”.

(4) ACQUISITION OF PROPERTY.—Section 10005 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended by striking subsections (b) and (c) and inserting the following:

“(b) ACQUISITION OF PROPERTY.—The Secretary is authorized to acquire property solely through purchase from willing sellers any property, interests in property, or options to acquire real property needed to implement the Settlement authorized by this part. The Secretary shall not acquire property through the exercise of eminent domain unless the owner of said property does not object to an eminent domain action.

“(c) DISPOSAL OF PROPERTY.—Any property or interests therein acquired by the Secretary and for which the Secretary determines that the property or interest therein is no longer needed to be held by the United States for the furtherance of the Settlement, shall be first offered for repurchase to the prior owner of the property from whom the United States acquired the property and at the same price for which the United States acquired the property unless it is demonstrated that the property has decreased in value in which case the Secretary shall sell the property back to the prior owner at the decreased price. If the prior owner does not want the property, the Secretary shall sell the property on the open market.”.

(5) COMPLIANCE WITH APPLICABLE LAW.—Section 10006 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking “as necessary” and inserting “as necessary, as provided for in this part and in a manner that does not conflict with the intent of Congress as expressed in this title which intent shall be afforded the greatest deference and any difference or ambiguity shall be resolved in favor of said intent” before the period at the end; and

(ii) in paragraph (2), by adding at the end the following: “Any statutory exemptions from conducting environmental review or consultation are not applicable.”;

(B) in subsection (b)—

(i) by striking “Nothing” and inserting “Except as provided in subsection (e) below, nothing”; and

(ii) by striking “State law.” and inserting “State law, except as otherwise provided for herein or would conflict with achieving the purposes or intent of this title.”; and

(C) by adding at the end the following:

“(e) IN GENERAL.—Sections 5930 through 5948 of the California Fish and Game Code and all applicable Federal laws, including this part, as amended by the Gaining Responsibility on Water Act of 2017, and the Stipulation of Settlement (Natural Resources Defense Council, et al. v. Kirk Rodgers, et al., Eastern District of California, No. Civ. S-88-1658—LKK/GGH), shall be satisfied by implementation of the Settlement as provided in section 10014(b) or the plan provided in section 10014(a) of the Gaining Responsibility on Water Act of 2017.

“(f) COMPLIANCE WITH EXISTING FRIANT DIVISION CONTRACTS.—Congress hereby finds and declares that compliance with the provisions of this Act by Friant Division Contractors shall fulfill all requirements for compliance with this part, contained in contracts between the Secretary and Friant Division Contractors.”.

(6) NO PRIVATE RIGHT OF ACTION.—Section 10008(a) of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended by striking “the Settlement” and inserting “the Settlement or a third party”.

(7) SETTLEMENT FUND.—Section 10009 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(A) in subsection (a), by amending paragraph (3) to read as follows:

“(3) LIMITATION.—Except as provided in the Settlement, to the extent that costs incurred solely to implement this Settlement would not otherwise have been incurred by any entity or public or local agency or subdivision of the State of California, such costs shall not be borne by any such entity, agency, or subdivision of the State of California, unless such costs are incurred on a voluntary basis. Any appropriations by Congress to implement this part shall be on the basis of line item authorizations and appropriations and shall not be part of the programmatic funding for the Secretary or the Bureau of Reclamation.”; and

(B) by striking subsection (f) and inserting the following:

“(f) REACH 4B.—No Restoration Flows released shall be routed through section 4B of the San Joaquin River. The Secretary shall seek to make use of modified and/or existing conveyance facilities such as flood control channels in order to provide conveyance for the restoration flows. Congress finds that such use of multi-use facilities is more economical and cost-effective than seeking to restore certain sections of the San Joaquin River. The Secretary shall provide non-reimbursable funding for the incremental increase in maintenance costs for use of the flood control channels.

“(g) NO IMPACT ON WATER SUPPLIES.—Reintroduction or migration of species to the San

Joaquin River upstream of the confluence with the Merced River made possible by or aided by the existence of restoration flows or any improvements to the river made hereunder shall not result in water supply reductions, additional storage releases, or bypass flows on unwilling third parties due to such re-introduction.

“(h) NO TRANSFERENCE OF LIABILITY.—Congress finds that the Federal interest in the restoration of the San Joaquin River upstream of the confluence with the Merced River has been satisfied with regard to the development of the Friant Division, Delta Mendota canal, the continued performance of and compliance with the terms of agreements of the United States to purchase water rights and for exchange of water, its Agreements with the entities that comprise the Exchange Contractors to deliver their water rights in the San Joaquin River pursuant to the terms of the agreements. The enactment of the San Joaquin River Restoration Settlement Act, together with findings in this legislation including the Settling Parties and agencies of the State of California tried to implement the Restoration Program for ten years and the Bureau of Reclamation has stated it will take at least another 15 years to implement assuming full funding is provided, even though that full funding has never been provided since the Settlement was executed or the Restoration Act enacted, and that absent implementation of that funding, there is no possibility of establishing a viable self-sustaining salmonid population and the restoration of the upper San Joaquin River has proven infeasible on terms originally conceived by the parties to the Settlement and Congress in the Restoration Act. Therefore, notwithstanding that the United States and water users and agencies within the Friant Division are released of any existing or future obligations with regard to the Restoration Program, or any similar program, no responsibility for achieving the goals of the Restoration Program, including the provision of flows and the re-introduction of salmon, or other fish species to the San Joaquin River, shall be imposed on the United States, upon the Exchange Contractors or any of its members nor shall the rights to delivery of water reserved to the Exchange Contractors by any agency of the United States or the State of California be abridged or impaired.

“(i) ABSENCE OF AGREEMENT.—In the absence of an agreement with Friant Division long-term contractors, in the event the State of California, acting through the State Water Resources Control Board or otherwise, or any other party requires the flow of the San Joaquin River below Friant Dam to exceed the amounts stated in Exhibit B of the Settlement, then the authorization to implement the Settlement as provided in this Act shall terminate and the Secretary of the Interior shall cease any action to implement this part and the Stipulation of Settlement (Natural Resources Defense Council, et al. v. Kirk Rodgers, et al., Eastern District of California, No. Civ-S-88-1658 LLK/GGH); provided, further, the Secretary shall also cease to collect or expend any funds from the San Joaquin River Restoration Fund.”

(b) REVIEW AND DETERMINATION.—San Joaquin River Restoration Settlement Act (Public Law 111-11 et seq.) is amended by adding at the end the following:

**“SEC. 10012. REVIEW AND DETERMINATION.**

“(a) DETERMINATION REQUIRED.—The Governor and the Secretary, shall determine, in consideration of the overall public interest of both the State of California and the Nation, if it is reasonable, prudent, and feasible to implement the Settlement as provided in section 10014(b) and shall submit a joint report to Congress not later than 1 year after the date of the enactment of this Act, stating their findings and recommended action, including—

- “(1) financial considerations;
- “(2) available scientific evidence;
- “(3) water temperature in the lower reaches of the upper San Joaquin River; and
- “(4) alternative uses for the funds required to implement the Settlement.

“(b) ABSENCE OF TIMELY DETERMINATION.—If the Governor and the Secretary, do not provide a joint recommendation within the time specified in subsection (a), then it shall be deemed that implementing the Settlement consistent with section 10014(b) is not reasonable, prudent, and feasible, and the Secretary shall proceed to implement the Settlement consistent with section 10014(a).

**“SEC. 10013. INTERIM OPERATIONS.**

“Beginning on the date of the enactment of the Gaining Responsibility on Water Act of 2017 and continuing until a determination and final plan has been developed and approved by the Secretary and Governor as provided under section 10014(b), and if applicable, the warm water fishery plan developed under section 10014(a), the Secretary shall only take the following actions to implement the Settlement according to the this Act:

“(1) Implementation of the Restoration Goal and the Water Management Goal of the Settlement only to the extent consistent with section 10014(b).

“(2) No Restoration Flow releases shall be permitted on the San Joaquin River downstream of Sack Dam to the confluence with the Merced River.

“(3) No salmonids shall be placed into or allowed to migrate to the Restoration Area. If any salmonids are caught at the Hills Ferry Barrier, they shall be salvaged to the extent feasible and returned to an area where there is a viable sustainable salmonid population of substantially the same genotype or phenotype.

“(4) Implementation of a plan to recirculate, recapture, reuse, exchange and transfer Restoration Flows for the purpose of reducing or avoiding impacts to water deliveries to all Friant Division long-term contractors caused by the Restoration Flows, to the greatest extent feasible.

**“SEC. 10014. ALTERNATE LONG-TERM ACTIONS.**

“(a) GRAVELLY FORD—WARM WATER FISHERY.—

“(1) If it is determined under section 10012(a) that the Settlement should not be implemented as provided in subsection (b), then not later than 1 year after such determination, the Secretary and the Governor shall develop and approve a reasonable, prudent, and feasible plan for maintaining a warm water fishery on the San Joaquin River below Friant Dam, but upstream of Gravelly Ford, consistent with the following:

“(A) No water shall be released into the San Joaquin River for fishery purposes downstream of Gravelly Ford.

“(B) Existing and future contributions to the Restoration Fund shall be expended for the purposes of—

“(i) warm water fishery improvements within the San Joaquin River channel upstream of Gravelly Ford; and

“(ii) water and fishery improvements in the San Joaquin River channel downstream of the confluence with the Merced River and other areas for benefit of fall run salmon.

“(C) The Secretary shall establish a fund to be jointly administered by the Friant Water Authority, Exchange Contractors, San Joaquin Tributaries Authority, and San Luis Delta Mendota Water Authority to fund restoration actions along the San Joaquin River and its tributaries that achieve water quality objectives for the protection of fish and wildlife. The Secretary shall transfer the following into the fund:

“(i) All funds in the San Joaquin River Restoration Fund authorized by this part.

“(ii) All future payments by Friant Division long-term contractors pursuant to section 3406(c)(1) of the Reclamation Projects, Authorization and Adjustment Act of 1992 (Public Law 102-575; 106 Stat. 4721) as provided in the Settlement.

“(D) In the absence of an agreement with Friant Division long-term contractors, in the event the State of California, acting through the State Water Resources Control Board or otherwise, or any other party requires the flow of the San Joaquin River to continue below Gravelly Ford for fish and wildlife purposes then—

“(i) all funding specified for transfer under this subsection shall cease, and any funds remaining in the San Joaquin River Basin Restoration Fund shall be transferred to the Friant Water Authority for implementing conveyance improvements on the Friant Kern Canal and Madera Canal to mitigate for subsidence impacts since their original construction; and

“(ii) the authorization to implement the Settlement as provided in this part, as amended by the Gaining Responsibility on Water Act of 2017, shall terminate and the Secretary shall cease any action to implement this part and the Stipulation of Settlement (Natural Resources Defense Council, et al. v. Kirk Rodgers, et al., Eastern District of California, No. Civ-S-88-1658 LLK/GGH); provided, further, the Secretary shall also cease to collect or expend any funds from the San Joaquin River Restoration Fund.

“(b) CONTINUED IMPLEMENTATION.—If, in the decision required by section 10012(a), it is determined that the Settlement should continue to be implemented as provided in section 10014(b), then the following terms are required for Continued Implementation of Settlement and no funds shall be expended to implement the Settlement other than as provided for herein:

“(1) IMPROVEMENTS.—The improvements described in paragraph (11) of the Settlement and any additional improvements identified in the Framework for Implementation published in 2015 and any successors thereto shall be completed before any Restoration Flows are released to the San Joaquin River.

“(2) PRIORITY PROJECTS.—The improvements shall be constructed in the following order:

“(A) Mendota Pool bypass and fish screen.

“(B) Arroyo Canal fish screen and Sack Dam fish passage facilities.

“(C) Seepage mitigation actions to allow Restoration Flows of up to 4500 CFS such that there will be no involuntarily incurred damage to private property and no damage to levees.

“(3) OTHER IMPROVEMENTS.—The remainder of the Improvements shall be constructed in an order deemed appropriate by the Secretary after the foregoing projects are completed.

“(4) CONSTRUCTION ASSISTANCE.—If agreed to by the Exchange Contractors or any of its members, the Secretary shall enter into an agreement with the Exchange Contractors or any of its members to assume construction responsibility from initial design through completion of such improvements as the Exchange Contractors or any of its members may agree to, provided that the Secretary shall retain financial responsibility for such improvements and shall reimburse the Exchange Contractors or any of its members for costs incurred by them and their contractors, if any, expended in the construction of the improvements. The Secretary shall enter into a construction agreement with the Exchange Contractors or its members, as applicable, and subject to their approval, consistent with the terms of this title.

“(5) TECHNICAL ADVISORY COMMITTEE AND RESTORATION ADMINISTRATOR.—The Secretary shall add to the Technical Advisory Committee (TAC), established pursuant to the Settlement, one representative from the Exchange Contractors and one representative from the San Luis &

Delta-Mendota Water Authority. Any decisions and/or recommendations made by the Restoration Administrator shall be first discussed with the TAC and made on the basis of consensus to maximum extent possible. Any recommendations made by the Restoration Administrator are advisory only, shall be in writing, shall include references to the science relied on and specify the benefits to fish in the river, and include the level of consensus reached by the TAC. The Secretary's final decision on any action, including flows, can deviate from the Restoration Administrator's recommendation provided that the Secretary's final decision is based upon sound and objective science, and is otherwise consistent with this title.

“(6) **RESTORATION FLOWS.**—The appropriate level of Restoration Flows under any circumstance shall be no greater than that set forth in the hydrographs attached as exhibit B to the Settlement, and shall be no greater than the real-time fishery needs required to meet the Restoration Goal. The Secretary shall make the final decision as to the appropriate level of Restoration Flows and other actions regarding implementation of the Restoration Program. The appropriate level of Restoration Flows shall at a minimum not exceed channel capacity, cause seepage damage, or be inconsistent with any other requirements in this section. The Secretary's decisions and those of the Secretary of Commerce shall be fully supported by the best commercial and scientific information available, shall be made in an open and transparent manner, and shall be based on objective information capable of replication.

“(7) **FISH REINTRODUCTION.**—No fishery shall be introduced or placed for any reason in to the San Joaquin River upstream of the Merced River, until Reclamation has released Restoration Flows down the San Joaquin River in each hydrologic year type: wet, above normal, below normal, dry, and critically dry and determined that the improvements are fully functional and that seepage impacts have been fully mitigated. At least 180 days before the introduction of spring run Chinook salmon the Bureau of Reclamation shall submit a report to Congress that provides a critical examination of the impact of Restoration Flows on seepage and the improvements, and the likelihood of success in restoring a salmon fishery that is viable, sustainable and capable of volitional passage.

“(8) **PROTECTED SPECIES.**—Any protected species migrating into the Restoration Area shall be deemed to be a nonessential experimental population. Congress finds that due to human-caused physical changes to the pathways of the San Joaquin River upstream of the confluence of the Merced River the San Joaquin River is deemed a distinct and separate geographic area and no agency shall take any action pursuant to any authority or requirement of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or any other Federal or State species protection law that will have an adverse impact on landowners or water agencies within the Restoration Area unless such impacts are incurred on a voluntary basis.

“(9) **SUBSIDENCE.**—Prior to implementing any other actions, the Secretary shall work with local water districts and landowners to ensure the actions include appropriate solutions to past and likely future subsidence. Without resolution to the subsidence issue, the improvements described in the Settlement and the San Joaquin River and/or the flood control system will continue to be irreparability damaged. Any costs incurred by the Secretary, including but not limited to acquisition of property from willing sellers shall be non-reimbursable.

“(10) **FULL FUNDING.**—Prior to commencing construction of any Improvement, the Secretary shall approve a funding plan that demonstrates

that the United States has obtained all authorizations for appropriations combined with other authorized and reasonably foreseeable funding sources necessary for the orderly completion of all improvements described in paragraph (11) of the Settlement and any additional improvements identified in the Framework for Implementation published in 2015, including any amendments thereto.

“(11) **MITIGATION OF IMPACTS.**—Prior to the implementation of decisions or agreements to construct, improve, operate, or maintain Improvements, or facilities that the Secretary determines are needed to implement the Settlement, the Secretary shall—

“(A) identify the impacts associated with such actions;

“(B) identify the actions that the Secretary must implement to mitigate any impacts on water users and landowners in the Restoration Area; and

“(C) shall implement all of the mitigation actions so as to eliminate or reduce to an immaterial effect any adverse impacts on water users and landowners.”

## **TITLE II—CALFED STORAGE FEASIBILITY STUDIES**

### **SEC. 201. STUDIES.**

The Secretary of the Interior, through the Commissioner of Reclamation, shall—

(1) complete the feasibility studies described in clauses (i)(I) and (ii)(II) of section 103(d)(1)(A) of Public Law 108–361 (118 Stat. 1684) and submit such studies to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2018;

(2) complete the feasibility study described in clause (i)(II) of section 103(d)(1)(A) of Public Law 108–361 and submit such study to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2018;

(3) complete a publicly available draft of the feasibility study described in clause (ii)(I) of section 103(d)(1)(A) of Public Law 108–361 and submit such study to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2018;

(4) complete the feasibility study described in clause (ii)(I) of section 103(d)(1)(A) of Public Law 108–361 and submit such study to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2019;

(5) complete the feasibility study described in section 103(f)(1)(A) of Public Law 108–361 (118 Stat. 1694) and submit such study to the appropriate committees of the House of Representatives and the Senate not later than December 31, 2019;

(6) in conducting any feasibility study under this Act, the reclamation laws, the Central Valley Project Improvement Act (title XXXIV of Public Law 102–575; 106 Stat. 4706), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and other applicable law, for the purposes of determining feasibility the Secretary shall document, delineate, and publish costs directly relating to the engineering and construction of a water storage project separately from the costs resulting from regulatory compliance or the construction of auxiliary facilities necessary to achieve regulatory compliance; and

(7) communicate, coordinate and cooperate with public water agencies that contract with the United States for Central Valley Project water and that are expected to participate in the cost pools that will be created for the projects proposed in the feasibility studies under this section.

### **SEC. 202. TEMPERANCE FLAT.**

(a) **DEFINITIONS.**—For the purposes of this section:

(1) **PROJECT.**—The term “Project” means the Temperance Flat Reservoir Project on the Upper San Joaquin River.

(2) **RMP.**—The term “RMP” means the document titled “Bakersfield Field Office, Record of Decision and Approved Resource Management Plan”, dated December 2014.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(b) **APPLICABILITY OF RMP.**—The RMP and findings related thereto shall have no effect on or applicability to the Secretary's determination of feasibility of, or on any findings or environmental review documents related to—

(1) the Project; or

(2) actions taken by the Secretary pursuant to section 103(d)(1)(A)(ii)(II) of the Bay-Delta Authorization Act (title I of Public Law 108–361).

(c) **DUTIES OF SECRETARY UPON DETERMINATION OF FEASIBILITY.**—If the Secretary finds the Project to be feasible, the Secretary shall manage the land recommended in the RMP for designation under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) in a manner that does not impede any environmental reviews, preconstruction, construction, or other activities of the Project, regardless of whether or not the Secretary submits any official recommendation to Congress under the Wild and Scenic Rivers Act.

(d) **RESERVED WATER RIGHTS.**—Effective December 22, 2017, there shall be no Federal reserved water rights to any segment of the San Joaquin River related to the Project as a result of any designation made under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

### **SEC. 203. WATER STORAGE PROJECT CONSTRUCTION.**

The Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, may partner or enter into an agreement on the water storage projects identified in section 103(d)(1) of the Water Supply Reliability and Environmental Improvement Act (Public Law 108–361) (and Acts supplemental and amendatory to the Act) with local joint powers authorities formed pursuant to State law by irrigation districts and other local water districts and local governments within the applicable hydrologic region, to advance those projects.

## **TITLE III—WATER RIGHTS PROTECTIONS**

### **SEC. 301. OFFSET FOR STATE WATER PROJECT.**

(a) **IMPLEMENTATION IMPACTS.**—The Secretary of the Interior shall confer with the California Department of Fish and Wildlife in connection with the implementation of this title on potential impacts to any consistency determination for operations of the State Water Project issued pursuant to California Fish and Game Code section 2080.1.

(b) **ADDITIONAL YIELD.**—If, as a result of the application of this title, the California Department of Fish and Wildlife—

(1) revokes the consistency determinations pursuant to California Fish and Game Code section 2080.1 that are applicable to the State Water Project;

(2) amends or issues one or more new consistency determinations pursuant to California Fish and Game Code section 2080.1 in a manner that directly or indirectly results in reduced water supply to the State Water Project as compared with the water supply available under the smelt biological opinion and the salmonid biological opinion; or

(3) requires take authorization under California Fish and Game Code section 2081 for operation of the State Water Project in a manner that directly or indirectly results in reduced water supply to the State Water Project as compared with the water supply available under the smelt biological opinion and the salmonid biological opinion, and as a consequence of the Department's action, Central Valley Project yield

is greater than it would have been absent the Department's actions, then that additional yield shall be made available to the State Water Project for delivery to State Water Project contractors to offset losses resulting from the Department's action.

(c) **NOTIFICATION RELATED TO ENVIRONMENTAL PROTECTIONS.**—The Secretary of the Interior shall immediately notify the Director of the California Department of Fish and Wildlife in writing if the Secretary of the Interior determines that implementation of the smelt biological opinion and the salmonid biological opinion consistent with this title reduces environmental protections for any species covered by the opinions.

#### SEC. 302. AREA OF ORIGIN PROTECTIONS.

(a) **IN GENERAL.**—The Secretary of the Interior is directed, in the operation of the Central Valley Project, to adhere to California's water rights laws governing water rights priorities and to honor water rights senior to those held by the United States for operation of the Central Valley Project, regardless of the source of priority, including any appropriative water rights initiated prior to December 19, 1914, as well as water rights and other priorities perfected or to be perfected pursuant to California Water Code Part 2 of Division 2. Article 1.7 (commencing with section 1215 of chapter 1 of part 2 of division 2, sections 10505, 10505.5, 11128, 11460, 11461, 11462, and 11463, and sections 12200 through 12220, inclusive).

(b) **DIVERSIONS.**—Any action undertaken by the Secretary of the Interior and the Secretary of Commerce pursuant to both this title and section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) that requires that diversions from the Sacramento River or the San Joaquin River watersheds upstream of the Delta be bypassed shall not be undertaken in a manner that alters the water rights priorities established by California law.

#### SEC. 303. NO REDIRECTED ADVERSE IMPACTS.

(a) **IN GENERAL.**—The Secretary of the Interior shall ensure that, except as otherwise provided for in a water service or repayment contract, actions taken in compliance with legal obligations imposed pursuant to or as a result of this title, including such actions under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) and other applicable Federal and State laws, shall not directly or indirectly—

(1) result in the involuntary reduction of water supply or fiscal impacts to individuals or districts who receive water from either the State Water Project or the United States under water rights settlement contracts, exchange contracts, water service contracts, repayment contracts, or water supply contracts; or

(2) cause redirected adverse water supply or fiscal impacts to those within the Sacramento River watershed, the San Joaquin River watershed or the State Water Project service area.

(b) **COSTS.**—To the extent that costs are incurred solely pursuant to or as a result of this title and would not otherwise have been incurred by any entity or public or local agency or subdivision of the State of California, such costs shall not be borne by any such entity, agency, or subdivision of the State of California, unless such costs are incurred on a voluntary basis.

(c) **RIGHTS AND OBLIGATIONS NOT MODIFIED OR AMENDED.**—Nothing in this title shall modify or amend the rights and obligations of the parties to any existing—

(1) water service, repayment, settlement, purchase, or exchange contract with the United States, including the obligation to satisfy exchange contracts and settlement contracts prior to the allocation of any other Central Valley Project water; or

(2) State Water Project water supply or settlement contract with the State.

#### SEC. 304. ALLOCATIONS FOR SACRAMENTO VALLEY CONTRACTORS.

(a) **ALLOCATIONS.**—

(1) **IN GENERAL.**—Subject to paragraph (2) and subsection (b), the Secretary of the Interior is directed, in the operation of the Central Valley Project, to allocate water provided for irrigation purposes to existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed in compliance with the following:

(A) Not less than 100 percent of their contract quantities in a "Wet" year.

(B) Not less than 100 percent of their contract quantities in an "Above Normal" year.

(C) Not less than 100 percent of their contract quantities in a "Below Normal" year that is preceded by an "Above Normal" or a "Wet" year.

(D) Not less than 50 percent of their contract quantities in a "Dry" year that is preceded by a "Below Normal", an "Above Normal", or a "Wet" year.

(E) In all other years not identified herein, the allocation percentage for existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed shall not be less than twice the allocation percentage to south-of-Delta Central Valley Project agricultural water service contractors, up to 100 percent; provided, that nothing herein shall preclude an allocation to existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed that is greater than twice the allocation percentage to south-of-Delta Central Valley Project agricultural water service contractors.

(2) **CONDITIONS.**—The Secretary's actions under paragraph (1) shall be subject to—

(A) the priority of individuals or entities with Sacramento River water rights, including those with Sacramento River Settlement Contracts, that have priority to the diversion and use of Sacramento River water over water rights held by the United States for operations of the Central Valley Project;

(B) the United States obligation to make a substitute supply of water available to the San Joaquin River Exchange Contractors; and

(C) the Secretary's obligation to make water available to managed wetlands pursuant to section 3406(d) of the Central Valley Project Improvement Act (Public Law 102-575).

(b) **PROTECTION OF MUNICIPAL AND INDUSTRIAL SUPPLIES.**—Nothing in subsection (a) shall be deemed to—

(1) modify any provision of a water service contract that addresses municipal and industrial water shortage policies of the Secretary;

(2) affect or limit the authority of the Secretary to adopt or modify municipal and industrial water shortage policies;

(3) affect or limit the authority of the Secretary to implement municipal and industrial water shortage policies; or

(4) affect allocations to Central Valley Project municipal and industrial contractors pursuant to such policies.

Neither subsection (a) nor the Secretary's implementation of subsection (a) shall constrain, govern, or affect, directly, the operations of the Central Valley Project's American River Division or any deliveries from that Division, its units or facilities.

(c) **NO EFFECT ON ALLOCATIONS.**—This section shall not—

(1) affect the allocation of water to Friant Division contractors; or

(2) result in the involuntary reduction in contract water allocations to individuals or entities with contracts to receive water from the Friant Division.

(d) **PROGRAM FOR WATER RESCHEDULING.**—The Secretary of the Interior shall develop and implement a program, not later than 1 year after

the date of the enactment of this Act, to provide for the opportunity for existing Central Valley Project agricultural, municipal, and industrial water service contractors within the Sacramento River Watershed to reschedule water, provided for under their Central Valley Project water service contracts, from one year to the next.

(e) **DEFINITIONS.**—In this section:

(1) The term "existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed" means water service contractors within the Shasta, Trinity, and Sacramento River Divisions of the Central Valley Project, that have a water service contract in effect, on the date of the enactment of this section, that provides water for irrigation.

(2) The year type terms used in subsection (a) have the meaning given those year types in the Sacramento Valley Water Year Type (40-30-30) Index.

#### SEC. 305. EFFECT ON EXISTING OBLIGATIONS.

Nothing in this title preempts or modifies any existing obligation of the United States under Federal reclamation law to operate the Central Valley Project in conformity with State law, including established water rights priorities.

### TITLE IV—MISCELLANEOUS

#### SEC. 401. WATER SUPPLY ACCOUNTING.

(a) **IN GENERAL.**—All Central Valley Project water, except Central Valley Project water released pursuant to U.S. Department of the Interior Record of Decision, Trinity River Mainstem Fishery Restoration Final Environmental Impact Statement/Environmental Impact Report dated December 2000 used to implement an action undertaken for a fishery beneficial purpose that was not imposed by terms and conditions existing in licenses, permits, and other agreements pertaining to the Central Valley Project under applicable State or Federal law existing on October 30, 1992, shall be credited to the quantity of Central Valley Project yield dedicated and managed under this section; provided, that nothing herein shall affect the Secretary of the Interior's duty to comply with any otherwise lawful requirement imposed on operations of the Central Valley Project under any provision of Federal or State law.

(b) **RECLAMATION POLICIES AND ALLOCATIONS.**—Reclamation policies and allocations shall not be based upon any premise or assumption that Central Valley Project contract supplies are supplemental or secondary to any other contractor source of supply.

#### SEC. 402. OPERATIONS OF THE TRINITY RIVER DIVISION.

The Secretary of the Interior, in the operation of the Trinity River Division of the Central Valley Project, shall not make releases from Lewiston Dam in excess of the volume for each water-year type required by the U.S. Department of the Interior Record of Decision, Trinity River Mainstem Fishery Restoration Final Environmental Impact Statement/Environmental Impact Report dated December 2000.

(1) A maximum of 369,000 acre-feet in a "Critically Dry" year.

(2) A maximum of 453,000 acre-feet in a "Dry" year.

(3) A maximum of 647,000 acre-feet in a "Normal" year.

(4) A maximum of 701,000 acre-feet in a "Wet" year.

(5) A maximum of 815,000 acre-feet in an "Extremely Wet" year.

#### SEC. 403. REPORT ON RESULTS OF WATER USAGE.

The Secretary of the Interior, in consultation with the Secretary of Commerce and the Secretary of Natural Resources of the State of California, shall publish an annual report detailing instream flow releases from the Central Valley Project and California State Water Project, their explicit purpose and authority, and all measured environmental benefit as a result of the releases.



**SEC. 404. KLAMATH PROJECT CONSULTATION APPLICANTS.**

If the Bureau of Reclamation initiates or initiates consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service under section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)), with respect to construction or operation of the Klamath Project (or any part thereof), Klamath Project contractors shall be accorded all the rights and responsibilities extended to applicants in the consultation process. Upon request of the Klamath Project contractors, they may be represented through an association or organization.

**SEC. 405. CA STATE WATER RESOURCES CONTROL BOARD.**

(a) IN GENERAL.—In carrying out this Act, the Secretaries shall—

(1) recognize Congressional opposition to the violation of private property rights by the California State Water Resources Control Board in their proposal to require a minimum percentage of unimpaired flows in the main tributaries of the San Joaquin River; and

(2) recognize the need to provide reliable water supplies to municipal, industrial, and agricultural users across the State.

**TITLE V—WATER SUPPLY PERMITTING ACT****SEC. 501. SHORT TITLE.**

This title may be cited as the “Water Supply Permitting Coordination Act”.

**SEC. 502. DEFINITIONS.**

In this title:

(1) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(2) BUREAU.—The term “Bureau” means the Bureau of Reclamation.

(3) QUALIFYING PROJECTS.—The term “qualifying projects”—

(A) means new surface water storage projects in the States covered under the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.) constructed on lands administered by the Department of the Interior or the Department of Agriculture, exclusive of any easement, right-of-way, lease, or any private holding, unless the project applicant elects not to participate in the process authorized by this Act; and

(B) includes State-led storage projects (as defined in section 4007(a)(2) of the WIIN Act) for new surface water storage projects in the States covered under the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.) constructed on lands administered by the Department of the Interior or the Department of Agriculture, exclusive of any easement, right-of-way, lease, or any private holding, unless the project applicant elects not to participate in the process authorized by this Act.

(4) COOPERATING AGENCIES.—The term “cooperating agency” means a Federal agency with jurisdiction over a review, analysis, opinion, statement, permit, license, or other approval or decision required for a qualifying project under applicable Federal laws and regulations, or a State agency subject to section 503(c).

**SEC. 503. ESTABLISHMENT OF LEAD AGENCY AND COOPERATING AGENCIES.**

(a) ESTABLISHMENT OF LEAD AGENCY.—The Bureau of Reclamation is established as the lead agency for purposes of coordinating all reviews, analyses, opinions, statements, permits, licenses, or other approvals or decisions required under Federal law to construct qualifying projects.

(b) IDENTIFICATION AND ESTABLISHMENT OF COOPERATING AGENCIES.—The Commissioner of the Bureau shall—

(1) identify, as early as practicable upon receipt of an application for a qualifying project,

any Federal agency that may have jurisdiction over a review, analysis, opinion, statement, permit, license, approval, or decision required for a qualifying project under applicable Federal laws and regulations; and

(2) notify any such agency, within a reasonable timeframe, that the agency has been designated as a cooperating agency in regards to the qualifying project unless that agency responds to the Bureau in writing, within a timeframe set forth by the Bureau, notifying the Bureau that the agency—

(A) has no jurisdiction or authority with respect to the qualifying project;

(B) has no expertise or information relevant to the qualifying project or any review, analysis, opinion, statement, permit, license, or other approval or decision associated therewith; or

(C) does not intend to submit comments on the qualifying project or conduct any review of such a project or make any decision with respect to such project in a manner other than in cooperation with the Bureau.

(c) STATE AUTHORITY.—A State in which a qualifying project is being considered may choose, consistent with State law—

(1) to participate as a cooperating agency; and

(2) to make subject to the processes of this title all State agencies that—

(A) have jurisdiction over the qualifying project;

(B) are required to conduct or issue a review, analysis, or opinion for the qualifying project; or

(C) are required to make a determination on issuing a permit, license, or approval for the qualifying project.

**SEC. 504. BUREAU RESPONSIBILITIES.**

(a) IN GENERAL.—The principal responsibilities of the Bureau under this title are to—

(1) serve as the point of contact for applicants, State agencies, Indian tribes, and others regarding proposed qualifying projects;

(2) coordinate preparation of unified environmental documentation that will serve as the basis for all Federal decisions necessary to authorize the use of Federal lands for qualifying projects; and

(3) coordinate all Federal agency reviews necessary for project development and construction of qualifying projects.

(b) COORDINATION PROCESS.—The Bureau shall have the following coordination responsibilities:

(1) PRE-APPLICATION COORDINATION.—Notify cooperating agencies of proposed qualifying projects not later than 30 days after receipt of a proposal and facilitate a preapplication meeting for prospective applicants, relevant Federal and State agencies, and Indian tribes to—

(A) explain applicable processes, data requirements, and applicant submissions necessary to complete the required Federal agency reviews within the timeframe established; and

(B) establish the schedule for the qualifying project.

(2) CONSULTATION WITH COOPERATING AGENCIES.—Consult with the cooperating agencies throughout the Federal agency review process, identify and obtain relevant data in a timely manner, and set necessary deadlines for cooperating agencies.

(3) SCHEDULE.—Work with the qualifying project applicant and cooperating agencies to establish a project schedule. In establishing the schedule, the Bureau shall consider, among other factors—

(A) the responsibilities of cooperating agencies under applicable laws and regulations;

(B) the resources available to the cooperating agencies and the non-Federal qualifying project sponsor, as applicable;

(C) the overall size and complexity of the qualifying project;

(D) the overall schedule for and cost of the qualifying project; and

(E) the sensitivity of the natural and historic resources that may be affected by the qualifying project.

(4) ENVIRONMENTAL COMPLIANCE.—Prepare a unified environmental review document for each qualifying project application, incorporating a single environmental record on which all cooperating agencies with authority to issue approvals for a given qualifying project shall base project approval decisions. Help ensure that cooperating agencies make necessary decisions, within their respective authorities, regarding Federal approvals in accordance with the following timelines:

(A) Not later than one year after acceptance of a completed project application when an environmental assessment and finding of no significant impact is determined to be the appropriate level of review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) Not later than one year and 30 days after the close of the public comment period for a draft environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), when an environmental impact statement is required under the same.

(5) CONSOLIDATED ADMINISTRATIVE RECORD.—Maintain a consolidated administrative record of the information assembled and used by the cooperating agencies as the basis for agency decisions.

(6) PROJECT DATA RECORDS.—To the extent practicable and consistent with Federal law, ensure that all project data is submitted and maintained in generally accessible electronic format, compile, and where authorized under existing law, make available such project data to cooperating agencies, the qualifying project applicant, and to the public.

(7) PROJECT MANAGER.—Appoint a project manager for each qualifying project. The project manager shall have authority to oversee the project and to facilitate the issuance of the relevant final authorizing documents, and shall be responsible for ensuring fulfillment of all Bureau responsibilities set forth in this section and all cooperating agency responsibilities under section 505.

**SEC. 505. COOPERATING AGENCY RESPONSIBILITIES.**

(a) ADHERENCE TO BUREAU SCHEDULE.—Upon notification of an application for a qualifying project, all cooperating agencies shall submit to the Bureau a timeframe under which the cooperating agency reasonably considers it will be able to complete its authorizing responsibilities. The Bureau shall use the timeframe submitted under this subsection to establish the project schedule under section 504, and the cooperating agencies shall adhere to the project schedule established by the Bureau.

(b) ENVIRONMENTAL RECORD.—Cooperating agencies shall submit to the Bureau all environmental review material produced or compiled in the course of carrying out activities required under Federal law consistent with the project schedule established by the Bureau.

(c) DATA SUBMISSION.—To the extent practicable and consistent with Federal law, the cooperating agencies shall submit all relevant project data to the Bureau in a generally accessible electronic format subject to the project schedule set forth by the Bureau.

**SEC. 506. FUNDING TO PROCESS PERMITS.**

(a) IN GENERAL.—The Secretary, after public notice in accordance with subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the “Administrative Procedure Act”), may accept and expend funds contributed by a non-Federal public entity to expedite the evaluation of a permit of that entity related to a qualifying project.



## (b) EFFECT ON PERMITTING.—

(1) IN GENERAL.—In carrying out this section, the Secretary shall ensure that the use of funds accepted under subsection (a) will not impact impartial decisionmaking with respect to permits, either substantively or procedurally.

(2) EVALUATION OF PERMITS.—In carrying out this section, the Secretary shall ensure that the evaluation of permits carried out using funds accepted under this section shall—

(A) be reviewed by the Regional Director of the Bureau, or the Regional Director's designee, of the region in which the qualifying project or activity is located; and

(B) use the same procedures for decisions that would otherwise be required for the evaluation of permits for similar projects or activities not carried out using funds authorized under this section.

(3) IMPARTIAL DECISIONMAKING.—In carrying out this section, the Secretary and the cooperating agencies receiving funds under this section for qualifying projects shall ensure that the use of the funds accepted under this section for such projects shall not—

(A) impact impartial decisionmaking with respect to the issuance of permits, either substantively or procedurally; or

(B) diminish, modify, or otherwise affect the statutory or regulatory authorities of such agencies.

(c) LIMITATION ON USE OF FUNDS.—None of the funds accepted under this section shall be used to carry out a review of the evaluation of permits required under subsection (a)(2)(A).

(d) PUBLIC AVAILABILITY.—The Secretary shall ensure that all final permit decisions carried out using funds authorized under this section are made available to the public, including on the Internet.

## TITLE VI—BUREAU OF RECLAMATION PROJECT STREAMLINING

### SEC. 601. SHORT TITLE.

This title may be cited as the “Bureau of Reclamation Project Streamlining Act”.

### SEC. 602. DEFINITIONS.

In this title:

(1) ENVIRONMENTAL IMPACT STATEMENT.—The term “environmental impact statement” means the detailed statement of environmental impacts of a project required to be prepared pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) ENVIRONMENTAL REVIEW PROCESS.—

(A) IN GENERAL.—The term “environmental review process” means the process of preparing an environmental impact statement, environmental assessment, categorical exclusion, or other document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a project study.

(B) INCLUSIONS.—The term “environmental review process” includes the process for and completion of any environmental permit, approval, review, or study required for a project study under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(3) FEDERAL JURISDICTIONAL AGENCY.—The term “Federal jurisdictional agency” means a Federal agency with jurisdiction delegated by law, regulation, order, or otherwise over a review, analysis, opinion, statement, permit, license, or other approval or decision required for a project study under applicable Federal laws (including regulations).

(4) FEDERAL LEAD AGENCY.—The term “Federal lead agency” means the Bureau of Reclamation.

(5) PROJECT.—The term “project” means a surface water project, a project under the purview of title XVI of Public Law 102–575, or a rural water supply project investigated under Public Law 109–451 to be carried out, funded or

operated in whole or in part by the Secretary pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.).

(6) PROJECT SPONSOR.—The term “project sponsor” means a State, regional, or local authority or instrumentality or other qualifying entity, such as a water conservation district, irrigation district, water conservancy district, joint powers authority, mutual water company, canal company, rural water district or association, or any other entity that has the capacity to contract with the United States under Federal reclamation law.

(7) PROJECT STUDY.—The term “project study” means a feasibility study for a project carried out pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.).

(8) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(9) SURFACE WATER STORAGE.—The term “surface water storage” means any surface water reservoir or impoundment that would be owned, funded or operated in whole or in part by the Bureau of Reclamation or that would be integrated into a larger system owned, operated or administered in whole or in part by the Bureau of Reclamation.

### SEC. 603. ACCELERATION OF STUDIES.

(a) IN GENERAL.—To the extent practicable, a project study initiated by the Secretary, after the date of enactment of this Act, under the Reclamation Act of 1902 (32 Stat. 388), and all Acts amendatory thereof or supplementary thereto, shall—

(1) result in the completion of a final feasibility report not later than 3 years after the date of initiation;

(2) have a maximum Federal cost of \$3,000,000; and

(3) ensure that personnel from the local project area, region, and headquarters levels of the Bureau of Reclamation concurrently conduct the review required under this section.

(b) EXTENSION.—If the Secretary determines that a project study described in subsection (a) will not be conducted in accordance with subsection (a), the Secretary, not later than 30 days after the date of making the determination, shall—

(1) prepare an updated project study schedule and cost estimate;

(2) notify the non-Federal project cost-sharing partner that the project study has been delayed; and

(3) provide written notice to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate as to the reasons the requirements of subsection (a) are not attainable.

(c) EXCEPTION.—

(1) IN GENERAL.—Notwithstanding the requirements of subsection (a), the Secretary may extend the timeline of a project study by a period not to exceed 3 years, if the Secretary determines that the project study is too complex to comply with the requirements of subsection (a).

(2) FACTORS.—In making a determination that a study is too complex to comply with the requirements of subsection (a), the Secretary shall consider—

(A) the type, size, location, scope, and overall cost of the project;

(B) whether the project will use any innovative design or construction techniques;

(C) whether the project will require significant action by other Federal, State, or local agencies;

(D) whether there is significant public dispute as to the nature or effects of the project; and

(E) whether there is significant public dispute as to the economic or environmental costs or benefits of the project.

(3) NOTIFICATION.—Each time the Secretary makes a determination under this subsection,

the Secretary shall provide written notice to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate as to the results of that determination, including an identification of the specific one or more factors used in making the determination that the project is complex.

(4) LIMITATION.—The Secretary shall not extend the timeline for a project study for a period of more than 7 years, and any project study that is not completed before that date shall no longer be authorized.

(d) REVIEWS.—Not later than 90 days after the date of the initiation of a project study described in subsection (a), the Secretary shall—

(1) take all steps necessary to initiate the process for completing federally mandated reviews that the Secretary is required to complete as part of the study, including the environmental review process under section 805;

(2) convene a meeting of all Federal, tribal, and State agencies identified under section 605(d) that may—

(A) have jurisdiction over the project;

(B) be required by law to conduct or issue a review, analysis, opinion, or statement for the project study; or

(C) be required to make a determination on issuing a permit, license, or other approval or decision for the project study; and

(3) take all steps necessary to provide information that will enable required reviews and analyses related to the project to be conducted by other agencies in a thorough and timely manner.

(e) INTERIM REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate and make publicly available a report that describes—

(1) the status of the implementation of the planning process under this section, including the number of participating projects;

(2) a review of project delivery schedules, including a description of any delays on those studies initiated prior to the date of the enactment of this Act; and

(3) any recommendations for additional authority necessary to support efforts to expedite the project.

(f) FINAL REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate and make publicly available a report that describes—

(1) the status of the implementation of this section, including a description of each project study subject to the requirements of this section;

(2) the amount of time taken to complete each project study; and

(3) any recommendations for additional authority necessary to support efforts to expedite the project study process, including an analysis of whether the limitation established by subsection (a)(2) needs to be adjusted to address the impacts of inflation.

### SEC. 604. EXPEDITED COMPLETION OF REPORTS.

The Secretary shall—

(1) expedite the completion of any ongoing project study initiated before the date of enactment of this Act; and

(2) if the Secretary determines that the project is justified in a completed report, proceed directly to preconstruction planning, engineering, and design of the project in accordance with the Reclamation Act of 1902 (32 Stat. 388), and all Acts amendatory thereof or supplementary thereto.

### SEC. 605. PROJECT ACCELERATION.

(a) APPLICABILITY.—

(1) *IN GENERAL.*—This section shall apply to—  
(A) each project study that is initiated after the date of enactment of this Act and for which an environmental impact statement is prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the extent determined appropriate by the Secretary, to other project studies initiated before the date of enactment of this Act and for which an environmental review process document is prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) any project study for the development of a nonfederally owned and operated surface water storage project for which the Secretary determines there is a demonstrable Federal interest and the project—

(i) is located in a river basin where other Bureau of Reclamation water projects are located;

(ii) will create additional water supplies that support Bureau of Reclamation water projects; or

(iii) will become integrated into the operation of Bureau of Reclamation water projects.

(2) *FLEXIBILITY.*—Any authority granted under this section may be exercised, and any requirement established under this section may be satisfied, for the conduct of an environmental review process for a project study, a class of project studies, or a program of project studies.

(3) *LIST OF PROJECT STUDIES.*—

(A) *IN GENERAL.*—The Secretary shall annually prepare, and make publicly available, a list of all project studies that the Secretary has determined—

(i) meets the standards described in paragraph (1); and

(ii) does not have adequate funding to make substantial progress toward the completion of the project study.

(B) *INCLUSIONS.*—The Secretary shall include for each project study on the list under subparagraph (A) a description of the estimated amounts necessary to make substantial progress on the project study.

(b) *PROJECT REVIEW PROCESS.*—

(1) *IN GENERAL.*—The Secretary shall develop and implement a coordinated environmental review process for the development of project studies.

(2) *COORDINATED REVIEW.*—The coordinated environmental review process described in paragraph (1) shall require that any review, analysis, opinion, statement, permit, license, or other approval or decision issued or made by a Federal, State, or local governmental agency or an Indian tribe for a project study described in subsection (b) be conducted, to the maximum extent practicable, concurrently with any other applicable governmental agency or Indian tribe.

(3) *TIMING.*—The coordinated environmental review process under this subsection shall be completed not later than the date on which the Secretary, in consultation and concurrence with the agencies identified under section 705(d), establishes with respect to the project study.

(c) *LEAD AGENCIES.*—

(1) *JOINT LEAD AGENCIES.*—

(A) *IN GENERAL.*—Subject to the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the requirements of section 1506.8 of title 40, Code of Federal Regulations (or successor regulations), including the concurrence of the proposed joint lead agency, a project sponsor may serve as the joint lead agency.

(B) *PROJECT SPONSOR AS JOINT LEAD AGENCY.*—A project sponsor that is a State or local governmental entity may—

(i) with the concurrence of the Secretary, serve as a joint lead agency with the Federal lead agency for purposes of preparing any environmental document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(ii) prepare any environmental review process document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) required in support of any action or approval by the Secretary if—

(I) the Secretary provides guidance in the preparation process and independently evaluates that document;

(II) the project sponsor complies with all requirements applicable to the Secretary under—  
(aa) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(bb) any regulation implementing that Act; and

(cc) any other applicable Federal law; and

(III) the Secretary approves and adopts the document before the Secretary takes any subsequent action or makes any approval based on that document, regardless of whether the action or approval of the Secretary results in Federal funding.

(2) *DUTIES.*—The Secretary shall ensure that—

(A) the project sponsor complies with all design and mitigation commitments made jointly by the Secretary and the project sponsor in any environmental document prepared by the project sponsor in accordance with this subsection; and

(B) any environmental document prepared by the project sponsor is appropriately supplemented to address any changes to the project the Secretary determines are necessary.

(3) *ADOPTION AND USE OF DOCUMENTS.*—Any environmental document prepared in accordance with this subsection shall be adopted and used by any Federal agency making any determination related to the project study to the same extent that the Federal agency could adopt or use a document prepared by another Federal agency under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

(4) *ROLES AND RESPONSIBILITY OF LEAD AGENCY.*—With respect to the environmental review process for any project study, the Federal lead agency shall have authority and responsibility—

(A) to take such actions as are necessary and proper and within the authority of the Federal lead agency to facilitate the expeditious resolution of the environmental review process for the project study; and

(B) to prepare or ensure that any required environmental impact statement or other environmental review document for a project study required to be completed under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is completed in accordance with this section and applicable Federal law.

(d) *PARTICIPATING AND COOPERATING AGENCIES.*—

(1) *IDENTIFICATION OF JURISDICTIONAL AGENCIES.*—With respect to carrying out the environmental review process for a project study, the Secretary shall identify, as early as practicable in the environmental review process, all Federal, State, and local government agencies and Indian tribes that may—

(A) have jurisdiction over the project;

(B) be required by law to conduct or issue a review, analysis, opinion, or statement for the project study; or

(C) be required to make a determination on issuing a permit, license, or other approval or decision for the project study.

(2) *STATE AUTHORITY.*—If the environmental review process is being implemented by the Secretary for a project study within the boundaries of a State, the State, consistent with State law, may choose to participate in the process and to

make subject to the process all State agencies that—

(A) have jurisdiction over the project;

(B) are required to conduct or issue a review, analysis, opinion, or statement for the project study; or

(C) are required to make a determination on issuing a permit, license, or other approval or decision for the project study.

(3) *INVITATION.*—

(A) *IN GENERAL.*—The Federal lead agency shall invite, as early as practicable in the environmental review process, any agency identified under paragraph (1) to become a participating or cooperating agency, as applicable, in the environmental review process for the project study.

(B) *DEADLINE.*—An invitation to participate issued under subparagraph (A) shall set a deadline by which a response to the invitation shall be submitted, which may be extended by the Federal lead agency for good cause.

(4) *PROCEDURES.*—Section 1501.6 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the Bureau of Reclamation Project Streamlining Act), shall govern the identification and the participation of a cooperating agency.

(5) *FEDERAL COOPERATING AGENCIES.*—Any Federal agency that is invited by the Federal lead agency to participate in the environmental review process for a project study shall be designated as a cooperating agency by the Federal lead agency unless the invited agency informs the Federal lead agency, in writing, by the deadline specified in the invitation that the invited agency—

(A)(i) has no jurisdiction or authority with respect to the project;

(ii) has no expertise or information relevant to the project; or

(iii) does not have adequate funds to participate in the project; and

(B) does not intend to submit comments on the project.

(6) *ADMINISTRATION.*—A participating or cooperating agency shall comply with this section and any schedule established under this section.

(7) *EFFECT OF DESIGNATION.*—Designation as a participating or cooperating agency under this subsection shall not imply that the participating or cooperating agency—

(A) supports a proposed project; or

(B) has any jurisdiction over, or special expertise with respect to evaluation of, the project.

(8) *CONCURRENT REVIEWS.*—Each participating or cooperating agency shall—

(A) carry out the obligations of that agency under other applicable law concurrently and in conjunction with the required environmental review process, unless doing so would prevent the participating or cooperating agency from conducting needed analysis or otherwise carrying out those obligations; and

(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

(e) *NON-FEDERAL PROJECTS INTEGRATED INTO RECLAMATION SYSTEMS.*—The Federal lead agency shall serve in that capacity for the entirety of all non-Federal projects that will be integrated into a larger system owned, operated or administered in whole or in part by the Bureau of Reclamation.

(f) *NON-FEDERAL PROJECT.*—If the Secretary determines that a project can be expedited by a non-Federal sponsor and that there is a demonstrable Federal interest in expediting that project, the Secretary shall take such actions as are necessary to advance such a project as a non-Federal project, including, but not limited to, entering into agreements with the non-Federal sponsor of such project to support the planning, design and permitting of such project as a non-Federal project.

## (g) PROGRAMMATIC COMPLIANCE.—

(1) IN GENERAL.—The Secretary shall issue guidance regarding the use of programmatic approaches to carry out the environmental review process that—

(A) eliminates repetitive discussions of the same issues;

(B) focuses on the actual issues ripe for analyses at each level of review;

(C) establishes a formal process for coordinating with participating and cooperating agencies, including the creation of a list of all data that are needed to carry out an environmental review process; and

(D) complies with—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(ii) all other applicable laws.

(2) REQUIREMENTS.—In carrying out paragraph (1), the Secretary shall—

(A) as the first step in drafting guidance under that paragraph, consult with relevant Federal, State, and local governmental agencies, Indian tribes, and the public on the appropriate use and scope of the programmatic approaches;

(B) emphasize the importance of collaboration among relevant Federal, State, and local governmental agencies, and Indian tribes in undertaking programmatic reviews, especially with respect to including reviews with a broad geographical scope;

(C) ensure that the programmatic reviews—

(i) promote transparency, including of the analyses and data used in the environmental review process, the treatment of any deferred issues raised by Federal, State, and local governmental agencies, Indian tribes, or the public, and the temporal and special scales to be used to analyze those issues;

(ii) use accurate and timely information in the environmental review process, including—

(I) criteria for determining the general duration of the usefulness of the review; and

(II) the timeline for updating any out-of-date review;

(iii) describe—

(I) the relationship between programmatic analysis and future tiered analysis; and

(II) the role of the public in the creation of future tiered analysis; and

(iv) are available to other relevant Federal, State, and local governmental agencies, Indian tribes, and the public;

(D) allow not fewer than 60 days of public notice and comment on any proposed guidance; and

(E) address any comments received under subparagraph (D).

## (h) COORDINATED REVIEWS.—

## (1) COORDINATION PLAN.—

(A) ESTABLISHMENT.—The Federal lead agency shall, after consultation with and with the concurrence of each participating and cooperating agency and the project sponsor or joint lead agency, as applicable, establish a plan for coordinating public and agency participation in, and comment on, the environmental review process for a project study or a category of project studies.

## (B) SCHEDULE.—

(i) IN GENERAL.—As soon as practicable but not later than 45 days after the close of the public comment period on a draft environmental impact statement, the Federal lead agency, after consultation with and the concurrence of each participating and cooperating agency and the project sponsor or joint lead agency, as applicable, shall establish, as part of the coordination plan established in subparagraph (A), a schedule for completion of the environmental review process for the project study.

(ii) FACTORS FOR CONSIDERATION.—In establishing a schedule, the Secretary shall consider factors such as—

(I) the responsibilities of participating and cooperating agencies under applicable laws;

(II) the resources available to the project sponsor, joint lead agency, and other relevant Federal and State agencies, as applicable;

(III) the overall size and complexity of the project;

(IV) the overall schedule for and cost of the project; and

(V) the sensitivity of the natural and historical resources that could be affected by the project.

## (iii) MODIFICATIONS.—The Secretary may—

(I) lengthen a schedule established under clause (i) for good cause; and

(II) shorten a schedule only with concurrence of the affected participating and cooperating agencies and the project sponsor or joint lead agency, as applicable.

(iv) DISSEMINATION.—A copy of a schedule established under clause (i) shall be—

(I) provided to each participating and cooperating agency and the project sponsor or joint lead agency, as applicable; and

(II) made available to the public.

(2) COMMENT DEADLINES.—The Federal lead agency shall establish the following deadlines for comment during the environmental review process for a project study:

(A) DRAFT ENVIRONMENTAL IMPACT STATEMENTS.—For comments by Federal and State agencies and the public on a draft environmental impact statement, a period of not more than 60 days after publication in the Federal Register of notice of the date of public availability of the draft environmental impact statement, unless—

(i) a different deadline is established by agreement of the Federal lead agency, the project sponsor or joint lead agency, as applicable, and all participating and cooperating agencies; or

(ii) the deadline is extended by the Federal lead agency for good cause.

(B) OTHER ENVIRONMENTAL REVIEW PROCESSES.—For all other comment periods established by the Federal lead agency for agency or public comments in the environmental review process, a period of not more than 30 days after the date on which the materials on which comment is requested are made available, unless—

(i) a different deadline is established by agreement of the Federal lead agency, the project sponsor, or joint lead agency, as applicable, and all participating and cooperating agencies; or

(ii) the deadline is extended by the Federal lead agency for good cause.

(3) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—In any case in which a decision under any Federal law relating to a project study, including the issuance or denial of a permit or license, is required to be made by the date described in subsection (i)(5)(B), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate—

(A) as soon as practicable after the 180-day period described in subsection (i)(5)(B), an initial notice of the failure of the Federal agency to make the decision; and

(B) every 60 days thereafter until such date as all decisions of the Federal agency relating to the project study have been made by the Federal agency, an additional notice that describes the number of decisions of the Federal agency that remain outstanding as of the date of the additional notice.

(4) INVOLVEMENT OF THE PUBLIC.—Nothing in this subsection reduces any time period provided for public comment in the environmental review process under applicable Federal law (including regulations).

## (5) TRANSPARENCY REPORTING.—

(A) REPORTING REQUIREMENTS.—Not later than 1 year after the date of enactment of this

Act, the Secretary shall establish and maintain an electronic database and, in coordination with other Federal and State agencies, issue reporting requirements to make publicly available the status and progress with respect to compliance with applicable requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other Federal, State, or local approval or action required for a project study for which this section is applicable.

(B) PROJECT STUDY TRANSPARENCY.—Consistent with the requirements established under subparagraph (A), the Secretary shall make publicly available the status and progress of any Federal, State, or local decision, action, or approval required under applicable laws for each project study for which this section is applicable.

## (i) ISSUE IDENTIFICATION AND RESOLUTION.—

(1) COOPERATION.—The Federal lead agency, the cooperating agencies, and any participating agencies shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of the environmental review process or result in the denial of any approval required for the project study under applicable laws.

## (2) FEDERAL LEAD AGENCY RESPONSIBILITIES.—

(A) IN GENERAL.—The Federal lead agency shall make information available to the cooperating agencies and participating agencies as early as practicable in the environmental review process regarding the environmental and socioeconomic resources located within the project area and the general locations of the alternatives under consideration.

(B) DATA SOURCES.—The information under subparagraph (A) may be based on existing data sources, including geographic information systems mapping.

(3) COOPERATING AND PARTICIPATING AGENCY RESPONSIBILITIES.—Based on information received from the Federal lead agency, cooperating and participating agencies shall identify, as early as practicable, any issues of concern regarding the potential environmental or socioeconomic impacts of the project, including any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project study.

## (4) ACCELERATED ISSUE RESOLUTION AND ELEVATION.—

(A) IN GENERAL.—On the request of a participating or cooperating agency or project sponsor, the Secretary shall convene an issue resolution meeting with the relevant participating and cooperating agencies and the project sponsor or joint lead agency, as applicable, to resolve issues that may—

(i) delay completion of the environmental review process; or

(ii) result in denial of any approval required for the project study under applicable laws.

(B) MEETING DATE.—A meeting requested under this paragraph shall be held not later than 21 days after the date on which the Secretary receives the request for the meeting, unless the Secretary determines that there is good cause to extend that deadline.

(C) NOTIFICATION.—On receipt of a request for a meeting under this paragraph, the Secretary shall notify all relevant participating and cooperating agencies of the request, including the issue to be resolved and the date for the meeting.

(D) ELEVATION OF ISSUE RESOLUTION.—If a resolution cannot be achieved within the 30-day period beginning on the date of a meeting under this paragraph and a determination is made by the Secretary that all information necessary to resolve the issue has been obtained, the Secretary shall forward the dispute to the heads of the relevant agencies for resolution.

(E) CONVENTION BY SECRETARY.—The Secretary may convene an issue resolution meeting under this paragraph at any time, at the discretion of the Secretary, regardless of whether a meeting is requested under subparagraph (A).

(5) FINANCIAL PENALTY PROVISIONS.—

(A) IN GENERAL.—A Federal jurisdictional agency shall complete any required approval or decision for the environmental review process on an expeditious basis using the shortest existing applicable process.

(B) FAILURE TO DECIDE.—

(i) IN GENERAL.—

(I) TRANSFER OF FUNDS.—If a Federal jurisdictional agency fails to render a decision required under any Federal law relating to a project study that requires the preparation of an environmental impact statement or environmental assessment, including the issuance or denial of a permit, license, statement, opinion, or other approval by the date described in clause (ii), the amount of funds made available to support the office of the head of the Federal jurisdictional agency shall be reduced by an amount of funding equal to the amount specified in item (aa) or (bb) of subclause (II), and those funds shall be made available to the division of the Federal jurisdictional agency charged with rendering the decision by not later than 1 day after the applicable date under clause (ii), and once each week thereafter until a final decision is rendered, subject to subparagraph (C).

(II) AMOUNT TO BE TRANSFERRED.—The amount referred to in subclause (I) is—

(aa) \$20,000 for any project study requiring the preparation of an environmental assessment or environmental impact statement; or

(bb) \$10,000 for any project study requiring any type of review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) other than an environmental assessment or environmental impact statement.

(ii) DESCRIPTION OF DATE.—The date referred to in clause (i) is the later of—

(I) the date that is 180 days after the date on which an application for the permit, license, or approval is complete; and

(II) the date that is 180 days after the date on which the Federal lead agency issues a decision on the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(C) LIMITATIONS.—

(i) IN GENERAL.—No transfer of funds under subparagraph (B) relating to an individual project study shall exceed, in any fiscal year, an amount equal to 1 percent of the funds made available for the applicable agency office.

(ii) FAILURE TO DECIDE.—The total amount transferred in a fiscal year as a result of a failure by an agency to make a decision by an applicable deadline shall not exceed an amount equal to 5 percent of the funds made available for the applicable agency office for that fiscal year.

(iii) AGGREGATE.—Notwithstanding any other provision of law, for each fiscal year, the aggregate amount of financial penalties assessed against each applicable agency office under this title and any other Federal law as a result of a failure of the agency to make a decision by an applicable deadline for environmental review, including the total amount transferred under this paragraph, shall not exceed an amount equal to 9.5 percent of the funds made available for the agency office for that fiscal year.

(D) NOTIFICATION OF TRANSFERS.—Not later than 10 days after the last date in a fiscal year on which funds of the Federal jurisdictional agency may be transferred under subparagraph (B)(5) with respect to an individual decision, the agency shall submit to the appropriate committees of the House of Representatives and the Senate written notification that includes a description of—

(i) the decision;

(ii) the project study involved;

(iii) the amount of each transfer under subparagraph (B) in that fiscal year relating to the decision;

(iv) the total amount of all transfers under subparagraph (B) in that fiscal year relating to the decision; and

(v) the total amount of all transfers of the agency under subparagraph (B) in that fiscal year.

(E) NO FAULT OF AGENCY.—

(i) IN GENERAL.—A transfer of funds under this paragraph shall not be made if the applicable agency described in subparagraph (A) notifies, with a supporting explanation, the Federal lead agency, cooperating agencies, and project sponsor, as applicable, that—

(I) the agency has not received necessary information or approvals from another entity in a manner that affects the ability of the agency to meet any requirements under Federal, State, or local law;

(II) significant new information, including from public comments, or circumstances, including a major modification to an aspect of the project, requires additional analysis for the agency to make a decision on the project application; or

(III) the agency lacks the financial resources to complete the review under the scheduled timeframe, including a description of the number of full-time employees required to complete the review, the amount of funding required to complete the review, and a justification as to why not enough funding is available to complete the review by the deadline.

(ii) LACK OF FINANCIAL RESOURCES.—If the agency provides notice under clause (i)(III), the Inspector General of the agency shall—

(I) conduct a financial audit to review the notice; and

(II) not later than 90 days after the date on which the review described in subclause (I) is completed, submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the results of the audit conducted under subclause (I).

(F) LIMITATION.—The Federal agency from which funds are transferred pursuant to this paragraph shall not reprogram funds to the office of the head of the agency, or equivalent office, to reimburse that office for the loss of the funds.

(G) EFFECT OF PARAGRAPH.—Nothing in this paragraph affects or limits the application of, or obligation to comply with, any Federal, State, local, or tribal law.

(j) MEMORANDUM OF AGREEMENTS FOR EARLY COORDINATION.—

(I) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the Secretary and other Federal agencies with relevant jurisdiction in the environmental review process should cooperate with each other, State and local agencies, and Indian tribes on environmental review and Bureau of Reclamation project delivery activities at the earliest practicable time to avoid delays and duplication of effort later in the process, prevent potential conflicts, and ensure that planning and project development decisions reflect environmental values; and

(B) the cooperation referred to in subparagraph (A) should include the development of policies and the designation of staff that advise planning agencies and project sponsors of studies or other information foreseeably required for later Federal action and early consultation with appropriate State and local agencies and Indian tribes.

(2) TECHNICAL ASSISTANCE.—If requested at any time by a State or project sponsor, the Sec-

retary and other Federal agencies with relevant jurisdiction in the environmental review process, shall, to the maximum extent practicable and appropriate, as determined by the agencies, provide technical assistance to the State or project sponsor in carrying out early coordination activities.

(3) MEMORANDUM OF AGENCY AGREEMENT.—If requested at any time by a State or project sponsor, the Federal lead agency, in consultation with other Federal agencies with relevant jurisdiction in the environmental review process, may establish memoranda of agreement with the project sponsor, Indian tribes, State and local governments, and other appropriate entities to carry out the early coordination activities, including providing technical assistance in identifying potential impacts and mitigation issues in an integrated fashion.

(k) LIMITATIONS.—Nothing in this section preempts or interferes with—

(I) any obligation to comply with the provisions of any Federal law, including—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) any other Federal environmental law;

(2) the reviewability of any final Federal agency action in a court of the United States or in the court of any State;

(3) any requirement for seeking, considering, or responding to public comment; or

(4) any power, jurisdiction, responsibility, duty, or authority that a Federal, State, or local governmental agency, Indian tribe, or project sponsor has with respect to carrying out a project or any other provision of law applicable to projects.

(l) TIMING OF CLAIMS.—

(I) TIMING.—

(A) IN GENERAL.—Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of a permit, license, or other approval issued by a Federal agency for a project study shall be barred unless the claim is filed not later than 3 years after publication of a notice in the Federal Register announcing that the permit, license, or other approval is final pursuant to the law under which the agency action is taken, unless a shorter time is specified in the Federal law that allows judicial review.

(B) APPLICABILITY.—Nothing in this subsection creates a right to judicial review or places any limit on filing a claim that a person has violated the terms of a permit, license, or other approval.

(2) NEW INFORMATION.—

(A) IN GENERAL.—The Secretary shall consider new information received after the close of a comment period if the information satisfies the requirements for a supplemental environmental impact statement under title 40, Code of Federal Regulations (including successor regulations).

(B) SEPARATE ACTION.—The preparation of a supplemental environmental impact statement or other environmental document, if required under this section, shall be considered a separate final agency action and the deadline for filing a claim for judicial review of the action shall be 3 years after the date of publication of a notice in the Federal Register announcing the action relating to such supplemental environmental impact statement or other environmental document.

(m) CATEGORICAL EXCLUSIONS.—

(I) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(A) survey the use by the Bureau of Reclamation of categorical exclusions in projects since 2005;

(B) publish a review of the survey that includes a description of—

(i) the types of actions that were categorically excluded or could be the basis for developing a new categorical exclusion; and

(ii) any requests previously received by the Secretary for new categorical exclusions; and  
(C) solicit requests from other Federal agencies and project sponsors for new categorical exclusions.

(2) **NEW CATEGORICAL EXCLUSIONS.**—Not later than 1 year after the date of enactment of this Act, if the Secretary has identified a category of activities that merit establishing a categorical exclusion that did not exist on the day before the date of enactment this Act based on the review under paragraph (1), the Secretary shall publish a notice of proposed rulemaking to propose that new categorical exclusion, to the extent that the categorical exclusion meets the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations (or successor regulation).

(n) **REVIEW OF PROJECT ACCELERATION REFORMS.**—

(1) **IN GENERAL.**—The Comptroller General of the United States shall—

(A) assess the reforms carried out under this section; and

(B) not later than 5 years and not later than 10 years after the date of enactment of this Act, submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes the results of the assessment.

(2) **CONTENTS.**—The reports under paragraph (1) shall include an evaluation of impacts of the reforms carried out under this section on—

- (A) project delivery;
- (B) compliance with environmental laws; and
- (C) the environmental impact of projects.

(o) **PERFORMANCE MEASUREMENT.**—The Secretary shall establish a program to measure and report on progress made toward improving and expediting the planning and environmental review process.

(p) **CATEGORICAL EXCLUSIONS IN EMERGENCIES.**—For the repair, reconstruction, or rehabilitation of a Bureau of Reclamation surface water storage project that is in operation or under construction when damaged by an event or incident that results in a declaration by the President of a major disaster or emergency pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Secretary shall treat such repair, reconstruction, or rehabilitation activity as a class of action categorically excluded from the requirements relating to environmental assessments or environmental impact statements under section 1508.4 of title 40, Code of Federal Regulations (or successor regulations), if the repair or reconstruction activity is—

(1) in the same location with the same capacity, dimensions, and design as the original Bureau of Reclamation surface water storage project as before the declaration described in this section; and

(2) commenced within a 2-year period beginning on the date of a declaration described in this subsection.

#### SEC. 606. ANNUAL REPORT TO CONGRESS.

(a) **IN GENERAL.**—Not later than February 1 of each year, the Secretary shall develop and submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an annual report, to be entitled “Report to Congress on Future Water Project Development”, that identifies the following:

(1) **PROJECT REPORTS.**—Each project report that meets the criteria established in subsection (c)(1)(A).

(2) **PROPOSED PROJECT STUDIES.**—Any proposed project study submitted to the Secretary by a non-Federal interest pursuant to subsection (b) that meets the criteria established in subsection (c)(1)(A).

(3) **PROPOSED MODIFICATIONS.**—Any proposed modification to an authorized water project or project study that meets the criteria established in subsection (c)(1)(A) that—

(A) is submitted to the Secretary by a non-Federal interest pursuant to subsection (b); or  
(B) is identified by the Secretary for authorization.

(4) **EXPEDITED COMPLETION OF REPORT AND DETERMINATIONS.**—Any project study that was expedited and any Secretarial determinations under section 804.

(b) **REQUESTS FOR PROPOSALS.**—

(1) **PUBLICATION.**—Not later than May 1 of each year, the Secretary shall publish in the Federal Register a notice requesting proposals from non-Federal interests for proposed project studies and proposed modifications to authorized projects and project studies to be included in the annual report.

(2) **DEADLINE FOR REQUESTS.**—The Secretary shall include in each notice required by this subsection a requirement that non-Federal interests submit to the Secretary any proposals described in paragraph (1) by not later than 120 days after the date of publication of the notice in the Federal Register in order for the proposals to be considered for inclusion in the annual report.

(3) **NOTIFICATION.**—On the date of publication of each notice required by this subsection, the Secretary shall—

(A) make the notice publicly available, including on the Internet; and

(B) provide written notification of the publication to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(c) **CONTENTS.**—

(1) **PROJECT REPORTS, PROPOSED PROJECT STUDIES, AND PROPOSED MODIFICATIONS.**—

(A) **CRITERIA FOR INCLUSION IN REPORT.**—The Secretary shall include in the annual report only those project reports, proposed project studies, and proposed modifications to authorized projects and project studies that—

- (i) are related to the missions and authorities of the Bureau of Reclamation;
- (ii) require specific congressional authorization, including by an Act of Congress;
- (iii) have not been congressionally authorized;
- (iv) have not been included in any previous annual report; and
- (v) if authorized, could be carried out by the Bureau of Reclamation.

(B) **DESCRIPTION OF BENEFITS.**—

(i) **DESCRIPTION.**—The Secretary shall describe in the annual report, to the extent applicable and practicable, for each proposed project study and proposed modification to an authorized water resources development project or project study included in the annual report, the benefits, as described in clause (ii), of each such study or proposed modification.

(ii) **BENEFITS.**—The benefits (or expected benefits, in the case of a proposed project study) described in this clause are benefits to—

- (I) the protection of human life and property;
- (II) improvement to domestic irrigated water and power supplies;
- (III) the national economy;
- (IV) the environment; or
- (V) the national security interests of the United States.

(C) **IDENTIFICATION OF OTHER FACTORS.**—The Secretary shall identify in the annual report, to the extent practicable—

(i) for each proposed project study included in the annual report, the non-Federal interest that submitted the proposed project study pursuant to subsection (b); and

(ii) for each proposed project study and proposed modification to a project or project study included in the annual report, whether the non-Federal interest has demonstrated—

(1) that local support exists for the proposed project study or proposed modification to an authorized project or project study (including the surface water storage development project that is the subject of the proposed feasibility study or the proposed modification to an authorized project study); and

(II) the financial ability to provide the required non-Federal cost share.

(2) **TRANSPARENCY.**—The Secretary shall include in the annual report, for each project report, proposed project study, and proposed modification to a project or project study included under paragraph (1)(A)—

(A) the name of the associated non-Federal interest, including the name of any non-Federal interest that has contributed, or is expected to contribute, a non-Federal share of the cost of—

- (i) the project report;
- (ii) the proposed project study;
- (iii) the authorized project study for which the modification is proposed; or
- (iv) construction of—

(I) the project that is the subject of—

- (aa) the water report;
- (bb) the proposed project study; or
- (cc) the authorized project study for which a modification is proposed; or

(II) the proposed modification to a project;

(B) a letter or statement of support for the water report, proposed project study, or proposed modification to a project or project study from each associated non-Federal interest;

(C) the purpose of the feasibility report, proposed feasibility study, or proposed modification to a project or project study;

(D) an estimate, to the extent practicable, of the Federal, non-Federal, and total costs of—

(i) the proposed modification to an authorized project study; and

(ii) construction of—

(I) the project that is the subject of—

- (aa) the project report; or
- (bb) the authorized project study for which a modification is proposed, with respect to the change in costs resulting from such modification; or

(II) the proposed modification to an authorized project; and

(E) an estimate, to the extent practicable, of the monetary and nonmonetary benefits of—

(i) the project that is the subject of—

- (I) the project report; or
- (II) the authorized project study for which a modification is proposed, with respect to the benefits of such modification; or
- (ii) the proposed modification to an authorized project.

(3) **CERTIFICATION.**—The Secretary shall include in the annual report a certification stating that each feasibility report, proposed feasibility study, and proposed modification to a project or project study included in the annual report meets the criteria established in paragraph (1)(A).

(4) **APPENDIX.**—The Secretary shall include in the annual report an appendix listing the proposals submitted under subsection (b) that were not included in the annual report under paragraph (1)(A) and a description of why the Secretary determined that those proposals did not meet the criteria for inclusion under such paragraph.

(d) **SPECIAL RULE FOR INITIAL ANNUAL REPORT.**—Notwithstanding any other deadlines required by this section, the Secretary shall—

(1) not later than 60 days after the date of enactment of this Act, publish in the Federal Register a notice required by subsection (b)(1); and

(2) include in such notice a requirement that non-Federal interests submit to the Secretary any proposals described in subsection (b)(1) by not later than 120 days after the date of publication of such notice in the Federal Register in

order for such proposals to be considered for inclusion in the first annual report developed by the Secretary under this section.

(e) **PUBLICATION.**—Upon submission of an annual report to Congress, the Secretary shall make the annual report publicly available, including through publication on the Internet.

(f) **DEFINITION.**—In this section, the term “project report” means a final feasibility report developed under the Reclamation Act of 1902 (32 Stat. 388), and all Acts amendatory thereof or supplementary thereto.

#### SEC. 607. APPLICABILITY OF WIIN ACT.

Sections 4007 and 4009 of the WIIN Act (Public Law 114–322) shall not apply to any project (as defined in section 602 of this Act).

### TITLE VII—WATER RIGHTS PROTECTION

#### SEC. 701. SHORT TITLE.

This title may be cited as the “Water Rights Protection Act of 2017”.

#### SEC. 702. DEFINITIONS.

In this title:

(1) **SECRETARY.**—The term “Secretary” means, as applicable—

- (A) the Secretary of Agriculture; or
- (B) the Secretary of the Interior.

(2) **WATER RIGHT.**—The term “water right” means any surface, groundwater, or storage use filed, permitted, certificated, confirmed, decreed, adjudicated, or otherwise recognized by a judicial proceeding or by the State in which the user acquires possession of the water or puts it to beneficial use. Such term shall include water rights for federally recognized Indian Tribes

#### SEC. 703. TREATMENT OF WATER RIGHTS.

The Secretary shall not—

(1) condition the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement on the transfer of any water right (including joint and sole ownership) directly or indirectly to the United States, or on any impairment of title or interest, in whole or in part, granted or otherwise recognized under State law, by Federal or State adjudication, decree, or other judgment, or pursuant to any interstate water compact; or

(2) require any water user (including any federally recognized Indian Tribe) to apply for or acquire a water right in the name of the United States under State law as a condition of the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement.

#### SEC. 704. POLICY DEVELOPMENT.

In developing any rule, policy, directive, management plan, or similar Federal action relating to the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement, the Secretary—

(1) shall—

(A) recognize the longstanding authority of the States relating to evaluating, protecting, allocating, regulating, permitting, and adjudicating water use; and

(B) coordinate with the States to ensure that any rule, policy, directive, management plan, or similar Federal action is consistent with, and imposes no greater restriction or regulatory requirement, than applicable State water law; and

(2) shall not—

(A) adversely affect—

- (i) the authority of a State in—
  - (I) permitting the beneficial use of water; or
  - (II) adjudicating water rights;
- (ii) any definition established by a State with respect to the term “beneficial use”, “priority of water rights”, or “terms of use”; or
- (iii) any other right or obligation of a State established under State law; or

(B) assert any connection between surface and groundwater that is inconsistent with such a connection recognized by State water laws.

#### SEC. 705. EFFECT.

(a) **EXISTING AUTHORITY.**—Nothing in this title limits or expands any existing legally recognized authority of the Secretary to issue, grant, or condition any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement on Federal land that is subject to the jurisdiction of the Secretary.

(b) **RECLAMATION CONTRACTS.**—Nothing in this title in any way interferes with any existing or future Bureau of Reclamation contract entered into pursuant to Federal reclamation law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act).

(c) **ENDANGERED SPECIES ACT.**—Nothing in this title affects the implementation of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(d) **FEDERAL RESERVED WATER RIGHTS.**—Nothing in this title limits or expands any existing reserved water rights of the Federal Government on land administered by the Secretary.

(e) **FEDERAL POWER ACT.**—Nothing in this title limits or expands authorities pursuant to sections 4(e), 10(j), or 18 of the Federal Power Act (16 U.S.C. 797(e), 803(j), 811).

(f) **INDIAN WATER RIGHTS.**—Nothing in this title limits or expands any existing reserved water right or treaty right of any federally recognized Indian Tribe.

(g) **FEDERALLY HELD STATE WATER RIGHTS.**—Nothing in this title limits the ability of the Secretary, through applicable State procedures, to acquire, use, enforce, or protect a State water right owned by the United States.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part C of House Report 115–212. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

□ 1745

AMENDMENT NO. 1 OFFERED BY MR. LAMALFA

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part C of House Report 115–212.

Mr. LAMALFA. Mr. Chair, I have an amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 63, strike line 19 through page 64, line 2 and insert the following:

(d) **PROGRAM FOR WATER RESCHEDULING.**—The Secretary of the Interior shall develop and implement a program, not later than 1 year after the date of the enactment of this Act, to provide the opportunity for individuals or districts that receive Central Valley Project Water under water service or repayment contracts or water rights settlement contracts within the American River, Sacramento River, Shasta and Trinity River Divisions to reschedule water, provided for under their Central Valley Project water service, repayment or settlement contracts,

within the same year or from one year to the next.

Page 64, strike lines 3 through 12, and insert the following:

(e) **DEFINITION.**—In this section, the year type terms used in subsection (a)

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from California (Mr. LAMALFA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LAMALFA. Mr. Chair, I thank Mr. MCCLINTOCK for managing this bill and for his help on this.

I am pleased to support the bill, the GROW Act, which, contrary to some claims, protects northern California water rights and keeps more water in the north than the status quo. I should know because I represent the source of the overwhelming majority of California's usable water.

The underlying bill improves water efficiency by allowing junior water contractors in the Sacramento Valley to carry over water supplies from one year to the next in Lake Shasta, retaining access to those supplies the following year, which promotes efficiency when you are banking that additional water for future use.

This amendment improves the bill by ensuring that all Federal water contractors in the Sacramento Valley have the same ability to reschedule their water supplies.

Mr. Chair, under the current system, water contractors are forced to use it or lose it. If water allocations are not fully used each year, the ability to access that water is lost.

Now, around Washington, D.C., that use-it-or-lose-it attitude usually means a lot of money that sits in certain agencies' bank accounts or in their pots, it is just used up. Why would we want to do that kind of thing with water? We need to be banking it and saving it, where practical, to be usable in the next year or to pass to others who could use it as well.

During wet years, farms and ranches may choose to reschedule a portion of their water for the following year. This bill and this amendment will significantly improve planning and delivery of water supplies by ensuring maximum flexibility, flexibility which we need, and allowing water to be accessed when it is needed most.

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

Mr. HUFFMAN. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HUFFMAN. Mr. Chairman, I also represent northern California. My friend, Mr. LAMALFA, just said that this bill fully protects northern California's water. Well, we represent the two districts right next to each other that are the northernmost districts in



California, and I can tell you, my part of northern California doesn't do so well under this bill.

In fact, the only way we have been able to prevent a repeat of a catastrophic fish kill disaster in the Klamath River system each of the last several years has been by releasing cold water in the Trinity River, which is a major tributary to the lower Klamath River. That has been a lifesaver for the communities downstream that depend on those salmon runs. This bill would legislatively prohibit the Bureau of Reclamation from ever doing that again.

So this is not a bill that is good for northern California, certainly, my part of northern California. And I think the same goes for the other northern California colleagues that we heard testify in opposition earlier.

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

Mr. LAMALFA. Mr. Chairman, providing flexibility for more parts of California does not, indeed, punish any other part of northern California. With that, we have to dispel some of these notions about what the end goal is for this legislation and for my amendment.

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

Mr. HUFFMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Fresno, California (Mr. COSTA).

Mr. COSTA. Mr. Chair, I thank the gentleman for yielding me this time.

This amendment is about rescheduled water, and this is a technical term that, for people who aren't familiar with water use in California and other parts of the country, it allows people with water rights, whether they be senior or junior water rights, to reserve that water, in other words, to reschedule it, to hold it off for another time when it might be more valuable to use. And so this is an important tool.

I agree with Congressman LAMALFA that water users throughout California should have flexibility to use their water supplies in ways that are most beneficial to be able to reschedule it.

I do have some concerns that this amendment may have unintended consequences with other water users downstream should it become law without changes. Specifically, it is critical that those with more junior water rights, like some of the areas I represent south of the California delta, are not negatively impacted when they reschedule their water from senior water rights holders.

Water is precious. You have water shortages. So if I want to reserve it for later in the year or for the next water year, that means rescheduled water. So for these water users, we want to protect that ability.

Additionally, in the event that a future wet year causes spilling of rescheduled water, it is critical that the

priority of the water spilling is addressed in a fair and equitable manner.

I would like to work with the gentleman to address these concerns. And I thank him, and I thank the gentleman for yielding me the time.

Mr. LAMALFA. Mr. Chair, I am very pleased to be able to work with my colleague, Mr. COSTA, to ensure that these concerns are met and addressed as the bill moves through the Senate.

I believe the ability to reschedule water deliveries for these periods when they are needed should be offered as widely as possible, and I appreciate the support in that goal.

Indeed, the opportunity that we can help the Central Valley with this, I relish that opportunity to do so. More facilities to store more water is, indeed, very important so we have more flexibility for Mr. COSTA and his neighbors, constituents.

I yield such time as he may consume to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Chair, I just want to say that this is a very good amendment. The committee supports it, and it is essential to providing the flexibility that is necessary.

I might point out to my colleague from California, when we originally developed this bill more than 5 years ago, we consulted more than 60 water agencies throughout northern and central California, including many in Democratic congressional districts. Senior water rights are essential to northern California. This bill strengthens them, and Mr. LAMALFA's amendment adds the management flexibility that is long overdue.

Mr. COSTA. Will the gentleman yield?

Mr. MCCLINTOCK. I yield to the gentleman from California.

Mr. COSTA. I thank the gentleman for yielding.

That is correct. I know this was offered 5 years ago. I would like to point out, though, in the last 5 years of the drought conditions, we have learned a whole lot more about the flexibility and how you can and cannot use rescheduled water and, of course, how valuable it is.

So I respect and thank the gentleman, Congressman LAMALFA, for working together on this to ensure that we protect all of the water users in their ability to have flexibility, especially during drought times.

Mr. LAMALFA. Mr. Chair, indeed, whether it is a drought period where we have to work even harder to spread that water around or in a year of abundance like what we had, we have to be wise about storing it where we can and having the flexibility to put it where we need to and having additional facilities in the future to store farther into the drought years that, no doubt, will come. This is what we are looking for in this legislation and what I am try-

ing to promote for my particular area in northern California with this amendment.

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

Mr. HUFFMAN. Mr. Chair, I am prepared to close. How much time do I have remaining?

The Acting CHAIR. The gentleman from California (Mr. LAMALFA) has 45 seconds remaining, and the gentleman from California (Mr. HUFFMAN) has 2 minutes remaining.

Mr. HUFFMAN. Mr. Chair, I reserve the balance of my time.

Mr. LAMALFA. Mr. Chairman, indeed, the water battles in California have been very difficult for many, many years, but what I hear from the other side of the aisle is a whole lot of "no." What I hear from normal Californians who aren't in positions of elected leadership who seem to be more interested in catering to a few environmental groups instead of the needs of Californians, especially on the heels of drought, what these Californians are saying is: Get this stuff done. Get these projects done. Help us out. Help us to have jobs in our State and not cater to just a handful of interests here that will help us through another election.

Mr. Chair, I am pleased to present the amendment and proud to work with these folks, and I yield back the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I actually have no problem with my colleague's attempt to make a clarification to this bill. That clarification is needed, I am sure, but it is important to realize that the reason it is needed is because we haven't gone through regular order. We are talking about provisions that have not had the benefit of hearings, of markups, of witness testimony, clarifications that would have been made in the regular order process.

The underlying bill, it is important to remember, does enormous damage to California water law. That is why it is opposed by the Governor, by our attorney general, by our two U.S. Senators, and by many members of the California delegation.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LAMALFA).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. COSTA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part C of House Report 115-212.

Mr. COSTA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title II, add the following:

**SEC. 204. GEOPHYSICAL SURVEY.**

The Bureau of Reclamation, in cooperation with the United States Geological Survey,

the State of California, and local and State water agencies, may conduct detailed geophysical characterization activities of subsurface aquifer systems and groundwater vulnerability in California, which has experienced a critical, multi-year drought that resulted in severe groundwater overdraft in some areas, followed by less than optimal recharge from the heavy rainstorms and flooding during the 2016-2017 winter season. This geophysical survey should include data pertaining to the following:

(1) Subsurface system framework: occurrence and geometry of aquifer and non-aquifer zones.

(2) Aquifer storage and transmission characteristics.

(3) Areas of greatest recharge potential.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from California (Mr. COSTA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

I would like to first thank the Rules Committee chairman, and the ranking member, Ms. SLAUGHTER, for making my amendment in order.

Mr. Chair, groundwater storage is a central element of drought resilience in the San Joaquin Valley and throughout California. Recharging our groundwater that has been overdrafted is critical in terms of our overall strategy to use all the water tools in our water management toolbox.

California's hydrological cycle is varied, with each year's intense rainfall and flooding like this year followed by prolonged periods of droughts like the previous 5 years. As a matter of fact, in California, it is either feast or famine. We don't have enough or we have too much water.

This varied hydrological cycle means that regions like the San Joaquin Valley rely heavily on groundwater to supply regional water needs during the dry years, and that is how the overdraft takes place. An attempt to refill that pumped water during wet years comes all too infrequently.

The recent record drought, coupled with previous droughts and policy changes that have led to shifting of water supplies from agriculture water uses to environmental uses over the last 25 years, has literally resulted in ground sinking beneath the feet of the people of the San Joaquin Valley.

These depletions led the State of California to pass a law in 2014 that regulates the use of groundwater, with the objective of creating groundwater balance over time. It is called the Sustainable Groundwater Management Act, otherwise referred to as SGMA.

Obviously, we ought to make our groundwater sustainable, and there are a lot of different ways in which we can do so in terms of that water strategy. This amendment purports to address part of that.

Many groundwater basins have been overdrafted for long periods of time.

Twenty-one of California's 515 groundwater basins now are considered critically overdrafted. That is a real, real serious crisis.

It is critical that efforts are taken to recharge these groundwater aquifers so that the water is available during the dry years, which we know will surely come. This is all about sustainability. We know that the performance of any projected groundwater recharge and recovery project is reliant on a thorough understanding of how the surface and subsurface waters interact with a geographical region.

Without thoroughly developed and field-verified information about the geophysical characteristics of California's groundwater aquifer systems and best areas for groundwater recharge projects, compliance with California's recently enacted Sustainable Groundwater Management Act—it is simply infeasible for us to expect that we are going to do that without having all of the information together.

What we are trying to do in this legislation is provide the opportunity to ensure that we have a reliable water supply so that we have food security. After all, food security, I believe, is a national security issue for America. It doesn't get looked at that way, but it is.

California's Department of Water Resources has identified a number of gaps in the scientific body of knowledge that need to be filled in order to effectively recharge groundwater aquifers. Some of these studies show that simply irrigating lands in the Central Valley with right soil conditions for groundwater percolation could lead to an additional 2 million to 6 million acre-feet of groundwater infiltration. That would double the level of recovery rate in a post-drought winter like 2017.

This amendment would authorize the Bureau of Reclamation, partnered with scientific agencies, the United States Geological Survey, and the University of California, to conduct surveys for groundwater aquifers to identify, one, subsurface aquifer systems framework, including the geometry of areas where water can move more easily; two, aquifer storage and transmission characteristics; and three, land areas of greatest recharge potential.

I urge my colleagues to support this amendment.

□ 1800

Mr. McCLINTOCK. Will the gentleman yield?

Mr. COSTA. I yield to the gentleman from California.

Mr. McCLINTOCK. Mr. Chairman, I have no objection to this amendment. I thank the gentleman from Fresno, California, for his constructive contribution to this process.

Mr. COSTA. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. HUFFMAN), who is from Marin County.

Mr. HUFFMAN. Mr. Chairman, I just want to quickly offer my support for my colleague's amendment. This is a commonsense amendment that recognizes the tremendous potential that groundwater storage represents. This is one of the most important tools in our water management toolbox. We know that our future hydrology will be less certain because of climate change. It is going to make droughts across our country more frequent and severe.

This amendment will help make sure we are taking the appropriate steps to prepare. So I want to thank my colleague for this forward-thinking amendment, and I support its adoption.

Mr. COSTA. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. COSTA).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. COSTA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part C of House Report 115-212.

Mr. COSTA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title II, add the following:

**SEC. 204. HEADWATER-RESTORATION SCOPING STUDY.**

The Bureau of Reclamation may partner with academia, specifically the University of California, and State and local water agencies, to develop a study to enhance mountain runoff to Central Valley Project reservoirs from headwater restoration with the following aims:

(1) Estimate forest biomass density and annual evapotranspiration (ET) across the Shasta Lake watershed for the past decade using satellite and other available spatial data.

(2) Identify areas on public and private land that have high biomass densities and ET, and assess potential changes in ET that would ensue from forest restoration.

(3) Assess role of subsurface storage in providing drought resilience of forests, based on long-term historical estimates of precipitation, drought severity and stream discharge.

(4) Assess role of snowpack in annual water balance across the watersheds.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from California (Mr. COSTA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. COSTA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to first, again, thank the Rules Committee chair and Ranking Member SLAUGHTER for making my amendment in order, as well as acknowledge my colleague from California, Congressman LAMALFA, for his work on this amendment.

Mr. Chairman, a record drought and the most destructive wildfire seasons on record have brought renewed attention to California's headwaters. These

forests, meadows, and other source waters play a vital role in California's water supply and management system, and they are under threat from a host of factors, including wildfires, climate change impacts, and poor management policies.

More effective forest and headwaters management practices, such as increased use of forest thinning and watershed restoration, have demonstrated the potential to provide a measurable increase in water supply to the Central Valley Project reservoirs that receive runoff generated by these headwaters in the Sierra Nevadas, the beautiful mountains that we have in California.

The Sierra Nevada mountain range, many people don't realize, generates nearly 60 percent of California's developed water supply—60 percent. And that is why the abundance of snow on the mountains during the wintertime is so critical.

Some estimates indicate that simply by instituting more effective headwaters management policies, that up to 300,000 acre-feet of additional water supplies—300,000 acre-feet—could be generated each year.

Now, that is a significant yield of water when you look at the overdraft crop problems that we have and some of the other authorization of surface storage that we have made last year during the WIIN Act.

As a matter of fact, the Bureau of Reclamation has analyzed that some of the projects that I support, such as raising Shasta Dam 18 feet, would generate anywhere from 75 to over 100,000 acre-feet of water annually. So if we can generate an additional 300,000 acre-feet by better managing our headwaters, this is almost three times that yield.

Simply managing our forests better could, in many instances, quadruple our water supply and better produce environmental outcomes for our forest ecosystems.

To put this in context, this is enough water to irrigate over 100,000 acres, of which we have significant overdraft of land, or provide daily water for an additional 500,000 homes in California for an entire year.

My amendment would authorize the Bureau of Reclamation to enter into partnerships to determine the amount of water that could be untapped by doing these kinds of efforts.

Fixing California's broken water system, as I have said repeatedly, means using all of the water tools in our water management toolbox. Included in this amendment, we would be having the opportunity to improve our headwater management in an integrated and multidisciplinary approach that is responsive to the changing conditions that we face as we know that will continue to occur.

Mr. Chairman, I urge my colleagues to support this amendment.

Mr. Chairman, I yield 1 minute to the gentleman from northern California (Mr. HUFFMAN).

Mr. HUFFMAN. Mr. Chairman, I want to express my support for this amendment as well.

The headwaters of our watersheds play a crucial role in ensuring the reliability and the quality of water supplies throughout our State. Our water supply depends not just on artificial reservoirs, but also on natural reservoirs of snowpack and groundwater retention in the forests of these headwater areas.

Healthy, vibrant forests provide multiple benefits, including carbon capture and shade to reduce rapid snowmelt. When they are properly protected, forest soils act like sponges to absorb rainfall and slowly release it back into rivers and streams throughout the year.

This amendment is one of the many ways that we can ensure that the Bureau of Reclamation is building a 21st century water supply system for California and the West, so I strongly encourage support for it.

Mr. COSTA. Mr. Chairman, this is a commonsense amendment that has bipartisan support. Frankly, I think as we learned so much more about how the hydrology of California's water systems develop, we need to take advantage of that knowledge. And this amendment will allow us to do so in a way that makes this so valuable resource that we sometimes take for granted—that is our water supply—to allow us to use it in a way that makes sense and will provide the water needs for all Californians.

Mr. Chairman, I urge the support of this amendment, and I yield back the balance of my time.

The Acting CHAIR (Mr. CARTER of Georgia). The question is on the amendment offered by the gentleman from California (Mr. COSTA).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. DENHAM

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part C of House Report 115–212.

Mr. DENHAM. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title IV, insert the following:

**SEC. 406. NEW MELONES RESERVOIR.**

The authority under section 4006 of the WIIN Act shall expire 7 years after the date of the enactment of this Act.

**SEC. 407. ACTIONS TO BENEFIT THREATENED AND ENDANGERED SPECIES AND OTHER WILDLIFE.**

None of the funds made available under section 4010(b) of the WIIN Act may be used for the acquisition or leasing of land, water for in-stream purposes if the water is already committed to in-stream purposes, or interests in land or water from willing sellers if the land, water, or interests are already des-

ignated for environmental purposes by a court adopted decree or order or cooperative agreement.

**SEC. 408. NON-FEDERAL PROGRAM TO PROTECT NATIVE ANADROMOUS FISH IN STANISLAUS RIVER.**

The program established under section 4010(d) of the WIIN Act shall not sunset before January 1, 2023.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from California (Mr. DENHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DENHAM. Mr. Chairman, I rise in support of my amendment to H.R. 23.

This amendment updates a small portion of the Water Infrastructure Improvements for the Nation Act, or the WIIN Act, to protect endangered species and assess water storage opportunities.

First, it sets a reasonable timeframe for the completion of expanded water storage opportunities at the New Melones Reservoir. These opportunities can increase available storage for conservation, transfers, and rescheduled water projects to allow for maximum storage within the reservoir. Conservative estimates of increased water storage have been at 100,000 acre-feet, which will provide water for over 400,000 people for a year.

With such a precious resource, we must ensure our water storage capacity is being used responsibly. This timeline of 7 years is consistent with other provisions of the WIIN Act, and will ensure the study will be completed so we can make best use of our water storage capacity.

Additionally, this amendment helps protect our threatened and endangered species.

In Western States, water users can buy and sell water rights. This provision prevents individuals from using funding set aside for species conservation to buy water rights and sell them back to the government.

Funding in section 4010(b) of the WIIN Act was allocated to benefit endangered species populations through habitat restoration, improved monitoring, and conservation fish hatcheries. This policy has been in effect for the Central Valley Project Improvement Act for over a decade and needs to be applied to this section as well. This ensures funding will be used for its intended purposes to help endangered species, not to buy and resell water rights.

Finally, this amendment extends a program to protect native fish in the Stanislaus River for 2 years. This program allows for the taking of invasive species that prey on native salmon and steelhead in the Stanislaus River. It was originally authorized for 5 years. However, since the spawn cycle for these salmon is 3 years, it needs to be

extended to ensure two full salmon cohort cycles can be observed.

In conclusion, this amendment protects native and endangered species, and ensures we are making the most of water storage capacity at the New Melones Reservoir.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DENHAM).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. DESAULNIER

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part C of House Report 115–212.

Mr. DESAULNIER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title IV, insert the following:  
**SEC. 406. REVIEW OF AVAILABLE TECHNOLOGIES AND PROGRAMS.**

Section 3405(e) of the Central Valley Project Improvement Act is amended by adding at the end the following:

“(4) The Secretary, through the office established under this subsection, shall review available and new, innovative technologies and programs for capturing municipal wastewater and recycling it for providing drinking water and energy, and report on the feasibility of expanding the implementation of these technologies and programs among Central Valley Project contractors.”.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from California (Mr. DESAULNIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DESAULNIER. Mr. Chairman, my amendment asks for a review of existing best practices worldwide for the capture and reuse of wastewater and a feasibility study on the expansion of these efforts.

Existing policy requires a review of conservation plans of Central Valley Project contractors. I believe we should look further than just what we are currently doing and learn from new, emerging technologies and practices from around the world for recycling wastewater.

Capturing wastewater for reuse is not new. Orange County, California, implemented its Groundwater Replenishment System in 2008, which augments the water supply for 850,000 residents with treated wastewater and helps reduce the area's dependence on water from the Sacramento-San Joaquin delta.

In Singapore, an initiative to recycle wastewater supplies approximately one-third of the country's water demand. In Israel, treated sewage water meets approximately one-quarter of the country's needed water.

Across California, more than 200 billion gallons of municipal wastewater

are already reused each year. According to one report, California has an unrealized opportunity to grow that number to between 390 billion and 590 billion acre-feet per year.

The need for innovation to increase the amount of available water is very clear. Between 2011 and 2013, even before the onset of one of the State's most severe droughts on record, water stored in the Sacramento-San Joaquin watershed and the Central Valley dropped by nearly 20 billion cubic meters, or two-thirds of the volume of Lake Mead.

We need to prepare for more severe droughts in the coming decades. With innovation and technologies available in the United States and around the world, we could and should continue to look for new ways to augment our water supply and enhance our water security.

Around the world and across the United States, innovation and technologies for capturing and recycling wastewater are improving, and their costs are falling. The purpose of this amendment is to understand the current state of these technologies and to identify opportunities for expanding them.

Mr. Chairman, I urge my colleague to support this amendment, and I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. MCCLINTOCK. Mr. Chairman, this amendment adds a superfluous provision that requires a study on a subject that we have already studied to death.

We find the left constantly proposing these technologies to manage our existing water shortage often as an excuse not to expand our ability to store new water supplies.

The problem is not complicated. These recycling projects are typically four times as expensive as traditional water storage, according to a 2016 study by the California Public Utilities Commission.

If we had exhausted our existing resources, then these technologies might make sense if the alternative is no water at all. But that is not the alternative. The alternative is to develop our resources at about one-fourth the cost of these technologies the gentleman is trying to sell us—four times the cost.

No consumer in his right mind would pay four times more for the same product. Only politicians would do that, and the problem is when politicians make this choice, consumers end up paying.

Which brings me to my second objection to the gentleman's amendment. Our traditional water projects are paid

for by the users of the water in proportion to their use, as is the beneficiary pays principle that has guided our water projects for generations.

□ 1815

These policies protect taxpayers from footing the bill for somebody else's water.

The title 16 recycling projects the gentleman is promoting are not paid for by the water users but rather by general taxpayers, meaning these projects literally rob St. Petersburg to pay St. Paul.

If the gentleman would like to confine the provisions of the bill to require his constituents to pay four times more for their water or that his constituents pay to subsidize the water for my constituents, I would be happy to support him. But I sincerely doubt that is what he has in mind.

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

Mr. DESAULNIER. Mr. Chair, I yield 1 minute to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Chair, I rise in support of Mr. DESAULNIER's amendment to H.R. 23.

Recycling projects provide sustainable water sources that help make our communities drought-resilient. In Sacramento, we are working to build a project that would use claimed wastewater to irrigate up to 18,000 acres of farmland and habitat.

These are the types of projects that help prepare California for the next drought, and they result in more water for our farms and cities. We should be working on sustainable solutions like these.

Last Congress, I introduced a bill to improve the Bureau of Reclamation's Title XVI Water Reclamation and Reuse Funding Program by removing the requirement that each recycling project receive an explicit congressional authorization. The bill was included in the WIIN Act passed into law last year, thereby expanding the pool of eligible projects.

Mr. DESAULNIER's amendment continues to move us forward by emphasizing the importance of recycling in our approach to managing water use. I urge my colleagues to support it.

Mr. DESAULNIER. Mr. Chair, I yield 1 minute to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chair, I thank the gentleman for yielding.

Fixing California's broken water system, as we all know, involves multiple strategies. Recycled water, on-farm recharge, and other innovative methods of increasing water supply, we have found, improves the situation, but there is no silver bullet to solving California's long-term water challenges.

In the Valley, we understand that, and this is why many communities moved forward on efforts to diversify

their water supplies. For example, the Del Puerto Water District has partnered in northern Merced and Stanislaus Counties with the cities of Modesto and Turlock on a project that uses treated wastewater to irrigate agricultural fields, creating significant water security for about 30 percent of Del Puerto's Central Valley water supply that is rarely delivered.

This is cost-effective and costs less than other alternatives. We are partnering with local water districts in the city of Mendota and the city of Fresno.

So this is a very valuable source of water, and we ought to encourage it whenever possible. More efforts like this are necessary.

Mr. Chair, I support the amendment.

Mr. DESAULNIER. Mr. Chair, I yield 30 seconds to the gentleman from California (Mr. HUFFMAN).

Mr. HUFFMAN. Mr. Chairman, in defense of the economics of water recycling, I need to correct the record.

The WaterReuse Research Foundation has found that recycling projects tend to be among the cheapest ways to increase water supply. Potable water reuse is generally comparable or less expensive than alternative options.

The Congressional Research Service has found that title 16 water recycling projects are comparable in price to alternate water sources—in some cases, substantially cheaper—and there is vast new potential to develop these water supplies.

This is exactly the kind of forward-thinking conversation we ought to have if we are serious about California water.

Mr. DESAULNIER. Mr. Chair, I yield back the balance of my time.

Mr. McCLINTOCK. Mr. Chairman, I would simply cite to my friend the California Public Utilities Commission report in 2016, and what would be the cost of future sources of water for California. They say very clearly that recycling water is nearly four times as costly as traditional sources of water, and that is being generous.

I support any water project that pencils out. This one does not. This one would require water bills to quadruple. For California, it is exactly policies like these that are driving water bills up. The people of California need to take note of that and to realize the choices they make at the ballot box have real world implications to the bills they are paying for simple things like water and power.

Mr. Chair, I ask for a "no" vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DESAULNIER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DESAULNIER. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. PEARCE

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part C of House Report 115-212.

Mr. PEARCE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 131, beginning on line 5, strike "Such term shall include water rights for federally recognized Indian Tribes".

Page 131, beginning on line 19, strike "(including any federally recognized Indian Tribe)".

Page 134, strike lines 7 through 9 and insert the following:

(f) INDIAN WATER RIGHTS.—Nothing in this title shall have any effect on tribal water rights or their adjudication, or the protection, settlement, or enforcement and/or administration of such rights by either Indian tribes or the United States as trustee for Indian tribes.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Chairman, water is life. We understand that in the West maybe more than anywhere else in the world. So any time we are talking about water, we are talking about life, we are talking about the ability to have an economy, we are talking about jobs, we are talking about communities. It affects us deeply in the West.

When the original bill, H.R. 23, was being marked up, my friend, the gentlewoman from California (Mrs. TORRES), brought a concern to the members of the committee, saying that she felt like the underlying bill did not adequately address Tribal water rights.

Tribes are some of the areas of deepest poverty in the country. As she brought that up, it struck my attention that we should take a look at it.

Ultimately, her amendment failed in committee, but the two of us, with the chairman and the sponsor of the bill, huddled after the committee meeting and decided that we should move forward with our concerns. Those concerns are reflected in this amendment today.

Mr. Chair, I yield 1 minute to the gentlewoman from California (Mrs. TORRES), to speak about this issue.

Mrs. TORRES. Mr. Chairman, I want to begin by thanking also my friend, Representative PEARCE from New Mexico, for offering this amendment with me.

Mr. Chair, during our committee work on portions of this bill, I raised this issue and offered a similar amend-

ment. So I appreciate Representative PEARCE for working with me to improve the bill for Indian Country.

I urge my colleagues to support this amendment because it will provide some limited, though not complete, legal protection for Indian Tribes and their water rights. That said, I continue to have grave concerns with the underlying bill and the impact it will have on Indian Country.

Even if this amendment is adopted, the underlying bill will cause significant harm to Indian Country. For example, in title 4 of this bill, it blocks emergency water releases that prevent disease outbreaks for Tribal fisheries in California's Klamath River. The provision will significantly increase the risk of widespread fish kills and lead to tragic losses for Tribal communities.

While this amendment doesn't mitigate all of the negative impacts of this bill, it will improve the bill somewhat by including an additional legal protection for Tribal rights that will preserve past, pending, or future Tribal water rights settlements.

Mr. Chair, I urge support for this amendment.

Mr. HUFFMAN. Mr. Chair, I ask unanimous consent to claim the time in opposition, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

Mr. McCLINTOCK. Mr. Chair, I object.

The Acting CHAIR. Objection is heard.

Mr. PEARCE. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. TIPTON).

The Acting CHAIR. The gentleman will suspend.

For what purpose does the gentleman from Colorado seek recognition?

Mr. TIPTON. Mr. Chair, to speak to the nature of the amendment.

The Acting CHAIR. Is the gentleman opposed to the amendment?

Mr. TIPTON. Mr. Chair, I am.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. TIPTON. Mr. Chairman, as my colleague from New Mexico noted, Wayne Aspinall of Colorado stated: "When you touch water in the West, you touch everything."

We have that shared concern that that water is going to be preserved. In the West, water is a private property right. We have State law. We have priority-based systems, which have always been recognized by the Federal Government.

Unfortunately, we have seen and reflected in this portion of the legislation that we are discussing today, the Federal Government reaching out to be able to require conditional use of permit water rights to be signed over to the Federal Government. At issue is

the amendment that we are discussing right now.

When we talk about our Native American Tribes, my colleague and I have shared in common interest, along with our colleague, Mrs. TORRES, in terms of making sure that Native American rights are protected from taking by the Federal Government, as well.

There is good news in the underlying bill. The Department of the Interior had made the statement that their ability to be able to negotiate or enter into water settlements with Tribes is in no way affected or restricted by this bill. It is in no way affected or restricted by this bill, according to the Department of the Interior.

While I have no objections to the changes proposed in the savings clause to be able to clarify as much, I did want to be able to register concern on the amendment that it may not have been as definitive as I would like to have seen in regard to specifying Native American water rights.

I think that is common ground that we are seeing on both sides of the aisle: to make sure that those private property rights are protected.

I will not vote against this amendment, and I applaud my colleagues working together with us to be able to try and achieve an actual amiable solution on something that, as Westerners, we understand probably better than anyone else in the country the importance of water—water for our communities, water for the opportunity for our communities to be able to grow and to prosper.

On this particular issue, a very important segment of that very community is the valuable contributions that our Native American Tribes make to all of our communities.

Mr. Chairman, I will be supporting the overall legislation. In terms of their work on this, I commend all Members.

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

Mr. PEARCE. Mr. Chair, may I inquire as to how much time I have?

The Acting CHAIR. The gentleman from New Mexico has 2 minutes remaining.

Mr. PEARCE. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. HUFFMAN).

Mr. HUFFMAN. Mr. Chair, I certainly appreciate that my colleagues are trying to help mitigate a small amount of the harm caused by this bill, but, unfortunately, the underlying bill remains a disaster for Indian Country.

Title 5 of this bill is a direct attack against the existing rights of Tribes in my district. As I have said previously, the salmon in the Klamath River system are the grocery store, the church, the lifeline for the Tribes in my district, and this bill explicitly prevents Federal agencies from making emer-

gency water releases to combat fish disease and prevent massive fish kills that would devastate these Tribal balance fisheries.

That is important to remember, lest we get too carried away with whatever curative effects this amendment might have.

Mr. PEARCE. Mr. Chair, Tribes in New Mexico and across the West depend on water for agriculture, they depend on it for their families, they depend on it for spiritual reasons. Without rights, water can be taken by anyone.

The amendment that Mrs. TORRES and I put forward is just trying to say that rights are personal. They are private property rights, and no government can take them away. It is a reasonable amendment.

I appreciate the gentleman from Colorado's observations. We will attempt to see that those observations are dealt with in a meaningful way. In the meantime, I simply ask Members of the House to join with me in voting for this amendment to H.R. 23.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

The amendment was agreed to.

□ 1830

AMENDMENT NO. 5 OFFERED BY MR. DESAULNIER

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on amendment No. 5 printed in part C of House Report 115-212 offered by the gentleman from California (Mr. DESAULNIER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 201, noes 221, not voting 11, as follows:

[Roll No. 350]

AYES—201

Adams  
Aguilar  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Bost  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield

Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Correa

Costa  
Courtney  
Crist  
Crowley  
Cueellar  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
Dent  
DeSaulnier  
Deutch  
Dingell  
Doggett

Doyle, Michael  
F.  
Ellison  
Engel  
Eshoo  
Español  
Esty (CT)  
Evans  
Fitzpatrick  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gomez  
Gonzalez (TX)  
Gottheimer  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kennedy  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
LaMalfa  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence

Abraham  
Aderholt  
Allen  
Amash  
Amodel  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barton  
Bergman  
Biggs  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costello (PA)

Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lipinski  
LoBiondo  
Loeback  
Loifgren  
Lowenthal  
Lowey  
Lujan Grisham,  
M.  
Luján, Ben Ray  
Lynch  
Maloney,  
Carolyn B.  
Maloney, Sean  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
McSally  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Neal  
Nolan  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascarell  
Paulsen  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Raskin  
Reichert

NOES—221

Rice (NY)  
Richmond  
Rohrabacher  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Slaughter  
Smith (NJ)  
Smith (WA)  
Soto  
Speier  
Suozi  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hollingsworth  
Hudson  
Huelskamp  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (LA)  
Johnson (OH)  
Jordan  
Joyce (OH)  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
Labrador  
LaHood  
Lamborn  
Lance  
Latta  
Lewis (MN)  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Massie



|             |                 |               |
|-------------|-----------------|---------------|
| Mast        | Rice (SC)       | Taylor        |
| McCarthy    | Roby            | Tenney        |
| McCauley    | Roe (TN)        | Thompson (PA) |
| McClintock  | Rogers (AL)     | Thornberry    |
| McHenry     | Rogers (KY)     | Tiberi        |
| McKinley    | Rokita          | Tipton        |
| McMorris    | Rooney, Francis | Trott         |
| Rodgers     | Rooney, Thomas  | Turner        |
| Meadows     | J.              | Upton         |
| Meehan      | Ros-Lehtinen    | Valadao       |
| Messer      | Roskam          | Wagner        |
| Mitchell    | Ross            | Walberg       |
| Moolenaar   | Rothfus         | Walden        |
| Mooney (WV) | Rouzer          | Walker        |
| Mullin      | Royce (CA)      | Walorski      |
| Murphy (PA) | Russell         | Walters, Mimi |
| Newhouse    | Rutherford      | Weber (TX)    |
| Noem        | Sanford         | Webster (FL)  |
| Norman      | Schweikert      | Wenstrup      |
| Nunes       | Scott, Austin   | Westerman     |
| Olson       | Sensenbrenner   | Williams      |
| Palazzo     | Sessions        | Wilson (SC)   |
| Palmer      | Shimkus         | Wittman       |
| Pearce      | Shuster         | Womack        |
| Perry       | Simpson         | Woodall       |
| Pittenger   | Smith (MO)      | Yoder         |
| Poe (TX)    | Smith (NE)      | Yoho          |
| Poliquin    | Smith (TX)      | Young (AK)    |
| Posey       | Smucker         | Young (IA)    |
| Ratcliffe   | Stefanik        | Zeldin        |
| Reed        | Stewart         |               |
| Renacci     | Stivers         |               |

## NOT VOTING—11

|               |              |            |
|---------------|--------------|------------|
| Barr          | Guthrie      | Lieu, Ted  |
| Cheney        | Himes        | Napolitano |
| Cummings      | Johnson, Sam | Scalis     |
| Davis, Rodney | Khanna       |            |

□ 1852

Messrs. HARPER, GROTHMAN, RUSSELL, CURBELO of Florida, TAYLOR, MESSER, Mrs. NOEM, Messrs. FORTENBERRY, ROKITA, and BYRNE changed their vote from “aye” to “no.”

Messrs. GOTTHEIMER and PRICE of North Carolina changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. SIMPSON). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CARTER of Georgia) having assumed the chair, Mr. SIMPSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 23) to provide drought relief in the State of California, and for other purposes, and, pursuant to House Resolution 431, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

## MOTION TO RECOMMIT

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

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

Mr. CARBAJAL. I am opposed in its current form.

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

The Clerk read as follows:

Mr. Carbajal moves to recommit the bill H.R. 23 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

Add at the end of title IV, the following:

**SEC. 406. WILDFIRE READINESS.**

Nothing in this Act shall impair the ability of the National Interagency Fire Center to ensure that there is an adequate supply of water to fight wildfires, utilizing water from reservoirs or other surface waters.

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

Mr. CARBAJAL. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to the committee. If adopted, the bill will immediately proceed to final passage as amended.

My request today is simple: to provide our firefighters with the water they need to effectively fight wildfires. As we speak, two large wildfires are burning in my district on the central coast of California. So far, over 40,000 acres of land have burned between the Alamo fire and the Whittier fire.

With more than a dozen homes and structures of central coast residents destroyed, we cannot overstate the important and effective work of hundreds of local, State, and Federal firefighters to contain these blazes and prevent more damages.

I spoke with incident commanders and toured both burn sites in Santa Barbara County, witnessing firsthand the incredible damage wreaked by these fires to our region.

I was grateful for the opportunity to address our firefighters and first responders and to thank these brave men and women for willing to risk their own safety to protect infrastructure and save lives.

In one harrowing instance, a firefighter cleared a path, driving a bulldozer through flaming brush to rescue dozens of Boy Scouts trapped at a campground at Lake Cachuma.

Today, we have a duty as appropriators to provide these men and women, working tirelessly in difficult conditions, with the resources they need to effectively combat these frequent and devastating wildfires across our country, and especially in my home State.

Ignoring our wildfire response when dealing with water allocation is irresponsible and will put American lives in danger.

In addition to adopting this simple amendment to ensure our firefighters' access to water, I urge my colleagues to work to end the disruptive practice of fire borrowing.

□ 1900

We cannot continue to rob funds designated for wildfire prevention to pay for fighting fires and simultaneously expect agencies to carry out effective land management practices to reduce the impact of catastrophic wildfires in the future.

Our Federal land management agencies are overwhelmed by the dramatic increase in fires on public lands in recent years, and we cannot in good conscience continue to ignore their urgent need for both prevention and firefighting funding.

I am deeply concerned that this underlying bill today does nothing to address the issues of limited water resources for our agencies charged with fighting wildfires.

I call upon my colleagues to adopt this common-sense amendment and show our firefighters that Congress not only appreciates their efforts, but acts to support them as well.

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

Mr. MCCLINTOCK. Mr. Speaker, I claim the time in opposition to the motion to recommit.

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

Mr. MCCLINTOCK. Mr. Speaker, my friends' concerns are well placed; his amendment is completely misplaced.

The fact is that, for 45 years, our environmental laws have made the management of our forests virtually impossible. After 45 years of experience with these laws, imposed with the explicit promise they would improve our forest environment, I think we are entitled to ask: How is our forest environment doing? And the answer is damning; our forests are dying.

Timber harvests of surplus timber have fallen 80 percent in those years. The result is severe overcrowding in our forests. An acre normally supports between 20 to 100 trees, depending upon the topography; but because of these laws, average density in the Sierra has now ballooned to 266 trees per acre.

In this crowded condition, these trees fight for their lives against other trees trying to occupy the same ground. And in this crowded and stressed condition, they fall victim to disease, pestilence, drought, and, ultimately, catastrophic wildfire.

The answer is not this amendment that seeks to derail this needed water storage; it is to restore scientific management to our forests to restore them to a healthy condition.

When I visited the command center of the Rim Fire several years ago that threatened Yosemite Valley, I asked the firefighters: What answer can I take, in your name, back to Congress?

And the answer was: Treatment matters. We need proper forest management.

The good news for my friend from Santa Barbara is he will soon have the opportunity to vote on just such a bill, the Resilient Federal Forest Act, by Mr. WESTERMAN of Arkansas. It treats this problem comprehensively. It passed the House Natural Resources Committee. We hope to bring it soon to the floor of the House. It will address the problems that plague our forests by restoring proper scientific management to our public lands.

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

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

#### RECORDED VOTE

Mr. CARBAJAL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 230, not voting 14, as follows:

[Roll No. 351]

#### AYES—189

|                 |                |                |
|-----------------|----------------|----------------|
| Adams           | Davis, Danny   | Johnson (GA)   |
| Aguilar         | DeFazio        | Johnson, E. B. |
| Barragán        | DeGette        | Jones          |
| Bass            | Delaney        | Kaptur         |
| Beatty          | DeLauro        | Keating        |
| Bera            | DelBene        | Kelly (IL)     |
| Beyer           | Demings        | Kennedy        |
| Bishop (GA)     | DeSaulnier     | Kihuen         |
| Blum            | Deutch         | Kildee         |
| Blumenauer      | Dingell        | Kilmer         |
| Blunt Rochester | Doggett        | Kind           |
| Bonamici        | Doyle, Michael | Krishnamoorthi |
| Boyle, Brendan  | F.             | Kuster (NH)    |
| F.              | Ellison        | Langevin       |
| Brady (PA)      | Engel          | Larsen (WA)    |
| Brown (MD)      | Eshoo          | Larson (CT)    |
| Brownley (CA)   | Españillat     | Lawrence       |
| Bustos          | Esty (CT)      | Lawson (FL)    |
| Butterfield     | Evans          | Lee            |
| Capuano         | Foster         | Levin          |
| Carbajal        | Frankel (FL)   | Lewis (GA)     |
| Cárdenas        | Fudge          | Lipinski       |
| Cantis (IN)     | Gabbard        | Loeb sack      |
| Cartwright      | Galleo         | Lofgren        |
| Castor (FL)     | Garamendi      | Lowenthal      |
| Castro (TX)     | Gomez          | Lowey          |
| Chu, Judy       | Gonzalez (TX)  | Lujan Grisham, |
| Cicilline       | Gottheimer     | M.             |
| Clark (MA)      | Green, Al      | Luján, Ben Ray |
| Clarke (NY)     | Green, Gene    | Lynch          |
| Clay            | Grijalva       | Maloney,       |
| Clyburn         | Gutiérrez      | Carolyn B.     |
| Cohen           | Hanabusa       | Maloney, Sean  |
| Connolly        | Hastings       | Matsui         |
| Conyers         | Heck           | McCollum       |
| Cooper          | Higgins (NY)   | McEachin       |
| Correa          | Himes          | McGovern       |
| Costa           | Hoyer          | McNerney       |
| Crist           | Huffman        | Meeks          |
| Crowley         | Jackson Lee    | Meng           |
| Cuellar         | Jayapal        | Moore          |
| Davis (CA)      | Jeffries       | Moulton        |

|             |               |
|-------------|---------------|
| Murphy (FL) | Roybal-Allard |
| Neal        | Ruiz          |
| Nolan       | Ruppersberger |
| Norcross    | Rush          |
| O'Halleran  | Ryan (OH)     |
| O'Rourke    | Sánchez       |
| Pallone     | Sarbanes      |
| Panetta     | Schakowsky    |
| Pascarell   | Schiff        |
| Payne       | Schneider     |
| Pelosi      | Schrader      |
| Perlmutter  | Scott (VA)    |
| Peters      | Scott, David  |
| Peterson    | Serrano       |
| Pingree     | Sewell (AL)   |
| Pocan       | Shea-Porter   |
| Polis       | Sherman       |
| Price (NC)  | Sinema        |
| Quigley     | Sires         |
| Raskin      | Slaughter     |
| Rice (NY)   | Smith (WA)    |
| Richmond    | Soto          |
| Rosen       | Speier        |

#### NOES—230

|               |                 |
|---------------|-----------------|
| Abraham       | Gaetz           |
| Aderholt      | Gallagher       |
| Allen         | Garrett         |
| Amash         | Gianforte       |
| Amodei        | Gibbs           |
| Arrington     | Gohmert         |
| Babin         | Goodlatte       |
| Bacon         | Gosar           |
| Banks (IN)    | Gowdy           |
| Barletta      | Granger         |
| Barton        | Graves (GA)     |
| Bergman       | Graves (LA)     |
| Biggs         | Graves (MO)     |
| Bilirakis     | Griffith        |
| Bishop (MI)   | Grothman        |
| Bishop (UT)   | Handel          |
| Black         | Harper          |
| Blackburn     | Harris          |
| Bost          | Hartzler        |
| Brady (TX)    | Hensarling      |
| Brat          | Herrera Beutler |
| Bridenstine   | Hice, Jody B.   |
| Brooks (AL)   | Higgins (LA)    |
| Brooks (IN)   | Hill            |
| Buchanan      | Holding         |
| Buck          | Hollingsworth   |
| Bucshon       | Reed            |
| Budd          | Huizenga        |
| Burgess       | Hultgren        |
| Byrne         | Hunter          |
| Calvert       | Hurd            |
| Carter (GA)   | Issa            |
| Carter (TX)   | Jenkins (KS)    |
| Chabot        | Jenkins (WV)    |
| Coffman       | Johnson (LA)    |
| Cole          | Johnson (OH)    |
| Collins (GA)  | Jordan          |
| Collins (NY)  | Joyce (OH)      |
| Comer         | Katko           |
| Comstock      | Kelly (MS)      |
| Conaway       | Kelly (PA)      |
| Cook          | King (IA)       |
| Costello (PA) | King (NY)       |
| Cramer        | Kinzing         |
| Crawford      | Knight          |
| Culberson     | Kustoff (TN)    |
| Curbelo (FL)  | Labrador        |
| Davidson      | LaHood          |
| Denham        | LaMalfa         |
| Dent          | Lamborn         |
| DeSantis      | Lance           |
| DesJarlais    | Latta           |
| Diaz-Balart   | Lewis (MN)      |
| Donovan       | LoBiondo        |
| Duffy         | Long            |
| Duncan (SC)   | Loudermilk      |
| Duncan (TN)   | Love            |
| Dunn          | Lucas           |
| Emmer         | Luetkemeyer     |
| Estes (KS)    | MacArthur       |
| Farenthold    | Marchant        |
| Faso          | Marino          |
| Ferguson      | Marshall        |
| Fitzpatrick   | Massie          |
| Fleischmann   | Mast            |
| Flores        | McCarthy        |
| Fortenberry   | McCaul          |
| Fox           | McClintock      |
| Franks (AZ)   | McHenry         |
| Frelinghuysen | McKinley        |

|                |          |
|----------------|----------|
| Suoizzi        | Turner   |
| Swalwell (CA)  | Upton    |
| Takano         | Valadao  |
| Thompson (CA)  | Wagner   |
| Thompson (MS)  | Walberg  |
| Titus          | Walden   |
| Tonko          | Walker   |
| Torres         | Walorski |
| Tsongas        |          |
| Vargas         |          |
| Veasey         |          |
| Vela           |          |
| Velázquez      |          |
| Visclosky      |          |
| Walz           |          |
| Wasserman      |          |
| Schultz        |          |
| Waters, Maxine |          |
| Watson Coleman |          |
| Welch          |          |
| Wilson (FL)    |          |
| Yarmuth        |          |

|               |            |
|---------------|------------|
| Walters, Mimi | Womack     |
| Weber (TX)    | Woodall    |
| Webster (FL)  | Yoder      |
| Wenstrup      | Yoho       |
| Westerman     | Young (AK) |
| Williams      | Young (IA) |
| Wilson (SC)   | Zeldin     |
| Wittman       |            |

#### NOT VOTING—14

|          |               |            |
|----------|---------------|------------|
| Barr     | Davis, Rodney | Lieu, Ted  |
| Cheney   | Guthrie       | Nadler     |
| Cleaver  | Hudson        | Napolitano |
| Courtney | Johnson, Sam  | Scalis     |
| Cummings | Khanna        |            |

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1909

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

#### RECORDED VOTE

Mr. HUFFMAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 230, noes 190, not voting 13, as follows:

[Roll No. 352]

#### AYES—230

|               |                 |               |
|---------------|-----------------|---------------|
| Abraham       | Cuellar         | Hice, Jody B. |
| Aderholt      | Culberson       | Higgins (LA)  |
| Allen         | Curbelo (FL)    | Hill          |
| Amodei        | Davidson        | Holding       |
| Arrington     | Denham          | Hollingsworth |
| Babin         | Dent            | Hudson        |
| Bacon         | DeSantis        | Huizenga      |
| Banks (IN)    | DesJarlais      | Hultgren      |
| Barletta      | Diaz-Balart     | Hunter        |
| Barton        | Donovan         | Hurd          |
| Bergman       | Duffy           | Issa          |
| Biggs         | Duncan (SC)     | Jenkins (KS)  |
| Bilirakis     | Duncan (TN)     | Jenkins (WV)  |
| Bishop (MI)   | Dunn            | Johnson (LA)  |
| Bishop (UT)   | Emmer           | Johnson (OH)  |
| Black         | Estes (KS)      | Jordan        |
| Blackburn     | Farenthold      | Joyce (OH)    |
| Blum          | Faso            | Katko         |
| Bost          | Ferguson        | Kelly (MS)    |
| Brady (TX)    | Fleischmann     | Kelly (PA)    |
| Brat          | Flores          | King (IA)     |
| Bridenstine   | Fortenberry     | King (NY)     |
| Brooks (AL)   | Fox             | Kinzing       |
| Brooks (IN)   | Franks (AZ)     | Knight        |
| Buchanan      | Frelinghuysen   | Kustoff (TN)  |
| Buck          | Gaetz           | Labrador      |
| Bucshon       | Gallagher       | LaHood        |
| Budd          | Gianforte       | LaMalfa       |
| Burgess       | Gibbs           | Lamborn       |
| Byrne         | Gohmert         | Lance         |
| Calvert       | Goodlatte       | Latta         |
| Carter (GA)   | Gosar           | Lewis (MN)    |
| Carter (TX)   | Gowdy           | LoBiondo      |
| Chabot        | Granger         | Long          |
| Coffman       | Graves (GA)     | Loudermilk    |
| Cole          | Graves (LA)     | Love          |
| Collins (GA)  | Graves (MO)     | Lucas         |
| Collins (NY)  | Griffith        | Luetkemeyer   |
| Comer         | Grothman        | MacArthur     |
| Comstock      | Gutiérrez       | Marchant      |
| Conaway       | Handel          | Marino        |
| Cook          | Harper          | Marshall      |
| Costa         | Harris          | Mast          |
| Costello (PA) | Hartzler        | McCarthy      |
| Cramer        | Hensarling      | McCaul        |
| Crawford      | Herrera Beutler | McClintock    |

McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Murphy (PA)  
Newhouse  
Noem  
Norman  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Renacci

Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart

Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (IA)  
Zeldin

Vela  
Velázquez  
Visclosky  
Walz

Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman

Welch  
Wilson (FL)  
Yarmuth  
Yoho

## NOT VOTING—13

Barr  
Butterfield  
Cheney  
Cleaver  
Courtney

Cummings  
Davis, Rodney  
Guthrie  
Johnson, Sam  
Khanna

Lieu, Ted  
Napolitano  
Scalis

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. COLINS of Georgia) (during the vote). There are 2 minutes remaining.

□ 1916

Mr. GAETZ changed his vote from “no” to “aye.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall votes No. 350, No. 351, and No. 352 due to my spouse's health situation in California. Had I been present, I would have voted “yea” on the DeSaulnier Amendment. I would have also voted “yea” on the Motion to Recommit. I would have also voted “nay” on final passage of H.R. 23—Gaining Responsibility on Water Act of 2017.

## PERSONAL EXPLANATION

Ms. CHENEY. Mr. Speaker, I was unavoidably detained recognizing the Military Times Sailor of the Year from Gillette, Wyoming. Had I been present, I would have voted “nay” on rollcall No. 350, “nay” on rollcall No. 351, and “yea” on rollcall No. 352.

## AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1719, JOHN MUIR NATIONAL HISTORIC SITE EXPANSION ACT

Mr. McCLINTOCK. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 1719, to include addition of an enacting clause.

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

There was no objection.

## RESIGNATION AS MEMBER OF COMMITTEE ON NATURAL RESOURCES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Natural Resources:

HOUSE OF REPRESENTATIVES,  
Washington, DC, July 12, 2017.

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

Hon. NANCY PELOSI,  
Democratic Leader, House of Representatives,  
Washington, DC.

DEAR SPEAKER RYAN AND LEADER PELOSI: Respectfully, I write to tender my resigna-

tion as member of the House Committee on Natural Resources. It has been an honor to serve in this capacity.

Sincerely,

JIMMY PANETTA,  
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

## RESIGNATION AS MEMBER OF COMMITTEE ON ARMED SERVICES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Armed Services:

TIMOTHY J. WALZ,  
CONGRESS OF THE UNITED STATES,  
July 12, 2017.

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

DEAR SPEAKER RYAN: I, TIM WALZ, am submitting my resignation from the Committee on Armed Services effective immediately. It has been a privilege and honor to serve on this Committee and to use my 24-years of experience in the military to fight for our troops.

Sincerely,

TIM WALZ,  
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

## ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. CROWLEY. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 439

*Resolved*, That the following named Member be and is hereby elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON ARMED SERVICES.—Mr. Panetta.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 2810.

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

There was no objection.

## PERMISSION TO CONSIDER AMENDMENT NO. 88 PRINTED IN PART B OF HOUSE REPORT 115-212 OUT OF SEQUENCE

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that during

## NOES—190

Adams  
Aguilar  
Amash  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Correa  
Crist  
Crowley  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Ellison  
Engel  
Eshoo  
Español  
Esty (CT)  
Evans  
Fitzpatrick  
Foster  
Frankel (FL)

Fudge  
Gabbard  
Gallego  
Garamendi  
Garrett  
Gomez  
Gonzalez (TX)  
Gottheimer  
Green, Al  
Green, Gene  
Grijalva  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lipinski  
Loebach  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham,  
M.  
Luján, Ben Ray  
Lynch  
Maloney,  
Carolyn B.  
Maloney, Sean  
Massie  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks

Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Neal  
Nolan  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascarell  
Payne  
Pelosi  
Perlmutter  
Peters  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Richmond  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez  
Sanford  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Soto  
Speier  
Suozi  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Vargas  
Veasey

consideration of H.R. 2810, pursuant to House Resolution 431, amendment No. 88 printed in part B of House Report 115-212 may be considered out of sequence.

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

There was no objection.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018

The SPEAKER pro tempore. Pursuant to House Resolution 431 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2810.

The Chair appoints the gentleman from Michigan (Mr. MITCHELL) to preside over the Committee of the Whole.

□ 1920

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. MITCHELL in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am proud to bring before the House H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. It was reported favorably by the House Armed Services Committee at 11:59 p.m. on June 28, 2017, by a vote of 60-1. Now, that vote is an indication of the bipartisan support that exists to support our troops and to fulfill our obligations placed on us by the Constitution.

Mr. Chairman, I think it is always helpful for us to remind ourselves of the authority by which we undertake our responsibilities. Article I, Section 8 of the Constitution says that Congress has the power and the responsibility "to raise and support Armies. . . . To provide and maintain a Navy; To make Rules for the Government and Regulation of land and naval Forces," and, of course, "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers."

The members of our committee and our staff take those responsibilities very seriously. This year, we seek to

carry them out in a world which is as dangerous and complex as any of us have ever seen. One example from the news of the day is the alarming progress North Korea is making towards having an intercontinental ballistic missile that can carry nuclear weapons to our homeland.

Now, we have, of course, a number of tools to use, including diplomacy and sanctions, but there is no substitute for military power, and I believe we must develop and deploy more of it to be ready to deal with these growing threats.

So the bill before us today substantially increases money for missile defense so we are more capable of protecting our homeland against those ballistic missiles. It also increases funding for key munitions and for intelligence surveillance and reconnaissance so we can have better visibility on what adversary is doing.

It increases the end strength for the Army, the Navy, and the Air Force, just as they requested. And it funds more joint exercises with key allies in the Pacific. It boosts our shipbuilding budget to get more ships into the water faster, and also cheaper.

So, just as an example, Mr. Chairman, each of those items is important for dealing with this growing threat coming from North Korea, and we could sit here and go through a similar sort of discussion when it comes to Iran, or the provocative actions of Russia and China, or the terrorist organizations of various shades.

Of course, we cannot guarantee that the capabilities that we will vote on in this bill will be available by the time the crisis comes for, unfortunately, Mr. Chairman, we are still dealing with defense budgets that were cut by more than 20 percent at a time when the threats around the world were growing. So we can't guarantee that these capabilities will be available when we need them.

But what we can guarantee is, if we don't fund these things now, they will not be available when we need them, so that is the priority given to this bill.

Mr. Chairman, exactly 1 month ago, on June 12, Secretary Mattis and Chairman Dunford testified before our committee. And I would like to read just one paragraph of the Secretary's testimony where he was comparing what the military was like when he left it and when he came back as Secretary.

Secretary Mattis testified: "Four years later, I returned to the Department and I have been shocked by what I have seen with our readiness to fight. For all the heartache caused by the loss of our troops during these wars, no enemy in the field has done more harm to the readiness of our military than sequestration. We have sustained our ability to meet America's commitments abroad because our troops have stoically shouldered a much greater burden."

Four years later, shocked, more harm by sequestration than the enemies in the field, and it is only because our folks are so incredible that they have born an increasing burden. That is what the Secretary testified.

Mr. Chairman, we have, indisputably, the finest military in the world, but it is also indisputable that it has been severely damaged by continuing resolutions, by sequestration, and by failure of the executive and legislative branches to adequately support the men and women out there on the front lines. We have an urgent need to begin to repair and rebuild our military.

And I also believe, Mr. Chairman, it is fundamentally wrong to send men and women out on dangerous missions without providing them the best equipment, in the best shape, with the best training that our country can possibly provide. This bill, if followed by matching appropriation, takes a significant step toward meeting that objective, to support those troops.

It also makes major reforms in the way the Pentagon does business. Among other reforms, it enables the military to buy commercial products through online sites such as Amazon, Staples, and Grainger. We require life cycle maintenance costs to be considered at the beginning of a program, as must intellectual property rights, to maximize competition in the maintenance and repairs. Oversight into service contracts has increased, and there is much more, of course, in the bill.

Mr. Chairman, this bill is the vehicle by which we usually, for 55 years, at least, fulfill our responsibilities under the Constitution that I mentioned, to provide for the common defense. I believe that is the first job of the Federal Government.

I want to just express my appreciation to each of the members of our committee. Each of them has contributed to the product before us. Each of them takes their responsibilities under the Constitution very seriously; no one more so than the Ranking Member, Mr. SMITH of Washington. We don't always agree on the judgment calls about issues, but I have no doubt that he and all the members of the committee try to do what is right for the country and put the interests of our troops first.

That is exactly the attitude that we must follow, I think, on the floor over the next 3 days as we go through the amendments which we will consider.

I also want to express appreciation to the committee and personal staff who have worked on this bill.

It has been a challenging year for a variety of reasons, but, as I started, I will finish. I am proud of this product. I hope it will gain the support of the entire House.

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

Mr. SMITH of Washington. Mr. Chairman, I yield myself 5 minutes.

I thank the chairman, first of all, for his hard work on this bill, and all the members of the committee and the staff. As the chairman has pointed out, this is a bill that we have passed for 55 straight years. It is a long and complicated bill that essentially sets the defense and national security policy for our country, and there is a lot of good work that has gone into this bill.

Again, I thank the members for doing that. They recognize the complex threat environment that the chairman correctly described, and we are attempting to address it as best we can in this very difficult environment.

I think the thing that is most difficult that I really want to emphasize is what the chairman said in the middle of his remarks: that over the past 6 years we have had one government shutdown, a number of continuing resolutions, several threatened government shutdowns, and the unpredictability that that has presented to the Defense Department.

Now, to be clear, it has also presented a fair amount—the same amount of unpredictability to the non-defense discretionary budget that also has to deal with those challenges. But that uncertainty about our budget has made it very difficult to plan, and nowhere is that more important than at the Department of Defense.

□ 1930

As they try to lay out a strategy for national security, not knowing from one month to the next how much money you are going to have or what you are going to be able to spend it on is a huge problem. I will say a little bit more about this later, because as big a problem as that is, we haven't solved it.

As we debate this bill here today, we do not have a budget resolution from either the House or the Senate. This is a problem we still need to work on. However much money we wind up spending on defense, if we had a cohesive plan and a clear idea of how much money we were going to have over the next few years, it would be a lot easier to plan for those contingencies.

Again, I do want to compliment the work that has been done on this bill. Particularly, I focus a lot on unconventional threats. I think that is the changing nature of the world. I used to chair what is now called the Emerging Threats Committee. I want to thank Congresswoman STEFANIK and Ranking Member LANGEVIN for their work and focusing on cyber, focusing on supporting our special operation forces that have borne so much of the brunt of the fight that we face in countering terrorism.

I also want to thank Chairman ROGERS and Ranking Member COOPER for their work on the Strategic Forces Subcommittee, focusing on space, in particular, on the importance of em-

phasizing that. For a long time, our country dominated space. We didn't have to worry about it. But now a lot of other countries are catching up and competing with us. I think this bill reflects the importance of that.

So there are a lot of very solid things in this bill, but I want to close by emphasizing two significant problems that we still need to address.

One I mentioned already. We don't have a budget resolution. This bill has \$621 billion in it, as I understand it, in the base bill, and another, I believe, \$75 billion in the overseas contingency fund. We are spending nearly \$700 billion in this bill on defense. That is a lot of money, and the chairman mentioned a lot of the very necessary programs that it is going towards. However, that breaks the budget caps.

In order to break the budget caps, the House and the Senate have to vote to break the budget caps. It is July. We haven't done that. I will emphasize that in the Senate it actually requires 60 votes to break the budget caps.

So as much as I see the need in defense, given the complex threat environment out there, it is very possible that \$72 billion of what is in this bill is going to disappear between now and the end of this year unless we address the broader issue of sequestration and budget caps.

I will also emphasize that addressing that issue by gutting funding for the nondefense discretionary budget and plussing up defense is not going to work for a couple of reasons.

Number one, a lot of the national security needs that we have come out of some of those other items. The proposal to cut the State Department by 31 percent in a time when we face the complex threat environment that was described is ridiculous. In fact, I will quote Chairman Mattis as well, who said:

If you are going to cut the State Department by 30 percent, you better give me five more divisions because I am going to need them. We are not going to be able to resolve conflicts in a peaceful way.

And also, of course, we have domestic needs that are very important as well. We are still waiting on the infrastructure package from the administration.

There are a lot of needs that are not being met, and we are not yet voting to bust the budget caps. Here we have a bill that does that, but this House has to step up and take that vote if this defense authorizing bill is going to go forward.

The second and final point, we still don't have a national security strategy from the White House. Now, we have a very complex threat environment, as I have said more often than I meant to during the course of the last few minutes—we do. We have got Russia, China, North Korea, Iran, a variety of terrorist threats. What we have heard in our committee for the last 6 months

is a series of people from the Pentagon coming over and saying the house is on fire. We don't have enough money to do—fill in the blank. There are a whole lot of different things.

What we haven't heard is a strategy, and the most disturbing conversation I had in that regard was with someone from the Office of Net Assessment.

The CHAIR. The time of the gentleman has expired.

Mr. SMITH of Washington. I yield myself an additional 1 minute.

He explained to me that we laid out a strategy in 2012 and said we do not have the money to fund that strategy right now. So I asked him: Well, how short are you? How much more money do you need?

He looked at me like he didn't understand what I was asking, so I sort of explained it. The short answer: he didn't know.

How could he not know? I mean, if you can sit there confidently and say, "My gosh, we don't have enough money; we are way crazy short of our 2012 strategy" and you still can't say how short, then you don't have a strategy. We need a strategy to make sure this money is spent wisely.

I will close with a compliment of the chairman for something that he has done. We should also not assume that simply spending more money at the Department of Defense is necessarily going to make us safer. We have to make sure we spend it efficiently and effectively. I think this bill has a lot of very solid efforts to try to make us do that, towards acquisition reform, towards spending the money more wisely.

It is not just a matter of spending more money. We have got to spend it smarter, and we have got to confront the lack of a strategy, and we have got to confront the fact that we still have not resolved our budget resolution problem.

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

Mr. THORNBERRY. Mr. Chair, I am pleased to yield 2 minutes to the gentleman from South Carolina (Mr. WILSON), chairman of the Subcommittee on Readiness.

Mr. WILSON of South Carolina. Mr. Chairman, I appreciate the House Armed Services Committee chairman, MAC THORNBERRY, for his determined leadership to promote peace through strength. I am grateful to support H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018.

First of all, I would like to thank my colleague and ranking member, Congresswoman MADELEINE BORDALLO of Guam, for her tireless efforts and participation in this process, and I also thank the Readiness Subcommittee members of the House Armed Services Committee on both sides of the aisle for bipartisan input on this bill. The creation of the 2018 National Defense Authorization Act truly was bipartisan.

Mr. Chairman, over the past several months, we have heard testimony from every military service branch about their urgent need to address the alarming readiness shortfalls. Their testimonies were sobering, confirming Congress must take bold action.

Here today, we have the responsibility of reducing the risk to our servicemembers by making sure they are well trained, supported, and that the equipment they use is properly maintained and combat ready. There are numerous important readiness provisions in the authorization, including adding over \$2 billion to long-neglected facilities sustainment and restoration and modernization accounts.

It gives the Department of Defense more responsive facility construction, repair, and real estate authorities for more efficient use of DOD resources.

It extends multiple temporary hiring authorities to allow the Department of Defense to fill critical manpower gaps, in particular at our defense industrial facilities—our depots, arsenals, and shipyards.

None of the readiness provisions are arbitrary. They are specifically targeted to stop and, as much as possible, to reverse the decline of the readiness of our Armed Forces so we can continue to combat and deter the threats to national security from around the world.

Mr. Chairman, I strongly support H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018, and encourage my colleagues in the House to support it as well.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentlewoman from Massachusetts (Ms. TSONGAS), the ranking member of the Subcommittee on Tactical Air and Land Forces.

Ms. TSONGAS. Mr. Chairman, two weeks ago, the Armed Services Committee advanced the National Defense Authorization Act for Fiscal Year 2018 to the House floor with broad bipartisan support. I would like to thank Chairman THORNBERRY and Ranking Member SMITH for their work in developing this year's bill.

I would also like to thank Congressman TURNER, chairman of the Tactical Air and Land Forces Subcommittee, of which I am the ranking member, for his leadership and spirit of bipartisan support this year.

This year's bill includes investments to fill genuine readiness needs and funding that is critical to ensuring that our men and women in uniform have the best cutting-edge resources and best equipment possible to keep them safe when defending our Nation.

I was encouraged that the bill we have passed out of committee directs the Defense Department to provide specific updates and reports on a number of programs and platforms so that we can robustly conduct our oversight re-

sponsibility on behalf of the American people.

However, as we consider the bill on the floor today and in the coming days, I remain concerned about how we fund these needs. Substantial budget increases for the Department of Defense at the expense of other vital national programs undermines investments in our national competitiveness and the future of our country and, I believe, makes us less secure over the long term.

Providing our men and women in uniform with the resources they need to carry out their mission is one of our most solemn obligations, but we must also fund these resources responsibly in order to safeguard our economic vitality and our national security.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. TURNER), the chairman of the Subcommittee on Tactical Air and Land Forces.

Mr. TURNER. Mr. Chairman, I rise in strong support of H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018.

I have the privilege of serving as the chairman of the Tactical Air and Land Forces Subcommittee, and I want to particularly thank my subcommittee's ranking member, Ms. TSONGAS, for her support in completing the markup of the bill, as well as for her hard work and for the bipartisan work that we have done together on the issue of sexual assault in the military. I appreciate her leadership in that.

I strongly support this bill and can't emphasize enough Chairman THORNBERRY's steadfast leadership in raising the top line in this bill. This bill recommends \$631 billion, a significant and needed increase over the original budget request that supports both the base and unfunded requirements, which totaled over \$30 billion. Without Chairman THORNBERRY's leadership, this number would not be sufficient.

We are presenting a budget that helps rebuild the readiness of our forces. This increased base funding will begin to rebuild full-spectrum readiness from years of deferred modernization brought on by the previous administration.

Within the Tactical Air and Land Forces Subcommittee jurisdiction, this bill authorizes over \$12 billion in additional funds to address critical unfunded modernization requirements identified by the services.

The bill recognizes the importance of land forces in current and future operations and authorizes over \$2 billion to accelerate armored brigade team modernization, to include additional Abrams tanks and Bradley fighting vehicles.

The bill addresses strike fighter capability and capacity shortfalls and authorizes another \$2 billion in additional funding to secure additional F-35

Strike Fighters and F-18 Super Hornets to address unfunded requirements for the Air Force, Navy, and Marine Corps.

I am also pleased that this bill supports the European Deterrence Initiative, using OCO and addressing the needs of our European allies.

This bill contains language from the BE HEARD sexual assault bill that I worked with Representative TSONGAS on, that we introduced in June, and I am very proud that we continue to advance for the cause of protecting our servicemembers from sexual assault.

I am also pleased to note that Evan's Law is included in this bill. This bill will ensure that the that Department of Defense implements military residential window safety measures to protect against unintentional falls by young children.

Mr. Chair, I urge my colleagues to support the National Defense Authorization Act.

Mr. SMITH of Washington. I yield 3 minutes to the gentlewoman from Guam (Ms. BORDALLO), ranking member of the Subcommittee on Readiness.

Ms. BORDALLO. Mr. Chairman, I would first like to commend Chairman THORNBERRY, Ranking Member SMITH, and the committee staff who have worked many long nights on the National Defense Authorization Act for Fiscal Year 2018.

While there are very real questions about the top line number, and I believe it would be inappropriate and reckless to have any additional funding come off the backs of nondefense spending, this is an important step forward in rebuilding our military readiness.

This bill includes additional operations and maintenance funding to support more combat training center rotations and needed investment in the facilities sustainment, restoration, and modernization accounts, providing more training opportunities and better maintenance facilities to live, work, and operate in. However, readiness cannot be bought back in a year, and these targeted investments must continue.

Furthermore, the bill provides authorities to right-size civilian personnel shortfalls that have stressed maintenance backlogs at our shipyards and our depots. It also will make more effective the Department's Quarterly Readiness Report and raise the minor military construction threshold and clarify unspecified projects to provide additional flexibility to the Department.

I would especially like to thank Chairman THORNBERRY for following through on his commitment last year to work with me to include my provision that would help address critical workforce shortages affecting military construction and healthcare essential to the military buildup on Guam. I also thank our Ranking Member SMITH and



Readiness Subcommittee Chairman JOE WILSON for working with me on this issue and on this bill. I look forward to continuing to work together to protect the full intent of this legislation.

The readiness portion of this bill also includes provisions to support ship repair in the western Pacific, as well as full funding for critical military construction projects.

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Given our posture, our strategic needs and challenges in the region, it is essential that we continue to sufficiently resource and support an active and engaged Indo-Asia-Pacific force.

I look forward to working with my colleagues on both sides of the aisle as this process continues.

And lastly, Mr. Chair, I would like to commend Vickie Plunkett for her over two decades of service in the House of Representatives, and 10 years on the House Armed Services Committee.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Alabama (Mr. ROGERS), the chair of our Subcommittee on Strategic Forces.

Mr. ROGERS of Alabama. Mr. Chair, I would like to thank Chairman THORNBERRY and Ranking Member SMITH for their leadership in bringing this year's NDAA. I would also like to thank my friend and colleague from Tennessee, Mr. JIM COOPER, the ranking member on our subcommittee, for being such a great partner as we worked on this important bill.

Now, I would like to focus on some key provisions in the bill. First, space reform. This bill takes two monumental steps to reform national security space. First, the bill provides for the creation of a space core within the Air Force to fix the fragmented space acquisition process.

Second, it provides for the establishment of a subordinate, unified command for space under U.S. Strategic Command to ensure integration of the joint command of all space operations.

I can't stress enough the urgent necessity of these reforms. Our society and our military are enormously dependent on space. Meanwhile, our adversaries continue to grow their counterspace capabilities. These adversaries have already reorganized their space forces toward the goal of neutralizing our advantage in space.

Multiple studies going back almost two decades have recommended a space force to fix our space acquisition and management problems. Regardless, the DOD and the Air Force have yet to fix the problem. Decisionmaking authorities for space acquisitions remain fragmented across over 60 organizations. This bill would consolidate acquisition authority and improve our ability to jointly operate in space.

Earlier this week, I returned from Asia where I got to meet with our

troops on the Korean Peninsula. I was in theater when North Korea conducted their intercontinental ballistic missile. We must be vigilant when it comes to our missile defenses, and this year's NDAA does that.

Noteworthy initiatives in the bill include the authorization of approximately \$2 billion in additional funds for the Missile Defense Agency. It also accelerates our efforts to develop a space-based sensor and interceptor capabilities. Lastly, the bill supports our nuclear deterrence and includes provisions to improve the oversight of our nuclear command, control, and communications.

Mr. Chair, I urge support of this important legislation.

Mr. SMITH of Washington. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Rhode Island (Mr. LANGEVIN), the ranking member of the Subcommittee on Emerging Threats and Capabilities.

Mr. LANGEVIN. Mr. Chair, I want to thank the ranking member for yielding. And, Mr. Chair, I would like to begin by thanking Chairman THORNBERRY, Ranking Member SMITH, and Chairwoman STEFANIK for their collective efforts in crafting this bill that is before us this evening.

I would also like to thank the staff who worked tirelessly on this productive and forward-thinking legislation.

It is an honor and a privilege to serve as a senior member of the House Armed Services Committee on behalf of the selfless servicemen and women who protect our Nation every day, and I am proud of the very strong bipartisan effort represented by this year's NDAA.

Mr. Chair, we accomplish a number of important objectives in this bill. First of all, we enhance our deterrence capabilities in Europe and support our Nation's submarine force. I am very proud of the Virginia class submarines that we build starting right in my district, and we also provide strong support for the Columbia class program that will be the Ohio replacement program.

We also make it clear that climate security is, indeed, national security, backing the Department in its efforts to build resilience, reduce risk, and prepare for all types of threats that may come our way, even if those threats come from climate change.

But as ranking member of the Subcommittee on Emerging Threats and Capabilities, I am particularly proud of the provisions we have included on cybersecurity, special operations, and research and development. We strengthen our cyber cooperation with our partners and allies through both training and collaboration with the NATO Cooperative Cyber Defence Centre of Excellence.

We better leverage the U.S. Global Engagement Center to combat propaganda and information warfare oper-

ations conducted against America and her allies, and we grant permanent authority for family support programs within Special Operations Command that reflect the unique needs of these warfighters and their families.

We also reinvigorate the DOD scholarship program so that students are encouraged to pursue information security degrees and can come to work defending our Nation from the get-go. We can have all of the cyber policies in place that we want, but if we don't have the trained workforce to execute those policies, we are going to be behind the curve, and this helps to close that gap.

We advance hypersonic weapons research, development, and especially transition efforts. We prioritized the readiness of U.S. Cyber Command in our Cyber Mission Force, and we strengthen congressional oversight of sensitive cyber military operations and command cyber warfare tools and capabilities.

This approach was deliberate in nature, and it moves us closer to a military that will be able to address the variety of threats that we face in the 21st century.

Again, I would like to thank Chairman THORNBERRY, Ranking Member SMITH, and Chairwoman STEFANIK, and all of my colleagues on the House Armed Services Committee, as well as the staff, for their hard work on this very important bill.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Virginia (Mr. WITTMAN), the distinguished chair of the Subcommittee on Seapower and Projection Forces.

Mr. WITTMAN. Mr. Chairman, I rise in strong support of H.R. 2810, the FY18 National Defense Authorization Act, but I continue to be surprised at some of the national security pundits who believe that a diminished force structure will improve our national security.

Some have questioned whether we should fully fund national defense. Some have even questioned whether we should continue to expand our armed services to meet the strategic challenges posed by a rising China and Russia, by an unpredictable North Korea, and a belligerent Iran.

Mr. Chairman, our time is up. The time of action is now. The focus of our Nation is upon us to provide for our national security. I am pleased that we appear to have turned the tide in properly resourcing the requirements of our armed services; and I am pleased that we are authorizing the funding to match our strategy and providing what our combatant commanders need to win any future conflicts; and I am pleased that we have acknowledged the importance of our servicemembers and the hardships that they endure so that we can enjoy our free and democratic society.

In reference to the Seapower and Projection Forces Subcommittee, I believe that we have reversed a trend toward a diminishing Navy and are tracking toward a strengthened 355-ship fleet. The bill expands on the eight ships requested by the administration and adds an additional five ships. The bill also recommends additional advance procurement for aircraft carriers and attack submarines, while fully funding the *Columbia* class ballistic missile submarine and the B-21 raider bomber programs.

As to aircraft, the bill recommends an expansion of KC-46As, C-130Js, E-2Ds, and P-8s. Finally, the bill delivers the right authorities that will save the Department of Defense billions—yes, billions—of dollars.

Additionally, I want to recognize Ranking Member JOE COURTNEY. He has done extraordinary work and has been a true partner in this journey and continues to work in a collaborative, bipartisan basis, to deliver the best for our national security.

I continue to be impressed with the results that can be achieved when a subcommittee and the full committee focuses on a common goal and works to achieve bipartisan results.

I urge my colleagues to support the National Defense Authorization Act for Fiscal Year 2018.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. SPEIER), the ranking member of the Subcommittee on Military Personnel.

Ms. SPEIER. Mr. Chair, I thank the gentleman for yielding and for his outstanding leadership and candor on our committee. I want to give a special shout-out to our chairman, Mr. THORNBERRY, who shaved an hour and a half off our deliberations a couple of weeks ago by bringing us into the 21st century, and laptops to look at our amendments. So it was a great improvement.

I also want to thank my chair, Chairman MIKE COFFMAN, for his leadership. We have worked well together, and I look forward to continuing that relationship, and also to a top-notch staff.

This bill includes provisions that will provide the military services flexibility to recruit and retain members of our armed services and continues our commitment to taking care of our military families.

The NDAA continues funding for DOD impact aid for schools with large numbers of military-connected families and authorizes reimbursement, up to \$500 for military spouses' expenses related to obtaining a professional license or certification when moving to a new State.

The committee continues to provide oversight of important programs in the bill requiring reviews to ensure the Morale, Welfare, and Recreation programs are properly funded to required levels and the Department of Defense's debt

collection practices are fair and do not place undue burdens on servicemembers or their families.

The bill includes the PRIVATE Act, which I cosponsored with Congresswoman MARTHA MCSALLY and other members of the committee to prohibit the wrongful broadcast or distribution of intimate visual images and ensure the military services have the tools to prosecute those who violate the law.

The bill also provides support for victims of sexual assault by mandating training for Special Victims' Counsel to recognize and address unique challenges often faced by male victims of sexual assault.

I am pleased that the bill continues the committee's efforts to assist those with post-traumatic stress disorder and traumatic brain injury, as well as ensuring families are educated on suicide factors that are often associated with TBI or post-traumatic stress.

However, as Ranking Member SMITH has said, this NDAA fails to make the hard choices and trade-offs that are expected of us. The NDAA goes beyond the President's request to provide 2.4 percent pay raises for our servicemen and -women, at an additional cost of \$200 million, an expense simply added to the top line.

The NDAA also authorizes an increased end strength for the Army at a cost of \$4 billion, again, simply adding it to the top line. Certainly, our troops deserve a pay raise, but the question that must be asked is: Where is the money coming from? And on what basis are these decisions being made?

Congress has not received a strategic plan from the Pentagon that would inform us on how large the military needs to grow. By just adding funding to the NDAA, Congress is not providing the stable, predictive funding the military needs. In order to do that, we need to address the big elephant in the room, the sequestration and budget control act caps.

The CHAIR. The time of the gentlewoman has expired.

Mr. SMITH of Washington. I yield an additional 30 seconds to the gentlewoman.

Ms. SPEIER. Despite all of these additions, the committee was unfortunately unable to find the required offsets to fund an extension to the Special Survivor Indemnity Allowance to ensure it does not expire in May 2018. This falls short of my strong desire, shared by other members of the committee, to permanently fix the survivor benefit compensation.

This also amounts to a shameful tax on over 60,000 surviving spouses who are already struggling emotionally and financially. While the SSIA extension would be an important temporary fix, Congress must make a permanent fix to the offset.

We cannot continue to allow surviving military spouses to suffer from our inaction.

Mr. THORNBERRY. Mr. Chairman, I yield myself 30 seconds just to make two points.

Number one, President Barack Obama was inaugurated in January 2009. The first national security strategy he submitted was in May of 2010, a year-and-a-half later. So I don't think it is completely unreasonable that we haven't yet gotten the national security strategy from the new administration.

Secondly, the pay raise for the troops is based on the statutory formula which is related to the cost of living. That is where it comes from. And it seems to me to say, no, you don't really get what the formula says you deserve, is not appropriate.

Now, the administration did not request it, and the criticism from some is that we should not provide it. I think if the formula is wrong, we should change it, but if the formula says that is how much the cost of living has gone up, we should provide it.

Mr. Chair, I am pleased to yield 2 minutes to the distinguished gentleman from Colorado (Mr. COFFMAN), the chair of the Subcommittee on Personnel.

Mr. COFFMAN. Mr. Chair, I rise today in strong support of H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018.

The bill contains significant policy and funding initiatives that continue our commitment to maintain military personnel and family readiness and address issues important to our troops. The provisions contained in this bill provide our warfighters, retirees, and their families the necessary pay and benefits to sustain them into today's highly stressed force.

To support these efforts, this bill establishes a fully funded by-law pay raise for all of our servicemembers overriding the President's ability to reduce the pay raise. After years of lower than by-law pay raise requests, it is critical that we continue to give our troops and their families the pay increases they deserve.

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The bill increases the end-strengths of our Active Duty, National Guard, and Reserve forces, increasing mission readiness while reducing the stress and strain on the force and their families.

The bill further focuses last year's management reform of the Military Health System to provide clear responsibility for the delivery of healthcare services at military medical treatment facilities and for military medical readiness.

The bill also stops an ill-considered, cost-saving measure that would close several U.S. military hospitals overseas. We believe our servicemembers and their families should continue to have the best medical care possible wherever they serve.

It also continues to improve sexual assault prevention and response by adding a new provision to the Uniform Code of Military Justice specifically prohibiting nonconsensual sharing of intimate images, expanding Special Victims' Counsel training to include training on the unique challenges often faced by male victims, and clarifying the process by which a designated representative can be appointed by a victim prior to a court-martial.

The CHAIR. The time of the gentleman has expired.

Mr. THORNBERRY. Mr. Chairman, I yield an additional 30 seconds to the gentleman from Colorado.

Mr. COFFMAN. Finally, servicemembers returning to civilian life and their spouses are challenged by varying State licensure and certification requirements. Rather than imposing a single Federal standard on the States, we provide for a \$500 reimbursement to defray these costs. We ask States to work with the Secretary of Defense to develop common standards where possible.

In conclusion, I want to thank Ms. SPEIER and her staff for their contributions to the mark and support in this process. Of course, we were joined by an active, informed, and dedicated group of subcommittee members. Their recommendations and priorities are clearly reflected in the National Defense Authorization Act for Fiscal Year 2018. Additionally, I appreciate the dedication and hard work of the subcommittee staff.

Mr. Chairman, I strongly urge my colleagues to support this bill.

Mr. SMITH of Washington. Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Chairman, I rise to commend the dedicated bipartisan work of the House Armed Services Committee in recognizing our subcommittee chairs, members, and the staff as well in bringing this critical bill to the floor.

But as it has been stated earlier, the budget numbers that we are talking about contained in the bill are, unfortunately, aspirational. We have not passed a budget resolution, and the Budget Control Act is still the law of the land.

While it is true that the BCA was a bipartisan failing—we can all take credit for that—pointing fingers does not solve the problems. We are on an uncertain and dangerous path, one where we have not been honest with ourselves on many levels and where we continue to play games with our men and women serving in the military.

We must recognize that the only path to solving these issues is bipartisan collaboration and legislation to repeal the BCA. Continuing resolutions and unrealistic, deeply partisan budgets amount to nothing more than professional malpractice.

I have to say, Mr. Chairman, that I was encouraged to see that the Senate included a proposal similar to the one I introduced during markup to continue paying the widows of servicemembers who died in defense of our Nation. Their personal compensation is not just a small gesture but our fundamental responsibility.

I am also encouraged by the promise our chairman made regarding this issue. He said that the issue “has to be fixed and will be,” but there are, as he acknowledged as well, “difficult trade-offs that have to be made.” I completely agree. We will all have to contribute to the solutions. I am prepared to do that, and I know that my colleagues are as well. We all have to hope together that we move forward and be prepared to do that.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Missouri (Mrs. HARTZLER), who is the distinguished chair of the Subcommittee on Oversight and Investigations.

Mrs. HARTZLER. Mr. Chairman, I rise in support of the National Defense Authorization Act for Fiscal Year 2018. I would like to thank Chairman THORNBERRY and Ranking Member SMITH for bringing this important bill to the floor.

As Members of Congress, it is our responsibility to provide support for our men and women in uniform while they selflessly serve our Nation. This bill takes significant steps to address our military's severe readiness crisis by ensuring that our troops have the resources, training, and capabilities needed to face the growing threats of today.

As chairwoman of the Oversight and Investigations Subcommittee, I am proud of the provisions included in this bill to reform the Foreign Military Sales process, provide funding to address the critical infrastructure needs of the U.S. Nuclear Security Enterprise, and protect our Nation's highly sensitive U.S. military information—information that our adversaries are actively seeking to exploit.

This bill is good news for the warfighter. It authorizes 22 additional F-18 Super Hornets to help fill the Navy's strike fighter shortfall and fully funds the B-21 Raider—a critical platform needed to deter and defeat future aggression around the world.

I am proud to represent Missouri's Fourth Congressional District, which is home to Whiteman Air Force Base and Fort Leonard Wood. This bill funds modernization programs for the B-2 Spirit and authorizes phase one of a new hospital facility at Fort Leonard Wood.

Since arriving to Congress, I have been fighting to address the infrastructure needs of our Army ammunition plants, like the one at Lake City, which is the sole source for our Army's

small caliber ammo. These plants are in dire need of modernization, and this bill authorizes much-needed funding to help improve these deteriorating facilities.

Thanks to the leadership of Chairman THORNBERRY, the Armed Services Committee increased defense spending to meet the needs of today's warfighter. I appreciate the opportunity to work with Ranking Member SETH MOULTON and all the committee members on this bill. I am proud of the bipartisan fashion in which we work, and I urge my colleagues to support its passage.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. BROWN).

Mr. BROWN of Maryland. Mr. Chairman, first, let me start by thanking Chairman THORNBERRY and Ranking Member SMITH not only for their leadership but the bipartisan collaborative approach to the work of the committee.

Certainly as a new member of the 115th Congress, I find that very refreshing. From what I have seen, it is no surprise that 50-plus years in a row we have successfully passed the NDAA.

Mr. Chairman, the United States faces serious security threats: aggression from North Korea and Russia, long and costly campaigns in Afghanistan and Iraq, and new battlefields in cyberspace and in outer space.

After years of sequestration, there is consensus certainly in the House Armed Services Committee that Congress must address readiness shortfalls and modernization challenges facing our military. So in the NDAA, we made greater investments in training and equipping the forces and prioritized projects that extend our technological and warfighting edge.

But increasing defense authorizations and appropriations, absent a clear national security strategy, will not make our country safer. We need a smart, strategic approach to national security that provides clear goals and objectives and that incorporates an all-of-government approach. That means not only increasing defense spending, but also ensuring funding for the State Department and USAID and reversing proposed cuts to nondefense programs that make the world more stable and secure.

We owe it to our servicemen and -women to provide them with both the resources to accomplish their mission abroad and to pursue the American Dream when they return home, and that is good schools, family-supporting jobs, and safe neighborhoods. We cannot do one at the expense of the other. The long-term success of our country depends on that.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from New York (Ms. STEFANIK), who is the distinguished

chair of the Subcommittee on Emerging Threats and Capabilities.

Ms. STEFANIK. Mr. Chairman, today I rise in strong support of the National Defense Authorization Act for Fiscal Year 2018, which increases readiness and ensures that those who serve our Nation are fully equipped, trained, and supported.

As the chairwoman of the Subcommittee on Emerging Threats and Capabilities, I am especially proud of the oversight regarding stronger cyber warfare capabilities, safeguarding technological superiority, enabling our Special Operations Forces around the globe, providing resources and authorities to counter terrorism and unconventional warfare threats, and energizing programs and activities that counter the spread of weapons of mass destruction.

Our achievements in cybersecurity carry three broad themes: First, the bill increases congressional oversight of cyber operations by including a bill introduced by myself, Ranking Member LANGEVIN, Chairman THORNBERRY, and Ranking Member SMITH that ensures Congress is kept fully informed of sensitive military cyber operations.

Second, we bolster international partnerships for cyber warfare to counter aggressive adversaries, including efforts to counter and mitigate adversarial propaganda efforts and information warfare campaigns.

Third, the bill continues to build and enhance our U.S. cyber warfare capabilities and activities.

Furthermore, Mr. Chairman, this bill reinforces counterterrorism and unconventional warfare capabilities by fully resourcing U.S. Special Operations Command's programs and activities and increasing congressional oversight of intelligence activities.

Finally, I would like to thank Mr. ROGERS, chairman of the Strategic Forces Subcommittee, for including language that supports the decision for a future East Coast missile defense site.

I would like to thank Mr. COFFMAN, chairman of the Military Personnel Subcommittee, for including portions of my bill, the Lift the Relocation Burden From Military Spouses Act.

Before I conclude, I would like to thank Chairman MAC THORNBERRY for his leadership, as well as my subcommittee ranking member, Congressman JIM LANGEVIN of Rhode Island, for his bipartisan energy and cooperation on all of these issues.

Mr. Chairman, I urge my colleagues to vote "yes" on H.R. 2810.

Mr. SMITH of Washington. Mr. Chairman, may I inquire as to how much time remains on each side.

The CHAIR. The gentleman from Washington has 9½ minutes remaining. The gentleman from Texas has 8 minutes remaining.

Mr. SMITH of Washington. Mr. Chairman, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Nebraska (Mr. BACON) who is a valued member of the committee and a retired Air Force general.

Mr. BACON. Mr. Chairman, I rise today in staunch support of the National Defense Authorization Act of 2018.

I served in the military under the past five Presidents starting with Ronald Reagan and witnessed firsthand the erosion of our combat edge. When I joined the military, we out-trained our competitors with a 2-to-1 flying-hour advantage. Today, we are lagging behind them in training, and it is unconscionable to send our warriors to fight without every possible advantage. We don't want a close fight, but that is where we are at today.

As a General Officer, I was charged with preparing our forces to prevail over any adversary, a nearly impossible task given the damage done by a 22 percent reduction of defense spending over the last 8 years while we are at war. This act will begin to right the ship with a 10 percent top-line increase providing the means to rebuild readiness, deter aggression, and defeat adversaries. It invests in peace through strength.

The Constitution charges this body with the power to provide for the common defense. For the Armed Services Committee, this is a solemn obligation rooted in over 50 years of bipartisan ship, and we meet this obligation with the 2018 NDAA.

Mr. Chairman, I urge support.

Mr. SMITH of Washington. Mr. Chairman, I continue to reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from California (Mr. KNIGHT), who is another very valuable member of our committee.

Mr. KNIGHT. Mr. Chairman, I rise in support of H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. This bill is the result of mindful deliberation and absolute dedication to our Nation's soldiers, sailors, airmen, and marines. I am proud to be standing here with fellow members of the Armed Services Committee and speak to the merits of this legislation.

In particular, the acquisition reforms in this bill will help get proven, advanced equipment in the hands of servicemembers faster and for a better price. This bill brings much-needed innovation to the way defense acquisition personnel spend taxpayer dollars and the way commercial businesses engage with the U.S. Government.

It prioritizes oversight of service contracts. This type of contract accounts for over 50 percent of DOD contract expenditures, which up to now was unclear and unanalyzed. It will help secure a better value for precious dollars spent through reforms in the contract auditing process.

The small-business industrial base is a critical part of DOD procurement. Our small businesses have a unique ability to strengthen our contracting process by driving innovation and competition in the marketplace. It is important that we create opportunities for these contractors and strengthen entrepreneurial development programs and help eliminate barriers of entry and diversify our industrial base.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut (Mr. COURTNEY), who is the ranking member of the Subcommittee on Seapower and Projection Forces.

Mr. COURTNEY. Mr. Chairman, I thank Mr. SMITH for yielding and compliments to him and Chairman THORNBERRY for the outstanding work, again, that the two of them have collaborated on to keep this really massive undertaking on schedule. It is really a very truncated schedule this year, but they both did it. Again, it is kudos to both of them in terms of their leadership skills.

Mr. Chairman, I rise in strong support of the 2018 NDAA. Front and center in our deliberations in the Seapower and Projection Forces Subcommittee on which I serve with Chairman WITTMAN, who is in his first term and did an outstanding job, was the build-up of our Navy fleet which has been a multiyear process of strategic planning.

□ 2015

In December of last year, the prior Navy secretary, Ray Mabus, who served in the prior administration, released an updated force structure assessment that laid out the requirement for increasing the Navy's fleet from 308 ships to 355.

Then, in January, Navy officials outlined a plan to get us on a construction path to get us on a path to a larger fleet. In early May, the chief of naval operations emphasized that "time is of the essence" in growing the Navy.

The stage was set to get started on the larger fleet. That was why so many of us were surprised on May 23 and disappointed when the White House sent over basically a 308-ship budget for a 355-ship fleet.

I am proud to say that, on a bipartisan basis, we have done much better in this bill than the budget that came over. Among other things, the bill explicitly makes it the policy of our Nation to achieve a 355-ship Navy. We add five additional ships in 2018, for a total of 12, to get us moving to the larger fleet that the prior administration and the new administration know that we need.

One area I am particularly proud of is the area of undersea forces. Reflecting the urgent testimony of our combatant commanders, our panel once again led the way in forging an aggressive but realistic plan to grow our submarine fleet.

To achieve this, our bill authorizes multiyear procurement authority for 13 *Virginia* class attack submarines for the next 5 years. Not only would this keep us at the two-a-year level we have been on for the last few years, but would go even further by reaching a three-submarine build rate in the coming years.

The seapower portion of the bill does much more to support a range of priorities on the seas and in the skies, far too many to itemize here today.

I will just say that I am proud of the bipartisan contribution of all of our subcommittee members into the product before the House today, and, again, Mr. WITTMAN for his first year as subcommittee chairman.

In particular, I want to highlight the work of our subcommittee staff in helping us craft the bill. I am joined here today by one of my staff, Stephen Clement, who has been working with us, but he is going to be moving on to better things. I want to publicly thank him for his outstanding work in terms of helping us get to the place we are here today.

In closing, I would urge my colleagues to support the Defense Authorization bill.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. BANKS), a valuable member of our committee who continues to serve our Nation in the Reserves.

Mr. BANKS of Indiana. Mr. Chair, I rise today to express my strong support for the National Defense Authorization Act for Fiscal Year 2018.

As the most recently deployed veteran serving in Congress, serving in Afghanistan just 2 years ago, I know the national security challenges facing our country firsthand. While these challenges are not easily solved, this legislation represents a significant step forward.

I want to take a moment and specifically thank Chairman THORNBERRY for his leadership and assistance to myself and other freshman members of the committee.

Working together with colleagues on both sides of the aisle, the Armed Services Committee has crafted a bill focused on rebuilding and reforming the Department of Defense. By procuring what we need, fixing what we already have, and by being good stewards of the taxpayers' dollars by proposing new contract audit reforms, this bill begins the hard work of getting our Department back on the right track.

While we cannot control the existential threats facing our Nation, we must ensure those in uniform are ready to address those threats when necessary.

Moreover, as this week's tragic C-130 accident that claimed the lives of 16 servicemembers reminded all Americans, our servicemembers place their lives on the line each day.

The CHAIR. The time of the gentleman has expired.

Mr. THORNBERRY. Mr. Chair, I yield an additional 30 seconds to the gentleman.

Mr. BANKS of Indiana. From giving our troops a well-deserved raise to funding our vital missile defense programs, I believe this legislation begins the process of rebuilding and reforming our military so we are ready for whatever comes next.

Mr. SMITH of Washington. Mr. Chair, I yield myself the balance of my time.

Mr. Chair, what I really want to focus on is the budget problem, because that is really underlying all of this.

We have heard a lot of good speeches from Members talking about what is in this bill, how important it is, how what is in this bill is attempting both to meet our national security threats and, as importantly, to make sure that we take care of the men and women who serve our military, who fight to protect us to make sure, first of all, that they and their families are taken care of from a financial standpoint, but also to make sure they have the equipment and training they need to be ready to fight the fights that we ask them to go to. I think that is one of the great challenges.

Whatever it is we decide ought to be our national security strategy, I think the thing we all agree on is we need to make sure we provide the training, equipment, and support so that the men and women who serve in the military are ready for that fight.

The worst thing we can do is create a hollow force and set up an expectation that: You need to do all of this, but we are only going to train you for that. So if this other stuff comes up, you are not going to be ready.

We have talked about this a lot in our committee to make sure that we are ready for the fight that comes. And that is where the budget creates a very significant problem.

We have talked a lot about the Budget Control Act and sequestration. It is pretty clear why we had the Budget Control Act and sequestration. I was here for it. We were days away from not raising the debt ceiling and basically not meeting our commitments to pay our bills. There are those who figure that that can be a significant problem.

So we made an agreement. We were going to try to get the budget under control. Sequestration was put in place, with the expectation that it wouldn't be implemented because we would come to a grand bargain on revenue and spending that would get our deficit under control. Well, we didn't, and sequestration kicked in.

But as we sit here today, even if we got rid of sequestration, even if we got rid of the budget caps, we are still \$20 trillion in debt. We are going to run a \$700 billion deficit. This is projected to go nowhere but up in the years ahead. I don't believe that is sustainable.

Now, I don't think we need to balance the budget tomorrow or next year or even in the next 5 years, but we need to get ourselves on a sustainable path. And we flat refuse to do that.

You don't see a lot of campaigns promising to cut specific programs or promising to raise taxes. I love the fact that if you poll the American people, there is a very clear consensus on what they think we ought to do about this problem.

First of all, somewhere in the neighborhood of 80 percent of them support a balanced budget now, by the way. Not 5, 10 years, but right now.

You ask them: Well, here are all the places where the government spends money. What would you like to cut?

The answer to that question is: nothing. Literally nothing.

The Pew Research folks do a poll on this every year, and in every single category a majority of people would rather keep the money the same or increase it, as opposed to decrease it.

Of course, if you ask them what taxes they would like to increase, by and large, they don't want to increase taxes. It is interesting. If you can convince people that the taxes in question will not apply to them, for a brief moment they will be supportive of it. But then someone will come along and convince them that at some point it might apply to them, and then they oppose it.

So our task as Members of Congress is to balance the budget without raising taxes or cutting spending. That, of course, is impossible. So what we have chosen to do is put off that decision for as long as is humanly possible.

That is why we do not have a budget resolution. Any budget resolution this body could create would fail on probably multiple fronts of what the public expects. It wouldn't balance the budget. It would cut spending they didn't want to cut. It probably wouldn't raise taxes, coming from this majority, but if it did, it wouldn't be popular. So we have to start having an honest conversation about the budget.

We hear in the Armed Services Committee all the time about all the needs, all the shortfalls, all the critical things we need to do. We argue about it and argue about it, but in 6 years the Republican majority has not put forward a plan to control mandatory spending. They say that is the problem. No plan to do that. Certainly, they haven't even considered the possibility of increasing revenue.

If we are this serious—and we should be—about making sure that we have the funds necessary to provide an adequate national security, then we should stop cowering from the budget debate.

Personally, I am all for raising taxes because I see the needs that the chairman and everybody else has described, and I am actually prepared to pay for them. So we need to do that. That

overarching budget problem is what has put us in this mess.

As we talk about this bill, as I said, it is \$72 billion over the budget caps. Unless we get a vote to lift those budget caps—which I just mentioned is politically unpopular, which is why we haven't done it for the full 6 months we have been in session this year—then that \$72 billion goes away and the Pentagon is back in chaos.

So this may be a good bill. It may be solid. It doesn't have the backing of the budget.

Let me finally suggest that there are some things that the Department of Defense could do. This is why the strategy is so important.

Yes, the Obama administration waited until May of 2010. They didn't have 6 years of CRs and government shutdowns and threatened shutdowns and the changing threat environment that we have. They had a reasonably consistent set of problems. It was a set of problems, but they had the same Secretary of Defense from the previous administration. They had time to look at that.

We need this strategy urgently because the big question is: Are we spending the money correctly? Is the Department of Defense spending the money in the right way? Do we have a strategy to figure out how we should prioritize?

We don't. With this crushing budget environment, it is absolutely critical that we do. We need to consider the possibility, for instance, that we might be spending some money that we shouldn't be spending.

I will often ask that question of the generals who come over and tell us how short they are of everything. I say: Well, where are we spending money, in your opinion, that we shouldn't be?

They never answer the question. You cannot tell me in a \$700 billion budget in a place as large as the Pentagon that there isn't somebody over there who knows to say: Look, we shouldn't be doing this.

Just to give one suggestion, we have had the BRAC debate forever. We have had a shrinking military, yet we have maintained the same infrastructure. We have seen study after study from the Air Force and others about how much excess capacity they have and money that could be saved from doing that. But again this year, for, I submit, political reasons, BRAC is prohibited.

So we need to get a lot smarter about how we are going to spend this money and a lot smarter about our budget if this bill is actually going to become reality.

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

Mr. THORNBERRY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, as usual, the gentleman from Washington makes a number of good points.

We absolutely need to have national security based on a strategy and fund

that strategy. There are many of us who would argue that is not what has happened in recent years.

I would just point out it was not only President Obama, but also President Bush and President Clinton. None of them provided a national security strategy in the first year that they were in office. I have tremendous confidence in Secretary Mattis, among others on the national security team. I believe they are looking at these issues and will provide us with a strategy.

The gentleman is also absolutely correct when he points out that the Defense Authorization bill is only one step in the process. There are many more steps to come.

I think we will have a budget on this floor to vote on shortly. I also expect that we are going to have appropriations to vote on at some point in the coming weeks. I also believe that we are going to have the opportunity to vote on dealing with the sequestration caps, which, by the way, the administration and I think most of us in the House and I presume most in the other body as well are in favor of doing away with because they have not been successful in accomplishing the goal for which they were put in place.

So there are clearly many more debates to have on other days. What we have this week on the floor before us is the Defense Authorization bill. And it is our obligation to authorize the things that the military needs.

I want to go back to the point that Mr. BANKS made a few minutes ago. These are life-and-death decisions. Our hearts break, our prayers go out to the families of the 15 marines and the one sailor who lost their lives Monday of this week in the plane crash in Mississippi, just as our hearts go out and our prayers continue for the family members of the seven sailors who lost their lives off of Japan a few weeks ago.

What it reminds us is exactly what Mr. BANKS said: this is a dangerous business, even on training mission, even on routine deployments. The men and women who volunteer to serve our country to protect us and to secure our freedoms deserve the very best our country can provide them. That is the goal of this bill: support the men and women who serve us and to further the national security of the United States.

You have heard from both sides of the aisle about many good things that are in this bill. We are going to go through a lot of amendments over the next several days. But at the end of the day, the point is, even with the good, the bad, and the ugly that gets put in this bill, to support the men and women who serve by voting "yes," and I hope my colleagues will do that.

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

Mr. THORNBERRY. Mr. Chair, I ask that the following exchange of letters be included in the RECORD on H.R. 2810:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,  
Washington, DC, July 5, 2017.

Hon. WILLIAM M. "MAC" THORNBERRY,  
Chairman, Committee on Armed Services,  
Washington, DC.

DEAR CHAIRMAN THORNBERRY: I write concerning H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018, as amended. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

However, in order to expedite this legislation for floor consideration, the Committee will forgo action on this bill. This, of course, is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the committee report on H.R. 2810 and into the Congressional Record during consideration of the measure on the House floor.

Sincerely,

BILL SHUSTER,  
Chairman.

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 5, 2017.

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

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. I agree that the Committee on Transportation and Infrastructure has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Transportation and Infrastructure is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. "MAC" THORNBERRY,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON VETERANS' AFFAIRS,  
Washington, DC, June 30, 2017.

Hon. WILLIAM M. "MAC" THORNBERRY,  
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. THORNBERRY: I write to confirm our mutual understanding regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. This legislation contains subject matter within the jurisdiction of the Veterans' Affairs Committee. However, in order to expedite floor consideration of this important legislation, the committee waives consideration of the bill.

The Veterans' Affairs Committee takes this action only with the understanding that the committee's jurisdictional interests over this and similar legislation are in no way diminished or altered.



The committee also reserves the right to seek appointment to any House-Senate conference on this legislation and requests your support if such a request is made. Finally, I would appreciate your including this letter in the Congressional Record during consideration of H.R. 2810 on the House Floor. Thank you for your attention to these matters.

Sincerely,

DAVID P. ROE, M.D.,  
*Chairman.*

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 5, 2017.

Hon. DAVID P. ROE, M.D.

*Chairman, Committee on Veterans' Affairs,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. I agree that the Committee on Veterans' Affairs has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Veterans' Affairs is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. "MAC" THORNBERRY,  
*Chairman.*

Mr. GENE GREEN of Texas. Mr. Chair, I rise in support of our nation's servicemembers, military families, and community colleges in support of the National Defense Authorization Act.

The 2018 NDAA supports our men and women in uniform by providing a much deserved 2.4 percent pay increase and extending special pay and bonuses for servicemembers. This bill further supports military families by prohibiting the proposed reduction in inpatient care for military medical treatment facilities located outside the United States, and will provide up to \$500 for a spouse's expense related to obtaining a license or certification in another state because of a military move.

Our nation's military is one of the major economic drivers for the State of Texas. Texas is home to several of America's largest military bases, including Fort Hood in Killeen, Fort Bliss in El Paso, and Joint Base San Antonio. Texas is also home to major defense manufacturing facilities that help our servicemembers protect America and employ thousands of hardworking Texans.

The NDAA includes a provision, Section 3507, that will authorize the U.S. Maritime Administration to designate and provide assistance to certain community colleges and workforce training centers as "centers of excellence" that provide valuable skills in the maritime sector.

This language will help community colleges, like San Jacinto College, in our district in Harris County, Texas, that provides a modern, comprehensive training program for working in our maritime industry. San Jacinto College works closely with Houston's maritime community and the Port of Houston, and recently opened a state-of-the-art maritime training center last year.

This provision is modeled after legislation I introduced with Rep. ROBERT WITTMAN earlier

this year, the Domestic Maritime Centers of Excellence Act (H.R. 2286). I hope our colleagues will support our Centers of Excellence provision and ensure its inclusion when the NDAA reaches the President's desk.

I ask all my colleagues on both sides of the aisle to join me in supporting the National Defense Authorization Act.

Mr. HARPER. Mr. Chair, I rise in strong support of the Harper/Brady Amendment, which is included in this en block package of amendments. Our amendment while simple is critical to the security of the House of Representatives and its information technology systems. This amendment allows the Speaker, with the concurrence of the Minority Leader, to request assistance from the Executive Branch, within the confines of current law, in the event there is a successful cybersecurity attack on the House of Representatives.

Three scenarios readily come to mind in which Executive Branch assistance would be critical.

The first scenario addresses a situation in which the House of Representatives has a suspicion that a nation-state sponsored actor has successfully infiltrated the House network. The House of Representatives would need assistance from the National Security Agency, the Department of Homeland Security, or possibly even the Department of Defense's Cyber Command to help identify, eliminate and remove the nation-state sponsored actor from our network systems. The House of Representatives would also need additional assistance from the intelligence community to identify and validate the nation-state sponsored actor and their associated tactics, techniques, and procedures.

The second scenario involves assistance from the appropriate law enforcement agency in the event the House of Representatives and its network systems are victims of criminal activity conducted by a malicious actor or actors.

Finally, the House of Representatives would need assistance from the Executive Branch if a catastrophic event occurred and compromised a significant amount of the House of Representatives' enterprise system, and could not guarantee the integrity of the legislative process. The House of Representatives would seek assistance from the National Security Agency, the Department of Homeland Security, the intelligence community, or the Department of Defense's Cyber Command to identify the root cause of the compromise; protect existing House information systems; detect any collateral damage resulting from the incident; respond, resolve, and remove the incident from the House systems; and finally, restore the House of Representatives to an acceptable operational state.

The attempts to attack the House of Representatives are real. Every month, the House successfully defends against the three to four million cyber attacks against our networks. Before the July 4th recess, the House of Representatives successfully fought off a "brute force attack" in which more than 44,000 attempts to breach the networks occurred in just one day.

We are not dealing with hypotheticals. It may be just a matter of time before one of the millions of attempts is successful. The House of Representatives must be prepared.

I encourage my colleagues to support this amendment.

Mr. CONNOLLY. Mr. Chair, I rise to speak in support of my amendment No. 41 to H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018.

My amendment directs the Secretary of Defense to develop a definition for the term Procurement Administrative Lead Time to be applied throughout the Department of Defense (DoD). Additionally, the amendment also requires a plan for measuring and publicly reporting data on procurement administrative lead time for DoD contracts and task orders above a certain threshold.

Given the number and costs of contracts and task orders issued by the Department of Defense, it is important that the Department collect information on the amount of time between when a solicitation is issued and the initial award of the contract or task order. By establishing a uniform definition and collecting this data, DoD, the contractor community, and other stakeholders can better analyze the data and use it as a tool to reduce unnecessary delays.

I am very pleased that the managers of this legislation recognize the need to find and address inefficiencies in the procurement process.

Mr. Chair, I also rise to speak in support of my bipartisan amendment No. 43 to H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018, which I have offered with my colleague, Mr. ISSA of California.

My amendment would extend three expiring provisions of the Federal Information Technology Acquisition and Reform Act, which is better known as FITARA or Issa-Connolly. This bipartisan legislation represented the first major reform of the laws governing federal IT management since the seminal Clinger-Cohen Act of 1996, and it was enacted as a provision of the FY2015 NDAA.

When I meet with stakeholders in federal IT from government agencies and industry, I am constantly reminded why previous major IT reform efforts have fallen short of their potential—the lack of a robust implementation plan and congressional oversight. Through countless hearings and briefings, close coordination with the Office of Management and Budget (OMB) and Government Accountability Office (GAO), and the Oversight and Government Reform Committee's work on the FITARA Scorecard, Congress is committed to the successful implementation and oversight of FITARA.

In working with GAO and OMB on FITARA implementation, we have found that there are areas of FITARA that would benefit from an extension of their original sunset date. These areas include the provisions on federal data center consolidation, transparency and risk management of major IT systems (IT Dashboard), and IT portfolio, program, and resource reviews (PortfolioStat).

Very simply, the federal data center problem is bigger than we initially thought. In 2009, when Federal Chief Information Officer Vivek Kundra directed agencies to determine how many data centers they had and begin to consolidate those centers, the government estimated it had roughly 1,100 data centers. That estimate grew to 11,700 by 2015.

As GAO has recommended, we are potentially leaving money on the table when it comes to data center consolidation if we allow FITARA's data center reporting and planning requirements to expire in 2018. Twenty-three agencies have reported roughly \$656 million collectively in planned savings for fiscal years 2016 through 2018. This is \$3.3 billion less than the estimated \$4.0 billion in planned savings for fiscal years 2016 through 2018 that agencies reported to GAO in November 2015. As of April 2017, 23 of 24 agencies have submitted a strategic plan for data center consolidation. Of the 23 plans, only 7 included all required information. The remaining plans either partially met or did not meet the requirements.

We need to let agencies know that they are not going to be able to run out the clock on FITARA's transparency and reporting requirements. A limited extension of the data center provisions of FITARA, scheduled to sunset October 1, 2018, could help us do that.

Additionally, the IT Dashboard and PortfolioStat provisions of FITARA have allowed OMB to evaluate the efficiencies and risk of IT investments and would benefit from a permanent extension of the current December 1, 2019 sunset. These are valuable oversight tools, and we should continue to use them to reform federal IT procurement.

The federal government invests roughly \$100 billion in IT each year. I look forward to continued bipartisan collaboration on FITARA implementation to ensure these investments are efficient, effective, and in the best interest of the taxpayer.

I want to thank the Chairman and Ranking Member for working with me on this amendment.

Mr. THORNBERRY. Mr. Chair, I ask that the following exchange of letters be included in the RECORD on H.R. 2810:

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

Washington, DC, July 3, 2017.

Hon. WILLIAM M. "MAC" THORNBERRY, Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I write to you concerning H.R. 2810, National Defense Authorization Act for Fiscal Year 2018, which contains provisions within the Rule X jurisdiction of the Permanent Select Committee on Intelligence ("the Committee"). The Committee recognizes the need for proceeding expeditiously to Floor consideration of this important bill. Therefore, I do not intend to request a sequential referral.

This waiver is conditional on our mutual understanding that my decision to forego Committee consideration of this legislation does not diminish or otherwise affect any future claim over the matters in the bill which fall within the Committee's jurisdiction, and that a copy of this letter and your response acknowledging the Committee's jurisdictional interest will be included in the committee report accompanying H.R. 2810 and submitted into the Congressional Record during consideration of this bill on the House Floor.

I also intend to seek the appointment of Committee Members to any House-Senate conference on this legislation and request your support if such a request is made. Thank you for the cooperative spirit in which you have worked regarding this and

other matters between our respective committees.

Sincerely,

DEVIN NUNES,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, July 5, 2017.

Hon. DEVIN NUNES, Chairman, Permanent Select Committee on Intelligence, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. I agree that the Permanent Select Committee on Intelligence has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Permanent Select Committee on Intelligence is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. "MAC" THORNBERRY,  
Chairman.

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

Washington, DC, July 6, 2017.

Hon. WILLIAM M. "MAC" THORNBERRY, Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 2810, the "National Defense Authorization Act for Fiscal Year 2018," which your Committee ordered reported on June 28, 2017.

H.R. 2810 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, July 11, 2017.

Hon. LAMAR SMITH, Chairman, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. I agree that the Committee on Science, Space, and Technology has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative

of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Science, Space, and Technology is not waiving its jurisdiction. Further, this exchange of letters will be included in the Congressional Record.

Sincerely,

WILLIAM M. "MAC" THORNBERRY,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON SMALL BUSINESS,  
Washington, DC, June 27, 2017.

Hon. WILLIAM M. "MAC" THORNBERRY, Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write to confirm our mutual understanding regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. This legislation contains subject matter within the jurisdiction of the Committee on Small Business. However, in order to expedite floor consideration of this important legislation, the committee waives consideration of the bill.

The Committee on Small Business takes this action only with the understanding that the committee's jurisdictional interests over this and similar legislation are in no way diminished or altered.

The committee also reserves the right to seek appointment to any House-Senate conference on this legislation and requests your support if such a request is made. Finally, I would appreciate your including this letter in the Congressional Record during consideration of H.R. 2810 on the House Floor. Thank you for your attention to these matters.

Sincerely,

STEVE CHABOT,  
Chairman, Committee on Small Business.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, July 5, 2017.

Hon. STEVE CHABOT, Chairman, Committee on Small Business, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. I agree that the Committee on Small Business has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Small Business is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. "MAC" THORNBERRY,  
Chairman.

Ms. ESHOO. Mr. Chair, I rise in strong support of Amendment No. 18, and I'm proud to be a cosponsor of it.

The amendment authorizes \$15 million for an innovative program known as Hacking for Defense. I'm proud this was originally piloted at Stanford University in my Congressional District and has since expanded to six other colleges and universities around the country.

Hacking for Defense offers our country's best and brightest students the opportunity to work directly with our nation's military to identify our most urgent national security threats.

Students design innovative solutions using a lean-startup model that can quickly lead to the procurement of new technologies that solve

real-world problems facing our military and the warfighter.

Hacking for Defense integrates entrepreneurship with public service and helps the federal government become more flexible and less bureaucratic in its approach to problem solving, something Congress has long sought to foster.

I urge my colleagues to support this bipartisan amendment.

Ms. SINEMA. Mr. Chair, I rise today in support of the Sinema-Fitzpatrick-Budd amendment to H.R. 2810, the Fiscal Year 2018 National Defense Authorization Act.

I thank Chairman Thornberry and Ranking Member Smith for their support of our amendment and for including it in the en bloc package.

The Islamic State of Iraq and the Levant (ISIL) continues to represent a clear threat to the security of the United States and our allies, and to stability in the Middle East.

While ISIL has lost significant territory over the last six months, the terrorist organization continues to oppress and murder civilians in Syria and Iraq and spread its message of violence and hate across the globe.

ISIL's perverted orthodoxy and efforts to support and inspire attacks in the United States and elsewhere are direct threats to our security and safety.

We must do all we can to accelerate ISIL's destruction.

Our bipartisan amendment ensures that the Report on the United States Strategy in Syria required by the underlying bill includes a description of amounts and sources of ISIL financing and our efforts to disrupt this financing as part of the broader US strategy in Syria.

Financing is the lifeblood of any organization.

Denying revenue streams from oil, from stolen currency, and from extortion, has helped in the fight against ISIL.

Less money means fewer weapons, fewer fighters, and fewer resources to support those fighters, but the fight is far from over and ISIL has already demonstrated its ability to adapt and evolve.

As ISIL loses territory in Iraq and Syria, it looks abroad to inspire and support terrorist attacks in other countries around the world.

We must choke off its sources of revenue. We must deny its access to resources that fund operations in Syria, Iraq, and abroad.

Our amendment ensures we stay focused on financing, and we do it in a way that supports our broader military and counter-terrorism strategies.

As we have seen, effectively integrating smart counter threat finance enhances our overall strategy in Syria and Iraq and can prevent ISIL support for attacks in the US, in Europe and elsewhere.

Ultimately, it will accelerate the fall of ISIL and keep Americans safe.

I thank my colleagues Congressman FITZPATRICK and Congressman BUDD for offering this amendment with me.

Again, I thank Chairman THORNBERRY and Ranking Member SMITH for their support and for their continued bipartisan leadership in support of our country's national security.

Ms. JACKSON LEE. Mr. Chair, I want to thank Chairman THORNBERRY and Ranking

Member SMITH for shepherding this legislation to the floor and for their devotion to the men and women of the Armed Forces who risk their lives to keep our nation safe.

Mr. Chair, thank you for the opportunity to explain the Jackson Lee Amendment to H.R. 2810, the National Defense Authorization Act for FY2018, which authorizes \$2.5 million in increased funding to combat and treat Post-Traumatic Stress Disorder.

Had it been made in order, this Jackson Lee amendment would have provided additional funding to be used toward outreach activities targeting hard to reach veterans; especially those who are homeless or reside in underserved urban and rural areas.

Mr. Chair, along with traumatic brain injury, Post-Traumatic Stress Disorder (PTSD) is the signature wound suffered by the brave men and women who fought or are fighting in Afghanistan, Iraq, and far off lands to defend the values and freedom we hold dear.

For those of us whose daily existence is not lived in harm's way, it is difficult to imagine the horrific images seen by American servicemen and women deployed in Iraq, Afghanistan, and other theaters of war.

In an instant a suicide bomber, an IED, or an insurgent can obliterate your best friend and right in front of your face.

Yet, you are trained and expected to continue on with the mission, and you do, even though you may not even have reached your 20th birthday.

But there always comes a reckoning.

And it usually comes after the stress and trauma of battle is over and you are alone with your thoughts and memories.

And the horror of those desperate and dangerous encounters with the enemy and your own mortality come flooding back.

PTSD was first brought to public attention in relation to war veterans, but it can result from a variety of traumatic incidents, such as torture, being kidnapped or held captive, bombings, or natural disasters such as floods or earthquakes.

People with PTSD may startle easily, become emotionally numb (especially in relation to people with whom they used to be close), lose interest in things they used to enjoy, have trouble feeling affectionate, be irritable, become more aggressive, or even become violent.

They avoid situations that remind them of the original incident, and anniversaries of the incident are often very difficult.

Most people with PTSD repeatedly relive the trauma, called flashbacks, in their thoughts during the day and in nightmares when they sleep.

A person having a flashback may lose touch with reality and believe that the traumatic incident is happening all over again.

Mr. Chair, the fact of the matter is that most veterans with PTSD also have other psychiatric disorders, which are a consequence of PTSD.

These veterans have co-occurring disorders, which include depression, alcohol and/or drug abuse problems, panic, and/or other anxiety disorders.

The Jackson Lee Amendment recognizes that these soldiers are first and foremost, human and that they carry their experiences with them.

Ask a veteran of Vietnam, Iraq, or Afghanistan about the frequency of nightmares they experience, and one will realize that serving in the Armed Forces leaves a lasting impression, whether good or bad.

The Jackson Lee Amendment would have helped ensure that "no soldier is left behind" by addressing the urgent need for more outreach toward hard to reach veterans suffering from PTSD, especially those who are homeless or reside in underserved urban and rural areas of our country.

Mr. Chair, I also want to speak in support of the amendment to H.R. 2810, the National Defense Authorization Act for FY2018, offered by Judiciary Committee Ranking Member CONYERS, and supported by Congresswoman BARBARA LEE of California, Congressman WALTER JONES of North Carolina, myself, and many other colleagues but not made in order by the Rules Committee.

The Conyers Amendment is simple and straightforward, stating:

"Nothing in this Act shall be construed as authorizing the use of force against North Korea."

Interviewed by Reuters in the Oval Office on April 27, 2017, the President stated:

"There is a chance that we could end up having a major, major conflict with North Korea. Absolutely."

According to media reports, military strikes against North Korea remain an option for the President and his national security team.

Earlier this year, the Trump Administration sent an aircraft carrier and a nuclear-powered submarine to the region in a show of force.

Of course, direct U.S. military action runs the risk of massive North Korean retaliation and huge casualties in Japan and South Korea and among U.S. forces in both countries.

The Conyers Amendment would make clear and explicit that nothing in the FY2018 NDAA can be construed as congressional authorization or acquiescence regarding the use of military force against North Korea.

The Framers understood that while the military does the fighting, the entire nation goes to war.

That is why the Framers lodged the power to declare war in the Congress, the branch of government closest to the people.

They knew that the decision to go to war was too important to be left to the whim of a single person, no matter how wise or well-informed he or she might be.

The President must consult with Congress and to obtain an AUMF before undertaking any military offensive against North Korea.

Over the last 16 years, we have seen 3 Presidents use the 2001 Afghanistan AUMF as a blank check to engage in serious military action.

In 2016, the Congressional Research Service issued a report detailing 37 unclassified uses of this authorization in 14 countries, including for operations at Guantanamo Bay, warrantless wiretapping, and recent military action in Libya, Syria, Somalia, and Yemen.

The overly broad 2001 AUMF represents a critical deterioration of Congressional oversight, which should be repealed, rather than repeated with respect to North Korea.

As our brave service members are deployed around the world in combat zones, Congress is missing in action.

As provided under the War Powers Resolution of 1973, absent a Congressional declaration of war or authorization for the use of military force, the President as Commander-in-Chief has constitutional power to engage the U.S. armed forces in hostilities only in the case of a national emergency created by an attack upon the United States, its territories or possessions, or its armed forces.

As a co-equal branch of government, it is Congress's right and responsibility to be fully consulted regarding any potential plans to conduct military operations in North Korea, to assess whether such action is in the national security interest of the United States and its allies, and to withhold or grant authorization for the use of military force based on this assessment.

As we have learned from the painful and bitter experience of the past 16 years, at the initiation of hostilities, the costs in terms of blood and treasure of U.S. military interventions abroad are often underestimated and the benefits overstated.

For example, more than 6,800 American service members gave the last full measure of devotion to their country on battlefields in Afghanistan and Iraq, with hundreds of thousands more returning with physical, emotional, or psychological wounds that may never heal.

The direct economic cost of the war in Afghanistan exceeds \$1.07 trillion, including \$773 billion in Overseas Contingency Operations funds, an increase of \$243 billion to the Department of Defense base budget, and an increase of \$54.2 billion to the Veterans Administration budget to address the human costs of the military involvement in Afghanistan.

We should not repeat the mistakes of the past and my position on this issue is directly aligned with the will of the American people.

I commend my colleague, Congressman CONYERS for offering this important amendment and am disappointed that it was not made in order.

I am confident that depriving Members of the opportunity to debate and vote on the Conyers Amendment will strengthen our resolve to restore Congress's preeminent constitutional role in the decision to take the nation to war.

If it had been made in order and approved, Jackson Lee Amendment No. 179 would have directed the Secretary of Defense to conduct, and report to Congress within 180 days, the results of a study regarding whether the requirement to notify a Voting Action Officer within 10 days of registering to vote in a state where a service member resides, due to a duty reassignment, imposes a significant burden on military voters.

Members on both sides of the aisle want our men and women in the armed services to be able to vote.

Unfortunately, they often cannot, despite the option of casting an absentee ballot if they are deployed overseas.

For most of U.S. history, military personnel have been barred from voting by State laws and constitutions that specifically restricted military personnel from voting.

Following the Civil War, many of these laws began to change because so many citizens served in the military.

Today, there is a Federal Voting Assistance Program that assists military voters and their families living in the United States and abroad to vote in public elections.

Work has been done and is continuing to be done to make the absentee voting experience for military voters as easy as possible, but there are still issues with receiving a ballot and being able to return it by the deadline.

The military population is extremely mobile.

Since voting materials are postal materials that cannot be forwarded, it is important for them to provide their election office their current address annually, as well as after every move, because information provided is the only way of election agencies can contact them.

Military personnel are often relocated because of reassignments, which are outside of their control.

The process for voting is difficult for persons serving in the military and adding a requirement that military voters who decide to register where they may have been reassigned may need more than 10 days to meet the requirement of notice to their Voting Action Officer.

This Jackson Lee Amendment directs the Department of Defense to study and report to Congress the impact the 10 day requirement and whether it imposes an undue burden on military voters who seek to cast their ballots in person.

Military voters should have the option of casting an in-person ballot, while they serve our nation at a station or on assignment in the United States.

This Jackson Lee Amendment would have ensured that our men and women of the armed services have equal access to the ballot and the opportunity to cast a vote, without fear of violating a 10 day deadline.

I am disappointed that this Jackson Lee Amendment was not made in order, but I will continue working with my colleagues to find ways to ensure our armed services men and women have equal and just access to voice their opinion by casting a voting ballot.

Mr. Chair, thank you for the opportunity to explain the Jackson Lee Amendment to H.R. 2810, the National Defense Authorization Act for FY2018, which would have required the Secretary of Defense to report to Congress on programs and procedures employed to ensure students studying abroad through Department of Defense National Security Education Programs are trained to recognize, resist, and report against recruitment efforts by agents of foreign governments.

This training would have been helpful for students such as Glenn Shriver, an outstanding college student-majoring in international relations at a college in Michigan and interested in seeing the world.

Seeking new experiences, Glenn traveled to China during the 2002–2003 academic year to Study Abroad in one of Shanghai's universities and practice his Mandarin.

During his study abroad program in China, Glenn developed an interest in Chinese culture and considerably improved his fluency in Mandarin, so after graduating from college in 2004, he returned to the China to continue his language studies and to look for work.

After seeing potential in Glenn, a Chinese official going by the name of Amanda ap-

proached him and asked him to write papers and paid him \$120.

In the following months, Glenn took some \$70,000 from the woman and her associates, and eventually sought a U.S. government job with the aim of accessing classified information with the purpose of providing it to Chinese officials until his scheme was uncovered and he was arrested by the FBI in 2010.

To a recent college graduate, \$70,000 seems like a lot of money if they are graduating with high student loan debt, and the promise of even more can be too tempting to pass up.

There are other means and methods for foreign agents to attempt to of course, trick or in some other way deceive a college student into becoming a tool of that government.

The Jackson Lee Amendment would have laid the foundation for protected students attending domestic institutions of higher education by providing them with the training necessary to recognize, resist, and report recruitment efforts by agents of foreign governments when they occur in the United States.

Congress should not assume that foreign governments seeking to recruit students attending institutions of higher learning will limit their efforts to students studying abroad.

Had it been made in order and adopted, the Jackson Lee Amendment simply would require the Secretary of Defense to report to Congress on whether U.S. students attending institutions in the United States would benefit from similar or some aspects of the training described in the bill.

We have seen and learned so much regarding Russia's efforts to influence our nation's elections in large part by leveraging relationships between Russian agents and key individuals in President Trump's Campaign.

Although the work to investigate what took place continues, we should take steps today to make sure that young people attending institutions of higher learning are equipped with the knowledge and training needed to resist influence of a foreign government.

Although I am disappointed this important amendment was not made to order, I will continue to work with my colleagues to find ways to train our young people studying abroad on ways to detect, resist, and report attempts to recruit them by hostile foreign nations and actors.

Had it been made in order and approved, Jackson Lee Amendment No. 182 would direct the Secretary of Defense to develop plans for early detection, mitigation, and defense against state sponsored cyberattacks targeting federal public election assets, election administrators, election workers, or voter engagement efforts.

The aim of this amendment is to ensure that elections, and the peaceful transfer of power, which are pillars of our democracy, remain secure and are not undermined by external factors.

Last year, during one of the most contentious elections we have seen, a foreign state commenced a series of spearfishing attacks with the goal of penetrating the networks of a variety of Republican and Democratic Party organizations.

This foreign adversary was Russia, whose intelligence agencies worked under the directive of Vladimir Putin with the goal of making

Donald Trump the 45th President of the United States.

Russian interference may have begun as early as 2015, and lasted through the winter of 2016. While at first, the hacking may have been done with the aim of foreign intelligence collection, by July 2016, Russian intelligence weaponized their information and worked to damage Hillary Clinton's campaign.

While the exact extent of Russia's influence on our elections may never be known, the fact is that Russia successfully intervened in our democracy and American intelligence agencies have determined that they have the capability and motivation to do so once more.

The Jackson Lee amendment would have helped to ensure that this never happens again.

Neither Russia, nor any other country, will ever have a say in our democratic processes.

The Jackson Lee Amendment would protect our election administrators, our election workers, and our voter engagement efforts.

I am disappointed that this amendment was not made in order, but I will continue to work with my colleagues to ensure that the United States has the proper technology, capability, and methods to defend our elections against malicious foreign state-sponsored cyberattacks.

Mr. THORNBERRY. Mr. Chair, I ask that the following exchange of letters be included in the RECORD on H.R. 2810:

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE JUDICIARY,  
Washington, DC, June 30, 2017.

Hon. WILLIAM M. "MAC" THORNBERRY,  
Chairman, Committee on Armed Services, House  
of Representatives, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I write to confirm our mutual understanding regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. This legislation contains subject matter within the jurisdiction of the Committee on the Judiciary. However, in order to expedite floor consideration of this important legislation, the committee waives consideration of the bill.

The Judiciary Committee takes this action only with the understanding that the committee's jurisdictional interests over this and similar legislation are in no way diminished or altered.

The Committee also reserves the right to seek appointment to any House-Senate conference on this legislation and requests your support if such a request is made. Finally, I would appreciate your including this letter in your committee report on this bill and in the Congressional Record during consideration of H.R. 2810 on the House Floor. Thank you for your attention to these matters.

Sincerely,

BOB GOODLATTE,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, July 5, 2017.

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

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. I agree that the Committee on the Judiciary has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not

to request a referral in the interest of expediting consideration of the bill. I agree that by forgoing a sequential referral, the Committee on the Judiciary is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,  
WILLIAM M. "MAC" THORNBERRY,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
Washington, DC, June 29, 2017.  
Hon. MAC THORNBERRY,  
Chairman, Committee on Armed Services, House  
of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. That bill, as ordered reported, contains provisions within the Rule X jurisdiction of the Natural Resources Committee, including those affecting public lands, the National Oceanic and Atmospheric Administration Corps, and matters regarding the Freely Associated States and insular areas of the United States.

In the interest of permitting you to proceed expeditiously to floor consideration of this very important bill, I waive this committee's right to a sequential referral. I do so with the understanding that the Natural Resources Committee does not waive any future jurisdictional claim over the subject matter contained in the bill that fall within its Rule X jurisdiction. I also request that you urge the Speaker to name members of the Natural Resources committee to any conference committee to consider such provisions.

Please place this letter into the committee report on H.R. 2810 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you and your staff have worked regarding this matter and others between our respective committees, and congratulations on this significant achievement.

Sincerely,

ROB BISHOP,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, July 5, 2017.  
Hon. ROB BISHOP,  
Chairman, Committee on Natural Resources,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. I agree that the Committee on Natural Resources has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Natural Resources is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee reports on the bill.

Sincerely,  
WILLIAM M. "MAC" THORNBERRY,  
Chairman.

HOUSE OF REPRESENTATIVES, COM-  
MITTEE ON OVERSIGHT AND GOV-  
ERNMENT REFORM,

Washington, DC, June 29, 2017.

Hon. WILLIAM M. "MAC" THORNBERRY,  
Chairman, Committee on Armed Services, House  
of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning the jurisdictional interest of the Committee on Oversight and Government Reform in matters being considered in H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018.

Our committee recognizes the importance of H.R. 2810 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I do not intend to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces or otherwise affects the jurisdiction of the Committee on Oversight and Government Reform, and that a copy of this letter and your response acknowledging our jurisdictional interest will be included in the Committee Report and as part of the Congressional Record during consideration of this bill by the House.

The Committee on Oversight and Government Reform also asks that you support our request to be conferees on the provisions over which we have jurisdiction during any House-Senate conference.

Thank you for your consideration in this matter.

Sincerely,

TREY GOWDY,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, July 5, 2017.

Hon. TREY GOWDY,  
Chairman, Committee on Oversight and Govern-  
ment Reform, House of Representatives,  
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. I agree that the Committee on Oversight and Government Reform has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Oversight and Government Reform is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. "MAC" THORNBERRY,  
Chairman.

Ms. JACKSON LEE. Mr. Chair, I rise to speak on House consideration of the National Defense Authorization Act for Fiscal Year 2018.

I thank Chairman THORNBERRY and Ranking Member SMITH and the Armed Services Committee for their work on the National Defense Authorization Act for Fiscal Year 2018.

As a senior member of the House Committee on Homeland Security and Judiciary, I take our role in Congress as stewards of our nation's security seriously.

I offer my thanks and appreciation to the men and women of the armed services who place themselves in harm's way each day for the safety and security of our nation's people.

The National Defense Authorization Act's purpose is to address the threats our nation faces not just today, but into the future. This makes our work vital to our national interest and it should reflect our strong commitment to ensure that the men and women of our Armed Services receive the benefits and support that they deserve for their faithful service.

This bill encompasses a number of initiatives designed to confront the military challenges posed by violent extremism, terrorists engaging in ground wars, making more efficient the work of protecting America, address defense of our nation's computing networks and infrastructure, the medical health needs of men and women in the armed services, and extends economic and education opportunity to small minority and women owned businesses.

We live in a dangerous world, where threats are not always easily identified, and our enemies are not bound by borders.

Russia's aggression towards the United States has long been understood, but in 2016 the stakes were raised in terms of how far they would go to harm our nation and Democratic institutions when they interfered in our national election.

Since September 11, 2001, we have kept a steadfast commitment to ending the threat of global terror.

Boko Haram, ISIL, and Al Shabaab remind us of how fragile our nation's security could be without a well trained and equipped military.

The introduction of cyber offensive actions against the United States and our interest has altered the definition of war and with it our understanding about what is needed to combat a unique type of enemy that fights under no flag, for any nation, and can cause harm to computing networks.

I appreciate the House Armed Services Committee's continued support of our national defense and support a number of provisions in H.R. 1735, the National Defense Authorization Act for Fiscal Year (FY) 2018, such as authorities that support ongoing operations.

The amendments offered to this bill offered opportunities to address these and other Administration concerns that will improve the bill.

Let me discuss briefly the amendments I offered that were adopted by the House and included in the final version of the bill.

1. Jackson Lee Amendment No. 56 calls for increased collaboration with NIH to combat Triple Negative Breast Cancer and provides \$10 million in appropriations.

2. Jackson Lee Amendment No. 76 directs the Department of Defense to prepare contingency plans to assist relief organizations in delivering humanitarian aid in South Sudan and to deescalate conflict.

3. Jackson Lee Amendment No. 83 directs the Secretary of Defense to prepare against deployment of North Korean nuclear ICBMs to prevent damage or destruction of satellites critical to U.S. national defense and global communications.

These Jackson Lee Amendments are straightforward, and make improvements to the bill.

There were 14 additional Jackson Lee Amendments that were not included in the Rule for consideration of the Fiscal Year 2018 National Defense Authorization Act.

The Jackson Lee Amendments to H.R. 2810 are in four categories:

1. National Security Amendments that protect and promote national security, national defense and U.S. foreign policy interests;

2. Counterespionage and Deterrence Amendments that uphold the interests of American citizens at home and abroad.

3. Healthcare, technology and know-how, and Opportunities for Women Amendments that promote advances in PTSD and Triple-Negative Breast Cancer Research and Professional Development and Business opportunities for women.

4. Cybersecurity Amendments that support the work of the DOD to ensure defense of our nation against cyberattacks.

I have submitted six amendments that protect and promote national security, national defense or U.S. foreign policy interests:

1. Jackson Lee Amendment No. 175 authorizes the Secretary of Defense to provide technical assistance by U.S. military women to military women abroad combating terrorism, human and narcotics trafficking and their impact on women and girls.

2. Jackson Lee Amendment No. 166 condemns the actions of Boko Haram and directs the Secretary of Defense to provide technical assistance to Nigeria in establishing a central missing persons' database and a Victims Relief Fund.

3. Jackson Lee Amendment No. 187 expresses Sense of Congress that the International Military Education and Training (IMET) program is an important U.S. foreign policy and national defense instrument of value and asks Secretary of Defense to make maximum use of it.

4. Jackson Lee Amendment No. 184 directs Secretary of State to inform Congress of the feasibility of providing training, equipment and logistics to improve air traffic control systems in African countries where U.S. military operations require it.

5. The Jackson Lee Amendments No. 76 and No. 83 that were accepted by the Rules Committee and are under consideration by the House addressed the humanitarian crisis in South Sudan, and North Korea's Intercontinental Ballistic Missile Program.

These six Jackson Lee amendments would have enhanced the effectiveness of the NDAA by protecting and promoting U.S. foreign policy and national security interests.

I have submitted three amendments to defend against espionage and provide deterrence against threats to the United States:

1. Jackson Lee Amendment No. 177 authorized the Secretary of Defense to work with local partners in providing security at civilian nuclear research centers to assure nuclear weapons do not fall into the possession of terrorists or rogue nations.

2. Jackson Lee Amendment No. 181 required the Secretary of Defense to report to Congress the programs employed to ensure Department of Defense National Security Education Program students studying abroad are trained to recognize, resist, and report against foreign governmental recruitment efforts.

3. Jackson Lee Amendment No. 179 directed the Secretary of Defense to conduct and report to Congress the results of a study on whether requirement to notify Voting Action

Officer within 10 days of registration in service member duty reassignment state imposes significant burden on military voters.

Two of these amendments sought to address known threats to our national interest and one would have assured that changes in voter registration rules for persons serving in the military would not impose an undue burden to their right to vote at a polling location instead of by absentee ballot.

Jackson Lee Amendment No. 177 (Secure Nuclear Material in developing nations)

There is a wide array of peaceful uses for nuclear material such as nuclear power plant power generation; radiation treatment for cancer and other medical conditions; as well as research at academic and research institutions.

China and India are both pursuing nuclear power as an option to dependence on fossil fuels, while oil-rich Gulf nations are considering nuclear power with the hope of exporting more oil.

There are 65 reactors being built around the world, and 69 percent of them are in Brazil, Russia, India and China.

India has no fossil fuel resources and is expanding its use of nuclear power to address shortfalls in electric generation capacity that is out stripped by economic growth.

India goal is to have nuclear power be the source for 50 percent of its electricity needs by 2050.

I have submitted six amendments to protect women and health:

4. Jackson Lee Amendment No. 224 provides \$2.5 million increase in funding to combat Post-Traumatic Stress Disorder.

5. Jackson Lee Amendment No. 180 enforces the title and section "Minority and Business Ownership" to include HUZ and disadvantaged businesses.

6. Jackson Lee Amendment No. 226 directs the Secretary of the Navy to report to Congress on the ability to apply desalination technologies for drought relief for both military and civilian purposes.

7. Jackson Lee Amendment No. 431 directs that the Office of Women's Business Ownership shall include a focus on outreach and engagement of minority women owned businesses.

All six of these amendments enhance the NDAA.

I have submitted two amendments to ensure greater cybersecurity capacity and resource allocation for the purpose of protecting America's Cyber Defense interest:

1. Jackson Lee Amendment No. 182 directs the Secretary of Defense to develop plans for early detection, mitigation, and defense against state-sponsored cyberattacks regarding elections and voter engagement efforts.

2. Jackson Lee Amendment No. 183 directs the Secretary of Defense to develop effective countermeasures to defend networks against attacks by cyber weapons.

Both of these Jackson Lee amendments offered improvements to the NDAA's protection of America's cyber security.

In addition to these Amendments, I am in support of the AUMF Amendment offered by Representatives WALTER JONES and JOHN CONYERS that was not made in order by the Rules Committee.



Congress has an obligation to the American people to debate the issue of war.

Our military is now in theaters of war without Congressional approval which is in contravention to the Constitution because it states that only Congress has the power to declare war.

We must continue to direct our efforts as a body to ensure that our troops remain the best equipped and prepared military force in the world. They are not just soldiers they are sons and daughters, husbands and wives, brothers and sisters—they are some of the people we represent as Members of Congress. Support for them is a sacred obligation of Congress, both to those who are at risk on battlefields and serving as the guard against threats around the world, but they are also those who have returned home from war.

Mr. BLUMENAUER. Mr. Chair, I will vote against H.R. 2810, the National Defense Authorization Act (NDAA) for Fiscal Year 2018 (Roll no. 378). I commend the House Armed Services Committee for tackling some difficult issues, but I remain concerned about several components of the bill, including its lack of fiscal discipline and use of budget gimmicks.

There are provisions of this legislation that I support. I am pleased this bill includes a provision expressing the sense of Congress that climate change is a direct threat to the national security of the United States. The bill would also support a 2.4 percent military pay raise and would require the Pentagon to report to Congress any attempts by Russian actors to hack the Defense Department's system.

However, by authorizing a total of \$621.5 billion in base budget authority, exceeding the \$549 billion cap set in the 2011 Budget Control Act, and using \$10 billion in Overseas Contingency Operations (OCO) funding for base defense requirements, Congress and the administration are misusing budget mechanisms to pad their accounts in an era of fiscal uncertainty. The bill puts off making tough decisions about our defense spending.

The legislation also keeps intact funding for several unnecessary weapons programs and undermines key international nuclear non-proliferation efforts. The bill authorizes full funding for the Air Force's next generation air-launched cruise missile, known as the Long-Range Standoff weapon (LRSO), even though Secretary of Defense Mattis has stated numerous times that he is skeptical we actually need it. I offered an amendment to keep funding for the LRSO at FY17 levels until the administration submits a Nuclear Posture Review to Congress, but it was unfortunately not accepted.

The bill also requires the Department of Defense to develop a missile system that, if tested or deployed, would violate U.S. obligations under the Intermediate-Range Nuclear Forces (INF) Treaty. I offered an amendment to prohibit this system's development until military experts, diplomats and our NATO allies certify that they agree with this approach, but this amendment too was rejected.

Additionally, the legislation caps funding for nuclear weapon dismantlement at \$56 million for FY19 through FY21, making us less safe.

Beyond nuclear weapons and treaties, the legislation maintains a prohibition on transferring detainees in Guantanamo Bay detention

facility to the United States and bars the construction or modification of facilities within the U.S. to house detainees for another year. It's past time that we closed this military prison. We can safely and securely imprison anyone we need to without the extraordinary expense of this recruiting tool for ISIS.

The bill also prohibits a new round of base realignment and closure (BRAC), rejecting the Department of Defense's request for flexibility to implement BRAC for the sixth year in a row.

The best way to support our troops is to fight for common-sense budgeting and spending these sums out properly.

Mr. KHANNA. Mr. Chair, I am a strong supporter of our troops and voted to move the National Defense Authorization Act (NDAA) for Fiscal Year 2018 (FY18) out of Committee in early July. As I pointed out in my Additional Views expressed in House Report 115–200, however, I remain very concerned with the size of the defense spending increases proposed by the legislation and the required cuts that would likely be necessitated in non-defense discretionary spending. The measure would provide \$621.5 billion for regular national defense activities, which would exceed the \$549 billion cap set in the 2011 Budget Control Act (Public Law 112–25) by \$72 billion. If you include war funds for the Pentagon, nuclear programs at the Energy Department, and mandatory spending, the measure would authorize a total of \$696 billion for FY18.

The BCA was enacted in August 2011 in response to increased deficits in the wake of the Great Recession. The primary method of direct deficit reduction imposed by the BCA was the installation of caps on discretionary spending from FY12 through FY21. There have been three major revisions to the deficit reduction measures imposed by the BCA and each one included parity where the effects on total defense and nondefense budget authority were identical. As a member of the House Budget Committee, I know the discretionary caps are already scheduled to decline by a combined \$5 billion in FY18 relative to FY17 levels. House Republicans have yet to release their Budget Resolution mark which would quantify the exact spending cuts they propose to pay for the large increase in defense spending.

With the uncertainty of the size and scope of potentially massive cuts to our non-defense discretionary spending such as to diplomacy, foreign aid, education, housing, basic research, job training, and infrastructure, I cannot in good conscience vote for the additional billions of dollars in defense spending. I support our troops and a strong military to keep the peace, but this bill's spending levels would weaken our country's efforts at home and abroad. Our diplomatic and foreign aid budgets are an integral part in keeping the peace abroad. An increase to defense in conjunction with a cut in diplomacy and aid is a choice I cannot support. This should not be an either-or issue. However, because of the BCA and the decisions made by my colleagues on the other side of the aisle, this is the choice I had to make on behalf of my constituents in Silicon Valley and what is right and in the best interests of our troops and national security interests and objectives.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Chair, I would like to address Section 131

of the National Defense Authorization Act for Fiscal Year 2018.

Last week, I filed amendment No. 247 on this matter; however I have since withdrawn the amendment given that the USAF has moved swiftly to replace the UH–1N fleet through an open and competitive process with the recent launch of the RFP.

The UH–1N replacement program is a priority for the Air Force and for many members of this Congress, House and Senate. This is for good reason. The UH–1N accomplishes two vital national security missions—nuclear missile security and continuity of government. Over a decade has passed since our Air Force identified the need to replace the aging Vietnam-era UH–1N Huey fleet.

Following collaborative efforts between the Air Force and industry, including meetings and additional requests for information, the Air Force has now released its final Request for Proposal which begins the process of replacing the UH–1N fleet and ensuring a fair and open competition. Unfortunately, language contained in the H.R. 2810, the National Defense Authorization Bill for Fiscal Year 2018, threatens to upend this fair, competitive and open process by pushing a sole-source contract at the taxpayer's expense. Section 131 would allow the Air Force to sole-source the replacement of the UH–1N helicopter.

Frankly, I find this language appalling. The Department of Defense's Better Buy Power 3.0 directive states, "Real competition is the single most powerful tool available to the Department to drive productivity." The Federal Acquisition Regulations clearly articulate the importance of competition to satisfy cost, quality and timeliness aims. Competition is essential to maintaining a healthy industrial base. In Congress, we should be encouraging the Department of Defense to remain committed to competition.

Congress has repeatedly supported and directed a fair and open competition for the replacement of the UH–1N; yet, the language in Section 131 goes against congressional and Air Force efforts to ensure an open and fair competition. Given the fact that responses to the RFP will be due prior to the FY18 NDAA's completion, changing course from a fair and open competition to a sole-source procurement at this time would limit options, create more delays, increase costs for taxpayers, and potentially impact mission requirements. There is also no justification for a sole-source contract of helicopters when multiple candidate aircraft, including commercial aircraft built cost effectively here in the United States on existing, hot production lines, can be leveraged in support of this mission.

In 2016, twelve Members of Congress signed on to a letter in support of a UH–1N replacement competition, which was instrumental in moving the Air Force towards its current strategy. We must allow the Air Force to continue their competition to replace their UH–1N aircraft and accelerate their ability to field new aircraft without further delay in the interest of national security. We should applaud and support the Air Force for moving forward with replacing the fleet of UH–1N not force them to stop and change course. Changing course from a fair and open competition to a sole-source procurement would create more

delays, increase costs, and potentially impact mission requirements.

We cannot let this happen to the Airmen of our nation.

I applaud the Air Force in moving forward with replacing its fleet of UH-1N aircraft that help ensure the security of our land-based nuclear forces. Taking any other path would further jeopardize this critical program.

While I have withdrawn my amendment, I will be working to ensure this language is removed from the final bill during conference. Mr. Chair, replacing these assets is long overdue and I look forward to working with the Chairman and Ranking Member on this and other Air Force priorities.

Mr. THORNBERRY. Mr. Speaker, I ask that the following exchange of letters be included in the RECORD on H.R. 2810:

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOUSE ADMINISTRATION,  
Washington, DC, June 29, 2017.  
Hon. WILLIAM M. "MAC" THORNBERRY,  
Chairman, Committee on Armed Services,  
Washington, DC.

DEAR MR. THORNBERRY: I am writing to you concerning the bill H.R. 2810, the National Defense Authorization Act for Fiscal Year 2016. There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on House Administration.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill the Committee on House Administration does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 2810 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

GREGG HARPER,  
Chairman, Committee on House  
Administration.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, July 5, 2017.  
Hon. GREGG HARPER,  
Chairman, Committee on House Administration,  
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. I agree that the Committee on House Administration has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on House Administration is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. "MAC" THORNBERRY,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON AGRICULTURE,  
Washington, DC, June 30, 2017.  
Hon. WILLIAM M. "MAC" THORNBERRY,  
Chairman, Committee on Armed Services,  
Washington, DC.

DEAR MR. THORNBERRY: I am writing concerning H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018.

This legislation contains provisions within the Committee on Agriculture's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Agriculture will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Agriculture with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

K. MICHAEL CONAWAY,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, July 5, 2017.  
Hon. K. MICHAEL CONAWAY,  
Chairman, Committee on Agriculture,  
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. I agree that the Committee on Agriculture has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Agriculture is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. "MAC" THORNBERRY,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE BUDGET,  
Washington, DC, July 5, 2017.  
Hon. MAC THORNBERRY,  
Chairman, Committee on Armed Services,  
Washington, DC.

DEAR CHAIRMAN THORNBERRY: I am writing regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018, which the Committee on Armed Services ordered reported on June 28, 2017.

The bill contains provisions that fall within the jurisdiction of the Committee on the Budget. In order to expedite House consideration of H.R. 2810, the Committee on the Budget will forego action on the bill. This is being done with the understanding that it does not waive any jurisdiction over the subject matter contained in H.R. 2810 or similar legislation and that the Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that the Committee may address any remaining issues that fall within its jurisdiction. The Committee on the Budget also reserves the right to seek appointment of an

appropriate number of conferees to any House-Senate conference involving this or similar legislation and requests your support of any such request.

I also request that you include this letter and your response as part of your committee's report on H.R. 2810 and in the Congressional Record during its consideration on the House floor.

Thank you for your attention to these matters. I look forward to working with you as this bill moves through the Congress.

Sincerely,

DIANE BLACK,  
Chairman, Committee on the Budget.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, July 5, 2017.  
Hon. DIANE BLACK,  
Chairman, Committee on the Budget, House of  
Representatives, Washington, DC.

DEAR MADAM CHAIRMAN: Thank you for your letter regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. I agree that the Committee on the Budget has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on the Budget is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. "MAC" THORNBERRY,  
Chairman.

Mr. THORNBERRY. Mr. Speaker, I ask that the following exchange of letters be included in the RECORD on H.R. 2810:

HOUSE OF REPRESENTATIVES, COM-  
MITTEE ON EDUCATION AND THE  
WORKFORCE,  
Washington, DC, July 5, 2017.  
Hon. WILLIAM M. "MAC" THORNBERRY,  
Chairman, Committee on Armed Services, House  
of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to confirm our mutual understanding with respect to H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. Thank you for consulting with the Committee on Education and the Workforce with regard to H.R. 2810 on those matters within the Committee's jurisdiction.

In the interest of expediting the House's consideration of H.R. 2810, the Committee on Education and the Workforce will forego further consideration of this bill. However, I do so only with the understanding this procedural route will not be construed to prejudice my committee's jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my committee in the future.

I respectfully request your support for the appointment of outside conferees from the Committee on Education and the Workforce should this bill or a similar bill be considered in a conference with the Senate. I also request you include our exchange of letters on this matter in the Committee Report on H.R. 2810 and in the Congressional Record during consideration of this bill on the House Floor. Thank you for your attention to these matters.

Sincerely,

VIRGINIA FOXX,  
Chairwoman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, July 5, 2017.

Hon. VIRGINIA FOXX,  
*Chairwoman, Committee on Education and the Workforce, House of Representatives, Washington, DC.*

DEAR MADAM CHAIRWOMAN: Thank you for your letter regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. I agree that the Committee on Education and the Workforce has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Education and the Workforce is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,  
WILLIAM M. "MAC" THORNBERRY,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,  
Washington, DC, July 5, 2017.

Hon. WILLIAM M. "MAC" THORNBERRY,  
*Chairman, Committee on Armed Services, Washington, DC.*

DEAR CHAIRMAN THORNBERRY: I write to confirm our mutual understanding regarding H.R. 2810, the "National Defense Authorization Act for Fiscal Year 2018." While the legislation does contain provisions within the jurisdiction of the Committee on Energy and Commerce, the Committee will not request a sequential referral so that it can proceed expeditiously to the House floor for consideration.

The Committee takes this action with the understanding that its jurisdictional interests over this and similar legislation are in no way diminished or altered, and that the Committee will be appropriately consulted and involved as such legislation moves forward. The Committee also reserves the right to seek appointment to any House-Senate conference on such legislation and requests your support when such a request is made.

Finally, I would appreciate a response to this letter confirming this understanding and ask that a copy of our exchange of letters be included in the Congressional Record during consideration of H.R. 2810 on the House floor.

Sincerely,  
GREG WALDEN,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, July 5, 2017.

Hon. GREG WALDEN,  
*Chairman, Committee on Energy and Commerce, House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. I agree that the Committee on Energy and Commerce has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Energy and Commerce is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,  
WILLIAM M. "MAC" THORNBERRY,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FINANCIAL SERVICES,  
Washington, DC, June 30, 2017.

Hon. WILLIAM M. "MAC" THORNBERRY,  
*Chairman, Committee on Armed Services, House of Representatives, Washington, DC.*

DEAR CHAIRMAN THORNBERRY: I am writing to you regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on Financial Services.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill the Committee on Financial Services does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 2810 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,  
JEB HENSARLING,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, July 5, 2017.

Hon. JEB HENSARLING,  
*Chairman, Committee on Financial Services, House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. I agree that the Committee on Financial Services has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Financial Services is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,  
WILLIAM M. "MAC" THORNBERRY,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
Washington, DC, June 30, 2017.

Hon. WILLIAM M. "MAC" THORNBERRY,  
*Chairman, House Armed Services Committee, Washington, DC.*

DEAR MR. CHAIRMAN: I write to confirm our mutual understanding regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018, which contains substantial matter that falls within the Rule X legislative jurisdiction of the Foreign Affairs Committee. I appreciate the cooperation that allowed us to work out mutually agreeable text on numerous matters prior to your markup.

Based on that cooperation and our associated understandings, the Foreign Affairs Committee will not seek a sequential referral or object to floor consideration of the bill text approved at your Committee markup. This decision in no way diminishes or alters the jurisdictional interests of the Foreign

Affairs Committee in this bill, any subsequent amendments, or similar legislation. I request your support for the appointment of House Foreign Affairs conferees during any House-Senate conference on this legislation.

Finally, I respectfully request that you include this letter and your response in your committee report on the bill and in the Congressional Record during consideration of H.R. 2810 on the House floor.

Sincerely,  
EDWARD R. ROYCE,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, July 5, 2017.

Hon. EDWARD R. ROYCE,  
*Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. I agree that the Committee on Foreign Affairs has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Foreign Affairs is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,  
WILLIAM M. "MAC" THORNBERRY,  
*Chairman.*

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-23, modified by the amendment printed in part A of House Report 115-212, is adopted. The bill, as amended, shall be considered as an original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

#### H.R. 2810

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

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "National Defense Authorization Act for Fiscal Year 2018".*

#### SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into four divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(4) Division D—Funding Tables.

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

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

Sec. 3. Congressional defense committees.

**DIVISION A—DEPARTMENT OF DEFENSE  
AUTHORIZATIONS**

**TITLE I—PROCUREMENT**

*Subtitle A—Authorization Of Appropriations*

Sec. 101. Authorization of appropriations.

*Subtitle B—Army Programs*

Sec. 111. Report on acceleration of Increment 2 of the Warfighter Information Network-Tactical.

*Subtitle C—Navy Programs*

Sec. 121. Aircraft carriers.

Sec. 122. Procurement authority for icebreaker vessels.

Sec. 123. Limitation on availability of funds for procurement of icebreaker vessels.

Sec. 124. Multiyear procurement authority for Virginia class submarine program.

Sec. 125. Multiyear procurement authority for Arleigh Burke class destroyers and associated systems.

Sec. 126. Limitation on availability of funds for Arleigh Burke class destroyer.

Sec. 127. Extensions of authorities relating to construction of certain vessels.

Sec. 128. Multiyear procurement authority for V-22 Osprey aircraft.

*Subtitle D—Air Force Programs*

Sec. 131. Streamlining acquisition of intercontinental ballistic missile security capability.

Sec. 132. Limitation on selection of single contractor for C-130H avionics modernization program increment 2.

Sec. 133. Limitation on availability of funds for EC-130H Compass Call recapitalization program.

Sec. 134. Cost-benefit analysis of upgrades to MQ-9 Reaper aircraft.

*Subtitle E—Defense-wide, Joint, and Multiservice Matters*

Sec. 141. Authority for procurement of economic order quantities for the F-35 aircraft program.

Sec. 142. Limitation on demilitarization of certain cluster munitions.

Sec. 143. Reinstatement of requirement to preserve certain C-5 aircraft.

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### SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

In this Act, the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

### DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

#### TITLE I—PROCUREMENT

#### Subtitle A—Authorization Of Appropriations

#### SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2018 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.

#### Subtitle B—Army Programs

#### SEC. 111. REPORT ON ACCELERATION OF INCREMENT 2 OF THE WARFIGHTER INFORMATION NETWORK-TACTICAL.

(a) REPORT.—Not later than January 30, 2018, the Secretary of the Army shall submit to the congressional defense committees a report on options for the acceleration of the procurement and fielding of Increment 2 of the Warfighter Information Network-Tactical program of the Army (referred to in this section as “WIN-T Increment 2”).

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

(1) An estimate of the level of funding required to procure a sufficient quantity of WIN-T Increment 2 components to field thirty Brigade Combat Teams or equivalent units in the period beginning with fiscal year 2018 and ending with fiscal year 2022.

(2) A plan for fielding WIN-T Increment 2 to all Armored Brigade Combat Teams of the Army and associated combat vehicles, including the Armored Multipurpose Vehicle.

(3) A plan for integrating WIN-T Increment 2 on the Stryker combat vehicles fielded to Stryker Brigade Combat Teams of the Army.

(4) A list of potential upgrades to WIN-T Increment 2 that may improve program capabilities, including size, weight, and complexity, and the impact of these improvements on the cost of the program.

(5) Options for fielding an Expeditionary Command Post capability that effectively integrates WIN-T Increment 2 and command post infrastructure.

(6) A detailed plan for upgrading the existing WIN-T Increment 1 system to the latest WIN-T Increment 2 configuration that includes—

(A) an estimate of the level of funding required to implement the plan; and

(B) the effect of the plan on the fielding of mobile mission command to the reserve components of the Army.

(7) Any other matters the Secretary determines to be appropriate.

#### Subtitle C—Navy Programs

#### SEC. 121. AIRCRAFT CARRIERS.

(a) SENSE OF CONGRESS ON INCREASE IN NUMBER OF OPERATIONAL AIRCRAFT CARRIERS.—

(1) FINDINGS.—Congress finds the following:

(A) Aircraft carriers are an essential element of the Navy’s core missions of forward presence, sea control, ensuring safe sea lanes, and power projection, and provide the flexibility and versatility necessary for the execution of a wide range of additional missions.

(B) Forward airpower is integral to the security and joint forces operations of the United States. Carriers play a central role in delivering forward airpower from sovereign territory of the United States in both permissive and nonpermissive environments.

(C) Aircraft carriers provide the Nation the ability to rapidly and decisively respond to national threats, to conduct worldwide, on-station diplomacy, and to deter threats to allies, partners, and friends of the United States.

(D) Since the end of the cold war, aircraft carrier deployments have increased while the aircraft carrier force structure has declined.

(E) Due to the increased array of complex threats across the globe, the Navy’s aircraft carriers are operating at maximum capacity, increasing deployment lengths and decreasing maintenance periods in order to meet operational requirements.

(F) To meet global peacetime and wartime requirements, the Navy has indicated a requirement to maintain two aircraft carriers deployed overseas and to have three additional aircraft carriers capable of deploying within 90 days. However, the Navy has indicated that the existing aircraft carrier force structure cannot support these military requirements.

(G) Despite the requirement to maintain an aircraft carrier strike group in both the United States Central Command and the United States Pacific Command, the Navy has been unable to generate sufficient capacity to support combatant commanders and has developed significant carrier gaps in these critical areas.

(H) The continued use of a diminished aircraft carrier force structure has resulted in extensive maintenance availabilities which typically exceed program costs and increase time in shipyards. These expansive maintenance availabilities exacerbate existing carrier gaps.

(I) Because of maintenance overhaul extensions, the Navy is truncating basic aircraft carrier training to expedite the deployment of available aircraft carriers. Limiting aircraft carrier training decreases operational capabilities and increases risks to sailors.

(J) Despite the objections of the Navy, the Under Secretary of Defense for Acquisition, Technology, and Logistics directed the Navy on August 7, 2015, to perform shock trials on the U.S.S. Gerald R. Ford (CVN-78). The Assistant Deputy Chief of Naval Operations for Operations, Plans and Strategy indicated that this action could delay the introduction of the U.S.S. Gerald R. Ford (CVN-78) to the fleet by up to two years, exacerbating existing carrier gaps.

(K) The Navy has adopted a two-phase acquisition strategy for the U.S.S. John F. Kennedy (CVN-79), an action that will delay the introduction of this aircraft carrier by up to two years, exacerbating existing carrier gaps.

(L) Developing an alternative design to the Ford class aircraft carrier is not cost beneficial. A smaller design is projected to incur significant design and engineering cost while significantly reducing magazine size, carrier air wing size, sortie rate, and on-station effectiveness among other vital factors as compared to the Ford class. Furthermore, a new design will delay the introduction of future aircraft carriers, exacerbating existing carrier gaps and threatening the national security of the United States.

(M) The 2016 Navy Force Structure Assessment states “A minimum of 12 aircraft carriers are required to meet the increased warfighting response requirements of the Defense Planning Guidance Defeat/Deny force sizing direction.” Furthermore, a new National Defense Strategy is being prepared that will assess the defeat/deny force sizing direction and may increase the force structure associated with aircraft carriers.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the United States should expedite delivery of 12 aircraft carriers;

(B) an aircraft carrier should be authorized every three years;

(C) shock trials should be conducted on the U.S.S. John F. Kennedy (CVN-79), as initially proposed by the Navy;

(D) construction for the U.S.S. John F. Kennedy (CVN-79) should be accomplished in a single phase; and

(E) the United States should continue the Ford class design for the aircraft carrier designated CVN-81.

(b) INCREASE IN NUMBER OF OPERATIONAL AIRCRAFT CARRIERS.—

(1) INCREASE.—Section 5062(b) of title 10, United States Code, is amended by striking “11 operational aircraft carriers” and inserting “12 operational aircraft carriers”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on September 30, 2023.

(c) SHOCK TRIALS FOR CVN-78.—Section 128 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 751) is amended—

(1) by striking subsections (a) and (b); and  
(2) by redesignating subsections (c) and (d) as subsections (a) and (b), respectively.

(d) PROCUREMENT AUTHORITY FOR AIRCRAFT CARRIER PROGRAMS.—

(1) PROCUREMENT AUTHORITY IN SUPPORT OF CONSTRUCTION OF FORD CLASS AIRCRAFT CARRIERS.—

(A) AUTHORITY FOR ECONOMIC ORDER QUANTITY.—The Secretary of the Navy may procure material and equipment in support of the construction of the Ford class aircraft carriers designated CVN-81 and CVN-82 in economic order quantities when cost savings are achievable.

(B) LIABILITY.—Any contract entered into under subparagraph (A) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that total liability to the Government for termination of any contract entered into shall be limited to the total amount of funding obligated at time of termination.

(2) REFUELING AND COMPLEX OVERHAUL OF NIMITZ CLASS AIRCRAFT CARRIERS.—

(A) IN GENERAL.—The Secretary of the Navy may carry out the nuclear refueling and complex overhaul of each of the following Nimitz class aircraft carriers:

- (i) U.S.S. John C. Stennis (CVN-74).
- (ii) U.S.S. Harry S. Truman (CVN-75).
- (iii) U.S.S. Ronald Reagan (CVN-76).
- (iv) U.S.S. George H.W. Bush (CVN-77).

(B) USE OF INCREMENTAL FUNDING.—With respect to any contract entered into under subparagraph (A) for the nuclear refueling and complex overhaul of a Nimitz class aircraft carrier, the Secretary may use incremental funding for a period not to exceed six years after advance procurement funds for such nuclear refueling and complex overhaul effort are first obligated.

(C) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—Any contract entered into under subparagraph (A) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2018 is subject to the availability of appropriations for that purpose for that later fiscal year.

#### SEC. 122. PROCUREMENT AUTHORITY FOR ICEBREAKER VESSELS.

(a) AUTHORITY.—The Secretary of the Department in which the Coast Guard is operating may enter into a contract or other agreement with the Secretary of the Navy under which the Navy shall act as general agent for the Department in which the Coast Guard is operating for the purpose of entering into a contract on behalf of such Department, beginning with the fiscal year 2018 program year, for the procurement of the following:

- (1) Not more than three heavy icebreaker vessels.
- (2) Not more than three medium icebreaker vessels.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of

the United States to make a payment under the contract for a fiscal year after fiscal year 2018 is subject to the availability of appropriations for that purpose for such later fiscal year.

(c) DEFINITIONS.—In this section:

(1) HEAVY ICEBREAKER VESSEL.—The term “heavy icebreaker vessel” means a vessel that is able—

(A) to break through nonridged ice that is not less than six feet thick at a speed of three knots;

(B) to break through ridged ice that is not less than 21 feet thick; and

(C) to operate continuously for 80 days without replenishment.

(2) MEDIUM ICEBREAKER VESSEL.—The term “medium icebreaker vessel” means a vessel that is able—

(A) to break through nonridged ice that is not less than four and one-half feet thick at a speed of three knots; and

(B) to operate continuously for 80 days without replenishment.

#### SEC. 123. LIMITATION ON AVAILABILITY OF FUNDS FOR PROCUREMENT OF ICEBREAKER VESSELS.

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2018 may be obligated or expended for the procurement of an icebreaker vessel.

(b) EXCEPTION.—Notwithstanding the limitation in subsection (a), the Secretary of the Navy may use funds described in such subsection to act as general agent for the Department in which the Coast Guard is operating pursuant to a contract or other agreement entered into under section 122.

#### SEC. 124. MULTIYEAR PROCUREMENT AUTHORITY FOR VIRGINIA CLASS SUBMARINE PROGRAM.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts, beginning with the fiscal year 2019 program year, for the procurement of up to 13 Virginia class submarines at a rate of not more than 3 submarines per year during the covered period.

(b) BASELINE ESTIMATE.—Before entering into any contract for the procurement of a Virginia class submarine under subsection (a), the Secretary of the Navy shall determine a baseline estimate for the submarine in accordance with section 2435 of title 10, United States Code.

(c) LIMITATION.—The Secretary of the Navy may not enter into a contract for the procurement of a Virginia class submarine under subsection (a) if the contract would increase the cost of the submarine by more than 10 percent above the baseline estimate for the submarine determined under subsection (b).

(d) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary may enter into one or more contracts, beginning in fiscal year 2018, for advance procurement—

(1) associated with the vessels for which authorization to enter into a multiyear procurement contract is provided under subsection (a); and

(2) for other equipment and subsystems associated with the Virginia class submarine program.

(e) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2018 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(f) DEFINITIONS.—In this section:

(1) COVERED PERIOD.—The term “covered period” means the 5-year period beginning with the fiscal year 2019 program year and ending with the fiscal year 2023 program year.

(2) VIRGINIA CLASS SUBMARINE.—The term “Virginia class submarine” means a block V configured Virginia class submarine.

#### SEC. 125. MULTIYEAR PROCUREMENT AUTHORITY FOR ARLEIGH BURKE CLASS DESTROYERS AND ASSOCIATED SYSTEMS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts, beginning with the fiscal year 2018 program year, for the procurement of—

(1) up to 15 Arleigh Burke class Flight III guided missile destroyers at a rate of not more than three such destroyers per year during the covered period; and

(2) the Aegis weapon systems, AN/SPY-6(v) air and missile defense radar systems, MK 41 vertical launching systems, and commercial broadband satellite systems associated with such vessels.

(b) BASELINE ESTIMATE.—Before entering into any contract for the procurement of an Arleigh Burke class destroyer under subsection (a), the Secretary of the Navy shall determine a baseline estimate for the destroyer in accordance with section 2435 of title 10, United States Code.

(c) LIMITATION.—The Secretary of the Navy may not enter into a contract for the procurement of a Arleigh Burke class destroyer or any major subprogram under subsection (a) if the contract would increase the cost of the destroyer by more than 10 percent above the baseline estimate for the destroyer determined under subsection (b).

(d) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary may enter into one or more contracts, beginning in fiscal year 2018, for advance procurement associated with the vessels and systems for which authorization to enter into a multiyear procurement contract is provided under subsection (a).

(e) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2018 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(f) COVERED PERIOD DEFINED.—The term “covered period” means the 5-year period beginning with the fiscal year 2018 program year and ending with the fiscal year 2022 program year.

#### SEC. 126. LIMITATION ON AVAILABILITY OF FUNDS FOR ARLEIGH BURKE CLASS DESTROYER.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for procurement, that are unobligated as of the date of the enactment of this Act, may be obligated or expended to procure an Arleigh Burke class destroyer (DDG-51) unless not fewer than two covered destroyers include an AN/SPY-6(V) air and missile defense radar system.

(b) WAIVER.—The Secretary of the Navy may waive the limitation in subsection (a) if the Secretary determines that the cost or schedule risk associated with the integration of the AN/SPY-6(V) air and missile defense radar is unacceptable or incongruous with a business case that relies on stable design, technology maturity, and realistic cost and schedule estimates.

(c) COVERED DESTROYER DEFINED.—In this section, the term “covered destroyer” means an Arleigh Burke class destroyer (DDG-51) for which funds were authorized to be appropriated by the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) or the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328).

**SEC. 127. EXTENSIONS OF AUTHORITIES RELATING TO CONSTRUCTION OF CERTAIN VESSELS.**

(a) **EXTENSION OF AUTHORITY TO USE INCREMENTAL FUNDING FOR LHA REPLACEMENT.**—Section 122(a) of the National Defense Authorization Act for fiscal year 2017 (114–328; 130 Stat. 2030) is amended by striking “for fiscal years 2017 and 2018” and inserting “for fiscal years 2017, 2018, and 2019”.

(b) **EXTENSION OF FORD CLASS AIRCRAFT CARRIER CONSTRUCTION AUTHORITY.**—Section 121(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2104), as most recently amended by section 121 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1654), is amended by striking “five fiscal years” and inserting “seven fiscal years”.

**SEC. 128. MULTIYEAR PROCUREMENT AUTHORITY FOR V-22 OSPREY AIRCRAFT.**

(a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—Subject to section 2306b of title 10, United States Code (except as provided in subsection (b)), the Secretary of the Navy may enter into one or more multiyear contracts, beginning with the 2018 program year, for the procurement of the following:

(1) V-22 Osprey aircraft.

(2) Common configuration-readiness and modernization upgrades for V-22 Osprey aircraft.

(b) **CONTRACT PERIOD.**—Notwithstanding section 2306b(k) of title 10, United States Code, the period covered by a contract entered into on a multiyear basis under the authority of subsection (a) may exceed five years, but may not exceed seven years.

(c) **CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.**—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2018 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

**Subtitle D—Air Force Programs****SEC. 131. STREAMLINING ACQUISITION OF INTERCONTINENTAL BALLISTIC MISSILE SECURITY CAPABILITY.**

(a) **FINDINGS.**—Congress finds the following:

(1) On September 25, 2014, then Secretary of the Air Force, Deborah Lee James, submitted a report to Congress on the replacement strategy of the Air Force for the UH-1N helicopter, which included the following information:

(A) On the age of the airframe: “The UH-1N is a versatile utility helicopter that was accepted into service from 1968–1969.”

(B) On the ability to meet requirements: “The entire fleet supports five general homeland security missions . . . The ability of the UH-1N to accomplish these missions was evaluated in 2006, and the aircraft was found to be ‘not effective.’ The shortcomings of the UH-1N were derived from specific mission requirements for carrying capacity, airspeed, unrefueled endurance, mission range, force protection for the floor, specific protection for all aircrew and passengers, survivability, and materiel availability.”

(C) Regarding previous efforts to acquire a replacement aircraft, the report identified efforts that date back to 2006, including—

(i) an initial analysis of alternatives by Air Force Space Command in 2006;

(ii) the common vertical lift support platform program, which was cancelled in 2013;

(iii) two RAND corporation studies funded in 2013; and

(iv) the then-current proposal of the Air Force to procure modified Army UH-60 helicopters.

(2) On February 24, 2016, at a hearing before the Committee on Armed Services of the House of Representatives, in response to concerns related to lift, capacity, and hover time of the

UH-1N, then Commander of the United States Strategic Command, Admiral Cecil Haney stated: “Congressman, absolutely, in terms of thinking very crisply associated with what we need to do to improve security of our missile fields . . . the attributes you listed are the attributes that concern me in terms of the capability, not just now, but into the future.”

(3) On March 2, 2016, at a hearing before the Committee on Armed Services of the House of Representatives, the Commander of Air Force Global Strike Command, General Robin Rand stated: “We will not meet the emergency security response with the present helicopter.”

(4) On April 4, 2017, at a hearing before the Committee on Armed Services of the Senate, the Commander of the United States Strategic Command, General John E. Hyten stated: “Of all the things in my portfolio, I can’t even describe how upset I get about the helicopter replacement program. It’s a helicopter, for gosh sakes. We ought to be able to go out and buy a helicopter and put it in the hands of the people that need it. And we should be able to do that quickly. We’ve been building combat helicopters for a long time in this country. I don’t understand why the heck it is so hard to buy a helicopter.”

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that, based on the findings under subsection (a), the Secretary of Defense should have the authority to expedite the procurement of a replacement aircraft for the UH-1N helicopter.

(c) **WAIVER AND CONTRACT AUTHORITY.**—Subject to subsection (d), in procuring a replacement aircraft for the UH-1N helicopter, the Secretary of Defense may—

(1) waive any provision of law requiring the use of competitive procedures for the procurement; and

(2) enter into a contract for the procurement on a sole-source basis.

(d) **NOTICE AND CERTIFICATION.**—Not later than 15 days before exercising the authority under subsection (c), the Secretary shall submit to the congressional defense committees, in writing—

(1) notice of the intent of the Secretary to exercise such authority; and

(2) a certification that—

(A) the Secretary has reviewed—

(i) the threshold requirements for the UH-1N replacement aircraft program; and

(ii) any delays that may have occurred while the Air Force pursued strategies for the procurement of such aircraft on an other than sole-source basis; and

(B) after conducting such review, the Secretary has determined that entering into a contract on a sole-source basis under subsection (c)—

(i) is in the national security interests of the United States; and

(ii) is necessary to ensure that a UH-1N replacement aircraft enters service by not later than September 30, 2020.

**SEC. 132. LIMITATION ON SELECTION OF SINGLE CONTRACTOR FOR C-130H AVIONICS MODERNIZATION PROGRAM INCREMENT 2.**

(a) **LIMITATION.**—The Secretary of the Air Force may not select only a single prime contractor to carry out increment 2 of the C-130H avionics modernization program until the Secretary submits to the congressional defense committees a written certification that, in selecting such a single prime contractor—

(1) the Secretary will ensure, to the extent practicable, that commercially available off-the-shelf items are used under the program, including technology solutions and nondevelopmental items; and

(2) excessively restrictive military specification standards will not be used to restrict or eliminate full and open competition in the selection process.

(b) **DEFINITIONS.**—In this section, the terms “commercially available off-the-shelf item”, “full and open competition”, and “nondevelopmental item” have the meanings given the terms in chapter 1 of title 41, United States Code.

**SEC. 133. LIMITATION ON AVAILABILITY OF FUNDS FOR EC-130H COMPASS CALL RECAPITALIZATION PROGRAM.**

(a) **LIMITATION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for any fiscal year for the EC-130H Compass Call recapitalization program of the Air Force may be obligated or expended until a period of 30 days has elapsed following the date on which the Under Secretary of Defense for Acquisition, Technology, and Logistics submits to the congressional defense committees the certification described in subsection (b).

(b) **CERTIFICATION.**—The certification described in this subsection is a written statement certifying that—

(1) an independent review of the acquisition process for the EC-130H Compass Call recapitalization program of the Air Force has been conducted; and

(2) as a result of such review, it has been determined that the acquisition process for such program complies with all applicable laws, guidelines, and best practices.

**SEC. 134. COST-BENEFIT ANALYSIS OF UPGRADES TO MQ-9 REAPER AIRCRAFT.**

(a) **IN GENERAL.**—The Secretary of Defense, in consultation with the Secretary of the Air Force, shall conduct an analysis that compares the costs and benefits of the following:

(1) Upgrading fielded MQ-9 Reaper aircraft to a Block 5 configuration.

(2) Proceeding with the procurement of MQ-9B aircraft instead of upgrading fielded MQ-9 Reaper aircraft to a Block 5 configuration.

(b) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that includes the results of the cost-benefit analysis conducted under subsection (a).

(2) **FORM OF REPORT.**—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

**Subtitle E—Defense-wide, Joint, and Multiservice Matters****SEC. 141. AUTHORITY FOR PROCUREMENT OF ECONOMIC ORDER QUANTITIES FOR THE F-35 AIRCRAFT PROGRAM.**

(a) **AUTHORITY FOR PROCUREMENT OF ECONOMIC ORDER QUANTITIES.**—Subject to subsection (c), the Secretary of Defense may enter into one or more contracts, beginning with the fiscal year 2018 program year, for the procurement of economic order quantities of the material and equipment described in subsection (b).

(b) **MATERIAL AND EQUIPMENT DESCRIBED.**—The material and equipment described in this subsection is material and equipment—

(1) that has completed formal hardware qualification testing for the F-35 aircraft program; and

(2) is to be used in procurement contracts to be awarded under the F-35 aircraft program in fiscal years 2019 and 2020.

(c) **LIMITATIONS.**—

(1) **MAXIMUM AMOUNT.**—Of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2018 or any fiscal year thereafter for the F-35 aircraft program, not more than \$661,000,000 may be obligated or expended to enter into contracts under subsection (a).

(2) **CERTIFICATION.**—The Secretary of Defense may not enter into a contract under subsection (a) until a period of 15 days has elapsed following the date on which the Secretary submits to the congressional defense committees a written certification that the contract to be entered

into under such subsection meets the following conditions:

(A) The contract will result in significant cost savings as compared to the total anticipated costs of procuring the property through contracts that are not for economic order quantities.

(B) The estimates of the cost of the contract and the anticipated cost savings resulting from the contract are realistic.

(C) The minimum need for the property that is to be procured under the contract is expected to remain substantially unchanged during the contract period.

(D) There is a reasonable expectation that, throughout the contract period, the head of the relevant military department or defense agency will request funding for the contract at the level required to avoid contract cancellation.

(E) The design of the property that is to be procured under the contract is expected to remain substantially unchanged and the technical risks associated with such design are not excessive.

(F) Entering into the contract will promote the national security interests of the United States.

(G) The contract satisfies the conditions described in subparagraphs (C) through (F) of section 2306b(i)(3) of title 10, United States Code.

#### **SEC. 142. LIMITATION ON DEMILITARIZATION OF CERTAIN CLUSTER MUNITIONS.**

(a) **LIMITATION.**—Except as provided in subsection (c), the Secretary of Defense may not demilitarize any cluster munitions until the date on which the Secretary of Defense submits to the congressional defense committees the certification described in subsection (b).

(b) **CERTIFICATION.**—The certification described in this subsection is a written certification that the Department of Defense has an inventory of covered munitions that meets not less than 75 percent of the operational requirements of the Department with respect to cluster munitions across the full range of military operational environments.

(c) **EXCEPTION FOR SAFETY.**—The limitation under subsection (a) shall not apply to the demilitarization of cluster munitions that the Secretary determines—

(1) are unserviceable as a result of an inspection, test, field incident, or other significant failure to meet performance or logistics requirements; or

(2) are unsafe or could pose a safety risk if not demilitarized or destroyed.

(d) **DEFINITIONS.**—In this section:

(1) **CLUSTER MUNITION.**—The term “cluster munition” means a munition that is composed of a nonreusable canister or delivery body that contains multiple, conventional submunitions, without regard to the mode by which the munition is delivered. The term does not include—

(A) nuclear, chemical, or biological weapons;

(B) obscurants;

(C) pyrotechnics;

(D) non-lethal systems;

(E) non-explosive kinetic effect submunitions;

(F) electronic effects; or

(G) landmines.

(2) **COVERED MUNITIONS.**—The term “covered munitions” means cluster munitions containing submunitions that, after arming, do not result in more than 1 percent unexploded ordnance (as that term is defined in section 101(e)(5) of title 10, United States Code) across the range of intended operational environments.

(3) **DEMILITARIZE.**—The term “demilitarize”, when used with respect to a cluster munition or components of a cluster munition—

(A) means to destroy the military offensive or defensive advantages inherent in the munition or its components; and

(B) includes any mutilation, scrapping, melting, burning, or alteration that prevents the use

of the munition or its components for the military purposes for which the munition or its components was designed or for a lethal purpose.

#### **SEC. 143. REINSTATEMENT OF REQUIREMENT TO PRESERVE CERTAIN C-5 AIRCRAFT.**

Section 141 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1659), as amended by section 132 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328), is amended by inserting after subsection (c) the following:

“(d) **PRESERVATION OF CERTAIN RETIRED C-5 AIRCRAFT.**—The Secretary of the Air Force shall preserve each C-5 aircraft that is retired by the Secretary during a period in which the total inventory of strategic airlift aircraft of the Secretary is less than 301, such that the retired aircraft—

“(1) is stored in flyable condition;

“(2) can be returned to service; and

“(3) is not used to supply parts to other aircraft unless specifically authorized by the Secretary of Defense upon a request by the Secretary of the Air Force.”.

#### **SEC. 144. REQUIREMENT THAT CERTAIN AIRCRAFT AND UNMANNED AERIAL VEHICLES USE SPECIFIED STANDARD DATA LINK.**

Section 157 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1667) is amended—

(1) by amending subsection (b) to read as follows:

“(b) **SOLICITATIONS.**—The Secretary of Defense shall—

“(1) ensure that any solicitation issued for a Common Data Link described in subsection (a), regardless of whether the solicitation is issued by a military department or a contractor with respect to a subcontract—

“(A) conforms to a Department of Defense specification standard, including interfaces and waveforms, existing as of the date of the solicitation; and

“(B) does not include any proprietary or undocumented waveforms or control interfaces or data interfaces as a requirement or criterion for evaluation; and

“(2) notify the congressional defense committees not later than 15 days after issuing a solicitation for a Common Data Link to be sunset (CDL-TBS) waveform.”; and

(2) in subsection (c), in the matter preceding paragraph (1)—

(A) by striking “Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “Deputy Secretary of Defense”; and

(B) by striking “Under Secretary” and inserting “Deputy Secretary of Defense”; and

(C) by inserting “before October 1, 2023” after “committees”.

### **TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

#### **Subtitle A—Authorization Of Appropriations**

##### **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

Funds are hereby authorized to be appropriated for fiscal year 2018 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4201.

#### **Subtitle B—Program Requirements, Restrictions, And Limitations**

##### **SEC. 211. COST CONTROLS FOR PRESIDENTIAL AIRCRAFT RECAPITALIZATION PROGRAM.**

(a) **FIXED CAPABILITY REQUIREMENTS.**—Except as provided in subsection (b), the capability requirements for aircraft procured under the presidential aircraft recapitalization program of the Air Force (referred to in this section as the “PAR Program”) shall be the capability requirements identified in version 7.0 of the system re-

quirement document for the PAR Program dated December 14, 2016.

(b) **ADJUSTMENTS.**—The Secretary of the Air Force may adjust the capability requirements described in subsection (a) only if the Secretary submits to the congressional defense committees a written determination that such adjustment is necessary—

(1) to resolve an ambiguity relating to the capability requirement;

(2) to address a problem with the administration of the capability requirement;

(3) to lower the development cost or life-cycle cost of the PAR program;

(4) to comply with a change in international, Federal, State, or local law or regulation that takes effect after September 30, 2017;

(5) to address a safety issue; or

(6) subject to subsection (c), to address an emerging threat or vulnerability.

(c) **LIMITATION ON ADJUSTMENT FOR EMERGING THREAT OR VULNERABILITY.**—The Secretary of the Air Force may use the authority under paragraph (6) of subsection (b) to adjust the requirements described in subsection (a) only if the Secretary and the Chief of Staff of the Air Force, on a nondelegable basis—

(1) jointly determine that such adjustment is necessary and in the interests of the national security of the United States; and

(2) submit to the congressional defense committees notice of such joint determination.

(d) **FORM OF CONTRACTS.**—

(1) **REQUIREMENT FOR FIXED-PRICE TYPE CONTRACTS.**—Of the total amount of funds obligated or expended for contracts for engineering and manufacturing development under the PAR program, not less than 50 percent shall be for fixed-price type contracts.

(2) **OTHER CONTRACT TYPES.**—Except as provided in paragraph (1), a contract other than a fixed-price type contract may be entered into under the PAR Program only if the service acquisition executive of the Air Force, on a nondelegable basis, approves the contract.

(e) **QUARTERLY BRIEFINGS.**—

(1) **IN GENERAL.**—Beginning not later than October 1, 2017, and on a quarterly basis thereafter through October 1, 2022, the Secretary of the Air Force shall provide to the Committee on Armed Services of the House of Representatives a briefing on the efforts of the Secretary to control costs under the PAR Program.

(2) **ELEMENTS.**—Each briefing under paragraph (1) shall include, with respect to the PAR Program, the following:

(A) An overview of the program schedule.

(B) A description of each contract awarded under the program, including a description of the type of contract and the status of the contract.

(C) An assessment of the status of the program with respect to—

(i) modification;

(ii) testing;

(iii) delivery; and

(iv) sustainment.

(f) **SERVICE ACQUISITION EXECUTIVE DEFINED.**—In this section, the term “service acquisition executive” has the meaning given that term in section 101(a)(10) of title 10, United States Code.

##### **SEC. 212. CAPITAL INVESTMENT AUTHORITY.**

Section 2208(k)(2) of title 10, United States Code, is amended by striking “\$250,000” and inserting “\$500,000”.

##### **SEC. 213. MODIFICATION OF AUTHORITY TO AWARD PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.**

Section 2374a of title 10, United States Code, is amended—

(1) in subsection (a), by striking “to award cash prizes” and inserting “to award prizes, which may be cash prizes or nonmonetary prizes.”;



(2) in subsection (b), by striking “cash prizes” and inserting “prizes”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “cash prize” and inserting “prize valued at”; and

(B) by adding at the end the following:

“(3) No prize competition may result in the award of a nonmonetary prize valued at more than \$10,000 without the approval of the Under Secretary of Defense for Acquisition, Technology, and Logistics.”;

(4) in subsection (e)—

(A) by inserting “or nonmonetary items” after “accept funds”; and

(B) by striking “and from State and local governments,” and inserting “from State and local governments, and from other nongovernmental sources,”; and

(5) by striking subsection (f).

#### **SEC. 214. CRITICAL TECHNOLOGIES FOR COLUMBIA CLASS SUBMARINE.**

(a) **IN GENERAL.**—For purposes of sections 2366b and 2448b(a)(2) of title 10, United States Code, the components identified in subsection (b) are deemed to be critical technologies for the Columbia class ballistic missile submarine construction program.

(b) **CRITICAL TECHNOLOGIES.**—The components identified in this subsection are—

(1) the coordinated stern for the Columbia class ballistic missile submarine;

(2) the electric drive system for the submarine; and

(3) the nuclear reactor for the submarine.

#### **SEC. 215. JOINT HYPERSONICS TRANSITION OFFICE.**

(a) **REDESIGNATION.**—The joint technology office on hypersonics in the Office of the Secretary of Defense is redesignated as the “Joint Hypersonics Transition Office”. Any reference in a law (other than this section), map, regulation, document, paper, or other record of the United States to the joint technology office on hypersonics shall be deemed to be a reference to the Joint Hypersonics Transition Office.

(b) **HYPERSONICS DEVELOPMENT.**—Section 218 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 10 U.S.C. 2358 note), as amended by section 1079(f) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-192; 129 Stat. 999), is amended—

(1) in the heading of subsection (a), by striking “JOINT TECHNOLOGY OFFICE ON HYPERSONICS” and inserting “JOINT HYPERSONICS TRANSITION OFFICE”;

(2) in subsection (a)—

(A) in the first sentence, by striking “joint technology office on hypersonics” and inserting “Joint Hypersonics Transition Office (in this section referred to as the ‘Office’)”; and

(B) in the second sentence, by striking “office” and inserting “Office”;

(3) in subsection (b), by striking “joint technology office established under subsection (a)” and inserting “Office”; and

(4) by amending subsection (c) to read as follows:

“(c) **RESPONSIBILITIES.**—In carrying out the program required by subsection (b), the Office shall do the following:

“(1) Coordinate and integrate current and future research, development, test, and evaluation programs and system demonstration programs of the Department of Defense on hypersonics.

“(2) Undertake appropriate actions to ensure—

“(A) close and continuous integration of the programs on hypersonics of the military departments and the Defense Agencies with the programs on hypersonics across the Federal Government; and

“(B) that both foundational research and developmental testing resources are adequate and

well funded, and that facilities are made available in a timely manner to support hypersonics research, demonstration programs, and system development.

“(3) Approve demonstration programs on hypersonic systems to speed the maturation and deployment of the systems to the warfighter.”

“(4) Ensure that any demonstration program on hypersonic systems that is carried out in any year after its approval under paragraph (3) is carried out only if certified under subsection (e) as being consistent with the roadmap under subsection (d).

“(5) Develop a well-defined path for hypersonic technologies to transition to operational capabilities for the warfighter.”;

(5) in subsection (d)(1), by striking “joint technology office established under subsection (a)” and inserting “Office”; and

(6) in subsection (e)—

(A) in paragraph (1), by striking “joint technology office established under subsection (a)” and inserting “Office”; and

(B) in paragraph (2), by striking “joint technology office” and inserting “Office”.

#### **SEC. 216. HYPERSONIC AIRBREATHING WEAPONS CAPABILITIES.**

(a) **IN GENERAL.**—The Secretary of Defense may transfer oversight and management of the Hypersonic Airbreathing Weapons Concept from the Defense Advanced Research Projects Agency to a responsible entity of the Air Force. The Secretary of the Air Force, acting through the head of the Air Force Research Laboratory, shall continue—

(1) to develop a reusable hypersonics test bed to further probe the high speed flight corridor and to facilitate the testing and development of hypersonic airbreathing weapon systems;

(2) to explore emerging concepts and technologies for reusable hypersonics weapons systems beyond current hypersonics programs, focused on experimental flight test capabilities; and

(3) to develop defensive technologies and countermeasures against potential and identified hypersonic threats.

(b) **HYPERSONIC AIRBREATHING WEAPON SYSTEM DEFINED.**—In this section, the term “hypersonic airbreathing weapon system” means a missile or platform with military utility that operates at speeds near or beyond approximately five times the speed of sound, and that is propelled through the atmosphere with an engine that burns fuel with oxygen from the atmosphere that is collected in an inlet.

#### **SEC. 217. LIMITATION ON AVAILABILITY OF FUNDS FOR MQ-25 UNMANNED AIR SYSTEM.**

(a) **LIMITATION.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for research, development, test, and evaluation, Navy, for the MQ-25 unmanned air system, not more than 75 percent may be obligated or expended until a period of 60 days has elapsed following the date on which the certification and report under subsection (b) have been submitted to the congressional defense committees.

(b) **CERTIFICATION AND REPORT.**—

(1) **CERTIFICATION.**—The Secretary of the Navy shall submit to the congressional defense committees a written certification that—

(A) the MQ-25 unmanned air system is required to fill a validated capability gap of the Department of the Navy;

(B) the Chief of Naval Operations has reviewed and approved the initial capability document and the capability development document relating to such system; and

(C) the initial capability document and the capability development document have been provided to the congressional defense committees.

(2) **REPORT.**—The Assistant Secretary of the Navy for Research, Development, and Acquisi-

tion shall submit to the congressional defense committees a report that includes—

(A) an identification of threshold and objective key performance parameters for the MQ-25 unmanned air system;

(B) a certification that the threshold and objective key performance parameters for such system have been established and are achievable; and

(C) a description of the requirements of such system with respect to—

(i) fuel transfer;

(ii) equipment for intelligence, surveillance, and reconnaissance;

(iii) equipment for electronic attack and electronic protection;

(iv) communications equipment;

(v) weapons payload;

(vi) range;

(vii) mission endurance for unrefueled and aerial refueled operations;

(viii) affordability;

(ix) survivability; and

(x) interoperability with other Navy and joint-service unmanned aerial systems and mission control stations.

#### **SEC. 218. LIMITATION ON AVAILABILITY OF FUNDS FOR CONTRACT WRITING SYSTEMS.**

(a) **LIMITATION.**—Of the funds specified in subsection (c), not more than 75 percent may be obligated or expended until the date on which the Secretary of Defense submits to the congressional defense committees the assessment required under subsection (b).

(b) **ASSESSMENT REQUIRED.**—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall submit to the congressional defense committees a written assessment of the requirements for each contract writing information technology system of the Department of Defense and the military departments. Such assessment shall include the following:

(1) Analysis of the requirements for each such contract writing system, including identification of common requirements and any requirements unique to each military department.

(2) Identification of legacy systems that provide data to, or receive data from, such contract writing systems.

(3) Projected timelines showing when each contract writing system is expected to become fully operationally capable and when each legacy system is expected to terminate, based on budget projections included in the most recent future-years defense program submitted to Congress under section 221 of title 10, United States Code.

(4) Assessment of how a shared services model might be applied to replace specific contract writing systems, including analysis of the business process reengineering necessary to move to a shared services model and how shared services can be integrated into the business enterprise architecture of the Department.

(5) Identification of available shared services for contract writing systems, such as those offered by the General Services Administration or by other sources, that might provide viable alternatives to current contract writing systems.

(6) Identification of any gaps in the capabilities of available shared services for contract writing systems, and recommendations for addressing such gaps.

(7) Identification of any policy, legal, or statutory constraints that would have to be addressed in order to move to a shared services model for contract writing systems.

(c) **FUNDS SPECIFIED.**—The funds specified in this subsection are the following—

(1) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for research, development, test, and



evaluation for each system described in subsection (d).

(2) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for procurement for each system described in subsection (d).

(d) **SYSTEMS DESCRIBED.**—The systems described in this subsection are the following:

(1) The Contract Writing System of the Army.

(2) The Electronic Procurement System of the Navy.

(3) The Automated Contract Preparation System of the Air Force.

(4) The Contract Writing and Administration System of the Defense Contract Management Agency.

(5) The Standard Procurement System of the Defense Logistics Agency.

### **TITLE III—OPERATION AND MAINTENANCE**

#### **Subtitle A—Authorization of Appropriations**

##### **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

Funds are here by authorized to be appropriated for fiscal year 2018 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

#### **Subtitle B—Energy and Environment**

##### **SEC. 311. CODIFICATION OF AND IMPROVEMENTS TO DEPARTMENT OF DEFENSE CLEARINGHOUSE TO COORDINATE DEPARTMENT REVIEW OF APPLICATIONS FOR CERTAIN PROJECTS THAT MAY HAVE ADVERSE IMPACT ON MILITARY OPERATIONS AND READINESS.**

(a) **ESTABLISHMENT OF MILITARY AVIATION, RANGE, AND INSTALLATION ASSURANCE PROGRAM OFFICE.**—

(1) **CODIFICATION AND IMPROVEMENT OF EXISTING LAW.**—Chapter 7 of title 10, United States Code, is amended by inserting after section 183 the following new section:

##### **“§ 183a. Military Aviation, Range, and Installation Assurance Program Office for review of mission obstructions**

“(a) **ESTABLISHMENT.**—(1) The Secretary of Defense shall establish a Military Aviation, Range, and Installation Assurance Program Office.

“(2) The Military Aviation, Range, and Installation Assurance Program Office shall be—

“(A) organized under the authority, direction, and control of an Assistant Secretary of Defense designated by the Secretary; and

“(B) assigned such personnel and resources as the Secretary considers appropriate to carry out this section.

“(b) **FUNCTIONS.**—(1)(A) The Military Aviation, Range, and Installation Assurance Program Office shall serve as a clearinghouse to coordinate Department of Defense review of applications for energy projects filed with the Secretary of Transportation pursuant to section 44718 of title 49 and received by the Department of Defense from the Secretary of Transportation.

“(B) To facilitate the review of an application for an energy project submitted pursuant to such section, the Military Aviation, Range, and Installation Assurance Program Office shall accelerate the development, in coordination with other departments and agencies of the Federal Government, of—

“(i) an integrated review process to ensure timely notification and consideration of any application that may have an adverse impact on military operations and readiness; and

“(ii) planning tools necessary to determine the acceptability to the Department of Defense of the energy project proposal included in the application.

“(2) The Military Aviation, Range, and Installation Assurance Program Office shall establish procedures for the Department of Defense for the coordinated consideration of and response to a request for a review received from another Federal agency, a State government, an Indian tribal government, a local government, a landowner, or the developer of an energy project, including guidance to personnel at each military installation in the United States on how to initiate such procedures and ensure a coordinated Department response.

“(3) The Military Aviation, Range, and Installation Assurance Program Office shall consult with affected military installations for the review and consideration of proposed energy projects.

“(4) The Military Aviation, Range, and Installation Assurance Program Office shall develop procedures for conducting early outreach to parties carrying out energy projects that could have an adverse impact on military operations and readiness and to clearly communicate to such parties actions being taken by the Department under this section.

“(5) The Military Aviation, Range, and Installation Assurance Program Office shall perform such other functions as the Secretary of Defense assigns.

“(c) **REVIEW OF PROPOSED ACTIONS.**—(1) Not later than 30 days after receiving from the Secretary of Transportation a proper application for an energy project under section 44718 of title 49 that may have an adverse impact on military operations and readiness, the Military Aviation, Range, and Installation Assurance Program Office shall conduct a preliminary review of such application. Such review shall—

“(A) assess the likely scope, duration, and level of risk of any adverse impact of such energy project on military operations and readiness; and

“(B) identify any feasible and affordable actions that could be taken by the Department, the developer of such energy project, or others to mitigate such adverse impact and to minimize risks to national security while allowing such energy project to proceed with development.

“(2) If the Military Aviation, Range, and Installation Assurance Program Office determines under paragraph (1) that an energy project will have an adverse impact on military operations and readiness, the Military Aviation, Range, and Installation Assurance Program Office, with the approval of the Secretary of Defense, shall issue to the applicant a notice of presumed risk that describes the concerns identified by the Department in the preliminary review and requests a discussion of possible mitigation actions.

“(d) **COMPREHENSIVE REVIEW.**—(1) The Secretary of Defense shall develop a comprehensive strategy for addressing the military impacts of projects filed with the Secretary of Transportation pursuant to section 44718 of title 49.

“(2) In developing the strategy required by paragraph (1), the Secretary of Defense shall—

“(A) assess the magnitude of interference posed by projects filed with the Secretary of Transportation pursuant to section 44718 of title 49;

“(B) identify geographic areas in which projects filed, or which may be filed in the future, with the Secretary of Transportation pursuant to section 44718 of title 49, could have an adverse impact on military operations and readiness, including military training routes, and categorize the risk of adverse impact in each geographic area for the purpose of informing preliminary reviews under subsection (c)(1), early outreach efforts under subsection (b)(4), and online dissemination efforts under paragraph (3);

“(C) develop procedures to periodically review and modify geographic areas identified under

subparagraph (B) and to solicit and identify additional geographic areas as appropriate; and

“(D) specifically identify feasible and affordable long-term actions that may be taken to mitigate adverse impacts of projects filed, or which may be filed in the future, with the Secretary of Transportation pursuant to section 44718 of title 49, on military operations and readiness, including—

“(i) investment priorities of the Department of Defense with respect to research and development;

“(ii) modifications to military operations to accommodate applications for such projects;

“(iii) recommended upgrades or modifications to existing systems or procedures by the Department of Defense;

“(iv) acquisition of new systems by the Department and other departments and agencies of the Federal Government and timelines for fielding such new systems; and

“(v) modifications to the projects for which such applications are filed, including changes in size, location, or technology.

“(3) The Military Aviation, Range, and Installation Assurance Program Office shall make available online access to data reflecting geographic areas identified under subparagraph (B) of paragraph (2) and reviewed and modified under subparagraph (C) of such paragraph.

“(e) **DEPARTMENT OF DEFENSE DETERMINATION OF UNACCEPTABLE RISK.**—(1) The Secretary of Defense may not object to an energy project filed with the Secretary of Transportation pursuant to section 44718 of title 49 unless the Secretary of Defense determines, after giving full consideration to mitigation actions identified pursuant to this section, that the project would result in an unacceptable risk to the national security of the United States. Such a determination shall constitute a finding pursuant to section 44718(f) of title 49.

“(2) Not later than 30 days after making a determination under paragraph (1), the Secretary of Defense shall submit to the congressional defense committees, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on such determination and the basis for such determination. Such report shall include an explanation of the basis of the determination, a discussion of the mitigation options considered, and an explanation of why, in the case of a determination of unacceptable risk, the mitigation options were not feasible or did not resolve the conflict. The Secretary of Defense may provide public notice through the Federal Register of the determination.

“(3) The Secretary of Defense may only delegate the responsibility for making a determination under paragraph (1) to the Deputy Secretary of Defense, an Under Secretary of Defense, or a Principal Deputy Under Secretary of Defense.

“(f) **AUTHORITY TO ACCEPT CONTRIBUTIONS OF FUNDS.**—The Secretary of Defense is authorized to request and accept a voluntary contribution of funds from an applicant for a project filed with the Secretary of Transportation pursuant to section 44718 of title 49. Amounts so accepted shall remain available until expended for the purpose of offsetting the cost of measures undertaken by the Secretary of Defense to mitigate adverse impacts of such a project on military operations and readiness or to conduct studies of potential measures to mitigate such impacts.

“(g) **EFFECT OF DEPARTMENT OF DEFENSE HAZARD ASSESSMENT.**—An action taken pursuant to this section shall not be considered to be a substitute for any assessment or determination required of the Secretary of Transportation under section 44718 of title 49.

“(h) **SAVINGS CLAUSE.**—Nothing in this section shall be construed to affect or limit the application of, or any obligation to comply with, any

environmental law, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(i) **DEFINITIONS.**—In this section:

“(1) The term ‘adverse impact on military operations and readiness’ means any adverse impact upon military operations and readiness, including flight operations, research, development, testing, and evaluation, and training, that is demonstrable and is likely to impair or degrade the ability of the armed forces to perform their warfighting missions.

“(2) The term ‘energy project’ means a project that provides for the generation or transmission of electrical energy.

“(3) The term ‘landowner’ means a person that owns a fee interest in real property on which a proposed energy project is planned to be located.

“(4) The term ‘military installation’ has the meaning given that term in section 2801(c)(4) of this title.

“(5) The term ‘military readiness’ includes any training or operation that could be related to combat readiness, including testing and evaluation activities.

“(6) The term ‘military training route’ means a training route developed as part of the Military Training Route Program, carried out jointly by the Federal Aviation Administration and the Secretary of Defense, for use by the armed forces for the purpose of conducting low-altitude, high-speed military training.

“(7) The term ‘unacceptable risk to the national security of the United States’ means the construction, alteration, establishment, or expansion, or the proposed construction, alteration, establishment, or expansion, of a structure or sanitary landfill that would—

“(A) endanger safety in air commerce, related to the activities of the Department of Defense;

“(B) interfere with the efficient use and preservation of the navigable airspace and of airport traffic capacity at public-use airports, related to the activities of the Department of Defense; or

“(C) impair or degrade the capability of the Department of Defense to conduct training, research, development, testing, evaluation, and operations or to maintain military readiness.”.

(2) **CONFORMING AND CLERICAL AMENDMENTS.**—

(A) **REPEAL OF EXISTING PROVISION.**—Section 358 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 49 U.S.C. 44718 note) is repealed.

(B) **REFERENCE TO DEFINITIONS.**—Section 44718(g) of title 49, United States Code, is amended by striking “‘211.3 of title 32, Code of Federal Regulations, as in effect on January 6, 2014’” both places it appears and inserting “‘183a(i) of title 10’”.

(C) **TABLE OF SECTIONS AMENDMENT.**—The table of sections at the beginning of chapter 7 of title 10, United States Code, is amended by inserting after the item relating to section 183 the following new item:

“183a. Military Aviation, Range, and Installation Assurance Program Office for review of mission obstructions.”.

(3) **DEADLINE FOR INITIAL IDENTIFICATION OF GEOGRAPHIC AREAS.**—The initial identification of geographic areas under subsection (d)(2)(B) of section 183a of title 10, United States Code, as added by paragraph (1), shall be completed not later than 180 days after the date of the enactment of this Act.

(4) **APPLICABILITY OF EXISTING RULES AND REGULATIONS.**—Notwithstanding the amendments made by paragraphs (1) and (2), any rule or regulation promulgated to carry out section 358 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 49 U.S.C. 44718 note) that is in effect on the day before the date of the enactment of this

Act shall continue in effect and apply to the extent such rule or regulation is consistent with the authority under section 183a of title 10, United States Code, as added by paragraph (1), until such rule or regulation is otherwise amended or repealed.

(b) **CONFORMING AMENDMENT REGARDING CRITICAL MILITARY-USE AIRSPACE AREAS.**—Section 44718 of title 49, United States Code, as amended by subsection (a)(2)(B), is further amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection:

“(g) **SPECIAL RULE FOR IDENTIFIED GEOGRAPHIC AREAS.**—In the case of a proposed structure to be located within a geographic area identified under subsection (d)(2)(B) of section 183a of title 10, the Secretary of Transportation may not issue a determination until the Secretary of Defense issues a determination under subsection (e) of such section as to whether or not the proposed structure represents an unacceptable risk to the national security of the United States (as defined in subsection (i)(7) of such section).”.

**SEC. 312. ENERGY PERFORMANCE GOALS AND MASTER PLAN.**

Section 2911(c) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting before the period at the end the following: “, the future demand for energy, and the requirements for the use of energy”;

(2) in paragraph (2), by striking “reduce the future demand and the requirements for the use of energy” and inserting “enhance energy resilience to ensure the Department of Defense has the ability to prepare for and recover from energy disruptions that affect mission assurance on military installations”; and

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

“(13) Opportunities to leverage financing provided by a non-Department entity to address installation energy needs.”.

**SEC. 313. PAYMENT TO ENVIRONMENTAL PROTECTION AGENCY OF STIPULATED PENALTY IN CONNECTION WITH UMATILLA CHEMICAL DEPOT, OREGON.**

(a) **AUTHORITY TO TRANSFER FUNDS.**—

(1) **TRANSFER AMOUNT.**—The Secretary of the Army may transfer an amount of not more than \$125,000 to the Hazardous Substance Superfund established under subchapter A of chapter 98 of the Internal Revenue Code of 1986. Any such transfer shall be made without regard to section 2215 of title 10, United States Code.

(2) **SOURCE OF FUNDS.**—Any transfer under subsection (a) shall be made using funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for Base Realignment and Closure, Army.

(b) **PURPOSE OF TRANSFER.**—A transfer under subsection (a) shall be for the purpose of satisfying a stipulated penalty assessed by the Environmental Protection Agency in the settlement agreement approved by the Army on July 14, 2016, against the Umatilla Chemical Depot, Oregon under the Federal Facility Agreement between the Army and the Environmental Protection Agency dated September 19, 1989.

(c) **ACCEPTANCE OF PAYMENT.**—If the Secretary of the Army makes a transfer under subsection (a), the Administrator of the Environmental Protection Agency shall accept the amount transferred as payment in full of the penalty referred to in subsection (b).

**SEC. 314. PAYMENT TO ENVIRONMENTAL PROTECTION AGENCY OF STIPULATED PENALTY IN CONNECTION WITH LONGHORN ARMY AMMUNITION PLANT, TEXAS.**

(a) **AUTHORITY TO TRANSFER FUNDS.**—

(1) **TRANSFER AMOUNT.**—The Secretary of the Army may transfer an amount of not more than \$1,185,000 to the Hazardous Substance Superfund established under subchapter A of chapter 98 of the Internal Revenue Code of 1986. Any such transfer shall be made without regard to section 2215 of title 10, United States Code.

(2) **SOURCE OF FUNDS.**—Any transfer under subsection (a) shall be made using funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for Environmental Restoration, Army.

(b) **PURPOSE OF TRANSFER.**—A transfer under subsection (a) shall be for the purpose of satisfying a stipulated penalty assessed by the Environmental Protection Agency on April 5, 2013, against Longhorn Army Ammunition Plant, Texas, under the Federal Facility Agreement for Longhorn Army Ammunition Plant, which was entered into between the Army and the Environmental Protection Agency in 1991.

(c) **ACCEPTANCE OF PAYMENT.**—If the Secretary of the Army makes a transfer under subsection (a), the Administrator of the Environmental Protection Agency shall accept the amount transferred as payment in full of the penalty referred to in subsection (b).

**SEC. 315. DEPARTMENT OF DEFENSE CLEANUP AND REMOVAL OF PETROLEUM, OIL, AND LUBRICANT ASSOCIATED WITH THE PRINZ EUGEN.**

Amounts authorized to be appropriated for the Department of Defense may be used for all necessary expenses for the removal and cleanup of petroleum, oil, and lubricants associated with the heavy cruiser Prinz Eugen, which was transferred from the United States to the Republic of the Marshall Islands in 1986.

**Subtitle C—Logistics and Sustainment**

**SEC. 321. REAUTHORIZATION OF MULTI-TRADES DEMONSTRATION PROJECT.**

Section 338 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 5013 note), as most recently amended by section 321 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1694) is amended—

(1) in subsection (d), by striking “2018” and inserting “2023”; and

(2) in subsection (e), by striking “2019” and inserting “2024”.

**SEC. 322. GUIDANCE REGARDING USE OF ORGANIC INDUSTRIAL BASE.**

The Secretary of the Army shall maintain the arsenals with sufficient workloads to ensure affordability and technical competence in all critical capability areas by establishing, not later than 90 days after the enactment of this Act, clear, step-by-step, prescriptive guidance on the process for conducting make-or-buy analyses, including the use of the organic industrial base.

**Subtitle D—Reports**

**SEC. 331. QUARTERLY REPORTS ON PERSONNEL AND UNIT READINESS.**

(a) **MODIFICATION AND IMPROVEMENT.**—Section 482 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “Each report” and inserting “The reports for the first and third quarters of a calendar year”; and

(B) by adding at the end the following new sentence: “The reports for the second and fourth quarters of a calendar year shall contain the information required by subsection (j).”;

(2) in subsection (b)—

(A) in the subsection heading, by striking “AND REMEDIAL ACTIONS”;

(B) in the matter preceding paragraph (1), by striking “Each report” and inserting “A report for the second or fourth quarter of a calendar year”;

(C) in paragraph (1), by inserting “and” after the semicolon;

(D) by striking paragraph (2); and  
(E) by redesignating paragraph (3) as paragraph (2);

(3) in subsection (d)(1), by striking “Each report” and inserting “A report for the second or fourth quarter of a calendar year”;

(4) in subsection (e), by striking “Each report” and inserting “A report for the second or fourth quarter of a calendar year”;

(5) in subsection (f)(1), by striking “Each report” and inserting “A report for the second or fourth quarter of a calendar year”;

(6) in subsection (g)(1), by striking “Each report” and inserting “A report for the second or fourth quarter of a calendar year”; and

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

“(j) **REMEDIAL ACTIONS.**—A report for the first or third quarter of a calendar year shall include—

“(1) a description of the mitigation plans of the Secretary to address readiness shortfalls and operational deficiencies identified in the report submitted for the preceding calendar quarter; and

“(2) for each such shortfall or deficiency, a timeline for resolution, the cost necessary for such resolution, the mitigation strategy the Department will employ until the resolution is in place, and any legislative remedies required.”.

(b) **CONFORMING AMENDMENTS.**—Section 117 of title 10, United States Code, is amended—

(1) in subsection (d)—

(A) in the subsection heading, by striking “QUARTERLY” and inserting “SEMI-ANNUAL”; and

(B) in paragraph (1)(A), by striking “quarterly” and inserting “semi-annual”; and

(2) in subsection (e), by striking “each quarter” and inserting “semi-annually”.

**SEC. 332. BIENNIAL REPORT ON CORE DEPOT-LEVEL MAINTENANCE AND REPAIR CAPABILITY.**

Section 2464(d) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

“(4) Any workload shortfalls at any work breakdown structure category designated as a lower-level category pursuant to Department of Defense Instruction 4151.20, or any successor instruction.

“(5) A description of any workload executed at a category designated as a first-level category pursuant to such Instruction, or any successor instruction, that could be used to mitigate shortfalls in similar categories.

“(6) A description of any progress made on implementing mitigation plans developed pursuant to paragraph (3).

“(7) A description of core capability requirements and corresponding workloads at the first level category.

“(8) In the case of any shortfall that is identified, a description of the shortfall and an identification of the subcategory of the work breakdown structure in which the shortfall occurred.

“(9) In the case of any work breakdown structure category designated as a special interest item or other pursuant to such Instruction, or any successor instruction, an explanation for such designation.

“(10) Whether the core depot-level maintenance and repair capability requirements described in the report submitted under this subsection for the preceding fiscal year have been executed.”.

**SEC. 333. ANNUAL REPORT ON PERSONNEL, TRAINING, AND EQUIPMENT NEEDS OF NON-FEDERALIZED NATIONAL GUARD.**

(a) **ANNUAL REPORT REQUIRED.**—Section 10504 of title 10, United States Code, as amended by section 1051, is further amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking “REPORT.” and inserting “REPORT ON STATE OF THE NATIONAL GUARD.—(1)”; and

(B) by striking “The report” and inserting the following:

“(2) The annual report required by paragraph (1)”; and

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

“(b) **ANNUAL REPORT ON NON-FEDERALIZED SERVICE NATIONAL GUARD PERSONNEL, TRAINING, AND EQUIPMENT REQUIREMENTS.**—(1) Not later than January 31 of each of calendar years 2018 through 2022, the Chief of the National Guard Bureau shall submit to the recipients described in paragraph (3) a report that identifies the personnel, training, and equipment required by the non-federalized National Guard—

“(A) to support civilian authorities in connection with natural and man-made disasters during the covered period; and

“(B) to carry out prevention, protection, mitigation, response, and recovery activities relating to such disasters during the covered period.

“(2) In preparing each report under paragraph (1), the Chief of the National Guard Bureau shall—

“(A) consult with the chief executive of each State, the Council of Governors, and other appropriate civilian authorities;

“(B) collect and validate information from each State relating to the personnel, training, and equipment requirements described in paragraph (1);

“(C) set forth separately the personnel, training, and equipment requirements for—

“(i) each of the emergency support functions of the National Response Framework; and

“(ii) each of the Federal Emergency Management Agency regions;

“(D) assess core civilian capability gaps relating to natural and man-made disasters, as identified by States in submissions to the Department of Homeland Security; and

“(E) take into account threat and hazard identifications and risk assessments of the Department of Defense, the Department of Homeland Security, and the States.

“(3) The annual report required by paragraph (1) shall be submitted to the following officials:

“(A) The congressional defense committees, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate.

“(B) The Secretary of Defense.

“(C) The Secretary of Homeland Security.

“(D) The Council of Governors.

“(E) The Secretary of the Army.

“(F) The Secretary of the Air Force.

“(G) The Commander of the United States Northern Command.

“(H) The Commander of the United States Pacific Command.

“(I) The Commander of the United States Cyber Command.

“(4) In this subsection, the term ‘covered period’ means the fiscal year beginning after the date on which a report is submitted under paragraph (1).”.

(b) **CLERICAL AMENDMENTS.**—

(1) **SECTION HEADING.**—The heading of such section is amended to read as follows:

**“§ 10504. Chief of National Guard Bureau: annual reports”.**

(2) **TABLE OF CONTENTS.**—The table of sections at the beginning of chapter 1011 of title 10, United States Code, is amended by striking the item relating to section 10504 and inserting the following:

“10504. Chief of National Guard Bureau: annual reports.”.

**SEC. 334. ANNUAL REPORT ON MILITARY WORKING DOGS USED BY THE DEPARTMENT OF DEFENSE.**

(a) **CAPACITY.**—The Secretary of Defense, acting through the Executive Agent for Military

Working Dogs (hereinafter in this section referred to as the “Executive Agent”), shall—

(1) identify the number of military working dogs required to fulfill the various missions of the Department of Defense for which such dogs are used, including force protection, facility and check point security, and explosives and drug detection;

(2) take such steps as are practicable to ensure an adequate number of military working dog teams are available to meet and sustain the mission requirements identified in paragraph (1);

(3) ensure that the Department’s needs and performance standards with respect to military working dogs are readily available to dog breeders and trainers; and

(4) coordinate with other Federal, State, and local agencies, nonprofit organizations, universities, and private sector entities, as appropriate, to increase the training capacity for military working dog teams.

(b) **MILITARY WORKING DOG PROCUREMENT.**—The Secretary, acting through the Executive Agent, shall work to ensure that military working dogs are procured as efficiently as possible and at the best value to the Government, while maintaining the necessary level of quality and encouraging increased domestic breeding.

(c) **ANNUAL REPORT.**—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2018, and annually thereafter until September 30, 2021, the Secretary, acting through the Executive Agent, shall submit to the congressional defense committees a report on the procurement and retirement of military working dogs for the fiscal year preceding the fiscal year during which the report is submitted. Each report under this subsection shall include the following for the fiscal year covered by the report:

(1) The number of military working dogs procured, by source, by each military department or Defense Agency.

(2) The cost of procuring military working dogs incurred by each military department or Defense Agency.

(3) The number of domestically bred and sourced military working dogs procured by each military department or Defense Agency, including a list of vendors, their location, cost, and the quantity of dogs procured from each vendor.

(4) The number of non-domestically bred military working dogs procured from non-domestic sources by each military department or Defense Agency, including a list of vendors, their location, cost, and the quantity of dogs procured from each vendor.

(5) The cost of procuring pre-trained and green dogs for force protection, facility and checkpoint security, and improvised explosive device, other explosives, and drug detection.

(6) An analysis of the procurement practices of each military department or Defense Agency that limit market access for domestic canine vendors and breeders.

(7) The total cost of procuring domestically bred military working dogs versus the total cost of procuring dogs from non-domestic sources.

(8) The total number of domestically bred dogs and the number of dogs from foreign sources procured by each military department or Defense Agency and the number and percentage of those dogs that are ultimately deployed for their intended use.

(9) An explanation for any significant difference in the cost of procuring military working dogs from different sources.

(10) An estimate of the number of military working dogs expected to retire annually and an identification of the primary cause of the retirement of such dogs.

(11) An identification of the final disposition of military working dogs no longer in service.

(d) **MILITARY WORKING DOG DEFINED.**—For purposes of this section, the term “military

working dog” means a dog used in any official military capacity, as defined by the Secretary of Defense.

**SEC. 335. ANNUAL BRIEFINGS ON ARMY EXPLOSIVE ORDNANCE DISPOSAL.**

Not later than 60 days after the last day of each of fiscal years 2018 through 2021, the Secretary of the Army shall provide to the Committees on Armed Services of the Senate and House of Representatives briefings on the actions the Army has taken to address the following:

(1) Programmed funding and manpower to establish and implement the explosive ordnance disposal (hereinafter referred to as “EOD”) assistant commandant position in the Army Ordnance School.

(2) EOD personnel talent management, including command opportunities and promotion within the Army logistics cohort, and career broadening opportunities, including participation in joint, interagency, and multinational EOD commissioned officer and non-commissioned officer positions.

(3) How the EOD career path ensures and maintains technical proficiency for EOD-qualified personnel.

(4) Efforts to improve EOD proponentcy and advocacy across the Army, including activities of the EOD Board of Advisors.

(5) Efforts to enhance synchronization of EOD with other Army missions and functions and retain critical interdependencies.

(6) Annual funding programmed through the future-years defense program and executed during the preceding fiscal year for EOD requirements including personnel, training, and equipment.

**SEC. 336. REPORT ON EFFECTS OF CLIMATE CHANGE ON DEPARTMENT OF DEFENSE.**

(a) FINDINGS.—Congress makes the following findings:

(1) Secretary of Defense James Mattis has stated: “It is appropriate for the Combatant Commands to incorporate drivers of instability that impact the security environment in their areas into their planning.”

(2) Secretary of Defense James Mattis has stated: “I agree that the effects of a changing climate — such as increased maritime access to the Arctic, rising sea levels, desertification, among others — impact our security situation.”

(3) Chairman of the Joint Chiefs of Staff Joseph Dunford has stated: “It’s a question, once again, of being forward deployed, forward engaged, and be in a position to respond to the kinds of natural disasters that I think we see as a second or third order effect of climate change.”

(4) Former Secretary of Defense Robert Gates has stated: “Over the next 20 years and more, certain pressures—population, energy, climate, economic, environmental—could combine with rapid cultural, social, and technological change to produce new sources of deprivation, rage, and instability.”

(5) Former Chief of Staff of the U.S. Army Gordon Sullivan has stated: “Climate change is a national security issue. We found that climate instability will lead to instability in geopolitics and impact American military operations around the world.”

(6) The Office of the Director of National Intelligence (ODNI) has stated: “Many countries will encounter climate-induced disruptions—such as weather-related disasters, drought, famine, or damage to infrastructure—that stress their capacity to respond, cope with, or adapt. Climate-related impacts will also contribute to increased migration, which can be particularly disruptive if, for example, demand for food and shelter outstrips the resources available to assist those in need.”

(7) The Government Accountability Office (GAO) has stated: “DOD links changes in pre-

cipitation patterns with potential climate change impacts such as changes in the number of consecutive days of high or low precipitation as well as increases in the extent and duration of droughts, with an associated increase in the risk of wildfire . . . this may result in mission vulnerabilities such as reduced live-fire training due to drought and increased wildfire risk.”

(8) A three-foot rise in sea levels will threaten the operations of more than 128 United States military sites, and it is possible that many of these at-risk bases could be submerged in the coming years.

(9) As global temperatures rise, droughts and famines can lead to more failed states, which are breeding grounds of extremist and terrorist organizations.

(10) In the Marshall Islands, an Air Force radar installation built on an atoll at a cost of \$1,000,000,000 is projected to be underwater within two decades.

(11) In the western United States, drought has amplified the threat of wildfires, and floods have damaged roads, runways, and buildings on military bases.

(12) In the Arctic, the combination of melting sea ice, thawing permafrost, and sea-level rise is eroding shorelines, which is damaging radar and communication installations, runways, seawalls, and training areas.

(13) In the Yukon Training Area, units conducting artillery training accidentally started a wildfire despite observing the necessary practices during red flag warning conditions.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) climate change is a direct threat to the national security of the United States and is impacting stability in areas of the world both where the United States Armed Forces are operating today, and where strategic implications for future conflict exist;

(2) there are complexities in quantifying the cost of climate change on mission resiliency, but the Department of Defense must ensure that it is prepared to conduct operations both today and in the future and that it is prepared to address the effects of a changing climate on threat assessments, resources, and readiness; and

(3) military installations must be able to effectively prepare to mitigate climate damage in their master planning and infrastructure planning and design, so that they might best consider the weather and natural resources most pertinent to them.

(c) REPORT.—

(1) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on vulnerabilities to military installations and combatant commander requirements resulting from climate change over the next 20 years.

(2) ELEMENTS.—The report on vulnerabilities to military installations and combatant commander requirements required by paragraph (1) shall include the following:

(A) A list of the ten most vulnerable military installations within each service based on the effects of rising sea tides, increased flooding, drought, desertification, wildfires, thawing permafrost, and any other categories the Secretary determines necessary.

(B) An overview of mitigations that may be necessary to ensure the continued operational viability and to increase the resiliency of the identified vulnerable military installations and the cost of such mitigations.

(C) A discussion of the climate-change related effects on the Department, including the increase in the frequency of humanitarian assistance and disaster relief missions and the theater campaign plans, contingency plans, and global posture of the combatant commanders.

(D) An overview of mitigations that may be necessary to ensure mission resiliency and the cost of such mitigations.

(3) FORM.—The report required subparagraph (1) shall be submitted in unclassified form, but may contain a classified annex.

**Subtitle E—Other Matters**

**SEC. 341. EXPLOSIVE SAFETY BOARD.**

(a) MODIFICATION AND IMPROVEMENT OF AMMUNITION STORAGE BOARD.—Section 172 of title 10, United States Code, is amended—

(1) by striking “Secretaries of the military departments” and inserting “Secretary of Defense”;

(2) by inserting “that includes members” after “joint board”;

(3) by striking “selected by them” and inserting “selected by the Secretaries of the military departments,”;

(4) by inserting “military” before “officers”;

(5) by inserting “designated as the chair and voting members of the board for each military department” after “officers”;

(6) by inserting “and other” before “civilian officers”;

(7) by striking “or both” and inserting “as necessary”; and

(8) by striking “keep informed on stored” and inserting “provide oversight on storage and transportation of”.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 172 of title 10, United States Code, is amended by striking “Ammunition storage” and inserting “Explosive safety”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 7 of such title is amended by striking the item relating to section 172 and inserting the following new item:

“172. Explosive safety board.”

**SEC. 342. DEPARTMENT OF DEFENSE SUPPORT FOR MILITARY SERVICE MEMORIALS AND MUSEUMS THAT HIGHLIGHT THE ROLE OF WOMEN IN THE ARMED FORCES.**

The Secretary of Defense may provide financial support for the acquisition, installation, and maintenance of exhibits, facilities, historical displays, and programs at military service memorials and museums that highlight the role of women in the Armed Forces. The Secretary may enter into a contract with a nonprofit organization for the purpose of performing such acquisition, installation, and maintenance.

**SEC. 343. LIMITATION ON AVAILABILITY OF FUNDS FOR ADVANCED SKILLS MANAGEMENT SOFTWARE SYSTEM OF THE NAVY.**

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended for the enhancement of the advanced skills management software system of the Navy until a period of 60 days has elapsed following the date on which Secretary of the Navy makes the submission required under subsection (b)(3).

(b) BRIEFING AND CERTIFICATION.—The Secretary of the Navy shall—

(1) provide to the Committee on Armed Services of the House of Representatives a briefing on any enhancements that are needed for the advanced skills management software system of the Navy;

(2) after providing the briefing under paragraph (1), issue a request for information for such enhancements in accordance with part 15.2 of the Federal Acquisition Regulation; and

(3) submit to the Committee on Armed Services of the House of Representatives—

(A) the results of the request for information issued under paragraph (2); and

(B) a written certification that—

(i) as part of the request for information, the Secretary solicited information on commercially

available off-the-shelf software solutions that may be used to enhance the advanced skills management software system of the Navy; and

(ii) the Secretary has considered using such solutions.

(c) **ADVANCED SKILLS MANAGEMENT SOFTWARE SYSTEM DEFINED.**—In this section, the term “advanced skills management software system” means a software application designed to—

- (1) identify job task requirements for Navy personnel;
- (2) assist in determining the proficiencies of such personnel;
- (3) document qualifications and certifications of such personnel; and
- (4) track the technical training completed by Navy aviation maintenance personnel.

**SEC. 344. COST-BENEFIT ANALYSIS OF UNIFORM SPECIFICATIONS FOR AFGHAN MILITARY OR SECURITY FORCES.**

Beginning on the date of the enactment of this Act, whenever the Secretary of Defense enters into a contract for the provision of uniforms for Afghan military or security forces, the Secretary shall require, as a condition of the contract, that the contract include a requirement that the contractor conduct a cost-benefit analysis of the uniform specification for the Afghan military or security forces uniform. Such analysis shall determine—

- (1) whether there is a more effective alternative uniform specification, considering both operational environment and cost, available to the Afghan military or security forces;
- (2) the efficacy of the existing pattern compared to other alternatives (both proprietary and non-proprietary patterns); and
- (3) the costs and feasibility of transitioning the uniforms of the Afghan military or security forces to a pattern owned by the United States, using existing excess inventory where available, and acquiring the rights to the SpecAce Forest pattern.

**TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS**

**Subtitle A—Active Forces**

**SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2018, as follows:

- (1) The Army, 486,000.
- (2) The Navy, 327,900.
- (3) The Marine Corps, 185,000.
- (4) The Air Force, 325,100.

**SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.**

Section 691(b) of title 10, United States Code, is amended by striking paragraphs (1) through (4) and inserting the following new paragraphs:

- “(1) For the Army, 486,000.
- “(2) For the Navy, 327,900.
- “(3) For the Marine Corps, 185,000.
- “(4) For the Air Force, 325,100.”.

**Subtitle B—Reserve Forces**

**SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

(a) **IN GENERAL.**—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2018, as follows:

- (1) The Army National Guard of the United States, 347,000.
- (2) The Army Reserve, 202,000.
- (3) The Navy Reserve, 59,000.
- (4) The Marine Corps Reserve, 38,500.
- (5) The Air National Guard of the United States, 106,600.
- (6) The Air Force Reserve, 69,800.
- (7) The Coast Guard Reserve, 7,000.

(b) **END STRENGTH REDUCTIONS.**—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) **END STRENGTH INCREASES.**—Whenever units or individual members of the Selected Reserve for any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

**SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.**

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2018, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

- (1) The Army National Guard of the United States, 30,155.
- (2) The Army Reserve, 16,261.
- (3) The Navy Reserve, 10,101.
- (4) The Marine Corps Reserve, 2,261.
- (5) The Air National Guard of the United States, 16,260.
- (6) The Air Force Reserve, 3,588.

**SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).**

(a) **IN GENERAL.**—The authorized number of military technicians (dual status) as of September 30, 2018, for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

- (1) The Army National Guard of the United States, 25,507.
- (2) For the Army Reserve, 7,427.
- (3) For the Air National Guard of the United States, 21,893.
- (4) For the Air Force Reserve, 10,160.

(b) **VARIANCE.**—Notwithstanding section 115 of title 10, United States Code, the end strength prescribed by subsection (a) for a reserve component specified in that subsection may be increased—

(1) by 3 percent, upon determination by the Secretary of Defense that such action is in the national interest; and

(2) by 2 percent, upon determination by the Secretary of the military department concerned that such action would enhance manning and readiness in essential units or in critical specialties or ratings.

**SEC. 414. FISCAL YEAR 2018 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.**

(a) **LIMITATIONS.**—

(1) **NATIONAL GUARD.**—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2018, may not exceed the following:

- (A) For the Army National Guard of the United States, 1,600.
- (B) For the Air National Guard of the United States, 350.

(2) **ARMY RESERVE.**—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2018, may not exceed 420.

(3) **AIR FORCE RESERVE.**—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2018, may not exceed 90.

(b) **NON-DUAL STATUS TECHNICIANS DEFINED.**—In this section, the term “non-dual status technician” has the meaning given that term in section 10217(a) of title 10, United States Code.

**SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.**

During fiscal year 2018, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

- (1) The Army National Guard of the United States, 17,000.
- (2) The Army Reserve, 13,000.
- (3) The Navy Reserve, 6,200.
- (4) The Marine Corps Reserve, 3,000.
- (5) The Air National Guard of the United States, 16,000.
- (6) The Air Force Reserve, 14,000.

**Subtitle C—Authorization of Appropriations**

**SEC. 421. MILITARY PERSONNEL.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated for fiscal year 2018 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) **CONSTRUCTION OF AUTHORIZATION.**—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2018.

**TITLE V—MILITARY PERSONNEL POLICY**

**Subtitle A—Regular and Reserve Component Management**

**SEC. 501. MODIFICATION OF REQUIREMENTS RELATING TO CONVERSION OF CERTAIN MILITARY TECHNICIAN (DUAL STATUS) POSITIONS TO CIVILIAN POSITIONS.**

(a) **REVISED REDUCTION AND DEADLINE.**—Section 1053(a)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 10216 note), as amended by section 1084(a)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2421), is further amended—

- (1) by striking “October 1, 2017” and inserting “October 1, 2018”; and
- (2) by striking “20 percent” and inserting “10 percent”.

(b) **REPORTING REQUIREMENT.**—Not later than March 1, 2018, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing such recommendations as the Secretary considers appropriate for revising section 709 of title 32, United States Code, regarding the employment, use, and status of military technicians in the National Guard. The Secretary shall prepare the recommendations in consultation with the Secretary of the Army, the Secretary of the Air Force, and the Chief of the National Guard Bureau.

**SEC. 502. PILOT PROGRAM ON USE OF RETIRED SENIOR ENLISTED MEMBERS OF THE ARMY NATIONAL GUARD AS ARMY NATIONAL GUARD RECRUITERS.**

(a) **PILOT PROGRAM AUTHORIZED.**—The Secretary of the Army may carry out a pilot program for the Army National Guard under which retired senior enlisted members of the Army National Guard would serve as contract recruiters for the Army National Guard.

(b) **OBJECTIVES OF PILOT PROGRAM.**—The Secretary of the Army shall design any pilot program conducted under this section to determine the following:

(1) The feasibility and effectiveness of hiring retired senior enlisted members of the Army National Guard who have retired within the previous two years to serve as recruiters.

(2) The merits of hiring such retired senior enlisted members as contractors or as employees of the Department of Defense.

(3) The best method of providing a competitive compensation package for such retired senior enlisted members.

(4) The merits of requiring such retired senior enlisted members to wear a military uniform while performing recruiting duties under the pilot program.

(c) **CONSULTATION.**—In developing a pilot program under this section, the Secretary of the Army shall consult with the operators of a previous pilot program carried out by the Army involving the use of contract recruiters.

(d) **COMMENCEMENT AND DURATION.**—The Secretary of the Army may commence a pilot program under this section on or after January 1, 2018, and all activities under such a pilot program shall terminate no later than December 31, 2022.

(e) **REPORTING REQUIREMENT.**—If a pilot program is conducted under this section, the Secretary of the Army shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing an evaluation of the success of the pilot program, including the determinations described in subsection (b). The report shall be submitted not later than January 1, 2020.

**SEC. 503. EQUAL TREATMENT OF ORDERS TO SERVE ON ACTIVE DUTY UNDER SECTION 12304A AND 12304B OF TITLE 10, UNITED STATES CODE.**

(a) **ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR PRE-MOBILIZATION HEALTH CARE.**—Section 1074(d)(2) of title 10, United States Code, is amended by striking “in support of a contingency operation under” and inserting “under section 12304b of this title or”.

(b) **ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR TRANSITIONAL HEALTH CARE.**—Section 1145(a)(2)(B) of title 10, United States Code, is amended by striking “in support of a contingency operation” and inserting “under section 12304b of this title or a provision of law referred to in section 101(a)(13)(B) of this title”.

**SEC. 504. DIRECT EMPLOYMENT PILOT PROGRAM FOR MEMBERS OF THE NATIONAL GUARD AND RESERVE.**

(a) **PROGRAM AUTHORITY.**—The Secretary of Defense may carry out a pilot program to enhance the efforts of the Department of Defense to provide job placement assistance and related employment services directly to members in the National Guard and Reserves.

(b) **ADMINISTRATION.**—The pilot program shall be offered to, and administered by, the adjutants general appointed under section 314 of title 32, United States Code.

(c) **COST-SHARING REQUIREMENT.**—As a condition on the provision of funds under this section to a State to support the operation of the pilot program in the State, the State must agree to contribute an amount, derived from non-Federal sources, equal to at least 30 percent of the funds provided by the Secretary of Defense under this section.

(d) **DIRECT EMPLOYMENT PROGRAM MODEL.**—The pilot program should follow a job placement program model that focuses on working one-on-one with a member of a reserve component to cost-effectively provide job placement services, including services such as identifying unemployed and under employed members, job matching services, resume editing, interview preparation, and post-employment follow up. Develop-

ment of the pilot program should be informed by State direct employment programs for members of the reserve components, such as the programs conducted in California and South Carolina.

(e) **EVALUATION.**—The Secretary of Defense shall develop outcome measurements to evaluate the success of the pilot program.

(f) **REPORTING REQUIREMENTS.**—

(1) **REPORT REQUIRED.**—Not later than January 31, 2022, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing the results of the pilot program. The Secretary shall prepare the report in coordination with the Chief of the National Guard Bureau.

(2) **ELEMENTS OF REPORT.**—A report under paragraph (1) shall include the following:

(A) A description and assessment of the effectiveness and achievements of the pilot program, including the number of members of the reserve components hired and the cost-per-placement of participating members.

(B) An assessment of the impact of the pilot program and increased reserve component employment levels on the readiness of members of the reserve components.

(C) Any other matters considered appropriate by the Secretary.

(g) **DURATION OF AUTHORITY.**—

(1) **IN GENERAL.**—The authority to carry out the pilot program expires September 30, 2020.

(2) **EXTENSION.**—Upon the expiration of the authority under paragraph (1), the Secretary of Defense may extend the pilot program for not more than two additional fiscal years.

**Subtitle B—General Service Authorities and Correction of Military Records**

**SEC. 511. CONSIDERATION OF ADDITIONAL MEDICAL EVIDENCE BY BOARDS FOR THE CORRECTION OF MILITARY RECORDS AND LIBERAL CONSIDERATION OF EVIDENCE RELATING TO POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY.**

(a) **IN GENERAL.**—Section 1552 of title 10, United States Code, is amended—

(1) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(2) by inserting after subsection (g) the following new subsection (h):

“(h)(1) This subsection applies to a former member of the armed forces whose claim under this section for review of a discharge or dismissal is based in whole or in part on matters relating to post-traumatic stress disorder or traumatic brain injury as supporting rationale, or as justification for priority consideration, and whose post-traumatic stress disorder or traumatic brain injury is related to combat or military sexual trauma, as determined by the Secretary concerned.

“(2) In the case of a claimant described in paragraph (1), a board established under subsection (a)(1) shall—

“(A) review medical evidence of the Secretary of Veterans Affairs or a civilian health care provider that is presented by the claimant; and

“(B) review the claim with liberal consideration to the claimant that post-traumatic stress disorder or traumatic brain injury potentially contributed to the circumstances resulting in the discharge or dismissal or to the original characterization of the claimant’s discharge or dismissal.”.

(b) **CONFORMING AMENDMENT.**—Section 1553(d)(3)(A)(ii) of title 10, United States Code, is amended by striking “discharge of a lesser characterization” and inserting “discharge or dismissal or to the original characterization of the member’s discharge or dismissal”.

**SEC. 512. PUBLIC AVAILABILITY OF INFORMATION RELATED TO DISPOSITION OF CLAIMS REGARDING DISCHARGE OR RELEASE OF MEMBERS OF THE ARMED FORCES WHEN THE CLAIMS INVOLVE SEXUAL ASSAULT.**

(a) **BOARDS FOR THE CORRECTION OF MILITARY RECORDS.**—Subsection (i) of section 1552, United States Code, as redesignated by section 511, is amended by adding at the end the following new paragraph:

“(4) The number and disposition of claims decided during the calendar quarter preceding the calendar quarter in which such information is made available in which sexual assault is alleged to have contributed, whether in whole or in part, to the original characterization of the discharge or release of the claimant.”.

(b) **DISCHARGE REVIEW BOARDS.**—Section 1553(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) The number and disposition of claims decided during the calendar quarter preceding the calendar quarter in which such information is made available in which sexual assault is alleged to have contributed, whether in whole or in part, to the original characterization of the discharge or release of the claimant.”.

**SEC. 513. PILOT PROGRAM ON USE OF VIDEO TELECONFERENCING TECHNOLOGY BY BOARDS FOR THE CORRECTION OF MILITARY RECORDS AND DISCHARGE REVIEW BOARDS.**

(a) **PILOT PROGRAM AUTHORIZED.**—The Secretary of Defense may carry out a pilot program under which boards for the correction of military records established under section 1552 of title 10, United States Code, and discharge review boards established under section 1553 of such title are authorized to utilize video teleconferencing technology in the performance of their duties.

(b) **PURPOSE.**—The purpose of the pilot program is to evaluate the feasibility and cost-effectiveness of utilizing video teleconferencing technology to allow persons who raise a claim before a board for the correction of military records, persons who request a review by a discharge review board, and witnesses who present evidence to such a board to appear before such a board without being physically present.

(c) **IMPLEMENTATION.**—As part of the pilot program, the Secretary of Defense shall make funds available to develop the capabilities of boards for the correction of military records and discharge review boards to effectively use video teleconferencing technology.

(d) **NO EXPANSION OF ELIGIBILITY.**—Nothing in the pilot program is intended to alter the eligibility criteria of persons who may raise a claim before a board for the correction of military records, request a review by a discharge review board, or present evidence to such a board.

(e) **TERMINATION.**—The authority of the Secretary of Defense to carry out the pilot program shall terminate on December 31, 2020.

**SEC. 514. INCLUSION OF SPECIFIC EMAIL ADDRESS BLOCK ON CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY (DD FORM 214).**

(a) **MODIFICATION REQUIRED.**—The Secretary of Defense shall modify the Certificate of Release or Discharge from Active Duty (DD Form 214) to include a specific block explicitly identified as the location in which a member of the Armed Forces may provide one or more email addresses by which the member may be contacted after discharge or release from active duty in the Armed Forces.

(b) **DEADLINE FOR MODIFICATION.**—The Secretary of Defense shall release a revised Certificate of Release or Discharge from Active Duty (DD Form 214), modified as required by subsection (a), not later than one year after the date of the enactment of this Act.



**SEC. 515. PROVISION OF INFORMATION ON NATURALIZATION THROUGH MILITARY SERVICE.**

The Secretary of Defense shall ensure that members of the Army, Navy, Air Force, and Marine Corps who are aliens lawfully admitted to the United States for permanent residence are informed of the availability of naturalization through service in the Armed Forces under section 328 of the Immigration and Nationality Act (8 U.S.C. 1439) and the process by which to pursue naturalization. The Secretary shall ensure that resources are available to assist qualified members of the Armed Forces to navigate the application and naturalization process.

**Subtitle C—Military Justice and Other Legal Issues**

**SEC. 521. CLARIFYING AMENDMENTS RELATED TO THE UNIFORM CODE OF MILITARY JUSTICE REFORM BY THE MILITARY JUSTICE ACT OF 2016.**

(a) **ENFORCEMENT OF RIGHTS OF VICTIMS OF OFFENSES UNDER UCMJ.**—Section 806b(e)(3) of title 10, United States Code (article 6b(e)(3) of the Uniform Code of Military Justice), is amended—

(1) by inserting “(A)” after “(3)”;

(2) by striking “President, and, to the extent practicable, shall have priority over all other proceedings before the court.” and inserting the following: “President, subject to section 830a of this title (article 30a).”; and

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

“(B) To the extent practicable, a petition for a writ of mandamus described in this subsection shall have priority over all other proceedings before the Court of Criminal Appeals.

“(C) Review of any decision by the Court of Criminal Appeals on a petition for a writ of mandamus described in this subsection shall have priority in the Court of Appeals for the Armed Forces, as determined under the rules of the Court of Appeals for the Armed Forces.”.

(b) **REVIEW OF CERTAIN MATTERS BEFORE REFERRAL OF CHARGES AND SPECIFICATIONS.**—Subsection (a)(1) of section 830a of title 10, United States Code (article 30a of the Uniform Code of Military Justice), as added by section 5202 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2904), is amended by adding at the end the following new subparagraph:

“(D) Pre-referral matters under subsection (c) or (e) of section 806b of this title (article 6b).”.

(c) **DEFENSE COUNSEL ASSISTANCE IN POST-TRIAL MATTERS FOR ACCUSED CONVICTED BY COURT-MARTIAL.**—Section 838(c)(2) of title 10, United States Code (article 38(c)(2) of the Uniform Code of Military Justice), is amended by striking “section 860 of this title (article 60)” and inserting “section 860, 860a, or 860b of this title (article 60, 60a, or 60b).”.

(d) **LIMITATION ON ACCEPTANCE OF PLEA AGREEMENTS.**—Subsection (b) of section 853a of title 10, United States Code (article 53a of the Uniform Code of Military Justice), as added by section 5237 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2917), is amended—

(1) in paragraph (2), by striking “or” after the semicolon;

(2) in paragraph (3), by striking the period and inserting a semicolon; and

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

“(4) is prohibited by law; or

“(5) is contrary to, or is inconsistent with, a regulation prescribed by the President with respect to terms, conditions, or other aspects of plea agreements.”.

(e) **APPLICABILITY OF STANDARDS AND PROCEDURES TO SENTENCE APPEAL BY THE UNITED STATES.**—Subsection (d)(1) of section 856 of title 10, United States Code (article 56 of the Uniform

Code of Military Justice), as added by section 5301 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2919), is amended—

(1) in the matter preceding subparagraph (A), by inserting after “concerned,” the following: “and consistent with standards and procedures set forth in regulations prescribed by the President.”; and

(2) in subparagraph (B), by inserting before the period at the end the following: “, as determined in accordance with standards and procedures prescribed by the President”.

(f) **SENTENCE OF REDUCTION IN ENLISTED GRADE.**—

(1) **IN GENERAL.**—Subsection (a) of section 858a of title 10, United States Code (article 58a of the Uniform Code of Military Justice), as amended by section 5303(1) of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2923), is further amended in the matter after paragraph (3) by striking “, effective on the date” and inserting the following: “, if such a reduction is authorized by regulation prescribed by the President. The reduction in pay grade shall take effect on the date”.

(2) **SECTION HEADING.**—The heading of section 858a of title 10, United States Code (article 58a of the Uniform Code of Military Justice), is amended to read as follows:

**“§858a. Art 58a. Sentences: reduction in enlisted grade”.**

(3) **CLERICAL AMENDMENT.**—The table of sections at the beginning of subchapter VIII of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) is amended by striking the item relating to section 858a (article 58a) and inserting the following new item:

“858a. 58a. Sentences: reduction in enlisted grade.”.

(g) **CONVENING AUTHORITY AUTHORITIES.**—Section 858b(b) of title 10, United States Code (article 58b(b) of the Uniform Code of Military Justice), is amended in the first sentence by striking “section 860 of this title (article 60)” and inserting “section 860a or 860b of this title (article 60a or 60b).”.

(h) **APPEAL BY THE UNITED STATE.**—Section 862(b) of title 10, United States Code (article 62(b) of the Uniform Code of Military Justice), is amended by striking “, notwithstanding section 866(c) of this title (article 66(c)).”.

(i) **REHEARING AND SENTENCING.**—Subsection (b) of section 863 of title 10, United States Code (article 63 of the Uniform Code of Military Justice), as added by section 5327 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2929), is amended by inserting before the period at the end the following: “, subject to such limitations as the President may prescribe by regulation”.

(j) **COURTS OF CRIMINAL APPEALS.**—Section 866 of title 10, United States Code (article 66 of the Uniform Code of Military Justice), as amended by section 5330 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2932), is further amended—

(1) in subsection (e)(2)(C), by inserting after “required” the following: “by regulation prescribed by the President or”; and

(2) in subsection (f)(3), by adding at the end the following new sentence: “If the Court of Appeals for the Armed Forces determines that additional proceedings are warranted, the Court of Criminal Appeals shall order a hearing or other proceeding in accordance with the direction of the Court of Appeals for the Armed Forces.”.

(k) **MILITARY JUSTICE REVIEW PANEL.**—Subsection (f) of section 946 of title 10, United States Code (article 146 of the Uniform Code of Military Justice), as added by section 5521 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2962), is amended—

(1) in paragraph (1), by striking “fiscal year 2020” in the first sentence and inserting “fiscal year 2021”;

(2) in paragraph (2), by striking the sentence beginning “Not later than” and inserting the following new sentence: “The analysis under this paragraph shall be included in the assessment required by paragraph (1).”; and

(3) by striking paragraph (5) and inserting the following new paragraph (5):

“(5) **REPORTS.**—With respect to each review and assessment under this subsection, the Panel shall submit a report to the Committees on Armed Services of the Senate and the House of Representatives. Each report—

“(A) shall set forth the results of the review and assessment concerned, including the findings and recommendations of the Panel; and

“(B) shall be submitted not later than December 31 of the calendar year in which the review and assessment is concluded.”.

(l) **TRANSITIONAL COMPENSATION FOR DEPENDENTS OF MEMBERS SEPARATED FOR DEPENDENT ABUSE.**—Section 1059(e) of title 10, United States Code, is amended—

(1) in paragraph (1)(A)(ii), by striking “the approval of,” and all that follows through “as approved,” and inserting “entry of judgment under section 860c of this title (article 60c of the Uniform Code of Military Justice) if the sentence”; and

(2) in paragraph (3)(A), by striking “by a court-martial” the second place it appears and all that follows through “include any such punishment,” and inserting “for a dependent-abuse offense and the conviction is disapproved or is otherwise not part of the judgment under section 860c of this title (article 60c of the Uniform Code of Military Justice) or the punishment is disapproved or is otherwise not part of the judgment under such section (article).”.

(m) **BENEFITS FOR DEPENDENTS WHO ARE VICTIMS OF ABUSE BY MEMBERS LOSING RIGHT TO RETIRED PAY.**—Section 1408(h)(10)(A) of title 10, United States Code, is amended by striking “the approval” and all that follows through the end of the subparagraph and inserting “entry of judgment under section 860c of this title (article 60c of the Uniform Code of Military Justice).”.

(n) **TREATMENT OF CERTAIN OFFENSES PENDING EXECUTION OF MILITARY JUSTICE ACT OF 2016 AMENDMENTS.**—

(1) **CHILD ABUSE OFFENSES.**—With respect to offenses committed before the date designated by the President under section 5542(a) of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2967), subsection (b)(2)(B) of section 843 of title 10, United States Code (article 43 of the Uniform Code of Military Justice), shall be applied as in effect on December 22, 2016.

(2) **FRAUDULENT ENLISTMENT OR APPOINTMENT OFFENSES.**—With respect to the period beginning on December 23, 2016, and ending on the day before the date designated by the President under section 5542(a) of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2967), in the application of subsection (h) of section 843 of title 10, United States Code (article 43 of the Uniform Code of Military Justice), as added by section 5225(b) of that Act (130 Stat. 2909), the reference in such subsection (h) to section 904a(1) of title 10, United States Code (article 104a(1) of the Uniform Code of Military Justice), shall be deemed to be a reference to section 883(1) of title 10, United States Code (article 83(1) of the Uniform Code of Military Justice).

(o) **EFFECTIVE DATE.**—The amendments made by this section shall take effect immediately after the amendments made by the Military Justice Act of 2016 (division E of Public Law 114–328) take effect as provided for in section 5542 of that Act (130 Stat. 2967).



**SEC. 522. MINIMUM CONFINEMENT PERIOD REQUIRED FOR CONVICTION OF CERTAIN SEX-RELATED OFFENSES COMMITTED BY MEMBERS OF THE ARMED FORCES.**

(a) **MANDATORY PUNISHMENTS.**—Section 856(b)(1) of title 10, United States Code (article 56(b)(1) of the Uniform Code of Military Justice), as amended by section 5301 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2919), is further amended by striking “shall include dismissal or dishonorable discharge, as applicable.” and inserting the following: “shall include, at a minimum—

“(A) dismissal or dishonorable discharge, as applicable; and

“(B) confinement for two years.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect immediately after the amendments made by the Military Justice Act of 2016 (division E of Public Law 114–328) take effect as provided for in section 5542 of that Act (130 Stat. 2967).

**SEC. 523. PROHIBITION ON WRONGFUL BROADCAST OR DISTRIBUTION OF INTIMATE VISUAL IMAGES.**

(a) **PROHIBITION.**—Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 917 (article 117 of the Uniform Code of Military Justice) the following new section (article):

**“§917a. Art. 117a. Wrongful broadcast or distribution of intimate visual images**

“(a) **PROHIBITION.**—Any person subject to this chapter who—

“(1) knowingly and wrongfully broadcasts or distributes an intimate visual image of a private area of another person who—

“(A) is at least 18 years of age at the time the intimate visual image was created;

“(B) is identifiable from the image itself or from information displayed in connection with the image; and

“(C) does not explicitly consent to the broadcast or distribution of the intimate visual image;

“(2) knows or reasonably should have known that the intimate visual image was made under circumstances in which the person depicted in the intimate visual image retained a reasonable expectation of privacy regarding any broadcast or distribution of the intimate visual image; and

“(3) knows or reasonably should have known that the broadcast or distribution of the intimate visual image is likely—

“(A) to cause harm, harassment, intimidation, emotional distress, or financial loss for the person depicted in the intimate visual image; or

“(B) to harm substantially the depicted person with respect to that person’s health, safety, business, calling, career, financial condition, reputation, or personal relationships;

is guilty of wrongful distribution of intimate visual images and shall be punished as a court-martial may direct.

“(b) **DEFINITIONS.**—In this section (article):

“(1) **BROADCAST.**—The term ‘broadcast’ means to electronically transmit a visual image with the intent that it be viewed by a person or persons.

“(2) **DISTRIBUTE.**—The term ‘distribute’ means to deliver to the actual or constructive possession of another person, including transmission by mail or electronic means.

“(3) **INTIMATE VISUAL IMAGE.**—The term ‘intimate visual image’ means a photograph, video, film, or recording made by any means that depicts a private area of a person.

“(4) **PRIVATE AREA.**—The term ‘private area’ means the naked or underwear-clad genitalia, anus, buttocks, or female areola or nipple.

“(5) **REASONABLE EXPECTATION OF PRIVACY.**—The term ‘reasonable expectation of privacy’ refers to circumstances in which a reasonable person would believe that an intimate visual image

of a private area of the person would not be broadcast or distributed to another person.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of subchapter X of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by inserting after the item relating to section 917 (article 117) the following new item:

“917a. 117a. Wrongful broadcast or distribution of intimate visual images.”.

**SEC. 524. INFORMATION FOR THE SPECIAL VICTIMS’ COUNSEL OR VICTIMS’ LEGAL COUNSEL.**

Section 1044e(b)(6) of title 10, United States Code, is amended by adding at the end the following new sentence: “If there is a military prosecution of the alleged sex-related offense, the Special Victims’ Counsel or Victims’ Legal Counsel shall be entitled to a copy of all case information and documentation that is in the possession of the prosecutor, relevant to such military prosecution, and not privileged.”

**SEC. 525. SPECIAL VICTIMS’ COUNSEL TRAINING REGARDING THE UNIQUE CHALLENGES OFTEN FACED BY MALE VICTIMS OF SEXUAL ASSAULT.**

The baseline Special Victims’ Counsel training established under section 1044e(d)(2) of title 10, United States Code, shall include training for Special Victims’ Counsel to recognize and deal with the unique challenges often faced by male victims of sexual assault.

**SEC. 526. GARNISHMENT TO SATISFY JUDGMENT RENDERED FOR PHYSICALLY, SEXUALLY, OR EMOTIONALLY ABUSING A CHILD.**

(a) **GARNISHMENT AUTHORITY.**—Section 1408 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(1) **GARNISHMENT TO SATISFY A JUDGMENT RENDERED FOR PHYSICALLY, SEXUALLY, OR EMOTIONALLY ABUSING A CHILD.**—(1) Subject to paragraph (2), any payment of retired pay that would otherwise be made to a member shall be paid (in whole or in part) by the Secretary concerned to another person if and to the extent expressly provided for in the terms of a child abuse garnishment order.

“(2) A court order providing for the payment of child support or alimony or, with respect to a division of property, specifically providing for the payment of an amount of the disposable retired pay from a member to the spouse or a former spouse of the member, shall be given priority over a child abuse garnishment order. However, the limitations on the amount of disposable retired pay available for payments set forth in paragraphs (1) and (4)(B) of subsection (e) do not apply to a child abuse garnishment order.

“(3) In this section, the term ‘court order’ includes a child abuse garnishment order.

“(4) In this subsection, the term ‘child abuse garnishment order’ means a final decree issued by a court that—

“(A) is issued in accordance with the laws of the jurisdiction of that court; and

“(B) provides in the nature of garnishment for the enforcement of a judgment rendered against the member for physically, sexually, or emotionally abusing a child.

“(5) For purposes of this subsection, a judgment rendered for physically, sexually, or emotionally abusing a child is any legal claim perfected through a final enforceable judgment, which claim is based in whole or in part upon the physical, sexual, or emotional abuse of an individual under 18 years of age, whether or not that abuse is accompanied by other actionable wrongdoing, such as sexual exploitation or gross negligence.

“(6) If the Secretary concerned is served with more than one court order with respect to the retired pay of a member, the disposable retired

pay of the member shall be available to satisfy such court orders on a first-come, first-served basis, with any such process being satisfied out of such moneys as remain after the satisfaction of all such processes which have been previously served.

“(7) The Secretary concerned shall not be required to vary normal pay and disbursement cycles for retired pay in order to comply with a child abuse garnishment order.”.

(b) **APPLICATION OF AMENDMENT.**—Subsection (1) of section 1408 of title 10, United States Code, as added by subsection (a), shall apply with respect to a court order received by the Secretary concerned on or after the date of the enactment of this Act, regardless of the date of the court order.

**SEC. 527. INCLUSION OF INFORMATION IN ANNUAL SAPRO REPORTS REGARDING MILITARY SEXUAL HARASSMENT AND INCIDENTS INVOLVING NON-CONSENSUAL DISTRIBUTION OF PRIVATE SEXUAL IMAGES.**

(a) **ADDITIONAL REPORTING REQUIREMENTS.**—Section 1631(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note) is amended by adding at the end the following new paragraphs:

“(13) Information and data collected on official and unofficial reports of sexual harassment involving members of the Armed Forces during the year covered by the report, as follows:

“(A) The number of substantiated and unsubstantiated reports.

“(B) A synopsis of each substantiated report.

“(C) The action taken in the case of each substantiated report, including the type of disciplinary or administrative sanction imposed, if any, such as—

“(i) conviction and sentence by court-martial;

“(ii) imposition of non-judicial punishment under section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice); or

“(iii) administrative separation or other type of administrative action imposed.

“(14) Information and data collected during the year covered by the report on each reported incident involving the nonconsensual distribution by a person subject to chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) of a private sexual image of another person, including the following:

“(A) The number of substantiated and unsubstantiated reports.

“(B) A synopsis of each substantiated report.

“(C) The action taken in the case of each substantiated report, including the type of disciplinary or administrative sanction imposed, if any, such as—

“(i) conviction and sentence by court-martial;

“(ii) imposition of non-judicial punishment under section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice); or

“(iii) administrative separation or other type of administrative action imposed.”.

(b) **APPLICATION OF AMENDMENT.**—The amendment made by this section shall take effect on the date of the enactment of this Act and apply beginning with the reports required to be submitted by March 1, 2018, under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note).

**SEC. 528. INCLUSION OF INFORMATION IN ANNUAL SAPRO REPORTS REGARDING SEXUAL ASSAULTS COMMITTED BY A MEMBER OF THE ARMED FORCES AGAINST THE MEMBER’S SPOUSE OR OTHER FAMILY MEMBER.**

Beginning with the reports required to be submitted by March 1, 2018, under section 1631 of the Ike Skelton National Defense Authorization

Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note), information regarding a sexual assault committed by a member of the Armed Forces against the spouse or intimate partner of the member or another dependent of the member shall be included in such reports in addition to the annual Family Advocacy Program report. The information shall be provided in such reports in the same manner as information is provided with respect to other official and unofficial reports of sexual assault.

**SEC. 529. NOTIFICATION OF MEMBERS OF THE ARMED FORCES UNDERGOING CERTAIN ADMINISTRATIVE SEPARATIONS OF POTENTIAL ELIGIBILITY FOR VETERANS BENEFITS.**

(a) **NOTIFICATION REQUIRED.**—A member of the Armed Forces who receives an administrative separation or mandatory discharge under conditions other than honorable shall be provided written notification that the member may petition the Veterans Benefits Administration of the Department of Veterans Affairs to receive, despite the characterization of the member's service, certain benefits under the laws administered by the Secretary of Veterans Affairs.

(b) **DEADLINE FOR NOTIFICATION.**—Notification under subsection (a) shall be provided to a member described in such subsection in conjunction with the member's notification of the administrative separation or mandatory discharge or as soon thereafter as practicable.

**SEC. 530. CONSISTENT ACCESS TO SPECIAL VICTIMS' COUNSEL FOR FORMER DEPENDENTS OF MEMBERS OF THE ARMED FORCES.**

Not later than one year after the date of the enactment of this Act, the Secretary of the Navy shall revise Navy policy regarding the eligibility of former dependents of members of the Armed Forces to representation by a Victims' Legal Counsel so that Navy policy is consistent with Army and Air Force policy regarding Special Victims' Counsel, which provides that a former dependent is eligible for such representation if, while entitled to legal assistance, the dependent was the victim of an alleged sex-related offense by a member of the Armed Forces.

**Subtitle D—Member Education, Training, Resilience, and Transition**

**SEC. 541. PROHIBITION ON RELEASE OF MILITARY SERVICE ACADEMY GRADUATES TO PARTICIPATE IN PROFESSIONAL ATHLETICS.**

(a) **UNITED STATES MILITARY ACADEMY.**—Section 4348(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(5) That the cadet will not seek release from the commissioned service obligation of the cadet to pursue a career as a professional athlete and understands that the appointment alternative described in paragraph (3) will not be used to allow the cadet to pursue such a career.”.

(b) **UNITED STATES NAVAL ACADEMY.**—Section 6959(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(5) That the midshipman will not seek release from the commissioned service obligation of the midshipman to pursue a career as a professional athlete and understands that the appointment alternative described in paragraph (3) will not be used to allow the midshipman to pursue such a career.”.

(c) **UNITED STATES AIR FORCE ACADEMY.**—Section 9348(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(5) That the cadet will not seek release from the commissioned service obligation of the cadet to pursue a career as a professional athlete and understands that the appointment alternative described in paragraph (2) will not be used to allow the cadet to pursue such a career.”.

(d) **APPLICATION OF AMENDMENTS.**—The Secretaries of the military departments shall promptly revise the cadet and midshipman service agreements under sections 4348, 6959, and 9348 of title 10, United States Code, to reflect the amendments made by this section. The revised agreement shall apply to cadets and midshipmen who are attending the United States Military Academy, the United States Naval Academy, or the United States Air Force Academy on the date of the enactment of this Act and to persons who begin attendance at such military service academies on or after that date.

**SEC. 542. ROTC CYBER INSTITUTES AT THE SENIOR MILITARY COLLEGES.**

(a) **PROGRAM AUTHORIZED.**—The Secretary of Defense may carry out a program to establish a Reserve Officers' Training Corps Cyber Institute (referred to in this Act as an “ROTC Cyber Institute”) at each of the senior military colleges for purposes of accelerating the development of foundational expertise in critical cyber operational skills for future military and civilian leaders of the Armed Forces and Department of Defense including such leaders of the reserve components.

(b) **ELEMENTS.**—Each ROTC Cyber Institute established under the program authorized by subsection (a) shall include the following:

(1) Programs to provide future military and civilian leaders of the Armed Forces or the Department of Defense, as the case may be, who possess cyber operational expertise from beginning through advanced skill levels. Such programs shall include instruction and practical experiences that lead to recognized certifications in the cyber field.

(2) Programs of targeted strategic foreign language proficiency training for such future leaders that—

(A) are designed to significantly enhance critical cyber operational capabilities; and

(B) are tailored to current and anticipated readiness requirements.

(3) Programs related to mathematical foundations of cryptography and courses in cryptographic theory and practice designed to complement and reinforce cyber education along with the strategic language programs critical to cyber operations.

(4) Programs designed to develop early interest and cyber talent through summer programs for elementary school and secondary school students and dual enrollment opportunities for cyber, strategic language, and cryptography related courses.

(5) Training and education programs to expand the pool of qualified cyber instructors necessary to support cyber education in regional school systems.

(c) **PARTNERSHIPS WITH DEPARTMENT OF DEFENSE AND THE ARMED FORCES.**—Any ROTC Cyber Institute established under the program authorized by subsection (a) may enter into a partnership with one or more components of the Armed Forces, active or reserve, or any agency of the Department of Defense to facilitate the development of critical cyber skills for students who may pursue a military career.

(d) **PARTNERSHIPS WITH OTHER SCHOOLS.**—Any ROTC Cyber Institute established under the program authorized by subsection (a) may enter into a partnership with one or more local educational agencies to facilitate the development of critical cyber skills under the program among students attending the elementary schools and secondary schools of such agencies who may pursue a military career.

(e) **DEFINITIONS.**—In this section:

(1) **ESEA TERMS.**—The terms “elementary school”, “secondary school”, and “local educational agency” have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) **SENIOR MILITARY COLLEGES.**—The term “senior military colleges” means the senior military colleges described in section 2111a(f) of title 10, United States Code.

**SEC. 543. LIEUTENANT HENRY OSSIAN FLIPPER LEADERSHIP SCHOLARSHIP PROGRAM.**

(a) **AUTHORITY.**—The Secretary of the Army shall carry out a program to be known as the “Lieutenant Henry Ossian Flipper Leadership Scholarship Program” under which the Secretary may provide financial assistance, in accordance with this section, to a person—

(1) who is pursuing a recognized postsecondary credential at a minority-serving institution; and

(2) who enters into an agreement with the Secretary as described in subsection (b).

(b) **SERVICE AGREEMENT FOR SCHOLARSHIP RECIPIENTS.**—

(1) **IN GENERAL.**—To receive financial assistance under this section—

(A) a member of the Army shall enter into an agreement to serve on active duty in the Army for the period of obligated service determined under paragraph (2); and

(B) a person who is not a member of the Army shall enter into an agreement to enlist or accept a commission in the Army and to serve on active duty in the Army for the period of obligated service determined under paragraph (2).

(2) **PERIOD OF OBLIGATED SERVICE.**—The period of obligated service for a recipient of financial assistance under this section shall be the period determined by the Secretary of Army as being appropriate to obtain adequate service in exchange for the financial assistance. The period of service required of a recipient shall be not less than the period equal to three-fourths of the total period of pursuit of a credential for which the Secretary agrees to provide the recipient with financial assistance under this section. The period of obligated service is in addition to any other period for which the recipient is obligated to serve on active duty.

(3) **TERMS OF AGREEMENT.**—An agreement entered into under this section by a person pursuing a recognized postsecondary credential shall include the following terms:

(A) **SERVICE START DATE.**—The period of obligated service will begin on a date after the award of the credential, as determined by the Secretary of the Army.

(B) **ACADEMIC PROGRESS.**—The person will maintain satisfactory academic progress, as determined by the Secretary, and that failure to maintain such progress constitutes grounds for termination of the financial assistance for the person under this section.

(C) **OTHER TERMS.**—Any other terms and conditions that the Secretary determines to be appropriate for carrying out this section.

(c) **AMOUNT OF ASSISTANCE.**—The amount of the financial assistance provided for a person under this section shall be the amount determined by the Secretary of the Army as being necessary to pay the person's cost of attendance at the minority-serving institution.

(d) **USE OF ASSISTANCE FOR SUPPORT OF INTERNSHIPS.**—The financial assistance for a person under this section may also be provided to support internship activities of the person at the Department of Defense in periods between the academic years leading to the credential for which assistance is provided the person under this section.

(e) **REPAYMENT FOR PERIOD OF UNSERVED OBLIGATED SERVICE.**—A member of the Army who does not complete the period of active duty specified in the service agreement under subsection (b) shall be subject to the repayment provisions of section 303a(e) of title 37.

(f) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary

of the Army shall submit to the congressional defense committees a report that includes—

(1) an assessment of the progress of the Secretary in carrying out the scholarship program under this section;

(2) the number of scholarships that the Secretary intends to award in the academic year beginning after the date of the submission of the report; and

(3) a description of the Secretary's efforts to promote the scholarship program at minority-serving institutions.

(g) **DEFINITIONS.**—In this Act:

(1) **COST OF ATTENDANCE.**—The term “cost of attendance” has the meaning given the term in section 472 of the Higher Education Act of 1965 (20 U.S.C. 10871l).

(2) **MINORITY-SERVING INSTITUTION.**—The term “minority-serving institution” means an institution of higher education described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(3) **RECOGNIZED POSTSECONDARY CREDENTIAL.**—The term “recognized postsecondary credential” has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

#### **Subtitle E—Defense Dependents' Education and Military Family Readiness Matters**

#### **SEC. 551. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.**

(a) **ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.**—Of the amount authorized to be appropriated for fiscal year 2018 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in division D, \$30,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 20 U.S.C. 7703b).

(b) **LOCAL EDUCATIONAL AGENCY DEFINED.**—In this section, the term “local educational agency” has the meaning given that term in section 7013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7113(9)).

#### **SEC. 552. EDUCATION FOR DEPENDENTS OF CERTAIN RETIRED MEMBERS OF THE ARMED FORCES.**

Section 2164(a) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting “, dependents of retirees,” after “dependents of members of the armed forces”; and

(B) by inserting “and the dependents of such retirees” after “such members of the armed forces”; and

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

“(4) For purposes of this subsection, the term ‘retiree’ means a member or former member of the armed forces, not including a member or former member of the Coast Guard, who is entitled to retired or retainer pay under this title, or who, but for age, would be eligible for retired or retainer pay under chapter 1223 of this title.”

#### **SEC. 553. CODIFICATION OF AUTHORITY TO CONDUCT FAMILY SUPPORT PROGRAMS FOR IMMEDIATE FAMILY MEMBERS OF MEMBERS OF THE ARMED FORCES ASSIGNED TO SPECIAL OPERATIONS FORCES.**

(a) **CODIFICATION OF EXISTING AUTHORITY.**—Chapter 88 of title 10, United States Code, is amended by inserting after section 1788 a new section 1788a consisting of—

(1) a heading as follows:

#### **“§1788a. Family support programs: immediate family members of members of special operations forces”; and**

(2) a text consisting of subsections (a), (b), (d), and (e) of section 554 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 1788 note), redesignated as subsections (a), (b), (c), and (d), respectively.

(b) **FUNDING.**—Subsection (c) of section 1788a of title 10, United States Code, as added and redesignated by subsection (a) of this section, is amended by striking “specified” and all that follows through the end of the subsection and inserting “, from funds available for Major Force Program 11, to carry out family support programs under this section.”

(c) **ELIMINATION OF PILOT PROGRAM REFERENCES AND OTHER CONFORMING AMENDMENTS.**—Section 1788a of title 10, United States Code, as added by subsection (a) of this section, is further amended—

(1) by striking “Armed Forces” each place it appears and inserting “armed forces”;

(2) by striking “pilot” each place it appears;

(3) in subsection (a)—

(A) in the subsection heading, by striking “PILOT”; and

(B) by striking “up to three” and all that follows through “providing” and inserting “programs to provide”; and

(4) in subsection (d), as redesignated by subsection (a) of this section—

(A) in paragraph (2), by striking “title 10, United States Code” and inserting “this title”; and

(B) in paragraph (3), by striking “such title” and inserting “this title”.

(d) **CLERICAL AMENDMENT.**—The table of sections at the beginning of subchapter I of chapter 88 of title 10, United States Code, is amended by inserting after the item relating to section 1788 the following new item:

“1788a. Family support programs: immediate family members of members of special operations forces.”

(e) **CONFORMING REPEAL.**—Section 554 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 1788 note) is repealed.

#### **SEC. 554. REIMBURSEMENT FOR STATE LICENSE AND CERTIFICATION COSTS OF A SPOUSE OF A MEMBER OF THE ARMED FORCES ARISING FROM RELOCATION TO ANOTHER STATE.**

(a) **REIMBURSEMENT AUTHORIZED.**—Section 476 of title 37, United States Code, is amended by adding at the end the following new subsection:

“(p)(1) The Secretary concerned may reimburse a member of the armed forces for qualified relicensing costs of the spouse of the member when—

“(A) the member is reassigned, either as a permanent change of station or permanent change of assignment, from a duty station in one State to a duty station in another State; and

“(B) the movement of the member's dependents is authorized at the expense of the United States under this section as part of the reassignment.”

“(2) Reimbursement provided to a member under this subsection may not exceed \$500 in connection with each reassignment described in paragraph (1).

“(3) In this subsection, the term ‘qualified relicensing costs’ means costs, including exam and registration fees, that—

“(A) are imposed by the State of the new duty station to secure a license or certification to engage in the same profession that the spouse of the member engaged in while in the State of the original duty station; and

“(B) are paid or incurred by the member or spouse to secure the license or certification from

the State of the new duty station after the date on which the orders directing the reassignment described in paragraph (1) are issued.”

(b) **DEVELOPMENT OF RECOMMENDATIONS TO EXPEDITE LICENSE PORTABILITY FOR MILITARY SPOUSES.**—

(1) **CONSULTATION WITH STATES.**—The Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard, shall consult with States—

(A) to identify barriers to the portability between States of a license, certification, or other grant of permission held by the spouse of a member of the Armed Forces to engage in an occupation when the spouse moves between States as part of a permanent change of station or permanent change of assignment of the member; and

(B) to develop recommendations for the Federal Government and the States, together or separately, to expedite the portability of such licenses, certifications, and other grants of permission for military spouses.

(2) **SPECIFIC CONSIDERATIONS.**—In conducting the consultation and preparing the recommendations under paragraph (1), the Secretaries shall consider the feasibility of—

(A) States accepting licenses, certifications, and other grants of permission described in paragraph (1) issued by another State and in good standing in that State;

(B) the issuance of a temporary license pending completion of State-specific requirements; and

(C) the establishment of an expedited review process for military spouses.

(3) **REPORT REQUIRED.**—Not later than March 15, 2018, the Secretaries shall submit to the appropriate congressional committees and the States a report containing the recommendations developed under this subsection.

(4) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—In this subsection, the term “appropriate congressional committees” means the congressional defense committees, the Committee on Homeland Security and Government Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives.

#### **Subtitle F—Decorations and Awards**

#### **SEC. 561. REPLACEMENT OF MILITARY DECORATIONS AT THE REQUEST OF RELATIVES OF DECEASED MEMBERS OF THE ARMED FORCES.**

Subsection (a) of section 1135 of title 10, United States Code, is amended to read as follows:

“(a) **REPLACEMENT.**—(1) The Secretary concerned shall replace, on a one-time basis, a military decoration upon the request of—

“(A) the recipient of the military decoration;

“(B) the immediate next of kin of a deceased recipient of a military decoration; or

“(C) a relative of a deceased recipient of a military decoration who is related within the second or third degree of consanguinity to the deceased recipient.

“(2) The replacement of a military decoration under subparagraph (A) or (B) of paragraph (1) shall be provided without charge. The replacement of a military decoration under subparagraph (C) of such paragraph shall be provided at no cost to the Department of Defense.

“(3) The authority provided by this subsection is in addition to any other authority available to the Secretary concerned to replace a military decoration.”

#### **SEC. 562. CONGRESSIONAL DEFENSE SERVICE MEDAL.**

(a) **ESTABLISHMENT.**—Chapter 57 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 1136. Congressional Defense Service Medal**

“(a) **ESTABLISHMENT.**—The Secretary of Defense shall award, at the behest of and on behalf of Congress, a Congressional Defense Service Medal to a group or other entity to recognize, subject to subsection (c)(1), the exemplary service or significant achievement of the group or other entity in furtherance of the defense and national security of the United States.

“(b) **DESIGN AND CONTENT.**—A Congressional Defense Service Medal shall be a gold medal of appropriate design, with suitable emblems, devices, and inscriptions. The Secretary of Defense may design a Congressional Defense Service Medal to recognize the specific group or other entity and the service or achievement for which the Congressional Defense Service Medal is being awarded.

“(c) **ELIGIBILITY LIMITATIONS.**—

“(1) **NATURE OF SERVICE OR ACHIEVEMENT.**—For a group or other entity to be eligible for the award of a Congressional Defense Service Medal, the service or achievement to be recognized must—

“(A) be in the field of endeavor of the group or other entity; and

“(B) represent either a lengthy period of continuous superior service or achievement or a single act of service or achievement so significant that the group or other entity is recognized and acclaimed by others in the same field of endeavor, as evidenced by the recipient having received the highest honors in the field.

“(2) **EFFECT OF OTHER FEDERAL RECOGNITION.**—A group or other entity may not receive a Congressional Defense Service Medal in recognition of service or achievement for which the group or other entity received a medal from the United States previously for the same or substantially the same service or achievement.

“(3) **PROHIBITION ON AWARD TO AN INDIVIDUAL.**—A Congressional Defense Service Medal may not be awarded to a single individual.

“(d) **TIME LIMITATIONS.**—A Congressional Defense Service Medal may not be awarded to a group or entity—

“(1) until at least five years after the conclusion of the exemplary service or significant achievement for which the Congressional Defense Service Medal is being awarded; and

“(2) unless the award is made within 25 years after the conclusion of the exemplary service or significant achievement for which the Congressional Defense Service Medal is being awarded.

“(e) **DUPLICATE MEDALS.**—The Secretary of Defense may arrange for the striking and sale of duplicates in bronze of a Congressional Defense Service Medal, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold Congressional Defense Service Medal.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 57 of title 10, United States Code, is amended by adding at the end the following new item:

“1136. Congressional Defense Service Medal.”

**SEC. 563. LIMITATIONS ON AUTHORITY TO REVOKE CERTAIN MILITARY DECORATIONS AWARDED TO MEMBERS OF THE ARMED FORCES.**

(a) **ARMY.**—

(1) **LIMITATIONS.**—Chapter 357 of title 10, United States Code, is amended by adding at the end the following new section:

**“§3757. Military decorations: limitations on revocation**

“(a) **LIMITATIONS.**—Except as provided in subsection (b), the President or the Secretary of the Army may not authorize the revocation of a military decoration after the actual award of the military decoration to a member of the armed forces under the jurisdiction of the Secretary.

“(b) **EXCEPTIONS.**—(1) Subsection (a) does not apply to the revocation of a military decoration if the revocation is ordered on account of—

“(A) the acquisition of new or additional information that calls into question the service for which the member was awarded the military decoration; or

“(B) the conviction of the member for a serious violent felony.

“(2) In applying the exception described in paragraph (1)(B), the President and the Secretary of the Army shall take into account, as an extenuating factor, whether the member has been diagnosed with Traumatic Brain Injury (TBI) or Post-Traumatic Stress Disorder (PTSD).

“(c) **DEFINITIONS.**—In this section:

“(1) The term ‘military decoration’ means the distinguished-service cross, distinguished-service medal, silver star, distinguished flying cross, or Soldier’s Medal. The term does not include the medal of honor.

“(2) The term ‘serious violent felony’ has the meaning given that term in section 3559(c)(2)(F) of title 18.”

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“3757. Military decorations: limitations on revocation.”

(b) **NAVY AND MARINE CORPS.**—

(1) **LIMITATIONS.**—Chapter 567 of title 10, United States Code, is amended by adding at the end the following new section:

**“§6259. Military decorations: limitations on revocation**

“(a) **LIMITATIONS.**—Except as provided in subsection (b), the President or the Secretary of the Navy may not authorize the revocation of a military decoration after the actual award of the military decoration to a member of the armed forces under the jurisdiction of the Secretary.

“(b) **EXCEPTIONS.**—(1) Subsection (a) does not apply to the revocation of a military decoration if the revocation is ordered on account of—

“(A) the acquisition of new or additional information that calls into question the service for which the member was awarded the military decoration; or

“(B) the conviction of the member for a serious violent felony.

“(2) In applying the exception described in paragraph (1)(B), the President and the Secretary of the Navy shall take into account, as an extenuating factor, whether the member has been diagnosed with Traumatic Brain Injury (TBI) or Post-Traumatic Stress Disorder (PTSD).

“(c) **DEFINITIONS.**—In this section:

“(1) The term ‘military decoration’ means the Navy cross, distinguished-service medal, silver star medal, distinguished flying cross, or Navy and Marine Corps Medal. The term does not include the medal of honor.

“(2) The term ‘serious violent felony’ has the meaning given that term in section 3559(c)(2)(F) of title 18.”

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“6259. Military decorations: limitations on revocation.”

(c) **AIR FORCE.**—

(1) **LIMITATIONS.**—Chapter 857 of title 10, United States Code, is amended by adding at the end the following new section:

**“§8757. Military decorations: limitations on revocation**

“(a) **LIMITATIONS.**—Except as provided in subsection (b), the President or the Secretary of the Air Force may not authorize the revocation of a military decoration after the actual award of

the military decoration to a member of the armed forces under the jurisdiction of the Secretary.

“(b) **EXCEPTIONS.**—(1) Subsection (a) does not apply to the revocation of a military decoration if the revocation is ordered on account of—

“(A) the acquisition of new or additional information that calls into question the service for which the member was awarded the military decoration; or

“(B) the conviction of the member for a serious violent felony.

“(2) In applying the exception described in paragraph (1)(B), the President and the Secretary of the Air Force shall take into account, as an extenuating factor, whether the member has been diagnosed with Traumatic Brain Injury (TBI) or Post-Traumatic Stress Disorder (PTSD).

“(c) **DEFINITIONS.**—In this section:

“(1) The term ‘military decoration’ means the Air Force cross, distinguished-service medal, silver star, distinguished flying cross, or Airman’s Medal. The term does not include the medal of honor.

“(2) The term ‘serious violent felony’ has the meaning given that term in section 3559(c)(2)(F) of title 18.”

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“8757. Military decorations: limitations on revocation.”

**Subtitle G—Miscellaneous Reports and Other Matters****SEC. 571. EXPANSION OF UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY ENROLLMENT AUTHORITY TO INCLUDE CIVILIAN EMPLOYEES OF THE HOMELAND SECURITY INDUSTRY.**

(a) **DEFINITION.**—Subsection (b) of section 9314a of title 10, United States Code, is amended to read as follows:

“(b) **COVERED PRIVATE SECTOR EMPLOYEE DEFINED.**—(1) In this section, the term ‘covered private sector employee’ means—

“(A) an individual employed by a private firm that is engaged in providing to the Department of Defense significant and substantial defense-related systems, products, or services; or

“(B) an individual employed by a private firm in one of the critical infrastructure sectors identified in Presidential Policy Directive 21 (Critical Infrastructure Security and Resilience).

“(2) A covered private sector employee admitted for instruction at the United States Air Force Institute of Technology remains eligible for such instruction only so long as the person remains employed by the same firm.”

(b) **USE OF DEFINED TERM.**—Section 9314a of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “defense industry employees described in subsection (b)” and inserting “a covered private sector employee”; and

(ii) by striking “Any such defense industry employee” and inserting “A covered private sector employee”; and

(B) in paragraph (2), by striking “defense industry employees” and inserting “covered private sector employees”; and

(C) in paragraph (3), by striking “defense industry employee” both places it appears and inserting “covered private sector employee”; and

(2) in subsection (c)—

(A) by striking “Defense industry employees” and inserting “A covered private sector employee”; and

(B) by striking “defense industry employees” and inserting “covered private sector employees”; and

(3) in subsection (d)(1), by striking “defense industry employees” and inserting “a covered private sector employee”; and

(4) in subsection (f), by striking “defense industry employees” and inserting “covered private sector employees”.

(c) **OTHER CONFORMING AMENDMENTS.**—Section 9314a of title 10, United States Code, is further amended—

(1) in subsection (a)(1), by striking “a defense focused” and inserting “a defense-focused or homeland security-focused”; and

(2) in subsection (d)—

(A) in paragraph (1), by inserting “or homeland security” after “and defense”; and

(B) in paragraph (2), by inserting before the period at the end the following: “or the Department of Homeland Security, as applicable”.

(d) **CLERICAL AMENDMENTS.**—

(1) **SECTION HEADING.**—The heading of section 9314a of title 10, United States Code, is amended to read as follows:

**“§9314a. United States Air Force Institute of Technology: admission of certain private sector civilians”.**

(2) **TABLE OF SECTIONS.**—The table of sections at the beginning of chapter 901 of title 10, United States Code, is amended by striking the item relating to section 9314a and inserting the following new item:

“9314a. United States Air Force Institute of Technology: admission of certain private sector civilians.”.

**SEC. 572. SERVICEMEMBERS’ GROUP LIFE INSURANCE.**

Section 1967(f)(4) of title 38, United States Code, is amended by striking the second sentence.

**SEC. 573. VOTER REGISTRATION.**

Section 705 of the Servicemembers Civil Relief Act (50 U.S.C. 4025(a)), is amended by adding at the end the following new subsection:

“(c) **REGISTRATION.**—

“(1) **IN GENERAL.**—For the purposes of voting in any election for Federal office (as defined in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101)) or State or local office, a servicemember who registers to vote in a State in which the servicemember is present in compliance with military orders for a permanent change of station shall not, solely by reason of that registration—

“(A) be deemed to have acquired a residence or domicile in that State;

“(B) be deemed to have become a resident in or a resident of that State; or

“(C) be deemed to have lost a residence or domicile in any other State, without regard to whether or not the person intends to return to that State.

“(2) **NOTIFICATION BY THE SERVICEMEMBER.**—A servicemember who elects to register to vote in the State in which the servicemember is present in compliance with military orders for a permanent change of station shall notify the Service Voting Action Officer of the military department concerned not later than 10 days after such registration.

“(3) **NOTIFICATION BY THE SERVICE VOTING ACTION OFFICER.**—A Service Voting Action Officer who receives a notification under paragraph (2) shall notify the chief State election official of the State in which the servicemember resides or is domiciled of such registration not later than 10 days after such registration.”.

**SEC. 574. SENSE OF CONGRESS REGARDING SECTION 504 OF TITLE 10, UNITED STATES CODE, ON EXISTING AUTHORITY OF THE DEPARTMENT OF DEFENSE TO ENLIST INDIVIDUALS, NOT OTHERWISE ELIGIBLE FOR ENLISTMENT, WHOSE ENLISTMENT IS VITAL TO THE NATIONAL INTEREST.**

It is the sense of Congress that a statute currently exists, specifically paragraph (2) of subsection (b) of section 504 of title 10, United States Code, which states that “the Secretary

concerned may authorize the enlistment of a person not described in paragraph (1) [of that subsection] if the Secretary determines that such enlistment is vital to the national interest”.

**TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS**

**Subtitle A—Pay and Allowances**

**SEC. 601. ANNUAL ADJUSTMENT OF BASIC MONTHLY PAY.**

The adjustment in the rates of monthly basic pay required by subsection (a) of section 1009 of title 37, United States Code, to be made on January 1, 2018, shall take effect, notwithstanding any determination made by the President under subsection (e) of such section with respect to an alternative pay adjustment to be made on such date.

**SEC. 602. LIMITATION ON BASIC ALLOWANCE FOR HOUSING MODIFICATION AUTHORITY FOR MEMBERS OF THE UNIFORMED SERVICES RESIDING IN MILITARY HOUSING PRIVATIZATION INITIATIVE HOUSING.**

(a) **IN GENERAL.**—Paragraph (3) of section 403(b) of title 37, United States Code, is amended by adding at the end the following new subparagraph:

“(C) The Secretary of Defense may not reduce the rate of basic allowance for housing in effect on December 31, 2017, for a member of a uniformed service who resides in a housing unit acquired or constructed under the alternative authority of subchapter IV of chapter 169 of title 10 (known as the Military Housing Privatization Initiative) until January 1, 2019.”.

(b) **CONFORMING AMENDMENT.**—Subparagraph (B) of such paragraph is amended in clause (iv) by striking “Four” and inserting “Subject to subparagraph (C), four”.

(c) **GAO REVIEW.**—Not later than March 1, 2018, the Comptroller General of the United States shall submit to the Committees on Armed Services of the House of Representatives and the Senate a review of the following:

(1) An analysis of the impact of reductions in the rate of the basic allowance for housing under section 403 of title 37, United States Code, on the long-term viability of the Military Housing Privatization Initiative (MHPI).

(2) An analysis of projected revenue for the MHPI, considering projected reductions in such basic allowance for housing, which compares projected revenue under the assumption that members of the armed forces will make out-of-pocket payments in addition to rent and under the assumption that members will not make such out-of-pocket payments.

(3) An analysis of the extent to which the Department of Defense has relied and continues to rely on the assumption that members of the armed forces who live in housing units acquired or constructed under the MHPI will make out-of-pocket payments in addition to basic rent in order to offset reductions in such basic housing allowance.

(4) An analysis of the future military construction costs that will be necessary to offset reduced reinvestment account distributions as a result of reductions in such basic housing allowance, consistent with the requirement included in project ground leases under the MHPI that all assets will be in like-new condition at the end of the lease.

(5) The impact on maintenance of housing units acquired or constructed under the MHPI because of the reductions in revenue for the MHPI that will result from reductions in such basic housing allowance.

(6) The impacts of the costs described in paragraph (4) and the reduction in revenue described in paragraph (5) on occupancy and revenue generated by occupancy under the MHPI, and the impact of changes in occupancy and associated revenue on the costs described in para-

graph (4) and the reduction in revenue described in paragraph (5).

(7) The process for establishing the criteria for and the execution of market surveys used to establish the rates of such basic housing allowance.

**SEC. 603. HOUSING TREATMENT FOR CERTAIN MEMBERS OF THE ARMED FORCES, AND THEIR SPOUSES AND OTHER DEPENDENTS, UNDERGOING A PERMANENT CHANGE OF STATION WITHIN THE UNITED STATES.**

(a) **HOUSING TREATMENT.**—

(1) **IN GENERAL.**—Chapter 7 of title 37, United States Code, is amended by inserting after section 403 the following new section:

**“§403a. Housing treatment for certain members of the Armed Forces, and their spouses and other dependents, undergoing a permanent change of station within the United States**

**“(a) HOUSING TREATMENT FOR CERTAIN MEMBERS WHO HAVE A SPOUSE OR OTHER DEPENDENTS.—**

**“(1) HOUSING TREATMENT REGULATIONS.**—The Secretary of Defense shall prescribe regulations that permit a member of the armed forces described in paragraph (2) who is undergoing a permanent change of station within the United States to request the housing treatment described in subsection (b) during the covered relocation period of the member.

**“(2) ELIGIBLE MEMBERS.**—A member described in this paragraph is any member who—

“(A) has a spouse who is gainfully employed or enrolled in a degree, certificate or license granting program at the beginning of the covered relocation period;

“(B) has one or more dependents attending an elementary or secondary school at the beginning of the covered relocation period;

“(C) has one or more dependents enrolled in the Exceptional Family Member Program; or

“(D) is caring for an immediate family member with a chronic or long-term illness at the beginning of the covered relocation period.

**“(b) HOUSING TREATMENT.—**

**“(1) CONTINUATION OF HOUSING FOR THE SPOUSE AND OTHER DEPENDENTS.**—If a spouse or other dependent of a member whose request under subsection (a) is approved resides in Government-owned or Government-leased housing at the beginning of the covered relocation period, the spouse or other dependent may continue to reside in such housing during a period determined in accordance with the regulations prescribed pursuant to this section.

**“(2) EARLY HOUSING ELIGIBILITY.**—If a spouse or other dependent of a member whose request under subsection (a) is approved is eligible to reside in Government-owned or Government-leased housing following the member's permanent change of station within the United States, the spouse or other dependent may commence residing in such housing at any time during the covered relocation period.

**“(3) TEMPORARY USE OF GOVERNMENT-OWNED OR GOVERNMENT-LEASED HOUSING INTENDED FOR MEMBERS WITHOUT A SPOUSE OR DEPENDENT.**—If a spouse or other dependent of a member relocates at a time different from the member in accordance with a request approved under subsection (a), the member may be assigned to Government-owned or Government-leased housing intended for the permanent housing of members without a spouse or dependent until the member's detachment date or the spouse or other dependent's arrival date, but only if such Government-owned or Government-leased housing is available without displacing a member without a spouse or dependent at such housing.

**“(4) EQUITABLE BASIC ALLOWANCE FOR HOUSING.**—If a spouse or other dependent of a member relocates at a time different from the member

in accordance with a request approved under subsection (a), the amount of basic allowance for housing payable may be based on whichever of the following areas the Secretary concerned determines to be the most equitable:

“(A) The area of the duty station to which the member is reassigned.

“(B) The area in which the spouse or other dependent resides, but only if the spouse or other dependent resides in that area when the member departs for the duty station to which the member is reassigned, and only for the period during which the spouse or other dependent resides in that area.

“(C) The area of the former duty station of the member, but only if that area is different from the area in which the spouse or other dependent resides.

“(c) **RULE OF CONSTRUCTION RELATED TO CERTAIN BASIC ALLOWANCE FOR HOUSING PAYMENTS.**—Nothing in this section shall be construed to limit the payment or the amount of basic allowance for housing payable under section 403(d)(3)(A) of this title to a member whose request under subsection (a) is approved.

“(d) **HOUSING TREATMENT EDUCATION.**—The regulations prescribed pursuant to this section shall ensure the relocation assistance programs under section 1056 of title 10 include, as part of the assistance normally provided under such section, education about the housing treatment available under this section.

“(e) **DEFINITIONS.**—In this section:

“(1) **COVERED RELOCATION PERIOD.**—(A) Subject to subparagraph (B), the term ‘covered relocation period’, when used with respect to a permanent change of station of a member of the armed forces, means the period that—

“(i) begins 180 days before the date of the permanent change of station; and

“(ii) ends 180 days after the date of the permanent change of station.

“(B) The regulations prescribed pursuant to this section may provide for a lengthening of the covered relocation period of a member for purposes of this section.

“(2) **DEPENDENT.**—The term ‘dependent’ has the meaning given that term in section 401 of this title.

“(3) **PERMANENT CHANGE OF STATION.**—The term ‘permanent change of station’ means a permanent change of station described in section 452(b)(2) of this title.”

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 7 such title is amended by inserting after the item relating to section 403 the following new item:

“403a. Housing treatment for certain members of the armed forces, and their spouses and other dependents, undergoing a permanent change of station within the United States.”

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to permanent changes of station of members of the Armed Forces that occur on or after October 1 of the fiscal year that begins after such date of enactment.

#### **SEC. 604. PER DIEM ALLOWANCE POLICIES.**

(a) **POLICY AND REGULATIONS.**—

(1) **EXISTING POLICY AND REGULATIONS.**—The Secretary of each military department may not implement the policy in the memorandum dated October 1, 2014, titled “UTD/CTS for MAP 118-13/CAP 118-13—Flat Rate Per Diem for Long Term TDY”, regarding per diem allowances, or any regulations prescribed pursuant to such memorandum, on or after the date of the enactment of this Act.

(2) **FUTURE POLICY AND REGULATIONS.**—(A) The Secretary of each military department concerned may not implement a new policy regard-

ing per diem allowances under section 474 of title 37, United States Code, until after the Secretary of Defense issues the report under subsection (b).

(B) The Secretary of the military department concerned shall notify the appropriate congressional committees not less than 30 days before implementing a new policy regarding per diem allowances under section 474 of title 37, United States Code.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue a report to the appropriate congressional committees regarding options to reduce travel costs incurred by the Department of Defense, including the adoption of practices used by private entities.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—In this section, the term “appropriate congressional committees” means the congressional defense committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives.

#### **Subtitle B—Bonuses and Special and Incentive Pays**

#### **SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.**

The following sections of title 37, United States Code, are amended by striking “December 31, 2017” and inserting “December 31, 2018”:

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

(7) Section 478a(e), relating to reimbursement of travel expenses for inactive-duty training outside of normal commuting distance.

(8) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

#### **SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.**

(a) **TITLE 10 AUTHORITIES.**—The following sections of title 10, United States Code, are amended by striking “December 31, 2017” and inserting “December 31, 2018”:

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) **TITLE 37 AUTHORITIES.**—The following sections of title 37, United States Code, are amended by striking “December 31, 2017” and inserting “December 31, 2018”:

(1) Section 302c-1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.

(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.

(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

#### **SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.**

The following sections of title 37, United States Code, are amended by striking “December 31, 2017” and inserting “December 31, 2018”:

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.

(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

#### **SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.**

The following sections of title 37, United States Code, are amended by striking “December 31, 2017” and inserting “December 31, 2018”:

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(6) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers’ Training Corps.

(7) Section 351(h), relating to hazardous duty pay.

(8) Section 352(g), relating to assignment pay or special duty pay.

(9) Section 353(i), relating to skill incentive pay or proficiency bonus.

(10) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

#### **SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.**

The following sections of title 37, United States Code, are amended by striking “December 31, 2017” and inserting “December 31, 2018”:

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 316a(g), relating to incentive pay for members of precommissioning programs pursuing foreign language proficiency.

(6) Section 324(g), relating to accession bonus for new officers in critical skills.

(7) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(8) Section 327(h), relating to incentive bonus for transfer between Armed Forces.

(9) Section 330(f), relating to accession bonus for officer candidates.

#### **SEC. 616. REIMBURSEMENT FOR STATE LICENSURE AND CERTIFICATION COSTS OF A MEMBER OF THE ARMED FORCES ARISING FROM SEPARATION FROM THE ARMED FORCES.**

(a) **REIMBURSEMENT AUTHORIZED.**—Section 1143 of title 10, United States Code, is amended



by adding at the end the following new subsection:

“(f) REIMBURSEMENT FOR STATE LICENSURE AND CERTIFICATION COSTS.—(1) The Secretary concerned may reimburse a member of the armed forces who separates from the armed forces for qualified relicensing costs of the member.

“(2) Reimbursement provided to a member under this subsection may not exceed \$500.

“(3) In this subsection, the term ‘qualified relicensing costs’ means costs, including exam and registration fees, that—

“(A) are imposed by the State in which the member resides after separation from the armed forces to secure a license or certification to engage in a profession; and

“(B) are paid or incurred by the member to secure the license or certification from the State in which the member resides after separation from the armed forces.”.

(b) DEVELOPMENT OF RECOMMENDATIONS TO EXPEDITE LICENSE PORTABILITY FOR MEMBERS OF THE ARMED FORCES.—

(1) CONSULTATION WITH STATES.—The Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard, shall consult with States—

(A) to identify barriers to the portability between States of a license, certification, or other grant of permission held by a member of the Armed Forces to engage in an occupation when the member separates from the Armed Forces; and

(B) to develop recommendations for the Federal Government and the States, together or separately, to expedite the portability of such licenses, certifications, and other grants of permission for separated members of the Armed Forces.

(2) SPECIFIC CONSIDERATIONS.—In conducting the consultation and preparing the recommendations under paragraph (1), the Secretaries shall consider the feasibility of—

(A) States accepting licenses, certifications, and other grants of permission described in paragraph (1) issued by another State and in good standing in that State;

(B) the issuance of a temporary license pending completion of State-specific requirements; and

(C) the establishment of an expedited review process for separated members of the Armed Forces.

(3) REPORT REQUIRED.—Not later than March 15, 2018, the Secretaries shall submit to the appropriate congressional committees and the States a report containing the recommendations developed under this subsection.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term “appropriate congressional committees” means the congressional defense committees, the Committee on Homeland Security and Government Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives.

#### SEC. 617. INCREASE IN MAXIMUM AMOUNT OF AVIATION BONUS FOR 12-MONTH PERIOD OF OBLIGATED SERVICE.

Section 334(c)(1)(B) of title 37, United States Code, is amended by striking “\$35,000” and inserting “\$50,000”.

#### SEC. 618. TECHNICAL AND CLERICAL AMENDMENTS RELATING TO 2008 CONSOLIDATION OF CERTAIN SPECIAL PAY AUTHORITIES.

(a) REPAYMENT PROVISIONS.—

(1) TITLE 10.—Section 510(i), subsections (a)(3) and (c) of section 2005, paragraphs (1) and (2) of section 2007(e), section 2105, section 2123(e)(1)(C), section 2128(c), section 2130a(d), section 2171(g), section 2173(g)(2), paragraphs (1) and (2) of section 2200a(e), section 4348(f), section 6959(f), section 9348(f), subsections (a)(2) and (b) of section 16135, section 16203(a)(1)(B),

section 16301(h), section 16303(d), and the matter preceding subparagraph (A) of paragraph (1) and the matter preceding subparagraph (A) of paragraph (2) of section 16401(f) of title 10, United States Code, are each amended by inserting “or 373” before “of title 37”.

(2) TITLE 14.—Section 182(g) of title 14, United States Code, is amended by inserting “or 373” before “of title 37”.

(b) OFFICERS APPOINTED PURSUANT TO AN AGREEMENT UNDER SECTION 329 OF TITLE 37.—Section 641 of title 10, United States Code, is amended by striking paragraph (6).

(c) REENLISTMENT LEAVE.—The matter preceding paragraph (1) of section 703(b) of title 10, United States Code, is amended by inserting “or paragraph (1) or (3) of section 351(a)” after “section 310(a)(2)”.

(d) REST AND RECUPERATION ABSENCE: QUALIFIED MEMBERS EXTENDING DUTY AT A DESIGNATED LOCATION OVERSEAS.—The matter following paragraph (4) of section 705(a) of title 10, United States Code, is amended by inserting “or 352” after “section 314”.

(e) REST AND RECUPERATION ABSENCE: CERTAIN MEMBERS UNDERGOING EXTENDED DEPLOYMENT TO A COMBAT ZONE.—Section 705a(b)(1)(B) of title 10, United States Code, is amended by inserting “or 352(a)” after “section 305”.

(f) MILITARY PAY AND ALLOWANCES CONTINUANCE WHILE IN A MISSING STATUS.—Section 552(a)(2) of title 37, United States Code, is amended by inserting “or paragraph (2) of section 351(a)” after “section 301”.

(g) MILITARY PAY AND ALLOWANCES.—Section 907(d) of title 37, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by inserting “or 351” after “section 301”;

(B) in subparagraph (B), by inserting “or 352” after “section 301c”;

(C) in subparagraph (C), by inserting “or 353(a)” after “section 304”;

(D) in subparagraph (D), by inserting “or 352” after “section 305”;

(E) in subparagraph (E), by inserting “or 352” after “section 305a”;

(F) in subparagraph (F), by inserting “or 352” after “section 305b”;

(G) in subparagraph (G), by inserting “or 352” after “section 307a”;

(H) in subparagraph (I), by inserting “or 352” after “section 314”;

(I) in subparagraph (J), by striking “316” and inserting “353(b)”;

(J) in subparagraph (K), by striking “323” and inserting “355”;

(2) in paragraph (2)—

(A) in subparagraph (A), by inserting “or 352” after “section 307”;

(B) in subparagraph (B), by striking “308” and inserting “331”;

(C) in subparagraph (C), by striking “309” and inserting “331”;

(D) in subparagraph (D), by inserting “or 353” after “section 320”.

(h) PAY AND ALLOWANCES.—Section 208(a)(2) of the Public Health Service Act (42 U.S.C. 210(a)(2)) is amended by inserting “or 373” after “303a(b)”.

#### Subtitle C—Disability Pay, Retired Pay, and Survivor Benefits

#### SEC. 621. FINDINGS AND SENSE OF CONGRESS REGARDING THE SPECIAL SURVIVOR INDEMNITY ALLOWANCE.

(a) FINDINGS.—Congress finds the following:

(1) Dependency and indemnity compensation administered by the Department of Veterans Affairs provides financial support to the surviving spouses, children, and dependent parents of deceased veterans.

(2) The survivor benefit plan administered by the Department of Defense provides an infla-

tion-adjusted annuity to the eligible survivors of certain deceased military personnel.

(3) The amount of compensation a surviving spouse may receive under the survivor benefit plan is offset on a dollar-for-dollar basis by any amount of dependency and indemnity compensation the surviving spouse receives.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the special survivor indemnity allowance was created to assist surviving spouses and begin to repay the offset described in subsection (a)(3); and

(2) such offset should be repealed as soon as possible.

#### Subtitle D—Other Matters

#### SEC. 631. LAND CONVEYANCE AUTHORITY, ARMY AND AIR FORCE EXCHANGE SERVICE PROPERTY, DALLAS, TEXAS.

(a) CONVEYANCE AUTHORIZED.—The Army and Air Force Exchange Service may convey, by sale, exchange, or a combination thereof, all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, that is located at 8901 Autobahn Drive in Dallas, Texas, and was purchased using nonappropriated funds of the Army and Air Force Exchange Service.

(b) CONSIDERATION.—

(1) IN GENERAL.—Consideration for the real property conveyed under subsection (a) shall be at least equal to the fair market value of the property, as determined by the Army and Air Force Exchange Service.

(2) TREATMENT OF CASH CONSIDERATION.—Any cash consideration received from the conveyance of the property under subsection (a) may be retained by the Army and Air Force Exchange Service since the property was acquired using nonappropriated funds.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Army and Air Force Exchange Service. The recipient of the property shall be required to cover the cost of the survey.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Army and Air Force Exchange Service may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Army and Air Force Exchange Service considers appropriate to protect the interests of the United States.

#### SEC. 632. ADVISORY BOARDS REGARDING MILITARY COMMISSARIES AND EXCHANGES.

The Secretary of Defense shall direct each commanding officer of a military base on which there is a military commissary or exchange to establish an advisory board, comprised of representatives of military or veterans service organizations, to advise the commanding officer regarding the interests of patrons and beneficiaries of military commissaries and exchanges.

#### TITLE VII—HEALTH CARE PROVISIONS

##### Subtitle A—TRICARE and Other Health Care Benefits

#### SEC. 701. PHYSICAL EXAMINATIONS FOR MEMBERS OF A RESERVE COMPONENT WHO ARE SEPARATING FROM THE ARMED FORCES.

Section 1145 of title 10, United States Code, is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) PHYSICAL EXAMINATIONS FOR CERTAIN MEMBERS OF A RESERVE COMPONENT.—(1) The Secretary concerned shall provide a physical examination pursuant to subsection (a)(5) to each member of a reserve component who—

“(A) during the two-year period before the date on which the member is scheduled to be

separated from the armed force served on active duty in support of a contingency operation for a period of more than 30 days;

“(B) will not otherwise receive such an examination under such subsection; and

“(C) elects to receive such a physical examination.

“(2) The Secretary concerned shall—

“(A) provide the physical examination under paragraph (1) to a member during the 90-day period before the date on which the member is scheduled to be separated from the armed forces; and

“(B) issue orders to such a member to receive such physical examination.

“(3) A member may not be entitled to health care benefits pursuant to subsection (a), (b), or (c) solely by reason of being provided a physical examination under paragraph (1).

“(4) In providing to a member a physical examination under paragraph (1), the Secretary concerned shall provide to the member a record of the physical examination.”.

**SEC. 702. MENTAL HEALTH EXAMINATIONS BEFORE MEMBERS SEPARATE FROM THE ARMED FORCES.**

(a) IN GENERAL.—Section 1145(a)(5)(A) of title 10, United States Code, is amended by inserting “and a mental health examination conducted pursuant to section 1074n of this title” after “a physical examination”.

(b) CONFORMING AMENDMENT.—Section 1074n(a) of such title is amended by inserting “(and before separation from active duty pursuant to section 1145(a)(5)(A) of this title)” after “each calendar year”.

**SEC. 703. PROVISION OF HYPERBARIC OXYGEN THERAPY FOR CERTAIN MEMBERS OF THE ARMED FORCES.**

(a) HBOT TREATMENT.—

(1) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1074n the following new section:

**“§ 1074o. Provision of hyperbaric oxygen therapy for certain members**

“(a) IN GENERAL.—The Secretary may furnish hyperbaric oxygen therapy available at a military medical treatment facility to a covered member if such therapy is prescribed by a physician to treat post-traumatic stress disorder or traumatic brain injury.

“(b) COVERED MEMBER DEFINED.—In this section, the term ‘covered member’ means a member of the armed forces who is—

“(1) serving on active duty; and

“(2) diagnosed with post-traumatic stress disorder or traumatic brain injury.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1074n the following new item:

“1074o. Provision of hyperbaric oxygen therapy for certain members.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect 90 days after the date of the enactment of this Act.

**Subtitle B—Health Care Administration**

**SEC. 711. CLARIFICATION OF ROLES OF COMMANDERS OF MILITARY MEDICAL TREATMENT FACILITIES AND SURGEONS GENERAL.**

(a) ROLE OF COMMANDERS.—Section 1073c(a)(2) of title 10, United States Code, is amended—

(1) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(2) by inserting before subparagraph (B) the following new subparagraph (A):

“(A) the operation of such facility.”.

(b) ROLE OF SURGEONS GENERAL.—

(1) SURGEON GENERAL OF THE ARMY.—Section 3036(f) of title 10, United States Code, is amend-

ed by adding at the end the following new paragraph:

“(4)(A) The Surgeon General is responsible—

“(i) for the medical readiness provided by the military medical treatment facilities of the Army; and

“(ii) for maintaining a ready medical force of the Army.

“(B) In carrying out subparagraph (A), the Surgeon General shall provide operational oversight of readiness matters of the military medical treatment facilities of the Army.”.

(2) SURGEON GENERAL OF THE NAVY.—Section 5137(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4)(A) The Surgeon General is responsible—

“(i) for the medical readiness provided by the military medical treatment facilities of the Navy; and

“(ii) for maintaining a ready medical force of the Navy.

“(B) In carrying out subparagraph (A), the Surgeon General shall provide operational oversight of readiness matters of the military medical treatment facilities of the Navy.”.

(3) SURGEON GENERAL OF THE AIR FORCE.—Section 8036(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4)(A) The Surgeon General is responsible—

“(i) for the medical readiness provided by the military medical treatment facilities of the Air Force; and

“(ii) for maintaining a ready medical force of the Air Force.

“(B) In carrying out subparagraph (A), the Surgeon General shall provide operational oversight of readiness matters of the military medical treatment facilities of the Air Force.”.

**SEC. 712. MAINTENANCE OF INPATIENT CAPABILITIES OF MILITARY MEDICAL TREATMENT FACILITIES LOCATED OUTSIDE THE UNITED STATES.**

In carrying out section 1073d of title 10, United States Code, the Secretary of Defense shall ensure that each military medical treatment facility located outside the United States maintains, at a minimum, the inpatient capabilities of such facility as of September 30, 2016.

**SEC. 713. REGULAR UPDATE OF PRESCRIPTION DRUG PRICING STANDARD UNDER TRICARE RETAIL PHARMACY PROGRAM.**

Section 1074g(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) With respect to the TRICARE retail pharmacy program described in subsection (a)(2)(E)(ii), the Secretary shall ensure that a contract entered into with a TRICARE pharmacy program contractor includes requirements described in section 1860D–12(b)(6) of the Social Security Act (42 U.S.C. 1395w–112(b)(6)) to ensure the provision of information regarding the pricing standard for prescription drugs.”.

**SEC. 714. RESIDENCY REQUIREMENTS FOR PODIATRISTS.**

(a) REQUIREMENT.—In addition to any other qualification required by law or regulation, the Secretary of Defense shall ensure that to serve as a podiatrist in the Armed Forces, an individual must have successfully completed a three-year podiatric medicine and surgical residency.

(b) APPLICATION.—Subsection (a) shall apply with respect to an individual who is commissioned as an officer in the Armed Forces on or after the date that is one year after the date of the enactment of this Act.

**Subtitle C—Other Matters**

**SEC. 721. ONE YEAR EXTENSION OF PILOT PROGRAM FOR PRESCRIPTION DRUG ACQUISITION COST PARITY IN THE TRICARE PHARMACY BENEFITS PROGRAM.**

Section 743(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended—

(1) by striking “October 1, 2017” and inserting “October 1, 2018”; and

(2) by striking “September 30, 2018” and inserting “September 30, 2019”.

**SEC. 722. PILOT PROGRAM ON HEALTH CARE ASSISTANCE SYSTEM.**

(a) PILOT PROGRAM.—The Secretary of Defense shall carry out a pilot program to provide a health care assistance service to certain covered beneficiaries enrolled in TRICARE Prime or TRICARE Select to improve the health outcomes and patient experience for covered beneficiaries with complex medical conditions.

(b) ELEMENTS.—The pilot program under subsection (a) may include the following elements:

(1) Assisting families with complex medical conditions to understand and use the health benefits under the TRICARE program.

(2) Supporting such families in accessing and navigating the health care delivery system.

(3) Providing such families with information to allow the families to make informed decisions with health care providers.

(4) Improving the health outcomes for such families.

(c) DURATION.—The Secretary shall carry out the pilot program for an amount of time determined appropriate by the Secretary during the five-year period beginning January 1, 2018.

(d) REPORT.—Not later than January 1, 2021, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing an evaluation of the success of the pilot program under subsection (a), including an analysis of the implementation of the elements under subsection (b).

(e) DEFINITIONS.—In this section, the terms “covered beneficiary”, “TRICARE Prime”, “TRICARE program”, and “TRICARE Select” have the meaning given those terms in section 1072 of title 10, United States Code.

**SEC. 723. RESEARCH OF CHRONIC TRAUMATIC ENCEPHALOPATHY.**

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for advanced development for research, development, test, and evaluation for the Defense Health Program, not more than \$25,000,000 may be used to award grants to medical researchers and universities to support research into early detection of chronic traumatic encephalopathy.

**SEC. 724. SENSE OF CONGRESS ON ELIGIBILITY OF VICTIMS OF ACTS OF TERROR FOR EVALUATION AND TREATMENT AT MILITARY TREATMENT FACILITIES.**

Section 717 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended by striking subsection (d) and inserting the following new subsections:

“(d) SENSE OF CONGRESS.—It is the sense of Congress that the civilians covered by this section include United States victims of domestic and international terrorism.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘act of terror’ means an act of domestic terrorism or international terrorism, as those terms are defined in section 2331 of title 18, United States Code.

“(2) The term ‘covered beneficiary’ has the meaning given that term in section 1072 of title 10, United States Code.

“(3) The term ‘victim’, with respect to an act of terror, means an individual who suffered

physical injury as a direct result of the act of terror.”.

# **TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS**

## **Subtitle A—Defense Acquisition Streamlining and Transparency**

### **PART I—ACQUISITION SYSTEM STREAMLINING**

#### **SEC. 801. PROCUREMENT THROUGH ONLINE MARKETPLACES.**

(a) **ESTABLISHMENT OF PROGRAM.**—The Administrator of General Services shall establish a program to procure commercial products through online marketplaces for purposes of expediting procurement and ensuring reasonable pricing of commercial products. The Administrator shall carry out the program in accordance with this section, through more than one contract with more than one online marketplace provider, and shall design the program to enable Government-wide use of such marketplaces.

(b) **USE OF PROGRAM BY SECRETARY OF DEFENSE.**—The Secretary of Defense shall purchase, as appropriate, commercial products for the Department of Defense using the program established pursuant to subsection (a).

(c) **CRITERIA FOR ONLINE MARKETPLACES.**—The Administrator shall ensure that an online marketplace used under the program established pursuant to subsection (a)—

(1) is used widely in the private sector, including in business-to-business e-commerce;

(2) provides dynamic selection, in which suppliers and products may be frequently updated, and dynamic pricing, in which product prices may be frequently updated;

(3) enables offers from multiple suppliers on the same or similar products to be sorted or filtered based on product and shipping price, delivery date, and reviews of suppliers or products;

(4) does not feature or prioritize a product of a supplier based on any compensation or fee paid to the online marketplace by the supplier that is exclusively for such featuring or prioritization on the online marketplace;

(5) provides the capability for procurement oversight controls, including spending limits, order approval, and order tracking;

(6) provides consolidated invoicing, payment, and customer service functions for all transactions;

(7) satisfies requirements for supplier and product screening in subsection (d); and

(8) collects information necessary to fulfill the information requirements in subsection (h).

(d) **SUPPLIER AND PRODUCT SCREENING.**—The Administrator shall—

(1) provide or ensure electronic availability to an online marketplace provider awarded a contract pursuant to subsection (a), no less frequently than the first day of each month—

(A) the list of suspended and debarred contractors contained in the System of Award Management maintained by the General Services Administration, or any successor system;

(B) a list of suppliers, by product, that certify compliance with the requirements of section 2533a or 2533b of title 10, United States Code;

(C) a list of suppliers, by product, that comply with the requirements of, or are subject to an exception under, chapter 83 of title 41, United States Code;

(D) a list of suppliers, by product, with respect to which the President has issued a waiver under section 301 of the Trade Agreements Act of 1979 (19 U.S.C. 2511);

(E) a list of products, by supplier, that are suitable for the Federal Government to procure pursuant to section 2410m of title 10, United States Code, or section 8503 of title 41, United States Code; and

(F) a list of suppliers, by product, that are small business concerns;

(2) conduct reviews of suppliers to establish the lists required under paragraph (1);

(3) ensure that an online marketplace used under the program established pursuant to subsection (a) provides the ability to search suppliers and products and identify such suppliers and products as authorized or not authorized for purchase during the procurement and order approval process based on the most recent lists provided pursuant to paragraph (1).

(e) **RELATIONSHIP TO OTHER PROVISIONS OF LAW.**—(1) Notwithstanding any other provision of law, a procurement of a product made through an online marketplace under the program established pursuant to subsection (a)—

(A) is deemed to satisfy requirements for full and open competition pursuant to section 2304 of title 10, United States Code, and section 3301 of title 41, United States Code, if there are offers from two or more suppliers of such a product or similar product with substantially the same physical, functional, or performance characteristics on the online marketplace; and

(B) is deemed to be an award of a prime contract for purposes of the goals established under section 15(g) of the Small Business Act (15 U.S.C. 644(g)), if the purchase is from a supplier that is a small business concern.

(2) Nothing in this subsection shall be construed as limiting the authority of a department or agency to restrict competition to small business concerns.

(f) **REQUIREMENT TO USE STANDARD TERMS AND CONDITIONS OF ONLINE MARKETPLACES.**—Notwithstanding any other provision of law, a procurement of a product through a commercial online marketplace used under the program established pursuant to subsection (a) shall be made under the standard terms and conditions of the marketplace relating to purchasing on the marketplace, and the Administrator shall not require an online marketplace to modify its standard terms and conditions as a condition of receiving a contract pursuant to subsection (a).

(g) **PROCEDURES FOR AWARD OF CONTRACT.**—Notwithstanding section 2304 of title 10, United States Code, or any other provision of law, the award of a contract to an online marketplace provider pursuant to subsection (a) may be made without the use of full and open competition.

(h) **ORDER INFORMATION.**—

(1) **IN GENERAL.**—The Administrator shall require each online marketplace provider awarded a contract pursuant to subsection (a) to provide to the General Services Administration, not less frequently than the first day of each month, the ability to electronically access the following information with respect to each product ordered during the preceding month:

(A) The product name and description.

(B) The date and time of the order.

(C) The product price.

(D) The person or entity within the department or agency that purchased the product and, if appropriate, the official who authorized the purchase.

(E) The delivery address specified in the order for the product.

(F) The number of suppliers that offered the same product or a similar product with substantially the same physical, functional, or performance characteristics on the same date and time that the product was ordered.

(2) **DATA SYSTEM.**—The Administrator shall ensure that order information listed in paragraph (1) is entered into the Federal Procurement Data System described in section 1122 of title 41, United States Code.

(i) **LIMITATION ON INFORMATION DISCLOSURE.**—In any contract awarded to an online marketplace provider pursuant to subsection (a),

the Administrator shall require that the provider agree not to sell or otherwise make available to any third party any of the information listed in subsection (h)(1) in a manner that identifies the Federal Government, or any of its departments or agencies, as the purchaser, except with written consent of the Administrator.

(j) **COMPTROLLER GENERAL REVIEW OF SMALL BUSINESS PARTICIPATION.**—

(1) **REPORT REQUIREMENT.**—Not later than three years after a contract with an online marketplace provider is awarded pursuant to subsection (a), the Comptroller General of the United States shall submit to the committees listed in paragraph (2) a report on small business participation in the program established pursuant to subsection (a). The report shall include—

(A) the number of small business concerns that have registered or that have sold goods with at least one online marketplace provider;

(B) trends in small business participation;

(C) the effect, if any, of the program on the ability of agencies to meet goals established under section 15(g) of the Small Business Act (15 U.S.C. 644(g)); and

(D) a discussion of the limitations, if any, to small business participation in the program.

(2) **COMMITTEES.**—The committees listed in this paragraph are the following:

(A) The Committees on Armed Services of the Senate and House of Representatives.

(B) The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

(C) The Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives.

(k) **DEFINITIONS.**—In this section:

(1) **ONLINE MARKETPLACE PROVIDER.**—The term “online marketplace provider” means a commercial, non-Government entity providing an online portal for the purchase of commercial products aggregated, distributed, sold, or manufactured by such entity. The term does not include an online portal managed by the Government for, or predominantly for use by, Government agencies.

(2) **COMMERCIAL PRODUCT.**—The term “commercial product” means a commercially available off-the-shelf item, as defined in section 104 of title 41, United States Code, except the term does not include services.

(3) **SMALL BUSINESS CONCERN.**—The term “small business concern” has the meaning given such term under section 3 of the Small Business Act (15 U.S.C. 632).

#### **SEC. 802. PERFORMANCE OF INCURRED COST AUDITS.**

(a) **PERFORMANCE OF INCURRED COST AUDITS.**—Chapter 137 of title 10, United States Code, is amended by inserting after section 2313a the following new section:

##### **“§2313b. Performance of incurred cost audits**

“(a) **COMPLIANCE WITH STANDARDS OF RISK AND MATERIALITY.**—For purposes of performing an incurred cost audit of costs associated with a contract of the Department of Defense, the Secretary of Defense shall comply with commercially accepted standards of risk and materiality.

“(b) **SELECTION OF AUDITING ENTITY TO PERFORM INCURRED COST AUDITS.**—(1) For an incurred cost audit of a contract of the Department of Defense, the Defense Contract Management Agency or a contract administration office of a military department shall have the authority to select the Defense Contract Audit Agency or a qualified private auditor to perform an incurred cost audit, based upon guidelines that—

“(A) are issued by an audit planning committee that is comprised of one representative from each of the office of the Under Secretary of

Defense for Acquisition and Sustainment, the Defense Contract Management Agency, a contract administration office of a military department, and the Defense Contract Audit Agency;

“(B) ensure that, after September 1, 2020, not less than 25 percent of incurred costs on flexibly priced contracts are audited by qualified private auditors; and

“(C) ensure that multi-year auditing is conducted only to address outstanding incurred cost audits for which a qualified incurred cost submission was submitted to the Defense Contract Audit Agency more than 12 months before the date of the enactment of this section.

“(2)(A) Not later than September 1, 2020, the Secretary of Defense shall award an indefinite delivery-indefinite quantity task order contract to two or more qualified private auditors to perform incurred cost audits of costs associated with contracts of the Department of Defense.

“(B) The Defense Contract Management Agency, a contract administration office of a military department, or an authorized entity outside the Department of the Defense may issue a task order to perform an incurred cost audit to a qualified private auditor under a task order contract awarded under subparagraph (A). Such task order may be issued only to a qualified private auditor that certifies that the qualified private auditor possesses the necessary independence to perform such an audit.

“(C) The Defense Contract Audit Agency may not conduct further audit or review of an incurred cost audit performed by a qualified private auditor pursuant to this section, unless requested to do so as part of conducting contract quality assurance functions in accordance with the Federal Acquisition Regulation.

“(3)(A) Effective September 1, 2022, the Defense Contract Audit Agency may issue unqualified audit findings for an incurred cost audit only if the Defense Contract Audit Agency is peer reviewed by a commercial auditor and passes such peer review. Such peer review shall be conducted in accordance with the peer review requirements of the generally accepted government auditing standards of the Comptroller General of the United States and shall be deemed to meet the requirements of the Defense Contract Audit Agency for a peer review under such standards.

“(B) The peer review referred to in subparagraph (A) shall occur not less frequently than once every three years.

“(C) Not later than September 1, 2019, the Secretary of Defense shall provide to the Committee on Armed Services of the House of Representatives an update on the process of securing a commercial auditor to perform the peer review referred to in subparagraph (A).

“(4) The Secretary of Defense shall consider the results of an incurred cost audit performed under this section without regard to whether the Defense Contract Audit Agency or a qualified private auditor performed the audit.

“(5) The contracting officer for a contract that is the subject of an incurred cost audit shall have the sole discretion to accept or reject an audit finding on direct costs of the contract.

“(c) MATERIALITY STANDARDS FOR INCURRED COST AUDITS.—(1) Not later than September 1, 2020, and except as provided in paragraph (2), the minimum materiality standard used by an auditor shall—

“(A) for a incurred cost audit of costs in an amount less than or equal to \$100,000, be 4 percent of such costs;

“(B) for a incurred cost audit of costs in an amount greater than \$100,000 but less than \$500,000, be \$2,000 plus 2 percent of such costs;

“(C) for a incurred cost audit of costs in an amount greater than \$500,000 but less than \$1,000,000, be \$5,000 plus 1 percent of such costs;

“(D) for a incurred cost audit of costs in an amount greater than \$1,000,000 but less than

\$5,000,000, be \$8,000 plus 0.9 percent of such costs;

“(E) for a incurred cost audit of costs in an amount greater than \$5,000,000 but less than \$10,000,000, be \$13,000 plus 0.8 percent of such costs;

“(F) for a incurred cost audit of costs in an amount greater than \$10,000,000 but less than \$50,000,000, be \$23,000 plus 0.7 percent of such costs;

“(G) for a incurred cost audit of costs in an amount greater than \$50,000,000 but less than \$100,000,000, be \$73,000 plus 0.6 percent of such costs;

“(H) for a incurred cost audit of costs in an amount greater than \$100,000,000 but less than \$500,000,000, be \$153,000 plus 0.52 percent of such costs; and

“(I) for a incurred cost audit of costs in an amount greater than \$500,000,000, be \$503,000 plus 0.45 percent of such costs.

“(2) An auditor that performs an incurred cost audit under this section may use a materiality standard of a lesser amount than the materiality standard described under paragraph (1) with respect to a particular qualified incurred cost submission from a contractor based on an assessment of risk presented by such qualified incurred cost submission. The risk shall be assessed by the auditor in accordance with generally accepted government auditing standards and guidance issued by the Secretary of Defense.

“(3) Not later than March 1, 2019, the Comptroller General of the United States shall submit to the congressional defense committees a report on practices for assessing risk and materiality in auditing, which shall include—

“(A) a summary of commercially accepted standards of risk and materiality and Government standards for risk and materiality as related to incurred cost audits;

“(B) examples of how commercial auditing firms apply such standards in developing methodologies for conducting incurred cost audits; and

“(C) recommendations, if appropriate, to modify the minimum materiality standards under paragraph (1) to be consistent with commercially accepted standards of risk and materiality.

“(4) Not later than September 1, 2019, and every 5 years thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on commercially accepted standards of risk and materiality as related to incurred cost audits. The report may contain recommendations to modify the materiality standards under paragraph (1) to be consistent with such commercially accepted standards of risk and materiality.

“(d) TIMELINESS OF INCURRED COST AUDITS.—(1) The Secretary of Defense shall ensure that all incurred cost audits performed pursuant to subsection (b) are performed in a timely manner.

“(2) The Secretary of Defense shall notify a contractor within 60 days after receipt of an incurred cost submission from the contractor whether the submission is a qualified incurred cost submission.

“(3) With respect to qualified incurred cost submissions received on or after the date of the enactment of this section, audit findings shall be issued for an incurred cost audit not later than one year after the date of receipt of such qualified incurred cost submission.

“(4) If audit findings are not issued within one year after the date of receipt of a qualified incurred cost submission, such qualified incurred cost submission shall be considered accepted in its entirety unless the Secretary of Defense can demonstrate that the contractor unreasonably withheld information necessary to perform the incurred cost audit.

“(e) REVIEW OF AUDIT PERFORMANCE.—Not later than April 1, 2025, the Comptroller General of the United States shall provide a report to the congressional defense committees that evaluates for the period beginning on September 1, 2020, and ending on August 31, 2023—

“(1) the timeliness, individual cost, and quality of incurred cost audits, set forth separately by incurred cost audits performed by the Defense Contract Audit Agency and by qualified private auditors;

“(2) the cost to contractors of the Department of Defense for incurred cost audits, set forth separately by incurred cost audits performed by the Defense Contract Audit Agency and by qualified private auditors;

“(3) the effect, if any, on other types of audits conducted by the Defense Contract Audit Agency that results from incurred cost audits conducted by qualified private auditors; and

“(4) the capability and capacity of commercial auditors to conduct incurred cost audits for the Department of Defense.

“(f) DEFINITIONS.—In this section:

“(1) The term ‘commercial auditor’ means a private entity engaged in the business of performing audits.

“(2) The term ‘flexibly priced contract’ means—

“(A) a cost-type contract, fixed-price incentive fee contract, or price-redeterminable contract, or a task order issued under an indefinite delivery-indefinite quantity task order contract, for which final payment is based on actual costs incurred; or

“(B) the materials portion of a time-and-materials contract or labor-hour contract of the Department of Defense.

“(3) The term ‘incurred cost audit’ means an audit of charges to the Government by a contractor under a flexibly priced contract.

“(4) The term ‘materiality standard’ means a dollar amount of misstatements, including omissions, contained in an incurred cost audit that would be material if the misstatements, individually or in the aggregate, could reasonably be expected to influence the economic decisions of the Government made on the basis of the incurred cost audit.

“(5) The term ‘qualified incurred cost submission’ means a submission by a contractor of costs incurred under a flexibly priced contract that has been qualified by the Department of Defense as sufficient to conduct an incurred cost audit.

“(6) The term ‘qualified private auditor’ means a commercial auditor—

“(A) that performs audits in accordance with generally accepted government auditing standards of the Comptroller General of the United States; and

“(B) that has received a passing peer review rating, as defined under the generally accepted government auditing standards.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2313a the following new item:

“2313b. Performance of incurred cost audits.”

#### SEC. 803. MODIFICATIONS TO COST OR PRICING DATA AND REPORTING REQUIREMENTS.

(a) MODIFICATIONS TO SUBMISSIONS OF COST OR PRICING DATA.—

(1) TITLE 10.—Subsection (a) of section 2306a of title 10, United States Code, is amended—

(A) by striking “December 5, 1990” each place it appears and inserting “June 30, 2018”;

(B) by striking “December 5, 1991” each place it appears and inserting “July 1, 2018”;

(C) by striking “\$100,000” each place it appears and inserting “\$750,000”;

(D) in paragraph (1)—

(i) in subparagraphs (A)(i), (B)(i), (C)(i), (C)(ii), and (D)(i), by striking “\$500,000” and inserting “\$2,500,000”; and

(ii) in subparagraph (B)(ii), by striking “\$500,000” and inserting “\$750,000”;

(E) in paragraph (6), by striking “December 5, 1990” and inserting “June 30, 2018”; and

(F) in paragraph (7), by striking “to the amount” and all that follows through “higher multiple of \$50,000.” and inserting “in accordance with section 1908 of title 41.”

(2) TITLE 41.—Section 3502 of title 41, United States Code, is amended—

(A) in subsection (a)—

(i) by striking “October 13, 1994” each place it appears and inserting “June 30, 2018”;

(ii) by striking “\$100,000” each place it appears and inserting “\$750,000”;

(iii) in paragraphs (1)(A), (2)(A), (3)(A), (3)(B), and (4)(A), by striking “\$500,000” and inserting “\$2,500,000”; and

(iv) in paragraph (2)(B), by striking “\$500,000” and inserting “\$750,000”;

(B) in subsection (f), by striking “October 13, 1994” and inserting “June 30, 2018”; and

(C) in subsection (g), by striking “to the amount” and all that follows through “higher multiple of \$50,000.” and inserting “in accordance with section 1908.”

(b) MODIFICATION TO AUTHORITY TO REQUIRE SUBMISSION.—Paragraph (1) of section 2306a(d) of title 10, United States Code, is amended by striking “the contracting officer shall require submission of” and all that follows through “to the extent necessary” and inserting “the offeror shall be required to submit to the contracting officer data other than certified cost or pricing data (if requested by the contracting officer), to the extent necessary”.

(c) COMPTROLLER GENERAL REVIEW OF MODIFICATIONS TO COST OR PRICING DATA SUBMISSION REQUIREMENTS.—Not later than March 1, 2022, the Comptroller General of the United States shall submit to the congressional defense committees a report on the implementation and effect of the amendments made by subsections (a) and (b).

(d) REQUIREMENTS FOR DEFENSE CONTRACT AUDIT AGENCY REPORT.—

(1) IN GENERAL.—Section 2313a of title 10, United States Code, is amended—

(A) in subsection (a)(2)—

(i) in subparagraph (A)—

(I) by inserting “and dollar value” after “number”; and

(II) by inserting “, set forth separately by type of audit” after “pending”;

(ii) in subparagraph (C), by inserting “, both from the date of receipt of a qualified incurred cost submission and from the date the audit begins” after “audit”;

(iii) by amending subparagraph (D) to read as follows:

“(D) the sustained questioned costs, set forth separately by type of audit, both as a total value and as a percentage of the total questioned costs for the audit;”;

(iv) by striking subparagraph (E); and

(v) by inserting after subparagraph (D) the following new subparagraphs:

“(E) the total number and dollar value of incurred cost audits completed, and the method by which such incurred cost audits were completed;

“(F) the aggregate cost of performing audits, set forth separately by type of audit;

“(G) the ratio of sustained questioned costs to the aggregate costs of performing audits, set forth separately by type of audit; and

“(H) the total number and dollar value of audits that are pending for a period longer than one year as of the end of the fiscal year covered by the report, and the fiscal year in which the qualified submission was received, set forth separately by type of audit;”;

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

“(d) DEFINITIONS.—

“(1) The terms ‘incurred cost audit’ and ‘qualified incurred cost submission’ have the meaning given those terms in section 2313b of this title.

“(2) The term ‘sustained questioned costs’ means questioned costs that were recovered by the Federal Government as a result of contract negotiations related to such questioned costs.”

(2) EXEMPTION TO REPORT TERMINATION REQUIREMENTS.—Section 1080 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1000; 10 U.S.C. 111 note), as amended by section 1061(j) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328), does not apply to the report required to be submitted to Congress under section 2313a of title 10, United States Code.

(e) ADJUSTMENT TO VALUE OF COVERED CONTRACTS FOR REQUIREMENTS RELATING TO ALLOWABLE COSTS.—Subparagraph (B) of section 2324(l)(1) of title 10, United States Code, is amended by striking “to the equivalent” and all that follows through “higher multiple of \$50,000.” and inserting “in accordance with section 1908 of title 41.”

## PART II—EARLY INVESTMENTS IN ACQUISITION PROGRAMS

### SEC. 811. REQUIREMENT TO EMPHASIZE RELIABILITY AND MAINTAINABILITY IN WEAPON SYSTEM DESIGN.

(a) SUSTAINMENT FACTORS IN WEAPON SYSTEM DESIGN.—

(1) IN GENERAL.—Chapter 144 of title 10, United States Code, is amended by adding at the end the following new section:

#### “§2442. *Sustainment factors in weapon system design*

“(a) IN GENERAL.—The Secretary of Defense shall ensure that the defense acquisition system gives ample emphasis to sustainment factors, particularly those factors that are affected principally by the design of a weapon system, in the development of a weapon system.

“(b) REQUIREMENTS PROCESS.—The Secretary shall ensure that reliability and maintainability are included in the performance attributes of the key performance parameter on sustainment during the development of capabilities requirements.

“(c) SOLICITATION AND AWARD OF CONTRACTS.—

“(1) REQUIREMENT.—The program manager of a weapon system shall include in the solicitation for and terms of a covered contract for the weapon system clearly defined and measurable requirements for engineering activities and design specifications for reliability and maintainability.

“(2) EXCEPTION.—If the program manager determines that engineering activities and design specifications for reliability or maintainability should not be a requirement in a covered contract, the program manager shall document in writing the justification for the decision.

“(3) SOURCE SELECTION CRITERIA.—The Secretary shall ensure that sustainment factors, including reliability and maintainability, are given ample emphasis in the process for source selection. The Secretary shall encourage the use of objective reliability and maintainability criteria in the evaluation of competitive proposals.

“(d) CONTRACT PERFORMANCE.—

“(1) IN GENERAL.—The Secretary shall ensure that the Department of Defense uses best practices for responding to the positive or negative performance of a contractor in meeting the sustainment requirements of a covered contract for a weapon system. The Secretary shall encourage the use of incentive fees authorized in paragraph (2) in all covered contracts for weapons systems. The Secretary shall take the necessary actions to enable program offices to execute the recovery options required for each covered contract under paragraph (3).

“(2) AUTHORITY FOR INCENTIVE FEES.—The Secretary of Defense is authorized to pay an incentive fee to a contractor that exceeds the design specification requirements for reliability or maintainability for a covered contract. In exercising the authority provided in this paragraph, the Secretary may provide in the terms of the contract for the payment of an incentive fee to a contractor not later than the date of acceptance of the last item under the contract.

“(3) RECOVERY OPTIONS.—(A) Any covered contract for a weapon system shall include terms for amounts to be paid by the contractor to the Government for failure to meet the design specification requirements for reliability and maintainability of the contract by the date of acceptance of the last item under the contract. Terms for such amounts shall be included in the solicitation for the contract. Such terms shall include provisions providing that—

“(i) the contractor, at no or minimal cost to the Government as determined by the Secretary and included in the contract, identifies the cause of the failure in the system design, develops an engineering change, and, in the case of a production contract, modifies all end items to be delivered or already delivered under the contract; or

“(ii) the contractor provides the Government—

“(1) a refund in the amount required to identify the cause of the failure in the system design, develop an engineering change, and modify all end items delivered under the contract; and

“(II) associated technical data required to make the necessary modifications.

“(B) The Secretary may waive the requirement in subparagraph (A) with respect to a covered contract if the Secretary determines that such requirement is not in the national security interests of the United States.

“(4) MEASUREMENT OF RELIABILITY AND MAINTAINABILITY.—In carrying out paragraphs (2) and (3), the program manager shall base determinations of a contractor’s performance on reliability and maintainability data collected during developmental testing and operational testing.

“(e) COVERED CONTRACT DEFINED.—In this section, the term ‘covered contract’, with respect to a weapon system, means a contract—

“(1) for the engineering and manufacturing development of a weapon system; or

“(2) for the production of a weapon system.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of such chapter is amended by adding at the end the following new item:

“2442. *Sustainment factors in weapon system design.*”

(b) EFFECTIVE DATE FOR CERTAIN PROVISIONS.—Subsections (c) and (d) of section 2442 of title 10, United States Code, as added by subsection (a), shall apply with respect to any covered contract (as defined in that section) for which the contract solicitation is issued on or after the date occurring one year after the date of the enactment of this Act.

(c) INVESTMENT PROGRAM AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Defense shall establish an investment program for funding engineering changes to the design of a weapon system in the engineering and manufacturing development phase or in the production phase of an acquisition program to improve reliability or maintainability of the weapon system and reduce projected operating and support costs. The program may be funded from the Defense Modernization Account authorized in section 2216 of title 10, United States Code. A program manager may apply for available funds by presenting a business case analysis of the anticipated return on investment of such funds.

(2) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act,

the Secretary of Defense, in consultation with the Secretaries of the military departments, shall provide a briefing to the Committees on Armed Services in the Senate and the House of Representatives on an implementation plan for the program authorized under paragraph (1). The implementation plan shall set forth the process by which program managers apply for available funds, including information on the validation of business case analyses and the evaluation of applications. The briefing shall also include the results of a review of past or existing programs to improve reliability and maintainability and reduce operating and support costs of weapon systems, an assessment of best practices and lessons learned from these programs, and an assessment of the opportunities for consolidation of existing similar programs.

**SEC. 812. LICENSING OF APPROPRIATE INTELLECTUAL PROPERTY TO SUPPORT MAJOR WEAPON SYSTEMS.**

(a) **NEGOTIATION OF PRICE FOR TECHNICAL DATA BEFORE DEVELOPMENT OR PRODUCTION OF MAJOR WEAPON SYSTEM.**—

(1) **REQUIREMENT.**—Chapter 144 of title 10, United States Code, is amended by inserting after section 2438 the following new section:

**“§2439. Negotiation of price for technical data before development or production of major weapon systems**

“The Secretary of Defense shall ensure that the Department of Defense, before selecting a contractor for the engineering and manufacturing development of a major weapon system, or for the production of a major weapon system, negotiates a price for technical data to be delivered under a contract for such development or production.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2438 the following new item:

“2439. Negotiation of price for technical data before development or production of major weapon systems.”.

(3) **EFFECTIVE DATE.**—Section 2439 of title 10, United States Code, as added by paragraph (1), shall apply with respect to any contract for engineering and manufacturing development of a major weapon system, or for the production of a major weapon system, for which the contract solicitation is issued on or after the date occurring one year after the date of the enactment of this Act.

(b) **WRITTEN DETERMINATION FOR MILESTONE B APPROVAL.**—

(1) **IN GENERAL.**—Subsection (a)(3) of section 2366b of title 10, United States Code, is amended—

(A) by striking “and” at the end of subparagraph (M); and

(B) by inserting after subparagraph (N) the following new subparagraph:

“(O) appropriate actions have been taken to negotiate and enter into a contract or contract options for the technical data required to support the program; and”.

(2) **EFFECTIVE DATE.**—Section 2366b(a)(3)(O) of title 10, United States Code, as added by paragraph (1), shall apply with respect to any major defense acquisition program receiving Milestone B approval on or after the date occurring one year after the date of the enactment of this Act.

(c) **PREFERENCE FOR NEGOTIATION OF CUSTOMIZED LICENSE AGREEMENTS.**—Section 2320 of title 10, United States Code, is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the following new subsection (f):

“(f) **PREFERENCE FOR SPECIALLY NEGOTIATED LICENSES.**—The Secretary of Defense shall, to the maximum extent practicable, negotiate and

enter into a contract with a contractor for a specially negotiated license for technical data to support the product support strategy of a major weapon system or subsystem of a major weapon system. In performing the assessment and developing the corresponding strategy required under subsection (e) for such a system or subsystem, a program manager shall consider the use of specially negotiated licenses to acquire customized technical data appropriate for the particular elements of the product support strategy.”.

**SEC. 813. MANAGEMENT OF INTELLECTUAL PROPERTY MATTERS WITHIN THE DEPARTMENT OF DEFENSE.**

(a) **MANAGEMENT OF INTELLECTUAL PROPERTY.**—

(1) **IN GENERAL.**—Chapter 137 of title 10, United States Code, is amended by inserting after section 2321 the following new section:

**“§2322. Management of intellectual property matters within the Department of Defense**

“(a) **OFFICE AND DIRECTOR OF INTELLECTUAL PROPERTY.**—(1) There is an Office of Intellectual Property within the Office of the Under Secretary of Defense for Acquisition and Sustainment.

“(2) The Office shall be headed by a Director of Intellectual Property, who shall have the qualifications described in paragraph (3). The Director is responsible in the Department of Defense to the Under Secretary of Defense for Acquisition and Sustainment for policy and oversight of the acquisition and licensing of intellectual property within the Department of Defense. The Director shall report directly to the Under Secretary.

“(3) In order to qualify to be assigned to the position of Director, an individual shall—

“(A) have management expertise in, and professional experience with, intellectual property matters, including an understanding of intellectual property law, regulations, and policies, especially with respect to regulations and policies of the Federal Government and the Department of Defense for acquiring or licensing intellectual property, and best practices for negotiating and executing business arrangements with industry for the acquisition or licensing of intellectual property;

“(B) have an understanding of Department of Defense weapon system acquisition; and

“(C) have an understanding of the commercial marketplace; commercial industry operations, including supply chain operations; business strategies; and private investment in research and development.

“(4) The Secretary of Defense shall designate the position of Director as a critical acquisition position under section 1733(b)(1)(C) of this title.

“(b) **DUTIES.**—(1) The Director of Intellectual Property (in this section referred to as the ‘Director’) shall oversee and coordinate efforts throughout the Department of Defense to acquire or license intellectual property within the Department of Defense. The duties under this paragraph shall include the duties specified in paragraphs (2) through (8).

“(2) The Director shall develop and recommend any policy guidance on the acquisition or licensing of intellectual property to be issued by the Secretary of Defense.

“(3) The Director shall provide oversight and coordination of the efforts within the Department of Defense to acquire or license intellectual property—

“(A) to ensure that program managers are aware of the rights afforded the Federal Government and contractors in intellectual property and that program managers fully consider and use all available techniques and best practices for acquiring or licensing intellectual property early in the acquisition process;

“(B) to enable consistency across the military departments and the Department of Defense in

strategies for obtaining intellectual property and communicating with industry; and

“(C) to raise awareness within the acquisition, science and technology, and logistics communities within the Department of intellectual property issues.

“(4) The Director shall assist program managers in developing customized intellectual property strategies for each weapon system based on, at a minimum, the unique characteristics of the weapon system and its components, the product support strategy for the weapon system, the organic industrial base strategy of the military department concerned, and the commercial market.

“(5) The Director shall develop resources, including guidelines on intellectual property matters and, as appropriate, templates for specially negotiated licenses, and make them available to the acquisition workforce.

“(6) The Director shall establish, maintain, supervise, and assign to program offices the cadre of intellectual property experts established under subsection (c).

“(7) The Director, in coordination with the Defense Acquisition University and in consultation with industry, shall—

“(A) develop a career path, including development opportunities, talent management programs, and training, for the cadre of intellectual property experts established under subsection (c); and

“(B) develop, update, and coordinate intellectual property training provided to the acquisition workforce.

“(8) The Director shall foster communications with industry and serve as a central point of contact within the Department of Defense for communications with contractors on intellectual property matters. The Director may interact directly with industry, trade associations, other Government agencies, academic research and educational institutions, and scientific organizations engaged in intellectual property matters.

“(c) **CADRE OF INTELLECTUAL PROPERTY EXPERTS.**—(1) The Director shall establish within the Office of Intellectual Property a cadre of personnel who are experts in intellectual property matters. The purpose of the cadre is to ensure a consistent, strategic, and highly knowledgeable approach to acquiring or licensing intellectual property by providing expert advice, assistance, and resources to the acquisition workforce on intellectual property matters, including acquiring or licensing intellectual property.

“(2) The cadre of experts shall be assigned to a weapons system program office or an acquisition command within a military department to advise, assist, and provide resources to a program manager or program executive officer on intellectual property matters at various stages of the life cycle of a weapon system. In performing such duties, the experts shall—

“(A) interpret and provide counsel on laws, regulations, and policies relating to intellectual property;

“(B) advise and assist in the development of an acquisition strategy, product support strategy, and intellectual property strategy for a weapon system;

“(C) conduct or assist with financial analysis and valuation of intellectual property;

“(D) assist in the drafting of a contract solicitation or contract;

“(E) interact with or assist in interactions with contractors, including communications and negotiations with contractors on contract solicitations and contract awards; and

“(F) conduct or assist with mediation if technical data delivered pursuant to a contract is incomplete or does not comply with the terms of the contract.

“(3)(A) In order to achieve the purpose set forth in paragraph (1), the Director shall ensure



the cadre has the appropriate number of staff and such staff possesses the necessary skills, knowledge, and experience to carry out the duties under paragraph (2), including in relevant areas of law, contracting, acquisition, logistics, engineering, financial analysis, and valuation. The Director may use existing authorities to staff the cadre, including those in subparagraphs (B), (C), (D), and (F).

“(B) Civilian personnel from within the Office of the Secretary of Defense, Joint Staff, military departments, Defense Agencies, and combatant commands may be assigned to serve as members of the cadre, upon request of the Director.

“(C) The Director may use the authorities for highly qualified experts under section 9903 of title 5, to hire experts as members of the cadre who are skilled professionals in intellectual property and related matters.

“(D) The Director may enter into a contract with a private-sector entity for specialized expertise to support the cadre. Such entity may be considered a covered Government support contractor, as defined in section 2320 of this title.

“(E) In establishing the cadre, the Director shall give preference to civilian employees of the Department of Defense, rather than members of the armed forces, to maintain continuity in the cadre.

“(F) The Director is authorized to use funding from the Defense Acquisition Workforce Development Fund for the purpose of recruitment, training, and retention of the cadre, including paying salaries of newly hired members of the cadre for up to three years.

“(G) Members of the cadre shall report to the Director.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item: “2322. Management of intellectual property matters within the Department of Defense.”.

(b) PLACEMENT IN THE OFFICE OF THE SECRETARY OF DEFENSE.—Subsection 131(b)(8) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(J) The Director of the Office of Intellectual Property assigned pursuant to section 2322(a) of this title.”.

(c) ADDITIONAL ACQUISITION POSITION.—Subsection 1721(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(12) Intellectual property.”.

(d) REVIEW OF ACQUISITION WORKFORCE TRAINING.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall revise the education and training programs provided to the acquisition workforce under chapter 87 of title 10, United States Code—

(1) to ensure the acquisition workforce maintains a basic familiarity with the fundamental aspects of the acquisition and licensing of intellectual property; and

(2) to establish and maintain advanced expertise in the acquisition and licensing of intellectual property to staff the cadre of intellectual property experts required under section 2322 of title 10, United States Code, as added by subsection (a).

#### SEC. 814. IMPROVEMENT OF PLANNING FOR ACQUISITION OF SERVICES.

(a) IN GENERAL.—

(1) IMPROVEMENT OF PLANNING FOR ACQUISITION OF SERVICES.—Chapter 137 of title 10, United States Code, is amended by inserting after section 2328 the following new section:

##### “§2329. Procurement of services: data analysis and requirements validation

“(a) IN GENERAL.—The Secretary of Defense shall ensure that—

“(1) appropriate and sufficiently detailed data are collected and analyzed to support the vali-

dation of requirements for services contracts and inform the planning, programming, budgeting, and execution process of the Department of Defense;

“(2) requirements for services contracts are evaluated appropriately and in a timely manner to inform decisions regarding the procurement of services; and

“(3) decisions regarding the procurement of services consider available resources and total force management policies and procedures.

“(b) SPECIFICATION OF AMOUNTS REQUESTED IN BUDGET.—Effective October 1, 2022, the Secretary of Defense shall annually submit to Congress information on services contracts that clearly and separately identifies the amount requested for each category of services to be procured for each Defense Agency, Department of Defense Field Activity, command, or military installation. Such information shall—

“(1) be submitted at or about the time of the budget submission by the President under section 1105(a) of title 31;

“(2) cover the fiscal year covered by such budget submission by the President;

“(3) be consistent with total amounts of estimated expenditures and proposed appropriations necessary to support the programs, projects, and activities of the Department of Defense included in such budget submission by the President for that fiscal year; and

“(4) be organized using a common enterprise data structure developed under section 2222 of this title.

“(c) DATA ANALYSIS.—(1) Each Secretary of a military department shall regularly analyze past spending patterns and anticipated future requirements with respect to the procurement of services within such military department.

“(2)(A) The Secretary of Defense shall regularly analyze past spending patterns and anticipated future requirements with respect to the procurement of services—

“(i) within each Defense Agency and Department of Defense Field Activity; and

“(ii) across military departments, Defense Agencies, and Department of Defense Field Activities.

“(B) The Secretaries of the military departments shall make data on services contracts available to the Secretary of Defense for purposes of conducting the analysis required under subparagraph (A).

“(3) The analyses conducted under this subsection shall—

“(A) identify contracts for similar services that are procured for three or more consecutive years at each Defense Agency, Department of Defense Field Activity, command, or military installation;

“(B) evaluate patterns in the procurement of services, to the extent practicable, at each Defense Agency, Department of Defense Field Activity, command, or military installation and by category of services procured;

“(C) be used to validate requirements for services contracts entered into after the date of the enactment of this subsection; and

“(D) be used to inform decisions on the award of and funding for such services contracts.

“(d) REQUIREMENTS EVALUATION.—Each Services Requirements Review Board shall evaluate each requirement for a services contract, taking into consideration total force management policies and procedures, available resources, the analyses conducted under subsection (c), and contracting efficacy and efficiency. An evaluation of a services contract for compliance with contracting policies and procedures may not be considered to be an evaluation of a requirement for such services contract.

“(e) TIMELY PLANNING TO AVOID BRIDGE CONTRACTS.—(1) Effective October 1, 2018, the Secretary of Defense shall ensure that a require-

ments owner shall, to the extent practicable, plan appropriately before the date of need of a service at a Defense Agency, Department of Defense Field Activity, command, or military installation to avoid the use of a bridge contract to provide for continuation of a service to be performed through a services contract. Such planning shall include allowing time for a requirement to be validated, a services contract to be entered into, and funding for the services contract to be secured.

“(2)(A) Upon the first use, due to inadequate planning (as determined by the Secretary of Defense), of a bridge contract to provide for continuation of a service to be performed through a services contract, the requirements owner, along with the contracting officer or a designee of the contracting officer for the contract, shall—

“(i) for a services contract in an amount less than \$10,000,000, provide an update on the status of the bridge contract (including the rationale for using the bridge contract) to the commander or the senior civilian official of the Defense Agency concerned, Department of Defense Field Activity concerned, command concerned, or military installation concerned, as applicable; or

“(ii) for a services contract in an amount equal to or greater than \$10,000,000, provide an update on the status of the bridge contract (including the rationale for using the bridge contract) to the service acquisition executive for the military department concerned, the head of the Defense Agency concerned, the combatant commander concerned, or the Under Secretary of Defense for Acquisition and Sustainment, as applicable.

“(B) Upon the second use, due to inadequate planning (as determined by the Secretary of Defense), of a bridge contract to provide for continuation of a service to be performed through a services contract in an amount less than \$10,000,000, the commander or senior civilian official referred to in subparagraph (A)(i) shall provide notification of such second use to the Vice Chief of Staff of the armed force concerned and the service acquisition executive of the military department concerned, the head of the Defense Agency concerned, the combatant commander concerned, or the Under Secretary of Defense for Acquisition and Sustainment, as applicable.

“(f) EXCEPTION.—Except with respect to the analyses required under subsection (c), this section shall not apply to—

“(1) services contracts in support of contingency operations, humanitarian assistance, disaster relief, or national security emergencies; or

“(2) services contracts entered into pursuant to an international agreement.

“(g) DEFINITIONS.—In this section:

“(1) The term ‘bridge contract’ means—

“(A) an extension to an existing contract beyond the period of performance to avoid a lapse in service caused by a delay in awarding a subsequent contract; or

“(B) a new short-term contract awarded on a sole-source basis to avoid a lapse in service caused by a delay in awarding a subsequent contract.

“(2) The term ‘requirements owner’ means a member of the armed forces (other than the Coast Guard) or a civilian employee of the Department of Defense responsible for a requirement for a service to be performed through a services contract.

“(3) The term ‘Services Requirements Review Board’ has the meaning given in Department of Defense Instruction 5000.74, titled ‘Defense Acquisition of Services’ and dated January 5, 2016, or a successor instruction.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2328 the following new item:

“2329. Procurement of services: data analysis and requirements validation.”.

(b) CONFORMING REPEAL.—Effective October 1, 2022—

(1) section 235 of title 10, United States Code, is repealed; and

(2) the table of sections at the beginning of chapter 9 of such title is amended by striking the item relating to section 235.

**SEC. 815. IMPROVEMENTS TO TEST AND EVALUATION PROCESSES AND TOOLS.**

(a) DEVELOPMENTAL TEST PLAN SUFFICIENCY ASSESSMENTS.—

(1) ADDITION TO MILESTONE B BRIEF SUMMARY REPORT.—Section 2366b(c)(1) of title 10, United States Code, is amended—

(A) by redesignating subparagraph (G) as subparagraph (H); and

(B) by inserting after subparagraph (F) the following new subparagraph (G):

“(G) An assessment of the sufficiency of developmental test and evaluation plans, including the use of automated data analytics or modeling and simulation tools.”.

(2) ADDITION TO MILESTONE C BRIEF SUMMARY REPORT.—Section 2366c(a) of such title is amended by inserting after paragraph (3) the following new paragraph:

“(4) An assessment of the sufficiency of the developmental test and evaluation completed, including the use of automated data analytics or modeling and simulation tools.”.

(3) RESPONSIBILITY FOR CONDUCTING ASSESSMENTS.—For purposes of the sufficiency assessments required by section 2366b(c)(1) and section 2366c(a)(4) of such title, as added by paragraphs (1) and (2), with respect to a major defense acquisition program—

(A) if the milestone decision authority for the program is the service acquisition executive of the military department that is managing the program, the sufficiency assessment shall be conducted by the senior official within the military department with responsibility for developmental testing; and

(B) if the milestone decision authority for the program is the Under Secretary of Defense for Acquisition and Sustainment, the sufficiency assessment shall be conducted by the senior Department of Defense official with responsibility for developmental testing.

(4) GUIDANCE REQUIRED.—Within one year after the date of the enactment of this Act, the senior Department of Defense official with responsibility for developmental testing shall develop guidance for the sufficiency assessments required by section 2366b(c)(1) and section 2366c(a)(4) of title 10, United States Code, as added by paragraphs (1) and (2). At a minimum, the guidance shall require—

(A) for the sufficiency assessment required by section 2366b(c)(1) of such title, that the assessment address the sufficiency of—

(i) the developmental test and evaluation plan;

(ii) the developmental test and evaluation schedule, including a comparison to historic analogous systems;

(iii) the developmental test and evaluation resources (facilities, personnel, test assets, data analytics tools, and modeling and simulation capabilities);

(iv) the risks of developmental test and production concurrency; and

(v) the developmental test criteria for entering the production phase; and

(B) for the sufficiency assessment required by section 2366c(a)(4) of such title, that the assessment address—

(i) the sufficiency of the developmental test and evaluation completed;

(ii) the sufficiency of the plans and resources available for remaining developmental test and evaluation;

(iii) the risks identified during developmental testing to the production and deployment phase;

(iv) the sufficiency of the plans and resources for remaining developmental test and evaluation; and

(v) the readiness of the system to perform scheduled initial operational test and evaluation.

(b) EVALUATION OF DEPARTMENT OF DEFENSE NEED FOR CENTRALIZED TOOLS FOR DEVELOPMENTAL TEST AND EVALUATION.—

(1) IN GENERAL.—The Secretary of Defense shall evaluate the strategy of the Department of Defense for developing and expanding the use of tools designed to facilitate the cost effectiveness and efficiency of developmental testing, including automated test methods and tools, modeling and simulation tools, and big data analytics technologies. The evaluation shall include a determination of the appropriate role of the senior Department of Defense official with responsibility for developmental testing in developing enterprise level strategies related to such types of testing tools.

(2) BRIEFING REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary shall provide a briefing to the Committee on Armed Services of the House of Representatives on the results of the evaluation required by paragraph (1).

**PART III—ACQUISITION WORKFORCE IMPROVEMENTS**

**SEC. 821. ENHANCEMENTS TO THE CIVILIAN PROGRAM MANAGEMENT WORKFORCE.**

(a) ESTABLISHMENT OF PROGRAM MANAGER DEVELOPMENT PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretaries of the military departments, shall implement a program manager development program to provide for the professional development of high-potential, experienced civilian personnel. Personnel shall be competitively selected for the program based on their potential to become a program manager of a major defense acquisition program, as defined in section 2430 of title 10, United States Code. The program shall be administered and overseen by the Secretary of each military department, acting through the service acquisition executive for the department concerned.

(2) PLAN REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a comprehensive plan to implement the program established under paragraph (1). In developing the plan, the Secretary of Defense shall seek the input of relevant external parties, including professional associations, other government entities, and industry. The plan shall include the following elements:

(A) An assessment of the minimum level of subject matter experience, education, years of experience, certifications, and other qualifications required to be selected into the program, set forth separately for current Department of Defense employees and for personnel hired into the program from outside the Department of Defense.

(B) A description of hiring flexibilities to be used to recruit qualified personnel from outside the Department of Defense.

(C) A description of the extent to which mobility agreements will be required to be signed by personnel selected for the program during their participation in the program and after their completion of the program. The use of mobility agreements shall be applied to help maximize the flexibility of the Department of Defense in assigning personnel, while not inhibiting the participation of the most capable candidates.

(D) A description of the tenure obligation required of personnel selected for the program.

(E) A plan for training during the course of the program, including training in leadership, program management, engineering, finance and budgeting, market research, business acumen, contracting, supplier management, requirement setting and tradeoffs, intellectual property matters, and software.

(F) A description of career paths to be followed by personnel in the program in order to ensure that personnel in the program gain expertise in the program management functional career field competencies identified by the Department in existing guidance and the topics listed in subparagraph (E), including—

(i) a determination of the types of advanced educational degrees that enhance program management skills and the mechanisms available to the Department of Defense to facilitate the attainment of those degrees by personnel in the program;

(ii) a determination of required assignments to positions within acquisition programs, including position type and acquisition category of the program office;

(iii) a determination of required or encouraged rotations to career broadening positions outside of acquisition programs; and

(iv) a determination of how the program will ensure the opportunity for a required rotation to industry of at least six months to develop an understanding of industry motivation and business acumen, such as by developing an industry exchange program for civilian program managers, similar to the Corporate Fellows Program of the Secretary of Defense.

(G) A general description of the number of personnel anticipated to be selected into the program, how frequently selections will occur, how long personnel selected into the program will participate in the program, and how personnel will be placed into an assignment at the completion of the program.

(H) A description of benefits that will be offered under the program using existing human capital flexibilities to retain qualified employees, such as student loan repayments.

(I) An assessment of personnel flexibilities needed to allow the military departments and the Defense Agencies to reassign or remove program managers that do not perform effectively.

(J) A description of how the program will be administered and overseen by the Secretaries of each military department, acting through the service acquisition executive for the department concerned.

(K) A description of how the program will be integrated with existing program manager development efforts at each military department.

(3) USE OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND.—Amounts in the Department of Defense Acquisition Workforce Development Fund (established under section 1705 of title 10, United States Code) may be used to pay the base salary of personnel in the program established under paragraph (1) during the period of time such personnel are temporarily assigned to a developmental rotation or training program anticipated to last at least six months.

(4) IMPLEMENTATION.—The program established under paragraph (1) shall be implemented not later than September 30, 2019.

(b) INDEPENDENT STUDY OF INCENTIVES FOR PROGRAM MANAGERS.—

(1) REQUIREMENT FOR STUDY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent research entity described in paragraph (2) to carry out a comprehensive study of incentives for Department of Defense civilian and military program managers for major defense acquisition programs, including—

(A) additional pay options for program managers to provide incentives to senior civilian employees and military officers to accept and remain in program manager roles;

(B) a financial incentive structure to reward program managers for delivering capabilities on budget and on time; and

(C) a comparison between financial and non-financial incentive structures for program managers in the Department of Defense and an appropriate comparison group of private industry companies.

(2) **INDEPENDENT RESEARCH ENTITY.**—The entity described in this subsection is an independent research entity that is a not-for-profit entity or a federally funded research and development center with appropriate expertise and analytical capability.

(3) **REPORTS.**—

(A) **TO SECRETARY.**—Not later than nine months after the date of the enactment of this Act, the independent research entity shall provide to the Secretary a report containing—

(i) the results of the study required by paragraph (1); and

(ii) such recommendations to improve the financial incentive structure of program managers for major defense acquisition programs as the independent research entity considers to be appropriate.

(B) **TO CONGRESS.**—Not later than 30 days after receipt of the report under subparagraph (A), the Secretary of Defense shall submit such report, together with any additional views or recommendations of the Secretary, to the congressional defense committees.

**SEC. 822. IMPROVEMENTS TO THE HIRING AND TRAINING OF THE ACQUISITION WORKFORCE.**

(a) **USE OF FUNDS FROM THE DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND TO PAY SALARIES OF PERSONNEL TO MANAGE THE FUND.**—

(1) **IN GENERAL.**—Subsection 1705(e) of title 10, United States Code, is amended—

(A) in paragraph (1)—

(i) by inserting “(A)” before “Subject to the provisions of this subsection”; and

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

“(B) Amounts in the Fund also may be used to pay salaries of personnel at the Office of the Secretary of Defense, military departments, and Defense Agencies to manage the Fund.”; and

(B) in paragraph (3)—

(i) by striking “and” at the end of subparagraph (C);

(ii) by striking the period and inserting “; and” at the end of subparagraph (D); and

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

“(E) describing the amount from the Fund that may be used to pay salaries of personnel at the Office of the Secretary of Defense, military departments, and Defense Agencies to manage the Fund and the circumstances under which such amounts may be used for such purpose.”.

(2) **GUIDANCE.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue, and submit to the congressional defense committees, the policy guidance required by subparagraph (E) of section 1705(e)(3) of title 10, United States Code, as added by paragraph (1).

(b) **COMPTROLLER GENERAL REVIEW OF EFFECTIVENESS OF HIRING AND RETENTION FLEXIBILITIES FOR ACQUISITION WORKFORCE PERSONNEL.**—

(1) **IN GENERAL.**—Not later than June 30, 2019, the Comptroller General of the United States shall submit to the congressional defense committees a report on the effectiveness of hiring and retention flexibilities for the acquisition workforce.

(2) **ELEMENTS.**—The report under this subsection shall include the following:

(A) A determination of the extent to which the Department of Defense experiences challenges

with recruitment and retention of the acquisition workforce, such as post-employment restrictions.

(B) A description of the hiring and retention flexibilities available to the Department to fill civilian acquisition positions and the extent to which the Department has used the flexibilities available to it to target critical or understaffed career fields.

(C) A determination of the extent to which the Department has the necessary data on its use of hiring and retention flexibilities for the civilian acquisition workforce to strategically manage the use of such flexibilities.

(D) An identification of the factors that affect the use of hiring and retention flexibilities for the civilian acquisition workforce.

(E) Recommendations for any necessary changes to the hiring and retention flexibilities available to the Department to fill civilian acquisition positions.

(F) A description of the flexibilities available to the Department to remove underperforming members of the acquisition workforce and the extent to which any such flexibilities are used.

(c) **ASSESSMENT AND REPORT REQUIRED ON BUSINESS-RELATED TRAINING FOR THE ACQUISITION WORKFORCE.**—

(1) **ASSESSMENT.**—The Under Secretary of Defense for Acquisition and Sustainment shall conduct an assessment of the following:

(A) The effectiveness of industry certifications and other industry training programs, including fellowships, available to defense acquisition workforce personnel.

(B) Gaps in knowledge of industry operations, industry motivation, and business acumen in the acquisition workforce.

(2) **REPORT.**—Not later than December 31, 2018, the Under Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the assessment conducted under this subsection.

(3) **ELEMENTS.**—The assessment and report under paragraphs (1) and (2) shall address the following:

(A) Current sources of training and career development opportunities, industry rotations, and other career development opportunities related to knowledge of industry operations, industry motivation, and business acumen for each acquisition position, as designated under section 1721 of title 10, United States Code.

(B) Gaps in training, industry rotations, and other career development opportunities related to knowledge of industry operations, industry motivation, and business acumen for each such acquisition position.

(C) Plans to address those gaps for each such acquisition position.

(D) Consideration of the role industry-taught classes and classes taught at educational institutions outside of the Defense Acquisition University could play in addressing gaps.

(d) **COMPTROLLER GENERAL REVIEW OF ACQUISITION TRAINING FOR NON-ACQUISITION WORKFORCE PERSONNEL.**—

(1) **IN GENERAL.**—Not later than June 30, 2019, the Comptroller General of the United States shall submit to the congressional defense committees a report on acquisition-related training for personnel working on acquisitions but not considered to be part of the acquisition workforce (as defined in section 101(18) of title 10, United States Code) (hereafter in this subsection referred to as “non-acquisition workforce personnel”).

(2) **ELEMENTS.**—The report shall address the following:

(A) The extent to which non-acquisition workforce personnel play a significant role in defining requirements, conducting market research, participating in source selection and contract

negotiation efforts, and overseeing contract performance.

(B) The extent to which the Department is able to identify and track non-acquisition workforce personnel performing the roles identified in subparagraph (A).

(C) The extent to which non-acquisition workforce personnel are taking acquisition training.

(D) The extent to which the Defense Acquisition Workforce Development Fund has been used to provide acquisition training to non-acquisition workforce personnel.

(E) A description of sources of funding other than the Fund that are available to and used by the Department to provide non-acquisition workforce personnel with acquisition training.

(F) The extent to which additional acquisition training is needed for non-acquisition workforce personnel, including the types of training needed, the positions that need the training, and any challenges to delivering necessary additional training.

(e) **BRIEFING ON IMPROVEMENTS TO THE DEFENSE CONTRACT AUDIT AGENCY WORKFORCE.**—

(1) **BRIEFING REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Director of the Defense Contract Audit Agency, in consultation with the Under Secretary of Defense (Comptroller), shall provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives.

(2) **ELEMENTS.**—The briefing required by paragraph (1) shall address the following:

(A) The current education, certifications, and qualifications of the Defense Contract Audit Agency workforce, by supervisory and non-supervisory levels and type of position.

(B) Shortfalls (if any) in education, qualification, or training in the Defense Contract Audit Agency workforce, by supervisory and non-supervisory levels and type of position, and the reasons for those shortfalls.

(C) The link (if any) between Defense Contract Audit Agency workforce skill and experience gaps and the Agency's backlog of audits.

(D) The link (if any) between the effectiveness of Defense Contract Audit Agency regional directors and their education, certifications, and qualifications.

(E) The number of Defense Contract Audit Agency auditors who have relevant private sector experience, including from industry exchanges while at the Defense Contract Audit Agency and from prior employment experiences, and the perspective of the Defense Contract Audit Agency on the benefits of those experiences.

(F) Ongoing efforts and future plans by the Defense Contract Audit Agency to improve the professionalization of its audit workforce, including changes in hiring, training, required certifications or qualifications, compensation structure, and increased opportunities for industry exchanges or rotations.

**SEC. 823. EXTENSION AND MODIFICATIONS TO ACQUISITION DEMONSTRATION PROJECT.**

(a) **EXTENSION.**—Section 1762(g) of title 10, United States Code, is amended by striking “December 31, 2020” and inserting “December 31, 2023”.

(b) **IMPLEMENTATION STRATEGY FOR IMPROVEMENTS IN ACQUISITION DEMONSTRATION PROJECT.**—

(1) **STRATEGY REQUIRED.**—The Secretary of Defense shall develop an implementation strategy to address areas for improvement in the demonstration project required by section 1762 of title 10, United States Code, as identified in the second assessment of such demonstration project required by section 1762(e) of such title.

(2) **ELEMENTS.**—The strategy shall include the following elements:

(A) Actions that have been or will be taken to assess whether the flexibility to set starting salaries at different levels is being used appropriately by supervisors and managers to compete effectively for highly skilled and motivated employees.

(B) Actions that have been or will be taken to assess reasons for any disparities in career outcomes across race and gender for employees in the demonstration project.

(C) Actions that have been or will be taken to strengthen the link between employee contribution and compensation for employees in the demonstration project.

(D) Actions that have been or will be taken to enhance the transparency of the pay system for employees in the demonstration project.

(E) A time frame and individual responsible for each action identified under subparagraphs (A) through (D).

(3) **BRIEFING REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the Committees on Armed Services of the Senate and House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives on the implementation strategy required by paragraph (1).

**SEC. 824. ACQUISITION POSITIONS IN THE OFFICES OF THE SECRETARIES OF THE MILITARY DEPARTMENTS.**

(a) **OFFICE OF THE SECRETARY OF THE ARMY MAXIMUM NUMBER OF PERSONNEL.**—Section 3014(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(6) The limitation in paragraph (1) may be exceeded if a civilian employee is assigned on permanent duty in the Office of the Secretary of the Army or on the Army Staff and—

“(A) the employee was employed immediately preceding that assignment either—

“(i) in a position within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics that had responsibility for oversight of acquisition programs or processes prior to February 1, 2018, and that was determined to be no longer needed as a result of section 901 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2339) and the amendments made by that section; or

“(ii) in a Joint Staff position that supported the Joint Requirements Oversight Council prior to December 23, 2016, and that was determined to be no longer needed as a result of section 925 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2339) and the amendments made by that section; and

“(B) the position described in subparagraph (A) is not filled by the Office of the Under Secretary of Defense for Acquisition and Sustainment or the Joint Staff after the employee's permanent duty assignment.”.

(b) **OFFICE OF THE SECRETARY OF THE NAVY MAXIMUM NUMBER OF PERSONNEL.**—Section 5014(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(6) The limitation in paragraph (1) may be exceeded if a civilian employee is assigned on permanent duty in the Department of the Navy or assigned or detailed to permanent duty in the Office of the Secretary of the Navy, the Office of Chief of Naval Operations, or the Headquarters, Marine Corps, and—

“(A) the employee was employed immediately preceding that assignment either—

“(i) in a position within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics that had responsibility for oversight of acquisition programs or processes prior to February 1, 2018, and that

was determined to be no longer needed as a result of section 901 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2339) and the amendments made by that section; or

“(ii) in a Joint Staff position that supported the Joint Requirements Oversight Council prior to December 23, 2016, and that was determined to be no longer needed as a result of section 925 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2339) and the amendments made by that section; and

“(B) the position described in subparagraph (A) is not filled by the Office of the Under Secretary of Defense for Acquisition and Sustainment or the Joint Staff after the employee's permanent duty assignment.”.

(c) **OFFICE OF THE SECRETARY OF THE AIR FORCE MAXIMUM NUMBER OF PERSONNEL.**—Section 8014(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(6) The limitation in paragraph (1) may be exceeded if a civilian employee is assigned on permanent duty in the Office of the Secretary of the Air Force or on the Air Staff and—

“(A) the employee was employed immediately preceding that assignment either—

“(i) in a position within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics that had responsibility for oversight of acquisition programs or processes prior to February 1, 2018, and that was determined to be no longer needed as a result of section 901 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2339) and the amendments made by that section; or

“(ii) in a Joint Staff position that supported the Joint Requirements Oversight Council prior to December 23, 2016, and that was determined to be no longer needed as a result of section 925 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2339) and the amendments made by that section; and

“(B) the position described in subparagraph (A) is not filled by the Office of the Under Secretary of Defense for Acquisition and Sustainment or the Joint Staff after the employee's permanent duty assignment.”.

**PART IV—TRANSPARENCY IMPROVEMENTS**

**SEC. 831. TRANSPARENCY OF DEFENSE BUSINESS SYSTEM DATA.**

(a) **ESTABLISHMENT OF COMMON ENTERPRISE DATA STRUCTURES.**—Section 2222 of title 10, United States Code, is amended—

(1) in subsection (d), by adding at the end the following new paragraph:

“(7) Policy requiring that any data contained in a defense business system is an asset of the Department of Defense, and that such data should be made readily available to members of the Office of the Secretary of Defense, the Joint Staff, and the military departments (except as otherwise provided by law or regulation).”.

(2) in subsection (e), by adding at the end the following new paragraph:

“(5) **COMMON ENTERPRISE DATA STRUCTURES.**—(A) The defense business enterprise architecture shall include one or more common enterprise data structures which can be used to code data that are automatically extracted from the relevant defense business systems to facilitate Department of Defense-wide analysis and management of such data.

“(B) The Deputy Chief Management Officer shall—

“(i) in consultation with the Defense Business Council established under subsection (f), develop one or more common enterprise data structures and an associated data governance process; and

“(ii) have primary decision-making authority with respect to the development of any such common enterprise data structure.

“(C) The Director of Cost Assessment and Program Evaluation shall—

“(i) in consultation with the Defense Business Council established under subsection (f), document and maintain any common enterprise data structure developed under subparagraph (B);

“(ii) extract data from defense business systems using the appropriate common data enterprise structure on a specified schedule;

“(iii) provide access to such data to the Office of the Secretary of Defense, the Joint Staff, and the military departments (except as otherwise provided by law or regulation) on a specified schedule developed in consultation with the Defense Business Council established under subsection (f); and

“(iv) have primary decision-making authority with respect to the maintenance of any such common enterprise data structure.

“(D) Common enterprise data structures shall be established and maintained for the following types of data of the Department of Defense:

“(i) An accounting of expenditures of the Department of Defense, set forth separately for each type of expenditure.

“(ii) Data from the future-years defense program established under section 221 and budget data.

“(iii) Acquisition cost data and earned value management data.

“(iv) Operating and support costs for weapon systems, including data on maintenance procedures conducted on each major weapon system (as defined in section 2379 of this title).

“(v) Data on contracts and task orders of the Department of Defense, including goods and services acquired under such contracts or task orders and associated obligations and expenditures.

“(E) The Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Secretaries of the military departments, the Commanders of the combatant commands, the heads of the Defense Agencies, the heads of the Department of Defense Field Activities, and the heads of all other organizations of the Department of Defense shall provide access to the relevant defense business system of such department, combatant command, Defense Agency, Field Activity, or organization, as applicable, and data extracted from such system, for purposes of automatically populating data sets coded with common enterprise data structures.”.

(3) in subsection (f)(2), by adding at the end the following new clause:

“(iv) The Director of Cost Assessment and Program Evaluation with respect to common enterprise data structures.”; and

(4) in subsection (i), by adding at the end the following new paragraphs:

“(10) **COMMON ENTERPRISE DATA STRUCTURE.**—The term ‘common enterprise data structure’ means a mapping and organization of data from defense business systems into a common data set.

“(11) **DATA GOVERNANCE PROCESS.**—The term ‘data governance process’ means a system to manage the timely Department of Defense-wide sharing of data described under paragraph (5)(A).”.

(b) **ADDITIONAL DUTIES OF THE DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION.**—Section 139a(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(9) Maintenance of common enterprise data structures established pursuant to section 2222 of this title, including establishing and maintaining access to any data contained in a defense business system (as defined in such section) and used in a common enterprise data

structure, as determined appropriate by the Secretary of Defense or the Director of Cost Assessment and Program Evaluation.”.

(c) IMPLEMENTATION PLAN FOR COMMON ENTERPRISE DATA STRUCTURES.—

(1) PLAN REQUIRED.—Not later than six months after the date of the enactment of this Act, the Deputy Chief Management Officer and the Director of Cost Assessment and Program Evaluation shall jointly develop a plan to implement the requirements of subsection (a).

(2) ELEMENTS.—At a minimum, the implementation plan required by paragraph (1) shall include the following elements:

(A) The major tasks required to implement the requirements of subsection (a) and the recommended time frames for each task.

(B) The estimated resources required to complete each major task identified pursuant to subparagraph (A).

(C) Any challenges associated with each major task identified pursuant to subparagraph (A) and related steps to mitigate such challenge.

(D) A description of how data security issues will be appropriately addressed in the implementation of the requirements of subsection (a).

(3) SUBMISSION TO CONGRESS.—Upon completion of the plan required under paragraph (1), the Deputy Chief Management Officer and the Director of Cost Assessment and Program Evaluation shall submit such plan to the congressional defense committees.

#### SEC. 832. MAJOR DEFENSE ACQUISITION PROGRAMS: DISPLAY OF BUDGET INFORMATION.

(a) IN GENERAL.—Chapter 144 of title 10, United States Code, is amended by inserting after section 2433a the following new section:

##### “§2434. Major defense acquisition programs: display of budget information

“(a) IN GENERAL.—In the defense budget materials for fiscal year 2020 and each subsequent fiscal year, the Secretary of Defense shall ensure that the funding requirements listed in subsection (b) are displayed separately for major defense acquisition programs, as defined in section 2340 of title 10, United States Code.

“(b) REQUIREMENTS FOR BUDGET DISPLAY.—The budget justification display for a fiscal year shall include the funding requirement for each major defense acquisition program, including all sources of appropriations—

“(1) for developmental test and evaluation;

“(2) for operational test and evaluation;

“(3) for the purchase of cost data from contractors; and

“(4) for the purchase or license of technical data.

“(c) DEFINITIONS.—In this section, the terms ‘budget’ and ‘defense budget materials’ have the meaning given those terms in section 234 of this title.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2433a following new item:

“2434. Major defense acquisition programs: display of budget information.”.

#### SEC. 833. ENHANCEMENTS TO TRANSPARENCY IN TEST AND EVALUATION PROCESSES AND DATA.

(a) ADDITIONAL REQUIREMENTS RELATING TO DESIGNATION OF A MAJOR DEFENSE ACQUISITION PROGRAM.—Section 139 of title 10, United States Code, is amended—

(1) in subsection (a)(2)(B), by inserting before the period at the end the following: “and in accordance with subsection (1).”;

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

“(1) For purposes of subsection (a)(2)(B), before designating a program that is not a major defense acquisition program for the purposes of section 2430 of this title as a major defense ac-

quisition program for the purposes of this section, the Director shall provide in writing to the Under Secretary of Defense for Acquisition and Sustainment, and the test and evaluation executive of the military department or departments executing the program, the specific circumstances of the program that led to the designation decision.”; and

(3) by adding at the end of subsection (h)(4) the following: “The report shall also include a brief statement of the rationale for placing on the oversight list of the Director each program that is not a major defense acquisition program for the purposes of section 2430 of this title but has been designated as a major defense acquisition program for the purposes of this section.”.

(b) CONSIDERATION OF LEGACY ITEMS OR COMPONENTS IN OPERATIONAL TEST AND EVALUATION REPORTS.—Section 2399(b)(2) of title 10, United States Code, is amended—

(1) by striking “and” at the end of subparagraph (A)(ii);

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph:

“(B) a description of the performance of the items or components tested in relation to comparable legacy items or components, if such items or components exist and relevant data are available without requiring additional testing; and”.

(c) OPPORTUNITY FOR MILITARY DEPARTMENT COMMENTS ON ANNUAL REPORT ON OPERATIONAL TEST AND EVALUATION.—Section 139(h) of title 10, United States Code, is amended—

(1) by redesignating paragraph (5) as paragraph (6), and in that paragraph by striking “and the Secretaries of the military departments”; and

(2) by inserting after paragraph (4) the following new paragraph (5):

“(5) Within 45 days after the submission of an annual report by the Director to Congress, the Secretaries of the military departments may each submit a report to the congressional defense committees addressing any concerns related to information included in the annual report, or providing updated or additional information as appropriate.”.

(d) GUIDELINES FOR COLLECTION OF COST DATA ON TEST AND EVALUATION.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Director of Operational Test and Evaluation and the senior Department of Defense official with responsibility for developmental testing shall jointly develop policies, procedures, guidance, and a collection method to ensure that consistent, high quality data are collected on the full range of estimated and actual developmental, live fire, and operational testing costs for major defense acquisition programs. Data on estimated and actual developmental, live fire, and operational testing costs shall be maintained in an electronic database maintained by the Director for Cost Assessment and Program Evaluation.

(2) CONCURRENCE AND COORDINATION.—In carrying out paragraph (1), the Director of Operational Test and Evaluation and the senior Department of Defense official with responsibility for developmental testing shall obtain the concurrence of the Director for Cost Assessment and Program Evaluation and shall coordinate with the Director of the Test Resource Management Center and the Secretaries of the military departments.

(3) MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.—In this section, the term “major defense acquisition program” has the meaning provided in section 2430 of title 10, United States Code.

(e) REPORT ON ENTERPRISE APPROACH TO TEST AND EVALUATION KNOWLEDGE MANAGEMENT.—

(1) REPORT REQUIRED.—Within one year after the date of the enactment of this Act, the Director of the Test Resource Management Center and the senior Department of Defense official with responsibility for developmental testing shall provide to the congressional defense committees a report on the development of an approach for managing test and evaluation knowledge across the entire Department of Defense.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following elements:

(A) The detailed concepts, requirements, technologies, methodologies, and architecture necessary for an enterprise approach to knowledge management for test and evaluation, including data, data analysis tools, and modeling and simulation capabilities.

(B) Resources needed to develop and adopt an enterprise approach to knowledge management for test and evaluation.

(C) Roles and responsibilities of various Department of Defense entities to develop and adopt an enterprise approach to knowledge management for test and evaluation.

(D) Time frames required to develop and adopt an enterprise approach to knowledge management for test and evaluation.

(E) A description of pilot studies ongoing at the time of the date of the enactment of this Act or previously conducted related to developing an enterprise approach to test and evaluation knowledge management, including results of the pilot studies (if available) and lessons learned.

#### Subtitle B—Streamlining of Defense Acquisition Statutes and Regulations

#### SEC. 841. MODIFICATIONS TO THE ADVISORY PANEL ON STREAMLINING AND CODIFYING ACQUISITION REGULATIONS.

(a) EXTENSION OF DATE FOR FINAL REPORT.—

(1) TRANSMITTAL OF PANEL FINAL REPORT.—Subsection (e)(1) of section 809 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 889), as amended by section 863(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2303), is amended—

(A) by striking “Not later than two years after the date on which the Secretary of Defense establishes the advisory panel” and inserting “Not later than January 15, 2019”; and

(B) by striking “the Secretary” and inserting “the Secretary of Defense and the congressional defense committees”.

(2) SECRETARY OF DEFENSE ACTION ON FINAL REPORT.—Subsection (e)(4) of such section is amended—

(A) by striking “Not later than 30 days” and inserting “Not later than 60 days”; and

(B) by striking “the final report, together with such comments as the Secretary determines appropriate,” and inserting “such comments as the Secretary determines appropriate”.

(b) TERMINATION OF PANEL.—Such section is further amended by adding at the end the following new subsection:

“(g) TERMINATION OF PANEL.—The advisory panel shall terminate 180 days after the date on which the final report of the panel is transmitted pursuant to subsection (e)(1) or on such later date as may be specified by the Secretary of Defense.”.

#### SEC. 842. EXTENSION OF MAXIMUM DURATION OF FUEL STORAGE CONTRACTS.

(a) EXTENSION.—Section 2922(b) of title 10, United States Code, is amended by striking “20 years” and inserting “30 years”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to contracts entered into on or after the date of the enactment of this Act and may be applied to a contract entered into before that date if the total contract period under the contract (including options) has not expired as of the date of

any extension of such contract period by reason of such amendment.

**SEC. 843. EXCEPTION FOR BUSINESS OPERATIONS FROM REQUIREMENT TO ACCEPT \$1 COINS.**

Paragraph (1) of section 5112(p) of title 31, United States Code, is amended by adding at the end the following new flush sentence:

“This paragraph does not apply with respect to business operations conducted by any entity under a contract with an agency or instrumentality of the United States, including any non-appropriated fund instrumentality established under title 10, United States Code.”.

**SEC. 844. REPEAL OF EXPIRED PILOT PROGRAM.**

Section 807(c) of Public Law 104–106 (10 U.S.C. 2401a note) is repealed.

**Subtitle C—Amendments to General Contracting Authorities, Procedures, and Limitations**

**SEC. 851. LIMITATION ON UNILATERAL DEFINITIZATION.**

(a) **LIMITATION.**—Section 2326 of title 10, United States Code, is amended—

(1) by redesignating subsections (c), (d), (e), (f), (g), (h), and (i) as subsections (d), (e), (f), (g), (h), (i), and (j) respectively; and

(2) by inserting after subsection (b) the following new subsection (c):

“(c) **LIMITATION ON UNILATERAL DEFINITIZATION BY CONTRACTING OFFICER.**—With respect to any undefinitized contractual action with a value greater than \$1,000,000,000, if agreement is not reached on contractual terms, specifications, and price within the period or by the date provided in subsection (b)(1), the contracting officer may not unilaterally definitize those terms, specifications, or price over the objection of the contractor until—

“(1) the head of the agency approves the definitization in writing;

“(2) the contracting officer provides a copy of the written approval to the contractor; and

“(3) a period of 30 calendar days has elapsed after the written approval is provided to the contractor.”.

(b) **CONFORMING AMENDMENT.**—Section 2326(b)(3) of such title is amended by striking “subsection (g)” and inserting “subsection (h)”.

(c) **CONFORMING REGULATIONS.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Department of Defense Supplement to the Federal Acquisition Regulation to implement section 2326 of title 10, United States Code, as amended by this section.

**SEC. 852. CODIFICATION OF REQUIREMENTS PERTAINING TO ASSESSMENT, MANAGEMENT, AND CONTROL OF OPERATING AND SUPPORT COSTS FOR MAJOR WEAPON SYSTEMS.**

(a) **CODIFICATION AND AMENDMENT.**—

(1) **IN GENERAL.**—Chapter 137 of title 10, United States Code, is amended by inserting after section 2337 the following new section:

**“§2337a. Assessment, management, and control of operating and support costs for major weapon systems**

“(a) **GUIDANCE REQUIRED.**—The Secretary of Defense shall issue and maintain guidance on actions to be taken to assess, manage, and control Department of Defense costs for the operation and support of major weapon systems.

“(b) **ELEMENTS.**—The guidance required by subsection (a) shall, at a minimum—

“(1) be issued in conjunction with the comprehensive guidance on life-cycle management and the development and implementation of product support strategies for major weapon systems required by section 2337 of this title;

“(2) require the military departments to retain each estimate of operating and support costs that is developed at any time during the life

cycle of a major weapon system, together with supporting documentation used to develop the estimate;

“(3) require the military departments to update estimates of operating and support costs periodically throughout the life cycle of a major weapon system, to determine whether preliminary information and assumptions remain relevant and accurate, and identify and record reasons for variances;

“(4) establish policies and procedures for the collection, organization, maintenance, and availability of standardized data on operating and support costs for major weapon systems in accordance with section 2222 of this title;

“(5) establish standard requirements for the collection and reporting of data on operating and support costs for major weapon systems by contractors performing weapon system sustainment functions in an appropriate format, and develop contract clauses to ensure that contractors comply with such requirements;

“(6) require the military departments—

“(A) to collect and retain data from operational and developmental testing and evaluation on the reliability and maintainability of major weapon systems; and

“(B) to use such data to inform system design decisions, provide insight into sustainment costs, and inform estimates of operating and support costs for such systems;

“(7) require the military departments to ensure that sustainment factors are fully considered at key life cycle management decision points and that appropriate measures are taken to reduce operating and support costs by influencing system design early in development, developing sound sustainment strategies, and addressing key drivers of costs;

“(8) require the military departments to conduct an independent logistics assessment of each major weapon system prior to key acquisition decision points (including milestone decisions) to identify features that are likely to drive future operating and support costs, changes to system design that could reduce such costs, and effective strategies for managing such costs;

“(9) include—

“(A) reliability metrics for major weapon systems; and

“(B) requirements on the use of metrics under subparagraph (A) as triggers—

“(i) to conduct further investigation and analysis into drivers of those metrics; and

“(ii) to develop strategies for improving reliability, availability, and maintainability of such systems at an affordable cost; and

“(10) require the military departments to conduct periodic reviews of operating and support costs of major weapon systems after such systems achieve initial operational capability to identify and address factors resulting in growth in operating and support costs and adapt support strategies to reduce such costs.

“(c) **RETENTION OF DATA ON OPERATING AND SUPPORT COSTS.**—

“(1) **IN GENERAL.**—The Director of Cost Assessment and Program Evaluation shall be responsible for developing and maintaining a database on operating and support estimates, supporting documentation, and actual operating and support costs for major weapon systems.

“(2) **SUPPORT.**—The Secretary of Defense shall ensure that the Director, in carrying out such responsibility—

“(A) promptly receives the results of all cost estimates and cost analyses conducted by the military departments with regard to operating and support costs of major weapon systems;

“(B) has timely access to any records and data of the military departments (including classified and proprietary information) that the Director considers necessary to carry out such responsibility; and

“(C) with the concurrence of the Under Secretary of Defense for Acquisition and Sustainment, may direct the military departments to collect and retain information necessary to support the database.

“(d) **MAJOR WEAPON SYSTEM DEFINED.**—In this section, the term ‘major weapon system’ has the meaning given that term in section 2379(f) of title 10, United States Code.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 137 of such title is amended by adding after the item relating to section 2337 the following new item:

“2337a. Assessment, management, and control of operating and support costs for major weapon systems.”.

(b) **REPEAL OF SUPERSEDED SECTION.**—

(1) **REPEAL.**—Section 832 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 2430 note) is repealed.

(2) **CONFORMING AMENDMENT.**—Section 2441(c) of title 10, United States Code, is amended by striking “section 2337 of this title” and all that follows through the period and inserting “sections 2337 and 2337a of this title.”.

**SEC. 853. USE OF PROGRAM INCOME BY ELIGIBLE ENTITIES THAT CARRY OUT PROCUREMENT TECHNICAL ASSISTANCE PROGRAMS.**

Section 2414 of title 10, United States Code, is amended—

(1) in the section heading, by striking “**LIMITATION**” and inserting “**IFUNDING**”; and

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

“(d) **USE OF PROGRAM INCOME.**—

“(1) An eligible entity that earned income in a specified fiscal year from activities carried out pursuant to a procurement technical assistance program funded under this chapter may expend an amount of such income not to exceed 25 percent of the cost of furnishing procurement technical assistance in such specified fiscal year, during the fiscal year following the specified fiscal year, to carry out a procurement technical assistance program funded under this chapter.

“(2) An eligible entity that does not enter into a cooperative agreement with the Secretary for a fiscal year—

“(A) shall notify the Secretary of the amount of any income the eligible entity carried over from the previous fiscal year; and

“(B) may retain an amount of such income equal to 10 percent of the value of assistance furnished by the Secretary under this section during the previous fiscal year.

“(3) In determining the value of assistance furnished by the Secretary under this section for any fiscal year, the Secretary shall account for the amount of any income the eligible entity carried over from the previous fiscal year.”.

**SEC. 854. AMENDMENT TO SUSTAINMENT REVIEWS.**

Section 2441(a) of title 10, United States Code, is amended by adding at the end the following:

“The Secretary concerned shall make the memorandum and supporting documentation for each sustainment review available to the Under Secretary of Defense for Acquisition and Sustainment within 30 days after the review is completed.”.

**SEC. 855. CLARIFICATION TO OTHER TRANSACTION AUTHORITY.**

(a) **CLARIFICATION TO REQUIREMENT FOR WRITTEN DETERMINATIONS FOR PROTOTYPE PROJECTS.**—Section 2371b(a)(2) of title 10, United States Code, is amended by striking “for a prototype project” each place such term appears and inserting “for a transaction (for a prototype project)”.

(b) **CLARIFICATION OF INCLUSION OF SMALL BUSINESSES PARTICIPATING IN SBIR OR STTR.**—Section 2371b(d)(1)(B) of title 10, United States



Code, is amended by inserting “(including small businesses participating in a program described under section 9 of the Small Business Act (15 U.S.C. 638))” after “small businesses”.

**SEC. 856. CLARIFYING THE USE OF LOWEST PRICE TECHNICALLY ACCEPTABLE SOURCE SELECTION PROCESS.**

Section 813 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2270; 10 U.S.C. 2305 note) is amended—

(1) in subsection (b)—

(A) in paragraph (5), by striking “and” at the end;

(B) in paragraph (6), by striking the period at the end and inserting a semicolon; and

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

“(7) the Department of Defense would realize minimal or no additional innovation or future technological advantage; and

“(8) with respect to a contract for procurement of goods, the goods procured are predominately expendable in nature, nontechnical, or have a short life expectancy or short shelf life.”; and

(2) in subsection (c)—

(A) in paragraph (2), by striking “or” at the end;

(B) in paragraph (3), by striking the period at the end and inserting “; or”; and

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

“(4) electronic test and measurement equipment for which calibration or repair costs are expected to substantially affect full life-cycle costs.”.

**SEC. 857. AMENDMENT TO NONTRADITIONAL AND SMALL CONTRACTOR INNOVATION PROTOTYPING PROGRAM.**

Section 884(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2318; 10 U.S.C. 2301 note) is amended—

(1) by redesignating paragraph (9) as paragraph (10); and

(2) by inserting after paragraph (8) the following new paragraph (9):

“(9) Unmanned ground logistics and unmanned air logistics capabilities enhancement.”.

**SEC. 858. MODIFICATION TO ANNUAL MEETING REQUIREMENT OF CONFIGURATION STEERING BOARDS.**

Section 814(c)(4) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4529; 10 U.S.C. 2430 note) is amended by striking “year.” and inserting “year, unless the senior acquisition executive of the military department concerned determines in writing that there have been no changes to the program requirements of a major defense acquisition program during the preceding year.”.

**SEC. 859. CHANGE TO DEFINITION OF SUB-CONTRACT IN CERTAIN CIRCUMSTANCES.**

Section 1906(c)(1) of title 41, United States Code, is amended by adding at the end the following: “The term does not include agreements entered into by a contractor for the supply of commodities that are intended for use in the performance of multiple contracts with the Government and other parties and are not identifiable to any particular contract.”.

**SEC. 860. AMENDMENT RELATING TO APPLICABILITY OF INFLATION ADJUSTMENTS.**

Subsection 1908(d) of title 41, United States Code, is amended by inserting before the period at the end the following: “, and shall apply, in the case of the procurement of property or services by contract, to a contract, and any sub-contract at any tier under the contract, in effect on that date without regard to the date of award of the contract or subcontract.”.

**Subtitle D—Other Matters**

**SEC. 861. EXEMPTION FROM DESIGN-BUILD SELECTION PROCEDURES.**

Subsection (d) of section 2305a of title 10, United States Code, is amended by striking the second and third sentences and inserting the following: “If the contract value exceeds \$4,000,000, the maximum number specified in the solicitation shall not exceed 5 unless—

“(1) the solicitation is issued pursuant to a indefinite delivery-indefinite quantity contract for design-build construction; or

“(2)(A) the head of the contracting activity, delegable to a level no lower than the senior contracting official within the contracting activity, approves the contracting officer’s justification with respect to an individual solicitation that a number greater than 5 is in the Federal Government’s interest; and

“(B) the contracting officer shall provide written documentation of how a maximum number exceeding 5 is consistent with the purposes and objectives of the two-phase selection procedures.”.

**SEC. 862. REQUIREMENT THAT CERTAIN SHIP COMPONENTS BE MANUFACTURED IN THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.**

(a) ADDITIONAL PROCUREMENT LIMITATION.—Section 2534(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(6) COMPONENTS FOR AUXILIARY SHIPS.—Subject to subsection (k), the following components:

“(A) Auxiliary equipment, including pumps, for all shipboard services.

“(B) Propulsion system components, including engines, reduction gears, and propellers.

“(C) Shipboard cranes.

“(D) Spreaders for shipboard cranes.”.

(b) IMPLEMENTATION.—Such section is further amended by adding at the end the following new subsection:

“(k) IMPLEMENTATION OF AUXILIARY SHIP COMPONENT LIMITATION.—Subsection (a)(6) applies only with respect to contracts awarded by the Secretary of a military department for new construction of an auxiliary ship after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2018 using funds available for National Defense Sealift Fund programs or Shipbuilding and Conversion, Navy.”.

**SEC. 863. PROCUREMENT OF AVIATION CRITICAL SAFETY ITEMS.**

Section 814(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2271; 10 U.S.C. 2302 note) is amended—

(1) in paragraph (1)—

(A) by inserting “or an aviation critical safety item (as defined in section 2319(g) of this title)” after “personal protective equipment”; and

(B) by inserting “equipment or” after “failure of the”; and

(2) in paragraph (2), by inserting “or item” after “equipment”.

**SEC. 864. MILESTONES AND TIMELINES FOR CONTRACTS FOR FOREIGN MILITARY SALES.**

(a) ESTABLISHMENT OF STANDARD TIMELINES FOR FOREIGN MILITARY SALES.—The Secretary of Defense shall establish specific milestones and standard timelines to achieve such milestones for a foreign military sale (as authorized under chapter 2 of the Arms Export Control Act (22 U.S.C. 2761 et seq.)), including milestones and timelines for actions that occur after a letter of offer and acceptance (as described in chapter 5 of the Security Assistance Management Manual of the Defense Security Cooperation Agency) for such foreign military sale is completed. Such milestones and timelines—

(1) may vary depending on the complexity of the foreign military sale; and

(2) shall cover the period beginning on the date of receipt of a complete letter of request (as described in such chapter 5) from a foreign country and ending on the date of the final delivery of a defense article or defense service sold through the foreign military sale.

(b) SUBMISSIONS TO CONGRESS.—

(1) QUARTERLY NOTIFICATION.—During the period beginning on the date of the enactment of this Act and ending on December 31, 2021, the Secretary shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate, on a quarterly basis, a report that includes a list of each foreign military sale with a value greater than or equal to the dollar threshold for congressional notification under section 36 of the Arms Export Control Act (22 U.S.C. 2776)—

(A) for which the final delivery of a defense article or defense service has not been completed; and

(B) that failed to meet a standard timeline to achieve a milestone as established under subsection (a).

(2) ANNUAL REPORT.—Not later than November 1, 2019, and annually thereafter until December 31, 2021, the Secretary shall submit to the committees described in paragraph (1) a report that summarizes—

(A) the number, set forth separately by dollar value and milestone, of foreign military sales that met the standard timeline to achieve a milestone established under subsection (a) during the preceding fiscal year; and

(B) the number, set forth separately by dollar value, milestone, and case development extenuating factor, of foreign military sales that failed to meet the standard timeline to achieve a milestone established under subsection (a).

(c) DEFINITIONS.—In this section:

(1) DEFENSE ARTICLE; DEFENSE SERVICE.—The terms “defense article” and “defense service” have the meanings given those terms, respectively, in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(2) CASE DEVELOPMENT EXTENUATING FACTOR.—The term “case development extenuating factor” means a reason from a list of reasons developed by the Secretary (such as a change in requirements, delay in performance, or failure to receive funding) for the failure of a foreign military sale to meet a standard timeline to achieve a milestone established under subsection (a).

**SEC. 865. NOTIFICATION REQUIREMENT FOR CERTAIN CONTRACTS FOR AUDIT SERVICES.**

(a) NOTIFICATION TO CONGRESS.—If the Under Secretary of Defense (Comptroller) makes a written finding that a delay in performance of a covered contract while a protest is pending would hinder the annual preparation of audited financial statements for the Department of Defense, and the head of the procuring activity responsible for the award of the covered contract does not authorize the award of the contract (pursuant to section 3553(c)(2) of title 31, United States Code) or the performance of the contract (pursuant to section 3553(d)(3)(C) of such title), the Secretary of Defense shall—

(1) notify the congressional defense committees within 10 days after such finding is made; and

(2) describe any steps the Department of Defense plans to take to mitigate any hindrance identified in such finding to the annual preparation of audited financial statements for the Department.

(b) COVERED CONTRACT DEFINED.—In this section, the term “covered contract” means a contract for services to perform an audit to comply with the requirements of section 3515 of title 31, United States Code.

**SEC. 866. TRAINING IN ACQUISITION OF COMMERCIAL ITEMS.**

(a) **TRAINING.**—Not later than 180 days after the date of the enactment of this Act, the President of the Defense Acquisition University shall establish a comprehensive training program on the acquisition of commercial items, including part 12 of the Federal Acquisition Regulation. The curriculum shall include, at a minimum, the following:

(1) The reasons for and appropriate uses of part 12 of the Federal Acquisition Regulation, including the preference for the acquisition of commercial items under section 2377 of title 10, United States Code.

(2) The definition of a commercial item, including the interpretation of the phrase “of a type”.

(3) Price analysis and negotiations.

(4) Market research and analysis.

(5) Independent cost estimates.

(6) Parametric estimating methods.

(7) Value analysis.

(8) Other topics on the acquisition of commercial items necessary to ensure a well-educated acquisition workforce.

(b) **STUDENT ENROLLMENT.**—The President of the Defense Acquisition University shall set goals for student enrollment for the training program established under subsection (a).

**SEC. 867. NOTICE OF COST-FREE FEDERAL PROCUREMENT TECHNICAL ASSISTANCE IN CONNECTION WITH REGISTRATION OF SMALL BUSINESS CONCERNS ON PROCUREMENT WEBSITES OF THE DEPARTMENT OF DEFENSE.**

(a) **IN GENERAL.**—The Secretary of Defense shall establish procedures to ensure that any notice or direct communication regarding the registration of a small business concern on a website maintained by the Department of Defense relating to contracting opportunities contains information about cost-free Federal procurement technical assistance services that are available through a procurement technical assistance program established under chapter 142 of title 10, United States Code.

(b) **SMALL BUSINESS CONCERN DEFINED.**—The term “small business concern” has the meaning given such term under section 3 of the Small Business Act (15 U.S.C. 632).

**SEC. 868. COMPTROLLER GENERAL REPORT ON CONTRACTOR BUSINESS SYSTEM REQUIREMENTS.**

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the feasibility and effects of an increase to the percentage of total gross revenue included in the definition of the term “covered contractor” in section 893(g)(2) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2302 note). Such report shall include—

(1) an assessment of the effects of the amendment to such definition made by subsection (c) of section 893 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328); and

(2) the feasibility and effects of a subsequent increase to the percentage of total gross revenue included in such definition.

**SEC. 869. STANDARD GUIDELINES FOR EVALUATION OF REQUIREMENTS FOR SERVICES CONTRACTS.**

(a) **IN GENERAL.**—The Secretary of Defense shall encourage the use of standard guidelines within the Department of Defense for the evaluation of requirements for services contracts. Such guidelines shall be available to the Services Requirements Review Boards (established under Department of Defense Instruction 5000.74, titled “Defense Acquisition of Services” and dated January 5, 2016, or a successor in-

struction) within each Defense Agency, each Department of Defense Field Activity, and each military department for the purpose of standardizing the requirements evaluation required under section 2329 of title 10, United States Code, as added by this Act. Such guidelines may provide policy guidance or tools, including a comprehensive checklist of total force management policies and procedures that is modeled after the checklist used by the Army, to aid uniform decision-making during the requirements evaluation process.

(b) **DEFINITIONS.**—In this section—

(1) the terms “Defense Agency”, “Department of Defense Field Activity”, and “military department” have the meanings given those terms in section 101 of title 10, United States Code; and

(2) the term “total force management policies and procedures” means the policies and procedures established under section 129a of such title.

**SEC. 870. TEMPORARY LIMITATION ON AGGREGATE ANNUAL AMOUNT AVAILABLE FOR CONTRACT SERVICES.**

(a) **LIMITATION.**—Except as provided in subsection (b), the total amount obligated by the Department of Defense for contract services in fiscal year 2018 may not exceed the total amount requested for the Department for contract services in the budget of the President for fiscal year 2010 (as submitted to Congress pursuant to section 1105(a) of title 31, United States Code) adjusted for net transfers from funding for overseas contingency operations.

(b) **DEFINITIONS.**—In this section:

(1) **CONTRACT SERVICES.**—The term “contract services” has the meaning given that term in section 235 of title 10, United States Code, except that the term does not include services that are funded out of amounts available for overseas contingency operations.

(2) **TRANSFERS FROM FUNDING FOR OVERSEAS CONTINGENCY OPERATIONS.**—The term “transfers from funding for overseas contingency operations” means amounts funded out of amounts available for overseas contingency operations in fiscal year 2010 that are funded out of amounts other than amounts so available in fiscal year 2018.

**TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT****Subtitle A—Organization and Management of the Department of Defense Generally****SEC. 901. RESPONSIBILITY OF THE CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF DEFENSE FOR RISK MANAGEMENT ACTIVITIES REGARDING SUPPLY CHAIN FOR INFORMATION TECHNOLOGY SYSTEMS.**

Section 142(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (H), by striking “and” at the end;

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

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

“(J) has the responsibilities for policy, oversight, guidance, and coordination for risk management activities for the Department regarding the supply chain for information technology systems.”.

**SEC. 902. REPEAL OF OFFICE OF CORROSION POLICY AND OVERSIGHT.**

(a) **REPEAL.**—Section 2228 of title 10, United States Code, is repealed.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 131 of title 10, United States Code, is amended by striking the item relating to section 2228.

**SEC. 903. DESIGNATION OF CORROSION CONTROL AND PREVENTION EXECUTIVES FOR THE MILITARY DEPARTMENTS.**

(a) **DEPARTMENT OF THE ARMY.**—

(1) **DESIGNATION.**—Chapter 303 of title 10, United States Code, is amended by adding at the end the following new section:

**“§3025. Corrosion control and prevention executive**

“(a) **DESIGNATION.**—(1) There is a corrosion control and prevention executive in the Department of the Army. The Assistant Secretary of the Army for Acquisition, Technology, and Logistics shall designate the corrosion control and prevention executive.

“(2) In addition to the duties assigned under subsection (c), the principal responsibility of the civilian employee designated as the corrosion control and prevention executive shall be coordinating Department of the Army corrosion control and prevention program activities (including budget programming) with the Department and the Office of the Secretary of Defense, the program executive officers of the Department, and relevant major subordinate commands of the Department.

“(3) The corrosion control and prevention executive shall be a civilian employee of the Department in the grade GS–15 or higher of the General Schedule.

“(b) **QUALIFICATIONS.**—In order to qualify for designation as the corrosion control and prevention executive in the Department of the Army, an individual shall, at a minimum—

“(1) have a working knowledge of corrosion prevention and control;

“(2) have strong program management and communication skills; and

“(3) understand the acquisition, research and development, test and evaluation, and sustainment policies and procedures across the Department, including sustainment of infrastructure.

“(c) **DUTIES.**—(1) The corrosion control and prevention executive in the Department of the Army shall ensure that corrosion control and prevention is maintained in the Department’s policy and guidance for management of each of the following:

“(A) System acquisition and production, including design and maintenance.

“(B) Research, development, test, and evaluation programs and activities.

“(C) Equipment standardization programs, including international standardization agreements.

“(D) Logistics research and development initiatives.

“(E) Logistics support analysis as it relates to integrated logistic support in the materiel acquisition process.

“(F) Military infrastructure design, construction, and maintenance.

“(2) The corrosion control and prevention executive in the Department shall be responsible for identifying the funding levels necessary to accomplish the items specified in paragraph (1).

“(3) In cooperation with the appropriate staff of the Department, the corrosion control and prevention executive in the Department shall, develop, support, and provide the rationale for resources—

“(A) to initiate and sustain an effective corrosion control and prevention program in the Department;

“(B) to evaluate the program’s effectiveness; and

“(C) to ensure that corrosion control and prevention requirements for materiel are reflected in budgeting and policies of the Department for the formulation, management, and evaluation of personnel and programs for the entire Department, including the Army Reserve and the Army National Guard.

“(4) The corrosion control and prevention executive in the Department shall submit an annual report, not later than December 31 of each year, to the Secretary of the Army and the Secretary of Defense containing recommendations

pertaining to the corrosion control and prevention program of the Department, including corrosion-related funding levels to carry out all of the duties of the executive under this section.

“(5) The corrosion control and prevention executive in the Department may not be assigned other duties that may interfere with the duties specified in this subsection and the principal responsibility assigned under subsection (a)(2).”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 303 of title 10, United States Code, is amended by adding at the end the following new item:

“3025. Corrosion control and prevention executive.”.

(b) DEPARTMENT OF THE NAVY.—

(1) DESIGNATION.—Chapter 503 of title 10, United States Code, is amended by adding at the end the following new section:

**“§5029. Corrosion control and prevention executive**

“(a) DESIGNATION.—(1) There is a corrosion control and prevention executive in the Department of the Navy. The Assistant Secretary of the Navy for Research, Development, and Acquisition shall designate the corrosion control and prevention executive.

“(2) In addition to the duties assigned under subsection (c), the principal responsibility of the civilian employee designated as the corrosion control and prevention executive shall be coordinating Department of the Navy corrosion control and prevention program activities (including budget programming) with the Department and the Office of the Secretary of Defense, the program executive officers of the Department, and relevant major subordinate commands of the Department.

“(3) The corrosion control and prevention executive shall be a civilian employee of the Department in the grade GS-15 or higher of the General Schedule.

“(b) QUALIFICATIONS.—In order to qualify for designation as the corrosion control and prevention executive in the Department of the Navy, an individual shall, at a minimum—

“(1) have a working knowledge of corrosion prevention and control;

“(2) have strong program management and communication skills; and

“(3) understand the acquisition, research and development, test and evaluation, and sustainment policies and procedures across the Department, including sustainment of infrastructure.

“(c) DUTIES.—(1) The corrosion control and prevention executive in the Department of the Navy shall ensure that corrosion control and prevention is maintained in the Department's policy and guidance for management of each of the following:

“(A) System acquisition and production, including design and maintenance.

“(B) Research, development, test, and evaluation programs and activities.

“(C) Equipment standardization programs, including international standardization agreements.

“(D) Logistics research and development initiatives.

“(E) Logistics support analysis as it relates to integrated logistic support in the materiel acquisition process.

“(F) Military infrastructure design, construction, and maintenance.

“(2) The corrosion control and prevention executive in the Department shall be responsible for identifying the funding levels necessary to accomplish the items specified in paragraph (1).

“(3) In cooperation with the appropriate staff of the Department, the corrosion control and prevention executive in the Department shall, develop, support, and provide the rationale for resources—

“(A) to initiate and sustain an effective corrosion control and prevention program in the Department;

“(B) to evaluate the program's effectiveness; and

“(C) to ensure that corrosion control and prevention requirements for materiel are reflected in budgeting and policies of the Department for the formulation, management, and evaluation of personnel and programs for the entire Department, including the Navy Reserve and the Marine Corps Reserve.

“(4) The corrosion control and prevention executive in the Department shall submit an annual report, not later than December 31 of each year, to the Secretary of the Navy and the Secretary of Defense containing recommendations pertaining to the corrosion control and prevention program of the Department, including corrosion-related funding levels to carry out all of the duties of the executive under this section.

“(5) The corrosion control and prevention executive in the Department may not be assigned other duties that may interfere with the duties specified in this subsection and the principal responsibility assigned under subsection (a)(2).”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 503 of title 10, United States Code, is amended by adding at the end the following new item:

“5029. Corrosion control and prevention executive.”.

(c) DEPARTMENT OF THE AIR FORCE.—

(1) DESIGNATION.—Chapter 803 of title 10, United States Code, is amended by adding at the end the following new section:

**“§8025. Corrosion control and prevention executive**

“(a) DESIGNATION.—(1) There is a corrosion control and prevention executive in the Department of the Air Force. The Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics shall designate the corrosion control and prevention executive.

“(2) In addition to the duties assigned under subsection (c), the principal responsibility of the civilian employee designated as the corrosion control and prevention executive shall be coordinating Department of the Air Force corrosion control and prevention program activities (including budget programming) with the Department and the Office of the Secretary of Defense, the program executive officers of the Department, and relevant major subordinate commands of the Department.

“(3) The corrosion control and prevention executive shall be a civilian employee of the Department in the grade GS-15 or higher of the General Schedule.

“(b) QUALIFICATIONS.—In order to qualify for designation as the corrosion control and prevention executive in the Department of the Air Force, an individual shall, at a minimum—

“(1) have a working knowledge of corrosion prevention and control;

“(2) have strong program management and communication skills; and

“(3) understand the acquisition, research and development, test and evaluation, and sustainment policies and procedures across the Department, including sustainment of infrastructure.

“(c) DUTIES.—(1) The corrosion control and prevention executive in the Department of the Air Force shall ensure that corrosion control and prevention is maintained in the Department's policy and guidance for management of each of the following:

“(A) System acquisition and production, including design and maintenance.

“(B) Research, development, test, and evaluation programs and activities.

“(C) Equipment standardization programs, including international standardization agreements.

“(D) Logistics research and development initiatives.

“(E) Logistics support analysis as it relates to integrated logistic support in the materiel acquisition process.

“(F) Military infrastructure design, construction, and maintenance.

“(2) The corrosion control and prevention executive in the Department shall be responsible for identifying the funding levels necessary to accomplish the items specified in paragraph (1).

“(3) In cooperation with the appropriate staff of the Department, the corrosion control and prevention executive in the Department shall, develop, support, and provide the rationale for resources—

“(A) to initiate and sustain an effective corrosion control and prevention program in the Department;

“(B) to evaluate the program's effectiveness; and

“(C) to ensure that corrosion control and prevention requirements for materiel are reflected in budgeting and policies of the Department for the formulation, management, and evaluation of personnel and programs for the entire Department, including the Air Force Reserve and the Air National Guard.

“(4) The corrosion control and prevention executive in the Department shall submit an annual report, not later than December 31 of each year, to the Secretary of the Air Force and the Secretary of Defense containing recommendations pertaining to the corrosion control and prevention program of the Department, including corrosion-related funding levels to carry out all of the duties of the executive under this section.

“(5) The corrosion control and prevention executive in the Department may not be assigned other duties that may interfere with the duties specified in this subsection and the principal responsibility assigned under subsection (a)(2).”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 803 of title 10, United States Code, is amended by adding at the end the following new item:

“8025. Corrosion control and prevention executive.”.

(d) REPEAL OF REPLACED PROVISION.—Effective 90 days after the date of the enactment of this Act, section 903 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-117; 10 U.S.C. 2228 note) is repealed.

(e) DEADLINE FOR DESIGNATION.—Corrosion control and prevention executives who satisfy the qualifications specified in subsection (b) of sections 3025, 5029, and 8025 of title 10, United States Code, as added by this section, shall be designated not later than 90 days after the date of the enactment of this Act.

**SEC. 904. MAINTAINING CIVILIAN WORKFORCE CAPABILITIES TO SUSTAIN READINESS, THE ALL VOLUNTEER FORCE, AND OPERATIONAL EFFECTIVENESS.**

Section 912(a)(2) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) is amended by adding at the end the following new subparagraphs:

“(D) The minimum civilian end strength specified in section 691 of title 10, United States Code, needed to support the national military strategy.

“(E) A civilian operating force structure sized for operational effectiveness, that is manned, equipped and trained to support deployment time and rotation ratios sized to sustain the readiness and needed retention levels for the regular and reserve components according to the judgment of the Joint Chiefs of Staff in fulfillment of their responsibilities under sections 151, 3033, 5033, 8033 and 5044 of title 10, United States Code.

“(F) The development of civilian workforce levels to ensure that every proposal to change military force structure is accompanied with the associated civilian force structure changes needed to support that military force structure.

“(G) The hiring authorities and other actions that the Secretary of Defense or the Secretary of the military department will take to eliminate any gaps between desired programmed civilian workforce levels and the existing size of the civilian workforce by mission and functional area.

“(H) A civilian workforce plan that is consistent with the total force management requirements of sections 129 and 129a of title 10, United States Code.”.

#### **Subtitle B—Designation of the Navy and Marine Corps**

#### **SEC. 911. REDESIGNATION OF THE DEPARTMENT OF THE NAVY AS THE DEPARTMENT OF THE NAVY AND MARINE CORPS.**

(a) REDESIGNATION OF MILITARY DEPARTMENT.—The military department designated as the Department of the Navy is redesignated as the Department of the Navy and Marine Corps.

(b) REDESIGNATION OF SECRETARY AND OTHER STATUTORY OFFICES.—

(1) SECRETARY.—The position of the Secretary of the Navy is redesignated as the Secretary of the Navy and Marine Corps.

(2) OTHER STATUTORY OFFICES.—The positions of the Under Secretary of the Navy, the four Assistant Secretaries of the Navy, and the General Counsel of the Department of the Navy are redesignated as the Under Secretary of the Navy and Marine Corps, the Assistant Secretaries of the Navy and Marine Corps, and the General Counsel of the Department of the Navy and Marine Corps, respectively.

#### **SEC. 912. CONFORMING AMENDMENTS TO TITLE 10, UNITED STATES CODE.**

(a) DEFINITION OF “MILITARY DEPARTMENT”.—Paragraph (8) of section 101(a) of title 10, United States Code, is amended to read as follows:

“(8) The term ‘military department’ means the Department of the Army, the Department of the Navy and Marine Corps, and the Department of the Air Force.”.

(b) ORGANIZATION OF DEPARTMENT.—The text of section 5011 of such title is amended to read as follows: “The Department of the Navy and Marine Corps is separately organized under the Secretary of the Navy and Marine Corps.”.

(c) POSITION OF SECRETARY.—Section 5013(a)(1) of such title is amended by striking “There is a Secretary of the Navy” and inserting “There is a Secretary of the Navy and Marine Corps”.

(d) CHAPTER HEADINGS.—

(1) The heading of chapter 503 of such title is amended to read as follows:

#### **“CHAPTER 503—DEPARTMENT OF THE NAVY AND MARINE CORPS”.**

(2) The heading of chapter 507 of such title is amended to read as follows:

#### **“CHAPTER 507—COMPOSITION OF THE DEPARTMENT OF THE NAVY AND MARINE CORPS”.**

(e) OTHER AMENDMENTS.—

(1) Title 10, United States Code, is amended by striking “Department of the Navy” and “Secretary of the Navy” each place they appear other than as specified in subsections (a), (b), (c), and (d) (including in section headings, subsection captions, tables of chapters, and tables of sections) and inserting “Department of the Navy and Marine Corps” and “Secretary of the Navy and Marine Corps”, respectively, in each case with the matter inserted to be in the same typeface and typestyle as the matter stricken.

(2)(A) Sections 5013(f), 5014(b)(2), 5016(a), 5017(2), 5032(a), and 5042(a) of such title are

amended by striking “Assistant Secretaries of the Navy” and inserting “Assistant Secretaries of the Navy and Marine Corps”.

(B) The heading of section 5016 of such title, and the item relating to such section in the table of sections at the beginning of chapter 503 of such title, are each amended by inserting “and Marine Corps” after “of the Navy”, with the matter inserted in each case to be in the same typeface and typestyle as the matter amended.

#### **SEC. 913. OTHER PROVISIONS OF LAW AND OTHER REFERENCES.**

(a) TITLE 37, UNITED STATES CODE.—Title 37, United States Code, is amended by striking “Department of the Navy” and “Secretary of the Navy” each place they appear and inserting “Department of the Navy and Marine Corps” and “Secretary of the Navy and Marine Corps”, respectively.

(b) OTHER REFERENCES.—Any reference in any law other than in title 10 or title 37, United States Code, or in any regulation, document, record, or other paper of the United States, to the Department of the Navy shall be considered to be a reference to the Department of the Navy and Marine Corps. Any such reference to an office specified in section 911(b) shall be considered to be a reference to that office as redesignated by that section.

#### **SEC. 914. EFFECTIVE DATE.**

This subtitle and the amendments made by this subtitle shall take effect on the first day of the first month beginning more than 60 days after the date of the enactment of this Act.

#### **Subtitle C—Other Matters**

#### **SEC. 921. TRANSITION OF THE OFFICE OF THE SECRETARY OF DEFENSE TO REFLECT ESTABLISHMENT OF POSITIONS OF UNDER SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING, UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT, AND CHIEF MANAGEMENT OFFICER.**

(a) REFERENCES TO POSITIONS PENDING EXECUTION OF AMENDMENTS.—Until February 1, 2018, any reference in this Act, or an amendment made by this Act—

(1) to the position of Under Secretary of Defense for Research and Engineering, to be established by the amendment made by section 901(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2339), shall be deemed to be a reference to the Under Secretary of Defense for Acquisition, Technology, and Logistics under section 133 of title 10, United States Code;

(2) to the position of Under Secretary of Defense for Acquisition and Sustainment, to be established by the amendment made by section 901(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2340), shall be deemed to be a reference to the Under Secretary of Defense for Acquisition, Technology, and Logistics under section 133 of title 10, United States Code; and

(3) to the position of Chief Management Officer of the Department of Defense, to be established by section 901(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2341; 10 U.S.C. 131 note), shall be deemed to be a reference to the Deputy Secretary of Defense under section 132 of title 10, United States Code.

(b) SERVICE OF INCUMBENTS.—

(1) PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS.—The individual serving as Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics under section 137a(c)(1) of title 10, United States Code, as of February 1, 2018, may continue to serve as Under Secretary of Defense for Acquisition and Sustainment commencing as of that date, with-

out further appointment under section 133b of such title, as added by section 901(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2340).

(2) DEPUTY CHIEF MANAGEMENT OFFICER.—The individual serving as Deputy Chief Management Officer of the Department of Defense under section 132a of title 10, United States Code, as of February 1, 2018, may continue to serve as Chief Management Officer commencing as of that date, without further appointment under section 901(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2341; 10 U.S.C. 131 note).

#### **SEC. 922. EXTENSION OF DEADLINES FOR REPORTING AND BRIEFING REQUIREMENTS FOR COMMISSION ON THE NATIONAL DEFENSE STRATEGY FOR THE UNITED STATES.**

Section 942(e) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2368) is amended—

(1) in paragraph (1), by striking “December 1, 2017” and inserting “January 31, 2018”; and

(2) in paragraph (2), by striking “June 1, 2017” and inserting “September 1, 2017”.

#### **SEC. 923. BRIEFING ON FORCE MANAGEMENT LEVEL POLICY.**

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds the following:

(A) The force management level policy that previously restricted the total number of members of the Armed Forces of the United States deployed to Afghanistan increased the cost of operations in Afghanistan.

(B) The restriction meant that the Department of Defense had to substitute available military personnel for costlier contract support.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Department of Defense should discourage the practice of substituting contractor personnel for available members of the Armed Forces when a unit deploys overseas and should revise this practice as it pertains to unit deployment to Afghanistan.

(b) BRIEFING.—Not later than March 31, 2018, the Secretary of Defense shall provide to the congressional defense committees a briefing detailing—

(1) the steps that the Secretary is taking to revise deployment guidelines to ensure that readiness, unit cohesion, and maintenance are prioritized; and

(2) the plan of the Secretary to establish a policy that will avoid to the extent practicable these costly practices in the future.

### **TITLE X—GENERAL PROVISIONS**

#### **Subtitle A—Financial Matters**

#### **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2018 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed \$5,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) **EFFECT ON AUTHORIZATION AMOUNTS.**—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) **NOTICE TO CONGRESS.**—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

**SEC. 1002. PREPARATION OF CONSOLIDATED CORRECTIVE ACTION PLAN AND IMPLEMENTATION OF CENTRALIZED REPORTING SYSTEM.**

(a) **ESTABLISHMENT.**—In accordance with the recommendations included in the Government Accountability Office report numbered GAO-17-85 and entitled “DOD Financial Management: Significant Efforts Still Needed for Remediating Audit Readiness Deficiencies”, the Under Secretary of Defense (Comptroller) of the Department of Defense shall—

(1) on a bimonthly basis, prepare a consolidated corrective action plan management summary on the status of all corrective actions plans related to critical capabilities for the military services and for the service providers and other defense organizations; and

(2) develop and implement a centralized monitoring and reporting process that captures and maintains up-to-date information, including the standard data elements recommended in the implementation guide for Office of Management and Budget Circular A-123, for all corrective action plans and findings and recommendations Department-wide that pertain to critical capabilities.

(b) **EFFECTIVE DATE.**—Subsection (a) shall take effect on October 1, 2017.

**SEC. 1003. ADDITIONAL REQUIREMENTS RELATING TO DEPARTMENT OF DEFENSE AUDITS.**

(a) **FINANCIAL IMPROVEMENT AUDIT READINESS PLAN.**—Section 1003(a)(2)(A)(ii) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 10 U.S.C. 2222 note) is amended by striking “are validated as ready for audit by not later than September 30, 2017” and inserting “go under full financial statement audit beginning September 30, 2017, and that the department leadership make every effort to reach an unmodified opinion as soon as possible”.

(b) **AUDIT OF FISCAL YEAR 2018 FINANCIAL STATEMENTS.**—Section 1003(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 2222 note) is amended by striking “are validated as ready for audit by not later than” and inserting “go under full financial statement audit beginning”.

**Subtitle B—Naval Vessels and Shipyards**

**SEC. 1011. NATIONAL DEFENSE SEALIFT FUND.**

(a) **FUND PURPOSES; DEPOSITS.**—Section 2218 of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) by striking subparagraph (D); and

(ii) by redesignating subparagraph (E) as subparagraph (D);

(B) in paragraph (3), by striking “or (D)”; and

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (B), by inserting “and” after the semicolon;

(ii) in subparagraph (C), by striking “; and” and inserting a period; and

(iii) by striking subparagraph (D);

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2); and

(D) by adding at the end the following new paragraph (3):

“(3) Any other funds made available to the Department of Defense to carry out any of the purposes described in subsection (c).”

(b) **AUTHORITY TO PURCHASE USED VESSELS.**—Subsection (f) of such section is amended by adding at the end the following new paragraph:

“(3)(A) Notwithstanding the limitations under subsection (c)(1)(E) and paragraph (1), the Secretary of Defense may, as part of a program to recapitalize the Ready Reserve Force component of the national defense reserve fleet and the Military Sealift Command surge fleet, purchase any used vessel, regardless of where such vessel was constructed if such vessel—

“(i) participated in the Maritime Security Fleet; and

“(ii) is available for purchase at a reasonable cost, as determined by the Secretary.

“(B) If the Secretary determines that no used vessel meeting the requirements under clauses (i) and (ii) of subparagraph (A) is available, the Secretary may purchase a used vessel comparable to a vessel described in clause (i) of subparagraph (A), regardless of the source of the vessel or where the vessel was constructed, if such vessel is available for purchase at a reasonable cost, as determined by the Secretary.

“(C) The Secretary may not use the authority under this paragraph to purchase more than five additional foreign constructed ships. Any such ships may not be purchased at a rate that exceeds one vessel constructed outside the United States for every new Department of Defense sealift vessel authorized by law to be constructed.

“(D) Prior to the purchase of any vessel that was not constructed in the United States, the Secretary, in consultation with the Maritime Administrator, shall certify that there is no vessel available for purchase at a reasonable price that—

“(i) was constructed in the United States; and

“(ii) is suitable for use by the United States for national defense or military purposes in a time of war or national emergency.”

(c) **DEFINITION OF MARITIME SECURITY FLEET.**—Subsection (k) of such section is amended by adding at the end the following new paragraph:

“(5) The term ‘Maritime Security Fleet’ means the fleet established under section 53102(a) of title 46.”

(d) **TECHNICAL AMENDMENT.**—Such section is further amended by striking “(50 U.S.C. App. 1744)” each place it appears and inserting “(50 U.S.C. 4405)”.

**SEC. 1012. NATIONAL DEFENSE SEALIFT FUND: CONSTRUCTION OF NATIONAL ICEBREAKER VESSELS.**

Section 2218 of title 10, United States Code, as amended by section 2211, is further amended—

(1) in subsection (c)(1), by adding at the end the following new subparagraph:

“(E) Construction (including design of vessels), purchase, alteration, and conversion of national icebreaker vessels.”; and

(2) in subsection (d)(1),

(A) in subparagraph (B), by striking “and”

and the end;

(B) in subparagraph (C), by striking the period and inserting “; and”; and

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

“(D) construction (including design of vessels), purchase, alteration, and conversion of national icebreaker vessels.”

**SEC. 1013. USE OF NATIONAL SEA-BASED DETERRENCE FUND FOR MULTIYEAR PROCUREMENT OF CERTAIN CRITICAL COMPONENTS.**

(a) **IN GENERAL.**—Subsection (i) of section 2218a of title 10, United States Code, is amended—

(1) by striking “the common missile compartment” each place it appears and inserting “critical components”; and

(2) in paragraph (1), by striking “critical parts, components, systems, and subsystems” and inserting “critical components”.

(b) **DEFINITION OF CRITICAL COMPONENT.**—Subsection (k) of such section is amended by adding at the end the following new paragraph:

“(3) The term ‘critical component’ means any—

“(A) any item that is high volume or high value; or

“(B) any common missile compartment component, shipyard manufactured component, valve, torpedo tube, or Government furnished equipment, including propulsors and strategic weapons system launchers.”

(c) **CLERICAL AMENDMENT.**—The subsection heading for subsection (i) of such section is amended by striking “OF THE COMMON MISSILE COMPARTMENT”.

**SEC. 1014. RESTRICTIONS ON THE OVERHAUL AND REPAIR OF VESSELS IN FOREIGN SHIPYARDS.**

(a) **IN GENERAL.**—Section 7310(b)(1) of title 10, United States Code, is amended—

(1) by striking “In the case” and inserting “(A) Except as provided in subparagraph (B), in the case”;

(2) by striking “during the 15-month” and all that follows through “United States”;

(3) by inserting before the period at the end the following: “, other than in the case of voyage repairs”; and

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

“(B) The Secretary of the Navy may waive the application of subparagraph (A) to a contract award if the Secretary determines that the waiver is essential to the national security interests of the United States.”

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on the later of the following dates:

(1) The date of the enactment of the National Defense Authorization Act for Fiscal Year 2019.

(2) October 1, 2018.

**SEC. 1015. AVAILABILITY OF FUNDS FOR RETIREMENT OR INACTIVATION OF TICONDEROGA-CLASS CRUISERS OR DOCK LANDING SHIPS.**

None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2018 may be obligated or expended—

(1) to retire, prepare to retire, or inactivate a cruiser or dock landing ship; or

(2) to place more than six cruisers and one dock landing ship in the modernization program under section 1026(a)(2) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3490).

**SEC. 1016. POLICY OF THE UNITED STATES ON MINIMUM NUMBER OF BATTLE FORCE SHIPS.**

It shall be the policy of the United States to have available, as soon as practicable, not fewer than 355 battle force ships, with funding subject to the annual authorization of appropriation and the annual appropriation of funds.

**Subtitle C—Counterterrorism**

**SEC. 1021. TERMINATION OF REQUIREMENT TO SUBMIT ANNUAL BUDGET JUSTIFICATION DISPLAY FOR DEPARTMENT OF DEFENSE COMBATING TERRORISM PROGRAM.**

Section 229 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) **TERMINATION.**—The requirement to submit a budget justification display under this section shall terminate on December 31, 2020.”

**SEC. 1022. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA TO THE UNITED STATES.**

No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2018, to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

**SEC. 1023. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

(a) IN GENERAL.—No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2018, to construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term “individual detained at Guantanamo” has the meaning given that term in section 1034(f)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 971; 10 U.S.C. 801 note).

**SEC. 1024. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.**

No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2018, to transfer, release, or assist in the transfer or release of any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, to the custody or control of any country, or any entity within such country, as follows:

- (1) Libya.
- (2) Somalia.
- (3) Syria.
- (4) Yemen.

**SEC. 1025. BIENNIAL REPORT ON SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.**

Section 127(e) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “March 1” and inserting “120 days after the last day of a fiscal year”; and

(2) in paragraph (2) by striking “September 1” and inserting “six months after the date of the submittal of the report most recently submitted under paragraph (1)”.

**Subtitle D—Miscellaneous Authorities and Limitations**

**SEC. 1031. LIMITATION ON EXPENDITURE OF FUNDS FOR EMERGENCY AND EXTRAORDINARY EXPENSES FOR INTELLIGENCE AND COUNTER-INTELLIGENCE ACTIVITIES AND REPRESENTATION ALLOWANCES.**

(a) RECURRING EXPENSES.—The first sentence of subsection (a) of section 127 of title 10, United States Code, is amended by inserting before the period at the end the following: “, and is not a recurring expense”.

(b) LIMITATION.—Subsection (c) of such section is amended by adding at the end the following new paragraph:

“(4) Funds may not be obligated or expended in an amount in excess of \$25,000 under the authority of subsection (a) or (b) for intelligence or counter-intelligence activities or representation allowances until the Secretary of Defense has notified the congressional defense committees and the congressional intelligence committees of the intent to obligate or expend the funds, and—

“(A) in the case of an obligation or expenditure in excess of \$100,000, 15 days have elapsed since the date of the notification; or

“(B) in the case of an obligation or expenditure in excess of \$25,000, but not in excess of \$100,000, five days have elapsed since the date of the notification.”.

(c) ANNUAL REPORT.—Subsection (d) of such section is amended—

(1) by striking “to the congressional defense committees” and all that follows through the period at the end and inserting an em dash; and

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

“(1) to the congressional defense committees a report on all expenditures during the preceding fiscal year under subsections (a) and (b); and

“(2) to the congressional intelligence committees a report on expenditures relating to intelligence and counter-intelligence during the preceding fiscal year under subsections (a) and (b).”.

(d) DEFINITION.—Such section is further amended by adding at the end the following new subsection:

“(e) DEFINITION OF CONGRESSIONAL INTELLIGENCE COMMITTEES.—In this section, the term ‘congressional intelligence committees’ means the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.”.

**SEC. 1032. MODIFICATIONS TO HUMANITARIAN DEMINING ASSISTANCE AUTHORITIES.**

(a) MODIFICATION TO THE ROLE OF ARMED FORCES IN PROVIDING HUMANITARIAN DEMINING ASSISTANCE.—Subsection (a)(3) of section 407 of title 10, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking “or stockpiled conventional munitions assistance”; and

(2) in subparagraph (A)—

(A) by inserting “, unexploded explosive ordnance,” after “landmines”; and

(B) by striking “, or stockpiled conventional munitions, as applicable”.

(b) MODIFICATION TO DEFINITION OF HUMANITARIAN DEMINING ASSISTANCE.—Subsection (e)(1) of such section is amended—

(1) by inserting “, unexploded explosive ordnance,” after “landmines” in each place it appears; and

(2) by striking “, and the disposal” and all that follows and inserting a period.

(c) MODIFICATION TO DEFINITION OF STOCKPILED CONVENTIONAL MUNITIONS ASSISTANCE.—Subsection (e)(2) of such section is amended, in the second sentence, by striking “, the detection and clearance of landmines and other explosive remnants of war,”.

**SEC. 1033. PROHIBITION ON CHARGE OF CERTAIN TARIFFS ON AIRCRAFT TRAVELING THROUGH CHANNEL ROUTES.**

(a) IN GENERAL.—Chapter 157 of title 10, United States Code, is amended by adding at the end the following new section:

**“§2652. Prohibition on charge of certain tariffs on aircraft traveling through channel routes**

“The United States Transportation Command may not charge a tariff by reason of the use by a military service of an aircraft of that military service on a route designated by the United States Transportation Command as a channel route.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“2652. Prohibition on charge of certain tariffs on aircraft traveling through channel routes”.

**SEC. 1034. LIMITATION ON DIVESTMENT OF U-2 OR RQ-4 AIRCRAFT.**

(a) LIMITATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), none of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for any fiscal year before fiscal year 2024 may be obligated or expended to prepare to divest, divest, place in storage, or place in a status awaiting further disposition of the possessing commander any U-2 or RQ-4 aircraft of the Department of Defense.

(2) EXCEPTION.—Paragraph (1) shall not apply to an individual U-2 or RQ-4 aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be non-returnable to flying service due to any mishap, other damage, or being uneconomical to repair.

(b) CONFORMING REPEAL.—Section 133 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) is hereby repealed.

**SEC. 1035. PROHIBITION ON USE OF FUNDS FOR RETIREMENT OF LEGACY MARITIME MINE COUNTERMEASURES PLATFORMS.**

(a) PROHIBITION.—Except as provided in subsection (b), the Secretary of the Navy may not obligate or expend funds to—

(1) retire, prepare to retire, transfer, or place in storage any AVENGER-class mine countermeasures ship or associated equipment;

(2) retire, prepare to retire, transfer, or place in storage any SEA DRAGON (MH-53) helicopter or associated equipment;

(3) make any reductions to manning levels with respect to any AVENGER-class mine countermeasures ship; or

(4) make any reductions to manning levels with respect to any SEA DRAGON (MH-53) helicopter squadron or detachment.

(b) WAIVER.—The Secretary of the Navy may waive the prohibition under subsection (a) if the Secretary certifies to the congressional defense committees that the Secretary has—

(1) identified a replacement capability and the necessary quantity of such systems to meet all combatant commander mine countermeasures operational requirements that are currently being met by any AVENGER-class ship or SEA DRAGON helicopter to be retired, transferred, or placed in storage;

(2) achieved initial operational capability of all systems described in paragraph (1); and

(3) deployed a sufficient quantity of systems described in paragraph (1) that have achieved initial operational capability to continue to meet or exceed all combatant commander mine countermeasures operational requirements currently being met by the AVENGER-class ships and SEA DRAGON helicopters to be retired, transferred, or placed in storage.



**SEC. 1036. RESTRICTION ON USE OF CERTAIN FUNDS PENDING SOLICITATION OF BIDS FOR WESTERN PACIFIC DRY DOCK.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) Following closure of the Department of the Navy ship repair facility in Guam in 1997 following the Base Realignment and Closure round of 1995, operation of the facility was turned over to a private company.

(2) While streamlining operations, resulting in savings to the Navy of approximately \$38,000,000 each year, the company was able to maintain the depot-level capabilities of the facility with dry-docking capability that had existed in Apra Harbor since World War II.

(3) From 1997 to 2012, the private operator successfully performed 28 major overhauls with dry-dockings of Navy, Military Sealift Command, and Coast Guard vessels, 27 mid-term availabilities, as well as the emergency dry-docking of USS San Francisco (SSN-711) after the nuclear powered submarine collided with a seamount off the coast of Guam in 2005.

(4) While the privately owned dry-dock, Machinist, was undergoing upgrades and refurbishment in 2013, the Navy announced that it would split the long-standing depot-level capability in Guam into two pieces, awarding an initial contract for pier-side ship repair, to be followed by a contract for dry-dock ship repair.

(5) At this time, the Committee on Armed Services of the House of Representatives, including the Delegate from Guam, as well as the Governor of Guam, objected to this plan, and a conditional agreement was made wherein the Navy committed to restoring dry-docking capabilities expeditiously following issuance of the pier-side contract.

(6) Despite repeated requests from the Committee on Armed Services of the House of Representatives, the Delegate from Guam, and the Governor of Guam over the past four years, the Secretary of the Navy has failed to issue the dry-dock contract.

(7) The Navy conducted a business case analysis to assess options for a dry-docking capability in Guam in 2014 and agreed to provide a copy of the report to Congress upon completion. The draft business case analysis was provided to the Committee on Armed Services of the House of Representatives on March 3, 2016, but a final document was not produced.

(8) The draft business case analysis evaluated 200 potential options for restoring a dry-docking capability in Guam, recommending seven potential courses of action, with estimated costs ranging from \$324,000,000 to \$398,000,000 over a 50-year life cycle. The business case analysis concluded that any of these options are significant savings when compared with the cost of not having a dry-docking capability in Guam, which exceeds \$700,000,000 over a 50-year period.

(9) The Navy has removed machinery and equipment needed to perform major overhauls from the former ship repair facility, and shifted ship repair work previously performed in Guam to various foreign locations in the Western Pacific. The total cost of Navy ship repair contracts in Guam have gone from \$45,00,000 in 2010 to \$16,000,000 in 2016.

(10) As a result of Navy actions over the past five years, the number of skilled workers engaged in ship repair in Guam has been reduced from a combined total of approximately 550 at three ship-repair companies in Guam to the current level of 150. Due to this degraded workforce and equipment capabilities, the Navy is now forced to rely almost exclusively on foreign ship repair instead at a time when the Committee believes tensions and threats of crisis in the Western Pacific can put access to foreign shipyards at risk.

(11) Navy leadership has long acknowledged the importance of a depot-level, dry-docking capability in Guam, as evidenced by the following:

(A) “Robust depot-level ship repair capability in Guam is a matter of strategic importance and remains an operational necessity because ships of the 7th Fleet have high operational tempo and experience vast distances between repair facilities.” (Letter from the Commander of the Pacific Fleet to the Governor of Guam, dated February 15, 2013).

(B) “We must maintain a viable ship maintenance capability in Guam to include dry-docking in support of operations and contingency plans (OPLANs and CONPLANs) and the U.S. Navy rebalance to the Pacific. Guam is a strategic in-theater location for depot-level ship maintenance on sovereign U.S. territory. This is a significant factor given that commercial dry docks available in foreign countries considered friendly to the United States may become unavailable to SEVENTH Fleet ships in time of crisis or war. Availability of CPF ships would be stressed if assets are required to dry dock in CONUS due to the non-availability of a secure dry docking capability in the Western Pacific. Dry-docking in Guam is a critical component of depot-level ship repair. The capability must be maintained and regularly exercised so that a capability and expertise are available to support ships of the SEVENTH Fleet in peace and war.” (Letter from the Commander of the Pacific Fleet to the Chief of Naval Operations, dated February 7, 2014).

(C) On February 24, 2016, in testimony before the Committee on Armed Services of the House of Representatives, Admiral Harry Harris, Commander of the United States Pacific Command, affirmed that he continues to view robust ship repair capabilities as a matter of strategic importance and an operational priority for United States Pacific Fleet.

(12) The Navy currently has four fast-attack nuclear submarines homeported in Guam.

(13) The Navy homeports submarine squadrons at seven locations in the United States, each of which has a dry-docking capability, with the exception of Guam.

(14) The Committee on Armed Services of the House of Representatives believes that dry-docking capability in Guam is a strategic requirement and a cost-effective means of ensuring the Forward Deployed Fleet has depot-level repair capabilities at a United States port in the Western Pacific.

(15) Amounts were authorized to be appropriated in the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) and appropriated in the Consolidated Appropriations Act, 2017 (Public Law 115-31) for funds be applied to chartering a dry dock to meet fleet maintenance requirements in the Western Pacific.

(b) **LIMITATION ON USE OF FUNDS.**—Not more than 75 percent of the funds authorized to be appropriated or otherwise made available for the Office of the Secretary of the Navy may be obligated or expended until the Secretary submits to Congress notice that a request for proposals has been issued to solicit bids for the chartering of a dry dock in the Western Pacific that satisfies the minimum requirements for heavy ship depot-level repair.

**SEC. 1037. NATIONAL GUARD FLYOVERS OF PUBLIC EVENTS.**

(a) **STATEMENT OF POLICY.**—It shall be the policy of the Department of Defense that flyovers of public events in support of community relations activities may only be flown as part of an approved training mission at no additional expense to the Federal Government.

(b) **NATIONAL GUARD FLYOVER APPROVAL PROCESS.**—The Adjutant General of a State or territory in which an Army National Guard or

Air National Guard unit is based will be the approval authority for all Air National Guard and Army National Guard flyovers in that State or territory, including any request for a flyover in any civilian domain at a nonaviation related event.

(c) **FLYOVER RECORD MAINTENANCE; REPORT.**—

(1) **RECORD MAINTENANCE.**—The Secretary of Defense shall keep and maintain records of flyover requests and approvals in a publicly accessible database that is updated annually.

(2) **GAO REPORT.**—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report on flyovers and the process whereby flyover requests are made and evaluated, including—

(A) whether there is any cost to taxpayers associated with flyovers;

(B) whether there is any appreciable public relations or recruitment value that comes from flyovers; and

(C) the impact flyovers have to aviator training and readiness.

(d) **FLYOVER DEFINED.**—In this section, the term “flyover” means aviation support—

(1) in which a straight and level flight limited to one pass by a single military aircraft, or by a single formation of four or fewer military aircraft of the same type, from the same military department over a predetermined point on the ground at a specific time;

(2) that does not involve aerobatics or demonstrations; and

(3) uses bank angles of up to 90 degrees if required to improve the spectator visibility of the aircraft.

**SEC. 1038. TRANSFER OF FUNDS TO WORLD WAR I CENTENNIAL COMMISSION.**

(a) **AUTHORITY TO TRANSFER FUNDS.**—The Secretary of Defense may transfer to the World War I Centennial Commission, from amounts described in subsection (b), such amount as the Secretary and the Chair of the World War I Centennial Commission consider appropriate to assist the Commission in carrying out activities under paragraphs (2) through (5) of section 5(a) of the World War I Centennial Commission Act (Public Law 112-272; 36 U.S.C. prec. 101 note) after fiscal year 2017.

(b) **DESIGNATED ACCOUNT.**—Funds transferred pursuant to subsection (a) shall be maintained in a specially designated account and may not be obligated or expended for the designation, establishment, or enhancement of a memorial or commemorative work by the World War I Centennial Commission.

(c) **COVERED FUNDS.**—The funds transferrable by the Secretary pursuant to subsection (a) shall be derived from amounts authorized to be appropriated for fiscal year 2018 for Civil Military Programs as provided in section 4301 of this Act.

(d) **TREATMENT AS GIFT.**—Any amounts transferred to the World War I Centennial Commission pursuant to subsection (a) shall be treated as a gift to the Commission for purposes of sections 6(g) and 7(f) of the World War I Centennial Commission Act.

(e) **LIMITATION.**—The total amount provided by the Secretary pursuant to subsection (a) shall not exceed \$5,000,000.

(f) **WORLD WAR I CENTENNIAL COMMISSION DEFINED.**—In this section, the term “World War I Centennial Commission” means the Commission established by section 4 of the World War I Centennial Commission Act.

**Subtitle E—Studies and Reports****SEC. 1051. ELIMINATION OF REPORTING REQUIREMENTS TERMINATED AFTER NOVEMBER 25, 2017, PURSUANT TO SECTION 1080 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016.**

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) SECTION 113 REPORTS.—

(A) RESERVE FORCES POLICY BOARD REPORT.—Section 113(c) is amended—

(i) by striking paragraph (2);  
(ii) by striking “(1)” after “(c)”; and  
(iii) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively.

(B) TOTAL FORCE MANAGEMENT REPORT.—Section 113 is amended by striking subsection (1).

(2) ANNUAL DEFENSE MANPOWER REQUIREMENTS REPORT.—

(A) ELIMINATION.—Section 115a is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 2 is amended by striking the item relating to section 115a.

(3) INFORMATION ON PROCUREMENT OF CONTRACT SERVICES.—

(A) ELIMINATION.—Section 235 is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 is amended by striking the item relating to section 235.

(4) DEFENSE INDUSTRIAL SECURITY REPORT.—Section 428 is amended by striking subsection (f).

(5) MILITARY MUSICAL UNITS GIFT REPORT.—Section 974(d) is amended by striking paragraph (3).

(6) HEALTH PROTECTION QUALITY REPORT.—Section 1073b is amended—

(A) by striking subsection (a); and  
(B) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

(7) MASTER PLANS FOR REDUCTIONS IN CIVILIAN POSITIONS.—

(A) IN GENERAL.—Section 1597 is amended—

(i) by striking subsection (c);  
(ii) by striking subsections (d), (e), and (f) as subsections (c), (d), and (e), respectively; and  
(iii) in subsection (c), as redesignated, by striking “or a master plan prepared under subsection (c)”.

(B) CONFORMING AMENDMENTS.—Section 129a(d) is amended—

(i) by striking paragraphs (1) and (2); and  
(ii) by redesignating paragraphs (3) and (4) as paragraphs (1) and (2), respectively.

(8) ACQUISITION WORKFORCE DEVELOPMENT FUND REPORT.—Section 1705 is amended—

(A) in subsection (e)(1), by striking “subsection (h)(2)” and inserting “subsection (g)(2)”;  
(B) by striking subsection (f); and  
(C) by redesignating subsections (g) and (h) as subsections (f) and (g), respectively.

(9) ACQUISITION CORPS REPORT.—Section 1722b is amended by striking subsection (c).

(10) MILITARY FAMILY READINESS REPORT.—Section 1781b is amended by striking subsection (d).

(11) PROFESSIONAL MILITARY EDUCATION REPORT.—

(A) ELIMINATION.—Section 2157 is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 107 is amended by striking the item relating to section 2157.

(12) STARBASE PROGRAM REPORT.—Section 2193b is amended—

(A) by striking subsection (g); and  
(B) by redesignating subsection (h) as subsection (g).

(13) DEPARTMENT OF DEFENSE CONFERENCES FEE-COLLECTION REPORT.—Section 2262 is amended by striking subsection (d).

(14) UNITED STATES CONTRIBUTIONS TO NATO COMMON-FUNDED BUDGETS REPORT.—Section 2263 is amended—

(A) by striking subsection (b); and

(B) by redesignating subsection (c) as subsection (b).

(15) FOREIGN COUNTER-SPACE PROGRAMS REPORT.—

(A) ELIMINATION.—Section 2277 is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 135 is amended by striking the item relating to section 2277.

(16) USE OF MULTIYEAR CONTRACTS REPORT.—Section 2306b(l)(4) is amended by striking “Not later than” and all that follows through the colon and inserting the following: “Each report required by paragraph (5) with respect to a contract (or contract extension) shall contain the following:”.

(17) BURDEN SHARING CONTRIBUTIONS REPORT.—Section 2350j is amended by striking subsection (f).

(18) CONTRACT PROHIBITION WAIVER REPORT.—Section 2410(c) is amended by striking the second sentence.

(19) STRATEGIC SOURCING PLAN OF ACTION REPORT.—Subsection (a) of section 2475 is amended to read as follows:

“(a) STRATEGIC SOURCING PLAN OF ACTION DEFINED.—In this section, the term ‘Strategic Sourcing Plan of Action’ means a Strategic Sourcing Plan of Action for the Department of Defense (as identified in the Department of Defense Interim Guidance dated February 29, 2000, or any successor Department of Defense guidance or directive) in effect for a fiscal year.”.

(20) TECHNOLOGY AND INDUSTRIAL BASE POLICY GUIDANCE REPORT.—Section 2506 is amended—

(A) by striking subsection (b); and  
(B) in subsection (a), by striking “Such guidance” and inserting the following:

“(b) PURPOSE OF GUIDANCE.—The guidance prescribed pursuant to subsection (a)”.

(21) FOREIGN-CONTROLLED CONTRACTORS REPORT.—Section 2537 is amended—

(A) by striking subsection (b); and  
(B) by redesignating subsection (c).

(22) SUPPORT FOR SPORTING EVENTS REPORT.—Section 2564 is amended—

(A) by striking subsection (e); and  
(B) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(23) GENERAL AND FLAG OFFICER QUARTERS REPORT.—Section 2831 is amended by striking subsection (e).

(24) MILITARY INSTALLATIONS VULNERABILITY ASSESSMENT REPORTS.—Section 2859 is amended—

(A) by striking subsection (c); and  
(B) by designating subsection (d) as subsection (c).

(25) INDUSTRIAL FACILITY INVESTMENT PROGRAM CONSTRUCTION REPORT.—Section 2861 is amended by striking subsection (d).

(26) STATEMENT OF AMOUNTS AVAILABLE FOR WATER CONSERVATION AT MILITARY INSTALLATIONS.—Section 2866(b) is amended by striking paragraph (3).

(27) ACQUISITION OR CONSTRUCTION OF MILITARY UNACCOMPANIED HOUSING PILOT PROJECTS REPORT.—Section 2881a is amended by striking subsection (e).

(28) STATEMENT OF AMOUNTS AVAILABLE FROM ENERGY COST SAVINGS.—Section 2912 is amended by striking subsection (d).

(29) ARMY TRAINING REPORT.—

(A) ELIMINATION.—Section 4316 is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 401 is amended by striking the item relating to section 4316.

(30) STATE OF THE ARMY RESERVE REPORT.—Section 3038(f) is amended—

(A) by striking “(1)” before “The”; and  
(B) by striking paragraph (2).

(31) STATE OF THE MARINE CORPS RESERVE REPORT.—Section 5144(d) is amended—

(A) by striking “(1)” before “The”; and

(B) by striking paragraph (2).

(32) STATE OF THE AIR FORCE RESERVE REPORT.—Section 8038(f) is amended—

(A) by striking “(1)” before “The”; and

(B) by striking paragraph (2).

(b) TITLE 32, UNITED STATES CODE.—Section 509 of title 32, United States Code, relating to an annual report on the National Guard Youth Challenge Program, is amended—

(1) by striking subsection (k); and

(2) by redesignating subsections (l) and (m) as subsections (k) and (l).

(c) DEPARTMENT OF DEFENSE AUTHORIZATION ACT, 1985.—Section 1003 of the Department of Defense Authorization Act, 1985 (Public Law 98–525; 22 U.S.C. 1928 note), relating to an annual report on allied contributions to the common defense, is amended by striking subsections (c) and (d).

(d) NATIONAL DEFENSE AUTHORIZATION ACT, FISCAL YEAR 1989.—Section 1009 of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100–456; 22 U.S.C. 1928 note), relating to an annual report on the official development assistance program of Japan, is amended by striking subsection (b).

(e) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1991.—Section 1518 of the Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 24 U.S.C. 418), relating to reports on the results of inspection of Armed Forces Retirement Homes, is amended—

(1) in subsection (c)(1), by striking “Congress and”; and

(2) in subsection (e)—

(A) by striking paragraph (2);

(B) by striking “(1)” before “Not later”; and

(C) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively.

(f) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEARS 1992 AND 1993.—Section 1046 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190; 22 U.S.C. 1928 note), relating to an annual report on defense cost-sharing, is amended by striking subsections (e) and (f).

(g) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1994.—Section 1603 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 22 U.S.C. 2751 note), relating to an annual report on counter-proliferation policy and programs of the United States, is amended by striking subsection (d).

(h) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1995.—Section 533 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 113 note), relating to an annual report on personnel readiness factors by race and gender, is repealed.

(i) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000.—Section 366 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 10 U.S.C. 113 note), relating to an annual report on spare parts, logistics, and sustainment standards, is amended by striking subsection (f).

(j) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2002.—The National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107) is amended as follows:

(1) ARMY WORKLOAD AND PERFORMANCE SYSTEM REPORT.—Section 346 (115 Stat. 1062) is amended—

(A) by striking subsections (b) and (c); and

(B) by redesignating subsection (d) as subsection (b).

(2) RELIABILITY OF FINANCIAL STATEMENTS REPORT.—Section 1008(d) (10 U.S.C. 113 note) is amended—

(A) by striking “(1)” before “On each”; and

(B) by striking paragraph (2).

(k) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2003.—Section 817 of the Bob

Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 10 U.S.C. 2306a note), relating to an annual report on commercial item and exceptional case exceptions and waivers, is amended—

- (1) by striking subsection (d); and
- (2) by redesignating subsection (e) as subsection (d).

(l) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004.—Section 1022 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136), relating to an annual report on support to law enforcement agencies conducting counter-terrorism activities, is amended—

- (1) by striking subsection (c); and
- (2) by redesignating subsections (d) and (e) as subsections (c) and (d).

(m) NATIONAL DEFENSE AUTHORIZATION ACT FOR 2006.—The National Defense Authorization Act for 2006 (Public Law 109-163) is amended as follows:

(1) NOTIFICATION OF ADJUSTMENT IN LIMITATION AMOUNT FOR NEXT-GENERATION DESTROYER PROGRAM.—Section 123 (119 Stat. 3156) is amended—

- (A) by striking subsection (d); and
- (B) by redesignating subsection (e) as subsection (d).

(2) CERTIFICATION OF BUDGETS FOR JOINT TACTICAL RADIO SYSTEM REPORT.—Section 218(c) (119 Stat. 3171) is amended by striking paragraph (3).

(3) DEPARTMENT OF DEFENSE COSTS TO CARRY OUT UNITED NATIONS RESOLUTIONS REPORT.—Section 1224 (10 U.S.C. 113 note) is repealed.

(n) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007.—Section 357(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 22 U.S.C. 4865 note), relating to an annual report on Department of Defense overseas personnel subject to chief of mission authority, is amended by striking “shall submit to the congressional defense committees” and inserting “shall prepare”.

(o) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008.—The National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181) is amended as follows:

(1) ARMY INDUSTRIAL FACILITIES COOPERATIVE ACTIVITIES REPORT.—Section 328 (10 U.S.C. 4544 note) is amended by striking subsection (b).

(2) ARMY PRODUCT IMPROVEMENT REPORT.—Section 330 (122 Stat. 68) is amended by striking subsection (e).

(p) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009.—The Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417) is amended as follows:

(1) SUPPORT FOR NON-CONVENTIONAL ASSISTED RECOVERY ACTIVITIES REPORT.—Section 943 (122 Stat. 4578) is amended—

- (A) by striking subsection (e); and
- (B) by redesignating subsections (f), (g), and (h) as subsections (e), (f), and (g), respectively.

(2) REIMBURSEMENT OF NAVY MESS EXPENSES REPORT.—Section 1014 (122 Stat. 4585) is amended by striking subsection (c).

(3) ELECTROMAGNETIC PULSE ATTACK REPORT.—Section 1048 (122 Stat. 4603) is repealed.

(q) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010.—Section 121 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2211), relating to an annual report on the Littoral Combat Ship Program, is amended by striking subsection (e).

(r) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011.—The Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) is amended as follows:

(1) NAVY AIRBORNE SIGNALS INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE CAPABILITIES REPORT.—Section 112(b) (124 Stat. 4153) is amended—

- (A) by striking paragraph (3); and
- (B) by redesignating paragraph (4) as paragraph (3).

(2) INCLUSION OF TECHNOLOGY PROTECTION FEATURES DURING RESEARCH AND DEVELOPMENT OF DEFENSE SYSTEMS REPORT.—Section 243 (10 U.S.C. 2358 note) is amended—

- (A) by striking subsection (c); and
- (B) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(3) ACQUISITION OF MILITARY PURPOSE NON-DEVELOPMENTAL ITEMS REPORT.—Section 866 (10 U.S.C. 2302 note) is amended—

- (A) by striking subsection (d); and
- (B) by redesignating subsection (e) as subsection (d).

(4) NUCLEAR TRIAD REPORT.—Section 1054 (10 U.S.C. 113 note) is repealed.

(s) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012.—The National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) is amended as follows:

(1) PERFORMANCE MANAGEMENT SYSTEM AND APPOINTMENT PROCEDURES REPORT.—Section 1102 (5 U.S.C. 9902 note) is amended by striking subsection (b).

(2) GLOBAL SECURITY CONTINGENCY FUND REPORT.—Section 1207 (22 U.S.C. 2151 note) is amended—

- (A) by striking subsection (n); and
- (B) by redesignating subsections (o) and (p) as subsections (n) and (o).

(3) DATA SERVERS AND CENTERS COST SAVINGS REPORT.—Section 2867 (10 U.S.C. 2223a note) is amended by striking subsection (d).

(t) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013.—The National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) is amended as follows:

(1) F-22A RAPTOR MODERNIZATION PROGRAM REPORT.—Section 144 (126 Stat. 1663) is amended by striking subsection (c).

(2) TRICARE MAIL-ORDER PHARMACY PROGRAM REPORT.—Section 716 (10 U.S.C. 1074g note) is amended—

- (A) by striking subsection (e); and
- (B) by redesignating subsections (f) and (g) as subsections (e) and (f).

(3) WARRIORS IN TRANSITION PROGRAMS REPORT.—Section 738 (10 U.S.C. 1071 note) is amended—

- (A) by striking subsection (e); and
- (B) by redesignating subsection (f) as subsection (e).

(4) USE OF INDEMNIFICATION AGREEMENTS REPORT.—Section 865 (126 Stat. 1861) is repealed.

(5) COUNTER SPACE TECHNOLOGY REPORT.—Section 917 (126 Stat. 1878) is repealed.

(6) IMAGERY INTELLIGENCE AND GEOSPATIAL INFORMATION SUPPORT REPORT.—Section 921 (126 Stat. 1878) is amended by striking subsection (c).

(7) COMPUTER NETWORK OPERATIONS COORDINATION REPORT.—Section 1079 (10 U.S.C. 221 note) is amended by striking subsection (c).

(8) UPDATES OF ACTIVITIES OF OFFICE OF SECURITY COOPERATION IN IRAQ REPORT.—Section 1211 (126 Stat. 1983) is amended by striking paragraph (3).

(9) UNITED STATES PARTICIPATION IN THE ATARES PROGRAM REPORT.—Section 1276 (10 U.S.C. 2350c note) is amended—

- (A) by striking subsections (e) and (f); and
- (B) by redesignating subsection (g) as subsection (e).

(u) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014.—The National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66) is amended as follows:

(1) MODERNIZING PERSONNEL SECURITY STRATEGY METRICS REPORT.—Section 907(c)(3) (10 U.S.C. 1564 note) is amended—

(A) by striking “(A) METRICS REQUIRED.—In” and inserting “In”; and

(B) by striking subparagraph (B).

(2) DEFENSE CLANDESTINE SERVICE REPORT.—Section 923 (10 U.S.C. prec. 421 note) is amended—

- (A) by striking subsection (b); and
- (B) by redesignating subsections (c), (d), and (e) as subsection (b), (c), and (d), respectively.

(3) INTERNATIONAL AGREEMENTS RELATING TO DOD REPORT.—Section 1249 (127 Stat. 925) is repealed.

(4) SMALL BUSINESS GROWTH REPORT.—Section 1611 (127 Stat. 946) is amended by striking subsection (d).

(v) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2015.—The Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) is amended as follows:

(1) ASSIGNMENT OF PRIVATE SECTOR PERSONNEL TO DEFENSE ADVANCED RESEARCH PROJECTS AGENCY REPORT.—Section 232 (10 U.S.C. 2358 note) is amended—

- (A) by striking subsection (e); and
- (B) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(2) GOVERNMENT LODGING PROGRAM REPORT.—Section 914 (5 U.S.C. 5911 note) is amended by striking subsection (d).

(3) DOD RESPONSE TO COMPROMISES OF CLASSIFIED INFORMATION REPORT.—Section 1052 (128 Stat. 3497) is repealed.

(4) PERSONNEL PROTECTION AND PERSONNEL SURVIVABILITY EQUIPMENT LOAN REPORT.—Section 1207 (10 U.S.C. 2342 note) is amended—

- (A) by striking subsection (d); and
- (B) by redesignating subsection (e) as subsection (d).

(5) DOD ASSISTANCE TO COUNTER ISIS REPORT.—Section 1236 (128 Stat. 3558) is amended by striking subsection (d).

(6) COOPERATIVE THREAT REDUCTION PROGRAM USE OF CONTRIBUTIONS REPORT.—Section 1325 (50 U.S.C. 3715) is amended—

- (A) by striking subsection (e); and
- (B) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(7) COOPERATIVE THREAT REDUCTION PROGRAM FACILITIES CERTIFICATION REPORT.—Section 1341 (50 U.S.C. 3741) is repealed.

(8) COOPERATIVE THREAT REDUCTION PROGRAM PROJECT CATEGORY REPORT.—Section 1342 (50 U.S.C. 3742) is repealed.

(9) STATEMENT ON ALLOCATION OF FUNDS FOR SPACE SECURITY AND DEFENSE PROGRAM.—Section 1607 (128 Stat. 3625) is amended—

(A) by striking “(a) ALLOCATION OF FUNDS.—”;

(B) by striking subsections (b), (c), and (d); and

(C) by adding at the end the following new sentence: “This requirement shall terminate on December 19, 2019.”.

(w) PRESERVATION OF CERTAIN ADDITIONAL REPORTS.—Effective as of December 23, 2016, and as if included therein as enacted, section 1061(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) is amended as follows:

(1) GENERAL DEFENSE REPORTS.—Paragraph (1) is amended by striking “113(i)” and inserting “113(c), (e), and (i)”.

(2) ANNUAL OPERATIONS AND MAINTENANCE REPORT.—Paragraph (2) is amended by inserting after “Section” the following: “116 and section”.

(3) SELECTED ACQUISITION REPORTS.—Paragraph (44) is amended by inserting after “Section” the following: “2432 and section”.

(4) NATIONAL GUARD BUREAU REPORT.—By inserting after paragraph (63) the following new paragraph:

“(64) Section 10504(b).”.

(x) **PRESERVATION OF VETTED SYRIAN OPPOSITION REPORT.**—Effective as of December 23, 2016, and as if included therein as enacted, section 1061(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended by adding at the end the following new paragraph:

“(18) Section 1209(d) (127 Stat. 3542).”.

(y) **EFFECTIVE DATE.**—Except as provided in subsections (w) and (x), the amendments made by this section shall take effect on the later of—

- (1) the date of the enactment of this Act; or
- (2) November 25, 2017.

**SEC. 1052. REPORT ON DEPARTMENT OF DEFENSE ARCTIC CAPABILITY AND RESOURCE GAPS.**

(a) **REPORT REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report regarding necessary steps the Department of Defense is undertaking to resolve arctic security capability and resource gaps.

(b) **ELEMENTS.**—The report under subsection (a) shall include an analysis of each of the following:

- (1) The infrastructure needed to ensure national security in the arctic region.
- (2) Any shortfalls in observation, remote sensing capabilities, ice prediction, and weather forecasting.
- (3) Any shortfalls of the Department in navigational aids.
- (4) Any additional, necessary high-latitude electronic and communications infrastructure requirements.
- (5) Any gaps in intelligence, surveillance, and reconnaissance coverage and recommendations for additional intelligence, surveillance, and reconnaissance capabilities
- (6) Any shortfalls in personnel recovery capabilities.
- (7) Any additional capabilities the Secretary determines should be incorporated into future Navy surface combatants.

(c) **FORM OF REPORT.**—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

**SEC. 1053. REVIEW AND ASSESSMENT OF DEPARTMENT OF DEFENSE PERSONNEL RECOVERY AND NONCONVENTIONAL ASSISTED RECOVERY MECHANISMS.**

(a) **IN GENERAL.**—Not later than March 1, 2018, the Secretary of Defense shall submit to the congressional defense committees a review and assessment of personnel recovery and nonconventional assisted recovery programs, authorities, and policies.

(b) **ELEMENTS.**—The assessment required under subsection (a) shall include each of the following elements:

- (1) An overall strategy defining personnel recovery and nonconventional assisted recovery programs and activities, including how such programs and activities support the requirements of the geographic combatant commanders.
- (2) A comprehensive review and assessment of statutory authorities, policies, and interagency coordination mechanisms, including limitations and shortfalls, for personnel recovery and nonconventional assisted recovery programs and activities.
- (3) A comprehensive description of current and anticipated future personnel recovery and nonconventional assisted recovery requirements across the future years defense program, as validated by the Joint Staff.
- (4) An overview of validated current and expected future force structure requirements necessary to meet near-, mid-, and long-term personnel recovery and nonconventional assisted recovery programs and activities of the geographic combatant commanders.
- (5) Any other matters the Secretary considers appropriate.

(c) **FORM OF ASSESSMENT.**—The assessment required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) **COMPTROLLER GENERAL REVIEW.**—Not later than 90 days after the date on which the assessment required under subsection (a) is submitted, the Comptroller General of the United States shall submit to the congressional defense committees a review of such assessment.

**SEC. 1054. MINE WARFARE READINESS INSPECTION PLAN AND REPORT.**

(a) **INSPECTION PLAN.**—Not later than one year after the date of the enactment of this subsection, the Chief of Naval Operations, in consultation with the Combatant Commanders, shall submit a plan for inspections of each unit and organization tasked with delivering operational capability, missions and mission essential tasks, functions, supporting roles, organization, manning, training, and materiel for naval mine warfare. At a minimum, inspected units and organizations shall include those required in the Joint Strategic Capabilities Plan and those assigned in the Forces For Unified Commands document or have the potential to support, by deployment or otherwise, a directed Operation Plan, Concept Plan, contingency operation, homeland security operation, or Defense Support of Civil Authorities requirements for naval offensive or defensive mine warfare.

(b) **CRITERIA.**—This inspection plan shall propose methods to analytically assess, evaluate, improve and assure mission readiness of each unit or organization with required operational capabilities for naval mine warfare. Inspection shall include—

- (1) an assessment or verification of material condition;
- (2) unit wide training and personnel readiness as measured by established tasks, conditions and standards that demonstrate the unit readiness to perform their wartime or homeland defense mission;
- (3) force through unit level training;
- (4) readiness to support multi-echelon, joint service mine warfare operations as part of an offensive, defensive mining or mine countermeasures task;
- (5) readiness to support combatant commander campaign plans, operational plan, concept plan, or the Joint Strategic Capabilities Plan;
- (6) required operational capability;
- (7) inspection and reinspection process; and
- (8) inspection periodicity.

(c) **APPLICABILITY.**—The inspection requirements under this subsection apply to the following units and organizations:

- (1) Surface MCM vessels or vessels performing MCM tasks.
- (2) Airborne MCM squadrons.
- (3) Mobile mine assembly groups and mobile mine assembly units.
- (4) Fleet patrol squadrons with mine laying capabilities.
- (5) LCS and LCS MCM mission modules upon reaching IOC.
- (6) Mine countermeasures squadrons.
- (7) Units exercising command and control over MIW forces.
- (8) MCM operational support ships.
- (9) Attack and guided missile submarines with mine laying capabilities.
- (10) Magnetic and acoustic silencing facilities.
- (11) EOD MCM or VSW Companies and Platoons.
- (12) SEAL (ESG / CSG) USMC units with VSW capability.

(d) **CERTIFICATION.**—The Chief of Naval Operations shall submit to the Secretary of Defense, the Combatant Commanders, the Chairman of the Joint Chiefs of Staff and to Congress a report on the program under this subsection. The report shall contain a classified section which

addresses capability and capacity to meet JSCP, OPLAN, CONPLAN and contingency requirements and unclassified section with general summary and readiness trends.

(e) **CONFORMING REPEAL.**—Section 1090 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) is repealed.

**SEC. 1055. REPORT ON CIVILIAN CASUALTIES FROM DEPARTMENT OF DEFENSE STRIKES.**

(a) **REPORT REQUIRED.**—For each calendar year, the Secretary of Defense shall submit to the congressional defense committees a report on strikes carried out by the Department of Defense against terrorist targets located outside Government-designated areas of active hostilities and against enemy combatants located inside Government-designated areas of active hostilities during the period beginning on January 1 and ending on December 31 of the year covered by the report. Such report shall include each of the following, for the period covered by the report:

- (1) The number of such strikes carried out in—
  - (A) locations outside Government-designated areas of active hostilities; and
  - (B) locations inside Government-designated areas of active hostilities.
- (2) An assessment of the combatant and non-combatant deaths resulting from those strikes, including the number of such deaths—
  - (A) occurring outside of Government-designated areas of active hostilities; and
  - (B) occurring within Government-designated areas of active hostilities, with the number of such deaths displayed to indicate the Government-designated country or location within the Government-designated country where such deaths occurred.

(3) To the extent feasible and appropriate, the general reasons for any discrepancies between post-strike assessments from the Department of Defense and credible reporting from nongovernmental organizations regarding non-combatant deaths resulting from such strikes.

(4) A description of steps taken by the Department of Defense to mitigate harm to civilians in conducting such strikes.

(5) Definitions of the terms “combatant” and “noncombatant” as used in the report.

(6) The monthly tabulations collected by the Department of Defense of combatant and non-combatant casualties occurring inside of areas of active hostilities, and any revisions to previously reported tabulations.

(7) A specification of the countries where strikes occurred, or locations within countries where strikes occurred—

- (A) designated as areas of active hostilities; and
- (B) not designated as areas of active hostilities.

(b) **DEADLINE FOR REPORTS.**—The reports required by subsection (a) shall be submitted as follows:

- (1) The report for 2018 shall be submitted not later than December 31, 2018.
- (2) The report for 2019, and for each subsequent year, shall be submitted by not later than March 1 of the year following the year covered by the report.

(c) **REVIEW OF REPORTING.**—In preparing a report under this section, the Secretary of Defense shall review relevant and credible post-strike all-source reporting, including such information from nongovernmental sources.

(d) **FORM OF REPORT.**—The reports required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(e) **PUBLIC AVAILABILITY.**—The Secretary of Defense shall make the unclassified form of the reports publicly available.

**SEC. 1056. REPORTS ON INFRASTRUCTURE AND CAPABILITIES OF LAJES FIELD, PORTUGAL.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) Lajes Field, Portugal, is an enabler of United States operations in Europe, Africa, and the Atlantic.

(2) Lajes field has capabilities and infrastructure that reflect significant long-term investments by the United States, including a 10,000 foot runway, housing for more than 650 personnel and their families, a power plant and water facilities, significant communication capability, and an award-winning medical clinic.

(3) Lajes Field provides a strategic location to monitor the activities of foreign powers in the Atlantic and Mediterranean, including Russia's increased naval presence and China's efforts to establish a military presence in the Atlantic.

(4) The Department of Defense has not fully utilized the infrastructure at Lajes Field.

(b) **INFRASTRUCTURE AND CAPABILITIES REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the infrastructure and capabilities of Lajes Field, Portugal. Such report shall include each of the following:

(1) An assessment of the communications infrastructure at Lajes Field, including the estimated cost to—

(A) upgrade the existing infrastructure to add additional bandwidth of 56 giga-bits-per-second; and

(B) connect the existing infrastructure to any currently planned additional undersea cables to increase the available bandwidth by at least 56 giga-bits-per-second.

(2) A justification for the current status of Lajes Field as an unaccompanied tour location and an assessment of the estimated costs of converting assignments at Lajes Field to an accompanied tour location.

(3) An assessment of the estimated cost of allowing members of the Armed Forces of the United States to occupy the on-base housing owned by the United States.

(4) An update to the Housing Requirements and Market Analysis for Lajes Field to assess the housing availability for a base population of up to 2000 military and civilian personnel.

(5) The cost to establish Lajes Field as a location for air-to-air training or anti-submarine warfare missions, including the costs of any necessary infrastructure upgrades, as well as any potential operational benefits.

(c) **FUEL STORAGE SYSTEM REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the environmental impact of fuel storage systems at Lajes Field, Portugal. Such report shall include an impact assessment of the soil contamination from Department of Defense fuel storage systems at Lajes Field, including an assessment of the causes of the leak of the Cabrito Pipeline.

#### **SEC. 1057. REPORT ON JOINT PACIFIC ALASKA RANGE COMPLEX MODERNIZATION.**

(a) **REPORT REQUIRED.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report regarding proposed improvements to the Joint Pacific Alaska Range Complex.

(b) **ELEMENTS.**—The report under subsection (a) shall include the following:

(1) An analysis of existing JPARC infrastructure.

(2) A summary of improvements to the range infrastructure the Secretary determines are necessary—

(A) for fifth generation fighters to train at maximum potential; and

(B) to provide a realistic air warfare environment versus a near-peer adversary for—

(i) four squadrons of fifth generation fighters;

(ii) annual Red Flag-Alaska exercises; and

(iii) biannual Operation Northern Edge exercises.

#### **Subtitle F—Other Matters**

#### **SEC. 1061. TECHNICAL, CONFORMING, AND CLERICAL AMENDMENTS.**

(a) **TITLE 10, UNITED STATES CODE.**—Title 10, United States Code, is amended as follows:

(1) Section 113(j)(1) is amended by striking “the Committee on” the first place it appears and all that follows through “of Representatives” and inserting “congressional defense committees”.

(2) Section 115(i)(9) is amended by striking “section 1203(b) of the Cooperative Threat Reduction Act of 1993 (22 U.S.C. 5952(b))” and inserting “section 1321(a) of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711(a))”.

(3) Section 122a(a) is amended by striking “acting through the Office of the Assistant Secretary of Defense for Public Affairs” and inserting “acting through the Assistant to the Secretary of Defense for Public Affairs”.

(4) Section 127(c)(1) is amended by striking “the Committee on” the first place it appears and all that follows through “of Representatives” and inserting “congressional defense committees”.

(5) Section 129a is amended—

(A) in subsection (b), by striking “(as identified pursuant to section 118b of this title)”;

(B) in subsection (d)—

(i) by striking paragraph (1); and

(ii) by redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively.

(6) Section 130f(b)(1) is amended by adding a period at the end.

(7) Section 139b(c)(2) is amended by inserting a period at the end of subparagraph (K).

(8) Section 153(a) is amended by inserting a colon after “the following” in the matter preceding paragraph (1).

(9) Section 162(a)(4) is amended by striking the comma after “command of”.

(10) Section 164(a)(1)(B) is amended by striking “section 664(f)” and inserting “section 664(d)”.

(11) Section 166(c) is amended by striking “section 2011” and inserting “section 322”.

(12) Section 167b(e)(2)(A)(iii)(II) is amended by striking “Fiscal Year 2014” and inserting “Fiscal Year 2016”.

(13) Section 171a is amended—

(A) in subsection (f), by striking “(4)” and inserting “(4))”; and

(B) in subsection (i)(3), by striking “section 2366(e)” and inserting “sections 2366(e) and 2366a(d)”.

(14) Section 179(f)(3)(B)(iii) is amended by striking “Joints” and inserting “Joint”.

(15) Section 181(b)(1) is amended by striking “section 118” and inserting “section 113(g)”.

(16) Section 222(b) is amended by striking “both” through the period at the end and inserting “major force programs.”.

(17) Section 342(j)(2) is amended by striking the second period at the end.

(18) Section 347(a)(1)(A) is amended by inserting “section” in clauses (i) and (iii) after “Academy under”.

(19) Section 494(b)(2)(B) is amended by striking “of title 10” and inserting “of this title”.

(20) Section 661(c) is amended by striking “section 664(f)” in paragraphs (1)(B)(i) and (3)(A) and inserting “section 664(d)”.

(21) Section 801 (article 1 of the Uniform Code of Military Justice) is amended in the matter preceding paragraph (1) by striking “chapter:” and inserting “chapter (the Uniform Code of Military Justice):”.

(22) Section 806b(b) (article 6b(b) of the Uniform Code of Military Justice) is amended by striking “(the Uniform Code of Military Justice)”.

(23) Section 1073c(a)(1)(E) is amended by striking “military” and inserting “military”.

(24) Section 1074g(a)(9) is amended by moving subparagraphs (B) and (C) two ems to the left.

(25) Section 1451 is amended in subsections (a) and (b) by striking “section 1450(a)(4)” each place it appears and inserting “section 1450(a)(5)”.

(26) Section 1452(c) is amended in paragraphs (1) and (3) by striking “section 1450(a)(4)” both places it appears and inserting “section 1450(a)(5)”.

(27) Section 1552(h) is amended by striking “calendar” each place it appears and inserting “calendar”.

(28) Section 1553(f) is amended by striking “calendar” each place it appears and inserting “calendar”.

(29) Section 2264(b)(3) is amended by striking “the date of the” and all the follows through “2015” and inserting “December 19, 2014”.

(30) Section 2330a is amended—

(A) in subsection (d)(1)(C), by striking “management;” and inserting “management;”;

(B) in subsection (h)—

(i) in paragraph (1), by inserting “PERFORMANCE-BASED.” after “(1)”;

(ii) by designating the four paragraphs after paragraph (4) as paragraphs (5), (6), (7), and (8), respectively;

(iii) in paragraph (5), as redesignated, by inserting “SERVICE ACQUISITION PORTFOLIO GROUPS.” after “(5)”;

(iv) in paragraph (6), as redesignated, by inserting “STAFF AUGMENTATION CONTRACTS.” after “(6)”.

(31) Section 2334(a)(6)(B) is amended by adding a semicolon at the end.

(32) Section 2335 is amended by striking “(2 U.S.C. 431 et seq.)” in subsections (c)(1) and (d)(3) and inserting “(52 U.S.C. 30101 et seq.)”.

(33) The table of sections at the beginning of chapter 139 is amended by inserting at period at the end of the items relating to sections 2372 and 2372a.

(34) Section 2364(a)(6) is amended by striking “conveys” and inserting “convey”.

(35) Section 2411(1)(D) is amended by striking “(Public Law 93–638; 25 U.S.C. 450b(1))” and inserting “(25 U.S.C. 5304(1))”.

(36) The item relating to section 2431b in the table of sections at the beginning of chapter 144 is amended to read as follows:

“2431b. Risk management and mitigation in major defense acquisition programs and major systems.”.

(37) Section 2430 is amended by striking “subsection (a)(2)” in subsections (b) and (c) and inserting “subsection (a)(1)(B)”.

(38) Section 2431a(d) is amended by inserting “(1)” after “REVIEW.”.

(39) Section 2446b(e) is amended—

(A) in the matter preceding paragraph (1), by striking “in writing that—” and inserting “in writing—”; and

(B) in paragraph (1), by inserting “, that” after “open system approach”.

(40) Section 2548(e) is amended—

(A) by striking “REQUIREMENTS” and all that follows through “by the Secretary” and inserting “REQUIREMENT.—The annual report prepared by the Secretary”;

(B) by striking “system; and” and inserting “system.”;

(C) by striking paragraph (2).

(41) The table of sections at the beginning of chapter 152 is amended by inserting a period at the end of the item relating to section 2567.

(42) Section 2564 is amended—

(A) in subsection (b)(3), by striking “section 377” and inserting “section 277”;

(B) in subsection (f), by striking “sections 375 and 376” and inserting “sections 275 and 276”.

(43) Section 2576a(b) is amended by striking “and” at the end of paragraph (4).

(44) Section 2612(a) is amended by striking “section 2166(f)(4)” and inserting “section 343(f)(4)”.

(45) Section 2662(f)(1)(D) is amended by striking “section 334” and inserting “section 254”.

(46) Section 2667(e) is amended—

(A) in paragraph (1)(E), by striking “military museum described in section 489(a) of this title” and inserting “military museum”;

(B) in paragraph (4), by striking “before January 1, 2005, shall be deposited into the account” and inserting “shall be deposited into the Department of Defense Base Closure Account”; and

(C) by striking paragraph (5).

(47) Section 2667(k) is amended by striking “section 9101” and inserting “section 8101”.

(48) Section 2674(f)(2) is amended by adding at the end the following new sentence: “The term includes the Raven Rock Mountain Complex.”.

(49) Section 2925(b)(1) is amended by striking “section 138c” and inserting “section 2926(b)”.

(50) Chapter 449 is amended—

(A) by striking the second section 4781; and

(B) in the table of sections, by striking the item relating to the second section 4781.

(51) Section 7235(e)(1) is amended by striking “24 months after the date of the enactment of this section” and inserting “November 25, 2017.”.

(52) The item relating to section 9517 in the table of sections at the beginning of chapter 931 is amended by making the first letter of the third word lower case.

(b) AMENDMENTS RELATED TO REPEAL OF PENDING AUTHORITY TO ESTABLISH UNDER SECRETARY OF DEFENSE FOR BUSINESS MANAGEMENT AND INFORMATION.—

(1) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2015.—Effective as of December 23, 2016, section 901 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3462), as amended by section 901(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2342), is further amended—

(A) by striking subsection (j);

(B) in subsection (l)(1), by striking subparagraph (A);

(C) in subsection (m), by striking paragraphs (1) and (2); and

(D) in subsection (n), by striking paragraph (1).

(2) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016.—Effective as of November 25, 2015, subsection (f) of section 883 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92), as added by section 1081(c)(5) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), is amended by striking paragraph (1).

(c) TECHNICAL CORRECTIONS RELATED TO UNIFORM CODE OF MILITARY JUSTICE REFORM.—

(1) IN GENERAL.—Chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), as amended by the Military Justice Act of 2016 (division E of Public Law 114–328), is further amended as follows:

(A) Subsection (a)(4) of section 839 (article 39), as added by section 5222(1) of the Military Justice Act of 2016 (130 Stat. 2909), is amended by striking “in non-capital cases unless the accused requests sentencing by members under section 825 of this title (article 25)” and inserting “under section 853(b)(1) of this title (article 53(b)(1))”.

(B) Subsection (i) of section 843 (article 43), as added by section 5225(c) of the Military Justice Act of 2016 (130 Stat. 2909), is amended by striking “DNA EVIDENCE.—” and inserting “DNA EVIDENCE.—”.

(C) Section 848(c)(1) (article 48(c)(1)), as amended by section 5230 of the Military Justice

Act of 2016 (130 Stat. 2913), is further amended by striking “section 866(g) of this title (article 66(g))” and inserting “section 866(h) of this title (article 66(h))”.

(D) Section 853(b)(1)(B) (article 53(b)(1)(B)), as amended by section 5236 of the Military Justice Act of 2016 (130 Stat. 2937), is further amended by striking “in a trial”.

(E) Subsection (d) of section 853a (article 53a), as added by section 5237 of the Military Justice Act of 2016 (130 Stat. 2917), is amended by striking “military judge” the second place it appears and inserting “court-martial”.

(F) Section 864(a) (article 64(a)), as amended by section 5328(a) of the Military Justice Act of 2016 (130 Stat. 2929), is further amended by striking “(a) (a) IN GENERAL.—” and inserting “(a) IN GENERAL.—”.

(G) Subsection (b)(1) of section 865 (article 65), as added by section 5329 of the Military Justice Act of 2016 (130 Stat. 2930), is amended by striking “section 866(b)(2) of this title (article 66(b)(2))” and inserting “section 866(b)(3) of this title (article 66(b)(3))”.

(H) Subsection (f)(3) of section 866 (article 66), as added by section 5330 of the Military Justice Act of 2016 (130 Stat. 2932), is amended by inserting after “Court” the first place it appears the following: “of Criminal Appeals”.

(I) Section 869(c)(1)(A) (article 69(c)(1)(A)), as amended by section 5333 of the Military Justice Act of 2016 (130 Stat. 2935), is further amended by inserting a comma after “in part”.

(J) Section 882(b) (article 82(b)), as amended by section 5403 of the Military Justice Act of 2016 (130 Stat. 2939), is further amended by striking “section 99” and inserting “section 899”.

(K) Section 919a(b) (article 119a(b)), as amended by section 5401(13)(B) of the Military Justice Act of 2016 (130 Stat. 2939), is further amended—

(i) by striking “928a, 926, and 928” and inserting “926, 928, and 928a”; and

(ii) by striking “128a 126, and 128” and inserting “126, 128, and 128a”.

(L) Section 920(g)(2) (article 120(g)(2)), as amended by section 5430(b) of the Military Justice Act of 2016 (130 Stat. 2949), is further amended in the first sentence by striking “brest” and inserting “breast”.

(M) Section 928(b)(2) (article 128(b)(2)), as amended by section 5441 of the Military Justice Act of 2016 (130 Stat. 2954), is further amended by striking the comma after “substantial bodily harm”.

(N) Subsection (b)(2) of section 932 (article 132), as added by section 5450 of the Military Justice Act of 2016 (130 Stat. 2957), is amended by striking “section 1034(h)” and inserting “section 1034(j)”.

(O) Section 937 (article 137), as amended by section 5503 of the Military Justice Act of 2016 (130 Stat. 2960), is further amended by striking “(the Uniform Code of Military Justice)” each place it appears as follows:

(i) In subsection (a)(1), in the matter preceding subparagraph (A).

(ii) In subsection (b), in the matter preceding subparagraph (A).

(iii) In subsection (d), in the matter preceding paragraph (1).

(2) CROSS-REFERENCES TO STALKING.—Title 10, United States Code, is amended as follows:

(A) Section 673(a) is amended—

(i) by striking “920a, or 920c” and inserting “920c, or 930”; and

(ii) by striking “120a, or 120c” and inserting “120c, or 130”.

(B) Section 674(a) is amended—

(i) by striking “920a, 920b, 920c, or 925” and inserting “920b, 920c, 125, or 930”; and

(ii) by striking “120a, 120b, 120c, or 125” and inserting “120b, 120c, 125, or 130”.

(C) Section 1034(c)(2)(A) is amended by striking “sections 920 through 920c of this title (articles 120 through 120c of the Uniform Code of Military Justice)” and inserting “section 920, 920b, 920c, or 930 of this title (article 120, 120b, 120c, or 130 of the Uniform Code of Military Justice)”.

(D) Section 1044e(g)(1) is amended—

(i) by striking “920a, 920b, 920c, or 925” and inserting “920b, 920c, 125, or 930”; and

(ii) by striking “120a, 120b, 120c, or 125” and inserting “120b, 120c, 125, or 130”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect immediately after the amendments made by the Military Justice Act of 2016 (division E of Public Law 114–328) take effect as provided for in section 5542 of that Act (130 Stat. 2967).

(d) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017.—Effective as of December 23, 2016, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended as follows:

(1) Section 217(a)(2) (130 Stat. 2051) is amended by striking “section 821b” and inserting “section 821(b)”.

(2) Section 233 (10 U.S.C. 2358 note; 130 Stat. 2061) is amended in subsections (a)(1) and (b)(1), by striking “secretaries” and inserting “Secretaries”.

(3) Section 728(b)(1) (130 Stat. 2234) is amended by inserting “(c)” after “Section 1073b”.

(4) Section 805(a)(2) (130 Stat. 2255) is amended by striking “The table of chapters for title 10, United States Code, is” and inserting “The tables of chapters at the beginning of subtitle A, and at the beginning of part IV of subtitle A, of title 10, United States Code, are”.

(5) The matter to be inserted by section 824(d)(1)(B) (130 Stat. 2279) is amended—

(A) by striking “(3)” and inserting “(4)”; and

(B) by striking “(4)” and inserting “(5)”.

(6) Section 833(b)(2)(C) (130 Stat. 2284) is amended—

(A) in clause (ii), by striking “Section 2330a(j) of title 10, United States Code,” and inserting “Section 2330a(h) of title 10, United States Code,”;

(B) in clause (iii), in the matter proposed to be inserted, by striking “section 2330a(j)” and inserting “section 2330a(h)”.

(7) Section 865(b)(2) (130 Stat. 2305) is amended by striking “section 2330a(g)(5)” and inserting “section 2330a(h)(6)”.

(8) Section 893(c) (130 Stat. 2324) is amended by inserting “paragraph (2) of” after “is further amended in”.

(9) Section 902(b) (130 Stat. 2344) is amended by striking “Section 151(b)(5)” and inserting “Section 131(b)(5)”.

(10) Section 921(c) (130 Stat. 2351) is amended by inserting after “The text of” the following: “subsection (a) (after the subsection heading)”.

(11) Section 1061(c)(23) (130 Stat. 2400) is amended by striking “488(c)” and inserting “488”.

(12) Section 1061(i) (130 Stat. 2404) is amended—

(A) in paragraph (23), by striking “2010 (Public Law 110–417)” and inserting “2009 (Public Law 110–417; 10 U.S.C. prec. 701 note)”; and

(B) in paragraph (24), by striking “2010” and inserting “2009”.

(13) Section 1064(b) (130 Stat. 2409) is amended by striking “Public Law 113–239” and inserting “Public Law 112–239”.

(14) Section 1253(b) (130 Stat. 2532) is amended by striking “this subchapter” both places it appears and inserting “this subtitle”.

(15) Section 2811(c) (130 Stat. 2716) is amended by striking “, and the provisions of law amended by subsections (a) and (b) of that section shall be restored as if such section had not been enacted into law”.



(16) Section 2829E(a) (130 Stat. 2733) is amended by striking paragraph (3).

(17) Section 5225(f) (130 Stat. 2910) is amended by striking “this subsection” and inserting “this section”.

(18) The table of sections to be inserted by section 5452 (130 Stat. 2958) is amended—

(A) by striking “Art.” each place it appears, except the first place it appears;

(B) in the item relating to section 887a, by striking “Resistance” and inserting “Resistance”;

(C) in the item relating to section 908, by striking “of the United States—Loss” and inserting “of United States—Loss,”;

(D) in the item relating to section 909, by striking “of the” and inserting “of”; and

(E) in the item relating to section 909a, by striking the second period at the end.

(19) The matters to be inserted by section 5541 (130 Stat. 2965) is amended—

(A) by striking “Art.” each place it appears;

(B) by striking “825.” and inserting “825a.”; and

(C) by striking “830.” and inserting “830a.”.

(e) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016.—Effective as of November 25, 2015, and as if included therein as enacted, section 574 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 831) is amended by striking “1785 note” both places it appears and inserting “1788 note”.

(f) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2015.—Effective as of December 19, 2014, and as if included therein as enacted, section 1044(a)(2)(A) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3493) is amended by striking “October 28” and inserting “September 30”.

(g) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011.—Effective as of January 7, 2011, and as if included therein as enacted, section 896(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-398; 124 Stat. 4315) is amended—

(1) in paragraph (1), by striking “Chapter” and inserting “Subchapter II of chapter”; and

(2) in paragraph (2), by striking “chapter” and inserting “subchapter”.

(h) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009.—Section 943(d)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417), as amended by section 1205(c)(2) of Public Law 112-81 (125 Stat. 1623), is further amended by striking the second period at the end of the first sentence.

(i) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004.—Section 1022(e) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 10 U.S.C. 271 note) is amended by striking “section 1004(j)” and all that follows through the end of the subsection and inserting “section 284(i) of title 10, United States Code”.

(j) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments made by this section shall be treated as having been enacted immediately before any such amendments by other provisions of this Act.

#### SEC. 1062. WORKFORCE ISSUES FOR RELOCATION OF MARINES TO GUAM.

(a) IN GENERAL.—Section 6(b) of the Joint Resolution entitled “A Joint Resolution to approve the ‘Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union With the United States of America’, and for other purposes”, approved March 24, 1976 (48 U.S.C. 1806(b)) is amended to read as follows:

“(b) NUMERICAL LIMITATIONS FOR NON-IMMIGRANT WORKERS.—An alien, if otherwise qualified, may seek admission to Guam or to the Commonwealth during the transition program as a nonimmigrant worker under section 101(a)(15)(H) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)) without counting against the numerical limitations set forth in section 214(g) of such Act (8 U.S.C. 1184(g)). An alien, if otherwise qualified, may, before October 1, 2020, be admitted under section 101(a)(15)(H)(ii)(b) of such Act for a period of up to 3 years (which may be extended by the Secretary of Homeland Security before October 1, 2020, for an additional period or periods not to exceed 3 years each) to perform services or labor on Guam pursuant to any agreement entered into by a prime contractor or subcontractor calling for services or labor required for performance of the contract or subcontract in direct support of all military-funded construction, repairs, renovation, and facilities services, or to perform services or labor on Guam as a health-care worker, notwithstanding the requirement of such section that the service or labor be temporary. This subsection does not apply to any employment to be performed outside of Guam or the Commonwealth.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 120 days after the date of the enactment of this Act.

#### SEC. 1063. PROTECTION OF SECOND AMENDMENT RIGHTS OF MILITARY FAMILIES.

(a) SHORT TITLE.—This section may be cited as the “Protect Our Military Families’ 2nd Amendment Rights Act”.

(b) RESIDENCY OF SPOUSES OF MEMBERS OF THE ARMED FORCES TO BE DETERMINED ON THE SAME BASIS AS THE RESIDENCY OF SUCH MEMBERS FOR PURPOSES OF FEDERAL FIREARMS LAWS.—Section 921(b) of title 18, United States Code, is amended to read as follows:

“(b) For purposes of this chapter:

“(1) A member of the Armed Forces on active duty and the spouse of such a member are residents of the State in which the permanent duty station of the member is located.

“(2) The spouse of such a member may satisfy the identification document requirements of this chapter by presenting—

“(A) the military identification card issued to the spouse; and

“(B) the official Permanent Change of Station Orders annotating the spouse as being authorized for collocation, or an official letter from the commanding officer of the member verifying that the member and the spouse are collocated at the permanent duty station of the member.”.

(c) EFFECTIVE DATE.—The amendment made by subsection (b) shall apply to conduct engaged in after the 6-month period that begins with the date of the enactment of this Act.

#### SEC. 1064. TRANSFER OF SURPLUS FIREARMS TO CORPORATION FOR THE PROMOTION OF RIFLE PRACTICE AND FIREARMS SAFETY.

(a) IN GENERAL.—Section 40728(h) of title 36, United States Code, is amended—

(1) by striking “(1) Subject to paragraph (2), the Secretary may transfer” and inserting “The Secretary shall transfer”;

(2) by striking “The Secretary shall determine a reasonable schedule for the transfer of such surplus pistols.”; and

(3) by striking paragraph (2).

(b) TERMINATION OF PILOT PROGRAM.—Section 1087 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1012) is amended by striking subsections (b) and (c).

#### SEC. 1065. NATIONAL GUARD ACCESSIBILITY TO DEPARTMENT OF DEFENSE ISSUED UNMANNED AIRCRAFT.

(a) REVIEW REQUIRED.—Not later than one year after the date of the enactment of this Act,

the Secretary of Defense, in coordination with the Chief of the National Guard Bureau, the Commander of United States Northern Command, and the Commander of United States Pacific Command, shall conduct an efficiency and effectiveness review of the governance structure, coordination processes, documentation, and timing and deadline requirements stipulated in Department of Defense Policy Memorandum 15-002, entitled “Guidance for the Domestic Use of Unmanned Aircraft Systems” and dated February 17, 2015. In conducting the review, the Secretary shall take into account information and data points provided by State governors and State adjutant generals in assessing the efficiency and effectiveness of accessing Department of Defense issued unmanned aircraft systems for State and National Guard operations.

(b) SUBMITTAL TO CONGRESS.—Not later than 30 days after the completion of the review required by subsection (a), the Secretary shall submit the review to the Committees on Armed Services of the Senate and House of Representatives.

#### SEC. 1066. SENSE OF CONGRESS REGARDING AIRCRAFT CARRIERS.

(a) FINDINGS.—Congress makes the following findings:

(1) Naval aviation was born in the United States when Eugene Ely launched from the deck of a United States Navy ship on November 14, 1910, in a Curtiss Model D.

(2) In 1915, Cpt. Henry C. Mustin made the first catapult launch and first take off in a ship underway in a Curtiss Model AB-2, beginning a century of technological advancements that have led to today’s Electromagnetic Aircraft Launch System which has replaced the steam pistons with powerful magnets to launch jet aircraft.

(3) In 1924, Lt. Dixie Kiefer made the first night catapult launch in a Vought UO-1 in San Diego harbor, leading to today’s aircraft carriers being a floating city at sea with a 24-hour airport.

(4) The first nuclear-powered aircraft carrier, USS Enterprise (CVN 65), was commissioned in 1961, ushering in a new era of the world’s most dominant and capable warships.

(5) In 2013, the first of the next generation of aircraft carriers, Gerald R. Ford, was christened, marking a continuation of the innovative naval aviation spirit, technological advancement, and war fighting capabilities of aircraft carriers.

(6) In 2013, aircraft carrier USS George Washington (CVN 73) provided humanitarian assistance, medical supplies, food, and water to the victims in the Philippines of Super Typhoon Haiyan, once again demonstrating versatility of the aircraft carrier for combat, diplomatic and humanitarian operations.

(7) For over 70 years, aircraft carriers have been employed in every major and many smaller conflicts, including World War II, Korea, Vietnam, Grenada, Lebanon, Libya, Operation Desert Storm, Afghanistan, Iraq, and the fight against terrorism.

(8) The United States Navy’s aircraft carriers are a cornerstone of the Nation’s ability to project its power and strength.

(9) When aircraft carriers sail the globe they are a statement of national purpose and a symbol of the Nation’s industrial strength, competitive edge, and economic prosperity.

(10) Aircraft carriers are 4.5 acres of sovereign United States territory enabling the Nation to reduce its dependency on other nations while it pursues its national security interests.

(11) Aircraft carriers enable the United States Armed Forces to carry out operations from international waters, avoiding the complications of securing fly-over rights and land-base rights from other nations.

(12) Aircraft carriers are a modern, very mobile United States military base complete with airfield, hospital, and communications systems from which the United States can strike at its enemies.

(13) Over 90 percent of world trade is moved by sea, including much of the world's gas and oil supply, and aircraft carriers and their strike forces are constantly on patrol in vital regions of the world to keep shipping lanes open and protect the interests of the United States and its allies.

(14) There are more than 2,450 companies in 48 States and over 364 congressional districts, and more than 13,100 shipbuilders who proudly contribute to the construction and maintenance of these complex and technologically advanced ships.

(15) Thousands of members of the United States Armed Forces have served the Nation aboard aircraft carriers in war, peace, and times of crisis.

(16) When crisis occurs the first question that comes to everyone's lips is "Where is the nearest carrier?"

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) United States aircraft carriers are the pre-eminent power projection platform and have served the Nation's interests in times of war and in times of peace, adapting to the immediate and ever-changing nature of the world for over 90 years;

(2) aircraft carrier contributions and heritage should be celebrated; and

(3) the people of the United States should be encouraged to celebrate the history of aircraft carriers in the United States and to always remember the vital role these vessels play in defending the Nation's freedom.

**SEC. 1067. NOTICE TO CONGRESS OF TERMS OF DEPARTMENT OF DEFENSE SETTLEMENT AGREEMENTS.**

(a) **IN GENERAL.**—Notwithstanding any other provision of law or any court order, at the request of the Chairman of the Committee on Armed Services of the Senate or the House of Representatives or the Chairman of the Committee on Appropriations of the Senate or the House of Representatives, the Secretary of Defense shall make available (in an appropriate manner with respect to classified information, if necessary) to such chairman a settlement agreement (including a consent decree) in any civil action involving the Department of Defense, a military department, or a Defense Agency, if, in the opinion of the Secretary, in consultation with the Attorney General, the terms of the settlement agreement affect the congressional authorization or appropriations process with respect to the Department of Defense.

(b) **CONSULTATION REQUIREMENT.**—Before making a request under subsection (a)—

(1) the Chairman of the Committee on Armed Services or the Committee on Appropriations of the Senate shall consult with the Chairman of the Committee on the Judiciary of the Senate; and

(2) the Chairman of the Committee on Armed Services or the Committee on Appropriations of the House of Representatives shall consult with the Chairman of the Committee on the Judiciary of the House of Representatives.

**SEC. 1068. SENSE OF CONGRESS RECOGNIZING THE UNITED STATES NAVY SEABEES.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) On March 5, 1942, Navy Construction Battalion personnel were officially named Seabees by the Navy Department.

(2) The purpose of the Navy Seabees is to build, maintain, and support base infrastructure in remote locations for the Navy and Marine Corps, while simultaneously being capable of engaging in combat operations.

(3) The Navy Seabees dual-role is exemplified by the Seabee motto *Construimus, Batuimus: We Build, We Fight*.

(4) Throughout their history, the Navy Seabees have answered the call of duty to protect the United States and its democratic values both in times of war and peace.

(5) The Navy Seabees support United States national security at combatant commands worldwide, through the construction, both on land and underwater, of bases, airfields, roads, bridges, and other infrastructure.

(6) Members of the Navy Seabees and their families have demonstrated unmatched courage and dedication to sacrifice for the United States, from service in World War II, Korea, and Vietnam to the recent conflicts in Afghanistan, Iraq, and elsewhere.

(7) The Navy Seabees exhibit honor, personal courage, and commitment as they sacrifice their personal comfort to keep the United States safe from threats.

(8) The Navy Seabees continue to display strength, professionalism, and bravery in the all-volunteer force.

(b) **SENSE OF CONGRESS.**—Congress recognizes the United States Navy Seabees and the Navy personnel who comprise the construction force for the Navy and the Marine Corps as critical elements in deterring conflict, overcoming aggression, and rebuilding democratic institutions.

**SEC. 1069. RECOGNITION OF THE UNITED STATES SPECIAL OPERATIONS COMMAND.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) On April 16, 1987, Congress required the establishment of a Special Operations Command, which was to be an elite fighting force drawn from all of the branches of the Armed Forces.

(2) As a headquarters organization, USSOCOM comprises four service-component commands, consisting of the United States Army Special Operations Command, United States Naval Special Warfare Command, United States Marine Corps Forces Special Operations Command, and United States Air Force Special Operations Command, and includes various sub-unified commands.

(3) Each service-component command has sub-component commands consisting of—

(A) Army Special Forces (Green Berets), Rangers, Special Operations Aviation, Civil Affairs, Military Information Support Operations;

(B) Navy SEALs and Special Warfare Combatant-Craft Crewmen;

(C) Air Force Commandos and Special Tactics Airmen;

(D) Marine Raiders; and

(E) other Joint Special Operations Forces;

(4) USSOCOM protects and defends the United States in a variety of ways, including direct action, special reconnaissance, unconventional warfare, foreign internal defense, civil affairs operations, counterterrorism, military information support operations, counter-proliferation of weapons of mass destruction, security force assistance, counterinsurgency, hostage rescue and recovery, foreign humanitarian assistance, and other missions as assigned.

(5) USSOCOM has an unequalled ability to analyze and respond to terrorist threats and USSOCOM has led many successful missions globally.

(6) Many USSOCOM missions are classified, so the American people may never know the details and extent of the bravery of Special Operations Forces, but a sample of missions provide a glimpse into the bravery and talents of these members of the Armed Forces:

(A) On May 2, 2011, Osama bin Laden was killed in a special operations mission in Pakistan, for which the outstanding men and women in America's intelligence and Armed Forces, especially those from SOCOM, remained focused

on bringing Osama bin Laden to justice, and on May 2, 2011, justice was done.

(B) On April 12, 2009, the Maersk Alabama was rescued unharmed in a special operations mission in the Indian Ocean, after a five-day standoff between the United States Navy and Somali pirates.

(C) On April 1, 2003, Jessica Lynch, a United States Army clerk taken prisoner for nine days in Iraq, was rescued by Special Operations Forces during a night raid in the hospital where she was being held.

(D) On December 13, 2003, in Operation Red Dawn, Special Operations Forces captured deposed Iraqi president Saddam Hussein, who was hiding in a spider hole.

(E) On January 17, 1991, as Operation Desert Storm began, Special Operations Forces slipped hundreds of miles into Iraq to identify Iraqi Scud missiles as targets for American fighter jets.

(F) On December 20, 1989, in Operation Just Cause and Operation Nifty Package, Special Operations Forces ventured into Panama to bring its then President Manuel Noriega to justice for drug-trafficking.

(7) Approximately 70,000 Regular component, National Guard, and reserve component personnel from all four services and Department of Defense civilians are assigned to USSOCOM headquarters in Tampa, its four service-component commands, and eight sub-unified commands.

(8) The heroism, skill, and patriotism of USSOCOM personnel and their families are without parallel.

(9) The responsibilities of USSOCOM are growing and its mission is now and will continue to be central to the defense of the United States in future decades.

(10) The sacrifices of many, the service of all, and the talents of the Special Operations Forces are cause for confidence and optimism.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the soldiers, sailors, airmen, Marines, and civilians who, together with their family members, comprise the United States Special Operations Forces community should be honored for their service and commitment to keeping the United States safe.

**SEC. 1070. SENSE OF CONGRESS REGARDING WORLD WAR I.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) The United States declared war against Germany on April 6, 1917, to redress wrongs, including Germany's resumption of unrestricted submarine warfare, violation of United States neutrality, and denial of freedom of the seas to nonbelligerent nations.

(2) The United States associated itself with the allied powers of the United Kingdom and its Commonwealth, France and its colonies, Russia, Italy, and Japan to defeat the German Empire.

(3) The United States Army, consisting of the Regular Army, National Guard, and Reserve Corps, with the addition of volunteers and the draftees of the National Army, underwent a transformation from a frontier constabulary and coastal defense force to a modern land warfare force.

(4) Early 20th century military and technological advances resulted in the incorporation of motor transport, aviation, anti-aircraft artillery, tanks, chemical weapons, aircraft carriers, submarines and anti-submarine warfare, sonar, underwater mines, and other innovations into the military arsenal of the United States.

(5) The need to quickly build a military strength of four million soldiers and half a million sailors required the mobilization of the human resources of the United States, during which members of diverse ethnic groups, races, and creeds, both native-born and immigrant, forged a new American identity.

(6) The United States Army maintained its defense of American seacoasts, southern border, and overseas possessions, while the Army American Expeditionary Forces deployed "Over There" for combat operations in Europe starting in June 1917.

(7) By the end of World War I, almost two million members of the Army served overseas in the American Expeditionary Forces; Whereas, during World War I, the United States Navy increased in strength from approximately 69,000 officers and sailors and 342 vessels to more than 533,000 officers and sailors and 774 vessels.

(8) The Navy operated in the Atlantic and Pacific Oceans, and the North and Mediterranean Seas in cooperation with allied navies.

(9) The Navy began the fight against the German U-boat menace by dispatching destroyers, which eventually totaled 70 in number, and 169 other vessels to counter the submarine threat.

(10) Navy vessels escorted troop transports carrying 1,250,000 passengers and escorted supply transports carrying 27 percent of all cargo shipped to Europe.

(11) The Navy deployed five batteries of large-caliber battleship guns mounted on railroad trains to France for service as long-range artillery for the Army;

(12) The United States Coast Guard transferred to the operational control of the Navy, and augmented that service with approximately 5,000 officers and sailors, 47 vessels of all types, and 279 shore stations;

(13) The United States Marine Corps, with an eventual wartime strength of 75,000 officers and men, detached two regiments and a machine gun battalion to constitute an infantry brigade integrated into the Army's 2d Division for service in France;

(14) On July 4, 1917, Colonel Charles E. Stanton, one of the officers on the staff of General John Pershing, commander of the American Expeditionary Forces in Europe, famously announced America's commitment to the fight when Colonel Stanton proclaimed upon his arrival in France, "Lafayette, we are here!"

(15) Whereas the American Expeditionary Forces formed three field armies, nine corps and forty-three divisions, plus various units of the Services of Supply.

(16) The American Expeditionary Forces suffered 244,000 casualties in fighting in thirteen named campaigns in World War I;

(17) Participation in World War I resulted in the completion of a period of reform and professionalism that transformed the Armed Forces from a small dispersed organization to a modern industrialized fighting force capable of global reach and influence.

(b) SENSE OF CONGRESS.—Congress—

(1) honors the memory of the fallen heroes who wore the uniform of the United States Armed Forces during World War I;

(2) commends the United States Armed Forces for preserving and protecting the interests of the United States during World War I;

(3) commends the brave members of the United States Armed Forces for their efforts in "making the world safe for democracy," and preserving the founding principles of the United States at home and abroad during World War I;

(4) commends the brave members of the United States Armed Forces for preserving and protecting the sea lanes of commerce and communications during World War I that ensured the continued prosperity of the United States;

(5) celebrates and congratulates the United States Army, Navy, Marine Corps, Air Force, and Coast Guard during the commemoration of the centennial of World War I for a job well done; and

(6) calls on all people of the United States to join in the commemoration of the centennial of World War I in events throughout the United States and overseas.

#### SEC. 1071. FINDINGS AND SENSE OF CONGRESS REGARDING THE NATIONAL GUARD YOUTH CHALLENGE PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) Fewer than 30 percent of youth in the United States qualify for military service, either because of poor physical health, a criminal record, or lack of a high school degree.

(2) The National Guard Youth Challenge Program provides the Department of Defense an opportunity to work with State and local governments to engage with the youth of the nation, providing military-based training, the opportunity to earn a high school degree, and high physical fitness standards.

(b) SENSE OF CONGRESS.—It is the sense of Congress that it is critical to allocate the necessary resources to the National Guard Youth Challenge Program of the Department of Defense as it plays a critical role in preparing the next generation of qualified youth for military service.

#### SEC. 1072. SENSE OF CONGRESS REGARDING NATIONAL PURPLE HEART RECOGNITION DAY.

(a) FINDINGS.—Congress finds the following:

(1) On August 7, 1782, during the Revolutionary War, General George Washington established what is now known as the Purple Heart medal when he issued an order establishing the Badge of Military Merit.

(2) The Badge of Military Merit was designed in the shape of a heart in purple cloth or silk.

(3) While the award of the Badge of Military Merit ceased with the end of the Revolutionary War, the Purple Heart medal was authorized in 1932 as the official successor decoration to the Badge of Military Merit.

(4) The Purple Heart medal is the oldest United States military decoration in present use.

(5) The Purple Heart medal is awarded in the name of the President of the United States to recognize members of the Armed Forces who are killed or wounded in action against an enemy of the United States or are killed or wounded while held as prisoners of war.

(b) SENSE OF CONGRESS.—Congress—

(1) supports the goals and ideals of National Purple Heart Recognition Day; and

(2) encourages all people of the United States—

(A) to learn about the history of the Purple Heart medal;

(B) to honor recipients of the Purple Heart medal; and

(C) to conduct appropriate ceremonies, activities, and programs to demonstrate support for people who have been awarded the Purple Heart medal.

#### TITLE XI—CIVILIAN PERSONNEL MATTERS

##### SEC. 1101. EXTENSION OF DIRECT HIRE AUTHORITY FOR DOMESTIC DEFENSE INDUSTRIAL BASE FACILITIES AND MAJOR RANGE AND TEST FACILITIES BASE.

(a) IN GENERAL.—Subsection (a) of section 1125 of subtitle B of title XI of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) is amended by striking "During fiscal years 2017 and 2018," and inserting "During each of fiscal years 2017 through 2021,".

(b) BRIEFING.—Not later than 90 days after the end of each of fiscal years 2018 through 2021, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives including—

(1) a description of the effect of such section 1125 (as amended by subsection (a)) on the management of the Department of Defense civilian workforce during the most recently ended fiscal year; and

(2) the number of employees—

(A) hired under such section during such fiscal year; and

(B) expected to be hired under such section during the fiscal year in which the briefing is provided.

##### SEC. 1102. EXTENSION OF AUTHORITY TO PROVIDE VOLUNTARY SEPARATION INCENTIVE PAY FOR CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Section 1107 of subtitle A of title XI of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) is amended by striking "September 30, 2018" and inserting "September 30, 2021".

(b) BRIEFING.—Not later than 90 days after the end of each of fiscal years 2018 through 2021, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives including—

(1) a description of the effect of such section 1107 (as amended by subsection (a)) on the management of the Department of Defense civilian workforce during the most recently ended fiscal year;

(2) the number of employees offered voluntary separation incentive payments during such fiscal year by operation of such section; and

(3) the number of such employees that accepted such payments.

##### SEC. 1103. ADDITIONAL DEPARTMENT OF DEFENSE SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.

Section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2487; 10 U.S.C. 2358 note) is amended by adding at the end the following:

"(20) The Naval Medical Research Center.

"(21) The Joint Warfighting Analysis Center.".

##### SEC. 1104. ONE YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

Subsection (a) of section 1101 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4615), as most recently amended by section 1137 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2460), is amended by striking "through 2017" and inserting "through 2018".

##### SEC. 1105. APPOINTMENT OF RETIRED MEMBERS OF THE ARMED FORCES TO POSITIONS IN OR UNDER THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—During fiscal years 2017 through 2021, in addition to the authority provided under paragraphs (1) and (2) of subsection (b) of section 3326 of title 5, United States Code, and consistent with the requirements of such section, a retired member of the armed forces may be appointed under such subsection if—

(1) the Department of Defense has been granted direct hire authority to fill the position;

(2) the appointment is to fill an emergency appointment for which the Secretary concerned determines competitive appointment is not appropriate or reasonable due to the need to fill the emergency need as quickly as possible; or

(3) the appointment is for a highly qualified expert under section 9903 of such title.

(b) BRIEFING.—Not later than 90 days after the end of each of fiscal years 2017 through 2021, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives including—

(1) with respect to the waiver process under section 3326(b)(1) of title 5, United States Code—

(A) the number of individuals appointed during the most recently ended fiscal year under such process; and

(B) the Department of Defense's plan on the use of such process during the fiscal year in which the report is submitted;

(2) the number of individuals—

(A) appointed under the authority provided by subsection (a) during the most recently ended fiscal year; and

(B) expected to be appointed under such subsection during the fiscal year in which the briefing is provided; and

(3) the impact of subsection (a) on the management of the Department civilian workforce during the most recently ended fiscal year.

**SEC. 1106. DIRECT HIRE AUTHORITY FOR FINANCIAL MANAGEMENT EXPERTS IN THE DEPARTMENT OF DEFENSE WORKFORCE.**

(a) IN GENERAL.—Section 1110 of the National Defense Authorization Act for 2017 (Public Law 114–328) is amended—

(1) in subsection (a), by striking “the Defense Agencies or the applicable military Department” and inserting “a Department of Defense component”;

(2) in subsection (b)(1), by striking “the Defense Agencies” and inserting “each Department of Defense component listed in subsection (f)(2) other than the Department of the Army, the Department of the Navy, and the Department of the Air Force”;

(3) in subsection (d)—

(A) by striking “any Defense Agency or military department” and inserting “any Department of Defense component”;

(B) by striking “such Defense Agency or military department” and inserting “such Department of Defense component”;

(4) by striking subsection (f) and inserting the following:

“(f) DEFINITIONS.—In this section:

“(1) EMPLOYEE.—The term ‘employee’ has the meaning given that term in section 2105 of title 5, United States Code.

“(2) DEPARTMENT OF DEFENSE COMPONENT.—The term ‘Department of Defense component’ means the following:

“(A) A Defense Agency.

“(B) The Office of the Chairman of the Joint Chiefs of Staff.

“(C) The Joint Staff.

“(D) A combatant command.

“(E) The Office of the Inspector General of the Department of Defense.

“(F) A Field Activity of the Department of Defense.

“(G) The Department of the Army.

“(H) The Department of the Navy.

“(I) The Department of the Air Force.

“(J) Any organizational entity within the Department of Defense that is not described in subparagraphs (A) through (I).”.

(b) BRIEFING.—Not later than 90 days after the end of each of fiscal years 2017 through 2021, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives including—

(1) a description of the effect of section 1110 of subtitle A of title XI of the National Defense Authorization Act, 2017 (Public Law 114–328), as amended by subsection (a), on the management of the Department of Defense civilian workforce during the most recently ended fiscal year; and

(2) the number of employees—

(A) hired under such section during such fiscal year; and

(B) expected to be hired under such section during the fiscal year in which the briefing is provided.

**SEC. 1107. EXTENSION OF AUTHORITY FOR TEMPORARY PERSONNEL FLEXIBILITIES FOR DOMESTIC DEFENSE INDUSTRIAL BASE FACILITIES AND MAJOR RANGE AND TEST FACILITIES BASE CIVILIAN PERSONNEL.**

(a) IN GENERAL.—Subsection (a) of section 1132 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2457) is amended by striking “and 2018” and inserting “through 2021”.

(b) BRIEFING.—Not later than 90 days after the end of each of fiscal years 2017 through 2021, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives including—

(1) a description of the effect of such section 1132 (as amended by subsection (a)) on the management of civilian personnel at domestic defense industrial base facilities and Major Range and Test Facilities Base during the most recently ended fiscal year; and

(2) the number of employees—

(A) hired under such section during such fiscal year; and

(B) expected to be hired under such section during the fiscal year in which the briefing is provided.

**SEC. 1108. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.**

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616) and as most recently amended by section 1133 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2459), is further amended by striking “2018” and inserting “2019”.

**TITLE XII—MATTERS RELATING TO FOREIGN NATIONS**

**Subtitle A—Assistance and Training**

**SEC. 1201. ONE-YEAR EXTENSION OF LOGISTICAL SUPPORT FOR COALITION FORCES SUPPORTING CERTAIN UNITED STATES MILITARY OPERATIONS.**

Section 1234 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 394), as most recently amended by section 1201 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2473), is further amended—

(1) in subsection (a), by striking “fiscal year 2017” and inserting “fiscal year 2018”;

(2) in subsection (d), by striking “during the period beginning on October 1, 2016, and ending on December 31, 2017” and inserting “during the period beginning on October 1, 2017, and ending on December 31, 2018”;

(3) in subsection (e)(1), by striking “December 31, 2017” and inserting “December 31, 2018”.

**SEC. 1202. MODIFICATION TO SPECIAL DEFENSE ACQUISITION FUND.**

(a) IN GENERAL.—Effective as of October 1, 2017, paragraph (1) of section 114(c) of title 10, United States Code, is amended by striking “\$2,500,000,000” and inserting “\$2,000,000,000”.

(b) INCREASE IN SIZE OF FUND.—Such section is further amended—

(1) in paragraph (1), by striking “The size” and inserting “Except as provided in paragraph (3), the size”;

(2) in paragraph (3), by striking “Of the amount available in the Special Defense Acquisition Fund in any fiscal year after fiscal year 2016, \$500,000,000” and inserting “The size of the Special Defense Acquisition Fund in any fis-

cal year after fiscal year 2017 may exceed the dollar amount limitation described in paragraph (1) by an amount not to exceed \$500,000,000 and such excess amount”.

**SEC. 1203. MODIFICATION TO MINISTRY OF DEFENSE ADVISOR AUTHORITY.**

(a) MINISTRY OF DEFENSE ADVISOR AUTHORITY.—Subsection (a) of section 332 of title 10, United States Code, is amended by inserting “and members of the armed forces” after “civilian employees of the Department of Defense”.

(b) TRAINING OF PERSONNEL OF FOREIGN MINISTRIES WITH SECURITY MISSIONS.—Subsection (b) of such section is amended—

(1) in paragraph (1), by inserting “to assign civilian employees of the Department of Defense and members of the armed forces as advisors or trainers” after “carry out a program”; and

(2) in paragraph (2)(B)—

(A) by striking “employees” in each place it appears and inserting “advisors or trainers”; and

(B) by striking “each assigned employee’s activities” and inserting “the activities of each assigned advisor or trainer”.

(c) CONGRESSIONAL NOTICE.—Subsection (c) of such section is amended—

(1) in the matter preceding paragraph (1), by inserting “or a member of the armed forces” after “a civilian employee of the Department of Defense”;

(2) in paragraph (1), by striking “employee as an advisor” and inserting “advisor or trainer”; and

(3) in paragraph (3), by striking “employee” and inserting “advisor or trainer”.

**SEC. 1204. MODIFICATION OF AUTHORITY TO BUILD CAPACITY OF FOREIGN SECURITY FORCES.**

Subsection (c) of section 333 of title 10, United States Code, is amended—

(1) in paragraph (2), by adding at the end the following:

“(C) Institutional capacity building to organize, administer, employ, manage, maintain, sustain, or oversee national security forces.”;

(2) in paragraph (3), by inserting “or the Department of State” after “Department of Defense”;

(3) in paragraph (4)—

(A) in the heading, by striking “INSTITUTIONAL CAPACITY BUILDING” and inserting “RESPECT FOR CIVILIAN CONTROL OF THE MILITARY”;

(B) in the first sentence, by striking “that the Department is already undertaking, or will undertake as part of the program” and all that follows and inserting “that the Department of Defense or another department or agency is already undertaking, or will undertake as part of the security sector assistance provided to the foreign country concerned, a program to enhance the capacity of such foreign country to exercise responsible civilian control of the national security forces of such foreign country.”;

and

(C) by striking the second sentence; and

(4) by adding at the end the following:

“(5) INSTITUTIONAL CAPACITY BUILDING.—In order to meet the requirement in paragraph (2)(C) with respect to a particular foreign country under a program under subsection (a), the Secretary shall certify, prior to the initiation of the program, that the Department of Defense or another department or agency is already undertaking, or will undertake as part of the security sector assistance provided to the foreign country concerned, a program of institutional capacity building with appropriate institutions of such foreign country to enhance the capacity of such foreign country to organize, administer, employ, manage, maintain, sustain, or oversee the national security forces of such foreign country.”.

**SEC. 1205. EXTENSION AND MODIFICATION OF AUTHORITY ON TRAINING FOR EASTERN EUROPEAN NATIONAL MILITARY FORCES IN THE COURSE OF MULTILATERAL EXERCISES.**

(a) **ONE-YEAR EXTENSION.**—Subsection (h) of section 1251 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1070; 10 U.S.C. 2282 note), as amended by section 1233 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2489), is further amended—

(1) by striking “September 30, 2018” and inserting “December 31, 2019”; and

(2) by striking “fiscal years 2016 through 2018” and inserting “for the period beginning on October 1, 2015, and ending on December 31, 2019”.

(b) **REGULATIONS FOR ADMINISTRATION OF INCREMENTAL EXPENSES.**—Subsection (d) of such section, as so amended, is further amended by adding at the end the following:

“(4) **REGULATIONS.**—

“(A) **IN GENERAL.**—The Secretary of Defense shall prescribe regulations for payment of incremental expenses under subsection (a). Not later than 120 days after the date of the enactment of this paragraph, the Secretary shall submit the regulations to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

“(B) **PROCEDURES TO BE INCLUDED.**—The regulations required under subparagraph (A) shall include the following:

“(i) Procedures to limit the payment of incremental expenses to developing countries determined pursuant to subsection (c) to be eligible for the provision of training under subsection (a), except in the case of exceptional circumstances as specified in the regulations.

“(ii) Procedures to require reimbursement of incremental expenses from non-developing countries determined pursuant to subsection (c) to be eligible for the provision of training under subsection (a), except in the case of exceptional circumstances as specified in the regulations.

“(C) **DEVELOPING COUNTRY DEFINED.**—In this paragraph, the term ‘developing country’ has the meaning given such term in section 301(4) of title 10, United States Code.”.

(c) **TECHNICAL AND CONFORMING AMENDMENTS.**—Such section, as so amended, is further amended—

(1) in subsection (e), by striking “that” and inserting “than”; and

(2) in subsection (f), by striking “section 2282” and inserting “chapter 16”; and

(3) in subsection (g), by striking “means” and all that follows and inserting “has the meaning given such term in section 301(5) of title 10, United States Code.”.

**SEC. 1206. EXTENSION OF PARTICIPATION IN AND SUPPORT OF THE INTER-AMERICAN DEFENSE COLLEGE.**

Subsection (c) of section 1243 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2516; 10 U.S.C. 1050 note) is amended—

(1) in the heading, by striking “FISCAL YEAR 2017” and inserting “FISCAL YEARS 2017 AND 2018”; and

(2) by striking “fiscal year 2017” and inserting “fiscal years 2017 and 2018”.

**Subtitle B—Matters Relating to Afghanistan and Pakistan**

**SEC. 1211. EXTENSION OF AUTHORITY TO TRANSFER DEFENSE ARTICLES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF AFGHANISTAN.**

(a) **EXTENSION OF EXPIRATION.**—Subsection (h) of section 1222 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1992), as most recently amended by section 1213 of the National Defense Au-

thorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2478), is further amended by striking “December 31, 2017” and inserting “December 31, 2018”.

(b) **EXCESS DEFENSE ARTICLES.**—Subsection (i)(2) of such section, as so amended, is further amended by striking “December 31, 2017,” in each place it appears and inserting “December 31, 2018”.

**SEC. 1212. REPORT ON UNITED STATES STRATEGY IN AFGHANISTAN.**

(a) **REPORT REQUIRED.**—Not later than February 15, 2018, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report that describes the United States strategy in Afghanistan.

(b) **MATTERS TO BE INCLUDED.**—The report required by subsection (a) shall include the following:

(1) A description of United States assumptions, security interests, and corresponding objectives in Afghanistan.

(2) A description of how current military efforts align to such objectives and, given current or projected progress, a realistic prognosis for a timeline necessary to achieve such objectives.

(3) An explanation of the conditions necessary for the Afghan National Defense and Security Forces to become self-sufficient.

(4) A description of the projected long-term and sustainable United States role in Afghanistan.

(5) A description of the threat of harm to United States forces in Afghanistan and a justification based on the threat to United States interests.

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

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

**SEC. 1213. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.**

(a) **EXTENSION.**—

(1) **IN GENERAL.**—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 393), as most recently amended by section 1218(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2482), is further amended—

(A) by striking “October 1, 2016” and inserting “October 1, 2017”; and

(B) by striking “December 31, 2017” and inserting “December 31, 2018”.

(2) **REPORT REQUIRED.**—

(A) **IN GENERAL.**—Not later than December 31, 2018, the Secretary of Defense shall submit to the appropriate congressional committees a report on the expenditure of funds under the authority in subsection (a)(2) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 393), including a description of the following:

(i) The purpose for which such funds were expended.

(ii) Each organization on whose behalf such funds were expended, including the amount expended on such organization and the number of members of such organization supported by such amount.

(iii) Any limitation imposed on the expenditure of funds under such subsection, including on any recipient of funds or any use of funds expended.

(B) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this paragraph, the term “appropriate congressional committees” means—

(i) the congressional defense committees; and

(ii) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(b) **NOTICE REQUIREMENT.**—Section 1232(b)(6) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 393), as most recently amended by section 1218(e) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2484), is further amended by striking “December 31, 2017” and inserting “December 31, 2018”.

(c) **LIMITATION ON REIMBURSEMENT PENDING CERTIFICATION.**—Section 1227(d)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2001), as most recently amended by section 1218(f) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2484), is further amended by striking “December 31, 2017” and inserting “December 31, 2018”.

(d) **ADDITIONAL LIMITATIONS ON REIMBURSEMENT.**—

(1) **EXTENSION OF LIMITATIONS ON AMOUNTS.**—Subsection (d)(1) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 393), as most recently amended by section 1218(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2483), is further amended—

(A) in the first sentence, by striking “\$1,000,000,000” and inserting “\$1,000,000,000”;

(B) in the second sentence, by striking “\$900,000,000” and inserting “\$800,000,000”;

(C) by striking “October 1, 2016” in each place it appears and inserting “October 1, 2017”; and

(D) by striking “December 31, 2017” in each place it appears and inserting “December 31, 2018”.

(2) **EXTENSION OF LIMITATION ON AMOUNTS ELIGIBLE FOR WAIVER.**—Subsection (g) of section 1218 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2484) is amended—

(A) by striking “October 1, 2016” and inserting “October 1, 2017”; and

(B) by striking “December 31, 2017” and inserting “December 31, 2018”.

**Subtitle C—Matters Relating to Syria, Iraq, and Iran**

**SEC. 1221. REPORT ON UNITED STATES STRATEGY IN SYRIA.**

(a) **IN GENERAL.**—Not later than February 1, 2018, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report that describes the strategy of the United States in Syria.

(b) **MATTERS TO BE INCLUDED.**—The report required by subsection (a) shall include each of the following:

(1) A description of the key security and geopolitical interests, objectives, and long-term goals in Syria for the United States and indicators for the effectiveness of efforts to achieve such objectives and goals.

(2) A description of United States assumptions regarding the current intelligence picture, the roles and ambitions of other countries, and the interests of relevant Syrian groups with respect to such objectives.

(3) A description of how current military and diplomatic efforts in Syria align with such objectives, and a realistic projection of the timeline necessary to achieve such objectives.

(4) The resources required to achieve such objectives.

(5) An analysis of the threats posed to United States interests by Russian and Iranian influences in Syria, as well as the threats posed to such interests by the Islamic State of Iraq and the Levant, Al Qaeda, Hezbollah, and other violent extremist organizations in Syria.

(6) A description of long-term and sustainable United States involvement in Syria and the conclusion of the current United States effort in Syria.

(7) A description of the coordination between the Department of Defense and the Department of State regarding the transition from military operations to stabilization programming, including a description of how local governance and civil society will be restored in areas secured through United States military operations in Syria.

(8) A description of the threat of harm to United States forces in Syria and a justification based on the threat to United States interests.

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

- (1) the congressional defense committees; and
- (2) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

**SEC. 1222. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND THE LEVANT.**

(a) **AUTHORITY.**—Subsection (a) of section 1236 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3559), as most recently amended by section 1222 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2485), is further amended by striking “December 31, 2018” and inserting “December 31, 2019”.

(b) **QUARTERLY PROGRESS REPORT.**—Subsection (d) of such section is further amended—

- (1) in the first sentence of the matter preceding paragraph (1), by adding at the end before the period the following: “, which shall be provided in unclassified form with a classified annex if necessary”; and
- (2) by adding at the end the following:

“(12) An assessment of—

“(A) security in liberated areas in Iraq;

“(B) the extent to which security forces trained and equipped, directly or indirectly, through the Office of Security Cooperation in Iraq (OSC-I) are prepared to provide post-conflict stabilization and security in such liberated areas; and

“(C) the effectiveness of security forces in the post-conflict environment and an identification of which such forces will provide post-conflict stabilization and security in such liberated areas.”

(c) **FUNDING.**—Subsection (g) of such section is further amended—

- (1) by striking “National Defense Authorization Act for Fiscal Year 2017” and inserting “National Defense Authorization Act for Fiscal Year 2018”;
- (2) by striking “fiscal year 2017” and inserting “fiscal year 2018”; and
- (3) by striking “\$630,000,000” and inserting “\$1,269,000,000”.

(d) **SENSE OF CONGRESS.**—Recognizing the important role of the Iraqi Christian militias within the military campaign against ISIL in Iraq, and the specific threat to the Christian population in Iraq, it is the sense of Congress that the United States should provide arms, training, and appropriate equipment to vetted elements of the Nineveh Plain Council.

**SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.**

(a) **EXTENSION OF AUTHORITY.**—Subsection (f)(1) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1631; 10 U.S.C. 113 note), as most recently amended by section 1223 of the National Defense Authorization Act for Fiscal

Year 2017 (Public Law 114–328; 130 Stat. 2486), is further amended by striking “fiscal year 2017” and inserting “fiscal year 2018”.

(b) **LIMITATION ON AMOUNT.**—Subsection (c) of such section is amended—

- (1) by striking “fiscal year 2017” and inserting “fiscal year 2018”; and
- (2) by striking “\$70,000,000” and inserting “\$42,000,000”.

(c) **SOURCE OF FUNDS.**—Subsection (d) of such section is amended by striking “fiscal year 2017” and inserting “fiscal year 2018”.

**SEC. 1224. SENSE OF CONGRESS ON THREATS POSED BY THE GOVERNMENT OF IRAN.**

(a) **FINDING.**—Congress expressed concerns over state-sponsored threats posed by Iran and over Iran’s integration of conventional warfare, cyber and information operations, intelligence operations, and other activities to undermine United States national security interests.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

- (1) the United States should counter the malign activities of the Government of Iran;
- (2) the United States should maintain a capable military presence in the Arabian Gulf region to deter, and, if necessary, respond to Iranian aggression;
- (3) the United States should strengthen ballistic missile defense capabilities;
- (4) the United States should ensure freedom of navigation at the Bab al Mandab strait and the Strait of Hormuz; and
- (5) the United States should counter Iranian efforts to illicitly proliferate weapons, including cruise and ballistic missiles.

**Subtitle D—Matters Relating to the Russian Federation**

**SEC. 1231. EXTENSION OF LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.**

Section 1232(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2488) is amended by striking “fiscal year 2017” and inserting “fiscal year 2018”.

**SEC. 1232. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.**

(a) **PROHIBITION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended to implement any activity that recognizes the sovereignty of the Russian Federation over Crimea.

(b) **WAIVER.**—The Secretary of Defense, with the concurrence of the Secretary of State, may waive the restriction on the obligation or expenditure of funds required by subsection (a) if the Secretary—

- (1) determines that to do so is in the national security interest of the United States; and
- (2) submits a notification of the waiver, at the time the waiver is invoked, to the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

**SEC. 1233. STATEMENT OF POLICY ON THE RUSSIAN FEDERATION.**

(a) **FINDINGS.**—Congress makes the following findings:

- (1) The Russian Federation, under the leadership of President Vladimir Putin, continues to demonstrate its malign activities to expand its sphere of influence and undermine international norms and institutions both regionally and globally, including through the following activities:

(A) An assessment of the United States intelligence community stated “. . . Russian Presi-

dent Vladimir Putin ordered an influence campaign in 2016 aimed at the U.S. presidential election”, presented in the intelligence community’s January 6, 2017, declassified report, “Assessing Russian Activities and Intentions in Recent U.S. Elections”.

(B) The Russian Federation has interfered in the April 2017 election and runoff election in May 2017 of the French Presidential elections. As confirmed by Admiral Mike Rogers, Director of the National Security Agency, at a Senate Committee on Armed Services hearing on May 9, 2017, “If you look at the French elections . . . we had become aware of Russian activity.”

(C) The Russian Federation has threatened stability in their sphere of influence. As stated by General Curtis M. Scaparrotti, Commander of the United States European Command, in testimony at a House Committee on Armed Services hearing on March 28, 2017, “In the east, a resurgent Russia has turned from partner to antagonist. Countries along Russia’s periphery, especially Ukraine and Georgia, are under threat from Moscow’s malign influence and military aggression.”

(D) The Russian Federation has occupied and attempted to annex Crimea from Ukraine.

(E) The Russian Federation has employed hybrid warfare tactics, including cyber warfare, electronic warfare, and information warfare to gain influence. This includes the use of hybrid tactics in assisting combined Russian-separatist forces in eastern Ukraine and, in 2008, the Russian incursion in Georgia.

(F) Military intervention in the civil war in Syria.

(2) Both the Secretary of Defense, James Mattis, and the Chairman of the Joint Chiefs of Staff, General Joseph Dunford, highlight the Russian Federation as the number one geo-strategic threat to the United States.

(3) The Government of the Russian Federation continues its decades’ long modernization of its conventional military force with the buildup of large numbers of professionalized forces on Russia’s borders with Europe, re-establishing military presence in the Arctic, investment in its nuclear triad, advanced weapons systems, fighter jets, and naval vessels.

(4) In June 2016, the Center for Strategic and International Studies released its report, “Evaluating U.S. Army Force Posture in Europe: Phase II”, which included the recommendation that an Armed Brigade Combat Team and a combat aviation brigade should be permanently assigned to Europe. The report also recommends additional prepositioned equipment in Western Europe.

(5) In January 2016, the National Commission on the Future of the Army released its findings and recommendations, which included Recommendation 14, calling for permanently stationing an Armored Brigade Combat Team Forward in Europe and Recommendation 15 calling for the conversion of Army Europe Aviation Headquarters to a warfighting mission command.

(6) In the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92), and the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), Congress authorized approximately \$5,200,000 for the European Reassurance Initiative, now the European Deterrence Initiative, to reassure partners and allies and begin building a credible deterrence to the Russian Federation through—

(A) large increases in conventional resources, including additional rotational deployments of United States troops and prepositioning of equipment into Europe; and

(B) increased funding for unconventional warfare resources, including cyber and special



operations forces, and for intelligence and indicators and warnings.

(b) **STATEMENT OF POLICY.**—

(1) **IN GENERAL.**—It is the policy of the United States to develop, implement, and sustain credible deterrence against aggression by the Government of the Russian Federation, in order to enhance regional and global security and stability.

(2) **CONDUCT OF POLICY.**—The policy described in paragraph (1) shall, among other things, be carried out through a comprehensive defense strategy and guidance to outline and resource the necessary defense capabilities in the European theater. Such policy shall include the following:

(A) Increased United States presence in Europe through additional permanently stationed forces.

(B) Continued United States presence in Europe through additional rotational forces.

(C) Increased United States prepositioned military equipment to include logistics enablers and a division headquarters.

(D) Sufficient and necessary infrastructure additions and improvements throughout the European theater.

(E) Increased investment and priority to counter unconventional methods of warfare, including sufficient cyber warfare resources, information operations resources, and intelligence resources.

(F) Effective security cooperation resources and opportunities with partners and allies, including NATO member countries.

**SEC. 1234. MODIFICATION AND EXTENSION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.**

Section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068), as amended by section 1237 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2494), is further amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking “\$175,000,000 of the funds available for fiscal year 2017 pursuant to subsection (f)(2)” and inserting “\$75,000,000 of the funds available for fiscal year 2018 pursuant to subsection (f)(3)”; and

(B) in paragraph (3)—

(i) by striking “fiscal year 2017” and inserting “fiscal year 2018”; and

(ii) by striking “\$100,000,000” and inserting “\$50,000,000”;

(2) in subsection (f), by adding at the end the following:

“(3) For fiscal year 2018, \$150,000,000.”; and

(3) in subsection (h), by striking “December 31, 2018” and inserting “December 31, 2019”.

**SEC. 1235. LIMITATION ON AVAILABILITY OF FUNDS RELATING TO IMPLEMENTATION OF THE OPEN SKIES TREATY.**

(a) **LIMITATION ON CONDUCT OF FLIGHTS.**—

(1) **IN GENERAL.**—None of the funds authorized to be appropriated by this Act or otherwise made available for any fiscal year after fiscal year 2017 for the Department of Defense for operation and maintenance, Defense-wide, or operation and maintenance, Air Force, may be obligated or expended to conduct any flight during such fiscal year for purposes of implementing the Open Skies Treaty until the date that is seven days after the date on which the President submits to the appropriate congressional committees a plan described in paragraph (2) with respect to such fiscal year.

(2) **PLAN DESCRIBED.**—The plan described in this paragraph is a plan developed by the Secretary of Defense, in coordination with the Secretary of State, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence, that contains a description of the objectives for all planned flights described in paragraph (1) during such fiscal year.

(3) **UPDATE.**—To the extent necessary and appropriate, the Secretary of Defense, in coordination with the Secretary of State, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence, may update the plan described in paragraph (2) with respect to a fiscal year and submit the updated plan to the appropriate congressional committees.

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

(A) the congressional defense committees; and

(B) the Select Committee on Intelligence and Committee on Foreign Relations of the Senate and the Permanent Select Committee on Intelligence and the Committee on Foreign Affairs of the House of Representatives.

(5) **SUNSET.**—The requirements of this subsection shall terminate on the date that is five years after the date of the enactment of this Act.

(b) **PROHIBITION ON ACTIVITIES TO MODIFY UNITED STATES AIRCRAFT.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for research, development, test, and evaluation, Air Force, for arms control implementation (PE 0305145F) or procurement, Air Force, for digital visual imaging system (BA–05, Line Item #1900) may be obligated or expended to carry out any activities to modify any United States aircraft for purposes of implementing the Open Skies Treaty.

(c) **OPEN SKIES TREATY DEFINED.**—In this section, the term “Open Skies Treaty” means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

**SEC. 1236. SENSE OF CONGRESS ON IMPORTANCE OF NUCLEAR CAPABILITIES OF NATO.**

(a) **FINDINGS.**—Congress finds the following:

(1) The Warsaw Summit Communiqué, issued on July 9, 2016, by the North Atlantic Treaty Organization (in this section referred to as “NATO”) clearly defines the need for, and the importance of, the nuclear mission of NATO.

(2) The Warsaw Summit Communiqué states—

(A) with respect to the nuclear deterrence capability of NATO, “As a means to prevent conflict and war, credible deterrence and defence is essential. Therefore, deterrence and defence, based on an appropriate mix of nuclear, conventional, and missile defence capabilities, remains a core element of our overall strategy . . . The fundamental purpose of NATO’s nuclear capability is to preserve peace, prevent coercion, and deter aggression. Nuclear weapons are unique. Any employment of nuclear weapons against NATO would fundamentally alter the nature of a conflict. The circumstances in which NATO might have to use nuclear weapons are extremely remote”;

(B) with respect to the nature of the nuclear deterrence posture of NATO, “NATO must continue to adapt its strategy in line with trends in the security environment—including with respect to capabilities and other measures required—to ensure that NATO’s overall deterrence and defence posture is capable of addressing potential adversaries’ doctrine and capabilities, and that it remains credible, flexible, resilient, and adaptable.”; and

(C) with respect to the importance of contributions to the nuclear deterrence mission from across the NATO alliance, “The strategic forces of the Alliance, particularly those of the United States, are the supreme guarantee of the security of the Allies. The independent strategic nuclear forces of the United Kingdom and France have a deterrent role of their own and contribute to the overall security of the Alliance. These Allies’ separate centres of decision-making contribute to deterrence by complicating the calculations of potential adversaries. NATO’s

nuclear deterrence posture also relies, in part, on United States’ nuclear weapons forward-deployed in Europe and on capabilities and infrastructure provided by Allies concerned. These Allies will ensure that all components of NATO’s nuclear deterrent remain safe, secure, and effective. That requires sustained leadership focus and institutional excellence for the nuclear deterrence mission and planning guidance aligned with 21st century requirements. The Alliance will ensure the broadest possible participation of Allies concerned in their agreed nuclear burden-sharing arrangements.”.

(3) Secretary of Defense James Mattis, in response to the advance policy questions for his Senate confirmation hearing on January 12, 2017, stated that—

(A) “NATO’s nuclear deterrence posture relies in part on U.S. nuclear weapons forward-deployed in Europe and on capabilities and infrastructure provided by NATO allies. These capabilities include dual-capable aircraft that contribute to current burden-sharing arrangements within NATO. In general, we must take care to maintain this particular capability, and to modernize it appropriately and in a timely fashion.”; and

(B) the role of the nuclear weapons of the United States is “to deter nuclear war and to serve as last resort weapons of self-defense. In this sense, U.S. nuclear weapons are fundamental to our nation’s security and have historically provided a deterrent against aggression and security assurance to U.S. allies. A robust, flexible, and survivable U.S. nuclear arsenal underpins the U.S. ability to deploy conventional forces worldwide.”.

(4) On March 28, 2017, General Curtis Scaparrotti, Commander of the United States European Command and the Supreme Allied Commander, Europe, testified to the Committee on Armed Services of the House of Representatives that “NATO and U.S. nuclear forces continue to be a vital component of our deterrence. Our modernization efforts are crucial; we must preserve a ready, credible, and safe nuclear capability.”.

(5) The Russian Federation is currently undergoing significant modernization and recapitalization of all three legs of its nuclear triad, continues to field and modernize a large variety of non-strategic nuclear weapons, and is developing and deploying new and unique nuclear capabilities.

(6) Russia remains in violation of the INF Treaty due to the development, testing, and, most recently, the operational deployment of ground-launched cruise missiles in violation of the INF Treaty.

(7) On March 28, 2017, General Paul Selva, Vice Chairman of the Joint Chiefs of Staff, described the security consequences of the deployment of such INF Treaty-violating missiles, testifying to the Committee on Armed Services of the House of Representatives that “our assessment of the impact is that it more threatens NATO and infrastructure within the European continent than any other . . . area of the world that we have national interests in or alliance interests in.”.

(8) On March 28, 2017, General Curtis Scaparrotti, in testimony before the Committee on Armed Services of the House of Representatives, responded to a question asking if Russia intends to return to compliance with the INF Treaty by stating, “I don’t have any indication that they will at this time.”.

(9) Rhetoric from Russian officials has demonstrated that Moscow has sought to leverage its nuclear arsenal to threaten and intimidate neighboring countries, including members of NATO, as was the case when the Russian Ambassador to Denmark stated, “Danish warships will be targets for Russian nuclear missiles” in

response to Denmark's potential cooperation in the NATO missile defense system.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the nuclear and conventional deterrence capabilities of NATO are of critical importance to the security of the United States and of the NATO alliance, and must continue to adapt to the changed security environment in Europe;

(2) the ability of the United States to forward-deploy dual-capable aircraft and nuclear weapons, and of select members of NATO to participate in the nuclear deterrence mission of NATO by hosting forward-deployed nuclear weapons of the United States or operating dual-capable aircraft, is central to the credibility of the nuclear deterrence and defense posture of NATO;

(3) the strategic forces of the United States, the independent nuclear forces of the United Kingdom and the French Republic, and the dual-capable aircraft operated by the United States and other members of NATO constitute foundational elements of the nuclear deterrence and defense posture of NATO;

(4) NATO should modernize its nuclear-related infrastructure to ensure the highest-level of safety and security;

(5) effective deterrence requires NATO to conduct nuclear planning and exercises aligned with 21st century requirements and modernize nuclear-related capabilities and infrastructure, including dual-capable aircraft, command and control networks, and facilities; and

(6) to ensure the continued credibility of the deterrence and defense posture of NATO, the planned completion of F-35A aircraft development and testing, as well as the delivery of such aircraft to members of NATO, must not be delayed.

(c) **INF TREATY DEFINED.**—In this section, the term “INF Treaty” means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the “Intermediate-Range Nuclear Forces (INF) Treaty”, signed at Washington December 8, 1987, and entered into force June 1, 1988.

**SEC. 1237. SENSE OF CONGRESS ON SUPPORT FOR GEORGIA.**

(a) **FINDINGS.**—Congress finds the following:

(1) Georgia is a valued friend of the United States and has repeatedly demonstrated its commitment to advancing the mutual interests of both countries, including the deployment of Georgian forces as part of the NATO-led International Security Assistance Force (ISAF) in Afghanistan and the Multi-National Force in Iraq.

(2) The European Deterrence Initiative builds the partnership capacity of Georgia so it can work more closely with the United States and NATO, as well as provide for its own defense.

(3) In addition to the European Deterrence Initiative, Georgia's participation in the NATO initiative Partnership for Peace is paramount to interoperability with the United States and NATO, and establishing a more peaceful environment in the region.

(4) Despite the losses suffered, as a NATO partner of ISAF, Georgia is engaged in the Resolute Support Mission in Afghanistan with the second largest contingent on the ground.

(b) **SENSE OF CONGRESS.**—Congress—

(1) reaffirms United States support for Georgia's sovereignty and territorial integrity within its internationally-recognized borders, and does not recognize the independence of the Abkhazia and South Ossetia regions currently occupied by the Russian Federation; and

(2) supports continued cooperation between the United States and Georgia and the efforts of the Government of Georgia to provide for the defense of its people and sovereign territory.

**SEC. 1238. SENSE OF CONGRESS ON SUPPORT FOR ESTONIA, LATVIA, AND LITHUANIA.**

(a) **FINDINGS.**—Congress finds the following:

(1) The Baltic States of Estonia, Latvia, and Lithuania are highly valued allies of the United States, and they have repeatedly demonstrated their commitment to advancing our mutual interests as well as those of the NATO Alliance.

(2) Operation Atlantic Resolve is a series of exercises and coordinating efforts demonstrating the United States' commitment to its European partners and allies, including the Baltic States of Estonia, Latvia, and Lithuania, with the shared goal of peace and stability in the region. Operation Atlantic Resolve strengthens communication and understanding, and is an important effort to deter Russian aggression in the region.

(3) Through Operation Atlantic Resolve, the European Deterrence Initiative undertakes exercises, training, and rotational presence necessary to reassure and integrate our allies, including the Baltic States, into a common defense framework.

(4) All three Baltic States contributed to the NATO-led International Security Assistance Force in Afghanistan, sending disproportionate numbers of troops and operating with few caveats. The Baltic States continue to engage in Operation Resolute Support in Afghanistan.

(b) **SENSE OF CONGRESS.**—Congress—

(1) reaffirms its support for the principle of collective defense in Article 5 of the North Atlantic Treaty for our NATO allies, including Estonia, Latvia, and Lithuania;

(2) supports the sovereignty, independence, territorial integrity, and inviolability of Estonia, Latvia, and Lithuania as well as their internationally recognized borders, and expresses concerns over increasingly aggressive military maneuvering by the Russian Federation near their borders and airspace;

(3) expresses concern over and condemns subversive and destabilizing activities by the Russian Federation within the Baltic States; and

(4) encourages the Administration to further enhance defense cooperation efforts with Estonia, Latvia, and Lithuania and supports the efforts of their Governments to provide for the defense of their people and sovereign territory.

**Subtitle E—Intermediate-Range Nuclear Forces (INF) Treaty Preservation Act of 2017**

**SEC. 1241. SHORT TITLE.**

This subtitle may be cited as the “Intermediate-Range Nuclear Forces (INF) Treaty Preservation Act of 2017”.

**SEC. 1242. FINDINGS.**

Congress makes the following findings:

(1) The 2014, 2015, and 2016 Department of State reports entitled, “Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments”, all stated that the United States has determined that “the Russian Federation is in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles”.

(2) The 2016 report also noted that “the cruise missile developed by Russia meets the INF Treaty definition of a ground-launched cruise missile with a range capability of 500 km to 5,500 km, and as such, all missiles of that type, and all launchers of the type used or tested to launch such a missile, are prohibited under the provisions of the INF Treaty”.

(3) Potential consistency and compliance concerns regarding the INF Treaty noncompliant GLCM have existed since 2008, were not officially raised with the Russian Federation until 2013, and were not briefed to the North Atlantic Treaty Organization (NATO) until January 2014.

(4) The United States Government is aware of other consistency and compliance concerns regarding Russia actions vis-à-vis its INF Treaty obligations.

(5) Since 2013, senior United States officials, including the President, the Secretary of State, and the Chairman of the Joint Chiefs of Staff, have raised Russian noncompliance with the INF Treaty to their counterparts, but no progress has been made in bringing the Russian Federation back into compliance with the INF Treaty.

(6) In April 2014, General Breedlove, the Supreme Allied Commander Europe, correctly stated, “A weapon capability that violates the INF, that is introduced into the greater European land mass, is absolutely a tool that will have to be dealt with . . . It can't go unanswered.”.

(7) The Department of Defense in its September 2013 report, Report on Conventional Prompt Global Strike Options if Exempt from the Restrictions of the Intermediate-Range Nuclear Forces Treaty Between the United States of America and the Union of Soviet Socialist Republics, stated that it has multiple validated military requirement gaps due to the prohibitions imposed on the United States as a result of its compliance with the INF Treaty.

(8) It is not in the national security interests of the United States to be unilaterally legally prohibited from developing dual-capable ground-launched cruise missiles with ranges between 500 and 5,500 kilometers, while Russia makes advances in developing and fielding this class of weapon systems, and such unilateral limitation cannot be allowed to continue indefinitely.

(9) Admiral Harry Harris, Jr., Commander of the United States Pacific Command, testified before the Senate Armed Services Committee on April 27, 2017, that “[W]e're in a multi-polar world where we have a lot of countries who are developing these weapons, including China, that I worry about. And I worry about their DF-21 and DF-26 missile programs, their anti-carrier ballistic missile programs, if you will. INF doesn't address missiles launched from ships or airplanes, but it focuses on those land-based systems. I think there's goodness in the INF treaty, anything you can do to limit nuclear weapons writ-large is generally good. But the aspects of the INF Treaty that limit our ability to counter Chinese and other countries' land-based missiles, I think, is problematic.”.

(10) A material breach of the INF Treaty by the Russian Federation affords the United States the right to invoke legal countermeasures which include suspension of the treaty in whole or in part.

(11) Article XV of the INF Treaty provides that “Each Party shall, in exercising its national sovereignty, have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests.”.

**SEC. 1243. COMPLIANCE ENFORCEMENT REGARDING RUSSIAN VIOLATIONS OF THE INF TREATY.**

(a) **STATEMENT OF UNITED STATES POLICY.**—It is the policy of the United States as follows:

(1) The actions undertaken by the Russian Federation in violation of the INF Treaty constitute a material breach of the treaty.

(2) In light of the Russian Federation's material breach of the INF Treaty, the United States is legally entitled to suspend the operation of the INF Treaty in whole or in part for so long as the Russian Federation continues to be in material breach.

(3) For so long as the Russian Federation remains in noncompliance with the INF Treaty, the United States should take actions to encourage the Russian Federation return to compliance, including by—

(A) providing additional funds for the capabilities identified in section 1243(d) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1062); and

(B) seeking additional missile defense assets in the European theater to protect United States and NATO forces from ground-launched missile systems of the Russian Federation that are in noncompliance with the INF Treaty.

(b) AUTHORIZATION OF ADDITIONAL APPROPRIATIONS.—

(1) IN GENERAL.—Of the funds authorized to be appropriated by this Act for fiscal year 2018 for research, development, test, and evaluation, as specified in the funding table in division D, \$50,000,000 shall be made available for—

(A) the development of active defenses to counter ground-launched missile systems with ranges between 500 and 5,500 kilometers;

(B) counterforce capabilities to prevent attacks from these missiles; and

(C) countervailing strike capabilities to enhance the capabilities of the United States identified in section 1243(d) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1062).

(2) DEVELOPMENT.—Of the amount authorized to be appropriated by paragraph (1), \$25,000,000 is authorized to be appropriated for activities undertaken to carry out section 1244(a), including with respect to research and development activities.

**SEC. 1244. DEVELOPMENT OF INF RANGE GROUND-LAUNCHED MISSILE SYSTEM.**

(a) ESTABLISHMENT OF A PROGRAM OF RECORD.—The Secretary of Defense shall establish a program of record to develop a conventional road-mobile ground-launched cruise missile system with a range of between 500 to 5,500 kilometers.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report on the cost, schedule, and feasibility to modify existing and planned missile systems, including the tomahawk land attack cruise missile, the standard missile-3, the standard missile-6, and Army tactical missile system missiles for ground launch with a range of between 500 and 5,500 kilometers in order to provide any of the capabilities identified in section 1243(d) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1062).

**SEC. 1245. NOTIFICATION REQUIREMENT RELATED TO RUSSIAN FEDERATION DEVELOPMENT OF NONCOMPLIANT SYSTEMS AND UNITED STATES ACTIONS REGARDING MATERIAL BREACH OF INF TREATY BY THE RUSSIAN FEDERATION.**

(a) DECLARATION OF POLICY.—Congress declares that because of the Russian Federation's violations of the INF Treaty, including the flight-test, production, and possession of prohibited systems, its actions have defeated the object and purpose of the INF Treaty, and thus constitute a material breach of the INF Treaty.

(b) NOTIFICATION BY DIRECTOR OF NATIONAL INTELLIGENCE.—

(1) IN GENERAL.—The Director of National Intelligence shall notify the appropriate congressional committees of any development, deployment, or test of a system by the Russian Federation that the Director determines is inconsistent with the INF Treaty.

(2) DEADLINE.—A notification under this subsection shall be made not later than 15 days after the date on which the Director makes the determination under this subsection with respect to which the notification is required.

(c) REPORT BY PRESIDENT.—Not later than 15 months after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains a determination of the President of whether the Russian Federation has flight-tested, produced, or is in possession of a ground-launched cruise missile or ground-launched ballistic missile with a range of between 500 and 5,500 kilometers during each of the three consecutive 120-day periods beginning on the date of the enactment of this Act.

(d) UNITED STATES ACTIONS.—If the determination of the President contained in the report required to be submitted under subsection (c) is that the Russian Federation has flight-tested, produced, or is in possession of any missile described in subsection (c) during each of the periods described in subsection (c), the prohibitions set forth in Article VI of the INF Treaty shall no longer be binding on the United States as a matter of United States law.

**SEC. 1246. LIMITATION ON AVAILABILITY OF FUNDS TO EXTEND THE IMPLEMENTATION OF THE NEW START TREATY.**

None of the funds authorized to be appropriated or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended to extend the implementation of the New START Treaty unless the President certifies to the appropriate congressional committees that the Russian Federation has verifiably eliminated all missiles that are in violation of or may be inconsistent with the INF Treaty.

**SEC. 1247. REVIEW OF RS-26 BALLISTIC MISSILE.**

(a) IN GENERAL.—The President, in consultation with the Secretary of State, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence, shall conduct a review of the RS-26 ballistic missile of the Russian Federation.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the President, in consultation with the Secretary of State, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence, shall submit to the appropriate congressional committees a report on the review conducted under subsection (a). The report shall include—

(1) a determination whether the RS-26 ballistic missile is covered under the New START Treaty or would be a violation of the INF Treaty because Russia has flight-tested such missile to ranges covered by the INF Treaty in more than one warhead configuration; and

(2) if the President determines that the RS-26 ballistic missile is covered under the New START Treaty, a determination whether the Russian Federation—

(A) has agreed through the Bilateral Consultative Commission that such a system is limited under the New START Treaty central limits; and

(B) has agreed to an exhibition of such a system.

(c) EFFECT OF DETERMINATION.—If the President, with the concurrence of the Secretary of State, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence, determines that the RS-26 ballistic missile is covered under the New START Treaty and that the Russian Federation has not taken the steps described under subsection (b)(2), the United States Government shall consider for purposes of all policies and decisions that the RS-26 ballistic missile of the Russian Federation is a violation of the INF Treaty.

**SEC. 1248. DEFINITIONS.**

In this subtitle:

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

(A) the Select Committee on Intelligence, the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(2) INF TREATY.—The term “INF Treaty” means the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988.

(3) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(4) NEW START TREATY.—The term “New START Treaty” means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed at Prague April 8, 2010, and entered into force February 5, 2011.

(5) OPEN SKIES TREATY.—The term “Open Skies Treaty” means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

**Subtitle F—Fostering Unity Against Russian Aggression Act of 2017**

**SEC. 1251. SHORT TITLE.**

This subtitle may be cited as the “Fostering Unity Against Russian Aggression Act of 2017”.

**SEC. 1252. FINDINGS AND SENSE OF CONGRESS.**

(a) FINDINGS.—Congress finds the following:

(1) General Curtis M. Scaparrotti, Commander of the United States European Command, testified before the House Armed Services Committee on March 27, 2017, that “Today we face the most dynamic European security environment in history.” and that “Russia’s malign actions are supported by its diplomatic, information, economic, and military initiatives.”

(2) The Russian Federation has shifted to a military doctrine that envisions using nuclear weapons in an attempt to end a failing regional conventional conflict. On June 25, 2015, Deputy Secretary of Defense Robert Work and then-Vice-Chairman of the Joint Chiefs of Staff Admiral James Winnefeld testified before the House Armed Services Committee that “Russian military doctrine includes what some have called an ‘escalate to de-escalate’ strategy—a strategy that purportedly seeks to deescalate a conventional conflict through coercive threats, including limited nuclear use. We think that this label is dangerously misleading. Anyone who thinks they can control escalation through the use of nuclear weapons is literally playing with fire. Escalation is escalation, and nuclear use would be the ultimate escalation.”

(3) General Scaparrotti noted in his March 27, 2017, testimony before the House Armed Services Committee that “Moscow’s provocative rhetoric and nuclear threats increase the likelihood of misunderstanding and miscalculation.”

(4) The Russian Federation continues to conduct ongoing influence campaigns aimed at undermining democracies around the world. According to an assessment by the intelligence community, “Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the U.S. presidential election”, which included the use of the Russian military intelligence organization. The intelligence community also assessed that Russia would apply lessons learned to future influence efforts worldwide, including against United States allies and their election systems.

(5) The Russian Federation continues its aggression on its periphery. In 2008, the Russian

Federation fomented conflict in Georgia. Further, the Russian Federation is directing combined Russian-Separatist units in eastern Ukraine, actively inciting violence and prolonging the most significant conflict in Europe.

(6) The investment of over \$5 billion in the European Reassurance Initiative (ERI), now the European Deterrence Initiative (EDI), has proven successful in significantly enhancing the ability of United States forces, NATO allies, and regional partners to deter Russian aggression. EDI has not only assured our European allies and partners but supported essential investments in NATO's military capacity, interoperability, and agility.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the risks of miscalculation in a crisis are exacerbated by the Russian Federation's shift to a military doctrine of "escalate to de-escalate", lowering the threshold for Russian use of nuclear weapons and thereby increasing the risk of using nuclear weapons, potentially escalating in to a massive nuclear exchange;

(2) subversive and destabilizing activities by the Russian Federation targeting NATO allies and partners causes concern and should be condemned;

(3) European Deterrence Initiative (EDI) investments are long-term and, as such, Congress expects future budgets to reflect United States commitment by planning for funding in the base budget, and further EDI should build on United States presence by increasing the United States permanent force posture; and

(4) credible deterrence requires steadfast cooperation and joint action with NATO allies and partners and other United States allies and partners in Europe.

**SEC. 1253. STRATEGY TO COUNTER THREATS BY THE RUSSIAN FEDERATION.**

(a) **STRATEGY REQUIRED.**—The Secretary of Defense, in coordination with the Secretary of State and in consultation with each of the Secretaries of the military departments, the Joint Chiefs of Staff, and the commanders of each of the regional and functional combatant commands, shall develop and implement a comprehensive strategy to counter threats by the Russian Federation.

(b) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report on the strategy required by subsection (a).

(2) **ELEMENTS.**—The report required by this subsection shall include the following elements:

(A) An evaluation of strategic objectives and motivations of the Russian Federation.

(B) A detailed description of Russian threats to the national security of the United States, including threats that may pose challenges below the threshold of armed conflict.

(C) A discussion of how the strategy complements the National Defense Strategy and the National Military Strategy.

(D) A discussion of the ends, ways, and means inherent to the strategy.

(E) A discussion of the strategy's objectives with respect to deterrence, escalation control, and conflict resolution.

(F) A description of the military activities across geographic regions and military functions and domains that are inherent to the strategy.

(G) A description of the posture, forward presence, and readiness requirements inherent to the strategy.

(H) A description of the roles of the United States Armed Forces in implementing the strategy, including—

(i) the role of United States nuclear capabilities;

(ii) the role of United States space capabilities;

(iii) the role of United States cyber capabilities;

(iv) the role of United States conventional ground forces;

(v) the role of United States naval forces;

(vi) the role of United States air forces; and

(vii) the role of United States special operations forces.

(I) An assessment of the force requirements needed to implement and sustain the strategy.

(J) A description of the logistical requirements needed to implement and sustain the strategy.

(K) An assessment of the technological research and development requirements needed to implement and sustain the strategy.

(L) An assessment of the training and exercise requirements needed to implement and sustain the strategy.

(M) An assessment of the budgetary resource requirements needed to implement and sustain the strategy through December 31, 2030.

(N) A discussion of how the strategy provides a framework for future planning and investments in regional defense initiatives, including the European Deterrence Initiative.

(3) **FORM.**—The report required by this subsection shall be submitted in unclassified form but may contain a classified annex.

**SEC. 1254. STRATEGY TO INCREASE CONVENTIONAL PRECISION STRIKE WEAPON STOCKPILES IN THE UNITED STATES EUROPEAN COMMAND'S AREAS OF RESPONSIBILITY.**

(a) **STRATEGY REQUIRED.**—

(1) **IN GENERAL.**—The Secretary of Defense, in coordination with the Secretary of State, shall develop and implement a strategy to increase conventional precision strike weapon stockpiles in the United States European Command's areas of responsibility.

(2) **ELEMENTS.**—The strategy required by this subsection shall include necessary increases in the quantities of such stockpiles that the Secretary determines will enhance deterrence and warfighting capability of the North Atlantic Treaty Organization forces.

(b) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than April 1, 2018, the Secretary of Defense shall submit to the appropriate congressional committees a report on the strategy required by subsection (a).

(2) **FORM.**—The report required by this subsection shall be submitted in unclassified form but may contain a classified annex.

**SEC. 1255. PLAN TO COUNTER THE MILITARY CAPABILITIES OF THE RUSSIAN FEDERATION.**

(a) **PLAN REQUIRED.**—

(1) **IN GENERAL.**—The Secretary of Defense shall develop and implement a plan to counter the military capabilities of the Russian Federation.

(2) **ELEMENTS.**—The plan required by this subsection shall include the following:

(A) Accelerating programs to improve the capability of United States military forces to operate in a Global Positioning System (GPS)-denied or GPS-degraded environment.

(B) Accelerating programs of the Department of the Army to counter Russian unmanned aircraft systems, electronic warfare, and long-range precision strike capabilities.

(C) Countering unconventional capabilities and hybrid threats from the Russian Federation.

(D) Any other elements that the Secretary determines to be appropriate.

(b) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than April 1, 2018, the Secretary of Defense shall submit to the appropriate congressional committees a report on the plan required by subsection (a).

(2) **FORM.**—The report required by this subsection shall be submitted in unclassified form but may contain a classified annex.

(c) **SENSE OF CONGRESS.**—It is the sense of Congress that concerns persist over the growing sophistication of unconventional and hybrid state-sponsored threats by the Russian Federation as demonstrated through its advancement and integration of conventional warfare, economic warfare, cyber and information operations, intelligence operations, and other activities to undermine United States national security objectives.

**SEC. 1256. PLAN TO INCREASE CYBER AND INFORMATION OPERATIONS, DETERRENCE, AND DEFENSE.**

(a) **PLAN.**—The Secretary of Defense and the Secretary of State shall jointly develop a plan to—

(1) increase inclusion of regional cyber planning within larger United States joint planning exercises in the European region;

(2) enhance joint, regional, and combined information operations and strategic communication strategies to counter Russian Federation information warfare, malign influence, and propaganda activities; and

(3) identify potential areas of cybersecurity collaboration and partnership capabilities with NATO and other European allies and partners of the United States.

(b) **BRIEFING.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the appropriate congressional committees a briefing on the plan required under subsection (a).

**SEC. 1257. SENSE OF CONGRESS ON ENHANCING MARITIME CAPABILITIES.**

Congress notes the 2016 Force Structure Assessment (FSA) that increased the requirement for fast attack submarine (SSN) from 48 to 66 and supports an acquisition plan that enhances maritime capabilities that address this requirement.

**SEC. 1258. PLAN TO REDUCE THE RISKS OF MIS-CALCULATION AND UNINTENDED CONSEQUENCES THAT COULD PRECIPITATE A NUCLEAR WAR.**

(a) **FINDINGS.**—Congress finds that—

(1) the Russian Federation has adopted a dangerous nuclear doctrine that includes a strategy of "escalate to de-escalate", which could lower the threshold for Russian use of nuclear weapons in a regional conflict; and

(2) such nuclear doctrine exacerbates the risks of miscalculation and unintended consequences that could precipitate a nuclear war.

(b) **PLAN REQUIRED.**—

(1) **IN GENERAL.**—Not later than March 1, 2018, the Secretary of Defense, in coordination with the Chairman of the Joint Chief of Staff, the Commander of the United States Strategic Command, and the Commander of the United States European Command, shall submit to the congressional defense committees a plan that includes options to reduce the risk of miscalculation and unintended consequences that could precipitate a nuclear war.

(2) **ELEMENTS.**—The plan required under this subsection shall include—

(A) an assessment of the value of military-to-military dialog to reduce such risk; and

(B) any other recommendations the Secretary determines to be appropriate.

**SEC. 1259. DEFINITIONS.**

In this subtitle:

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

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) **NATO.**—The term "NATO" means the North Atlantic Treaty Organization.

**Subtitle G—Matters Relating to the Indo-Asia-Pacific Region**

**SEC. 1261. SENSE OF CONGRESS ON THE INDO-ASIA-PACIFIC REGION.**

It is the sense of Congress that—

(1) the security, stability, and prosperity of the Indo-Asia-Pacific region are vital to the national interests of the United States;

(2) the United States should maintain a military capability in the region that is able to project power, deter acts of aggression, and respond, if necessary, to regional threats;

(3) continuing efforts by the Department of Defense to realign forces, commit additional assets, and increase investments to the Indo-Asia-Pacific region are necessary to maintain a robust United States commitment to the region;

(4) the Secretary of Defense should—

(A) assess the current United States force posture in the Indo-Asia-Pacific region to ensure that the United States maintains an appropriate forward presence in the region;

(B) invest in critical munitions, undersea warfare capabilities, amphibious capabilities, resilient space architectures, missile defense, offensive and defensive cyber capabilities, and other capabilities conducive to operating effectively in contested environments; and

(C) enhance regional force readiness through joint training and exercises, considering contingencies ranging from grey zone to high-end near-peer conflict; and

(5) the United States should continue to engage in the Indo-Asia-Pacific region by strengthening alliances and partnerships, supporting regional institutions and bodies such as the Association of Southeast Asian Nations (ASEAN), building cooperative security arrangements, addressing shared challenges, and reinforcing the role of international law.

**SEC. 1262. REPORT ON STRATEGY TO PRIORITIZE UNITED STATES DEFENSE INTERESTS IN THE INDO-ASIA-PACIFIC REGION.**

(a) **REQUIRED REPORT.**—Not later than February 1, 2018, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report that contains a strategy to prioritize United States defense interests in the Indo-Asia-Pacific region. The strategy shall address the following:

(1) The security challenges, including threats, emanating from the Indo-Asia-Pacific region.

(2) The primary objectives and priorities in the Indo-Asia-Pacific region, including—

(A) the military missions necessary to address threats on the Korean Peninsula;

(B) the role of the Department of Defense in the Indo-Asia-Pacific region regarding security challenges posed by China;

(C) the primary objectives and priorities for combating terrorism in the Indo-Asia-Pacific region;

(3) Department of Defense plans, force posture, capabilities, and resources to address any gaps.

(4) The roles of allies, partners, and other countries in achieving United States defense objectives and priorities.

(5) Actions the Department of Defense could take, in cooperation with other Federal departments or agencies, to advance United States national security interests in the Indo-Asia-Pacific region.

(6) Any other matters the Secretary of Defense determines to be appropriate.

(b) **FORM.**—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(c) **ANNUAL BUDGET.**—The President, acting through the Director of the Office of Manage-

ment and Budget, shall ensure that the annual budget submitted to Congress under section 1105 of title 31, United States Code, clearly highlights programs and projects that are being funded in the annual budget of the United States Government that relate to the strategy referred to in subsection (a).

(d) **REPEAL.**—Section 1251 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3570) is hereby repealed.

**SEC. 1263. ASSESSMENT OF UNITED STATES FORCE POSTURE AND BASING NEEDS IN THE INDO-ASIA-PACIFIC REGION.**

(a) **ASSESSMENT REQUIRED.**—

(1) **IN GENERAL.**—The Secretary of Defense shall conduct an assessment of United States force posture and basing needs in the Indo-Asia-Pacific region.

(2) **ELEMENTS.**—The assessment required under paragraph (1) shall include the following:

(A) A review of military requirements based on operation and contingency plans, scenarios, capabilities of potential adversaries, and any assessed gaps or shortfalls of the Armed Forces.

(B) A review of current United States military force posture and deployment plans of the United States Pacific Command.

(C) An analysis of potential future realignments of United States forces in the region, including options for strengthening United States presence, access, readiness, training, exercises, logistics, and pre-positioning.

(D) A discussion of any factors that may influence the United States posture.

(E) Any recommended changes to the United States posture in the region.

(F) Any other matters the Secretary of Defense determines to be appropriate.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than March 1, 2018, the Secretary of Defense shall submit to the congressional defense committees a report that includes the assessment required under subsection (a).

(2) **FORM.**—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

**SEC. 1264. EXTENDED DETERRENCE COMMITMENT TO THE ASIA-PACIFIC REGION.**

(a) **FINDINGS.**—Congress finds the following:

(1) The 2010 Nuclear Posture Review reaffirmed the commitment of the United States to extended deterrence and continued protection of the treaty allies of the United States under the United States nuclear umbrella.

(2) The United States–Republic of Korea Deterrence Strategy Committee and the United States–Japan Extended Deterrence Dialogue provide valuable communication channels for ensuring the commitment of the United States to the policy of extended nuclear deterrence and allow for bilateral discussions on how United States capabilities can be leveraged to credibly deter, and if necessary, defeat, North Korean nuclear weapons, weapons of mass destruction, and missile threats and aggression.

(3) Statements by officials of the United States have consistently emphasized the United States commitment to providing extended deterrence and defense across the full spectrum of military capabilities, including nuclear capabilities.

(4) On September 9, 2016, President Obama responded to a North Korean nuclear test by issuing the following statement, “I restated to President Park and Prime Minister Abe the unshakable U.S. commitment to take necessary steps to defend our allies in the region, including through our deployment of a Terminal High Altitude Area Defense (THAAD) battery to the ROK, and the commitment to extended deterrence, guaranteed by the full spectrum of U.S. defense capabilities.”.

(5) On October 14, 2016, Chairman of the Joint Chiefs of Staff, General Joseph Dunford, “reaffirmed the ironclad commitment of the U.S. to defend both the ROK and Japan and provide extended deterrence guaranteed by the full spectrum of U.S. military capabilities, including conventional, nuclear, and missile defense capabilities”.

(6) On October 19, 2016, Secretary of Defense Ashton Carter, stated, “the U.S. commitment to the defense of South Korea is unwavering. This includes our commitment to provide extended deterrence, guaranteed by the full spectrum of U.S. defense capabilities. Make no mistake: Any attack on America or our allies will not only be defeated, but any use of nuclear weapons will be met with an overwhelming and effective response.”.

(7) On October 19, 2016, Secretary of State John Kerry, during a joint press conference with the South Korean Foreign Minister, confirmed the United States would “defend South Korea through a robust combined defense posture and through extended deterrence, including the US nuclear umbrella, conventional strike and missile defense capabilities.”.

(8) On February 3, 2017, Secretary of Defense James Mattis, during a visit to South Korea, stated, “America’s commitments to defending our allies and to upholding our extended deterrence guarantees remain ironclad: Any attack on the United States, or our allies, will be defeated, and any use of nuclear weapons would be met with a response that would be effective and overwhelming.”.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the defense of the Republic of Korea and Japan must remain a top priority for the administration;

(2) the United States maintains an unwavering and steadfast commitment to the policy of extended deterrence, especially with respect to South Korea and Japan;

(3) bilateral extended deterrence dialogues and discussions with South Korea and Japan are of great value to the United States and its partners and must remain a central component of these relationships;

(4) the United States must sustain and modernize current United States nuclear capabilities to ensure the extended deterrence commitments of the United States remain credible and executable; and

(5) the timely development, production, and deployment of modern nuclear-capable aircraft are fundamental to ensure that the United States remains able to meet extended deterrence requirements in the Asia-Pacific region far into the future.

(c) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to alter the shared goal of the United States, South Korea, and Japan for a denuclearized Korean Peninsula or to change the United States nuclear posture in the Asia-Pacific region.

**SEC. 1265. AUTHORIZATION OF APPROPRIATIONS TO MEET UNITED STATES FINANCIAL OBLIGATIONS UNDER COMPACT OF FREE ASSOCIATION WITH PALAU.**

There is authorized to be appropriated for fiscal year 2018 \$123,900,000 to the Secretary of the Interior, to remain available until expended, for use in meeting the financial obligations of the Government of the United States under the Agreement between the Government of the United States of America and the Government of the Republic of Palau under section 432 of the Compact of Free Association with Palau (48 U.S.C. 1931 note; Public Law 99–658).

**SEC. 1266. SENSE OF CONGRESS REAFFIRMING SECURITY COMMITMENTS TO THE GOVERNMENTS OF JAPAN AND SOUTH KOREA AND TRILATERAL COOPERATION BETWEEN THE UNITED STATES, JAPAN, AND SOUTH KOREA.**

It is the sense of Congress that—

(1) the United States values its alliances with the Governments of Japan and the Republic of Korea, based on shared values of democracy, the rule of law, free and open markets, and respect for human rights;

(2) the United States reaffirms its commitment to these alliances with Japan and South Korea, which are critical for the preservation of peace and stability in the Asia-Pacific region and throughout the world;

(3) the United States recognizes the substantial financial commitments of Japan and South Korea to the maintenance of United States forces in these countries, making them among the most significant burden-sharing partners of the United States;

(4) the United States reaffirms its commitment to Article V of the Treaty of Mutual Cooperation and Security between the United States of America and Japan, which applies to the Japanese-administered Senkaku Islands;

(5) the United States supports continued implementation and expansion of defense cooperation with Japan in accordance with the 2015 U.S.-Japan Defense Guidelines and additional measures to strengthen this defense cooperation, including by expanding foreign military sales, establishing new cooperative technology development programs, increasing military exercises, or other actions as appropriate;

(6) the United States and South Korea share deep concerns that the nuclear and ballistic missile programs of North Korea and its repeated provocations pose great threats to peace and stability on the Korean Peninsula, and the United States recognizes that South Korea has made important commitments to the bilateral security alliance, including by hosting a Terminal High Altitude Area Defense (THAAD) system;

(7) the United States and South Korea should continue further defense cooperation, by enhancing mutual security based on the Mutual Defense Treaty between the United States and the Republic of Korea and investing in capabilities critical to the combined defense;

(8) the United States welcomes greater security cooperation with, and among, Japan and South Korea to promote mutual interests and address shared concerns, including the bilateral military intelligence-sharing pact between Japan and South Korea, signed on November 23, 2016, and the trilateral intelligence sharing agreement between the United States, Japan, and South Korea, signed on December 29, 2015; and

(9) recognizing that North Korea poses a threat to the United States, Japan, and South Korea, and that the security of the three countries is intertwined, the United States welcomes and encourages deeper trilateral defense cooperation, including through expanded exercises, training, and information sharing that strengthens integration.

**SEC. 1267. SENSE OF CONGRESS ON FREEDOM OF NAVIGATION OPERATIONS IN THE SOUTH CHINA SEA.**

It is the sense of Congress that—

(1) the United States has a national interest in maintaining freedom of navigation, respect for international law, and unimpeded lawful commerce in the South China Sea;

(2) the United States should condemn any assertion that limits the right to freedom of navigation and overflight; and

(3) the United States should keep to a regular and routine schedule for freedom of navigation operations in the sea and air.

**SEC. 1268. SENSE OF CONGRESS ON STRENGTHENING THE DEFENSE OF TAIWAN.**

It is the sense of Congress that—

(1) the Taiwan Relations Act (Public Law 96-8; 22 U.S.C. 3301 et seq.) codified the basis for commercial, cultural, and other relations between the United States and Taiwan, and the Six Assurances are an important aspect in guiding bilateral relations;

(2) Section 3(a) of that Act states that “the United States will make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability”;

(3) the United States, in accordance with such section, should make available and provide timely review of requests for defense articles and defense services that may be necessary for Taiwan to maintain a sufficient self-defense capability;

(4) Taiwan should significantly increase its defense budget to maintain a sufficient self-defense capability;

(5) the United States should support expanded exchanges focused on practical training for Taiwan personnel by and with United States military units, including exchanges between services, to empower senior military officers to identify and develop asymmetric and innovative capabilities that strengthen Taiwan’s ability to deter aggression;

(6) the United States should seek opportunities for expanded training and exercises with Taiwan;

(7) the United States should encourage Taiwan’s continued investments in asymmetric self-defense capabilities that are mobile, survivable against threatening forces, and able to take full advantage of Taiwan’s geography; and

(8) the United States should continue to—

(A) support humanitarian assistance and disaster relief exercises that increase Taiwan’s resiliency and ability to respond to and recover from natural disasters; and

(B) recognize Taiwan’s already valuable military contributions to such efforts.

**SEC. 1269. SENSE OF CONGRESS ON THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS.**

(a) **FINDING.**—Congress finds that 2017 is the 50th anniversary of the formation of the Association of Southeast Asian Nations (ASEAN), which includes Indonesia, Malaysia, the Philippines, Singapore, Thailand, Brunei, Vietnam, Laos, Burma, and Cambodia.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the United States supports the development of regional institutions and bodies, including the ASEAN Regional Forum, the ASEAN Defense Ministers Meeting Plus, the East Asia Summit, and the expanded ASEAN Maritime Forum, to increase regional cooperation and ensure that disputes are managed without intimidation, coercion, or force;

(2) the United States recognizes ASEAN efforts to promote peace, stability, and prosperity in the region, including the steps taken to highlight the importance of peaceful dispute resolution and the need for adherence to international rules and standards.

(3) United States defense engagement with ASEAN and the ASEAN Defense Ministers Meeting Plus should continue to be forums to discuss shared challenges in the maritime domain and the need for greater information sharing among ASEAN nations; and

(4) the United States welcomes continued work with ASEAN and other regional partners to establish more reliable and routine crisis communication mechanisms.

**SEC. 1270. SENSE OF CONGRESS ON REAFFIRMING THE IMPORTANCE OF THE UNITED STATES-AUSTRALIA DEFENSE ALLIANCE.**

It is the sense of Congress that—

(1) the United States values its alliance with the Government of Australia, and the shared

values and interests between both countries are essential to promoting peace, security, stability, and economic prosperity in the Indo-Asia-Pacific region;

(2) the annual rotations of United States Marine Corps forces to Darwin, Australia and enhanced rotations of United States Air Force aircraft to Australia pave the way for even closer defense and security cooperation;

(3) the Treaty Between the Government of the United States of America and the Government of Australia Concerning Defense Trade Cooperation, done at Sydney, September 5, 2007, should continue to facilitate industry collaboration and innovation to meet shared security challenges and reinforce military ties;

(4) as described by Australian Prime Minister Malcolm Turnbull, North Korea is “a threat to the peace of the region” and the United States and Australia should continue to cooperate to defend against the threat of North Korea’s nuclear and missile capabilities; and

(5) the United States and Australia also should continue to address the threat of terrorism and strengthen information sharing.

**Subtitle H—Other Matters**

**SEC. 1271. NATO COOPERATIVE CYBER DEFENSE CENTER OF EXCELLENCE.**

(a) **AUTHORIZATION.**—Of the amounts authorized to be appropriated by this Act for fiscal year 2018 for support of North Atlantic Treaty Organization (in this section referred to as “NATO”) operations, as specified in the funding tables in division D, not more than \$5,000,000 may be obligated or expended for the purposes described in subsection (b).

(b) **PURPOSES.**—The Secretary of Defense shall provide funds for the NATO Cooperative Cyber Defense Center of Excellence (in this section referred to as the “Center”) to—

(1) enhance the capability, cooperation, and information sharing among NATO, NATO member nations, and partners, with respect to cyber defense and warfare; and

(2) facilitate education, research and development, lessons learned and consultation in cyber defense and warfare.

(c) **CERTIFICATION.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall certify to the Committees on Armed Services of the House of Representatives and the Senate that the Secretary has assigned executive agent responsibility for the Center to an appropriate organization within the Department of Defense, and detail the steps being undertaken to strengthen the role of the Center in fostering cyber defense and warfare capabilities within NATO.

(d) **BRIEFING REQUIREMENT.**—The Secretary of Defense shall periodically brief the Committees on Armed Services of the House of Representatives and the Senate on the efforts of the Department of Defense to strengthen the role of the Center in fostering cyber defense and warfare capabilities within NATO.

**SEC. 1272. NATO STRATEGIC COMMUNICATIONS CENTER OF EXCELLENCE.**

(a) **AUTHORIZATION.**—Of the amounts authorized to be appropriated by this Act for fiscal year 2018 for support of North Atlantic Treaty Organization (in this section referred to as “NATO”) operations, as specified in the funding tables in division D, not more than \$5,000,000 may be obligated or expended for the purposes described in subsection (b).

(b) **PURPOSES.**—The Secretary of Defense shall provide funds for the NATO Strategic Communications Center of Excellence (in this section referred to as the “Center”) to—

(1) enhance the capability, cooperation, and information sharing among NATO, NATO member nations, and partners, with respect to strategic communications and information operations; and



(2) facilitate education, research and development, lessons learned, and consultation in strategic communications and information operations.

(c) **CERTIFICATION.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall certify to the Committees on Armed Services of the House of Representatives and the Senate that the Secretary has assigned executive agent responsibility for the Center to an appropriate organization within the Department of Defense, and detail the steps being undertaken to strengthen the role of Center in fostering strategic communications and information operations within NATO.

(d) **BRIEFING REQUIREMENT.**—

(1) **IN GENERAL.**—The Secretary of Defense shall periodically brief the committees listed in paragraph (2) on the efforts of the Department of Defense to strengthen the role of the Center in fostering strategic communications and information operations within NATO.

(2) **COMMITTEES.**—The committees listed in this paragraph are the following:

(A) The Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(B) The Committee on Armed Services and the Committee on Foreign Relations of the Senate.

#### **SEC. 1273. SECURITY AND STABILITY STRATEGY FOR SOMALIA.**

(a) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains a comprehensive United States strategy to achieve long-term security and stability in Somalia and includes each of the following elements:

(1) A description of United States strategic objectives in Somalia and the benchmarks for assessing progress toward such objectives.

(2) An assessment of the threats posed to Somalia, the broader region, the United States, and partners of the United States, by al-Shabaab and organizations affiliated with the Islamic State of Iraq and the Levant in Somalia, including the origins, strategic aims, tactical methods, funding sources, and leadership of each organization.

(3) A description of the key international and United States governance, diplomatic, development, military, and intelligence resources available to address instability in Somalia.

(4) A plan to improve coordination among, and effectiveness of, United States governance, diplomatic, development, military, and intelligence resources to counter the threat of al-Shabaab and organizations affiliated with the Islamic State of Iraq and the Levant in Somalia.

(5) A description of the role the United States is playing or will play to address political instability and support long-term security and stability in Somalia.

(6) A description of the contributions made by the African Union Mission in Somalia (in this section referred to as “AMISOM”) to security in Somalia and an assessment of the anticipated duration of support provided to AMISOM by troop contributing countries.

(7) A plan to train the Somali National Army and other Somali security forces, that also includes—

(A) a description of the assistance provided by other countries for such training; and

(B) a description of the efforts to integrate regional militias into the uniformed Somali security forces; and

(C) a description of the security assistance authorities under which any such training would be provided by the United States and the recommendations of the Secretary to address any gaps under such authorities to advise, assist, or accompany the Somali National Army or other Somali security forces within appropriate roles

and responsibilities that are not fulfilled by other countries or by international organizations.

(8) A description of the steps the United States, AMISOM, and any forces trained by the United States are taking in Somalia to minimize civilian casualties and other harm to civilians.

(9) Any other matters the President considers appropriate.

(b) **FORM.**—The report required under subsection (a) shall be submitted in unclassified form but may include a classified annex.

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

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

(2) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate.

#### **SEC. 1274. ASSESSMENT OF GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEM.**

(a) **REPORT.**—Not later than 6 months after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth an assessment, obtained by the Secretary for purposes of the report, of the effectiveness of measures taken to improve the functionality of the Global Theater Security Cooperation Management Information System (in this section referred to as the “G-TSCMIS”).

(b) **INDEPENDENT ASSESSMENT.**—

(1) **IN GENERAL.**—The assessment obtained for purposes of subsection (a) shall be conducted by a federally funded research and development center (FRDC), or another appropriate independent entity with expertise in security cooperation programs and activities of the Department of Defense, selected by the Secretary for purposes of the assessment.

(2) **USE OF PREVIOUS STUDIES.**—The entity conducting the assessment may use and incorporate information from previous studies on matters appropriate to the assessment.

(c) **ELEMENTS.**—The assessment obtained for purposes of subsection (a) shall include the following:

(1) An assessment of the extent to which security cooperation organizations are entering consistent, full, and accurate information into G-TSCMIS in a timely manner, and the impacts of inconsistent, incomplete, inaccurate, and tardy data entry on the functionality of the G-TSCMIS as a tool for security cooperation planning, resource allocation, and program adjustment.

(2) An assessment of any measures taken by the Department of Defense to ensure the full scope of security cooperation activities are entered into the G-TSCMIS in a timely manner, including any guidance issued or resource allocation determinations.

(3) An assessment of the effectiveness of oversight measures to ensure the full scope of security cooperation activities are entered into the G-TSCMIS in a timely manner.

(4) An assessment of utilization by and functionality for users of the G-TSCMIS across the Department of Defense, including the extent of G-TSCMIS business process reengineering that was conducted to best align needs from the functional community with the capabilities of the information management tool.

(5) Such other matters as the Secretary considers appropriate.

(d) **FORM.**—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

#### **SEC. 1275. FUTURE YEARS PLAN FOR THE EUROPEAN DETERRENCE INITIATIVE.**

(a) **PLAN REQUIRED.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Commander of the United States European Command, shall submit to the congressional defense committees a future years plan on activities and resources of the European Deterrence Initiative (in this section referred to as the “EDI”).

(2) **APPLICABILITY.**—The plan shall apply with respect fiscal year 2018 and at least the four succeeding fiscal years.

(b) **MATTERS TO BE INCLUDED.**—The plan required under subsection (a) shall include the following:

(1) A description of the objectives of the EDI.

(2) An assessment of resource requirements to achieve the objectives of the EDI.

(3) An assessment of capabilities requirements to achieve the objectives of the EDI.

(4) An assessment of logistics requirements, including force enablers, equipment, supplies, storage, and maintenance requirements, to achieve the objectives of the EDI.

(5) An identification and assessment of required infrastructure investments to achieve the objectives of the EDI, including potential infrastructure investments by host nations and new construction or modernization of existing sites that would be funded by the United States.

(6) An assessment of security cooperation investments required to achieve the objectives of the EDI.

(7) A plan to fully resource United States force posture and capabilities, including—

(A) details regarding the strategy to balance the force structure of the United States forces to source additional permanently stationed United States forces in Europe as a part of any planned growth in end strength and force posture;

(B) the infrastructure capacity of existing locations and their ability to accommodate additional permanently stationed United States forces in Europe;

(C) the potential new locations for additional permanently stationed United States forces in Europe, including an assessment of infrastructure and military construction resources necessary to accommodate additional United States forces in Europe;

(D) a detailed timeline to achieve desired permanent posture requirements;

(E) a reevaluation of sites identified for divestiture but not yet divested under the European Infrastructure Consolidation initiative, accounting for updated military requirements; and

(F) any changes and associated costs incurred with retaining each site identified for divestiture but not yet divested under the European Infrastructure Consolidation initiative, including possible leasing agreements, sustainment, and maintenance.

(c) **FORM.**—The plan required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) **LIMITATIONS.**—

(1) **GENERAL LIMITATION.**—The Secretary of Defense may not take any action to divest any site identified for divestiture but not yet divested under the European Infrastructure Consolidation initiative until the Secretary submits to the congressional defense committees the plan required under subsection (a).

(2) **SITE-SPECIFIC LIMITATION.**—In the case of a proposed divestiture of a site under the European Infrastructure Consolidation initiative, the Secretary of Defense may not take any action to divest the site unless prior to taking such action, the Secretary certifies to the congressional defense committees that no military requirement for future use of the site is foreseeable.

**SEC. 1276. EXTENSION OF AUTHORITY TO ENTER INTO AGREEMENTS WITH PARTICIPATING COUNTRIES IN THE AMERICAN, BRITISH, CANADIAN, AND AUSTRALIAN ARMIES' PROGRAM.**

Section 1274(g) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2026; 10 U.S.C. 2350a note) is amended by striking “five years” and inserting “ten years”.

**SEC. 1277. SECURITY STRATEGY FOR YEMEN.**

(a) **REPORT REQUIRED.**—Not later than 120 days after the date of enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains a security strategy for Yemen.

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

(1) A discussion of the strategy's compliance with applicable legal authorities.

(2) A detailed description of the security environment.

(3) A detailed description of the threats posed by Al Qaeda in the Arabian Peninsula and the Islamic State in Iraq and the Levant—Yemen Province, including the origins, leadership, strategic aims, tactical methods, and resources attributable to each organization.

(4) A detailed description of the threats posed to freedom of navigation through the Bab al Mandab Strait and waters in proximity to Yemen as well as any United States efforts to mitigate those threats.

(5) A discussion of the ends, ways, and means inherent to the strategy.

(6) A discussion of the strategy's objectives regarding counterterrorism and long-term stability in Yemen.

(7) A plan to coordinate the United States diplomatic, development, military, and intelligence resources necessary to implement the strategy.

(8) A detailed description of the roles of the United States Armed Forces in implementing the strategy.

(c) **FORM.**—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

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

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

**SEC. 1278. LIMITATION ON TRANSFER OF EXCESS DEFENSE ARTICLES THAT ARE HIGH MOBILITY MULTI-PURPOSE WHEELED VEHICLES.**

(a) **LIMITATION.**—The President may not transfer excess defense articles that are high mobility multi-purpose wheeled vehicles under the authority of section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) to foreign countries until 30 days after the date on which the Comptroller General of the United States has submitted the report required under subsection (b) to the appropriate congressional committees.

(b) **REPORT REQUIRED.**—The Comptroller General of the United States shall submit to the appropriate congressional committees a report on all proposed and completed transfers of excess defense articles that are high mobility multi-purpose wheeled vehicles under the authority of section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) during fiscal years 2012 through 2016. Such report shall include the following:

(1) An assessment of the timing, rigor, and procedures used in conducting the analysis

of the impact of each such transfer on the national technology and industrial base and, particularly, the impact on opportunities of entities in the national technology and industrial base to sell new or used equipment to the countries to which such articles were to be or were transferred in accordance with section 516(b)(1)(E) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(b)(1)(E)).

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

(c) **WAIVER.**—The President may waive the limitation in subsection (a) with respect to a proposed transfer of excess defense articles if the President—

(1) determines that such transfer is in the national interest of the United States; and

(2) notifies the appropriate congressional committees of such waiver in writing not less than 30 days prior to such transfer.

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

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(e) **EFFECTIVE DATE.**—This section shall take effect on the date of the enactment of this Act and shall apply with respect to letters of offer to transfer excess defense articles that are high mobility multi-purpose wheeled vehicles issued on or after such date of enactment.

**SEC. 1279. DEPARTMENT OF DEFENSE PROGRAM TO PROTECT UNITED STATES STUDENTS AGAINST FOREIGN AGENTS.**

(a) **PROGRAM.**—The Secretary of Defense shall develop and implement a program to prepare United States students studying abroad through Department of Defense National Security Education Programs to recognize and protect themselves against recruitment efforts by intelligence agents.

(b) **BRIEFING.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the program required under subsection (a).

**SEC. 1280. EXTENSION OF UNITED STATES-ISRAEL ANTI-TUNNEL COOPERATION AUTHORITY.**

Section 1279(f) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1079; 22 U.S.C. 8606 note) is amended by striking “December 31, 2018” and inserting “December 31, 2020”.

**SEC. 1281. ANTICORRUPTION STRATEGY.**

(a) **IN GENERAL.**—Not later than 120 days after the United States engages in a contingency operation, the Secretary of Defense, the Secretary of State, and the Administrator of the United States Agency for International Development, in consultation with the heads of other relevant Federal agencies, shall jointly develop a strategy to prevent corruption in any reconstruction efforts associated with such operation and submit such strategy to—

(1) the congressional defense committees;

(2) the Committee on Foreign Relations of the Senate; and

(3) the Committee on Foreign Affairs of the House of Representatives.

(b) **BENCHMARKS.**—The strategy described in subsection (a) shall include measurable benchmarks to be met as a condition for disbursement of any funds for reconstruction efforts associated with such operation.

(c) **REPORT.**—For the duration of a contingency operation for which the Secretary of Defense has submitted a strategy pursuant to subsection (a), the Secretary shall submit to Congress an annual report evaluating the imple-

mentation and effectiveness of such strategy and describing any necessary adjustments to the strategy.

**TITLE XIII—COOPERATIVE THREAT REDUCTION**

**SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.**

(a) **FISCAL YEAR 2018 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.**—In this title, the term “fiscal year 2018 Cooperative Threat Reduction funds” means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711).

(b) **AVAILABILITY OF FUNDS.**—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2018, 2019, and 2020.

**SEC. 1302. FUNDING ALLOCATIONS.**

(a) **IN GENERAL.**—Of the \$324,600,000 authorized to be appropriated to the Department of Defense for fiscal year 2018 in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, \$12,100,000.

(2) For chemical weapons destruction, \$5,000,000.

(3) For global nuclear security, \$17,900,000.

(4) For cooperative biological engagement, \$172,800,000.

(5) For proliferation prevention, \$89,800,000.

(6) For activities designated as Other Assessments/Administrative Costs, \$27,000,000.

(b) **MODIFICATION TO CERTAIN REQUIREMENTS.**—The Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3701 et seq.) is amended as follows:

(1) Section 1321(g)(1) (50 U.S.C. 3711(g)(1)) is amended by striking “45 days” and inserting “15 days”.

(2) Section 1324 (50 U.S.C. 3714) is amended—

(A) in subsection (a)(1)(C), by striking “45 days” and inserting “15 days”; and

(B) in subsection (b)(3), by striking “45 days” and inserting “15 days”.

(3) Section 1335(a) (50 U.S.C. 3735(a)) is amended by striking “or expended”.

**TITLE XIV—OTHER AUTHORIZATIONS**

**Subtitle A—Military Programs**

**SEC. 1401. WORKING CAPITAL FUNDS.**

Funds are hereby authorized to be appropriated for fiscal year 2018 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

**SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2018 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) **USE.**—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412

of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

**SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES DEFENSE-WIDE.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2018 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

**SEC. 1404. DEFENSE INSPECTOR GENERAL.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2018 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

**SEC. 1405. DEFENSE HEALTH PROGRAM.**

Funds are hereby authorized to be appropriated for fiscal year 2018 for the Defense Health Program, as specified in the funding table in section 4501, for use of the Armed Forces and other activities and agencies of the Department of Defense in providing for the health of eligible beneficiaries.

**SEC. 1406. NATIONAL DEFENSE SEALIFT FUND.**

Funds are hereby authorized to be appropriated for fiscal year 2018 for the National Defense Sealift Fund, as specified in the funding table in section 4501.

**Subtitle B—Other Matters**

**SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.**

(a) **AUTHORITY FOR TRANSFER OF FUNDS.**—Of the funds authorized to be appropriated by section 1405 and available for the Defense Health Program for operation and maintenance, \$115,500,000 may be transferred by the Secretary of Defense to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) **USE OF TRANSFERRED FUNDS.**—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

**SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.**

There is hereby authorized to be appropriated for fiscal year 2018 from the Armed Forces Retirement Home Trust Fund the sum of \$64,300,000 for the operation of the Armed Forces Retirement Home.

**TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS**

**Subtitle A—Authorization of Appropriations**

**SEC. 1501. PURPOSE AND TREATMENT OF CERTAIN AUTHORIZATIONS OF APPROPRIATIONS.**

(a) **PURPOSE.**—The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2018 to provide additional funds—

(1) for overseas contingency operations being carried out by the Armed Forces; and

(2) pursuant to sections 1502, 1503, 1504, and 1505 for expenses, not otherwise provided for, for procurement, research, development, test, and evaluation, operation and maintenance, and military personnel, as specified in the funding tables in sections 4103, 4203, 4303, and 4403.

(b) **TREATMENT OF FUNDS.**—The Director of the Office of Management and Budget shall apportion the funds identified in subsection (a)(2) to the Department of Defense without restriction, limitation, or constraint on the execution of such funds in support of base requirements, including any restriction, limitation, or constraint imposed by, or described in, the document entitled “Criteria for War/Overseas Contingency Operations Funding Requests” transmitted by the Director to the Department of Defense on September 9, 2010, or any successor or related guidance.

**SEC. 1502. PROCUREMENT.**

Funds are hereby authorized to be appropriated for fiscal year 2018 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in—

(1) the funding table in section 4102; or

(2) the funding table in section 4103.

**SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.**

Funds are hereby authorized to be appropriated for fiscal year 2018 for the use of the Department of Defense for research, development, test, and evaluation, as specified in—

(1) the funding table in section 4202; or

(2) the funding table in section 4203.

**SEC. 1504. OPERATION AND MAINTENANCE.**

Funds are hereby authorized to be appropriated for fiscal year 2018 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in—

(1) the funding table in section 4302, or

(2) the funding table in section 4303.

**SEC. 1505. MILITARY PERSONNEL.**

Funds are hereby authorized to be appropriated for fiscal year 2018 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in—

(1) the funding table in section 4402; or

(2) the funding table in section 4403.

**SEC. 1506. WORKING CAPITAL FUNDS.**

Funds are hereby authorized to be appropriated for fiscal year 2018 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

**SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2018 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

**SEC. 1508. DEFENSE INSPECTOR GENERAL.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal

year 2018 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

**SEC. 1509. DEFENSE HEALTH PROGRAM.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2018 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

**Subtitle B—Financial Matters**

**SEC. 1511. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

**SEC. 1512. SPECIAL TRANSFER AUTHORITY.**

(a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.**—

(1) **AUTHORITY.**—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2018 between any such authorizations for that fiscal year (or any subdivisions thereof).

(2) **EFFECT OF TRANSFER.**—Amounts of authorizations transferred under this subsection shall be merged with and be available for the same purposes as the authorization to which transferred.

(3) **LIMITATIONS.**—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed \$2,500,000,000.

(4) **EXCEPTION.**—In the case of the authorizations of appropriations contained in sections 1502, 1503, 1504, and 1505 that are provided for the purpose specified in section 1501(2), the transfer authority provided under section 1001, rather than the transfer authority provided by this subsection, shall apply to any transfer of amounts of such authorizations.

(b) **TERMS AND CONDITIONS.**—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) **ADDITIONAL AUTHORITY.**—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

**Subtitle C—Limitations, Reports, and Other Matters**

**SEC. 1521. AFGHANISTAN SECURITY FORCES FUND.**

(a) **CONTINUATION OF PRIOR AUTHORITIES AND NOTICE AND REPORTING REQUIREMENTS.**—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2018 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4424).

(b) **EQUIPMENT DISPOSITION.**—

(1) **ACCEPTANCE OF CERTAIN EQUIPMENT.**—Subject to paragraph (2), the Secretary of Defense may accept equipment that is procured using amounts in the Afghanistan Security Forces Fund authorized under this Act and is intended for transfer to the security forces of Afghanistan, but is not accepted by such security forces.

(2) **CONDITIONS ON ACCEPTANCE OF EQUIPMENT.**—Before accepting any equipment under the authority provided by paragraph (1), the Commander of United States forces in Afghanistan shall make a determination that the equipment was procured for the purpose of meeting requirements of the security forces of Afghanistan, as agreed to by both the Government of

Afghanistan and the United States, but is no longer required by such security forces or was damaged before transfer to such security forces.

(3) **ELEMENTS OF DETERMINATION.**—In making a determination under paragraph (2) regarding equipment, the Commander of United States forces in Afghanistan shall consider alternatives to Secretary of Defense acceptance of the equipment. An explanation of each determination, including the basis for the determination and the alternatives considered, shall be included in the relevant quarterly report required under paragraph (5).

(4) **TREATMENT AS DEPARTMENT OF DEFENSE STOCKS.**—Equipment accepted under the authority provided by paragraph (1) may be treated as stocks of the Department of Defense upon notification to the congressional defense committees of such treatment.

(5) **QUARTERLY REPORTS ON EQUIPMENT DISPOSITION.**—Not later than 90 days after the date of the enactment of this Act and every 90-day period thereafter during which the authority provided by paragraph (1) is exercised, the Secretary of Defense shall submit to the congressional defense committees a report describing the equipment accepted under this subsection, section 1531(d) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 938; 10 U.S.C. 2302 note), section 1532(b) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3612), section 1531(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1088), and section 1521(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) during the period covered by the report. Each report shall include a list of all equipment that was accepted during the period covered by the report and treated as stocks of the Department and copies of the determinations made under paragraph (2), as required by paragraph (3).

(c) **ALLOCATION OF FUNDS.**—

(1) **IN GENERAL.**—Of the funds available to the Department of Defense for the Afghan Security Forces Fund for fiscal year 2018, it is the goal that \$41,000,000 shall be used for—

(A) the recruitment, integration, retention, training, and treatment of women in the Afghan National Security Forces; and

(B) the recruitment, training, and contracting of female security personnel for future elections.

(2) **TYPES OF PROGRAMS AND ACTIVITIES.**—Such programs and activities may include—

(A) efforts to recruit women into the Afghan National Security Forces, including the special operations forces;

(B) programs and activities of the Afghan Ministry of Defense Directorate of Human Rights and Gender Integration and the Afghan Ministry of Interior Office of Human Rights, Gender and Child Rights;

(C) development and dissemination of gender and human rights educational and training materials and programs within the Afghan Ministry of Defense and the Afghan Ministry of Interior;

(D) efforts to address harassment and violence against women within the Afghan National Security Forces;

(E) improvements to infrastructure that address the requirements of women serving in the Afghan National Security Forces, including appropriate equipment for female security and police forces, and transportation for policewomen to their station;

(F) support for Afghanistan National Police Family Response Units; and

(G) security provisions for high-profile female police and army officers.

(d) **ASSESSMENT OF AFGHANISTAN PROGRESS ON SECURITY OBJECTIVES.**—

(1) **ASSESSMENT REQUIRED.**—Not later than June 1, 2018, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate an assessment describing the progress of the government of the Islamic Republic of Afghanistan toward meeting shared security objectives. In conducting such assessment the Secretary shall consider each of the following:

(A) The extent to which the government of Afghanistan has taken steps toward increased accountability and reducing corruption within the Ministries of Defense and Interior.

(B) The extent to which the capability and capacity of the Afghan National Defense and Security Forces have improved as a result of Afghan Security Forces Fund investment, including through training.

(C) The extent to which the Afghan National Defense and Security Forces have been able to increase pressure on the Taliban, al-Qaeda, the Haqqani network, and other terrorist organizations, including by re-taking territory, defending territory, and disrupting attacks.

(D) Whether or not the government of Afghanistan is ensuring that supplies, equipment, and weaponry supplied by the United States are appropriately distributed to security forces charged with fighting the Taliban and other terrorist organizations.

(E) Such other factors as the Secretaries consider appropriate.

(2) **WITHHOLDING OF ASSISTANCE FOR INSUFFICIENT PROGRESS.**—

(A) **IN GENERAL.**—If the Secretary of Defense, in consultation with the Secretary of State, determines pursuant to the assessment under paragraph (1) that the government of Afghanistan has made insufficient progress, the Secretary of Defense may withhold assistance for the Afghan National Defense and Security Forces until such time as the Secretary determines sufficient progress has been made.

(B) **NOTICE TO CONGRESS.**—If the Secretary of Defense withholds assistance under subparagraph (A), the Secretary, in consultation with the Secretary of State, shall provide notice to Congress not later than 30 days after making the decision to withhold such assistance.

## **SEC. 1522. JOINT IMPROVISED-THREAT DEFEAT FUND.**

(a) **USE AND TRANSFER OF FUNDS.**—Subsections (b) and (c) of section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2439), as in effect before the amendments made by section 1503 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4649), shall apply to the funds made available for fiscal year 2018 to the Department of Defense for the Joint Improvised-Threat Defeat Fund.

(b) **INTERDICTION OF IMPROVISED EXPLOSIVE DEVICE PRECURSOR CHEMICALS.**—

(1) **AVAILABILITY OF FUNDS.**—Of the funds made available to the Department of Defense for the Joint Improvised-Threat Defeat Fund for fiscal year 2018, \$15,000,000 may be available to the Secretary of Defense, with the concurrence of the Secretary of State, to provide training, equipment, supplies, and services to ministries and other entities of foreign governments that the Secretary has identified as critical for countering the flow of improvised explosive device precursor chemicals.

(2) **PROVISION THROUGH OTHER US AGENCIES.**—If jointly agreed upon by the Secretary of Defense and the head of another department or agency of the United States Government, the Secretary of Defense may transfer funds avail-

able under paragraph (1) to such department or agency for the provision by such department or agency of training, equipment, supplies, and services to ministries and other entities of foreign governments as described in that paragraph.

(3) **NOTICE TO CONGRESS.**—None of the funds made available pursuant to paragraph (1) may be obligated or expended to supply training, equipment, supplies, or services to a foreign country before the date that is 15 days after the date on which the Secretary of Defense, in coordination with the Secretary of State, submits to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a notice that contains—

(A) the foreign country for which training, equipment, supplies, or services are proposed to be supplied;

(B) a description of the training, equipment, supplies, and services to be provided using such funds;

(C) a detailed description of the amount of funds proposed to be obligated or expended to supply such training, equipment, supplies or services, including any funds proposed to be obligated or expended to support the participation of another department or agency of the United States and a description of the training, equipment, supplies, or services proposed to be supplied;

(D) an evaluation of the effectiveness of the efforts of the foreign country identified under subparagraph (A) to counter the flow of improvised explosive device precursor chemicals; and

(E) an overall plan for countering the flow of precursor chemicals in the foreign country identified under subparagraph (A).

(4) **EXPIRATION.**—The authority provided by this subsection expires on December 31, 2018.

## **TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS**

### **Subtitle A—Management and Organization of Space Programs**

#### **SEC. 1601. ESTABLISHMENT OF SPACE CORPS IN THE DEPARTMENT OF THE AIR FORCE.**

(a) **CERTIFICATION.**—Not later than January 1, 2019, the Secretary of the Air Force shall certify to the congressional defense committees that the Space Corps under chapter 809 of title 10, United States Code, as added by subsection (b), is established.

(b) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—Part I of subtitle D of title 10, United States Code, is amended by adding at the end the following new chapter:

#### **“CHAPTER 809—SPACE CORPS**

|                           |             |
|---------------------------|-------------|
| “Subchapter               | <b>Sec.</b> |
| “I. General Matters ..... | <b>8091</b> |
| “II. Organization .....   | <b>8096</b> |

#### **“SUBCHAPTER I—GENERAL MATTERS**

“Sec.

“8091. Establishment.

“8092. Authorities and Responsibilities.

“8093. Research and development and procurement of satellites and terminals.

“8094. Space functions of other elements of Department of Defense.

#### **“§8091. Establishment**

“(a) **ESTABLISHMENT.**—Not later than January 1, 2019, the Secretary of Defense shall establish in the executive part of the Department of the Air Force a Space Corps. The function of the Space Corps shall be to assist the Secretary of the Air Force in carrying out the duties described in subsection (c).

“(b) **COMPOSITION.**—The Space Corps shall be composed of the following:

“(1) The Chief of Staff of the Space Corps.

“(2) Such other offices and officials as may be established by law or as the Secretary of the Air Force, in consultation with the Chief of Staff of the Space Corps, may establish or designate.

“(c) DUTIES.—Except as otherwise specifically prescribed by law, the Space Corps shall be organized in such manner, and the members of the Space Corps shall perform, such duties and have such titles, as the Secretary may prescribe. Such duties shall include—

“(1) protecting the interests of the United States in space;

“(2) deterring aggression in, from, and through space;

“(3) providing combat-ready space forces that enable the commanders of the combatant commands to fight and win wars;

“(4) organizing, training, and equipping space forces; and

“(5) conducting space operations of the Space Corps under the command of the Commander of the United States Space Command.

#### “§8092. Authorities and responsibilities

“(a) PROFESSIONAL ASSISTANCE.—The Chief of Staff of the Space Corps shall furnish professional assistance to the Secretary, the Under Secretary, and the Assistant Secretaries of the Air Force.

“(b) AUTHORITIES.—Under the authority, direction, and control of the Secretary of the Air Force, the Chief of Staff of the Space Corps, shall—

“(1) subject to subsections (c) and (d) of section 8014 of this title, prepare for such employment of the Space Corps, and for such recruiting, organizing, supplying, equipping (including research and development), training, servicing, mobilizing, demobilizing, administering, and maintaining of the Space Corps, as will assist in the execution of any power, duty, or function of the Secretary or the Chief of Staff;

“(2) investigate and report upon the efficiency of the Space Corps and its preparation to support military operations by commanders of the combatant commands;

“(3) prepare detailed instructions for the execution of approved plans and supervise the execution of those plans and instructions;

“(4) as directed by the Secretary, coordinate the action of organizations of the Space Corps; and

“(5) perform such other duties, not otherwise assigned by law, as may be prescribed by the Secretary.

“(c) FUNCTIONS.—To the extent practicable, the Secretary shall provide to the Space Corps the functions of the Department of the Air Force that may be feasibly shared with the Space Corps, including with respect to the United States Air Force Academy, recruitment, and basic training.

#### “§8093. Research and development and procurement of satellites and terminals

“(a) RESEARCH AND DEVELOPMENT.—The Secretary of the Air Force shall serve as the primary agent of the Department of Defense with respect to the research, development, test, and evaluation of satellites and user satellite terminals used by the Air Force, the Space Corps, and the Defense Agencies (except as otherwise provided by section 8094 of this title).

“(b) PROCUREMENT.—The Secretary shall serve as the primary agent of the Department of Defense with respect to the procurement of satellites and user satellite terminals used by the military departments and the Defense Agencies (except as otherwise provided by section 8094 of this title).

“(c) MILESTONE DECISION AUTHORITY.—(1) Notwithstanding any other provision of law, and except as provided in paragraph (2), the Secretary shall serve as the milestone decision authority (as defined in section 2366a of this

title) for major defense acquisition programs or major subprograms relating to space.

“(2) The Secretary may not serve as the milestone decision authority for the user satellite terminal programs of—

“(A) the military departments other than the Air Force and the Space Corps; and

“(B) the Defense Agencies specified in section 8094(c)(1) of this title.

“(d) REQUIREMENTS.—The Chief of Staff of the Space Corps shall develop the requirements for the satellites and user satellite terminals for which the Secretary has the authority for research, development, test, and evaluation, procurement, and milestone decisions pursuant to this section.

#### “§8094. Space functions of other elements of Department of Defense

“(a) MILITARY DEPARTMENTS.—Nothing in this chapter shall affect the authority of each Secretary concerned to—

“(1) carry out the research, development, test, and evaluation of satellites and user satellite terminals of the military department of the Secretary concerned;

“(2) operate such terminals; and

“(3) develop requirements to ensure that the space programs of the Department of Defense support the mission of the Secretary concerned.

“(b) CERTAIN DEFENSE AGENCIES.—Nothing in this chapter shall affect the authority of each Director concerned to—

“(1) carry out the research, development, test, and evaluation and procurement of satellites and user satellite terminals of the Defense Agency of the Director concerned;

“(2) operate such terminals; and

“(3) develop requirements to ensure that the space programs of the Department of Defense support the mission of the Director concerned.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘Director concerned’ means—

“(A) the Director of the National Reconnaissance Office, with respect to matters concerning the National Reconnaissance Office; and

“(B) the Director of the National Geospatial-Intelligence Agency, with respect to matters concerning the National Geospatial-Intelligence Agency.

“(2) The term ‘Secretary concerned’ means—

“(A) the Secretary of the Army, with respect to matters concerning the Army; and

“(B) the Secretary of the Navy, with respect to matters concerning the Navy, the Marine Corps, and the Coast Guard when it is operating as a service in the Department of the Navy.

#### “SUBCHAPTER II—ORGANIZATION

“Sec.

“8096. Chief of Staff of the Space Corps.

#### “§8096. Chief of Staff of the Space Corps

“(a) APPOINTMENT.—(1) There shall be a Chief of Staff of the Space Corps, appointed by the President, by and with the advice and consent of the Senate. The Chief of Staff shall serve at the pleasure of the President.

“(2) The Chief of Staff shall be appointed for a term of six years. In time of war or during a national emergency declared by Congress, the Chief of Staff may be reappointed for a term of not more than six years.

“(3)(A) The first Chief of Staff appointed after the date of the enactment of this section shall be appointed from the general officers of the Air Force. The President may appoint the incumbent Commander of the Air Force Space Command as the first such Chief of Staff without regard to the requirement in paragraph (1) for the advice and consent of the Senate.

“(B) Each subsequent Chief of Staff shall be appointed from the general officers of the Space Corps.

“(4) The President may appoint an officer as Chief of Staff only if—

“(A) the officer has had significant experience in joint duty assignments; and

“(B) such experience includes at least one full tour of duty in a joint duty assignment (as defined in section 664(d) of this title) as a general officer.

“(5) The President may waive paragraph (4) in the case of an officer if the President determines such action is necessary in the national interest.

“(b) GRADE.—The Chief of Staff of the Space Corps, while so serving, has the grade of general without vacating the permanent grade of the officer.

“(c) REPORTING.—Except as otherwise prescribed by law and subject to section 8013(f) of this title, the Chief of Staff of the Space Corps performs the duties of such position under the authority, direction, and control of the Secretary of the Air Force and is directly responsible to the Secretary.

“(d) DUTIES.—Subject to the authority, direction, and control of the Secretary of the Air Force, the Chief of Staff of the Space Corps shall—

“(1) preside over the Space Corps;

“(2) transmit the plans and recommendations of the Space Corps to the Secretary and advise the Secretary with regard to such plans and recommendations;

“(3) after approval of the plans or recommendations of the Space Corps by the Secretary, act as the agent of the Secretary in carrying them into effect;

“(4) exercise supervision, consistent with the authority assigned to commanders of unified or specified combatant commands under chapter 6 of this title, over such of the members and organizations of the Space Corps and the Air Force as the Secretary determines;

“(5) perform the duties prescribed for the Chief of Staff by sections 171 and 2547 of this title and other provisions of law; and

“(6) perform such other military duties, not otherwise assigned by law, as are assigned to the Chief of Staff by the President, the Secretary of Defense, or the Secretary of the Air Force.

“(e) JOINT CHIEFS OF STAFF.—(1) The Chief of Staff of the Space Corps shall also perform the duties prescribed for the Chief of Staff as a member of the Joint Chiefs of Staff under section 151 of this title.

“(2) To the extent that such action does not impair the independence of the Chief of Staff in the performance of the duties of the Chief of Staff as a member of the Joint Chiefs of Staff, the Chief of Staff shall inform the Secretary regarding military advice rendered by members of the Joint Chiefs of Staff on matters affecting the Department of the Air Force.

“(3) Subject to the authority, direction, and control of the Secretary of Defense, the Chief of Staff shall keep the Secretary of the Air Force fully informed of significant military operations affecting the duties and responsibilities of the Secretary.”.

(2) CLERICAL AMENDMENTS.—The table of chapters at the beginning of subtitle D of title 10, United States Code, and at the beginning of part I of such subtitle, are each amended by inserting after the item relating to chapter 807 the following new item:

“809. Space Corps ..... 8091.”.

(c) JOINT CHIEFS OF STAFF.—Chapter 5 of title 10, United States Code, is amended as follows:

(1) In section 151(a), by adding at the end the following new paragraph:

“(8) The Chief of Staff of the Space Corps.”.

(2) In section 152(b)(1)(B), by striking “or the Commandant of the Marine Corps” and inserting “the Commandant of the Marine Corps, or the Chief of Staff of the Space Corps”.

(d) ARMED FORCES POLICY COUNCIL.—Section 171 of title 10, United States Code, is amended—

(1) in paragraph (12), by striking “; and”;

(2) in paragraph (13), by striking the period at the end and inserting “; and”;

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

“(14) the Chief of Staff of the Space Corps.”.

(e) CHIEF OF SERVICE.—Section 1406(i)(3)(A) of title 10, United States Code, is amended by adding at the end the following new clause:

“(vi) Chief of Staff of the Space Corps.”.

(f) ACQUISITION-RELATED FUNCTIONS OF CHIEFS OF THE ARMED FORCES.—Section 2547(a) of title 10, United States Code, is amended by striking “and the Commandant of the Marine Corps” and inserting “the Commandant of the Marine Corps, and the Chief of Staff of the Space Corps”.

(g) SUCCESSORS TO DUTIES.—Section 8017 of title 10, United States Code, is amended by striking paragraph (4) and inserting the following:

“(4) The Chief of Staff of the Air Force.

“(5) The Chief of Staff of the Space Corps.”.

(h) TERMINATION OF PRINCIPAL DEPARTMENT OF DEFENSE SPACE ADVISOR AND DEFENSE SPACE COUNCIL.—Effective on the date on which the Space Corps is established under section 8091 of title 10, United States Code, as added by subsection (a)(1)—

(1) the position, and the office of, the Principal Department of Defense Space Advisor (previously known as the Department of Defense Executive Agent for Space) shall be terminated;

(2) the personnel of such office shall be transferred to the Air Force and to the Space Corps, as determined appropriate by the Secretary of Defense;

(3) any reference in Federal law, regulations, guidance, instructions, or other documents of the Federal Government to the Principal Department of Defense Space Advisor or the Department of Defense Executive Agent for Space shall be deemed to be a reference to the Secretary of the Air Force or the Chief of Staff of the Space Corps, as appropriate; and

(4) the Defense Space Council shall be terminated.

(i) MILITARY INSTALLATIONS.—Nothing in this section, or the amendments made by this section, shall be construed to authorize or require the relocation of any facility, infrastructure, or military installation of the Air Force.

(j) REPORTS.—

(1) INTERIM REPORT.—Not later than March 1, 2018, the Secretary of Defense shall submit to the congressional defense committees an interim report on the Space Corps established under chapter 809 of title 10, United States Code, as added by subsection (a)(1), that includes—

(A) a review of the organizational and management structure of the Space Corps; and

(B) recommendations for the modification and improvement of such organizational and management structure.

(2) FINAL REPORT.—Not later than August 1, 2018, the Secretary of Defense shall submit to the congressional defense committees a final report on the Space Corps that includes—

(A) an update of the review and recommendations described in paragraph (1), including recommendations for any necessary revisions to appointments and qualifications, duties and powers, and precedent in the Department of Defense;

(B) recommendations for the appropriate sharing of functions between the Air Force and the Space Corps, including functions with respect to personnel matters and uniforms;

(C) a plan for implementing the recommendations described in subparagraphs (A) and (B), which shall include proposed legislative and administrative actions, including conforming and other amendments to law, that the Secretary determines to be appropriate for carrying out such plan;

(D) the estimated number of general officers of the Space Corps, including an identification of the current positions of such general officers that will be transferred to the Space Corps and whether the Secretary determines it necessary for the number of general officers authorized in chapter 32 of title 10, United States Code, to be increased; and

(E) any other matters that the Secretary determines to be appropriate.

#### **SEC. 1602. ESTABLISHMENT OF SUBORDINATE UNIFIED COMMAND OF THE UNITED STATES STRATEGIC COMMAND.**

(a) SUBORDINATE UNIFIED COMMAND.—Not later than January 1, 2019, the Secretary of Defense shall establish a subordinate unified command to be known as the United States Space Command under the United States Strategic Command.

(b) COMMANDER.—The Commander of the United States Space Command shall hold the grade of general or, in the case of an officer of the Navy, admiral while serving in that position, without vacating the permanent grade of the officer. The Commander shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position.

(c) COMMAND OF JOINT SPACE ACTIVITY OR MISSIONS.—Unless otherwise directed by the President or the Secretary of Defense, the Commander of the United States Space Command shall exercise command of joint space activities or missions.

(d) JOINTLY STAFFED.—The United States Space Command shall be jointly staffed.

#### **Subtitle B—Space Activities**

#### **SEC. 1611. CODIFICATION, EXTENSION, AND MODIFICATION OF LIMITATION ON CONSTRUCTION ON UNITED STATES TERRITORY OF SATELLITE POSITIONING GROUND MONITORING STATIONS OF FOREIGN GOVERNMENTS.**

(a) CODIFICATION, EXTENSION, AND MODIFICATION.—Chapter 135 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 2279c. Limitation on construction on United States territory of satellite positioning ground monitoring stations of certain foreign governments.**

“(b) EXCEPTION.—The limitation in subsection (a) shall not apply to foreign governments that are allies of the United States.

“(c) SUNSET.—The limitation in subsection (a) shall terminate on December 31, 2023.”.

(b) TRANSFER OF PROVISION.—Subsection (b) of section 1602 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2281 note) is—

(1) transferred to section 2279c of title 10, United States Code, as added by subsection (a);

(2) inserted as the first subsection of such section;

(3) redesignated as subsection (a); and

(4) amended—

(A) by amending the subsection heading to read as follows: “LIMITATION”; and

(B) by striking paragraph (6).

#### **SEC. 1612. FOREIGN COMMERCIAL SATELLITE SERVICES: CYBERSECURITY THREATS AND LAUNCHES.**

(a) CYBERSECURITY RISKS.—Subsection (a) of section 2279 of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “; or” and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting: “; or”;

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

“(3) entering into such contract would create a cybersecurity risk for the Department of Defense.”.

(b) LAUNCHES.—

(1) IN GENERAL.—Such section is amended—

(A) by redesignating subsections (b) through (e) as subsections (c) through (f), respectively; and

(B) by inserting after subsection (a) the following new subsection (b):

“(b) LAUNCHES AND MANUFACTURERS.—

“(1) LIMITATION.—In addition to the prohibition in subsection (a), and except as provided in subsection (c), the Secretary may not enter into a contract for satellite services with any entity if the Secretary reasonably believes that such satellite services will be provided using satellites that will be—

“(A) designed or manufactured in a covered foreign country, or by an entity controlled in whole or in part by, or acting on behalf of, the government of a covered foreign country; or

“(B) launched using a launch vehicle that is designed or manufactured in a covered foreign country, or that is provided by the government of a covered foreign country or by an entity controlled in whole or in part by, or acting on behalf of, the government of a covered foreign country, regardless of the location of the launch (unless such location is in the United States).

“(2) UNITED STATES LAUNCHES.—The limitation in paragraph (1) shall not—

“(A) apply to launches in the United States using launch vehicles with engines designed or manufactured in or provided by any entity of the Russian Federation; or

“(B) affect any other provision of law authorizing the use of Russian rocket engines within a United States launch vehicle.

“(3) LAUNCH VEHICLE DEFINED.—In this subsection, the term ‘launch vehicle’ means a fully integrated space launch vehicle.”.

(2) EXCEPTION.—The prohibition in subsection (b) of section 2279 of title 10, United States Code, as added by paragraph (1), shall not apply with respect to—

(A) a launch that occurred prior to the date that is six months after the date of the enactment of this Act; or

(B) a contract or other agreement relating to launch services that, prior to the date that is six months after the date of the enactment of this Act, was either fully paid for by the contractor or covered by a legally binding commitment of the contractor to pay for such services.

(c) DEFINITIONS.—Subsection (f) of section 2279 of title 10, United States Code, as redesignated by subsection (b)(1)(A), is amended to read as follows:

“(f) DEFINITIONS.—In this section:

“(1) The term ‘covered foreign country’ means any of the following:

“(A) A country described in section 1261(c)(2) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2019).

“(B) The Russian Federation.

“(2) The term ‘cybersecurity risk’ means threats to and vulnerabilities of information or information systems and any related consequences caused by or resulting from unauthorized access, use, disclosure, degradation, disruption, modification, or destruction of such information or information systems, including such related consequences caused by an act of terrorism.”.

(d) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENTS.—Such section 2279 is further amended—

(A) in the section heading, by striking “services” and inserting “services and foreign launches”;

(B) by striking “subsection (b)” each place it appears and inserting “subsection (c)”;

(C) in subsection (a)(2), by striking “launch or other”;



(D) in subsection (c), as redesignated by subsection (b)(1), by striking “prohibition in subsection (a)” and inserting “prohibitions in subsection (a) and (b)”;

(E) in subsection (d), as so redesignated, by striking “prohibition under subsection (a)” and inserting “prohibition under subsection (a) or (b)”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 135 of title 10, United States Code, is amended by striking the item relating to section 2279 and inserting the following:

“2279. Foreign commercial satellite services and foreign launches.”.

(e) APPLICATION.—Except as provided by subsection (b)(2), the amendments made by this section shall apply with respect to contracts for satellite services awarded by the Secretary of Defense on or after the date of the enactment of this Act.

#### SEC. 1613. EXTENSION OF PILOT PROGRAM ON COMMERCIAL WEATHER DATA.

Section 1613 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended—

(1) in subsection (b), by striking “one year” and inserting “two years”;

(2) in subsection (c)—

(A) by striking “Committees on Armed Services of the House of Representatives and the Senate” each place it appears and inserting “appropriate congressional committees”; and

(B) by adding at the end the following new paragraph:

“(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ‘appropriate congressional committees’ means—

“(A) the Committees on Armed Services of the Senate and the House of Representatives; and

“(B) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.”.

#### SEC. 1614. CONDITIONAL TRANSFER OF ACQUISITION AND FUNDING AUTHORITY OF CERTAIN WEATHER MISSIONS TO NATIONAL RECONNAISSANCE OFFICE.

Section 1614 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) IMPLEMENTATION OF PLANS.—The Secretary of the Air Force shall implement the plan developed under paragraph (1) of subsection (b), and the Director of the National Reconnaissance Office shall implement the plan developed under paragraph (2) of such subsection, unless the Secretary and the Director each make a waiver under subsection (c).”.

#### SEC. 1615. EVOLVED EXPENDABLE LAUNCH VEHICLE MODERNIZATION AND SUSTAINMENT OF ASSURED ACCESS TO SPACE.

(a) DEVELOPMENT.—

(1) EVOLVED EXPENDABLE LAUNCH VEHICLE.—Using funds described in paragraph (3), the Secretary of Defense may only obligate or expend funds to carry out the evolved expendable launch vehicle program to—

(A) develop a domestic rocket propulsion system to replace non-allied space launch engines;

(B) develop the necessary interfaces to, or integration of, such domestic rocket propulsion system with an existing or new launch vehicle;

(C) develop capabilities necessary to enable commercially available space launch vehicles or infrastructure to meet any requirements that are unique to national security space missions to meet the assured access to space requirements pursuant to section 2273 of title 10, United States Code, with respect to only—

(i) modifications to such vehicles required for national security space missions, including—

(I) certification and compliance of such vehicles for use in national security space missions;

(II) fairings necessary for the launch of national security space payloads to orbit; and

(III) other upgrades to meet performance, reliability, and orbital requirements that cannot otherwise be met through the use of commercially available launch vehicles; and

(ii) the development of infrastructure unique to national security space missions, such as infrastructure for the use of heavy launch vehicles, including—

(I) facilities and equipment for the vertical integration of payloads;

(II) secure facilities for the processing of classified payloads; and

(III) other facilities and equipment, including ground systems and expanded capabilities, unique to national security space launches and the launch of national security payloads;

(D) conduct activities to modernize and improve existing certified launch vehicles, or existing launch vehicles previously contracted for use by the Air Force, including restarting a dormant supply chain, and infrastructure to increase the cost effectiveness of the launch system;

(E) certify new, modified, or existing launch vehicle systems; or

(F) develop, design, and integrate parts for new launch vehicle systems to the extent such parts are developed primarily for national security use.

(2) PROHIBITION.—Except as provided in this section, none of the funds described in paragraph (3) shall be obligated or expended for the evolved expendable launch vehicle program, including the development of new launch vehicles under such program.

(3) FUNDS DESCRIBED.—The funds described in this paragraph are the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for research, development, test, and evaluation, Air Force, for the evolved expendable launch vehicle program.

(b) OTHER AUTHORITIES.—Nothing in this section shall affect or prohibit the Secretary from procuring launch services of evolved expendable launch vehicle launch systems, including with respect to any associated operation and maintenance of capabilities and infrastructure relating to such systems.

(c) NOTIFICATION.—Not later than 30 days before any date on which the Secretary publishes a draft or final request for proposals, or obligates funds, for the development under subsection (a)(1), the Secretary shall notify the congressional defense committees of such proposed draft or final request for proposals or proposed obligation, as the case may be. If such proposed draft or final request for proposals or proposed obligation relates to intelligence requirements, the Secretary shall also notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(d) ASSESSMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary, in coordination with the Director of Cost Assessment and Program Evaluation, shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a report containing an assessment of the most cost-effective method to meet the assured access to space requirements pursuant to section 2273 of title 10, United States Code, with respect to each of the following periods:

(1) The five-year period beginning on the date of the report.

(2) The 10-year period beginning on the date of the report.

(3) The period consisting of the full lifecycle of the evolved expendable launch vehicle program.

(e) ROCKET PROPULSION SYSTEM DEFINED.—In this section, the term “rocket propulsion system” means, with respect to the development authorized by subsection (a)(1), a main booster, first-stage rocket engine (including such an engine using kerosene or methane-based or other propellant) or motor. The term does not include a launch vehicle, an upper stage, a strap-on motor, or related infrastructure.

#### SEC. 1616. COMMERCIAL SATELLITE COMMUNICATIONS PATHFINDER PROGRAM.

(a) SENSE OF CONGRESS.—It is the Sense of Congress that the Secretary of the Air Force should—

(1) use the acquisition authority under the pathfinder program to acquire, from commercial providers, satellite bandwidth, ground services, and advanced services; and

(2) use the transaction authority provided by section 2371 of title 10, United States Code, to make a portion of such acquisitions.

(b) REPORT.—Not later than March 1, 2018, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that includes the views and plans of the Secretary with respect to making a portion of the acquisitions described in subsection (a)(1) using the transaction authority provided by section 2371 of title 10, United States Code.

(c) DEFINITION.—In this section, the term “pathfinder program” means the commercial satellite communications programs of the Air Force designed to demonstrate the feasibility of new, alternative acquisition and procurement models for commercial satellite communications.

#### SEC. 1617. DEMONSTRATION OF BACKUP AND COMPLEMENTARY POSITIONING, NAVIGATION, AND TIMING CAPABILITIES OF GLOBAL POSITIONING SYSTEM.

(a) PLAN.—During fiscal year 2018, the Secretary of Defense, the Secretary of Transportation, and the Secretary of Homeland Security (referred to in this section as the “Secretaries”) shall jointly develop a plan for carrying out a backup GPS capability demonstration. The plan shall—

(1) be based on the results of the study conducted under section 1618 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2595); and

(2) include the activities that the Secretaries determine necessary to carry out such demonstration.

(b) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Secretaries shall provide to the appropriate congressional committees a briefing on the plan developed under subsection (a). The briefing shall include—

(1) identification of the sectors that would be expected to participate in the backup GPS capability demonstration described in the plan;

(2) an estimate of the costs of implementing the demonstration in each sector identified in paragraph (1); and

(3) an explanation of the extent to which the demonstration may be carried out with the funds appropriated for such purpose.

(c) IMPLEMENTATION.—

(1) IN GENERAL.—Subject to the availability of appropriations and beginning not earlier than the day after the date on which the briefing is provided under subsection (b), the Secretaries shall jointly initiate the backup GPS capability demonstration to the extent described under subsection (b)(3).

(2) TERMINATION.—The authority to carry out the backup GPS capability demonstration under paragraph (1) shall terminate on the date that is 18 months after the date of the enactment of this Act.

(d) **REPORT.**—Not later than 18 months after the date of the enactment of this Act, the Secretaries shall submit to the appropriate congressional committees a report on the backup GPS capability demonstration carried out under subsection (c) that includes—

(1) a description of the opportunities and challenges learned from such demonstration; and

(2) a description of the next actions the Secretaries determine appropriate to backup and complement the positioning, navigation, and timing capabilities of the Global Positioning System for national security and critical infrastructure, including, at a minimum, the timeline and funding required to issue a request for proposals for such capabilities.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section for fiscal year 2018 not more than \$10,000,000 for the Department of Defense, as specified in the funding tables in division D.

(f) **DEFINITIONS.**—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees;

(B) the Committee on Science, Space, and Technology, the Committee on Transportation and Infrastructure, and the Committee on Homeland Security of the House of Representatives; and

(C) the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate.

(2) The term “backup GPS capability demonstration” means a proof-of-concept demonstration of capabilities to backup and complement the positioning, navigation, and timing capabilities of the Global Positioning System for national security and critical infrastructure.

**SEC. 1618. ENHANCEMENT OF POSITIONING, NAVIGATION, AND TIMING CAPACITY.**

(a) **PLAN.**—The Secretary of Defense shall develop and implement a plan to increase the positioning, navigation, and timing capacity of the Department of Defense to provide resilience to the positioning, navigation, and timing capabilities of the Department. Such plan shall—

(1) ensure that military Global Positioning System user equipment terminals have the capability to receive signals from the Galileo satellites of the European Union and the QZSS satellites of Japan, beginning with increment 2 of the acquisition of such terminals;

(2) include an assessment of the feasibility, benefits, and risks of military Global Positioning System user equipment terminals having the capability to receive foreign positioning, navigation, and timing signals (with respect to such signals described in the classified annex accompanying this Act), beginning with increment 2 of the acquisition of such terminals;

(3) include an assessment of options to use hosted payloads to provide redundancy for the Global Positioning System signal;

(4) ensure that the Secretary, with the concurrence of the Secretary of State, engages with relevant allies of the United States to—

(A) enable military Global Positioning System user equipment terminals to receive the positioning, navigation, and timing signals of such allies; and

(B) negotiate other potential agreements relating to the enhancement of positioning, navigation, and timing;

(5) include any other options the Secretary of Defense determines appropriate; and

(6) include an evaluation by the Director of National Intelligence of the benefits and risks, if any, of using foreign positioning, navigation, and timing signals.

(b) **SUBMISSION.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall—

(1) submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate the plan under subsection (a); and

(2) submit to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate the evaluation described in paragraph (6) of such subsection.

**SEC. 1619. ESTABLISHMENT OF SPACE FLAG TRAINING EVENT.**

(a) **ESTABLISHMENT.**—Not later than December 31, 2020, the Secretary of Defense shall establish an annual capstone training event titled “Space Flag” for space professionals to—

(1) develop and test doctrine, concepts of operation, and tactics, techniques, and procedures, for—

(A) protecting and defending assets and interests of the United States through the spectrum of space control activities;

(B) operating in the event of degradation or loss of space capabilities;

(C) conducting space operations in a conflict that extends to space;

(D) deterring conflict in space; and

(E) other areas the Secretary determines necessary; and

(2) inform and develop the appropriate design of the operational training infrastructure of the space domain, including with respect to appropriate and dedicated ranges, threat replication, test community support, advanced space training requirements, training simulators, and multi-domain force packaging.

(b) **TRAINING.**—In establishing the Space Flag training event under subsection (a), the Secretary shall—

(1) model the training event on the Red Flag and Cyber Flag exercises; and

(2) ensure that Space Flag includes live, virtual, and constructive training and on-orbit threat replication, as appropriate.

(c) **PLAN.**—Not later than one year after the date of the enactment of this Act, the Secretary, in coordination with the Commander of the Air Force Space Command, the Commander of the Army Space and Missile Defense Command, and the Commander of the Navy Space and Naval Warfare Systems Command, shall submit to the congressional defense committees a plan to establish the Space Flag training under subsection (a), including a description of each objective of the training.

**SEC. 1620. REPORT ON OPERATIONAL AND CONTINGENCY PLANS FOR LOSS OR DEGRADATION OF SPACE CAPABILITIES.**

(a) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, in coordination with each commander of a combatant command, shall jointly submit to the appropriate congressional committees a report evaluating all operational and contingency plans to assess the implications for mission performance in the event of a loss or degradation of space capabilities of the United States (including with respect to space control) either through the loss or degradation of on-orbit assets or through the disabling of ground components.

(b) **MATTERS INCLUDED.**—The report under subsection (a) shall address and describe the extent to which the operational and contingency plans described in such subsection—

(1) depend upon space capabilities to achieve successful execution;

(2) account for the loss or degradation of space capabilities;

(3) appropriately reflect intelligence concerning current and projected adversary counter-space capabilities and vulnerabilities of the space systems of the United States;

(4) include measures to mitigate any loss or degradation of space capabilities;

(5) include specific guidance for the short- and long-term loss or disruption of space capabilities;

(6) include specific guidance for the period in which there is a total loss of space capabilities before replacement assets are able to be brought online and operational; and

(7) assess the extent to which adversaries rely on space, including the potential effects of a short or long term loss of, or disruption to, the space capabilities of such adversaries.

(c) **DEFINITIONS.**—In this section:

(1) The term “appropriate congressional committees” means the following:

(A) With respect to the full report under subsection (a), the Committees on Armed Services of the House of Representatives and the Senate.

(B) With respect to the matters in the report described in subsection (b)(3), and for any other matters in the report relating to the limitations, impacts, and vulnerabilities of the capabilities and systems of the intelligence community, the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

**SEC. 1621. LIMITATION ON AVAILABILITY OF FUNDING FOR JOINT SPACE OPERATIONS CENTER MISSION SYSTEM.**

(a) **LIMITATION.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Joint Space Operations Center mission system, not more than 75 percent may be obligated or expended until the date on which the Secretary of the Air Force certifies to the congressional defense committees that the Secretary has developed the plan under subsection (b).

(b) **PLAN.**—The Secretary shall develop and implement a plan to operationalize existing commercial space situational awareness capabilities to address warfighter requirements, consistent with the best-in-breed concept. The Secretary shall commence such implementation by not later than March 30, 2018.

**SEC. 1622. LIMITATION ON AVAILABILITY OF FUNDS RELATING TO ADVANCED EXTREMELY HIGH FREQUENCY PROGRAM.**

(a) **LIMITATION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for research, development, test, and evaluation, Air Force, for protected tactical enterprise (PE 1206760F), protected tactical service (PE 1206761F), or protected satellite communication services (PE 1206855F) for the Evolved Strategic SATCOM (EES) system, may be obligated or expended on a final request for proposals, other than evolution of the AEHF program of record until the date on which the reports required under subsection (b) are submitted to the congressional defense committees.

(b) **ASSESSMENTS AND CERTIFICATIONS.**—

(1) The Commanders of STRATCOM and NORTHCOM jointly certifies a protected satcom system other than the AEHF program of record or an evolution of the same will meet all applicable requirements for Nuclear Command and Control and continuity of government, and all other functions related to protected communications of the National Command Authority and the Combatant Commands, to include operational forces in a peer-near-peer jamming environment;

(2) The Chairman of the Joint Chiefs of Staff submits the validated military requirement for resilience and mission assurance, and the criteria to measure and evaluate the same, of each and any alternative to an evolved advanced extremely high frequency program; how each alternative affects deterrence and full spectrum warfighting, warfighter requirements and relative costs, including with respect to ground

station and user terminals; the assessed order of battle of adversaries; and the required capabilities of the broader space security and defense enterprise;

(3) The Secretary of the Air Force submits a detailed plan for the ground control system and all user terminals developed and acquired by the Air Force will be synchronized through development and deployment to meet all applicable requirements for Nuclear Command and Control and continuity of government, and other functions related to protected communications of the National Command Authority and the Combatant Commands; and

(4) The Chairmen of the Joint Chiefs of Staff completes an assessment concerning the impact of developing and fielding all the waveforms and terminals required to utilize the proposed alternative systems to the AEHF program of record or an evolution of the same.

(c) **EXCEPTION.**—The limitation in paragraph (a) shall not apply to efforts to examine and develop technology insertion opportunities for the satellite communications programs of record.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed as delaying the request for proposals for the Enhanced Advanced Extremely High Frequency (E-AEHF) program.

#### **Subtitle C—Defense Intelligence and Intelligence-Related Activities**

#### **SEC. 1631. SECURITY CLEARANCES FOR FACILITIES OF CERTAIN CONTRACTORS.**

(a) **IN GENERAL.**—Chapter 141 of title 10, United States Code, is amended by adding at the end the following new section:

##### **“§2410s. Security clearances for facilities of certain contractors.**

“If the senior management official of a contractor of the Department of Defense does not have a security clearance, the Secretary of Defense may grant a security clearance to a facility of such contractor only if the following criteria are met:

“(1) The contractor has appointed a senior officer, director, or employee of the contractor who has a security clearance at the level of the security clearance of the facility to act as the senior management official of the contractor with respect to such facility.

“(2) Any senior management official, senior officer, or director of the contractor who does not have such a security clearance will not have access to any classified information, including with respect to such facility.

“(3) The contractor has certified to the Secretary that the senior officer, director, or employee appointed under paragraph (1) has the authority to act on behalf of the contractor with respect to such facility independent of any senior management official, senior officer, or director described in paragraph (2).

“(4) The facility meets all of the requirements to be granted a security clearance other than any requirement relating to the senior management official of the contractor having an appropriate security clearance.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by adding at the end the following new item: “2410s. Security clearances for facilities of certain contractors”.

#### **SEC. 1632. EXTENSION OF AUTHORITY TO ENGAGE IN CERTAIN COMMERCIAL ACTIVITIES.**

Section 431(a) of title 10, United States Code, is amended by striking “December 31, 2017” and inserting “December 31, 2023”.

#### **SEC. 1633. SUBMISSION OF AUDITS OF COMMERCIAL ACTIVITY FUNDS.**

Section 432(b)(2) of title 10, United States Code, is amended—

(1) by striking “promptly”; and

(2) by inserting before the period at the end the following: “by not later than December 31 of each year”.

#### **SEC. 1634. CLARIFICATION OF ANNUAL BRIEFING ON THE INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE REQUIREMENTS OF THE COMBATANT COMMANDS.**

Section 1626 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3635) is amended—

(1) by inserting “(including with respect to space-based intelligence, surveillance, and reconnaissance)” after “intelligence, surveillance, and reconnaissance requirements” both places it appears; and

(2) in paragraph (2), by striking “critical intelligence, surveillance, and reconnaissance requirements” and inserting “critical intelligence, surveillance, and reconnaissance requirements (including with respect to space-based intelligence, surveillance, and reconnaissance)”.

#### **SEC. 1635. REVIEW OF SUPPORT PROVIDED BY DEFENSE INTELLIGENCE ELEMENTS TO ACQUISITION ACTIVITIES OF THE DEPARTMENT.**

(a) **REVIEW.**—The Secretary of Defense shall review the support provided by Defense intelligence elements to the acquisition activities conducted by the Secretary, with a specific focus on such support—

(1) consisting of planning, prioritizing, and resourcing relating to developmental weapon systems; and

(2) for existing weapon systems throughout the program lifecycle of such systems.

(b) **BUDGET STRUCTURE.**—The Secretary shall develop a specific budget structure for a sustainable funding profile to ensure the support provided by Defense intelligence elements described in subsection (a). The Secretary shall implement such structure beginning with the defense budget materials for fiscal year 2020.

(c) **BRIEFING.**—Not later than May 1, 2018, the Secretary of Defense shall provide to the appropriate congressional committees a briefing on the results of the review under subsection (a) and a plan to carry out subsection (b).

(d) **DEFINITIONS.**—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees; and  
(B) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term “defense budget materials” has the meaning given that term in section 231(f) of title 10, United States Code.

(3) The term “Defense intelligence element” means any of the agencies, offices, and elements of the Department of Defense included within the definition of “intelligence community” under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

#### **SEC. 1636. LIMITATION ON AVAILABILITY OF FUNDS FOR CERTAIN OFFENSIVE COUNTERINTELLIGENCE ACTIVITIES.**

(a) **LIMITATION ON OFFENSIVE COUNTERINTELLIGENCE ACTIVITIES.**—

(1) **IN GENERAL.**—Of the funds described in paragraph (2), not more than 75 percent may be obligated or expended until—

(A) the Secretary of Defense submits to the appropriate congressional committees the report under subsection (b);

(B) the Director of the Defense Intelligence Agency submits to such committees the report under subsection (c); and

(C) the Director and the Under Secretary of Defense for Intelligence jointly provide to such committees the briefing under subsection (d).

(2) **FUNDS DESCRIBED.**—The funds described in this paragraph are the following:

(A) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 under the General Defense Intel-

ligence Program for any operations and maintenance account for offensive counterintelligence activities.

(B) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 under the Military Intelligence Program for any operations and maintenance account for offensive counterintelligence activities.

(b) **REPORT ON OVERSIGHT PROCESSES.**—Not later than March 1, 2018, the Secretary of Defense shall submit to the appropriate congressional committees a report certifying that each Defense intelligence element with offensive counterintelligence authorities has the appropriate oversight processes necessary to ensure compliance with the regulations of the Department of Defense.

(c) **REPORT ON CERTAIN RESOURCES.**—Not later than March 1, 2018, the Director of the Defense Intelligence Agency shall submit to the appropriate congressional committees a report that includes an accounting of the counterintelligence enterprise management resources transferred from the Counterintelligence Field Activity to the Defense Intelligence Agency that identifies such resources that are no longer dedicated to counterintelligence activities, as of the date of the report.

(d) **BRIEFING ON FUNCTIONAL MANAGEMENT.**—Not later than March 1, 2018, the Director and the Under Secretary of Defense for Intelligence shall jointly provide to the appropriate congressional committees a briefing on how the Director and the Under Secretary plan to improve the functional management of offensive counterintelligence activities.

(e) **DEFINITIONS.**—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees; and  
(B) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term “Defense intelligence element” means any of the Department of Defense agencies, offices, and elements included within the definition of “intelligence community” under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

#### **SEC. 1637. PROHIBITION ON AVAILABILITY OF FUNDS FOR CERTAIN RELOCATION ACTIVITIES FOR NATO INTELLIGENCE FUSION CENTER.**

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for operation and maintenance may be obligated or expended for the procurement of fit-out supplies and equipment to support the relocation of the NATO Intelligence Fusion Center from Royal Air Force Molesworth, United Kingdom, to Royal Air Force Croughton, United Kingdom.

#### **SEC. 1638. ESTABLISHMENT OF CHAIRMAN'S CONTROLLED ACTIVITY WITHIN JOINT STAFF FOR INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE.**

(a) **CHAIRMAN'S CONTROLLED ACTIVITY.**—The Chairman of the Joint Chiefs of Staff shall—

(1) undertake the roles, missions, and responsibilities of, and an equal or greater number of personnel billets than the amount of such billets previously prescribed for the Joint Functional Component Command for Intelligence, Surveillance, and Reconnaissance of United States Strategic Command; and

(2) not later than 30 days after the date of the enactment of this Act, establish an organization within the Joint Staff—

(A) that is designated as a chairman's controlled activity;

(B) for which the Chairman of the Joint Chiefs of Staff shall serve as the joint functional manager; and

(C) which shall synchronize cross-combatant command intelligence, surveillance, and reconnaissance plans and develop strategies integrating all joint service-provided and allied intelligence, surveillance, and reconnaissance capabilities to satisfy combatant command intelligence needs for the Department of Defense.

(b) EXECUTIVE AGENT.—The Secretary of Defense shall designate the Secretary of the Air Force as the executive agent and sponsor for funding for the organization established under subsection (a)(2).

**SEC. 1639. SENSE OF CONGRESS AND REPORT ON GEOSPATIAL COMMERCIAL ACTIVITIES FOR BASIC AND APPLIED RESEARCH AND DEVELOPMENT.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) rapid technology change and a significant increase in data collection by the intelligence community has outpaced the ability of the intelligence community to exploit vast quantities of intelligence data;

(2) the data collection capabilities of the intelligence community and the Department of Defense have outpaced to exploit vast quantities of data;

(3) furthermore, international competitors may be catching up, and in some cases leading, in key technology areas;

(4) many U.S. companies have talent and technological capability that the Federal Government could harness; and

(5) these companies would be able to more effectively develop automation, artificial intelligence, and associated algorithms if given access to data of the National Geospatial-Intelligence Agency, consistent with the protection of sources and methods.

(b) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Director of the National Geospatial-Intelligence Agency shall submit to the appropriate congressional committees a report on the authorities necessary to conduct commercial activities relating to geospatial intelligence that the Director determines necessary to engage in basic research, applied research, data transfers, and development projects, with respect to automation, artificial intelligence, and associated algorithms, including how the Director would use such authorities, consistent with applicable laws and procedures relating to the protection of sources and methods.

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

(1) the Committees on Armed Services of the House of Representatives and the Senate; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

**SEC. 1640. DEPARTMENT OF DEFENSE COUNTER-INTELLIGENCE POLYGRAPH PROGRAM.**

Section 1564a(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(5) Any person who is a United States national who also has the nationality of a foreign state.”.

**SEC. 1641. SECURITY CLEARANCE FOR DUAL-NATIONALS.**

(a) IN GENERAL.—Chapter 80 of title 10, United States Code, is amended by inserting after section 1564a the following new section:

**“§ 1564b. Security clearance for dual nationals**

“(a) IN GENERAL.—In the case of an individual who is a United States national who also has the nationality of a foreign state who is appointed to or hired for a position designated by the Office of Personnel Management as critical sensitive or special sensitive, the Secretary shall

provide additional review before approving a security clearance for such individual.

“(b) WAIVER.—

“(1) WAIVER AUTHORITY.—In the case of a person who is a United States national who also has the nationality of a foreign state identified under paragraph (2), the Secretary may waive the requirement under subsection (a).

“(2) FOREIGN STATES.—The Director of National Intelligence shall identify foreign states that permit citizens or nationals of the United States to serve in positions of trust equivalent to positions identified by the Office of Personnel Management as critical sensitive or special sensitive.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1564a the following new item:

“1564b. Security clearance for dual nationals of high threat foreign states.”.

**SEC. 1642. SUSPENSION OR REVOCATION OF SECURITY CLEARANCES BASED ON UNLAWFUL OR INAPPROPRIATE CONTACTS WITH REPRESENTATIVES OF A FOREIGN GOVERNMENT.**

The Secretary of Defense may suspend or revoke any security clearance granted by the Department of Defense if the holder of that security clearance has engaged in unlawful or inappropriate contacts with representatives of the government of a foreign country.

**Subtitle D—Cyberspace-Related Matters**

**SEC. 1651. NOTIFICATION REQUIREMENTS FOR SENSITIVE MILITARY CYBER OPERATIONS AND CYBER WEAPONS.**

(a) NOTIFICATION.—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new sections:

**“§ 130j. Notification requirements for sensitive military cyber operations**

“(a) IN GENERAL.—Except as provided in subsection (d), the Secretary of Defense shall promptly submit to the congressional defense committees notice in writing of any sensitive military cyber operation conducted under this title no later than 48 hours following such operation.

“(b) PROCEDURES.—(1) The Secretary of Defense shall establish and submit to the congressional defense committees procedures for complying with the requirements of subsection (a) consistent with the national security of the United States and the protection of operational integrity. The Secretary shall promptly notify the congressional defense committees in writing of any changes to such procedures at least 14 days prior to the adoption of any such changes.

“(2) The congressional defense committees shall ensure that committee procedures designed to protect from unauthorized disclosure classified information relating to national security of the United States are sufficient to protect the information that is submitted to the committees pursuant to this section.

“(3) In the event of an unauthorized disclosure of a sensitive military cyber operation covered by this section, the Secretary shall ensure, to the maximum extent practicable, that the congressional defense committees are notified immediately of the sensitive military cyber operation concerned. The notification under this paragraph may be verbal or written, but in the event of a verbal notification a written notification shall be provided by not later than 48 hours after the provision of the verbal notification.

“(c) SENSITIVE MILITARY CYBER OPERATION DEFINED.—(1) In this section, the term ‘sensitive military cyber operation’ means an action described in paragraph (2) that—

“(A) is carried out by the armed forces or by a foreign partner in coordination with the armed forces; and

“(B) is intended to cause effects outside a geographic location where United States armed

forces are involved in hostilities (as that term is used in section 1543 of title 50, United States Code).

“(2) The actions described in this paragraph are the following:

“(A) An offensive cyber operation.

“(B) A defensive cyber operation outside the Department of Defense Information Networks to defeat an ongoing or imminent threat.

“(d) EXCEPTIONS.—The notification requirement under subsection (a) does not apply—

“(1) to a training exercise conducted with the consent of all nations where the intended effects of the exercise will occur; or

“(2) to a covert action (as that term is defined in section 3093 of title 50, United States Code).

“(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to provide any new authority or to alter or otherwise affect the War Powers Resolution (50 U.S.C. 1541 et seq.), the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note), or any requirement under the National Security Act of 1947 (50 U.S.C. 3001 et seq.).

**“§ 130k. Notification requirements for cyber weapons**

“(a) IN GENERAL.—Except as provided in subsection (c), the Secretary of Defense shall promptly submit to the congressional defense committees notice in writing of the following:

“(1) With respect to a cyber capability that is intended for use as a weapon, the results of any review of the capability for legality under international law pursuant to Department of Defense Directive 5000.01 no later than 48 hours after any military department concerned has completed such review.

“(2) The use as a weapon of any cyber capability that has been approved for such use under international law by a military department no later than 48 hours following such use.

“(b) PROCEDURES.—(1) The Secretary of Defense shall establish and submit to the congressional defense committees procedures for complying with the requirements of subsection (a) consistent with the national security of the United States and the protection of operational integrity. The Secretary shall promptly notify the congressional defense committees in writing of any changes to such procedures at least 14 days prior to the adoption of any such changes.

“(2) The congressional defense committees shall ensure that committee procedures designed to protect from unauthorized disclosure classified information relating to national security of the United States are sufficient to protect the information that is submitted to the committees pursuant to this section.

“(3) In the event of an unauthorized disclosure of a cyber capability covered by this section, the Secretary shall ensure, to the maximum extent practicable, that the congressional defense committees are notified immediately of the cyber capability concerned. The notification under this paragraph may be verbal or written, but in the event of a verbal notification a written notification shall be provided by not later than 48 hours after the provision of the verbal notification.

“(c) EXCEPTIONS.—The notification requirement under subsection (a) does not apply—

“(1) to a training exercise conducted with the consent of all nations where the intended effects of the exercise will occur; or

“(2) to a covert action (as that term is defined in section 3093 of title 50, United States Code).

“(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to provide any new authority or to alter or otherwise affect the War Powers Resolution (50 U.S.C. 1541 et seq.), the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note), or any requirement under the National Security Act of 1947 (50 U.S.C. 3001 et seq.).”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new items: “130j. Notification requirements for sensitive military cyber operations.” “130k. Notification requirements for cyber weapons.”.

**SEC. 1652. MODIFICATION TO QUARTERLY CYBER OPERATIONS BRIEFINGS.**

(a) IN GENERAL.—Section 484 of title 10, United States Code, is amended—

(1) by striking “The Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate” and inserting the following:

“(a) BRIEFINGS REQUIRED.—The Secretary of Defense shall provide to the congressional defense committees”; and

(2) by adding at the end the following:

“(b) ELEMENTS.—Each briefing under subsection (a) shall include, with respect to the military operations in cyberspace described in such subsection, the following:

“(1) An update, set forth separately for each geographic and functional command, that describes the operations carried out by the command and any hostile cyber activity directed at the command.

“(2) An overview of authorities and legal issues applicable to the operations, including any relevant legal limitations.

“(3) An outline of any interagency activities and initiatives relating to the operations.

“(4) Any other matters the Secretary determines to be appropriate.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to briefings required be provided under section 484 of title 10, United States Code, on or after that date.

**SEC. 1653. CYBER SCHOLARSHIP PROGRAM.**

(a) NAME OF PROGRAM.—Section 2200 of title 10, United States Code, is amended by adding at the end the following:

“(c) NAME OF PROGRAM.—The programs authorized under this chapter shall be known as the ‘Cyber Scholarship Program’.”.

(b) MODIFICATION TO ALLOCATION OF FUNDING FOR CYBER SCHOLARSHIP PROGRAM.—Section 2200a(f) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “Not less”; and

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

“(2) Not less than five percent of the amount available for financial assistance under this section for a fiscal year shall be available for providing financial assistance for the pursuit of an associate degree at an institution described in paragraph (1).”.

(c) CYBER DEFINITION.—Section 2200e of title 10, United States Code, is amended to read as follows:

**“§2200e. Definitions**

“In this chapter:

“(1) The term ‘cyber’ includes the following:

“(A) Offensive cyber operations.

“(B) Defensive cyber operations.

“(C) Department of Defense information network operations and defense.

“(D) Any other information technology that the Secretary of Defense considers to be related to the cyber activities of the Department of Defense.

“(2) The term ‘institution of higher education’ has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

“(3) The term ‘Center of Academic Excellence in Cyber Education’ means an institution of higher education that is designated by the Director of the National Security Agency as a Cen-

ter of Academic Excellence in Cyber Education.”.

(d) CONFORMING AMENDMENTS.—

(1) Chapter 112 of title 10, United States Code, is further amended—

(A) in the chapter heading, by striking “INFORMATION SECURITY” and inserting “CYBER”; and

(B) in section 2200 (as amended by subsection (a))—

(i) in subsection (a), by striking “Department of Defense information assurance requirements” and inserting “the cyber requirements of the Department of Defense”; and

(ii) in subsection (b)(1), by striking “information assurance” and inserting “cyber disciplines”; and

(C) in section 2200a (as amended by subsection (b))—

(i) in subsection (a)(1), by striking “an information assurance discipline” and inserting “a cyber discipline”; and

(ii) in subsection (f)(1), by striking “information assurance” and inserting “cyber disciplines”; and

(iii) in subsection (g)(1), by striking “an information technology position” and inserting “a cyber position”; and

(D) in section 2200b, by striking “information assurance disciplines” and inserting “cyber disciplines”; and

(E) in section 2200c, by striking “Information Assurance” each place it appears and inserting “Cyber”.

(2) The table of sections at the beginning of chapter 112 of title 10, United States Code, is amended by striking the item relating to section 2200c and inserting the following:

“2200c. Centers of Academic Excellence in Cyber Education.”.

(3) Section 7045 of title 10, United States Code, is amended—

(A) by striking “Information Security Scholarship program” each place it appears and inserting “Cyber Scholarship program”; and

(B) in subsection (a)(2)(B), by striking “information assurance” and inserting “a cyber discipline”.

(4) Section 7904(4) of title 38, United States Code, is amended by striking “Information Assurance” and inserting “Cyber”.

(e) REDESIGNATIONS.—

(1) SCHOLARSHIP PROGRAM.—The Information Security Scholarship program under chapter 112 of title 10, United States Code, is redesignated as the “Cyber Scholarship program”. Any reference in a law (other than this section), map, regulation, document, paper, or other record of the United States to the Information Security Scholarship program shall be deemed to be a reference to the Cyber Scholarship Program.

(2) CENTERS OF ACADEMIC EXCELLENCE.—Any institution of higher education designated by the Director of the National Security Agency as a Center of Academic Excellence in Information Assurance Education is redesignated as a Center of Academic Excellence in Cyber Education. Any reference in a law (other than this section), map, regulation, document, paper, or other record of the United States to a Center of Academic Excellence in Information Assurance Education shall be deemed to be a reference to a Center of Academic Excellence in Cyber Education.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Defense to provide financial assistance under section 2200a of title 10, United States Code (as amended by this section), and grants under section 2200b of such title (as so amended), \$10,000,000 for fiscal year 2018.

**SEC. 1654. PLAN TO INCREASE CYBER AND INFORMATION OPERATIONS, DETERRENCE, AND DEFENSE.**

(a) FINDINGS.—Congress finds following:

(1) Cyber threats originating from the Asia-Pacific region targeting the United States and the allies of the United States have grown through the use of cyber intrusions, exfiltration, and espionage by China and North Korea.

(2) In February 2016, Admiral Harry Harris Jr., Commander of the United States Pacific Command, in his testimony noted “increased cyber capacity and nefarious activity, especially by China, North Korea, and Russia underscore the growing requirement to evolve command, control, and operational authorities”.

(3) Admiral Harris stated “that in order to fully leverage the cyber domain, PACOM requires an enduring theater cyber capability able to provide cyber planning, integration, synchronization, and direction of cyber forces.”.

(b) PLAN.—The Secretary of Defense shall develop a plan to—

(1) increase inclusion of regional cyber planning within larger United States joint planning exercises in the Indo-Asia-Pacific region;

(2) enhance joint, regional, and combined information operations and strategic communication strategies to counter Chinese and North Korean information warfare, malign influence, and propaganda activities; and

(3) identify potential areas of cybersecurity collaboration and partnership capabilities with Asian allies and partners of the United States.

(c) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing on the plan required under subsection (b).

**SEC. 1655. REPORT ON TERMINATION OF DUAL-HAT ARRANGEMENT FOR COMMANDER OF THE UNITED STATES CYBER COMMAND.**

(a) REPORT.—Not later than December 1, 2017, the Secretary of Defense shall submit to the appropriate congressional committees a report on the progress of the Department of Defense in meeting the requirements of section 1642 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2601).

(b) ELEMENTS.—The report under subsection (a) shall include, with respect to any decision to terminate the dual-hat arrangement as described in section 1642 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2601), the following:

(1) Metrics and milestones for meeting the conditions described in subsection (b)(2)(C) of such section 1642.

(2) Identification of any challenges to meeting such conditions.

(3) Identification of entities or persons requiring additional resources as a result of any decision to terminate the dual-hat arrangement.

(4) Identification of any updates to statutory authorities needed as a result of any decision to terminate the dual-hat arrangement.

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

(1) the congressional defense committees;

(2) the Select Committee on Intelligence of the Senate; and

(3) the Permanent Select Committee on Intelligence of the House of Representatives.

**Subtitle E—Nuclear Forces**

**SEC. 1661. NOTIFICATIONS REGARDING DUAL-CAPABLE F-35A AIRCRAFT.**

Section 179(f) of title 10, United States Code, is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following new paragraph (6):

“(6) If a House of Congress adopts a bill authorizing or appropriating funds for the Department of Defense that, as determined by the Council, provides funds in an amount that will

result in a delay in the nuclear certification or delivery of F-35A dual-capable aircraft, the Council shall notify the congressional defense committees of the determination.”.

**SEC. 1662. OVERSIGHT OF DELAYED ACQUISITION PROGRAMS BY COUNCIL ON OVERSIGHT OF THE NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.**

(a) STATUS UPDATES.—Section 171a of title 10, United States Code, is amended—

(1) by redesignating subsection (k) as subsection (l); and

(2) by inserting after subsection (j) the following new subsection (k):

“(k) STATUS OF ACQUISITION PROGRAMS.—(1) On a quarterly basis, each program manager of a covered acquisition program shall transmit to the co-chairs of the Council, acting through the senior steering group of the Council, a report that identifies—

“(A) the covered acquisition program;

“(B) the requirements of the program;

“(C) the development timeline of the program; and

“(D) the status of the program, including whether the program is delayed and, if so, whether such delay will result in a program schedule delay.

“(2) Not later than seven days after the end of each quarter, the co-chairs of the Council shall submit to the congressional defense committees a report that identifies, with respect to the reports transmitted to the Council under paragraph (1) for that quarter—

“(A) each covered acquisition program that is delayed more than 180 days; and

“(B) any covered acquisition program that should have been included in such reports but was excluded, and the reasons for such exclusion.

“(3) In this subsection, the term ‘covered acquisition program’ means each acquisition program of the Department of Defense that materially contributes to—

“(A) the nuclear command, control, and communications systems of the United States; or

“(B) the continuity of government systems of the United States.”.

(b) INSTRUCTIONS.—The Secretary of Defense shall issue a Department of Defense Instruction, or revise such an Instruction, to ensure that program managers carry out subsection (k)(1) of section 171a of title 10, United States Code, as added by subsection (a).

**SEC. 1663. ESTABLISHMENT OF NUCLEAR COMMAND AND CONTROL INTELLIGENCE FUSION CENTER.**

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Director of National Intelligence shall jointly establish an intelligence fusion center to enhance the protection of nuclear command, control, and communications programs, systems, and processes and continuity of government programs, systems, and processes.

(b) CHARTER.—In establishing the fusion center under subsection (a), the Secretary and the Director shall develop a charter for the fusion center that includes the following:

(1) To carry out the duties of the fusion center, a description of—

(A) the roles and responsibilities of officials and elements of the Federal Government, including a detailed description of the organizational relationships of such officials and the elements of the Federal Government that are key stakeholders;

(B) the organization reporting chain of the fusion center;

(C) the staffing of the fusion center;

(D) the processes of the fusion center; and

(E) how the fusion center integrates with other elements of the Federal Government;

(2) The management and administration processes required to carry out the fusion center, including with respect to facilities and security authorities.

(3) Procedures to ensure that the appropriate number of staff of the fusion center have the security clearance necessary to access information on the programs, systems, and processes that relate, either wholly or substantially, to nuclear command, control, and communications or continuity of government, including with respect to both the programs, systems, and processes that are designated as special access programs (as described in section 4.3 of Executive Order 13526 (50 U.S.C. 3161 note) or any successor Executive order) and the programs, systems, and processes that contain sensitive compartmented information.

(c) COORDINATION.—In establishing the fusion center under subsection (a), the Secretary and the Director shall coordinate with the elements of the Federal Government that the Secretary and Director determine appropriate.

(d) REPORTS.—

(1) INITIAL REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary and the Director shall jointly submit to the appropriate congressional committees a report containing—

(A) the charter for the fusion center developed under subsection (b); and

(B) a plan on the budget and staffing of the fusion center.

(2) ANNUAL REPORTS.—At the same time as the President submits to Congress the annual budget request under section 1105 of title 31, United States Code, for fiscal year 2019 and each fiscal year thereafter, the Secretary and the Director shall submit to the appropriate congressional committees a report on the fusion center, including, with respect to the period covered by the report—

(A) any updates to the plan on the budget and staffing of the fusion center;

(B) any updates to the charter developed under subsection (b); and

(C) a summary of the activities and accomplishments of the fusion center.

(3) SUNSET.—No report is required under this subsection after December 31, 2021.

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

(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

**SEC. 1664. SECURITY OF NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM FROM COMMERCIAL DEPENDENCIES.**

(a) FINDINGS.—Congress finds the following:

(1) At a hearing before the Committee on Armed Services of the House of Representatives on September 30, 2015, Deputy Secretary of Defense Robert Work, responding to a question about the use of Huawei telecommunications equipment, stated, “In the Office of the Secretary of Defense, absolutely not. And I know of no other—I don’t believe we operate in the Pentagon, any [Huawei] systems in the Pentagon.”.

(2) At such hearing, the Commander of the United States Cyber Command, Admiral Mike Rogers, responding to a question about why such Huawei telecommunications equipment is not used, stated, “as we look at supply chain and we look at potential vulnerabilities within the system, that it is a risk we felt was unacceptable.”.

(3) At a hearing before the Committee on Armed Services of the House of Representatives on June 22, 2016, Acting Assistant Secretary of Defense for Homeland Defense and Global Security Thomas Atkin, stated, “There are currently no Huawei or ZTE products on the DoD Unified Capabilities Approved Products List (APL).”.

(b) CERTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall certify to the congressional defense committees whether the Secretary uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system, to carry out—

(1) the nuclear deterrence mission of the Department of Defense, including with respect to nuclear command, control, and communications, integrated tactical warning and attack assessment, and continuity of government; or

(2) the homeland defense mission of the Department, including with respect to ballistic missile defense.

(c) PROHIBITION AND MITIGATION.—

(1) PROHIBITION.—Except as provided by paragraph (2), beginning on the date that is one year after the date of the enactment of this Act, the Secretary of Defense may not procure or obtain, or extend or renew a contract to procure or obtain, any equipment, system, or service to carry out the missions described in paragraphs (1) and (2) of subsection (b) that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

(2) WAIVER.—The Secretary may waive the prohibition in paragraph (1) on a case-by-case basis for a single one-year period if the Secretary—

(A) determines such waiver to be in the national security interests of the United States; and

(B) certifies to the congressional committees that—

(i) there are sufficient mitigations in place to guarantee the ability of the Secretary to carry out the missions described in paragraphs (1) and (2) of subsection (b); and

(ii) the Secretary is removing the use of covered telecommunications equipment or services in carrying out such missions.

(3) DELEGATION.—The Secretary may not delegate the authority to make a waiver under paragraph (2) to any official other than the Deputy Secretary of Defense or the co-chairs of the Council on Oversight of the National Leadership Command, Control, and Communications System established by section 171a of title 10, United States Code.

(d) DEFINITIONS.—In this section:

(1) The term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

(2) The term “covered foreign country” means any of the following:

(A) The People’s Republic of China.

(B) The Russian Federation.

(3) The term “covered telecommunications equipment or services” means any of the following:

(A) Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

(B) Telecommunications services provided by such entities or using such equipment.

(C) Telecommunications equipment or services produced or provided by an entity that the Secretary of Defense reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

**SECTION 1665. OVERSIGHT OF AERIAL-LAYER PROGRAMS BY COUNCIL ON OVERSIGHT OF THE NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.**

Any analysis of alternatives for the Senior Leader Airborne Operations Center, the executive airlift program of the Air Force, and the E-6B modernization program may not receive final



approval by the Joint Requirements Oversight Council, and the Director of Cost Assessment and Program Evaluation may not conduct any sufficiency review of such an analysis of alternatives, unless—

(1) the Council on Oversight of the National Leadership Command, Control, and Communications System established by section 171a of title 10, United States Code, determines that the alternatives for such programs are capable of meeting the requirements for senior leadership communications in support of the nuclear command, control, and communications mission of the Department of Defense and the continuity of government mission of the Department;

(2) the Council submits to the congressional defense committees such determination; and

(3) a period of 30 days elapses following the date of such submission.

**SEC. 1666. SECURITY CLASSIFICATION GUIDE FOR PROGRAMS RELATING TO NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS AND NUCLEAR DETERRENCE.**

(a) **REQUIREMENT FOR SECURITY CLASSIFICATION GUIDE.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall require the issuance of a security classification guide for each covered program to ensure the protection of sensitive information from public disclosure.

(b) **REQUIREMENTS.**—Each security classification guide issued pursuant to subsection (a) shall be—

(1) approved by—

(A) the Council on Oversight of the National Leadership Command, Control, and Communications System with respect to covered programs under paragraph (1) or (2) of subsection (c); or

(B) the Nuclear Weapons Council with respect to covered programs under paragraph (3) of such subsection; and

(2) issued not later than March 19, 2019, with respect to a covered program in existence as of such date.

(c) **COVERED PROGRAM DEFINED.**—In this section, the term “covered program” means programs of the Department of Defense in existence on or after the date of the enactment of this Act relating to any of the following:

(1) Continuity of government.

(2) Nuclear command, control, and communications.

(3) Nuclear deterrence.

**SEC. 1667. EVALUATION AND ENHANCED SECURITY OF SUPPLY CHAIN FOR NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS AND CONTINUITY OF GOVERNMENT PROGRAMS.**

(a) **EVALUATIONS OF SUPPLY CHAIN VULNERABILITIES.**—

(1) **IN GENERAL.**—Not later than December 31, 2019, and in accordance with the plan under paragraph (2)(A), the Secretary of Defense shall conduct evaluations of the supply chain vulnerabilities of each covered program.

(2) **PLAN.**—

(A) **DEVELOPMENT.**—The Secretary shall develop a plan to carry out the evaluations under paragraph (1).

(B) **SUBMISSION.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the plan under subparagraph (A).

(3) **WAIVER.**—The Secretary may waive, on a case-by-case basis with respect to a weapons system, a program, or a system of systems, of a covered program, either the requirement to conduct an evaluation under paragraph (1) or the deadline specified in such paragraph if the Secretary certifies to the congressional defense committees before such date that all known supply chain vulnerabilities of such weapons system,

program, or system of systems have minimal consequences for the capability of such weapons system, program, or system of systems to meet operational requirements or otherwise satisfy mission requirements.

(4) **RISK MITIGATION STRATEGIES.**—In carrying out an evaluation under paragraph (1) with respect to a covered program specified in subparagraph (B) or (C) of subsection (c)(2), the Secretary shall develop strategies for mitigating the risks of supply chain vulnerabilities identified in the course of such evaluation.

(b) **PRIORITIZATION OF CERTAIN SUPPLY CHAIN RISK MANAGEMENT EFFORTS.**—

(1) **INSTRUCTIONS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall issue a Department of Defense Instruction, or update such an Instruction, establishing the prioritization of supply chain risk management programs, including supply chain risk management threat assessment reporting, to ensure that acquisition and sustainment programs relating to covered programs receive the highest priority of such supply chain risk management programs and reporting.

(2) **REQUIREMENTS.**—

(A) **ESTABLISHMENT.**—The Secretary shall establish requirements to carry out supply chain risk management threat assessment collections and analyses under acquisition and sustainment programs relating to covered programs.

(B) **SUBMISSION.**—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees the requirements established under subparagraph (A).

(c) **DEFINITIONS.**—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term “covered programs” means programs relating to any of the following:

(A) Nuclear weapons.

(B) Nuclear command, control, and communications.

(C) Continuity of government.

(D) Ballistic missile defense.

**SEC. 1668. LIMITATION ON PURSUIT OF CERTAIN COMMAND AND CONTROL CONCEPT.**

(a) **LIMITATION ON COMMAND AND CONTROL CONCEPT.**—The Secretary of the Air Force may not award a contract for engineering and manufacturing development for the ground-based strategic deterrent program that would result in a command and control concept for such program that consists of less than 15 fixed launch control centers per missile wing unless the Commander of the United States Strategic Command—

(1) determines that—

(A) the plans of the Secretary for a command and control concept consisting of less than 15 fixed launch control centers per missile wing are appropriate, meet requirements, and do not contain excessive risk;

(B) the risks to schedules and costs from such concept are minimized and manageable;

(C) the strategy and plan of the Secretary for addressing cyber threats for such concept are robust; and

(D) with respect to such concept, the Secretary has established an appropriate process for considering and managing trade-offs among requirements relating to survivability, long-term operations and sustainment costs, procurement costs, and military personnel needs; and

(2) submits, in writing, to the Secretary and the congressional defense committees such determination.

(b) **INABILITY TO MAKE DETERMINATION.**—If the Secretary proposes to award a contract spec-

ified in subsection (a) and the Commander is unable to make the determination under such subsection, the Commander shall submit, in writing, to the Secretary and the congressional defense committees the reasons for not making such determination.

(c) **NO EFFECT ON COMPETITION.**—Nothing in subsection (a) or (b) shall be construed to affect or prohibit the ability of the Secretary to use fair and open competition procedures in soliciting, evaluating, and awarding contracts for the ground-based strategic deterrent program.

**SEC. 1669. PROCUREMENT AUTHORITY FOR CERTAIN PARTS OF INTERCONTINENTAL BALLISTIC MISSILE FUZES.**

(a) **AVAILABILITY OF FUNDS.**—Notwithstanding section 1502(a) of title 31, United States Code, of the amount authorized to be appropriated for fiscal year 2018 by section 101 and available for Missile Procurement, Air Force, as specified in the funding table in division D, \$6,334,000 shall be available for the procurement of covered parts pursuant to contracts entered into under section 1645(a) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3651).

(b) **COVERED PARTS DEFINED.**—In this section, the term “covered parts” means commercially available off-the-shelf items as defined in section 104 of title 41, United States Code.

**SEC. 1670. SENSE OF CONGRESS ON IMPORTANCE OF INDEPENDENT NUCLEAR DETERRENT OF UNITED KINGDOM.**

It is the sense of Congress that—

(1) nuclear deterrence is foundational to the defense and security of the United States and the security of the United States is enhanced by a nuclear-armed ally with common values and security priorities;

(2) the United States sees the nuclear deterrent of the United Kingdom as central to transatlantic security and welcomes the commitment of the United Kingdom to the North Atlantic Treaty Organization (NATO) to continue to spend two percent of gross domestic product on defense;

(3) in the face of increasing threats, the presence of credible nuclear deterrent forces of the United Kingdom is essential to international stability and for NATO;

(4) the commitment of the United Kingdom to sustaining an independent nuclear deterrent, deployed continuously at sea, provides a vital second decision-making point within the deterrent capability of NATO, creating essential uncertainty in the mind of any potential adversary;

(5) the United States Navy must continue to execute the Columbia-class submarine program on time and within budget to ensure that the sea-based leg of the nuclear triad of the United States is sustained and the program delivers a Common Missile Compartment, the Trident II (D5) Strategic Weapon System, and associated equipment and production capabilities, to support the successful development and deployment of the Dreadnought submarines of the United Kingdom;

(6) the support that the United Kingdom provides to deployments of strategic ships and aircraft of the United States at specialized facilities enables a vital part of the deterrence posture of the United States as well as mutual deterrence of adversaries and assurance to the allies and partners of the United States; and

(7) the collaboration of the United Kingdom with the United States on the military use of atomic energy ensures a peer in the technology and science of nuclear weapons and provides independent expert peer review of the nuclear programs of the United States, ensuring resilience, and cost effectiveness to the nuclear defense programs of both nations.

**SEC. 1671. PROHIBITION ON AVAILABILITY OF FUNDS FOR MOBILE VARIANT OF GROUND-BASED STRATEGIC DETERRENT MISSILE.**

(a) **PROHIBITION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2017 through 2019 may be obligated or expended to retain the option for, or develop, a mobile variant of the ground-based strategic deterrent missile.

(b) **CONFORMING REPEAL.**—Section 1664 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2615) is repealed.

**SEC. 1672. REPORT ON IMPACTS OF NUCLEAR PROLIFERATION.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) nuclear proliferation continues to be a serious threat to the security of the United States;

(2) it is critical for the United States to understand the impacts of nuclear proliferation and ensure the necessary policies and resources are in place to prevent the proliferation of nuclear materials and weapons;

(3) effectively addressing the danger of states and non-state actors acquiring nuclear weapons or nuclear-weapons-usable material should be a clear priority for United States national security; and

(4) Secretary of Defense James Mattis testified before Congress on June 12, 2017, that “nuclear nonproliferation has not received enough attention over quite a few years”.

(b) **REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing—

(1) a description of the impacts of nuclear proliferation on the security of the United States;

(2) a description of how the Department of Defense is contributing to the current strategy to respond to the threat of nuclear proliferation, and what resources are being applied to this effort, including whether there are any funding gaps; and

(3) if and how nuclear proliferation is being addressed in the Nuclear Posture Review and other pertinent strategy reviews.

**Subtitle F—Missile Defense Programs**

**SEC. 1681. ADMINISTRATION OF MISSILE DEFENSE AND DEFEAT PROGRAMS.**

(a) **MAJOR FORCE PROGRAM.**—

(1) **IN GENERAL.**—Chapter 8 of title 10, United States Code, is amended by adding at the end the following new section:

**“§239a. Missile defense and defeat programs: major force program and budget assessment**

“(a) **ESTABLISHMENT OF MAJOR FORCE PROGRAM.**—The Secretary of Defense shall establish a unified major force program for missile defense and defeat programs pursuant to section 222(b) of this title to prioritize missile defense and defeat programs in accordance with the requirements of the Department of Defense and national security.

“(b) **BUDGET ASSESSMENT.**—(1) The Secretary shall include with the defense budget materials for each of fiscal years 2019 through 2023 a report on the budget for missile defense and defeat programs of the Department of Defense.

“(2) Each report on the budget for missile defense and defeat programs of the Department under paragraph (1) shall include the following:

“(A) An overview of the budget, including—

“(i) a comparison between that budget, the previous budget, the most recent and prior future-years defense program submitted to Congress under section 221 of this title (such comparison shall exclude the responsibility for research and development of the continuing improvement of such missile defense and defeat program), and the amounts appropriated for

such missile defense and defeat programs during the previous fiscal year; and

“(ii) the specific identification, as a budgetary line item, for the funding under such programs.

“(B) An assessment of the budget, including significant changes, priorities, challenges, and risks.

“(C) Any additional matters the Secretary determines appropriate.

“(3) Each report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

“(c) **DEFINITIONS.**—In this section:

“(1) The term ‘budget’, with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31.

“(2) The term ‘defense budget materials’, with respect to a fiscal year, means the materials submitted to Congress by the Secretary of Defense in support of the budget for that fiscal year.

“(3) The term ‘missile defense and defeat programs’ means active and passive ballistic missile defense programs, cruise missile defense programs for the homeland, and missile defeat programs.”

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 239 the following new item:

“239a. Missile defense and defeat programs: major force program and budget assessment.”

(b) **TRANSITION OF BALLISTIC MISSILE DEFENSE PROGRAMS TO MILITARY DEPARTMENTS.**—

(1) **REQUIREMENT.**—Not later than the date on which the budget of the President for fiscal year 2020 is submitted under section 1105 of title 31, United States Code, the Secretary of Defense shall transfer the acquisition authority and the total obligational authority for each missile defense program described in paragraph (2) from the Missile Defense Agency to a military department.

(2) **MISSILE DEFENSE PROGRAM DESCRIBED.**—A missile defense program described in this paragraph is a missile defense program of the Missile Defense Agency that, as of the date specified in paragraph (1), has received Milestone C approval (as defined in section 2366 of title 10, United States Code).

(3) **REPORT.**—

(A) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the plans of the Department of Defense for the transition of missile defense programs from the Missile Defense Agency to the military departments pursuant to paragraph (1).

(B) **SCOPE.**—The report under subparagraph (A) shall cover the period covered by the future-years defense program that is submitted under section 221 of title 10, United States Code, in the year in which such report is submitted.

(C) **MATTERS INCLUDED.**—The report under subparagraph (A) shall include the following:

(i) An identification of—

(I) the missile defense programs planned to be transitioned from the Missile Defense Agency to the military departments; and

(II) the missile defense programs, if any, not planned for transition to the military departments.

(ii) The schedule for transition of each missile defense program planned to be transitioned to a military department, and an explanation of such schedule.

(iii) A description of—

(I) the status of the plans of the Missile Defense Agency and the military departments for the transition of missile defense programs from that agency to the military departments; and

(II) the status of any agreement between the Missile Defense Agency and one or more of the

military departments on the transition of any such program from that agency to the military departments, including any agreement on the operational test criteria that must be achieved before such transition.

(iv) An identification of the element of the Department of Defense (whether the Missile Defense Agency, a military department, or both) that will be responsible for funding each missile defense program to be transitioned to a military department, and at what date.

(v) A description of the type of funds that will be used (whether funds for research, development, test, and evaluation, procurement, military construction, or operation and maintenance) for each missile defense program to be transitioned to a military department.

(vi) An explanation of the number of systems planned for procurement for each missile defense program to be transitioned to a military department, and the schedule for procurement of each such system.

(vii) A description of how the Missile Defense Agency will continue the responsibility for the research and development of improvements to missile defense programs.

(c) **ROLE OF MISSILE DEFENSE AGENCY.**—

(1) **IN GENERAL.**—Chapter 8 of title 10, United States Code, is amended by adding at the end the following new section:

**“§205. Missile Defense Agency**

“(a) **TERM OF DIRECTOR.**—The Director of the Missile Defense Agency shall be appointed for a six-year term.

“(b) **REPORTING.**—The Missile Defense Agency shall be under the authority, direction, and control of the Under Secretary of Defense for Research and Engineering.”

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of subchapter II of such chapter is amended by adding at the end the following new item:

“205. Missile Defense Agency.”

(3) **APPLICATION.**—

(A) **TERMS.**—Subsection (a) of section 205 of title 10, United States Code, as added by paragraph (1), shall apply the day following the date on which the present incumbent in the office of the Director of the Missile Defense Agency, as of the date of the enactment of this Act, ceases to serve as such.

(B) **REPORTING.**—Subsection (b) of such section 205 shall apply beginning on February 1, 2018. In carrying out such subsection, the Missile Defense Agency shall be under the authority, direction, and control of the Under Secretary of Defense for Research and Engineering in the same manner as the Missile Defense Agency was under the authority, direction, and control of the Under Secretary of Defense for Acquisition, Technology, and Logistics pursuant to Department of Defense Directive 5134.09. Any reference in such Instruction to the Under Secretary of Defense for Acquisition, Technology, and Logistics shall be deemed to be a reference to the Under Secretary of Defense for Research and Engineering, including with respect to the Under Secretary serving as the chairman of the Missile Defense Executive Board.

**SEC. 1682. PRESERVATION OF THE BALLISTIC MISSILE DEFENSE CAPACITY OF THE ARMY.**

(a) **LIMITATION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 or any fiscal year thereafter for the Army may be obligated or expended to demilitarize any GEM-T interceptor or remove any such interceptor from the operational inventory of the Army until the date on which the Secretary of the Army submits to the congressional defense committees the evaluation conducted under subsection (b).

(b) **EVALUATION.**—The Secretary and the Chief of Staff of the Army shall jointly conduct

an evaluation of the ability of the Army to meet warfighter requirements and operational needs if GEM-T interceptors are removed from the operational inventory of the Army. In conducting such evaluation, the Secretary and the Chief of Staff shall evaluate whether the Army can maintain an inventory of interceptors necessary to retain the capability provided by GEM-T interceptors and to meet such operational needs by either—

(1) recertifying GEM-T interceptors (either with or without modification); or

(2) developing, testing, and fielding a new low-cost interceptor that can be placed on the operational inventory of the Army prior to the retirement of GEM-T interceptors.

(c) **EXCEPTION.**—The limitation in subsection (a) shall not apply to activities that the Secretary determines are critical to the safety of GEM-T interceptors.

(d) **GEM-T INTERCEPTOR DEFINED.**—In this section, the term “GEM-T interceptor” means the Patriot guidance enhanced missile TBM.

**SEC. 1683. MODERNIZATION OF ARMY LOWER TIER AIR AND MISSILE DEFENSE SENSOR.**

(a) **APPROVAL OF ACQUISITION STRATEGY.**—

(1) **IN GENERAL.**—Not later than April 15, 2018, the Secretary of the Army shall issue an acquisition strategy for a 360-degree lower tier air and missile defense sensor that achieves initial operating capability by not later than January 1, 2022.

(2) **REQUIREMENTS.**—The acquisition strategy under paragraph (1) shall—

(A) ensure the use of competitive procedures;

(B) clearly describe the open-architecture design to be used;

(C) provide a comprehensive fielding plan that provides 360-degree lower tier air and missile defense sensor capability to all units of the Army by not later than January 1, 2026;

(D) define the operation and sustainment cost savings of the acquisition strategy and other acquisition options of the Army;

(E) identify any programmatic cost avoidance that could be achieved through co-production, co-development, or foreign military sales;

(F) ensure the fielding of an interim gap-filler capability to the highest priority forces (consisting of not less than three battalions) for imminent threats; and

(G) identify the estimated cost to field both the 360-degree lower tier air and missile defense sensor capability and the interim capability pursuant to subparagraph (E).

(3) **LIMITATION.**—If the Secretary of the Army does not issue the acquisition strategy under subsection (a) by April 15, 2018, none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the lower tier air and missile defense sensor of the Army that are unobligated as of such date may be obligated or expended.

(b) **CONDITIONAL TRANSFER.**—

(1) **MDA.**—If the Secretary of the Army does not issue the acquisition strategy under subsection (a) by April 15, 2018, the Secretary of Defense shall transfer from the Secretary of the Army to the Director of the Missile Defense Agency—

(A) the responsibility to issue the acquisition strategy described in subsection (a) by not later than December 15, 2018; and

(B) beginning on the date of such approval, the responsibility to implement such acquisition strategy to procure a 360-degree lower tier air and missile defense sensor.

(2) **ARMY.**—If the Secretary of Defense carries out the transfer under paragraph (1), after the 360-degree lower tier air and missile defense sensor achieves Milestone B approval (or equivalent), but before such sensor achieves Milestone C approval (or equivalent), the Secretary of De-

fense shall transfer from the Director of the Missile Defense Agency to the Secretary of the Army the responsibility to procure such sensor.

(c) **DEFINITIONS.**—The terms “Milestone B approval” and “Milestone C approval” have the meanings given those terms in section 2366 of title 10, United States Code.

**SEC. 1684. ENHANCEMENT OF OPERATIONAL TEST AND EVALUATION OF BALLISTIC MISSILE DEFENSE SYSTEM.**

Not later than 90 days after the date of the enactment of this Act, the Director of the Missile Defense Agency, the Director of Operational Test and Evaluation, the Secretary of the Army, and the Secretary of the Navy shall jointly ensure that—

(1) the test plans of the Integrated Master Test Plan of the ballistic missile defense system include planned tests activity of the lower tier ballistic missile defenses of the Army;

(2) such plans prioritize the integration of such defenses with elements of the ballistic missile defense system; and

(3) such plans are clearly described in such Integrated Master Test Plan.

**SEC. 1685. DEFENSE OF HAWAII FROM NORTH KOREAN BALLISTIC MISSILE ATTACK.**

(a) **FINDINGS; SENSE OF CONGRESS.**—

(1) **FINDINGS.**—Congress finds the following:

(A) The North Korean ballistic missile threat to the United States, including Hawaii, is growing rapidly.

(B) Since Kim Jong-un took power in 2012, North Korea has conducted 78 ballistic missile tests, of which 61 are considered to have been successful.

(C) The existing ballistic missile defense protection for Hawaii, including the ground-based midcourse defense system in Alaska, and the sea-based x-band radar, provide limited ballistic missile defense capabilities today.

(D) Through use of existing ballistic missile defense assets, including AN/TPY-2 radars and the Aegis Ashore Site located on the Pacific Missile Range Facility, the ballistic missile defense of Hawaii could benefit from a near-term improvement by adding a layer of defense.

(E) The proposed program of record for a medium range discriminating radar to be fully mission capable after 2023 would leave the defense of Hawaii dependent only on the ground-based midcourse defense system in Alaska, and the sea-based x-band radar until that time, while the threat to the United States, including Hawaii, from North Korean ballistic missiles continues to grow.

(F) The National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) required that the Missile Defense Agency plan to provide additional ballistic missile defense sensor coverage for the defense of Hawaii and “field such radar or equivalent sensor by not later than December 31, 2021”.

(G) When asked at a hearing of the Committee on Armed Services of the House of Representatives on April 26, 2017, about the threat to Hawaii from North Korean ballistic missiles, the Commander of the United States Pacific Command, Admiral Harry Harris, testified that “Kim Jong-un is clearly in a position to threaten Hawaii today . . . I believe that our ballistic missile (defense) architecture is sufficient to protect Hawaii today. But it can be overwhelmed” and “I think that we would be better served, my personal opinion, is that we would be better served with a defensive Hawaii radar and interceptors in Hawaii. I know that is being discussed”.

(2) **SENSE OF CONGRESS.**—It is the sense of Congress that Congress supports assessing the feasibility of improving the missile defense of Hawaii from the evolving ballistic missile threat, including from North Korea, through a permanent missile defense sensor capability and the

possible introduction of interim missile defense coverage.

(b) **SEQUENCED APPROACH.**—The Secretary of Defense shall protect the test and training operations of the Pacific Missile Range Facility, and assess the siting and functionality of a discrimination radar for homeland defense throughout the Hawaiian Islands before assessing the feasibility of improving the missile defense of Hawaii by using existing missile defense assets that could materially improve the defense of Hawaii.

(c) **TEST.**—The Director of the Missile Defense Agency shall—

(1) not later than 270 days after the date of the enactment of this Act, conduct a test to evaluate and demonstrate, if technologically feasible, the capability to defeat a simple intercontinental ballistic missile threat using the standard missile 3 block IIA missile interceptor; and

(2) as part of the integrated master test plan for the ballistic missile defense system, develop a plan to demonstrate a capability to defeat a complex intercontinental ballistic missile threat, including a complex threat posed by the intercontinental ballistic missiles of North Korea.

(d) **REPORT.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report—

(1) that indicates whether demonstrating an intercontinental ballistic missile defense capability against North Korean ballistic missiles by the standard missile 3 block IIA missile interceptor poses any risks to strategic stability; and

(2) if the Secretary determines under paragraph (1) that such demonstration poses such risks to strategic stability, a description of any plan developed and implemented by the Secretary to address and mitigate such risks, as determined appropriate by the Secretary.

**SEC. 1686. AEGIS ASHORE ANTI-AIR WARFARE CAPABILITY.**

(a) **AUTHORIZATION.**—Using funds authorized to be appropriated by sections 101 and 201 of this Act or otherwise made available for fiscal year 2018 for procurement and research, development, test, and evaluation, as specified in the funding tables in division D, the Secretary of Defense shall continue the development, procurement, and deployment of anti-air warfare capabilities at each Aegis Ashore site in Romania and Poland. The Secretary shall ensure the deployment of such capabilities—

(1) at such sites in Romania by not later than one year after the date of the enactment of this Act; and

(2) at such sites in Poland by not later than one year after the declaration of operational status for such sites.

(b) **REPROGRAMMING AND TRANSFERS.**—Any reprogramming or transfer made to carry out subsection (a) shall be carried out in accordance with established procedures for reprogramming or transfers.

**SEC. 1687. IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM, ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM CODEVELOPMENT AND COPRODUCTION, AND ARROW 3 TESTING.**

(a) **IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.**—

(1) **AVAILABILITY OF FUNDS.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for procurement, Defense-wide, and available for the Missile Defense Agency, not more than \$92,000,000 may be provided to the Government of Israel to procure Tamir interceptors for the Iron Dome short-range rocket defense system through coproduction of such interceptors in the United States by industry of the United States.

(2) **CONDITIONS.**—

(A) **AGREEMENT.**—Funds described in paragraph (1) for the Iron Dome short-range rocket

defense program shall be available subject to the terms and conditions in the Agreement Between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel Concerning Iron Dome Defense System Procurement, signed on March 5, 2014, subject to an amended bilateral international agreement for coproduction for Tamir interceptors. In negotiations by the Missile Defense Agency and the Missile Defense Organization of the Government of Israel regarding such production, the goal of the United States is to maximize opportunities for coproduction of the Tamir interceptors described in paragraph (1) in the United States by industry of the United States.

(B) **CERTIFICATION.**—Not later than 30 days prior to the initial obligation of funds described in paragraph (1), the Director of the Missile Defense Agency and the Under Secretary of Defense for Acquisition, Technology, and Logistics shall jointly submit to the appropriate congressional committees—

(i) a certification that the amended bilateral international agreement specified in subparagraph (A) is being implemented as provided in such agreement; and

(ii) an assessment detailing any risks relating to the implementation of such agreement.

(b) **ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM CODEVELOPMENT AND COPRODUCTION.**—

(1) **IN GENERAL.**—Subject to paragraph (2), of the funds authorized to be appropriated for fiscal year 2018 for procurement, Defense-wide, and available for the Missile Defense Agency—

(A) not more than \$221,500,000 may be provided to the Government of Israel to procure the David's Sling Weapon System, including for coproduction of parts and components in the United States by United States industry; and

(B) not more than \$287,300,000 may be provided to the Government of Israel for the Arrow 3 Upper Tier Interceptor Program, including for coproduction of parts and components in the United States by United States industry.

(2) **CERTIFICATION.**—

(A) **CRITERIA.**—Except as provided by paragraph (3), the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the appropriate congressional committees a certification that—

(i) the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and production readiness reviews required by the research, development, and technology agreements for the David's Sling Weapon System and the Arrow 3 Upper Tier Development Program, respectively;

(ii) funds specified in subparagraphs (A) and (B) of paragraph (1) will be provided on the basis of a one-for-one cash match made by Israel for such respective systems or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel);

(iii) the United States has entered into a bilateral international agreement with Israel that establishes, with respect to the use of such funds—

(I) in accordance with clause (iv), the terms of coproduction of parts and components of such respective systems on the basis of the greatest practicable coproduction of parts, components, and all-up rounds (if appropriate) by United States industry and minimizes nonrecurring engineering and facilitation expenses to the costs needed for coproduction;

(II) complete transparency on the requirement of Israel for the number of interceptors and batteries of such respective systems that will be procured, including with respect to the procurement plans, acquisition strategy, and funding profiles of Israel;

(III) technical milestones for coproduction of parts and components and procurement of such respective systems; and

(IV) joint approval processes for third-party sales of such respective systems and the components of such respective systems;

(iv) the level of coproduction described in clause (iii)(I) for the Arrow 3 Upper Tier Interceptor Program and the David's Sling Weapon System is not less than 50 percent; and

(v) there is a separate, clear plan for each of the David's Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program for improving the affordability of the respective system, and each such plan is approved by a United States-Israeli joint working group on cost-reduction for such respective system.

(B) **NUMBER.**—In carrying out subparagraph (A), the Under Secretary may submit—

(i) one certification covering both the David's Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program; or

(ii) separate certifications for each respective system.

(C) **TIMING.**—The Under Secretary shall submit to the congressional defense committees the certification under subparagraph (A) by not later than 60 days before the funds specified in paragraph (1) for the respective system covered by the certification are provided to the Government of Israel.

(3) **WAIVER.**—The Under Secretary may waive the certification required by paragraph (2) if the Under Secretary certifies to the appropriate congressional committees that the Under Secretary has received sufficient data from the Government of Israel to demonstrate—

(A) the funds specified in subparagraphs (A) and (B) of paragraph (1) are provided to Israel solely for funding the procurement of long-lead components and critical hardware in accordance with a production plan, including a funding profile detailing Israeli contributions for production, including long-lead production, of either David's Sling Weapon System or the Arrow 3 Upper Tier Interceptor Program;

(B) such long-lead components have successfully completed knowledge points, technical milestones, and production readiness reviews; and

(C) the long-lead procurement will be conducted in a manner that maximizes coproduction in the United States without incurring nonrecurring engineering activity or cost other than such activity or cost required for suppliers of the United States to start or restart production in the United States.

(4) **BRIEFING.**—Not later than 30 days after the date on which both plans described in paragraph (2)(A)(v) are completed, the Under Secretary shall provide to the appropriate congressional committees a joint briefing on such plans.

(c) **LIMITATION ON AVAILABILITY OF FUNDING FOR CERTAIN ARROW 3 TESTING.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Missile Defense Agency, not more than \$105,000,000 may be obligated or expended for—

(1) testing of the Arrow 3 Upper Tier Development Program that is carried out at ranges located in the United States; and

(2) expenses relating to such testing that the Director determines to be required and appropriate.

(d) **CROSS REFERENCE.**—The amounts and purposes referred to in this section correspond to amounts specified for such purposes in the funding tables in division D.

(e) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term "appropriate congressional committees" means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

## **SEC. 1688. REVIEW OF PROPOSED GROUND-BASED MIDCOURSE DEFENSE SYSTEM CONTRACT.**

(a) **LIMITATION ON CHANGES TO CONTRACTING STRATEGY.**—The Director of the Missile Defense Agency may not change the contracting strategy for the systems integration, operations, and test of the ground-based midcourse defense system until the date on which—

(1) the report under subsection (b)(3) is submitted to the congressional defense committees; and

(2) a period of 30 days has elapsed following the date of such submission.

(b) **REVIEW.**—

(1) **IN GENERAL.**—The Director of Cost Assessment and Program Evaluation shall conduct a review of the contract for the systems integration, operations, and test of the ground-based midcourse defense system. Such review shall include the following:

(A) Contract performance of current industry-led prime contract approach, including with respect to—

(i) system readiness performance and reliability growth;

(ii) development, integration, and fielding of new homeland defense capabilities; and

(iii) cost performance against baseline contract.

(B) With respect to alternate contracting approaches—

(i) an enumeration and detailing of any specific benefits for each such alternate approach;

(ii) an identification of specific costs to switching to each such alternate approach; and

(iii) detailing of the specific risks of each such alternate approach to homeland defense, including regarding schedule, costs, and the sustainment, maintenance, development, and fielding, of integrated capabilities.

(C) With respect to contracting approaches that transition to Federal Government-led systems engineering integration and test—

(i) an enumeration of the processes, procedures, and command media that have been established by the Missile Defense Agency and proven to be effective for the execution of programs that are of the scale of the ground-based midcourse defense system; and

(ii) the manner in which a new contract will control for growth in the personnel and support contracts of the Federal Government to support cost growth and minimize the risk of schedule delay.

(D) A baseline for historical and current staffing of the ground-based midcourse defense system program, specifically with respect to personnel of the Federal Government, personnel of federally funded research and development centers, personnel of departments and agencies of the Federal Government, and support contractors.

(E) Projections of the staffing categories specified in subparagraph (D) under a new contracting strategy and how such staffing categories will be limited to prevent significant cost growth and to minimize the risk of schedule delays.

(F) The views and recommendations of the Director for any changes the current ground-based midcourse defense system contract or a new contract, including the proposed contracting strategy of the Missile Defense Agency.

(G) Any other such matters the Director determines appropriate.

(2) **TRANSMISSION.**—The Director of Cost Assessment and Program Evaluation shall transmit to the Under Secretary of Defense for Research and Engineering and the Missile Defense Executive Board the review under paragraph (1).

(3) **REPORT.**—Not later than 30 days after the date on which the Under Secretary and the Missile Defense Executive Board receive the review under paragraph (1), the Under Secretary and

Board shall jointly submit to the congressional defense committees a report containing—

(A) the review, without change; and  
(B) any views and recommendations of the Under Secretary and the Board on such review.

**SEC. 1689. SENSE OF CONGRESS AND PLAN FOR DEVELOPMENT OF SPACE-BASED SENSOR LAYER FOR BALLISTIC MISSILE DEFENSE.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the defense of the homeland, the deployed members of the Armed Forces, and the allies of the United States against the threat of attack by ballistic and hypersonic missiles is the highest priority of the Missile Defense Agency;

(2) the Missile Defense Agency, and the Defense Agencies and combat support agencies, must prioritize the design, development, and deployment of the space-based missile defense sensor layer;

(3) a space-based missile defense sensor layer is essential for the future of the missile defense of the homeland, the deployed members of the Armed Forces, and the allies of the United States; and

(4) such a space-based layer can, and should, benefit a multitude of other important defense and intelligence requirements, including targeting and space situational awareness.

(b) DEVELOPMENT.—After the date on which the Director of the Missile Defense Agency submits the plan under subsection (c), the Director, in coordination with the Secretary of the Air Force and the heads of the Defense Agencies and combat support agencies that the Director determines appropriate, shall develop a space-based ballistic missile defense sensor layer that—

(1) provides missile defense engagement quality precision tracking data of the United States beginning in the boost phase and continuing throughout subsequent flight regimes; and

(2) serves other defense and intelligence requirements for intelligence, surveillance, and reconnaissance, including targeting and space situational awareness; and

(3) achieves an operational prototype payload at the earliest practicable date.

(c) SPACE-BASED MISSILE DEFENSE SENSOR LAYER PLAN.—Not later than one year after the date of the enactment of this Act, the Director shall submit to the appropriate congressional committees a plan that includes—

(1) how the Director will carry out subsection (b), including with respect to the estimated costs—

(A) for the operational prototype payload specified in paragraph (3) of such subsection; and

(B) to develop, acquire, and deploy, and the lifecycle costs to operate and sustain, a space-based sensor layer and support systems to provide global missile defense coverage;

(2) an assessment of the maturity of critical technologies necessary to make operational such a space-based sensor layer, and recommendations for any research and development activities to rapidly mature such technologies;

(3) an assessment of what capabilities such a space-based sensor layer can contribute that other sensor layers do not contribute;

(4) how the Director will leverage the use of national technical means, commercially available space and terrestrial capabilities, hosted payloads, small satellites, and other capabilities to carry out subsection (b); and

(5) any other matters the Director determines appropriate.

(d) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term “combat support agency” has the meaning given that term in section 193(f) of title 10, United States Code.

(3) The term “Defense Agency” has the meaning given that term in section 101(a)(11) of title 10, United States Code.

**SEC. 1690. SENSE OF CONGRESS AND PLAN FOR DEVELOPMENT OF SPACE-BASED BALLISTIC MISSILE INTERCEPT LAYER.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) a space-based missile defense layer will exploit the natural advantages of space systems and integrate them into the ballistic missile defense system; and

(2) these advantages include—

(A) a 24/7 global presence to defend against asymmetric threats;

(B) access to geographically denied areas;

(C) an ability to close a global fire control loop for such system;

(D) complementing existing terrestrial capabilities; and

(E) increasing the overall survivability and resilience of the entire national missile defense system.

(b) DEVELOPMENT.—The Director of the Missile Defense Agency shall develop a space-based ballistic missile intercept layer to the ballistic missile defense system that is—

(1) regionally focused;

(2) capable of providing boost-phase defense; and

(3) achieves an operational capability at the earliest practicable date.

(c) SPACE-BASED BALLISTIC MISSILE INTERCEPT LAYER PLAN.—Not later than one year after the date of the enactment of this Act, the Director shall submit to the appropriate congressional committees a plan to carry out subsection (b) during the five-year period following the date of the plan. Such plan shall include the following:

(1) A concept definition phase consisting of multiple awarded contracts to identify feasible solutions consistent with architectural principles, performance goals, and price points established by the Director, such as contracts relating to—

(A) refined requirements;

(B) conceptual designs;

(C) technology readiness assessments;

(D) critical technical and operational issues;

(E) cost, schedule, performance estimates; and

(F) risk reduction plans.

(2) A technology risk reduction phase consisting of up to three competitively awarded contracts focused on maturing, integrating, and characterizing key technologies, algorithms, components, and sub-systems, such as contracts relating to—

(A) refined concepts and designs;

(B) engineering trade studies;

(C) medium-to-high fidelity digital representations of the space-based ballistic missile intercept weapon system; and

(D) a proposed integration and test sequence that could potentially lead to a live-fire boost phase intercept during fiscal year 2022.

(3) During the technology risk reduction phase, contractors will define proposed demonstrations to a preliminary design review level prior to a technology development phase down-select.

(4) A technology development phase consisting of two competitively awarded contracts to mature the preferred space-based ballistic missile intercept weapon system concepts and to potentially conduct a live-fire boost phase intercept fly-off during fiscal year 2022 with brassboard hardware and prototype software on a path to the operational goal.

(5) A concurrent space-based ballistic missile intercept weapon system fire control test bed activity that incrementally incorporates modeling

and simulation elements, real-world data, hardware, algorithms, and systems to evaluate with increasing confidence the performance of evolving designs and concepts of such weapon system from target detection to intercept.

(6) Any other matters the Director determines appropriate.

(d) ESTABLISHMENT OF SPACE TEST BED.—In carrying out subsection (b), the Director of the Missile Defense Agency shall establish a space test bed to—

(1) conduct research and development regarding options for a space-based defensive layer, including with respect to space-based interceptors and directed energy platforms; and

(2) identify the most cost-efficient and promising technological solutions to implementing such layer.

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

(1) the congressional defense committees; and

(2) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

**SEC. 1691. LIMITATION ON AVAILABILITY OF FUNDS FOR GROUND-BASED MID-COURSE DEFENSE ELEMENT OF THE BALLISTIC MISSILE DEFENSE SYSTEM.**

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the ground-based midcourse defense element of the ballistic missile defense system, \$50,000,000 may not be obligated or expended until the date on which the Secretary of Defense provides to the congressional defense committees—

(1) a written certification that the risk of mission failure of ground-based midcourse interceptor enhanced kill vehicles due to foreign object debris has been minimized; or

(2) if the certification under paragraph (1) cannot be made, a briefing on the corrective measures that will be carried out to minimize such risk, including—

(A) a timeline for the implementation of the measures; and

(B) the estimated cost of implementing the measures.

**SEC. 1692. CONVENTIONAL PROMPT GLOBAL STRIKE WEAPONS SYSTEM.**

(a) EARLY OPERATIONAL CAPABILITY.—The Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff, shall plan to reach early operational capability for the conventional prompt strike weapon system by not later than September 30, 2022.

(b) LIMITATION ON AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for research, development, test, and evaluation, Defense-wide, for the conventional prompt global strike weapons system, not more than 50 percent may be obligated or expended until the date on which the Chairman of the Joint Chiefs of Staff, in consultation with the Chief of Staff of the Army, the Commander of the United States European Command, the Commander of the United States Pacific Command, and the Commander of the United States Strategic Command, submits to the congressional defense committees, a report on—

(1) the required level of resources that is consistent with the level of priority assigned to the associated capability gap;

(2) the estimated period for the delivery of a medium-range early operational capability, the required level of resources necessary to field a medium-range conventional prompt global strike weapon within the United States (including the territories and possessions of the United States), and a detailed plan consistent with the urgency of the associated capability gap across multiple platforms;

(3) the joint performance requirements that—  
(A) ensure interoperability, where appropriate, between and among joint military capabilities; and

(B) are necessary, as designated by the Chairman of the Joint Chiefs of Staff, to fulfill capability gaps of more than one military department, Defense Agency, or other element of the Department; and

(4) in coordination with the Secretary of Defense, any plan (including policy options) considered appropriate to address any potential risks of ambiguity from the launch or employment of such a capability.

**SEC. 1693. DETERMINATION OF LOCATION OF CONTINENTAL UNITED STATES INTERCEPTOR SITE.**

(a) DETERMINATION.—Not later than 30 days after the date on which the Ballistic Missile Defense Review is issued, the Secretary of Defense shall determine the location of a potential additional continental United States interceptor site. In making such determination, the Secretary shall consider the full spectrum of contributing factors, including with respect to each of the following:

(1) Strategic and operational effectiveness, including with respect to the location that is the most advantageous site to the continental United States, including by having the capability to provide shoot-assess-shoot coverage to the entire continental United States.

(2) Existing infrastructure at the location.

(3) Economic impacts.

(4) Public support.

(5) Cost to construct and operate.

(b) REPORT.—Not later than 30 days after making the determination described in subsection (a), the Secretary shall submit to the congressional defense committees a report detailing all of the contributing factors considered by the Secretary in making such determination, including any other factors that the Secretary considered, including any relevant recommendations of the Ballistic Missile Defense Review.

**Subtitle G—Other Matters**

**SEC. 1695. PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.**

Subparagraph (C) of section 130i(e)(1) of title 10, United States Code, is amended to read as follows:

“(C)(i) relates to—

“(I) the nuclear deterrence mission of the Department of Defense, including with respect to nuclear command and control, integrated tactical warning and attack assessment, and continuity of government;

“(II) the missile defense mission of the Department; or

“(III) the national security space mission of the Department; or

“(ii) is part of a Major Range and Test Facility Base (as defined in section 196(i) of this title).”.

**SEC. 1696. USE OF COMMERCIAL ITEMS IN DISTRIBUTED COMMON GROUND SYSTEMS.**

(a) IN GENERAL.—Except as provided in subsection (b), the procurement process for each covered Distributed Common Ground System shall be carried out in accordance with section 2377 of title 10, United States Code.

(b) EXCEPTIONS.—Section 2377 of title 10, United States Code, shall not apply to the procurement of an item or service for a covered Distributed Common Ground System if the item or service—

(1) is used to integrate the capabilities of the system with another information system, in a case in which such integration is required; or

(2) is not available in an existing commercial product.

(c) DEFINITIONS.—In this section:

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

(A) the congressional defense committees; and  
(B) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) COVERED DCGS SYSTEM.—The term “covered Distributed Common Ground System” includes the following:

(A) The Distributed Common Ground System of the Army.

(B) The Distributed Common Ground System of the Navy.

(C) The Distributed Common Ground System of the Marine Corps.

(D) The Distributed Common Ground System of the Air Force.

(E) The Distributed Common Ground System of the Special Operations Forces.

**SEC. 1697. INDEPENDENT ASSESSMENT OF COSTS RELATING TO AMMONIUM PERCHLORATE.**

(a) ASSESSMENT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct an assessment of the costs to the Department of Defense relating to contractors and subcontractors of the Department using a new supplier of ammonium perchlorate for weapon systems.

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

(1) For each weapon system that must be requalified by reason of the new supplier of ammonium perchlorate as described in subsection (a), an estimate of the requalification costs.

(2) The types and number of tests that are needed for any such requalification, including whether any currently planned tests, as of the date of the assessment, may be leveraged, or testing across programs may be used, to decrease requalification costs while retaining and ensuring qualification standards.

(3) Estimates of any other costs relating to ammonium perchlorate that the Secretary determines appropriate.

(c) SUBMISSION.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the assessment under subsection (a), without change, together with any comments or views of the Secretary regarding the assessment.

**SEC. 1698. LIMITATION AND BUSINESS CASE ANALYSIS REGARDING AMMONIUM PERCHLORATE.**

(a) IN GENERAL.—The Secretary of Defense, acting through the Director of Cost Assessment and Program Evaluation, shall conduct a business case analysis regarding the options of the Federal Government to ensure a robust domestic industrial base to supply ammonium perchlorate for use in solid rocket motors. Such analysis should include assessments of the near and long-term costs, program impacts, opportunities for competition, opportunities for redundant or complementary capabilities, and national security implications of—

(1) continuing to rely on one domestic provider;

(2) supporting development of a second domestic source;

(3) procuring ammonium perchlorate as Government-furnished material and providing it to all necessary programs; and

(4) such other options as the Secretary determines appropriate.

(b) ELEMENTS.—The analysis under subsection (a) shall, at minimum, include—

(1) an estimate of all associated costs, including development, procurement, and qualification costs, as applicable;

(2) an assessment of options, under various scenarios, for the quantity of ammonium per-

chlorate that would be required by the Department of Defense; and

(3) the assessment of the Secretary of how the requirements for ammonium perchlorate of other Federal agencies impact the requirements of the Department of Defense.

(c) REPORT.—The Secretary shall submit the business case analysis required by subsection (a) to the Comptroller General of the United States and the Committees on Armed Services of the Senate and House of Representatives by March 1, 2018, along with any views of the Secretary.

(d) REVIEW.—The Comptroller General of the United States shall conduct a review of the report submitted by the Secretary under subsection (c) and, not later than 30 days after receiving such report, provide a briefing on such review to the Committees on Armed Services of the Senate and House of Representatives.

(e) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended for the development or construction of a new source for ammonium perchlorate until 45 days after the date on which the report under subsection (c) is submitted to the Comptroller General and the Committees on Armed Services of the Senate and House of Representatives.

(f) WAIVER.—The Secretary of Defense may waive the limitation under subsection (e) if the Secretary—

(1) determines such waiver to be in the national security interest of the United States; and

(2) submits written notification of such determination to the congressional defense committees and waits 15 days.

**SEC. 1699. INDUSTRIAL BASE FOR LARGE SOLID ROCKET MOTORS AND RELATED TECHNOLOGIES.**

(a) PLAN.—The Secretary of Defense, in consultation with the Administrator of the National Aeronautics and Space Administration, shall develop a plan to ensure a robust domestic industrial base for large solid rocket motors, including with respect to the critical technologies, subsystems, components, and materials within and relating to such rocket motors.

(b) SUSTAINMENT OF DOMESTIC SUPPLIERS.—The Secretary shall develop the plan under subsection (a) in a manner that, if carried out, sustains not less than two domestic suppliers for each of the following:

(1) Large solid rocket motors.

(2) Small liquid-fueled rocket engines.

(3) Aeroshells for reentry vehicles (or reentry bodies).

(4) Strategic radiation-hardened microelectronics.

(5) Any other critical technologies, subsystems, components, and materials within and relating to large solid rocket motors that the Secretary determines appropriate.

(c) REPORT.—

(1) SUBMISSION.—Not later than February 1, 2018, the Secretary shall submit to the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Armed Services of the Senate a report that includes the plan under subsection (a).

(2) MATTERS INCLUDED.—With respect to the sustainment of domestic suppliers as described in subsection (b), the report under paragraph (1) shall include the views of the Secretary on the following:

(A) Such sustainment of not less than two domestic suppliers for each item specified in paragraphs (1) through (5) of such subsection.

(B) The risks within the industrial base for each such item.

(C) The estimated costs for such sustainment.

(D) The opportunities to ensure or promote competition within the industrial base for each such item.



**SEC. 1699A. PILOT PROGRAM ON ENHANCING INFORMATION SHARING FOR SECURITY OF SUPPLY CHAIN.**

(a) **ESTABLISHMENT.**—Not later than June 1, 2019, the Secretary of Defense shall establish a pilot program to enhance information sharing with cleared defense contractors to ensure all source information is appropriately, singularly, and exclusively shared for the purpose of ensuring the security of the supply chain of covered programs.

(b) **SELECTION.**—The Secretary shall select 10 acquisition or sustainment programs of the Department of Defense to participate in the pilot program under subsection (a), of which—

(1) not fewer than one program shall be related to nuclear weapons;

(2) not fewer than one program shall be related to nuclear command, control, and communications;

(3) not fewer than one program shall be related to continuity of government;

(4) not fewer than one program shall be related to ballistic missile defense;

(5) not fewer than one program shall be related to other command and control systems; and

(6) not fewer than one program shall be related to logistics.

(c) **REPORT.**—Not later than March 1, 2018, the Secretary shall submit to the congressional defense committees a report that includes—

(1) details on how the Secretary will establish the pilot program under subsection (a) to ensure all source information is appropriately, singularly, and exclusively shared for the purpose of ensuring the security of the supply chain of covered programs; and

(2) the identification of any legislative action or administrative action required to provide the Secretary with specific additional authorities required to fully implement the pilot program.

(d) **CLEARED DEFENSE CONTRACTORS DEFINED.**—In this section, the term “cleared defense contractors” means contractors of the Department of Defense who have a security clearance, including contractor facilities that have a security clearance.

**SEC. 1699B. COMMISSION TO ASSESS THE THREAT TO THE UNITED STATES FROM ELECTROMAGNETIC PULSE ATTACKS AND EVENTS.**

(a) **ESTABLISHMENT.**—There is hereby established a commission to be known as the “Commission to Assess the Threat to the United States from Electromagnetic Pulse Attacks and Events” (hereafter in this section referred to as the “Commission”). The purpose of the Commission is to assess and make recommendations with respect to the threat to the United States from electromagnetic pulse attacks and events.

(b) **COMPOSITION.**—

(1) **MEMBERSHIP.**—The Commission shall be composed of 12 members appointed as follows:

(A) Three members appointed by the chair of the Committee on Armed Services of the House of Representatives.

(B) Three members appointed by the ranking minority member of the Committee on Armed Services of the House of Representatives.

(C) Three members appointed by the chair of the Committee on Armed Services of the Senate.

(D) Three members appointed by the ranking minority member of the Committee on Armed Services of the Senate.

(2) **CHAIR AND VICE CHAIR.**—

(A) **CHAIR.**—The chair of the Committee on Armed Services of the House of Representative and the chair of the Committee on Armed Services of the Senate shall jointly designate one member of the Commission to serve as chair of the Commission.

(B) **VICE CHAIR.**—The ranking minority member of the Committee on Armed Services of the House of Representative and the ranking minor-

ity member of the Committee on Armed Services of the Senate shall jointly designate one member of the Commission to serve as vice chair of the Commission.

(3) **SECURITY CLEARANCE REQUIRED.**—Each individual appointed as a member of the Commission shall possess (or have recently possessed before the date of such appointment) the appropriate security clearance necessary to carry out the duties of the Commission.

(4) **QUALIFICATION.**—Members of the Commission shall be appointed from among private United States citizens with knowledge and expertise in the scientific, technical, and defense aspects of electromagnetic pulse threats and vulnerabilities.

(5) **PERIOD OF APPOINTMENT; VACANCIES.**—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall be filled in the same manner as the original appointment.

(c) **DUTIES.**—

(1) **REVIEW AND ASSESSMENT.**—The Commission shall review and assess—

(A) the nature, magnitude, and likelihood of potential electromagnetic pulse (hereafter in section referred to as “EMP”) attacks and events, both manmade and natural, that could be directed at or affect the United States within the next 20 years;

(B) the vulnerability of United States military and civilian systems to EMP attacks and events, including with respect to emergency preparedness and immediate response;

(C) the capability of the United States to repair and recover from damage inflicted on United States military and civilian systems by EMP attacks and events; and

(D) the feasibility and cost of hardening critical military and civilian systems against EMP attack and events.

(2) **RECOMMENDATIONS.**—The Commission shall recommend any actions it believes should be taken by the United States to better prepare, prevent, mitigate, or recover military and civilian systems with respect to EMP attacks and events.

(d) **COOPERATION FROM GOVERNMENT.**—

(1) **COOPERATION.**—In carrying out its duties, the Commission shall receive the full and timely cooperation of the Secretary of Defense and the pertinent heads of any other Federal agency in providing the Commission with analysis, briefings, and other information necessary for the fulfillment of its responsibilities.

(2) **LIAISON.**—The Secretary shall designate at least one officer or employee of the Department of Defense to serve as a liaison officer between the Department and the Commission.

(e) **REPORT.**—

(1) **FINAL REPORT.**—

(A) **IN GENERAL.**—Not later than December 1, 2018, the Commission shall submit to the President, the Secretary of Defense, the Committee on Armed Services of the House of Representatives, and the Committee on Armed Services of the Senate a report on the findings, conclusions, and recommendations of the Commission.

(B) **FORM OF REPORT.**—The report submitted to Congress under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(2) **VIEWS OF THE SECRETARY.**—Not later than 90 days after the submittal of the report under paragraph (1), the Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report that contains the views of the Secretary with respect to the findings, conclusions, and recommendations of the Commission and any actions the Secretary intends to take as a result.

(3) **INTERIM BRIEFING.**—Not later than June 1, 2018, the Commission shall provide to the Com-

mittee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a briefing on the status of the activities of the Commission, including a discussion of any interim recommendations.

(f) **FUNDING.**—Of the amounts authorized to be appropriated by this Act for the Department of Defense, \$3,000,000 is available to fund the activities of the Commission, as specified in the funding tables in division D.

(g) **APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(h) **TERMINATION.**—The Commission shall terminate three months after the date on which the Secretary of Defense submits the report under subsection (e)(2).

(i) **REPEAL.**—Title XIV of Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398) is repealed.

**SEC. 1699C. PILOT PROGRAM ON ELECTROMAGNETIC SPECTRUM MAPPING.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a pilot program to assess the viability of space-based mapping of the electromagnetic spectrum used by the Department of Defense.

(b) **DURATION.**—The authority of the Secretary to carry out the pilot program under subsection (a) shall terminate on the date that is one year after the date of the enactment of this Act.

(c) **INTERIM BRIEFING.**—Not later than 60 days after the date of enactment of this Act, the Secretary of Defense shall provide a briefing to the Committees on Armed Services of the House of Representatives and the Senate (and to any other congressional defense committee upon request) demonstrating how the Secretary plans to implement the pilot program under subsection (a).

(d) **FINAL BRIEFING.**—Not later than 90 days after the pilot program under subsection (a) is completed, the Secretary shall provide a briefing to the Committees on Armed Services of the House of Representatives and the Senate (and to any other congressional defense committee upon request) on the utility, cost, and other considerations regarding the mapping of the electromagnetic spectrum used by the Department of Defense.

**TITLE XVII—MATTERS RELATING TO SMALL BUSINESS PROCUREMENT****Subtitle A—Improving Transparency and Clarity for Small Businesses****SEC. 1701. IMPROVING REPORTING ON SMALL BUSINESS GOALS.**

(a) **IN GENERAL.**—Section 15(h)(2)(E) of the Small Business Act (15 U.S.C. 644(h)(2)(E)) is amended—

(1) in clause (i)—

(A) in subclause (III), by striking “and” at the end; and

(B) by adding at the end the following new subclauses:

“(V) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns for purposes of the initial contract; and

“(VI) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns owned and controlled by women, or a subset of any such concerns;”;

(2) in clause (ii)—

(A) in subclause (IV), by striking “and” at the end; and

(B) by adding at the end the following new subclauses:

“(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned and controlled by service-disabled veterans for purposes of the initial contract; and

“(VII) that were awarded using a procurement method that restricted competition to qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns owned and controlled by women, or a subset of any such concerns;”;

(3) in clause (iii)—

(A) in subclause (V), by striking “and” at the end; and

(B) by adding at the end the following new subclauses:

“(VII) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be qualified HUBZone small business concerns for purposes of the initial contract; and

“(VIII) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-disabled veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns owned and controlled by women, or a subset of any such concerns;”;

(4) in clause (iv)—

(A) in subclause (V), by striking “and” at the end; and

(B) by adding at the end the following new subclauses:

“(VII) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned and controlled by socially and economically disadvantaged individuals for purposes of the initial contract; and

“(VIII) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by women, or a subset of any such concerns;”;

(5) in clause (v)—

(A) in subclause (IV), by striking “and” at the end;

(B) in subclause (V), by inserting “and” at the end; and

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

“(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned by an Indian tribe other than an Alaska Native Corporation for purposes of the initial contract;”;

(6) in clause (vi)—

(A) in subclause (IV), by striking “and” at the end;

(B) in subclause (V), by inserting “and” at the end; and

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

“(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned by a Native Hawaiian Organization for purposes of the initial contract;”;

(7) in clause (vii)—

(A) in subclause (IV), by striking “and” at the end; and

(B) by adding at the end the following new subclause:

“(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned by an Alaska Native Corporation for purposes of the initial contract; and”;

(8) in clause (viii)—

(A) in subclause (VII), by striking “and” at the end;

(B) in subclause (VIII), by striking “and” at the end; and

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

“(IX) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned and controlled by women for purposes of the initial contract; and

“(X) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, or a subset of any such concerns; and”.

(b) **EFFECTIVE DATE.**—The Administrator of the Small Business Administration shall be required to report on the information required by clauses (i)(V), (ii)(VI), (iii)(VII), (iv)(VII), (v)(VI), (vi)(VI), (vii)(VI), and (viii)(IX) of section 15(h)(2)(E) of the Small Business Act (15 U.S.C. 644(h)(2)(E)) beginning on the date that such information is available in the Federal Procurement Data System, the System for Award Management, or any new or successor system.

#### **SEC. 1702. UNIFORMITY IN PROCUREMENT TERMINOLOGY.**

(a) **IN GENERAL.**—Section 15(j)(1) of the Small Business Act (15 U.S.C. 644(j)(1)) is amended by striking “greater than \$2,500 but not greater than \$100,000” and inserting “greater than the micro-purchase threshold, but not greater than the simplified acquisition threshold”.

(b) **TECHNICAL AMENDMENT.**—Section 3(m) of the Small Business Act (15 U.S.C. 632(m)) is amended to read as follows:

“(m) **DEFINITIONS RELATING TO CONTRACTING.**—In this Act:

“(1) **PRIME CONTRACT.**—The term ‘prime contract’ has the meaning given such term in section 8701(4) of title 41, United States Code.

“(2) **PRIME CONTRACTOR.**—The term ‘prime contractor’ has the meaning given such term in section 8701(5) of title 41, United States Code.

“(3) **SIMPLIFIED ACQUISITION THRESHOLD.**—The term ‘simplified acquisition threshold’ has the meaning given such term in section 134 of title 41, United States Code.

“(4) **MICRO-PURCHASE THRESHOLD.**—The term ‘micro-purchase threshold’ has the meaning given such term in section 1902 of title 41, United States Code.

“(5) **TOTAL PURCHASES AND CONTRACTS FOR PROPERTY AND SERVICES.**—The term ‘total purchases and contracts for property and services’ shall mean total number and total dollar amount of contracts and orders for property and services.”.

#### **SEC. 1703. RESPONSIBILITIES OF COMMERCIAL MARKET REPRESENTATIVES.**

Section 4(h) of the Small Business Act (15 U.S.C. 633(h)) is amended to read as follows:

“(h) **COMMERCIAL MARKET REPRESENTATIVES.**—

“(1) **DUTIES.**—The principal duties of a commercial market representative employed by the Administrator and reporting to the senior official appointed by the Administrator with responsibilities under sections 8, 15, 31, and 36 (or

the designee of such official) shall be to advance the policies established in section 8(d)(1) relating to subcontracting. Such duties shall include—

“(A) helping prime contractors to find small business concerns that are capable of performing subcontracts;

“(B) for contractors awarded contracts containing the clause described in section 8(d)(3), providing—

“(i) counseling on the contractor’s responsibility to maximize subcontracting opportunities for small business concerns;

“(ii) instruction on methods and tools to identify potential subcontractors that are small business concerns; and

“(iii) assistance to increase awards to subcontractors that are small business concerns through visits, training, and reviews of past performance;

“(C) providing counseling on how a small business concern may promote its capacity to contractors awarded contracts containing the clause described in section 8(d)(3); and

“(D) conducting periodic reviews of contractors awarded contracts containing the clause described in section 8(d)(3) to assess compliance with subcontracting plans required under section 8(d)(6).

“(2) **CERTIFICATION REQUIREMENTS.**—

“(A) **IN GENERAL.**—Consistent with the requirements of subparagraph (B), a commercial market representative referred to in section 15(q)(3) shall have a Level I Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification.

“(B) **DELAY OF CERTIFICATION REQUIREMENT.**—The certification described in subparagraph (A) is not required—

“(i) for any person serving as a commercial market representative on the date of the enactment of this subsection, until the date that is one calendar year after the date such person was appointed as a commercial market representative; or

“(ii) for any person serving as a commercial market representative on or before November 25, 2015, until November 25, 2020.

“(3) **JOB POSTING REQUIREMENTS.**—The duties and certification requirements described in this subsection shall be included in any initial job posting for the position of a commercial market representative.”.

#### **SEC. 1704. RESPONSIBILITIES OF BUSINESS OPPORTUNITY SPECIALISTS.**

Section 4(g) of the Small Business Act (15 U.S.C. 633(g)) is amended to read as follows:

“(g) **BUSINESS OPPORTUNITY SPECIALISTS.**—

“(1) **DUTIES.**—The exclusive duties of a Business Opportunity Specialist employed by the Administrator and reporting to the senior official appointed by the Administrator with responsibilities under sections 8, 15, 31, and 36 (or the designee of such official) shall be to implement sections 7, 8, and 45 and to complete other duties related to contracting programs under this Act. Such duties shall include—

“(A) with respect to small business concerns eligible to receive contracts and subcontracts pursuant to section 8(a)—

“(i) providing guidance, counseling, and referrals for assistance with technical, management, financial, or other matters that will improve the competitive viability of such concerns;

“(ii) identifying causes of success or failure of such concerns;

“(iii) providing comprehensive assessments of such concerns, including identifying the strengths and weaknesses of such concerns;

“(iv) monitoring and documenting compliance with the requirements of sections 7 and 8 and any regulations implementing those sections;

“(v) explaining the requirements of sections 7, 8, 15, 31, 36, and 45; and

“(vi) advising on compliance with contracting regulations (including the Federal Acquisition Regulation) after award of such a contract or subcontract;

“(B) reviewing and monitoring compliance with mentor-protégé agreements under section 45;

“(C) representing the interests of the Administrator and small business concerns in the award, modification, and administration of contracts and subcontracts awarded pursuant to section 8(a); and

“(D) reporting fraud or abuse under section 7, 8, 15, 31, 36, or 45 or any regulations implementing such sections.

“(2) CERTIFICATION REQUIREMENTS.—

“(A) IN GENERAL.—Consistent with the requirements of subparagraph (B), a Business Opportunity Specialist described under section 7(j)(10)(D) shall have a Level I Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification.

“(B) DELAY OF CERTIFICATION REQUIREMENT.—The certification described in subparagraph (A) is not required—

“(i) for any person serving as a Business Opportunity Specialist on the date of the enactment of this subsection, until the date that is one calendar year after the date such person was appointed as a Business Opportunity Specialist; or

“(ii) for any person serving as a Business Opportunity Specialist on or before January 3, 2013, until January 3, 2020.

“(3) JOB POSTING REQUIREMENTS.—The duties and certification requirements described in this subsection shall be included in any initial job posting for the position of a Business Opportunity Specialist.”

#### **Subtitle B—Women's Business Programs**

#### **SEC. 1711. OFFICE OF WOMEN'S BUSINESS OWNERSHIP.**

Section 29(g) of the Small Business Act (15 U.S.C. 656(g)) is amended—

(1) in paragraph (2), by striking subparagraphs (B) and (C) and inserting the following:

“(B) RESPONSIBILITIES.—The responsibilities of the Assistant Administrator shall be to administer the programs and services of the Office of Women's Business Ownership.

“(C) DUTIES.—The Assistant Administrator shall perform the following functions with respect to the Office of Women's Business Ownership:

“(i) Recommend the annual administrative and program budgets of the Office and eligible entities receiving a grant under the Women's Business Center Program.

“(ii) Review the annual budgets submitted by each eligible entity receiving a grant under the Women's Business Center Program.

“(iii) Select applicants to receive grants to operate a women's business center after reviewing information required by this section, including the budget of each applicant.

“(iv) Collaborate with other Federal departments and agencies, State and local governments, not-for-profit organizations, and for-profit enterprises to maximize utilization of taxpayer dollars and reduce (or eliminate) any duplication among the programs overseen by the Office of Women's Business Ownership and those of other entities that provide similar services to women entrepreneurs.

“(v) Maintain a clearinghouse to provide for the dissemination and exchange of information between women's business centers.

“(vi) Serve as the vice chairperson of the Interagency Committee on Women's Business Enterprise and as the liaison for the National Women's Business Council.”; and

(2) by adding at the end the following:

“(3) MISSION.—The mission of the Office of Women's Business Ownership shall be to assist

women entrepreneurs to start, grow, and compete in global markets by providing quality support with access to capital, access to markets, job creation, growth, and counseling by—

“(A) fostering participation of women entrepreneurs in the economy by overseeing a network of women's business centers throughout States and territories;

“(B) creating public-private partnerships to support women entrepreneurs and conducting outreach and education to startup and existing small business concerns owned and controlled by women; and

“(C) working with other programs overseen by the Administrator to ensure women are well-represented and being served and identifying gaps where participation by women could be increased.

“(4) ACCREDITATION PROGRAM.—

“(A) ESTABLISHMENT.—Not later than 270 days after the date of enactment of this paragraph, the Administrator shall establish standards for an accreditation program for accrediting eligible entities receiving a grant under this section.

“(B) TRANSITION PROVISION.—Before the date on which standards are established under subparagraph (A), the Administrator may not terminate a grant under this section absent evidence of fraud or other criminal misconduct by the recipient.

“(C) CONTRACTING AUTHORITY.—The Administrator may provide financial assistance, by contract or otherwise, to a relevant national women's business center representative association to provide assistance in establishing the standards required under subparagraph (A) or for carrying out an accreditation program pursuant to such standards.”

#### **SEC. 1712. WOMEN'S BUSINESS CENTER PROGRAM.**

(a) DEFINITIONS.—Section 29(a) of the Small Business Act (15 U.S.C. 656(a)) is amended—

(1) by striking paragraph (4);

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

(3) by inserting after paragraph (1) the following:

“(2) the term ‘eligible entity’ means—

“(A) an organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code;

“(B) a State, regional, or local economic development organization, so long as the organization certifies that grant funds received under this section will not be commingled with other funds;

“(C) an institution of higher education, unless such institution is currently receiving a grant under section 21;

“(D) a development, credit, or finance corporation chartered by a State, so long as the corporation certifies that grant funds received under this section will not be commingled with other funds; or

“(E) any combination of entities listed in subparagraphs (A) through (D);”;

(4) by adding at the end the following:

“(5) the term ‘women's business center’ means the location at which counseling and training on the management, operations (including manufacturing, services, and retail), access to capital, international trade, Government procurement opportunities, and any other matter is needed to start, maintain, or expand a small business concern owned and controlled by women.”.

(b) AUTHORITY.—Section 29(b) of the Small Business Act (15 U.S.C. 656(b)) is amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and adjusting the margins accordingly;

(2) by striking “The Administration” and all that follows through “5-year projects” and inserting the following:

“(1) IN GENERAL.—There is established a Women's Business Center Program under which the Administrator may provide a grant to any eligible entity to operate one or more women's business centers”;

(3) by striking “The projects shall” and inserting the following:

“(2) USE OF FUNDS.—The women's business centers shall be designed to provide counseling and training that meets the needs of women, especially socially or economically disadvantaged women, and shall”;

(4) by adding at the end the following:

“(3) AMOUNT OF GRANTS.—

“(A) IN GENERAL.—The amount of a grant provided under this subsection to an eligible entity per project year shall be not more than \$185,000 (as such amount is annually adjusted by the Administrator to reflect the change in inflation).

“(B) ADDITIONAL GRANTS.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), with respect to an eligible entity that has received \$185,000 under this subsection in a project year, the Administrator may award an additional grant under this subsection of up to \$65,000 during such project year if the Administrator determines that the eligible entity—

“(I) agrees to obtain, after its application has been approved and notice of award has been issued, cash contributions from non-Federal sources of 1 non-Federal dollar for each Federal dollar;

“(II) is in good standing with the Women's Business Center Program; and

“(III) has met performance goals for the previous project year, if applicable.

“(ii) LIMITATIONS.—The Administrator may only award additional grants under clause (i)—

“(I) during the 3rd and 4th quarters of the fiscal year; and

“(II) from unobligated amounts made available to the Administrator to carry out this section.

“(4) NOTICE AND COMMENT REQUIRED.—The Administrator may only make a change to the standards by which an eligible entity obtains or maintains grants under this section, the standards for accreditation, or any other requirement for the operation of a women's business center if the Administrator first provides notice and the opportunity for public comment, as set forth in section 553(b) of title 5, United States Code, without regard to any exceptions provided for under such section.”.

(c) CONDITIONS OF PARTICIPATION.—Section 29(c) of the Small Business Act (15 U.S.C. 656(c)) is amended—

(1) in paragraph (1)—

(A) by striking “the recipient organization” and inserting “an eligible entity”; and

(B) by striking “financial assistance” and inserting “a grant”;

(2) in paragraph (3)—

(A) by striking “financial assistance authorized pursuant to this section may be made by grant, contract, or cooperative agreement and” and inserting “grants authorized pursuant to this section”; and

(B) in the second sentence, by striking “a recipient organization” and inserting “an eligible entity”;

(3) in paragraph (4)—

(A) by striking “recipient of assistance” and inserting “eligible entity”;

(B) by striking “during any project, it shall not be eligible thereafter” and inserting “during any project for 2 consecutive years, the eligible entity shall not be eligible at any time after that 2-year period”;

(C) by striking “such organization” and inserting “the eligible entity”; and

(D) by striking “the recipient” and inserting “the eligible entity”; and

(4) by adding at end the following:

“(5) **SEPARATION OF PROJECT AND FUNDS.**—An eligible entity shall—

“(A) carry out a project under this section separately from other projects, if any, of the eligible entity; and

“(B) separately maintain and account for any grants under this section.

“(6) **EXAMINATION OF ELIGIBLE ENTITIES.**—

“(A) **REQUIRED SITE VISIT.**—Each applicant, prior to receiving a grant under this section, shall have a site visit by an employee of the Administration, in order to ensure that the applicant has sufficient resources to provide the services for which the grant is being provided.

“(B) **ANNUAL REVIEW.**—An employee of the Administration shall—

“(i) conduct an annual review of the compliance of each eligible entity receiving a grant under this section with the grant agreement, including a financial examination; and

“(ii) provide such review to the eligible entity as required under subsection (l).

“(7) **REMEDIATION OF PROBLEMS.**—

“(A) **PLAN OF ACTION.**—If a review of an eligible entity under paragraph (6)(B) identifies any problems, the eligible entity shall, within 45 calendar days after receiving such review, provide the Assistant Administrator with a plan of action, including specific milestones, for correcting such problems.

“(B) **PLAN OF ACTION REVIEW BY THE ASSISTANT ADMINISTRATOR.**—The Assistant Administrator shall review each plan of action submitted under subparagraph (A) within 30 calendar days after receiving such plan and—

“(i) if the Assistant Administrator determines that such plan will bring the eligible entity into compliance with all the terms of the grant agreement, approve such plan; or

“(ii) if the Assistant Administrator determines that such plan is inadequate to remedy the problems identified in the annual review to which the plan of action relates, the Assistant Administrator shall set forth such reasons in writing and provide such determination to the eligible entity within 15 calendar days after such determination.

“(C) **AMENDMENT TO PLAN OF ACTION.**—An eligible entity receiving a determination under subparagraph (B)(ii) shall have 30 calendar days after the receipt of the determination to amend the plan of action to satisfy the problems identified by the Assistant Administrator and resubmit such plan to the Assistant Administrator.

“(D) **AMENDED PLAN REVIEW BY THE ASSISTANT ADMINISTRATOR.**—Within 15 calendar days after the receipt of an amended plan of action under subparagraph (C), the Assistant Administrator shall either approve or reject such plan and provide such approval or rejection in writing to the eligible entity.

“(E) **APPEAL OF ASSISTANT ADMINISTRATOR DETERMINATION.**—

“(i) **IN GENERAL.**—If the Assistant Administrator rejects an amended plan under subparagraph (D), the eligible entity shall have the opportunity to appeal such decision to the Administrator, who may delegate such appeal to an appropriate officer of the Administration.

“(ii) **OPPORTUNITY FOR EXPLANATION.**—Any appeal described under clause (i) shall provide an opportunity for the eligible entity to provide, in writing, an explanation of why the eligible entity's plan remedies the problems identified in the annual review.

“(iii) **NOTICE OF DETERMINATION.**—The determination of the appeal shall be provided to the eligible entity, in writing, within 15 calendar days after the eligible entity's filing of the appeal.

“(iv) **EFFECT OF FAILURE TO ACT.**—If the Administrator fails to act on an appeal made under

this subparagraph within the 15 calendar day period specified under clause (iii), the eligible entity's amended plan of action submitted under subparagraph (C) shall be deemed to be approved.

“(8) **TERMINATION OF GRANT.**—

“(A) **IN GENERAL.**—The Administrator shall require that, if an eligible entity fails to comply with a plan of action approved by the Assistant Administrator under paragraph (7)(B)(i) or an amended plan of action approved by the Assistant Administrator under paragraph (7)(D) or approved on appeal under paragraph (7)(E), the Assistant Administrator terminate the grant provided to the eligible entity under this section.

“(B) **APPEAL OF TERMINATION.**—An eligible entity that has a grant terminated under subparagraph (A) shall have the opportunity to challenge the termination on the record and after an opportunity for a hearing.

“(C) **FINAL AGENCY ACTION.**—The determination made pursuant to subparagraph (B) shall be considered final agency action for the purposes of chapter 7 of title 5, United States Code.”.

(d) **SUBMISSION OF 5-YEAR PLAN.**—Section 29(e) of the Small Business Act (15 U.S.C. 656(e)) is amended—

(1) by striking “applicant organization” and inserting “eligible entity”;

(2) by striking “a recipient organization” and inserting “an eligible entity”;

(3) by striking “financial assistance” and inserting “grants”; and

(4) by striking “site”.

(e) **APPLICATIONS AND CRITERIA FOR INITIAL GRANT.**—Subsection (f) of section 29 of the Small Business Act (15 U.S.C. 656) is amended to read as follows:

“(f) **APPLICATIONS AND CRITERIA FOR INITIAL GRANT.**—

“(1) **APPLICATION.**—Each eligible entity desiring a grant under subsection (b) shall submit to the Administrator an application that contains—

“(A) a certification that the eligible entity—

“(i) has designated an executive director or program manager, who may be compensated using grant funds under subsection (b) or other sources, to manage the women's business center for which a grant under subsection (b) is sought; and

“(ii) meets the accounting and reporting requirements established by the Director of the Office of Management and Budget;

“(B) information demonstrating that the eligible entity has the ability and resources to meet the needs of the market to be served by the women's business center, including the ability to obtain the non-Federal contribution required under subsection (c);

“(C) information relating to the assistance to be provided by the women's business center in the area in which the women's business center is located;

“(D) information demonstrating the experience and effectiveness of the eligible entity in—

“(i) conducting the services described under subsection (a)(5);

“(ii) providing training and services to a representative number of women who are socially or economically disadvantaged; and

“(iii) working with resource partners of the Administration and other entities, such as universities; and

“(E) a 5-year plan that describes the ability of the eligible entity to provide the services described under subsection (a)(3), including to a representative number of women who are socially or economically disadvantaged.

“(2) **REVIEW AND APPROVAL OF APPLICATIONS FOR INITIAL GRANTS.**—

“(A) **REVIEW AND SELECTION OF ELIGIBLE ENTITIES.**—

“(i) **IN GENERAL.**—The Administrator shall review applications to determine whether the applicant can meet obligations to perform the activities required by a grant under this section, including—

“(I) the experience of the applicant in conducting activities required by this section;

“(II) the amount of time needed for the applicant to commence operations should it be awarded a grant;

“(III) the capacity of the applicant to meet the accreditation standards established by the Administrator in a timely manner;

“(IV) the ability of the applicant to sustain operations for more than 5 years (including its ability to obtain sufficient non-Federal funds for that period);

“(V) the location of the women's business center and its proximity to other grant recipients under this section; and

“(VI) the population density of the area to be served by the women's business center.

“(ii) **SELECTION CRITERIA.**—

“(I) **GUIDANCE.**—The Administrator shall issue guidance (after providing an opportunity for notice and comment) to specify the criteria for review and selection of applicants under this subsection.

“(II) **MODIFICATIONS PROHIBITED AFTER ANNOUNCEMENT.**—With respect to a public announcement of any opportunity to be awarded a grant under this section made by the Administrator pursuant to subsection (l)(1), the Administrator may not modify guidance issued pursuant to subclause (I) with respect to such opportunity unless required to do so by an Act of Congress or an order of a Federal court.

“(III) **RULE OF CONSTRUCTION.**—Nothing in this clause may be construed as prohibiting the Administrator from modifying the guidance issued pursuant to subclause (I) (after providing an opportunity for notice and comment) as such guidance applies to an opportunity to be awarded a grant under this section that the Administrator has not yet publicly announced pursuant to subsection (l)(1).

“(B) **RECORD RETENTION.**—

“(i) **IN GENERAL.**—The Administrator shall maintain a copy of each application submitted under this subsection for not less than 5 years.

“(ii) **PAPERWORK REDUCTION.**—The Administrator shall take steps to reduce, to the maximum extent practicable, the paperwork burden associated with carrying out clause (i).”.

(f) **NOTIFICATION REQUIREMENTS UNDER THE WOMEN'S BUSINESS CENTER PROGRAM.**—Section 29 of the Small Business Act (15 U.S.C. 656) is amended by inserting after subsection (k) the following:

“(l) **NOTIFICATION REQUIREMENTS UNDER THE WOMEN'S BUSINESS CENTER PROGRAM.**—The Administrator shall provide—

“(1) a public announcement of any opportunity to be awarded grants under this section, and such announcement shall include the standards by which such award will be made, including the guidance issued pursuant to subsection (f)(2)(A)(ii);

“(2) the opportunity for any applicant for a grant under this section that failed to obtain such a grant a debriefing with the Assistant Administrator to review the reasons for the applicant's failure; and

“(3) with respect to any site visit or evaluation of an eligible entity receiving a grant under this section that is carried out by an officer or employee of the Administration (other than the Inspector General), a copy of the site visit report or evaluation, as applicable, within 30 calendar days after the completion of such visit or evaluation.”.

(g) **CONTINUED FUNDING FOR CENTERS.**—Section 29(m) of the Small Business Act (15 U.S.C. 656(m)) is amended—

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

“(3) APPLICATION AND APPROVAL FOR CONTINUATION GRANTS.—

“(A) SOLICITATION OF APPLICATIONS.—The Administrator shall solicit applications and award continuation grants under this subsection for the first fiscal year beginning after the date of enactment of this paragraph, and every third fiscal year thereafter.

“(B) CONTENTS OF APPLICATION.—Each eligible entity desiring a grant under this subsection shall submit to the Administrator an application that contains—

“(i) a certification that the applicant—

“(I) is an eligible entity;

“(II) has designated an executive director or program manager to manage the women’s business center operated by the applicant; and

“(III) as a condition of receiving a grant under this subsection, agrees—

“(aa) to receive a site visit as part of the final selection process, at the discretion of the Administrator; and

“(bb) to remedy any problem identified pursuant to the site visit under item (aa);

“(ii) information demonstrating that the applicant has the ability and resources to meet the needs of the market to be served by the women’s business center for which a grant under this subsection is sought, including the ability to obtain the non-Federal contribution required under paragraph (4)(C);

“(iii) information relating to assistance to be provided by the women’s business center in the geographic area served by the women’s business center for which a grant under this subsection is sought;

“(iv) information demonstrating that the applicant has worked with resource partners of the Administration and other entities;

“(v) a 3-year plan that describes the services provided by the women’s business center for which a grant under this subsection is sought—

“(I) to serve women who are business owners or potential business owners by conducting training and counseling activities; and

“(II) to provide training and services to a representative number of women who are socially or economically disadvantaged; and

“(vi) any additional information that the Administrator may reasonably require.

“(C) REVIEW AND APPROVAL OF APPLICATIONS FOR GRANTS.—

“(i) IN GENERAL.—The Administrator—

“(I) shall review each application submitted under subparagraph (B), based on the information described in such subparagraph and the criteria set forth under clause (ii) of this subparagraph; and

“(II) as part of the final selection process, may conduct a site visit to each women’s business center for which a grant under this subsection is sought to evaluate the women’s business center using the selection criteria described in clause (ii)(II).

“(ii) SELECTION CRITERIA.—

“(I) IN GENERAL.—The Administrator shall evaluate applicants for grants under this subsection in accordance with selection criteria that are—

“(aa) established before the date on which applicants are required to submit the applications;

“(bb) stated in terms of relative importance; and

“(cc) publicly available and stated in each solicitation for applications for grants under this subsection made by the Administrator.

“(II) REQUIRED CRITERIA.—The selection criteria for a grant under this subsection shall include—

“(aa) the total number of entrepreneurs served by the applicant;

“(bb) the total number of new startup companies assisted by the applicant;

“(cc) the percentage of clients of the applicant that are socially or economically disadvantaged;

“(dd) the percentage of individuals in the community served by the applicant who are socially or economically disadvantaged;

“(ee) the successful accreditation of the applicant under the accreditation program developed under subsection (g)(5); and

“(ff) any additional criteria that the Administrator may reasonably require.

“(iii) CONDITIONS FOR CONTINUED FUNDING.—In determining whether to make a grant under this subsection, the Administrator—

“(I) shall consider the results of the most recent evaluation of the women’s business center for which a grant under this subsection is sought, and, to a lesser extent, previous evaluations; and

“(II) may withhold a grant under this subsection, if the Administrator determines that the applicant has failed to provide the information required to be provided under this paragraph, or the information provided by the applicant is inadequate.

“(D) NOTIFICATION.—Not later than 60 calendar days after the date of each deadline to submit applications under this paragraph, the Administrator shall approve or deny each submitted application and notify the applicant for each such application of the approval or denial.

“(E) RECORD RETENTION.—

“(i) IN GENERAL.—The Administrator shall maintain a copy of each application submitted under this paragraph for not less than 5 years.

“(ii) PAPERWORK REDUCTION.—The Administrator shall take steps to reduce, to the maximum extent practicable, the paperwork burden associated with carrying out clause (i).”; and

(2) by striking paragraph (5) and inserting the following:

“(5) AWARD TO PREVIOUS RECIPIENTS.—There shall be no limitation on the number of times the Administrator may award a grant to an applicant under this subsection.”.

(h) TECHNICAL AND CONFORMING AMENDMENTS.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended—

(1) in subsection (h)(2), by striking “to award a contract (as a sustainability grant) under subsection (l) or”;;

(2) in subsection (j)(1), by striking “The Administration” and inserting “Not later than November 1 of each year, the Administrator”;;

(3) in subsection (k)—

(A) by striking paragraphs (1) and (4);

(B) by inserting before paragraph (2) the following:

“(1) IN GENERAL.—There are authorized to be appropriated to the Administration to carry out this section, to remain available until expended, \$21,750,000 for each of fiscal years 2018 through 2021.”; and

(C) in paragraph (2), by striking subparagraph (B) and inserting the following:

“(B) EXCEPTIONS.—Of the amount made available under this subsection for a fiscal year, the following amounts shall be available for selection panel costs, costs associated with maintaining an accreditation program, and post-award conference costs:

“(i) For the first fiscal year beginning after the date of the enactment of this subparagraph, 2.65 percent.

“(ii) For the second fiscal year beginning after the date of the enactment of this subparagraph and each fiscal year thereafter through fiscal year 2021, 2.5 percent.”; and

(4) in subsection (m)—

(A) in paragraph (2), by striking “subsection (b) or (l)” and inserting “this subsection or subsection (b)”;

(B) in paragraph (4)(D), by striking “or subsection (l)”.

(i) EFFECT ON EXISTING GRANTS.—

(1) TERMS AND CONDITIONS.—A nonprofit organization receiving a grant under section 29(m) of the Small Business Act (15 U.S.C. 656(m)), as in effect on the day before the date of enactment of this Act, shall continue to receive the grant under the terms and conditions in effect for the grant on the day before the date of enactment of this Act, except that the nonprofit organization may not apply for a continuation of the grant under section 29(m)(5) of the Small Business Act (15 U.S.C. 656(m)(5)), as in effect on the day before the date of enactment of this Act.

(2) LENGTH OF CONTINUATION GRANT.—The Administrator of the Small Business Administration may award a grant under section 29(m) of the Small Business Act to a nonprofit organization receiving a grant under section 29(m) of the Small Business Act (15 U.S.C. 656(m)), as in effect on the day before the date of enactment of this Act, for the period—

(A) beginning on the day after the last day of the grant agreement under such section 29(m); and

(B) ending at the end of the third fiscal year beginning after the date of enactment of this Act.

#### SEC. 1713. MATCHING REQUIREMENTS UNDER WOMEN'S BUSINESS CENTER PROGRAM.

Section 29(c) of the Small Business Act (15 U.S.C. 656(c)), as amended by this Act, is further amended by adding at the end the following new paragraph:

“(9) WAIVER OF NON-FEDERAL SHARE.—

“(A) IN GENERAL.—Upon request by an eligible entity, and in accordance with this paragraph, the Administrator may waive, in whole or in part, the requirement to obtain non-Federal funds under this subsection for counseling and training activities of the eligible entity carried out using a grant under this section for a fiscal year. The Administrator may not waive the requirement for an eligible entity to obtain non-Federal funds under this paragraph for more than a total of 2 consecutive fiscal years.

“(B) CONSIDERATIONS.—In determining whether to waive the requirement to obtain non-Federal funds under this paragraph, the Administrator shall consider—

“(i) the economic conditions affecting the eligible entity;

“(ii) the impact a waiver under this paragraph would have on the credibility of the Women’s Business Center Program under this section;

“(iii) the demonstrated ability of the eligible entity to raise non-Federal funds; and

“(iv) the performance of the eligible entity.

“(C) LIMITATION.—The Administrator may not waive the requirement to obtain non-Federal funds under this paragraph if granting the waiver would undermine the credibility of the Women’s Business Center Program.

“(10) SOLICITATION.—Notwithstanding any other provision of law, an eligible entity may—

“(A) solicit cash and in-kind contributions from private individuals and entities to be used to carry out the activities of the eligible entity under a project conducted under this section; and

“(B) use amounts made available by the Administrator under this section for the cost of such solicitation and management of the contributions received.

“(11) EXCESS NON-FEDERAL DOLLARS.—The amount of non-Federal dollars obtained by an eligible entity that is above the amount that is required to be obtained by the eligible entity under this subsection shall not be subject to the requirements of part 200 of title 2, Code of Federal Regulations, or any successor thereto, if such amount of non-Federal dollars—

“(A) is not used as matching funds for purposes of implementing the Women’s Business Center Program; and

“(B) was not obtained using funds from the Women’s Business Center Program.”.

#### Subtitle C—SCORE Program

##### SEC. 1721. SCORE REAUTHORIZATION.

Section 20 of the Small Business Act (15 U.S.C. 631 note) is amended—

(1) by redesignating subsection (j) as subsection (f); and

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

“(g) SCORE PROGRAM.—There are authorized to be appropriated to the Administrator to carry out the SCORE program authorized by section 8(b)(1) such sums as may be necessary for the Administrator to make grants or enter into cooperative agreements in a total amount that does not exceed \$10,500,000 in each of fiscal years 2018 and 2019.”.

##### SEC. 1722. SCORE PROGRAM.

Section 8 of the Small Business Act (15 U.S.C. 637) is amended—

(1) in subsection (b)(1)(B), by striking “a Service Corps of Retired Executives (SCORE)” and inserting “the SCORE program described in subsection (c)”;

(2) by striking subsection (c) and inserting the following new subsection:

“(c) SCORE PROGRAM.—

“(1) DEFINITION.—In this subsection:

“(A) SCORE ASSOCIATION.—The term ‘SCORE Association’ means the Service Corps of Retired Executives Association or any successor or other organization that receives a grant from the Administrator to operate the SCORE program under paragraph (2)(A).

“(B) SCORE PROGRAM.—The term ‘SCORE program’ means the SCORE program authorized by subsection (b)(1)(B).

“(2) MANAGEMENT AND VOLUNTEERS.—

“(A) IN GENERAL.—The Administrator shall provide a grant to the SCORE Association to manage the SCORE program.

“(B) VOLUNTEERS.—A volunteer participating in the SCORE program shall—

“(i) based on the business experience and knowledge of the volunteer—

“(I) provide at no cost to individuals who own, or aspire to own, small business concerns personal counseling, mentoring, and coaching relating to the process of starting, expanding, managing, buying, and selling a business; and

“(II) facilitate low-cost educational workshops for individuals who own, or aspire to own, small business concerns; and

“(ii) as appropriate, use tools, resources, and expertise of other organizations to carry out the SCORE program.

“(3) PLANS AND GOALS.—The Administrator, in consultation with the SCORE Association, shall ensure that the SCORE program and each chapter of the SCORE program develop and implement plans and goals to more effectively and efficiently provide services to individuals in rural areas, economically disadvantaged communities, and other traditionally underserved communities, including plans for electronic initiatives, web-based initiatives, chapter expansion, partnerships, and the development of new skills by volunteers participating in the SCORE program.

“(4) ANNUAL REPORT.—The SCORE Association shall submit to the Administrator an annual report that contains—

“(A) the number of individuals counseled or trained under the SCORE program;

“(B) the number of hours of counseling provided under the SCORE program; and

“(C) to the extent possible—

“(i) the number of small business concerns formed with assistance from the SCORE program;

“(ii) the number of small business concerns expanded with assistance from the SCORE program; and

“(iii) the number of jobs created with assistance from the SCORE program.

“(5) PRIVACY REQUIREMENTS.—

“(A) IN GENERAL.—Neither the Administrator nor the SCORE Association may disclose the name, address, or telephone number of any individual or small business concern receiving assistance from the SCORE Association without the consent of such individual or small business concern, unless—

“(i) the Administrator is ordered to make such a disclosure by a court in any civil or criminal enforcement action initiated by a Federal or State agency; or

“(ii) the Administrator determines such a disclosure to be necessary for the purpose of conducting a financial audit of the SCORE program, in which case disclosure shall be limited to the information necessary for the audit.

“(B) ADMINISTRATOR USE OF INFORMATION.—This paragraph shall not—

“(i) restrict the access of the Administrator to program activity data; or

“(ii) prevent the Administrator from using client information to conduct client surveys.

“(C) STANDARDS.—

“(i) IN GENERAL.—The Administrator shall, after the opportunity for notice and comment, establish standards for—

“(I) disclosures with respect to financial audits under subparagraph (A)(ii); and

“(II) conducting client surveys, including standards for oversight of the surveys and for dissemination and use of client information.

“(ii) MAXIMUM PRIVACY PROTECTION.—The standards issued under this subparagraph shall, to the extent practicable, provide for the maximum amount of privacy protection.”.

##### SEC. 1723. ONLINE COMPONENT.

(a) IN GENERAL.—Section 8(c) of the Small Business Act (15 U.S.C. 637(c)), as amended by this Act, is further amended by adding at the end the following:

“(6) ONLINE COMPONENT.—In carrying out this subsection, the SCORE Association shall make use of online counseling, including by developing and implementing webinars and an electronic mentoring platform to expand access to services provided under this subsection and to further support entrepreneurs.”.

(b) ONLINE COMPONENT REPORT.—

(1) IN GENERAL.—Not later than September 30, 2018, the SCORE Association shall issue a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on the effectiveness of the electronic mentoring and webinars required as part of the SCORE program, including—

(A) how the SCORE Association determines electronic mentoring and webinar needs, develops training for electronic mentoring, establishes webinar curricula, and evaluates webinar and electronic mentoring results;

(B) describing the internal controls that are used and a summary of the topics covered by the webinars; and

(C) performance metrics, including the number of small business concerns counseled by, the number of small business concerns created by, the number of jobs created and retained by, and the funding amounts directed towards such on-line counseling and webinars.

(2) DEFINITIONS.—For purposes of this subsection, the terms “SCORE Association” and “SCORE program” have the meaning given those terms, respectively, under section 8(c)(1) of the Small Business Act (15 U.S.C. 637(c)(1)).

##### SEC. 1724. STUDY AND REPORT ON THE FUTURE ROLE OF THE SCORE PROGRAM.

(a) STUDY.—The SCORE Association shall carry out a study on the future role of the SCORE program and develop a strategic plan for how the SCORE program will evolve to meet the needs of small business concerns over the course of the 5 years following the date of en-

actment of this Act, with markers and specific objectives for the first, third, and final year of the 5-year period.

(b) REPORT.—Not later than the end of the 6-month period beginning on the date of the enactment of this Act, the SCORE Association shall submit a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate containing—

(1) all findings and determination made in carrying out the study required under subsection (a);

(2) the strategic plan developed under subsection (a);

(3) an explanation of how the SCORE Association plans to achieve the strategic plan, assuming both stagnant and increased funding levels.

(c) DEFINITIONS.—For purposes of this section, the terms “SCORE Association” and “SCORE program” have the meaning given those terms, respectively, under section 8(c)(1) of the Small Business Act (15 U.S.C. 637(c)(1)).

##### SEC. 1725. TECHNICAL AND CONFORMING AMENDMENTS.

(a) SMALL BUSINESS ACT.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) in section 7 (15 U.S.C. 636)—

(A) in subsection (b)(12)(A), by striking “Service Corps of Retired Executives” and inserting “SCORE program”; and

(B) in subsection (m)(3)(A)(i)(VIII), by striking “Service Corps of Retired Executives” and inserting “SCORE program”;

(2) in section 22 (15 U.S.C. 649)—

(A) in subsection (b)—

(i) in paragraph (1), by striking “Service Corps of Retired Executives” and inserting “SCORE program”; and

(ii) in paragraph (3), by striking “Service Corps of Retired Executives” and inserting “SCORE program”; and

(B) in subsection (c)(12), by striking “Service Corps of Retired Executives” and inserting “SCORE program”.

(b) OTHER LAWS.—

(1) CHILDREN’S HEALTH INSURANCE PROGRAM REAUTHORIZATION ACT OF 2009.—Section 621 of the Children’s Health Insurance Program Reauthorization Act of 2009 (15 U.S.C. 657p) is amended—

(A) in subsection (a), by striking paragraph (4) and inserting the following:

“(4) the term ‘SCORE program’ means the SCORE program authorized by section 8(b)(1)(B) of the Small Business Act (15 U.S.C. 637(b)(1)(B));”;

(B) in subsection (b)(4)(A)(iv), by striking “Service Corps of Retired Executives” and inserting “SCORE program”.

(2) ENERGY POLICY AND CONSERVATION ACT.—Section 337(d)(2)(A) of the Energy Policy and Conservation Act (42 U.S.C. 6307(d)(2)(A)) is amended by striking “Service Corps of Retired Executives (SCORE)” and inserting “SCORE program”.

#### Subtitle D—Small Business Development Centers Improvements

##### SEC. 1731. USE OF AUTHORIZED ENTREPRENEURIAL DEVELOPMENT PROGRAMS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 47 as section 48; and

(2) by inserting after section 46 the following new section:

##### “SEC. 47. USE OF AUTHORIZED ENTREPRENEURIAL DEVELOPMENT PROGRAMS.

“(a) EXPANDED SUPPORT FOR ENTREPRENEURS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, the Administrator shall only use the programs authorized in sections 7(j),



7(m), 8(a), 8(b)(1), 21, 22, 29, and 32 of this Act, and sections 358 and 389 of the Small Business Investment Act of 1958 to deliver entrepreneurial development services, entrepreneurial education, support for the development and maintenance of clusters, or business training.

“(2) **EXCEPTION.**—This section shall not apply to services provided to assist small business concerns owned by an Indian tribe (as such term is defined in section 8(a)(13)).

“(b) **ANNUAL REPORT.**—Beginning on the first December 1 after the date of the enactment of this subsection, and annually thereafter, the Administrator shall report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on all entrepreneurial development activities undertaken in the current fiscal year. This report shall include—

“(1) a description and operating details for each activity;

“(2) operating circulars, manuals, and standard operating procedures for each activity;

“(3) a description of the process used to award grants under each activity;

“(4) a list of all awardees, contractors, and vendors (including organization name and location) and the amount of awards for the current fiscal year for each activity;

“(5) the amount of funding obligated for the current fiscal year for each activity; and

“(6) the names and titles for those individuals responsible for each activity.”.

#### **SEC. 1732. MARKETING OF SERVICES.**

Section 21 of the Small Business Act (15 U.S.C. 648) is amended by adding at the end the following new subsection:

“(o) **NO PROHIBITION OF MARKETING OF SERVICES.**—The Administrator may not prohibit applicants receiving grants under this section from marketing and advertising their services to individuals and small business concerns.”.

#### **SEC. 1733. DATA COLLECTION.**

(a) **IN GENERAL.**—Section 21(a)(3)(A) of the Small Business Act (15 U.S.C. 648(a)(3)(A)) is amended—

(1) by striking “as provided in this section and” and inserting “as provided in this section.”; and

(2) by inserting before the period at the end the following: “, and (iv) governing data collection activities related to applicants receiving grants under this section”.

(b) **ANNUAL REPORT ON DATA COLLECTION.**—Section 21 of the Small Business Act (15 U.S.C. 648), as amended by this Act, is further amended by adding at the end the following new subsection:

“(p) **ANNUAL REPORT ON DATA COLLECTION.**—The Administrator shall report annually to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on any data collection activities related to the Small Business Development Center Program.”.

(c) **WORKING GROUP TO IMPROVE DATA COLLECTION.**—

(1) **ESTABLISHMENT AND STUDY.**—The Administrator of the Small Business Administration shall establish a group to be known as the “Data Collection Working Group” consisting of members from entrepreneurial development grant recipient associations and organizations and Administration officials, to carry out a study to determine the best way to capture data collection and create or revise existing systems dedicated to data collection.

(2) **REPORT.**—Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Data Collection Working Group shall submit a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate con-

taining the findings and determinations made in carrying out the study required under paragraph (1), including—

(A) recommendations for revising existing data collection practices; and

(B) a proposed plan for the Administrator of the Small Business Administration to implement such recommendations.

#### **SEC. 1734. FEES FROM PRIVATE PARTNERSHIPS AND COSPONSORSHIPS.**

Section 21(a)(3) of the Small Business Act (15 U.S.C. 648(a)(3)(C)), as amended by this Act, is further amended by adding at the end the following new subparagraph:

“(D) **FEES FROM PRIVATE PARTNERSHIPS AND COSPONSORSHIPS.**—Participation in private partnerships and cosponsorships with the Administration shall not limit small business development centers from collecting fees or other income related to the operation of such private partnerships and cosponsorships.”.

#### **SEC. 1735. EQUITY FOR SMALL BUSINESS DEVELOPMENT CENTERS.**

Subclause (I) of section 21(a)(4)(C)(v) of the Small Business Act (15 U.S.C. 648(a)(4)(C)(v)(I)) is amended to read as follows:

“(I) **IN GENERAL.**—Of the amounts made available in any fiscal year to carry out this section, not more than \$600,000 may be used by the Administration to pay expenses described under subparagraphs (B) through (D) of section 20(a)(1).”.

#### **SEC. 1736. CONFIDENTIALITY REQUIREMENTS.**

Section 21(a)(7)(A) of the Small Business Act (15 U.S.C. 648(a)(7)(A)) is amended by inserting after “under this section” the following: “to any State, local, or Federal agency, or to any third party”.

#### **SEC. 1737. LIMITATION ON AWARD OF GRANTS TO SMALL BUSINESS DEVELOPMENT CENTERS.**

(a) **IN GENERAL.**—Section 21 of the Small Business Act (15 U.S.C. 648), as amended by this Act, is further amended—

(1) in subsection (a)(1), by striking “any women’s business center operating pursuant to section 29.”;

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

“(q) **LIMITATION ON AWARD OF GRANTS.**—Except for not-for-profit institutions of higher education, and notwithstanding any other provision of law, the Administrator may not award grants (including contracts and cooperative agreements) under this section to any entity other than those that received grants (including contracts and cooperative agreements) under this section prior to the date of the enactment of this subsection, and that seek to renew such grants (including contracts and cooperative agreements) after such date.”.

(b) **RULE OF CONSTRUCTION.**—The amendments made by this section may not be construed as prohibiting a women’s business center from receiving a subgrant from an entity receiving a grant under section 21 of the Small Business Act (15 U.S.C. 648).

#### **Subtitle E—Miscellaneous**

#### **SEC. 1741. MODIFICATION OF PAST PERFORMANCE PILOT PROGRAM TO INCLUDE CONSIDERATION OF PAST PERFORMANCE WITH ALLIES OF THE UNITED STATES.**

(a) **IN GENERAL.**—Section 8(d)(17) of the Small Business Act (15 U.S.C. 637(d)(17)) is amended—

(1) in subparagraph (G)—

(A) in clause (i), by inserting “and, set forth separately, the number of small business exporters,” after “small business concerns”; and

(B) in clause (ii), by inserting “, set forth separately by applications from small business concerns and from small business exporters,” after “applications”; and

(2) by amending subparagraph (H) to read as follows:

“(H) **DEFINITIONS.**—In this paragraph—

“(i) the term ‘appropriate official’ means—

“(I) a commercial market representative;

“(II) another individual designated by the senior official appointed by the Administrator with responsibilities under sections 8, 15, 31, and 36; or

“(III) the Office of Small and Disadvantaged Business Utilization of a Federal agency, if the head of the Federal agency and the Administrator agree;

“(ii) the term ‘defense item’ has the meaning given that term in section 38(j)(4)(A) of the Arms Export Control Act (22 U.S.C. 2778(j)(4)(A));

“(iii) the term ‘major non-NATO ally’ means a country designated as a major non-NATO ally under section 517 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321k);

“(iv) the term ‘past performance’ includes performance of a contract for a sale of defense items (under section 38 of the Arms Export Control Act (22 U.S.C. 2778)) to the government of a member nation of North Atlantic Treaty Organization, the government of a major non-NATO ally, or the government of a country with which the United States has a defense cooperation agreement (as certified by the Secretary of State); and

“(v) the term ‘small business exporter’ means a small business concern that exports defense items under section 38 of the Arms Export Control Act (22 U.S.C. 2778) to the government of a member nation of the North Atlantic Treaty Organization, the government of a major non-NATO ally, or the government of a country with which the United States has a defense cooperation agreement (as certified by the Secretary of State).”.

(b) **TECHNICAL AMENDMENT.**—Section 8(d)(17)(A) of the Small Business Act (15 U.S.C. 637(d)(17)(A)) is amended by striking “paragraph 13(A)” and inserting “paragraph 13(A)”.

#### **DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**

##### **SEC. 2001. SHORT TITLE.**

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2018”.

##### **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.**

(a) **EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.**—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII and title XXIX for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2020; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2021.

(b) **EXCEPTION.**—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2020; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2021 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

##### **SEC. 2003. EFFECTIVE DATE.**

Titles XXI through XXVII and title XXIX shall take effect on the later of—

- (1) October 1, 2017; or  
(2) the date of the enactment of this Act.

**TITLE XXI—ARMY MILITARY  
CONSTRUCTION**

**SEC. 2101. AUTHORIZED ARMY CONSTRUCTION  
AND LAND ACQUISITION PROJECTS.**

(a) *INSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and

available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

**Army: Inside the United States**

| State                | Installation                       | Amount       |
|----------------------|------------------------------------|--------------|
| Alabama .....        | Fort Rucker .....                  | \$38,000,000 |
| Arizona .....        | Davis-Monthan Air Force Base ..... | \$22,000,000 |
|                      | Fort Huachuca .....                | \$30,000,000 |
| California .....     | Fort Irwin .....                   | \$3,000,000  |
| Colorado .....       | Fort Carson .....                  | \$29,300,000 |
| Florida .....        | Eglin Air Force Base .....         | \$18,000,000 |
| Georgia .....        | Fort Benning .....                 | \$38,800,000 |
|                      | Fort Gordon .....                  | \$51,500,000 |
| Indiana .....        | Crane Army Ammunition Plant .....  | \$24,000,000 |
| New York .....       | U.S. Military Academy .....        | \$22,000,000 |
| South Carolina ..... | Fort Jackson .....                 | \$60,000,000 |
|                      | Shaw Air Force Base .....          | \$25,000,000 |
| Texas .....          | Camp Bullis .....                  | \$13,600,000 |
|                      | Fort Hood .....                    | \$70,000,000 |
| Virginia .....       | Joint Base Langley-Eustis .....    | \$34,000,000 |
|                      | Joint Base Myer-Henderson .....    | \$20,000,000 |
| Washington .....     | Joint Base Lewis-McChord .....     | \$66,000,000 |
|                      | Yakima .....                       | \$19,500,000 |

(b) *OUTSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military construction projects out-

side the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out the military construction project for the instal-

lations or locations outside the United States, and in the amount, set forth in the following table:

**Army: Outside the United States**

| Country       | Installation          | Amount       |
|---------------|-----------------------|--------------|
| Germany ..... | Stuttgart .....       | \$40,000,000 |
|               | Weisbaden .....       | \$43,000,000 |
| Korea .....   | Kunsan Air Base ..... | \$53,000,000 |

**SEC. 2102. FAMILY HOUSING.**

(a) *CONSTRUCTION AND ACQUISITION.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and

available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land ac-

quisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

**Army: Family Housing**

| State/Country       | Installation             | Units                                         | Amount       |
|---------------------|--------------------------|-----------------------------------------------|--------------|
| Georgia .....       | Fort Gordon .....        | Family Housing New Construction .....         | \$6,100,000  |
| Germany .....       | South Camp Vilseck ..... | Family Housing New Construction .....         | \$22,445,000 |
| Kwajalein .....     | Kwajalein Atoll .....    | Family Housing Replacement Construction ..... | \$31,000,000 |
| Massachusetts ..... | Natick .....             | Family Housing Replacement Construction ..... | \$21,000,000 |

(b) *PLANNING AND DESIGN.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$33,559,000.

**SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may improve existing military family housing units in an amount not to exceed \$34,156,000.

**SEC. 2104. AUTHORIZATION OF APPROPRIATIONS,  
ARMY.**

(a) *AUTHORIZATION OF APPROPRIATIONS.*—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2017, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) *LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.*—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

**SEC. 2105. MODIFICATION OF AUTHORITY TO  
CARRY OUT CERTAIN FISCAL YEAR  
2014 PROJECT.**

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 986) for Joint Base Lewis-McChord, Washington, for construction of an airfield operations complex, the Secretary of the Army may construct stand-by generator capacity of 1,000 kilowatts.

**SEC. 2106. MODIFICATION OF AUTHORITY TO  
CARRY OUT CERTAIN FISCAL YEAR  
2015 PROJECT.**

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3670) for Fort Shafter, Hawaii, for construction of a command and control facility, the Secretary of

the Army may construct 15 megawatts of redundant power generation for a total project amount of \$370,000,000.

**SEC. 2107. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2014 PROJECT.**

(a) *EXTENSION.*—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 985), the authorization set forth in the table in subsection (b), as provided in sec-

tion 2101 of that Act (127 Stat. 986), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) *TABLE.*—The table referred to in subsection (a) is as follows:

**Army: Extension of 2014 Project Authorization**

| State or Country | Installation or Location | Project                          | Amount       |
|------------------|--------------------------|----------------------------------|--------------|
| Japan .....      | Kyogamisaki .....        | Company Operations Complex ..... | \$33,000,000 |

**SEC. 2108. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2015 PROJECTS.**

(a) *EXTENSION.*—Notwithstanding section 2002 of the Military Construction Authorization Act

for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3669), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (128 Stat. 3670), shall remain in effect until October 1, 2018, or the

date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) *TABLE.*—The table referred to in subsection (a) is as follows:

**Army: Extension of 2015 Project Authorizations**

| State/Country    | Installation or Location           | Project                                   | Amount        |
|------------------|------------------------------------|-------------------------------------------|---------------|
| California ..... | Military Ocean Terminal Concord .. | Access Control Point .....                | \$9,900,000   |
| Hawaii .....     | Fort Shafter .....                 | Command and Control Facility (SCIF) ..... | \$370,000,000 |
| Japan .....      | Kadena Air Base .....              | Missile Magazine .....                    | \$10,600,000  |
| Texas .....      | Fort Hood .....                    | Simulation Center .....                   | \$46,000,000  |

**SEC. 2109. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2000, 2005, 2006, AND 2007 PROJECTS.**

(a) *PROJECT AUTHORIZATION.*—In connection with the authorizations contained in the tables in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 825), section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2101), section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3485), and section 2101(a) of

the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2445) for Fort Irwin, California, for Land Acquisition—National Training Center, Phases 1 through 4, the Secretary of the Army may carry out military construction projects to complete the land acquisitions within the initial scope of the projects.

(b) *CONGRESSIONAL NOTIFICATION.*—The Secretary of the Army shall provide information in accordance with section 2851(c) of title 10, United States Code, regarding the projects described in subsection (a).

**TITLE XXII—NAVY MILITARY CONSTRUCTION**

**SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) *INSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

**Navy: Inside the United States**

| State                      | Installation or Location                          | Amount        |
|----------------------------|---------------------------------------------------|---------------|
| Arizona .....              | Yuma .....                                        | \$36,358,000  |
| California .....           | Barstow .....                                     | \$36,539,000  |
|                            | Camp Pendleton .....                              | \$61,139,000  |
|                            | Lemoore .....                                     | \$60,828,000  |
|                            | Twentynine Palms .....                            | \$55,099,000  |
|                            | Miramar .....                                     | \$47,600,000  |
|                            | Coronado .....                                    | \$36,000,000  |
| District of Columbia ..... | NSA Washington .....                              | \$14,810,000  |
| Florida .....              | Mayport .....                                     | \$84,818,000  |
| Georgia .....              | Albany .....                                      | \$43,300,000  |
| Guam .....                 | Joint Region Marianas .....                       | \$284,679,000 |
| Hawaii .....               | Joint Base Pearl Harbor-Hickam .....              | \$73,200,000  |
|                            | Wahiawa .....                                     | \$65,864,000  |
| Maine .....                | Kittery .....                                     | \$61,692,000  |
| North Carolina .....       | Camp Lejeune .....                                | \$103,767,000 |
|                            | Cherry Point Marine Corps Air Station .....       | \$15,671,000  |
| Virginia .....             | Dam Neck .....                                    | \$29,262,000  |
|                            | Joint Expeditionary Base Little Creek-Story ..... | \$2,596,000   |
|                            | Portsmouth .....                                  | \$72,990,000  |
|                            | Yorktown .....                                    | \$36,358,000  |
| Washington .....           | Indian Island .....                               | \$44,440,000  |

(b) *OUTSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects out-

side the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installa-

tion or location outside the United States, and in the amounts, set forth in the following table:

*Navy: Outside the United States*

| Country      | Installation or Location | Amount       |
|--------------|--------------------------|--------------|
| Greece ..... | Souda Bay .....          | \$22,045,000 |
| Japan .....  | Iwakuni .....            | \$21,860,000 |

**SEC. 2202. FAMILY HOUSING.**

(a) **CONSTRUCTION AND ACQUISITION.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and

available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may construct or acquire family housing units (including land ac-

quisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

*Navy: Family Housing*

| Country               | Installation  | Units                                | Amount       |
|-----------------------|---------------|--------------------------------------|--------------|
| Bahrain Island .....  | SW Asia ..... | Construct On-Base GFOQ .....         | \$2,138,000  |
| Mariana Islands ..... | Guam .....    | Replace Andersen Housing PH II ..... | \$40,875,000 |

(b) **PLANNING AND DESIGN.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,418,000.

**SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family

housing units in an amount not to exceed \$36,251,000.

**SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2017, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) **LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.**—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

**SEC. 2205. EXTENSION OF AUTHORIZATIONS FOR CERTAIN FISCAL YEAR 2014 PROJECTS.**

(a) **EXTENSION.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 985), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (127 Stat. 989) and extended by section 2207 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2694), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) **TABLE.**—The table referred to in subsection (a) is as follows:

*Navy: Extension of 2014 Project Authorizations*

| State          | Installation or Location | Project                          | Amount       |
|----------------|--------------------------|----------------------------------|--------------|
| Illinois ..... | Great Lakes .....        | Unaccompanied Housing .....      | \$35,851,000 |
| Nevada .....   | Fallon .....             | Wastewater Treatment Plant ..... | \$11,334,000 |
| Virginia ..... | Quantico .....           | Fuller Road Improvements .....   | \$9,013,000  |

**SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2015 PROJECTS.**

(a) **EXTENSION.**—Notwithstanding section 2002 of the Military Construction Authorization Act

for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3669), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (128 Stat. 3675), shall remain in effect until October 1, 2018, or the

date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) **TABLE.**—The table referred to in subsection (a) is as follows:

*Navy: Extension of 2015 Project Authorizations*

| State/Country              | Installation or Location | Project                                             | Amount       |
|----------------------------|--------------------------|-----------------------------------------------------|--------------|
| District of Columbia ..... | NSA Washington .....     | Electronics Science and Technology Lab .....        | \$31,735,000 |
| Maryland .....             | Indian Head .....        | Advanced Energetics Research Lab Complex Ph 2 ..... | \$15,346,000 |

**TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION****SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the author-

ization of appropriations in section 2304(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installa-

tions or locations inside the United States, and in the amounts, set forth in the following table:

*Air Force: Inside the United States*

| State            | Installation or Location     | Amount        |
|------------------|------------------------------|---------------|
| Alaska .....     | Eielson Air Force Base ..... | \$168,900,000 |
| California ..... | Travis Air Force Base .....  | \$122,500,000 |
| Colorado .....   | Buckley Air Force Base ..... | \$38,000,000  |
|                  | Fort Carson .....            | \$13,000,000  |
|                  | U.S. Air Force Academy ..... | \$30,000,000  |

*Air Force: Inside the United States—Continued*

| <i>State</i>       | <i>Installation or Location</i>  | <i>Amount</i> |
|--------------------|----------------------------------|---------------|
| Florida .....      | Eglin Air Force Base .....       | \$90,700,000  |
|                    | MacDill Air Force Base .....     | \$8,100,000   |
|                    | Tyndall Air Force Base .....     | \$17,000,000  |
| Georgia .....      | Robins Air Force Base .....      | \$9,800,000   |
| Kansas .....       | McConnell Air Force Base .....   | \$17,500,000  |
| Maryland .....     | Joint Base Andrews .....         | \$271,500,000 |
| Nevada .....       | Nellis Air Force Base .....      | \$61,000,000  |
| New Mexico .....   | Cannon Air Force Base .....      | \$42,000,000  |
|                    | Holloman Air Force Base .....    | \$4,250,000   |
|                    | Kirtland Air Force Base .....    | \$9,300,000   |
| New Jersey .....   | McGuire-Dix-Lakehurst .....      | \$146,500,000 |
| North Dakota ..... | Minot Air Force Base .....       | \$27,000,000  |
| Oklahoma .....     | Altus Air Force Base .....       | \$4,900,000   |
| Texas .....        | Joint Base San Antonio .....     | \$156,630,000 |
| Utah .....         | Hill Air Force Base .....        | \$28,000,000  |
| Wyoming .....      | F.E. Warren Air Force Base ..... | \$62,000,000  |

(b) *OUTSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects out-

side the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installa-

tion or location outside the United States, and in the amount, set forth in the following table:

*Air Force: Outside the United States*

| <i>Country</i>       | <i>Installation or Location</i> | <i>Amount</i> |
|----------------------|---------------------------------|---------------|
| Australia .....      | Darwin .....                    | \$76,000,000  |
| United Kingdom ..... | RAF Fairford .....              | \$45,650,000  |
|                      | RAF Lakenheath .....            | \$136,992,000 |

**SEC. 2302. FAMILY HOUSING.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,445,000.

**SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed \$80,617,000.

**SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.**

(a) *AUTHORIZATION OF APPROPRIATIONS.*—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2017, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) *LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.*—Notwithstanding the cost variations authorized by section 2853 of title 10,

United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

**SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2017 PROJECTS.**

(a) *HANSCOM AIR FORCE BASE.*—In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2696) for Hanscom Air Force Base, Massachusetts, for construction of a gate complex at the installation, the Secretary of the Air Force may construct a visitor control center of 187 square meters, a traffic check house of 294 square meters, and an emergency power generator system and transfer switch consistent with the Air Force's construction guidelines.

(b) *MARIANA ISLANDS.*—In the case of the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2697) for acquiring 142 hectares of land at an unspecified location in the Mariana Islands, the Secretary of the Air Force may acquire 142 hectares of land on Tinian in the Northern Mariana Islands for a cost of \$21,900,000.

(c) *CHABELLEY AIRFIELD.*—In the case of the authorization contained in the table in section

2902 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2743) for Chabelley Airfield, Djibouti, for construction of a parking apron and taxiway at that location, the Secretary of the Air Force may construct 20,490 square meters of taxiway and apron, 8,230 square meters of paved shoulders, 10,650 square meters of hangar pads, and 3,900 square meters of cargo apron.

(d) *SCOTT AIR FORCE BASE.*—The table in section 4601 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2877) is amended in the item relating to Scott Air Force Base, Illinois, by striking “Consolidated Corrosion Facility add/alter.” in the project title column and inserting “Consolidated Communication Facility add/alter.”

**SEC. 2306. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2015 PROJECTS.**

(a) *EXTENSION.*—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3669), the authorizations set forth in the table in subsection (b), as provided in section 2301 of that Act (128 Stat. 3679), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) *TABLE.*—The table referred to in subsection (a) is as follows:

*Air Force: Extension of 2015 Project Authorization*

| <i>State</i>   | <i>Installation</i>           | <i>Project</i>                           | <i>Amount</i> |
|----------------|-------------------------------|------------------------------------------|---------------|
| Alaska .....   | Clear Air Force Station ..... | Emergency Power Plant Fuel Storage ..... | \$11,500,000  |
| Oklahoma ..... | Tinker Air Force Base .....   | KC-46 Two-Bay Maintenance Hangar .....   | \$63,000,000  |

**TITLE XXIV—DEFENSE AGENCIES  
MILITARY CONSTRUCTION**

**SEC. 2401. AUTHORIZED DEFENSE AGENCIES  
CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) *INSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the author-

ization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installa-

tions or locations inside the United States, and in the amounts, set forth in the following table:

**Defense Agencies: Inside the United States**

| State                       | Installation or Location                          | Amount        |
|-----------------------------|---------------------------------------------------|---------------|
| California .....            | Camp Pendleton .....                              | \$43,642,000  |
|                             | Coronado .....                                    | \$258,735,000 |
| Colorado .....              | Schriever Air Force Base .....                    | \$10,200,000  |
| Florida .....               | Eglin Air Force Base .....                        | \$9,100,000   |
|                             | Hurlburt Field .....                              | \$46,400,000  |
| Georgia .....               | Fort Gordon .....                                 | \$10,350,000  |
| Guam .....                  | Andersen Air Force Base .....                     | \$23,900,000  |
| Hawaii .....                | Kunia .....                                       | \$5,000,000   |
| Missouri .....              | Fort Leonard Wood .....                           | \$381,300,000 |
|                             | St. Louis .....                                   | \$812,000,000 |
| New Mexico .....            | Cannon Air Force Base .....                       | \$8,228,000   |
| North Carolina .....        | Camp Lejeune .....                                | \$90,039,000  |
|                             | Fort Bragg .....                                  | \$57,778,000  |
|                             | Seymour Johnson Air Force Base .....              | \$20,000,000  |
| South Carolina .....        | Shaw Air Force Base .....                         | \$22,900,000  |
| Utah .....                  | Hill Air Force Base .....                         | \$20,000,000  |
| Virginia .....              | Joint Expeditionary Base Little Creek-Story ..... | \$23,000,000  |
|                             | Norfolk .....                                     | \$18,500,000  |
|                             | Pentagon .....                                    | \$50,100,000  |
|                             | Portsmouth .....                                  | \$22,500,000  |
| Worldwide Unspecified ..... | Unspecified Worldwide Locations .....             | \$64,364,000  |

(b) *OUTSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects out-

side the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installa-

tions or locations outside the United States, and in the amounts, set forth in the following table:

**Defense Agencies: Outside the United States**

| Country              | Installation or Location   | Amount       |
|----------------------|----------------------------|--------------|
| Germany .....        | Spangdahlem Air Base ..... | \$79,141,000 |
|                      | Stuttgart .....            | \$46,609,000 |
| Greece .....         | Souda Bay .....            | \$18,100,000 |
| Italy .....          | Vicenza .....              | \$62,406,000 |
| Japan .....          | Iwakuni .....              | \$30,800,000 |
|                      | Kadena Air Base .....      | \$27,573,000 |
|                      | Okinawa .....              | \$11,900,000 |
|                      | Sasebo .....               | \$45,600,000 |
|                      | Torii Commo Station .....  | \$25,323,000 |
| Puerto Rico .....    | Punta Borinquen .....      | \$61,071,000 |
| United Kingdom ..... | Menwith Hill Station ..... | \$11,000,000 |

**SEC. 2402. AUTHORIZED ENERGY RESILIENCY  
AND CONSERVATION PROJECTS.**

(a) *INSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and

available for energy resiliency and conservation projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy resiliency and

conservation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and the amounts set forth in the table:

**Energy Resiliency and Conservation Projects: Inside the United States**

| State                | Installation or Location            | Amount       |
|----------------------|-------------------------------------|--------------|
| Colorado .....       | Schriever Air Force Base .....      | \$15,260,000 |
| Guam .....           | Andersen Air Force Base .....       | \$5,880,000  |
|                      | NAVBASE Guam .....                  | \$6,920,000  |
| Hawaii .....         | MCBH Kaneohe Bay .....              | \$6,185,000  |
| Illinois .....       | MTC Marseilles .....                | \$3,000,000  |
| Maryland .....       | NSA South Potomac-Indian Head ..... | \$10,790,000 |
| Missouri .....       | Fort Leonard Wood .....             | \$5,300,000  |
| Montana .....        | Malmstrom AFB .....                 | \$6,086,000  |
| North Carolina ..... | Fort Bragg .....                    | \$3,000,000  |
|                      | Lejeune/New River .....             | \$9,750,000  |
| Utah .....           | Tooele Army Depot .....             | \$6,400,000  |
|                      | Dugway Proving Ground .....         | \$8,700,000  |



**Energy Resiliency and Conservation Projects: Inside the United States—Continued**

| State                   | Installation or Location  | Amount       |
|-------------------------|---------------------------|--------------|
| Wyoming .....           | Hill Air Force Base ..... | \$8,467,000  |
| Various Locations ..... | F.E. Warren .....         | \$4,500,000  |
|                         | Various Locations .....   | \$12,232,000 |

(b) **OUTSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy resiliency and conservation

projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy resiliency and conservation projects under chapter 173 of title

10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

**Energy Resiliency and Conservation Projects: Outside the United States**

| Country        | Installation or Location | Amount       |
|----------------|--------------------------|--------------|
| Honduras ..... | Soto Cano Air Base ..... | \$12,600,000 |
| Italy .....    | NSA Naples .....         | \$2,700,000  |
| Japan .....    | CFA Yokosuka .....       | \$8,530,000  |
| Korea .....    | Osan Air Base .....      | \$13,700,000 |

**SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2017, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) **LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.**—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized

to be appropriated under subsection (a), as specified in the funding table in section 4601.

**SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2017 PROJECT.**

In the case of the authorization in the table in section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2700) for Kaiserslautern, Germany, for construction of the Sembach Elementary/Middle School Replacement, the Secretary of Defense may construct an elementary school.

**SEC. 2405. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2014 PROJECTS.**

(a) **EXTENSION.**—Notwithstanding section 2002 of the Military Construction Authorization Act

for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 985), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (127 Stat. 995) and extended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2702), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) **TABLE.**—The table referred to in subsection (a) is as follows:

**Defense Agencies: Extension of 2014 Project Authorizations**

| State/Country        | Installation or Location         | Project                                         | Amount       |
|----------------------|----------------------------------|-------------------------------------------------|--------------|
| United Kingdom ..... | Royal Air Force Lakenheath ..... | Lakenheath Middle/High School Replacement ..... | \$69,638,000 |
| Virginia .....       | Marine Corps Base Quantico ..... | Quantico Middle/High School Replacement .....   | \$40,586,000 |
|                      | Pentagon .....                   | PFPA Support Operations Center .....            | \$14,800,000 |

**SEC. 2406. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2015 PROJECTS.**

(a) **EXTENSION.**—Notwithstanding section 2002 of the Military Construction Authorization Act

for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3669), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (128 Stat. 3681), shall remain in effect until October 1, 2018, or the

date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) **TABLE.**—The table referred to in subsection (a) is as follows:

**Defense Agencies: Extension of 2015 Project Authorizations**

| State/Country     | Installation or Location                  | Project                                                   | Amount       |
|-------------------|-------------------------------------------|-----------------------------------------------------------|--------------|
| Australia .....   | Geraldton .....                           | Combined Communications Gateway Geraldton .....           | \$9,600,000  |
| Belgium .....     | Brussels .....                            | Brussels Elementary/High School Replacement .....         | \$41,626,000 |
| Japan .....       | Okinawa .....                             | Kubasaki High School Replacement/Renovation .....         | \$99,420,000 |
|                   | Commander Fleet Activities Sasebo .....   | E.J. King High School Replacement/Renovation .....        | \$37,681,000 |
| Mississippi ..... | Stennis .....                             | SOF Land Acquisition Western Maneuver Area .....          | \$17,224,000 |
| New Mexico .....  | Cannon Air Force Base .....               | SOF Squadron Operations Facility (STS) .....              | \$23,333,000 |
| Virginia .....    | Defense Distribution Depot Richmond ..... | Replace Access Control Point .....                        | \$5,700,000  |
|                   | Joint Base Langley-Eustis .....           | Hospital Addition/Central Utility Plant Replacement ..... | \$41,200,000 |
|                   | Pentagon .....                            | Redundant Chilled Water Loop .....                        | \$15,100,000 |

**TITLE XXV—INTERNATIONAL PROGRAMS****Subtitle A—North Atlantic Treaty Organization Security Investment Program****SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an

amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

**SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2017, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment

Program authorized by section 2501 as specified in the funding table in section 4601.

**Subtitle B—Host Country In-Kind Contributions**

**SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS.**

Pursuant to agreement with the Republic of Korea for required in-kind contributions, the

**Republic of Korea Funded Construction Projects**

| Country     | Component       | Installation or Location | Project                                                 | Amount       |
|-------------|-----------------|--------------------------|---------------------------------------------------------|--------------|
| Korea ..... | Army .....      | Camp Humphreys .....     | Unaccompanied Enlisted Personnel Housing, Phase 1 ..... | \$76,000,000 |
|             | Army .....      | Camp Humphreys .....     | Type I Aircraft Parking Apron .....                     | \$10,000,000 |
|             | Air Force ..... | Kunsan Air Base .....    | Construct Airfield Damage Repair Warehouse .....        | \$6,500,000  |
|             | Air Force ..... | Osan Air Base .....      | Main Gate Entry Control Facilities .....                | \$13,000,000 |

**SEC. 2512. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2017 PROJECTS.**

(a) **CAMP HUMPHREYS.**—In the case of the authorization contained in the table in section 2511 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2704) for Camp Humphreys, Republic of Korea, for construction of the 8th Army Correctional Facility, the Secretary of Defense may construct a level 1 correctional facility of 26,000 square feet and a utility and tool storage building of 400 square feet.

(b) **K-16 AIR BASE.**—In the case of the authorization contained in the table in section 2511 of the Military Construction Authorization Act for

Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2704) for the K-16 Air Base, Republic of Korea, for renovation of the Special Operations Forces (SOF) Operations Facility, B-606, the Secretary of Defense may renovate an operations administration area of 5,500 square meters.

**TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES**

**Subtitle A—Project Authorizations and Authorizations of Appropriations**

**SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2606

and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

**Army National Guard**

| State            | Location                    | Amount       |
|------------------|-----------------------------|--------------|
| Delaware .....   | New Castle .....            | \$36,000,000 |
| Idaho .....      | Orchard Training Area ..... | \$22,000,000 |
|                  | MTC Gowen .....             | \$9,000,000  |
|                  | Presque Isle .....          | \$17,500,000 |
| Maryland .....   | Sykesville .....            | \$19,000,000 |
| Minnesota .....  | Arden Hills .....           | \$39,000,000 |
| Missouri .....   | Springfield .....           | \$32,000,000 |
| New Mexico ..... | Las Cruces .....            | \$8,600,000  |
| Virginia .....   | Fort Pickett .....          | \$4,550,000  |
|                  | Fort Belvoir .....          | \$15,000,000 |
| Washington ..... | Tumwater .....              | \$31,000,000 |

**SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2606

and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction

projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

**Army Reserve**

| State             | Location            | Amount       |
|-------------------|---------------------|--------------|
| California .....  | Fallbrook .....     | \$36,000,000 |
| Washington .....  | Lewis-McChord ..... | \$30,000,000 |
| Wisconsin .....   | Fort McCoy .....    | \$13,000,000 |
| Puerto Rico ..... | Fort Buchanan ..... | \$26,000,000 |
|                   | Aguadilla .....     | \$12,400,000 |

**SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2606

and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps

Reserve locations inside the United States, and in the amounts, set forth in the following table:

**Navy Reserve and Marine Corps Reserve**

| State            | Location          | Amount       |
|------------------|-------------------|--------------|
| California ..... | Lemoore .....     | \$17,330,000 |
| Georgia .....    | Fort Gordon ..... | \$17,797,000 |

*Navy Reserve and Marine Corps Reserve—Continued*

| <i>State</i>     | <i>Location</i>                        | <i>Amount</i> |
|------------------|----------------------------------------|---------------|
| New Jersey ..... | Joint Base McGuire-Dix-Lakehurst ..... | \$11,573,000  |
| Texas .....      | Fort Worth .....                       | \$12,637,000  |

**SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2606

and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construc-

tion projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

*Air National Guard*

| <i>State</i>       | <i>Location</i>                                | <i>Amount</i> |
|--------------------|------------------------------------------------|---------------|
| California .....   | March Air Force Base .....                     | \$15,000,000  |
| Colorado .....     | Peterson Air Force Base .....                  | \$8,000,000   |
| Connecticut .....  | Bradley IAP .....                              | \$7,000,000   |
| Indiana .....      | Fort Wayne International Airport .....         | \$1,900,000   |
| .....              | Hulman Regional Airport .....                  | \$8,000,000   |
| Kentucky .....     | Louisville IAP .....                           | \$9,000,000   |
| Mississippi .....  | Jackson International Airport .....            | \$8,000,000   |
| Missouri .....     | Rosecrans Memorial Airport .....               | \$10,000,000  |
| New York .....     | Hancock Field .....                            | \$6,800,000   |
| Ohio .....         | Toledo Express Airport .....                   | \$15,000,000  |
| .....              | Rickenbacker International Airport .....       | \$8,000,000   |
| Oklahoma .....     | Tulsa International Airport .....              | \$8,000,000   |
| Oregon .....       | Klamath Falls IAP .....                        | \$18,500,000  |
| South Dakota ..... | Joe Foss Field .....                           | \$12,000,000  |
| Tennessee .....    | McGhee-Tyson Airport .....                     | \$25,000,000  |
| Wisconsin .....    | Dane County Regional/Airport Truax Field ..... | \$8,000,000   |

**SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2606

and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construc-

tion projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

*Air Force Reserve*

| <i>State</i>         | <i>Location</i>                      | <i>Amount</i> |
|----------------------|--------------------------------------|---------------|
| Florida .....        | Patrick Air Force Base .....         | \$25,000,000  |
| Georgia .....        | Robins Air Force Base .....          | \$32,000,000  |
| Guam .....           | Joint Region Marianas .....          | \$5,200,000   |
| Hawaii .....         | Joint Base Pearl Harbor-Hickam ..... | \$5,500,000   |
| Massachusetts .....  | Westover ARB .....                   | \$10,000,000  |
| Minnesota .....      | Minneapolis-St Paul IAP .....        | \$9,000,000   |
| North Carolina ..... | Seymour Johnson Air Force Base ..... | \$6,400,000   |
| Texas .....          | NAS JRB Fort Worth .....             | \$3,100,000   |
| Utah .....           | Hill Air Force Base .....            | \$3,100,000   |

**SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2017, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

**Subtitle B—Other Matters****SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECT.**

In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3688) for Starkville, Mississippi, for construction of an Army Reserve Center at that location, the Secretary of the Army may acquire approximately fifteen acres (653,400 square feet) of land.

**SEC. 2612. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2014 PROJECTS.**

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 985), the authorizations set forth in the table in subsection (b), as provided in sections 2602, 2604, and 2605 of that Act (127 Stat. 1001, 1002), shall remain in effect until October 1, 2018 or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

*National Guard and Reserve: Extension of 2014 Project Authorizations*

| <i>State</i>   | <i>Installation or Location</i> | <i>Project</i>                                | <i>Amount</i> |
|----------------|---------------------------------|-----------------------------------------------|---------------|
| Florida .....  | Homestead ARB .....             | Entry Control Complex .....                   | \$9,800,000   |
| Maryland ..... | Fort Meade .....                | 175th Network Warfare Squadron Facility ..... | \$4,000,000   |
| New York ..... | Bullville .....                 | Army Reserve Center .....                     | \$14,500,000  |

**SEC. 2613. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2015 PROJECTS.**

(a) **EXTENSION.**—Notwithstanding section 2002 of the Military Construction Act for Fiscal Year

2015 (division B of Public Law 113–291; 128 Stat. 3669), the authorizations set forth in the table in subsection (b), as provided in sections 2602 and 2604 of that Act (128 Stat. 3688, 3689), shall remain in effect until October 1, 2018 or the date

of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) **TABLE.**—The table referred to in subsection (a) is as follows:

**National Guard and Reserve: Extension of 2015 Project Authorizations**

| State               | Location         | Project                                                  | Amount      |
|---------------------|------------------|----------------------------------------------------------|-------------|
| Mississippi .....   | Starkville ..... | Army Reserve Center .....                                | \$9,300,000 |
| New Hampshire ..... | Pease .....      | KC-46A ADAL Airfield Pavements and Hydrant Systems ..... | \$7,100,000 |

**TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES****SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2017, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2140)), as specified in the funding table in section 4601.

**SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.**

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

**TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS****Subtitle A—Military Construction Program and Military Family Housing****SEC. 2801. ELIMINATION OF WRITTEN NOTICE REQUIREMENT FOR MILITARY CONSTRUCTION ACTIVITIES AND RELIANCE ON ELECTRONIC SUBMISSION OF NOTIFICATIONS AND REPORTS.**

(a) **MILITARY CONSTRUCTION AUTHORITIES.**—Subchapter I of chapter 169 of title 10, United States Code, is amended as follows:

(1) Section 2803(b) is amended—

(A) by striking “in writing”;

(B) by striking “seven-day period” and inserting “five-day period”; and

(C) by striking “or, if earlier, the end of the seven-day period beginning on the date on which a copy of the notification is provided”.

(2) Section 2804(b) is amended—

(A) by striking “in writing”;

(B) by striking “14-day period” and inserting “seven-day period; and”

(C) by striking “or, if earlier, the end of the seven-day period beginning on the date on which a copy of the notification is provided”.

(3) Section 2805 is amended—

(A) in subsection (b)(2)—

(i) by striking “in writing”;

(ii) by striking “21-day period” and inserting “14-day period”; and

(iii) by striking “or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided”;

(B) in subsection (d)(3)—

(i) by striking “in writing”;

(ii) by striking “21-day period” and inserting “14-day period”; and

(iii) by striking “or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided”.

(4) Section 2806(c) is amended—

(A) in paragraph (1), by inserting “of Defense” after “The Secretary”; and

(B) by striking “(A)” and all that follows through the end of the paragraph and inserting the following: “, only after the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress notice of the increase, including the reasons for the increase and the source of the funds to be used for the increase.”.

(5) Section 2807 is amended—

(A) in subsection (b)—

(i) by striking “21-day period” and inserting “14-day period”; and

(ii) by striking “or, if earlier, the end of the 14-day period beginning on the date on which a copy of the report is provided”;

(B) in subsection (c), by striking “(1)” and all that follows through the end of the subsection and inserting the following: “only after the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress notice of the need for the increase, including the source of funds to be used for the increase.”.

(6) Section 2808(b) is amended by inserting after “notify” the following: “, in an electronic medium pursuant to section 480 of this title.”.

(7) Section 2809 is amended by striking subsection (f) and inserting the following new subsection:

“(f) **NOTICE AND WAIT REQUIREMENTS.**—The Secretary concerned may enter into a contract under this section only after the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress a justification of the need for the facility covered by the proposed contract, including an economic analysis (based upon accepted life cycle costing procedures) which demonstrates that the proposed contract is cost effective when compared with alternative means of furnishing the same facility.”.

(8) Section 2811(d) is amended by inserting after “submit” the following: “, in an electronic medium pursuant to section 480 of this title.”.

(9) Section 2812(c) is amended by striking paragraph (1) and inserting the following new paragraph:

“(1) The Secretary concerned may enter into a lease under this section only after the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress a justification of the need for the facility covered by the proposed lease, including an economic analysis (based upon accepted life-cycle costing procedures) that demonstrates the cost effectiveness of the proposed lease compared with a military construction project for the same facility.”.

(10) Section 2813(c) is amended—

(A) by striking “transmits to the appropriate committees of Congress a written notification” and inserting “notifies the appropriate committees of Congress”;

(B) by striking “21-day period” and inserting “14-day period”; and

(C) by striking “or, if earlier, the end of the 14-day period beginning on the date on which a copy of the report is provided”.

(11) Section 2814 is amended—

(A) in subsection (a); and

(B) by striking subsection (g) and inserting the following new subsection:

“(g) **NOTICE AND WAIT REQUIREMENTS.**—The Secretary of the Navy may carry out a transaction authorized by this section only after the end of the 20-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress notice of the transaction, including a detailed description of the transaction and a justification for the transaction specifying the manner in which the transaction will meet the purposes of this section.”.

(b) **MILITARY FAMILY HOUSING ACTIVITIES.**—Subchapter II of chapter 169 of title 10, United States Code, is amended as follows:

(1) Section 2825(b) is amended—

(A) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively;

(B) in paragraph (5), as redesignated—

(i) by striking “the first sentence of”; and

(ii) by striking “in that sentence” and inserting “in that paragraph”; and

(C) in paragraph (1)—

(i) in the second sentence, by striking “The Secretary concerned may waive the limitations contained in the preceding sentence” and inserting the following:

“(2) The Secretary concerned may waive the limitations contained in paragraph (1)”;

(ii) in the third sentence, by striking “the Secretary transmits” and all that follows through the end of the sentence and inserting the following: “the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress notice of the proposed waiver, together with an economic analysis demonstrating that the improvement will be cost effective.”.

(2) Section 2827 is amended—

(A) in subsection (a), by inserting “RELOCATION AUTHORITY.—” after “(a)”;

(B) by striking subsection (b) and inserting the following new subsection:

“(b) **NOTICE AND WAIT REQUIREMENTS.**—A contract to carry out a relocation of military family housing units under subsection (a) may be awarded only after the end of the 14-day period beginning on the date on which the Secretary concerned submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress notice of the proposed new locations of the housing units to be relocated and the estimated cost of and source of funds for the relocation.”.

(3) Section 2828(f) is amended by striking “may not be made” and all that follows through the end of the subsection and inserting “may be made under this section only after the end of the 14-day period beginning on the date on which the Secretary concerned submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress notice of the facts concerning the proposed lease.”.

(4) Section 2831(f) is amended by striking “until—” and all that follows through the end of the subsection and inserting the following: “until after the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress a justification of the need for the maintenance or repair project, including an estimate of the cost of the project.”.

(5) Section 2835 is amended by striking subsection (g) and inserting the following new subsection:

“(g) NOTICE AND WAIT REQUIREMENTS.—A contract may be entered into for the lease of housing facilities under this section only after the end of the 14-day period beginning on the date on which the Secretary of Defense, or the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress an economic analysis (based upon accepted life cycle costing procedures) which demonstrates that the proposed contract is cost-effective when compared with alternative means of furnishing the same housing facilities.”.

(6) Section 2835a(c) is amended by striking “until—” and all that follows through the end of the subsection and inserting the following: “until after the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress a notice of the intent to undertake the conversion.”.

(c) ADMINISTRATIVE PROVISIONS.—Subchapter III of chapter 169 of title 10, United States Code, is amended as follows:

(1) Section 2853(c) is amended—

(A) by striking “in writing” both places it appears;

(B) in paragraph (1)(B)—

(i) by striking “period of 21 days” and inserting “14-day period”; and

(ii) by striking “or, if over sooner, a period of 14 days has elapsed after the date on which a copy of the notification is provided”; and

(C) in paragraph (2), by inserting after “notifies” the following: “, using an electronic medium pursuant to section 480 of this title,”.

(2) Section 2854(b) is amended—

(A) by striking “in writing”;

(B) by striking “21-day period” and inserting “14-day period”; and

(C) by striking “or, if earlier, the end of the seven-day period beginning on the date on which a copy of the notification is provided”.

(3) Section 2854a is amended by striking subsection (c) and inserting the following new subsection:

“(c) NOTICE AND WAIT REQUIREMENTS.—(1) The Secretary concerned may enter into an agreement to convey a family housing facility under this section only after the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress a notice containing a justification for the conveyance under the agreement.

“(2) A notice under paragraph (1) shall include—

“(A) an estimate of the consideration to be provided the United States under the agreement;

“(B) an estimate of the cost of repairing the family housing facility to be conveyed; and

“(C) an estimate of the cost of replacing the family housing facility to be conveyed.”.

(4) Section 2861(c) is amended—

(A) by striking “in writing”;

(B) by striking “21-day period” and inserting “14-day period”; and

(C) by striking “or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided”.

(5) Section 2866(c)(2) is amended—

(A) by striking “21-day period” and inserting “14-day period”; and

(B) by striking “or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided”.

(6) Section 2869(d)(3) is amended—

(A) in the first sentence, by striking “after a period of 21 days” and all that follows through the end of the sentence and inserting the following: “after the end of the 14-day period beginning on the date of the submission of the notice in an electronic medium pursuant to section 480 of this title.”; and

(B) in the second sentence, by striking “only after” and all that follows through the end of the sentence and inserting the following: “only after the end of the 45-day period beginning on the date of the submission of the notice in an electronic medium pursuant to section 480 of this title.”

(d) ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING.—Subchapter IV of chapter 169 of title 10, United States Code, is amended as follows:

(1) Section 2881a(d)(2) is amended by inserting after “Congress” the following: “in an electronic medium pursuant to section 480 of this title”.

(2) Section 2883(f) is amended—

(A) by striking “30-day period” and inserting “14-day period”;

(B) by striking “written”; and

(C) by striking “or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notice and justification is provided”.

(3) Section 2884(a) is amended by striking paragraph (4) and inserting the following new paragraph:

“(4) The report shall be submitted in an electronic medium pursuant to section 480 of this title not later than 21 days before the date on which the Secretary issues the contract solicitation or offers the conveyance or lease.”.

(4) Section 2885 is amended—

(A) in subsection (a)(4)(B)—

(i) by inserting after “notify” the following: “, in an electronic medium pursuant to section 480 of this title,”; and

(ii) by striking “, and shall provide” and inserting “and include”; and

(B) in subsection (d), by inserting after “submit” the following: “, in an electronic medium pursuant to section 480 of this title,”.

(e) ENERGY SECURITY ACTIVITIES.—Chapter 173 of title 10, United States Code, is amended as follows:

(1) Section 2914(b)(1) is amended—

(A) by striking “in writing”;

(B) by striking “21-day period” and inserting “14-day period”; and

(C) by striking “or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided”.

(2) Section 2916(c) is amended—

(A) by striking “in writing”;

(B) by striking “21-day period” and inserting “14-day period”; and

(C) by striking “or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided”.

(f) MILITARY CONSTRUCTION CARRIED OUT USING BURDEN SHARING CONTRIBUTIONS.—Section 2350j(e)(2) of title 10, United States Code, is amended—

(1) by striking “21-day period” and inserting “14-day period”; and

(2) by striking “or, if earlier, the end of the 14-day period beginning on the date on which a copy of the report is provided”.

(g) ACQUISITION OF FACILITIES FOR RESERVE COMPONENTS BY EXCHANGE.—Section 18240(f)(2) of title 10, United States Code, is amended—

(1) by striking “30-day period” and inserting “21-day period”; and

(2) by striking “or, if earlier, the end of the 21-day period beginning on the date on which a copy of the report is provided”.

#### SEC. 2802. MODIFICATION OF THRESHOLDS APPLICABLE TO UNSPECIFIED MINOR CONSTRUCTION PROJECTS.

(a) INCREASE IN THRESHOLD; UNIFORM THRESHOLD FOR ALL PROJECTS.—Section 2805(a)(2) of title 10, United States Code, is amended—

(1) in the first sentence, by striking “\$3,000,000” and inserting “\$6,000,000”; and

(2) by striking the second sentence.

(b) NOTICE REQUIREMENTS.—Section 2805(b)(1) of such title is amended by striking “\$1,000,000” and inserting “\$750,000”.

(c) USE OF OPERATION AND MAINTENANCE FUNDS.—Section 2805(c) of such title is amended by striking “\$1,000,000” and inserting “\$2,000,000”.

#### SEC. 2803. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.

(a) EXTENSION OF AUTHORITY.—Subsection (h) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108-136; 117 Stat. 1723), as most recently amended by section 2804 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2713), is amended—

(1) in paragraph (1), by striking “December 31, 2017” and inserting “December 31, 2018”; and

(2) in paragraph (2), by striking “fiscal year 2018” and inserting “fiscal year 2019”.

(b) LIMITATION ON USE OF AUTHORITY.—Subsection (c)(1) of such section is amended—

(1) by striking “October 1, 2016” and inserting “October 1, 2017”; and

(2) by striking “December 31, 2017” and inserting “December 31, 2018”; and

(3) by striking “fiscal year 2018” and inserting “fiscal year 2019”.

#### SEC. 2804. USE OF OPERATION AND MAINTENANCE FUNDS FOR MILITARY CONSTRUCTION PROJECTS TO REPLACE FACILITIES DAMAGED OR DESTROYED BY NATURAL DISASTERS OR TERRORISM INCIDENTS.

(a) AUTHORIZING USE OF FUNDS.—Section 2854 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(c)(1) In using the authority described in subsection (a) to carry out a military construction project to replace a facility, including a family housing facility, that has been damaged or destroyed, the Secretary concerned may use appropriations available for operation and maintenance if—

“(A) the damage or destruction to the facility was the result of a natural disaster or a terrorism incident; and

“(B) the Secretary submits a notification to the appropriate committees of Congress of the decision to carry out the replacement project, and includes in the notification—

“(i) the current estimate of the cost of the replacement project;

“(ii) the source of funds for the replacement project;

“(iii) in the case of damage to a facility rather than destruction, a certification that the replacement project is more cost-effective than repair or restoration; and

“(iv) a certification that deferral of the replacement project for inclusion in the next Military Construction Authorization Act would be inconsistent with national security or the protection of health, safety, or environmental quality, as the case may be.

“(2) A replacement project under this subsection may be carried out only after the end of the 7-day period beginning on the date on which a copy of the notification described in paragraph (1) is provided in an electronic medium pursuant to section 480 of this title.

“(3) The maximum aggregate amount that the Secretary concerned may obligate from appropriations available for operation and maintenance in any fiscal year for replacement projects under the authority of this subsection is \$50,000,000.”.

(b) CONFORMING AMENDMENT.—Subsection (b) of section 2854 of such title, as amended by section 2801(c)(2), is amended by striking “under this section” and inserting “under subsection (a)”.

#### **Subtitle B—Real Property and Facilities Administration**

#### **SEC. 2811. ELIMINATION OF WRITTEN NOTICE REQUIREMENT FOR MILITARY REAL PROPERTY TRANSACTIONS AND RELIANCE ON ELECTRONIC SUBMISSION OF NOTIFICATIONS AND REPORTS.**

(a) GENERAL REAL PROPERTY TRANSACTION REPORT.—Section 2662(a) of title 10, United States Code, is amended by striking paragraph (3) and inserting a new paragraph:

“(3) The authority of the Secretary concerned to enter into a transaction described in paragraph (1) commences only after the end of the 14-day period beginning on the first day of the first month beginning on or after the date on which the report containing the facts concerning such transaction, and all other such proposed transactions for that month, is provided in an electronic medium pursuant to section 480 of this title.”.

(b) ACQUISITION OF INTERESTS IN LAND WHEN NEED IS URGENT.—Section 2663(d)(2) of title 10, United States Code, is amended—

(1) by inserting after “submit” the following: “, in an electronic medium pursuant to section 480 of this title.”; and

(2) by striking “written notice” and inserting “a notice”.

(c) ACQUISITION OF LAND BY CONDEMNATION FOR CERTAIN MILITARY PURPOSES.—Section 2663(f)(2) of title 10, United States Code, is amended by striking “or, if over sooner, the end of the 14-day period beginning on the date on which a copy of the report is provided”.

(d) EXCEPTIONS TO LIMITATIONS ON LAND ACQUISITION REDUCTION IN SCOPE OR INCREASE IN COST.—Section 2664(d) of title 10, United States Code, is amended—

(1) by striking “written”;

(2) by striking “a period of 21 days elapses from” and inserting “the end of the 14-day period beginning on”;

(3) by striking “or, if over sooner, a period of 14 days elapses from the date on which a copy of that notification is provided”.

(e) LEASES OF NON-EXCESS DEFENSE PROPERTY.—Section 2667(d)(3) of title 10, United States Code, is amended by striking “provide to the congressional defense committees written notice” and inserting “submit, in an electronic medium pursuant to section 480 of this title, to the congressional defense committees a notice”.

(f) MAINTENANCE AND REPAIR AND JURISDICTION OVER FACILITIES FOR DEFENSE AGENCIES.—Section 2682(c)(2) of title 10, United States Code, is amended by striking “to the appropriate congressional committees written notification” and inserting “, in an electronic medium pursuant to section 480 of this title, to the appropriate congressional committees a notice”.

(g) AGREEMENTS TO LIMIT ENCROACHMENTS AND OTHER CONSTRAINTS ON MILITARY TRAINING, TESTING, AND OPERATIONS.—Section 2684a(d)(4)(D) of title 10, United States Code, is amended—

(1) in clause (i), by striking “provides written notice” and inserting “submits, in an electronic medium pursuant to section 480 of this title, a notice”; and

(2) in clause (ii), by striking “14 days” and all that follows through the end of the clause and inserting the following: “10 days after the date on which the notice is submitted under clause (i).”.

(h) CONVEYANCE OF SURPLUS REAL PROPERTY FOR NATURAL RESOURCE CONSERVATION.—Section 2694a of title 10, United States Code, is amended by striking subsection (e) and inserting the following new subsection:

“(e) NOTICE AND WAIT REQUIREMENTS.—The Secretary concerned may not approve of the reconveyance of real property under subsection (c) or grant the release of a covenant under subsection (d) until after the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress a notice of the proposed reconveyance or release.”.

#### **SEC. 2812. CLARIFICATION OF APPLICABILITY OF FAIR MARKET VALUE CONSIDERATION IN GRANTS OF EASEMENTS ON MILITARY LANDS FOR RIGHTS-OF-WAY.**

Section 2668(e) of title 10, United States Code, is amended—

(1) in the subsection heading, by striking “DISPOSITION OF” and inserting “CONDITIONS AND”; and

(2) by striking “Subsections (c) and (e)” and inserting “Subsections (b)(4), (c), and (e)”.

#### **SEC. 2813. CRITERIA FOR EXCHANGES OF PROPERTY AT MILITARY INSTALLATIONS.**

Paragraph (2) of section 2869(a) of title 10, United States Code, is amended to read as follows:

“(2) Paragraph (1) applies with respect to real property under the jurisdiction of the Secretary concerned—

“(A) that is located on a military installation that is closed or realigned under a base closure law; or

“(B) that is located on a military installation not covered by subparagraph (A) and for which the Secretary concerned makes a determination that the conveyance under paragraph (1) is advantageous to the United States.”.

#### **SEC. 2814. PROHIBITING USE OF UPDATED ASSESSMENT OF PUBLIC SCHOOLS ON DEPARTMENT OF DEFENSE INSTALLATIONS TO SUPERSEDE FUNDING OF CERTAIN PROJECTS.**

(a) PROHIBITING USE OF UPDATED ASSESSMENT TO SUPERSEDE FUNDING OF CERTAIN PUBLIC SCHOOL PROJECTS.—Subsection (a) of section 2814 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2717) is amended by adding at the end the following new paragraph:

“(3) PROHIBITING USE OF UPDATED ASSESSMENT TO SUPERSEDE FUNDING OF CERTAIN REMAINING PROJECTS.—In determining which projects will be funded under the programs described in paragraph (2), the Secretary may not, on the basis of the updated assessment described in paragraph (1), supersede the funding of any of the remaining projects which were included among the 33 projects for which Secretary assigned the highest priority for receiving funds under the assessment of the capacity and facility condition deficiencies of elementary and secondary public schools on military installations conducted by the Secretary in July 2011 under section 8109 of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112–10; 125 Stat. 82).”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of the National Defense Authorization Act for Fiscal Year 2017.

#### **SEC. 2815. REQUIREMENTS FOR WINDOW FALL PREVENTION DEVICES IN MILITARY FAMILY HOUSING.**

(a) REQUIREMENT.—Chapter 169 of title 10, United States Code, is amended by inserting after section 2878 the following new section:

#### **“§2879. Window fall prevention devices in military family housing units**

“(a) REQUIREMENT.—Chapter 169 of title 10, United States Code, is amended by inserting after section 2878 the following new section: “§2879. Window fall prevention devices in military family housing units

“(b) WINDOWS DESCRIBED.—A window is described in this subsection if the bottom sill of the window is within 36 inches of the floor, as measured in the interior of the unit.”.

(b) BRIEFING ON IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of each military department shall brief the Committee on Armed Services of the House of Representatives on the implementation of section 2879 of title 10, United States Code (as added by subsection (a)), and include in the briefing the following:

(1) The extent to which the Secretary is in compliance with the requirements of such section.

(2) A plan for the retrofitting of existing military family housing units to enable the units to meet the requirements of such section.

(3) The feasibility and cost-effectiveness of expanding the requirements of such section to apply to windows for which the bottom sill—

(A) is within 42 inches of the floor, as measured in the interior of the unit; or

(B) is 72 inches or more above the ground, as measured on the exterior of the unit.

(4) The feasibility and cost-effectiveness of modifying the requirements of such section to require windows to be equipped with fall prevention devices that meet the following requirements:

(A) The device attaches to the window frame and covers the entire opening with materials of sufficient strength to withstand 60 pounds (27 kg) of force.

(B) The device allows protection in case of a fully opened window.

(C) The device prohibits the passage of a 4 inch rigid sphere anywhere in the window opening.

(D) The device has a 2 step release mechanism that—

(i) allows the window to be fully opened for emergency escape or rescue with no more than 15 lb ft of force;

(ii) requires 2 distinct actions to operate;

(iii) is clearly identified for use in an emergency; and

(iv) is not designed in a manner which accommodates the use of locking devices which require special tools or knowledge to operate, such as combination locks or keyed locks.

(5) The feasibility and cost-effectiveness of extending the requirements of such section to private housing leased or otherwise used by military families.

(6) The feasibility and cost-effectiveness of other potential methods to protect against unintentional window falls by young children in military family housing units.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 169 of such title is amended by inserting after the item relating to section 2878 the following new item:

“2879. Window fall prevention devices in military family housing units.”.



**SEC. 2816. AUTHORIZING REIMBURSEMENT OF STATES FOR COSTS OF SUPPRESSING WILDFIRES CAUSED BY DEPARTMENT OF DEFENSE ACTIVITIES ON STATE LANDS; RESTORATION OF LANDS OF OTHER FEDERAL AGENCIES FOR DAMAGE CAUSED BY DEPARTMENT OF DEFENSE VEHICLE MISHAPS.**

(a) **AUTHORITIES.**—Section 2691 of title 10, United States Code, is amended—

(1) in subsection (a), by striking “or lease” each place it appears;

(2) in subsection (b), by striking “or lease”;

(3) in subsection (c), by striking “lease,”; and

(4) by adding at the end the following new subsections:

“(d) **WILDLAND FIRES ON STATE LAND.**—The Secretary of Defense may, in any lease, permit, license, or other grant of access for use of lands owned by a State, agree to reimburse the State for the reasonable costs of the State in suppressing wildland fires caused by the activities of the Department of Defense under such lease, permit, license, or other grant of access.

“(e) **RESTORATION OF LAND DAMAGED BY MISHAP.**—(1) When land under the administrative jurisdiction of a Federal agency that is not a part of the Department of Defense is damaged as the result of a mishap involving a vessel, aircraft, or vehicle of the Department of Defense, the Secretary of Defense may, with the consent of the Federal agency, restore the land.

“(2) When land under the administrative jurisdiction of the Department of Defense or a military department is damaged as the result of a mishap involving a vessel, aircraft, or vehicle of a Federal agency that is not a part of the Department of Defense, the head of the Federal agency under whose control the vessel, aircraft, or vehicle was operating may, with the consent of the Department of Defense, restore the land.”.

(b) **CONFORMING AMENDMENTS.**—Such section is further amended—

(1) in the heading, by striking “LEASE” and inserting “DAMAGED BY MISHAP; REIMBURSEMENT OF STATE COSTS OF FIGHTING WILDLAND FIRES”;

(2) in subsection (a), by striking “(a) The Secretary” and inserting “(a) RESTORATION OF OTHER AGENCY LAND USED BY PERMIT.—The Secretary”;

(3) in subsection (b), by striking “(b) Unless” and inserting “(b) SCREENING FOR USE OF IMPROVED LAND.—Unless”; and

(4) in subsection (c), by striking “(c)(1) As a condition” and inserting “(c) RESTORATION OF DEPARTMENT OF DEFENSE LAND USED BY OTHER AGENCY.—(1) As a condition”.

(c) **CLERICAL AMENDMENT.**—The table of sections of chapter 159 of such title is amended by amending the item relating to section 2691 to read as follows:

“2691. Restoration of land used by permit or damaged by mishap; reimbursement of State costs of fighting wildland fires.”.

**SEC. 2817. PROHIBITING COLLECTION OF ADDITIONAL AMOUNTS FROM MEMBERS LIVING IN UNITS UNDER MILITARY HOUSING PRIVATIZATION INITIATIVE.**

(a) **PROHIBITION.**—Subchapter IV of chapter 169 of title 10, United States Code, is amended by adding at the end the following new section:

“§2886. **Prohibiting collection of amounts in addition to rent from members assigned to units**

“(a) **PROHIBITION.**—An agreement for acquiring or constructing a military family housing unit or military unaccompanied housing unit under this subchapter which is entered into between the Secretary and an eligible entity shall prohibit the entity from imposing on a member

of the armed forces who occupies the unit a supplemental payment (such as an out-of-pocket fee) in addition to the amount of rent the eligible entity charges for a unit of similar size and composition, without regard to whether or not the amount of the member’s basic allowance for housing is less than the amount of the rent.

“(b) **PERMITTING CERTAIN ADDITIONAL PAYMENTS.**—Nothing in this section shall be construed to prohibit an eligible entity from imposing an additional payment for optional services provided to residents, such as access to a gym or a parking space, or an additional payment for non-essential utility services, as determined in accordance with regulations promulgated by the Secretary.

“(c) **NO EFFECT ON RENTAL GUARANTEES OR DIFFERENTIAL LEASE PAYMENTS.**—Nothing in this section shall be construed to limit or otherwise affect the authority of the Secretary to enter into rental guarantee agreements under section 2876 of this title or to make differential lease payments under section 2877 of this title, so long as such agreements or payments do not require a member of the armed forces who is assigned to a military family housing unit or military unaccompanied housing unit under this subchapter to pay an out-of-pocket fee or payment in addition to the member’s basic housing allowance.”.

(b) **CLERICAL AMENDMENT.**—The table of sections for subchapter IV of chapter 169 of such title is amended by adding at the end the following new item:

“2886. Prohibiting collection of amounts in addition to rent from members assigned to units.”.

**Subtitle C—Land Conveyances**

**SEC. 2821. LAND EXCHANGE, NAVAL INDUSTRIAL RESERVE ORDNANCE PLANT, SUNNYVALE, CALIFORNIA.**

(a) **LAND EXCHANGE AUTHORIZED.**—The Secretary of the Navy may convey to an entity (in this section referred to as the “Exchange Entity”) all right, title, and interest of the United States in and to the parcel of real property, including improvements thereon, comprising the Naval Industrial Reserve Ordnance Plant (NIROP) located in Sunnyvale, California in exchange for—

(1) real property, including improvements thereon, that will replace the NIROP and meet the readiness requirements of the Department of the Navy, as determined by the Secretary; and

(2) relocation of contractor and Government personnel and equipment from the NIROP to the replacement facilities.

(b) **LAND EXCHANGE AGREEMENT.**—

(1) **IN GENERAL.**—The exchange authorized under subsection (a) shall be governed by a land exchange agreement that identifies the property to be exchanged (including improvements thereon), the time period in which the exchange will occur, and the roles and responsibilities of the Secretary and the Exchange Entity in carrying out the exchange.

(2) **COMPLIANCE WITH ENVIRONMENTAL LAWS.**—Nothing in this section shall be construed to affect or limit the application of, or any obligation to comply with, any environmental law, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(c) **VALUATION; CASH EQUALIZATION PAYMENT IF NIROP VALUE EXCEEDS VALUE OF EXCHANGED PROPERTY.**—

(1) **VALUATION.**—The values of the properties to be exchanged by the Secretary and the Exchange Entity under subsection (a) (including improvements thereon) shall be determined by an independent appraiser selected by the Secretary, and in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(2) **CASH EQUALIZATION PAYMENT.**—If, as determined in accordance with paragraph (1), the value of the NIROP is greater than the combination of the value of the property to be conveyed by the Exchange Entity under subsection (a) and the relocation costs covered by the Exchange Entity under such subsection, the Exchange Entity shall make a cash equalization payment to the Secretary to equalize the values. Nothing in this paragraph may be construed to require the Secretary to make a cash equalization payment to the Exchange Entity if the value of the property to be conveyed by the Exchange Entity and the relocation costs covered by the Exchange Entity are greater than the value of the NIROP.

(d) **PAYMENT OF COSTS OF CONVEYANCE.**—The Secretary shall require the Exchange Entity to pay costs incurred by the Department of the Navy to carry out the exchange authorized under subsection (a), including costs incurred for land surveys, environmental documentation, the review of replacement facilities design, real estate due diligence (including appraisals), preparing and executing the agreement described in subsection (b), and any other administrative costs related to the exchange. If amounts are collected from the Exchange Entity in advance of the Secretary incurring the actual costs and the amount collected exceeds the costs actually incurred by the Secretary to carry out the exchange under subsection (a), the Secretary shall refund the excess amount to the Exchange Entity.

(e) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received under subsections (a), (c)(2), and (d) shall be used in accordance with section 2695(c) of title 10, United States Code.

(f) **DESCRIPTION OF PROPERTY.**—The exact legal description of the property, including acreage, to be exchanged under subsection (a) shall be determined by surveys satisfactory to the Secretary.

(g) **RELATION TO OTHER MILITARY CONSTRUCTION REQUIREMENTS.**—

(1) **EXCLUSION FROM TREATMENT AS MILITARY CONSTRUCTION PROJECT.**—The acquisition or disposition of any property pursuant to the exchange authorized under subsection (a) shall not be treated as a military construction project for which an authorization is required by section 2802 of title 10, United States Code, or for which reporting is required by section 2662 of such title.

(2) **EXCLUSION OF REQUIREMENT FOR PRIOR SCREENING BY GENERAL SERVICES ADMINISTRATION FOR ADDITIONAL FEDERAL USE.**—Section 2696(b) of title 10, United States Code, does not apply to the conveyance of any real property pursuant to the exchange authorized under subsection (a).

(h) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the exchange authorized under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(i) **SUNSET.**—The authority provided to the Secretary to carry out the exchange under subsection (a) shall expire on October 1, 2023.

**SEC. 2822. LAND CONVEYANCE, NAVAL SHIP REPAIR FACILITY, GUAM.**

(a) **CONVEYANCE.**—Not later than 1 year after the date of the enactment of this Act, the Secretary of the Navy shall convey, without consideration, to the Guam Economic Development Authority (hereafter referred to as the “Authority”) all right, title, and interest of the United States in and to the real property (including improvements thereon and related personal property) consisting of the former Naval Ship Repair Facility in Guam, as identified under the base realignment and closure authority carried out under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public

Law 101-510; 10 U.S.C. 2687 note), for purposes of providing support for ship repair and other military maintenance requirements.

(b) **REVERSIONARY INTEREST.**—If the Secretary of the Navy determines at any time that the property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to such property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) **PAYMENT OF COSTS OF CONVEYANCE.**—The Secretary of the Navy shall be responsible for the costs of carrying out the conveyance under subsection (a), including survey costs, costs for environmental documentation and remediation, and any other administrative costs related to the conveyance.

(c) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined as set forth in the Environmental Impact Statement for the Relocation of U.S. Marine Corps Forces to Guam, as completed by the Secretary of the Navy in September 2010.

(d) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary of the Navy may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States and to ensure that the property conveyed is used in accordance with the purpose of the conveyance.

**SEC. 2823. LEASE OF REAL PROPERTY TO THE UNITED STATES NAVAL ACADEMY ALUMNI ASSOCIATION AND NAVAL ACADEMY FOUNDATION AT UNITED STATES NAVAL ACADEMY, ANNAPOLIS, MARYLAND.**

(a) **AUTHORITY.**—The Secretary of the Navy may lease approximately 3 acres at the United States Naval Academy in Annapolis, Maryland to the United States Naval Academy Alumni Association Inc. and the United States Naval Academy Foundation Inc. (hereafter referred to as the “lessees”), for the purpose of enabling the lessees to construct, operate, and maintain the Alumni Association and Foundation Center.

(b) **DURATION OF LEASE.**—At the option of the Secretary of the Navy, the lease entered into under this section shall be in effect for 50 years. Upon the expiration of the lease, the Secretary may extend the lease for such additional period as the Secretary may determine.

(c) **PAYMENTS UNDER LEASE.**—

(1) **AMOUNT OF PAYMENTS BASED ON FAIR MARKET VALUE.**—The Secretary of the Navy shall require the lessees to make payments under the lease entered into under this section, in cash or in the form of in-kind consideration, in an amount and form that reflects the fair market value of the lease as determined by the Secretary.

(2) **PAYMENTS IN THE FORM OF IN-KIND CONSIDERATION.**—

(A) **TIMING.**—To the extent that the lessees make payments under the lease in the form of in-kind consideration, such consideration may be paid as a lump-sum payment for the entire lease term, or any part thereof, or in annual installments.

(B) **DESCRIPTION OF IN-KIND CONSIDERATION.**—The in-kind consideration paid under the lease—

(i) shall include the relocation of any Naval Support Activity Annapolis functions presently located on the land to be leased to alternate locations deemed sufficient by the Secretary; and

(ii) may include annual support (including cash, real property, or personal property) pro-

vided by the lessees after the date the lease is executed, to be used for the benefit of, or for use in connection with, the Naval Academy.

(d) **RETENTION AND USE OF FUNDS.**—Funds received under the lease entered into under this section may be retained for use in support of the Naval Academy and to cover expenses incurred by the Secretary of the Navy in managing the lease.

(e) **LEASEBACK PROHIBITED.**—During the period in which the lease entered into under this section is in effect, the Secretary of the Navy may not lease any of the space constructed by the lessees on the property leased under this section.

(f) **PAYMENT OF COSTS OF ENTERING INTO AND MANAGING LEASE.**—

(1) **PAYMENT REQUIRED.**—The Secretary of the Navy shall require the lessees to cover the costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, in entering into and managing the lease under this section, including survey costs, costs for environmental documentation, and any other administrative costs related to the lease (as defined in section 2667 of title 10, United States Code). Any expenses incurred by the lessees pursuant to this provision may be considered in-kind consideration for purposes of subsection (c)(2) and may be credited against any payments due during the term of the lease.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in entering into and managing the lease. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account. If amounts are collected from the lessees in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary in entering into and managing the lease, the Secretary may refund the excess amount to the lessees.

(g) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the property to be leased under this section shall be determined by a survey satisfactory to the Secretary of the Navy, and may include property currently used for public purposes.

(h) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary of the Navy may require such additional terms and conditions in connection with the lease entered into under this section as the Secretary considers appropriate to protect the interests of the United States.

**SEC. 2824. LAND CONVEYANCE, NATICK SOLDIER SYSTEMS CENTER, MASSACHUSETTS.**

(a) **CONVEYANCE AUTHORIZED.**—The Secretary of the Army may sell and convey all right, title, and interest of the United States in and to parcels of real property, consisting of approximately 98 acres and improvements thereon, located in the vicinity of Hudson, Wayland, and Needham, Massachusetts, that are the sites of military family housing supporting military personnel assigned to the United States (U.S.) Army Natick Soldier Systems Center.

(b) **COMPETITIVE SALE REQUIREMENT.**—The Secretary shall use competitive procedures for the sale authorized by subsection (a).

(c) **CONSIDERATION.**—

(1) **CONSIDERATION REQUIRED.**—The Secretary shall require as consideration for conveyance under subsection (a), tendered by cash payment, an amount equal to no less than the fair market value, as determined by the Secretary, of the real property and any improvements thereon.

(2) **CASH PAYMENTS.**—

(A) **CASH PAYMENTS DEPOSITED IN A SPECIAL ACCOUNT.**—Cash payments provided as consider-

ation under this subsection shall be deposited in a special account in the Treasury established for the Secretary.

(B) **USE OF FUNDS IN SPECIAL ACCOUNT.**—The Secretary is authorized to use funds deposited in the special account established under subparagraph (A) for—

(i) demolition of existing military family housing on the U.S. Army Natick Soldier Systems Center (other than housing on property conveyed under subsection (a)) that the Secretary determines necessary to accommodate construction of military family housing or unaccompanied soldier housing to support military personnel assigned to the U.S. Army Natick Soldier Systems Center;

(ii) construction or rehabilitation of military family housing or unaccompanied soldier housing to support military personnel assigned to the U.S. Army Natick Soldier Systems Center; or

(iii) construction of ancillary supporting facilities (as that term is defined in section 2871(1) of title 10, United States Code) to support military personnel assigned to the U.S. Army Natick Soldier Systems Center.

(C) **CASH CONSIDERATION NOT USED PRIOR TO OCTOBER 1, 2025.**—Cash payments provided as consideration under this subsection that are received by the Secretary and not used by the Secretary for purposes authorized by subparagraph (B) prior to October 1, 2025, shall be transferred to an account in the Treasury established pursuant to section 2883 of title 10, United States Code.

(d) **DESCRIPTION OF PARCELS.**—The exact acreage and legal description of the parcels to be conveyed under subsection (a) shall be determined by a survey that is satisfactory to the Secretary. The cost of the survey shall be borne by the recipient of the parcels.

(e) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(f) **INAPPLICABILITY OF CERTAIN PROVISIONS OF LAW.**—The conveyance of property under this section shall not be subject to section 2696 of title 10, United States Code.

(g) **DEFINITION OF SECRETARY.**—In this section the term “Secretary” means the Secretary of the Army.

**SEC. 2825. IMPOSITION OF ADDITIONAL CONDITIONS ON LAND CONVEYANCE, CASTNER RANGE, FORT BLISS, TEXAS.**

Section 2844 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2157) is amended by adding at the end the following new subsection:

“(e) **ADDITIONAL CONDITIONS ON ANY CONVEYANCE OF CASTNER RANGE.**—

“(1) **CONDITIONS.**—The real property described in subsection (a) may not be conveyed to the Department or any other governmental, public, or private entity unless the recipient agrees—

“(A) to prohibit the commercial development of the real property; and

“(B) to conserve and protect the ecological, scenic, wildlife, recreational, cultural, historical, natural, educational, and scientific resources of the real property.

“(2) **RECONVEYANCE TO PUBLIC LAND TRUST.**—The conditions imposed by paragraph (1) do not prevent the recipient of real property described in subsection (a) from conveying all or a portion of the real property to a public land trust so long as the public land trust agrees to comply with such conditions.

“(3) **CONVEYANCE DEFINED.**—In this subsection, the term ‘convey’ includes any transfer of administrative jurisdiction over the real property described in subsection (a) to another Federal agency.”.

**SEC. 2826. LAND CONVEYANCE, WASATCH-CACHE NATIONAL FOREST, RICH COUNTY, UTAH.**

(a) **LAND CONVEYANCE AUTHORIZED.**—Not later than 6 months after the date of the enactment of this section, the Secretary of Agriculture shall convey, without consideration, to the Utah State University Research Foundation (in this section referred to as the “Foundation”) all right, title, and interest of the United States in and to a parcel of real property consisting of approximately 80 acres, including improvements thereon, located outside of the boundaries of the Wasatch-Cache National Forest in Rich County, Utah, within Sections 19 and 30, Township 14 North, Range 5 East, Salt Lake Base and Meridian for the purpose of permitting the Foundation to use the property for scientific and educational purposes.

(b) **REVERSIONARY INTEREST.**—If the Secretary of Agriculture determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to such real property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

**(c) PAYMENT OF COSTS OF CONVEYANCE.**

(1) **PAYMENT REQUIRED.**—The Secretary of Agriculture shall require the Foundation to cover the costs (except any costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the Foundation in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Foundation.

**(2) TREATMENT OF AMOUNTS RECEIVED.**

Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of Agriculture.

(e) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary of Agriculture may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

**SEC. 2827. LAND CONVEYANCE, FORMER MISSILE ALERT FACILITY KNOWN AS QUEBEC-01, LARAMIE COUNTY, WYOMING.**

(a) **CONVEYANCE AUTHORIZED.**—The Secretary of the Air Force may convey, without consideration, to the State of Wyoming (in this section referred to as the “State”), all right, title, and interest of the United States in and to the real property, including any improvements thereon, consisting of the former Missile Alert Facility (MAF) known as “Quebec-01,” located in Laramie County, Wyoming, for the purpose of operating a historical site, interpretive center, or museum.

**(b) PAYMENT OF COSTS OF CONVEYANCE.**

(1) **PAYMENT REQUIRED.**—Subject to paragraph (2), the Secretary of the Air Force shall require the State to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the State in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the State.

**(2) LIMITATION ON PAYMENT OF COSTS BY STATE.**

(A) **LIMITATION.**—Paragraph (1) shall apply only with respect to the costs the State agrees to cover under the Programmatic Agreement described in subparagraph (B), as such Agreement is in effect at the time of the payment of the costs.

(B) **PROGRAMMATIC AGREEMENT DESCRIBED.**—The Programmatic Agreement described in this subparagraph is the Programmatic Agreement between Francis E. Warren Air Force Base, and the Wyoming State Historic Preservation Officer, Regarding the Implementation of the Strategic Arms Reduction Treaty at Francis E. Warren Air Force Base Cheyenne, Laramie County, Wyoming.

(3) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance, or if such fund or account has expired at the time of credit, to an appropriate appropriation, fund, or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such appropriation, fund, or account, and shall be available for the same purpose, and subject to the same conditions and limitations, as amounts in such fund or account.

(c) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Air Force.

(d) **REVERSIONARY INTEREST.**—If the Secretary of the Air Force determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in subsection (a), all right, title, and interest in and to such real property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(e) **ADDITIONAL TERMS.**—The Secretary of the Air Force may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

**Subtitle D—Military Land Withdrawals****SEC. 2831. INDEFINITE DURATION OF CERTAIN MILITARY LAND WITHDRAWALS AND RESERVATIONS AND IMPROVED MANAGEMENT OF WITHDRAWN AND RESERVED LANDS.**

(a) **IMPROVING MANAGEMENT OF CURRENT STATUTORY LAND WITHDRAWALS AND RESERVATIONS AND MAKING MANAGEMENT MORE TRANS-PARENT.**—

(1) **ROLE OF SECRETARY OF THE INTERIOR.**—Section 101(a)(2) of the Sikes Act (16 U.S.C.

670a(a)(2)) is amended by striking “, acting through the Director of the United States Fish and Wildlife Service.”.

(2) **ADDITIONAL ELEMENTS OF INTEGRATED NATURAL RESOURCES MANAGEMENT PLAN.**—Section 101(b) of the Sikes Act (16 U.S.C. 670a(b)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (I), by striking “and” after the semicolon;

(ii) by redesignating subparagraph (J) as subparagraph (K); and

(iii) by inserting after subparagraph (I) the following new subparagraph:

“(J) procedures to ensure that each periodic review of the plan is conducted jointly by the Secretary of the military department and the Secretary of the Interior, and that affected States and Indian tribes, and the public, are provided a meaningful opportunity to comment upon any substantial revisions to the plan that may be proposed; and”;

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

(C) by inserting after paragraph (1) the following new paragraph:

“(2) shall contain a determination by the Secretary of the military department regarding whether there will be a continuing military need for the lands covered by the integrated natural resources management plan during the period of the plan;”.

**(b) EL CENTRO NAVAL AIR FACILITY RANGES.**

(1) **ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.**—The El Centro Naval Air Facility Ranges Withdrawal Act (sub-title B of title XXIX of Public Law 104–201; 110 Stat. 2813) is amended—

(A) in section 2921(b)(3), by striking “, before the termination date specified in section 2925,”;

(B) in section 2924(a), by striking the third sentence;

(C) by striking sections 2925 and 2927; and

(D) in section 2928(a), by striking “specified in section 2925”.

(2) **ESTABLISHMENT OF INTERGOVERNMENTAL EXECUTIVE COMMITTEE.**—The El Centro Naval Air Facility Ranges Withdrawal Act (sub-title B of title XXIX of Public Law 104–201; 110 Stat. 2813) is further amended by inserting after section 2924 the following new section:

**“SEC. 2925. INTERGOVERNMENTAL EXECUTIVE COMMITTEE.**

“(a) **ESTABLISHMENT AND PURPOSE.**—The Secretary of the Navy and the Secretary of the Interior shall establish, by memorandum of understanding, an intergovernmental executive committee for the sole purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the lands withdrawn and reserved under this subtitle.

**“(b) COMPOSITION.**

“(1) **REPRESENTATIVES OF OTHER FEDERAL AGENCIES.**—The Secretary of the Navy and the Secretary of the Interior shall include representatives from interested Federal agencies as members of the intergovernmental executive committee.

“(2) **REPRESENTATIVES OF STATE AND LOCAL GOVERNMENTS.**—The Secretary of the Navy and the Secretary of the Interior shall invite to serve as members of the intergovernmental executive committee—

“(A) at least one elected officer (or other authorized representative) from the government of the State of California; and

“(B) at least one elected officer (or other authorized representative) from each local government and Indian tribal government in the vicinity of the withdrawn and reserved lands, as determined by the Secretaries.

“(c) **OPERATION.**—The intergovernmental executive committee shall operate in accordance

with the terms set forth in the memorandum of understanding under subsection (a).

“(d) PROCEDURES.—The memorandum of understanding under subsection (a) shall establish procedures for creating a forum for exchanging views, information, and advice relating to the management of natural and cultural resources on the lands withdrawn and reserved under this subtitle, procedures for rotating the chair of the intergovernmental executive committee, and procedures for scheduling regular meetings, which shall occur no less frequently than twice a year.

“(e) COORDINATOR.—The Secretary of the Navy, in consultation with the Secretary of the Interior, shall appoint an individual to serve as coordinator of the intergovernmental executive committee. The duties of the coordinator shall be included in the memorandum of understanding under subsection (a). The coordinator shall not be a member of the committee.

“(f) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the intergovernmental executive committee.”.

(3) DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.—The El Centro Naval Air Facility Ranges Withdrawal Act (subtitle B of title XXIX of Public Law 104-201; 110 Stat. 2813) is further amended by inserting after section 2926 the following new section:

**“SEC. 2927. DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.**

“(a) DETERMINATION OF CONTINUING MILITARY NEED.—Whenever an integrated natural resources management plan covering the lands withdrawn and reserved under this subtitle is reviewed as to operation and effect as required by section 101(b)(3) of the Sikes Act (16 U.S.C. 670a(b)(2)), but not less often than every five years, the Secretary of the Navy shall include the Secretary’s determination regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following five years.

“(b) PUBLIC REPORTS.—

“(1) CHANGES IN LAND CONDITIONS.—(A) Concurrent with each review of an integrated natural resources management plan described in subsection (a), the Secretary of the Navy and the Secretary of the Interior shall jointly prepare and issue a report describing any changes in the condition of the lands withdrawn and reserved under this subtitle since the later of the date of any previous report under this paragraph or the date of the environmental analysis prepared to support the actions that changed the condition of the lands.

“(B) A report under subparagraph (A) shall include a summary of current military use of the lands withdrawn and reserved under this subtitle, any changes in military use of the lands since the previous report, and efforts related to the management of natural and cultural resources and environmental remediation of the lands during the previous five years.

“(2) COMBINATION WITH OTHER REPORTS.—A report under this subsection may be combined with, or incorporate by reference, any contemporary report required by any other provision of law regarding the lands withdrawn and reserved under this subtitle.

“(3) PUBLIC REVIEW AND COMMENT.—(A) Before the finalization of a report under this subsection, the Secretary of the Navy and the Secretary of the Interior shall invite interested members of the public to review and comment on the report, and shall hold at least one public meeting concerning the report in a location or locations reasonably accessible to persons who may be affected by management of the lands withdrawn and reserved under this subtitle.

“(B) Each public meeting under subparagraph (A) shall be announced not less than 15 days be-

fore the date of the meeting by advertisements in local newspapers of general circulation, notices on the internet, including the website of El Centro, and any other means considered necessary or desirable by the Secretaries.

“(4) DISTRIBUTION OF REPORT.—The final version of a report under this subsection shall be made available to the public and submitted to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives.”.

(c) JUNIPER BUTTE RANGE.—

(1) ELIMINATION OF TERMINATION DATE AND CLERIMMING AMENDMENTS.—The Juniper Butte Range Withdrawal Act (title XXIX of Public Law 105-261; 112 Stat. 2226) is amended—

(A) in section 2915—

(i) in the section heading, by striking “**Duration**” and inserting “**Relinquishment**”;

(ii) in subsection (a), by striking “**TERMINATION**” and all that follows through “**At the time of termination**” and inserting “**EFFECT OF RELINQUISHMENT ON OPERATION OF GENERAL LAND LAWS**—Upon relinquishment of Department of the Air Force jurisdiction over lands withdrawn and reserved by this title”;

(iii) in subsection (b)—

(I) in the subsection heading, by inserting “**PROCESS**” after “**RELINQUISHMENT**”;

(II) in paragraph (1), by striking “**under subsection (c)**”; and

(III) in paragraph (3), by striking “**before the date of termination**”, as provided for in subsection (a)(1)”; and

(iv) by striking subsection (c); and

(B) in section 2916—

(i) in the section heading, by striking “**or upon termination of withdrawal**”;

(ii) in subsection (a)(1), by striking “**and in all cases not later than 2 years before the date of termination of withdrawal and reservation**”;

(iii) in subsection (b), by striking “**environmental remediation**” and all that follows through the end of the subsection and inserting “**environmental remediation before relinquishing, to the Secretary of the Interior, jurisdiction over any lands identified in a notice of intent to relinquish under section 2915(b).**”;

(iv) in subsection (d)—

(I) in the subsection heading, by striking “**TERMINATES**” and inserting “**RELINQUISHED**”;

(II) by striking “**termination date**” both places it appears and inserting “**relinquishment date**”;

(III) in paragraph (2), by striking “**termination**” and inserting “**relinquishment**”.

(2) ESTABLISHMENT OF INTERGOVERNMENTAL EXECUTIVE COMMITTEE.—Section 2910 of the Juniper Butte Range Withdrawal Act (title XXIX of Public Law 105-261; 112 Stat. 2231) is amended by adding at the end the following new subsection:

“(d) INTERGOVERNMENTAL EXECUTIVE COMMITTEE.—

“(1) ESTABLISHMENT AND PURPOSE.—The memorandum of understanding under subsection (a) shall be modified as provided in subsection (c) to establish an intergovernmental executive committee for the sole purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the lands withdrawn and reserved by this title.

“(2) COMPOSITION.—(A) The Secretary of the Air Force and the Secretary of the Interior shall include representatives from interested Federal agencies as members of the intergovernmental executive committee.

“(B) The Secretary of the Air Force and the Secretary of the Interior shall invite to serve as members of the intergovernmental executive committee—

“(i) at least one elected officer (or other authorized representative) from the government of the State of Idaho; and

“(ii) at least one elected officer (or other authorized representative) from each local government and Indian tribal government in the vicinity of the withdrawn and reserved lands, as determined by the Secretaries.

“(3) OPERATION.—The intergovernmental executive committee shall operate in accordance with the terms set forth in the memorandum of understanding.

“(4) PROCEDURES.—The memorandum of understanding shall establish procedures for creating a forum for exchanging views, information, and advice relating to the management of natural and cultural resources on the lands withdrawn and reserved by this title, procedures for rotating the chair of the intergovernmental executive committee, and procedures for scheduling regular meetings, which shall occur no less frequently than twice a year.

“(5) COORDINATOR.—The Secretary of the Air Force, in consultation with the Secretary of the Interior, shall appoint an individual to serve as coordinator of the intergovernmental executive committee. The duties of the coordinator shall be included in the memorandum of understanding. The coordinator shall not be a member of the committee.

“(6) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the intergovernmental executive committee.”.

(3) DETERMINATIONS OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.—Section 2909 of the Juniper Butte Range Withdrawal Act (title XXIX of Public Law 105-261; 112 Stat. 2230) is amended—

(A) in subsection (c), by adding at the end the following new sentence: “The review shall include the determination of the Secretary of the Air Force regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following 5 years.”; and

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

“(d) PUBLIC REPORTS.—

“(1) CHANGES IN LAND CONDITIONS.—(A) Concurrent with each review of an integrated natural resources management plan developed under this section, the Secretary of the Air Force and the Secretary of the Interior shall jointly prepare and issue a report describing any changes in the condition of the lands withdrawn and reserved by this title since the later of the date of any previous report under this paragraph or the date of the environmental analysis prepared to support the actions that changed the condition of the lands.

“(B) A report under subparagraph (A) shall include a summary of current military use of the lands withdrawn and reserved by this title, any changes in military use of the lands since the previous report, and efforts related to the management of natural and cultural resources and environmental remediation of the lands during the previous 5 years.

“(2) COMBINATION WITH OTHER REPORTS.—A report under this subsection may be combined with, or incorporate by reference, any contemporary report required by any other provision of law regarding the lands withdrawn and reserved by this title.

“(3) PUBLIC REVIEW AND COMMENT.—(A) Before the finalization of a report under this subsection, the Secretary of the Air Force and the Secretary of the Interior shall invite interested members of the public to review and comment on the report, and shall hold at least one public meeting concerning the report in a location or locations reasonably accessible to persons who may be affected by management of the lands withdrawn and reserved by this title.

“(B) Each public meeting under subparagraph (A) shall be announced not less than 15 days before the date of the meeting by advertisements in

local newspapers of general circulation, notices on the internet, including the website of the Juniper Butte Range (if one exists), and any other means considered necessary or desirable by the Secretaries.

“(4) DISTRIBUTION OF REPORT.—The final version of a report under this subsection shall be made available to the public and submitted to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives.”.

(d) RANGES COVERED BY SUBTITLE A OF MILITARY LANDS WITHDRAWAL ACT OF 1999.—

(1) ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.—The Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106-65; 113 Stat. 885) is amended—

(A) by striking section 3015;

(B) by striking section 3016 and inserting the following new section:

**“SEC. 3016. RELINQUISHMENT.**

“(a) NOTICE OF INTENT REGARDING RELINQUISHMENT.—If the Secretary of the military department concerned decides to relinquish all or any of the lands withdrawn and reserved by section 3011, such Secretary shall transmit a notice of intent to relinquish such lands to the Secretary of the Interior.

“(b) OPENING DATE.—On the date of relinquishment of the withdrawal and reservation of lands withdrawn and reserved by section 3011, such lands shall not be open to any form of appropriation under the public land laws, including the mineral laws and the mineral leasing and geothermal leasing laws, until the Secretary of the Interior publishes in the Federal Register an appropriate order stating the date upon which such lands shall be restored to the public domain and opened.”; and

(C) in section 3017—

(i) by striking “section 3016(d)” each place it appears and inserting “section 3016”; and

(ii) in subsection (e)—

(I) by striking “If because” and everything that follows through “determines that” and inserting “If the Secretary of the Interior declines to accept jurisdiction over lands withdrawn by this subtitle which have been proposed for relinquishment because the Secretary determines that”; and

(II) in paragraph (2), by striking “the expiration of the withdrawal of such lands under this subtitle” and inserting “such determination”.

(2) ESTABLISHMENT OF INTERGOVERNMENTAL EXECUTIVE COMMITTEES.—Section 3014 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106-65; 113 Stat. 890) is amended by adding at the end the following new subsection:

“(g) INTERGOVERNMENTAL EXECUTIVE COMMITTEES.—

“(1) ESTABLISHMENT AND PURPOSE.—For the lands withdrawn and reserved by section 3011, the Secretary of the military department concerned and the Secretary of the Interior shall establish, by memorandum of understanding, an intergovernmental executive committee for each range for the sole purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the withdrawn and reserved lands.

“(2) COMPOSITION.—(A) The Secretary of the military department concerned and the Secretary of the Interior shall include representatives from interested Federal agencies as members of the intergovernmental executive committee for a range.

“(B) The Secretary of the military department concerned and the Secretary of the Interior shall invite to serve as members of the intergovernmental executive committee for a range—

“(i) at least one elected officer (or other authorized representative) from the government of

the State in which the withdrawn and reserved lands are located; and

“(ii) at least one elected officer (or other authorized representative) from each local government and Indian tribal government in the vicinity of the withdrawn and reserved lands, as determined by the Secretaries.

“(3) OPERATION.—The intergovernmental executive committee for a range shall operate in accordance with the terms set forth in the memorandum of understanding.

“(4) PROCEDURES.—The memorandum of understanding for a range shall establish procedures for creating a forum for exchanging views, information, and advice relating to the management of natural and cultural resources on the withdrawn and reserved lands, procedures for rotating the chair of the intergovernmental executive committee, and procedures for scheduling regular meetings, which shall occur no less frequently than twice a year.

“(5) COORDINATOR.—The Secretary of the military department concerned, in consultation with the Secretary of the Interior, shall appoint an individual to serve as coordinator of the intergovernmental executive committee for a range. The duties of the coordinator shall be included in the memorandum of understanding. The coordinator shall not be a member of the committee.

“(6) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to an intergovernmental executive committee established under this subsection.”.

(3) DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.—The Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106-65; 113 Stat. 885) is further amended by inserting after section 3014 the following new section:

**“SEC. 3015. DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.**

“(a) DETERMINATION OF CONTINUING MILITARY NEED.—Whenever an integrated natural resources management plan covering the lands withdrawn and reserved under section 3011 is reviewed as to operation and effect as required by section 101(b)(3) of the Sikes Act (16 U.S.C. 670a(b)(2)), but not less often than every five years, the Secretary of the military department concerned shall include the Secretary’s determination regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following five years.

“(b) PUBLIC REPORTS.—

“(1) CHANGES IN LAND CONDITIONS.—(A) Concurrent with each review of an integrated natural resources management plan described in subsection (a), the Secretary of the military department concerned and the Secretary of the Interior shall jointly prepare and issue a report describing any changes in the condition of the lands covered by the plan since the later of the date of any previous report under this paragraph or the date of the environmental analysis prepared to support the actions that changed the condition of the lands.

“(B) A report under subparagraph (A) shall include a summary of current military use of the lands covered by the plan, any changes in military use of the lands since the previous report, and efforts related to the management of natural and cultural resources and environmental remediation of the lands during the previous five years.

“(2) COMBINATION WITH OTHER REPORTS.—A report under this subsection may be combined with, or incorporate by reference, any contemporary report required by any other provision of law regarding the lands covered by the integrated natural resources management plan.

“(3) PUBLIC REVIEW AND COMMENT.—(A) Before the finalization of a report under this subsection, the Secretary of the military department concerned and the Secretary of the Interior shall invite interested members of the public to review and comment on the report, and shall hold at least one public meeting concerning the report in a location or locations reasonably accessible to persons who may be affected by management of the lands addressed by the report.

“(B) Each public meeting under subparagraph (A) shall be announced not less than 15 days before the date of the meeting by advertisements in local newspapers of general circulation, notices on the internet, including the website of the affected military range (if one exists), and any other means considered necessary or desirable by the Secretaries.

“(4) DISTRIBUTION OF REPORT.—The final version of a report under this subsection shall be made available to the public and submitted to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives.”.

(e) BARRY M. GOLDWATER RANGE.—

(1) ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.—Section 3031 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106-65; 113 Stat. 897) is amended—

(A) in subsection (c)—

(i) in paragraph (1), by striking “, including the duration of any renewal or extension”; and

(ii) in paragraph (2)—

(I) in the paragraph heading, by striking “OR TERMINATION”; and

(II) in subparagraph (C), by striking the last sentence; and

(iii) in paragraph (3)(A), by striking “or termination”; and

(B) in subsection (d), by striking “DURATION” and all that follows through “of the termination” and inserting “EFFECT OF RELINQUISHMENT ON OPERATION OF GENERAL LAND LAWS.—On the date of relinquishment”;

(C) by striking subsection (e); and

(D) in subsection (f)—

(i) in the subsection heading, by striking “TERMINATION AND”;

(ii) in paragraph (1), by striking “but not later than three years before the termination of the withdrawal and reservation,”;

(iii) in paragraph (3), by striking “before the termination date of the withdrawal and reservation of such lands under this section”; and

(iv) in paragraph (4)(A), by striking “Notwithstanding the termination date, unless” and inserting “Unless”.

(2) DETERMINATIONS OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION.—Section 3031 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106-65; 113 Stat. 897) is further amended by inserting after subsection (d) the following new subsection:

“(e) PERIODIC DETERMINATION OF CONTINUING MILITARY NEED.—Whenever an integrated natural resources management plan covering the lands withdrawn and reserved under this section is reviewed as to operation and effect as required by section 101(b)(3) of the Sikes Act (16 U.S.C. 670a(b)(2)), but not less often than every five years, the Secretary of the Navy and the Secretary of the Air Force shall include the Secretary’s determination regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following five years.”.

(3) USE OF DEFINITIONS.—Section 3031(c)(5) of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106-65; 113 Stat. 907) is amended by striking subparagraphs (A) and (B) and inserting the following:

“(A) The term ‘military munitions’ has the meaning given that term in section 101(e)(4) of title 10, United States Code.

“(B) The term ‘unexploded ordnance’ has the meaning given that term in section 101(e)(5) of such title.”.

(f) NATIONAL TRAINING CENTER.—

(1) ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.—The Fort Irwin Military Land Withdrawal Act of 2001 (title XXIX of Public Law 107–107; 115 Stat. 1335) is amended—

(A) in section 2910, by striking the section heading and all that follows through “At the time of the termination” and inserting the following:

**“SEC. 2910. EFFECT OF RELINQUISHMENT ON OPERATION OF GENERAL LAND LAWS.**

“On the date of relinquishment”;

(B) by striking section 2911; and

(C) in section 2912—

(i) in the section heading, by striking “**Termination and**”;

(ii) in subsection (a), by striking “During the first 22 years of the withdrawal and reservation made by this title, if” and inserting “If”;

(iii) in subsection (c), by striking “before the termination date of the withdrawal and reservation”; and

(iv) in subsection (d), by striking “Notwithstanding the termination date specified in section 2910, unless” and inserting “Unless”.

(2) DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.—The Fort Irwin Military Land Withdrawal Act of 2001 (title XXIX of Public Law 107–107; 115 Stat. 1335) is further amended by inserting after section 2910 the following new section:

**“SEC. 2911. DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.**

“(a) PERIODIC DETERMINATION OF CONTINUING NEED.—Whenever an integrated natural resources management plan covering the lands withdrawn and reserved under this title is reviewed as to operation and effect as required by section 101(b)(3) of the Sikes Act (16 U.S.C. 670a(b)(2)), but not less often than every five years, the Secretary of the Army shall include in the plan the Secretary’s determination regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following five years.

“(b) PUBLIC REPORTS.—

“(1) CHANGES IN LAND CONDITIONS.—(A) Concurrent with each review of an integrated natural resources management plan described in subsection (a), the Secretary of the Army and the Secretary of the Interior shall jointly prepare and issue a report describing any changes in the condition of the lands withdrawn and reserved by this title since the later of the date of any previous report under this paragraph or the date of the environmental analysis prepared to support the actions that changed the condition of the lands.

“(B) A report under subparagraph (A) shall include a summary of current military use of the lands withdrawn and reserved by this title, any changes in military use of the lands since the previous report, and efforts related to the management of natural and cultural resources and environmental remediation of the lands during the previous five years.

“(2) COMBINATION WITH OTHER REPORTS.—A report under this subsection may be combined with, or incorporate by reference, any contemporary report required by any other provision of law regarding the lands withdrawn and reserved by this title.

“(3) PUBLIC REVIEW AND COMMENT.—(A) Before the finalization of a report under this subsection, the Secretary of the Army and the Secretary of the Interior shall invite interested members of the public to review and comment on

the report, and shall hold at least one public meeting concerning the report in a location or locations reasonably accessible to persons who may be affected by management of the lands withdrawn and reserved by this title.

“(B) Each public meeting under subparagraph (A) shall be announced not less than 15 days before the date of the meeting by advertisements in local newspapers of general circulation, notices on the internet, including the website of National Training Range, and any other means considered necessary or desirable by the Secretaries.

“(4) DISTRIBUTION OF REPORT.—The final version of a report under this subsection shall be made available to the public and submitted to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives.”.

(3) ESTABLISHMENT OF INTERGOVERNMENTAL EXECUTIVE COMMITTEE.—The Fort Irwin Military Land Withdrawal Act of 2001 (title XXIX of Public Law 107–107; 115 Stat. 1335) is further amended by adding at the end the following new section:

**“SEC. 2914. INTERGOVERNMENTAL EXECUTIVE COMMITTEE.**

“(a) ESTABLISHMENT AND PURPOSE.—The Secretary of the Army and the Secretary of the Interior shall establish, by memorandum of understanding, an intergovernmental executive committee for the sole purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the lands withdrawn and reserved by this title.

“(b) COMPOSITION.—

“(1) REPRESENTATIVES OF OTHER FEDERAL AGENCIES.—The Secretary of the Army and the Secretary of the Interior shall include representatives from interested Federal agencies as members of the intergovernmental executive committee.

“(2) REPRESENTATIVES OF STATE AND LOCAL GOVERNMENTS.—The Secretary of the Army and the Secretary of the Interior shall invite to serve as members of the intergovernmental executive committee—

“(A) at least one elected officer (or other authorized representative) from the government of the State of California; and

“(B) at least one elected officer (or other authorized representative) from each local government and Indian tribal government in the vicinity of the withdrawn and reserved lands, as determined by the Secretaries.

“(c) OPERATION.—The intergovernmental executive committee shall operate in accordance with the terms set forth in the memorandum of understanding under subsection (a).

“(d) PROCEDURES.—The memorandum of understanding under subsection (a) shall establish procedures for creating a forum for exchanging views, information, and advice relating to the management of natural and cultural resources on the lands withdrawn and reserved by this title, procedures for rotating the chair of the intergovernmental executive committee, and procedures for scheduling regular meetings, which shall occur no less frequently than twice a year.

“(e) COORDINATOR.—The Secretary of the Army, in consultation with the Secretary of the Interior, shall appoint an individual to serve as coordinator of the intergovernmental executive committee. The duties of the coordinator shall be included in the memorandum of understanding under subsection (a). The coordinator shall not be a member of the committee.

“(f) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the intergovernmental executive committee.”.

(g) RANGES COVERED BY MILITARY LAND WITHDRAWALS ACT OF 2013.—

(1) ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.—The Military Land Withdrawals Act of 2013 (title XXIX of Public Law 113–66; 127 Stat. 1025) is amended—

(A) by striking sections 2919, 2920; 2936, 2946, and 2979;

(B) in section 2921, by striking “On the termination of” and inserting “On the relinquishment of”; and

(C) in section 2922(d)(3)—

(i) in the paragraph heading, by striking “ON TERMINATION” and inserting “UPON RELINQUISHMENT”; and

(ii) by striking “or if at the expiration of the withdrawal and reservation.”.

(2) ESTABLISHMENT OF INTERGOVERNMENTAL EXECUTIVE COMMITTEE.—The Military Land Withdrawals Act of 2013 (title XXIX of Public Law 113–66; 127 Stat. 1025) is further amended by inserting after section 2918 the following new section:

**“SEC. 2919. INTERGOVERNMENTAL EXECUTIVE COMMITTEE.**

“(a) ESTABLISHMENT AND PURPOSE.—For the lands withdrawn and reserved by sections 2931, 2941, and 2971, the Secretary concerned and the Secretary of the Interior shall establish, by memorandum of understanding, an intergovernmental executive committee for each location for the sole purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the withdrawn and reserved lands.

“(b) COMPOSITION.—

“(1) REPRESENTATIVES OF OTHER FEDERAL AGENCIES.—The Secretary concerned and the Secretary of the Interior shall include representatives from interested Federal agencies as members of the intergovernmental executive committee for a location covered by subsection (a).

“(2) REPRESENTATIVES OF STATE AND LOCAL GOVERNMENTS.—The Secretary concerned and the Secretary of the Interior shall invite to serve as members of the intergovernmental executive committee for a location covered by subsection (a)—

“(A) at least one elected officer (or other authorized representative) from the government of the State in which the withdrawn and reserved lands are located; and

“(B) at least one elected officer (or other authorized representative) from each local government and Indian tribal government in the vicinity of the withdrawn and reserved lands, as determined by the Secretaries.

“(c) OPERATION.—The intergovernmental executive committee for a location covered by subsection (a) shall operate in accordance with the terms set forth in the memorandum of understanding under subsection (a).

“(d) PROCEDURES.—The memorandum of understanding under subsection (a) shall establish procedures for creating a forum for exchanging views, information, and advice relating to the management of natural and cultural resources on the withdrawn and reserved lands, procedures for rotating the chair of the intergovernmental executive committee, and procedures for scheduling regular meetings, which shall occur no less frequently than twice a year.

“(e) COORDINATOR.—The Secretary concerned, in consultation with the Secretary of the Interior, shall appoint an individual to serve as coordinator of the intergovernmental executive committee for a location covered by subsection (a). The duties of the coordinator shall be included in the memorandum of understanding under subsection (a). The coordinator shall not be a member of the committee.

“(f) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to a intergovernmental executive committee for a location covered by subsection (a).”.



(3) DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.—The Military Land Withdrawals Act of 2013 (title XXIX of Public Law 113–66; 127 Stat. 1025) is further amended by inserting after section 2919, as added by paragraph (2), the following new section:

**“SEC. 2920. DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.**

“(a) PERIODIC DETERMINATION OF CONTINUING NEED.—Whenever an integrated natural resources management plan covering the lands withdrawn and reserved under a subtitle of this title is reviewed as to operation and effect as required by section 101(b)(3) of the Sikes Act (16 U.S.C. 670a(b)(2)), but not less often than every five years, the Secretary concerned shall include in the plan the Secretary’s determination regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following five years.

“(b) PUBLIC REPORTS.—

“(1) CHANGES IN LAND CONDITIONS.—(A) Concurrent with each review of an integrated natural resources management plan described in subsection (a), the Secretary concerned and the Secretary of the Interior shall jointly prepare and issue a report describing any changes in the condition of the lands covered by the plan since the later of the date of any previous report under this paragraph or the date of the environmental analysis prepared to support the actions that changed the condition of the lands.

“(B) A report under subparagraph (A) shall include a summary of current military use of the lands covered by the plan, any changes in military use of the lands since the previous report, and efforts related to the management of natural and cultural resources and environmental remediation of the lands during the previous five years.

“(2) COMBINATION WITH OTHER REPORTS.—A report under this subsection may be combined with, or incorporate by reference, any contemporary report required by any other provision of law regarding the lands addressed by the report.

“(3) PUBLIC REVIEW AND COMMENT.—(A) Before the finalization of a report under this subsection, the Secretary concerned and the Secretary of the Interior shall invite interested members of the public to review and comment on the report, and shall hold at least one public meeting concerning the report in a location or locations reasonably accessible to persons who may be affected by management of the lands addressed by the report.

“(B) Each public meeting under subparagraph (A) shall be announced not less than 15 days before the date of the meeting by advertisements in local newspapers of general circulation, notices on the internet, including the website of the affected military range (if one exists), and any other means considered necessary or desirable by the Secretaries.

“(4) DISTRIBUTION OF REPORT.—The final version of a report under this subsection shall be made available to the public and submitted to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives.”.

(h) EFFECT ON NEW LAND WITHDRAWALS AND RESERVATIONS.—Nothing in this section or the amendments made by this section shall be construed as changing the requirements imposed on the Department of Defense to obtain a new or expanded land withdrawal and reservation.

**SEC. 2832. TEMPORARY SEGREGATION FROM PUBLIC LAND LAWS OF PROPERTY SUBJECT TO PROPOSED MILITARY LAND WITHDRAWAL; TEMPORARY USE PERMITS AND TRANSFERS OF SMALL PARCELS OF LAND BETWEEN DEPARTMENTS OF INTERIOR AND MILITARY DEPARTMENTS; MORE EFFICIENT SURVEYING OF LANDS.**

(a) TEMPORARY SEGREGATION OF MILITARY LAND FROM PUBLIC LAND LAWS UNDER REQUEST FOR WITHDRAWAL MADE TO SECRETARY OF THE INTERIOR.—Section 3 of the Act of February 28, 1958 (Public Law 85–337; 43 U.S.C. 157), is amended—

(1) by striking “Any application” and inserting “(a) CONTENTS OF APPLICATION.—Any application”;

(2) by striking “shall specify” and inserting “shall be filed with the Secretary of the Interior and shall specify”; and

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

“(b) TEMPORARY SEGREGATION FROM PUBLIC LAND LAWS.—

“(1) PUBLIC NOTICE.—Not later than 30 days after the date of the receipt of an application under subsection (a) for a withdrawal or reservation, the Secretary of the Interior shall publish a notice in the Federal Register stating that the application has been submitted, identifying the land that is the subject of the application, and stating the extent to which the land is to be segregated in accordance with paragraph (2).

“(2) SEGREGATION FROM PUBLIC LAND LAWS.—Upon publication of a notice under paragraph (1), the land identified in the notice shall be segregated from the operation of the public land laws to the extent specified in the notice. The segregation of such land pursuant to such notice shall terminate upon the earlier of—

“(A) the enactment of some or all of the withdrawal or reservation by Congress; or

“(B) the expiration of the 7-year period which begins on the date of the publication of the notice.

“(3) DEFINITION.—In this subsection, the term ‘public land laws’ includes the mining laws, the mineral leasing laws, and the geothermal leasing laws.”.

(b) AUTHORIZATION OF ADDITIONAL ARRANGEMENTS FOR USE AND TRANSFER OF LANDS UNDER JURISDICTION OF SECRETARY OF THE INTERIOR.—Such Act (43 U.S.C. 155 et seq.) is further amended by adding at the end the following new sections:

**“SEC. 7. SHORT-TERM PERMITS FOR USE OF DEPARTMENT OF INTERIOR LANDS FOR MILITARY TRAINING AND TESTING.**

“(a) AUTHORITY.—In addition to any other authority to grant permits for the use of land, the Secretary of the Interior may grant a permit to the Secretary of Defense to use land under the administrative jurisdiction of the Secretary of the Interior. Any such permit—

“(1) shall be issued consistent with section 2691 of title 10, United States Code;

“(2) shall allow the Department of Defense to use the land only for purposes of training and testing that are consistent with the purposes for which the Secretary of the Interior manages the land; and

“(3) may contain such other requirements as the Secretary of the Interior considers appropriate.

“(b) DURATION OF PERMIT.—A permit granted under this section shall be in effect for such period as the Secretary of the Interior may provide, except that such period may not exceed 30 days.

**“SEC. 8. TRANSFERS OF SMALL PARCELS OF LAND BETWEEN THE DEPARTMENTS OF DEFENSE AND INTERIOR.**

“(a) TRANSFER AUTHORIZED.—Subject to any valid existing rights, upon mutual agreement,

and without cost for the value of the land or any improvements thereon—

“(1) the Secretary of the Interior may transfer administrative jurisdiction over land that meets the requirements of subsection (b) to the Secretary of a military department; and

“(2) the Secretary of a military department may transfer administrative jurisdiction over land that meets the requirements of subsection (b) to the Secretary of the Interior.

“(b) REQUIREMENTS FOR LAND ELIGIBLE FOR TRANSFER.—The requirements of this subsection are as follows:

“(1) CONTIGUITY.—The land is contiguous to land already under the administrative jurisdiction of the Secretary to whom such jurisdiction is transferred.

“(2) LIMITATION ON ACREAGE.—No single parcel of the land is larger than 5,000 acres of contiguous area.

“(3) NO RECENT PRIOR TRANSFER OF CONTIGUOUS LAND.—The land is not contiguous to any other land for which administrative jurisdiction has been transferred under the authority of this section during the previous 5 years.

“(4) PRIOR USE FOR DEFENSE PURPOSES.—In the case of land transferred to the Department of Defense, the land was used for defense purposes immediately prior to the date of transfer.

“(c) MAP AND LEGAL DESCRIPTION.—

“(1) PREPARATION AND PUBLICATION.—The Secretary of the Interior shall—

“(A) publish in the Federal Register a notice containing the legal description of any land transferred under subsection (a);

“(B) file maps and legal descriptions of the land with—

“(i) the Committees on Armed Services and Energy and Natural Resources of the Senate, and

“(ii) the Committees on Armed Services and Natural Resources of the House of Representatives; and

“(C) make copies of such maps and legal descriptions available for public inspection in the appropriate offices of the Bureau of Land Management.

“(2) FORCE OF LAW.—For purposes of any transfer of administrative jurisdiction over land under this section, the legal description and map for the land shall be the legal description of the land filed under paragraph (1)(B), except that the Secretary of the Interior may correct clerical and typographical errors in the legal description or map.

“(d) TREATMENT AND USE OF LAND TRANSFERRED TO THE SECRETARY OF A MILITARY DEPARTMENT.—Upon a transfer of administrative jurisdiction over land to the Secretary of a military department under subsection (a)—

“(1) the land shall be treated as property (as defined in section 102(9) of title 40, United States Code) under the administrative jurisdiction of the Secretary of the military department; and

“(2) the land shall be withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws, for as long as the land is under the administrative jurisdiction of a Secretary of a military department.

“(e) TREATMENT AND USE OF LAND TRANSFERRED TO THE SECRETARY OF THE INTERIOR.—Upon a transfer of administrative jurisdiction over land to the Secretary of the Interior under subsection (a)—

“(1) the land shall become public land; and

“(2) the land shall be administered for the same purposes and be subject to the same conditions of use as the adjacent public land.

“(f) EFFECT ON OTHER AUTHORITIES.—The authority provided by this section is in addition to, and not subject to, any other authority relating to transfers of land.”.

(c) **SHORT TITLE.**—Section 1 of such Act (43 U.S.C. 155) is amended—

(1) by striking “Notwithstanding” and inserting “(a) **WITHDRAWAL, RESERVATION, OR RESTRICTION OF PUBLIC LANDS FOR DEFENSE PURPOSES.**—Notwithstanding”; and

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

“(b) **SHORT TITLE.**—This Act may be cited as the ‘Engle Act’.”

(d) **PROMOTING MORE EFFICIENT SURVEYING OF LANDS.**—In fixing the original corner position in an official survey of unsurveyed land, when applicable and feasible, Cadastral Surveys may, instead of using physical monuments, use geographic coordinates correlated to the National Spatial Reference System geodetic datum, in accordance with the Manual of Surveying Instructions.

**Subtitle E—Military Memorials, Monuments, and Museums**

**SEC. 2841. MODIFICATION OF PROHIBITION ON TRANSFER OF VETERANS MEMORIAL OBJECTS TO FOREIGN GOVERNMENTS WITHOUT SPECIFIC AUTHORIZATION IN LAW.**

(a) **DESCRIPTION OF OBJECTS.**—Paragraph (2)(B)(iii) of section 2572(e) of title 10, United States Code, is amended by striking “from abroad” and inserting “from abroad before 1907”.

(b) **EXTENSION OF PROHIBITION.**—Paragraph (3)(B) of section 2572(e) of such title is amended by striking “September 30, 2017” and inserting “September 30, 2022”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect October 1, 2017.

**SEC. 2842. RECOGNITION OF THE NATIONAL MUSEUM OF WORLD WAR II AVIATION.**

(a) **FINDINGS.**—Congress finds the following:

(1) World War II was one of the most important events in the history of the Nation, a time of common purpose that remains today as an inspiration to all people in the United States.

(2) The role of aviation was a critical factor in the success of winning World War II and defeating the enemies worldwide.

(3) The bravery, courage, dedication, and heroism of World War II aviators and support personnel were decisive in winning World War II.

(4) The National Museum of World War II Aviation in Colorado Springs, Colorado, is the only museum in the United States that exists to exclusively preserve and promote an understanding of the role of aviation in winning World War II.

(5) The National Museum of World War II Aviation is dedicated to celebrating the spirit of the United States, recognizing the teamwork, collaboration, patriotism, and courage of the men and women who fought, as well as those on the homefront who mobilized and supported the national aviation effort.

(b) **RECOGNITION.**—The National Museum of World War II Aviation in Colorado Springs, Colorado, is recognized as America’s National World War II Aviation Museum.

(c) **EFFECT OF RECOGNITION.**—The National Museum recognized by this section is not a unit of the National Park System, and the recognition of the National Museum shall not be construed to require or permit Federal funds to be expended for any purpose related to the National Museum.

**SEC. 2843. PRINCIPAL OFFICE OF AVIATION HALL OF FAME.**

Section 23107 of title 36, United States Code, is amended by striking “Dayton,” and all that follows through “trustees” and inserting “Ohio”.

**Subtitle F—Shiloh National Military Park**

**SEC. 2851. SHORT TITLE.**

This subtitle may be cited as the “Shiloh National Military Park Boundary Adjustment and Parker’s Crossroads Battlefield Designation Act”.

**SEC. 2852. DEFINITIONS.**

In this subtitle, the following definitions apply:

(1) **AFFILIATED AREA.**—The term “affiliated area” means the Parker’s Crossroads Battlefield established as an affiliated area of the National Park System under section 2854.

(2) **PARK.**—The term “Park” means Shiloh National Military Park, a unit of the National Park System.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

**SEC. 2853. AREAS TO BE ADDED TO SHILOH NATIONAL MILITARY PARK.**

(a) **ADDITIONAL AREAS.**—The boundary of Shiloh National Military Park is modified to include the areas that are generally depicted on the map entitled “Shiloh National Military Park, Proposed Boundary Adjustment”, numbered 304/80,011, and dated July 2014, as follows:

(1) Fallen Timbers Battlefield.

(2) Russell House Battlefield.

(3) Davis Bridge Battlefield.

(b) **ACQUISITION AUTHORITY.**—The Secretary may acquire lands described in subsection (a) by donation, purchase from willing sellers with donated or appropriated funds, or exchange.

(c) **ADMINISTRATION.**—Any lands acquired under this section shall be administered as part of the Park.

**SEC. 2854. ESTABLISHMENT OF AFFILIATED AREA.**

(a) **IN GENERAL.**—Parker’s Crossroads Battlefield in the State of Tennessee is hereby established as an affiliated area of the National Park System.

(b) **DESCRIPTION.**—The affiliated area shall consist of the area generally depicted within the “Proposed Boundary” on the map entitled “Parker’s Crossroads Battlefield, Proposed Boundary”, numbered 903/80,073, and dated July 2014.

(c) **ADMINISTRATION.**—The affiliated area shall be managed in accordance with this subtitle and all laws generally applicable to units of the National Park System.

(d) **MANAGEMENT ENTITY.**—The City of Parkers Crossroads and the Tennessee Historical Commission shall jointly be the management entity for the affiliated area.

(e) **COOPERATIVE AGREEMENTS.**—The Secretary may provide technical assistance and enter into cooperative agreements with the management entity for the purpose of providing financial assistance with marketing, marking, interpretation, and preservation of the affiliated area.

(f) **LIMITED ROLE OF THE SECRETARY.**—Nothing in this Act authorizes the Secretary to acquire property at the affiliated area or to assume overall financial responsibility for the operation, maintenance, or management of the affiliated area.

(g) **GENERAL MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—The Secretary, in consultation with the management entity, shall develop a general management plan for the affiliated area. The plan shall be prepared in accordance with section 100502 of title 54, United States Code.

(2) **TRANSMITTAL.**—Not later than 3 years after the date that funds are made available for this subtitle, the Secretary shall provide a copy of the completed general management plan to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

**SEC. 2855. PRIVATE PROPERTY PROTECTION.**

(a) **NO USE OF CONDEMNATION.**—The Secretary of the Interior may not acquire by condemnation any land or interests in land under this subtitle or for the purposes of this subtitle.

(b) **WRITTEN CONSENT OF OWNER.**—No non-Federal property may be included in the Shiloh National Military Park without the written consent of the owner.

(c) **NO BUFFER ZONE CREATED.**—Nothing in this subtitle, the establishment of the Shiloh National Military Park, or the management plan for the Shiloh National Military Park shall be construed to create buffer zones outside of the Park. That activities or uses can be seen, heard, or detected from areas within the Shiloh National Military Park shall not preclude, limit, control, regulate, or determine the conduct or management of activities or uses outside of the Park.

**Subtitle G—Other Matters**

**SEC. 2861. MODIFICATION OF DEPARTMENT OF DEFENSE GUIDANCE ON USE OF AIRFIELD PAVEMENT MARKINGS.**

(a) **MODIFICATION REQUIRED.**—The Secretary of Defense shall require such modifications of Unified Facilities Guide Specifications for pavement markings (UFGS 32 17 23.00 20 Pavement Markings, UFGS 32 17 24.00 10 Pavement Markings), Air Force Engineering Technical Letter ETL 97-18 (Guide Specification for Airfield and Roadway Marking), and any other Department of Defense guidance on airfield pavement markings as may be necessary to prohibit the use of Type I glass beads or any glass beads with a 1.6 refractive index or less from use on airfield markings on airfields under the control of the Secretary.

(b) **EFFECTIVE DATE.**—The modifications required under subsection (a) shall apply with respect to procurements occurring after September 30, 2018.

**SEC. 2862. AUTHORITY OF CHIEF OPERATING OFFICER OF ARMED FORCES RETIREMENT HOME TO ACQUIRE AND LEASE PROPERTY.**

(a) **ACQUISITION OF PROPERTY.**—Section 1511(e) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411(e)) is amended—

(1) in paragraph (2)—

(A) by striking “Secretary of Defense may acquire,” and inserting “Chief Operating Officer may acquire,”; and

(B) by striking “Secretary may acquire” and inserting “Chief Operating Officer may acquire”; and

(2) in paragraph (3)—

(A) by striking “Secretary of Defense determines” and inserting “Chief Operating Officer determines”; and

(B) by striking “Secretary shall dispose” and inserting “Chief Operating Officer shall dispose”.

(b) **LEASING OF NON-EXCESS PROPERTY.**—Subsection (i) of section 1511 of such Act (24 U.S.C. 411(i)) is amended—

(1) in paragraph (1)—

(A) by striking “Secretary of Defense (acting on behalf of the Chief Operating Officer)” and inserting “Chief Operating Officer”; and

(B) by striking “Secretary considers” and inserting “Chief Operating Officer considers”;

(2) in paragraph (5), by striking “the Secretary of Defense may not enter into the lease on behalf of the Chief Operating Officer” and inserting “the Chief Operating Officer may not enter into the lease”; and

(3) in subparagraph (A) of paragraph (6), by striking “Secretary of Defense” and inserting “Chief Operating Officer”.

**TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION**

**SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

The Secretary of the Army may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

**Army: Outside the United States**

| Country      | Installation            | Amount        |
|--------------|-------------------------|---------------|
| Cuba .....   | Guantanamo .....        | \$115,000,000 |
| Turkey ..... | Various Locations ..... | \$6,400,000   |

**SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECT.**

The Secretary of the Navy may acquire real property and carry out the military construction

project for the installation outside the United States, and in the amount, set forth in the following table:

**Navy: Outside the United States**

| Country        | Installation         | Amount       |
|----------------|----------------------|--------------|
| Djibouti ..... | Camp Lemonnier ..... | \$13,390,000 |

**SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

The Secretary of the Air Force may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

**Air Force: Outside the United States**

| Country          | Installation             | Amount        |
|------------------|--------------------------|---------------|
| Estonia .....    | Amari Air Base .....     | \$13,900,000  |
| Hungary .....    | Kecskemet Air Base ..... | \$55,400,000  |
| Iceland .....    | Keflavik .....           | \$14,400,000  |
| Italy .....      | Aviano AB .....          | \$27,325,000  |
| Jordan .....     | Azraq .....              | \$143,000,000 |
| Latvia .....     | Lielvarde Air Base ..... | \$3,850,000   |
| Luxembourg ..... | Sanem .....              | \$67,400,000  |
| Norway .....     | Rygge .....              | \$10,300,000  |
| Qatar .....      | Al Udeid .....           | \$15,000,000  |
| Romania .....    | Campia Turzii .....      | \$2,950,000   |
| Slovakia .....   | Malacky .....            | \$24,000,000  |
|                  | Sliac Airport .....      | \$22,000,000  |
| Turkey .....     | Incirlik Air Base .....  | \$48,697,000  |

**SEC. 2904. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECT.**

The Secretary of Defense may acquire real property and carry out the military construction

project for the installation outside the United States, and in the amount, set forth in the following table:

**Defense Agencies: Outside the United States**

| Country     | Installation    | Amount       |
|-------------|-----------------|--------------|
| Italy ..... | Sigonella ..... | \$22,400,000 |

**SEC. 2905. AUTHORIZATION OF APPROPRIATIONS.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2017, for the military construction projects outside the United States authorized by this title as specified in the funding table in section 4602.

**SEC. 2906. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2015 PROJECTS.**

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3669), the authorizations set forth in the table in subsection (b), as provided

in section 2902 of that Act (128 Stat. 3717), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

**Extension of 2015 Air Force OCO Project Authorizations**

| Country      | Installation        | Project                                     | Amount       |
|--------------|---------------------|---------------------------------------------|--------------|
| Italy .....  | Camp Darby .....    | ERI: Improve Weapons Storage Facility ..... | \$44,450,000 |
| Poland ..... | Lask Air Base ..... | ERI: Improve Support Infrastructure .....   | \$22,400,000 |

**DIVISION C—DEPARTMENT OF ENERGY  
NATIONAL SECURITY AUTHORIZATIONS  
AND OTHER AUTHORIZATIONS**

**TITLE XXXI—DEPARTMENT OF ENERGY  
NATIONAL SECURITY PROGRAMS**

**Subtitle A—National Security Programs  
Authorizations**

**SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2018 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in division D.

(b) **AUTHORIZATION OF NEW PLANT PROJECTS.**—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 18–D–150, Surplus Plutonium Disposition, Savannah River Site, Aiken, South Carolina, \$9,000,000.

Project 18–D–620, Exascale Computing Facility Modernization Project, Lawrence Livermore National Laboratory, Livermore, California, \$3,000,000.

Project 18–D–650, Tritium Production Capability, Savannah River Site, Aiken, South Carolina, \$6,800,000.

Project 18–D–660, Fire Station, Y–12 National Security Complex, Oak Ridge, Tennessee, \$28,000,000.

Project 18–D–670, Exascale Class Computer Cooling Equipment, Los Alamos National Laboratory, Los Alamos, New Mexico, \$22,000,000.

Project 18–D–680, Material Staging Facility, Pantex Plant, Amarillo, Texas, \$5,200,000.

Project 18–D–920, KL Fuel Development Laboratory, Knolls Atomic Power Laboratory, Schenectady, New York, \$1,000,000.

Project 18–D–921, KS Overhead Piping, Kesselring Site, West Milton, New York, \$6,688,000.

Project 18–D–922, BL Component Test Complex, Bettis Atomic Power Laboratory, West Mifflin, Pennsylvania, \$3,000,000.

**SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

(a) **IN GENERAL.**—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2018 for defense environmental cleanup activities in carrying out programs as specified in the funding table in division D.

(b) **AUTHORIZATION OF NEW PLANT PROJECTS.**—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 18–D–401, Saltstone Disposal Units #8 and #9, Savannah River Site, Aiken, South Carolina, \$500,000.

Project 18–D–402, Emergency Operations Center Replacement, Savannah River Site, Aiken, South Carolina, \$500,000.

Project 18–D–404, Modification of Waste Encapsulation and Storage Facility, Hanford Site, Richland, Washington, \$6,500,000.

**SEC. 3103. OTHER DEFENSE ACTIVITIES.**

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2018 for other defense activities in carrying out programs as specified in the funding table in division D.

**SEC. 3104. NUCLEAR ENERGY.**

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2018 for nuclear energy as specified in the funding table in division D.

**Subtitle B—Program Authorizations,  
Restrictions, and Limitations**

**SEC. 3111. NUCLEAR SECURITY ENTERPRISE INFRASTRUCTURE RECAPITALIZATION AND REPAIR.**

(a) **FINDINGS.**—Congress finds the following:

(1) On September 7, 2016, during testimony before the Subcommittee on Strategic Forces of the Committee on Armed Services of the House of Representatives—

(A) the Administrator for Nuclear Security, Frank Klotz, said—

(i) “Our infrastructure is extensive, complex, and, in many critical areas, several decades old. More than half of NNSA’s approximately 6,000 real property assets are over 40 years old, and nearly 30 percent date back to the Manhattan Project era. Many of the enterprise’s critical utility, safety, and support systems are failing at an increasing and unpredictable rate, which poses both programmatic and safety risk.”; and

(ii) “I can think of no greater threat to the nuclear security enterprise than the state of NNSA’s infrastructure.”;

(B) the President and Chief Executive Officer of Consolidated Nuclear Security, Morgan Smith, said, “Many key facilities at both [Pantex and Y–12] were constructed in the 1940s and were intended to operate for as little as one decade. Many facilities and their supporting infrastructure have exceeded or far exceeded their expected life, and major systems within the facilities are beginning to fail.”; and

(C) the Director of Los Alamos National Laboratory, Dr. Charlie McMillan, said, “One of the things that keeps me up at night is the realization that essential capabilities are held at risk by the possibility of such failures; in many cases, our enterprise has a single point of failure.”.

(2) In a letter sent on December 23, 2015, by the Secretary of Energy, Ernest Moniz, to the Director of the Office of Management and Budget, Shaun Donovan, the Secretary said, “A majority of the National Nuclear Security Administration’s (NNSA) facilities and systems are well beyond end-of-life . . . Infrastructure problems such as falling ceilings are increasing in frequency and severity, unacceptably risking the safety and security of both personnel and material at NNSA facilities, as well as in some instances, potential offsite risks. The entire complex could be placed at risk if there is a single failure where a single point would disrupt a critical link in infrastructure.”.

(3) The Nuclear Posture Review published in April 2010 stated that “In order to sustain a safe, secure, and effective U.S. nuclear stockpile as long as nuclear weapons exist, the United States must possess a modern physical infrastructure . . . Today’s nuclear complex, however, has fallen into neglect. Although substantial science, technology, and engineering investments were made over the last decade under the auspices of the Stockpile Stewardship Program, the complex still includes many oversized and costly-to-maintain facilities built during the 1940s and 1950s. Some facilities needed for working with plutonium and uranium date back to the Manhattan Project. Safety, security, and environmental issues associated with these aging facilities are mounting, as are the costs of addressing them.”.

(4) In 2009, the bipartisan Congressional Commission on the Strategic Posture of the United States established by section 1062 of the National Defense Authorization for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 319) stated, with regards to key production facilities, that “existing facilities are genuinely decrepit and are maintained in a safe and secure manner only at high cost”.

(5) Previous efforts to address the deferred maintenance and repair challenges within the

nuclear security enterprise, such as the Facilities Infrastructure and Recapitalization Program and the recent halt in the growth of backlog metrics, are laudable but insufficient for the magnitude of the problem.

(6) Recent figures provided by the Administrator for Nuclear Security estimate the backlog of deferred maintenance and repair needs of the nuclear security enterprise to be approximately \$3,700,000,000.

(b) **FACILITIES AND INFRASTRUCTURE RECAPITALIZATION AND REPAIR PROGRAM.**—

(1) **ESTABLISHMENT.**—Not later than 30 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall establish and carry out a program known as the Facilities and Infrastructure Recapitalization and Repair Program to reduce the backlog of deferred maintenance and repair needs of the nuclear security enterprise (as defined in section 4002(6) of the Atomic Energy Defense Act (50 U.S.C. 2501(6))). The Administrator shall ensure that, by not later than five years after the date of the enactment of this Act, the program achieves the goal of reducing such backlog of deferred maintenance and repair needs by 50 percent.

(2) **AUTHORITIES.**—

(A) **PROCESS.**—

(i) **IN GENERAL.**—The Secretary of Energy shall provide to the Administrator a process that will enhance or streamline the ability of the Administrator to carry out the program under paragraph (1) in an efficient and effective manner, including with respect to—

(I) the demolition or construction of non-nuclear facilities of the Administration that have a total estimated project cost of less than \$100,000,000; and

(II) the decontamination, decommissioning, and demolition (to be performed in accordance with applicable health and safety standards used by the Defense Environmental Cleanup Program) of process-contaminated facilities of the Administration that have a total estimated project cost of less than \$50,000,000.

(ii) **FUNDING.**—Clause (i) may be carried out using amounts authorized to be appropriated for fiscal year 2018 or any subsequent fiscal year.

(B) **APPLICATION OF CERTAIN REQUIREMENTS.**—For purposes of the Management Procedures Memorandum 2015–01 of the Office of Management and Budget, or such successor memorandum, in carrying out the program under paragraph (1), the Administrator may—

(i) perform new construction during a fiscal year that differs from the fiscal year of corresponding facility demolition;

(ii) perform demolition of different facility category codes and have that demolition credit count towards the construction of new facilities with a different facility category code; and

(iii) have the net reduction in infrastructure footprint for the five fiscal years prior to the date of the enactment of this Act, and the demolition during the five fiscal years following such date of enactment, considered as a factor for the purpose of meeting the intent of such memorandum.

(3) **PLAN.**—Together with the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2019, the Secretary and the Administrator shall jointly submit to the Committees on Armed Services of the House of Representatives and the Senate a plan to carry out the program under paragraph (1) to achieve the goal specified in such paragraph. Such plan shall include—

(A) the funding required to carry out the program during the period covered by the future-years nuclear security program under section 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453);

(B) the criteria for selecting and prioritizing projects within the program under paragraph (1);

(C) mechanisms for ensuring the robust management and oversight of such projects;

(D) a description of the process provided to the Administrator to carry out the program pursuant to paragraph (2)(A);

(E) a description of any legislative actions the Secretary recommends to further enhance or streamline authorities or processes relating to the program; and

(F) a certification by the Secretary that such budget will enable the program to meet the goal specified in paragraph (1).

(4) **TERMINATION.**—The Administrator shall terminate the program under paragraph (1) on the date that is five years after the date of the enactment of this Act.

(c) **INCLUSION IN BIENNIAL DETAILED REPORT.**—Section 4203(d)(4) of the Atomic Energy Defense Act (50 U.S.C. 2523) is amended—

(1) in subparagraph (B), by striking “; and” and inserting a semicolon;

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

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

“(D)(i) a description of—

“(I) the metrics (based on industry best practices) used by the Administrator to determine the infrastructure deferred maintenance and repair needs of the nuclear security enterprise; and

“(II) the percentage of replacement plant value being spent on maintenance and repair needs of the nuclear security enterprise; and

“(ii) an explanation of whether the annual spending on such needs complies with the recommendation of the National Research Council of the National Academies of Sciences, Engineering, and Medicine that such spending be in an amount equal to four percent of the replacement plant value, and, if not, the reasons for such noncompliance and a plan for how the Administrator will ensure facilities of the nuclear security enterprise are being properly sustained.”.

(d) **REQUIREMENTS RELATING TO CRITICAL DECISIONS.**—

(1) **IN GENERAL.**—Subtitle A of title XLVII of the Atomic Energy Defense Act (50 U.S.C. 2741 et seq.) is amended by adding at the end the following new section:

“**SEC. 4715. MATTERS RELATING TO CRITICAL DECISIONS.**

“(a) **POST-CRITICAL DECISION 2 CHANGES.**—After the date on which a plant project specifically authorized by law achieves critical decision 2, the Administrator may not change the requirements for such project if such change increases the scope, schedule, or budget of such project unless—

“(1) the Administrator submits to the congressional defense committees—

“(A) a certification that the Administrator, without delegation, authorizes such proposed change; and

“(B) a cost-benefit and risk analysis of such proposed change, including with respect to—

“(i) the effects of such proposed change on the project cost and schedule; and

“(ii) any mission risks and operational risks from making such change or not making such change; and

“(2) a period of 15 days elapses following the date of such submission.

“(b) **REVIEW AND APPROVAL.**—The Administrator shall ensure that critical decision packages are timely reviewed and either approved or disapproved.”.

(2) **CLERICAL AMENDMENT.**—The table of contents at the beginning of such Act is amended by inserting after the item relating to section 4714 the following new item:

“Sec. 4715. Matters relating to critical decisions.”.

(e) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the nuclear security enterprise, comprised of the infrastructure and capabilities of the laboratories and plants coupled with the dedicated and talented scientists, engineers, technicians, and administrators who form the backbone of the enterprise, are a central component of the nuclear deterrent of the United States;

(2) if left unaddressed, the state of the infrastructure within the nuclear security enterprise represents a direct, long-term threat to the credibility of the nuclear deterrent of the United States;

(3) both Congress and the President must take strong, sustained action to recapitalize and repair this infrastructure;

(4) the Administrator must continue to carry out expeditious demolition of old facilities of the Administration to reduce long-term costs and improve safety; and

(5) each budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2019 and each fiscal year thereafter during the life of the program established pursuant to subsection (b)(1) should include funding in an amount sufficient to carry out the program to achieve the goal specified in such subsection.

**SEC. 3112. INCORPORATION OF INTEGRATED SURETY ARCHITECTURE IN TRANSPORTATION.**

(a) **INCORPORATION.**—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is amended by adding at the end the following new section:

“**SEC. 4222. INCORPORATION OF INTEGRATED SURETY ARCHITECTURE.**

“(a) **SHIPMENTS.**—(1) The Administrator shall ensure that shipments described in paragraph (2) incorporate surety technologies relating to transportation and shipping developed by the Integrated Surety Architecture program of the Administration.

“(2) A shipment described in this paragraph is an over-the-road shipment of the Administration that involves any nuclear weapon planned to be in the active stockpile after 2025.

“(b) **CERTAIN PROGRAMS.**—(1) The Administrator, in coordination with the Chairman of the Nuclear Weapons Council, shall ensure that each program described in paragraph (2) incorporate integrated designs compatible with the Integrated Surety Architecture program.

“(2) A program described in this subsection is a program of the Administration that is a warhead development program, a life extension program, or a warhead major alteration program.

“(c) **DETERMINATION.**—(1) If, on a case-by-case basis, the Administrator determines that a shipment under subsection (a) will not incorporate some or all of the surety technologies described in such subsection, or that a program under subsection (b) will not incorporate some or all of the integrated designs described in such subsection, the Administrator shall submit such determination to the congressional defense committees, including the results of an analysis conducted pursuant to paragraph (2).

“(2) Each determination made under paragraph (1) shall be based on a documented, system risk analysis that considers security risk reduction, operational impacts, and technical risk.

“(e) **TERMINATION.**—The requirements of subsections (a) and (b) shall terminate on December 31, 2029.”.

(b) **CLERICAL AMENDMENT.**—The table of contents for such Act is amended by inserting after the item relating to section 4221 the following new item:

“Sec. 4222. Incorporation of integrated surety architecture.”.

(c) **IMPLEMENTATION OF CERTAIN DIRECTION.**—The Administrator shall implement the direction

relating to this section contained in the classified annex accompanying this Act.

**SEC. 3113. COST ESTIMATES FOR LIFE EXTENSION PROGRAM AND MAJOR ALTERATION PROJECTS.**

Subsection (b) of section 4217 of the Atomic Energy Defense Act (50 U.S.C. 2537(b)) is amended to read as follows:

“(b) **INDEPENDENT COST ESTIMATES AND REVIEWS.**—(1) The Secretary, acting through the Administrator, shall submit to the congressional defense committees and the Nuclear Weapons Council the following:

“(A) An independent cost estimate of the following:

“(i) Each nuclear weapon system undergoing life extension at the completion of phase 6.2A, relating to design definition and cost study.

“(ii) Each nuclear weapon system undergoing life extension at the completion of phase 6.3, relating to development engineering.

“(iii) Each nuclear weapon system undergoing life extension at the completion of phase 6.4, relating to production engineering, and before the initiation of phase 6.5, relating to first production.

“(iv) Each new nuclear facility within the nuclear security enterprise that is estimated to cost more than \$500,000,000 before such facility achieves critical decision 1 and before such facility achieves critical decision 2 in the acquisition process.

“(v) Each nuclear weapons system undergoing a major alteration project (as defined in section 2753(a)(2) of this title).

“(B) An independent cost review of each nuclear weapon system undergoing life extension at the completion of phase 6.2, relating to study of feasibility and down-select.

“(2) Each independent cost estimate and independent cost review under paragraph (1) shall include—

“(A) whether the cost baseline or the budget estimate for the period covered by the future-years nuclear security program has changed, and the rationale for any such change; and

“(B) any views of the Secretary or the Administrator regarding such estimate or review.

“(3) The Administrator shall review and consider the results of any independent cost estimate or independent cost review of a nuclear weapon system or a nuclear facility, as the case may be, under this subsection before entering the next phase of the development process of such system or the acquisition process of such facility.

“(4) Each independent cost estimate or independent cost review of a nuclear weapon system or a nuclear facility, as the case may be, under this subsection shall be submitted not later than 30 days after the date on which—

“(A) such system completes a phase specified in paragraph (1); or

“(B) such facility achieves critical decision 1 as specified in subparagraph (A)(iv) of such paragraph.

“(5) Each independent cost estimate or independent cost review submitted under this subsection shall be submitted in unclassified form, but may include a classified annex if necessary.”.

**SEC. 3114. BUDGET REQUESTS AND CERTIFICATION REGARDING NUCLEAR WEAPONS DISMANTLEMENT.**

Section 3125 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following new subsections:

“(d) **BUDGET REQUESTS.**—The Administrator for Nuclear Security shall ensure that the budget of the President submitted to Congress under

section 1105(a) of title 31, United States Code, for each of fiscal years 2019 through 2021 includes amounts for the nuclear weapons dismantlement and disposition activities of the National Nuclear Security Administration in accordance with the limitation in subsection (a).

“(e) CERTIFICATION.—Not later than February 1, 2018, the Administrator shall certify to the congressional defense committees that the Administrator is carrying out the nuclear weapons dismantlement and disposition activities of the Administration in accordance with the limitations in subsections (a) and (b).”.

**SEC. 3115. IMPROVED INFORMATION RELATING TO DEFENSE NUCLEAR NONPROLIFERATION RESEARCH AND DEVELOPMENT PROGRAM.**

(a) IMPROVED INFORMATION.—Title XLIII of the Atomic Energy Defense Act (50 U.S.C. 2563 et seq.) is amended by adding at the end the following new section:

**“SEC. 4310. INFORMATION RELATING TO DEFENSE NUCLEAR NONPROLIFERATION RESEARCH AND DEVELOPMENT PROGRAM AND ARMS CONTROL PROGRAM.**

“(a) TECHNOLOGIES AND CAPABILITIES.—The Administrator shall document, for efforts that are not focused on basic research, the technologies and capabilities of the defense nuclear nonproliferation research and development program—

“(1) that are transitioned to end users for further development or deployment; and

“(2) that are deployed.

“(b) ASSESSMENTS OF STATUS.—(1) In assessing projects under the defense nuclear nonproliferation research and development program or the defense nuclear nonproliferation and arms control program, the Administrator shall compare the status of each such project, including with respect to the final results of such project, to the baseline targets and goals established in the initial project plan of such project.

“(2) The Administrator may carry out paragraph (1) using a common template or such other means as the Administrator determines appropriate.”.

(b) INCLUSION IN PLAN.—Section 4309(b) of such Act (50 U.S.C. 2575(b)) is amended—

(1) by redesignating paragraph (16) as paragraph (18); and

(2) by inserting after paragraph (15) the following new paragraphs:

“(16) A summary of the technologies and capabilities documented under section 4310(a).

“(17) A summary of the assessments conducted under section 4310(b)(1).”.

**SEC. 3116. RESEARCH AND DEVELOPMENT OF ADVANCED NAVAL REACTOR FUEL BASED ON LOW-ENRICHED URANIUM.**

(a) PROHIBITION ON AVAILABILITY OF FUNDS FOR FISCAL YEAR 2018.—

(1) RESEARCH AND DEVELOPMENT.—Except as provided by paragraph (2), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Energy or the Department of Defense may be obligated or expended to plan or carry out research and development of an advanced naval nuclear fuel system based on low-enriched uranium.

(2) EXCEPTION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for defense nuclear nonproliferation, as specified in the funding table in division D—

(A) \$5,000,000 shall be made available to the Deputy Administrator for Naval Reactors of the National Nuclear Security Administration for low-enriched uranium activities (including downblending of high-enriched uranium fuel into low-enriched uranium fuel, research and development using low-enriched uranium fuel,

or the modification or procurement of equipment and infrastructure related to such activities) to develop an advanced naval nuclear fuel system based on low-enriched uranium; and

(B) if the Secretary of Energy and the Secretary of the Navy determine under section 3118(c)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1196) that such low-enriched uranium activities and research and development should continue, an additional \$30,000,000 may be made available to the Deputy Administrator for such purpose.

(b) PROHIBITION ON AVAILABILITY OF FUNDS REGARDING CERTAIN ACCOUNTS AND PURPOSES.—

(1) RESEARCH AND DEVELOPMENT AND PROCUREMENT.—Chapter 633 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 7319. Requirements for availability of funds relating to advanced naval nuclear fuel systems based on low-enriched uranium**

“(a) AUTHORIZATION.—Low-enriched uranium activities may only be carried out using funds authorized to be appropriated or otherwise made available for the Department of Energy for atomic energy defense activities for defense nuclear nonproliferation.

“(b) PROHIBITION REGARDING CERTAIN ACCOUNTS.—(1) None of the funds described in paragraph (2) may be obligated or expended to carry out low-enriched uranium activities.

“(2) The funds described in this paragraph are funds authorized to be appropriated or otherwise made available for any fiscal year for any of the following accounts:

“(A) Shipbuilding and conversion, Navy, or any other account of the Department of Defense.

“(B) Any account within the atomic energy defense activities of the Department of Energy other than defense nuclear nonproliferation, as specified in subsection (a).

“(3) The prohibition in paragraph (1) may not be superseded except by a provision of law that specifically supersedes, repeals, or modifies this section. A provision of law, including a table incorporated into an Act, that appropriates funds described in paragraph (2) for low-enriched uranium activities may not be treated as specifically superseding this section unless such provision specifically cites to this section.

“(c) LOW-ENRICHED URANIUM ACTIVITIES DEFINED.—In this section, the term ‘low-enriched uranium activities’ means the following:

“(1) Planning or carrying out research and development of an advanced naval nuclear fuel system based on low-enriched uranium.

“(2) Procuring ships that use low-enriched uranium in naval nuclear propulsion reactors.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“7319. Requirements for availability of funds relating to advanced naval nuclear fuel systems based on low-enriched uranium”.

(c) REPORTS.—

(1) SSN(X) SUBMARINE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy and the Deputy Administrator for Naval Reactors shall jointly submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the cost and timeline required to assess the feasibility, costs, and requirements for a design of the Virginia-class replacement nuclear attack submarine that would allow for the use of a low-enriched uranium fueled reactor, if technically feasible, without changing the diameter of the submarine.

(2) RESEARCH AND DEVELOPMENT.—Not later than 60 days after the date of the enactment of

this Act, the Deputy Administrator for Naval Reactors shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on—

(A) the planned research and development activities on low-enriched uranium and highly enriched uranium fuel that could apply to the development of a low-enriched uranium fuel or an advanced highly enriched uranium fuel; and

(B) with respect to such activities for each such fuel—

(i) the costs associated with such activities; and

(ii) a detailed proposal for funding such activities.

**SEC. 3117. PROHIBITION ON AVAILABILITY OF FUNDS FOR PROGRAMS IN RUSSIAN FEDERATION.**

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for atomic energy defense activities may be obligated or expended to enter into a contract with, or otherwise provide assistance to, the Russian Federation.

(b) WAIVER.—The Secretary of Energy, without delegation, may waive the prohibition in subsection (a) only if—

(1) the Secretary determines, in writing, that a nuclear-related threat arising in the Russian Federation must be addressed urgently and it is necessary to waive the prohibition to address that threat;

(2) the Secretary of State and the Secretary of Defense concur in the determination under paragraph (1);

(3) the Secretary of Energy submits to the appropriate congressional committees a report containing—

(A) a notification that the waiver is in the national security interest of the United States;

(B) justification for the waiver, including the determination under paragraph (1); and

(C) a description of the activities to be carried out pursuant to the waiver, including the expected cost and timeframe for such activities; and

(4) a period of seven days elapses following the date on which the Secretary submits the report under paragraph (3).

(c) EXCEPTION.—The prohibition under subsection (a) and the requirements under subsection (b) to waive that prohibition shall not apply to an amount, not to exceed \$3,000,000, that the Secretary may make available for the Department of Energy Russian Health Studies Program.

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

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

**SEC. 3118. NATIONAL NUCLEAR SECURITY ADMINISTRATION PAY AND PERFORMANCE SYSTEM.**

(a) PAY BANDING AND PERFORMANCE-BASED PAY ADJUSTMENT DEMONSTRATION PROJECT.—

(1) EXTENSION.—The Administrator for Nuclear Security shall carry out the demonstration project until the date that is five years after the date of the enactment of this Act. The Administrator shall carry out such project in accordance with the demonstration project plan, including with respect to the authority of the Administrator to modify such system pursuant to such plan and waiving certain authorities or requirements under such plan.

(2) NAVAL NUCLEAR PROPULSION PROGRAM.—The Deputy Administrator for Naval Reactors may carry out the demonstration project with respect to the employees of the Naval Nuclear



Propulsion Program in positions in the competitive service.

(3) **ROTATIONS.**—In carrying out the demonstration project, the Administrator shall authorize, and establish incentives for, employees of the National Nuclear Security Administration to have rotational assignments among different programs of the Administration, the headquarters and field offices of the Administration, and the management and operating contractors of the Administration.

(4) **REQUIREMENTS FOR SENIOR-LEVEL POSITIONS.**—The Administrator shall establish requirements for employees of the Administration who are in the demonstration project to be promoted to senior-level positions in the Administration, including requirements with respect to—

(A) professional training and continuing education; and

(B) a certain number and types of rotational assignments under paragraph (3), as determined by the Administrator.

(5) **DEFINITIONS.**—In this subsection:

(A) The term “demonstration project” means the National Nuclear Security Administration Pay Banding and Performance-Based Pay Adjustment Demonstration Project that is carried out—

(i) pursuant to section 4703 of title 5, United States Code; and

(ii) in accordance with the demonstration project plan and this subsection.

(B) The term “demonstration project plan” means the demonstration project plan published in the Federal Register on December 21, 2007 (72 Fed. Reg. 72,776).

(b) **ROTATIONS FOR CERTAIN CONTRACTORS.**—

(1) **INCREASED USE.**—The Administrator for Nuclear Security shall increase the use of rotational assignments of employees of the management and operating contractors of the National Nuclear Security Administration to the headquarters of the Administration, the Department of Defense and the military departments, the intelligence community, and other departments and agencies of the Federal Government.

(2) **METHODS.**—The Administrator shall carry out paragraph (1) by—

(A) establishing incentives for—

(i) the management and operating contractors of the Administration and the employees of such contractors to participate in rotational assignments; and

(ii) the departments and agencies of the Federal Government specified in such paragraph to facilitate such assignments;

(B) providing professional and leadership development opportunities during such assignments;

(C) using details and other applicable authorities and programs, including the mobility program under subchapter VI of chapter 33 of title 5, United States Code (commonly referred to as the “Intergovernmental Personnel Act Mobility Program”); and

(D) taking such other actions as the Administrator determines appropriate to increase the use of such rotational assignments.

(c) **RED-TEAM ANALYSIS.**—

(1) **ANALYSIS.**—The Director for Cost Estimating and Program Evaluation of the National Nuclear Security Administration shall carry out a red-team analysis of the Federal employee staffing structure of the Administration with respect to the Administrator for Nuclear Security meeting the authorized personnel levels under section 3241A of the National Nuclear Security Administration Act (50 U.S.C. 2241a).

(2) **MATTERS INCLUDED.**—The analysis under paragraph (1) shall include assessments of—

(A) the number of Federal employees within each program of the Administration, and whether such numbers are appropriately balanced with respect to the size, scope, functions, budgets, and risks, of the program; and

(B) the number of Senior Executive Service positions within the Administration, including a comparison of such number to other comparable departments and agencies of the Federal Government, and whether such number is appropriate.

(d) **BRIEFINGS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act—

(A) the Administrator for Nuclear Security shall provide a briefing to the appropriate congressional committees on the implementation of—

(i) section 3248 of the National Nuclear Security Administration Act, as added by subsection (a); and

(ii) subsection (b); and

(B) the Director for Cost Estimating and Program Evaluation shall provide to such committees a briefing on the analysis under subsection (c).

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this subsection, the term “appropriate congressional committees” means—

(A) the Committees on Armed Services of the House of Representatives and the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives;

(C) the Committee on Energy and Natural Resources of the Senate; and

(D) the Committee on Oversight and Government Reform of the House of Representatives.

#### SEC. 3119. DISPOSITION OF WEAPONS-USABLE PLUTONIUM.

(a) **IN GENERAL.**—Subject to subsection (b), the Secretary of Energy shall carry out construction and project support activities relating to the MOX facility using funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the National Nuclear Security Administration for the MOX facility for construction and project support activities.

(b) **WAIVER.**—The Secretary of Energy may waive the requirement in subsection (a) if the Secretary submits to the Committees on Armed Services of the House of Representatives and the Senate the following:

(1) The matters required by section 3116(b)(3) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2761).

(2) Notification that the Secretary has sought to enter into consultations with any relevant State necessary to pursue an alternative option for carrying out the plutonium disposition program.

(3) Notification that the Secretary has been unable to enter into a fixed-price contract with the prime contractor of the MOX facility (for construction and project support activities under subsection (a)) that the Secretary determines sufficiently minimizes risk and cost to the Department of Energy.

(4) Certification that—

(A) an alternative option for carrying out the plutonium disposition program exists;

(B) the total lifecycle cost of such alternative option would be less than approximately half of the estimated remaining total lifecycle cost of the mixed-oxide fuel program; and

(C) pursuing such alternative option is in the best interest of the Federal Government.

(5) The commitment of the Secretary to—

(A) remove plutonium from South Carolina; and

(B) ensure a sustainable future for the Savannah River Site.

(c) **DEFINITIONS.**—In this section:

(1) The term “MOX facility” means the mixed-oxide fuel fabrication facility at the Savannah River Site, Aiken, South Carolina.

(2) The term “project support activities” means activities that support the design, long-

lead equipment procurement, and site preparation of the MOX facility.

#### SEC. 3120. MODIFICATION OF MINOR CONSTRUCTION THRESHOLD FOR PLANT PROJECTS.

Section 4701 of the Atomic Energy Defense Act (50 U.S.C. 2741) is amended—

(1) by striking “In this subtitle:” and inserting the following:

“(a) **IN GENERAL.**—In this subtitle:”

(2) in paragraph (2), by striking “\$10,000,000” and inserting “\$20,000,000, subject to adjustment under subsection (b)”;

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

“(b) **ADJUSTMENT OF MINOR CONSTRUCTION THRESHOLD FOR INFLATION.**—(1) The Secretary of Energy shall adjust the amount of the minor construction threshold on October 1, 2017, and at the beginning of each fiscal year thereafter, to reflect the percentage (if any) of the increase in the average of the Consumer Price Index for the preceding 12-month period compared to the Consumer Price Index for fiscal year 2016.

“(2) In adjusting the amount of the minor construction threshold under paragraph (1), the Secretary—

“(A) shall round the amount of any increase in the Consumer Price Index to the nearest dollar; and

“(B) may ignore any such increase of less than 1 percent.

“(3) For purposes of this subsection, the term ‘Consumer Price Index’ means the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.”

#### SEC. 3121. DESIGN COMPETITION.

(a) **FINDINGS.**—Congress finds the following:

(1) In January 2016, the co-chairs of a congressionally-mandated study panel from the National Academies of Science testified before the House Committee on Armed Services that:

(A) “The National Nuclear Security Administration (NNSA) complex must engage in robust design competitions in order to exercise the design and production skills that underpin stockpile stewardship and are necessary to meet evolving threats.”

(B) “To exercise the full set of design skills necessary for an effective nuclear deterrent, the NNSA should develop and conduct the first in what the committee envisions to be a series of design competitions that integrate the full end-to-end process from novel design conception through engineering, building, and non-nuclear testing of a prototype.”

(2) In March 2016 testimony before the House Committee on Armed Services regarding a December 2016 Defense Science Board (DSB) report titled, “Seven Defense Priorities for the New Administration”, members of the DSB said:

(A) “A key contributor to nuclear deterrence is the continuous, adaptable exercise of the development, design, and production functions for nuclear weapons in both the DOD and DOE... Yet the DOE laboratories and DOD contractor community have done little integrated design and development work outside of life extension for 25 years, let alone concept development that could serve as a hedge to surprise.”

(B) “The Defense Science Board believes that the triad’s complementary features remain robust tenets for the design of a future force. Replacing our current, aging force is essential, but not sufficient in the more complex nuclear environment we now face to provide the adaptability or flexibility to confidently hold at risk what adversaries value. In particular, if the threat evolves in ways that favorably change the cost/benefit calculus in the view of an adversary’s leadership, then we should be in a position to quickly restore a credible deterrence posture.”

(3) In a memorandum dated May 9, 2014, then-Secretary of Energy Ernie Moniz said:

(A) “If nuclear military capabilities are to provide deterrence for the nation they need to be relevant to the emerging global strategic environment. The current stockpile was designed to meet the needs of a bipolar world with roots in the Cold War era. A more complex, chaotic, and dynamic security environment is emerging. In order to uphold the Department’s mission to ensure an effective nuclear deterrent . . . we must ensure our nuclear capabilities meet the challenges of known and potential geopolitical and technological trends. Therefore we must look ahead, using the expertise of our laboratories, to how the capabilities that may be employed by other nations could impact deterrence over the next several decades.”

(B) “We must challenge our thinking about our programs of record in order to permit foresighted actions that may reduce, in the coming decades, the chances for surprise and that buttress deterrence.”

(b) DESIGN COMPETITION.—

(1) IN GENERAL.—In accordance with paragraph (2), the Administrator for Nuclear Security, in coordination with the Chairman of the Nuclear Weapons Council, shall carry out a new and comprehensive design competition for a nuclear warhead that could be employed on ballistic missiles of the United States by 2030. Such competition shall—

(A) examine options for warhead design and related delivery system requirements in the 2030s, including—

- (i) life extension of existing weapons;
- (ii) new capabilities; and
- (iii) such other concepts that the Administrator and Chairman determine necessary to fully exercise and create responsive design capabilities in the enterprise and ensure a robust nuclear deterrent into the 2030s;

(B) assess how the capabilities and defenses that may be employed by other nations could impact deterrence in 2030 and beyond and how such threats could be addressed or mitigated in the warhead and related delivery systems;

(C) exercise the full set of design skills necessary for an effective nuclear deterrent and responsive enterprise through production of conceptual designs and, as the Administrator determines appropriate, production of non-nuclear prototypes of components or subsystems; and

(D) examine and recommend actions for significantly shortening timelines and significantly reducing costs associated with design, development, certification, and production of the warhead, without reducing worker or public health and safety.

(2) TIMING.—The Administrator shall—

(A) during fiscal year 2018 develop a plan to carry out paragraph (1); and

(B) during fiscal year 2019 implement such plan.

(c) BRIEFING.—Not later than March 1, 2018, the Administrator, in coordination with the Chairman of the Nuclear Weapons Council, shall provide a briefing to the Committees on Armed Services of the Senate and House of Representatives on the plan of the Administrator to carry out the warhead design competition under subsection (b). Such briefing shall include an assessment of the costs, benefits, risks, and opportunities of such plan, particularly impacts to ongoing life extension programs and infrastructure projects.

**SEC. 3122. DEPARTMENT OF ENERGY COUNTER-INTELLIGENCE POLYGRAPH PROGRAM.**

Section 4504(b) of the Atomic Energy Defense Act (50 U.S.C. 2654(b)) is amended by adding at the end the following new paragraph:

“(4) The regulations prescribed under paragraph (1) shall ensure that the persons subject to the counterintelligence polygraph program required by subsection (a) include any person who is—

“(A) a United States national who also has the nationality of a foreign state; and

“(B) seeking employment with the National Nuclear Security Administration.”.

**SEC. 3123. SECURITY CLEARANCE FOR DUAL-NATIONALS EMPLOYED BY NATIONAL NUCLEAR SECURITY AGENCY.**

(a) IN GENERAL.—The National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) is amended by inserting after section 3236 the following new section:

**“SEC. 3237. SECURITY CLEARANCE FOR DUAL NATIONALS OF HIGH THREAT FOREIGN STATES.**

“(a) IN GENERAL.—In the case of an individual who is a United States national who also has the nationality of a foreign state that is on the list maintained by the Secretary of Energy under subsection (a) and who is appointed to or hired for a position designated by the Office of Personnel Management as critical sensitive or special sensitive, the Secretary shall provide additional review before approving a security clearance for such individual.

“(b) WAIVER.—

“(1) WAIVER AUTHORITY.—In the case of a person who is a United States national who also has the nationality of a foreign state identified under paragraph (2), the Secretary may waive the requirement under subsection (a).

“(2) FOREIGN STATES.—The Director of National Intelligence shall identify foreign states that permit citizens or nationals of the United States to serve in positions of trust equivalent to positions identified by the Office of Personnel Management as critical sensitive or special sensitive.”.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of such Act is amended by inserting after the item relating to section 3236 the following new item:

“Sec. 3237. Security clearance for dual nationals of high threat foreign states.”.

**Subtitle C—Plans and Reports**

**SEC. 3131. MODIFICATION OF CERTAIN REPORTING REQUIREMENTS.**

(a) STATUS OF NUCLEAR MATERIALS PROTECTION, CONTROL, AND ACCOUNTING PROGRAM.—

(1) REPEAL.—Section 4303 of the Atomic Energy Defense Act (50 U.S.C. 2563) is repealed.

(2) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4303.

(b) STATUS OF SECURITY OF ATOMIC ENERGY DEFENSE FACILITIES.—Section 4506 of the Atomic Energy Defense Act (50 U.S.C. 2657) is amended by striking “of each year” each place it appears and inserting “of each even-numbered year”.

(c) SECURITY RISKS POSED TO NUCLEAR WEAPONS COMPLEX.—

(1) INCLUDED IN SSMP.—Section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523) is amended—

(A) in subsection (c)—

(i) by redesignating paragraph (7) as paragraph (8); and

(ii) by inserting after paragraph (6) the following new paragraph (7):

“(7) A summary of the status of the plan regarding the research and development, deployment, and lifecycle sustainment of technologies described in subsection (d)(7).”; and

(B) in subsection (d)—

(i) by redesignating paragraph (7) as paragraph (8); and

(ii) by inserting after paragraph (6) the following new paragraph (7):

“(7) A plan for the research and development, deployment, and lifecycle sustainment of the technologies employed within the nuclear security enterprise to address physical and cybersecurity threats during the five-fiscal-year period following the date of the plan, together with—

“(A) for each site in the nuclear security enterprise, a description of the technologies deployed to address the physical and cybersecurity threats posed to that site;

“(B) for each site and for the nuclear security enterprise, the methods used by the Administration to establish priorities among investments in physical and cybersecurity technologies; and

“(C) a detailed description of how the funds identified for each program element specified pursuant to paragraph (1) in the budget for the Administration for each fiscal year during that five-fiscal-year period will help carry out that plan.”.

(2) CONFORMING AMENDMENT.—Section 3253(b) of the National Nuclear Security Administration Act (50 U.S.C. 2453) is amended by striking paragraph (5).

(d) SELECTED ACQUISITION REPORTS.—Section 4217(a) of the Atomic Energy Defense Act (50 U.S.C. 2537(a)) is amended by striking “fiscal-year quarter” each place it appears and inserting “fiscal year”.

(e) LONG-TERM PLAN FOR MEETING NATIONAL SECURITY REQUIREMENTS FOR UNENCUMBERED URANIUM.—Section 4221(a) of the Atomic Energy Defense Act (50 U.S.C. 2538(a)) is amended by striking “Concurrent with the submission to Congress of the budget of the President under section 1105(a) of title 31, United States Code, in” and inserting “Not later than December 31 of”.

(f) DEFENSE NUCLEAR NONPROLIFERATION MANAGEMENT PLAN.—Section 4309 of the Atomic Energy Defense Act (50 U.S.C. 2575) is amended—

(1) in subsection (a), by striking “IN GENERAL.—Concurrent with the submission to Congress of the budget of the President under section 1105(a) of title 31, United States Code, in each fiscal year” and inserting “PLAN.—Not later than March 31 of each odd-numbered year”;

(2) by redesignating subsection (c) as subsection (d);

(3) by inserting after subsection (b) the following new subsection (c):

“(c) UPDATED SUMMARY.—Not later than March 31 of each even-numbered year, the Administrator shall submit to the congressional defense committees an updated summary of the plan submitted under subsection (a) during the previous year.”; and

(4) in subsection (d), as so redesignated, by inserting “and the updated summary required by subsection (c)” before “shall be submitted”.

**SEC. 3132. ASSESSMENT OF MANAGEMENT AND OPERATING CONTRACTS OF NATIONAL SECURITY LABORATORIES.**

(a) ASSESSMENT.—Not later than 30 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall seek to enter into a contract with a federally funded research and development center to conduct an assessment of the benefits, costs, challenges, risks, efficiency, and effectiveness of the strategy of the Administrator with respect to management and operating contracts for national security laboratories. The Administrator may not award such contract to a federally funded research and development center for which the Department of Energy or the National Nuclear Security Administration is the primary sponsor.

(b) COOPERATION.—The Administrator, and the director of each national security laboratory, shall provide to the federally funded research and development center conducting the assessment under subsection (a) the information the center requires to conduct such assessment.

(c) SUBMISSION.—

(1) NNSA.—Not later than 90 days after the date on which the Administrator and a federally funded research and development center enter into the contract under subsection (a), the center shall submit to the Administrator a report on

the assessment conducted under such subsection. Such report shall include the following:

(A) An assessment of the acquisition strategy and the contract oversight process of the Administrator, and of the use of for-profit management and operating contractors at national security laboratories, and whether such strategy, process, and contractors provide the best outcomes to the Federal Government with respect to performance, cost, efficiency, and effectiveness.

(B) An assessment of the total costs, for each national security laboratory, that are incurred because of using a for-profit model for the management and operating contract that would not be incurred under a nonprofit model, and whether performance, costs, efficiency, and effectiveness would be expected to increase or decrease under a nonprofit model.

(C) An assessment of whether the Administrator is appropriately using, managing, and overseeing the national security laboratories with respect to the nature of the laboratories as federally funded research and development centers.

(2) CONGRESS.—Not later than 30 days after the date on which the Administrator receives the report under paragraph (1), the Administrator shall submit to the Committees on Armed Services of the House of Representatives and the Senate such report, without change, together with any comments the Administrator determines appropriate.

(3) LIMITATION.—

(A) AWARD OR EXTENSION OF CONTRACT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the National Nuclear Security Administration may be obligated or expended to award, or to extend, a management and operating contract for a national security laboratory until the date on which the Administrator submits to the congressional defense committees the report under paragraph (2).

(B) WAIVER FOR EXTENSION.—The Secretary of Energy may waive the limitation in subparagraph (A) with respect to the extension of a management and operating contract for a national security laboratory if the Secretary—

(i) determines such waiver is required in the interest of national security; and

(ii) notifies the Committees on Armed Services of the House of Representatives and the Senate of such determination.

(d) SENSE OF CONGRESS.—It is the sense of Congress that nothing in this section should be construed to mandate or encourage an extension of an existing management and operating contract for a national security laboratory.

(e) NATIONAL SECURITY LABORATORY DEFINED.—In this section, the term “national security laboratory” has the meaning given that term in section 4002(7) of the Atomic Energy Defense Act (50 U.S.C. 2501(7)).

**SEC. 3133. EVALUATION OF CLASSIFICATION OF CERTAIN DEFENSE NUCLEAR WASTE.**

(a) EVALUATION.—The Secretary of Energy shall conduct an evaluation of the feasibility, costs, and cost savings of classifying certain defense nuclear waste as other than high-level radioactive waste, without decreasing environmental, health, or public safety requirements.

(b) MATTERS INCLUDED.—In conducting the evaluation under subsection (a), the Secretary shall consider—

(1) the estimated quantities and locations of certain defense nuclear waste;

(2) the potential disposal path for such waste;

(3) the estimated disposal timeline for such waste;

(4) the estimated costs for disposal of such waste, and potential cost savings;

(5) the potential effect on existing consent orders, permits, and agreements;

(6) the basis by which the Secretary would make a decision on whether to reclassify such waste; and

(7) any such other matters relating to defense nuclear waste that the Secretary determines appropriate.

(c) REPORT.—Not later than February 1, 2018, the Secretary shall submit to the appropriate congressional committees a report on the evaluation under subsection (a), including a description of—

(1) the consideration by the Secretary of the matters under subsection (b);

(2) any actions the Secretary has taken or plans to take to change the processes, rules, regulations, orders, or directives, relating to defense nuclear waste, as appropriate;

(3) any recommendations for legislative action the Secretary determines appropriate; and

(4) the assessment of the Secretary regarding the benefits and risks of the actions and recommendations of the Secretary under paragraphs (1) and (2).

(d) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means the following:

(A) The congressional defense committees.

(B) The Committee on Energy and Commerce of the House of Representatives.

(C) The Committee on Energy and Natural Resources of the Senate.

(2) The term “certain defense nuclear waste” means radioactive waste that—

(A) resulted from the reprocessing of spent nuclear fuel that was generated from atomic energy defense activities; and

(B) contains more than 100 nCi/g of alpha-emitting transuranic isotopes with half-lives greater than 20 years.

**SEC. 3134. REPORT ON CRITICAL DECISION-1 ON MATERIAL STAGING FACILITY PROJECT.**

Not later than October 31, 2017, the Administrator for Nuclear Security shall submit to the congressional defense committees a report containing the following:

(1) The decision memorandum of the Administrator with respect to Critical Decision-1 on the Material Staging Facility project at the Pantex Plant.

(2) The preferred alternative approved by the Administrator for such Critical Decision-1.

(3) The cost-range estimates, including a description of the costs saved or avoided from not carrying out recapitalization and sustainment of Area 4 at the Pantex Plant.

(4) The schedule-range estimates that include completion of the Material Staging Facility by 2024.

(5) The risk factors and risk mitigation and management options relating to the Material Staging Facility.

(6) The expected improvements to operations and security provided by the Material Staging Facility, once operational, including the potential annual cost savings.

(7) Such other matters as the Administrator considers appropriate.

**SEC. 3135. MODIFICATION TO STOCKPILE STEWARDSHIP, MANAGEMENT, AND RESPONSIVENESS PLAN.**

Section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523), as amended by section 3131, is further amended—

(1) in subsection (c)—

(A) by redesignating paragraph (8) as paragraph (9); and

(B) by inserting after paragraph (7) the following new paragraph (8):

“(8) A summary of the assessment under subsection (d)(8) regarding the execution of the programs with current and projected budgets and any associated risks.”; and

(2) in subsection (d)—

(A) by redesignating paragraph (8) as paragraph (9); and

(B) by inserting after paragraph (7) the following new paragraph (8):

“(8) An assessment of whether the programs described by the report can be executed with current and projected budgets and any associated risks.”.

**SEC. 3136. IMPROVED REPORTING FOR ANTI-SMUGGLING RADIATION DETECTION SYSTEMS.**

(a) ANNUAL REPORT.—Together with the submission to Congress of the budget of the President under section 1105(a) of title 31, United States Code, for each of fiscal years 2019 through 2021, the Administrator for Nuclear Security shall submit to the congressional defense committees a report regarding any anti-smuggling radiation detection systems that the Administrator proposes to deploy during the fiscal year covered by the budget.

(b) MATTERS INCLUDED.—Each report under subsection (a) shall include the following:

(1) The probability of detection for the anti-smuggling radiation detection systems covered by the report against realistic potential smuggling threats, including shielded and unshielded uranium, plutonium, and other special nuclear material.

(2) The costs associated with the deployments of such systems, including costs to the United States and costs to any host nation.

(3) Options for technological advances that would make radiation detection less expensive or more effective.

(4) The benefits to the national security of the United States resulting from the deployments of such systems.

**SEC. 3137. ANNUAL SELECTED ACQUISITION REPORTS ON CERTAIN HARDWARE RELATING TO DEFENSE NUCLEAR NON-PROLIFERATION.**

(a) ANNUAL SELECTED ACQUISITION REPORTS.—

(1) IN GENERAL.—At the end of each fiscal year, the Administrator for Nuclear Security shall submit to the congressional defense committees a report on each covered hardware project. The reports shall be known as Selected Acquisition Reports for the covered hardware program concerned.

(2) MATTERS INCLUDED.—The information contained in the Selected Acquisition Report for a fiscal year for a covered hardware project shall be the information contained in the Selected Acquisition Report for such fiscal year for a major defense acquisition program under section 2432 of title 10, United States Code, expressed in terms of the covered hardware project.

(b) COVERED HARDWARE PROJECT DEFINED.—In this section, the term “covered hardware project” means projects carried out under the defense nuclear nonproliferation research and development program that—

(1) are focused on the production and deployment of hardware, including with respect to the development and deployment of satellites or satellite payloads; and

(2) exceed \$500,000,000 in total program cost over the course of five years.

**SEC. 3138. ASSESSMENT OF DESIGN TRADE OPTIONS OF W80-4 WARHEAD.**

(a) ASSESSMENT.—The Director for Cost Estimating and Program Evaluation shall conduct an assessment of the design trade options, and the associated cost and benefit analyses for each such option, for the W80-4 warhead relating to the down-select options to be contained in the final Phase 6.2 study report. Such assessment shall include a review of the cost and schedule estimates of each such option.

(b) ASSESSMENT AND BRIEFING.—

(1) NNSA.—Not later than 60 days after the date of the enactment of this Act, the Director shall submit to the Administrator for Nuclear Security the assessment under subsection (a).

(2) CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Administrator shall provide to the congressional

defense committees a briefing containing a copy of the assessment under subsection (a), without change, and any views of the Administrator.

(3) FORM.—The assessment submitted under paragraph (2) shall be submitted in unclassified form, but may include a classified annex.

#### **TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD**

##### **SEC. 3201. AUTHORIZATION.**

There are authorized to be appropriated for fiscal year 2018, \$30,600,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

#### **TITLE XXXIV—NAVAL PETROLEUM RESERVES**

##### **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy \$4,900,000 for fiscal year 2018 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.

(b) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

#### **TITLE XXXV—MARITIME ADMINISTRATION**

##### **SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINISTRATION.**

There are authorized to be appropriated to the Department of Transportation for fiscal year 2018, to be available without fiscal year limitation if so provided in appropriations Acts, for programs associated with maintaining the United States merchant marine, the following amounts:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, \$84,400,000, of which—

(A) \$66,400,000 shall be for Academy operations; and

(B) \$18,000,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, \$27,400,000, of which—

(A) \$2,400,000 shall remain available until September 30, 2019, for the Student Incentive Program; and

(B) \$3,000,000 shall remain available until expended for direct payments to such academies; and

(C) \$22,000,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, \$36,000,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, \$60,020,000.

(5) For expenses necessary to maintain and preserve a United States flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, \$300,000,000.

(6) For expenses necessary to provide assistance for small shipyards and maritime communities under section 54101 of title 46, United States Code, \$30,000,000, which shall remain available until expended for capital and related improvements.

(7) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, \$40,000,000.

##### **SEC. 3502. MERCHANT SHIP SALES ACT OF 1946.**

(a) AMENDMENTS.—The Merchant Ship Sales Act of 1946 (50 U.S.C. 4401 et seq.) is amended by—

(1) repealing the first section and sections 2, 3, 5, 12, and 14;

(2) in section 8, redesignating subsection (d) as section 56308 of title 46, United States Code, transferring it to appear after section 56307 of such title; and

(3) redesignating section 11 as section 57100 of title 46, United States Code, and transferring it to appear before section 57101 of such title.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) Section 2218 of title 10, United States Code, is amended by striking “section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744)” each place it appears and inserting “section 57100 of title 46”.

(2) Section 3134 of title 40, United States Code, is amended—

(A) by striking “31,” and inserting “31 or”; and

(B) by striking “or the Merchant Ship Sales Act of 1946 (50 App. U.S.C. 1735 et seq.).”

(3) Section 3703a(b)(6) of title 46, United States Code, is amended by striking “section 11 of the Merchant Ship Sales Act of 1946 (50 App. U.S.C. 1744)” and inserting “section 57100”.

(4) Section 52101(c)(1)(A)(i) of title 46, United States Code, is amended by striking “section 11 of the Merchant Ship Sales Act of 1946 (50 App. U.S.C. 1744)” and inserting “section 57100”.

(5) Section 56308 of title 46, United States Code, as redesignated and transferred by subsection (a)(2) of this section, is amended—

(A) by striking so much as precedes “vessel constructed” and inserting the following:

“§56308. Transfer of substitute vessels

“In the case of any”;

(B) by inserting “of Transportation” after “Secretary”; and

(C) by striking “adjustments with respect to the retained vessels as provided for in section 9, and”.

(6) Section 57100 of title 46, United States Code, as redesignated and transferred by subsection (a)(3) of this section, is amended—

(A) by striking so much as precedes the text of subsection (a) and inserting the following:

“§57100. National Defense Reserve Fleet

“(a) FLEET COMPONENTS.—”;

(B) in subsection (b), by inserting before the first sentence the following: “PERMITTED USES.—”; and

(C) in subsection (e)—

(i) by inserting before the first sentence the following: “EXEMPTION FROM TANK VESSEL CONSTRUCTION STANDARDS.—”; and

(ii) by striking “of title 46, United States Code”.

(7) Section 57101 of title 46, United States Code, is amended by striking “maintained under section 11 of the Merchant Ship Sales Act of 1946 (50 App. 1744)”.

(8) The analysis for chapter 563 of title 46, United States Code, is amended by inserting after the item relating to section 56307 the following:

“56308. Transfer of substitute vessels.”.

(9) The analysis for chapter 571 of title 46, United States Code, is amended by inserting before the item relating to section 57101 the following:

“57100. National Defense Reserve Fleet.”.

##### **SEC. 3503. MARITIME SECURITY FLEET PROGRAM; RESTRICTION ON OPERATION FOR NEW ENTRANTS.**

(a) RESTRICTION.—Section 53105(a) of title 46, United States Code, is amended—

(1) in paragraph (1)(A), by inserting “, except as provided in paragraph (2),” after “in the foreign commerce or”;

(2) in paragraph (1)(B), by striking “and” after the semicolon at the end;

(3) by redesignating paragraph (2) as paragraph (3); and

(4) by inserting after paragraph (1) the following:

“(2) in the case of a vessel, other than a replacement vessel under subsection (f), first covered by an operating agreement after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2018, the vessel shall not be operated in the transportation of cargo between points in the United States and its territories either directly or via a foreign port; and”.

(b) CONFORMING AMENDMENTS.—Section 53106 of title 46, United States Code, is amended—

(1) in subsection (b), by striking “section 53105(a)(1)” and inserting “paragraph (1) and (2) of section 53105(a), as otherwise applicable with respect to such vessel,”; and

(2) in subsection (d)(3), by striking “section 53105(a)(1)” and inserting “paragraph (1) and (2) of section 53105(a), as otherwise applicable with respect to such vessel”.

##### **SEC. 3504. CODIFICATION OF SECTIONS RELATING TO ACQUISITION, CHARTER, AND REQUISITION OF VESSELS.**

(a) EMERGENCY FOREIGN VESSEL ACQUISITION; PURCHASE OR REQUISITION OF VESSELS LYING IDLE IN UNITED STATES WATERS.—The first section of the Act of August 9, 1954 (ch. 659; 50 U.S.C. 196)—

(1) is redesignated as section 56309 of title 46, United States Code, and transferred to appear at the end of chapter 563 of such title, as otherwise amended by this title; and

(2) is amended—

(A) by striking “That during” and inserting the following:

“§56309. Emergency foreign vessel acquisition; purchase or requisition of vessels lying idle in United States waters

“During”;

(B) by striking “section 902 of the Merchant Marine Act, 1936, as amended” each place it appears and inserting “this chapter”; and

(C) by striking “the second paragraph of subsection (d) of such section 902, as amended” and inserting “section 56305”.

(b) VOLUNTARY PURCHASE OR CHARTER AGREEMENTS.—Section 2 of such Act (50 U.S.C. 197)—

(1) is redesignated as section 56310 of title 46, United States Code, and transferred to appear after section 56309 of such title (as amended by subsection (a)); and

(2) is amended—

(A) by striking so much as proceeds “During” and inserting the following:

“§56310. Voluntary purchase or charter agreements”; and

(B) by striking “section 902 of the Merchant Marine Act, 1936,” and inserting “this chapter”.

(c) REQUISITIONED VESSELS.—Section 3 of such Act (50 U.S.C. 198)—

(1) is redesignated as section 56311 of title 46, United States Code, and transferred to appear after section 56310 of such title (as amended by subsections (a) and (b));

(2) is amended by striking so much as precedes subsection (a) and inserting the following:

“§56311. Requisitioned vessels”; and

(3) is amended—

(A) except as provided in subparagraphs (B) and (C), by striking “this Act” each place it appears and inserting “section 56309 or 56310, as applicable”; and

(B) in subsection (c)—

(i) in the first sentence, by striking “this Act” and inserting “section 56309 or 56310, as applicable,”; and

(ii) by striking “The second paragraph of section 9 of the Shipping Act, 1916, as amended,” and inserting “Section 57109”; and

(C) in subsection (d)—

(i) in the first sentence by striking “provisions of section 3709 of the Revised Statutes” and inserting “section 6101 of title 41”;

(ii) in the second sentence—  
(I) by striking “this Act” and inserting “section 56309 or 56310, as applicable.”; and

(II) by striking “said section 3709” and inserting “section 6101 of title 41”;

(iii) by striking “title VII of the Merchant Marine Act, 1936” and inserting “chapter 575”; and

(iv) by striking subsection (f).

(d) **DOCUMENTED DEFINED.**—Chapter 563 of title 46, United States Code, as amended by this section, is further amended by adding at the end the following:

**“§56312. Documented defined**

“In sections 56309 through 56311, the term ‘documented’ means, with respect to a vessel, that a certificate of documentation has been issued for the vessel under chapter 121.”

(e) **CLERICAL AMENDMENT.**—The analysis for chapter 563 of title 46, United States Code, as otherwise amended by this title, is further amended by adding at the end the following:

“56309. Emergency foreign vessel acquisition; purchase or requisition of vessels lying idle in United States waters  
“56310. Voluntary purchase or charter agreements  
“56311. Requisitioned vessels  
“56312. Documented defined”.

(f) **REFERENCES.**—Any reference in a law, regulation, document, paper, or other record of the United States to a section that is redesignated and transferred by this section is deemed to refer to such section as so redesignated and transferred.

**SEC. 3505. ASSISTANCE FOR SMALL SHIPYARDS.**

(a) **IN GENERAL.**—Section 54101 of title 46, United States Code, is amended—

(1) in the section heading, by striking “**and maritime communities**”;

(2) in subsection (a)(2), by striking “in communities” and all that follows through the period and inserting “relating to shipbuilding, ship repair, and associated industries.”;

(3) in subsection (b), by amending paragraph (1) to read as follows:

“(1) consider projects that foster—

“(A) efficiency, competitive operations, and quality ship construction, repair, and reconfiguration; and

“(B) employee skills and enhanced productivity related to shipbuilding, ship repair, and associated industries; and”;

(4) in subsection (c)(1)—

(A) by inserting “to” after “may be used”; and

(B) by striking subparagraphs (A), (B), and (C) and inserting the following:

“(A) make capital and related improvements in small shipyards; and

“(B) provide training for workers in shipbuilding, ship repair, and associated industries.”;

(5) in subsection (d), by striking “unless” and all that follows before the period;

(6) in subsection (e)—

(A) by striking paragraph (2);

(B) by redesignating paragraph (3) as paragraph (2); and

(C) in paragraph (1) by striking “Except as provided in paragraph (2).”; and

(7) in subsection (i), by striking “2015” and all that follows before the period and inserting “2018 and 2019 to carry out this section \$30,000,000”.

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 541 of title 46, United States Code, is amended by striking the item relating to section 54101 and inserting the following:

“54101. Assistance for small shipyards.”.

**SEC. 3506. REPORT ON SEXUAL ASSAULT VICTIM RECOVERY IN THE COAST GUARD.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on sexual assault prevention and response policies of the Coast Guard and strategic goals related to sexual assault victim recovery.

(b) **CONTENTS.**—The report shall—

(1) describe Coast Guard strategic goals relating to sexual assault climate, prevention, response, and accountability, and actions taken by the Coast Guard to promote sexual assault victim recovery;

(2) explain how victim recovery is being incorporated into Coast Guard strategic and programmatic guidance related to sexual assault prevention and response;

(3) examine current Coast Guard sexual assault prevention and response policy with respect to—

(A) Coast Guard criteria for what comprises sexual assault victim recovery;

(B) alignment of Coast Guard personnel policies to enhance—

(i) an approach to sexual assault response that gives priority to victim recovery;

(ii) upholding individual privacy and dignity; and

(iii) the opportunity for the continuation of Coast Guard service by sexual assault victims; and

(C) sexual harassment response, including a description of the circumstances under which sexual harassment is considered a criminal offense; and

(4) to ensure victims and supervisors understand the full scope of resources available to aid in long-term recovery, explain how the Coast Guard informs its workforce about changes to sexual assault prevention and response policies related to victim recovery.

**SEC. 3507. CENTERS OF EXCELLENCE.**

(a) **IN GENERAL.**—Chapter 541 of title 46, United States Code, is amended by adding at the end the following:

**“§54102. Centers of excellence for domestic maritime workforce training and education**

“(a) **DESIGNATION.**—The Secretary of Transportation may designate as a center of excellence for domestic maritime workforce training and education a covered training entity located in a State that borders on the—

“(1) Gulf of Mexico;

“(2) Atlantic Ocean;

“(3) Long Island Sound;

“(4) Pacific Ocean;

“(5) Great Lakes; or

“(6) Mississippi River System.

“(b) **ASSISTANCE.**—The Secretary may enter into a cooperative agreement (as that term is

used in section 6305 of title 31) with a center of excellence designated under subsection (a) to support maritime workforce training and education at the center of excellence, including efforts of the center of excellence to—

“(1) admit additional students;

“(2) recruit and train faculty;

“(3) expand facilities;

“(4) create new maritime career pathways; or

“(5) award students credit for prior experience, including military service.

“(c) **COVERED TRAINING ENTITY DEFINED.**—In this section, the term ‘covered training entity’ means an entity that is—

“(1) a community or technical college; or

“(2) a maritime training center—

“(A) operated by, or under the supervision of, a State; and

“(B) with a maritime training program in operation on the date of enactment of this section.”.

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 541 of title 46, United States Code, is amended by inserting after the item relating to section 54101 the following:

“54102. Centers of excellence for domestic maritime workforce training and education.”.

**DIVISION D—FUNDING TABLES**

**SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.**

(a) **IN GENERAL.**—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) **MERIT-BASED DECISIONS.**—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) **RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.**—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 or section 1512 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) **APPLICABILITY TO CLASSIFIED ANNEX.**—This section applies to any classified annex that accompanies this Act.

(e) **ORAL AND WRITTEN COMMUNICATIONS.**—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

**TITLE XLI—PROCUREMENT**

**SEC. 4101. PROCUREMENT.**

**SEC. 4101. PROCUREMENT  
(In Thousands of Dollars)**

| Line                              | Item                       | FY 2018 Request | House Authorized |
|-----------------------------------|----------------------------|-----------------|------------------|
| <b>AIRCRAFT PROCUREMENT, ARMY</b> |                            |                 |                  |
| <b>FIXED WING</b>                 |                            |                 |                  |
| 002                               | UTILITY F/W AIRCRAFT ..... | 75,115          | 75,115           |
| 004                               | MQ-1 UAV .....             | 30,206          | 90,206           |

**SEC. 4101. PROCUREMENT**  
**(In Thousands of Dollars)**

| <i>Line</i> | <i>Item</i>                                             | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|-------------|---------------------------------------------------------|----------------------------|-----------------------------|
|             | Unfunded requirement .....                              |                            | [60,000]                    |
|             | <b>ROTARY</b>                                           |                            |                             |
| 005         | HELICOPTER, LIGHT UTILITY (LUH) .....                   | 108,383                    | 108,383                     |
| 006         | AH-64 APACHE BLOCK IIIA REMAN .....                     | 725,976                    | 725,976                     |
| 007         | ADVANCE PROCUREMENT (CY) .....                          | 170,910                    | 170,910                     |
| 008         | AH-64 APACHE BLOCK IIIB NEW BUILD .....                 | 374,100                    | 648,500                     |
|             | Unfunded requirement .....                              |                            | [274,400]                   |
| 009         | ADVANCE PROCUREMENT (CY) .....                          | 71,900                     | 71,900                      |
| 010         | UH-60 BLACKHAWK M MODEL (MYP) .....                     | 938,308                    | 1,224,710                   |
|             | Unfunded requirement—additional 5 for ARNG .....        |                            | [100,000]                   |
|             | Unfunded requirement—UH-60M ECPs .....                  |                            | [186,402]                   |
| 011         | ADVANCE PROCUREMENT (CY) .....                          | 86,295                     | 86,295                      |
| 012         | UH-60 BLACK HAWK A AND L MODELS .....                   | 76,516                     | 93,216                      |
|             | Unfunded requirement—UH-60Vs .....                      |                            | [16,700]                    |
| 013         | CH-47 HELICOPTER .....                                  | 202,576                    | 557,076                     |
|             | Emergent requirements—additional 4 CH-47F Block I ..... |                            | [108,000]                   |
|             | Unfunded requirement—additional 4 MH-47Gs .....         |                            | [246,500]                   |
| 014         | ADVANCE PROCUREMENT (CY) .....                          | 17,820                     | 17,820                      |
|             | <b>MODIFICATION OF AIRCRAFT</b>                         |                            |                             |
| 015         | MQ-1 PAYLOAD (MIP) .....                                | 5,910                      | 29,910                      |
|             | Realign European Reassurance Initiative to Base .....   |                            | [8,000]                     |
|             | Unfunded requirement .....                              |                            | [16,000]                    |
| 016         | UNIVERSAL GROUND CONTROL EQUIPMENT (UAS) .....          | 15,000                     | 15,000                      |
| 017         | GRAY EAGLE MODS2 .....                                  | 74,291                     | 74,291                      |
| 018         | MULTI SENSOR ABN RECON (MIP) .....                      | 68,812                     | 127,762                     |
|             | Realign European Reassurance Initiative to Base .....   |                            | [29,475]                    |
|             | Unfunded requirement .....                              |                            | [29,475]                    |
| 019         | AH-64 MODS .....                                        | 238,141                    | 382,941                     |
|             | Unfunded requirement .....                              |                            | [144,800]                   |
| 020         | CH-47 CARGO HELICOPTER MODS (MYP) .....                 | 20,166                     | 81,166                      |
|             | Unfunded requirement .....                              |                            | [61,000]                    |
| 021         | GRCS SEMA MODS (MIP) .....                              | 5,514                      | 5,514                       |
| 022         | ARL SEMA MODS (MIP) .....                               | 11,650                     | 11,650                      |
| 023         | EMARSS SEMA MODS (MIP) .....                            | 15,279                     | 15,279                      |
| 024         | UTILITY/CARGO AIRPLANE MODS .....                       | 57,737                     | 57,737                      |
| 025         | UTILITY HELICOPTER MODS .....                           | 5,900                      | 5,900                       |
| 026         | NETWORK AND MISSION PLAN .....                          | 142,102                    | 142,102                     |
| 027         | COMMS, NAV SURVEILLANCE .....                           | 166,050                    | 207,630                     |
|             | Unfunded requirement—ARC-201D encrypted radios .....    |                            | [41,580]                    |
| 028         | GATM ROLLUP .....                                       | 37,403                     | 37,403                      |
| 029         | RQ-7 UAV MODS .....                                     | 83,160                     | 194,160                     |
|             | Unfunded requirement .....                              |                            | [111,000]                   |
| 030         | UAS MODS .....                                          | 26,109                     | 26,429                      |
|             | Unfunded requirement .....                              |                            | [320]                       |
|             | <b>GROUND SUPPORT AVIONICS</b>                          |                            |                             |
| 031         | AIRCRAFT SURVIVABILITY EQUIPMENT .....                  | 70,913                     | 70,913                      |
| 032         | SURVIVABILITY CM .....                                  | 5,884                      | 5,884                       |
| 033         | CMWS .....                                              | 26,825                     | 26,825                      |
| 034         | COMMON INFRARED COUNTERMEASURES (CIRCM) .....           | 6,337                      | 6,337                       |
|             | <b>OTHER SUPPORT</b>                                    |                            |                             |
| 035         | AVIONICS SUPPORT EQUIPMENT .....                        | 7,038                      | 7,038                       |
| 036         | COMMON GROUND EQUIPMENT .....                           | 47,404                     | 56,304                      |
|             | Unfunded requirement—grow the Army .....                |                            | [1,800]                     |
|             | Unfunded requirement—Non destructive test equip .....   |                            | [7,100]                     |
| 037         | AIRCREW INTEGRATED SYSTEMS .....                        | 47,066                     | 47,066                      |
| 038         | AIR TRAFFIC CONTROL .....                               | 83,790                     | 84,905                      |
|             | Unfunded requirement .....                              |                            | [1,115]                     |
| 039         | INDUSTRIAL FACILITIES .....                             | 1,397                      | 1,397                       |
| 040         | LAUNCHER, 2.75 ROCKET .....                             | 1,911                      | 1,911                       |
|             | <b>TOTAL AIRCRAFT PROCUREMENT, ARMY</b> .....           | <b>4,149,894</b>           | <b>5,593,561</b>            |
|             | <b>MISSILE PROCUREMENT, ARMY</b>                        |                            |                             |
|             | <b>SURFACE-TO-AIR MISSILE SYSTEM</b>                    |                            |                             |
| 001         | LOWER TIER AIR AND MISSILE DEFENSE (AMD) .....          | 140,826                    | 140,826                     |
| 002         | MSE MISSILE .....                                       | 459,040                    | 459,040                     |
| 003         | INDIRECT FIRE PROTECTION CAPABILITY INC 2-1 .....       | 57,742                     | 57,742                      |
|             | <b>AIR-TO-SURFACE MISSILE SYSTEM</b>                    |                            |                             |
| 005         | HELLFIRE SYS SUMMARY .....                              | 94,790                     | 94,790                      |
| 006         | JOINT AIR-TO-GROUND MSLS (JAGM) .....                   | 178,432                    | 173,432                     |
|             | Program decrease .....                                  |                            | [-5,000]                    |
|             | <b>ANTI-TANK/ASSAULT MISSILE SYS</b>                    |                            |                             |
| 008         | JAVELIN (AAWS-M) SYSTEM SUMMARY .....                   | 110,123                    | 118,235                     |
|             | Realign European Reassurance Initiative to Base .....   |                            | [8,112]                     |
| 009         | TOW 2 SYSTEM SUMMARY .....                              | 85,851                     | 89,758                      |
|             | Realign European Reassurance Initiative to Base .....   |                            | [3,907]                     |
| 010         | ADVANCE PROCUREMENT (CY) .....                          | 19,949                     | 19,949                      |
| 011         | GUIDED MLRS ROCKET (GMLRS) .....                        | 595,182                    | 593,882                     |
|             | Program reduction—unit cost savings .....               |                            | [-2,800]                    |
|             | Unfunded requirement—training devices .....             |                            | [1,500]                     |



**SEC. 4101. PROCUREMENT**  
**(In Thousands of Dollars)**

| <b>Line</b> | <b>Item</b>                                           | <b>FY 2018<br/>Request</b> | <b>House<br/>Authorized</b> |
|-------------|-------------------------------------------------------|----------------------------|-----------------------------|
| 012         | MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR) .....      | 28,321                     | 28,321                      |
| 013         | HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS) .....  |                            | 476,728                     |
|             | Realign European Reassurance Initiative to Base ..... |                            | [41,000]                    |
|             | Unfunded requirement—ERI .....                        |                            | [197,000]                   |
|             | Unfunded requirement—grow the Army .....              |                            | [238,728]                   |
|             | <b>MODIFICATIONS</b>                                  |                            |                             |
| 015         | PATRIOT MODS .....                                    | 329,073                    | 329,073                     |
| 016         | ATACMS MODS .....                                     | 116,040                    | 116,040                     |
| 017         | GMLRS MOD .....                                       | 531                        | 531                         |
| 018         | STINGER MODS .....                                    | 63,090                     | 91,090                      |
|             | Realign European Reassurance Initiative to Base ..... |                            | [28,000]                    |
| 019         | AVENGER MODS .....                                    | 62,931                     | 62,931                      |
| 020         | ITAS/TOW MODS .....                                   | 3,500                      | 3,500                       |
| 021         | MLRS MODS .....                                       | 138,235                    | 187,035                     |
|             | Unfunded requirement .....                            |                            | [48,800]                    |
| 022         | HIMARS MODIFICATIONS .....                            | 9,566                      | 9,566                       |
|             | <b>SPARES AND REPAIR PARTS</b>                        |                            |                             |
| 023         | SPARES AND REPAIR PARTS .....                         | 18,915                     | 18,915                      |
|             | <b>SUPPORT EQUIPMENT &amp; FACILITIES</b>             |                            |                             |
| 024         | AIR DEFENSE TARGETS .....                             | 5,728                      | 5,728                       |
| 026         | PRODUCTION BASE SUPPORT .....                         | 1,189                      | 1,189                       |
|             | <b>TOTAL MISSILE PROCUREMENT, ARMY</b> .....          | <b>2,519,054</b>           | <b>3,078,301</b>            |
|             | <b>PROCUREMENT OF W&amp;TCV, ARMY</b>                 |                            |                             |
|             | <b>TRACKED COMBAT VEHICLES</b>                        |                            |                             |
| 001         | BRADLEY PROGRAM .....                                 |                            | 200,000                     |
|             | Realign European Reassurance Initiative to Base ..... |                            | [200,000]                   |
| 002         | ARMORED MULTI PURPOSE VEHICLE (AMPV) .....            | 193,715                    | 447,618                     |
|             | Realign European Reassurance Initiative to Base ..... |                            | [253,903]                   |
|             | <b>MODIFICATION OF TRACKED COMBAT VEHICLES</b>        |                            |                             |
| 004         | STRYKER (MOD) .....                                   | 97,552                     | 97,552                      |
| 005         | STRYKER UPGRADE .....                                 |                            | 348,000                     |
|             | Unfunded requirement – completes 4th DVH SBCT .....   |                            | [348,000]                   |
| 006         | BRADLEY PROGRAM (MOD) .....                           | 444,851                    | 585,851                     |
|             | Realign European Reassurance Initiative to Base ..... |                            | [30,000]                    |
|             | Unfunded requirement .....                            |                            | [111,000]                   |
| 007         | M109 FOV MODIFICATIONS .....                          | 64,230                     | 64,230                      |
| 008         | PALADIN INTEGRATED MANAGEMENT (PIM) .....             | 646,413                    | 772,149                     |
|             | Realign European Reassurance Initiative to Base ..... |                            | [125,736]                   |
| 009         | IMPROVED RECOVERY VEHICLE (M88A2 HERCULES) .....      | 72,402                     | 194,402                     |
|             | Unfunded requirement .....                            |                            | [122,000]                   |
| 010         | ASSAULT BRIDGE (MOD) .....                            | 5,855                      | 5,855                       |
| 011         | ASSAULT BREACHER VEHICLE .....                        | 34,221                     | 64,221                      |
|             | Unfunded requirement .....                            |                            | [30,000]                    |
| 012         | M88 FOV MODS .....                                    | 4,826                      | 4,826                       |
| 013         | JOINT ASSAULT BRIDGE .....                            | 128,350                    | 128,350                     |
| 014         | M1 ABRAMS TANK (MOD) .....                            | 248,826                    | 558,526                     |
|             | Realign European Reassurance Initiative to Base ..... |                            | [138,700]                   |
|             | Unfunded requirement .....                            |                            | [171,000]                   |
| 015         | ABRAMS UPGRADE PROGRAM .....                          | 275,000                    | 1,092,800                   |
|             | Realign European Reassurance Initiative to Base ..... |                            | [442,800]                   |
|             | Unfunded requirement .....                            |                            | [375,000]                   |
|             | <b>WEAPONS &amp; OTHER COMBAT VEHICLES</b>            |                            |                             |
| 018         | M240 MEDIUM MACHINE GUN (7.62MM) .....                | 1,992                      | 3,292                       |
|             | Unfunded requirement .....                            |                            | [1,300]                     |
| 019         | MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S .....   | 6,520                      | 58,520                      |
|             | Unfunded requirement .....                            |                            | [52,000]                    |
| 020         | MORTAR SYSTEMS .....                                  | 21,452                     | 34,552                      |
|             | Unfunded requirement—120mm mortars .....              |                            | [13,100]                    |
| 021         | XM320 GRENADE LAUNCHER MODULE (GLM) .....             | 4,524                      | 5,324                       |
|             | Unfunded requirement .....                            |                            | [800]                       |
| 023         | CARBINE .....                                         | 43,150                     | 51,150                      |
|             | Unfunded requirement .....                            |                            | [5,000]                     |
|             | Unfunded requirement—grow the Army .....              |                            | [3,000]                     |
| 024         | COMMON REMOTELY OPERATED WEAPONS STATION .....        | 750                        | 10,750                      |
|             | Unfunded requirement—modifications .....              |                            | [10,000]                    |
| 025         | HANDGUN .....                                         | 8,326                      | 8,726                       |
|             | Unfunded requirement .....                            |                            | [400]                       |
|             | <b>MOD OF WEAPONS AND OTHER COMBAT VEH</b>            |                            |                             |
| 026         | MK-19 GRENADE MACHINE GUN MODS .....                  | 2,000                      | 2,000                       |
| 027         | M777 MODS .....                                       | 3,985                      | 89,785                      |
|             | Unfunded requirement .....                            |                            | [85,800]                    |
| 028         | M4 CARBINE MODS .....                                 | 31,315                     | 31,315                      |
| 029         | M2 50 CAL MACHINE GUN MODS .....                      | 47,414                     | 52,414                      |
|             | Unfunded requirement—accessories .....                |                            | [2,600]                     |
|             | Unfunded requirement—M2A1 machine guns .....          |                            | [2,400]                     |
| 030         | M249 SAW MACHINE GUN MODS .....                       | 3,339                      | 3,339                       |
| 031         | M240 MEDIUM MACHINE GUN MODS .....                    | 4,577                      | 11,177                      |
|             | Unfunded requirement—accessories .....                |                            | [1,000]                     |

**SEC. 4101. PROCUREMENT**  
**(In Thousands of Dollars)**

| <i>Line</i> | <i>Item</i>                                           | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|-------------|-------------------------------------------------------|----------------------------|-----------------------------|
|             | Unfunded requirement—M240Ls .....                     |                            | [5,600]                     |
| 032         | SNIPER RIFLES MODIFICATIONS .....                     | 1,488                      | 1,488                       |
| 033         | M119 MODIFICATIONS .....                              | 12,678                     | 12,678                      |
| 034         | MORTAR MODIFICATION .....                             | 3,998                      | 3,998                       |
| 035         | MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV) .....      | 2,219                      | 2,219                       |
|             | <b>SUPPORT EQUIPMENT &amp; FACILITIES</b>             |                            |                             |
| 036         | ITEMS LESS THAN \$5.0M (WOCV-WTCV) .....              | 5,075                      | 7,775                       |
|             | Unfunded requirement .....                            |                            | [2,700]                     |
| 037         | PRODUCTION BASE SUPPORT (WOCV-WTCV) .....             | 992                        | 992                         |
| 039         | SMALL ARMS EQUIPMENT (SOLDIER ENH PROG) .....         | 1,573                      | 1,573                       |
|             | <b>UNDISTRIBUTED</b>                                  |                            |                             |
| 042         | UNDISTRIBUTED .....                                   |                            | 1,200                       |
|             | Security Force Assistance Brigade .....               |                            | [1,200]                     |
|             | <b>TOTAL PROCUREMENT OF W&amp;TCV, ARMY</b> .....     | <b>2,423,608</b>           | <b>4,958,647</b>            |
|             | <b>PROCUREMENT OF AMMUNITION, ARMY</b>                |                            |                             |
|             | <b>SMALL/MEDIUM CAL AMMUNITION</b>                    |                            |                             |
| 001         | CTG, 5.56MM, ALL TYPES .....                          | 39,767                     | 39,767                      |
| 002         | CTG, 7.62MM, ALL TYPES .....                          | 46,804                     | 46,804                      |
| 003         | CTG, HANDGUN, ALL TYPES .....                         | 10,413                     | 10,418                      |
|             | Realign European Reassurance Initiative to Base ..... |                            | [5]                         |
| 004         | CTG, .50 CAL, ALL TYPES .....                         | 62,837                     | 62,958                      |
|             | Realign European Reassurance Initiative to Base ..... |                            | [121]                       |
| 005         | CTG, 20MM, ALL TYPES .....                            | 8,208                      | 8,208                       |
| 006         | CTG, 25MM, ALL TYPES .....                            | 8,640                      | 8,640                       |
| 007         | CTG, 30MM, ALL TYPES .....                            | 76,850                     | 101,850                     |
|             | Realign European Reassurance Initiative to Base ..... |                            | [25,000]                    |
| 008         | CTG, 40MM, ALL TYPES .....                            | 108,189                    | 108,189                     |
|             | <b>MORTAR AMMUNITION</b>                              |                            |                             |
| 009         | 60MM MORTAR, ALL TYPES .....                          | 57,359                     | 57,359                      |
| 010         | 81MM MORTAR, ALL TYPES .....                          | 49,471                     | 49,471                      |
| 011         | 120MM MORTAR, ALL TYPES .....                         | 91,528                     | 91,528                      |
|             | <b>TANK AMMUNITION</b>                                |                            |                             |
| 012         | CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES .....    | 133,500                    | 133,500                     |
|             | <b>ARTILLERY AMMUNITION</b>                           |                            |                             |
| 013         | ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES .....   | 44,200                     | 44,200                      |
| 014         | ARTILLERY PROJECTILE, 155MM, ALL TYPES .....          | 187,149                    | 187,149                     |
| 015         | PROJ 155MM EXTENDED RANGE M982 .....                  | 49,000                     | 251,545                     |
|             | Realign European Reassurance Initiative to Base ..... |                            | [19,045]                    |
|             | Unfunded requirement .....                            |                            | [183,500]                   |
| 016         | ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL .....   | 83,046                     | 99,724                      |
|             | Realign European Reassurance Initiative to Base ..... |                            | [16,678]                    |
|             | <b>MINES</b>                                          |                            |                             |
| 017         | MINES & CLEARING CHARGES, ALL TYPES .....             | 3,942                      | 15,557                      |
|             | Realign European Reassurance Initiative to Base ..... |                            | [11,615]                    |
|             | <b>ROCKETS</b>                                        |                            |                             |
| 019         | SHOULDER LAUNCHED MUNITIONS, ALL TYPES .....          | 5,000                      | 5,000                       |
| 020         | ROCKET, HYDRA 70, ALL TYPES .....                     | 161,155                    | 161,155                     |
|             | <b>OTHER AMMUNITION</b>                               |                            |                             |
| 021         | CAD/PAD, ALL TYPES .....                              | 7,441                      | 7,441                       |
| 022         | DEMOLITION MUNITIONS, ALL TYPES .....                 | 19,345                     | 19,345                      |
| 023         | GRENADES, ALL TYPES .....                             | 22,759                     | 22,759                      |
| 024         | SIGNALS, ALL TYPES .....                              | 2,583                      | 2,583                       |
| 025         | SIMULATORS, ALL TYPES .....                           | 13,084                     | 13,084                      |
|             | <b>MISCELLANEOUS</b>                                  |                            |                             |
| 026         | AMMO COMPONENTS, ALL TYPES .....                      | 12,237                     | 12,237                      |
| 027         | NON-LETHAL AMMUNITION, ALL TYPES .....                | 1,500                      | 1,500                       |
| 028         | ITEMS LESS THAN \$5 MILLION (AMMO) .....              | 10,730                     | 10,730                      |
| 029         | AMMUNITION PECULIAR EQUIPMENT .....                   | 16,425                     | 16,425                      |
| 030         | FIRST DESTINATION TRANSPORTATION (AMMO) .....         | 15,221                     | 15,221                      |
|             | <b>PRODUCTION BASE SUPPORT</b>                        |                            |                             |
| 032         | INDUSTRIAL FACILITIES .....                           | 329,356                    | 429,356                     |
|             | Unfunded requirement .....                            |                            | [100,000]                   |
| 033         | CONVENTIONAL MUNITIONS DEMILITARIZATION .....         | 197,825                    | 197,825                     |
| 034         | ARMS INITIATIVE .....                                 | 3,719                      | 3,719                       |
|             | <b>TOTAL PROCUREMENT OF AMMUNITION, ARMY</b> .....    | <b>1,879,283</b>           | <b>2,235,247</b>            |
|             | <b>OTHER PROCUREMENT, ARMY</b>                        |                            |                             |
|             | <b>TACTICAL VEHICLES</b>                              |                            |                             |
| 001         | TACTICAL TRAILERS/DOLLY SETS .....                    | 9,716                      | 9,716                       |
| 002         | SEMITRAILERS, FLATBED: .....                          | 14,151                     | 36,151                      |
|             | Unfunded requirement—additional M872s .....           |                            | [22,000]                    |
| 003         | AMBULANCE, 4 LITTER, 5/4 TON, 4X4 .....               | 53,000                     | 87,792                      |
|             | Unfunded requirement .....                            |                            | [34,792]                    |
| 004         | GROUND MOBILITY VEHICLES (GMV) .....                  | 40,935                     | 40,935                      |
| 006         | JOINT LIGHT TACTICAL VEHICLE .....                    | 804,440                    | 804,440                     |
| 007         | TRUCK, DUMP, 20T (CCE) .....                          | 967                        | 967                         |
| 008         | FAMILY OF MEDIUM TACTICAL VEH (FMTV) .....            | 78,650                     | 241,944                     |
|             | Unfunded requirement—FMTVs .....                      |                            | [154,100]                   |

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|-------------|--------------------------------------------------------------------|------------------------|-------------------------|
|             | Unfunded requirement—trailers .....                                |                        | [9,194]                 |
| 009         | FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP .....                   | 19,404                 | 19,404                  |
| 010         | FAMILY OF HEAVY TACTICAL VEHICLES (FHTV) .....                     | 81,656                 | 114,658                 |
|             | Realign European Reassurance Initiative to Base .....              |                        | [25,874]                |
|             | Unfunded requirement—forward repair systems .....                  |                        | [7,128]                 |
| 011         | PLS ESP .....                                                      | 7,129                  | 59,729                  |
|             | Unfunded requirement .....                                         |                        | [52,600]                |
| 012         | HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV .....                  |                        | 150,878                 |
|             | Realign European Reassurance Initiative to Base .....              |                        | [38,628]                |
|             | Unfunded requirement .....                                         |                        | [112,250]               |
| 013         | TACTICAL WHEELED VEHICLE PROTECTION KITS .....                     | 43,040                 | 43,040                  |
| 014         | MODIFICATION OF IN SVC EQUIP .....                                 | 83,940                 | 89,470                  |
|             | Realign European Reassurance Initiative to Base .....              |                        | [2,599]                 |
|             | Unfunded requirement—CTE equipment .....                           |                        | [2,931]                 |
|             | <b>NON-TACTICAL VEHICLES</b>                                       |                        |                         |
| 016         | HEAVY ARMORED SEDAN .....                                          | 269                    | 269                     |
| 017         | PASSENGER CARRYING VEHICLES .....                                  | 1,320                  | 1,320                   |
| 018         | NONTACTICAL VEHICLES, OTHER .....                                  | 6,964                  | 6,964                   |
|             | <b>COMM—JOINT COMMUNICATIONS</b>                                   |                        |                         |
| 019         | WIN-T—GROUND FORCES TACTICAL NETWORK .....                         | 420,492                | 420,492                 |
| 020         | SIGNAL MODERNIZATION PROGRAM .....                                 | 92,718                 | 92,718                  |
| 021         | TACTICAL NETWORK TECHNOLOGY MOD IN SVC .....                       | 150,497                | 227,997                 |
|             | Program reduction .....                                            |                        | [-10,000]               |
|             | Unfunded requirement .....                                         |                        | [87,500]                |
| 022         | JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY .....                | 6,065                  | 6,065                   |
| 023         | JCSE EQUIPMENT (USREDCOM) .....                                    | 5,051                  | 5,051                   |
|             | <b>COMM—SATELLITE COMMUNICATIONS</b>                               |                        |                         |
| 024         | DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS .....                   | 161,383                | 161,383                 |
| 025         | TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS .....                | 62,600                 | 62,600                  |
| 026         | SHF TERM .....                                                     | 11,622                 | 11,622                  |
| 028         | SMART-T (SPACE) .....                                              | 6,799                  | 6,799                   |
| 029         | GLOBAL BRDCST SVC—GBS .....                                        | 7,065                  | 7,065                   |
| 031         | ENROUTE MISSION COMMAND (EMC) .....                                | 21,667                 | 21,667                  |
|             | <b>COMM—COMBAT SUPPORT COMM</b>                                    |                        |                         |
| 033         | MOD-IN-SERVICE PROFILER .....                                      | 70                     | 70                      |
|             | <b>COMM—C3 SYSTEM</b>                                              |                        |                         |
| 034         | ARMY GLOBAL CMD & CONTROL SYS (AGCCS) .....                        | 2,658                  | 2,658                   |
|             | <b>COMM—COMBAT COMMUNICATIONS</b>                                  |                        |                         |
| 036         | HANDHELD MANPACK SMALL FORM FIT (HMS) .....                        | 355,351                | 363,760                 |
|             | Unfunded requirement .....                                         |                        | [8,409]                 |
| 037         | MID-TIER NETWORKING VEHICULAR RADIO (MNVR) .....                   | 25,100                 | 25,100                  |
| 038         | RADIO TERMINAL SET, MIDS LVT(2) .....                              | 11,160                 | 11,160                  |
| 040         | TRACTOR DESK .....                                                 | 2,041                  | 2,041                   |
| 041         | TRACTOR RIDE .....                                                 | 5,534                  | 13,734                  |
|             | Unfunded requirement .....                                         |                        | [8,200]                 |
| 042         | SPIDER APLA REMOTE CONTROL UNIT .....                              | 996                    | 996                     |
| 043         | SPIDER FAMILY OF NETWORKED MUNITIONS INCR .....                    | 4,500                  | 6,858                   |
|             | Unfunded requirement .....                                         |                        | [2,358]                 |
| 045         | TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM .....                | 4,411                  | 4,411                   |
| 046         | UNIFIED COMMAND SUITE .....                                        | 15,275                 | 15,275                  |
| 047         | FAMILY OF MED COMM FOR COMBAT CASUALTY CARE .....                  | 15,964                 | 16,725                  |
|             | Unfunded requirement .....                                         |                        | [761]                   |
|             | <b>COMM—INTELLIGENCE COMM</b>                                      |                        |                         |
| 049         | CI AUTOMATION ARCHITECTURE .....                                   | 9,560                  | 9,560                   |
| 050         | DEFENSE MILITARY DECEPTION INITIATIVE .....                        | 4,030                  | 4,030                   |
|             | <b>INFORMATION SECURITY</b>                                        |                        |                         |
| 054         | COMMUNICATIONS SECURITY (COMSEC) .....                             | 107,804                | 130,667                 |
|             | Unfunded Requirement .....                                         |                        | [22,863]                |
| 055         | DEFENSIVE CYBER OPERATIONS .....                                   | 53,436                 | 61,436                  |
|             | Unfunded Requirement .....                                         |                        | [8,000]                 |
| 056         | INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO .....                  | 690                    | 690                     |
| 057         | PERSISTENT CYBER TRAINING ENVIRONMENT .....                        | 4,000                  | 4,000                   |
|             | <b>COMM—LONG HAUL COMMUNICATIONS</b>                               |                        |                         |
| 058         | BASE SUPPORT COMMUNICATIONS .....                                  | 43,751                 | 51,290                  |
|             | Unfunded requirement—first responder communication equipment ..... |                        | [7,539]                 |
|             | <b>COMM—BASE COMMUNICATIONS</b>                                    |                        |                         |
| 059         | INFORMATION SYSTEMS .....                                          | 118,101                | 118,101                 |
| 060         | EMERGENCY MANAGEMENT MODERNIZATION PROGRAM .....                   | 4,490                  | 4,490                   |
| 061         | HOME STATION MISSION COMMAND CENTERS (HSMCC) .....                 | 20,050                 | 20,050                  |
| 062         | INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM .....                 | 186,251                | 188,751                 |
|             | Realign European Reassurance Initiative to Base .....              |                        | [2,500]                 |
|             | <b>ELECT EQUIP—TACT INT REL ACT (TIARA)</b>                        |                        |                         |
| 065         | JTT/CIBS-M .....                                                   | 12,154                 | 19,754                  |
|             | Unfunded requirement .....                                         |                        | [7,600]                 |
| 068         | DCGS-A (MIP) .....                                                 | 274,782                | 295,494                 |
|             | Unfunded requirement .....                                         |                        | [20,712]                |
| 070         | TROJAN (MIP) .....                                                 | 16,052                 | 35,212                  |
|             | Realign European Reassurance Initiative to Base .....              |                        | [6,000]                 |
|             | Unfunded requirement .....                                         |                        | [13,160]                |

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|-------------|-------------------------------------------------------------|----------------------------|-----------------------------|
| 071         | MOD OF IN-SVC EQUIP (INTEL SPT) (MIP) .....                 | 51,034                     | 51,034                      |
| 072         | CI HUMINT AUTO REPRTING AND COLL(CHARCS) .....              | 7,815                      | 7,815                       |
| 073         | CLOSE ACCESS TARGET RECONNAISSANCE (CATR) .....             | 8,050                      | 8,050                       |
| 074         | MACHINE FOREIGN LANGUAGE TRANSLATION SYSTEM-M .....         | 567                        | 567                         |
|             | <b>ELECT EQUIP—ELECTRONIC WARFARE (EW)</b>                  |                            |                             |
| 076         | LIGHTWEIGHT COUNTER MORTAR RADAR .....                      | 20,459                     | 20,459                      |
| 077         | EW PLANNING & MANAGEMENT TOOLS (EWPMT) .....                | 5,805                      | 5,805                       |
| 078         | AIR VIGILANCE (AV) .....                                    | 5,348                      | 5,348                       |
| 081         | COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES .....          | 469                        | 6,369                       |
|             | Realign European Reassurance Initiative to Base .....       |                            | [5,900]                     |
| 082         | CI MODERNIZATION .....                                      | 285                        | 285                         |
|             | <b>ELECT EQUIP—TACTICAL SURV. (TAC SURV)</b>                |                            |                             |
| 083         | SENTINEL MODS .....                                         | 28,491                     | 100,491                     |
|             | Unfunded requirement .....                                  |                            | [72,000]                    |
| 084         | NIGHT VISION DEVICES .....                                  | 166,493                    | 229,389                     |
|             | Unfunded requirement—grow the Army .....                    |                            | [47,147]                    |
|             | Unfunded requirement—LTL enhancement .....                  |                            | [15,749]                    |
| 085         | SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF .....             | 13,947                     | 13,947                      |
| 087         | INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS .....            | 21,380                     | 456,003                     |
|             | Unfunded requirement—Air and Missile Defense (SHORAD) ..... |                            | [434,623]                   |
| 088         | FAMILY OF WEAPON SIGHTS (FWS) .....                         | 59,105                     | 59,105                      |
| 089         | ARTILLERY ACCURACY EQUIP .....                              | 2,129                      | 2,129                       |
| 091         | JOINT BATTLE COMMAND—PLATFORM (JBC-P) .....                 | 282,549                    | 344,949                     |
|             | Realign European Reassurance Initiative to Base .....       |                            | [2,300]                     |
|             | Unfunded requirement .....                                  |                            | [60,100]                    |
| 092         | JOINT EFFECTS TARGETING SYSTEM (JETS) .....                 | 48,664                     | 48,664                      |
| 093         | MOD OF IN-SVC EQUIP (LLDR) .....                            | 5,198                      | 9,172                       |
|             | Realign European Reassurance Initiative to Base .....       |                            | [3,974]                     |
| 094         | COMPUTER BALLISTICS: LHMCB XM32 .....                       | 8,117                      | 8,117                       |
| 095         | MORTAR FIRE CONTROL SYSTEM .....                            | 31,813                     | 47,588                      |
|             | Realign European Reassurance Initiative to Base .....       |                            | [75]                        |
|             | Unfunded requirement .....                                  |                            | [15,700]                    |
| 096         | COUNTERFIRE RADARS .....                                    | 329,057                    | 393,257                     |
|             | Unfunded requirement .....                                  |                            | [64,200]                    |
|             | <b>ELECT EQUIP—TACTICAL C2 SYSTEMS</b>                      |                            |                             |
| 097         | FIRE SUPPORT C2 FAMILY .....                                | 8,700                      | 13,458                      |
|             | Unfunded requirement .....                                  |                            | [4,758]                     |
| 098         | AIR & MSL DEFENSE PLANNING & CONTROL SYS .....              | 26,635                     | 132,713                     |
|             | Realign European Reassurance Initiative to Base .....       |                            | [9,100]                     |
|             | Unfunded requirement .....                                  |                            | [96,978]                    |
| 100         | LIFE CYCLE SOFTWARE SUPPORT (LCSS) .....                    | 1,992                      | 1,992                       |
| 101         | NETWORK MANAGEMENT INITIALIZATION AND SERVICE .....         | 15,179                     | 15,179                      |
| 102         | MANEUVER CONTROL SYSTEM (MCS) .....                         | 132,572                    | 137,174                     |
|             | Unfunded requirement .....                                  |                            | [4,602]                     |
| 103         | GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A) .....            | 37,201                     | 37,201                      |
| 104         | INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP) .....        | 16,140                     | 16,140                      |
| 105         | RECONNAISSANCE AND SURVEYING INSTRUMENT SET .....           | 6,093                      | 20,848                      |
|             | Unfunded requirement .....                                  |                            | [14,755]                    |
| 106         | MOD OF IN-SVC EQUIPMENT (ENFIRE) .....                      | 1,134                      | 1,134                       |
|             | <b>ELECT EQUIP—AUTOMATION</b>                               |                            |                             |
| 107         | ARMY TRAINING MODERNIZATION .....                           | 11,575                     | 11,575                      |
| 108         | AUTOMATED DATA PROCESSING EQUIP .....                       | 91,983                     | 91,983                      |
| 109         | GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM .....          | 4,465                      | 4,465                       |
| 110         | HIGH PERF COMPUTING MOD PGM (HPCMP) .....                   | 66,363                     | 66,363                      |
| 111         | CONTRACT WRITING SYSTEM .....                               | 1,001                      | 1,001                       |
| 112         | RESERVE COMPONENT AUTOMATION SYS (RCAS) .....               | 26,183                     | 26,183                      |
|             | <b>ELECT EQUIP—AUDIO VISUAL SYS (A/V)</b>                   |                            |                             |
| 113         | TACTICAL DIGITAL MEDIA .....                                | 4,441                      | 4,441                       |
| 114         | ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT) .....            | 3,414                      | 16,414                      |
|             | Unfunded requirement .....                                  |                            | [10,000]                    |
|             | Unfunded requirement—global positioning system .....        |                            | [3,000]                     |
|             | <b>ELECT EQUIP—SUPPORT</b>                                  |                            |                             |
| 115         | PRODUCTION BASE SUPPORT (C-E) .....                         | 499                        | 499                         |
| 116         | BCT EMERGING TECHNOLOGIES .....                             | 25,050                     | 25,050                      |
|             | <b>CLASSIFIED PROGRAMS</b>                                  |                            |                             |
| 116A        | CLASSIFIED PROGRAMS .....                                   | 4,819                      | 4,819                       |
|             | <b>CHEMICAL DEFENSIVE EQUIPMENT</b>                         |                            |                             |
| 117         | PROTECTIVE SYSTEMS .....                                    | 1,613                      | 1,613                       |
| 118         | FAMILY OF NON-LETHAL EQUIPMENT (FNLE) .....                 | 9,696                      | 23,696                      |
|             | Unfunded Requirement .....                                  |                            | [14,000]                    |
| 120         | CBRN DEFENSE .....                                          | 11,110                     | 11,110                      |
|             | <b>BRIDGING EQUIPMENT</b>                                   |                            |                             |
| 121         | TACTICAL BRIDGING .....                                     | 16,610                     | 16,610                      |
| 122         | TACTICAL BRIDGE, FLOAT-RIBBON .....                         | 21,761                     | 43,761                      |
|             | Unfunded requirement .....                                  |                            | [22,000]                    |
| 124         | COMMON BRIDGE TRANSPORTER (CBT) RECAP .....                 | 21,046                     | 61,446                      |
|             | Unfunded requirement .....                                  |                            | [40,400]                    |
|             | <b>ENGINEER (NON-CONSTRUCTION) EQUIPMENT</b>                |                            |                             |
| 125         | HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST .....         | 5,000                      | 17,800                      |

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|-------------|---------------------------------------------------------------------------|----------------------------|-----------------------------|
|             | Unfunded requirement—grow the Army .....                                  |                            | [5,600]                     |
|             | Unfunded requirement—PSS-14Cs .....                                       |                            | [7,200]                     |
| 126         | GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS) .....                          | 32,442                     | 32,442                      |
| 127         | AREA MINE DETECTION SYSTEM (AMDS) .....                                   | 10,571                     | 10,571                      |
| 128         | HUSKY MOUNTED DETECTION SYSTEM (HMDS) .....                               | 21,695                     | 21,695                      |
| 129         | ROBOTIC COMBAT SUPPORT SYSTEM (RCSS) .....                                | 4,516                      | 19,616                      |
|             | Unfunded requirement—M160s .....                                          |                            | [15,100]                    |
| 130         | EOD ROBOTICS SYSTEMS RECAPITALIZATION .....                               | 10,073                     | 15,073                      |
|             | Unfunded requiremet .....                                                 |                            | [5,000]                     |
| 131         | ROBOTICS AND APPLIQUE SYSTEMS .....                                       | 3,000                      | 3,000                       |
| 133         | REMOTE DEMOLITION SYSTEMS .....                                           | 5,847                      | 7,039                       |
|             | Unfunded requirement—radio frequency remote activated munitions .....     |                            | [1,192]                     |
| 134         | < \$5M, COUNTERMINE EQUIPMENT .....                                       | 1,530                      | 1,530                       |
| 135         | FAMILY OF BOATS AND MOTORS .....                                          | 4,302                      | 12,302                      |
|             | Unfunded requirement .....                                                |                            | [8,000]                     |
|             | <b>COMBAT SERVICE SUPPORT EQUIPMENT</b>                                   |                            |                             |
| 136         | HEATERS AND ECU'S .....                                                   | 7,405                      | 16,461                      |
|             | Unfunded requirement .....                                                |                            | [9,056]                     |
| 137         | SOLDIER ENHANCEMENT .....                                                 | 1,095                      | 1,095                       |
| 138         | PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS) .....                            | 5,390                      | 5,390                       |
| 139         | GROUND SOLDIER SYSTEM .....                                               | 38,219                     | 42,808                      |
|             | Unfunded requirement .....                                                |                            | [4,589]                     |
| 140         | MOBILE SOLDIER POWER .....                                                | 10,456                     | 12,018                      |
|             | Unfunded requirement .....                                                |                            | [1,562]                     |
| 141         | FORCE PROVIDER .....                                                      |                            | 13,850                      |
|             | Unfunded requirement .....                                                |                            | [13,850]                    |
| 142         | FIELD FEEDING EQUIPMENT .....                                             | 15,340                     | 29,740                      |
|             | Unfunded requirement .....                                                |                            | [14,400]                    |
| 143         | CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM .....                       | 30,607                     | 30,607                      |
| 144         | FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS .....                         | 10,426                     | 18,900                      |
|             | Unfunded requirement .....                                                |                            | [8,474]                     |
|             | <b>PETROLEUM EQUIPMENT</b>                                                |                            |                             |
| 146         | QUALITY SURVEILLANCE EQUIPMENT .....                                      | 6,903                      | 6,903                       |
| 147         | DISTRIBUTION SYSTEMS, PETROLEUM & WATER .....                             | 47,597                     | 47,597                      |
|             | <b>MEDICAL EQUIPMENT</b>                                                  |                            |                             |
| 148         | COMBAT SUPPORT MEDICAL .....                                              | 43,343                     | 66,262                      |
|             | Realign European Reassurance Initiative to Base .....                     |                            | [21,122]                    |
|             | Unfunded requirement .....                                                |                            | [1,797]                     |
|             | <b>MAINTENANCE EQUIPMENT</b>                                              |                            |                             |
| 149         | MOBILE MAINTENANCE EQUIPMENT SYSTEMS .....                                | 33,774                     | 48,194                      |
|             | Realign European Reassurance Initiative to Base .....                     |                            | [1,124]                     |
|             | Unfunded requirement—metal working and machine shop sets .....            |                            | [13,296]                    |
| 150         | ITEMS LESS THAN \$5.0M (MAINT EQ) .....                                   | 2,728                      | 3,682                       |
|             | Unfunded requirement .....                                                |                            | [954]                       |
|             | <b>CONSTRUCTION EQUIPMENT</b>                                             |                            |                             |
| 151         | GRADER, ROAD MTZD, HVY, 6X4 (CCE) .....                                   | 989                        | 15,719                      |
|             | Unfunded requirement .....                                                |                            | [14,730]                    |
| 152         | SCRAPERS, EARTHMOVING .....                                               | 11,180                     | 11,180                      |
| 154         | TRACTOR, FULL TRACKED .....                                               |                            | 48,679                      |
|             | Unfunded requirement—T9 Dozers .....                                      |                            | [48,679]                    |
| 155         | ALL TERRAIN CRANES .....                                                  | 8,935                      | 11,935                      |
|             | Unfunded requiremnt .....                                                 |                            | [3,000]                     |
| 157         | HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) .....                             | 64,339                     | 84,899                      |
|             | Unfunded requirement .....                                                |                            | [20,560]                    |
| 158         | ENHANCED RAPID AIRFIELD CONSTRUCTION CAPAP .....                          | 2,563                      | 2,563                       |
| 160         | CONST EQUIP ESP .....                                                     | 19,032                     | 26,032                      |
|             | Unfunded requirement—Engineer Mission Modules and Vibratory Rollers ..... |                            | [7,000]                     |
| 161         | ITEMS LESS THAN \$5.0M (CONST EQUIP) .....                                | 6,899                      | 11,911                      |
|             | Unfunded requirement—water well drill systems .....                       |                            | [5,012]                     |
|             | <b>RAIL FLOAT CONTAINERIZATION EQUIPMENT</b>                              |                            |                             |
| 162         | ARMY WATERCRAFT ESP .....                                                 | 20,110                     | 20,110                      |
| 163         | ITEMS LESS THAN \$5.0M (FLOAT/RAIL) .....                                 | 2,877                      | 2,877                       |
|             | <b>GENERATORS</b>                                                         |                            |                             |
| 164         | GENERATORS AND ASSOCIATED EQUIP .....                                     | 115,635                    | 132,845                     |
|             | Unfunded requirement .....                                                |                            | [17,210]                    |
| 165         | TACTICAL ELECTRIC POWER RECAPITALIZATION .....                            | 7,436                      | 7,436                       |
|             | <b>MATERIAL HANDLING EQUIPMENT</b>                                        |                            |                             |
| 166         | FAMILY OF FORKLIFTS .....                                                 | 9,000                      | 10,635                      |
|             | Unfunded requirement .....                                                |                            | [1,635]                     |
|             | <b>TRAINING EQUIPMENT</b>                                                 |                            |                             |
| 167         | COMBAT TRAINING CENTERS SUPPORT .....                                     | 88,888                     | 126,638                     |
|             | Unfunded requirement .....                                                |                            | [37,750]                    |
| 168         | TRAINING DEVICES, NONSYSTEM .....                                         | 285,989                    | 288,689                     |
|             | Realign European Reassurance Initiative to Base .....                     |                            | [2,700]                     |
| 169         | CLOSE COMBAT TACTICAL TRAINER .....                                       | 45,718                     | 45,718                      |
| 170         | AVIATION COMBINED ARMS TACTICAL TRAINER .....                             | 30,568                     | 30,568                      |
| 171         | GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING .....                       | 5,406                      | 16,906                      |
|             | Unfunded requirement—SVCT systems .....                                   |                            | [11,500]                    |
|             | <b>TEST MEASURE AND DIG EQUIPMENT (TMD)</b>                               |                            |                             |

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| 172         | CALIBRATION SETS EQUIPMENT .....                                                                  | 5,564                      | 5,564                       |
| 173         | INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE) .....                                                  | 30,144                     | 37,644                      |
|             | Realign European Reassurance Initiative to Base .....                                             |                            | [7,500]                     |
| 174         | TEST EQUIPMENT MODERNIZATION (TEMOD) .....                                                        | 7,771                      | 7,771                       |
|             | <b>OTHER SUPPORT EQUIPMENT</b>                                                                    |                            |                             |
| 175         | M25 STABILIZED BINOCULAR .....                                                                    | 3,956                      | 3,956                       |
| 176         | RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT .....                                                   | 5,000                      | 5,000                       |
| 177         | PHYSICAL SECURITY SYSTEMS (OPA3) .....                                                            | 60,047                     | 60,047                      |
| 178         | BASE LEVEL COMMON EQUIPMENT .....                                                                 | 13,239                     | 13,239                      |
| 179         | MODIFICATION OF IN-SVC EQUIPMENT (OPA-3) .....                                                    | 60,192                     | 99,432                      |
|             | Unfunded requirement—EOD Technician Tool Kits .....                                               |                            | [29,240]                    |
|             | Unfunded requirement—Rapidly Emplaced Bridge System Arctic Kit Technical Manual (TM) update ..... |                            | [2,000]                     |
|             | Unfunded requirement—Service Life Extension Program for the VOLCANO system .....                  |                            | [8,000]                     |
| 180         | PRODUCTION BASE SUPPORT (OTH) .....                                                               | 2,271                      | 2,271                       |
| 181         | SPECIAL EQUIPMENT FOR USER TESTING .....                                                          | 5,319                      | 5,319                       |
| 182         | TRACTOR YARD .....                                                                                | 5,935                      | 5,935                       |
|             | <b>OPA2</b>                                                                                       |                            |                             |
| 184         | INITIAL SPARES—C&E .....                                                                          | 38,269                     | 38,269                      |
|             | <b>UNDISTRIBUTED</b>                                                                              |                            |                             |
| 185         | UNDISTRIBUTED .....                                                                               |                            | 56,000                      |
|             | Security Force Assistance Brigade .....                                                           |                            | [56,000]                    |
|             | <b>TOTAL OTHER PROCUREMENT, ARMY</b> .....                                                        | <b>6,469,331</b>           | <b>8,463,222</b>            |
|             | <b>JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND</b>                                              |                            |                             |
|             | <b>NETWORK ATTACK</b>                                                                             |                            |                             |
| 001         | RAPID ACQUISITION AND THREAT RESPONSE .....                                                       | 14,442                     | 14,442                      |
|             | <b>TOTAL JOINT IMPROVISED-THREAT DEFEAT FUND</b> .....                                            | <b>14,442</b>              | <b>14,442</b>               |
|             | <b>AIRCRAFT PROCUREMENT, NAVY</b>                                                                 |                            |                             |
|             | <b>COMBAT AIRCRAFT</b>                                                                            |                            |                             |
| 002         | F/A-18E/F (FIGHTER) HORNET .....                                                                  | 1,200,146                  | 1,791,346                   |
|             | Unfunded Requirement .....                                                                        |                            | [591,200]                   |
| 003         | ADVANCE PROCUREMENT (CY) .....                                                                    | 52,971                     | 52,971                      |
| 004         | JOINT STRIKE FIGHTER CV .....                                                                     | 582,324                    | 1,102,324                   |
|             | Unfunded Requirement—Marine Corps .....                                                           |                            | [260,000]                   |
|             | Unfunded Requirement—Navy .....                                                                   |                            | [260,000]                   |
| 005         | ADVANCE PROCUREMENT (CY) .....                                                                    | 263,112                    | 263,112                     |
| 006         | JSF STOVL .....                                                                                   | 2,398,139                  | 2,860,739                   |
|             | Unfunded Requirement .....                                                                        |                            | [462,600]                   |
| 007         | ADVANCE PROCUREMENT (CY) .....                                                                    | 413,450                    | 413,450                     |
| 008         | CH-53K (HEAVY LIFT) .....                                                                         | 567,605                    | 567,605                     |
| 009         | ADVANCE PROCUREMENT (CY) .....                                                                    | 147,046                    | 147,046                     |
| 010         | V-22 (MEDIUM LIFT) .....                                                                          | 677,404                    | 1,028,904                   |
|             | Multiyear procurement contract savings .....                                                      |                            | [–25,000]                   |
|             | Unfunded Requirement .....                                                                        |                            | [376,500]                   |
| 011         | ADVANCE PROCUREMENT (CY) .....                                                                    | 27,422                     | 27,422                      |
| 012         | H-1 UPGRADES (UH-1Y/AH-1Z) .....                                                                  | 678,429                    | 829,429                     |
|             | Unfunded requirement – additional AH-1Zs .....                                                    |                            | [157,500]                   |
|             | Unit cost savings .....                                                                           |                            | [–6,500]                    |
| 013         | ADVANCE PROCUREMENT (CY) .....                                                                    | 42,082                     | 42,082                      |
| 016         | P-8A POSEIDON .....                                                                               | 1,245,251                  | 1,751,751                   |
|             | P-8A .....                                                                                        |                            | [506,500]                   |
| 017         | ADVANCE PROCUREMENT (CY) .....                                                                    | 140,333                    | 123,333                     |
|             | Excess to need .....                                                                              |                            | [–17,000]                   |
| 018         | E-2D ADV HAWKEYE .....                                                                            | 733,910                    | 925,710                     |
|             | E-2D .....                                                                                        |                            | [201,800]                   |
|             | Excessive growth .....                                                                            |                            | [–10,000]                   |
| 019         | ADVANCE PROCUREMENT (CY) .....                                                                    | 102,026                    | 102,026                     |
|             | <b>OTHER AIRCRAFT</b>                                                                             |                            |                             |
| 022         | KC-130J .....                                                                                     | 129,577                    | 484,877                     |
|             | KC-130J .....                                                                                     |                            | [355,300]                   |
| 023         | ADVANCE PROCUREMENT (CY) .....                                                                    | 25,497                     | 25,497                      |
| 024         | MQ-4 TRITON .....                                                                                 | 522,126                    | 517,126                     |
|             | Excess cost growth .....                                                                          |                            | [–5,000]                    |
| 025         | ADVANCE PROCUREMENT (CY) .....                                                                    | 57,266                     | 57,266                      |
| 026         | MQ-8 UAV .....                                                                                    | 49,472                     | 49,472                      |
| 027         | STUASLO UAV .....                                                                                 | 880                        | 880                         |
|             | <b>MODIFICATION OF AIRCRAFT</b>                                                                   |                            |                             |
| 030         | AEA SYSTEMS .....                                                                                 | 52,960                     | 52,960                      |
| 031         | AV-8 SERIES .....                                                                                 | 43,555                     | 43,555                      |
| 032         | ADVERSARY .....                                                                                   | 2,565                      | 2,565                       |
| 033         | F-18 SERIES .....                                                                                 | 1,043,661                  | 1,076,211                   |
|             | Unfunded requirement—ALQ-214 Retrofits .....                                                      |                            | [32,550]                    |
| 034         | H-53 SERIES .....                                                                                 | 38,712                     | 38,712                      |
| 035         | SH-60 SERIES .....                                                                                | 95,333                     | 95,333                      |
| 036         | H-1 SERIES .....                                                                                  | 101,886                    | 101,886                     |
| 037         | EP-3 SERIES .....                                                                                 | 7,231                      | 7,231                       |
| 038         | P-3 SERIES .....                                                                                  | 700                        | 700                         |
| 039         | E-2 SERIES .....                                                                                  | 97,563                     | 97,563                      |



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| 040         | TRAINER A/C SERIES .....                                          | 8,184                      | 8,184                       |
| 041         | C-2A .....                                                        | 18,673                     | 18,673                      |
| 042         | C-130 SERIES .....                                                | 83,541                     | 83,541                      |
| 043         | FEWSG .....                                                       | 630                        | 630                         |
| 044         | CARGO/TRANSPORT A/C SERIES .....                                  | 10,075                     | 10,075                      |
| 045         | E-6 SERIES .....                                                  | 223,508                    | 223,508                     |
| 046         | EXECUTIVE HELICOPTERS SERIES .....                                | 38,787                     | 38,787                      |
| 047         | SPECIAL PROJECT AIRCRAFT .....                                    | 8,304                      | 8,304                       |
| 048         | T-45 SERIES .....                                                 | 148,071                    | 148,071                     |
| 049         | POWER PLANT CHANGES .....                                         | 19,827                     | 19,827                      |
| 050         | JPATS SERIES .....                                                | 27,007                     | 27,007                      |
| 051         | COMMON ECM EQUIPMENT .....                                        | 146,642                    | 146,642                     |
| 052         | COMMON AVIONICS CHANGES .....                                     | 123,507                    | 123,507                     |
| 053         | COMMON DEFENSIVE WEAPON SYSTEM .....                              | 2,317                      | 2,317                       |
| 054         | ID SYSTEMS .....                                                  | 49,524                     | 49,524                      |
| 055         | P-8 SERIES .....                                                  | 18,665                     | 18,665                      |
| 056         | MAGTF EW FOR AVIATION .....                                       | 10,111                     | 10,111                      |
| 057         | MQ-8 SERIES .....                                                 | 32,361                     | 32,361                      |
| 059         | V-22 (TILT/ROTOR ACFT) OSPREY .....                               | 228,321                    | 228,321                     |
| 060         | F-35 STOVL SERIES .....                                           | 34,963                     | 34,963                      |
| 061         | F-35 CV SERIES .....                                              | 31,689                     | 31,689                      |
| 062         | QRC .....                                                         | 24,766                     | 24,766                      |
| 063         | MQ-4 SERIES .....                                                 | 39,996                     | 39,996                      |
|             | <b>AIRCRAFT SPARES AND REPAIR PARTS</b>                           |                            |                             |
| 064         | SPARES AND REPAIR PARTS .....                                     | 1,681,914                  | 1,882,514                   |
|             | Additional F-35 Initial Spares .....                              |                            | [32,600]                    |
|             | Unfunded requirement .....                                        |                            | [168,000]                   |
|             | <b>AIRCRAFT SUPPORT EQUIP &amp; FACILITIES</b>                    |                            |                             |
| 065         | COMMON GROUND EQUIPMENT .....                                     | 388,052                    | 405,552                     |
|             | Unfunded requirement—F-18C/D H12C Training Systems for USMC ..... |                            | [17,500]                    |
| 066         | AIRCRAFT INDUSTRIAL FACILITIES .....                              | 24,613                     | 24,613                      |
| 067         | WAR CONSUMABLES .....                                             | 39,614                     | 39,614                      |
| 068         | OTHER PRODUCTION CHARGES .....                                    | 1,463                      | 1,463                       |
| 069         | SPECIAL SUPPORT EQUIPMENT .....                                   | 48,500                     | 48,500                      |
| 070         | FIRST DESTINATION TRANSPORTATION .....                            | 1,976                      | 1,976                       |
|             | <b>TOTAL AIRCRAFT PROCUREMENT, NAVY .....</b>                     | <b>15,056,235</b>          | <b>18,414,785</b>           |
|             | <b>WEAPONS PROCUREMENT, NAVY</b>                                  |                            |                             |
|             | <b>MODIFICATION OF MISSILES</b>                                   |                            |                             |
| 001         | TRIDENT II MODS .....                                             | 1,143,595                  | 1,143,595                   |
|             | <b>SUPPORT EQUIPMENT &amp; FACILITIES</b>                         |                            |                             |
| 002         | MISSILE INDUSTRIAL FACILITIES .....                               | 7,086                      | 7,086                       |
|             | <b>STRATEGIC MISSILES</b>                                         |                            |                             |
| 003         | TOMAHAWK .....                                                    | 134,375                    | 134,375                     |
|             | <b>TACTICAL MISSILES</b>                                          |                            |                             |
| 004         | AMRAAM .....                                                      | 197,109                    | 197,109                     |
| 005         | SIDEWINDER .....                                                  | 79,692                     | 79,692                      |
| 006         | JSOW .....                                                        | 5,487                      | 5,487                       |
| 007         | STANDARD MISSILE .....                                            | 510,875                    | 510,875                     |
| 008         | SMALL DIAMETER BOMB II .....                                      | 20,968                     | 20,968                      |
| 009         | RAM .....                                                         | 58,587                     | 106,587                     |
|             | RAM BLK II .....                                                  |                            | [48,000]                    |
| 010         | JOINT AIR GROUND MISSILE (JAGM) .....                             | 3,789                      | 3,789                       |
| 013         | STAND OFF PRECISION GUIDED MUNITIONS (SOPGM) .....                | 3,122                      | 3,122                       |
| 014         | AERIAL TARGETS .....                                              | 124,757                    | 124,757                     |
| 015         | OTHER MISSILE SUPPORT .....                                       | 3,420                      | 3,420                       |
| 016         | LRASM .....                                                       | 74,733                     | 74,733                      |
|             | <b>MODIFICATION OF MISSILES</b>                                   |                            |                             |
| 017         | ESSM .....                                                        | 74,524                     | 74,524                      |
| 019         | HARPOON MODS .....                                                | 17,300                     | 17,300                      |
| 020         | HARM MODS .....                                                   | 183,368                    | 183,368                     |
| 021         | STANDARD MISSILES MODS .....                                      | 11,729                     | 11,729                      |
|             | <b>SUPPORT EQUIPMENT &amp; FACILITIES</b>                         |                            |                             |
| 022         | WEAPONS INDUSTRIAL FACILITIES .....                               | 4,021                      | 4,021                       |
| 023         | FLEET SATELLITE COMM FOLLOW-ON .....                              | 46,357                     | 46,357                      |
|             | <b>ORDNANCE SUPPORT EQUIPMENT</b>                                 |                            |                             |
| 025         | ORDNANCE SUPPORT EQUIPMENT .....                                  | 47,159                     | 47,159                      |
|             | <b>TORPEDOES AND RELATED EQUIP</b>                                |                            |                             |
| 026         | SSTD .....                                                        | 5,240                      | 5,240                       |
| 027         | MK-48 TORPEDO .....                                               | 44,771                     | 70,971                      |
|             | MK 48 HWT .....                                                   |                            | [26,200]                    |
| 028         | ASW TARGETS .....                                                 | 12,399                     | 12,399                      |
|             | <b>MOD OF TORPEDOES AND RELATED EQUIP</b>                         |                            |                             |
| 029         | MK-54 TORPEDO MODS .....                                          | 104,044                    | 104,044                     |
| 030         | MK-48 TORPEDO ADCAP MODS .....                                    | 38,954                     | 38,954                      |
| 031         | QUICKSTRIKE MINE .....                                            | 10,337                     | 10,337                      |
|             | <b>SUPPORT EQUIPMENT</b>                                          |                            |                             |
| 032         | TORPEDO SUPPORT EQUIPMENT .....                                   | 70,383                     | 70,383                      |
| 033         | ASW RANGE SUPPORT .....                                           | 3,864                      | 3,864                       |

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|             | <b>DESTINATION TRANSPORTATION</b>                     |                            |                             |
| 034         | FIRST DESTINATION TRANSPORTATION .....                | 3,961                      | 3,961                       |
|             | <b>GUNS AND GUN MOUNTS</b>                            |                            |                             |
| 035         | SMALL ARMS AND WEAPONS .....                          | 11,332                     | 11,332                      |
|             | <b>MODIFICATION OF GUNS AND GUN MOUNTS</b>            |                            |                             |
| 036         | CIWS MODS .....                                       | 72,698                     | 72,698                      |
| 037         | COAST GUARD WEAPONS .....                             | 38,931                     | 38,931                      |
| 038         | GUN MOUNT MODS .....                                  | 76,025                     | 76,025                      |
| 039         | LCS MODULE WEAPONS .....                              | 13,110                     | 13,110                      |
| 040         | CRUISER MODERNIZATION WEAPONS .....                   | 34,825                     | 34,825                      |
| 041         | AIRBORNE MINE NEUTRALIZATION SYSTEMS .....            | 16,925                     | 16,925                      |
|             | <b>SPARES AND REPAIR PARTS</b>                        |                            |                             |
| 043         | SPARES AND REPAIR PARTS .....                         | 110,255                    | 110,255                     |
|             | <b>TOTAL WEAPONS PROCUREMENT, NAVY</b> .....          | <b>3,420,107</b>           | <b>3,494,307</b>            |
|             | <b>PROCUREMENT OF AMMO, NAVY &amp; MC</b>             |                            |                             |
|             | <b>NAVY AMMUNITION</b>                                |                            |                             |
| 001         | GENERAL PURPOSE BOMBS .....                           | 34,882                     | 34,882                      |
| 002         | JDAM .....                                            | 57,343                     | 57,343                      |
| 003         | AIRBORNE ROCKETS, ALL TYPES .....                     | 79,318                     | 79,318                      |
| 004         | MACHINE GUN AMMUNITION .....                          | 14,112                     | 14,112                      |
| 005         | PRACTICE BOMBS .....                                  | 47,027                     | 47,027                      |
| 006         | CARTRIDGES & CART ACTUATED DEVICES .....              | 57,718                     | 57,718                      |
| 007         | AIR EXPENDABLE COUNTERMEASURES .....                  | 65,908                     | 65,908                      |
| 008         | JATOS .....                                           | 2,895                      | 2,895                       |
| 010         | 5 INCH/54 GUN AMMUNITION .....                        | 22,112                     | 22,112                      |
| 011         | INTERMEDIATE CALIBER GUN AMMUNITION .....             | 12,804                     | 12,804                      |
| 012         | OTHER SHIP GUN AMMUNITION .....                       | 41,594                     | 41,594                      |
| 013         | SMALL ARMS & LANDING PARTY AMMO .....                 | 49,401                     | 49,401                      |
| 014         | PYROTECHNIC AND DEMOLITION .....                      | 9,495                      | 9,495                       |
| 016         | AMMUNITION LESS THAN \$5 MILLION .....                | 3,080                      | 3,080                       |
|             | <b>MARINE CORPS AMMUNITION</b>                        |                            |                             |
| 020         | MORTARS .....                                         | 24,118                     | 24,118                      |
| 023         | DIRECT SUPPORT MUNITIONS .....                        | 64,045                     | 64,045                      |
| 024         | INFANTRY WEAPONS AMMUNITION .....                     | 91,456                     | 91,456                      |
| 029         | COMBAT SUPPORT MUNITIONS .....                        | 11,788                     | 11,788                      |
| 032         | AMMO MODERNIZATION .....                              | 17,862                     | 17,862                      |
| 033         | ARTILLERY MUNITIONS .....                             | 79,427                     | 79,427                      |
| 034         | ITEMS LESS THAN \$5 MILLION .....                     | 5,960                      | 5,960                       |
|             | <b>TOTAL PROCUREMENT OF AMMO, NAVY &amp; MC</b> ..... | <b>792,345</b>             | <b>792,345</b>              |
|             | <b>SHIPBUILDING AND CONVERSION, NAVY</b>              |                            |                             |
|             | <b>FLEET BALLISTIC MISSILE SHIPS</b>                  |                            |                             |
| 001         | ADVANCE PROCUREMENT (CY) .....                        | 842,853                    | 842,853                     |
|             | <b>OTHER WARSHIPS</b>                                 |                            |                             |
| 002         | CARRIER REPLACEMENT PROGRAM .....                     | 4,441,772                  | 3,741,772                   |
|             | Early to need .....                                   |                            | [-700,000]                  |
| 004         | VIRGINIA CLASS SUBMARINE .....                        | 3,305,315                  | 3,305,315                   |
| 005         | ADVANCE PROCUREMENT (CY) .....                        | 1,920,596                  | 2,863,596                   |
|             | VA Class AP .....                                     |                            | [693,000]                   |
|             | VA Class EOQ .....                                    |                            | [250,000]                   |
| 006         | CVN REFUELING OVERHAULS .....                         | 1,604,890                  | 1,181,590                   |
|             | CVN 73 MQ-25 integration .....                        |                            | [26,700]                    |
|             | Early to need .....                                   |                            | [-450,000]                  |
| 007         | ADVANCE PROCUREMENT (CY) .....                        | 75,897                     | 75,897                      |
| 008         | DDG 1000 .....                                        | 223,968                    | 223,968                     |
| 009         | DDG-51 .....                                          | 3,499,079                  | 3,499,079                   |
| 010         | ADVANCE PROCUREMENT (CY) .....                        | 90,336                     | 90,336                      |
| 011         | LITTORAL COMBAT SHIP .....                            | 636,146                    | 636,146                     |
|             | <b>AMPHIBIOUS SHIPS</b>                               |                            |                             |
| 015         | LHA REPLACEMENT .....                                 | 1,710,927                  | 1,210,927                   |
|             | Early to need .....                                   |                            | [-500,000]                  |
|             | <b>AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST</b>   |                            |                             |
| 018         | TAO FLEET OILER .....                                 | 465,988                    | 465,988                     |
| 019         | ADVANCE PROCUREMENT (CY) .....                        | 75,068                     | 75,068                      |
| 020         | TOWING, SALVAGE, AND RESCUE SHIP (ATS) .....          | 76,204                     | 76,204                      |
| 023         | LCU 1700 .....                                        | 31,850                     | 31,850                      |
| 024         | OUTFITTING .....                                      | 548,703                    | 548,703                     |
| 025         | SHIP TO SHORE CONNECTOR .....                         | 212,554                    | 212,554                     |
| 026         | SERVICE CRAFT .....                                   | 23,994                     | 23,994                      |
| 029         | COMPLETION OF PY SHIPBUILDING PROGRAMS .....          | 117,542                    | 117,542                     |
|             | <b>TOTAL SHIPBUILDING AND CONVERSION, NAVY</b> .....  | <b>19,903,682</b>          | <b>19,223,382</b>           |
|             | <b>OTHER PROCUREMENT, NAVY</b>                        |                            |                             |
|             | <b>SHIP PROPULSION EQUIPMENT</b>                      |                            |                             |
| 003         | SURFACE POWER EQUIPMENT .....                         | 41,910                     | 41,910                      |
| 004         | HYBRID ELECTRIC DRIVE (HED) .....                     | 6,331                      | 6,331                       |
|             | <b>GENERATORS</b>                                     |                            |                             |
| 005         | SURFACE COMBATANT HM&E .....                          | 27,392                     | 27,392                      |

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|-------------|-------------------------------------------------------|----------------------------|-----------------------------|
|             | <b>NAVIGATION EQUIPMENT</b>                           |                            |                             |
| 006         | OTHER NAVIGATION EQUIPMENT .....                      | 65,943                     | 65,943                      |
|             | <b>PERISCOPES</b>                                     |                            |                             |
| 007         | SUB PERISCOPES & IMAGING EQUIP .....                  |                            | 76,000                      |
|             | Submarine Warfare Federated Tactical Systems .....    |                            | [76,000]                    |
|             | <b>OTHER SHIPBOARD EQUIPMENT</b>                      |                            |                             |
| 008         | SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG .....      | 151,240                    | 151,240                     |
| 009         | DDG MOD .....                                         | 603,355                    | 702,355                     |
|             | CEC IFF Mode 5 Acceleration .....                     |                            | [4,000]                     |
|             | Destroyer modernization .....                         |                            | [65,000]                    |
|             | SPY-1 refurbishment .....                             |                            | [30,000]                    |
| 010         | FIREFIGHTING EQUIPMENT .....                          | 15,887                     | 15,887                      |
| 011         | COMMAND AND CONTROL SWITCHBOARD .....                 | 2,240                      | 2,240                       |
| 012         | LHA/LHD MIDLIFE .....                                 | 30,287                     | 30,287                      |
| 014         | POLLUTION CONTROL EQUIPMENT .....                     | 17,293                     | 17,293                      |
| 015         | SUBMARINE SUPPORT EQUIPMENT .....                     | 27,990                     | 27,990                      |
| 016         | VIRGINIA CLASS SUPPORT EQUIPMENT .....                | 46,610                     | 46,610                      |
| 017         | LCS CLASS SUPPORT EQUIPMENT .....                     | 47,955                     | 47,955                      |
| 018         | SUBMARINE BATTERIES .....                             | 17,594                     | 17,594                      |
| 019         | LPD CLASS SUPPORT EQUIPMENT .....                     | 61,908                     | 61,908                      |
| 021         | STRATEGIC PLATFORM SUPPORT EQUIP .....                | 15,812                     | 15,812                      |
| 022         | DSSP EQUIPMENT .....                                  | 4,178                      | 4,178                       |
| 023         | CG MODERNIZATION .....                                | 306,050                    | 306,050                     |
| 024         | LCAC .....                                            | 5,507                      | 5,507                       |
| 025         | UNDERWATER EOD PROGRAMS .....                         | 55,922                     | 59,938                      |
|             | Realign European Reassurance Initiative to Base ..... |                            | [4,016]                     |
| 026         | ITEMS LESS THAN \$5 MILLION .....                     | 96,909                     | 96,909                      |
| 027         | CHEMICAL WARFARE DETECTORS .....                      | 3,036                      | 3,036                       |
| 028         | SUBMARINE LIFE SUPPORT SYSTEM .....                   | 10,364                     | 10,364                      |
|             | <b>REACTOR PLANT EQUIPMENT</b>                        |                            |                             |
| 029         | REACTOR POWER UNITS .....                             | 324,925                    | 324,925                     |
| 030         | REACTOR COMPONENTS .....                              | 534,468                    | 534,468                     |
|             | <b>OCEAN ENGINEERING</b>                              |                            |                             |
| 031         | DIVING AND SALVAGE EQUIPMENT .....                    | 10,619                     | 10,619                      |
|             | <b>SMALL BOATS</b>                                    |                            |                             |
| 032         | STANDARD BOATS .....                                  | 46,094                     | 46,094                      |
|             | <b>PRODUCTION FACILITIES EQUIPMENT</b>                |                            |                             |
| 034         | OPERATING FORCES IPE .....                            | 191,541                    | 191,541                     |
|             | <b>OTHER SHIP SUPPORT</b>                             |                            |                             |
| 036         | LCS COMMON MISSION MODULES EQUIPMENT .....            | 34,666                     | 68,666                      |
|             | MCM-USV .....                                         |                            | [34,000]                    |
| 037         | LCS MCM MISSION MODULES .....                         | 55,870                     | 55,870                      |
| 039         | LCS SUW MISSION MODULES .....                         | 52,960                     | 52,960                      |
| 040         | LCS IN-SERVICE MODERNIZATION .....                    | 74,426                     | 158,426                     |
|             | LCS Modernization .....                               |                            | [84,000]                    |
|             | <b>LOGISTIC SUPPORT</b>                               |                            |                             |
| 042         | LSD MIDLIFE & MODERNIZATION .....                     | 89,536                     | 89,536                      |
|             | <b>SHIP SONARS</b>                                    |                            |                             |
| 043         | SPQ-9B RADAR .....                                    | 30,086                     | 30,086                      |
| 044         | AN/SQQ-89 SURF ASW COMBAT SYSTEM .....                | 102,222                    | 102,222                     |
| 046         | SSN ACOUSTIC EQUIPMENT .....                          | 287,553                    | 331,053                     |
|             | Realign European Reassurance Initiative to Base ..... |                            | [43,500]                    |
| 047         | UNDERSEA WARFARE SUPPORT EQUIPMENT .....              | 13,653                     | 13,653                      |
|             | <b>ASW ELECTRONIC EQUIPMENT</b>                       |                            |                             |
| 049         | SUBMARINE ACOUSTIC WARFARE SYSTEM .....               | 21,449                     | 21,449                      |
| 050         | SSTD .....                                            | 12,867                     | 12,867                      |
| 051         | FIXED SURVEILLANCE SYSTEM .....                       | 300,102                    | 300,102                     |
| 052         | SURTASS .....                                         | 30,180                     | 40,180                      |
|             | SURTASS Array .....                                   |                            | [10,000]                    |
|             | <b>ELECTRONIC WARFARE EQUIPMENT</b>                   |                            |                             |
| 054         | AN/SLQ-32 .....                                       | 240,433                    | 240,433                     |
|             | <b>RECONNAISSANCE EQUIPMENT</b>                       |                            |                             |
| 055         | SHIPBOARD IW EXPLOIT .....                            | 187,007                    | 227,007                     |
|             | Ship Signal Exploitation Equipment .....              |                            | [40,000]                    |
| 056         | AUTOMATED IDENTIFICATION SYSTEM (AIS) .....           | 510                        | 510                         |
|             | <b>OTHER SHIP ELECTRONIC EQUIPMENT</b>                |                            |                             |
| 058         | COOPERATIVE ENGAGEMENT CAPABILITY .....               | 23,892                     | 23,892                      |
| 060         | NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS) .....   | 10,741                     | 10,741                      |
| 061         | ATDLS .....                                           | 38,016                     | 38,016                      |
| 062         | NAVY COMMAND AND CONTROL SYSTEM (NCCS) .....          | 4,512                      | 4,512                       |
| 063         | MINESWEEPING SYSTEM REPLACEMENT .....                 | 31,531                     | 31,531                      |
| 064         | SHALLOW WATER MCM .....                               | 8,796                      | 8,796                       |
| 065         | NAVSTAR GPS RECEIVERS (SPACE) .....                   | 15,923                     | 15,923                      |
| 066         | AMERICAN FORCES RADIO AND TV SERVICE .....            | 2,730                      | 2,730                       |
| 067         | STRATEGIC PLATFORM SUPPORT EQUIP .....                | 6,889                      | 6,889                       |
|             | <b>AVIATION ELECTRONIC EQUIPMENT</b>                  |                            |                             |
| 070         | ASHORE ATC EQUIPMENT .....                            | 71,882                     | 71,882                      |
| 071         | AFLOAT ATC EQUIPMENT .....                            | 44,611                     | 44,611                      |
| 077         | ID SYSTEMS .....                                      | 21,239                     | 21,239                      |

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| 078         | NAVAL MISSION PLANNING SYSTEMS .....                  | 11,976                     | 11,976                      |
|             | <b>OTHER SHORE ELECTRONIC EQUIPMENT</b>               |                            |                             |
| 080         | TACTICAL/MOBILE C4I SYSTEMS .....                     | 32,425                     | 40,325                      |
|             | Realign European Reassurance Initiative to Base ..... |                            | [7,900]                     |
| 081         | DCGS-N .....                                          | 13,790                     | 15,690                      |
|             | Realign European Reassurance Initiative to Base ..... |                            | [1,900]                     |
| 082         | CANES .....                                           | 322,754                    | 322,754                     |
| 083         | RADIAC .....                                          | 10,718                     | 10,718                      |
| 084         | CANES-INTELL .....                                    | 48,028                     | 48,028                      |
| 085         | GPETE .....                                           | 6,861                      | 6,861                       |
| 086         | MASF .....                                            | 8,081                      | 8,081                       |
| 087         | INTEG COMBAT SYSTEM TEST FACILITY .....               | 5,019                      | 5,019                       |
| 088         | EMI CONTROL INSTRUMENTATION .....                     | 4,188                      | 4,188                       |
| 089         | ITEMS LESS THAN \$5 MILLION .....                     | 105,292                    | 105,292                     |
|             | <b>SHIPBOARD COMMUNICATIONS</b>                       |                            |                             |
| 090         | SHIPBOARD TACTICAL COMMUNICATIONS .....               | 23,695                     | 23,695                      |
| 091         | SHIP COMMUNICATIONS AUTOMATION .....                  | 103,990                    | 103,990                     |
| 092         | COMMUNICATIONS ITEMS UNDER \$5M .....                 | 18,577                     | 18,577                      |
|             | <b>SUBMARINE COMMUNICATIONS</b>                       |                            |                             |
| 093         | SUBMARINE BROADCAST SUPPORT .....                     | 29,669                     | 29,669                      |
| 094         | SUBMARINE COMMUNICATION EQUIPMENT .....               | 86,204                     | 86,204                      |
|             | <b>SATELLITE COMMUNICATIONS</b>                       |                            |                             |
| 095         | SATELLITE COMMUNICATIONS SYSTEMS .....                | 14,654                     | 14,654                      |
| 096         | NAVY MULTIBAND TERMINAL (NMT) .....                   | 69,764                     | 69,764                      |
|             | <b>SHORE COMMUNICATIONS</b>                           |                            |                             |
| 097         | JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE) .....     | 4,256                      | 4,256                       |
|             | <b>CRYPTOGRAPHIC EQUIPMENT</b>                        |                            |                             |
| 099         | INFO SYSTEMS SECURITY PROGRAM (ISSP) .....            | 89,663                     | 89,663                      |
| 100         | MIO INTEL EXPLOITATION TEAM .....                     | 961                        | 961                         |
|             | <b>CRYPTOLOGIC EQUIPMENT</b>                          |                            |                             |
| 101         | CRYPTOLOGIC COMMUNICATIONS EQUIP .....                | 11,287                     | 11,287                      |
|             | <b>OTHER ELECTRONIC SUPPORT</b>                       |                            |                             |
| 110         | COAST GUARD EQUIPMENT .....                           | 36,584                     | 36,584                      |
|             | <b>SONOBUOYS</b>                                      |                            |                             |
| 112         | SONOBUOYS—ALL TYPES .....                             | 173,616                    | 198,516                     |
|             | Sonobuoys .....                                       |                            | [24,900]                    |
|             | <b>AIRCRAFT SUPPORT EQUIPMENT</b>                     |                            |                             |
| 113         | WEAPONS RANGE SUPPORT EQUIPMENT .....                 | 72,110                     | 72,110                      |
| 114         | AIRCRAFT SUPPORT EQUIPMENT .....                      | 108,482                    | 115,982                     |
|             | EMALS initial spares .....                            |                            | [7,500]                     |
| 115         | ADVANCED ARRESTING GEAR (AAG) .....                   | 10,900                     | 10,900                      |
| 116         | METEOROLOGICAL EQUIPMENT .....                        | 21,137                     | 21,137                      |
| 117         | DCRS/DPL .....                                        | 660                        | 660                         |
| 118         | AIRBORNE MINE COUNTERMEASURES .....                   | 20,605                     | 20,605                      |
| 119         | AVIATION SUPPORT EQUIPMENT .....                      | 34,032                     | 34,032                      |
|             | <b>SHIP GUN SYSTEM EQUIPMENT</b>                      |                            |                             |
| 120         | SHIP GUN SYSTEMS EQUIPMENT .....                      | 5,277                      | 5,277                       |
|             | <b>SHIP MISSILE SYSTEMS EQUIPMENT</b>                 |                            |                             |
| 121         | SHIP MISSILE SUPPORT EQUIPMENT .....                  | 272,359                    | 272,359                     |
| 122         | TOMAHAWK SUPPORT EQUIPMENT .....                      | 73,184                     | 73,184                      |
|             | <b>FBM SUPPORT EQUIPMENT</b>                          |                            |                             |
| 123         | STRATEGIC MISSILE SYSTEMS EQUIP .....                 | 246,221                    | 246,221                     |
|             | <b>ASW SUPPORT EQUIPMENT</b>                          |                            |                             |
| 124         | SSN COMBAT CONTROL SYSTEMS .....                      | 129,972                    | 129,972                     |
| 125         | ASW SUPPORT EQUIPMENT .....                           | 23,209                     | 23,209                      |
|             | <b>OTHER ORDNANCE SUPPORT EQUIPMENT</b>               |                            |                             |
| 126         | EXPLOSIVE ORDNANCE DISPOSAL EQUIP .....               | 15,596                     | 15,596                      |
| 127         | ITEMS LESS THAN \$5 MILLION .....                     | 5,981                      | 5,981                       |
|             | <b>OTHER EXPENDABLE ORDNANCE</b>                      |                            |                             |
| 128         | SUBMARINE TRAINING DEVICE MODS .....                  | 74,550                     | 74,550                      |
| 130         | SURFACE TRAINING EQUIPMENT .....                      | 83,022                     | 83,022                      |
|             | <b>CIVIL ENGINEERING SUPPORT EQUIPMENT</b>            |                            |                             |
| 131         | PASSENGER CARRYING VEHICLES .....                     | 5,299                      | 5,299                       |
| 132         | GENERAL PURPOSE TRUCKS .....                          | 2,946                      | 3,052                       |
|             | Realign European Reassurance Initiative to Base ..... |                            | [106]                       |
| 133         | CONSTRUCTION & MAINTENANCE EQUIP .....                | 34,970                     | 34,970                      |
| 134         | FIRE FIGHTING EQUIPMENT .....                         | 2,541                      | 2,541                       |
| 135         | TACTICAL VEHICLES .....                               | 19,699                     | 19,699                      |
| 136         | AMPHIBIOUS EQUIPMENT .....                            | 12,162                     | 12,162                      |
| 137         | POLLUTION CONTROL EQUIPMENT .....                     | 2,748                      | 2,748                       |
| 138         | ITEMS UNDER \$5 MILLION .....                         | 18,084                     | 18,084                      |
| 139         | PHYSICAL SECURITY VEHICLES .....                      | 1,170                      | 1,170                       |
|             | <b>SUPPLY SUPPORT EQUIPMENT</b>                       |                            |                             |
| 141         | SUPPLY EQUIPMENT .....                                | 21,797                     | 21,961                      |
|             | Realign European Reassurance Initiative to Base ..... |                            | [164]                       |
| 143         | FIRST DESTINATION TRANSPORTATION .....                | 5,572                      | 5,572                       |
| 144         | SPECIAL PURPOSE SUPPLY SYSTEMS .....                  | 482,916                    | 482,916                     |
|             | <b>TRAINING DEVICES</b>                               |                            |                             |
| 146         | TRAINING AND EDUCATION EQUIPMENT .....                | 25,624                     | 25,624                      |

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|             | <b>COMMAND SUPPORT EQUIPMENT</b>                      |                            |                             |
| 147         | COMMAND SUPPORT EQUIPMENT .....                       | 59,076                     | 59,076                      |
| 149         | MEDICAL SUPPORT EQUIPMENT .....                       | 4,383                      | 4,383                       |
| 151         | NAVAL MIP SUPPORT EQUIPMENT .....                     | 2,030                      | 2,030                       |
| 152         | OPERATING FORCES SUPPORT EQUIPMENT .....              | 7,500                      | 7,500                       |
| 153         | C4ISR EQUIPMENT .....                                 | 4,010                      | 4,010                       |
| 154         | ENVIRONMENTAL SUPPORT EQUIPMENT .....                 | 23,644                     | 24,644                      |
|             | Realign European Reassurance Initiative to Base ..... |                            | [1,000]                     |
| 155         | PHYSICAL SECURITY EQUIPMENT .....                     | 101,982                    | 101,982                     |
| 156         | ENTERPRISE INFORMATION TECHNOLOGY .....               | 19,789                     | 19,789                      |
|             | <b>OTHER</b>                                          |                            |                             |
| 160         | NEXT GENERATION ENTERPRISE SERVICE .....              | 104,584                    | 104,584                     |
|             | <b>CLASSIFIED PROGRAMS</b>                            |                            |                             |
| 161A        | CLASSIFIED PROGRAMS .....                             | 23,707                     | 23,707                      |
|             | <b>SPARES AND REPAIR PARTS</b>                        |                            |                             |
| 161         | SPARES AND REPAIR PARTS .....                         | 278,565                    | 290,565                     |
|             | E-2D AHE .....                                        |                            | [12,000]                    |
|             | <b>TOTAL OTHER PROCUREMENT, NAVY</b> .....            | <b>8,277,789</b>           | <b>8,723,775</b>            |
|             | <b>PROCUREMENT, MARINE CORPS</b>                      |                            |                             |
|             | <b>TRACKED COMBAT VEHICLES</b>                        |                            |                             |
| 001         | AAV7A1 PIP .....                                      | 107,665                    | 107,665                     |
| 002         | AMPHIBIOUS COMBAT VEHICLE 1.1 .....                   | 161,511                    | 161,511                     |
| 003         | LAV PIP .....                                         | 17,244                     | 17,244                      |
|             | <b>ARTILLERY AND OTHER WEAPONS</b>                    |                            |                             |
| 004         | EXPEDITIONARY FIRE SUPPORT SYSTEM .....               | 626                        | 626                         |
| 005         | 155MM LIGHTWEIGHT TOWED HOWITZER .....                | 20,259                     | 20,259                      |
| 006         | HIGH MOBILITY ARTILLERY ROCKET SYSTEM .....           | 59,943                     | 59,943                      |
| 007         | WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION .....   | 19,616                     | 19,616                      |
|             | <b>OTHER SUPPORT</b>                                  |                            |                             |
| 008         | MODIFICATION KITS .....                               | 17,778                     | 17,778                      |
|             | <b>GUIDED MISSILES</b>                                |                            |                             |
| 010         | GROUND BASED AIR DEFENSE .....                        | 9,432                      | 9,432                       |
| 011         | JAVELIN .....                                         | 41,159                     | 41,159                      |
| 012         | FOLLOW ON TO SMAW .....                               | 25,125                     | 25,125                      |
| 013         | ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H) .....        | 51,553                     | 51,553                      |
|             | <b>COMMAND AND CONTROL SYSTEMS</b>                    |                            |                             |
| 016         | COMMON AVIATION COMMAND AND CONTROL SYSTEM (C) .....  | 44,928                     | 44,928                      |
|             | <b>REPAIR AND TEST EQUIPMENT</b>                      |                            |                             |
| 017         | REPAIR AND TEST EQUIPMENT .....                       | 33,056                     | 33,056                      |
|             | <b>COMMAND AND CONTROL SYSTEM (NON-TEL)</b>           |                            |                             |
| 020         | ITEMS UNDER \$5 MILLION (COMM & ELEC) .....           | 17,644                     | 17,644                      |
| 021         | AIR OPERATIONS C2 SYSTEMS .....                       | 18,393                     | 18,393                      |
|             | <b>RADAR + EQUIPMENT (NON-TEL)</b>                    |                            |                             |
| 022         | RADAR SYSTEMS .....                                   | 12,411                     | 12,411                      |
| 023         | GROUND/AIR TASK ORIENTED RADAR (G/ATOR) .....         | 139,167                    | 139,167                     |
| 024         | RQ-21 UAS .....                                       | 77,841                     | 77,841                      |
|             | <b>INTELL/COMM EQUIPMENT (NON-TEL)</b>                |                            |                             |
| 025         | GCSS-MC .....                                         | 1,990                      | 1,990                       |
| 026         | FIRE SUPPORT SYSTEM .....                             | 22,260                     | 22,260                      |
| 027         | INTELLIGENCE SUPPORT EQUIPMENT .....                  | 55,759                     | 55,759                      |
| 029         | UNMANNED AIR SYSTEMS (INTEL) .....                    | 10,154                     | 10,154                      |
| 030         | DCGS-MC .....                                         | 13,462                     | 13,462                      |
| 031         | UAS PAYLOADS .....                                    | 14,193                     | 14,193                      |
|             | <b>OTHER SUPPORT (NON-TEL)</b>                        |                            |                             |
| 035         | NEXT GENERATION ENTERPRISE NETWORK (NGEN) .....       | 98,511                     | 98,511                      |
| 036         | COMMON COMPUTER RESOURCES .....                       | 66,894                     | 66,894                      |
| 037         | COMMAND POST SYSTEMS .....                            | 186,912                    | 186,912                     |
| 038         | RADIO SYSTEMS .....                                   | 34,361                     | 34,361                      |
| 039         | COMM SWITCHING & CONTROL SYSTEMS .....                | 54,615                     | 54,615                      |
| 040         | COMM & ELEC INFRASTRUCTURE SUPPORT .....              | 44,455                     | 44,455                      |
|             | <b>CLASSIFIED PROGRAMS</b>                            |                            |                             |
| 040A        | CLASSIFIED PROGRAMS .....                             | 4,214                      | 4,214                       |
|             | <b>ADMINISTRATIVE VEHICLES</b>                        |                            |                             |
| 042         | COMMERCIAL CARGO VEHICLES .....                       | 66,951                     | 66,951                      |
|             | <b>TACTICAL VEHICLES</b>                              |                            |                             |
| 043         | MOTOR TRANSPORT MODIFICATIONS .....                   | 21,824                     | 21,824                      |
| 044         | JOINT LIGHT TACTICAL VEHICLE .....                    | 233,639                    | 233,639                     |
| 045         | FAMILY OF TACTICAL TRAILERS .....                     | 1,938                      | 1,938                       |
| 046         | TRAILERS .....                                        | 10,282                     | 10,282                      |
|             | <b>ENGINEER AND OTHER EQUIPMENT</b>                   |                            |                             |
| 048         | ENVIRONMENTAL CONTROL EQUIP ASSORT .....              | 1,405                      | 1,405                       |
| 050         | TACTICAL FUEL SYSTEMS .....                           | 1,788                      | 1,788                       |
| 051         | POWER EQUIPMENT ASSORTED .....                        | 9,910                      | 9,910                       |
| 052         | AMPHIBIOUS SUPPORT EQUIPMENT .....                    | 5,830                      | 5,830                       |
| 053         | EOD SYSTEMS .....                                     | 27,240                     | 27,240                      |
|             | <b>MATERIALS HANDLING EQUIPMENT</b>                   |                            |                             |
| 054         | PHYSICAL SECURITY EQUIPMENT .....                     | 53,477                     | 53,477                      |
|             | <b>GENERAL PROPERTY</b>                               |                            |                             |

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| 056         | TRAINING DEVICES .....                                   | 76,185                     | 85,064                      |
|             | Unfunded requirement .....                               |                            | [8,879]                     |
| 058         | FAMILY OF CONSTRUCTION EQUIPMENT .....                   | 26,286                     | 26,286                      |
| 059         | FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV) .....       | 1,583                      | 1,583                       |
|             | <b>OTHER SUPPORT</b>                                     |                            |                             |
| 060         | ITEMS LESS THAN \$5 MILLION .....                        | 7,716                      | 7,716                       |
|             | <b>SPARES AND REPAIR PARTS</b>                           |                            |                             |
| 062         | SPARES AND REPAIR PARTS .....                            | 35,640                     | 35,640                      |
|             | <b>TOTAL PROCUREMENT, MARINE CORPS</b> .....             | <b>2,064,825</b>           | <b>2,073,704</b>            |
|             | <b>AIRCRAFT PROCUREMENT, AIR FORCE</b>                   |                            |                             |
|             | <b>TACTICAL FORCES</b>                                   |                            |                             |
| 001         | F-35 .....                                               | 4,544,684                  | 5,804,684                   |
|             | Additional Tooling in Support of Unfunded Priority ..... |                            | [60,000]                    |
|             | Unfunded requirement .....                               |                            | [1,200,000]                 |
| 002         | ADVANCE PROCUREMENT (CY) .....                           | 780,300                    | 780,300                     |
|             | <b>TACTICAL AIRLIFT</b>                                  |                            |                             |
| 003         | KC-46A TANKER .....                                      | 2,545,674                  | 2,945,674                   |
|             | KC-46A .....                                             |                            | [400,000]                   |
|             | <b>OTHER AIRLIFT</b>                                     |                            |                             |
| 004         | C-130J .....                                             | 57,708                     | 57,708                      |
| 006         | HC-130J .....                                            | 198,502                    | 298,502                     |
|             | HC-130J .....                                            |                            | [100,000]                   |
| 008         | MC-130J .....                                            | 379,373                    | 979,373                     |
|             | MC-130J .....                                            |                            | [600,000]                   |
| 009         | ADVANCE PROCUREMENT (CY) .....                           | 30,000                     | 30,000                      |
|             | <b>MISSION SUPPORT AIRCRAFT</b>                          |                            |                             |
| 012         | CIVIL AIR PATROL A/C .....                               | 2,695                      | 2,695                       |
|             | <b>OTHER AIRCRAFT</b>                                    |                            |                             |
| 014         | TARGET DRONES .....                                      | 109,841                    | 109,841                     |
| 017         | MQ-9 .....                                               | 117,141                    | 117,141                     |
|             | <b>STRATEGIC AIRCRAFT</b>                                |                            |                             |
| 018         | B-2A .....                                               | 96,727                     | 105,727                     |
|             | B-2 Rotary Launcher assembly .....                       |                            | [9,000]                     |
| 019         | B-1B .....                                               | 155,634                    | 121,634                     |
|             | Duplicate funding of F101 engine kits .....              |                            | [–34,000]                   |
| 020         | B-52 .....                                               | 109,295                    | 109,295                     |
| 021         | LARGE AIRCRAFT INFRARED COUNTERMEASURES .....            | 4,046                      | 122,991                     |
|             | C-130 LAIRCM .....                                       |                            | [18,900]                    |
|             | C-17 LAIRCM .....                                        |                            | [76,145]                    |
|             | C-5 LAIRCM .....                                         |                            | [23,900]                    |
|             | <b>TACTICAL AIRCRAFT</b>                                 |                            |                             |
| 022         | A-10 .....                                               | 6,010                      | 109,010                     |
|             | Unfunded Requirement .....                               |                            | [103,000]                   |
| 023         | F-15 .....                                               | 417,193                    | 417,193                     |
| 024         | F-16 .....                                               | 203,864                    | 203,864                     |
| 025         | F-22A .....                                              | 161,630                    | 161,630                     |
| 026         | ADVANCE PROCUREMENT (CY) .....                           | 15,000                     | 15,000                      |
| 027         | F-35 MODIFICATIONS .....                                 | 68,270                     | 68,270                      |
| 028         | INCREMENT 3.2B .....                                     | 105,756                    | 105,756                     |
| 030         | KC-46A TANKER .....                                      | 6,213                      | 6,213                       |
|             | <b>AIRLIFT AIRCRAFT</b>                                  |                            |                             |
| 031         | C-5 .....                                                | 36,592                     | 36,592                      |
| 032         | C-5M .....                                               | 6,817                      | 6,817                       |
| 033         | C-17A .....                                              | 125,522                    | 125,522                     |
| 034         | C-21 .....                                               | 13,253                     | 13,253                      |
| 035         | C-32A .....                                              | 79,449                     | 79,449                      |
| 036         | C-37A .....                                              | 15,423                     | 15,423                      |
| 037         | C-130J .....                                             | 10,727                     | 10,727                      |
|             | <b>TRAINER AIRCRAFT</b>                                  |                            |                             |
| 038         | GLIDER MODS .....                                        | 136                        | 136                         |
| 039         | T-6 .....                                                | 35,706                     | 35,706                      |
| 040         | T-1 .....                                                | 21,477                     | 21,477                      |
| 041         | T-38 .....                                               | 51,641                     | 51,641                      |
|             | <b>OTHER AIRCRAFT</b>                                    |                            |                             |
| 042         | U-2 MODS .....                                           | 36,406                     | 36,406                      |
| 043         | KC-10A (ATCA) .....                                      | 4,243                      | 4,243                       |
| 044         | C-12 .....                                               | 5,846                      | 70,846                      |
|             | MC-12W upgrades for Air National Guard .....             |                            | [65,000]                    |
| 045         | VC-25A MOD .....                                         | 52,107                     | 52,107                      |
| 046         | C-40 .....                                               | 31,119                     | 31,119                      |
| 047         | C-130 .....                                              | 66,310                     | 213,310                     |
|             | C-130H Inflight rebalance system .....                   |                            | [18,000]                    |
|             | C-130H NP2000 Prop .....                                 |                            | [55,000]                    |
|             | C-130H T56 3.5 .....                                     |                            | [74,000]                    |
| 048         | C-130J MODS .....                                        | 171,230                    | 171,230                     |
| 049         | C-135 .....                                              | 69,428                     | 69,428                      |
| 050         | OC-135B .....                                            | 23,091                     | 23,091                      |
| 051         | COMPASS CALL MODS .....                                  | 166,541                    | 166,541                     |



**SEC. 4101. PROCUREMENT**  
**(In Thousands of Dollars)**

| <b>Line</b> | <b>Item</b>                                           | <b>FY 2018 Request</b> | <b>House Authorized</b> |
|-------------|-------------------------------------------------------|------------------------|-------------------------|
| 052         | COMBAT FLIGHT INSPECTION (CFIN) .....                 | 495                    | 495                     |
| 053         | RC-135 .....                                          | 201,559                | 201,559                 |
| 054         | E-3 .....                                             | 189,772                | 189,772                 |
| 055         | E-4 .....                                             | 30,493                 | 30,493                  |
| 056         | E-8 .....                                             | 13,232                 | 13,232                  |
| 057         | AIRBORNE WARNING AND CONTROL SYSTEM .....             | 164,786                | 164,786                 |
| 058         | FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS .....        | 24,716                 | 24,716                  |
| 059         | H-1 .....                                             | 3,730                  | 3,730                   |
| 060         | H-60 .....                                            | 75,989                 | 92,089                  |
|             | Unfunded requirement .....                            |                        | [16,100]                |
| 061         | RQ-4 MODS .....                                       | 43,968                 | 62,268                  |
|             | HA-ISR Payload Adapters .....                         |                        | [18,300]                |
| 062         | HC/MC-130 MODIFICATIONS .....                         | 67,674                 | 67,674                  |
| 063         | OTHER AIRCRAFT .....                                  | 59,068                 | 59,068                  |
| 065         | MQ-9 MODS .....                                       | 264,740                | 269,940                 |
|             | FY17 10th Pod Set Procurement Shortfall .....         |                        | [5,200]                 |
| 066         | CV-22 MODS .....                                      | 60,990                 | 60,990                  |
|             | <b>AIRCRAFT SPARES AND REPAIR PARTS</b>               |                        |                         |
| 067         | INITIAL SPARES/REPAIR PARTS .....                     | 1,041,569              | 1,121,169               |
|             | Additional F-35 Initial Spares .....                  |                        | [79,600]                |
|             | <b>COMMON SUPPORT EQUIPMENT</b>                       |                        |                         |
| 068         | AIRCRAFT REPLACEMENT SUPPORT EQUIP .....              | 75,846                 | 101,263                 |
|             | Realign European Reassurance Initiative to Base ..... |                        | [25,417]                |
| 069         | OTHER PRODUCTION CHARGES .....                        | 8,524                  | 8,524                   |
| 071         | T-53A TRAINER .....                                   | 501                    | 501                     |
|             | <b>POST PRODUCTION SUPPORT</b>                        |                        |                         |
| 072         | B-2A .....                                            | 447                    | 447                     |
| 073         | B-2A .....                                            | 38,509                 | 38,509                  |
| 074         | B-52 .....                                            | 199                    | 199                     |
| 075         | C-17A .....                                           | 12,028                 | 12,028                  |
| 078         | RC-135 .....                                          | 29,700                 | 29,700                  |
| 079         | F-15 .....                                            | 20,000                 | 20,000                  |
| 080         | F-15 .....                                            | 2,524                  | 2,524                   |
| 081         | F-16 .....                                            | 18,051                 | 5,651                   |
|             | Program reduction .....                               |                        | [-12,400]               |
| 082         | F-22A .....                                           | 119,566                | 119,566                 |
| 083         | OTHER AIRCRAFT .....                                  | 85,000                 | 85,000                  |
| 085         | RQ-4 POST PRODUCTION CHARGES .....                    | 86,695                 | 86,695                  |
| 086         | CV-22 MODS .....                                      | 4,500                  | 4,500                   |
|             | <b>INDUSTRIAL PREPAREDNESS</b>                        |                        |                         |
| 087         | INDUSTRIAL RESPONSIVENESS .....                       | 14,739                 | 30,739                  |
|             | Program increase .....                                |                        | [16,000]                |
| 088         | C-130J .....                                          | 102,000                | 102,000                 |
|             | <b>WAR CONSUMABLES</b>                                |                        |                         |
| 089         | WAR CONSUMABLES .....                                 | 37,647                 | 37,647                  |
|             | <b>OTHER PRODUCTION CHARGES</b>                       |                        |                         |
| 090         | OTHER PRODUCTION CHARGES .....                        | 1,339,160              | 1,339,160               |
| 092         | OTHER AIRCRAFT .....                                  | 600                    | 600                     |
|             | <b>CLASSIFIED PROGRAMS</b>                            |                        |                         |
| 092A        | CLASSIFIED PROGRAMS .....                             | 53,212                 | 53,212                  |
|             | <b>TOTAL AIRCRAFT PROCUREMENT, AIR FORCE</b> .....    | <b>15,430,849</b>      | <b>18,348,011</b>       |
|             | <b>MISSILE PROCUREMENT, AIR FORCE</b>                 |                        |                         |
|             | <b>MISSILE REPLACEMENT EQUIPMENT—BALLISTIC</b>        |                        |                         |
| 001         | MISSILE REPLACEMENT EQ-BALLISTIC .....                | 99,098                 | 99,098                  |
|             | <b>TACTICAL</b>                                       |                        |                         |
| 002         | JOINT AIR-SURFACE STANDOFF MISSILE .....              | 441,367                | 441,367                 |
| 003         | LRASM .....                                           | 44,728                 | 61,728                  |
|             | LRASM .....                                           |                        | [17,000]                |
| 004         | SIDEWINDER (AIM-9X) .....                             | 125,350                | 125,350                 |
| 005         | AMRAAM .....                                          | 304,327                | 304,327                 |
| 006         | PREDATOR HELLFIRE MISSILE .....                       | 34,867                 | 34,867                  |
| 007         | SMALL DIAMETER BOMB .....                             | 266,030                | 266,030                 |
|             | <b>INDUSTRIAL FACILITIES</b>                          |                        |                         |
| 008         | INDUSTR'L PREPAREDNS/POL PREVENTION .....             | 926                    | 926                     |
|             | <b>CLASS IV</b>                                       |                        |                         |
| 009         | ICBM FUZE MOD .....                                   | 6,334                  | 6,334                   |
| 010         | MM III MODIFICATIONS .....                            | 80,109                 | 80,109                  |
| 011         | AGM-65D MAVERICK .....                                | 289                    | 289                     |
| 013         | AIR LAUNCH CRUISE MISSILE (ALCM) .....                | 36,425                 | 36,425                  |
| 014         | SMALL DIAMETER BOMB .....                             | 14,086                 | 14,086                  |
|             | <b>MISSILE SPARES AND REPAIR PARTS</b>                |                        |                         |
| 015         | INITIAL SPARES/REPAIR PARTS .....                     | 101,153                | 101,153                 |
|             | <b>SPECIAL PROGRAMS</b>                               |                        |                         |
| 020         | SPECIAL UPDATE PROGRAMS .....                         | 32,917                 | 32,917                  |
|             | <b>CLASSIFIED PROGRAMS</b>                            |                        |                         |
| 020A        | CLASSIFIED PROGRAMS .....                             | 708,176                | 708,176                 |
|             | <b>TOTAL MISSILE PROCUREMENT, AIR FORCE</b> .....     | <b>2,296,182</b>       | <b>2,313,182</b>        |

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| <b>Line</b>                                 | <b>Item</b>                                                                                 | <b>FY 2018<br/>Request</b> | <b>House<br/>Authorized</b> |
|---------------------------------------------|---------------------------------------------------------------------------------------------|----------------------------|-----------------------------|
| <b>SPACE PROCUREMENT, AIR FORCE</b>         |                                                                                             |                            |                             |
| <b>SPACE PROGRAMS</b>                       |                                                                                             |                            |                             |
| 001                                         | ADVANCED EHF .....                                                                          | 56,974                     | 56,974                      |
| 002                                         | AF SATELLITE COMM SYSTEM .....                                                              | 57,516                     | 57,516                      |
| 003                                         | COUNTERSPACE SYSTEMS .....                                                                  | 28,798                     | 28,798                      |
| 004                                         | FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS .....                                              | 146,972                    | 146,972                     |
| 005                                         | WIDEBAND GAFILLER SATELLITES(SPACE) .....                                                   | 80,849                     | 180,849                     |
|                                             | Long-lead procurement for protecting supply chain and schedule for WGS communications ..... |                            | [100,000]                   |
| 006                                         | GPS III SPACE SEGMENT .....                                                                 | 85,894                     | 85,894                      |
| 007                                         | GLOBAL POSITIONING (SPACE) .....                                                            | 2,198                      | 2,198                       |
| 008                                         | SPACEBORNE EQUIP (COMSEC) .....                                                             | 25,048                     | 25,048                      |
| 010                                         | MILSATCOM .....                                                                             | 33,033                     | 33,033                      |
| 011                                         | EVOLVED EXPENDABLE LAUNCH CAPABILITY .....                                                  | 957,420                    | 957,420                     |
| 012                                         | EVOLVED EXPENDABLE LAUNCH VEH(SPACE) .....                                                  | 606,488                    | 606,488                     |
| 013                                         | SBIR HIGH (SPACE) .....                                                                     | 981,009                    | 1,057,359                   |
|                                             | AF UPL—fully fund emerging cyber security requirement .....                                 |                            | [44,900]                    |
|                                             | AF UPL—procure commercially available antenna .....                                         |                            | [15,450]                    |
|                                             | AF UPL upgrades ground antenna .....                                                        |                            | [16,000]                    |
| 014                                         | ADVANCE PROCUREMENT (CY) .....                                                              | 132,420                    | 132,420                     |
| 015                                         | NUDET DETECTION SYSTEM .....                                                                | 6,370                      | 6,370                       |
| 016                                         | SPACE MODS .....                                                                            | 37,203                     | 37,203                      |
| 017                                         | SPACELIFT RANGE SYSTEM SPACE .....                                                          | 113,874                    | 113,874                     |
| <b>SSPARES</b>                              |                                                                                             |                            |                             |
| 018                                         | INITIAL SPARES/REPAIR PARTS .....                                                           | 18,709                     | 18,709                      |
|                                             | <b>TOTAL SPACE PROCUREMENT, AIR FORCE</b> .....                                             | <b>3,370,775</b>           | <b>3,547,125</b>            |
| <b>PROCUREMENT OF AMMUNITION, AIR FORCE</b> |                                                                                             |                            |                             |
| <b>ROCKETS</b>                              |                                                                                             |                            |                             |
| 001                                         | ROCKETS .....                                                                               | 147,454                    | 147,454                     |
| <b>CARTRIDGES</b>                           |                                                                                             |                            |                             |
| 002                                         | CARTRIDGES .....                                                                            | 161,744                    | 161,744                     |
| <b>BOMBS</b>                                |                                                                                             |                            |                             |
| 003                                         | PRACTICE BOMBS .....                                                                        | 28,509                     | 28,509                      |
| 004                                         | GENERAL PURPOSE BOMBS .....                                                                 | 329,501                    | 329,501                     |
| 005                                         | MASSIVE ORDNANCE PENETRATOR (MOP) .....                                                     | 38,382                     | 38,382                      |
| 006                                         | JOINT DIRECT ATTACK MUNITION .....                                                          | 319,525                    | 319,525                     |
| 007                                         | B61 .....                                                                                   | 77,068                     | 77,068                      |
| 008                                         | ADVANCE PROCUREMENT (CY) .....                                                              | 11,239                     | 11,239                      |
| <b>OTHER ITEMS</b>                          |                                                                                             |                            |                             |
| 009                                         | CAD/PAD .....                                                                               | 53,469                     | 53,469                      |
| 010                                         | EXPLOSIVE ORDNANCE DISPOSAL (EOD) .....                                                     | 5,921                      | 5,921                       |
| 011                                         | SPARES AND REPAIR PARTS .....                                                               | 678                        | 678                         |
| 012                                         | MODIFICATIONS .....                                                                         | 1,409                      | 1,409                       |
| 013                                         | ITEMS LESS THAN \$5 MILLION .....                                                           | 5,047                      | 5,047                       |
| <b>FLARES</b>                               |                                                                                             |                            |                             |
| 015                                         | FLARES .....                                                                                | 143,983                    | 143,983                     |
| <b>FUZES</b>                                |                                                                                             |                            |                             |
| 016                                         | FUZES .....                                                                                 | 24,062                     | 24,062                      |
| <b>SMALL ARMS</b>                           |                                                                                             |                            |                             |
| 017                                         | SMALL ARMS .....                                                                            | 28,611                     | 28,611                      |
|                                             | <b>TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE</b> .....                                     | <b>1,376,602</b>           | <b>1,376,602</b>            |
| <b>OTHER PROCUREMENT, AIR FORCE</b>         |                                                                                             |                            |                             |
| <b>PASSENGER CARRYING VEHICLES</b>          |                                                                                             |                            |                             |
| 001                                         | PASSENGER CARRYING VEHICLES .....                                                           | 15,651                     | 17,001                      |
|                                             | Realign European Reassurance Initiative to Base .....                                       |                            | [1,350]                     |
| <b>CARGO AND UTILITY VEHICLES</b>           |                                                                                             |                            |                             |
| 002                                         | MEDIUM TACTICAL VEHICLE .....                                                               | 54,607                     | 54,607                      |
| 003                                         | CAP VEHICLES .....                                                                          | 1,011                      | 1,011                       |
| 004                                         | CARGO AND UTILITY VEHICLES .....                                                            | 28,670                     | 28,670                      |
| <b>SPECIAL PURPOSE VEHICLES</b>             |                                                                                             |                            |                             |
| 005                                         | SECURITY AND TACTICAL VEHICLES .....                                                        | 59,398                     | 59,398                      |
| 006                                         | SPECIAL PURPOSE VEHICLES .....                                                              | 19,784                     | 51,605                      |
|                                             | Realign European Reassurance Initiative to Base .....                                       |                            | [31,821]                    |
| <b>FIRE FIGHTING EQUIPMENT</b>              |                                                                                             |                            |                             |
| 007                                         | FIRE FIGHTING/CRASH RESCUE VEHICLES .....                                                   | 14,768                     | 37,351                      |
|                                             | Realign European Reassurance Initiative to Base .....                                       |                            | [22,583]                    |
| <b>MATERIALS HANDLING EQUIPMENT</b>         |                                                                                             |                            |                             |
| 008                                         | MATERIALS HANDLING VEHICLES .....                                                           | 13,561                     | 17,587                      |
|                                             | Realign European Reassurance Initiative to Base .....                                       |                            | [4,026]                     |
| <b>BASE MAINTENANCE SUPPORT</b>             |                                                                                             |                            |                             |
| 009                                         | RUNWAY SNOW REMOV & CLEANING EQUIP .....                                                    | 3,429                      | 12,590                      |
|                                             | Realign European Reassurance Initiative to Base .....                                       |                            | [9,161]                     |
| 010                                         | BASE MAINTENANCE SUPPORT VEHICLES .....                                                     | 60,075                     | 99,767                      |
|                                             | Realign European Reassurance Initiative to Base .....                                       |                            | [39,692]                    |
| <b>COMM SECURITY EQUIPMENT(COMSEC)</b>      |                                                                                             |                            |                             |
| 011                                         | COMSEC EQUIPMENT .....                                                                      | 115,000                    | 123,000                     |
|                                             | Unfunded requirement .....                                                                  |                            | [8,000]                     |
| <b>INTELLIGENCE PROGRAMS</b>                |                                                                                             |                            |                             |

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

| Line | Item                                                                                  | FY 2018<br>Request | House<br>Authorized |
|------|---------------------------------------------------------------------------------------|--------------------|---------------------|
| 013  | INTERNATIONAL INTEL TECH & ARCHITECTURES .....                                        | 22,335             | 22,335              |
| 014  | INTELLIGENCE TRAINING EQUIPMENT .....                                                 | 5,892              | 5,892               |
| 015  | INTELLIGENCE COMM EQUIPMENT .....                                                     | 34,072             | 34,072              |
|      | <b>ELECTRONICS PROGRAMS</b>                                                           |                    |                     |
| 016  | AIR TRAFFIC CONTROL & LANDING SYS .....                                               | 66,143             | 66,143              |
| 017  | NATIONAL AIRSPACE SYSTEM .....                                                        | 12,641             | 12,641              |
| 018  | BATTLE CONTROL SYSTEM—FIXED .....                                                     | 6,415              | 6,415               |
| 019  | THEATER AIR CONTROL SYS IMPROVEMENTS .....                                            | 23,233             | 23,233              |
| 020  | WEATHER OBSERVATION FORECAST .....                                                    | 40,116             | 40,116              |
| 021  | STRATEGIC COMMAND AND CONTROL .....                                                   | 72,810             | 72,810              |
| 022  | CHEYENNE MOUNTAIN COMPLEX .....                                                       | 9,864              | 9,864               |
| 023  | MISSION PLANNING SYSTEMS .....                                                        | 15,486             | 15,486              |
| 025  | INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN) .....                                   | 9,187              | 9,187               |
|      | <b>SPCL COMM-ELECTRONICS PROJECTS</b>                                                 |                    |                     |
| 026  | GENERAL INFORMATION TECHNOLOGY .....                                                  | 51,826             | 51,826              |
| 027  | AF GLOBAL COMMAND & CONTROL SYS .....                                                 | 3,634              | 3,634               |
| 028  | MOBILITY COMMAND AND CONTROL .....                                                    | 10,083             | 10,083              |
| 029  | AIR FORCE PHYSICAL SECURITY SYSTEM .....                                              | 201,866            | 201,866             |
| 030  | COMBAT TRAINING RANGES .....                                                          | 115,198            | 115,198             |
| 031  | MINIMUM ESSENTIAL EMERGENCY COMM N .....                                              | 292                | 292                 |
| 032  | WIDE AREA SURVEILLANCE (WAS) .....                                                    | 62,087             | 62,087              |
| 033  | C3 COUNTERMEASURES .....                                                              | 37,764             | 37,764              |
| 034  | GCSS-AF FOS .....                                                                     | 2,826              | 2,826               |
| 035  | DEFENSE ENTERPRISE ACCOUNTING AND MGMT SYSTEM .....                                   | 1,514              | 1,514               |
| 036  | THEATER BATTLE MGT C2 SYSTEM .....                                                    | 9,646              | 9,646               |
| 037  | AIR & SPACE OPERATIONS CTR-WPN SYS .....                                              | 25,533             | 25,533              |
|      | <b>AIR FORCE COMMUNICATIONS</b>                                                       |                    |                     |
| 040  | BASE INFORMATION TRANSPT INFRAST (BITI) WIRED .....                                   | 28,159             | 28,159              |
| 041  | AFNET .....                                                                           | 160,820            | 186,820             |
|      | Unfunded requirement .....                                                            |                    | [26,000]            |
| 042  | JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE) .....                                     | 5,135              | 5,135               |
| 043  | USCENTCOM .....                                                                       | 18,719             | 18,719              |
|      | <b>ORGANIZATION AND BASE</b>                                                          |                    |                     |
| 044  | TACTICAL C-E EQUIPMENT .....                                                          | 123,206            | 123,206             |
| 045  | COMBAT SURVIVOR EVADER LOCATER .....                                                  | 3,004              | 3,004               |
| 046  | RADIO EQUIPMENT .....                                                                 | 15,736             | 15,736              |
| 047  | CCTV/AUDIOVISUAL EQUIPMENT .....                                                      | 5,480              | 5,480               |
| 048  | BASE COMM INFRASTRUCTURE .....                                                        | 130,539            | 185,539             |
|      | Realign European Reassurance Initiative to Base .....                                 |                    | [55,000]            |
|      | <b>MODIFICATIONS</b>                                                                  |                    |                     |
| 049  | COMM ELECT MODS .....                                                                 | 70,798             | 70,798              |
|      | <b>PERSONAL SAFETY &amp; RESCUE EQUIP</b>                                             |                    |                     |
| 051  | ITEMS LESS THAN \$5 MILLION .....                                                     | 52,964             | 53,464              |
|      | Unfunded requirement—Instructor Training Parachutes .....                             |                    | [500]               |
|      | <b>DEPOT PLANT+MTRLS HANDLING EQ</b>                                                  |                    |                     |
| 052  | MECHANIZED MATERIAL HANDLING EQUIP .....                                              | 10,381             | 10,381              |
|      | <b>BASE SUPPORT EQUIPMENT</b>                                                         |                    |                     |
| 053  | BASE PROCURED EQUIPMENT .....                                                         | 15,038             | 27,538              |
|      | Program increase—Civil Engineers Construction, Surveying, and Mapping Equipment ..... |                    | [5,000]             |
|      | Realign European Reassurance Initiative to Base .....                                 |                    | [7,500]             |
| 054  | ENGINEERING AND EOD EQUIPMENT .....                                                   | 26,287             | 26,287              |
| 055  | MOBILITY EQUIPMENT .....                                                              | 8,470              | 8,470               |
| 056  | ITEMS LESS THAN \$5 MILLION .....                                                     | 28,768             | 132,783             |
|      | Realign European Reassurance Initiative to Base .....                                 |                    | [104,015]           |
|      | <b>SPECIAL SUPPORT PROJECTS</b>                                                       |                    |                     |
| 058  | DARP RC135 .....                                                                      | 25,985             | 25,985              |
| 059  | DCGS-AF .....                                                                         | 178,423            | 178,423             |
| 061  | SPECIAL UPDATE PROGRAM .....                                                          | 840,980            | 840,980             |
|      | <b>CLASSIFIED PROGRAMS</b>                                                            |                    |                     |
| 062A | CLASSIFIED PROGRAMS .....                                                             | 16,601,513         | 16,601,513          |
|      | <b>SPARES AND REPAIR PARTS</b>                                                        |                    |                     |
| 064  | SPARES AND REPAIR PARTS .....                                                         | 26,675             | 26,675              |
|      | <b>TOTAL OTHER PROCUREMENT, AIR FORCE</b> .....                                       | <b>19,603,497</b>  | <b>19,918,145</b>   |
|      | <b>PROCUREMENT, DEFENSE-WIDE</b>                                                      |                    |                     |
|      | <b>MAJOR EQUIPMENT, OSD</b>                                                           |                    |                     |
| 042  | MAJOR EQUIPMENT, OSD .....                                                            | 36,999             | 36,999              |
|      | <b>MAJOR EQUIPMENT, NSA</b>                                                           |                    |                     |
| 041  | INFORMATION SYSTEMS SECURITY PROGRAM (ISSP) .....                                     | 5,938              | 5,938               |
|      | <b>MAJOR EQUIPMENT, WHS</b>                                                           |                    |                     |
| 045  | MAJOR EQUIPMENT, WHS .....                                                            | 10,529             | 10,529              |
|      | <b>MAJOR EQUIPMENT, DISA</b>                                                          |                    |                     |
| 007  | INFORMATION SYSTEMS SECURITY .....                                                    | 24,805             | 24,805              |
| 008  | TELEPORT PROGRAM .....                                                                | 46,638             | 46,638              |
| 009  | ITEMS LESS THAN \$5 MILLION .....                                                     | 15,541             | 15,541              |
| 010  | NET CENTRIC ENTERPRISE SERVICES (NCES) .....                                          | 1,161              | 1,161               |
| 011  | DEFENSE INFORMATION SYSTEM NETWORK .....                                              | 126,345            | 126,345             |
| 012  | CYBER SECURITY INITIATIVE .....                                                       | 1,817              | 1,817               |
| 013  | WHITE HOUSE COMMUNICATION AGENCY .....                                                | 45,243             | 45,243              |

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

| <i>Line</i> | <i>Item</i>                                             | <i>FY 2018 Request</i> | <i>House Authorized</i> |
|-------------|---------------------------------------------------------|------------------------|-------------------------|
| 014         | SENIOR LEADERSHIP ENTERPRISE .....                      | 294,139                | 294,139                 |
| 016         | JOINT REGIONAL SECURITY STACKS (JRSS) .....             | 188,483                | 188,483                 |
| 017         | JOINT SERVICE PROVIDER .....                            | 100,783                | 100,783                 |
|             | <b>MAJOR EQUIPMENT, DLA</b>                             |                        |                         |
| 019         | MAJOR EQUIPMENT .....                                   | 2,951                  | 2,951                   |
|             | <b>MAJOR EQUIPMENT, DSS</b>                             |                        |                         |
| 023         | MAJOR EQUIPMENT .....                                   | 1,073                  | 1,073                   |
|             | <b>MAJOR EQUIPMENT, DCAA</b>                            |                        |                         |
| 001         | ITEMS LESS THAN \$5 MILLION .....                       | 1,475                  | 1,475                   |
|             | <b>MAJOR EQUIPMENT, TJS</b>                             |                        |                         |
| 043         | MAJOR EQUIPMENT, TJS .....                              | 9,341                  | 9,341                   |
| 044         | MAJOR EQUIPMENT, TJS—CE2T2 .....                        | 903                    | 903                     |
|             | <b>MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY</b>          |                        |                         |
| 027         | THAAD .....                                             | 451,592                | 770,992                 |
|             | Procure additional THAAD interceptors .....             |                        | [319,400]               |
| 028         | AEGIS BMD .....                                         | 425,018                | 583,018                 |
|             | Additional SM-3 Block 1B .....                          |                        | [158,000]               |
| 029         | ADVANCE PROCUREMENT (CY) .....                          | 38,738                 | 38,738                  |
| 030         | BMDS AN/TPY-2 RADARS .....                              | 947                    | 947                     |
| 033         | AEGIS ASHORE PHASE III .....                            | 59,739                 | 59,739                  |
| 034         | IRON DOME .....                                         | 42,000                 | 42,000                  |
| 035         | AEGIS BMD HARDWARE AND SOFTWARE .....                   | 160,330                | 160,330                 |
|             | <b>MAJOR EQUIPMENT, DHRA</b>                            |                        |                         |
| 003         | PERSONNEL ADMINISTRATION .....                          | 14,588                 | 14,588                  |
|             | <b>MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY</b> |                        |                         |
| 025         | VEHICLES .....                                          | 204                    | 204                     |
| 026         | OTHER MAJOR EQUIPMENT .....                             | 12,363                 | 12,363                  |
|             | <b>MAJOR EQUIPMENT, DODEA</b>                           |                        |                         |
| 021         | AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS .....        | 1,910                  | 1,910                   |
|             | <b>MAJOR EQUIPMENT, DCMA</b>                            |                        |                         |
| 002         | MAJOR EQUIPMENT .....                                   | 4,347                  | 4,347                   |
|             | <b>MAJOR EQUIPMENT, DMACT</b>                           |                        |                         |
| 020         | MAJOR EQUIPMENT .....                                   | 13,464                 | 13,464                  |
|             | <b>CLASSIFIED PROGRAMS</b>                              |                        |                         |
| 045A        | CLASSIFIED PROGRAMS .....                               | 657,759                | 657,759                 |
|             | <b>AVIATION PROGRAMS</b>                                |                        |                         |
| 049         | ROTARY WING UPGRADES AND SUSTAINMENT .....              | 158,988                | 151,488                 |
|             | Per SOCOM requested realignment .....                   |                        | [–7,500]                |
| 050         | UNMANNED ISR .....                                      | 13,295                 | 13,295                  |
| 051         | NON-STANDARD AVIATION .....                             | 4,892                  | 4,892                   |
| 052         | U-28 .....                                              | 5,769                  | 5,769                   |
| 053         | MH-47 CHINOOK .....                                     | 87,345                 | 87,345                  |
| 055         | CV-22 MODIFICATION .....                                | 42,178                 | 42,178                  |
| 057         | MQ-9 UNMANNED AERIAL VEHICLE .....                      | 21,660                 | 21,660                  |
| 059         | PRECISION STRIKE PACKAGE .....                          | 229,728                | 229,728                 |
| 060         | AC/MC-130J .....                                        | 179,934                | 179,934                 |
| 061         | C-130 MODIFICATIONS .....                               | 28,059                 | 28,059                  |
|             | <b>SHIPBUILDING</b>                                     |                        |                         |
| 062         | UNDERWATER SYSTEMS .....                                | 92,606                 | 79,806                  |
|             | Per SOCOM requested realignment .....                   |                        | [–12,800]               |
|             | <b>AMMUNITION PROGRAMS</b>                              |                        |                         |
| 063         | ORDNANCE ITEMS <\$5M .....                              | 112,331                | 112,331                 |
|             | <b>OTHER PROCUREMENT PROGRAMS</b>                       |                        |                         |
| 064         | INTELLIGENCE SYSTEMS .....                              | 82,538                 | 82,538                  |
| 065         | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....         | 11,042                 | 11,042                  |
| 066         | OTHER ITEMS <\$5M .....                                 | 54,592                 | 54,592                  |
| 067         | COMBATANT CRAFT SYSTEMS .....                           | 23,272                 | 23,272                  |
| 068         | SPECIAL PROGRAMS .....                                  | 16,053                 | 16,053                  |
| 069         | TACTICAL VEHICLES .....                                 | 63,304                 | 63,304                  |
| 070         | WARRIOR SYSTEMS <\$5M .....                             | 252,070                | 252,070                 |
| 071         | COMBAT MISSION REQUIREMENTS .....                       | 19,570                 | 19,570                  |
| 072         | GLOBAL VIDEO SURVEILLANCE ACTIVITIES .....              | 3,589                  | 3,589                   |
| 073         | OPERATIONAL ENHANCEMENTS INTELLIGENCE .....             | 17,953                 | 17,953                  |
| 075         | OPERATIONAL ENHANCEMENTS .....                          | 241,429                | 241,429                 |
|             | <b>CBDP</b>                                             |                        |                         |
| 076         | CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS .....         | 135,031                | 135,031                 |
| 077         | CB PROTECTION & HAZARD MITIGATION .....                 | 141,027                | 141,027                 |
|             | <b>TOTAL PROCUREMENT, DEFENSE-WIDE</b> .....            | <b>4,835,418</b>       | <b>5,292,518</b>        |
|             | <b>JOINT URGENT OPERATIONAL NEEDS FUND</b>              |                        |                         |
|             | <b>JOINT URGENT OPERATIONAL NEEDS FUND</b>              |                        |                         |
| 001         | JOINT URGENT OPERATIONAL NEEDS FUND .....               | 99,795                 | 0                       |
|             | Program reduction .....                                 |                        | [–99,795]               |
|             | <b>TOTAL JOINT URGENT OPERATIONAL NEEDS FUND</b> .....  | <b>99,795</b>          | <b>0</b>                |
|             | <b>TOTAL PROCUREMENT</b> .....                          | <b>113,983,713</b>     | <b>127,861,301</b>      |

## SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

| SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS<br>(In Thousands of Dollars) |                                                       |                    |                     |  |
|-----------------------------------------------------------------------------------------|-------------------------------------------------------|--------------------|---------------------|--|
| Line                                                                                    | Item                                                  | FY 2018<br>Request | House<br>Authorized |  |
| AIRCRAFT PROCUREMENT, ARMY                                                              |                                                       |                    |                     |  |
| FIXED WING                                                                              |                                                       |                    |                     |  |
| 004                                                                                     | MQ-1 UAV .....                                        | 87,300             | 87,300              |  |
| ROTARY                                                                                  |                                                       |                    |                     |  |
| 006                                                                                     | AH-64 APACHE BLOCK IIIA REMAN .....                   | 39,040             | 78,040              |  |
|                                                                                         | Unfunded requirement .....                            |                    | [39,000]            |  |
| MODIFICATION OF AIRCRAFT                                                                |                                                       |                    |                     |  |
| 015                                                                                     | MQ-1 PAYLOAD (MIP) .....                              | 41,400             | 33,400              |  |
|                                                                                         | Realign European Reassurance Initiative to Base ..... |                    | [-8,000]            |  |
| 018                                                                                     | MULTI SENSOR ABN RECON (MIP) .....                    | 33,475             | 4,000               |  |
|                                                                                         | Realign European Reassurance Initiative to Base ..... |                    | [-29,475]           |  |
| 023                                                                                     | EMARSS SEMA MODS (MIP) .....                          | 36,000             | 36,000              |  |
| 025                                                                                     | UTILITY HELICOPTER MODS .....                         |                    | 34,809              |  |
|                                                                                         | Unfunded requirement .....                            |                    | [34,809]            |  |
| 027                                                                                     | COMMS, NAV SURVEILLANCE .....                         | 4,289              | 4,289               |  |
| GROUND SUPPORT AVIONICS                                                                 |                                                       |                    |                     |  |
| 033                                                                                     | CMWS .....                                            | 139,742            | 201,542             |  |
|                                                                                         | Unfunded requirement—B kits .....                     |                    | [61,800]            |  |
| 034                                                                                     | COMMON INFRARED COUNTERMEASURES (CIRCM) .....         | 43,440             | 43,440              |  |
| OTHER SUPPORT                                                                           |                                                       |                    |                     |  |
| 037                                                                                     | AIRCREW INTEGRATED SYSTEMS .....                      |                    | 12,100              |  |
|                                                                                         | Unfunded requirement .....                            |                    | [12,100]            |  |
|                                                                                         | TOTAL AIRCRAFT PROCUREMENT, ARMY .....                | 424,686            | 534,920             |  |
| MISSILE PROCUREMENT, ARMY                                                               |                                                       |                    |                     |  |
| SURFACE-TO-AIR MISSILE SYSTEM                                                           |                                                       |                    |                     |  |
| 002                                                                                     | MSE MISSILE .....                                     |                    | 633,570             |  |
|                                                                                         | Meet inventory requirements for COCOMS .....          |                    | [633,570]           |  |
| AIR-TO-SURFACE MISSILE SYSTEM                                                           |                                                       |                    |                     |  |
| 005                                                                                     | HELLFIRE SYS SUMMARY .....                            | 278,073            | 288,073             |  |
|                                                                                         | Unfunded requirement .....                            |                    | [10,000]            |  |
| ANTI-TANK/ASSAULT MISSILE SYS                                                           |                                                       |                    |                     |  |
| 008                                                                                     | JAVELIN (AAWS-M) SYSTEM SUMMARY .....                 | 8,112              | 147,300             |  |
|                                                                                         | Realign European Reassurance Initiative to Base ..... |                    | [-8,112]            |  |
|                                                                                         | Unfunded requirement .....                            |                    | [147,300]           |  |
| 009                                                                                     | TOW 2 SYSTEM SUMMARY .....                            | 3,907              | 0                   |  |
|                                                                                         | Realign European Reassurance Initiative to Base ..... |                    | [-3,907]            |  |
| 011                                                                                     | GUIDED MLRS ROCKET (GMLRS) .....                      | 191,522            | 204,522             |  |
|                                                                                         | Unfunded requirement .....                            |                    | [13,000]            |  |
| 012                                                                                     | MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR) .....      |                    | 6,330               |  |
|                                                                                         | Unfunded requirement .....                            |                    | [6,330]             |  |
| 013                                                                                     | HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS) .....  | 41,000             | 0                   |  |
|                                                                                         | Realign European Reassurance Initiative to Base ..... |                    | [-41,000]           |  |
| 014                                                                                     | LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS) .....  | 8,669              | 55,269              |  |
|                                                                                         | Unfunded requirement .....                            |                    | [46,600]            |  |
| MODIFICATIONS                                                                           |                                                       |                    |                     |  |
| 016                                                                                     | ATACMS MODS .....                                     |                    | 69,400              |  |
|                                                                                         | Unfunded requirement .....                            |                    | [69,400]            |  |
| 018                                                                                     | STINGER MODS .....                                    | 28,000             | 0                   |  |
|                                                                                         | Realign European Reassurance Initiative to Base ..... |                    | [-28,000]           |  |
|                                                                                         | TOTAL MISSILE PROCUREMENT, ARMY .....                 | 559,283            | 1,404,464           |  |
| PROCUREMENT OF W&TCV, ARMY                                                              |                                                       |                    |                     |  |
| TRACKED COMBAT VEHICLES                                                                 |                                                       |                    |                     |  |
| 001                                                                                     | BRADLEY PROGRAM .....                                 | 200,000            | 0                   |  |
|                                                                                         | Realign European Reassurance Initiative to Base ..... |                    | [-200,000]          |  |
| 002                                                                                     | ARMORED MULTI PURPOSE VEHICLE (AMPV) .....            | 253,903            | 0                   |  |
|                                                                                         | Realign European Reassurance Initiative to Base ..... |                    | [-253,903]          |  |
| MODIFICATION OF TRACKED COMBAT VEHICLES                                                 |                                                       |                    |                     |  |
| 004                                                                                     | STRYKER (MOD) .....                                   |                    | 177,000             |  |
|                                                                                         | Unfunded requirement – lethality upgrades .....       |                    | [177,000]           |  |
| 006                                                                                     | BRADLEY PROGRAM (MOD) .....                           | 30,000             | 0                   |  |
|                                                                                         | Realign European Reassurance Initiative to Base ..... |                    | [-30,000]           |  |
| 008                                                                                     | PALADIN INTEGRATED MANAGEMENT (PIM) .....             | 125,736            | 0                   |  |
|                                                                                         | Realign European Reassurance Initiative to Base ..... |                    | [-125,736]          |  |
| 014                                                                                     | M1 ABRAMS TANK (MOD) .....                            | 138,700            | 0                   |  |
|                                                                                         | Realign European Reassurance Initiative to Base ..... |                    | [-138,700]          |  |
| 015                                                                                     | ABRAMS UPGRADE PROGRAM .....                          | 442,800            | 0                   |  |
|                                                                                         | Realign European Reassurance Initiative to Base ..... |                    | [-442,800]          |  |
|                                                                                         | TOTAL PROCUREMENT OF W&TCV, ARMY .....                | 1,191,139          | 177,000             |  |
| PROCUREMENT OF AMMUNITION, ARMY                                                         |                                                       |                    |                     |  |
| SMALL/MEDIUM CAL AMMUNITION                                                             |                                                       |                    |                     |  |
| 001                                                                                     | CTG, 5.56MM, ALL TYPES .....                          |                    | 7,100               |  |
|                                                                                         | Unfunded requirement .....                            |                    | [7,100]             |  |
| 002                                                                                     | CTG, 7.62MM, ALL TYPES .....                          |                    | 14,900              |  |
|                                                                                         | Unfunded requirement .....                            |                    | [14,900]            |  |

**SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

| <b>Line</b> | <b>Item</b>                                                            | <b>FY 2018<br/>Request</b> | <b>House<br/>Authorized</b> |
|-------------|------------------------------------------------------------------------|----------------------------|-----------------------------|
| 003         | CTG, HANDGUN, ALL TYPES .....                                          | 5                          | 90                          |
|             | Realign European Reassurance Initiative to Base .....                  |                            | [-5]                        |
|             | Unfunded requirement .....                                             |                            | [90]                        |
| 004         | CTG, .50 CAL, ALL TYPES .....                                          | 121                        | 8,890                       |
|             | Realign European Reassurance Initiative to Base .....                  |                            | [-121]                      |
|             | Unfunded requirement .....                                             |                            | [8,890]                     |
| 005         | CTG, 20MM, ALL TYPES .....                                             | 1,605                      | 1,605                       |
| 006         | CTG, 25MM, ALL TYPES .....                                             |                            | 31,862                      |
|             | Unfunded requirement .....                                             |                            | [31,862]                    |
| 007         | CTG, 30MM, ALL TYPES .....                                             | 35,000                     | 12,150                      |
|             | Realign European Reassurance Initiative to Base .....                  |                            | [-25,000]                   |
|             | Unfunded requirement .....                                             |                            | [2,150]                     |
| 008         | CTG, 40MM, ALL TYPES .....                                             |                            | 17,191                      |
|             | Unfunded requirement .....                                             |                            | [17,191]                    |
|             | <b>MORTAR AMMUNITION</b>                                               |                            |                             |
| 009         | 60MM MORTAR, ALL TYPES .....                                           |                            | 2,500                       |
|             | Unfunded requirement .....                                             |                            | [2,500]                     |
| 010         | 81MM MORTAR, ALL TYPES .....                                           |                            | 3,109                       |
|             | Unfunded requirement .....                                             |                            | [3,109]                     |
| 011         | 120MM MORTAR, ALL TYPES .....                                          |                            | 18,192                      |
|             | Unfunded requirement .....                                             |                            | [18,192]                    |
|             | <b>TANK AMMUNITION</b>                                                 |                            |                             |
| 012         | CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES .....                     |                            | 40,300                      |
|             | Unfunded requirement .....                                             |                            | [40,300]                    |
|             | <b>ARTILLERY AMMUNITION</b>                                            |                            |                             |
| 014         | ARTILLERY PROJECTILE, 155MM, ALL TYPES .....                           |                            | 159,181                     |
|             | Unfunded requirement .....                                             |                            | [159,181]                   |
| 015         | PROJ 155MM EXTENDED RANGE M982 .....                                   | 23,234                     | 4,189                       |
|             | Realign European Reassurance Initiative to Base .....                  |                            | [-19,045]                   |
| 016         | ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL .....                    | 20,023                     | 84,067                      |
|             | Realign European Reassurance Initiative to Base .....                  |                            | [-16,678]                   |
|             | Unfunded requirement .....                                             |                            | [80,722]                    |
|             | <b>MINES</b>                                                           |                            |                             |
| 017         | MINES & CLEARING CHARGES, ALL TYPES .....                              | 11,615                     | 3,000                       |
|             | Realign European Reassurance Initiative to Base .....                  |                            | [-11,615]                   |
|             | Unfunded requirement .....                                             |                            | [3,000]                     |
|             | <b>ROCKETS</b>                                                         |                            |                             |
| 019         | SHOULDER LAUNCHED MUNITIONS, ALL TYPES .....                           | 25,000                     | 86,881                      |
|             | Unfunded requirement .....                                             |                            | [61,881]                    |
| 020         | ROCKET, HYDRA 70, ALL TYPES .....                                      | 75,820                     | 163,820                     |
|             | Unfunded requirement .....                                             |                            | [20,000]                    |
|             | Unfunded requirement—APKWS and M282 warheads .....                     |                            | [68,000]                    |
|             | <b>OTHER AMMUNITION</b>                                                |                            |                             |
| 022         | DEMOLITION MUNITIONS, ALL TYPES .....                                  |                            | 2,261                       |
|             | Unfunded requirement .....                                             |                            | [2,261]                     |
| 023         | GRENADES, ALL TYPES .....                                              |                            | 25,361                      |
|             | Unfunded requirement .....                                             |                            | [25,361]                    |
| 024         | SIGNALS, ALL TYPES .....                                               | 1,013                      | 1,842                       |
|             | Unfunded requirement .....                                             |                            | [829]                       |
| 025         | SIMULATORS, ALL TYPES .....                                            |                            | 450                         |
|             | Unfunded requirement .....                                             |                            | [450]                       |
|             | <b>MISCELLANEOUS</b>                                                   |                            |                             |
| 027         | NON-LETHAL AMMUNITION, ALL TYPES .....                                 |                            | 150                         |
|             | Unfunded requirement .....                                             |                            | [150]                       |
| 028         | ITEMS LESS THAN \$5 MILLION (AMMO) .....                               |                            | 3,665                       |
|             | Unfunded requirement .....                                             |                            | [3,665]                     |
|             | <b>PRODUCTION BASE SUPPORT</b>                                         |                            |                             |
| 033         | CONVENTIONAL MUNITIONS DEMILITARIZATION .....                          |                            | 53,000                      |
|             | Unfunded requirement .....                                             |                            | [53,000]                    |
|             | <b>TOTAL PROCUREMENT OF AMMUNITION, ARMY</b> .....                     | <b>193,436</b>             | <b>745,756</b>              |
|             | <b>OTHER PROCUREMENT, ARMY</b>                                         |                            |                             |
|             | <b>TACTICAL VEHICLES</b>                                               |                            |                             |
| 010         | FAMILY OF HEAVY TACTICAL VEHICLES (FHTV) .....                         | 25,874                     | 0                           |
|             | Realign European Reassurance Initiative to Base .....                  |                            | [-25,874]                   |
| 012         | HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV .....                      | 38,628                     | 0                           |
|             | Realign European Reassurance Initiative to Base .....                  |                            | [-38,628]                   |
| 014         | MODIFICATION OF IN SVC EQUIP .....                                     | 64,647                     | 135,900                     |
|             | Realign European Reassurance Initiative to Base .....                  |                            | [-2,599]                    |
|             | Unfunded requirement—route clearance and mine protected vehicles ..... |                            | [73,852]                    |
| 015         | MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS .....                      | 17,508                     | 17,508                      |
|             | <b>COMM—JOINT COMMUNICATIONS</b>                                       |                            |                             |
| 020         | SIGNAL MODERNIZATION PROGRAM .....                                     | 4,900                      | 4,900                       |
|             | <b>COMM—COMBAT COMMUNICATIONS</b>                                      |                            |                             |
| 041         | TRACTOR RIDE .....                                                     | 1,000                      | 1,000                       |
|             | <b>COMM—BASE COMMUNICATIONS</b>                                        |                            |                             |
| 062         | INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM .....                     | 2,500                      | 0                           |
|             | Realign European Reassurance Initiative to Base .....                  |                            | [-2,500]                    |
|             | <b>ELECT EQUIP—TACT INT REL ACT (TIARA)</b>                            |                            |                             |

**SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

| <b>Line</b> | <b>Item</b>                                                  | <b>FY 2018<br/>Request</b> | <b>House<br/>Authorized</b> |
|-------------|--------------------------------------------------------------|----------------------------|-----------------------------|
| 068         | DCGS-A (MIP) .....                                           | 39,515                     | 52,515                      |
|             | Unfunded requirement .....                                   |                            | [13,000]                    |
| 070         | TROJAN (MIP) .....                                           | 21,310                     | 15,310                      |
|             | Realign European Reassurance Initiative to Base .....        |                            | [-6,000]                    |
| 071         | MOD OF IN-SVC EQUIP (INTEL SPT) (MIP) .....                  | 2,300                      | 2,300                       |
| 072         | CI HUMINT AUTO REPRTING AND COLL(CHARCS) .....               | 14,460                     | 14,460                      |
| 075         | BIOMETRIC TACTICAL COLLECTION DEVICES (MIP) .....            | 5,180                      | 5,180                       |
|             | <b>ELECT EQUIP—ELECTRONIC WARFARE (EW)</b>                   |                            |                             |
| 079         | CREW .....                                                   |                            | 17,500                      |
|             | Unfunded requirement—EOD DR SKOs .....                       |                            | [17,500]                    |
| 080         | FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIE .....          | 16,935                     | 21,935                      |
|             | Unfunded requirement .....                                   |                            | [5,000]                     |
| 081         | COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES .....           | 18,874                     | 12,974                      |
|             | Realign European Reassurance Initiative to Base .....        |                            | [-5,900]                    |
|             | <b>ELECT EQUIP—TACTICAL SURV. (TAC SURV)</b>                 |                            |                             |
| 084         | NIGHT VISION DEVICES .....                                   | 377                        | 377                         |
| 085         | SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF .....              | 60                         | 2,210                       |
|             | Unfunded requirement .....                                   |                            | [2,150]                     |
| 086         | BASE EXPEDITIARY TARGETING AND SURV SYS .....                |                            | 29,462                      |
|             | Unfunded requirement .....                                   |                            | [29,462]                    |
| 087         | INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS .....             | 57,500                     | 200,110                     |
|             | Unfunded requirement—Air and Missile Defense (SHORAD) .....  |                            | [142,610]                   |
| 091         | JOINT BATTLE COMMAND—PLATFORM (JBC-P) .....                  |                            | -2,300                      |
|             | Realign European Reassurance Initiative to Base .....        |                            | [-2,300]                    |
| 093         | MOD OF IN-SVC EQUIP (LLDR) .....                             | 3,974                      | 0                           |
|             | Realign European Reassurance Initiative to Base .....        |                            | [-3,974]                    |
| 095         | MORTAR FIRE CONTROL SYSTEM .....                             | 2,947                      | 2,872                       |
|             | Realign European Reassurance Initiative to Base .....        |                            | [-75]                       |
|             | <b>ELECT EQUIP—TACTICAL C2 SYSTEMS</b>                       |                            |                             |
| 098         | AIR & MSL DEFENSE PLANNING & CONTROL SYS .....               | 9,100                      | 0                           |
|             | Realign European Reassurance Initiative to Base .....        |                            | [-9,100]                    |
|             | <b>CHEMICAL DEFENSIVE EQUIPMENT</b>                          |                            |                             |
| 119         | BASE DEFENSE SYSTEMS (BDS) .....                             | 3,726                      | 3,726                       |
|             | <b>ENGINEER (NON-CONSTRUCTION) EQUIPMENT</b>                 |                            |                             |
| 126         | GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS) .....             |                            | 10,800                      |
|             | Unfunded requirement .....                                   |                            | [10,800]                    |
| 128         | HUSKY MOUNTED DETECTION SYSTEM (HMDS) .....                  |                            | 2,400                       |
|             | Unfunded requirement .....                                   |                            | [2,400]                     |
|             | <b>COMBAT SERVICE SUPPORT EQUIPMENT</b>                      |                            |                             |
| 136         | HEATERS AND ECU'S .....                                      | 270                        | 270                         |
| 142         | FIELD FEEDING EQUIPMENT .....                                | 145                        | 145                         |
| 143         | CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM .....          | 1,980                      | 1,980                       |
|             | <b>MEDICAL EQUIPMENT</b>                                     |                            |                             |
| 148         | COMBAT SUPPORT MEDICAL .....                                 | 25,690                     | 4,568                       |
|             | Realign European Reassurance Initiative to Base .....        |                            | [-21,122]                   |
|             | <b>MAINTENANCE EQUIPMENT</b>                                 |                            |                             |
| 149         | MOBILE MAINTENANCE EQUIPMENT SYSTEMS .....                   | 1,124                      | 0                           |
|             | Realign European Reassurance Initiative to Base .....        |                            | [-1,124]                    |
|             | <b>CONSTRUCTION EQUIPMENT</b>                                |                            |                             |
| 153         | HYDRAULIC EXCAVATOR .....                                    | 3,850                      | 3,850                       |
| 157         | HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) .....                | 1,932                      | 1,932                       |
|             | <b>GENERATORS</b>                                            |                            |                             |
| 164         | GENERATORS AND ASSOCIATED EQUIP .....                        | 569                        | 569                         |
|             | <b>TRAINING EQUIPMENT</b>                                    |                            |                             |
| 168         | TRAINING DEVICES, NONSYSTEM .....                            | 2,700                      | 0                           |
|             | Realign European Reassurance Initiative to Base .....        |                            | [-2,700]                    |
|             | <b>TEST MEASURE AND DIG EQUIPMENT (TMD)</b>                  |                            |                             |
| 173         | INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE) .....             | 7,500                      | 0                           |
|             | Realign European Reassurance Initiative to Base .....        |                            | [-7,500]                    |
|             | <b>OTHER SUPPORT EQUIPMENT</b>                               |                            |                             |
| 176         | RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT .....              | 8,500                      | 13,500                      |
|             | Unfunded requirement .....                                   |                            | [5,000]                     |
|             | <b>TOTAL OTHER PROCUREMENT, ARMY</b> .....                   | <b>405,575</b>             | <b>577,953</b>              |
|             | <b>JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND</b>         |                            |                             |
|             | <b>NETWORK ATTACK</b>                                        |                            |                             |
| 001         | RAPID ACQUISITION AND THREAT RESPONSE .....                  | 483,058                    | 483,058                     |
|             | <b>TOTAL JOINT IMPROVISED-THREAT DEFEAT FUND</b> .....       | <b>483,058</b>             | <b>483,058</b>              |
|             | <b>AIRCRAFT PROCUREMENT, NAVY</b>                            |                            |                             |
|             | <b>OTHER AIRCRAFT</b>                                        |                            |                             |
| 027         | STUASLO UAV .....                                            | 3,900                      | 3,900                       |
|             | <b>MODIFICATION OF AIRCRAFT</b>                              |                            |                             |
| 033         | F-18 SERIES .....                                            |                            | 16,000                      |
|             | Unfunded requirement -ALR-67(V)3 Retrofit A and B Kits ..... |                            | [16,000]                    |
| 034         | H-53 SERIES .....                                            | 950                        | 950                         |
| 035         | SH-60 SERIES .....                                           | 15,382                     | 15,382                      |
| 037         | EP-3 SERIES .....                                            | 7,220                      | 7,220                       |
| 047         | SPECIAL PROJECT AIRCRAFT .....                               | 19,855                     | 19,855                      |



**SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

| <b>Line</b> | <b>Item</b>                                                                        | <b>FY 2018 Request</b> | <b>House Authorized</b> |
|-------------|------------------------------------------------------------------------------------|------------------------|-------------------------|
| 051         | COMMON ECM EQUIPMENT .....                                                         | 75,530                 | 75,530                  |
| 062         | QRC .....                                                                          | 15,150                 | 15,150                  |
|             | <b>AIRCRAFT SPARES AND REPAIR PARTS</b>                                            |                        |                         |
| 064         | SPARES AND REPAIR PARTS .....                                                      | 18,850                 | 18,850                  |
|             | <b>AIRCRAFT SUPPORT EQUIP &amp; FACILITIES</b>                                     |                        |                         |
| 066         | AIRCRAFT INDUSTRIAL FACILITIES .....                                               | 463                    | 463                     |
|             | <b>TOTAL AIRCRAFT PROCUREMENT, NAVY</b> .....                                      | <b>157,300</b>         | <b>173,300</b>          |
|             | <b>WEAPONS PROCUREMENT, NAVY</b>                                                   |                        |                         |
|             | <b>STRATEGIC MISSILES</b>                                                          |                        |                         |
| 003         | TOMAHAWK .....                                                                     | 100,086                | 100,086                 |
|             | <b>TACTICAL MISSILES</b>                                                           |                        |                         |
| 004         | AMRAAM .....                                                                       |                        | 12,000                  |
|             | Unfunded requirement—AIM-120 Captive Air Training Missiles Guidance sections ..... |                        | [12,000]                |
| 007         | STANDARD MISSILE .....                                                             | 35,208                 | 35,208                  |
| 011         | HELLFIRE .....                                                                     | 8,771                  | 8,771                   |
| 012         | LASER MAVERICK .....                                                               | 5,040                  | 5,040                   |
|             | <b>MODIFICATION OF MISSILES</b>                                                    |                        |                         |
| 017         | ESSM .....                                                                         | 1,768                  | 1,768                   |
|             | <b>GUNS AND GUN MOUNTS</b>                                                         |                        |                         |
| 035         | SMALL ARMS AND WEAPONS .....                                                       | 1,500                  | 1,500                   |
|             | <b>TOTAL WEAPONS PROCUREMENT, NAVY</b> .....                                       | <b>152,373</b>         | <b>164,373</b>          |
|             | <b>PROCUREMENT OF AMMO, NAVY &amp; MC</b>                                          |                        |                         |
|             | <b>NAVY AMMUNITION</b>                                                             |                        |                         |
| 001         | GENERAL PURPOSE BOMBS .....                                                        | 74,021                 | 74,021                  |
| 002         | JDAM .....                                                                         | 106,941                | 106,941                 |
| 003         | AIRBORNE ROCKETS, ALL TYPES .....                                                  | 1,184                  | 1,184                   |
| 007         | AIR EXPENDABLE COUNTERMEASURES .....                                               | 15,700                 | 15,700                  |
| 008         | JATOS .....                                                                        | 540                    | 540                     |
| 012         | OTHER SHIP GUN AMMUNITION .....                                                    | 13,789                 | 13,789                  |
| 013         | SMALL ARMS & LANDING PARTY AMMO .....                                              | 1,963                  | 1,963                   |
| 014         | PYROTECHNIC AND DEMOLITION .....                                                   | 765                    | 765                     |
| 016         | AMMUNITION LESS THAN \$5 MILLION .....                                             | 866                    | 866                     |
|             | <b>MARINE CORPS AMMUNITION</b>                                                     |                        |                         |
| 019         | 60MM, ALL TYPES .....                                                              |                        | 11,000                  |
|             | Unfunded requirement—Full range practice rounds .....                              |                        | [11,000]                |
| 020         | MORTARS .....                                                                      | 1,290                  | 1,290                   |
| 021         | 81MM, ALL TYPES .....                                                              |                        | 14,500                  |
|             | Unfunded requirement—Full range practice rounds .....                              |                        | [14,500]                |
| 023         | DIRECT SUPPORT MUNITIONS .....                                                     | 1,355                  | 1,355                   |
| 024         | INFANTRY WEAPONS AMMUNITION .....                                                  | 1,854                  | 1,854                   |
| 027         | ARTILLERY, ALL TYPES .....                                                         |                        | 17,000                  |
|             | Unfunded requirement—HE Training Rounds .....                                      |                        | [17,000]                |
| 033         | ARTILLERY MUNITIONS .....                                                          | 5,319                  | 5,319                   |
|             | <b>TOTAL PROCUREMENT OF AMMO, NAVY &amp; MC</b> .....                              | <b>225,587</b>         | <b>268,087</b>          |
|             | <b>OTHER PROCUREMENT, NAVY</b>                                                     |                        |                         |
|             | <b>OTHER SHIPBOARD EQUIPMENT</b>                                                   |                        |                         |
| 025         | UNDERWATER EOD PROGRAMS .....                                                      | 12,348                 | 8,332                   |
|             | Realign European Reassurance Initiative to Base .....                              |                        | [−4,016]                |
|             | <b>SMALL BOATS</b>                                                                 |                        |                         |
| 032         | STANDARD BOATS .....                                                               | 18,000                 | 18,000                  |
|             | <b>SHIP SONARS</b>                                                                 |                        |                         |
| 046         | SSN ACOUSTIC EQUIPMENT .....                                                       | 43,500                 | 0                       |
|             | Realign European Reassurance Initiative to Base .....                              |                        | [−43,500]               |
|             | <b>AVIATION ELECTRONIC EQUIPMENT</b>                                               |                        |                         |
| 078         | NAVAL MISSION PLANNING SYSTEMS .....                                               | 2,550                  | 2,550                   |
|             | <b>OTHER SHORE ELECTRONIC EQUIPMENT</b>                                            |                        |                         |
| 080         | TACTICAL/MOBILE C4I SYSTEMS .....                                                  | 7,900                  | 0                       |
|             | Realign European Reassurance Initiative to Base .....                              |                        | [−7,900]                |
| 081         | DCGS-N .....                                                                       | 6,392                  | 4,492                   |
|             | Realign European Reassurance Initiative to Base .....                              |                        | [−1,900]                |
|             | <b>CRYPTOLOGIC EQUIPMENT</b>                                                       |                        |                         |
| 101         | CRYPTOLOGIC COMMUNICATIONS EQUIP .....                                             | 2,280                  | 2,280                   |
|             | <b>AIRCRAFT SUPPORT EQUIPMENT</b>                                                  |                        |                         |
| 119         | AVIATION SUPPORT EQUIPMENT .....                                                   | 29,245                 | 29,245                  |
|             | <b>SHIP MISSILE SYSTEMS EQUIPMENT</b>                                              |                        |                         |
| 121         | SHIP MISSILE SUPPORT EQUIPMENT .....                                               | 2,436                  | 2,436                   |
|             | <b>OTHER ORDNANCE SUPPORT EQUIPMENT</b>                                            |                        |                         |
| 126         | EXPLOSIVE ORDNANCE DISPOSAL EQUIP .....                                            | 31,970                 | 31,970                  |
|             | <b>CIVIL ENGINEERING SUPPORT EQUIPMENT</b>                                         |                        |                         |
| 132         | GENERAL PURPOSE TRUCKS .....                                                       | 496                    | 390                     |
|             | Realign European Reassurance Initiative to Base .....                              |                        | [−106]                  |
| 134         | FIRE FIGHTING EQUIPMENT .....                                                      | 2,304                  | 2,304                   |
| 135         | TACTICAL VEHICLES .....                                                            | 2,336                  | 2,336                   |
|             | <b>SUPPLY SUPPORT EQUIPMENT</b>                                                    |                        |                         |
| 141         | SUPPLY EQUIPMENT .....                                                             | 164                    | 0                       |
|             | Realign European Reassurance Initiative to Base .....                              |                        | [−164]                  |

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| <i>Line</i> | <i>Item</i>                                                           | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|-------------|-----------------------------------------------------------------------|----------------------------|-----------------------------|
| 143         | FIRST DESTINATION TRANSPORTATION .....                                | 420                        | 420                         |
|             | <b>COMMAND SUPPORT EQUIPMENT</b>                                      |                            |                             |
| 147         | COMMAND SUPPORT EQUIPMENT .....                                       | 21,650                     | 21,650                      |
| 152         | OPERATING FORCES SUPPORT EQUIPMENT .....                              | 15,800                     | 15,800                      |
| 154         | ENVIRONMENTAL SUPPORT EQUIPMENT .....                                 | 1,000                      | 0                           |
|             | Realign European Reassurance Initiative to Base .....                 |                            | [-1,000]                    |
| 155         | PHYSICAL SECURITY EQUIPMENT .....                                     | 15,890                     | 15,890                      |
|             | <b>CLASSIFIED PROGRAMS</b>                                            |                            |                             |
| 161A        | CLASSIFIED PROGRAMS .....                                             | 2,200                      | 2,200                       |
|             | <b>SPARES AND REPAIR PARTS</b>                                        |                            |                             |
| 161         | SPARES AND REPAIR PARTS .....                                         | 1,178                      | 1,178                       |
|             | <b>TOTAL OTHER PROCUREMENT, NAVY</b> .....                            | <b>220,059</b>             | <b>161,473</b>              |
|             | <b>PROCUREMENT, MARINE CORPS</b>                                      |                            |                             |
|             | <b>ARTILLERY AND OTHER WEAPONS</b>                                    |                            |                             |
| 006         | HIGH MOBILITY ARTILLERY ROCKET SYSTEM .....                           | 5,360                      | 5,360                       |
|             | <b>GUIDED MISSILES</b>                                                |                            |                             |
| 011         | JAVELIN .....                                                         | 2,833                      | 2,833                       |
| 012         | FOLLOW ON TO SMAW .....                                               | 49                         | 49                          |
| 013         | ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H) .....                        | 5,024                      | 5,024                       |
|             | <b>REPAIR AND TEST EQUIPMENT</b>                                      |                            |                             |
| 017         | REPAIR AND TEST EQUIPMENT .....                                       | 8,241                      | 8,241                       |
|             | <b>OTHER SUPPORT (TEL)</b>                                            |                            |                             |
| 019         | MODIFICATION KITS .....                                               | 750                        | 750                         |
|             | <b>COMMAND AND CONTROL SYSTEM (NON-TEL)</b>                           |                            |                             |
| 020         | ITEMS UNDER \$5 MILLION (COMM & ELEC) .....                           | 200                        | 20,400                      |
|             | Unfunded requirement—night optics for sniper rifles .....             |                            | [20,200]                    |
|             | <b>RADAR + EQUIPMENT (NON-TEL)</b>                                    |                            |                             |
| 023         | GROUND/AIR TASK ORIENTED RADAR (G/ATOR) .....                         |                            | 39,200                      |
|             | Unfunded requirement—CEG Shelters .....                               |                            | [1,500]                     |
|             | Unfunded requirement—G/ATOR acceleration .....                        |                            | [37,700]                    |
| 024         | RQ-21 UAS .....                                                       | 8,400                      | 8,400                       |
|             | <b>INTELL/COMM EQUIPMENT (NON-TEL)</b>                                |                            |                             |
| 026         | FIRE SUPPORT SYSTEM .....                                             | 50                         | 50                          |
| 027         | INTELLIGENCE SUPPORT EQUIPMENT .....                                  | 3,000                      | 3,000                       |
| 029         | UNMANNED AIR SYSTEMS (INTEL) .....                                    |                            | 16,600                      |
|             | Unfunded requirement – UUNS for long endurance small UAS .....        |                            | [16,600]                    |
|             | <b>OTHER SUPPORT (NON-TEL)</b>                                        |                            |                             |
| 037         | COMMAND POST SYSTEMS .....                                            | 5,777                      | 75,777                      |
|             | Additional NOTM-A Systems for emerging operational requirements ..... |                            | [70,000]                    |
| 038         | RADIO SYSTEMS .....                                                   | 4,590                      | 4,590                       |
|             | <b>ENGINEER AND OTHER EQUIPMENT</b>                                   |                            |                             |
| 053         | EOD SYSTEMS .....                                                     | 21,000                     | 21,000                      |
|             | <b>SPARES AND REPAIR PARTS</b>                                        |                            |                             |
| 062         | SPARES AND REPAIR PARTS .....                                         |                            | 3,129                       |
|             | Unfunded requirement—G/ATOR spares .....                              |                            | [3,129]                     |
|             | <b>TOTAL PROCUREMENT, MARINE CORPS</b> .....                          | <b>65,274</b>              | <b>214,403</b>              |
|             | <b>AIRCRAFT PROCUREMENT, AIR FORCE</b>                                |                            |                             |
|             | <b>OTHER AIRCRAFT</b>                                                 |                            |                             |
| 017         | MQ-9 .....                                                            | 271,080                    | 271,080                     |
|             | <b>AIRLIFT AIRCRAFT</b>                                               |                            |                             |
| 033         | C-17A .....                                                           | 26,850                     | 26,850                      |
|             | <b>OTHER AIRCRAFT</b>                                                 |                            |                             |
| 048         | C-130J MODS .....                                                     | 8,400                      | 8,400                       |
| 051         | COMPASS CALL MODS .....                                               | 56,720                     | 56,720                      |
| 056         | E-8 .....                                                             | 3,000                      | 3,000                       |
| 061         | RQ-4 MODS .....                                                       |                            | 39,600                      |
|             | Unfunded requirement—Tactical Field Terminal Antennas .....           |                            | [39,600]                    |
| 062         | HC/MC-130 MODIFICATIONS .....                                         | 153,080                    | 153,080                     |
| 063         | OTHER AIRCRAFT .....                                                  | 10,381                     | 10,381                      |
| 065         | MQ-9 MODS .....                                                       | 56,400                     | 56,400                      |
|             | <b>AIRCRAFT SPARES AND REPAIR PARTS</b>                               |                            |                             |
| 067         | INITIAL SPARES/REPAIR PARTS .....                                     | 129,450                    | 129,450                     |
|             | <b>COMMON SUPPORT EQUIPMENT</b>                                       |                            |                             |
| 068         | AIRCRAFT REPLACEMENT SUPPORT EQUIP .....                              | 25,417                     | 0                           |
|             | Realign European Reassurance Initiative to Base .....                 |                            | [-25,417]                   |
|             | <b>TOTAL AIRCRAFT PROCUREMENT, AIR FORCE</b> .....                    | <b>740,778</b>             | <b>754,961</b>              |
|             | <b>MISSILE PROCUREMENT, AIR FORCE</b>                                 |                            |                             |
|             | <b>TACTICAL</b>                                                       |                            |                             |
| 006         | PREDATOR HELLFIRE MISSILE .....                                       | 294,480                    | 294,480                     |
| 007         | SMALL DIAMETER BOMB .....                                             | 90,920                     | 90,920                      |
|             | <b>CLASS IV</b>                                                       |                            |                             |
| 011         | AGM-65D MAVERICK .....                                                | 10,000                     | 10,000                      |
|             | <b>TOTAL MISSILE PROCUREMENT, AIR FORCE</b> .....                     | <b>395,400</b>             | <b>395,400</b>              |
|             | <b>SPACE PROCUREMENT, AIR FORCE</b>                                   |                            |                             |
|             | <b>SPACE PROGRAMS</b>                                                 |                            |                             |

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| <i>Line</i> | <i>Item</i>                                                       | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|-------------|-------------------------------------------------------------------|----------------------------|-----------------------------|
| 010         | MILSATCOM .....                                                   | 2,256                      | 2,256                       |
|             | <b>TOTAL SPACE PROCUREMENT, AIR FORCE .....</b>                   | <b>2,256</b>               | <b>2,256</b>                |
|             | <b>PROCUREMENT OF AMMUNITION, AIR FORCE</b>                       |                            |                             |
|             | <b>ROCKETS</b>                                                    |                            |                             |
| 001         | ROCKETS .....                                                     | 49,050                     | 49,050                      |
|             | <b>CARTRIDGES</b>                                                 |                            |                             |
| 002         | CARTRIDGES .....                                                  | 11,384                     | 11,384                      |
|             | <b>BOMBS</b>                                                      |                            |                             |
| 006         | JOINT DIRECT ATTACK MUNITION .....                                | 390,577                    | 390,577                     |
|             | <b>FLARES</b>                                                     |                            |                             |
| 015         | FLARES .....                                                      | 3,498                      | 3,498                       |
|             | <b>FUZES</b>                                                      |                            |                             |
| 016         | FUZES .....                                                       | 47,000                     | 47,000                      |
|             | <b>TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE .....</b>           | <b>501,509</b>             | <b>501,509</b>              |
|             | <b>OTHER PROCUREMENT, AIR FORCE</b>                               |                            |                             |
|             | <b>PASSENGER CARRYING VEHICLES</b>                                |                            |                             |
| 001         | PASSENGER CARRYING VEHICLES .....                                 | 3,855                      | 8,377                       |
|             | Realign European Reassurance Initiative to Base .....             |                            | [-1,350]                    |
|             | Unfunded requirement .....                                        |                            | [5,872]                     |
|             | <b>CARGO AND UTILITY VEHICLES</b>                                 |                            |                             |
| 002         | MEDIUM TACTICAL VEHICLE .....                                     |                            | 13,300                      |
|             | Unfunded requirement .....                                        |                            | [13,300]                    |
| 004         | CARGO AND UTILITY VEHICLES .....                                  | 1,882                      | 100,678                     |
|             | Unfunded requirement .....                                        |                            | [98,796]                    |
|             | <b>SPECIAL PURPOSE VEHICLES</b>                                   |                            |                             |
| 005         | SECURITY AND TACTICAL VEHICLES .....                              | 1,100                      | 11,064                      |
|             | Unfunded requirement .....                                        |                            | [9,964]                     |
| 006         | SPECIAL PURPOSE VEHICLES .....                                    | 32,479                     | 11,265                      |
|             | Realign European Reassurance Initiative to Base .....             |                            | [-31,821]                   |
|             | Unfunded requirement .....                                        |                            | [10,607]                    |
|             | <b>FIRE FIGHTING EQUIPMENT</b>                                    |                            |                             |
| 007         | FIRE FIGHTING/CRASH RESCUE VEHICLES .....                         | 22,583                     | 0                           |
|             | Realign European Reassurance Initiative to Base .....             |                            | [-22,583]                   |
|             | <b>MATERIALS HANDLING EQUIPMENT</b>                               |                            |                             |
| 008         | MATERIALS HANDLING VEHICLES .....                                 | 5,353                      | 80,384                      |
|             | Realign European Reassurance Initiative to Base .....             |                            | [-4,026]                    |
|             | Unfunded requirement .....                                        |                            | [79,057]                    |
|             | <b>BASE MAINTENANCE SUPPORT</b>                                   |                            |                             |
| 009         | RUNWAY SNOW REMOV & CLEANING EQUIP .....                          | 11,315                     | 10,275                      |
|             | Realign European Reassurance Initiative to Base .....             |                            | [-9,161]                    |
|             | Unfunded requirement .....                                        |                            | [8,121]                     |
| 010         | BASE MAINTENANCE SUPPORT VEHICLES .....                           | 40,451                     | 13,989                      |
|             | Realign European Reassurance Initiative to Base .....             |                            | [-39,692]                   |
|             | Unfunded requirement .....                                        |                            | [13,230]                    |
|             | <b>INTELLIGENCE PROGRAMS</b>                                      |                            |                             |
| 013         | INTERNATIONAL INTEL TECH & ARCHITECTURES .....                    | 8,873                      | 8,873                       |
| 015         | INTELLIGENCE COMM EQUIPMENT .....                                 | 2,000                      | 2,000                       |
|             | <b>ELECTRONICS PROGRAMS</b>                                       |                            |                             |
| 016         | AIR TRAFFIC CONTROL & LANDING SYS .....                           | 56,500                     | 95,200                      |
|             | Unfunded requirement—deployable RAPCON systems .....              |                            | [16,500]                    |
|             | Unfunded requirement—digital air traffic control radios .....     |                            | [6,000]                     |
|             | Unfunded requirement—D-ILS .....                                  |                            | [16,200]                    |
| 018         | BATTLE CONTROL SYSTEM—FIXED .....                                 |                            | 1,400                       |
|             | Unfunded requirement .....                                        |                            | [1,400]                     |
| 019         | THEATER AIR CONTROL SYS IMPROVEMENTS .....                        | 4,970                      | 4,970                       |
|             | <b>SPCL COMM-ELECTRONICS PROJECTS</b>                             |                            |                             |
| 029         | AIR FORCE PHYSICAL SECURITY SYSTEM .....                          | 3,000                      | 37,500                      |
|             | Unfunded requirement—Intrusion Detection Systems .....            |                            | [18,000]                    |
|             | Unfunded requirement—PL2 BPSS systems .....                       |                            | [16,500]                    |
|             | <b>ORGANIZATION AND BASE</b>                                      |                            |                             |
| 048         | BASE COMM INFRASTRUCTURE .....                                    | 55,000                     | 0                           |
|             | Realign European Reassurance Initiative to Base .....             |                            | [-55,000]                   |
|             | <b>PERSONAL SAFETY &amp; RESCUE EQUIP</b>                         |                            |                             |
| 051         | ITEMS LESS THAN \$5 MILLION .....                                 | 8,469                      | 71,869                      |
|             | Unfunded requirement—battlefield airman combat equipment .....    |                            | [59,400]                    |
|             | Unfunded requirements .....                                       |                            | [4,000]                     |
|             | <b>BASE SUPPORT EQUIPMENT</b>                                     |                            |                             |
| 053         | BASE PROCURED EQUIPMENT .....                                     | 7,500                      | 0                           |
|             | Realign European Reassurance Initiative to Base .....             |                            | [-7,500]                    |
| 054         | ENGINEERING AND EOD EQUIPMENT .....                               | 80,427                     | 112,977                     |
|             | Unfunded requirement .....                                        |                            | [32,550]                    |
| 055         | MOBILITY EQUIPMENT .....                                          |                            | 37,000                      |
|             | Unfunded requirement—Basic Expeditionary Airfield Resources ..... |                            | [37,000]                    |
| 056         | ITEMS LESS THAN \$5 MILLION .....                                 | 110,405                    | 6,390                       |
|             | Realign European Reassurance Initiative to Base .....             |                            | [-104,015]                  |
|             | <b>SPECIAL SUPPORT PROJECTS</b>                                   |                            |                             |
| 058         | DARP RC135 .....                                                  | 700                        | 700                         |

**SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

| <i>Line</i> | <i>Item</i>                                                                              | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|-------------|------------------------------------------------------------------------------------------|----------------------------|-----------------------------|
| 059         | DCGS-AF .....                                                                            | 9,200                      | 100,400                     |
|             | Unfunded requirement .....                                                               |                            | [91,200]                    |
|             | <b>CLASSIFIED PROGRAMS</b>                                                               |                            |                             |
| 062A        | CLASSIFIED PROGRAMS .....                                                                | 3,542,825                  | 3,542,825                   |
|             | <b>TOTAL OTHER PROCUREMENT, AIR FORCE</b> .....                                          | <b>4,008,887</b>           | <b>4,271,436</b>            |
|             | <b>PROCUREMENT, DEFENSE-WIDE</b>                                                         |                            |                             |
|             | <b>MAJOR EQUIPMENT, DISA</b>                                                             |                            |                             |
| 008         | TELEPORT PROGRAM .....                                                                   | 1,979                      | 1,979                       |
| 018         | DEFENSE INFORMATION SYSTEMS NETWORK .....                                                | 12,000                     | 12,000                      |
|             | <b>MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY</b>                                           |                            |                             |
| 034         | IRON DOME .....                                                                          |                            | 50,000                      |
|             | Additional funds for Iron Dome Tamir interceptors .....                                  |                            | [50,000]                    |
|             | <b>CLASSIFIED PROGRAMS</b>                                                               |                            |                             |
| 045A        | CLASSIFIED PROGRAMS .....                                                                | 43,653                     | 43,653                      |
|             | <b>AVIATION PROGRAMS</b>                                                                 |                            |                             |
| 046         | MANNED ISR .....                                                                         | 15,900                     | 15,900                      |
| 047         | MC-12 .....                                                                              | 20,000                     | 20,000                      |
| 050         | UNMANNED ISR .....                                                                       | 38,933                     | 38,933                      |
| 051         | NON-STANDARD AVIATION .....                                                              | 9,600                      | 9,600                       |
| 052         | U-28 .....                                                                               | 8,100                      | 8,100                       |
| 053         | MH-47 CHINOOK .....                                                                      | 10,270                     | 10,270                      |
| 057         | MQ-9 UNMANNED AERIAL VEHICLE .....                                                       | 19,780                     | 19,780                      |
| 061         | C-130 MODIFICATIONS .....                                                                | 3,750                      | 3,750                       |
|             | <b>AMMUNITION PROGRAMS</b>                                                               |                            |                             |
| 063         | ORDNANCE ITEMS <\$5M .....                                                               | 62,643                     | 62,643                      |
|             | <b>OTHER PROCUREMENT PROGRAMS</b>                                                        |                            |                             |
| 064         | INTELLIGENCE SYSTEMS .....                                                               | 12,000                     | 12,000                      |
| 069         | TACTICAL VEHICLES .....                                                                  | 38,527                     | 38,527                      |
| 070         | WARRIOR SYSTEMS <\$5M .....                                                              | 20,215                     | 20,215                      |
| 073         | OPERATIONAL ENHANCEMENTS INTELLIGENCE .....                                              | 7,134                      | 7,134                       |
| 075         | OPERATIONAL ENHANCEMENTS .....                                                           | 193,542                    | 211,067                     |
|             | Unfunded requirement- Joint Task Force Platform Expansion .....                          |                            | [15,900]                    |
|             | Unfunded requirement- Publicly Available Information (PAI) Capability Acceleration ..... |                            | [1,625]                     |
|             | <b>TOTAL PROCUREMENT, DEFENSE-WIDE</b> .....                                             | <b>518,026</b>             | <b>585,551</b>              |
|             | <b>NATIONAL GUARD AND RESERVE EQUIPMENT</b>                                              |                            |                             |
|             | <b>UNDISTRIBUTED</b>                                                                     |                            |                             |
| 007         | UNDISTRIBUTED .....                                                                      |                            | 500,000                     |
|             | Program increase .....                                                                   |                            | [500,000]                   |
|             | <b>TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT</b> .....                                  |                            | <b>500,000</b>              |
|             | <b>TOTAL PROCUREMENT</b> .....                                                           | <b>10,244,626</b>          | <b>11,915,900</b>           |

**SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.**

**SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS**  
(In Thousands of Dollars)

| <i>Line</i> | <i>Item</i>                                                      | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|-------------|------------------------------------------------------------------|----------------------------|-----------------------------|
|             | <b>SHIPBUILDING AND CONVERSION, NAVY</b>                         |                            |                             |
|             | <b>OTHER WARSHIPS</b>                                            |                            |                             |
| 003         | ADVANCE PROCUREMENT (CY) .....                                   |                            | 200,000                     |
|             | CVN 81 AP .....                                                  |                            | [200,000]                   |
| 009         | DDG-51 .....                                                     |                            | 1,896,800                   |
|             | DDG .....                                                        |                            | [1,862,800]                 |
|             | Ship Signal Exploitation Equipment .....                         |                            | [34,000]                    |
| 010         | ADVANCE PROCUREMENT (CY) .....                                   |                            | 45,000                      |
|             | DDG AP .....                                                     |                            | [45,000]                    |
| 011         | LITTORAL COMBAT SHIP .....                                       |                            | 1,033,000                   |
|             | LCS .....                                                        |                            | [1,033,000]                 |
|             | <b>AMPHIBIOUS SHIPS</b>                                          |                            |                             |
| 012A        | AMPHIBIOUS SHIP REPLACEMENT LX(R) ADVANCE PROCUREMENT (CY) ..... |                            | 100,000                     |
|             | Program increase .....                                           |                            | [100,000]                   |
| 013         | LPD-17 .....                                                     |                            | 1,786,000                   |
|             | LPD-30 .....                                                     |                            | [1,786,000]                 |
| 014         | EXPEDITIONARY SEA BASE (ESB) .....                               |                            | 635,000                     |
|             | ESB .....                                                        |                            | [635,000]                   |
|             | <b>AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST</b>              |                            |                             |
| 025         | SHIP TO SHORE CONNECTOR .....                                    |                            | 312,000                     |
|             | SSC .....                                                        |                            | [312,000]                   |
| 026         | SERVICE CRAFT .....                                              |                            | 39,000                      |
|             | Berthing Barge .....                                             |                            | [39,000]                    |
|             | <b>TOTAL SHIPBUILDING AND CONVERSION, NAVY</b> .....             |                            | <b>6,046,800</b>            |
|             | <b>TOTAL PROCUREMENT</b> .....                                   |                            | <b>6,046,800</b>            |

**TITLE XLII—RESEARCH, DEVELOPMENT,  
TEST, AND EVALUATION**

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND  
EVALUATION.**

| SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION<br>(In Thousands of Dollars) |                    |                                                                        |                    |                     |
|-------------------------------------------------------------------------------------|--------------------|------------------------------------------------------------------------|--------------------|---------------------|
| Line                                                                                | Program<br>Element | Item                                                                   | FY 2018<br>Request | House<br>Authorized |
| <b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY</b>                                 |                    |                                                                        |                    |                     |
| <b>BASIC RESEARCH</b>                                                               |                    |                                                                        |                    |                     |
| 001                                                                                 | 0601101A           | IN-HOUSE LABORATORY INDEPENDENT RESEARCH .....                         | 12,010             | 12,010              |
| 002                                                                                 | 0601102A           | DEFENSE RESEARCH SCIENCES .....                                        | 263,590            | 263,590             |
| 003                                                                                 | 0601103A           | UNIVERSITY RESEARCH INITIATIVES .....                                  | 67,027             | 67,027              |
| 004                                                                                 | 0601104A           | UNIVERSITY AND INDUSTRY RESEARCH CENTERS .....                         | 87,395             | 87,395              |
|                                                                                     |                    | <b>SUBTOTAL BASIC RESEARCH .....</b>                                   | <b>430,022</b>     | <b>430,022</b>      |
| <b>APPLIED RESEARCH</b>                                                             |                    |                                                                        |                    |                     |
| 005                                                                                 | 0602105A           | MATERIALS TECHNOLOGY .....                                             | 29,640             | 29,640              |
| 006                                                                                 | 0602120A           | SENSORS AND ELECTRONIC SURVIVABILITY .....                             | 35,730             | 35,730              |
| 007                                                                                 | 0602122A           | TRACTOR HIP .....                                                      | 8,627              | 8,627               |
| 008                                                                                 | 0602211A           | AVIATION TECHNOLOGY .....                                              | 66,086             | 66,086              |
| 009                                                                                 | 0602270A           | ELECTRONIC WARFARE TECHNOLOGY .....                                    | 27,144             | 27,144              |
| 010                                                                                 | 0602303A           | MISSILE TECHNOLOGY .....                                               | 43,742             | 43,742              |
| 011                                                                                 | 0602307A           | ADVANCED WEAPONS TECHNOLOGY .....                                      | 22,785             | 22,785              |
| 012                                                                                 | 0602308A           | ADVANCED CONCEPTS AND SIMULATION .....                                 | 28,650             | 28,650              |
| 013                                                                                 | 0602601A           | COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY .....                         | 67,232             | 67,232              |
| 014                                                                                 | 0602618A           | BALLISTICS TECHNOLOGY .....                                            | 85,309             | 85,309              |
| 015                                                                                 | 0602622A           | CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY .....               | 4,004              | 4,004               |
| 016                                                                                 | 0602623A           | JOINT SERVICE SMALL ARMS PROGRAM .....                                 | 5,615              | 5,615               |
| 017                                                                                 | 0602624A           | WEAPONS AND MUNITIONS TECHNOLOGY .....                                 | 41,455             | 41,455              |
| 018                                                                                 | 0602705A           | ELECTRONICS AND ELECTRONIC DEVICES .....                               | 58,352             | 58,352              |
| 019                                                                                 | 0602709A           | NIGHT VISION TECHNOLOGY .....                                          | 34,723             | 34,723              |
| 020                                                                                 | 0602712A           | COUNTERMINE SYSTEMS .....                                              | 26,190             | 26,190              |
| 021                                                                                 | 0602716A           | HUMAN FACTORS ENGINEERING TECHNOLOGY .....                             | 24,127             | 24,127              |
| 022                                                                                 | 0602720A           | ENVIRONMENTAL QUALITY TECHNOLOGY .....                                 | 21,678             | 21,678              |
| 023                                                                                 | 0602782A           | COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY .....                      | 33,123             | 33,123              |
| 024                                                                                 | 0602783A           | COMPUTER AND SOFTWARE TECHNOLOGY .....                                 | 14,041             | 14,041              |
| 025                                                                                 | 0602784A           | MILITARY ENGINEERING TECHNOLOGY .....                                  | 67,720             | 67,720              |
| 026                                                                                 | 0602785A           | MANPOWER/PERSONNEL/TRAINING TECHNOLOGY .....                           | 20,216             | 20,216              |
| 027                                                                                 | 0602786A           | WARFIGHTER TECHNOLOGY .....                                            | 39,559             | 44,559              |
|                                                                                     |                    | Program increase .....                                                 |                    | [5,000]             |
| 028                                                                                 | 0602787A           | MEDICAL TECHNOLOGY .....                                               | 83,434             | 83,434              |
|                                                                                     |                    | <b>SUBTOTAL APPLIED RESEARCH .....</b>                                 | <b>889,182</b>     | <b>894,182</b>      |
| <b>ADVANCED TECHNOLOGY DEVELOPMENT</b>                                              |                    |                                                                        |                    |                     |
| 029                                                                                 | 0603001A           | WARFIGHTER ADVANCED TECHNOLOGY .....                                   | 44,863             | 44,863              |
| 030                                                                                 | 0603002A           | MEDICAL ADVANCED TECHNOLOGY .....                                      | 67,780             | 67,780              |
| 031                                                                                 | 0603003A           | AVIATION ADVANCED TECHNOLOGY .....                                     | 160,746            | 160,746             |
| 032                                                                                 | 0603004A           | WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY .....                        | 84,079             | 84,079              |
| 033                                                                                 | 0603005A           | COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY .....                | 125,537            | 125,537             |
| 034                                                                                 | 0603006A           | SPACE APPLICATION ADVANCED TECHNOLOGY .....                            | 12,231             | 12,231              |
| 035                                                                                 | 0603007A           | MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY .....             | 6,466              | 6,466               |
| 036                                                                                 | 0603009A           | TRACTOR HIKE .....                                                     | 28,552             | 28,552              |
| 037                                                                                 | 0603015A           | NEXT GENERATION TRAINING & SIMULATION SYSTEMS .....                    | 16,434             | 16,434              |
| 039                                                                                 | 0603125A           | COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT .....                       | 26,903             | 26,903              |
| 040                                                                                 | 0603130A           | TRACTOR NAIL .....                                                     | 4,880              | 4,880               |
| 041                                                                                 | 0603131A           | TRACTOR EGGS .....                                                     | 4,326              | 4,326               |
| 042                                                                                 | 0603270A           | ELECTRONIC WARFARE TECHNOLOGY .....                                    | 31,296             | 31,296              |
| 043                                                                                 | 0603313A           | MISSILE AND ROCKET ADVANCED TECHNOLOGY .....                           | 62,850             | 72,850              |
|                                                                                     |                    | Simulation upgrades for land based anti-ship missile development ..... |                    | [10,000]            |
| 044                                                                                 | 0603322A           | TRACTOR CAGE .....                                                     | 12,323             | 12,323              |
| 045                                                                                 | 0603461A           | HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM .....                 | 182,331            | 182,331             |
| 046                                                                                 | 0603606A           | LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY .....                 | 17,948             | 17,948              |
| 047                                                                                 | 0603607A           | JOINT SERVICE SMALL ARMS PROGRAM .....                                 | 5,796              | 5,796               |
| 048                                                                                 | 0603710A           | NIGHT VISION ADVANCED TECHNOLOGY .....                                 | 47,135             | 47,135              |
| 049                                                                                 | 0603728A           | ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS .....                  | 10,421             | 10,421              |
| 050                                                                                 | 0603734A           | MILITARY ENGINEERING ADVANCED TECHNOLOGY .....                         | 32,448             | 32,448              |
| 051                                                                                 | 0603772A           | ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY .....         | 52,206             | 52,206              |
| 052                                                                                 | 0603794A           | C3 ADVANCED TECHNOLOGY .....                                           | 33,426             | 33,426              |
|                                                                                     |                    | <b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT .....</b>                  | <b>1,070,977</b>   | <b>1,080,977</b>    |
| <b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>                              |                    |                                                                        |                    |                     |
| 053                                                                                 | 0603305A           | ARMY MISSILE DEFENSE SYSTEMS INTEGRATION .....                         | 9,634              | 9,634               |
| 055                                                                                 | 0603327A           | AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING .....                      | 33,949             | 48,949              |
|                                                                                     |                    | Realign European Reassurance Initiative to Base .....                  |                    | [15,000]            |
| 056                                                                                 | 0603619A           | LANDMINE WARFARE AND BARRIER—ADV DEV .....                             | 72,909             | 72,909              |
| 057                                                                                 | 0603627A           | SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV .....                | 7,135              | 7,135               |
| 058                                                                                 | 0603639A           | TANK AND MEDIUM CALIBER AMMUNITION .....                               | 41,452             | 43,902              |
|                                                                                     |                    | Unfunded requirement—RF countermeasures .....                          |                    | [2,450]             |
| 059                                                                                 | 0603645A           | ARMORED SYSTEM MODERNIZATION—ADV DEV .....                             | 32,739             | 54,739              |
|                                                                                     |                    | Unfunded requirement .....                                             |                    | [22,000]            |
| 060                                                                                 | 0603747A           | SOLDIER SUPPORT AND SURVIVABILITY .....                                | 10,157             | 10,157              |
| 061                                                                                 | 0603766A           | TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV .....                  | 27,733             | 29,353              |

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

| <b>Line</b> | <b>Program Element</b> | <b>Item</b>                                                                 | <b>FY 2018 Request</b> | <b>House Authorized</b> |
|-------------|------------------------|-----------------------------------------------------------------------------|------------------------|-------------------------|
|             |                        | <i>Unfunded requirement</i> .....                                           |                        | [1,620]                 |
| 062         | 0603774A               | NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT .....                             | 12,347                 | 12,347                  |
| 063         | 0603779A               | ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL .....                              | 10,456                 | 10,456                  |
| 064         | 0603790A               | NATO RESEARCH AND DEVELOPMENT .....                                         | 2,588                  | 2,588                   |
| 065         | 0603801A               | AVIATION—ADV DEV .....                                                      | 14,055                 | 14,055                  |
| 066         | 0603804A               | LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV .....                              | 35,333                 | 35,333                  |
| 067         | 0603807A               | MEDICAL SYSTEMS—ADV DEV .....                                               | 33,491                 | 33,491                  |
| 068         | 0603827A               | SOLDIER SYSTEMS—ADVANCED DEVELOPMENT .....                                  | 20,239                 | 45,239                  |
|             |                        | <i>Enhanced lightweight body armor and combat helmets technology</i> .....  |                        | [25,000]                |
| 069         | 0604017A               | ROBOTICS DEVELOPMENT .....                                                  | 39,608                 | 39,608                  |
| 070         | 0604100A               | ANALYSIS OF ALTERNATIVES .....                                              | 9,921                  | 9,921                   |
| 071         | 0604114A               | LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR .....                         | 76,728                 | 76,728                  |
| 072         | 0604115A               | TECHNOLOGY MATURATION INITIATIVES .....                                     | 115,221                | 100,221                 |
|             |                        | <i>Program Reduction</i> .....                                              |                        | [-15,000]               |
| 073         | 0604117A               | MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD) .....                           | 20,000                 | 20,000                  |
| 074         | 0604118A               | TRACTOR BEAM .....                                                          | 10,400                 | 10,400                  |
| 075         | 0604120A               | ASSURED POSITIONING, NAVIGATION AND TIMING (PNT) .....                      | 164,967                | 164,967                 |
| 076         | 0604121A               | SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING .....               | 1,600                  | 1,600                   |
| 077         | 0604319A               | INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2-INTERCEPT (IFPC2) .....     | 11,303                 | 11,303                  |
| 078         | 0305251A               | CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT .....                        | 56,492                 | 56,492                  |
| 079         | 1206308A               | ARMY SPACE SYSTEMS INTEGRATION .....                                        | 20,432                 | 20,432                  |
|             |                        | <b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b> .....       | <b>890,889</b>         | <b>941,959</b>          |
|             |                        | <b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>                               |                        |                         |
| 080         | 0604201A               | AIRCRAFT AVIONICS .....                                                     | 30,153                 | 30,153                  |
| 081         | 0604270A               | ELECTRONIC WARFARE DEVELOPMENT .....                                        | 71,671                 | 71,671                  |
| 083         | 0604290A               | MID-TIER NETWORKING VEHICULAR RADIO (MNVr) .....                            | 10,589                 | 10,589                  |
| 084         | 0604321A               | ALL SOURCE ANALYSIS SYSTEM .....                                            | 4,774                  | 4,774                   |
| 085         | 0604328A               | TRACTOR CAGE .....                                                          | 17,252                 | 17,252                  |
| 086         | 0604601A               | INFANTRY SUPPORT WEAPONS .....                                              | 87,643                 | 89,243                  |
|             |                        | <i>Program increase—soldier enhancement program</i> .....                   |                        | [3,000]                 |
|             |                        | <i>Program reduction- obligation delays</i> .....                           |                        | [-5,000]                |
|             |                        | <i>Unfunded requirement—air soldier system</i> .....                        |                        | [3,600]                 |
| 087         | 0604604A               | MEDIUM TACTICAL VEHICLES .....                                              | 6,039                  | 6,039                   |
| 088         | 0604611A               | JAVELIN .....                                                               | 21,095                 | 21,095                  |
| 089         | 0604622A               | FAMILY OF HEAVY TACTICAL VEHICLES .....                                     | 10,507                 | 10,507                  |
| 090         | 0604633A               | AIR TRAFFIC CONTROL .....                                                   | 3,536                  | 3,536                   |
| 092         | 0604642A               | LIGHT TACTICAL WHEELED VEHICLES .....                                       | 7,000                  | 7,000                   |
| 093         | 0604645A               | ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV .....                           | 36,242                 | 36,242                  |
| 094         | 0604710A               | NIGHT VISION SYSTEMS—ENG DEV .....                                          | 108,504                | 126,004                 |
|             |                        | <i>Unfunded requirement</i> .....                                           |                        | [17,500]                |
| 095         | 0604713A               | COMBAT FEEDING, CLOTHING, AND EQUIPMENT .....                               | 3,702                  | 3,702                   |
| 096         | 0604715A               | NON-SYSTEM TRAINING DEVICES—ENG DEV .....                                   | 43,575                 | 43,575                  |
| 097         | 0604741A               | AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV .....                 | 28,726                 | 28,726                  |
| 098         | 0604742A               | CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT .....                           | 18,562                 | 18,562                  |
| 099         | 0604746A               | AUTOMATIC TEST EQUIPMENT DEVELOPMENT .....                                  | 8,344                  | 8,344                   |
| 100         | 0604760A               | DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV .....                    | 11,270                 | 11,270                  |
| 101         | 0604768A               | BRILLIANT ANTI-ARMOR SUBMUNITION (BAT) .....                                | 10,000                 | 10,000                  |
| 102         | 0604780A               | COMBINED ARMS TACTICAL TRAINER (CATT) CORE .....                            | 18,566                 | 18,566                  |
| 103         | 0604798A               | BRIGADE ANALYSIS, INTEGRATION AND EVALUATION .....                          | 145,360                | 145,360                 |
| 104         | 0604802A               | WEAPONS AND MUNITIONS—ENG DEV .....                                         | 145,232                | 157,410                 |
|             |                        | <i>Unfunded requirement</i> .....                                           |                        | [8,000]                 |
|             |                        | <i>Unfunded requirement—40mm low velocity M320 cartridge</i> .....          |                        | [4,178]                 |
| 105         | 0604804A               | LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV .....                              | 90,965                 | 92,965                  |
|             |                        | <i>Next generation vehicle camouflage technology</i> .....                  |                        | [2,000]                 |
| 106         | 0604805A               | COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV .....                      | 9,910                  | 9,910                   |
| 107         | 0604807A               | MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV .....         | 39,238                 | 39,238                  |
| 108         | 0604808A               | LANDMINE WARFARE/BARRIER—ENG DEV .....                                      | 34,684                 | 34,684                  |
| 109         | 0604818A               | ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE .....                   | 164,409                | 188,409                 |
|             |                        | <i>Unfunded requirement</i> .....                                           |                        | [5,000]                 |
|             |                        | <i>Unfunded requirement—Assured Communications</i> .....                    |                        | [19,000]                |
| 110         | 0604820A               | RADAR DEVELOPMENT .....                                                     | 32,968                 | 32,968                  |
| 111         | 0604822A               | GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBs) .....                       | 49,554                 | 49,554                  |
| 112         | 0604823A               | FIREFINDER .....                                                            | 45,605                 | 45,605                  |
| 113         | 0604827A               | SOLDIER SYSTEMS—WARRIOR DEM/VAL .....                                       | 16,127                 | 23,127                  |
|             |                        | <i>Program increase- soldier power development initiatives</i> .....        |                        | [7,000]                 |
| 114         | 0604852A               | SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD .....                        | 98,600                 | 133,600                 |
|             |                        | <i>Unfunded requirements</i> .....                                          |                        | [35,000]                |
| 115         | 0604854A               | ARTILLERY SYSTEMS—EMD .....                                                 | 1,972                  | 3,972                   |
|             |                        | <i>Unfunded requirement—IT3 demonstrator</i> .....                          |                        | [2,000]                 |
| 116         | 0605013A               | INFORMATION TECHNOLOGY DEVELOPMENT .....                                    | 81,776                 | 81,776                  |
| 117         | 0605018A               | INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A) .....                     | 172,361                | 172,361                 |
| 118         | 0605028A               | ARMORED MULTI-PURPOSE VEHICLE (AMPV) .....                                  | 199,778                | 199,778                 |
| 119         | 0605029A               | INTEGRATED GROUND SECURITY SURVEILLANCE RESPONSE CAPABILITY (IGSSR-C) ..... | 4,418                  | 4,418                   |
| 120         | 0605030A               | JOINT TACTICAL NETWORK CENTER (JTNC) .....                                  | 15,877                 | 15,877                  |
| 121         | 0605031A               | JOINT TACTICAL NETWORK (JTN) .....                                          | 44,150                 | 44,150                  |
| 122         | 0605032A               | TRACTOR TIRE .....                                                          | 34,670                 | 113,570                 |
|             |                        | <i>Unfunded requirement</i> .....                                           |                        | [78,900]                |
| 123         | 0605033A               | GROUND-BASED OPERATIONAL SURVEILLANCE SYSTEM—EXPEDITIONARY (GBOSS-E) .....  | 5,207                  | 5,207                   |

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(In Thousands of Dollars)

| <b>Line</b>                            | <b>Program Element</b> | <b>Item</b>                                                                            | <b>FY 2018 Request</b> | <b>House Authorized</b> |
|----------------------------------------|------------------------|----------------------------------------------------------------------------------------|------------------------|-------------------------|
| 124                                    | 0605034A               | TACTICAL SECURITY SYSTEM (TSS) .....                                                   | 4,727                  | 4,727                   |
| 125                                    | 0605035A               | COMMON INFRARED COUNTERMEASURES (CIRCM) .....                                          | 105,778                | 105,778                 |
| 126                                    | 0605036A               | COMBATING WEAPONS OF MASS DESTRUCTION (CWMD) .....                                     | 6,927                  | 6,927                   |
| 127                                    | 0605037A               | EVIDENCE COLLECTION AND DETAINEE PROCESSING .....                                      | 214                    | 214                     |
| 128                                    | 0605038A               | NUCLEAR BIOLOGICAL CHEMICAL RECONNAISSANCE VEHICLE (NBCRV) SENSOR SUITE .....          | 16,125                 | 16,125                  |
| 129                                    | 0605041A               | DEFENSIVE CYBER TOOL DEVELOPMENT .....                                                 | 55,165                 | 55,165                  |
| 130                                    | 0605042A               | TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER) .....                                        | 20,076                 | 20,076                  |
| 131                                    | 0605047A               | CONTRACT WRITING SYSTEM .....                                                          | 20,322                 | 20,322                  |
| 132                                    | 0605049A               | MISSILE WARNING SYSTEM MODERNIZATION (MWSM) .....                                      | 55,810                 | 55,810                  |
| 133                                    | 0605051A               | AIRCRAFT SURVIVABILITY DEVELOPMENT .....                                               | 30,879                 | 30,879                  |
| 134                                    | 0605052A               | INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1 .....                                | 175,069                | 175,069                 |
| 135                                    | 0605053A               | GROUND ROBOTICS .....                                                                  | 70,760                 | 70,760                  |
| 137                                    | 0605380A               | AMF JOINT TACTICAL RADIO SYSTEM (JTRS) .....                                           | 8,965                  | 8,965                   |
| 138                                    | 0605450A               | JOINT AIR-TO-GROUND MISSILE (JAGM) .....                                               | 34,626                 | 34,626                  |
| 140                                    | 0605457A               | ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD) .....                                  | 336,420                | 252,320                 |
|                                        |                        | Program Reduction .....                                                                |                        | [-84,100]               |
| 143                                    | 0605766A               | NATIONAL CAPABILITIES INTEGRATION (MIP) .....                                          | 6,882                  | 9,382                   |
|                                        |                        | Unfunded requirement .....                                                             |                        | [2,500]                 |
| 144                                    | 0605812A               | JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH ..... | 23,467                 | 23,467                  |
| 145                                    | 0605830A               | AVIATION GROUND SUPPORT EQUIPMENT .....                                                | 6,930                  | 6,930                   |
| 146                                    | 0210609A               | PALADIN INTEGRATED MANAGEMENT (PIM) .....                                              | 6,112                  | 6,112                   |
| 147                                    | 0303032A               | TROJAN—RH12 .....                                                                      | 4,431                  | 4,431                   |
| 150                                    | 0304270A               | ELECTRONIC WARFARE DEVELOPMENT .....                                                   | 14,616                 | 14,616                  |
| 151                                    | 1205117A               | TRACTOR BEARS .....                                                                    | 17,928                 | 17,928                  |
|                                        |                        | <b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION .....</b>                           | <b>3,012,840</b>       | <b>3,111,418</b>        |
| <b>RDT&amp;E MANAGEMENT SUPPORT</b>    |                        |                                                                                        |                        |                         |
| 152                                    | 0604256A               | THREAT SIMULATOR DEVELOPMENT .....                                                     | 22,862                 | 22,862                  |
| 153                                    | 0604258A               | TARGET SYSTEMS DEVELOPMENT .....                                                       | 13,902                 | 13,902                  |
| 154                                    | 0604759A               | MAJOR T&E INVESTMENT .....                                                             | 102,901                | 102,901                 |
| 155                                    | 0605103A               | RAND ARROYO CENTER .....                                                               | 20,140                 | 20,140                  |
| 156                                    | 0605301A               | ARMY KWAJALEIN ATOLL .....                                                             | 246,663                | 246,663                 |
| 157                                    | 0605326A               | CONCEPTS EXPERIMENTATION PROGRAM .....                                                 | 29,820                 | 29,820                  |
| 159                                    | 0605601A               | ARMY TEST RANGES AND FACILITIES .....                                                  | 307,588                | 307,588                 |
| 160                                    | 0605602A               | ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS .....                                  | 49,242                 | 49,242                  |
| 161                                    | 0605604A               | SURVIVABILITY/LETHALITY ANALYSIS .....                                                 | 41,843                 | 41,843                  |
| 162                                    | 0605606A               | AIRCRAFT CERTIFICATION .....                                                           | 4,804                  | 4,804                   |
| 163                                    | 0605702A               | METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES .....                                       | 7,238                  | 7,238                   |
| 164                                    | 0605706A               | MATERIEL SYSTEMS ANALYSIS .....                                                        | 21,890                 | 21,890                  |
| 165                                    | 0605709A               | EXPLOITATION OF FOREIGN ITEMS .....                                                    | 12,684                 | 12,684                  |
| 166                                    | 0605712A               | SUPPORT OF OPERATIONAL TESTING .....                                                   | 51,040                 | 51,040                  |
| 167                                    | 0605716A               | ARMY EVALUATION CENTER .....                                                           | 56,246                 | 56,246                  |
| 168                                    | 0605718A               | ARMY MODELING & SIM X-CMD COLLABORATION & INTEG .....                                  | 1,829                  | 1,829                   |
| 169                                    | 0605801A               | PROGRAMWIDE ACTIVITIES .....                                                           | 55,060                 | 55,060                  |
| 170                                    | 0605803A               | TECHNICAL INFORMATION ACTIVITIES .....                                                 | 33,934                 | 33,934                  |
| 171                                    | 0605805A               | MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY .....                              | 43,444                 | 43,444                  |
| 172                                    | 0605857A               | ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT .....                                    | 5,087                  | 5,087                   |
| 173                                    | 0605898A               | ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA .....                                        | 54,679                 | 54,679                  |
| 174                                    | 0606001A               | MILITARY GROUND-BASED CREW TECHNOLOGY .....                                            | 7,916                  | 7,916                   |
| 175                                    | 0606002A               | RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE .....                                | 61,254                 | 61,254                  |
| 176                                    | 0303260A               | DEFENSE MILITARY DECEPTION INITIATIVE .....                                            | 1,779                  | 1,779                   |
|                                        |                        | <b>SUBTOTAL RDT&amp;E MANAGEMENT SUPPORT .....</b>                                     | <b>1,253,845</b>       | <b>1,253,845</b>        |
| <b>OPERATIONAL SYSTEMS DEVELOPMENT</b> |                        |                                                                                        |                        |                         |
| 178                                    | 0603778A               | MLRS PRODUCT IMPROVEMENT PROGRAM .....                                                 | 8,929                  | 8,929                   |
| 179                                    | 0603813A               | TRACTOR PULL .....                                                                     | 4,014                  | 4,014                   |
| 180                                    | 0605024A               | ANTI-TAMPER TECHNOLOGY SUPPORT .....                                                   | 4,094                  | 4,094                   |
| 181                                    | 0607131A               | WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS .....                               | 15,738                 | 15,738                  |
| 182                                    | 0607133A               | TRACTOR SMOKE .....                                                                    | 4,513                  | 4,513                   |
| 183                                    | 0607134A               | LONG RANGE PRECISION FIRES (LRPF) .....                                                | 102,014                | 102,014                 |
| 184                                    | 0607135A               | APACHE PRODUCT IMPROVEMENT PROGRAM .....                                               | 59,977                 | 59,977                  |
| 185                                    | 0607136A               | BLACKHAWK PRODUCT IMPROVEMENT PROGRAM .....                                            | 34,416                 | 43,716                  |
|                                        |                        | Unfunded requirement—UH-60V development .....                                          |                        | [9,300]                 |
| 186                                    | 0607137A               | CHINOOK PRODUCT IMPROVEMENT PROGRAM .....                                              | 194,567                | 194,567                 |
| 187                                    | 0607138A               | FIXED WING PRODUCT IMPROVEMENT PROGRAM .....                                           | 9,981                  | 9,981                   |
| 188                                    | 0607139A               | IMPROVED TURBINE ENGINE PROGRAM .....                                                  | 204,304                | 204,304                 |
| 189                                    | 0607140A               | EMERGING TECHNOLOGIES FROM NIE .....                                                   | 1,023                  | 1,023                   |
| 190                                    | 0607141A               | LOGISTICS AUTOMATION .....                                                             | 1,504                  | 1,504                   |
| 191                                    | 0607142A               | AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT .....                       | 10,064                 | 10,064                  |
| 192                                    | 0607143A               | UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS .....                                      | 38,463                 | 38,463                  |
| 193                                    | 0607665A               | FAMILY OF BIOMETRICS .....                                                             | 6,159                  | 6,159                   |
| 194                                    | 0607865A               | PATRIOT PRODUCT IMPROVEMENT .....                                                      | 90,217                 | 90,217                  |
| 195                                    | 0202429A               | AEROSTAT JOINT PROJECT—COCOM EXERCISE .....                                            | 6,749                  | 6,749                   |
| 196                                    | 0203728A               | JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCs) .....                      | 33,520                 | 33,520                  |
| 197                                    | 0203735A               | COMBAT VEHICLE IMPROVEMENT PROGRAMS .....                                              | 343,175                | 351,175                 |
|                                        |                        | Unfunded requirement—M88A2E1 .....                                                     |                        | [8,000]                 |
| 198                                    | 0203740A               | MANEUVER CONTROL SYSTEM .....                                                          | 6,639                  | 6,639                   |
| 199                                    | 0203743A               | 155MM SELF-PROPELLED HOWITZER IMPROVEMENTS .....                                       | 40,784                 | 40,784                  |
| 200                                    | 0203744A               | AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS .....                              | 39,358                 | 39,358                  |



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(In Thousands of Dollars)

| <b>Line</b> | <b>Program Element</b> | <b>Item</b>                                                                                                                                                                                                                    | <b>FY 2018 Request</b> | <b>House Authorized</b> |
|-------------|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-------------------------|
| 201         | 0203752A               | AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM .....                                                                                                                                                                            | 145                    | 145                     |
| 202         | 0203758A               | DIGITIZATION .....                                                                                                                                                                                                             | 4,803                  | 4,803                   |
| 203         | 0203801A               | MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM .....                                                                                                                                                                          | 2,723                  | 17,723                  |
|             |                        | Realign European Reassurance Initiative to Base .....                                                                                                                                                                          |                        | [15,000]                |
| 204         | 0203802A               | OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS .....                                                                                                                                                                               | 5,000                  | 5,000                   |
| 205         | 0203808A               | TRACTOR CARD .....                                                                                                                                                                                                             | 37,883                 | 37,883                  |
| 206         | 0205402A               | INTEGRATED BASE DEFENSE—OPERATIONAL SYSTEM DEV .....                                                                                                                                                                           |                        | 4,500                   |
|             |                        | Unfunded requirement—modal passive detection system .....                                                                                                                                                                      |                        | [4,500]                 |
| 207         | 0205410A               | MATERIALS HANDLING EQUIPMENT .....                                                                                                                                                                                             | 1,582                  | 1,582                   |
| 208         | 0205412A               | ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV .....                                                                                                                                                                  | 195                    | 195                     |
| 209         | 0205456A               | LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM .....                                                                                                                                                                          | 78,926                 | 78,926                  |
| 210         | 0205778A               | GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS) .....                                                                                                                                                                             | 102,807                | 102,807                 |
| 213         | 0303028A               | SECURITY AND INTELLIGENCE ACTIVITIES .....                                                                                                                                                                                     | 13,807                 | 13,807                  |
| 214         | 0303140A               | INFORMATION SYSTEMS SECURITY PROGRAM .....                                                                                                                                                                                     | 132,438                | 132,438                 |
| 215         | 0303141A               | GLOBAL COMBAT SUPPORT SYSTEM .....                                                                                                                                                                                             | 64,370                 | 64,370                  |
| 217         | 0303150A               | WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM .....                                                                                                                                                                                 | 10,475                 | 10,475                  |
| 220         | 0305172A               | COMBINED ADVANCED APPLICATIONS .....                                                                                                                                                                                           | 1,100                  | 1,100                   |
| 222         | 0305204A               | TACTICAL UNMANNED AERIAL VEHICLES .....                                                                                                                                                                                        | 9,433                  | 16,925                  |
|             |                        | Realign European Reassurance Initiative to Base .....                                                                                                                                                                          |                        | [7,492]                 |
| 223         | 0305206A               | AIRBORNE RECONNAISSANCE SYSTEMS .....                                                                                                                                                                                          | 5,080                  | 20,080                  |
|             |                        | Realign European Reassurance Initiative to Base .....                                                                                                                                                                          |                        | [15,000]                |
| 224         | 0305208A               | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....                                                                                                                                                                                | 24,700                 | 24,700                  |
| 225         | 0305219A               | MQ-1C GRAY EAGLE UAS .....                                                                                                                                                                                                     | 9,574                  | 9,574                   |
| 226         | 0305232A               | RQ-11 UAV .....                                                                                                                                                                                                                | 2,191                  | 2,191                   |
| 227         | 0305233A               | RQ-7 UAV .....                                                                                                                                                                                                                 | 12,773                 | 12,773                  |
| 228         | 0307665A               | BIOMETRICS ENABLED INTELLIGENCE .....                                                                                                                                                                                          | 2,537                  | 2,537                   |
| 229         | 0310349A               | WIN-T INCREMENT 2—INITIAL NETWORKING .....                                                                                                                                                                                     | 4,723                  | 4,723                   |
| 230         | 0708045A               | END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES .....                                                                                                                                                                              | 60,877                 | 65,877                  |
|             |                        | Development of improved manufacturing technology for separation, extraction, smelter, sintering, leaching, processing, beneficiation, or production of specialty metals such as lanthanide elements, yttrium or scandium. .... |                        | [5,000]                 |
| 231         | 1203142A               | SATCOM GROUND ENVIRONMENT (SPACE) .....                                                                                                                                                                                        | 11,959                 | 11,959                  |
| 232         | 1208053A               | JOINT TACTICAL GROUND SYSTEM .....                                                                                                                                                                                             | 10,228                 | 10,228                  |
| 232A        | 9999999999             | CLASSIFIED PROGRAMS .....                                                                                                                                                                                                      | 7,154                  | 7,154                   |
|             |                        | <b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>                                                                                                                                                                          | <b>1,877,685</b>       | <b>1,941,977</b>        |
|             |                        | <b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY .....</b>                                                                                                                                                                | <b>9,425,440</b>       | <b>9,654,380</b>        |
|             |                        | <b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY</b>                                                                                                                                                                            |                        |                         |
|             |                        | <b>BASIC RESEARCH</b>                                                                                                                                                                                                          |                        |                         |
| 001         | 0601103N               | UNIVERSITY RESEARCH INITIATIVES .....                                                                                                                                                                                          | 118,130                | 138,130                 |
|             |                        | Defense University Research Instrumentation Program .....                                                                                                                                                                      |                        | [20,000]                |
| 002         | 0601152N               | IN-HOUSE LABORATORY INDEPENDENT RESEARCH .....                                                                                                                                                                                 | 19,438                 | 19,438                  |
| 003         | 0601153N               | DEFENSE RESEARCH SCIENCES .....                                                                                                                                                                                                | 458,333                | 458,333                 |
|             |                        | <b>SUBTOTAL BASIC RESEARCH .....</b>                                                                                                                                                                                           | <b>595,901</b>         | <b>615,901</b>          |
|             |                        | <b>APPLIED RESEARCH</b>                                                                                                                                                                                                        |                        |                         |
| 004         | 0602114N               | POWER PROJECTION APPLIED RESEARCH .....                                                                                                                                                                                        | 13,553                 | 13,553                  |
| 005         | 0602123N               | FORCE PROTECTION APPLIED RESEARCH .....                                                                                                                                                                                        | 125,557                | 125,557                 |
| 006         | 0602131M               | MARINE CORPS LANDING FORCE TECHNOLOGY .....                                                                                                                                                                                    | 53,936                 | 53,936                  |
| 007         | 0602235N               | COMMON PICTURE APPLIED RESEARCH .....                                                                                                                                                                                          | 36,450                 | 36,450                  |
| 008         | 0602236N               | WARFIGHTER SUSTAINMENT APPLIED RESEARCH .....                                                                                                                                                                                  | 48,649                 | 48,649                  |
| 009         | 0602271N               | ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH .....                                                                                                                                                                                 | 79,598                 | 79,598                  |
| 010         | 0602435N               | OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH .....                                                                                                                                                                           | 42,411                 | 42,411                  |
| 011         | 0602651M               | JOINT NON-LETHAL WEAPONS APPLIED RESEARCH .....                                                                                                                                                                                | 6,425                  | 6,425                   |
| 012         | 0602747N               | UNDERSEA WARFARE APPLIED RESEARCH .....                                                                                                                                                                                        | 56,094                 | 56,094                  |
| 013         | 0602750N               | FUTURE NAVAL CAPABILITIES APPLIED RESEARCH .....                                                                                                                                                                               | 156,805                | 156,805                 |
| 014         | 0602782N               | MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH .....                                                                                                                                                                          | 32,733                 | 32,733                  |
| 015         | 0602792N               | INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH .....                                                                                                                                                                       | 171,146                | 171,146                 |
| 016         | 0602861N               | SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACITIVITIES .....                                                                                                                                                                  | 62,722                 | 62,722                  |
|             |                        | <b>SUBTOTAL APPLIED RESEARCH .....</b>                                                                                                                                                                                         | <b>886,079</b>         | <b>886,079</b>          |
|             |                        | <b>ADVANCED TECHNOLOGY DEVELOPMENT</b>                                                                                                                                                                                         |                        |                         |
| 019         | 0603123N               | FORCE PROTECTION ADVANCED TECHNOLOGY .....                                                                                                                                                                                     | 26,342                 | 26,342                  |
| 020         | 0603271N               | ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY .....                                                                                                                                                                              | 9,360                  | 9,360                   |
| 021         | 0603640M               | USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD) .....                                                                                                                                                                             | 154,407                | 154,407                 |
| 022         | 0603651M               | JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT .....                                                                                                                                                                          | 13,448                 | 13,448                  |
| 023         | 0603673N               | FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT .....                                                                                                                                                                | 231,772                | 231,772                 |
| 024         | 0603680N               | MANUFACTURING TECHNOLOGY PROGRAM .....                                                                                                                                                                                         | 57,797                 | 67,797                  |
|             |                        | Program increase for manufacturing capability industrial partnerships for undersea vehicles .....                                                                                                                              |                        | [10,000]                |
| 025         | 0603729N               | WARFIGHTER PROTECTION ADVANCED TECHNOLOGY .....                                                                                                                                                                                | 4,878                  | 4,878                   |
| 027         | 0603758N               | NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS .....                                                                                                                                                                          | 64,889                 | 64,889                  |
| 028         | 0603782N               | MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY .....                                                                                                                                                                       | 15,164                 | 15,164                  |
| 029         | 0603801N               | INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT .....                                                                                                                                                        | 108,285                | 132,285                 |
|             |                        | Program increase for railgun tactical demonstrator .....                                                                                                                                                                       |                        | [24,000]                |
|             |                        | <b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT .....</b>                                                                                                                                                                          | <b>686,342</b>         | <b>720,342</b>          |
|             |                        | <b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>                                                                                                                                                                         |                        |                         |
| 030         | 0603207N               | AIR/OCEAN TACTICAL APPLICATIONS .....                                                                                                                                                                                          | 48,365                 | 48,365                  |
| 031         | 0603216N               | AVIATION SURVIVABILITY .....                                                                                                                                                                                                   | 5,566                  | 5,566                   |

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|-------------|------------------------|---------------------------------------------------------------------------|------------------------|-------------------------|
| 033         | 0603251N               | AIRCRAFT SYSTEMS .....                                                    | 695                    | 695                     |
| 034         | 0603254N               | ASW SYSTEMS DEVELOPMENT .....                                             | 7,661                  | 7,661                   |
| 035         | 0603261N               | TACTICAL AIRBORNE RECONNAISSANCE .....                                    | 3,707                  | 3,707                   |
| 036         | 0603382N               | ADVANCED COMBAT SYSTEMS TECHNOLOGY .....                                  | 61,381                 | 61,381                  |
| 037         | 0603502N               | SURFACE AND SHALLOW WATER MINE COUNTERMEASURES .....                      | 154,117                | 177,117                 |
|             |                        | LDUUV .....                                                               |                        | [23,000]                |
| 038         | 0603506N               | SURFACE SHIP TORPEDO DEFENSE .....                                        | 14,974                 | 14,974                  |
| 039         | 0603512N               | CARRIER SYSTEMS DEVELOPMENT .....                                         | 9,296                  | 9,296                   |
| 040         | 0603525N               | PILOT FISH .....                                                          | 132,083                | 132,083                 |
| 041         | 0603527N               | RETRACT LARCH .....                                                       | 15,407                 | 15,407                  |
| 042         | 0603536N               | RETRACT JUNIPER .....                                                     | 122,413                | 122,413                 |
| 043         | 0603542N               | RADIOLOGICAL CONTROL .....                                                | 745                    | 745                     |
| 044         | 0603553N               | SURFACE ASW .....                                                         | 1,136                  | 1,136                   |
| 045         | 0603561N               | ADVANCED SUBMARINE SYSTEM DEVELOPMENT .....                               | 100,955                | 100,955                 |
| 046         | 0603562N               | SUBMARINE TACTICAL WARFARE SYSTEMS .....                                  | 13,834                 | 13,834                  |
| 047         | 0603563N               | SHIP CONCEPT ADVANCED DESIGN .....                                        | 36,891                 | 36,891                  |
| 048         | 0603564N               | SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES .....                       | 12,012                 | 12,012                  |
| 049         | 0603570N               | ADVANCED NUCLEAR POWER SYSTEMS .....                                      | 329,500                | 329,500                 |
| 050         | 0603573N               | ADVANCED SURFACE MACHINERY SYSTEMS .....                                  | 29,953                 | 29,953                  |
| 051         | 0603576N               | CHALK EAGLE .....                                                         | 191,610                | 191,610                 |
| 052         | 0603581N               | LITTORAL COMBAT SHIP (LCS) .....                                          | 40,991                 | 40,991                  |
| 053         | 0603582N               | COMBAT SYSTEM INTEGRATION .....                                           | 24,674                 | 24,674                  |
| 054         | 0603595N               | OHIO REPLACEMENT .....                                                    | 776,158                | 776,158                 |
| 055         | 0603596N               | LCS MISSION MODULES .....                                                 | 116,871                | 116,871                 |
| 056         | 0603597N               | AUTOMATED TEST AND ANALYSIS .....                                         | 8,052                  | 8,052                   |
| 057         | 0603599N               | FRIGATE DEVELOPMENT .....                                                 | 143,450                | 143,450                 |
| 058         | 0603609N               | CONVENTIONAL MUNITIONS .....                                              | 8,909                  | 8,909                   |
| 060         | 0603635M               | MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM .....                           | 1,428                  | 1,428                   |
| 061         | 0603654N               | JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....                        | 53,367                 | 53,367                  |
| 063         | 0603713N               | OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT .....                            | 8,212                  | 8,212                   |
| 064         | 0603721N               | ENVIRONMENTAL PROTECTION .....                                            | 20,214                 | 20,214                  |
| 065         | 0603724N               | NAVY ENERGY PROGRAM .....                                                 | 50,623                 | 50,623                  |
| 066         | 0603725N               | FACILITIES IMPROVEMENT .....                                              | 2,837                  | 2,837                   |
| 067         | 0603734N               | CHALK CORAL .....                                                         | 245,143                | 245,143                 |
| 068         | 0603739N               | NAVY LOGISTIC PRODUCTIVITY .....                                          | 2,995                  | 2,995                   |
| 069         | 0603746N               | RETRACT MAPLE .....                                                       | 306,101                | 306,101                 |
| 070         | 0603748N               | LINK PLUMERIA .....                                                       | 253,675                | 253,675                 |
| 071         | 0603751N               | RETRACT ELM .....                                                         | 55,691                 | 55,691                  |
| 072         | 0603764N               | LINK EVERGREEN .....                                                      | 48,982                 | 48,982                  |
| 074         | 0603790N               | NATO RESEARCH AND DEVELOPMENT .....                                       | 9,099                  | 9,099                   |
| 075         | 0603795N               | LAND ATTACK TECHNOLOGY .....                                              | 33,568                 | 33,568                  |
| 076         | 0603851M               | JOINT NON-LETHAL WEAPONS TESTING .....                                    | 29,873                 | 29,873                  |
| 077         | 0603860N               | JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL .....                | 106,391                | 106,391                 |
| 078         | 0603925N               | DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS .....                         | 107,310                | 133,310                 |
|             |                        | Program increase for railgun tactical demonstrator .....                  |                        | [26,000]                |
| 079         | 0604112N               | GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80) .....           | 83,935                 | 83,935                  |
| 081         | 0604272N               | TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM) .....         | 46,844                 | 46,844                  |
| 083         | 0604286M               | MARINE CORPS ADDITIVE MANUFACTURING TECHNOLOGY DEVELOPMENT .....          | 6,200                  | 6,200                   |
| 085         | 0604320M               | RAPID TECHNOLOGY CAPABILITY PROTOTYPE .....                               | 7,055                  | 7,055                   |
| 086         | 0604454N               | LX (R) .....                                                              | 9,578                  | 9,578                   |
| 087         | 0604536N               | ADVANCED UNDERSEA PROTOTYPING .....                                       | 66,543                 | 76,543                  |
|             |                        | XLUVV .....                                                               |                        | [10,000]                |
| 089         | 0604659N               | PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM .....                        | 31,315                 | 31,315                  |
| 090         | 0604707N               | SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT ..... | 42,851                 | 42,851                  |
| 091         | 0604786N               | OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT .....                   | 160,694                | 160,694                 |
| 093         | 0303354N               | ASW SYSTEMS DEVELOPMENT—MIP .....                                         | 8,278                  | 8,278                   |
| 094         | 0304240M               | ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM .....                          | 7,979                  | 7,979                   |
| 095         | 0304270N               | ELECTRONIC WARFARE DEVELOPMENT—MIP .....                                  | 527                    | 527                     |
|             |                        | <b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>     | <b>4,218,714</b>       | <b>4,277,714</b>        |
|             |                        | <b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>                             |                        |                         |
| 096         | 0603208N               | TRAINING SYSTEM AIRCRAFT .....                                            | 16,945                 | 16,945                  |
| 097         | 0604212N               | OTHER HELO DEVELOPMENT .....                                              | 26,786                 | 26,786                  |
| 098         | 0604214N               | AV-8B AIRCRAFT—ENG DEV .....                                              | 48,780                 | 48,780                  |
| 099         | 0604215N               | STANDARDS DEVELOPMENT .....                                               | 2,722                  | 2,722                   |
| 100         | 0604216N               | MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT .....                        | 5,371                  | 5,371                   |
| 101         | 0604218N               | AIR/OCEAN EQUIPMENT ENGINEERING .....                                     | 782                    | 782                     |
| 102         | 0604221N               | P-3 MODERNIZATION PROGRAM .....                                           | 1,361                  | 1,361                   |
| 103         | 0604230N               | WARFARE SUPPORT SYSTEM .....                                              | 14,167                 | 14,167                  |
| 104         | 0604231N               | TACTICAL COMMAND SYSTEM .....                                             | 55,695                 | 55,695                  |
| 105         | 0604234N               | ADVANCED HAWKEYE .....                                                    | 292,535                | 292,535                 |
| 106         | 0604245N               | H-1 UPGRADES .....                                                        | 61,288                 | 61,288                  |
| 107         | 0604261N               | ACOUSTIC SEARCH SENSORS .....                                             | 37,167                 | 37,167                  |
| 108         | 0604262N               | V-22A .....                                                               | 171,386                | 186,386                 |
|             |                        | Unfunded requirement .....                                                |                        | [15,000]                |
| 109         | 0604264N               | AIR CREW SYSTEMS DEVELOPMENT .....                                        | 13,235                 | 23,235                  |
|             |                        | Air Crew Sensor Improvements .....                                        |                        | [10,000]                |
| 110         | 0604269N               | EA-18 .....                                                               | 173,488                | 173,488                 |
| 111         | 0604270N               | ELECTRONIC WARFARE DEVELOPMENT .....                                      | 54,055                 | 83,055                  |

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|             |                        | Unfunded requirement—EWSA .....                                              |                        | [5,500]                 |
|             |                        | Unfunded requirement—Intrepid Tiger II (V)3 UH-1Y jettison capability .....  |                        | [3,000]                 |
|             |                        | Unfunded requirements—range improvements and upgrades .....                  |                        | [20,500]                |
| 112         | 0604273N               | EXECUTIVE HELO DEVELOPMENT .....                                             | 451,938                | 451,938                 |
| 113         | 0604274N               | NEXT GENERATION JAMMER (NGJ) .....                                           | 632,936                | 624,136                 |
|             |                        | Unjustified cost growth .....                                                |                        | [-8,800]                |
| 114         | 0604280N               | JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY) .....                           | 4,310                  | 4,310                   |
| 115         | 0604282N               | NEXT GENERATION JAMMER (NGJ) INCREMENT II .....                              | 66,686                 | 66,686                  |
| 116         | 0604307N               | SURFACE COMBATANT COMBAT SYSTEM ENGINEERING .....                            | 390,238                | 390,238                 |
| 117         | 0604311N               | LPD-17 CLASS SYSTEMS INTEGRATION .....                                       | 689                    | 689                     |
| 118         | 0604329N               | SMALL DIAMETER BOMB (SDB) .....                                              | 112,846                | 112,846                 |
| 119         | 0604366N               | STANDARD MISSILE IMPROVEMENTS .....                                          | 158,578                | 158,578                 |
| 120         | 0604373N               | AIRBORNE MCM .....                                                           | 15,734                 | 15,734                  |
| 122         | 0604378N               | NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING .....          | 25,445                 | 25,445                  |
| 124         | 0604501N               | ADVANCED ABOVE WATER SENSORS .....                                           | 87,233                 | 92,233                  |
|             |                        | SPY-1 Solid State Advancement .....                                          |                        | [5,000]                 |
| 125         | 0604503N               | SSN-688 AND TRIDENT MODERNIZATION .....                                      | 130,981                | 130,981                 |
| 126         | 0604504N               | AIR CONTROL .....                                                            | 75,186                 | 75,186                  |
| 127         | 0604512N               | SHIPBOARD AVIATION SYSTEMS .....                                             | 177,926                | 177,926                 |
| 128         | 0604518N               | COMBAT INFORMATION CENTER CONVERSION .....                                   | 8,062                  | 8,062                   |
| 129         | 0604522N               | AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM .....                            | 32,090                 | 32,090                  |
| 130         | 0604558N               | NEW DESIGN SSN .....                                                         | 120,087                | 120,087                 |
| 131         | 0604562N               | SUBMARINE TACTICAL WARFARE SYSTEM .....                                      | 50,850                 | 50,850                  |
| 132         | 0604567N               | SHIP CONTRACT DESIGN/ LIVE FIRE T&E .....                                    | 67,166                 | 87,166                  |
|             |                        | CVN 80 DFA .....                                                             |                        | [20,000]                |
| 133         | 0604574N               | NAVY TACTICAL COMPUTER RESOURCES .....                                       | 4,817                  | 4,817                   |
| 134         | 0604580N               | VIRGINIA PAYLOAD MODULE (VPM) .....                                          | 72,861                 | 72,861                  |
| 135         | 0604601N               | MINE DEVELOPMENT .....                                                       | 25,635                 | 25,635                  |
| 136         | 0604610N               | LIGHTWEIGHT TORPEDO DEVELOPMENT .....                                        | 28,076                 | 28,076                  |
| 137         | 0604654N               | JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....                           | 7,561                  | 7,561                   |
| 138         | 0604703N               | PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS .....                     | 40,828                 | 40,828                  |
| 139         | 0604727N               | JOINT STANDOFF WEAPON SYSTEMS .....                                          | 435                    | 435                     |
| 140         | 0604755N               | SHIP SELF DEFENSE (DETECT & CONTROL) .....                                   | 161,713                | 161,713                 |
| 141         | 0604756N               | SHIP SELF DEFENSE (ENGAGE: HARD KILL) .....                                  | 212,412                | 243,412                 |
|             |                        | OTH Weapon Development .....                                                 |                        | [31,000]                |
| 142         | 0604757N               | SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW) .....                               | 103,391                | 103,391                 |
| 143         | 0604761N               | INTELLIGENCE ENGINEERING .....                                               | 34,855                 | 34,855                  |
| 144         | 0604771N               | MEDICAL DEVELOPMENT .....                                                    | 9,353                  | 9,353                   |
| 145         | 0604777N               | NAVIGATION/ID SYSTEM .....                                                   | 92,546                 | 101,546                 |
|             |                        | Program increase .....                                                       |                        | [9,000]                 |
| 146         | 0604800M               | JOINT STRIKE FIGHTER (JSF)—EMD .....                                         | 152,934                | 152,934                 |
| 147         | 0604800N               | JOINT STRIKE FIGHTER (JSF)—EMD .....                                         | 108,931                | 108,931                 |
| 148         | 0604810M               | JOINT STRIKE FIGHTER FOLLOW ON MODERNIZATION (FOM)—MARINE CORPS .....        | 144,958                | 144,958                 |
| 149         | 0604810N               | JOINT STRIKE FIGHTER FOLLOW ON MODERNIZATION (FOM)—NAVY .....                | 143,855                | 143,855                 |
| 150         | 0605013M               | INFORMATION TECHNOLOGY DEVELOPMENT .....                                     | 14,865                 | 14,865                  |
| 151         | 0605013N               | INFORMATION TECHNOLOGY DEVELOPMENT .....                                     | 152,977                | 152,977                 |
| 152         | 0605024N               | ANTI-TAMPER TECHNOLOGY SUPPORT .....                                         | 3,410                  | 3,410                   |
| 153         | 0605212N               | CH-53K RDTE .....                                                            | 340,758                | 340,758                 |
| 154         | 0605215N               | MISSION PLANNING .....                                                       | 33,430                 | 33,430                  |
| 155         | 0605217N               | COMMON AVIONICS .....                                                        | 58,163                 | 58,163                  |
| 156         | 0605220N               | SHIP TO SHORE CONNECTOR (SSC) .....                                          | 22,410                 | 22,410                  |
| 157         | 0605327N               | T-AO 205 CLASS .....                                                         | 1,961                  | 1,961                   |
| 158         | 0605414N               | UNMANNED CARRIER AVIATION (UCA) .....                                        | 222,208                | 222,208                 |
| 159         | 0605450N               | JOINT AIR-TO-GROUND MISSILE (JAGM) .....                                     | 15,473                 | 15,473                  |
| 160         | 0605500N               | MULTI-MISSION MARITIME AIRCRAFT (MMA) .....                                  | 11,795                 | 11,795                  |
| 161         | 0605504N               | MULTI-MISSION MARITIME (MMA) INCREMENT III .....                             | 181,731                | 181,731                 |
| 162         | 0605611M               | MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION .....       | 178,993                | 178,993                 |
| 163         | 0605813M               | JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION ..... | 20,710                 | 20,710                  |
| 164         | 0204202N               | DDG-1000 .....                                                               | 140,500                | 140,500                 |
| 168         | 0304785N               | TACTICAL CRYPTOLOGIC SYSTEMS .....                                           | 28,311                 | 28,311                  |
| 170         | 0306250M               | CYBER OPERATIONS TECHNOLOGY DEVELOPMENT .....                                | 4,502                  | 4,502                   |
|             |                        | <b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION .....</b>                 | <b>6,362,102</b>       | <b>6,472,302</b>        |
|             |                        | <b>MANAGEMENT SUPPORT</b>                                                    |                        |                         |
| 171         | 0604256N               | THREAT SIMULATOR DEVELOPMENT .....                                           | 91,819                 | 91,819                  |
| 172         | 0604258N               | TARGET SYSTEMS DEVELOPMENT .....                                             | 23,053                 | 23,053                  |
| 173         | 0604759N               | MAJOR T&E INVESTMENT .....                                                   | 52,634                 | 59,634                  |
|             |                        | Program increase .....                                                       |                        | [7,000]                 |
| 174         | 0605126N               | JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION .....                     | 141                    | 141                     |
| 175         | 0605152N               | STUDIES AND ANALYSIS SUPPORT—NAVY .....                                      | 3,917                  | 3,917                   |
| 176         | 0605154N               | CENTER FOR NAVAL ANALYSES .....                                              | 50,432                 | 50,432                  |
| 179         | 0605804N               | TECHNICAL INFORMATION SERVICES .....                                         | 782                    | 782                     |
| 180         | 0605853N               | MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT .....                          | 94,562                 | 94,562                  |
| 181         | 0605856N               | STRATEGIC TECHNICAL SUPPORT .....                                            | 4,313                  | 4,313                   |
| 182         | 0605861N               | RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT .....                                | 1,104                  | 1,104                   |
| 183         | 0605863N               | RDT&E SHIP AND AIRCRAFT SUPPORT .....                                        | 105,666                | 105,666                 |
| 184         | 0605864N               | TEST AND EVALUATION SUPPORT .....                                            | 373,667                | 413,667                 |
|             |                        | Program increase .....                                                       |                        | [40,000]                |
| 185         | 0605865N               | OPERATIONAL TEST AND EVALUATION CAPABILITY .....                             | 20,298                 | 20,298                  |

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| 186         | 0605866N               | NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT .....                | 17,341                 | 17,341                  |
| 188         | 0605873M               | MARINE CORPS PROGRAM WIDE SUPPORT .....                              | 21,751                 | 21,751                  |
| 189         | 0605898N               | MANAGEMENT HQ—R&D .....                                              | 44,279                 | 44,279                  |
| 190         | 0606355N               | WARFARE INNOVATION MANAGEMENT .....                                  | 28,841                 | 28,841                  |
| 191         | 0902498N               | MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES) .....      | 1,749                  | 1,749                   |
| 194         | 1206867N               | SEW SURVEILLANCE/RECONNAISSANCE SUPPORT .....                        | 9,408                  | 9,408                   |
|             |                        | <b>SUBTOTAL MANAGEMENT SUPPORT .....</b>                             | <b>945,757</b>         | <b>992,757</b>          |
|             |                        | <b>OPERATIONAL SYSTEMS DEVELOPMENT</b>                               |                        |                         |
| 196         | 0607658N               | COOPERATIVE ENGAGEMENT CAPABILITY (CEC) .....                        | 92,571                 | 103,571                 |
|             |                        | CEC IFF Mode 5 Acceleration .....                                    |                        | [11,000]                |
| 197         | 0607700N               | DEPLOYABLE JOINT COMMAND AND CONTROL .....                           | 3,137                  | 3,137                   |
| 198         | 0101221N               | STRATEGIC SUB & WEAPONS SYSTEM SUPPORT .....                         | 135,219                | 135,219                 |
| 199         | 0101224N               | SSBN SECURITY TECHNOLOGY PROGRAM .....                               | 36,242                 | 36,242                  |
| 200         | 0101226N               | SUBMARINE ACOUSTIC WARFARE DEVELOPMENT .....                         | 12,053                 | 12,053                  |
| 201         | 0101402N               | NAVY STRATEGIC COMMUNICATIONS .....                                  | 18,221                 | 18,221                  |
| 203         | 0204136N               | F/A-18 SQUADRONS .....                                               | 224,470                | 213,470                 |
|             |                        | Program reduction- delayed procurement rates .....                   |                        | [-11,000]               |
| 204         | 0204163N               | FLEET TELECOMMUNICATIONS (TACTICAL) .....                            | 33,525                 | 33,525                  |
| 205         | 0204228N               | SURFACE SUPPORT .....                                                | 24,829                 | 24,829                  |
| 206         | 0204229N               | TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC) .....           | 133,617                | 142,617                 |
|             |                        | Tomahawk Modernization .....                                         |                        | [9,000]                 |
| 207         | 0204311N               | INTEGRATED SURVEILLANCE SYSTEM .....                                 | 38,972                 | 50,572                  |
|             |                        | Realign European Reassurance Initiative to Base .....                |                        | [11,600]                |
| 208         | 0204413N               | AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT) .....         | 3,940                  | 3,940                   |
| 209         | 0204460M               | GROUND/AIR TASK ORIENTED RADAR (G/ATOR) .....                        | 54,645                 | 54,645                  |
| 210         | 0204571N               | CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT .....                      | 66,518                 | 76,518                  |
|             |                        | Modernization of Barking Sands Tactical Underwater Range .....       |                        | [10,000]                |
| 211         | 0204574N               | CRYPTOLOGIC DIRECT SUPPORT .....                                     | 1,155                  | 1,155                   |
| 212         | 0204575N               | ELECTRONIC WARFARE (EW) READINESS SUPPORT .....                      | 51,040                 | 51,040                  |
| 213         | 0205601N               | HARM IMPROVEMENT .....                                               | 87,989                 | 97,989                  |
|             |                        | Unfunded requirement—AARGM Derivative Program .....                  |                        | [10,000]                |
| 214         | 0205604N               | TACTICAL DATA LINKS .....                                            | 89,852                 | 89,852                  |
| 215         | 0205620N               | SURFACE ASW COMBAT SYSTEM INTEGRATION .....                          | 29,351                 | 29,351                  |
| 216         | 0205632N               | MK-48 ADCAP .....                                                    | 68,553                 | 68,553                  |
| 217         | 0205633N               | AVIATION IMPROVEMENTS .....                                          | 119,099                | 119,099                 |
| 218         | 0205675N               | OPERATIONAL NUCLEAR POWER SYSTEMS .....                              | 127,445                | 127,445                 |
| 219         | 0206313M               | MARINE CORPS COMMUNICATIONS SYSTEMS .....                            | 123,825                | 120,325                 |
|             |                        | Excess growth—tactical radio systems .....                           |                        | [-3,500]                |
| 220         | 0206335M               | COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S) .....             | 7,343                  | 7,343                   |
| 221         | 0206623M               | MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS .....             | 66,009                 | 66,009                  |
| 222         | 0206624M               | MARINE CORPS COMBAT SERVICES SUPPORT .....                           | 25,258                 | 25,258                  |
| 223         | 0206625M               | USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP) .....             | 30,886                 | 30,886                  |
| 224         | 0206629M               | AMPHIBIOUS ASSAULT VEHICLE .....                                     | 58,728                 | 58,728                  |
| 225         | 0207161N               | TACTICAL AIM MISSILES .....                                          | 42,884                 | 51,884                  |
|             |                        | Unfunded requirement—AIM-9X Blk II Systems Improvement program ..... |                        | [9,000]                 |
| 226         | 0207163N               | ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) .....              | 25,364                 | 25,364                  |
| 232         | 0303138N               | CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES) .....        | 24,271                 | 24,271                  |
| 233         | 0303140N               | INFORMATION SYSTEMS SECURITY PROGRAM .....                           | 50,269                 | 50,269                  |
| 236         | 0305192N               | MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES .....                 | 6,352                  | 6,352                   |
| 237         | 0305204N               | TACTICAL UNMANNED AERIAL VEHICLES .....                              | 7,770                  | 7,770                   |
| 238         | 0305205N               | UAS INTEGRATION AND INTEROPERABILITY .....                           | 39,736                 | 39,736                  |
| 239         | 0305208M               | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....                      | 12,867                 | 12,867                  |
| 240         | 0305208N               | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....                      | 46,150                 | 46,150                  |
| 241         | 0305220N               | MQ-4C TRITON .....                                                   | 84,115                 | 84,115                  |
| 242         | 0305231N               | MQ-8 UAV .....                                                       | 62,656                 | 62,656                  |
| 243         | 0305232M               | RQ-11 UAV .....                                                      | 2,022                  | 2,022                   |
| 245         | 0305234N               | SMALL (LEVEL 0) TACTICAL UAS (STUASLO) .....                         | 4,835                  | 4,835                   |
| 246         | 0305239M               | RQ-21A .....                                                         | 8,899                  | 8,899                   |
| 247         | 0305241N               | MULTI-INTELLIGENCE SENSOR DEVELOPMENT .....                          | 99,020                 | 99,020                  |
| 248         | 0305242M               | UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP) .....                   | 18,578                 | 11,478                  |
|             |                        | Program reduction .....                                              |                        | [-7,100]                |
| 249         | 0305421N               | RQ-4 MODERNIZATION .....                                             | 229,404                | 229,404                 |
| 250         | 0308601N               | MODELING AND SIMULATION SUPPORT .....                                | 5,238                  | 5,238                   |
| 251         | 0702207N               | DEPOT MAINTENANCE (NON-IF) .....                                     | 38,227                 | 38,227                  |
| 252         | 0708730N               | MARITIME TECHNOLOGY (MARITECH) .....                                 | 4,808                  | 4,808                   |
| 253         | 1203109N               | SATELLITE COMMUNICATIONS (SPACE) .....                               | 37,836                 | 37,836                  |
| 253A        | 999999999              | CLASSIFIED PROGRAMS .....                                            | 1,364,347              | 1,364,347               |
|             |                        | <b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>                | <b>3,980,140</b>       | <b>4,019,140</b>        |
|             |                        | <b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY .....</b>      | <b>17,675,035</b>      | <b>17,984,235</b>       |
|             |                        | <b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF</b>                    |                        |                         |
|             |                        | <b>BASIC RESEARCH</b>                                                |                        |                         |
| 001         | 0601102F               | DEFENSE RESEARCH SCIENCES .....                                      | 342,919                | 342,919                 |
| 002         | 0601103F               | UNIVERSITY RESEARCH INITIATIVES .....                                | 147,923                | 147,923                 |
| 003         | 0601108F               | HIGH ENERGY LASER RESEARCH INITIATIVES .....                         | 14,417                 | 14,417                  |
|             |                        | <b>SUBTOTAL BASIC RESEARCH .....</b>                                 | <b>505,259</b>         | <b>505,259</b>          |

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

| <b>Line</b>                                            | <b>Program Element</b> | <b>Item</b>                                                                       | <b>FY 2018 Request</b> | <b>House Authorized</b> |
|--------------------------------------------------------|------------------------|-----------------------------------------------------------------------------------|------------------------|-------------------------|
| <b>APPLIED RESEARCH</b>                                |                        |                                                                                   |                        |                         |
| 004                                                    | 0602102F               | MATERIALS .....                                                                   | 124,264                | 124,264                 |
| 005                                                    | 0602201F               | AEROSPACE VEHICLE TECHNOLOGIES .....                                              | 124,678                | 129,678                 |
|                                                        |                        | Program increase .....                                                            |                        | [5,000]                 |
| 006                                                    | 0602202F               | HUMAN EFFECTIVENESS APPLIED RESEARCH .....                                        | 108,784                | 108,784                 |
| 007                                                    | 0602203F               | AEROSPACE PROPULSION .....                                                        | 192,695                | 197,695                 |
|                                                        |                        | Educational Partnership Agreements .....                                          |                        | [5,000]                 |
| 008                                                    | 0602204F               | AEROSPACE SENSORS .....                                                           | 152,782                | 152,782                 |
| 009                                                    | 0602298F               | SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES .....            | 8,353                  | 8,353                   |
| 010                                                    | 0602601F               | SPACE TECHNOLOGY .....                                                            | 116,503                | 116,503                 |
| 011                                                    | 0602602F               | CONVENTIONAL MUNITIONS .....                                                      | 112,195                | 112,195                 |
| 012                                                    | 0602605F               | DIRECTED ENERGY TECHNOLOGY .....                                                  | 132,993                | 132,993                 |
| 013                                                    | 0602788F               | DOMINANT INFORMATION SCIENCES AND METHODS .....                                   | 167,818                | 167,818                 |
| 014                                                    | 0602890F               | HIGH ENERGY LASER RESEARCH .....                                                  | 43,049                 | 43,049                  |
|                                                        |                        | <b>SUBTOTAL APPLIED RESEARCH</b> .....                                            | <b>1,284,114</b>       | <b>1,294,114</b>        |
| <b>ADVANCED TECHNOLOGY DEVELOPMENT</b>                 |                        |                                                                                   |                        |                         |
| 015                                                    | 0603112F               | ADVANCED MATERIALS FOR WEAPON SYSTEMS .....                                       | 37,856                 | 47,856                  |
|                                                        |                        | Metals affordability research .....                                               |                        | [10,000]                |
| 016                                                    | 0603199F               | SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T) .....                                    | 22,811                 | 22,811                  |
| 017                                                    | 0603203F               | ADVANCED AEROSPACE SENSORS .....                                                  | 40,978                 | 40,978                  |
| 018                                                    | 0603211F               | AEROSPACE TECHNOLOGY DEV/DEMO .....                                               | 115,966                | 115,966                 |
| 019                                                    | 0603216F               | AEROSPACE PROPULSION AND POWER TECHNOLOGY .....                                   | 104,499                | 109,499                 |
|                                                        |                        | Program Increase for Robust Electronical Power System .....                       |                        | [5,000]                 |
| 020                                                    | 0603270F               | ELECTRONIC COMBAT TECHNOLOGY .....                                                | 60,551                 | 60,551                  |
| 021                                                    | 0603401F               | ADVANCED SPACECRAFT TECHNOLOGY .....                                              | 58,910                 | 58,910                  |
| 022                                                    | 0603444F               | MAUI SPACE SURVEILLANCE SYSTEM (MSSS) .....                                       | 10,433                 | 10,433                  |
| 023                                                    | 0603456F               | HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT .....                         | 33,635                 | 33,635                  |
| 024                                                    | 0603601F               | CONVENTIONAL WEAPONS TECHNOLOGY .....                                             | 167,415                | 167,415                 |
| 025                                                    | 0603605F               | ADVANCED WEAPONS TECHNOLOGY .....                                                 | 45,502                 | 45,502                  |
| 026                                                    | 0603680F               | MANUFACTURING TECHNOLOGY PROGRAM .....                                            | 46,450                 | 46,450                  |
| 027                                                    | 0603788F               | BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION .....                         | 49,011                 | 49,011                  |
|                                                        |                        | <b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT</b> .....                             | <b>794,017</b>         | <b>809,017</b>          |
| <b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b> |                        |                                                                                   |                        |                         |
| 028                                                    | 0603260F               | INTELLIGENCE ADVANCED DEVELOPMENT .....                                           | 5,652                  | 8,352                   |
|                                                        |                        | Unfunded requirement—OSINT exploitation and fusion .....                          |                        | [1,200]                 |
|                                                        |                        | Unfunded requirement—SIGINT Tactical Analysis Reporting Gateway .....             |                        | [1,500]                 |
| 030                                                    | 0603742F               | COMBAT IDENTIFICATION TECHNOLOGY .....                                            | 24,397                 | 24,397                  |
| 031                                                    | 0603790F               | NATO RESEARCH AND DEVELOPMENT .....                                               | 3,851                  | 3,851                   |
| 033                                                    | 0603851F               | INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL .....                                  | 10,736                 | 10,736                  |
| 034                                                    | 0603859F               | POLLUTION PREVENTION—DEM/VAL .....                                                | 2                      | 2                       |
| 035                                                    | 0604015F               | LONG RANGE STRIKE—BOMBER .....                                                    | 2,003,580              | 2,003,580               |
| 036                                                    | 0604201F               | INTEGRATED AVIONICS PLANNING AND DEVELOPMENT .....                                | 65,458                 | 65,458                  |
| 037                                                    | 0604257F               | ADVANCED TECHNOLOGY AND SENSORS .....                                             | 68,719                 | 94,919                  |
|                                                        |                        | Unfunded requirement—ASARS-2B .....                                               |                        | [11,500]                |
|                                                        |                        | Unfunded requirement—Hyperspectral Chip Development .....                         |                        | [14,700]                |
| 038                                                    | 0604288F               | NATIONAL AIRBORNE OPS CENTER (NAOC) RECAP .....                                   | 7,850                  | 7,850                   |
| 039                                                    | 0604317F               | TECHNOLOGY TRANSFER .....                                                         | 3,295                  | 3,295                   |
| 040                                                    | 0604327F               | HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM .....                | 17,365                 | 17,365                  |
| 041                                                    | 0604414F               | CYBER RESILIENCY OF WEAPON SYSTEMS-ACS .....                                      | 32,253                 | 32,253                  |
| 044                                                    | 0604776F               | DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D .....                                    | 26,222                 | 26,222                  |
| 046                                                    | 0604858F               | TECH TRANSITION PROGRAM .....                                                     | 840,650                | 935,650                 |
|                                                        |                        | Program Increase .....                                                            |                        | [10,000]                |
|                                                        |                        | Unfunded Requirement .....                                                        |                        | [70,000]                |
|                                                        |                        | Unfunded requirement—Long-Endurance Aerial Platform(LEAP) Ahead Prototyping ..... |                        | [15,000]                |
| 047                                                    | 0605230F               | GROUND BASED STRATEGIC DETERRENT .....                                            | 215,721                | 215,721                 |
| 049                                                    | 0207110F               | NEXT GENERATION AIR DOMINANCE .....                                               | 294,746                | 421,746                 |
|                                                        |                        | Unfunded Requirement .....                                                        |                        | [127,000]               |
| 050                                                    | 0207455F               | THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR) .....                                 | 10,645                 | 10,645                  |
| 052                                                    | 0305236F               | COMMON DATA LINK EXECUTIVE AGENT (CDL EA) .....                                   | 41,509                 | 41,509                  |
| 053                                                    | 0306250F               | CYBER OPERATIONS TECHNOLOGY DEVELOPMENT .....                                     | 226,287                | 226,287                 |
| 054                                                    | 0306415F               | ENABLED CYBER ACTIVITIES .....                                                    | 16,687                 | 16,687                  |
| 055                                                    | 0408011F               | SPECIAL TACTICS / COMBAT CONTROL .....                                            | 4,500                  | 4,500                   |
| 056                                                    | 0901410F               | CONTRACTING INFORMATION TECHNOLOGY SYSTEM .....                                   | 15,867                 | 15,867                  |
| 057                                                    | 1203164F               | NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE) .....                  | 253,939                | 263,939                 |
|                                                        |                        | Demonstration of Backup and Complementary PNT Capabilities of GPS .....           |                        | [10,000]                |
| 058                                                    | 1203710F               | EO/IR WEATHER SYSTEMS .....                                                       | 10,000                 | 10,000                  |
| 059                                                    | 1206422F               | WEATHER SYSTEM FOLLOW-ON .....                                                    | 112,088                | 112,088                 |
| 060                                                    | 1206425F               | SPACE SITUATION AWARENESS SYSTEMS .....                                           | 34,764                 | 34,764                  |
| 061                                                    | 1206434F               | MIDTERM POLAR MILSATCOM SYSTEM .....                                              | 63,092                 | 63,092                  |
| 062                                                    | 1206438F               | SPACE CONTROL TECHNOLOGY .....                                                    | 7,842                  | 7,842                   |
| 063                                                    | 1206730F               | SPACE SECURITY AND DEFENSE PROGRAM .....                                          | 41,385                 | 41,385                  |
| 064                                                    | 1206760F               | PROTECTED TACTICAL ENTERPRISE SERVICE (PTES) .....                                | 18,150                 | 18,150                  |
| 065                                                    | 1206761F               | PROTECTED TACTICAL SERVICE (PTS) .....                                            | 24,201                 | 24,201                  |
| 066                                                    | 1206855F               | PROTECTED SATCOM SERVICES (PSCS)—AGGREGATED .....                                 | 16,000                 | 16,000                  |
| 067                                                    | 1206857F               | OPERATIONALLY RESPONSIVE SPACE .....                                              | 87,577                 | 117,577                 |
|                                                        |                        | Responsive Launch vehicles, infrastructure, and small sats .....                  |                        | [30,000]                |
|                                                        |                        | <b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b> .....             | <b>4,605,030</b>       | <b>4,895,930</b>        |

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

| <b>Line</b>                                   | <b>Program Element</b> | <b>Item</b>                                                                                                          | <b>FY 2018 Request</b> | <b>House Authorized</b> |
|-----------------------------------------------|------------------------|----------------------------------------------------------------------------------------------------------------------|------------------------|-------------------------|
| <b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b> |                        |                                                                                                                      |                        |                         |
| 068                                           | 0604200F               | FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS .....                                                                     | 5,100                  | 5,100                   |
| 069                                           | 0604201F               | INTEGRATED AVIONICS PLANNING AND DEVELOPMENT .....                                                                   | 101,203                | 101,203                 |
| 070                                           | 0604222F               | NUCLEAR WEAPONS SUPPORT .....                                                                                        | 3,009                  | 3,009                   |
| 071                                           | 0604270F               | ELECTRONIC WARFARE DEVELOPMENT .....                                                                                 | 2,241                  | 2,241                   |
| 072                                           | 0604281F               | TACTICAL DATA NETWORKS ENTERPRISE .....                                                                              | 38,250                 | 38,250                  |
| 073                                           | 0604287F               | PHYSICAL SECURITY EQUIPMENT .....                                                                                    | 19,739                 | 19,739                  |
| 074                                           | 0604329F               | SMALL DIAMETER BOMB (SDB)—EMD .....                                                                                  | 38,979                 | 38,979                  |
| 078                                           | 0604429F               | AIRBORNE ELECTRONIC ATTACK .....                                                                                     | 7,091                  | 7,091                   |
| 080                                           | 0604602F               | ARMAMENT/ORDNANCE DEVELOPMENT .....                                                                                  | 46,540                 | 46,540                  |
| 081                                           | 0604604F               | SUBMUNITIONS .....                                                                                                   | 2,705                  | 2,705                   |
| 082                                           | 0604617F               | AGILE COMBAT SUPPORT .....                                                                                           | 31,240                 | 34,240                  |
|                                               |                        | Joint Expeditionary Airfield Damage Repair .....                                                                     |                        | [3,000]                 |
| 084                                           | 0604706F               | LIFE SUPPORT SYSTEMS .....                                                                                           | 9,060                  | 9,060                   |
| 085                                           | 0604735F               | COMBAT TRAINING RANGES .....                                                                                         | 87,350                 | 87,350                  |
| 086                                           | 0604800F               | F-35—EMD .....                                                                                                       | 292,947                | 292,947                 |
| 088                                           | 0604932F               | LONG RANGE STANDOFF WEAPON .....                                                                                     | 451,290                | 451,290                 |
| 089                                           | 0604933F               | ICBM FUZE MODERNIZATION .....                                                                                        | 178,991                | 178,991                 |
| 090                                           | 0605030F               | JOINT TACTICAL NETWORK CENTER (JTNC) .....                                                                           | 12,736                 | 12,736                  |
| 091                                           | 0605031F               | JOINT TACTICAL NETWORK (JTN) .....                                                                                   | 9,319                  | 9,319                   |
| 092                                           | 0605213F               | F-22 MODERNIZATION INCREMENT 3.2B .....                                                                              | 13,600                 | 13,600                  |
| 094                                           | 0605221F               | KC-46 .....                                                                                                          | 93,845                 | 0                       |
|                                               |                        | Under execution .....                                                                                                |                        | [-93,845]               |
| 095                                           | 0605223F               | ADVANCED PILOT TRAINING .....                                                                                        | 105,999                | 105,999                 |
| 096                                           | 0605229F               | COMBAT RESCUE HELICOPTER .....                                                                                       | 354,485                | 354,485                 |
| 100                                           | 0605458F               | AIR & SPACE OPS CENTER 10.2 RDT&E .....                                                                              | 119,745                | 49,745                  |
|                                               |                        | Program reduction .....                                                                                              |                        | [-70,000]               |
| 101                                           | 0605931F               | B-2 DEFENSIVE MANAGEMENT SYSTEM .....                                                                                | 194,570                | 194,570                 |
| 102                                           | 0101125F               | NUCLEAR WEAPONS MODERNIZATION .....                                                                                  | 91,237                 | 91,237                  |
| 103                                           | 0207171F               | F-15 EPAWSS .....                                                                                                    | 209,847                | 209,847                 |
| 104                                           | 0207328F               | STAND IN ATTACK WEAPON .....                                                                                         | 3,400                  | 3,400                   |
| 105                                           | 0207701F               | FULL COMBAT MISSION TRAINING .....                                                                                   | 16,727                 | 16,727                  |
| 109                                           | 0307581F               | JSTARS RECAP .....                                                                                                   | 417,201                | 417,201                 |
| 110                                           | 0401310F               | C-32 EXECUTIVE TRANSPORT RECAPITALIZATION .....                                                                      | 6,017                  | 6,017                   |
| 111                                           | 0401319F               | PRESIDENTIAL AIRCRAFT RECAPITALIZATION (PAR) .....                                                                   | 434,069                | 434,069                 |
| 112                                           | 0701212F               | AUTOMATED TEST SYSTEMS .....                                                                                         | 18,528                 | 18,528                  |
| 113                                           | 1203176F               | COMBAT SURVIVOR EVADER LOCATOR .....                                                                                 | 24,967                 | 24,967                  |
| 114                                           | 1203940F               | SPACE SITUATION AWARENESS OPERATIONS .....                                                                           | 10,029                 | 10,029                  |
| 115                                           | 1206421F               | COUNTERSPACE SYSTEMS .....                                                                                           | 66,370                 | 66,370                  |
| 116                                           | 1206425F               | SPACE SITUATION AWARENESS SYSTEMS .....                                                                              | 48,448                 | 48,448                  |
| 117                                           | 1206426F               | SPACE FENCE .....                                                                                                    | 35,937                 | 35,937                  |
| 118                                           | 1206431F               | ADVANCED EHF MILSATCOM (SPACE) .....                                                                                 | 145,610                | 145,610                 |
| 119                                           | 1206432F               | POLAR MILSATCOM (SPACE) .....                                                                                        | 33,644                 | 33,644                  |
| 120                                           | 1206433F               | WIDEBAND GLOBAL SATCOM (SPACE) .....                                                                                 | 14,263                 | 14,263                  |
| 121                                           | 1206441F               | SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD .....                                                                   | 311,844                | 311,844                 |
| 122                                           | 1206442F               | EVOLVED SBIRS .....                                                                                                  | 71,018                 | 71,018                  |
| 123                                           | 1206853F               | EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE) – EMD .....                                                        | 297,572                | 297,572                 |
|                                               |                        | <b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION .....</b>                                                         | <b>4,476,762</b>       | <b>4,315,917</b>        |
| <b>MANAGEMENT SUPPORT</b>                     |                        |                                                                                                                      |                        |                         |
| 124                                           | 0604256F               | THREAT SIMULATOR DEVELOPMENT .....                                                                                   | 35,405                 | 35,405                  |
| 125                                           | 0604759F               | MAJOR T&E INVESTMENT .....                                                                                           | 82,874                 | 87,874                  |
|                                               |                        | Unfunded requirement .....                                                                                           |                        | [5,000]                 |
| 126                                           | 0605101F               | RAND PROJECT AIR FORCE .....                                                                                         | 34,346                 | 34,346                  |
| 128                                           | 0605712F               | INITIAL OPERATIONAL TEST & EVALUATION .....                                                                          | 15,523                 | 15,523                  |
| 129                                           | 0605807F               | TEST AND EVALUATION SUPPORT .....                                                                                    | 678,289                | 739,089                 |
|                                               |                        | Program Increase .....                                                                                               |                        | [32,400]                |
|                                               |                        | Testing, evaluation, and certification of additional suppliers for arresting gear systems for fighter aircraft ..... |                        | [1,000]                 |
|                                               |                        | Unfunded requirement .....                                                                                           |                        | [27,400]                |
| 130                                           | 0605826F               | ACQ WORKFORCE- GLOBAL POWER .....                                                                                    | 219,809                | 219,809                 |
| 131                                           | 0605827F               | ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS .....                                                                         | 223,179                | 223,179                 |
| 132                                           | 0605828F               | ACQ WORKFORCE- GLOBAL REACH .....                                                                                    | 138,556                | 138,556                 |
| 133                                           | 0605829F               | ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS .....                                                                       | 221,393                | 221,393                 |
| 134                                           | 0605830F               | ACQ WORKFORCE- GLOBAL BATTLE MGMT .....                                                                              | 152,577                | 152,577                 |
| 135                                           | 0605831F               | ACQ WORKFORCE- CAPABILITY INTEGRATION .....                                                                          | 196,561                | 196,561                 |
| 136                                           | 0605832F               | ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY .....                                                                        | 28,322                 | 28,322                  |
| 137                                           | 0605833F               | ACQ WORKFORCE- NUCLEAR SYSTEMS .....                                                                                 | 126,611                | 126,611                 |
| 140                                           | 0605898F               | MANAGEMENT HQ—R&D .....                                                                                              | 9,154                  | 9,154                   |
| 141                                           | 0605976F               | FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT .....                                           | 135,507                | 135,507                 |
| 142                                           | 0605978F               | FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT .....                                                             | 28,720                 | 28,720                  |
| 143                                           | 0606017F               | REQUIREMENTS ANALYSIS AND MATURATION .....                                                                           | 35,453                 | 110,453                 |
|                                               |                        | Unfunded requirement .....                                                                                           |                        | [50,000]                |
|                                               |                        | Unfunded requirement—Penetrating Counter air (PCA) Risk Reduction .....                                              |                        | [25,000]                |
| 146                                           | 0308602F               | ENTEPRISE INFORMATION SERVICES (EIS) .....                                                                           | 29,049                 | 29,049                  |
| 147                                           | 0702806F               | ACQUISITION AND MANAGEMENT SUPPORT .....                                                                             | 14,980                 | 14,980                  |
| 148                                           | 0804731F               | GENERAL SKILL TRAINING .....                                                                                         | 1,434                  | 1,434                   |
| 150                                           | 1001004F               | INTERNATIONAL ACTIVITIES .....                                                                                       | 4,569                  | 4,569                   |
| 151                                           | 1206116F               | SPACE TEST AND TRAINING RANGE DEVELOPMENT .....                                                                      | 25,773                 | 25,773                  |

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

| Line | Program Element | Item                                                                          | FY 2018 Request  | House Authorized |
|------|-----------------|-------------------------------------------------------------------------------|------------------|------------------|
| 152  | 1206392F        | SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE .....                       | 169,887          | 169,887          |
| 153  | 1206398F        | SPACE & MISSILE SYSTEMS CENTER—MHA .....                                      | 9,531            | 9,531            |
| 154  | 1206860F        | ROCKET SYSTEMS LAUNCH PROGRAM (SPACE) .....                                   | 20,975           | 20,975           |
| 155  | 1206864F        | SPACE TEST PROGRAM (STP) .....                                                | 25,398           | 25,398           |
|      |                 | <b>SUBTOTAL MANAGEMENT SUPPORT .....</b>                                      | <b>2,663,875</b> | <b>2,804,675</b> |
|      |                 | <b>OPERATIONAL SYSTEMS DEVELOPMENT</b>                                        |                  |                  |
| 157  | 0604222F        | NUCLEAR WEAPONS SUPPORT .....                                                 | 27,579           | 27,579           |
| 158  | 0604233F        | SPECIALIZED UNDERGRADUATE FLIGHT TRAINING .....                               | 5,776            | 5,776            |
| 159  | 0604445F        | WIDE AREA SURVEILLANCE .....                                                  | 16,247           | 16,247           |
| 161  | 0605018F        | AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS) .....                        | 21,915           | 21,915           |
| 162  | 0605024F        | ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY .....                                 | 33,150           | 33,150           |
| 163  | 0605117F        | FOREIGN MATERIEL ACQUISITION AND EXPLOITATION .....                           | 66,653           | 66,653           |
| 164  | 0605278F        | HC/MC-130 RECAP RDT&E .....                                                   | 38,579           | 38,579           |
| 165  | 0606018F        | NC3 INTEGRATION .....                                                         | 12,636           | 12,636           |
| 166  | 0101113F        | B-52 SQUADRONS .....                                                          | 111,910          | 111,910          |
| 167  | 0101122F        | AIR-LAUNCHED CRUISE MISSILE (ALCM) .....                                      | 463              | 463              |
| 168  | 0101126F        | B-1B SQUADRONS .....                                                          | 62,471           | 62,471           |
| 169  | 0101127F        | B-2 SQUADRONS .....                                                           | 193,108          | 193,108          |
| 170  | 0101213F        | MINUTEMAN SQUADRONS .....                                                     | 210,845          | 210,845          |
|      |                 | Increase ICBM Cryptography Upgrade II .....                                   |                  | [20,000]         |
|      |                 | Reduce MM Ground and Communications Equipment .....                           |                  | [-10,000]        |
|      |                 | Reduce MM Support Equipment .....                                             |                  | [-10,000]        |
| 171  | 0101313F        | INTEGRATED STRATEGIC PLANNING AND ANALYSIS NETWORK (ISPAN)—USSTRATCOM .....   | 25,736           | 25,736           |
| 173  | 0101316F        | WORLDWIDE JOINT STRATEGIC COMMUNICATIONS .....                                | 6,272            | 70,272           |
|      |                 | Enhances E-4B cyber security .....                                            |                  | [64,000]         |
| 174  | 0101324F        | INTEGRATED STRATEGIC PLANNING & ANALYSIS NETWORK .....                        | 11,032           | 11,032           |
| 176  | 0102110F        | UH-1N REPLACEMENT PROGRAM .....                                               | 108,617          | 108,617          |
| 177  | 0102326F        | REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM .....            | 3,347            | 3,347            |
| 179  | 0205219F        | MQ-9 UAV .....                                                                | 201,394          | 201,394          |
| 182  | 0207131F        | A-10 SQUADRONS .....                                                          | 17,459           | 17,459           |
| 183  | 0207133F        | F-16 SQUADRONS .....                                                          | 246,578          | 271,578          |
|      |                 | Unfunded requirement—MIDS-JTRS software changes .....                         |                  | [25,000]         |
| 184  | 0207134F        | F-15E SQUADRONS .....                                                         | 320,271          | 320,271          |
| 185  | 0207136F        | MANNED DESTRUCTIVE SUPPRESSION .....                                          | 15,106           | 35,106           |
|      |                 | HTS pod block upgrade program .....                                           |                  | [20,000]         |
| 186  | 0207138F        | F-22A SQUADRONS .....                                                         | 610,942          | 610,942          |
| 187  | 0207142F        | F-35 SQUADRONS .....                                                          | 334,530          | 334,530          |
| 188  | 0207161F        | TACTICAL AIM MISSILES .....                                                   | 34,952           | 34,952           |
| 189  | 0207163F        | ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) .....                       | 61,322           | 61,322           |
| 191  | 0207227F        | COMBAT RESCUE—PARARESCUE .....                                                | 693              | 693              |
| 193  | 0207249F        | PRECISION ATTACK SYSTEMS PROCUREMENT .....                                    | 1,714            | 1,714            |
| 194  | 0207253F        | COMPASS CALL .....                                                            | 14,040           | 14,040           |
| 195  | 0207268F        | AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM .....                           | 109,243          | 109,243          |
| 197  | 0207325F        | JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM) .....                           | 29,932           | 29,932           |
| 198  | 0207410F        | AIR & SPACE OPERATIONS CENTER (AOC) .....                                     | 26,956           | 26,956           |
| 199  | 0207412F        | CONTROL AND REPORTING CENTER (CRC) .....                                      | 2,450            | 2,450            |
| 200  | 0207417F        | AIRBORNE WARNING AND CONTROL SYSTEM (AWACS) .....                             | 151,726          | 151,726          |
| 201  | 0207418F        | TACTICAL AIRBORNE CONTROL SYSTEMS .....                                       | 3,656            | 3,656            |
| 203  | 0207431F        | COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES .....                               | 13,420           | 13,420           |
| 204  | 0207444F        | TACTICAL AIR CONTROL PARTY-MOD .....                                          | 10,623           | 10,623           |
| 205  | 0207448F        | C2ISR TACTICAL DATA LINK .....                                                | 1,754            | 1,754            |
| 206  | 0207452F        | DCAPES .....                                                                  | 17,382           | 17,382           |
| 207  | 0207573F        | NATIONAL TECHNICAL NUCLEAR FORENSICS .....                                    | 2,307            | 2,307            |
| 208  | 0207590F        | SEEK EAGLE .....                                                              | 25,397           | 25,397           |
| 209  | 0207601F        | USAF MODELING AND SIMULATION .....                                            | 10,175           | 10,175           |
| 210  | 0207605F        | WARGAMING AND SIMULATION CENTERS .....                                        | 12,839           | 12,839           |
| 211  | 0207697F        | DISTRIBUTED TRAINING AND EXERCISES .....                                      | 4,190            | 4,190            |
| 212  | 0208006F        | MISSION PLANNING SYSTEMS .....                                                | 85,531           | 85,531           |
| 213  | 0208007F        | TACTICAL DECEPTION .....                                                      | 3,761            | 3,761            |
| 214  | 0208087F        | AF OFFENSIVE CYBERSPACE OPERATIONS .....                                      | 35,693           | 35,693           |
| 215  | 0208088F        | AF DEFENSIVE CYBERSPACE OPERATIONS .....                                      | 20,964           | 20,964           |
| 218  | 0301017F        | GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN) .....                              | 3,549            | 3,549            |
| 219  | 0301112F        | NUCLEAR PLANNING AND EXECUTION SYSTEM (NPES) .....                            | 4,371            | 4,371            |
| 227  | 0301401F        | AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARENESS ..... | 3,721            | 3,721            |
| 228  | 0302015F        | E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC) .....                         | 35,467           | 35,467           |
| 230  | 0303131F        | MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) .....              | 48,841           | 48,841           |
| 231  | 0303140F        | INFORMATION SYSTEMS SECURITY PROGRAM .....                                    | 42,973           | 42,973           |
| 232  | 0303141F        | GLOBAL COMBAT SUPPORT SYSTEM .....                                            | 105              | 105              |
| 233  | 0303142F        | GLOBAL FORCE MANAGEMENT—DATA INITIATIVE .....                                 | 2,147            | 2,147            |
| 236  | 0304260F        | AIRBORNE SIGINT ENTERPRISE .....                                              | 121,948          | 121,948          |
| 237  | 0304310F        | COMMERCIAL ECONOMIC ANALYSIS .....                                            | 3,544            | 3,544            |
| 240  | 0305020F        | CCMD INTELLIGENCE INFORMATION TECHNOLOGY .....                                | 1,542            | 1,542            |
| 241  | 0305099F        | GLOBAL AIR TRAFFIC MANAGEMENT (GATM) .....                                    | 4,453            | 4,453            |
| 243  | 0305111F        | WEATHER SERVICE .....                                                         | 26,654           | 31,654           |
|      |                 | Commercial weather pilot program .....                                        |                  | [5,000]          |
| 244  | 0305114F        | AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS) .....              | 6,306            | 7,806            |
|      |                 | Unfunded requirement—ground based sense and avoid .....                       |                  | [1,500]          |
| 245  | 0305116F        | AERIAL TARGETS .....                                                          | 21,295           | 21,295           |



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|------|-----------------|--------------------------------------------------------------------------|-------------------|-------------------|
| 248  | 0305128F        | SECURITY AND INVESTIGATIVE ACTIVITIES .....                              | 415               | 415               |
| 250  | 0305146F        | DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES .....                       | 3,867             | 3,867             |
| 257  | 0305202F        | DRAGON U-2 .....                                                         | 34,486            | 34,486            |
| 259  | 0305206F        | AIRBORNE RECONNAISSANCE SYSTEMS .....                                    | 4,450             | 17,250            |
|      |                 | WAMI Technology Upgrades .....                                           |                   | [12,800]          |
| 260  | 0305207F        | MANNED RECONNAISSANCE SYSTEMS .....                                      | 14,269            | 14,269            |
| 261  | 0305208F        | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....                          | 27,501            | 39,001            |
|      |                 | Unfunded requirement .....                                               |                   | [11,500]          |
| 262  | 0305220F        | RQ-4 UAV .....                                                           | 214,849           | 214,849           |
| 263  | 0305221F        | NETWORK-CENTRIC COLLABORATIVE TARGETING .....                            | 18,842            | 18,842            |
| 265  | 0305238F        | NATO AGS .....                                                           | 44,729            | 44,729            |
| 266  | 0305240F        | SUPPORT TO DCGS ENTERPRISE .....                                         | 26,349            | 26,349            |
| 269  | 0305600F        | INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES .....            | 3,491             | 3,491             |
| 271  | 0305881F        | RAPID CYBER ACQUISITION .....                                            | 4,899             | 4,899             |
| 275  | 0305984F        | PERSONNEL RECOVERY COMMAND & CTRL (PRC2) .....                           | 2,445             | 2,445             |
| 276  | 0307577F        | INTELLIGENCE MISSION DATA (IMD) .....                                    | 8,684             | 8,684             |
| 278  | 0401115F        | C-130 AIRLIFT SQUADRON .....                                             | 10,219            | 10,219            |
| 279  | 0401119F        | C-5 AIRLIFT SQUADRONS (IF) .....                                         | 22,758            | 22,758            |
| 280  | 0401130F        | C-17 AIRCRAFT (IF) .....                                                 | 34,287            | 34,287            |
| 281  | 0401132F        | C-130J PROGRAM .....                                                     | 26,821            | 26,821            |
| 282  | 0401134F        | LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM) .....                         | 5,283             | 5,283             |
| 283  | 0401218F        | KC-135S .....                                                            | 9,942             | 9,942             |
| 284  | 0401219F        | KC-10S .....                                                             | 7,933             | 7,933             |
| 285  | 0401314F        | OPERATIONAL SUPPORT AIRLIFT .....                                        | 6,681             | 6,681             |
| 286  | 0401318F        | CV-22 .....                                                              | 22,519            | 22,519            |
| 287  | 0401840F        | AMC COMMAND AND CONTROL SYSTEM .....                                     | 3,510             | 3,510             |
| 288  | 0408011F        | SPECIAL TACTICS / COMBAT CONTROL .....                                   | 8,090             | 8,090             |
| 289  | 0702207F        | DEPOT MAINTENANCE (NON-IF) .....                                         | 1,528             | 1,528             |
| 290  | 0708055F        | MAINTENANCE, REPAIR & OVERHAUL SYSTEM .....                              | 31,677            | 31,677            |
| 291  | 0708610F        | LOGISTICS INFORMATION TECHNOLOGY (LOGIT) .....                           | 33,344            | 33,344            |
| 292  | 0708611F        | SUPPORT SYSTEMS DEVELOPMENT .....                                        | 9,362             | 9,362             |
| 293  | 0804743F        | OTHER FLIGHT TRAINING .....                                              | 2,074             | 2,074             |
| 294  | 0808716F        | OTHER PERSONNEL ACTIVITIES .....                                         | 107               | 107               |
| 295  | 0901202F        | JOINT PERSONNEL RECOVERY AGENCY .....                                    | 2,006             | 2,006             |
| 296  | 0901218F        | CIVILIAN COMPENSATION PROGRAM .....                                      | 3,780             | 3,780             |
| 297  | 0901220F        | PERSONNEL ADMINISTRATION .....                                           | 7,472             | 7,472             |
| 298  | 0901226F        | AIR FORCE STUDIES AND ANALYSIS AGENCY .....                              | 1,563             | 1,563             |
| 299  | 0901538F        | FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT .....               | 91,211            | 91,211            |
| 300  | 1201921F        | SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES .....                       | 14,255            | 14,255            |
| 301  | 1202247F        | AF TENCAP .....                                                          | 31,914            | 31,914            |
| 302  | 1203001F        | FAMILY OF ADVANCED BLOS TERMINALS (FAB-T) .....                          | 32,426            | 32,426            |
| 303  | 1203110F        | SATELLITE CONTROL NETWORK (SPACE) .....                                  | 18,808            | 21,308            |
|      |                 | Program increase .....                                                   |                   | [2,500]           |
| 305  | 1203165F        | NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS) .....     | 10,029            | 10,029            |
| 306  | 1203173F        | SPACE AND MISSILE TEST AND EVALUATION CENTER .....                       | 25,051            | 25,051            |
| 307  | 1203174F        | SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT .....     | 11,390            | 11,390            |
| 308  | 1203179F        | INTEGRATED BROADCAST SERVICE (IBS) .....                                 | 8,747             | 8,747             |
| 309  | 1203182F        | SPACELIFT RANGE SYSTEM (SPACE) .....                                     | 10,549            | 10,549            |
| 310  | 1203265F        | GPS III SPACE SEGMENT .....                                              | 243,435           | 243,435           |
| 311  | 1203400F        | SPACE SUPERIORITY INTELLIGENCE .....                                     | 12,691            | 12,691            |
| 312  | 1203614F        | JSPOC MISSION SYSTEM .....                                               | 99,455            | 99,455            |
| 313  | 1203620F        | NATIONAL SPACE DEFENSE CENTER .....                                      | 18,052            | 18,052            |
| 314  | 1203699F        | SHARED EARLY WARNING (SEW) .....                                         | 1,373             | 1,373             |
| 315  | 1203906F        | NCMC—TW/AA SYSTEM .....                                                  | 5,000             | 5,000             |
| 316  | 1203913F        | NUDET DETECTION SYSTEM (SPACE) .....                                     | 31,508            | 31,508            |
| 317  | 1203940F        | SPACE SITUATION AWARENESS OPERATIONS .....                               | 99,984            | 99,984            |
| 318  | 1206423F        | GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT .....          | 510,938           | 510,938           |
| 318A | 9999999999      | CLASSIFIED PROGRAMS .....                                                | 14,938,002        | 14,974,002        |
|      |                 | Program increase .....                                                   |                   | [36,000]          |
|      |                 | <b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>                    | <b>20,585,302</b> | <b>20,763,602</b> |
|      |                 | <b>UNDISTRIBUTED</b>                                                     |                   |                   |
| 319  | 0901560F        | UNDISTRIBUTED .....                                                      |                   | -195,900          |
|      |                 | Bomber Modernization—Excess to Need .....                                |                   | [-195,900]        |
|      |                 | <b>SUBTOTAL UNDISTRIBUTED .....</b>                                      |                   | <b>-195,900</b>   |
|      |                 | <b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF .....</b>            | <b>34,914,359</b> | <b>35,192,614</b> |
|      |                 | <b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW</b>                        |                   |                   |
|      |                 | <b>BASIC RESEARCH</b>                                                    |                   |                   |
| 001  | 0601000BR       | DTRA BASIC RESEARCH .....                                                | 37,201            | 37,201            |
| 002  | 0601101E        | DEFENSE RESEARCH SCIENCES .....                                          | 432,347           | 432,347           |
| 003  | 0601110D8Z      | BASIC RESEARCH INITIATIVES .....                                         | 40,612            | 40,612            |
| 004  | 0601117E        | BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE .....                         | 43,126            | 43,126            |
| 005  | 0601120D8Z      | NATIONAL DEFENSE EDUCATION PROGRAM .....                                 | 74,298            | 74,298            |
| 006  | 0601228D8Z      | HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS ..... | 25,865            | 35,865            |
|      |                 | Program Increase .....                                                   |                   | [10,000]          |
| 007  | 0601384BP       | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....                            | 43,898            | 43,898            |
|      |                 | <b>SUBTOTAL BASIC RESEARCH .....</b>                                     | <b>697,347</b>    | <b>707,347</b>    |

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| <b>Line</b>                                          | <b>Program Element</b> | <b>Item</b>                                                                                                | <b>FY 2018 Request</b> | <b>House Authorized</b> |
|------------------------------------------------------|------------------------|------------------------------------------------------------------------------------------------------------|------------------------|-------------------------|
| <b>APPLIED RESEARCH</b>                              |                        |                                                                                                            |                        |                         |
| 008                                                  | 0602000D8Z             | JOINT MUNITIONS TECHNOLOGY .....                                                                           | 19,111                 | 19,111                  |
| 009                                                  | 0602115E               | BIOMEDICAL TECHNOLOGY .....                                                                                | 109,360                | 109,360                 |
| 011                                                  | 0602234D8Z             | LINCOLN LABORATORY RESEARCH PROGRAM .....                                                                  | 49,748                 | 49,748                  |
| 012                                                  | 0602251D8Z             | APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES .....                                               | 49,226                 | 49,226                  |
| 013                                                  | 0602303E               | INFORMATION & COMMUNICATIONS TECHNOLOGY .....                                                              | 392,784                | 392,784                 |
| 014                                                  | 0602383E               | BIOLOGICAL WARFARE DEFENSE .....                                                                           | 13,014                 | 13,014                  |
| 015                                                  | 0602384BP              | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....                                                              | 201,053                | 201,053                 |
| 016                                                  | 0602668D8Z             | CYBER SECURITY RESEARCH .....                                                                              | 14,775                 | 14,775                  |
| 017                                                  | 0602702E               | TACTICAL TECHNOLOGY .....                                                                                  | 343,776                | 343,776                 |
| 018                                                  | 0602715E               | MATERIALS AND BIOLOGICAL TECHNOLOGY .....                                                                  | 224,440                | 224,440                 |
| 019                                                  | 0602716E               | ELECTRONICS TECHNOLOGY .....                                                                               | 295,447                | 295,447                 |
| 020                                                  | 0602718BR              | COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH .....                                                 | 157,908                | 157,908                 |
| 021                                                  | 0602751D8Z             | SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH .....                                                | 8,955                  | 8,955                   |
| 022                                                  | 1160401BB              | SOF TECHNOLOGY DEVELOPMENT .....                                                                           | 34,493                 | 34,493                  |
|                                                      |                        | <b>SUBTOTAL APPLIED RESEARCH .....</b>                                                                     | <b>1,914,090</b>       | <b>1,914,090</b>        |
| <b>ADVANCED TECHNOLOGY DEVELOPMENT</b>               |                        |                                                                                                            |                        |                         |
| 023                                                  | 0603000D8Z             | JOINT MUNITIONS ADVANCED TECHNOLOGY .....                                                                  | 25,627                 | 25,627                  |
| 024                                                  | 0603122D8Z             | COMBATING TERRORISM TECHNOLOGY SUPPORT .....                                                               | 76,230                 | 81,230                  |
|                                                      |                        | Program increase—conventional EOD equipment .....                                                          |                        | [5,000]                 |
| 025                                                  | 0603133D8Z             | FOREIGN COMPARATIVE TESTING .....                                                                          | 24,199                 | 24,199                  |
| 026                                                  | 0603160BR              | COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT .....                                  | 268,607                | 268,607                 |
| 027                                                  | 0603176C               | ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT .....                                                         | 12,996                 | 12,996                  |
| 029                                                  | 0603178C               | WEAPONS TECHNOLOGY .....                                                                                   | 5,495                  | 60,595                  |
|                                                      |                        | Restore funding for directed energy prioritization in DoD's BMD efforts .....                              |                        | [55,100]                |
| 031                                                  | 0603180C               | ADVANCED RESEARCH .....                                                                                    | 20,184                 | 20,184                  |
| 032                                                  | 0603225D8Z             | JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT .....                                                       | 18,662                 | 18,662                  |
| 035                                                  | 0603286E               | ADVANCED AEROSPACE SYSTEMS .....                                                                           | 155,406                | 155,406                 |
| 036                                                  | 0603287E               | SPACE PROGRAMS AND TECHNOLOGY .....                                                                        | 247,435                | 247,435                 |
| 037                                                  | 0603288D8Z             | ANALYTIC ASSESSMENTS .....                                                                                 | 13,154                 | 13,154                  |
| 038                                                  | 0603289D8Z             | ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS .....                                                            | 37,674                 | 30,674                  |
|                                                      |                        | Program decrease .....                                                                                     |                        | [-7,000]                |
| 039                                                  | 0603291D8Z             | ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS—MHA .....                                                        | 15,000                 | 15,000                  |
| 040                                                  | 0603294C               | COMMON KILL VEHICLE TECHNOLOGY .....                                                                       | 252,879                | 252,879                 |
| 041                                                  | 0603342D8W             | DEFENSE INNOVATION UNIT EXPERIMENTAL (DIUX) .....                                                          | 29,594                 | 29,594                  |
| 042                                                  | 0603375D8Z             | TECHNOLOGY INNOVATION .....                                                                                | 59,863                 | 24,863                  |
|                                                      |                        | Unjustified growth .....                                                                                   |                        | [-35,000]               |
| 043                                                  | 0603384BP              | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT .....                                         | 145,359                | 145,359                 |
| 044                                                  | 0603527D8Z             | RETRACT LARCH .....                                                                                        | 171,120                | 171,120                 |
| 045                                                  | 0603618D8Z             | JOINT ELECTRONIC ADVANCED TECHNOLOGY .....                                                                 | 14,389                 | 14,389                  |
| 046                                                  | 0603648D8Z             | JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS .....                                                           | 105,871                | 105,871                 |
| 047                                                  | 0603662D8Z             | NETWORKED COMMUNICATIONS CAPABILITIES .....                                                                | 12,661                 | 12,661                  |
| 048                                                  | 0603680D8Z             | DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM .....                                            | 136,159                | 136,159                 |
| 049                                                  | 0603680S               | MANUFACTURING TECHNOLOGY PROGRAM .....                                                                     | 40,511                 | 40,511                  |
| 050                                                  | 0603699D8Z             | EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT .....                                                         | 57,876                 | 49,876                  |
|                                                      |                        | SOCOM ATL effort .....                                                                                     |                        | [-8,000]                |
| 051                                                  | 0603712S               | GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS .....                                                      | 10,611                 | 10,611                  |
| 053                                                  | 0603716D8Z             | STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM .....                                                             | 71,832                 | 81,832                  |
|                                                      |                        | Environmental resiliency .....                                                                             |                        | [10,000]                |
| 054                                                  | 0603720S               | MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT .....                                                  | 219,803                | 219,803                 |
| 055                                                  | 0603727D8Z             | JOINT WARFIGHTING PROGRAM .....                                                                            | 6,349                  | 6,349                   |
| 056                                                  | 0603739E               | ADVANCED ELECTRONICS TECHNOLOGIES .....                                                                    | 79,173                 | 79,173                  |
| 057                                                  | 0603760E               | COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS .....                                                          | 106,787                | 106,787                 |
| 058                                                  | 0603766E               | NETWORK-CENTRIC WARFARE TECHNOLOGY .....                                                                   | 439,386                | 439,386                 |
| 059                                                  | 0603767E               | SENSOR TECHNOLOGY .....                                                                                    | 210,123                | 210,123                 |
| 060                                                  | 0603769D8Z             | DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT .....                                                 | 11,211                 | 11,211                  |
| 062                                                  | 0603781D8Z             | SOFTWARE ENGINEERING INSTITUTE .....                                                                       | 15,047                 | 15,047                  |
| 063                                                  | 0603826D8Z             | QUICK REACTION SPECIAL PROJECTS .....                                                                      | 69,203                 | 69,203                  |
| 064                                                  | 0603833D8Z             | ENGINEERING SCIENCE & TECHNOLOGY .....                                                                     | 25,395                 | 25,395                  |
| 065                                                  | 0603941D8Z             | TEST & EVALUATION SCIENCE & TECHNOLOGY .....                                                               | 89,586                 | 89,586                  |
| 066                                                  | 0604055D8Z             | OPERATIONAL ENERGY CAPABILITY IMPROVEMENT .....                                                            | 38,403                 | 38,403                  |
| 067                                                  | 0303310D8Z             | CWMD SYSTEMS .....                                                                                         | 33,382                 | 33,382                  |
| 068                                                  | 1160402BB              | SOF ADVANCED TECHNOLOGY DEVELOPMENT .....                                                                  | 72,605                 | 72,605                  |
|                                                      |                        | <b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT .....</b>                                                      | <b>3,445,847</b>       | <b>3,465,947</b>        |
| <b>ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES</b> |                        |                                                                                                            |                        |                         |
| 069                                                  | 0603161D8Z             | NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P .....                                     | 32,937                 | 32,937                  |
| 070                                                  | 0603600D8Z             | WALKOFF .....                                                                                              | 101,714                | 101,714                 |
| 072                                                  | 0603821D8Z             | ACQUISITION ENTERPRISE DATA & INFORMATION SERVICES .....                                                   | 2,198                  | 2,198                   |
| 073                                                  | 0603851D8Z             | ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM .....                                               | 54,583                 | 54,583                  |
| 074                                                  | 0603881C               | BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT .....                                                   | 230,162                | 230,162                 |
| 075                                                  | 0603882C               | BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT .....                                                  | 828,097                | 850,093                 |
|                                                      |                        | Improve Discrimination Capability for GMD .....                                                            |                        | [21,996]                |
| 076                                                  | 0603884BP              | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL .....                                                      | 148,518                | 148,518                 |
| 077                                                  | 0603884C               | BALLISTIC MISSILE DEFENSE SENSORS .....                                                                    | 247,345                | 326,207                 |
|                                                      |                        | Funding increase to accelerate development and deployment of interim and perm MD enhancements for HI ..... |                        | [21,000]                |
|                                                      |                        | Improve Discrimination Capability for GMD .....                                                            |                        | [57,862]                |

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(In Thousands of Dollars)

| Line | Program Element | Item                                                                                   | FY 2018 Request  | House Authorized |
|------|-----------------|----------------------------------------------------------------------------------------|------------------|------------------|
| 078  | 0603890C        | BMD ENABLING PROGRAMS .....                                                            | 449,442          | 478,884          |
|      |                 | GMD Discrimination .....                                                               |                  | [23,342]         |
|      |                 | Improve High Fidelity Modeling and Simulation for GMD .....                            |                  | [6,100]          |
| 079  | 0603891C        | SPECIAL PROGRAMS—MDA .....                                                             | 320,190          | 320,190          |
| 080  | 0603892C        | AEGIS BMD .....                                                                        | 852,052          | 852,052          |
| 083  | 0603896C        | BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI ..... | 430,115          | 430,115          |
| 084  | 0603898C        | BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT .....                               | 48,954           | 48,954           |
| 085  | 0603904C        | MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC) .....                          | 53,265           | 53,265           |
| 086  | 0603906C        | REGARDING TRENCH .....                                                                 | 9,113            | 9,113            |
| 087  | 0603907C        | SEA BASED X-BAND RADAR (SBX) .....                                                     | 130,695          | 130,695          |
| 088  | 0603913C        | ISRAELI COOPERATIVE PROGRAMS .....                                                     | 105,354          | 105,354          |
| 089  | 0603914C        | BALLISTIC MISSILE DEFENSE TEST .....                                                   | 305,791          | 305,791          |
| 090  | 0603915C        | BALLISTIC MISSILE DEFENSE TARGETS .....                                                | 410,425          | 410,425          |
| 091  | 0603920D8Z      | HUMANITARIAN DEMINING .....                                                            | 10,837           | 10,837           |
| 092  | 0603923D8Z      | COALITION WARFARE .....                                                                | 10,740           | 10,740           |
| 093  | 0604016D8Z      | DEPARTMENT OF DEFENSE CORROSION PROGRAM .....                                          | 3,837            | 3,837            |
| 094  | 0604115C        | TECHNOLOGY MATURATION INITIATIVES .....                                                | 128,406          | 258,406          |
|      |                 | Acceleration of kintetic and nonkinetic boost phase BMD .....                          |                  | [100,000]        |
|      |                 | Program increase .....                                                                 |                  | [30,000]         |
| 095  | 0604132D8Z      | MISSILE DEFEAT PROJECT .....                                                           | 98,369           | 98,369           |
| 096  | 0604181C        | HYPERSONIC DEFENSE .....                                                               | 75,300           | 75,300           |
| 097  | 0604250D8Z      | ADVANCED INNOVATIVE TECHNOLOGIES .....                                                 | 1,175,832        | 1,153,832        |
|      |                 | Program decrease .....                                                                 |                  | [-22,000]        |
| 098  | 0604294D8Z      | TRUSTED & ASSURED MICROELECTRONICS .....                                               | 83,626           | 83,626           |
| 099  | 0604331D8Z      | RAPID PROTOTYPING PROGRAM .....                                                        | 100,000          | 100,000          |
| 101  | 0604400D8Z      | DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT .....                   | 3,967            | 3,967            |
| 102  | 0604682D8Z      | WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA) .....                               | 3,833            | 3,833            |
| 104  | 0604826J        | JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS .....    | 23,638           | 23,638           |
| 105  | 0604873C        | LONG RANGE DISCRIMINATION RADAR (LRDR) .....                                           | 357,659          | 357,659          |
| 106  | 0604874C        | IMPROVED HOMELAND DEFENSE INTERCEPTORS .....                                           | 465,530          | 545,530          |
|      |                 | C3 Booster Development .....                                                           |                  | [80,000]         |
| 107  | 0604876C        | BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST .....                          | 36,239           | 36,239           |
| 108  | 0604878C        | AEGIS BMD TEST .....                                                                   | 134,468          | 160,819          |
|      |                 | To provide AAW at Aegis Ashore sites, consistent w/ FY16 and FY17 NDAAs .....          |                  | [26,351]         |
| 109  | 0604879C        | BALLISTIC MISSILE DEFENSE SENSOR TEST .....                                            | 84,239           | 84,239           |
| 110  | 0604880C        | LAND-BASED SM-3 (LBSM3) .....                                                          | 30,486           | 97,761           |
|      |                 | To provide AAW at Aegis Ashore sites, consistent w/ FY16 and FY17 NDAAs .....          |                  | [67,275]         |
| 111  | 0604881C        | AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT .....                                              | 9,739            | 9,739            |
| 112  | 0604887C        | BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST .....                                 | 76,757           | 76,757           |
| 113  | 0604894C        | MULTI-OBJECT KILL VEHICLE .....                                                        | 6,500            | 6,500            |
| 114  | 0303191D8Z      | JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM .....                                   | 2,902            | 2,902            |
| 115  | 0305103C        | CYBER SECURITY INITIATIVE .....                                                        | 986              | 986              |
| 116  | 1206893C        | SPACE TRACKING & SURVEILLANCE SYSTEM .....                                             | 34,907           | 34,907           |
| 117  | 1206895C        | BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS .....                                  | 16,994           | 16,994           |
|      |                 | <b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES .....</b>                    | <b>7,736,741</b> | <b>8,148,667</b> |
|      |                 | <b>SYSTEM DEVELOPMENT AND DEMONSTRATION</b>                                            |                  |                  |
| 118  | 0604161D8Z      | NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD .....                   | 12,536           | 12,536           |
| 119  | 0604165D8Z      | PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT .....                                      | 201,749          | 201,749          |
| 120  | 0604384BP       | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD .....                                      | 406,789          | 406,789          |
| 122  | 0604771D8Z      | JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS) .....                           | 15,358           | 15,358           |
| 123  | 0605000BR       | COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT .....                          | 6,241            | 6,241            |
| 124  | 0605013BL       | INFORMATION TECHNOLOGY DEVELOPMENT .....                                               | 12,322           | 12,322           |
| 125  | 0605021SE       | HOMELAND PERSONNEL SECURITY INITIATIVE .....                                           | 4,893            | 4,893            |
| 126  | 0605022D8Z      | DEFENSE EXPORTABILITY PROGRAM .....                                                    | 3,162            | 3,162            |
| 127  | 0605027D8Z      | OUS(D) IT DEVELOPMENT INITIATIVES .....                                                | 21,353           | 21,353           |
| 128  | 0605070S        | DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION .....                             | 6,266            | 6,266            |
| 129  | 0605075D8Z      | DCMO POLICY AND INTEGRATION .....                                                      | 2,810            | 2,810            |
| 130  | 0605080S        | DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM .....                                | 24,436           | 24,436           |
| 131  | 0605090S        | DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS) .....                                  | 13,475           | 13,475           |
| 133  | 0605210D8Z      | DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES .....                                 | 11,870           | 11,870           |
| 134  | 0605294D8Z      | TRUSTED & ASSURED MICROELECTRONICS .....                                               | 61,084           | 61,084           |
| 135  | 0303141K        | GLOBAL COMBAT SUPPORT SYSTEM .....                                                     | 2,576            | 2,576            |
| 136  | 0305304D8Z      | DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM) .....                              | 3,669            | 3,669            |
| 137  | 0305310D8Z      | CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION .....                               | 8,230            | 8,230            |
|      |                 | <b>SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION .....</b>                             | <b>818,819</b>   | <b>818,819</b>   |
|      |                 | <b>MANAGEMENT SUPPORT</b>                                                              |                  |                  |
| 138  | 0604774D8Z      | DEFENSE READINESS REPORTING SYSTEM (DRRS) .....                                        | 6,941            | 6,941            |
| 139  | 0604875D8Z      | JOINT SYSTEMS ARCHITECTURE DEVELOPMENT .....                                           | 4,851            | 4,851            |
| 140  | 0604940D8Z      | CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP) .....                       | 211,325          | 211,325          |
| 141  | 0604942D8Z      | ASSESSMENTS AND EVALUATIONS .....                                                      | 30,144           | 50,144           |
|      |                 | Program increase for cyber vulnerability assessments and hardening .....               |                  | [20,000]         |
| 142  | 0605001E        | MISSION SUPPORT .....                                                                  | 63,769           | 63,769           |
| 143  | 0605100D8Z      | JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC) .....                                | 91,057           | 91,057           |
| 144  | 0605104D8Z      | TECHNICAL STUDIES, SUPPORT AND ANALYSIS .....                                          | 22,386           | 22,386           |
| 145  | 0605126J        | JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO) .....                   | 36,581           | 36,581           |
| 147  | 0605142D8Z      | SYSTEMS ENGINEERING .....                                                              | 37,622           | 37,622           |
| 148  | 0605151D8Z      | STUDIES AND ANALYSIS SUPPORT—OSD .....                                                 | 5,200            | 5,200            |

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| <b>Line</b> | <b>Program Element</b> | <b>Item</b>                                                                                    | <b>FY 2018 Request</b> | <b>House Authorized</b> |
|-------------|------------------------|------------------------------------------------------------------------------------------------|------------------------|-------------------------|
| 149         | 0605161D8Z             | NUCLEAR MATTERS-PHYSICAL SECURITY .....                                                        | 5,232                  | 5,232                   |
| 150         | 0605170D8Z             | SUPPORT TO NETWORKS AND INFORMATION INTEGRATION .....                                          | 12,583                 | 12,583                  |
| 151         | 0605200D8Z             | GENERAL SUPPORT TO USD (INTELLIGENCE) .....                                                    | 31,451                 | 31,451                  |
| 152         | 0605384BP              | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....                                                  | 104,348                | 104,348                 |
| 161         | 0605790D8Z             | SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER .....            | 2,372                  | 2,372                   |
| 162         | 0605798D8Z             | DEFENSE TECHNOLOGY ANALYSIS .....                                                              | 24,365                 | 24,365                  |
| 163         | 0605801KA              | DEFENSE TECHNICAL INFORMATION CENTER (DTIC) .....                                              | 54,145                 | 54,145                  |
| 164         | 0605803SE              | R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION .....                                 | 30,356                 | 30,356                  |
| 165         | 0605804D8Z             | DEVELOPMENT TEST AND EVALUATION .....                                                          | 20,571                 | 20,571                  |
| 166         | 0605898E               | MANAGEMENT HQ—R&D .....                                                                        | 14,017                 | 14,017                  |
| 167         | 0605998KA              | MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC) .....                                | 4,187                  | 4,187                   |
| 168         | 0606100D8Z             | BUDGET AND PROGRAM ASSESSMENTS .....                                                           | 3,992                  | 3,992                   |
| 169         | 0606225D8Z             | ODNA TECHNOLOGY AND RESOURCE ANALYSIS .....                                                    | 1,000                  | 1,000                   |
| 170         | 0203345D8Z             | DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI) .....                                            | 2,551                  | 2,551                   |
| 171         | 0204571J               | JOINT STAFF ANALYTICAL SUPPORT .....                                                           | 7,712                  | 7,712                   |
| 174         | 0303166J               | SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES .....                                      | 673                    | 673                     |
| 175         | 0303260D8Z             | DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO) .....                                        | 1,006                  | 1,006                   |
| 177         | 0305172K               | COMBINED ADVANCED APPLICATIONS .....                                                           | 16,998                 | 16,998                  |
| 180         | 0305245D8Z             | INTELLIGENCE CAPABILITIES AND INNOVATION INVESTMENTS .....                                     | 18,992                 | 18,992                  |
| 181         | 0306310D8Z             | CWMD SYSTEMS: RDT&E MANAGEMENT SUPPORT .....                                                   | 1,231                  | 1,231                   |
| 183         | 0804767J               | COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—MHA .....                        | 44,500                 | 44,500                  |
| 184         | 0901598C               | MANAGEMENT HQ—MDA .....                                                                        | 29,947                 | 29,947                  |
| 187         | 0903235K               | JOINT SERVICE PROVIDER (JSP) .....                                                             | 5,113                  | 5,113                   |
| 187A        | 9999999999             | CLASSIFIED PROGRAMS .....                                                                      | 63,312                 | 63,312                  |
|             |                        | <b>SUBTOTAL MANAGEMENT SUPPORT .....</b>                                                       | <b>1,010,530</b>       | <b>1,030,530</b>        |
|             |                        | <b>OPERATIONAL SYSTEM DEVELOPMENT</b>                                                          |                        |                         |
| 188         | 0604130V               | ENTERPRISE SECURITY SYSTEM (ESS) .....                                                         | 4,565                  | 4,565                   |
| 189         | 0605127T               | REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA .....         | 1,871                  | 1,871                   |
| 190         | 0605147T               | OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS) .....                      | 298                    | 298                     |
| 191         | 0607210D8Z             | INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT .....                                         | 10,882                 | 15,882                  |
|             |                        | Program increase for increase analytical support .....                                         |                        | [5,000]                 |
| 192         | 0607310D8Z             | CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT .....                                            | 7,222                  | 7,222                   |
| 193         | 0607327T               | GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS) .....            | 14,450                 | 14,450                  |
| 194         | 0607384BP              | CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT) .....                        | 45,677                 | 45,677                  |
| 195         | 0208043J               | PLANNING AND DECISION AID SYSTEM (PDAS) .....                                                  | 3,037                  | 3,037                   |
| 196         | 0208045K               | C4I INTEROPERABILITY .....                                                                     | 59,490                 | 59,490                  |
| 198         | 0301144K               | JOINT/ALLIED COALITION INFORMATION SHARING .....                                               | 6,104                  | 6,104                   |
| 202         | 0302016K               | NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT .....                                            | 1,863                  | 1,863                   |
| 203         | 0302019K               | DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION .....                                  | 21,564                 | 21,564                  |
| 204         | 0303126K               | LONG-HAUL COMMUNICATIONS—DCS .....                                                             | 15,428                 | 15,428                  |
| 205         | 0303131K               | MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) .....                               | 15,855                 | 15,855                  |
| 206         | 0303135G               | PUBLIC KEY INFRASTRUCTURE (PKI) .....                                                          | 4,811                  | 4,811                   |
| 207         | 0303136G               | KEY MANAGEMENT INFRASTRUCTURE (KMI) .....                                                      | 33,746                 | 33,746                  |
| 208         | 0303140D8Z             | INFORMATION SYSTEMS SECURITY PROGRAM .....                                                     | 9,415                  | 19,415                  |
|             |                        | Cyber Scholarship Program .....                                                                |                        | [10,000]                |
| 209         | 0303140G               | INFORMATION SYSTEMS SECURITY PROGRAM .....                                                     | 227,652                | 235,652                 |
|             |                        | Program increase to support cyber defense education of reservists and the National Guard ..... |                        | [8,000]                 |
| 210         | 0303150K               | GLOBAL COMMAND AND CONTROL SYSTEM .....                                                        | 42,687                 | 42,687                  |
| 211         | 0303153K               | DEFENSE SPECTRUM ORGANIZATION .....                                                            | 8,750                  | 8,750                   |
| 214         | 0303228K               | JOINT INFORMATION ENVIRONMENT (JIE) .....                                                      | 4,689                  | 4,689                   |
| 216         | 0303430K               | FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY .....                                    | 50,000                 | 50,000                  |
| 222         | 0305103K               | CYBER SECURITY INITIATIVE .....                                                                | 1,686                  | 1,686                   |
| 227         | 0305186D8Z             | POLICY R&D PROGRAMS .....                                                                      | 6,526                  | 6,526                   |
| 228         | 0305199D8Z             | NET CENTRICITY .....                                                                           | 18,455                 | 18,455                  |
| 230         | 0305208BB              | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....                                                | 5,496                  | 5,496                   |
| 233         | 0305208K               | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....                                                | 3,049                  | 3,049                   |
| 236         | 0305327V               | INSIDER THREAT .....                                                                           | 5,365                  | 5,365                   |
| 237         | 0305387D8Z             | HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM .....                                             | 2,071                  | 2,071                   |
| 243         | 0307577D8Z             | INTELLIGENCE MISSION DATA (IMD) .....                                                          | 13,111                 | 13,111                  |
| 245         | 0708012S               | PACIFIC DISASTER CENTERS .....                                                                 | 1,770                  | 1,770                   |
| 246         | 0708047S               | DEFENSE PROPERTY ACCOUNTABILITY SYSTEM .....                                                   | 2,924                  | 2,924                   |
| 248         | 1105219BB              | MQ-9 UAV .....                                                                                 | 37,863                 | 37,863                  |
| 251         | 1160403BB              | AVIATION SYSTEMS .....                                                                         | 259,886                | 267,386                 |
|             |                        | Per SOCOM requested realignment .....                                                          |                        | [7,500]                 |
| 252         | 1160405BB              | INTELLIGENCE SYSTEMS DEVELOPMENT .....                                                         | 8,245                  | 8,245                   |
| 253         | 1160408BB              | OPERATIONAL ENHANCEMENTS .....                                                                 | 79,455                 | 79,455                  |
| 254         | 1160431BB              | WARRIOR SYSTEMS .....                                                                          | 45,935                 | 45,935                  |
| 255         | 1160432BB              | SPECIAL PROGRAMS .....                                                                         | 1,978                  | 1,978                   |
| 256         | 1160434BB              | UNMANNED ISR .....                                                                             | 31,766                 | 31,766                  |
| 257         | 1160480BB              | SOF TACTICAL VEHICLES .....                                                                    | 2,578                  | 2,578                   |
| 258         | 1160483BB              | MARITIME SYSTEMS .....                                                                         | 42,315                 | 55,115                  |
|             |                        | Per SOCOM requested realignment .....                                                          |                        | [12,800]                |
| 259         | 1160489BB              | GLOBAL VIDEO SURVEILLANCE ACTIVITIES .....                                                     | 4,661                  | 4,661                   |
| 260         | 1160490BB              | OPERATIONAL ENHANCEMENTS INTELLIGENCE .....                                                    | 12,049                 | 12,049                  |
| 261         | 1203610K               | TELEPORT PROGRAM .....                                                                         | 642                    | 642                     |
| 261A        | 9999999999             | CLASSIFIED PROGRAMS .....                                                                      | 3,689,646              | 3,689,646               |
|             |                        | <b>SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT .....</b>                                           | <b>4,867,528</b>       | <b>4,910,828</b>        |

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| <i>Line</i>                                                    | <i>Program Element</i> | <i>Item</i>                              | <i>FY 2018 Request</i> | <i>House Authorized</i> |
|----------------------------------------------------------------|------------------------|------------------------------------------|------------------------|-------------------------|
| <b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW</b>        |                        |                                          | <b>20,490,902</b>      | <b>20,996,228</b>       |
| <b>OPERATIONAL TEST &amp; EVAL, DEFENSE MANAGEMENT SUPPORT</b> |                        |                                          |                        |                         |
| 001                                                            | 0605118OTE             | OPERATIONAL TEST AND EVALUATION          | 83,503                 | 83,503                  |
| 002                                                            | 0605131OTE             | LIVE FIRE TEST AND EVALUATION            | 59,500                 | 59,500                  |
| 003                                                            | 0605814OTE             | OPERATIONAL TEST ACTIVITIES AND ANALYSES | 67,897                 | 67,897                  |
| <b>SUBTOTAL MANAGEMENT SUPPORT</b>                             |                        |                                          | <b>210,900</b>         | <b>210,900</b>          |
| <b>TOTAL OPERATIONAL TEST &amp; EVAL, DEFENSE</b>              |                        |                                          | <b>210,900</b>         | <b>210,900</b>          |
| <b>TOTAL RDT&amp;E</b>                                         |                        |                                          | <b>82,716,636</b>      | <b>84,038,357</b>       |

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.**

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

| <i>Line</i>                                                     | <i>Program Element</i> | <i>Item</i>                                                 | <i>FY 2018 Request</i> | <i>House Authorized</i> |
|-----------------------------------------------------------------|------------------------|-------------------------------------------------------------|------------------------|-------------------------|
| 006                                                             | 0602120A               | SENSORS AND ELECTRONIC SURVIVABILITY                        |                        | v                       |
| <b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>          |                        |                                                             |                        |                         |
| 055                                                             | 0603327A               | AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING                 | 15,000                 | 0                       |
|                                                                 |                        | Realign European Reassurance Initiative to Base             |                        | [–15,000]               |
| 058                                                             | 0603639A               | TANK AND MEDIUM CALIBER AMMUNITION                          |                        | 4,000                   |
|                                                                 |                        | Unfunded requirement—JLTV lethality 30mm upgrade            |                        | [4,000]                 |
| 060                                                             | 0603747A               | SOLDIER SUPPORT AND SURVIVABILITY                           | 3,000                  | 3,000                   |
| <b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b> |                        |                                                             | <b>18,000</b>          | <b>7,000</b>            |
| <b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>                   |                        |                                                             |                        |                         |
| 080                                                             | 0604201A               | AIRCRAFT AVIONICS                                           |                        | 12,000                  |
|                                                                 |                        | Unfunded requirement—A-PNT measures                         |                        | [12,000]                |
| 122                                                             | 0605032A               | TRACTOR TIRE                                                | 5,000                  | 5,000                   |
| 125                                                             | 0605035A               | COMMON INFRARED COUNTERMEASURES (CIRCM)                     | 21,540                 | 21,540                  |
| 132                                                             | 0605049A               | MISSILE WARNING SYSTEM MODERNIZATION (MWSM)                 |                        | 155,000                 |
|                                                                 |                        | Unfunded requirements—LIMWS                                 |                        | [155,000]               |
| 133                                                             | 0605051A               | AIRCRAFT SURVIVABILITY DEVELOPMENT                          | 30,100                 | 30,100                  |
| 147                                                             | 0303032A               | TROJAN—RH12                                                 | 1,200                  | 1,200                   |
| <b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>          |                        |                                                             | <b>57,840</b>          | <b>224,840</b>          |
| <b>OPERATIONAL SYSTEMS DEVELOPMENT</b>                          |                        |                                                             |                        |                         |
| 183                                                             | 0607134A               | LONG RANGE PRECISION FIRES (LRPF)                           |                        | 56,731                  |
|                                                                 |                        | Unfunded requirement                                        |                        | [42,731]                |
|                                                                 |                        | Unfunded requirement—CDAEM Bridging Strategy                |                        | [14,000]                |
| 191                                                             | 0607142A               | AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT  |                        | 8,000                   |
|                                                                 |                        | Unfunded requirement—M282 warhead qualification             |                        | [8,000]                 |
| 203                                                             | 0203801A               | MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM             | 15,000                 | 0                       |
|                                                                 |                        | Realign European Reassurance Initiative to Base             |                        | [–15,000]               |
| 222                                                             | 0305204A               | TACTICAL UNMANNED AERIAL VEHICLES                           | 7,492                  | 0                       |
|                                                                 |                        | Realign European Reassurance Initiative to Base             |                        | [–7,492]                |
| 223                                                             | 0305206A               | AIRBORNE RECONNAISSANCE SYSTEMS                             | 15,000                 | 0                       |
|                                                                 |                        | Realign European Reassurance Initiative to Base             |                        | [–15,000]               |
| 228                                                             | 0307665A               | BIOMETRICS ENABLED INTELLIGENCE                             | 6,036                  | 6,036                   |
| <b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT</b>                 |                        |                                                             | <b>43,528</b>          | <b>70,767</b>           |
| <b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY</b>       |                        |                                                             | <b>119,368</b>         | <b>302,607</b>          |
| <b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>          |                        |                                                             |                        |                         |
| 041                                                             | 0603527N               | RETRACT LARCH                                               | 22,000                 | 22,000                  |
| 081                                                             | 0604272N               | TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM) | 5,710                  | 5,710                   |
| <b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b> |                        |                                                             | <b>27,710</b>          | <b>27,710</b>           |
| <b>OPERATIONAL SYSTEMS DEVELOPMENT</b>                          |                        |                                                             |                        |                         |
| 207                                                             | 0204311N               | INTEGRATED SURVEILLANCE SYSTEM                              | 11,600                 | 0                       |
|                                                                 |                        | Realign European Reassurance Initiative to Base             |                        | [–11,600]               |
| 211                                                             | 0204574N               | CRYPTOLOGIC DIRECT SUPPORT                                  | 1,200                  | 1,200                   |
| 253A                                                            | 9999999999             | CLASSIFIED PROGRAMS                                         | 89,855                 | 89,855                  |
| <b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT</b>                 |                        |                                                             | <b>102,655</b>         | <b>91,055</b>           |
| <b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY</b>       |                        |                                                             | <b>130,365</b>         | <b>118,765</b>          |
| <b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>          |                        |                                                             |                        |                         |
| 029                                                             | 0603438F               | SPACE CONTROL TECHNOLOGY                                    | 7,800                  | 7,800                   |
| 053                                                             | 0306250F               | CYBER OPERATIONS TECHNOLOGY DEVELOPMENT                     | 5,400                  | 5,400                   |
| <b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b> |                        |                                                             | <b>13,200</b>          | <b>13,200</b>           |

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

| <b>Line</b>                                          | <b>Program Element</b> | <b>Item</b>                                                                              | <b>FY 2018 Request</b> | <b>House Authorized</b> |
|------------------------------------------------------|------------------------|------------------------------------------------------------------------------------------|------------------------|-------------------------|
| <b>OPERATIONAL SYSTEMS DEVELOPMENT</b>               |                        |                                                                                          |                        |                         |
| 196                                                  | 0207277F               | ISR INNOVATIONS .....                                                                    | 5,750                  | 5,750                   |
| 214                                                  | 0208087F               | AF OFFENSIVE CYBERSPACE OPERATIONS .....                                                 | 4,000                  | 4,000                   |
| 286                                                  | 0401318F               | CV-22 .....                                                                              |                        | 14,000                  |
|                                                      |                        | Unfunded requirement—common electrical interface .....                                   |                        | [7,000]                 |
|                                                      |                        | Unfunded requirement—intelligence broadcast system .....                                 |                        | [7,000]                 |
| 318A                                                 | 999999999              | CLASSIFIED PROGRAMS .....                                                                | 112,408                | 112,408                 |
|                                                      |                        | <b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT</b> .....                                    | <b>122,158</b>         | <b>136,158</b>          |
|                                                      |                        | <b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF</b> .....                            | <b>135,358</b>         | <b>149,358</b>          |
| <b>ADVANCED TECHNOLOGY DEVELOPMENT</b>               |                        |                                                                                          |                        |                         |
| 024                                                  | 0603122D8Z             | COMBATING TERRORISM TECHNOLOGY SUPPORT .....                                             | 25,000                 | 25,000                  |
|                                                      |                        | <b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT</b> .....                                    | <b>25,000</b>          | <b>25,000</b>           |
| <b>ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES</b> |                        |                                                                                          |                        |                         |
| 088                                                  | 0603913C               | ISRAELI COOPERATIVE PROGRAMS .....                                                       |                        | 507,646                 |
|                                                      |                        | Additional Cooperative funds, consistent with Title XVI authorizations .....             |                        | [507,646]               |
|                                                      |                        | <b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES</b> .....                      |                        | <b>507,646</b>          |
| <b>OPERATIONAL SYSTEM DEVELOPMENT</b>                |                        |                                                                                          |                        |                         |
| 253                                                  | 1160408BB              | OPERATIONAL ENHANCEMENTS .....                                                           | 1,920                  | 3,920                   |
|                                                      |                        | Unfunded Requirement- Publicly Available Information (PAI) Capability Acceleration ..... |                        | [2,000]                 |
| 256                                                  | 1160434BB              | UNMANNED ISR .....                                                                       | 3,000                  | 3,000                   |
| 261A                                                 | 999999999              | CLASSIFIED PROGRAMS .....                                                                | 196,176                | 196,176                 |
|                                                      |                        | <b>SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT</b> .....                                     | <b>201,096</b>         | <b>203,096</b>          |
|                                                      |                        | <b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW</b> .....                            | <b>226,096</b>         | <b>735,742</b>          |
|                                                      |                        | <b>TOTAL RDT&amp;E</b> .....                                                             | <b>611,187</b>         | <b>1,306,472</b>        |

**SEC. 4203. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.**

**SEC. 4203. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS**  
(In Thousands of Dollars)

| <b>Line</b>                                         | <b>Program Element</b> | <b>Item</b>                                                     | <b>FY 2018 Request</b> | <b>House Authorized</b> |
|-----------------------------------------------------|------------------------|-----------------------------------------------------------------|------------------------|-------------------------|
| <b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY</b> |                        |                                                                 |                        |                         |
| <b>ADVANCED TECHNOLOGY DEVELOPMENT</b>              |                        |                                                                 |                        |                         |
| 042                                                 | 0603270A               | ELECTRONIC WARFARE TECHNOLOGY .....                             |                        | 3,000                   |
|                                                     |                        | Multi-Domain Battle Exercise Capability .....                   |                        | [3,000]                 |
|                                                     |                        | <b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT</b> .....           |                        | <b>3,000</b>            |
| <b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>       |                        |                                                                 |                        |                         |
| 085                                                 | 0604328A               | TRACTOR CAGE .....                                              |                        | 13,000                  |
|                                                     |                        | Unfunded Requirement .....                                      |                        | [13,000]                |
| 117                                                 | 0605018A               | INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A) .....         |                        | 15,000                  |
|                                                     |                        | Unfunded Requirement .....                                      |                        | [15,000]                |
|                                                     |                        | <b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b> .....    |                        | <b>28,000</b>           |
| <b>OPERATIONAL SYSTEMS DEVELOPMENT</b>              |                        |                                                                 |                        |                         |
| 203                                                 | 0203801A               | MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM .....           |                        | 26,000                  |
|                                                     |                        | Unfunded requirement—Stinger PIP .....                          |                        | [26,000]                |
| 213                                                 | 0303028A               | SECURITY AND INTELLIGENCE ACTIVITIES .....                      |                        | 21,845                  |
|                                                     |                        | Unfunded Requirement .....                                      |                        | [21,845]                |
| 214                                                 | 0303140A               | INFORMATION SYSTEMS SECURITY PROGRAM .....                      |                        | 7,021                   |
|                                                     |                        | Unfunded Requirement .....                                      |                        | [7,021]                 |
|                                                     |                        | <b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT</b> .....           |                        | <b>54,866</b>           |
|                                                     |                        | <b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY</b> ..... |                        | <b>85,866</b>           |
| <b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY</b> |                        |                                                                 |                        |                         |
| <b>APPLIED RESEARCH</b>                             |                        |                                                                 |                        |                         |
| 010                                                 | 0602435N               | OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH .....            |                        | 15,000                  |
|                                                     |                        | AGOR SLEP .....                                                 |                        | [15,000]                |
| 014                                                 | 0602782N               | MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH .....           |                        | 23,500                  |
|                                                     |                        | MS-177A Maritime Sensor .....                                   |                        | [23,500]                |
|                                                     |                        | <b>SUBTOTAL APPLIED RESEARCH</b> .....                          |                        | <b>38,500</b>           |
|                                                     |                        | <b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY</b> ..... |                        | <b>38,500</b>           |
| <b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF</b>   |                        |                                                                 |                        |                         |
| <b>APPLIED RESEARCH</b>                             |                        |                                                                 |                        |                         |
| 007                                                 | 0602203F               | AEROSPACE PROPULSION .....                                      |                        | 2,500                   |
|                                                     |                        | Unfunded Requirement .....                                      |                        | [2,500]                 |
| 012                                                 | 0602605F               | DIRECTED ENERGY TECHNOLOGY .....                                |                        | 8,300                   |

**SEC. 4203. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS**  
(In Thousands of Dollars)

| <i>Line</i> | <i>Program Element</i> | <i>Item</i>                                                                                  | <i>FY 2018 Request</i> | <i>House Authorized</i> |
|-------------|------------------------|----------------------------------------------------------------------------------------------|------------------------|-------------------------|
|             |                        | Unfunded Requirement .....                                                                   |                        | [8,300]                 |
|             |                        | <b>SUBTOTAL APPLIED RESEARCH</b> .....                                                       |                        | <b>10,800</b>           |
|             |                        | <b>ADVANCED TECHNOLOGY DEVELOPMENT</b>                                                       |                        |                         |
| 018         | 0603211F               | AEROSPACE TECHNOLOGY DEV/DEMO .....                                                          |                        | 5,700                   |
|             |                        | Unfunded requirement .....                                                                   |                        | [5,700]                 |
| 019         | 0603216F               | AEROSPACE PROPULSION AND POWER TECHNOLOGY .....                                              |                        | 13,500                  |
|             |                        | Unfunded requirement .....                                                                   |                        | [13,500]                |
|             |                        | <b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT</b> .....                                        |                        | <b>19,200</b>           |
|             |                        | <b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>                                       |                        |                         |
| 041         | 0604414F               | CYBER RESILIENCY OF WEAPON SYSTEMS-ACS .....                                                 |                        | 10,200                  |
|             |                        | Unfunding requirement .....                                                                  |                        | [10,200]                |
| 062         | 1206438F               | SPACE CONTROL TECHNOLOGY .....                                                               |                        | 56,900                  |
|             |                        | AF UPL .....                                                                                 |                        | [56,900]                |
|             |                        | <b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b> .....                        |                        | <b>67,100</b>           |
|             |                        | <b>OPERATIONAL SYSTEMS DEVELOPMENT</b>                                                       |                        |                         |
| 230         | 0303131F               | MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) .....                             |                        | 11,000                  |
|             |                        | AF UPL—support for AEHF terminals .....                                                      |                        | [11,000]                |
| 302         | 1203001F               | FAMILY OF ADVANCED BLOS TERMINALS (FAB-T) .....                                              |                        | 58,400                  |
|             |                        | AF UPL—FAB-T testing activities .....                                                        |                        | [7,400]                 |
|             |                        | AF UPL—POTUS voice conference configuration .....                                            |                        | [31,900]                |
|             |                        | AF UPL—spares for testing .....                                                              |                        | [6,600]                 |
|             |                        | AF UPL—spares for testing .....                                                              |                        | [12,500]                |
| 312         | 1203614F               | JSPOC MISSION SYSTEM .....                                                                   |                        | 24,250                  |
|             |                        | AF UPL—BMC2 software .....                                                                   |                        | [24,250]                |
|             |                        | <b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT</b> .....                                        |                        | <b>93,650</b>           |
|             |                        | <b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF</b> .....                                |                        | <b>190,750</b>          |
|             |                        | <b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW</b>                                            |                        |                         |
|             |                        | <b>ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES</b>                                         |                        |                         |
| 075         | 0603882C               | BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT .....                                    |                        | 351,000                 |
|             |                        | Increase GBI magazine capacity at Fort Greely .....                                          |                        | [208,000]               |
|             |                        | Procure 3 additional EKV's .....                                                             |                        | [45,000]                |
|             |                        | Procure 7 additional boosters .....                                                          |                        | [98,000]                |
| 117         | 1206895C               | BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS .....                                        |                        | 27,500                  |
|             |                        | Initiates BMDS Global Sensors AoA recommendations for space sensor architecture .....        |                        | [27,500]                |
|             |                        | <b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES</b> .....                          |                        | <b>378,500</b>          |
|             |                        | <b>SYSTEM DEVELOPMENT AND DEMONSTRATION</b>                                                  |                        |                         |
| 137A        | 0604XXX                | RESEARCH AND DEVELOPMENT OF MILITARY RESPONSE OPTIONS FOR RUSSIAN INF TREATY VIOLATION ..... |                        | 50,000                  |
|             |                        | Program increase .....                                                                       |                        | [50,000]                |
|             |                        | <b>SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION</b> .....                                   |                        | <b>50,000</b>           |
|             |                        | <b>MANAGEMENT SUPPORT</b>                                                                    |                        |                         |
| 151         | 0605200D8Z             | GENERAL SUPPORT TO USD (INTELLIGENCE) .....                                                  |                        | 30,000                  |
|             |                        | PROJECT Maven .....                                                                          |                        | [30,000]                |
|             |                        | <b>SUBTOTAL MANAGEMENT SUPPORT</b> .....                                                     |                        | <b>30,000</b>           |
|             |                        | <b>OPERATIONAL SYSTEM DEVELOPMENT</b>                                                        |                        |                         |
| 236         | 0305327V               | INSIDER THREAT .....                                                                         |                        | 5,000                   |
|             |                        | Defense Insider Threat Management and Analysis Center .....                                  |                        | [5,000]                 |
|             |                        | <b>SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT</b> .....                                         |                        | <b>5,000</b>            |
|             |                        | <b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW</b> .....                                |                        | <b>463,500</b>          |
|             |                        | <b>TOTAL RDT&amp;E</b> .....                                                                 |                        | <b>778,616</b>          |

**TITLE XLIII—OPERATION AND MAINTENANCE**

**SEC. 4301. OPERATION AND MAINTENANCE.**

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

| <i>Line</i> | <i>Item</i>                                           | <i>FY 2018 Request</i> | <i>House Authorized</i> |
|-------------|-------------------------------------------------------|------------------------|-------------------------|
|             | <b>OPERATION &amp; MAINTENANCE, ARMY</b>              |                        |                         |
|             | <b>OPERATING FORCES</b>                               |                        |                         |
| 010         | MANEUVER UNITS .....                                  | 1,455,366              | 2,193,657               |
|             | Improve unit training and maintenance readiness ..... |                        | [54,700]                |
|             | Realign European Reassurance Initiative to Base ..... |                        | [683,591]               |
| 020         | MODULAR SUPPORT BRIGADES .....                        | 105,147                | 112,847                 |
|             | Execute the National Military Strategy .....          |                        | [7,700]                 |
| 030         | ECHELONS ABOVE BRIGADE .....                          | 604,117                | 692,417                 |
|             | Improve training readiness .....                      |                        | [88,300]                |



**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

| <b>Line</b>                           | <b>Item</b>                                                                    | <b>FY 2018<br/>Request</b> | <b>House<br/>Authorized</b> |
|---------------------------------------|--------------------------------------------------------------------------------|----------------------------|-----------------------------|
| 040                                   | THEATER LEVEL ASSETS .....                                                     | 793,217                    | 820,517                     |
|                                       | Decisive Action training and operations .....                                  |                            | [27,300]                    |
| 050                                   | LAND FORCES OPERATIONS SUPPORT .....                                           | 1,169,478                  | 1,207,178                   |
|                                       | Combat Training Center Operations and Maintenance .....                        |                            | [37,700]                    |
| 060                                   | AVIATION ASSETS .....                                                          | 1,496,503                  | 1,674,803                   |
|                                       | Aviation and ISR Maintenance Requirements .....                                |                            | [28,200]                    |
|                                       | Realign European Reassurance Initiative to Base .....                          |                            | [150,100]                   |
| 070                                   | FORCE READINESS OPERATIONS SUPPORT .....                                       | 3,675,901                  | 3,767,870                   |
|                                       | Maintenance of organizational clothing and equipment .....                     |                            | [26,500]                    |
|                                       | Realign European Reassurance Initiative to Base .....                          |                            | [8,969]                     |
|                                       | SOUTHCOM—Maritime Patrol Aircraft Expansion .....                              |                            | [38,500]                    |
|                                       | SOUTHCOM—Mission and Other Ship Operations .....                               |                            | [18,000]                    |
| 080                                   | LAND FORCES SYSTEMS READINESS .....                                            | 466,720                    | 466,720                     |
| 090                                   | LAND FORCES DEPOT MAINTENANCE .....                                            | 1,443,516                  | 1,594,265                   |
|                                       | Depot maintenance of hardware and munitions .....                              |                            | [46,600]                    |
|                                       | Realign European Reassurance Initiative to Base .....                          |                            | [104,149]                   |
| 100                                   | BASE OPERATIONS SUPPORT .....                                                  | 8,080,357                  | 8,142,264                   |
|                                       | C4I / Cyber capabilities enabling support .....                                |                            | [13,200]                    |
|                                       | Realign European Reassurance Initiative to Base .....                          |                            | [48,707]                    |
| 110                                   | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....                      | 3,401,155                  | 3,433,155                   |
|                                       | Realign European Reassurance Initiative to Base .....                          |                            | [32,000]                    |
| 120                                   | MANAGEMENT AND OPERATIONAL HEADQUARTERS .....                                  | 443,790                    | 443,790                     |
| 140                                   | ADDITIONAL ACTIVITIES .....                                                    |                            | 135,150                     |
|                                       | Realign European Reassurance Initiative to Base .....                          |                            | [126,250]                   |
|                                       | Training, supplies, spares, and repair site support .....                      |                            | [8,900]                     |
| 180                                   | US AFRICA COMMAND .....                                                        | 225,382                    | 225,382                     |
| 190                                   | US EUROPEAN COMMAND .....                                                      | 141,352                    | 185,602                     |
|                                       | Realign European Reassurance Initiative to Base .....                          |                            | [44,250]                    |
| 200                                   | US SOUTHERN COMMAND .....                                                      | 190,811                    | 194,311                     |
|                                       | Mission and Other Ship Operations .....                                        |                            | [3,500]                     |
| 210                                   | US FORCES KOREA .....                                                          | 59,578                     | 59,578                      |
|                                       | <b>SUBTOTAL OPERATING FORCES</b> .....                                         | <b>23,752,390</b>          | <b>25,349,506</b>           |
| <b>MOBILIZATION</b>                   |                                                                                |                            |                             |
| 220                                   | STRATEGIC MOBILITY .....                                                       | 346,667                    | 347,791                     |
|                                       | Sustainment of strategically positioned assets enabling force projection ..... |                            | [1,124]                     |
| 230                                   | ARMY PREPOSITIONED STOCKS .....                                                | 422,108                    | 483,846                     |
|                                       | Realign European Reassurance Initiative to Base .....                          |                            | [56,500]                    |
|                                       | Sustain Army War Reserve Secondary Items for deployed forces .....             |                            | [5,238]                     |
| 240                                   | INDUSTRIAL PREPAREDNESS .....                                                  | 7,750                      | 7,750                       |
|                                       | <b>SUBTOTAL MOBILIZATION</b> .....                                             | <b>776,525</b>             | <b>839,387</b>              |
| <b>TRAINING AND RECRUITING</b>        |                                                                                |                            |                             |
| 250                                   | OFFICER ACQUISITION .....                                                      | 137,556                    | 137,556                     |
| 260                                   | RECRUIT TRAINING .....                                                         | 58,872                     | 58,872                      |
| 270                                   | ONE STATION UNIT TRAINING .....                                                | 58,035                     | 58,035                      |
| 280                                   | SENIOR RESERVE OFFICERS TRAINING CORPS .....                                   | 505,089                    | 505,089                     |
| 290                                   | SPECIALIZED SKILL TRAINING .....                                               | 1,015,541                  | 1,018,685                   |
|                                       | Leadership development and training .....                                      |                            | [3,144]                     |
| 300                                   | FLIGHT TRAINING .....                                                          | 1,124,115                  | 1,124,115                   |
| 310                                   | PROFESSIONAL DEVELOPMENT EDUCATION .....                                       | 220,688                    | 220,688                     |
| 320                                   | TRAINING SUPPORT .....                                                         | 618,164                    | 621,690                     |
|                                       | Department of the Army directed training .....                                 |                            | [3,526]                     |
| 330                                   | RECRUITING AND ADVERTISING .....                                               | 613,586                    | 613,586                     |
| 340                                   | EXAMINING .....                                                                | 171,223                    | 171,223                     |
| 350                                   | OFF-DUTY AND VOLUNTARY EDUCATION .....                                         | 214,738                    | 214,738                     |
| 360                                   | CIVILIAN EDUCATION AND TRAINING .....                                          | 195,099                    | 195,099                     |
| 370                                   | JUNIOR RESERVE OFFICER TRAINING CORPS .....                                    | 176,116                    | 176,116                     |
|                                       | <b>SUBTOTAL TRAINING AND RECRUITING</b> .....                                  | <b>5,108,822</b>           | <b>5,115,492</b>            |
| <b>ADMIN &amp; SRVWIDE ACTIVITIES</b> |                                                                                |                            |                             |
| 390                                   | SERVICEWIDE TRANSPORTATION .....                                               | 555,502                    | 709,552                     |
|                                       | Logistics associated with increased end strength .....                         |                            | [57,900]                    |
|                                       | Realign European Reassurance Initiative to Base .....                          |                            | [96,150]                    |
| 400                                   | CENTRAL SUPPLY ACTIVITIES .....                                                | 894,208                    | 905,657                     |
|                                       | Realign European Reassurance Initiative to Base .....                          |                            | [11,449]                    |
| 410                                   | LOGISTIC SUPPORT ACTIVITIES .....                                              | 715,462                    | 715,462                     |
| 420                                   | AMMUNITION MANAGEMENT .....                                                    | 446,931                    | 446,931                     |
| 430                                   | ADMINISTRATION .....                                                           | 493,616                    | 493,616                     |
| 440                                   | SERVICEWIDE COMMUNICATIONS .....                                               | 2,084,922                  | 2,102,822                   |
|                                       | Annual maintenance of Enterprise License Agreements .....                      |                            | [17,900]                    |
| 450                                   | MANPOWER MANAGEMENT .....                                                      | 259,588                    | 259,588                     |
| 460                                   | OTHER PERSONNEL SUPPORT .....                                                  | 326,387                    | 326,387                     |
| 470                                   | OTHER SERVICE SUPPORT .....                                                    | 1,087,602                  | 1,078,602                   |
|                                       | Program decrease .....                                                         |                            | [–9,000]                    |
| 480                                   | ARMY CLAIMS ACTIVITIES .....                                                   | 210,514                    | 210,514                     |
| 490                                   | REAL ESTATE MANAGEMENT .....                                                   | 243,584                    | 243,584                     |
| 500                                   | FINANCIAL MANAGEMENT AND AUDIT READINESS .....                                 | 284,592                    | 292,992                     |
|                                       | DISA migration cost and system support .....                                   |                            | [8,400]                     |

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

| <i>Line</i> | <i>Item</i>                                               | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|-------------|-----------------------------------------------------------|----------------------------|-----------------------------|
| 510         | INTERNATIONAL MILITARY HEADQUARTERS .....                 | 415,694                    | 415,694                     |
| 520         | MISC. SUPPORT OF OTHER NATIONS .....                      | 46,856                     | 46,856                      |
| 565         | CLASSIFIED PROGRAMS .....                                 | 1,242,222                  | 1,313,047                   |
|             | Army Analytics Group .....                                |                            | [5,000]                     |
|             | Realign European Reassurance Initiative to Base .....     |                            | [65,825]                    |
|             | <b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES</b> .....      | <b>9,307,680</b>           | <b>9,561,304</b>            |
|             | <b>UNDISTRIBUTED</b>                                      |                            |                             |
| 570         | UNDISTRIBUTED .....                                       |                            | -426,100                    |
|             | Excessive standard price for fuel .....                   |                            | [-20,600]                   |
|             | Foreign Currency adjustments .....                        |                            | [-146,400]                  |
|             | Historical unobligated balances .....                     |                            | [-259,100]                  |
|             | <b>SUBTOTAL UNDISTRIBUTED</b> .....                       |                            | <b>-426,100</b>             |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, ARMY</b> .....      | <b>38,945,417</b>          | <b>40,439,589</b>           |
|             | <b>OPERATION &amp; MAINTENANCE, ARMY RES</b>              |                            |                             |
|             | <b>OPERATING FORCES</b>                                   |                            |                             |
| 010         | MODULAR SUPPORT BRIGADES .....                            | 11,461                     | 11,461                      |
| 020         | ECHELONS ABOVE BRIGADE .....                              | 577,410                    | 577,410                     |
| 030         | THEATER LEVEL ASSETS .....                                | 117,298                    | 117,298                     |
| 040         | LAND FORCES OPERATIONS SUPPORT .....                      | 552,016                    | 552,016                     |
| 050         | AVIATION ASSETS .....                                     | 80,302                     | 81,461                      |
|             | Increase aviation readiness .....                         |                            | [1,159]                     |
| 060         | FORCE READINESS OPERATIONS SUPPORT .....                  | 399,035                    | 399,258                     |
|             | Pay and allowances for career development training .....  |                            | [223]                       |
| 070         | LAND FORCES SYSTEMS READINESS .....                       | 102,687                    | 102,687                     |
| 080         | LAND FORCES DEPOT MAINTENANCE .....                       | 56,016                     | 56,016                      |
| 090         | BASE OPERATIONS SUPPORT .....                             | 599,947                    | 599,947                     |
| 100         | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..... | 273,940                    | 273,940                     |
| 110         | MANAGEMENT AND OPERATIONAL HEADQUARTERS .....             | 22,909                     | 22,909                      |
|             | <b>SUBTOTAL OPERATING FORCES</b> .....                    | <b>2,793,021</b>           | <b>2,794,403</b>            |
|             | <b>ADMIN &amp; SRVWD ACTIVITIES</b>                       |                            |                             |
| 120         | SERVICEWIDE TRANSPORTATION .....                          | 11,116                     | 11,116                      |
| 130         | ADMINISTRATION .....                                      | 17,962                     | 17,962                      |
| 140         | SERVICEWIDE COMMUNICATIONS .....                          | 18,550                     | 20,950                      |
|             | Annual maintenance of Enterprise License Agreements ..... |                            | [2,400]                     |
| 150         | MANPOWER MANAGEMENT .....                                 | 6,166                      | 6,166                       |
| 160         | RECRUITING AND ADVERTISING .....                          | 60,027                     | 60,027                      |
|             | <b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....        | <b>113,821</b>             | <b>116,221</b>              |
|             | <b>UNDISTRIBUTED</b>                                      |                            |                             |
| 190         | UNDISTRIBUTED .....                                       |                            | -2,500                      |
|             | Excessive standard price for fuel .....                   |                            | [-2,500]                    |
|             | <b>SUBTOTAL UNDISTRIBUTED</b> .....                       |                            | <b>-2,500</b>               |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, ARMY RES</b> .....  | <b>2,906,842</b>           | <b>2,908,124</b>            |
|             | <b>OPERATION &amp; MAINTENANCE, ARNG</b>                  |                            |                             |
|             | <b>OPERATING FORCES</b>                                   |                            |                             |
| 010         | MANEUVER UNITS .....                                      | 777,883                    | 810,983                     |
|             | Unit training and maintenance readiness .....             |                            | [33,100]                    |
| 020         | MODULAR SUPPORT BRIGADES .....                            | 190,639                    | 190,639                     |
| 030         | ECHELONS ABOVE BRIGADE .....                              | 807,557                    | 819,457                     |
|             | Improve training readiness .....                          |                            | [11,900]                    |
| 040         | THEATER LEVEL ASSETS .....                                | 85,476                     | 93,376                      |
|             | Decisive Action training and operations .....             |                            | [7,900]                     |
| 050         | LAND FORCES OPERATIONS SUPPORT .....                      | 36,672                     | 38,897                      |
|             | Aviation contract support for rotary wing aircraft .....  |                            | [2,225]                     |
| 060         | AVIATION ASSETS .....                                     | 956,381                    | 974,581                     |
|             | Increase aviation readiness .....                         |                            | [18,200]                    |
| 070         | FORCE READINESS OPERATIONS SUPPORT .....                  | 777,756                    | 777,941                     |
|             | Pay and allowances for career development training .....  |                            | [185]                       |
| 080         | LAND FORCES SYSTEMS READINESS .....                       | 51,506                     | 51,506                      |
| 090         | LAND FORCES DEPOT MAINTENANCE .....                       | 244,942                    | 244,942                     |
| 100         | BASE OPERATIONS SUPPORT .....                             | 1,144,726                  | 1,144,726                   |
| 110         | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..... | 781,895                    | 781,895                     |
| 120         | MANAGEMENT AND OPERATIONAL HEADQUARTERS .....             | 999,052                    | 999,052                     |
|             | <b>SUBTOTAL OPERATING FORCES</b> .....                    | <b>6,854,485</b>           | <b>6,927,995</b>            |
|             | <b>ADMIN &amp; SRVWD ACTIVITIES</b>                       |                            |                             |
| 130         | SERVICEWIDE TRANSPORTATION .....                          | 7,703                      | 7,703                       |
| 140         | ADMINISTRATION .....                                      | 79,236                     | 81,236                      |
|             | Department of Defense State Partnership Program .....     |                            | [2,000]                     |
| 150         | SERVICEWIDE COMMUNICATIONS .....                          | 85,160                     | 94,760                      |
|             | Annual maintenance of Enterprise License Agreements ..... |                            | [9,600]                     |
| 160         | MANPOWER MANAGEMENT .....                                 | 8,654                      | 8,654                       |
| 170         | OTHER PERSONNEL SUPPORT .....                             | 268,839                    | 268,839                     |

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

| Line | Item                                                       | FY 2018<br>Request | House<br>Authorized |
|------|------------------------------------------------------------|--------------------|---------------------|
| 180  | REAL ESTATE MANAGEMENT .....                               | 3,093              | 3,093               |
|      | <b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....         | <b>452,685</b>     | <b>464,285</b>      |
|      | <b>UNDISTRIBUTED</b>                                       |                    |                     |
| 190  | UNDISTRIBUTED .....                                        |                    | -10,700             |
|      | Excessive standard price for fuel .....                    |                    | [-10,700]           |
|      | <b>SUBTOTAL UNDISTRIBUTED</b> .....                        |                    | <b>-10,700</b>      |
|      | <b>TOTAL OPERATION &amp; MAINTENANCE, ARNG</b> .....       | <b>7,307,170</b>   | <b>7,381,580</b>    |
|      | <b>OPERATION &amp; MAINTENANCE, NAVY</b>                   |                    |                     |
|      | <b>OPERATING FORCES</b>                                    |                    |                     |
| 010  | MISSION AND OTHER FLIGHT OPERATIONS .....                  | 5,544,165          | 5,570,915           |
|      | Cbt logistics Mnt for TAO-187 .....                        |                    | [22,000]            |
|      | Realign European Reassurance Initiative to Base .....      |                    | [4,750]             |
| 020  | FLEET AIR TRAINING .....                                   | 2,075,000          | 2,075,000           |
| 030  | AVIATION TECHNICAL DATA & ENGINEERING SERVICES .....       | 46,801             | 46,801              |
| 040  | AIR OPERATIONS AND SAFETY SUPPORT .....                    | 119,624            | 119,624             |
| 050  | AIR SYSTEMS SUPPORT .....                                  | 552,536            | 594,536             |
|      | Fund aviation spt to max executable .....                  |                    | [42,000]            |
| 060  | AIRCRAFT DEPOT MAINTENANCE .....                           | 1,088,482          | 1,088,482           |
| 070  | AIRCRAFT DEPOT OPERATIONS SUPPORT .....                    | 40,584             | 40,584              |
| 080  | AVIATION LOGISTICS .....                                   | 723,786            | 843,786             |
|      | Fund aviation logistics to max executable .....            |                    | [120,000]           |
| 090  | MISSION AND OTHER SHIP OPERATIONS .....                    | 4,067,334          | 4,071,011           |
|      | Realign European Reassurance Initiative to Base .....      |                    | [3,677]             |
| 100  | SHIP OPERATIONS SUPPORT & TRAINING .....                   | 977,701            | 977,701             |
| 110  | SHIP DEPOT MAINTENANCE .....                               | 7,165,858          | 7,175,358           |
|      | Western Pacific Ship Repair .....                          |                    | [9,500]             |
| 120  | SHIP DEPOT OPERATIONS SUPPORT .....                        | 2,193,851          | 2,193,851           |
| 130  | COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE .....         | 1,288,094          | 1,299,494           |
|      | Logistics support for legacy C41 systems .....             |                    | [6,000]             |
|      | Realign European Reassurance Initiative to Base .....      |                    | [5,400]             |
| 150  | SPACE SYSTEMS AND SURVEILLANCE .....                       | 206,678            | 211,078             |
|      | Realign European Reassurance Initiative to Base .....      |                    | [4,400]             |
| 160  | WARFARE TACTICS .....                                      | 621,581            | 622,581             |
|      | Operational Range and Environmental Compliance .....       |                    | [1,000]             |
| 170  | OPERATIONAL METEOROLOGY AND OCEANOGRAPHY .....             | 370,681            | 370,681             |
| 180  | COMBAT SUPPORT FORCES .....                                | 1,437,966          | 1,460,950           |
|      | Coastal Riverine Force meet operational requirements ..... |                    | [7,000]             |
|      | COMPACFLT C41 Upgrade .....                                |                    | [10,000]            |
|      | Realign European Reassurance Initiative to Base .....      |                    | [5,984]             |
| 190  | EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT .....   | 162,705            | 162,705             |
| 210  | COMBATANT COMMANDERS CORE OPERATIONS .....                 | 65,108             | 65,108              |
| 220  | COMBATANT COMMANDERS DIRECT MISSION SUPPORT .....          | 86,892             | 155,992             |
|      | Joint Training Capability and Exercise Programs .....      |                    | [64,100]            |
|      | No-Notice Agile Logistics Exercise .....                   |                    | [5,000]             |
| 230  | MILITARY INFORMATION SUPPORT OPERATIONS .....              | 8,427              | 8,427               |
| 240  | CYBERSPACE ACTIVITIES .....                                | 385,212            | 385,212             |
| 260  | FLEET BALLISTIC MISSILE .....                              | 1,278,456          | 1,278,456           |
| 280  | WEAPONS MAINTENANCE .....                                  | 745,680            | 751,980             |
|      | Munitions wholeness .....                                  |                    | [5,000]             |
|      | Realign European Reassurance Initiative to Base .....      |                    | [1,300]             |
| 290  | OTHER WEAPON SYSTEMS SUPPORT .....                         | 380,016            | 380,016             |
| 300  | ENTERPRISE INFORMATION .....                               | 914,428            | 914,428             |
| 310  | SUSTAINMENT, RESTORATION AND MODERNIZATION .....           | 1,905,679          | 1,905,679           |
| 320  | BASE OPERATING SUPPORT .....                               | 4,333,688          | 4,356,688           |
|      | Operational range clearance .....                          |                    | [11,000]            |
|      | Port Operations Service Craft Maintenance .....            |                    | [12,000]            |
|      | <b>SUBTOTAL OPERATING FORCES</b> .....                     | <b>38,787,013</b>  | <b>39,127,124</b>   |
|      | <b>MOBILIZATION</b>                                        |                    |                     |
| 330  | SHIP PREPOSITIONING AND SURGE .....                        | 417,450            | 427,450             |
|      | Strategic sealift management .....                         |                    | [10,000]            |
| 360  | SHIP ACTIVATIONS/INACTIVATIONS .....                       | 198,341            | 198,341             |
| 370  | EXPEDITIONARY HEALTH SERVICES SYSTEMS .....                | 66,849             | 66,849              |
| 390  | COAST GUARD SUPPORT .....                                  | 21,870             | 21,870              |
|      | <b>SUBTOTAL MOBILIZATION</b> .....                         | <b>704,510</b>     | <b>714,510</b>      |
|      | <b>TRAINING AND RECRUITING</b>                             |                    |                     |
| 400  | OFFICER ACQUISITION .....                                  | 143,924            | 143,924             |
| 410  | RECRUIT TRAINING .....                                     | 8,975              | 8,975               |
| 420  | RESERVE OFFICERS TRAINING CORPS .....                      | 144,708            | 144,708             |
| 430  | SPECIALIZED SKILL TRAINING .....                           | 812,708            | 812,708             |
| 450  | PROFESSIONAL DEVELOPMENT EDUCATION .....                   | 180,448            | 182,448             |
|      | Naval Sea Cadets .....                                     |                    | [2,000]             |
| 460  | TRAINING SUPPORT .....                                     | 234,596            | 234,596             |
| 470  | RECRUITING AND ADVERTISING .....                           | 177,517            | 177,517             |
| 480  | OFF-DUTY AND VOLUNTARY EDUCATION .....                     | 103,154            | 103,154             |

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

| <i>Line</i> | <i>Item</i>                                                  | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|-------------|--------------------------------------------------------------|----------------------------|-----------------------------|
| 490         | CIVILIAN EDUCATION AND TRAINING .....                        | 72,216                     | 72,216                      |
| 500         | JUNIOR ROTC .....                                            | 53,262                     | 53,262                      |
|             | <b>SUBTOTAL TRAINING AND RECRUITING .....</b>                | <b>1,931,508</b>           | <b>1,933,508</b>            |
|             | <b>ADMIN &amp; SRVWD ACTIVITIES</b>                          |                            |                             |
| 510         | ADMINISTRATION .....                                         | 1,135,429                  | 1,126,429                   |
|             | Program decrease .....                                       |                            | [-9,000]                    |
| 530         | CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT .....             | 149,365                    | 149,365                     |
| 540         | MILITARY MANPOWER AND PERSONNEL MANAGEMENT .....             | 386,749                    | 386,749                     |
| 590         | SERVICEWIDE TRANSPORTATION .....                             | 165,301                    | 165,301                     |
| 610         | PLANNING, ENGINEERING, AND PROGRAM SUPPORT .....             | 311,616                    | 311,616                     |
| 620         | ACQUISITION, LOGISTICS, AND OVERSIGHT .....                  | 665,580                    | 665,580                     |
| 660         | INVESTIGATIVE AND SECURITY SERVICES .....                    | 659,143                    | 659,143                     |
| 775         | CLASSIFIED PROGRAMS .....                                    | 543,193                    | 553,193                     |
|             | Research and Technology Protection .....                     |                            | [10,000]                    |
|             | <b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>           | <b>4,016,376</b>           | <b>4,017,376</b>            |
|             | <b>UNDISTRIBUTED</b>                                         |                            |                             |
| 780         | UNDISTRIBUTED .....                                          |                            | -356,800                    |
|             | Excessive standard price for fuel .....                      |                            | [-143,600]                  |
|             | Foreign Currency adjustments .....                           |                            | [-35,300]                   |
|             | Historical unobligated balances .....                        |                            | [-177,900]                  |
|             | <b>SUBTOTAL UNDISTRIBUTED .....</b>                          |                            | <b>-356,800</b>             |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, NAVY .....</b>         | <b>45,439,407</b>          | <b>45,435,718</b>           |
|             | <b>OPERATION &amp; MAINTENANCE, MARINE CORPS</b>             |                            |                             |
|             | <b>OPERATING FORCES</b>                                      |                            |                             |
| 010         | OPERATIONAL FORCES .....                                     | 967,949                    | 1,132,682                   |
|             | Realign European Reassurance Initiative to Base .....        |                            | [164,733]                   |
| 020         | FIELD LOGISTICS .....                                        | 1,065,090                  | 1,065,090                   |
| 030         | DEPOT MAINTENANCE .....                                      | 286,635                    | 286,635                     |
| 040         | MARITIME PREPOSITIONING .....                                | 85,577                     | 85,577                      |
| 050         | CYBERSPACE ACTIVITIES .....                                  | 181,518                    | 181,518                     |
| 060         | SUSTAINMENT, RESTORATION & MODERNIZATION .....               | 785,264                    | 785,264                     |
| 070         | BASE OPERATING SUPPORT .....                                 | 2,196,252                  | 2,196,252                   |
|             | <b>SUBTOTAL OPERATING FORCES .....</b>                       | <b>5,568,285</b>           | <b>5,733,018</b>            |
|             | <b>TRAINING AND RECRUITING</b>                               |                            |                             |
| 080         | RECRUIT TRAINING .....                                       | 16,163                     | 16,163                      |
| 090         | OFFICER ACQUISITION .....                                    | 1,154                      | 1,154                       |
| 100         | SPECIALIZED SKILL TRAINING .....                             | 100,398                    | 100,398                     |
| 110         | PROFESSIONAL DEVELOPMENT EDUCATION .....                     | 46,474                     | 46,474                      |
| 120         | TRAINING SUPPORT .....                                       | 405,039                    | 405,039                     |
| 130         | RECRUITING AND ADVERTISING .....                             | 201,601                    | 201,601                     |
| 140         | OFF-DUTY AND VOLUNTARY EDUCATION .....                       | 32,045                     | 32,045                      |
| 150         | JUNIOR ROTC .....                                            | 24,394                     | 24,394                      |
|             | <b>SUBTOTAL TRAINING AND RECRUITING .....</b>                | <b>827,268</b>             | <b>827,268</b>              |
|             | <b>ADMIN &amp; SRVWD ACTIVITIES</b>                          |                            |                             |
| 160         | SERVICEWIDE TRANSPORTATION .....                             | 28,827                     | 28,827                      |
| 170         | ADMINISTRATION .....                                         | 378,683                    | 375,683                     |
|             | Program decrease .....                                       |                            | [-3,000]                    |
| 190         | ACQUISITION AND PROGRAM MANAGEMENT .....                     | 77,684                     | 77,684                      |
| 215         | CLASSIFIED PROGRAMS .....                                    | 52,661                     | 52,661                      |
|             | <b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>           | <b>537,855</b>             | <b>534,855</b>              |
|             | <b>UNDISTRIBUTED</b>                                         |                            |                             |
| 220         | UNDISTRIBUTED .....                                          |                            | -38,000                     |
|             | Excessive standard price for fuel .....                      |                            | [-1,800]                    |
|             | Foreign Currency adjustments .....                           |                            | [-11,400]                   |
|             | Historical unobligated balances .....                        |                            | [-24,800]                   |
|             | <b>SUBTOTAL UNDISTRIBUTED .....</b>                          |                            | <b>-38,000</b>              |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, MARINE CORPS .....</b> | <b>6,933,408</b>           | <b>7,057,141</b>            |
|             | <b>OPERATION &amp; MAINTENANCE, NAVY RES</b>                 |                            |                             |
|             | <b>OPERATING FORCES</b>                                      |                            |                             |
| 010         | MISSION AND OTHER FLIGHT OPERATIONS .....                    | 596,876                    | 596,876                     |
| 020         | INTERMEDIATE MAINTENANCE .....                               | 5,902                      | 5,902                       |
| 030         | AIRCRAFT DEPOT MAINTENANCE .....                             | 94,861                     | 94,861                      |
| 040         | AIRCRAFT DEPOT OPERATIONS SUPPORT .....                      | 381                        | 381                         |
| 050         | AVIATION LOGISTICS .....                                     | 13,822                     | 13,822                      |
| 060         | SHIP OPERATIONS SUPPORT & TRAINING .....                     | 571                        | 571                         |
| 070         | COMBAT COMMUNICATIONS .....                                  | 16,718                     | 16,718                      |
| 080         | COMBAT SUPPORT FORCES .....                                  | 118,079                    | 118,079                     |
| 090         | CYBERSPACE ACTIVITIES .....                                  | 308                        | 308                         |
| 100         | ENTERPRISE INFORMATION .....                                 | 28,650                     | 28,650                      |
| 110         | SUSTAINMENT, RESTORATION AND MODERNIZATION .....             | 86,354                     | 86,354                      |

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

| <i>Line</i> | <i>Item</i>                                                | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|-------------|------------------------------------------------------------|----------------------------|-----------------------------|
| 120         | BASE OPERATING SUPPORT .....                               | 103,596                    | 103,596                     |
|             | <b>SUBTOTAL OPERATING FORCES</b> .....                     | <b>1,066,118</b>           | <b>1,066,118</b>            |
|             | <b>ADMIN &amp; SRVWD ACTIVITIES</b>                        |                            |                             |
| 130         | ADMINISTRATION .....                                       | 1,371                      | 1,371                       |
| 140         | MILITARY MANPOWER AND PERSONNEL MANAGEMENT .....           | 13,289                     | 13,289                      |
| 160         | ACQUISITION AND PROGRAM MANAGEMENT .....                   | 3,229                      | 3,229                       |
|             | <b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....         | <b>17,889</b>              | <b>17,889</b>               |
|             | <b>UNDISTRIBUTED</b>                                       |                            |                             |
| 180         | UNDISTRIBUTED .....                                        |                            | -9,800                      |
|             | Excessive standard price for fuel .....                    |                            | [-9,800]                    |
|             | <b>SUBTOTAL UNDISTRIBUTED</b> .....                        |                            | <b>-9,800</b>               |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, NAVY RES</b> .....   | <b>1,084,007</b>           | <b>1,074,207</b>            |
|             | <b>OPERATION &amp; MAINTENANCE, MC RESERVE</b>             |                            |                             |
|             | <b>OPERATING FORCES</b>                                    |                            |                             |
| 010         | OPERATING FORCES .....                                     | 103,468                    | 103,468                     |
| 020         | DEPOT MAINTENANCE .....                                    | 18,794                     | 18,794                      |
| 030         | SUSTAINMENT, RESTORATION AND MODERNIZATION .....           | 32,777                     | 32,777                      |
| 040         | BASE OPERATING SUPPORT .....                               | 111,213                    | 111,213                     |
|             | <b>SUBTOTAL OPERATING FORCES</b> .....                     | <b>266,252</b>             | <b>266,252</b>              |
|             | <b>ADMIN &amp; SRVWD ACTIVITIES</b>                        |                            |                             |
| 060         | ADMINISTRATION .....                                       | 12,585                     | 12,585                      |
|             | <b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....         | <b>12,585</b>              | <b>12,585</b>               |
|             | <b>UNDISTRIBUTED</b>                                       |                            |                             |
| 080         | UNDISTRIBUTED .....                                        |                            | -300                        |
|             | Excessive standard price for fuel .....                    |                            | [-300]                      |
|             | <b>SUBTOTAL UNDISTRIBUTED</b> .....                        |                            | <b>-300</b>                 |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, MC RESERVE</b> ..... | <b>278,837</b>             | <b>278,537</b>              |
|             | <b>OPERATION &amp; MAINTENANCE, AIR FORCE</b>              |                            |                             |
|             | <b>OPERATING FORCES</b>                                    |                            |                             |
| 010         | PRIMARY COMBAT FORCES .....                                | 694,702                    | 727,802                     |
|             | Adversarial Air Training- mission qualification .....      |                            | [10,200]                    |
|             | B-2 Replenishment spares .....                             |                            | [9,000]                     |
|             | PACAF Contingency response group .....                     |                            | [4,200]                     |
|             | Rocket system launch program .....                         |                            | [8,000]                     |
|             | Training equipment shortfalls .....                        |                            | [1,700]                     |
| 020         | COMBAT ENHANCEMENT FORCES .....                            | 1,392,326                  | 1,547,048                   |
|             | Battlefield airman equipment assembly .....                |                            | [8,300]                     |
|             | Personnel recovery requirements .....                      |                            | [500]                       |
|             | Realign European Reassurance Initiative to Base .....      |                            | [96,522]                    |
|             | TARP contractor specialist .....                           |                            | [800]                       |
|             | Training equipment shortfalls .....                        |                            | [6,000]                     |
|             | Training specialist contract .....                         |                            | [400]                       |
|             | Unified capabilities .....                                 |                            | [42,200]                    |
| 030         | AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) .....       | 1,128,640                  | 1,179,940                   |
|             | F-35 maintenance instructors .....                         |                            | [49,700]                    |
|             | Readiness decision support enterprise .....                |                            | [1,600]                     |
| 040         | DEPOT PURCHASE EQUIPMENT MAINTENANCE .....                 | 2,755,367                  | 2,873,088                   |
|             | Aircraft depot level repairables .....                     |                            | [92,100]                    |
|             | Battlefield airman equipment .....                         |                            | [7,100]                     |
|             | Realign European Reassurance Initiative to Base .....      |                            | [18,521]                    |
| 050         | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....  | 3,292,553                  | 3,315,253                   |
|             | Realign European Reassurance Initiative to Base .....      |                            | [22,700]                    |
| 060         | CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT .....      | 6,555,186                  | 6,756,965                   |
|             | Aircraft depot level repairables .....                     |                            | [177,700]                   |
|             | E4B maintenance personnel .....                            |                            | [1,000]                     |
|             | EC-130H service life extension .....                       |                            | [12,000]                    |
|             | Realign European Reassurance Initiative to Base .....      |                            | [4,279]                     |
|             | Sustain C-37B .....                                        |                            | [6,800]                     |
| 070         | FLYING HOUR PROGRAM .....                                  | 4,135,330                  | 4,201,997                   |
|             | Realign European Reassurance Initiative to Base .....      |                            | [66,667]                    |
| 080         | BASE SUPPORT .....                                         | 5,985,232                  | 6,090,537                   |
|             | Application hosting/MSO .....                              |                            | [27,000]                    |
|             | Cloud migration .....                                      |                            | [25,600]                    |
|             | Enterprise svcs in FY18 .....                              |                            | [39,000]                    |
|             | Realign European Reassurance Initiative to Base .....      |                            | [13,705]                    |
| 090         | GLOBAL C3I AND EARLY WARNING .....                         | 847,516                    | 977,216                     |
|             | Aviation readiness shortfalls .....                        |                            | [2,000]                     |
|             | Cyber readiness shortfalls .....                           |                            | [35,300]                    |
|             | Cyber security readiness shortfalls .....                  |                            | [57,500]                    |
|             | Realign European Reassurance Initiative to Base .....      |                            | [2,000]                     |
|             | Space based readiness shortfalls .....                     |                            | [32,900]                    |

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

| <b>Line</b> | <b>Item</b>                                               | <b>FY 2018<br/>Request</b> | <b>House<br/>Authorized</b> |
|-------------|-----------------------------------------------------------|----------------------------|-----------------------------|
| 100         | OTHER COMBAT OPS SPT PROGRAMS .....                       | 1,131,817                  | 1,253,379                   |
|             | Anti-terrorism force protection .....                     |                            | [10,000]                    |
|             | Cyber readiness shortfalls .....                          |                            | [4,000]                     |
|             | Cyber training readiness shortfalls .....                 |                            | [11,000]                    |
|             | EOD training and readiness shortfalls .....               |                            | [5,400]                     |
|             | Installation processing nodes .....                       |                            | [51,400]                    |
|             | ISR sustainment and readiness .....                       |                            | [9,800]                     |
|             | PACAF- restore contingency response group .....           |                            | [10,100]                    |
|             | Realign European Reassurance Initiative to Base .....     |                            | [19,562]                    |
|             | Tailored OPIR intel products .....                        |                            | [300]                       |
| 120         | LAUNCH FACILITIES .....                                   | 175,457                    | 175,457                     |
| 130         | SPACE CONTROL SYSTEMS .....                               | 353,458                    | 541,758                     |
|             | Command and Control sustainment and readiness .....       |                            | [47,100]                    |
|             | Operationalizing commercial SSA .....                     |                            | [15,000]                    |
|             | Space based sustainment and readiness shortfalls .....    |                            | [126,200]                   |
| 160         | US NORTHCOM/NORAD .....                                   | 189,891                    | 189,891                     |
| 170         | US STRATCOM .....                                         | 534,236                    | 534,236                     |
| 180         | US CYBERCOM .....                                         | 357,830                    | 357,830                     |
| 190         | US CENTCOM .....                                          | 168,208                    | 168,208                     |
| 200         | US SOCOM .....                                            | 2,280                      | 2,280                       |
| 210         | US TRANSCOM .....                                         | 533                        | 533                         |
| 215         | CLASSIFIED PROGRAMS .....                                 | 1,091,655                  | 1,091,655                   |
|             | <b>SUBTOTAL OPERATING FORCES</b> .....                    | <b>30,792,217</b>          | <b>31,985,073</b>           |
|             | <b>MOBILIZATION</b>                                       |                            |                             |
| 220         | AIRLIFT OPERATIONS .....                                  | 1,570,697                  | 1,577,097                   |
|             | C-37B flying hours .....                                  |                            | [1,800]                     |
|             | Realign European Reassurance Initiative to Base .....     |                            | [4,600]                     |
| 230         | MOBILIZATION PREPAREDNESS .....                           | 130,241                    | 288,311                     |
|             | Basic Expeditionary Airfield Resources PACOM .....        |                            | [22,600]                    |
|             | BEAR PACOM .....                                          |                            | [22,600]                    |
|             | BEAR PACOM spares .....                                   |                            | [2,900]                     |
|             | PACAF Contingency response group .....                    |                            | [10,100]                    |
|             | Realign European Reassurance Initiative to Base .....     |                            | [99,870]                    |
|             | <b>SUBTOTAL MOBILIZATION</b> .....                        | <b>1,700,938</b>           | <b>1,865,408</b>            |
|             | <b>TRAINING AND RECRUITING</b>                            |                            |                             |
| 270         | OFFICER ACQUISITION .....                                 | 113,722                    | 113,722                     |
| 280         | RECRUIT TRAINING .....                                    | 24,804                     | 24,804                      |
| 290         | RESERVE OFFICERS TRAINING CORPS (ROTC) .....              | 95,733                     | 95,733                      |
| 320         | SPECIALIZED SKILL TRAINING .....                          | 395,476                    | 395,476                     |
| 330         | FLIGHT TRAINING .....                                     | 501,599                    | 501,599                     |
| 340         | PROFESSIONAL DEVELOPMENT EDUCATION .....                  | 287,500                    | 287,500                     |
| 350         | TRAINING SUPPORT .....                                    | 91,384                     | 91,384                      |
| 370         | RECRUITING AND ADVERTISING .....                          | 166,795                    | 166,795                     |
| 380         | EXAMINING .....                                           | 4,134                      | 4,134                       |
| 390         | OFF-DUTY AND VOLUNTARY EDUCATION .....                    | 222,691                    | 222,691                     |
| 400         | CIVILIAN EDUCATION AND TRAINING .....                     | 171,974                    | 171,974                     |
| 410         | JUNIOR ROTC .....                                         | 60,070                     | 60,070                      |
|             | <b>SUBTOTAL TRAINING AND RECRUITING</b> .....             | <b>2,135,882</b>           | <b>2,135,882</b>            |
|             | <b>ADMIN &amp; SRVWD ACTIVITIES</b>                       |                            |                             |
| 420         | LOGISTICS OPERATIONS .....                                | 805,453                    | 808,453                     |
|             | Realign European Reassurance Initiative to Base .....     |                            | [3,000]                     |
| 430         | TECHNICAL SUPPORT ACTIVITIES .....                        | 127,379                    | 127,379                     |
| 470         | ADMINISTRATION .....                                      | 911,283                    | 911,283                     |
| 480         | SERVICEWIDE COMMUNICATIONS .....                          | 432,172                    | 422,172                     |
|             | Program decrease .....                                    |                            | [-10,000]                   |
| 490         | OTHER SERVICEWIDE ACTIVITIES .....                        | 1,175,658                  | 1,166,658                   |
|             | Program decrease .....                                    |                            | [-9,000]                    |
| 500         | CIVIL AIR PATROL .....                                    | 26,719                     | 29,819                      |
|             | Civil Air Patrol .....                                    |                            | [3,100]                     |
| 530         | INTERNATIONAL SUPPORT .....                               | 76,878                     | 76,878                      |
| 535         | CLASSIFIED PROGRAMS .....                                 | 1,244,653                  | 1,244,653                   |
|             | <b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....        | <b>4,800,195</b>           | <b>4,787,295</b>            |
|             | <b>UNDISTRIBUTED</b>                                      |                            |                             |
| 540         | UNDISTRIBUTED .....                                       |                            | -389,600                    |
|             | Excessive standard price for fuel .....                   |                            | [-135,400]                  |
|             | Foreign Currency adjustments .....                        |                            | [-84,300]                   |
|             | Historical unobligated balances .....                     |                            | [-169,900]                  |
|             | <b>SUBTOTAL UNDISTRIBUTED</b> .....                       |                            | <b>-389,600</b>             |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE</b> ..... | <b>39,429,232</b>          | <b>40,384,058</b>           |
|             | <b>OPERATION &amp; MAINTENANCE, AF RESERVE</b>            |                            |                             |
|             | <b>OPERATING FORCES</b>                                   |                            |                             |
| 010         | PRIMARY COMBAT FORCES .....                               | 1,801,007                  | 1,801,007                   |
| 020         | MISSION SUPPORT OPERATIONS .....                          | 210,642                    | 210,642                     |

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

| <b>Line</b> | <b>Item</b>                                                      | <b>FY 2018<br/>Request</b> | <b>House<br/>Authorized</b> |
|-------------|------------------------------------------------------------------|----------------------------|-----------------------------|
| 030         | DEPOT PURCHASE EQUIPMENT MAINTENANCE .....                       | 403,867                    | 403,867                     |
| 040         | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....        | 124,951                    | 124,951                     |
| 050         | CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT .....            | 240,835                    | 258,635                     |
|             | C-17 CLS workload .....                                          |                            | [5,700]                     |
|             | C-17 depot-level repairable .....                                |                            | [12,100]                    |
| 060         | BASE SUPPORT .....                                               | 371,878                    | 371,878                     |
|             | <b>SUBTOTAL OPERATING FORCES</b> .....                           | <b>3,153,180</b>           | <b>3,170,980</b>            |
|             | <b>ADMINISTRATION AND SERVICEWIDE ACTIVITIES</b>                 |                            |                             |
| 070         | ADMINISTRATION .....                                             | 74,153                     | 74,153                      |
| 080         | RECRUITING AND ADVERTISING .....                                 | 19,522                     | 19,522                      |
| 090         | MILITARY MANPOWER AND PERS MGMT (ARPC) .....                     | 12,765                     | 12,765                      |
| 100         | OTHER PERS SUPPORT (DISABILITY COMP) .....                       | 7,495                      | 7,495                       |
| 110         | AUDIOVISUAL .....                                                | 392                        | 392                         |
|             | <b>SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES</b> .....  | <b>114,327</b>             | <b>114,327</b>              |
|             | <b>UNDISTRIBUTED</b>                                             |                            |                             |
| 120         | UNDISTRIBUTED .....                                              |                            | -21,900                     |
|             | Excessive standard price for fuel .....                          |                            | [-21,900]                   |
|             | <b>SUBTOTAL UNDISTRIBUTED</b> .....                              |                            | <b>-21,900</b>              |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, AF RESERVE</b> .....       | <b>3,267,507</b>           | <b>3,263,407</b>            |
|             | <b>OPERATION &amp; MAINTENANCE, ANG</b>                          |                            |                             |
|             | <b>OPERATING FORCES</b>                                          |                            |                             |
| 010         | AIRCRAFT OPERATIONS .....                                        | 3,175,055                  | 3,265,955                   |
|             | Additional training man days .....                               |                            | [54,900]                    |
|             | Two C-130 simulators .....                                       |                            | [36,000]                    |
| 020         | MISSION SUPPORT OPERATIONS .....                                 | 746,082                    | 801,682                     |
|             | Additional training man days .....                               |                            | [37,100]                    |
|             | Restore support operations .....                                 |                            | [18,500]                    |
| 030         | DEPOT PURCHASE EQUIPMENT MAINTENANCE .....                       | 867,063                    | 867,063                     |
| 040         | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....        | 325,090                    | 325,090                     |
| 050         | CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT .....            | 1,100,829                  | 1,152,129                   |
|             | C-130 propulsion improvements .....                              |                            | [16,100]                    |
|             | Maintenance for RC-26 a/c .....                                  |                            | [28,700]                    |
|             | Sustain DCGS .....                                               |                            | [6,500]                     |
| 060         | BASE SUPPORT .....                                               | 583,664                    | 593,464                     |
|             | Additional training man days .....                               |                            | [9,800]                     |
|             | <b>SUBTOTAL OPERATING FORCES</b> .....                           | <b>6,797,783</b>           | <b>7,005,383</b>            |
|             | <b>ADMINISTRATION AND SERVICE-WIDE ACTIVITIES</b>                |                            |                             |
| 070         | ADMINISTRATION .....                                             | 44,955                     | 44,955                      |
| 080         | RECRUITING AND ADVERTISING .....                                 | 97,230                     | 97,230                      |
|             | <b>SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES</b> ..... | <b>142,185</b>             | <b>142,185</b>              |
|             | <b>UNDISTRIBUTED</b>                                             |                            |                             |
| 090         | UNDISTRIBUTED .....                                              |                            | -43,300                     |
|             | Excessive standard price for fuel .....                          |                            | [-43,300]                   |
|             | <b>SUBTOTAL UNDISTRIBUTED</b> .....                              |                            | <b>-43,300</b>              |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, ANG</b> .....              | <b>6,939,968</b>           | <b>7,104,268</b>            |
|             | <b>OPERATION AND MAINTENANCE, DEFENSE-WIDE</b>                   |                            |                             |
|             | <b>OPERATING FORCES</b>                                          |                            |                             |
| 010         | JOINT CHIEFS OF STAFF .....                                      | 440,853                    | 440,853                     |
| 020         | JOINT CHIEFS OF STAFF—CE2T2 .....                                | 551,511                    | 551,511                     |
| 040         | SPECIAL OPERATIONS COMMAND/OPERATING FORCES .....                | 5,008,274                  | 5,104,244                   |
|             | Realign European Reassurance Initiative to Base .....            |                            | [95,970]                    |
|             | <b>SUBTOTAL OPERATING FORCES</b> .....                           | <b>6,000,638</b>           | <b>6,096,608</b>            |
|             | <b>TRAINING AND RECRUITING</b>                                   |                            |                             |
| 050         | DEFENSE ACQUISITION UNIVERSITY .....                             | 144,970                    | 144,970                     |
| 060         | JOINT CHIEFS OF STAFF .....                                      | 84,402                     | 84,402                      |
| 080         | SPECIAL OPERATIONS COMMAND/TRAINING AND RECRUITING .....         | 379,462                    | 379,462                     |
|             | <b>SUBTOTAL TRAINING AND RECRUITING</b> .....                    | <b>608,834</b>             | <b>608,834</b>              |
|             | <b>ADMIN &amp; SRVWIDE ACTIVITIES</b>                            |                            |                             |
| 090         | CIVIL MILITARY PROGRAMS .....                                    | 183,000                    | 209,500                     |
|             | National Guard Youth Challenge .....                             |                            | [1,500]                     |
|             | STARBASE .....                                                   |                            | [20,000]                    |
|             | World War I Centennial Commission .....                          |                            | [5,000]                     |
| 110         | DEFENSE CONTRACT AUDIT AGENCY .....                              | 597,836                    | 597,836                     |
| 120         | DEFENSE CONTRACT MANAGEMENT AGENCY .....                         | 1,439,010                  | 1,439,010                   |
| 130         | DEFENSE HUMAN RESOURCES ACTIVITY .....                           | 807,754                    | 807,754                     |
| 140         | DEFENSE INFORMATION SYSTEMS AGENCY .....                         | 2,009,702                  | 2,009,702                   |
| 160         | DEFENSE LEGAL SERVICES AGENCY .....                              | 24,207                     | 24,207                      |
| 170         | DEFENSE LOGISTICS AGENCY .....                                   | 400,422                    | 414,922                     |
|             | Procurement Technical Assistance Program (PTAP) .....            |                            | [14,500]                    |



**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

| Line | Item                                                                                                             | FY 2018 Request    | House Authorized   |
|------|------------------------------------------------------------------------------------------------------------------|--------------------|--------------------|
| 180  | DEFENSE MEDIA ACTIVITY .....                                                                                     | 217,585            | 215,454            |
|      | Program decrease .....                                                                                           |                    | [-2,500]           |
|      | Realign European Reassurance Initiative to Base .....                                                            |                    | [369]              |
| 190  | DEFENSE PERSONNEL ACCOUNTING AGENCY .....                                                                        | 131,268            | 131,268            |
| 200  | DEFENSE SECURITY COOPERATION AGENCY .....                                                                        | 722,496            | 872,496            |
|      | Realign European Reassurance Initiative to Base .....                                                            |                    | [150,000]          |
| 210  | DEFENSE SECURITY SERVICE .....                                                                                   | 683,665            | 703,665            |
|      | Joint Acquisition Protection and Exploitation Cell (JAPEC) .....                                                 |                    | [20,000]           |
| 230  | DEFENSE TECHNOLOGY SECURITY ADMINISTRATION .....                                                                 | 34,712             | 34,712             |
| 240  | DEFENSE THREAT REDUCTION AGENCY .....                                                                            | 542,604            | 517,604            |
|      | Efficiencies from DTRA/JIDO integration .....                                                                    |                    | [-25,000]          |
| 260  | DEPARTMENT OF DEFENSE EDUCATION ACTIVITY .....                                                                   | 2,794,389          | 2,844,389          |
|      | Impact Aid .....                                                                                                 |                    | [50,000]           |
| 270  | MISSILE DEFENSE AGENCY .....                                                                                     | 504,058            | 504,058            |
| 290  | OFFICE OF ECONOMIC ADJUSTMENT .....                                                                              | 57,840             | 57,840             |
| 300  | OFFICE OF THE SECRETARY OF DEFENSE .....                                                                         | 1,488,344          | 1,515,110          |
|      | Implementation of Military Housing Fall Prevention .....                                                         |                    | [16,000]           |
|      | Implementation of transparency of Defense Business System Data .....                                             |                    | [25,000]           |
|      | Program decrease .....                                                                                           |                    | [-17,234]          |
|      | Support for Commission to Assess the Threat from Electromagnetic Pulse Attacks and Events .....                  |                    | [3,000]            |
| 310  | SPECIAL OPERATIONS COMMAND/ADMIN & SVC-WIDE ACTIVITIES .....                                                     | 94,273             | 94,273             |
| 320  | WASHINGTON HEADQUARTERS SERVICES .....                                                                           | 436,776            | 436,776            |
| 325  | CLASSIFIED PROGRAMS .....                                                                                        | 14,806,404         | 14,861,724         |
|      | Realign European Reassurance Initiative to Base .....                                                            |                    | [55,320]           |
|      | <b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES .....</b>                                                             | <b>27,976,345</b>  | <b>28,292,300</b>  |
|      | <b>UNDISTRIBUTED</b>                                                                                             |                    |                    |
| 330  | UNDISTRIBUTED .....                                                                                              |                    | -204,900           |
|      | Excessive standard price for fuel .....                                                                          |                    | [-6,500]           |
|      | Foreign Currency adjustments .....                                                                               |                    | [-19,400]          |
|      | Historical unobligated balances .....                                                                            |                    | [-179,000]         |
|      | <b>SUBTOTAL UNDISTRIBUTED .....</b>                                                                              |                    | <b>-204,900</b>    |
|      | <b>TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE .....</b>                                                       | <b>34,585,817</b>  | <b>34,792,842</b>  |
|      | <b>MISCELLANEOUS APPROPRIATIONS</b>                                                                              |                    |                    |
| 010  | US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE .....                                                          | 14,538             | 14,538             |
| 020  | OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID .....                                                              | 104,900            | 104,900            |
| 030  | COOPERATIVE THREAT REDUCTION .....                                                                               | 324,600            | 324,600            |
| 050  | ENVIRONMENTAL RESTORATION, ARMY .....                                                                            | 215,809            | 215,809            |
|      | Department of Defense Cleanup and Removal of Petroleum, Oil, and Lubricant associated with the Prinz Eugen ..... |                    | [6,000]            |
|      | Program decrease .....                                                                                           |                    | [-6,000]           |
| 060  | ENVIRONMENTAL RESTORATION, NAVY .....                                                                            | 281,415            | 323,649            |
|      | PFOA/PFOS Remediation .....                                                                                      |                    | [30,000]           |
|      | Program increase .....                                                                                           |                    | [12,234]           |
| 070  | ENVIRONMENTAL RESTORATION, AIR FORCE .....                                                                       | 293,749            | 323,749            |
|      | PFOA/PFOS Remediation .....                                                                                      |                    | [30,000]           |
| 080  | ENVIRONMENTAL RESTORATION, DEFENSE .....                                                                         | 9,002              | 9,002              |
| 090  | ENVIRONMENTAL RESTORATION FORMERLY USED SITES .....                                                              | 208,673            | 208,673            |
|      | <b>TOTAL MISCELLANEOUS APPROPRIATIONS .....</b>                                                                  | <b>1,452,686</b>   | <b>1,524,920</b>   |
|      | <b>TOTAL OPERATION &amp; MAINTENANCE .....</b>                                                                   | <b>188,570,298</b> | <b>192,294,497</b> |

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.**

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

| Line | Item                                                      | FY 2018 Request | House Authorized |
|------|-----------------------------------------------------------|-----------------|------------------|
|      | <b>OPERATION &amp; MAINTENANCE, ARMY</b>                  |                 |                  |
|      | <b>OPERATING FORCES</b>                                   |                 |                  |
| 010  | MANEUVER UNITS .....                                      | 828,225         | 144,634          |
|      | Realign European Reassurance Initiative to Base .....     |                 | [-683,591]       |
| 030  | ECHELONS ABOVE BRIGADE .....                              | 25,474          | 25,474           |
| 040  | THEATER LEVEL ASSETS .....                                | 1,778,644       | 1,778,644        |
| 050  | LAND FORCES OPERATIONS SUPPORT .....                      | 260,575         | 260,575          |
| 060  | AVIATION ASSETS .....                                     | 284,422         | 134,322          |
|      | Realign European Reassurance Initiative to Base .....     |                 | [-150,100]       |
| 070  | FORCE READINESS OPERATIONS SUPPORT .....                  | 2,784,525       | 2,775,556        |
|      | Realign European Reassurance Initiative to Base .....     |                 | [-8,969]         |
| 080  | LAND FORCES SYSTEMS READINESS .....                       | 502,330         | 502,330          |
| 090  | LAND FORCES DEPOT MAINTENANCE .....                       | 104,149         | 0                |
|      | Realign European Reassurance Initiative to Base .....     |                 | [-104,149]       |
| 100  | BASE OPERATIONS SUPPORT .....                             | 80,249          | 31,542           |
|      | Realign European Reassurance Initiative to Base .....     |                 | [-48,707]        |
| 110  | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..... | 32,000          | 0                |

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

| <i>Line</i> | <i>Item</i>                                                 | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|-------------|-------------------------------------------------------------|----------------------------|-----------------------------|
|             | Realign European Reassurance Initiative to Base .....       |                            | [-32,000]                   |
| 140         | ADDITIONAL ACTIVITIES .....                                 | 6,151,378                  | 6,025,128                   |
|             | Realign European Reassurance Initiative to Base .....       |                            | [-126,250]                  |
| 150         | COMMANDERS EMERGENCY RESPONSE PROGRAM .....                 | 5,000                      | 5,000                       |
| 160         | RESET .....                                                 | 864,926                    | 864,926                     |
| 180         | US AFRICA COMMAND .....                                     | 186,567                    | 186,567                     |
| 190         | US EUROPEAN COMMAND .....                                   | 44,250                     | 0                           |
|             | Realign European Reassurance Initiative to Base .....       |                            | [-44,250]                   |
|             | <b>SUBTOTAL OPERATING FORCES</b> .....                      | <b>13,932,714</b>          | <b>12,734,698</b>           |
|             | <b>MOBILIZATION</b>                                         |                            |                             |
| 230         | ARMY PREPOSITIONED STOCKS .....                             | 56,500                     | 0                           |
|             | Realign European Reassurance Initiative to Base .....       |                            | [-56,500]                   |
|             | <b>SUBTOTAL MOBILIZATION</b> .....                          | <b>56,500</b>              | <b>0</b>                    |
|             | <b>ADMIN &amp; SRVWIDE ACTIVITIES</b>                       |                            |                             |
| 390         | SERVICEWIDE TRANSPORTATION .....                            | 755,029                    | 658,879                     |
|             | Realign European Reassurance Initiative to Base .....       |                            | [-96,150]                   |
| 400         | CENTRAL SUPPLY ACTIVITIES .....                             | 16,567                     | 5,118                       |
|             | Realign European Reassurance Initiative to Base .....       |                            | [-11,449]                   |
| 410         | LOGISTIC SUPPORT ACTIVITIES .....                           | 6,000                      | 6,000                       |
| 420         | AMMUNITION MANAGEMENT .....                                 | 5,207                      | 5,207                       |
| 460         | OTHER PERSONNEL SUPPORT .....                               | 107,091                    | 107,091                     |
| 490         | REAL ESTATE MANAGEMENT .....                                | 165,280                    | 165,280                     |
| 565         | CLASSIFIED PROGRAMS .....                                   | 1,082,015                  | 1,016,190                   |
|             | Realign European Reassurance Initiative to Base .....       |                            | [-65,825]                   |
|             | <b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES</b> .....        | <b>2,137,189</b>           | <b>1,963,765</b>            |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, ARMY</b> .....        | <b>16,126,403</b>          | <b>14,698,463</b>           |
|             | <b>OPERATION &amp; MAINTENANCE, ARMY RES</b>                |                            |                             |
|             | <b>OPERATING FORCES</b>                                     |                            |                             |
| 020         | ECHELONS ABOVE BRIGADE .....                                | 4,179                      | 19,822                      |
|             | Training and operations of USAR early deploying units ..... |                            | [15,643]                    |
| 030         | THEATER LEVEL ASSETS .....                                  |                            | 4,718                       |
|             | Training and operations of USAR early deploying units ..... |                            | [4,718]                     |
| 040         | LAND FORCES OPERATIONS SUPPORT .....                        | 2,132                      | 15,050                      |
|             | Training and operations of USAR early deploying units ..... |                            | [12,918]                    |
| 060         | FORCE READINESS OPERATIONS SUPPORT .....                    | 779                        | 779                         |
| 090         | BASE OPERATIONS SUPPORT .....                               | 17,609                     | 17,609                      |
|             | <b>SUBTOTAL OPERATING FORCES</b> .....                      | <b>24,699</b>              | <b>57,978</b>               |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, ARMY RES</b> .....    | <b>24,699</b>              | <b>57,978</b>               |
|             | <b>OPERATION &amp; MAINTENANCE, ARNG</b>                    |                            |                             |
|             | <b>OPERATING FORCES</b>                                     |                            |                             |
| 010         | MANEUVER UNITS .....                                        | 41,731                     | 41,731                      |
| 020         | MODULAR SUPPORT BRIGADES .....                              | 762                        | 762                         |
| 030         | ECHELONS ABOVE BRIGADE .....                                | 11,855                     | 11,855                      |
| 040         | THEATER LEVEL ASSETS .....                                  | 204                        | 204                         |
| 060         | AVIATION ASSETS .....                                       | 27,583                     | 27,583                      |
| 070         | FORCE READINESS OPERATIONS SUPPORT .....                    | 5,792                      | 5,792                       |
| 100         | BASE OPERATIONS SUPPORT .....                               | 18,507                     | 18,507                      |
| 120         | MANAGEMENT AND OPERATIONAL HEADQUARTERS .....               | 937                        | 937                         |
|             | <b>SUBTOTAL OPERATING FORCES</b> .....                      | <b>107,371</b>             | <b>107,371</b>              |
|             | <b>ADMIN &amp; SRVWD ACTIVITIES</b>                         |                            |                             |
| 150         | SERVICEWIDE COMMUNICATIONS .....                            | 740                        | 740                         |
|             | <b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....          | <b>740</b>                 | <b>740</b>                  |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, ARNG</b> .....        | <b>108,111</b>             | <b>108,111</b>              |
|             | <b>AFGHANISTAN SECURITY FORCES FUND</b>                     |                            |                             |
|             | <b>MINISTRY OF DEFENSE</b>                                  |                            |                             |
| 010         | SUSTAINMENT .....                                           | 2,660,855                  | 2,660,855                   |
| 020         | INFRASTRUCTURE .....                                        | 21,000                     | 21,000                      |
| 030         | EQUIPMENT AND TRANSPORTATION .....                          | 684,786                    | 684,786                     |
| 040         | TRAINING AND OPERATIONS .....                               | 405,117                    | 405,117                     |
|             | <b>SUBTOTAL MINISTRY OF DEFENSE</b> .....                   | <b>3,771,758</b>           | <b>3,771,758</b>            |
|             | <b>MINISTRY OF INTERIOR</b>                                 |                            |                             |
| 050         | SUSTAINMENT .....                                           | 955,574                    | 955,574                     |
| 060         | INFRASTRUCTURE .....                                        | 39,595                     | 39,595                      |
| 070         | EQUIPMENT AND TRANSPORTATION .....                          | 75,976                     | 75,976                      |
| 080         | TRAINING AND OPERATIONS .....                               | 94,612                     | 94,612                      |
|             | <b>SUBTOTAL MINISTRY OF INTERIOR</b> .....                  | <b>1,165,757</b>           | <b>1,165,757</b>            |
|             | <b>TOTAL AFGHANISTAN SECURITY FORCES FUND</b> .....         | <b>4,937,515</b>           | <b>4,937,515</b>            |

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

| <i>Line</i>                                      | <i>Item</i>                                                    | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|--------------------------------------------------|----------------------------------------------------------------|----------------------------|-----------------------------|
| <b>COUNTER-ISIS TRAIN &amp; EQUIP FUND</b>       |                                                                |                            |                             |
| <b>COUNTER-ISIS TRAIN AND EQUIP FUND (CTEF)</b>  |                                                                |                            |                             |
| 010                                              | IRAQ .....                                                     | 1,269,000                  | 1,269,000                   |
| 020                                              | SYRIA .....                                                    | 500,000                    | 500,000                     |
|                                                  | <b>SUBTOTAL COUNTER-ISIS TRAIN AND EQUIP FUND (CTEF)</b> ..... | <b>1,769,000</b>           | <b>1,769,000</b>            |
|                                                  | <b>TOTAL COUNTER-ISIS TRAIN &amp; EQUIP FUND</b> .....         | <b>1,769,000</b>           | <b>1,769,000</b>            |
| <b>OPERATION &amp; MAINTENANCE, NAVY</b>         |                                                                |                            |                             |
| <b>OPERATING FORCES</b>                          |                                                                |                            |                             |
| 010                                              | MISSION AND OTHER FLIGHT OPERATIONS .....                      | 412,710                    | 407,960                     |
|                                                  | Realign European Reassurance Initiative to Base .....          |                            | [-4,750]                    |
| 030                                              | AVIATION TECHNICAL DATA & ENGINEERING SERVICES .....           | 1,750                      | 1,750                       |
| 040                                              | AIR OPERATIONS AND SAFETY SUPPORT .....                        | 2,989                      | 2,989                       |
| 050                                              | AIR SYSTEMS SUPPORT .....                                      | 144,030                    | 144,030                     |
| 060                                              | AIRCRAFT DEPOT MAINTENANCE .....                               | 211,196                    | 211,196                     |
| 070                                              | AIRCRAFT DEPOT OPERATIONS SUPPORT .....                        | 1,921                      | 1,921                       |
| 080                                              | AVIATION LOGISTICS .....                                       | 102,834                    | 102,834                     |
| 090                                              | MISSION AND OTHER SHIP OPERATIONS .....                        | 855,453                    | 851,776                     |
|                                                  | Realign European Reassurance Initiative to Base .....          |                            | [-3,677]                    |
| 100                                              | SHIP OPERATIONS SUPPORT & TRAINING .....                       | 19,627                     | 19,627                      |
| 110                                              | SHIP DEPOT MAINTENANCE .....                                   | 2,483,179                  | 2,548,179                   |
|                                                  | Repairs related to USS Fitzgerald .....                        |                            | [65,000]                    |
| 130                                              | COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE .....             | 58,886                     | 53,486                      |
|                                                  | Realign European Reassurance Initiative to Base .....          |                            | [-5,400]                    |
| 150                                              | SPACE SYSTEMS AND SURVEILLANCE .....                           | 4,400                      | 0                           |
|                                                  | Realign European Reassurance Initiative to Base .....          |                            | [-4,400]                    |
| 160                                              | WARFARE TACTICS .....                                          | 21,550                     | 21,550                      |
| 170                                              | OPERATIONAL METEOROLOGY AND OCEANOGRAPHY .....                 | 21,104                     | 21,104                      |
| 180                                              | COMBAT SUPPORT FORCES .....                                    | 605,936                    | 599,952                     |
|                                                  | Realign European Reassurance Initiative to Base .....          |                            | [-5,984]                    |
| 190                                              | EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT .....       | 11,433                     | 11,433                      |
| 280                                              | WEAPONS MAINTENANCE .....                                      | 325,011                    | 323,711                     |
|                                                  | Realign European Reassurance Initiative to Base .....          |                            | [-1,300]                    |
| 290                                              | OTHER WEAPON SYSTEMS SUPPORT .....                             | 9,598                      | 9,598                       |
| 310                                              | SUSTAINMENT, RESTORATION AND MODERNIZATION .....               | 31,898                     | 31,898                      |
| 320                                              | BASE OPERATING SUPPORT .....                                   | 228,246                    | 228,246                     |
|                                                  | <b>SUBTOTAL OPERATING FORCES</b> .....                         | <b>5,553,751</b>           | <b>5,593,240</b>            |
| <b>MOBILIZATION</b>                              |                                                                |                            |                             |
| 360                                              | SHIP ACTIVATIONS/INACTIVATIONS .....                           | 1,869                      | 1,869                       |
| 370                                              | EXPEDITIONARY HEALTH SERVICES SYSTEMS .....                    | 11,905                     | 11,905                      |
| 390                                              | COAST GUARD SUPPORT .....                                      | 161,885                    | 161,885                     |
|                                                  | <b>SUBTOTAL MOBILIZATION</b> .....                             | <b>175,659</b>             | <b>175,659</b>              |
| <b>TRAINING AND RECRUITING</b>                   |                                                                |                            |                             |
| 430                                              | SPECIALIZED SKILL TRAINING .....                               | 43,369                     | 43,369                      |
|                                                  | <b>SUBTOTAL TRAINING AND RECRUITING</b> .....                  | <b>43,369</b>              | <b>43,369</b>               |
| <b>ADMIN &amp; SRVWD ACTIVITIES</b>              |                                                                |                            |                             |
| 510                                              | ADMINISTRATION .....                                           | 3,217                      | 3,217                       |
| 540                                              | MILITARY MANPOWER AND PERSONNEL MANAGEMENT .....               | 7,356                      | 7,356                       |
| 590                                              | SERVICEWIDE TRANSPORTATION .....                               | 67,938                     | 67,938                      |
| 620                                              | ACQUISITION, LOGISTICS, AND OVERSIGHT .....                    | 9,446                      | 9,446                       |
| 660                                              | INVESTIGATIVE AND SECURITY SERVICES .....                      | 1,528                      | 1,528                       |
| 775                                              | CLASSIFIED PROGRAMS .....                                      | 12,751                     | 12,751                      |
|                                                  | <b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....             | <b>102,236</b>             | <b>102,236</b>              |
|                                                  | <b>TOTAL OPERATION &amp; MAINTENANCE, NAVY</b> .....           | <b>5,875,015</b>           | <b>5,914,504</b>            |
| <b>OPERATION &amp; MAINTENANCE, MARINE CORPS</b> |                                                                |                            |                             |
| <b>OPERATING FORCES</b>                          |                                                                |                            |                             |
| 010                                              | OPERATIONAL FORCES .....                                       | 710,790                    | 546,057                     |
|                                                  | Realign European Reassurance Initiative to Base .....          |                            | [-164,733]                  |
| 020                                              | FIELD LOGISTICS .....                                          | 242,150                    | 242,150                     |
| 030                                              | DEPOT MAINTENANCE .....                                        | 52,000                     | 52,000                      |
| 070                                              | BASE OPERATING SUPPORT .....                                   | 17,529                     | 17,529                      |
|                                                  | <b>SUBTOTAL OPERATING FORCES</b> .....                         | <b>1,022,469</b>           | <b>857,736</b>              |
| <b>TRAINING AND RECRUITING</b>                   |                                                                |                            |                             |
| 120                                              | TRAINING SUPPORT .....                                         | 29,421                     | 29,421                      |
|                                                  | <b>SUBTOTAL TRAINING AND RECRUITING</b> .....                  | <b>29,421</b>              | <b>29,421</b>               |
| <b>ADMIN &amp; SRVWD ACTIVITIES</b>              |                                                                |                            |                             |
| 160                                              | SERVICEWIDE TRANSPORTATION .....                               | 61,600                     | 61,600                      |
| 215                                              | CLASSIFIED PROGRAMS .....                                      | 3,150                      | 3,150                       |
|                                                  | <b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....             | <b>64,750</b>              | <b>64,750</b>               |
|                                                  | <b>TOTAL OPERATION &amp; MAINTENANCE, MARINE CORPS</b> .....   | <b>1,116,640</b>           | <b>951,907</b>              |

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

| <i>Line</i>                                    | <i>Item</i>                                                | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|------------------------------------------------|------------------------------------------------------------|----------------------------|-----------------------------|
| <b>OPERATION &amp; MAINTENANCE, NAVY RES</b>   |                                                            |                            |                             |
| <b>OPERATING FORCES</b>                        |                                                            |                            |                             |
| 030                                            | AIRCRAFT DEPOT MAINTENANCE .....                           | 14,964                     | 14,964                      |
| 080                                            | COMBAT SUPPORT FORCES .....                                | 9,016                      | 9,016                       |
|                                                | <b>SUBTOTAL OPERATING FORCES</b> .....                     | <b>23,980</b>              | <b>23,980</b>               |
|                                                | <b>TOTAL OPERATION &amp; MAINTENANCE, NAVY RES</b> .....   | <b>23,980</b>              | <b>23,980</b>               |
| <b>OPERATION &amp; MAINTENANCE, MC RESERVE</b> |                                                            |                            |                             |
| <b>OPERATING FORCES</b>                        |                                                            |                            |                             |
| 010                                            | OPERATING FORCES .....                                     | 2,548                      | 2,548                       |
| 040                                            | BASE OPERATING SUPPORT .....                               | 819                        | 819                         |
|                                                | <b>SUBTOTAL OPERATING FORCES</b> .....                     | <b>3,367</b>               | <b>3,367</b>                |
|                                                | <b>TOTAL OPERATION &amp; MAINTENANCE, MC RESERVE</b> ..... | <b>3,367</b>               | <b>3,367</b>                |
| <b>OPERATION &amp; MAINTENANCE, AIR FORCE</b>  |                                                            |                            |                             |
| <b>OPERATING FORCES</b>                        |                                                            |                            |                             |
| 010                                            | PRIMARY COMBAT FORCES .....                                | 248,235                    | 248,235                     |
| 020                                            | COMBAT ENHANCEMENT FORCES .....                            | 1,394,962                  | 1,298,440                   |
|                                                | Realign European Reassurance Initiative to Base .....      |                            | [-96,522]                   |
| 030                                            | AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) .....       | 5,450                      | 5,450                       |
| 040                                            | DEPOT PURCHASE EQUIPMENT MAINTENANCE .....                 | 699,860                    | 719,339                     |
|                                                | Realign European Reassurance Initiative to Base .....      |                            | [-18,521]                   |
|                                                | Restoration of Damaged U-2 Aircraft .....                  |                            | [38,000]                    |
| 050                                            | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....  | 113,131                    | 90,431                      |
|                                                | Realign European Reassurance Initiative to Base .....      |                            | [-22,700]                   |
| 060                                            | CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT .....      | 2,039,551                  | 2,035,272                   |
|                                                | Realign European Reassurance Initiative to Base .....      |                            | [-4,279]                    |
| 070                                            | FLYING HOUR PROGRAM .....                                  | 2,059,363                  | 1,992,696                   |
|                                                | Realign European Reassurance Initiative to Base .....      |                            | [-66,667]                   |
| 080                                            | BASE SUPPORT .....                                         | 1,088,946                  | 1,075,241                   |
|                                                | Realign European Reassurance Initiative to Base .....      |                            | [-13,705]                   |
| 090                                            | GLOBAL C3I AND EARLY WARNING .....                         | 15,274                     | 13,274                      |
|                                                | Realign European Reassurance Initiative to Base .....      |                            | [-2,000]                    |
| 100                                            | OTHER COMBAT OPS SPT PROGRAMS .....                        | 198,090                    | 178,528                     |
|                                                | Realign European Reassurance Initiative to Base .....      |                            | [-19,562]                   |
| 120                                            | LAUNCH FACILITIES .....                                    | 385                        | 385                         |
| 130                                            | SPACE CONTROL SYSTEMS .....                                | 22,020                     | 22,020                      |
| 160                                            | US NORTHCOM/NORAD .....                                    | 381                        | 381                         |
| 170                                            | US STRATCOM .....                                          | 698                        | 698                         |
| 180                                            | US CYBERCOM .....                                          | 35,239                     | 35,239                      |
| 190                                            | US CENTCOM .....                                           | 159,520                    | 159,520                     |
| 200                                            | US SOCOM .....                                             | 19,000                     | 19,000                      |
| 215                                            | CLASSIFIED PROGRAMS .....                                  | 58,098                     | 58,098                      |
|                                                | <b>SUBTOTAL OPERATING FORCES</b> .....                     | <b>8,158,203</b>           | <b>7,952,247</b>            |
| <b>MOBILIZATION</b>                            |                                                            |                            |                             |
| 220                                            | AIRLIFT OPERATIONS .....                                   | 1,430,316                  | 1,425,716                   |
|                                                | Realign European Reassurance Initiative to Base .....      |                            | [-4,600]                    |
| 230                                            | MOBILIZATION PREPAREDNESS .....                            | 213,827                    | 113,957                     |
|                                                | Realign European Reassurance Initiative to Base .....      |                            | [-99,870]                   |
|                                                | <b>SUBTOTAL MOBILIZATION</b> .....                         | <b>1,644,143</b>           | <b>1,539,673</b>            |
| <b>TRAINING AND RECRUITING</b>                 |                                                            |                            |                             |
| 270                                            | OFFICER ACQUISITION .....                                  | 300                        | 300                         |
| 280                                            | RECRUIT TRAINING .....                                     | 298                        | 298                         |
| 290                                            | RESERVE OFFICERS TRAINING CORPS (ROTC) .....               | 90                         | 90                          |
| 320                                            | SPECIALIZED SKILL TRAINING .....                           | 25,675                     | 25,675                      |
| 330                                            | FLIGHT TRAINING .....                                      | 879                        | 879                         |
| 340                                            | PROFESSIONAL DEVELOPMENT EDUCATION .....                   | 1,114                      | 1,114                       |
| 350                                            | TRAINING SUPPORT .....                                     | 1,426                      | 1,426                       |
|                                                | <b>SUBTOTAL TRAINING AND RECRUITING</b> .....              | <b>29,782</b>              | <b>29,782</b>               |
| <b>ADMIN &amp; SRVWD ACTIVITIES</b>            |                                                            |                            |                             |
| 420                                            | LOGISTICS OPERATIONS .....                                 | 151,847                    | 148,847                     |
|                                                | Realign European Reassurance Initiative to Base .....      |                            | [-3,000]                    |
| 430                                            | TECHNICAL SUPPORT ACTIVITIES .....                         | 8,744                      | 8,744                       |
| 470                                            | ADMINISTRATION .....                                       | 6,583                      | 6,583                       |
| 480                                            | SERVICEWIDE COMMUNICATIONS .....                           | 129,508                    | 129,508                     |
| 490                                            | OTHER SERVICEWIDE ACTIVITIES .....                         | 84,110                     | 84,110                      |
| 530                                            | INTERNATIONAL SUPPORT .....                                | 120                        | 120                         |
| 535                                            | CLASSIFIED PROGRAMS .....                                  | 53,255                     | 53,255                      |
|                                                | <b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....         | <b>434,167</b>             | <b>431,167</b>              |
|                                                | <b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE</b> .....  | <b>10,266,295</b>          | <b>9,952,869</b>            |
| <b>OPERATION &amp; MAINTENANCE, AF RESERVE</b> |                                                            |                            |                             |

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

| Line                                           | Item                                                                                     | FY 2018<br>Request | House<br>Authorized |
|------------------------------------------------|------------------------------------------------------------------------------------------|--------------------|---------------------|
| <b>OPERATING FORCES</b>                        |                                                                                          |                    |                     |
| 030                                            | DEPOT PURCHASE EQUIPMENT MAINTENANCE .....                                               | 52,323             | 52,323              |
| 060                                            | BASE SUPPORT .....                                                                       | 6,200              | 6,200               |
|                                                | <b>SUBTOTAL OPERATING FORCES</b> .....                                                   | <b>58,523</b>      | <b>58,523</b>       |
|                                                | <b>TOTAL OPERATION &amp; MAINTENANCE, AF RESERVE</b> .....                               | <b>58,523</b>      | <b>58,523</b>       |
| <b>OPERATION &amp; MAINTENANCE, ANG</b>        |                                                                                          |                    |                     |
| <b>OPERATING FORCES</b>                        |                                                                                          |                    |                     |
| 020                                            | MISSION SUPPORT OPERATIONS .....                                                         | 3,468              | 3,468               |
| 060                                            | BASE SUPPORT .....                                                                       | 11,932             | 11,932              |
|                                                | <b>SUBTOTAL OPERATING FORCES</b> .....                                                   | <b>15,400</b>      | <b>15,400</b>       |
|                                                | <b>TOTAL OPERATION &amp; MAINTENANCE, ANG</b> .....                                      | <b>15,400</b>      | <b>15,400</b>       |
| <b>OPERATION AND MAINTENANCE, DEFENSE-WIDE</b> |                                                                                          |                    |                     |
| <b>OPERATING FORCES</b>                        |                                                                                          |                    |                     |
| 010                                            | JOINT CHIEFS OF STAFF .....                                                              | 4,841              | 4,841               |
| 040                                            | SPECIAL OPERATIONS COMMAND/OPERATING FORCES .....                                        | 3,305,234          | 3,236,404           |
|                                                | Realign European Reassurance Initiative to Base .....                                    |                    | [–95,970]           |
|                                                | Unfunded Requirement- Joint Task Force Platform Expansion .....                          |                    | [6,300]             |
|                                                | Unfunded Requirement- Publicly Available Information (PAI) Capability Acceleration ..... |                    | [20,840]            |
|                                                | <b>SUBTOTAL OPERATING FORCES</b> .....                                                   | <b>3,310,075</b>   | <b>3,241,245</b>    |
| <b>ADMIN &amp; SRVWIDE ACTIVITIES</b>          |                                                                                          |                    |                     |
| 110                                            | DEFENSE CONTRACT AUDIT AGENCY .....                                                      | 9,853              | 9,853               |
| 120                                            | DEFENSE CONTRACT MANAGEMENT AGENCY .....                                                 | 21,317             | 21,317              |
| 140                                            | DEFENSE INFORMATION SYSTEMS AGENCY .....                                                 | 64,137             | 64,137              |
| 160                                            | DEFENSE LEGAL SERVICES AGENCY .....                                                      | 115,000            | 115,000             |
| 180                                            | DEFENSE MEDIA ACTIVITY .....                                                             | 13,255             | 12,886              |
|                                                | Realign European Reassurance Initiative to Base .....                                    |                    | [–369]              |
| 200                                            | DEFENSE SECURITY COOPERATION AGENCY .....                                                | 2,312,000          | 2,012,000           |
|                                                | Realign European Reassurance Initiative to Base .....                                    |                    | [–150,000]          |
|                                                | Transfer of funds to Ukraine Security Assistance .....                                   |                    | [–150,000]          |
| 260                                            | DEPARTMENT OF DEFENSE EDUCATION ACTIVITY .....                                           | 31,000             | 31,000              |
| 300                                            | OFFICE OF THE SECRETARY OF DEFENSE .....                                                 | 34,715             | 34,715              |
| 320                                            | WASHINGTON HEADQUARTERS SERVICES .....                                                   | 3,179              | 3,179               |
| 325                                            | CLASSIFIED PROGRAMS .....                                                                | 1,797,549          | 1,742,229           |
|                                                | Realign European Reassurance Initiative to Base .....                                    |                    | [–55,320]           |
|                                                | <b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES</b> .....                                     | <b>4,402,005</b>   | <b>4,046,316</b>    |
|                                                | <b>TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE</b> .....                               | <b>7,712,080</b>   | <b>7,287,561</b>    |
| <b>UKRAINE SECURITY ASSISTANCE</b>             |                                                                                          |                    |                     |
| <b>UKRAINE SECURITY ASSISTANCE</b>             |                                                                                          |                    |                     |
| 010                                            | UKRAINE SECURITY ASSISTANCE .....                                                        |                    | 150,000             |
|                                                | Transfer from DSCA .....                                                                 |                    | [150,000]           |
|                                                | <b>SUBTOTAL UKRAINE SECURITY ASSISTANCE</b> .....                                        |                    | <b>150,000</b>      |
|                                                | <b>TOTAL UKRAINE SECURITY ASSISTANCE</b> .....                                           |                    | <b>150,000</b>      |
|                                                | <b>TOTAL OPERATION &amp; MAINTENANCE</b> .....                                           | <b>48,037,028</b>  | <b>45,929,178</b>   |

**SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.**

**SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS**  
(In Thousands of Dollars)

| Line                                         | Item                                                      | FY 2018<br>Request | House<br>Authorized |
|----------------------------------------------|-----------------------------------------------------------|--------------------|---------------------|
| <b>OPERATION &amp; MAINTENANCE, ARMY</b>     |                                                           |                    |                     |
| <b>OPERATING FORCES</b>                      |                                                           |                    |                     |
| 110                                          | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..... |                    | 629,047             |
|                                              | Demolition of excess facilities .....                     |                    | [50,000]            |
|                                              | Restore restoration and modernization shortfalls .....    |                    | [154,500]           |
|                                              | Restore sustainment shortfalls .....                      |                    | [424,547]           |
|                                              | <b>SUBTOTAL OPERATING FORCES</b> .....                    |                    | <b>629,047</b>      |
|                                              | <b>TOTAL OPERATION &amp; MAINTENANCE, ARMY</b> .....      |                    | <b>629,047</b>      |
| <b>OPERATION &amp; MAINTENANCE, ARMY RES</b> |                                                           |                    |                     |
| <b>OPERATING FORCES</b>                      |                                                           |                    |                     |
| 100                                          | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ..... |                    | 82,619              |
|                                              | Demolition of excess facilities .....                     |                    | [25,000]            |
|                                              | Restore restoration and modernization shortfalls .....    |                    | [12,300]            |
|                                              | Restore sustainment shortfalls .....                      |                    | [45,319]            |
|                                              | <b>SUBTOTAL OPERATING FORCES</b> .....                    |                    | <b>82,619</b>       |

**SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS**  
(In Thousands of Dollars)

| <i>Line</i> | <i>Item</i>                                                  | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|-------------|--------------------------------------------------------------|----------------------------|-----------------------------|
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, ARMY RES .....</b>     |                            | <b>82,619</b>               |
|             | <b>OPERATION &amp; MAINTENANCE, ARNG</b>                     |                            |                             |
|             | <b>OPERATING FORCES</b>                                      |                            |                             |
| 110         | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....    | 173,900                    |                             |
|             | Demolition of excess facilities .....                        | [25,000]                   |                             |
|             | Restore restoration and modernization shortfalls .....       | [35,200]                   |                             |
|             | Restore sustainment shortfalls .....                         | [113,700]                  |                             |
|             | <b>SUBTOTAL OPERATING FORCES .....</b>                       | <b>173,900</b>             |                             |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, ARNG .....</b>         |                            | <b>173,900</b>              |
|             | <b>OPERATION &amp; MAINTENANCE, NAVY</b>                     |                            |                             |
|             | <b>OPERATING FORCES</b>                                      |                            |                             |
| 310         | SUSTAINMENT, RESTORATION AND MODERNIZATION .....             | 414,200                    |                             |
|             | Demolition of excess facilities .....                        | [50,000]                   |                             |
|             | Restore restoration and modernization shortfalls .....       | [87,200]                   |                             |
|             | Restore sustainment shortfalls .....                         | [277,000]                  |                             |
|             | <b>SUBTOTAL OPERATING FORCES .....</b>                       | <b>414,200</b>             |                             |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, NAVY .....</b>         |                            | <b>414,200</b>              |
|             | <b>OPERATION &amp; MAINTENANCE, MARINE CORPS</b>             |                            |                             |
|             | <b>OPERATING FORCES</b>                                      |                            |                             |
| 060         | SUSTAINMENT, RESTORATION & MODERNIZATION .....               | 217,487                    |                             |
|             | Demolition of excess facilities .....                        | [50,000]                   |                             |
|             | Restore restoration and modernization shortfalls .....       | [35,300]                   |                             |
|             | Restore sustainment shortfalls .....                         | [132,187]                  |                             |
|             | <b>SUBTOTAL OPERATING FORCES .....</b>                       | <b>217,487</b>             |                             |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, MARINE CORPS .....</b> |                            | <b>217,487</b>              |
|             | <b>OPERATION &amp; MAINTENANCE, NAVY RES</b>                 |                            |                             |
|             | <b>OPERATING FORCES</b>                                      |                            |                             |
| 110         | SUSTAINMENT, RESTORATION AND MODERNIZATION .....             | 11,500                     |                             |
|             | Restore restoration and modernization shortfalls .....       | [1,500]                    |                             |
|             | Restore sustainment shortfalls .....                         | [10,000]                   |                             |
|             | <b>SUBTOTAL OPERATING FORCES .....</b>                       | <b>11,500</b>              |                             |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, NAVY RES .....</b>     |                            | <b>11,500</b>               |
|             | <b>OPERATION &amp; MAINTENANCE, MC RESERVE</b>               |                            |                             |
|             | <b>OPERATING FORCES</b>                                      |                            |                             |
| 030         | SUSTAINMENT, RESTORATION AND MODERNIZATION .....             | 7,246                      |                             |
|             | Restore restoration and modernization shortfalls .....       | [3,900]                    |                             |
|             | Restore sustainment shortfalls .....                         | [3,346]                    |                             |
|             | <b>SUBTOTAL OPERATING FORCES .....</b>                       | <b>7,246</b>               |                             |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, MC RESERVE .....</b>   |                            | <b>7,246</b>                |
|             | <b>OPERATION &amp; MAINTENANCE, AIR FORCE</b>                |                            |                             |
|             | <b>OPERATING FORCES</b>                                      |                            |                             |
| 050         | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....    | 507,700                    |                             |
|             | Demolition of excess facilities .....                        | [50,000]                   |                             |
|             | Restore restoration and modernization shortfalls .....       | [153,300]                  |                             |
|             | Restore sustainment shortfalls .....                         | [304,400]                  |                             |
|             | <b>SUBTOTAL OPERATING FORCES .....</b>                       | <b>507,700</b>             |                             |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE .....</b>    |                            | <b>507,700</b>              |
|             | <b>OPERATION &amp; MAINTENANCE, AF RESERVE</b>               |                            |                             |
|             | <b>OPERATING FORCES</b>                                      |                            |                             |
| 040         | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....    | 15,300                     |                             |
|             | Restore restoration and modernization shortfalls .....       | [5,600]                    |                             |
|             | Restore sustainment shortfalls .....                         | [9,700]                    |                             |
|             | <b>SUBTOTAL OPERATING FORCES .....</b>                       | <b>15,300</b>              |                             |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, AF RESERVE .....</b>   |                            | <b>15,300</b>               |
|             | <b>OPERATION &amp; MAINTENANCE, ANG</b>                      |                            |                             |
|             | <b>OPERATING FORCES</b>                                      |                            |                             |
| 040         | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....    | 47,600                     |                             |
|             | Restore restoration and modernization shortfalls .....       | [14,600]                   |                             |
|             | Restore sustainment shortfalls .....                         | [33,000]                   |                             |
|             | <b>SUBTOTAL OPERATING FORCES .....</b>                       | <b>47,600</b>              |                             |
|             | <b>TOTAL OPERATION &amp; MAINTENANCE, ANG .....</b>          |                            | <b>47,600</b>               |

**SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS**  
(In Thousands of Dollars)

| <i>Line</i> | <i>Item</i>                              | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|-------------|------------------------------------------|----------------------------|-----------------------------|
|             | <b>TOTAL OPERATION &amp; MAINTENANCE</b> |                            | <b>2,106,599</b>            |

**TITLE XLIV—MILITARY PERSONNEL**

**SEC. 4401. MILITARY PERSONNEL.**

**SEC. 4401. MILITARY PERSONNEL**  
(In Thousands of Dollars)

| <i>Item</i>                                                        | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|--------------------------------------------------------------------|----------------------------|-----------------------------|
| <b>Military Personnel Appropriations</b>                           | <b>133,881,636</b>         | <b>134,066,025</b>          |
| Military Personnel Pay Raise                                       |                            | [206,400]                   |
| Realign European Reassurance Initiative to Base                    |                            | [214,289]                   |
| Freeze BAH reduction for Military Housing Privatization Initiative |                            | [125,000]                   |
| Historical unobligated balances                                    |                            | [-363,300]                  |
| Department of Defense State Partnership Program                    |                            | [2,000]                     |
| <b>Medicare-Eligible Retiree Health Fund Contributions</b>         | <b>7,804,427</b>           | <b>7,804,427</b>            |
| <b>Total, Military Personnel</b>                                   | <b>141,686,063</b>         | <b>141,870,452</b>          |

**SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS  
CONTINGENCY OPERATIONS.**

**SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

| <i>Item</i>                                     | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|-------------------------------------------------|----------------------------|-----------------------------|
| <b>Military Personnel Appropriations</b>        | <b>4,276,276</b>           | <b>4,061,987</b>            |
| Realign European Reassurance Initiative to Base |                            | [-214,289]                  |

**SEC. 4403. MILITARY PERSONNEL FOR OVERSEAS  
CONTINGENCY OPERATIONS FOR  
BASE REQUIREMENTS.**

**SEC. 4403. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.**  
(In Thousands of Dollars)

| <i>Item</i>                                                 | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|-------------------------------------------------------------|----------------------------|-----------------------------|
| <b>Military Personnel Appropriations</b>                    |                            | <b>1,017,700</b>            |
| Increase Active Army end strength by 10k                    |                            | [829,400]                   |
| Increase Army National Guard end strength by 4k             |                            | [105,500]                   |
| Increase Army Reserve end strength by 3k                    |                            | [82,800]                    |
| <b>Medicare-Eligible Retiree Health Fund Contributions</b>  |                            | <b>44,140</b>               |
| Accrual payment associated with increased Army end strength |                            | [44,140]                    |
| <b>Total, Military Personnel</b>                            |                            | <b>1,061,840</b>            |

**TITLE XLV—OTHER AUTHORIZATIONS**

**SEC. 4501. OTHER AUTHORIZATIONS.**

**SEC. 4501. OTHER AUTHORIZATIONS**  
(In Thousands of Dollars)

| <i>Item</i>                                     | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|-------------------------------------------------|----------------------------|-----------------------------|
| <b>WORKING CAPITAL FUND, ARMY</b>               |                            |                             |
| INDUSTRIAL OPERATIONS                           | 43,140                     | 43,140                      |
| SUPPLY MANAGEMENT—ARMY                          | 40,636                     | 90,747                      |
| Realign European Reassurance Initiative to Base |                            | [50,111]                    |
| <b>TOTAL WORKING CAPITAL FUND, ARMY</b>         | <b>83,776</b>              | <b>133,887</b>              |
| <b>WORKING CAPITAL FUND, AIR FORCE</b>          |                            |                             |
| SUPPLY MANAGEMENT                               | 66,462                     | 66,462                      |
| <b>TOTAL WORKING CAPITAL FUND, AIR FORCE</b>    | <b>66,462</b>              | <b>66,462</b>               |
| <b>WORKING CAPITAL FUND, DECA</b>               |                            |                             |
| COMMISSARY OPERATIONS                           | 1,389,340                  | 1,344,340                   |
| Civilian Personnel Compensation and Benefits    |                            | [-20,000]                   |
| Commissary operations                           |                            | [-25,000]                   |
| <b>TOTAL WORKING CAPITAL FUND, DECA</b>         | <b>1,389,340</b>           | <b>1,344,340</b>            |
| <b>WORKING CAPITAL FUND, DEFENSE-WIDE</b>       |                            |                             |
| SUPPLY CHAIN MANAGEMENT—DEFENSE                 | 47,018                     | 47,018                      |
| <b>TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE</b> | <b>47,018</b>              | <b>47,018</b>               |



**SEC. 4501. OTHER AUTHORIZATIONS**  
(In Thousands of Dollars)

| <i>Item</i>                                                         | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|---------------------------------------------------------------------|----------------------------|-----------------------------|
| <b>NATIONAL DEFENSE SEALIFT FUND</b>                                |                            |                             |
| LG MED SPD RO/RO MAINTENANCE .....                                  | 135,800                    | 135,800                     |
| DOD MOBILIZATION ALTERATIONS .....                                  | 11,197                     | 11,197                      |
| TAH MAINTENANCE .....                                               | 54,453                     | 54,453                      |
| RESEARCH AND DEVELOPMENT .....                                      | 18,622                     | 18,622                      |
| READY RESERVE FORCES .....                                          | 289,255                    | 296,255                     |
| Strategic Sealift SLEP .....                                        |                            | [7,000]                     |
| <b>TOTAL NATIONAL DEFENSE SEALIFT FUND .....</b>                    | <b>509,327</b>             | <b>516,327</b>              |
| <b>CHEM AGENTS &amp; MUNITIONS DESTRUCTION</b>                      |                            |                             |
| CHEM DEMILITARIZATION—O&M .....                                     | 104,237                    | 104,237                     |
| CHEM DEMILITARIZATION—RDT&E .....                                   | 839,414                    | 839,414                     |
| CHEM DEMILITARIZATION—PROC .....                                    | 18,081                     | 18,081                      |
| <b>TOTAL CHEM AGENTS &amp; MUNITIONS DESTRUCTION .....</b>          | <b>961,732</b>             | <b>961,732</b>              |
| <b>DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</b>             |                            |                             |
| DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE .....        | 674,001                    | 691,001                     |
| Administrative Overhead .....                                       |                            | [-2,000]                    |
| SOUTHCOM ISR .....                                                  |                            | [21,000]                    |
| Travel, Infrastructure, Support .....                               |                            | [-2,000]                    |
| DRUG DEMAND REDUCTION PROGRAM .....                                 | 116,813                    | 116,813                     |
| <b>TOTAL DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF .....</b> | <b>790,814</b>             | <b>807,814</b>              |
| <b>OFFICE OF THE INSPECTOR GENERAL</b>                              |                            |                             |
| OPERATION AND MAINTENANCE .....                                     | 334,087                    | 334,087                     |
| RDT&E .....                                                         | 2,800                      | 2,800                       |
| <b>TOTAL OFFICE OF THE INSPECTOR GENERAL .....</b>                  | <b>336,887</b>             | <b>336,887</b>              |
| <b>DEFENSE HEALTH PROGRAM</b>                                       |                            |                             |
| <b>OPERATION &amp; MAINTENANCE</b>                                  |                            |                             |
| IN-HOUSE CARE .....                                                 | 9,457,768                  | 9,475,768                   |
| Maintenance of inpatient capabilities of OCONUS MTFs .....          |                            | [10,000]                    |
| Pre-mobilization health care under section 12304b .....             |                            | [8,000]                     |
| PRIVATE SECTOR CARE .....                                           | 15,317,732                 | 15,317,732                  |
| CONSOLIDATED HEALTH SUPPORT .....                                   | 2,193,045                  | 2,193,045                   |
| INFORMATION MANAGEMENT .....                                        | 1,803,733                  | 1,803,733                   |
| MANAGEMENT ACTIVITIES .....                                         | 330,752                    | 321,752                     |
| Program decrease .....                                              |                            | [-9,000]                    |
| EDUCATION AND TRAINING .....                                        | 737,730                    | 737,730                     |
| BASE OPERATIONS/COMMUNICATIONS .....                                | 2,255,163                  | 2,255,163                   |
| <b>RDT&amp;E</b>                                                    |                            |                             |
| RESEARCH .....                                                      | 9,796                      | 9,796                       |
| EXPLORATORY DEVELOPMENT .....                                       | 64,881                     | 64,881                      |
| ADVANCED DEVELOPMENT .....                                          | 246,268                    | 276,268                     |
| Program increase for hypoxia research .....                         |                            | [5,000]                     |
| Research of chronic traumatic encephalopathy .....                  |                            | [25,000]                    |
| DEMONSTRATION/VALIDATION .....                                      | 99,039                     | 99,039                      |
| ENGINEERING DEVELOPMENT .....                                       | 170,602                    | 170,602                     |
| MANAGEMENT AND SUPPORT .....                                        | 69,191                     | 69,191                      |
| CAPABILITIES ENHANCEMENT .....                                      | 13,438                     | 13,438                      |
| <b>PROCUREMENT</b>                                                  |                            |                             |
| INITIAL OUTFITTING .....                                            | 26,978                     | 26,978                      |
| REPLACEMENT & MODERNIZATION .....                                   | 360,831                    | 360,831                     |
| <b>THEATER MEDICAL INFORMATION PROGRAM</b>                          |                            |                             |
| JOINT OPERATIONAL MEDICINE INFORMATION SYSTEM .....                 | 8,326                      | 8,326                       |
| DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION .....                | 499,193                    | 499,193                     |
| <b>UNDISTRIBUTED</b>                                                |                            |                             |
| UNDISTRIBUTED .....                                                 |                            | -149,600                    |
| Foreign Currency adjustments .....                                  |                            | [-15,500]                   |
| Historical unobligated balances .....                               |                            | [-134,100]                  |
| <b>TOTAL DEFENSE HEALTH PROGRAM .....</b>                           | <b>33,664,466</b>          | <b>33,545,866</b>           |
| <b>TOTAL OTHER AUTHORIZATIONS .....</b>                             | <b>37,849,822</b>          | <b>37,760,333</b>           |

**SEC. 4502. OTHER AUTHORIZATIONS FOR OVER-  
SEAS CONTINGENCY OPERATIONS.**

**SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

| <i>Item</i>                       | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|-----------------------------------|----------------------------|-----------------------------|
| <b>WORKING CAPITAL FUND, ARMY</b> |                            |                             |
| <b>INDUSTRIAL OPERATIONS</b>      |                            |                             |

**SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

| <i>Item</i>                                                         | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|---------------------------------------------------------------------|----------------------------|-----------------------------|
| SUPPLY MANAGEMENT—ARMY .....                                        | 50,111                     | –50,111                     |
| Realign European Reassurance Initiative to Base .....               |                            | [–50,111]                   |
| <b>TOTAL WORKING CAPITAL FUND, ARMY</b> .....                       | <b>50,111</b>              | <b>–50,111</b>              |
| <b>WORKING CAPITAL FUND, DEFENSE-WIDE</b>                           |                            |                             |
| ENERGY MANAGEMENT—DEFENSE .....                                     | 70,000                     | 70,000                      |
| SUPPLY CHAIN MANAGEMENT—DEFENSE .....                               | 28,845                     | 28,845                      |
| <b>TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE</b> .....               | <b>98,845</b>              | <b>98,845</b>               |
| <b>DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</b>             |                            |                             |
| DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE .....        | 196,300                    | 196,300                     |
| <b>TOTAL DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</b> ..... | <b>196,300</b>             | <b>196,300</b>              |
| <b>OFFICE OF THE INSPECTOR GENERAL</b>                              |                            |                             |
| OPERATION AND MAINTENANCE .....                                     | 24,692                     | 24,692                      |
| <b>TOTAL OFFICE OF THE INSPECTOR GENERAL</b> .....                  | <b>24,692</b>              | <b>24,692</b>               |
| <b>DEFENSE HEALTH PROGRAM</b>                                       |                            |                             |
| <b>OPERATION &amp; MAINTENANCE</b>                                  |                            |                             |
| IN-HOUSE CARE .....                                                 | 61,857                     | 61,857                      |
| PRIVATE SECTOR CARE .....                                           | 331,968                    | 331,968                     |
| CONSOLIDATED HEALTH SUPPORT .....                                   | 1,980                      | 1,980                       |
| <b>TOTAL DEFENSE HEALTH PROGRAM</b> .....                           | <b>395,805</b>             | <b>395,805</b>              |
| <b>TOTAL OTHER AUTHORIZATIONS</b> .....                             | <b>765,753</b>             | <b>715,642</b>              |

**TITLE XLVI—MILITARY CONSTRUCTION**  
**SEC. 4601. MILITARY CONSTRUCTION.**

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

| <i>Account</i> | <i>State/Country and Installation</i> | <i>Project Title</i>                           | <i>FY 2018<br/>Request</i> | <i>House<br/>Agreement</i> |
|----------------|---------------------------------------|------------------------------------------------|----------------------------|----------------------------|
| Army           | Alabama                               |                                                |                            |                            |
|                | Fort Rucker                           | Training Support Facility .....                | 38,000                     | 38,000                     |
|                | Arizona                               |                                                |                            |                            |
| Army           | Davis-Monthan AFB                     | General Instruction Building .....             | 22,000                     | 22,000                     |
| Army           | Fort Huachuca                         | Ground Transport Equipment Building .....      | 30,000                     | 30,000                     |
|                | California                            |                                                |                            |                            |
| Army           | Fort Irwin                            | Land Acquisition .....                         | 3,000                      | 3,000                      |
|                | Colorado                              |                                                |                            |                            |
| Army           | Fort Carson                           | Ammunition Supply Point .....                  | 21,000                     | 21,000                     |
| Army           | Fort Carson                           | Battlefield Weather Facility .....             | 8,300                      | 8,300                      |
|                | Florida                               |                                                |                            |                            |
| Army           | Eglin AFB                             | Multipurpose Range Complex .....               | 18,000                     | 18,000                     |
|                | Georgia                               |                                                |                            |                            |
| Army           | Fort Benning                          | Air Traffic Control Tower .....                | 0                          | 10,800                     |
| Army           | Fort Benning                          | Training Support Facility .....                | 28,000                     | 28,000                     |
| Army           | Fort Gordon                           | Access Control Point .....                     | 33,000                     | 33,000                     |
| Army           | Fort Gordon                           | Automation-Aided Instructional Building .....  | 18,500                     | 18,500                     |
|                | Germany                               |                                                |                            |                            |
| Army           | Stuttgart                             | Commissary .....                               | 40,000                     | 40,000                     |
| Army           | Wiesbaden                             | Administrative Building .....                  | 43,000                     | 43,000                     |
|                | Hawaii                                |                                                |                            |                            |
| Army           | Fort Shafter                          | Command and Control Facility, Incr 3 .....     | 90,000                     | 90,000                     |
|                | Indiana                               |                                                |                            |                            |
| Army           | Crane Army Ammunition Plant           | Shipping and Receiving Building .....          | 24,000                     | 24,000                     |
|                | Korea                                 |                                                |                            |                            |
| Army           | Kunsan AB                             | Unmanned Aerial Vehicle Hangar .....           | 53,000                     | 53,000                     |
|                | New York                              |                                                |                            |                            |
| Army           | U.S. Military Academy                 | Cemetery .....                                 | 22,000                     | 22,000                     |
|                | South Carolina                        |                                                |                            |                            |
| Army           | Fort Jackson                          | Reception Barracks Complex, Ph1 .....          | 60,000                     | 60,000                     |
| Army           | Shaw AFB                              | Mission Training Complex .....                 | 25,000                     | 25,000                     |
|                | Texas                                 |                                                |                            |                            |
| Army           | Camp Bullis                           | Vehicle Maintenance Shop .....                 | 13,600                     | 13,600                     |
| Army           | Fort Hood                             | Vehicle Maintenance Shop .....                 | 0                          | 33,000                     |
| Army           | Fort Hood, Texas                      | Battalion Headquarters Complex .....           | 37,000                     | 37,000                     |
|                | Turkey                                |                                                |                            |                            |
| Army           | Turkey Various                        | Forward Operating Site .....                   | 6,400                      | 0                          |
|                | Virginia                              |                                                |                            |                            |
| Army           | Fort Belvoir                          | Secure Admin/Operations Facility, Incr 3 ..... | 14,124                     | 14,124                     |
| Army           | Joint Base Langley-Eustis             | Aircraft Maintenance Instructional Bldg .....  | 34,000                     | 34,000                     |
| Army           | Joint Base Myer-Henderson             | Security Fence .....                           | 20,000                     | 20,000                     |
|                | Washington                            |                                                |                            |                            |
| Army           | Joint Base Lewis-McChord              | Confinement Facility .....                     | 66,000                     | 66,000                     |
| Army           | Yakima                                | Fire Station .....                             | 19,500                     | 19,500                     |
|                | Worldwide Unspecified                 |                                                |                            |                            |

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

| <b>Account</b>                                 | <b>State/Country and Installation</b>       | <b>Project Title</b>                                           | <b>FY 2018 Request</b> | <b>House Agreement</b> |
|------------------------------------------------|---------------------------------------------|----------------------------------------------------------------|------------------------|------------------------|
| Army                                           | Unspecified Worldwide Locations             | Host Nation Support .....                                      | 28,700                 | 28,700                 |
| Army                                           | Unspecified Worldwide Locations             | Planning and Design .....                                      | 72,770                 | 72,770                 |
| Army                                           | Unspecified Worldwide Locations             | Prior Year Savings: Unspecified Minor Construction, Army ..... | 0                      | -10,000                |
| Army                                           | Unspecified Worldwide Locations             | Unspecified Minor Construction .....                           | 31,500                 | 41,500                 |
| <b>Military Construction, Army Total .....</b> |                                             |                                                                | <b>920,394</b>         | <b>957,794</b>         |
| Navy                                           | Arizona                                     |                                                                |                        |                        |
|                                                | Yuma                                        | Enlisted Dining Facility & Community Bldgs .....               | 36,358                 | 36,358                 |
| Navy                                           | California                                  |                                                                |                        |                        |
|                                                | Barstow                                     | Combat Vehicle Repair Facility .....                           | 36,539                 | 36,539                 |
| Navy                                           | Camp Pendleton                              | Ammunition Supply Point Upgrade .....                          | 61,139                 | 61,139                 |
| Navy                                           | Coronado                                    | Undersea Rescue Command Operations Building .....              |                        | 36,000                 |
| Navy                                           | Lemoore                                     | F/A 18 Avionics Repair Facility Replacement .....              | 60,828                 | 60,828                 |
| Navy                                           | Miramar                                     | Aircraft Maintenance Hangar (Inc 2) .....                      | 39,600                 | 39,600                 |
| Navy                                           | Miramar                                     | F-35 Simulator Facility .....                                  | 0                      | 47,600                 |
| Navy                                           | Twentynine Palms                            | Potable Water Treatment/Blending Facility .....                | 55,099                 | 55,099                 |
| Navy                                           | District of Columbia                        |                                                                |                        |                        |
|                                                | NSA Washington                              | Electronics Science and Technology Laboratory .....            | 37,882                 | 37,882                 |
| Navy                                           | NSA Washington                              | Washington Navy Yard AT/FP .....                               | 60,000                 | 14,810                 |
| Navy                                           | Djibouti                                    |                                                                |                        |                        |
|                                                | Camp Lemonnier                              | Aircraft Parking Apron Expansion .....                         | 13,390                 | 0                      |
| Navy                                           | Florida                                     |                                                                |                        |                        |
|                                                | Mayport                                     | Advanced Wastewater Treatment Plant (AWWTP) .....              | 74,994                 | 74,994                 |
| Navy                                           | Mayport                                     | Missile Magazines .....                                        | 9,824                  | 9,824                  |
| Navy                                           | Georgia                                     |                                                                |                        |                        |
|                                                | Albany                                      | Combat Vehicle Warehouse .....                                 | 0                      | 43,300                 |
| Navy                                           | Greece                                      |                                                                |                        |                        |
|                                                | Souda Bay                                   | Strategic Aircraft Parking Apron Expansion .....               | 22,045                 | 22,045                 |
| Navy                                           | Guam                                        |                                                                |                        |                        |
|                                                | Joint Region Marianas                       | Aircraft Maintenance Hangar #2 .....                           | 75,233                 | 75,233                 |
| Navy                                           | Joint Region Marianas                       | Corrosion Control Hangar .....                                 | 66,747                 | 66,747                 |
| Navy                                           | Joint Region Marianas                       | MALS Facilities .....                                          | 49,431                 | 49,431                 |
| Navy                                           | Joint Region Marianas                       | Navy-Commercial Tie-in Hardening .....                         | 37,180                 | 37,180                 |
| Navy                                           | Joint Region Marianas                       | Water Well Field .....                                         | 56,088                 | 56,088                 |
| Navy                                           | Hawaii                                      |                                                                |                        |                        |
|                                                | Joint Base Pearl Harbor-Hickam              | Sewer Lift Station & Relief Sewer Line .....                   | 73,200                 | 73,200                 |
| Navy                                           | Kaneohe Bay                                 | LHD Pad Conversions MV-22 Landing Pads .....                   | 19,012                 | 19,012                 |
| Navy                                           | Wahiawa                                     | Communications/Crypto Facility .....                           | 65,864                 | 65,864                 |
| Navy                                           | Japan                                       |                                                                |                        |                        |
|                                                | Iwakuni                                     | KC-130J Enlisted Aircrew Trainer Facility .....                | 21,860                 | 21,860                 |
| Navy                                           | Maine                                       |                                                                |                        |                        |
|                                                | Kittery                                     | Paint, Blast, and Rubber Facility .....                        | 61,692                 | 61,692                 |
| Navy                                           | North Carolina                              |                                                                |                        |                        |
|                                                | Camp Lejeune                                | Bachelor Enlisted Quarters .....                               | 37,983                 | 37,983                 |
| Navy                                           | Camp Lejeune                                | Water Treatment Plant Replacement Hadnot Pt .....              | 65,784                 | 65,784                 |
| Navy                                           | Marine Corps Air Station Cherry Point       | F-35B Vertical Lift Fan Test Facility .....                    | 15,671                 | 15,671                 |
| Navy                                           | Virginia                                    |                                                                |                        |                        |
|                                                | Dam Neck                                    | ISR Operations Facility Expansion .....                        | 29,262                 | 29,262                 |
| Navy                                           | Joint Expeditionary Base Little Creek—Story | ACU-4 Electrical Upgrades .....                                | 2,596                  | 2,596                  |
| Navy                                           | Norfolk                                     | Chambers Field Magazine Recap PH 1 .....                       | 34,665                 | 34,665                 |
| Navy                                           | Portsmouth                                  | Ship Repair Training Facility .....                            | 72,990                 | 72,990                 |
| Navy                                           | Yorktown                                    | Bachelor Enlisted Quarters .....                               | 36,358                 | 36,358                 |
| Navy                                           | Washington                                  |                                                                |                        |                        |
|                                                | Indian Island                               | Missile Magazines .....                                        | 44,440                 | 44,440                 |
| Navy                                           | Worldwide Unspecified                       |                                                                |                        |                        |
|                                                | Unspecified Worldwide Locations             | Planning and Design .....                                      | 219,069                | 219,069                |
| Navy                                           | Unspecified Worldwide Locations             | Prior Year Savings: Unspecified Minor Construction .....       | 0                      | -10,000                |
| Navy                                           | Unspecified Worldwide Locations             | Unspecified Minor Construction .....                           | 23,842                 | 23,842                 |
| <b>Military Construction, Navy Total .....</b> |                                             |                                                                | <b>1,616,665</b>       | <b>1,674,985</b>       |
| AF                                             | Alaska                                      |                                                                |                        |                        |
|                                                | Eielson AFB                                 | F-35A ADAL Conventional Munitions Facility .....               | 2,500                  | 2,500                  |
| AF                                             | Eielson AFB                                 | F-35A Age Facility / Fillstand .....                           | 21,000                 | 21,000                 |
| AF                                             | Eielson AFB                                 | F-35A Consolidated Munitions Admin Facility .....              | 27,000                 | 27,000                 |
| AF                                             | Eielson AFB                                 | F-35A Extend Utiliduct to South Loop .....                     | 48,000                 | 48,000                 |
| AF                                             | Eielson AFB                                 | F-35A OSS/Weapons/Intel Facility .....                         | 11,800                 | 11,800                 |
| AF                                             | Eielson AFB                                 | F-35A R-11 Fuel Truck Shelter .....                            | 9,600                  | 9,600                  |
| AF                                             | Eielson AFB                                 | F-35A Satellite Dining Facility .....                          | 8,000                  | 8,000                  |
| AF                                             | Eielson AFB                                 | Repair Central Heat/Power Plant Boiler PH 4 .....              | 41,000                 | 41,000                 |
| AF                                             | Australia                                   |                                                                |                        |                        |
|                                                | Darwin                                      | APR—Bulk Fuel Storage Tanks .....                              | 76,000                 | 76,000                 |
| AF                                             | California                                  |                                                                |                        |                        |
|                                                | Travis Air Force Base                       | KC-46A ADAL B14 Fuel Cell Hangar .....                         | 0                      | 1,400                  |
| AF                                             | Travis Air Force Base                       | KC-46A Aircraft 3-Bay Maintenance Hangar .....                 | 0                      | 107,000                |
| AF                                             | Travis Air Force Base                       | KC-46A Alter B181/185/187 Squad Ops/AMU .....                  | 0                      | 6,400                  |
| AF                                             | Travis Air Force Base                       | KC-46A Alter B811 Corrosion Control Hangar .....               | 0                      | 7,700                  |

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

| <b>Account</b>                                      | <b>State/Country and Installation</b> | <b>Project Title</b>                                    | <b>FY 2018 Request</b> | <b>House Agreement</b> |
|-----------------------------------------------------|---------------------------------------|---------------------------------------------------------|------------------------|------------------------|
|                                                     | <i>Colorado</i>                       |                                                         |                        |                        |
| AF                                                  | Buckley Air Force Base                | SBIRS Operations Facility .....                         | 38,000                 | 38,000                 |
| AF                                                  | Fort Carson, Colorado                 | 13 ASOS Expansion .....                                 | 13,000                 | 13,000                 |
| AF                                                  | U.S. Air Force Academy                | Air Force Cyberwarx .....                               | 30,000                 | 30,000                 |
|                                                     | <i>Florida</i>                        |                                                         |                        |                        |
| AF                                                  | Eglin AFB                             | F-35A Armament Research Fac Addition (B614) .....       | 8,700                  | 8,700                  |
| AF                                                  | Eglin AFB                             | Long-Range Stand-Off Acquisition Fac .....              | 38,000                 | 38,000                 |
| AF                                                  | Eglin AFB                             | Dormitories (288 RM) .....                              | 0                      | 44,000                 |
| AF                                                  | MacDill AFB                           | KC-135 Beddown OG/MXG HQ .....                          | 8,100                  | 8,100                  |
| AF                                                  | Tyndall AFB                           | Fire Station .....                                      | 0                      | 17,000                 |
|                                                     | <i>Georgia</i>                        |                                                         |                        |                        |
| AF                                                  | Robins AFB                            | Commercial Vehicle Visitor Control Facility .....       | 9,800                  | 9,800                  |
|                                                     | <i>Italy</i>                          |                                                         |                        |                        |
| AF                                                  | Aviano AB                             | Guardian Angel Operations Facility .....                | 27,325                 | 0                      |
|                                                     | <i>Kansas</i>                         |                                                         |                        |                        |
| AF                                                  | McConnell AFB                         | Combat Arms Facility .....                              | 17,500                 | 17,500                 |
|                                                     | <i>Mariana Islands</i>                |                                                         |                        |                        |
| AF                                                  | Tinian                                | APR Land Acquisition .....                              | 12,900                 | 12,900                 |
|                                                     | <i>Maryland</i>                       |                                                         |                        |                        |
| AF                                                  | Joint Base Andrews                    | PAR Land Acquisition .....                              | 17,500                 | 17,500                 |
| AF                                                  | Joint Base Andrews                    | Presidential Aircraft Recap Complex .....               | 254,000                | 124,000                |
|                                                     | <i>Massachusetts</i>                  |                                                         |                        |                        |
| AF                                                  | Hanscom AFB                           | Vandenberg Gate Complex .....                           | 11,400                 | 11,400                 |
|                                                     | <i>Nevada</i>                         |                                                         |                        |                        |
| AF                                                  | Nellis AFB                            | Red Flag 5th Gen Facility Addition .....                | 23,000                 | 23,000                 |
| AF                                                  | Nellis AFB                            | Virtual Warfare Center Operations Facility .....        | 38,000                 | 38,000                 |
|                                                     | <i>New Jersey</i>                     |                                                         |                        |                        |
| AF                                                  | McGuire-Dix-Lakehurst                 | KC-46A ADAL B1749 for ATGL & LST Servicing .....        | 0                      | 2,000                  |
| AF                                                  | McGuire-Dix-Lakehurst                 | KC-46A ADAL B1816 for Supply .....                      | 0                      | 6,900                  |
| AF                                                  | McGuire-Dix-Lakehurst                 | KC-46A ADAL B2319 for Boom Operator Trainer .....       | 0                      | 6,100                  |
| AF                                                  | McGuire-Dix-Lakehurst                 | KC-46A ADAL B2324 Regional Mx Training Fac .....        | 0                      | 18,000                 |
| AF                                                  | McGuire-Dix-Lakehurst                 | KC-46A ADAL B3209 for Fuselage Trainer .....            | 0                      | 3,300                  |
| AF                                                  | McGuire-Dix-Lakehurst                 | KC-46A Add to B1837 for Body Tanks Storage .....        | 0                      | 2,300                  |
| AF                                                  | McGuire-Dix-Lakehurst                 | KC-46A Aerospace Ground Equipment Storage .....         | 0                      | 4,100                  |
| AF                                                  | McGuire-Dix-Lakehurst                 | KC-46A Alter Apron & Fuel Hydrants .....                | 0                      | 17,000                 |
| AF                                                  | McGuire-Dix-Lakehurst                 | KC-46A Alter Bldgs for Ops and TFI AMU-AMXS .....       | 0                      | 9,000                  |
| AF                                                  | McGuire-Dix-Lakehurst                 | KC-46A Alter Facilities for Maintenance .....           | 0                      | 5,800                  |
| AF                                                  | McGuire-Dix-Lakehurst                 | KC-46A Two-Bay General Purpose Maintenance Hangar ..... | 0                      | 72,000                 |
|                                                     | <i>New Mexico</i>                     |                                                         |                        |                        |
| AF                                                  | Cannon AFB                            | Dangerous Cargo Pad Relocate CATM .....                 | 42,000                 | 42,000                 |
| AF                                                  | Holloman AFB                          | RPA Fixed Ground Control Station Facility .....         | 4,250                  | 4,250                  |
| AF                                                  | Kirtland Air Force Base               | Fire Station .....                                      | 0                      | 9,300                  |
|                                                     | <i>North Dakota</i>                   |                                                         |                        |                        |
| AF                                                  | Minot AFB                             | Indoor Firing Range .....                               | 27,000                 | 27,000                 |
|                                                     | <i>Oklahoma</i>                       |                                                         |                        |                        |
| AF                                                  | Altus AFB                             | KC-46A FTU Fuselage Trainer Phase 2 .....               | 4,900                  | 4,900                  |
|                                                     | <i>Qatar</i>                          |                                                         |                        |                        |
| AF                                                  | Al Udeid, Qatar                       | Consolidated Squadron Operations Facility .....         | 15,000                 | 0                      |
|                                                     | <i>Texas</i>                          |                                                         |                        |                        |
| AF                                                  | Joint Base San Antonio                | Air Traffic Control Tower .....                         | 10,000                 | 10,000                 |
| AF                                                  | Joint Base San Antonio                | BMT Classrooms/Dining Facility 4 .....                  | 38,000                 | 38,000                 |
| AF                                                  | Joint Base San Antonio                | BMT Recruit Dormitory 7 .....                           | 90,130                 | 90,130                 |
| AF                                                  | Joint Base San Antonio                | Camp Bullis Dining Facility .....                       | 18,500                 | 18,500                 |
|                                                     | <i>Turkey</i>                         |                                                         |                        |                        |
| AF                                                  | Incirlik AB                           | Dormitory—216 PN .....                                  | 25,997                 | 0                      |
|                                                     | <i>United Kingdom</i>                 |                                                         |                        |                        |
| AF                                                  | Royal Air Force Fairford              | EIC RC-135 Infrastructure .....                         | 2,150                  | 2,150                  |
| AF                                                  | Royal Air Force Fairford              | EIC RC-135 Intel and Squad Ops Facility .....           | 38,000                 | 38,000                 |
| AF                                                  | Royal Air Force Fairford              | EIC RC-135 Runway Overrun Reconfiguration .....         | 5,500                  | 5,500                  |
| AF                                                  | Royal Air Force Lakenheath            | Consolidated Corrosion Control Facility .....           | 20,000                 | 20,000                 |
| AF                                                  | Royal Air Force Lakenheath            | F-35A 6-Bay Hangar .....                                | 24,000                 | 24,000                 |
| AF                                                  | Royal Air Force Lakenheath            | F-35A F-15 Parking .....                                | 10,800                 | 10,800                 |
| AF                                                  | Royal Air Force Lakenheath            | F-35A Field Training Detachment Facility .....          | 12,492                 | 12,492                 |
| AF                                                  | Royal Air Force Lakenheath            | F-35A Flight Simulator Facility .....                   | 22,000                 | 22,000                 |
| AF                                                  | Royal Air Force Lakenheath            | F-35A Infrastructure .....                              | 6,700                  | 6,700                  |
| AF                                                  | Royal Air Force Lakenheath            | F-35A Squadron Operations and AMU .....                 | 41,000                 | 41,000                 |
|                                                     | <i>Utah</i>                           |                                                         |                        |                        |
| AF                                                  | Hill AFB                              | UTTR Consolidated Mission Control Center .....          | 28,000                 | 28,000                 |
|                                                     | <i>Worldwide</i>                      |                                                         |                        |                        |
| AF                                                  | Unspecified Worldwide Locations       | KC-46A Main Operating Base 4 .....                      | 269,000                | 0                      |
|                                                     | <i>Worldwide Unspecified</i>          |                                                         |                        |                        |
| AF                                                  | Unspecified Worldwide Locations       | Planning and Design .....                               | 97,852                 | 97,852                 |
| AF                                                  | Various Worldwide Locations           | Unspecified Minor Construction .....                    | 31,400                 | 31,400                 |
|                                                     | <i>Wyoming</i>                        |                                                         |                        |                        |
| AF                                                  | F. E. Warren AFB                      | Consolidated HELO/TRF OPS//AMU and Alert Facility ..... | 62,000                 | 62,000                 |
| <b>Military Construction, Air Force Total .....</b> |                                       |                                                         | <b>1,738,796</b>       | <b>1,610,774</b>       |

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

| <b>Account</b> | <b>State/Country and Installation</b>       | <b>Project Title</b>                               | <b>FY 2018 Request</b> | <b>House Agreement</b> |
|----------------|---------------------------------------------|----------------------------------------------------|------------------------|------------------------|
|                | <i>California</i>                           |                                                    |                        |                        |
| Def-Wide       | Camp Pendleton                              | Ambulatory Care Center Replacement .....           | 26,400                 | 26,400                 |
| Def-Wide       | Camp Pendleton                              | SOF Marine Battalion Company/Team Facilities ..... | 9,958                  | 9,958                  |
| Def-Wide       | Camp Pendleton                              | SOF Motor Transport Facility Expansion .....       | 7,284                  | 7,284                  |
| Def-Wide       | Coronado                                    | SOF Basic Training Command .....                   | 96,077                 | 96,077                 |
| Def-Wide       | Coronado                                    | SOF Logistics Support Unit One Ops Fac. #3 .....   | 46,175                 | 46,175                 |
| Def-Wide       | Coronado                                    | SOF Seal Team Ops Facility .....                   | 66,218                 | 66,218                 |
| Def-Wide       | Coronado                                    | SOF Seal Team Ops Facility .....                   | 50,265                 | 50,265                 |
|                | <i>Colorado</i>                             |                                                    |                        |                        |
| Def-Wide       | Schriever AFB                               | Ambulatory Care Center/Dental Add./Alt. ....       | 10,200                 | 10,200                 |
|                | <i>CONUS Classified</i>                     |                                                    |                        |                        |
| Def-Wide       | Classified Location                         | Battalion Complex, PH 1 .....                      | 64,364                 | 64,364                 |
|                | <i>Florida</i>                              |                                                    |                        |                        |
| Def-Wide       | Eglin AFB                                   | SOF Simulator Facility .....                       | 5,000                  | 5,000                  |
| Def-Wide       | Eglin AFB                                   | Upgrade Open Storage Yard .....                    | 4,100                  | 4,100                  |
| Def-Wide       | Hurlburt Field                              | SOF Combat Aircraft Parking Apron .....            | 34,700                 | 34,700                 |
| Def-Wide       | Hurlburt Field                              | SOF Simulator & Fuselage Trainer Facility .....    | 11,700                 | 11,700                 |
|                | <i>Georgia</i>                              |                                                    |                        |                        |
| Def-Wide       | Fort Gordon                                 | Blood Donor Center Replacement .....               | 10,350                 | 10,350                 |
|                | <i>Germany</i>                              |                                                    |                        |                        |
| Def-Wide       | Rhine Ordnance Barracks                     | Medical Center Replacement Incr 7 .....            | 106,700                | 106,700                |
| Def-Wide       | Spangdahlem AB                              | Spangdahlem Elementary School Replacement .....    | 79,141                 | 79,141                 |
| Def-Wide       | Stuttgart                                   | Robinson Barracks Elem. School Replacement .....   | 46,609                 | 46,609                 |
|                | <i>Greece</i>                               |                                                    |                        |                        |
| Def-Wide       | Souda Bay                                   | Construct Hydrant System .....                     | 18,100                 | 18,100                 |
|                | <i>Guam</i>                                 |                                                    |                        |                        |
| Def-Wide       | Andersen AFB                                | Construct Truck Load & Unload Facility .....       | 23,900                 | 23,900                 |
|                | <i>Hawaii</i>                               |                                                    |                        |                        |
| Def-Wide       | Kunua                                       | NSAH Kunua Tunnel Entrance .....                   | 5,000                  | 5,000                  |
|                | <i>Italy</i>                                |                                                    |                        |                        |
| Def-Wide       | Sigonella                                   | Construct Hydrant System .....                     | 22,400                 | 0                      |
| Def-Wide       | Vicenza                                     | Vicenza High School Replacement .....              | 62,406                 | 62,406                 |
|                | <i>Japan</i>                                |                                                    |                        |                        |
| Def-Wide       | Iwakuni                                     | Construct Bulk Storage Tanks PH 1 .....            | 30,800                 | 30,800                 |
| Def-Wide       | Kadena AB                                   | SOF Maintenance Hangar .....                       | 3,972                  | 3,972                  |
| Def-Wide       | Kadena AB                                   | SOF Special Tactics Operations Facility .....      | 27,573                 | 27,573                 |
| Def-Wide       | Okinawa                                     | Replace Mooring System .....                       | 11,900                 | 11,900                 |
| Def-Wide       | Sasebo                                      | Upgrade Fuel Wharf .....                           | 45,600                 | 45,600                 |
| Def-Wide       | Torri Commo Station                         | SOF Tactical Equipment Maintenance Fac .....       | 25,323                 | 25,323                 |
| Def-Wide       | Yokota AB                                   | Airfield Apron .....                               | 10,800                 | 10,800                 |
| Def-Wide       | Yokota AB                                   | Hangar/Aircraft Maintenance Unit .....             | 12,034                 | 12,034                 |
| Def-Wide       | Yokota AB                                   | Operations and Warehouse Facilities .....          | 8,590                  | 8,590                  |
| Def-Wide       | Yokota AB                                   | Simulator Facility .....                           | 2,189                  | 2,189                  |
|                | <i>Maryland</i>                             |                                                    |                        |                        |
| Def-Wide       | Bethesda Naval Hospital                     | Medical Center Addition/Alteration Incr 2 .....    | 123,800                | 123,800                |
| Def-Wide       | Fort Meade                                  | NSAW Recapitalize Building #2 Incr 3 .....         | 313,968                | 313,968                |
|                | <i>Missouri</i>                             |                                                    |                        |                        |
| Def-Wide       | Fort Leonard Wood                           | Blood Processing Center Replacement .....          | 11,941                 | 0                      |
| Def-Wide       | Fort Leonard Wood                           | Hospital Replacement .....                         | 250,000                | 150,000                |
| Def-Wide       | St Louis                                    | Next NGA West (N2W) Complex .....                  | 381,000                | 200,000                |
|                | <i>New Mexico</i>                           |                                                    |                        |                        |
| Def-Wide       | Cannon AFB                                  | SOF C-130 AGE Facility .....                       | 8,228                  | 8,228                  |
|                | <i>North Carolina</i>                       |                                                    |                        |                        |
| Def-Wide       | Camp Lejeune                                | Ambulatory Care Center Addition/Alteration .....   | 15,300                 | 15,300                 |
| Def-Wide       | Camp Lejeune                                | Ambulatory Care Center/Dental Clinic .....         | 21,400                 | 21,400                 |
| Def-Wide       | Camp Lejeune                                | Ambulatory Care Center/Dental Clinic .....         | 22,000                 | 22,000                 |
| Def-Wide       | Camp Lejeune                                | SOF Human Performance Training Center .....        | 10,800                 | 10,800                 |
| Def-Wide       | Camp Lejeune                                | SOF Motor Transport Maintenance Expansion .....    | 20,539                 | 20,539                 |
| Def-Wide       | Fort Bragg                                  | SOF Human Performance Training Ctr .....           | 20,260                 | 20,260                 |
| Def-Wide       | Fort Bragg                                  | SOF Support Battalion Admin Facility .....         | 13,518                 | 13,518                 |
| Def-Wide       | Fort Bragg                                  | SOF Tactical Equipment Maintenance Facility .....  | 20,000                 | 20,000                 |
| Def-Wide       | Fort Bragg                                  | SOF Telecomm Reliability Improvements .....        | 4,000                  | 4,000                  |
| Def-Wide       | Seymour Johnson AFB                         | Construct Tanker Truck Delivery System .....       | 20,000                 | 20,000                 |
|                | <i>Puerto Rico</i>                          |                                                    |                        |                        |
| Def-Wide       | Punta Borinquen                             | Ramey Unit School Replacement .....                | 61,071                 | 61,071                 |
|                | <i>South Carolina</i>                       |                                                    |                        |                        |
| Def-Wide       | Shaw AFB                                    | Consolidate Fuel Facilities .....                  | 22,900                 | 22,900                 |
|                | <i>Texas</i>                                |                                                    |                        |                        |
| Def-Wide       | Fort Bliss                                  | Blood Processing Center .....                      | 8,300                  | 0                      |
| Def-Wide       | Fort Bliss                                  | Hospital Replacement Incr 8 .....                  | 251,330                | 251,330                |
|                | <i>United Kingdom</i>                       |                                                    |                        |                        |
| Def-Wide       | Menwith Hill Station                        | RAFMH Main Gate Rehabilitation .....               | 11,000                 | 11,000                 |
|                | <i>Utah</i>                                 |                                                    |                        |                        |
| Def-Wide       | Hill AFB                                    | Replace POL Facilities .....                       | 20,000                 | 20,000                 |
|                | <i>Virginia</i>                             |                                                    |                        |                        |
| Def-Wide       | Joint Expeditionary Base Little Creek—Story | SOF SATEC Range Expansion .....                    | 23,000                 | 23,000                 |
| Def-Wide       | Norfolk                                     | Replace Hazardous Materials Warehouse .....        | 18,500                 | 18,500                 |
| Def-Wide       | Pentagon                                    | Pentagon Corr & Pedestrian Access Control Pt ..... | 8,140                  | 8,140                  |

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| <b>Account</b>                                                | <b>State/Country and Installation</b> | <b>Project Title</b>                                                  | <b>FY 2018 Request</b> | <b>House Agreement</b> |
|---------------------------------------------------------------|---------------------------------------|-----------------------------------------------------------------------|------------------------|------------------------|
| Def-Wide                                                      | Pentagon                              | S.E. Safety Traffic and Parking Improvements .....                    | 28,700                 | 28,700                 |
| Def-Wide                                                      | Pentagon                              | Security Updates .....                                                | 13,260                 | 13,260                 |
| Def-Wide                                                      | Portsmouth                            | Replace Hazardous Materials Warehouse .....                           | 22,500                 | 22,500                 |
|                                                               | Worldwide Unspecified                 |                                                                       |                        |                        |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Contingency Construction .....                                        | 10,000                 | 0                      |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Energy Resilience and Conserv. Invest. Prog. ....                     | 150,000                | 150,000                |
| Def-Wide                                                      | Unspecified Worldwide Locations       | ERCIP Design .....                                                    | 10,000                 | 10,000                 |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Exercise Related Minor Construction .....                             | 11,490                 | 11,490                 |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Planning & Design .....                                               | 23,012                 | 23,012                 |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Planning & Design MDA East Coast Site .....                           | 0                      | 10,000                 |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Planning and Design .....                                             | 26,147                 | 26,147                 |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Planning and Design .....                                             | 39,746                 | 39,746                 |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Planning and Design .....                                             | 1,942                  | 1,942                  |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Planning and Design .....                                             | 1,150                  | 1,150                  |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Planning and Design .....                                             | 40,220                 | 40,220                 |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Planning and Design .....                                             | 20,000                 | 20,000                 |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Planning and Design .....                                             | 13,500                 | 13,500                 |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Prior Year Savings: Defense Wide Unspecified Minor Construction ..... | 0                      | -27,440                |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Unspecified Minor Construction .....                                  | 3,000                  | 3,000                  |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Unspecified Minor Construction .....                                  | 7,384                  | 7,384                  |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Unspecified Minor Construction .....                                  | 3,000                  | 3,000                  |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Unspecified Minor Construction .....                                  | 3,000                  | 3,000                  |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Unspecified Minor Construction .....                                  | 8,000                  | 8,000                  |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Unspecified Minor Construction .....                                  | 2,039                  | 2,039                  |
| Def-Wide                                                      | Unspecified Worldwide Locations       | Unspecified Minor Construction .....                                  | 10,000                 | 10,000                 |
| <b>Military Construction, Defense-Wide Total .....</b>        |                                       |                                                                       | <b>3,114,913</b>       | <b>2,763,832</b>       |
|                                                               | Worldwide Unspecified                 |                                                                       |                        |                        |
| NATO                                                          | NATO Security Investment Program      | NATO Security Investment Program .....                                | 154,000                | 177,932                |
| NATO                                                          | NATO Security Investment Program      | Prior Year Savings: NATO Security Investment Program .....            | 0                      | -25,000                |
| <b>NATO Security Investment Program Total .....</b>           |                                       |                                                                       | <b>154,000</b>         | <b>152,932</b>         |
|                                                               | Delaware                              |                                                                       |                        |                        |
| Army NG                                                       | New Castle                            | Combined Support Maintenance Shop .....                               | 36,000                 | 36,000                 |
|                                                               | Idaho                                 |                                                                       |                        |                        |
| Army NG                                                       | MTC Gowen                             | Enlisted Barracks Transient Training .....                            | 0                      | 9,000                  |
| Army NG                                                       | Orchard Training Area                 | Digital Air/Ground Integration Range .....                            | 22,000                 | 22,000                 |
|                                                               | Maine                                 |                                                                       |                        |                        |
| Army NG                                                       | Presque Isle                          | National Guard Readiness Center .....                                 | 17,500                 | 17,500                 |
|                                                               | Maryland                              |                                                                       |                        |                        |
| Army NG                                                       | Sykesville                            | National Guard Readiness Center .....                                 | 19,000                 | 19,000                 |
|                                                               | Minnesota                             |                                                                       |                        |                        |
| Army NG                                                       | Arden Hills                           | National Guard Readiness Center .....                                 | 39,000                 | 39,000                 |
|                                                               | Missouri                              |                                                                       |                        |                        |
| Army NG                                                       | Springfield                           | Aircraft Maintenance Center .....                                     | 0                      | 32,000                 |
|                                                               | New Mexico                            |                                                                       |                        |                        |
| Army NG                                                       | Las Cruces                            | National Guard Readiness Center Addition .....                        | 8,600                  | 8,600                  |
|                                                               | Virginia                              |                                                                       |                        |                        |
| Army NG                                                       | Fort Belvoir                          | Readiness Center Add/Alt .....                                        | 0                      | 15,000                 |
| Army NG                                                       | Fort Pickett                          | Training Aids Center .....                                            | 4,550                  | 4,550                  |
|                                                               | Washington                            |                                                                       |                        |                        |
| Army NG                                                       | Turnwater                             | National Guard Readiness Center .....                                 | 31,000                 | 31,000                 |
|                                                               | Worldwide Unspecified                 |                                                                       |                        |                        |
| Army NG                                                       | Unspecified Worldwide Locations       | Planning and Design .....                                             | 16,271                 | 16,271                 |
| Army NG                                                       | Unspecified Worldwide Locations       | Unspecified Minor Construction .....                                  | 16,731                 | 16,731                 |
| <b>Military Construction, Army National Guard Total .....</b> |                                       |                                                                       | <b>210,652</b>         | <b>266,652</b>         |
|                                                               | California                            |                                                                       |                        |                        |
| Army Res                                                      | Fallbrook                             | Army Reserve Center .....                                             | 36,000                 | 36,000                 |
|                                                               | Puerto Rico                           |                                                                       |                        |                        |
| Army Res                                                      | Aguadilla                             | Army Reserve Center .....                                             | 12,400                 | 12,400                 |
| Army Res                                                      | Fort Buchanan                         | Reserve Center .....                                                  | 0                      | 26,000                 |
|                                                               | Washington                            |                                                                       |                        |                        |
| Army Res                                                      | Lewis-McCord                          | Reserve Center .....                                                  | 0                      | 30,000                 |
|                                                               | Wisconsin                             |                                                                       |                        |                        |
| Army Res                                                      | Fort McCoy                            | AT/MOB Dining Facility-1428 PN .....                                  | 13,000                 | 13,000                 |
|                                                               | Worldwide Unspecified                 |                                                                       |                        |                        |
| Army Res                                                      | Unspecified Worldwide Locations       | Planning and Design .....                                             | 6,887                  | 6,887                  |
| Army Res                                                      | Unspecified Worldwide Locations       | Unspecified Minor Construction .....                                  | 5,425                  | 5,425                  |
| <b>Military Construction, Army Reserve Total .....</b>        |                                       |                                                                       | <b>73,712</b>          | <b>129,712</b>         |
|                                                               | California                            |                                                                       |                        |                        |
| N/MC Res                                                      | Lemoore                               | Naval Operational Support Center Lemoore .....                        | 17,330                 | 17,330                 |
|                                                               | Georgia                               |                                                                       |                        |                        |
| N/MC Res                                                      | Fort Gordon                           | Naval Operational Support Center Fort Gordon .....                    | 17,797                 | 17,797                 |

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|--------------------------------------------------------------|-------------------------------------------------------|----------------------------------------------------|------------------------|------------------------|
| N/MC Res                                                     | New Jersey<br>McGuire-Dix-Lakehurst                   | Aircraft Apron, Taxiway & Support Facilities ..... | 11,573                 | 11,573                 |
| N/MC Res                                                     | Texas<br>Fort Worth                                   | KC130-J EACTS Facility .....                       | 12,637                 | 12,637                 |
| N/MC Res                                                     | Worldwide Unspecified                                 | Planning & Design .....                            | 4,430                  | 4,430                  |
| N/MC Res                                                     | Unspecified Worldwide Locations                       | Unspecified Minor Construction .....               | 1,504                  | 1,504                  |
| <b>Military Construction, Naval Reserve Total .....</b>      |                                                       |                                                    | <b>65,271</b>          | <b>65,271</b>          |
| Air NG                                                       | California<br>March AFB                               | TFI Construct RPA Flight Training Unit .....       | 15,000                 | 15,000                 |
| Air NG                                                       | Colorado<br>Peterson AFB                              | Space Control Facility .....                       | 8,000                  | 8,000                  |
| Air NG                                                       | Connecticut<br>Bradley IAP                            | Construct Base Entry Complex .....                 | 7,000                  | 7,000                  |
| Air NG                                                       | Indiana<br>Fort Wayne International Airport           | Add to Building 764 for Weapons Release .....      | 0                      | 1,900                  |
| Air NG                                                       | Hulman Regional Airport                               | Construct Small Arms Range .....                   | 0                      | 8,000                  |
| Air NG                                                       | Kentucky<br>Louisville IAP                            | Add/Alter Response Forces Facility .....           | 9,000                  | 9,000                  |
| Air NG                                                       | Mississippi<br>Jackson International Airport          | Construct Small Arms Range .....                   | 0                      | 8,000                  |
| Air NG                                                       | Missouri<br>Rosecrans Memorial Airport                | Replace Communications Facility .....              | 10,000                 | 10,000                 |
| Air NG                                                       | New York<br>Hancock Field                             | Add to Flight Training Unit, Building 641 .....    | 6,800                  | 6,800                  |
| Air NG                                                       | Ohio<br>Rickenbacker International Airport            | Construct Small Arms Range .....                   | 0                      | 8,000                  |
| Air NG                                                       | Toledo Express Airport                                | NORTHCOM—Construct Alert Hangar .....              | 15,000                 | 15,000                 |
| Air NG                                                       | Oklahoma<br>Tulsa International Airport               | Construct Small Arms Range .....                   | 0                      | 8,000                  |
| Air NG                                                       | Oregon<br>Klamath Falls IAP                           | Construct Corrosion Control Hangar .....           | 10,500                 | 10,500                 |
| Air NG                                                       | Klamath Falls IAP                                     | Construct Indoor Range .....                       | 8,000                  | 8,000                  |
| Air NG                                                       | South Dakota<br>Joe Foss Field                        | Aircraft Maintenance Shops .....                   | 12,000                 | 12,000                 |
| Air NG                                                       | Tennessee<br>McGhee-Tyson Airport                     | Replace KC-135 Maintenance Hangar and Shops .....  | 25,000                 | 25,000                 |
| Air NG                                                       | Wisconsin<br>Dane County Regional Airport/Truax Field | Construct Small Arms Range .....                   | 0                      | 8,000                  |
| Air NG                                                       | Worldwide Unspecified                                 | Planning and Design .....                          | 18,000                 | 18,000                 |
| Air NG                                                       | Unspecified Worldwide Locations                       | Unspecified Minor Construction .....               | 17,191                 | 17,191                 |
| <b>Military Construction, Air National Guard Total .....</b> |                                                       |                                                    | <b>161,491</b>         | <b>203,391</b>         |
| AF Res                                                       | Florida<br>Patrick AFB                                | Guardian Angel Facility .....                      | 25,000                 | 25,000                 |
| AF Res                                                       | Georgia<br>Robins Air Force Base                      | Consolidated Mission Complex Phase 2 .....         | 0                      | 32,000                 |
| AF Res                                                       | Guam<br>Joint Region Marianas                         | Reserve Medical Training Facility .....            | 5,200                  | 5,200                  |
| AF Res                                                       | Hawaii<br>Joint Base Pearl Harbor-Hickam              | Consolidated Training Facility .....               | 5,500                  | 5,500                  |
| AF Res                                                       | Massachusetts<br>Westover ARB                         | Indoor Small Arms Range .....                      | 10,000                 | 10,000                 |
| AF Res                                                       | Minnesota<br>Minneapolis- St Paul IAP                 | Indoor Small Arms Range .....                      | 0                      | 9,000                  |
| AF Res                                                       | North Carolina<br>Seymour Johnson AFB                 | KC-46A ADAL for Alt Mission Storage .....          | 6,400                  | 6,400                  |
| AF Res                                                       | Texas<br>NAS JRB Fort Worth                           | Munitions Training/Admin Facility .....            | 0                      | 3,100                  |
| AF Res                                                       | Utah<br>Hill AFB                                      | Add/Alter Life Support Facility .....              | 3,100                  | 3,100                  |
| AF Res                                                       | Worldwide Unspecified                                 | Planning & Design .....                            | 4,725                  | 4,725                  |
| AF Res                                                       | Unspecified Worldwide Locations                       | Unspecified Minor Construction .....               | 3,610                  | 3,610                  |
| <b>Military Construction, Air Force Reserve Total .....</b>  |                                                       |                                                    | <b>63,535</b>          | <b>107,635</b>         |
| FH Con Army                                                  | Georgia<br>Fort Gordon                                | Family Housing New Construction .....              | 6,100                  | 6,100                  |
| FH Con Army                                                  | Germany<br>Baumholder                                 | Construction Improvements .....                    | 34,156                 | 34,156                 |
| FH Con Army                                                  | South Camp Vilseck                                    | Family Housing New Construction (36 Units) .....   | 22,445                 | 22,445                 |
| FH Con Army                                                  | Korea<br>Camp Humphreys                               | Family Housing New Construction Incr 2 .....       | 34,402                 | 34,402                 |



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|------------------------------------------------------------------------------------|----------------------------------------|--------------------------------------------------------------------|------------------------|------------------------|
| <i>FH Con Army</i>                                                                 | <i>Kwajalein</i>                       |                                                                    |                        |                        |
|                                                                                    | <i>Kwajalein Atoll</i>                 | <i>Family Housing Replacement Construction .....</i>               | <i>31,000</i>          | <i>31,000</i>          |
| <i>FH Con Army</i>                                                                 | <i>Massachusetts</i>                   |                                                                    |                        |                        |
|                                                                                    | <i>Natick</i>                          | <i>Family Housing Replacement Construction .....</i>               | <i>21,000</i>          | <i>21,000</i>          |
| <i>FH Con Army</i>                                                                 | <i>Worldwide Unspecified</i>           |                                                                    |                        |                        |
|                                                                                    | <i>Unspecified Worldwide Locations</i> | <i>Planning &amp; Design .....</i>                                 | <i>33,559</i>          | <i>33,559</i>          |
| <i>FH Con Army</i>                                                                 | <i>Unspecified Worldwide Locations</i> | <i>Prior Year Savings: Family Housing Construction, Army .....</i> | <i>0</i>               | <i>-18,000</i>         |
| <b>Family Housing Construction, Army Total .....</b>                               |                                        |                                                                    | <b>182,662</b>         | <b>164,662</b>         |
| <i>FH Ops Army</i>                                                                 | <i>Worldwide Unspecified</i>           |                                                                    |                        |                        |
|                                                                                    | <i>Unspecified Worldwide Locations</i> | <i>Furnishings .....</i>                                           | <i>12,816</i>          | <i>12,816</i>          |
| <i>FH Ops Army</i>                                                                 | <i>Unspecified Worldwide Locations</i> | <i>Housing Privatization Support .....</i>                         | <i>20,893</i>          | <i>20,893</i>          |
| <i>FH Ops Army</i>                                                                 | <i>Unspecified Worldwide Locations</i> | <i>Leasing .....</i>                                               | <i>148,538</i>         | <i>148,538</i>         |
| <i>FH Ops Army</i>                                                                 | <i>Unspecified Worldwide Locations</i> | <i>Maintenance .....</i>                                           | <i>57,708</i>          | <i>57,708</i>          |
| <i>FH Ops Army</i>                                                                 | <i>Unspecified Worldwide Locations</i> | <i>Management .....</i>                                            | <i>37,089</i>          | <i>37,089</i>          |
| <i>FH Ops Army</i>                                                                 | <i>Unspecified Worldwide Locations</i> | <i>Miscellaneous .....</i>                                         | <i>400</i>             | <i>400</i>             |
| <i>FH Ops Army</i>                                                                 | <i>Unspecified Worldwide Locations</i> | <i>Services .....</i>                                              | <i>8,930</i>           | <i>8,930</i>           |
| <i>FH Ops Army</i>                                                                 | <i>Unspecified Worldwide Locations</i> | <i>Utilities .....</i>                                             | <i>60,251</i>          | <i>60,251</i>          |
| <b>Family Housing Operation And Maintenance, Army Total .....</b>                  |                                        |                                                                    | <b>346,625</b>         | <b>346,625</b>         |
| <i>FH Con Navy</i>                                                                 | <i>Bahrain Island</i>                  |                                                                    |                        |                        |
|                                                                                    | <i>SW Asia</i>                         | <i>Construct on-Base GFOQ .....</i>                                | <i>2,138</i>           | <i>2,138</i>           |
| <i>FH Con Navy</i>                                                                 | <i>Mariana Islands</i>                 |                                                                    |                        |                        |
|                                                                                    | <i>Guam</i>                            | <i>Replace Andersen Housing PH II .....</i>                        | <i>40,875</i>          | <i>40,875</i>          |
| <i>FH Con Navy</i>                                                                 | <i>Worldwide Unspecified</i>           |                                                                    |                        |                        |
|                                                                                    | <i>Unspecified Worldwide Locations</i> | <i>Construction Improvements .....</i>                             | <i>36,251</i>          | <i>36,251</i>          |
| <i>FH Con Navy</i>                                                                 | <i>Unspecified Worldwide Locations</i> | <i>Planning &amp; Design .....</i>                                 | <i>4,418</i>           | <i>4,418</i>           |
| <i>FH Con Navy</i>                                                                 | <i>Unspecified Worldwide Locations</i> | <i>Prior Year Savings: Family Housing Construction, N/MC .....</i> | <i>0</i>               | <i>-8,000</i>          |
| <b>Family Housing Construction, Navy And Marine Corps Total .....</b>              |                                        |                                                                    | <b>83,682</b>          | <b>75,682</b>          |
| <i>FH Ops Navy</i>                                                                 | <i>Worldwide Unspecified</i>           |                                                                    |                        |                        |
|                                                                                    | <i>Unspecified Worldwide Locations</i> | <i>Furnishings .....</i>                                           | <i>14,529</i>          | <i>14,529</i>          |
| <i>FH Ops Navy</i>                                                                 | <i>Unspecified Worldwide Locations</i> | <i>Housing Privatization Support .....</i>                         | <i>27,587</i>          | <i>27,587</i>          |
| <i>FH Ops Navy</i>                                                                 | <i>Unspecified Worldwide Locations</i> | <i>Leasing .....</i>                                               | <i>61,921</i>          | <i>61,921</i>          |
| <i>FH Ops Navy</i>                                                                 | <i>Unspecified Worldwide Locations</i> | <i>Maintenance .....</i>                                           | <i>95,104</i>          | <i>95,104</i>          |
| <i>FH Ops Navy</i>                                                                 | <i>Unspecified Worldwide Locations</i> | <i>Management .....</i>                                            | <i>50,989</i>          | <i>50,989</i>          |
| <i>FH Ops Navy</i>                                                                 | <i>Unspecified Worldwide Locations</i> | <i>Miscellaneous .....</i>                                         | <i>336</i>             | <i>336</i>             |
| <i>FH Ops Navy</i>                                                                 | <i>Unspecified Worldwide Locations</i> | <i>Services .....</i>                                              | <i>15,649</i>          | <i>15,649</i>          |
| <i>FH Ops Navy</i>                                                                 | <i>Unspecified Worldwide Locations</i> | <i>Utilities .....</i>                                             | <i>62,167</i>          | <i>62,167</i>          |
| <b>Family Housing Operation And Maintenance, Navy And Marine Corps Total .....</b> |                                        |                                                                    | <b>328,282</b>         | <b>328,282</b>         |
| <i>FH Con AF</i>                                                                   | <i>Worldwide Unspecified</i>           |                                                                    |                        |                        |
|                                                                                    | <i>Unspecified Worldwide Locations</i> | <i>Construction Improvements .....</i>                             | <i>80,617</i>          | <i>80,617</i>          |
| <i>FH Con AF</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Planning &amp; Design .....</i>                                 | <i>4,445</i>           | <i>4,445</i>           |
| <i>FH Con AF</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Prior Year Savings: Family Housing Construction .....</i>       | <i>0</i>               | <i>-20,000</i>         |
| <b>Family Housing Construction, Air Force Total .....</b>                          |                                        |                                                                    | <b>85,062</b>          | <b>65,062</b>          |
| <i>FH Ops AF</i>                                                                   | <i>Worldwide Unspecified</i>           |                                                                    |                        |                        |
|                                                                                    | <i>Unspecified Worldwide Locations</i> | <i>Furnishings .....</i>                                           | <i>29,424</i>          | <i>29,424</i>          |
| <i>FH Ops AF</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Housing Privatization .....</i>                                 | <i>21,569</i>          | <i>21,569</i>          |
| <i>FH Ops AF</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Leasing .....</i>                                               | <i>16,818</i>          | <i>16,818</i>          |
| <i>FH Ops AF</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Maintenance .....</i>                                           | <i>134,189</i>         | <i>134,189</i>         |
| <i>FH Ops AF</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Management .....</i>                                            | <i>53,464</i>          | <i>53,464</i>          |
| <i>FH Ops AF</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Miscellaneous .....</i>                                         | <i>1,839</i>           | <i>1,839</i>           |
| <i>FH Ops AF</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Services .....</i>                                              | <i>13,517</i>          | <i>13,517</i>          |
| <i>FH Ops AF</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Utilities .....</i>                                             | <i>47,504</i>          | <i>47,504</i>          |
| <b>Family Housing Operation And Maintenance, Air Force Total .....</b>             |                                        |                                                                    | <b>318,324</b>         | <b>318,324</b>         |
| <i>FH Ops DW</i>                                                                   | <i>Worldwide Unspecified</i>           |                                                                    |                        |                        |
|                                                                                    | <i>Unspecified Worldwide Locations</i> | <i>Furnishings .....</i>                                           | <i>407</i>             | <i>407</i>             |
| <i>FH Ops DW</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Furnishings .....</i>                                           | <i>641</i>             | <i>641</i>             |
| <i>FH Ops DW</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Furnishings .....</i>                                           | <i>6</i>               | <i>6</i>               |
| <i>FH Ops DW</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Leasing .....</i>                                               | <i>12,390</i>          | <i>12,390</i>          |
| <i>FH Ops DW</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Leasing .....</i>                                               | <i>39,716</i>          | <i>39,716</i>          |
| <i>FH Ops DW</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Maintenance .....</i>                                           | <i>567</i>             | <i>567</i>             |
| <i>FH Ops DW</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Maintenance .....</i>                                           | <i>655</i>             | <i>655</i>             |
| <i>FH Ops DW</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Management .....</i>                                            | <i>319</i>             | <i>319</i>             |
| <i>FH Ops DW</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Services .....</i>                                              | <i>14</i>              | <i>14</i>              |
| <i>FH Ops DW</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Utilities .....</i>                                             | <i>268</i>             | <i>268</i>             |
| <i>FH Ops DW</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Utilities .....</i>                                             | <i>4,100</i>           | <i>4,100</i>           |
| <i>FH Ops DW</i>                                                                   | <i>Unspecified Worldwide Locations</i> | <i>Utilities .....</i>                                             | <i>86</i>              | <i>86</i>              |
| <b>Family Housing Operation And Maintenance, Defense-Wide Total .....</b>          |                                        |                                                                    | <b>59,169</b>          | <b>59,169</b>          |

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

| Account                                                   | State/Country and Installation                       | Project Title                                   | FY 2018 Request  | House Agreement  |
|-----------------------------------------------------------|------------------------------------------------------|-------------------------------------------------|------------------|------------------|
| FHIF                                                      | Worldwide Unspecified                                |                                                 |                  |                  |
|                                                           | Unspecified Worldwide Locations                      | Administrative Expenses—FHIF .....              | 2,726            | 2,726            |
| <b>DOD Family Housing Improvement Fund Total .....</b>    |                                                      |                                                 | <b>2,726</b>     | <b>2,726</b>     |
| UHIF                                                      | Worldwide Unspecified                                |                                                 |                  |                  |
|                                                           | Unaccompanied Housing Improvement Fund               | Administrative Expenses—UHIF .....              | 623              | 623              |
| <b>Unaccompanied Housing Improvement Fund Total .....</b> |                                                      |                                                 | <b>623</b>       | <b>623</b>       |
| BRAC                                                      | Worldwide Unspecified                                |                                                 |                  |                  |
|                                                           | Base Realignment & Closure, Army                     | Base Realignment and Closure .....              | 58,000           | 58,000           |
| <b>Base Realignment and Closure—Army Total .....</b>      |                                                      |                                                 | <b>58,000</b>    | <b>58,000</b>    |
| BRAC                                                      | Worldwide Unspecified                                |                                                 |                  |                  |
|                                                           | Base Realignment & Closure, Navy                     | Base Realignment & Closure .....                | 93,474           | 128,474          |
|                                                           | Unspecified Worldwide Locations                      | DON-100: Planning, Design and Management .....  | 8,428            | 8,428            |
|                                                           | Unspecified Worldwide Locations                      | DON-101: Various Locations .....                | 23,753           | 23,753           |
|                                                           | Unspecified Worldwide Locations                      | DON-138: NAS Brunswick, ME .....                | 647              | 647              |
|                                                           | Unspecified Worldwide Locations                      | DON-157: MCSA Kansas City, MO .....             | 40               | 40               |
|                                                           | Unspecified Worldwide Locations                      | DON-172: NWS Seal Beach, Concord, CA .....      | 5,355            | 5,355            |
|                                                           | Unspecified Worldwide Locations                      | DON-84: JRB Willow Grove & Cambria Reg AP ..... | 4,737            | 4,737            |
|                                                           | Unspecified Worldwide Locations                      | Undistributed .....                             | 7,210            | 7,210            |
|                                                           | <b>Base Realignment and Closure—Navy Total .....</b> |                                                 | <b>143,644</b>   | <b>178,644</b>   |
| BRAC                                                      | Worldwide Unspecified                                |                                                 |                  |                  |
|                                                           | Unspecified Worldwide Locations                      | DOD BRAC Activities—Air Force .....             | 54,223           | 54,223           |
| <b>Base Realignment and Closure—Air Force Total .....</b> |                                                      |                                                 | <b>54,223</b>    | <b>54,223</b>    |
| <b>Total, Military Construction .....</b>                 |                                                      |                                                 | <b>9,782,451</b> | <b>9,585,000</b> |

**SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.**

**SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

| Account                                        | State/Country and Installation  | Project Title                                      | FY 2018 Request | House Agreement |
|------------------------------------------------|---------------------------------|----------------------------------------------------|-----------------|-----------------|
| Army                                           | Cuba                            |                                                    |                 |                 |
|                                                | Guantanamo Bay                  | OCO: Barracks .....                                | 115,000         | 115,000         |
| Army                                           | Turkey                          |                                                    |                 |                 |
|                                                | Various Locations               | Forward Operating Site .....                       | 0               | 6,400           |
| Army                                           | Worldwide Unspecified           |                                                    |                 |                 |
|                                                | Unspecified Worldwide Locations | ERI: Planning and Design .....                     | 15,700          | 15,700          |
| Army                                           | Unspecified Worldwide Locations | OCO: Planning and Design .....                     | 9,000           | 9,000           |
| <b>Military Construction, Army Total .....</b> |                                 |                                                    | <b>139,700</b>  | <b>146,100</b>  |
| Navy                                           | Djibouti                        |                                                    |                 |                 |
|                                                | Camp Lemonnier                  | Aircraft Parking Apron Expansion .....             | 0               | 13,390          |
| Navy                                           | Worldwide Unspecified           |                                                    |                 |                 |
|                                                | Unspecified Worldwide Locations | ERI: Planning and Design .....                     | 18,500          | 18,500          |
| <b>Military Construction, Navy Total .....</b> |                                 |                                                    | <b>18,500</b>   | <b>31,890</b>   |
| AF                                             | Estonia                         |                                                    |                 |                 |
|                                                | Amari Air Base                  | ERI: POL Capacity Phase II .....                   | 4,700           | 4,700           |
| AF                                             | Amari Air Base                  | ERI: Tactical Fighter Aircraft Parking Apron ..... | 9,200           | 9,200           |
| AF                                             | Hungary                         |                                                    |                 |                 |
|                                                | Kecskemet AB                    | ERI: Airfield Upgrades .....                       | 12,900          | 0               |
| AF                                             | Kecskemet AB                    | ERI: Construct Parallel Taxiway .....              | 30,000          | 0               |
|                                                | Kecskemet AB                    | ERI: Increase POL Storage Capacity .....           | 12,500          | 0               |
| AF                                             | Iceland                         |                                                    |                 |                 |
|                                                | Keflavik                        | ERI: Airfield Upgrades .....                       | 14,400          | 14,400          |
| AF                                             | Italy                           |                                                    |                 |                 |
|                                                | Aviano AB                       | Guardian Angel Operations Facility .....           | 0               | 27,325          |
| AF                                             | Jordan                          |                                                    |                 |                 |
|                                                | Azraq                           | OCO: MSAB Development .....                        | 143,000         | 143,000         |
| AF                                             | Latvia                          |                                                    |                 |                 |
|                                                | Lielvarde Air Base              | ERI: Expand Strategic Ramp Parking .....           | 3,850           | 3,850           |
| AF                                             | Luxembourg                      |                                                    |                 |                 |
|                                                | Sanem                           | ERI: ECAOS Deployable Airbase System Storage ..... | 67,400          | 67,400          |
| AF                                             | Norway                          |                                                    |                 |                 |
|                                                |                                 |                                                    |                 |                 |

**SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

| Account                                                | State/Country and Installation  | Project Title                                      | FY 2018 Request | House Agreement |
|--------------------------------------------------------|---------------------------------|----------------------------------------------------|-----------------|-----------------|
| AF                                                     | Rygge<br>Qatar                  | ERI: Replace/Expand Quick Reaction Alert Pad ..... | 10,300          | 0               |
| AF                                                     | Al Udeid<br>Romania             | Consolidated Squadron Operations Facility .....    | 0               | 15,000          |
| AF                                                     | Campia Turzii<br>Slovakia       | ERI: Upgrade Utilities Infrastructure .....        | 2,950           | 2,950           |
| AF                                                     | Malacky                         | ERI: Airfield Upgrades .....                       | 4,000           | 0               |
| AF                                                     | Malacky                         | ERI: Increase POL Storage Capacity .....           | 20,000          | 0               |
| AF                                                     | Sliac Airport<br>Turkey         | ERI: Airfield Upgrades .....                       | 22,000          | 0               |
| AF                                                     | Incirlık AB                     | Dormitory—216PN .....                              | 0               | 25,997          |
| AF                                                     | Incirlık AB                     | OCO: Relocate Base Main Access Control Point ..... | 14,600          | 14,600          |
| AF                                                     | Incirlık AB                     | OCO: Replace Perimeter Fence .....                 | 8,100           | 8,100           |
|                                                        | Worldwide Unspecified           |                                                    |                 |                 |
| AF                                                     | Unspecified Worldwide Locations | ERI: Planning and Design .....                     | 56,630          | 56,630          |
| AF                                                     | Unspecified Worldwide Locations | OCO—Planning and Design .....                      | 41,500          | 41,500          |
| <b>Military Construction, Air Force Total .....</b>    |                                 |                                                    | <b>478,030</b>  | <b>434,652</b>  |
|                                                        | Italy                           |                                                    |                 |                 |
| Def-Wide                                               | Signonella                      | Construct Hydrant System .....                     | 0               | 22,400          |
|                                                        | Worldwide Unspecified           |                                                    |                 |                 |
| Def-Wide                                               | Unspecified Worldwide Locations | ERI: Planning and Design .....                     | 1,900           | 1,900           |
| <b>Military Construction, Defense-Wide Total .....</b> |                                 |                                                    | <b>1,900</b>    | <b>24,300</b>   |
| <b>Total, Military Construction .....</b>              |                                 |                                                    | <b>638,130</b>  | <b>636,942</b>  |

**TITLE XLVII—DEPARTMENT OF ENERGY  
NATIONAL SECURITY PROGRAMS**

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL  
SECURITY PROGRAMS.**

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

| Program                                                          | FY 2018 Request   | House Authorized  |
|------------------------------------------------------------------|-------------------|-------------------|
| <b>Discretionary Summary By Appropriation</b>                    |                   |                   |
| <b>Energy And Water Development, And Related Agencies</b>        |                   |                   |
| <b>Appropriation Summary:</b>                                    |                   |                   |
| <b>Energy Programs</b>                                           |                   |                   |
| Nuclear Energy .....                                             | 133,000           | 133,000           |
| <b>Atomic Energy Defense Activities</b>                          |                   |                   |
| <b>National nuclear security administration:</b>                 |                   |                   |
| Weapons activities .....                                         | 10,239,344        | 10,423,544        |
| Defense nuclear nonproliferation .....                           | 1,793,310         | 1,873,310         |
| Naval reactors .....                                             | 1,479,751         | 1,479,751         |
| Federal salaries and expenses .....                              | 418,595           | 407,595           |
| <b>Total, National nuclear security administration .....</b>     | <b>13,931,000</b> | <b>14,184,200</b> |
| <b>Environmental and other defense activities:</b>               |                   |                   |
| Defense environmental cleanup .....                              | 5,537,186         | 5,607,186         |
| Other defense activities .....                                   | 815,512           | 818,512           |
| Defense nuclear waste disposal .....                             | 30,000            | 30,000            |
| <b>Total, Environmental &amp; other defense activities .....</b> | <b>6,382,698</b>  | <b>6,455,698</b>  |
| <b>Total, Atomic Energy Defense Activities .....</b>             | <b>20,313,698</b> | <b>20,639,898</b> |
| <b>Total, Discretionary Funding .....</b>                        | <b>20,446,698</b> | <b>20,772,898</b> |
| <b>Nuclear Energy</b>                                            |                   |                   |
| Idaho sitewide safeguards and security .....                     | 133,000           | 133,000           |
| <b>Total, Nuclear Energy .....</b>                               | <b>133,000</b>    | <b>133,000</b>    |
| <b>Weapons Activities</b>                                        |                   |                   |
| <b>Directed stockpile work</b>                                   |                   |                   |
| <b>Life extension programs</b>                                   |                   |                   |
| B61 Life extension program .....                                 | 788,572           | 788,572           |
| W76 Life extension program .....                                 | 224,134           | 224,134           |
| W88 Alteration program .....                                     | 332,292           | 332,292           |
| W80-4 Life extension program .....                               | 399,090           | 399,090           |
| <b>Total, Life extension programs .....</b>                      | <b>1,744,088</b>  | <b>1,744,088</b>  |
| <b>Stockpile systems</b>                                         |                   |                   |
| B61 Stockpile systems .....                                      | 59,729            | 59,729            |
| W76 Stockpile systems .....                                      | 51,400            | 51,400            |
| W78 Stockpile systems .....                                      | 60,100            | 60,100            |
| W80 Stockpile systems .....                                      | 80,087            | 80,087            |
| B83 Stockpile systems .....                                      | 35,762            | 35,762            |

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

| <b>Program</b>                                                                          | <b>FY 2018<br/>Request</b> | <b>House<br/>Authorized</b> |
|-----------------------------------------------------------------------------------------|----------------------------|-----------------------------|
| W87 Stockpile systems .....                                                             | 83,200                     | 83,200                      |
| W88 Stockpile systems .....                                                             | 131,576                    | 131,576                     |
| <b>Total, Stockpile systems .....</b>                                                   | <b>501,854</b>             | <b>501,854</b>              |
| <b>Weapons dismantlement and disposition</b>                                            |                            |                             |
| Operations and maintenance .....                                                        | 52,000                     | 52,000                      |
| <b>Stockpile services</b>                                                               |                            |                             |
| Production support .....                                                                | 470,400                    | 470,400                     |
| Research and development support .....                                                  | 31,150                     | 31,150                      |
| R&D certification and safety .....                                                      | 196,840                    | 196,840                     |
| Management, technology, and production .....                                            | 285,400                    | 285,400                     |
| <b>Total, Stockpile services .....</b>                                                  | <b>983,790</b>             | <b>983,790</b>              |
| <b>Strategic materials</b>                                                              |                            |                             |
| Uranium sustainment .....                                                               | 20,579                     | 20,579                      |
| Plutonium sustainment .....                                                             | 210,367                    | 210,367                     |
| Tritium sustainment .....                                                               | 198,152                    | 198,152                     |
| Domestic uranium enrichment .....                                                       | 60,000                     | 60,000                      |
| Strategic materials sustainment .....                                                   | 206,196                    | 206,196                     |
| <b>Total, Strategic materials .....</b>                                                 | <b>695,294</b>             | <b>695,294</b>              |
| <b>Total, Directed stockpile work .....</b>                                             | <b>3,977,026</b>           | <b>3,977,026</b>            |
| <b>Research, development, test and evaluation (RDT&amp;E)</b>                           |                            |                             |
| <b>Science</b>                                                                          |                            |                             |
| Advanced certification .....                                                            | 57,710                     | 57,710                      |
| Primary assessment technologies .....                                                   | 89,313                     | 89,313                      |
| Dynamic materials properties .....                                                      | 122,347                    | 122,347                     |
| Advanced radiography .....                                                              | 37,600                     | 37,600                      |
| Secondary assessment technologies .....                                                 | 76,833                     | 74,833                      |
| Program decrease .....                                                                  |                            | [-2,000]                    |
| Academic alliances and partnerships .....                                               | 52,963                     | 52,963                      |
| Enhanced Capabilities for Subcritical Experiments .....                                 | 50,755                     | 50,755                      |
| <b>Total, Science .....</b>                                                             | <b>487,521</b>             | <b>485,521</b>              |
| <b>Engineering</b>                                                                      |                            |                             |
| Enhanced surety .....                                                                   | 39,717                     | 39,717                      |
| Weapon systems engineering assessment technology .....                                  | 23,029                     | 23,029                      |
| Nuclear survivability .....                                                             | 45,230                     | 49,230                      |
| Program increase .....                                                                  |                            | [4,000]                     |
| Enhanced surveillance .....                                                             | 45,147                     | 45,147                      |
| Stockpile Responsiveness .....                                                          | 40,000                     | 40,000                      |
| <b>Total, Engineering .....</b>                                                         | <b>193,123</b>             | <b>197,123</b>              |
| <b>Inertial confinement fusion ignition and high yield</b>                              |                            |                             |
| Ignition .....                                                                          | 79,575                     | 76,575                      |
| Program decrease .....                                                                  |                            | [-3,000]                    |
| Support of other stockpile programs .....                                               | 23,565                     | 23,565                      |
| Diagnostics, cryogenics and experimental support .....                                  | 77,915                     | 77,915                      |
| Pulsed power inertial confinement fusion .....                                          | 7,596                      | 7,596                       |
| Joint program in high energy density laboratory plasmas .....                           | 9,492                      | 9,492                       |
| Facility operations and target production .....                                         | 334,791                    | 331,791                     |
| Program decrease .....                                                                  |                            | [-3,000]                    |
| <b>Total, Inertial confinement fusion and high yield .....</b>                          | <b>532,934</b>             | <b>526,934</b>              |
| <b>Advanced simulation and computing</b>                                                |                            |                             |
| Advanced simulation and computing .....                                                 | 709,244                    | 709,244                     |
| <b>Construction:</b>                                                                    |                            |                             |
| 18-D-670, Exascale Class Computer Cooling Equipment, LNL .....                          | 22,000                     | 22,000                      |
| 18-D-620, Exascale Computing Facility Modernization Project .....                       | 3,000                      | 3,000                       |
| <b>Total, Construction .....</b>                                                        | <b>25,000</b>              | <b>25,000</b>               |
| <b>Total, Advanced simulation and computing .....</b>                                   | <b>734,244</b>             | <b>734,244</b>              |
| <b>Advanced manufacturing</b>                                                           |                            |                             |
| Additive manufacturing .....                                                            | 12,000                     | 12,000                      |
| Component manufacturing development .....                                               | 38,644                     | 38,644                      |
| Processing technology development .....                                                 | 29,896                     | 29,896                      |
| <b>Total, Advanced manufacturing .....</b>                                              | <b>80,540</b>              | <b>80,540</b>               |
| <b>Total, RDT&amp;E .....</b>                                                           | <b>2,028,362</b>           | <b>2,024,362</b>            |
| <b>Infrastructure and operations (formerly RTBF)</b>                                    |                            |                             |
| Operations of facilities .....                                                          | 868,000                    | 868,000                     |
| Safety and environmental operations .....                                               | 116,000                    | 116,000                     |
| Maintenance and repair of facilities .....                                              | 360,000                    | 395,000                     |
| Program increase to address high-priority preventative maintenance through FIRRPP ..... |                            | [35,000]                    |
| Recapitalization .....                                                                  | 427,342                    | 542,342                     |
| Program increase to address high-priority deferred maintenance through FIRRPP .....     |                            | [115,000]                   |
| <b>Construction:</b>                                                                    |                            |                             |

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

| <b>Program</b>                                                                      | <b>FY 2018<br/>Request</b> | <b>House<br/>Authorized</b> |
|-------------------------------------------------------------------------------------|----------------------------|-----------------------------|
| 18-D-670, Material Staging Facility, PX .....                                       | 0                          | 5,200                       |
| Project initiation .....                                                            |                            | [5,200]                     |
| 18-D-660, Fire Station, Y-12 .....                                                  | 28,000                     | 28,000                      |
| 18-D-650, Tritium Production Capability, SRS .....                                  | 6,800                      | 6,800                       |
| 17-D-640 U1a Complex Enhancements Project, NNSS .....                               | 22,100                     | 22,100                      |
| 17-D-630 Expand Electrical Distribution System, LLNL .....                          | 6,000                      | 6,000                       |
| 16-D-515 Albuquerque complex project .....                                          | 98,000                     | 98,000                      |
| 15-D-613 Emergency Operations Center, Y-12 .....                                    | 7,000                      | 7,000                       |
| 07-D-220 Radioactive liquid waste treatment facility upgrade project, LANL .....    | 2,100                      | 2,100                       |
| 07-D-220-04 Transuranic liquid waste facility, LANL .....                           | 17,895                     | 17,895                      |
| 06-D-141 Uranium processing facility Y-12, Oak Ridge, TN .....                      | 663,000                    | 663,000                     |
| 04-D-125 Chemistry and metallurgy research facility replacement project, LANL ..... | 180,900                    | 180,900                     |
| <b>Total, Construction</b> .....                                                    | <b>1,031,795</b>           | <b>1,036,995</b>            |
| <b>Total, Infrastructure and operations</b> .....                                   | <b>2,803,137</b>           | <b>2,958,337</b>            |
| <b>Secure transportation asset</b>                                                  |                            |                             |
| Operations and equipment .....                                                      | 219,464                    | 219,464                     |
| Program direction .....                                                             | 105,600                    | 105,600                     |
| <b>Total, Secure transportation asset</b> .....                                     | <b>325,064</b>             | <b>325,064</b>              |
| <b>Defense nuclear security</b>                                                     |                            |                             |
| Operations and maintenance .....                                                    | 686,977                    | 719,977                     |
| Support to physical security infrastructure recapitalization and CSTART .....       |                            | [33,000]                    |
| <b>Total, Defense nuclear security</b> .....                                        | <b>686,977</b>             | <b>719,977</b>              |
| Information technology and cybersecurity .....                                      | 186,728                    | 186,728                     |
| Legacy contractor pensions .....                                                    | 232,050                    | 232,050                     |
| <b>Total, Weapons Activities</b> .....                                              | <b>10,239,344</b>          | <b>10,423,544</b>           |
| <b>Defense Nuclear Nonproliferation</b>                                             |                            |                             |
| <b>Defense Nuclear Nonproliferation Programs</b>                                    |                            |                             |
| <b>Global material security</b>                                                     |                            |                             |
| International nuclear security .....                                                | 46,339                     | 46,339                      |
| Radiological security .....                                                         | 146,340                    | 146,340                     |
| Nuclear smuggling detection .....                                                   | 144,429                    | 139,429                     |
| Program decrease .....                                                              |                            | [-5,000]                    |
| <b>Total, Global material security</b> .....                                        | <b>337,108</b>             | <b>332,108</b>              |
| <b>Material management and minimization</b>                                         |                            |                             |
| HEU reactor conversion .....                                                        | 125,500                    | 125,500                     |
| Nuclear material removal .....                                                      | 32,925                     | 37,925                      |
| Acceleration of priority programs .....                                             |                            | [5,000]                     |
| Material disposition .....                                                          | 173,669                    | 173,669                     |
| <b>Total, Material management &amp; minimization</b> .....                          | <b>332,094</b>             | <b>337,094</b>              |
| Nonproliferation and arms control .....                                             | 129,703                    | 129,703                     |
| Defense nuclear nonproliferation R&D .....                                          | 446,095                    | 451,095                     |
| Acceleration of low-yield detection experiments and 3D printing efforts .....       |                            | [5,000]                     |
| <b>Nonproliferation Construction:</b>                                               |                            |                             |
| 18-D-150 Surplus Plutonium Disposition Project .....                                | 9,000                      | 9,000                       |
| 99-D-143 Mixed Oxide (MOX) Fuel Fabrication Facility, SRS .....                     | 270,000                    | 340,000                     |
| Program increase .....                                                              |                            | [70,000]                    |
| <b>Total, Nonproliferation construction</b> .....                                   | <b>279,000</b>             | <b>349,000</b>              |
| <b>Total, Defense Nuclear Nonproliferation Programs</b> .....                       | <b>1,524,000</b>           | <b>1,599,000</b>            |
| Low Enriched Uranium R&D for Naval Reactors .....                                   | 0                          | 5,000                       |
| Direct support to low-enriched uranium R&D for Naval Reactors .....                 |                            | [5,000]                     |
| Legacy contractor pensions .....                                                    | 40,950                     | 40,950                      |
| Nuclear counterterrorism and incident response program .....                        | 277,360                    | 277,360                     |
| Rescission of prior year balances .....                                             | -49,000                    | -49,000                     |
| <b>Total, Defense Nuclear Nonproliferation</b> .....                                | <b>1,793,310</b>           | <b>1,873,310</b>            |
| <b>Naval Reactors</b>                                                               |                            |                             |
| Naval reactors development .....                                                    | 473,267                    | 473,267                     |
| Columbia-Class reactor systems development .....                                    | 156,700                    | 156,700                     |
| S8G Prototype refueling .....                                                       | 190,000                    | 190,000                     |
| Naval reactors operations and infrastructure .....                                  | 466,884                    | 466,884                     |
| <b>Construction:</b>                                                                |                            |                             |
| 15-D-904 NRF Overpack Storage Expansion 3 .....                                     | 13,700                     | 13,700                      |
| 15-D-903 KL Fire System Upgrade .....                                               | 15,000                     | 15,000                      |
| 14-D-901 Spent fuel handling recapitalization project, NRF .....                    | 116,000                    | 116,000                     |
| <b>Total, Construction</b> .....                                                    | <b>144,700</b>             | <b>144,700</b>              |
| Program direction .....                                                             | 48,200                     | 48,200                      |
| <b>Total, Naval Reactors</b> .....                                                  | <b>1,479,751</b>           | <b>1,479,751</b>            |

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

| <b>Program</b>                                                            | <b>FY 2018<br/>Request</b> | <b>House<br/>Authorized</b> |
|---------------------------------------------------------------------------|----------------------------|-----------------------------|
| <b>Federal Salaries And Expenses</b>                                      |                            |                             |
| Program direction .....                                                   | 418,595                    | 407,595                     |
| Program decrease to support maximum of 1,690 employees .....              |                            | [-11,000]                   |
| <b>Total, Office Of The Administrator</b> .....                           | <b>418,595</b>             | <b>407,595</b>              |
| <b>Defense Environmental Cleanup</b>                                      |                            |                             |
| <b>Closure sites:</b>                                                     |                            |                             |
| Closure sites administration .....                                        | 4,889                      | 4,889                       |
| <b>Hanford site:</b>                                                      |                            |                             |
| River corridor and other cleanup operations .....                         | 58,692                     | 93,692                      |
| Acceleration of priority programs .....                                   |                            | [35,000]                    |
| Central plateau remediation .....                                         | 637,879                    | 645,879                     |
| Acceleration of priority programs .....                                   |                            | [8,000]                     |
| Richland community and regulatory support .....                           | 5,121                      | 5,121                       |
| <b>Construction:</b>                                                      |                            |                             |
| 18-D-404 WESF Modifications and Capsule Storage .....                     | 6,500                      | 6,500                       |
| 15-D-401 Containerized sludge removal annex, RL .....                     | 8,000                      | 8,000                       |
| <b>Total, Construction</b> .....                                          | <b>14,500</b>              | <b>14,500</b>               |
| <b>Total, Hanford site</b> .....                                          | <b>716,192</b>             | <b>759,192</b>              |
| <b>Idaho National Laboratory:</b>                                         |                            |                             |
| SNF stabilization and disposition—2012 .....                              | 19,975                     | 19,975                      |
| Solid waste stabilization and disposition .....                           | 170,101                    | 170,101                     |
| Radioactive liquid tank waste stabilization and disposition .....         | 111,352                    | 111,352                     |
| Soil and water remediation—2035 .....                                     | 44,727                     | 44,727                      |
| Idaho community and regulatory support .....                              | 4,071                      | 4,071                       |
| <b>Total, Idaho National Laboratory</b> .....                             | <b>350,226</b>             | <b>350,226</b>              |
| <b>NNSA sites</b>                                                         |                            |                             |
| Lawrence Livermore National Laboratory .....                              | 1,175                      | 1,175                       |
| Separations Process Research Unit .....                                   | 1,800                      | 1,800                       |
| Nevada .....                                                              | 60,136                     | 60,136                      |
| Sandia National Laboratories .....                                        | 2,600                      | 2,600                       |
| Los Alamos National Laboratory .....                                      | 191,629                    | 191,629                     |
| <b>Total, NNSA sites and Nevada off-sites</b> .....                       | <b>257,340</b>             | <b>257,340</b>              |
| <b>Oak Ridge Reservation:</b>                                             |                            |                             |
| <b>OR Nuclear facility D &amp; D</b>                                      |                            |                             |
| OR-0041—D&D - Y-12 .....                                                  | 29,369                     | 29,369                      |
| OR-0042—D&D -ORNL .....                                                   | 48,110                     | 48,110                      |
| <b>Construction:</b>                                                      |                            |                             |
| 17-D-401 On-site waste disposal facility .....                            | 5,000                      | 5,000                       |
| 14-D-403 Outfall 200 Mercury Treatment facility .....                     | 17,100                     | 17,100                      |
| <b>Total, OR Nuclear facility D &amp; D</b> .....                         | <b>82,479</b>              | <b>82,479</b>               |
| U233 Disposition Program .....                                            | 33,784                     | 33,784                      |
| OR cleanup and disposition .....                                          | 66,632                     | 66,632                      |
| OR reservation community and regulatory support .....                     | 4,605                      | 4,605                       |
| OR Solid waste stabilization and disposition technology development ..... | 3,000                      | 3,000                       |
| <b>Total, Oak Ridge Reservation</b> .....                                 | <b>207,600</b>             | <b>207,600</b>              |
| <b>Office of River Protection:</b>                                        |                            |                             |
| <b>Waste treatment and immobilization plant</b>                           |                            |                             |
| <b>Construction:</b>                                                      |                            |                             |
| 01-D-416 A-D WTP Subprojects A-D .....                                    | 655,000                    | 655,000                     |
| 01-D-416 E—Pretreatment Facility .....                                    | 35,000                     | 35,000                      |
| <b>Total, 01-D-416 Construction</b> .....                                 | <b>690,000</b>             | <b>690,000</b>              |
| WTP Commissioning .....                                                   | 8,000                      | 8,000                       |
| <b>Total, Waste treatment and immobilization plant</b> .....              | <b>698,000</b>             | <b>698,000</b>              |
| <b>Tank farm activities</b>                                               |                            |                             |
| Rad liquid tank waste stabilization and disposition .....                 | 713,311                    | 713,311                     |
| <b>Construction:</b>                                                      |                            |                             |
| 15-D-409 Low activity waste pretreatment system, ORP .....                | 93,000                     | 93,000                      |
| <b>Total, Tank farm activities</b> .....                                  | <b>806,311</b>             | <b>806,311</b>              |
| <b>Total, Office of River protection</b> .....                            | <b>1,504,311</b>           | <b>1,504,311</b>            |
| <b>Savannah River Sites:</b>                                              |                            |                             |
| Nuclear Material Management .....                                         | 323,482                    | 350,482                     |
| Acceleration of priority programs .....                                   |                            | [27,000]                    |
| <b>Environmental Cleanup</b>                                              |                            |                             |
| Environmental Cleanup .....                                               | 159,478                    | 159,478                     |
| <b>Construction:</b>                                                      |                            |                             |
| 08-D-402, Emergency Operations Center .....                               | 500                        | 500                         |

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

| <i>Program</i>                                                         | <i>FY 2018<br/>Request</i> | <i>House<br/>Authorized</i> |
|------------------------------------------------------------------------|----------------------------|-----------------------------|
| <b>Total, Environmental Cleanup</b> .....                              | <b>159,978</b>             | <b>159,978</b>              |
| SR community and regulatory support .....                              | 11,249                     | 11,249                      |
| <b>Radioactive liquid tank waste:</b>                                  |                            |                             |
| Radioactive liquid tank waste stabilization and disposition .....      | 597,258                    | 597,258                     |
| <b>Construction:</b>                                                   |                            |                             |
| 18-D-401, SDU #8/9 .....                                               | 500                        | 500                         |
| 17-D-402—Saltstone Disposal Unit #7 .....                              | 40,000                     | 40,000                      |
| 05-D-405 Salt waste processing facility, Savannah River Site .....     | 150,000                    | 150,000                     |
| <b>Total, Construction</b> .....                                       | <b>190,500</b>             | <b>190,500</b>              |
| <b>Total, Radioactive liquid tank waste</b> .....                      | <b>787,758</b>             | <b>787,758</b>              |
| <b>Total, Savannah River site</b> .....                                | <b>1,282,467</b>           | <b>1,309,467</b>            |
| <b>Waste Isolation Pilot Plant</b>                                     |                            |                             |
| Operations and maintenance .....                                       | 206,617                    | 206,617                     |
| Central characterization project .....                                 | 22,500                     | 22,500                      |
| Transportation .....                                                   | 21,854                     | 21,854                      |
| <b>Construction:</b>                                                   |                            |                             |
| 15-D-411 Safety significant confinement ventilation system, WIPP ..... | 46,000                     | 46,000                      |
| 15-D-412 Exhaust shaft, WIPP .....                                     | 19,600                     | 19,600                      |
| <b>Total, Construction</b> .....                                       | <b>65,600</b>              | <b>65,600</b>               |
| <b>Total, Waste Isolation Pilot Plant</b> .....                        | <b>316,571</b>             | <b>316,571</b>              |
| Program direction .....                                                | 300,000                    | 300,000                     |
| Program support .....                                                  | 6,979                      | 6,979                       |
| WCF Mission Related Activities .....                                   | 22,109                     | 22,109                      |
| Minority Serving Institution Partnership .....                         | 6,000                      | 6,000                       |
| <b>Safeguards and Security</b>                                         |                            |                             |
| Oak Ridge Reservation .....                                            | 16,500                     | 16,500                      |
| Paducah .....                                                          | 14,049                     | 14,049                      |
| Portsmouth .....                                                       | 12,713                     | 12,713                      |
| Richland/Hanford Site .....                                            | 75,600                     | 75,600                      |
| Savannah River Site .....                                              | 142,314                    | 142,314                     |
| Waste Isolation Pilot Project .....                                    | 5,200                      | 5,200                       |
| West Valley .....                                                      | 2,784                      | 2,784                       |
| <b>Total, Safeguards and Security</b> .....                            | <b>269,160</b>             | <b>269,160</b>              |
| Cyber Security .....                                                   | 43,342                     | 43,342                      |
| Technology development .....                                           | 25,000                     | 25,000                      |
| HQEF-0040—Excess Facilities .....                                      | 225,000                    | 225,000                     |
| <b>Total, Defense Environmental Cleanup</b> .....                      | <b>5,537,186</b>           | <b>5,607,186</b>            |
| <b>Other Defense Activities</b>                                        |                            |                             |
| <b>Environment, health, safety and security</b>                        |                            |                             |
| Environment, health, safety and security .....                         | 130,693                    | 130,693                     |
| Program direction .....                                                | 68,765                     | 68,765                      |
| <b>Total, Environment, Health, safety and security</b> .....           | <b>199,458</b>             | <b>199,458</b>              |
| <b>Independent enterprise assessments</b>                              |                            |                             |
| Independent enterprise assessments .....                               | 24,068                     | 24,068                      |
| Program direction .....                                                | 50,863                     | 50,863                      |
| <b>Total, Independent enterprise assessments</b> .....                 | <b>74,931</b>              | <b>74,931</b>               |
| Specialized security activities .....                                  | 237,912                    | 240,912                     |
| Classified topic .....                                                 |                            | [3,000]                     |
| <b>Office of Legacy Management</b>                                     |                            |                             |
| Legacy management .....                                                | 137,674                    | 137,674                     |
| Program direction .....                                                | 16,932                     | 16,932                      |
| <b>Total, Office of Legacy Management</b> .....                        | <b>154,606</b>             | <b>154,606</b>              |
| <b>Defense-related activities</b>                                      |                            |                             |
| <b>Defense related administrative support</b>                          |                            |                             |
| Chief financial officer .....                                          | 48,484                     | 48,484                      |
| Chief information officer .....                                        | 91,443                     | 91,443                      |
| Project management oversight and assessments .....                     | 3,073                      | 3,073                       |
| <b>Total, Defense related administrative support</b> .....             | <b>143,000</b>             | <b>143,000</b>              |
| Office of hearings and appeals .....                                   | 5,605                      | 5,605                       |
| <b>Subtotal, Other defense activities</b> .....                        | <b>815,512</b>             | <b>818,512</b>              |
| <b>Total, Other Defense Activities</b> .....                           | <b>815,512</b>             | <b>818,512</b>              |
| <b>Defense Nuclear Waste Disposal</b>                                  |                            |                             |
| Yucca mountain and interim storage .....                               | 30,000                     | 30,000                      |
| <b>Total, Defense Nuclear Waste Disposal</b> .....                     | <b>30,000</b>              | <b>30,000</b>               |



The CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part B of House Report 115-212 and amendments en bloc described in section 3 of House Resolution 431.

Each further amendment printed in part B of the report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

□ 2030

Pursuant to the order of the House of today, amendment No. 88 may be considered out of sequence.

It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in part B of the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY  
MR. THORNBERRY

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 115-212.

Mr. THORNBERRY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 155, line 19, strike “\$30,000,000” and insert “\$50,000,000”.

Page 258, beginning on line 23, strike subsection (b).

Page 322, line 8, insert “(1)” after “(b)”.

Page 351, beginning on line 22, strike subsection (d).

Page 376, beginning on line 11, strike paragraph (3).

Page 381, after line 6, insert the following:

(A) in subsection (b)(3), by striking “section 377” and inserting “section 277”;

Page 381, line 7, strike “(A)” and insert “(B)”.

Page 381, line 7, strike “and”.

Page 381, line 8, strike “(B)” and insert “(C)”.

Page 381, line 9, strike the period and insert “; and”.

Page 381, after line 9, insert the following:

(D) in subsection (e), as so redesignated, by “striking sections 375 and 376” and inserting “sections 275 and 276”.

Page 381, line 16, strike “designating” and insert “redesignating”.

Page 396, after line 4, insert the following:

(5) REPORT ON PROCUREMENT OF CONTRACT SERVICES.—By inserting after paragraph (64), as added by paragraph (4), the following new paragraph:

“(65) Section 235.”.

Page 410, beginning on line 3, strike paragraph (5) and insert the following:

(5) Section 129a(b) is amended by striking “(as identified pursuant to section 118b of this title)”.

Page 412, line 22, strike “Section 1552(h)” and insert “Subsection (i) of section 1522, as redesignated by section 511(a)(1) of this Act.”.

Page 415, beginning on line 14, strike paragraph (42).

Page 567, line 13, strike the second period.

Page 569, line 12, strike “section 1501(2)” and insert “section 1501(a)(2)”.

The CHAIR. Pursuant to House Resolution 431, the gentleman from Texas (Mr. THORNBERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a manager’s amendment that contains technical and conforming edits to the bill. I do not know of any controversy.

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

Mr. SMITH of Washington. Mr. Chair, I claim the time in opposition, although I am not opposed.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Washington. Mr. Chair, I am not going to take that much time. I agree with the chairman. This is uncontroversial and should be adopted.

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

Mr. THORNBERRY. Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. THORNBERRY).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. CONAWAY

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 115-212.

Mr. CONAWAY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of subtitle B of title III the following:

**SEC. 316. PROHIBITION ON CONTRACTS OR AWARDS FOR DROP-IN BIOFUELS OR BIOREFINERIES DURING SEQUESTRATION.**

(a) IN GENERAL.—The Department of Defense may not, during fiscal year 2018 through 2021, enter into any new contracts or make any new award, and no funds may be obligated or expended, with respect to drop-in biofuels or biorefineries.

(b) DEFINITIONS.—For purposes of this section:

(1) DROP-IN BIOFUEL.—The term “drop-in biofuel” means a neat of blended liquid hydrocarbon fuel designed as a direct replacement for a traditional fuel with comparable performance characteristics and compatible with existing infrastructure and equipment.

(2) BIOREFINERY.—The term “biorefinery” means—

(A) a facility that converts or proposes to convert renewable biomass into advanced biofuels (as such term is defined under section 9001 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101)); and

(B) a facility (including equipment and processes) that converts renewable biomass into biofuels and biobased products (as such terms are defined, respectively, under section 9001 of the Farm Security and Rural Investment Act of 2002).

**SEC. 317. CALCULATION OF THE COST OF DROP-IN FUELS.**

Section 2922h of title 10, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

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

“(c) INCLUSION OF FINANCIAL CONTRIBUTIONS FROM OTHER FEDERAL DEPARTMENTS AND AGENCIES.—For purposes of calculating the fully burdened cost of drop-in fuel under subsection (a), for a proposed purchase to be made on or after the beginning of fiscal year 2022, the Secretary of Defense shall include in such calculation any financial contributions made by other Federal departments and agencies.”.

The CHAIR. Pursuant to House Resolution 431, the gentleman from Texas (Mr. CONAWAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CONAWAY. Mr. Chairman, this amendment is a pretty straightforward amendment. It does two things. One, it saves and conserves valuable taxpayer dollars to be used on higher priority issues, and it holds the Department of Defense accountable for current law.

Mr. Chairman, we currently have in place a variety of agreements with folks who buy biofuels at costs ranging up to \$28 a gallon. The Army actually bought some at \$40 a gallon. At a time when you have heard, for over an hour now, the need for conserving resources, for reprioritizing resources, having those kind of contracts, new contracts come in existence makes no sense whatsoever.

This amendment would simply say that while sequestration is going on, while we are under the draconian measures of sequestration, the Army, Department of Defense, Navy, Air Force will not enter into new contracts. Existing contracts, wherever they may be, however costly they might be, would continue forward, we would honor those and the amendments made in that regard.

But as long as we are under sequestration and we are under this budgeting process that you have heard ad nauseam over the last hour or so, these would prevent this problem from going forward.

Then if sequestration goes away on its own or we somehow lift it ourselves, then this restriction would be lifted and then new contracts could be entered into, but those contracts would then have an accounting clause in it,

or the accounting department at the Pentagon would have an accounting process in which the cost of the fuels would have to take into account all of the other agencies who have been contributing to this fund.

Early on, there was a \$510 million pot of money created by the Department of Defense, the Department of Energy, and the Department of Agriculture, using the Commodities Credit Corporation to fund this \$510 million. None of us know where that money went. It was supposed to do a refinery, but we don't know that. We can't prove that.

We do know that they bought jet fuel at \$28 a gallon under this program. Normally, at that same timeframe, they also bought jet fuel for \$3.35 a gallon. So 25 bucks a gallon differential, 2 million gallons bought at the higher prices, that is \$51 million of taxpayer dollars that were, I believe, misapplied and misprioritized in these tough times.

This program came into existence, in no small part, because of America's reliance on overseas sources of oil. This all predates the last 6 years of effort that has gone on in order to create the energy independence that we see on the horizon, given shale drilling and all of the opportunity to use these cheaper fuels.

So I ask my colleagues to support the amendment. This makes sense. It does not squander taxpayer resources. It does not affect existing contracts. It would only be for new contracts. The industry itself, of course, is going to be for it because they are selling a commodity at \$28 a gallon versus \$3 a gallon, and you would expect them to be against my amendment. But my amendment is for the servicemen and -women and for the taxpayers.

Mr. Chair, I encourage a "yes" vote, and I reserve the balance of my time.

Mr. CARBAJAL. Mr. Chair, I rise in opposition to this amendment.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CARBAJAL. Mr. Chair, before I proceed, I wanted to take a quick few seconds to thank and recognize Chairman THORNBERRY and Ranking Member SMITH as a freshman member of the 115th Congress. It has been refreshing to see such bipartisan tone in leadership, so I just wanted to recognize them for those qualities and skills.

With the Department of Defense struggling to rein in spending while keeping our military strong and our country protected, it is amendments like Mr. CONAWAY's that are unnecessarily impeding cost competition and reductions that come with public-private partnerships.

This amendment limits competition between alternative fuel sources and may even force DOD to pay more by explicitly prohibiting purchases of cheaper fuel. That is not only inefficient, it is irresponsible.

The Department of Defense is the single largest energy consumer in the world. We should be incentivizing the diversification of liquid fuels as an option to bring down costs and reduce regulatory burden.

Not only does this amendment risk increased costs for DOD procurement, but it also stunts potential economic growth in the rapidly expanding biofuel field, a billion-dollar industry worldwide.

Yet another troubling result of this amendment, if passed, is its potential to impede military operations where an alternative fuel may be the only option available.

It is unethical to endanger our men and women in uniform with this ban, and, at the very least, a waiver should be included for national security matters.

Military leaders and experts have told Armed Services Committee members time and time again about the direct threat that climate change, particularly sea level rise, poses to our military operations and installations both at home in places like Norfolk and abroad.

My colleague, Mr. LANGEVIN, included language in this year's NDAA that specifically acknowledges this threat. It directs the Defense Department to study the impact of climate change and prepare an effective strategy to address its effects.

We have long known that carbon pollution and fossil fuels are heavily contributing to a changing climate and the extreme weather patterns that accompany this phenomenon. It is irresponsible for this Congress to ignore this reality and not even consider cost-effective and more clean energy sources for our military.

Finally, I would like to point out that this amendment is completely unnecessary. Current law already prohibits DOD from purchasing alternative fuel in large quantities unless it is cost-competitive with traditional fuel. I urge my colleagues to oppose this misguided amendment that does far more harm than good to our Defense Department and to our service-members.

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

Mr. CONAWAY. Mr. Chair, how much time do I have?

The CHAIR. The gentleman from Texas has 2 minutes remaining.

Mr. CONAWAY. Mr. Chair, the gentleman is incorrect in the sense that this does not, over the next year or 2 or 3, however long sequestration is going to be in place, measurably affect climate change one way or the other. The small amounts of fuel that are allowed to be purchased in excess of competitive costs are 2 million gallons at 28 bucks a gallon.

The Department of Defense buys 107 billion gallons of fuel, so any number

up to some multimillion dollar number, million gallon amount could be hidden under this amount. We also don't have a good accounting process to understand exactly what those costs are when they enter into these contracts, and asking the Department of Agriculture to subsidize this process doesn't make any sense either.

In order to hide from the program, the issue is the Department of Defense buys the fuel, they send a bill to the Commodities Credit Corporation to actually pay for it. So it is not even on the Department of Defense's books and records to get the proper accounting to make sure. This is straightforward stuff.

You can't, on the one hand, argue that we need to provide all that needs to be provided for our men and women to fight and spend an extra \$51 billion, plus \$510 million that we don't know where that went on a product that can be brought for \$3.35 a gallon.

I would argue there is nowhere in the world today where we need drop-in jet fuel that can be provided somewhere else. That argument is specious and it makes no sense whatsoever. That may be some future issue, but that is not today.

Giving the shale drilling and the opportunity to provide fossil fuels for our military and their direct mission of fighting, not doing the other things to try to support this issue, makes no sense. So I ask my colleagues to vote for this commonsense amendment. It does not affect the existing contracts, and it is a better use of taxpayer dollars, and it is better for the members of the service to put a hiatus on new contracts while we are under sequestration and all of the things that have been talked about.

So I encourage my colleagues to support the amendment. And with that, I yield to the chairman for any comments he might have.

The CHAIR. The time of the gentleman from Texas has expired.

Mr. CARBAJAL. Mr. Chair, I will point out that those figures are incorrect as stated by my colleague.

In 2015, the DOD paid \$2.03 for 77,660 gallons of fuel at a 10 percent blend. I just wanted to correct the record because those are the accurate figures, and I think those figures speak volumes.

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

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CONAWAY).

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

Mr. CARBAJAL. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

It is now in order to consider amendment No. 3 printed in part B of House report 115-212.

AMENDMENT NO. 4 OFFERED BY MR. POLIS

The CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 115-212.

Mr. POLIS. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title X in division A, add the following new section:

**SEC. \_\_\_\_\_. REDUCTION OF AUTHORIZATION OF APPROPRIATIONS.**

(a) **REDUCTION.**—Notwithstanding any other provision of this Act, but subject to subsection (b), the President, in consultation with the Secretary of Defense, the Secretary of Energy, and the Administrator for Nuclear Security, shall make such reductions in the amounts authorized to be appropriated under this Act in such manner as the President considers appropriate to achieve an aggregate reduction of 1 percent of the total amount of funds authorized to be appropriated under this Act. Such reduction shall be in addition to any other reduction of funds required by law.

(b) **EXCLUSIONS.**—In carrying out subsection (a), the President shall not reduce the amount of funds for the following accounts:

(1) Military personnel, reserve personnel, and National Guard personnel accounts of the Department of Defense.

(2) The Defense Health Program account.

The CHAIR. Pursuant to House Resolution 431, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chair, I yield myself such time as I might consume.

Mr. Chairman, at a time when we need to balance our budget and prevent a legacy of debt from being left to the next generation, it is really time to ask ourselves: Not only should we blast through the budget caps, but can't we afford to at least make a small and important step towards protecting our fiscal security as a nation, which is a critical part of our national security?

By spending beyond our means, we make ourselves economically beholden to other nations like China and Saudi Arabia. That makes America less secure rather than more secure.

As structured, the NDAA is fiscally irresponsible. We have had a number of discussions about that, that outside of the context of a full budget discussion, it is hard to talk about exceeding the Budget Control Act by 72.5 billion, an additional \$10 billion of base spending. It is a broader discussion about the budget that needs to be had.

What my amendment would do, very simply, Mr. Chairman, is give authority to the President of the United States and the Secretary of Defense and the Secretary of Energy to reduce the overall amount of money authorized in this bill by 1 percent.

It excludes personnel and health accounts from being included in these reductions. A 1 percent reduction still leaves us well above the original Defense cap spending levels that I actually support.

□ 2045

If I had my way, I would keep those budget numbers for defense spending, but I think this 1 percent is a very reasonable compromise for those of us who believe that we need to at least show a symbolic gesture towards fiscal responsibility as we head into the budget negotiations.

In this bill, there are many overfunded accounts. Accounts are funded at levels above and beyond what our own military requested. A 1 percent reduction in that context is extremely reasonable. It is \$6.2 billion out of this bill. I have no doubt that there are many ways to find the excess money in the bill that we would leave up to the military to reach that spending level.

We can consider numerous programs. This doesn't have to be across the board. We can consider programs where the bill authorizes procurement levels that exceed the President's request and the military's request. My colleague from Massachusetts pointed this out during the bill's markup when he introduced an amendment to reduce the number of littoral combat ships from three to the Navy's own request of one. We are effectively blocking the Navy from making a fiscally reasonable decision.

There are dozens more—helicopters, aircraft, and missiles—than the President even requested in his budget. So we are not going to cut every one of those items. Many of them have found their way onto the unfunded priority list which the Pentagon provides the Congress.

In a perfect world, if we had all the money in the world, we could have included all those items. But at some point, we have to make some decisions about the direction of our military budget, and we can't allow ourselves to be convinced that somehow we can sustain this level of spending. We can't.

Frankly, even with this 1 percent cut, the level of spending is unsustainable and plunges us further into debt; but I think, hopefully, that is the least that Democrats and Republicans in Congress can come together around as a simple first step.

My amendment is a very small first step. We don't have to choose between protecting the homeland and fiscal restraint. When Congress is imposing spending that the military itself doesn't even want, here is a vehicle to hand the military the ability to rein in some of that unnecessary spending that reduces our national security rather than improves it.

I encourage my colleagues to vote "yes" on my amendment and take this

modest step towards fiscal responsibility.

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

Mr. THORNBERRY. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. TURNER), chair of the Subcommittee on Tactical Air and Land Forces.

Mr. TURNER. Mr. Chairman, this amendment is not about fiscal security. It is arbitrary. It is arbitrary cuts without any reference whatsoever to our security risks, without any assessments to the needs of our military, and it is incorrectly stated that we are giving things to our military that they do not want. In fact, they needed more.

There is a whole category called unfunded requirements that they put before the House Armed Services Committee. And I want to say that again: unfunded requirements. It is not unfunded wishes, unfunded needs—unfunded requirements. And they are based on the mission that we have assigned the military and their inability to do so as a result of that gap, and many of which we were unable to fund in this bill.

What would some of those relate to? We could take a tour around the world and we know the risks that we are facing: China, Russia, North Korea, Syria, Iraq, Afghanistan, Libya, ISIS, terrorism. These are not issues that you take up lightly and then say we can undertake an arbitrary cut.

By the way, if this was really about fiscal security, it would be a 1 percent cut across all spending, but it is only going to apply to the military. This doesn't apply to the IRS. It doesn't apply to the EPA. This is only saying that the military should be cut as a result of some concept of fiscal savings.

But the savings that we have taken have damaged our military already. The Air Force Vice Chief of Staff, General Stephen Wilson, at HASC, testified in February of this year, ". . . we have become one of the smallest, oldest equipped, and least ready forces across the full spectrum of operations in our service history," the entire history of the Air Force.

In 1991, we went to Desert Storm. Our Air Force was 500,000 people and 134 fighter squadrons. Today we find ourselves at 317 in our active force, with 55 fighter squadrons.

The Navy is the same. It is the smallest since World War II. Deployments continue to increase, and training and maintenance periods have been shortened, eliminated, or deferred.

The number of Marine Corps infantry battalions have been reduced by four since 2010, going from 28 to 24.

Admiral William Moran, the Vice Chief of Naval Operations, has also indicated that of the Navy aircraft, 60 percent are unable to operate.

The CHAIR. The time of the gentleman has expired.

Mr. THORNBERRY. Mr. Chairman, I yield an additional 30 seconds to the gentleman.

Mr. TURNER. At the end of this amendment, it incorrectly states that there should be no cuts to military personnel, and it incorrectly states that because the rest of the cuts actually apply to our military personnel. It applies to what we ask them to do and what we give them to do the job.

Our military should be honored. It should not be faced with additional cuts. We should honor what is in this bill. We should satisfy their requirements, and we should support our men and women in uniform.

Mr. POLIS. Mr. Chair, the gentleman asked why aren't there cuts for other agencies. That is not the bill we have before us. We have the National Defense Authorization bill before us. I have supported similar cuts in various agencies when we have had those appropriations bills on the floor.

This is the biggest bill on the authorization side, and then, of course, the companion appropriations bill. This is over 40 percent of our discretionary expenditures, and the authorization for 40 percent of our discretionary expenditures is in this bill. So a 1 percent cut is very meaningful in this bill.

That doesn't mean that 1 percent cuts in other areas aren't meaningful, too. They are.

There is no single other area that is as important, fiscally, as this area, and I think it would set a positive tone for reining in out-of-control spending.

There are many accounts that are funded at levels above President Trump's request. So if the gentleman is saying somehow that this cut would leave anybody unprepared, he is basically saying that President Trump's budget would leave the military unprepared or leave people poorly equipped.

The truth is there are many of us who support vastly lower spending levels and believe that those are sufficient for national defense. That is not even what this amendment does. It simply reduces spending just over \$6.2 billion. It still blasts through the budget cap.

Mr. Chair, the ranking member has indicated that he supports this bill, and I deeply respect his expertise in military preparedness. I encourage my colleagues to unanimously adopt my amendment.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield 30 seconds to the gentleman from Georgia (Mr. JODY B. HICE).

Mr. JODY B. HICE of Georgia. Mr. Chairman, I rise in strong opposition to this amendment.

As we all know, over the past 8 years, the world certainly has become a more

dangerous place, and we face a variety of threats that, quite frankly, we are not keeping pace with, and we simply cannot continue a pattern of underfunding our military.

Yes, we must keep our financial house in order, but we absolutely cannot afford to allow the quality of our national defense to decline by further defense budget cuts.

Mr. Chair, I urge my colleagues to oppose this amendment.

Mr. THORNBERRY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I oppose this amendment. I am concerned about a growing notion that we can thank servicemembers for their service but then somehow not provide them everything they need to do their job, that we can continue to allow them to have airplanes that don't fly, ships that can't sail, not having the readiness they need to prepare for the missions we send them on. As the gentleman from Ohio said, that hurts people, and, unfortunately, that is what has happened in recent years.

Mr. Chairman, defense spending this year is still 18 percent below what it was in 2010. So what has happened is we have cut the defense budget while the threats that we send our military out to keep us safe from have grown. And remember, 2010 was before Russia invaded Crimea, before China started building islands in the South China Sea, before ISIS even existed.

This budget that is before us does not fix all our problems. It is a start, and I think it is about as much as we can do in a single year. But even if this bill passes, we are not up to 2010 levels; we have not made up the ground that we have lost.

I believe that the men and women who serve deserve our best. This bill, I believe, comes close to providing our best to them this year. It should be supported, and this amendment should be rejected.

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

The CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. POLIS. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. JAYAPAL

The CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 115–212.

Ms. JAYAPAL. Mr. Chairman, I rise as the designee of the gentleman from Wisconsin, and I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 451, after line 6, insert the following:  
**SEC. 1073. SENSE OF CONGRESS REGARDING INVESTING IN THE HOMELAND TO ADVANCE NATIONAL SECURITY.**

(a) FINDINGS.—Congress makes the following findings:

(1) A strong and safe homeland rests on the health and wellbeing of America's communities.

(2) Federal non-defense discretionary spending provides health care for our veterans, research to tackle cancer, safe highways, airports and waterways, economic security for families in need, and robust law enforcement.

(b) SENSE OF CONGRESS.—It is the sense of Congress that any increase to the combined amount authorized to be appropriated for National Defense Budget (Function 50) and Overseas Contingency Operations should be matched—dollar for dollar—with increases in the annual amounts authorized to be appropriated for the Federal non-defense discretionary budget, which makes investments that are essential to the national security of the United States.

The CHAIR. Pursuant to House Resolution 431, the gentlewoman from Washington (Ms. JAYAPAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. JAYAPAL. Mr. Chairman, the reality is that our economic security is part and parcel of our national security, and so it is in line with these values today that we introduce Amendment 334 to the National Defense Authorization Act, which states a sense of Congress that any appropriated increase to the combined national defense budget and the overseas contingency operations budget are matched dollar for dollar by nondefense discretionary spending increases.

For years now, these spending increases have occurred concurrently and equally, keeping important parity between defense and nondefense discretionary spending. Because genuine national security depends on the health, vibrancy, and safety of our communities, we must ensure that the spending parity continues and that this Democratic Party principle carries on into fiscal year 2018.

Nondefense discretionary spending includes a host of funds that are crucial to the American people, from education to research, to veterans' healthcare, to transportation and even homeland security. NDD funding is absolutely essential to moving our country forward.

Mr. Chairman, as vice ranking member of the Budget Committee, I echo the comments made earlier by our ranking member, Mr. SMITH, about the dysfunction that we have, as we have yet to consider a fiscal year 2018 budget resolution, and we have only 23 legislative days before the new fiscal year begins.

The effort to push through \$696 billion in defense spending will trigger sequestration under the Budget Control Act, and our communities will pay the

price in cuts to vital programs. This is senseless brinksmanship, and we must reject it.

Sequestration would, further, hinder job creation and stall economic growth by cutting \$2 trillion in discretionary spending for infrastructure that makes our communities thrive: roads, bridges, transit, railroad systems, broadband, ports, airports, waterways, schools, and safe, clean water systems. It will erode our investments in education, worker training, public health, and community development that strengthen the middle class and working families; and these shortfalls, Mr. Chairman, will hurt the American people and our economy and make us less secure as a nation.

Budgetary gimmicks don't make our Nation safer either, and that is why in the People's Budget, which we introduced in the Progressive Caucus, the overseas contingency operations budget is actually zeroed out, as it is essentially a zero accountability slush fund used to avoid the restrictions imposed by the Budget Control Act.

Some have pointed out that \$10 billion of the \$631.5 billion for the military base budget needs is actually labeled OCO purely as a technicality to evade the Budget Control Act caps. This is in addition to the clearly marked \$65 billion of OCO funds.

By including OCO funding one-to-one match in our amendment, we are sending a message that we will not accept these efforts to undermine the best interests of our country and its people.

Increasing opaque funding sources comes at the expense of our Nation's infrastructure programs, education, and all the other things that I mentioned earlier. So to the extent that Congress provides relief from the post-sequestration funding levels for our military, responsible Members of this body should be united in insisting that the same relief would apply to domestic discretionary spending. This amendment underscores the reality that economic security is national security.

For these reasons, and to support the continuation of this important principle, we urge support of this amendment.

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

Mr. THORNBERRY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. I yield myself 2 minutes.

Mr. Chairman, in some ways, I think this may be one of the most important debates we have in the next 3 days because the question is whether our support for the men and women who serve in the military is conditional or not. Will we only repair the planes they fly, will we only fix the ships they sail if, and only if, exactly an equal amount

will be added to domestic spending programs.

□ 2100

Will we only provide for military spouses for their needs? Will we only take care of wounded warriors for their increased needs if, and only if, an exact amount, the exact dollar for dollar, is added to domestic programs?

That holds the military hostage to a domestic political agenda, and I think that is fundamentally wrong at every level. These men and women go out and risk their lives to keep us safe, yet they not only have to worry about North Korea up on the DMZ, they not only have to worry about ISIS in Syria, they have to worry about whether we will pass some domestic program if we are going to adequately provide for them.

The Constitution says it is Congress' responsibility to provide for the military without condition. This sort of approach, saying, "We will only do this for the military if, and only if, we get what we want on domestic programs" breaks faith with the men and women who serve. It is wrong at every level.

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

Ms. JAYAPAL. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentlewoman from Washington has 1½ minutes remaining.

Ms. JAYAPAL. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. Mr. Chairman, there is nothing political about a domestic agenda, and this isn't conditional on additional money being spent. In fact, the chairman has got it exactly flip-flop.

The money that we are providing for the armed services at this point, the extra money, is conditioned on cutting it from everything else. As we saw in President Trump's budget, \$54 billion-plus up for defense and \$54 billion taken away from the domestic agenda.

And it is beyond insulting to say that if you support any sort of domestic spending, you don't care about the troops. That being concerned about transportation and infrastructure, which, by the way, bridges have collapsed and killed people in this country because of the problems with our transportation and infrastructure.

The Department of Homeland Security is part of nondefense discretionary spending. Does it not protect us? We have heard from the President it does.

The State Department is also part of nondefense discretionary spending, where we have heard from the Secretary of Defense that it saves lives.

So for our committee—the Armed Services Committee to say, "We are all that matters, to hell with everything else; and if you care at all about transportation or domestic agenda, you don't care about the troops," that is

what is an incredibly disingenuous argument.

Mr. THORNBERRY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I think all of us care about domestic spending programs. I certainly do. And I am not for the cuts that were proposed by the administration. That is what we are here to do and decide.

What I am opposed to is the sense of Congress that every dollar we increase in defense has to be matched by an increased dollar on the domestic side. That makes it conditional. That makes it tied to a domestic political agenda on the EPA, the IRS, education, transportation, whatever it is.

My point is that all of those things need to stand on their own merits. Defense needs to stand on its own merits, support for our military needs to stand on its own merits, having planes that fly and ships that sail and adequate funding for our troops and their families stand on their own merits.

It cannot be conditional upon whether or not this Congress or this President agrees on other spending items. They need to stand on their own two feet, too. But it is absolutely wrong to say we will only support these military folks if we get what we want on the domestic side.

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

Ms. JAYAPAL. Mr. Chairman, I have to say that this is conditional because we still don't have a budget resolution. So in the absence of a budget resolution, the reality is we are looking at a budget that could potentially raise \$676 billion for defense, but at the expense of all of the other programs that we have mentioned.

And the reality is that families in the armed services also care about education, about healthcare, about roads, and about everything else that is funded in domestic spending. So we have to make sure that these two things are interconnected. And, yes, we have got to make sure that the State Department is funded and that we continue to push for a budget that keeps parity between defense and nondefense discretionary.

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

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Tennessee (Mr. DESJARLAIS), a valuable member of our committee.

Mr. DESJARLAIS. Mr. Chairman, no one can deny we have a readiness issue within our military due to funding shortfalls. This comes at a time when we are facing unprecedented threats all over the globe. Our Constitution makes it clear that our top priority and duty is to provide for the common defense.

In World War II, Americans willingly rationed whatever was necessary to support the war effort and our troops.

It would have been unthinkable—for someone to suggest that our military could not have the resources necessary to defeat our enemies, unless we had equal spending for everything else. Simply put, we would have lost the war and our freedom.

We cannot lose sight or take for granted our Nation's safety and security. Without it, the rest of the discretionary budget really doesn't matter so much.

I fear America has lost its way if we live in a culture that would suggest that we can't support our most vital obligation without equal financial representation of our other government expenditures.

I urge my colleagues to give our full support to the men and women in uniform, support the underlying bill, but oppose this amendment that adds unnecessarily to our debt and further threatens our ability to keep our Nation safe for the remaining threats we face.

Mr. THORNBERRY. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Washington (Ms. JAYAPAL).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. JAYAPAL. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. NADLER

The CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 115-212.

Mr. NADLER. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In division A, strike section 1022 (relating to prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba to the United States).

The CHAIR. Pursuant to House Resolution 431, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment will strike section 1022 of the bill that prohibits the transfer or release of prisoners from Guantanamo Bay, Cuba, to the United States.

We are currently imprisoning 41 people at Guantanamo, 26 of whom are being detained indefinitely without charge or trial, with no proceedings, no hearings, and no opportunity to plea their case, essentially forever.

Beyond existing as an affront to fundamental American values, Guantanamo is a dangerous counterproductive relic of the past. National security experts and our own military commanders agree that Guantanamo harms our national security by serving as a recruiting tool for terrorists and damaging our relationships with allies.

Furthermore, it is increasingly difficult to justify the annual cost of holding each Guantanamo detainee, which is now climbing to an incredible \$10 million a year per detainee. Guantanamo is now the most expensive prison on Earth, costing U.S. taxpayers approximately \$445 million per year. This is especially disappointing when you consider that each prisoner in Federal maximum security penitentiaries costs only \$78,000 a year. Not only does our refusal to close Guantanamo diminish our legal and ethical reputation throughout the world, it also costs American citizens astronomical sums of money for no purpose.

We have made excellent progress towards reducing the numbers of prisoners, and we should continue to do so. About 35 percent of released prisoners were confirmed or suspected of returning to the battlefield during the Bush administration. But the Obama administration developed a robust framework to ensure released detainees were more closely supervised to reduce the likelihood of a return to the battlefield.

The Bush administration struck diplomatic bills to repatriate large batches of prisoners to countries like Saudi Arabia and Afghanistan in bulk, and many recidivists came from those batches.

By contrast, the Obama administration developed an individualized review process by six agencies to determine whether to recommend transferring a detainee. Over time, it also developed more careful diplomatic and monitoring plans with receiving countries to ease a prisoner's reintegration into that country's society.

When the first detainees arrived at Guantanamo in January 2002, America was still reeling from the 9/11 attacks, and the war in Afghanistan had only just begun. Yet, 15 years later, it is clear that the war on terror has dragged on for too long, as we have expanded our involvement in costly clashes in Yemen, Somalia, and Syria. In doing so, we have embroiled ourselves in needless, endless conflict, without an exit strategy or a clear strategy for success.

The recent vote for Congresswoman BARBARA LEE's amendment to repeal the 2001 Authorization for Use of Military Force in the House Appropriations Committee demonstrated that Congress is finally realizing a blank check for perpetual war must be reevaluated and reconsidered.

Similarly, as we reconsider the 2001 AUMF, I look forward to working to-

gether in a bipartisan manner to close the Guantanamo prison, reevaluate our approach to these detainees, and close another dark and sad chapter that has damaged our national honor.

Guantanamo's continued operation provides a momentous challenge to the founding principles of the United States, that no person may be deprived of liberty without due process of law, and certainly may not be deprived of liberty indefinitely without due process of law, and for each day that its doors remain open, it becomes increasingly difficult for our Nation to claim the moral and ethical high ground.

We must close the detention facility at Guantanamo now, and this amendment will help us achieve that goal.

Mr. Chairman, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. WENSTRUP. Mr. Chairman, I claim the time in opposition to the Nadler amendment.

The CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. WENSTRUP. Mr. Chairman, the Nadler amendment would allow detainees currently housed at GTMO to be transferred to the United States. As in previous conflicts, it is appropriate and lawful to hold detainees that we engage in our armed conflicts.

Guantanamo is the safest and most appropriate location to house these detainees. Members can visit there. It is secure and relatively distant from the United States.

Moving to the U.S. puts our homeland and citizens at risk. Our enemies have, when able, attacked and, on occasion, freed detainees, even committing suicide to do it. I have seen the attempts. I have served in Iraq at a detention facility.

And as far as Guantanamo being a recruitment tool, it might just be a recruitment tool, and here is why. Because if you are caught trying to kill Americans and committing acts of terrorism, you get to go to a Caribbean island that provides humane conditions for the detainees. Go visit there and you will see that. They have appropriate access to healthcare, the same healthcare that our troops get. They have recreational activities, and they have cultural and religious materials.

But, more important than anything else, our troops, and the detainees that they hold there, are all safer in Cuba. It is very difficult to sneak up and attack Guantanamo Bay.

The recent terrorist attacks in Europe should remind us all that there is significant risk, and that we face significant risk in this world. Yes, we wish the war on terror was over. But guess what. It is not.

This would only increase the risk right here in our own backyards. Congress has passed, and the President has signed into law, restrictions on Guantanamo detainee transfers to the U.S.

every year since fiscal year 2010. To house these terrorists, these enemies of freedom on our own land is dangerous. I ask for your support in defeating this amendment.

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

Mr. NADLER. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentleman from New York has 1¼ minutes remaining.

Mr. NADLER. Mr. Chairman, I yield myself 15 seconds.

I will simply observe that this amendment prohibits the President from transferring prisoners.

Do you really think that Donald Trump, the current President, needs the prohibition that he would transfer prisoners to maximum security prisons in the United States if it weren't safe to do so?

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

Mr. WENSTRUP. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska (Mr. BACON), my friend and colleague.

Mr. BACON. Mr. Chairman, I rise today in strong opposition to this amendment.

I can attest unequivocally, based on firsthand knowledge, that this latest attempt to transfer detainees at Guantanamo Bay is strategically unwise and, I believe, morally wrong. None of the arguments in favor of transferring these prisoners are defensible militarily, legally, or financially.

We are in a war and these prisoners were captured on the battlefield. There is no hard evidence to support the argument that Guantanamo is a decisive recruiting tool, and is extremely naive to believe that closing it would somehow magically change the hearts and minds of our enemies. We could disarm and renounce every interest we have and they would just invent another reason to attack us.

The truth is that many of these prisoners are the worst of the worst, yet they are treated better than many of our own veterans. And here is the key point: prisoners released from Guantanamo have killed Americans in the past and, if given the chance, will gladly do so again, a fact openly conceded by officials in the Obama administration itself.

We do not want the blood of Americans killed by these terrorists in custody today on our hands.

Mr. NADLER. Mr. Chairman, it costs the American taxpayer \$10 million a year per detainee to keep a detainee in Guantanamo. To keep that same detainee in a Federal maximum security penitentiary in the United States would cost \$78,000. That is a ridiculous waste of our military budget. Nobody has ever escaped from a Federal maximum security prison.

□ 2115

Transferring these prisoners to Federal maximum security prisons in the

United States would pose no danger to anybody.

And yes, some of these prisoners may be the worst of the worst. Many are not. They were not all caught on the battlefield. Some of them were sold for bounties by people in different tribes or groups in Afghanistan. Some of them were not captured on battlefields at all. Some of them are innocent; some are not.

But to keep them in Guantanamo for \$10 million each per year with no possibility of getting out is an affront to our values. It is an affront to our liberties. It is an affront to our military budget and to our pocketbooks, and it is, frankly, plain foolish.

I yield back the balance of my time.

Mr. WENSTRUP. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Ms. STEFANIK), my friend and colleague.

Ms. STEFANIK. Mr. Chairman, I rise in opposition to Mr. NADLER's amendment, which strikes language that prohibits the use of funds to transfer or release Guantanamo Bay detainees to the United States.

As we are all aware here today, GTMO holds some of the world's most dangerous and heinous terrorists, individuals who are responsible for and are ideologically committed to killing Americans at home and abroad. They are responsible for killing our men and women in uniform.

Transferring these terrorists to the United States, where constitutional protections and immigration law may apply, puts our national security at risk and hinders our intelligence-gathering ability.

Today, we remain in a war against al-Qaida and all associated forces. It is the responsibility of Congress to do everything in our power to provide the resources and authorities to win that war, and transferring Guantanamo Bay detainees to the United States undermines these efforts. Therefore, I strongly urge my colleagues to oppose this amendment.

Mr. WENSTRUP. Mr. Chairman, I yield 1 minute to the gentleman from Alabama (Mr. BYRNE), my friend and colleague.

Mr. BYRNE. Mr. Chairman, I oppose the gentleman's amendment. We have debated this issue for years now, and every year we successfully maintain the prohibition on transferring dangerous detainees out of GTMO.

It is important to remember that most of the 41 remaining prisoners are very dangerous. The language in the underlying bill is required to keep the American people and our allies safe.

One of the main goals of Guantanamo Bay is to keep these terrorists from returning to the battlefield. Sadly, it has become clear that some of the detainees released have returned to the field to fight the United States.

We ask our servicemembers to put their lives on the line each and every

day in order to keep the American people safe. How can we ask them to do that, while knowing that we are releasing cruel, brutal terrorists back to the battlefield? It would be reprehensible.

I urge my colleagues to oppose the amendment and protect our servicemembers and the American people.

Mr. WENSTRUP. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Chair announced that the yeas appeared to have it.

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. NADLER

The CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 115-212.

Mr. NADLER. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In division A, strike section 1023 (prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba).

The CHAIR. Pursuant to House Resolution 431, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I will not take 5 minutes. This amendment will strike section 1023 of the bill that prohibits the use of funds to construct or modify facilities in the United States for Guantanamo detainees. The provision is simply designed to further delay the transferred detainees out of Guantanamo and is unnecessary and counterproductive.

The arguments for this amendment and against it are essentially the arguments for and against the previous amendment that we just went through. That amendment prohibited the use of funds to transfer prisoners. This amendment prohibits the use of funds—this provision, rather, prohibits the use of funds to construct facilities in the United States to receive such transferees. It is essentially the same pros and cons.

I just want to mention, though, that yes, some of those detainees may be the worst of the worst, but they will still be detained. But some of them are not. They are people who were caught up in bounty situations where they were sold for money because we were giving a bounty if someone claimed that so and so had been in combat against us, but we didn't really know.



We now know mistakes were made. We may choose to say some of these people can go home, and others can stay in the United States. It is simply, again, a question that we shouldn't be spending \$10 million a person, instead of \$78,000 a person, to hold them in secure facilities.

The other thing that Ms. STEFANIK of New York said I must comment on, she said we are holding people in Guantanamo because if we transfer them to the United States they will enjoy the constitutional rights of prisoners in the United States, and that we don't want to do, for whatever reason. She didn't say.

But the fact of the matter is, Guantanamo was built for that purpose because it was thought by the Bush administration initially that people held outside of the Continental United States, in Guantanamo, which is in Cuba, not the United States, would not enjoy constitutional rights, could not use the writ of habeas corpus and other things.

However, a series of Supreme Court decisions said that was wrong. The prisoners held in Guantanamo Bay have the same constitutional rights as prisoners held in prisons in the Continental United States, so there is no difference on that whatsoever. You can look up the Supreme Court decisions. They are not secret.

And what it comes down to is a prejudice against holding people here because of a ridiculous fear that people will escape from maximum security prisons, which no one has ever done in the United States, and we can't hold dangerous terrorists here, and we shouldn't release terrorists.

But nobody is talking about releasing terrorists. And you can hold dangerous terrorists and dangerous mobsters, dangerous all kinds of people, in maximum security facilities in the United States.

There are really two things we should do: bring them to maximum security facilities in the United States because it saves a lot of money and because it removes a major recruiting tool for our enemies abroad. And, within constitutional rights, people should have the opportunity to have a hearing.

What is most offensive is not that they are at Guantanamo, as opposed to some prison in the United States, what is most offensive is that we are holding some people without any hearing, without any due process, essentially forever.

And yes, we have held people as prisoners of war during the pendency of a war. But we don't claim these people are prisoners of war. We don't give them the rights of prisoners of war. We are just holding them. I am not sure how we are holding them, but we are holding them with no claim of any kind of due process, with no finding

that they have, in fact, been terrorists in an individual case; and that is just against all American values.

I reserve the balance of my time.

Mrs. HARTZLER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentlewoman from Missouri is recognized for 5 minutes.

Mrs. HARTZLER. Mr. Chairman, I rise in strong opposition to this irresponsible amendment that allows the construction of facilities in the U.S. to house detainees, and I urge my colleagues to vote "no." We are still at war with terrorism, and the law of war affirms that detainees can properly be held off the battlefield for the duration of the hostilities.

Both Republican and Democrats have repeatedly rejected bringing terrorists detained at Guantanamo Bay to the United States. It would be a negligent act to transfer highly dangerous terrorists, such as mastermind of 9/11, to U.S. soil to be housed near our neighborhoods and near our families.

The gentleman said that these, they are not the worst of the worst, that some people are just, you know, caught up perhaps, and they are there. That is not true. I have been there multiple times. At this point, we only have 41 left, and they are the worst of the worst. There is no one left who you might even claim was just caught up and accidentally arrested. That is false.

Like I said, I have visited multiple times to see firsthand the threats facing our country, and the detention procedures carried out at that facility.

It does not make sense to build a new facility to spend our precious defense dollars here to house terrorists when we already have adequate, very safe facilities at Guantanamo where they are being treated humanely. It is legal and transparent. It is a remote location. It is away from the battlefield and away from our loved ones.

So I urge my colleagues to vote "no," and I reserve the balance of my time.

Mr. NADLER. Mr. Chairman, I reserve the balance of my time.

Mrs. HARTZLER. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. YOHIO).

Mr. YOHIO. Mr. Chairman, you will hear, and you have already heard, in favor of the Nadler amendment, such as GTMO is contrary to American values; detainees can be held safely at less cost in the U.S. prisons, and GTMO is a recruiting tool for terrorists.

Points against the Nadler amendment: the number one task of the Federal Government is to provide for the common defense and security of the United States of America and American citizens.

Americans are safer with detainees in Guantanamo versus the homeland.

GTMO is the safest and most appropriate location to hold detainees. It is appropriate and lawful to hold detain-

ees until all al-Qaida and associate forces are defeated.

The law for war detainees, including GTMO detainees, states that they cannot be commingled with Federal prisoners, thus requiring separate facilities costing hundreds of millions of dollars.

Evidence of the use of Guantanamo as a recruiting or propaganda tool is conjecture, subjective, and inconclusive.

Terrorists will continue to attack whether GTMO exists or not. Terrorists will invent any excuse to attract new recruits.

I will not support this.

Mr. NADLER. I reserve the balance of my time.

Mrs. HARTZLER. Mr. Chairman, I yield 1 minute to the gentleman from Mississippi (Mr. KELLY), my friend and colleague.

Mr. KELLY of Mississippi. Mr. Chairman, I rise in opposition to this amendment. Earlier this year, I had the opportunity to travel with Chairwoman HARTZLER to Guantanamo Bay to see firsthand the important work our military men and women stationed there are doing for our national security.

As representatives of the people, we have been given a duty by the American people to provide for our common defense, and that includes appropriately detaining suspected terrorists.

According to the March 2017 Director of National Intelligence report, it estimated 29 percent of former GTMO detainees are confirmed, 17 percent of those, or suspected, 12 percent, of re-engaging in terrorist or insurgent activities. The ones we hold now are the 41 worst of the worst, including KSM, and we cannot allow them back onto the battlefields.

These people do not need to be housed on U.S. soil. GTMO is the most appropriate and safest place to hold these detainees.

They live better than I lived both of my tours in Iraq in 2005 and 2009 and 2010.

I urge my colleagues to oppose this amendment.

Mr. NADLER. Mr. Chairman, I reserve the balance of my time.

Mrs. HARTZLER. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Chairman, I thank Congresswoman HARTZLER for her leadership, and I thank her for this opportunity to speak on this misguided amendment.

I have visited Guantanamo Bay twice, and I know firsthand the detainees at Guantanamo Bay are the worst of the worst, terrorists who are conspirators of Osama bin Laden, trained mass murderers, and extremists who have a sole intention of killing Americans.

We have also seen that releasing terrorists from Guantanamo puts American families at risk. In a report last

year, the Director of National Intelligence from the prior administration was clear that at least 116 detainees, nearly one-third, released from Guantanamo have returned to the battlefield to kill American families.

As we have seen from the proliferation of terrorists around the world, from Algeria and North Africa, through the Middle East, across to South Asia and the Philippines, the deterrence of incarceration at Guantanamo Bay has never been more important. I urge all of my colleagues to reject this amendment.

Mrs. HARTZLER. Mr. Chairman, I have no additional speakers, and I reserve the balance of my time to close.

Mr. NADLER. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentleman from New York has 1 minute remaining.

Mr. NADLER. Mr. Speaker, first of all, no one is proposing to release these people, although some probably should be released, but no one is proposing that, so take that red herring off the table.

Second of all, I, too, have visited Guantanamo, and I don't know how you tell by visiting Guantanamo that these prisoners are the worst of the worst, or not, just by looking at them.

Thirdly, again, they have the same constitutional rights there as here, so you are not changing anything. And bringing them to maximum security facilities in the United States, while it may cost some money if you had to increase the facilities first, instead of spending \$445 million, or \$10 million a detainee, you would be spending \$78,000 a detainee, which would free up your military budget, part of it, for other things.

There is simply no rational reason for keeping these people in a military base in Guantanamo which simply serves as a recruiting tool and a measuring rod for our enemies abroad. So again, I urge the adoption of this amendment.

I yield back the balance of my time.

□ 2130

Mrs. HARTZLER. Mr. Chairman, how much time do I have?

The CHAIR. The gentlewoman has 1 minute remaining.

Mrs. HARTZLER. Mr. Chair, I urge my colleagues to vote "no" on this amendment. It is not a wise use of our tax dollars to build new facilities here like the gentleman wants to do to detain terrorists when we already have adequate facilities that are doing a great job right now at Guantanamo Bay. We need to keep our terrorists there, away from our families, away from our communities.

Mr. Chair, I urge my colleagues to reject this amendment and to vote "no," and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The amendment was rejected.

AMENDMENT NO. 8 OFFERED BY  
MR. BLUMENAUER

The CHAIR. It is now in order to consider amendment No. 8 printed in part B of House Report 115-212.

Mr. BLUMENAUER. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 505, line 21, strike "The" and insert "Subject to the limitation in subsection (c), the".

Page 506, after line 14, insert the following new subsection:

(c) LIMITATION.—The program of record in subsection (a) shall not be established, and none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for this section may be obligated or expended, until—

(1) the Secretary of Defense certifies to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives that—

(A) a Nuclear Posture Review has been completed after January 20, 2017;

(B) a ground-launched intermediate-range missile is the preferred military system, in terms of cost, capability, and command, control, and communications arrangements, for ensuring that the North Atlantic Treaty Organization's overall deterrence and defense posture remains credible, flexible, resilient, and adaptable in the face of a deployed Russian ground-launched intermediate-range missile; and

(C) a ground-launched intermediate-range missile is the preferred military system for maintaining strategic stability with the Russian Federation at reasonable cost, while hedging against potential technical problems or vulnerabilities; and

(2) the Secretary of State certifies to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives that—

(A) the program of record established in subsection (a), and the expenditure of funds to research or develop such a ground-launched intermediate-range missile, is necessary to the Secretary of State's efforts to verifiably return Russia to full compliance with the INF Treaty;

(B) at least one NATO Member State government, within a range appropriate to provide counterforce capabilities to prevent intermediate-range ground-launched missile attacks against any NATO Party or to provide countervailing strike capabilities to enhance the forces of the United States or allies of the United States, has completed the necessary legal and constitutional requirements for an agreement to host a ground-launched intermediate-range missile; and

(C) the North Atlantic Council has endorsed the deployment of a ground-launched intermediate-range missile.

The CHAIR. Pursuant to House Resolution 431, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chair, my amendment deletes language in this bill that would mandate a program of

record, green lighting this proposal for road-mobile, ground-launched cruise missiles with ranges that, if tested or deployed, would violate the United States' obligations under the Intermediate-Range Nuclear Forces Treaty.

For more than four decades, the United States and Russia have worked through bilateral agreements to reduce their nuclear weapons stockpiles, saving money, and making the world safer.

Presidents Ronald Reagan and George H. W. Bush were at the forefront of this effort with the START I and START II treaties.

There is a longstanding precedent of carefully negotiating these treaties in a bipartisan fashion because these leaders knew that a world with less of these weapons meant a safer world for all of us.

Yet over the last several years, our nuclear weapons proliferation has continued on autopilot. Right now we are on track to spend \$1.2 trillion on unneeded nuclear weapons. In fact, the Pentagon has concluded that already the United States' security needs could be met with one-third fewer strategic warheads deployed than New START limits of 1,550.

We can and should safely right-size the arsenal as envisioned by Ronald Reagan and the first President Bush. That is why these treaties are so important. They hold us and our adversaries accountable.

We see some confusing signals from the administration, at times appearing to favor nuclear escalation, but at the same time being deeply concerned about managing costs.

President Trump has demonstrated a lack of clear understanding of these treaties, but even his administration is fearful that the language undermining the treaty in this bill "unhelpfully ties them to a specific missile system."

Congress should be playing a lead role in getting us back on track with smarter defense spending, not working to abandon this nuclear nonproliferation legacy that Ronald Reagan and Bush, Sr., fought so hard for.

We can't simply fund every weapons program on the list while fulfilling other critical obligations like providing for our military personnel, ensuring we have adequate cybersecurity protections, strengthening our command and control infrastructure, not to mention our non-Defense Department programs like foreign assistance and diplomacy.

We have a poor track record when it comes to carefully managing and budgeting implementation of our weapons programs.

The House continues this poor record now. Why would we establish a program of record for something that our military, our diplomats, and our NATO allies haven't asked for?

Rather than rushing to adopt this program and abandoning a key international treaty in the process, let's

think this through. Let's do our homework to make sure our allies, the Departments of Defense and State are all on the same page, and develop a coherent approach to bring Russia back into compliance, rather than throw money at yet another unnecessary weapons program and undercut that regime.

This takes our eye off the ball and could have unintended and, I think in some instances, devastating consequences.

Mr. Chair, I strongly urge my colleagues to vote in support of this amendment for smarter defense spending and the protection of a landmark treaty that is part of the legacy of Ronald Reagan and George H. W. Bush.

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

Mr. ROGERS of Alabama. Mr. Chair, I claim the time in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Chair, I thank the gentleman, Mr. BLUMENAUER, for his amendment, although I urge its defeat.

I start off with pointing out that both the Obama administration and the Trump administration have decided the fact that Russia is in violation of the INF Treaty, and neither of those administrations have indicated any belief that Russia will come back into compliance.

But having said that, I want to say I am troubled that the gentleman would want to provide a veto on the development of a system that hasn't been developed, much less deployed. The gentleman is worried about deployment of a system that we still don't have developed yet. And hopefully it won't be deployed when it is completed.

That is really the function of whether Russia comes back into compliance. General Selva, the vice chairman of the Joint Chiefs of Staff, testified before the HASC in March: "They do not intend to return to compliance absent some pressure from the international community and the United States as a cosigner of that same agreement. There is no trajectory in what they are doing that would indicate otherwise."

The development of this system that we are talking about here today is that very pressure that General Selva was referencing. This kind of development got the Russians to the table on the INF Treaty anyway, but they are violating the treaty. And that doesn't just matter to Europe. It matters to Asia, which is completely ignored by the gentleman's amendment. And Asia matters on INF. Why? Because 95 percent of China's missiles are in INF range.

The commander of PACOM has testified that he has requirements for intermediate-range missile capability in Asia, "the aspects of the INF Treaty that limit our ability to counter Chinese and other countries' land-based missiles, I think is problematic."

We didn't conjure the idea of a ground-launched cruise missile out of thin air. The U.S. Army reported that introducing intermediate-range ground-launched missiles into the land domain provides military value across the range of the joint military operations and provides a land-based counter to our adversaries' anti-access area denial capabilities.

This report was required by the HASC last year as a part of our multiyear oversight on how to respond to Russia's violations of the INF Treaty, which the prior administration did nothing to challenge.

I appreciate the gentleman's interest. I will gladly work with him on ways to counter Russia's violations of the treaty, but I must urge defeat of this well-intentioned but poorly conceived amendment.

Mr. Chair, I urge support of the bipartisan approach taken by the House Armed Services Committee in sections 1244 and 1245, and I urge a vote "no" on the Blumenauer amendment.

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

Mr. BLUMENAUER. Mr. Chair, may I inquire as to the amount of time I have remaining?

The CHAIR. The gentleman from Oregon has 1 minute remaining.

Mr. BLUMENAUER. Mr. Chair, the question is how to get Russia into compliance. Walking away from our obligations? I think not.

The amendment allows going ahead if the Department of Defense certifies to Congress that it has completed a new nuclear posture review to make sure this program fits in the overall strategy; that it certifies that it prefers this program to ensure that NATO's overall deterrence and defense posture remains credible; that the Department of Defense certified it prefers this missile for maintaining strategic stability; that State certifies the program of record is necessary to help verifiably return Russia to compliance; that at least one NATO member state has proven it is serious about hosting the missile; and State certifies that the full Atlantic Council has endorsed deployment of this missile.

Those are the conditions in the amendment, and I would think they are reasonable conditions that the gentleman should not object to. If he truly believes in the merit of his argument, there is no reason that that cannot be complied with. And if not, it should not proceed.

The CHAIR. The time of the gentleman has expired.

Mr. ROGERS of Alabama. Mr. Chair, again, I want to remind the gentleman that nobody has indicated that Russia has any intention—they see no signs that Russia has any intention of coming back into compliance.

I think this is poorly thought out. We need to go forward and not be giving

veto to other people about what weapon systems we can start developing.

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

The CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. BLUMENAUER. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. WILSON OF SOUTH CAROLINA

The CHAIR. It is now in order to consider amendment No. 9 printed in part B of House Report 115-212.

Mr. WILSON of South Carolina. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle G of title XII, add the following new section:

**SEC. 12 . RESTRICTION ON FUNDING FOR THE PREPARATORY COMMISSION FOR THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY ORGANIZATION.**

(a) STATEMENT OF POLICY.—Congress declares that United Nations Security Council Resolution 2310 (September 23, 2016) does not obligate the United States nor does it impose an obligation on the United States to refrain from actions that would run counter to the object and purpose of the Comprehensive Nuclear-Test-Ban Treaty.

(b) RESTRICTION ON FUNDING.—

(1) IN GENERAL.—No United States funds may be made available to the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization.

(2) EXCEPTION.—The restriction under paragraph (1) shall not apply with respect to the availability of United States funds for the Comprehensive Nuclear-Test-Ban Treaty Organization's International Monitoring System.

The CHAIR. Pursuant to House Resolution 431, the gentleman from South Carolina (Mr. WILSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. WILSON of South Carolina. Mr. Chairman, I yield myself such time as I may consume.

I thank the Chair for the opportunity to speak on the amendment to restrict the funding from the Comprehensive Nuclear-Test-Ban Treaty Organization while still providing funds for the international monitoring system.

The purpose is simple. Congress never ratified the Comprehensive Nuclear-Test-Ban Treaty. It is irresponsible to the taxpayer and contradictory for the United States to financially support an organization that the United States has never officially joined or contributed funds for a treaty that was never enacted.

The amendment clearly continues to fund the international monitoring system to improve our global and nuclear detection capability, and returns us to the longstanding responsible policies from President George W. Bush's administration.

This amendment makes it clear that protecting American families is the job of Congress, not an unaccountable international body. As we see a rise in threats around the world, our nuclear deterrence capability is crucial to promote our ability to preserve peace. It is also important that the United States does not require adherence to this treaty in order to continue our self-imposed moratorium on testing nuclear weapons of any size or of any kind.

However, as we live in a world of increasing threats, we should not bind the United States to an agreement that other nuclear powers like China and Russia do not adhere to.

The Comprehensive Nuclear-Test-Ban Treaty has never been enacted so there is no change in policy or outcome by supporting this amendment, just a saving of taxpayers' dollars.

Mr. Chair, I urge passage of this amendment, and I reserve the balance of my time.

Mr. FOSTER. Mr. Chairman, I rise in opposition to this amendment.

The CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. FOSTER. Mr. Chairman, I yield myself such time as I may consume.

As the only physicist in the U.S. Congress, I feel a special responsibility to speak out on the importance of strengthening our global nuclear security architecture. At a time when it is more important than ever for the security of the United States to reinforce international norms against nuclear testing, we are here debating an amendment that would restrict the ability of a key international institution to monitor nuclear weapons, and, in fact, is designed to undercut prospects for either eventual ratification or even continued adherence to the Comprehensive Nuclear-Test-Ban Treaty.

The Comprehensive Nuclear-Test-Ban Treaty Organization Preparatory Commission is tasked with establishing a verification regime to monitor compliance with the comprehensive ban on nuclear explosive testing.

If enacted, this amendment would send the wrong signal to the world, deliberately risking an opening for the resumption of unrestricted nuclear testing by many nations on Earth, which would be a national security disaster for the United States.

□ 2145

During the debate on the Iran nuclear agreement, I received more than a dozen classified briefings, many of them individual classified briefings by our weapons experts who supported the negotiating team. At that time, I spent

a lot of time putting myself in the place of a terrorist or proliferating nation, and I came to understand the overwhelming technical advantage that the United States possesses today over both other nuclear states, and any potential proliferation state, because we conducted more than 1,000 nuclear tests from 1945 to 1992, more than all other countries on Earth combined.

Many of those tests were extensively instrumented and have provided us with the ability to accurately computer model and evaluate the performance of nuclear weapons without the risk to safety and to the environment. This is why no official of the Department of Energy, Department of Defense, or any other of our nuclear laboratories have ever called for a resumption of nuclear testing or an unsigning or deprecation of the CTBT, because the moment that other nations begin or resume testing, we lose that crucial advantage.

It seems very odd to me that my Republican colleagues would want other nuclear or nonnuclear states to obtain intellectual property and parity in this matter. Although under this amendment the direct funding for the international monitoring system would nominally remain unscathed, it is difficult to imagine that a significant reduction in U.S. technical and financial support to the CTBTO would not adversely affect the organization's ability to maintain and operate any nuclear monitoring system.

The proposed amendment also seeks to undermine the United States' obligation as a signatory not to conduct nuclear test explosions. If the United States unilaterally declares itself exempt, then other countries are very likely to do the same. In addition, contrary to what the amendment implies, U.N. Security Council Resolution 2310, does not impose any new obligations on the United States. Nothing is mandatory in the U.N. resolution. But repudiating support for the resolution could trigger bad faith in other nations around the world and reduce U.S. legitimacy and leverage that ensures other countries do not test nuclear weapons.

So we should not signal any intention that the United States encourages a return to a more hostile nuclear environment, an environment in which the United States does not condemn nuclear weapons testing but, rather, gives away our position as a country that seeks peace and prosperity for our future.

We have an opportunity to turn political rhetoric into concrete action to curb the global proliferation of nuclear weapons and secure the safety of future generations. From a national security point of view, we must acknowledge that the CTBT locks in an enormous competitive advantage for the United States, one that would be a huge mistake to begin throwing away.

Although the CTBT failed to be ratified by a handful of votes the first time it came up in 1999, as George Shultz, the Secretary of State under President Reagan said: "You can say that a Senator might have been right to vote against the CTBT when it was first put forward"—in 1999—"and right to vote for it now. Why? Because things have changed."

And what he meant by that is that stockpiled stewardship works, and that the detection system, both that is maintained by the United States and by the world communities by the CTBTO works as well. Short of ratification, the U.S. support for the CTBTO Preparatory Commission remains essential.

I urge my colleagues to vote "no" on the Wilson amendment, and I yield back the balance of my time.

Mr. WILSON of South Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. Mr. Chair, I thank the gentleman for yielding and for offering this important amendment.

This is a simple and straightforward amendment that would help us set priorities in spending taxpayer dollars in a small but meaningful way. The U.S. signed the Comprehensive Nuclear-Test-Ban Treaty, back in 1996, but the Senate voted against that ratification in 1999.

We are talking about two decades ago. In the meantime, the U.S. has abided by a unilateral pledge to refrain from nuclear explosive tests of any size or kind, but other nations, including Russia and China, have not. They continue to conduct very low-yield nuclear tests that the U.S. does not. Why? Two reasons: one, the CTBT has not entered into force, and the CTBT doesn't even define what it bans.

So while we keep a very stringent policy against testing, other nuclear powers do not. Twenty years later, it is time to ask ourselves why we continue to fund the organization for a treaty that is not going anywhere. This amendment wisely funds the International Monitoring System which provides us some benefits but prohibits the approximately \$2 million in payments to the CTBT organization itself that is included in the FY18 budget request for the State Department.

Let's set this small commonsense priority and let's reinforce the Obama administration's own position that the U.N. resolution from last year is not legally binding on the United States.

Mr. Chair, I urge my colleagues to vote "yes" on this amendment.

Mr. WILSON of South Carolina. Mr. Chairman, to me, this is, again, clearly an amendment which is in coordination with the Senate initiative by Senator TOM COTTON of Arkansas that clearly

continues the funding of the International Monitoring System to improve our global nuclear detection capability and returns us to the long-standing policies from President George W. Bush's administration.

The amendment is clear. Protecting American families is the job of Congress, not an unaccountable, international body. As we see a rise—as I have stated in the past—in threats around the world, our nuclear deterrence capability is crucial to promote our ability to preserve peace.

Mr. Chair, I urge the approval of the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. WILSON).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. AGUILAR

The CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 115-212.

Mr. AGUILAR. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title XVI, add the following new section:

**SEC. 1673. MODIFICATION TO CONGRESSIONAL BUDGET OFFICE REVIEW OF COST ESTIMATES FOR NUCLEAR WEAPONS.**

Paragraph (1)(A) of section 1043(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1576), as most recently amended by section 1643 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3650), is further amended by striking "10-year period" and inserting "30-year period".

The CHAIR. Pursuant to House Resolution 431, the gentleman from California (Mr. AGUILAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. AGUILAR. Mr. Chair, for decades, our Nation's nuclear weapons and triad have provided us with strategic deterrence against nuclear war and the existential threat it represents. And as is often said, it is essential that these weapons and delivery systems be safe, secure, and reliable.

However, the age of our forces is a major concern. Currently, our nuclear-capable bomber fleet contains 76 B-52s with the first models entering service over 50 years ago and continuing to fly only after numerous modernization efforts.

Our *Ohio* class submarines' lifespan, which were originally 30 years, have been extended to 42 years with the end of the 42-year lifespan approaching in 2027. The first Minuteman III ICBMs were deployed 40 years ago.

With the provocative actions of North Korea and the increase in nu-

clear weapon activities taking place around the world, a credible nuclear deterrent is vital to national security of the United States. But, over the past few years, there has been a good amount of debate as to how much this modernization process will cost.

Over the next 30 years, not only will all three legs of our nuclear triad, our bombers, ICBMs, and missile submarines have to be replaced, a sustainment and modernization program for our nuclear bombs and warheads will be taking place at the same time as well.

The Congressional Budget Office currently produces a projected cost of nuclear weapons report annually. However, it only covers 10 fiscal years into the future. My concern is that the CBO's current 10-year timeframe does not encompass the later out-year costs, including the late 2020s, and early 2030s, when costs are projected by many to increase significantly.

My amendment would modify section 1643 of the fiscal year 2015 NDAA, the CBO review of cost estimates of nuclear weapons and nuclear weapon delivery systems, to make the timeframe 30 years instead of 10 years, Mr. Chairman.

I brought this issue up last year when I served on the House Armed Services Committee, and earlier this year Ranking Member SMITH and Ranking Member VISLOSKY wrote a letter to the CBO expressing their interest in an assessment of the sustainment and modernization costs associated with the triad for the next 30 years. The New York Times reports that the CBO 30-year estimate, which is due to be released later this year, will put costs at more than \$1.2 trillion.

With a resurgent Russia, a rising China, and destabilized Middle East, there is little evidence that the demands of our conventional forces will decrease. That is why it is imperative that we have proper accounting for our 30-year nuclear modernization process if we are to adequately plan for future conventional and nuclear investments and provide proper oversight.

Now, some of my colleagues will say that a 30-year cost estimate isn't worth the paper that it is written on; that they would depict a time period far too much into the future to obtain a realistic estimate. But that isn't the case. Why do we have an FY17 Annual Long-range Plan for the Construction of Naval Vessels, which not only contains an estimated 30-year funding requirement spanning the 30-year timeframe, but also this was produced by DOD for a cost of \$395,000 to produce. We have a 30-year cost estimate for the Navy, but not for our strategic deterrence.

I will close by mentioning, one of our nuclear gravity bombs is an example of why we need a permanent 30-year estimate. According to GAO, one cost estimate produced by NNSA's Office of

Cost Estimating points out that it could cost \$2.6 billion more than previous estimates to complete the B61-12 Life Extension Program. But the original baseline was from NNSA's fiscal year 2017 Stockpile Stewardship and Management Plan.

If Congress hopes to provide proper oversight of these modernization efforts, we must have up-to-date estimates that accurately reflect any updates and changes that impact our nuclear bombs, warheads, and delivery systems. That is why I wish to make the time period for CBO's estimate 30 years instead of 10 years.

These are important investments to make in our national security and a responsible way to better understand the cost.

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

Mr. ROGERS of Alabama. Mr. Chair, I claim the time in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Chair, my friend from California is correct about one thing: I will say a 30-year cost estimate is not worth the paper it is written on.

I oppose this amendment, just as I opposed a similar amendment by my friend from California, number 12. I submitted amendment No. 88 that we will consider shortly. My amendment was a hopeful compromise with my colleagues from California, who are offering amendment Nos. 10 and 12 on this same issue. Unfortunately, we have not been able to reach a compromise, so we will put them all before our colleagues here on the floor for consideration.

The bottom line is that my colleagues are asking DOD and CBO to create a 25- and 30-year cost estimate for how much our nuclear forces cost. That would triple the current requirement of 10-year cost estimates. Unfortunately, these type of multidecade cost estimates won't be worth the paper they are written on.

As evidence for that, Assistant Secretary of Defense Tom Hopkins, who would be responsible for creating the DOD report, has called a 25-year report on this "burdensome." He explained it to us this way during a hearing: "Right now we submit a 10-year report that does have programs and cost on it. . . . As you would expect, looking out that far, 25 years, the credibility of the numbers would be very, very suspect."

"Forecasting DOD costs over a 25-year period with any useful accuracy is extremely difficult given the challenges of predicting developments in the international security environment and ongoing technological advancements."

The Armed Services Committee and this House have considered these types of 30-year cost estimate amendments for DOD or CBO in the NDAAs for the last 5 years.

Each time, for 5 years in a row, these amendments have been defeated. That is because these types of amendments would not result in good, effective oversight and transparency.

It would result in false and unreliable data entering the public debate. If any of my colleagues are interested in a reasonable, commonsense way to try and shed a little more light on these very long-term plans and costs, I encourage them to vote for my amendment No. 88. My amendment allows the Secretary of Defense to provide for information beyond 10 years if he thinks it is accurate and would be useful in understanding the nuclear modernization programs.

I urge my colleagues to vote “no” on this current amendment and “yes” on my amendment No. 88, and I reserve the balance of my time.

Mr. AGUILAR. Mr. Chairman, if anything, my former chairman, when I was on Armed Services, is consistent. He is right. He has continued to oppose this amendment in the past.

But what I ask is: Why not have a 30-year estimate? We have one for the Navy. We have one for other programs. If these reports truly aren't worth the paper that they are written on, then why commission this report? It is almost \$400,000 in taxpayer costs.

□ 2200

The taxpayers deserve, and we deserve, to provide oversight over these costs. If Congress hopes to provide the oversight for modernizing these efforts, we need these up-to-date reports that accurately reflect these updates and changes to bombs, warheads, and delivery systems. I hope that the chairman would agree with me there.

I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Chairman, I would say that the Navy provides 30-year cost estimates because Congress made them, and the Navy doesn't want to do it, and they don't think they are reliable.

I urge a “no” vote on this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. AGUILAR).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. AGUILAR. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The CHAIR. It is now in order to consider amendment No. 11 printed in part B of House Report 115-212.

AMENDMENT NO. 12 OFFERED BY MR. GARAMENDI

The CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 115-212.

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title XVI, add the following new section:

**SEC. 1673. IMPROVEMENT TO ANNUAL REPORT ON THE PLAN FOR THE NUCLEAR WEAPONS STOCKPILE, NUCLEAR WEAPONS COMPLEX, NUCLEAR WEAPONS DELIVERY SYSTEMS, AND NUCLEAR WEAPONS COMMAND AND CONTROL SYSTEM.**

Subsection (a)(2) of section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1576), as most recently amended by section 1643 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3650), is further amended—

(1) by redesignating subparagraphs (F) and (G) as subparagraphs (G) and (H), respectively;

(2) by inserting after subparagraph (E) the following new subparagraph (F):

“(F) A detailed description of the plan, as applicable, to sustain, life-extend, modernize, or replace the nuclear weapons and bombs in the nuclear weapons stockpile.”; and

(3) in subparagraph (G), as redesignated by paragraph (1)—

(A) by striking “subparagraphs (A) through (E)” and inserting “subparagraphs (A) through (F)”;

(B) by striking “10-year” and inserting “25-year”;

(C) by striking “military construction,” and inserting “construction”; and

(D) by inserting “and the Department of Energy” before the period at the end.

The CHAIR. Pursuant to House Resolution 431, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, every year Congress receives a very important and very helpful report regarding our nuclear weapons enterprise. It is sometimes referred to as the 1043 Report because it is mandated by section 1043 of the NDAA for Fiscal Year 2012.

It requires the Department of Defense, in cooperation with the Department of Energy, to submit a detailed 10-year plan and budget estimate for our nuclear weapons enterprise, that is, the bombs, the weapons themselves, the command and control, the national lab infrastructure, the delivery systems, et cetera, et cetera. That report is then reviewed by the Government Accountability Office for completeness and accuracy. Finally, the Congressional Budget Office then reviews it and submits an independent report.

Terrific, all good, we all agree that it is a good thing. I know that the chairman of the subcommittee wanted that to happen, and indeed we do have it.

This amendment simply deals with the reality that this is not a 10-year program. This is a program that will go on for at least the next 25, probably the next 30 years, with extraordinary costs that actually occur beyond the 10-year

time horizon. Therefore, it is important that the United States, as we get into this long-term effort to recapitalize our entire nuclear arsenal, that we encounter today and take into account today the most expensive years that will occur beyond the 10-year horizon.

This amendment that I am proposing simply requires that the Department of Defense and the Department of Energy consider a 25-year time horizon for the 1043 Report. We really do need to know, and, in fact, we have some of that information today.

The Department of Energy, that is in the National Nuclear Security Administration, does do a 25-year report, and they apparently think it is accurate enough to present to the committees here. The Department of Defense provides the equipment, the means for delivering the bombs, that is the submarines, the various ballistic and intercontinental ballistic missiles, the ground-based ballistic missiles, the new bombers, and, quite possibly, new long-range strike LRSO.

So let's find out. Let's consider that. The reason we need to consider it is that it is a pile of money, well over \$1 trillion that we will be spending in the next 25 years. This is not just my words but if one were to consider the people who deal with this on a regular basis; for example, the Under Secretary of Defense for Acquisition, Technology, and Logistics, Mr. Kendall, on April 14, 2015, said that we have a problem with recapitalizing the strategic deterrent. We do have a huge affordability problem with that basket of systems. So it is a problem that we are going to have to face up to.

Well, who is we? We is us. We are going to have to figure out how to pay for all this, and we are going to have to make some tough choices. So this is simply a matter of trying to figure out how we can get detailed information.

I know that our esteemed chairman for whom I have tremendous regard has a little different view, and when he picks up his amendment, I will speak to that.

In the meantime, I would ask everybody to support this wise amendment so that we actually have good information upon which to make some decisions today that will then be paid for in the next 15 to 25 years. That is what this amendment is.

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

Mr. ROGERS of Alabama. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR (Mr. LAMALFA). The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I reluctantly oppose this amendment from my friend and



colleague from California. He is a very serious, thoughtful, and clearly articulate Member, but it is for the same reasons that I just outlined with Mr. AGUILAR's amendment.

I will keep this brief because we just talked about this. But going down this path for a 25- or 30-year cost estimate for nuclear weapons is a bad idea and would result in bad data. The Acting Assistant Secretary of Defense in the Obama administration who is still in the Trump administration doesn't think it is a good idea either.

The HASC and the House have considered this 30-year cost estimate for the last 5 years in a row, and each time it has been rejected. This amendment would not result in good, effective oversight and transparency.

Mr. Chairman, I urge my colleagues to consider voting for my reasonable, commonsense amendment when we get to it, amendment No. 88. I urge my colleagues to vote "no" on this amendment and "yes" on Rogers 88.

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

Mr. GARAMENDI. Mr. Chairman, may I ask how much time I have remaining.

The Acting CHAIR. The gentleman from California has 1½ minutes remaining.

Mr. GARAMENDI. Mr. Chairman, this is a commonsense amendment. I have great esteem for the chairman, but I really don't think we ought to be mushrooms. I don't think we ought to be kept in the dark. We really are in the process here of making decisions today to spend a vast amount of money not just in the next 10 years—and we do have estimates of what that would cost—but in the out-years.

Those out-years, we know from information that has been delivered to us, that it will be a bow wave—to use the military term—of extraordinary dollars, well into the hundreds of billions of dollars that would be spent in the out-years beyond the 10 years.

We need to know today because that will bite into the money that we have available for all of the other things that we must do for our national defense.

Mr. Chairman, I would ask for an "aye" vote on this commonsense amendment, and I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Chairman, I agree with the gentleman. We don't want to be mushrooms, but we also don't want bad data. So I would urge a "no" vote on this and urge people to support Rogers amendment No. 88, which will allow the Secretary to go beyond 10 years to 25 or 30 if the Secretary believes it would yield valuable data.

Mr. Chairman, I urge a "no" vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gen-

tleman from California (Mr. GARAMENDI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARAMENDI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 13 OFFERED BY  
MR. BLUMENAUER

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part B of House Report 115-212.

Mr. BLUMENAUER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle G of title XVI, add the following new section:

SEC. 16. LIMITATION ON USE OF FUNDS FOR  
LONG-RANGE STANDOFF WEAPON.

(a) IN GENERAL.—Notwithstanding any other provision of law, in any fiscal year, the Secretary of Defense may not obligate or expend more than \$95,600,000 on development of the long-range standoff weapon or any other nuclear-capable air-launched cruise missile, and the Secretary of Energy may not obligate or expend more than \$220,253,000 on the life extension program for the W80-4 warhead, until the Secretary of Defense, in consultation with the heads of other relevant Federal agencies, submits to the appropriate congressional committees a Nuclear Posture Review that includes a detailed and specific assessment of the following:

(1) The anticipated capabilities of the long-range standoff weapon to hold targets at risk beyond other already existing and planned nuclear-capable delivery systems.

(2) The anticipated ability of the long-range standoff weapon to elude adversary integrated air and missile defenses compared to the B-21 bomber.

(3) The anticipated effect of the long-range standoff weapon on strategic stability relative to other nuclear-armed countries.

(4) The anticipated effect of the long-range standoff weapon on the offensive nuclear weapons capabilities and programs of other nuclear-armed countries.

(5) The anticipated effect of the long-range standoff weapon on the response of other nuclear-armed countries to proposals to decrease or halt the growth of their nuclear stockpiles.

(6) The anticipated effect of the long-range standoff weapon on the threshold for the use of nuclear weapons.

(b) FORM.—The Nuclear Posture Review required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman

from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, it is time to insert fiscal sanity into our nuclear weapons planning. We are set to spend \$400 billion over the next decade and \$1.2 trillion over the next 30 years to recapitalize our entire nuclear arsenal. This nuclear escalation will build a force far exceeding what the Pentagon and security experts have said is necessary to deter a nuclear threat.

A stronger nuclear program is not going to help us deal with the strategic challenges we face today, like the fight the against Islamic State, but it will result in having to crowd out Army, Navy, and Air Force conventional priorities.

We need to revisit the strategy. We are here in Congress to make hard decisions about how to spend taxpayer dollars. The Pentagon should provide long-term cost reports and tell us what certain weapons will actually add to our existing capacity.

My amendment deals with one particular outrageous piece of this unsustainable escalation: the long-range standoff weapon, or the LRSO. Now, this weapon is projected to cost \$20 billion to \$30 billion.

This amendment would lock the LRSO funding at fiscal year 2017 levels until the administration submits a Nuclear Posture Review to Congress that includes a detailed assessment of why we need this weapon. It wouldn't prevent it. It would just keep the funding at the current level until they can tell us why we need it.

Until the administration carefully examines the utility of the LRSO, why should we rush its development? After all, the father of this device, former Secretary of Defense Bill Perry, has argued there is scant justification for spending tens of billions of dollars on that weapon. General Mattis has stated numerous times that he is not sold on the LRSO.

We shouldn't risk making tens of billions of dollars in commitments like this with potential failure to follow through all while forfeiting other critical priorities. Before we continue this nuclear escalation on autopilot, let's make sure.

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

Mr. ROGERS of Alabama. Mr. Chairman, I claim the time in opposition to this amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I strongly oppose this amendment, but it is not just me. The



Armed Services Committee considered nearly the same amendment during markup, and it was soundly defeated.

It is not just the committee that opposed this amendment. It is also our country's senior-most military officers. They repeatedly described the urgent need for the LRSO and the declining reliability of the NACMs.

They have testified before our committee in March on this exact issue. Here is the Nation's second highest ranking military officer, the Vice Chairman of the Joint Chiefs of Staff, General Selva:

ALCMs were designed and built in the 1970s with a 10-year lifespan. We know today they remain relevant, but we can't continue to maintain them. A decade from now, those weapons will not be able to penetrate Russian air defenses, and therefore there is an urgency for their replacement.

In the same year, STRATCOM Commander General Hyten said:

The LRSO is the first missile system developed in unison with a nuclear warhead in mind for many decades. Limiting resources or funding of either component will disrupt the entire concept-to-capability timeline.

Here is President Obama's Assistant Secretary of Defense, Bob Scher, testifying before my committee last year:

The Obama administration's decision to field a modern ALCM replacement is essential to maintain the ALCM's unique contribution to stable and effective deterrence.

Finally, let me briefly address this nonsense argument that LRSO is destabilizing. Here is President Obama's Under Secretary of State for Arms Control Rose Gottemoeller testifying before the Senate last year:

First, the LRSO is consistent with our arms control commitments and President Obama's Prague agenda. Second, the LRSO supports strategic stability and does not undermine it. Third, it is important in the eyes of our allies. There is no evidence that the LRSO or our nuclear modernization program are prompting an action-reaction cycle or catalyzing these arms races. The LRSO is valuable in maintaining strategic stability.

Mr. Chairman, I urge a "no" vote on this amendment, and I reserve the balance of my time.

Mr. BLUMENAUER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Washington (Mr. Smith), who is the ranking member.

Mr. SMITH of Washington. Mr. Chairman, I just want to make two quick points, first to the point Mr. BLUMENAUER made about how we are planning on recapitalizing our entire nuclear arsenal.

Now, we have had a robust debate about how much that is going to cost over 10, 25, 30 years. I have some sympathy for the argument that Mr. ROGERS made. It is going to be very difficult to estimate how much it is going to cost over 25 or 30 years.

But I do know that if we are talking about recapitalizing our entire nuclear arsenal, all of the submarines, all of the ICBMs, a new bomber, it is going to

cost a lot. I don't know if it is \$1.2 trillion or \$2 trillion. Whatever it is, it is going to be enormously expensive.

□ 2215

At a time when we face a multiplicity of threats from Russia, North Korea, and where missile defense is critical, I do not believe this is the best investment of our money to get caught up in the Cold War, in the battle against Russia and their nuclear weapons, and making sure we can counter every possible scenario. It is not an efficient use of money.

This amendment is but one piece of it to say let's take a step back and see if this is the best place to spend the money. Maybe it would be better to spend it on cybersecurity. Maybe it would be better to spend it on missile defense.

There are a whole lot of other places I think that are better than trapping ourselves in these nuclear scenarios that require us to build an unbelievably expensive nuclear arsenal.

Secondly, I will disagree with Mr. ROGERS on one point: the more you build nuclear weapons, the more the other side tends to build nuclear weapons.

I cannot agree that this is not going to potentially lead to an escalation. In fact, the reason we are so hell-bent on building the LRSO and all of these others is because we are concerned about what Russia and China are doing.

That is how it works. It does have that destabilizing effect. I don't think this is the best place for us to spend our defense dollars.

Mr. ROGERS of Alabama. Mr. Chairman, I was quoting Rose Gottemoeller from the Obama administration, saying that it was not going to perpetuate this cycle.

Mr. Chair, I yield such time as she may consume to the gentlewoman from Wyoming (Ms. CHENEY), my friend and an outstanding member of the Armed Services Committee.

Ms. CHENEY. Mr. Chairman, it is surprising to sit here and hear arguments that we have been hearing really for the last almost 70 years now, the notion that the reason that our adversaries build nuclear weapons is because we are building nuclear weapons, or the notion that we all are building nuclear weapons for the same purposes.

The North Koreans are building nuclear weapons in order to threaten us. They are building nuclear weapons, potentially, in order to hold us hostage. They are building nuclear weapons against which we must deter.

The notion that if we advance our capabilities, the notion that if we produce the LRSO we are going to be in a position where we are encouraging the other side is just simply a flawed understanding. We already have a situation where our adversaries are modernizing their dual capable cruise mis-

siles. They don't think these things are destabilizing. We shouldn't argue that they are for us, as well.

In addition, the LRSO plays a hugely important deterrent role. It imposes important and real costs on any potential adversary. It forces them, in addition to modernizing their nuclear arsenals, to modernize their air defense arsenals.

It is hugely important that we proceed. It is hugely important that we modernize. I agree it is a very expensive undertaking, but I would urge my colleagues to defeat this amendment and remember that the single most expensive thing we can do would be to fail to defend ourselves. The single most expensive thing we can do would be to encourage an adversary to attack us because they think they can overtake us or overcome our capabilities.

I think it is important that we not go down the path of unilateral disarmament and that we do everything we can to continue to modernize at a very rapid pace, to speed up the pace at which we are modernizing.

Mr. Chairman, I urge my colleagues to oppose this amendment.

Mr. ROGERS of Alabama. Mr. Chairman, I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Chairman, I am stunned to think that this is somehow the equivalent of unilateral disarmament.

The amendment says that the funding level for this new program would remain at the current fiscal year level until the administration submits a nuclear posture review to Congress that indicates a detailed assessment of why we need the weapon.

If what the gentleman says is true—and I get mixed signals from the Secretary—then they can easily do that. They are not cut off. It has nothing to do with unilateral disarmament. We have more than enough nuclear weapons to destroy these countries many times over.

My friend, Mr. SMITH, talks about other priorities, from cybersecurity to what is happening with ISIS. Lavishing funds on programs that have not yet been justified and can't meet this test is not worthy. You have other things that you want to help the Department of Defense do, which I think we share.

Mr. Chairman, I strongly urge approval of this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BLUMENAUER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentleman from Oregon will be postponed.

AMENDMENT NO. 14 OFFERED BY  
MR. MCCLINTOCK

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part B of House Report 115–212.

Mr. MCCLINTOCK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 2702.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from California (Mr. MCCLINTOCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCCLINTOCK. Mr. Chairman, our current defense spending is about where it was at the very peak of the Reagan defense buildup after adjusting for inflation. It is about the same as the next eight most powerful military forces on the planet, combined. Six of those eight are already our allies.

The President has proposed adding \$54 billion to this. That is the equivalent of adding more than the entire military establishment of Great Britain to what we already have.

Yet we are told, and I do not doubt, that much of our military force is ill equipped and unready for combat. If that is the case, it is not a fiscal problem; it is a management problem. We seem to care how much money is being spent, but not how it is being spent. That is a catastrophic failure of congressional oversight.

In recent years, the Pentagon has warned that its infrastructure is 22 percent bigger than necessary. It has asked Congress for another round of Base Realignment and Closure reviews. Just last month, Secretary Mattis urged resumption of BRAC. He believes it will save \$2 billion a year and \$20 billion over 10 years. That is enough money to buy 120 FA–18 Super Hornets, 300 more AH–64 helicopters, or four Virginia class submarines if only Congress would get out of the way and allow unneeded bases to close or consolidate.

The Pentagon has the authority to close or consolidate bases on foreign soil, but in the NDAA Congress blocks its authority to close or consolidate unnecessary bases on our own soil.

My amendment removes the NDAA prohibition on this needed process and allows BRAC to move forward as our President has requested. His Statement of Administration Policy on NDAA is crystal clear: “While the bill contains many promising reforms, it fails to authorize a Base Realignment and Closure round, which would result in substantial recurring savings and allow DOD to align infrastructure with force reduction.”

I have heard three objections:

First, we are told the upfront costs of consolidation can be high. But the results are now in, and the first four BRAC rounds are saving us \$7 billion a year.

Second, we are told local economies depend on these bases, but experience tells us that communities rapidly recover by freeing these assets for productive commercial use.

Third, we are told to wait until we finished expanding our forces, but the excess capacity estimate already assumes force expansion, and a new round of BRAC will only wring out a small portion of the overcapacity.

When we squander billions of defense dollars keeping obsolete military bases open in order to satisfy congressional constituencies, we directly rob our military forces of the resources that we are constantly reminded that they desperately need.

There is an old saying that you can’t fill a broken bucket by pouring more water in it. At some point, you have got to fix the bucket. That is our responsibility. We need to take it more seriously.

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

Mr. WILSON of South Carolina. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. WILSON of South Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I appreciate very much the efforts by Mr. MCCLINTOCK, but simply put, now is not the time to consider a Base Realignment and Closure.

In the past, BRAC has been used without conducting a thorough study, has incurred significant costs and jeopardized valuable military communities, such as those of the Midlands of South Carolina surrounding Fort Jackson or the Aiken-Barnwell community that I represent adjacent to Fort Gordon, Georgia.

If facilities are shuttered, the existing secure assets will not be reasonably replicated. In testimony before the House Armed Services Committee just last month, Secretary Jim Mattis stated that he also has reservations about the BRAC assessments.

It is also important to be clear: BRAC is not a proven cost-saving measure. The last BRAC cost 67 percent more than planned to carry out, dramatically reducing any projected savings.

It would be undermining to our national security and to communities around the Nation to close down military installations without a comprehensive study, especially as the military works to grow the force to address emerging threats around the globe.

Mr. Chairman, I urge my colleagues to reject this amendment, and I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I yield 1½ minutes to the gentleman from Washington (Mr. SMITH), the ranking member.

Mr. SMITH of Washington. Mr. Chairman, I support this amendment. I disagree very strongly with the remarks of the gentleman from South Carolina.

First of all, the past BRACs have saved us an enormous amount of money. There have been five rounds. The first four saved us pretty much exactly as much money as they said they were going to. The fifth one was more expensive, but the fifth one was done in 2005, at a time when we were building up the size of the military. It wasn’t so much a closure as it was a realignment. But even then, it is now saving us money.

So if you want to argue against BRAC, argue against BRAC; but please, let us not argue that it doesn’t save us money because that is just factually ridiculous. It absolutely saves us money.

Second, there have been a number of studies by the Air Force and others. The Air Force has estimated that they are 20 percent over the capacity of their installations. It would be great if we could have a comprehensive study. I agree with that. What our bill has done every year for the last several years is prohibit them from even thinking about a BRAC.

So it is a brilliant argument to say, well, you can’t do a BRAC because you haven’t done a comprehensive study, and then to put in the bill you are prohibited from doing a comprehensive study. It is a nice little tautology, but it isn’t helping our military.

As we have been discussing throughout the night, we have more needs than we have money for. We cannot afford for parochial interests to get in the way of what is in the best interest of our troops. We need a BRAC.

By the way, it doesn’t even authorize a BRAC. It simply removes the prohibition of a BRAC. A BRAC cannot happen unless Congress authorizes it. So all this is going to do if this amendment passes is allow the military to do precisely what the gentleman from South Carolina just said they ought to do.

There is no reason to oppose this amendment, and I urge support.

Mr. WILSON of South Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. AUSTIN SCOTT), my friend and colleague.

Mr. AUSTIN SCOTT of Georgia. Mr. Chair, I rise today in opposition to this amendment to the fiscal year 2018 National Defense Authorization Act offered by my friend and colleague, Mr. MCCLINTOCK of California, that would strike a bipartisan provision that clarifies that the fiscal year 2018 National Defense Authorization Act does not authorize a round of Base Realignment and Closures, otherwise known as BRAC.

After nearly 13 hours of debate in the Armed Services Committee, my colleagues and I came together and overwhelmingly approved language in the final mark that prevented a BRAC for the next fiscal year. We passed that vote by a vote of 60–1.

Many of my colleagues have argued that past BRACs eliminated excess infrastructure in the Nation's military or streamlined defense spending, but it is just not the case, Mr. Chair.

Earlier this year, Secretary Mattis testified to the Armed Services Committee on the need to reassess our military's current infrastructure resources and needs before closing or realigning any current resources.

The fiscal year 2016 National Defense Authorization Act required an updated DOD force structure plan and an infrastructure inventory. To date, DOD has not submitted the required infrastructure report.

Quite simply, we may not have enough capacity and infrastructure to meet our current needs and our needs going forward as we look at the threats coming from Russia, China, Iran, North Korea, and the threat of global terrorism and transnational criminal organizations. Who knows what threat we will face tomorrow.

If the Secretary of Defense, I hope, will work with us to reassess our current capacity, then the need to halt realignments and closures to give him time to do so is all the more important. With outdated capacity information, there is simply no reason to close or realign an installation just to repurchase or rebuild a new one just a few years down the road. It is fiscally irresponsible in terms of defense spending and meeting our needs moving forward.

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I have nothing but respect for my colleague from California and have fought many fights to get rid of waste and cut government spending with him. This is just one that I can't support.

I hope that my colleagues will join me in voting against Mr. MCCLINTOCK's broken bucket amendment.

Mr. MCCLINTOCK. Mr. Chairman, to vote against these measures, to vote to rob our military of \$20 million of savings over the next 10 years for military bases the Pentagon itself says are unnecessary, it comes down to that. You cannot provide for the common defense if you cannot pay for it, and the ability of our country to do so is being called into grave question.

I yield back the balance of my time.

Mr. WILSON of South Carolina. Mr. Chairman, I yield such time as he may consume to the gentleman from Utah (Mr. BISHOP).

The Acting CHAIR. The gentleman has 1½ minutes remaining.

Mr. BISHOP of Utah. Mr. Chair, let me say in 90 seconds then, it may

sound counterintuitive that BRAC doesn't save us money, but even though it can take money off the Defense rolls, the question is: Where does this property end up and who pays for it?

The bulk of the property ends up in the hands of local government, State government, and if it was public domain to begin with, the Department of the Interior has got first crack at it. I have also always sarcastically said every time there is a BRAC base closure, I end up with a new national park and national monument. And even though we have never done a study to verify it, I can give you a half dozen off the top of my head where that happened.

So the question is: Does the taxpayer save money? And if you invent a BRAC process that will guarantee that the Federal estate will not be enlarged, that you won't simply transfer property from one Federal entity to another or from the Federal Government to State governments so the taxpayer saves money, then I will gladly support a BRAC process.

But until we can guarantee that, all we are doing is shifting the money around, shifting the entity around. We may help the Department of Defense change their budget, but the taxpayer is still on the hook for all the property and all the efforts that go into it, and that is wrong, and that is the process.

When we change the BRAC process to make it more public, to make it so the taxpayer saves, then I will support it, but that hasn't happened yet.

Therefore, I ask Members to vote "no" on the amendment.

Mr. WILSON of South Carolina. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. McClinck). The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MCCLINTOCK. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 88 OFFERED BY MR. ROGERS OF ALABAMA

The Acting CHAIR. Pursuant to the order of the House of today, it is now in order to consider amendment No. 88 printed in part B of House Report 115–212.

Mr. ROGERS of Alabama. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title XVI, add the following new section:

**SEC. 1673. MODIFICATION TO ANNUAL REPORT ON PLAN FOR THE NUCLEAR WEAPONS STOCKPILE, NUCLEAR WEAPONS COMPLEX, NUCLEAR WEAPONS DELIVERY SYSTEMS, AND NUCLEAR WEAPONS COMMAND AND CONTROL SYSTEM.**

Subsection (a)(2)(F) of section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576), as most recently amended by section 1643 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3650), is further amended by inserting after the period at the end the following: "The Secretary may include information and data for a period beyond such 10-year period if the Secretary determines that such information and data is accurate and useful in understanding the long-term nuclear modernization plan."

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from Alabama (Mr. ROGERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. ROGERS of Alabama. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chair, as I said a few minutes ago, I submitted this amendment as a hopeful compromise with my colleague from California who offered amendment Nos. 10 and 12 on this same issue. I will keep this very brief because we have discussed this thoroughly tonight.

But going down a path of a 30-year cost estimate for nuclear weapons is a bad idea and will result in bad data. As we debated this for the past 5 years now, the Obama administration didn't want to do it, the Trump administration doesn't want to do it, and the HASC and the House have voted against it every year.

I urge my colleagues to consider voting for my reasonable commonsense amendment, commonsense way to get this issue resolved with amendment No. 88.

My amendment allows the Secretary of Defense to provide information beyond 10 years if he thinks it would be accurate and useful in the information it yielded. I urge my colleagues to vote "yes" on my amendment and "no" on amendment Nos. 10 and 12.

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

Mr. SMITH of Washington. Mr. Chair, I claim the time in opposition, though I am not opposed.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. Mr. Chair, I just want to say very quickly, I still have the concerns that I have expressed about the broader nuclear weapons issue and will talk a little bit more about that in a minute. But you know, this is a way to at least give an option to get a greater idea of the costs. So it may not be everything that we would want, but it is certainly not

something that we should oppose, so I do not oppose it and would urge support.

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

Mr. ROGERS of Alabama. Mr. Chair, I urge a "yes" vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. ROGERS).

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

Mr. ROGERS of Alabama. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Alabama will be postponed.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 431, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 3, 11, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31 printed in part B of House Report 115-212, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 3 OFFERED BY MR. GRAVES OF LOUISIANA

Strike section 632 and insert the following:  
**SEC. 632. REPORT REGARDING MANAGEMENT OF MILITARY COMMISSARIES AND EXCHANGES.**

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report regarding management practices of military commissaries and exchanges.

(b) **ELEMENTS.**—The report required under this section shall include a cost-benefit analysis with the goals of—

(1) reducing the costs of operating military commissaries and exchanges by \$2,000,000,000 during fiscal years 2018 through 2022; and

(2) not raising costs for patrons of military commissaries and exchanges.

AMENDMENT NO. 11 OFFERED BY MR. ROGERS OF PENNSYLVANIA

At the end of subtitle D of title I, add the following new section:

**SEC. 1 . INCREASE IN AMOUNTS FOR ENHANCING INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE CAPABILITY.**

(a) **INCREASE.**—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 101 for aircraft procurement, Air Force, as specified in the corresponding funding table in division D, for BA 05: Modification of Inservice Aircraft: E-8 (line 056) is hereby increased by \$23,091,000.

(b) **OFFSET.**—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 101 for aircraft procurement, Air Force, as specified in the corresponding funding table in division D, for BA 05: Modification of Inservice Aircraft / BSA 5: Other Aircraft (line 050) is hereby reduced by \$23,091,000.

AMENDMENT NO. 15 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

At the end of subtitle B of title II, add the following new section:

**SEC. 2 . STRATEGY FOR USE OF VIRTUAL TRAINING TECHNOLOGY.**

(a) **STRATEGY REQUIRED.**—The Secretary of Defense shall direct the head of each military department—

(1) to establish a comprehensive strategy to determine what capability gaps exist in the department that can be rectified with virtual training;

(2) to review the virtual training possibilities for this gap to determine what virtual training would rectify this gap most efficiently; and

(3) to determine what acquisitions would need to be made to acquire the correct amount of technology to achieve desired goals.

(b) **POST-FIELDING ANALYSIS.**—The head of each military department concerned shall create a post-fielding training effectiveness analysis before commencing training using any virtual training technology acquired pursuant to subsection (a).

AMENDMENT NO. 16 OFFERED BY MR. BROWN OF MARYLAND

At the end of subtitle B of title II, add the following new section:

**SEC. 2 . INCREASE IN FUNDING FOR ELECTRONICS AND ELECTRONIC DEVICES OF THE ARMY.**

(a) **INCREASE.**—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4201 for research, development, test, and evaluation, Army, as specified in the corresponding funding table in section 4201, for Applied Research, Electronics and Electronic Devices, Line 018, is hereby increased by \$2,000,000.

(b) **OFFSET.**—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4201 for research, development, test, and evaluation, Army, as specified in the corresponding funding table in section 4201, for Advanced Component Development and Prototypes, Technology Maturation Initiatives, Line 072, is hereby reduced by \$2,000,000.

AMENDMENT NO. 17 OFFERED BY MR. BROWN OF MARYLAND

At the end of subtitle B of title II, add the following new section:

**SEC. 2 . INCREASE IN FUNDING FOR HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY INSTITUTIONS.**

(a) **INCREASE.**—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4201 for research, development, test, and evaluation, Defense-wide, as specified in the corresponding funding table in section 4201, for Basic Research, Historically Black Colleges and Universities/Minority Institutions, Line 006, is hereby increased by \$4,135,000.

(b) **OFFSET.**—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4201 for research, development, test, and evaluation, Defense-wide, as specified in the corresponding funding table in section 4201, for Advanced Technology Development, Advanced Innovative Analysis and Concepts, Line 038, is hereby reduced by \$4,135,000.

AMENDMENT NO. 18 OFFERED BY MR. LIPINSKI OF ILLINOIS

At the end of title II, at the following new section:

**SEC. 2 . ESTABLISHMENT AND EXPANSION OF HACKING FOR DEFENSE PROGRAM.**

(a) **FINDINGS.**—Congress finds the following:

(1) The MD5 Hacking for Defense Program enables universities nationwide to provide valuable entrepreneurial and innovation education to students, providing formal training for scientists and engineers to pursue careers in business or government organizations.

(2) The MD5 Hacking for Defense Program is successful in part due to its focus on ensuring that government problems are well-defined and suitable for university courses, ensuring that educators are trained and certified in course methodology and curriculum, and providing an ecosystem of government and corporate mentors to student teams to enhance their education and access to clients familiar with specific problems.

(3) Hacking for Defense programs provide a unique pathway for veteran students to leverage their military expertise to solve rapidly emerging national security challenges while learning cutting-edge business innovation methodology.

(4) The MD5 Hacking for Defense Program's success in the early stages of the innovation continuum should be expanded to offer training to universities nationwide, and government personnel and organizations charged with innovation.

(b) **ESTABLISHMENT AND EXPANSION OF HACKING FOR DEFENSE PROGRAM.**—

(1) **AUTHORIZATION.**—The Secretary of Defense is authorized to establish a Hacking for Defense Program under which the Secretary may obligate or expend up to \$15,000,000 to support university-based entrepreneurial education programs, including—

(A) materials to recruit veterans for such programs;

(B) model curriculum for such programs;

(C) training materials for such programs; and

(D) best practices for the conduct of such programs.

(2) **CONSULTATION.**—In carrying out paragraph (1), the Secretary of Defense may consult with the heads of such Federal agencies, universities, and public and private entities engaged in the development of advanced technologies as the Secretary determines to be appropriate.

(3) **ELIGIBILITY.**—The Secretary of Defense shall—

(A) develop and maintain eligibility criteria for programs to become recognized as Hacking for Defense education sites; and

(B) ensure that any recipient of a grant under the Small Business Technology Transfer program or the Small Business Innovation Research program has the option to participate in training under the MD5 Hacking for Defense Program.

AMENDMENT NO. 19 OFFERED BY MR. RATCLIFFE OF TEXAS

Page 86, after line 23, insert the following:  
**SEC. 323. PROHIBITION ON APPLICATION OF HIRING FREEZES AT DEPARTMENT OF DEFENSE INDUSTRIAL BASE FACILITIES.**

Any memorandum, Executive order, or other action by the President to prevent a department or agency of the Federal Government from filling vacant Federal civilian employee positions or creating new such positions, shall have no force or effect with respect to any Department of Defense civilian position at, or in support of—

(1) any facility at which depot-level maintenance and repair (as that term is defined in section 2460 of title 10, United States Code) is carried out; or

(2) any facility designated under section 2474 of such title as a center for industrial and technical excellence.

AMENDMENT NO. 20 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

Page 104, after line 6, insert the following:  
**SEC. 337. UPDATED GUIDANCE REGARDING BIENNIAL CORE REPORT.**

To ensure that the biennial core reporting procedures of the Department of Defense align with the requirements of section 2464 of title 10, United States Code, and that each reporting agency provides accurate and complete information, the Secretary of Defense should direct the Under Secretary of Defense for Acquisition, Technology and Logistics to update the Department of Defense Guidance, in particular Department of Defense Instruction 4151.20, to require future biennial core reports include instructions to the reporting agencies on how to—

- (1) report additional depot workload performed that has not been identified as a core requirement;
- (2) accurately capture inter-service workload;
- (3) calculate shortfalls; and
- (4) estimate the cost of planned workload.

AMENDMENT NO. 21 OFFERED BY MR. CÁRDENAS OF CALIFORNIA

Page 104, after line 6, insert the following:  
**SEC. 337. REPORT ON ARCTIC READINESS.**

(a) **REPORT REQUIRED.**—The Secretary of Defense shall submit to Congress a report on arctic readiness. Such report shall include—

- (1) an analysis of the challenges posed by the rapidly changing arctic region, including the reasons why the arctic region is changing at such a rapid rate;
- (2) an analysis of how the changes will affect other regions, particularly coastal communities;
- (3) an analysis of how the changes will affect military infrastructure; and
- (4) recommendations for congressional action to address the needs of the Armed Forces, in consultation with the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, resulting from changes in the arctic.

(b) **FORM OF REPORT.**—The report required under this section shall be unclassified, but may include a classified annex.

AMENDMENT NO. 22 OFFERED BY MR. JOHNSON OF LOUISIANA

Page 104, after line 6, insert the following:  
**SEC. 337. REPORT ON CYBER CAPABILITY AND READINESS SHORTFALLS.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a report on the Army Combat Training Centers and the current resident cyber capabilities and training at such centers to examine potential training readiness shortfalls and ensure that pre-rotational cyber training needs are met. In preparing the report, the Secretary shall take into account nearby cyber assets that could contribute to addressing potential cyber capability and readiness shortfalls.

AMENDMENT NO. 23 OFFERED BY MR. CICILLINE OF RHODE ISLAND

Page 104, after line 6, insert the following:  
**SEC. 337. REPORT ON EFFECTS OF INCREASED AUTOMATION OF DEFENSE INDUSTRIAL BASE ON MANUFACTURING WORKFORCE.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the effects of the increased automation of

the defense industrial base over the ten-year period beginning on the date that is 30 days after the date of the enactment of this Act. Such report shall include, for the period covered by the report—

- (1) an estimate of the number of jobs in the United States manufacturing workforce expected to be eliminated due to automation in the defense sector;
- (2) an analysis describing any new types of jobs that are expected to be established as a result of an increasingly automated process, including an estimate of the number of these types of jobs that are expected to be created;
- (3) an analysis of the potential threats to the national security of the United States that are unique to the automation of the defense industry;
- (4) a strategy to assist in providing workforce training and transition preparation for workers who may lose manufacturing jobs in the defense industry due to automation;
- (5) a description of any training necessary for workers affected by automation to more easily transition to new types of jobs within the defense manufacturing industry; and
- (6) any actions taken, or planned to be taken, by the Department of Defense to assist in worker transition.

AMENDMENT NO. 24 OFFERED BY MR. KHANNA OF CALIFORNIA

Strike section 344 and insert the following:  
**SEC. 344. COST-BENEFIT ANALYSIS OF UNIFORM SPECIFICATIONS FOR AFGHAN MILITARY OR SECURITY FORCES.**

Beginning on the date of the enactment of this Act, whenever the Secretary of Defense enters into a contract for the provision of uniforms for Afghan military or security forces, the Secretary shall conduct a cost-benefit analysis of the uniform specification for the Afghan military or security forces uniform. Such analysis shall determine—

- (1) whether there is a more effective alternative uniform specification, considering both operational environment and cost, available to the Afghan military or security forces;
- (2) the efficacy of the existing pattern compared to other alternatives (both proprietary and non-proprietary patterns; and
- (3) the costs and feasibility of transitioning the uniforms of the Afghan military or security forces to a pattern owned by the United States, using existing excess inventory where available, and acquiring the rights to the Spec4ce Forest pattern.

AMENDMENT NO. 25 OFFERED BY MS. HERRERA BEUTLER OF WASHINGTON

Page 126, after line 12, insert the following:  
**SEC. 516. TRAINING REQUIREMENTS.**

(a) **MEMBERS OF BOARDS FOR THE CORRECTION OF MILITARY RECORDS.**—Section 534(c)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 1552 note) is amended by adding at the end the following new sentence: “This curriculum shall also address the proper handling of claims in which a sex-related offense is alleged to have contributed to the original characterization of the discharge or release of the claimant, including guidelines for the consideration of evidence substantiating such allegations in accordance with the requirements of section 1554(b)(3) of title 10, United States Code.”.

(b) **DEPARTMENT OF DEFENSE PERSONNEL WHO INVESTIGATE CLAIMS OF RETALIATION.**—Section 546(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) is amended by striking “section.” and inserting “section, including

guidelines for the consideration of evidence substantiating such allegations in accordance with the requirements of section 1554(b)(3) of title 10, United States Code.”.

AMENDMENT NO. 26 OFFERED BY MS. KUSTER OF NEW HAMPSHIRE

Page 146, after line 16, insert the following new section:

**SEC. 531. INCLUSION OF ADDITIONAL INFORMATION IN ANNUAL SAPRO REPORTS.**

Section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 10 U.S.C. 1561 note) is amended by adding at the end the following new subsection:

“(h) **DEFINITIONS.**—

“(1) **SEXUAL ASSAULT DEFINED.**—In this section, the term ‘sexual assault’ includes rape, sexual assault, forcible sodomy, aggravated sexual contact, abusive sexual contact, and attempts to commit such offenses, as those terms are defined in the Uniform Code of Military Justice.

“(2) **SEXUAL COERCION DEFINED.**—In this section, the term ‘sexual coercion’ includes unwanted vaginal, oral, or anal sex after the perpetrator pressured the victim by means including—

“(A) repeated requests to the victim for sex;

“(B) expressions of unhappiness due to the victim refusing to have sex with the perpetrator;

“(C) lies;

“(D) threats; and

“(E) sexual harassment as that term is defined in section 1561(e) of title 10, United States Code.”.

AMENDMENT NO. 27 OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

At the end of subtitle D of title V, add the following new section:

**SEC. 544. EXTENSION OF SUICIDE PREVENTION AND RESILIENCE PROGRAM.**

Section 10219(g) of title 10, United States Code, is amended by striking “October 1, 2018” and inserting “October 1, 2019”.

AMENDMENT NO. 28 OFFERED BY MR. JONES OF NORTH CAROLINA

At the end of subtitle E of title V, add the following new section:

**SEC. 5. FIVE-YEAR EXTENSION OF AUTHORITIES RELATING TO THE TRANSITION AND SUPPORT OF MILITARY DEPENDENT STUDENTS TO LOCAL EDUCATIONAL AGENCIES.**

Section 574(c)(3) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (20 U.S.C. 7703b note), as most recently amended by section 572 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2141), is amended by striking “September 30, 2017” and inserting “September 30, 2022”.

AMENDMENT NO. 29 OFFERED BY MR. JONES OF NORTH CAROLINA

Page 156, beginning on line 19, strike “, not including a member or former member of the Coast Guard.”.

AMENDMENT NO. 30 OFFERED BY MRS. WATSON COLEMAN OF NEW JERSEY

At the end of subtitle G of title V, add the following:

**SEC. 575. SENSE OF CONGRESS REGARDING NONDISCRIMINATION AT UNITED STATES MILITARY ACADEMY.**

Congress affirms the nondiscrimination policy of the United States Military Academy in West Point, New York, including as applied to female cadets, staff, and faculty.

AMENDMENT NO. 31 OFFERED BY MR. SEAN PATRICK MALONEY OF NEW YORK

At the end of subtitle G of title V in division A, add the following new section:

**SEC. \_\_\_\_ . EXTENSION OF AUTHORITY OF THE SECRETARY OF VETERANS AFFAIRS TO PROVIDE FOR THE CONDUCT OF MEDICAL DISABILITY EXAMINATIONS BY CONTRACT PHYSICIANS.**

Section 704(c) of the Veterans Benefits Act of 2003 (Public Law 108-183; 38 U.S.C. 5101 note) is amended by striking “December 31, 2017” and inserting “December 31, 2018”.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from California (Mr. ROHRBACHER).

Mr. ROHRBACHER. Mr. Chair, I rise in support of a very important part of this en bloc proposal, which is filled with important parts.

Dr. Afridi is a Pakistani doctor who risked his life to help our special forces identify the hiding place of Osama bin Laden, the planner and commander of the slaughter of 3,000 Americans on 9/11.

Dr. Afridi, clearly an American hero, has languished in a Pakistani dungeon for the past 6 years and has been sentenced to spend another two decades in captivity.

Dr. Afridi is a courageous hero. He is not forgotten. His plight is not ignored.

Tonight, I am pleading that this language be retained in the final version of this en bloc amendment. This man is suffering for us.

Making my amendment in order acknowledges Dr. Afridi's sacrifice and demands Pakistani authorities release him immediately.

If we turn our backs on such a noble friend as Dr. Afridi, shame on us.

And I thank the Members who put this bill together for including this very moral statement.

Mr. SMITH of Washington. Mr. Chair, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Chairman, thank you for the opportunity to speak on amendment No. 66.

On July 4, the Communist totalitarian regime in North Korea marked the holiday testing an intercontinental ballistic missile. This is yet another escalation by a regime that has tested ballistic missiles and has conducted five nuclear tests.

This amendment expresses a clear sense of Congress: we will not tolerate the escalation by the regime in North Korea testing ballistic missiles or developing a nuclear weapon threatening American families.

The amendment also reaffirms the strong commitment of the United States to our allies in the region, especially South Korea, Japan, and Aus-

tralia. I am encouraged by the leadership of President Donald Trump for a commitment of peace through strength. It is clear the regime in North Korea will only respond to strength, and this sense of Congress strongly states our commitment to keeping all options on the table while addressing the threat of North Korea, whether it be military, diplomatic, or economic.

Mr. Chairman, I urge support of this amendment with the en bloc package.

Mr. SMITH of Washington. Mr. Chair, I continue to reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK. Mr. Chair, the most important duty of this body is to ensure the safety of every American family from foreign enemies who intend us harm. We must advocate for a foreign policy that projects strength and purpose.

The threat profile our Nation faces has never been more severe, including from rogue regimes and those who directly and indirectly support the spread of terror. Acting in isolation, each of these threats requires U.S. attention. However, we must also investigate and understand the scope of evil's reach, especially the nexus between Iran and North Korea.

Mr. Chair, my amendment would compel the Pentagon to report the extent of cooperation on nuclear programs, ballistic missile development, chemical and biological weapons development, and conventional weapons programs between Pyongyang and Tehran. Only when we understand the complex dealings between these enemies of peace can we outline a plan to combat them.

My amendment will provide better, more comprehensive tools for American defense, and I urge my friends on both sides of the aisle to support it for the sake of our Nation's security.

Mr. SMITH of Washington. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. SUOZZI).

Mr. SUOZZI. Mr. Chair, I rise in support of a bipartisan amendment I have offered along with my colleagues from Texas, Chairman THORNBERRY of the Armed Services Committee and Mr. CONAWAY, a fellow CPA.

It is essential the Democrats and Republicans work together to control government costs to root out waste, fraud, and abuse, and that we specifically focus these efforts on the Department of Defense.

Chairman THORNBERRY has promoted a reform agenda of which I am very supportive. During the Armed Services Committee markup of the bill, I proposed changes to the chairman's reform package. My amendment sought

to make the use of private sector auditors more efficient and effective by eliminating bureaucratic mandates and an unnecessarily bureaucratic committee.

The chairman supported my goals, and I suggested that I work with my fellow CPA, Mr. CONAWAY. In a bipartisan spirit, we agreed to this amendment, which will, one, help eliminate the incurred cost audit backlog; two, help reallocate resources to prioritize higher risk audits with potential savings for government; three, help ensure private sector auditing capacity exists; and, most importantly, four, root out waste, fraud, and abuse in Defense contracting.

I never thought I would come to Washington to work on Department of Defense audits, but Chairman THORNBERRY's willingness to engage my expertise and the bipartisan manner of the amendment will hopefully result in significant reforms and aid in my ongoing efforts to help save taxpayers' dollars by making government more effective and efficient.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Louisiana (Mr. JOHNSON).

Mr. JOHNSON of Louisiana. Mr. Chairman, I rise to speak on the National Defense Authorization Act being considered this evening and on my amendment No. 22 to require an Army cyber training readiness assessment.

It is vital that we adequately fund our military with the necessary training and tools they need to succeed. Our men and women in uniform deserve the greatest amount of resources we can possibly provide at all times.

If agreed to, my amendment requires the Army to review the combat training centers, or CTCs, and the resident cyber capabilities and training to make certain the needs of prerotational cyber training are fully met.

These CTCs' rotations serve as the premier events to evaluate collective training, and the rotations provide feedback to commanders on how well they have trained their units and their leaders and what they need to do to improve readiness.

Including cyber training is a commonsense step to meet the threats our Nation will face. The Army has testified before Congress that this area is falling short and additional resources are desperately needed for cyber training.

Our Armed Forces must be able to operate within highly defended environments, possibly at the leading edge of a joint force, to control the air, sea, space, and cyberspace domain. My amendment will assist us in this endeavor, and I urge my colleagues to support it.

Mr. SMITH of Washington. Mr. Chair, I yield 3 minutes to the gentleman from California (Mr. CORREA).



□ 2245

Mr. CORREA. Mr. Chairman, I rise in support of my amendment in en bloc package 3, amendment 53, that would require the Secretary of Defense, in coordination with the Director of National Intelligence, to provide Congress a report of any cyber attack attempts by the Russian Government and other Russian actors targeting the Department of Defense within the past 2 years.

These Defense Department systems are the foundation of our Nation's defense and security, and it is crucial that they are protected. Despite this understanding, our Nation is still not fully aware of the magnitude of the problems, and Congress is not appropriately advised of these past breaches.

My amendment would require a report from the Secretary of the Defense to Congress so that we can begin to properly address the strength of our Nation's security.

I thank Congresswoman SHEA-PORTER for supporting my amendment, and I urge all of my colleagues to do the same.

Mr. THORNBERRY. Mr. Chairman, I have no further speakers on this en bloc amendment, and I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I yield 90 seconds to the gentleman from California (Mr. CORREA).

Mr. CORREA. Mr. Chairman, I rise in support of my amendment No. 88 of 228, H.R. 2810.

This amendment would call upon the Department of Defense to update its cyber strategy, requiring the President to draft guidance for offensive cyber capabilities, and to authorize international cooperation, including building of our NATO partner allies' cybersecurity.

World war III is raging in cyberspace now. It has become one of the most crucial homeland and global security issues. Our Presidential election came under cyber attack, possibly compromising the American electoral system. But the U.S. is not alone. There were press reports of massive cyber attacks of French President Emmanuel Macron's campaign as well.

My amendment will increase our offensive cyber capabilities to prevent our adversaries from engaging in cyber espionage like we witnessed during the past election cycle and recent global cyber attacks.

Protecting our network is vital to the security of our Nation and allies, and my amendment works to that end.

I thank Congresswoman ROSEN for supporting my amendment as well, and I urge all my colleagues to do the same.

Mr. THORNBERRY. Mr. Chairman, I urge adoption of the en bloc amendments, and I reserve the balance of my time.

Mr. SMITH of Washington. I yield 3 minutes to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Chair, I want to start off by thanking the chair and ranking member for supporting these two amendments, one in this bloc, one in the next bloc.

The first amendment will authorize the Hacking for Defense, or H4D, Program. This is an innovative program developed in Silicon Valley with the help of battlefield-experienced Iraq and Afghanistan veterans, and it finds unique solutions to national security problems.

First taught at Stanford, H4D uses lean business startup methods to engage America's best and brightest in solving real security challenges faced by the DOD.

Rapid, low-cost technological innovation is what makes Silicon Valley revolutionary, but the DOD hasn't historically had the mechanisms in place to harness this American advantage.

Hacking for Defense creates ways for talented scientists and engineers to work alongside with veterans, military leaders, and business mentors to innovate solutions that make America safer. For example, a July 7 New York Times article details how an H4D graduate, Capella Space, is helping track North Korean nuclear capabilities, helping to try to make our world safer.

Mr. Chairman, I include in the RECORD this article, along with these letters of support from universities and tech communities.

[From the New York Times, July 7, 2017]

#### TINY SATELLITES WILL TRACK NORTH KOREA MISSILES

(By David E. Sanger and William J. Broad; Eric Schmitt contributed reporting)

For years before North Korea fired its first intercontinental ballistic missile this week, the Pentagon and intelligence experts had sounded a warning: Not only was the North making progress quickly, spy satellite coverage was so spotty that the United States might not see a missile being prepared for launch.

That set off an urgent but quiet search for ways to improve America's early-warning ability—and the capability to strike missiles while they are on the launchpad. The most intriguing solutions have come from Silicon Valley, where the Obama administration began investing in tiny, inexpensive civilian satellites developed to count cars in Target parking lots and monitor the growth of crops.

Some in the Pentagon accustomed to relying on highly classified, multibillion-dollar satellites, which take years to develop, resisted the move. But as North Korea's missile program progressed, American officials laid out an ambitious schedule for the first of the small satellites to go up at the end of this year, or the beginning of next.

Launched in clusters, some staying in orbit just a year or two, the satellites would provide coverage necessary to execute a new military contingency plan called "Kill Chain." It is the first step in a new strategy to use satellite imagery to identify North Korean launch sites, nuclear facilities and

manufacturing capability and destroy them pre-emptively if a conflict seems imminent.

Even a few extra minutes of warning might save the lives of tens of thousands of Americans—and millions of South Koreans and Japanese who already live within range of the North's missiles.

"Kim Jong-un is racing—literally racing—to deploy a missile capability," Robert Cardillo, the director of the National Geospatial-Intelligence Agency, which coordinates satellite-based mapping for the government, said in an interview days before North Korea's latest launch. "His acceleration has caused us to accelerate."

The timeline for getting the satellites in orbit, which defense officials have never discussed publicly, reflects the urgency of the problem. The missile launch by North Korea on Tuesday was initiated from a new site, a mobile launcher at the Pang Hyon Aircraft Factory. Capt. Jeff Davis, a Pentagon spokesman, said the missile "is not one we have seen before."

That mobility is the problem that the new satellites, with wide coverage using radar sensors that work at night and during storms, are designed to address. Less than one-third of North Korea is under spy satellite coverage at a given moment.

American intelligence analysts detected indications of an impending launch in the days before the missile firing, according to a spokesman for the Defense Intelligence Agency, Cmdr. William Marks. But even after the launch, the Pentagon misjudged what it was looking at. Minutes after its 37-minute flight ended, the United States Pacific Command described the missile as an intermediate-range model, often seen.

Hours later, Secretary of State Rex W. Tillerson issued a very different conclusion: that the North had tested its first intercontinental ballistic missile, able to reach Alaska.

The commercial radar push is one of several new ways the administration is seeking to counter the North Korean threat. President Trump inherited a secret effort to sabotage the North's missile launches. But its success has been spotty at best, especially of late.

And joint American-South Korean missile tests, conducted hours after the ICBM test, appeared to be part of the new strategy that includes Kill Chain—the missiles were designed to reach Pyongyang, where the country's leadership lives.

Kill Chain was also mentioned in a joint statement issued last week by the United States and South Korea, a notable shift for the South's new president, Moon Jae-in. He has rejected public discussion of pre-emptive military action, arguing it plays into the North Korean paranoia that the United States and its allies are plotting to end the Kim government.

Mr. Moon has spoken of reviving direct talks—a so-called sunshine policy, which he advocated as chief of staff to an earlier South Korean president.

But Mr. Trump has tried to build pressure, using warships, sanctions and missile defenses. He was recently presented with new options, including military ones, for responding to a sixth nuclear detonation by the North or a test of a missile that could reach the United States.

"The threat is much more immediate," H.R. McMaster, Mr. Trump's national security adviser, told a conference last week at the Center for a New American Security in Washington. "So it's clear that we can't repeat the same approach—failed approach—of the past."



The new satellite initiative builds on technology created more for Wall Street than the Pentagon. From an office in an old Defense Department building within view of the Google campus in California, Raj Shah, the director of the Defense Innovation Unit Experimental, or DIUx, is already investing in companies that exploit tiny civilian radar satellites, able to pierce darkness or storms, in hopes that the Pentagon can use them by the end of the year, or early in 2018.

"It's a very challenging target," said Mr. Shah, a former F-16 pilot in Iraq whose extensive experience in Silicon Valley appealed to Defense Secretary Ashton B. Carter, who set up the unit during Mr. Obama's second term and recruited Mr. Shah.

"The key is using technologies that are already available, and making the modifications we need for a specific military purpose," Mr. Shah said.

His unit made an investment to jump-start the development efforts of Capella Space, a Silicon Valley start-up named after a bright star. It plans to loft its first radar satellite late this year. The company says its radar fleet, if successfully deployed, will be able to monitor important targets hourly.

"The entire spacecraft is the size of a backpack," said Payam Banazadeh, a founder of the company. Born in Iran, he learned satellite design at the University of Texas and NASA's Jet Propulsion Laboratory, specializing in miniaturization.

Once in orbit, the payload, he added, would unfurl its antenna and solar panels.

"Everything is getting smaller," Mr. Banazadeh said of the craft's parts. "Even the next version of the satellite is getting smaller."

Seeing the early fruits of the Pentagon experiment, the National Geospatial-Intelligence Agency is opening its doors to companies that can supply it with satellite radar data in addition to traditional images. Its outpost, set up this year, is in San Jose, the heart of Silicon Valley.

Federal officials rarely, if ever, acknowledge the poor reconnaissance coverage of the North from traditional military satellites. But William J. Perry, the former secretary of defense, recently said in Washington that if the North rolled out a missile to hit the United States or its allies, "there's a good chance we'd never see it."

The threat grew worse last year as North Korea began using solid fuels after decades of relying on liquid propellants to power its big rockets and missiles. While liquid-fueled missiles can take hours or even days of preparation, solid-fueled missiles can be fired with little or no warning.

Mr. Kim has made the effort a personal project, posing next to a large solid-fueled motor after a successful ground test last year. The North followed that firing with four successful flight tests, twice last year and twice this year.

The advances, said Young-Keun Chang, director of the Global Surveillance Research Center at the Korea Aerospace University in Seoul, moved the North significantly closer to a mobile intercontinental missile that could eventually pose "a serious potential threat to the United States."

The key to detecting launch preparations is the near-constant presence of satellites that can see through clouds, rain, snow, foliage and camouflage and can detect the movement of military gear, including missiles. That requires space-based radars, which over the years have been highly expensive, with their big antennas and tendency to use large amounts of power. Like any radar,

they fire radio waves at targets and gather faint echoes.

Space-based radars can also detect changes in ground elevation that signal hidden tunnels, bunkers and even radioactive cavities left by nuclear blasts, experts say, because such hollows cause the surface above them to subside ever so slightly.

But building the radars has historically been expensive for the government.

In 2007, the Congressional Budget Office estimated that a constellation of 21 radar satellites would cost the nation up to \$94 billion—or more than \$4 billion each. The report, published shortly after the North's first nuclear detonation, zeroed in on whether the satellites could track Korean missiles on mobile launchers. It called the goal "highly challenging," and said 35 to 50 spacecraft would be needed to make such detections rapidly.

The new generation of tiny, cheap satellites has made that outcome more achievable. Capella plans to loft its first radar satellite late this year and build up to 36 orbital radars, within the range the congressional report recommended.

In addition to Capella, private companies rushing to make and exploit new generations of small radar satellites include Ursa Space Systems in Ithaca, N.Y.; UrtheCast in Vancouver, Canada; and Iceye in Espoo, Finland. Like many new companies seeking to make small satellites, most have strong ties to Silicon Valley.

The National Geospatial-Intelligence Agency's initiative, known as the Commercial Geoint Activity, builds on programs in which the agency bought radar-satellite data from Canada, Italy and Germany as part of its evaluation of the new civilian technologies.

Mr. Cardillo said the new partnerships could help the United States close the gaps in tracking Mr. Kim's rapidly expanding arsenal of threatening missiles.

"If any of these companies, new or old, can help fill those gaps," he said, "then I'm interested."

LELAND STANDFORD, JUNIOR UNIVERSITY,

July 11, 2017.

Hon. DANIEL W. LIPINSKI,  
House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVE LIPINSKI: I am writing to express my personal support for your proposed amendment 352 to H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. This amendment would provide statutory authorization for the Hacking for Defense program, something developed here at Stanford University that is effectively changing the way students think about national security.

Hacking for Defense is a class first taught at Stanford and now at growing number of other universities around the country in which students learn to apply lean startup methods to national security challenges. Instructors gather projects or problems from branches of the military and intelligence agencies for the students to address. A core component of the course is gaining an in-depth understanding of the problem the students are trying to solve, which the students do by conducting 100 interviews with potential "customers" or beneficiaries of a solution. By the end of the course, although students aren't required to come up with a new product or service, many of them do such as the "tiny satellites" project recently in the news regarding North Korea's missiles.

Hacking for Defense is valuable because it combines a student's knowledge and entrepreneurial energy with the experience of their business and military mentors to innovatively solve national security challenges. In addition, it exposes rising generation of technology stars to the potential value and benefit of careers in national service.

Authorization and federal support of this program will enable its expansion to many more universities throughout the country, helping solve high priority problems and train a new generation of civic-minded entrepreneurs and technologists. I strongly support inclusion of this program in the National Defense Authorization Act.

Respectfully,

THOMAS H. BYERS, PH.D.,  
Professor, Management Science &  
Engineering, Endowed Chair in  
Entrepreneurship Education, School of  
Engineering,  
Founder and Faculty Director, Stanford  
Technology Ventures Program, Stanford  
University.

JAMES MADISON UNIVERSITY,

Harrisonburg, VA, July 12, 2017.

Hon. DANIEL W. LIPINSKI,  
House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVE LIPINSKI: As strong supporters of establishing a national security innovation workforce, we commend your support for the Hacking for Defense Program, operated under MD5, the National Security Technology Accelerator within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics. We support your effort to authorize the program and create the option for the Secretary of Defense to expend up to \$15 million to expand and strengthen existing programs designed to boost Veterans innovation education.

A public-private partnership between the National Defense University and a network of national research universities, MD5 was recognized in the Fiscal Year 2017 National Defense Authorization Act as "an important pilot program making vital contributions in the field of technology innovation." The program emphasizes the incentives, outreach, professional military education, and skills-based training necessary to build a National Security Innovation Corps.

By leveraging programs like Hacking for Defense (H4D), MD5 is growing a cadre of entrepreneurs that are adept at critical thinking, creative problem solving, and the formation of successful ventures that deliver economic, national security, and social value. H4D classes educate Veterans and other students in technology innovation and entrepreneurship, and provide a unique pathway for Veterans to leverage their expertise while learning cutting-edge business innovation methodology, increasing post-military opportunities and applying their knowledge to new national security problems.

Additional funds will help MD5 build on its early success by expanding H4D training to universities nationwide, as well as government personnel and other organizations responsible for innovation efforts. Funds will be used to expand the development of resources, to include Veteran recruitment materials, model curriculum, training materials, and best practices to support university entrepreneurial education programs.

We support your amendment 352 to H.R. 2810, the National Defense Authorization Act

for Fiscal Year 2018, to continue to grow the national security innovation workforce.

Sincerely,

YVONNE R. HARRIS, PH.D.,  
Vice Provost.

ZOIC LABS,

Culver City, CA, July 11, 2017.

Hon. DANIEL W. LIPINSKI,  
House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVE LIPINSKI: As strong supporters of establishing a national security innovation workforce, we commend your support for the Hacking for Defense Program, operated under MD5, the National Security Technology Accelerator within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics. We support your effort to authorize the program and create the option for the Secretary of Defense to expend up to \$15 million to expand and strengthen existing programs designed to boost veterans innovation education.

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We support your amendment 352 to H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018, to continue to grow the national security innovation workforce.

Sincerely,

MATTHEW THUNELL,  
Executive Vice President.

ALION SCIENCE AND TECHNOLOGY,  
McLean, VA, July 12, 2017.

Hon. DANIEL W. LIPINSKI,  
House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVE LIPINSKI: For over 80 years, Alion has been called upon to solve the nation's most important and challenging problems. Our original charter in 1936, as Armour Research Foundation (later the Illinois Institute of Technology Research Institute, or “IITRI”), identified our purpose: “to experiment upon, test, promote, and develop the public, scientific, and commercial value of inventions, discoveries, and processes.” Our focus has remained constant, while we

continue to evolve to apply the latest innovations in science, technology and engineering to address the needs of this great nation. One innovation still in use today is our development of the “Armour alloy,” a titanium alloy that saved the Air Force's gas turbine engine program, and is still used in military fighting vehicles and advanced prosthetics. Beginning during the interwar period, continuing through America's superpower status in the wake of our successful contributions to World War II, and enduring through the rapidly evolving and complex global security environment of the present day, Alion is an important part of the American fabric of innovation.

Today, Alion stands strong on this solid foundation, supporting customers in defense, civilian government, and commercial industries. Our 21 labs and 2,300-person staff provide Alion the physical and intellectual resources to tackle any problem. Our history as an academic research center informs our approach of bringing together the brightest minds and best technologies from wherever they reside: government labs, large industry, universities, or small businesses. For example, when in 2015 the Secretary of Defense established a new initiative to expand access to global commercial technology innovations, Alion was the first partner to close a deal with a commercial company focused on big data analytics; as we have done many times, Alion brokered an effective translation between military need and commercial capabilities, bringing the two together into a successful solution.

As strong supporters of establishing a national security innovation workforce, we commend your support for the Hacking for Defense Program, operated under MD5, the National Security Technology Accelerator within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics. We support your effort to authorize the program and create the option for the Secretary of Defense to expend up to \$15 million to expand and strengthen existing programs designed to boost veterans' innovation education.

A public-private partnership between the National Defense University and a network of national research universities, MD5 was recognized in the Fiscal Year 2017 National Defense Authorization Act as “an important pilot program making vital contributions in the field of technology innovation.” The program emphasizes the incentives, outreach, professional military education, and skills-based training necessary to build a National Security Innovation Corps.

By leveraging programs like Hacking for Defense (H4D), MD5 is growing a cadre of entrepreneurs that are adept at critical thinking, creative problem solving, and the formation of successful ventures that deliver economic, national security, and social value. H4D classes educate veterans and other students in technology innovation and entrepreneurship, and provide a unique pathway for veterans to leverage their expertise while learning cutting-edge business innovation methodology, increasing post-military opportunities and applying their knowledge to new national security problems.

Additional funds will help MD5 build on its early success by expanding H4D training to universities nationwide, as well as government personnel and other organizations responsible for innovation efforts. Funds will be used to expand the development of resources, to include veteran recruitment materials, model curriculum, training materials, and best practices to support university entrepreneurial education programs.

We support your amendment 352 to H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018, to continue to grow the national security innovation workforce.

Sincerely,

GERRY DECKER,  
Chief Growth Officer.

UNIVERSITY OF COLORADO BOULDER,  
Boulder, CO, July 12, 2017.

Hon. DANIEL W. LIPINSKI,  
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE LIPINSKI: The University of Colorado, and its College of Engineering and Applied Science, is an avid supporter of establishing a strong national security innovation workforce, and we commend your support for MD5, the National Security Technology Accelerator within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics. We support your effort to authorize the program and create the option for the Secretary of Defense to expend up to \$15 million to expand and strengthen existing programs designed to boost veteran's innovation education.

In our position as the flagship research university in one of the nation's top Aerospace & Defense economies, we recognize the need to maintain a decisive advantage in technology innovation. Our research partners—including Ball Aerospace, Lockheed Martin, Northrop Grumman, Sierra Nevada Corporation, and Raytheon—routinely emphasize an increasing need for highly trained, technically competent, agile, and innovative engineers and scientists to address the most pressing technology challenges in National Security.

As the newest member of MD5, we believe programs like Hacking for Defense (H4D) are critical to developing a strong corps of future entrepreneurs that are adept at critical thinking, creative problem solving, and the formation of successful ventures that deliver economic, national security, and social value. The H4D curriculum educates veterans and other students in technology innovation and entrepreneurship, and provides a unique pathway to leverage their expertise while learning cutting-edge business innovation methodology and applying their knowledge to new national security problems.

Additional funding will help MD5 build on its early success by expanding H4D training to universities and other innovation organizations nationwide. Funds will be used to expand the development of resources, to include veteran recruitment materials, model curriculum, training materials, and best practices that will further enhance our university entrepreneurial education programs.

We support your amendment 352 to H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018, to continue to grow the national security innovation workforce.

Sincerely,

ROBERT D. BRAUN,  
Dean, College of Engineering and Applied Science.

OGSYSTEMS,  
July 12, 2017.

Hon. DANIEL W. LIPINSKI,  
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE LIPINSKI: As strong supporters of establishing a national security innovation workforce, we commend your support for the Hacking for Defense Program, operated under MD5, the National Security Technology Accelerator within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics. We support your effort to authorize the program

and create the option for the Secretary of Defense to expend up to \$15 million to expand and strengthen existing programs designed to boost veteran innovation education.

A public-private partnership between the National Defense University and a network of national research universities, MD5 was recognized in the Fiscal Year 2017 National Defense Authorization Act as “an important pilot program making vital contributions in the field of technology innovation.” The program emphasizes the incentives, outreach, professional military education, and skills-based training necessary to build a National Security Innovation Corps.

By leveraging programs like Hacking for Defense (H4D), MD5 is growing a cadre of entrepreneurs that are adept at critical thinking, creative problem solving, and the formation of the workforce innovative government contractors like OGSys need to deliver economic, national security, and social value. H4D classes educate veterans and other students in technology innovation and entrepreneurship, and provide a unique pathway for veterans to leverage their expertise while learning cutting-edge business innovation methodology, increasing post-military opportunities and applying their knowledge to new national security problems.

I have personally seen the positive impact to the Government agencies we support in both the H4D definition of problems and in the engagement of innovative sources of ideas to solve them. An example of one of the teams I helped to mentor was Capella Space at Stanford University, who is now VC funded and working on national defense problems in radar that even the Multi-Billion defense contractors weren't interested in investing IR&D funding. This is a win-win situation in the activation of non-traditional sources of innovation for DoD and the driving of solutions that impact national security.

Additional funds will help MDS build on its early success by expanding H4D training to universities nationwide, as well as government personnel and other organizations responsible for innovation efforts. Funds will be used to expand the development of resources, to include veteran recruitment materials, model curriculum, training materials, and best practices to support university entrepreneurial education programs.

We support amendment 352 to H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018, to continue to grow the national security innovation workforce.

Sincerely,

GARRETT PAGON,  
*President.*

Mr. LIPINSKI. Mr. Chair, the second amendment deals with cybersecurity standards.

At the end of 2016, the DOD issued important updated cybersecurity standards for defense contractors. Companies must implement these new standards by January 1, 2018. However, I have heard from a number of small manufacturers in my district that it is very difficult getting the information and expertise necessary to institute these standards. They fear this may mean the end of their companies.

America cannot afford to lose these small businesses, so my amendment encourages the Secretary of Defense to establish a cooperative program between the DOD and MIST to educate and assist small- and medium-sized

manufacturing firms in achieving compliance with the updated cybersecurity standards.

This would help improve cybersecurity access across the defense supply chain while also preserving competition for DOD contracts. It has received broad support from the business and technology community.

Mr. Chair, I thank the chair and ranking member for supporting these two amendments in this bloc and the next.

I ask my colleagues to support these amendments.

Mr. SMITH of Washington. Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey (Mr. GOTTHEIMER).

Mr. GOTTHEIMER. Mr. Chairman, I rise in support of this bipartisan amendment to reauthorize the Suicide Prevention and Resilience Program to 2019.

This is a critical program that provides members of the National Guard and Reserves, as well as their families, with training in suicide prevention, resilience, and community healing resources.

We simply cannot allow this critical suicide prevention program to expire, not for the men and women who are or have been on the front lines. Our Nation's veterans deserve the best care after putting their lives on the line to protect the freedoms we hold dear.

My bipartisan amendment reauthorizes and extends this program to improve safety and ensure continuity and peace of mind for the men and women who serve.

Just one soldier lost to suicide is too many. We should do everything in our power to help as many servicemembers as we can.

National Guardsmen and Reservists face unique challenges. They are citizen soldiers who do not live on a base. They often leave their jobs and families on a moment's notice to suit up to protect us.

Even a great Guardsman or Reservist may not know when and how to ask for help, yet these men and women still need access to support systems and community networks to help identify potential mental health issues. That is why it is critical that we extend this program to protect the well-being of all of our soldiers.

I am proud to offer this amendment in honor of those who serve in the New Jersey Guard and Reserve and across the Nation, as well as for their families.

I thank my colleague, Congresswoman MCSALLY, for her leadership on this issue and for her advocacy on behalf of all servicemembers.

I also thank Chairman THORNBERRY and Ranking Member SMITH for their important work on this critical legislation. I look forward to coming together as Democrats and Republicans to de-

fend our Nation and protect all of those who serve.

Mr. SMITH of Washington. Mr. Chair, I urge adoption of the amendment, and I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chair, I yield back the balance of my time.

Mr. AUSTIN SCOTT of Georgia. Mr. Chair, I rise today in support of Mr. Rogers' amendment allocating additional base funding for one of our nation's most critical battle management command and control platforms: the E-8C Joint Surveillance Target Attack Radar System, or JSTARS fleet.

JSTARS' critical mission is enabled by leveraging its extremely capable active radar system providing invaluable moving target indicator (MTI) intelligence, surveillance, and reconnaissance targeting information to multiple users both on the ground and in airborne attack platforms.

The demand for MTI capability within each geographic combatant commander's area of responsibility far exceeds what JSTARS can currently provide due to its limited legacy fleet size of 16 aircraft and strained crew resources.

Thankfully, FY18 NDAA includes JSTARS Recapitalization funds, but the legacy fleet of 16 aircraft still has issues and challenges that the Air Force must successfully navigate to maintain viability until the current fleet is replaced by the Recapitalization program beginning in the late 2020s.

Despite these issues and challenges, we are confident that the Secretary of the Air Force can develop a successful legacy JSTARS to JSTARS Recapitalization transition plan that would not prematurely retire E-8C aircraft, reassign crews or maintenance personnel, or otherwise increase the MTI ISR capability gap from what existing levels of aircraft are currently experiencing.

To do this, we need strong support and necessary resources. That's why I'm here tonight in supporting additional resources for the JSTARS legacy fleet to update and maintain their critical battle management capabilities.

As the premiere military in the world, we cannot afford to let this important military capability deteriorate before our eyes, putting our warfighters and strategic campaigns at risk around the world.

One of the greatest duties we have as Members of Congress is to provide for our nation's defense, and I urge my colleagues to support this measure as well as other provisions supporting our warfighters and ensuring our men and women in uniform have the resources they need to meet the unique security needs of the 21st century.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 2 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 431, I offer a second package of amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2 consisting of amendment Nos. 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, and 49 printed in part B of House Report 115–212, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 32 OFFERED BY MS. MENG OF NEW YORK

At the end of subtitle G of title V, add the following new section:

**SEC. 5. ISSUANCE OF CONSOLIDATED PREGNANCY AND PARENTHOOD INSTRUCTION.**

The Secretary of Defense shall ensure that each military department issues a single, consolidated instruction that addresses the decisions, actions, and requirements for members of the Armed Forces relating to pregnancy, the postpartum period, and parenthood.

AMENDMENT NO. 33 OFFERED BY MR. CARSON OF INDIANA

At the end of subtitle A of title VII, add the following new section:

**SEC. 704. MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES DEPLOYED IN SUPPORT OF A CONTINGENCY OPERATION.**

Section 1074m(a)(1)(B) of title 10, United States Code, is amended by striking “Until January 1, 2019, once” and inserting “Once”.

AMENDMENT NO. 34 OFFERED BY MS. KUSTER OF NEW HAMPSHIRE

Page 204, after line 5, insert the following:

**SEC. 704. COUNSELING AND TREATMENT FOR SUBSTANCE USE DISORDERS AND CHRONIC PAIN MANAGEMENT SERVICES FOR MEMBERS WHO SEPARATE FROM THE ARMED FORCES.**

Section 1145(a)(6)(B)(i) of title 10, United States Code, is amended—

- (1) in subclause (I)—
  - (A) by inserting “, substance use disorder,” after “post-traumatic stress disorder”; and
  - (B) by striking “and” at the end;
  - (2) by redesignating subclause (II) as subclause (III); and
  - (3) by inserting after subclause (I) the following:

“(II) chronic pain management services, including counseling and treatment of co-occurring mental health disorders and alternatives to opioid analgesics; and”.

AMENDMENT NO. 35 OFFERED BY MR. LANCE OF NEW JERSEY

At the end of subtitle C of title VII, add the following new section:

**SEC. 7. PROHIBITION ON AVAILABILITY OF FUNDS FOR TERMINATION OF VETS4WARRIORS CRISIS HOTLINE PROGRAM.**

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended to terminate the Vets4Warriors crisis hotline program unless the Secretary of Defense has submitted to the congressional defense committees a report describing a sufficient replacement to such program.

AMENDMENT NO. 36 OFFERED BY MR. PASCRELL OF NEW JERSEY

In title VII, at the end of subtitle C add the following:

**SEC. . REPORT ON IMPLEMENTATION OF GAO RECOMMENDATIONS.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit a report to the congressional defense committees on the implementation by the Department of Defense of the

recommendations from the Government Accountability Office report entitled “Actions Needed to Ensure Post-Traumatic Stress Disorder and Traumatic Brain Injury Are Considered in Misconduct Separations” and published May 16, 2017.

AMENDMENT NO. 37 OFFERED BY MR. MEEHAN OF PENNSYLVANIA

At the end of subtitle C of title VII, add the following new section:

**SEC. 7. AUTHORIZATION OF INTERGOVERNMENTAL AGREEMENTS FOR THE PROVISION OF HEALTH SCREENINGS.**

Section 2679(e)(1) of title 10, United States Code, is amended by adding at the end the following new sentence: “Such term includes health screenings for conditions relating to the exposure of perfluorooctanesulfonic acid and perfluorooctanoic acid in communities near formerly used defense sites that have been identified by the Secretary of Defense as sources of such acids.”

AMENDMENT NO. 38 OFFERED BY MS. KUSTER OF NEW HAMPSHIRE

At the end of subtitle C of title VII, add the following new section:

**SEC. 7. STUDY ON SAFE OPIOID PRESCRIBING PRACTICES.**

(a) STUDY.—The Secretary of Defense shall conduct a study on the effectiveness of the training provided to military health care providers regarding opioid prescribing practices, initiatives in opioid safety, the use of the VA/DOD Clinical Practice Guideline for Management of Opioid Therapy for Chronic Pain, and other related training.

(b) ELEMENTS.—The study under subsection (a) shall address the effectiveness of training with respect to the following:

- (1) Reducing the total number of prescription opioids dispensed by the Department of Defense to beneficiaries of health care furnished by the Department.
- (2) Reducing the average dosage prescribed by a military health care provider to such beneficiaries.
- (3) Reducing the average number of doses per prescription for treatment of acute pain.
- (4) Reducing the average duration of opioid therapy for chronic pain.
- (5) Reducing the number of overdoses due to prescription opioids for patients with acute pain and patients undergoing opioid therapy for chronic pain.
- (6) Providing counseling and referrals to treatment alternatives to opioid analgesics.
- (7) Providing education on the risks of opioid medications to individuals for whom such medications are prescribed, and to their families, with special consideration given to raising awareness among adolescents on such risks.
- (8) Effectiveness in communicating to military health care providers changes in Department policies regarding opioid safety and prescribing practices.

(c) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the results of the study under subsection (a).

AMENDMENT NO. 39 OFFERED BY MR. THORNBERRY OF TEXAS

Strike section 802 and insert the following:

**SEC. 802. PERFORMANCE OF INCURRED COST AUDITS.**

(a) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by inserting after section 2313a the following new section:

**“§ 2313b. Performance of incurred cost audits**

“(a) COMPLIANCE WITH STANDARDS OF RISK AND MATERIALITY.—Not later than October 1,

2020, the Secretary of Defense shall comply with commercially accepted standards of risk and materiality in the performance of each incurred cost audit of costs associated with a contract of the Department of Defense.

“(b) CONDITIONS FOR THE USE OF QUALIFIED PRIVATE AUDITORS TO PERFORM INCURRED COST AUDITS.—(1) The Secretary shall use a qualified private auditor to perform a sufficient number of incurred cost audits of contracts of the Department of Defense in order to ensure that—

“(A) any backlog of incurred cost audits of the Defense Contract Audit Agency is eliminated by October 1, 2020;

“(B) incurred cost audits are completed not later than one year after the date of receipt of a qualified incurred cost submission;

“(C) sufficient private sector capacity exists to meet the current and future needs of the Department of Defense for the performance of incurred cost audits;

“(D) qualified private auditors are used to perform a substantial number of incurred cost audits on an ongoing basis to improve the efficiency and effectiveness of the performance of incurred cost audits;

“(E) the Defense Contract Audit Agency is able to devote ample resources to high priority audits; and

“(F) multi-year auditing is conducted only to address outstanding incurred cost audits for which a qualified incurred cost submission was submitted to the Defense Contract Audit Agency more than 12 months before the date of the enactment of this section.

“(2)(A) Not later than October 1, 2018, the Secretary of Defense shall submit to the congressional defense committees a copy of the acquisition plan required by the Federal Acquisition Regulation for the task order contract to be awarded under subparagraph (B). Such plan shall also include—

“(i) a description of the incurred cost audits that the Secretary determines are appropriate to be conducted by qualified private auditors, including the approximate number and dollar value of such incurred cost audits; and

“(ii) an estimate of the number and dollar value of incurred cost audits to be conducted by qualified private auditors for each of the fiscal years 2019 through 2025 necessary to meet the requirements of paragraph (1).

“(B) Not later than October 1, 2019, the Secretary of Defense or a Federal department or agency authorized by the Secretary shall award an indefinite delivery-indefinite quantity task order contract to two or more qualified private auditors to perform incurred cost audits of costs associated with contracts of the Department of Defense.

“(C) The Defense Contract Management Agency, a contract administration office of a military department, or an authorized entity outside of the Department of Defense shall issue a task order to perform an incurred cost audit to a qualified private auditor under a task order contract awarded under subparagraph (B), if issuing such task order will assist the Secretary in meeting the requirements of paragraph (1). Such task order may be issued only to a qualified private auditor that certifies that the qualified private auditor possesses the necessary independence to perform such an audit.

“(D) A qualified private auditor performing an incurred cost audit of a contract of the Department of Defense shall develop and maintain complete and accurate working papers on each incurred cost audit. All working papers and reports on the incurred cost audit prepared by such qualified private

auditor shall be the property of the Department of Defense, except that the qualified private auditor may retain a complete copy of all working papers to support such reports made pursuant to this section.

“(E) The Defense Contract Audit Agency may not conduct further audit or review of an incurred cost audit performed by a qualified private auditor pursuant to this section unless requested to do so as part of conducting contract quality assurance functions in accordance with the Federal Acquisition Regulation.

“(3)(A) Effective October 1, 2022, the Defense Contract Audit Agency may issue unqualified audit findings for an incurred cost audit only if the Defense Contract Audit Agency is peer reviewed by a commercial auditor and passes such peer review. This peer review shall be conducted in accordance with the peer review requirements of generally accepted government auditing standards of the Comptroller General of the United States and shall be deemed to meet the requirements of the Defense Contract Audit Agency for a peer review under such standards.

“(B) The peer review referred to in subparagraph (A) shall occur not less frequently than once every three years.

“(C) Not later than October 1, 2019, the Secretary of Defense shall provide to the Committee on Armed Services of the House of Representatives an update on the process of securing a commercial auditor to perform the peer review referred to in subparagraph (A).

“(4) The Secretary of Defense shall consider the results of an incurred cost audit performed under this section without regard to whether the Defense Contract Audit Agency or a qualified private auditor performed the audit.

“(5) The contracting officer for a contract that is the subject of an incurred cost audit shall have the sole discretion to accept or reject an audit finding on direct costs of the contract.

“(C) MATERIALITY STANDARDS FOR INCURRED COST AUDITS.—(1) Not later than October 1, 2020, and except as provided in paragraph (2), the minimum materiality standard used by an auditor shall—

“(A) for an incurred cost audit of costs in an amount less than or equal to \$100,000, be 4 percent of such costs;

“(B) for an incurred cost audit of costs in an amount greater than \$100,000 but less than \$500,000, be \$2,000 plus 2 percent of such costs;

“(C) for an incurred cost audit of costs in an amount greater than \$500,000 but less than \$1,000,000, be \$5,000 plus 1 percent of such costs;

“(D) for an incurred cost audit of costs in an amount greater than \$1,000,000 but less than \$5,000,000, be \$8,000 plus 0.9 percent of such costs;

“(E) for an incurred cost audit of costs in an amount greater than \$5,000,000 but less than \$10,000,000, be \$13,000 plus 0.8 percent of such costs;

“(F) for an incurred cost audit of costs in an amount greater than \$10,000,000 but less than \$50,000,000, be \$23,000 plus 0.7 percent of such costs;

“(G) for an incurred cost audit of costs in an amount greater than \$50,000,000 but less than \$100,000,000, be \$73,000 plus 0.6 percent of such costs;

“(H) for an incurred cost audit of costs in an amount greater than \$100,000,000 but less than \$500,000,000, be \$153,000 plus 0.52 percent of such costs; and

“(I) for an incurred cost audit of costs in an amount greater than \$500,000,000, be \$503,000 plus 0.45 percent of such costs.

“(2) An auditor that performs an incurred cost audit under this section may use a materiality standard of a lesser amount than the materiality standard described under paragraph (1) with respect to a particular qualified incurred cost submission from a contractor based on an assessment of risk presented by such qualified incurred cost submission. The risk shall be assessed by the auditor in accordance with generally accepted government auditing standards and guidance issued by the Secretary of Defense.

“(3) Not later than March 1, 2019, the Comptroller General of the United States shall submit to the congressional defense committees a report on practices for assessing risk and materiality in auditing, which shall include—

“(A) a summary of commercially accepted standards of risk and materiality and Government standards for risk and materiality as related to incurred cost audits;

“(B) examples of how commercial auditing firms apply such standards in developing methodologies for conducting incurred cost audits; and

“(C) recommendations, if appropriate, to modify the minimum materiality standards under paragraph (1) to be consistent with commercially accepted standards of risk and materiality.

“(4) Not later than October 1, 2019, and every 5 years thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on commercially accepted standards of risk and materiality as related to incurred cost audits. The report may contain recommendations to modify the materiality standards under paragraph (1) to be consistent with such commercially accepted standards of risk and materiality.

“(d) TIMELINESS OF INCURRED COST AUDITS.—(1) The Secretary of Defense shall ensure that all incurred cost audits performed pursuant to subsection (b) are performed in a timely manner.

“(2) The Secretary of Defense shall notify a contractor within 60 days after receipt of an incurred cost submission from the contractor whether the submission is a qualified incurred cost submission.

“(3) With respect to qualified incurred cost submissions received on or after the date of the enactment of this section, audit findings shall be issued for an incurred cost audit not later than one year after the date of receipt of such qualified incurred cost submission.

“(4) If audit findings are not issued within one year after the date of receipt of a qualified incurred cost submission, such qualified incurred cost submission shall be considered accepted in its entirety unless the Secretary of Defense can demonstrate that the contractor unreasonably withheld information necessary to perform the incurred cost audit.

“(f) REVIEW OF AUDIT PERFORMANCE.—Not later than April 1, 2025, the Comptroller General of the United States shall provide a report to the congressional defense committees that evaluates for the period beginning on October 1, 2019, and ending on August 31, 2023—

“(1) the timeliness, individual cost, and quality of incurred cost audits, set forth separately by incurred cost audits performed by the Defense Contract Audit Agency and by qualified private auditors;

“(2) the cost to contractors of the Department of Defense for incurred cost audits, set forth separately by incurred cost audits performed by the Defense Contract Audit Agency and by qualified private auditors;

“(3) the effect, if any, on other types of audits conducted by the Defense Contract Audit Agency that results from incurred cost audits conducted by qualified private auditors; and

“(4) the capability and capacity of commercial auditors to conduct incurred cost audits for the Department of Defense.

“(g) DEFINITIONS.—In this section:

“(1) The term ‘commercial auditor’ means a private entity engaged in the business of performing audits.

“(2) The term ‘flexibly priced contract’ means—

“(A) a cost-type contract, fixed-price incentive fee contract, or price-redeterminable contract, or a task order issued under an indefinite delivery-indefinite quantity task order contract, for which final payment is based on actual costs incurred; or

“(B) the materials portion of a time-and-materials contract or labor-hour contract of the Department of Defense.

“(3) The term ‘incurred cost audit’ means an audit of charges to the Government by a contractor under a flexibly priced contract.

“(4) The term ‘materiality standard’ means a dollar amount of misstatements, including omissions, contained in an incurred cost audit that would be material if the misstatements, individually or in the aggregate, could reasonably be expected to influence the economic decisions of the Government made on the basis of the incurred cost audit.

“(5) The term ‘qualified incurred cost submission’ means a submission by a contractor of costs incurred under a flexibly priced contract that has been qualified by the Department of Defense as sufficient to conduct an incurred cost audit.

“(6) The term ‘qualified private auditor’ means a commercial auditor—

“(A) that performs audits in accordance with generally accepted government auditing standards of the Comptroller General of the United States; and

“(B) that has received a passing peer review rating, as defined by generally accepted Government auditing standards.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2313a the following new item:

“2313b. Performance of incurred cost audits.”.

AMENDMENT NO. 40 OFFERED BY MS. FOXX OF NORTH CAROLINA

Page 247, strike lines 4 through 7 and insert the following:

“(5) The Director shall develop guidelines and resources on intellectual property matters and make them available to the acquisition workforce. Such guidelines and resources shall include templates for specially negotiated licenses (as appropriate) and a collection of definitions, key terms, examples, and case studies that demonstrate and resolve ambiguities in the differences between—

“(A) detailed manufacturing and process data;

“(B) form, fit, and function data; and

“(C) data required for operations, maintenance, installation, and training.”.

Page 248, line 3, insert after the period the following: “As part of such communications, the Director shall regularly engage with appropriately representative entities, including large and small businesses, traditional and non-traditional Government contractors, prime contractors and subcontractors, and maintenance repair organizations.”.

AMENDMENT NO. 41 OFFERED BY MR. CONNOLLY  
OF VIRGINIA

At the end of subtitle D of title VIII, add the following new section:

**SEC. 8. DEVELOPMENT OF PROCUREMENT ADMINISTRATIVE LEAD TIME.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop, make available for public comment, and finalize—

(1) a definition of the term “Procurement Administrative Lead Time” or “PALT”, to be applied Department of Defense-wide, that describes the amount of time from the date on which a solicitation is issued to the date of an initial award of a contract or task order of the Department of Defense; and

(2) a plan for measuring and publicly reporting data on PALT for Department of Defense contracts and task orders above the micro-purchase threshold.

(b) REQUIREMENT FOR DEFINITION.—Unless the Secretary determines otherwise, the amount of time in the definition of PALT developed under subsection (a) shall—

(1) begin on the date on which a solicitation is issued for a contract or task order of the Department of Defense by the Secretary of a military department or head of a Defense Agency; and

(2) end on the date of an initial award of the contract or task order.

(c) DEVIATION FROM PALT MILESTONES.—The Secretary may deviate from current PALT milestones as the Secretary determines necessary, to develop the definition of PALT under subsection (a).

(d) COORDINATION.—In developing the definition of PALT, the Secretary shall coordinate with the senior contracting official of each military department and Defense Agency to determine the variations of the definition in use across the Department of Defense and each military department and Defense Agency.

(e) USE OF EXISTING PROCUREMENT DATA SYSTEMS.—In developing the plan for measuring and publicly reporting data on PALT required by subsection (a), the Secretary shall consider, to the maximum extent practicable, relying on the information captured by the Federal procurement data system established pursuant to section 1122(a)(4) of title 41, United States Code (or any similar or successor system).

AMENDMENT NO. 42 OFFERED BY MR. NOLAN OF  
MINNESOTA

At the end of subtitle D of title VIII, add the following new section:

**SEC. 870A. SENSE OF CONGRESS REGARDING STEEL PRODUCED IN THE UNITED STATES.**

(a) FINDINGS.—Congress finds the following:

(1) Frequent surges in unfairly trade steel imports have materially injured the iron ore and steel industries in the United States, putting our national, economic, and energy security at risk.

(2) High-quality American steel products are vital to the success of the United States military and are used in a variety of applications from aircraft carriers to armor plate for tanks.

(3) Domestic producers of defense-related steel products are dependent on the overall financial health of the iron ore and steel industries in the United States.

(4) The loss of a strong domestic iron ore and steel industry would make the United States dangerously dependent upon foreign sources of steel, such as China.

(b) SENSE OF CONGRESS.—It is the sense of Congress that a strong domestic iron ore and

steel industry is vital to the national security of the United States.

AMENDMENT NO. 43 OFFERED BY MR. CONNOLLY  
OF VIRGINIA

At the end of subtitle D of title VIII, add the following:

**SEC. 871. AMENDMENTS RELATING TO INFORMATION TECHNOLOGY.**

(a) ELIMINATION OF SUNSET RELATING TO TRANSPARENCY AND RISK MANAGEMENT OF MAJOR INFORMATION TECHNOLOGY INVESTMENTS.—Subsection (c) of section 11302 of title 40, United States Code, is amended by striking the first paragraph (5).

(b) ELIMINATION OF SUNSET RELATING TO INFORMATION TECHNOLOGY PORTFOLIO, PROGRAM, AND RESOURCE REVIEWS.—Section 11319 of title 40, United States Code, is amended—

(1) by redesignating the second subsection (c) as subsection (d); and

(2) in subsection (d), as so redesignated, by striking paragraph (6).

(c) EXTENSION OF SUNSET RELATING TO FEDERAL DATA CENTER CONSOLIDATION INITIATIVE.—Subsection (e) of section 834 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 44 U.S.C. 3601 note) is amended by striking “2018” and inserting “2020”.

AMENDMENT NO. 44 OFFERED BY MR. LIPINSKI OF  
ILLINOIS

At the end of subtitle C of title IX, add the following new section:

**SEC. 924. SENSE OF CONGRESS ON COOPERATIVE PROGRAM FOR INFORMATION SECURITY EDUCATION.**

It is the sense of Congress that—

(1) the Secretary of Defense should provide adequate resources to the Office of the Chief Information Officer of the Department of Defense and the Defense Procurement Acquisition Policy to enable such entities to establish a cooperative program with the National Institute of Standards and Technology-Manufacturing Extension Partnership; and

(2) the cooperative program described in paragraph (1) should—

(A) educate and assist small- and medium-sized manufacturing firms in the Department of Defense supply chain in achieving compliance with NIST Special Publication 800-171 titled “Protecting Controlled Unclassified Information in Nonfederal Information Systems and Organizations” as such publication is incorporated into the Defense Federal Acquisition Regulation Supplement;

(B) highlight the resources available to businesses that have contracts with the Department or that are applying for such contracts; and

(C) educate such businesses on—

(i) the System Security Plan of the National Institute of Standards and Technology;

(ii) the procurement toolbox of the Defense Procurement Acquisition Policy;

(iii) the Cyber Security Evaluation Tool of the Department of Homeland Security; and

(iv) the risks of using third party companies in assessing compliance with NIST Special Publication 800-171.

Page 640, after line 12, insert the following:

(c) SENSE OF CONGRESS.—It is the sense of Congress that the quarterly cyber operations briefings required under section 484 of title 10, United States Code, as amended by subsection (a), should include an update on the progress of the Secretary of Defense in carrying out the cooperative program described in section 924.

AMENDMENT NO. 45 OFFERED BY MR. CONAWAY  
OF TEXAS

At the end of subtitle A of title X, add the following new section:

**SEC. 1004. AMENDMENTS TO DEPARTMENT OF DEFENSE FINANCIAL AUDIT PLAN.**

(a) AMENDMENT TO NAME OF DEPARTMENT OF DEFENSE FINANCIAL AUDIT PLAN.—

(1) IN GENERAL.—Section 1003 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 10 U.S.C. 2222 note) is amended by striking “Financial Improvement and Audit Readiness Plan” each place such term appears in heading and text and inserting “Financial Improvement and Audit Remediation Plan”.

(2) CONFORMING AMENDMENT.—Section 1003(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 2222 note) is amended by striking “Financial Improvement and Audit Readiness Plan” each place such term appears in heading and text and inserting “Financial Improvement and Audit Remediation Plan”.

(b) REPORT AND BRIEFING REQUIREMENTS.—

(1) IN GENERAL.—Subsection (b) of section 1003 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 10 U.S.C. 2222 note) is amended to read as follows:

“(b) REPORT AND BRIEFING REQUIREMENTS.—

“(1) ANNUAL REPORT.—

“(A) IN GENERAL.—Not later than March 31, 2019, and annually thereafter, the Under Secretary of Defense (Comptroller) shall submit to the congressional defense committees a report on the status of the implementation by the Department of Defense of the Financial Improvement and Audit Remediation Plan required by subsection (a).

“(B) ELEMENTS.—Each report under subparagraph (A) shall include, at a minimum—

“(i) an analysis of the consolidated corrective action plan management summary prepared pursuant to section 1002 of this Act; and

“(ii) current Department of Defense-wide information on the status of corrective actions plans related to critical capabilities and material weaknesses, including the standard data elements recommended in the implementation guide for Office of Management and Budget Circular A-123, for the armed forces, military departments, and Defense Agencies.

“(2) SEMIANNUAL BRIEFINGS.—Not later than March 31 and October 31 each year, the Under Secretary of Defense (Comptroller) and the Comptrollers of the military departments shall provide a briefing to the congressional defense committees on the status of the corrective action plan.

“(3) CRITICAL CAPABILITIES DEFINED.—In this subsection, the term ‘critical capabilities’ means the critical capabilities described in the Department of Defense report titled ‘Financial Improvement and Audit Readiness (FIAR) Plan Status Report’ and dated May 2016.”.

(2) CONFORMING AMENDMENTS.—

(A) The Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 10 U.S.C. 2222 note) is amended by striking section 881.

(B) The National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 10 U.S.C. 2222 note) is amended by striking section 1003.

(C) Section 1005(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 10 U.S.C. 2222 note) is amended by striking paragraph (2).

(c) EFFECTIVE DATE.—Subsection (b) shall take effect December 1, 2017.



AMENDMENT NO. 46 OFFERED BY MR. BURGESS  
OF TEXAS

At the end of subtitle A of title X, add the following new section:

**SEC. 1004. REPORT ON AUDITABLE FINANCIAL STATEMENTS.**

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report ranking all military departments and Defense Agencies in order of how advanced they are in achieving auditable financial statements as required by law. The report should not include information otherwise available in other reports to Congress.

AMENDMENT NO. 47 OFFERED BY MR. YOHO OF  
FLORIDA

Page 359, after line 4, insert the following:

**SEC. 1026. PROHIBITION ON USE OF FUNDS TO CLOSE OR RELINQUISH CONTROL OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

None of the funds authorized to be appropriated or otherwise made available for the Department of Defense for fiscal year 2018 may be used—

(1) to close or abandon United States Naval Station, Guantanamo Bay, Cuba;

(2) to relinquish control of Guantanamo Bay to the Republic of Cuba; or

(3) to implement a material modification to the Treaty Between the United States of America and Cuba signed at Washington, D.C. on May 29, 1934, that constructively closes United States Naval Station, Guantanamo Bay.

AMENDMENT NO. 48 OFFERED BY MR. SANFORD  
OF SOUTH CAROLINA

In section 1037(c)(1), strike “and approvals” and insert “, approvals, and the total costs of all flyover missions, including the costs of fuel, maintenance, and manpower.”.

AMENDMENT NO. 49 OFFERED BY MR. YOHO OF  
FLORIDA

Page 375, after line 8, insert the following:

**SEC. 1040. LIMITATION ON USE OF FUNDS FOR PROVISION OF MAN-PORTABLE AIR DEFENSE SYSTEMS TO THE VETTED SYRIAN OPPOSITION.**

(a) **LIMITATION.**—If a determination is made during fiscal year 2018 to use funds available to the Department of Defense for that fiscal year to provide man-portable air defense systems (MANPADs) to the vetted Syrian opposition pursuant to the authority in section 1209 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3541), such funds may not be used for that purpose until—

(1) the Secretary of Defense and the Secretary of State jointly submit to the appropriate congressional committees a report on the determination; and

(2) 30 days elapses after the date of the submittal of such report to the appropriate congressional committees.

(b) **REPORT REQUIREMENTS.**—The report under subsection (a) shall set forth the following:—

(1) A description of each element of the vetted Syrian opposition that will provided man-portable air defense systems as described in subsection (a), including—

(A) the geographic location of such element;

(B) a detailed intelligence assessment of such element;

(C) a description of the alignment of such element within the broader conflict in Syria; and

(D) a description and assessment of the assurance, if any, received by the commander

of such element in connection with the provision of man-portable air defense systems.

(2) The number and type of man-portable air defense systems to be so provided.

(3) The logistics plan for providing and resupplying each element to be so provided man-portable air defense systems with additional man-portable air defense systems.

(4) The duration of support to be provided in connection with the provision of man-portable air defense systems.

(5) The justification for the provision of man-portable air defense systems to each element of the vetted Syrian opposition, including an explanation of the purpose and expected employment of such systems.

(6) Any other matters that the Secretary of Defense and the Secretary of State jointly consider appropriate.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” has the meaning given that term in section 1209(e)(2) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3541).

(d) **PROHIBITION ON USE OF CERTAIN FUNDS.**—None of the funds authorized to be appropriated or otherwise made available by this Act for fiscal year 2018 for “Counter-ISIS Train and Equip Fund” Counter may be used to procure or transfer man-portable air defense systems (MANPADS).

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I have no requests for time, and I simply urge adoption of this package of en bloc amendments.

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

Mr. SMITH of Washington. Mr. Chair, I yield myself such time as I may consume just to clean up a couple of earlier debates we had on amendments. I just wanted to make a couple of arguments.

On the nuclear weapons issue, I just want to be clear, we support a strong and robust nuclear deterrence. We are not advocating unilateral disarmament by any stretch of the imagination.

We are simply asking: In the budget challenge environment that we have, is this the best use of our money to totally rebuild our entire nuclear weapons system?

And the amendments that were offered weren't even necessarily saying no. They are just saying this is something we ought to study and ought to talk about.

And I will, however, disagree with one argument that was made about how somehow it is a myth that over the last 70 years, all of our adversaries are building nuclear weapons in response to the nuclear weapons that we have built. I think that is a big misreading of history.

We all recall that we were first to the table on this. And thank goodness we were. It enabled us to end World War

II. But we are still the only nation on Earth that has actually used nuclear weapons. And when the Soviet Union developed theirs, we had them and they didn't. And I think it is a little ridiculous to assume that no part of their thinking was that:

Well, if the United States of America, our prime adversary, has nuclear weapons, we better have them, too.

And then we saw the arms race accelerate, even to the point of the famous debate in 1960, how candidate JOHN KENNEDY talked about the missile gap that we had. That turned out to be a total fabrication. It wasn't true. We didn't have that gap. It was unfair to what the Eisenhower administration was doing. But the argument from the other side that the notion of an arms race is ridiculous is something that I think is wrong.

Arms races do happen. And part of what we need to do in working with our adversaries is to try to contain them in a reasonable fashion. So I do believe that in many cases, it becomes a self-perpetuating thing. We build them, they build them; we build them, they build them. And I hope that part of our nuclear strategy isn't just building as many nuclear weapons as is humanly possible, but is actually opening up lines of communication with potential adversaries like China, with adversaries like Russia.

Now, I will grant you that where North Korea is concerned, and as I have said repeatedly, we have to deter them, but we have the power to destroy North Korea, I think, hundreds of times over. We have the capacity in terms of our weapons systems to deter them.

So I hope, as we look at modernizing our nuclear weapons systems, we will consider the cost and the effectiveness of doing that. And I know Mr. ROGERS has offered his thoughtful amendment to give the Department of Defense some opportunity to do that, but that is all we were trying to say on that.

On BRAC, a couple of arguments were made at the end there that were somewhat misleading. One was that Secretary Mattis had said that he wanted to totally relook at the situation, implying that Secretary Mattis didn't think that a BRAC was a good idea.

The Pentagon—President Donald Trump's Pentagon and Secretary Mattis' Pentagon—recommended a BRAC round that we rejected. So make no mistake about it, the Republican President and Secretary Mattis support a BRAC round.

And two more minor points. It was argued that, well, we voted for this bill 60 to 1 out of committee, so we were all in favor of it. Yes, not all, but we were in favor of the bill. This was a small piece of that bill. So to argue in a bill—and forgive me, I don't know how many pages this year's bill is. I know last



year's was 1,600—that in a 1,600-page bill, if you vote for it, you have got to support absolutely everything in it is a notion that I don't think any Member would support.

Again, I will emphasize an argument that I made with Mr. WILSON on the notion that, well, gosh, they don't have a study, they haven't looked at it, they haven't thought about what they are going to do, when, in fact, it is Congress that has prohibited them legislatively—and I don't know how many of the last few years, but several of them—from doing that.

Let's at least let them take a look at it to give us the numbers, because the same point as the nuclear weapons issue, as we have heard over and over today, we have crucial readiness shortfalls.

In many ways I will agree with the chairman: we are right now not doing right by the men and women who serve in the military by not providing them with the training and the equipment they need to do the missions that we are contemplating having them do. And if that is the case, if we can find savings by not building as many nuclear weapons as we need or by closing institutions that we do not need, then I think that is something that we owe the men and women who serve in the military.

And let's not kid ourselves. This is a very parochial issue. There are a whole bunch of bases in the State of Washington. I don't want to see any of them closed, but if the military decides that that is the best thing to do, I am not going to stand in the way of it.

And I hope, given the dire situation that we face that has been described by my Republican colleagues, that we would put parochial concerns to the side and do what is best for the military, to make sure that we are spending the money as wisely as we possibly can and to make absolutely certain that the men and women who serve are trained, equipped, and ready to fight whatever fight it is we ask them to go into.

Mr. Chairman, I urge adoption of the second en bloc amendment, and I yield back the balance of my time.

□ 2300

Mr. THORNBERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to take a moment to address the topics that the gentleman from Washington addressed.

First off, I completely agree with him. This bill that we are considering today, tomorrow, and the next day is about 1,000 pages. I don't agree with it all. It has everything from missile defense to helping spouses pay licenses when they are forced to move from State to State, and I suspect I will not agree with it all at the end of the day.

What is important, though, is the overriding obligation we have to sup-

port the men and women who risk their lives to protect us. So, I think the gentleman is exactly right. Just because you vote for the bill does not mean you endorse everything in it. And at the same time, even if you disagree with some of the things in it, it is important to support the men and women who serve by voting for the bill, even if you have disagreements. I completely concur with the gentleman on that.

When it comes to the nuclear issue, there are a few points I want to make that maybe were not made during the previous debates.

Number one is we have drastically fewer nuclear weapons now than we had during the Cold War. I think a lot of people do not realize how significantly fewer weapons and delivery systems we have now than we had all during the fifties, sixties, seventies, and into the eighties.

But these are still machines. They do not live forever. Whether you are talking about the weapon itself or the delivery systems, they age; and, as they age, there are chemical reactions, parts wear out, and things change. So they have to be modernized if our deterrent is to remain credible.

Now, you can get into an argument about, okay, how many weapons does it take to be credible and what delivery systems are required to penetrate defenses, to hold enough targets at risk, to have that credible defense, but what I think there can be little debate about is that the world is growing more dangerous in the nuclear field. We have seen what happened with North Korea. There is enormous concern about what happens in the Middle East and elsewhere.

I believe that our nuclear deterrent is the foundation upon which the rest of our defense efforts are built, and that foundation must remain credible. It has to be rebuilt. My understanding is the estimates are at no point will rebuilding that entire nuclear deterrent require more than 7 percent of any year's defense budget, 7 percent for the foundation and 93 percent for the House that is built on it.

It is essential that we maintain that credible deterrent, and it has got to be big enough to be credible so that a country like China does not think they can build a few more weapons and get to parity with the United States.

On the subject of BRAC, I do disagree with the gentleman from Washington on this point. Two years ago, I specifically asked that we have included in the bill that was signed into law a requirement that the Pentagon provide us with an updated cost estimate on excess infrastructure.

What we have all been citing is a 2004 estimate that there is about 20 percent excess infrastructure. Twenty-two percent is the number that is often used. What we got back was seven pages of nothing.

By the way, that was not prohibited by the bill. It was required by the bill.

What I am interested in is a real updated, data-driven study that shows whether we have excess infrastructure and of what sort. And I think that is exactly what Secretary Mattis said. Let me quote his exact sentence:

I am not comfortable right now that we have a full 20-some percent excess infrastructure. I need to go back through and look at this again because I don't want to get rid of something that we can't sustain and then say we have got to go buy some land here in 10 years.

I think that is what we need is an updated study. And if it shows that we have got excess infrastructure, I am not at all opposed to having another round of BRAC. I am very opposed to having another round like 2005, which, I believe, it is either CBO or GAO, I can't remember which, says has not yet broken even 12 years later. It still costs more money than it has, and it has not started to save yet. So I don't want a repeat of that.

I am interested if it shows that we do have excess infrastructure and a way to deal with that. Secretary Mattis, I believe, shares that view, but until we see the data, I am not supportive of another round.

Mr. SMITH of Washington. Will the gentleman yield?

Mr. THORNBERRY. I yield to the gentleman.

Mr. SMITH of Washington. Mr. Chairman, it is not clear that it has got a prohibition on a study, nor does it call for one.

So as we get into conference, I think it might be a worthwhile thing to say that we authorize, ask—you know, and I am not sure if this is something the Defense Department can do without our authorization or not, but it is something that we should discuss as we get into conference, to have them do that study.

I think that would be an excellent first step, but I am not sure that we cover it in this bill. Maybe we do, and we can figure that out over the course of the next 48 hours. But if it doesn't, that is something that I think we ought to try to do.

Mr. THORNBERRY. Mr. Chairman, I appreciate the point. I am not convinced that the gentleman and I really differ on this point.

What the bill says, now, is: "Nothing in this act shall be construed to authorize an additional base alignment and closure round." That is what it says. It says we don't authorize it, of course. It does not prohibit a study to say whether we ought to. Again, I would welcome a real data-driven study that will help us reach that conclusion.

Mr. Chairman, this is just further evidence that there is a wide range of issues and discussions to have on this bill, all for that purpose of supporting

the men and women who serve our Nation.

I support en bloc package No. 2. I urge my colleagues to, and I yield back the balance of my time.

Mr. PASCRELL. Mr. Chair, I rise today in support of the bipartisan amendment I introduced with Congressman TOM ROONEY from Florida. The amendment would require the Secretary of Defense to report to Congress within 180 days on the implementation of recommendations from a recent Government Accountability Office (GAO) report entitled "Actions Needed to Ensure Post-Traumatic Stress Disorder and Traumatic Brain Injury Are Considered in Misconduct Separations," which was released in May 2017. GAO found that some of the service branch policies related to the consideration of traumatic brain injury (TBI) and post-traumatic stress disorder (PTSD) in "other than honorable" discharges were inconsistent with Department of Defense policy. To remedy these inconsistencies, DOD issued five recommendations.

As the co-chair and co-founder of the Congressional Brain Injury Task Force, I have worked to address the effects brain injuries have on both the military and civilian populations. TBI and PTSD have been recognized as the signature injuries of the Wars in Iraq and Afghanistan. Estimates from the RAND Corporation in 2008 estimated that nearly 20 percent—or 320,000—of the 1.6 million men and women deployed to Iraq and Afghanistan sustained a brain injury while in the line of duty. Additionally, between 11–20 percent of Operations Iraqi Freedom and Enduring Freedom have PTSD in a given year, according to the Department of Veteran Affairs (VA).

Given the impact that TBI and PTSD have on an individual's behavior and decision-making skills, it is imperative that these conditions are accurately diagnosed in a timely manner. It is also important that these conditions receive appropriate consideration when a servicemember is discharged for misconduct. According to the GAO's report, in the case of 16 percent of the separations for misconduct that the GAO examined, the servicemembers suffered from PTSD or TBI. Additionally, the GAO found that two of the four branches of the military have policies inconsistent with DOD's policy on the impact of TBI and PTSD on separations for misconduct. It is troubling that the Army and Marine Corps may not have adhered to their own screening, training, and counseling policies related to PTSD and TBI. That is why it is imperative that DOD's policies are implemented consistently across all of the military services and that there is adequate oversight of adherence.

When an individual receives an "other than honorable" discharge, he or she may not be eligible for health benefits through the VA. A lack of health coverage is problematic for anyone, but especially so for individuals suffering from TBI or PTSD. DOD policy requires that servicemembers requesting separation in lieu of trial by court-martial be counseled on the negative consequences of this type of separation. However, of the 48 separation packets the GAO examined, 11 had unclear or undocumented evidence that counseling took place. If servicemembers are agreeing to less than honorable discharges, they need to understand the consequences of that decision.

After the release of this report, I sent a letter to DOD Secretary James Mattis urging him to give due consideration to the recommendations made by the GAO. We must ensure the department provides accurate and timely diagnosis of PTSD and TBI in determining separation for misconduct, consistent policies across all branches of the military with accountability, and adequate counseling for servicemembers about the consequences of separation for misconduct, including the loss of health benefits.

This amendment is supported by the Brain Injury Association of America, the National Association of State Head Injury Administrators, and the U.S. Brain Injury Alliance.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 3 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 431, I offer a third package of amendments en bloc.

The Acting CHAIR (Mr. YOHIO). The Clerk will designate the amendments en bloc.

Amendments en bloc No. 3 consisting of amendment Nos. 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, and 68 printed in part B of House Report 115–212, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 50 OFFERED BY MRS. TORRES OF CALIFORNIA

Page 375, after line 8, insert the following:  
**SEC. 1040. DETERMINATION REGARDING TRANSFER OF DEFENSE ARTICLES TO UNITS COMMITTING GROSS VIOLATIONS OF HUMAN RIGHTS.**

(a) DETERMINATION REQUIRED.—In carrying out the Golden Sentry program to monitor end-use compliance of the government of a foreign state to which defense articles and services have been provided, the Director of the Defense Security Cooperation Agency, in consultation with the appropriate United States embassy personnel in the foreign state, shall determine whether the government of the foreign state has transferred any defense article to a unit that is prohibited from receiving assistance from the United States by reason of a determination by the Secretary of State that there is credible evidence that such unit has committed a gross violation of human rights.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a report on the implementation of subsection (a).

AMENDMENT NO. 51 OFFERED BY MR. YOUNG OF ALASKA

Page 396, strike lines 17 through 24 and insert the following:

**SEC. 1052. REPORT ON DEPARTMENT OF DEFENSE ARCTIC CAPABILITY AND RESOURCE GAPS AND REQUIRED INFRASTRUCTURE.**

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

the congressional defense committees a report setting forth—

(1) necessary steps the Department of Defense is undertaking to resolve arctic security capability and resource gaps; and

(2) the requirements and investment plans for military infrastructure required to protect United States national security interests in the arctic region.

Page 397, after line 21, insert the following:

(c) ADDITIONAL ELEMENTS.—The report under subsection (a) shall also include the following:

(1) A review of United States national security interests in the arctic region, including strategic national assets, United States citizens, territory, freedom of navigation, and economic and trade interests in the region.

(2) A description of United States military capabilities needed for operations in arctic terrain, including types of forces, major weapon systems, and logistics required for operations in such terrain.

(3) A description of the installations, infrastructure, and deep water ports for deployment of assets required to support operations in the arctic region, including the stationing, deployment, and training of military forces for operations in the region.

(4) An investment plan to establish the installations and infrastructure required for operations in the arctic region.

AMENDMENT NO. 52 OFFERED BY MR. EVANS OF PENNSYLVANIA

Page 409, after line 2, insert the following:  
**SEC. 1058. REPORT ON POTENTIAL AGREEMENT WITH THE GOVERNMENT OF RUSSIA ON THE STATUS OF SYRIA.**

Before entering into any agreement or understanding with the government of Russia regarding the status of Syria, the President shall submit to Congress a report that includes—

(1) a description of any understanding between the President and the government of Russia regarding a plan to divide territory among parties to the conflict; and

(2) a description of any such understanding that would provide Iran with access to the border between Israel and Syria.

AMENDMENT NO. 53 OFFERED BY MR. CORREA OF CALIFORNIA

Page 409, after line 2, insert the following:  
**SEC. 1058. REPORT ON PRIOR ATTEMPTED RUSSIAN CYBER ATTACKS AGAINST DEFENSE SYSTEMS.**

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Director of National Intelligence, shall submit to the Congress a written report on all attempts to breach, intrude, or otherwise hack into Department of Defense systems that—

(1) occurred during the last 24-month period ending on the date of the enactment of this Act; and

(2) were attributable either to the government of the Russian Federation or actors substantially supported by the government of the Russian Federation.

(b) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

AMENDMENT NO. 54 OFFERED BY MR. BRENDAN F. BOYLE OF PENNSYLVANIA

Page 409, after line 2, insert the following:  
**SEC. 1058. REPORT ON ALTERNATIVES TO AQUEDUCT FILM FORMING FOAM.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this

Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the Department's status toward developing a new military specification for safe and effective alternatives to aqueous film forming foam (hereinafter referred to as "AFFF") that do not contain perfluorooctanoic acid (hereinafter referred to as "PFOA") or erfluorooctanesulfonic acid (hereinafter referred to as "PFOS").

(b) ELEMENTS.—The report required by subparagraph (1) shall include the following:

(1) A detailed explanation of the Department's status toward developing a new military specification for safe and effective alternatives to AFFF that do not contain PFOA or PFOS.

(2) An update on the Department's plans for replacing AFFF containing PFOA or PFOS at military installations across the country and methods of disposal for AFFF containing PFOA or PFOS.

(3) An overview of current and planned research and development for AFFF alternatives that do not contain PFOA or PFOS.

(4) An assessment of how the establishment of a maximum contaminant level for PFOA or PFOS under the Safe Drinking Water Act (42 U.S.C. 300f et seq), rather than the current health advisory level, would impact the Department's mitigation actions, prioritization of such actions, and research and development related to PFOA and PFOS.

AMENDMENT NO. 55 OFFERED BY MRS. WALORSKI OF INDIANA

At the end of subtitle E of title X, add the following new section:

**SEC. 1058.**

(a) REPORT ON PROJECT, PROGRAM, AND PORTFOLIO MANAGEMENT STANDARDS.—

(1) REPORT.—The Comptroller General of the United States shall deliver, not later than 90 days after enactment, a report to Congress on the adoption of project, program, and portfolio management standards within the Department of Defense.

(2) ELEMENTS.—The report under paragraph (1) shall address, at a minimum, the following:

(A) Existing policy, guidance, and instruction of the Department of Defense related to project, program, and portfolio management.

(B) An assessment of how the Department of Defense can incorporate nationally accredited standards for project, program, and portfolio management—as required by Public Law 104-113 and Public Law 114-264—into its existing project, program, and portfolio management policy, guidance, and instruction, as well as how it may replace or revise existing policy, guidance, and instruction related to project, program, and portfolio management.

(b) REPORT ON DEPARTMENT OF DEFENSE PORTFOLIO MANAGEMENT.—

(1) REPORT.—The Comptroller General of the United States shall deliver, not later than nine months after enactment, a report to Congress on enhancing portfolio management capabilities and structure within the Department of Defense.

(2) ELEMENTS.—The report under paragraph (1) shall address, at a minimum, the following:

(A) Existing policy and guidance of the Department of Defense related to portfolio management, the management and alignment of portfolios of projects and programs to realize organization strategy and objectives.

(B) An assessment of how milestone decision authority and budget allocations in a portfolio management model at the enter-

prise, Program Executive Officer, and Service Acquisition Executive levels could be revised in a manner consistent with the existing Defense Acquisition Management System framework and Office of Management and guidance set forth in Office of Management and Budget Circular A-11 to streamline decisionmaking authority and enhance agility, including the appropriate roles for developing, managing, and overseeing portfolio strategies, portfolio roadmaps and portfolio documentation, portfolio decisionmaking, and portfolio budget decisions.

(C) An assessment of portfolio organizational structures within government and industry with the potential to improve integration of overall Department of Defense enterprise strategy and program execution.

(D) An assessment of nationally accredited standards-based portfolio management models for adoption by the Department of Defense to manage its portfolios of projects and programs and streamline decisionmaking.

(E) An assessment of the Department of Defense's existing standards, policy, guidance, and instruction for portfolio management and how the adoption of nationally accredited standards for portfolio management may replace or revise existing policy, guidance and instruction.

(F) Any other matters related to Department of Defense portfolio management the Comptroller General determines are relevant.

AMENDMENT NO. 56 OFFERED BY MR. HARPER OF MISSISSIPPI

Add at the end of subtitle F of title X the following:

**SEC. 10 . PROVIDING ASSISTANCE TO HOUSE OF REPRESENTATIVES IN RESPONSE TO CYBERSECURITY EVENTS.**

(a) PROVISION OF ASSISTANCE.—If the Speaker of the House of Representatives (or the Speaker's designee), with the concurrence of the Minority Leader of the House of Representatives (or the Minority Leader's designee), determines that a cybersecurity event has occurred and that containing, mitigating, or resolving the event exceeds the resources of the House of Representatives, then notwithstanding any other provision of law or any rule, regulation, or executive order—

(1) the Speaker may request assistance in responding to the event from the head of any Executive department, military department, or independent establishment;

(2) not later than 24 hours after receiving the request, the head of the department or establishment shall begin to provide appropriate assistance in response to the incident, including (if necessary) restoring the information systems of the House to an operational state which allows for the continuation of the legislative process and for Members, officers, and employees of the House to continue to meet their official and representational duties; and

(3) such assistance shall be provided without reimbursement by the House of Representatives.

(b) SCOPE OF ASSISTANCE.—

(1) IN GENERAL.—The assistance provided to the Speaker by the head of a department or establishment under this section may consist only of a type that the head of the department or establishment is authorized under law to provide to the department or establishment, another Executive department, military department, or independent establishment, or a private entity.

(2) CONNECTIONS BETWEEN DEPARTMENT OR ESTABLISHMENT AND HOUSE INFORMATION SYSTEMS.—In providing assistance under this section—

(A) personnel of a department or establishment may not log onto the information systems of the House without the authorization of the Speaker (or the Speaker's designee); and

(B) personnel of a department or establishment may provide the House with access to technological support services of the department or establishment, including by authorizing personnel or systems of the House to connect with and operate services or programs of the department or establishment with guidance from subject matter experts of the department or establishment.

(c) TERMINATION OF ASSISTANCE.—

(1) TERMINATION UPON NOTICE FROM SPEAKER.—After initiating assistance under this section, the head of the department or establishment shall continue providing assistance until the Speaker (or Speaker's designee) notifies the head of the department or establishment that the cybersecurity incident has terminated and that it is no longer necessary for the department or establishment to provide post-incident assistance.

(2) REMOVAL OF TECHNOLOGICAL SUPPORT SERVICES.—Upon receiving notice from the Speaker under paragraph (1), the head of the department or establishment shall ensure that any technological support services or programs of the department or establishment are removed from the information systems of the House, and that personnel of the department or establishment are no longer monitoring such systems.

(d) COMPLIANCE WITH EXISTING STANDARDS.—In providing assistance under this section, the head of the Executive department, military department, or independent establishment shall meet the requirements of section 113 of the Legislative Branch Appropriations Act, 2017 (Public Law 115-31).

(e) NO EFFECT ON OTHER AUTHORITY TO PROVIDE SUPPORT.—Nothing in this section may be construed to affect the authority of an Executive department, military department, or independent establishment to provide any support, including cybersecurity support, to the House of Representatives under any other law, rule, or regulation.

(f) DEFINITIONS.—In this section, each of the terms "Executive department", "military department", and "independent establishment" has the meaning given such term in chapter 1 of title 5, United States Code.

AMENDMENT NO. 57 OFFERED BY MR. SEAN PATRICK MALONEY OF NEW YORK

In title X, at the end of subtitle F add the following:

**SEC. . REVIEW AND UPDATE OF REGULATIONS GOVERNING DEBT COLLECTORS INTERACTIONS WITH UNIT COMMANDERS OF MEMBERS OF THE ARMED FORCES.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall review and update Department of Defense Directive 1344.09 and any associated regulations to ensure that such regulations comply with Federal consumer protection laws with respect to the collection of debt.

AMENDMENT NO. 58 OFFERED BY MS. HANABUSA OF HAWAII

Page 451, after line 6, insert the following:

**SEC. 1073. SENSE OF CONGRESS REGARDING PACIFIC WAR MEMORIAL.**

(a) FINDING.—Congress recognizes that there is currently no memorial that specifically honors the members of the United States Armed Forces who served in the Pacific Theater of World War II, also known as the Pacific War.

(b) SENSE OF CONGRESS.—It is the sense of Congress that a Pacific War memorial should

be established at a suitable location at or near the Pearl Harbor site of the World War II Valor in the Pacific National Monument in Honolulu, Hawaii.

AMENDMENT NO. 59 OFFERED BY MR. KILMER OF WASHINGTON

At the end of title XI, insert the following:  
**SEC. 1109. EXTENSION OF OVERTIME RATE AUTHORITY FOR DEPARTMENT OF THE NAVY EMPLOYEES PREFORMING WORK ABOARD OR DOCKSIDE IN SUPPORT OF THE NUCLEAR-POWERED AIRCRAFT CARRIER FORWARD DEPLOYED IN JAPAN.**

Section 5542(a)(6)(B) of title 5, United States Code, is amended by striking “September 30, 2018” and inserting “September 30, 2019”.

AMENDMENT NO. 60 OFFERED BY MR. GALLEGOS OF ARIZONA

At the end of subsection (b) of section 1212, add the following new paragraph:

“(6) A description of—

“(A) support provided to the Taliban, al-Qaeda, the Haqqani network, the Islamic State of Iraq and the Levant, and other terrorist organizations operating in Afghanistan by Russia, Iran, Pakistan, and other countries; and

“(B) United States military and diplomatic efforts to disrupt such support.”.

AMENDMENT NO. 61 OFFERED BY MR. ROHRBACHER OF CALIFORNIA

At the end of subtitle B of title XII, add the following:

**SEC. 12xx. SENSE OF CONGRESS RELATING TO DR. SHAKIL AFRIDI.**

(a) FINDINGS.—Congress finds the following:

(1) The attacks of September 11, 2001, killed approximately 3,000 people, most of whom were Americans, but also included hundreds of individuals with foreign citizenships, nearly 350 New York Fire Department personnel, and about 50 law enforcement officers.

(2) Downed United Airlines flight 93 was reportedly intended, under the control of the al-Qaeda high-jackers, to crash into the White House or the Capitol in an attempt to kill the President of the United States or Members of the United States Congress.

(3) The September 11, 2001, attacks were largely planned and carried out by the al-Qaeda terrorist network led by Osama bin Laden and his deputy Ayman al Zawahiri, after which Osama bin Laden enjoyed safe haven in Pakistan from where he continued to plot deadly attacks against the United States and the world.

(4) Since 2001, the United States has provided more than \$30 billion in security and economic aid to Pakistan.

(5) The United States very generously and swiftly responded to the 2005 Kashmir Earthquake in Pakistan with more than \$200 million in emergency aid and the support of several United States military aircraft, approximately 1,000 United States military personnel, including medical specialists, thousands of tents, blankets, water containers and a variety of other emergency equipment.

(6) The United States again generously and swiftly contributed approximately \$150 million in emergency aid to Pakistan following the 2010 Pakistan flood, in addition to the service of nearly twenty United States military helicopters, their flight crews, and other resources to assist the Pakistan Army's relief efforts.

(7) The United States continues to work tirelessly to support Pakistan's economic development, including millions of dollars allo-

cated towards the development of Pakistan's energy infrastructure, health services and education system.

(8) The United States and Pakistan continue to have many critical shared interests, both economic and security related, which could be the foundation for a positive and mutually beneficial partnership.

(9) Dr. Shakil Afridi, a Pakistani physician, is a hero to whom the people of the United States, Pakistan and the world owe a debt of gratitude for his help in finally locating Osama bin Laden before more innocent American, Pakistani and other lives were lost to this terrorist leader.

(10) Pakistan, the United States and the international community had failed for nearly 10 years following attacks of September 11, 2001, to locate and bring Osama bin Laden, who continued to kill innocent civilians in the Middle East, Asia, Europe, Africa and the United States, to justice without the help of Dr. Afridi.

(11) The Government of Pakistan's imprisonment of Dr. Afridi presents a serious and growing impediment to the United States' bilateral relations with Pakistan.

(12) The Government of Pakistan has leveled and allowed baseless charges against Dr. Afridi in a politically motivated, spurious legal process.

(13) Dr. Afridi is currently imprisoned by the Government of Pakistan, a deplorable and unconscionable situation which calls into question Pakistan's actual commitment to countering terrorism and undermines the notion that Pakistan is a true ally in the struggle against terrorism.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Dr. Shakil Afridi is an international hero and that the Government of Pakistan should release him immediately from prison.

AMENDMENT NO. 62 OFFERED BY MS. SINEMA OF ARIZONA

Page 475, after line 15, insert the following new paragraph:

(9) A description of amounts and sources of Islamic State of Iraq and the Levant financing in Syria and efforts to disrupt this financing as part of the broader strategy of the United States in Syria.

AMENDMENT NO. 63 OFFERED BY MR. CONYERS OF MICHIGAN

At the end of subtitle C of title XII, add the following new section:

**SEC. 12\_. REPORT ON MERITS OF AN INCIDENTS AT SEA AGREEMENT BETWEEN THE UNITED STATES, IRAN, AND CERTAIN OTHER COUNTRIES.**

(a) REPORT REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report assessing the relative merits of a multilateral or bilateral Incidents at Sea military-to-military agreement between the United States, the Government of Iran, and other countries operating in the Persian Gulf aimed at preventing accidental naval conflict in the Persian Gulf and the Strait of Hormuz.

(b) MATTERS TO BE INCLUDED.—Such assessment should consider and evaluate the current maritime security situation in the Persian Gulf and the effect that such an agreement might have on military and other maritime activities in the region, as well as other United States regional strategic interests.

(c) FORM.—The report required by this section shall be submitted in unclassified form but may contain a classified annex.

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

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

AMENDMENT NO. 64 OFFERED BY MR. KIHUEN OF NEVADA

At the end of subtitle C of title XII, add the following new section:

**SEC. 12\_. EXTENSION OF QUARTERLY REPORTS ON CONFIRMED BALLISTIC MISSILE LAUNCHES FROM IRAN AND IMPOSITION OF SANCTIONS IN CONNECTION WITH THOSE LAUNCHES.**

(a) FINDINGS.—Congress finds the following:

(1) Iran continues to test ballistic missile technology notwithstanding the restrictions imposed under United Nations Security Council Resolution 2231 (2015).

(2) On January 29, 2017, Iran tested the medium-range Khorramshahr ballistic missile that flew 600 miles before exploding, in a failed test of a reentry vehicle.

(3) According to press reports, in March 2017 Iran tested two short-range Fateh 110 ballistic missiles.

(4) Iran has inscribed anti-Israel propaganda on its missiles, including “Israel should be wiped off the Earth”.

(b) EXTENSION.—Section 1226(e) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2487) is amended by striking “December 31, 2019” and inserting “December 31, 2022”.

AMENDMENT NO. 65 OFFERED BY MR. HASTINGS OF FLORIDA

At the end of subtitle C of title XII, add the following:

**SEC. 12\_. REPORT ON STEPS AND PROTOCOLS RELATED TO THE RESCUE, CARE, AND TREATMENT OF CAPTIVES OF THE ISLAMIC STATE.**

(a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Congress a report containing each of the following:

(1) A description of any steps the Department of Defense is taking to ensure coordination between the Armed Forces of the United States and local forces in conducting military operations in regions controlled by the Islamic State where religious or minority groups are known or thought to be held captive, in order to incorporate the rescue of such captives as a secondary objective.

(2) A description of any protocols that will be put in place by the Department of Defense, including protocols developed in coordination with the Government of Iraq, for the care and treatment of religious or minority groups rescued from captivity under the Islamic State, including any protocol for relocating such groups of captives to safe locations.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

AMENDMENT NO. 66 OFFERED BY MR. WILSON OF SOUTH CAROLINA

At the end of subtitle G of title XII, add the following new section:

**SEC. 12\_. SENSE OF CONGRESS ON NORTH KOREA.**

(a) FINDINGS.—Congress finds the following:

(1) The Democratic People's Republic of Korea, also known as North Korea, continues

to develop a ballistic and nuclear weapons development program that poses a grave threat to the United States, United States allies the Republic of Korea, Japan, and Australia, and to regional and global security.

(2) North Korea continues to escalate the pace and number of its ballistic missile launches, and to date has conducted five nuclear tests.

(3) On July 4, 2017, North Korea conducted the first test of an intercontinental ballistic missile (ICBM) it claims is capable of reaching United States territory, which, if reliable and effective, constitutes a new threat to America's security.

(4) On June 3, 2017, Secretary of Defense James Mattis stated, during remarks at the Shangri-La Dialogue, that "the current North Korea program signals a clear intent to acquire nuclear armed ballistic missiles, including those of intercontinental range that pose direct and immediate threats to our allies, our partners and all the world".

(5) On April 27, 2017, Admiral Harry Harris, Jr., Commander of the United States Pacific Command, testified that "North Korea continues to disregard United Nations sanctions by developing, and threatening to use intercontinental ballistic missiles and nuclear weapons that will threaten the U.S. Homeland."

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should act to counter North Korea's continued development and testing of nuclear weapons and intercontinental ballistic missiles;

(2) the development of a functional and operational North Korean nuclear and intercontinental ballistic missile program constitutes a threat to the security of the United States and to our allies and partners in the region;

(3) the defense of the United States and our allies against North Korean aggression remains a top priority, and the United States maintains an unwavering and steadfast commitment to the policy of extended deterrence, especially with respect to South Korea and Japan;

(4) the United States supports the deployment of the Terminal High Altitude Area Defense (THAAD) system in South Korea to counter North Korea's missile threat and the deployment of ballistic missile defense systems to allies in the Indo-Asia-Pacific region to protect from the growing threat of North Korea's nuclear weapons and ballistic missile programs;

(5) the United States should encourage further multilateral security cooperation and dialogue among South Korea, Japan, and Australia to address the North Korea threat;

(6) the United States calls upon the People's Republic of China to use its leverage to pressure North Korea to cease its provocative behavior and abandon and dismantle its nuclear and ballistic missile programs, and comply with all relevant United Nations Security Council resolutions;

(7) the United States should fully enforce all existing sanctions on North Korea and undertake a comprehensive diplomatic effort to urge allies and other countries to fully enforce, and build upon, existing international sanctions; and

(8) the United States should retain diplomatic, economic, and military options to defend against and pressure North Korea to abandon its illicit weapons program.

AMENDMENT NO. 67 OFFERED BY MR. BERA OF CALIFORNIA

At the end of subtitle G of title XII, add the following new section:

**SEC. 12. STRATEGY TO FURTHER UNITED STATES-INDIA DEFENSE COOPERATION.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall develop a strategy for advancing defense cooperation between the United States and India.

(b) ELEMENTS.—The strategy shall address the following:

(1) Common security challenges.

(2) The role of United States partners and allies in the United States-India defense relationship.

(3) The role of the Defense Technology and Trade Initiative.

(4) How to advance the Communications Interoperability and Security Memorandum of Agreement and the Basic Exchange and Cooperation Agreement for Geospatial Cooperation.

(5) Any other matters the Secretary of Defense or the Secretary of State determines to be appropriate.

AMENDMENT NO. 68 OFFERED BY MR. WALZ OF MINNESOTA

At the end of subtitle H of title XII, add the following new section:

**SEC. 1282. REPORT BY DEFENSE INTELLIGENCE AGENCY ON CERTAIN MILITARY CAPABILITIES OF CHINA AND RUSSIA.**

(a) REPORT.—The Director of the Defense Intelligence Agency shall submit to the Secretary of Defense and the appropriate congressional committees a report on the military capabilities of the People's Republic of China and the Russian Federation.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include, with respect to the military of China and the military of Russia, the following:

(1) An update on the presence, status, and capability of the military with respect to any national training centers similar to the Combat Training Center Program of the United States.

(2) An analysis of a readiness deployment cycle of the military, including—

(A) as compared to such a cycle of the United States; and

(B) an identification of metrics used in the national training centers of that military.

(3) A comprehensive investigation into the capability and readiness of the mechanized logistics of the army of the military, including—

(A) an analysis of field maintenance, sustainment maintenance, movement control, intermodal operations, and supply; and

(B) how such functions under subparagraph (A) interact with specific echelons of that military.

(4) An assessment of the future of mechanized army logistics of that military.

(c) NONDUPLICATION OF EFFORTS.—The Defense Intelligence Agency may make use of or add to any existing reports completed by the Agency in order to respond to the reporting requirement.

(d) FORM.—The report under subsection (a) may be submitted in classified form.

(e) BRIEFING.—The Director shall provide a briefing to the Secretary and the committees specified in subsection (a) on the report under such subsection.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term "appropriate congressional committees" means—

(1) the Committees on Armed Services of the House of Representatives and the Senate; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives

and the Select Committee on Intelligence of the Senate.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I urge Members to support en bloc package No. 3, and I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I urge Members to support the en bloc package, and I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield back the balance of my time.

Ms. HANABUSA. Mr. Chair, thank you for this opportunity to highlight my amendment, floor amendment Number 58 to H.R. 2810, the National Defense Authorization Act (NDAA).

Among the battles fought by the United States (U.S.) during World War II were many battles throughout the Pacific, sometimes referred to as the Asia-Pacific. From 1941 through 1945, U.S. service members fought on land, in the air, and at sea through numerous South Pacific islands to secure peace and defend our democracy and freedom. Our nation suffered over 150,000 casualties in the war.

My amendment recognizes that while Pearl Harbor memorializes the beginning of the Pacific War (the USS *Arizona*) and the end of the Pacific War (the USS *Missouri*), there is no memorial honoring our service members who defended our country and gave their lives during the Pacific War. As such, my amendment expresses the sense of Congress that there should be such a memorial established at or near the Pearl Harbor site of the World War II Valor in the Pacific National Monument in Honolulu, Hawai'i.

The idea for a Pacific War Memorial originated with Admiral Lloyd "Joe" Vasey, who turned 100 years old earlier this year. Admiral Vasey served aboard the submarine USS *Gunnel* in the Pacific during World War II, under John S. McCain, Jr., father of U.S. Senator JOHN MCCAIN. During a fierce battle aboard the *Gunnel*, Admiral Vasey thought to himself, "There has to be a better way to resolve international disputes." Years later, Admiral Vasey put that thought into action and founded the Center for Strategic and International Studies (CSIS), also known as the Pacific Forum, to promote peace in the Asia-Pacific.

In the words of Admiral Vasey: "There is no recognition of the brave Americans who were lost in the Pacific War . . . They are resting on the bottom of the Pacific Ocean somewhere, or their remains are scattered across the South Pacific islands. We need to honor them, and their families need a place to mourn."

I wholeheartedly agree with Admiral Vasey and feel strongly that the location of such a memorial should be in Hawai'i, preferably at Pearl Harbor near the USS *Arizona* and USS *Missouri*. It would be fitting to share the stories of the brave service members who fought and gave their lives in the Pacific War alongside

sites that commemorate events and other U.S. service members of the Pacific during World War II.

I thank my House colleagues for supporting Admiral Vasey's idea and my amendment to H.R. 2810. I look forward to continuing my work with my colleagues to make Admiral Vasey's desire for a Pacific War memorial a reality.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 4 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 431, I offer a fourth package of amendments en bloc.

The Acting CHAIR (Mr. MCCLINTOCK). The Clerk will designate the amendments en bloc.

Amendments en bloc No. 4 consisting of amendment Nos. 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, and 87 printed in part B of House Report 115-212, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 69 OFFERED BY MR. TURNER OF OHIO

At the end of subtitle H of title XII, add the following:

**SEC. 12 . SENSE OF CONGRESS ON THE NORTH ATLANTIC TREATY ORGANIZATION.**

(a) FINDINGS.—Congress finds the following:

(1) The North Atlantic Treaty Organization (NATO) has been the cornerstone of transatlantic security cooperation and an enduring instrument for promoting stability in Europe and around the world for over 65 years.

(2) NATO currently faces a range of security challenges, including Russian aggression in Eastern Europe and instability and conflict in the Middle East and North Africa.

(3) In light of these and other threats, NATO must have a credible deterrence to defend NATO members, if necessary, against adversaries or threats.

(4) Since the 2014 NATO summit in Wales and the 2016 summit in Warsaw, NATO has made progress in implementing a Readiness Action Plan to enhance allied readiness and collective defense in response to Russian aggression. However, much work remains to be done.

(5) NATO's solidarity is strengthened by bolstering its conventional and nuclear deterrence, increasing defense spending by NATO members, and continuing the enlargement of NATO.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) NATO members should—

(A) continue to advance the NATO Open-Door Policy and build on the successes of previous enlargement initiatives;

(B) continue to work with countries that are seeking to join NATO to prepare for entry;

(C) commend Montenegro's final accession to NATO;

(D) seek a Dayton II agreement to resolve the constitutional issues faced by Bosnia and Herzegovina;

(E) work with the Republic of Kosovo to prepare the country for entrance into the NATO Partnership for Peace program;

(F) continue support for the NATO Membership Action Plan for Georgia;

(G) implement specific plans to ensure that sufficient investments are made to meet NATO responsibilities, including by allocating at least 2 percent of each member's gross domestic product to defense spending, 20 percent of which should be dedicated to major equipment procurement, as agreed at the 2014 Wales Summit and reaffirmed at the 2016 Warsaw Summit;

(H) continue to build on efforts to identify and address, through consensus, the security threats facing the alliance, such as by enhancing counterterrorism activities;

(I) continue to bolster deterrence efforts and promote the Enhanced Forward Presence in Eastern Europe;

(J) as decided at the 2016 Warsaw Summit, use the new rotational deployments of four multinational combat battalions in Poland, Lithuania, Latvia, and Estonia to promote stability in that region as well as to deter Russian aggression; and

(K) invest in infrastructure projects necessary to guarantee free and efficient movement throughout the territories of NATO members; and

(2) the United States should commit to maintaining a robust military presence in Europe as a means of promoting allied interoperability, providing visible assurance to NATO allies, and deterring Russian aggression in the region.

AMENDMENT NO. 70 OFFERED BY MR. TROTT OF MICHIGAN

At the end of subtitle H of title XII, add the following:

**SEC. 12 . SENSE OF CONGRESS ON THE EXPORT OF DEFENSE ARTICLES TO TURKEY.**

(a) FINDINGS.—Congress finds that—

(1) on June 6, 2017, the House of Representatives voted unanimously to pass H. Res. 354, condemning the violence that took place outside the Turkish Ambassador's residence on May 16, 2017, and calling on the perpetrators to be brought to justice under United States law; and

(2) the security force that participated in this violence may be the recipient of arms exported from the United States under a proposed deal.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the proposed sale of semiautomatic handguns for export to Turkey should remain under scrutiny until a satisfactory and appropriate resolution is reached to the violence described in subsection (a)(1).

AMENDMENT NO. 71 OFFERED BY MR. ENGEL OF NEW YORK

At the end of subtitle H of title XII, add the following new section:

**SEC. 12 . STRATEGY TO IMPROVE DEFENSE INSTITUTIONS AND SECURITY SECTOR FORCES IN NIGERIA.**

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains a comprehensive strategy to support improvements in defense institutions and security sector forces in Nigeria.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) An assessment of the threats posed by terrorist and other militant groups operating in Nigeria, including Boko Haram, ISIS-WA, and Niger Delta militants, as well as a description of the origins, strategic aims, tactical methods, funding sources, and leadership structures of each such organization.

(2) An assessment of efforts by the Government of Nigeria to improve civilian protection, accountability for human rights violations, and transparency in the defense institutions and security sector forces.

(3) A description of the key international and United States diplomatic, development, intelligence, military, and economic resources available to address instability across Nigeria, and a plan to maximize the coordination and effectiveness of these resources to counter the threats posed by Boko Haram, ISIS-WA, and Niger Delta militants.

(4) An assessment of efforts undertaken by the security forces of the Government of Nigeria to improve the protection of civilians in the context of—

(A) ongoing military operations against Boko Haram in the northeast region;

(B) addressing farmer-herder land disputes in the Middle Belt;

(C) renewed militant attacks on oil and gas infrastructure in the Delta; and

(D) addressing pro-Biafra protests in the southeast region.

(5) An assessment of the effectiveness of the Civilian Joint Task Force that has been operating in parts of northeastern Nigeria in order to ensure that underage youth are not participating in government-sponsored vigilante activity in violation of the Child Soldiers Prevention Act of 2008 (Public Law 110-340).

(6) An assessment of the options for the Government of Nigeria to eventually incorporate the Civilian Joint Task Force into Nigeria's military or law enforcement agencies or reintegrate its members into civilian life.

(7) A plan for the United States to work with the Nigerian security forces and judiciary to transparently investigate allegations of human rights violations committed by the security forces of the Government of Nigeria that have involved civilian casualties, including a plan to undertake tangible measures of accountability following such investigations in order to break the cycle of conflict.

(8) A plan for the United States to work with the Nigerian defense institutions and security sector forces to improve detainee conditions.

(9) A plan to work with the Nigerian military, international organizations, and non-governmental organizations to demilitarize the humanitarian response to the food insecurity and population displacement in northeastern Nigeria.

(10) Any other matters the President considers appropriate.

(c) UPDATES.—Not later than 1 year after the date on which the report required under subsection (a) is submitted to the appropriate congressional committees, and annually thereafter for 5 years, the President shall submit to the appropriate congressional committees an update of the report containing updated assessments and evaluations on progress made on the plans described in the report, including—

(1) updated assessments on the information described in paragraphs (2), (4), and (6) of subsection (a); and

(2) descriptions of the steps taken and outcomes achieved under each of the plans described in paragraphs (7), (8), (9), and (10) of subsection (a), as well as assessments of the effectiveness and descriptions of the metrics used to evaluate effectiveness for each such plan.

(d) FORM.—The report required under subsection (a) and the updates required under (c) shall be submitted in unclassified form, but may include a classified annex.



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

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

AMENDMENT NO. 72 OFFERED BY MS. WILSON OF FLORIDA

At the end of subtitle H of title XII, add the following:

**SEC. 12 . SENSE OF CONGRESS REGARDING THE CHIBOK SCHOOLGIRLS AND BOKO HARAM.**

(a) FINDINGS.—Congress finds the following:

(1) . The members of Jama’atu Ahlis Sunna Lidda’awati wal-Jihad, commonly known as Boko Haram, have terrorized the people of Nigeria with increasing violence since 2009, targeting military, government, and civilian sites in Nigeria, including schools, mosques, churches, markets, villages, and agricultural centers, and killing thousands and abducting hundreds of civilians in Nigeria and the surrounding countries.

(2) On the night of April 14, 2014, 276 female students, most of them between 15 and 18 years old, were abducted by Boko Haram from the Chibok Government Girls Secondary School, a boarding school located in Borno state in the Federal Republic of Nigeria.

(3) While some Chibok girls have fled their captors and others have been released through negotiations, more than 100 Chibok girls remain in captivity.

(4) In addition to kidnapping the Chibok schoolgirls, Boko Haram has killed more than 20,000 people, coerced women and girls into carrying out suicide missions, displaced more than 3,000,000 Nigerians, tens of thousands of whom are at risk of starving to death, and caused thousand of school closures.

(5) In supporting efforts to reunite the Chibok schoolgirls with their families, the United States has authorized the deployment of military personnel to assist with intelligence, surveillance, and reconnaissance, and provided training, equipment, and humanitarian services to the populations affected by and vulnerable to Boko Haram violence.

(6) The Secretary of State designated several individuals linked to Boko Haram, including its leader, Abubakar Shekau, as Specially Designated Global Terrorists in 2012, and designated Boko Haram as a Foreign Terrorist Organization in November 2013.

(7) The Senate and the House of Representatives have both passed legislation and undertaken other initiatives to condemn Boko Haram and support the Chibok schoolgirls.

(8) In addition to legislation, members of Congress have traveled to Nigeria to meet with freed Chibok schoolgirls and their families, held briefings, press conferences, and hearings, and, every week that Congress is in session, participated in Wear Something Red Wednesday, a bipartisan campaign led by Democratic Leader Nancy Pelosi, Republican Conference Chair Cathy McMorris Rodgers, and Congresswoman Frederica Wilson, during which lawmakers wear a red outfit or accessory and take group photos to share on

social media to raise awareness about the kidnapped Chibok schoolgirls.

(9) The 114th Congress unanimously passed S. 1632, which President Barack Obama signed into law on December 14, 2016, to direct the Secretary of State and the Secretary of Defense to jointly develop a five-year strategy to aid Nigeria and the Multinational Joint Task Force, composed of troops from Benin, Cameroon, Chad, Niger, and Nigeria, to combat Boko Haram.

(10) On June 27, 2017, President Donald Trump met with two freed Chibok schoolgirls at the White House.

(b) SENSE OF CONGRESS.—Congress—

(1) commends the Secretary of State, Secretary of Defense, and Director of National Intelligence for delivering a report to Congress on a five-year strategy for the United States to employ diplomatic, development, defense, and other tools to assist and enable our African partners to lead the effort to degrade and ultimately defeat Boko Haram, the Islamic State in Iraq and ash Sham – West Africa (ISIS-WA), and any potential splinter or successor groups;

(2) affirms United States support for the international effort to degrade Boko Haram and ISIS-WA and to assist the Multinational Joint Task Force to address the underlying drivers of violent extremism; and

(3) supports the efforts of the Department of Defense to implement a United States strategy for countering Boko Haram and ISIS-WA.

AMENDMENT NO. 73 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

At the end of subtitle H of title XII, add the following:

**SEC. 12 . MODIFICATION OF ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE’S REPUBLIC OF CHINA.**

Subsection (b) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 10 U.S.C. 113 note), as most recently amended by section 1271 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2538), is further amended by adding at the end the following:

“(23) Any Chinese laws, regulations, or policies that could jeopardize the economic security of the United States.”.

AMENDMENT NO. 74 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

At the end of subtitle H of title XII, add the following new section:

**SEC. 12 . REPORT ON IRAN AND NORTH KOREA NUCLEAR AND BALLISTIC MISSILE COOPERATION.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the ballistic missile programs of Iran and North Korea represent a serious threat to allies of the United States in the Middle East, Europe, and Asia, members of the Armed Forces deployed in those regions, and ultimately the United States; and

(2) further cooperation between Iran and North Korea on nuclear weapons or ballistic missile technology is not in the security interests of the United States or our allies.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President, in coordination with the Secretary of Defense, the Secretary of State, and the heads of other relevant agencies, shall submit to the appropriate committees of Congress a report that includes—

(A) an assessment of the extent of cooperation on nuclear programs, ballistic missile development, chemical and biological weap-

ons development, or conventional weapons programs between the Government of Iran and the Government of the Democratic People’s Republic of Korea, including the identity of Iranian and North Korean persons that have knowingly engaged in or directed the provision of material support or the exchange of information (including through the transfer of goods, services, technology, or intellectual property) between the Government of Iran and the Government of the Democratic People’s Republic of Korea; and

(B) a determination whether any of the activities described in subparagraph (A) violate United Nations Security Council Resolutions 1695 (2006), 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2231 (2015), 2270 (2016) and 2321 (2016).

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

AMENDMENT NO. 75 OFFERED BY MR. YOHO OF FLORIDA

At the end of subtitle H of title XII, add the following new section:

**SEC. 12 . MODIFICATION OF ANNUAL UPDATE OF DEPARTMENT OF DEFENSE FREEDOM OF NAVIGATION OPERATIONS REPORT.**

(a) IN GENERAL.—Subsection (b) of section 1275 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2540) is amended by adding at the end the following:

“(4) For each country identified under paragraph (1) as making an excessive maritime claim challenged by the United States under the program referred to in subsection (a), the types and locations of excessive maritime claims by such country that have not been challenged by the United States, if any, under the program referred to in subsection (a).”.

(b) EFFECTIVE DATE.—The amendment made subsection (a) takes effect of the date of the enactment of this Act and applies with respect to each report required to be submitted under section 1275 of the National Defense Authorization Act for Fiscal Year 2017 on or after such date of enactment.

AMENDMENT NO. 76 OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of subtitle H of title XII, add the following new section:

**SEC. 12 . CONTINGENCY PLANS RELATING TO SOUTH SUDAN.**

The Secretary of Defense shall prepare contingency plans—

(1) to assist relief organizations in delivery of humanitarian assistance in South Sudan; and

(2) to engage Sudan’s military to promote efforts to reduce conflicts.

AMENDMENT NO. 77 OFFERED BY MR. NORMAN OF SOUTH CAROLINA

Page 579, after line 13, insert the following:



**SEC. 1523. SEPARATE ACCOUNT LINES FOR OVERSEAS CONTINGENCY OPERATIONS FUNDS.**

For accountability and transparency purposes, the Director of the Office of Management and Budget and the Secretary of Defense shall establish separate accounts to ensure that amounts authorized to be appropriated pursuant to this title are administered separately from amounts otherwise authorized to be appropriated or made available for the Department of Defense.

AMENDMENT NO. 78 OFFERED BY MR. CICILLINE OF RHODE ISLAND—

Page 579, after line 13, insert the following:

**SEC. 1523. GUIDELINES FOR BUDGET ITEMS TO BE COVERED BY OVERSEAS CONTINGENCY OPERATIONS ACCOUNTS.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Director of Management and Budget, shall update the guidelines regarding the budget items that may be covered by overseas contingency operations accounts. Such revised guidelines shall be consistent with the recommendations included in Government Accountability Report GAO-17-68 entitled “Overseas Contingency Operations: OMB and DOD Should Revise the Criteria for Determining Eligible Costs and Identify the Costs Likely to Endure Long Term” published January 18, 2017.

AMENDMENT NO. 79 OFFERED BY MR. SOTO OF FLORIDA

Insert after section 1622 the following:

**SEC. 1623. COORDINATING EFFORTS TO PREPARE FOR SPACE WEATHER EVENTS.**

The Secretary of Defense shall ensure the timely provision of operational space weather observations, analyses, forecasts, and other products to support the mission of the Department of Defense and coalition partners, including the provision of alerts and warnings for space weather phenomena that may affect weapons systems, military operations, or the defense of the United States.

AMENDMENT NO. 80 OFFERED BY MR. CORREA OF CALIFORNIA

At the end of subtitle D of title XVI, add the following new section:

**SEC. 1656. STRATEGY FOR THE OFFENSIVE USE OF CYBER CAPABILITIES.****(a) FINDINGS.—**

(1) The North Atlantic Treaty Organization (commonly known as “NATO”) remains a critical alliance for the United States and a cost-effective, flexible means of providing security to the most important allies of the United States.

(2) The regime of Russian President Vladimir Putin is actively working to erode democratic systems of NATO member states, including the United States.

(3) According to the report of the Office of the Director of National Intelligence dated January 6, 2017, on the Russian Federation’s hack of the United States presidential election: “Russian efforts to influence the 2016 presidential election represent the most recent expression of Moscow’s longstanding desire to undermine the US-led liberal democratic order.”

(4) As recently as May 4, 2017, the press reported a massive cyber hack of French President Emmanuel Macron’s campaign, likely attributable to Russian actors.

(5) It is in the core interests of the United States to enhance the offensive and defensive cyber capabilities of NATO member states to deter and defend against Russian cyber and influence operations.

(6) Enhanced offensive cyber capabilities would enable the United States to dem-

onstrate strength and deter the Russian Federation from threatening NATO, while reassuring allies, without a provocative buildup of conventional military forces.

(b) SENSE OF CONGRESS ON CYBER STRATEGY OF THE DEPARTMENT OF DEFENSE.—It is the sense of Congress that —

(1) the Secretary of Defense should update the cyber strategy of the Department of Defense (as that strategy is described in the Department of Defense document titled “The Department of Defense Cyber Strategy” dated April 15, 2015); and

(2) in updating the cyber strategy of the Department, the Secretary should—

(A) specifically develop an offensive cyber strategy that includes plans for the offensive use of cyber capabilities, including computer network exploitation and computer network attacks, to thwart air, land, or sea attacks by the regime of Russian President Vladimir Putin and other adversaries;

(B) provide guidance on integrating offensive tools into the cyber arsenal of the Department; and

(C) assist NATO partners, through the NATO Cooperative Cyber Center of Excellence and other entities, in developing offensive cyber capabilities.

**(c) STRATEGY FOR OFFENSIVE USE OF CYBER CAPABILITIES.—**

(1) STRATEGY REQUIRED.—The President shall develop a written strategy for the offensive use of cyber capabilities by departments and agencies of the Federal Government.

(2) ELEMENTS.—The strategy developed under paragraph (1) shall include, at minimum—

(A) a description of enhancements that are needed to improve the offensive cyber capabilities of the United States and partner nations, including NATO member states; and

(B) a statement of principles concerning the appropriate deployment of offensive cyber capabilities.

**(3) SUBMISSION TO CONGRESS.—**

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the congressional defense committees (as that term is defined in section 101(a)(16) of title 10, United States Code) the strategy developed under paragraph (1).

(B) FORM OF SUBMISSION.—The strategy submitted under subparagraph (A) may be submitted in classified form.

**(d) INTERNATIONAL COOPERATION.—**

(1) AUTHORITY TO PROVIDE TECHNICAL ASSISTANCE.—The President, acting through the Secretary of Defense and with the concurrence of the Secretary of State, is authorized to provide technical assistance to NATO member states to assist such states in developing and enhancing offensive cyber capabilities.

(2) TECHNICAL EXPERTS.—In providing technical assistance under paragraph (1), the President, acting through the NATO Cooperative Cyber Center of Excellence, may detail technical experts in the field of cyber operations to NATO member states.

(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude or limit the authorities of the President or the Secretary of Defense to provide cyber-related assistance to foreign countries, including the authority of the Secretary to provide such assistance under section 333 of title 10, United States Code.

AMENDMENT NO. 81 OFFERED BY MR. AGUILAR OF CALIFORNIA

At the end of subtitle D of title XVI, add the following new section:

**SEC. 1656. DEPARTMENT OF DEFENSE CYBER WORKFORCE DEVELOPMENT PILOT PROGRAM.**

(a) ESTABLISHMENT.—The Secretary of Defense may carry out a pilot program to be known as the “Cyber Workforce Development Pilot Program” (in this section referred to as the “Pilot Program”) under which the Secretary shall provide funds, in addition to other funds that may be available, for the recruitment, training, professionalization, and retention of personnel in the cyber workforce of the Department of Defense.

(b) PURPOSE.—The purpose of the Pilot Program shall be to assess the effectiveness of carrying out a full-scale talent management program to ensure that the cyber workforce of the Department of Defense has the capacity, in both personnel and skills, needed to effectively perform its cyber missions and the kinetic missions impacted by cyber activities.

(c) MANAGEMENT.—The Pilot Program shall be managed by the Chief Information Officer of the Department of Defense, in consultation with the Principal Cyber Advisor to the Secretary of Defense.

(d) GUIDANCE.—The Chief Information Officer of the Department of Defense, in consultation with the Principal Cyber Advisor to the Secretary of Defense, shall issue guidance for the administration of the Pilot Program. Such guidance shall include provisions that—

(1) identify areas of need in the cyber workforce that funds under the Pilot Program may be used to address, including—

(A) changes to the types of skills needed in the cyber workforce;

(B) capabilities to develop the cyber workforce and assist members of the cyber workforce in achieving qualifications and professionalization through activities such as training, education, and exchange programs;

(C) incentives to retain qualified, experienced cyber workforce personnel; and

(D) incentives for attracting new, high-quality personnel to the cyber workforce;

(2) describe the process under which entities may submit an application to receive funds under the Pilot Program;

(3) describe the evaluation criteria to be used for approving or prioritizing applications for funds under the Pilot Program in any fiscal year; and

(4) describe measurable objectives of performance for determining whether funds under the Pilot Program are being used in compliance with this section.

(e) CONSIDERATIONS.—When selecting entities to provide training and education services under the Pilot Program, consideration shall be given to whether the entity providing such services is a Center of Academic Excellence in Information Assurance Education (as that term is defined in section 2200e of title 10, United States Code).

(f) ANNUAL REPORT.—Not later than 120 days after the end of each of fiscal year for which funds are appropriated for the Pilot Program, the Secretary of Defense shall submit to the congressional defense committees a report on the operation of the Pilot Program during such fiscal year. Each report shall include, for the fiscal year covered by such report, the following:

(1) A description of the expenditures made under the Pilot Program (including expenditures following a transfer of funds under the Pilot Program to a military department or Defense Agency) in such fiscal year, including the purpose of such expenditures.

(2) A description and assessment of improvements in the Department of Defense

cyber workforce resulting from such expenditures.

(3) Recommendations for additional authorities to fulfill the purpose of the Pilot Program.

(4) A statement of the funds that remain available under the Pilot Program at the end of such fiscal year.

(g) **TERMINATION.**—The Pilot Program and the annual reporting requirement under subsection (f) shall each terminate on the date that is five years after the date on which funds are first appropriated for the Pilot Program and any funds not obligated or expended under the Pilot Program on that date shall be deposited in the general fund of the Treasury of the United States.

(h) **CYBER WORKFORCE DEFINED.**—In this Act, the term “cyber workforce” means the following:

(1) Personnel in positions that require the performance of cybersecurity or other cyber-related functions as so identified pursuant to the Federal Cybersecurity Workforce Assessment Act of 2015 (Public Law 114-113; 5 U.S.C. 301 note).

(2) Military personnel or civilian employees of the Department of Defense who are not described in paragraph (1) but who—

(A) are assigned functions that contribute significantly to cyber operations; and

(B) are designated as temporary members of the cyber workforce by the Chief Information Officer of the Department of Defense, or by the head of a military department or Defense Agency, for the limited purpose of receiving training for the performance of cyber-related functions.

AMENDMENT NO. 82 OFFERED BY MR. COOPER OF TENNESSEE

Page 685, line 24, strike “any” and insert “the”.

AMENDMENT NO. 83 OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of subtitle F of title XVI, add the following new section:

**SEC. 1694. NORTH KOREAN NUCLEAR INTER-CONTINENTAL BALLISTIC MISSILES.**

Not later than 180 days after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a briefing on the hazards or risks posed directly or indirectly by the nuclear ambitions of North Korea, focusing upon—

(1) the development and deployment of intercontinental ballistic missiles or nuclear weapons;

(2) the consequences to the United States, the interests of the United States, and allies of the United States of North Korea's nuclear and missile programs;

(3) a plan to deter and defend against such threats from North Korea;

(4) protecting vital interest and capabilities of the United States in space from such threats from North Korea; and

(5) the potential damage or destruction caused by such missiles to satellites and space stations, including magnetic fields such as the Van Allen belts.

AMENDMENT NO. 84 OFFERED BY MR. CULBERSON OF TEXAS

Add at the end of subtitle E of title XXVIII the following:

**SEC. 2844. BATTLESHIP PRESERVATION GRANT PROGRAM.**

(a) **ESTABLISHMENT.**—There is hereby established within the Department of the Interior a grant program for the preservation of our nation's most historic battleships.

(b) **USE OF GRANTS.**—Amounts received through grants under this section shall be

used for the preservation of our nation's most historic battleships in a manner that is self-sustaining and has an educational component.

(c) **CRITERIA FOR ELIGIBILITY.**—To be eligible for a grant under this section, an entity shall—

(1) submit an application under procedures prescribed by the Secretary;

(2) match the amount of the grant, on a 1-to-1 basis, with non-Federal assets from non-Federal sources, which may include cash or durable goods and materials fairly valued as determined by the Secretary;

(3) maintain records as may be reasonably necessary to fully disclose—

(A) the amount and the disposition of the proceeds of the grant;

(B) the total cost of the project for which the grant is made; and

(C) other records as may be required by the Secretary, including such records as will facilitate an effective accounting for project funds; and

(4) provide access to the Secretary for the purposes of any required audit and examination of any books, documents, papers, and records of the entity.

(d) **MOST HISTORIC BATTLESHIP DEFINED.**—In this section, the term “most historic battleship” means a battleship that is—

(1) between 75 and 115 years old;

(2) listed on the National Register of Historic Places; and

(3) located within the State for which it was named.

(e) **SAVINGS PROVISION.**—The authorities contained in this section shall be in addition to, and shall not be construed to supercede or modify those contained in the National Historic Preservation Act (16 U.S.C. 470-470x-6).

(f) **PRIVATE PROPERTY PROTECTION.**—

(1) **IN GENERAL.**—No Federal funds made available to carry out this section may be used to acquire any real property, or any interest in any real property, without the written consent of the owner (or owners) of that property or interest in property.

(2) **NO DESIGNATION.**—The authority granted by this section shall not constitute a Federal designation or have any effect on private property ownership.

(g) **SUNSET.**—The authority to make grants under this section expires on September 30, 2024.

AMENDMENT NO. 85 OFFERED BY MR. LAMALFA OF CALIFORNIA

Add at the end of subtitle G of title XXVIII the following new section:

**SEC. 2863. RESTRICTIONS ON REHABILITATION OF OVER-THE-HORIZON BACKSCATTER RADAR STATION.**

(a) **RESTRICTIONS.**—Except as provided in subsection (b), the Secretary of the Air Force may not use any funds or resources to carry out the rehabilitation of the Over-the-Horizon Backscatter Radar Station on Modoc National Forest land in Modoc County, California.

(b) **EXCEPTION FOR MAINTENANCE OF PERIMETER FENCE.**—Notwithstanding subsection (a), the Secretary may use funds and resources to maintain the perimeter fence surrounding the Over-the-Horizon Backscatter Radar Station.

AMENDMENT NO. 86 OFFERED BY MR. NORMAN OF SOUTH CAROLINA

Add at the end of title XXVII the following new section:

**SEC. 2703. UPDATE TO REPORT ON INFRASTRUCTURE CAPACITY.**

Not later than one year after the date of the enactment of this Act, the Secretary of

Defense shall prepare and release to the public an updated version of the March 2016 report on “Department of Defense Infrastructure Capacity”.

AMENDMENT NO. 87 OFFERED BY MR. BEN RAY LUJÁN OF NEW MEXICO

At the end of subtitle C of title XXXI, add the following:

**SEC. \_\_\_\_ SENSE OF CONGRESS REGARDING URANIUM MINING AND NUCLEAR TESTING.**

It is the sense of Congress that the United States should compensate and recognize all of the miners, workers, downwinders, and others suffering from the effects of uranium mining and nuclear testing carried out during the Cold War.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

MODIFICATION TO AMENDMENT NO. 76 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, I ask unanimous consent that amendment No. 76 printed in part B of House Report 115-212 be modified by the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

MODIFICATION TO AMENDMENT NO. 76 OFFERED BY MS. JACKSON LEE OF TEXAS

The amendment as modified is as follows:

At the end of subtitle H of title XII, add the following new section:

**SEC. 12 \_\_\_\_ CONTINGENCY PLANS RELATING TO SOUTH SUDAN.**

The Secretary of Defense shall prepare contingency plans—

(1) to assist relief organizations in delivery of humanitarian assistance in South Sudan; and

(2) to engage South Sudan's military to promote efforts to reduce conflicts.

Mr. THORNBERRY (during the reading). Mr. Chairman, I ask unanimous consent that the reading of the modification be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. Is there objection to the original request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The amendment is modified.

Mr. THORNBERRY. Mr. Chairman, I support en bloc package No. 4, and I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I support the en bloc package, as well, and I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc, as modified, offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments, as modified, were agreed to.

Mr. THORNBERRY. Mr. Chairman, I move that the committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. THORNBERRY) having assumed the chair, Mr. MCCLINTOCK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereon.

#### RECESS

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

Accordingly (at 11 o'clock and 13 minutes p.m.), the House stood in recess.

□ 0036

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 12 o'clock and 36 minutes a.m.

#### REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 2810, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018

Mr. BYRNE, from the Committee on Rules, submitted a privileged report (Rept. No. 115-217) on the resolution (H. Res. 440) providing for further consideration of the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GUTHRIE (at the request of Mr. MCCARTHY) for today on account of his participation in a healthcare listening session in Lexington, Kentucky, with Vice President PENCE.

Mr. KHANNA (at the request of Ms. PELOSI) for today on account of birth of his child.

#### ADJOURNMENT

Mr. BYRNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 37 minutes a.m.), under its previous order, the House adjourned until today, Thursday, July 13, 2017, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1928. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Nora W. Tyson, United States Navy, and her advancement to the grade of vice admiral on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

1929. A letter from the Secretary, Department of Defense, transmitting a letter authorizing two officers to wear the insignia of the grade of rear admiral or rear admiral (lower half), pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

1930. A letter from the Board Chair, Board of Governors of the Federal Reserve System, transmitting the Board's semiannual Monetary Policy Report to the Congress, pursuant to Public Law 106-569; to the Committee on Financial Services.

1931. A letter from the Senior Counsel, Legal Division, Consumer Financial Protection Bureau, transmitting the Bureau's Major final rule — Arbitration Agreements [Docket No.: CFPB-2016-0020] (RIN: 3170-AA51) received July 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

1932. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Prosulfuron; Pesticide Tolerances [EPA-HQ-OPP-2016-0218; FRL-9962-97] received July 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1933. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act [EPA-HQ-OPPT-2016-0654; FRL-9964-38] (RIN: 2070-AK20) received July 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1934. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flonicamid; Pesticide Tolerances [EPA-HQ-OPP-2016-0013; FRL-9962-15] received July 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1935. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Volatile Organic Compound Reasonably Available Control Technology for 1997 Ozone Standard [EPA-R03-

OAR-2016-0561; FRL-9964-58-Region 3] received July 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1936. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Air Plan Approval; TN: Non-interference Demonstration for Federal Low-Reid Vapor Pressure Requirement in Shelby County [EPA-R04-OAR-2017-0136; FRL-9964-56-Region 4] received July 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1937. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Ohio; Control of Emissions of Organic Materials That Are Not Regulated by VOC RACT Rules [EPA-R05-OAR-2016-0272; FRL-9964-46-Region 5] received July 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1938. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Air Plan Approval; Indiana; Redesignation of the Muncie Area to Attainment of the 2008 Lead Standard [EPA-R05-OAR-2016-0137; FRL-9964-63-Region 5] received July 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1939. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Illinois; Emissions Statement Rule Certification for the 2008 Ozone Standard [EPA-R05-OAR-2017-0278; FRL-9964-65-Region 5] received July 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1940. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 17-35, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1941. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 17-31, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1942. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 17-34, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1943. A letter from the Acting Director of Government Relations, Corporation For National and Community Service, transmitting the Corporation's revised Semi-Annual Report (SAR) to Congress due to an error by the Office of Inspector General (OIG) in its original report submission; to the Committee on Oversight and Government Reform.

1944. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting two notifications of a discontinuation of service in acting role, and designation of acting officer,

pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

1945. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period April 1, 2017 to June 30, 2017, pursuant to 2 U.S.C. 104a (H. Doc. No. 115-52); to the Committee on House Administration and ordered to be printed.

1946. A letter from the Acting Chairman, National Transportation Safety Board, transmitting the Board's 2016 Annual Report to Congress, pursuant to 49 U.S.C. 1117; to the Committee on Transportation and Infrastructure.

1947. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of Defense, transmitting additional legislative proposals related to acquisition matters that the Department of Defense requests be enacted during the first session of the 115th Congress; jointly to the Committees on Armed Services, Oversight and Government Reform, and Energy and Commerce.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALDEN: Committee on Energy and Commerce. H.R. 2786. A bill to amend the Federal Power Act with respect to the criteria and process to qualify as qualifying conduit hydropower facility; with an amendment (Rept. 115-213). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT: Committee on Small Business. H.R. 2056. A bill to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes; with an amendment (Rept. 115-214). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT: Committee on Small Business. H.R. 2333. A bill to amend the Small Business Investment Act of 1958 to increase the amount of leverage made available to small business investment companies; with an amendment (Rept. 115-215). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT: Committee on Small Business. H.R. 2364. A bill to amend the Small Business Investment Act of 1958 to increase the amount that certain banks and savings associations may invest in small business investment companies, subject to the approval of the appropriate Federal banking agency, and for other purposes (Rept. 115-216). Referred to the Committee of the Whole House on the state of the Union.

[July 13 (legislative day, July 12, 2017)]

Mr. BYRNE: Committee on Rules. House Resolution 440. Resolution providing for further consideration of the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes (Rept. 115-217). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. BRENDAN F. BOYLE of Pennsylvania (for himself, Mr. TED LIEU of California, Mr. GALLEGO, Mr. ENGEL, Ms. ROSEN, Mr. EVANS, and Ms. CLARKE of New York):

H.R. 3191. A bill to prohibit the use of Federal funds to establish, support, or otherwise promote a joint cybersecurity initiative with Russia, and for other purposes; to the Committee on Foreign Affairs.

By Mr. KENNEDY (for himself and Mrs. NAPOLITANO):

H.R. 3192. A bill to amend title XXI of the Social Security Act to ensure access to mental health services for children under the Children's Health Insurance Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3193. A bill to amend the Central Intelligence Agency Act of 1949 to improve death gratuities paid to the survivors of certain deceased officers and employees of the Central Intelligence Agency; to the Committee on Intelligence (Permanent Select).

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3194. A bill to provide for an extension of the authority of the Secretary of Veterans Affairs to provide for the conduct of medical disability examinations by contract physicians; to the Committee on Veterans' Affairs.

By Mr. SEAN PATRICK MALONEY of New York (for himself and Ms. STEFANIK):

H.R. 3195. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to make available for purchase memorial headstones and markers for certain deceased members of the reserve components; to the Committee on Veterans' Affairs.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3196. A bill to direct the Secretary of Defense to review and update Department of Defense regulations to ensure such regulations comply with Federal consumer protection law with respect to the collection of debt; to the Committee on Armed Services.

By Mr. BRAT (for himself, Ms. TITUS, Mr. MAST, Mr. TED LIEU of California, Mr. DONOVAN, and Mr. BRENDAN F. BOYLE of Pennsylvania):

H.R. 3197. A bill to amend title 38, United States Code, to prohibit the Secretary of Veterans Affairs from conducting medical research causing significant pain or distress to dogs; to the Committee on Veterans' Affairs.

By Mr. KNIGHT (for himself, Mr. SMITH of Texas, and Mr. BABIN):

H.R. 3198. A bill to provide for Federal Aviation Administration research and development, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESAULNIER (for himself, Mr. HOYER, Mr. HUFFMAN, Mr. LANGEVIN, Mrs. DAVIS of California, Mr. PALLONE, Mr. KHANNA, and Mr. SCOTT of Virginia):

H.R. 3199. A bill to amend the Higher Education Act of 1965 to improve accessibility to, and completion of, postsecondary edu-

cation for students, including students with disabilities, and for other purposes; to the Committee on Education and the Workforce.

By Mr. DESANTIS (for himself, Mr. LAHOOD, Mr. POSEY, Mrs. BLACKBURN, Mr. ISSA, Mr. POLIQUIN, and Mr. ROTHFUS):

H.R. 3200. A bill to require the disclosure of pension records under the Freedom of Information Act, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BACON:

H.R. 3201. A bill to amend and enhance certain maritime programs of the Department of Transportation, and for other purposes; to the Committee on Armed Services.

By Ms. JACKSON LEE:

H.R. 3202. A bill to require the Secretary of Homeland Security to submit a report on cyber vulnerability disclosures, and for other purposes; to the Committee on Homeland Security.

By Mr. ENGEL (for himself, Ms. PELOSI, and Mr. HOYER):

H.R. 3203. A bill to provide congressional review and to counter Iranian and Russian governments' aggression; to the Committee on Foreign Affairs, and in addition to the Committees on Intelligence (Permanent Select), Armed Services, the Judiciary, Oversight and Government Reform, Financial Services, Rules, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AGUILAR:

H.R. 3204. A bill to amend the Internal Revenue Code of 1986 to provide a credit against tax for job training expenses of employers; to the Committee on Ways and Means.

By Mr. DELANEY (for himself, Ms. SINEMA, Mr. MEEKS, Mr. JONES, Mr. LOWENTHAL, and Mr. CARTWRIGHT):

H.R. 3205. A bill to amend title 38, United States Code, to provide for a five-year extension of the Veterans' Advisory Committee on Education; to the Committee on Veterans' Affairs.

By Mrs. DINGELL:

H.R. 3206. A bill to amend the Safe Drinking Water Act to require quarterly reporting, improvement of consumer confidence reports, establishment of a nation consumer confidence report, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. DINGELL (for herself and Mr. DONOVAN):

H.R. 3207. A bill to protect victims of stalking from gun violence; to the Committee on the Judiciary.

By Mr. DUFFY:

H.R. 3208. A bill to amend the Agricultural Act of 2014 to authorize road repair under good neighbor agreements; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERRERA BEUTLER (for herself and Ms. TSONGAS):

H.R. 3209. A bill to amend title 10, United States Code, to improve protections for a member of the Armed Forces who is a survivor of a sex-related offense during military service regarding the separation, or the characterization of any separation, of the member from the Armed Forces, to make additional changes to the authorities and procedures of boards for the correction of military records and discharge review boards, and for

other purposes; to the Committee on Armed Services.

By Mr. KNIGHT (for himself and Mr. CONNOLLY):

H.R. 3210. A bill to require the Director of the National Background Investigations Bureau to submit a report on the backlog of personnel security clearance investigations, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BEN RAY LUJAN of New Mexico:

H.R. 3211. A bill to amend title 18, United States Code, to enhance protections of Native American tangible cultural heritage, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCSALLY (for herself, Mrs. COMSTOCK, Mr. COOK, Mr. GOSAR, Mr. FRANKS of Arizona, Mr. KING of Iowa, Mr. KNIGHT, and Mr. ROHRBACHER):

H.R. 3212. A bill to reauthorize the State Criminal Alien Assistance Program, and for other purposes; to the Committee on the Judiciary.

By Ms. NORTON:

H.R. 3213. A bill to direct the Joint Committee on the Library to accept a statue depicting Pierre L'Enfant from the District of Columbia and to provide for the permanent display of the statue in the United States Capitol; to the Committee on House Administration.

By Mr. RICHMOND (for himself, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. JUDY CHU of California, Mr. CONYERS, Mr. LEWIS of Georgia, Ms. NORTON, Ms. MAXINE WATERS of California, Mr. BISHOP of Georgia, Mr. CLYBURN, Mr. HASTINGS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSH, Mr. SCOTT of Virginia, Mr. THOMPSON of Mississippi, Ms. JACKSON LEE, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mr. MEEKS, Ms. LEE, Mr. CLAY, Mr. DAVID SCOTT of Georgia, Mr. CLEAVER, Mr. AL GREEN of Texas, Ms. CLARKE of New York, Mr. ELLISON, Mr. JOHNSON of Georgia, Mr. CARSON of Indiana, Ms. FUDGE, Ms. BASS, Ms. SEWELL of Alabama, Ms. WILSON of Florida, Mr. PAYNE, Mrs. BEATTY, Mr. JEFFRIES, Mr. VEASEY, Ms. KELLY of Illinois, Mrs. LAWRENCE, Mrs. WATSON COLEMAN, Mr. EVANS, Ms. BLUNT ROCHESTER, Mr. BROWN of Maryland, Mrs. DEMINGS, Mr. LAWSON of Florida, Mr. MCEACHIN, Mr. TED LIEU of California, Mr. COHEN, Ms. KAPTUR, Ms. MENG, Mr. PALLONE, Ms. HANABUSA, Mr. GRIJALVA, Ms. BARRAGAN, Mr. GARAMENDI, Mr. SEAN PATRICK MALONEY of New York, Mr. BEYER, Mr. RYAN of Ohio, Ms. JAYAPAL, Ms. VELÁZQUEZ, Mr. TONKO, Ms. SHEAPORTER, Mr. POLIS, Mr. LARSEN of Washington, Mr. SARBANES, Mr. SOTO, Mr. CONNOLLY, Mr. NADLER, and Mrs. TORRES):

H.R. 3214. A bill to nullify the effect of the recent Executive order that establishes an "election integrity" commission, which will be used and is designed to support policies that will suppress the vote in minority and poor communities across the United States; to the Committee on House Administration.

By Mr. SERRANO (for himself, Mr. MEEKS, Mr. ENGEL, Ms. VELÁZQUEZ,

Mrs. CAROLYN B. MALONEY of New York, Mr. GONZALEZ of Texas, Mr. NADLER, Mr. ESPAILLAT, Mr. CROWLEY, Mr. AL GREEN of Texas, Ms. NORTON, Mr. EVANS, Mr. GRIJALVA, Ms. CLARKE of New York, Mr. COHEN, Mr. CARSON of Indiana, Ms. JACKSON LEE, and Ms. MENG):

H.R. 3215. A bill to authorize appropriations for the public housing Capital Fund for addressing urgent capital needs, and for other purposes; to the Committee on Financial Services.

By Mr. GALLEGO:

H.J. Res. 108. A joint resolution making continuing appropriations for fiscal year 2018 during any period between October 1, 2017, and December 14, 2017, for which discretionary appropriations have lapsed, and for other purposes; to the Committee on Appropriations.

By Mr. DEFAZIO (for himself and Mr. JOHNSON of Georgia):

H. Res. 437. A resolution of inquiry requesting the President to provide certain documents in the President's possession; to the Committee on Transportation and Infrastructure.

By Mr. SHERMAN (for himself and Mr. AL GREEN of Texas):

H. Res. 438. A resolution impeaching Donald John Trump, President of the United States, for high crimes and misdemeanors; to the Committee on the Judiciary.

By Mr. CROWLEY:

H. Res. 439. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. HIGGINS of New York (for himself and Ms. JAYAPAL):

H. Res. 441. A resolution amending the Rules of the House of Representatives to prohibit the consideration of any bill or joint resolution until a cost estimate prepared by the Congressional Budget Office has been available to the public, and for other purposes; to the Committee on Rules.

### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 3191.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

By Mr. KENNEDY:

H.R. 3192.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8—to provide for the general welfare and to regulate commerce among the states

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3193.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3194.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3195.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3196.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8

By Mr. BRAT:

H.R. 3197.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: "The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States"

And Article I, Section 8, Clause 18: "The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. KNIGHT:

H.R. 3198.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. DESAULINER:

H.R. 3199.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. DESANTIS:

H.R. 3200.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 ("The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.") and Article, Section 8, Clause 18 ("The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.")

By Mr. BACON:

H.R. 3201.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 14

By Ms. JACKSON LEE:

H.R. 3202.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3 and 18 of the United States Constitution.

By Mr. ENGEL:

H.R. 3203.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution.

By Mr. AGUILAR:

H.R. 3204.

Congress has the power to enact this legislation pursuant to the following:

Clause I of Section 8 and Clause 18 of Section 8, of Article 1 of the United States Constitution.

By Mr. DELANEY:

H.R. 3205.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mrs. DINGELL:

H.R. 3206.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution.

By Mrs. DINGELL:

H.R. 3207.

Congress has the power to enact this legislation pursuant to the following:

Article I Section VIII

By Mr. DUFFY:

H.R. 3208.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Ms. HERRERA BEUTLER:

H.R. 3209.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (Clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. KNIGHT:

H.R. 3210.

Congress has the power to enact this legislation pursuant to the following:

Congress has the authority to enact this legislation pursuant to Article I, Section 8, Clause 18.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 3211.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Ms. MCSALLY:

H.R. 3212.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4: To establish a uniform Rule of Naturalization

Article 1, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. NORTON:

H.R. 3213.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of section 3 of Article IV of the Constitution.

By Mr. RICHMOND:

H.R. 3214.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the powers granted to Congress under the Gen-

eral Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Mr. SERRANO:

H.R. 3215.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, To make all laws which shall be necessary and proper for carrying into the Execution the foregoing powers and all other powers vested by this constitution in the Government of the US or in any department or officer thereof

By Mr. GALLEGOS:

H.J. Res. 108.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 179: Mr. MCGOVERN.

H.R. 282: Mr. TAYLOR, Ms. TENNEY, Mr. ISSA, and Mr. CARTER of Texas.

H.R. 398: Mr. CURBELO of Florida and Ms. WASSERMAN SCHULTZ.

H.R. 424: Mr. GOSAR.

H.R. 444: Mr. GONZALEZ of Texas.

H.R. 448: Mr. FRANKS of Arizona.

H.R. 490: Mr. FLEISCHMANN, Mr. DUNN, Mr. NORMAN, Mrs. NOEM, Mr. PALAZZO, Mr. SMITH of Missouri, and Mr. BERGMAN.

H.R. 576: Mr. EVANS.

H.R. 592: Mr. PETERS, Mr. KELLY of Mississippi, and Mr. LAHOOD.

H.R. 613: Mr. KIND.

H.R. 632: Mr. TED LIEU of California.

H.R. 676: Mrs. LOWEY.

H.R. 712: Mr. CUELLAR.

H.R. 713: Mr. CUELLAR.

H.R. 717: Mr. GOSAR.

H.R. 721: Mr. KING of New York.

H.R. 747: Mr. HURD, Ms. MCSALLY, and Mr. COMER.

H.R. 754: Mr. RICE of South Carolina, Mr. FASO, Mr. BACON, Mrs. BEATTY, Ms. JUDY CHU of California, Mr. JOHNSON of Georgia, Mrs. DAVIS of California, Mr. CROWLEY, Mr. CALVERT, Mr. RODNEY DAVIS of Illinois, and Ms. ESTY of Connecticut.

H.R. 761: Mr. CROWLEY.

H.R. 772: Mr. MURPHY of Pennsylvania.

H.R. 806: Mr. GROTHMAN.

H.R. 807: Mrs. TORRES.

H.R. 825: Mr. TED LIEU of California and Mrs. NAPOLITANO.

H.R. 828: Mr. WALBERG.

H.R. 849: Mr. ZELDIN, Mr. HOLLINGSWORTH, and Mr. WESTERMAN.

H.R. 858: Ms. BROWNLEY of California.

H.R. 878: Mrs. HARTZLER.

H.R. 911: Mr. BILIRAKIS and Mr. MCGOVERN.

H.R. 930: Mr. GOTTHEIMER, Mr. KHANNA, Mr. RUIZ, Mr. CAPUANO, Mr. KATKO, Mr. COSTA, Mr. MCKINLEY, Mr. MURPHY of Pennsylvania, Mr. BABIN, Mr. HILL, and Mr. TROTT.

H.R. 1057: Mr. SIMPSON and Mr. JOHNSON of Ohio.

H.R. 1098: Mr. WELCH.

H.R. 1136: Mr. THOMPSON of Pennsylvania and Mr. MITCHELL.

H.R. 1148: Mr. THOMPSON of California, Mr. CURBELO of Florida, Mr. ROSKAM, Mr. BISHOP of Georgia, and Mr. YARMUTH.

H.R. 1158: Mr. BACON.

H.R. 1164: Mr. PAULSEN.

H.R. 1223: Mr. OLSON.

H.R. 1235: Mr. BERA, Ms. CASTOR of Florida, Ms. GABBARD, Ms. JAYAPAL, Ms. MENG, Ms. PELOSI, Mr. PRICE of North Carolina, Mr. RASKIN, Ms. ROSEN, Mr. SARBANES, Mr. SCHIFF, Mr. SCHRADER, Ms. SINEMA, Mr. SMITH of Washington, Mr. TAKANO, Ms. TITUS, Mr. VARGAS, Ms. WASSERMAN SCHULTZ, Mr. CORREA, Ms. HANABUSA, Mr. PETERSON, Mr. KHANNA, Mr. SABLON, Mr. SHERMAN, Ms. LEE, Mr. O'ROURKE, Mr. O'HALLERAN, Mr. PANETTA, Mr. KATKO, Mr. ROTHFUS, Mr. COLE, Mr. BYRNE, Mr. GRAVES of Louisiana, Mr. HURD, Mr. TROTT, Mr. KELLY of Mississippi, Mr. RICE of South Carolina, Mr. RENACCI, Mr. SHUSTER, Mr. DUNCAN of Tennessee, and Mr. GOODLATTE.

H.R. 1243: Mr. CURBELO of Florida, Mr. SOTO, Mr. PALLONE, and Mr. CRIST.

H.R. 1251: Mr. EVANS.

H.R. 1261: Mr. FLORES, Mr. POLIQUIN, Mr. AUSTIN SCOTT of Georgia, and Mr. CHABOT.

H.R. 1264: Mr. BRADY of Texas, Mr. PITTINGER, Mr. CARTER of Texas, and Mr. TIPTON.

H.R. 1267: Mr. ABRAHAM and Ms. BLUNT ROCHESTER.

H.R. 1276: Mr. KEATING.

H.R. 1291: Ms. SHEA-PORTER.

H.R. 1300: Ms. TSONGAS, Ms. SLAUGHTER, and Ms. VELÁZQUEZ.

H.R. 1317: Mr. WALBERG, Mrs. BLACKBURN, Mr. ISSA, Mr. HUIZENGA, Mr. MITCHELL, Mr. WILSON of South Carolina, and Mr. NORMAN.

H.R. 1322: Mr. MCGOVERN and Mr. JOHNSON of Georgia.

H.R. 1406: Ms. CASTOR of Florida, Mr. LYNCH, and Mr. KATKO.

H.R. 1421: Ms. ESTY of Connecticut.

H.R. 1444: Mr. WEBER of Texas.

H.R. 1450: Mr. ENGEL.

H.R. 1454: Mr. THOMPSON of Pennsylvania.

H.R. 1456: Mr. KING of New York and Ms. ROSEN.

H.R. 1457: Mr. ROYCE of California.

H.R. 1485: Mr. THOMPSON of Pennsylvania.

H.R. 1494: Mr. KATKO, Mr. AGUILAR, Mr. BUCHSON, Miss RICE of New York, and Mr. HIMES.

H.R. 1537: Mr. ROKITA.

H.R. 1587: Mr. AGUILAR and Mr. LEVIN.

H.R. 1611: Mr. DELANEY.

H.R. 1635: Mr. THOMPSON of Pennsylvania.

H.R. 1639: Mrs. TORRES.

H.R. 1661: Mr. MARSHALL and Mr. BRADY of Pennsylvania.

H.R. 1673: Mrs. CAROLYN B. MALONEY of New York.

H.R. 1676: Mr. MAST and Mr. DAVID SCOTT of Georgia.

H.R. 1685: Mr. GONZALEZ of Texas, Mr. MOULTON, Mr. DEFazio, and Mr. KHANNA.

H.R. 1699: Ms. MCSALLY, Mr. WALBERG, Mr. GALLAGHER, and Mr. BIGGS.

H.R. 1748: Mr. BLUMENAUER.

H.R. 1777: Mr. WALKER.

H.R. 1781: Mr. BYRNE.

H.R. 1784: Ms. SHEA-PORTER.

H.R. 1796: Mr. CURBELO of Florida, Ms. KAPTUR, and Mr. MOULTON.

H.R. 1821: Mr. DEFazio, Ms. WASSERMAN SCHULTZ, Ms. JACKSON LEE, Ms. PINGREE, and Ms. NORTON.

H.R. 1825: Miss RICE of New York and Mr. AGUILAR.

H.R. 1847: Ms. DEGETTE.

H.R. 1861: Mr. NEAL.

H.R. 1865: Mr. LUETKEMEYER, Mr. BISHOP of Michigan, Ms. STEFANIK, and Mr. CRIST.

H.R. 1896: Mr. WALDEN.

H.R. 1939: Mr. ROE of Tennessee and Mr. YOUNG of Iowa.

H.R. 2012: Mr. LEVIN.  
H.R. 2049: Ms. ESHOO.  
H.R. 2068: Ms. BROWNLEY of California and Mr. MOULTON.  
H.R. 2121: Mr. LUETKEMEYER.  
H.R. 2130: Mr. GOODLATTE.  
H.R. 2142: Mr. HIGGINS of New York.  
H.R. 2147: Ms. SHEA-PORTER.  
H.R. 2200: Mr. PAULSEN and Mrs. CAROLYN B. MALONEY of New York.  
H.R. 2207: Mr. BEN RAY LUJÁN of New Mexico.  
H.R. 2219: Mr. MEEHAN.  
H.R. 2267: Mr. RUIZ, Mr. MEEHAN, Ms. SCHA-KOWSKY, Mr. RODNEY DAVIS of Illinois, Mr. ENGEL, Mr. FASO, and Ms. BONAMICI.  
H.R. 2319: Mr. PITTENGER.  
H.R. 2327: Mr. LONG and Mrs. NOEM.  
H.R. 2340: Mr. WESTERMAN.  
H.R. 2358: Mr. HIMES.  
H.R. 2369: Mr. BILIRAKIS.  
H.R. 2392: Ms. SHEA-PORTER.  
H.R. 2435: Mrs. BEATTY.  
H.R. 2439: Mr. YARMUTH.  
H.R. 2465: Ms. LEE and Mr. YARMUTH.  
H.R. 2493: Ms. SHEA-PORTER.  
H.R. 2495: Mr. POLIQUIN, Mr. TONKO, and Mr. HARRIS.  
H.R. 2501: Mr. EVANS.  
H.R. 2513: Mr. WILSON of South Carolina, Mr. GROTHMAN, Mr. FLORES, Mr. ROKITA, and Mr. PITTENGER.  
H.R. 2519: Mr. STIVERS, Mr. POSEY, Mr. HURD, Mr. HIMES, Mr. DEUTCH, Mr. SUOZZI, Mr. COSTA, Ms. ESHOO, Mr. MOULTON, Mr. LARSEN of Washington, Mr. DUFFY, Mr. FOSTER, and Mr. NOLAN.  
H.R. 2545: Mr. DENHAM.  
H.R. 2587: Mr. JONES.  
H.R. 2591: Mr. GRAVES of Georgia and Mr. ROSS.  
H.R. 2603: Mr. COLE.  
H.R. 2620: Mr. HUNTER, Mr. LATTA, Mr. WALKER, Mr. MITCHELL, Mr. BISHOP of Michigan, and Mr. ADERHOLT.

H.R. 2651: Mr. O'ROURKE.  
H.R. 2656: Mr. KENNEDY.  
H.R. 2664: Mr. LANCE.  
H.R. 2666: Mrs. TORRES.  
H.R. 2679: Mr. MACARTHUR.  
H.R. 2723: Mr. MARSHALL and Mr. ABRAHAM.  
H.R. 2740: Mr. GRIJALVA, Mr. DeFAZIO, Mr. TONKO, Mr. RYAN of Ohio, Mr. DEUTCH, Ms. ROSEN, and Mr. VELA.  
H.R. 2772: Ms. STEFANIK.  
H.R. 2775: Mr. PERRY.  
H.R. 2776: Mr. PERRY.  
H.R. 2778: Mr. SCHWEIKERT.  
H.R. 2782: Mr. HUFFMAN and Mr. RUPPERS-BERGER.  
H.R. 2805: Mr. HECK and Mr. CASTRO of Texas.  
H.R. 2840: Ms. SPEIER, Mr. O'ROURKE, and Mr. McEACHIN.  
H.R. 2851: Mr. DONOVAN.  
H.R. 2871: Mr. HARPER.  
H.R. 2878: Mr. ELLISON.  
H.R. 2901: Mr. KATKO.  
H.R. 2902: Mr. LOEBSACK and Mr. NOLAN.  
H.R. 2903: Mr. O'HALLERAN.  
H.R. 2913: Ms. ESHOO, Ms. LOFGREN, Mr. LEVIN, and Mr. POCAN.  
H.R. 2918: Mr. ROTHFUS.  
H.R. 2944: Mr. CARBAJAL.  
H.R. 2957: Mr. LUCAS, Mr. PETERSON, and Mr. HARPER.  
H.R. 2970: Mr. SOTO.  
H.R. 2989: Mr. GOSAR.  
H.R. 2999: Mr. AGUILAR.  
H.R. 3020: Ms. LOFGREN.  
H.R. 3029: Ms. MOORE, Mr. BLUMENAUER, Mr. JOHNSON of Georgia, Ms. SEWELL of Alabama, Mr. VARGAS, Mr. MEEKS, Ms. LEE, Ms. ADAMS, Mr. GRIJALVA, and Ms. NORTON.  
H.R. 3030: Mr. WALZ.  
H.R. 3054: Mr. OLSON.  
H.R. 3071: Mr. ALLEN.  
H.R. 3089: Mr. LYNCH.  
H.R. 3108: Ms. BORDALLO.  
H.R. 3110: Ms. TENNEY.

H.R. 3115: Mr. WALZ.  
H.R. 3139: Mr. DESJARLAIS.  
H.R. 3158: Mr. CORREA.  
H.R. 3163: Mr. UPTON, Mr. MARCHANT, and Mr. ENGEL.  
H.R. 3174: Mr. LANGEVIN.  
H.J. Res. 2: Mr. THORNBERRY and Mr. BILIRAKIS.  
H.J. Res. 51: Mr. ZELDIN, Mr. HOLLINGSWORTH, Mr. OLSON, Mr. DAVIDSON, and Mr. WESTERMAN.  
H.J. Res. 100: Mr. NORCROSS and Mrs. MURPHY of Florida.  
H.J. Res. 107: Mr. CUELLAR.  
H. Con. Res. 13: Mr. REED, Mr. KELLY of Pennsylvania, and Mr. DUNN.  
H. Con. Res. 27: Ms. JAYAPAL.  
H. Con. Res. 59: Mr. TAKANO, Mr. DENHAM, and Mr. PANETTA.  
H. Con. Res. 63: Mr. JEFFRIES and Mr. SUOZZI.  
H. Res. 15: Mr. FRELINGHUYSEN.  
H. Res. 28: Mr. ROTHFUS.  
H. Res. 30: Ms. ROSEN.  
H. Res. 31: Mr. GOTTHEIMER.  
H. Res. 128: Ms. DeLAURO, Mr. SENSENBRENNER, Mr. PALLONE, Mr. BUCK, Ms. BONAMICI, and Mr. LEWIS of Minnesota.  
H. Res. 129: Mr. JOHNSON of Georgia and Mr. CONYERS.  
H. Res. 161: Mr. WESTERMAN.  
H. Res. 188: Mr. TED LIEU of California.  
H. Res. 195: Mrs. BROOKS of Indiana.  
H. Res. 200: Mrs. DINGELL.  
H. Res. 213: Ms. BLUNT ROCHESTER.  
H. Res. 342: Mr. SMITH of Washington, Ms. McCOLLUM, Mr. SEAN PATRICK MALONEY of New York, and Mr. DESJARLAIS.  
H. Res. 401: Ms. LOFGREN and Mr. COHEN.  
H. Res. 407: Mr. EVANS.  
H. Res. 421: Ms. NORTON and Mr. EVANS.  
H. Res. 433: Mr. WEBER of Texas.



## EXTENSIONS OF REMARKS

ANTHONY CERVANTES

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Anthony Cervantes for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Anthony Cervantes is a student at Arvada High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Anthony Cervantes is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Anthony Cervantes for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING COLONEL RALPH L. SCHWADER

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Colonel Ralph L. Schwader, Commander of the Missouri Air National Guard's 139th Airlift Wing. Colonel Schwader has dedicated years of service to not only the people of Missouri, but in defense of the United States of America. It is with great honor that I take a moment to recognize Colonel Schwader today.

On paper alone, Colonel Schwader is an incredibly impressive man. His list of various commands, deployments, decorations and awards could fill volumes. However, what you will never see on paper are the people he has touched while on those deployments or commands. The lives he has touched while earning those decorations and awards. Colonel Schwader may never know the lives he has saved delivering supplies to soldiers in the field while deployed for Operations Desert Shield, Iraqi Freedom, and Enduring Freedom, among many other deployments and service stations. The lives other airmen he saved through training provided under his command by the Advanced Airlift Training Center. He may never fully know the gratitude for aid he helped provide to other Missourians during a flood or tornado or internationally to Haiti following the earthquake of 2010. It is on behalf

of those people who haven't been able to give their thanks, myself and everyone in the Sixth Congressional District that I give my deepest thanks to Colonel Schwader for his dedication and service.

Mr. Speaker, I proudly ask you to join me in recognizing Colonel Ralph L. Schwader for his decades of service to Missouri, the Sixth Congressional District and to the United States of America.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI ARMY STAFF SERGEANT (SSG) SCOTTIE LEE BRIGHT

**HON. TRENT KELLY**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. KELLY of Mississippi. Mr. Speaker, I am humbled to rise today in memory of Army Staff Sergeant (SSG) Scottie Lee Bright who was killed on July 5, 2005, during Operation Iraqi Freedom. SSG Bright was killed when an improvised explosive device detonated near his military vehicle during patrol operations in Baghdad.

SSG Bright was assigned to the 3rd Squadron, 3rd Armored Cavalry Regiment, Fort Carson, Colorado.

SSG Bright, a Jackson, Mississippi native, was a 1986 graduate of Lanier High School. SSG Bright joined the Army in 1991. His brother Willie Bright said SSG Bright loved the Army and especially younger soldiers. Willie said his brother was his hero.

SSG Bright's funeral was held on what would have been his 37th birthday. More than 200 people filled the New Ebenezer Baptist Church that day. Reverend Dan Day called the event a "homecoming celebration" because Heaven was SSG Bright's new address. SSG Bright's wife, Carolyn, told those in attendance that her husband was a wonderful husband and father and loved by his family very much.

At the funeral, Brigadier General (BG) Robert Crear presented SSG Bright's family with military awards including the Bronze Star and Purple Heart.

During the graveside service at Autumn Woods Cemetery, a Mississippi Army National Guard honor guard played "Taps." He was also given a 21-gun salute.

SSG Bright is survived by his wife, Carolyn and their children, Breshay Nicole and Scottie Lee Bright, Jr.

SSG Bright gave the ultimate sacrifice to protect the freedoms we all enjoy. His service to our nation will not be forgotten.

RECOGNIZING JULY AS DRY EYE AWARENESS MONTH DURING THE DECADE OF VISION 2010 THROUGH 2020

**HON. PETE SESSIONS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. SESSIONS. Mr. Speaker, in 2009, I was proud to co-sponsor with my then-House colleague the Honorable Tammy Baldwin the successfully passed H. Res. 366, which designated 2010 through 2020 as "The Decade of Vision." Accompanied by the Senate's successfully passed companion legislation S. Res. 209, these resolutions recognized the challenges to the vision health of our nation's citizens as the population ages and the incidence of chronic diseases—such as diabetes—grows, causing eye disease and visual impairment.

In the spirit of those resolutions, I am pleased to recognize July as Dry Eye Awareness Month. Dry eye, a growing global problem that affects more than 30 million people in the United States alone, occurs when the eye does not produce tears properly or they are not of the correct consistency and evaporate too quickly. It can range from discomfort to a painful chronic and progressive condition that leads to blurred vision or even vision loss. Dry eye impacts our nation's healthcare policy, as it is one of the most frequent causes of patient visits to eye care providers.

Although past research supported by the National Institutes of Health (NIH) and its National Eye Institute (NEI) on the causes of and treatments for the condition has identified age, sex, and gender as factors, it has now discovered ethnic and racial differences, and that dry eye impacts younger patients. This "equal opportunity" disease can have many causes, including environmental exposure; side-effects from medications; eye surgery; eye lid disorders; immune system diseases such as Sjögren's syndrome, lupus, or rheumatoid arthritis; contact lens wear; cosmetic use; aesthetic procedures; and an increasingly common cause—staring at computer or video screens for too long without blinking. Many are calling dry eye the "Disease of the Millennials" due to its increased incidence in that population.

Dry eye has also been a major issue for our brave soldiers who were engaged in Operation Enduring Freedom and Operation Iraqi Freedom. The Veterans Administration reports that upwards of 70 percent of Traumatic Brain Injury-exposed veterans have dry eye symptoms.

During the 2017 Dry Eye Awareness Month, the Tear Film & Ocular Surface Society's Dry Eye Workshop II (TFOS DEWS II) Report will be published in The Ocular Surface Journal, updating the definition of dry eye and addressing its greater impact on vision health—the

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

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

first such re-examination since 2007. Report highlights will be presented at a July 12 Congressional Briefing, accompanied by a "Test Your Tears" Screening and presentation of research posters.

The vision community and its coalition partners are uniting to recognize this growing threat to vision health, and I stand in support of these awareness and educational efforts.

IN APPRECIATION OF THE  
SERVICE OF EDWARD A. BURRIER

**HON. EDWARD R. ROYCE**  
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. ROYCE of California. Mr. Speaker, as Chairman of the Foreign Affairs Committee, I would like to take a moment to express my appreciation for an exceptional individual who has served this House with distinction for the last 18 years, Mr. Edward A. Burrier.

Edward first started in my office interning at the Africa Subcommittee, which I then chaired. At the time, he was still in college at the University of Mary Washington in Fredericksburg, Virginia. Each day he would make the long commute from Fredericksburg, just to volunteer.

He then took a job in my personal office in 1133 Longworth where he met his future wife, a fellow junior staffer, Gretchen. While I may have been unaware about their early dating, I was pleased to have the opportunity to attend their memorable wedding in Adare, Ireland in 2006. They now have a young son, William, and it has been a pleasure watching them grow personally and professionally.

Edward eventually rose to the position of Committee Deputy Staff Director of the House Foreign Affairs Committee. Over the years, Edward was essential in achieving so much, including efforts to prevent the proliferation of MANPADS to terrorists, and major legislation sanctioning the regimes of North Korea and Iran, which are dangerously pursuing nuclear weapons programs. He found a niche in tracking international rogues, some of who are now behind bars for gun-running and creating mayhem, in part because of Edward's efforts. He also produced important reports, including the path-breaking Gangster Regime: How North Korea Counterfeits United States Currency, still relevant today. And he wrote for me hundreds of Foreign Intrigue blog entries, some of the most captivating foreign policy writing in Washington.

Everything he worked on became better. In the last Congress, the Committee succeeded in having 24 bills become public law. That's a big number, and an impressive record. In short, Edward has been involved in all the major foreign policy issues of the day, helping to make our country safer and more prosperous.

Over my time in Congress, I have been fortunate to have had several long-serving staff members. Edward has been part of this group, central to much of what I have been able to accomplish. Most recently, he helped manage what I believe to be the best committee staff in Congress.

Edward is cool, calm, and collected. He is a genuinely good person.

Edward was one of the most talented, competent, and dedicated staff members in the House. His skills and excellent judgment will serve him well as he transitions to a top position at the Overseas Private Investment Corporation. His many friends on the Hill, both Republicans and Democrats, wish Edward continued success.

TRIBUTE TO RYAN AND TODD  
AARHUS

**HON. ROD BLUM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. BLUM. Mr. Speaker, I rise today to honor two brothers from the First District of Iowa on their retirement after their 31 years of service in the Iowa National Guard.

Ryan and Todd Aarhus are a shining example of citizenship and servitude to our great nation. During their 31 years of service, both brothers were deployed. Todd served as part of Operation Enduring Freedom, and both brothers served in Operation Iraqi Freedom.

Ryan and Todd have both had distinguished careers of service—not only have they served their country and state in the Iowa National Guard, but both also serve as Iowa State Patrol Officers, volunteer firefighters, and EMTs. Additionally, Todd also served on Governors Culver and Branstad's State Security details.

It is my pleasure to honor both Ryan and Todd Aarhus on their retirement and to thank them for their dedication and service to our community, the State of Iowa, and our nation.

COMMANDER MARK COONEY

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Wheat Ridge Police Commander Mark Cooney for his decades of service to the City of Wheat Ridge, Colorado. For thirty eight years, Commander Cooney has been active within the community and the police department serving constituents of Wheat Ridge.

Commander Cooney started his career in 1979 after graduating first in his class at the Police Academy. Mark's career has consistently shown his commitment to law enforcement and building community partnerships. His work as a Field Training Officer and later Detective showed his special acumen in investigations, being recognized by the First Judicial District Attorney's office as Investigator of the Year by solving a difficult burglary case. Mark was promoted to Sergeant, then Lieutenant, and finally serving as Commander—all the while excelling at investigations and as a leader in the department's emergency management planning. Mark has shown his thirst for learning by earning a Master's of Criminal Justice degree from the University of Colo-

rado, graduating from the Northwestern University School of Staff and Command as well as graduating from the FBI National Academy. As the Chief of Police for the City of Wheat Ridge noted, Mark's dedication exemplifies their vision statement of "Exceptional People Providing Exceptional Service." His hard work and dedication every day to making the community of Wheat Ridge a great place to live and work demonstrates his exemplary work as a police officer in Wheat Ridge.

I extend my deepest thanks to Commander Cooney for his service to the community. Thank you for your continuous dedication to serving the people and the City Wheat Ridge, Colorado.

IN RECOGNITION OF THE 35TH ANNUAL  
METRO DETROIT YOUTH DAY

**HON. DEBBIE DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the organizers and participants of the 35th annual Metro Detroit Youth Day. This annual event provides southeast Michigan youth with a day of fun, games and opportunities to engage with local officials and role models.

Originally started in 1981 to promote stronger relations between residents of Detroit and the business community, Metro Youth Day has expanded significantly and now provides approximately 35,000 Detroit-area children with a day of education and recreation on Belle Isle in the Detroit River. As the largest youth event in the State of Michigan, Metro Youth Day hosts over 360 organizations and 260 businesses from Metro Detroit to provide participants with opportunities to build connections with civic leaders and nonprofit groups. These include Grow Detroit Youth Talent, an organization that provides summer jobs for young people in Detroit, as well as educational events by local community groups. Youth Day also offers college scholarships to several dozen graduating high school students each year.

Metro Detroit Youth Day helps build a culture of civic engagement while also providing important resources and educational resources to area youth. The event has received widespread acclaim, including a Point of Light Award from President George H.W. Bush, as well as a Michigan Governor's Award on Physical Fitness for its promotion of physical activity and health. These accolades underscore the positive impact that Metro Youth Day has on the Detroit community. Additionally, the event has provided more than 1,800 college scholarships to graduating seniors since 1991, making it an important engine of opportunity for area youth. These efforts have helped create a stronger and more cohesive Detroit, and it is my hope that Metro Youth Day continues to grow and serve the Detroit area youth while promoting improved community relations in the coming years.

Mr. Speaker, I ask my colleagues to join me in recognizing the organizers and participants

of the 35th annual Metro Detroit Youth Day. The event provides important resources and opportunities for participants.

#### RECOGNIZING GRANT MAY

### HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. BUCK. Mr. Speaker, I rise today to recognize Grant May for his hard work and dedication to the people of Colorado's Fourth District as an intern in my Washington, D.C. office for the Summer of 2017.

The work of this young man has been exemplary, and I know he has a bright future. He served as a tour guide, interacted with constituents, and learned a great deal about our nation's legislative process. I was glad to be able to offer this educational opportunity, and look forward to seeing him build his career in public service.

Grant plans to continue pursuing his degree at the end of this internship. I wish him the best as he pursues his career path. Mr. Speaker, it is an honor to recognize Grant May for his service the last several months to the people of Colorado's 4th district.

#### ADALBERTO GARZA

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Adalberto Garza for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Adalberto Garza is a student at Arvada K-8 School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Adalberto Garza is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Adalberto Garza for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

#### MORLEY NELSON SNAKE RIVER BIRDS OF PREY NATIONAL CON- SERVATION AREA BOUNDARY MODIFICATION ACT OF 2017

### HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. SIMPSON. Mr. Speaker, I would like to thank the following people who have worked

with me to achieve the Morley Nelson Snake River Birds of Prey National Conservation Area Boundary Modification Act of 2017 which was legislation I drafted and was included in the Fiscal Year 2017 Consolidated Appropriations Act. They each played a role in their own way and because of their help, the West is building critical energy infrastructure that will improve reliability and efficiency and also increase continuing conservation efforts while saving Idaho ratepayers money.

Let me start by thanking Brian O'Donnell and Danielle Murray from the Conservation Lands Foundation. Their solution oriented attitude helped guide the success of this effort. I would also like to thank Rick Johnson, Craig Gehrke, Will Whelan, Kai Anderson, and Amelia Jenkins from the conservation community.

I want to thank Jeff Malmen and his terrific team at Idaho Power, including Mark Stokes and Mitch Colburn who were there every step of the way to ensure the project recognizes conservation and saves Idaho ratepayers. Their friends at Rocky Mountain Power, including Pat Reiten, were also great partners.

I would also like to thank the hard working men and women at the Bureau of Land Management. Tim Murphy and his team in Idaho include Peter Ditton and Erin Curtis. Their work was instrumental throughout the entire Gateway West project and I thank them for their public service in Idaho.

Additionally, I need to thank Governor Otter and his team of John Chatburn and Scott Pugurd for their diligent work. I also want to thank Senator RISCH and his staff members John Sandy, Darren Parker, and Melanie Steele.

Thanks to Chairman BISHOP and the House Natural Resources Committee for their thoughtful consideration of the Gateway West legislation. Erica Rhoad and Aniela Butler were a huge help to guiding this legislation through Chairman TOM MCCLINTOCK'S subcommittee.

I want to thank Gregory Kostka, Lisa Daly, and Hank Savage at Legislative Counsel. They drafted and redrafted countless versions of this bill under tight deadlines.

I would also like to thank the Senate and House Interior and Environment Appropriations Subcommittee Chairmen LISA MURKOWSKI and KEN CALVERT along with their ranking members TOM UDALL and BETTY MCCOLLUM. Their staff were relentless in guiding this agreement to the finish line and a special thanks is owed to Dave LesStrang, Betsy Bina, and Rita Culp for their efforts in finalizing the agreement in the Fiscal Year 2017 Consolidated Appropriations Act.

Finally, I want to thank my staff, Lindsay Slater, Jamie Neill, Nikki Wallace, and Craig Quarterman who helped in many different ways to ensure this was the best possible deal for my constituents in Idaho.

#### DOROTHY A. BURLEY

### HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. NORCROSS. Mr. Speaker, I rise today to honor Dorothy A. Burley, a woman of

strength, character and commitment, on the occasion of her 75th birthday. Ms. Burley is a friend, mentor, educator and inspiration to many across New Jersey's First Congressional District and beyond.

After receiving her Associate's Degree in Human Services at Camden County College and her Bachelor's Degree in Elementary Education at Glassboro State College (now Rowan University), Ms. Burley taught for 16 years at various Camden City schools, shaping young minds.

Ms. Burley's commitment to community continued beyond the classroom when, in 1993, she made history by taking the oath of office as the first African American female municipal clerk in the City of Camden.

Ms. Burley would go on to hold other positions of distinction in the community, in both appointed and elected offices, including Commissioner for the Camden County Board of Elections, Chairperson of the Housing Authority of the City of Camden, Chairperson of the Alcohol Beverage Control Board, President of "Girls on the Move" Youth Foundation, and a member of the National and Camden Education Association. Ms. Burley would also serve as director of human resources at CAMcare Health Corporation until her well-deserved retirement.

Separate from her professional commitments, Ms. Burley has selflessly dedicated her time and talents to organizations that enhance the lives of Southern New Jersey constituents.

Though she's been honored and recognized for her many meaningful efforts, Ms. Burley is especially deserving of this special recognition, as she continues her mission to inspire everyone she encounters.

Mr. Speaker, for that reason and so many others, I ask you to join me in wishing this devoted mother, grandmother, public servant, and mentor, Ms. Dorothy A. Burley, a very happy 75th birthday.

#### PERSONAL EXPLANATION

### HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Tuesday, July 11, 2017. Had I been present, I would have voted Yea on Roll Call votes 345 and 346.

#### RICARDO GOMEZ

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Ricardo Gomez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Ricardo Gomez is a student at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Ricardo Gomez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Ricardo Gomez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

LESLIE H. GALLAGHER, JR.

### HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. NORCROSS. Mr. Speaker, I rise today to honor retired U.S. Air Force Technical Sgt. Leslie H. Gallagher, Jr. of the Borough of Pine Hill, Camden County, in New Jersey's First Congressional District, for his service to our nation and our community.

Mr. Gallagher graduated from Overbrook Regional High School in 1976 and enlisted in the United States Air Force that same year. He would continue to serve in the Air Force until his retirement in 1997. During his years of service in the Air Force, Mr. Gallagher would hold many roles, including assignments in law enforcement, the financial office, and as load master for large military transport aircrafts.

During his career, Mr. Gallagher served as a non-commissioned officer-in-charge of military pay operations at four different military bases, and as travel operations and deputy finance officer, where his work was instrumental in support of Operation Desert Storm.

While stationed in Delaware and Oklahoma, Mr. Gallagher taught high school physical education to students and served as a high school basketball and track coach.

After twenty one years of service to the Air Force, Mr. Gallagher would return to Pine Hill where he served as Vice Commander and ultimately as Adjutant of Pine Hill Post 286 of the American Legion. His commitment to his community continued in his roles as chairman of the Environmental Commission of Pine Hill, Commissioner of Parks and Recreation, and secretary of the Planning and Zoning Board.

Mr. Gallagher's ongoing commitment to education is evidenced by his leadership positions on the Pine Hill Board of Education, as Pine Hill's representative to the Camden County School Boards Association, as a delegate to the New Jersey State Board of Education, and as a Sunday school teacher at his church.

After his retirement from Local 322 as an HVAC technician, Mr. Gallagher's public service would continue through his employment with the Borough of Pine Hill, where he has become an invaluable resource to the community.

Mr. Speaker, Technical Sergeant Leslie H. Gallagher, Jr. is a great American who exemplifies the true meaning of leader, community servant, and patriot. I ask you to join with me and the constituents of Southern New Jersey in honoring this exceptional man.

INTRODUCTION OF A BILL TO DIRECT THE JOINT COMMITTEE ON THE LIBRARY TO ACCEPT A STATUE DEPICTING PIERRE L'ENFANT FROM THE DISTRICT OF COLUMBIA AND TO PROVIDE FOR THE PERMANENT DISPLAY OF THE STATUE IN THE UNITED STATES CAPITOL

### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Ms. NORTON. Mr. Speaker, today I introduce a bill to direct the Joint Committee on the Library to accept a statue depicting Pierre L'Enfant from the District of Columbia and to provide for the permanent display of the statue in the United States Capitol.

Pierre L'Enfant was born in France in 1754. He was an engineer and an architect, and he traveled to the United States to serve with the United States in the Revolutionary War. In March 1791, L'Enfant was hired to develop the design for the District of Columbia. L'Enfant's design for the city was so remarkable that it remains and is cherished today in the nation's capital and throughout this country. L'Enfant's design envisioned a federal and residential city with diagonal streets propelling from Congress and the President's home, beautiful boulevards on local streets and neighborhoods, and open spaces for monuments, memorials and historical structures, all of which largely remain intact, protected as a historical treasure.

In 2006, the residents of the District of Columbia chose L'Enfant as one of the top ten Americans that have given distinguished service to the District, and the selection committee created by the D.C. Commission on the Arts and Humanities chose L'Enfant as the second statue from the District of Columbia to be placed in the United States Capitol. The District's first choice for a statue was Frederick Douglass, and I am pleased that the Douglass statue now sits in Emancipation Hall. Because the United States Capitol does not currently appropriately recognize the contributions of Pierre L'Enfant, and because D.C. residents and stakeholders chose L'Enfant as a distinguished Washingtonian, this bill would require the Joint Committee on the Library to place the Pierre L'Enfant statue in the United States Capitol.

I urge my colleagues to support this bill.

### ROMEO GONZALES

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Romeo Gonzales for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Romeo Gonzales is a student at Arvada High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Romeo Gonzales is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Romeo Gonzales for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

NATTALIE NORCROSS

### HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. NORCROSS. Mr. Speaker, I rise today to honor my granddaughter, Ms. Nattalie Norcross, on the occasion of her graduation from Cherry Hill High School West.

Nattalie was born on September 7, 1999, and raised in Cherry Hill, New Jersey. Nattalie received her high school diploma at the Cherry Hill High School West Commencement Ceremony on June 15, 2017, which was held at Temple University in Philadelphia.

Nattalie has been actively involved in the South Jersey community. She has volunteered her time at the Camden Children's Garden in the City of Camden, Grace Episcopal Church in Haddonfield and at various nursing homes and senior centers across Southern Jersey.

Nattalie is also proud to be a Girl Scout. The Girl Scouts of the United States of America is a premier youth organization that promotes compassion, courage, confidence, and leadership, all qualities that Nattalie possesses in great abundance.

In the fall, Nattalie will matriculate to Rowan University in Glassboro, where she plans to pursue degrees in English and Education.

Mr. Speaker, I ask you to join me in congratulating Ms. Nattalie Norcross on the occasion of her high school graduation, and wishing her the best of luck as she begins a new chapter in her academic career.

### THE RETIREMENT OF LAKEWOOD CITY MANAGER HOWARD CHAMBERS

### HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. LOWENTHAL. Mr. Speaker, Howard L. Chambers, who has served as the city manager of the City of Lakewood for more than four decades, has announced that he will be retiring from his role at the administrative helm of the city. Howard has served longer as city manager of the same city longer than any other city manager in California—this in a profession where the average length of service in California cities is about seven years.

A true "native son," Howard is a lifelong member of the Lakewood community, growing

up near Mayfair Park, going to neighborhood schools, even working at the local YMCA.

After earning his degree at Cal State Long Beach, Howard interned at the City of Lakewood for two years, handling youth services. He then went to work with the City of Rosemead as an assistant city manager. Howard returned to Lakewood in 1972 in the role of an executive assistant to the city manager. In 1976, the same year he earned a Master of Arts degree in Planning and Administration from Pepperdine University, Howard was named acting city administrator and shortly thereafter hired to permanently fill the position. The city council later officially re-titled the position as city manager.

Always looking to push his skill level further, he earned a Master of Public Administration degree from the University of Southern California in 1981 and was a Fellow of the Program for Senior Executives in State and Local Government at Harvard University's Kennedy School of Government in 1988. In 2005, he completed a rigorous evaluation process and became a Credentialed Manager under the auspices of the International City/County Management Association.

Howard eventually served 34 years as Lakewood City Manager, retiring in 2011. However, within a year, the city council asked him to return to the role. He returned in 2012 and remained until his retirement this year. In total, his 41 years as city manager represent nearly two-thirds of the 63-year-old city's entire existence. It is safe to say that the vast majority of the city's 80,000 residents have known no one but Howard as city manager.

During his tenure as Lakewood city manager, Howard managed the city's largest public works project in its first 50 years: the \$16 million improvement of the Lakewood Civic Center and construction of The Centre at Sycamore Plaza. He later oversaw the \$21-million expansion and modernization of the Lakewood Sheriff's Station, the largest single project in the city's history. The sheriff's station expansion project was completed without a new tax, tax increase, or special assessment.

None of this has gone unnoticed and on his watch, Lakewood has deservedly earned many awards for the quality of its services, its commitment to responsive government, and its innovations.

Over his record-setting 40 years behind the city manager's desk, Howard has become a respected leader among area city managers, always willing to take the time to share his professional experience with his colleagues on issues affecting Southern California, its residents, and its infrastructure.

Howard has also worked tirelessly and effectively on ad hoc committees and coalitions to address federal, state, and local issues, and has never shied away from a principled battle. As a long-term member of the International City/County Management Association (ICMA), Chairman of the Southeast Los Angeles County Municipal Management Group, the California Contract Cities Association, and a member of the League of California Cities' City Managers Division, Howard has worked with elected and appointed city officials, legislators, regulators, the business community, residents, and others to achieve solutions to the critical issues affecting local governments.

In addition to his public service, Howard has made community service a priority. His involvement includes the Lakewood Rotary Club, the Weingart-Lakewood Family YMCA, Lakewood Special Olympics, the American Heart Association, Su Casa Ending Domestic Violence, Lakewood Regional Hospital, Kris Kringle Charity Golf Tournament, and Project Shepherd.

For his sustained excellence, he has been recognized throughout his career by a variety of organizations including ICMA, Harvard University John F. Kennedy School of Government, California Jaycees, YMCA, Lakewood City Council, Lakewood City Employees Association, and Su Casa Ending Domestic Violence.

Howard is considered a legend in the city management profession and is known for his ability to build working relationships with city staffers, civic leaders, and state legislators. He also is a role model for his peers. Known for his "teachable moments," he has become a mentor and teacher to an entire generation of new city managers. He has been and will continue to be passionate about local government, and his involvement in community activities and achievements in public service have resulted in significant benefits to Lakewood and surrounding communities.

I have truly appreciated the time I have spent working with Howard. He has a great sense of humor and even when we have disagreed, he is respectful and thoughtful. I will miss Howard's leadership and his guidance.

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#### MARKUS HAMRE

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#### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Markus Hamre for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Markus Hamre is a student at Drake Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Markus Hamre is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Markus Hamre for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

IN RECOGNITION OF THE SACRAMENTO CENTER FOR THE PUBLIC POLICY INSTITUTE OF CALIFORNIA

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#### HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Ms. MATSUI. Mr. Speaker, I rise today in recognition of the Public Policy Institute of California's (PPIC) Sacramento Center. As 2017 marks the 10th anniversary of this vital center for political thought, I ask all my colleagues to join me in honoring PPIC for its leadership and commitment in the community to providing nonpartisan, well-formulated opinions and data for the benefit of California's policymakers.

The Public Policy Institute of California was founded in San Francisco in 1994 by a trio of California visionaries seeking to provide our state with a world-class political think tank. Since then, PPIC has lived up to its mission of "informing and improving public policy through independent, objective, non-partisan research." By 2007, PPIC had opened a second office in Sacramento, enabling its team of experts to operate in the heart of California's state government.

PPIC boasts a staff of 75 people, including experts in economics, demography, political science, sociology, and environmental resources. It focuses on a wide range of concerns and opportunities facing our state, including higher education, water issues, and government investment strategies. Additionally, PPIC conducts surveys of voters and constituents to provide lawmakers with election statistics, approval ratings, and public opinion. Utilizing its unparalleled access to survey data and predictive analytics, PPIC seeks to understand the forces that drive societal change in the long term, which helps inform the political short term.

Mr. Speaker, I am honored to pay tribute to the Public Policy Institute of California's Sacramento Center as it celebrates the 10th anniversary of its founding. I ask all my colleagues to join me in honoring PPIC's dedication to providing California's government with information and illumination.

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COMMEMORATING THE BEGINNING OF THE DIAMOND JUBILEE FOR THE ISMAILI MUSLIM COMMUNITY

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#### HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to commemorate the beginning of the Diamond Jubilee for the North Texas Ismaili Muslim community, and the broader Ismaili Muslim community across the world.

On July 11, 1957, The Aga Khan became the 49th hereditary Imam of the Shia Imami Nizari Ismaili Muslims. In these past six decades, the Aga Khan has guided the world's 15

million Ismaili Muslims in both their spiritual and material lives, providing religious interpretation, ensuring their safety, and improving the quality of life for the community.

While serving as the leader of the Ismaili Muslims, the Aga Khan has also played a major role in the philanthropic arena. The Aga Khan Foundation, established by the Aga Khan in 1967, works on projects such as disaster relief and historical restoration of cities and artifacts through the various programs in the Aga Khan Development Network. The AKDN along with its partners across the globe provides quality education and healthcare, along with promoting social and economic development to some of the world's most impoverished and isolated communities.

The Ismaili Muslim community has contributed greatly to the cultural diversification and economic development in North Texas. Their volunteers have served the North Texas community by participating in local cleanups efforts after severe weather. The volunteers have also worked alongside other faith based groups and local nonprofits to provide meals to those who are less fortunate.

Mr. Speaker, the Diamond Jubilee presents an opportunity to the Ismaili Muslim community to reaffirm their faith and serve the communities in which they live through various programs established by the Aga Khan. I congratulate the Aga Khan and the Ismaili Muslim community on this momentous milestone.

#### HONORING THE CENTRAL HEIGHTS BLUE DEVILS, 2017 CLASS 3-A TEXAS STATE BASEBALL CHAMPIONS

#### HON. LOUIE GOHMERT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. GOHMERT. Mr. Speaker, it is truly a great honor to recognize the Central Heights Blue Devils baseball team, which completed a stellar season culminating with the capture of the 2017 Class 3-A State Baseball Championship title.

This exceptionally talented team from just north of Nacogdoches rolled to victory with a 10-0 shutout against an aggressive challenge from the Wall High School Hawks of San Angelo, Texas.

With the support of coaches, teachers, administrators and their entire community, these young men bear witness that anything is achievable through hard work and determination. These are guiding principles that lead to success not only on the field, but will undoubtedly resonate through every endeavor these valiant championship players undertake in their lifetimes.

Among the individual team members to be congratulated are: Matthew Taylor, Cade McCarty, Clayton Ray, Sam North, Wyatt Allen, Ryan McClellan, Cade Watson, Will Haley, Braden Thomas, Dillon Burris, Cole Reneau, Tyler Burris, Michael Badders, Devin Yates, Grayson Rodriguez, J'Kolvin Wallace, Rowan Arrant, and Jacob Miller.

Their sportsmanship, humility, determination, hard work, and skill are to be commended, admired, and emulated.

The talented Blue Devils team was led to victory by an outstanding coaching and administrative staff, including: Travis Jackson, Head Coach; Brett Thornell, Collin Wallace, & Nathan Williams, Assistant Coaches; Temple Rodriguez, Statistician; Kevin Herron, Athletic Director; David Russell, Principal; and Bryan Lee, Superintendent.

Accolades must also be given to the players' families and the entire community of supporters who reside in Nacogdoches County, who embraced the fighting spirit which was evident in every team member throughout the season. Without these devoted fans' support and encouragement, the Blue Devils' road to the championship would have undoubtedly been much more arduous.

It is with great pride that I join the constituents of the First District of Texas in congratulating the players and athletic staff of the 2017 Class 3-A Champion Central Heights Baseball Team.

Their legacy will endure as long as there is a United States of America.

#### LUKAS KNIGHT

#### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lukas Knight for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Lukas Knight is a student at Warren Tech North and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Lukas Knight is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lukas Knight for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

#### CELEBRATING THE FIRST ATHLETIC STATE CHAMPIONSHIP FOR MEYERSDALE AREA HIGH SCHOOL—A HISTORIC WIN FOR THE RED RAIDER BASEBALL TEAM

#### HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. SHUSTER. Mr. Speaker, I rise today to celebrate the achievements of the Meyersdale Area High School Varsity Baseball team of Meyersdale, Pennsylvania. The Red Raiders baseball team brought home the long awaited PIAA Class A State Championship on Thursday, June 15. This is a monumental moment

for the school; it is the first state championship the school has won in any sport since its opening in the late 1940's. In fact, this was the first PIAA crown earned by any team in the Somerset County school district. The Red Raiders defeated the Clarion Bobcats 2-0, finishing their season with a record of 21-6.

Baseball is a team sport, Mr. Speaker, and this championship is a team championship. The Red Raiders were led to victory against the Bobcats by their five seniors and captains, Riley Christner, Zach Hotchkiss, Max Caton, Cody Welker, and David Swank, and head coach Wayne Miller. This headlining win gave Wayne Miller an overall record of 183-44 during his ten years of coaching the Red Raiders.

Mr. Speaker, I am honored to congratulate the players, coaches, and families of the Meyersdale Area High School Varsity Baseball team on their state championship. The passion, commitment, and teamwork shown by these young men will surely follow them in their future endeavors as well as inspire the Meyersdale community for years to come.

#### PERSONAL EXPLANATION

#### HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. LONG. Mr. Speaker, on Monday, June 26, 2017, Tuesday, June 27, 2017, Wednesday, June 28, 2017, Thursday, June 29, 2017, and Friday, June 30, 2017, I was unable to vote on any legislative measures due to having surgery on my foot. Had I been present, I would have voted the following:

Roll No. 323, On passage of H.R. 2547—Veterans Expanded Trucking Opportunities Act, I would have voted yes;

Roll No. 324, On passage of H.R. 2258—ADVANCE Act, I would have voted yes;

Roll No. 325, On ordering the previous question providing for consideration of H.R. 1215—the Protecting Access to Care Act of 2017, I would have voted yes;

Roll No. 326, On adoption of the rule providing for consideration of H.R. 1215—the Protecting Access to Care Act of 2017, I would have voted yes;

Roll No. 327, On approval of the journal, I would have voted yes;

Roll No. 328, On passage of H. Res. 397—Solemnly reaffirming the commitment of the United States to the North Atlantic Treaty Organization's principle of collective defense as enumerated in Article 5 of the North Atlantic Treaty, I would have voted yes;

Roll No. 329, On passage of H.R. 497—Santa Ana River Wash Plan Land Exchange Act, I would have voted yes;

Roll No. 330, On passage of H.R. 220—to authorize the expansion of an existing hydroelectric project, I would have voted yes;

Roll No. 331, On ordering the previous question providing for consideration of H.R. 3003—the No Sanctuary for Criminals Act, I would have voted yes;

Roll No. 332, On adoption of the rule providing for consideration of H.R. 3003—the No Sanctuary for Criminals Act, I would have voted yes;

Roll No. 333, On approval of the journal, I would have voted yes;

Roll No. 334, On agreeing to the amendment of Mr. Hudson of North Carolina No. 4 to H.R. 1215—the Protecting Access to Care Act of 2017, I would have voted yes;

Roll No. 335, On agreeing to the amendment of Mr. Barr of Kentucky No. 5 to H.R. 1215—the Protecting Access to Care Act of 2017, I would have voted no;

Roll No. 336, On motion to recommit with instructions to H.R. 1215—the Protecting Access to Care Act of 2017, I would have voted no;

Roll No. 337, On passage of H.R. 1215—the Protecting Access to Care Act of 2017, I would have voted yes;

Roll No. 338, On passage of H.R. 1500—the Robert Emmet Park Act, I would have voted yes;

Roll No. 339, On ordering the previous question providing for consideration of H.R. 3004—Kate's Law, I would have voted yes;

Roll No. 340, On adoption of the rule providing for consideration of H.R. 3004—Kate's Law, I would have voted yes;

Roll No. 341, On motion to recommit with instructions to H.R. 3003—the No Sanctuary for Criminals Act, I would have voted no;

Roll No. 342, On passage of H.R. 3003—the No Sanctuary for Criminals Act, I would have voted yes;

Roll No. 343, On motion to recommit with instructions to H.R. 3004—Kate's Law, I would have voted no; and

Roll No. 344, On passage of H.R. 3004—Kate's Law, I would have voted yes.

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KELLAN LANGFIELD

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**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kellan Langfield for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Kellan Langfield is a student at Standley Lake High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Kellan Langfield is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kellan Langfield for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS BILL REPORT LANGUAGE—ICE JAMS

**HON. GRACE MENG**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Ms. MENG. Mr. Speaker, I rise today in support of my report language that was included in the Energy and Water Development, and Related Agencies Appropriations bill to prevent and mitigate flood damage associated with ice jams. I'd like to thank Chairman FRELINGHUYSEN and Ranking Member LOWEY, as well as Chairman SIMPSON, Ranking Member KAPTUR, and the entire subcommittee for their work on this bill.

I offer a special thank you to the Energy and Water subcommittee staff for working with me to include this necessary language to encourage the U.S. Army Corps of Engineers to pursue projects to prevent and mitigate flood damage associated with ice jams in regions comprised of cities whose historic flooding has been caused predominantly by winter snowmelt and ice floes.

Every year, flooding that results from the piling up of frozen ice in rivers across the United States costs our economy millions of dollars. When free-floating ice catches on obstructions, such as bridge pilings, rocks, or logs, flooding can result upstream from the blockage and, again, downstream when the ice finally releases.

During my time in the New York State Assembly, I can remember hearing horrible stories from my colleagues in upstate New York and wondering what more could be done to prepare for these events.

In my home state of New York, the Mohawk River Basin is particularly susceptible to flooding associated with ice jams. I am pleased that the bill encourages the Army Corps to pursue projects and technologies to mitigate the damage caused by flooding associated with ice jams in areas, like the Mohawk River Basin, that truly need this support.

I appreciate the time today to highlight this problem, and I thank my colleagues for their support on this issue.

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CELEBRATING THE 100TH ANNIVERSARY OF YOUNG, OAKES, BROWN, & COMPANY, P.C.

**HON. BILL SHUSTER**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. SHUSTER. Mr. Speaker, I rise today to celebrate the 100th Anniversary of Young, Oakes, Brown, & Company, P.C.

Young, Oakes, Brown, & Company, P.C. is the oldest professional firm in Blair County and one of the largest independently owned accounting and consulting firms based in Central Pennsylvania. Founded in Altoona, Pennsylvania in 1917, the firm has grown to employ 30 individuals that maintain the company's reputation of Excellency in the accounting, tax

preparation, and auditing profession. Throughout their 100 years, Young, Oakes, Brown, & Company, P.C. has continuously been an active community partner supporting charities, service and fraternal clubs and contributing to the 9th District of Pennsylvania.

Young, Oakes, Brown, & Company, P.C.'s current stakeholders are an outstanding example of integrity and professionalism in the workforce, and I know their founder, Robert E. Young, would be proud of the legacy they have continued.

I ask that all of my colleagues in the United States House of Representatives join me in congratulating Young, Oakes, Brown, & Company, P.C. on this historic milestone, and wishing this business nothing but continued success.

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MALACHI LAWSON

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Malachi Lawson for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Malachi Lawson is a student at Mandalay Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Malachi Lawson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Malachi Lawson for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

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RECOGNIZING THE LIFE OF FALL-EN MISSISSIPPI MARINE CORPORAL (CPL.) CLIFTON BLAKE MOUNCE

**HON. TRENT KELLY**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Marine Corporal (Cpl.) Clifton Blake Mounce, who paid the ultimate sacrifice while defending our nation on July 14, 2005, during Operation Iraqi Freedom. Cpl. Mounce was killed when his vehicle was struck by an improvised explosive device while he was conducting combat operations near Trebil, Iraq. Cpl. Christopher D. Winchester was also killed.

Cpl. Mounce was assigned to the 3rd Battalion, 10th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force (Forward).

Cpl. Mounce, a Pontotoc native, graduated from North Pontotoc High School in 2000. His



mother, Pat Mounce, says Blake loved playing football and baseball. In 2001 Blake enlisted in the United States Marine Corps following the terror attacks on 9/11. Pat says he joined because he wanted to protect his three younger brothers; Shea, Winston, and Nate.

"I'm real proud," Pat said. "He said he had to go over there and fight or the enemy will be on our soil. I supported him 100 percent."

Additionally, Pat says her son was close to the end of his four years in the Marine Corps when he was deployed.

An estimated 300 people came to the funeral which was held at West Heights Baptist Church in Pontotoc. Cpl. Mounce's father, Johnny Mounce, read letters to the crowd that he received from his son shortly before his death. In the second letter read, Cpl. Mounce addressed each family member with a special message.

Following the service, hundreds of cars were in the funeral procession. Residents lined the streets of Ecru waving American flags as some 200 cars drove by.

The American flag was presented to Cpl. Mounce's wife, Tiffany, during the graveside service at Ecru Cemetery. Cpl. Mounce's family was given the Purple Heart medal.

Cpl. Mounce is survived by his parents Johnny and Pat Mounce; wife Tiffany; brothers Shea, Winston, and Nate; and grandparents Flake and Dorothy Mounce.

In 2013, the Blake Mounce Memorial Run for the Park 5K was started in Ecru in memory of this brave soldier who gave all to protect the freedoms we all enjoy. We will always remember Cpl. Mounce's sacrifice to protect our nation.

#### RECOGNIZING TRINIDAD BENHAM CORPORATION ON THEIR 100TH ANNIVERSARY

##### HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. BUCK. Mr. Speaker, I rise today to recognize Trinidad Benham Corporation on their 100th Anniversary. This is truly a remarkable milestone which has been reached through the hard work and innovation of their founders and employees.

Trinidad Benham is a thriving, nationwide corporation, originally founded in Colorado, with a bean and rice processing and packing facility in the 4th Congressional District. Over the last 100 years, this company has grown from a small family-owned bean and elevator business to the prosperous company it is today. They have created many jobs and made notable contributions to improve the communities near their operations as well as their employees' livelihoods.

Trinidad Benham is an excellent example of what enterprising and forward thinking businesses can accomplish in America's great economy. They should be commended for their effort to offer consumers a great product, employee ownership model, commitment to sustainability, and innovative spirit. Their inspiring success over the last century confirms that the American Dream is alive and thriving in Colorado and the United States.

Mr. Speaker, it is an honor to recognize the Trinidad Benham Corporation for celebrating their 100th Anniversary.

##### RON MARQUEZ

##### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud the contributions of Ron Marquez during his tenure with Developmental Disabilities Resource Center (DDRC).

Ron started his career as an Assistant Principal and then as Principal of Margaret Walters School. When the school closed, Ron took on the role of Director of Community Relations at DDRC.

Ron became a key public presence for DDRC, creating dynamic connections throughout the community, including the people served by DDRC.

The work Ron has accomplished during his 36 year tenure helped to provide an enhanced quality of life for so many, and it is one of the reasons DDRC enjoys an outstanding reputation and ongoing success today.

I extend my deepest appreciation to Ron Marquez for his service and commitment to Developmental Disabilities Resource Center and the people they serve. I wish him all the best in retirement.

#### COMMEMORATING THE 60TH ANNIVERSARY OF THE NEW MEADOW RUN COMMUNITY IN FARMINGTON, PENNSYLVANIA

##### HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. SHUSTER. Mr. Speaker, I rise today to commemorate the 60th Anniversary of the New Meadow Run Community in Farmington, Pennsylvania, and submit the following Proclamation:

Whereas, in July of 1957 members of the Bruderhof purchased Gorley's Lake Hotel in Farmington, Pennsylvania calling it first Oak Lake and subsequently New Meadow Run.

Whereas, this Assembled Body is justly proud to commemorate the 60th Anniversary of the New Meadow Run Community in Farmington, Pennsylvania; and

Whereas, the Bruderhof was founded in 1920 in Germany by Dr. Eberhard Arnold, and since then, has grown into an international Christian communal movement, inspired by the first century Christian church in Jerusalem; and

Whereas, the Bruderhof has been a living example of the sanctity of family life, peace, racial equality and brotherhood and has been an advocate for religious freedoms, education and welfare of children and care of the elderly and downtrodden; and

Whereas, Bruderhof members are involved in a wide range of social services on a volun-

teer and charitable basis which include visiting those in prison, providing food, shelter, and medical care to those in need—locally and internationally, serving as police chaplains, and volunteering on local ambulance and fire departments; and

Whereas, the Bruderhof is known for publishing quality books and a quarterly magazine through the Plough Publishing House, and working for peace and reconciliation through "Breaking the Cycle," a conflict resolution program for schools that reaches thousands of students each year; and

Whereas, since its arrival in the United States, the Bruderhof has become well-known for its businesses: Community Playthings, which manufactures quality wooden toys and durable nursery furniture; and Rifton Equipment, which produces innovative equipment for people with motor disabilities; and

Whereas, since 1954, the Bruderhof movement has expanded to include sixteen communities in the United States, including three in Pennsylvania and ten in New York State. Internationally there are three communities in England, two in Germany and three in Australia, one in Paraguay; and

Whereas, Bruderhof members appreciate the freedoms the United States has afforded them and have participated in the political process, supporting the leadership of their representatives; and

Whereas, the Bruderhof's distinguished record of valuable, practical, economic, and spiritual contributions to Pennsylvania and the United States merit the recognition and respectful tribute of this Assembled Body; now, therefore, be it

*Resolved*, that this Legislative Body pause in its deliberations to commemorate the 60th Anniversary of the New Meadow Run Community in Farmington, Pennsylvania and look forward to a continuing association with the Bruderhof as it works to improve the quality of life of every person and serve the common good; and be it further.

#### CONGRATULATING AGA KHAN ON HIS 60TH YEAR AS IMAM OF THE ISMAILI MUSLIMS

##### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 12, 2017*

Mr. OLSON. Mr. Speaker, I'm proud to represent one of the most diverse districts in America. Our diversity is an important part of what makes the greater Houston area such a unique example of the fabric of the American experience.

The Ismaili Muslim community is a great contributor to Texas' cultural richness and economic growth. I appreciate the Ismaili Muslim community's engagement with the community as a whole, from public affairs to business to education.

Sixty years ago today, the Aga Khan became the 49th hereditary Imam of the Shia Imami Ismaili Muslims. The role of the Imam is to interpret the faith to the community, as well as improve the quality and security of their daily lives. Aga Khan has accomplished

this role with success and pride for many years.

The Aga Khan emphasizes the view of the religion of Islam as a thinking, spiritual faith: one that teaches compassion and tolerance, promotes the role of intellect and upholds the dignity of a man, God's noblest creation.

I congratulate the Aga Khan on his Diamond Jubilee as Imam and wish both he and the U.S. Ismaili Muslim community continued success in their efforts to improve the lives of people around the world.

#### CONGRATULATING HANOVER PARK

### HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. ROSKAM. Mr. Speaker, I rise today to congratulate Hanover Park on being named one of the safest cities in the United States.

The Hanover Park Police Department reported that for the seventh consecutive year crime in Hanover Park has declined to a new record low. Hanover Park was also named thirty-seventh on Neighborhood Scout's list of America's 100 Safest Cities.

The Hanover Park Police Department utilizes a strong community outreach initiative, Police and Citizens Connected, which employs several social media channels for enhanced communication with residents. Working together, law enforcement, local officials, and Hanover Park residents have positioned the town as safe place to live, work, and raise a family.

Day in and day out the men and women of the Hanover Park Police Department risk their lives to protect their community. The shrinking crime rate is a direct result of their courageous leadership, which will continue to protect this wonderful community. Police Chief Michael Menough credited the hard work of his officers, neighbors, and community leaders stating, "We have made community policing the central focus of our service delivery, and this will remain our top priority." With all hands on deck I am sure Hanover Park will continue to see record lows in crime for many years to come.

Mr. Speaker and distinguished colleagues, please join me in recognizing the community of Hanover Park, Illinois and congratulating them on being named one of the safest cities in America.

#### MISSOURI CITY DOCTOR NAMED MEDICAL DIRECTOR

### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Melissa Allen, D.O., of Missouri City for being named the medical director of the University of Texas (UT) Harris County Psychiatric Center.

Melissa has worked as an assistant professor in the Department of Psychiatry and

Behavioral Sciences at McGovern Medical School and as an attending physician in the Bipolar Specialty Unit at UT Health Harris County Psychiatric Center since 2012. She has received the Dean's Teaching Excellence Award, which honors the top teaching faculty of each department, each year since 2013. Her colleague, Jair Soares, M.D., Ph.D., said she "brings innovation and enthusiasm that will lead the hospital." That's great.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Melissa for being named the medical director of UT Harris County Psychiatric Center. We all benefit from her commitment to helping others, and we thank her for her hard work to keep Houstonians healthy.

#### TRIBUTE TO CHANCELLOR PAUL HARDIN

### HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. PRICE of North Carolina. Mr. Speaker, I rise to honor the life and legacy of Paul Hardin III, former Chancellor of the University of North Carolina-Chapel Hill, who died on July 1 after a courageous battle with ALS.

My wife Lisa and I treasure the friendship of Paul and his wife Barbara and were privileged to join his family in a moving memorial service at University United Methodist Church last Saturday.

Paul was a man of great intelligence and insight, moral seriousness and integrity, and irrepressible enthusiasm and dedication—qualities abundantly evident throughout his career in higher education.

As was said more than once in the memorial service, Paul pledged allegiance to "two shades of blue." The deeper hue belonged to Duke University, where he earned his undergraduate and law degrees and edited the Duke Law Journal.

Paul then served in the Army's Counter Intelligence Corps and practiced law in Birmingham before returning to Durham to spend ten years on the faculty of Duke Law School. He was appointed to his first college presidency, at Wofford College, at age 37, and went on to serve as president of Southern Methodist and Drew Universities. In 1988 he became the seventh chancellor of UNC-CH, where he served until his retirement in 1995.

As a young man, Paul made a credible run for Mayor of Durham, and throughout his life he was attentive and involved in national, state, and local politics. In recent years, Paul, along with Barbara, brought his trademark high energy to the leadership of Democrats in their retirement community, Carolina Meadows.

They also shared, as children of ministers, deep roots in the Methodist Church. Paul, his son Russell reported at the memorial service, seriously considered entering the ministry as a young man. But his father, who was a Methodist bishop, assured him that he could render faithful service and powerful witness in his chosen fields of education and the law.

Paul's father was right, as the thousands whose lives Paul touched can attest. I am

honored to join this chorus of tribute, and include in the RECORD a piece by Paul's friend and mine, Village Communications President Jim Heavner, from the Raleigh News and Observer of July 5.

#### PAUL HARDIN—A GOOD MAN WHO MADE UNC BETTER

When Paul Hardin slipped away last week, North Carolina lost a brilliant and fine man, a UNC chancellor whose leadership was endearing, its lessons enduring.

"This may be audacious, but here's an idea," I heard him say so often as a way to prepare us to hear how he might see the future differently. The good fortune of my work and home town gave me much time with Paul and a friendship that grew. He and I were pulled together in work when my company owned the school's sports network.

It was the good fortune of us all to learn from him. Among the leaders I have known, none was more dogged in defense of the values he sought to protect. He was clear-eyed and courageous in facing down those who threatened those values.

It was likely the example of his Methodist minister father (also a bishop) that inculcated his habit to find noble qualities among many where the rest of us could not. An extroverted and joyful soul, he loved much about politics and once ran for the town council in Durham.

It is little-known that he served in the CIA, or that his excellent golf game honed on the Duke team (his alma mater) qualified him for the British Open at a time when he was in Scotland. A great storyteller, Paul loved to recall those days and so many more.

He was a brilliant student who finished first in his class at Duke, where he also obtained his law degree. He would have to call on all of that as a university leader. It's a job with high prestige buffeted daily by high winds of disparate owners and bosses and the thunder of their loudest voices. Paul would frequently recall the story attributed to Lincoln about the politician who was tarred and feathered and run out of town on a rail: "Except for the honor of the public experience, I would have preferred to walk."

Most every university is beset with the challenge of balancing the conflicting goals of big-time sports and the university's academic mission. As president of Southern Methodist University, Paul Hardin heard of a minor malfeasance by the football coach that led him to learn of cash payments to players.

Paul was not a Pollyanna. He had a good political radar but never let it overpower his gyroscope. Knowing that he was in Dallas, where many see football as the reason to have a university, he nonetheless reported it to the NCAA and told his trustees that he was going to clean it up, knowing that he would face criticism.

His board members fired him. The school ultimately was given the NCAA's only four-year "death penalty."

Paul later said that it "perked up" his career. It was that experience, his exhibition of putting his values first, he said, that got him the job heading UNC in Chapel Hill 13 years later.

Unflinching in his support of the Knight Commission on College Athletics' position that a school was more important than any coach, he never swerved in his commitment to administrative control of athletics and transparency in its dealings. He was a great fan of basketball and UNC's iconic Dean Smith. Yet, when the head coach's Nike contract came up for renewal on Paul's watch,

the chancellor insisted that it be made public.

(Ironically, while he was demanding the coach's contractual transparency, he also was being criticized in cartoons in *The News & Observer* for allowing Dean to make so much money while he was away playing golf. In some things, you just can't win.)

He also faced issues of protest and social unrest. He was caught in the jaws of irreconcilably-conflicting forces when supporters of the Black Cultural Center wanted it expanded into its own, freestanding building, something others opposed. The chancellor was initially opposed, as an advocate for more integration. He saw it as a contributor to separatism.

The faceoff between conservatives and growing campus protests became overwhelming. Hardin agreed to build the center, which was done in the subsequent administration. Yet, he had paid a price for it in criticism from all sides.

Paul was a pioneer in fundraising, creating the university's first major fund campaign that was first announced as one for \$200 million to celebrate the UNC Bicentennial. That was then raised to \$300 million and ultimately reported \$412 million in gifts.

Paul showed them the way. The school now channels that Hardin audacity, embarking now on its second multi-billion-dollar campaign.

He loved being the "Bicentennial Chancellor," with its many commemorations, including an anniversary speech in Kenan Stadium by President Bill Clinton.

Paul Hardin loved life, one well-lived until the ravages of ALS took him away. He was still able to find good in all things and laughter with good friends until the end. Paul could lament the awful examples and roiling consequences of today's political leadership, even as he might find something good in each of those who are, at least, he might say, willing to lead. The more we ponder that world view, that life, the closer we come to our own better angels.

Our community and our state lost a good man. A good, good man.

#### CONGRATULATIONS TO THE 2017 SERVICE ACADEMY APPOINTEES FROM THE 21ST CONGRESSIONAL DISTRICT OF TEXAS

#### HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. SMITH of Texas. Mr. Speaker, today we congratulate the 2017 Service Academy appointees from the 21st Congressional District of Texas.

The following individuals accepted their Academy appointments:

Mia Elizabeth Bean, Canyon Lake High School, United States Military Academy; Kerrilee A. Berger, Smithson Valley High School, United States Air Force Academy; Hannah Kay Boubel, Fredericksburg High School, United States Military Academy; Madison K. Dean-Von Stultz, Smithson Valley High School, United States Merchant Marine Academy; Jack Daniel Dunworth, Westlake High School, United States Naval Academy; JC Matthew Engel, Westlake High School, Greystone Preparatory School at Schreiner University, United States Merchant Marine

Academy; Matthew Joseph Friedel, Central Catholic High School, United States Naval Academy; Alexander Russell Helstab, Katherine Anne Porter School, Greystone Preparatory School at Schreiner University, United States Military Academy; James Bailey Marshall, Saint Mary's Hall, United States Military Academy; Julie Ann Padilla, Cole High School, United States Air Force Academy; Benjamin Lewis Parrish, Saint Mary's Hall, United States Military Academy; Shamus Kennedy Phelan, SHAPE American High School (Belgium), United States Air Force Academy; Jazmin Alexis Robinson, Claudia Taylor Johnson High School, United States Air Force Academy; and Jesse Alan Zimmer, Bandera High School, United States Merchant Marine Academy.

These outstanding students have much to give to their Academy and to our country. We appreciate their talents and their patriotism.

#### SUGAR LAND BAKERY NAMED BEST IN TEXAS

#### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Anonymous Café of Sugar Land for being named the best bakery in Texas by Buzzfeed.

Anonymous, named after its owners Patricia and Tasos Pantazopoulos couldn't agree on a name, is a farmhouse-chic style café that sells desserts, Italian coffee drinks, olive oil and oregano, on top of a full dining menu. The Greek natives opened the café after moving to Sugar Land to be closer to Patricia's family. The café was named the best bakery in Texas earlier this year by the website Buzzfeed and has customers travelling from all over the country to try their made from scratch Greek desserts.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Anonymous Café for being named the best bakery in Texas. We're honored to have Texas' best bakery right in the heart of TX-22. Great job.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks

section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 13, 2017 may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

##### JULY 17

5 p.m.

Committee on Foreign Relations

To hold hearings to examine the President's proposed budget request for fiscal year 2018 for the Department of State and State Department reorganization plans.

SD-419

##### JULY 18

9 a.m.

Committee on Finance

To hold hearings to examine comprehensive tax reform, focusing on prospects and challenges.

SD-215

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the nomination of General Paul J. Selva, USAF, for reappointment to the grade of general and reappointment to be Vice Chairman of the Joint Chiefs of Staff.

SD-G50

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the nominations of J. Paul Compton, Jr., of Alabama, to be General Counsel, and Anna Maria Farias, of Texas, and Neal J. Rackleff, of Texas, both to be an Assistant Secretary, all of the Department of Housing and Urban Development, Richard Ashooh, of New Hampshire, to be an Assistant Secretary, and Elizabeth Erin Walsh, of the District of Columbia, to be Assistant Secretary and Director General of the United States and Foreign Commercial Service, both of the Department of Commerce, and Christopher Campbell, of California, to be an Assistant Secretary of the Treasury.

SD-538

Committee on Foreign Relations

To hold hearings to examine the nominations of Callista L. Gingrich, of Virginia, to be Ambassador to the Holy See, and Nathan Alexander Sales, of Ohio, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large, both of the Department of State.

SD-419

10:30 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the status and outlook for United States and North American energy and resource security.

SD-366

11 a.m.

Committee on Finance

To hold hearings to examine the nomination of David J. Kautter, of Virginia, to be an Assistant Secretary of the Treasury.

SD-215

2:30 p.m.

Committee on Armed Services  
Subcommittee on SeaPower

To hold hearings to receive testimony on options and considerations for achieving a 355-ship Navy from former Reagan administration officials.

SR-222

Committee on Foreign Relations

Subcommittee on Multilateral International Development, Multilateral Institutions, and International Economic, Energy, and Environmental Policy

To hold hearings to examine "The Four Famines", focusing on root causes and a multilateral action plan.

SD-419

JULY 19

9:30 a.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine illicit cigarette smuggling in the Organization for Security and Co-operation in Europe region.

SD-562

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine the nominations of Ajit Varadaraj Pai, of Kansas, Jessica Rosenworcel, of Connecticut, and Brendan Carr, of Virginia, each to be a Member of the Federal Communications Commission.

SD-G50

Committee on Energy and Natural Resources

Subcommittee on National Parks

To hold hearings to examine S. 257, to clarify the boundary of Acadia National Park, S. 312, to redesignate the Saint-Gaudens National Historic Site

as the "Saint-Gaudens National Historical Park", S. 355, to amend the Federal Lands Recreation Enhancement Act to provide for a lifetime National Recreational Pass for any veteran with a service-connected disability, S. 391, to establish the African Burial Ground International Memorial Museum and Educational Center in New York, New York, S. 841, to designate the Veterans Memorial and Museum in Columbus, Ohio, as the National Veterans Memorial and Museum, S. 926, to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, S. 1073, to authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance, S. 1202, to modify the boundary of the Little Rock Central High School National Historic Site, S. 1403, to amend the Public Lands Corps Act of 1993 to establish the 21st Century Conservation Service Corps to place youth and veterans in national service positions to conserve, restore, and enhance the great outdoors of the United States, S. 1438, to redesignate the Jefferson National Expansion Memorial in the State of Missouri as the "Gateway Arch National Park", S. 1459, to establish Fort Sumter and Fort Moultrie National Park in the State of South Carolina, and S. 1522, to establish an Every Kid Outdoors program.

SD-366

Committee on Environment and Public Works

To hold hearings to examine S. 1514, to amend certain Acts to reauthorize

those Acts and to increase protections for wildlife.

SD-406

Committee on Health, Education, Labor, and Pensions

Business meeting to consider the nominations of Marvin Kaplan, of Kansas, and William J. Emanuel, of California, both to be a Member of the National Labor Relations Board.

SD-430

Committee on Homeland Security and Governmental Affairs

Business meeting to consider the nomination of David P. Pekoske, of Maryland, to be an Assistant Secretary of Homeland Security; to be immediately followed by a hearing to examine the Postal Service's actions during the 2016 campaign season, focusing on implications for the Hatch Act.

SD-342

Committee on the Judiciary

To hold an oversight hearing to examine the Department of Justice's enforcement of the Foreign Agents Registration Act.

SD-226

1:30 p.m.

Committee on Veterans' Affairs

To hold hearings to examine pending calendar business.

SR-418

JULY 25

2:30 p.m.

Committee on Armed Services

Subcommittee on SeaPower

To hold hearings to receive testimony on options and considerations for achieving a 355-ship Navy from naval analysts.

SR-222

## SENATE—Thursday, July 13, 2017

The Senate met at 12:30 p.m. and was called to order by the Honorable DEB FISCHER, a Senator from the State of Nebraska.

### PRAYER

The PRESIDING OFFICER. Today's prayer will be offered by Pastor Bill Ewing of Christian Life Ministries in Rapid City, SD.

The guest Chaplain offered the following prayer:

Please join me.

As we bow our knees before You, Father, grant us thankful hearts and let our eyes see the many blessings we have been given living in this great land.

Put a protective hedge around these leaders, their marriages, and their families, and let peace dwell in their homes. O Lord, strengthen these that You have placed with this authority so Christ may dwell in their hearts through faith; and that they would be rooted and grounded in loving kindness and truth. May they be able to comprehend the knowledge of Your will and to know the love of Christ so they make decisions that protect and preserve the lives You have entrusted to them.

Lord, teach us to listen. The times are noisy and our ears are weary with the thousands of sounds that continuously assault us. Give us the spirit of young Samuel when he said to You, "Speak, for Your servant is listening." Let us hear You speaking in our hearts so that we get used to the sound of Your voice; that its tones may be familiar to us, and we would lead this great Nation accordingly.

Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 13, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable DEB FISCHER, a Senator from the State of Nebraska, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mrs. FISCHER thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

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

The Senator from South Dakota.

### WELCOMING THE GUEST CHAPLAIN

Mr. THUNE. Madam President, I wish to express my appreciation for the opportunity to welcome to the U.S. Senate Pastor Bill Ewing.

Pastor Bill Ewing started a ministry called Christian Life Ministries in the early 1980s in Rapid City, SD, along with his wife Nancy. It is a ministry that has impacted thousands of people across this country, my wife Kimberly and I being among those, and our family. We have benefited enormously from Pastor Ewing's spiritual mentorship, his always wise and godly counsel, and his example of faithfulness.

In addition to those in my State of South Dakota and across the country, the ministry has been involved through the years in ministering to people who have been through very difficult circumstances. They were there after 9/11 in New York and after Hurricane Katrina. There have been countless examples of things that happened not only here at home but also around the world—all the things that have gone on in the country of Haiti—Christian Life Ministries has been on the scene and has been very ably ministering to people who have been impacted by these horrific events.

Bill Ewing is a lifelong South Dakotan, although he did venture over to Wyoming to go to college, where he was a two-time All American baseball player and actually was in the California Angels farm system for a number of years before an injury ended his career, but that loss to the California Angels and Major League Baseball was an enormous win for people all over South Dakota and all across this country who have benefited from the work he and his team in Christian Life Ministries have done.

So it is my honor to be able to welcome Pastor Bill Ewing to the U.S. Senate. I thank Chaplain Black for his

hospitality and generosity for allowing my friend and pastor, Bill Ewing, to be the visiting Chaplain here in the U.S. Senate.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

### RECOGNITION OF THE MAJORITY LEADER

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

### HEALTHCARE LEGISLATION

Mr. McCONNELL. Madam President, the American people deserve better than ObamaCare.

Across the country, Americans are paying more for less under ObamaCare. Already, ObamaCare premiums have increased, on average, by more than 100 percent on the Federal exchange. Next year, ObamaCare premiums could rise by as much as 50 percent or more in States like Georgia and Maryland.

All across the country, Americans are losing choice and access. Already, Americans living in 70 percent of the counties have little or no options for ObamaCare insurance. Next year, nearly 40 percent fewer insurers have filed to participate in the ObamaCare exchanges. Many Americans face the real possibility of having no options to pick from at all.

These trends are not new—costs have been going up and choice has been going down for years—but these trends continue to get worse, and things are not likely to turn around unless we act.

ObamaCare was a direct attack on the middle class from the very start. It is a ticking timebomb today. ObamaCare's years-long hurtle toward collapse is rapidly approaching its seemingly inevitable conclusion, total meltdown, which would hurt even more Americans on top of those it has hurt already.

We can't let that happen, and we are continuing to work hard to ensure it doesn't.

After extensive consultation across the conference, numerous meetings

with constituents, and intensive conversations with Members, our conference has updated last month's Better Care discussion draft with additional provisions to make it stronger. We just walked through that revised draft together. It is now available online. I encourage everyone to review it.

As before, it aims to stabilize and reform the collapsing insurance markets that have left too many with no options, and it aims to make insurance more affordable and more flexible so it is something Americans actually want to buy.

For those stuck with ObamaCare insurance they don't want or can't afford, we don't think they should be forced to buy it any longer. For those who buy insurance on an exchange and want to continue doing so, we want them to have lower premiums and more choices.

For those tired of healthcare decisions being outsourced to far-off bureaucrats, we want to transfer millions of those decisions back to them and to their doctors.

We also want to strengthen Medicaid for those who need it most, by giving States more flexibility while ensuring that those who rely on this program don't have the rug pulled out from under them. Many States want the ability to reform and improve their Medicaid Program so they can actually deliver better care at a lower cost, and we would like to dramatically expand their authority to do that. It is an idea that should significantly improve healthcare in States all across our country.

The draft we just discussed, like the one before it, addresses all of these objectives. It would again give Americans more tools for managing their own care and this time goes even further. It would again devote significant resources to the fight against the opioid crisis and this time goes even further. The revised draft improves on the previous version in a number of ways, all while retaining the fundamental goals of providing stability and improving affordability.

Now, regardless, I am sure we can expect many of the same, tired, and predictable attacks from the defenders of ObamaCare's failed status quo. It hardly matters what the draft says; they would launch the same kinds of attacks anyway.

I would remind colleagues, this is the same crowd that said ObamaCare would lower costs, they pledged it would increase choice, and they promoted the infamous broken promise—if you like your plan, you can keep your plan. They were wrong before, and they are wrong again today.

Moreover, serious ObamaCare solutions from Democrats are hard to find these days. What we have heard recently essentially boils down to this:

No. 1, apply a multibillion-dollar bandaid—no reforms, no changes, just

billions more for insurers. That is the game plan of the folks on the other side.

No. 2, quadruple down on ObamaCare and pass a massive expansion of a failed idea that puts bureaucrats in control of nearly every single healthcare decision in the country. The total cost of that so-called single-payer idea could add up to \$32 trillion, according to an estimate of a leading proposal.

These are not serious solutions that Americans need to solve the real problems before us, but if Democrats would like to offer these ideas, then let's open debate on the underlying legislation so they can do that. I am sure Members will have more ideas about how we can improve this draft. The only way for anyone—Democrat, Republican, or Independent—to have that opportunity is to vote yes on opening the debate.

We expect an updated projection from the Congressional Budget Office early next week. Once that is released, we will have the opportunity to vote on the motion to proceed. That is the only way by which everyone will be able to come to the floor, share their ideas, and have their voices heard through both robust debate and a robust amendment process.

I remain disappointed that our Democratic friends made clear early on that they did not want to engage in a serious, bipartisan effort to solve this issue. But they have a renewed opportunity to engage now. I hope they will take it. I hope every Senator will vote to open debate because that is how we change the status quo.

This is our opportunity to really make a difference on healthcare. This is our chance to bring about changes we have been talking about since ObamaCare was forced on the American people. It is our time to finally build the bridge away from ObamaCare's failures and deliver relief to those who need it.

Failure to act means more families get hurt as it continues to collapse. It also means the law's problems will grow more formidable, making them even harder to solve. That is not something any of us should be comfortable with.

So it is time to rise to the occasion. The American people deserve better than the pain of ObamaCare. They deserve better care, and the time to deliver that for them is next week.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

## RECOGNITION OF THE MINORITY LEADER

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

## HEALTHCARE LEGISLATION

Mr. SCHUMER. Madam President, after 2 weeks of delay, we have now seen the revised Republican TrumpCare bill. It appears that little has changed to the core of the bill.

The Republican TrumpCare bill still slashes Medicaid. The cuts are every bit as draconian as they were in the previous version—a devastating blow to rural hospitals, to Americans in nursing homes, to those struggling with opioid addiction, and so many more. The Republican TrumpCare bill still allows insurers to charge older Americans five times or more than they charge younger Americans. Premiums for so many people aged 55 to 64 will go way up. Americans in their sixties could be paying tens of thousands of dollars more than they do today. The Republican TrumpCare bill still blocks funding to Planned Parenthood, limiting access to affordable healthcare for millions of women.

So what is new in the bill? Well, it appears that Republicans have included a new \$60 billion tax break on health savings accounts, which only benefits those wealthy enough to afford putting money into them. For Americans who are struggling to pay for insurance coverage, for the average family who sits down on a Friday evening and says: How are we going to pay our existing bills, and for middle-income families who struggle to make ends meet, a tax break on health savings accounts will not help. It will only help wealthier Americans, who sometimes use these accounts as tax shelters.

It appears the Republican TrumpCare bill includes something like the Cruz amendment, which makes the overall bill even worse than before. The Cruz amendment causes costs to go up by letting insurers sell cut-rate insurance policies with lower premiums but huge, huge deductibles and copays, so that out-of-pocket costs would actually go up, not down, even if premiums are lower.

The Cruz amendment drives Americans with preexisting conditions into markets with unaffordable coverage. They virtually would have no coverage at all. Even Senator CHUCK GRASSLEY said the amendment would likely “annihilate the pre-existing condition requirement.” The Cruz amendment will likely cause death spirals in the insurance markets for Americans who need coverage the most. Even the conservative American Action Forum said the Cruz amendment is “the definition of a death spiral.”

From what we are seeing, the new Republican TrumpCare bill is every bit

as mean as the old one, and, in one big way, it is even meaner, with the addition of something like the Cruz amendment.

Moderate Republicans looking at this bill should be able to see that the incredibly modest changes to the tax provisions—the small pot of funding for opioid abuse treatment and these other tweaks around the edges—are like a drop in the bucket compared to what the bill does to Medicaid, to seniors, and to Americans with preexisting conditions. It is clear that the core of this bill will remain until the bitter end.

So a vote on the motion to proceed will be a vote on the core of this bill. It is a vote on the idea that middle-class Americans and seniors should pay more for less healthcare. It is a vote on the idea that it should be harder for the neediest Americans to afford healthcare. It is a vote on the idea that corporations and special interests deserve another tax break.

If you are for that idea, vote yes on the motion to proceed. But my Republican friends should not be tempted by the promise of amendments to fix this bill. It is clear that the Republican leadership wants and needs to keep the core of this bill—a dagger to the heart of Medicaid and tax giveaways for corporations and special interests—to the bitter end.

Republicans keep talking about needing to change the status quo on healthcare, but you don't change the status quo to make it worse. That is what this bill would do. This is far, far worse than the status quo. We, Republicans and Democrats, can work together to actually improve our healthcare system, to stabilize the marketplaces, and to reduce the costs that average Americans pay for their healthcare, particularly for prescription drugs.

We can do it, but my Republican friends need to abandon this wrong-headed, partisan, behind-closed-doors approach, and they ought to do it on the motion to proceed next week.

#### APPROPRIATIONS

Mr. SCHUMER. Madam President, we Democrats sent a letter to our Republican colleagues laying out our principles on appropriations so that Republicans would know exactly where we stand and we could avoid the possibility of their shutting down the government. We have three principles: relief from damaging sequestration cuts, parity between defense and jobs and economic growth funding, and no poison pill riders, like the ineffective border wall. These are the same principles we laid out during the last budget negotiation, which resulted in a strong and bipartisan package.

But on Tuesday—which is why I am on the floor speaking—the House Appropriations Committee released a

draft of its Homeland Security bill, which includes funding for an unnecessary, ineffective, and expensive border wall with Mexico, paid for by American taxpayers, breaking the President's promise, repeatedly given, that Mexico would pay for it. The bill also funds an unacceptable deportation force and unnecessary detention beds.

The President's budget calls for funding a new eminent domain strike force—a team of Trump lawyers that the administration wants to send to the border to take private land away from the American people to build this wall. This proposal has met with stiff resistance from homeowners living in border communities. Republicans and Democrats on both sides of the aisle have rightfully come out against this proposal. Not a single border State Republican supports the idea. The Senate should reject it outright.

If House Republicans keep on this path—the path of these poison pill amendments and dramatic cuts in programs that help working Americans—I fear they are steering us toward a train wreck.

Remember, the President said he wanted a shutdown. He tweeted earlier this year: "Our country needs a good 'shutdown' in September to fix mess!" He wants one. His budget director, Mick Mulvaney, has always been for a shutdown. By including border wall funding in their proposal and dramatically cutting domestic spending, House Republicans, unfortunately, are playing right into their game.

I urge my Republican colleagues, please, let cooler heads prevail. To my Republican friends in the Senate, I would say persuade your colleagues in the House to abandon this dangerous, irresponsible path they put us on, which can only lead to a government shutdown. I guess they want it.

We should be working together on a responsible way forward on appropriations, in line with the principles we laid out which produced a successful bipartisan deal on the last budget.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

#### HEALTHCARE LEGISLATION

Mr. PETERS. Madam President, as public servants, I have always thought it is our duty to serve with dignity, integrity, and fairness to the best of our abilities. No matter where you are from or how we got here, the citizens of our States have sent us to Washington with the hope that we will do what is best for them. We hold the public's trust, and that is something that should guide us in everything we do.

Last week, I was home in Michigan for the Fourth of July. My family and other Michiganders celebrated and honored those who had fought for our independence and those who continue to de-

fend our sacred freedom. Our American democracy is rooted in the promise of freedom and equal opportunity for every American. Our resilient Nation has persevered because of shared commitment to do what is right, even if we don't always agree on how to get there.

While home last week I had the opportunity to speak to many Michiganders and hear what was on their mind. They had a whole range of topics on their mind, but the No. 1 issue I heard was about the proposed Republican healthcare bill. Some were angry, some were confused, but most were simply scared. They are scared for their children, they are scared for their spouses, they are scared for their aging parents, and many are scared about what this bill could mean for their own health and well-being.

I wish to highlight a few of the stories shared with me in recent days. Susan from Clawson, MI, shared her unfortunate story about when she fell on hard times, unexpectedly lost her small business and with it her income.

Susan, despite all of her hard work in the past, no longer had the resources to obtain private health insurance. During this time—and it was an extremely stressful time—she also discovered she had an unidentified lump on her breast. Through some research and the help of friends, Susan was able to enroll in Medicaid and get the treatment for what she discovered was a very aggressive but treatable form of cancer.

Without Medicaid, Susan may not have gotten the treatment she needed and may have lost her life. Nobody takes pleasure in sharing such deeply personal stories, but Susan wants to be sure anyone that who finds themselves in such a difficult position has the support she had.

I appreciate her bravery in beating cancer and her willingness to share this very personal experience.

Alayna from Southfield, MI, shared that she was diagnosed with a rare tumor almost a year ago. Alayna serves as a minister of music in her church in downtown Detroit and enjoys working with children through various local programs. Alayna works part time and her husband works full time, often 70 hours per week. Neither has healthcare benefits through their employers.

Alayna and her husband were able to obtain coverage through the ACA marketplace, a plan she would not have been able to purchase without the Affordable Care Act. Alayna is rightfully terrified by the Republican plan and said she would probably be dead without the affordable coverage she received under the Affordable Care Act, leaving her husband and her 5-year-old daughter behind.

Matt, from Waterford, was unable to get health insurance before the ACA due to two preexisting conditions. After obtaining healthcare through the



Affordable Care Act, he discovered one of his preexisting conditions had led to cancer in his digestive tract. Matt is convinced the ACA literally saved his life and that he would not have been able to afford the care he needs otherwise.

Hearing the stories of Matt, Susan, Alayna, and countless other Michiganders like them, I feel the need to remind this body that these individuals are our neighbors. They are husbands and wives and fathers and mothers. Illnesses or emergencies can happen to anyone. Ministers get sick. Students get sick. Small business owners get sick.

Matt didn't choose to be born with a preexisting condition, Susan didn't ask for breast cancer, and Alayna's tumor could have been on any one of us.

Last week, we honored our country's fight for independence, our Nation's brave Founders, and all who have sacrificed to build our Nation by working toward a more perfect union to ensure America is the land of opportunity for all.

The healthcare bill Republicans have written goes against the very values we honor and cherish. It does not bring us closer to opportunity for all. When the nonpartisan Congressional Budget Office concludes that the Republican bill will leave millions of people uninsured, that should send a strong signal to all of us that we need to go back to the drawing board.

About an hour ago, my Republican colleagues released additional last-minute changes to their healthcare bill, intended to win over a few more votes within their party—changes that were drafted behind closed doors and without input from the American public, the very people we represent. In their rush to get this bill done quickly, my colleagues have not fully considered how this proposal will impact their constituents.

Healthcare stakeholders and our Nation's insurers have told Republicans this latest change will still cause premiums for older Americans and those with preexisting conditions to skyrocket. It will still increase the number of Americans without health insurance by millions.

We should be working on bipartisan legislation that will truly improve our healthcare system by increasing insurance coverage while bringing down cost, not forcing a vote next week on legislation that is seriously flawed.

I ask my Republican colleagues to listen to their fellow Americans, Americans who are scared of what this bill will mean for them and for their families. I ask my Republican colleagues to listen to the people calling their office every single day and even traveling here to Washington, DC, to speak out against this bill. I ask my colleagues to listen to the independent experts and healthcare stakeholders who have said,

in no uncertain terms, that this bill will cost millions of people their health insurance and could cost thousands of Americans their very lives.

I ask my colleagues to remember why they came to Washington in the first place. I ask my colleagues to step back and ask themselves some tough questions. Will this bill help people or will it hurt people? What will this bill mean for rural hospitals in their State, for lifesaving addiction treatments, for preventive care that saves lives and taxpayer dollars? Does this bill hold true to the important American values of fairness, freedom, and equal opportunity for all?

If the answer to any of these questions is no, we should scrap this bill, start over, and work together, in a bipartisan way, to bring down healthcare costs and improve the quality of care available to every American, no matter who they are or where they live.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. SASSE). Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the Hagerty nomination, which the clerk will report.

The legislative clerk read the nomination of William Francis Hagerty IV, of Tennessee, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Japan.

The PRESIDING OFFICER. The Senator from Arizona.

#### UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR

Mr. MCCAIN. Mr. President, let me begin by reviewing the threats the United States is facing around the world today. The campaign against ISIS is far from over. We must build on the success of retaking Mosul and ensure an enduring defeat of terrorist threats in Iraq and Syria and throughout the region.

Every day we learn more about Russia's asymmetric capabilities—from cyber attacks to disinformation campaigns—even as they modernize their military, occupy Crimea, destabilize Ukraine, and threaten our NATO allies. China continues to militarize the South China Sea and modernize its own military at an alarming rate. North Korea gets ever closer to developing the capability to strike the U.S. homeland with a nuclear-armed missile.

I could spend a lot of time going through all of the threats we face. We are at war. We are at war. There are

brave young men and women serving in Afghanistan, as I speak. Some of them have been wounded and killed. We must always ask ourselves: Are we really doing all we can to support them?

Our military is facing a crisis. Years of budget cuts from this Congress have failed our men and women in uniform. In order to rebuild the military, the Pentagon needs to ramp up readiness programs and embark on an ambitious plan for modernization to make sure our servicemembers are given the training, resources, and capabilities they need. To do that, the Department of Defense must have senior leadership.

The position of Deputy Secretary of State is one of the most critical positions in our government. It is essentially the chief operating officer of the largest, most complex organization in the world—the Department that is entrusted with ensuring our national security.

Patrick Shanahan is a well-qualified nominee who passed out of the Armed Services Committee on a voice vote. This body voted overwhelmingly, 98 to 1, to confirm General Mattis as Secretary of Defense. He had our overwhelming support to lead the Department during challenging times. Yet we have not given Secretary Mattis the senior leadership he needs to help him do his job.

Tomorrow, I say to my colleagues, the current Deputy Secretary of Defense, Bob Work, will leave his office. There simply is no more time to delay moving the nomination of Patrick Shanahan. You can choose to vote no, you can choose to vote yes, but let's just vote. The obstruction has gone on long enough, and it has to stop.

I wish to say, I understand the frustration my colleagues on the other side of the aisle feel with the process we have been through, particularly on the issue of healthcare. The issue of healthcare should have gone through the relevant committees. It should have had amendments, it should have had debate, it should have had discussion, and maybe we could have passed something going through the regular order, and we didn't. I understand the frustration my colleagues on the other side of the aisle are feeling. I felt the same thing in 2009 when we did ObamaCare, basically on the same basis. Yet amnesia seems to have set in here or new Members are not remembering or care.

What is going on in this body, unfortunately, these days is plagued by partisanship and politics. This is a time to put aside all of that for the sake of our national security and come together as Republicans and Democrats to move this nomination. Our men and women in uniform deserve no less.

Let me say again to my friend from New York, whom I have enjoyed doing battle with for many years, he is a man of honesty and integrity and a man of

his word. I understand his frustration, and I understand the frustration on the other side of the aisle because we felt the same thing.

I would again ask the indulgence of the leader of the Democrat Party on the other side to at least consider this unanimous consent request.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Executive Calendar No. 157, the nomination of Patrick Shanahan to be Deputy Secretary of Defense; that the nomination be confirmed; that the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

THE PRESIDING OFFICER. Is there objection?

Mr. SCHUMER. Mr. President, reserving the right to object, first, there is no one I have more respect for on either side of the aisle than the Senator from Arizona. He said some nice words about me, and I extend them back to him five times over. He is a fine man. He has great integrity, great courage, great service to our country, and no one has helped defend America more—both when he was in the Armed Forces and here on the Senate floor—than the gentleman. I respect that.

I respect that you always try to put yourself in the other person's moccasins. That was one of the great Indian proverbs.

I know he is doing that, as he mentioned in his remarks.

I would like to make a couple of quick points.

First, our Republican leader has chosen this week to proceed with three nominees under regular order. He could have advanced this nominee and a few others from the DOD but instead chose a district court judge in Idaho, a nominee to OMB, Ambassador to Japan. So I say to my good friend from Arizona, given the frustration he remarked on that our side has on healthcare, which is so important to so many—as is keeping a strong and fully staffed Defense Department—I would say to the gentleman that we would be happy to consider the nominee in the regular order. And maybe once things change a little bit on healthcare, with the consent of my colleagues on this side of the aisle, we can move a lot of things quickly. But at this point, despite my great respect for my dear friend, I must object.

THE PRESIDING OFFICER. Objection is heard.

Mr. MCCAIN. Before the Democratic leader leaves, may I ask one more?

Mr. President, I ask unanimous consent that at 5 p.m. on Monday, July 17, the Senate proceed to executive session for consideration of Executive Calendar No. 157. I further ask that there be 30 minutes of debate on the nomination equally divided in the usual form and that following the use or yielding back of time, the Senate vote on con-

firmation of the nomination with no intervening action or debate, and that, if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

Before I ask for a ruling on that, may I just say that the Senator from New York has a legitimate comment. Why in the world we would be wasting time on the Ambassador to Japan when we have the Department of Defense nominees in line is something I can neither account for, nor can I condone. So I understand the frustration of the Senator from New York.

Maybe sometime after our 2 weeks in August, perhaps some of us ought to sit down and talk and work out an agenda. We have a train wreck coming, as the Senator from New York knows. We have the debt limit. We have appropriations bills to pass. We have all these things piling up, we have about 30 days to do it in, and so far, I have seen no plan to address these challenges.

The only way we are going to address some of these challenges, I say to my colleagues, with their partisanship and anger and dislike of anybody who lives over there, the fact is that we need to work together to work these things out, and we can do it without betraying principle, but we can also do it by understanding the priorities and the dedication and patriotism of those on the other side of the aisle.

So I understand the Senator from New York. I don't agree with the Senator from New York, but I understand his frustration. So I renew my consent request.

THE PRESIDING OFFICER. Is there objection?

Mr. SCHUMER. Reluctantly, again, I must object. But I would say to my colleague from Arizona, I would like very much to sit down and work out these other problems. I think that if he and I sat in a room together, we could figure these things out ourselves pretty well, and it would be our job to persuade our colleagues to try to do the same. I understand. I used the same words—"train wreck"—earlier this morning. If we don't come to a good agreement, for instance, on appropriations and the budget, the defense forces that he so dearly holds and so many of the issues on our side would be hurt dramatically—the country would. So I promise him, I will endeavor to work with him in the most good-faith way.

THE PRESIDING OFFICER. Objection is heard.

Mr. MCCAIN. May I ask one more question of the Democratic leader? When would Mr. Shanahan's nomination be in order?

Mr. SCHUMER. I think if it is filed—it will be up to the Republican leader. If it is filed tonight, the cloture motion would be voted on Monday night, and then maybe we could talk about—with

the permission of my colleagues from the other side—speeding it up after that.

Mr. MCCAIN. I yield the floor.

THE PRESIDING OFFICER. The Senator from Massachusetts.

#### HEALTHCARE LEGISLATION

Mr. MARKEY. Mr. President, I am speaking today because proponents of TrumpCare have their heads stuck in the sand. Many of the Republicans in this Chamber are clearly in denial that we live in a country where 91 Americans die each and every day from an opioid overdose; where 1.3 million Americans went to the hospital for an opioid-related issue in 2014; where 2,000 Massachusetts residents died from an opioid overdose just last year, and 69 percent of those cases had the illicit opioid fentanyl in their bodies. If people across the country were dying from overdoses at the same rate as in Massachusetts, that would be 100,000 people per year—two Vietnam wars' worth of deaths every single year. Over 10 years, that would be 1 million people who die if they were dying at the same rate as they are in Massachusetts—1 million people over 10 years dying from opioid overdoses in our country.

If these Republicans took their heads out of the sand, they would hear the near-unanimous calls from the experts and the pleas of mothers and fathers to stop this machete to Medicaid which they have brought with their new healthcare reform bill. They would hear the alarm bells Americans across the country are ringing against this cruel and heartless and immoral legislation.

These desperate voices should be enough to get Republicans to abandon their efforts to rip away insurance coverage for treatment and recovery services for Americans struggling with substance use disorders, but instead of accepting the truth and listening to their constituents, they have decided to take a cynical path and replace these lifesaving services with a paltry opioid fund of \$45 billion over 10 years.

There has been a lot of talk from the Republicans about so-called fixes that they can work on with Democrats, but this opioid fund isn't a fix, it is a falsehood. It is a false promise to the people suffering from opioid addiction. It is a false future that won't include critical Medicaid funding for treatment and recovery services. It is a false bargain that Republicans will make at the expense of families desperate for opioid addiction treatment.

This opioid fund is a politically craven effort to buy votes from Republicans whose States are being ravaged by the prescription drug, heroin, and fentanyl crisis, but the American people will not be fooled. This opioid funding is nothing more than a public health pittance, a wholly inadequate response to our Nation's preeminent healthcare crisis. In fact, the amount

included in this latest version of TrumpCare is not even half of the amount that the Affordable Care Act would have spent on covering opioid use disorder treatment if we just left that law alone to work as intended.

Here are the numbers. The Center for American Progress has estimated that the Affordable Care Act would spend \$91 billion for opioid coverage alone over the next decade, compared to the \$45 billion the Republicans are putting into their bill which they announced today.

We already know that access to treatment is a challenge. Only 1 in 10 Americans with substance addiction receives treatment. There are estimated to be 2 million people with an opioid use disorder who are not receiving any treatment for this disorder.

It should not be a surprise to anyone that the epidemic of opioid abuse will only get worse as long as we have a system that makes it easier to abuse drugs than to get help for addiction disorders. And the paltry GOP fund that provides less than half of the funding of the Affordable Care Act is only going to accelerate the death sentence for the millions of people with substance use disorders.

Sadly, we know that my Republican colleagues who are attempting to jam this immoral and callous TrumpCare bill through this body actually are aware of the crisis facing their States. They speak to the same constituents. They read the same newspapers. They see the same obituaries of Americans who lost their lives to the opioid overdose epidemic. And that is why we have been able to make some bipartisan progress. Last year, we passed the CARA bill. We passed legislation to fund \$1 billion for treatment. But support for the TrumpCare bill and this opioid fund is a betrayal of all of that hard-fought progress we were making.

Republicans are turning their backs on their vow to combat the opioid epidemic, and President Trump is breaking his promise from the campaign trail to "expand treatment for those who have become so badly addicted." Instead, they are moving forward with a proposal that would rip insurance away from 22 million people and threaten insurance coverage for 2.8 million Americans with a substance use disorder.

This bill would eviscerate Medicaid—the leading payer of behavioral health services, including substance use treatment—by nearly \$800 billion, and all of this to give billions in tax breaks to billionaires and big corporations.

One analysis has found that under the Senate's previous version of TrumpCare, Republicans provided a nearly \$33 billion tax break to the top 400 earners, the top 400 billionaires in America, which is the equivalent of ending Medicaid expansion for too many people in our country.

Let's look at what they are planning. They are planning to cut from \$91 billion down to \$45 billion the amount of money we spend on opioid treatment in the United States. At the same time, they have \$33 billion that they are going to give in a tax break to the wealthiest 400 billionaires in America. Where is that money going to be better spent in our country over the next 10 years—\$33 billion for the 400 wealthiest people or adding that money back in so that we can have treatment for people who have opioid addiction problems in their families? What is going to be better for America?

Well, the Republicans say: We need all that money that would go for treatment to give it to the wealthiest people in our country.

They can afford their treatment. Their families will have all the healthcare coverage they need if they have problems in their families. But the Republicans don't care. If you kicked this bill in the heart, you would break your toe. That is how bad it is.

So, for me, this is without question, at the heart, a simple explanation of what is fundamentally wrong with this Republican bill. There are many other things wrong with it—preexisting conditions, go all the way down the line—but how can you, when we have this plague hitting our country, take all that money away and give it away to billionaires? It is just wrong. There are too many families, too many letters, too many conversations that we have all had with these families. There are too many tears that we have seen. So, for me, there can be nothing that is worse than doing that to families—taking away their hope.

This is going to be a battle of monumental proportions. All I can tell you is that for the 2,000 families who had someone who died in Massachusetts last year, we are going to make sure this is a battle that everyone knows because if the American people understood that they are doing this to all of those families who have an opioid problem right now, there would be a revolt that would rise up across this country. Over this next week, the American people are going to learn about what is in the soul of this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I am here with Senator CORKER today to address the Senate and encourage this body to vote in support of Bill Hagerty as our Ambassador to Japan.

In 2013, when Bill Hagerty was the commissioner of economic and community development for Tennessee, he gave a speech entirely in Japanese at the American Embassy in Tokyo.

I have looked it up. There have been 16 U.S. Ambassadors to Tokyo, a very distinguished group since World War II: a five-star general, two former Senate

majority leaders, a former Vice President of the United States, a former Speaker of the U.S. House of Representatives, the daughter of a former President of the United States. So far as I know, none of them were able to do what Bill Hagerty did in 2013 when he made a speech entirely in Japanese at the American Embassy in Tokyo.

That is just one reason I think Bill Hagerty is one of President Trump's best appointees.

He was born in Tennessee, graduated from Vanderbilt University, was associate editor of the law review, worked as a consultant for the Boston Consulting Group. During his final 3 years, he lived in Tokyo, and he served as senior managing executive for their clients around Asia.

He was selected by President George H.W. Bush to be on his staff, and there he worked on trade, commerce, defense and telecommunications issues. He was a White House fellow. He was founder and chairman of a company in private life that became the third largest medical research company in the United States. He founded his own private equity and investment firm.

From 2011 to 2015, he was the commissioner of economic and community development for Tennessee. In that role, working with Governor Haslam, he was enormously successful. They secured \$15 billion in investments and 90,000 jobs for our State. For 2 of those years, Tennessee was the No. 1 State for economic development and the No. 1 State in job creation through foreign direct investment.

Bill Hagerty is a distinguished Eagle Scout. He was head of a capital campaign for the Scouts. He served on the board for the Far East Council of the Scouts, encouraging the growth of Boy Scouts throughout Asia. One way he intends to continue that mission is that his two sons will join their respective troops in Japan following his confirmation. His wife, Chrissy, would want me to quickly add that there are two aspiring Girl Scouts in their family who will have time to do the same.

This is not only one of the best appointments but one of the most important of this President. There is a reason we have had such a distinguished list of Ambassadors since World War II, including our former majority leader, Senator Howard Baker from Tennessee.

Mike Mansfield, another former majority leader of this body, was also Ambassador. He used to say in every speech he made that the Japanese-American alliance is the most important two-country relationship in the world, bar none. Ambassador Mansfield said that so often that Americans in Tokyo used to call our Embassy there the "Bar None Ranch."

If you will permit a little parochialism, Mr. Hagerty comes from a state, Tennessee, which has the most important relationship with Japan of any State, bar none.

That began about 40 years ago. I remember President Carter saying to me as a new Governor and to other Governors: "Go to Japan. Persuade them to make in the United States what they sell in the United States."

Off we all went. During my first 24 months as Governor, I spent 3 weeks in Japan and 8 weeks on Japanese-American relations. I explained to Tennesseans that I thought I could do more good for our State in Japan than I could in Washington, DC. It turned out to be true. Nissan, Bridgestone, Komatsu, and other companies came, and so did the jobs.

By the mid-eighties, Tennessee had 10 percent of all the Japanese capital investment in the United States, and this has continued. Nissan and Bridgestone have North America's largest auto plants and tire plants in Tennessee. With Mr. Hagerty's help, Bridgestone, as well as Nissan, have decided to locate their North American headquarters in our State.

Bill Hagerty, if approved by the Senate, would go to Japan not only able to speak the language but, having lived and worked there, understanding how close ties between Japan and the United States can create bigger paychecks for Americans, as well as for the Japanese.

I join my colleague, the chairman of the Foreign Relations Committee, Senator CORKER, in enthusiastically saying it is my hope that the Senate will approve today his nomination and that he will soon be on the job, and his children will be in their respective Scout troops in Japan.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I thank my friend, the senior Senator from Tennessee, Mr. ALEXANDER, for his eloquent comments about this great nomination. I also thank him again, as I have many times, for the outstanding relationship he developed with Japan that has borne so much fruit for the citizens in our State and so many States across the Southeast. I thank him very much for that.

I rise today also to offer my strong support for the nomination of Bill Hagerty to serve as the U.S. Ambassador to Japan. Bill is one of the most outstanding appointments that President Trump has made, and his confirmation is long overdue.

The relationship between the United States and Japan speaks for itself, and hosting Prime Minister Abe as one of the first visitors speaks to how the Trump administration and our country feel about Japan.

As a fellow Tennessean, I have had the privilege of knowing Bill Hagerty and his family on a personal level. I have seen him in business and the outstanding things he has done there. I have seen him represent our State as

commissioner of economic development, and he caused it to be one of the most heralded States in the country relative to job creation. Much of that had to do with his ability to deal with other governments around the world and cause them to be attracted to our State.

I also know that he and his wife Chrissy actually met in Japan, so this is an exciting time and sort of a homecoming for their family.

There is no one more well-suited to fill this important role, and I know our Nation will benefit from Bill's leadership and experience as he carries on the tremendous legacy of U.S. Ambassadors to Japan, including the late Howard Baker, another fellow Tennessean.

I am really, really proud of this nomination and know that Bill will represent the very best of our country during his service in Japan.

I strongly urge my colleagues to support this confirmation. This is long overdue, and I know he will be going to Japan at a time when we truly need an ambassador with his capacity.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The PRESIDING OFFICER. All time has expired.

The question is, Will the Senate advise and consent to the Hagerty nomination?

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Kansas (Mr. MORAN).

Further, if present and voting, the Senator from Kansas (Mr. MORAN) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) is necessarily absent.

The PRESIDING OFFICER (Mr. PERDUE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 86, nays 12, as follows:

[Rollcall Vote No. 160 Ex.]

YEAS—86

|            |          |         |
|------------|----------|---------|
| Alexander  | Blunt    | Cardin  |
| Baldwin    | Boozman  | Carper  |
| Barrasso   | Burr     | Casey   |
| Bennet     | Cantwell | Cassidy |
| Blumenthal | Capito   | Cochran |

|              |           |            |
|--------------|-----------|------------|
| Collins      | Heller    | Reed       |
| Coons        | Hoeven    | Risch      |
| Corker       | Inhofe    | Roberts    |
| Cornyn       | Isakson   | Rounds     |
| Cortez Masto | Johnson   | Rubio      |
| Cotton       | Kaine     | Sasse      |
| Crapo        | Kennedy   | Schatz     |
| Cruz         | King      | Schumer    |
| Daines       | Klobuchar | Scott      |
| Donnelly     | Lankford  | Shaheen    |
| Duckworth    | Leahy     | Shelby     |
| Durbin       | Lee       | Strange    |
| Enzi         | Manchin   | Sullivan   |
| Ernst        | Markey    | Tester     |
| Feinstein    | McCain    | Thune      |
| Fischer      | McConnell | Tillis     |
| Flake        | Menendez  | Toomey     |
| Franken      | Murkowski | Van Hollen |
| Gardner      | Murphy    | Warner     |
| Graham       | Murray    | Whitehouse |
| Grassley     | Nelson    | Wicker     |
| Hassan       | Paul      | Wyden      |
| Hatch        | Perdue    | Young      |
| Heitkamp     | Portman   |            |

NAYS—12

|            |          |          |
|------------|----------|----------|
| Booker     | Heinrich | Sanders  |
| Brown      | Hirono   | Stabenow |
| Gillibrand | Merkley  | Udall    |
| Harris     | Peters   | Warren   |

NOT VOTING—2

McCaskill Moran

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that with respect to the Hagerty nomination, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

#### LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 157.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Patrick M. Shanahan, of Washington, to be Deputy Secretary of Defense.

#### CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Patrick M. Shanahan, of Washington, to be Deputy Secretary of Defense.

Mitch McConnell, Joni Ernst, Tom Cotton, Thom Tillis, Lindsey Graham, Mike Crapo, John Boozman, Roger F. Wicker, Dan Sullivan, John Cornyn, John Thune, Steve Daines, John Barrasso, David Perdue, Mike Rounds, Orrin G. Hatch, John McCain.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

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

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Thank you, Mr. President.

(The remarks of Mr. FLAKE pertaining to the introduction of S. 1552 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. FLAKE. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

#### HEALTHCARE LEGISLATION

Mr. HATCH. Mr. President, today I wish to make some remarks paying tribute to a former staff member of mine for whom I have the highest opinion. However, before I begin those remarks, I should take a moment to address the elephant in the room.

Mr. President, today the majority leader revealed a revised discussion draft for legislation to repeal and replace ObamaCare. Let me say at the outset that this bill isn't perfect. There are some things in the bill that, given my preferences, I would do very differently. But one thing I have learned in my 40 years in this Senate is that people who demand purity and perfection when it comes to legislation usually end up disappointed and rarely accomplish anything productive. That is particularly true when we are talking about complex policy matters.

The next vote on this legislation will presumably be whether to let the Senate proceed to the bill. Regardless of any of the positions of my colleagues on this particular draft, if they support the larger effort to repeal and replace ObamaCare, they should at the very least want to have a debate on this bill. Under the rules, we will have an open amendment process. Members will get a chance to make their preferences known and to have the Senate vote on them. Taking that opportunity is the very least we can do.

Keep in mind, virtually every Republican in this body has supported the effort to repeal and replace ObamaCare more or less since the day it was signed into law. We have all made promises to our constituents along those lines. This legislation, while far from perfect, would fulfill the vast majority of those promises.

If we pass up this opportunity, we are looking at further collapse of our

health insurance markets, which means dramatically higher premiums and even fewer healthcare options for our constituents. Make no mistake, while some are talking about a bipartisan solution to prop up markets in the event this bill fails, there is no magic elixir or silver bullet that will make that an easy proposition.

I have to think that at the end of the day, if we fail to take action to fulfill the promises we have all made, we will have to answer to the American people for the missed opportunity and the chaos that will almost certainly follow. I hope all of my colleagues will keep that in mind.

#### TRIBUTE TO EVERETT EISSENSTAT

Mr. President, I wish to take this time to pay tribute to a very dear and noble colleague of mine, Everett Eissenstat. For the past 6 years, Everett has served as my chief international trade counsel on the Senate Finance Committee—a very important position. He has had a long and distinguished career in public service, obtaining and utilizing what is really an unparalleled level of knowledge and expertise about our Nation's trade policy. In fact, I think it is safe to say that very few, if any, individuals have had as great an impact on the current state of U.S. trade law as Everett Eissenstat. His public service will continue, as he has recently gone on to serve as the Deputy Director of the National Economic Council.

Everett received his juris doctorate at the University of Oklahoma, where he graduated cum laude and served as research editor of the Oklahoma Law Review. He also holds a master's degree in Latin American studies from the University of Texas at Austin and a bachelor's degree in political science and Spanish from Oklahoma State University. With diverse alma maters like that, some might wonder how Everett decides what colors to wear on college football Saturdays. But those of my colleagues who know Everett will correctly guess that he has, since his undergraduate days, remained a devoted fan of his beloved Cowboys.

After obtaining his law degree, Everett went to work for Dixon and Dixon in Dallas, TX. Later, he worked as Congressman Jim Kolbe's legislative director and, shortly thereafter, he became the international trade counsel for the Senate Finance Committee for Senator GRASSLEY, who was then the lead Republican on the committee.

Everett was a key staffer in the effort to draft and pass the Trade Act of 2002, which renewed trade promotion authority for the first time in 8 years. This was a major update to our Nation's trade laws and made possible the completion and passage of trade agreements with Chile, Singapore, Australia, Morocco, Bahrain, Oman, Peru, Colombia, South Korea, Panama, as well as the countries of the CAFTA-DR

agreement; namely, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and the Dominican Republic.

Everett then helped implement a number of these agreements when he served as Assistant U.S. Trade Representative for the Western Hemisphere, a position he held from 2006 through 2010.

After recognizing his fine work, I asked Everett to return to the Finance Committee in January of 2011 to once again serve as chief international trade counsel, and he continued to distinguish himself as one of the most knowledgeable and dedicated trade lawyers in the country.

Very early in his second tenure at the Finance Committee, he helped shepherd our free trade agreements with Colombia, Panama, and South Korea through the Senate. In 2015, he was the key staffer in the effort to draft, introduce, and pass the bipartisan Congressional Trade Priorities and Accountability Act, which, among other things, once again renewed trade promotion authority after another 8-year gap, and updated our Nation's trade negotiating objectives for the 21st century.

At about the same time, Congress also passed legislation to update our customs enforcement and facilitation laws, as well as a bill to reauthorize some important trade preferences.

All of these successes were the culmination of years of hard work and represent the most ambitious legislative agenda on trade in recent history, and Everett was an indispensable part of it all.

With his work on passage of those laws in 2015, his work on the prior TPA statute in 2002, and his efforts at USTR, Everett has been a key player in the development and facilitation of a generation of U.S. trade law. That is no small feat. More than anyone I have known, Everett is committed both to improving opportunities for Americans abroad and to ensuring an increasingly free-trade economy around the world. He is a true believer in free trade and the benefits free trade brings to our economy.

I am not the only Senator who will miss Everett's knowledge and expertise. Indeed, during his time here, he was an asset to the entire Senate. But, more than that, I will miss him personally: his tireless work ethic, his calm and thoughtful demeanor, and his cheerful disposition, even when he is breaking bad news or telling Senators things they may not want to hear.

While I am sad to see him go, it is comforting to know that Everett is continuing to serve our country and will keep advancing pro-growth economic policies at the National Economic Council. His expertise and wisdom are more important now than ever before, with numerous trade possibilities on the immediate horizon.

As I have said before, and I imagine I will say many times again, Everett is very, very good at what he does. The administration and the country are lucky to have such an important asset. I look forward to seeing his successes in this new chapter of his career, though it goes without saying that he leaves behind some very big shoes to fill. I count myself lucky to have been the beneficiary of Everett's knowledge and advice for several years.

I want to wish Everett, his wonderful wife Janet, and their sons Jacob and Alex the very best in this and any other future endeavors. Everett has a dedicated family, and I understand that they are here today; that Everett's wife and his one son were outside here just a short time ago. I am quite certain they are just as proud of Everett as I am.

I have worked with a lot of people in the U.S. Senate. I have had a lot of staff people, and all of them have been, almost to a person, very, very good. I have appreciated all of them, and I know that we wouldn't be nearly as good without our staffs whispering in our ears, preparing the documents that we put into the RECORD, working with us to help us improve our abilities to put forth our agendas.

I want my colleagues to know that Everett Eissenstat has been one of the all-time great staff people on Capitol Hill. I hesitate to even call him a staff person because he has the kind of reputation that goes far beyond being a staffer on Capitol Hill. He is one of the great leaders in this country, and I just want him to know how much I personally appreciate him. I want his wife to know how much I appreciate her and him; and his children—I want them to know what a great father they have.

Everett is a great, great man, and I am really happy to have said a few nice words about him on the floor. No matter what I say, it is not enough to explain what a truly great individual Everett Eissenstat really is.

I hope we can get other good staff people like Everett to help us on both sides. We are willing to work with both sides, willing to bring us together to do the things we know are important for this country and its future. Everett is one of those. I am going to miss him terribly. On the other hand, I know that where he is now is very important, and he will do the job as well as anybody alive.

I just want to pay tribute to him and his wife and his son who is here today, and tell him how much we all love and appreciate him.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### HEALTHCARE LEGISLATION

Mrs. SHAHEEN. Mr. President, I am pleased to be here with my colleagues—Senator KLOBUCHAR, from Minnesota, and Senator HEITKAMP, from North Dakota—to talk about the most prominent issue facing us right now; that is, what happens to healthcare for millions of Americans.

At a town hall in Kentucky last week, Majority Leader MCCONNELL said that if he can't secure the votes to repeal the Affordable Care Act, he will have no choice but to work in a bipartisan way with Democrats on legislation to repair and strengthen the law. Well, I was encouraged to hear the majority leader say that because I don't think bipartisanship should be a last resort. I think it should be the starting point. It should be the beginning of the work we do in this Chamber because that is what the American people want and that is the best way to make lasting public policy.

This is especially true with healthcare legislation, which impacts families all across America. As we have been hearing—and I have had a chance to hear it directly from my constituents in New Hampshire—the American people have wanted all along for to take a bipartisan approach. It is unfortunate that our colleagues on the other side of the aisle have spent months trying to pass a partisan, deeply unpopular bill.

Now, I think we would all agree that there are changes we need to make in the Affordable Care Act, something for which I have advocated since we passed the law. I have had the opportunity to work with our colleague TIM SCOTT from South Carolina. In 2015, we worked together to make modest changes to the law to protect small businesses from excessive premium increases. I think that bipartisan approach is something with which, if we started today, we could make changes in the Affordable Care Act to improve it and to make sure that Americans could get better access to healthcare.

We all understand that there are problems currently in the market in terms of premium increases, and we know why these premium increases are happening. In their 2018 rate request filings, insurers justified the increases because of the uncertainty surrounding the repeal of the ACA and because this administration refuses to commit to making what are called cost-sharing reduction payments.

These payments were included as part of the Affordable Care Act to address premiums, deductibles, and copayments and to make them more affordable for working families, basically, to be able to help people afford insurance. The payments have been built into the rates that insurers are charging for 2017. But as we look ahead

to 2018, there is a big problem because, if there is uncertainty around those payments, it means premiums will skyrocket, insurers will leave marketplaces, and people will lose their health coverage. Now, we could fix this today if we were willing to work together, because we know what we need to do.

I think New Hampshire offers a vivid example of what we are seeing across the country. Last year, insurance markets were stable, health insurance premiums increased an average of just 2 percent in New Hampshire—the lowest annual increase in the country and in our State's history. Unfortunately, today, because of the uncertainty in the market, it is a very different story.

Insurers in New Hampshire are raising premiums for 2018. The same thing is happening across the country. In some cases, insurers are filing two different sets of rates—one premised on the administration's continuing to make those cost-sharing payments that I talked about earlier, and the second set with higher premiums to account for continuing uncertainty and the possibility that the Trump administration, which is legally charged with implementing the Affordable Care Act, is going to renege on making the payments that have been promised to insurers and, ultimately, to families so that they can get healthcare.

This uncertainty is completely unnecessary. The instability in the ACA marketplaces is a manufactured crisis, and we could put a stop to it today. That is why I have introduced the Marketplace Certainty Act, a bill to permanently appropriate funds that would expand the cost-sharing reduction payments and ensure that we can count on those payments being made.

I am pleased to be joined by 25 other Senators who have already cosponsored this bill, and we can pass this right now if we had agreement with our colleagues on the other side of the aisle.

The Marketplace Certainty Act is also supported by a broad spectrum of provider and patient advocate groups—including the American Cancer Society, the American Heart Association, the American Diabetes Association, and the National Association of Community Health Centers, just to name a few.

We can end the artificial crisis. We could immediately restore certainty and stability to the health insurance markets. In turn, this would give us the space we need to come together on a bipartisan basis to improve the Affordable Care Act, to strengthen what is working, and to fix what is not working. That is what we were sent to Washington to do.

Bipartisanship should be our first choice, not a last resort. The American people want us to stop bickering over healthcare, to work together, and to make the commonsense improvements to the law that we should be making.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota—North Dakota.

Ms. HEITKAMP. That is OK. I am from the better Dakota. I just have to tell you.

Mr. President, I am always perplexed when the opposition party, the Republican Party, says: We are the party of business. We are the party that believes that government should function more like a business. We are the party that believes that we have to make the tough decisions, we have to do the work that needs to get done, and we have to do it in a timely fashion.

OK, I get that. There is not a corporate board in America confronted with the challenge that we have in healthcare that would not shore up the cost-saving payments. When you look at those of us who have served on corporate boards, those of us who have spent some time in the private sector, and, certainly, those of us who have been county officials or State officials, where we have actually had to make decisions, we look at how you make those decisions. The first thing you do is to try to make sure that while you are deliberating and while you are making decisions, you don't create market disruption. You don't do the things that create more uncertainty. You stabilize what you can, triage what you can, and then take a look at what the advantages are and what the experience you can bring to bear is to resolve bigger, broader, and more systemic issues.

If we look today at where we are right now with our constituents or our customers, if we can put it in a business sense, our customers are Americans and American families. Guess what. As for those of us who have been in our States and who have spent time looking at healthcare, talking to people about healthcare, talking to providers about healthcare, I will tell you that there are two emotions they have. They are mad, and they are scared. They are probably more scared than mad because under the bills that are being deliberated here, the Republican healthcare bills, they don't know if they can continue to keep their disabled children at home with them. They don't know if they can continue to provide for their parents in a nursing home. They don't know if their rural hospital is going to be able to survive the kinds of reductions in payments that are anticipated under this bill.

Today in North Dakota, \$250 million is the value of Medicaid expansion. I have institutions in North Dakota, providers in North Dakota that are operating on razor-thin margins. They can't make ends meet without making sure that they keep that amount of uncompensated care greatly reduced. They need the cash flow.

If we raise uncompensated care, two things will happen. The first thing that will happen under this bill is that they will have a hit to their bottom line. The second and obvious consequence of that is that, when they negotiate with the private insurance market on what those next payments are going to be, they are going to ask for more money to put back on the private insurance market the cost of uncompensated care.

Let's also take a look at the growing issue in this country of opioids. I have a facility in southwestern North Dakota. Their new hospital anticipates that Medicaid is going to be about 14 to 17 percent of the billings they have. As they are trying to respond—as responsible healthcare providers would—to the opioid crisis, they are looking at converting the old hospital into a long-term facility, a facility where people can go and get healthcare when they are addicted.

They anticipate that the facility will have to rely on about 60 to 70 percent Medicaid reimbursement. When people tell you that these issues aren't intertwined, that the population that is going to need assistance in recovery from addiction is not our Medicaid population, they are wrong. Every person who has looked at this has come to the same conclusion.

The other thing I am going to tell you about the people whom I talked to is that most of them have never been involved in politics. They are not partisans. They don't really even care about politics, but they wonder why they are caught up in this tidal wave of political rhetoric when people are scaring them about whether they are going to have health insurance. They are wondering: What kind of responsible leaders would ever do that? What kind of responsible leaders would not do what they could today to provide some assurances in the near term that the health insurance is going to be available, that their Medicaid is going to be available, and that they are going to be able to take care of their kids?

I am telling you that, instead of continuing to release bad bill after bad bill, I hope the Republicans will come and honestly take us at our word. We stand ready to work with Republicans on a truly bipartisan bill that is going to deliver quality healthcare to North Dakotans and quality healthcare to the people of this country.

People think bipartisanship can't happen. That is not true. Yesterday I held a press conference on a completely separate issue that involves clean coal. Standing side by side when we announced that bill, we had Senator SHELDON WHITEHOUSE, one of the most vocal advocates for aggressive action on climate, and Senators BARRASSO, CAPITO, and me, the most vocal advocates in support of coal. We all stood together introducing this bill because

we wanted to offer a real solution on 45Q. We wanted to find out where that lane is where we can all coexist and solve the problems of the American people.

It is not impossible to do this. It is not impossible if we park the partisanship, if we park the ideology, and if we start examining what the true problems and the true issues with our healthcare system are.

The answer is usually in the middle. Has Medicaid worked to get more people with chronic conditions, to manage care, and to lower costs? The answer is yes. Are there too many people on Medicaid? The answer is yes.

We need to grow our economy. We need to help people move them into a workplace where they have workplace insurance. Instead of talking about how we are going to grow the economy, instead of talking about how we are going to raise wages, instead of talking about how we are going to help people get set, we are talking about shifting the responsibility of the sickest among us, shifting that responsibility to the States and back to the patients.

Just 2 weeks ago, I joined 15 of my colleagues trying to bring some commonsense bills forward. I thought we made a great case. We have been challenged: You really don't want to work with us.

That is all facade. That is not true. We are back here again, saying: Please, please, work with us. Let's just for a moment do what Senator MCCONNELL suggested we do. Let's take care of what is happening with the 2018 plan year. Let's remove the uncertainty as we are looking at premiums going up and skyrocketing because of that uncertainty. Let's remove that uncertainty and solve this problem.

That is why I am supporting my colleague Senator SHAHEEN's legislation that makes cost-sharing payments permanent and increases the eligibility and generosity for that benefit.

I also cosponsored Senator CARPER and Senator KAINE's bill to make the reinsurance program for the individual marketplace permanent and to devote resources to outreach and enrollment efforts. As a result, it would encourage insurance companies to offer more plans in a greater number of markets, improving competition, and driving down costs.

Isn't that what we all want? Everyone can agree that is the consequence of this legislation.

Also, earlier this week I introduced another commonsense bill—the Addressing Affordability for More Americans Act. That helps make healthcare more affordable for middle-class families. What does that mean? We know that right now on the exchanges—when we look at subsidization of families on the exchange—we have what we call a cliff event. You are either in or you are out, and there is no stepdown. Many of



our middle-class families could experience a joyous event called a pay raise, only to find out that the pay raise evaporates because they lose some of the tax advantages that they received because they bought health insurance on a private exchange.

Why don't we glide that out? The same is true, actually, for Medicaid. Is there an opportunity to take that slide out, or that glide out, and moving more people into the workplace who are on Medicaid?

I share concerns that people have that the subsidization on both Medicaid and on the individual marketplace may result in people not taking economic opportunities that are available to them because, in the long run, it doesn't pencil out, given where they will be with healthcare. Let's take that incentive out. Let's work together. Let's solve that problem.

I think our bill is the starting point. If people have a better idea on how to address that concern, I stand willing and ready to make that work. I want to say that we are here saying: Let's work together. We are here saying: We do not believe that, on this side of the aisle, we have all the answers.

Guess what. I don't believe that, on that side of the aisle, they have all the answers. I believe we could learn an incredible amount from a hearing with a bipartisan group of Governors who are going to be responsible. They are going to get this heaped into their lap if this passes. That is why you see a bipartisan group of Governors saying: You know what, keep it, because that is not a path forward.

If you want to hear some good ideas, I think we could hear some great ideas from the corporate America that has become self-insured—as they look at wellness programs, as they look at using big data metrics to help keep their population healthier and drive down costs, and as they negotiate for better deals with providers.

There are hundreds of ideas out there. There are hundreds of opportunities to learn more before we take this step, but what is the process we are in? The process we are in is this: Don't confuse me with the facts. Don't confuse me with a new idea. Don't confuse me because, politically, we have to do this.

Do you know what? No one, politically, has to do this. What we have been sent here to do is not to fulfill political promises. We have been sent here to legislate in the best interest of the American people and the people of our States. That is our job—not to represent a partisan political idea. Let's do it.

Let's bring in a whole lot of ideas, and let's park the ideology at the door. Everybody, park the ideology at the door. As so many people on the other side of the aisle would say, let's start acting in a business, yeoman-like man-

ner and start working through these problems.

We have to do what Senator SHAHEEN has suggested, and that is to buy some time by making sure that we don't disrupt the marketplace today.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I am honored to be here today with Senator HEITKAMP, from North Dakota—my friend from across the border, the prairies—and also Senator SHAHEEN, from the Granite State. I don't think it is a coincidence that the three of us are here today. We have worked on a number of bipartisan issues over the years.

As I was sitting here, I was remembering when Senator COLLINS stood during the government shutdown and asked for people who would be interested in working with her on a bipartisan plan to get ourselves out of that mess. And all three of us were involved in that effort, which was, I note, half women in the group. I think it is time to do that again when it comes to healthcare.

I appreciated it when last week Senator MCCONNELL said it may be time to work to strengthen the exchanges and to work across the aisle. Like Senator SHAHEEN, I didn't see it as a last option, I saw it as a first option.

I certainly appreciate the work my colleagues have done to propose some smart ideas that could help us improve the Affordable Care Act, including the Marketplace Certainty Act. When I talked with our small businesses and our citizens in Minnesota, they want that kind of certainty to help with cost sharing.

The idea of doing something more with reinsurance, which we just passed on a State basis in Minnesota with a Republican legislature and a Democratic Governor—we are awaiting a waiver from Health and Human Services here in Washington. We think we should do it in a bigger way on a national level, so I also support the Kaine-Carper bill.

The work that I have been doing on prescription drugs—much of it across the aisle with Senator GRASSLEY—to stop this unprecedented practice of big pharmaceutical companies paying off generics to keep their products off the market—it would save billions of dollars for our taxpayers if they stopped that practice.

Unleash the power of 41 million seniors who are currently barred from negotiating for less expensive drug prices. Bring in less expensive drugs from Canada—a bill that I have with Senator MCCAIN. There is nothing in this new proposal we have seen today that would help in any way with prescription drug prices, and that is just wrong.

That is why we are here to welcome our colleagues to work with us on some

improvements in a bipartisan way to this bill, because the bill we saw this morning would again not do anything—minor tweaks but nothing about these major Medicaid cuts that have brought so many people together against this bill.

Minnesota seniors organizations have said that these proposals we are seeing that are not bipartisan—it feels like we are pulling the rug out from underneath families and seniors. That is why we have seen AARP so strongly opposed to a number of the proposals that have been circulating around with no Democratic input.

Many, many people have come up to us across our States. I was in northern Minnesota over the Fourth of July and was there among the Lawn Chair Brigade in one of my favorite units in the Ely parade and the clowns and the Shriners and everything else in the five parades that I did. I was so surprised, as I know my colleagues were, at the number of people who came up—especially parents of kids with disabilities—in front of a whole crowd on the side of the road and said: This is my child. He needs Medicaid. He needs help. We need you to stand with us.

So it is about people like that mom with that child with Down syndrome who needs Medicaid. It is about the senior who knows they are going to need nursing home help. Thirty-two percent of our seniors use Medicaid funding for their nursing home help. A woman told me about her mom, who died 2 years ago at 95 after suffering from dementia for more than 20 years. She had worked her whole life, but she couldn't afford that nursing home and needed that help. It is about our seniors, who don't want to see the age tax. It is about our rural hospitals that know how important it is to have healthcare not an hour away but 15 minutes away. That is what we are talking about.

So we would welcome any efforts to work on these commonsense bills we have out there, many of which have had Republican support in the past.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I thank my colleagues who are here this afternoon for their eloquence, their remarks, their passion for making sure the people in this country can get healthcare when they need it, and for their hard work and legislation to try and make that happen.

UNANIMOUS CONSENT REQUEST—S. 1462

Mr. President, in the interest of trying to immediately help to stabilize the insurance markets, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 1462; that the Senate proceed to its immediate consideration; that the bill be considered read a

third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. CORNYN. Mr. President, I reserve the right to object.

I wonder if the Senator from New Hampshire would allow me to pose a question about her request?

Mrs. SHAHEEN. Absolutely.

Mr. CORNYN. Is it true that under the so-called Marketplace Certainty Act, this would appropriate billions of additional dollars to insurance companies?

Mrs. SHAHEEN. What is true about the Marketplace Certainty Act is that it would guarantee the payments that were promised under the Affordable Care Act—not to insurance companies but to families who need help affording health insurance. That is one of the goals as we think about what our challenge is to address the healthcare needs of the people of this country, and that, in fact, is what the Marketplace Certainty Act would do.

Mr. CORNYN. Mr. President, I appreciate the response from the Senator from New Hampshire. I think I want to explore that a little more. I don't think the cost-sharing subsidies go directly to beneficiaries but, rather, to insurance companies.

Nevertheless, this is exactly the kind of proposal that the Senate can vote on next week when we proceed to the healthcare bill. As we know, unlike traditional legislation, there is an open and unlimited amendment process, and Members on both sides will have a chance to offer amendments and have the Senate vote on them. So I would encourage all of our colleagues who have ideas about how to shape the healthcare policy to vote to get on the bill and then to offer amendments.

It has been 7 years since ObamaCare was passed. It is in meltdown mode. We are glad to have our colleagues across the aisle offer suggestions on how to improve the current terrible situation for so many millions of people, but I must object.

The PRESIDING OFFICER. Objection is heard.

Mrs. SHAHEEN. I want to be clear that what we need to do is to provide certainty in the marketplace right now. What is happening because of the effort by our Republican colleagues to repeal the Affordable Care Act—which is providing coverage for literally tens of millions of people—what is happening because of this administration's refusal to guarantee those payments that would help people with the cost of their health insurance is that we are seeing instability in the marketplace. But the answer is not the proposal that was released this morning, the second or maybe it is the third draft of healthcare legislation that was done behind closed doors by our colleagues.

Earlier today, I had the opportunity to meet with two children from New Hampshire: Parker, who is 8, and Sadie, who is 10. These kids were here advocating for the children's hospitals that have meant that they can continue to live. They are kids who were born with serious health challenges. They continue to have those serious health challenges, but thanks to Children's Hospital at Dartmouth and Boston Children's Hospital, Parker and Sadie are alive today. They are smart, they are beautiful, and they are the delight of their families. They have been able to get the healthcare they need through CHaD and through Boston Children's because they are able to get covered for their healthcare under Medicaid. What our colleagues' healthcare legislation would do is dramatically cut the Medicaid funding that Parker and Sadie and so many children and old people and disabled in this country depend on in order to stay alive.

That is a mean-spirited bill. That is not the answer to the serious healthcare challenges we have in this country, and that is not what we should be doing to fix what needs to be fixed in the Affordable Care Act. What we need to do is work together.

I am disappointed that my colleagues on the other side of the aisle continue to work behind closed doors instead of having an open process. If this legislation that was introduced this morning is such a great piece of legislation, then let's go through regular order. Let's have a hearing. Let's let the people of this country weigh in and then see whether this is a healthcare bill we should pass.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I would like to associate myself with the comments from the former Governor and now Senator from the great State of New Hampshire.

It is not enough to say the system is failing. It is not enough to come here and say: We can fix it if you just agree to vote the way we are voting. If you just agree, you can present any amendments you want. You can do whatever you want.

We don't even have a CBO score on this legislation. We don't know what is in this legislation. There have been no hearings so that people on both sides of the aisle can ask questions and say: What does this mean for a family on traditional Medicaid who has to rely on this to keep custody of their kids? And by the way, what does it mean if, as a result of losing their Medicaid coverage, those children are no longer able to stay at home and they become foster children because it is the only way they can get healthcare? What does it mean for those families about whom we

all think we ought to have a real discussion, young people, young families who have excellent health, how they might have been disadvantaged on the exchange? What do we need to do for them? Maybe they were doing better economically than a lot of folks until they hit the cliff.

That is why I want to see my bill debated, because it can, in fact, offer opportunity. Every time we talk about this, what we hear about is how much it would cost. Well, the bottom line is that if all you do is shift the burden of these costs without any discussions with Governors, with private payers, with corporate America that is self-insured—if all we are doing is shifting costs and saying "It is now your problem," we are not doing our job.

If you look at the Rand Corporation study, 12 percent of the population of this country has five or more chronic diseases. As a result of those unmanaged—typically unmanaged chronic diseases, what you will see is they incur 40 percent of the cost. Is that a problem? The answer is yes, that is a problem. We need to figure out how we can better manage chronic disease.

A great friend of mine, a guy named Richie Carmona, who once was the Surgeon General of this country, used to say—and I think it is true—70 percent of all healthcare costs are related to chronic disease, most of which is preventable. Where in any of these bills are we talking about prevention? Where are we talking about wellness? Where are we talking about bending the healthcare curve? We are only dumping and running with these bills. We are not doing our job, and as a result, we are frightening people in this country. We are frightening the elderly. We are frightening people who say: Right now, I can afford my health insurance; I am on an exchange. But when we change the ratio from 1-to-3 to 1-to-5 and reduce the amount of subsidies, then 30, 40, 50 percent of their disposable income will be used to pay for health insurance. That is the thing you are not hearing here.

So we have to come together. We have to come together with the fundamental questions of what is wrong with not just the Affordable Care Act but what is wrong with healthcare and how we fix it and how we change outcomes. We can't do that if we don't work together. This is a body that is divided 48 to 52. How do you come together if you don't come to the middle, if you don't come to the middle to compromise? You don't.

At the end of the day, we have not met our deepest obligation, which is to speak for those who are the least fortunate among us. We have not met our obligation to govern this country in a way that would make our Founding Fathers proud, to make our citizens proud, and that can advance this idea

that the U.S. Congress can get something done in the United States of America—instead of partisan rancor.

We hold out the hope that we will at one point be able to debate these ideas that we presented. We hold out the hope that we will, in fact, meet somewhere to arrive at a better plan for the delivery of healthcare in this country.

I just want to close with one thought. There is not one organized healthcare group or advocacy group in my State that supports the Republican healthcare plan, so as we are looking at judgment on that plan, don't take my word for it. Take the medical associations' word for it, take the hospital associations' word for it, take AARP's word for it, take the consortium of large hospitals in my State, which urged a "no" vote on this legislation, take the disabled children's advocacy groups' word for it. This is not a path forward, but we are big enough people and good enough leaders that we can forge a path forward if we just find the will to do it.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### SEX TRAFFICKING

Mr. PORTMAN. Mr. President, I rise today to speak about an issue that Members on both sides of this aisle have a deep concern about, and that is human sex trafficking and, specifically, the work we have done to try to stop one website called backpage.com from selling people online.

This morning, I—along with my colleagues TOM CARPER and CLAIRE MCCASKILL—announced that we have asked the Department of Justice to investigate backpage.com for criminal violations of the law. This is a criminal referral, and it is a new development in this case. We believe there is sufficient evidence to warrant this criminal review by the Justice Department, based on the work that we have done in the Permanent Subcommittee on Investigations.

With estimated revenues of more than \$150 million a year, backpage.com is a market leader in commercial sex trafficking and has been linked to hundreds of reported cases of sex trafficking, including trafficking vulnerable women and children. Backpage has claimed that it "leads the industry" in its screening of advertisements for illegal activity, including sex ads for children. That is simply not true. In fact, we now know that this website has long facilitated sex trafficking on its site so that it can increase its profits—profits that come at the expense of

those being trafficked, including children.

When victims or State authorities try to bring actions against this company, backpage has evaded responsibility by saying that it doesn't write the ads for sex; it just publishes. Frankly, as a rule, courts have sided with the company, citing the immunity granted by a Federal law that is called the Communications Decency Act. The law, in essence, says that if a company like backpage publishes an ad someone else gives them, they are not liable, even though, again in this case, we know that this website has long facilitated sex trafficking and they know what they are doing.

We also now know that backpage has actively edited words and images, which makes them cocreators of these ads. We also know from a new report in the Washington Post just this week that, despite claims, backpage has aggressively solicited and created sex-related ads designed to lure customers. It further demonstrates that backpage is not merely a passive publisher of third-party content. They are involved. The article found that backpage workers were active cocreators of many of these sex advertisements, including those that seek to traffic women and young, underage girls.

I believe the legal consequences should be that they should lose their immunity under the Communications Decency Act, and that is why we have asked the Justice Department today to review this matter.

Let me be clear about the Communications Decency Act. It has an important purpose. It is a well-intentioned law. It was enacted back in 1996 to protect online publishers, and I support the broader legislation, the Communications Decency Act. But the law was not intended to protect those who knowingly violate the law and facilitate illegal conduct, and it was never intended to protect those who knowingly facilitate the sex trafficking of vulnerable women and girls.

We are actively exploring legislation to fix this issue once and for all. I have been working with a bipartisan group of Senators on potential legislation, and I am hopeful that will soon be introduced in the U.S. Senate. We must protect women and underage girls and hold accountable websites that knowingly facilitate these types of criminal exploitations.

A couple of weeks ago, I was at a place in Ohio called the Ranch of Opportunity in Washington Court House. The Ranch of Opportunity opened its doors in the latter part of 2013. It is on a 22-acre site, a tranquil setting, a peaceful, spacious, and healthy environment for girls between 13 and 18 to help find healing and recovery during a residential program.

The ranch is a place of hope. As it says in its name, it is a ranch of oppor-

tunity, and a lot of the girls who spend time at the ranch have been victims of human trafficking and child abuse. In fact, I am told that the majority—roughly 60 to 80 percent—of the young girls who come through this program have been trafficked.

As I have talked to some of the girls and the staff there, of course, backpage.com comes up again and again, as it always does when I talk to survivors and victims of human trafficking. These types of crimes—sexual abuse and trafficking—are horrific, but they are happening. They are happening all over the country, and they are happening more and more. So in your community, wherever you live, sadly I will tell you that this is a problem. Part of it is because of these online traffickers. In other words, as many of the survivors of human trafficking have told me: ROB, this has moved from the street corner to the smartphone, and the smartphone is where backpage.com dominates.

In touring the State, I have heard over and over again about this specific link between drugs and human trafficking. I have talked to trafficking survivors who have told me that their trafficker first got them hooked on heroin and other drugs. I saw this firsthand in May, when I toured the Salvation Army of Greater Cleveland Harbor Light Complex. They have been operating in Cleveland for 65 years, providing incredibly important services to some of the most vulnerable members of society, including women who have been trafficked. It is important to know that link is there.

Both of those issues are so important to address—trafficking and what is happening in terms of the increasing heroin and prescription drug and fentanyl crisis in this country, which is now at epidemic levels. That is why the STOP Act is so important—the Synthetic Trafficking and Overdose Prevention Act, which we are trying to get passed here, as well as the Prescription Drug Monitoring Act, which is so important. There is a connection.

Human trafficking requires urgent action, and so does the opioid epidemic. On human trafficking, including sex trafficking, we are now told it is a \$150 billion a year industry. Think about that. It is the second biggest criminal enterprise in the world behind the drug trade. Unfortunately, again, it is happening in all of our States.

Just last month, a 26-year-old man was indicted on human trafficking charges. He used backpage.com to advertise the availability of two girls, ages 15 and 17. He advertised them for sex and trafficked them out to several hotels in the area. Thankfully, in this case, members of the Central Ohio Human Trafficking Task Force rescued both of the victims, one in Columbus and one in Toledo.

Cases like this are alarming, but they are happening all over the place.

At the National Center for Missing & Exploited Children, experts on this issue report an 846-percent increase in reports of suspected child sex trafficking from 2010 to 2015. That is an increase of more than 800 percent in 5 years. The organization found this spike to be “directly correlated to the increased use of the internet to sell children for sex.” Again, it is the dark side of the internet, and trafficking has now moved from the street corner to the cell phone.

To confront this problem, as chairman of the Permanent Subcommittee on Investigations, along with my colleague and ranking member, Senator CLAIRE McCASKILL, now Senator TOM CARPER, I opened a bipartisan investigation into sex traffickers and their use of the internet. The investigation began over 2 years ago. The National Center for Missing & Exploited Children now says that nearly three-fourths—73 percent—of all suspected child sex trafficking reports it receives from the general public are linked to one website, backpage.com.

According to leading anti-trafficking organizations, including Shared Hope International, service providers working with child sex trafficking victims have reported that between 80 percent and 100 percent of their clients have been bought and sold on backpage.com. Backpage now operates in 97 countries—934 cities worldwide—and is valued at well over one-half billion dollars. According to an industry analysis, in 2013, \$8 of every \$10 spent on online commercial sex trafficking advertising in the United States goes to this one website, backpage.com.

As I said earlier, they say that they lead the industry in screening; in fact, their top lawyer described their screening process as a key tool for disrupting and eventually ending human trafficking. That is not true. Despite these boasts, the website and its owners have consistently refused to cooperate with our investigations on the Permanent Subcommittee on Investigations. With regard to our inquiries, despite subpoenas for company documents on how they screen advertisements, they have also refused to provide us documents after a subpoena. As a result, this body, the U.S. Senate, last year, for the first time in more than 20 years, voted to pass a civil contempt citation—in other words, holding backpage.com in contempt and requiring them to supply these documents and come forward with this information or else face a lawsuit and potential criminal violations. Finally, last August, after going through the district court, the Circuit Court, all the way to the Supreme Court, we were able to get their request to appeal it rejected, and we were able to get the documents.

Over 1 million documents were eventually turned over, including emails and internal documents. We went

through them all, and what we found was very troubling, to say the least. After reviewing the documents, the subcommittee published a staff report in January that conclusively showed that backpage is more deeply complicit in online, underage sex trafficking than anyone ever imagined. The report shows that backpage has knowingly covered up evidence by systematically deleting words and images suggestive of the illegal conduct, including child sex trafficking. The editing process sanitized the content of millions of advertisements in order to hide important evidence from law enforcement. I encourage people to take a look at this report. They can look at it on our website and other websites here from myself or Senator McCASKILL.

Backpage CEO Carl Ferrer personally directed his employees to create an electronic filter to delete hundreds of words indicative of sex trafficking or prostitution from ads before they were published. In other words, they knew these ads were about selling girls, selling women online; yet they published them.

Again, this filter they used did not reject ads because of the obvious illegal activity. They edited the ads only to try to cover up the illegal activity. It didn't change what was advertised; it changed the way it was advertised. Backpage did nothing to stop this criminal activity. They facilitated it, knowingly.

What did they do? Well, afraid to erode their profits—they were afraid because, as Mr. Ferrer said, in his words, it would “piss off a lot” of customers. They began deleting words. Beginning in 2010, backpage automatically deleted words including “lolita,” referencing a 12-year-old girl in a book sold for sex, “teenage,” “rape,” “young,” “little girl,” “teen,” “fresh,” “innocent,” “school girl,” even “amber alert”—and then they published the edited versions of those ads on their website. They also systematically deleted dozens of words related to prostitution. This filter made these deletions before anyone at backpage even looked at the ad.

When law enforcement officials asked for more information about the suspicious ads, backpage had destroyed the original ad posted by the trafficker, so the evidence was gone. This notion that they were trying to help law enforcement flies in the face of the fact that they actually destroyed the evidence that would have helped law enforcement.

We will never know for sure how many girls and women were victimized as a result of this activity. By backpage's own estimate, the company was editing 70 to 80 percent of the ads in their adult section by late 2010. Based on our best estimate, this means that backpage was editing more than one-half million ads a year—more than one-half million ads a year.

At a hearing on the report, the backpage CEO and other company officials pled the Fifth Amendment, invoking their right against self-incrimination rather than responding to questions we had about the report and its findings.

We also heard powerful testimony from parents whose children had been trafficked on backpage. One mother talked about seeing her missing daughter's photograph on backpage. She frantically called the company to tell them that it was her daughter—they finally found her—and to please take down the ad. Their response: Did you post the ad?

Her response: Of course I didn't post the ad. That's my daughter. Please take down the ad.

Their response: We can take it down only if you pay for the ad.

Talk about heartless.

Based on our report, it is clear that backpage actively facilitated sex trafficking taking place on its website in order to increase profits at the expense of vulnerable women and children. Then, after the fact, they covered up the evidence of these crimes.

What is happening to these kids is terrible. It is not just tragic. To me, it is evil.

No one is interested in shutting down legitimate commercial activity and speech. As I said earlier, the Communication Decency Act plays an important role, but we want to stop this criminal activity.

I see some of my colleagues are here to speak. I appreciate their allowing me to finish, but I urge all of my colleagues on both sides of the aisle to join me in reforming these laws to be able to protect these innocent victims, these children.

I yield back my time.

**THE PRESIDING OFFICER.** The Senator from North Dakota.

**MS. HEITKAMP.** Mr. President, before the chair of the Permanent Subcommittee on Investigations leaves, I also would like to put into the RECORD that, recently, in a raid that was performed in the Philippines, some very interesting documentation was seized about backpage, according to news reports, and the FBI was immediately called.

I think there is an opportunity to use that information to advance the investigation and to continue to expose the participation of backpage, not just as a billboard or as a want ad but as a knowing participant in the trafficking of children—not just in our country but globally.

I thank the chairman.

**FUTURE ACT**

**MR. PRESIDENT,** today I am joined by my colleagues from West Virginia and Rhode Island. We are kind of a motley group. We are talking about something that has brought us together with a level of excitement and bipartisanship.

I would like to say that it is not just bipartisanship but really coming across the ideological barriers we frequently experience here to try and talk about an issue that is near and dear to our hearts, which is maintaining an opportunity for our coal miners and our coal industry to continue to do what they have done for generations—and that is to produce electricity that fuels this economy in the United States of America—but also recognizing that regulatory certainty is one of the key values we need to establish. In order to provide that certainty, we need to address concerns of other Members of our caucus who have in no small measure a lot of concern about what is happening with CO<sub>2</sub> emissions and what those emissions are doing environmentally.

I want to just kind of introduce this concept. Back in 2008, we passed something called 45Q, which was a provision that would allow for tax credits similar to what we have for wind and solar. Wind credits are production tax credits, and solar credits are investment tax credits. To provide for tax credits, \$10 and \$20—\$10 if you are injecting into a formation or you are enhancing oil recovery, \$20 if you are injecting into a geographic formation to store the carbons as CO<sub>2</sub>—those credits have proved to be, albeit used, but somewhat anemic to jump-start the technology, to jump-start the opportunity to see wholesale carbon sequestration.

We also know that since 2008, we have seen new technologies coming. I know my colleague from Rhode Island will talk about carbon utilization. We are expanding beyond just carbon sequestration—carbon capture and sequestration—to carbon utilization. It is a hugely important part of this puzzle. We believe that if we provide these tax incentives to our industries, if we provide these tax incentives to our innovators, it will drive technology that will have the benefit of guaranteeing that we will see a diverse fuel source in America that includes coal and includes natural gas. We always want to point that out, wherever we represent coal States. I know West Virginia is in proximity to huge natural gas fields. We know that we may be faced with a carbon challenge in natural gas, and the ability to capture CO<sub>2</sub> behind natural gas-fired power may be an essential ingredient for regulatory certainty into the future.

We are excited about this bill. We have 25 cosponsors who will advance and continue to talk about it and continue to grow colleague support. We hope this show of bipartisanship, this ability to work across the aisle, this ability to come together—maybe not with the same motivations but certainly with the same goal—will prove that on one of the most contentious issues here, which is climate and coal, we can come together and actually get something done that we can all agree on.

With that, I yield the floor, and I defer to my colleague from West Virginia.

**THE PRESIDING OFFICER.** The Senator from West Virginia.

**Mrs. CAPITO.** Mr. President, I thank the Senator from North Dakota. She has been a champion of building this bipartisan coalition. When we announced this yesterday, we had a very large board that showed quite a broad array of groups from around the country that are very much in support of this concept. So, I thank Senator HEITKAMP for her great leadership.

It is terrific to be on the floor with Senator WHITEHOUSE. We both serve on the EPW Committee together, and many times we are totally opposite. Sometimes we feel as if we are on opposite planets, I think, but definitely on different sides of this issue. It is great to be on the same side of an issue such as this, which really helps fortify not just our country but our regions and our beliefs as well.

As Senator HEITKAMP said, we have 25 cosponsors. Some of them are utilities, environmental groups, oil and gas companies, Governors, labor unions, so it is a great array of the country interested in carbon capture utilization and storage. We have done a lot of research in this area, but we haven't been able to scale it up to a point where it is economically viable, and that is where I think the tax credits will be not just welcomed and used, but it will be very important to see that scalability—which we have seen coming in small bits and pieces—maybe come in much greater amounts.

We obviously have a very robust coal industry in the State of West Virginia. We have lost thousands of jobs. Senator WHITEHOUSE and I have talked about his stay in West Virginia. He has great empathy for the coal miner and for those families that have lost jobs, but he is very concerned, as I think we all are, about what it is doing to our environment and how can we improve this.

That is what this legislation, I think, will help do. It will spur domestic investment in the technologies. It will also help us, I think, bring energy security because it goes to the baseload fuels, whether it is coal or natural gas, that we have to have.

I mean, in Washington, DC, today, it is hot out there, and I can guarantee you there are a lot of air-conditioners that are running at maximum speed. If we do not have this baseload power, which is coal and natural gas in areas—and I see my fellow Senator from West Virginia. We know, in coal country, how important that is and also what smiles on people's faces these air-conditioners can bring, as these hot days go, because we are running at full capacity.

We want to make sure that by capturing the carbon stream, we prevent

any waste emissions and we provide a possible valuable resource for industry. I remarked yesterday for industry to extract oil, which is very important, obviously, to the Senator from North Dakota and also in our Marcellus shale region.

I believe that with this research and with the spurring of this technology, CO<sub>2</sub> is going to have another use out there. There are all kinds of utilization possibilities, but if we just turn our backs on it or try to shut it down and make it unviable financially to invest in these technologies, we are never going to find that next best use of CO<sub>2</sub>.

So we tweaked the bill a little bit. The Senators have had this bill out for at least a couple of years. There is a companion bill in the House with a lot of cosponsors as well. I think it has, with 25 cosponsors on the Senate floor, bipartisan but very different philosophical beliefs, maybe. Maybe that is not the best way to put it. There are very different regional approaches to this, I guess would be a better way to state that.

We have our universities, such as West Virginia University and Marshall University, that are working on this. We have the National Energy Technology Lab in Morgantown, where Secretary Perry joined both Senator MANCHIN and me to talk about the technologies that are in front of us and the challenge for researchers.

I feel like financing and the economic model is where we are trying to go, in order to spur investment, to provide the regulatory certainty but also the investment certainty in that this is a keeper; that this is something that is here to stay, that it is doable, that it is economically feasible, that it is scalable, and it provides us with a lot of energy security at the same time. I think its greatest benefit of all is to keep our air clean and get it cleaner and meet the challenges of the next several decades.

With that, I turn it over to the Senator from Rhode Island.

**THE PRESIDING OFFICER.** The Senator from Rhode Island.

**Mr. WHITEHOUSE.** Mr. President, it is a great pleasure for me to be here with Senator HEITKAMP. We knew each other as attorneys general so I have admired the Senator from North Dakota for a long time. From my time in West Virginia, I remember Senator CAPITO's father who is a very formidable and renowned political personality in West Virginia. To be here with the two of them is a personal pleasure. Senator MANCHIN is also joining us, so I am very happy to be here.

I thank Senator HEITKAMP, Senator CAPITO, Chairman BARRASSO, and my friend Senator GRAHAM for leading this bipartisan effort, and I thank Senator MANCHIN for joining us on the floor.

We have more than 20 other cosponsors so this is a bill that has broad bipartisan support and has a great coalition behind it. It has everything from my great friends at the Natural Resources Defense Council, many of our friends in the AFL-CIO, to nonprofits like the Clean Air Task Force, to moderating groups like Third Way and the Center for Climate and Energy Solutions, which are trying to pick their way through the divide, industry groups like Wyoming's Cloud Peak Energy coal company and West Virginia's Peabody, a coal company, and the ethanol industry. So we have really good, broad support. It is an unusual coalition, and I am excited by it.

There are ways to remove carbon dioxide from the air and from emissions, and we are seeing a lot of it. I went with LINDSEY GRAHAM up to Saskatchewan to see the Boundary Dam facility, where they basically put the output of the coal-burning powerplant through a cloud of amino droplets that strip out the carbon dioxide and pump it to a nearby oilfield where they can use the carbon dioxide to pressurize the oilfield and facilitate the extraction of oil. That is made possible because they have an oilfield nearby that will pay for that carbon dioxide to use in order to extract the oil. If I remember correctly, they were getting close to \$30 per ton. That is a pretty real revenue stream, but a lot of our American coal facilities do not have the luxury of being next to an oilfield that will pay for the carbon so you have to look elsewhere for revenues to make it worth your while. What we have in America is a market failure in which there is nobody who will pay you for removing carbon pollution. The way our market is structured it just does not work.

The simplest approach, of course, would be to put a proper price on carbon and let the whole economy go to work in solving the problem of carbon pollution. Short of that, this bill takes an important step by putting a value on reducing carbon emissions by paying facilities with a tax credit for every ton of carbon emissions they can keep out of the atmosphere. If we can get this passed and if we can get this into the Tax Code so it is lasting, then investors can look at it and say: Hey, we can finally put some money behind these technologies, and we can get them going, not just in the power sector.

This reaches into industrial carbon capture, into technologies like carbon utilization, and into really exciting new technologies like direct air capture. Now, most of these are happening elsewhere. To look for the models, you have to go to Saskatchewan, like I did and like Senator HEITKAMP has done, or you have to go to Iceland, where they are pumping carbon dioxide down into geological structures where it reacts and becomes stone, or you have to

go to Switzerland, where they are taking direct air carbon capture technologies, because, there, their market is not broken so there actually is a return on this.

We are seeing good work at our National Labs, I will say, which is funded by Congress and people like Dr. Julio Friedmann, whom Senator HEITKAMP and I know and work with. We are doing exciting stuff. Yet to take it to a marketable level, there has to be a business strategy. You have to be able to make a business case to investors if you are going to put money behind building what could be a multi-hundred-million-dollar carbon capture plant. This will begin to do that, and it makes me very excited.

In particular, I thank my cosponsors for making sure we are not talking about CCS any longer and that we are talking about CCUS. It is not carbon capture and storage. It is carbon capture, utilization, and sequestration.

I have also been to Shenandoah, IA. Shenandoah, IA, has a big ethanol plant, and there is a company, called bioprocessH<sub>2</sub>O, that is in the exhaust stream of that ethanol plant. They pipe out their waste heat, their waste energy, their waste CO<sub>2</sub>, their wastewater all into a plant that grows algae, and the algae eats up the CO<sub>2</sub>. They take about 15 percent of it out of the stream, and it turns it into a product. They use it for feed, for cattle, for fish. They use it for makeup and other products. They use it for a whole variety of purposes. It is a new form of agriculture that is going to be very valuable, and the fact that you can make it efficient to strip carbon dioxide out of a plant's exhaust is a great thing.

This is a good way we can work together. It may be the first time I can think of that Senator MCCONNELL and I have ever been on a bill together. He is not on it now in this particular iteration because neither he nor the Speaker want to get onto a bill that is a tax bill while they are looking at tax reform. Yet, clearly, we know where their hearts are from the fact that they were on it the last time. So there is a lot of welcomed political news around this, and I think it has the chance of really revving up American industry so it is not the Canadians and the Icelanders and the Swiss who are cleaning our clocks because we have not bothered to get our economic structure in order to make this a profitable undertaking. It is a great first step, and I am proud to be a part of it.

I yield to my friend, the Senator from West Virginia, JOE MANCHIN.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I thank my good friend from Rhode Island. I have been to his State, and we have gone to the algae farms. It has a lot of potential. I agree with the Senator 100 percent.

I applaud Senator HEITKAMP and Senator CAPITO for leading the effort to update and improve this tax credit for carbon capture, utilization, and sequestration. We have the support of 25 Democrats and Republicans—totally bipartisan—and when you have Senator WHITEHOUSE and Senator BARRASSO on a bill, you know you have a real bill. It can happen. So that is very encouraging.

Senator CAPITO and I come from West Virginia, and Senator HEITKAMP comes from the energy-producing State of North Dakota. Coal was one of the most abundant energy sources in the world. It is lying on most continents, and most countries have it, and they are going to use it. It is a very efficient way of producing energy because it is plentiful.

Mr. WHITEHOUSE. Will the Senator yield for a question?

Mr. MANCHIN. Yes, sir.

Mr. WHITEHOUSE. Does the Senator know that, in Cumberland, RI, there used to be coal mining? In fact, there are still coal mines underground in New Cumberland, WV. Every once in a while, one collapses, so we have been there.

Mr. MANCHIN. I am so encouraged that you remember the history of your great State in not forgetting those coal mines.

We have to face the facts and the realization that there are 8 billion tons of coal being burned in the world on an annual basis. We burn less than 1 billion in the United States of America, and we are the country that has done more to clean up the environment than any other country. They all talk about doing different things, but we have taken the SO<sub>x</sub> and the NO<sub>x</sub> and the mercury out and the particulates. We have done more in the last two decades than has ever been done, and there is more that can be done.

I have to be very honest with you. The last 8 years was very challenging and difficult for us. No one wanted to make the effort. They talked a good game, but no one would put the investment into the technology that was needed. Now we have this bill—it is bipartisan that everybody is working hard on—that has a chance to really put us in the forefront of how we utilize this carbon capture and sequestration.

West Virginia has one of the first powerplants, the Mountaineer Power Plant, that shows it can be done commercially. We did a commercial test there. We know it can be done. We know it is expensive. At the time, President Obama said to go ahead and build a coal plant, and we will break you. He knew it was not financially feasible, and that is where that statement came from.

First of all, coal was a baseload fuel. There are only two baseload fuels in

the world today. Baseload is 24/7 uninterrupted power. That is coal and nuclear. Gas has now replaced coal in the United States of America in its being more plentiful for the production of energy, which we depend on, but it still can be interruptible because the gas pipelines could be sabotaged. They could break, and weather conditions could change that.

So you have to make sure everything is working for the people of the United States of America who have always been used to and been dependent upon turning the switch on or their heat and their power or opening their fridge, and everything is working. It comes because you have baseload that is dependable, reliable, and affordable. You are going to have that.

I think, maybe in my grandchildren's lifetimes, they are going to see, maybe, commercial hydrogen, which will be water vapor. I think that is coming. It is just not here yet. So we are going to use what we have and what we need and make sure we do it in the cleanest fashion. The United States should be and will be the leader of this. This is what helps us do it, and it gives us incentive to move forward on it.

When we were doing scrubbers back in the eighties, the Clean Air Act, I will never forget, at the time, to do scrubbers that take sulfur out, you have to inject, basically, limestone. This crushed limestone, basically, clings to the sulfur, and the sulfur drops out in the form of the ash. What are you going to do with all of this byproduct of this ash? Can it be detrimental? Is it hazardous? Guess what. A lot of the drywall you are using today is made out of the ash that came out of the new scrubbers from which we did not know we were going to have a byproduct.

So there is value. I still believe in my heart, with this piece of legislation, that we are going to find a valuable use of this waste. Can it be solidified? We know we can take clear stream CO<sub>2</sub> off. Can we solidify this CO<sub>2</sub>? It would not just be sequestering it. We are doing it in liquid form now and pressuring it into the ground. If you have oil or some other energy that is valuable to return back, then you can offset the cost, but in a lot of parts of the country, we do not have that oil so we are not able to have a value returned. It is pure cost, and the cost is about one-third of the production. A perfect example: If you have a 900-megawatt powerplant and you have carbon capture sequestration, but you have no value in return, you lose 300 megawatts by pushing it into the ground. It makes it nonfeasible financially, and that is when the statement came, "You build it, and we will break it." That is how they break it. You cannot do it. So if we don't have to sequester it and pressure it in the ground when we solidify this clear stream carbon from liquids

to solids, can we use the spent fuel of a solid carbon, CO<sub>2</sub>?

This is what we should be working on. These are the things we should be doing. We missed 8 years. We had a hiatus for 8 years. Let's catch up. This piece of legislation puts us on the path to make something happen, to truly make us unique in the world of what we do and how we do it. The rest of the world counts on us. All the other countries are talking about all the things they are doing in climate; trust me, they are not. They are talking about it; they are not doing it. Even our NATO allies aren't using what we have already developed and perfected. They are not using scrubbers, and they are not using baghouses for mercury.

It is not CO<sub>2</sub> killing people in Beijing; it is basically particulates. It is particulates that we have taken out of the air. We can do this, but we need to work together. We can't be fighting each other. There is not a West Virginian I know who wants to breathe dirty air or drink dirty water—or an American—and they are not going to. We have improved and will continue to improve. But we can't be pitting one environmental group against another manufacturing or production group, and that is what we have done. We are just tearing each other apart because we are picking sides: Are you for the environment or are you for the economy? I am for both. I am for the environment, and I am for the economy, and I think there is a balance between the two.

If we do the technology and the manufacturers or the producers of electricity refuse to use the technology that is proven, then they should be shut down. They get a certain period of time to retrofit. If they will not do it, then shut them down.

We haven't gotten there yet on this, and that is why this piece of legislation is so important. All of the working groups and environmental groups—everybody should be behind this. We have an array of Senators who have come together, unlike most bills. We don't often have this happen. I am proud of what the Presiding Officer has done. I am proud of my good friend from North Dakota. I am proud of my friend from Rhode Island. I am proud of my friend from Wyoming. I am proud of everyone coming together and saying: If we are going to use it, let's do it better.

With that I say thank you—thank you to all of us for working together on this and for continuing to move the United States of America forward. West Virginia will do its part, I can assure my colleagues of that.

With that, I yield the floor.

The PRESIDING OFFICER (Mrs. CAPITO). The Senator from North Dakota.

Ms. HEITKAMP. Madam President, one thing I want to talk about, as we are talking about carbon utilization—

and Joe did a great job of talking about new technologies. Frequently when I talk about this topic people say: There is no such thing as clean coal. Coal cannot be a clean energy source. And I say: That is not true. I tell them about my personal experience with the largest carbon sequestration storage program in the country, up until some of the new developments, and that was Dakota Gas. I served on the board of directors of Dakota Gas, and, ironically, the carbon capture and transmission into an oil field was not done to respond to concerns globally about carbon; it was done to produce a salable and lucrative byproduct—CO<sub>2</sub>—which can be used in the oil fields.

The one point I want to make is that a lot of the new development in exploration and in production of oil is done in tight formations, shale formations. This is not a technology, CO<sub>2</sub> flooding isn't a technology that has been widely used in tight formations because we haven't figured out how to do it.

I want to acknowledge one of those great American corporations, Occidental Petroleum, for doing something they call huff and puff, where they inject the CO<sub>2</sub>. They basically let that sit in the well and then eventually recharge the well. They are seeing excellent results in using this as an enhanced oil recovery method.

We are very excited about the bipartisan group. We are very excited that we can take one of the most contentious issues—one of the most contentious issues here on the floor—an issue for which, time after time, no one could find a path forward, and we have met with great success in getting good people to come together.

Finally, I want to say that it has been a joy to work with the junior Senator from West Virginia. I spend a lot of time with the senior Senator from West Virginia. The junior Senator from West Virginia, from my experience, is always looking for solutions to problems—not adding to the rancor, but looking for solutions to real problems. We have had a great partnership, and I look forward to our continued partnership in promoting and moving this issue forward.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

#### HEALTHCARE LEGISLATION

Mr. SANDERS. Madam President, I wanted to say a few words about the new Republican healthcare plan that was just announced a few hours ago. While there are some modest changes in it, the truth of the matter is that this plan remains a disaster. It remains an embarrassment. I think the indication that it is an embarrassment is that with legislation that would impact about one-sixth of the American economy of over \$3 trillion a year—legislation that, because it is healthcare, impacts virtually everybody—there has



not been one public hearing on this legislation. It has all been done behind closed doors. Honestly, no matter what one's view may be on where we as a Nation should go with healthcare, whether you like this bill or you don't like this bill, I just don't know how someone can seriously say that we don't have to hear from physicians about the impact of this legislation on their ability to treat their patients. I just don't know how you do that—or that we don't have to hear from hospitals.

I come from a rural State. What will the impact of this legislation and the massive \$800 billion cuts on Medicaid do to rural hospitals all over the United States? There is some belief that many rural hospitals in areas where they are desperately needed will be forced to shut down. Is that the truth? That is what I hear, but I can't tell you definitively because there hasn't been a hearing on that issue. So I don't know how we go forward with legislation without having administrators from rural hospitals coming before the committee—I am on the Health, Education, Labor, and Pensions Committee—or the Finance Committee to answer that question.

The Presiding Officer comes from a State and I come from a State where we have a major opioid crisis. It is devastating the entire country. What will this bill do to our ability to prevent and treat the opioid crisis, which is decimating this country from one end of America to the other? What happens if you cut \$800 billion in Medicaid? How will people get the treatment they need today—which is inadequate? In my State, it is inadequate. I don't think there is a State in the country that today is providing the necessary treatment or prevention capabilities to deal with this opioid and heroin crisis, which is ravaging America. What impact will an \$800 billion cut have on that? I understand there is some additional money going into opioid treatment, but how do you do that without the framework of allowing people the access to get healthcare? If you get thrown off of healthcare, what will the additional opioid money mean? I think not a whole lot.

In this bill, there are still hundreds of billions of dollars—several hundred billion dollars—in tax breaks to large health insurance companies, to drug companies, to medical device companies, and to tanning salons. As a nation, are we really interested in giving significant tax breaks to large insurance companies and then throwing children who have disabilities off of the Medicaid they currently receive? Is that what the American people want? I don't think they do.

I have to tell my colleagues that this Republican legislation, as the Presiding Officer knows, has been opposed by almost every major national healthcare organization in the country,

including the American Medical Association, the American Hospital Association, the AARP, which is the largest senior group in America, the American Psychiatric Association, the American pediatrics association. Virtually all of the major healthcare groups are saying that this legislation would be a disaster for the people they serve.

Just last night we had a teleconference townhall in Vermont and we had some 15,000, 16,000 people on the phone. The calls that were coming in were very painful calls. I almost didn't want to be honest in answering the calls. A woman calls up and she says: My son has a very serious medical illness, and we spend a fortune on prescription drugs. What is going to happen if this bill passes? What was I going to tell her, that perhaps her son would die? It is just not something I feel comfortable even talking about.

The truth is—and this is not BERNIE SANDERS talking, this is study after study after study that says that if you do as they did in the House, which is throw 23 million people off of health insurance, including people who are struggling with cancer, people who are struggling with heart disease, people who are struggling with diabetes, what does common sense tell us? If you are struggling with cancer and you lose your health insurance, what do you think is going to happen to you?

What study after study has shown is that thousands of people will die. It is not that any Republican here wants to see anyone die, but that is the consequence of what happens when you throw, as the House bill did, 23 million people off of health insurance. We should not be giving tax breaks to insurance companies and then throwing disabled children, or people with terrible illnesses who are fighting for their lives, off of health insurance.

The AARP is very strongly opposed to this legislation. The reason is pretty clear. What every person in America should understand, and I am not sure that many do, is that Medicaid now pays for over two-thirds of all nursing home care—two-thirds. What happens to the seniors and persons with disabilities who have their nursing home coverage paid for by Medicaid today? What is going to happen to those people?

What happens if your mom is in a nursing home? You don't have a lot of money, and your mom is in a nursing home paid for by Medicaid. What happens if Medicaid is slashed? What is going to happen to your mom? Is she going to be thrown out on the street or end up in the basement of your house? Are you going to have to make the choice about whether you take care of her or put away a few bucks to send your kid to college? If suddenly a daughter or a son is going to have to care for a mom or a dad thrown out of a nursing home, how do they go to work to earn the money their families need?

These are legitimate questions, and it would have been nice to have a hearing or two in order to answer those questions.

The bottom line is that we have legislation before us that is widely rejected by the American people. The last poll that I saw, which was done by USA Today, suggested that 12 percent of the American people supported this legislation—12 percent. Virtually every major healthcare organization in America opposes this legislation. There is nothing I have seen today—none of the tweaks that have been put into this make this legislation in any way, shape, or form acceptable.

It is no great secret that the Affordable Care Act is far from perfect. I don't think you hear anybody here say: Hey, the ACA is great; it doesn't need any changes. It does need changes. Deductibles are far too high in Vermont. Premiums are too high. Copayments are too high. And the cost of prescription drugs in Vermont and all over this country is off the charts.

I was in West Virginia, and I talked to a woman for a moment after I spoke, and she said that she is taking care of her older brother. Her brother has seizures. The medicine her brother was using went up by 900 percent over the last few years. Why? Because that is what the drug companies can get away with. Tomorrow it may be 1,000 percent. Does anybody in America think that makes sense? Is anybody happy in America? Are people in Missouri happy, are people in West Virginia and people in Vermont happy that we are paying by far the highest prices in the world for prescription drugs? I don't think so. There are ideas out there about how we can significantly lower the costs of prescription drugs in this country, how we can lower deductibles, how we can lower copayments.

Now, as I have said many, many times, I happen to believe that while it is important that we improve the Affordable Care Act, at the end of the day, this country must do what every other major country on Earth does, and that is to understand that healthcare is a right, not a privilege.

Right now, we have 28 million people who have zero health insurance. If this bill in the House were to go through, there would be another 23 million on top of the 28—over 50 million people—without any health insurance. Does that make any sense to anybody?

Our job is to join the rest of the industrialized world and make sure that every man, woman, and child has healthcare as a right, no matter what your income is. When you get sick, you go to the doctor. When you have to go to the hospital, you don't go bankrupt. That is what a civilized democracy is about. That is what they do in Canada. That is what they do in the UK, France, Germany, Scandinavia, and Holland. Every major country on Earth

guarantees healthcare to all people. That is where I want to see our country go, and I will be introducing legislation to make sure that happens.

More and more people all over this country want to move us in that direction. But right now, our job is to make sure that millions of people do not lose their health insurance in order to give tax breaks to insurance companies. Our job is to make sure that disabled children continue to get the care they need and older folks aren't thrown out of nursing homes. That is what we have to do.

So I urge in the strongest possible way the defeat of this legislation. Then, let's go forward to improve the Affordable Care Act, not destroy it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

#### NOMINATIONS

Mr. BLUNT. Madam President, it has been nearly 7 months since President Trump took office. He was sworn in on the steps of the Capitol on January 20.

Our colleagues across the aisle have had, frankly, more than enough time to come to terms with the election results. Unfortunately, they seem to be channeling their disappointment through the confirmation process by engaging in an unprecedented level of obstruction.

We spent all this week when the Senate could do no other business on the executive calendar than to confirm three nominees—three nominees of about 500 that need to be appointed by the President. They are there only because the President would want them there. They come and go as Presidents come and go. Many of them have gone. The problem is that their replacements haven't been there.

If there is any doubt as to just how unprecedented this drawn-out confirmation process has been, let's look at how it stacks up against the previous administration. We are only a couple of weeks away from August, and Senate Democrats have only allowed us to confirm 52 of President Trump's 216 nominees. That is 24 percent. By the August recess of President Obama's first term, the Senate had confirmed 313 of his 454 nominations, or 69 percent.

So we start out with an incredibly slow start, where previous administrations—both the Bush administration and the Obama administration—by the end of the first week, or often by the end of the first day, had most of their Cabinet confirmed.

Getting a Cabinet confirmed is a process that took every minute of time that the Senate rules could possibly be stretched to allow.

Then, we look at nominations. The President, as I said, has nominated 216 people. Less than one out of four of them have been confirmed. In President Obama's term, even though he had

more nominees by this time, he had a lot more confirmations. The Senate confirmed 69 percent of the Obama nominees.

There are currently more than 150 nominations waiting for confirmation, many of them are already out of committee. They are ready to come to the floor, but Senate Democrats have caused this backlog by using every procedural tactic to needlessly delay nominees. But, when they delay the nominees, they also delay our ability to get to the other work.

So there are two questions here. Are you going to let the President take over the government, which the Constitution and the Senate have been an active part of? Are you going to get the other work done? If you don't let the President take over the government, how do you effectively get the other work done? It is really a plan that works really well if what you want to do is slow down any changes of where the government was on January 20.

A Wall Street Journal editorial earlier this week said:

Democratic obstruction against nominees is nearly total, most notably including a demand for cloture filings for every nominee—no matter how minor the position. This means a two-day waiting period, and then another 30 hours of debate. The 30-hour rule means Mr. Trump might not be able to fill all of those 400 positions in four years.

In fact, at the rate we are going, it will take more than 11 years to fill all the jobs that the President is supposed to be able to fill. I guess that would put us in the third term of the Trump Presidency before he ever got every job filled the first time, which the President is expected to fill under the laws that have been there, most of them for a long time.

The Wall Street Journal editorial talks about these difficult terms, like cloture. What does that mean? That means that you have to get a vote to move forward with the nomination—normally, not done where nominations are concerned.

There is a rule that allows you to have vigorous debate on any nominee who really is a problem, but that rule has clearly been abused. Now the cloture vote only takes 51 votes. This is no odd Senate majority or anything like that. A majority of the Senators can vote to move forward with the nominee. But then, if you will not consent to waive any of the other rules, you have to wait 2 days before you can get to that. You can't do anything else during those 2 days. Then you have to have 30 hours of debate.

That has happened over and over. As a matter of fact, this happened 30 times. That sounded like about 5 days to me, certainly 3½ days. That whole process has happened 30 times, only to have many of these nominees get 90 or more votes, to have no debate on the floor about the nominee for whom you are supposed to be insisting on 30 hours

of debate and to come to the floor and talk about whatever else you want to talk about. But if you go back and view the tape on whatever has happened during these confirmations, you will find very little discussion of the 30 times that 30 hours of debate was supposedly required before we could get to a final vote. Then, often, in the final vote, in a bipartisan effort to find nominees who are willing to serve, they get more than 90 votes. That just has never happened before.

By the first August recess in his administration, President Obama only had eight cloture votes. So what has happened here 30 times under President Trump happened 8 times under President Obama. Three percent of the nominees confirmed under President Obama had a cloture vote between swearing in and August, but 60 percent of the nominees from President Trump have had a cloture vote, but about the same amount of real debate. If we look back at what happened in 2009, the hours of actual debate on nominees were about the same, but the use of the maximum abuse of the rules is different.

Let me say this. The rules of the Senate were designed to protect the minority, and that is a good thing. This is a unique body in a democratic country, where the minority has been traditionally protected, and that protection lasts until the minority begins to abuse it. There will be a point here pretty quickly where I think Senators are going to have to wonder if this rule is any longer a rule that should be sustained.

We cannot continue to do what we are doing. We don't have 11 years and 4 months to confirm the Trump nominees. Nobody would want the President to have—well, maybe not anybody—an 11-year and 4-month term. But our friends on the other side are acting like that is how long he has to get just this rudimentary part of this job done that largely should have been done in the first 6 months.

Only 10 percent of the President's nominees' confirmations have been done by a voice vote. That is another alternative—just bring the nominee, nobody objects to waiving the rules, and you have a voice vote.

Ten percent of President Trump's confirmations have been done by voice vote while more than 90 percent of President Obama's confirmations were done by a voice vote. So we have the same percentages there, just totally turned around—10 percent for Trump and 90 percent for President Obama. The contrast is striking. It is not just simply math. It is, again, about the key positions of government that aren't filled.

As a member of the Intelligence Committee, I hear all the time that our country faces more threats from more directions than at any time in our history. But we have only been allowed by

this strung-out process, insisted on by Senate Democrats, to confirm 6 of the President's 22 nominees for the Department of Defense. The Department of Defense has 22 nominees already made, and only 6 of them are over there doing the jobs, of which the President says: Here are the 22 people I would like to have, and there will be more names to follow.

The positions that haven't been confirmed are the Deputy Secretary of Defense, the next job in the Defense Department and the principal deputy under the Secretary of Defense; and the Assistant Secretary of Defense.

I don't know about everybody else. I was a little confused by how long these titles are. But if you look at what each of these people do, these are critical to the mission of defending the country and they haven't been filled. These are positions that need to be filled.

The President continues to work to improve the safety of our communities and enforce our Nation's laws. We have seen obstruction when it comes to the Justice Department and the 19 people who have been willing to serve—all of whom I think are out of committee or about to be out of committee.

If one of them is out of committee, that would be enough. But the President has nominated 19 people to fill these vacancies, and only 3 nominees have been confirmed. Two of the nominees who have been reported out of the committee received votes of 20 to 0 and 19 to 1. We would think that is somebody who could come to the floor with a likely voice vote.

My bet is that when they do get voted on, 98 Senators will vote for them. But if we continue to do what we are doing now, only 2 days after a cloture vote, 2 days after the vote, and then almost a day and a half of debate after that, it is a disservice to the people that elected us to do these jobs and even a greater disservice to the people who elected the President to do his job.

Once again, these are key positions in Justice—the Solicitor General of the United States, the principal person who argues in court for the United States of America—and it is the middle of July.

My colleagues from across the aisle have clearly decided that it is in their best political interests to stand in the way of the President's nominees, but, maybe, more importantly, to stand in the way of the Senate's ability to get its job done.

When I talked to Missourians, they want to know what we are doing and why we can't get the work done that they sent us here to do. They also want to know why we can't let the President do the job he was sent here to do.

We need to be working on the failures of the current healthcare system, how we make college more affordable, and what we can do to improve our infrastructure. Those are things we need to

get to, and we need to allow the President to put his government in place for that to happen.

He was sworn in 7 months ago. He has every right to put the government in place. It is time for our friends across the aisle to stop grandstanding, to stop standing in the way. It is time to stop debating the Presidential election, and it is time to start debating the issues of how to run the government and to let the President put his people in those jobs so that process can begin.

Mr. President, I see my friend from Wisconsin is here. I will conclude my remarks.

The PRESIDING OFFICER. The Senator from Wisconsin.

(The remarks of Mr. JOHNSON pertaining to the introduction of S. 1553 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. JOHNSON. Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### REMEMBERING GENE ZERKEL

Mr. SULLIVAN. Mr. President, as you know, for months now, I have been coming to the floor to recognize a special Alaskan, somebody who makes my great State a better place for all of us to live, someone we call the Alaskan of the Week, usually an unsung hero who has done great things but doesn't want anyone to tell you about it because they are humble people. Some of these people have been very well known throughout the State, and others, as I mentioned, are doing their jobs in different communities throughout the State, but they are all considered our Alaskans of the Week. Unsung, well known—they all share a love for Alaska for good reason: There is so much to love about our great State.

I know most of the people in this room and watching on TV and in the Gallery think of Alaska as a majestic place, majestic landscape. It is true. It is majestic, but it is truly the people of Alaska who make it such a special place, kind and generous people, patriots and pioneers who pave the way for the rest of us and leave a very indelible and important mark on my State and, in many cases, our country.

Today, I would like to recognize one of these very special Alaskans, a trailblazer, someone whose work has touched nearly every corner of the State, someone whom we recently lost, unfortunately, just this week, but his memory will last forever. I am talking about Gene Zerkel, who was a member

of the "greatest generation" and an aviation legend in the great State of Alaska.

I don't have to remind you, but many others throughout our country don't know just how important aviation is to Alaska. In my State, our skies are the highways and the roads. We have about 8,000 general aviation pilots in Alaska, which is more than any other State per capita by far, and with good reason: There are no roads and ferry services to over 100 communities in Alaska, including regional centers like Bethel, Nome, Barrow, and Kotzebue. That means everything from mail services to baby diapers has to be flown in by plane, and if someone gets sick and needs to go to a hospital, the only way they get to see a doctor is by a plane.

Our pilots and our airline industry are essential to serving the people of Alaska, and Gene Zerkel has been a part of that service, a legendary part of Alaska aviation, for decades.

Let me tell you a little bit about Gene. He lived life on his own terms and defined it through love of God, family, country, and aviation. The latter—his passion for aviation—took hold when he was just 3 years old, then living in Indiana when he took his first airplane ride with a barnstormer. He was so taken with it, when he grew up, he continued to do some of those kinds of flights, traveling in airshows.

Like so many in the "greatest generation" in our Nation, he enlisted in the Army Air Corps during World War II and later joined the U.S. Air Force. He continued his passion for aviation after he left the military. Some of his favorite adventures were flying during the construction of the DEWLine throughout Alaska and Canada in the 1950s.

In 1973, he fulfilled a lifelong dream so many people in America have, which was to come to Alaska and start a family. He started to fly in the great skies above Alaska. We are a better State and a safer State for it.

In Alaska, he owned and operated Great Northern Airlines and became senior VP of operations and maintenance for the legendary MarkAir. He also started Alaska Aircraft Sales and Maintenance, which still operates to this day on Lake Hood in Anchorage, AK.

He was an innovator. He transformed the de Havilland DHC-2 Beaver into what was known as the Alaska Magnum Beaver, and he was known for always putting safety first.

In 2007, Gene was awarded the Wright Brothers Master Pilot Award from the U.S. Department of Transportation and the FAA in recognition of his more than 50 years—half a century—of promoting aviation safety within the aviation industry, particularly in Alaska.

Gene lived for 90 years. He saw so much and did so much for many of us. His name is written above the skies of

Alaska. But most importantly, he was a devoted husband of 48 years to his wife Joyce and the faithful father of nine children.

I had the good fortune of calling Gene a friend and was able to visit with him a few weeks ago. At 90 years old, he was still full of life and spark and energy and passion and optimism. I have also been in touch recently with one of his sons, a young Alaskan hero, Keenan, who has his father's passion for serving our country, with many deployments to Afghanistan as part of the 210th Rescue Squadron of the Alaska Air National Guard. He is literally a true hero in my State. Keenan carries on his father's passion for aviation, Alaska, and serving in the military.

Gene's love of country, family, and aviation will always be with us. My wife Julie and I pray for his family and his friends during this time.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### HEALTHCARE LEGISLATION

Mr. CASSIDY. Mr. President, I rise to speak to the repeal and replace effort that is before us, and the challenge has been how to do so. Senator MCCONNELL has recently introduced a bill, and as we pore over it, there is much to like, but quite likely, there will be some Senators who will still express reservations as to whether this amendment adequately fulfills President Trump's campaign pledges—those pledges specifically to continue coverage, care for those with preexisting conditions, eliminate mandates, and lower premiums.

If more is required, Senator LINDSEY GRAHAM and I have actually come up with an amendment that we will add to the bill being offered. It doesn't replace it but, rather, it adds to it. In it, we return to conservative solutions that devolve power back to States and rely upon the States to, in turn, devolve power to the patient.

So what does this bill do? What we do basically is take the dollars that the Federal Government would give to a State under ObamaCare and we give those same dollars in the form of a block grant. We allow the State to then administer the money in its best way to, one, give patients the power, and two, fulfill President Trump's pledges.

We think this works. It is a 10th Amendment solution in which that which is not specifically given to the Federal Government is, in turn, given to the State. Let the States decide what they want to do. Some object.

They say: Oh my gosh. A conservative State may do something that we don't think—whoever is speaking—it should be allowed to do. Another might say: Well, I don't think a liberal State should be allowed to do that. Under our bill, we devolve to the State, so a blue State can do a blue thing and a red State can do a red thing. Let's let our States be the laboratories of democracy that teach each other the best way in which to insure others. But we say it will be the State that has the power and not the Federal Government.

If you oppose this approach, it means you would trust a Washington bureaucrat more to address the needs of your State than you would trust the people of your own State.

We would still have those protections which would allow folks to get the adequate coverage they need. There would still be—for example, preexisting conditions will be covered, fulfilling President Trump's pledge to that end. We would fulfill what I call the Jimmy Kimmel test—that everybody who is ill or has a loved one who is ill would have adequate resources to have that person's illness addressed.

We have a precedent as to how this is done. Congress, I am told, when it addressed the Temporary Assistance for Needy Families Program, gave the dollars necessary, with flexibility to the States. Although at the time the solution was criticized as giving too much money to the States, since, the Federal Government has not had to put in more money. Because of the flexibility, the States have been able to use the dollars allocated in such a way as to meet the needs of the population.

So what could a State do with these dollars?

It could help those patients who are at higher risk or higher cost purchase the coverage they need, perhaps in a reinsurance or in an invisible high-risk pool that would allow premiums to be lowered for those individuals and for all.

It could maintain status quo. Those folks getting tax credits instead could have these dollars fund their purchase of insurance. It could be used together with Senator CRUZ's amendment, which would allow a health savings account to be used to purchase health insurance. The individual could set up such an account, the State could fund it, and then these dollars could then be used to purchase insurance. I like that, personally. That particular provision was in the Cassidy-Collins bill, the Patient Freedom Act, and it dovetails very nicely with block-granting these dollars back to the States to care for someone.

It could directly contract with providers to provide assistance to a specific population. So imagine you have an Indian reservation—or if not an Indian reservation, which might be cov-

ered under another source of funding, another fairly isolated population that does not have access to healthcare, the State could say: OK, we are going to come in and provide providers specifically for that population.

Alaska may adopt this because they have 700,000 people stretched over a land mass almost as big as the lower 48, and that might be a solution Alaska comes up with, but the point being, the solution would be specific for that State. Unlike ObamaCare, in which, out of Washington, DC, Washington bureaucrats dictate that the same approach be taken across the Nation no matter how different the States are, in this, the money is given to the State, and the State is asked to provide for their citizens in a way specific for the needs of that State.

We think the Graham-Cassidy amendment returning power to States and to patients is a conservative solution which ultimately gives the patient more power. I will repeat. This does not replace that bill which is being offered by Senator MCCONNELL. It would be an amendment to that. And if it turns out that some Senators feel as if that particular bill is not adequate to fulfill President Trump's campaign promises, we think this amendment could take the bill the rest of the way.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Ms. CANTWELL. Thank you, Mr. President.

I know my Republican colleagues are working on versions of the healthcare bill they have been talking about today, and I know my colleagues are going to try to say they are protecting the sickest of Americans, and they are saying they do want to ensure that people with preexisting conditions don't have to pay through the nose when they need care. I think the President called the House version of this attempt a mean bill, and I think the original Senate bill was just as mean, if not meaner, with the number of people who would be cut off of Medicaid over a period of time and left without access to care.

Today's bill also includes an amendment or a package of ideas by my colleagues from Texas and Utah—a provision that allows insurers to sell junk insurance on the individual health insurance market. As long as they offer at least one plan that is real insurance, insurers could offer a bunch of plans that, as CBO has said, are not really insurance; that is, they just cover one or two things. Yes, they would be cheaper,

but if CBO doesn't consider these types of plans insurance, how are they insurance?

I think the whole notion of junk insurance being invested into this bill is very problematic. Under junk insurance plans, they can limit or deny coverage of essential benefits, including hospitalization, maternity care, preventive care, prescription drugs, laboratory care, and substance abuse treatment. That is what they can limit. We wouldn't want those limited. This is why CBO says that if you can't go to the hospital and get care, then it is not really insurance. I have to agree with them on that.

These plans could charge people more or simply deny them based on preexisting conditions, and these plans could pay out less than 60 percent of the healthcare expenses, leaving the beneficiary with unbelievable, insurmountable deductibles that would be hard to pay. These plans could also impose an annual or lifetime cap on insurance.

I had a young woman come to my office today who was treated at Seattle Children's Hospital in our State. This family actually lives in a neighboring State, but Seattle Children's Hospital is such a regional entity in the State of Washington, in Seattle, and we are so proud of that. They told me about the debilitating disease this young child was born with and how many surgeries she has had. Literally, with the brain treatments she has had to receive, she and her mother told me that if there had ever been any lifetime caps, they would have exhausted them in the first few years. I am so proud that she came to see us today and is continuing to talk about why capping healthcare plans would be so devastating to somebody like her.

We don't want to create two markets of insurance. We don't want the one that is the real plan, real insurance, and the one where everybody goes and buys insurance that even CBO says is not real insurance.

I know that probably in the last few days of discussion, people have said: Ok, we will put a bunch of money in to help the real, or regulated market. I talked to my insurance commissioner in the State of Washington, and he said: Listen, when you don't spread out risk, you are not going to have a market and you are going to create problems.

So the notion that you think that catastrophic out-of-pocket costs won't be borne by these individual patients, I think, is wrong or that these higher premiums and deductibles could be paid by these individuals. It turns out that these junk plans, as I said, do not even count as insurance, and everybody who is in the real insurance market would then end up having to pay more.

The bill explicitly states that non-compliant plans will not count as cred-

itable coverage for the purpose of individuals demonstrating that they have insurance.

I am checking with my staff.

Is that right? Is that what is in the proposal?

Yes. The bill explicitly states that noncompliance plans will not count as credible coverage for the purpose of individuals demonstrating that they have insurance.

Under this bill, if someone gets one of those junk plans—if somehow you see that marketed and you buy into it because you think it is cheap and you think it is the greatest thing ever—and then you try to enroll in a comprehensive plan, there is a good chance that you will get a lockout period of 6 months before you can get coverage.

Why am I here talking about this? Because the State of Washington tried this. We tried this approach in the 1990s. After our State had passed a major healthcare reform bill in the 1990s, a group of State legislators allowed these junk plans to be sold along with compliant plans. Guess what happened? Nearly all of the insurers in our State pulled out of the individual insurance market, and a death spiral ensued. Why? Because the cost then of that individual market was so high and so great that they could not service it.

They said: Oh my gosh, if I have to offer a compliant plan along with this junk insurance, I cannot make the compliant plan work because it costs so much. We are not staying.

This very important experience taught us that that is not the way for us to spread risk.

I am concerned—and I have heard from a number of patient advocacy groups, not just the young woman from Seattle Children's Hospital who came to see me today but consumer groups and health insurers themselves, like America's Health Insurance Plans, Blue Cross Blue Shield Association, AARP, American Cancer Society's Cancer Action Network, American Diabetes Association, American Heart and Lung Association, Cystic Fibrosis Foundation, March of Dimes, National MS Society, National Health Council, and the National Coalition for Women with Heart Disease. All of these organizations do not like this idea of junk insurance, of saying you can have a compliant plan that is real insurance and a marketplace in which there are things that are not really insurance, because then people are going to go buy a bunch of things that are not really insurance and then not have the ability to get cost and care and run up uncompensated care. Then you are going to make the real market unsustainable and unsupportive, and the rates are going to go so high that people are just going to pull out.

A group of 10 of those leading patient advocacy groups wrote:

Under the amendment, insurance companies would be allowed to charge higher pre-

miums to people based on their health status—in addition to opting out of other patient protections in current law, such as the guarantee of essential health benefits—

Those are the things I was going over a few minutes ago—

and the prohibition on annual and lifetime coverage caps.

They go on to write:

Separating healthy enrollees from those with preexisting conditions will also lead to severe instability of the insurance market. This is unacceptable for our patients.

Yesterday, America's Health Insurance Plans wrote:

Allowing health insurance products governed by different rules and standards would further destabilize the individual market and increase costs for those with preexisting conditions.

That is the largest health insurance group in the country, and they are writing this.

If they are telling us in advance that this is going to really destabilize the market and cause problems, we should listen because right now what we have had is an expansion of Medicaid and covering more people, raising the GDP and helping areas of our States and country and creating more stability.

We have had some challenges in the individual market. We should fix that. We should definitely drive down the cost of the delivery system by continuing to improve it. But the notion that this is the fix for the individual market when the providers are telling us it is going to destabilize the market and drive us out—we should understand what the result of that is going to be.

Yesterday, the Blue Cross Blue Shield Association wrote:

The result (of Cruz/Lee) would be higher premiums, increased Federal tax credit costs for coverage available on the exchanges, and insurers exiting the market or pricing coverage out of reach of consumers.

I believe our goals should be trying to drive down the cost of insurance. We have lots of ideas about that, and I want to work with our colleagues on that, but I am very concerned that this approach to try to get people supporting a Senate proposal is the wrong approach and will drive people out of the market.

I think the bill is still a war on Medicaid. The bill still permanently cuts and caps the Medicaid Program. I have said numerous times that we saved \$2 billion in the State of Washington by rebalancing people off of nursing home care and on to community-based care. It is a great concept. Look, we have a lot of people who are going to live longer. We have baby boomers who are reaching retirement. The number of people who are going to demand services, whether from Medicaid or Medicare, is going to be increased just because of the population bubble. We should be doing things to drive down the costs of care.

There are great ideas, and I was able to get some of those in the bill. We

ended up passing those things, and some States are actually working on that. More than 15 States are actually working on that concept of rebalancing to community-based care and making long-term care more affordable under this provision. I guarantee you that we have to do that, but if you permanently cap or cut Medicaid, you are going to have veterans who use access to Medicaid for care who are not going to get care. You are going to get people who need opioid treatment.

I find it interesting that we would have this program over here. I see that my colleague from Michigan is on the floor. We call it the Saginaw Health Clinic.

One would say: OK, Saginaw Health Clinic, there is a bunch of money in this bill. Apply for opioid help.

They would say: OK. We are going to get \$10 million.

When you walk in the door of the opioid Saginaw Health Clinic, the first thing they will ask is if you are on Medicaid. If you are not on Medicaid, you are not going to get any opioid help.

So the notion that we would cut people off of Medicaid but put more money in the opioid problem is not what we need to do to solve our challenge. What we need to do is make sure we are delivering the most cost-effective care as possible and make sure people are getting access to care.

That is why I have been all over the State of Washington. I have met so many people. I have met people at healthcare facilities who have told me that some of their highest costs were from a patient who continually came to see them in the emergency room, maybe 30 times a year, because he did not have coverage, so he drove up the cost for everybody. They said they finally got this person on the Medicaid expansion. Guess what. They do not have those costs anymore in their hospitals and facilities. It has driven down the costs.

I do not want to see people kicked off of Medicaid. I do not want to see it cut in a declining budget. I want us to improve Medicaid and make it more cost-effective and more utilized and supported.

Estimates by the CBO of the original Senate bill are that the Medicaid cut would be \$772 billion over the next decade and that the Federal investment would be cut by 35 percent within the next two decades, relative to current law projections. That is a lot of consequence for the Medicaid population. I think that is why we have so many groups and organizations here that are anxious about this proposal and where we go. We definitely want to talk to our colleagues.

One former CBO Director said, the junk insurance idea is "a recipe for a meltdown." This is someone who served in past Republican administrations, and I take his word seriously.

I think what we need to do is work together to make sure we get a program that addresses our most fundamental issues—the challenges in the individual market, keep addressing how we keep and stabilize a population on the most affordable rates there are, and keep the things we know have worked very well, like the Medicaid expansion. It has worked. It has supported people, and it has helped us stabilize the market.

I will remind my colleagues, too, that the State of New York took one provision of the Affordable Care Act and has 650,000 people in New York on a very, very affordable insurance plan. We think that if you are an individual in the individual market, you should be able to get the same clout as somebody who works for a large employer. You should be able to go in and buy in bulk as a class, as a group of people, and when you buy in bulk, you should get a discount. That is what we think will help us in the individual market to drive down these costs for what is about 7 percent of the marketplace.

I urge my colleagues to reject this latest proposal. Let's get serious about fixing the things that we know we can fix and improve upon, but for the over 22 million Americans who are very nervous about this proposal because they know they are going to get cut off of care, let's not do that to them. Let's improve where we need to go in affordability in the healthcare arena and not think that a junk insurance program or cutting people off is the solution for the future.

Thank you, Mr. President.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Michigan.

MS. STABENOW. Mr. President, first, I want to thank my friend from Washington State, who has been such a leader on healthcare.

In looking at her chart, at the junk insurance amendment and all of the groups opposing it, it reminds me of the calls I used to get prior to the Affordable Care Act from someone who was healthy and young and had a policy for years that was only \$50 a month. He thought it was great. Then, all of a sudden, he got sick or his child got sick.

He called me up and said: I paid into insurance all of these years, and they only covered 1 day in the hospital.

I remember having that conversation with somebody—or no days in the hospital. That is what you call a junk insurance plan.

This latest version of the healthcare bill would allow that to come back so that somebody will have the false confidence in paying \$30, \$40, \$50 a month and thinking he has insurance. Then, if something happens, he will find out it is just a bunch of junk and that it does not cover anything. That is going to be legal again. Right now, it is not legal

to do that. With health reform, we stopped that. But that would be legal again under this proposal, and I am deeply concerned about that.

I am obviously rising to talk about the Republican healthcare bill. I do not believe it is a healthcare bill, but that is what we are debating, is healthcare or whether healthcare will be taken away. What I would rather be doing is working with my friend who is in the chair on lowering the cost of prescription drugs. We have worked on many things together—mental health and addiction services. I would rather be doing that than debating what we are debating. I would rather be focused on how we lower the cost of prescription drugs, which is the cost I hear about the most from my constituents, or about other out-of-pocket costs for people who are in the private insurance system, the individual insurance market.

We do have situations in which copays and deductibles are too high in the private insurance market. Gutting Medicaid will do nothing about that—nothing. It will just take away healthcare from tens of millions of people. It will not change the private insurance market at all, which is where I believe we need to focus, and I am anxious to do that and work across the aisle in order to do that.

I want to make sure we are talking about building on healthcare coverage, lowering costs, and tackling prescription drug costs. Instead, this bill would take away healthcare from millions of Americans. We know that from the nonpartisan Congressional Budget Office. We don't know yet how many millions under the current version, but we know that at some point, we will get a score on that from the Budget Office. We know it will be a lot of people who are going to lose their insurance, and they don't need to lose their insurance in order to tackle bringing down the cost of insurance.

So what do we know about this proposal? The versions keep changing, but it is the same old song over and over again—a little bit of change, a little bit of different refrain, but it is the same old song in the end. What we know is that doctors don't like it and nurses don't like it, hospitals don't like it, insurance companies don't like it.

People in Michigan don't like it. They have called and written and told me in person, people approaching me in Fourth of July parades. People are scared. They are concerned. A woman's mom is in a nursing home who has Alzheimer's disease, and she is panicked. Three out of five seniors in nursing homes in Michigan are there with the help of Medicaid health insurance. Others are deeply concerned about their family members, their children, themselves.

This is called the Better Care Act, but there is nothing better about it.

Democrats have ideas to actually make our healthcare system better, by stabilizing our insurance markets and making premiums more affordable. My friend Senator SHAHEEN of New Hampshire introduced the Marketplace Certainty Act. It would ensure cost-sharing payments that were part of healthcare reform, that they would actually remain in a stabilizing way so they could be counted on. This would offer peace of mind to families and stability to the market.

Senators CARPER, KAINE, NELSON, and SHAHEEN introduced the Individual Health Insurance Marketplace Improvement Act, which would create a permanent reinsurance program, which we had before—before it was changed 2 years ago—to stabilize the market and bring down premiums.

There have been things that would happen to destabilize the markets. Two years ago, there was an action, and now with a new administration we need to stop that and reverse it and stabilize the markets.

Senator HEITKAMP has a proposal that helps more families afford health insurance by smoothing out the individual market tax credit cliff that is there—the tax credits that help low-income, moderate-income people be able to afford insurance—to fix that in a way that is more beneficial to families.

Senator McCASKILL's Health Care Options for All Act would allow people who live in a county without an insurer on the exchange—they don't have anybody in the private individual marketplace exchange, no insurance company—to sign up for the same exchange plans we have. There are people being covered. We hear a lot about Iowa, for instance. Even though there may be no private insurance companies doing a private marketplace option, Senators, Representatives, our staffs who are required to be in, as they say, ObamaCare or the Affordable Care Act, have an exchange. So to help people immediately, we could allow the people of Iowa to get the same option that their Members of Congress in Iowa have and that their staffs have. That would be possible, as a way to address this issue in the short run and to help people. I don't know why somebody who is in Iowa or Michigan or anyplace else shouldn't be able to get the exact same coverage a Member of Congress can get.

Here is what we do know in terms of the ideas in the bill. Our Republican colleagues know how unpopular the bill is. A new poll found that only 12 percent—12 percent—of Americans support this bill. It is so unpopular they have been trying to rewrite it and get enough votes to pass it. We keep hearing about changes, but unfortunately none of these amendments make it better. In some cases, like the junk insurance policies that will be allowed, they actually make it worse.

Now, the proposal that would provide \$45 million to tackle the opioid epidemic, even Republican Ohio Gov. John Kasich said it would be like spitting in the ocean. It is not enough, he said. I appreciate the focus on that. It is a horrible epidemic. It is an epidemic in Michigan and across the country, but it is certainly not enough to make up for the huge cuts to Medicaid insurance—healthcare insurance, as the Senator from Washington State indicated.

The other proposal that we understand is in the new bill, as I mentioned before, would give insurers the freedom to once again refuse to cover basic health services like maternity care or addiction treatment, as long as one plan they offer, among many, would include essential health benefits. So everything else could be junk, and there would be one high-cost plan that would actually cover things families need.

Insurance companies themselves know this is a terrible idea. In a letter to Senator CRUZ and Senator LEE, Scott Serota, president and CEO of Blue Cross Blue Shield Association, wrote that their plan “is unworkable as it would undermine pre-existing condition protections, increase premiums and destabilize the market.” That is what is viewed as this great new provision in the bill.

He added: “The result would be higher premiums, increased federal tax credit costs for coverage available on exchanges, and insurers exiting the market or pricing coverage out of reach of consumers.”

In other words, premiums would skyrocket for older people, people who take prescription drug medications, people with chronic conditions. Everyone else would be left with the junk insurance policy that doesn't cover really anything, and they feel OK unless they get sick. We would all be stuck with a fragmented, destabilized insurance market.

Remember preexisting conditions? This would bring them right back.

This bill is wrong for many, many people, but let me mention Felicia. In 2011, she was an AmeriCorps member serving in Lansing who didn't have health insurance. When she started feeling tired all the time and losing weight, she went to the Center for Family Health in Jackson.

Felicia was diagnosed with stage IV Hodgkin's lymphoma. The Center for Family Health helped her get coverage through Medicaid and care at the University of Michigan, including chemotherapy and later a stem cell transplant.

Felicia writes:

Now I am feeling awesome. I am cancer-free, and I am working part time while I am finishing up college. I feel that I owe my life to the Center for Family Health.

Felicia knows the importance of comprehensive health coverage. It saved her life.

Nick and Chelsey know it too. They and their three young children are covered by Healthy Michigan, our State's Medicaid expansion. Nick and Chelsey are both employed full time. Chelsey also attends college full time.

During a routine visit, doctors discovered that her oldest son was born with an obstructed kidney, which had lost one-third of its function by the time he was 5 years old. Thanks to the Medicaid expansion, he was able to have surgery before his kidney lost all function. Without the Medicaid expansion, which ends under the Republican bill, these working parents and their three children couldn't afford healthcare coverage, let alone surgery.

Margo knows this because she sees it every day. She manages a clinic in Kent County on the west side of the State. She said the lives of patients are much different today than they were a few years ago. Margo wrote:

Seeing working people who have struggled all of their adult lives to manage their chronic health conditions finally have access to regular doctor visits, health education, and prescription medications has been a tremendous relief. You cannot imagine the sense of dignity our patients feel.

She added:

Please see it in your heart to care about the people of Michigan who work but do not get insurance through their employer.

So, finally, let me just say, doctors know this is a bad bill. Nurses know this is a bad bill. Hospitals know this is a bad bill. Insurance companies know this is a bad bill. I know that even many of my Republican friends know this is a bad bill. Their amendments haven't changed that. Costs go up and care goes down. Preexisting conditions come back. Millions lose their coverage.

What we should be doing is working together to stabilize the marketplace, reduce out-of-pocket costs, and lower the outrageous costs of prescription drugs—by the way, not giving a tax cut to prescription drug companies, as is in this bill, and other companies as well.

Felicia, Nick, Chelsey, and millions more like them in Michigan and across this country deserve that much.

I sincerely hope that when it comes time to vote on whether to proceed to this bill, that the majority of the Members in the Senate will say no.

Thank you, Mr. President.

The PRESIDING OFFICER. The majority leader.

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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



(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

#### VOTE EXPLANATION

• Mrs. MCCASKILL. Mr. President, I was necessarily absent for today's vote on confirmation of Executive Calendar No. 104, William Francis Hagerty IV to be Ambassador to Japan. Had I been present, I would have voted yea. •

#### HELP FOR WILDLIFE ACT

Mr. CARDIN. Mr. President, a few weeks ago, I joined Senators BARRASSO, CAPITO, KLOBUCHAR, BOOZMAN, and BALDWIN in introducing S. 1514, the Hunting Heritage and Environmental Legacy Preservation—HELP—for Wildlife Act.

This bill represents a more than \$100 million annual Federal investment in the protecting the bay. The bill has several provisions, one of which reauthorizes the programs at the heart of restoring and maintaining the health of the Chesapeake Bay watershed. S. 1514 reauthorizes the U.S. Environmental Protection Agency's, EPA, Chesapeake Bay Program through 2022 at \$90 million per year, which is more than the program has ever been funded in its history. This unique regional partnership, managed by EPA through the Chesapeake Bay Program office in Annapolis, helps program partners collaborate to achieve the goals of the voluntary, bipartisan Chesapeake Bay agreement. Because this program expired in 2005, reauthorizing the program is critical to secure necessary appropriations and reject the Trump administration's proposal to eliminate the program.

S. 1514 also reauthorizes the Chesapeake Bay gateways and watertrails network and the Chesapeake Bay Gateways Grants Assistance Program, which provides \$6 million per year throughout the watershed in technical and financial assistance to State, community, and nongovernmental partners to increase access to the Chesapeake Bay and its tributaries. The bill also reauthorizes the National Fish and Wildlife Foundation, NFWF, until 2023. As the Nation's largest conservation grant-maker, NFWF has been instrumental in completing conservation projects in Maryland and around the Chesapeake Bay. In 2016, the State received nearly \$5 million in funding for projects protecting and restoring habitat for fish and wildlife.

S. 1514 also reauthorizes the North American Wetlands Conservation Act, NAWCA, which provides grants to increase and protect wetlands which not only provide habitat for wildlife, but also reduce the severity of flooding and coastal erosion, and improve water quality. In the 2014 to 2015 grant period alone, Maryland received \$1 million

from the NAWCA program, which was leveraged with nearly \$3 million in additional contributions by outside partners to protect 1,600 acres of wetlands in the State.

The bill reauthorizes the Neotropical Migratory Bird Conservation Act for another 5 years and authorizes \$6.5 million to be spent each year on conservation projects that protect more than 350 different species of birds which summer in the United States and winter in the tropical regions. Twenty-one different State birds are neotropical migrants, including Maryland's famous and beloved Baltimore Oriole.

S. 1514 codifies the National Fish Habitat Partnership, a collaboration between public agencies, private citizens, and nonprofits for promoting fish conservation. America is home to more than 3,000 species of fish, and 22 percent of the stream miles in this country are at high or very high risk of current habitat degradation. Over the past few years, \$175,000 in funds from this program were used in Maryland to rehabilitate three different streams, funding which was 27 matched by \$843,000 from private investors. The partnership estimates that the improved habitat in the three streams for brook trout provided a total socio/economic impact of \$9.2 million.

I am proud that S. 1514 contains so many provisions to help the Chesapeake Bay and the State of Maryland.

I would like to speak for a minute about the importance of reauthorizing these programs and the "power of the purse." As my colleagues in the Senate well know, the "power of the purse" is the two-step process of authorizing and appropriating. Authorizing legislation can establish, continue, or change programs and activities, and it signals to the appropriators that they should fund these programs. The budget process is not complete until the appropriations process provides the actual funding for the activities and programs established through the authorization process.

Office of Management and Budget Director Mick Mulvaney has said that President Donald Trump is sending a deliberate message to Congress about spending money on unauthorized programs. With the President putting an emphasis on boosting defense spending without adding to the deficit, administration officials are looking closely at expired authorizations. By reauthorizing these programs, we are sending our own clear message back: these programs matter to our constituents and to us.

Mr. Mulvaney said lawmakers too often ignore the "regular order" process of approving a budget, authorizing specific programs, and then appropriating the money for those programs. "We actually spend a lot of money in the federal government on programs that aren't authorized at all," he said.

"Either they used to be authorized and they lapsed, or they were never authorized in the first place. They simply were appropriated without any authorization. It's the wrong way to do it." Because of President Trump and Director Mulvaney's position, it is more important than ever that the essential programs contained in S. 1514 be reauthorized.

None of these reauthorizations are more important to Maryland than EPA's Chesapeake Bay Program. In 1987, Congress ratified the Chesapeake Bay Program, a voluntary partnership among the watershed States and the EPA, under the Clean Water Act. The 1987 legislation supported cleanup efforts with a program of grants and scientific research. In 2000, Congress directed the EPA to "ensure that management plans are developed and implementation is begun" to meet the goals of the Chesapeake Bay Agreement. In June 2014, the Governors of the six States in the watershed signed a new voluntary Chesapeake Bay watershed agreement to work in partnership with the Federal Government through the Chesapeake Bay Program. The watershed agreement has ten goals to improve water quality in local rivers and streams and the Chesapeake Bay by 2025.

The program office is housed within the EPA, which provides staff and funding. Primary funding for the program comes from State governments. Federal funding was first authorized at \$40 million annually from fiscal year 2001 to fiscal year 2005 to fund environmental studies and grants that support restoration activities in the Chesapeake Bay. Congress has appropriated funds for the Program since the authorization for appropriations expired in fiscal year 2005. In fiscal year 2017, for instance, Congress appropriated \$73 million for the program. The President's fiscal year 2018 budget eliminates funding for the program and cuts other programs that also benefit the bay across several Federal agency partners' budgets.

A healthy bay means a healthy economy, and this recovery cannot be accomplished without a strong Federal commitment. At a time when we have seen nutrient levels dropping and water quality improving, I am deeply disappointed President Trump is intent on turning the clock back to a time when a swath of the Chesapeake Bay in mid-summer was a hypoxic low-oxygen zone or "dead zone".

The most recent State of the Bay report, issued biannually by the Chesapeake Bay Foundation, evaluates the progressing and overall health of the Bay for 2014 to 2016. The Chesapeake Bay's health was given a grade of C-minus, a slight improvement from the previous State of the Bay report in 2014. This progress is due largely to the continued implementation of the

Chesapeake Clean Water Blueprint. This improvement, though modest, was hard-won. It is the result of countless hours of grueling work by State and Federal public servants and nonprofit workers, as well as citizens' actions across the watershed. A grade of C-minus is hardly an acceptable endpoint. To reach an A, which would represent a saved and comprehensively healthy Bay, we will need redouble and accelerate our efforts. I am determined to pass on a vibrant and healthy Chesapeake Bay to the next generation, for the sake of public health and the local economies that depend on a clean and bountiful bay. This is all the more reason that we need to reauthorize the Chesapeake Bay Program and make sure that it is fully funded in this year's appropriations bill.

Many Marylanders and national wildlife organizations are happy about the HELP for Wildlife Act. The Choose Clean Water Coalition and Blue Water Baltimore have issued statements of support. The Chesapeake Bay Foundation will testify in support of this bill next week in a legislative hearing the Environment and Public Works Committee is holding. The National Wildlife Federation's Collin O'Mara said the bill "represents a great bipartisan effort to conserve America's outdoor heritage for hunters, anglers, campers, hikers, and wildlife enthusiasts, while helping to restore America's wildlife populations." The Theodore Roosevelt Conservation Partnership said the bill is "the strongest legislative package of sportsmen's priorities in years."

As S. 1514 moves out of the Environment and Public Works Committee and to the Senate floor in the coming weeks, I urge my colleagues to support this bill that is critical not only to the Chesapeake Bay and the State of Maryland, but to conservation efforts in every State across the Nation.

#### INTERNATIONAL RELIGIOUS FREEDOM

Mr. BURR. Mr. President, today I wish to speak about the issue of international religious freedom.

Sadly, in recent months, the nightly news has reported far too many stories of innocent people around the world who have been intentionally targeted in acts of horrible violence simply because of their desire to worship in a way their consciences dictate.

Recently, the Billy Graham Evangelistic Association held the first "World Summit in Defense of Persecuted Christians" in Washington, where participants from 130 countries gathered together, many of whom have faced brutal persecution in their home country because of their faith.

As I am sure my colleagues and most Americans know, Rev. Billy Graham has touched the lives of millions of people in the United States and around

the world. He has counseled Presidents and Prime Ministers and has been called America's pastor. As a fellow North Carolinian, I am proud call both Billy Graham and his son Franklin my friends.

As the son of a Presbyterian minister, these recent events reminded me of a letter written by my late father, David Burr, to my grandparents. On Thanksgiving Day 1964, writing from South Korea, my dad wrote a letter about a special worship service held in a tiny chapel on the side of a hill, just within sight of the 38th Parallel dividing North and South Korea. With rifles in tow, my father and his friends made their way through the snow and into the chapel. To their surprise, the man standing up front to conduct the worship was not their usual Protestant or Catholic chaplain, but a young Jewish rabbi and a veteran of the previous war.

In his letter, my father wrote about the beautiful lesson he had heard that day where the scripture reading was from Hosea chapter 6, which says, "The voice of God cried unto His people, What shall I do with you? For your goodness is as the morning cloud, and as the dew that goes early away. For I desire goodness, not promises; I desire the knowledge of God and not your bargains." My father, deeply moved by the message, then went on to write about the rabbi's powerful benediction prayer that closed the worship: "He that enjoys anything without thanksgiving is as though he robbed God."

Every July Fourth, our country gives thanks for the freedoms we are privileged to have as Americans and celebrates the birth of our Nation. Indeed, the freedoms we enjoy are immortalized in our Declaration of Independence: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness."

The Founding Fathers understood that these unalienable rights, including the freedom to worship, was a fundamental human right endowed by our Creator.

As I read from my father's letter, I can see he realized this, too. "All the way back to the barracks," he wrote, "I knew that I was one who was stealing from God, for every day I am enjoying the times that were so full and wonderful there at home. Every day, though we are cold and discouraged, my heart is warm with your prayers and thoughts of you, and I have not been thanking God. I have not been fair, for God has walked with me all these years and I have never thought to say thank you to Him."

I share this story today because I believe that, if we as Americans are thankful for these unalienable rights endowed by our Creator, we should also

stand up for the millions across the world who are robbed of these same fundamental human rights—and sometimes lose their lives because of it. As Members of the U.S. Senate, we especially should not forget this.

As chairman of the Senate Intelligence Committee, I think about North Korea, I think about Iran, and I think about all the different regions around the world where terrorist activity poses a real threat to our national security. Today I also think about places like North Korea, Iran, and so many other countries not just in a national security capacity alone, but about the people who are suffering under political systems that deny their fundamental right to freely worship as they choose.

The rabbi's lesson of Hosea chapter 6 that day was about a passage where strength, courage, and hope by the great Hand above were poured into those who were lonesome, afraid, and discouraged. At the end of my dad's letter, he asked my grandfather, "Please, dad, put the benediction of the rabbi over your desk for that is the quickest way you can bring me home." If so, by keeping international religious freedom as a foreign policy priority, I believe that is the quickest way we can bring persecuted people hope.

As my father did in his letter, I close by repeating the rabbi's benediction: "He that enjoys anything without thanksgiving is as though he robbed God." I urge my colleagues: Let's remember to be thankful for the God-given freedoms we enjoy in the United States and to shine a light on the dark corners of the world. Let's not forget in this Congress how we can help the millions who are robbed of these fundamental rights.

Thank you.

#### TRIBUTE TO AFGHANISTAN ROBOTICS TEAM

Mrs. SHAHEEN. Mr. President, I am very pleased that Afghanistan's robotics team will be coming to Washington to compete with students from nearly 150 countries in the FIRST Global Challenge, which begins on Sunday, July 16. I extend a warm welcome to these brilliant young minds, Lida Azizi, Somayeh Faruqi, Faramarz Najafi, Rodaba Noori, Fatemah Qaderyan, Kawsar Roshan, and Alireza Mahraban. Of course, we extend a warm welcome to the team's creation, a robot that can sort balls, recognize blue and orange, and move objects to their proper places. People across Afghanistan are extremely proud of the robotics team's achievements. In recent days, Americans have become acquainted with the many challenges they have overcome in order to excel in their studies and come to the U.S., and we too, are very proud of them.

I have been impressed to learn about their passion for education and determination to pursue STEM studies. This team's indomitable spirit is a testament to what can be achieved through hard work, creativity, and perseverance. Each member of the Afghan robotics team has become a powerful symbol for young women across the globe, especially for those in developing regions who face barriers to education and opportunity.

The FIRST Robotics Competition should also be recognized for its ability to bring young people together in the name of science, mathematics, and technology. It is the creation of Granite Stater Dean Kamen, and had its beginnings in a New Hampshire high school gym a quarter century ago. Today, FIRST programs reach more than 400,000 young people across the world every year. Beginning this weekend in Washington, the FIRST Global Challenge will bring some of the best and brightest young people from around the world to compete, to demonstrate teamwork, and to forge new friendships.

It gives me great joy to know that Lida, Somayeh, Faramarz, Rodaba, Fatemah, Kawsar, and Alireze will be among them. The FIRST Global Challenge is a competition, and only one team will leave Washington with top honors, but the seven young women representing Afghanistan are already winners. They have had the courage to overcome barriers and the audacity to compete with some of the most talented young people from across the globe. I wish these young women great success. I thank them for inspiring us with their fierce determination to achieve.

#### 80TH ANNIVERSARY OF THE NATIONAL COUNCIL OF JUVENILE AND FAMILY COURT JUDGES

Ms. CORTEZ MASTO. Mr. President, today I am honored to congratulate the National Council of Juvenile and Family Court Judges on 80 years of promoting justice for children and families.

On May 22, 1937, the National Council of Juvenile and Family Court Judges, NCJFCJ, was established by judges who came together with a vision of strengthening the juvenile court system and providing support, sharing knowledge, and facilitating an exchange of ideas with their colleagues across the Nation. The NCJFCJ is the oldest judicial membership organization in the country and a leading provider of judicial education. The NCJFCJ believes judges are the leaders of the juvenile and family court system, and by engaging all stakeholders, better decisions are made with improved outcomes for children, families, and victims of domestic violence. I am so proud that they have made Reno, NV, their home.

The NCJFCJ brings together a broad constituency of judicial officers, attorneys, advocates, court administrators, clerks of court, probation officers, child welfare professionals, and others with a common goal of ensuring the most effective juvenile and family court system. It addresses a wide range of complex issues impacting the well-being of children and families that encompass juvenile delinquency, domestic child sex trafficking, child abuse and neglect, child custody and visitation, substance abuse, domestic violence, trauma, mental health, and military issues. The NCJFCJ also leads development and implementation of policies and practices to ensure fair, equal, effective, and timely justice for children, families, and victims of domestic violence.

For eight decades, the NCJFCJ has been known for the exemplary quality of its services, including advanced education, training, publications, technical assistance, research, data and statistics, and policy development to promote justice for children and families. Inspired by the leadership, experience, expertise, dedication, and passion of its members, the NCJFCJ is committed to another 80 years of efforts to meet the ever-evolving needs of our most vulnerable population: the children and families who seek justice.

I ask my colleagues to join me in recognizing and honoring the 80 years of achievements and tireless efforts of the National Council of Juvenile and Family Court Judges, its members and staff, past and present, to ensure a timely, fair, and coordinated justice system for children and families and safer communities across the country.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO JOE KALIKO

• Mr. BLUMENTHAL. Mr. President, I wish to thank and commend Joe Kaliko for his extraordinarily valuable commitment and service in aiding and advocating for our most vulnerable throughout the community. His many deeds of generosity and caring have made him a go-to person when people need help. His life is a real inspiration for all of us.

Joe Kaliko is founder of the Needs Clearinghouse, a private nonprofit organization. He has actively partnered with governmental agencies, in helping provide necessary—sometimes lifesaving—resources to people through programs such as Hug a Hound and the Refugee Assistance Project. He has helped raise funds and contributions to a myriad of charitable causes, touching many, many lives. I have seen those people and the powerfully positive effects on their lives, disabled people who now have ramps for access to their homes, veterans who now have hous-

ing, ill people who now have better healthcare, and numerous others.

Joe Kaliko is all about making a difference. He is a true hero.●

#### RECOGNIZING THE HAVRE YOUTH BASEBALL ALL-STAR TEAM

• Mr. DAINES. Mr. President, this week I have the distinct honor of recognizing the Havre youth baseball, 10U, All-Star team. This past weekend, the team from Havre won the Montana Cal Ripken Baseball State title for the 10 years old and under division.

Despite a loss to Belgrade in their opening game of the tournament, the Havre All-Stars battled their way to the championship game, and defeated Bozeman to claim the title. In addition to an outstanding performance on the baseball diamond, the community of Havre also served as host for the tournament. A successful 4-day youth sports State tournament is the result of hard work from the many volunteers who pitched in to make the event a great success.

With summer events in full swing, I would like to commend the community of Havre for their hospitality and congratulate the youngsters on the All-Star team for their accomplishment.●

#### 150TH ANNIVERSARY OF NEW BALTIMORE, MICHIGAN

• Mr. PETERS. Mr. President, today I wish to recognize the 150th anniversary of the city of New Baltimore, MI. This celebration is a historic benchmark for New Baltimore, as well as the State of Michigan.

Located in Macomb County, along the northern coastline of Lake St. Clair, New Baltimore residents pride themselves on their traditional downtown, rich heritage, recreational activities, and a family-orientated spirit. Throughout 150 years of change and growth, the city remains anchored in that local spirit.

The area was first inhabited by French fur trappers and hunters. Among those was an explorer named Pierre Yax, the son of the first German resident of Michigan. Yax secured a land grant from President John Quincy Adams in 1826, in what was then the Michigan Territory. As other French settlers followed, long farms were established, stretching from the rivers outward. In 1845, the area was first recognized as a settlement when Alfred Ashley platted 60 acres of land. Mr. Ashley was a local businessman and would name the area the Village of Ashley. This name would remain until 1867 when the village was officially incorporated as New Baltimore. New Baltimore would stay a village until it became a city in 1931.

In its early days, New Baltimore was linked to the regional economy through its position along waterways.

It operated as a small port, bringing agriculture and manufactured goods to the surrounding communities. The area became known for the manufacturing of barrels, brooms, bricks, coffins, corsets, and creamery products.

As shipping methods changed and automobile transportation increased, so too did the role of New Baltimore. The city began transitioning to a resort and commercial area. New attractions were built, including an opera house, hotels, saloons, a brewery, and other leisure and resort attractions. With the construction of a locomotive line between port Huron and Detroit in the 1800s, New Baltimore became a hub of activity well into the 20th century.

Today New Baltimore is a vibrant community covering nearly 7 square miles. Residents take pride in their excellent schools, including a high school, two middle schools, seven elementary schools, two early childhood centers, and an alternative education program. The resort industry continues to flourish with events such as the annual Bay-Rama Fish Fly Festival, which attracts thousands of people each year. The city's public park and beaches also provide opportunity for numerous recreational activities.

The city of New Baltimore has a proud history, vibrant present, and bright future. As New Baltimore celebrates this milestone, I ask my colleagues to join me in congratulating its residents, elected officials, and businesses as they celebrate their history. I wish the city continued growth and prosperity in the years ahead.●

#### REMEMBERING KENNETH ENGBRETSON

● Mr. TESTER. Mr. President, today I wish to honor the life of Kenneth Engbretson, a lifelong Montanan—born and raised—and a veteran who served in World War II.

To Kenneth's family, on behalf of myself, my fellow Montanans, and my fellow Americans, I would like to extend our deepest gratitude for Kenneth's service to this Nation.

Kenneth was born in 1919 to Oliver and Tena Engbretson in South Gildford, MT. He was raised on the family farm that was homesteaded by his parents in 1910. Kenneth graduated from Gildford High School in 1937 and set out from home to explore his country.

After graduation he went to Dalton, MN, to work on his uncle's farm. He enlisted in the Army on October 16, 1941, out of Fergus Falls, MN. He was initially stationed at Fort Sill, OK, and then at Fort Leonard Wood, MO.

Kenneth went on to serve in World War II from 1941 to 1944 in the Philippines and New Guinea. While deployed, Kenneth contracted malaria and was hospitalized. As a result of the illness, Kenneth was discharged in No-

vember of 1945 and immediately returned to the Havre area to help on the family farm in Gildford, MT. He remained on the farm to raise a family of his own.

He was proudly involved in the Veterans of Foreign Wars organization and remained an active member until his passing on October 10, 1993. Kenneth left behind a deeply appreciative and loving family, and his memory is preserved in the living history of the Engbretson family farm.

Let us now take a moment to recognize the life of Kenneth Engbretson and the legacy he left behind. We deeply appreciate his service to the American people.●

#### TRIBUTE TO JOSEPH BRANNON

● Mr. THUNE. Mr. President, today I recognize Joseph Brannon, one of my Washington, DC, interns, for all of the hard work he has done for me and my staff at the Senate Republican Conference.

Joseph is a graduate of Stevens High School in Rapid City, SD. Currently, he is attending Auburn University in Auburn, AL, where he is majoring in sociology. Joseph is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Joseph Brannon for all of the fine work he has done and wish him continued success in the years to come.●

#### TRIBUTE TO WILL JANKLOW

● Mr. THUNE. Mr. President, today I recognize Will Janklow, one of my Washington, DC, interns, for all of the hard work he has done for me and my staff at the Senate Republican Conference.

Will is a graduate of Northland Pines High School in Eagle River, WI. Currently, he is attending the University of Minnesota in Minneapolis, MN, where he is majoring in mathematics. Will is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Will Janklow for all of the fine work he has done and wish him continued success in the years to come.●

#### TRIBUTE TO DREW LINGLE

● Mr. THUNE. Mr. President, today I recognize Drew Lingle, an intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the State of South Dakota.

Drew is a graduate of Century High School in Bismarck, ND. Currently, he is attending Minnesota State University Moorhead, where he is majoring in history. Drew is a dedicated worker

who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Drew Lingle for all of the fine work he has done and wish him continued success in the years to come.●

#### TRIBUTE TO ELIZABETH MACLACHLAN

● Mr. THUNE. Mr. President, today I recognize Elizabeth MacLachlan, a legal intern in my Washington, DC, office for all of the hard work she has done for me, my staff, and the State of South Dakota.

Elizabeth is a graduate of Brigham Young University in Provo, UT, having earned a degree in family life. Currently, she is pursuing a law degree at J. Reuben Clark Law School, Brigham Young University. Elizabeth is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Elizabeth MacLachlan for all of the fine work she has done and wish her continued success in the years to come.●

#### TRIBUTE TO NICK MONTIETH

● Mr. THUNE. Mr. President, today I recognize Nick Montieth, an intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the State of South Dakota.

Nick is a recent graduate of Black Hills State University in Spearfish, SD, having earned a degree in political science. After a gap year, he plans to attend the University of South Dakota School of Law. Nick is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Nick Montieth for all of the fine work he has done and wish him continued success in the years to come.●

#### TRIBUTE TO SCOTT SIMONS

● Mr. THUNE. Mr. President, today I recognize Scott Simons, an intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the State of South Dakota.

Scott is a graduate of Roosevelt High School in Sioux Falls, SD. Currently, he is attending South Dakota State University in Brookings, SD, where he is majoring in economics. Scott is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Scott Simons for all of the fine work he has done and wish him continued success in the years to come.●

# TRIBUTE TO CAPTAIN PETER A. MACHTEL

• Mr. VAN HOLLEN. Mr. President, I wish to honor an outstanding American, Captain Peter A. Machtel, on his retirement from American Airlines.

Captain Machtel distinguished himself with over 30 years of safe commercial airline flying for Piedmont, USAirways, and American Airlines. In addition, he served the American public as a Federal flight deck duty officer, beginning with that program as soon as it was implemented following the attacks on 9/11. His work for more than 15 years with that vital security program demonstrated his selfless duty and commitment to the safety of the American people.

Over the years, I have relied on Captain Machtel's knowledge and insights on issues relating to airlines, pensions, and aviation safety. I know that his wisdom and dedication to our country will be sorely missed.

I ask my colleagues to join me in thanking Captain Machtel for his distinguished service and congratulating him on his retirement.●

## MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

## MESSAGE FROM THE HOUSE

At 12:32 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1492. An act to amend the Controlled Substances Act to direct the Attorney General to register practitioners to transport controlled substances to States in which the practitioner is not registered under the Act for the purpose of administering the substances (under applicable State law) at locations other than principal places of business or professional practice.

H.R. 1719. An act to authorize the Secretary of the Interior to acquire approximately 44 acres of land in Martinez, California, for inclusion in the John Muir National Historic Site, and for other purposes.

H.R. 2200. An act to reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes.

H.R. 2430. An act to amend the Federal Food, Drug, and Cosmetic Act to revise and

extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes.

H.R. 2480. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to include an additional permissible use of amounts provided as grants under the Byrne JAG program, and for other purposes.

H.R. 2664. An act to direct the Secretary of Labor to train certain Department of Labor personnel how to effectively detect and assist law enforcement in preventing human trafficking during the course of their primary roles and responsibilities, and for other purposes.

## MEASURES REFERRED

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

H.R. 1492. An act to amend the Controlled Substances Act to direct the Attorney General to register practitioners to transport controlled substances to States in which the practitioner is not registered under the Act for the purpose of administering the substances (under applicable State law) at locations other than principal places of business or professional practice; to the Committee on the Judiciary.

H.R. 2200. An act to reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes; to the Committee on Foreign Relations.

H.R. 2480. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to include an additional permissible use of amounts provided as grants under the Byrne JAG program, and for other purposes; to the Committee on the Judiciary.

H.R. 2664. An act to direct the Secretary of Labor to train certain Department of Labor personnel how to effectively detect and assist law enforcement in preventing human trafficking during the course of their primary roles and responsibilities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

## MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1719. An act to authorize the Secretary of the Interior to acquire approximately 44 acres of land in Martinez, California, for inclusion in the John Muir National Historic Site, and for other purposes.

## MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 2430. An act to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2163. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flonicamid; Pesticide Tolerances" (FRL No. 9962-15) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2164. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Prosulfuron; Pesticide Tolerances" (FRL No. 9962-97) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2165. A communication from the Chairman, Farm Credit System Insurance Corporation, transmitting, pursuant to law, the Corporation's annual report for calendar year 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2166. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled "Report to Congress on Department of Defense Fiscal Year 2016 Purchases from Foreign Entities"; to the Committee on Armed Services.

EC-2167. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Karen E. Dyson, United States Army, and her advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-2168. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Flora D. Darpo, United States Army, and her advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-2169. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Nora W. Tyson, United States Navy, and her advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-2170. A communication from the Chairman, Securities and Exchange Commission, transmitting, pursuant to law, the 2016 Annual Report of the Securities Investor Protection Corporation (SIPC); to the Committee on Banking, Housing, and Urban Affairs.

EC-2171. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (Carbon County, MT, et al.)" ((44 CFR Part 64) (Docket No. FEMA-2017-0002)) received in the Office of the President of the Senate on June 14, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2172. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Illinois; Emissions Statement Rule Certification for the 2008 Ozone Standard" (FRL No. 9964-65-Region 5) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Environment and Public Works.

EC-2173. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Indiana; Redesignation of the Muncie Area to Attainment of

the 2008 Lead Standard; Withdrawal of Direct Final Rule" (FRL No. 9964-63-Region 5) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Environment and Public Works.

EC-2174. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Ohio; Control of Emissions of Organic Materials That Are Not Regulated by VOC RACT Rules" (FRL No. 9964-46-Region 5) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Environment and Public Works.

EC-2175. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; TN: Non-interference Demonstration for Federal Low-Reid Vapor Pressure Requirement in Shelby County" (FRL No. 9964-56-Region 4) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Environment and Public Works.

EC-2176. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Volatile Organic Compound Reasonably Available Control Technology for 1997 Ozone Standard" (FRL No. 9964-58-Region 3) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Environment and Public Works.

EC-2177. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act" (RIN2070-AK20) (FRL No. 9964-38) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Environment and Public Works.

EC-2178. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Safe Harbor for Service Agreements Providing Electricity to Federal Government Generated by Solar Equipment" (Rev. Proc. 2017-19) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Finance.

EC-2179. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2017 Calendar Year Resident Population Figures" (Notice 2017-19) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Finance.

EC-2180. A communication from the Chief of the Trade and Commercial Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Extension of Import Restrictions Imposed on Archaeological Objects and Ecclesiastical and Ritual Ethnological Materials from Cyprus" (RIN1515-AE31) received in the Office of the President of the Senate on July 11, 2017; to the Committee on Finance.

EC-2181. A communication from the Regulations Coordinator, Centers for Medicare

and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs; Conditions of Participation for Home Health Agencies; Delay of Effective Date" (RIN0938-AG81) (CMS-3819-F2) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Finance.

EC-2182. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Secretary of Health and Human Services, received in the Office of the President of the Senate on July 10, 2017; to the Committee on Finance.

EC-2183. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, received in the Office of the President of the Senate on July 10, 2017; to the Committee on Finance.

EC-2184. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0724); to the Committee on Foreign Relations.

EC-2185. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2017-0123-2017-0128); to the Committee on Foreign Relations.

EC-2186. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the status of the Government of Cuba's compliance with the United States-Cuba September 1994 "Joint Communiqué," and on the treatment of persons returned to Cuba in accordance with the United States-Cuba May 1995 "Joint Statement," and the United States-Cuba January 2017 "Joint Statement"; to the Committee on Foreign Relations.

EC-2187. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Commissioner of Food and Drugs, Department of Health and Human Services, received in the Office of the President of the Senate on July 10, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2188. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Listing of Color Additives Exempt from Certification; Spirulina Extract" (Docket No. FDA-2016-C-2570) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2189. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Labeling; Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establish-

ments; Extension of Comment Period" ((RIN0910-AG57) (Docket No. FDA-2011-F-0172)) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2190. A communication from the Regulations Coordinator, Division of Select Agents and Toxins, Centers for Disease Control and Prevention, transmitting, pursuant to law, the report of a rule entitled "Control of Communicable Diseases; Correction" (RIN0920-AA63) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2191. A communication from the Acting Chief Privacy Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled "Department of Homeland Security Privacy Office's Fiscal Year 2017 Semiannual Report to Congress"; to the Committee on Homeland Security and Governmental Affairs.

EC-2192. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, two (2) reports relative to vacancies in the Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-2193. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Metropolitan Police Monitor Nearly 2,500 Demonstrations in 2014-2016 and Report No First Amendment Inquiries"; to the Committee on Homeland Security and Governmental Affairs.

EC-2194. A communication from the Chief of the Regulatory Coordination Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "International Entrepreneur Rule: Delay of Effective Date" (RIN1615-AC04) received in the Office of the President of the Senate on July 11, 2017; to the Committee on the Judiciary.

EC-2195. A communication from the Director, National Legislative Division, The American Legion, transmitting, pursuant to law, a report relative to the financial condition of The American Legion as of December 31, 2016 and 2015; to the Committee on the Judiciary.

EC-2196. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fishing Capacity Reduction Program for the Crab Species Covered by the Fishery Management Plan for the Bering Sea/Aleutian Islands King and Tanner Crabs" (RIN0648-AP25) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2197. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Commercial Fireworks Displays at Monterey Bay National Marine Sanctuary" (RIN0648-BG50) received during adjournment of the Senate in the Office of the President of the



Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2198. A communication from the Deputy Chief Counsel, National Institute of Standards and Technology, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Hollings Manufacturing Extension Partnership—Amendments to the Terms and Schedule of Financial Assistance" (RIN0693-AB64) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2199. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Transition Progress Report Form and Filing Requirements for Stations Not Eligible for Reimbursement from the TV Broadcast Relocation Fund" ((MB Docket No. 16-306 and GN Docket No. 12-268) (DA 17-484)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2200. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Arbitration Agreements" (RIN3170-AA51) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Banking, Housing, and Urban Affairs.

#### PETITIONS AND MEMORIALS

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

POM-54. A resolution adopted by the House of Representatives of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to support the domestic beef industry; to the Committee on Agriculture, Nutrition, and Forestry.

#### HOUSE RESOLUTION NO. 129

Whereas, the value of the domestic beef industry is a vital and integral part of the United States economy; and

Whereas, the 2016 economic impact was approximately sixty-seven billion in farm cash receipts for cattle and calves; and

Whereas, there are over nine hundred thousand total cattle and calf operations in the United States of which ninety-one percent are family owned or individually operated, and eleven percent are operated by women; and

Whereas, domestic beef production in 2017 is estimated to be approximately twenty-five billion eight hundred million pounds; and

Whereas, the amount of beef consumed in the United States in 2016 was approximately twenty-five billion six hundred million pounds; and

Whereas, it is essential to the success of the domestic beef industry to increase international trade to key export markets; and

Whereas, the promotion of policies which highlight the quality, safety, sustainability, and nutritional value of domestic beef will drive growth in domestic beef exports; and

Whereas, it is in the nation's best interest to protect against legislative policies or agency regulations that have a negative impact on the economic health of the domestic beef industry; and

Whereas, minor changes in future domestic beef import or export levels can significantly

change the net beef supply and beef prices; and

Whereas, important steps to supporting the domestic beef industry include developing a comprehensive national strategy for including beef in future dietary guidelines and investing in necessary research to improve productivity and efficiency; and

Whereas, it is critical to the success of the domestic beef industry to identify barriers and develop strategies to attract and enable the next generation of farmers into the domestic beef industry; and

Whereas, terrorist attacks have heightened the nation's awareness of agriterrorism and placed a renewed focus on ensuring the protection of the nation's critical infrastructures, including the domestic beef food supply; and

Whereas, an intentional contamination of the domestic beef food supply could harm millions of people and cripple our vast agriculture system; and

Whereas, it is critical to preserve the United States domestic beef supply and prevent reliance on foreign nations for food; and

Whereas, it will be necessary to develop a variety of federal actions to support the domestic beef industry including proposals which encourage domestic beef production, improve consumer demand, protect our nation's critical infrastructure, attract new farmers, improve the business climate, and increase trade to export markets. Therefore be it

*Resolved*, That the House of Representatives of the Legislature of Louisiana memorializes the Congress of the United States to take such actions as are necessary to support the domestic beef industry. Be it further

*Resolved*, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-55. A joint resolution adopted by the Legislature of the State of Nevada expressing the support of the Nevada Legislature for the enactment and use of the Antiquities Act and the designation of the Basin and Range National Monument and the Gold Butte National Monument in this State; to the Committee on Energy and Natural Resources.

#### ASSEMBLY JOINT RESOLUTION NO. 13

Whereas, The provisions of 54 U.S.C. 320301, commonly referred to as the "Antiquities Act," authorize the President of the United States to designate as national monuments any historic landmarks, historic and prehistoric structures and other objects of historic or scientific interest that are located on land owned or controlled by the Federal Government; and

Whereas, The Gold Butte National Monument was designated as a national monument under the Antiquities Act to protect and preserve approximately 300,000 acres of public lands in Clark County, Nevada; and

Whereas, Desert Bighorn Sheep, Gila Monsters, Desert Tortoises and other species of concern live in the Gold Butte National Monument; and

Whereas, As a way to honor their ancestral lands, the Moapa Band of Paiute Indians and the Las Vegas Paiute Tribe have supported the designation of the Gold Butte National Monument because it is rich with cultural artifacts and sublime petroglyphs; and

Whereas, The Basin and Range National Monument was designated as a national monument under the Antiquities Act to pro-

tect and preserve approximately 700,000 acres of public land in Lincoln and Nye Counties, Nevada; and

Whereas, The Basin and Range National Monument provides vital habitat for Desert Bighorn Sheep, Gila Monsters, Rocky Mountain Elk, mule deer, various kinds of sagebrush and many other species of concern; and

Whereas, The Basin and Range National Monument protects many cultural artifacts which date from the early human inhabitants of the area encompassed by the Basin and Range National Monument to the creation of one of the world's greatest works of art, entitled "City," by world renowned artist Michael Heizer; and

Whereas, Hunting, hiking and hundreds of miles of motorized access are allowed in both the Basin and Range National Monument and the Gold Butte National Monument; and

Whereas, The residents of this State have long benefitted from the designation of the Lehman Caves National Monument by former President of the United States Warren G. Harding and the subsequent inclusion of the Lehman Caves National Monument in the Great Basin National Park; and

Whereas, Outdoor recreation activities generate approximately \$15 billion dollars in direct consumer spending each year in the State of Nevada and approximately \$1 billion dollars in state and local tax revenue; and

Whereas, The designation of the Basin and Range National Monument and the Gold Butte Monument will increase tourism and protect important wildlife habitat and cultural resources in this State; and

Whereas, Former President of the United States Theodore Roosevelt first used the Antiquities Act in 1906 and 16 former presidents in the last 111 years, of whom 8 were Republicans and 8 were Democrats, have used the Antiquities Act to protect the natural, cultural, and historic heritage of the United States; and

Whereas, The designation of national monuments is a uniquely American idea and the Antiquities Act was enacted to preserve worthy public lands as national monuments for future generations; and

Whereas, Many unique sites, including, without limitation, the Grand Canyon, the Statue of Liberty and sites that celebrate and memorialize American history from slavery to civil rights battles, have been protected under the Antiquities Act; and

Whereas, The designation of national monuments provides additional protections for public lands which are held in trust for all Americans, including public lands which are available for traditional uses such as hunting, fishing, grazing, tribal wood and herbal gathering and other historical uses; and

Whereas, The beneficial use of renewable land, water and wildlife resources is essential to the long-term economy of this State; and

Whereas, The management of national monuments is guided by plans developed with input from state, local and tribal governments, members of the public and other stakeholders; and

Whereas, Landscapes which are protected and remain intact are important to cultural and traditional activities for all residents of this State; and

Whereas, National monuments which recognize and protect the contributions, histories, cultures and spiritual beliefs of tribal communities and communities of color are some of the most precious public lands of the United States and are deserving of protection and are important in telling a more



complete and inclusive history of the United States; and

Whereas, Recent polls indicate that approximately 81 percent of the residents of this State support keeping in place existing national monuments such as the Basin and Range National Monument and the Gold Butte National Monument; now, therefore, be it,

*Resolved*, by the Assembly and Senate of the State of Nevada, jointly, That the members of the 79th Session of the Nevada Legislature affirm and support the designation of the Basin and Range National Monument and the Gold Butte National Monument under the Antiquities Act; and be it further

*Resolved*, That the Nevada Legislature supports the enactment and use of the Antiquities Act as a critical tool for protecting the public good by authorizing the designation of national monuments under the Antiquities Act; and be it further

*Resolved*, That the Nevada Legislature urges Congress to oppose efforts to weaken the Antiquities Act or to reverse the designation of any national monument under the Antiquities Act; and be it further

*Resolved*, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the President of the United States, the Vice President of the United States as the presiding officer of the United States Senate, the Speaker of the United States House of Representatives and each member of the Nevada Congressional Delegation.

POM-56. A joint resolution adopted by the Legislature of the State of Nevada expressing opposition to the development of a repository for spent nuclear fuel and high-level radioactive waste at Yucca Mountain in the State of Nevada; to the Committee on Energy and Natural Resources.

#### ASSEMBLY JOINT RESOLUTION NO. 10

Whereas, Since 1954, when the Atomic Energy Act was passed by Congress, the Federal Government has been responsible for the disposal of radioactive waste, yet few environmental challenges have proven more daunting than the problems posed by the disposal of spent nuclear fuel and high-level radioactive waste; and

Whereas, Pursuant to the Nuclear Waste Policy Act of 1982, 42 U.S.C. §§10101 et seq., as amended, the Department of Energy has been studying Yucca Mountain in southern Nevada as a possible site for a repository for spent nuclear fuel and high-level radioactive waste; and

Whereas, In 1987, Congress amended the Nuclear Waste Policy Act of 1982, 42 U.S.C. §§10101 et seq., specifying Yucca Mountain as the sole location for the placement of a national repository for spent nuclear fuel and high-level radioactive waste; and

Whereas, The State of Nevada has since opposed the placement of a repository for spent nuclear fuel and high-level radioactive waste in the State due to the extremely dangerous nature of such waste, the persistence of that danger for an extended period of time, the potential harm to the environment of the State and the serious and unacceptable hazard to the health and welfare of the people of Nevada that is posed by the placement of such a repository in the State; and

Whereas, The transportation of spent nuclear fuel and high-level radioactive waste to a repository at Yucca Mountain poses serious and unacceptable risks to the environment, economy and residents of Las Vegas, Nevada, the largest city in the State; and

Whereas, In 2001, the Nevada Legislature enacted NRS 353.2655 creating the Nevada

Protection Account which must be used to protect the State of Nevada and its residents through funding activities to prevent the location of a repository for spent nuclear fuel and high-level radioactive waste at Yucca Mountain; and

Whereas, In 2002, the United States Senate and House of Representatives approved the site at Yucca Mountain as a repository for spent nuclear fuel and high-level radioactive waste, thereby overriding the notice of disapproval submitted by the Governor of the State of Nevada; and

Whereas, On June 3, 2008, the Department of Energy submitted to the Nuclear Regulatory Commission a license application for construction authorization of a repository for spent nuclear fuel and high-level radioactive waste at Yucca Mountain; and

Whereas, On March 3, 2010, the Department of Energy filed a motion with the Atomic Safety and Licensing Board of the Nuclear Regulatory Commission whereby the Department moved to withdraw the pending license application that was filed in 2008 and asked the Board to dismiss its application with prejudice; and

Whereas, The Atomic Safety and Licensing Board denied the Department of Energy's motion on June 29, 2010; and

Whereas, In 2011, after stating that it found itself evenly divided on whether to take the affirmative action of overturning or upholding the June 29, 2010, decision by the Atomic Safety and Licensing Board, the Nuclear Regulatory Commission suspended the licensing adjudicatory proceeding that began with such decision; and

Whereas, For the Fiscal Year 2012, the United States Congress ended funding of the repository at Yucca Mountain and has not subsequently appropriated any new funds to the Department of Energy the Nuclear Regulatory Commission for this purpose; and

Whereas, In 2012, the Blue Ribbon Commission on America's Nuclear Future, in fulfilling its purpose to conduct a comprehensive review of the policies for managing nuclear waste, reported that any future repository for spent nuclear fuel and high-level radioactive waste should be selected with the consent of the potentially affected state, tribal and local governments; and

Whereas, In 2013, the United States Court of Appeals for the District of Columbia Circuit in *In re Aiken County*, 725 F.3d 255, 259 (D.C. Cir. 2013), ruled that the Nuclear Regulatory Commission had an obligation to resume the licensing proceeding for the repository at Yucca Mountain that was suspended in 2011 using the remaining funds from previous appropriations, notwithstanding the objections by the Commission that the funds were insufficient to complete the licensing proceeding; and

Whereas, The Nuclear Regulatory Commission has insufficient funds to complete the licensing proceeding for the repository for spent nuclear fuel and high-level radioactive waste at Yucca Mountain, has expended the majority of its remaining funds for the licensing proceeding for such a repository and has not received any additional funds to continue the licensing proceeding for such a repository; and

Whereas, The United States Congress is considering various legislation concerning nuclear waste, including S. 95, introduced by Senator Dean Heller, and H.R. 456, introduced by Representative Dina Titus, both of which are entitled the Nuclear Waste Informed Consent Act and which would extend the right of consent to the State of Nevada before the repository at Yucca Mountain

could be authorized for development; now, therefore be it

*Resolved*, by the Assembly and Senate of the State of Nevada, jointly, That the Nevada Legislature protests, in the strongest possible terms, any attempt by the United States Congress to resurrect the dangerous and ill-conceived repository for spent nuclear fuel and high-level radioactive waste at Yucca Mountain; and be it further

*Resolved*, That the Nevada Legislature calls on President Donald J. Trump to veto any legislation that would attempt to locate any temporary, interim or permanent repository or storage facility for spent nuclear fuel and high-level radioactive waste in the State of Nevada; and be it further

*Resolved*, That the Nevada Legislature calls on Rick Perry, the Secretary of Energy, to find the proposed repository for spent nuclear fuel and high-level radioactive waste at Yucca Mountain unsuitable, to abandon consideration of Yucca Mountain as a repository site, and to initiate a process whereby the nation can again engage in innovative and ultimately successful strategies for dealing with the problems of spent nuclear fuel and high-level radioactive waste; and be it further

*Resolved*, That the Nevada Legislature formally restates its strong and unyielding opposition to the development of Yucca Mountain as a repository for spent nuclear fuel and high-level radioactive waste and to the storage or disposal of spent nuclear fuel and high-level radioactive waste in the State of Nevada; and be it further

*Resolved*, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the President of the United States, the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives, the Secretary of Energy and each member of the Nevada Congressional Delegation; and be it further

*Resolved*, That this resolution becomes effective upon passage and constitutes the official position of the Nevada Legislature.

POM-57. A concurrent resolution adopted by the Legislature of the State of Michigan expressing support for the construction of a new lock at Sault Ste. Marie, Michigan, and urge the President of the United States and United States Congress to fully fund the project; to the Committee on Environment and Public Works.

#### HOUSE CONCURRENT RESOLUTION NO. 2

Whereas, The Soo Locks at Sault Ste. Marie, Michigan, are of the utmost importance to Michigan and play a critical role in our nation's economy and security. Each year, approximately 10,000 Great Lakes vessels, carrying 80 million tons of iron ore, coal, grain, and other cargo, safely and efficiently traverse the locks. Nearly 80 percent of domestic iron ore—the primary material used to manufacture steel critical to the auto industry, construction, and other industries—travels from mines in Minnesota and Michigan's Upper Peninsula through the Soo Locks; and

Whereas, Only one of the four Soo Locks is large enough to accommodate the modern vessels that commonly traverse the Great Lakes. Sixty percent of the American and Canadian fleet—carrying 70 percent of the cargo traversing the locks—can only pass through the Poe Lock. The remainder of cargo goes through the smaller MacArthur Lock, with the smallest 100-year-old Davis and Sabin locks rarely used; and

Whereas, The reliance on one lock poses a serious risk to national security and the

economies of the state of Michigan and the United States. A long-term outage of the Poe Lock due to lock failure or terrorist attack would disrupt steel production in the United States, crippling the economy and plunging the country into recession. Because no viable transportation alternatives exist, the United States Department of Homeland Security estimated nearly 11 million jobs would be lost. Other studies indicate that even a short-term failure of 30 days could result in economic losses of \$160 million; and

Whereas, The United States Congress has authorized the construction of a second large, Poe-sized lock at Sault Ste. Marie. The project was originally authorized in 1986, and in 2007. Congress authorized the construction at full federal expense. Though the project has been authorized and preliminary work conducted, a lack of federal funding has stalled further work; and

Whereas, The economic benefits to Michigan, the Great Lakes region, and the entire country far outweigh the cost of constructing a new lock. A 2017 report to the United States Department of Treasury estimated that the \$626 million investment in a new lock would provide a return of up to four times that amount; and

Whereas, The construction of a new lock would be a boon for the northern Michigan economy and create good jobs in a region that continues to suffer from higher than average unemployment rates. At its peak, the project would employ up to 250 workers and require 1.5 million man hours over the 10 years of construction; and

Whereas, It is long past time to construct a new lock. The investment of federal funds in this critical infrastructure makes sound economic sense and is vital to ensure our national security. Every year we delay, the Poe Lock gets another year older, increasing the total project costs and the chances of an unanticipated closure; now, therefore, be it

*Resolved*, by the House of Representatives (The Senate Concurring). That we express support for the construction of a new lock at Sault Ste. Marie, Michigan, and urge the President and Congress of the United States to fully fund the project; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States, President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-58. A joint resolution adopted by the Legislature of the State of Nevada expressing the opposition of the Nevada Legislature to certain proposed changes to the federal laws relating to Medicare and the Old-Age and Survivors Insurance provisions of the Social Security Act; to the Committee on Finance.

#### ASSEMBLY JOINT RESOLUTION NO. 7

Whereas, For generations, after a lifetime of work and dedication to this county, many older Nevadans were forced to live in poverty without adequate health care available to them during retirement; and

Whereas, When Congress passed the Old-Age and Survivors Insurance provisions of the Social Security Act in 1935, countless older Nevadans were lifted out of poverty and provided with an adequate, dependable source of income for their retirement; and

Whereas, When Congress passed the Social Security Amendments Act of 1965, crucial health insurance coverage through Medicare was made available to all Nevadans over the age of 65 years, regardless of their income or medical history; and

Whereas, Subsequent amendments by Congress to Medicare and the Old-Age and Survivors Insurance provisions of the Social Security Act established near-universal health care coverage under these programs and provided many older Nevadans with additional benefits, including, without limitation, yearly cost-of-living adjustments to account for inflation, prescription drug assistance and the extension of Medicare to certain Nevadans under the age of 65 years who have long-term disabilities; and

Whereas, When Congress passed the Patient Protection and Affordable Care Act in 2010, Medicare beneficiaries were able to receive certain preventive health care services and reduced costs; and

Whereas, In Fiscal Year 2015, spending on Medicare and the Old-Age and Survivors Insurance provisions of the Social Security Act constituted over one-third of the \$3.7 trillion budget of the Federal Government; and

Whereas, Wide-ranging changes to the Medicare program are being considered by the 115th Congress, including, without limitation, raising the age of eligibility to receive benefits from 65 to 67 years and repealing certain improvements that were made to this program by the Patient Protection and Affordable Care Act; and

Whereas, Wide-ranging changes to the Old-Age and Survivors Insurance provisions of the Social Security Act are also being considered by the 115th Congress, including, without limitation, raising the age for full retirement from 67 to 69 years, moving towards a cost-of-living adjustment based on the chained consumer price index and means testing benefits for certain recipients; and

Whereas, The 115th Congress is also considering the potential privatization of many of the Old-Age and Survivors Insurance benefits that older Nevadans have earned during decades of work; and

Whereas, The changes being considered by Congress could have a damaging effect on the standard of living of Nevadans who retire; and

Whereas, A bipartisan solution is needed to ensure the future sustainability of Medicare and the Old-Age and Survivors Insurance provisions of the Social Security Act which fully preserves the critical benefits that many older Nevadans have come to rely upon, is fiscally responsible and ensures that all Nevadans have a reliable source of income and health care during their retirement; now, therefore, be it

*Resolved*, By the Assembly and Senate of the State of Nevada, jointly, That the members of the 79th Session of the Nevada Legislature hereby urge Congress to fully preserve the critical benefits which many older Nevadans have come to rely upon; and be it further

*Resolved*, That Congress should work towards establishing a bipartisan solution which avoids the privatization of Medicare and the Old-Age and Survivors Insurance provisions of the Social Security Act and strengthens these essential programs for future generations of Nevadans; and be it further

*Resolved*, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Vice President of the United States, as the presiding officer of the United States Senate, the Speaker of the United States House of Representatives, the Chairman of the United States House Committee on Ways and Means, the Chairman of the United States Senate Committee on Finance, the Secretary of the United States Department of Health and Human Services, the Commissioner of Social Security and

each member of the Nevada Congressional Delegation; and be it further

*Resolved*, That this resolution becomes effective upon passage.

POM-59. A joint resolution adopted by the Legislature of the State of Nevada urging Congress to propose an amendment to the United States Constitution to allow the governments of the United States and the individual states to regulate and limit political contributions and expenditures to protect the integrity of elections and the equal right of all Americans to effective representation; to the Committee on the Judiciary.

#### SENATE JOINT RESOLUTION NO. 4

Whereas, The growing influence of large independent political expenditures is a great and growing concern to the people of the United States and the State of Nevada; and

Whereas, In a democracy, the assurance of a fair and uncorrupted election process is of the utmost importance, and the Nevada Legislature believes that it is a legitimate and vital role of government to regulate political expenditures in an even-handed manner; and

Whereas, In fulfillment of this important role, the government of the United States and a majority of states have regulated and limited independent and other political contributions and expenditures; and

Whereas, The Supreme Court of the United States in *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010), held that the First Amendment to the United States Constitution prohibits Congress and the states from limiting or restricting independent political expenditures by corporations and unions; and

Whereas, *Citizens United* overturned a long-standing precedent of allowing regulation of independent political expenditures; and

Whereas, *Citizens United* has served as a precedent for further legal decisions which have harmed our democratic system of government, including *American Tradition Partnership v. Bullock*, 567 U.S. 516 (2012), which struck down a long-standing Montana campaign finance law, denying a state the right to regulate independent political expenditures by corporations in state elections, and *McCutcheon v. Federal Election Commission*, 134 S.Ct. 1434 (2014), which struck down aggregate individual contribution limits; and

Whereas, The people of Nevada and all other states should have the power to limit by law the influence of money in their political systems; and

Whereas, In the wake of *Citizens United*, there has been an exponential increase in large political contributions and expenditures which threatens the integrity of the election process, corrupts our candidates, dilutes the power of individual voters and distorts the public discourse: Now, therefore, be it

*Resolved*, by the Senate and Assembly of the State of Nevada, jointly, That the members of the 79th Session of the Nevada Legislature hereby urge the Congress of the United States to propose an amendment to the United States Constitution to allow the governments of the United States and the individual states to regulate political contributions and expenditures; and be it further

*Resolved*, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as presiding officer of the United States Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

*Resolved*, That this resolution becomes effective upon passage.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MORAN, from the Committee on Appropriations, without amendment:

S. 1557. An original bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2018, and for other purposes (Rept. No. 115-130).

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. MCCAIN for the Committee on Armed Services.

\*Richard V. Spencer, of Wyoming, to be Secretary of the Navy.

By Mr. GRASSLEY for the Committee on the Judiciary.

John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

Timothy J. Kelly, of the District of Columbia, to be United States District Judge for the District of Columbia.

Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

Damien Michael Schiff, of California, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 1548. A bill to designate certain land administered by the Bureau of Land Management and the Forest Service in the State of Oregon as wilderness and national recreation areas and to make additional wild and scenic river designations in the State of Oregon, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. THUNE:

S. 1549. A bill to amend the Internal Revenue Code of 1986 to provide a safe harbor for determinations of worker classification, to require increased reporting, and for other purposes; to the Committee on Finance.

By Mr. STRANGE (for himself, Mr. INHOFE, Mr. RUBIO, and Mr. COTTON):

S. 1550. A bill to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PAUL (for himself and Mr. MCCONNELL):

S. 1551. A bill to provide for the establishment of free market enterprise zones in

order to help facilitate the creation of new jobs, entrepreneurial opportunities, enhanced and renewed educational opportunities, and increased community involvement in bankrupt or economically distressed areas; to the Committee on Finance.

By Mr. FLAKE:

S. 1552. A bill to amend the Internal Revenue Code of 1986 to allow individuals to designate that up to 10 percent of their income tax liability be used to reduce the national debt, and to require spending reductions equal to the amounts so designated; to the Committee on Finance.

By Mr. JOHNSON:

S. 1553. A bill to amend the Controlled Substances Act to list fentanyl analogues as schedule I controlled substances; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mr. MANCHIN, and Ms. WARREN):

S. 1554. A bill to require certain practitioners authorized to prescribe controlled substances to complete continuing education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TILLIS (for himself and Mr. KAINE):

S. 1555. A bill to amend title 38, United States Code, to improve the administration of Post-9/11 Educational Assistance by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TESTER (for himself, Mr. DAINES, Mr. UDALL, Ms. HEITKAMP, Mr. HEINRICH, Mr. FRANKEN, and Ms. KLOBUCHAR):

S. 1556. A bill to authorize the Secretary of the Interior to use designated funding to pay for construction of authorized rural water projects, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MORAN:

S. 1557. An original bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2018, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. RISCH:

S. 1558. A bill to amend section 203 of Public Law 94-305 to ensure proper authority for the Office of Advocacy of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. RISCH:

S. 1559. A bill to ensure a complete analysis of the potential impacts of rules on small entities; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 1560. A bill to ensure the integrity of border and immigration enforcement efforts by requiring U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to administer law enforcement polygraph examinations to all applicants for law enforcement positions and to require post-hire polygraph examinations for law enforcement personnel as part of periodic re-investigations; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MCCAIN:

S. 1561. A bill to repeal the Jones Act restrictions on coastwise trade, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. GARDNER (for himself, Mr. MARKEY, Mr. MENENDEZ, Mr.

PORTMAN, Mr. RUBIO, and Mr. COTTON):

S. 1562. A bill to impose sanctions with respect to the Government of the Democratic People's Republic of Korea and any enablers of the activities of that Government, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MANCHIN:

S. 1563. A bill to authorize the Office of Fossil Energy to develop advanced separation technologies for the extraction and recovery of rare earth elements and minerals from coal and coal byproducts, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. WARREN (for herself, Mr. SCHUMER, Mr. MARKEY, Mr. COONS, Mr. WHITEHOUSE, Ms. HASSAN, Ms. BALDWIN, Mrs. GILLIBRAND, Mr. MERKLEY, Mr. HEINRICH, Mrs. FEINSTEIN, Mr. WYDEN, Mr. BOOKER, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mr. CARPER, Mr. KAINE, Mr. FRANKEN, Ms. HIRONO, Mr. LEAHY, Mr. MURPHY, Mrs. SHAHEEN, Mr. DURBIN, Mr. WARNER, Mr. UDALL, Mr. CARDIN, Mr. REED, Mr. SANDERS, Mrs. MURRAY, Ms. DUCKWORTH, Ms. CANTWELL, Ms. HARRIS, and Ms. KLOBUCHAR):

S. 1564. A bill to amend the Internal Revenue Code of 1986 to permit legally married same-sex couples to amend their filing status for returns outside the 3-year limitation; to the Committee on Finance.

By Mr. FRANKEN:

S. 1565. A bill to support the preparation and retention of outstanding educators in all fields to ensure a bright future for children in under-resourced, under-served communities in the United States, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself, Ms. KLOBUCHAR, Mr. MANCHIN, Ms. HASSAN, Ms. BALDWIN, Mr. FRANKEN, and Mr. PETERS):

S. 1566. A bill to amend title 38, United States Code, to expand eligibility for mental health services from the Department of Veterans Affairs to include members of the reserve components of the Armed Forces, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DONNELLY (for himself and Mr. ROUNDS):

S. 1567. A bill to amend title 38, United States Code, to clarify the authority of the Secretary of Veterans Affairs to disclose certain patient information to state controlled substance monitoring programs, and for other purposes; to the Committee on Veterans' Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

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

S. Res. 219. A resolution designating July 13, 2017, as "Summer Learning Day", a day to reflect on the importance of providing young people with safe, productive, and enriching activities every summer, ensuring the young people return to school in the fall with the skills vital to succeed in the year ahead; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Mr. MORAN, Mr. CASSIDY, Mr. BOOZMAN, Mr. MARKEY, Mr. BROWN, Mr. LEAHY,

Mr. RUBIO, Mr. TILLIS, and Mr. COONS):

S. Res. 220. A resolution expressing solidarity with Falun Gong practitioners who have lost lives, freedoms, and rights for adhering to their beliefs and practices and condemning the practice of non-consenting organ harvesting, and for other purposes; to the Committee on Foreign Relations.

#### ADDITIONAL COSPONSORS

S. 266

At the request of Mr. HATCH, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 266, a bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

S. 497

At the request of Ms. CANTWELL, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 708

At the request of Mr. MARKEY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 708, a bill to improve the ability of U.S. Customs and Border Protection to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, and for other purposes.

S. 926

At the request of Mrs. ERNST, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 926, a bill to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, and for other purposes.

S. 1002

At the request of Mr. MORAN, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 1002, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1024

At the request of Mr. TESTER, the names of the Senator from Indiana (Mr. DONNELLY) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 1024, a bill to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

At the request of Mr. ISAKSON, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1024, *supra*.

S. 1028

At the request of Ms. COLLINS, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1028, a bill to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes.

S. 1050

At the request of Mr. COCHRAN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1050, a bill to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1182

At the request of Mr. YOUNG, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

S. 1307

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1307, a bill to amend the Internal Revenue Code of 1986 to expand eligibility to receive refundable tax credits for coverage under a qualified health plan.

S. 1353

At the request of Mr. LEAHY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1353, a bill to require States to automatically register eligible voters to vote in elections for Federal offices, and for other purposes.

S. 1391

At the request of Ms. HIRONO, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1391, a bill to amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to restore Medicaid coverage for citizens of the Freely Associated States lawfully residing in the United States under the Compacts of Free Association between the Government of the United States and the Governments of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

S. 1426

At the request of Mr. THUNE, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1426, a bill to amend the Ted Stevens Olympic and Amateur Sports Act to expand the purposes of the corporation, to designate the United States Center for Safe Sport, and for other purposes.

S. 1455

At the request of Mr. FLAKE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1455, a bill to amend the United States Energy Storage Competitiveness Act of 2007 to direct the Secretary of Energy to establish new goals for the Department of Energy relating to energy storage and to carry out certain demonstration projects relating to energy storage.

S. 1457

At the request of Mr. FLAKE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1457, a bill to amend the Energy Policy Act of 2005 to direct the Secretary of Energy to carry out demonstration projects relating to advanced nuclear reactor technologies to support domestic energy needs.

S. 1512

At the request of Mr. LANKFORD, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1512, a bill to prohibit the Secretary of Energy, the Administrator of the Environmental Protection Agency, the Secretary of the Interior, the Secretary of Transportation, and the Chair of the Council on Environmental Quality from considering, in taking any action, the social cost of carbon, the social cost of methane, the social cost of nitrous oxide, or the social cost of any other greenhouse gas, unless compliant with Office of Management and Budget guidance, and for other purposes.

S. 1529

At the request of Ms. HEITKAMP, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1529, a bill to amend the Internal Revenue Code of 1986 to expand eligibility for the refundable credit for coverage under a qualified health plan.

S. 1532

At the request of Mr. THUNE, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 1532, a bill to disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle in committing a felony involving human trafficking.

S. 1536

At the request of Ms. KLOBUCHAR, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 1536, a bill to designate a human trafficking prevention coordinator and to expand the scope of activities authorized under the Federal Motor Carrier Safety Administration's outreach and education program to include human trafficking prevention activities, and for other purposes.

S. 1540

At the request of Ms. STABENOW, the name of the Senator from Minnesota

(Ms. KLOBUCHAR) was added as a cosponsor of S. 1540, a bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for investments in qualified production facilities.

S. RES. 211

At the request of Mr. TOOMEY, the names of the Senator from Delaware (Mr. CARPER) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. Res. 211, a resolution condemning the violence and persecution in Chechnya.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FLAKE:

S. 1552. A bill to amend the Internal Revenue Code of 1986 to allow individuals to designate that up to 10 percent of their income tax liability be used to reduce the national debt, and to require spending reductions equal to the amounts so designated; to the Committee on Finance.

Mr. FLAKE. Mr. President, I rise to speak about a critical subject too often overlooked by Congress. It is the Federal debt and our deficit.

It is no secret that our national debt will soon surpass \$20 trillion. To provide some context for that figure, \$20 trillion represents the largest amount of debt ever owed by any nation in history. This fact, coupled with the fast-approaching end to our fiscal year, will leave Congress facing an unavoidable debt debate.

Our looming debt and deficit are two of our country's most urgent challenges, but the legislative branch does not treat them like the crises they really are. Since January alone, Congress has added \$284 billion to the debt over the next 10 years. The Congressional Budget Office recently projected that if Congress continues on its current path, deficits will increase dramatically over the next decade. Specifically, by 2027, the deficit will grow from 3.6 percent of the Nation's GDP to 5.2 percent of the Nation's GDP, totaling \$1.4 trillion. Yet, as the National Debt Clock continues to click upward toward \$20 trillion, the Federal Government continues to spend money that it simply does not have.

If Congress continues to legislate in this current state of denial, one day soon, we may well wake up to discover that the financial markets have declared that the United States is no longer a good bet. We must also remember that Congress's failure to address this fiscal train wreck today will force our children and grandchildren to deal with its consequences tomorrow. Unless Congress can get this fundamental issue under control, nothing else will matter very much.

There ought to be an option that allows taxpayers to take matters into their own hands. That is why today I am reintroducing the Debt Buy-Down

Act. The Debt Buy-Down Act is a commonsense bill that allows taxpayers to rein in the national debt with the simple check of a box. If passed, this bill would require the IRS to include an option on individuals' tax forms that allow them to voluntarily designate up to 10 percent of their tax liabilities to go specifically toward reducing the national debt. The bill would then require Congress to reduce Federal spending by an amount equivalent to that designated by the taxpayers. If Congress fails to make these necessary spending reductions designated by taxpayers, then across-the-board spending cuts would be imposed.

This is not a good way to reduce the Federal debt. The better way would be to make priorities as we consider our spending bills, but it is better than just letting these spending bills go and doing nothing. We ought to use a scalpel and go in and treat these programs as we should and make sure they are doing what they were intended to. If we cannot do that, then we need to take dramatic measures to get our debt and deficit under control.

The Debt Buy-Down Act would protect Social Security benefits, benefits for those in the uniformed services, and payments for net interest on the national debt from being included in any of these across-the-board cuts.

Simply put, in the absence of responsible Federal budget solutions, this bill allows taxpayers to take matters into their own hands. In 2014, Americans paid over \$1.37 trillion in individual income taxes. If every one of these individuals had contributed 10 percent of their tax liability, Congress would have been required to have cut \$137 billion in spending. While \$137 billion does not solve our \$20 trillion debt problem, it is certainly a good place to start.

Congress has been so desensitized to the growing national debt that the word "trillion" does not even raise alarm bells anymore. In fact, after I introduced the Debt Buy-Down Act in 2010, I began sending a weekly, pun-laden press release to help put the then-\$13 trillion national debt—just in 2010—into perspective. It was called "So Just How Broke Are We?" Maybe it is time to bring it back.

So 7 years and \$7 trillion in added debt later, just how broke are we today? We are so broke that, with our \$20 trillion national debt, we could book 570,000 trips to the Moon on SpaceX. It is a pretty expensive excursion, but we could do it 570,000 times. We are so broke that, with our \$20 trillion national debt, we could buy every seat at Chase Field in Phoenix for the next 22 million Arizona Diamondbacks games. Of course, that is just a ballpark figure, but it is the last pun. I promise. We are so broke that with our \$20 trillion national debt we could buy 20 billion tickets to see Hamilton.

My love of bad puns and jokes aside, instead of thinking about how \$20 tril-

lion could be spent, maybe we ought to start thinking about how \$20 trillion could be saved.

That is why I am calling on my colleagues to support the Debt Buy-Down Act and empower taxpayers to reduce the national debt. Just think, a simple check of a box would help save billions of dollars and preserve the strength of our national economy. It would save future generations from the consequences of our crippling national debt.

At any rate, I hope this bill makes like the debt and grows a lot of interest.

By Mr. JOHNSON:

S. 1553. A bill to amend the Controlled Substances Act to list fentanyl analogues as schedule I controlled substances; to the Committee on the Judiciary.

Mr. JOHNSON. Mr. President, I rise today to discuss an epidemic that is sweeping our Nation. From big cities to small towns, communities across our country have been ravaged by drug addiction and the multiple problems caused by it. Opioid overdoses have quadrupled since 1999 and were responsible for over 33,000 deaths in 2015 alone.

We have all seen the dangers posed by the overprescription of highly addictive prescription opioids. According to the CDC, addiction to prescription opioid painkillers is the primary gateway to heroin abuse. In fact, Michael Botticelli, President Obama's drug czar, testified in my committee last year that people who are addicted and abuse prescription opioids are 40 times more likely to abuse heroin.

Almost all of the heroin sold on the streets of the United States today enters the country illegally from Mexico. It is trafficked by drug cartels into our communities through our porous southwest border.

It is a problem that continues to grow. Even as heroin has increased, it has remained available and affordable because increased production in Mexico has ensured a reliable supply of low-cost heroin. As long as there is a demand, the enormous profit potential of the drug trade will ensure that there is a sufficient supply. A kilogram of heroin can be produced in Mexico for around \$5,000. It can be sold to dealers for as much as \$80,000—a 1,500 percent profit.

At another committee hearing, we learned that heroin has significantly dropped in price. In 1981, the nationwide average price was \$3,260 per gram of pure heroin. Today, it is between \$100 and \$150 per gram. That translates into as little as \$10 for one hit, making heroin a very affordable and very destructive addiction. While prices have dropped, the potency has increased. Heroin sold in Wisconsin has increased from 5 percent purity in the 1980s to

somewhere between 20 percent and 80 percent purity today.

As awful as that reality is, imported heroin is only one front in our fight against opioids. Another equally dangerous front is synthetic or man-made opioids—particularly fentanyl and its analogs—which are now commonly mixed into the heroin sold in our communities. Since fentanyl is 50 times more potent than heroin and 100 times more potent than morphine, it only takes a minuscule amount of fentanyl—just 2 milligrams, less than one one-thousandth of the weight of a penny—to be potentially lethal.

Even more alarming, we are now beginning to see carfentanil, often used to sedate elephants, also being blended into heroin and fentanyl on the streets. Carfentanil is 100 times more potent than fentanyl and 10,000 times more potent than morphine. A dose of carfentanil the size of a grain of salt can lead to a deadly overdose.

Just as we are seeing an increase in drugs coming across our southwest border, man-made opioids are on the rise as well. The profit potential of fentanyl is even more staggering than heroin's. According to an article in the *Wall Street Journal*, 25 grams of fentanyl costs approximately \$810 to produce and has a market value of \$800,000.

In 2013, 3,097 people died from overdoses involving synthetic opioids. Just 1 year later, we lost 5,544 people to that same drug—a 79-percent increase in just 1 year. My home State of Wisconsin has been particularly hard hit by the introduction of fentanyl and its analogs.

In April, 2016, I met Lauri Badura. Lauri is from Oconomowoc, WI, a suburb in Milwaukee. She lost her son Archie to a heroin overdose.

Here is a picture of Archie. He doesn't exactly look like a heroin addict, does he? Archie was just 19 years old when he died. He began using marijuana during his freshman year in high school and discovered opioids the summer after his high school graduation. After overdosing multiple times and trying to quit, Archie had stayed sober for 77 days before he relapsed again and finally overdosed on May 15, 2014.

In Archie's memory, Lauri started a foundation called Saving Others For Archie, or SOFA. Her organization raises awareness throughout Wisconsin of the dangers of drug abuse. It offers support for families battling addiction. Lauri is constantly being contacted by and providing comfort to other parents coping with similar tragedies.

Lauri's story is moving, and I applaud her for being such a strong advocate for those struggling with addiction. Unfortunately, her tragedy is not unique. The scourge of addiction and overdose deaths has devastated thousands of families, including my own.

In January, 2016, I lost a nephew to a fentanyl overdose. The legislation I am

introducing this afternoon is in memory of my nephew, of Archie, and of all of the families in Wisconsin and throughout America who have lost loved ones in this epidemic.

Today I am proud to introduce the Stopping Overdoses of Fentanyl Analogues Act, or SOFA Act. Sharing an acronym with Lauri Badura's organization, the SOFA Act will give law enforcement a set of enhanced tools to combat the opioid epidemic by closing a loophole that criminal drug manufacturers are exploiting.

Fentanyl is a synthetic, or man-made, opioid—the result of complex chemistry that brings together multiple building blocks. Criminal chemists need change only one small piece of the chemical bond to be one step ahead of the law. The fentanyl analogs on the street today serve no known medical purpose and are contributing to the alarming overdose rates throughout the country. My legislation would classify these analogs under schedule I and give the DEA tools to quickly schedule additional fentanyl analogs as they are identified in our communities.

This body took a step forward last Congress when we passed the CARA legislation to improve addiction treatment programs throughout the United States. We can now take another important step forward by providing law enforcement with the tools it needs to get these dangerous synthetic opioids, such as fentanyl and carfentanil, off the streets.

In addition to Lauri Badura, I also want to thank Dr. Tim Westlake for working with me to craft this legislation. Tim has testified at a committee field hearing in Pewaukee, and he participated in an opioid roundtable in Milwaukee I convened in September. His leadership in Wisconsin and on this issue has been invaluable.

I look forward to working with my colleagues on this legislation and additional opportunities to combat this serious problem that has plagued our Nation.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 1560. A bill to ensure the integrity of border and immigration enforcement efforts by requiring U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to administer law enforcement polygraph examinations to all applicants for law enforcement positions and to require post-hire polygraph examinations for law enforcement personnel as part of periodic reinvestigations; to the Committee on Homeland Security and Governmental Affairs.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the *RECORD*.

There being no objection, the text of the bill was ordered to be printed in the *RECORD*, as follows:

S. 1560

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Integrity in Border and Immigration Enforcement Act".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) **LAW ENFORCEMENT POSITION.**—The term "law enforcement position" means any law enforcement position in U.S. Customs and Border Protection ("CBP") or U.S. Immigration and Customs Enforcement ("ICE").

(2) **POLYGRAPH EXAMINATION.**—The term "polygraph examination" means the Law Enforcement Pre-Employment Test certified by the National Center for Credibility Assessment.

#### SEC. 3. POLYGRAPH EXAMINATIONS FOR LAW ENFORCEMENT PERSONNEL.

(a) **APPLICANTS.**—Beginning not later than 30 days after the date of the enactment of this Act, the Secretary of Homeland Security—

(1) shall require that polygraph examinations are conducted on all applicants for law enforcement positions; and

(2) may not hire any applicant for a law enforcement position who does not pass a polygraph examination.

(b) **TARGETED POLYGRAPH REINVESTIGATIONS.**—Beginning not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security, as part of each background reinvestigation, shall administer a polygraph examination to—

(1) every CBP law enforcement employee who is determined by the Inspector General of the Department of Homeland Security to be part of a population at risk of corruption or misconduct, based on an analysis of past incidents of misconduct and corruption; and

(2) every ICE law enforcement employee who is determined by the Inspector General of the Department of Homeland Security to be part of a population at risk of corruption or misconduct, based on an analysis of past incidents of misconduct and corruption.

(c) **DELEGATION OF AUTHORITY TO DETERMINE TARGETED POLYGRAPH EXAMINATIONS.**—The Inspector General of the Department of Homeland Security may—

(1) delegate the authority under subsection (b)(1) to the CBP Office of Professional Responsibility; and

(2) delegate the authority under subsection (b)(2) to the ICE Office of Professional Responsibility.

(d) **RANDOM POLYGRAPH REINVESTIGATIONS.**—Beginning not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall—

(1) randomly administer a polygraph examination each year to at least 5 percent of CBP law enforcement employees who are undergoing background reinvestigations during that year and have not been selected for a targeted polygraph examination under subsection (b)(1); and

(2) randomly administer a polygraph examination each year to at least 5 percent of ICE law enforcement employees who are undergoing background reinvestigations during that year and have not been selected for a targeted polygraph examination under subsection (b)(2).

By Mr. MCCAIN:

S. 1561. A bill to repeal the Jones Act restrictions on coastwise trade, and for other purposes; to the Committee on Commerce, Science, and Transportation.



Mr. McCAIN. Mr. President, I come to the floor today to introduce the Open America's Waters Act of 2017. This bill would repeal the Merchant Marine Act of 1920, better known as the Jones Act, an archaic and burdensome law that hinders free trade, stifles the economy and ultimately hurts consumers, largely for the benefit of labor unions. If this legislation becomes law, U.S. shippers will no longer be required to patronize market inefficiency but rather, effectively leverage the global shipping market.

As many of my colleagues know, the Jones Act is one of many of laws passed over time that addresses port-to-port coastal shipping, drafted in order to protect the U.S. domestic shipping industry. While the Jones Act may have had some rationale back in the 1920s when it was enacted, today it serves only to raise shipping costs, making U.S. farmers and businesses less competitive in the global marketplace and increasing costs for American consumers. This protectionist mentality directly contradicts the lessons our nation has learned about the many benefits of a free and open market. Repeatedly, it has been proven that trade liberalization has created jobs, expanded economic growth and provided consumers with access to lower cost goods and services.

The forced purchase of American vessels combined with the immense cost associated with U.S. shipbuilding has forced U.S. shippers to act against their best interests to the detriment of their businesses. While foreign-built coastal-sized ships typically cost between \$25-30 million, a U.S.-made ship of the same size can cost anywhere between \$190-250 million. A repeal of the Jones Act, over time, would have broad impact. According to a 2002 U.S. International Trade Commission study, repealing the Jones Act would lower shipping costs by about 22 percent. The Commission also found that repealing the Jones Act would have an annual positive effect of \$656 million on the overall U.S. economy. Though this decade-and-a-half-old study provides some of the most recent statistics available, it is not hard to imagine the modern affect that maritime deregulation would contribute to this industry.

Congress must take action to repeal laws that have outlived their usefulness and are no longer relevant to modern commerce. It is unacceptable that millions of dollars in the U.S. economy are lost every year to an antiquated policy, and unacceptable that this body is unable to disengage from special interests in order to participate in a productive debate on this issue. I encourage my colleagues to reflect on our responsibility as lawmakers and see the Jones Act for what it really is: an outdated and protectionist policy that only serves to harm the American economy and consumer.

I encourage my colleagues to support this legislation.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 219—DESIGNATING JULY 13, 2017, AS “SUMMER LEARNING DAY”, A DAY TO REFLECT ON THE IMPORTANCE OF PROVIDING YOUNG PEOPLE WITH SAFE, PRODUCTIVE, AND ENRICHING ACTIVITIES EVERY SUMMER, ENSURING THE YOUNG PEOPLE RETURN TO SCHOOL IN THE FALL WITH THE SKILLS VITAL TO SUCCEED IN THE YEAR AHEAD

Mr. WYDEN (for himself and Mr. HATCH) submitted the following resolution; which was referred to the Committee on the Judiciary:

##### S. RES. 219

Whereas summer learning loss widens an already existing achievement gap that stays constant during the 9-month school year;

Whereas summer learning loss disproportionately impacts the learning of children from lower-income households or with special educational needs;

Whereas, during the summer, students lose approximately 2 months of grade level equivalency in math computation skills and low-income students lose an additional 2 months in reading achievement;

Whereas effective summer programs can bridge the eighth to ninth grade transition and strategically decrease dropout rates of high risk students;

Whereas only 1 in 7 students received the nutrition and meals they needed during the summer of 2016;

Whereas summer learning programs contribute to the academic and social growth of students, provide safe and healthy spaces for children during the summer, and give young people the tools necessary for success in school;

Whereas summer youth employment programs provide young people with access to meaningful experiences that foster interest in potential careers, encourage financial and personal responsibility, and emphasize community engagement;

Whereas many organizations, including public agencies, schools, libraries, museums, recreation centers, camps, and businesses, assist with the personal development of young people through summer activities;

Whereas students who do not receive supervision during the summer are far more likely to receive poor grades, exhibit behavioral issues, and drop out of school;

Whereas summer learning contributes to increasing high school graduation rates; and

Whereas summer learning is a crucial component in ensuring that all students graduate from high school and emerge ready for the next endeavor, which may be to attend college or start a career: Now, therefore, be it

*Resolved*, That the Senate designates July 13, 2017, as “Summer Learning Day”.

SENATE RESOLUTION 220—EXPRESSING SOLIDARITY WITH FALUN GONG PRACTITIONERS WHO HAVE LOST LIVES, FREEDOMS, AND RIGHTS FOR ADHERING TO THEIR BELIEFS AND PRACTICES AND CONDEMNING THE PRACTICE OF NON-CONSENTING ORGAN HARVESTING, AND FOR OTHER PURPOSES

Mr. MENENDEZ (for himself, Mr. MORAN, Mr. CASSIDY, Mr. BOOZMAN, Mr. MARKEY, Mr. BROWN, Mr. LEAHY, Mr. RUBIO, Mr. TILLIS, and Mr. COONS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

##### S. RES. 220

Whereas Falun Gong (also known as Falun Dafa) is a Chinese spiritual discipline founded by Li Hongzhi in 1992 that consists of spiritual and moral teachings, meditation, and exercise, and is based upon the universal principles of truthfulness, compassion, and forbearance;

Whereas, during the mid-1990s, Falun Gong acquired a large and diverse following, with as many as 70,000,000 practitioners at its peak;

Whereas, on April 25, 1999, an estimated 10,000 to 30,000 Falun Gong practitioners gathered in Beijing to protest growing restrictions by the Government of the People's Republic of China on the activities of Falun Gong practitioners, and the Government of the People's Republic of China responded with an intensive, comprehensive, and unforgiving campaign against the movement that began on July 20, 1999, with the banning of Falun Gong;

Whereas the Constitution of the People's Republic of China guarantees basic rights, including the freedoms of speech, association, demonstration, and religion;

Whereas, in 1993, the Government of the People's Republic of China praised Li Hongzhi for his contributions in “safeguarding social order and security” and “promoting rectitude in society”;

Whereas, in many detention facilities and labor camps, Falun Gong prisoners of conscience have at times comprised the majority of the population, and have been said to receive the longest sentences and the worst treatment, including torture;

Whereas, according to overseas Falun Gong and human rights organizations, since 1999, from several hundred to a few thousand Falun Gong adherents have died in custody from torture, abuse, and neglect;

Whereas a review of the Government of the People's Republic of China by the United Nations Human Rights Council's Working Group on the Universal Periodic Review in October 2013 recommended that China “[s]top the prosecution and persecution of people for the practice of their religion or belief including Catholics, other Christians, Tibetans, Uyghurs, and Falun Gong”;

Whereas the United Nations Committee Against Torture and the Special Rapporteur on Torture have expressed concern over the allegations of organ harvesting from Falun Gong prisoners, and have called on the Government of the People's Republic of China to increase accountability and transparency in the organ transplant system and punish those responsible for abuses;



Whereas the killing of religious or political prisoners for the purpose of selling their organs for transplant is an egregious and intolerable violation of the fundamental right to life;

Whereas voluntary and informed consent is the precondition for ethical organ donation, and international medical organizations state that prisoners, deprived of their freedom, are not in the position to give free consent and that the practice of sourcing organs from prisoners is a violation of ethical guidelines in medicine;

Whereas the Government of the People's Republic of China and the Communist Party of China continue to deny reports that many organs are taken without the consent of prisoners, yet at the same time prevent independent verification of its transplant system;

Whereas the organ transplantation system in China does not comply with the World Health Organization's requirement of transparency and traceability in organ procurement pathways;

Whereas the United States Department of State Country Report on Human Rights for China for 2014 stated, "Advocacy groups continued to report instances of organ harvesting from prisoners.";

Whereas Huang Jiefu, director of the China Organ Donation Committee, announced in December 2014 that China would end the practice of organ harvesting from executed prisoners by January 1, 2015, but did not directly address organ harvesting from prisoners of conscience;

Whereas Freedom House reported in 2015 that Falun Gong practitioners comprise the largest portion of prisoners of conscience in China, and face an elevated risk of dying or being killed in custody;

Whereas the Department of State Country Report on Human Rights for China for 2016 reported that "some international medical professionals and human rights researchers questioned the voluntary nature of the (transplantation) system, the accuracy of official statistics, and official claims about the source of organs";

Whereas the Congressional-Executive Commission on China (CECC) stated in 2016 that "international observers, including the U.S. House of Representatives and the European Parliament, expressed concern over reports that numerous organ transplantations have used the organs of detained prisoners, including Falun Gong practitioners" and also noted that international medical professionals "expressed skepticism of reforms raised by discrepancies in official data"; and

Whereas a 2017 report by Freedom House concluded that there was "credible evidence suggesting that beginning in the early 2000s, Falun Gong detainees were killed for their organs on a large scale": Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses solidarity with Falun Gong practitioners and their families for the lives, freedoms, and rights they lost for adhering to their beliefs and practices;

(2) emphasizes to the Government of the People's Republic of China that freedom of religion includes the right of Falun Gong practitioners to freely practice Falun Gong in China;

(3) calls upon the Communist Party of China to immediately cease and desist from its campaign to persecute Falun Gong practitioners and promptly release all Falun Gong practitioners who have been confined, detained, or imprisoned for pursuing their right to hold and exercise their spiritual beliefs;

(4) condemns the practice of non-consenting organ harvesting in the People's Republic of China;

(5) calls on the Government of the People's Republic of China and the Communist Party of China to immediately end the practice of organ harvesting from all prisoners of conscience; and

(6) calls on the People's Republic of China to allow an independent and transparent investigation into organ transplant abuses.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 258. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 258. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

#### SEC. 710. EXCEPTION TO INCREASE IN COST-SHARING REQUIREMENTS FOR TRICARE PHARMACY BENEFITS PROGRAM FOR BENEFICIARIES WHO LIVE MORE THAN 40 MILES FROM A MILITARY TREATMENT FACILITY.

(a) IN GENERAL.—Notwithstanding paragraph (6) of section 1074g(a) of title 10, United States Code, as amended by section 706(a), the Secretary of Defense may not increase after the date of the enactment of this Act any cost-sharing amounts under such paragraph with respect to covered beneficiaries described in subsection (b).

(b) COVERED BENEFICIARIES DESCRIBED.—Covered beneficiaries described in this subsection are eligible covered beneficiaries (as defined in section 1074g(g) of title 10, United States Code) who live more than 40 miles driving distance from the closest military treatment facility to the residence of the beneficiary.

(c) REPORT ON EFFECT OF INCREASE.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the potential effect, without regard to subsection (a), of the increase in cost-sharing amounts under section 1074g(a)(6) of title 10, United States Code, on covered beneficiaries described in subsection (b).

(2) ELEMENTS.—The report required by paragraph (1) shall include an assessment of how much additional costs would be required of covered beneficiaries described in subsection (b) per year as a result of increases in cost-sharing amounts described in such paragraph, including the average amount per individual and the aggregate amount.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. HATCH. Mr. President, I have 9 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

#### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Thursday, July 13, 2017 at 10 a.m., in 328A Russell Senate Office Building, in order to conduct a hearing entitled "Opportunities in Global and Local Markets, Specialty Crops, and Organics: Perspectives for the 2018 Farm Bill."

#### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, July 13, 2017, at 9:30 a.m., in open session, to receive testimony on the attempted coup in Montenegro and malign Russian influence in Europe.

#### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs, is authorized to meet during the session of the Senate on Thursday, July 13, 2017 at 9:30 a.m. to conduct a hearing entitled, "The Semiannual Monetary Policy Report to the Congress."

#### COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, July 13, 2017, at 10:15 a.m., in 215 Dirksen Senate Office Building, to consider the nomination of Kevin K. McAleenan, of Hawaii, to be Commissioner of United States Customs and Border Protection Department of Homeland Security.

#### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, July 13, 2017 at 9:30 a.m., to hold a hearing entitled "Review of the 2017 Trafficking in Persons Report."

#### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet, during the session of the Senate, in order to conduct a hearing entitled "Nomination Hearing for Deputy Secretary of Labor and Members of the National Labor Relations Board" on Thursday, July 13, 2017, at 9:30 a.m., in room 430 of the Dirksen Senate Office Building.

#### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on July 13, 2017, at 9:30

a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

#### COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Thursday, July 13, 2017 from 2 p.m., in room SH-219 of the Senate Hart Office Building to hold a closed hearing.

#### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Thursday, July 13, 2017, at 10 a.m., in room 253 of the Russell Senate Office Building.

The Committee will hold a Subcommittee Hearing on "Reopening the American Frontier: Promoting Partnerships Between Commercial Space and the U.S. Government to Advance Exploration and Settlement."

#### PRIVILEGES OF THE FLOOR

Ms. HEITKAMP. Mr. President, I ask unanimous consent that Felicia Lucci, an AAAS fellow in my office, be granted floor privileges for the duration of today's session of the Senate.

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

#### MEASURE READ THE FIRST TIME—H.R. 2430

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (H.R. 2430) to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes.

Mr. McCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the title of the bill will be read for the second time on the next legislative day.

#### ORDERS FOR MONDAY, JULY 17, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m. on Monday, July 17; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their

use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Shanahan nomination; finally, that notwithstanding the provisions of rule XXII, the cloture vote on the Shanahan nomination occur at 5:30 p.m., Monday, July 17.

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

#### ADJOURNMENT UNTIL MONDAY, JULY 17, 2017, AT 3 P.M.

Mr. McCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:57 p.m., adjourned until Monday, July 17, 2017, at 3 p.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### COMMODITY FUTURES TRADING COMMISSION

ROSTIN BEHNAM, OF NEW JERSEY, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING JUNE 19, 2021, VICE MARK P. WETJEN, RESIGNED.

##### THE JUDICIARY

MICHAEL LAWRENCE BROWN, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA, VICE JULIE E. CARNES, ELEVATED.

WILLIAM L. CAMPBELL, JR., OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF TENNESSEE, VICE KEVIN HUNTER SHARP, RESIGNED.

THOMAS ALVIN FARR, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NORTH CAROLINA, VICE MALCOLM J. HOWARD, RETIRED.

CHARLES BARNES GOODWIN, OF OKLAHOMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF OKLAHOMA, VICE ROBIN J. CAUTHRON, RETIRED.

MARK SAALFIELD NORRIS, SR., OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TENNESSEE, VICE J. DANIEL BREEN, RETIRED.

THOMAS LEE ROBINSON PARKER, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TENNESSEE, VICE SAMUEL H. MAYS, JR., RETIRED.

WILLIAM M. RAY II, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA, VICE HAROLD L. MURPHY, RETIRED.

ELI JEREMY RICHARDSON, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF TENNESSEE, VICE TODD CAMPBELL, RETIRED.

TILMAN EUGENE SELF III, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF GEORGIA, VICE C. ASHLEY ROYAL, RETIRED.

##### IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

##### To be major general

BRIG. GEN. JOHN D. SLOCUM

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

##### To be major general

BRIG. GEN. ANTHONY J. CARRELLI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

##### To be major general

BRIG. GEN. SAM C. BARRETT

##### IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN

THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

##### To be brigadier general

COL. MICHAEL N. ADAME  
COL. JAIME A. AREIZAGA  
COL. THOMAS G. BEHLING  
COL. KAREN A. BERRY  
COL. ROBYN J. BLADER  
COL. DARRELL L. BUTTERS  
COL. ROBERT B. DAVIS  
COL. STEPHEN M. DOYLE  
COL. JOHN J. DRISCOLL  
COL. LARRY D. FLETCHER  
COL. DAVID A. GAGNON  
COL. TERRY L. GRISHAM  
COL. ANDREW M. HARRIS  
COL. HERMAN W. HOLT  
COL. TODD H. HUBBARD  
COL. JONATHAN S. HUBBARD  
COL. MANLEY JAMES  
COL. DAVID M. JENKINS  
COL. JOHN T. KELLY  
COL. STEVEN J. KREMER  
COL. SCOTT M. MACLEOD  
COL. SHARON A. MARTIN  
COL. BRIAN R. NESVIK  
COL. DONALD D. PEREZ  
COL. STEPHEN M. RADULSKI  
COL. CARL T. REESE  
COL. ROBERT K. RYAN  
COL. LAWRENCE E. SCHLOEGL  
COL. GRANT C. SLAYDEN  
COL. TROY J. SOUKUP  
COL. BRIAN E. TATE  
COL. JEFFREY M. TERRILL  
COL. PATRICK C. THIBODEAU

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

##### To be brigadier general

COL. JOHN C. ANDONIE  
COL. JIMMIE L. COLE  
COL. WILLIAM T. CONWAY  
COL. JEFFREY L. COPELAND  
COL. PETER B. CROSS  
COL. JON M. HARRISON  
COL. STEFANIE K. HORVATH  
COL. LOWELL E. KRUSE  
COL. HALDANE B. LAMBERTON  
COL. STEPHEN F. LOGAN  
COL. FRANKLIN D. POWELL  
COL. CARLTON G. SMITH  
COL. TIMOTHY N. THOMBLESON  
COL. CYNTHIA K. TINKHAM

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

##### To be brigadier general

COL. SAMUEL AGOSTOSANTIAGO  
COL. HERBERT J. BROCK IV  
COL. CHARLES G. CODY  
COL. CHARLES T. CROSBY  
COL. JAKIE R. DAVIS, JR.  
COL. MARK D. DROWN  
COL. CURTIS W. FAULK  
COL. TIMOTHY A. GLYNN  
COL. RICHARD A. GRAY  
COL. GREGORY J. HADFIELD  
COL. THOMAS W. HANLEY  
COL. SHAWN A. HARRIS  
COL. RALPH F. HEDENBERG  
COL. JACKIE A. HUBER  
COL. DAVID T. MANFREDI  
COL. JUDITH D. MARTIN  
COL. JOHN K. MULLER  
COL. WILLIAM M. MYER  
COL. RALPH R. MYERS, JR.  
COL. ERIC J. OH  
COL. AMOS P. PARKER, JR.  
COL. JOSEPH K. PEARCE  
COL. DEBRA D. RICE  
COL. DOUGLAS C. ROSE, JR.  
COL. MARK J. SCHINDLER  
COL. FARIN D. SCHWARTZ  
COL. RONALD F. TAYLOR  
COL. DANIEL L. TOWNSEND  
COL. WILLIAM L. ZANA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

MAJ. GEN. RYAN F. GONSALVES

##### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be vice admiral

REAR ADM. (LH) WILLIAM R. MERZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED

WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. JOHN D. ALEXANDER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. PAUL A. STADER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

VICE ADM. JOHN C. AQUILINO

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be lieutenant colonel*

WILLIAM O. MURRAY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

PATRICK R. WILDE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be colonel*

JEFF H. MCDONALD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

EDWARD V. ABRAHAMSON  
THOMAS C. ADKINS  
MICHELLE I. AETONU  
DAVID M. ALVAREZ  
TREG E. ANCELET  
HEIDI E. ANDERSON  
CHARLES L. ARNOLD  
CHARLES D. AUSMAN  
MICHELLE D. BARBEE  
BEAU J. BARKER  
ISAAC L. BATES  
JOSEPH BATISTE, JR.  
JOSHUA J. BAXTER  
CORINNE F. BELL  
PAUL N. BELMONT III  
DAMON F. BENNETT  
JEANETTE E. BERNAOLA  
KEN R. BERNIER  
RODNEY G. BILBREW  
TOBY A. BIRDSSELL  
MATTHEW J. BISSWURM  
DAVID J. BLANCHARD  
JASON D. BOHANNON  
PERRY R. BOLDING  
WENDY E. BOLTON  
DALE P. BOND, JR.  
BENJAMIN D. BORING  
MICHAEL D. BOYLES  
ERIC A. BROOKS  
WILLIAM D. BROSEY  
DEVIM J. BROWN  
KENNETH R. BULTHUIS  
JENNIFER A. BURGESS  
KEVIN R. BURGESS  
ERIC M. BURKE  
THADDEUS L. BURNETT  
STEPHEN M. BUSSELL  
THEODORE G. CAPRA  
CRYSTAL L. CARBERRY  
JEFFRY T. CARLSON  
JASON E. CARNEY  
JESSICA R. CARTER  
KURSTEEN N. CHAMPAGNE  
EDWARD CHO  
TENN R. CHOWFEN  
LUKE R. CLOVER  
JENNIE E. CONLON  
JOE CONTRERAS  
CHARLES W. CONWAY, JR.  
JERIMIAH J. CORBIN  
PHILIP D. CORDARO  
MARK R. CORN  
AARON M. CORNETT  
JAVIER A. CORTEZ  
THOMAS U. CRARY III  
JOSE A. CRESPO  
RICHARD CRUZ  
KIZZY M. DANSER  
SHAALIM H. DAVID  
ALBERT W. DAVIS  
JOSEPH H. DAVIS  
MATTHEW W. DAVIS  
THEODORE DAVIS, JR.  
MAUREEN A. DAVISBERK

MARTIN J. DEBOCK  
CHRISTINE A. DESAINE  
CHRISTOPHER L. DIEDRICH  
RODLIN D. DOYLE  
JASON J. DUMSER  
BRYAN R. DUNCAN  
CLAYTON J. DUNCAN  
JOSEPH P. DZVONIK  
SAMUEL J. ESKEW  
ROBIN R. EVANS  
DENIS J. FAJARDO  
KENDRICK D. FANNIEL  
TAMMY A. FANNIEL  
HUGHIE E. FEWELL  
JAMES T. FISHER  
CHANDLER G. FISK  
CARLITO O. FLORES  
MIGUEL A. FLORESRIVERA  
FELICIA R. FLOYD  
LATOSHA D. FLOYD  
ERIN H. FRAZIER  
DEANDRE L. GARNER  
JULIE J. M. GILBERT  
YOLANDA D. GORE  
DANILO A. GREEN  
WILLIAM J. GREGORY  
JEREMY A. GROOVER  
EDWARD M. GUTIERREZ  
EDWARD A. HALSTEAD  
AAREN M. HANSON  
DAVID O. HARLAN  
DORIAN C. HATCHER  
HEATH R. HAWKES  
STEVEN T. HELM  
PATRICK M. HENRICH  
RUSSELL E. HENRY  
DANIEL P. HENZIE  
JEFFREY R. HERNANDEZ  
ANDREW W. HESS  
CHRISTOPHER M. HETZ  
GEORGE A. HILL  
TRAVIS W. HILL, SR.  
LINWOOD R. HILTON  
JEREMIAH S. HIRAS  
JOHN D. HNYDA  
JASON R. HOLLAND  
YEMSRACH B. HOLLEY  
ROY K. HORIKAWA  
MICHAEL E. HORKAY  
JEREMIAH J. HULL  
LAURA G. HUTCHINSON  
CARMEN J. IGLESIAS  
DELIA L. IHASZ  
SUNG J. IN  
ADRIAN F. JASSO  
MATTHEW D. JOHNSON  
JAMES R. JOHNSTON  
AARON L. JONES  
ANGELO G. KELLUM  
BRENT D. KENNEDY  
BENJAMIN L. KILGORE  
TURMEL A. KINDRED  
CARL K. KLEINHOLZ  
JASON W. KLOPF  
GEORGE P. KLOPPENBURG  
VIRGINIA A. KNORR  
PAMELA D. KOPPELMANN  
EBONY S. LAMBERT  
ERNEST J. LANE II  
LATRINA D. LEE  
MICHAEL J. LEE  
TYRONE D. LEE  
CHRISTINA M. LEWIS  
MICHELLE A. LEWIS  
PAUL Z. LICATA  
MICHAEL A. LIND  
ROSS B. LINDSEY  
FLOR Y. LOPEZ  
BRIAN I. LUST  
KENSANDRA T. MACK  
MELISSA N. MAJANO  
THOMAS D. MALONE  
CANDICE MARTIN  
ELIZABETH S. MASON  
CATHY L. MASSEY  
JAMES B. MATTOX  
GEORGE B. MAY, JR.  
JEFFREY S. MAY  
JAMES D. MCCONNELL  
JUSTIN M. MCGOVERN  
STUART I. MCMILLAN  
SHAUN D. MCMURCHIE  
CHATA MEADOR  
DUSTIN A. MENHART  
JUSTIN L. MILLER  
MATTHEW C. MILLER  
JOSEPH S. MINOR  
MELVIN T. MITCHELL  
MONICA S. MITCHELL  
CHAD L. MONIZ  
CLARENCE L. MONTAGUE  
ANDRA A. MOORE  
STACY L. MOORE  
JONATHAN R. MORRIS  
MERNA C. MORRIS  
VINSON B. MORRIS  
DONYA K. MOSLEY  
JILL MOSS  
PHILLIP P. MURRELL  
WILLIAM NAVARRO  
JOHNATHON W. NELSON  
DOUGLAS S. NEWELL

RYAN P. NOBIS  
ROBERT R. OLIVER  
SETH M. OLMSTEAD  
ERIC E. ORJIH  
SCOTT A. PARLOW  
JAMES W. PAUL  
FELIPE PEREZ, JR.  
JULIAN PEREZ  
MICHAEL O. PERRY  
MATTHEW O. PETERSON  
CHRISTOPHER D. PETREE  
BRIAN J. PIEKIELKO  
GEORGE J. PLYS  
STEPHEN A. POLACEK  
JAMES A. POLAK  
JASON H. POLK  
JOSHUA D. PORTER  
WILLIAM PRINCE, JR.  
KIMBERLY D. PRINGLE  
LAKETHA D. PRIOLBAU  
KEITH E. PRUETT  
ALICIA L. PRUITT  
PRESTON G. PYSH  
DARE A. RAPANOTTI  
JUSTIN M. REDFERN  
ERIN M. REED  
DONALD R. REEVES, JR.  
HEATHER M. REILLY  
TROY D. REITER  
LUZHILDA P. RESTREPO  
WILLIAM J. RICHARDSON  
CHRISTINA L. RIVAS  
NADINE I. ROSS  
RAMON C. SALAS  
SCOTT D. SAVOIE  
ERIC J. SCHILLING  
MICHAEL K. SCHULTE  
CURT H. SCHULTHEIS  
HEATHER J. SHARPLESS  
MICHAEL L. SHAW  
DANIEL J. SHILL  
BRIAN K. SHOEMAKER  
KELVIN V. SIMMONS  
MATTHEW E. SIMPSON  
DONNA S. SIMS  
BECKY SIU  
MARIE F. SLACK  
BRIAN J. SLOTNICK  
ARJEAN A. SMITH  
BRADLEY A. SMITH  
DONALD P. SMITH  
PAUL W. SMITH  
SAMUEL D. SMITH, SR.  
TARA D. SMITH  
ANGELA L. SMOOT  
KARL P. SONDERMANN  
PETER J. STAMBERSKY  
BRIAN C. STEELE  
JULIE M. STOCKELMAN  
NATHAN A. STROHM  
JEFFREY J. STVAN  
ADRIAN J. SULLIVAN  
ERIC D. SUTTON  
SHAWN M. SVOBODA  
RYAN H. SWEDLOW  
BRIAN C. TABAYOYONG  
TYLER J. TAFELSKI  
TYRON P. TAYLOR  
DANIEL R. THETFORD  
AUTHER E. THOMAS  
DEMETRICK L. THOMAS  
VAUGHN C. THOMPSON  
EVAN R. TIMMENS  
RYAN B. TINCH  
FRANK C. TORTELLA, JR.  
TOMISHA A. TOSON  
DWIGHT F. TOWLER  
JOHN C. TRAEGER  
BILLY J. TUCKER  
TAVARES A. TUKES  
FAAMAO UMALITANIELU  
BRANDON H. UNGETHEIM  
RONALD A. VELDHIJZEN, JR.  
NICHOLE L. VILD  
GORDON E. VINCENT  
MICHAEL F. VOLPE III  
COMANECI WALKER  
GLORIA M. WALKER  
BRANDON K. WALLACE  
JASON W. WALSH  
LAKESHA M. WARREN  
MICHAEL E. WARREN  
ODERAY L. WATSONFOWLES  
NATASHA M. WAYNE  
JAMES E. WEAVER  
JASON A. WEIGLE  
MARTIN E. WENNBLOM  
SHERIDA Y. WHINDLETON  
ERICA L. WHITE  
ALTWAN L. WHITFIELD  
DENNIS K. WILLIAMS II  
MELONY L. WILLIAMS  
NICOLE E. WILLIS  
ANTHONY B. WILSON  
SEAN R. WILSON  
TODD A. WISE  
LAURA P. WOOD  
DELIAH M. WOODS  
AARON T. WORKMAN  
LOUWANNA D. WRIGHT  
KATINA S. YARBOUGH  
SHAWN R. YOUNG

D011855  
D012359  
D012726  
D012929

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES ARMY  
UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

SCOTT J. AKERLEY  
PATRICK L. ALSUP  
DANIEL J. ANDREWS  
TODD W. ARNOLD  
MATTHEW G. AUSTIN  
ANDREW A. BAIR  
JONATHAN D. BAKER  
RAVI A. BALARAM  
MICHAEL K. BARNETT  
ANTHONY L. BARRERAS  
JASON L. BARTLETT  
JORDAN M. BECKER  
WYNNE M. BEERS  
RICHARD J. BENDELEWSKI  
CRAIG M. BENKE  
DAVID M. BESKOW  
SHANEKA L. BIZZELL  
JACOB A. BLANTON  
GARY S. BLOUNT  
DANIEL B. BOLTON  
JARED V. BONDESSON  
DEREK D. BOTHERN  
JESSE J. BRANSON  
CHRISTOPHER R. BRAUTIGAM  
WILLIAM D. BRICE  
MARIE E. BRIDGES  
CLEO T. BROWN  
EARL C. BROWN  
STEPHEN S. BROWN  
TEMARKUS M. BROWN  
CHRISTOPHER S. BROWNING  
VONTE Q. BRUMFIELD  
PAUL A. BUBLIS  
JASON A. BUCHANAN  
RAVEN M. BUKOWSKI  
JOSHUA T. BURDETT  
STEPHEN J. BURROUGHS  
JAMES D. BUSKIRK  
LOREN A. BYMER  
JEFFREY A. BYRD  
DEVON M. CALLAHAN  
MATTHEW J. CANNON  
BRETT A. CAREY  
DEREK J. CARLSON  
JAMEL R. CARR  
TARA S. CARR  
THOMAS W. CASEY  
TYLER M. CATE  
NANCY C. CECH  
TREVOR J. CHARTIER  
RICHARD T. CHEN  
WILLIAM J. CHERKAUSKAS  
JOHN D. CHILDRESS  
MICHAEL J. CHILDS  
MIN K. CHOI  
CRAIG A. CHRISTIAN  
NANCY E. CLAUS  
CAMALA L. COATS  
ERIC L. COGER  
GEORGE H. COLEMAN  
RONALD A. COLOMBO, JR.  
LAKEETRA COLVIN  
JOSHUA M. CONANT  
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ABDIEL ROSADOMENDEZ  
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AARON M. ROSPENDOWSKI  
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WAYNE A. SANDERS  
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PATRICK SCHORPP  
ERIC R. SCHWARTZ  
STEVEN J. SCHWOERKE  
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SHANE P. SCOTT  
LAWRENCE SEKAJIPO  
KRYSTAL G. G. SESSOMS  
NICOLE Y. SHADLEY  
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STEPHEN C. SHORT  
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BETH R. SMITH  
SLADE K. SMITH  
JOAN E. SOMMERS  
MICHAEL E. STADNYK  
TYLER J. STANDISH  
SCOTT H. STARR  
JONATHAN L. STCLAIR  
JASON J. STEGER  
BENJAMIN J. STEICHEN  
DAVID M. STURGIS  
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THOMAS J. SWINT  
KAMIL SZTALKOPER  
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WILLIAM D. TAYLOR  
KEVIN L. THAXTON  
SARAH E. THOMPSON  
MICHAEL C. THORPE  
BRIAN W. TINKLEPAUGH  
KENDRA T. TIPPETT  
HOWARD C. TITZEL  
MICHAEL T. TOBIAS  
MATTHEW D. TOBIN

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DALE T. VERRAN  
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ANGEL L. WADE  
SCOTT R. WADE  
KYLE M. WALTON  
JAMES D. WATT  
JASON L. WEBB  
TERRI N. WEBB  
ETHAN T. WEBER  
DAVID I. WEST  
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JACKIE A. WILLIAMS  
RENOR S. WILLIAMS  
JEFFREY M. WILSON  
MASON J. WILSON  
TIA C. WINSTON  
MICHAEL D. WISE  
GRAHAM D. WOOD  
ROBERT J. WOODRUFF  
KENNETH T. WOODS  
GREGORY J. WORDEN  
KYLE R. YATES

D012842  
D013349  
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D010151  
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D013279  
G010044  
D010918  
D012997  
G010369  
G001318  
G010423  
D012603  
D012930  
D011270  
G010263  
G010196  
D004194  
G010111  
D010806  
G010356  
D011238  
G010438  
D010177  
D012147  
G001244  
D012728  
D011941  
G010033  
D002220

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TO THE GRADE INDICATED IN THE UNITED STATES ARMY  
UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

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JONAS ANAZAGASTY  
MERLIN F. ANDERSON  
THOMAS N. ANDERSON  
ERIK A. ANDREASEN  
ERIK S. ARCHER  
JOHN D. ARMSTRONG  
KEVIN P. ARNETT  
EDWARD L. ARNTSON  
ERIC E. ARTEMIS  
JACOB A. ATKINS  
BOWE T. AVERILL  
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JOSHUA L. CAMPBELL  
SALVATORE E. CANDELA  
SCOTT L. CANTLON  
BRIAN C. CAPLIN  
MATTHEW S. S. CARL  
DAVID C. CASTILLO  
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 TERRENCE L. SOULE  
 AARON J. SOUTHARD  
 WESLEY M. SPEAR  
 BRENDA J. SPENCE  
 RONALD W. SPRANG  
 TANNER J. SPRY  
 DWAYNE W. STAPLES  
 JASON R. STARAITIS  
 RICHARD D. STEARNS  
 MARGARET G. W. STICK  
 BRADLEY R. STREMLAU  
 JAMES C. STULTZ  
 RONALD J. STURGEON  
 MEGHANN E. SULLIVAN  
 ROBERT M. SUMMERS  
 TODD S. SUNDAY  
 ADAM J. SWEDENBURG  
 GEORGE T. TATUM  
 STEVEN B. TEMPLETON  
 BRANDON S. TENNIMON  
 PETER A. THAYER  
 AARON M. THOMAS  
 TROY P. THOMAS  
 VINCENT A. THOMAS  
 ANDREW A. THUEME  
 DAVIS D. TINDOLL  
 GREGORY M. TOMLIN  
 JOHN T. TOOHEY  
 ROBERT K. TRACY  
 TRAVIS I. TRAMMELL III  
 MICHAEL P. TUMLIN  
 ANTOINETTE C. TURNER  
 CHARLES C. TURNER  
 JENNIFER L. UYESHIRO  
 PHILLIP J. VALENTI  
 RUSSELL W. VANDERLUGT  
 JOSHUA B. VANETTES  
 MARK J. VANHANEHAN  
 JOSE R. VASQUEZ  
 ERICK R. VELASQUEZ  
 RENATO VIEIRA  
 DANIEL J. VONBENKEN  
 SETH W. WACKER  
 CHRISTOPHER K. WAGAR  
 NEILSON W. WAHAB  
 KENNETH W. WAINWRIGHT  
 JERMAINE M. WALKER  
 JERON J. WASHINGTON  
 JOSEPH D. WEINBURGH  
 SHANE M. WELLER  
 CHARLES W. WELLS  
 JOHNATHAN H. WESTBROOK  
 JAMES A. WESTGATE  
 JARON S. WHARTON  
 SHANA M. WHATLEY  
 ANDREW A. WHITE  
 JACOB A. WHITESIDE  
 CLARENCE W. WILHITE  
 JEREMY P. WILLIAMS  
 JOHN R. WILLIAMS  
 NATHAN B. WILLIAMS  
 RYAN T. WILLIAMS  
 DOUGLAS M. WILLIG  
 EDWARD B. WITHERELL  
 SEAN A. WITTMEIER  
 RICHARD E. WITWER  
 JOHN A. WOMACK  
 LILLIAN I. I. WOODINGTON  
 JASON T. WOODWARD  
 VASHAUN A. WRICE  
 D013658  
 D013297  
 D011241  
 D011563  
 D010451  
 D011888  
 D013209  
 D012269

D013418  
 D013263  
 D012599  
 D011242  
 D012382  
 D013351  
 D013196  
 D011536

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

ERIK C. ALFSEN  
 LUIS N. ANDA  
 TAIWO A. AROWOSEGBE  
 JON R. BAILEY  
 ROBERT D. BILLINGSLEY  
 TROY J. BLAN  
 DEXTER J. BROCK  
 MARLON W. BROWN  
 SHARON BROWNE  
 JORGE H. BUDEZ  
 ERIC B. BUNDRICK  
 CHRISTOPHER CAMPBELL  
 ANTHONY CECI  
 DANIEL A. CHASE  
 KEVIN M. CHERWINSKI  
 DAVID CHRISTENSEN  
 BRENT A. CROSSWHITE  
 GENE R. DAVIDSON  
 MICHAEL B. DAWSON  
 FREDERICK B. DENNING  
 BRUCE R. DUTY  
 ROBERT ELKOWITZ  
 JEFFREY P. ELLIS  
 MICHAEL A. FERGUSON  
 KEITH D. FERRELL  
 JASON V. FORTE  
 LUDOVIC O. FOYOU  
 ROBERT GINSBURG  
 GRAHAM B. GLOVER  
 BRIAN T. HARGIS  
 JODY L. HARLOW  
 EDWARD S. HARRIS  
 SHANE J. HENDERSON  
 ROBERT B. HENSLEY  
 JAY F. HUDSON  
 OYEDEJI IDOWU  
 DOUGLAS J. INMAN  
 PATRICK D. IRELAND  
 CHESTER R. IRWIN  
 JOHN G. JACOBSEN  
 MICHAEL J. JOHNSON  
 MARK A. JOHNSTON  
 CARSON M. JUMP  
 RAJA KANDANADA  
 CHANG J. KIM  
 TAYLOR KIM  
 MICHAEL J. KROG  
 JOHN B. L. LEE  
 TOBY E. LOFTON  
 WILLIAM G. LUTZ  
 TONY M. LUXEM  
 JOHN P. MCDUGALL  
 JONATHAN R. MCPHERSON  
 JONATHAN MELENDEZ  
 HOCHANG MIN  
 JOHN A. MUTH  
 PATRICIA G. NICHOLS  
 MARK E. NIKONT  
 SAMUEL OLMOS  
 CHESTER W. OLSON III  
 ROGER B. OSBORN  
 RICK PAK  
 SANG W. PAK  
 JOSEPH P. PALERMO  
 JUSTIN G. PICKERING  
 JEFF S. PYUN  
 THEODORE F. RANDALL  
 HANS C. RUSKA  
 RUBEN G. SALDANA  
 ISMAEL O. SERRANO  
 MATTHEW F. SHENTON  
 PETER P. STONE  
 STEPHEN C. TAYLOR  
 KEVIN W. TRIMBLE  
 ANTHONY A. TURPIN  
 KIRBY L. VIDRINE  
 EDGAR G. VILLANUEVA  
 JARED L. VINEYARD  
 MICHAEL P. VOUDOURIS  
 JESUS O. WALLACE  
 MATTHEW W. WEATHERS  
 CHRISTOPHER W. WEINRICH  
 RICHARD D. WILLIAMS  
 MARK D. WORRELL  
 GLEN D. WURDEMAN  
 JERRY B. YOUNG  
 JOSHUA J. ZIEGLER  
 D013346

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be colonel*

BRADFORD A. BAUMANN  
 DAVID A. BOWLUS  
 ROBERT S. BROWN

JOEY T. BYRD  
STEVEN E. CANTRELL  
BRIAN W. CHEPEY  
SHMUEL L. FELZENBERG  
GARY T. FISHER  
KEVIN S. FORRESTER  
ROBERT J. GLAZENER  
DAVID V. GREEN  
DENNIS E. HYSOM  
RAJMUND KOPEC  
CHRISTOPHER G. MORRIS  
JIMMY D. NICHOLS  
TONY S. PETROS  
TERRY E. ROMINE  
ALLEN W. STALEY  
THOMAS B. VAUGHN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT  
IN THE GRADE INDICATED IN THE RESERVE OF THE  
ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 716:

*To be colonel*

JAY A. JOHANNIGMAN

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY  
APPOINTMENT TO THE GRADE INDICATED IN THE  
UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION  
5721:

*To be lieutenant commander*

PATRICK R. ADAMS  
JOSHUA M. ANDERSON  
JAMES S. BALL

MARK A. BEALE  
WILLIAM G. BICKEL  
SYLVESTER CAMPOS III  
CAMERON A. CARLSON  
JACOB R. CATES  
DEIRDRE E. COLLINS  
TIMOTHY J. DEVAL  
BRIAN P. FLANAGAN  
JOSHUA J. GLENN  
JOHN T. GOFF  
DANIEL S. GRAY  
CHRISTOPHER J. HALL  
SEAN L. HARRIS  
CHRISTOPHER J. HART  
DANIEL J. HOOGE  
STEVEN D. HOPKINS  
PAUL G. HUCKABY  
ANDREW L. HUTCHISON  
GEOFFREY B. JOHNSON  
RYAN P. KELLY  
KRISTOPHER J. KYZAR  
ERIC W. LARSON  
KASEY B. LEWIS  
WAYNE D. LILEKS  
NICOLE L. LOBECKER  
TYLER E. MANESS  
KYLE E. MCFADDEN  
JAMES B. MONTGOMERY  
GREGORY W. MOSLEY II  
VICTOR H. MOYA  
JAMES L. ONEAL  
NATHAN S. PITTSCH  
ANDREW L. POLLACK  
ERIC S. QUIRK

CHRISTOPHER W. RAKOSKI  
JAIME E. RAMIREZ  
SETH A. ROMO  
JOHN R. SCHAEFFER II  
CLINTON T. SCHUHART  
RYAN J. SISLER  
STEPHEN J. SKAHEN, JR.  
DANNY G. SLOVER II  
STEPHANIE A. SMIROG  
JACOB A. UPTGROVE  
BLAKE M. WANIER  
JAMES T. WATTERS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

RANDALL G. SCHIMPF

CONFIRMATION

Executive nomination confirmed by  
the Senate July 13, 2017:

DEPARTMENT OF STATE

WILLIAM FRANCIS HAGERTY IV, OF TENNESSEE, TO BE  
AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY  
OF THE UNITED STATES OF AMERICA TO JAPAN.



## HOUSE OF REPRESENTATIVES—Thursday, July 13, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. DONOVAN).

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
July 13, 2017.

I hereby appoint the Honorable DANIEL M. DONOVAN, Jr. to act as Speaker pro tempore on this day.

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

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

### CONGRESSIONAL HISPANIC CAUCUS MEETS WITH SECRETARY OF HOMELAND SECURITY

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

Mr. GUTIÉRREZ. Mr. Speaker, yesterday, Secretary of Homeland Security John Kelly met with members of the Congressional Hispanic Caucus.

We asked him about veterans who are being deported. We asked him why American citizens were increasingly having their families broken up by deportation. We asked him about the 800,000 young people who signed up for DACA and the hundreds of thousands of long-term residents of the U.S. who have temporary protected status. He really had no answers.

We know he is on board with Trump's agenda to deport millions and millions of people or he would not have been appointed to his position. But, honestly, he seemed not to understand what his own agency does, the statutory powers he has as Secretary of Homeland Security under current law, or, for that matter, even how Congress works—so naive.

Let me give Members some examples.

Number one, Francisca Lino lives in Chicago, and her husband and six children are U.S. citizens. For nearly a decade, she stayed out of trouble and reported every year to immigration authorities.

Now people who work for the Secretary decided she must leave the country and leave her American citizen children and her American citizen husband this August. Why? What changed, Mr. Secretary? Absolutely nothing, except you.

The same goes for Jesus Lara in Ohio. He has four American citizen children who have lived their entire lives here but their family is being broken up by their own government.

According to the Secretary, the courts are deporting them, not he or his agency. He denied any responsibility and said he can't do anything about it. But we all know the Secretary of Homeland Security has extraordinary powers to spare families from deportation, especially when doing so would not be in our national interest.

I told him he could just pick up the phone and stop the deportation of Ms. Lino and Mr. Lara and spare the American people the cruelty and the hardship. But he is hiding behind the old "it is out of my hands" bureaucratic dodge and the old "I am just following orders" defense—the general following orders.

But, General, that is completely invalid because we know you have the power to do the right thing.

On TPS, a program that currently allows hundreds of thousands of people to live and work here legally, the Secretary has almost unilateral power to extend it. But the Secretary was like: Well, I don't know what I'm gonna do. They have been here a long time. I don't know what I'm gonna do. I have to decide.

What kind of answer is that, Mr. Secretary?

To me this means that hundreds of thousands of people's lives, the lives that have been built in the United States, are about to be turned upside down. He wants to take hundreds of thousands of legally documented immigrants and make them undocumented and then go after them and their families. How does that make America great?

Then there is DACA, the program where 800,000 children and young adults came forward and registered with the government, went through a back-

ground check and were rechecked periodically. Now Secretary Kelly says he thinks DACA is illegal, and, once again, it is out of his hands—and up to whom? Do you know whom he says it is up to? Attorney General Jeff Sessions—only America's number one opponent of immigration of any kind.

So to me this is our call to action. The way we rose up to support women and Planned Parenthood, we have to do that again and again. The way lawyers and patriotic Americans stood at airports to protect refugees and religious freedom, well, now it is time to protect TPS, DREAMers, and other families in the crosshairs.

We are going to have to organize, mobilize, and stand with our allies to protect families, to protect American citizens in those families, and to defend communities because these guys are serious. They want to deport millions of people, and they are coming after the DREAMers and those with deep, long-term lives in the U.S.

This is our call to action. We must resist. We must rise up and stand up for American values. Whether the President, the Secretary, or the Attorney General likes it or not, we need to make it clear that immigrants and immigration are here to stay.

Last May, the Secretary of Homeland Security set an edict. He told over 55,000 Haitians: You have got 6 months. Get your paperwork ready. You are leaving the country.

Then he is going to come after hundreds of thousands of Central Americans that are here legally in this country and have been here for 10, 15, and 20 years. He is telling them also: Get your affairs in order. You are going to be deported from the United States. I am eliminating your legal status.

When it comes to DREAMers, I want to make it absolutely clear to everyone today that he is going to end the program, and he is going to begin that process this September. He says: Oh, I like them. They are nice people, but there is nothing I can do. I am just going to talk to my buddy, General Jeff Sessions.

Jeff Sessions has never liked the program when he was a U.S. Senator, and now he is the Attorney General. They will eliminate the program, putting 800,000 people in the crosshairs of deportation.

We have the moment to rise up.  
(English translation of the statement made in Spanish is as follows:)

It is the moment to resist, they are coming to destroy our communities,

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

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

they are coming to deport dreamers. Let's stand up! Get organized and resist.

Es el momento de resistir, vienen a destruir nuestra comunidad, vienen a deportar a los soñadores. Parecen, organizasen y resistan.

The SPEAKER pro tempore. The gentleman from Illinois will provide a translation of his remarks to the Clerk.

#### THANKING SUSAN GUREKOVICH FOR HER SERVICE

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize the wonderful career of Susan Gurekovich, the office manager and academy coordinator caseworker in my Bellefonte district office. After nearly 40 years of service to the people of the Fifth Congressional District of Pennsylvania, which spanned the terms of three separate Members of the House, Susan will retire on Friday, July 14.

She will certainly be missed by all.

Mr. Speaker, Susan began her career on February 19, 1979. She began working for Congressman Bill Clinger of Warren County, Pennsylvania. She would spend the following 18 years providing top-notch constituent services to the people of Pennsylvania.

Susan said she was blessed to work for Congressman Clinger and to learn from his experienced staff, especially her mentor, Becky Mills. Susan has seen a lot through her 38 years of service, and her smile, friendliness, and can-do attitude has only grown larger over the years.

Susan, herself, has mentored countless interns and employees during her tenure. It was decades ago that a young intern named Rick Santorum spent time in the office during his tenure at Penn State University. Later Susan would watch his career progress as he eventually found himself in the House of Representatives and the United States Senate.

When Congressman Clinger retired and Congressman John Peterson was sworn in, he welcomed Susan's experience as he took office in 1997. Susan continued her role, which included overseeing the Military Service Academy Board. Susan also worked to help nominate the best and the brightest young men and women in the congressional district for our U.S. service academies.

She has seen scores of young, optimistic, patriotic students walk through her door with the hope of attending one of our great academies. These same students have been fortunate to work with a true civil servant like Susan. She is someone who is not only dedicated to her job, but enthusiastic about it day in and day out.

When Congressman Peterson retired in 2008 and I was elected in 2009, it was an easy fit to retain Susan on my district staff as a caseworker and office manager. Her dedication to the people of the Fifth Congressional District knows no bounds. She is always in search of an answer and works diligently to navigate our Federal agencies to resolve issues and problems for our constituents.

To say we will miss Susan is an understatement. Her warm welcome to all who cross her path will not be forgotten or easily replaced. Everyone who has the pleasure of interacting with her can see her passion.

Susan is a hometown girl and a self-described country girl at heart. She graduated from South Hills School of Business Technology and supplemented her degree with courses at Penn State University.

I know she looks forward to spending more time with her husband, John, and they plan to travel and visit with family and friends. Susan said she will take a more active role in her church as a deacon to continue her life of service.

And that is exactly what Susan has done for the past 38 years for the people of central and north central Pennsylvania: serve. She has helped and assisted so many. When you meet with Susan, you will always be greeted with a welcoming smile, a listening ear, and a caring heart.

I thank Susan for her dedication, for serving the American people, and for helping select so many bright young minds to serve in our military academies.

On behalf of the Congress of the United States, I thank Susan for more than four decades of service to the people's House. She embodies the character of this institution and has been a steadfast advocate for countless constituents, three Members of the House, and the Commonwealth of Pennsylvania.

On behalf of my family and her second family, the staff in Pennsylvania and here in Washington, we wish Susan the best for a well-deserved retirement.

#### PASS GUN SAFETY LEGISLATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. KELLY) for 5 minutes.

Ms. KELLY of Illinois. Mr. Speaker, 2 weeks ago, I stood up on this floor and called for action to stop gun violence. My request was simple: before we recess this summer, let us pass lifesaving gun safety legislation. This is something that has bipartisan support. It is something that urban, suburban, and rural communities have cried out for help on.

Universal background checks are something 74 percent of NRA members support. Put in context, just 16 percent

of Americans want the majority's healthcare bill, and yet you have attempted to pass it three times in the past 2 months. Nearly 8 in 10 Americans want background checks on gun sales, but we have not had one vote.

Because of your inaction, over 100 people were shot and over 10 were killed by gun violence in Chicago over the Fourth of July weekend. Over 100 Americans shot in one weekend and in one city, and still we do nothing.

I would like to call out names of those who have lost their lives:

Martell Sanders-Anderson, 16;

Djuan Williams, 16;

Andre Taylor, 16;

Lucas L. Spicer, Jr., 16;

Pierre Loury, 16;

Davharea Wilson, 16;

Ladarrius Jackson, 15;

Leonardo Betancourt, 13;

Randall Young, 16;

Eddy Brooks, 16;

Nathan Hicks, 16;

Damarcus Williams, 16;

Veronica Lopez, 15;

Fabian Lavinder, 15;

Victor Felix, 16;

Christian Bandemer, 16;

Melvin Cook, 16;

Trevell Parker, 16;

Travon Smith, 15;

Mario Venegas, Jr., 15;

Delance Price, 16;

Malik Causey, 14;

Elijah Sims, 16;

Jaylen Howard, 16;

Demarco Webster, Jr., 14;

Deandre Banks, 16;

Elijah House, 16;

Clarence Coakley, 16;

Javon Wilson, 15;

Diego Alvarado, 16;

Christopher Brandon, 16;

Gregory Livingston, 15;

Malik McNeese, 16;

Bruce Owens, 15;

Diabolique Anderson, 16;

Willie Woodus, 15;

Clavonte Eubanks, 15;

Takiya Holmes, 11;

Lavontay White, Jr., 2;

Deshawn Martin, 15;

Mishawn Green, 16;

Kanari Gentry-Bowers, 12;

Laquan Allen, 14;

Jaquarius Davis, 16;

Julio Cesar Garcia-Lara, 15;

Kahari Stovall, 16;

Diego Villada, 15;

Jesus Escobar, 16;

Alexis Stubbs, 12; and

Jazebel Aleman, 3.

Mr. Speaker, not one of these children was over 16 years old. They should be learning to drive, learning to code, playing with dolls, and enjoying their own summer recess. That will never again be possible because of this Chamber's inaction.

#### RECOGNIZING MONROE COUNTY, MICHIGAN

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

Mr. WALBERG. Mr. Speaker, I rise today in recognition of Monroe County, Michigan's bicentennial celebration.

Founded on July 14, 1817, Monroe County is the second oldest county in Michigan and is named in honor of our Nation's fifth President, James Monroe.

Home to the River Raisin National Battlefield Park, Monroe County takes great pride in preserving local history and telling the story of the War of 1812 and those who fought to secure our freedoms.

□ 1015

Monroe County is blessed with many precious natural resources, wildlife, and outdoor areas for the community to enjoy. Whether it is fishing for wall-eye on Lake Erie or watching waterfowl in the unique coastal marshes, the outdoor opportunities are the finest in the Nation.

Serving as an important transportation hub, Monroe County features the largest highway gateway into Michigan and the State's only international port on Lake Erie.

Monroe County is also known for its rich agricultural heritage, as well as its strong manufacturing presence, including the headquarters of furniture manufacturer La-Z-Boy.

Mr. Speaker, I wish to extend my gratitude to the many citizens and organizations that comprise the Monroe County Bicentennial Alliance. They generously gave of their time to coordinate a number of special programs and events throughout the year. It is an honor to join with them to commemorate this exciting milestone for Monroe County, a place where the community proudly comes together to make it a special place to visit and call home.

Congratulations, Monroe County, on 200 years. I look forward to celebrating it with you.

#### HONORING MIKE MCGARVIN

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

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the life of Mr. Mike McGarvin, a role model for one and all, and a gentleman who truly made a difference in his lifetime.

Mike was the beloved founder of the Poverello House, a homeless shelter in Fresno, California, which provides three meals a day, 365 days a year, to those in need, as well as clothing, medical services, and temporary shelter for those who are most vulnerable and have challenges in their life.

For decades, Mike served countless people in the Fresno area using one simple message: "Listen with compassion; give with a warm heart and a smile."

Think about that: Listen with compassion and give with a warm heart and a smile.

The lives of hundreds and thousands of individuals were made better because of Mike's helping hand. He will be remembered by all for his deep compassion and boundless kindness.

Mike was a role model for me and for all who knew him. He leaves a legacy of service and selflessness, both through the Poverello House and in the hearts of those people he touched throughout the years.

I join Mike's family and the supporters of the Poverello House over the years in honoring his life.

#### CONGRATULATIONS TO VALLEY CHILDREN'S HOSPITAL

Mr. COSTA. Mr. Speaker, I rise today to congratulate Valley Children's Hospital for their recent recognition as one of the Nation's top 50 children's hospitals in the country, which I represent. I have been there and know of the work they do.

In their annual Best Children's Hospitals report, U.S. News & World Report ranked the hospital in a host of key critical areas as among the top in pediatric orthopedics, pediatric diabetes and endocrinology, and pediatric gastroenterology and GI surgery.

To see these preemies in their beds and these young, little lives being saved as a result of the overall effort of the children's hospital is truly heartwarming.

We in the Valley have known for decades how highly skilled and dedicated the nurses, doctors, and staff are at Valley Children's Hospital. It was founded more than 60 years ago with the mission to provide high-quality, comprehensive medical care to children, regardless of their ability to pay, and to continuously improve upon the health and well-being of these children. That is why, in part, the cuts that are being proposed to Medicaid are so devastating all around the country, but especially among our children who are not in a position to afford this kind of care.

Valley Children's Hospital has grown and is now the second largest children's hospital in California. It has many more patients than any other pediatric hospital north of San Diego. The hospital's emergency room is the only dedicated pediatric emergency room between San Francisco and Los Angeles.

Valley Children's Hospital has been designated as a magnet nursing hospital by the American Nurses Credentialing Center, which is a recognition of true excellence in nursing care. Less than 3 percent of all hospitals in the United States earn this designation.

Once again, I am a regular visitor to this hospital. When you see the staff, who have an incredible heart, and all the loving care they provide, and you see the parents and families with their young babies and young children, you know that something special is going on here.

On behalf of my constituents in the Valley community, I would like to congratulate Valley Children's Hospital for their recent recognition as one of the Nation's top 50 children's hospitals.

I would also like to thank all of the dedicated staff, once again, who are committed to improving the health and well-being of not only the children of our Valley and in California, but across the Nation. We know that all of the nurses and physicians make a difference throughout our country.

#### MILITARY ORDER OF THE PURPLE HEART

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

Mr. MAST. Mr. Speaker, I rise today to praise the work of the Military Order of the Purple Heart and, specifically, chapter 717.

My friends and neighbors there who serve in this chapter are working to erect a monument on the Treasure Coast of Florida to those who were injured in battle while defending our great Nation. They may have been targeted by a sniper, a victim of an improvised explosive device, or they may have been charging a hill somewhere in Vietnam.

The marker that they have worked to erect at Indian Riverside Park in Martin County will bring awareness and recognition to the true cost of freedom, which is the blood that is shed by selfless men and women who have served across the world in defense of others because of their sense of duty to America.

I thank all members of the Military Order of the Purple Heart for never forgetting and never for one second taking for granted the price paid by our soldiers, sailors, airmen, marines, and coastguardsman.

May God bless the work they are doing.

#### ALZHEIMER'S AWARENESS

Mr. MAST. Mr. Speaker, I rise today so that we think about the over 5 million Americans, including thousands of Floridians and nearly half a million American veterans, who are living with Alzheimer's and dementia.

Alzheimer's is the only one of the top 10 causes of death that cannot be prevented, cannot be cured, and cannot be slowed. As the sixth leading cause of death in Florida, and with so many affected by this incurable disease, we have to continue to stress the importance of early diagnosis and the treatment of Alzheimer's disease and related illnesses.

But awareness is never enough. As a member of the Congressional Task Force on Alzheimer's Disease, I am determined to make progress for all those affected. We must act proactively to achieve breakthroughs in prevention and treatment. We also have to act to

ensure that those who currently have Alzheimer's have the tools that are needed to manage their symptoms, reduce pain, and increase comfort.

Nearly half of all people with Alzheimer's and other dementias are in hospice care at the time of their passing, but less than half of nursing homes have some sort of palliative care program. For people with advanced dementia, palliative care improves their quality of life, controls costs, and enhances both patient and family satisfaction.

As the demand for this kind of care grows with the aging population, more has to be done to ensure that there is a workforce equipped to provide that care. That is why I recently signed onto the Palliative Care and Hospice Education and Training Act, a bipartisan bill that will help our Nation's seniors who are struggling with the effects of Alzheimer's.

I have spoken to a few Members in this House who have not been touched by this serious illness in one way or another. Whether they have been impacted personally, supported a loved one during a tough time, or prayed for a friend who needed help, we all know how difficult that situation is.

This is a great bill. I urge my fellow colleagues to think back to that person that they have known and how much this could have benefited them.

Mr. Speaker, let us take some decisive action to help patients with Alzheimer's and their families. Let's pass this bill.

#### DON'T REPEAL ACA

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

Mr. CONNOLLY. Mr. Speaker, I would say to my friend who just spoke, if he wants to do something for Alzheimer's, don't pass the Senate Republican healthcare bill. It would devastate Medicaid and Alzheimer's victims who rely on Medicaid service.

Ensuring that every American has access to high-quality and affordable healthcare is the most important and enduring challenge, arguably, facing our Nation today. Ironically, we are closer than ever before to achieving that goal.

Since the Affordable Care Act was adopted, more than 20 million previously uninsured Americans have gained quality coverage. In fact, we have reduced the uninsured rate to the lowest level ever recorded. Americans no longer face punitive annual and lifetime limits, and they no longer have the fear of having their inadequate health insurance cut off if they dare get sick. Insurance companies can no longer refuse to cover Americans who suffer preexisting conditions, which is the case for tens of millions of Americans.

The Affordable Care Act has been the difference between life and death for adults who have been locked out of the system for years, for sick children who have reached their lifetime limits before they can even leave the hospital where they were born, for families bankrupted by a cancer diagnosis, and for everyday Americans that will require expensive treatments for the rest of their lives due to a chronic illness or accident.

The Republican effort to repeal this bill is a unilateral retreat from the progress made under the Affordable Care Act and from President Trump's own promise that there would be "insurance for everybody." I guess there was a footnote: except for 23 million.

This promise made by the President is not the only falsehood perpetrated by many of my friends on the other side of the aisle about the Affordable Care Act. Here are three more:

Falsehood number one: Republicans say costs are out of control.

The truth is, since the Affordable Care Act became law, healthcare costs have grown at the slowest rate in 50 years. That is right, the slowest rate in 50 years, and considerably below the decade preceding the adoption of the act. Republicans conveniently ignore the fact that, under their own repeal plan, their premiums would go up an average of 64 percent.

Falsehood number two: Republicans claim the Affordable Care Act is in a death spiral.

Well, this would come as news to the Congressional Budget Office, Standard & Poor's, and the American Academy of Actuaries, all of whom have concluded that the Affordable Care Act's individual markets are stable and could continue to improve, except, of course, for Republicans talking it down.

Falsehood number three: Republicans say that insurers are fleeing the markets and consumers will have no choice.

The truth is the Affordable Care Act is not imploding, but Republicans have certainly tried to sow dysfunction and destroy the individual markets. In some places, they have succeeded. They have resorted to sabotaging the individual markets to fulfill their own false narrative. They killed the risk corridors that stabilized those markets and have used riders and must-pass spending bills to undermine premium stabilization programs.

This has resulted in huge losses to some insurers, causing them to pull out of markets, understandably, and to increase premiums when they otherwise would not have. Ironically, the same premium stabilization programs that the Republicans have attacked since 2014 are actually in their own repeal bill.

The Trump administration has refused to commit to making the cost-

sharing reduction payments that lower out-of-pocket costs for consumers. That has caused premiums to go up. Without those payments, Americans will see premiums increase by an average of 19 percent.

□ 1030

One Blue Cross Blue Shield executive noted the premium increases would be 8 percent if the cost-sharing reduction payments were guaranteed.

Other insurers have explicitly stated that their participation is contingent on those payments. Threatening not to make those payments, of course, undermines the system.

Those payments are not the only aspect of ObamaCare the Trump administration has sabotaged. They have also disrupted enrollment in individual markets by refusing to enforce the individual mandate, by cutting the open enrollment period in half, and by refusing to promote the enrollment itself on television.

Republicans in Congress and the Trump administration have chosen sabotage and repeal over bipartisan cooperation to fix that which is not working. I would propose we work in a bipartisan fashion, and I have three ideas.

First, introduce a public option to increase competition in marketplaces; second, we can implement premium stabilization programs in order to keep premiums affordable for everybody; and third, we can increase premium tax credits and cost-sharing subsidies to lower costs and boost enrollment for middle class Americans. That is the bipartisan solution to healthcare, not a reckless repeal effort that will deny 23 million of our fellow Americans access to healthcare.

#### BRUCE HERSCHENSOHN BIRTHDAY WISHES

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

Mr. MCCLINTOCK. Mr. Speaker, I rise today to pay tribute to one of our Nation's greatest conservative minds and most eloquent voices, Bruce Herschensohn of California, on the occasion of his upcoming birthday.

I am told he is opposed to keeping an exact count of birthdays, either that or he has simply lost track, but it is a significant milestone and one for which his friends are grateful and his country is fortunate.

He served our Nation and the free peoples of the world in the U.S. Information Agency during the Cold War. Anyone who saw and was inspired by the classic tribute, "John F. Kennedy: Years of Lightning, Day of Drums," has Bruce Herschensohn to thank. He went on to serve President Nixon as both speechwriter and adviser.

Anyone who lived in southern California in the late 1970s or the 1980s will remember Bruce's incisive nightly commentaries on KABC-TV and his decisive debates with John Tunney. I can tell you that they fundamentally shaped my thinking and animated my career, and I often encounter others throughout the country who trace their political roots back to his nightly conservative homilies.

Through the darkest days of the Carter malaise, Herschensohn became a beacon of hope, helping to pave the way for the Reagan Revolution. He marshaled the self-evident truths of the American founding and introduced them to a new generation that was losing its memory of them. He connected the dots between freedom and its importance to the prosperity and happiness of our society and the stability of our world. He helped lay the foundation for the Reagan administration on the Presidential transition team.

If he had had any knack or inclination for raising money, he would have served many years in the United States Senate, and both California and the Nation would have been infinitely better for it.

He was one of the earliest voices to raise the alarm over Islamist terrorism and has been one of the strongest defenders of the State of Israel through all its travails and challenges of the past half-century.

But I believe his greatest influence is through the thousands of students who have had the good fortune to study under his tutelage at the Pepperdine University School of Public Policy for more than a decade. The full measure of his contributions to our Nation will be measured over the many years to come as his students take their place in shaping our Nation's policies over the next generation.

On behalf of so many who have been influenced, inspired, and ultimately motivated by the elegance of his reasoning and the eloquence of his words, I am honored to offer happy birthday wishes to Bruce Herschensohn today.

#### HONORING SENATOR KEVIN O'TOOLE

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. GOTTHEIMER) for 5 minutes.

Mr. GOTTHEIMER. Mr. Speaker, I rise today in honor of the retirement of New Jersey Senator Kevin O'Toole.

Like me, Senator O'Toole is a proud son of New Jersey. He was born to an Irish-American GI and Korean war refugee in Cedar Grove, New Jersey, where he still lives today with his wife, Beth. They are proud parents of two children, Kevin, Jr., and Ryan Marie.

Kevin's parents instilled in him a strong commitment to service that shaped his entire career. At age 25,

Kevin was elected to the Cedar Grove Township Council and then mayor.

As assemblyman and State senator, Kevin has been a tireless advocate for small businesses, for law enforcement, first responders, our seniors, and our families. Like me, Kevin has been a strong advocate and force for lowering property taxes, supporting our veterans and first responders, cutting bureaucratic red tape, and strengthening domestic violence statutes. Kevin will soon continue his service at the New Jersey Port Authority, advocating for the critical infrastructure needed to drive economic growth.

He has been a true leader on business growth and streamlining regulations to attract companies to our State and encourage the ones in New Jersey to stay in New Jersey.

I applaud the high value Kevin has importantly placed on constituent service throughout his career as a legislator, a key and essential priority for any public servant. And Kevin has worked across the aisle with Republicans and Democrats alike, a practice that is essential in this time of gridlock.

As Kevin departs the Senate, we wish him all the best. I hope he enjoys more time with his family, many more rounds of golf, and I applaud and thank Kevin O'Toole, a true public servant.

#### HONORING FLORIDA HIGHWAY PATROL MASTER SERGEANT WILLIAM BISHOP

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

Mr. YOHO. Mr. Speaker, I rise today with a heavy heart in honor of Florida's Highway Patrol Master Sergeant William Bishop, who lost his life in the line of duty on June 17 in Alachua, Florida.

Throughout three decades of public service, Master Sergeant Bishop demonstrated a clear and noble commitment to others. His tragic passing reminds us all of the real dangers that law enforcement officers face on a daily basis.

So many are quick to criticize the police, yet they are the first ones they call when they need help.

I join my colleagues and friends in thanking all law enforcement personnel around the Nation standing ready to risk their lives to safeguard our communities.

Master Sergeant Bishop's memory will live on through his fellow officers, family, and members of the public whose lives were positively impacted through a selfless dedication. I ask that you keep his wife and son in your thoughts and prayers during this difficult time.

#### RECOGNIZING DR. MARTHA ROBERTS

Mr. YOHO. Mr. Speaker, I would like to recognize Dr. Martha Roberts, a

championed member of the Florida agricultural community and the latest recipient of the Florida's Woman of the Year in Agriculture award.

Dr. Roberts' esteemed career includes 35 years at the Florida Department of Agriculture and Consumer Services. She is also a member of many Federal advisory groups, committees, and associations where her expertise has not only benefited the State of Florida but also the Nation.

More specifically, Dr. Roberts served as the director of the University of Florida's Institute of Food and Agricultural Science program, a Federal-State-county partnership dedicated to developing knowledge in agriculture and natural resources located in my home district.

Through her work with the U.S. Food and Drug Administration, the U.S. Department of Agriculture, and the U.S. Chamber of Commerce, Dr. Roberts has helped shape policy that will advance Florida's agricultural industry and trades for years to come.

I would like to congratulate Dr. Roberts on her accomplishment and thank her for her dedication to agriculture and food safety. Her positive, meaningful contributions to Florida's Third Congressional District and the Nation will not be overlooked.

#### CONGRATULATING THE FLORIDA GATORS

Mr. YOHO. Mr. Speaker, I rise today to congratulate the Florida Gators for winning their first ever College Baseball World Series.

Florida coach Kevin O'Sullivan never doubted that his Gators would win a national championship. It was just a matter of time. He has done a tremendous job coaching a talented roster of student athletes.

With this victory, UF becomes the first university in the SEC and only the fourth in the Nation to win a national championship in football, men's basketball, and now baseball. No one can ever take that away from this team or the Gator nation.

I stand with all UF alumni, the Rowdy Reptiles, and the entire Gator nation when I say I could not be more proud of this team and the finest academic and athletic institution in the State of Florida. Go Gators.

#### THANKING SECRETARY PERDUE AND USDA'S FOOD SAFETY AND INSPECTION SERVICE

Mr. YOHO. Mr. Speaker, I rise today in support of Secretary Purdue and the USDA's Food Safety and Inspection Service for implementing a suspension of all imports of fresh beef from Brazil.

I would also like to thank my colleagues from across the aisle for joining together to back this crucial step to ensure the health and safety of American families.

Since March, the USDA has blocked 11 percent of fresh beef from Brazil due to safety concerns. As one of the world's leaders in beef production, the United States has the responsibility to

set the highest possible standards for what we allow in our Nation's kitchens, grocery stores, and restaurants.

Brazil is an important trading partner, and we value our mutually beneficial relationships, but we cannot allow this substandard with potential health hazards of beef to enter our food supply.

I am encouraged by the Brazilian Government's commitment to fixing these issues, and I look forward to reestablishing relationships with the Brazilian beef market as soon as we can be assured that its qualities meet the high standards of the USDA.

#### REPUBLICAN PARTY FEVER HAS NOT BROKEN

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

Mr. GALLEGO. Mr. Speaker, in 2012, President Obama was speaking to some of his supporters in Minneapolis. They were eager to know how he was planning to make progress on key issues in his second term, given the uncompromising rabid opposition of the majority in this House.

Here is what President Obama said: "I believe that if we're successful in this election, when we're successful in this election, that the fever may break, because there's a tradition in the Republican Party of more common sense than that."

Five years later, I can say—we can all say—that the fever has not broken. The fever is running as hot as ever. The fever drove this House majority to threaten default on our Nation's debt, to shut down the Federal Government, to indulge racist birther conspiracies, to elevate the very champion of those conspiracies to the Presidency of the United States.

Ten years ago, I know Republican leaders could not imagine that kind of conspiracy would spread throughout the Republican Party rank and file, but it did and it has.

Five years ago, GOP leaders could not have imagined that their party would nominate Donald Trump and elect him to the Presidency, but they did.

One year ago, I know Republican leaders could not imagine that they would cover for the Trump campaign and Trump administration's collusion with the Russian Government, but they have, and they are.

For far too long, Democrats have wanted to believe that the GOP would come to its senses. We wanted to believe that it was really just a fringe minority within the GOP that was the problem, that sober, sensible leaders like John Boehner and MITCH MCCONNELL wanted to do the right thing, but they couldn't because of the Tea Party. They couldn't unless we helped them.

And that is why Democrats bailed out Boehner time after time, jam after

jam. Democrats have to stop deluding themselves. There is only one Republican Party, and it is the party of Trump.

It is the party whose Senate leader, MITCH MCCONNELL, blocked efforts by the Obama administration to stop Russian interference in the 2016 election. It is the party that every day looks the other way in the face of Trump's appeasement of Russia and fails to hold Trump accountable.

Last week, Congressman TED LIEU and I introduced two amendments to the National Defense Authorization Act that the House is debating currently on the floor.

The first would endorse the intelligence community's assessment regarding the Russian's meddling in our 2016 election. This is critical because Donald Trump has repeatedly cast doubt, as recently as yesterday, on the report that despite unanimous agreement from all of our intelligence agencies, that indeed there was collusion, that indeed there was interference by Russians.

The second amendment would block an outrageous Trump administration initiative to create a new cybersecurity partnership with the Russian Government. Trump's plan would let the fox into the henhouse and pave the way for more election interference in our upcoming elections and others, all at the invitation of Donald Trump.

These would have been two sensible steps that the House of Representatives could have taken this week to counter interference in our elections, but last night, the GOP leadership, under Chairman SESSIONS and the House Rules Committee, blocked these amendments. They refused to give these amendments a chance to be debated and voted on the floor.

As more and more information comes out about Russia, Americans all over the country keep hoping that the GOP will do the right thing, that they will put country before party and hold Trump accountable, but they have not, and they will not.

Just this past week, Donald Trump, Jr., himself released emails that show unequivocally the Trump campaign's eagerness to collude with the Russian Government, but that hasn't changed a thing.

It hasn't stopped Speaker RYAN from blocking a Russian sanctions bill at the Trump administration's request. It hasn't stopped Chairman SESSIONS and the Rules Committee from blocking my amendment to set the record straight on Russian interference and help prevent it in the future.

The truth is, they are all complicit. It is time to recognize the GOP majority is not the victim here. They aren't suffering from a fever that Democrats have to help fight.

It is the United States Congress, as a whole, that has a fever, and it is the

GOP's grip on the majority that is the cause.

It is time for us to face reality. The problem isn't the Tea Party, it is the Republican Party.

□ 1045

#### RECOGNIZING FULBRIGHT SCHOLARSHIP RECIPIENTS

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

Mr. FITZPATRICK. Mr. Speaker, for more than 70 years, the Fulbright program, established by Congress, has forged connections between Americans and emerging leaders around the world. The Fulbright program has provided more than 370,000 participants, chosen for their academic merit and leadership potential, with the opportunity to exchange ideas and contribute to finding solutions to shared international concerns.

Each year the Fulbright program grants students with the opportunity to study, research, or teach English abroad in an effort to internationalize communities and campuses around the world.

I rise today to recognize the prestigious accomplishment of students from my district who received Fulbright scholarships for the 2016-2017 grant year.

Our proud congratulations to:

Kimberly Algeo of Newtown, a scholar in anthropology from Rider University, for her work in Japan;

Elizabeth Beavers of Yardley, a student from the University of Maryland, College Park, on an English teaching assistantship in South Korea;

Hunter Gabbard of Doylestown, a student in physics from the University of Mississippi, for his work in Germany;

Michael Galperin of Warminster, a student from Lafayette College, on an English teaching assistantship in South Korea;

William Lescas of Churchville, a student in political science from the University of Delaware, for his work in Denmark;

Ivan Simpson-Kent of Levittown, a student in biology from the University of Scranton, for his work in Germany;

And Dr. Paul Swann of Doylestown, a scholar in communications from Temple University, for his work in South Korea.

On behalf of the Eighth Congressional District of Pennsylvania, to all of our scholars, we congratulate them for their prestigious accomplishment. And just to let all of you know, you continue to make all of us proud.

EMPOWERING WOMEN AND ENDING DOMESTIC VIOLENCE

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize the mothers, daughters, and wives of my district. I

stand here in solemn support for women not only in our community, but across our Nation and throughout the world who experience domestic violence each day.

This unacceptable treatment cannot go unnoticed. We must continue to push for better opportunities for those abused in our community.

By providing these women with more options, they can begin to find safety, support, and empowerment for a better way of life. Whether this be supporting a child or finding a better job and employment, it is important that their voices be heard.

I am proud to work with community-based organizations committed to empowering women and ending domestic violence for all. I commend A Woman's Place in Doylestown, Pennsylvania, for their steadfast commitment to a society where all individuals are safe and can flourish.

Mr. Speaker, I thank the leadership staff at A Woman's Place, Mae O'Brien, Lauren Bucksner, Danielle Ferri, and Heather Giampapa, as well as other staff and volunteers committed to promoting peace, quality, and respect in our districts and beyond.

#### PERKASIE PARK'S 135TH ANNIVERSARY

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize Perkasio Park on its 135th anniversary and celebrate its new status as a National Historic District.

Founded in 1882, Perkasio Park is one of just a handful of intact camp meeting facilities that continue to operate in Pennsylvania. Home to dozens of Victorian-era cottages and buildings, at its height, Perkasio Park was Bucks County's biggest attraction, drawing worshippers and vacationers from Philadelphia and the surrounding region to the quaint, quiet countryside of the Borough of Perkasio.

Last year, thanks to the tireless efforts of volunteers, residents, and community leaders, Perkasio Park was named to the National Register of Historic Places for its role in the American camp meeting movement of the late 19th and early 20th centuries. Through their dedication, the park joined over 150 Bucks County properties on the National Register, including the 1832 South Perkasio Covered Bridge on the other side of town.

I am proud to represent a district that understands and honors its deep-rooted history, and I join with the people in Perkasio in celebrating this momentous anniversary and accomplishment.

#### MAINTAINING A STRONG DEFENSE IS NOT A NEW CONCEPT

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

Mr. ARRINGTON. Mr. Speaker, before it was cool to quote Ronald Rea-

gan's national security philosophy of peace through strength, there was our first Commander in Chief, George Washington, who, in his first State of the Union address, said, "... to be prepared for war is one of the most effectual means of preserving peace."

See, maintaining a strong national defense is not a new concept.

While more war has been diverted, more peace has been kept, and more freedom has been defended by our Nation's armed services, today we risk not only our Nation's security, but the lives of those who serve if we fail to adequately fund our military.

The policies and posture of the past 8 years under the previous administration have left our defense arsenal dilapidated, our position in the world diminished, our allies doubtful, and, unfortunately, our enemies even more determined.

Our military men and women have faced years of cuts, almost a quarter of our entire military budget, with defense spending at historic lows, over \$170 billion, since 2010.

So as the world becomes increasingly dangerous and unstable, the government has forced our armed services to do more with less.

One of the United States' greatest assets in our national security arsenal and one of the crown jewels of west Texas is Dyess Air Force Base in Abilene, Texas. Dyess plays a key role in protecting our democracy against the rising global threats, and our airmen from Dyess have been deployed all over the world in countless military and humanitarian operations. Additionally, Dyess hosts the largest B-1 bomber base in the Nation; and the city of Abilene has won the Air Force's award for most supportive communities so many times, they actually changed the name of the award to the Abilene award.

Now, that may sound like I am bragging, but in Texas, that is just telling the truth.

But while we put the lives of these men and women on the line daily and ask them to defend our Nation, they are crippled by this discouraging reality. The Air Force is now the smallest and the oldest it has been in our Nation's history. Altogether, given the current demand, our Nation's Air Force is short 1,500 pilots, 4,000 mechanics.

Before the House Armed Services Committee, General Stephen Wilson testified: "Today we find ourselves less than 50 percent ready across our Air Force, and we have pockets that are even below that."

In fact, just to get by, the Air Force has been utilizing bombers that were designed and constructed for World War II.

This is a national security crisis, Mr. Speaker. This is a great American travesty.

Why?

Because I believe our former President, for political reasons, in my opinion, arbitrarily withdrew troops from critical battlefronts and dangerously drew down our overall military resources.

Today, on behalf of Dyess Air Force Base and all the brave men and women who keep our great country safe, I urge my colleagues to pass the National Defense Authorization Act, which will rebuild our national security, repair our national defense, and restore America's leadership position in the world.

The NDAA will provide our military with the resources they need to address our current threats. We have increased funding 10 percent over the previous administration. The NDAA will fund Dyess Air Force Base and other military installations at appropriate levels, increase the size of our armed services, enhance and modernize our defense arsenal, give our troops a pay raise.

If anybody in the Federal Government has performed with excellence and with courage and distinction, it is our men and women in uniform, and they deserve a pay raise.

This NDAA will also build on the reforms that we have enacted over the last 2 years to update, improve, and streamline services to our armed services.

By passing the NDAA, we send a message to the world that America will continue to be the greatest force for good in the history of mankind; a message to our allies who promote liberty and democracy that you can count on us to defend you, we have got your back; a message to our brave military men and women that we are standing firmly behind you, we are going to put our money where our mouth is, we are going to protect you as you protect us; and a message to our enemies that America is no longer in the business of making idle threats.

Mr. Speaker, before I close, I want to thank Chairman THORNBERRY for his hard work on this bill and for being a tireless advocate for our military. I am proud to call him a fellow west Texan, and I am even more proud to call him my friend.

One must wonder, on the heels of our 241st birthday, how did this oldest continuous democracy persist for two centuries against all odds? Don't you wonder?

Mr. Speaker, vote for NDAA, vote for our military.

God bless America.

#### RECESS

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

Accordingly (at 10 o'clock and 54 minutes a.m.), the House stood in recess.



□ 1200

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

## PRAYER

Bishop Joshua K. Lynn, Mastin Lake Church of God of Prophecy, Huntsville, Alabama, offered the following prayer:

Holy Father, You are the almighty, all-knowing creator. We submit to Your infinite wisdom.

On behalf of our Nation and these leaders, we seek Your forgiveness for placing other ways higher than Yours. Grant us Your amazing grace from our sin as we turn to You. Open the ears of this body, this Nation's leaders, and all who call this great land home to hear Your voice. Tenderize the soil of our hearts so we may receive Your guidance.

Heal our land of bitterness, hate, and evil against You and one another. Grant our Nation a spiritual renewal and awakening.

Give this Nation and its leaders wisdom today and the days that follow. As we follow You, let Your favor be with us.

Let Your name ring higher than any other name. For it is in Your holy, loving, merciful, and gracious name we pray.

In Jesus' name, amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from California (Mr. MCNERNEY) come forward and lead the House in the Pledge of Allegiance.

Mr. MCNERNEY led the Pledge of Allegiance as follows:

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

## WELCOMING BISHOP JOSHUA K. LYNN

The SPEAKER. Without objection, the gentleman from Alabama (Mr. BROOKS) is recognized for 1 minute.

There was no objection.

Mr. BROOKS of Alabama. Mr. Speaker, it is a great privilege to welcome Bishop Joshua K. Lynn to the House of Representatives. I thank him for serving as today's guest chaplain.

Joshua is the senior pastor serving Mastin Lake Church of God of Prophecy

in Huntsville, Alabama. He also serves as the area presbyter, regional overseer, of north Alabama.

Bishop Lynn earned his bachelor's degree and his master of arts in biblical studies from Clarks Summit University. He serves Huntsville not only as a pastor, but as a volunteer with the Covenant Christian Academy Athletic Committee.

Bishop Lynn and his wife, Chrissy, also direct a summer youth program at Camp Boothe in West Blocton, Alabama.

Bishop Lynn and Chrissy have been married for almost 18 years, and they have four children: Camille, Ava, Heidi, and Elias. I understand they are here with Joshua today. We welcome them to Washington.

I appreciate the work Bishop Lynn has done and the positive impact he has had on north Alabama by providing care and support not only for the spiritual needs, but also the social and physical needs of our community.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore (Mr. DUNCAN of South Carolina). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

HONORING MICHAEL "MATT"  
PATRICK RYAN

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

Mr. BRADY of Texas. Mr. Speaker, today I rise to recognize the life and faith of my friend, local Houston radio favorite, Michael "Matt" Patrick Ryan.

Matt came to Houston after stints in New York, Indiana, and Ohio. Boy, he just became a favorite of our region, his no-nonsense but so optimistic way of informing and entertaining us as host of KTRH Morning News and his syndicated afternoon show.

In September of 2015, Matt faced a new challenge—stage IV melanoma. He shared his struggle with us. Matt's battle with cancer ended last Sunday, July 9, but his inspiration is eternal.

So today, as a country, we all join Matt's family—especially his best friend and wife, Paula; children, Alexandra, Alanna, and Jake; his family, friends, and listeners in "the Sandbox"—to recognize his lifetime of service, his courage, and his absolute faith in God.

We love you, Matt. You will be missed, friend.

## NOT A SOCIAL EXPERIMENT

(Mr. BROWN of Maryland asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Maryland. Mr. Speaker, I rise in opposition to this House discriminating against transgender Americans and restricting their ability to serve our country, saying now is not the time for a social experiment. I firmly believe that the privilege and responsibility to defend our country should not be denied to anyone based on gender identification.

Prior to the 1950s, the "not a social experiment" argument was used to deny African Americans from fully participating in our military. Today there is a long history of service and heroism by African Americans, including Generals Colin Powell and Vincent Brooks.

Prior to 2010, the "not a social experiment" argument was used to keep gays and lesbians from full participation in our military. Today there is a long line of distinguished service by gay and lesbian servicemembers, including Generals Randy Taylor and Tammy Smith.

Today there is a long line of transgender servicemembers who are ready to distinguish themselves. I welcome their service and appreciate their willingness to sacrifice for our Nation.

As a Member of Congress, I will never deny that privilege and responsibility to those who want to serve.

PROVIDING FOR THE COMMON  
DEFENSE OF OUR NATION

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

Mr. ALLEN. Mr. Speaker, I rise in support of the fiscal year 2018 National Defense Authorization Act.

With the hard work of the Armed Services Committee, this year's NDAA will begin to rebuild our military after years of spending cuts. Our troops have been facing a readiness crisis due to consistent underfunding.

This important legislation will begin to address the crisis with key investments in military readiness, and it fully funds a 2.4 percent, well-deserved pay raise for our troops.

In the 12th District of Georgia, we are at the forefront of cyber innovation, with the U.S. Army Cyber Center of Excellence located at Fort Gordon. I am happy to say that the NDAA will fully fund cyber operations with an increase of \$1.7 billion from fiscal year '17 and provides over \$85 billion in military construction and Army Family Housing funds.

It is our constitutional obligation as Members of Congress to provide for the common defense of the Nation. I believe that, with the passage of the fiscal year '18 NDAA, we are meeting our obligation to keep America safe, close the critical readiness gap, and rebuild the 21st century military.

## SAVE AMERICAN JOBS

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

Mr. McNERNEY. Mr. Speaker, I rise today regarding an issue that Congress often decries but neglects: too many Americans are out of work because companies ship their jobs overseas without a thought for the workers and communities they leave behind. According to the group Public Citizen, the offshoring of American jobs has contributed to the loss of 4.5 million U.S. manufacturing jobs.

But we have an opportunity to change that. I am proud to introduce the Stop Outsourcing and Create American Jobs Act and the Outsourcing Accountability Act. These two bills are designed to save American jobs by curbing outsourcing. By cracking down on tax loopholes that give corporations a break on the backs of American taxpayers, we can grow our economy and increase economic opportunities for the middle class.

I hope my colleagues will join me in a serious discussion about how we can help our economy grow and help American workers. I welcome their support for these bills.

## TWO YEARS OF THE FAILED IRAN DEAL

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

Mr. WILSON of South Carolina. Mr. Speaker, tomorrow marks 2 years since the previous administration capitulated to the dangerous Iran deal, a one-sided agreement that rewarded the regime in Tehran with a \$1.7 billion ransom of pallets of unmarked currency for four hostages and put our allies, including Israel, at risk. The Iran deal emboldened the authoritarian regime.

Just last month, U.S. Ambassador to the U.N. Nikki Haley correctly pointed out that Tehran has engaged in destructive and destabilizing actions, both testing ballistic missiles and engaging in arms smuggling.

This week, Senators TOM COTTON, MARCO RUBIO, TED CRUZ, and DAVID PERDUE, sent a letter to Secretary of State Rex Tillerson urging him not to certify Iran's compliance with the Iran deal as the deadline approaches.

Refusing to certify Iran's compliance with the Iran deal would send a clear message that President Donald Trump is committed to peace through strength and refuses to comply with a ridiculous deal that puts American families at risk.

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

## REQUIRE A SCORE BEFORE THE FLOOR

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

Ms. JAYAPAL. Mr. Speaker, yesterday Congressman BRIAN HIGGINS and I introduced H. Res. 441, legislation that would require a Congressional Budget Office score before a floor vote. This resolution clearly enshrines in House rules a fundamental and very simple principle of good governance: namely, we should know the budgetary and practical impact of legislation before we vote on it.

Frankly, Mr. Speaker, it should not be necessary for us to introduce this legislation. For years, the CBO has been an important nonpartisan player in crafting legislation and giving an independent assessment of what a bill costs and whom it will benefit or whom it will hurt.

Unfortunately, we have seen House leadership rush major legislation to the floor without a CBO score, preventing Members from knowing the impact on their constituents and the budget before voting.

The most egregious example, of course, was the May 4 vote on the TrumpCare bill that barely passed this Chamber and would strip 23 million Americans of healthcare. That bill was rushed to the House floor before it had a CBO score, and Members voted blindly on it without knowing the impact on their constituents.

Our resolution simply says transparency, accountability, and know what is in the bill. No score, no floor; it's that simple.

## HONORING LAURINBURG-MAXTON ARMY AIR BASE

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

Mr. PITTENGER. Mr. Speaker, I rise today in honor of the Laurinburg-Maxton Army Air Base in Scotland County, North Carolina, which played a vital but little-known role in World War II.

From 1942 to 1945, Scotland County helped prepare glider pilots for the invasions of North Africa, Sicily, and Italy. Generals Dwight Eisenhower and George Marshall visited the base during the war to observe glider training.

On June 6, 1944, when more than 160,000 Allied troops landed during the Invasion of Normandy, glider pilots trained in Scotland County were among the vanguard as American soldiers silently soared down the French coastline through the thick fog powered only by the prevailing winds.

The brave glider pilots who trained at Laurinburg-Maxton Air Base helped secure Allied victory on D-day. Today I

ask you to join me in honoring those soldiers as well as the Scotland County community, which supported these efforts.

## TRUMPCARE

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, the Republican House bill is a disaster for the American people. The process by which the bill was voted on, Members had very little time to review the text. As a result, we were forced to vote on legislation without the benefit of facts, on a bill that affects a \$3 trillion annual industry.

That is why I have joined Congresswoman JAYAPAL in introducing H. Res. 441, to require a review by the Congressional Budget Office before a bill comes to the floor.

Members of Congress should have as much information as possible to make a smart decision on major legislation affecting 18 percent of the American economy. This resolution would simply affirm the time-honored principle that facts do matter and that a fair, honest, and transparent policymaking process is essential to a healthy and thriving democracy.

## CELEBRATING NICKLAUS CHILDREN'S HOSPITAL IN MIAMI

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

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to congratulate the Nicklaus Children's Hospital in Miami, which has just been named amongst the best children's hospitals in the Nation by U.S. News & World Report.

Since 1950, Nicklaus, located in my congressional district, has been a shining light for our community and one of the leading pediatric healthcare centers in the world. Its doctors, nurses, and staff work tirelessly to provide the highest quality of care to children and teens in south Florida every day.

Nicklaus also includes the Miami Children's Research Institute, one of the largest providers of clinical research services for children in the Nation. From cardiology to neuroscience, our institute is at the forefront of the development of treatments and medicines which are improving the lives of kids not just in south Florida, but around the world.

So, once again, congratulations to Nicklaus on being selected as one of the best children's hospitals in the United States. Thanks to everyone at Nicklaus for continuing to inspire hope and promote lifelong health by providing the best care to every child in our community.

The SPEAKER pro tempore. The Chair would ask Members to heed the gavel.

□ 1215

## TRUMPCARE PROMISES

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

Mr. TONKO. Mr. Speaker, The Senate is introducing yet another version of TrumpCare today. I rise to express my grave concern with the most harmful aspects of this mean and merciless bill.

TrumpCare still includes billions of dollars in cuts to Medicaid, a critical source of healthcare for 1.75 million of America's veterans, two-thirds of U.S. nursing home residents, and one in five Americans. The latest Senate TrumpCare bill cuts Medicaid by as much as a third.

Every version of TrumpCare we have seen would result in more than 20 million fewer Americans covered over the next 10 years.

There is still no sign of a TrumpCare bill that would not break President's Trump's healthcare promises to the American people. The President promised "insurance for everybody." He said: "Everybody's going to be taken care of."

Every version of TrumpCare would break that promise, big league. The President promised that Medicaid would not be cut under his healthcare plan. No version of TrumpCare has been proposed that even comes close to keeping that promise.

President Trump promised the American people a healthcare plan that would "lower premiums" with "much lower deductibles."

It is time for Americans to get a real plan and not be left with broken promises.

## VIOLENCE IS NEVER THE ANSWER

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

Mr. DUNN. Mr. Speaker, I rise today to acknowledge a tragic incident that occurred today in the Second District.

Early this morning, a man drove his truck into the side of the Bay County Government Center and caused a fire that resulted in his death. My district office has an office in that building. Thankfully, no workers or visitors were injured in the incident, and all of the district staff are safe.

It is a sad day to witness someone so troubled take such an action and, ultimately, their own life. While there is still much to learn about this person's motivations and the reasons behind this attack on a public building, we should all remember that, no matter how inflamed our passions, violence is never the answer.

Mr. Speaker, please join me in thanking the first responders and the law enforcement officers who are addressing

this incident, and please join me in a prayer for the Bay County community as they come together to respond to this tragedy.

## TRUMPCARE BILL

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

Mr. GENE GREEN of Texas. Mr. Speaker, as we wait for a vote on a bill to repeal the Affordable Care Act, I want to remind my colleagues that 51 percent of Americans have a favorable opinion of the Affordable Care Act, according to the Kaiser Family Foundation. That is more than the support for Congress or the President.

More importantly, a recent study from Kaiser found that the ACA markets are stabilizing and insurers are regaining profitability. Yet we continue to hear false arguments saying that markets are collapsing or in a death spiral. That is not true.

If the majority Republican is serious about fixing our healthcare system and cutting costs to healthcare, they should give up plans to repeal and start putting solutions over politics.

I have said for years that the ACA is not perfect. No bill this Congress ever passed is. But in order to fix it, we need to work together on a bipartisan basis.

The bill that the Senate and House GOP has proposed will undermine protections for Americans with pre-existing conditions. Now we are hearing there is an amendment on the Senate side that will essentially allow for the sale of policies with skimpier benefits, so long as insurers offer an option that covers all ACA-mandated benefits. We know where that goes. We will not be able to afford those benefits.

## WATERS OF THE U.S. RULE

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

Mr. LAHOOD. Mr. Speaker, in 2015, President Obama's EPA implemented the waters of the U.S., or the WOTUS rule, which arbitrarily and unilaterally expanded which kinds of waterways could be regulated under the Clean Water Act.

This rule turned every irrigation ditch, pond, and puddle on a farm into a new target for Washington regulators. In addition, this rule circumvented the Congress and the investigative process.

As a Representative for one of the largest agricultural districts in the country, I have heard time and again from farmers about the costs of these renewed regulations, not to mention the headaches caused by trying to comply.

By the EPA's own estimates, the rule would cost farmers and small busi-

nesses up to \$460 million a year. It is not only bad policy, but also a bad idea to arbitrarily make it more difficult for farmers to do their jobs and provide our food and fuel for our economy.

That is why I was relieved to see that President Trump rescinded this rule last month. By rescinding this rule, the President sent a strong message that Washington must put farmers ahead of bureaucrats.

## WILSON AMENDMENT TO THE 2018 NDAA

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

Ms. WILSON of Florida. Mr. Speaker, on the night of April 14, 2014, Boko Haram kidnapped 276 girls from the Chibok Government Girls Secondary School in Nigeria, a night we all remember.

Although some girls fled or have been released, more than 100 Chibok girls remain in captivity today with Boko Haram, the deadliest terrorist organization in the world.

Last year, Congress unanimously passed bipartisan legislation sponsored by U.S. Senator SUSAN COLLINS and myself to require a 5-year strategy to conquer Boko Haram. Last night, an amendment to solidify the bill and add a sense of Congress that expresses our support for the kidnapped schoolgirls and the United States strategy for countering Boko Haram was passed in the 2018 National Defense Authorization Act.

I thank Armed Services Committee Chairman THORNBERRY, Ranking Member SMITH, Rules Committee Chairman SESSIONS, Ranking Member SLAUGHTER, and Congressman ALCEE HASTINGS.

We will continue to fight against Boko Haram and their vicious and cruel tactics against the Nigerian people. We will continue to wear red every Wednesday until all of our girls are released.

Remember to tweet, tweet, tweet, #bringbackourgirls.

The SPEAKER pro tempore. The Chair would ask Members to heed the gavel.

## CHANGE OF COMMAND

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

Mr. BUCSHON. Mr. Speaker, I rise in recognition of a time-honored U.S. Navy tradition: the change of command at NSWC Crane, a vital military command in my district in southern Indiana, located on the Navy's third largest base in the world.

Today, as we welcome our new commanding officer, Captain Mark Oesterreich, and family, to southwest

Indiana, we say good-bye to Captain J.T. Elder, who has steered this premier center of excellence for the past 3 years.

Captain Elder empowered his team to manage NSWC Crane by focusing on people, connecting with its workforce, and being a champion for leadership development.

As a community leader, he realized that fostering relationships with neighboring cities, towns, and counties was essential to attracting and retaining Crane's outstanding workforce, and nurturing its workforce for the years ahead.

As Hoosiers everywhere join in salute, we are deeply indebted to Captain Elder for his remarkable 28-year contribution to our Nation's defense. I wish Captain Elder and Cynthia fair winds and following seas in the next chapter of their lives.

#### WORK TOGETHER TO FIX HEALTHCARE

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

Mr. KILDEE. Mr. Speaker, Senate Republicans continue to push a flawed and harmful healthcare bill, TrumpCare. It fails to address the basic healthcare needs of Americans.

Republicans themselves are deeply divided on the subject. You have Republicans negotiating with Republicans and they can't come to consensus. Democrats, meanwhile, have been willing to work to come to consensus to work together to fix those real issues that we know we have to address in the Affordable Care Act. We have not been given the opportunity.

There has been no transparency in any of this discussion, no hearings, and no public input. The entire process is behind closed doors. Of course, we know why. This is a bill that kicks millions of Americans off of healthcare. Twenty-two million people would lose health insurance. For those lucky enough to get healthcare, they will pay more for less. Their out-of-pocket expenses will go up. If you are 50 to 64, there will be an age tax.

This is a terrible piece of legislation. It ought to be rejected and we ought to work together to fix the problems we have.

#### TAMPA BAY AREA COMBATS HUMAN TRAFFICKING

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

Mr. BILIRAKIS. Mr. Speaker, in light of the important anti-human trafficking legislation passed by the House, I want to recognize efforts in the Tampa Bay area to combat human trafficking.

I am especially proud of the joint task force formed by Pasco County Sheriff's Office Corporal Alan Wilkett, BayCare's Liana Dean, and many others. Their work brings us closer to a community that is safer for our most vulnerable citizens.

Human trafficking is not a distant problem for other countries. It is a human rights crisis happening right here at home. Last year, Florida reported 550 human trafficking cases. That is the third largest number of cases in the country. It is unacceptable.

We passed three bipartisan bills to strengthen detection systems, improve education efforts, and protect victims. We have got to pass them in the Senate as well and have it become law.

The fight against human trafficking is a fight for the safety and security of our communities.

#### TACKLING THE CAUSE OF THE OPIOID EPIDEMIC

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

Ms. GABBARD. Mr. Speaker, in my home State of Hawaii, hospitalizations and emergency room visits from opioid-related conditions have more than doubled in the last decade. More people are now dying from overdoses than motor vehicle accidents. This opioid epidemic is killing 91 Americans all across this country every single day.

For years, companies like Purdue Pharma, the maker of the commonly known drug OxyContin, have profited off of the suffering of millions of Americans who are dealing and struggling with opioid addiction. Now Purdue and others are going overseas, targeting foreign populations, using the very same shady marketing tactics, lies, and false advertising that helped them get rich at the expense of the American people.

This is absolutely unacceptable. We can't just keep wringing our hands about the opioid crisis without actually tackling the cause of it. Purdue and those responsible should be prosecuted for the deaths and lives that have been ruined as a result of their lies.

#### LET'S GET ON WITH BUSINESS

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

Mr. DUNCAN of Tennessee. Mr. Speaker, I don't believe I have ever seen a bigger mountain made out of a tinier molehill in my 29 years in Congress than what is being made out of Donald Trump, Jr.'s, meeting with the Russian lawyer. It reminds me of the Wendy's ad several years ago that asked: "Where's the beef?"

I know that hindsight is 20-20 and holier than thou, but this is ridiculous.

Do you really believe that Chelsea Clinton would have refused to meet with a Russian lawyer who she was told had evidence that would incriminate Donald Trump?

Donald Trump, Jr., met with this woman for a few minutes, saw she had nothing, and nothing came out of it. No action was taken. Even Director Comey testified he had seen no evidence that even one vote was altered by anything the Russians did.

They have been investigating this for months, and this is the best they can come up with?

It is time to stop crying over the election and do something about some real problems.

#### AMENDMENTS TO NATIONAL DEFENSE AUTHORIZATION ACT

(Ms. KUSTER of New Hampshire asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER of New Hampshire. Mr. Speaker, I applaud my colleagues for passage of my three amendments to the National Defense Authorization Act last night.

Two of my amendments would address our Nation's opioid crisis as it impacts our Nation's servicemembers and veterans. They would direct the Defense Department to study the effectiveness of their opioid prescriber education policies and require Department providers to counsel or give referrals to the VA for transitioning veterans that suffer from addiction or chronic pain.

My third amendment would direct the Department of Defense to analyze sexual coercion in the military as part of its annual report on sexual assault.

While I commend the Department for their progress in reducing the occurrence of sexual assault in the military, more work needs to be done. Understanding sexual coercion is important to the safety of our brave men and women, and important for our national security.

□ 1230

#### RECOGNIZING MISS MOLLY MATNEY

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

Mr. COMER. Mr. Speaker, I rise today to recognize Miss Molly Matney, an outstanding resident of Metcalfe County in the First Congressional District of Kentucky.

Ms. Matney was crowned Miss Kentucky 2017 on July 1. She is an agriculture major at Western Kentucky University and hopes to pursue a career as an agricultural lending executive. Her talents and accomplishments

distinguish her as a valuable asset to the Miss Kentucky organization, as well as the First District of Kentucky.

The "Farm Fit" platform she has developed encourages consumption of products found in local farmers' markets to help individuals maintain a healthy lifestyle. This concept complements and reemphasizes fundamental aspects of the Kentucky Department of Agriculture's "Kentucky Proud" campaign.

Her yearlong travels will allow her to promote both of these initiatives throughout the Commonwealth. I am confident she will utilize her knowledge of Kentucky's agriculture industry for the betterment of her platform and will continue to be a deserving advocate for Kentucky farmers.

I wish her the best of luck as she prepares to compete at the Miss America pageant in Atlanta City, New Jersey, on September 10, and I look forward to her continued contributions to the First District of Kentucky.

#### MILITARY HUNGER PREVENTION ACT

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

Mr. MCGOVERN. Mr. Speaker, as the House considers the fiscal year 2018 National Defense Authorization Act this week, I would like to draw attention to one provision that was left out of the bill: the Military Hunger Prevention Act.

It is shameful that military families like lower ranking enlisted servicemembers with larger households are among the 42 million Americans suffering from food insecurity.

While up to 22,000 military households rely on SNAP, many military families are unable to receive modest benefits due to an unintended provision that counts certain housing allowances as income when determining eligibility for SNAP.

To address this issue, I have joined with my friend, Representative SUSAN DAVIS, on the bipartisan Military Hunger Prevention Act. I am disappointed that this commonsense technical fix was left out of this year's NDAA, and I plan to continue working with my colleagues and our advocacy partners like MAZON: A Jewish Response to Hunger to move this legislation forward.

We owe it to the families who have sacrificed so much for our country to do all that we can to end hunger now.

#### PAYING TRIBUTE TO HABITAT FOR HUMANITY OF LIVINGSTON COUNTY, MICHIGAN

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

Mr. BISHOP of Michigan. Mr. Speaker, I rise today to pay tribute to an inspirational organization in my district, Habitat for Humanity of Livingston County, located in the Eighth District of Michigan.

This July, Livingston County's Habitat for Humanity is celebrating its 25th year of transforming lives by building quality homes.

Habitat for Humanity was incorporated within Livingston County in 1992, and since then, the organization is dedicated to many community and international service projects.

Over the past 25 years, Habitat for Humanity has made a positive impact on Livingston County, constructing and rehabilitating 18 homes for families in need within the community.

Livingston County's Habitat for Humanity also supports the services of Habitat International in its fight against homelessness across the world, providing monetary donations which funded and constructed an additional 15 homes worldwide.

Mr. Speaker, I am honored to congratulate Livingston County's Habitat for Humanity for its 25 years of service. Thank you, Habitat for Humanity, for your commitment to the people you serve and to our entire Livingston County community.

#### REMARKS ON NORTH KOREA

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

Mr. BANKS of Indiana. Mr. Speaker, last week, as we celebrated our Nation's birthday, news broke that North Korea successfully launched its first intercontinental ballistic missile.

The missile's estimated range would put Alaska within reach. Like all Americans, I am deeply concerned by this development.

North Korea's possession of an estimated 20 nuclear warheads and chemical and biological weapons makes it an urgent and imminent threat to the United States.

While there are no easy options, our country must do more to deter the Kim regime. I strongly support building our missile defense programs, which is a priority in this year's National Defense Authorization Act, which the House is considering this week.

I also support increasing sanctions against China and Chinese companies that support the Kim regime. At this critical time, all options, including military action, must be on the table. The threat of a nuclear-armed North Korea is too serious to simply maintain the status quo.

#### PROVIDING FOR FURTHER CONSIDERATION OF H.R. 2810, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call

up House Resolution 440 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 440

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes.

SEC. 2. (a) No further amendment to the bill, as amended, shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution.

(b) Each further amendment printed in the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(c) All points of order against the further amendments printed in the report of the Committee on Rules or amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

SEC. 4. At the conclusion of consideration of the bill for amendment pursuant to this resolution the Committee shall rise and report the bill to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

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

GENERAL LEAVE

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

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

There was no objection.

Mr. BYRNE. Mr. Speaker, House Resolution 440 provides for a complete consideration of H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. The rule allows for consideration of 122 amendments in addition to the amendments made in order by yesterday's rule.

This brings the total number of amendments made in order for full consideration to 210. When you add in the 275 amendments offered during the Armed Services Committee markup, we will, in total, have considered 485 amendments to this year's NDAA.

Just as important, there is a clear bipartisan split between the number of majority and the number of minority amendments made in order.

Mr. Speaker, this has been an incredibly open process that allowed Members of this body from both sides to have their input on this critical national security legislation.

Like other years, the NDAA is a great example of the House working through regular order in the authorizing process and getting the job done.

Thanks to this rule and the one we passed yesterday, the House will debate a number of issues where Members of this body have diverse views. From the future of GTMO to the future of the New START, the two NDAA rules provide for a robust debate on many important topics. That is a good thing, and I look forward to the debate.

Before I continue, I want to briefly thank the staff in both the Armed Services Committee and the Rules Committee for their hard work on this rule. Dealing with this large number of amendments takes a considerable amount of time, and I know I speak for the entire body, both the majority and minority, in expressing our gratitude for their time and work in helping the members of the Rules Committee come to this product.

Yesterday, I outlined my strong support for this year's NDAA, which will help keep the American people safe and secure, so I won't rehash all those points. But I want to share some numbers that highlight the readiness crisis facing our military. This crisis has been caused by cuts to defense spending. This bill authorizes funding for the military at \$688.3 billion, which is 16.8 percent of total Federal outlays and 3.4 percent of projected gross domestic product.

As a guiding point, 30 years ago, the fiscal year 1988 NDAA represented 27.3 percent of total Federal outlays. This year, 16 percent; back then, 27 percent. And 5.2 percent of projected GDP. This year, 3.4 percent; back then, 5.2 percent.

We are spending less proportionately today on our military, despite the fact

that we face a wider range of threats across the globe. That should be troubling to every American.

Let's think about the threat environment we faced 30 years ago: the Soviet Union. That was about it. There was no ISIS or al-Qaida or other radical Islamic terrorist organizations threatening the United States 30 years ago. Iran was not an existential threat to the American people 30 years ago. North Korea wasn't developing nuclear weapons and ballistic missiles 30 years ago. China was not on the radar as it relates to a military power 30 years ago. We weren't worried about cyber attacks or cyber espionage 30 years ago.

It is safe to say the world was a lot different 30 years ago, yet we were devoting a greater portion of our Federal budget to the military. We must make that same or an even greater commitment today. For too long, we, in Congress, have allowed our military to steadily atrophy, bringing us to a readiness crisis. Providing for our national defense is the most important job of this Congress, and this bill helps rebuild, repair, and reform our military.

Mr. Speaker, I urge my colleagues to support House Resolution 440 and the underlying bill, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Alabama for the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, last night, the majority on the House Rules Committee once again decided to exclude from debate 230 amendments to H.R. 2810, the National Defense Authorization Act. That means that half of the amendments submitted were rejected.

I can never understand why these amendments are denied the chance to be debated by the full House. When I first came to Capitol Hill as an aide to our former friend and colleague, Congressman Joe Moakley, the Defense Authorization bill would often take up to a week for debate. But even back then, it was one of the largest and most complex bills debated, and certainly one of the most important from a national security point of view.

The NDAA rule was also structured back then, but more in terms of the amount of time permitted for debate. And many amendments receive 1 hour, half an hour, 20 minutes, even 2 hours of debate. Why? Because they were about the important decisions and priorities facing our national defense policy at the time.

But that is not the case today. Amendments are lucky to get 10 minutes of debate equally divided if they are lucky enough to be debated at all. And the Defense bill takes up a total of maybe 2 days' worth of debate, if that. No wonder, no wonder Members are frustrated by this process.

This year, like every year for the past several years, important issues, especially on war and peace, were left on the chopping block by the Republicans.

They decided that the House should not debate two bipartisan amendments that would make sure that nothing in the NDAA could be construed as authorization to use force against the governments of North Korea or Syria.

The Republican majority decided it is okay to debate a bigoted amendment that prohibits medical treatment for transgender servicemembers who are in transition, but they will not let the House debate an amendment that just calls for a study, Mr. Speaker, on blood donations from gay men.

□ 1245

Mr. Speaker, did you know that there is a provision in the NDAA that sets up an entire new military service branch, the Space Corps? The Pentagon doesn't want it; the Air Force doesn't want it; they say it is premature, but an amendment by Mr. TURNER, a Republican, to require the Pentagon to report on the need to establish a Space Corps is not included in this rule. I guess the Republican leadership doesn't want the House to have a say and a debate on such a major change.

Mr. AMASH led a bipartisan amendment to block the sale of cluster munitions to Saudi Arabia. Last year, this amendment failed by just a handful of votes. I guess that is why the Republicans on the Rules Committee aren't about to let it come up for a debate and a vote this year.

When it comes to sending our uniformed women and men into war, into danger, where their very lives are at risk, the Rules Committee decided that such amendments were not worth the House's time to debate.

Last night, Republicans on the Rules Committee denied the opportunity for debate on a bipartisan amendment offered by myself and Representatives WALTER JONES, BARBARA LEE, TOM MASSIE, JOHN GARAMENDI, DAN KILDEE, and PETER WELCH.

The amendment is very straightforward. If the President decides to increase the level of U.S. troops deployed in Afghanistan in fiscal year 2018, then he would report to Congress on the purpose and mission of those troops, how many were required, and how long they would be there, and then Congress would vote to approve or disapprove that escalation.

This would give the American people the voice they deserve when it comes to sending our men and women in uniform into battle.

Mr. Speaker, the President and General Mattis just decided to send an additional 4,000 troops to Afghanistan to fight the Taliban, on top of the 8,400 U.S. troops already there. That will bring the total number of American troops there to more than 12,000.

Now, if they should decide that they want even more troops in Afghanistan in fiscal year 2018, Congress should know why, and vote on it.

We can't keep giving the administration a blank check and allow America once again to go down the slippery slope of incremental escalation over the next year or two. Congress needs to step up to the plate and either approve or disapprove any renewed escalation in Afghanistan. Isn't that amendment worth debating?

We are in year 16 of the war in Afghanistan. It is the longest war in American history. Let me repeat that, Mr. Speaker. Afghanistan is the longest war in U.S. history. The costs are already in the hundreds of billions of dollars, and the human cost to our troops, our veterans, and their families have been enormous, yet Congress has not taken a single vote, has not taken a single stand on this war for 16 years. Most of the Members of this House weren't even here when that one and only vote was taken.

So in the absence of debating an updated AUMF for Afghanistan, the very least we can do is debate whether we will once again escalate our military footprint in Afghanistan, but the Republican leadership of this House doesn't agree.

Each year, the Republican leadership does everything it can to stop any debate on these wars, and this year is no different. They will allow some amendments on reports and a sense of Congress here and there, but any amendment of substance that requires Congress to act is denied.

Mr. Speaker, I want to advise my colleagues of one thing, and that is, we are not an advisory commission. We are a legislative body. We need to start doing our job.

Mr. Speaker, I have no problem with a report, but it won't be the first time we have seen a report, whether on Afghanistan or Iraq or Syria. Even the underlying bill calls for a strategy report on Afghanistan and other conflicts, but Congress avoiding taking any responsibility for continuing to send our servicemen and -women into harm's way is absolutely shameful. Mr. Speaker, it is cowardice.

Every day, military families say good-bye to their loved ones as they go into battle, placing themselves in harm's way to keep our country safe, and Congress does nothing. All we do is kick the can down the road and call for another report and then another report.

Mr. Speaker, we don't even act when the President actually does send us an AUMF, the way President Obama did on Iraq and Syria and the war against ISIS. We did nothing. We said we didn't like it, but we did nothing. The Republican leadership complained that they didn't like it, but then they never even tried to act on it or to write their own

AUMF. They would rather just stand on the sidelines, complain and criticize, but do nothing, absolutely nothing, except stop other Members from taking any action that might require the House to debate these wars. Shame on all of us for allowing this to continue over and over and over and over again.

Now, I am guessing that whenever the House takes up the Defense appropriations bill, the Republican leaders will find a way to make sure that the bipartisan-supported provision in that bill to sunset the 2001 AUMF on Afghanistan and vote on a new one within 8 months will somehow disappear without a single Member of the House at large having a chance to vote on it. Maybe we will get another report. And so it goes on and on.

Mr. Speaker, there is nearly \$700 billion authorized in this bill for wars, for weapons systems, for military equipment, and for personnel, all because Congress refuses to make hard choices. We can never seem to find the money to take care of our own neighborhoods and schools. We can't find the money to provide our citizens with better, more affordable healthcare, or make sure that all our families can put food on the table. We don't invest nearly enough in our roads and our bridges, railways and transit systems. There is never enough money to invest in a 21st century manufacturing base, provide training to support the jobs of the future, or raise the Federal minimum wage to a livable wage. We are told we don't have the money to take care of our parks or to make sure that our air and water are drinkable and breathable. We can't even seem to find the money to take care of our senior citizens and our children, but when it comes to spending on war or building more nuclear weapons, then magically we find trillions of dollars to operate and spend.

We need to pay more attention, Mr. Speaker, to the choices we make each year on how much spending our Nation really requires for its national defense. I believe, at a minimum, Mr. Speaker, that Congress needs to debate and vote on whether to keep sending more and more of our military men and women to fight in endless wars.

And I have to say, Mr. Speaker, to my colleagues, what the Rules Committee did last night by shutting out debate was shameful.

#### MOTION TO ADJOURN

Mr. MCGOVERN. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from Massachusetts (Mr. MCGOVERN).

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 77, nays 326, not voting 30, as follows:

[Roll No. 353]

#### YEAS—77

|              |                |                |
|--------------|----------------|----------------|
| Adams        | Fudge          | Moulton        |
| Aguilar      | Gallego        | Nadler         |
| Barragán     | Gomez          | Neal           |
| Bass         | Gonzalez (TX)  | Pallone        |
| Beatty       | Gutiérrez      | Pascarell      |
| Beyer        | Hanabusa       | Payne          |
| Bonamici     | Hastings       | Pelosi         |
| Cárdenas     | Heck           | Pingree        |
| Carson (IN)  | Jackson Lee    | Pocan          |
| Castor (FL)  | Jayapal        | Raskin         |
| Castro (TX)  | Johnson (GA)   | Rice (NY)      |
| Cicilline    | Johnson, E. B. | Richmond       |
| Clark (MA)   | Jones          | Sarbanes       |
| Clarke (NY)  | Kaptur         | Schakowsky     |
| Clay         | Kelly (IL)     | Schiff         |
| Clyburn      | Kennedy        | Slaughter      |
| Conyers      | Khanna         | Takano         |
| Crowley      | Lawrence       | Thompson (MS)  |
| Delaney      | Lawson (FL)    | Torres         |
| DeSaulnier   | Lee            | Vargas         |
| Doggett      | Levin          | Velázquez      |
| Ellison      | Lewis (GA)     | Walz           |
| Engel        | Maloney        | Waters, Maxine |
| Espallat     | Carolyn B.     | Watson Coleman |
| Evans        | McGovern       | Wilson (FL)    |
| Frankel (FL) | Moore          | Young (AK)     |

#### NAYS—326

|                 |               |                 |
|-----------------|---------------|-----------------|
| Abraham         | Conaway       | Gosar           |
| Aderholt        | Connolly      | Gotthelmer      |
| Allen           | Cook          | Gowdy           |
| Amash           | Cooper        | Granger         |
| Amodei          | Correa        | Graves (GA)     |
| Arrington       | Costello (PA) | Graves (LA)     |
| Babin           | Courtney      | Graves (MO)     |
| Bacon           | Cramer        | Green, Al       |
| Banks (IN)      | Crawford      | Green, Gene     |
| Barr            | Crist         | Griffith        |
| Barton          | Cuellar       | Grothman        |
| Bera            | Culberson     | Guthrie         |
| Bergman         | Curbelo (FL)  | Handel          |
| Biggs           | Davidson      | Harper          |
| Bilirakis       | Davis (CA)    | Harris          |
| Bishop (GA)     | Davis, Danny  | Hartzler        |
| Bishop (MI)     | DeGette       | Hensarling      |
| Black           | DeLauro       | Herrera Beutler |
| Blackburn       | DeBene        | Hice, Jody B.   |
| Blum            | Demings       | Higgins (LA)    |
| Blumenauer      | Denham        | Higgins (NY)    |
| Blunt Rochester | Dent          | Hill            |
| Bost            | DeSantis      | Himes           |
| Boyle, Brendan  | DesJarlais    | Holding         |
| F.              | Deutch        | Hollingsworth   |
| Brady (PA)      | Diaz-Balart   | Hudson          |
| Brady (TX)      | Dingell       | Huizenga        |
| Brat            | Donovan       | Hultgren        |
| Bridenstine     | Duffy         | Hunter          |
| Brooks (AL)     | Duncan (SC)   | Hurd            |
| Brooks (IN)     | Duncan (TN)   | Issa            |
| Brown (MD)      | Dunn          | Jeffries        |
| Brownley (CA)   | Emmer         | Jenkins (KS)    |
| Buchanan        | Eshoo         | Jenkins (WV)    |
| Buck            | Estes (KS)    | Johnson (LA)    |
| Bucshon         | Esty (CT)     | Johnson (OH)    |
| Budd            | Farenthold    | Jordan          |
| Burgess         | Faso          | Joyce (OH)      |
| Bustos          | Ferguson      | Katko           |
| Butterfield     | Fitzpatrick   | Keating         |
| Byrne           | Fleischmann   | Kelly (MS)      |
| Calvert         | Flores        | Kelly (PA)      |
| Capuano         | Fortenberry   | Kihuen          |
| Carbajal        | Foster        | Kildee          |
| Carter (GA)     | Fox           | Kilmer          |
| Carter (TX)     | Franks (AZ)   | Kind            |
| Cartwright      | Frelinghuysen | King (IA)       |
| Chabot          | Gabbard       | King (NY)       |
| Cheney          | Gaetz         | Kinzinger       |
| Coffman         | Gallagher     | Knight          |
| Cohen           | Garamendi     | Krishnamoorthi  |
| Cole            | Garrett       | Kuster (NH)     |
| Collins (GA)    | Gianforte     | Kustoff (TN)    |
| Collins (NY)    | Gibbs         | Labrador        |
| Comer           | Gohmert       | LaHood          |
| Comstock        | Goodlatte     | LaMalfa         |



|                |                 |               |
|----------------|-----------------|---------------|
| Lamborn        | Nunes           | Simpson       |
| Lance          | O'Halleran      | Sinema        |
| Langevin       | O'Rourke        | Sires         |
| Larson (CT)    | Olson           | Smith (MO)    |
| Latta          | Palazzo         | Smith (NE)    |
| Lewis (MN)     | Palmer          | Smith (NJ)    |
| Lipinski       | Panetta         | Smith (TX)    |
| LoBiondo       | Paulsen         | Smith (WA)    |
| Loeback        | Pearce          | Smucker       |
| Lofgren        | Perlmutter      | Soto          |
| Long           | Perry           | Speier        |
| Loudermilk     | Peters          | Stefanik      |
| Love           | Peterson        | Stewart       |
| Lowenthal      | Pittenger       | Stivers       |
| Lowey          | Poe (TX)        | Suozzi        |
| Lucas          | Poliquin        | Swalwell (CA) |
| Luetkemeyer    | Polis           | Taylor        |
| Lujan Grisham, | Posey           | Tenney        |
| M.             | Price (NC)      | Thompson (CA) |
| Luján, Ben Ray | Quigley         | Thornberry    |
| Lynch          | Ratcliffe       | Tiberi        |
| MacArthur      | Reed            | Tipton        |
| Maloney, Sean  | Reichert        | Tonko         |
| Marchant       | Renacci         | Trott         |
| Marino         | Rice (SC)       | Tsongas       |
| Marshall       | Roby            | Turner        |
| Massie         | Roe (TN)        | Upton         |
| Mast           | Rogers (AL)     | Valadao       |
| Matsui         | Rogers (KY)     | Veasey        |
| McCarthy       | Rohrabacher     | Vela          |
| McCaul         | Rokita          | Visclosky     |
| McClintock     | Rooney, Francis | Wagner        |
| McCollum       | Ros-Lehtinen    | Walberg       |
| McEachin       | Rosen           | Walden        |
| McHenry        | Roskam          | Walker        |
| McKinley       | Ross            | Walorski      |
| McMorris       | Rothfus         | Walters, Mimi |
| Rodgers        | Rouzer          | Wasserman     |
| McNerney       | Roybal-Allard   | Schultz       |
| McSally        | Ruiz            | Weber (TX)    |
| Meadows        | Ruppersberger   | Webster (FL)  |
| Meeks          | Rutherford      | Welch         |
| Meng           | Ryan (OH)       | Wenstrup      |
| Messer         | Sánchez         | Westerman     |
| Mitchell       | Schneider       | Williams      |
| Moolenaar      | Schweikert      | Wilson (SC)   |
| Mooney (WV)    | Scott (VA)      | Wittman       |
| Mullin         | Scott, Austin   | Womack        |
| Murphy (FL)    | Scott, David    | Woodall       |
| Newhouse       | Sensenbrenner   | Yarmuth       |
| Noem           | Serrano         | Yoder         |
| Nolan          | Sessions        | Yoho          |
| Norcross       | Sherman         | Young (IA)    |
| Norman         | Shimkus         | Zeldin        |

## NOT VOTING—30

|                |                |               |
|----------------|----------------|---------------|
| Barletta       | Hoyer          | Rush          |
| Bishop (UT)    | Huffman        | Russell       |
| Chu, Judy      | Johnson, Sam   | Sanford       |
| Cleaver        | Larsen (WA)    | Scalise       |
| Costa          | Lieu, Ted      | Schrader      |
| Cummings       | Meehan         | Sewell (AL)   |
| Davis, Rodney  | Murphy (PA)    | Shea-Porter   |
| DeFazio        | Napolitano     | Shuster       |
| Doyle, Michael | Rooney, Thomas | Thompson (PA) |
| F.             | J.             | Titus         |
| Grijalva       | Royce (CA)     |               |

□ 1319

Messrs. MOONEY of West Virginia, KEATING, PANETTA, Ms. ROSEN, Mrs. BLACKBURN, Messrs. PEARCE, BROWN of Maryland, Mrs. DINGELL, and Ms. KUSTER of New Hampshire changed their vote from "yea" to "nay."

Messrs. WALZ, NEAL, GUTIÉRREZ, and DELANEY changed their vote from "nay" to "yea."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. MEEHAN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 353.

# PROVIDING FOR FURTHER CONSIDERATION OF H.R. 2810, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018

The SPEAKER pro tempore. The gentleman from Alabama (Mr. BYRNE) has 25½ minutes remaining. The gentleman from Massachusetts (Mr. MCGOVERN) has 20½ minutes remaining.

The gentleman from Alabama is recognized.

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

Mr. Speaker, now that the gentleman's motion to adjourn has been defeated by a wide, bipartisan majority, the House can get back to work and do the people's business. I want to go back over some statistics we talked about earlier. This rule makes in order for floor consideration 210 amendments which are on top of the 275 amendments that were offered in the Armed Services Committee.

Now, let's go back to the days when the NDAA was considered on this floor and this floor was under the majority's control on the other side of the aisle. Let's start with 2007. 135 amendments were offered; only 50 were made in order.

In 2009, 129 amendments were offered; only 58 were made in order.

In 2010, 129 were offered; only 69 were made in order.

In 2011, 193 were offered; only 82 were made in order.

And we are making in order in this rule, and yesterday's rule, 210. This has been an open process by any measure.

The gentleman also referred to the fact that there are other needs in America that are not being met because we are spending money on defending the United States of America.

Let me go back and remind what I said earlier. Only 16.8 percent of next year's Federal outlay will go to defending America if we adopt the National Defense Authorization Act as passed by the committee, less than 20 percent. That means almost 85 percent of Federal outlays are going to go to every other thing that we do in government. If there is a problem with something not being paid for, it is not because of the money we are spending on national defense.

Then finally, the gentleman's comments about the need for us to make sure that we are properly authorized as we engage in military activities abroad; I do agree with him. We have had some mission creep over the last several years. We have gone from Iraq and Afghanistan, under President Obama, to Syria, to Libya, to Yemen, and many of us on both sides of the aisles decried the fact that we did that.

It is, indeed, our responsibility, not the President's responsibility, to declare war, to authorize the use of military force. That is why this rule makes in order an amendment by the gentleman from Oklahoma (Mr. COLE) that

will set in place a process that will lead to the consideration on this floor of the Authorization for Use of Military Force.

So I believe this rule does exactly what the people of America expect us to do, and that is to stay in this room, stay on this floor, and act on the National Defense Authorization Act.

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Mr. Speaker, I rise in strong support of my amendment to H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018, to prohibit Federal funds from being used to implement the United Nations Arms Trade Treaty unless the Senate first ratifies the treaty.

This language is identical to the version of my amendment that was enacted into law in last year's NDAA and reflects the consistent will of the American people and the unified position of Congress in opposition to this misguided and dangerous treaty.

The U.N. ATT is a deeply flawed agreement signed by the Obama administration in 2013. It would undermine our national sovereignty, harm our most vulnerable allies, and threaten the Second Amendment rights of every single American. Turning over our arms trade policy to the United Nations is just wrongheaded.

The U.N. ATT would force the United States, the world's most important defender of liberty and democracy, onto equal footing with the world's worst dictatorships and terror sponsors. It would be readily politicized by bad actors around the world to try to stop America from providing arms to our friends and allies, including Israel, South Korea, and others.

In short, just like gun control, it would stop the good from doing good without stopping the bad from doing bad.

Congress has stood strong for the past 6 years on this issue. Together, we were successful at stopping the Obama administration from ever implementing this treaty or using hard-working American taxpayer dollars to promote it.

Nevertheless, our work is not over. One of former President Obama's parting shots as he left office was to submit the U.N. ATT to our colleagues in the Senate for ratification, even though he knew it was dead on arrival.

Regardless of who is seated in the Oval Office, renewing this ban is important because no Presidency is permanent. A future administration may well try even harder to put this treaty into effect.

Fortunately, in Donald Trump, we now have a President who believes in protecting our sovereignty in every possible way. America should never cede its sovereignty to the United Nations to determine its arms trade policies.

Therefore, in addition to supporting this amendment, I strongly urge President Trump and Secretary Tillerson to take the final step and officially withdraw the United States from the U.N. Arms Trade Treaty once and for all. It is time to tear it up.

I urge my colleagues to stand with me in support of the Second Amendment and our Nation's sovereignty and vote in support of my amendment.

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

When asked about this process that we are now dealing with this morning, with respect to the Hartzler amendment, Speaker RYAN said: "It's a free process. It's open process. She can bring an amendment to the floor if she wants to."

Really? This is an open process? She should be able to bring an amendment that we all think is discriminatory and, quite frankly, bigoted, to the floor; yet amendments that we have tried to bring to the floor that deal with the issue of war and whether or not we should be in these endless wars are denied.

What kind of free process is that? Maybe it is a free process in Russia, but it is not a free process in the United States of America.

This process is a sham. Fifty-two percent of the amendments that were brought before the Rules Committee were rejected. You might want to defend that process, but I don't.

The gentleman says that mission creep has occurred, and that we have a responsibility here in this House. You are absolutely right we have a responsibility. When are we going to live up to it?

And the Cole amendment, which I am happy to support, is a report. We have had reports up to here that have been brought before the NDAA process over the years. Enough. Time to do our job.

This is why people are cynical about Washington when they hear this kind of doubletalk. Yeah, we get it. We are worried about mission creep. Congress ought to do its job. And so what are we going to do? Not do our job, but we will issue a report.

Come on, enough.

Mr. Speaker, I am going to urge my colleagues to defeat the previous question, and I will offer an amendment to the rule to bring up Representative POCAN's Leveraging Effective Apprenticeships to Rebuild National Skills Act, H.R. 2933, which will promote effective apprenticeships that will give students and workers the skills they need to find well-paying jobs.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous materials, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, to discuss that proposal, I yield 3 minutes to the gentleman from Wisconsin (Mr. POCAN).

Mr. POCAN. Mr. Speaker, I rise today to talk about a vital tool for ensuring workers are able to secure good-paying, family-supporting jobs, and that is apprenticeships.

I grew up in Kenosha, Wisconsin, a working class town with a very large skilled trade presence. I understand what good, middle class jobs look like, and the impact they can have on a community. A good middle class paycheck ensures people can afford a mortgage, have healthcare for their families, take a family vacation, and send their kids to college if they want to; and that is what we need right now are more higher-paying jobs.

But not everyone goes to a traditional 4-year college or university, nor does every job require this type of degree. That is why, for many, apprenticeships are the key to family-supporting wages.

Apprenticeship programs have proven very effective at helping prepare workers for careers in highly skilled professions. This bill would increase the number of highly skilled workers in the United States and strengthen apprenticeship programs as an effective earn-and-learn model for students, workers, and employers.

□ 1330

It is a win-win for workers and businesses. The LEARNS Act supports closer connections between registered apprenticeship programs, employers, and others offering good-paying jobs.

But there is a problem. My colleagues on the other side of the aisle like to talk about their support of apprenticeships. I hear the Secretary of Labor talk about them. I even hear the President talk about them. But that is all it is: talk.

As a new member of the Appropriations Committee, I was shocked to see that Republicans' newly released Labor-HHS funding proposal entirely eliminates Department of Labor apprenticeship grants. Again, that appropriations proposal cuts \$95 million from apprenticeship funding, every single dollar in the program. There is not a penny left to connect workers and businesses with apprenticeships.

You can't have it both ways. If you support apprenticeships and job training for workers, then you should support funding for job training and apprenticeship programs. It is pretty simple.

If Republicans are serious about job creation, about training workers for a 21st century economy, and they actually want to do more than talk about jobs and apprenticeships, then we should move forward to defeat the previous question in order to bring forward the LEARNS Act.

Walk the walk, Mr. Speaker. Talk is cheap. The American people deserve action. I urge all of my colleagues to defeat the previous question.

Mr. BYRNE. Mr. Speaker, the gentleman is right. Workforce training is very important, and that is why we passed on this floor a few weeks ago the reauthorization of the Perkins Act—not by a bipartisan majority, by a 100 percent vote.

We have other bills that we are considering in the Education and the Workforce Committee that will deal with that because it is important that we build the workforce in America. But you don't do that in the National Defense Authorization Act. That is what we are here today about.

I am afraid my colleagues on the other side have forgotten what this bill is about. It is about making the people of America safe and secure. We will deal with those other issues, as important as they are, in other legislation.

Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. MARSHALL).

Mr. MARSHALL. Mr. Speaker, I rise today on an important piece of legislation, the National Defense Authorization Act. This funding is vital to our national security and the readiness of our military.

As our Nation continues to face threats around the globe, our soldiers must have the necessary equipment to complete missions and return home safely.

Just 2 weeks ago, 4,000 of our troops returned home from South Korea to loved ones at Fort Riley, Kansas. In a short number of weeks ahead of us this fall, the Dagger Brigade, also from Fort Riley, will travel to Europe for a 9-month deployment.

This legislation helps ensure readiness for brigade combat teams, such as the Dagger Brigade, and gives our troops a much-deserved 2.4 percent military pay raise. It also allows for over 17,000 more soldiers, and allocates \$2.3 billion over the administration's request for maintenance and repair, which is so necessary.

Mr. Speaker, I refuse to send our troops to a gunfight with knives. I encourage my colleagues to support this legislation to give our men and women in uniform the tools and support they deserve.

Mr. MCGOVERN. Mr. Speaker, let me begin by saying that I agree with the gentleman from Alabama. This bill is about our national security and about protecting our country, which makes it all the more puzzling that the Republicans think this is an appropriate place to be debating amendments on transgender issues. But anyway, they are in charge, so they can do whatever they want to do.

Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Speaker, I am glad to hear all these great amendments that have been made in order, and I was glad to hear my friend from Alabama reference the fact that this is a bill to make the people of America safe.

I rise in opposition to this rule because there was one amendment that makes the people of America safe that was omitted from the list that was approved. It was a bipartisan amendment by myself, Mr. YOUNG from Alaska, and Mr. JONES from North Carolina that would declassify a 50-year-old DOD project that sprayed biological and chemical weapons on our servicemembers and some civilians, and that amendment was not made in order.

Convulsions, paralysis, respiratory failure, and death—those are just a few of the most severe side effects of sarin gas, a chemical weapon so deadly and debilitating that it was outlawed as a weapon of mass destruction.

When Syria's military used it, we retaliated. But in the 1960s and 1970s, the United States Department of Defense sprayed biological and chemical weapons like sarin, VX nerve gas, and e. coli on our own servicemembers. In the years since, many of those exposed have suffered debilitating health effects.

For 40 years, the Department of Defense has not provided a comprehensive public accounting of these tests nor have they notified all the veterans and all the civilians who were potentially exposed. We can't allow this information to continue to be released piecemeal. These veterans can't wait any longer. Their health continues to decline, and some have already passed away. To sweep this under the rug is shameful.

These veterans served honorably for the security of our Nation. These tests are an ugly part of our history. They put veterans' lives at risk, and our veterans have every right to know what it was they were exposed to and how much they were exposed to. We need to think about their safety and their security.

Mr. BYRNE. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. MESSER).

Mr. MESSER. Mr. Speaker, I thank the gentleman for his leadership.

Congress' most important job is to provide for the national defense of this country. Yet, during the past 6 years, America's military resources have been downsized and slashed.

Today, Congress is taking corrective action to rebuild our military, support our troops, and provide for a strong national defense. This Defense Authorization Act fulfills our promise to prioritize America's safety and protect our citizens from ongoing global threats, including radical Islamic terrorism.

This bipartisan bill increases resources for every branch of the U.S.

military and ensures that our troops receive the compensation they deserve, with the largest pay increase in 5 years. It also supports a robust missile defense program, and it strengthens America's cyber warfare capabilities.

Simply put, this bill makes America safer, and I urge your support.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. KHANNA), and I also congratulate him on becoming a new dad.

Mr. KHANNA. Mr. Speaker, I thank the gentleman, and I thank his wife, Lisa McGovern, for being a great support to my wife.

I rise today in opposition to this rule. It is not just because I am opposed to our policy of refueling planes into Yemen, refueling Saudi-led planes. It is because of our view, a bipartisan view, of the place of Congress, Congress' Article I of the Constitution. It is Congress' responsibility and duty to have a public debate about our foreign policy, about who we ought to be arming, who we ought to be intervening in overseas. We are abdicating that responsibility.

My amendments would have been very simple. They would have said that this body should debate whether we should be refueling Saudi-led airplanes that are leading to civilian deaths in Yemen, that are causing civil war in Yemen, a Saudi coalition that is aligned with al-Qaida in Yemen, and al-Qaida has hurt the United States.

Why wouldn't we debate this on the floor of the United States Congress? Why wouldn't we have transparency and let the American public weigh in on whether this policy is making us more safe and is upholding human rights?

It is with great disappointment that we are not having this debate in the United States Congress. I believe it is an abdication of our responsibility to the oath we take to uphold the Constitution.

Mr. BYRNE. Mr. Speaker, I appreciate the gentleman's comments. I think that his issue comes within the broader question about the authorization of military force in various parts of the Middle East. I think he raises an important point. There is an amendment made in order under this rule that will put in place a process to get us to that debate.

I appreciate what he just said. I hope that he will hold that idea, and when we have that debate on the floor, will bring it back so we can consider it among those other items we will consider at that time. I appreciate what he just said. This is not the place or the time to take that up.

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

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

Mr. Speaker, I would like to just take 1 minute to address something the gentleman from Alabama raised a

while ago, and that is: Why would we be raising the issue of apprenticeships and workforce training as part of the Defense Authorization bill.

There are a couple of reasons why. One is because we are routinely blocked from bringing any meaningful legislation to the floor, and we are routinely blocked from bringing amendments to the floor that I think can help with this issue.

The gentleman mentioned the action we took in a bipartisan, unanimous way on the issue of Perkins loans and a few other programs. Those are important. But it is the beginning. We need to do much, much more in this country. We need to be able to prepare a workforce that can meet the needs of our manufacturers and be there for the jobs of tomorrow. That is why we brought this up. That is why we are bringing it up in this fashion.

I would just go one step further to say, when we talk about national security, I think we ought to broaden that definition to include not just the number of bombs we have, but the quality of life that our people in this country enjoy: whether or not people have the security of a job, whether they can afford a college education for their kids, whether they can afford to buy a home, whether they can afford to put food on the table.

We live in the richest country in the world, and there are 42 million Americans who are hungry, and yet we somehow can't get the political will to address that problem or fix some of these challenges.

We are going to take any opportunity we have to bring to the floor serious ideas that we think will benefit the American people, uplift the American people, and that is why I think that this bill that we are trying to bring up, H.R. 2933, authored by my colleague, Mr. POCAN, is appropriate.

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

Mr. BYRNE. Mr. Speaker, I really believe very strongly we need to do more in workforce training in America. I am a former chancellor of postsecondary education, former chair of workforce development for the State of Alabama. It is something that is very near and dear to me. I know that we are working very hard on these issues and have already produced this one bill, the Perkins bill that we passed in the absolutely 100 percent vote here on the floor. There will be more coming.

But the National Defense Authorization Act authorizes what our military does and doesn't do and how it does it around the globe. This is a separate, different vehicle designed to provide for the defense of the American people.

I appreciate the gentleman's comments. We need to take those comments up at another time as we take into consideration other bills that work on our workforce development.

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

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

Mr. Speaker, there is a theme that is developing on the Republican side. We can always take it up at another time, at another time in the future. We can do the NDAA bill and this. That is the whole point of defeating the previous question. You can still debate the National Defense Authorization Act, and you can bring up this other thing that we think is of great value to workers in this country. It doesn't have to be one or the other.

It is that same thinking when it comes to war. As I began this debate talking about the war in Afghanistan and the fact that it is the longest war in American history, we don't even talk about it here. We don't even debate it here.

We ought to respect the men and women who we put in harm's way enough to make it a priority in this Chamber, and we don't even talk about it. We can't even bring amendments to the floor to deliberate on that. What we are told is: Well, we will vote on a study, another study. After 16 years? That is the best we can do? Or we are told that it falls under the jurisdiction of another committee.

Well, my friends on the Republican side are in charge. I am sorry to say that, but you are.

□ 1345

And I don't know what is standing in your way from asking the committees of jurisdiction or multiple committees to come together and to actually present to this Chamber an AUMF for these wars. There is nothing, other than the fact that you want to avoid an uncomfortable vote for your Members.

Well, that is just too bad. War is a big deal. It ought to be a big deal, and we ought to treat it more seriously than we are. And I will repeat what I said at the beginning of this debate: What the Rules Committee did last night was shameful; blocking germane amendments, blocking serious amendments, to address an issue that, quite frankly, we should have been talking about a long time ago.

Again, I regret that this is the rule that my Republican friends have come up with. They can say they are proud of it. Quite frankly, I am ashamed of it.

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

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

I remind all of us that the war in Afghanistan was authorized by an AUMF that was passed by Congress in 2001. So while we can have a debate about the other conflicts in other places, that conflict is, indeed, authorized, and has been authorized from the very beginning. So I would take exception to the gentleman's comments with regard to Afghanistan.

There are provisions in the underlying bill that this rule makes in order and in those provisions that do things to help with that war effort, help the men and women over there fighting that war effort for us.

So I think that this rule and the bill that underlies it are doing exactly what they should do with regard to Afghanistan, because Afghanistan is authorized.

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

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

Mr. Speaker, with all due respect, the war and the authorization that the gentleman was talking about is 2001. We have been there for 16 years. In 2001 we were going after al-Qaida. Al-Qaida is gone. We are now fighting the Taliban and propping up one of the most corrupt governments in the world. Our mission continues to change.

The idea that we should be operating in Afghanistan under an AUMF from 2001, that somehow nothing has changed, is ludicrous. And the idea that we are using that authorization to justify our military operations in Syria and a whole bunch of other places in the world is ludicrous. Enough. Enough.

This Chamber needs to do its job, and this leadership needs to get out of the way, and Members of Congress—Democrats and Republicans—need to come together and debate these issues seriously.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. SPEIER), a distinguished member of the Armed Services Committee's Subcommittee on Military Personnel.

Ms. SPEIER. Mr. Speaker, I thank the ranking member for yielding.

I voted for this bill in committee because we have brave servicemembers in harm's way that depend on it. But I want to make clear that I don't believe we have done our job to address the unbridled waste in this bill; billions of dollars, the sheer amount of waste in this bill, billions upon billions of dollars. And even worse, the bill, as currently written, sets us up to throw away billions more for years to come.

I know it can be political suicide to take on defense contractors, but we owe the taxpayers a level of accountability and discipline. It is the same thing every single year, like the greatest hits of defense waste: the littoral combat ship, a combat ship that can't even survive combat, a ship on perpetual port call because it is always in need of repair, a ship the Navy said it needs only one of.

But, apparently, the White House knows better, because they forced the Navy to ask for another one. And even that wasn't enough, because our committee decided to give them a third one. We are tripling the number of ships the Navy said they need.

Now, how outrageous is that?

That is \$500 million a pop. That is \$1 billion more than the Navy wanted.

The F-35, the President has trumpeted how he brought down the price of this bloated program. But just a few days ago it was revealed that the bill for this program is actually going to jump 7 percent. You probably won't be seeing this on the President's Twitter feed, but the Pentagon now says it needs another \$63 billion for the program.

But instead of demanding accountability, this bill rewards Lockheed and the Pentagon by committing the government to block buy F-35s without the testing that is required.

Then there is the USS *Ford*, a brand-new class of carrier that is at least 25 percent over budget right now. You would think that before sending a crew of 4,300 out to sea in a \$13 billion carrier with a host of new mission-critical systems, we would want to ensure that the ship can actually survive in combat conditions. But you would be wrong. This bill actually eliminates the requirement for shock testing that Congress itself imposed just a few years back.

The SPEAKER pro tempore (Mr. KATKO). The time of the gentlewoman has expired.

Mr. MCGOVERN. Mr. Speaker, I yield an additional 1 minute to the gentlewoman.

Ms. SPEIER. Mr. Speaker, forgoing this testing could not only put our sailors at unnecessary risk, but could also lead to expensive retrofits for years to come. And for what?

This is not what Americans expect when they tell us they want a strong defense. This is not what Americans expect of us in our congressional oversight role. We are not doing our job if we don't do oversight, if we don't say "no" to wasteful spending, and if we don't say "no" to blank checks to defense contractors.

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

I appreciate the gentlewoman's comments. Most of those issues, if not all of them, were brought up in committee when this bill was considered as amendments, and they were defeated in virtually all cases by a bipartisan vote.

I appreciate the fact that she voted for the overall bill, as did everybody but one Member after you take it all into consideration, because that is what this bill is about. We are authorizing a broad swath of the defense of this country. There are a lot of moving parts to it.

Not everything in a bill this big is going to be satisfactory to everybody on the committee. I can pick out one or two things I don't like about it. But as a whole, it does the job that needs to be done for the people that we depend upon to defend America.

So I appreciate the gentlewoman's comments, but most of all, I appreciated her vote at the end of the day

when we approved that bill after marking it in committee.

Now, I do want to respond to one thing that the gentleman from Massachusetts said. He talked about, we are still there fighting the Taliban. The 2001 AUMF specifically references the Taliban.

So we can talk about how things in Syria that President Obama did, things in Libya that President Obama did, things in Yemen that President Obama did are outside the AUMF that was adopted in 2001 with regard to Afghanistan, and I think that is a legitimate debate. But there is no legitimate debate about whether or not the ongoing conflict in Afghanistan and our involvement with it has been authorized, because it has been authorized for 16 years.

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

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

Mr. Speaker, I include in the CONGRESSIONAL RECORD a letter from 14 conservative and liberal national organizations opposing a defense bill that busts the budget caps.

JULY 10, 2017.

DEAR REPRESENTATIVE MCGOVERN: As organizations representing Americans across the political spectrum, we are writing to voice our strong opposition to attempts by Members of Congress to increase the Pentagon's fiscal year 2018 budget above both the budget caps set by the Budget Control Act and the President's budget request. The Pentagon is currently funded at a higher level than at almost any time since World War II, and the budget problems it faces should be solved by better fiscal management, not by adding more money to an already bloated and wasteful department.

The challenges facing our military are partially the result of years of failing to make the necessary, tough choices our nation's security requires. Rather than prioritizing basic needs of the warfighter, lawmakers have pursued huge, expensive weapons systems that fail to meet technical specifications and may never be ready for combat. Waste and unnecessary overhead abound, with a Defense Business Board study showing that the Department of Defense could save up to \$125 billion over five years just by eliminating excess bureaucracy and inefficiencies.

Claims of a so-called "readiness crisis" are exaggerated. As former DoD Comptroller Robert Hale said in February, these claims are just the services "putting their worst foot forward" in the hopes of securing funding increases. General David Petraeus has also said that this idea of a readiness crisis is a myth. By opposing important cost-saving measures like base realignment and closure which could save several billion dollars a year just by closing excess infrastructure, Congress is demonstrating that it is not prioritizing fiscal responsibility or making the choices that will actually keep us safe. Moreover, the Pentagon cannot be sure what it is spending as it is the only federal agency that has never passed an audit.

Budgets necessitate tradeoffs. Pentagon spending increases shortchange other important priorities, from domestic needs including education, health and nutrition and af-

fordable housing, to paying down the national debt. Further increasing the Pentagon's budget by tens of billions of dollars without a clear strategy will do little to solve national security challenges. Rather, it will simply guarantee further wasteful spending at the Pentagon. We hope that you will oppose any attempts to increase the Pentagon's budget for fiscal year 2018.

Sincerely,

American Friends Service Committee; Center for International Policy; Coalition on Human Needs; Council for a Livable World; Freedom Works; Friends Committee on National Legislation; Iraq Veterans Against the War.

National Coalition for the Homeless; Taxpayers Protection Alliance; Taxpayers United of America; The Libertarian Institute; United Methodist Church, General Board of Church and Society; Win Without War; Women's Action for New Directions.

Mr. MCGOVERN. Mr. Speaker, I also include in the RECORD a letter to all Representatives from the American Civil Liberties Union in opposition to the Hartzler amendment, which it deems as discriminatory and unconstitutional.

AMERICAN CIVIL LIBERTIES UNION,  
Washington, DC, July 13, 2017.

Vote NO on Hartzler Amendment No. 315 to the NDAA—Discriminatory and Unconstitutional.

DEAR REPRESENTATIVE: The American Civil Liberties Union (ACLU) is strongly opposed to Hartzler Amendment No. 315 to the National Defense Authorization Act for Fiscal Year 2018 (NDAA), H.R. 2810. This amendment would bar transgender members of the Armed Forces and military families from receiving appropriate and medically necessary health care. This is a discriminatory, unconstitutional attack on transgender service members and their families, plain and simple. It should be overwhelmingly rejected by members of the House of Representatives.

Barring access to appropriate and medically necessary health care, including transition-related care, for transgender service members and their families is not only discriminatory, but runs counter to scientific evidence and contemporary medical standards of care. It also puts the health of certain service members at needless risk and undermines the ability of military medical professionals to provide necessary care for their patients.

There is a clear and overwhelming consensus among the leading medical organizations—including the American Medical Association, the American Psychiatric Association, and the American Psychological Association—that transition-related care is safe, effective, non-experimental, and medically necessary. If a military doctor determines that transition-related care (e.g. hormone therapy) is medically necessary for a transgender service member, then that treatment should be provided just as it would be for any other medical condition for any other service member.

Members of the House of Representatives should overwhelmingly reject this discriminatory attempt to deny necessary health care to certain service members and their families. All of the members of our Armed Forces willingly put their lives on the line in defense of our nation. The least that Congress can do is ensure that the health care needs of our service members and their families are being met.

Accordingly, the ACLU is strongly opposed to Hartzler Amendment No. 315 to the NDAA and urges all members to vote NO on it.

Please contact Ian Thompson, legislative representative.

Sincerely,

FAIZ SHAKIR,  
National Political Director.

IAN THOMPSON,  
Legislative Representative.

Mr. MCGOVERN. Mr. Speaker, it is ironic to me that we have time to debate a bill that discriminates against transgender members of the Armed Forces and military families, but we can't find the time to debate war. It really is sad. It is a sad commentary on the way the Rules Committee conducted itself last night.

Mr. Speaker, if the gentleman believes that what we are doing in Afghanistan is consistent with what was envisioned 16 years ago, he can go on thinking that, but it isn't. And if he thinks it is okay that that authorization is used to justify every military involvement we have all around the world, he can go ahead and think that way. I think he is very much mistaken.

Mr. Speaker, Congress has to stop kicking the can down the road. It is unconscionable that the Republican leadership continues to prevent meaningful debate on these wars. But let me say one thing about why our House colleagues, Democrats and Republicans alike, keep bringing these issues up, despite the opposition from the Republican leadership. And that is because it is our job.

The American people sent us to Washington to debate the uncomfortable issues and to take difficult votes. Now, there were some in Congress—maybe my friend is included in that—who think that it is acceptable to give this administration a blank check to continue these endless wars. Why anybody—no matter who is President, but especially with this President—would feel comfortable giving him a blank check is beyond my comprehension.

There are others who would like to end them and bring our servicemen and -women home. And then there are others who look for a different policy somewhere between these two positions. This is why we need to debate these wars. This is why we need to bring updated AUMFs to the floor for a vote.

If that is a debate that you would rather not have, if that is a vote that you would rather not take, then Mr. Speaker, let me suggest that you should look for a new job. You should go into a different vocation.

I am sure that I speak for all of my colleagues when I say that protecting the lives and well-being of our uniform men and women is one of the highest priorities, if not the highest priorities, of this Congress. But they deserve more than a "thank you" on Veterans Day.

We do not respect their service and sacrifice and that of their families when we refuse to debate and take any responsibility for sending them year after year into war. They deserve a thoughtful, reasoned, and engaged debate. They deserve a debate. They deserve a little attention in this Chamber, not excuses and not more reports and not more, "We will get to it in the future."

And that is why, along with many of my Republican and Democratic colleagues, we will continue to demand that the Republican leadership of this House allow a debate and a vote on the future of these wars.

I just want to say, finally, Mr. Speaker, I have been raising this issue not just when Republicans have been President, but when Democrats have been President. I really believe that Congress has forfeited its constitutional responsibilities. We have abrogated our constitutional responsibilities. We have acquiesced time and time again to Democratic and Republican administrations when it comes to war.

We can't allow that to happen. That is not responsible governing. We have an obligation to make sure that whatever we are doing with regard to our military, that it is the right thing to do.

The idea that we once again come to the floor with the National Defense Authorization bill and we are told we cannot debate any of these things, we can't vote on any of these things, I mean, give me a break. What are you thinking? Why is this such a big, difficult thing to overcome with the leadership?

Again, if my friends don't want to take uncomfortable votes, then do something else. Don't vote. But it is not the right thing to do. We should be ashamed of this process. There is no justifying shutting out debate on war.

Mr. Speaker, I again urge my colleagues to defeat the previous question and vote "no" on the underlying bill, and vote "no" on the rule, too.

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

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

The gentleman said we can't debate anything. The rule we passed yesterday makes in order 210 different amendments to be debated on top of the general debate of the bill itself. And that is on top of 275 amendments in the committee of jurisdiction, the Armed Services Committee.

This is the most debated piece of legislation we have every year, and it should be for the very reasons the gentleman from Massachusetts itemized, because what we are doing here is of profound importance.

Now, I know that there are other issues that people try to stick into this bill every year that, frankly, distract

us from the underlying importance of the bill; and that is, we are trying to do everything we possibly can to protect the American people. The threats the American people face today are more diverse, more profound than we have seen since the end of World War II.

So, yes, this bill authorizes a lot of very important and expensive things. I acknowledge they are expensive. But it is even more expensive if we don't do them, or don't do them right, and we leave the American people exposed.

Just take into account one of our threats, Kim Jong-un in North Korea. That missile test he did recently was an ICBM, an intercontinental ballistic missile. He does not need such a missile to hit South Korea or Japan. He needs that missile to hit us, to hit Alaska, to hit the West Coast of the United States, and ultimately to hit the entirety of the United States.

It is a direct threat to the safety of the people of the United States. This bill authorizes an increase in missile defense, just one of the things that it does.

So I hope that all of us will take the many things that we are going to debate here over the next several days very seriously and that we will come to the bipartisan conclusion, as we did in the committee, that when you take the totality of this bill together after you have gone through all of these amendments, it does the most important thing we are here to do, which is to defend the American people.

□ 1400

Mr. Speaker, I again urge my colleagues to support House Resolution 440 and the underlying bill.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 440 OFFERED BY  
MR. MCGOVERN

At the end of the resolution, add the following new sections:

SEC 5. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2933) to promote effective registered apprenticeships, for skills, credentials, and employment, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole

arises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 6. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 2933.

#### THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 234, nays 187, not voting 12, as follows:

[Roll No. 354]

YEAS—234

|               |                 |              |
|---------------|-----------------|--------------|
| Abraham       | Duffy           | Kelly (MS)   |
| Aderholt      | Duncan (SC)     | Kelly (PA)   |
| Allen         | Duncan (TN)     | King (IA)    |
| Amash         | Dunn            | King (NY)    |
| Amodei        | Emmer           | Kinzing      |
| Arrington     | Estes (KS)      | Knight       |
| Babin         | Farenthold      | Kustoff (TN) |
| Bacon         | Faso            | Labrador     |
| Banks (IN)    | Ferguson        | LaHood       |
| Barletta      | Fitzpatrick     | LaMalfa      |
| Barr          | Fleischmann     | Lamborn      |
| Barton        | Flores          | Lance        |
| Bergman       | Fortenberry     | Latta        |
| Biggs         | Fox             | Lewis (MN)   |
| Bilirakis     | Franks (AZ)     | LoBiondo     |
| Bishop (MI)   | Frelinghuysen   | Long         |
| Bishop (UT)   | Gaetz           | Loudermill   |
| Black         | Gallagher       | Love         |
| Blackburn     | Garrett         | Lucas        |
| Blum          | Gianforte       | Luetkemeyer  |
| Bost          | Gibbs           | MacArthur    |
| Brady (TX)    | Gohmert         | Marchant     |
| Brat          | Goodlatte       | Marino       |
| Bridenstine   | Gosar           | Marshall     |
| Brooks (AL)   | Gowdy           | Massie       |
| Brooks (IN)   | Granger         | Mast         |
| Buchanan      | Graves (GA)     | McCarthy     |
| Buck          | Graves (LA)     | McCaul       |
| Bucshon       | Graves (MO)     | McClintock   |
| Budd          | Griffith        | McHenry      |
| Burgess       | Grothman        | McKinley     |
| Byrne         | Guthrie         | McMorris     |
| Calvert       | Handel          | Rodgers      |
| Carter (GA)   | Harper          | McSally      |
| Carter (TX)   | Harris          | DelBene      |
| Chabot        | Hartzler        | Meadows      |
| Cheney        | Hensarling      | Meehan       |
| Coffman       | Herrera Beutler | Messer       |
| Cole          | Hice, Jody B.   | Mitchell     |
| Collins (GA)  | Higgins (LA)    | Moolenaar    |
| Collins (NY)  | Hill            | Mooney (WV)  |
| Comer         | Holding         | Mullin       |
| Comstock      | Hollingsworth   | Murphy (PA)  |
| Conaway       | Hudson          | Newhouse     |
| Cook          | Huizenga        | Noem         |
| Costello (PA) | Hultgren        | Norman       |
| Cramer        | Hunter          | Nunes        |
| Crawford      | Hurd            | Olson        |
| Culberson     | Issa            | Palazzo      |
| Curbelo (FL)  | Jenkins (KS)    | Palmer       |
| Davidson      | Jenkins (WV)    | Paulsen      |
| Denham        | Johnson (LA)    | Pearce       |
| Dent          | Johnson (OH)    | Perry        |
| DeSantis      | Jones           | Pittenger    |
| DesJarlais    | Jordan          | Poe (TX)     |
| Diaz-Balart   | Joyce (OH)      | Poliquin     |
| Donovan       | Katko           | Posey        |
|               |                 | Ratcliffe    |

Reed  
Reichert  
Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas J.  
Ros-Lehtinen  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Schweikert  
Scott, Austin

Adams  
Aguilar  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan F.

Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Cuellar  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael F.  
Ellison  
Engel  
Eshoo  
Españal  
Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Fudge

Cleaver  
Cummings  
Davis, Rodney  
Johnson, Sam

Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton

NAYS—187

Gabbard  
Gallego  
Garamendi  
Gomez  
Gonzalez (TX)  
Gottheimer  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Castor (FL)  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Cuellar  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael F.  
Ellison  
Engel  
Eshoo  
Españal  
Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Fudge

NOT VOTING—12

Lieu, Ted  
Moore  
Napolitano  
Peters

Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

Nolan  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascarell  
Payne  
Pelosi  
Perlmutter  
Peterson  
Pingree  
Pocan  
Polis  
Quigley  
Raskin  
Rice (NY)  
Richmond  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sanchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Soto  
Speier  
Suozi  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Vargas  
Veasey  
Vela  
Velázquez  
Viscosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

□ 1425

Messrs. GOTTHEIMER, COOPER, Ms. SPEIER, and Mr. CROWLEY changed their vote from “yea” to “nay.”

Messrs. WEBSTER of Florida, HOLLINGSWORTH, and RUTHERFORD changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. THOMPSON of Pennsylvania). The question is on the resolution.

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

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 230, noes 190, not voting 13, as follows:

[Roll No. 355]

AYES—230

|               |                 |              |
|---------------|-----------------|--------------|
| Abraham       | Duncan (TN)     | Kinzing      |
| Aderholt      | Dunn            | Knight       |
| Allen         | Emmer           | Kustoff (TN) |
| Amodei        | Estes (KS)      | Labrador     |
| Babin         | Farenthold      | LaHood       |
| Bacon         | Faso            | LaMalfa      |
| Banks (IN)    | Ferguson        | Lamborn      |
| Barletta      | Fitzpatrick     | Lance        |
| Barr          | Fleischmann     | Latta        |
| Barton        | Flores          | Lewis (MN)   |
| Bergman       | Fortenberry     | LoBiondo     |
| Biggs         | Fox             | Long         |
| Bilirakis     | Franks (AZ)     | Loudermill   |
| Bishop (MI)   | Frelinghuysen   | Love         |
| Bishop (UT)   | Gaetz           | Lucas        |
| Black         | Gallagher       | Luetkemeyer  |
| Blackburn     | Garrett         | MacArthur    |
| Blum          | Gianforte       | Marchant     |
| Bost          | Gibbs           | Marino       |
| Brady (TX)    | Gohmert         | Marshall     |
| Brat          | Goodlatte       | Mast         |
| Bridenstine   | Gosar           | McCarthy     |
| Brooks (AL)   | Gowdy           | McCaul       |
| Brooks (IN)   | Granger         | McClintock   |
| Buchanan      | Graves (GA)     | McHenry      |
| Buck          | Graves (LA)     | McKinley     |
| Bucshon       | Graves (MO)     | McMorris     |
| Budd          | Griffith        | Rodgers      |
| Burgess       | Grothman        | McSally      |
| Byrne         | Guthrie         | Meadows      |
| Calvert       | Handel          | Meehan       |
| Carter (GA)   | Harper          | Messer       |
| Carter (TX)   | Harris          | Mitchell     |
| Chabot        | Hartzler        | Moolenaar    |
| Cheney        | Hensarling      | Mooney (WV)  |
| Coffman       | Herrera Beutler | Mullin       |
| Cole          | Hice, Jody B.   | Murphy (PA)  |
| Collins (GA)  | Higgins (LA)    | Newhouse     |
| Collins (NY)  | Hill            | Noem         |
| Comer         | Holding         | Norman       |
| Comstock      | Hollingsworth   | Nunes        |
| Conaway       | Hudson          | Olson        |
| Cook          | Huizenga        | Palazzo      |
| Costello (PA) | Hultgren        | Paulsen      |
| Cramer        | Hunter          | Pearce       |
| Crawford      | Hurd            | Perry        |
| Culberson     | Issa            | Pittenger    |
| Curbelo (FL)  | Jenkins (KS)    | Poe (TX)     |
| Davidson      | Jenkins (WV)    | Poliquin     |
| Denham        | Johnson (LA)    | Posey        |
| Dent          | Johnson (OH)    | Ratcliffe    |
| DeSantis      | Joyce (OH)      | Reed         |
| DesJarlais    | Katko           | Reichert     |
| Diaz-Balart   | Kelly (MS)      | Renacci      |
| Donovan       | Kelly (PA)      | Rice (SC)    |
| Duffy         | King (IA)       | Roby         |
| Duncan (SC)   | King (NY)       | Roe (TN)     |
|               |                 | Rogers (AL)  |



Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Ros-Lehtinen  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson

Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg

Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

## NOES—190

Adams  
Aguilar  
Amash  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Clyburn  
Cohen  
Connolly  
Conyers  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Cuellar  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Ellison  
Engel  
Eshoo  
Españat  
Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Fudge  
Gabbard

## NOT VOTING—13

Arrington  
Cleaver  
Cummings  
Davis, Rodney  
Johnson, Sam

Lieu, Ted  
Moore  
Napolitano  
Palmer  
Price (NC)

Nolan  
Norcross  
O'Halloran  
O'Rourke  
Pallone  
Panetta  
Pascarell  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Quigley  
Raskin  
Rice (NY)  
Richmond  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Soto  
Speier  
Suozi  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

□ 1435

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ARRINGTON. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 355.

## REPORT ON H.R. 3219, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018

Ms. GRANGER, from the Committee on Appropriations, submitted a privileged report (Rept. No. 115-219) on the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. KATKO). Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018

The SPEAKER pro tempore. Pursuant to House Resolution 431 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2810.

Will the gentleman from Pennsylvania (Mr. THOMPSON) kindly take the chair.

□ 1437

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. THOMPSON of Pennsylvania (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, July 12, 2017, the fourth set of amendments en bloc, as modified, offered by the gentleman from Texas (Mr. THORNBERY) had been disposed of.

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 115-212 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. CONAWAY of Texas.

Amendment No. 4 by Mr. POLIS of Colorado.

Amendment No. 5 by Ms. JAYAPAL of Washington.

Amendment No. 6 by Mr. NADLER of New York.

Amendment No. 8 by Mr. BLUMENAUER of Oregon.

Amendment No. 10 by Mr. AGUILAR of California.

Amendment No. 88 by Mr. ROGERS of Alabama.

Amendment No. 12 by Mr. GARAMENDI of California.

Amendment No. 13 by Mr. BLUMENAUER of Oregon.

Amendment No. 14 by Mr. MCCLINTOCK of California.

The Chair will reduce to 2 minutes the time for any electronic vote in this series.

## AMENDMENT NO. 2 OFFERED BY MR. CONAWAY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. CONAWAY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 198, noes 225, not voting 10, as follows:

[Roll No. 356]

## AYES—198

|              |               |                 |
|--------------|---------------|-----------------|
| Abraham      | Cuellar       | Herrera Beutler |
| Aderholt     | Culberson     | Hice, Jody B.   |
| Allen        | Davidson      | Hill            |
| Amash        | Denham        | Holding         |
| Amodei       | Dent          | Hudson          |
| Arrington    | DeSantis      | Huizenga        |
| Babin        | DesJarlais    | Hultgren        |
| Banks (IN)   | Diaz-Balart   | Hunter          |
| Barletta     | Donovan       | Hurd            |
| Barr         | Duffy         | Issa            |
| Barton       | Duncan (SC)   | Jenkins (KS)    |
| Bergman      | Duncan (TN)   | Jenkins (WV)    |
| Biggs        | Dunn          | Johnson (LA)    |
| Bilirakis    | Farenthold    | Johnson (OH)    |
| Bishop (MI)  | Faso          | Jones           |
| Bishop (UT)  | Ferguson      | Jordan          |
| Black        | Fleischmann   | Joyce (OH)      |
| Blackburn    | Flores        | Kelly (MS)      |
| Brady (TX)   | Foxx          | Kelly (PA)      |
| Brat         | Franks (AZ)   | Knight          |
| Bridenstine  | Frelinghuysen | Kustoff (TN)    |
| Brooks (AL)  | Gaetz         | Labrador        |
| Buchanan     | Gallagher     | LaHood          |
| Buck         | Garrett       | LaMalfa         |
| Bucshon      | Gianforte     | Lamborn         |
| Budd         | Gohmert       | Lance           |
| Burgess      | Goodlatte     | Latta           |
| Byrne        | Gosar         | Lewis (MN)      |
| Calvert      | Gowdy         | Long            |
| Carter (GA)  | Granger       | Loudermilk      |
| Carter (TX)  | Graves (GA)   | Love            |
| Chabot       | Graves (LA)   | Lucas           |
| Cheney       | Green, Gene   | Luetkemeyer     |
| Coffman      | Griffith      | MacArthur       |
| Cole         | Guthrie       | Marchant        |
| Collins (GA) | Handel        | Marino          |
| Collins (NY) | Harper        | Marshall        |
| Comstock     | Harris        | Masie           |
| Conaway      | Hartzler      | McCarthy        |
| Crawford     | Hensarling    | McCauley        |

McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
Meadows  
Meehan  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Newhouse  
Norman  
Nunes  
Olson  
Palazzo  
Palmer  
Pearce  
Perry  
Pittenger  
Poe (TX)  
Ratcliffe  
Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)

## NOES—225

Adams  
Aguilar  
Bacon  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blum  
Blumenauer  
Blunt Rochester  
Bonamici  
Bost  
Boyle, Brendan  
F.  
Brady (PA)  
Brooks (IN)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Clyburn  
Cohen  
Comer  
Connolly  
Conyers  
Cook  
Cooper  
Correa  
Costa  
Costello (PA)  
Courtney  
Cramer  
Crist  
Crowley  
Curbelo (FL)  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Ellison  
Emmer  
Engel

Eshoo  
Espaillat  
Estes (KS)  
Esty (CT)  
Evans  
Fitzpatrick  
Fortenberry  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gibbs  
Gomez  
Gonzalez (TX)  
Gottheimer  
Graves (MO)  
Green, Al  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (LA)  
Higgins (NY)  
Himes  
Hollingsworth  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kinzinger  
Krishnamoorthi  
Kuster (NH)  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren  
Lowenthal

Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Vela  
Wagner  
Walberg  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoho  
Young (AK)  
Zeldin

Luján, Ben Ray  
Lynch  
Maloney,  
Carolyn B.  
Maloney, Sean  
Mast  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
McSally  
Meeks  
Meng  
Messer  
Moulton  
Murphy (FL)  
Murphy (PA)  
Nadler  
Neal  
Noem  
Nolan  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascrell  
Paulsen  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Clark (MA)  
Clarke (NY)  
Clay  
Clyburn  
Cohen  
Conyers  
Crowley  
Davis, Danny  
DeFazio  
DeSaulnier  
Duncan (TN)  
Ellison  
Engel  
Eshoo  
Espaillat  
Evans  
Garamendi

Sires  
Slaughter  
Smith (MO)  
Smith (NE)  
Smith (WA)  
Soto  
Speier  
Stefanik  
Suozi  
Swalwell (CA)  
Takano

Cleaver  
Cummings  
Davis, Rodney  
Grothman

Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Vargas  
Veasey  
Velázquez  
Visclosky  
Walden

## NOT VOTING—10

Johnson, Sam  
Lieu, Ted  
Moore  
Napolitano

## □ 1441

Ms. MAXINE WATERS of California changed her vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 4 OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 73, noes 351, not voting 9, as follows:

[Roll No. 357]

## AYES—73

Barragán  
Bass  
Blumenauer  
Bonamici  
Cárdenas  
Carson (IN)  
Castor (FL)  
Chu, Judy  
Clark (MA)  
Clarke (NY)  
Clay  
Clyburn  
Cohen  
Conyers  
Crowley  
Davis, Danny  
DeFazio  
DeSaulnier  
Duncan (TN)  
Ellison  
Engel  
Eshoo  
Espaillat  
Evans  
Garamendi

## NOES—351

Abraham  
Adams  
Aderholt  
Aguilar  
Allen  
Amash  
Amodei  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta

Gomez  
Grijalva  
Gutiérrez  
Hastings  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Jones  
Kaptur  
Kelly (IL)  
Khanna  
Kildee  
Lee  
Levin  
Lewis (GA)  
Lofgren  
Lowenthal  
Maloney,  
Carolyn B.  
McGovern  
Meeks  
Nadler  
Pallone  
Panetta

Blackburn  
Blum  
Blunt Rochester  
Bost  
Boyle, Brendan  
F.  
Brady (PA)  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)

Brown (MD)  
Brownley (CA)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Bustos  
Butterfield  
Byrne  
Calvert  
Capuano  
Carbajal  
Carter (GA)  
Carter (TX)  
Cartwright  
Castro (TX)  
Chabot  
Cheney  
Cicilline  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Connolly  
Cook  
Cooper  
Correa  
Costa  
Costello (PA)  
Courtney  
Cramer  
Crawford  
Crist  
Cuellar  
Culberson  
Curbelo (FL)  
Davidson  
Davis (CA)  
DeGette  
Delaney  
DeLauro  
DeBene  
Demings  
Denham  
Dent  
DeSantis  
DesJarlais  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Donovan  
Doyle, Michael  
F.  
Duffy  
Duncan (SC)  
Dunn  
Emmer  
Estes (KS)  
Esty (CT)  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foster  
Foxy  
Frankel (FL)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gabbard  
Gaetz  
Gallagher  
Gallego  
Garrett  
Gianforte  
Gibbs  
Gohmert  
Gonzalez (TX)  
Goodlatte  
Gosar  
Gottheimer  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green, Al  
Green, Gene

Griffith  
Grothman  
Guthrie  
Hanabusa  
Handel  
Harper  
Harris  
Hartzler  
Heck  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Higgins (NY)  
Hill  
Himes  
Holding  
Hollingsworth  
Hoyer  
Hudson  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (GA)  
Johnson (LA)  
Johnson (OH)  
Johnson, E. B.  
Jordan  
Joyce (OH)  
Katko  
Keating  
Kelly (MS)  
Kelly (PA)  
Kennedy  
Kihuen  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Krishnamoorthi  
Kuster (NH)  
Kustoff (TN)  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latta  
Lawrence  
Lawson (FL)  
Lewis (MN)  
Lipinski  
LoBiondo  
Loeb sack  
Long  
Loudermilk  
Love  
Lowey  
Lucas  
Luetkemeyer  
Shea-Porter  
M.  
Luján, Ben Ray  
Lynch  
MacArthur  
Maloney, Sean  
Marchant  
Marino  
Marshall  
Massie  
Mast  
Matsui  
McCarthy  
McCaul  
McClintock  
McCollum  
McEachin  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meehan  
Meng  
Messer

Mitchell  
Moolenaar  
Mooney (WV)  
Moulton  
Mullin  
Murphy (FL)  
Murphy (PA)  
Neal  
Newhouse  
Noem  
Nolan  
Norcross  
Norman  
Nunes  
O'Halleran  
O'Rourke  
Olson  
Palazzo  
Palmer  
Pascrell  
Paulsen  
Payne  
Pearce  
Perlmutter  
Perry  
Peters  
Peterson  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Price (NC)  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (NY)  
Rice (SC)  
Richmond  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Ros-Lehtinen  
Rosen  
Roskam  
Ross  
Rothfus  
Rouzer  
Roybal-Allard  
Royce (CA)  
Ruiz  
Ruppersberger  
Russell  
Rutherford  
Ryan (OH)  
Schiff  
Schneider  
Schradler  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sessions  
Sewell (AL)  
Shea-Porter  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Soto  
Speier  
Stefanik  
Stewart  
Stivers  
Suozi  
Swalwell (CA)  
Taylor  
Tenney  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tipton  
Titus

|           |               |             |
|-----------|---------------|-------------|
| Torres    | Walden        | Williams    |
| Trott     | Walker        | Wilson (SC) |
| Turner    | Walorski      | Wittman     |
| Upton     | Walters, Mimi | Womack      |
| Valadao   | Walz          | Woodall     |
| Vargas    | Wasserman     | Yarmuth     |
| Veasey    | Schultz       | Yoder       |
| Vela      | Weber (TX)    | Yoho        |
| Visclosky | Webster (FL)  | Young (AK)  |
| Wagner    | Wenstrup      | Young (IA)  |
| Walberg   | Westerman     | Zeldin      |

## NOT VOTING—9

|               |              |            |
|---------------|--------------|------------|
| Cleaver       | Johnson, Sam | Napolitano |
| Cummings      | Lieu, Ted    | Sanford    |
| Davis, Rodney | Moore        | Scalise    |

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1447

Messrs. DOGGETT, JOHNSON of Georgia, GROTHMAN, Mses. WASSERMAN SCHULTZ, and EDDIE BERNICE JOHNSON of Texas changed their vote from “aye” to “no.”

Mr. TAKANO changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 5 OFFERED BY MS. JAYAPAL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Washington (Ms. JAYAPAL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 179, noes 245, not voting 9, as follows:

[Roll No. 358]

## AYES—179

|                 |                |                |
|-----------------|----------------|----------------|
| Adams           | Clyburn        | Evans          |
| Aguilar         | Cohen          | Foster         |
| Barragán        | Connolly       | Frankel (FL)   |
| Bass            | Conyers        | Fudge          |
| Beatty          | Costa          | Gabbard        |
| Beyer           | Courtney       | Gallego        |
| Bishop (GA)     | Crist          | Garamendi      |
| Blumenauer      | Crowley        | Gomez          |
| Blunt Rochester | Cuellar        | Gonzalez (TX)  |
| Bonamici        | Davis (CA)     | Green, Al      |
| Boyle, Brendan  | Davis, Danny   | Green, Gene    |
| F.              | DeFazio        | Grijalva       |
| Brady (PA)      | DeGette        | Gutiérrez      |
| Brown (MD)      | Delaney        | Hanabusa       |
| Brownley (CA)   | DeLauro        | Hastings       |
| Bustos          | DelBene        | Heck           |
| Butterfield     | Demings        | Higgins (NY)   |
| Capuano         | DeSaulnier     | Himes          |
| Carbajal        | Deutch         | Hoyer          |
| Cárdenas        | Dingell        | Huffman        |
| Carson (IN)     | Doggett        | Jackson Lee    |
| Cartwright      | Doyle, Michael | Jayapal        |
| Castor (FL)     | F.             | Jeffries       |
| Castro (TX)     | Duncan (TN)    | Johnson (GA)   |
| Chu, Judy       | Ellison        | Johnson, E. B. |
| Cicilline       | Engel          | Jones          |
| Clark (MA)      | Eshoo          | Kaptur         |
| Clarke (NY)     | Españillat     | Keating        |
| Clay            | Esty (CT)      | Kelly (IL)     |

|                   |               |                |
|-------------------|---------------|----------------|
| Kennedy           | Meeks         | Scott, David   |
| Khanna            | Meng          | Serrano        |
| Kihuen            | Nadler        | Sewell (AL)    |
| Kildee            | Neal          | Shea-Porter    |
| Kilmer            | Nolan         | Sherman        |
| Kind              | Norcross      | Sires          |
| Krishnamoorthi    | O'Halleran    | Slaughter      |
| Kuster (NH)       | Pallone       | Smith (WA)     |
| Langevin          | Panetta       | Soto           |
| Larsen (WA)       | Pascarell     | Speier         |
| Larson (CT)       | Payne         | Suozi          |
| Lawrence          | Pelosi        | Swalwell (CA)  |
| Lawson (FL)       | Perlmutter    | Takano         |
| Lee               | Peterson      | Thompson (CA)  |
| Levin             | Pingree       | Thompson (MS)  |
| Lewis (GA)        | Pocan         | Titus          |
| Lipinski          | Polis         | Tonko          |
| Loeb sack         | Price (NC)    | Torres         |
| Lofgren           | Quigley       | Tsongas        |
| Lowenthal         | Raskin        | Vargas         |
| Lowe y            | Rice (NY)     | Vela           |
| Lujan Grisham, M. | Richmond      | Velázquez      |
| Luján, Ben Ray    | Roybal-Allard | Visclosky      |
| Lynch             | Ruiz          | Walz           |
| Maloney,          | Ruppersberger | Wasserman      |
| Carolyn B.        | Rush          | Schultz        |
| Maloney, Sean     | Ryan (OH)     | Waters, Maxine |
| Matsui            | Sánchez       | Watson Coleman |
| McCollum          | Sarbanes      | Welch          |
| McEachin          | Schakowsky    | Wilson (FL)    |
| McGovern          | Schiff        | Yarmuth        |
| McNerney          | Schrader      |                |
|                   | Scott (VA)    |                |

## NOES—245

|               |                 |              |
|---------------|-----------------|--------------|
| Abraham       | Duffy           | Kinzing er   |
| Aderholt      | Duncan (SC)     | Knight       |
| Allen         | Dunn            | Kustoff (TN) |
| Amash         | Emmer           | Labrador     |
| Amodei        | Estes (KS)      | LaHood       |
| Arrington     | Farenthold      | LaMalfa      |
| Babin         | Faso            | Lamborn      |
| Bacon         | Ferguson        | Lance        |
| Banks (IN)    | Fitzpatrick     | Latta        |
| Barletta      | Fleischmann     | Lewis (MN)   |
| Barr          | Flores          | LoBiondo     |
| Barton        | Fortenberry     | Long         |
| Bera          | Fox             | Loudermilk   |
| Bergman       | Franks (AZ)     | Love         |
| Biggs         | Frelinghuysen   | Lucas        |
| Bilirakis     | Gaetz           | Luetkemeyer  |
| Bishop (MI)   | Gallagher       | MacArthur    |
| Bishop (UT)   | Garrett         | Marchant     |
| Black         | Gianforte       | Marino       |
| Blackburn     | Gibbs           | Marshall     |
| Blum          | Gohmert         | Massie       |
| Bost          | Goodlatte       | Mast         |
| Brady (TX)    | Gosar           | McCarthy     |
| Brat          | Gottheimer      | McCaul       |
| Bridenstine   | Gowdy           | McClintock   |
| Brooks (AL)   | Granger         | McHenry      |
| Brooks (IN)   | Graves (GA)     | McKinley     |
| Buchanan      | Graves (LA)     | McMorris     |
| Buck          | Graves (MO)     | Rodgers      |
| Bucshon       | Griffith        | McSally      |
| Budd          | Grothman        | Meadows      |
| Burgess       | Guthrie         | Meehan       |
| Byrne         | Handel          | Messer       |
| Calvert       | Harper          | Mitchell     |
| Carter (GA)   | Harris          | Moolenaar    |
| Carter (TX)   | Hartzler        | Mooney (WV)  |
| Chabot        | Hensarling      | Moulton      |
| Cheney        | Herrera Beutler | Mullin       |
| Coffman       | Hice, Jody B.   | Murphy (FL)  |
| Cole          | Higgins (LA)    | Murphy (PA)  |
| Collins (GA)  | Hill            | Newhouse     |
| Collins (NY)  | Holding         | Noem         |
| Comer         | Hollingsworth   | Norman       |
| Comstock      | Hudson          | Nunes        |
| Conaway       | Huizenga        | O'Rourke     |
| Cook          | Hultgren        | Olson        |
| Cooper        | Hunter          | Palazzo      |
| Correa        | Hurd            | Palmer       |
| Costello (PA) | Issa            | Paulsen      |
| Cramer        | Jenkins (KS)    | Pearce       |
| Crawford      | Jenkins (WV)    | Perry        |
| Culberson     | Johnson (LA)    | Peters       |
| Curbelo (FL)  | Johnson (OH)    | Pittenger    |
| Davidson      | Jordan          | Poe (TX)     |
| Denham        | Joyce (OH)      | Poliquin     |
| Dent          | Katko           | Posey        |
| DeSantis      | Kelly (MS)      | Ratcliffe    |
| DesJarlais    | Kelly (PA)      | Reed         |
| Diaz-Balart   | King (IA)       | Reichert     |
| Donovan       | King (NY)       | Renacci      |

|                 |               |               |
|-----------------|---------------|---------------|
| Rice (SC)       | Sessions      | Veasey        |
| Roby            | Shimkus       | Wagner        |
| Roe (TN)        | Shuster       | Walberg       |
| Rogers (AL)     | Simpson       | Walden        |
| Rogers (KY)     | Sinema        | Walker        |
| Rohrabacher     | Smith (MO)    | Walorski      |
| Rokita          | Smith (NE)    | Walters, Mimi |
| Rooney, Francis | Smith (NJ)    | Weber (TX)    |
| Rooney, Thomas  | Smith (TX)    | Webster (FL)  |
| J.              | Smucker       | Wenstrup      |
| Ros-Lehtinen    | Stefanik      | Westerman     |
| Rosen           | Stewart       | Williams      |
| Roskam          | Stivers       | Wilson (SC)   |
| Ross            | Taylor        | Wittman       |
| Rothfus         | Tenney        | Womack        |
| Rouzer          | Thompson (PA) | Woodall       |
| Royce (CA)      | Thornberry    | Yoder         |
| Russell         | Tiberi        | Yoho          |
| Rutherford      | Tipton        | Young (AK)    |
| Schneider       | Trott         | Young (IA)    |
| Schweikert      | Turner        | Upton         |
| Scott, Austin   | Valadao       | Zeldin        |
| Sensenbrenner   |               |               |

## NOT VOTING—9

|               |              |            |
|---------------|--------------|------------|
| Cleaver       | Johnson, Sam | Napolitano |
| Cummings      | Lieu, Ted    | Sanford    |
| Davis, Rodney | Moore        | Scalise    |

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1452

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 6 OFFERED BY MR. NADLER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. NADLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 167, noes 257, not voting 9, as follows:

[Roll No. 359]

## AYES—167

|                 |                |                |
|-----------------|----------------|----------------|
| Adams           | Clark (MA)     | Engel          |
| Amash           | Clarke (NY)    | Eshoo          |
| Barragán        | Clay           | Españillat     |
| Bass            | Clyburn        | Esty (CT)      |
| Beatty          | Connolly       | Evans          |
| Bera            | Conyers        | Foster         |
| Beyer           | Cooper         | Frankel (FL)   |
| Bishop (GA)     | Costa          | Fudge          |
| Blumenauer      | Courtney       | Gabbard        |
| Blunt Rochester | Crowley        | Gallego        |
| Bonamici        | Davis (CA)     | Garamendi      |
| Boyle, Brendan  | Davis, Danny   | Gomez          |
| F.              | DeFazio        | Green, Al      |
| Brady (PA)      | DeGette        | Grijalva       |
| Brown (MD)      | Delaney        | Gutiérrez      |
| Bustos          | DeLauro        | Hanabusa       |
| Butterfield     | DelBene        | Hastings       |
| Capuano         | Demings        | Higgins (NY)   |
| Carbajal        | DeSaulnier     | Himes          |
| Cárdenas        | Deutch         | Hoyer          |
| Carson (IN)     | Dingell        | Huffman        |
| Cartwright      | Doggett        | Jackson Lee    |
| Castor (FL)     | Doyle, Michael | Jayapal        |
| Castro (TX)     | F.             | Jeffries       |
| Chu, Judy       | Duncan (TN)    | Johnson (GA)   |
| Cicilline       | Ellison        | Johnson, E. B. |

|                   |               |                |                   |               |                |                   |               |                |
|-------------------|---------------|----------------|-------------------|---------------|----------------|-------------------|---------------|----------------|
| Jones             | McGovern      | Schakowsky     | Reichert          | Sensenbrenner | Upton          | Hastings          | Maloney,      | Sarbanes       |
| Kaptur            | McNerney      | Schiff         | Renacci           | Sessions      | Valadao        | Heck              | Carolyn B.    | Schakowsky     |
| Keating           | Meeks         | Schneider      | Rice (SC)         | Sewell (AL)   | Vela           | Himes             | Matsui        | Schiff         |
| Kelly (IL)        | Meng          | Schrader       | Roby              | Shea-Porter   | Wagner         | Hoyer             | McCollum      | Schneider      |
| Kennedy           | Moulton       | Scott (VA)     | Roe (TN)          | Shimkus       | Walberg        | Huffman           | McEachin      | Schrader       |
| Khanna            | Murphy (FL)   | Serrano        | Rogers (AL)       | Shuster       | Walden         | Jackson Lee       | McGovern      | Scott (VA)     |
| Kihuen            | Nadler        | Sherman        | Rogers (KY)       | Simpson       | Walker         | Jayapal           | McNerney      | Scott, David   |
| Kildee            | Neal          | Slaughter      | Rohrabacher       | Sinema        | Walorski       | Jeffries          | Meeks         | Serrano        |
| Kilmer            | Nolan         | Smith (WA)     | Rokita            | Sires         | Walters, Mimi  | Johnson (GA)      | Meng          | Sewell (AL)    |
| Kind              | Norcross      | Soto           | Rooney, Francis   | Smith (MO)    | Watson Coleman | Johnson, E. B.    | Moulton       | Shea-Porter    |
| Krishnamoorthi    | O'Rourke      | Speier         | Rooney, Thomas J. | Smith (NE)    | Weber (TX)     | Kaptur            | Murphy (FL)   | Sherman        |
| Kuster (NH)       | Pallone       | Swalwell (CA)  | Ros-Lehtinen      | Smith (NJ)    | Webster (FL)   | Keating           | Nadler        | Sires          |
| Langevin          | Panetta       | Takano         | Rosen             | Smith (TX)    | Wenstrup       | Kelly (IL)        | Neal          | Slaughter      |
| Larsen (WA)       | Pascrell      | Thompson (CA)  | Roskam            | Smucker       | Westerman      | Kennedy           | Nolan         | Smith (WA)     |
| Larson (CT)       | Payne         | Thompson (MS)  | Ross              | Stefanik      | Williams       | Khanna            | Norcross      | Soto           |
| Lawrence          | Pelosi        | Titus          | Rothfus           | Stewart       | Wilson (SC)    | Kildee            | O'Rourke      | Speier         |
| Lee               | Perlmutter    | Tonko          | Rouzer            | Stivers       | Wittman        | Kilmer            | Pallone       | Suozi          |
| Levin             | Peters        | Torres         | Royce (CA)        | Suzoi         | Womack         | Kind              | Panetta       | Swalwell (CA)  |
| Lewis (GA)        | Peterson      | Tsongas        | Ruiz              | Taylor        | Woodall        | Krishnamoorthi    | Pascrell      | Takano         |
| Loeb sack         | Pingree       | Vargas         | Ruppersberger     | Tenney        | Yoder          | Kuster (NH)       | Payne         | Thompson (CA)  |
| Lofgren           | Pocan         | Veasey         | Russell           | Thompson (PA) | Yoho           | Langevin          | Pelosi        | Thompson (MS)  |
| Lowenthal         | Polis         | Velázquez      | Rutherford        | Thornberry    | Young (AK)     | Larsen (WA)       | Perlmutter    | Titus          |
| Lowey             | Price (NC)    | Visclosky      | Schweikert        | Tiberi        | Young (IA)     | Larson (CT)       | Peterson      | Tonko          |
| Lujan Grisham, M. | Quigley       | Walz           | Scott, Austin     | Tipton        | Zeldin         | Lawrence          | Pingree       | Torres         |
| Luján, Ben Ray    | Raskin        | Wasserman      | Scott, David      | Turner        |                | Lawson (FL)       | Pocan         | Tsongas        |
| Lynch             | Rice (NY)     | Schultz        |                   |               |                | Lee               | Polis         | Vargas         |
| Maloney,          | Richmond      | Waters, Maxine | Cleaver           | Johnson, Sam  | Napolitano     | Levin             | Price (NC)    | Veasey         |
| Carolyn B.        | Roybal-Allard | Welch          | Cummings          | Lieu, Ted     | Sanford        | Lewis (GA)        | Quigley       | Velázquez      |
| Matsui            | Rush          | Wilson (FL)    | Davis, Rodney     | Moore         | Scalise        | Lipinski          | Raskin        | Visclosky      |
| McCollum          | Ryan (OH)     | Yarmuth        |                   |               |                | Loeb sack         | Rice (NY)     | Walz           |
| McEachin          | Sánchez       |                |                   |               |                | Lofgren           | Richmond      | Wasserman      |
|                   | Sarbanes      |                |                   |               |                | Lowenthal         | Roybal-Allard | Schultz        |
|                   |               |                |                   |               |                | Lowey             | Ruiz          | Waters, Maxine |
|                   |               |                |                   |               |                | Lujan Grisham, M. | Ruppersberger | Watson Coleman |
|                   |               |                |                   |               |                | Luján, Ben Ray    | Rush          | Welch          |
|                   |               |                |                   |               |                | Lynch             | Ryan (OH)     | Wilson (FL)    |
|                   |               |                |                   |               |                |                   | Sánchez       | Yarmuth        |

## NOES—257

|               |                 |               |
|---------------|-----------------|---------------|
| Abraham       | Donovan         | Kelly (PA)    |
| Aderholt      | Duffy           | King (IA)     |
| Aguilar       | Duncan (SC)     | King (NY)     |
| Allen         | Dunn            | Kinzing       |
| Amodei        | Emmer           | Knight        |
| Arrington     | Estes (KS)      | Kustoff (TN)  |
| Babin         | Farenthold      | Labrador      |
| Bacon         | Faso            | LaHood        |
| Banks (IN)    | Ferguson        | LaMalfa       |
| Barletta      | Fitzpatrick     | Lamborn       |
| Barr          | Fleischmann     | Lance         |
| Barton        | Flores          | Latta         |
| Bergman       | Fortenberry     | Lawson (FL)   |
| Biggs         | Fox             | Lewis (MN)    |
| Bilirakis     | Franks (AZ)     | Lipinski      |
| Bishop (MI)   | Frelinghuysen   | LoBiondo      |
| Bishop (UT)   | Gaetz           | Long          |
| Black         | Gallagher       | Loudermilk    |
| Blackburn     | Garrett         | Love          |
| Blum          | Gianforte       | Lucas         |
| Bost          | Gibbs           | Luetkemeyer   |
| Brady (TX)    | Gohmert         | MacArthur     |
| Brat          | Gonzalez (TX)   | Maloney, Sean |
| Bridenstine   | Goodlatte       | Marchant      |
| Brooks (AL)   | Gosar           | Marino        |
| Brooks (IN)   | Gottheimer      | Marshall      |
| Brownley (CA) | Gowdy           | Massie        |
| Buchanan      | Granger         | Mast          |
| Buck          | Graves (GA)     | McCarthy      |
| Bucshon       | Graves (LA)     | McCaul        |
| Budd          | Graves (MO)     | McClintock    |
| Burgess       | Green, Gene     | McHenry       |
| Byrne         | Griffith        | McKinley      |
| Calvert       | Grothman        | McMorris      |
| Carter (GA)   | Guthrie         | Rodgers       |
| Carter (TX)   | Handel          | McSally       |
| Chabot        | Harper          | Meadows       |
| Cheney        | Harris          | Meehan        |
| Coffman       | Hartzler        | Messer        |
| Cohen         | Heck            | Mitchell      |
| Cole          | Hensarling      | Moolenaar     |
| Collins (GA)  | Herrera Beutler | Mooney (WV)   |
| Collins (NY)  | Hice, Jody B.   | Mullin        |
| Comer         | Higgins (LA)    | Murphy (PA)   |
| Comstock      | Hill            | Newhouse      |
| Conaway       | Holding         | Noem          |
| Cook          | Hollingsworth   | Norman        |
| Correa        | Hudson          | Nunes         |
| Costello (PA) | Huizenga        | O'Halleran    |
| Cramer        | Hultgren        | Olson         |
| Crawford      | Hunter          | Palazzo       |
| Crist         | Hurd            | Palmer        |
| Cuellar       | Issa            | Paulsen       |
| Culberson     | Jenkins (KS)    | Pearce        |
| Curbelo (FL)  | Jenkins (WV)    | Perry         |
| Davidson      | Johnson (LA)    | Pittenger     |
| Denham        | Johnson (OH)    | Poe (TX)      |
| Dent          | Jordan          | Poliquin      |
| DeSantis      | Joyce (OH)      | Posey         |
| DesJarlais    | Katko           | Ratcliffe     |
| Diaz-Balart   | Kelly (MS)      | Reed          |

NOT VOTING—9

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1456

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. BLUMENAUER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 249, not voting 11, as follows:

[Roll No. 360]

AYES—173

|                 |              |                |
|-----------------|--------------|----------------|
| Adams           | Chu, Judy    | DeSaulnier     |
| Aguilar         | Cicilline    | Deutch         |
| Amash           | Dingell      | Dingell        |
| Barragán        | Clarke (NY)  | Doggett        |
| Bass            | Clay         | Doyle, Michael |
| Beatty          | Clyburn      | F.             |
| Beyer           | Cohen        | Ellison        |
| Bishop (GA)     | Connolly     | Eshoo          |
| Blumenauer      | Conyers      | Espallat       |
| Blunt Rochester | Costa        | Esty (CT)      |
| Bonamici        | Courtney     | Evans          |
| Brady (PA)      | Crist        | Foster         |
| Brown (MD)      | Crowley      | Frankel (FL)   |
| Brownley (CA)   | Cuellar      | Fudge          |
| Bustos          | Davis (CA)   | Gabbard        |
| Butterfield     | Davis, Danny | Galleo         |
| Capuano         | DeFazio      | Garamendi      |
| Cárdenas        | DeGette      | Gomez          |
| Carson (IN)     | Delaney      | Green, Al      |
| Cartwright      | DeLauro      | Grijalva       |
| Castor (FL)     | DeBene       | Gutiérrez      |
| Castro (TX)     | Demings      | Hanabusa       |

|                |                 |               |
|----------------|-----------------|---------------|
| Abraham        | Dent            | Hunter        |
| Aderholt       | DeSantis        | Hurd          |
| Allen          | DesJarlais      | Issa          |
| Amodei         | Diaz-Balart     | Jenkins (KS)  |
| Arrington      | Donovan         | Jenkins (WV)  |
| Babin          | Duffy           | Johnson (LA)  |
| Bacon          | Duncan (SC)     | Johnson (OH)  |
| Banks (IN)     | Duncan (TN)     | Jones         |
| Barletta       | Dunn            | Jordan        |
| Barr           | Emmer           | Joyce (OH)    |
| Barton         | Engel           | Katko         |
| Bera           | Estes (KS)      | Kelly (MS)    |
| Bergman        | Farenthold      | Kelly (PA)    |
| Biggs          | Faso            | King (IA)     |
| Bilirakis      | Ferguson        | King (NY)     |
| Bishop (MI)    | Fitzpatrick     | Kinzing       |
| Bishop (UT)    | Fleischmann     | Knight        |
| Black          | Flores          | Kustoff (TN)  |
| Blackburn      | Fortenberry     | Labrador      |
| Blum           | Fox             | LaHood        |
| Bost           | Franks (AZ)     | LaMalfa       |
| Boyle, Brendan | Frelinghuysen   | Lamborn       |
| F.             | Gaetz           | Lance         |
| Brady (TX)     | Gallagher       | Latta         |
| Brat           | Garrett         | Lewis (MN)    |
| Bridenstine    | Gianforte       | LoBiondo      |
| Brooks (AL)    | Gibbs           | Long          |
| Brooks (IN)    | Gohmert         | Loudermilk    |
| Buchanan       | Gonzalez (TX)   | Love          |
| Buck           | Goodlatte       | Lucas         |
| Bucshon        | Gosar           | Luetkemeyer   |
| Budd           | Gottheimer      | MacArthur     |
| Burgess        | Gowdy           | Maloney, Sean |
| Byrne          | Granger         | Marchant      |
| Calvert        | Graves (GA)     | Marino        |
| Carter (GA)    | Graves (LA)     | Marshall      |
| Carter (TX)    | Graves (MO)     | Massie        |
| Chabot         | Green, Gene     | Mast          |
| Cheney         | Griffith        | McCarthy      |
| Coffman        | Grothman        | McCaul        |
| Cole           | Guthrie         | McClintock    |
| Collins (GA)   | Handel          | McHenry       |
| Collins (NY)   | Harper          | McKinley      |
| Comer          | Harris          | McMorris      |
| Comstock       | Hartzler        | Rodgers       |
| Conaway        | Hensarling      | McSally       |
| Cook           | Herrera Beutler | Meadows       |
| Cooper         | Hice, Jody B.   | Meehan        |
| Correa         | Higgins (LA)    | Messer        |
| Costello (PA)  | Higgins (NY)    | Mitchell      |
| Cramer         | Hill            | Moolenaar     |
| Crawford       | Holding         | Mooney (WV)   |
| Culberson      | Hollingsworth   | Mullin        |
| Curbelo (FL)   | Hudson          | Murphy (PA)   |
| Davidson       | Huizenga        | Newhouse      |
| Denham         | Hultgren        | Noem          |

|                   |               |               |                |               |                |             |                   |               |
|-------------------|---------------|---------------|----------------|---------------|----------------|-------------|-------------------|---------------|
| Norman            | Ros-Lehtinen  | Thornberry    | Esty (CT)      | Levin         | Ruiz           | McMorris    | Roby              | Taylor        |
| Nunes             | Rosen         | Tiberi        | Evans          | Lewis (GA)    | Ruppersberger  | Rodgers     | Roe (TN)          | Tenney        |
| O'Halleran        | Roskam        | Tipton        | Foster         | Lipinski      | Rush           | McSally     | Rogers (AL)       | Thompson (PA) |
| Olson             | Ross          | Trott         | Frankel (FL)   | Loeb          | Ryan (OH)      | Meadows     | Rogers (KY)       | Thornberry    |
| Palazzo           | Rothfus       | Turner        | Fudge          | Loftgren      | Sánchez        | Meehan      | Rohrabacher       | Tiberi        |
| Palmer            | Rouzer        | Upton         | Gabbard        | Lowenthal     | Sarbanes       | Messer      | Rokita            | Tipton        |
| Paulsen           | Royce (CA)    | Valadao       | Gallego        | Lowe          | Schakowsky     | Mitchell    | Rooney, Francis   | Trott         |
| Pearce            | Russell       | Vela          | Garamendi      | Lynch         | Schiff         | Moolenaar   | Rooney, Thomas J. | Turner        |
| Perry             | Rutherford    | Wagner        | Gomez          | Maloney       | Schneider      | Mullin      | Ros-Lehtinen      | Upton         |
| Peters            | Schweikert    | Walberg       | Gonzalez (TX)  | Carolyn B.    | Schrader       | Murphy (PA) | Ross              | Valadao       |
| Pittenger         | Scott, Austin | Walden        | Green, Al      | Maloney, Sean | Scott (VA)     | Newhouse    | Rothfus           | Wagner        |
| Poe (TX)          | Sensenbrenner | Walker        | Green, Gene    | Massie        | Scott, David   | Noem        | Rouzer            | Walberg       |
| Poliquin          | Sessions      | Walorski      | Grijalva       | Matsui        | Sensenbrenner  | Norman      | Royce (CA)        | Walden        |
| Posey             | Shimkus       | Walters, Mimi | Gutiérrez      | McCollum      | Serrano        | Nunes       | Russell           | Walker        |
| Ratcliffe         | Shuster       | Weber (TX)    | Hanabusa       | McEachin      | Sewell (AL)    | O'Halleran  | Rutherford        | Walorski      |
| Reed              | Simpson       | Webster (FL)  | Hastings       | McGovern      | Shea-Porter    | Olson       | Schweikert        | Walters, Mimi |
| Reichert          | Sinema        | Wenstrup      | Heck           | McNerney      | Sherman        | Palazzo     | Scott, Austin     | Weber (TX)    |
| Renacci           | Smith (MO)    | Westerman     | Higgins (NY)   | Meeke         | Sires          | Palmer      | Sessions          | Webster (FL)  |
| Rice (SC)         | Smith (NE)    | Williams      | Himes          | Meng          | Slaughter      | Paulsen     | Shimkus           | Wenstrup      |
| Roby              | Smith (NJ)    | Wilson (SC)   | Hoyer          | Mooney (WV)   | Smith (WA)     | Pearce      | Shuster           | Westerman     |
| Roe (TN)          | Smith (TX)    | Wittman       | Huffman        | Moulton       | Soto           | Perry       | Simpson           | Williams      |
| Rogers (AL)       | Smucker       | Womack        | Jackson Lee    | Murphy (FL)   | Speier         | Peterson    | Sinema            | Wilson (SC)   |
| Rogers (KY)       | Stefanik      | Woodall       | Jayapal        | Nadler        | Suozzi         | Pittenger   | Smith (MO)        | Wittman       |
| Rohrabacher       | Stewart       | Yoder         | Jeffries       | Neal          | Swalwell (CA)  | Poe (TX)    | Smith (NJ)        | Womack        |
| Rokita            | Stivers       | Yoho          | Johnson (GA)   | Nolan         | Takano         | Poliquin    | Smith (TX)        | Woodall       |
| Rooney, Francis   | Taylor        | Young (AK)    | Johnson, E. B. | Norcross      | Thompson (CA)  | Posey       | Smith (TX)        | Yoder         |
| Rooney, Thomas J. | Tenney        | Young (IA)    | Jones          | O'Rourke      | Thompson (MS)  | Ratcliffe   | Smucker           | Young (AK)    |
|                   | Thompson (PA) | Zeldin        | Kaptur         | Pallone       | Titus          | Reed        | Stefanik          | Young (IA)    |
|                   |               |               | Keating        | Panetta       | Tonko          | Reichert    | Stewart           | Zeldin        |
|                   |               |               | Kelly (IL)     | Pascrell      | Torres         | Renacci     | Stivers           |               |
|                   |               |               | Kennedy        | Payne         | Tsongas        | Rice (SC)   |                   |               |
|                   |               |               | Khan           | Pelosi        | Vargas         |             |                   |               |
|                   |               |               | Kihuen         | Perlmutter    | Veasey         |             |                   |               |
|                   |               |               | Kildee         | Peters        | Vela           |             |                   |               |
|                   |               |               | Kilmer         | Pingree       | Velázquez      |             |                   |               |
|                   |               |               | Kind           | Pocan         | Visclosky      |             |                   |               |
|                   |               |               | Krishnamoorthi | Polis         | Walz           |             |                   |               |
|                   |               |               | Kuster (NH)    | Price (NC)    | Wasserman      |             |                   |               |
|                   |               |               | Lance          | Quigley       | Schultz        |             |                   |               |
|                   |               |               | Langevin       | Raskin        | Waters, Maxine |             |                   |               |
|                   |               |               | Larsen (WA)    | Rice (NY)     | Watson Coleman |             |                   |               |
|                   |               |               | Larson (CT)    | Richmond      | Welch          |             |                   |               |
|                   |               |               | Lawrence       | Rosen         | Wilson (FL)    |             |                   |               |
|                   |               |               | Lee            | Roybal-Allard | Yarmuth        |             |                   |               |

## NOT VOTING—11

|               |              |            |
|---------------|--------------|------------|
| Carbajal      | Johnson, Sam | Napolitano |
| Cleaver       | Kihuen       | Sanford    |
| Cummings      | Lieu, Ted    | Scalise    |
| Davis, Rodney | Moore        |            |

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1459

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

## AMENDMENT NO. 10 OFFERED BY MR. AGUILAR

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from California (Mr.  
AGUILAR) on which further proceedings  
were postponed and on which the noes  
prevailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 188, noes 235,  
not voting 10, as follows:

[Roll No. 361]

## AYES—188

|                 |             |                |
|-----------------|-------------|----------------|
| Adams           | Carbajal    | Cuellar        |
| Aguilar         | Cárdenas    | Davis (CA)     |
| Amash           | Carson (IN) | Davis, Danny   |
| Barragán        | Cartwright  | DeFazio        |
| Bass            | Castor (FL) | DeGette        |
| Beatty          | Castro (TX) | Delaney        |
| Bera            | Chu, Judy   | DeLauro        |
| Beyer           | Cicilline   | DelBene        |
| Bishop (GA)     | Clark (MA)  | Demings        |
| Blumenauer      | Clarke (NY) | DeSaulnier     |
| Blunt Rochester | Clay        | Deutch         |
| Bonamici        | Clyburn     | Dingell        |
| Boyle, Brendan  | Cohen       | Doggett        |
| F.              | Connolly    | Doyle, Michael |
| Brady (PA)      | Conyers     | F.             |
| Brown (MD)      | Correa      | Duncan (TN)    |
| Brownley (CA)   | Costa       | Ellison        |
| Bustos          | Courtney    | Engel          |
| Butterfield     | Crist       | Eshoo          |
| Capuano         | Crowley     | Española       |

## NOES—235

|               |                 |
|---------------|-----------------|
| Abraham       | Curbelo (FL)    |
| Aderholt      | Davidson        |
| Allen         | Denham          |
| Amodei        | Dent            |
| Arrington     | DeSantis        |
| Babin         | DesJarlais      |
| Bacon         | Diaz-Balart     |
| Banks (IN)    | Donovan         |
| Barletta      | Duffy           |
| Barr          | Duncan (SC)     |
| Barton        | Dunn            |
| Bergman       | Emmer           |
| Biggs         | Estes (KS)      |
| Bilirakis     | Farenthold      |
| Bishop (MI)   | Faso            |
| Bishop (UT)   | Ferguson        |
| Black         | Fitzpatrick     |
| Blackburn     | Fleischmann     |
| Blum          | Flores          |
| Bost          | Fortenberry     |
| Brady (TX)    | Fox             |
| Brat          | Franks (AZ)     |
| Bridenstine   | Frelinghuysen   |
| Brooks (AL)   | Gaetz           |
| Brooks (IN)   | Gallagher       |
| Buchanan      | Garrett         |
| Buck          | Gianforte       |
| Bucshon       | Gibbs           |
| Budd          | Gohmert         |
| Burgess       | Goodlatte       |
| Byrne         | Gosar           |
| Calvert       | Gottheimer      |
| Carter (GA)   | Gowdy           |
| Carter (TX)   | Granger         |
| Chabot        | Graves (GA)     |
| Cheney        | Graves (LA)     |
| Coffman       | Graves (MO)     |
| Cole          | Griffith        |
| Collins (GA)  | Grothman        |
| Collins (NY)  | Guthrie         |
| Comer         | Handel          |
| Comstock      | Harper          |
| Conaway       | Harris          |
| Cook          | Hartzer         |
| Cooper        | Hensarling      |
| Costello (PA) | Herrera Beutler |
| Cramer        | Hice, Jody B.   |
| Crawford      | Higgins (LA)    |
| Culberson     | Hill            |

|                |                |
|----------------|----------------|
| Holding        | Johnson (LA)   |
| Hollingsworth  | Johnson (OH)   |
| Hudson         | Jordan         |
| Huizenga       | Joyce (OH)     |
| Hultgren       | Katko          |
| Hunter         | Kelly (MS)     |
| Hurd           | Kelly (PA)     |
| Issa           | King (IA)      |
| Jenkins (KS)   | King (NY)      |
| Jenkins (WV)   | Kinzing        |
| Johnson (LA)   | Knight         |
| Johnson (OH)   | Kustoff (TN)   |
| Jordan         | Labrador       |
| Joyce (OH)     | LaHood         |
| Katko          | LaMalfa        |
| Kelly (MS)     | Lamborn        |
| Kelly (PA)     | Latta          |
| King (IA)      | Lawson (FL)    |
| King (NY)      | Lewis (MN)     |
| Kinzing        | LoBiondo       |
| Knight         | Long           |
| Kustoff (TN)   | Loudermilk     |
| Labrador       | Love           |
| LaHood         | Lucas          |
| LaMalfa        | Luetkemeyer    |
| Lamborn        | Lujan Grisham, |
| Latta          | M.             |
| Lawson (FL)    | Luján, Ben Ray |
| Lewis (MN)     | MacArthur      |
| LoBiondo       | Marchant       |
| Long           | Marino         |
| Loudermilk     | Marshall       |
| Love           | Mast           |
| Lucas          | McCarthy       |
| Luetkemeyer    | McCaul         |
| Lujan Grisham, | McClintock     |
| M.             | McHenry        |
| Luján, Ben Ray | McKinley       |
| MacArthur      |                |

## NOT VOTING—10

|               |            |         |
|---------------|------------|---------|
| Cleaver       | Lieu, Ted  | Sanford |
| Cummings      | Moore      | Scalise |
| Davis, Rodney | Napolitano |         |
| Johnson, Sam  | Roskam     |         |

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1504

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

## PERSONAL EXPLANATION

Mr. ROSKAM. Mr. Chair, I was unavoidably  
detained. Had I been present, I would have  
voted “yea” on rollcall No. 355 and “nay” on  
rollcall No. 361.

## AMENDMENT NO. 88 OFFERED BY MR. ROGERS OF ALABAMA

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Alabama (Mr. ROGERS)  
on which further proceedings were  
postponed and on which the ayes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 253, noes 172,  
not voting 8, as follows:

[Roll No. 362]

## AYES—253

|            |             |               |
|------------|-------------|---------------|
| Abraham    | Barletta    | Blackburn     |
| Aderholt   | Barr        | Blum          |
| Allen      | Barton      | Bost          |
| Amash      | Bergman     | Brady (TX)    |
| Amodei     | Biggs       | Brat          |
| Arrington  | Bilirakis   | Bridenstine   |
| Babin      | Bishop (MI) | Brooks (AL)   |
| Bacon      | Bishop (UT) | Brooks (IN)   |
| Banks (IN) | Black       | Brownley (CA) |

|                 |                |                 |                |               |                |                 |                |                |
|-----------------|----------------|-----------------|----------------|---------------|----------------|-----------------|----------------|----------------|
| Buchanan        | Higgins (LA)   | Poliquin        | Doyle, Michael | Larsen (WA)   | Raskin         | Bera            | Green, Al      | Panetta        |
| Buck            | Higgins (NY)   | Posey           | F.             | Larson (CT)   | Rice (NY)      | Beyer           | Green, Gene    | Pascrell       |
| Bucshon         | Hill           | Ratcliffe       | Ellison        | Lawrence      | Richmond       | Bishop (GA)     | Grijalva       | Payne          |
| Budd            | Holding        | Reed            | Engel          | Lee           | Rosen          | Blumenauer      | Gutiérrez      | Pelosi         |
| Burgess         | Hollingsworth  | Reichert        | Eshoo          | Levin         | Roybal-Allard  | Blunt Rochester | Hanabusa       | Perlmutter     |
| Byrne           | Hudson         | Renacci         | Espallat       | Lewis (GA)    | Ruppersberger  | Bonamici        | Hastings       | Peters         |
| Calvert         | Huizenga       | Rice (SC)       | Esty (CT)      | Lipinski      | Rush           | Boyle, Brendan  | Heck           | Peterson       |
| Carter (GA)     | Hultgren       | Roby            | Evans          | Loeb sack     | Ryan (OH)      | F.              | Higgins (NY)   | Pingree        |
| Carter (TX)     | Hunter         | Roe (TN)        | Foster         | Lofgren       | Sánchez        | Brady (PA)      | Himes          | Pocan          |
| Chabot          | Hurd           | Rogers (AL)     | Frankel (FL)   | Lowenthal     | Sarbanes       | Brown (MD)      | Hoyer          | Polis          |
| Cheney          | Issa           | Rogers (KY)     | Fudge          | Lowey         | Schakowsky     | Brownley (CA)   | Huffman        | Price (NC)     |
| Coffman         | Jenkins (KS)   | Rohrabacher     | Gabbard        | Lynch         | Schiff         | Bustos          | Jackson Lee    | Quigley        |
| Cole            | Jenkins (WV)   | Rokita          | Garamendi      | Maloney,      | Schrader       | Butterfield     | Jayapal        | Raskin         |
| Collins (GA)    | Johnson (LA)   | Rooney, Francis | Gomez          | Carolyn B.    | Scott (VA)     | Capuano         | Jeffries       | Rice (NY)      |
| Collins (NY)    | Johnson (OH)   | Rooney, Thomas  | Green, Al      | Maloney, Sean | Serrano        | Carbajal        | Johnson (GA)   | Richmond       |
| Comer           | Jones          | J.              | Green, Gene    | Matsui        | Sewell (AL)    | Cárdenas        | Johnson, E. B. | Rosen          |
| Comstock        | Jordan         | Ros-Lehtinen    | Grijalva       | McCollum      | Shea-Porter    | Carson (IN)     | Jones          | Roybal-Allard  |
| Conaway         | Joyce (OH)     | Ross            | Gutiérrez      | McEachin      | Sherman        | Cartwright      | Kaptur         | Ruiz           |
| Cook            | Katko          | Rothfus         | Hanabusa       | McGovern      | Sires          | Castor (FL)     | Keating        | Ruppersberger  |
| Cooper          | Kelly (MS)     | Rouzer          | Hartzler       | McNerney      | Slaughter      | Kelly (TX)      | Kelly (IL)     | Rush           |
| Costa           | Kelly (PA)     | Royce (CA)      | Hastings       | Meeks         | Soto           | Chu, Judy       | Kennedy        | Ryan (OH)      |
| Costello (PA)   | King (NY)      | Ruiz            | Heck           | Meng          | Speier         | Cicilline       | Khanna         | Sánchez        |
| Cramer          | Kinzing        | Russell         | Himes          | Moore         | Swalwell (CA)  | Clark (MA)      | Kihuen         | Sarbanes       |
| Crawford        | Knight         | Rutherford      | Hoyer          | Moulton       | Takano         | Clarke (NY)     | Kildee         | Schakowsky     |
| Crist           | Kustoff (TN)   | Schneider       | Huffman        | Murphy (FL)   | Thompson (CA)  | Clay            | Kilmer         | Schiff         |
| Culberson       | Labrador       | Schweikert      | Jackson Lee    | Nadler        | Thompson (MS)  | Clyburn         | Kind           | Schneider      |
| Curbelo (FL)    | LaHood         | Scott, Austin   | Jayapal        | Neal          | Titus          | Cohen           | Krishnamoorthi | Schrader       |
| Davidson        | LaMalfa        | Scott, David    | Jeffries       | Nolan         | Tonko          | Connolly        | Kuster (NH)    | Scott (VA)     |
| Delaney         | Lamborn        | Sensenbrenner   | Johnson (GA)   | Norcross      | Torres         | Conyers         | Langevin       | Scott, David   |
| Denham          | Lance          | Sessions        | Johnson, E. B. | O'Rourke      | Tsongas        | Correa          | Larsen (WA)    | Sensenbrenner  |
| Dent            | Latta          | Shimkus         | Kaptur         | Pallone       | Vargas         | Costa           | Larson (CT)    | Serrano        |
| DeSantis        | Lawson (FL)    | Shuster         | Keating        | Panetta       | Veasey         | Courtney        | Lawrence       | Sewell (AL)    |
| DesJarlais      | Lewis (MN)     | Simpson         | Kelly (IL)     | Pascrell      | Vela           | Crist           | Lawson (FL)    | Shea-Porter    |
| Deutch          | LoBiondo       | Sinema          | Kennedy        | Payne         | Velázquez      | Crowley         | Lee            | Sherman        |
| Diaz-Balart     | Long           | Smith (MO)      | Khanna         | Pelosi        | Visclosky      | Cuellar         | Levin          | Sinema         |
| Donovan         | Loudermilk     | Smith (NE)      | Kihuen         | Perlmutter    | Walz           | Davis (CA)      | Lewis (GA)     | Slaughter      |
| Duffy           | Love           | Smith (NJ)      | Kildee         | Peters        | Wasserman      | Davis, Danny    | Lipinski       | Smith (WA)     |
| Duncan (SC)     | Lucas          | Smith (TX)      | Kilmer         | Peterson      | Schultz        | DeFazio         | Loeb sack      | Soto           |
| Duncan (TN)     | Luetkemeyer    | Smith (WA)      | Kind           | Pingree       | Waters, Maxine | DeGette         | Lofgren        | Speier         |
| Dunn            | Lujan Grisham, | Smucker         | King (IA)      | Pocan         | Watson Coleman | Delaney         | Lowenthal      | Suoizzi        |
| Emmer           | M.             | Stefanik        | Krishnamoorthi | Polis         | Welch          | DeLauro         | Lynch          | Swalwell (CA)  |
| Estes (KS)      | Luján, Ben Ray | Stewart         | Kuster (NH)    | Price (NC)    | Wilson (FL)    | DelBene         | Maloney,       | Takano         |
| Farenthold      | MacArthur      | Stivers         | Langevin       | Quigley       | Yarmuth        | Demings         | Carolyn B.     | Thompson (CA)  |
| Faso            | Marchant       | Suoizzi         |                |               |                | DeSaulnier      | Maloney, Sean  | Thompson (MS)  |
| Ferguson        | Marino         | Taylor          |                |               |                | Deutch          | Matsui         | Titus          |
| Fitzpatrick     | Marshall       | Tenney          |                |               |                | Dingell         | McCollum       | Tonko          |
| Fleischmann     | Massie         | Thompson (PA)   |                |               |                | Doggett         | McEachin       | Torres         |
| Flores          | Mast           | Thornberry      |                |               |                | Doyle, Michael  | McGovern       | Tsongas        |
| Fortenberry     | McCarthy       | Tiberi          |                |               |                | F.              | McNerney       | Vargas         |
| Fox             | McCaul         | Tipton          |                |               |                | Duncan (TN)     | Meeks          | Veasey         |
| Franks (AZ)     | McClintock     | Trott           |                |               |                | Ellison         | Meng           | Vela           |
| Frelinghuysen   | McHenry        | Turner          |                |               |                | Engel           | Mooney (WV)    | Velázquez      |
| Gaetz           | McKinley       | Upton           |                |               |                | Eshoo           | Moore          | Visclosky      |
| Gallagher       | McMorris       | Valadao         |                |               |                | Espallat        | Moulton        | Walz           |
| Gallo           | Rodgers        | Wagner          |                |               |                | Esty (CT)       | Murphy (FL)    | Wasserman      |
| Garrett         | McSally        | Walberg         |                |               |                | Evans           | Nadler         | Schultz        |
| Gianforte       | Meadows        | Walker          |                |               |                | Foster          | Neal           | Waters, Maxine |
| Gibbs           | Meehan         | Walorski        |                |               |                | Fudge           | Nolan          | Watson Coleman |
| Gohmert         | Messer         | Walters, Mimi   |                |               |                | Gabbard         | Norcross       | Welch          |
| Gonzalez (TX)   | Mitchell       | Weber (TX)      |                |               |                | Gallego         | O'Halleran     | Wilson (FL)    |
| Goodlatte       | Moolenaar      | Webster (FL)    |                |               |                | Garamendi       | O'Rourke       | Yarmuth        |
| Gosar           | Mooney (WV)    | Wenstrup        |                |               |                | Gomez           | Pallone        |                |
| Gottheimer      | Mullin         | Westerman       |                |               |                | Gonzalez (TX)   |                |                |
| Gowdy           | Murphy (PA)    | Williams        |                |               |                | Gottheimer      |                |                |
| Granger         | Newhouse       | Wilson (SC)     |                |               |                |                 |                |                |
| Graves (GA)     | Noem           | Wittman         |                |               |                |                 |                |                |
| Graves (LA)     | Norman         | Womack          |                |               |                |                 |                |                |
| Graves (MO)     | Nunes          | Woodall         |                |               |                |                 |                |                |
| Griffith        | O'Halleran     | Yoder           |                |               |                |                 |                |                |
| Grothman        | Olson          | Yoho            |                |               |                |                 |                |                |
| Guthrie         | Palazzo        | Young (AK)      |                |               |                |                 |                |                |
| Handel          | Palmer         | Young (IA)      |                |               |                |                 |                |                |
| Harper          | Paulsen        | Zeldin          |                |               |                |                 |                |                |
| Harris          | Pearce         |                 |                |               |                |                 |                |                |
| Hensarling      | Perry          |                 |                |               |                |                 |                |                |
| Herrera Beutler | Pittenger      |                 |                |               |                |                 |                |                |
| Hice, Jody B.   | Poe (TX)       |                 |                |               |                |                 |                |                |

## NOES—172

|                 |             |
|-----------------|-------------|
| Adams           | Butterfield |
| Aguilar         | Capuano     |
| Barragán        | Carbajal    |
| Bass            | Cárdenas    |
| Beatty          | Carson (IN) |
| Bera            | Cartwright  |
| Beyer           | Castor (FL) |
| Bishop (GA)     | Castro (TX) |
| Blumenauer      | Chu, Judy   |
| Blunt Rochester | Cicilline   |
| Bonamici        | Clark (MA)  |
| Boyle, Brendan  | Clarke (NY) |
| F.              | Clay        |
| Brady (PA)      | Clyburn     |
| Brown (MD)      | Cohen       |
| Bustos          | Connolly    |

|              |
|--------------|
| Conyers      |
| Correa       |
| Courtney     |
| Crowley      |
| Cuellar      |
| Davis (CA)   |
| Davis, Danny |
| DeFazio      |
| DeGette      |
| DeLauro      |
| DelBene      |
| Demings      |
| DeSaulnier   |
| Dingell      |
| Doggett      |

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1509

Mr. HIGGINS of New York and Mrs. McMORRIS RODGERS changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. GARAMENDI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GARAMENDI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 232, not voting 9, as follows:

[Roll No. 363]

AYES—192

|         |          |        |
|---------|----------|--------|
| Adams   | Amash    | Bass   |
| Aguilar | Barragán | Beatty |

## NOES—232

|             |               |               |
|-------------|---------------|---------------|
| Abraham     | Burgess       | Duncan (SC)   |
| Aderholt    | Byrne         | Dunn          |
| Allen       | Calvert       | Emmer         |
| Amodei      | Carter (GA)   | Estes (KS)    |
| Arrington   | Carter (TX)   | Farenthold    |
| Babin       | Chabot        | Faso          |
| Bacon       | Cheney        | Ferguson      |
| Banks (IN)  | Coffman       | Fitzpatrick   |
| Barletta    | Cole          | Fleischmann   |
| Barr        | Collins (GA)  | Flores        |
| Barton      | Collins (NY)  | Fortenberry   |
| Bergman     | Comer         | Fox           |
| Biggs       | Comstock      | Franks (AZ)   |
| Billakis    | Conaway       | Frelinghuysen |
| Bishop (MI) | Cook          | Gaetz         |
| Bishop (UT) | Cooper        | Gallagher     |
| Black       | Costello (PA) | Garrett       |
| Blackburn   | Cramer        | Gianforte     |
| Blum        | Crawford      | Gibbs         |
| Bost        | Culberson     | Gohmert       |
| Brady (TX)  | Curbelo (FL)  | Goodlatte     |
| Brat        | Davidson      | Gosar         |
| Bridenstine | Denham        | Gowdy         |
| Brooks (AL) | Dent          | Granger       |
| Brooks (IN) | DeSantis      | Graves (GA)   |
| Buchanan    | DesJarlais    | Graves (LA)   |
| Buck        | Diaz-Balart   | Graves (MO)   |
| Bucshon     | Donovan       | Griffith      |
| Budd        | Duffy         | Grothman      |

|                 |                 |               |                |                 |                 |               |
|-----------------|-----------------|---------------|----------------|-----------------|-----------------|---------------|
| Guthrie         | Marino          | Rouzer        | [Roll No. 364] | Handel          | Marshall        | Royce (CA)    |
| Handel          | Marshall        | Royce (CA)    | AYES—169       | Harper          | Mast            | Ruppersberger |
| Harper          | Mast            | Russell       |                | Harris          | McCarthy        | Russell       |
| Harris          | McCarthy        | Rutherford    |                | Hartzler        | McCaul          | Rutherford    |
| Hartzler        | McCaul          | Schweikert    |                | Hensarling      | McClintock      | Schweikert    |
| Hensarling      | McClintock      | Scott, Austin |                | Herrera Beutler | McHenry         | Scott, Austin |
| Herrera Beutler | McHenry         | Sessions      |                | Hice, Jody B.   | McKinley        | Sensenbrenner |
| Hice, Jody B.   | McKinley        | Shimkus       |                | Higgins (LA)    | McMorris        | Sessions      |
| Higgins (LA)    | McMorris        | Shuster       |                | Hill            | Rodgers         | Shimkus       |
| Hill            | Rodgers         | Simpson       |                | Holding         | McSally         | Shuster       |
| Holding         | McSally         | Smith (MO)    |                | Hollingsworth   | Meadows         | Simpson       |
| Hollingsworth   | Meadows         | Smith (NE)    |                | Hudson          | Meehan          | Sinema        |
| Hudson          | Meehan          | Smith (NJ)    |                | Huizenga        | Messer          | Smith (MO)    |
| Huizenga        | Messer          | Smith (TX)    |                | Hultgren        | Mitchell        | Smith (NE)    |
| Hultgren        | Mitchell        | Smucker       |                | Hunter          | Moolenaar       | Smith (NJ)    |
| Hunter          | Moolenaar       | Stefanik      |                | Hurd            | Mooney (WV)     | Smith (TX)    |
| Hurd            | Mullin          | Stewart       |                | Issa            | Mullin          | Smucker       |
| Issa            | Murphy (PA)     | Stivers       |                | Jenkins (KS)    | Murphy (FL)     | Soto          |
| Jenkins (KS)    | Newhouse        | Taylor        |                | Jenkins (WV)    | Murphy (PA)     | Stefanik      |
| Jenkins (WV)    | Noem            | Tenney        |                | Johnson (LA)    | Newhouse        | Stewart       |
| Johnson (LA)    | Norman          | Thompson (PA) |                | Johnson (OH)    | Noem            | Stivers       |
| Johnson (OH)    | Nunes           | Thornberry    |                | Jordan          | Norman          | Suoizzi       |
| Jordan          | Olson           | Tiberi        |                | Joyce (OH)      | Nunes           | Taylor        |
| Joyce (OH)      | Palazzo         | Tipton        |                | Katko           | O'Halleran      | Tenney        |
| Katko           | Palmer          | Trott         |                | Kelly (MS)      | Olson           | Thompson (PA) |
| Kelly (MS)      | Paulsen         | Turner        |                | Kelly (PA)      | Palazzo         | Thornberry    |
| Kelly (PA)      | Pearce          | Upton         |                | King (IA)       | Palmer          | Tiberi        |
| King (IA)       | Perry           | Valadao       |                | King (NY)       | Paulsen         | Tipton        |
| King (NY)       | Pittenger       | Wagner        |                | Kinzing         | Pearce          | Trott         |
| Kinzing         | Poe (TX)        | Walberg       |                | Knight          | Perry           | Turner        |
| Knight          | Poliquin        | Walden        |                | Kustoff (TN)    | Peters          | Upton         |
| Kustoff (TN)    | Posey           | Walker        |                | Labrador        | Peterson        | Valadao       |
| Labrador        | Ratcliffe       | Walorski      |                | LaHood          | Pittenger       | Veasey        |
| LaHood          | Reed            | Walters, Mimi |                | LaMalfa         | Poe (TX)        | Wagner        |
| LaMalfa         | Reichert        | Webster (FL)  |                | Lamborn         | Poliquin        | Walberg       |
| Lamborn         | Renacci         | Wenstrup      |                | Lance           | Posey           | Walden        |
| Lance           | Rice (SC)       | Westerman     |                | Langevin        | Ratcliffe       | Walker        |
| Latta           | Roby            | Williams      |                | Latta           | Reed            | Walorski      |
| Lewis (MN)      | Roe (TN)        | Wilson (SC)   |                | Lawson (FL)     | Reichert        | Walters, Mimi |
| LoBiondo        | Rogers (AL)     | Wittman       |                | Lewis (MN)      | Renacci         | Weber (TX)    |
| Long            | Rogers (KY)     | Woodall       |                | LoBiondo        | Rice (SC)       | Webster (FL)  |
| Loudermilk      | Rohrabacher     | Yoder         |                | Long            | Roby            | Wenstrup      |
| Love            | Rokita          | Yoho          |                | Loudermilk      | Roe (TN)        | Westerman     |
| Lucas           | Rooney, Francis | Young (AK)    |                | Love            | Rogers (AL)     | Williams      |
| Luetkemeyer     | Rooney, Thomas  | Young (IA)    |                | Lucas           | Rogers (KY)     | Wilson (SC)   |
| Lujan Grisham,  | J.              | Zeldin        |                | Luetkemeyer     | Rokita          | Wittman       |
| M.              | Ros-Lehtinen    |               |                | Lujan Grisham,  | Rooney, Francis | Womack        |
| Luján, Ben Ray  | Ross            |               |                | M.              | Rooney, Thomas  | Woodall       |
| MacArthur       | Rothfus         |               |                | Luján, Ben Ray  | J.              | Yoder         |
| Marchant        |                 |               |                | MacArthur       | Ros-Lehtinen    | Yoho          |
|                 |                 |               |                | Maloney, Sean   | Roskam          | Young (AK)    |
|                 |                 |               |                | Marchant        | Ross            | Young (IA)    |
|                 |                 |               |                | Marino          | Rothfus         | Zeldin        |
|                 |                 |               |                |                 | Rouzer          |               |

## NOT VOTING—9

Cleaver Frankel (FL) Napolitano  
 Cummings Johnson, Sam Sanford  
 Davis, Rodney Lieu, Ted Scalise

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
 There is 1 minute remaining.

□ 1513

Mr. BLUMENAUER changed his vote  
 from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced  
 as above recorded.

## AMENDMENT NO. 13 OFFERED BY MR.

BLUMENAUER

The Acting CHAIR. The unfinished  
 business is the demand for a recorded  
 vote on the amendment offered by the  
 gentleman from Oregon (Mr. BLU-  
 MENAUER) on which further proceedings  
 were postponed and on which the noes  
 prevailed by voice vote.

The Clerk will redesignate the  
 amendment.

The Clerk redesignated the amend-  
 ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
 has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
 minute vote.

The vote was taken by electronic de-  
 vice, and there were—ayes 169, noes 254,  
 not voting 10, as follows:

|                 |                |                |
|-----------------|----------------|----------------|
| Adams           | Gallego        | O'Rourke       |
| Amash           | Garamendi      | Pallone        |
| Barragán        | Gomez          | Panetta        |
| Bass            | Gonzalez (TX)  | Pascarell      |
| Beatty          | Green, Al      | Payne          |
| Bera            | Green, Gene    | Pelosi         |
| Beyer           | Grijalva       | Perlmutter     |
| Bishop (GA)     | Gutiérrez      | Pingree        |
| Blumenauer      | Hanabusa       | Pocan          |
| Blunt Rochester | Hastings       | Polis          |
| Bonamici        | Heck           | Price (NC)     |
| Boyle, Brendan  | Higgins (NY)   | Quigley        |
| F.              | Himes          | Raskin         |
| Brady (PA)      | Hoyer          | Rice (NY)      |
| Brown (MD)      | Huffman        | Richmond       |
| Brownley (CA)   | Jackson Lee    | Rohrabacher    |
| Bustos          | Jayapal        | Rosen          |
| Butterfield     | Jeffries       | Roybal-Allard  |
| Capuano         | Johnson (GA)   | Ruiz           |
| Carbajal        | Johnson, E. B. | Rush           |
| Cárdenas        | Kaptur         | Ryan (OH)      |
| Cartwright      | Keating        | Sánchez        |
| Castor (FL)     | Kelly (IL)     | Sarbanes       |
| Castro (TX)     | Kennedy        | Schakowsky     |
| Chu, Judy       | Khanna         | Schiff         |
| Cioccione       | Kihuen         | Schneider      |
| Clark (MA)      | Kildee         | Schrader       |
| Clarke (NY)     | Kilmer         | Scott (VA)     |
| Clay            | Kind           | Scott, David   |
| Clyburn         | Krishnamoorthi | Serrano        |
| Cohen           | Kuster (NH)    | Sewell (AL)    |
| Connolly        | Larsen (WA)    | Shea-Porter    |
| Conyers         | Larson (CT)    | Sherman        |
| Costa           | Lawrence       | Sires          |
| Courtney        | Lee            | Slaughter      |
| Crowley         | Levin          | Smith (WA)     |
| Davis (CA)      | Lewis (GA)     | Speier         |
| Davis, Danny    | Lipinski       | Swalwell (CA)  |
| DeFazio         | Loebuck        | Takano         |
| DeGette         | Lofgren        | Thompson (CA)  |
| Delaney         | Lowenthal      | Thompson (MS)  |
| DeLauro         | Lowe           | Titus          |
| DelBene         | Lynch          | Tonko          |
| Demings         | Maloney,       | Torres         |
| DeSaulnier      | Carolyn B.     | Tsongas        |
| Deutch          | Matsui         | Vargas         |
| Dingell         | McCollum       | Vela           |
| Doggett         | McEachin       | Velázquez      |
| Doyle, Michael  | McGovern       | Visclosky      |
| F.              | McNerney       | Walz           |
| Ellison         | Meeks          | Wasserman      |
| Eshoo           | Meng           | Schultz        |
| Españat         | Moore          | Waters, Maxine |
| Esty (CT)       | Moulton        | Watson Coleman |
| Evans           | Nadler         | Welch          |
| Foster          | Neal           | Wilson (FL)    |
| Fudge           | Nolan          | Yarmuth        |
| Gabbard         | Norcross       |                |

## NOES—254

|               |               |
|---------------|---------------|
| Calvert       | Duncan (TN)   |
| Carson (IN)   | Dunn          |
| Carter (GA)   | Emmer         |
| Carter (TX)   | Engel         |
| Chabot        | Estes (KS)    |
| Cheney        | Farenthold    |
| Coffman       | Faso          |
| Cole          | Ferguson      |
| Collins (GA)  | Fitzpatrick   |
| Collins (NY)  | Flores        |
| Comer         | Fleischmann   |
| Comstock      | Fortenberry   |
| Conaway       | Fox           |
| Cook          | Franks (AZ)   |
| Cooper        | Frelinghuysen |
| Correa        | Gaetz         |
| Costello (PA) | Gallagher     |
| Cramer        | Garrett       |
| Crawford      | Gianforte     |
| Crist         | Gibbs         |
| Cuellar       | Gohmert       |
| Culberson     | Goodlatte     |
| Curbelo (FL)  | Gosar         |
| Davidson      | Gottheimer    |
| Denham        | Gowdy         |
| Dent          | Granger       |
| DeSantis      | Graves (GA)   |
| DesJarlais    | Graves (LA)   |
| Diaz-Balart   | Graves (MO)   |
| Donovan       | Griffith      |
| Duffy         | Grothman      |
| Duncan (SC)   | Guthrie       |

## NOT VOTING—10

Cleaver Johnson, Sam Sanford  
 Cummings Lieu, Ted Scalise  
 Davis, Rodney Massie  
 Frankel (FL) Napolitano

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
 There is 1 minute remaining.

□ 1517

So the amendment was rejected.

The result of the vote was announced  
 as above recorded.

## AMENDMENT NO. 14 OFFERED BY MR.

MCCLINTOCK

The Acting CHAIR. The unfinished  
 business is the demand for a recorded  
 vote on the amendment offered by the  
 gentleman from California (Mr.  
 MCCLINTOCK) on which further pro-  
 ceedings were postponed and on which  
 the noes prevailed by voice vote.

The Clerk will redesignate the  
 amendment.

The Clerk redesignated the amend-  
 ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
 has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
 minute vote.



The vote was taken by electronic device, and there were—ayes 175, noes 248, not voting 10, as follows:

## [Roll No. 365]

## AYES—175

Aderholt Graves (GA) O'Rourke  
Amash Griffith Palmer  
Barr Grothman Paulsen  
Bera Guthrie Pelosi  
Bergman Harris Perlmutter  
Biggs Heck Perry  
Bishop (MI) Hensarling Peters  
Blumenauer Herrera Beutler Peterson  
Bonamici Hill Pittenger  
Brat Hollingsworth Pocan  
Bridenstine Hudson Polis  
Brooks (AL) Huffman Price (NC)  
Brown (MD) Huizenga Quigley  
Buck Hultgren Raskin  
Budd Issa Ratcliffe  
Burgess Jayapal Rice (NY)  
Cárdenas Johnson (GA) Rice (SC)  
Carson (IN) Jordan Roe (TN)  
Castor (FL) Kelly (IL) Rohrabacher  
Castro (TX) Kennedy Rokita  
Chabot Khanna Rooney, Francis  
Chu, Judy Kihuen Roskam  
Cicilline Kildee Rothfus  
Clay Kilmer Royce (CA)  
Coffman Krishnamoorthi Ruppelberger  
Collins (GA) Kustoff (TN) Rush  
Comer Labrador Sarbanes  
Connolly LaHood Schakowsky  
Conyers LaMalfa Schrader  
Cooper Lance Schweikert  
Crowley Langevin Sensenbrenner  
Davidson Larsen (WA) Sessions  
Davis (CA) Lawrence Sherman  
DeFazio Lawson (FL) Smith (WA)  
DeGette Levin Stewart  
Delaney Lewis (GA) Suozzi  
DeBene Lewis (MN) Taylor  
Denham Lipinski Thompson (CA)  
Dent Lofgren Thompson (PA)  
DeSantis Love Tipton  
DesJarlais Lowey Titus  
Deutch Maloney, Carolyn B. Tsongas  
Doggett Visclosky  
Duncan (SC) Marchant Wagner  
Duncan (TN) Massie Walden  
Ellison Matsui Walker  
Emmer McClintock Walz  
Estes (KS) McCollum Wasserman  
Faso McEachin Schultz  
Fitzpatrick McGovern Webster (FL)  
Fleischmann McKinley Welch  
Flores Meadows Wenstrup  
Foster Messer Westerman  
Foxx Moore Williams  
Gabbard Moulton Womack  
Gallagher Nadler Woodall  
Goodlatte Newhouse Yoho  
Gosar Nolan Young (IA)  
Gowdy Norman Zeldin

## NOES—248

Abraham Brooks (IN) Cramer  
Adams Brownley (CA) Crawford  
Aguilar Buchanan Crist  
Allen Bucshon Cuellar  
Amodei Bustos Culberson  
Arrington Butterfield Curbelo (FL)  
Babin Byrne DeLauro  
Bacon Calvert Demings  
Banks (IN) Capuano DeSaulnier  
Barletta Carballo Diaz-Balart  
Barragán Carter (GA) Dingell  
Barton Carter (TX) Donovan  
Bass Cartwright Doyle, Michael  
Beatty Cheney F.  
Beyer Clark (MA) Duffy  
Bilirakis Clarke (NY) Dunn  
Bishop (GA) Clyburn Engel  
Bishop (UT) Cohen Eshoo  
Black Cole Espallat  
Blackburn Collins (NY) Esty (CT)  
Blum Comstock Evans  
Blunt Rochester Conaway Farenthold  
Bost Cook Ferguson  
Boyle, Brendan Correa Fortenberry  
F. Costa Franks (AZ)  
Brady (PA) Costello (PA) Frelinghuysen  
Brady (TX) Courtney Fudge

Gaetz Lowenthal Ruiz  
Gallego Lucas Russell  
Garamendi Luetkemeyer Rutherford  
Garrett Lujan Grisham, Ryan (OH)  
Gianforte M. Sánchez  
Gibbs Luján, Ben Ray Schiff  
Gohmert Lynch Schneider  
Gomez MacArthur Scott (VA)  
Gonzalez (TX) Maloney, Sean Scott, Austin  
Gottheimer Marino Scott, David  
Granger Marshall Serrano  
Graves (LA) Mast Sewell (AL)  
Graves (MO) McCarthy Shea-Porter  
Green, Al McCaul Shimkus  
Green, Gene McHenry Shuster  
Grijalva McMorris Simpson  
Gutiérrez Rodgers Sinema  
Hanabusa McNeerney Sires  
Handel McSally Slaughter  
Harper Meehan Smith (MO)  
Hartzler Meeks Smith (NE)  
Hastings Meng Smith (NJ)  
Hice, Jody B. Mitchell Smith (TX)  
Higgins (LA) Moolenaar Smucker  
Higgins (NY) Mooney (WV) Soto  
Himes Mullin Speier  
Holding Murphy (FL) Stefanik  
Hoyer Murphy (PA) Stivers  
Hunter Neal Swalwell (CA)  
Hurd Noem Takano  
Jackson Lee Norcross Tenney  
Jeffries Nunes O'Halleran Thompson (MS)  
Jenkins (KS) Olsson Thornberry  
Jenkins (WV) Palazzo Tiberi  
Johnson (LA) Pallone Tonko  
Johnson (OH) Pallone Torres  
Johnson, E. B. Panetta Trotter  
Jones Pascrell Turner  
Joyce (OH) Payne Upton  
Kaptur Pearce Valadao  
Katko Katko Vargus  
Keating Poe (TX) Veasey  
Kelly (MS) Poliquin Vela  
Kelly (PA) Posey Velázquez  
Kind Reed Walberg  
King (IA) Reichert Walorski  
King (NY) Renacci Walters, Mimi  
Kinzinger Richmond Waters, Maxine  
Knight Roby Watson Coleman  
Kuster (NH) Rogers (AL) Weber (TX)  
Lamborn Rogers (KY) Wilson (FL)  
Larson (CT) Rooney, Thomas Wilson (SC)  
Latta J. Wittman  
Lee Ros-Lehtinen Yarmuth  
LoBiondo Rosen Yoder  
Loeb sack Ross Young (AK)  
Long Rouzer  
Loudermilk Roybal-Allard

## NOT VOTING—10

Cleaver Frankel (FL) Sanford  
Cummings Johnson, Sam Scalise  
Davis, Danny Lieu, Ted  
Davis, Rodney Napolitano

## □ 1522

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. KATKO). There being no further amendments, pursuant to House Resolution 431, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. THOMPSON of Pennsylvania) having assumed the chair, Mr. KATKO, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereon.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 3 o'clock and 24 minutes p.m.), the House stood in recess.

## □ 1532

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FASO) at 3 o'clock and 32 minutes p.m.

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018

The SPEAKER pro tempore. Pursuant to House Resolution 440 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2810.

Will the gentleman from Pennsylvania (Mr. THOMPSON) kindly resume the chair.

## □ 1533

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. THOMPSON of Pennsylvania in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 14 printed in part B of House Report 115-212 offered by the gentleman from California (Mr. MCCLINTOCK) had been disposed of.

Pursuant to House Resolution 440, no further amendment to the bill, as amended, shall be in order except those printed in House Report 115-217 and amendments en bloc described in section 3.

Each further amendment printed in the report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and

ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. GARAMENDI

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 115-217.

Mr. GARAMENDI. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 123.

The Acting CHAIR. Pursuant to House Resolution 440, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

Mr. Chair, this amendment facilitates the construction of badly needed icebreakers. The United States does not have any heavy icebreakers that are available all year round. We only have one, and that is used in the Antarctic and, therefore, unavailable in the summer in the north.

Joining me on this amendment is the ranking member and others from the Coast Guard and Maritime Transportation Subcommittee of the Transportation and Infrastructure Committee.

We need icebreakers; in fact, we need six icebreakers. We need to build the first one immediately and get it underway.

Language in the underlying bill provides a mechanism for us to fund that icebreaker using the authorities of the Department of the Navy, specifically, one of their sections. This amendment clarifies the language and makes it clear that the Navy can act as the fiscal agent to carry out the icebreaker task. It does not require in any way that the Navy shipbuilding account be used in any way to pay for the icebreaker. The money for the icebreaker will have to come from other sources. But it makes it clear that the Navy can expend money as a fiscal agent using the special account that was designated, that has been in existence for some time.

I can go into great length about why we need icebreakers, but the very short story is that Russia has over 40 icebreakers, probably closer to 50, many of them heavy icebreakers capable of operating in very thick ice in the Arctic. The United States really has none. We have some light icebreakers, but they will not suffice during the Arctic spring and winter. Therefore, we have to get with it.

We do know that in the future—well, today and this year, this summer—the Northwest Passage will be open for shipping, and the East Passage, which is along the Russian coast, is also open.

So the Arctic is a navigable ocean. The U.S. Navy cannot operate there without an icebreaker. We cannot conduct civil and maritime as well as military exercises without a heavy icebreaker. This allows us to do that.

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

Mr. WITTMAN. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WITTMAN. Mr. Chair, I rise in opposition to the amendment to strike a critical provision of this year's NDAA.

I do share my colleague's concern for the current state of our U.S. Coast Guard icebreaker fleet. I do believe there are ways that we can address that issue, but I disagree with his proposed solution.

To be clear, the National Defense Authorization Act authorizes funds for the Department of Defense. The U.S. Coast Guard falls under the Department of Homeland Security.

This amendment seeks to take millions of dollars away from the Navy in the long term and shift it to the Coast Guard for their expenditures. Make no mistake about it: if this amendment passes, there is no stopping the Department of Homeland Security or any other agency from poaching enormous sums of our Defense Department budget in the future. Today it is Coast Guard icebreakers, and next year it may be the National Oceanic and Atmospheric Administration research and survey vessels. The possibilities are endless; unfortunately, the funds are not.

Mr. Chair, I would urge my colleagues to vote "no" on this amendment to ensure that our Navy and Department of Defense funds are used only by the Navy and the Department of Defense.

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

Mr. GARAMENDI. Mr. Chair, I yield 1 minute to the gentleman from Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Mr. Chair, I rise in support of the Garamendi-Hunter amendment because I know how important a strong icebreaker fleet is to national security.

The committee recognizes this reality, as elsewhere in the bill we give the DOD some important authorities to support icebreaker procurement. However, this section 123 prohibits DOD funding for icebreaker procurement. This amendment strikes this provision because flexibility will be essential to funding new icebreakers.

Coast Guard shipbuilding budgets are insufficient for icebreaker procurement absent radical cuts elsewhere. As co-chair of the Arctic Working Group, I know that the United States needs ice-

breakers. These ships protect economic interests in the region, and they defend our sovereignty.

As the Arctic becomes increasingly navigable, the importance of icebreakers will only grow, and I urge my colleagues to support the Garamendi-Hunter amendment.

Mr. WITTMAN. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska (Mr. BACON), my friend and colleague.

Mr. BACON. Mr. Chair, I rise today in respectful opposition to this amendment.

No one can dispute America's need for icebreakers. These capital ships are indispensable tools to ensure the safe and rapid movement of commerce in Arctic waters. I commend my colleagues for their strong advocacy for these ships and share their belief that we need them.

However, the responsibility and accountability for constructing and operating America's icebreakers must rest solely where the Congress has assigned it: the Department of Homeland Security and the U.S. Coast Guard.

The question we are debating today is not whether we need icebreakers, but how to appropriate the funds and who should build them. As important as icebreakers are, they are not warships, and we must not allow funding legitimately appropriated for our combat fleet to be diverted for nondefense needs.

While I acknowledge the temptation to raid defense accounts for a worthy cause, we must be mindful of how deep in the hole we are with our air, land, sea, space, and cyber forces. We need to keep our eye on the ball in rebuilding our military's readiness and our modernization.

Mr. Chair, I urge a vote "no" against this amendment.

Mr. GARAMENDI. Mr. Chair, may I ask how much time I have remaining.

The Acting CHAIR. The gentleman from California has 1½ minutes remaining.

Mr. GARAMENDI. Mr. Chair, just a couple of things.

First of all, there is a thing called the National Sealift Fund, which has been in existence for a long time, and it has been used to build non-Navy ships. That is exactly what we intend to do here is to use the National Sealift Fund, not the Navy shipbuilding fund.

Secondly, you may notice or you may want to know that the U.S. Coast Guard is, in fact, a defense as well as a civilian vessel; it has both obligations.

We also need to understand that we are not stealing money from the Navy. This is simply a mechanism in which the Navy acts as a fiscal agent to carry out the task.

The Coast Guard is not well suited to build ships of this type. We are looking for the most efficient and effective way to carry out the task, and the use of

the National Sealift Fund, together with the U.S. Navy as the fiscal agent, is the best way to accomplish that.

I would end by simply saying the U.S. Navy is toothless, useless in the Arctic unless it has an icebreaker. So if you care about the Arctic Ocean and the role of the U.S. Navy in carrying out our national defense functions in the Arctic, then you must help us find a way to build the icebreakers.

We will do so without, in any way, taking funds away from the U.S. Navy shipbuilding. Indeed, it would be up to the appropriators to appropriate money quite hopefully from the Department of Homeland Security for this purpose, putting the money into this National Sealift Fund so that it can then be used to build the icebreaker, with the Navy acting as the fiscal agent.

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

Mr. WITTMAN. Mr. Chair, I yield 1 minute to the gentleman from Ohio (Mr. TURNER), my friend and colleague.

Mr. TURNER. Mr. Chairman, I join with Chairman WITTMAN in expressing opposition to this amendment.

As he has indicated, the Navy has no indication that they have a military requirement for icebreakers. Right now we are trying to reverse the effects of sequestration. We are fighting against budget cuts. When you use money for something other than what it was intended for, it is a budget cut, and that is what this would be. No one is talking about raising the top line of the overall defense budget, but they are talking about using the funds otherwise for something that is not defense.

I want to join with everyone who is speaking on this issue of the importance of the Coast Guard and certainly its impact and certainly the issues of icebreaking, but shipbuilding for the Navy and for our military should be concentrated on our military. Certainly the funds that we are appropriating to the Department of Defense should remain in the Department of Defense, and, therefore, I rise with Chairman WITTMAN in support of the opposition.

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Mr. Chair, in closing, I want to say that—going to Admiral Richardson's words—Admiral Richardson clearly states that the mission of icebreaking is a Coast Guard mission. There is not a disagreement there, but the disagreement is using resources that are within the Defense budget in order to do that.

If you are going to put the responsibility for building icebreakers and maintaining and operating them with the Coast Guard, yet you are going to put the money in the Department of Defense budget where there is no control, there is no oversight, that is a catastrophe waiting to happen.

If this is going to happen, it should happen within the Department of

Homeland Security's budget or there needs to be a debate about where, ultimately, the Coast Guard needs to be located. But to put money in one area of the budget and expect that it is going to be managed properly and applied properly with someplace where there is not even jurisdiction, I think is problematic.

Again, it is clear where the missions are. It is clear where the responsibility lies between the Homeland Security Department, the Coast Guard, the Navy, and the Department of Defense.

I want to make sure we are building more cutters and icebreakers, and if we are going to do that, let's make sure we do it in the proper way. I think there are ways to construct language to make that happen, but this is not the way to do it.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARAMENDI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

#### AMENDMENT NO. 3 OFFERED BY MR. BUCK

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 115-217.

Mr. BUCK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 85, after line 24, insert the following:  
**SEC. 316. ALTERNATIVE ENERGY USE OF THE DEPARTMENT OF DEFENSE.**

(a) **COST COMPETITIVENESS REQUIREMENT.**—  
(1) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary of Defense shall not purchase alternative energy unless such energy is equivalent to conventional energy in terms of cost and capabilities.

(2) **COST CALCULATION.**—The cost of each energy source described in paragraph (1) shall be calculated on a pre-tax basis in terms of life-cycle cost. Such calculation shall take into account—

(A) all associated Federal grants, subsidies and tax incentives applied from the point of production to consumption;

(B) fixed and variable operations and maintenance costs; and

(C) in the case of fuel, fully burdened costs, including all associated transportation and security from the point of purchase to delivery to the end user.

(3) **RESEARCH EXEMPTION.**—Nothing in this Act is intended to prohibit alternative energy research by the Department.

(b) **PROHIBITION ON RENEWABLE ENERGY MANDATES.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the

Department of Defense shall be used to carry out any provision of law that requires the Department of Defense to consume renewable energy, unless such energy meets the requirements of subsection (a).

The Acting CHAIR. Pursuant to House Resolution 440, the gentleman from Colorado (Mr. BUCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BUCK. Mr. Chair, I thank Chairman THORNBERRY for the opportunity to speak about my amendment to the National Defense Authorization Act for Fiscal Year 2018.

Our military is the greatest fighting force in the world. I applaud the Department of Defense's efforts to reduce its carbon footprint. However, with our limited resources, we must ensure that these resources are being put to use in the best possible way.

Every penny spent by the Department of Defense must be used to advance our military's mission and support our troops. Incorporating higher cost fuel sources into the Department's energy acquisition process is money lost to repair planes, buy ammunition, and defeat the enemy.

Moreover, Congress must ensure that we are being good stewards of the American people's money. With our debt soaring towards \$20 trillion, it is irresponsible to ask American families to subsidize with their tax dollars fuel sources that have not yet been proven cost-effective.

Of course, the Department of Defense would still be allowed to research alternative sources of energy. My amendment ensures that the Department of Defense can conduct research on alternative fuels to ensure these energy sources can be cost-competitive in the future.

My commonsense amendment is simple. It provides a framework for ensuring the Department of Defense is engaging in responsible energy acquisition practices. It prohibits renewable energy mandates placed on the Department of Defense and ensures that every unit of energy our military purchases is the most cost-effective option available while still maintaining the ability to research new sources of energy.

Mr. Chair, I urge my colleagues to support my amendment, and I reserve the balance of my time.

Mr. LANGEVIN. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Rhode Island is recognized for 5 minutes.

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

Mr. Chairman, this amendment is a blatant attack on the use of alternative energy by the Department of Defense. So we have existing contracts right now for renewable energy, both

liquid fuels and electricity, at the Department of Defense, and this amendment seeks to really pump the brakes on those policies and bury them in a web of unnecessary requirements.

So requiring procurement managers to track all Federal subsidies and tax credits would be a burden to the government, and requiring suppliers to provide such information would be onerous, expensive, and may, in fact, actually drive them away. Also, this will result in less competition for contracts, and higher costs for the Department of Defense. Ultimately, it is going to result in higher costs to the taxpayer.

So most alarmingly, this amendment does not include any waivers for times of emergency when a retail, time-sensitive purchase of readily available alternative fuels might be imperative to completing the mission, even if it is at a price point higher than the usual market cost.

Mr. Chairman, it also does not provide consideration for renewable energy projects for military installations that, although they might not reduce costs, do have other quantifiable benefits that increase combat effectiveness or enhance mission resiliency.

This amendment is also redundant. For bulk purchases, of which the DOD has many, current law already prohibits the Department from an alternative fuel purchase unless fully burdened cost is cost-competitive with traditional fuels.

Burying suppliers in these requirements is an unnecessary compliance burden and could disincentivize some suppliers from doing business with the DOD.

Finally, this amendment is opposed by the Department of Defense.

Mr. Chair, I urge my colleagues to vote "no" on this amendment, and I reserve the balance of my time.

Mr. BUCK. Mr. Chair, I reserve the balance of my time.

Mr. LANGEVIN. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. PETERS).

Mr. PETERS. Mr. Chairman, I am opposed to this amendment, which would unnecessarily tie the hands of our military as it seeks to diversify its energy supply.

The Pentagon is pursuing alternative energy not because they are some kind of tree hugger, but because the diversity of energy options improves mission capabilities and saves lives.

Just because the price of oil is low today doesn't mean it won't spike tomorrow and force military leaders to divert resources away from mission priorities. In some cases, this has meant turning ships around and cutting their voyages short because of budgeting issues around fuel.

This is of particular concern as we continue the fight against ISIS while pivoting towards the Pacific. The Pa-

cific Ocean has an area of 64 million miles. It includes hotspots like the South China Sea and North Korea, whose recent aggression threatens the region and our security.

As we ask our military leaders to respond to threats at a moment's notice, they need the flexibility that comes with alternative energy sources. But you don't need to just hear that from me. That is the position of General Mattis at the Department of Defense, who opposes this amendment.

My colleagues on the other side are going to say that this is merely about choosing the most cost-effective option, but this amendment would place an undue burden on DOD procurement managers to track all subsidies and credits for fuel. It doesn't include a waiver for national security considerations or increasing combat effectiveness, and it would inhibit innovations that increase readiness and save lives.

A 21st century military with the capability to counter new and dynamic threats cannot be powered solely by the energy sources of yesterday. I encourage my colleagues to join me in opposing this amendment.

Mr. BUCK. Mr. Chairman, I don't believe that asking the Department of Defense to make a cost-effective decision in any purchase is an unnecessary burden.

Mr. Chair, I disagree with my colleagues, and I reserve the balance of my time.

Mr. LANGEVIN. Mr. Chairman, as I said, I believe this amendment would significantly hinder the Department of Defense's ability to procure energy, and I urge its defeat. As I stated previously, this amendment is opposed by the Department of Defense.

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

Mr. BUCK. Mr. Chairman, the United States military is the greatest fighting force in the world. Our troops need to be focused on the mission at hand and have every tool at their disposal to complete that mission.

My amendment ensures that we practice fiscal discipline in the Department of Defense's energy acquisition process by ensuring that we are buying the most cost-effective source of energy.

I thank the chairman. I urge my colleagues to support my amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. BUCK).

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

Mr. LANGEVIN. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 115-217.

Mr. PERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 336.

The Acting CHAIR. Pursuant to House Resolution 440, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chairman, I thank the chairman of the committee for his hard work and his defense of those who wear the uniform and take on that tough task. In these tough and troubling times, especially in financial austerity, he stood up and let everybody know how the military, in actual dollars over the last 8 years, has been cut significantly, and the impact on our national security.

In that vein, my goal with this amendment is to prioritize those limited defense resources on efforts that pose an immediate and direct threat to our national security.

This amendment would strike section 336 of the NDAA, which strikes the requirement for the Secretary of Defense to submit a report on the vulnerability to military installations and combatant commander requirements resulting from climate change over the next 20 years.

I am not here to debate climate change, whether it is real or it is not, how it is created, how we fix it, and all that stuff. That is for another day. My point is that this shouldn't be the priority of combatant commanders in our military. The United States military is currently operating in a very complex threat environment in which our country must be ready to face our adversaries.

Our country is facing direct threats from a myriad of sources, including Islamic extremists: ISIS, al-Qaida, the Taliban, Abu Sayyaf. The alphabet soup of names in that regard is continuous and unrelenting: North Korea, China, Iran, Russia, even in space.

Over the past 8 years, our military strength and readiness has suffered as a result of the underfunding and neglect from the previous administration that are in support of sequestration. Through the NDAA, we simply must prioritize, decide what is most important and be for that, and let our warfighters know where we stand.

These things must strengthen the rebuilding of our Armed Forces and resolve their focus on what they need to pay attention to. Literally litany of other Federal agencies deal with environmental issues, including climate

change. This Federal mandate detracts from the essential mission of the Department of Defense, which is to secure our Nation from enemies, and is best left to the agencies that are better suited to deal with these issues.

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

Mr. LANGEVIN. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. LANGEVIN. Mr. Chair, I yield myself 1½ minutes.

Mr. Chair, this amendment would strike a provision that we have already thoroughly debated and approved in a bipartisan fashion within the Armed Services Committee. Section 336 acknowledges what Secretary Mattis has already said and what we already know: that a changing climate will affect our military's readiness and alter the threat landscape for years to come, and that we must study these impacts to prepare for them.

I cannot see the harm in gathering information and doing an assessment. We already see the strategic implications of new sea lanes being cut in the melting Arctic, where countries are seeking an economic advantage. As we speak, along our coasts, rising seas are affecting our naval installations, including at Naval Station Norfolk, the home of the Atlantic Fleet.

The report required in section 336 is not about causes of climate change, nor do we discuss specific emissions, targets, or green energy goals. Instead, my section of the Armed Service Committee is very factual. We focus squarely on the readiness of our Armed Forces to combat the coming and existing climate threat, starting with a study of the 10 most vulnerable bases in each service, and a report on how a changing climate will affect combatant commanders' strategic battle plans.

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As Secretary Mattis has said, "the effects of a changing climate—such as increased maritime access to the Arctic, rising sea levels, desertification, among others—impact our security situation."

Mr. Chairman, we need to support our leaders in the military and intelligence communities in addressing these concerns, so I urge defeat of this amendment.

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

Mr. PERRY. Mr. Chairman, may I inquire how much time is remaining.

The Acting CHAIR. The gentleman from Pennsylvania has 2½ minutes remaining. The gentleman from Rhode Island has 3½ minutes remaining.

Mr. PERRY. Mr. Chairman, I reserve the balance of my time.

Mr. LANGEVIN. Mr. Chairman, I yield 1 minute to the gentlewoman

from New York (Ms. STEFANIK), who is my good friend and the chair of the Subcommittee on Emerging Threats and Capabilities of the House Armed Services Committee.

Ms. STEFANIK. Mr. Chairman, today I rise in opposition to Mr. PERRY's amendment which would strike language that requires the Department of Defense to compile a report on the vulnerabilities of military installations and combatant commander requirements resulting from climate change. As we heard earlier today, this language passed by voice vote on a bipartisan basis during our markup in committee.

Increased maritime access to the Arctic, rising sea levels, desertification, increases in natural disasters, damage to existing infrastructure, and other effects of climate change are drivers of geopolitical instability and degrade the security of the United States.

We would be remiss in our efforts to protect our national security if we do not fully account for the risk climate change poses to our bases, our readiness, and to the fulfillment of our Armed Forces mission.

This is about a report. Let's get the information. This is why I believe we have bipartisan support within the committee. We must incorporate environmental factors in our threat assessments and contingency planning to ensure the long-term operational viability of our missions and the safety of our men and women in uniform.

Mr. PERRY. Mr. Chairman, I reserve the balance of my time.

Mr. LANGEVIN. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in opposition to this Perry amendment which will strip vital language regarding the impact of Department of Defense activities associated with climate change.

The Defense Department does so many vital things for the safety and security of the United States and the American people. We all owe the brave men and women who wear the Nation's uniform a debt of gratitude that we can never truly repay. However, we must be cognizant of all the impacts that DOD activities have across the globe.

The Defense Department has such a large footprint, and the amount of military construction and other activity that it undertakes year round impacts our environment. How could it not?

We are talking about possible implications such as contributions to sea level rise—which is particularly important to my constituents in south Florida—that it would be irresponsible for us to ignore.

I have a Coast Guard base in my district, Coast Guard Miami Beach, lo-

cated right there on the water in Miami Beach, and we know the impact of sea level rise in that area.

So as a member of the Climate Solutions Caucus, I urge my colleagues to oppose this Perry amendment. We have got to be clear-eyed, Mr. Chairman, about every possible impact of our military activities, and that includes the impact that we place on our environment.

Mr. PERRY. Mr. Chairman, I reserve the balance of my time.

Mr. LANGEVIN. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. PETERS).

Mr. PETERS. Mr. Chairman, last year the Pentagon released a directive stating that the Department of Defense must be able to adapt to climate change in order to maintain an effective and efficient U.S. military.

General Mattis—now Secretary Mattis—during his Senate confirmation said: "Climate change is impacting stability in areas of the world where our troops are operating today." Bases in the region I represent in San Diego—which is home to the largest concentration of military forces in the world—are already facing challenges from sea level rise, drought, and reliable energy sources.

For years, the most decorated military leaders in our country have been telling us that climate change is a national security threat. Congress cannot afford to make this debate about politics or ideology.

We don't have to agree on what causes climate change. We only have to agree with our military leaders that the effects of climate change are altering the security environment and the threats we face.

Mr. Chairman, I oppose this reckless amendment and ask my colleagues to do the same.

Mr. PERRY. Mr. Chairman, how much time remains?

The Acting CHAIR (Mr. COLLINS of Georgia). The gentleman from Pennsylvania has 2½ minutes remaining. The gentleman from Rhode Island has 30 seconds remaining.

Mr. PERRY. Mr. Chairman, I reserve the balance of my time.

Mr. LANGEVIN. Mr. Chairman, as we noted in our committee markup, there would be nothing controversial about studying this threat and being prepared to mitigate the risks. In fact, that is our responsibility.

The support for this climate resiliency language was truly bipartisan in committee, and I hope we will send a strong message of support to the servicemen and -women who will have to lead with the effects of climate change by opposing this amendment.

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

Mr. PERRY. Mr. Chairman, it seems to me the Secretary of Defense doesn't need Congress to tell him what the

threats are. He knows what the threats are.

I can tell you as a person who has been privileged for over 30 years to wear the Nation's uniform—the Army, the military's uniform—and as a person who was privileged to lead troops in combat in the Middle East, I didn't need Congress to tell me who the enemy is or was. We know that. We also don't need Congress to tell us to report the issues that we might have in defending the Nation to the Congress or to the Commander.

We know our duty, and we will do our duty. If we have issues that need to be reported—whether it is sea level rise or the enemy has a new weapon or we can't feed our troops or what have you—we will report it, and we will resolve it. We don't need people in Washington, D.C., telling us how to run the war. That is our job. That is the military's job.

This amendment simply says that we ought to prioritize that. We ought to let them prioritize that. We ought to let combatant commanders—we ought to let the men and women who wear the uniform and defend our country focus on the enemy. If the enemy, indeed, is climate change, then they will focus on that as well, and they will submit information so that we can make decisions.

The point is, should somebody—should all of us in this uniform in Washington, D.C.—be telling the fine men and women in uniform across the globe defending our country that we know better? That is exactly what I am trying to avoid here.

Little by little, drip by drip, we have watched our Nation's and military's focus eroded—this and that. Believe me. I have filled out the reports. As an officer, I have filled out a whole bunch of reports on a regular basis that have nothing to do with completing the mission of securing our Nation and defeating the enemy—nothing to do with it. This is just one in the long line of them.

My only goal is to send this to where it needs to be—the agencies best adapted to deal with it and take it out of the agencies that shouldn't be dealing with it and should be dealing with securing our Nation and fighting the enemy.

Mr. Chairman, I ask my colleagues to support the amendment, and I yield back the balance of my time.

Mr. CURBELO of Florida. Mr. Chair, Naval Air Station Key West provides key training and support for the nation's military operations and readiness. The base trains fighter pilots from all branches and is home to the Joint Interagency Task Force South, which combats illicit narcotics.

However, most of the land in the Florida Keys lies at elevations 3 feet or less above sea level, making the Naval station extremely vulnerable to sea-level rise. But this threat is not unique to that station; many of our bases across the country and around the globe are susceptible to the effects of climate change.

Recognition of this threat, and prudent planning for these contingencies, are vital to our military bases and maintaining the national security interests of the United States abroad.

I congratulate the gentleman from Rhode Island, and the Committee, for recognizing this and including language in the underlying bill asking the Pentagon to report on the vulnerabilities posed by climate change so we can responsibly identify and implement adaptive measures. This includes an honest discussion of the realities of our changing environment.

As co-chair of the Climate Solutions Caucus, I urge all my colleagues to reject the Perry Amendment.

Ms. WASSERMAN SCHULTZ. Mr. Chair, I strongly oppose the Perry amendment, that would strike section 336 of the National Defense Authorization Act bill under consideration by the House.

Section 336 is a commonsense and essential provision that simply acknowledges the fact that climate change is an urgent and direct threat not only to our national security, but also to our armed forces and our military installations around the world. This amendment would weaken our national security by preventing our military from planning and preparing to best meet these threats.

Despite the consensus view of the world's climate scientists that human actions are accelerating climate changes through our excessive carbon emissions, there continue to be some Members of this body that hope if we don't assess the threat too closely, it will go away.

As Members of this body, we have sworn to protect the public welfare from all threats, foreign and domestic. And make no mistake, our changing climate—fueled by humanity's enormous carbon emissions—is exactly such a threat.

But don't take my word for it. The words of Defense Secretary James Mattis that are included in the text of this bill are instructive, and deleting them through this amendment will make them no less true. He said, "I agree that the effects of a changing climate—such as increased maritime access to the Arctic, rising sea levels, desertification, among others—impact our security situation . . . [and] it is appropriate . . . to incorporate drivers of instability that impact the security environment . . . into [our] planning."

And as former Chief of Staff of the U.S. Army Gordon Sullivan has stated: "Climate change is a national security issue. We found that climate instability will lead to instability in geopolitics and impact American military operations around the world."

The bipartisan language of section 336 goes on to state that, "a three-foot rise in sea levels will threaten the operations of more than 128 United States military sites, and it is possible that many of these at-risk bases could be submerged in the coming years."

For my district in South Florida, we don't have to look to the future to see the threat posed by rising temperatures. Climate change is a threat today. Sea levels have already risen nine inches in the last several decades and, according to FIU's Sea Level Solutions Center, we could see up to another six inches of sea level rise in just over a dozen years.

Today "king tides" cause flooding in low-lying communities several times a year. We cannot afford another six inches, let alone another three feet of ocean water. And our marine ecosystems and corals are also under attack from increased acidification caused by carbon dioxide absorption in ocean waters.

As Members of Congress, we have a duty to the taxpayers of this country not only to protect our communities from the worst effects of climate change, but also to ensure that we spend wisely on national defense and international assistance for humanitarian and disaster response.

It is therefore imperative that our military leaders be allowed to assess the vulnerabilities to our military installations and ensure we build in resiliency so that our military is ready to meet the challenges ahead. Simply put, we should give our military leaders the tools they need to protect the American public.

Section 336 does exactly that and this amendment must be rejected.

Whether out of concern for our national defense, our public health, our environment, the economic well-being of our communities, or for all of these reasons, I urge my colleagues to oppose this ill-advised amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

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

Mr. LANGEVIN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 115-217.

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Insert after section 344 the following:

**SEC. 345. DETERMINATION OF PREVAILING WAGE UNDER THE DAVIS-BACON ACT.**

For purposes of this Act, any determination of the prevailing wage conducted under section 3142(b) of title 40, United States Code (commonly known as the Davis-Bacon Act) shall be conducted by the Secretary of Labor acting through the Bureau of Labor Statistics using surveys carried out by the Bureau that use proper random statistical sampling techniques.

The Acting CHAIR. Pursuant to House Resolution 440, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer a commonsense amendment with the intent of accurately and transparently determining the prevailing wage for Department of Defense

contracts. My amendment would require the calculation of wages for contractors and all defense projects to be based on actual statistics calculated by the Bureau of Labor Statistics, or BLS, as opposed to the current process which determines these rates based on fundamentally flawed surveys within the Wage and Hour Division of the Department of Labor, or the DOL.

This amendment is needed. A 2008 Department of Labor Inspector General report found that “one or more errors existed in 100 percent of the wage reports.” The Congressional Budget Office estimates that upwards of \$13 billion could be wasted over 10 years if Davis-Bacon is left unreformed. As stewards of the public treasury, we have an obligation to spend taxpayer money wisely. This amendment addresses that very need.

Additionally, this amendment doesn’t remove funds from the Defense budget. The money this amendment saves—potentially in the billions of dollars—will be kept within the Department of Defense budget to be used for other important defense priorities. In a fiscal environment where every dollar counts, this amendment presents a welcome opportunity to make our defense dollars go further.

This amendment isn’t an attempt to repeal Davis-Bacon. It is about competition, equality, accuracy, and transparency for everyone. It simply asks that wage determinations for Department of Defense contracts be made with statistically sampled information from the Bureau of Labor Statistics so that we are able to spend Federal dollars in a more efficient manner and support more jobs. The BLS has proven time and time again that they are the only agency capable of accurately determining these wages.

A fair wage for a fair job is fair to the American taxpayer. Again, I thank the chairman and ranking member for their continued work on the committee.

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

Mr. NORCROSS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. NORCROSS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I come here today to speak in opposition to the amendment, one that would hurt the local economy, devalue workers’ pay, and take a very important tool out of the toolbox for both Republicans, Democrats, and Americans.

Almost 100 years ago, two Republican Congressmen, James Davis and Robert Bacon, realized there was a problem with Federal contracts. Those contracts were unfair to the local economies. So in 1931, Congress unanimously

approved Davis-Bacon prevailing wage. It ensures that construction workers are paid the same as construction workers in that local community.

The prevailing wage is based on surveys of local wages and benefits, not whether there is a union or not. It keeps the community vibrant, and it takes into account those things that happened in that local community. So when you hear the term “if it ain’t broke don’t fix it,” this is a classic example.

They are trying to talk about surveys and methodologies. Quite frankly, this system has worked for over 80 years. They are talking about technicalities, but the fact of the matter is this is about cutting wages in your local community. Why would you ever want to go back and say, I want to hurt the people I represent? But apparently that seems to be what we are doing.

So we want to make sure that local workers are paid a fair wage. The system has worked fine for so many years and makes sure that those men and women who work hard each and every day are properly compensated.

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

Mr. GOSAR. Mr. Chairman, I reserve the balance of my time.

Mr. NORCROSS. Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. Mr. Chairman, I thank Mr. NORCROSS, my co-chairman of the Congressional Building Trades Caucus, to be able to discuss this.

Mr. Chairman, I rise today in opposition to this amendment offered by my friend from Arizona. His amendment would change dramatically the methodology used to determine wage rates paid to construction workers across America.

While this proposal may appear to be reasonable at first blush, it would dramatically depart from the current practice and would result in massive pay cuts for working families.

Unlike the current system, the methodology would not take into consideration the total value of all wages and benefits into account. It excludes the cost of pensions, healthcare, and, vitally, training that we need to have.

So what we are trying to say, Mr. Chairman, is the full benefit must be considered, and it is not in this amendment.

Mr. Chairman, as someone who began in the construction industry in 1965, 52 years—after 52 years in this business, I understand how the Davis-Bacon Act works and how it works across the country.

So let’s not forget, these wage protections are not just for union workers but for all construction workers. It ensures that the local workers can make a fair living on projects in their community. This amendment, unfortunately—as well intended as it might

be—would undermine that. I urge a “no” vote.

Mr. GOSAR. Mr. Chairman, this amendment is not anti-Davis-Bacon. Let me give you some fun facts. In some cities, the Wage and Hour Division’s calculated wages are 75 percent higher than the actual prevailing wage. In other areas throughout the country, they are below minimum wage and only 33 percent of the actual prevailing wage. What is fair is fair.

When you start looking at the figures that are used for calculation, they haven’t been updated in many cases since 1970. Give me a break. This isn’t about Davis-Bacon, this is about crony capitalism. This is about a vestige of the Jim Crow era.

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

□ 1615

Mr. NORCROSS. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, I align myself with the remarks of my friend, Mr. NORCROSS, and that of my friend, Mr. MCKINLEY.

There is bipartisan opposition to this amendment because we know what it would do. You can talk about it any way you want to talk about it, but the net effect is reduced wages for workers in the communities we represent.

I come from Flint, Michigan. I represent folks who play by the rules and have the right, after working in a trade, to get compensation that is equal to the quality of the work that they deliver. If we don’t support that, all we are going to do is continue this race to the bottom.

We all talk about the fact that wages have not kept up. Here is yet another effort that will undermine the ability of American workers who work hard every single day to be able to have a decent wage, take care of their families, put their kids through school, and set something aside for retirement. This is the American Dream. Back in the 1930s, this is why this legislation was first put in place. This amendment would undermine that promise.

Mr. Chairman, I urge a “no” vote.

Mr. GOSAR. Mr. Chair, may I ask how much time I have remaining?

The Acting CHAIR. The gentleman from Arizona has 2½ minutes remaining. The gentleman from New Jersey has 1 minute remaining.

Mr. GOSAR. Mr. Chairman, I reserve the balance of my time.

Mr. NORCROSS. Mr. Chairman, I want to just bring this back home.

Why in the world would you ever want to cut the wages of the men and women you represent? This is about fairness, leveling the playing field. It works, and we want to continue it.

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

Mr. GOSAR. Mr. Chairman, once again, this is not anti-Davis-Bacon. We



want to make it an issue like that, but the statistics speak for themselves.

The Federal Government is willing to pay the wages for our hardworking contractors on what they deserve, but as stewards of the taxpayer dollar, we must insist that these wages are accurate, fair, and transparent.

The inspector general has stated there are fundamental problems with the current methodology. We owe it to the American taxpayer and the contractors themselves to make sure funds are based upon accuracy and wages are being paid fairly.

The opposition claims to be fighting in favor of Davis-Bacon, but if they really cared about its longevity and effectiveness, they would support this amendment and improve and strengthen it.

The opposition also believes this amendment is an attack on the American worker. Tell that to my contractors who have been put out of business with the military in south Arizona. Please tell them that when they couldn't calculate the Davis-Bacon application and were put out of business by the Department of Labor.

That couldn't be further from the truth. This provides certainty and clarity to the wages of hardworking tradesmen and women across the country who perform services for the government.

We as a body should be for fiscal responsibility and for proper worker compensation. This amendment is an opportunity to act exactly on this. I urge my colleagues to support this good-governance and commonsense approach.

I ask my colleagues: Do you support transparency and accuracy? Support my amendment.

Do you support the responsible use of taxpayer dollars? Support my amendment.

Do you support workers and fair compensation? Then support my amendment.

Do you support a fair wage for the hardworking contractors of the DOD? Support my amendment.

Anything stays safe in the military budget. This is military-specific.

Mr. Chairman, I thank the chair and the ranking member for their help, and I urge everybody to vote "yes" for this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

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

Mr. NORCROSS. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. THOMAS J. ROONEY OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 115-217.

Mr. THOMAS J. ROONEY of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 541 (page 146, beginning line 20), relating to prohibition on release of military service academy graduates to participate in professional athletics.

The Acting CHAIR. Pursuant to House Resolution 440, the gentleman from Florida (Mr. THOMAS J. ROONEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. THOMAS J. ROONEY of Florida. Mr. Chairman, on April 29, Secretary Mattis issued guidance requiring graduates of the Air Force Academy, West Point, and the Naval Academy to compete 2 years of active commissioned service before they can seek permission to pursue a professional sports career while at the same time fulfilling their service obligation.

Traditionally, the service Secretaries may exercise discretion over whether or not to permit the very few academy graduates with the exceptional athletic talent to jointly serve either in the reserves, in Active Duty, or a combination of both, and be part of a professional sports team.

My amendment supports the flexibility and the discretion that has always been built into the Secretary of Defense's discretion to determine on a case-by-case basis how to deal with his own personnel.

Section 541 of this year's NDAA replaces Secretary Mattis guidance with a far more stringent, one-size-fits-all policy that allows for no exceptions, without explanation.

No one is saying that graduates should not fulfill their service requirement. No one is saying that graduates shouldn't pay for their education.

Section 541 is a significant departure from the policy which allows the Secretary of Defense and the military branches discretion, and more specifically, today, it handcuffs our own Secretary Mattis from implementing the policy as he sees fit, just like Secretaries of the past have always done.

Section 541 stipulates that academy graduates must fulfill, without exception, 5 years on Active Duty before they are able to request release to pursue an athletic career. This policy is overrigid and will make it nearly impossible for graduates of our service academies to pursue any professional athletic career.

Denying student athletes on a Secretary-approved, case-by-case basis the

opportunity to pursue a professional athletic career in conjunction with their military service is a mistake. The possibility, no matter how remote, of going pro is a powerful recruiting tool that can attract exceptional, diverse high school athletes to attend and excel in our service academies.

Very few college athletes are talented enough to play professionally. I played college football and I ended up here. Most high school athletes dream and believe that they can go pro. The truth is, most won't. But to kill that dream before a student chooses a college also ruins the chance of the academies from recruiting top athletes.

Why does this matter? Because striking section 541 will maintain Secretary Mattis' policy, which was created to ensure that preserving the option for our academy athletes, we do so in a way that maintains the readiness and lethality of our military services. But it is also about morale at the academies.

I taught at West Point. I serve on their board today. I served on the Navy board before. I can tell you that if section 541 is retained, we lose out on the boost in morale afforded to the academies with competitive athletic departments and the recruitment benefit of the soldier athletes' exposure with professional sports teams and their fans.

If section 541 is retained, we will be sending a message that if you are a highly talented high school athlete and you also want to go to the Naval Academy, West Point, or the Air Force Academy, you need to give up any possibility of athletic aspirations after school.

We will be doing ourselves a disservice by not recruiting the absolute best and brightest individuals who could be so versatile enough to be professional athletes and also serve their Nation honorably.

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

Mr. COFFMAN. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. COFFMAN. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise today in strong opposition to the gentleman from Florida's amendment. This amendment strikes section 541 of the 2018 National Defense Authorization Act, which ensures that graduates from military service academies fulfill their military service commitments, without exception, before participating in professional sports. Current policy allows a cadet or midshipman to be released from their 5-year Active Duty service to participate in professional sports just 24 months after graduating from a military service academy.

As chairman of the Military Personnel Subcommittee and a Marine Corps combat veteran, I believe that the service academies exist to develop future officers to lead, enhance readiness, and increase the effectiveness of the Armed Forces.

This is not an issue of recruiting qualified and motivated applicants. Each year, my district office receives far more applications from talented and qualified students who wish to serve their country than we can accommodate. For example, there were 17,000 applications for 1,100 slots last year at the Naval Academy. All of our military service academies have similar numbers of applicants.

We are a country still very much engaged in hostilities around the world, and we need these officers leading our troops and defending the country, not playing professional sports.

I strongly urge my colleagues to support the provision in the overwhelming bipartisan HASC-passed FY 2018 National Defense Authorization Act and oppose Representative Rooney's amendment.

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

Mr. THOMAS J. ROONEY of Florida. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Florida (Mrs. MURPHY).

Mrs. MURPHY of Florida. Mr. Chairman, I am proud to co-lead this bipartisan amendment. It would strike section 541 of the bill, a provision that would make it nearly impossible for graduates of the military service academies to play professional football, basketball, or any other sport.

I serve on the Board of Visitors at West Point, and I believe section 541 will be detrimental to recruitment and morale at the service academies, could undermine efforts to bridge the military-civilian divide through the use of sports ambassadors, and could compromise the effectiveness of our officer corps.

If our amendment is successful, the policy governing the circumstances under which graduates can play professional sports will be the guidance issued by Secretary Mattis earlier this year. Pursuant to Secretary Mattis' guidance, an academy graduate must complete 2 years of active commissioned service before he or she can seek approval to pursue a professional sports opportunity.

Section 541 goes far beyond this existing guidance, requiring a graduate to serve 5 years on Active Duty before pursuing a professional sports opportunity. This is the functional equivalent of prohibiting a graduate from playing professional sports altogether.

Section 541 applies retroactively to current academy student athletes, not just prospectively to future athletes, which strikes me as unfair. Moreover, it removes the flexibility and discre-

tion built into Secretary Mattis' guidance, replacing it with a one-size-fits-all policy that allows for no exceptions. Before Congress takes such drastic action, we should carefully weigh the arguments for and against such action. That process has not taken place.

I ask my colleagues to support this amendment and to allow Secretary Mattis' guidance to remain in effect until such time as we can examine this issue more fully.

Mr. THOMAS J. ROONEY of Florida. Mr. Chairman, I yield back the balance of my time.

Mr. COFFMAN. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. Mr. Chair, I thank the gentleman for yielding.

Mr. Chair, I am truly impressed by my colleague, Mr. ROONEY, on any number of issues. This is not one of them.

This is absurd. It is absolutely absurd. We have military academies to train the next leaders of this country. We are not running a training camp for the National Football League.

If you want to serve as a leader of the military, then you go to one of the military academies. If you decide you want to have a pro football career, then pay back the \$500,000 that the taxpayers of this country have paid for each and every one of these students.

In the Rules Committee yesterday, Mr. ROONEY listed three names of examples of academy graduates continuing in professional sports after graduation. All of the names he mentioned—Roger Staubach, David Robinson, and Alejandro Villanueva—served on Active Duty for at least 2 years.

The model for how this should work is like Villanueva, who served his 5-year commitment, deployed three times to Afghanistan, received a Bronze Star for valor, and then pursued a professional football career.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. COFFMAN. Mr. Chairman, I yield the gentlewoman from California an additional 30 seconds.

□ 1630

Ms. SPEIER. Mr. Chair, I will just say that going pro, as Mr. ROONEY has said, is not the goal of our military academies. If we are concerned about morale because we want to make sure they can go out on the football field and have great games against the Army and the Navy, fine. If in the end you want to go pro, then pay back the money and go pro. Otherwise, you are taking a very important slot from any number of talented young men and women who want to be trained and then serve as the leaders of our military.

Mr. COFFMAN. Mr. Chairman, I yield 1 minute to the gentlewoman from Arizona (Ms. MCSALLY), my friend and colleague.

Ms. MCSALLY. Mr. Chair, I rise in strong opposition. As the only Air Force Academy graduate in Congress, we train these cadets to become officers and leaders and warfighters for our military. We are not training them to become pro athletes, just like my colleague said here.

And you want to talk about morale?

Having been there, there is nothing worse than watching somebody try to get out of their commitment to go play pro sports, for the rest of the cadets that are there ready to lead America into battle.

I strongly support the underlying bill. We are at a time of military crisis and readiness crisis right now. We do not release people to go fly for the airlines or go start their own business or go be an entrepreneur or go to a high-tech company and then just say: Oh, just pay it back.

There are so many people that are trying to get into these academies so they can wear the uniform and lead America into battle.

So this is about warfighting, not about becoming a linebacker. So let's please—I am urging my colleagues to vote down this amendment and to support the underlying bill.

Mr. COFFMAN. Mr. Chairman, I think that if Roger Staubach played for the Dallas Cowboys, graduated from the United States Naval Academy, served his entire Active-Duty commitment of 5 years before he went to play professional sports, this does not eliminate somebody from playing professional sports.

The fact is that we are a nation at war, and it is very competitive to get into these academies, and they ought to fulfill their 5-year obligation. If they want to play professional sports, there are lots of schools they can go to outside of our service academies.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. THOMAS J. ROONEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. THOMAS J. ROONEY of Florida. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. KEATING

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 115-217.

Mr. KEATING. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title VII, add the following new section:

**SEC. 725. TICK-BORNE DISEASES.**

Using funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Defense Health program, the Secretary of Defense may authorize grants to medical researchers and universities to support testing ticks for the purpose of improving the detection and diagnosis of tick-borne diseases.

The Acting CHAIR. Pursuant to House Resolution 440, the gentleman from Massachusetts (Mr. KEATING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. Mr. Chairman, I rise to offer an amendment that would authorize the Secretary of Defense to make existing funds available from the Defense Health Program for collaboration with medical researchers and universities to address the growing number of tick-borne diseases through research and testing.

The Army Public Health Center has operated a basic tick testing program for nearly 30 years. Through this program, military personnel can assess tick identification services through military healthcare facilities at no charge.

However, the tests provided by this program are limited to only six tick-borne diseases, whereas the Centers for Disease Control and the Department of Defense have now identified 16 of these tick-borne diseases, some of which can be fatal.

According to the Centers for Disease Control, around 30,000 cases of Lyme disease are reported each year. However, additional CDC research reveals the actual number of diagnoses could be as high as 300,000. And, alarmingly, nearly 20 percent of the people surveyed in areas with high incidence of Lyme disease were unaware that the disease was even a risk.

This issue is of particular concern in my region. According to the Massachusetts Department of Public Health, my district includes the counties with the five highest rates of Lyme disease in the Commonwealth, including Barnstable County, home of Joint Base Cape Cod.

However, my region is not alone on this issue. Ticks carrying dangerous diseases can be found in all corners of the continental United States, from Massachusetts in the north to Texas in the south, from Pennsylvania in the east to California in the west. Our servicemembers are especially vulnerable as they frequently are exposed to heavily tick-infested areas.

For example, Powassan. The Powassan virus is a serious tick-borne illness known to cause encephalitis, meningitis, and even death. Multiple cases of Powassan have already been reported in Massachusetts this year, yet the DOD tick testing program does not even include a test for Powassan in their regimen.

Mr. Chair, I realize there is a concern that amendments to this legislation might lead to a Defense Health Program pushed beyond its capacity. That is not the case here. The military tick testing program already exists. This amendment would necessarily help the Department of Defense modernize the existing program to meet new challenges in the field of tick-borne diseases.

Indeed, the DOD's own website informs us that emerging tick-borne diseases are being discovered all the time and that yearly cases of known tick-borne diseases have been increasing steadily for years. We are fortunate to have experts already working to combat the rise in tick-borne disease.

My amendment would facilitate collaboration among these experts in DOD to test more tick samples for more diseases, meet the growing needs of our military, and ultimately lead to better healthcare outcomes.

Mr. Chairman, I thank my colleague from Pennsylvania, Mr. THOMPSON, for joining me as a cosponsor in this amendment. Pennsylvania is among the States in the mid-Atlantic region experiencing drastic increases in the incidence of tick-borne illnesses.

And the hope is our efforts today on the floor and by the Secretary of Defense in the next fiscal year will help save lives.

Also, I thank Chairman THORNBERRY for his work on this important legislation as well.

Mr. Chairman, I urge my colleagues to join me in support of this amendment, and I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, I have tremendous respect for the gentleman from Massachusetts. He is exactly right, the Department of Defense Medical Research Program is already spending money on tick-borne diseases. I believe it is about \$5 million this year. It was about \$5 million last year. And as I understand the gentleman's amendment, he would expand the number of diseases that they can research.

I rise to claim the time in opposition, however, to express concern about the direction of this program.

Mr. Chairman, I have a chart that indicates the tremendous growth of dollars going into this congressionally directed medical research program. It has increased tremendously in recent years, and I would like to take just a few moments to read some of the diseases that it is researching: ALS, Lou Gehrig's disease, autism, bone marrow failure, breast cancer, leukemia, muscular dystrophy, epilepsies, food aller-

gies, lung cancer, multiple sclerosis. There is a couple here that I can't pronounce, so I won't read. Osteoporosis, ovarian cancer, Parkinson's, Alzheimer's, cancer, Peer-Reviewed Orthopaedic, prostate cancer, spinal cord injuries, of course, tick-borne disease, tubular sclerosis, and the list goes on.

And let me just say I certainly support Chairman TOM COLE's attempts to increase funding for NIH and other sorts of medical research through the NIH. What I am concerned about is that, increasingly, DOD dollars are being spent to research diseases that have a tangential, at best, connection with the Department of Defense and our military. And what happens is it is taking dollars away from the sorts of injuries and diseases that our military does confront. This is a trend that is getting worse each year.

So I don't necessarily oppose the gentleman's amendment. As he points out, there is research going on here, but it is a trend I do think we have to be cautious about.

And for that reason, I want to at least raise a warning flag about the trend to add to the amount of money and the number of diseases which we are looking to the Department of Defense to help research diseases which are not related, necessarily, to key functions of the Department of Defense.

So I appreciate the gentleman letting me express that concern, and I yield back the balance of my time.

Mr. KEATING. Mr. Chairman, in my earlier remarks, I did associate myself with the chairman's concern that the Department of Defense, the Defense Health Program could be pushed beyond its capacity. It is very important to recognize what he recognized, because if it gets pushed too far, it can't accomplish the things that it is working to really address.

In this instance, as he mentioned, I believe I did distinguish the fact that this is nearly a three-decade program, and what we are doing here is making sure its mission is modernized so it is dealing with what is happening in the healthcare field within that area of tick-borne illnesses.

So I do appreciate the comments of the chairman, and I think it is wise to point that out. I do hope my colleague supports this amendment, because I have been able to distinguish that from this trend.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. KEATING).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 115-217.

It is now in order to consider amendment No. 9 printed in House Report 115-217.

AMENDMENT NO. 10 OFFERED BY MRS. HARTZLER

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 115-217.

Mrs. HARTZLER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title VII, add the following new section:

**SEC. 704. PROHIBITION OF DEPARTMENT OF DEFENSE MEDICAL TREATMENT RELATED TO GENDER TRANSITION.**

Funds available to the Department of Defense may not be used to provide medical treatment (other than mental health treatment) related to gender transition to a person entitled to medical care under chapter 55 of title 10, United States Code.

The Acting CHAIR. Pursuant to House Resolution 440, the gentlewoman from Missouri (Mrs. HARTZLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Missouri.

Mrs. HARTZLER. Mr. Chair, today, North Korea is plotting the next ballistic missile test, Russia is threatening the NATO alliance, ISIS is spreading evil, and China continues their expansion in the South China Sea in defiance of the international community.

Our military has never been in such high demand, yet our readiness to confront these threats is at a dismal level. We must confront these challenges by ensuring our defense dollars maximize the military's readiness and lethality.

That is why I am offering an amendment to advance these goals by prohibiting taxpayer dollars from funding gender reassignment surgeries and related hormone therapy treatment for members of the military and their dependants.

There are many problems with this policy, but funding transition surgeries with tax dollars is especially problematic because the surgery is very costly. Surgical recovery time decreases deployability of our soldiers, and there is lack of medical consensus on the effectiveness of gender transition treatments.

Funding transition surgeries means diverting money from other defense priorities. Surgical costs alone can top \$1.3 billion over the next 10 years. These resources could fund 13 F-35 aircraft to fight near peer adversaries like China and Russia; 14 F-18 Super Hornets to fight ISIS; or 8 KC-46 tankers needed for long-range strike missions to North Korea.

Our spending priorities must match our threat mitigation priorities. We must have soldiers who can deploy if called upon.

Military members undergoing transition surgery are nondeployable for up to 267 days. Similarly, regular hormone treatments renders individuals

nondeployable into the future. It makes no sense to create soldiers who are unable to fight and win our Nation's wars, and it is unfair to nontransitioned individuals who must leave their families and deploy in their place.

For all these reasons, Mr. Chair, I offer this amendment as a responsible member of the House Armed Services Committee who has studied the threats and heard from each servicemember about the need for increased funding and readiness.

□ 1645

Prohibiting funding for transition surgery is the right policy for our military, our budget, and it is the right policy for the American taxpayer.

I ask my colleagues to support this amendment, and I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. Mr. Chair, I yield myself 1 minute.

Mr. Chair, this amendment goes backwards in an area where we have gone forward. This amendment takes us in the wrong direction. For years, we have had people serving in the military who are openly gay, lesbian, and transgender, and they have served, and served this country well.

For a lot of years, we did not allow them to do so openly. We finally repealed that for lesbians and gays, and now, just last year, we had the Department of Defense say we are going to do the same thing for transgender. So the people who have been fighting and protecting our country will be allowed to do so openly. It does not harm readiness at all. These people have served in the military, served it honorably, and served it well.

As far as the costs, the military pays for people who have addictions, who have alcoholism, who smoke. They pay for a lot of things that are contained within the military.

This amendment would target one specific group, and very unfairly. And most unfairly, it wouldn't just, first of all, target transgender surgery, it would target some of the hormone drugs, which cost, like, \$100 a year, cost absolutely virtually nothing to the military.

The Acting CHAIR. The time of the gentleman has expired.

Mr. SMITH of Washington. Mr. Chair, I yield myself an additional 30 seconds.

Most importantly, this wouldn't just impact transgender people who are serving, it would impact their children. If you are serving in the military and you happen to have a child who is transgender, you would now be cut off from this military service. All these other things, alcoholism, drug addiction, smoking, all manner of different

problems would be served, but transgender people would be targeted to not be allowed to provide healthcare for their children.

This isn't going to help readiness. This is a social agenda that has no business being in the Defense bill. We didn't have it in committee, we shouldn't have it here on the floor.

Let's focus on the threats that Mrs. HARTZLER talked about, not make this into a social agenda based on the ignorance of what transgender truly is.

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

Mrs. HARTZLER. Mr. Chair, I yield myself 30 seconds.

First of all, this does not preclude service by the transgendered. This simply says that we are not going to have taxpayers pay for this surgery.

This is different than somebody going in and having a cold, because this is a major surgery that requires a medical diagnosis that is going to render someone nondeployable. Just the recovery from the surgery alone is 287 days, and then the ongoing treatment precludes them from certain abilities to serve overseas.

So we need to take a look at all of this and make sure that we are addressing the threats, and we are spending every dollar that we can to go after the threats.

Mr. Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. PERRY), Army National Guard Brigadier.

Mr. PERRY. Mr. Chair, I thank Mrs. HARTZLER, my good friend, for offering this amendment.

Mr. Chair, we are \$20 trillion in debt. Taxpayers, by my figures, are projected to pay \$3.7 billion over the next 10 years for sex reassignment surgery and hormone therapy for those in the military who wish to transition from one sex to another. The total cost includes the manpower lost while the individual transitions, which can take up to a year or longer, depending on complications.

Sex reassignment patients also require specialized medicine following the procedure. And I find that interesting, in the face of the fact I just had a young gentleman come to my office who wants to serve, but he can't serve, because he has got a peanut allergy. Right? He can't go downrange, because we can't have the medicine downrange, and that doesn't cost the taxpayers anything, but we are going to spend \$3.7 billion over the next 10 years on sex reassignment surgery as opposed to buying aircraft and body armor and the things that warfighters need to be successful in defending the Nation.

It is really just a priority issue. With limited defense resources and the current state of our Armed Forces, we must prioritize increasing our strength and readiness.

Mr. SMITH of Washington. Mr. Chair, there is no study whatsoever that

shows this is going to cost \$3.7 billion. And this amendment is not just about transgender surgery, it is about any treatment. Let's keep that in mind.

Mr. Chair, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the distinguished minority leader.

Ms. PELOSI. Mr. Chair, I thank the gentleman for yielding, and I thank him for his extraordinary leadership as our ranking member on the Armed Services Committee. I thank him for his leadership in trying to help define what our security mission is so that we have the resources that are necessary to honor our oath of office to protect and defend.

Mr. Chair, I thank Mr. THORNBERRY as well for his leadership in the defense of our country. The bipartisanship in defending our country is something that we value, and any interference with that is unfortunate.

It takes a special kind of person, my colleagues, who steps forward to serve in the U.S. military. They are men and women of courage, of strength, and of patriotism, who shoulder the burden of defending our liberties so that the rest of us can live in security and freedom.

We owe these heroes an immense debt, a solemn responsibility to do everything we can to defend those who are risking and giving their lives for the United States of America.

The Defense bill before us today should be about honoring that responsibility, protecting those who protect our national security; instead, here we are considering a Republican amendment purpose-built to attack the health and dignity of thousands of men and women serving with honor and courage today.

Make no mistake, the effect and the intent of this unjust and mean-spirited amendment is to ban patriotic Americans from serving our country. It is designed to drum transgender servicemembers out of the military.

Instead of protecting the men and women who risk their lives to defend our freedoms, they are fighting to rip away the healthcare of thousands of brave servicemembers.

The integration of openly transgender servicemembers into our Armed Forces is the unfinished work of the bipartisan—and I commend our colleagues—efforts to repeal the discriminatory Don't Ask, Don't Tell policy.

I call upon my Republican colleagues that you immediately withdraw this cruel, discriminatory, and appalling amendment.

If not, I call upon all my colleagues on both sides of the aisle to defeat this amendment, prevent this assault on transgender servicemembers, and get us back to the subject at hand, which is the defense of our country, which the distinguished chairman, Mr. THORNBERRY, and ranking member have served this Congress and our country so well in doing.

Mrs. HARTZLER. Mr. Chair, I yield myself 15 seconds.

Mr. Chair, I just want to point out that this amendment doesn't address any of the full healthcare that every soldier is entitled to; it just says that in this particular instance, we are not going to pay for the gender reassignment surgeries and related hormone treatment. And there is a high cost for it, there is a reason for doing it, and that is why we are addressing that today.

Mr. Chair, how much time do I have left?

The Acting CHAIR. The gentlewoman has 45 seconds remaining.

Mrs. HARTZLER. Mr. Chair, I yield 30 seconds to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Chair, I thank the gentlewoman for yielding me time.

Mr. Chair, I appreciate the minority leader's words. I did three tours as a U.S. marine.

This is the silliest opposition to this amendment that I have ever heard. You are joining the U.S. military. Choose what gender you are before you join. We are not saying that transgender people can't serve, but if you are going to take the big step of serving in the U.S. military, figure out whether you are a man or a woman before you join up.

We are not stopping transgender people from joining. We are saying taxpayers in this country right now are not going to foot the bill for it.

This is a silly thing. It is time to put this to bed. I support the gentlewoman's amendment. Let's Make America Great Again.

Mr. SMITH of Washington. Mr. Chair, I yield 1½ minutes to the gentleman from New York (Mr. SEAN PATRICK MALONEY).

Mr. SEAN PATRICK MALONEY of New York. Mr. Chair, I would note to my colleague from California that perhaps the members of their family are supposed to decide on all their future medical care, because this relates to their healthcare, and not just to the servicemembers'.

Mr. Chair, I rise in strong opposition to the Hartzler amendment. No one in the Pentagon has called for this. In fact, we know right now Secretary of Defense Mattis is running a review of this issue. He does not need to be micromanaged by Members of this body to advance their own agenda.

Until last night, all of us had worked in good faith across the aisle to keep this important Defense bill free from political booby traps and land mines, but if you are feeling *deja vu*, well, don't worry, because I am, too. You may remember that I stood here last year and fought against a similar amendment, again to the Defense bill. That amendment would have allowed Federal contractors to fire LGBT workers under the pretense of religious observance.

I told you then that my dad was a disabled veteran, that he taught me to support and honor the military, but also to speak the truth and know the difference between right and wrong.

I told you that I had never voted against the Defense bill, and I never imagined I would. And then, after a lot of twists and turns, 43 of our Republican colleagues joined with us to vote down that discriminatory amendment, and I want to publicly thank them for their courage.

Well, here we go again. The Hartzler amendment would single out and rob a small group of military servicemembers and their families of their healthcare merely because these folks or members of their family experience gender a little differently.

Mr. Chair, it is that simple. We are talking about Americans who right now are risking their lives to keep us safe, and we should not undermine their military service.

Mrs. HARTZLER. Mr. Chair, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I yield the balance of my time to the gentleman from Maryland (Mr. HOYER), the distinguished minority whip.

Mr. HOYER. Mr. Chair, this amendment is not about defense, this amendment is about politics, and I congratulate Chairman THORNBERRY for urging that this amendment not be added to the bill in committee.

We ought to defeat this amendment. It has one purpose, and one purpose only: to politically denigrate some of our fellow citizens, to treat them less equally than we would want to be treated.

Let us not do that. Let us not sink to that level. We are better than that. We are representative of all of the people.

Reject this amendment. Get on with the defense of this country and its values.

Mr. Chair, I rise in very strong opposition to this amendment.

It is discriminatory.

It is disparaging to our military—to all our men and women in uniform.

And it hinders our armed forces from carrying out their mission of keeping our country safe.

It is appalling that the Rules Committee would even make this amendment in order, the first ever to come to this floor that directly takes away the rights of transgender Americans.

For those transgender Americans currently serving, it would deny them health care services open to other service-members.

For those thinking of enlisting, it would be a powerful deterrent, keeping talented, driven, and dedicated men and women from serving.

I hope my colleagues in both parties who are ashamed that this amendment has reached the floor will join me in voting to defeat it.

Mr. SMITH OF Washington. I yield back the balance of my time.

Mrs. HARTZLER. Mr. Chair, this is about addressing Korea, Russia, ISIS.

We need every defense dollar to go to meeting those threats, not anything else, and we need to make sure our troops are ready and can be deployed.

Mr. Chair, I ask my colleagues to support this commonsense amendment, and I yield back the balance of my time.

Mr. NADLER. Mr. Chair, I rise in opposition to the Hartzler Amendment.

Transgender individuals are part of the fabric of America and have always been part of our military, whether we have historically acknowledged them or not. Selectively denying healthcare to trans servicemembers, which is available to other members of the military, only serves to alienate, undermine, disrespect and ultimately harm those serving our country.

This amendment is a shameful and targeted attempt to enact a conservative agenda that singles out transgender individuals. It circumvents, our military's doctors and uses the denial of healthcare to force currently serving, and future transgender members of our armed services from their posts entirely.

Transition related care is considered medically necessary by nearly every major medical association. It should not need to be said that when a military physician determines that hormones, surgery or other transition related care is necessary, we must treat it as we would any other medical care. Anything less is an abdication of our duty to provide healthcare to those who have chosen to serve our country.

Using finances to tie the hands of our military's medical professionals to target transgender individuals demonstrates an appalling lack of respect for our servicemembers, their doctors and the democratic ideals of equality our country was founded on. I urge my colleagues to support our servicemembers by opposing this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Missouri (Mrs. HARTZLER).

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

Mr. SMITH of Washington. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Missouri will be postponed.

Mr. THORNBERRY. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PERRY) having assumed the chair, Mr. COLLINS of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereon.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 4 o'clock and 59 minutes p.m.) the House stood in recess.

□ 1705

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. JODY B. HICE of Georgia) at 5 o'clock and 5 minutes p.m.

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018

The SPEAKER pro tempore. Pursuant to House Resolution 440 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2810.

Will the gentleman from Georgia (Mr. COLLINS) kindly resume the chair.

□ 1706

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. COLLINS of Georgia (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 10 printed in House Report 115-217, offered by the gentlewoman from Missouri (Mrs. HARTZLER), had been postponed.

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 115-217 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. GARAMENDI of California.

Amendment No. 3 by Mr. BUCK of Colorado.

Amendment No. 4 by Mr. PERRY of Pennsylvania.

Amendment No. 10 by Mrs. HARTZLER of Missouri.

Amendment No. 5 by Mr. GOSAR of Arizona.

Amendment No. 6 by Mr. THOMAS J. ROONEY of Florida.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

## AMENDMENT NO. 1 OFFERED BY MR. GARAMENDI

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentleman from California (Mr. GARAMENDI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 198, noes 220, not voting 15, as follows:

[Roll No. 366]

## AYES—198

|                 |                |                |
|-----------------|----------------|----------------|
| Adams           | Garamendi      | Neal           |
| Aguilar         | Garrett        | Nolan          |
| Barragán        | Gomez          | Norcross       |
| Bass            | Gottheimer     | O'Halleran     |
| Beatty          | Graves (LA)    | O'Rourke       |
| Bera            | Green, Al      | Palazzo        |
| Bishop (GA)     | Green, Gene    | Pallone        |
| Blumenauer      | Grijalva       | Panetta        |
| Blunt Rochester | Gutiérrez      | Pascarell      |
| Bonamici        | Hanabusa       | Payne          |
| Boyle, Brendan  | Hastings       | Pelosi         |
| F.              | Heck           | Perlmutter     |
| Brady (PA)      | Higgins (NY)   | Peters         |
| Bridenstine     | Himes          | Peterson       |
| Brown (MD)      | Hoyer          | Pingree        |
| Brownley (CA)   | Hunter         | Pocan          |
| Bustos          | Jayapal        | Price (NC)     |
| Butterfield     | Jeffries       | Quigley        |
| Capuano         | Johnson (GA)   | Raskin         |
| Carbajal        | Johnson, E. B. | Rice (NY)      |
| Cárdenas        | Kaptur         | Richmond       |
| Carson (IN)     | Keating        | Rosen          |
| Cartwright      | Kelly (IL)     | Roybal-Allard  |
| Castor (FL)     | Kennedy        | Ruiz           |
| Castro (TX)     | Khanna         | Ruppersberger  |
| Chu, Judy       | Kihuen         | Ryan (OH)      |
| Ciциlline       | Kildee         | Sánchez        |
| Clark (MA)      | Kilmer         | Sarbanes       |
| Clarke (NY)     | Kind           | Schakowsky     |
| Clay            | Kinzing        | Schiff         |
| Cohen           | Krishnamoorthi | Schrader       |
| Connolly        | Kuster (NH)    | Schweikert     |
| Conyers         | Langevin       | Scott, David   |
| Cooper          | Larsen (WA)    | Sensenbrenner  |
| Correa          | Larson (CT)    | Serrano        |
| Costa           | Lawrence       | Sewell (AL)    |
| Costello (PA)   | Lawson (FL)    | Shea-Porter    |
| Courtney        | Lee            | Sherman        |
| Crist           | Levin          | Shuster        |
| Crowley         | Lewis (GA)     | Sires          |
| Cuellar         | Lewis (MN)     | Slaughter      |
| Culberson       | Lipinski       | Smith (NJ)     |
| Davis (CA)      | LoBiondo       | Smith (WA)     |
| DeFazio         | Loeb sack      | Soto           |
| DeGette         | Lofgren        | Speier         |
| Delaney         | Lowenthal      | Suozi          |
| DeLauro         | Lowe           | Swalwell (CA)  |
| DelBene         | Lujan Grisham, | Takano         |
| Demings         | M.             | Thompson (CA)  |
| Dent            | Luján, Ben Ray | Thompson (MS)  |
| DeSaulnier      | Lynch          | Titus          |
| Deutch          | Maloney,       | Tonko          |
| Dingell         | Carolyn B.     | Torres         |
| Doggett         | Maloney, Sean  | Tsongas        |
| Doyle, Michael  | Massie         | Vargas         |
| F.              | Mast           | Veasey         |
| Duncan (TN)     | Matsui         | Vela           |
| Ellison         | McClintock     | Velázquez      |
| Engel           | McCollum       | Walz           |
| Eshoo           | McEachin       | Wasserman      |
| Espallat        | McGovern       | Schultz        |
| Esty (CT)       | McNerney       | Waters, Maxine |
| Evans           | Meeks          | Watson Coleman |
| Foster          | Meng           | Welch          |
| Frankel (FL)    | Moore          | Wilson (FL)    |
| Fudge           | Moulton        | Yarmuth        |
| Gabbard         | Murphy (FL)    | Young (AK)     |
| Gallego         | Nadler         |                |

## NOES—220

|               |                 |                   |
|---------------|-----------------|-------------------|
| Abraham       | Gosar           | Paulsen           |
| Aderholt      | Gowdy           | Pearce            |
| Allen         | Granger         | Perry             |
| Amash         | Graves (GA)     | Pittenger         |
| Amodei        | Graves (MO)     | Poe (TX)          |
| Arrington     | Griffith        | Poliquin          |
| Babin         | Grothman        | Polis             |
| Bacon         | Guthrie         | Posey             |
| Banks (IN)    | Handel          | Ratcliffe         |
| Barletta      | Harper          | Reed              |
| Barr          | Harris          | Reichert          |
| Barton        | Hartzler        | Renacci           |
| Bergman       | Hensarling      | Rice (SC)         |
| Beyer         | Herrera Beutler | Roby              |
| Biggs         | Hice, Jody B.   | Roe (TN)          |
| Bishop (MI)   | Higgins (LA)    | Rogers (AL)       |
| Bishop (UT)   | Hill            | Rogers (KY)       |
| Black         | Holding         | Rohrabacher       |
| Blackburn     | Hollingsworth   | Rokita            |
| Blum          | Hudson          | Rooney, Francis   |
| Bost          | Huizenga        | Rooney, Thomas J. |
| Brady (TX)    | Hultgren        | Ros-Lehtinen      |
| Brat          | Hurd            | Roskam            |
| Brooks (AL)   | Issa            | Ross              |
| Brooks (IN)   | Jackson Lee     | Rothfus           |
| Buchanan      | Jenkins (KS)    | Rouzer            |
| Buck          | Jenkins (WV)    | Royce (CA)        |
| Bucshon       | Johnson (LA)    | Russell           |
| Budd          | Johnson (OH)    | Rutherford        |
| Burgess       | Jones           | Schneider         |
| Byrne         | Jordan          | Scott (VA)        |
| Calvert       | Joyce (OH)      | Scott, Austin     |
| Carter (GA)   | Katko           | Sessions          |
| Carter (TX)   | Kelly (MS)      | Shimkus           |
| Chabot        | Kelly (PA)      | Simpson           |
| Cheney        | King (IA)       | Sinema            |
| Coffman       | King (NY)       | Smith (MO)        |
| Cole          | Knight          | Smith (NE)        |
| Collins (GA)  | Kustoff (TN)    | Smith (TX)        |
| Collins (NY)  | LaHood          | Smucker           |
| Comer         | LaMalfa         | Stefanik          |
| Comstock      | Lamborn         | Lance             |
| Conaway       | Lance           | Stivers           |
| Cook          | Latta           | Taylor            |
| Cramer        | Long            | Tenney            |
| Crawford      | Loudermilk      | Thompson (PA)     |
| Curbelo (FL)  | Love            | Thornberry        |
| Davidson      | Lucas           | Tiberi            |
| Denham        | Luetkemeyer     | Tipton            |
| DeSantis      | MacArthur       | Trott             |
| DesJarlais    | Marchant        | Turner            |
| Diaz-Balart   | Marino          | Upton             |
| Donovan       | Marshall        | Valadao           |
| Duffy         | McCarthy        | Visclosky         |
| Duncan (SC)   | McCaul          | Wagner            |
| Dunn          | McHenry         | Walberg           |
| Emmer         | McKinley        | Walden            |
| Estes (KS)    | McMorris        | Walker            |
| Farenthold    | Rodgers         | Walorski          |
| Faso          | McSally         | Walters, Mimi     |
| Ferguson      | Meadows         | Weber (TX)        |
| Fitzpatrick   | Meehan          | Webster (FL)      |
| Fleischmann   | Messer          | Westerman         |
| Flores        | Mitchell        | Williams          |
| Fortenberry   | Moore           | Wilson (SC)       |
| Fox           | Mooney (WV)     | Wittman           |
| Franks (AZ)   | Mullin          | Womack            |
| Frelinghuysen | Murphy (PA)     | Woodall           |
| Gaetz         | Newhouse        | Yoder             |
| Gallagher     | Noem            | Yoho              |
| Gianforte     | Norman          | Young (IA)        |
| Gibbs         | Nunes           | Zeldin            |
| Gohmert       | Olson           |                   |
| Goodlatte     | Palmer          |                   |

## NOT VOTING—15

|              |               |            |
|--------------|---------------|------------|
| Bilirakis    | Davis, Rodney | Lieu, Ted  |
| Cleaver      | Gonzalez (TX) | Napolitano |
| Clyburn      | Huffman       | Rush       |
| Cummings     | Johnson, Sam  | Sanford    |
| Davis, Danny | Labrador      | Scalise    |

□ 1729

Messrs. CRAWFORD, POLIS, and DENHAM changed their vote from “aye” to “no.”

Messrs. CAPUANO, BEN RAY LUJÁN of New Mexico, LEWIS of Minnesota, SHUSTER, DENT, and GRAVES of Louisiana changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair would like to remind all Members that the upcoming votes are 2-minute votes. The Chair would also like to remind Members that they should stay close to the floor for 2-minute votes.

## AMENDMENT NO. 3 OFFERED BY MR. BUCK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. BUCK) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 203, noes 218, not voting 12, as follows:

[Roll No. 367]

## AYES—203

|              |                 |                   |
|--------------|-----------------|-------------------|
| Abraham      | Farenthold      | Lamborn           |
| Aderholt     | Ferguson        | Lance             |
| Allen        | Fleischmann     | Latta             |
| Amash        | Flores          | Long              |
| Amodei       | Fox             | Loudermilk        |
| Arrington    | Franks (AZ)     | Love              |
| Babin        | Frelinghuysen   | Lucas             |
| Banks (IN)   | Gaetz           | Luetkemeyer       |
| Barletta     | Gallagher       | MacArthur         |
| Barr         | Garrett         | Marchant          |
| Barton       | Gianforte       | Marino            |
| Bergman      | Gibbs           | Massie            |
| Biggs        | Gohmert         | Mast              |
| Bilirakis    | Goodlatte       | McCaul            |
| Bishop (MI)  | Gosar           | McClintock        |
| Bishop (UT)  | Gowdy           | McHenry           |
| Black        | Granger         | McKinley          |
| Blackburn    | Graves (GA)     | McMorris          |
| Brady (TX)   | Graves (LA)     | Rodgers           |
| Brat         | Graves (MO)     | McSally           |
| Bridenstine  | Griffith        | Meadows           |
| Brooks (AL)  | Grothman        | Meehan            |
| Brooks (IN)  | Guthrie         | Messer            |
| Buck         | Handel          | Mitchell          |
| Bucshon      | Harper          | Moolenaar         |
| Budd         | Harris          | Mooney (WV)       |
| Burgess      | Hartzler        | Mullin            |
| Byrne        | Hensarling      | Murphy (PA)       |
| Calvert      | Herrera Beutler | Newhouse          |
| Carter (GA)  | Hice, Jody B.   | Norman            |
| Carter (TX)  | Higgins (LA)    | Nunes             |
| Chabot       | Hill            | Olson             |
| Cheney       | Holding         | Palazzo           |
| Coffman      | Hollingsworth   | Palmer            |
| Cole         | Hudson          | Pearce            |
| Collins (GA) | Huizenga        | Perry             |
| Collins (NY) | Hultgren        | Pittenger         |
| Comer        | Hunter          | Poe (TX)          |
| Comstock     | Hurd            | Poliquin          |
| Conaway      | Issa            | Posey             |
| Cramer       | Jenkins (KS)    | Ratcliffe         |
| Crawford     | Jenkins (WV)    | Renacci           |
| Culberson    | Johnson (LA)    | Rice (SC)         |
| Davidson     | Johnson (OH)    | Roby              |
| Denham       | Jones           | Roe (TN)          |
| DeSantis     | Jordan          | Rogers (AL)       |
| DesJarlais   | Kelly (MS)      | Rogers (KY)       |
| Diaz-Balart  | Kelly (PA)      | Rohrabacher       |
| Donovan      | King (NY)       | Rokita            |
| Duffy        | Knight          | Rooney, Francis   |
| Duncan (SC)  | Kustoff (TN)    | Rooney, Thomas J. |
| Duncan (TN)  | LaHood          | Roskam            |
| Dunn         | LaMalfa         |                   |

|               |               |               |
|---------------|---------------|---------------|
| Ross          | Taylor        | Walters, Mimi |
| Rothfus       | Tenney        | Weber (TX)    |
| Rouzer        | Thompson (PA) | Webster (FL)  |
| Royce (CA)    | Thornberry    | Wenstrup      |
| Russell       | Tiberi        | Westerman     |
| Rutherford    | Tipton        | Williams      |
| Schweikert    | Trott         | Wilson (SC)   |
| Scott, Austin | Turner        | Wittman       |
| Sensenbrenner | Upton         | Womack        |
| Sessions      | Valadao       | Woodall       |
| Simpson       | Vela          | Yoder         |
| Smith (MO)    | Wagner        | Yoho          |
| Smith (TX)    | Walberg       | Young (AK)    |
| Smucker       | Walden        | Zeldin        |
| Stewart       | Walker        |               |
| Stivers       | Walorski      |               |

## NOES—218

|                 |                     |                |
|-----------------|---------------------|----------------|
| Adams           | Fudge               | Norcross       |
| Aguilar         | Gabbard             | O'Halloran     |
| Bacon           | Gallego             | O'Rourke       |
| Barragán        | Garamendi           | Pallone        |
| Bass            | Gomez               | Panetta        |
| Beatty          | Gonzalez (TX)       | Pascarell      |
| Bera            | Gottheimer          | Paulsen        |
| Beyer           | Green, Al           | Payne          |
| Bishop (GA)     | Green, Gene         | Pelosi         |
| Blum            | Grijalva            | Perlmutter     |
| Blumenauer      | Hanabusa            | Peters         |
| Blunt Rochester | Hastings            | Peterson       |
| Bonamici        | Heck                | Pingree        |
| Bost            | Higgins (NY)        | Pocan          |
| Boyle, Brendan  | Himes               | Polis          |
| F.              | Hoyer               | Price (NC)     |
| Brady (PA)      | Huffman             | Quigley        |
| Brown (MD)      | Jackson Lee         | Raskin         |
| Brownley (CA)   | Jayapal             | Reed           |
| Buchanan        | Jeffries            | Reichert       |
| Bustos          | Johnson (GA)        | Rice (NY)      |
| Butterfield     | Johnson, E. B.      | Richmond       |
| Capuano         | Joyce (OH)          | Ros-Lehtinen   |
| Carbajal        | Kaptur              | Rosen          |
| Cárdenas        | Katko               | Roybal-Allard  |
| Carson (IN)     | Keating             | Ruiz           |
| Cartwright      | Kelly (IL)          | Ruppersberger  |
| Castor (FL)     | Kennedy             | Rush           |
| Castro (TX)     | Khanna              | Ryan (OH)      |
| Chu, Judy       | Kihuen              | Sánchez        |
| Ciциlline       | Kildee              | Sarbanes       |
| Clark (MA)      | Kilmer              | Schakowsky     |
| Clarke (NY)     | Kind                | Schiff         |
| Clay            | King (IA)           | Schneider      |
| Clyburn         | Kinzing             | Schrader       |
| Cohen           | Krishnamoorthi      | Scott (VA)     |
| Connolly        | Kuster (NH)         | Scott, David   |
| Conyers         | Langevin            | Serrano        |
| Cook            | Larsen (WA)         | Sewell (AL)    |
| Cooper          | Larson (CT)         | Shea-Porter    |
| Correa          | Lawrence            | Sherman        |
| Costa           | Lawson (FL)         | Shimkus        |
| Costello (PA)   | Lee                 | Shuster        |
| Courtney        | Levin               | Sinema         |
| Crist           | Lewis (GA)          | Sires          |
| Crowley         | Lewis (MN)          | Slaughter      |
| Cuellar         | Lipinski            | Smith (NE)     |
| Curbelo (FL)    | LoBiondo            | Smith (NJ)     |
| Davis (CA)      | Loeb sack           | Smith (WA)     |
| DeFazio         | Lofgren             | Soto           |
| DeGette         | Lowenthal           | Stefanik       |
| Delaney         | Lowey               | Suozi          |
| DeLauro         | Lujan Grisham, M.   | Swalwell (CA)  |
| DelBene         | Lujan, Ben Ray      | Takano         |
| Demings         | Lynch               | Thompson (CA)  |
| Dent            | Maloney, Carolyn B. | Thompson (MS)  |
| DeSaulnier      | Maloney, Sean       | Titus          |
| Deutch          | Marshall            | Tonko          |
| Dingell         | Matsui              | Torres         |
| Doggett         | McCarthy            | Tsongas        |
| Doyle, Michael  | McCollum            | Vargas         |
| F.              | McEachin            | Veasey         |
| Ellison         | McGovern            | Velázquez      |
| Emmer           | McNerney            | Visclosky      |
| Engel           | Meeks               | Walz           |
| Eshoo           | Meng                | Wasserman      |
| Espallat        | Moore               | Schultz        |
| Estes (KS)      | Moulton             | Waters, Maxine |
| Esty (CT)       | Murphy (FL)         | Watson Coleman |
| Evans           | Nadler              | Welch          |
| Faso            | Neal                | Wilson (FL)    |
| Fitzpatrick     | Noem                | Yarmuth        |
| Fortenberry     | Nolan               | Young (IA)     |
| Foster          |                     |                |
| Frankel (FL)    |                     |                |



## NOT VOTING—12

|               |              |            |
|---------------|--------------|------------|
| Cleaver       | Gutiérrez    | Napolitano |
| Cummings      | Johnson, Sam | Sanford    |
| Davis, Danny  | Labrador     | Scalise    |
| Davis, Rodney | Lieu, Ted    | Speier     |

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1734

Mr. NUNES changed his vote from  
“no” to “aye.”

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

## AMENDMENT NO. 4 OFFERED BY MR. PERRY

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Pennsylvania (Mr.  
PERRY) on which further proceedings  
were postponed and on which the ayes  
prevailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 185, noes 234,  
not voting 14, as follows:

[Roll No. 368]

## AYES—185

|              |                 |              |
|--------------|-----------------|--------------|
| Abraham      | Duncan (TN)     | Kelly (PA)   |
| Aderholt     | Dunn            | King (IA)    |
| Allen        | Emmer           | King (NY)    |
| Amash        | Estes (KS)      | Kustoff (TN) |
| Arrington    | Farenthold      | LaHood       |
| Babin        | Ferguson        | LaMalfa      |
| Banks (IN)   | Fleischmann     | Lamborn      |
| Barletta     | Flores          | Latta        |
| Barr         | Fox             | Lewis (MN)   |
| Barton       | Franks (AZ)     | Long         |
| Bergman      | Frelinghuysen   | Loudermilk   |
| Biggs        | Gaetz           | Lucas        |
| Billirakis   | Garrett         | Luetkemeyer  |
| Black        | Gianforte       | Marchant     |
| Blackburn    | Gibbs           | Marino       |
| Blum         | Gohmert         | Marshall     |
| Bost         | Goodlatte       | Massie       |
| Brady (TX)   | Gosar           | McCarthy     |
| Brat         | Gowdy           | McCaul       |
| Brooks (AL)  | Granger         | McClintock   |
| Brooks (IN)  | Graves (GA)     | McHenry      |
| Buck         | Graves (MO)     | McKinley     |
| Bucshon      | Griffith        | McMorris     |
| Budd         | Grothman        | Rodgers      |
| Burgess      | Guthrie         | Meadows      |
| Byrne        | Handel          | Messer       |
| Calvert      | Harper          | Mitchell     |
| Carter (GA)  | Harris          | Moolenaar    |
| Carter (TX)  | Hartzler        | Mooney (WV)  |
| Chabot       | Hensarling      | Mullin       |
| Cheney       | Herrera Beutler | Murphy (PA)  |
| Cole         | Hice, Jody B.   | Newhouse     |
| Collins (GA) | Higgins (LA)    | Noem         |
| Collins (NY) | Hill            | Norman       |
| Comer        | Holding         | Nunes        |
| Conaway      | Huizenga        | Olson        |
| Cook         | Hultgren        | Palazzo      |
| Cramer       | Hunter          | Palmer       |
| Crawford     | Hurd            | Pearce       |
| Culberson    | Jenkins (KS)    | Perry        |
| Davidson     | Jenkins (WV)    | Pittenger    |
| DeSantis     | Johnson (LA)    | Poe (TX)     |
| DesJarlais   | Johnson (OH)    | Posey        |
| Donovan      | Jones           | Ratcliffe    |
| Duffy        | Jordan          | Renacci      |
| Duncan (SC)  | Kelly (MS)      | Rice (SC)    |

|                   |
|-------------------|
| Roby              |
| Roe (TN)          |
| Rogers (AL)       |
| Rogers (KY)       |
| Rohrabacher       |
| Rokita            |
| Rooney, Francis   |
| Rooney, Thomas J. |
| Roskam            |
| Ross              |
| Rothfus           |
| Rouzer            |
| Russell           |
| Rutherford        |
| Schweikert        |
| Scott, Austin     |

|                   |
|-------------------|
| Adams             |
| Aguilar           |
| Amodei            |
| Bacon             |
| Barragán          |
| Bass              |
| Beatty            |
| Bera              |
| Beyer             |
| Bishop (GA)       |
| Bishop (MI)       |
| Blumenauer        |
| Blunt Rochester   |
| Bonamici          |
| Boyle, Brendan F. |
| Brady (PA)        |
| Bridenstine       |
| Brown (MD)        |
| Brownley (CA)     |
| Buchanan          |
| Bustos            |
| Butterfield       |
| Capuano           |
| Carbajal          |
| Cárdenas          |
| Carson (IN)       |
| Cartwright        |
| Castor (FL)       |
| Castro (TX)       |
| Chu, Judy         |
| Cicilline         |
| Clark (MA)        |
| Clarke (NY)       |
| Clay              |
| Clyburn           |
| Coffman           |
| Cohen             |
| Comstock          |
| Connolly          |
| Conyers           |
| Cooper            |
| Correa            |
| Costa             |
| Costello (PA)     |
| Courtney          |
| Crist             |
| Crowley           |
| Cuellar           |
| Curbelo (FL)      |
| Davis (CA)        |
| DeFazio           |
| DeGette           |
| Delaney           |
| DeLauro           |
| DelBene           |
| Demings           |
| Denham            |
| Dent              |
| DeSaulnier        |
| Deutch            |
| Diaz-Balart       |
| Dingell           |
| Doggett           |
| Doyle, Michael F. |
| Ellison           |
| Engel             |
| Eshoo             |
| Espallat          |
| Esty (CT)         |
| Evans             |
| Faso              |
| Fitzpatrick       |
| Fortenberry       |
| Foster            |

## NOES—234

|                   |
|-------------------|
| Frankel (FL)      |
| Fudge             |
| Gabbard           |
| Gallagher         |
| Gallego           |
| Garamendi         |
| Gomez             |
| Gonzalez (TX)     |
| Gottheimer        |
| Graves (LA)       |
| Green, Al         |
| Green, Gene       |
| Grijalva          |
| Gutiérrez         |
| Hanabusa          |
| Hastings          |
| Heck              |
| Higgins (NY)      |
| Himes             |
| Hollingsworth     |
| Hoyer             |
| Huffman           |
| Issa              |
| Jackson Lee       |
| Jayapal           |
| Jeffries          |
| Johnson (GA)      |
| Johnson, E. B.    |
| Joyce (OH)        |
| Katko             |
| Keating           |
| Kelly (IL)        |
| Kennedy           |
| Khanna            |
| Kihuen            |
| Kildee            |
| Kilmer            |
| Kind              |
| Kinzinger         |
| Knight            |
| Krishnamoorthi    |
| Kuster (NH)       |
| Lance             |
| Langevin          |
| Larsen (WA)       |
| Larson (CT)       |
| Lawrence          |
| Lawson (FL)       |
| Lee               |
| Levin             |
| Lewis (GA)        |
| Lipinski          |
| LoBiondo          |
| Loeback           |
| Lofgren           |
| Love              |
| Lowenthal         |
| Lowe              |
| Lujan Grisham, M. |
| Luján, Ben Ray    |
| Lynch             |
| MacArthur         |
| Maloney,          |
| Carolyn B.        |
| Maloney, Sean     |
| Mast              |
| Matsui            |
| McCollum          |
| McEachin          |
| McGovern          |
| McNerney          |
| McSally           |
| Meehan            |
| Meeks             |
| Meng              |

|              |
|--------------|
| Walberg      |
| Walker       |
| Walorski     |
| Weber (TX)   |
| Webster (FL) |
| Wenstrup     |
| Westerman    |
| Williams     |
| Wilson (SC)  |
| Wittman      |
| Womack       |
| Woodall      |
| Yoder        |
| Yoho         |
| Young (AK)   |

|               |
|---------------|
| Walters, Mimi |
| Walz          |
| Wasserman     |
| Schultz       |

|                |
|----------------|
| Waters, Maxine |
| Watson Coleman |
| Welch          |
| Wilson (FL)    |

|            |
|------------|
| Yarmuth    |
| Young (IA) |
| Zeldin     |

## NOT VOTING—14

|               |              |            |
|---------------|--------------|------------|
| Bishop (UT)   | Hudson       | Napolitano |
| Cleaver       | Johnson, Sam | Sanford    |
| Cummings      | Kaptur       | Scalise    |
| Davis, Danny  | Labrador     | Shuster    |
| Davis, Rodney | Lieu, Ted    |            |

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1738

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

## AMENDMENT NO. 10 OFFERED BY MRS. HARTZLER

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentlewoman from Missouri (Mrs.  
HARTZLER) on which further pro-  
ceedings were postponed and on which  
the ayes prevailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 209, noes 214,  
not voting 10, as follows:

[Roll No. 369]

## AYES—209

|              |                 |               |
|--------------|-----------------|---------------|
| Abraham      | Davidson        | Hill          |
| Aderholt     | DeSantis        | Holding       |
| Allen        | DesJarlais      | Hollingsworth |
| Amodei       | Diaz-Balart     | Hudson        |
| Arrington    | Donovan         | Huizenga      |
| Babin        | Duffy           | Hultgren      |
| Bacon        | Duncan (SC)     | Hunter        |
| Banks (IN)   | Duncan (TN)     | Hurd          |
| Barletta     | Dunn            | Jenkins (KS)  |
| Barr         | Emmer           | Jenkins (WV)  |
| Barton       | Estes (KS)      | Johnson (LA)  |
| Biggs        | Farenthold      | Johnson (OH)  |
| Billirakis   | Ferguson        | Jones         |
| Bishop (MI)  | Fleischmann     | Jordan        |
| Bishop (UT)  | Flores          | Joyce (OH)    |
| Black        | Fortenberry     | Kelly (MS)    |
| Blackburn    | Fox             | Kelly (PA)    |
| Blum         | Franks (AZ)     | King (IA)     |
| Bost         | Frelinghuysen   | King (NY)     |
| Brady (TX)   | Gaetz           | Kinzinger     |
| Brat         | Gallagher       | Kustoff (TN)  |
| Bridenstine  | Garrett         | LaHood        |
| Brooks (AL)  | Gianforte       | LaMalfa       |
| Brooks (IN)  | Gibbs           | Lamborn       |
| Buchanan     | Gohmert         | Latta         |
| Buck         | Goodlatte       | Lewis (MN)    |
| Bucshon      | Gosar           | Long          |
| Budd         | Gowdy           | Loudermilk    |
| Burgess      | Granger         | Love          |
| Byrne        | Graves (GA)     | Lucas         |
| Calvert      | Graves (LA)     | Luetkemeyer   |
| Carter (GA)  | Graves (MO)     | Marchant      |
| Carter (TX)  | Griffith        | Marino        |
| Chabot       | Grothman        | Marshall      |
| Cheney       | Guthrie         | Massie        |
| Cole         | Handel          | McCarthy      |
| Collins (GA) | Harper          | McCaul        |
| Collins (NY) | Harris          | McClintock    |
| Comer        | Hartzler        | McHenry       |
| Conaway      | Hensarling      | McKinley      |
| Cook         | Herrera Beutler | McMorris      |
| Cramer       | Hice, Jody B.   | Rodgers       |
| Crawford     | Higgins (LA)    | McSally       |
| Culberson    |                 |               |

Meadows  
Meehan  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Murphy (PA)  
Newhouse  
Noem  
Norman  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)

Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stewart  
Stivers  
Taylor  
Thompson (PA)

Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

Stefanik  
Suozzi  
Swalwell (CA)  
Takano  
Tenney  
Thompson (CA)  
Thompson (MS)  
Titus  
Cleaver  
Cummings  
Davis, Rodney  
Johnson, Sam

Tonko  
Torres  
Tsongas  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Labrador  
Lieu, Ted  
Napolitano  
Sanford

Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

Love  
Lucas  
Luetkemeyer  
Marchant  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Smith (MO)  
Smith (NE)  
Smith (TX)

Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Smith (MO)  
Smith (NE)  
Smith (TX)

Smucker  
Stewart  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tipton  
Trott  
Wagner  
Walberg  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (IA)

## NOT VOTING—10

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1741

So the amendment was rejected.  
The result of the vote was announced  
as above recorded.

Stated for:

Mr. MAST. Mr. Chair, on rollcall No. 369, I  
mistakenly voted “no” when I intended to vote  
“yes.”

## AMENDMENT NO. 5 OFFERED BY MR. GOSAR

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Arizona (Mr. GOSAR)  
on which further proceedings were  
postponed and on which the ayes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 183, noes 242,  
not voting 8, as follows:

[Roll No. 370]

## AYES—183

NOES—214  
Adams  
Aguilar  
Amash  
Barragán  
Bass  
Beatty  
Bera  
Bergman  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Clyburn  
Coffman  
Cohen  
Comstock  
Connolly  
Conyers  
Cook  
Cooper  
Correa  
Costa  
Costello (PA)  
Courtney  
Crist  
Crowley  
Cuellar  
Curbelo (FL)  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
Denham  
Dent  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Ellison

Engel  
Eshoo  
Españal  
Esty (CT)  
Evans  
Faso  
Fitzpatrick  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gomez  
Gonzalez (TX)  
Gottheimer  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Issa  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Correa  
Kildee  
Kilmer  
Kind  
Knight  
Krishnamoorthi  
Kuster (NH)  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lipinski  
LoBiondo  
Loebach  
Lofgren  
Lowenthal  
Lowey  
Lujan Grisham,  
M.  
Luján, Ben Ray  
Lynch

MacArthur  
Maloney,  
Carolyn B.  
Maloney, Sean  
Mast  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Neal  
Nolan  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascarelli  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Raskin  
Reed  
Reichert  
Rice (NY)  
Richmond  
Ros-Lehtinen  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schradner  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Shuster  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Soto  
Speier

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barr  
Barton  
Bergman  
Biggs  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney

Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cramer  
Crawford  
Culberson  
Davidson  
Dent  
DeSantis  
DesJarlais  
Duncan (SC)  
Duncan (TN)  
Dunn  
Estes (KS)  
Farenthold  
Ferguson  
Fleischmann  
Flores  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallagher  
Garrett  
Gianforte  
Gibbs  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger

Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith  
Grothman  
Guthrie  
Handel  
Harper  
Harris  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hollingsworth  
Hudson  
Huizenga  
Hurd  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (LA)  
Jones  
Jordan  
Kelly (MS)  
King (IA)  
Knight  
Kustoff (TN)  
LaMalfa  
Lamborn  
Latta  
Long  
Loudermilk

Adams  
Aguilar  
Barletta  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Bost  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Clyburn  
Cohen  
Connolly  
Conyers  
Cook  
Cooper  
Correa  
Costa  
Costello (PA)  
Courtney  
Crist  
Crowley  
Cuellar  
Curbelo (FL)  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
Denham  
DeSaulnier  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Donovan  
Doyle, Michael  
F.  
Duffy  
Ellison  
Emmer

## NOES—242

Engel  
Eshoo  
Españal  
Esty (CT)  
Evans  
Faso  
Fitzpatrick  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gaetz  
Gallego  
Garamendi  
Gomez  
Gonzalez (TX)  
Gottheimer  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Hultgren  
Hunter  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson (OH)  
Johnson, E. B.  
Joyce (OH)  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kelly (PA)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
King (NY)  
Kinzinger  
Krishnamoorthi  
Kuster (NH)  
LaHood  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lewis (MN)  
Lieu, Ted  
Lipinski  
LoBiondo

Loebach  
Lofgren  
Lowenthal  
Lowey  
Lujan Grisham,  
M.  
Luján, Ben Ray  
Lynch  
MacArthur  
Maloney,  
Carolyn B.  
Maloney, Sean  
Marino  
Mast  
Matsui  
McCollum  
McEachin  
McGovern  
McKinley  
McMorris  
Rodgers  
McNerney  
Meehan  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Murphy (PA)  
Nadler  
Neal  
Newhouse  
Nolan  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascarelli  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Raskin  
Reed  
Reichert  
Renacci  
Rice (NY)  
Richmond  
Ros-Lehtinen  
Rosen  
Roskam  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez  
Sarbanes  
Schakowsky

Schiff  
Schneider  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (NJ)  
Smith (WA)

## NOT VOTING—8

Cleaver  
Cummings  
Davis, Rodney

Johnson, Sam  
Labrador  
Napolitano

Sanford  
Scalise

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1745

Mr. FERGUSON changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. THOMAS J. ROONEY OF FLORIDA

The Acting CHAIR. The unfinished business is the demand for the recorded vote on the amendment offered by the gentleman from Florida (Mr. THOMAS J. ROONEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 107, noes 318, not voting 8, as follows:

[Roll No. 371]

## AYES—107

Adams  
Aguilar  
Amodei  
Barletta  
Bass  
Beatty  
Bera  
Bishop (GA)  
Blunt Rochester  
Bridenstine  
Bustos  
Butterfield  
Carson (IN)  
Clarke (NY)  
Clay  
Clyburn  
Comer  
Conaway  
Conyers  
Cooper  
Costello (PA)  
Courtney  
Cramer  
Crowley  
Davidson  
Davis, Danny  
DeGette  
DeBene

Demings  
Denham  
DeSantis  
Deutch  
Dunn  
Evans  
Fudge  
Gaetz  
Garrett  
Gonzalez (TX)  
Gowdy  
Graves (MO)  
Guthrie  
Gutiérrez  
Hastings  
Heck  
Himes  
Hoyer  
Hunter  
Jackson Lee  
Jeffries  
Jones  
Kelly (IL)  
Kelly (PA)  
Kilmer  
Kinzinger  
Krishnamoorthi  
LaHood

LaMalfa  
Lamborn  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lipinski  
Love  
Maloney, Sean  
Marino  
Mast  
McKinley  
Messer  
Mooney (WV)  
Moore  
Murphy (FL)  
Nunes  
Payne  
Pearce  
Peters  
Pingree  
Renacci  
Rice (SC)  
Richmond  
Roby  
Rogers (KY)  
Rooney, Thomas J.

Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walden  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth  
Young (AK)  
Zeldin

Abraham  
Aderholt  
Allen  
Amash  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barr  
Barragán  
Barton  
Bergman  
Beyer  
Biggs  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Blumenauer  
Bonamici  
Bost  
Boyle, Brendan F.  
Brady (PA)  
Brady (TX)  
Brat  
Brooks (AL)  
Brooks (IN)  
Brown (MD)  
Brownley (CA)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Capuano  
Carbajal  
Cárdenas  
Carter (GA)  
Carter (TX)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chabot  
Cheney  
Chu, Judy  
Cicilline  
Clark (MA)  
Coffman  
Cohen  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Connolly  
Cook  
Correa  
Costa  
Crawford  
Crist  
Cuellar  
Culberson  
Curbelo (FL)  
Davis (CA)  
DeFazio  
Delaney  
DeLauro  
Dent  
DeSaulnier  
DesJarlais  
Diaz-Balart  
Dingell  
Doggett  
Donovan  
Doyle, Michael F.  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellison

Swalwell (CA)  
Thompson (MS)  
Tiberi  
Tipton  
Titus  
Upton  
Vargas  
Velázquez  
Walz

## NOES—318

Emmer  
Engel  
Eshoo  
Español  
Estes (KS)  
Esty (CT)  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foster  
Fox  
Frankel (FL)  
Franks (AZ)  
Frelinghuysen  
Gabbard  
Gallagher  
Gallego  
Garamendi  
Gianforte  
Gibbs  
Gohmert  
Gomez  
Goodlatte  
Gosar  
Gottheimer  
Granger  
Graves (GA)  
Graves (LA)  
Green, Al  
Green, Gene  
Griffith  
Grijalva  
Grothman  
Hanabusa  
Handel  
Harper  
Harris  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Higgins (NY)  
Hill  
Holding  
Hollingsworth  
Hudson  
Huffman  
Huizenga  
Hultgren  
Hurd  
Issa  
Jayapal  
Jenkins (KS)  
Jenkins (WV)  
Johnson (GA)  
Johnson (LA)  
Johnson (OH)  
Johnson, E. B.  
Jordan  
Joyce (OH)  
Kaptur  
Katko  
Keating  
Kelly (MS)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kind  
King (IA)  
King (NY)  
Knight  
Kuster (NH)  
Kustoff (TN)  
Lance  
Langevin  
Latta  
Lee  
Levin

Wasserman  
Schultz  
Watson Coleman  
Webster (FL)  
Wittman  
Womack  
Yoder

Lewis (GA)  
Lewis (MN)  
Lieu, Ted  
LoBiondo  
Loebach  
Lofgren  
Long  
Loudermilk  
Lowenthal  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham, M.  
Luján, Ben Ray  
Lynch  
MacArthur  
Maloney, Carolyn B.  
Marchant  
Marshall  
Massie  
Matsui  
McCarthy  
McCaul  
McClintock  
McCollum  
McEachin  
McGovern  
McHenry  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meehan  
Meeks  
Meng  
Mitchell  
Moolenaar  
Moulton  
Mullin  
Murphy (PA)  
Nadler  
Neal  
Newhouse  
Noem  
Nolan  
Norcross  
Norman  
O'Halleran  
O'Rourke  
Olson  
Palazzo  
Pallone  
Palmer  
Panetta  
Pascarella  
Paulsen  
Pelosi  
Perlmutter  
Perry  
Peterson  
Pittenger  
Pocan  
Poe (TX)  
Poliquin  
Polis  
Posey  
Price (NC)  
Quigley  
Raskin  
Ratcliffe  
Reed  
Reichert  
Rice (NY)  
Roe (TN)  
Rogers (AL)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rosen  
Roskam  
Rothfus

Rouzer  
Roybal-Allard  
Royce (CA)  
Ruiz  
Rush  
Russell  
Rutherford  
Sánchez  
Sarbanes  
Schakowsky  
Schneider  
Schrader  
Schweikert  
Scott (VA)  
Scott, Austin  
Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Shea-Porter  
Sherman  
Shuster  
Simpson  
Slaughter

Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Smucker  
Soto  
Speier  
Stefanik  
Stewart  
Stivers  
Suozi  
Takano  
Taylor  
Tenney  
Thompson (CA)  
Thompson (PA)  
Thornberry  
Tonko  
Torres  
Trott  
Tsongas  
Turner  
Valadao

## NOT VOTING—8

Cleaver  
Cummings  
Davis, Rodney

Johnson, Sam  
Labrador  
Napolitano

Sanford  
Scalise

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1750

Messrs. KIND and CHABOT changed their vote from “aye” to “no.”

Mr. CROWLEY and Ms. JACKSON LEE changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. COLE

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 115-217.

Mr. COLE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle H of title XII, add the following new section:

**SEC. 12. REPORT ON STRATEGY TO DEFEAT AL-QAEDA, THE TALIBAN, THE ISLAMIC STATE OF IRAQ AND SYRIA (ISIS), AND THEIR ASSOCIATED FORCES AND CO-BELLIGERENTS.**

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to Congress a report on the United States strategy to defeat Al-Qaeda, the Taliban, the Islamic State of Iraq and Syria (ISIS), and their associated forces and co-belligerents.

(b) ELEMENTS.—The report required under subsection (a) shall include the following:

(1) An analysis of the adequacy of the existing legal framework to accomplish the strategy described in subsection (a), particularly with respect to the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note) and the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243; 50 U.S.C. 1541 note).

(2) An analysis of the budgetary resources necessary to accomplish the strategy described in subsection (a).

(c) CONGRESSIONAL TESTIMONY.—Not later than 30 days after the date on which the President submits to the appropriate congressional committees the report required by

subsection (a), the Secretary of State and the Secretary of Defense shall testify at any hearing held by any of the appropriate congressional committees on the report and to which the Secretary is invited.

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

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

The Acting CHAIR. Pursuant to House Resolution 440, the gentleman from Oklahoma (Mr. COLE) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. COLE. Mr. Chair, since 2001 when we passed the original Authorization for Use of Military Force against al-Qaida and against associated enemies, the nature of the war on terror in which we find ourselves has changed dramatically. We now find ourselves fighting enemies that simply did not exist at the time in areas that nobody in Congress anticipated we would be at war.

This has caused a number of us to have very serious concerns as to whether or not the original Authorization for Use of Military Force is still relevant, and frankly, many of us have concerns that the war-making power of Congress is slipping away from us. Indeed, we find ourselves engaged since that original AUMF in 14 different countries on more than almost 40 different occasions without Congress authorizing the use of force. In our view, a new AUMF is necessary.

However, I also recognize that needs to come through a process. My effort here is to try and set up a process where the administration can participate, we can have an orderly discussion, and the appropriate committees can mark up a new AUMF if Congress, indeed, thinks it does—and again, I think many of us do.

A new AUMF would provide clear authority for ongoing operations against ISIS and other terrorist groups, and it would fulfill the constitutional responsibility of Congress to authorize the use of force. My amendment directs the President to put forward a strategy, an analysis, and a framework that we can actually debate and take action on.

The underlying bill being considered today provides authorization for training and equipping our military. Just as important is the time to debate and deliberate how that military should be used to defeat our enemies.

Recently, in an appearance before the House Defense Appropriations Subcommittee, Secretary Mattis made an appearance, and I actually asked him would it be helpful to have an AUMF. At that time, he said it absolutely would be helpful.

Our men and women who we have deployed in places, again, that nobody in 2001 thought they would be deployed to, need to know that the Congress of the United States is fully supportive of their deployment.

So this amendment would direct that the President, within 30 days after the passage of the legislation, present to Congress a report that, again, justifies the action, tells us the strategy, lays out the objectives. Within 30 days after that report was received, the Secretary of State and the Secretary of Defense could be called before the relevant committees to actually explain and defend that.

Now, again, in my view, I still think we need a new Authorization for Use of Military Force, but I want to start a process whereby that would begin, and I think this would help us achieve that. If others have an opinion, that is fine too, but I think they would still find the report useful and the testimony invaluable.

Sooner or later, Congress needs to take responsibility. I think with the best will in the world, we have slipped into almost endless warfare in a lot of places that none of us anticipated we would be.

□ 1800

Again, these are not actions that I necessarily question, but I think they have not been authorized, not been debated, not been examined, and, frankly, the American people have been denied that debate. Also, frankly, they have been denied the opportunity to hold their Members responsible.

Remember, that original Authorization for Use of Military Force was 2001. Almost 80 percent of the Members of this body have been elected since that original authorization. I think they ought to listen to the debate, and, frankly, their constituents ought to be able to hold them accountable.

So I would urge adoption of the amendment, Mr. Chairman, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Chairman, I claim the time in opposition to the amendment, although I will not oppose the amendment.

The Acting CHAIR (Mr. PALMER). Without objection, the gentleman from Massachusetts is recognized for 5 minutes.

There was no objection.

Mr. MCGOVERN. Mr. Chairman, I rise in support of the Cole amendment. I am a great admirer of the gentleman from Oklahoma. We have worked together on several bipartisan letters to Speaker RYAN asking that the Speaker bring to the House floor an AUMF to address the fight against the Islamic State in Syria, Iraq, and elsewhere. I value the gentleman's leadership and desire to find common ground with Members on both sides of the aisle.

But it is frustrating, Mr. Chairman, to know that this amendment was

made in order while every other amendment to require the House to take concrete action on these wars were denied their right to debate.

Maybe my good friend from Oklahoma is right and Congress has to take baby steps. It needs yet another report on Afghanistan, Iraq, and Syria. Its Committees on Foreign Affairs and Armed Services need to be ordered to hold hearings with the Secretaries of Defense and State to review these matters.

But what then?

According to this amendment, nothing.

Now, I have had my fill of Congress doing nothing. I admire the gentleman from Oklahoma. I support his amendment. But I am sick and tired of reports. After 16 years in Afghanistan, we need a debate on the future of U.S. military engagement there, and we need it now.

The gentleman said “sooner or later.” Well, after 16 years, we have already arrived at sooner and later. After 6 years of military operations in Iraq and Syria, we need to vote on an AUMF to address the fight against the Islamic State, and we need it now.

How much longer will Congress keep sending our brave servicemen and -women to war while it sits on its hands back here in Washington safe and sound?

So I urge my colleagues to support this amendment, but I demand that the House Republican leadership find the courage to act on these matters now. Our troops and their families deserve more than silence from a Congress that has no qualms about sending them to war but fails to have the political courage to take a vote.

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

Mr. COLE. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. THORNBERRY), who is the distinguished chairman of the House Armed Services Committee.

Mr. THORNBERRY. Mr. Chairman, I appreciate the gentleman from Oklahoma and his consistent and strong leadership on this issue. I, like him, believe that it is time to have a new AUMF, given the change of circumstances and the evolution of the threats which we face. This is the third administration that has had to take the 2001 AUMF and stretch its meaning to encompass all sorts of groups in all sorts of countries in all sorts of circumstances.

I think, from a legal standpoint, we need to update the AUMF so that we are consistent with the intent of the Constitution. The even more important point is the point that the gentleman from Oklahoma made, and that is that the men and women who are out there risking their lives deserve to know that they have the full backing of the country that comes from an AUMF that Congress has passed.

I do want to take exception with one point that is sometimes made. This House has voted twice to update the 2001 AUMF. It voted in 2011 and in 2012 to update that AUMF to include associated forces. It happened to be part of the NDAA, even though the Armed Services Committee is not the committee of jurisdiction. The Foreign Affairs Committee worked with us, and we passed it twice in the House. It did not survive contact with the Senate, and although there was some detention language that came from it, but there had been efforts in this House to update this language.

But I think the gentleman's approach is exactly right as for the strategy, the budget that goes with it, and the legal framework we are to follow, including the AUMF. So I do think it is a methodical, deliberate process that will take us closer to doing what we ought to do, and that does include updating this Authorization for Use of Military Force against terrorist groups as that terrorist threat evolves.

I commend the gentleman for his amendment and I support it.

Mr. MCGOVERN. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. SMITH), who is the distinguished ranking member of the Armed Services Committee.

Mr. SMITH of Washington. Mr. Chairman, I really want to follow up on the committee chairman's remarks. He is absolutely right. In 2011 and 2012, I was actually very intimately involved in the process of trying to update the AUMF, and I have all the bruises and scars to show for it. It is a very difficult process.

The main thing I want to accomplish in my 2 minutes here is to explain to everybody why we haven't updated it, because there are actually very clear reasons. I am not sure they are good reasons, but they are very clear. Every one sort of acts like: Well, we just haven't done it. Why are we twiddling our thumbs?

The reason is because, well, lawyers and how words are interpreted. As we went through and tried to word it exactly correctly, and as we negotiated with the Senate, we discovered that basically no matter how you word it, two groups are going to oppose it for diametrically opposite reasons. One side is going to say that it is too broad; it gives the President way too much power for too long a period of time and gives him too open a hand. Other groups will look at that exact same language and say that this unfairly restricts the President; it is going to make it more difficult.

You have these conversations those of us on the committee have with the Pentagon as they are trying to figure out—I haven't had as many conversations with the current administration as with the previous, but I talked at length with the Obama folks about de-

ciding what could they do? Where could they commit a strike? Against which groups? It was a very lengthy process to go back through and try to figure out whether or not it was under the law allowed.

So if we change this, the lawyers on both sides are going to go bananas saying that this new language proves that you can't do that or it is too broad.

Now, all of that is not to say that we shouldn't do it. We should. But I just want people to understand the difficulty of it and for our House to actually be willing—and the Senate—to do the work we should do.

Don't kid yourself that this is something, well, gosh, we could just do it, it would be easy, and if everyone understands it, we are just ducking it for no good reason.

It is going to be really, really hard. It is going to take bipartisan, bicameral cooperation. But it is way past time for us to do it. Yeah, when we do it, lawyers will interpret it, and there will be some uncertainty. But there is uncertainty now as they try to, as the chairman described, bootstrap the 2001 AUMF on to a whole bunch of other things. We have an obligation to do this even if it is difficult.

Mr. COLE. Mr. Chairman, I want to commend both the chairman and the ranking member of the House Armed Services Committee for their approach to this problem. It is well known in this body that probably the House Armed Services Committee is the most bipartisan committee that we have. The fact that you have tried in the past and the fact that you are willing to work with us here today is deeply appreciated.

I also thank my friend from Massachusetts, and I want to associate myself with his frustration. He has every right to be frustrated. My friend, the ranking member, is correct. This is a difficult job. It will require bipartisan cooperation and bicameral cooperation.

But isn't that what war is about, to achieve a national consensus?

I think that is exactly what Secretary Mattis was asking for: We will go do any mission that you as the Congress and the administration ask us to do, but give us a clear mission and give us your absolute support in carrying that through.

If we have this debate, there will undoubtedly be dissenting views. That is what democracy is supposed to be about, too. So my friends that would oppose the use of force, for instance, in Afghanistan, that voice ought to be heard and that case ought to be made. Frankly, those of us who are supportive of what we are trying to accomplish against ISIS need to make our case and persuade the majority of this House and of the United States Senate to move forward.

So I take this as the first step on a road. Like my friend, it is a baby step.

I would agree with his characterization, but at least it is a step. This couldn't have happened without the cooperation of our leadership in the House and certainly without the help of the chairman and the ranking member of the committee. But, also, it couldn't have happened without the persistence of my friend from Massachusetts. We have worked together, and, believe me, that is unusual. We don't agree on a lot of issues, but we respect one another.

This is also a question of congressional authority. I think it is a profoundly important constitutional issue, and I do believe we have inadvertently—because of the difficulty of the task—allowed war-making power to slip away from us. That needs to stop. We are responsible to the American people. The Constitution is very clear about where war-making power lies.

Frankly, it ought to be difficult to go to war. It ought to demand a lot of cooperation. It ought to be something that we think is worth setting aside our differences, working together, because we are asking men and women to risk their lives. We are putting them in harm's way, and they deserve to know that we are 100 percent supporting them.

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

Mr. MCGOVERN. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Mr. Chairman, I rise in support of the Cole amendment. I thank the gentleman for yielding, and I thank the gentleman from Oklahoma for his work in pushing Congress to have a debate on an AUMF.

I had offered an amendment as well to the defense bill, along with Mr. SANFORD and Mr. MOULTON, that would put in place a new consolidated AUMF, and I wanted to describe it.

I know there has been considerable debate over whether this is the right bill for an amendment of this nature. But what we have tried to do in this language is avoid the red lines that both parties seem to have in this debate. As I perceive those red lines, my friends on the Republican side of the aisle are reluctant to—in what would be considered too restrictive a way—tie the hands of the Commander in Chief by putting limits on geography or the introduction of ground troops.

On the Democratic side, we are resistant to the idea of giving the Commander in Chief too much of a blank check.

The way that we have sought to navigate the distance between these two red lines is a resolution that would repeal the old authorizations which no longer really apply to our current situation, replace it with an authorization of use of force against al-Qaida, ISIS, the Taliban, and their associated forces.

It would place no geographic limits and no limits on the introduction of ground forces, but it would have these necessary safeguards. First, it would have a sunset date of 3 years so that we don't again get to a 15-year period where we can't get a vote on an authorization and it goes on beyond its intended life.

But it would also provide that, if a President decided to introduce ground troops in a combat mission, a privileged motion would be in order that any Member could trigger where within a discrete period of time set up by the War Powers Act you could compel a vote to either approve or modify or repeal the existing authority.

That would, of course, not prevent us from taking a vote at any other time, but it would at least allow a vote and some accountability.

So I commend it for people's consideration as a way that we might navigate the distance between the parties. I appreciate, again, my colleague from Oklahoma's efforts to get us to weigh in and consider and live up to our constitutional responsibility.

Mr. COLE. Mr. Chairman, I want to advise my friend that I am prepared to close, although, believe me, I could talk about this a long time.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Chairman, I always enjoy hearing the gentleman talk about this. When we agree on things, it is always pleasant. I commend the gentleman from Oklahoma for this amendment because I think it is important that we move forward, even if it is a small step forward.

As I said initially, I am frustrated. I know Mr. SCHIFF is frustrated, and a lot of other people are frustrated who had amendments that were perfectly germane to this bill that I think should have been debated and that many of us think they are long overdue.

Mr. Chairman, 16 years in Afghanistan is an awful long time. Some of us fear that these wars are becoming endless. They are essentially on automatic pilot. We don't give the attention that I think is appropriate to what is happening, especially given the fact that so many brave men and women have their lives on the line on behalf of our country.

But beyond that, this AUMF in Afghanistan that has now been going on for 16 years has also been used to justify what we are doing in Syria, what we are doing in Iraq, in Somalia, and I could go on and on. This is ludicrous.

□ 1815

As the gentleman from Oklahoma knows, before we began to get sucked in militarily in Syria, some of us tried to have a debate on an AUMF in Syria, because we thought the time to debate an AUMF, the time to debate military action, actually should be before we get involved.

Once we are involved, it is a lot harder to have these debates and to raise the questions that are so important as to whether or not some of these interventions are actually the right thing to do. But we skirted that issue, and we continue to put this on the back burner.

As I said, I have no objection to this amendment. I support this amendment. I just think we are at a point where we should be doing much more. We are much further along than to just require a report or to mandate hearings. I am concerned that after these reports and these hearings are done, then what? The gentleman's amendment doesn't require that Congress take up an AUMF or that we actually have to have a vote in so many days or so many months.

So I look forward to working with the gentleman to make sure that not only are these reports and these hearings conducted as we all want them to be, but to continue to press this leadership to do the right thing: to not give away Congress' constitutional responsibilities and to do what is right by the men and women who sacrifice so much for our country.

There are only a small group of people who are directly impacted by these wars, and that is the men and women who are fighting and their families. The rest of us are asked to do basically nothing. I think that Congress has shirked its responsibility. We can't tolerate that.

I hope there is a big, strong bipartisan, if not unanimous vote, for the gentleman's amendment, but this is just the first teeny step in what we need to do. I promise him that he has my cooperation in any efforts to get it to the point where we actually debate these wars and develop AUMFs where people, as he said, can vote for them or against them.

My view of what we should be doing, I know, is very different from the gentleman from Oklahoma, and perhaps even different from the gentleman from California, but that is the kind of genius and the wonder of this place. We can all have different points of view, and we can even differ, but at the end of the day, the majority decides.

Mr. Chairman, I urge my colleagues to vote for the Cole amendment, and I yield back the balance of my time.

Mr. COLE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to begin by associating myself very much with the remarks of my good friend from Massachusetts.

Frankly, this is an area where we have found common ground because I think we both deeply revere this institution and, frankly, respect the Constitution of the United States.

When he says that we have shirked our duty, in my view, we have. I think it is absolutely a fair statement to

make. I think the gentleman from Washington is also correct that it is hard. This is a very complex, difficult kind of war. It is a new kind of war, its enemies morphing into different forms and different places.

All that is true, but it doesn't excuse us from the obligation to do our job and give those men and women the assurance that they are acting at the direct request and order of the American people in fulfilling the responsibility we have asked them to take.

It doesn't directly relate to this issue, but I felt very much the same way as my friend did at the time about Libya. We stretched the NATO alliances so far to get involved in a country where, in my view, we should have never been involved. More importantly, Libya didn't attack NATO. It really didn't make a lot of sense to use that kind of instrument to justify a war.

I aim this at no particular President, either the last one or current one, but, frankly, Presidents don't like Congress very much to tell them what they have to do. They want to be able to do it. Well, I am sorry; the Constitution is very clear about that.

One of the reasons we have a Constitution is because we didn't want to live under a system where it is a monarchy as opposed to a Presidency. It is part of our duty to keep a check on the extraordinary power that we place in the hands of the Chief Executive of the United States, regardless of who that person is, regardless of what party they represent.

My friend makes a good point when he says sometimes we don't trust one another, or we don't want to give the President too much power. We also don't want to take too much responsibility ourselves, sometimes. For that, we ought to look in the mirror. We ought to be willing to take that awesome responsibility that the Constitution entrusts us with and make the tough decisions that the American people send us here to make. I actually think going through this process will be very good for this institution.

My friend is correct, it is a baby step, and I share his frustration. But I think the current administration deserves a chance to be heard and to present a justification, not just inherit an ongoing conflict.

I think the committee of jurisdiction, the Foreign Affairs Committee, deserves the opportunity to hear this.

My friend expresses a concern which, quite frankly, I share, that we will have a hearing and not much more. That would not be where I would propose that we end. I would hope and would work with my friend to make sure that is not where we end.

I think at the end of the day, whatever the deliberation is, whatever the recommendation is for a new AUMF, it needs to come to this floor, and it needs to be open for full debate. If we

can't muster a majority to approve that, then we shouldn't be fighting in the places we are fighting if we are not willing to actually vote and use that.

So I am going to pledge to continue to work with my friend and urge the administration, assuming this actually gets in the final bill, to take it as an opportunity to establish a very clear set of objectives, a very clear strategy, a very clear estimate of the budgetary cost, and a very clear analysis of the legal framework under which they are operating.

I think they, and we, owe that to the country. We certainly owe it to the men and women that we have asked to go and do difficult things and risk their lives on our behalf. They do it willingly. Again, the Secretary of Defense said this would be helpful. This kind of debate would make a difference.

I, again, thank my friends for their cooperation in this. I thank particularly the chairman and the ranking member for allowing us to use this particular vehicle to express it. I thank the leadership of the House for being willing to grapple with this issue. I thank my friend from Massachusetts for his persistent efforts; and my friend from California, Ms. LEE, who has also worked on this. A lot of people on our side of the aisle feel exactly the same way.

This is a debate about the future of a conflict, but it is also a debate about the appropriate constitutional authority of the Congress of the United States and a willingness by the Members to embrace this.

So it is actually, I think, a good day, even though it is the first step in a long journey.

Mr. Chairman, I urge adoption of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. COLE).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. FRANKS OF ARIZONA

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 115-217.

Mr. FRANKS of Arizona. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle H of title XII, add the following new section:

**SEC. 12. STRATEGIC ASSESSMENTS OF THE USE OF VIOLENT OR UNORTHODOX ISLAMIC RELIGIOUS DOCTRINE TO SUPPORT EXTREMIST OR TERRORIST MESSAGING AND JUSTIFICATION.**

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall conduct two concurrent strategic assessments of the use of violent or unorthodox Islamic religious doctrine to support extremist or terrorist messaging and justification and submit the

results of the assessments to the appropriate congressional committees. These concurrent assessments shall be carried out by the following:

(1) A team of United States government employees, from relevant departments and agencies with appropriate background and expertise to contribute to such an assessment.

(2) A team of non-governmental experts from academia, industry, or other entities not currently a part of the United States Government, with appropriate background and expertise to contribute to such an assessment.

(b) ELEMENTS.—The assessments required under subsection (a) shall include the following elements:

(1) Identification of major or significant identifiable Islamic religious doctrines, concepts, or schools of thought used by various extremist groups for specific purposes, such as recruitment, radicalization, financing, or propaganda.

(2) How key elements of these doctrines, concepts, or schools of thought are incorporated into extremist or terrorist messaging and justification.

(3) Identification of major or significant identifiable Islamic religious doctrines, concepts, or schools of thought that can be used to counter the threads identified in paragraphs (1) and (2).

(4) Recommendations for identifying key thought leaders or proponents for these major or significant identifiable Islamic religious doctrines, concepts, or schools of thought in paragraphs (1) through (3).

(5) Recommendations for technological capability, training improvements, or process developments to speed the identification of harmful or destabilizing Islamic religious doctrines, concepts, or schools of thought used by extremist groups.

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

(1) the Committees on Armed Services, Foreign Relations, Homeland Security and Governmental Affairs, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, Foreign Affairs, Homeland Security, and the Permanent Select Committee on Intelligence of the House of Representatives.

The Acting CHAIR. Pursuant to House Resolution 440, the gentleman from Arizona (Mr. FRANKS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FRANKS of Arizona. Mr. Chairman, it has been 15 years and 10 months since the attacks on September 11, which killed nearly 3,000 people and wounded nearly 6,000 others.

Since then, America has fought five operations in eight countries, prosecuting wars against those responsible, their allies, and sympathizers, and the foundational ideology that fomented it. And 5,400 American heroes have given the last full measure of devotion in service to their country to combat this vile enemy.

Yet, in spite of all of this, there are those who continue to oppose any attempts to study the ideological roots of this enemy. Their zealous commitment

not to understand our enemies' motivations would almost be impressive if it weren't so harmful.

As my friends across the aisle were so eager to point out, this is not a war which can be won with bombs and bullets alone. Despite the peerless capability of our warrior class, we cannot kill our way out of this problem, nor is this a war which can be won by increasing the State Department's budget for providing “jobs programs” for jihadists.

It has to be noted by even the most intransigent of those who would oppose my amendment today that so many of the young men who buy into this destructive movement come from families who are more than comfortable financially.

Osama bin Laden's family was not going hungry when he declared war on America, twice. Many of the significant leaders of the various groups and factions are men with postdoctorate degrees in Islamic studies from some of those most prestigious universities in the Muslim world.

Yet we are told by countless talking heads and politicians that men and women who carry out these terrible attacks and cry, Allahu Akbar, in that moment when they detonate bombs in the midst of the crowds of innocent men, women, and children, have nothing to do with Islamist ideology.

Mr. Chairman, to embrace that flagrant fallacy means we will never be able to address this evil on a strategic level, and our noble men and women in uniform will be forced to combat it on a tactical level only.

This present struggle against the vast majority of terrorism in the world is fundamentally one of ideas, and it will be won on the battlefield in the hearts and minds of human beings.

Mr. Chairman, I know that there are many brands of violent extremism, and I eagerly would join my colleagues in any effort to combat them all. If the FBI does not have enough resources to combat neo-Nazis or White supremacists, then I want to know about that, and I want to help. There is no desire in my heart whatsoever to single out any group of innocent people or denigrate their faith in any way.

However, the reality remains that there is one spectrum of Islamic ideology whose variants are responsible for the 9/11 attacks, feeling the insurgency in Iraq, the countless attacks on civilians in Europe, and the boundless evil of the Islamic State.

In 2017 alone, there have been 1,134 attacks in 49 countries, in which more than 8,000 people have been killed and 8,000 more were injured.

Our allies across the world, including in the Muslim world, have now begun to study and analyze the ideology that fomented Islamic terrorism so they can begin to resist it on a strategic ideological level.



If we in America do not also address this on a strategic level, this underlying ideology that catalyzes the evil of jihadist terrorism across the world, then its list of victims will only grow longer.

Mr. Chairman, my amendment will help us to categorize those perpetrating violence in the name of Islam and help us to identify our allies within the Muslim world who can assist in countering the Islamic message of global jihad. Those who would oppose this amendment choose to continue the status quo, that is to say, no strategy at all.

So, Mr. Chairman, I would just implore the Members of this body to pass this amendment and join this sincere effort in finally identifying our enemies, empowering our friends, and ending this evil destructive ideology once and for all.

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

Mr. GALLEG0. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GALLEG0. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am a Marine Corps infantryman. When I was fighting door-to-door in Iraq, some of the bravest marines in my unit, men of valor and patriotism, were Muslims. They stood with the Iraqis to risk their lives and endangered loved ones to help us.

At this very moment, marines are still fighting in Iraq and Afghanistan. Many of them are Muslim. They still rely on the steadfast support of our Muslim allies. That is why I find this amendment so troubling.

□ 1830

Mr. Chairman, at a time when American forces are deployed across the Muslim world and depend on the support of Muslim governments, the Franks amendment will send exactly the wrong message to our friends and adversaries alike.

By singling out a faith tradition for a strange and unprecedented study by our military, we are sending a dangerous message and signal that America is at war with Islam. America is not ever going to be at war with a single religion.

It is our task as Members of Congress who care about our military and about the American values that our servicemembers risk their lives for to defend it and to reaffirm those values, and we can do that by defeating this misguided amendment.

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

Mr. FRANKS of Arizona. Mr. Chair, how much time remains on this side?

The Acting CHAIR. The gentleman from Arizona has 15 seconds remaining.

Mr. FRANKS of Arizona. Mr. Chairman, I reserve the balance of my time.

Mr. GALLEG0. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Chair, if the Congress of the United States were to direct the Department of Defense to study and examine and scrutinize your religion to list leaders in that religion and teachers, to decide what was orthodox and unorthodox, you would be among—I don't know—the Christian community, the Jewish community, Buddhists, Hindus, and Muslims.

But only Islam is selected out in the Franks amendment, only one religion is done so. Mr. Chair, if you select out one religion for particular scrutiny, to scrutinize their doctrine, to declare to the government what is orthodox and unorthodox, and to identify teachers of it, you have simply abridged the free exercise of that religion. That is unconstitutional.

Nobody is saying you can't study terrorism. You can study what motivates people to commit acts of terrorism; and we should, but we don't, not equally. The fact is that this amendment singled out and stigmatizes one religious group. It is wrong, and it should be voted down.

Mr. FRANKS of Arizona. Mr. Chairman, I reserve the balance of my time.

Mr. GALLEG0. Mr. Chair, I yield 1 minute to the gentleman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. Mr. Chairman, I rise in strong opposition to this dangerous and divisive amendment that is the latest attempt to criminalize the religious beliefs of Muslims in this country.

Let me remind my colleague from Arizona that our country was founded on the principle of religious liberty, and the First Amendment guarantees that right.

In calling for a strategic assessment, this amendment tramples on our Constitution's separation of religion and State, singles out the Muslim religion, its practices and leaders, and it does nothing to keep our Nation safe. In fact, fear-mongering undermines trust and national security, and pits neighbor against neighbor, community against community, and is an insult to our American Muslim communities.

This amendment doesn't even apply its arbitrary surveillance equally, because if it did, it would include assessments of White supremacist terrorism or terrorism committed against abortion clinics and doctors.

Mr. Chairman, our fight against terrorism is not against any religion. It is against the acts that are committed and those who commit the acts. It violates our Constitution and runs counter to who we are as a nation.

Frankly, it is horrifying, and I urge my colleagues to resoundingly oppose it.

Mr. FRANKS of Arizona. Mr. Chairman, I reserve the balance of my time.

Mr. GALLEG0. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Mr. Chairman, I rise to oppose the amendment, which selectively requires the military to identify Islamic religious doctrines, concepts, or schools of thought used by various extremist groups and how they have been incorporated into terrorist messaging.

The problem, of course, is that terrorist killers have used religious doctrines and concepts from every major religion on earth, including not just Islam, but Christianity, Judaism, Mormonism, Hinduism, Buddhism, for homicidal purposes. Because religion is based on faith and not reason, and because religious texts are not self-explanatory, good people will invoke scripture for good causes and evil people will invoke scripture for evil causes.

We don't need a big government study to teach us something so commonsensical, which the Founders taught us a long time ago. If we want to study the exploitation of religion for terrorism, let's study it universally.

Focusing on one religion not only vastly understates the problem, but exacerbates the problem by fomenting the myth that religious fanaticism and terrorism are unique to the charlatans and predators of Islam when they are common to the charlatans and predators of nearly every religious faith and identification.

Constitutionally, we do not single out particular religions for governmental inspection and suspicion under the First Amendment.

Mr. FRANKS of Arizona. Mr. Chairman, I reserve the balance of my time.

Mr. GALLEG0. Mr. Chairman, how much time do I have available?

The Acting CHAIR. The gentleman from Arizona has 45 seconds remaining.

Mr. GALLEG0. Mr. Chair, I yield myself the balance of my time.

Mr. Chairman, I think what we need to remember is there is some commonality here; and I am reminded of this almost every weekend, especially when I stay here in Washington, D.C. I go to section 60 of Arlington National Cemetery to visit my friends that died in the war in Iraq. In every headstone there, you will see a lot of different symbols of religions, whether it is the Jewish star, whether it is the Islamic symbol or the Christian symbol, or the nonbeliever, no symbols whatsoever.

The one thing they all have in common is they are all sharing the same ground. They are all sharing the same sacred ground of Arlington National Cemetery because they all died for the same American values. That American value says that we will not ostracize somebody else for their religion, for who they believe or who they don't believe. Any steps towards that is dangerous.

If we want to continue to reaffirm the values that those men and women have died for that are now sitting in section 60, we need to defeat this amendment and do it because we know it is the right thing to do, and it reaffirms those American values that those men and women have died for.

Mr. Chairman, I urge a “no” vote on this amendment, and I yield back the balance of my time.

Mr. FRANKS of Arizona. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, this amendment will empower America to identify those heroes within the Muslim world who are working so bravely to counter the odious violent ideology which continues to use Islam to justify the murder of tens of thousands of innocent men, women, and children. It will save American lives, it will save Muslim lives, it will save lives across the world, and I would encourage my colleagues to vote “yes.”

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FRANKS).

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

Mr. GALLEGO. Mr. Chair, I demand a recorded vote.

Ms. JACKSON LEE. Mr. Chair, I rise in strong opposition to the Franks Amendment No. 13 to H.R. 2810, the “National Defense Authorization Act” (NDAA), which would require the federal government to conduct so-called strategic assessments of Islamic religious doctrine.

I am shocked and appalled at this blatant attempt to single out Muslims for a religious test in a direct violation of the Constitution and our nation’s founding principles.

It frankly astounds me that such a hateful, discriminatory, and incoherent piece of religious bigotry has been made in order for this bill and is under consideration today.

To illustrate the sheer absurdity of this amendment, I would like to offer the amendment’s sponsor a brief lesson on the history of religious persecution and freedom in the United States.

In 1620, a group of English-born Puritans braved the Atlantic Ocean in order to found Plymouth Colony in the New World of America—they were fleeing, above all else, religious persecution in England, where discriminatory religious tests were common practice and the law.

On September 17, 1878, two and a half centuries later, 39 delegates signed the United States Constitution; in Article 6, Section 3 of this Constitution, they wrote that “no religious test shall ever be required . . . under the United States.”

In the First Amendment, they went even further: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.”

Every child in America knows these facts about our nation’s founding.

The essential human right to freedom of worship, without fear of persecution or discrimination, is explicitly written into our genetic code as Americans.

What we do not teach our children is to associate any particular religion with the violent acts of a few extremists who claim to belong to that religion.

We understand that such an accusation would be irrational, intellectually dishonest, and ineffective at identifying and combatting the real roots of violent extremism.

It would be remiss for me to neglect to point out that the Ku Klux Klan was founded and continues to identify as a Christian organization, or that racial terrorist Dylann Roof, who murdered nine innocent churchgoers in cold blood, was himself a member of a Lutheran church.

Yet Representative Franks’ amendment does not require any strategic assessments of “violent or unorthodox” Christian doctrine.

Instead, Amendment No. 13 wrongfully casts the specter of terrorism upon all Muslim communities and individuals through the use of coded language like “strategic assessments.”

Nowhere does this Amendment acknowledge the fact that many Muslims, both domestically and abroad, have been contributing wholeheartedly to the U.S.’s mission to end violent extremism.

Amendment No. 13 mandates the identification of key Islamic leaders who practice any form of Islam, with no exception for those who have never violated any laws—this is not only a completely nonsensical proposition, but a dangerous violation of the principles of religious liberty, individual privacy, and equal protection as established by the First Amendment.

Amendment No. 13 requires the Secretary of Defense to create a “team of experts” to determine which practices and beliefs of the Islam are legitimate or acceptable—another direct violation of the Constitution.

Mr. Chair, this Amendment is a stain on our national honor and pride as Americans.

Muslim Americans make up a vital part of our nation’s diverse, multicultural fabric; every day, they make valuable contributions to the arts, the economy, academia, government, military services, and much more.

If it is passed, Amendment No. 13 would only further stigmatize and alienate a vibrant community of Americans who have been subject to harassment and discrimination for years, and especially under the Trump Administration.

We are better than that and I urge all Members to join me in rejecting this terrible legislation.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 14 OFFERED BY MS. CHENEY

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in House Report 115-217.

Ms. CHENEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title XVI, add the following new section:

**SEC. 1673. PROHIBITION ON REDUCTION OF THE INTERCONTINENTAL BALLISTIC MISSILES OF THE UNITED STATES.**

(a) PROHIBITION.—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense shall be obligated or expended for—

(1) reducing, or preparing to reduce, the responsiveness or alert level of the intercontinental ballistic missiles of the United States; or

(2) reducing, or preparing to reduce, the quantity of deployed intercontinental ballistic missiles of the United States to a number less than 400.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any of the following activities:

(1) The maintenance or sustainment of intercontinental ballistic missiles.

(2) Ensuring the safety, security, or reliability of intercontinental ballistic missiles.

(3) Reduction in the number of deployed intercontinental ballistic missiles that are carried out in compliance with—

(A) the limitations of the New START Treaty (as defined in section 494(a)(2)(D) of title 10, United States Code); and

(B) section 1644 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3651; 10 U.S.C. 494 note).

The Acting CHAIR. Pursuant to House Resolution 440, the gentlewoman from Wyoming (Ms. CHENEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wyoming.

Ms. CHENEY. Mr. Chair, I rise to offer an amendment that will help ensure the strength of our nuclear deterrent by preventing further reductions to our deployed ICBM fleet below 400 missiles.

At this point, our deployed fleet at 400 missiles is at the basic level necessary to maintain a strong and effective nuclear deterrence. Mr. Chair, our ICBMs are a critical leg of our triad as they provide our commanders with a responsive, flexible, and survivable military response ready 24/7, 365 days a year.

Our ICBM leg of the triad also adds significantly to our deterrence capability by increasing the number of targets our adversaries must hold at risk.

My amendment is a safeguard that prevents any unilateral disarmament that would leave our Nation vulnerable to attack. My amendment does not impact our compliance with the New START, and it does not change our current alert level or require the deployment of any additional ICBMs at this point.

The amendment simply reaffirms to our adversaries and our allies that our nuclear deterrence will remain strong.

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

Mr. LANGEVIN. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. LANGEVIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment is simply not necessary, as it is a solution in search of a problem.

Now, the budget request for fiscal year 2018 has no funding for reducing the level or reducing the number of deployed ICBMs below 400, and there are no plans to do so in the future.

It also presupposes the completion of the nuclear posture review, which is currently ongoing and is expected at the end of this year. So instead of jumping the gun and acting precipitously, we should allow the administration time to finish the review and base our actions on its findings.

This is particularly true because it may be that reducing the number of ICBMs and reducing alert levels could, in fact, be beneficial to enhance strategic stability. Preventing such a reduction also disregards the crucial and fundamental role of our Nation's submarines, which provide an assured, survivable second-strike capability, and which dissuades an adversary from thinking they could launch a disarming attack against the United States.

ICBMs can be seen as destabilizing in that they would force a very rapid decision by the President and are use-or-lose nuclear weapons. History has shown us concerns about the potential for a rushed decision in response to a false alarm that none of us wish to see repeated.

Mr. Chairman, if we are going to talk about keeping ICBMs, it should be done in a meaningful, informed discussion based on the findings of the Nuclear Posture Review instead of yet another annual amendment driven by what seems like a parochial interest, which does not consider the other legs of the nuclear deterrent.

Instead, we should focus on increasing accountability and ensuring that we are improving the morale and culture inside the Air Force with regard to nuclear weapons so that some of the serious and embarrassing problems that have plagued the ICBM missileers and security forces in recent years may be properly addressed.

Mr. Chairman, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Ms. CHENEY. Mr. Chair, there is nothing in my amendment that has any negative impact on our submarine fleet. In fact, I support strongly, as does the NDAA, the importance of the triad, as have administrations of both parties over many years.

Mr. Chairman, I yield 1 minute to the gentleman from Alabama (Mr. ROG-

ERS), the distinguished chairman of the Strategic Forces Subcommittee.

Mr. ROGERS of Alabama. Mr. Chairman, I thank the gentlewoman for yielding and for offering this amendment. A provision nearly identical to this has been in the final version of the last two NDAA's, and it should be in the final version of this year's NDAA.

As chairman of the Strategic Forces Subcommittee, I understand that the responsiveness and distributive nature of our ICBMs are the most critical features. Without ICBMs, an adversary would need to strike less than 10 targets to disarm our nuclear forces. But with ICBMs, an adversary needs to strike hundreds of hardened targets deep in America's homeland. That is a much more difficult proposition and is at the very heart of our deterrence.

During his confirmation hearing, Secretary of Defense Mattis agreed with this assessment, noting: "The ICBM force provides a cost-imposing strategy on our adversaries."

We should confirm this policy once more. It is vital that our ICBM force remain robust and responsive. I urge a "yes" vote on this amendment.

Mr. LANGEVIN. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Rhode Island has 3 minutes remaining.

Mr. LANGEVIN. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. SMITH), the distinguished ranking member of the House Armed Services Committee.

Mr. SMITH of Washington. Mr. Chairman, this amendment basically unnecessarily ties the hands of our administration in terms of choosing how best to spend Defense dollars.

Now, the gentlewoman mentions that this does not say anything about reducing our submarine force or reducing our bomber force. It does, however, lock in a certain amount of ICBMs that we have to have, and, in that sense, it does impact all other choices in terms of our Defense policy not just within the nuclear framework.

But within the nuclear framework, there is, as I keep emphasizing and people keep resisting, a finite amount of resources available to fund the Department of Defense. In fact, that is the central problem with this whole bill, as I have mentioned.

We don't have a budget resolution. This is \$72 billion over-the-budget caps that the House has shown no willingness to vote to lift. So here we have \$72 billion that we are just kind of hoping is going to be there. So at some point we are going to have to make some choices. I keep saying that. We keep delaying it—doing CRs. We even shut down the government once.

We continue to sort of stumble forward with no clear plan, but amendments like this are just another example of how we lock in a lack of flexi-

bility in terms of how we spend our money.

What is the best approach to our national security?

Now, it has been mentioned and I keep harping on the fact that we don't have a national security plan yet. And it has been mentioned, well, Presidents usually take awhile to deliver them. And okay, fine, we will, you know, sometime in the next year hopefully get that plan. But amendments like this trap that plan, restrict the ability of the President to deal with a finite amount of resources to come with what is the best approach.

□ 1845

And there are a lot of arguments that ICBMs are not the best approach to nuclear deterrence. Do we need an absolute fixed amount? I don't think so. I think we need greater flexibility, particularly as we await the findings of the Nuclear Posture Review to figure out what our best strategy going forward is.

So we have all these little parochial pieces where we make sure that the piece that is closest to us, you can't touch that. We have to have exactly the same number. That is not in the best interests of a comprehensive National Security Strategy.

We need flexibility in this budget. We are not going to have as much money as everybody seems to think that we are going to have. That is just the fact. We are \$20 trillion in debt, running up deficits of \$700 billion a year. We have the budget caps. At some point, we are going to have to start making choices. This amendment does not help in that.

The Acting CHAIR. The time of the gentleman has expired.

Mr. LANGEVIN. I yield the gentleman an additional 15 seconds.

Mr. SMITH of Washington. As I like to quote: "Gentlemen, we are out of money; it is time to think."

We are, in fact, running out of money—that is a Winston Churchill quote, by the way—but we appear to not be willing to do the thinking part about making choices on where we should not and should spend our money.

Ms. CHENEY. Mr. Chair, how much time do I have left?

The Acting CHAIR. The gentlewoman from Wyoming has 2¾ minutes remaining.

Ms. CHENEY. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska (Mr. BACON), a retired brigadier general and the former commander of Offutt Air Force Base.

Mr. BACON. Mr. Chair, I just want to point out, when I came to the Air Force in 1985, we have since then reduced our ICBM force by 60 percent. Enough is enough. Four hundred is the level we should not go below.

Our strategic nuclear force enterprise is America's force of last resort and

has, for decades, asserted peace through strength for the United States and its allies around the world.

I would like to remind my colleagues that every one of us in the House and the many millions of Americans we represent have lived and prospered in peace precisely because we have made the conscious decision as a nation many years ago to keep a strong, responsive, and resilient nuclear deterrent.

The ICBM leg of the nuclear triad is, by design, the largest, safest, and most responsive part of our central strategic forces. It is the very foundation of our nuclear deterrent, and we must preserve the longstanding bipartisan consensus that our ICBMs be kept at high levels of alert and at sufficient numbers to ensure our nuclear deterrent stays credible.

As we continue down to a new START level, a treaty level of 400 ICBMs, it is essential that we go no lower. When we say "promote the common defense," this is what those words mean.

Mr. Chair, I urge support of this amendment.

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

Mr. Chairman, I believe, as I said before, this amendment is an unnecessary amendment. It does not meaningfully address the three legs of the nuclear triad. Let's wait until the Nuclear Posture Review is done and base our decision then on facts and not on speculation.

I, therefore, urge my colleagues to oppose it, and I yield back the balance of my time.

Ms. CHENEY. Mr. Chairman, we have seen over the years many misguided efforts to unilaterally cut our strategic forces and to do so in a way that has been really based on a notion that somehow if we reduce the level of weapons in our inventory, that our adversaries will do the same. We know that is simply not the case.

This amendment is crucial to ensure that we maintain the kind of deterrent that is necessary in a world in which we are facing increasing threats.

Our ability to deter against the threats of our adversaries depends in large part both upon their understanding of our will to use our forces as well as their belief in our capability, and the last thing we should be doing is reducing below a safe and secure number.

Mr. Chairman, in offering this amendment, my intention is very much to say, look, our obligation as Members of the House of Representatives is to provide for the common defense and to ensure that, while we are overseeing activities by the executive branch, we are not allowing the kind of irresponsible cuts that could put us at risk.

So I urge the adoption of my amendment, Mr. Chairman, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Wyoming (Ms. CHENEY).

The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MR. LAMBORN

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in House Report 115-217.

Mr. LAMBORN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 681, line 15, insert "(a) INTEGRATION OF PATRIOT MISSILES INTO INTEGRATED MASTER TEST PLAN.—" before "Not later than".

Page 682, after line 5, insert the following new subsection:

(b) NORMALIZING OPERATIONAL TEST AND EVALUATION.—

(1) CONDITION FOR PROCEEDING BEYOND LOW-RATE INITIAL PRODUCTION.—Section 2399(a)(1) of title 10, United States Code, is amended by striking "or a covered designated major subprogram" and inserting "a covered designated major subprogram, or an element of the ballistic missile defense system".

(2) CONFORMING REPEAL.—Section 1662 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 10 U.S.C. 2431 note) is repealed.

The Acting CHAIR. Pursuant to House Resolution 440, the gentleman from Colorado (Mr. LAMBORN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. LAMBORN. Mr. Chairman, I yield myself such time as I may consume.

The goal of this amendment is simple: given the rising nuclear and ballistic missile threat from North Korea and Iran, we have a renewed urgency to do everything we can to make sure that the Missile Defense Agency goes as fast and as far as possible. This includes cutting unnecessary bureaucracy.

This amendment would normalize the operational test and evaluation process for our ballistic missile defense system, simply treating it like every other major weapons system that we have.

This amendment fixes an outdated bureaucratic requirement which requires the Secretary of Defense, himself, to guarantee in advance a system will work before it can even be bought. This is such a high bar, we don't use it anywhere else.

Under this amendment, we will still have a robust, rigorous testing program, without the Secretary of Defense needing to get personally involved. The Director of OT&E, which is the Pentagon's testing office, would still be required by law to evaluate and approve testing plans, analyze and evaluate testing results, and publish an annual public report with this information. Congress and the Secretary of Defense will still have the power to say no. The

difference is MDA won't have needless obstacles to prevent them from moving forward.

Let's free the Missile Defense Agency and unshackle it so it can better do its vital job of protecting us from missile attack.

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

Mr. COOPER. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COOPER. Mr. Chairman, I regret that my good friend from Colorado has offered this amendment. It was not voted on in either subcommittee or in full committee. It should be rejected by this House, and rejected overwhelmingly.

Why? We need to make sure that our missile defense works. This is not a vote on whether we are for or against missile defense. I am strongly for missile defense. I just want to make sure that it works. In the National Defense Authorization Act of 2015, there is a strong section in that act that requires that it work.

The gentleman's amendment is not supported by the Missile Defense Agency, it is not supported by the Pentagon.

What it is is a vendor's dream, what it is is a defense contractor's dream, because it would enable them to sell stuff to us, the American taxpayer and to the citizens of this country, promising national defense, but not proving it.

We need to fly it before we buy it. We need to test it before we invest in it. We need to make sure that it works before we fork over the dough.

If this loophole were to be established into law, allowing missiles to be flown through this loophole, it would delight the defense contractor industry. This is an amazing breach of what really, I think, has been American law for 150 years.

Back during the Civil War, there was a law passed called the Lincoln Law. And because so many Americans were outraged that the bullets sold to the Union soldiers did not work and the cannonballs did not work and the boots didn't last in the rain, they passed one of the toughest laws ever passed by this Congress, to penalize defense contractors who sold us stuff that did not work.

We need to make sure these missiles work. The gentleman is absolutely correct. The threat from North Korea is real, the threat one day from Iran could be real. We need to make sure these missiles work. And to short-circuit, to obviate a testing requirement would be an appalling thing for us to do.

This has been law since 2015. It is working, it works fine, the Missile Defense Agency is all for it. Let's keep it. If it ain't broke, don't fix it.

And to allow contractors to sell us stuff that is unproven, that is not tested, that has not flown before we buy it, oh, my gosh, I wouldn't want to be on that side of that transaction.

So the gentleman is an outstanding Member, he does great work. As I say, this was not voted on in either subcommittee or full committee. It would be a mistake for the full House to support this amendment at this time.

So I would urge my colleagues to reject this amendment, and I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, if there is any evidence that MDA or DOD does not favor this amendment, I sure haven't seen it, and I would like to see that produced so I could see that.

At this point, I yield 2 minutes to the gentleman from Alabama (Mr. ROGERS), my friend and colleague, the chairman of the Subcommittee on Strategic Forces.

Mr. ROGERS of Alabama. Mr. Chair, I thank the gentleman for yielding and for his amendment.

This committee has been trying to seek out and remove impediments to speedy acquisition for years. Section 1662 of fiscal year 2015 NDAA is just such an impediment. I don't understand why Congress believed it was prudent to let DOD's testers prevent the Secretary of Defense from deploying military capability.

Further, I do not agree with the contention that this amendment will further reduce oversight of the testing of missile defense capabilities. In fact, the plain language of the amendment inserts ballistic missile defense systems into the existing title 10 DOD OT&E testing requirement, just like every other DOD acquisition program.

This is literally where the so-called "fly before you buy" term comes from.

Every year, we already receive another report from DOD OT&E on the testing of ballistic missile defense, and then there is the Integrated Master Test Program that MDA and DOD OT&E collaborate on. And then, finally, the GAO does a report, also, that helps Congress oversee BMD programs.

How many reports do we need to do the same thing? Especially when North Korea is making unprecedented progress on its ballistic missile capability, we should be making MDA more efficient and nimble, and I think removing redundant reporting requirements and impediments on the deployment of proven capabilities is a commonsense step.

Mr. Chair, I urge a "yes" vote.

Mr. COOPER. Mr. Chairman, this Congress in 2015 passed this requirement because it made sense.

Institutional memory can be short. The MDA is already exempt from normal Pentagon acquisition processes. No one in this body should think that MDA is subjected to the DOD 5000 regular acquisition rules.

What this amendment would do would be to short-circuit that process. And which Member of this House in either party would want to admit to the constituency that they represent that they voted to allow missiles to be purchased by this country before we knew they would work?

The threat is real, and we need to be prepared for that threat and we need defense missiles that work. Already the shot doctrine is several to one. We have to shoot up four missiles and hope that we can stop the one from coming over. We need things that actually work better than that. We need to make sure this equipment that the U.S. taxpayer is buying functions correctly.

We have already expedited the acquisition process for the MDA. Let's not expedite it further. If our missile defenses don't work, we are all in trouble. The Congress decided wisely and rightly in 2015.

The MDA, as I say, does not support this amendment. They have had ample opportunity to come to us and say that they want more flexibility, more freedom, they want things that work too. This House should want things that work. So I urge my colleagues to support what works and oppose this amendment.

I reserve the balance of my time.

Mr. LAMBORN. How much time does each side have?

The Acting CHAIR. The gentleman from Colorado has 2 minutes remaining. The gentleman from Tennessee has 1½ minutes remaining.

Mr. LAMBORN. Mr. Chair, as my colleagues know, just one successful ballistic missile attack on U.S. territory or forward deployed forces or allies would carry an enormous cost of life and treasure. I am pleased that we are finally making some real progress in this bill at funding missile defense programs that have been underfunded for years. General John Hyten, who is in charge of missile defense, said recently: "What really worries me the most is I'm worried that our Nation won't be able to go fast enough to keep up with our adversaries anymore." He argues that we need to empower our engineers with the authority and responsibility so they can go faster.

We have the greatest minds at the Missile Defense Agency. They are motivated people that serve our country every day when they come into work. We just need to let them do their job. But we must not let outdated, duplicative bureaucratic requirements keep us from defending ourselves from ballistic missile threats.

I urge my colleagues to support this amendment, which would free the Missile Defense Agency to move faster to defend us from future threats.

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

Mr. COOPER. Mr. Chairman, I know this amendment comes late in the

process and my colleagues are tired of hearing all these National Defense Authorization Act amendments, but this one is really important. Already the North Koreans threaten the United States. Other countries could do so. We need to make sure that our missile defense works, and our constituents will not accept excuses.

Now, as I say, defense contractors love this approach if they can sell us something that is not proven to work, but this equipment must work.

□ 1900

This Congress got it right in 2015. The MDA is on board with the testing that they have to do. The process now works. Let's not change it, and this amendment would change it for the worse. It would be a defense contractor's dream.

Let's not cave in to the lobbyists, let's not give away the American taxpayers' money, and let's make sure that the defense equipment we buy works. By stopping this amendment, we will do so. This amendment would be a giveaway to the defense contracting industry.

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

Mr. LAMBORN. Mr. Chairman, I appreciate the gentleman from Tennessee (Mr. COOPER), my colleague. He is very sincere in what he says.

I believe we have so many checks and balances that we will not be buying things that don't work. But, we need to unshackle MDA so they can get their job done faster and better than they can right now.

Mr. Chairman, I urge my colleagues to support this amendment, and I yield back the balance of my time.

Mr. COOPER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Tennessee has 15 seconds remaining.

Mr. COOPER. Mr. Chairman, Admiral Syring has been a great leader of MDA. He did not request this change. Admiral Syring has done a great job. Let's follow his lead, and let's reject this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. LAMBORN).

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

Mr. COOPER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 440, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 2, 8, 9, 11, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35 printed in House Report 115-217, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 2 OFFERED BY MR. HUDSON OF NORTH CAROLINA

At the end of subtitle C of title I, add the following new section:

**SEC. 1. LIMITATION ON AVAILABILITY OF FUNDS FOR THE ENHANCED MULTI MISSION PARACHUTE SYSTEM.**

(a) **LIMITATION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2018 for the enhanced multi mission parachute system may be used to enter into, or to prepare to enter into, a contract for the procurement of such parachute system until the date on which the Secretary of the Navy submits to the congressional defense committees the certification described in subsection (b) and the report described in subsection (c).

(b) **CERTIFICATION.**—The certification described in this subsection is a certification by the Secretary of the Navy that—

(1) neither the Marine Corps' currently fielded enhanced multi mission parachute system nor the Army's RA-1 parachute system meet the Marine Corps requirements;

(2) the Marine Corps' PARIS, Special Application Parachute does not meet the Marine Corps requirements;

(3) the testing plan for the enhanced multi mission parachute system meets all regulatory requirements; and

(4) the Department of the Navy has performed an analysis and determined that a high glide canopy parachute system is not more prone to malfunctions than the currently fielded free fall parachute systems.

(c) **REPORT.**—The report described in this subsection is a report that includes—

(1) an explanation of the rationale for using the Parachute Industry Association specification normally used for sports parachutes that are employed from relatively slow flying civilian aircraft at altitudes below 10,000 feet for a military parachute;

(2) an inventory and cost estimate for any new equipment and training that the Marine Corps will have to be acquire in order to employ a high glide parachute;

(3) an explanation of why the Department of the Navy is conducting a paper down select and not conducting any testing until first article testing; and

(4) a discussion of the risk assessment for high glide canopies, and specifically how the Department of the Navy is mitigating the risk for malfunctions experienced in other high glide canopy programs.

AMENDMENT NO. 8 OFFERED BY MR. BUCK OF COLORADO

Page 375, after line 8, insert the following:

**SEC. 1039. PROHIBITION ON USE OF FUNDS TO DESIGNATE OR EXPAND FEDERAL NATIONAL HERITAGE AREAS.**

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended to designate or expand any Federal National Heritage Area in any of Baca, Bent, Crowley Huerfano, Kiowa, Las Animas, Otero, Prowers, or Pueblo counties, Colorado.

AMENDMENT NO. 9 OFFERED BY MR. POE OF TEXAS

At the end of subtitle D of title X, add the following new section:

**SEC. 1040. REQUIREMENT RELATING TO TRANSFER OF EXCESS DEPARTMENT OF DEFENSE EQUIPMENT TO FEDERAL AND STATE AGENCIES.**

Section 2576a of title 10, United States Code, is amended by adding at the end the following new subsection:

“(g) **PREFERENCE FOR BORDER SECURITY PURPOSES.**—(1) In transferring the items of personal property described in paragraph (2) under this section, the Secretary of Defense may give first preference to the Department of Homeland Security and then to Federal and State agencies that agree to use the property primarily for the purpose of strengthening border security along the southern border of the United States.

“(2) The items of personal property described in this paragraph are—

“(A) unmanned aerial vehicles;

“(B) the Aerostat radar system;

“(C) night-vision goggles; and

“(D) high mobility multi-purpose wheel vehicles (commonly known as ‘humvees’).”.

AMENDMENT NO. 11 OFFERED BY MS. CHENEY OF WYOMING

At the end of subtitle G of title XII, add the following new section:

**SEC. 12. PLAN TO ENHANCE THE EXTENDED DETERRENCE AND ASSURANCE CAPABILITIES OF THE UNITED STATES IN THE ASIA-PACIFIC REGION.**

(a) **FINDING.**—Congress recognizes that North Korea's first successful test of an intercontinental ballistic missile (ICBM) constitutes a grave and imminent threat to United States security and to the security of United States allies and partners in the Asia-Pacific region.

(b) **PLAN.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Commander of the United States Pacific Command and the Commander of the United States Strategic Command, shall submit to the congressional defense committees a plan to enhance the extended deterrence and assurance capabilities of the United States in the Asia-Pacific region.

(c) **MATTERS TO BE INCLUDED.**—Such plan shall include consideration of actions that will enhance United States security by strengthening deterrence of North Korean aggression and providing increased assurance to United States allies in the Asia-Pacific region, including the following:

(1) Increased visible presence of key United States military assets, such as missile defenses, long-range strike assets, and intermediate-range strike assets to the region.

(2) Increased military cooperation, exercises, and integration of defenses with allies in the region.

(3) Development and deployment of ground-based intermediate-range missiles, whether by allies or by the United States, if the United States were no longer bound by the limitations of the INF Treaty.

(4) Increased foreign military sales to allies in the region.

(5) Planning for, exercising, or deploying dual-capable aircraft to the region.

(6) Any necessary modifications to the United States nuclear force posture, including re-deployment of submarine-launched nuclear cruise missiles to the region.

(7) Such other actions the Secretary considers appropriate to strengthen extended deterrence and assurance in the region.

(d) **FORM.**—Such plan shall be submitted in unclassified form, but may contain a classified annex.

(e) **INF TREATY DEFINED.**—In this section, the term “INF Treaty” means the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988.

AMENDMENT NO. 19 OFFERED BY MR. POLIQUIN OF MAINE

Page 38, line 10, strike “not fewer than two” and insert “the two”.

Page 38, beginning on line 23, strike “the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) or”.

Page 39, line 2, strike the period and insert “and that was fully funded.”.

Page 39, after line 2, insert the following:

(d) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) destroyers authorized to be appropriated by the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) should be configured as Arleigh Burke class Flight IIA guided missile destroyers, as initially authorized in section 123 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1655); and

(2) the Department of the Navy should bear the majority risk associated with the share line on a covered destroyer.

AMENDMENT NO. 20 OFFERED BY MR. LARSEN OF WASHINGTON

Strike subsection (d) of section 211 and insert the following:

(d) **FORM OF CONTRACTS.**—

(1) **REQUIREMENT FOR FIXED-PRICE TYPE CONTRACTS.**—The contract awarded for the procurement of the unmodified commercial aircraft under the PAR program shall be a fixed price type contract.

(2) **ANALYSIS FOR FIXED-PRICE TYPE CONTRACTS.**—The Secretary of the Air Force shall work with the contractor and conduct an analysis of risk and explore opportunities to enter into additional fixed price type contracts for engineering and manufacturing development beyond the procurement of the unmodified commercial aircraft as described in paragraph (1).

AMENDMENT NO. 21 OFFERED BY MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

At the end of subtitle B of title II, add the following new section:

**SEC. 2. PILOT PROGRAM ON INNOVATIVE TECHNOLOGIES.**

The Secretary of Defense, in coordination with the Secretary of Energy, shall conduct a pilot program among defense laboratories (as defined in section 2199 of title 10, United States Code), national laboratories (as defined in section 188(f) of title 10, United States Code), and private entities to facilitate the licensure, transfer, and commercialization of innovative technologies.

AMENDMENT NO. 22 OFFERED BY MR. LOEBSACK OF IOWA

At the end of subtitle B of title II in division A, add the following:

**SEC. \_\_\_\_ . STEM(MM) JOBS ACTION PLAN.**

(a) **FINDINGS.**—Congress finds the following:

(1) Jobs in science, technology, engineering, and math in addition to maintenance and manufacturing (collectively referred to in this section as “STEM(MM)”) make up a significant portion of the workforce of the Department of Defense.

(2) These jobs exist within the organic industrial base, research, development, and engineering centers, life-cycle management

commands, and logistics centers of the Department.

(3) Vital to the continued support of the mission of all of the military services, the Department needs to maintain its STEM(MM) workforce.

(4) It is known that the demographics of personnel of the Department indicate that many of the STEM(MM) personnel of the Department will be eligible to retire in the next few years.

(5) Decisive action is needed to replace STEM(MM) personnel as they retire to ensure that the military does not further suffer a skill and knowledge gap and thus a serious readiness gap.

(b) ASSESSMENTS AND PLAN OF ACTION.—The Secretary of Defense, in conjunction with the Secretary of each military department, shall —

(1) perform an assessment of the STEM(MM) workforce for organizations within the Department of Defense, including the numbers and types of positions and the expectations for losses due to retirements and voluntary departures;

(2) identify the types and quantities of STEM(MM) jobs needed to support future mission work;

(3) determine the shortfall between lost STEM(MM) personnel and future requirements;

(4) analyze and explain the appropriateness and impact of using reimbursable and working capital fund dollars for new STEM(MM) hires;

(5) identify a plan of action to address the STEM(MM) jobs gap, including hiring strategies and timelines for replacement of STEM(MM) employees; and

(6) deliver to Congress, not later than December 31, 2018, a report specifying such plan of action.

AMENDMENT NO. 23 OFFERED BY MR. CASTRO OF TEXAS

At the end of subtitle B of title II, add the following new section:

**SEC. 2. APPROPRIATE USE OF AUTHORITY FOR PROTOTYPE PROJECTS.**

Section 2371b(d)(1)(A) of title 10, United States Code, is amended by inserting “or nonprofit research institution” after “defense contractor”.

AMENDMENT NO. 24 OFFERED BY MS. MENG OF NEW YORK

At the end of subtitle B of title II, add the following new section:

**SEC. 2. JET NOISE REDUCTION PROGRAM OF THE NAVY.**

(a) IN GENERAL.—The Secretary of the Navy, acting through the Director of the Office of Naval Research, may carry out a jet noise reduction program to study the physics of, and reduce, jet noise produced by high-performance military aircraft.

(b) ELEMENTS.—In carrying out the program under subsection (a), the Secretary may—

(1) identify material and non-material solutions to reduce jet noise;

(2) develop and transition such solutions to the fleet;

(3) communicate relevant discoveries to the civilian aviation community; and

(4) support the development of theoretical noise models, computational prediction tools, noise control strategies, diagnostic tools, and enhanced source localization.

AMENDMENT NO. 25 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

At the end of subtitle B of title II, add the following new section:

**SEC. 2. PROCESS FOR COORDINATION OF STUDIES AND ANALYSIS RESEARCH OF THE DEPARTMENT OF DEFENSE.**

The Secretary of Defense shall implement a Department of Defense-wide process under which the heads of the military departments and Defense Agencies responsible for managing requests for studies and analysis research are required to coordinate annual research requests and ongoing research efforts to minimize duplication and reduce costs.

AMENDMENT NO. 26 OFFERED BY MR. NORMAN OF SOUTH CAROLINA

Page 104, after line 6, insert the following:

**SEC. 337. COMPTROLLER GENERAL REVIEW OF DEPARTMENT OF DEFENSE COST MODELS USED IN MAKING PERSONNEL DECISIONS.**

(a) REVIEW REQUIRED.—The Comptroller General of the United States shall conduct a review of—

(1) the extent to which the Department of Defense has incorporated feedback and lessons learned from cost comparisons of the performance of Department of Defense functions by members of the Armed Forces, Department of Defense employees, and contractor personnel in making workforce decisions;

(2) the extent to which the Department has used such feedback and lessons learned to improve guidance, including DODI 7041.04 and the full cost of manpower tool; and

(3) any other related matter the Comptroller determines appropriate.

(b) REPORT AND BRIEFING.—

(1) BRIEFING.—Not later than March 1, 2018, the Comptroller General shall provide to the Committees on Armed Services of the Senate and House of Representatives an interim briefing on the review required by subsection (a).

(2) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to such committees a report on such review.

AMENDMENT NO. 27 OFFERED BY MR. MCKINLEY OF WEST VIRGINIA

At the end of subtitle E of title III, add the following new section:

**SEC. 345. INCREASE IN FUNDING FOR CIVIL MILITARY PROGRAMS.**

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for operation and maintenance, Defense-wide, as specified in the corresponding funding table in section 4301, for Civil Military Programs is hereby increased by \$25,000,000 (to be used in support of the National Guard Youth Challenge Program).

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for operation and maintenance, Defense-wide, as specified in the corresponding funding table in section 4301, for Operation and Maintenance, Defense-wide is hereby reduced by \$25,000,000.

AMENDMENT NO. 28 OFFERED BY MS. MENG OF NEW YORK

Page 108, after line 23, insert the following new section:

**SEC. 345. REPORT ON MATERNITY UNIFORMS.**

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall issue to the congressional defense committees a report regarding maternity uniforms for pregnant members of the Armed Forces.

(b) ELEMENTS.—The report under subsection (a) shall address the following:

(1) The design of maternity uniforms.

(2) Materials used in the fabrication of maternity uniforms.

(3) The sizing of maternity uniforms.

(4) Prices of maternity uniforms.

(5) The availability of maternity uniforms.

(6) The quality of maternity uniforms.

(7) The utility of maternity uniforms.

AMENDMENT NO. 29 OFFERED BY MR.

CARTWRIGHT OF PENNSYLVANIA

At the end of subtitle E of title III, add the following:

**SEC. 345. STATUS OF COMPLIANCE WITH PROCESS FOR COMMUNICATING AVAILABILITY OF SURPLUS AMMUNITION.**

Not later than 30 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall provide to the congressional defense committees a briefing on the status of compliance with section 344 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2084).

AMENDMENT NO. 30 OFFERED BY MR. PERRY OF PENNSYLVANIA

Page 115, line 21, strike “10” and insert “4.8”.

AMENDMENT NO. 31 OFFERED BY MS. HERRERA BEUTLER OF WASHINGTON

Page 126, after line 12, insert the following:

**SEC. 516. CONFIDENTIAL REVIEW OF CHARACTERIZATION OF TERMS OF DISCHARGE OF MEMBERS WHO ARE SURVIVORS OF SEX-RELATED OFFENSES.**

(a) CODIFICATION OF CURRENT CONFIDENTIAL PROCESS.—

(1) CODIFICATION.—Chapter 79 of title 10, United States Code, is amended by inserting after section 1554a a new section 1554b consisting of—

(A) a heading as follows:

“§ 1554b. Confidential review of characterization of terms of discharge of members of the armed forces who are survivors of sex-related offenses”; and

(B) a text consisting of the text of section 547 of the National Defense Authorization Act for Fiscal Year 2015 (10 U.S.C. 1553 note, Public Law 113-291).

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 79 of such title is amended by inserting after the item relating to section 1554a the following new item:

“1554b. Confidential review of characterization of terms of discharge of members of the armed forces who are survivors of sex-related offenses.”.

(3) CONFORMING REPEAL.—Section 547 of the National Defense Authorization Act for Fiscal Year 2015 (10 U.S.C. 1553 note, Public Law 113-291) is repealed.

(b) CLARIFICATION OF APPLICABILITY TO INDIVIDUALS WHO ALLEGE SEX-RELATED OFFENSES DURING MILITARY SERVICE.—Subsection (a) of section 1554b of title 10, United States Code, as added by subsection (a) of this section, is amended by striking “sex-related offense” and inserting the following: “sex-related offense, or alleges that the individual was the survivor of a sex-related offense.”.

(c) CONFORMING AMENDMENTS.—Section 1554b of title 10, United States Code, as added by subsection (a), is further amended—

(1) by striking “Armed Forces” each place it appears in subsections (a) and (b) and inserting “armed forces”;

(2) in subsection (a)—

(A) by striking “boards for the correction of military records of the military department concerned” and inserting “boards of



the military department concerned established in accordance with this chapter"; and

(B) by striking "such an offense" and inserting "a sex-related offense";

(3) in subsection (b), striking "boards for the correction of military records" in the matter preceding paragraph (1) and inserting "boards of the military department concerned established in accordance with this chapter"; and

(4) in subsection (e), as redesignated by subsection (d)(1)—

(B) in paragraph (1), by striking "title 10, United States Code" and inserting "this title"; and

(C) in paragraphs (2) and (3), by striking "such title" and inserting "this title".

AMENDMENT NO. 32 OFFERED BY MRS. WATSON COLEMAN OF NEW JERSEY

Page 146, after line 16, insert the following:

**SEC. 531. SEXUAL ASSAULT PREVENTION AND RESPONSE.**

(a) ARMY.—The Secretary of the Army, in coordination with the Chiefs of the National Guard Bureau and the Army Reserve shall—

(1) conduct an evaluation of staffing approaches used to administer the sexual assault prevention and response program in the Army National Guard and the Army Reserve. In conducting such evaluation, the Secretary consider opportunities to leverage resources across all Army components and shall conduct an assessment of the number and allocation of full-time and collateral-duty personnel, the fill rates for program positions, and the types of positions used; and

(2) direct the Chief of the Army Reserve to develop and implement an expedited line-of-duty determination process for Army Reserve sexual assault victims, along with a method for tracking the length of time to make the determinations, that ensure members of the Armed Forces who wish to file a confidential or restricted report are able to go through the determination process without disclosing their circumstances to the chain of command.

(b) SHARP PROGRAM OFFICE.—The Director of the SHARP Program Office of the Army National Guard shall—

(1) communicate and disseminate its guidance on budget development and execution for the SHARP program to all full-time SHARP program personnel;

(2) develop clear guidance on budget development and execution for the SHARP program and disseminate this guidance to its full-time SHARP program personnel; and

(3) expand the scope of the midyear review to include monitoring and providing oversight of SHARP program expenditures at the Army National Guard state and Army Reserve command level.

(c) NATIONAL GUARD BUREAU.—The Chief of the National Guard Bureau, in collaboration with the Secretaries of the military departments concerned, shall reassess the Office of Complex Administrative Investigation's timeliness and resources to determine how to improve the timeliness of processing sexual assault investigations involving members of the Army National Guard and identify the resources needed to improve the timeliness of such investigations.

AMENDMENT NO. 33 OFFERED BY MR. JENKINS OF WEST VIRGINIA

At the end of subtitle E of title III, add the following new section:

**SEC. 3. INCREASE IN FUNDING FOR NATIONAL GUARD COUNTER-DRUG PROGRAMS.**

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in di-

vision D, the amount authorized to be appropriated in section 1403 for drug interdiction and counter-drug activities, Defense-wide, as specified in the corresponding funding table in section 4501, for drug interdiction and counter-drug activities, Defense-wide, is hereby increased by \$10,000,000 (to be used in support of the National Guard counter-drug programs).

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for research, development, test, and evaluation, Defense-wide, as specified in the corresponding funding table in section 4201, for Operational System Development, Global Command and Control System, Line 210, is hereby reduced by \$10,000,000.

AMENDMENT NO. 34 OFFERED BY MR. GOWDY OF SOUTH CAROLINA

Page 116, line 1, after "Representatives" insert the following: "and the Committee on Oversight and Government Reform of the House of Representatives".

AMENDMENT NO. 35 OFFERED BY MR. CRAWFORD OF ARKANSAS

Page 125, after line 2, insert the following new section:

**SEC. 505. DESIGNATING THE EXPLOSIVE ORDNANCE DISPOSAL CORPS AS A BASIC BRANCH OF THE ARMY.**

Section 3063(a) of title 10, United States Code, is amended—

(1) in paragraph (12), by striking "and";

(2) by redesignating paragraph (13) as paragraph (14); and

(3) by inserting after paragraph (12) the following new paragraph (13):

"(13) Explosive Ordnance Disposal Corps; and".

The Acting CHAIR. Pursuant to House Resolution 440, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Florida (Mr. MAST), a combat veteran.

Mr. MAST. Mr. Chairman, I rise today because veteran suicide is an epidemic. Nearly every week, I hear from a veteran who is thinking about taking their own life—maybe walking into their garage, turning on their car, and never coming out.

That is why I introduced the Oath of Exit, and why I urge you to pass this bill as a part of the National Defense Authorization Act. The bill creates a voluntary operation oath for members of the Armed Forces with a specific aim of reducing veteran suicide.

The idea for this bill came from friends of mine who have struggled with suicidal thoughts since leaving the military—people like my friend Boone; people who have actually been there on the edge.

I think we all know that, throughout our lives, the most important commitments that we make are spoken—whether it is an oath upon joining the military, the vows at our wedding, or saying the Pledge of Allegiance—and this verbal commitment to reach out

to a brother- or sister-in-arms is important, as well.

Mr. Chairman, integrity is more than a word to a servicemember. So, if we commit that we will reach out to a brother or a sister because we need help, then we will do it.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN).

Mrs. WATSON COLEMAN. Mr. Chairman, I thank Mr. SMITH for including my amendment en bloc and for allowing me to speak on it today.

Mr. Chairman, among the amendments under consideration in this en bloc measure is one that I have authored to address various challenges to the Army, National Guard, and Army Reserve sexual assault prevention and response programs.

While sexual assault among our Active Duty forces has been a frequent topic of discussion, I rise today to draw attention to the same issue that remains just as prevalent within our Reserve component forces.

More than half a million members currently serve in the Army Guard and Reserve. Hundreds of incidents of sexual assault are reported each year, and it is estimated that several hundred more go unreported.

The Reserve components of the Army continue to suffer from staffing imbalances, poor budget management, and slow investigations that delay access to care for hundreds of sexual assault victims. My amendment directs the Department of Defense to take steps to address these issues.

Sexual violence is a criminal behavior, and it has no place in our military.

We must regain the trust of the servicemembers, who have been brave enough to come forward to report those crimes, by bettering our military justice system.

Congress has a responsibility to protect the servicemembers who make immeasurable sacrifices to serve and protect our country. We must foster a system that encourages servicemembers to seek help and care, and that protects the very people who keep our Nation safe.

Mr. Chairman, I urge adoption of the amendment.

Mr. THORNBERRY. Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I am pleased to yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, I thank the gentleman from Washington and the gentleman from Texas for their leadership, making their way through a very important action on behalf of the American people, and that is the defense authorization. I thank them for the amendments that were made en bloc, and I hope to speak quickly about these important amendments.

I am very grateful. Over the years, I have consistently introduced the triple negative breast cancer amendment because of the many women in the United States military who benefit from the research necessary.

My amendment authorizes and encourages increased collaboration between the DOD and the National Institutes of Health regarding combating triple negative breast cancer.

It has a particular impact on African-American women, but it impacts White women, Hispanic women, and others, as well. This is a serious illness that affects between 10 to 17 percent of female breast cancer patients and is more likely to cause death.

My amendment would help to save lives. I am delighted because this would impact Active-Duty women, as well as veterans; but, in particular, Active-Duty women with testing. It affects women under 50 years of age, and, therefore, women who would be in the United States military.

I am very grateful for the acceptance of the South Sudan amendment. My amendment directs the Department of Defense to prepare contingency plans to assist relief organizations and delivery of humanitarian assistance efforts in South Sudan and to engage in consultation with South Sudan military counterparts to deescalate conflict.

Famine in South Sudan has been created by conflict. On February 20, 2017, famine was declared formally in two counties of Unity State. 100,000 people will be in jeopardy of dying from famine. It has come about between the conflicts between the President and his former Chief of Staff, or his former Vice President.

We need to have the engagement to save lives, and I thank the support for this amendment.

Likewise, the North Korean ICBMs. As I was in Europe, during the Fourth of July, my amendment, in particular, supports upholding the goals of the 1963 Treaty Banning Nuclear Weapon Tests in the atmosphere, in outer space, and under water; addresses the fact that our Nation should take the next step in preparing for a nuclear North Korea; and establishes that the stakes may be far greater.

We have all been discussing the question of North Korea and ICBMs. We have to be studious in assessing it.

Let me also say, however, that I am disappointed that the amendment dealing with the AUMF on North Korea did not get in. I believe it is an important issue that we must be concerned about.

I want to continue to work with the committee on PTSD and ensuring that, even though authorized, more funding can come. I had asked for \$2.5 million.

And then I want to indicate the importance of recognizing, in light of the large footprint that Russia now has in its effort to undermine the democracy in this country, that we be very con-

cerned about recruitment of college students by foreign agents.

I had an amendment for us to be concerned about that. I look forward to working with the committee. I plan to introduce this as legislation because a young man by the name of Glenn Shriver, an outstanding college student, majoring in international relations at a college in Michigan, while doing a study abroad in China, developed an interest in Chinese culture, and he was sought after by the Chinese.

I also want to work with the committee on addressing the question of elections for our soldiers.

And, finally, I want to make sure that we stop cyber attacks by foreign entities into our elections.

But, I am asking support for my amendment on the Korea ICBMs, the Triple-Negative Breast Cancer, and the support of helping humanitarian aid get to South Sudan.

Mr. Chair, I thank the ranking member and chairman, and I ask support for my amendments.

Mr. Chair, I want to thank Chairman THORBERRY and Ranking Member SMITH for shepherding this legislation to the floor and for their devotion to the men and women of the Armed Forces who risk their lives to keep our nation safe.

I especially wish to thank the Chairman and Ranking Member for including Jackson Lee Amendment No. 56 in the Chairman's En Bloc Amendment to H.R. 2810, the National Defense Authorization Act for FY2018.

This Jackson Lee Amendment authorizes and encourages increased collaboration between the DOD and the National Institutes of Health (NIH) to combat Triple Negative Breast Cancer.

"Triple Negative Breast Cancer" is a term used to describe breast cancers whose cells do not have estrogen receptors and progesterone receptors, and do not have an excess of the "HER2" protein on their cell membrane of tumor cells.

This makes commonly used test and methods to detect breast cancer not as effective.

This is a serious illness that effects between 10–17 percent of female breast cancer patients and this condition is more likely to cause death than the most common form of breast cancer.

Seventy percent of women with metastatic triple negative breast cancer do not live more than five years after being diagnosed.

The Jackson Lee Amendment will help to save lives.

TNBC disproportionately impacts younger women, African American women, Hispanic/Latina women, and women with a "BRCA1C" genetic mutation, which is also prevalent in Jewish women.

TNBC usually affects women under 50 years of age and makes up more than 30 percent of all breast cancer diagnoses in African American.

African American women are far more susceptible to this dangerous subtype than white or Hispanic women.

The collaboration between the Department of Defense and NIH to combat Triple Negative

Breast Cancer can support the development of multiple targeted therapies for this devastating disease.

A Triple negative breast cancer is a specific strain of breast cancer for which no targeted treatment is available.

The American Cancer Society calls this particular strain of breast cancer "an aggressive subtype associated with lower survival rates."

Triple negative breast cancer is a term used to describe breast cancers whose cells do not have estrogen receptors and progesterone receptors, and do not have an excess of the HER2 protein on their cell membrane of tumor cells.

In 2011, the Centers for Disease Control predicted that year 26,840 black women would be diagnosed with TNBC.

The overall incidence rate of breast cancer is 10 percent lower in African American women than white women.

African American women have a five year survival rate of 78 percent after diagnosis as compared to 90 percent for white women.

The incidence rate of breast cancer among women under 45 is higher for African American women compared to white women.

Triple Negative Breast Cancer cells account for between 13 percent and 25 percent of all breast cancer in the United States and are usually of a higher grade and size, are more aggressive and more likely to metastasize, and onset at a much younger age.

Currently, 70 percent of women with metastatic triple negative breast cancer do not live more than five years after being diagnosed.

African American women are 3 times more likely to develop triple-negative breast cancer than white women.

African-American women have prevalence TNBC of 26 percent versus 16 percent in non-African-Americans women.

African-American women are more likely to be diagnosed with larger tumors and more advanced stages of breast cancer.

Currently there is no targeted treatment for TNBC exists.

Breast cancers with specific, targeted treatment methods, such as hormone and gene based strains, have higher survival rates than the triple negative subtype, highlighting the need for a targeted treatment.

Because there continues to be a need for research funding for biomarker selection, drug discovery, and clinical trial designs that will lead to the early detection of TNBC and to the development of multiple targeted therapies to treat this awful disease, the Jackson Lee Amendment is essential to paving a way for advancements in these areas.

That is why I am pleased that Jackson Lee Amendment No. 56 has been included in the Chairman's En Bloc Amendment and I urge all Members to join me in voting for its adoption.

I also wish to thank the Chairman and Ranking Member for including Jackson Lee Amendment No. 168 in the Chairman's En Bloc Amendment to H.R. 2810, the National Defense Authorization Act for FY2018.

This Jackson Lee Amendment directs the Department of Defense to prepare contingency plans to assist relief organizations in delivery of humanitarian assistance efforts in South Sudan and to engage in consultation with South Sudan military counterparts to deescalate conflict.

As a member of the South Sudan Caucus, and the sponsor of H.R. 48, the "Equal Rights and Access for the Women of South Sudan Act," I have long advocated and supported emergency assistance to South Sudan, the world's newest nation, located in the center of Africa and bordered by six countries.

Such emergency assistance is desperately needed now to respond to the famine in South Sudan.

On February 20, 2017 famine was declared formally in two counties of Unity State, which is located in the northern region of South Sudan.

The United Nations currently estimates that more than 100,000 people in two Unity State counties are directly affected by the famine.

In addition, food security experts are concerned that famine will spread.

According to expert analyses, in the absence of urgent humanitarian action, as many as 4.9 million South Sudanese, about 40 percent of the country's population, face the grim and certain prospect of starvation.

In 1998 the region suffered from a famine spurred by civil war and approximately 70,000 to several hundred thousand people died during that famine.

Although South Sudan has previously experienced widespread food insecurity, the present famine crisis is different because it is almost entirely man-made.

South Sudan is rich in oil, but following decades of civil war it is also one of the least developed regions on earth—only 15 percent of its citizens own a mobile phone and there are very few tarmac roads in an area larger in land mass than Spain and Portugal combined.

This makes the Nile River, which flows through regional centers, an important transport and trade route.

Since South Sudan overwhelmingly voted to break away from Sudan in 2011, the government's main concern has been to get oil flowing following disagreements with the regime in Khartoum.

There have been a few small armed rebellions, border clashes and deadly cattle feuds but these have all taken place far from the capital city of Juba.

Signs of friction within the governing party, Sudan People's Liberation Movement (SPLM), came when President Salva Kiir, an ethnic Dinka, the country's largest group, fired his deputy Riek Machar, who is from the second largest tribe, the Nuer.

President Kiir believes Mr. Machar was behind a coup plot to oust him and seize power.

Mr. Machar denies the accusations, but has publicly criticized Mr. Kiir for failing to tackle corruption and vowed to challenge President Kiir for leadership of the SPLM.

It is not clear what led to the breach in their relationship but what started out as a political squabble has escalated into ethnic violence.

The loyalties of the South Sudan army are divided with each of the principals commanding significant military support and forces loyal to each man have clashed around the country.

And some of the most intense fighting has taken place in areas where famine is most severe.

Compounding matters, South Sudan is awash with guns after decades of conflict and

there is a history of ethnic tension for politicians to exploit if they believe that could help them gain, or remain in, power.

Complicating this situation is the fact that while the Government of South Sudan has reportedly promised access to the most at-risk areas, humanitarian organizations remain unable to provide vital food, water and shelter in many locations.

The actions of South Sudan Government in prohibiting humanitarian assistance from getting to starving communities has undermined the most proactive attempts by the United States and others to address what has now become a famine.

The Jackson Lee Amendment directs the Department of Defense to prepare contingency plans to assist relief organizations delivering humanitarian assistance and consult with South Sudan's military leaders to deescalate intra-party conflict, put petty disputes aside, and to put the well-being of the South Sudan people first.

Mr. Chair, let me conclude by observing that while bringing an end to the civil war and humanitarian relief the famine-stricken in South Sudan must be our first order of business, it is also very important to note that all of us who worked to secure its independence want the country to succeed and become a productive and constructive member of the community of nations.

That is why I have reintroduced the "Equal Rights and Access for the Women of South Sudan Act" (H.R. 48), which promotes the human rights of women in South Sudan as the country transitions to a long-term government and to ensure women enjoy the right to participate fully in the political and economic life of the country.

Despite its newly won independence women in South Sudan continue to face brutal violations of their human rights.

A lack of infrastructure as well as gender inequality has the potential to regress much of the progress that has been made in South Sudan.

Such a lack of human development factors only furthers the marginalization of women in South Sudan.

The "Equal Rights and Access for the Women of South Sudan Act" puts equal rights and access for the women of South Sudan at the forefront by:

1. Encouraging the appointment of women to high level positions within Republic of South Sudan Government;

2. Ensuring that a significant portion of United States development, humanitarian, and relief assistance is channeled to local and United States-based South Sudanese organizations, particularly South Sudanese women's organizations;

3. Providing long-term financial assistance for primary, secondary, higher, nontraditional, and vocational education for South Sudanese girls, women, boys, and men;

4. Providing financial assistance to build health infrastructure and deliver high-quality comprehensive health care programs, including primary, maternal, child, reproductive, and mental health care;

5. Requiring military training regarding the protection, rights, and particular needs of women and emphasizing that violations of

women's rights are intolerable and should be prosecuted; and

6. Taking all necessary steps to ensure that internally displaced South Sudanese women are directly receiving food aid, shelter, relief supplies, and other services from United States-sponsored programs.

Mr. Chair, as a nation, we should support the Republic of South Sudan in its efforts to become a freer, more equitable society that respects, supports, and endorses the rights of women.

That is why I am pleased that Jackson Lee Amendment No. 168 has been included in the Chairman's En Bloc Amendment and I urge all Members to join me in voting for its adoption.

Mr. Chair, thank you for allowing me the opportunity to explain the Jackson Lee Amendment No. 83, as designated by the Rule governing debate on H.R. 2810, the National Defense Authorization Act for FY2018.

This Jackson Lee Amendment directs the Secretary of Defense to develop measures to defend against deployment of nuclear ICBMs by North Korea to protect against damage or destruction of satellites critical to U.S. national defense and global communications, International Space Station, and other vital assets.

I request the support of my colleagues for this Jackson Lee Amendment because it: upholds the goals of the 1963 Treaty Banning Nuclear Weapon Tests in the atmosphere, in outer space, and underwater; addresses the fact that our nation should take the next step in preparing for a nuclear North Korea; establishes that the stakes may be far greater than a nuclear North Korea when they may have the capacity to launch a device using an ICBM, because of our nation's dependence on the global telecommunications infrastructure that includes Geo-stationary satellites as well as its implications for Space Stations and our space program; and may have serious consequences for a range of environmental factors that are critical to the health and wellbeing of our planet.

On July 4th, our nation's Independence Day, the U.S. confirmed that North Korea had achieved a major step toward its objective of delivering a nuclear weapon as far as U.S. shores.

This test represents a new escalation of the threat that a nuclear North Korea poses to the United States and our interest.

The launch of Hwasong-14 missile reached a range of approximately 4160 miles, a distance capable of reaching Alaska, according to experts.

The timing of this test launch was confirmed as a calculated insult when North Korean Leader Kim Jong-Un stated that the missile was a "gift to Americans for the July 4th Anniversary."

The United States must attempt to manage this situation and retain the peace in the region.

We understand the end to the Korean War was a Armistice Agreement signed in 1953, that put into place a cease fire.

North Korea still views itself as being at war with the United States.

Otto Warmbier, an American college student who died days following his release from a North Korean prison was held as a prisoner of war.

Given the unstable nature of the North Korean government, which has political purges in recent years that included members of North Korean President's Kim Jongun's family we can hold little hope for cooperation that is essential to avoid unintended conflicts and reduce tensions with its neighbors.

A nuclear-armed North Korea does not mean that country will be able to shoulder the burden of managing a responsible nuclear weapons program, given their single minded pursuit of a nuclear armed ICBM.

Nuclear arms programs are not always safe or easy for the nation attempting to develop weapons.

The United States had its share of near disasters.

For example, in 1961, a B-52 Stratofortress carrying two 4-megaton Mark 39 nuclear bombs broke up in mid-air, dropping its nuclear payload in the process over North Carolina.

Fortunately, neither bomb detonated averting a catastrophic nuclear incident at our own hands.

North Korea's program poses a danger to the entire Korean Peninsula, Japan, and the Asia Pacific region because it insists on using the world as its nuclear testing ground.

Even if an unarmed ICBM should land in a populated area, this could trigger a conflict.

If North Korea decides to test nuclear weapons on its ICBM rockets this poses serious problems for peace and stability not only that region of the world, but the United States as well.

Since the entry of the space age, America has lead and we now rely on the fruits of our investments in manned and unmanned missions to support a global telecommunications infrastructure; a permanent research presence in the International Space Station; plans for going much further.

A nuclear North Korea armed with ICBMs can put all of that in jeopardy.

We also have interest in the environment within our atmosphere, but also the physical environment that envelopes the earth.

One component of the earth's space environment that protects against solar radiation is called the Van Allen Belts.

The Van Allen belts present another factor to be considered when talking about North Korea's nuclear program.

The Van Allen belts may respond to incoming solar radiation and is known to change size.

The primary benefit to people on earth is they protect us from solar radiation.

Should North Korea's tests of ICBM include nuclear devices of significant size this could pose risks to not only our satellites, space stations, but extend to the Van Allen Belts.

This Jackson Lee amendment allows for a deliberative approach to addressing the potential for a nuclear North Korea.

This amendment works to develop plans to develop effective countermeasures to the threat that North Korea's nuclear program presents.

I ask that my Colleagues join me in support of this Amendment.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Pennsylvania (Mr. SMUCKER).

Mr. SMUCKER. Mr. Chairman, I rise today to urge my colleagues to support my bipartisan amendment, introduced with Representative GOTTHEIMER and Representative SINEMA.

This amendment would expand opportunities for Active-Duty military men and women to learn career skills and provide education that would assist them as they transition back to civilian life.

The current United Services Military Apprenticeship Program is an effective program that provides this employer specific training. But, that program is only offered to the Navy, Marine Corps, and Coast Guard, which is less than half of our uniformed services personnel.

This amendment expands the program to offer it to any member of U.S. uniformed services—Army, Navy, Marine Corps, Air Force, Coast Guard, National Oceanic and Atmospheric Administration, and the Public Health Service.

We should make it easier for these brave men and women who have served to transition to civilian life with a steady job, and, at the same time, infuse our workforce with the strong leadership skills that the military can provide.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. SCHNEIDER).

Mr. SCHNEIDER. Mr. Chairman, I thank my colleague from Washington for yielding.

Mr. Chairman, I rise today to voice my support for my amendment to the National Defense Authorization Act.

Our men and women in uniform are not immune from the epidemic of opioid addiction, an abuse that is ravaging our country. In fact, the National Institutes of Health reports opioid misuse are higher among servicemembers than among civilians, due to the use of these drugs to treat the symptoms of PTSD and chronic pain.

Our brave servicemembers have earned our gratitude and deserve our highest quality of care. We need to do all we can to ensure our military doctors are equipped with the most up-to-date, best practices to help fight back against this disease.

This amendment requires medical professionals in the Department of Defense that prescribe opioids for pain management to undertake 12 hours of training every 3 years in order to prevent overprescribing and better identify and treat abuse.

I urge my colleagues to join me in supporting this commonsense amendment to ensure that our Active-Duty military get the medical care they truly deserve.

Mr. THORNBERRY. Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield 1 minute to the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM).

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I rise today in support of my amendment, which encourages partnerships between the DOD, DOE, and the private sector, to facilitate the licensure, transfer, and commercialization of innovative technologies.

We cannot let groundbreaking research and new technologies in our Nation's Federal laboratories sit idle when they have the potential to reenergize domestic manufacturing, create high-paying jobs, and transform our economy.

It is not government or private sector, it is government and private sector working together to create opportunities that have led to the development of many products in the marketplace today, including batteries powering electric vehicles, internet servers, and GPS.

Both the DOD and DOE have separate programs that support technology transfer to the private sector, but they don't work very well together. My amendment would fix that and ensure that these departments are actively collaborating to support the commercialization of cutting-edge technologies and make them more widely available to American businesses and consumers.

Mr. Chair, I urge my colleagues' support.

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Mr. SMITH of Washington. Mr. Chairman, I have no further speakers, and I urge adoption of the amendments en bloc.

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

Mr. THORNBERRY. Mr. Chairman, I, too, urge adoption of the amendments en bloc, and I yield back the balance of my time.

Mr. POE of Texas. Mr. Chair, my amendment is similar to an amendment of mine that passed the House 243-180 in the FY2017 NDAA. This amendment mirrors language that I have introduced called the SEND Act.

While the Department of Homeland Security—not the Department of Defense—is tasked with maintaining the safety of our southern border, it has long received help and assistance from the DOD and our military.

One of the ways the DOD helps the border patrol is through the transfer of equipment it deems "excess" to its needs.

Under current law, the transfer of this "excess" equipment already gives preference to counterdrug, counterterrorism, and border security activities.

My amendment simply takes that preference a step further, giving border security preference for a few specific pieces of equipment which are particularly useful for border security applications: unmanned surveillance vehicles including Aerostat blimps, night-vision goggles, and Humvees.

The border patrol is the first and last line of defense against those criminal gangs.

In my home state of Texas, and in other border states like New Mexico and Arizona,

the war against the cartels is an ongoing affair. Cartels are involved in labor and sex slavery.

Just last week in Southern Texas, border patrol agents raided a home to find 37 illegal immigrants, including three children.

These men, women and children were being held by cartel drug runners for ransom.

I've been to the border countless times, Mr. Chair.

I've spoken with the men and women who have sworn to protect the good folks of Texas, Arizona, and New Mexico from the dangerous people who cross the southern border.

A Texas Ranger told me that they are outmanned, outgunned, out-financed and out-equipped by the drug cartels.

I've heard firsthand the need these men and women have for new equipment, specifically the equipment I just listed.

In fact when I recently visited the border in April, I met with the Border Patrol in the Rio Grande sector and they informed me that in areas where they were using Aerostat surveillance blimps, crossings were way down.

When asked what we could do to help the sector, the answer was clear: More Aerostat blimps.

Well, that is what we are trying to do here with this amendment, Mr. Chair.

This idea isn't new. In 2010, with our help, the excess equipment program sent 6 excess military Humvees to Texas Border Sheriffs. Often, before this transfer, the border sheriffs were forced to chase the drug cartels in Crown Victorias.

This amendment mandates that DOD give border security applicants an additional preference for the equipment listed in this amendment.

I've heard from our agents down on the border and this is the equipment they need.

Let's put this "excess" equipment to use on the southern border in the war against the drug cartels and help bring security, peace of mind, and more safety to those Americans living in the area.

The Acting CHAIR (Mr. MARSHALL). The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 2 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 440, I offer additional amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2 consisting of amendment Nos. 36, 37, 38, 39, 40, 41, 42, 44, 45, 46, 47, 48, 50, 51, 52, and 53 printed in House Report 115-217, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 36 OFFERED BY MR. KILDEE OF MICHIGAN

Page 155, after line 5, insert the following new section:

**SEC. 544. ANNUAL TRAINING REGARDING THE INFLUENCE CAMPAIGN OF THE RUSSIAN FEDERATION.**

In addition to any currently mandated training, the Secretary of Defense may furnish annual training to all members of the

Armed Forces and all civilian employees of the Department of Defense, regarding attempts by the Russian Federation and its proxies and agents to influence and recruit members of the Armed Forces as part of its influence campaign.

AMENDMENT NO. 37 OFFERED BY MR. TAYLOR OF VIRGINIA

Page 155, after line 5, insert the following new section:

**SEC. 544. PROGRAM TO ASSIST MEMBERS IN OBTAINING PROFESSIONAL CREDENTIALS.**

Section 2015(a)(1) of title 10, United States Code, is amended by striking "and" and inserting "or".

AMENDMENT NO. 38 OFFERED BY MR. SMUCKER OF PENNSYLVANIA

Page 155, after line 5, insert the following new section:

**SEC. 544. EXPANDING ELIGIBILITY FOR THE UNITED STATES MILITARY APPRENTICESHIP PROGRAM.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall expand eligibility for the United Services Military Apprenticeship Program to include any member of the uniformed services.

(b) DEFINITION.—In this section, the term "uniformed services" has the meaning given such term in section 101 of title 10, United States Code.

AMENDMENT NO. 39 OFFERED BY MS. MENG OF NEW YORK

At the end of subtitle E of title V in division A, add the following new section:

**SEC. \_\_\_\_\_. ENHANCING MILITARY CHILDCARE PROGRAMS AND ACTIVITIES OF THE DEPARTMENT OF DEFENSE.**

(a) HOURS OF OPERATION OF CHILDCARE DEVELOPMENT CENTERS OF THE DEPARTMENT OF DEFENSE.—

(1) IN GENERAL.—The hours of operation of each childcare development center (CDC) of the Department of Defense shall, to the extent practicable, be set and maintained in manner that takes into account the demands and circumstances of members of the Armed Forces, including members of the reserve components, who use such center in facilitation of the performance of their military duties.

(2) MATTERS TO BE TAKEN INTO ACCOUNT.—The demands and circumstances to be taken into account under paragraph (1) for purposes of setting and maintaining the hours of operation of a childcare development center shall include the following:

(A) Mission requirements of units whose members use such center.

(B) The unpredictability of work schedules, and fluctuations in day-to-day work hours, of such members.

(C) The potential for frequent and prolonged absences of such members for training, operations, and deployments.

(D) The location of such center on the military installation concerned, including the location in connection with duty locations of members and applicable military family housing.

(E) The geographic separation of such members from their extended family.

(F) The extent to which spouses of such members are employed or pursuing educational opportunities, whether on a full-time basis or a part-time basis.

(G) Such other matters as the Secretary of the military department concerned considers appropriate for purposes of this section.

(b) CHILDCARE COORDINATORS FOR MILITARY INSTALLATIONS.—

(1) CHILDCARE COORDINATORS.—Each Secretary of a military department shall provide for a childcare coordinator at each military installation under the jurisdiction of such Secretary at which are stationed significant numbers of members of the Armed Forces with accompanying dependent children, as determined by such Secretary.

(2) NATURE OF POSITION.—The childcare coordinator for a military installation may be an individual appointed to that position on full-time or part-time basis or an individual appointed to another position whose duties in such other position are consistent with the discharge by the person of the duties of childcare coordinator.

(3) DUTIES.—Each childcare coordinator for an installation shall carry out the duties as follows:

(A) Act as an advocate for military families at the installation on childcare matters both on-installation and off-installation.

(B) Work with the commander of the installation in order to seek to ensure that the childcare development centers at the installation, together with any other available childcare options on or in the vicinity of the installation—

(i) provide a quality of care (including a caregiver-to-child ratio) commensurate with best practices of private providers of childcare services; and

(ii) are responsive to the childcare needs of members stationed at the installation and their families.

(C) Work with private providers of childcare services in the vicinity of the installation in order to—

(i) track vacancies in the childcare facilities of such providers;

(ii) seek to obtain favorable prices for the use of such services by members stationed at the installation; and

(iii) otherwise ease the use of such services by such members.

(D) Such other duties as the Secretary of the military department concerned shall specify.

AMENDMENT NO. 40 OFFERED BY MR. MEADOWS OF NORTH CAROLINA

At the end of subtitle F of title V, insert the following new section:

**SEC. 5 \_\_\_\_\_. AWARD OF VIETNAM SERVICE MEDAL TO VETERANS WHO PARTICIPATED IN MAYAGUEZ RESCUE OPERATION.**

(a) AWARD AUTHORIZED.—The Secretary of the military department concerned shall, upon the application by or on behalf of an individual who is an eligible veteran, award that individual the Vietnam Service Medal, notwithstanding any otherwise applicable requirements for the award of that medal. Any such award shall be made in lieu of any Armed Forces Expeditionary Medal awarded the individual for the individual's participation in the Mayaguez rescue operation.

(b) TREATMENT OF DECEASED VETERANS.—In the case of a veteran who is deceased, the application described in subsection (a) may be submitted by the next of kin of the veteran.

(c) ELIGIBLE VETERAN.—For purposes of this section, the term "eligible veteran" means a veteran of the Armed Forces—

(1) who was awarded the Armed Forces Expeditionary Medal for participation in military operations known as the Mayaguez rescue operation of May 12-15, 1975; or

(2) who participated in such operation.

AMENDMENT NO. 41 OFFERED BY MR. LANCE OF NEW JERSEY

At the end of subtitle F of title V, add the following new section:

**SEC. 5. AWARD OF MEDALS OR OTHER COMMENDATIONS TO HANDLERS OF MILITARY WORKING DOGS AND MILITARY WORKING DOGS.**

(a) PROGRAM OF AWARD REQUIRED.—Each Secretary of a military department shall carry out a program to provide for the award of one or more medals or other commendations to handlers of military working dogs, and to military working dogs, under the jurisdiction of such Secretary to recognize valor or meritorious achievement by such handlers and dogs.

(b) MEDAL AND COMMENDATIONS.—Any medal or commendation awarded pursuant to a program under subsection (a) shall be of such design, and include such elements, as the Secretary of the military department concerned shall specify.

(c) REGULATIONS.—Medals and commendations shall be awarded under programs under subsection (a) in accordance with regulations prescribed by the Secretary of Defense for purposes of this section.

AMENDMENT NO. 42 OFFERED BY MR. GRAVES OF LOUISIANA

Page 170, after line 14, insert the following new section:

**SEC. 564. ELIGIBILITY OF VETERANS OF OPERATION END SWEEP FOR VIETNAM SERVICE MEDAL.**

The Secretary of the military department concerned shall, upon the application of an individual who is a veteran who participated in Operation End Sweep, award that individual the Vietnam Service Medal, notwithstanding any otherwise applicable requirements for the award of that medal.

AMENDMENT NO. 44 OFFERED BY MR. SOTO OF FLORIDA

Page 170, after line 14, insert the following new section:

**SEC. 564. EXPEDITED REPLACEMENT OF MILITARY DECORATIONS FOR VETERANS OF WORLD WAR II AND THE KOREAN WAR.**

Section 1135 of title 10, United States Code, is amended—

(1) in subsection (b), by striking “When” and inserting “Subject to subsection (c), when”;

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following new subsection (c):

“(c) RECIPIENTS OF MILITARY DECORATIONS FOR SERVICE IN WORLD WAR II OR THE KOREAN WAR.—If the recipient was awarded the military decoration for which a replacement is requested for service in World War II or the Korean War, the Secretary concerned shall perform all actions described—

“(1) in subsection (b)(1) in not more than 180 days; and

“(2) in subsection (b)(2) in not more than 60 days.”.

AMENDMENT NO. 45 OFFERED BY MR. HECK OF WASHINGTON

At the end of subtitle G of title V, add the following new section:

**SEC. 575. PROOF OF PERIOD OF MILITARY SERVICE FOR PURPOSES OF INTEREST RATE LIMITATION UNDER THE SERVICEMEMBERS CIVIL RELIEF ACT.**

Section 207(b)(1) of the Servicemembers Civil Relief Act (50 U.S.C. 3937(b)(1)) is amended to read as follows:

“(1) PROOF OF MILITARY SERVICE.—

“(A) IN GENERAL.—Not later than 180 days after the date of a servicemember’s termi-

nation or release from military service, in order for an obligation or liability of the servicemember to be subject to the interest rate limitation in subsection (a), the servicemember shall provide to the creditor written notice and a copy of—

“(i) the military orders calling the servicemember to military service and any orders further extending military service; or

“(ii) any other appropriate indicator of military service, including a certified letter from a commanding officer.

“(B) INDEPENDENT VERIFICATION BY CREDITOR.—

“(i) IN GENERAL.—Regardless of whether a servicemember has provided to a creditor the written notice and documentation under subparagraph (A), the creditor may use, in lieu of such notice and documentation, information retrieved from the Defense Manpower Database Center through the creditor’s normal business reviews of the Database Center for purposes of obtaining information indicating that the servicemember is on active duty.

“(ii) SAFE HARBOR.—A creditor that uses the information retrieved from the Defense Manpower Database Center under clause (i) with respect to a servicemember has not failed to treat the debt of the servicemember in accordance with subsection (a) if—

“(I) such information indicates that, on the date the creditor retrieves such information, the servicemember is not on active duty; and

“(II) the creditor has not, as of such date, received the written notice and documentation required under subparagraph (A) with respect to the servicemember.”.

AMENDMENT NO. 46 OFFERED BY MS. ESTY OF CONNECTICUT

Page 175, after line 24, insert the following new section:

**SEC. 575. REPORT REGARDING POSSIBLE IMPROVEMENTS TO PROCESSING RETIREMENTS AND MEDICAL DISCHARGES.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall issue a report to the congressional defense committees and the Committees on Veterans’ Affairs of the Senate and House of Representatives regarding possible improvements to the transition of members of the Armed Forces to veteran status.

(b) ELEMENTS.—The report under subsection (a) shall address the following:

(1) Feasibility of requiring members of the Armed Forces to apply for benefits administered by the Secretary of Veterans Affairs before such members complete discharge from the Armed Forces.

(2) Feasibility of requiring members of the Armed Forces to undergo compensation and pension examinations (to be administered by the Secretary of Defense) for purposes of obtaining benefits described in paragraph (1) before such members complete discharge from active duty in the Armed Forces.

(3) Possible improvements to the timeliness of the process for transitioning members who undergo medical discharge to care provided by the Secretary of Veterans Affairs.

AMENDMENT NO. 47 OFFERED BY MR. MAST OF FLORIDA

Page 175, after line 24, insert the following:

**SEC. 5. ESTABLISHMENT OF SEPARATION OATH FOR MEMBERS OF THE ARMED FORCES.**

(a) FINDINGS.—Congress makes the following findings:

(1) The United States Armed Forces is the largest, all-volunteer military force in the world, yet less than one percent of the American population serves in the Armed Forces.

(2) Each branch of the Armed Forces (Army, Navy, Air Force, Marine Corps, Coast Guard) instills in its members a sense of duty and obligation to the United States, their branch of service, and their comrades-in-arms.

(3) The Department of Veterans Affairs estimates that approximately 20 veterans of the Armed Forces commit suicide each day and a veteran’s risk of suicide is 21 percent higher compared to an adult who has not served in the Armed Forces.

(4) The Department of Veterans Affairs is aggressively undertaking measures to prevent these tragic outcomes, yet suicide rates among veterans remain unacceptably high.

(5) Upon enlistment or appointment in the Armed Forces, a new member is obligated to take an oath of office or oath of enlistment.

(6) Most members of the Armed Forces view this oath not as an imposition, but as a promise that they are bound to fulfill.

(b) ESTABLISHMENT OF SEPARATION OATH.—Section 502 of title 10, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c) and, in such subsection, by striking “The oath” and inserting “An oath established by this section”; and

(2) by inserting after subsection (a) the following new subsection (b):

“(b) SEPARATION OATH.—Prior to retirement or other separation from the armed forces, other than separation pursuant to the sentence of a court-martial, a member of an armed force may take the following oath:

“‘I, \_\_\_\_\_, recognizing that my oath to support and defend the Constitution of the United States against all enemies, foreign and domestic, has involved me and my fellow members in experiences that few persons, other than our peers, can understand, do solemnly swear (or affirm) to continue to be the keeper of my brothers- and sisters-in-arms and protector of the United States and the Constitution; to preserve the values I have learned; to maintain my body and my mind; and to not bring harm to myself without speaking to my fellow veterans first. I take this oath freely and without purpose of evasion, so help me God.’”.

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 502 of title 10, United States Code, is amended to read as follows:

**“§ 502. Enlistment oath and separation oath: who may administer”.**

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 31 of title 10, United States Code, is amended by striking the item relating to section 502 and inserting the following new item:

“502. Enlistment oath and separation oath: who may administer.”.

AMENDMENT NO. 48 OFFERED BY MRS. WATSON COLEMAN OF NEW JERSEY

Page 175, after line 24, insert the following new section:



**SEC. 575. EXTENSION OF REPORTING REQUIREMENT REGARDING DIVERSITY IN MILITARY LEADERSHIP.**

Section 115a(g) of title 10, United States Code, is amended by striking “2017” and inserting “2022”.

Strike section 1051(a)(2) (page 376, lines 4 through 10).

Page 396, after line 4, insert the following: 4

(5) ANNUAL DEFENSE MANPOWER REQUIREMENTS REPORT.—By inserting after paragraph (64), as added by paragraph (4), the following new paragraph:

“(65) Section 115a.”.

AMENDMENT NO. 50 OFFERED BY MR. DONOVAN  
OF NEW YORK

Page 185, after line 19, insert the following new section:

**SEC. 605. REEVALUATION OF BAH FOR THE MILITARY HOUSING AREA INCLUDING STATEN ISLAND.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, using the most recent data available to the Secretary, shall reevaluate the basic housing allowance prescribed under section 403(b) of title 37, United States Code, for the military housing area that includes Staten Island, New York.

AMENDMENT NO. 51 OFFERED BY MR. TROTT OF  
MICHIGAN

At the end of subtitle B of title VI, insert the following new section:

**SEC. 619. IMPROVED EMPLOYMENT ASSISTANCE FOR MEMBERS OF THE ARMED FORCES AND VETERANS.**

(a) IMPROVED EMPLOYMENT SKILLS VERIFICATION.—Section 1143(a) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “The Secretary of Defense”; and

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

“(2) In order to improve the accuracy and completeness of a certification or verification of job skills and experience required by paragraph (1), the Secretary of Defense and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy shall—

“(A) establish a database to record all training performed by members of the armed forces that may have application to employment in the civilian sector; and

“(B) make unclassified information regarding such information available to States and other potential employers referred to in subsection (c) so that State and other entities may allow military training to satisfy licensing or certification requirements to engage in a civilian profession.”.

(b) IMPROVED ACCURACY OF CERTIFICATES OF TRAINING AND SKILLS.—Section 1143(a) of title 10, United States Code, is further amended by inserting after paragraph (2), as added by subsection (a), the following new paragraph:

“(3) The Secretary of Defense and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy shall ensure that a certification or verification of job skills and experience required by paragraph (1) is rendered in such a way that States and other potential employers can confirm the accuracy and authenticity of the certification or verification.”.

(c) IMPROVED RESPONSIVENESS TO CERTIFICATION REQUESTS.—Section 1143(c) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “For the purpose”; and

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

“(2) A State may use a certification or verification of job skills and experience provided to a member of the armed forces under subsection (a) and request the Department of Defense or the Coast Guard, as the case may be, to confirm the accuracy and authenticity of the certification or verification. A response confirming or denying the information shall be provided within five business days.”.

(d) IMPROVED NOTICE TO MEMBERS.—Section 1142(b)(4)(A) of title 10, United States Code, is amended by inserting before the semicolon the following: “, including State-submitted and approved lists of military training and skills that satisfy occupational certifications and licenses”.

AMENDMENT NO. 52 OFFERED BY MR. COURTNEY  
OF CONNECTICUT

At the end of subtitle A of title VII, add the following new section:

**SEC. 704. EXPANSION OF SEXUAL TRAUMA COUNSELING AND TREATMENT FOR MEMBERS OF THE RESERVE COMPONENTS.**

Section 1720D(a)(2)(A) of title 38, United States Code, is amended—

(1) by striking “on active duty”; and

(2) by inserting before the period at the end the following: “that was suffered by the member while serving on active duty, active duty for training, or inactive duty training.”.

AMENDMENT NO. 53 OFFERED BY MR. SCHNEIDER  
OF ILLINOIS

At the end of subtitle B of title VII in division A, add the following:

**SEC. —. TRAINING REQUIREMENT FOR HEALTH CARE PROFESSIONALS PRESCRIBING OPIOIDS FOR TREATMENT OF PAIN IN THE ARMED FORCES.**

(a) IN GENERAL.—(1) The Secretary of Defense shall ensure that to serve as a health care professional in the Department of Defense as an individual who is authorized to prescribe or otherwise dispense opioids for the treatment of pain, the professional (other than a pharmacist) must comply with the 12-hour training requirement of paragraph (2) at least once during each 3-year period or be licensed in a State that requires equivalent (or greater) training described in paragraph (2) with respect to the prescribing or dispensing of opioids for the treatment of pain.

(2) The training requirement of this paragraph is that the professional has completed not less than 12 hours of training (through classroom situations, seminars at professional society meetings, electronic communications, or otherwise) with respect to—

(A) pain management treatment guidelines and best practices;

(B) early detection of opioid addiction; and

(C) the treatment and management of opioid-dependent patients.

that is provided by the American Society of Addiction Medicine, the American Academy of Addiction Psychiatry, the American Medical Association, the American Osteopathic Association, the American Psychiatric Association, the American Academy of Pain Management, the American Pain Society, the American Academy of Pain Medicine, the American Board of Pain Medicine, the American Society of Interventional Pain Physicians, or any other organization that the Secretary of Defense determines is appropriate for purposes of this subsection.

(b) ESTABLISHMENT OF TRAINING MODULES.—(1) The Secretary of Defense shall establish or support the establishment of one or more training modules to be used to meet the training requirement under subsection (a).

(2) To be eligible to receive support under paragraph (1), an entity shall be—

(A) one of the organizations listed in paragraph (2) of subsection (a); or

(B) any other organization that the Secretary determines is appropriate to provide training under such subsection.

The Acting CHAIR. Pursuant to House Resolution 440, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, this en bloc package consists of a variety of amendments from Members from both sides of the aisle. I believe that they deserve the support of the House. I recommend adoption of the en bloc package.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I agree with the chairman. I support the en bloc package, and I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

Mr. THORNBERRY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SMUCKER) having assumed the chair, Mr. MARSHALL, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereon.

**ISSUES OF THE DAY**

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, it is my privilege and honor to address you here from the floor of the House of Representatives in this great deliberative body that has been deliberating all day long in the markup of the National Defense Authorization Act.

The work that is done, especially by the members of the Armed Services Committee, goes deeply into the destiny and the future of America. They have to look at the whole globe and the whole budget, and they have to look at the equipment that is out there and the technology that is developing, and



it is a heavy responsibility to present this NDAA authorization bill to the floor.

Often, there are efforts that are made to turn it into a political bill, rather than the bill that can defend America, and ensure that we have the best military that the world has ever seen, and the best equipment for the best military the world has ever seen, and the best standards to uphold the best people, the nobility of the United States military.

So I want to compliment especially the members of the committee and the chairman for his work and the work that has been done here on this floor. They are going to take a deep breath and tomorrow will bring this thing back to the floor for a vote and a potential final passage.

I came to the floor to address a bit different topic, and I may revert back to the NDAA, and I actually intend to do that, Mr. Speaker. But I have wanted to come to this floor for some time to discuss the circumstances going on here in the United States of America and an issue that has been very important to me for a long time; and that is the issue of the United States of America getting to the point where we finally declare a language, our English language, as the official language of the United States.

I sat down once, and I went through the—when we had the World Book Encyclopedia, before the internet, more or less, eroded the ubiquitousness—that means everywhere—the World Book Encyclopedia was everywhere in the country and many places in the world.

I looked through—I took a 1979 almanac, and I looked at all the flags for all the countries in the world, and I looked up every single country to find out, do they have an official language, or don't they? And from that 1979 almanac, and some of the countries have changed since then, but every single country in the world had an official language, at least one of them, except for the United States of America.

As I studied this, and it comes to me, the more I look at history, the more I look at the forces that move the world and the people in it, often it is the culture; it is the cultural foundation that moves policy in America, and in every country in the world.

The culture lives in the hearts and minds of its people; and what is in the hearts and minds of its people is, if you are members of a nation state, what binds us together is having a common experience, a common cause, common enemies, perhaps, a common sense of history, a common sense of struggle, a common sense of economic ties, and also, a common language.

A common language is the most powerful unifying force anywhere in the world throughout all of history, even more powerful than religion, and reli-

gion is a very powerful unifying force, and sometimes it can be a dividing force.

But of those powerful unifying forces we have, it might be race, it might be ethnicity, it might be national origin, it can be those things. It could be religion, but all of these components go together to make your culture, and the binding force that we have proven in this country over and over and over again is the common language.

Some years ago, just one floor down, out that door, I sat down with several ambassadors to the United States from Israel, and I remarked to them that they had established Hebrew as their official language in 1954. The country was approved by the motion in the United Nations in 1948, and 6 years later, the Israelis established Hebrew as their official language.

I asked them: Why did you do that? Hebrew was a dead language. It was essentially a language only of prayer for 2,000 years. But they resurrected that language and decided we are going to make it the common form of communications currency in Israel in order to bind the Israelis together. And so they did.

They deployed the Hebrew language in the streets of Israel. In fact, there weren't any streets in Tel Aviv at the time. They created Tel Aviv also as a manufactured city to add to the glory of Israel. But as the people walked in the streets, they decided we are going to embrace this language of Hebrew. So it is today the language of the Israeli people, Hebrew.

Why did you do that? And their answer to me was: We looked at the United States. We knew we were going to be assimilating people from many countries in the world, maybe even all countries in the world, and they would come from all races, all ethnicities, all national origins, coming back because—primarily they were attracted back because they were of Jewish faith, many of them by Jewish blood and heritage; but they came into Israel, and they needed to be bound together as Israelis. And the best way to bind them together—these are smart people—was a common language.

And a common language that was unique was helpful, also. It gave them the distinction and the pride that they would have of the nationalism of being Israelis. And so Hebrew became the official language of the fresh new nation state Israel just 6 years after it was formed.

I was not astonished by that, but I was very impressed by the wisdom that they used to apply the necessity of a common language to bind them together so that they could be one people.

I went there, and I traveled, and I looked at what they were doing. They had brought in several hundred people from Ethiopia to come into the Israeli

society, and they get 6 months to study Hebrew and to be assimilated into the broader Israeli economy.

Those who come to Israel that are not literate in their own language, they first had to teach them to read and write in the language that was native to them, their natural language, and then they taught them Hebrew and converted them into being able to read and write and speak in Hebrew. But they got 6 months to do that, and then out into the world they went. That is a pretty fast assimilation process.

But I don't know if there is a country since, other than the United States, that has done a better job of assimilating people from everywhere in the world into one society than has happened in Israel.

Mr. Speaker, I would say that I never, ever hear anybody talk about divisions within Israelis. I don't hear them speaking, well, you are an African Israeli or a German Israeli or a Russian Israeli. There are a lot of them, but they see themselves as Israelis. They have a common language, common culture, and they are pulled together out of a need to have a common defense and a common cause.

That is the model that they created by looking at the model of the United States of America because we had been so successful in assimilating people into this country and binding us together by having a common language; that common language, a common form of communications currency that allows us to communicate with every American everywhere, to walk into any city council meeting, any county supervisor's meeting, any State legislature, any discussions that go on here in the House, in the Senate, any meetings that go on within the government buildings in the Federal and the State and the political subdivisions thereof. All of our meetings take place in English. Anybody that speaks English can walk in there and understand them.

That is the policy that brought us together as a people. That is the policy that was so admired by the Israelis that they emulated it. Yet we sit here still the only country in the world, by the measure that I described, of the World Book Encyclopedia and the 1979 almanac, at least, the only country in the world that doesn't have at least one official language.

We have a common language that is English. We need to make our official language English, and, of course, I have introduced legislation, Mr. Speaker, to do that. It is H.R. 997; it has been H.R. 997 since I came to this Congress, and one day we are going to see a President sign that bill, and it might very well be this President we have today, President Trump. He has spoken in favor of official English, and I certainly agree with him on this. But it is more than this.

When President Bill Clinton introduced the executive order, I believe it is 13166—and I am operating from a dusty memory here. Perhaps I have got it on a note. But let's go with 13166. That executive order directed that any government facility that is there needs to accommodate any language request that comes from anybody who walks into a Federal building or a State building or any government service. It just runs up the cost of our government in an unnecessary way.

The idea, I suppose, is, well, we are going to make it easy for people who have trouble understanding English; and so if we do that, eventually they will pick up and learn and understand English, and they will assimilate into society because, after all, every other generation, every other people that has come into America has assimilated into our society.

□ 1930

But when you change the rules and you change the format and you take away the incentive, then you can't expect to have the same result.

And how it was, was that people were brought into this country and they were immersed into the American culture and the American civilization.

For example, my grandmother came to the United States from Germany and she spoke only German. My father went to school, kindergarten—one of seven siblings altogether, number three in line—speaking German. He was quite confused on his first day of kindergarten, even though “kindergarten” is a German word. And when he came home from school that day, he walked into the house and said “hello” to his mother in German. My grandmother, his mother, Freda Catrina Johanna Harm King, said to her son: Emmett, speaking German in this household is for you from now on verboten. I came here to become an American. That means speaking English, and you will go to school and learn English, and you will bring it home and you will teach it to me.

So my father had spoken his last words of German in that household, and he went to school and learned English, and he brought it home and taught it to his mother, and she learned English from her son and her sons, but primarily my father. That was an expression of gratitude to the country that had embraced her and welcomed her, and she embraced this country, the United States of America. And of the six sons that she raised and a daughter, one of the sons was physically unable to serve, four of the remaining five went back to fight against the fatherland. And my father went to the South Pacific for 2½ years to fight the Japanese, and came home weighing 115 pounds on U.S. rations with a lot of stories that he never told. That was the way she thanked the host country, the

United States of America. And there I sat growing up in a small town in Iowa being told: You hit the jackpot, Steve. You were born into the greatest country on the face of the Earth. You could not have been born anyplace better than this. The United States of America is the greatest country in the world, and you need to pay back this country that so welcomed the people that have come here.

Well, I want to continue to do that by tying together our society and our civilization, knitting us together, and English is the very best way to do that. We can eliminate the billions of dollars that we are unnecessarily spending by proliferating other languages within our government.

I think it is important that people learn multiple languages. It is important, especially in this world that we are in today where we have got so much foreign trade and so much foreign travel and so many foreign visitors into this country. I do a significant amount of travel myself. But to try to promote other languages to be spoken on the streets of America or confuse our students by catering to the language that is the language of their home rather than the language of the streets, then we end up with ethnic enclaves and people that really don't embrace the American culture and the American civilization.

I was quite struck by the book that was written by Winston Churchill called “A History of the English-Speaking Peoples.” I carefully read through that book forward and back. It took me quite a while to get through it carefully. I absorbed it and soaked it up. When I finished the book, I remember it was about 1:30 in the morning, and I looked up at the ceiling, and I thought: Huh. Wherever the English-speaking peoples have gone, by reading Churchill's book, freedom has accompanied the English language. How did that happen?

The concept of freedom is carried by the English language all over the world. And if you look where the British have gone, as far away as India where they taught English, and you look at the African continent where the English language has been established, you see that freedom is more likely to be found in the English-speaking peoples than of any other speaking peoples on the planet.

Is that some kind of coincidence? Or is there something about our language that carries freedom with it? Or is it about the people that carry the language that understand the concept of God-given liberty, and then they transport that God-given liberty and that freedom to the countries that they are settling, that they are contributing technology and science and medicine and literature and academics to and economy to?

I think it is a couple of things.

One is the British had enough confidence in their culture and their civilization to export it to the rest of the world. And we as Americans, up until the last generation or so, have had enough confidence in our culture and civilization to export it to the rest of the world. And the rest of the world has embraced our values, and we have seen it happen over and over again.

I point out Ataturk in Turkey, who, for 40 years, moved Turkey to the West, and the prosperity in the nation-state of Turkey improved the closer they got to the West.

I recall seeing pictures recently in Afghanistan from the 1960s, when the women wore Western clothing and there was a lot more civility in Afghanistan and more prosperity in Afghanistan.

I sat with the son of the Shah of Iran just a couple of months ago, and we had an engaging conversation. We have met several times along the way throughout the years. His father, the Shah, was moving Iran to the West. The women were uncovered; they wore Western clothes, and their education was accelerated, and they were moving into the Western world, and they had significantly more prosperity than they have today. Part of that was English language, part of that was culture, part of it is the Western civilization that we are.

But we wouldn't have a Western civilization if we didn't have an English language that helps to tie that together. And the Western civilization itself is rooted in the real estate where the very footprint of Christianity laid the foundation for civilization, and most times it is the English language that is part of that, that ties that together. And where it doesn't exist, they have more troubles than where it does exist.

So I tip my hat to Winston Churchill for the wisdom that came together in his book. I want to reiterate, Mr. Speaker, that he never wrote that the English language took freedom to the rest of the world. He just wrote about the history of what happened to the rest of the world when the English-speaking peoples engaged themselves with the rest of the world.

However, there is another intellect from the United Kingdom, Daniel Hannan. Daniel Hannan is a member of the European Parliament. He has written a book that goes even deeper and takes a bigger bite out of this. He says that, as a member of the European Parliament, he will put his earphones on to listen to the interpreted versions as they are using different language. By the way, English is the official language of the European Union, and he has an understanding and he is at least, I will say, at a minimum, marginally fluent in multiple languages. And as he listened to the interpreters interpret into other languages, he would take that earphone back away from him and he

would listen to the language they were using, and then he would hear the interpretation in the other ear.

He said that what he learned was that other languages didn't have the utility to express the concept of freedom that the English language has. I believe he is right on that.

So our concept of freedom and liberty, at least theoretically and by the theory of Daniel Hannan and my own, cannot be carried in any other language. And the English language does carry freedom. It expresses it like it can't be expressed in any other language because our history goes back to the Magna Carta. By the way, the Romans, who laid the foundation for a republican form of government and the rule of law, had a significant imprint on what is the United Kingdom today, Old England, and the English language that emerged from that brought many of our values to us.

If America had been formed by any other culture or any other civilization, any other language, we wouldn't be the country we are today. We wouldn't have the Declaration of Independence that we have. We are very unlikely to have this concept of life, liberty, and the pursuit of happiness. And we are very unlikely—and I will say it would be almost impossible—to conceive of a Bill of Rights that would give us the pillars of American exceptionalism, almost all of them packaged up in the Bill of Rights.

This came from our history, our culture, the derivatives of Mosaic law, Greek age of reason, the Roman rule of law, the Roman republican form of government that flowed up into England and into other parts in Europe and came about over here to the United States of America at the dawn of the industrial revolution with unlimited natural resources, a concept of manifest destiny, a Judeo-Christian foundation of beliefs and morality.

America was a giant Petri dish that was formed by, I believe, the hand of God that shaped this Nation and the foundations of this Nation. I would defy anyone, challenge anyone to reverse engineer America and come up with a better product than we have today.

But our principles, our values that came to us are essential to the future of our country as well. It is not just enough to look at our history and think—well, here is what some of my colleagues believe in, and I have trouble with that. They believe that society evolves, and this evolution of society can't be reversed, it can't be changed. It is essentially the product that comes because of time and technology and the force of human nature. So they are often looking at this on both sides of the aisle, but I just take some blame over here on the Republican side of the aisle, too, and they are kind of looking over their shoulder

thinking: I am their leader. So I better get in front of this society and see where it is going because it is not going to revert back. The fundamental principles can be changed, too.

Well, I disagree, Mr. Speaker. I think what was a sin 2,000 years ago is a sin today. Fundamental principles are fundamental principles. The pillars of American exceptionalism are the pillars of American exceptionalism; and if we mess with them, if we alter them, we better come up with a good and a strong argument about why we should change these pillars of American exceptionalism. We can't just simply dish it off and say: Well, society has moved away from a man and a woman joined together in holy matrimony, so the family doesn't matter anymore, or we can redefine it to be something else. We can't just say, even though technology has proven without a doubt to us that human life begins at the moment of conception, that we can ignore that scientific fact and set aside the immorality of abortion and somehow our Nation is going to be blessed.

We can't ignore the idea that even though Adam Smith wrote his book on "The Wealth of Nations" published in what a glorious year, 1776, and he laid out the fundamental principles of free enterprise that inspired this country and a world. We can't just disregard those principles and decide that, well, we can have now college students that reject free enterprise and embrace socialism and managed economies on the basis of what? On the basis of some kind of belief that free enterprise and capitalism victimizes people because some people get rich and other people don't get so rich? You can be a socialist, you can be a Marxist, but you have to believe it is a zero sum game if you are one of those folks, and then you are about redistributing the wealth, but the wealth ends up in the hands of the elitists—the leftist elitists. And if you believe in free enterprise and a meritocracy, then you know that the pie gets bigger. The more people create, the bigger the pie gets. The bigger the pie gets, the more people are prosperous.

It is an axiom for the world that when technology is invented and deployed, on average, it improves the standard of living of everybody. Some marginally, some not even noticeably, many a lot. But it moves the world into a modern place.

How could we think that whatever we had for net assets, or let me say—well, that is fine. Whatever we had for net assets in the year 1900 are not the net assets that we had in the year 2000, and not the net assets we have in the year 2017. We didn't have a lot of inventions in the year 1900 in comparison to what we have today. It was a smelly place, it was a dirty place, it was a dangerous place. There was no modern medicine. People died of diseases and the garbage

got dumped out the windows, and the sewage ran in the streets, and we had invented the steam engine, and we were on the cusp of an airplane and a locomotive—well, we had locomotives by then. And we were on the cusp of airplanes and automobiles.

□ 1945

Modern medicine hadn't emerged. Pharmaceuticals hadn't emerged. Surely, the internet had not. All of the technology that has been developed in the last century has made our efforts far more efficient.

Back in the days when we were subsistence farmers and you had to spend 8, 10, 12 hours a day to try to raise a crop to feed you and your family and you had very little left to sell or to trade, our time was occupied with staying alive.

I have a cousin who spent 8 years in Honduras near Tegucigalpa in the Peace Corps. He was struggling to try to get them to raise 10 bushels of corn per acre, and we were raising 100 bushels at home at the time. I said: "Jim, why don't you bring some seed corn down there? Why don't you bring some nitrogen fertilizer down there? What is the capability of that soil?"

He said: "Oh, it is a 100-bushel soil and 100-bushel climate."

"Cannot you bring them into the modern world? That is what you are doing down there."

And his answer was: "No, my biggest task is to keep them from having to eat their seed corn."

Well, we moved along a lot faster in our society today. We have done genetic engineering, GMO products. We have gone from their 10 bushels an acre now to 300 bushels. We are on the way to 300-bushel corn. We can feed 7 billion people on the planet, and we will be prepared to feed 9 billion people on the planet as well, Mr. Speaker.

But technology has always moved us forward. It has always put us in a place where the standard of living for the world was improved, whether it was medicine, where not only our standard of living, our quality of life and the length of our life has been improved dramatically over the last couple of generations, or the technology that comes from this iPhone that is here, that has far more storage capacity and computer capacity in it than was in *Apollo 13* that went to the Moon, and it saves us time. We communicate in real time. It has changed our lives.

When I started my construction business, we all had to go in to eat lunch at noon, and we had 12 until 1 when we sat by the telephone and ate our lunch because that is when we communicated and reset our afternoon. We didn't have any other way to communicate with each other other than to be by that landline phone. And when they rolled that landline phone out, maybe 40 years earlier or so, we were pretty

happy to have that because we had to go talk to people face-to-face to communicate.

Now if you send out an email and it is one that needs an action on it, if you don't get an answer back in 15, 20 minutes or 30 minutes, you think, well, that person is not a very good businessman or -woman if they are not answering their email, they are not answering their texts.

So now we make decisions on the fly. It is real time. Our efficiency is far much better because the communications are far much better. That is what has happened with technology. That is what has happened to move us into the modern era of the world.

But we still have this thing that is culture and civilization. We still have this thing that is language. And I know that the argument has been made to me that one day we will just hold up our iPhone and someone who speaks another language, it will come back and it will be interpreted into our ears, and we will be able to understand what they say.

And I think that will happen. I think that will happen, but I don't think we should overvalue what that means. Because if we are going to walk around and listen to our iPhone even when we are looking at people face-to-face and eye-to-eye, and if there is a delay in the interpretation—and there will be that delay, that will last indefinitely—we still have those pieces of our culture and our civilization that are instantaneous.

When people speak to us, we need to be able to hear and understand their voice inflections. We need to watch the body language and timing with the voice inflections. We need to pick up the slang and the vernacular that is used within the communities that we are. A nation needs to be able to do that in real time, instantaneously. And when we can do that, we are bound together and suspicion dissipates and unity comes together.

That is why America needs to establish English as the official language, because it is our common language. We are extraordinarily blessed to have English as our common language, and we can eliminate, then, the billions of dollars that we spend as we hire interpreters, and we slow down our process. And if we establish English as the official language, we will accelerate the learning of our language all across this land.

I mean, I don't know why in the world Spanish is in the airport in LaGuardia, for example. That is a long ways away from any country that speaks Spanish, but that is up there in dual signs, in English and in Spanish as you walk through the LaGuardia Airport.

As I am in a foreign country, I sometimes try to learn the language; and if they have got dual signs up there, I

will try to read the sign to learn that other language while I am there. But I also know this: my eyes always revert to the language that I know and that I am comfortable with, and for me it is English.

When we put multiple languages on our signs in this country, it just helps facilitate for people—it takes away their desire to learn a foreign language. And so I am a strong supporter of English as the official language, H.R. 997, and I urge its movement here—and cosponsorship is necessary, of course—to finally get a vote on English as the official language here in the floor of the House of Representatives.

Mr. Speaker, I spent 6 years on this project in the State of Iowa, and I brought it three different ways in three different general assemblies. And finally, in the last term that I was there, I was able to—well, I didn't get to see the bill signed into law because the Governor wasn't thrilled about the bill-signing ceremony, but he signed it nonetheless, and it is the situation in Iowa and in nearly 30 States in this country that have adopted English as their official language.

The bill that I have introduced here is a mirror of the bill that is now law in Iowa. We did have to sue once on it and litigate, but it was because the secretary of state was determined to violate the law. He got pulled back in order. Otherwise, there would have been no litigation on the legislation itself. It has happened smoothly, and it has been a useful utility.

It saved money in the State of Iowa. It saved money in every State where English is the official language, and it is time for this Congress to adopt that a majority of the States have established English as the official language. I intend to continue beating this drum until such time as it becomes law, and at that point, then I will begin the celebration myself, Mr. Speaker.

I was about to change subjects, but I will carry on for just a moment.

I should also say that English is the language of success. Those who have developed proficiency in the English language do better than those who don't. We are seeing people who are sometimes three generations into America without learning the official language.

I recognize my friend from Tennessee has arrived and I yield to the gentleman from Tennessee, Mr. JIM COOPER.

Mr. COOPER. I thank the gentleman from Iowa for yielding.

PERMISSION TO REVISE REMARKS ON  
AMENDMENT NO. 15

Mr. COOPER. Mr. Speaker, I ask unanimous consent that I may be permitted to revise my remarks, made during consideration of amendment No. 15 in the Committee of the Whole earlier today, beyond technical, grammatical, and typographical corrections.

The SPEAKER pro tempore (Mr. MARSHALL). Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. I thank my friend from Iowa for yielding.

Mr. KING of Iowa. Reclaiming my time, I am always happy to yield to the gentleman from Tennessee, and I appreciate his contribution to the United States Congress while I have served here, and each year that he has been here as well.

Mr. Speaker, I would like to shift gears a little bit now and address the circumstances of the NDAA debate that has taken place.

I want to express my disappointment with some of the decisions that were made, some of the votes on the amendments, and also decisions that came from the Rules Committee.

Last year, in the authorization of the National Defense Authorization Act, I offered a number of amendments that were made in order, and I brought them here to the floor. We had a legitimate debate on those amendments, and I appreciate the ability to do that. But I also want to reiterate that this is a deliberative Congress, and Members have a right to be on this floor and to debate and to vote.

The Rules Committee's job is to make sure that that is in an orderly fashion, and I recognize that when you have well over 100 amendments that are offered, we could be here a long time if everyone debated those.

I would also point out that there was a unanimous consent agreement that was negotiated here a little bit ago, and the chairman, Mr. THORNBERRY, made the unanimous consent request that the balance of the amendments that weren't debated today would be approved en bloc. I supported that, and I verbally voted in support of it. That is a process that we do here.

But the amendments that I offered before the Rules Committee, all four of them, every single one of them was turned down, even a couple of them that I offered last year that were debated here on the floor.

The first one was an amendment, and it is this: ensuring that no funds under the NDAA would be used to enlist DACA aliens—Deferred Action for Childhood Arrivals was how President Obama listed it—to ensure that no funds will be used to enlist illegal aliens into our military, including our DACA personnel, into the United States military when they only consider them through the MAVNI program, which is to try to find special skill sets that aren't available in the United States. That is what the MAVNI program is about.

But President Obama, I will say, distorted that program, Mr. Speaker, and he began to push the DACA recipients through there. Well, DACA is unconstitutional. The Deferred Action for

Childhood Arrivals, as he named it, is unconstitutional. President Obama, 22 times, told the world that he didn't have the constitutional authority to grant amnesty to people who came into America, at least allegedly, before they were 18 years old—22 times.

The last time that I recall was at a high school here in Washington, D.C., which was only 2 or 3 weeks before he issued this policy, which was in September of 2014, to grant a quasi—and I will say an unconstitutional legal status to the Deferred Action for Childhood Arrivals.

Now, it has been my position, conviction, and belief that if we reward lawbreakers, we get more lawbreakers. And it was the conviction of President Obama that he didn't have the constitutional authority to reward these lawbreakers. In his lecture to the high school students shortly before he implemented this policy, President Obama said: No, you are smart students. You know that there are three branches of government.

Article I is the legislative branch; they pass the laws. Article II is the executive branch, which he headed at the time. They enforce the laws. Article III are the courts, and they interpret the laws. That is about as clear and concise as it gets. And President Obama was an adjunct professor who taught constitutional law at the University of Chicago.

I would take issue with some of his constitutional interpretations, but I would not take issue with that one. He was right. He had no constitutional authority to award a de facto amnesty to people who attested that they were brought into this country maybe against their will, without their knowledge, or too young to be held accountable, to reward them with a path to citizenship.

But that is what this NDAA legislation fails to do is to strike out this language that was implemented by President Obama in September of 2014 that rewards people who attest that they came into America illegally, committed the crime of unlawful entry into the United States, criminals who then stepped up into the military and applied to go into the military and took an oath to support and defend our Constitution after they broke our laws.

They had to lie to get into the military, so they committed the crime of unlawful entry. They lied to get into the military, and then they took an oath to support and defend the Constitution.

Well, two of those three things are wrong at least. But did they mean it when they took the oath to support and defend the Constitution? Can you trust them if they violated our immigration laws and then lied about that in order to get into the military?

This President set about rewarding those kind of lawbreakers, those crimi-

nals, by granting them a path to citizenship because they signed up in the military.

I simply offered an amendment at the Rules Committee to be able to debate this on the floor of the House of Representatives so Congress could bring its considered judgment.

Now, I have an oath that I have taken, and that is to support and defend the Constitution of the United States, too, Mr. Speaker. When I see a bill come before me that, on its face, rewards lawbreakers under a policy that is a constitutional violation, one that Secretary Kelly said as recently as this morning he doesn't believe that the constitutionality of this can be upheld, and he doesn't expect that the Justice Department is going to defend it, and he anticipates that there will be a suit that will be filed—and I will tell you the specific date is September 5—that I believe will successfully litigate and put an end to this DACA program.

This Congress, every Member of this United States Congress has taken an oath to support and defend the Constitution of the United States—every one. And I don't think there is a single one that stood there and had their fingers crossed behind their back as they took their oath and said: "Oh, unless I don't like it, it makes me politically uncomfortable, or unless I have some sympathy for the people that might be facing the enforcement of this supreme law of the land, the Constitution of the United States."

□ 2000

They don't get to cross their fingers behind their back and make an oath that they don't mean. So when we take this oath—all 435 of us in the House and 100 of us in the Senate—we better mean it. We better believe what we say because we tell our constituents: You send me to Washington, D.C., send me to represent you in the United States Congress, and I will uphold the Constitution. That is the number one duty, to uphold the Constitution.

Well, in this Constitution, to support and defend it, I tell you it requires the President to preserve, protect, and defend the Constitution of the United States, and, under the Take Care Clause, take care that the laws are faithfully executed. That doesn't mean kill off the law. It means enforce the law.

The President has violated the Constitution. Now the Rules Committee denied the ability of the House of Representatives to strike this out of the policy that exists under the authorization now of the National Defense Authorization Act. They are asking me to vote for this bill even though it violates a principle that was encompassed in our oath and a principle that was encompassed in everyone's oath.

Not only did we not get to put these Members of Congress up on a vote and

challenge them afterwards as to whether their conscience is clear and whether they meant it when they took an oath to support and defend the Constitution, we don't get to have the debate. We don't get to have the vote.

So here is the National Defense Authorization Act all ready for a final passage to come to the floor tomorrow with unconstitutional components encompassed within it, that being something that Barack Obama 22 times said was unconstitutional, and we don't even get a debate or a vote here on the floor of the House of Representatives. That is amendment No. 1, Mr. Speaker. That troubles me a lot.

Second, a simple amendment that I brought last year ensuring that funds are not used to house UACs on military installations—unaccompanied alien children. When unaccompanied alien minors come into the United States illegally, they are violating Federal law. They are committing the crime of unlawful entry into the United States. They are facing up to 1 year in prison if we convict them and sentence them to the maximum of the law for one unlawful entry into the United States. We had a policy that existed under the Barack Obama administration to start to house them on our military bases.

Our military bases are for our national security. They are not there to be babysitting for children who are under 18—so they say—to house them on those bases to weaken our defense capability and interrupt the process of our military. We need that amendment to clean up another mistake of the Obama administration, and it was denied by the Rules Committee.

So we don't get to have a debate. We could very well have an administration that just continues the old process going of housing unaccompanied alien minors—illegal aliens—on the bases in America consuming our military resources for something like that. I disagree. I don't think they should be housed on our bases.

By the way, we ought to be picking them up at the border and sending them back to the country they came from. That is what every other nation does or should do. Those that don't are making colossal mistakes. I will try to stay out of what I think is going on in Europe today, but they are being subsumed by idiotic immigration policies.

The next amendment that was denied by the Rules Committee was the Obama-era Executive Order 13672 that prohibits Federal contractors and subcontractors from discriminating on the basis of sexual orientation and gender identity. It is just an unnecessary executive order, common decency, common courtesy.

How do you discriminate against someone if you don't know what their sexual orientation is and gender identity is?

That has not been a problem out in this society. That executive order

needed to be rescinded. We don't get a debate or a vote on that executive order either. This is the amendment that I introduced.

VICKY HARTZLER from Missouri, thankfully—I appreciate her bringing an amendment that was very similar to mine. My amendment ensured that no funds are used by the Department of Defense to force servicemen and -women to undergo any kind of transgender sensitivity courses or to screen servicemembers regarding gender reassignment surgery.

I will just couple it with discussion and debate on the Hartzler amendment. And that is this: that the United States military should not be used as an experiment. It shouldn't be used to do a social experiment agenda. Yet, under the Obama administration, not only did they decide to put an end to Don't Ask, Don't Tell, they set up an affirmative action program to promote people through the ranks who would assert their orientation to be different from heterosexual.

Then we got into this national fixation on transgenderism. And the orders came down in to the Department of Defense through our Secretary of Defense that the American taxpayer—well, let's just say we borrow money from China and Saudi Arabia to do sex reassignment surgery on people in our military?

It is something that has never happened before without a vote or a debate here on the floor of the House of Representatives or in the Senate for that matter. It is not a policy that has been approved by America or Americans, but a policy that was more or less shoehorned into this by the former President of the United States and the former Commander in Chief Barack Obama.

I can't believe that President Trump thinks it is a good idea to spend one-quarter or more billion dollars doing sex reassignment surgery, taking people out of the service of the military for the better part of a year while they recover from this surgery and thinking that somehow they are going to make our Nation stronger by using those resources when we have military members who are on food stamps today.

So we would divert resources for sex reassignment surgery, thinking that it would somehow enhance our national security? Sex reassignment surgery enhances our national security?

I can't say that with a straight face and expect anybody in this country is going to believe this.

So here we are, an America that is the unchallenged greatest nation in the world, significantly more powerful militarily than any other country in the world, but also with responsibilities that expand beyond that of any other country in the world, and we would obsess ourselves with the idea that we are going to send an advertise-

ment out to people all over America, which is—well, maybe even outside of America—if you are contemplating sex reassignment surgery, come into the military and declare yourself a transgender, and then we will pay for that surgery. And we will have a whole lineup of people over at Walter Reed for their sex reassignment surgery laying in hospital beds next to our noble wounded who have lost an arm or a leg, or maybe both arms and both legs, maybe that have sacrificed a great deal, and we are going to divert the resources—the considerable resources—and medical skill and capabilities of our military medicine system that we have to sex reassignment surgery? Who would have thought?

I can't believe that the pundits haven't unloaded already on this all over the world. We are going to be the laughingstock of the world if this comes out that the Hartzler amendment failed on the floor of the House of Representatives by a handful of votes, but it failed. So that says to those who want to enter into the military and are contemplating sex reassignment surgery—by the way, I am not using the language that they are using. They are saying this is gender reassignment surgery—gender reassignment surgery.

Well, gender cannot be reassigned. That is in one's head. Sex is south of the border. Gender is in the head. It is not gender reassignment, it is sex reassignment surgery.

We would take those resources that we need to be using to take our combat-wounded and those who are ill and sick and serving in our military and get them well with the best care that we can provide for them, the battles we have had here on the floor to try to get the VA up to speed and they would divert those resources for sex reassignment surgery and for pharmaceuticals and the kind of medication that would make them physically more like they say they are in their head?

That is not a problem for the military to solve, Mr. Speaker.

I am greatly troubled by the arrangement of the amendments, those that were allowed and those that were denied. This amendment was the Hartzler amendment that failed.

I can only think of the MASH unit, and I will probably stop with that, Mr. Speaker, and not go any further into what images that brings to mind for me. But I saw that there were 24 Republicans that voted against the Hartzler amendment. That is greatly troubling to me, Mr. Speaker, to see that. By the way, Mr. Speaker, every single Democrat voted against the Hartzler amendment.

In the course here of about 18 to 24 months, this Congress thinks that they are reflecting the will of the American people, and now we have not only a social experiment but a medical experiment, a transgender medical sex reas-

signment surgery experiment going on in our military while we need to maintain ourselves as the strongest and most capable military in the world.

Our focus needs to be singular. We have people who can't get into the United States military for one reason or another. Maybe they aren't a strong enough physical specimen. Maybe they can't pass that physical test.

Former Secretary of Defense Bob Gates testified before Congress some years ago. He said that obesity is a national security problem in the United States, that too many of our young people sit in front of the television or in front of their Xbox. They eat junk food, they get fat, and they are too heavy to meet the standards to qualify to be recruited into our military in any branch of the service.

He said that if we don't do something to control the diets of young people so that they are not too fat to get into the military, he said it is a national security issue. Obesity in our young people is a threat to our national security.

Yet, rather than focusing resources on getting these young people in shape, we would get out the scalpel and do sexual reassignment surgery on somebody from the same generation who went to the same school and probably sat next to some of those other youth in the high school classes, and we would take a man and physically turn him into a woman or take a woman and physically turn her into a man at their request because she says: up here that is where I am.

Don't they know that when they sign up for the military? Can't they make that decision beforehand and can't the military screen for that?

If they can screen for obesity, if they can screen for intellect and for IQ, if they can screen for medical records and medical history, if they can screen for criminal activity or violations of the law, if they can say you can't get into our military because you don't meet our standards in any of these, if you are too short, if you are physically unable like my uncle who was physically unable to serve in the military, all of those things, from obesity to too short, to having flatfeet, to being cross-eyed, whatever it might be, they can say: no, you don't fit our standards.

But if you walk up there and you say, "Well, I think here I am a woman and I am not a woman here," then we will bring you in because you meet all other standards and we have got these specialists up at Walter Reed and other facilities around America, we will surgically make you into whatever you want to be. And somehow that strengthens America's security and helps us to fight our enemies?

This is so utterly ludicrous for the United States military to be engaged in such a diversion from defending our country. Yet this Congress turned down the Hartzler amendment. At least

the Rules Committee allowed it to be offered. They didn't allow mine. They allowed that one to be offered. This is what we get? This kind of answer?

Every Democrat says: oh, this is okay. We want to do this. It is important to us.

And 24 Republicans agreed with them? Where is our country going? Can't we focus on the things that are important? Can't we focus on these constitutional principles?

Vote down this DACA thing that rewards lawbreakers, and support the Hartzler amendment and end this idea that we are going to do great medical and social experiments in the United States military and somehow out of that we are going to—there is no way in the world that makes us stronger.

So somehow do we even maintain our power when we become the laughing-stock of the world?

There was also an initiative that I had to fight here a while back about meatless Mondays in our military. I recall a picture of the Norwegian military. They are vegans on Monday. Meatless military in the Norwegian military, and they are sitting there eating their vegan sandwiches and on their shoulder patch is a reindeer. I suppose that is their national animal, and that is good over there.

For us, we want a strong military. We want to maintain a noble military. We want to focus these resources on those things that matter. They are all going to take an oath to support and defend the Constitution when they sign up and commit themselves to the military.

□ 2015

God bless them for doing that. I take it, too. There are 435 of us here who did, and 100 down the Rotunda in the Senate did.

How many of us mean it? How many of us will take that stand and say: I will not vote for a piece of legislation that is unconstitutional because it violates my oath of office; and I am not going to commit the resources of the taxpayers of the United States of America to do social, medical, and pharmaceutical experiments on people who now would be attracted to come into the military for that purpose and then be discharged out onto the streets of America, having been reconstructed into a different kind of human being with a different hair cut?

That can happen on their own. That can happen in civilian life. That is each person's cross to bear or each person's choice, but it is not the duty of the United States military.

It is a national security issue, according to former Secretary of Defense Bob Gates, because too many of our youth are too overweight to meet the standards to get into boot camp. My answer to that was: if it is a military national security issue, sign them up.

Put them in there. They can just stay in basics until they make weight. Maybe you add another 2 weeks, 4 weeks, or 6 weeks to their training. You will get them down to weight, if you work them hard enough, if you watch their diet. It will be a good thing for them.

It is not a national security issue, in my opinion, for too many young people to be overweight and they can't qualify for the military. If you work them hard enough, feed them right, keep them long enough, they will make weight.

But it is far wiser to do that than it is to do sex reassignment surgery and take somebody out of operations for 200-some days out of a year in order to recover from this reconstructive surgery.

It is a ridiculous thing that has happened today in the United States Congress. It is disgraceful that a vote like that could take place and that a majority of the people voting on the Hartzler amendment would turn it down when we have a country to save, a country to protect.

So I suggest this, Mr. Speaker. If this NDAA bill fails tomorrow, it will come back again. It will come back again with the Hartzler language in it, under a rule that will allow it to pass here on the floor of the House of Representatives.

Democrats are not going to help us pass this bill. Only a handful of them will do that. So Republicans have to do the right thing. We should stop dividing ourselves. We should stop letting America be embarrassed in front of the world for a ridiculous decision that was made today.

So I urge a correction to the NDAA, and I urge English to be adopted as the official language of the United States of America, because it unifies us and helps us communicate with each other.

A common form of communications currency is the most powerful unifying force throughout the entire history of the world. We need to employ it here and protect it in law here in the United States of America.

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

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SANFORD (at the request of Mr. MCCARTHY) for today on account of a personal matter.

#### ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 18 minutes p.m.), the House adjourned until tomorrow, Friday, July 14, 2017, at 9 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1948. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Karen E. Dyson, United States Army, and her advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

1949. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule — Availability of Funds and Collection of Checks [Regulation CC; Docket No.: R-1409] (RIN: 7100-AD68) received July 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

1950. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Carbon County, MT, et al.) [Docket ID: FEMA-2017-0002; Internal Agency Docket No.: FEMA-8485] received July 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

1951. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's Major final rule — Energy Conservation Program: Energy Conservation Standards for Walk-In Cooler and Freezer Refrigeration Systems [Docket No.: EERE-2015-BT-STD-0016] (RIN: 1904-AD59) received July 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1952. A letter from the Regulations Coordinator, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting the Department's final rule — Control of Communicable Diseases; Correction [Docket No.: CDC-2016-0068] (RIN: 0920-AA63) received July 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1953. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Flora D. Darpino, United States Army, and her advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

1954. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 17-23, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1955. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 17-40, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.



1956. A letter from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting two (2) notifications of a federal vacancy, designation of acting officer, nomination, and action and nomination, pursuant to 19 U.S.C. 2462(f)(1); Public Law 93-618, Sec. 502 (as added by Public Law 104-188, Sec. 1952(a); (110 Stat. 1920); to the Committee on Oversight and Government Reform.

1957. A letter from the Executive Analyst (Political), Department of Health and Human Services, transmitting three (3) notifications of a federal vacancy, designation of acting officer, nomination, action on nomination, and discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

1958. A letter from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting two (2) notifications of a federal vacancy, designation of acting officer, and nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

1959. A letter from the White House Liaison, Office of Legislation and Congressional Affairs, Department of Education, transmitting two (2) notifications of a federal nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

1960. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Potomac River, Newburg, MD [Docket No.: USCG-2017-0357] (RIN: 1625-AA00) received July 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1961. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone, Delaware River; Dredging [Docket No.: USCG-2017-0279] (RIN: 1625-AA00) received July 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1962. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Cleveland Construction Super Boat Grand Prix, Lake Erie, Fairport, OH [Docket No.: USCG-2017-0201] (RIN: 1625-AA00) received July 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1963. A letter from the Deputy Chief Counsel, National Institute of Standards and Technology, Department of Commerce, transmitting the Department's final rule — Hollings Manufacturing Extension Partnership — Amendments to the Terms and Schedule of Financial Assistance [Docket No.: 170526519-7519-01] (RIN: 0693-AB64) received July 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Science, Space, and Technology.

1964. A letter from the Chief, Trade and Commercial Regulations Branch, U.S. Customs

and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Extension of Import Restrictions Imposed on Archaeological Objects and Ecclesiastical and Ritual Ethnological Materials From Cyprus [CBP Dec. 17-07] (RIN: 1515-AE31) received July 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

1965. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Update of Pre-approved Plan Revenue Procedure (Revenue Procedure 2017-41) received July 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

1966. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's final rule — Medicare and Medicaid Programs; Conditions of Participation for Home Health Agencies; Delay of Effective Date [CMS-3819-F2] (RIN: 0938-AG81) received July 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 218. A bill to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay (Rept. 115-218). Referred to the Committee of the Whole House on the state of the Union.

Ms. GRANGER: Committee on Appropriations. H.R. 3219. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes (Rept. 115-219). Referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. McNERNEY:

H.R. 3216. A bill to amend the Securities Exchange Act of 1934 to require the disclosure of the total number of a company's domestic and foreign employees; to the Committee on Financial Services.

By Mr. McNERNEY:

H.R. 3217. A bill to amend the Internal Revenue Code of 1986 to provide for the identification of corporate tax haven countries and increased penalties for tax evasion practices in haven countries that ship United States jobs overseas, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROE of Tennessee (for himself, Mr. WALZ, Mr. MCCARTHY, Mr.

MESSER, Mr. RUTHERFORD, Mr. HIGGINS of Louisiana, Mr. BERGMAN, Mr. BANKS of Indiana, Mr. MULLIN, Mr. ARRINGTON, Mr. WENSTRUP, Mrs. RADWAGEN, Mr. COOK, Mr. MCKINLEY, Mrs. BROOKS of Indiana, Mr. FITZPATRICK, Mr. LABRADOR, Mr. BOST, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. COSTELLO of Pennsylvania, Mr. DUNN, Mr. SMUCKER, Mr. POLIQUIN, Mr. WALBERG, Mr. COFFMAN, Mr. BILIRAKIS, Mr. BISHOP of Michigan, Mr. PETERS, Ms. SHEAPORTER, Mr. RUSH, Mr. RYAN of Ohio, Mr. SCOTT of Virginia, Mr. SABLAN, Ms. ESTY of Connecticut, Ms. GABBARD, Mr. TAKANO, Mr. THOMPSON of California, Mr. PETERSON, Mr. O'ROURKE, Miss RICE of New York, Ms. ROSEN, Mr. BROWN of Maryland, Mrs. DAVIS of California, Mr. CARBAJAL, Mr. BUTTERFIELD, Ms. KUSTER of New Hampshire, Ms. BROWNLEY of California, Ms. WASSERMAN SCHULTZ, Mr. CORREA, Mr. DEFazio, Mr. PANETTA, Mr. MOULTON, Ms. TITUS, Ms. SINEMA, Mr. BISHOP of Georgia, Mr. PALAZZO, Mr. RICHMOND, and Mr. COURTNEY):

H.R. 3218. A bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Missouri (for himself, Ms. SEWELL of Alabama, Ms. JUDY CHU of California, Mr. THOMPSON of California, Mr. CURBELO of Florida, and Mr. HOLDING):

H.R. 3220. A bill to amend the Internal Revenue Code of 1986 to preserve taxpayers' rights to administrative appeal of deficiency determinations, and for other purposes; to the Committee on Ways and Means.

By Mr. KUSTOFF of Tennessee (for himself and Mr. LUETKEMEYER):

H.R. 3221. A bill to provide exemptions under the Truth in Lending Act and the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 to encourage access to affordable mortgages, and for other purposes; to the Committee on Financial Services.

By Mr. KENNEDY (for himself, Mr. SCOTT of Virginia, Ms. NORTON, Mr. SEAN PATRICK MALONEY of New York, Mr. HUFFMAN, Ms. SPEIER, Mr. EVANS, Ms. SLAUGHTER, Mr. PALLONE, Ms. WASSERMAN SCHULTZ, Mr. KHANNA, Mr. BEYER, Mr. COHEN, Mr. BLUMENAUER, Mr. CARSON of Indiana, Ms. SCHAKOWSKY, Mr. POCAN, Ms. CASTOR of Florida, Mr. GRIJALVA, Mr. MOULTON, Ms. HANABUSA, Ms. MCCOLLUM, Ms. ESHOO, Mr. LOWENTHAL, Mr. CÁRDENAS, Mr. MCGOVERN, Mr. KEATING, Mrs. LAWRENCE, Mr. QUIGLEY, Mr. PAYNE, Mr. JEFFRIES, Mr. CARBAJAL, Mrs. DAVIS of California, Mr. TED LIEU of California, Mr. WELCH, Ms. CLARK of Massachusetts, Ms. BONAMICI, Mr. GALLEGO, Mr. ENGEL, Mr. AGUILAR, Miss RICE of New York, Mr. POLIS, Ms. JAYAPAL, Mr. GUTIÉRREZ, Mr. TAKANO, Mr. NORCROSS, Mr. PRICE of North Carolina, Mr. PETERS, Ms. ESTY of Connecticut, Mr. HIGGINS of New York, Mr. O'ROURKE, Mr. HASTINGS, and Ms. TSONGAS):

H.R. 3222. A bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes; to the Committee on the Judiciary.

By Mr. DUNN (for himself, Mr. JODY B. HICE of Georgia, Mr. DONOVAN, Mr. MOOLENAAR, Mr. FASO, Mr. ROE of Tennessee, Mr. KING of Iowa, Mr. THOMAS J. ROONEY of Florida, Mr. WILSON of South Carolina, and Mr. ROSS):

H.R. 3223. A bill to amend the Internal Revenue Code of 1986 to extend the statute of limitations on making a claim for credit or refund and shorten the statute of limitations on collection after assessment; to the Committee on Ways and Means.

By Mr. HARPER (for himself, Mr. LOEBSACK, Mr. KIND, Mr. KELLY of Mississippi, Mr. THOMPSON of Mississippi, Mr. PALAZZO, and Mr. PETERSON):

H.R. 3224. A bill to amend title XVIII of the Social Security Act to clarify reasonable costs for critical access hospital payments under the Medicare program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO (for himself and Mr. WALDEN):

H.R. 3225. A bill to allow the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, the Confederated Tribes of the Grand Ronde Community of Oregon, the Confederated Tribes of Siletz Indians of Oregon, the Confederated Tribes of Warm Springs, and the Cow Creek Band of Umpqua Tribe of Indians to lease or transfer certain lands; to the Committee on Natural Resources.

By Miss GONZÁLEZ-COLÓN of Puerto Rico (for herself, Ms. BORDALLO, Mrs. RADEWAGEN, Mr. SABLAN, and Ms. PLASKETT):

H.R. 3226. A bill to extend the supplemental security income program to Puerto Rico, the United States Virgin Islands, Guam, and American Samoa, and for other purposes; to the Committee on Ways and Means.

By Mr. GRIJALVA (for himself, Ms. BASS, Mr. ELLISON, Mr. RUSH, Mr. SERRANO, Ms. CLARK of Massachusetts, Mrs. NAPOLITANO, Ms. SCHKOWSKY, Mr. MCGOVERN, Mr. POLIS, and Ms. LEE):

H.R. 3227. A bill to improve Federal sentencing and corrections practices, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Financial Services, Energy and Commerce, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIMES:

H.R. 3228. A bill to require the President to provide frequent press briefings covering the official business of the President to the White House press corps; to the Committee on Oversight and Government Reform.

By Mr. JEFFRIES (for himself, Mr. ISSA, and Mr. CONYERS):

H.R. 3229. A bill to protect the safety of judges by extending the authority of the Judicial Conference to redact sensitive information contained in their financial disclosure reports, and for other purposes; to the Committee on the Judiciary.

By Mr. LABRADOR (for himself, Mr. SIMPSON, and Mr. DUNCAN of South Carolina):

H.R. 3230. A bill to designate the facility of the United States Postal Service located at 915 Center Avenue in Payette, Idaho, as the "Harmon Killebrew Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. LONG:

H.R. 3231. A bill to amend title X of the Public Health Service Act with respect to adoption and other pregnancy options counseling; to the Committee on Energy and Commerce.

By Mr. MAST (for himself, Mr. BABIN, Mr. THOMPSON of California, Mr. VALADAO, Mr. CORREA, Mr. CRAWFORD, Mr. KRISHNAMOORTHY, Mr. BUDD, Mr. DEFAZIO, Mr. BISHOP of Michigan, Mr. KIND, Mr. YOUNG of Alaska, Mr. CURBELO of Florida, Mrs. MURPHY of Florida, Mr. BARR, Mrs. WALORSKI, Mr. PEARCE, Mr. STIVERS, Mr. POSEY, Mr. BERGMAN, and Mr. BROWN of Maryland):

H.R. 3232. A bill to amend title 10, United States Code, to establish a separation oath for members of the Armed Forces who are separating from military service; to the Committee on Armed Services.

By Mr. MCKINLEY (for himself and Ms. KAPTUR):

H.R. 3233. A bill to promote fair trade, allow for greater participation in trade enforcement, and improve accountability and transparency in trade matters; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEAL (for himself, Mr. CAPUANO, Mr. CARBAJAL, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. COHEN, Mr. CONNOLLY, Ms. ESHOO, Ms. ESTY of Connecticut, Mr. GALLEGO, Mr. GARAMENDI, Ms. JAYAPAL, Mr. KEATING, Mr. KENNEDY, Mr. KHANNA, Mr. KIHUEN, Mr. LARSON of Connecticut, Mr. LEVIN, Mr. LOWENTHAL, Mr. LYNCH, Mr. MCGOVERN, Mr. MOULTON, Mrs. NAPOLITANO, Mr. NADLER, Ms. NORTON, Mr. PALLONE, Mr. PETERS, Ms. ROYBAL-ALLARD, Mr. RYAN of Ohio, Ms. SÁNCHEZ, Ms. SHEA-PORTER, Mr. SHERMAN, Mr. SWALWELL of California, Mr. TAKANO, Mr. THOMPSON of California, Ms. TSONGAS, Mr. VARGAS, Ms. MAXINE WATERS of California, and Mrs. WATSON COLEMAN):

H.R. 3234. A bill to amend the Internal Revenue Code of 1986 to permit legally married same-sex couples to amend their filing status for returns outside the 3-year limitation; to the Committee on Ways and Means.

By Mrs. NOEM (for herself, Mr. CRAMER, and Mr. PETERSON):

H.R. 3235. A bill to amend the Food Security Act of 1985 with respect to the administration of wetland determinations, and for other purposes; to the Committee on Agriculture.

By Mr. NUNES (for himself and Mr. UPTON):

H.R. 3236. A bill to amend titles XI and XVIII of the Social Security Act to improve provider and supplier cost reporting of ambulance services under the Medicare program, and for other purposes; to the Committee on

Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROHRBACHER:

H.R. 3237. A bill to require the Secretary of State to withhold certain assistance for Honduras until the President certifies to Congress that the Government of Honduras has settled all known commercial disputes with United States citizens; to the Committee on Foreign Affairs.

By Mr. SANFORD (for himself, Mr. NADLER, Mr. ZELDIN, Mr. ENGEL, and Mr. KING of New York):

H.R. 3238. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide assistance for common interest communities, condominiums, and housing cooperatives damaged by a major disaster, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SENSENBRENNER (for himself, Mr. GALLEGO, Ms. JUDY CHU of California, Ms. MOORE, Mrs. DINGELL, Mr. SHERMAN, Miss RICE of New York, Ms. KAPTUR, Mrs. WATSON COLEMAN, Mrs. DAVIS of California, Mr. LIPINSKI, Mr. HULTGREN, Mr. DEFAZIO, Mr. KIND, Ms. KELLY of Illinois, Mr. MESSER, Mr. PALLONE, Mr. MCGOVERN, Mr. HASTINGS, Mr. HECK, Mr. LOBIONDO, Mr. CONYERS, Mr. LEWIS of Georgia, Mr. CUMMINGS, Ms. BROWNLEY of California, Mr. KILDEE, Mr. FOSTER, Mr. VEASEY, Ms. NORTON, Mr. SEAN PATRICK MALONEY of New York, Ms. SINEMA, Mr. COHEN, Mr. SCOTT of Virginia, Mrs. BEATTY, Mr. GARAMENDI, Mr. CONNOLLY, Mr. PAYNE, Mr. COOPER, Mr. FITZPATRICK, Ms. DEGETTE, Mr. DELANEY, Mr. CURBELO of Florida, Mr. RUSH, Mr. RUPPERSBERGER, Mr. CICILLINE, Mr. COLE, Mr. NADLER, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. PETERS, Mr. CARTWRIGHT, Mr. MEEKS, Ms. SLAUGHTER, Ms. ESTY of Connecticut, Mrs. CAROLYN B. MALONEY of New York, Ms. CLARK of Massachusetts, Mr. HUFFMAN, Mr. CLYBURN, Ms. PINGREE, Mr. DAVID SCOTT of Georgia, Mr. SCHIFF, Mr. COSTELLO of Pennsylvania, Mr. LANGEVIN, Mr. HIGGINS of New York, Ms. BONAMICI, and Ms. KUSTER of New Hampshire):

H.R. 3239. A bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes; to the Committee on the Judiciary.

By Mr. WELCH (for himself and Mr. REED):

H.R. 3240. A bill to improve the productivity and energy efficiency of the manufacturing sector by directing the Secretary of Energy, in coordination with the National Academies and other appropriate Federal agencies, to develop a national smart manufacturing plan and to provide assistance to small- and medium-sized manufacturers in implementing smart manufacturing programs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MAXINE WATERS of California (for herself, Mr. KILDEE, Ms. MOORE, Mr. AL GREEN of Texas, and Mr. PERLMUTTER):

H. Res. 442. A resolution of inquiry directing the Secretary of the Treasury to provide certain documents in the Secretary's possession to the House of Representatives relating to President Trump's financial connections to Russia, certain illegal financial schemes, and related information; to the Committee on Financial Services.

By Mr. GALLAGHER (for himself and Mr. DANNY K. DAVIS of Illinois):

H. Res. 443. A resolution recognizing the importance and effectiveness of trauma-informed care; to the Committee on Energy and Commerce.

By Mr. KING of Iowa:

H. Res. 444. A resolution encouraging the courts of the United Kingdom of Great Britain and Northern Ireland to allow Charles William Gard and Constance Rhoda Keely Yates to pursue innovative medical care for their son; to the Committee on Foreign Affairs.

By Mr. MEADOWS (for himself, Mr. MCGOVERN, and Mr. SMITH of New Jersey):

H. Res. 445. A resolution honoring the life and legacy of Liu Xiaobo for his steadfast commitment to the protection of human rights, political freedoms, free markets, democratic elections, government accountability, and peaceful change in the People's Republic of China; to the Committee on Foreign Affairs.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MCNERNEY:

H.R. 3216.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. MCNERNEY:

H.R. 3217.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. ROE of Tennessee:

H.R. 3218.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Ms. GRANGER:

H.R. 3219.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . ." Together, these specific constitu-

tional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. SMITH of Missouri:

H.R. 3220.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the U.S. Constitution, providing, in relevant part, that "[t]he Congress shall have the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States."

By Mr. KUSTOFF of Tennessee:

H.R. 3221.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional Authority on which this bill rests is the explicit power of Congress to regulate in commerce in and among the states, as enumerated in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

Additionally, Article 1, Section 7, Clause 2 of the Constitution allows for every bill passed by the House of Representatives and the Senate and signed by the President to be codified into law; and therefore implicitly allows Congress to repeal any bill that has been passed by both chambers and signed into law by the President.

By Mr. KENNEDY:

H.R. 3222.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. DUNN:

H.R. 3223.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8—Congress has the authority to enact all laws deemed necessary and proper.

By Mr. HARPER:

H.R. 3224.

Congress has the power to enact this legislation pursuant to the following:

"Article I, Section 8, Clause 3 of the United States Constitution."

By Mr. DEFAZIO:

H.R. 3225.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 3226.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 1 of the U.S. Constitution "All legislative power herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives"

By Mr. GRIJALVA:

H.R. 3227.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. HIMES:

H.R. 3228.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the U.S. Constitution: "To make all Laws which shall be necessary and proper for carrying into the Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department Officer thereof.

By Mr. JEFFRIES:

H.R. 3229.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1: All legislative powers vested in a Congress

Article 1, Section 8, Clause 18: To make all laws necessary and proper

By Mr. LABRADOR:

H.R. 3230.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 7 of the United States Constitution.

By Mr. LONG:

H.R. 3231.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. MAST:

H.R. 3232.

Congress has the power to enact this legislation pursuant to the following:

The Regulation of the land and naval Forces Clause in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. MCKINLEY:

H.R. 3233.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3, to regulate commerce with foreign nations

By Mr. NEAL:

H.R. 3234.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the United States Constitution.

By Mrs. NOEM:

H.R. 3235.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. NUNES:

H.R. 3236.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution of the United States.

By Mr. ROHRABACHER:

H.R. 3237.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9.

By Mr. SANFORD:

H.R. 3238.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. SENSENBRENNER:

H.R. 3239.

Congress has the power to enact this legislation pursuant to the following:

Fifteenth Amendment, Section 2, section 1 The right of citizens of the United States to vote shall not be denied or abridged by the U.S. or by any state on account of race, color, or previous condition of servitude.

By Mr. WELCH:

H.R. 3240.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 12: Mr. VISCLOSKEY.  
H.R. 19: Mr. LOEBSACK.  
H.R. 36: Mrs. NOEM.  
H.R. 38: Ms. JENKINS of Kansas, Mr. GIANFORTE, and Mr. NORMAN.  
H.R. 95: Mrs. BEATTY.  
H.R. 112: Mr. RUTHERFORD.  
H.R. 147: Mr. GARRETT.  
H.R. 299: Mr. CARBAJAL, Mr. BRAT, Ms. SEWELL of Alabama, and Mr. MURPHY of Pennsylvania.  
H.R. 305: Mr. GOMEZ.  
H.R. 350: Mr. TURNER, Mr. DUFFY, and Mr. YODER.  
H.R. 356: Mr. GOMEZ.  
H.R. 449: Mr. TONKO, Mr. PETERS, and Mr. CÁRDENAS.  
H.R. 480: Mr. COFFMAN.  
H.R. 490: Mr. RICE of South Carolina, Mr. MULLIN, and Mr. BLUM.  
H.R. 535: Mr. BILIRAKIS and Mr. MACARTHUR.  
H.R. 553: Mr. WEBSTER of Florida.  
H.R. 559: Mr. ROKITA.  
H.R. 641: Mr. TIPTON.  
H.R. 721: Mr. GROTHMAN, Mr. UPTON, Mr. WENSTRUP, Mr. LANCE, Mr. FORTENBERRY, Mr. NEWHOUSE, Mr. TAYLOR, Mr. CRAWFORD, Mr. MCKINLEY, Mr. WILSON of South Carolina, Mr. COSTELLO of Pennsylvania, and Mr. GOWDY.  
H.R. 790: Ms. JACKSON LEE.  
H.R. 806: Mr. SMITH of Texas.  
H.R. 825: Ms. TITUS.  
H.R. 846: Mr. BRAT.  
H.R. 849: Mr. RENACCI and Mr. JORDAN.  
H.R. 873: Mr. PANETTA.  
H.R. 976: Mr. SMITH of Texas.  
H.R. 997: Mr. ROGERS of Alabama.  
H.R. 1002: Mr. BEN RAY LUJÁN of New Mexico.  
H.R. 1007: Mr. COSTELLO of Pennsylvania.  
H.R. 1017: Mr. BABIN and Mr. DESAULNIER.  
H.R. 1038: Mr. KELLY of Mississippi.  
H.R. 1057: Mr. SANFORD, Mr. BILIRAKIS, Mr. CAPUANO, Mr. LUCAS, Mr. KIHUEN, and Mr. THOMPSON of Mississippi.  
H.R. 1065: Mr. CURBELO of Florida.  
H.R. 1090: Ms. SINEMA, Ms. BROWNLEY of California, and Mr. CROWLEY.  
H.R. 1124: Mr. JODY B. HICE of Georgia and Mr. NORMAN.  
H.R. 1148: Mr. VELA and Mr. LOEBSACK.  
H.R. 1155: Ms. SCHAKOWSKY and Mr. YARMUTH.

H.R. 1187: Mr. HASTINGS.  
H.R. 1222: Mr. CÁRDENAS and Mr. WALBERG.  
H.R. 1231: Mr. WELCH.  
H.R. 1322: Ms. BLUNT ROCHESTER.  
H.R. 1377: Mr. RICE of South Carolina.  
H.R. 1484: Ms. BROWNLEY of California.  
H.R. 1542: Mr. KILDEE.  
H.R. 1606: Mr. DUNCAN of South Carolina and Mr. CRAMER.  
H.R. 1626: Mr. MITCHELL, Mr. WILSON of South Carolina, and Mr. CRAMER.  
H.R. 1676: Mr. GIBBS, Mr. POCAN, Ms. WASSERMAN SCHULTZ, Mr. KEATING, Mr. DENHAM, and Mr. NORCROSS.  
H.R. 1685: Mr. VELA.  
H.R. 1697: Mr. LABRADOR, Mr. MCEACHIN, Mr. TAYLOR, Mr. HUNTER, and Mr. BUCHSHON.  
H.R. 1699: Mr. BUCK, Mr. SCHWEIKERT, Mr. WITTMAN, and Mr. DESANTIS.  
H.R. 1843: Mr. BISHOP of Michigan.  
H.R. 1847: Mr. GRIFFITH.  
H.R. 1861: Mr. MCGOVERN.  
H.R. 1872: Mr. NOLAN, Ms. MAXINE WATERS of California, Ms. JAYAPAL, Ms. SCHAKOWSKY, Ms. LOFGREN, Mr. SHERMAN, and Mr. BLUMENAUER.  
H.R. 1898: Mr. LANCE.  
H.R. 1963: Ms. ROS-LEHTINEN and Mrs. CAROLYN B. MALONEY of New York.  
H.R. 1976: Mr. JODY B. HICE of Georgia.  
H.R. 2038: Mr. RYAN of Ohio.  
H.R. 2091: Mr. LOEBSACK.  
H.R. 2092: Mr. THOMPSON of California, Mr. THOMPSON of Pennsylvania, and Mr. YODER.  
H.R. 2106: Ms. LOFGREN.  
H.R. 2135: Mr. BLUMENAUER and Mrs. BEATTY.  
H.R. 2142: Ms. CLARK of Massachusetts.  
H.R. 2152: Mr. HIGGINS of Louisiana and Mr. FRANKS of Arizona.  
H.R. 2180: Ms. ROSEN.  
H.R. 2211: Mr. GAETZ.  
H.R. 2315: Ms. KAPTUR, Mr. KHANNA, Mr. BABIN, Mr. ROYCE of California, Mrs. BROOKS of Indiana, Mr. ROSS, Mr. STIVERS, Mr. EVANS, Mr. BRAT, and Ms. BROWNLEY of California.  
H.R. 2322: Mr. BRADY of Pennsylvania.  
H.R. 2340: Mr. LABRADOR.  
H.R. 2404: Mr. HASTINGS.  
H.R. 2414: Mr. PAYNE.  
H.R. 2451: Ms. BORDALLO.  
H.R. 2479: Ms. SPEIER.  
H.R. 2515: Mr. GAETZ and Mr. MURPHY of Pennsylvania.  
H.R. 2519: Mr. HILL, Mr. LUETKEMEYER, Ms. JACKSON LEE, Mr. GARRETT, Mr. MOONEY of West Virginia, Mr. CROWLEY, Mr. MCCAUL, and Mr. CAPUANO.  
H.R. 2561: Mr. BYRNE.  
H.R. 2640: Mrs. WATSON COLEMAN.  
H.R. 2641: Mr. TIPTON.  
H.R. 2644: Ms. LOFGREN, Mr. MCGOVERN, Mr. HARPER, and Mr. THOMPSON of Pennsylvania.  
H.R. 2651: Mr. GENE GREEN of Texas and Mr. JONES.  
H.R. 2658: Mr. CRIST and Mr. CURBELO of Florida.

H.R. 2663: Mr. OLSON.  
H.R. 2775: Mr. KING of Iowa.  
H.R. 2841: Mr. MCNERNEY.  
H.R. 2856: Mr. LARSON of Connecticut, Mr. FLEISCHMANN, and Mr. MARSHALL.  
H.R. 2871: Mr. YOUNG of Iowa.  
H.R. 2876: Mr. SEAN PATRICK MALONEY of New York, Mr. BLUMENAUER, Ms. NORTON, Mr. LOWENTHAL, Mr. COHEN, Mr. BISHOP of Georgia, Ms. BARRAGAN, Mr. GALLEGO, Mrs. TORRES, Mrs. NAPOLITANO, Mr. VARGAS, Mr. SWALWELL of California, Mr. TAKANO, Ms. BROWNLEY of California, Mr. DEFAZIO, Mr. HOYER, Mr. POCAN, Mr. CLAY, Mr. ESPAILLAT, Mr. BEYER, Mr. HUFFMAN, Ms. MOORE, Mr. VEASEY, Ms. CLARKE of New York, Mr. JEFFRIES, Ms. KAPTUR, Mr. NADLER, Mr. CRIST, Mr. MCEACHIN, Mr. KENNEDY, Mr. KIHUEN, Ms. SEWELL of Alabama, Mr. JOHNSON of Georgia, Mr. ENGEL, Mr. MCGOVERN, and Mr. BROWN of Maryland.  
H.R. 2898: Ms. SINEMA.  
H.R. 2908: Mr. SOTO and Ms. ROSEN.  
H.R. 2909: Mr. MULLIN.  
H.R. 2926: Mr. THOMPSON of Pennsylvania.  
H.R. 2929: Ms. SHEA-PORTER.  
H.R. 2932: Mr. MCGOVERN.  
H.R. 2938: Mr. STIVERS.  
H.R. 2968: Mr. DESAULNIER.  
H.R. 2972: Mr. COOPER.  
H.R. 2973: Mr. GALLEGO, Ms. ROSEN, Mr. DONOVAN, and Mr. COOPER.  
H.R. 2992: Ms. JUDY CHU of California.  
H.R. 3084: Mr. TIBERI and Mr. BUTTERFIELD.  
H.R. 3088: Mr. KILMER and Mr. RYAN of Ohio.  
H.R. 3111: Mr. LARSON of Connecticut.  
H.R. 3131: Mr. LAMALFA, Mr. PEARCE, Mr. THOMPSON of Pennsylvania, Mr. JONES, Mr. TIPTON, and Mr. GOSAR.  
H.R. 3174: Mr. EMMER.  
H.R. 3178: Mr. HARPER.  
H.R. 3199: Mr. EVANS.  
H.R. 3212: Mr. ARRINGTON, Mr. MCCLINTOCK, and Mr. SCHWEIKERT.  
H.R. 3214: Mr. MCGOVERN and Mr. ESPAILLAT.  
H.J. Res. 51: Mrs. MURPHY of Florida, Mrs. TORRES, Mr. MEEKS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. O'HALLERAN, Ms. SÁNCHEZ, Mr. RENACCI, and Mr. JORDAN.  
H.J. Res. 107: Mr. PETERSON.  
H. Con. Res. 47: Mr. GUTIÉRREZ.  
H. Con. Res. 59: Ms. BROWNLEY of California, Ms. SPEIER, and Mr. KHANNA.  
H. Res. 43: Mr. GARRETT and Mr. PERRY.  
H. Res. 135: Mr. DONOVAN.  
H. Res. 224: Mr. BROWN of Maryland, Mr. LEWIS of Georgia, Mr. CARSON of Indiana, Mr. CLEAVER, Mr. JEFFRIES, Mr. CLAY, Ms. NORTON, Ms. PLASKETT, Mr. EVANS, Mrs. DEMINGS, and Ms. MOORE.  
H. Res. 363: Mr. TAKANO.  
H. Res. 406: Mr. HUFFMAN.  
H. Res. 407: Mr. POE of Texas.  
H. Res. 426: Mr. MCGOVERN.

## EXTENSIONS OF REMARKS

RECOGNIZING JAMIE MILLER FOR HER DEDICATED SERVICE TO VIRGINIA'S FIRST CONGRESSIONAL DISTRICT

**HON. ROBERT J. WITTMAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. WITTMAN. Mr. Speaker, during my time in Congress I'm grateful and have been fortunate to be supported by great staff. You know that while it's our name on the door and the ballot, behind the scene our staff labor tirelessly to support and serve our constituents. Today, I want to say thank you, congratulations and offer my best to one of my departing staff.

Jamie Jones Miller will be continuing her service to the nation by joining the Administration at the Pentagon as Deputy Assistant Secretary of Defense for House Affairs. Jamie has worked in my office and for the constituents of Virginia's First District for 9 years.

As my Chief of Staff she's run my congressional operations for three and a half years, has been my top adviser through numerous important efforts, and has labored tirelessly to serve the Commonwealth and the nation.

Jamie has dedicated her career to public service. I take great pride in her devotion to ensuring our nation's military is strong and that our service members are equipped to protect and defend the homeland. I am confident she will use her passion, skills and abilities to continue to support our men and women in uniform.

I wish Jamie and Tim the best. I thank her for her service, leadership, and commitment to our great nation.

**KATELIN BYRD**

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Katelin Byrd for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Katelin Byrd is a student at Moore Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Katelin Byrd is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Katelin Byrd for winning the Arvada Wheat

Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

**LEVI MICHAELS**

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Levi Michaels for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Levi Michaels is a student at Mandalay Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Levi Michaels is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Levi Michaels for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

### PERSONAL EXPLANATION

**HON. JOYCE BEATTY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mrs. BEATTY. Mr. Speaker, on June 29, 2017, I missed Roll Call vote No. 341. Had I been present, I would have voted "Yes" on the Motion to Recommit with Instructions.

IN RECOGNITION OF DR. ANDY DAVID, OUTGOING CONSUL GENERAL OF THE ISRAELI CONSULATE TO THE PACIFIC NORTHWEST

**HON. DORIS O. MATSUI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Ms. MATSUI. Mr. Speaker, I rise today in recognition of Dr. Andy David, the Israeli Consul General to the Pacific Northwest. As 2017 marks the end of Dr. David's tenure in California, I ask all my colleagues to join me in honoring him for his leadership and commitment in the community to building bridges be-

tween the United States and his home country of Israel.

Dr. David stepped into the position of Consul General in 2012, following a history of distinguished Israeli diplomatic appointments that began in 1995. Throughout his half decade of service, he has helped strengthen ties between the West Coast and our allies in Israel. Dr. David has worked passionately to build the relationship between the University of California system and educational institutions in Israel, and his efforts have also resulted in new and fruitful partnerships between Silicon Valley companies and Israel's high-tech industry in Tel Aviv.

In addition to improving cooperation on the international stage, Dr. David has become a pillar of the community in his adoptive home of San Francisco. A prominent advocate for the Bay Area Jewish community, Dr. David will be missed by his friends here when he returns home this month.

Mr. Speaker, I am honored to pay tribute to Andy David, Israeli Consul General to the Pacific Northwest, as he celebrates his return to Israel. I ask all my colleagues to join me in honoring his efforts to strengthen the relationship between our two great countries.

**KAYLA MOORE**

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kayla Moore for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Kayla Moore is a student at Arvada High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kayla Moore is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kayla Moore for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

### PERSONAL EXPLANATION

**HON. JAMES A. HIMES**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. HIMES. Mr. Speaker, on July 12, 2017, I was unable to be present to cast my vote on

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

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

Amendment No. 5, offered by Mr. DESAULNIER of California, to the Gaining Responsibility on Water Act of 2017 (H.R. 23). Had I been present for roll call No. 350, I would have voted AYE.

HONORING THE LIFE OF FRANK  
BARTLETT

HON. CHARLIE CRIST

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 2017

Mr. CRIST. Mr. Speaker, I rise today to honor the life and accomplishments of one of the greatest of our generation, World War II veteran Frank Bartlett, who left us last week at the ripe old age of 104.

Serving as a surgical technician for the Ninth Infantry Division, Frank was a hero, awarded six bronze stars, one silver star, and an American Defense Service Medal for his dedication to saving lives on the battlefield.

During World War II, Frank served in the European theater, providing life-saving medical care to his fellow servicemen in North Africa, Sicily, France, Belgium, and Germany. As a surgical technician, Frank followed his brothers into battle, serving at their side so they might withstand the attacks of the enemy. On D-Day, Frank was one of the only surviving medics of the Battle of Normandy, risking his life to aid his fallen brothers in the face of incredible peril. His efforts went above and beyond—Frank would often offer his own blood for a patient's blood transfusion in times of need. A talented and tireless surgeon, Mr. Bartlett's courage and humility earned him the respect and gratitude of his commanding officers and his fellow soldiers.

Before joining the Army, Frank worked as a hair stylist in New York, a profession he returned to after completing his military service. Following his move to Pinellas County, Florida, Mr. Bartlett channeled his talent as an artist into opening his own kite shop, sharing the fruits of his creativity with the community he loved. Even after being declared legally blind, Frank's tenacious spirit drove him forward, running his small business, and hiking the mountains of Peru.

Mr. Speaker, at the incredible age of 104 years, Frank Bartlett passed away on July 8, 2017. He will be honored and laid to rest at Bay Pines National Cemetery. Supported by his loving friends, Frank lived out his final days in peace. Please join me in offering the deepest gratitude to Frank for his service to our country, his commitment to his brothers-in-arms, and his ceaseless dedication to his friends and community.

LILLIAN NORRIS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lillian Norris for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Lillian Norris is a student at Arvada K-8 School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Lillian Norris is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lillian Norris for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING DALE HEMPHILL,  
FOUNDER OF THE SPIRIT OF  
AMERICA FOUNDATION

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 2017

Mrs. WALORSKI. Mr. Speaker, I rise today to congratulate Dale Hemphill, a U.S. Navy veteran from Mishawaka, Indiana, on creating the Spirit of America Foundation and designing the Spirit of America flag to promote patriotism and appreciation for our nation's veterans.

The Spirit of America Foundation is a non-profit organization founded in 2001 that works to identify and prioritize veterans' health issues, create a network among other veterans service organizations, coordinate fundraising, establish support groups, and provide information and educational resources. The Spirit of America flag Dale created symbolizes the mission of the foundation and serves as a powerful tribute to the brave men and women who have sacrificed so much for our country.

Dale served in the U.S. Navy for six years and embodies the values of a true patriot. He designed the Spirit of America flag with great attention to detail: each aspect of the flag serves to commemorate what our veterans have done to preserve our freedom in a special way. For example, the color red on the banner symbolizes bloodshed, and the color blue represents valor and bravery. Not only does the flag honor our veterans by listing every conflict Americans have served in, it also recognizes the civilians, firefighters, police officers, and paramedics who died in the terrorist attacks of September 11, 2001.

Dale has given his flag to people all over the world, including four American presidents, every Indiana senator, governor, and representative, and the last surviving American WWI veteran, Frank Buckles. Nicknamed "Old Glory's Companion," this patriotic flag flies over multiple U.S. military bases.

Dale's love of country is evident to anyone who knows him. He has dedicated both his professional life and free time to serving and honoring his country and those who have fought to protect it. Even his car reflects his patriotism, decorated with both the Spirit of America flag and the American flag.

His incredible commitment of time and talent and his positive impact on veterans should in-

spire us all. I am so grateful to Dale for the worthy mission he defends.

Mr. Speaker, on behalf of 2nd District Hoosiers, I want to thank Dale Hemphill for his unwavering patriotism and his commitment to honoring his fellow veterans. He has truly left a mark on the northern Indiana community and the entire nation, and I look forward to the great things that lie ahead in his future.

HONORING DRs. JOHN GORMAN,  
VINCENT FREDA AND WILLIAM  
POLLACK FOR CREATING THE  
RH VACCINE

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 2017

Mr. LANCE. Mr. Speaker, I rise today to pay tribute to Drs. John Gorman, Vincent Freda and William Pollack for their creation of the Rh Vaccine. May 29, 2018, will mark the 50th Anniversary of the availability of this important and innovative medical therapeutic.

Prior to May 29, 1968, Hemolytic Disease of the Newborn (HDN), which is caused by a blood incompatibility between the mother and the fetus or newborn baby, had afflicted women over the ages. In the United States alone it was affecting thousands of Rh negative women and was responsible for nearly 9,000 fetal or newborn deaths annually. To address this crisis, Drs. John Gorman and Vincent Freda, practicing physicians at Columbia Presbyterian Hospital in New York, and Dr. William Pollack, of the Ortho Research Foundation at Johnson & Johnson in New Jersey, created a new vaccine that would prevent HDN and rapidly become the standard, worldwide, in the care and management of every Rh negative pregnancy.

The Rh Vaccine has nearly eliminated Rh hemolytic disease in the United States. This development has produced savings in human and financial costs that are estimated to exceed \$750 million dollars annually. The Rh Vaccine has a track record of being one of the most effective and safest products in the history of vaccines.

Drs. Gorman, Freda and Pollack were recognized for their work by the American Association of Blood Banks in 1969. In 1980, they were again recognized for this accomplishment by sharing the Lasker Clinical Medical Research Award, which honors those whose contributions have improved the clinical treatment of patients.

The Rh Vaccine is just one example why New Jersey is known as the medicine chest of the world. All the research and development for the vaccine was done in Raritan, New Jersey, which is part of the district that I serve. The product continues to be manufactured there today.

Mr. Speaker, the accomplishments of Drs. Gorman, Freda and Pollack should inspire all of us. They should remind us the important role Congress has in encouraging research and development. Together, we can continue to work in a bipartisan fashion to ensure that the next group of great doctors and scientists in this country has the support they need to

bring innovative medicines and products to market.

KEVIN PHAM

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kevin Pham for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Kevin Pham is a student at Mandalay Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Kevin Pham is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kevin Pham for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING MARY PAT RAIMONDI  
FOR A CAREER DEDICATED TO  
NUTRITION, HEALTH, AND  
STRONG COMMUNITY

**HON. BETTY McCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Ms. McCOLLUM. Mr. Speaker, I would like to extend my warmest wishes to Mary Pat Raimondi, a Minnesotan and dear friend, who is retiring after a successful and long career as a dietician and anti-hunger advocate. Mary Pat most recently has served as Vice President of Strategic Policy and Partnerships of the Academy of Nutrition and Dietetics where she has used her vast experience and knowledge to inform and educate policy makers on nutrition issues that improve health and reduce hunger.

Mary Pat's enthusiasm for her work and dedication to nutrition issues is evident from a recent interview in which she said, "I have the best job because I can tell the story of the value we offer to improve health to members of Congress, federal agencies, and the White House. I love to promote our members' work that impacts health and helps families and communities."

The leadership demonstrated by Mary Pat was evident in Minnesota where she worked from many years as Program Director for the University of Minnesota Extension. She was a frequent visitor to my office and I could always count on her advice, insights, and solid information on critical policy issues. Mary Pat was a consummate professional and a tremendous resource for my staff and me.

Again, I want to thank Mary Pat Raimondi for her dedicated service and her passion for

the children, families, and seniors who benefited from her work.

KATELYNNE RIGGINS

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Katelynne Riggins for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Katelynne Riggins is a student at Warren Tech North and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Katelynne Riggins is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Katelynne Riggins for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

LILLIAN SLIGHT

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lillian Slight for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Lillian Slight is a student at Oberon Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Lillian Slight is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lillian Slight for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING  
KRYCZKOWSKI, DEBBIE  
PRESIDENT, DEPARTMENT OF  
NEW YORK AMERICAN LEGION  
AUXILIARY

**HON. CLAUDIA TENNEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Ms. TENNEY. Mr. Speaker, I rise to recognize Debbie Kryczkowski, who was elected

Department (State) President of the American Legion Auxiliary, Department of New York at the 96th annual convention in Binghamton, NY. Debbie is a 33-year member of Lee Unit 1794 of Oneida County, a past unit president, and life member. Debbie remains very active in her Unit, presently serving as Secretary. Debbie continues volunteering for various unit functions.

Debbie has chaired many committees on the county level and county offices, and is currently serving as Constitution & Bylaws Chair. Debbie received department awards as the County Chairman of Leadership, Empire Girls State, Membership and Veterans Affairs and Rehabilitation. Debbie served as 5th District President, District Membership Chairman, Sergeant at Arms, and a District representative at Department Conventions and member of two Department Convention Committees.

On the Department level, Debbie served on Junior Activities, Executive Board, Public Relation, National Security, Children & Youth and Veterans Affairs and Rehabilitation and is currently the Membership Chairman. Debbie is a graduate of the National American Legion Extension Institute and National American Auxiliary Leadership Correspondence Course. She was the Public Relations Instructor and is an Alumni of the American Legion Auxiliary College. Debbie is a Chapeau Passe' of the Oneida County Salon No. 31.

Debbie is spending the year promoting and raising money for the Tragedy Assistance Program for Survivors. The Tragedy Assistance Program for Survivors (TAPS) offers compassionate care to all those grieving the death of a loved one serving in our Armed Forces. Since 1994, TAPS has provided comfort and hope 24 hours a day, seven days a week through a national peer support network and connection to grief resources, all at no cost to surviving families and loved ones.

Their National Military Survivor Seminar and Good Grief camp has been held annually since 1994. TAPS also conducts regional Survivor Seminars and Good Grief Camps at locations across the country. The Tragedy Assistance Program for Survivors (TAPS) is a not-for-profit organization and is not part of, or endorsed by, the Department of Defense.

On a personal level, Debbie received her eligibility through her brother, a Vietnam and U.S. Army Veteran Philip Racquet. She has five brothers, who are all Vietnam Veterans, and has three sisters. Her deceased father, Phillip E Racquet, was a WWII Army Veteran of the European Theater. Debbie's son is Retired Tech. Sgt. Robert Kryczkowski, Jr. of the United States Air Force. Debbie has five grandsons: Kevin, Nathan, Zachary, Rylan, and Christian. She is a volunteer with the Hemlocks at Rome Hospital and Rome Rotary Club as a Board of Director. Debbie recently retired from M&T Bank to devote her time to her family and her American Legion Family.

PERSONAL EXPLANATION

**HON. RICHARD HUDSON**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. HUDSON. Mr. Speaker, on July 12, 2017 during the second vote series of the day,



I was unavoidably detained on Roll Call No. 351 and missed the vote. Had I been present, I would have voted Nay.

LARISSA TORRALBA

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Larissa Torralba for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Larissa Torralba is a student at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Larissa Torralba is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Larissa Torralba for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

#### PERSONAL EXPLANATION

**HON. RO KHANNA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. KHANNA. Mr. Speaker, I was unable to be present for votes in the House of Representatives yesterday, Wednesday, July 12, 2017, due to the recent birth of my son. Due to the absence, I missed Roll Call votes 347 through 352. Had I been present, I would have voted:

Nay on Roll Call vote 347 (ordering the previous question on the Rule providing for consideration of both H.R. 23, the Gaining Responsibility on Water (GROW) Act of 2017, and H.R. 2810, the National Defense Authorization Act (NDAA) for Fiscal Year 2018 (FY18));

Nay on Roll Call vote 348 (the Rule providing for consideration of both H.R. 23, the GROW Act, and H.R. 2810, the NDAA for FY18);

Aye on Roll Call vote 349 (passage of H.R. 1492, the Medical Controlled Substances Transportation Act);

Aye on Roll Call vote 350 (the DeSaulnier amendment to require the Interior Department to review available and new technologies for capturing municipal wastewater);

Aye on Roll Call vote 351 (the Carbajal motion to recommit H.R. 23 to add an exemption to the underlying bill to ensure there is an adequate supply of water from reservoirs or other surface waters to help fight wildfires); and

Nay on Roll Call vote 352 (passage of H.R. 23, the GROW Act).

THANKING VICKIE PLUNKETT FOR  
TWENTY-THREE YEARS OF  
SERVICE TO THE UNITED  
STATES CONGRESS

**HON. MADELEINE Z. BORDALLO**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Ms. BORDALLO. Mr. Speaker, I rise today to thank Vickie Plunkett for her over twenty years of service in the United States House of Representatives. As we consider the Fiscal Year 2018 National Defense Authorization bill in the House Armed Services Committee, for the tenth and final time with Vickie as a Professional Staff Member on the Committee, I would like to take a moment to reflect on her decades of service to this body, and our nation.

Vickie has served as the lead staffer for the Readiness Subcommittee, which oversees the largest account in the Department of Defense, Operations and Maintenance, to include military operations, readiness, and training issues, funding, and programs. In this capacity, she has fought to ensure that our men and women in uniform are trained, ready, and equipped to carry out missions we ask of them, while ensuring that we are acting as responsible stewards of the taxpayer dollar. As the Ranking Member of the Readiness Subcommittee, I have deeply valued Vickie's counsel and advice, as well as her candid perspectives.

Vickie joined the House Armed Services Committee in 2007 after more than a decade of working on defense issues in Congress. From 1989 to 2002, she served as the Deputy Chief of Staff and Military Legislative Assistant to my friend and the former Chairman of the Readiness Subcommittee, Solomon Ortiz, as well as former Congressman Glen Browder, another member of the Subcommittee. Prior to relocating to Washington D.C., Vickie honed her critical thinking and journalistic skills as a publisher, editor, reporter, and photographer for daily and weekly newspapers in Alabama and Georgia. Her editorial expertise and deliberative approach served her and the Committee well not only as we crafted the annual defense authorization bill, but also through countless hearings, markups, and meetings. Her efforts have been instrumental to enacting good public policies for our military and our servicemembers and their families are better equipped, trained, and resourced because of them.

Mr. Speaker, Vickie's departure from the House Armed Services Committee will leave us without the decades of experience and wisdom that she brought to each and every challenge we encountered. I am proud of the work she did, as well as the intelligent, thoughtful manner in which she approached it. On a personal level, Vickie has been a tremendous friend of Guam and the men and women who serve on our island. So on behalf of my constituents and the people of Guam, I extend her my sincere un dangkulo na si Yu'os ma'ase (deepest gratitude). I wish her, her husband David, and their families well as they enter the next chapter in their lives.

KHANG TRAN

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Khang Tran for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Khang Tran is a student at Oberon Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Khang Tran is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Khang Tran for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING LIEUTENANT COLONEL  
(LTC) ROBERT B. NEWELL, SR.

**HON. WALTER B. JONES**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. JONES. Mr. Speaker, I rise today to honor the late Lieutenant Colonel (LTC) Robert B. Newell, Sr., for the eleven years of his life that he dedicated to the Army as a surgeon, and the countless years he dedicated as a civilian to saving the lives of others.

After growing up in Buffalo, NY, LTC Newell attended Colgate University, leaving for financial reasons before he could achieve a full degree. However, this did not prevent him from earning his M.D. at the University of Buffalo Medical School. Colgate University would later issue LTC Newell a degree based on his medical school credits at the request of his son, although LTC Newell passed away shortly before hearing this news.

His service to our country started shortly after his graduation from medical school, when LTC Newell joined the army as a trauma surgeon during World War II. He saved the lives of many wounded allied soldiers in England, France and Germany until after the end of the war in 1946.

LTC Newell re-enlisted in the Army in 1948 and served as a Major and head of the Department of Surgery at Fort Lee. He was soon advanced in rank to Lieutenant Colonel and dispatched to Korea, where he served as commanding officer of the 2nd Mobile Army Surgical Hospital (MASH) Unit, the 8225th. LTC Newell received the Bronze Star Medal for his heroic achievements and service in combat zone in Korea as part of the MASH Unit. He gave soldiers the immediate and encompassing care that saved many lives throughout his years of service. He retired from duty in 1953.

Even after his time in the Army, LTC Newell continued to serve the community and save lives as a surgeon and as a leader. Over his long career, in addition to his surgical practice, he also served as the president of medical staffs at three different Illinois hospitals, and as head of the High Point Emergency room in North Carolina.

I am here today to honor LTC Newell after his countless years of service to both the U.S. Army and to injured civilians. His service and commitment to saving lives is commendable, and he is well deserving of this honor. His son, five grandchildren, and six great-grandchildren still remember the great deeds and legacy of their beloved father and "Grandfather Beach," as well as the positive influence he had on their lives. As his grandson Danny writes, Lt. Col. Newell "was the epitome of Brokaw's Greatest Generation."

#### PERSONAL EXPLANATION

### HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for Roll Call vote 349 on Wednesday, July 12, 2017. Had I been present, I would have voted Yea on Roll Call vote 349.

#### RECOGNIZING THE 100TH ANNUAL FRANKLIN COUNTY FAIR

### HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. STIVERS. Mr. Speaker, I rise today on behalf of the people of Ohio's 15th Congressional District to recognize the 100th Annual Franklin County Fair. Since 1917, the Franklin County Agricultural Society has given our Central Ohio community countless memories of summertime fun had at the County Fair.

Central Ohio has a rich agricultural heritage, and that heritage is on full display at the Franklin County Fair. Its craft marketplace allows patrons to purchase the exquisite and well-made products of local vendors, and its Junior Fair provides young student farmers with the chance to showcase their hard work and skill in agriculture.

But most importantly, the County Fair provides friends and families from Obetz to Hilliard time to reconnect with one another. They can forget their hectic lives and enjoy traditions that have been appreciated by generations for 100 years.

I am grateful to the Franklin County Agricultural Society and the Franklin County Fair Board for ensuring the success of this year's event, and I am proud to recognize all who have been a part of its storied history.

JOSIAH VIGIL

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Josiah Vigil for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Josiah Vigil is a student at Arvada K-8 School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Josiah Vigil is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Josiah Vigil for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

#### ADDRESSING DIGITAL CURRENCY

### HON. ROGER WILLIAMS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. WILLIAMS. Mr. Speaker, I rise today to address digital currency. This new financial platform is recreating the structures of international finance, and in part offers many exciting opportunities for our future.

However, our nation must ensure that the rise of digital currency, and its use within our borders, does not help aid the actions of terrorists, criminals, and others who want to hurt us.

In recent weeks, the Subcommittee on Terrorism and Illicit Finance of the House Financial Services Committee, led by its chairman, Congressman Steve Pearce, held a critical hearing entitled "Virtual Currency: Financial Innovation and National Security Implications."

Mr. Speaker, at this hearing, the serious national security implications of digital currency, and its use by terrorists was examined. Unless we in Congress develop rational and balanced policies, we may be enabling the very terrorists who wish to destroy us.

Of particular concern is that many of the leading digital currencies are not compliant with the "Anti-Money Laundering" and "Know Your Customer" requirements that we demand of our other financial institutions. This lack of compliance provides a widely opened door for forces of evil to finance their terrible endeavors.

The question, Mr. Speaker, is how we are able to balance our desire to protect our nation and innocents around the world from terror, while not losing our freedoms or economic opportunities.

At this time, virtually all the world's digital currencies are not compliant with the critical AML/KYC standards we expect of our other in-

stitutions. Some in the digital currency world argue that digital finance requires a relaxation of these standards. This is absolutely incorrect.

I encourage Congress to continue its efforts to study digital finance, and I am hopeful that, in the coming weeks, our focus will attend to the issue of AML/KYC compliance, highlighting those currencies that refuse to provide this safeguard, and examining and encouraging those who do.

#### RECOGNIZING CAPE CORAL SWIM TEAM

### HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today to recognize and congratulate the nine swimmers from the Cape Coral swim team who qualified for the Florida Age Group Championships this weekend.

Swimmers Brent Baker, Evan Baker, Maddie Lehman, Jacob Bilancione, Hayden Tedhams, Skylar Gusler, Natalie Handzlik, Anne Kokosinski and Melana Greene have displayed tremendous skill and determination to qualify for this competition. All under fourteen years of age, these swimmers have shown commendable character as they have practiced tirelessly for this opportunity.

I would also like to honor veteran coach Ed Collins for his dedication to the swim team and the City of Cape Coral. His hard work has brought a record of nine swimmers from the team to this elite competition this year and his three decades of service have inspired many children in our community.

I am honored to have the Cape Coral swim team and Coach Collins represent our district at the championships in Sarasota this weekend.

#### PERSONAL EXPLANATION

### HON. DARIN LAHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. LAHOOD. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted: YEA on Rollcall No. 349.

#### BELOVED: CHILDREN OF THE HOLOCAUST

### HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. WILSON of South Carolina. Mr. Speaker, on June 18, 2017, The State newspaper of Columbia, South Carolina, published a remarkable article by John Monk entitled, "In S.C. artist's portraits, Holocaust children live."

The following portions of the article reveal how the memories of these children are kept

alive through an extraordinary heartfelt achievement:

"I draw their eyes first," said Mary Burkett, "and I reach a moment where I just make some little subtle shading, and all of a sudden, I see the little person, and I just sort of say, 'Hey, darling.'"

"It is so wonderful that they are there. They seem to me as though they are hiding in the paper, and I just reveal them. I just find them."

Since January, Burkett, 64, of West Columbia, has created 19 pastel portraits of children. Using old grainy black and white photos she printed from the Internet, she has spent hours, dabbing on minute amounts of pastel with a Q-tip or a rolled paper stump called a tortillon, creating the pictures on light brown paper.

She works at home, surrounded by high windows, or on the third floor of the Richland County's main library—both places with natural or bright overhead light. It takes her 25 or 30 hours over a week to draw just one image.

They aren't just any children. They are Jewish children who died in the Holocaust. Their faces exude happiness, though, for the photos that Burkett worked from were taken when the children were with their families, before being sent to the horror of the death camps created by Nazi Germany.

To those who have seen them, Burkett's portraits radiate life, love and loss, intertwined in a way digital or photographic images can't convey.

Many viewers tear up. They might have come across photos before of Jewish children killed in Hitler's concentration camps during World War II. But none like Burkett's, they said.

"I've never seen anything like it, personally," said Barry Abels, executive director of the Columbia Jewish Federation. "Something gets yanked right out of me when I look at these pictures."

Abels heard about Burkett's portraits. After showing them to some friends, he invited her to Holocaust Remembrance Day at Columbia's Tree of Life Synagogue in April. She set up a table, and people dropped by to see her sketches, still in her sketch book.

"Everybody was amazed," Abels said. "The images jump out of the paper. She had captured the essence of the children. 'Remarkable' was a word I heard more than once . . ."

Because of the positive reactions from others, Burkett has made her goal with the pictures to share them with others in a way that lets others learn their stories . . .

Burkett showed her first portrait, of Hersch Goldberg, to her husband of 40 years, Ronny. He liked what she had done, encouraged her to continue, and advised her that if she felt she had to do the portraits, she should continue.

"I started looking for pictures of children from the Holocaust, wanting their pictures to be from the 1930s, before the Holocaust happened. The reason for that is, they were children. They laughed, and they cried, and they fussed, and they giggled, and they ran, all the things that kids do."

Back then, Burkett said, cameras were a novelty and children didn't make faces when you took their picture. "Whatever emotion they were feeling, is actually on their little faces . . ."

Belinda Gergel, a Burkett friend and retired history professor at Columbia College who now lives in Charleston, said, "Quite frankly, these drawings are about as powerful as they could be."

"Mary has a gift, and it's a gift that transcends time, and it brings the past right back into the present," Gergel said. "When you look at these drawings, you are confronting the central question about human experience: How could we have lost these very special children?"

Gergel, Hamm, Abels and Filler all hope Burkett can find a way to share what she's done with wider audiences.

Whatever happens, Burkett doesn't want herself to be the focus of attention.

"All the power resides in the children. I don't think it's my drawing at all," she said.

## FULBRIGHT PROGRAM GRANTEES

### HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 2017

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today to recognize several outstanding individuals from my district who have received prestigious Fulbright awards during this past academic year. They are Cristaly Carrion, Debra Darnell, Emilio Feijoo, Joy Hazell and Mark Simpson.

Established by Congress in 1946, the Fulbright Program attempts to forge relations between Americans and emerging leaders around the globe through international education exchange. Each year, over 3,000 U.S. students and professionals in a myriad of disciplines are offered merit-based Fulbright grants to lecture, study, and conduct research all over the world. Alumni of the Fulbright Program have gone on to achieve distinction in science, the arts, business, and several other fields.

The five grantees from my constituency traveled to a diverse array of host countries—Cristaly to Spain, Debra to Peru, Emilio to the United Kingdom, Joy to Dominica, and Mark to Rwanda. Under the Fulbright Program, they worked with a wide range of partners and gained valuable skills and expertise that will serve them well in any endeavors they may wish to pursue. The relationships they formed will help build a foundation of trust on which the U.S. may advance global peace and security.

I congratulate Cristaly, Debra, Emilio, Joy and Mark on their outstanding honors, and wish them the best of luck as they continue toward their academic and professional aspirations.

## HONORING MR. DAVID SMITH

### HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 2017

Ms. ESTY of Connecticut. Mr. Speaker, I rise today to honor Mr. David Smith for his nearly 50 years of service as a Professor of Music at Western Connecticut State University and for his community leadership in Danbury, Connecticut. Mr. Smith retired this year from his role at WCSU, and I thank him for his long commitment to encouraging students and their passion for music.

Percussion has been David's life work. As a student of music, David excelled in both his undergraduate and master's degree studies. He then began working as a Professor of Music at WCSU in 1970, and David demonstrated a remarkable ability to connect with and inspire thousands of students. His excellence in teaching and dedication to helping students was widely recognized, and he received Connecticut's Higher Education Music Educator of the Year Award in 1995 and WCSU's Teacher Excellence Awards in 2010. David touched the lives of countless students, and his legacy in musical education at WCSU and in our state will be remembered for generations.

In addition to his career as a professor, David also worked as a percussionist in several orchestras, including the New Haven Symphony Orchestra, the Ives Symphony Orchestra, the Bridgeport Symphony, and the Ridgefield Orchestra.

Mr. Speaker, David Smith committed his career to teaching and public service, and his devotion to his students, his work, and his community will have lasting impacts. Therefore, it is fitting and proper that we honor Mr. David Smith here today. I offer my best wishes for a well-deserved and restful retirement.

## GEORGE TAKACS

### HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 2017

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today in recognition of George Takacs, a student at Gulf Coast High School in Naples, who recently committed to play football at the University of Notre Dame. By signing his commitment, George fulfilled a lifelong dream to attend the University he has admired throughout his life.

Selected as an Army All-American, George has proven his dedication to the sport and achieving his goals. He will be on the field with some of the finest athletes in the country, while pursuing his academic goals with some of the finest scholars in the world.

I congratulate George on his perseverance and look forward to seeing what he will accomplish in South Bend over the course of his collegiate career.

## PERSONAL EXPLANATION

### HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 2017

Mr. GUTHRIE. Mr. Speaker, I was absent from votes yesterday due to my participation in a health care listening session in Lexington, Kentucky, with Vice President Mike Pence. As vice chair of the House Committee on Energy and Commerce Health Subcommittee, this was another great opportunity for me to hear firsthand from Kentucky's small business owners about their experiences providing health insurance for their employees. Had I been

present, I would have voted on Roll Call No. 345, Yea; Roll Call No. 346, Yea; Roll Call No. 347, Yea; Roll Call No. 348, Aye; Roll Call No. 349, Yea; Roll Call No. 350, No; Roll Call No. 351, No; Roll Call No. 352, Aye.

#### RECOGNIZING THE 49TH CITI OPEN TENNIS TOURNAMENT

#### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in recognizing the Citi Open Tennis Tournament, taking place July 29 through August 6, 2017, in Rock Creek Park, and in recognizing these dates as "Tennis Week in the District of Columbia." All are invited to attend the 49th edition of this Washington tennis tradition, a cultural, economic and community staple in the region.

The tournament, now known as the Citi Open Tennis Tournament, was founded in 1969 by tennis legend and Hall of Famer Donald Dell, along with business partner John Harris, and with the support of Arthur Ashe, the first African-American to win both the U.S. Open and Wimbledon. Ashe declared he would participate in the inaugural tournament under two conditions: the tournament would take place in a naturally integrated neighborhood, and it would be played on public land where all people could come together, enjoy the sport and share the experience. Today, the tournament remains at its original location on 16th & Kennedy Streets NW., in Rock Creek Park.

In 1972, Donald Dell gifted the tournament to the Washington Tennis & Education Foundation (then called the Washington Area Tennis Patrons), a nonprofit organization supporting local education causes.

The Citi Open Tennis Tournament draws the best players in the world, making D.C. a global tennis destination. The tournament is also seen on television in over 180 countries. A recent economic impact study found that the estimated total gross impact of the Citi Open on the regional economy is more than \$28.2 million. The tournament is the only Association of Tennis Professionals 500-level event in the United States, and it is one of only four professional tennis tournaments combining men's and women's events. It is also recognized as an International level tournament by the Women's Tennis Association. As the tournament returns to the District this year, the city and our office will be working with residents of the neighborhood to ensure that measures are taken to mitigate traffic in the area and that the beautiful residential neighborhood of the tournament's location is undisturbed.

Mr. Speaker, I ask the House of Representatives to join me in recognizing "Tennis Week in the District of Columbia" for the Citi Open Tennis Tournament, as well as the Washington Tennis & Education Foundation for their efforts.

#### PERSONAL EXPLANATION

#### HON. MIKE BOST

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. BOST. Mr. Speaker, my vote was recorded as Yea on Roll Call No. 350. My intention was to vote Nay on Roll Call No. 350.

#### GRACE JONES RETIREMENT

#### HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. KIND. Mr. Speaker, I rise to bring to the attention of my colleagues the good work of Grace Jones, who is retiring on July 14th as the executive director for the past 31 years of Couleecap. The people, families, and communities of western Wisconsin are better off as a result of her work and leadership.

As a community action agency, Couleecap serves low-income people and families in Vernon, La Crosse, Crawford, and Monroe counties, with programs that help people with housing, including home ownership and rehabilitation; weatherization and other energy efficiency measures; employment and training; transportation; food and clothing; and drug use prevention. However, under Grace's leadership, Couleecap continues to evolve with the needs of the community. Many people attribute Couleecap's success to Grace's ability to recognize and understand the needs and the challenges of the people that she and the agency serves.

Trained as a teacher, Grace began her work with Couleecap as a specialist working with at-risk youngsters. "As a teacher, I tried to instill in very student the hope and belief that they could achieve their dreams with hard work and persistence," Grace told the La Crosse Tribune. With her work at Couleecap, she has been able to help people grow, better themselves, and improve countless lives and families along the way.

Over the years, Grace has received a number of awards for her work. While appreciative of the attention, she has never forgotten the reason for her work, telling the La Crosse Tribune, "At Couleecap, we are so glad that we can help families with encouragement, hope and the tools that they need." She continues, "we prefer to believe we live in a land of great opportunity equally available to everyone. This is not true. Discrimination and poverty still exist—and too many people have talents that are quickly buried under poverty's crushing weight. For these talents to flourish, there must be equal opportunity for all."

I thank Grace Jones for her work at Couleecap. Her work has made a real and lasting impression to the people and communities she served.

#### RECOGNIZING MARK ZAMBON

#### HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mrs. DAVIS of California. Mr. Speaker, I rise to recognize someone who has made a lasting impact in my Congressional District and the community.

Two years ago, Mark Zambon joined my office as part of the Wounded Warrior Fellowship program through the House of Representatives. He will be leaving my San Diego office in July of 2017.

While he was my primary liaison with our veterans community, Mark also served as a community representative to neighborhoods and managed a number of issues critical to my district. Mark always has a "can do" attitude. If you needed something yesterday, you got it yesterday.

Mark marvelously represented Mission Hills, El Cajon, Mission Valley, University Heights, and Uptown.

His passion and work with the Veterans and Active Duty communities in San Diego has not gone unnoticed by my constituents. In the closing days of his service to the 53rd, communities have been honoring and thanking him for his work.

Mark hails from Marquette, Michigan. After graduating from Marquette Senior High School, he enlisted in the Marine Corps. Mark deployed to both Iraq and Afghanistan with six combat tours and two Purple Hearts. Serving as an explosive ordnance disposal technician in Afghanistan, he lost both legs from an explosion during a mission in Sangin, a town in Afghanistan's Helmand province.

Despite this, it's not uncommon to find Mark scaling up a rock face or racing cars. In fact, Mount Kilimanjaro was a recent conquest.

When he is not going the extra mile to help veterans in the 53rd Congressional District, Mark is probably traveling, tracking down a quality craft brewery, or hanging with his cat Frankly.

Mr. Speaker, I cannot say enough about how Mark has taken on the role of providing support for his fellow warriors injured in the line of duty and honoring those who have given their lives in defense of our country.

I am proud to recognize Mark and thank him for all of his outstanding contributions to our local communities, our constituents, and our country.

#### PERSONAL EXPLANATION

#### HON. DENNY HECK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. HECK. Mr. Speaker, I rise to make a correction in the CONGRESSIONAL RECORD. Earlier today, this body took a vote series with twelve votes in a row, ten of which were amendments to the National Defense Authorization Act, H.R. 2810.

During that vote series, we considered Amendment Number Six, offered by my friend

and colleague, Mr. NADLER of New York. That amendment would have struck Section 1022 of the bill, which prohibits the use of funds for transfer or release of individuals detained at Guantanamo Bay.

For too many of our friends and allies around the world, the Guantanamo Bay facility has become a symbol of human rights abuses, and our enemies use it to rally opposition to the United States. I have consistently voted to close Guantanamo Bay.

Unfortunately, my recorded vote was opposed to this Amendment. I would like to correct the RECORD of my vote in favor of Amendment Six and opposed to detaining individuals at Guantanamo Bay.

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REMEMBERING REVEREND KATIE  
R. FOSTER

**HON. STEVEN M. PALAZZO**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 2017*

Mr. PALAZZO. Mr. Speaker, I was deeply saddened to hear of the loss of Rev. Katie R. Foster Anthony, a proud representative of the values, ambition, and resilience of the people

of South Mississippi. Throughout her illustrious life she graciously and selflessly served others, setting an example of how to passionately pursue Jesus Christ and spread His love to all. The community is a much better place because of her tireless efforts, and her legacy will live on.

As one of the first Ordained Women Ministers in the United Methodist Church, she broke through gender barriers and continuously deepened her faith, spreading her wisdom to many people, including her congregation at Solid Rock Church of God in Christ. Pastor Katie shared the Gospel outside of her church as well, through her roles as host of the Common Sense Television Show, radio host minister on 94.5 FM WJZD, a prison minister, an ordained minister of the Haven Chapel United Methodist Church, and a member of "The Way Christian Ministries." Her teachings will live on and continue to inspire others.

Pastor Katie has always been active in her Mississippi community. She was a 4H lifetime member, a member of the Delta Sigma Theta Sorority, the founder of Foster Enterprises "fast tax" income tax service, a grocery store business owner, a social worker, a school teacher, and overall an outstanding community member. She had an insatiable thirst for knowledge, starting her education at Nichols

High School in Biloxi, and continuing on to earn undergraduate and graduate degrees from many renowned colleges including Wiley College, Southern University, and Emory University.

I have been inspired by Pastor Katie and know her incredible life will motivate others to unselfishly serve their community. She believed anyone can make a powerful difference no matter where they are or what situation they may find themselves in, and this attitude is one I wholeheartedly commend. The people of South Mississippi can learn so much about what it means to be a good community member, American, and all around person by looking at the example Pastor Katie set. She will be deeply missed by her congregation, her loving family, and the multitude of people she impacted.

Words seem inadequate during a time of loss such as this, but I pray that all those that knew and loved Pastor Katie find comfort in the arms of family, friends, and community members on whom she left a tremendous impression. My thoughts and prayers are with everyone during this difficult time, and I will always remember Pastor Katie as the amazing woman and trailblazer that she was. On behalf of the people of Mississippi, I recognize her life and service.

## HOUSE OF REPRESENTATIVES—Friday, July 14, 2017

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

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
July 14, 2017.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

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

### PRAYER

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

We give You thanks, O God, for giving us another day.

We commend to You the Members of Congress, the President, his Cabinet, and all who struggle to lead Your people. May they acknowledge Your sovereignty over all events and times.

Renew America in confident faith and deepen our commitment to seek peace—help us to work together when confronting those whom we find it difficult to trust, but with whom we must try to forge a common future of security and prosperity.

In all, inspire the Members of this people's House with Your spirit, that all might seek to find first areas of agreement where possible, and openness to honest exchange where it is not.

May all that is done within the people's House be for Your greater honor and glory.

Amen.

### THE JOURNAL

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

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

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Illinois (Mr. BOST) come forward and lead the House in the Pledge of Allegiance.

Mr. BOST led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

### COMBATING HUMAN TRAFFICKING

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

Mr. BOST. Mr. Speaker, I rise today to advocate for the victims of human trafficking and for the law enforcement and organizations who are on the front lines combating this growing problem. Human trafficking is a growing problem in Illinois where we rank ninth in the Nation in reported trafficking cases.

Cases are on the rise nationwide. As a father of three and grandfather of 11, I am angry. We must wipe out this evil before it does any more harm.

I am proud that Republicans and Democrats came together to pass three antitrafficking bills this week.

Our work is far from over, but these bills are vitally important to help protect American families.

### RECOGNIZING RICHARD DEWITT SMITH

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

Mr. BUTTERFIELD. Mr. Speaker, I rise this morning to recognize Richard DeWitt Smith, a native of my home State of North Carolina and a graduate of our alma mater, North Carolina Central University.

Tomorrow night, Richard will be honored by the NCCU Alumni Association with the prestigious Alumni Founder's Lifetime Achievement Award.

Richard is most deserving of this great honor. Since graduating in 1981, Richard has been a dedicated alumnus to the university, always exemplifying our motto of Truth and Service.

Richard continues to serve NCCU and its alumni community in numerous capacities at the local, State, and national levels. He gives of his time, talent, and resources to help students from across the country succeed in obtaining a quality education from His-

torically Black Colleges and Universities.

Richard Smith has been married to Jacqueline Beatty Smith for 28 years. They met 40 years ago as NCCU students.

Mr. Speaker, time does not permit me to fully describe Richard's many other contributions; but suffice it to say that Richard Smith is most deserving of this high honor—the NCCU Alumni Association 2017 Alumni Founder's Lifetime Achievement Award.

I am proud of Richard Smith, and I thank him for his extraordinary work. I ask my colleagues to join me today in congratulating this great American hero.

### HEALTHCARE TOWNHALLS

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

Ms. ADAMS. Mr. Speaker, 118,000—the number of people in my district alone who will lose healthcare if TrumpCare passes.

250—the number of people who joined me for a healthcare townhall on Monday in Charlotte.

Zero—the number of public hearings the Senate has held on TrumpCare.

Despite the potential for 22 million people who will lose their healthcare if TrumpCare passes, Senator MCCONNELL hasn't asked to hear from any of them.

On Monday, I held a townhall where my constituents shared their stories and asked that I share them with you.

Katie Mpelkas, a mother of a 3-year-old with autism, relies on Medicaid for her son's healthcare. She is terrified at the thought that without Medicaid coverage her son won't get the care he needs.

Adrienne Gonzalez's son, diagnosed with autism at age 2, has been receiving care paid for by Medicaid since he was 11 months old.

Sadly, their stories aren't unique. Thirty-nine percent of children are on Medicaid for the care they need, and TrumpCare cuts the program by 35 percent by 2036.

Our constituents are begging for help. It is our responsibility to fight for them.

### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018

The SPEAKER pro tempore (Mr. BOST). Pursuant to House Resolution 440 and rule XVIII, the Chair declares

the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2810.

Will the gentleman from Idaho (Mr. SIMPSON) kindly take the chair.

□ 0906

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2018) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. SIMPSON (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole House rose on Thursday, July 13, 2017, a second set of amendments en bloc, offered by the gentleman from Texas (Mr. THORNBERRY) had been disposed of.

It is now in order to consider amendment No. 16 printed in House Report 115-217.

#### AMENDMENT NO. 17 OFFERED BY MR. BYRNE

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in House Report 115-217.

Mr. BYRNE. Mr. Chairman, I rise as the designee of the gentlewoman from Florida, and I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title XXXV add the following:

#### SEC. \_\_\_\_ APPLICATION OF LAW.

Section 4301 of title 46, United States Code, is amended by adding at the end the following:

“(d) For purposes of any Federal law except the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), any vessel, including a foreign vessel, being repaired or dismantled is deemed to be a recreational vessel, as defined under section 2101(25), during such repair or dismantling, if that vessel—

“(1) shares elements of design and construction of traditional recreational vessels (as so defined); and

“(2) when operating is not normally engaged in a military, commercial, or traditionally commercial undertaking.”.

The Acting CHAIR. Pursuant to House Resolution 440, the gentleman from Alabama (Mr. BYRNE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, this straightforward and bipartisan amendment would provide important clarity for the recreational marine industry as it relates to workers' compensation coverage.

For decades, Federal law stated that individuals who build, dismantle, or repair recreational vessels less than 65 feet could be covered under State workers' compensation law instead of the Federal Longshore and Harbor Workers' Compensation Act.

Under the Democrat-controlled Congress in 2009, the law was simplified by eliminating the size limitation, which allowed more employers to purchase State workers' compensation.

Unfortunately, in 2011, the Department of Labor issued a burdensome and confusing rule creating a new definition of recreational vessel. This change contradicted legislation passed by the Congress in 2009, and effectively denied recreational vessel repair workers access to more affordable State workers' compensation insurance.

This regulatory confusion and uncertainty is reducing access to affordable workers' compensation policies and also hurting the overall recreational repair industry.

Our bipartisan amendment increases strong protections to ensure that no vessel used for commercial or military purposes is inappropriately excepted from the Federal requirements.

This amendment would provide regulatory relief for small businesses, including those in coastal Alabama, while also ensuring the maritime workers receive the protections they need.

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

Mr. COURTNEY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Connecticut is recognized for 5 minutes.

Mr. COURTNEY. Mr. Chairman, I rise in opposition to this amendment that is offered by my good friend from Alabama (Mr. BYRNE).

I would just note that this is an amendment that has been around the last couple Congresses, and the intent clearly is to carve out a larger exemption from the longshoremen's act which is a law that goes back to 1927.

I would note that if that is the intent, the language of this amendment actually is kind of like legislating with a chainsaw instead of a scalpel because by carving out a larger exemption for recreational vessels above or beyond 55 feet long, basically there is a whole series of Coast Guard rules and regulations that have been enforced by the Coast Guard for many years that this amendment, unfortunately, is going to sweep up and undermine, including the rules related to alcohol on board vessels, waste management, Coast Guard inspection categories, vessel sales to non-U.S. citizens, tonnage taxes, and safety management systems.

The Coast Guard is out there every single day making sure that these rules which really protect our ports and make sure that particularly foreign, large, super yachts are paying their

fair share, in terms of the costs of environmental protection, and boating safety is enforced. That is, again, what this amendment will undermine.

That is why last year the Coast Guard issued a statement pointing out the fact that because of the broad sweep of the language of this amendment, it is really undermining some key missions that the Coast Guard has been doing for decades for the American people.

So I would note that, at the outset, obviously there is, I think, another issue which is just as significant which is undermining the longshoremen's act which goes back to Calvin Coolidge. It recognizes the fact that the folks who are engaged in longshoremen activity but also shipyard construction are engaged in a very high-risk type of occupation.

The longshoremen's act was a recognition that State workers' compensation systems, because of the fact that they varied up and down in terms of protections, really required a Federal minimum standard. That is really something that has obviously withstood the test of time over the last 90 years.

Again, if you look at the data, people who were involved in shipyard work, their risk of injury is much higher than many other occupations.

I am a proud Representative from a district that has the second largest employment level in shipbuilding according to the American Shipbuilding Association, and these folks are dealing with processes, equipment, and parts that, again, really are much higher risk than even aerospace or other forms of manufacturing.

Mr. Chairman, I think what we ought to do is stick to the Coast Guard definition of what a recreational vessel is because that has been on the books for many years, and it is something that I think all of us should listen closely to in terms of evaluating this amendment.

I think also we should recognize that we can build a great American shipbuilding sector in this country for commercial and recreational vessels, but we should not do it on the backs of worker protection.

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

Mr. BYRNE. Mr. Chairman, I appreciate the gentleman. He and I have worked together on shipbuilding issues a lot of times, and I appreciate his leadership in that industry.

These are recreational vessel companies. They are small companies doing small things on different types of vessels than the ones that Mr. COURTNEY and I are typically working together on. So trying to apply the same rules when it is a completely different activity to where, when we are usually talking about very large ships, it just doesn't make any sense.



This has traditionally been a Democrat amendment. I have always supported it. I am happy to be here to support it today. I would like for us to continue our tradition of bipartisan ship on this issue.

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

Mr. COURTNEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia (Mr. SCOTT) who is a colleague from another great shipbuilding district and also the ranking member of the Education and the Workforce Committee.

Mr. SCOTT of Virginia. Mr. Chairman, I rise in opposition to this amendment.

The amendment shifts workers who repair super yachts and large, luxury watercraft out of coverage under the Longshore and Harbor Workers' Compensation Act and into coverage under State workers' compensation programs.

But it doesn't just amend the longshoremen act. Rather, it creates a problem with the Coast Guard law. The Coast Guard opposed an identical amendment last year because it creates widespread damage to Coast Guard regulatory and enforcement authorities, implicates U.S. treaty obligations, and could affect the collection of tonnage taxes on foreign flagged vessels.

The Department of Labor also opposes the amendment because it could lead to uncertainty and foster litigation under the longshoremen coverage. Moreover, by shifting workers out of longshoremen into the weak State workers' comp laws such as Florida, it could permanently impoverish workers.

Last year, the Florida Supreme Court held that the Florida workers' compensation law was so anemic that it was unconstitutional.

If the goal is to provide reasonable insurance rates, then it should be in the insurance industry not by complicating the Coast Guard, by complicating the Department of Labor, and denying workers their benefits under the Longshoremen's Compensation Act.

Mr. Chairman, I include in the RECORD a letter from the Committee on Education and the Workforce opposing this amendment.

COMMITTEE ON EDUCATION AND THE  
WORKFORCE, HOUSE OF REPRESENTATIVES,

Washington, DC, July 12, 2017.

Re Opposition to Making Amendment 302 in Order as part of the National Defense Authorization Act for FY 2018 (H.R. 2810)

Hon. PETE SESSIONS,  
Chairman, Committee on Rules,  
House of Representatives, Washington, DC.  
Hon. LOUISE MCINTOSH SLAUGHTER,  
Ranking Member, Committee on Rules,  
House of Representatives, Washington, DC.

DEAR CHAIRMAN SESSIONS AND RANKING MEMBER SLAUGHTER: I am writing to request that you not make Amendment 302 in order

as part of the rule for the FY 2018 National Defense Authorization Act (H.R. 2810).

The amendment offered by Representatives Frankel and Byrne changes the definition of a "recreational" vessel under U.S. Coast Guard (USCG) boating safety authorizing legislation. The amendment authors' goal is to change workers' compensation coverage for those repairing luxury water craft and superyachts by shifting coverage for these workers from the Longshore and Harbor Workers Compensation Act (LHWCA) into state workers' compensation programs.

However, the amendment does not amend the LHWCA. Rather it changes the definition of "recreational vessel" under Section 4301 of Title 46 (the Federal Boat Safety Act of 1971). According to the Coast Guard, this approach to amending the LHWCA will have adverse collateral impacts on Coast Guard regulatory and enforcement authorities, implicate U.S. treaty obligations, and affect collection of tonnage taxes on foreign flagged vessels. The USCG statement, attached to this letter, notes that this provision could:

Exclude vessels now covered under the U.S. implementing legislation for the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, and reduce available civil monetary penalties to deter violations;

Allow a foreign vessel owner to exempt itself from tonnage taxes by declaring its vessel to be under repair; and,

Allow foreign flagged vessels to avoid requirements for safety management systems under the International Safety Management Code.

The U.S. Department of Labor (DOL) objected to this provision in the last Congress, as it would "lead to uncertainty and foster litigation regarding Longshore Act coverage" because the definition of "recreational" vessel introduces subjective criteria.

This identical amendment was included in the House National Defense Authorization Act for FY 2017 as Section 3512, but was removed in the House-Senate conference following the numerous objections raised by the U.S. Coast Guard and the U.S. Department of Labor.

None of these concerns have been considered in hearings within the respective committees of jurisdiction for USCG or DOL, and deserve careful consideration before being brought to a vote.

I thank you for your consideration of this request.

Sincerely,

ROBERT C. BOBBY SCOTT,  
Ranking Member.

Encl: U.S. Coast Guard Views on Amendment to the National Defense Authorization Act (this set of views applied to the identical language included in Amendment 302 that was adopted in Section 3512 the FY 2017 National Defense Authorization Act).

COAST GUARD VIEWS ON SEC. 3512 OF H.R.  
4909, THE NDAA FOR FY17

The Coast Guard would oppose the previously referenced amendment to 46 U.S.C. § 4301. As a general matter, it seems like this proposed amendment is out of place. Sec. 803 of the American Investment and Recovery Act amended sec. 2(3)(F) of the Longshore and Harbor Workers' Compensation Act (33 U.S.C. § 902(3)(F)), a statutory regime squarely within the purview of the Department of Labor (DOL). Indeed, in 2011, it was DOL—not the Coast Guard—that promulgated the rule in question that, according to industry background documentation, would appear to

be the root cause of this issue. Thus, any changes to address this issue should be more properly directed either to the Longshore and Harbor Workers' Compensation Act or to DOL and its implementing regulations.

Aside from the amendment's misplaced statutory location, the proposed amendment contains numerous drafting issues. For example, the proposed amendment contains no limitation of the "dismantling" language to those activities "in connection with the repair of such vessel." Irrespective of the drafting issues, the proposed amendment would not provide any immediate relief as the draft language contains terms undefined by statute that prevent it from being self-executing. Finally, if adopted, the amendment would likely create a wholly unnecessary bifurcated regulatory scheme between the DOL regulations under 20 C.F.R. §§ 701.501-701.505 and additional regulations promulgated by the Coast Guard.

The proposed change to the definition of a "recreational vessel" to include "any vessel, including a foreign vessel, being repaired or dismantled [ . . . ] during such repair or dismantling if the vessel (1) shares elements of design and construction of traditional recreational vessels (as so defined); and (2) when operating is not normally engaged in a military, commercial, or traditionally commercial undertaking" has significant impacts on Coast Guard regulatory and enforcement authorities.

The change in the definition would expand the current exclusion for "recreational vessels" from the U.S. implementing legislation for the International Convention on the Control of Harmful Anti-Fouling Systems on Ships. Specifically, civil penalties for owners of "recreational vessels" are statutorily limited to \$5,000 as compared to the \$37,500 maximum penalty for all other vessel owners.

The change in the definition could be construed to allow a foreign vessel owner to exempt itself from tonnage taxes required under 46 U.S.C. § 60301, by claiming that its vessel is "being repaired" and thereby a recreational vessel exempted from tonnage taxes.

The change in the definition could also be construed to allow foreign flagged vessels to avoid the requirements to maintain a safety management system onboard under 46 U.S.C. § 3201, et seq. by claiming that its vessel is "being repaired" and thereby a recreational vessel exempted from Safety Management Requirements under the International Safety Management Code.

In addition to these statutory impacts, there are numerous Coast Guard regulations not related to Longshoremen and Harbor Workers' Compensation Act authorities that would be impacted by the change. These include:

33 C.F.R. § 95.001  
33 C.F.R. § 151.51  
46 C.F.R. § 2.01-7  
46 C.F.R. § 4.03-50  
46 C.F.R. § 67.11  
46 C.F.R. § 136.105

This list is by no means exhaustive. Given the time for review, the Coast Guard has not been able to conduct a comprehensive review of statutory and regulatory impacts that would be implicated by this change. Furthermore, as drafted, this change would require the Coast Guard to reallocate a substantial amount of financial and personnel resources to ensure that its regulations were in alignment with the revised definition. Such an undertaking is wholly incompatible with the current fiscal climate.

Mr. SCOTT of Virginia. Mr. Chairman, I urge a "no" vote on this amendment.

Mr. COURTNEY. Mr. Chair, I yield back the balance of my time.

□ 0915

Mr. BYRNE. Mr. Chairman, we have heard nothing from the Coast Guard this year in opposition to this amendment. In years past, I think the gentleman is correct, we have heard from them, but this year we have heard no opposition. In fact, a recreational vessel being repaired is the same as a recreational vessel being manufactured to use as a public vessel and should be treated the same in law.

The Coast Guard already strictly enforces the existing laws and regulations that determine whether a vessel is recreational and enforces the law against those who would unlawfully use recreational vessels for commercial purposes. So I would suggest to the gentleman that this is not something the Coast Guard opposes.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. BYRNE).

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

Mr. COURTNEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Alabama will be postponed.

#### AMENDMENT NO. 18 OFFERED BY MR. HUNTER

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in House Report 115-217.

Mr. HUNTER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title XXXV add the following:

#### SEC. \_\_\_\_ . RECOURSE FOR NON-U.S. SEAMEN.

Section 57103 of title 46, United States Code, is amended by adding at the end the following:

“(g) RESTRICTION.—(1) Notwithstanding section 30104, a claim for damages or expenses relating to personal injury, illness, or death of a seaman who is a citizen of a foreign nation, arising during or from the engagement of the seaman by or for a passenger vessel duly registered under the laws of a foreign nation or a vessel identified as obsolete under subsection (a) or acquired under chapter 563, may not be brought under the laws of the United States if—

“(A) such seaman was not a legal permanent resident of the United States at the time the claim arose;

“(B) the injury, illness, or death arose outside the territorial waters of the United States; and

“(C) the seaman or the seaman’s personal representative has or had a right to seek compensation for the injury, illness, or death in, or under the laws of—

“(i) the nation in which the vessel was registered at the time the claim arose; or

“(ii) the nation in which the seaman maintained citizenship or residency at the time the claim arose.

“(2) COMPENSATION DEFINED.—As used in paragraph (1), the term ‘compensation’ means—

“(A) a statutory workers’ compensation remedy that complies with Standard A4.2 of Regulation 4.2 of the Maritime Labour Convention, 2006; or

“(B) in the absence of the remedy described in paragraph (1), a legal remedy that complies with Standard A4.2 of Regulation 4.2 of the Maritime Labour Convention, 2006, that permits recovery for lost wages, pain and suffering, and future medical expenses.”.

The Acting CHAIR. Pursuant to House Resolution 440, the gentleman from California (Mr. HUNTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUNTER. Mr. Chairman, this important amendment would help safeguard U.S. courts against crowding of court dockets by foreign maritime crewmembers. It simply clarifies where the claim must be brought when the case has no meaningful connection to the United States.

Specifically, the amendment limits the ability of foreign crewmembers working on foreign ships in foreign waters to sue in U.S. courts when a remedy is available in their home countries or the country of the ship on which they served. If no such remedy is available abroad, the amendment would allow those crewmembers to file suit in the United States, assuming they could meet the same burden needed to file any other suit.

To be clear, again, this amendment in no way restricts a foreign crewmember’s access to judicial relief if they are injured or suffer some other damage as a result of working on a foreign vessel. It simply says that they need to seek relief in their home country or the home country of the vessel on which they served before seeking relief in U.S. courts.

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

Mr. NADLER. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Chairman, I rise in opposition to this pernicious antilabor amendment that would do nothing but make it easier for U.S.-owned but foreign-flagged cruise ship operators to exploit and abuse the seafarers they employ.

The right for seafarers to seek maintenance and cure for injuries, illness, and damages at sea has been a part of U.S. maritime law for as long as U.S. ships have flown the flag on the high seas.

The effect of this amendment is clear: it would restrict foreign seafarers employed on foreign-flagged cruise ships from filing claims for dam-

ages or expenses related to personal injury, illness, or even death, in a U.S. court.

This provision is completely contrary to a general maritime law principle that has been around since at least the 12th century, a principle that has remained applicable because of the international nature of shipping and the plain fact that, even today, ship operators maintain considerable leverage over individual seafarers.

This provision also violates an international convention that the U.S. has ratified. Under the Shipowners’ Liability Convention, national laws or regulations have to be interpreted and enforced to ensure equality of treatment to all seafarers, irrespective of nationality, domicile, or race. This amendment would shred that international obligation.

It is also contrary to the principles and terms defining seafarers’ rights under the International Maritime Labor Convention.

It is also worth mentioning that the amendment before us may be unnecessary because, in many cases, seafarer contracts contain binding arbitration clauses.

In any event, it makes no sense to deny access to U.S. courts for foreign seafarers seeking compassion for maintenance and cure claims. The cruise lines can easily avoid frivolous lawsuits. All they need do is honor their longstanding customary responsibility to pay for the care and recovery of the seafarers they employ when they are ill or injured.

In closing, no one has provided any evidence—much less, compelling evidence—to justify the reversal of longstanding seafarer protections. In the absence of evidence, the House should reject this unwarranted amendment.

This vote is purely to injure seafarers, purely to disobey maritime conventions to which we are a party, purely to disobey laws of the sea from the 12th century that we have obeyed since we obtained our independence from England, for no purpose other than to help often American-owned—not always—but foreign-flagged cruise ship lines.

There is no purpose for this amendment. The House should reject this amendment as it has in the past.

Mr. Chairman, I urge a “no” vote, and I reserve the balance of my time.

Mr. HUNTER. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. WILSON).

Ms. WILSON of Florida. Mr. Chairman, today, I join with my colleague and friend, Representative DUNCAN HUNTER, in offering an amendment to the maritime administration title in the NDAA.

The cruise industry, which is a vital source of economic opportunity for my constituents, has come to me with concerns about lawsuits it says are clogging U.S. courts and making it more

difficult to conduct business and create opportunities in my district and elsewhere.

I take these concerns seriously and want to help address them, but I also want to make sure that they are protecting workers and that we don't shut off opportunities for them to be fairly compensated if they become ill or injured in the course of their employment.

The Hunter-Wilson amendment is intended to do just that. It safeguards U.S. courts against further crowding of court dockets, while not denying foreign crewmembers remedies.

This provision has been passed in the House five times in the past 3 years, and most recently, the Senate Commerce Committee included it in the maritime administration title of the Defense Authorization bill for FY 2017.

I want to thank Chairman HUNTER and Chairman SHUSTER for their work on this amendment.

I urge my colleagues to support the Hunter-Wilson amendment.

Mr. NADLER. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. Mr. Chairman, I simply associate myself with the remarks of Mr. NADLER. I think he explained the history of this law very, very well.

It is a very basic principle. People who work on these cruise ships should be compensated and taken care of if they are injured. There is no reason that the cruise line industry cannot afford to do this.

To discriminate against people who happen to be from different countries who are working on these ships makes no sense whatsoever. Our laws apply to whoever is working on the ships and should continue to do so. This is simply an effort to deny workers' rights from a cruise line industry that can more than afford to take care of the people who work there.

These are not easy jobs. I confess, I have only taken one cruise in my life, but the people who work there work very long hours, very hard, in very difficult conditions. If they are injured or sick, they should be taken care of. As Mr. NADLER said, the best way to do that is under the current common practice, which is the cruise line does take care of them and makes sure they get the healthcare they need until they are able to work. But if that is not done, the right to sue in court to protect your rights as a worker should not be taken away.

I do not believe that we have a problem in this country that workers are being too highly compensated and have too many rights. We don't need to take away the few that they have.

I urge opposition to this amendment. Mr. HUNTER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 2¾ minutes remaining.

Mr. HUNTER. Mr. Chair, I yield myself the balance of my time.

This amendment limits the ability of foreign crewmembers working on foreign ships in foreign waters to sue in U.S. courts when a remedy is available in their home country or the country of the ship on which they serve. That is it.

They can still sue. Trial lawyers around the world can rejoice because these crewmembers can come back to their home countries and they can sue and sue and sue. They just can't do it in the U.S. if it didn't happen in U.S. waters. It is that simple.

Again, a foreign mariner operating on a foreign ship in foreign or international waters should avail themselves of the courts in their home country or the vessel's home country before using U.S. courts. That is it.

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

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it sounds nice to say they can go home to their country from which they came, where presumably the foreign-flagged ship operates, but that is not the case. These are often American-owned ships or European-owned ships, and they are flagged in a country of convenience—Liberia, Panama, or wherever—where the worker may have no connection whatsoever, where the ship, for that matter, has no real connection other than flying the flag of convenience, and where there may not be a very decent court system.

That is why the practice has been, since before our independence—it has worked well the entire history of our country—that a foreign citizen working on a ship that calls in the United States, if denied the maintenance and cure that the ship is supposed to take care of someone on the high seas, then they can sue in an American court. We have always done this. There has been no showing of hardship whatsoever.

Yes, some rich cruise line operators would like, perhaps, to get rid of this obligation, but that is no excuse. This is an antilabor, an antihuman amendment. It ought to be defeated.

Mr. Chairman, I urge its defeat, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUNTER).

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

Mr. NADLER. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 43 OFFERED BY MR. MCGOVERN

The Acting CHAIR. It is now in order to consider amendment No. 43 printed in House Report 115-217.

Mr. MCGOVERN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle F of title V, add the following:

**SEC. 564. ATOMIC VETERANS SERVICE MEDAL.**

(a) SERVICE MEDAL REQUIRED.—The Secretary of Defense shall design and produce a military service medal, to be known as the "Atomic Veterans Service Medal", to honor retired and former members of the Armed Forces who are radiation-exposed veterans (as such term is defined in section 1112(c)(3) of title 38, United States Code).

(b) DISTRIBUTION OF MEDAL.—

(1) ISSUANCE TO RETIRED AND FORMER MEMBERS.—At the request of a radiation-exposed veteran, the Secretary of Defense shall issue the Atomic Veterans Service Medal to the veteran.

(2) ISSUANCE TO NEXT-OF-KIN.—In the case of a radiation-exposed veteran who is deceased, the Secretary may provide for issuance of the Atomic Veterans Service Medal to the next-of-kin of the person.

(3) APPLICATION.—The Secretary shall prepare and disseminate as appropriate an application by which radiation-exposed veterans and their next-of-kin may apply to receive the Atomic Veterans Service Medal.

The Acting CHAIR. Pursuant to House Resolution 440, the gentleman from Massachusetts (Mr. MCGOVERN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Chairman, I rise in support of the McGovern-Emmer amendment, which would simply create a service medal to be awarded to atomic veterans or their surviving family members in honor of their service and sacrifice to our Nation.

Between 1945 and 1962, about 225,000 members of our Armed Forces participated in hundreds of nuclear weapons tests. Now known as atomic veterans, these GIs were placed in extremely dangerous areas and were constantly exposed to potentially dangerous levels of radiation in the performance of their duties. They were sworn to secrecy, unable to even talk to their doctors about their past exposure to radiation.

Thankfully, Presidents Bill Clinton and George H.W. Bush recognized the atomic veterans' value and service and acted to provide specialized care and compensation for their harrowing duty.

In 2007, our allies, Great Britain, New Zealand, and Australia, enacted their versions of this amendment by authorizing a medal to honor their atomic veterans who served with the United States.

Regrettably, the Pentagon remains silent on honoring the service of our atomic veterans, arguing that to do so would diminish the service of other military personnel who are tasked with dangerous missions. Mr. Chairman, this is a pitiful excuse.

Tragically, more than 75 percent of atomic veterans have already passed away, never having received this recognition. They served honorably and kept a code of silence. Because of that, it most certainly led to many of these veterans passing away prematurely.

Past administrations and Congresses have dealt with the thornier issues of legality in compensation. What remains is recognizing these veterans' duty, honor, and faithful service to our Nation. Time is running out. That is what this amendment seeks to do.

I call upon my House colleagues to support this amendment that I, along with my colleague from Minnesota (Mr. EMMER), have introduced. We owe it to our veterans to recognize their selfless service to our Nation.

Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. EMMER).

Mr. EMMER. Mr. Chairman, I thank my colleague from Massachusetts (Mr. MCGOVERN) for yielding. I appreciate the opportunity to work with him on this issue.

During my time in Congress, I have been privileged to meet with many of our Nation's veterans. The men and women in our Armed Forces are true heroes and truly the best our Nation has to offer. Yet far too often, they do not get the recognition and credit they deserve. This is especially true when it comes to our Nation's atomic veterans.

From 1945 to 1962, nearly a quarter of a million of our servicemembers played a role in the testing of nuclear weapons, earning them the title, "atomic veterans."

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Since 1990, our Federal Government has taken different approaches to try and recognize and thank our atomic veterans, but we have never given official recognition through an award or medal. Today, that will change with the support of the men and women in this Chamber.

With the McGovern-Emmer amendment, we have an opportunity to finally acknowledge the incredible sacrifice these courageous individuals made more than half a century ago. Our amendment will require the Department of Defense to issue a service medal to the veterans or surviving families of those members of our Armed Forces who participated in aboveground nuclear weapons testing, were part of the U.S. military occupation forces in or around Hiroshima and Nagasaki before 1946, or were held as POWs in or near Hiroshima or Nagasaki.

This amendment has been included in the House NDAA bill for the past 2 years and is supported by the National Association of Atomic Veterans. These veterans left their homes, left their families, and put their lives on the line to protect the freedoms and liberties we enjoy each and every day.

I am honored to work with Mr. MCGOVERN and our colleagues here in the House to ensure these brave soldiers get the recognition they deserve.

Again, I want to thank Congressman MCGOVERN for his efforts on this issue as well as to thank Chairman THORNBERRY, Ranking Member SMITH, and the entire staff of the House Armed Services Committee for their work on the underlying bill, and I urge adoption of this amendment.

Mr. THORNBERRY. Mr. Chairman, I ask unanimous consent to claim the time in opposition, even though I am not opposed to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, I support this amendment. I have supported it in the past. And as Mr. EMMER just mentioned, the House has supported it in the past in each of the last 2 years.

I admire the persistence of the gentleman from Massachusetts in pursuing this issue. I think it is the right thing to do. Unfortunately, we have not yet been able to convince our colleagues across the Capitol or the Pentagon to do this. I know of no opposition to the amendment.

I think the House should continue to support it, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Chairman, I thank Mr. EMMER for his support, and I want to thank Chairman THORNBERRY and Ranking Member SMITH for their support in the past.

As the chairman of the Armed Services Committee has stated, the House has, by voice vote, approved this twice before in the NDAA bills. Unfortunately, the Senate has chosen to not respect the wishes of the House, so I think it is important that we show a strong bipartisan vote on this. So I will ask for a recorded vote because I think it is important to send a signal to the Senate that we are serious about this and we are serious about honoring our Atomic Veterans.

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

Mr. THORNBERRY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN).

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

Mr. MCGOVERN. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENTS EN BLOC NO. 3 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 440, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 3 consisting of amendment Nos. 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, and 71 printed in House Report 115-217, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 16 OFFERED BY MR. DESJARLAIS OF TENNESSEE

At the end of subtitle B of title XXXI, add the following new section:

**SEC. 3124. ANNUAL REPORTS ON UNFUNDED PRIORITIES OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.**

(a) ANNUAL REPORTS.—Not later than 10 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, the Administrator for Nuclear Security shall submit to the Secretary of Energy and the congressional defense committees a report on the unfunded priorities of the National Nuclear Security Administration.

(b) ELEMENTS.—

(1) IN GENERAL.—Each report under subsection (a) shall specify, for each unfunded priority covered by such report, the following:

(A) A summary description of such priority, including the objectives to be achieved if such priority is funded (whether in whole or in part).

(B) The additional amount of funds recommended in connection with the objectives under subparagraph (A).

(C) Account information with respect to such priority.

(2) PRIORITIZATION OF PRIORITIES.—Each report shall present the unfunded priorities covered by such report in order of urgency of priority.

(c) UNFUNDED PRIORITY DEFINED.—In this section, the term "unfunded priority", in the case of a fiscal year, means a program, activity, or mission requirement that—

(1) is not funded in the budget of the President for the fiscal year as submitted to Congress pursuant to section 1105 of title 31;

(2) is necessary to fulfill a requirement associated with the National Nuclear Security Administration; and

(3) would have been recommended for funding through the budget referred to in paragraph (1) by the Administrator in connection with the budget if—

(A) additional resources had been available for the budget to fund the program, activity, or mission requirement; or

(B) the program, activity, or mission requirement has emerged since the budget was formulated.

AMENDMENT NO. 49 OFFERED BY MS. PLASKETT OF THE VIRGIN ISLANDS

Page 185, after line 19, insert the following new section:

**SEC. 605. APPLICATION OF BASIC ALLOWANCE FOR HOUSING TO MEMBERS OF THE UNIFORMED SERVICES IN THE VIRGIN ISLANDS.**

(a) IN GENERAL.—Section 403(b) of title 37, United States Code, is amended—

(1) in the heading, by inserting "AND THE VIRGIN ISLANDS" after "THE UNITED STATES";

(2) in paragraph (1), by inserting "and the Virgin Islands" after "the United States"; and

(3) in paragraphs (2), (3)(A), and (6), by inserting “or the Virgin Islands” after “the United States” each place it appears.

(b) CONFORMING AMENDMENTS.—Section 403(c) of title 37, United States Code, is amended—

(1) in the heading, by inserting “OR THE VIRGIN ISLANDS” after “THE UNITED STATES”; and

(2) in paragraphs (1), (2), (3)(A)(i), and (3)(B), by inserting “or the Virgin Islands” after “the United States” each place it appears.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to payments under section 403 of title 37, United States Code, beginning on January 1, 2018.

AMENDMENT NO. 54 OFFERED BY MR. BERA OF CALIFORNIA

The amendment as modified is as follows:  
Insert after section 724, the following:

#### SEC. 725. REPORT.

For each of the fiscal years 2018 through 2021, the Secretary of Defense shall submit to Congress a report on the Department of Defense’s—

(1) activities and programs with respect to infectious disease;

(2) priority areas with respect to infectious disease; and

(3) current policy and planning documents with respect to infectious disease.

AMENDMENT NO. 55 OFFERED BY MS. KUSTER OF NEW HAMPSHIRE

At the end of subtitle C of title VII, add the following new section:

#### SEC. 7. PROVISION OF SUPPORT BY DEPARTMENT OF DEFENSE TO DEPARTMENT OF VETERANS AFFAIRS REGARDING ELECTRONIC HEALTH RECORD SYSTEM.

(a) SUPPORT.—The Secretary of Defense may support the Secretary of Veterans Affairs, to the extent the Secretaries jointly consider feasible and advisable, in the development and implementation of an electronic health record system that—

(1) is derivative of the Military Health System Genesis record currently being developed and implemented by the Secretary of Defense; and

(2) achieves complete interoperability with the Military Health System Genesis.

(b) ANNUAL REVIEW.—The Secretary of Defense and the Secretary Veterans Affairs shall jointly conduct an annual review of the efforts undertaken by the Secretaries to achieve complete interoperability between the electronic health record of the Department of Veterans Affairs and the Military Health System Genesis.

(c) ANNUAL REPORT.—

(1) REPORTS.—Not later than 60 days after completing each annual review under subsection (b), the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the Committees on Armed Services and the Committees on Veterans’ Affairs of the Senate and the House of Representatives a report on the review.

(2) ELEMENTS.—Each report under paragraph (1) shall include an assessment of the following:

(A) Milestones reached as part of the schedule of development and acquisition as developed by the Department of Defense and the Department of Veterans Affairs.

(B) Costs associated with development and implementation.

(C) Actions, if any, of the Secretary of Defense in supporting the Secretary of Vet-

erans Affairs pursuant to subsection (a) with respect to the development and implementation of an electronic health record system and in achieving complete interoperability with the Military Health System Genesis.

(D) Status of the adoption of the national standards and architectural requirements identified by the Interagency Program Office of the Departments and in collaboration with the Office of the National Coordinator for Health Information Technology of the Department of Health and Human Services.

(d) TERMINATION.—The requirements under subsection (b) and (c) shall terminate on the date on which the Secretary of Defense and the Secretary of Veterans Affairs jointly certify to the Committees on Armed Services and the Committees on Veterans’ Affairs of the Senate and the House of Representatives that the electronic health records of both the Department of Defense and the Department of Veterans Affairs are completely interoperable.

(e) INTEROPERABILITY DEFINED.—In this section, the term “interoperability” refers to the ability of different electronic health records systems or software to meaningfully exchange information in real time and provide useful results to one or more systems.

AMENDMENT NO. 56 OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of subtitle C of title VII, add the following new section:

#### SEC. 7. INCREASED COLLABORATION WITH NIH TO COMBAT TRIPLE NEGATIVE BREAST CANCER.

The Office of Health of the Department of Defense shall work in collaboration with the National Institutes of Health to—

(1) identify specific genetic and molecular targets and biomarkers for triple negative breast cancer; and

(2) provide information useful in biomarker selection, drug discovery, and clinical trials design that will enable both—

(A) triple negative breast cancer patients to be identified earlier in the progression of their disease; and

(B) the development of multiple targeted therapies for the disease.

AMENDMENT NO. 57 OFFERED BY MR. SOTO OF FLORIDA

At the end of subtitle C of title VII, add the following new section:

#### SEC. 725. ENCOURAGING TRANSITION OF MILITARY MEDICAL PROFESSIONALS INTO EMPLOYMENT WITH VETERANS HEALTH ADMINISTRATION.

(a) IN GENERAL.—The Secretary of Defense shall establish a program to encourage an individual who serves in the Armed Forces with a military occupational specialty relating to the provision of health care to seek employment with the Veterans Health Administration when the individual has been discharged or released from service in the Armed Forces or is contemplating separating from such service.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to—

(1) create any additional authority not otherwise provided in law to convert a former member of the Armed Services to an employee of the Veterans Health Administration; or

(2) circumvent any existing requirement relating to a detail, reassignment, or other transfer of such a former member to the Veterans Health Administration.

AMENDMENT NO. 58 OFFERED BY MR. CONAWAY OF TEXAS

At the end of subtitle D of title VIII, add the following new section:

#### SEC. 8. REPEAL OF CERTAIN AUDITING REQUIREMENTS.

Section 190 of title 10, United States Code, as proposed to be added by section 820(b)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2274), is amended by striking subsection (f).

AMENDMENT NO. 59 OFFERED BY MR. PITTENGER OF NORTH CAROLINA

At the end of subtitle D of title VIII, add the following new section:

#### SEC. 870A. PROHIBITION ON CONTRACTING WITH CERTAIN TELECOMMUNICATIONS PROVIDERS.

(a) LIST OF COVERED CONTRACTORS.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall develop a list of covered contractors, to be updated as frequently as the Director determines appropriate, and shall make such list available to the Secretary of Defense.

(b) PROHIBITION ON CONTRACTS.—The Secretary of Defense may not enter into a contract with a covered contractor on the list described under subsection (a).

(c) REMOVAL FROM LIST.—To be removed from the list described in subsection (a), a covered contractor may submit a request to the Director in such manner as the Director determines appropriate. Upon certification of the request, the Director shall remove the covered contractor from the list.

(d) WAIVER.—The President may waive the requirements of subsection (b) if the President determines that the waiver is justified for national security reasons.

(e) COVERED CONTRACTOR DEFINED.—The term “covered contractor” means a provider of telecommunications or telecommunications equipment that has been found by the Director to have knowingly assisted or facilitated a cyber attack carried out by or on behalf of the government of the Democratic People’s Republic of Korea or persons associated with such government.

(f) EFFECTIVE DATE.—This section shall apply with respect to contracts of a covered contractor entered into on or after the date of the enactment of this Act.

AMENDMENT NO. 60 OFFERED BY MR. DESANTIS OF FLORIDA

At the end of title VIII (page 323, after line 4), add the following new section:

#### SEC. 871. ASSESSMENT AND AUTHORITY TO TERMINATE OR PROHIBIT CONTRACTS FOR PROCUREMENT FROM CHINESE COMPANIES PROVIDING SUPPORT TO THE DEMOCRATIC PEOPLE’S REPUBLIC OF KOREA.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, the Secretary of the Treasury, and the Director of National Intelligence, shall conduct an assessment of trade between the People’s Republic of China and the Democratic People’s Republic of Korea, including elements deemed to be important to United States national security and defense.

(2) ELEMENTS.—The assessment required by paragraph (1) shall—

(A) assess the composition of all trade between China and the Democratic People’s Republic of Korea, including trade in goods and services;

(B) identify whether any Chinese commercial entities that are engaged in such trade materially support illicit activities on the part of North Korea;

(C) evaluate the extent to which the United States Government procures goods or services from any commercial entity identified under subparagraph (B);

(D) provide a list of commercial entities identified under subparagraph (B) that provide defense goods or services for the Department of Defense; and

(E) evaluate the ramifications to United States national security, including any impacts to the defense industrial base, Department of Defense acquisition programs, and Department of Defense logistics or supply chains, of prohibiting procurements from commercial entities listed under subparagraph (D).

(3) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the assessment required by paragraph (1). The report shall be submitted in unclassified form, but may contain a classified annex.

(b) **AUTHORITY.**—The Secretary of Defense may terminate existing contracts or prohibit the award of contracts for the procurement of goods or services for the Department of Defense from a Chinese commercial entity listed under subsection (a)(2)(D) based on a determination informed by the assessment required under subsection (a).

(c) **NOTIFICATION.**—The Secretary of Defense shall submit to the appropriate committees of Congress a notification of, and detailed justification for, any exercise of the authority in subsection (b) not less than 30 days before the date on which the authority is exercised.

(d) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

AMENDMENT NO. 61 OFFERED BY MS. VELÁZQUEZ OF NEW YORK

At the end of subtitle C of title VIII, add the following new section:

**SEC. 860A. EXEMPTION OF CERTAIN CONTRACTS FROM INFLATION ADJUSTMENTS.**

Subparagraph (B) of section 1908(b)(2) of title 41, United States Code, is amended by inserting “3131 to 3134,” after “sections”.

AMENDMENT NO. 62 OFFERED BY MRS. MURPHY OF FLORIDA

At the end of subtitle C of title VIII, insert the following:

**SEC. 8. INCLUSION OF SBIR AND STTR PROGRAMS IN TECHNICAL ASSISTANCE.**

Subsection (c) of section 2418 of title 10, United States Code, is amended—

(1) by striking “issued under” and inserting the following: “issued—

“(1) under”;

(2) by striking “and on” and inserting “, and on”;

(3) by striking “requirements.” and inserting “requirements; and”;

(4) by adding at the end the following new paragraph:

“(2) under section 9 of the Small Business Act (15 U.S.C. 638), and on compliance with those requirements.”.

AMENDMENT NO. 63 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

Page 345, after line 13, insert the following new section:

**SEC. 924. COMPLETION OF DEPARTMENT OF DEFENSE DIRECTIVE 2310.07E REGARDING MISSING PERSONS.**

(a) **IN GENERAL.**—The Secretary of Defense shall make the completion of Department of Defense Directive 2310.07E a top priority in order to improve the efficiency of locating missing persons.

(b) **DEFINITION.**—In this section, the term “missing person” has the meaning given such term in section 1513 of title 10, United States Code.

AMENDMENT NO. 64 OFFERED BY MR. SOTO OF FLORIDA

At the end of subtitle C of title IX, insert the following:

**SEC. 9. RESPONSIBILITY FOR DEVELOPMENTAL TEST AND EVALUATION WITHIN THE OFFICE OF THE SECRETARY OF DEFENSE.**

(a) **BRIEFING ON PLANS TO ADDRESS DEVELOPMENTAL TEST AND EVALUATION RESPONSIBILITIES WITHIN THE OFFICE OF THE SECRETARY OF DEFENSE.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives on a strategy to ensure that there is sufficient expertise, oversight, and policy direction on developmental test and evaluation within the Office of the Secretary of Defense after the completion of the reorganization of such Office required under section 901 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2339).

(2) **ELEMENTS.**—The briefing required by paragraph (1) shall address the following:

(A) The structure of the roles and responsibilities of the senior Department of Defense official responsible for developmental test and evaluation.

(B) The location of the senior Department of Defense official responsible for developmental test and evaluation within the organizational structure of the Office of the Secretary of Defense.

(C) An estimate of personnel and other resources that should be made available to the senior Department of Defense official responsible for developmental test and evaluation to ensure that such official can provide independent expertise, oversight, and policy direction and guidance Department of Defense-wide.

(D) Methods to ensure that the senior Department of Defense official responsible for developmental test and evaluation will be empowered to facilitate Department of Defense-wide efficiencies by helping programs to optimize test designs.

(E) Methods to ensure that an advocate for test and evaluation workforce will continue to exist within the acquisition workforce.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) developmental testing is critical to reducing acquisition program risk by providing valuable information to support sound decision making;

(2) major defense acquisition programs often do not conduct enough developmental testing, so too many problems are first identified during operational testing, when they are expensive and time-consuming to fix; and

(3) in order to ensure that effective developmental testing is conducted on major defense acquisition programs, the Secretary should—

(A) carefully consider where the senior Department of Defense official responsible for developmental test and evaluation is located within the organizational structure of the Office of the Secretary of Defense; and

(B) ensure that such official has sufficient authority and resources to provide oversight and policy direction on developmental test and evaluation Department of Defense-wide.

AMENDMENT NO. 65 OFFERED BY MR. SCHIFF OF CALIFORNIA

Page 359, after line 4, insert the following:

**SEC. 1026. SENSE OF CONGRESS REGARDING PROVIDING FOR TIMELY VICTIM AND FAMILY TESTIMONY IN MILITARY COMMISSION TRIALS.**

It is the sense of Congress that in the interests of justice, efficiency, and providing closure to victims of terrorism and their families, military judges overseeing military commissions in United States Naval Station, Guantanamo Bay, Cuba, should consider making arrangements to take recorded testimony from victims and their families should they wish to provide testimony before such a commission.

AMENDMENT NO. 66 OFFERED BY MR. SCHIFF OF CALIFORNIA

Page 359, after line 4, insert the following:

**SEC. 1026. AUTHORITY TO USE VIDEO TELECONFERENCING TECHNOLOGY IN MILITARY COMMISSION PROCEDURES.**

Section 949d of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) **USE OF VIDEO TELECONFERENCING.**—The military judge may provide for the participation of the accused, defense counsel, trial counsel, and any other participants by video teleconferencing for any matter for which the military judge may call the military commission into session. Any party who participates through the use of video teleconferencing shall be considered as present for purposes of subsection (a)(2).”.

AMENDMENT NO. 67 OFFERED BY MR. SCHIFF OF CALIFORNIA

Page 359, after line 4, insert the following:

**SEC. 1026. PUBLIC AVAILABILITY OF MILITARY COMMISSION PROCEEDINGS.**

Section 949d(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) In the case of any proceeding of a military commission under this chapter that is made open to the public, the military judge may order arrangements for the availability of the proceeding to be watched remotely by the public through the internet.”.

AMENDMENT NO. 68 OFFERED BY MR. KILDEE OF MICHIGAN

Page 469, after line 17, add the following new paragraphs:

(6) The projected casualties and costs associated with the deployment of members of the Armed Forces to Afghanistan.

(7) The objectives of deployment of members of the Armed Forces to Afghanistan, including a time line to achieve such objectives as determined by the Secretary of Defense.

AMENDMENT NO. 69 OFFERED BY MR. DELANEY OF MARYLAND

Page 375, after line 8, insert the following:

**SEC. 1040. LIMITATION ON USE OF FUNDS TO CLOSE BIOSAFETY LEVEL 4 LABORATORIES.**

(a) **LIMITATION.**—None of the funds authorized to be appropriated in this Act may be used to support the closure or transfer of a biosafety level 4 laboratory until the heads of the Federal agencies that use the laboratory jointly certify to the covered congressional committees that the closure or transfer of the lab would not have a negative effect on biological defense capabilities and would not result in a lapse of biological defense capabilities.

(b) **COVERED CONGRESSIONAL COMMITTEES.**—In this section, the term “covered congressional committees” means—

(1) the Committees on Armed Services of the Senate and House of Representatives;

(2) the Committees on the Judiciary of the Senate and House of Representatives;



(3) the Permanent Select Committee on Intelligence of the House of Representatives;

(4) the Select Committee on Intelligence of the Senate;

(5) the Committee on Homeland Security of the House of Representatives;

(6) the Committee on Homeland Security and Governmental Affairs of the Senate;

(7) the Committee on Oversight and Government Reform of the House of Representatives; and

(8) the Committees on Appropriations of the Senate and House of Representatives.

AMENDMENT NO. 70 OFFERED BY MRS. COMSTOCK OF VIRGINIA

Page 378, strike lines 19 through 23.

Page 396, after line 4, insert the following:

(5) STARBASE PROGRAM REPORT.—By inserting after paragraph (64), as added by paragraph (4), the following new paragraph: “(65) Section 2193b(g).”.

AMENDMENT NO. 71 OFFERED BY MR. CARBAJAL OF CALIFORNIA

Page 383, lines 2 through 8, strike subsection (b) of section 1051.

Page 396, after line 11, insert the following:

(y) PRESERVATION OF NATIONAL GUARD YOUTH CHALLENGE REPORT.—Effective as of December 23, 2016, and as if included therein as enacted, section 1061(i) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended by adding at the end the following new paragraph:

“(34) Section 509(k) of title 32, United States Code.”.

Page 396, line 12, strike “(y)” and insert “(z)”.14JY8.

Page 396, line 13, strike “subsections (w) and (x)” and insert “subsections (w), (x), and (y)”.

The Acting CHAIR. Pursuant to House Resolution 440, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chair, I yield 2 minutes to the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Mr. Chair, I thank the distinguished gentleman for yielding, and I now look forward to entering into a discussion with Mr. POLIQUIN for the purpose of a colloquy.

Mr. POLIQUIN. Will the gentleman yield?

Mr. WITTMAN. I yield to the gentleman from Maine.

Mr. POLIQUIN. Mr. Chair, I appreciate the leadership of the Armed Services Committee in the Seapower Subcommittee on both sides of the aisle to accept this amendment and its important modifications to the underlying bill provision limiting the availability of funds for prior fiscal year DDG–51 Arleigh Burke class destroyers.

My revised amendment, Mr. Chair, is agreed to by the committee and, importantly, removes the additional, or third, fiscal year 2016 DDG–51 ship from the provision's proposed requirements.

Additionally, sir, and again, as agreed to by the committee, it states the sense of Congress that the Navy should bear the majority of the share-line risk for the fiscal year 2017 DDG–

51 Flight III destroyer contract, which will represent the first ships to integrate the Air and Missile Defense Radar, which is 30 times more effective and better than the legacy radar system.

Mr. WITTMAN. Mr. Chair, reclaiming my time, I thank the gentleman from Maine for working with the committee to improve the provision, while maintaining progress towards strengthening our fleet in the critical ballistic missile defense mission and capability. Your amendment helps us do just that, while ensuring that we maintain the health and critical skill workforces at our two proven vital destroyer shipbuilders, including Bath Iron Works in Maine.

Mr. POLIQUIN. Will the gentleman yield?

Mr. WITTMAN. I yield to the gentleman from Maine.

Mr. POLIQUIN. Mr. Chair, I thank Chairman THORNBERRY and Chairman WITTMAN for their support on my important amendment. Bath Iron Works is a critical national security asset to our country. It is a source of great pride for all Mainers, and the shipyard employs some 6,000 of our most talented, hardworking citizens who care greatly about their contributions every day to keeping America safe and keeping America strong.

Mr. SMITH of Washington. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Mrs. MURPHY), a member of the Armed Services Committee.

Mrs. MURPHY of Florida. Mr. Chair, I thank my colleagues for including my amendment in this en bloc package.

My amendment will authorize Procurement Technical Assistance Centers to assist small business owners in pursuing funding opportunities during all phases of the SBIR and STTR programs.

These Federal programs enable small businesses to perform research and development that advances the national interests and has the potential for commercialization.

My central Florida district is primed to benefit from these programs since it is home to a large and growing number of small firms that harness the power of technology, produce innovative products for customers in the public and private sector, and, in the process, create well-paying jobs and generate broad-based economic growth.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. PITTENGER).

Mr. PITTENGER. Mr. Chairman, I would like to also thank Chairman THORNBERRY and Chairman SESSIONS for making my amendment in order and allowing floor consideration.

Mr. Chairman, my amendment is simple. It prohibits telecommunications companies that provide material support for North Korea cyber at-

tacks from contracting with our Defense Department.

While my amendment is simple in nature, it strikes at the heart of what I believe to be the cornerstone of North Korea policy.

For far too long, China has enabled the North Korean Government to pursue nuclear development, global provocation, and egregious human rights violations. The Chinese Government is simply not a good faith partner on the issue of North Korea.

For example, there have been multiple public reports indicating that China's largest government-affiliated telecommunications firm, Huawei, has been subpoenaed by the Commerce Department as part of an ongoing investigation into whether it broke our export control laws by conducting business with North Korea.

Additionally, earlier this year, a similar Chinese Government-affiliated firm, ZTE, was hit with a record-breaking billion-dollar fine in connection with comparable North Korea-related export violations.

Mr. Chairman, my amendment is one of many steps that our Congress needs to take to demonstrate to China we will no longer tolerate its alliance and partnership with North Korea.

I urge my colleagues to support my amendment.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Chairman, I appreciate the majority for including my amendment in this bloc.

My amendment is straightforward, Mr. Chairman. It recognizes that any U.S. strategy for Syria must acknowledge and respond to the tremendous suffering of civilians, including the millions who have been forced from their homes, who face starvation, cholera, a lack of access to adequate healthcare and education, not as an afterthought, but as an active imperative.

The Trump administration has already used the suffering created by the use of chemical weapons as a reason for expanding U.S. involvement in Syria and to launch attacks against the Syrian Government. My amendment would ask the administration for a description of the legal authority relied upon or needed for the use of U.S. military force in Syria, information which is even more critical now, given the recent attacks by U.S. forces against the Syrian Government and reports that we may continue to send more troops into Syria.

It is foolhardy and unwise for us to think that the suffering being imposed upon innocent civilians in Syria should not be a consideration in any U.S. response or strategy outlining how military forces or aid will be used there. The humanitarian crisis spawned by conflict directly impacts our national



security efforts. We ignore it at our own peril.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. Mr. Chairman, I thank Chairman THORNBERRY, and I rise today in strong support of the Lamborn amendment requiring a report on Iran's use of commercial aircraft to support terrorist groups in rogue regimes around the Middle East.

The Lamborn amendment delivers a simple message to Iran, to Assad, and all companies considering selling aircraft to the world's leading state sponsor of terrorism, and that is: Congress is watching.

Congress is watching midnight flights take off from military bases in Iran and land in war-torn Damascus carrying terrorists, guns, and explosives, which will only be used to shed more innocent blood in the Syrian civil war.

Congress is watching as Boeing and Airbus shake hands and cut deals with former leaders of Iran's National Revolutionary Guard Corps like Hossein Alaei, CEO of Aseman Airlines, who has called to destroy U.S. naval ships sailing in international waters.

Congress is watching as iconic American and European companies are choosing to fuel Iran's terror campaign around the world.

Mr. Chair, Congress is watching, and Congress will act to ensure that Western companies do not become complicit in the Syrian massacre.

Please support the Lamborn amendment.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from the Virgin Islands (Ms. PLASKETT).

Ms. PLASKETT. Mr. Chair, I want to thank the chairman and ranking member for agreeing to include my amendment en bloc in the NDAA.

The amendment that we have is a transitioning of the Virgin Islands Active Guard and Reserve from overseas housing allowance to basic allowance for housing.

We know that, in 2013, the Office of the Under Secretary of Defense for Personnel and Readiness reported that a change would be feasible and would not be difficult to allow Virgin Islands Active Guard and Reserve members to be part of the basic housing allowance.

Congress didn't intend inequitable and unfair treatment to the Virgin Islands Active Guard and Reserve members, and this amendment provides an equitable solution to the disparate treatment of the housing allowance for Virgin Islands Active Guard and Reserve members.

We are grateful for the support and are thankful that our servicemembers will now, in their housing, be treated the same as those in the 50 States and the District of Columbia.

Mr. THORNBERRY. Mr. Chairman, I yield 1½ minutes to the gentleman from Georgia (Mr. JODY B. HICE).

Mr. JODY B. HICE of Georgia. Mr. Chairman, I rise in support of the amendments offered by the gentleman from Florida (Mr. DESANTIS) and the gentleman from North Carolina (Mr. PITTENGER).

As we all know, North Korea has targeted the United States with cyber attacks, and they are well on their way to being able to strike the United States with conventional and nuclear weapons. These two amendments would prohibit the Department of Defense from contracting with telecom companies found to be complicit with North Korean cyber attacks or Chinese companies found to be providing support for the North Korean regime. There is no reason that we should be contracting with countries that are enemies of the United States.

I also support the amendment offered by my friend from Michigan (Mr. BISHOP). Without a doubt, NATO is the greatest military alliance in the world, but that alliance works most effectively when the members of those various countries are pulling their weight and fulfilling their commitments in regard to their own defense budgets. This amendment calls on the President to encourage NATO allies to fulfill their commitments and to recognize those who are currently doing so.

I wholeheartedly agree with these amendments, and I urge my colleagues to do the same.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. NOLAN).

□ 0945

Mr. NOLAN. Mr. Chairman, my first amendment simply declares that none of the funds authorized to be appropriated in this bill can be used to deploy members of the Armed Forces to participate in the ongoing civil war in Yemen.

By passing this amendment, we ensure that no hero, no patriot in a U.S. military uniform will be put in harm's way in a conflict that can only be settled by the parties involved.

My second amendment simply cuts off funds to any so-called friendly rebels in Iraq or Syria who make a mockery of our good intentions by misusing American arms and resources, and, in far too many instances, using them against us.

We have already spent trillions of dollars, lost thousands of precious lives in these endless wars of choice in the Middle East. It is time to put a stop to it, time to start investing in America and the American people. So I urge the adoption of these amendments en bloc.

I would only add that the President, in his last campaign, had a message that we need to embrace, and I think the en bloc group of amendments takes

us in that direction. He pointed out we spend \$6 trillion in Iraq and Afghanistan alone. For one of those trillion, we could have graduated every kid in America from college debt-free. For another one of those trillion, there is your trillion dollars for infrastructure to fix the trains that are coming off the track and the bridges that are falling down. For another one of those trillion, we could have found a cure for cancer or Alzheimer's or diabetes, and we still would have had \$3 trillion for deficit reduction.

I applaud this committee for all the work that they are doing and the direction that they are taking us back to in getting us out of these endless wars of choice and start reinvesting in America, the American people, and the American infrastructure. That creates good jobs and the quality of life that we embrace.

To be sure, we must have a strong national security. There are evil people and evil forces out there that we need to protect ourselves against, but that doesn't mean we have to get involved in every civil war and every war of choice in the world.

Mr. THORNBERRY. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chair, I rise in support of this en bloc package. I especially want to thank the chairman for including my amendment as part of the other very positive amendments that he has included in this en bloc package.

My amendment would condition the allocation of certain funds to Pakistan upon a certification from the Secretary of Defense that Pakistan is not using its military or its funds or equipment provided by the United States to repress minority groups, and to make sure that they do not repress these minority groups who are seeking their own political or religious freedom.

At a time of high budgets, we should reserve our aid for friends and allies, and end assistance to Pakistan in particular, which does not meet the standards of decency and freedom that the American people believe have to be part of any decision that we make here.

Pakistan has acted as an adversary not only to the United States, but has been aiding our enemies and repressing its own people. Let us not forget that Pakistan harbored Osama bin Laden. This is the prime mover, the man who organized the slaughter of 3,000 Americans.

We are fools if we continue to support a regime like that in Pakistan today that represses its own people and is using what we give them to actually do things that make us less safe as a people and put us in jeopardy with the terrorists around the world.

Mr. Chair, I thank the chairman for including my amendment to the en bloc package.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. MOULTON), a member of the Armed Services Committee.

Mr. MOULTON. Mr. Chair, I thank the chairman and the ranking member for including this amendment in the en bloc package, because I remain concerned about the lack of a clear plan or strategy in Syria.

As the Syrian opposition supported by U.S. and coalition forces fight to liberate Raqqa from ISIS control, we are confronted with the complex and critical question of what comes next. Freeing Syrians from the brutality of ISIS is but one part of a complex, grinding civil war that began with the Assad regime's heinous violence against civilians and has endured for over 6 years, with over 400,000 Syrians killed, 6 billion Syrians displaced within Syria, and over 4.5 million forced to flee as refugees.

We now have over 500 U.S. troops deployed to Syria to advise and assist Syrian opposition forces. However, we have yet to have a clear, comprehensive political strategy that describes what the end goals are for U.S. involvement and how we hope to achieve those goals.

This amendment requires just that, and follows a similar effort I led with General and Representative JOHN BACON on Iraq that received bipartisan support in the Armed Services Committee last year.

This amendment requires a comprehensive political and military strategy for U.S. policy in Syria to be submitted by the Departments of Defense and State to Congress and the American people within 90 days of enactment.

We owe it to our troops, those young men and women whom we ask to risk their lives in Syria today, to tell them what their job is, what it entails, what the end goal is, and why it is worth the risks that they take every single day.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Chair, I thank Chairman THORNBERRY for yielding and for his great work leading us on the NDAA.

I would like to address two amendments that are coming up in en bloc packages.

First of all, on Iran, my amendment to the NDAA, No. 361, requires the President, along with various agencies, to provide the House with a report regarding Iran's use of commercial aircraft for illicit activities. I am doing this with Representative ROSKAM.

Diligent research from think tanks, such as the Foundation for Defense of Democracies and the American Enterprise Institute, have demonstrated the need for the intelligence community to provide Congress with a report of their activities.

In total, Iran Air, Mahan Air, Pouya Air, Cham Wings Airlines, and the Iranian Air Force operated at least 404 flights from Iran to Syria since the Iran nuclear deal was adopted on July 14, 2015.

Now, this report does not block the sale of commercial aircraft to Iran, but asks the intelligence community to take a serious look at these sales so Congress can determine if they should continue.

The other amendment I would like to address, Mr. Chairman, is No. 364 on boost-phase missile defense. Mr. Chair, I thank Chairman THORNBERRY for including this amendment, which was co-sponsored by Mr. KINZINGER, Mr. HUNTER, Mr. FRANKS, and Mr. WILSON from South Carolina, to advance boost-phase missile defense programs.

As you know, ballistic missiles are at their most defenseless when they are in their boost phase, the initial phase of flight. They are at their slowest, and they have not yet deployed decoys and countermeasures that would make it more difficult to shoot them down in later phases of flight.

This amendment will make Americans safer as we move towards advancing this absolutely critical technology.

Mr. SMITH of Washington. Mr. Chairman, I have no further speakers on this amendment, and I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, neither do I have other speakers on this en bloc package, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 4 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 440, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 4 consisting of amendment Nos. 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, and 91, printed in House Report 115-217, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 72 OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

Page 386, beginning on line 11, strike subsection (1).

Page 396, after line 11, insert the following: (y) ANNUAL REPORT ON SUPPORT TO LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER-TERRORISM ACTIVITIES.—Effective as of December 23, 2016, and as if included therein as enacted, section 1061(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) is amended by adding at the end the following new paragraph:

“(5) Section 1022(c).”

Page 396, line 12, strike “(y)” and insert “(z)”.

Page 396, lines 12 through 13, strike “subsections (w) and (x)” and insert “subsections (w), (x), and (y)”.

AMENDMENT NO. 73 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

At the end of subtitle E of title X, add the following new section:

**SEC. 1058. STUDY ON HEALTH EFFECTS OF EXPOSURE TO PERFLUOROOCTANE SULFONATE AND PERFLUOROOCTANOIC ACID FROM FIREFIGHTING FOAM USED AT MILITARY INSTALLATIONS.**

(a) STUDY.—The Secretary of Defense, in consultation with the Administrator of the Agency for Toxic Substances and Disease Registry, shall carry out a study on any health effects experienced by individuals who are exposed to perfluorooctane sulfonate and perfluorooctanoic acid from firefighting foam used at military installations or former military installations, including exposure through a well that provides water for human consumption that the Secretary determines is contaminated with perfluorooctane sulfonate and perfluorooctanoic acid from such firefighting foam.

(b) DESIGN OF STUDY.—The Secretary shall ensure that the study under subsection (a) meets the following criteria:

(1) The study includes a review of relevant literature.

(2) The study includes community input through community advisory groups or focus groups.

(3) The study identifies existing research regarding health effects relating to exposure described in subsection (a).

(4) The study includes protocols based on expertise from epidemiologists.

(5) The study identifies and characterizes one or more sources of water contamination and collects preliminary information on the magnitude and distribution of such exposure.

(6) Based on the information learned under paragraphs (1) through (5), the study determines the specific health effects and perfluorooctane sulfonates and perfluorooctanoic acids to evaluate.

(7) The study includes biomonitoring from a sample of community members, including with respect to specific subgroups considered at risk for such exposure.

(8) The study collects data on possible biological changes potentially associated with such exposure.

(9) The study includes detailed exposure and health questionnaires.

(10) The study includes the review of medical records.

(11) The study analyzes data for an association between such exposure and potential health effects.

(c) SUBMISSION.—Not later than five years after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the study under subsection (a). The Secretary shall make such study publicly available pursuant to section 122a of title 10, United States Code.

AMENDMENT NO. 74 OFFERED BY MR. BRENDAN F. BOYLE OF PENNSYLVANIA

At the end of title X, add the following new section:

**SEC. 10. SENSE OF CONGRESS ON CYBERSECURITY COOPERATION WITH UKRAINE.**

(a) FINDINGS.—Congress finds the following:

(1) There is a strong history of cyber attacks in Ukraine.

(2) The United States supports Ukraine and the European Deterrence Initiative.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States reaffirms support for the sovereignty and territorial integrity of Ukraine; and

(2) the United States should assist Ukraine in improving its cybersecurity capabilities.

AMENDMENT NO. 75 OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

At the end of subtitle F of title X, add the following new section:

**SEC. \_\_\_\_ . APOLLO I MEMORIAL.**

(a) FINDINGS.—Congress finds the following:

(1) On January 27, 1967, NASA Astronauts Command Pilot Virgil I. “Gus” Grissom, Senior Pilot Edward H. White II, and Pilot Roger B. Chaffee were killed in an electrical fire that broke out inside the Apollo I Command Module on Launch Pad 34 at the Kennedy Space Center in Cape Canaveral, Florida.

(2) Command Pilot Virgil Grissom was selected by NASA in 1959 as one of the original seven Mercury astronauts. He piloted the Liberty Bell 7 spacecraft on July 21, 1963, on the second and final Mercury suborbital test flight, served as command pilot on the first manned Gemini flight on March 23, 1965, and was named as Command Pilot of the first Apollo flight. He began his career in the United States Army Air Corps and was a Lieutenant Colonel in the United States Air Force at the time of the accident, and he is buried at Arlington National Cemetery.

(3) Senior Pilot Edward H. White II was selected by NASA as a member of the second astronaut team in 1962. He piloted the Gemini-4 mission, a 4-day mission that took place in June 1965, during which he conducted the first extravehicular activity in the United States human spaceflight program. He was named as Command Module Pilot for the first Apollo flight. He began his career as a cadet in United States Military Academy at West Point and was a Lieutenant Colonel in the United States Air Force at the time of the accident.

(4) Pilot Roger B. Chaffee was selected by NASA as part of the third group of astronauts in 1963. He was named as the Lunar Module Pilot for the first Apollo flight. He began his career as a ROTC cadet before commissioning as an ensign in the United States Navy, he was a Lieutenant Commander in the United States Navy at the time of the accident, and he is buried at Arlington National Cemetery.

(5) All 3 astronauts were posthumously awarded the Congressional Space Medal of Honor.

(6) As Arlington National Cemetery is where we recognize heroes who have passed in the service of our Nation, it is fitting on the 50th anniversary of the Apollo I accident that we acknowledge those astronauts by building a memorial in their honor.

(b) CONSTRUCTION OF MEMORIAL TO THE CREW OF THE APOLLO I LAUNCH TEST ACCIDENT AT ARLINGTON NATIONAL CEMETERY.—

(1) CONSTRUCTION REQUIRED.—The Secretary of the Army shall, in consultation with the Administrator of the National Aeronautics and Space Administration, construct at an appropriate place in Arlington National Cemetery, Virginia, a memorial marker honoring the three members of the crew of the Apollo I crew who died during a launch rehearsal test on January 27, 1967, in Cape Canaveral, Florida.

(2) FUNDING.—Of the amounts authorized to be appropriated in section 4201 for management support, Space and Missile Center (SMC) civilian workforce (Line 152), as speci-

fied in the corresponding funding table in section 4201, \$50,000 shall be available for the construction required under paragraph (1) of this subsection.

AMENDMENT NO. 76 OFFERED BY MR. WILSON OF SOUTH CAROLINA

Page 451, after line 6, insert the following:

**SEC. 1073. NATIONAL STRATEGY FOR COUNTERING VIOLENT EXTREMIST GROUPS.**

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—Not later than June 1, 2018, the President shall submit to the appropriate committees of Congress a report on a comprehensive, interagency national strategy for countering violent extremist groups.

(2) ELEMENTS.—The comprehensive, interagency national strategy required by paragraph (1) shall include the following elements:

(A) Identification and prioritization of the threats, including a description of capability and intent posed to the United States and United States interests, from violent extremist groups and their ideologies, by region and affiliated group, including any state-sponsors for such groups.

(B) Identification of the interagency tools for combating and countering violent extremist groups, including—

(i) countering violent extremist group messaging and ideological support;

(ii) combating terrorist group financing; intelligence gathering and cooperation;

(iii) law enforcement activities; sanctions; counterterrorism and counterintelligence activities;

(iv) support to civil-society groups, commercial entities, allies and counter radicalization activities of such groups; and

(v) support by the Armed Forces of the United States to combat violent extremist groups.

(C) Use of, coordination with, or liaison to international partners, non-governmental organizations, or commercial entities that support United States policy goals in countering violent extremist ideologies and organizations.

(D) Synchronization processes for these use of these interagency tools against the priority threats, including the roles and responsibilities of the Global Engagement Center, as well as the National Security Council in coordinating the interagency tools.

(E) Recommendations for improving coordination between Federal Government agencies, as well as with State, local, international, and non-governmental entities.

(F) Other matters as the President considers appropriate.

(b) ASSESSMENT.—Not later than one year after the date of the submission of the strategy required by subsection (a), the President shall submit to the appropriate committees of Congress an assessment of the strategy, including—

(1) the status of implementation of the strategy;

(2) progress toward the achievement of benchmarks or implementation of any recommendations; and

(3) any changes to the strategy since such submission.

(c) FORM.—Each report required by this section shall be submitted in unclassified form, but may include a classified annex.

(d) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term “appropriate committees of Congress” means—

(1) the Committees on Foreign Relations, Armed Services, Appropriations, Homeland Security and Governmental Affairs, and the Judiciary and the Select Committee on Intelligence of the Senate; and

(2) the Committees on Foreign Affairs, Armed Services, Appropriations, Homeland Security, and the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives.

AMENDMENT NO. 77 OFFERED BY MR. THORNBERRY OF TEXAS

At the end of subtitle F of title X, add the following:

**SEC. 1073. ADEQUACY OF THE REPORT ON THE VULNERABILITIES OF THE DEFENSE INDUSTRIAL BASE.**

(a) COMPREHENSIVE REPORT ON VULNERABILITIES OF, AND CONCENTRATION OF PURCHASES IN, THE DEFENSE INDUSTRIAL BASE.—

(1) REPORT.—Not later than 180 days after the date of the enactment of this Act, and at least annually until September 30, 2023, before March 31, thereafter the President shall issue to the appropriate congressional committees a comprehensive report combining all of the elements of the reports described in paragraph (4) and any other relevant reports on the adequacy of, vulnerabilities of, and concentration of purchases in the defense industrial sector.

(2) CONSULTATION.—In preparing a report under paragraph (1), the President shall consult with the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Homeland Security, the Director of National Intelligence, the Director of the National Security Agency and such other cabinet officials and heads of Federal departments and agencies as the President determines to be appropriate.

(3) FORM OF REPORT.—Each report issued under paragraph (1) shall be in unclassified form, but may contain a classified annex.

(4) LIST OF REPORTS.—Each report issued under paragraph (1) shall contain all relevant information and analysis from the following reports, as well as such other relevant information as the President determines to be appropriate:

(A) The report described under section 721(m) of the Defense Production Act of 1950 (50 U.S.C. 4565(m)), relating to concentrations of purchases of the defense industrial base.

(B) The report described under section 723(a) of the Defense Production Act of 1950 (50 U.S.C. 4568(a)), relating to offsets in defense production.

(C) The report described under section 2504 of title 10, United States Code, relating to annual industrial capabilities.

(D) The “Report on Defense Industrial Base” described under section 842(c) of the National Defense Authorization Act for Fiscal Years 1990 and 1991.

(E) The “Study of Field Failures Involving Counterfeit Electronic Parts” described under section 238 of the National Defense Authorization Act for Fiscal Year 2016.

(F) The “Report on Alternative Capabilities to Procure and Sustain Nonstandard Rotary Wing Aircraft Historically Procured Through Rosoboronexport” described under section 1249 of the National Defense Authorization Act for Fiscal Year 2016.

(G) The report described under section 843 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011, relating to rare earth materials critical to national security.

(H) The “Biennial Report on Nuclear Triad” described under section 1054 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011.

(I) The “Report on Solid Rocket Motor Industrial Base” described under section 1050 of

the National Defense Authorization Act for Fiscal Year 2008.

(J) The “Assessment of United States Defense Industrial Base Capabilities” described under section 812 of the National Defense Authorization Act for Fiscal Year 2004.

(K) The report related to “Monitoring and Enforcement of Mitigation Agreements Related to Foreign Investment in the United States” described under House Report 113-102.

(L) The additive manufacturing recommendation described in House Report 113-446.

(M) The “Assessment of the directed energy industrial base” described in House Report 114-102.

(b) COMPREHENSIVE DATABASE OF PROPOSED TRANSACTIONS OR PURCHASES IN THE DEFENSE INDUSTRIAL BASE INVOLVING A FOREIGN PERSON.—

(1) ESTABLISHMENT AND MAINTENANCE OF DATABASE.—

(A) IN GENERAL.—The President shall establish and keep current a database of proposed transactions that would result in all of, a substantial part of, or a controlling interest in, a U. S. corporation, or the U. S. assets of a foreign corporation, being owned or controlled by a foreign person, in the defense industrial base and any manufacturing or intellectual property related to the defense industrial base.

(B) CONFIDENTIALITY OF INFORMATION.—Except as provided under subparagraph (C), the President shall ensure that the information contained in the database is kept confidential.

(C) ACCESS TO DATABASE.—The President shall—

(i) ensure that access to information in the database is strictly controlled;

(ii) make the database available to the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Homeland Security, the Director of National Intelligence, and the National Security Agency, with such limitations as the President may determine appropriate;

(iii) require that records are kept each time a person accesses information in the database; and

(iv) require that any person receiving information from the database continues to preserve the confidentiality of the information.

(2) MANDATORY FILING REQUIREMENT.—

(A) IN GENERAL.—With respect to any proposed transaction described under paragraph (1)(A), the proposed purchaser and proposed seller in such proposed transaction shall file, and keep current, a report with the database containing a description of the proposed transaction.

(B) ADDITIONAL INFORMATION FOR PROPOSED TRANSACTIONS INVOLVING A FOREIGN GOVERNMENT-CONTROLLED CORPORATION.—If, with respect to proposed transaction described in subparagraph (A), any foreign person is a foreign government-controlled corporation, the report required under subparagraph (A) shall also disclose whether such foreign government-controlled corporation is—

- (i) a Chinese corporation;
- (ii) a Russian corporation;
- (iii) an Iranian corporation; or
- (iv) a North Korean corporation.

(C) CIVIL PENALTY.—Any person who willfully violates a provision of this paragraph shall be fined not more than \$100,000 per violation.

(c) DEFENSE INDUSTRIAL BASE TECHNOLOGIES CONTROLLED.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that statutes and mechanisms to control the export of critical technologies or related intellectual property must be kept up-to-date, reflecting changes in the defense industrial base, technology, and the global market, in order to adequately protect United States national security.

(2) REPORT.—Annually, until September 30, 2023, before March 31, the President shall deliver to the appropriate congressional committees a report describing any need for reforms of policies governing the export of technology or related intellectual property, along with any proposed legislative changes the President believes are necessary.

(d) SEPARATE REPORTS REQUIRED.—The reports required under subsections (a)(1) and (c)(2) may be issued concurrently, but shall be issued as separate reports.

(e) DEFINITIONS.—For purposes of this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

(2) DATABASE.—The term “database” means the database established pursuant to subsection (b)(1)(A).

(3) DEFENSE INDUSTRIAL BASE.—The term “defense industrial base” shall have the meaning given the term “national technology and industrial base” within the context of section 2503 of title 10, United States Code.

(4) DEFINITIONS RELATED TO CORPORATIONS.—

(A) CORPORATION.—The term “corporation” means a corporation, partnership, or other organization.

(B) FOREIGN CORPORATION.—The term “foreign corporation” means a corporation organized under the laws of a foreign country.

(C) U.S. CORPORATION.—The term “U.S. corporation” means a corporation organized under the laws of the United States.

AMENDMENT NO. 78 OFFERED BY MR. MOULTON OF MASSACHUSETTS

At the end of subtitle F of title X, add the following new section:

#### SEC. 10. FEDERAL CHARTER FOR SPIRIT OF AMERICA.

(a) FEDERAL CHARTER.—

(1) IN GENERAL.—Part B of subtitle II of title 36, United States Code, is amended by inserting after chapter 2003 the following new chapter:

#### “CHAPTER 2005—SPIRIT OF AMERICA

“Sec.

“200501. Organization.

“200502. Purposes.

“200503. Powers.

“200504. Duty to maintain tax-exempt status.

“200505. Annual report.

#### “§ 200501. Organization

“(a) FEDERAL CHARTER.—Spirit of America (in this chapter ‘the corporation’), a non-profit corporation, is a federally chartered corporation.

“(b) EXPIRATION OF CHARTER.—If the corporation does not comply with the provisions of this chapter, the charter granted by this chapter expires.

“(c) SCOPE OF CHARTER.—Nothing in the charter granted by this chapter shall be con-

strued as conferring special rights or privileges upon the corporation, or as placing upon the Department of Defense any obligation with respect to the corporation.

#### “§ 200502. Purposes

“The purposes of the corporation are as provided in its constitution and bylaws and include the following patriotic, charitable, and inspirational purposes:

“(1) To respond to the needs of local populations abroad, as identified by members of the Armed Forces and diplomats of the United States abroad.

“(2) To provide privately-funded humanitarian, economic, and other nonlethal assistance to address such needs.

“(3) To support the safety and success of members of the Armed Forces and diplomats of the United States abroad.

“(4) To connect the people of the United States more closely to the members of the Armed Forces and diplomats of the United States abroad, and to the missions carried out by such personnel abroad.

“(5) To demonstrate the goodwill of the people of the United States to peoples around the world.

#### “§ 200503. Powers

“The corporation may—

“(1) adopt and amend a constitution, bylaws, and regulations to carry out the purposes of the corporation;

“(2) adopt and alter a corporate seal;

“(3) establish and maintain offices to conduct its activities;

“(4) enter into contracts;

“(5) acquire, own, lease, encumber, and transfer property as necessary and appropriate to carry out the purposes of the corporation;

“(6) establish, regulate, and discontinue subordinate State and territorial subdivisions and local chapters or posts;

“(7) publish a magazine and other publications (including through the Internet);

“(8) sue and be sued; and

“(9) do any other act necessary and proper to carry out the purposes of the corporation as provided in its constitution, by-laws, and regulations.

#### “§ 200504. Duty to maintain tax-exempt status

“If the corporation fails to maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986, the charter granted under this chapter shall terminate.

#### “§ 200505. Annual report

“The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.”.

(2) TABLES OF CHAPTERS.—The table of chapters at the beginning of title 36, United States Code, and at the beginning of subtitle II of such title, are each amended by inserting after the item relating to chapter 2003 the following new item:

#### “2005. Spirit of America 200501.”. ....

(b) DISTRIBUTION OF CORPORATION ASSISTANCE ABROAD THROUGH DEPARTMENT OF DEFENSE.—

(1) ACCEPTANCE AND COORDINATION OF ASSISTANCE.—The Department of Defense (including members of the Armed Forces) may, in the discretion of the Secretary of Defense and in accordance with guidance issued by the Secretary—

(A) accept from Spirit of America, a federally-chartered corporation under chapter

2005 of title 36, United States Code (as added by subsection (a)), humanitarian, economic, and other nonlethal assistance funded by private funds in the carrying out of the purposes of the corporation; and

(B) respond to requests from the corporation for the identification of the needs of local populations abroad for assistance, and coordinate with the corporation in the provision and distribution of such assistance, in the carrying out of such purposes.

(2) DISTRIBUTION OF ASSISTANCE TO LOCAL POPULATIONS.—In accordance with guidance issued by the Secretary, members of the Armed Forces abroad may provide to local populations abroad humanitarian, economic, and other nonlethal assistance provided to the Department by the corporation pursuant to this subsection.

(3) SCOPE OF GUIDANCE.—The guidance issued pursuant to this subsection shall ensure that any assistance distributed pursuant to this subsection shall be for purposes of supporting the mission or missions of the Department and the Armed Forces for which such assistance is provided by the corporation.

(4) DOD SUPPORT FOR CORPORATION ACTIVITIES.—In accordance with guidance issued by the Secretary, the Department and the Armed Forces may—

(A) provide transportation, lodging, storage, and other logistical support—

(i) to personnel of the corporation (whether in the United States or abroad) who are carrying out the purposes of the corporation; and

(ii) in connection with the acceptance and distribution of assistance provided by the corporation; and

(B) use assets of the Department and the Armed Forces in the provision of support described in subparagraph (A).

AMENDMENT NO. 79 OFFERED BY MR. CONNOLLY OF VIRGINIA

At the end of subtitle F of title X, add the following new section:

**SEC. 10. AIR TRANSPORTATION OF CIVILIAN DEPARTMENT OF DEFENSE PERSONNEL TO AND FROM AFGHANISTAN.**

(a) POLICY REVIEW.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a policy review regarding the use of commercial air transportation or alternative forms of air transportation to transport civilian personnel of the Department of Defense to and from Afghanistan.

(b) REPORT TO CONGRESS.—Not later than 90 days after the completion of the policy review required by subsection (a), the Secretary shall submit to the congressional defense committees a report on the results of such review.

(c) UPDATED GUIDELINES.—Not later than 90 days after the completion of the policy review required by subsection (a), the Secretary shall issue updated guidelines, based on the report submitted under subsection (b), regarding the use of commercial air transportation or alternative forms of air transportation to transport civilian personnel of the Department to and from Afghanistan.

AMENDMENT NO. 80 OFFERED BY MR. DAVIDSON OF OHIO

Page 451, after line 6, insert the following:  
**SEC. 10. COLLABORATION BETWEEN FAA AND DOD ON UNMANNED AIRCRAFT SYSTEMS.**

(a) COLLABORATION.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration and the Secretary of Defense are encouraged to col-

laborate on sense-and-avoid capabilities for unmanned aircraft systems.

(2) ELEMENTS.—The collaboration described in paragraph (1) should include the following:

(A) Sharing information on safely integrating unmanned aircraft systems and manned aircraft in the national airspace system.

(B) Building upon the experience of the Department of Defense, including the Air Force, to inform the Federal Aviation Administration's development of civil standards, policies, and procedures for integrating unmanned aircraft systems in the nation airspace system.

(C) Informing—

(i) development of airborne and ground-based sense-and-avoid capabilities for unmanned aircraft systems; and

(ii) research and development on unmanned aircraft systems, especially with respect to matters involving human factors, information assurance, and security.

(b) PARTICIPATION BY FAA IN DOD ACTIVITIES.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration is encouraged to participate, and provide assistance for participation, in test and evaluation efforts of the Department of Defense, including the Air Force, relating to airborne and ground-based sense-and-avoid capabilities for unmanned aircraft systems.

(2) PARTICIPATION THROUGH CENTERS OF EXCELLENCE AND TEST SITES.—Participation under paragraph (1) may include provision of assistance through unmanned aircraft systems test sites.

(c) UNMANNED AIRCRAFT SYSTEMS DEFINED.—In this section, the term “unmanned aircraft system” has the meaning given that term in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note).

AMENDMENT NO. 81 OFFERED BY MR. ROHRBACHER OF CALIFORNIA

Page 473, line 15, strike “and”.

Page 473, line 17, strike the period at the end and insert a semicolon.

Page 473, after line 17, insert the following:

(C) in paragraph (3), strike “and” at the end;

(D) in paragraph (4), strike the period at the end and insert “; and”; and

(E) by adding at the end the following:

“(5) Pakistan is not using its military or any funds or equipment provided by the United States to persecute minority groups seeking political or religious freedom, including the Balochi, Sindhi, and Hazara ethnic groups and minority religious groups, including Christian, Hindu, and Ahmadiyya Muslim.”.

AMENDMENT NO. 82 OFFERED BY MR. POE OF TEXAS

Page 473, line 15, strike “and”.

Page 473, line 17, strike the period at the end and insert a semicolon.

Page 473, after line 17, insert the following:

(C) in paragraph (3), strike “and” at the end;

(D) in paragraph (4), strike the period at the end and insert “; and”; and

(E) by adding at the end the following:

“(5) Pakistan is not providing military, financial, or logistical support to specially designated global terrorists operating in Afghanistan or Pakistan.”.

AMENDMENT NO. 83 OFFERED BY MS. MOORE OF WISCONSIN

Page 474, line 21, insert after “objectives” the following: “, including the funding estimated to be needed each year by the Depart-

ment of Defense and by the Department of State (including the United States Agency for International Development)”.

Page 475, after line 15, insert the following:

(9) A description of the legal authority needed to introduce United States ground combat forces in Syria or needed to accomplish long term and short term military objectives in Syria and a description of the capabilities and willingness of the Syrian government (and its allies) to use chemical or other weapons of mass destructions against its citizens and potentially United States and associated military forces Syria.

(10) A description of all necessary contact between the United States and the governments of Russia and other state actors in order to achieve the United States strategy in Syria.

Page 475, after line 22, insert the following new section:

**SEC. 1221A. REPORT ON IMPACT OF HUMANITARIAN CRISIS ON ACHIEVEMENT OF UNITED STATES SECURITY OBJECTIVES IN SYRIA.**

(a) IN GENERAL.—Not later than February 1, 2018, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees (as defined in section 1221(c)) a report that provides an assessment of the impact of the humanitarian crisis in Syria on the achievement of goals of the United States in the region, such as destroying and dismantling the Islamic State in Iraq and the Levant and peace and stability in Syria and the broader region.

(b) CONTENTS.—The assessment under subsection (a) shall include a description of—

(1) the response of the United States to the short-term and long-term humanitarian crisis in Syria caused by attacks on the people of Syria by its government, including attacks on hospitals and other medical and educational facilities; and

(2) how the United States intends to support the needs of refugees and internally displaced populations and intends to improve access to humanitarian aid for areas where such aid has been blocked.

AMENDMENT NO. 84 OFFERED BY MR. NOLAN OF MINNESOTA

Page 555, after line 12, insert the following:

(e) NO AUTHORIZATION FOR DEPLOYMENT OF ARMED FORCES.—None of the funds authorized to be appropriated by this Act are authorized to be made available to deploy members of the Armed Forces to participate in the ongoing civil war in Yemen.

AMENDMENT NO. 85 OFFERED BY MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

At the end of title XI, add the following:

**SEC. 1109. BRIEFING ON DIVERSITY IN THE CIVILIAN WORKFORCE ON AIR FORCE INSTALLATIONS.**

Not later than 120 days after the date of enactment of this Act, the Secretary of the Air Force shall brief the Committee on Armed Services of the Senate, the Committee on Armed Services of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives on efforts to increase diversity in the civilian workforce on each Air Force installation, including regional and State demographics regarding diversity.

AMENDMENT NO. 86 OFFERED BY MR. GALLEGOS OF ARIZONA

At the end of subtitle C of title XII, add the following new section:

**SEC. 12 . REPORTS ON DEPLOYMENT OF UNITED STATES COMBAT FORCES TO SYRIA.**

(a) IN GENERAL.—The President shall submit to Congress a report on the deployment of United States combat forces to Syria, including number of troops, extent of deployment, and purpose of deployment.

(b) DEADLINE.—The President shall submit the report required under subsection (a) not later than 90 days after the date of the enactment of this Act and every 90 days thereafter through the end of calendar year 2020.

AMENDMENT NO. 87 OFFERED BY MR. LAMBORN OF COLORADO

At the end of subtitle C of title XII, add the following new section:

**SEC. 12 . REPORT ON USE BY THE GOVERNMENT OF IRAN OF COMMERCIAL AIRCRAFT AND RELATED SERVICES FOR IL-LICIT ACTIVITIES.**

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President, in consultation with the Secretary of Defense, the Secretary of State, and the Director of National Intelligence, shall submit to the Committee on Armed Services, Committee on Foreign Affairs, Committee on Financial Services, and the Permanent Select Committee on Intelligence of the House of Representatives a report on use by the Government of Iran of commercial aircraft and related services for illicit activities.

(b) ELEMENTS OF REPORT.—The report required under subsection (a) shall include a description of the extent to which—

(1) the Government of Iran is using commercial aircraft, including aircraft of Iran Air, or related services to transport illicit cargo to or from Iran, including military goods, weapons, military personnel, military-related electronic parts and mechanical equipment, or rocket or missile components; and

(2) the commercial aviation sector of Iran, including Iran Air, is providing financial, material, or technological support to the Islamic Revolutionary Guard Corps, Iran's Ministry of Defense and Armed Forces Logistics, the Bashar al Assad Regime, Hezbollah, Hamas, Kata'ib Hezbollah, or any other Foreign Terrorist Organization or entities designated as a specially designated national and blocked person on the list maintained by the Office of Foreign Assets Control of the Department of the Treasury.

(c) SUNSET.—This section shall cease to be effective on the date that is 30 days after the date on which the President certifies to Congress that the Government of Iran has ceased providing support for acts of international terrorism.

AMENDMENT NO. 88 OFFERED BY MR. NOLAN OF MINNESOTA

At the end of subtitle C of title XII, add the following:

**SEC. 12 . LIMITATION ON FUNDING.**

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Counter-ISIS Train and Equip Fund are authorized to be made available to provide assistance to any recipient of such funds that the Secretary of Defense has reported, pursuant to a quarterly progress report submitted pursuant to section 1209 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3541), as having previously misused training or equipment provided by the United States.

AMENDMENT NO. 89 OFFERED BY MR. ENGEL OF NEW YORK

At the end of subtitle D of title XII, add the following new section:

**SEC. 12 . REPORT ON DEFENSE COOPERATION BETWEEN SERBIA AND THE RUSSIAN FEDERATION.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional defense committees and the Committees on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the defense and security relationship between Serbia and the Russian Federation.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following:

(1) A list of Russian weapons systems and other military hardware and technology valued at \$1,000,000 or more that have been provided to Serbia since 2012.

(2) A description of the participation by Serbian armed forces in Russian military training or exercises since 2012.

(3) A list of any defense and security cooperation agreements between Serbia and Russia entered into since 2012.

(4) An assessment of how the countries bordering Serbia assess the risk the Serbian armed forces pose to their national security.

(5) An assessment of intelligence cooperation between Serbia and Russia.

(6) An assessment of defense and security cooperation between Serbia and the United States.

(7) An assessment of how military relations between Serbia and Russia affect United States defense and security cooperation with Serbia and cooperation between Serbia and the North Atlantic Treaty Organization.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

AMENDMENT NO. 90 OFFERED BY MS. CHENEY OF WYOMING

At the end of subtitle D of title XII, add the following:

**SEC. 12 . PLAN TO RESPOND IN CASE OF RUSSIAN NONCOMPLIANCE WITH THE NEW START TREATY.**

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report—

(1) describing the options available in response to a failure by Russia to achieve the reductions required by the New START Treaty before February 5, 2018; and

(2) including the assessment of the Secretary of Defense whether such a failure would constitute a material breach of the New START Treaty, providing grounds for the United States to withdraw from the treaty.

(b) OPTIONS DESCRIBED.—The report required under subsection (a) shall specifically describe options to respond to such a failure relating to the following:

(1) Economic sanctions.

(2) Diplomacy.

(3) Additional deployment of ballistic or cruise missile defense capabilities, or other United States capabilities that would offset any potential Russian military advantage from such a failure.

(4) Redeployment of United States nuclear forces beyond the levels required by the New START Treaty, and the associated costs and impacts on United States operations.

(5) Legal countermeasures available under other treaties between the United States and

Russia, including under the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

(c) NEW START TREATY.—In this section, the term “New START Treaty” means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed at Prague April 8, 2010, and entered into force February 5, 2011.

AMENDMENT NO. 91 OFFERED BY MR. WALKER OF NORTH CAROLINA

At the end of subtitle G of title XII, add the following new section:

**SEC. 12 . REPORT ON NAVAL PORT OF CALL EXCHANGES BETWEEN THE UNITED STATES AND TAIWAN.**

(a) REPORT REQUIRED.—Not later than September 1, 2018, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the following:

(1) An assessment of the feasibility and advisability regarding ports of call by the United States Navy at ports on the island of Taiwan.

(2) An assessment of the feasibility and advisability of the United States to receiving ports of call by the Republic of China navy in Hawaii, Guam, and other appropriate locations.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

The Acting CHAIR. Pursuant to House Resolution 440, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I yield 1½ minutes to the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Chairman, I thank Chairman MAC THORNBERRY for his extraordinary leadership and for the opportunity to speak on amendment No. 76.

In the past few years, we have seen a clear rise in how terrorist and extremist groups use propaganda and sophisticated messaging operations to increase their reach to recruit new members, execute attacks, and raise funds.

These violent extremist organizations represent a new type of threat to the United States and our families, and we must identify how existing agencies should work together to address the threat.

This amendment requires the President to submit a comprehensive inter-agency strategy for countering violent extremist groups that pose a threat to American families or their interests. Any plan would identify how to counter the violent messaging, combat terrorist financing, support existing law enforcement activities, support



counterradicalization organizations, and offer military support.

Additionally, the amendment provides for accountability by requiring an annual assessment of the progress made implementing and achieving the strategy. The time is now to bring a whole-government approach to combat violent extremism. This strategy will serve a vital role in this effort.

Mr. Chairman, I urge the passage of this amendment and the en bloc package.

Mr. SMITH of Washington. Mr. Chair, I have no other speakers, and I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the gentleman from West Virginia (Mr. JENKINS).

Mr. JENKINS of West Virginia. Mr. Chair, I thank Chairman THORNBERRY for yielding me the time.

Mr. Chair, my amendment proposes to increase the authorized funding for the Counterdrug Program by \$10 million.

For 30 years, the National Guard has successfully performed drug interdiction and counterdrug activities to support our local communities and our national security. The National Guard partners with local, State, and Federal law enforcement agencies, and community organizations to effectively combat the supply and demand for illegal drugs. The National Guard Counterdrug Program works.

In the past 4 years, the West Virginia National Guard successfully seized more than \$500 million of illegal drugs, black market drugs that are devastating our communities and towns. And as our Nation copes with the devastating drug epidemic, we must fund programs to stop drug trafficking and keep drugs out of our communities.

For more than a decade, Congress has consistently provided funding above the budget request. It is important that we continue that support.

Mr. Chair, I thank Chairman THORNBERRY and his hardworking staff that helped to make this amendment possible. I urge adoption of this amendment.

Mr. SMITH of Washington. Mr. Chairman, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK. Mr. Chairman, perfluorinated compounds, namely PFOA and PFOS, have been found in public and private drinking water wells in communities surrounding over 600 military installations nationwide, including several in my own district, impacting 70,000 Pennsylvanians.

While the military does not dispute its responsibility for the water contamination, the response thus far has been unacceptable. For all of our constituents, they all have the right to safe, clean drinking water, and they de-

serve to know if PFOS or PFOA have compromised their long-term health.

The bipartisan amendment I have introduced instructs the Secretary of Defense to consult with the Agency for Toxic Substances and Disease Registry to carry out a study on any health effects experienced by those exposed to PFOS and PFOA at military installations or former military installations.

While this study alone will not fix the serious concerns about water contamination, it will provide us with critical information about the health impact these unregulated chemicals may have, and aid the Federal Government in conjunction with State and local agencies to reverse the contamination and protect the health and welfare of our residents.

Mr. Chairman, I urge my colleagues to support this amendment.

Mr. SMITH of Washington. Mr. Chair, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. Mr. Chair, I thank Chairman THORNBERRY for yielding time.

Mr. Chair, Pakistan has been supporting all kinds of terrorist groups for years, including those with American blood on their hands. But instead of penalizing Pakistan, the government has been rewarding them with hundreds of millions of dollars in U.S. aid. Some of that money goes to support terrorists.

Previously, we placed conditions on military aid to Pakistan, but these conditions are only focused on Pakistan cracking down on one terrorist group, the Haqqani Network. Meanwhile, Pakistan is aiding and abetting a long list of terrorists in the region, including the Taliban in Afghanistan.

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My amendment No. 100 places a new condition on any aid to Pakistan. The condition requires the administration to certify that Pakistan is not providing military, financial, or logistical support to any terrorists operating in Pakistan or Afghanistan.

This forces Pakistan to make a long overdue choice: either go after terrorists or lose millions of dollars of American aid.

And that is just the way it is.

Mr. SMITH of Washington. Mr. Chairman, I continue to reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from Michigan (Mr. BISHOP).

Mr. BISHOP of Michigan. Mr. Chairman, I thank Chairman THORNBERRY for his leadership on this matter.

The North Atlantic Treaty Organization was formed in the ashes of World War II, bringing decades of considerable peace and prosperity. Still, there are powers today that wish to chal-

lenge the order from which millions throughout the world have benefited.

My amendment to the NDAA, amendment No. 98, is a straightforward and simple amendment. It would call on all NATO allies to fulfill their mutual defense commitments, secure national and regional security interests, and recognize our NATO allies who are achieving those objectives.

The underlying bill takes steps to strengthen our national defense on many fronts. It improves our overseas contingency operations, provides significant resources to rebuild our military, and increases funding for initiatives to deter Russian aggression.

My amendment builds upon those principles. As we begin to rebuild our military capability, it is time for our allies to do the same, especially when it pertains to our NATO alliance.

For far too long, the United States has shared an unequal financial burden in contributing to the global and regional security that NATO provides. With new challenges from an increasing belligerent Russian state, instability across the Middle East and North Africa, and emerging cybersecurity threats, it is time for all allies to honor their commitment and invest in defense spending.

In order for NATO to be completely effective, all NATO members must meet their GDP commitment for defense spending and investment. This is out of fairness—for our effort to evenly share this responsibility and fairness to American taxpayers.

My amendment calls on the President to demand that our NATO allies honor their mutual defense commitment they agreed to by committing 2 percent of their gross domestic product to defense spending and research and to secure their national and regional security interests. Only 5 of 29 member nations currently honor these commitments. While 24 NATO members fail to meet their NATO commitment, my amendment also recognizes the few NATO allies who actually achieve those objectives.

Full commitment from our NATO allies will make a notable difference in our effort to achieve peace around the globe. We must share equally the necessary burden of peace through strength.

The Acting CHAIR. Without objection, the gentleman from Virginia (Mr. SCOTT) will control the time of the gentleman from Washington (Mr. SMITH).

There was no objection.

Mr. SCOTT of Virginia. Mr. Chairman, I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield back the balance of my time.

Ms. ROSEN. Mr. Chair, I rise in support of Congressman LAMBORN's amendment to the National Defense Authorization Act to require the President, the Secretary of Defense, the Secretary of State, and the Director of National Intelligence to report to Congress on the



use of commercial aircraft by the Government of Iran for illicit activities. I am proud to be the lead Democratic co-sponsor of this bipartisan amendment, along with Reps. LAMBORN, ROSKAM, ZELDIN, and SHERMAN.

As we are all aware, U.S. firms have reached multi-billion-dollar agreements to sell or lease hundreds of aircraft to Iran, supposedly to help bring the country's fleet into the 21st century. I am deeply concerned, however, that these aircraft, intended for civilian use, could instead be used for nefarious purposes, such as transporting fighters to Syria or weapons to Iran's proxies, Hamas and Hezbollah.

Iran is the world's leading sponsor of terrorism, with a longstanding record of human rights violations. Its support of radical groups throughout the Middle East poses a threat both to our greatest ally in the region, Israel, and also to U.S. interests. For this reason, we must keep a watchful eye on Iran's actions, including how it uses dual use exports from the United States.

If Iran is indeed only using American-made commercial aircraft for legitimate purposes, there should be no concern that a report confirming this would have an adverse effect on American trade. If Iran is using aircraft to conduct illicit activities, we must be made aware, and we must hold Iran accountable.

I am also proud to have co-sponsored another amendment to the National Defense Authorization Act that will help hold Iran accountable for its actions. This bipartisan amendment, offered by my Nevada colleague, Rep. KIHUEN, would extend a presidential reporting requirement to ensure that we have an integrated strategy between the Administration and Congress to deter Iran's nuclear weapons program.

Two years ago today, the United States, China, France, Germany, Russia, the United Kingdom, the European Union, and Iran agreed to the Joint Comprehensive Plan of Action (JCPOA), which aimed to ensure that Iran's nuclear program would be exclusively peaceful and that Iran would never obtain a nuclear weapon. I was not a Member of Congress when the JCPOA came to the floor for Congressional approval, but had I been, I would have opposed the agreement. However, I have said since before I first came to Congress that now that the JCPOA is the law of the land, the United States must demand that Iran abide by it completely, and that any cheating or subversion should be dealt with swiftly.

Both the Lamborn and Kihuen Amendments that I have co-sponsored are manifestations of this principle. If Iran is directly violating the JCPOA by developing a nuclear weapons program, the Administration and Congress must be ready to respond. And if Iran is violating the spirit of the JCPOA by taking advantage of new streams of commerce to wage war in the Middle East, it should not matter what financial ties U.S. companies have to the regime.

For these reasons, I urge my colleagues to vote for the National Defense Authorization Act, which includes both the Lamborn and Kihuen Amendments.

Mr. ENGEL. Mr. Speaker, I would like to thank Armed Services Chairman THORNBERRY and Ranking Member SMITH for their support

of my amendment to direct the Secretary of Defense to report on military cooperation between Serbia and Russia. I would also like to thank the gentleman from Alabama, Mr. Aderholt, for cosponsoring the amendment.

Countries of the Balkans are a part of Europe. Period. From the former Yugoslavia, three have already entered NATO and two are now part of the European Union. In the wider Balkans, even more countries have joined NATO and the EU and others want to be part of both. . . . all, except for Serbia, that is, which is unwilling to put itself on a path to future NATO membership.

Frankly, Serbia is not only keeping NATO at arms' length. As we speak, it is continuing to rearm with Russian weapons. In a deal reached on December 21 of last year, Russia agreed to give Serbia six surplus MiG-29 'Fulcrum' fighter aircraft, 30 T-72 tanks, and 30 BRDM-2 armored reconnaissance vehicles. Rather than forcing Belgrade to pay for these items worth more than \$600 million on the open market, the Kremlin just gave them to Belgrade. And, now Serbia is seeking Russian-made S-300 anti-aircraft missiles. If I were sitting in one of Serbia's neighbors, most of which are NATO members, I don't think I would be comfortable with Belgrade's tilt toward Moscow.

Even more, only last month, Serbia joined Russia and Belarus in what the countries' called 'Slavic Brotherhood' drills very close to NATO-member Poland. This is only the latest in a series of military exercises where Serbian forces are training with Russian troops. According to RFE/RL, "The first were held in 2015 in Russia's Krasnodar Krai, which is close to Western-leaning Georgia and Ukraine's Russian-controlled Crimean Peninsula. The second were held in November 2016 in Serbia, while NATO was staging a civil emergency drill in neighboring Montenegro."

If Serbia wants to become part of the West, this isn't the way to get there. Frankly, I'm growing increasingly concerned with the choices Belgrade is making on military and security matters. This is why I wrote today's amendment. We need to take a closer look at Russian-Serbian military ties and judge their implications for US national security policy, Serbia's membership in NATO's Partnership for Peace, and the impact on Serbia's neighbors.

I know that Vice President PENCE is meeting with Serbian President Vucic on Monday. This occasion represents a good opportunity to present our U.S. concerns about Belgrade's direction on security policy and a variety of other matters.

Mr. Chair, again, I thank the Chairman and Ranking member for their support, and I look forward to seeing the report required by the amendment.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I am proud to have introduced the Apollo I Memorial Amendment to H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. This year is the 50th Anniversary of the *Apollo I* spacecraft fire that claimed the lives of three American heroes. With this Amendment we ensure that these three courageous astronauts, who gave their lives in service to our great nation, will be appropriately honored.

On January 27, 1967, Astronauts Virgil I. "Gus" Grissom, Edward H. White II, and Roger B. Chaffee were killed in an electrical fire that broke out inside their *Apollo I* Command Module on Launch Pad 34 at the Kennedy Space Center in Cape Canaveral, Florida. The accident led to a detailed internal investigation and congressional hearings. As a result of their sacrifice, NASA made needed changes to the Apollo program which ultimately resulted in the successful *Apollo 11* landing on the moon two years later.

My Amendment requires the Secretary of the Army, in consultation with the Administrator of the National Aeronautics and Space Administration (NASA), to construct a memorial marker at Arlington National Cemetery in their honor. This marker corrects an unfortunate omission, namely, that these three fearless astronauts, who were set to be the ones to fly the first Apollo mission into space, have not received a memorial at Arlington as was done for the Space Shuttle *Challenger* and *Columbia* crews. As Arlington National Cemetery is where we recognize heroes who have passed in the service of our Nation, it is fitting that on the 50th anniversary of the launchpad accident we acknowledge the sacrifice of the *Apollo I* Astronauts.

Mr. Chair, it is past time to install a memorial marker at Arlington so that current and future Americans never forget their sacrifice as we continue to reach for the stars.

Before closing, I would like to thank my colleagues on both sides of the aisle who supported the original bill from which this Amendment was drawn, H.R. 703, the Apollo Memorial Act. I would also like to express my deep appreciation to both Mr. HOLLINGSWORTH of Indiana and Mr. POSEY of Florida who both offered to cosponsor this Amendment.

I hope my colleagues on both sides of the aisle will continue to come together to support this amendment honoring these heroes.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 5 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 440, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 5 consisting of amendment Nos. 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, and 107 printed in House Report 115-217, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 92 OFFERED BY MR. ENGEL OF NEW YORK

At the end of subtitle H of title XII, add the following new section:

SEC. 12. NOTICE OF CHANGES TO THE LEGAL AND POLICY FRAMEWORKS GUIDING THE UNITED STATES' USE OF MILITARY FORCE AND RELATED NATIONAL SECURITY OPERATIONS.

(a) NOTICE REQUIRED.—Not later than 30 days after the date on which a change is made to any of the legal or policy frameworks described in the report entitled "Report on the Legal and Policy Frameworks

Guiding the United States Use of Military Force and Related National Security Operations” prepared by the national security departments and agencies and published on December 5, 2016, the President shall notify the appropriate congressional committees of such change, including the legal, factual, and policy justification for such change.

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

(1) the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives;

(2) the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives;

(3) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives; and

(4) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

AMENDMENT NO. 93 OFFERED BY MR. TED LIEU OF CALIFORNIA

At the end of subtitle H of title XII, add the following new section:

**SEC. 12. REPORT ON MILITARY ACTION OF SAUDI ARABIA AND ITS COALITIONS PARTNERS IN YEMEN.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of Defense and the Secretary of State shall jointly submit the appropriate congressional committees a report on military action of Saudi Arabia and its coalitions partners in Yemen.

(b) **MATTERS TO BE INCLUDED.**—The report required by subsection (a) shall include a description of the following:

(1) The extent to which the Government of Saudi Arabia and its coalition partners in Yemen are abiding by their “No Strike List and Restricted Target List”.

(2) Roles played by United States military personnel with respect to operations of such coalition partners in Yemen.

(3) Progress made by the Government of Saudi Arabia in improving its targeting capabilities.

(4) Progress made by such coalition partners to implement the recommendations of the Joint Incident Assessment Team and participation if any by the United States in the implementation of such recommendations.

(5) Progress made toward implementation of United Nations Security Council Resolution 2216 (2015) or any successor United Nations Security Council resolution relating to the conflict in Yemen.

(c) **FORM.**—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(d) **TERMINATION.**—This section shall terminate on—

(1) the date that is 2 years after the date of the enactment of this Act, or

(2) the date on which the Secretary of Defense and Secretary of State jointly certify to the appropriate congressional committees that the conflict in Yemen has come to a conclusion, whichever occurs earlier.

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

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

AMENDMENT NO. 94 OFFERED BY MR. CROWLEY OF NEW YORK

Page 525, line 19, strike the period and insert “, including respect for human rights.”.

AMENDMENT NO. 95 OFFERED BY MR. GALLAGHER OF WISCONSIN

At the end of subtitle G of title XII, add the following new section:

**SEC. 12. ASSESSMENT ON UNITED STATES DEFENSE IMPLICATIONS OF CHINA’S EXPANDING GLOBAL ACCESS.**

(a) **ASSESSMENT.**—

(1) **IN GENERAL.**—The Secretary of Defense, in consultation with the Secretary of State, shall assess the foreign military and non-military activities of the People’s Republic of China which could affect the regional and global national security and defense interests of the United States.

(2) **ELEMENTS.**—The assessment required by paragraph (1) shall evaluate the following:

(A) China’s use of military and non-military means in the Indo-Asia-Pacific region and globally, including tourism, media, influence campaigns, investment projects, infrastructure, and access to foreign ports and military bases, and whether such means could affect United States national security or defense interests, including operational access.

(B) The implications, if any, of such means for the military force posture, access, training, and logistics of both the United States and China.

(C) The United States strategy and policy for mitigating any harmful effects resulting from such means.

(D) The resources required to implement such strategy and policy, and the mitigation plan to address any gaps in capabilities or resources necessary for such implementation.

(E) Measures to bolster the roles of allies, partners, and other countries to implement such strategy and policy.

(F) Any other matters the Secretary of Defense or the Secretary of State determines to be appropriate.

(3) **REPORT REQUIRED.**—

(A) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the assessment required under subsection (b).

(B) **FORM.**—The report required by this paragraph may be submitted unclassified or classified form.

AMENDMENT NO. 96 OFFERED BY MR. YOHO OF FLORIDA

At the end of subtitle G of title XII, add the following:

**SEC. 12. NORMALIZING THE TRANSFER OF DEFENSE ARTICLES AND DEFENSE SERVICES TO TAIWAN.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that any requests from the Government of Taiwan for defense articles and defense services should receive a case-by-case review by the Secretary of Defense, in consultation with the Secretary of State, that is consistent with the standard processes and procedures in an effort to normalize the arms sales process with Taiwan.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 120 days after the date on which the Secretary of De-

fense receives a Letter of Request from Taiwan with respect to the transfer of a defense article or defense service to Taiwan, the Secretary, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report that includes—

(A) the status of such request;

(B) if the transfer of such article or service would require a certification or report to Congress pursuant to any applicable provision of section 36 of the Arms Export Control Act (22 U.S.C. 2776), the status of any Letter of Offer and Acceptance the Secretary of Defense intends to issue with respect to such request; and

(C) an assessment of whether the transfer of such article or service would be consistent with United States obligations under the Taiwan Relations Act (Public Law 96-8; 22 U.S.C. 3301 et seq.).

(2) **ELEMENTS.**—Each report required under paragraph (1) shall specify the following:

(A) The date the Secretary of Defense received the Letter of Request.

(B) The value of the sale proposed by such Letter of Request.

(C) A description of the defense article or defense service proposed to be transferred.

(D) The view of the Secretary of Defense with respect to such proposed sale and whether such sale would be consistent with defense plans.

(3) **FORM.**—Each report required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(c) **BRIEFING.**—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of Defense, in coordination with the Secretary of State, shall provide a briefing to the appropriate congressional committees with respect to the security challenges faced by Taiwan and the military cooperation between the United States and Taiwan, including a description of any requests from Taiwan for the transfer of defense articles or defense services and the status, whether signed or unsigned, of any Letters of Offer and Acceptance with respect to such requests.

(d) **DEFINITIONS.**—In this section:

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

(A) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

(2) **DEFENSE ARTICLE; DEFENSE SERVICE.**—The terms “defense article” and “defense service” have the meanings given such terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(3) **LETTER OF REQUEST; LETTER OF OFFER AND ACCEPTANCE.**—The terms “Letter of Request” and “Letter of Offer and Acceptance” have the meanings given such terms for purposes of Chapter 5 of the Security Assistance Management Manual of the Defense Security Cooperation Agency, as in effect on the date of the enactment of this Act.

AMENDMENT NO. 97 OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

At the end of subtitle H of title XII, add the following:

**SEC. 12. SENSE OF CONGRESS ON THE WESTERN HEMISPHERE REGION.**

It is the sense of Congress that—

(1) the security, stability, and prosperity of the Western Hemisphere region are vital to the national interests of the United States;

(2) the United States should maintain a military capability in the Western Hemisphere region that is able to project power, build partner capacity, deter acts of aggression, and respond, if necessary, to regional threats or to threats to the national security of the United States by the activities of Iran, China, Russia, North Korea, transnational criminal organizations, or terrorist organizations in the region;

(3) continuing efforts by the Department of Defense to commit additional assets and increase investments to the Western Hemisphere are necessary to maintain a robust United States commitment to the region;

(4) the Secretary of Defense should—

(A) assess the current United States force posture in the Western Hemisphere to ensure that the United States maintains an appropriate forward presence in the region;

(B) prioritize—

(i) intelligence, surveillance, and reconnaissance;

(ii) maritime patrol aircraft to support detection and monitoring missions;

(iii) efforts to disrupt and degrade transregional and transnational threat networks; and

(iv) when possible, efforts to support the mission of the Department of Homeland Security, as requested, in monitoring individuals identified by the Secretary of Homeland Security as “special interest aliens” or as “foreign terrorist fighters”; and

(C) enhance regional force readiness through joint training and exercises; and

(5) the United States should continue to engage in the Western Hemisphere by strengthening alliances and partnerships, working with regional institutions, addressing the shared challenges of illicit trafficking of humans, drugs, and other contraband, transnational criminal organizations, and foreign terrorist fighters, and supporting the rule of law and democracy in the region.

AMENDMENT NO. 98 OFFERED BY MR. BISHOP OF MICHIGAN

At the end of subtitle H of title XII, add the following:

**SEC. 12. SENSE OF CONGRESS RELATING TO INCREASES IN DEFENSE CAPABILITIES OF UNITED STATES ALLIES.**

It is the sense of Congress that the President, in furtherance of increased unity, equitable sharing of the common defense burden, and international stability, should—

(1) encourage all member countries of the North Atlantic Treaty Organization (“NATO allies”) to fulfill their commitments to levels and composition of defense expenditures as agreed upon at the NATO 2014 Wales Summit and NATO 2016 Warsaw Summit;

(2) call on NATO allies to finance, equip, and train their armed forces to fulfill their national and regional security interests; and

(3) recognize NATO allies that are meeting their defense spending commitments or otherwise providing adequately for their national and regional security interests.

AMENDMENT NO. 99 OFFERED BY MR. KELLY OF PENNSYLVANIA

At the end of subtitle H of title XII, add the following new section:

**SEC. 12xx. LIMITATION ON AVAILABILITY OF FUNDS TO IMPLEMENT THE ARMS TRADE TREATY.**

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended to fund a Secretariat or any other international organization established to support the implementation of the Arms

Trade Treaty, to sustain domestic prosecutions based on any charge related to the Treaty, or to implement the Treaty until the Senate approves a resolution of ratification for the Treaty and implementing legislation for the Treaty has been enacted into law.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude the Department of Defense from assisting foreign countries in bringing their laws, regulations, and practices related to export control up to United States standards.

AMENDMENT NO. 100 OFFERED BY MR. ENGEL OF NEW YORK

At the end of subtitle H of title XII, add the following new section:

**SEC. 12. CULTURAL HERITAGE PROTECTION COORDINATOR.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall designate an employee of the Department of Defense to serve concurrently as the Coordinator for Cultural Heritage Protection (in this section referred to as the “Coordinator”).

(b) DUTIES.—The Coordinator shall have the following duties:

(1) The Coordinator shall be responsible for coordinating existing obligations of the Department of Defense for the protection of cultural heritage, including the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, and other obligations for the protection of cultural heritage.

(2) The Coordinator shall convene a coordinating committee of entities within the Department of Defense that have the responsibility or capacity for protecting cultural heritage.

(c) COORDINATING COMMITTEE.—The coordinating committee convened pursuant to subsection (b)(2) shall—

(1) meet not less than annually;

(2) coordinate with the Cultural Heritage Coordinating Committee convened by the Department of State; and

(3) solicit consultation and coordination with other Federal agencies and nongovernmental organizations, including the U.S. Committee of the Blue Shield, as well as other expert and stakeholder organizations, as appropriate for the national security interests of the United States.

AMENDMENT NO. 101 OFFERED BY MR. SOTO OF FLORIDA

At the end of subtitle B of title XVI, add the following new section:

**SEC. 1623. REPORT ON SPACE-BASED NUCLEAR DETECTION.**

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Secretary of Energy, and the Secretary of State shall jointly submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a report on space-based nuclear detection.

(b) ELEMENTS.—The report under subsection (a) shall include, at a minimum, the following:

(1) A description of the space-based nuclear detection program (including the space-based atmospheric burst reporting system).

(2) The strategic plan, including with respect to current and planned space platforms, to host the relevant payloads for such program.

(3) The current and planned national security requirements for space-based nuclear detection, including—

(A) an attribution of such requirements to specific missions of the departments and agencies of the Federal Government; and

(B) how such requirements compare to past requirements.

(4) How current and future funding for the space-based nuclear detection program is being provided by each such department or agency to meet each mission requirement.

(c) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

AMENDMENT NO. 102 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

At the end of subtitle D of title XVI, add the following new section:

**SEC. 16. DEFINITION OF DETERRENCE IN THE CONTEXT OF CYBER OPERATIONS.**

(a) IN GENERAL.—The Secretary of Defense shall—

(1) develop a definition of the term “deterrence” as such term is used in the context of the cyber operations of the Department of Defense; and

(2) assess how the definition developed under paragraph (1) affects the overall cyber strategy of the Department.

(b) INCLUSION OF OTHER ACTIVITIES.—The definition of the term “deterrence” developed under subsection (a) may include activities, capability efforts, and operations other than cyber activities, cyber capability efforts, and cyber operations.

AMENDMENT NO. 103 OFFERED BY MR. FRANKS OF ARIZONA

Page 687, line 13, strike “Tamir interceptors” and all that follows through “such interceptors” on line 15 and insert “system components for the Iron Dome Defense short-range rocket defense program, through the coproduction of such system components”.

Page 689, line 6, strike “to procure” and all that follows through “System,” on line 7 and insert “for the David’s Sling Weapon System Program, of which not more than \$120,000,000 may be used to procure the David’s Sling Weapon System.”.

Page 689, line 11, strike “for the” and all that follows through “Program,” on line 12 and insert “for the Arrow Weapon System, including the Arrow 3 Upper Tier System, of which not more than \$120,000,000 may be used to procure the Arrow 3 Upper Tier Interceptor System.”.

AMENDMENT NO. 104 OFFERED BY MR. LAMBORN OF COLORADO

At the end of subtitle F of title XVI, add the following new section:

**SEC. 1694. BOOST PHASE BALLISTIC MISSILE DEFENSE.**

(a) INITIAL OPERATIONAL DEPLOYMENT.—The Secretary of Defense shall ensure that an effective interim kinetic or directed energy boost phase ballistic missile defense capability is available for initial operational deployment not later than December 31, 2020.

(b) PLAN.—Together with the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2019, the Secretary of Defense shall submit to the congressional defense committees a plan to achieve the requirement in subsection (a). Such plan shall include—

(1) the budget requirements;

(2) a robust test schedule;

(3) a plan to develop an enduring boost phase ballistic missile defense capability, including cost and test schedule.

AMENDMENT NO. 105 OFFERED BY MR. YOUNG OF ALASKA

Add at the end of title XVI the following new subtitle:

**Subtitle H—Advancing America's Missile Defense Act of 2017**

**SEC. 1699D. SHORT TITLE.**

This subtitle may be cited as the “Advancing America’s Missile Defense Act of 2017”.

**SEC. 1699E. SENSE OF CONGRESS ON CURRENT STATE OF UNITED STATES MISSILE DEFENSE, FUTURE INVESTMENT, AND ACCELERATING CAPABILITIES TO OUTPACE CURRENT THREATS.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should use the upcoming Ballistic Missile Defense Review (BMDR) and the Missile Defeat Review (MDR) to accelerate the development of new and existing means to sustain and increase the capacity, capability, and reliability of the ground-based midcourse defense element of the ballistic missile defense system and other missile defense programs.

(b) ACCELERATION OF DEVELOPMENT OF CERTAIN ADVANCED MISSILE DEFENSE TECHNOLOGIES TOWARD FIELDING.—

(1) IN GENERAL.—To the degree practicable, the Director of the Missile Defense Agency shall use the policies of the Department of Defense to accelerate the development, testing, and fielding of the redesigned kill vehicle, the multi-object kill vehicle, the C3 booster, a space-based sensor layer, an airborne laser on unmanned aerial vehicles, and a potential additional missile defense site, including the completion of any outstanding environmental impact statements (EISs) for an additional missile defense site on the East Coast or in the Midwest regions of the United States.

(2) PRIORITY.—The Director shall prioritize the development of capabilities listed in paragraph (1) subject to annual authorization and appropriation of funding.

(3) DEVELOPMENT.—The Director shall use sound acquisition processes and program management to develop the capabilities set forth in paragraph (1).

**SEC. 1699F. AUTHORIZATION TO INCREASE CURRENT GROUND-BASED MIDCOURSE DEFENSE CAPACITY BY 28 GROUND-BASED INTERCEPTORS.**

(a) INCREASE IN CAPACITY.—The Secretary of Defense shall, subject to the annual authorization of appropriations and the annual appropriation of funds for National Missile Defense, increase the number of United States ground-based interceptors by up to 28.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Unless otherwise directed or recommended by the BMDR, not later than 90 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on infrastructure requirements and costs associated to increase the number of ground-based interceptors at Missile Field 1 and Missile Field 2 at Fort Greely to 20 ground-based interceptors each.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) An analysis of the strategic, operational, and tactical benefits of adding additional ground-based interceptors at each missile field.

(B) A detailed description of the infrastructure needed and costs associated with expanding each missile field.

(C) An identification of any environmental, technical, or logistical barriers to expanding each missile field.

(D) Any analysis of alternatively using Missile Field 4 and Missile Field 5 to increase the number of ground-based interceptors.

(3) FORM.—The report submitted under paragraph (1) shall be submitted in unclassified

form, but may include a classified annex.

**SEC. 1699G. MISSILE DEFENSE AGENCY REPORT ON INCREASING NUMBER OF GROUND-BASED INTERCEPTORS UP TO 100.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that it is the policy of the United States to maintain and improve, with the allies of the United States, an effective, robust layered missile defense system capable of defending the citizens of the United States residing in territories and States of the United States, allies of the United States, and deployed Armed Forces of the United States.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Unless otherwise directed or recommended by the BMDR, not later than 90 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on the costs and benefits of increasing the capacity of the ground-based midcourse defense element of the ballistic missile defense system.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) An identification of potential sites—new or existing—to allow for the increase of up to 100 ground-based interceptors.

(B) An analysis of the strategic, operational, tactical, and cost benefits of each site.

(C) A description of any environmental, legal, or tactical challenges associated with each site.

(D) A detailed description of the infrastructure needed and costs associated with each site.

(E) A summary of any completed or outstanding environmental impact statements (EIS) on each site.

(F) An operational evaluation and cost analysis of the deployment of transportable ground-based interceptors, including an identification of potential sites, including in the eastern United States and at Vandenberg Air Force Base, and an examination of any environmental, legal, or tactical challenges associated with such deployments, including to any sites identified in subparagraph (A).

(G) A determination of the appropriate fleet mix of ground-based interceptor kill vehicles and boosters to maximize overall system effectiveness and increase its capacity and capability, including the costs and benefits of continued inclusion of capability enhancement II (CE-II) Block 1 interceptors after the fielding of the redesigned kill vehicle.

(H) A description of the planned improvements to homeland ballistic missile defense sensor and discrimination capabilities and an assessment of the expected operational benefits of such improvements to homeland ballistic missile defense.

(I) The costs and benefits of supplementing ground-based midcourse defense elements with other, more distributed, elements, including both Aegis ships and Aegis Ashore installations with Standard Missile-3 Block IIA and other interceptors in Hawaii and at other locations for homeland missile defense.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

**SEC. 1699H. EVALUATION AND EVOLUTION OF TERRESTRIAL GROUND-BASED MIDCOURSE DEFENSE SENSORS.**

(a) REPORT TO CONGRESS.—

(1) IN GENERAL.—Unless otherwise directed or recommended by the BMDR, not later than 90 days after the date of the enactment of this Act, the Director of the Missile Defense Agency, in coordination with the Sec-

retary of the Air Force, shall submit to the congressional defense committees a report on the status of the integrated layers of missile defense radars.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) A detailed analysis of the expected improvements resulting from the integration of the Long Range Discrimination Radar into the missile defense system architecture of the United States, including—

(i) any adjustments to homeland missile defense tactics, techniques, and procedures;

(ii) possible adjustments to ground-based midcourse defense shot-doctrine and required interceptor capacity;

(iii) possibilities for direct integration with Fort Greely’s Command and Control node; and

(iv) impacts on regional missile defense systems including Aegis Ballistic Missile Defense, Aegis Ashore, and Terminal High Altitude Area Defense.

(B) A detailed comparison of the capabilities of Long Range Discrimination Radar and the COBRA DANE radar, including—

(i) the unique capabilities of each radar;

(ii) the overlapping capabilities of each radar; and

(iii) the advantages and disadvantages of each radar’s location.

(C) A modernization plan and costs for the long-term continued operations and maintenance of the COBRA DANE radar or a plan to replace its capability if COBRA DANE cannot remain operational, and the costs associated with each plan.

(b) ASSESSMENT BY COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than 90 days after the date on which the Director submits the report under subsection (a)(1), the Comptroller General of the United States shall—

(1) complete a review of the plan required by subsection (a)(2)(C); and

(2) submit to the congressional defense committees a report on such review that includes the findings and recommendations of the Comptroller General.

(c) FORM.—The reports submitted under subsections (a) and (b) shall be submitted in unclassified form, but may include a classified annex.

**SEC. 1699I. AUTHORIZATION FOR MORE GROUND-BASED MIDCOURSE DEFENSE TESTING.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) at a minimum, the Missile Defense Agency should continue to flight test the ground-based midcourse defense element at least once each fiscal year;

(2) the Department of Defense should allocate increased funding to homeland missile defense testing to ensure that our defenses continue to evolve faster than the threats against which they are postured to defend while pursuing a robust acquisition process;

(3) in order to rapidly innovate, develop, and field new technologies, the Director of the Missile Defense Agency should continue to focus testing campaigns on delivering increased capabilities to the Armed Forces as quickly as possible; and

(4) the Director of the Missile Defense Agency should seek to establish a more prudent balance between risk mitigation and the more rapid testing pace needed to quickly develop and deliver new capabilities to the Armed Forces.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Unless otherwise directed or recommended by the BMDR, not later than 90 days after the date of the enactment

of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a revised missile defense testing campaign plan that accelerates the development and deployment of new missile defense technologies.

(2) **CONTENTS.**—The report required by paragraph (1) shall include the following:

(A) A detailed analysis of the costs and benefits of accelerating each following programs:

- (i) Redesigned kill vehicle.
- (ii) Multi-object kill vehicle.
- (iii) Configuration-3 booster.
- (iv) Lasers mounted on small unmanned aerial vehicles.

(v) Space-based missile defense sensor architecture.

(vi) Such additional technologies as the Director considers appropriate.

(B) A new deployment timeline for each of the programs in listed in subparagraph (A) or a detailed description of why the current timeline for deployment technologies under those programs is most suitable.

(C) An identification of any funding or policy restrictions that would slow down the deployment of the technologies under the programs listed in subparagraph (A).

(D) A risk assessment of the potential cost-overruns and deployment delays that may be encountered in the expedited development process of the capabilities under paragraph (1).

(c) **REPORT ON FUNDING PROFILE.**—The Director shall include with the budget justification materials submitted to Congress in support of the budget of the Department of Defense for fiscal year 2018 (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a report on the funding profile necessary for the new testing campaign plan required by subsection (b)(1).

AMENDMENT NO. 106 OFFERED BY MR. HUNTER OF CALIFORNIA

Page 711, beginning line 3, strike “Except as provided in subsection (b), the” and insert “The”.

Page 711, strike lines 7 through 15 and insert the following:

(b) **CERTIFICATION.**—Not later than 30 days after the date of the enactment of this Act, the Service Acquisition Executive responsible for each covered Distributed Common Ground System shall certify to the appropriate congressional committees that the procurement process for increments of the system procured after the date of the enactment of this Act will be carried out in accordance with section 2377 of title 10, United States Code.

AMENDMENT NO. 107 OFFERED BY MR. ROGERS OF ALABAMA

At the end of title XXII, add the following new section:

**SEC. 2207. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2016 PROJECT.**

In the case of the authorization contained in the table in section 2201(b) of the National Defense Authorization Act for Fiscal Year 2016 (division B of Public Law 114-92; 129 Stat. 1150) for construction of an Aegis Ashore Missile Defense Complex at Redzikowo Base, Poland, the Secretary of the Navy may construct a 6,180 square meter multipurpose facility, for the purposes of providing additional berthing space, using amounts available for the project pursuant to the authorization of appropriations in section 2204 of such Act.

The Acting CHAIR. Pursuant to House Resolution 440, the gentleman

from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I inform my friend from Washington I have no speakers on this en bloc package, and I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I don't have any speakers either, and I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I urge support, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 6 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 440, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 6 consisting of amendment Nos. 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, and 121 printed in House Report 115-217, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 108 OFFERED BY MR. SIMPSON OF IDAHO

Insert after section 2822 the following new section (and redesignate the succeeding provisions accordingly):

**SEC. 2823. LAND CONVEYANCE, MOUNTAIN HOME AIR FORCE BASE, IDAHO.**

(a) **CONVEYANCE AUTHORIZED.**—The Secretary of the Air Force may convey to the City of Mountain Home, Idaho (in this section referred to as the “City”) all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 4.25 miles of railroad spur located near Mountain Home Air Force Base, Idaho, as further described in subsection (c), for the purpose of economic development.

(b) **CONSIDERATION.**—

(1) **CONSIDERATION REQUIRED.**—As consideration for the land conveyed under subsection (a), the City shall pay to the Secretary an amount equal to the fair market value of the land, as determined by an appraisal approved by the Secretary. The City shall provide an amount that is acceptable to the Secretary, whether by cash payment, in-kind consideration as described under paragraph (2), or a combination thereof.

(2) **IN-KIND CONSIDERATION.**—In-kind consideration provided by the City under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facility or infrastructure under the jurisdiction of the Secretary.

(3) **TREATMENT OF CONSIDERATION RECEIVED.**—Consideration in the form of cash payment received by the Secretary under paragraph (1) shall be deposited in the separate fund in the Treasury described in section 572(a)(1) of title 40, United States Code.

(c) **MAP AND LEGAL DESCRIPTION.**—

(1) **IN GENERAL.**—As soon as practicable after the date of the enactment of this Act, the Secretary of the Air Force shall publish a final map and legal description of the property to be conveyed under subsection (a), except that the Secretary may correct minor errors in the map and legal description after its initial publication.

(2) **AVAILABILITY.**—The map and legal description under this subsection shall be on file and available for public inspection.

(d) **PAYMENT OF COSTS OF CONVEYANCE.**—

(1) **PAYMENT AUTHORIZED.**—The Secretary of the Air Force may require the City to cover the costs to be incurred by the Secretary, or to reimburse the Secretary for the costs incurred by the Secretary, in carrying out the conveyance under subsection (a), including survey costs, the costs of environmental documentation, and other administrative costs relating to the conveyance (other than costs for environmental remediation of the property conveyed). If amounts are collected from the City in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance, or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) **RESERVATION OF USE BY SECRETARY.**—After the conveyance under subsection (a), the City shall allow the Secretary of the Air Force to temporarily use, for urgent reasons of national defense and at no cost to the Secretary, all or a portion of the property conveyed under subsection (a).

(f) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary of the Air Force may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

AMENDMENT NO. 109 OFFERED BY MR. BISHOP OF UTAH

Insert after section 2825 the following new section (and redesignate the succeeding sections accordingly):

**SEC. 2826. REMOVAL OF CERTAIN DEED RESTRICTIONS AND REVERSIONS ASSOCIATED WITH CONVEYANCE OF PROPERTY OF FORMER DEFENSE DEPOT OGDEN, UTAH.**

(a) **NEGOTIATIONS TO REMOVE RESTRICTIONS AND REVERSIONS.**—As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior shall enter into negotiations with the City of Ogden, Utah, and Weber County, Utah, on agreements to remove deed restrictions and reversionary provisions on the remaining property of the former Defense Depot Ogden.

(b) **CONTENTS OF AGREEMENT.**—The agreements entered into pursuant to subsection (a) shall include such terms and conditions as may be agreed to by the Secretary of the Interior and the City of Ogden and Weber County (as the case may be), except that the following terms and conditions shall apply:

(1) The Secretary may not remove the deed restrictions and reversionary provisions on the property of the former Defense Depot Ogden until there is a ratified agreement between the Secretary and the City of Ogden or Weber County (as the case may be) to encumber other specific properties owned by the City or County with the same appropriate reversionary interests in favor of the United States as are in effect with respect to the property of the former Defense Depot Ogden as of the date of the enactment of this Act.

(2) The properties of the City of Ogden or Weber County (as the case may be) that are encumbered pursuant to paragraph (1) shall have approximately equal value to the property of the former Defense Depot Ogden for which the deed restrictions and reversionary provisions are removed under the agreement.

(3) The City of Ogden and Weber County shall pay the costs (except any costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such reasonable and customary administrative expenses incurred by the Secretary, to carry out the agreement with respect to the City or County (as the case may be), including survey and appraisal costs. If amounts are collected from the City of Ogden or Weber County in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the agreement with respect to the City or County, the Secretary shall refund the excess amount to the City or County.

AMENDMENT NO. 110 OFFERED BY MRS. BUSTOS OF ILLINOIS

Add at the end of subtitle B of title XXVIII the following:

**SEC. 28. CERTIFICATION RELATED TO CERTAIN ACQUISITIONS OR LEASES OF REAL PROPERTY.**

Section 2662(a) of title 10, United States Code, is amended—

(1) in paragraph (2), by striking the period at the end and inserting the following: “, as well as the certification described in paragraph (5).”; and

(2) by adding at the end the following:

“(5) For purposes of paragraph (2), the certification described in this paragraph with respect to an acquisition or lease of real property is a certification that the Secretary concerned—

“(A) evaluated the feasibility of using space in property under the jurisdiction of the Department of Defense to satisfy the purposes of the acquisition or lease; and

“(B) determined that—

“(i) space in property under the jurisdiction of the Department of Defense is not reasonably available to be used to satisfy the purposes of the acquisition or lease;

“(ii) acquiring the property or entering into the lease would be more cost-effective than the use of the Department of Defense property; or

“(iii) the use of the Department of Defense property would interfere with the ongoing military mission of the property.”.

AMENDMENT NO. 111 OFFERED BY MR. BRAT OF VIRGINIA

At the end of subtitle B of title XXVIII (page 854, after line 24), add the following:

**SEC. 2818. IMPROVED PROCESS FOR DISPOSAL OF DEPARTMENT OF DEFENSE SURPLUS REAL PROPERTY LOCATED OVERSEAS.**

(a) PETITION TO ACQUIRE SURPLUS PROPERTY.—2687a of title 10, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection:

“(g) PETITION PROCESS FOR DISPOSAL OF OVERSEAS SURPLUS REAL PROPERTY.—(1) The Secretary of Defense shall establish a process by which a foreign government may request the transfer of surplus real property or improvements under the jurisdiction of the Department of Defense in the foreign country.

“(2) Upon the receipt of a petition under this subsection, the Secretary shall determine within 90 days whether the property or improvement subject to the petition is surplus. If surplus, the Secretary shall seek to enter into an agreement with the foreign government within one year for the disposal of the property.

“(3) If real property or an improvement is determined not to be surplus, the Secretary shall not be obligated to consider another petition involving the same property or improvement for five years beginning on the date on which the initial determination was made.”.

(b) ADDITIONAL USE OF DEPARTMENT OF DEFENSE OVERSEAS MILITARY FACILITY INVESTMENT RECOVERY ACCOUNT.—Section 2687a(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting “property disposal agreement,” after “forces agreement.”; and

(2) in paragraph (2)—

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

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

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

“(C) military readiness programs.”.

(c) REPORTING REQUIREMENT.—Section 2687a(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) A report under paragraph (1) also shall specify the following:

“(A) The number of petitions received under subsection (g) from foreign governments requesting the transfer of surplus real property or improvements under the jurisdiction of the Department of Defense overseas.

“(B) The status of each petition, including whether reviewed, denied, or granted.

“(C) The implementation status of each granted petition.”.

AMENDMENT NO. 112 OFFERED BY MR. RICE OF SOUTH CAROLINA

Add at the end of subtitle G of title XXVIII the following new section:

**SEC. 2863. PERMITTING MACHINE ROOM-LESS ELEVATORS IN DEPARTMENT OF DEFENSE FACILITIES.**

(a) IN GENERAL.—The Secretary of Defense shall issue modifications to all relevant construction and facilities specifications to ensure that machine room-less elevators (MRLs) are not prohibited in buildings and facilities throughout the Department of Defense, including modifications to the Unified Facilities Guide Specifications (UFGS), the Naval Facilities Engineering Command Interim Technical Guidance, and the Army Corps of Engineers Engineering and Construction Bulletin.

(b) CONFORMING TO BEST PRACTICES.—In addition to the modifications required under subsection (a), the Secretary may issue further modifications to conform generally with commercial best practices as reflected in the safety code for elevators and escalators as issued by the American Society of Mechanical Engineers.

(c) DEADLINES.—The Secretary shall promulgate interim MRL standards not later

than 180 days after the date of the enactment of this Act, and shall issue final and formal MRL specifications not later than 1 year after the date of the enactment of this Act.

(d) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall issue a report to the congressional defense committees on the integration and utilization of MRLs, including information on quantity, location, problems, and successes.

AMENDMENT NO. 113 OFFERED BY MR. BEN RAY LUJÁN OF NEW MEXICO

At the end of subtitle B of title XXXI, add the following new section:

**SEC. 3124. PLUTONIUM CAPABILITIES.**

(a) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees, the Secretary of Defense, and the Comptroller General of the United States a report on the recommended alternative endorsed by the Administrator for recapitalization of plutonium science and production capabilities of the nuclear security enterprise. The report shall identify the recommended alternative endorsed by the Administrator and contain the analysis of alternatives, including costs, upon which the Administrator relied in making such endorsement.

(b) CERTIFICATION.—Not later than 60 days after the date on which the Secretary of Defense receives the notification under subsection (a), the Chairman of the Nuclear Weapons Council shall submit to the congressional defense committees the written certification of the Chairman regarding whether the recommended alternative endorsed by the Administrator—

(1) is acceptable to the Secretary of Defense and the Nuclear Weapons Council and meets the requirements of the Secretary for plutonium pit production capacity and capability;

(2) is likely to meet the pit production timelines and milestones required by section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a);

(3) is likely to meet pit production timelines and requirements responsive to military requirements;

(4) is cost effective and has reasonable near-term and lifecycle costs that are minimized, to the extent practicable, as compared to other alternatives, and has tested and documented the sensitivity of the cost estimates for each alternative to risks and changes in key assumptions;

(5) contains minimized and manageable risks as compared to other alternatives;

(6) can be acceptably reconciled with any differences in the conclusions made by the Office of Cost Assessment and Program Evaluation of the Department of Defense in the business case analysis of plutonium pit production capability issued in 2013; and

(7) has documented the assumptions and constraints used in the analysis of alternatives.

(c) FAILURE TO CERTIFY.—If the Chairman is unable to submit the certification under subsection (b), the Chairman shall submit to the congressional defense committees and the Administrator written notification describing why the Chairman is unable to make such certification and what steps the Administrator should take to improve the plan of the Administrator to recapitalize plutonium pit production capacity and capability to enable certification.

(d) ASSESSMENT.—Not later than 120 days after the date on which the Comptroller General receives the notification under subsection (a), the Comptroller General shall



provide to the congressional defense committees a briefing containing the assessment of the Comptroller General of the analysis of alternatives conducted by the Administrator to select a preferred alternative for recapitalizing plutonium science and production capabilities.

AMENDMENT NO. 114 OFFERED BY MR. LARSEN OF WASHINGTON

At the end of subtitle B of title XXXI, add the following new section:

**SEC. 3124. PLAN FOR VERIFICATION, DETECTION, AND MONITORING OF NUCLEAR WEAPONS AND FISSILE MATERIAL.**

(a) FINDINGS AND SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds the following:

(A) A January 2014 Defense Science Board report found that “The nuclear future will not be a linear extrapolation of the past. . . [and] [t]he technologies and processes designed for current treaty verification and inspections are inadequate to future monitoring realities”.

(B) Section 3133 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) required an interagency plan for nuclear monitoring of nuclear weapons and fissile material, and section 3132 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) required an update of such plan. In both instances, the reports submitted failed to answer the congressional requirements, and instead provided only a brief summary of the National Security Council structure and processes.

(2) SENSE OF CONGRESS.—It is the sense of Congress that verification, detection, and monitoring of nuclear weapons and fissile material should be a priority for national security, and that the reports submitted to date do not reflect this priority, or the current and planned initiatives related to nuclear verification and detection.

(b) PLAN.—The President, in consultation with the Secretary of State, the Secretary of Defense, the Secretary of Energy, the Secretary of Homeland Security, and the Director of National Intelligence, shall develop a plan for verification and monitoring relating to the potential proliferation of nuclear weapons, components of such weapons, and fissile material.

(c) ELEMENTS.—The plan developed under subsection (b) shall include the following:

(1) A plan and road map for verification, detection and monitoring, with respect to policy, operations, and research, development, testing, and evaluation, including—

(A) identifying requirements;

(B) costs and funding requirements over 10 years for such nuclear verification, detection and monitoring; and

(C) identifying and integrating roles, responsibilities, and planning for such nuclear verification, detection and monitoring.

(2) A detailed international engagement plan for building cooperation and transparency, including bilateral and multilateral efforts, to improve inspections, detection, and monitoring.

(3) A detailed description of—

(A) current and planned research and development efforts to improve monitoring, detection, and in-field inspection and analysis capabilities, including persistent surveillance, remote monitoring, and rapid analysis of large data sets, including open-source data; and

(B) measures to coordinate technical and operational requirements early in the process.

(4) Engagement of relevant departments and agencies of the Federal Government and

the military departments (including the Open Source Center and the United States Atomic Energy Detection System), national laboratories, industry, and academia.

(d) DESIGNATION OF DOE.—The President shall designate the Department of Energy as the lead agency for development of the plan under subsection (b).

(e) BRIEFING.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Energy, acting through the Administrator for Nuclear Security, shall provide to the appropriate congressional committees an interim briefing on the plan under subsection (b).

(f) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense for supporting the Executive Office of the President, \$10,000,000 may not be obligated or expended until the date on which the President submits to the appropriate congressional committees the plan under subsection (g)(1).

(g) SUBMISSION.—

(1) DEADLINE.—Not later than April 15, 2018, the President shall submit to the appropriate congressional committees the plan developed under subsection (b).

(2) FORM.—The plan under subsection (b) shall be transmitted in unclassified form, but, consistent with the protection of intelligence sources and methods, may include a classified annex.

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

(1) The congressional defense committees.

(2) The Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

(3) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(4) The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

(5) The Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

AMENDMENT NO. 115 OFFERED BY MR. CARBAJAL OF CALIFORNIA

At the end of subtitle C of title XXXI, add the following new section:

**SEC. 3139. PLAN TO FURTHER MINIMIZE THE USE OF HIGHLY ENRICHED URANIUM FOR MEDICAL ISOTOPES.**

(a) PLAN.—The Secretary of Energy, in consultation with the Secretary of State, shall develop and assess a plan, including with respect to the benefits, risks, costs, and opportunities of the plan, to—

(1) take additional actions to promote the wider utilization of molybdenum-99 and technetium-99m produced without the use of highly enriched uranium targets, such as, at a minimum, by—

(A) eliminating the availability of highly enriched uranium for Mo-99 by buying back U.S.-origin highly enriched uranium in raw or target form from global Mo-99 suppliers; and

(B) restricting or placing financial penalties on the import of Mo-99 produced with highly enriched uranium targets;

(2) work with global molybdenum suppliers and regulators to reduce the proliferation hazard from reprocessing waste from medical isotope production containing U.S.-origin highly enriched uranium; and

(3) ensure an adequate supply of molybdenum-99 and technetium-99 at all times, and both assess and mitigate any risks to such supply during a transition to production without the use of highly enriched uranium.

(b) SUBMISSION.—

(1) IN GENERAL.—Not later than April 1, 2018, the Secretary of Energy shall submit to the appropriate congressional committees a report containing the plan and assessment under subsection (a).

(2) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

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

(A) the congressional defense committees;

(B) the Committee on Foreign Affairs and the Committee on Energy and Commerce of the House of Representatives; and

(C) the Committee on Foreign Relations and the Committee on Energy and Natural Resources of the Senate.

AMENDMENT NO. 116 OFFERED BY MR. HUNTER OF CALIFORNIA

At the end of title XXXV add the following:

**SEC. \_\_\_\_ FOREIGN SPILL PROTECTION.**

(a) SHORT TITLE.—This section may be cited as the “Foreign Spill Protection Act of 2017”.

(b) LIABILITY OF OWNERS AND OPERATORS OF FOREIGN FACILITIES.—

(1) OIL POLLUTION CONTROL ACT AMENDMENTS.—

(A) DEFINITIONS.—Section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701) is amended—

(i) in paragraph (26)(A)—

(I) in clause (ii), by striking “onshore or offshore facility, any person” and inserting “onshore facility, offshore facility, or foreign offshore unit or other facility located seaward of the exclusive economic zone, any person or entity”; and

(II) in clause (iii), by striking “offshore facility, the person who” and inserting “offshore facility or foreign offshore unit or other facility located seaward of the exclusive economic zone, the person or entity that”; and

(ii) in paragraph (32)—

(I) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively;

(II) by inserting after subparagraph (C) the following:

“(D) FOREIGN FACILITIES.—In the case of a foreign offshore unit or other facility located seaward of the exclusive economic zone, any person or other entity owning or operating the facility, and any leaseholder, permit holder, assignee, or holder of a right of use and easement granted under applicable foreign law for the area in which the facility is located.”; and

(III) in subparagraph (G), as so redesignated, by striking “or offshore facility, the persons who” and inserting “, offshore facility, or foreign offshore unit or other facility located seaward of the exclusive economic zone, the persons or entities that”.

(B) ACTIONS ON BEHALF OF FUND.—Section 1015(c) of the Oil Pollution Act of 1990 (33 U.S.C. 2715(c)) is amended, in the third sentence, by adding before the period at the end the following: “or other facility located seaward of the exclusive economic zone”.

(2) FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS.—Section 311(a)(11) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)(11)) is amended—



(A) by striking “and any facility” and inserting “any facility”; and

(B) by inserting “, and, for the purposes of applying subsections (b), (c), (e), and (o), any foreign offshore unit (as defined in section 1001 of the Oil Pollution Act) or any other facility located seaward of the exclusive economic zone” after “public vessel”.

(C) CONTINUATION PAY.—For providing continuation pay under section 356 of title 37, United States Code, there is appropriated, out of any money in the Treasury not otherwise appropriated, to the “Retired Pay” account under the heading “Department of Homeland Security—Coast Guard” in the applicable appropriations Acts for the Department of Homeland Security—

- (1) \$3,286,277 for fiscal year 2018; and
- (2) \$3,713,232 for fiscal year 2019.

AMENDMENT NO. 117 OFFERED BY MR. MOULTON OF MASSACHUSETTS

At the end of subtitle C of title XII, add the following new section:

**SEC. 12. STRATEGY FOR SYRIA AND IRAQ.**

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of State, submit to the appropriate congressional committees a strategy for Syria and Iraq.

(B) ELEMENTS.—The strategy required by paragraph (1) shall include the following:

(1) A description of the political and military objectives and end states for Syria and Iraq.

(2) A description of the plan for achieving the political and military objectives and end states for Syria and Iraq, including—

(A) with respect to Syria, a plan for political transition;

(B) with respect to Iraq—

(i) a plan for political reform and reconciliation among ethnic groups and political parties; and

(ii) an assessment of the required future size and structure of the Iraqi Security Forces, including irregular forces; and

(C) a description of the roles and responsibilities of United States allies and partners and other countries in the region in establishing regional stability.

(3) A description of the military conditions that must be met for the Islamic State of Iraq and Syria to be considered defeated.

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

(1) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

AMENDMENT NO. 118 OFFERED BY MR. LANGEVIN OF RHODE ISLAND

Page 409, after line 2, insert the following new section:

**SEC. 1058. REPORT ON THE NATIONAL BIODEFENSE ANALYSIS AND COUNTERMEASURES CENTER.**

(A) REPORT.—Not later than December 31, 2017, the Secretary of Defense shall submit to the appropriate Congressional committees a report, prepared in consultation with the officials listed in subsection (b), on the National Biodefense Analysis and Countermeasures Center (referred to in this section as the “NBACC”) containing the following information:

(1) The functions of the NBACC.

(2) The end users of the NBACC, including those whose assets may be managed by other agencies.

(3) The cost and mission impact for each user identified under paragraph (2) of any potential closure of the NBACC, including an analysis of the functions of the NBACC that cannot be replicated by other departments and agencies of the Federal Government.

(4) In the case of closure of the NBACC, a transition plan for any essential functions currently performed by the NBACC to ensure mission continuity, including the storage of samples needed for ongoing criminal cases.

(B) CONSULTATION.—The officials listed in this subsection are the following:

(1) The Secretary of Homeland Security.

(2) The Director of the Federal Bureau of Investigation.

(3) The Attorney General.

(4) The Director of National Intelligence.

(5) As determined by the Secretary of Homeland Security, the leaders of other offices that utilize the NBACC.

(C) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(D) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—For purposes of this section, the term “appropriate Congressional Committees” means the Committees on Appropriations of the Senate and the House of Representatives, the Committees on Armed Services of the Senate and the House of Representatives, the Committee on Homeland Security of the House of Representatives, the Committee on Homeland Security and Government Affairs of the Senate, the Committees on Judiciary of the Senate and the House of Representatives, and the Committee on Oversight and Government Reform of the House of Representatives.

AMENDMENT NO. 119 OFFERED BY MRS. COMSTOCK OF VIRGINIA

At the end of subtitle B of title XVI, add the following new section:

**SEC. 16. SENSE OF CONGRESS ON NEW COMMERCIAL SATELLITE SERVICING ACTIVITIES.**

It is the sense of Congress that—

(1) Government funding and support is an important element in fostering the development of a robust marketplace of new commercial satellite servicing activities; and

(2) the Federal Government should ensure that in its actions it does not unduly or artificially distort competition in the market for new commercial satellite servicing activities.

AMENDMENT NO. 120 OFFERED BY MR. DAVIDSON OF OHIO

At the end of subtitle H of title XII, add the following new section:

**SEC. 12. PROHIBITION ON USE OF FUNDS TO CONDUCT MILITARY OPERATIONS IN YEMEN.**

(A) PROHIBITION.—No amounts authorized to be appropriated by this Act or otherwise made available to the Department of Defense for fiscal year 2018 may be made available to conduct military operations in Yemen.

(B) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit the following:

(1) Activities carried out in full compliance with the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note).

(2) The provision of humanitarian assistance.

(3) The defense of United States Armed Forces.

(4) Support for freedom of navigation operations.

AMENDMENT NO. 121 OFFERED BY MR. MARINO OF PENNSYLVANIA

At the end of title VIII (page 323, after line 4), add the following new section:

**SEC. 871. REPORT ON SOURCING OF TUNGSTEN AND TUNGSTEN POWDERS FROM DOMESTIC PRODUCERS.**

(A) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the procurement of tungsten and tungsten powders for military applications.

(B) ELEMENTS.—The report under subsection (a) shall include the following:

(1) An overview of the quantities and countries of origin of tungsten and tungsten powders that are procured by the Department of Defense or prime contractors of the Department for military applications.

(2) An evaluation of the effects on the Department if domestic-produced tungsten and tungsten powders are given priority.

(3) An evaluation of the effects on the Department if tungsten and tungsten powders are required to be procured from only domestic producers.

(4) An estimate of any costs associated with domestic sourcing requirements related to tungsten and tungsten powders.

The Acting CHAIR. Pursuant to House Resolution 440, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Ohio (Mr. DAVIDSON).

Mr. DAVIDSON. Mr. Chairman, I rise in support of my amendment No. 80 as en bloc No. 4.

My amendment encourages collaboration between the FAA and DOD on unmanned aircraft systems so that the FAA may leverage the unique capabilities and insights of the DOD. These are important activities as the FAA moves forward with incorporating unmanned systems into the national airspace.

The efforts highlighted in my amendment are already ongoing activities between the FAA and the DOD, but more work needs to be done, as documented in a 2014 joint report to Congress.

The Air Force Research Laboratory located at Wright-Patterson Air Force Base, AFRL, in particular, has expertise in these sense-and-avoid technologies. AFRL is planning to conduct unmanned aircraft research activities at Springfield, Ohio's, Air National Guard base in Ohio's Eighth District, upon FAA approval.

I am proud of our airmen and the work conducted at both Springfield and Wright-Patterson and to offer this amendment to help the FAA make good use of the capabilities located there.

I also rise in support of my amendment No. 120 as part of this en bloc package.

The Acting CHAIR. The time of the gentleman has expired.

Mr. THORNBERRY. Mr. Chairman, I yield the gentleman an additional 30 seconds.

Mr. DAVIDSON. My amendment is critical for ensuring Congress reclaims its war-making powers by prohibiting funding for U.S. operations in Yemen that are not in compliance with the 2001 AUMF. I am concerned about any U.S. operations in Yemen that are outside the scope of the current AUMF and have no identifiable authorization from Congress.

My amendment is very simple. If the military operation is within the scope of the 2001 AUMF, it is permissible. If it has not been authorized by Congress, then it is not permissible.

I look forward to working with the chairman and my colleagues in the Senate to ensure this provision is adopted in the final NDAA conference report.

Mr. SMITH of Washington. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I urge support of this bill. I want to begin by thanking the chairman and all of the members of the committee. As has been noted many times, this is the most bipartisan committee in Congress; and I think, once again, even in difficult circumstances, we have proved that this year. That is, in large part, due to the leadership of Chairman THORNBERRY. I thank him for that.

I also thank our staff, which does an unbelievable job. There are hundreds, if not thousands of amendments, that come at them. They manage that. You see the very few that actually come through either in committee or on the floor. They work through literally thousands of ideas and do an amazing job, so I really want to thank our staff for their great work.

In particular, I want to thank Vickie Plunkett. This will be her last markup. She is retiring. She has done a fabulous job for our staff. She basically exemplifies everything I just said about how great our staff is, how they work in a bipartisan manner and do a great job to serve our country. So, I thank Vickie for her incredible service to our committee and to the country.

Mr. Chairman, I think this is a good bill that we should support because, make no mistake about it, what the chairman and many others have said is true: we face a complex threat environment. The U.S. national security is at risk.

I take Mr. NOLAN from Minnesota's point that spending a lot of money on wars that we didn't need to engage in does cost us at home, and that point is valid, but so is the point that we face threats we must confront.

North Korea is testing intercontinental ballistic missiles. It is no doubt that their goal is to develop a nuclear missile, capable of striking the U.S.

Being from the West Coast—and they always say that it could hit Seattle. I don't know why they don't talk about any other city on the West Coast. It

could hit a lot of different places. We need to be worried about that. We need to be prepared to stop that.

Russia continues to undermine not just our elections, but democracy itself, across Europe, and even down in the Middle East and Africa. We need to be prepared to confront that.

We face a terrorist threat. 9/11 killed 3,000 people in this country because we weren't ready to prevent it. The groups that supported that attack have not gone away; they have metastasized.

Now, I will completely agree with some of my friends on the left, who think that the terrorism threat is often overblown. I think it is often also a mistake to demonize the Muslim religion. And even though I know some people don't do that, they simply want to confront groups like al-Qaida and ISIS, Steve Bannon, who works right next to the White House, has said that Islam is a totalitarian ideology of subjugation, it is not a religion. He thinks all Muslims are a threat.

To the extent that we adopt a national security policy that views the world that way, we make the problem worse. That is what ISIS wants; that is what al-Qaida wants. They want a clash of civilizations. We should not want that. They have killed more Muslims than any other religion on Earth. Muslims have the biggest stake in this. We must work with them, not against them, to confront that terrorist threat that ISIS and al-Qaida and others present.

On the broader budget issue, as I mentioned a couple of times, the first 6 months of this year, we had a number of folks in the Pentagon come over and spell out all kinds of nightmare scenarios about every bad thing that could conceivably happen—some of ones that I mentioned, and hundreds of others that I haven't. And I understand that. That is their job. Their job is to worry about what could come at us.

But, past a certain point, that isn't helpful. We need a plan, we need a strategy to confront this, and we need to make choices. That is the one thing that I am still concerned about with this bill. It really doesn't make choices. It continues to spend money in a variety of different places, without a recognition of finite resources and choices that need to be made about how to confront the threats that are most dangerous to us—how to spend that money in the best way possible. That is something that I think we need to work on going forward.

We also have the budget problem that I described. And I won't give the same full speech that I gave before, but I will simplify it and say that there is a consensus in Congress and in the country that we need to balance the budget without raising taxes and without cutting any programs that people might like. That doesn't work. It simply is not possible. It doesn't add up.

That is why we don't have a budget resolution. Any budget resolution that the Republican Congress could put on the floor will fail to meet some of the promises that they, and others, have made. We have got to be honest about that, because this bill, again, is \$72 billion over the budget caps. It is actually \$91 billion over the budget caps, if you add in—well, sorry, \$81 billion over the budget caps, if you add in the money that we took from OCO to put into the base.

So, if we do not raise the budget caps, this goes away and leaves us, once again, in the land of uncertainty for the Department of Defense. We have to make choices on the budget going forward so that we don't leave the Defense Department in the lurch, not knowing how much money that they are going to have. So, we still don't have a budget resolution in front of us.

And, lastly, I do want to point out that the rest of the budget does matter. The chairman and I have had a little bit of an argument about this: we are the Armed Services Committee, we should pay attention to that; you know, don't sacrifice our troops for the sake of domestic—he always says political priorities. That is the one word in his argument that I find not really appropriate.

There is nothing political about it. It is a policy choice. It is basically deciding what domestic priorities are important.

And, make no mistake about it, the discretionary budget is a zero-sum game. I mentioned yesterday the President's budget: a \$54 billion plus-up for defense, and \$54 billion cut from non-defense discretionary. So don't tell me that one thing doesn't have anything to do with the other.

But even the so-called budget resolution, the budget agreement that the House Republicans have come up with, but have not yet dared to put to a vote, has a \$72 billion plus-up for defense, and a \$5 billion cut for domestic spending. So, again, the two are absolutely connected.

What are we talking about with domestic spending? I won't go through all of it. I will just mention a couple of things.

Yesterday, I mentioned our infrastructure. Bridges are collapsing all across the country. I saw a big story yesterday about how the Memorial Bridge is about to fall down. We have incredible infrastructure needs that lead to the strength of our country that are connected, just like national defense is to the strength of this Nation.

But another example, the Fred Hutchinson Cancer Research Center—it is close to my district, it is in Seattle—is doing incredible research right now, that figured out how to not use chemotherapy but actually go in, take out

the white blood cells that aren't working, get them to work, and send them back in to successfully fight cancer. This has worked for blood cancers. They just started studies on lung cancer. But, basically, we could cure cancer, without going through the hell of chemo. The President's budget would cut Fred Hutchinson's funding by over two-thirds.

I don't think curing cancer is a political agenda. That is a very real need that has an incredible impact on the lives of Americans, just like national security. It is like making sure that North Korea doesn't hit us with a nuclear weapon, making sure that terrorist groups don't attack us. Curing cancer, stopping bridges from collapsing, these are priorities.

□ 1015

Because we are not making budget choices, these are priorities that get pushed aside. And if you plus-up defense and take it from nondefense discretionary, then you are having that very real impact.

Now, I am not going to say it has to be dollar for dollar. I think it probably should be, but we can negotiate around that. But to simply gut the nondefense discretionary budget to plus-up defense does not make this country safer.

We heard yesterday, hey, in a time of war, you make domestic sacrifices. And we have all read about World War II, all the domestic sacrifices that were made at that time. I get that.

But you know what else you do in a time of war? Well, you don't cut taxes. You raise them. Prior to 2001, we had never gone to war without raising taxes or issuing war bonds or, basically, asking for more money. But that, of course, we cannot do.

Again, I will say I care enough about the national security of this country, I would raise taxes to pay for it instead of simply adding to the deficit or stopping the ability of somebody like the Fred Hutchinson Cancer Research Center from finding a cure for cancer. That is the choice that I would make. These choices are not being made in this budget resolution, and I think that places us at risk.

Lastly, the nondefense discretionary budget is the State Department, it is USAID, it is the Department of Homeland Security. If you are going to have a national security strategy, it can't just be the military. And you know who will tell you that more often than anybody? The military. They don't want to bear the entire burden.

General Secretary Mattis had the best quote on this. If you are going to cut diplomacy, if you are going to cut development, you better give me four more divisions because that is how many more wars I am going to have to fight.

So to say we are going to add all this money to defense, and defense is so im-

portant, and if you are against it because of other priorities, then you just don't care about the troops, is incredibly disingenuous because all of these other things matter to the national security of this country. And all we are getting out of the majority right now is an effort to plus-up defense at the expense of everything else.

I say an effort because they haven't actually voted on it yet. It hasn't actually happened. And it is more likely than not that this bill—good, though, it is—and the great work that has been done on a number of different policy divisions that don't have anything to do with the money, the good work on acquisition reform to try to make sure we get more for the money that we spend, all of that is in jeopardy because this bill has at least \$72 billion in it over the budget caps that is, more likely than not, not going to be there come October 1 or the end of this year.

So if we don't make the choices on the budget that reflect the priorities of the entire country, that actually reflect the budget numbers, then we are doing a disservice to the men and women who serve our country.

It is a good bill. It is going to be better once we figure out the budget issues and actually start making the choices that are necessary to make us stronger in every aspect of society.

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

Mr. THORNBERRY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I fully agree with the gentleman from Washington when he expresses his appreciation to the members of our committee. Each one of the 62 members of our committee has contributed to the bill that is here before us today and, as the Chair knows, we have had more amendments considered over the last 3 days than ever before for a National Defense Authorization bill. So Members of the whole body have contributed in many ways.

I also agree with the gentleman that our staff on both sides of the aisle, led by Jenness Simler and Paul Arcangeli, have done a terrific job in helping to manage this process and to shape and guide what has been historic levels of interest by Members on particular provisions.

Mr. Chairman, I think that you would find among our committee virtually, if not unanimous, agreement on two points. One is we live in an increasingly dangerous world. The second one is we have done deep damage to our military because of the budgets cuts, the continuing resolutions, the erratic nature of funding over the last few years.

Certainly, the members of our committee who go out and actually talk to the people who serve have heard, seen, witnessed firsthand airplanes that can't fly, ships that can't sail, training that has not gone on, movers—we are

trying to save money for the military, so we are hiring cut-rate movers, and members of the military are experiencing incredible damage to their household goods as they are shuffled about from place to place involuntarily. Sometimes there are movers with criminal records who can't actually get on the military base they are supposed to be delivering to. I mean, just example after example of how these cuts have affected the men and women who serve.

And as Secretary Mattis says, the only reason we are doing so well around the world is because they have sucked it up and borne the burden. Deep damage that this bill starts to reverse.

I appreciate all the Members who support fixing our planes, getting the training, having ships that sail, better missile defense, all the things that are in this bill.

I am not going to engage in a detailed discussion about the budget. The gentleman and I discuss this frequently.

I would just say, Mr. Chairman, I believe the first obligation of the Federal Government is to defend the country. Article I, section 8 says that Congress has the power and the responsibility to raise and support armies, provide and maintain navies, provide the rules and regulations for the military forces of the United States. That is our job, and I think that is our first job.

So I agree that some of the cuts that have been proposed in other domestic programs, discretionary programs, are inappropriate, and we ought to evaluate each of them on their merits. And that continues to be my point when it comes to defense.

We evaluate our obligations to the country and to the men and women who serve, based on the merits of this argument. We don't tie it to other domestic programs. We do not say we are only going to increase defense to fix our planes if we can increase the EPA an equal amount. We don't tie it to other things.

The obligations to the men and women who risk their lives stand on their own, and that, at least in my view, is our first obligation.

Now, when we start talking about budgets, we get into all sorts of conversations about how mandatory spending is really where more than two-thirds of the budget is; how that is what has been growing; how defense is down to about 16 percent of the budget, and as it has been shrinking, the deficit has been going up. Obviously, defense is not the cause when it comes to deficits.

We can also, when we talk about tax, start talking about economic growth and this lackluster growth that the economy has suffered, at least over the last 8 years, and the need to get things going to help with the deficit.

Lots of issues to discuss, but the issue before us today is how we fulfill our responsibilities to the men and women who serve and to the country that is relying on us to protect them from missiles, to help protect them from terrorist attacks, to support the men and women who are actually performing those missions.

I think this bill advances that cause. A number of Members on both sides of the aisle have contributed to it. I think and hope it deserves the support of most all Members of the House, and I urge support for this en bloc package.

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

Mr. CARBAJAL. Mr. Chair, as we prepare to vote on the final passage of the National Defense Authorization Act I am extremely concerned about the lack of discussion and debate on the issue of Russia.

As a member of the House Armed Services Committee, I have heard from the leaders of our military and there is no question about the threat Russia poses to our national security.

It is alarming to me that a number of amendments, which purpose was to gain better situational awareness on various Russian activities, were not debated on the floor this week.

Despite the fact that Russia has continuously attacked and interfered with our country's democratic process, while continuing to threaten the democracy and sovereignty of other states, this body has decided to avoid a robust discussion on the concerning actions of Russia.

Mr. Chair, it is obvious that we have not adequately addressed the threat Russia poses to our nation.

Reasonable amendments like mine that would have assessed Russia's disinformation and propaganda activities along with its support for separatist activities were not made in order. Mr. Chair, why would we not want more information on these concerning activities?

My amendment would have also assessed the suppressive democratic conditions in Russia. Is this body no longer concerned about human rights?

I believe it is the responsibility of Congress to fully understand and assess the threats other countries pose on our national security.

I have no doubt that my colleagues on the other side of the aisle will agree with me that Russia has demonstrated to be a threat to the security of our nation. As such why aren't we doing more to address this threat?

Mr. Chair, this Congress needs to have a discussion on how we can most effectively combat the aggressive actions of Russia, and it is disappointing that we were unable to do this during the consideration of the National Defense Authorization Act.

Mrs. BUSTOS. Mr. Chair, I rise in support of my amendment to cut waste and strengthen our military installations.

This amendment would require the Department of Defense to ensure that there is not usable space available on a military installation before entering into expensive leases or purchasing additional property.

To put this into context, you wouldn't lease space in a parking lot if you already had room in your own garage to park your car.

This amendment is needed because, while asking for another round of base realignments and closures, the Department of Defense leased more than 6,000 buildings in fiscal year 2015 instead of using available space that it already owns.

That sounds like a waste to me.

My Congressional district is home to the Rock Island Arsenal, and we're proud to have it as part of our community.

It houses the Army's only remaining foundry and employs more than 6,000 hardworking people.

But like many of our military installations, it has room for more.

We should be using facilities like the Arsenal to their full potential, especially when it means we can reduce overall costs.

That's why I'm offering this amendment today.

I want to thank my bipartisan cosponsors Congressmen PAUL GOSAR, DAVE LOEBSACK and WALTER JONES for their support of this amendment.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENT NO. 122 OFFERED BY MS. TENNEY

The Acting CHAIR. It is now in order to consider amendment No. 122 printed in House Report 115-217.

Ms. TENNEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title VIII, add the following new section:

**SEC. 860A. ADDITION OF DOMESTICALLY PRODUCED STAINLESS STEEL FLATWARE TO THE BERRY AMENDMENT.**

(a) IN GENERAL.—Section 2533a(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) Stainless steel flatware.”.

(b) EFFECTIVE DATE.—Section 2533a(b)(3) of title 10, United States Code, as added by subsection (a), shall apply with respect to contracts entered into after the date occurring one year after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 440, the gentlewoman from New York (Ms. TENNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. TENNEY. Mr. Chairman, my constituents are discouraged. They are fed up with political elites who have failed to represent them, and with special interest groups who, too often, put impractical dogma before practical policy.

In the Rust Belt region I represent in upstate New York, the impact of this has been devastating: devastating job losses, economic stagnation, and the massive out-migration of people and jobs, the largest in the Nation.

In my district, Mr. Chairman, decline has bred despair, which has spurred a

host of other problems. In light of all this, I was elected to Congress with a strong mission to reverse the tide and to revitalize our upstate communities to the greatness and innovation they once experienced.

I am the voice for my constituents who have been left behind, and I am fighting to bring my district back on path toward individual prosperity and economic revival.

Mr. Chairman, my amendment uniquely achieves both. There is nothing new or groundbreaking about my amendment. Simply put, it reinstates a domestic sourcing provision for stainless steel flatware that was in law for 30 years without issue. My amendment adds stainless steel flatware back into the Berry amendment.

For 30 years, American-made flatware was covered under Berry. However, the provision was removed in 2006 after Oneida Limited, the only Berry-compliant manufacturer, ceased domestic operations.

In the void left by Oneida's departure came Sherrill Manufacturing, a company in my district that, since 2008, has produced 100 percent American-made flatware. And since 2008, Sherrill has been among the top providers of flatware to the Department of Defense and GSA, fulfilling more than \$6.8 million in Federal contracts over an 8-year period.

All these products are being produced in the formerly closed factory using refurbished Oneida Limited equipment, and also providing jobs for many of the same employees who lost their jobs from Oneida's closure after decades of service to that same closed factory. In fact, GSA has repeatedly found Sherrill's flatware to be offered at fair and reasonable prices, which is why the agency already purchases flatware from Sherrill, independent of any domestic sourcing requirement.

Some domestic sourcing requirements may raise costs. No evidence has been submitted to support the claim that my amendment will do that. This alone should allay any concerns that taxpayers would be on the hook for overly expensive flatware, should my amendment be adopted. But if it isn't enough, then there is this:

My amendment retains all existing waivers under Berry, which means that, if Sherrill's flatware becomes too expensive or is of poor quality or insufficient quality, the DOD can find other sources.

Ultimately, Mr. Chairman, whenever we can create domestic sourcing opportunities that reduce our military's dependence on imported goods and strengthen domestic supply chains without significantly raising procurement costs, we should. And this is what my amendment does.

Reinstating the Berry amendment's domestic sourcing requirement represents a clear continuity in Federal

procurement policy, not a stark divergence. As I said, this provision was in effect for 30 years.

Thus far, there is one Berry-compliant manufacturer that happens to be in my district and there should not be a problem with that, as we hope many more producers return to the United States, where their businesses were founded to provide robust competition.

I also support this amendment for the simple reason that it is good policy. It gives a leg up to a robust domestic supply chain that spans five States while reducing our military's logistical dependence on imports.

Moreover, for the 30-year history of the Berry amendment's flatware provision, there was only ever one domestic producer. Under the Berry amendment, this is all that is required. And in Sherrill's case, we know it is a producer that has a track record of offering flatware at market rates.

Mr. Chairman, in districts like mine across the country that have rusted-out factories that line the landscapes of far too many of my communities, today we have an opportunity to fix this problem and restore the once great Empire State and our Nation to the manufacturing strength it once enjoyed. I urge my colleagues to support this bipartisan measure.

Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. LIPINSKI), my colleague, for some comments.

Mr. LIPINSKI. Mr. Chairman, I rise in support of this amendment, and I want to make one thing perfectly clear. American taxpayers want their tax dollars to go to putting Americans to work. This amendment means buy American and hire American. So I just want everyone to be clear. We hear a lot about Buy American, Hire American. This is what this amendment would do, and I urge all my colleagues to support this amendment.

Ms. TENNEY. Mr. Chairman, I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have tremendous respect and admiration for the gentleman from New York and her efforts to represent her district, her people, and try to make life better. It kind of relates to some of the conversations Mr. SMITH and I were just having about tax policy, about industrial policy, about regulations, about how we have, in this country, become less competitive internationally than we should.

However, I must oppose this amendment because the bottom line is that it is not a matter of national security where the DOD buys its knives, forks, and spoons.

□ 1030

If Members needed further evidence of the wide range of issues which we deal with in the National Defense Authorization Act, this bill is a key example.

I think the gentlewoman accurately described the history. The Berry amendment was passed in 1940 to make sure that food and textiles were procured from the United States to support our military efforts.

In the 1970s, they put in a specialty metals provision, and attached to that was a comma that said "including flatware." So then it turned out there wasn't anybody here at home that made flatware because of these international competitive issues, and DOD came to us more than a decade ago and said, "Would you please get rid of that portion of the Berry amendment?" and we did.

Now the question is: Are we going to start adding back specific sorts of items which DOD may buy and say you can only buy it from one place, whether or not it is critical to our country's national security?

Now, the gentlewoman mentioned that GSA is buying some spoons and knives and so forth from this manufacturer, and that is great. If we do, I hope that happens, and I hope more jobs come to her district. But to put into Federal law that the only place the Department of Defense can buy its knives and forks and spoons is from this one company, I think, starts to get us into micromanagement of industries and takes us away from the focus of this bill, which should be the troops, what is the best thing for them.

So with all my admiration for the gentlewoman, I oppose this amendment. We cannot go down the road of adding category after category after category of items to help our districts at the expense of our troops and the best use of dollars when it is not a matter of vital national security. I just don't think that the knives and forks we use qualify as vital national security.

Mr. Chair, I oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. TENNEY).

The amendment was rejected.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 115-217 on which further proceedings were postponed, in the following order:

Amendment No. 13 by Mr. FRANKS of Arizona.

Amendment No. 15 by Mr. LAMBORN of Colorado.

Amendment No. 17 by Mr. BYRNE of Alabama.

Amendment No. 18 by Mr. HUNTER of California.

Amendment No. 43 by Mr. MCGOVERN of Massachusetts.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 13 OFFERED BY MR. FRANKS OF ARIZONA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FRANKS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 208, noes 217, not voting 8, as follows:

[Roll No. 372]

AYES—208

|               |                 |                 |
|---------------|-----------------|-----------------|
| Abraham       | Ferguson        | Long            |
| Aderholt      | Fleischmann     | Loudermilk      |
| Allen         | Flores          | Love            |
| Amodei        | Fortenberry     | Lucas           |
| Arrington     | Fox             | Luetkemeyer     |
| Babin         | Franks (AZ)     | MacArthur       |
| Bacon         | Frelinghuysen   | Marchant        |
| Banks (IN)    | Gaetz           | Marino          |
| Barletta      | Gallagher       | Marshall        |
| Barr          | Garrett         | Massie          |
| Barton        | Gianforte       | Mast            |
| Bergman       | Gibbs           | McCarthy        |
| Biggs         | Gohmert         | McCaul          |
| Bishop (MI)   | Goodlatte       | McClintock      |
| Bishop (UT)   | Gosar           | McHenry         |
| Black         | Gowdy           | McKinley        |
| Blackburn     | Granger         | McMorris        |
| Blum          | Graves (GA)     | Rodgers         |
| Bost          | Graves (LA)     | McSally         |
| Brady (TX)    | Graves (MO)     | Meadows         |
| Brat          | Griffith        | Messer          |
| Bridenstine   | Grothman        | Mitchell        |
| Brooks (AL)   | Guthrie         | Moolenaar       |
| Brooks (IN)   | Handel          | Mooney (WV)     |
| Buck          | Harper          | Mullin          |
| Bucshon       | Harris          | Murphy (PA)     |
| Budd          | Hartzer         | Noem            |
| Burgess       | Hensarling      | Norman          |
| Byrne         | Herrera Beutler | Nunes           |
| Calvert       | Hice, Jody B.   | Olson           |
| Carter (GA)   | Higgins (LA)    | Palazzo         |
| Carter (TX)   | Holding         | Palmer          |
| Chabot        | Hollingsworth   | Pearce          |
| Cheney        | Hudson          | Perry           |
| Coffman       | Huizenga        | Pittenger       |
| Cole          | Hultgren        | Poe (TX)        |
| Collins (GA)  | Hunter          | Poliquin        |
| Comer         | Hurd            | Posey           |
| Conaway       | Issa            | Ratcliffe       |
| Cook          | Jenkins (KS)    | Reed            |
| Cramer        | Jenkins (WV)    | Renacci         |
| Crawford      | Johnson (LA)    | Rice (SC)       |
| Culberson     | Johnson (OH)    | Roby            |
| Davidson      | Johnson, Sam    | Roe (TN)        |
| Davis, Rodney | Jordan          | Rogers (AL)     |
| Denham        | Kelly (MS)      | Rogers (KY)     |
| DeSantis      | Kelly (PA)      | Rohrabacher     |
| DesJarlais    | King (IA)       | Rokita          |
| Diaz-Balart   | King (NY)       | Rooney, Francis |
| Donovan       | Kinzing         | Rooney, Thomas  |
| Duffy         | Knight          | J.              |
| Duncan (SC)   | Kustoff (TN)    | Roskam          |
| Duncan (TN)   | LaHood          | Ross            |
| Dunn          | LaMalfa         | Rothfus         |
| Emmer         | Lamborn         | Rouzer          |
| Estes (KS)    | Lance           | Royce (CA)      |
| Farenthold    | Latta           | Rutherford      |

Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik

Stewart  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tipton  
Valadao  
Wagner  
Walberg  
Walker  
Walorski  
Walters, Mimi

Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (IA)  
Zeldin

□ 1057

Messrs. THOMPSON of Mississippi, VARGAS, Ms. SINEMA, Messrs. NEWHOUSE, TROTT, FITZPATRICK, PETERSON, Mrs. TORRES, Messrs. FASO, and LANGEVIN changed their vote from “aye” to “no.”

Mrs. MIMI WALTERS of California changed her vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 15 OFFERED BY MR. LAMBORN

The Acting CHAIR (Mr. COLLINS of Georgia). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. LAMBORN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 189, not voting 9, as follows:

[Roll No. 373]

AYES—235

|               |                 |               |
|---------------|-----------------|---------------|
| Abraham       | Davidson        | Hill          |
| Aderholt      | Davis, Rodney   | Holding       |
| Allen         | Denham          | Hollingsworth |
| Amodei        | Dent            | Hudson        |
| Arrington     | DeSantis        | Huizenga      |
| Babin         | DesJarlais      | Hultgren      |
| Bacon         | Diaz-Balart     | Hunter        |
| Banks (IN)    | Donovan         | Hurd          |
| Barletta      | Duffy           | Issa          |
| Barr          | Duncan (SC)     | Jenkins (KS)  |
| Barton        | Duncan (TN)     | Jenkins (WV)  |
| Bergman       | Dunn            | Johnson (LA)  |
| Biggs         | Emmer           | Johnson (OH)  |
| Bishop (MI)   | Estes (KS)      | Johnson, Sam  |
| Bishop (UT)   | Farenthold      | Jordan        |
| Black         | Faso            | Joyce (OH)    |
| Blackburn     | Ferguson        | Katko         |
| Blum          | Fitzpatrick     | Kelly (MS)    |
| Bost          | Fleischmann     | Kelly (PA)    |
| Brady (TX)    | Flores          | King (IA)     |
| Brat          | Fortenberry     | King (NY)     |
| Bridenstine   | Fox             | Kinzinger     |
| Brooks (AL)   | Franks (AZ)     | Knight        |
| Brooks (IN)   | Frelinghuysen   | Kustoff (TN)  |
| Buchanan      | Gaetz           | LaHood        |
| Buck          | Gallagher       | LaMalfa       |
| Bucshon       | Garrett         | Lance         |
| Budd          | Gianforte       | Latta         |
| Burgess       | Gibbs           | Lewis (MN)    |
| Byrne         | Gohmert         | LoBiondo      |
| Calvert       | Goodlatte       | Long          |
| Carter (GA)   | Gosar           | Loudermilk    |
| Carter (TX)   | Gowdy           | Love          |
| Chabot        | Granger         | Lucas         |
| Cheney        | Graves (GA)     | Luetkemeyer   |
| Coffman       | Graves (LA)     | MacArthur     |
| Cole          | Graves (MO)     | Maloney, Sean |
| Collins (GA)  | Griffith        | Marchant      |
| Collins (NY)  | Grothman        | Marino        |
| Comer         | Guthrie         | Marshall      |
| Comstock      | Handel          | Masie         |
| Conaway       | Harper          | Mast          |
| Cook          | Harris          | McCarthy      |
| Costello (PA) | Hartzler        | McCaul        |
| Cramer        | Hensarling      | McClintock    |
| Crawford      | Herrera Beutler | McHenry       |
| Culberson     | Hice, Jody B.   | McKinley      |
| Curbelo (FL)  | Higgins (LA)    |               |

McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Murphy (PA)  
Newhouse  
Noem  
Norman  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Perry  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)

Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Ruiz  
Ruppersberger  
Russell  
Rutherford  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Sinema  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers

Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

NOES—189

|                   |                |               |
|-------------------|----------------|---------------|
| Adams             | Foster         | Moore         |
| Aguilar           | Frankel (FL)   | Moulton       |
| Amash             | Fudge          | Murphy (FL)   |
| Barragán          | Gabbard        | Nadler        |
| Bass              | Gallego        | Neal          |
| Beatty            | Garamendi      | Nolan         |
| Bera              | Gomez          | Norcross      |
| Beyer             | Gonzalez (TX)  | O'Halleran    |
| Bishop (GA)       | Gottheimer     | O'Rourke      |
| Blumenauer        | Green, Al      | Pallone       |
| Blunt Rochester   | Green, Gene    | Panetta       |
| Bonamici          | Grijalva       | Pascarell     |
| Boyle, Brendan F. | Gutiérrez      | Payne         |
| Brady (PA)        | Hanabusa       | Pearce        |
| Brown (MD)        | Hastings       | Pelosi        |
| Brownley (CA)     | Heck           | Perlmutter    |
| Bustos            | Higgins (NY)   | Peters        |
| Butterfield       | Himes          | Peterson      |
| Capuano           | Hoyer          | Pingree       |
| Carbajal          | Huffman        | Pocan         |
| Cárdenas          | Jackson Lee    | Polis         |
| Carson (IN)       | Jayapal        | Price (NC)    |
| Cartwright        | Jeffries       | Quigley       |
| Castro (FL)       | Johnson (GA)   | Raskin        |
| Castro (TX)       | Johnson, E. B. | Rice (NY)     |
| Chu, Judy         | Kaptur         | Richmond      |
| Ciilline          | Keating        | Rosen         |
| Clark (MA)        | Kelly (IL)     | Roybal-Allard |
| Clarke (NY)       | Kennedy        | Rush          |
| Clay              | Khanna         | Ryan (OH)     |
| Clyburn           | Kihuen         | Sánchez       |
| Cohen             | Kildee         | Sanford       |
| Collins (NY)      | Kilmer         | Sarbanes      |
| Comstock          | Kind           | Schakowsky    |
| Connolly          | Krishnamoorthi | Schiff        |
| Conyers           | Kuster (NH)    | Schneider     |
| Cooper            | Langevin       | Schrader      |
| Correa            | Larsen (WA)    | Scott (VA)    |
| Costa             | Larson (CT)    | Scott, David  |
| Courtney          | Lawrence       | Serrano       |
| Crist             | Lawson (FL)    | Sewell (AL)   |
| Crowley           | Lee            | Shea-Porter   |
| Cuellar           | Levin          | Sherman       |
| Davis (CA)        | Lewis (GA)     | Sires         |
| Davis, Danny      | Lieu, Ted      | Slaughter     |
| DeFazio           | Lipinski       | Smith (WA)    |
| DeGette           | Loeb sack      | Soto          |
| Delaney           | Lofgren        | Speier        |
| DeLauro           | Lowenthal      | Suo zzi       |
| DelBene           | Lowe y         | Swalwell (CA) |
| Demings           | Lujan Grisham, | Takano        |
| Dent              | M.             | Thompson (CA) |
| DeSaulnier        | Luján, Ben Ray | Thompson (MS) |
| Deutch            | Lynch          | Titus         |
| Dingell           | Maloney,       | Tonko         |
| Doggett           | Carolyn B.     | Torres        |
| Doggett           | McCollum       | Tsongas       |
| Doyle, Michael F. | McEachin       | Vargas        |
| Ellison           | McGovern       | Veasey        |
| Engel             | McNerney       | Vela          |
| Eshoo             | Meng           | Velázquez     |
| Esparillat        |                |               |
| Esty (CT)         |                |               |
| Evans             |                |               |
| Faso              |                |               |
| Fitzpatrick       |                |               |
| Foster            |                |               |
| Frankel (FL)      |                |               |
| Fudge             |                |               |
| Gabbard           |                |               |

NOES—217

|                   |                |               |
|-------------------|----------------|---------------|
| Adams             | Gallego        | O'Rourke      |
| Aguilar           | Garamendi      | Pallone       |
| Amash             | Gomez          | Panetta       |
| Barragán          | Gonzalez (TX)  | Pascarell     |
| Bass              | Gottheimer     | Paulsen       |
| Beatty            | Green, Al      | Payne         |
| Bera              | Green, Gene    | Pelosi        |
| Beyer             | Grijalva       | Perlmutter    |
| Bishop (GA)       | Gutiérrez      | Peters        |
| Blumenauer        | Hanabusa       | Peterson      |
| Blunt Rochester   | Hastings       | Pingree       |
| Bonamici          | Heck           | Pocan         |
| Boyle, Brendan F. | Higgins (NY)   | Polis         |
| Brady (PA)        | Hill           | Price (NC)    |
| Brown (MD)        | Himes          | Quigley       |
| Brownley (CA)     | Hoyer          | Raskin        |
| Buchanan          | Huffman        | Reichert      |
| Bustos            | Jackson Lee    | Rice (NY)     |
| Butterfield       | Jayapal        | Richmond      |
| Capuano           | Jeffries       | Ros-Lehtinen  |
| Carbajal          | Johnson (GA)   | Rosen         |
| Cárdenas          | Johnson, E. B. | Roybal-Allard |
| Carson (IN)       | Joyce (OH)     | Ruiz          |
| Cartwright        | Kaptur         | Ruppersberger |
| Castor (FL)       | Katko          | Rush          |
| Castro (TX)       | Keating        | Russell       |
| Chu, Judy         | Kelly (IL)     | Ryan (OH)     |
| Ciilline          | Kennedy        | Sánchez       |
| Clark (MA)        | Khanna         | Sanford       |
| Clarke (NY)       | Kihuen         | Sarbanes      |
| Clay              | Kildee         | Schakowsky    |
| Clyburn           | Kilmer         | Schiff        |
| Cohen             | Kind           | Schneider     |
| Collins (NY)      | Krishnamoorthi | Schrader      |
| Comstock          | Kuster (NH)    | Scott (VA)    |
| Connolly          | Langevin       | Scott, David  |
| Conyers           | Larsen (WA)    | Serrano       |
| Cooper            | Larson (CT)    | Sewell (AL)   |
| Correa            | Lawrence       | Shea-Porter   |
| Costa             | Lawson (FL)    | Sherman       |
| Costello (PA)     | Lee            | Sinema        |
| Courtney          | Levin          | Sires         |
| Crist             | Lewis (GA)     | Slaughter     |
| Crowley           | Lewis (MN)     | Smith (WA)    |
| Cuellar           | Lieu, Ted      | Soto          |
| Curbelo (FL)      | Lipinski       | Speier        |
| Davis (CA)        | LoBiondo       | Stivers       |
| Davis, Danny      | Loeb sack      | Suo zzi       |
| DeFazio           | Lofgren        | Swalwell (CA) |
| DeGette           | Lowenthal      | Takano        |
| Delaney           | Lowe y         | Thompson (CA) |
| DeLauro           | Lujan Grisham, | Thompson (MS) |
| DelBene           | M.             | Titus         |
| Demings           | Luján, Ben Ray | Tonko         |
| Dent              | Lynch          | Torres        |
| DeSaulnier        | Maloney,       | Tsongas       |
| Deutch            | Carolyn B.     | Vargas        |
| Dingell           | Maloney, Sean  | Veasey        |
| Doggett           | Matsui         | Vela          |
| Doggett           | McCollum       | Velázquez     |
| Doyle, Michael F. | McEachin       |               |
| Ellison           | McGovern       |               |
| Engel             | McNerney       |               |
| Eshoo             | Meng           |               |
| Esparillat        | Moore          |               |
| Esty (CT)         | Moulton        |               |
| Evans             | Murphy (FL)    |               |
| Faso              | Nadler         |               |
| Fitzpatrick       | Neal           |               |
| Foster            | Newhouse       |               |
| Frankel (FL)      | Nolan          |               |
| Fudge             | Norcross       |               |
| Gabbard           | O'Halleran     |               |

NOT VOTING—8

|           |          |            |
|-----------|----------|------------|
| Bilirakis | Jones    | Napolitano |
| Cleaver   | Labrador | Scalise    |
| Cummings  | Meeks    |            |

Visclosky  
Walz  
Wasserman  
Schultz

Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)

## NOT VOTING—9

Bilirakis  
Cleaver  
Cummings

Jones  
Labrador  
Lamborn

Meeks  
Napolitano  
Scalise

□ 1101

So the amendment was agreed to.  
The result of the vote was announced  
as above recorded.

## AMENDMENT NO. 17 OFFERED BY MR. BYRNE

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Alabama (Mr. BYRNE)  
on which further proceedings were  
postponed and on which the ayes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 244, noes 181,  
not voting 8, as follows:

[Roll No. 374]

## AYES—244

|               |               |                 |
|---------------|---------------|-----------------|
| Abraham       | Curbelo (FL)  | Herrera Beutler |
| Aderholt      | Davidson      | Hice, Jody B.   |
| Allen         | Davis, Rodney | Higgins (LA)    |
| Amash         | Denham        | Hill            |
| Amodei        | Dent          | Holding         |
| Arrington     | DeSantis      | Hollingsworth   |
| Babin         | DesJarlais    | Hudson          |
| Bacon         | Deutch        | Huizenga        |
| Banks (IN)    | Diaz-Balart   | Hultgren        |
| Barletta      | Donovan       | Hunter          |
| Barr          | Duffy         | Hurd            |
| Barton        | Duncan (SC)   | Issa            |
| Bergman       | Duncan (TN)   | Jackson Lee     |
| Biggs         | Dunn          | Jenkins (KS)    |
| Bishop (MI)   | Emmer         | Jenkins (WV)    |
| Bishop (UT)   | Estes (KS)    | Johnson (LA)    |
| Black         | Farenthold    | Johnson (OH)    |
| Blackburn     | Faso          | Johnson, E. B.  |
| Blum          | Ferguson      | Johnson, Sam    |
| Bost          | Fleischmann   | Jordan          |
| Brady (TX)    | Flores        | Kelly (MS)      |
| Brat          | Fortenberry   | Kelly (PA)      |
| Bridenstine   | Fox           | King (IA)       |
| Brooks (AL)   | Frankel (FL)  | King (NY)       |
| Brooks (IN)   | Franks (AZ)   | Kinzinger       |
| Buchanan      | Frelinghuysen | Knight          |
| Buck          | Gaetz         | Kuster (NH)     |
| Bucshon       | Gallagher     | Kustoff (TN)    |
| Budd          | Garamendi     | LaHood          |
| Burgess       | Garrett       | LaMalfa         |
| Byrne         | Gianforte     | Lamborn         |
| Calvert       | Gibbs         | Lance           |
| Carter (GA)   | Gohmert       | Latta           |
| Carter (TX)   | Goodlatte     | Lewis (MN)      |
| Castor (FL)   | Gosar         | LoBiondo        |
| Chabot        | Gowdy         | Long            |
| Cheney        | Granger       | Loudermilk      |
| Coffman       | Graves (GA)   | Love            |
| Cole          | Graves (MO)   | Lucas           |
| Collins (GA)  | Griffith      | Luetkemeyer     |
| Collins (NY)  | Grothman      | MacArthur       |
| Comer         | Guthrie       | Marchant        |
| Comstock      | Handel        | Marino          |
| Conaway       | Harper        | Massie          |
| Cook          | Harris        | Mast            |
| Costello (PA) | Hartzer       | McCarthy        |
| Cramer        | Hastings      | McCaul          |
| Crawford      | Hensarling    | McClintock      |

|             |                 |               |
|-------------|-----------------|---------------|
| McHenry     | Rogers (AL)     | Thompson (PA) |
| McKinley    | Rogers (KY)     | Thornberry    |
| McMorris    | Rohrabacher     | Tiberi        |
| Rodgers     | Rokita          | Tipton        |
| McSally     | Rooney, Francis | Trott         |
| Meadows     | Rooney, Thomas  | Turner        |
| Meehan      | J.              | Upton         |
| Messer      | Ros-Lehtinen    | Valadao       |
| Mitchell    | Roskam          | Vargas        |
| Moolenaar   | Ross            | Vela          |
| Mooney (WV) | Rothfus         | Wagner        |
| Mullin      | Rouzer          | Walberg       |
| Murphy (FL) | Royce (CA)      | Walden        |
| Newhouse    | Russell         | Walker        |
| Noem        | Rutherford      | Walorski      |
| Norman      | Sanford         | Walters, Mimi |
| Nunes       | Schweikert      | Wasserman     |
| Olson       | Scott, Austin   | Schultz       |
| Palazzo     | Sessions        | Weber (TX)    |
| Palmer      | Shea-Porter     | Webster (FL)  |
| Paulsen     | Shimkus         | Wenstrup      |
| Pearce      | Shuster         | Westerman     |
| Perry       | Simpson         | Williams      |
| Pittenger   | Smith (MO)      | Wilson (SC)   |
| Poe (TX)    | Smith (NE)      | Wittman       |
| Poliquin    | Smith (TX)      | Womack        |
| Posey       | Smucker         | Woodall       |
| Ratcliffe   | Soto            | Yoder         |
| Reed        | Stefanik        | Yoho          |
| Reichert    | Stewart         | Young (AK)    |
| Renacci     | Stivers         | Young (IA)    |
| Rice (SC)   | Taylor          | Zeldin        |
| Roby        | Tenney          |               |
| Roe (TN)    | Thompson (MS)   |               |

## NOES—181

|                 |                |
|-----------------|----------------|
| Adams           | Fitzpatrick    |
| Agullar         | Foster         |
| Barragán        | Fudge          |
| Bass            | Gabbard        |
| Beatty          | Gallo          |
| Bera            | Gomez          |
| Beyer           | Gonzalez (TX)  |
| Bishop (GA)     | Gottheimer     |
| Blumenauer      | Green, Al      |
| Blunt Rochester | Green, Gene    |
| Bonamici        | Grijalva       |
| Boyle, Brendan  | Gutiérrez      |
| F.              | Hanabusa       |
| Brady (PA)      | Heck           |
| Brown (MD)      | Higgins (NY)   |
| Brownley (CA)   | Himes          |
| Bustos          | Hoyer          |
| Butterfield     | Huffman        |
| Capuano         | Jayapal        |
| Carbajal        | Jeffries       |
| Cárdenas        | Johnson (GA)   |
| Carson (IN)     | Joyce (OH)     |
| Cartwright      | Kaptur         |
| Castro (TX)     | Katko          |
| Chu, Judy       | Keating        |
| Cicilline       | Kelly (IL)     |
| Clark (MA)      | Kennedy        |
| Clarke (NY)     | Khanna         |
| Clay            | Kihuen         |
| Clyburn         | Kildee         |
| Cohen           | Kilmer         |
| Connolly        | Kind           |
| Conyers         | Krishnamoorthi |
| Cooper          | Langevin       |
| Correa          | Larsen (WA)    |
| Costa           | Larson (CT)    |
| Courtney        | Lawrence       |
| Crist           | Lawson (FL)    |
| Crowley         | Lee            |
| Cuellar         | Levin          |
| Davis (CA)      | Lewis (GA)     |
| Davis, Danny    | Lieu, Ted      |
| DeFazio         | Lipinski       |
| DeGette         | Loeb           |
| Delaney         | Loeb           |
| DeLauro         | Lowenthal      |
| DelBene         | Lowe           |
| Demings         | Lujan Grisham, |
| DeSaulnier      | M.             |
| Dingell         | Luján, Ben Ray |
| Doggett         | Lynch          |
| Doyle, Michael  | Maloney,       |
| F.              | Carolyn B.     |
| Ellison         | Maloney, Sean  |
| Engel           | Matsui         |
| Eshoo           | McCollum       |
| Españillat      | McCarthy       |
| Esty (CT)       | McGovern       |
| Evans           | McNerney       |

|               |               |
|---------------|---------------|
| Meng          | Pallone       |
| Moore         | Panetta       |
| Moulton       | Pascarella    |
| Murphy (PA)   | Payne         |
| Nadler        | Pelosi        |
| Neal          | Perlmutter    |
| Nolan         | Peters        |
| Norcross      | Peterson      |
| O'Halleran    | Pingree       |
| O'Rourke      | Pocan         |
| Pallone       | Polis         |
| Panetta       | Price (NC)    |
| Pascarella    | Quigley       |
| Payne         | Raskin        |
| Pelosi        | Rice (NY)     |
| Perlmutter    | Richmond      |
| Peters        | Rosen         |
| Peterson      | Roybal-Allard |
| Pingree       | Ruiz          |
| Pocan         | Ruppersberger |
| Polis         | Rush          |
| Price (NC)    | Ryan (OH)     |
| Quigley       | Sánchez       |
| Raskin        | Sarbanes      |
| Rice (NY)     | Schakowsky    |
| Richmond      | Schiff        |
| Rosen         | Schneider     |
| Roybal-Allard | Schrader      |
| Ruiz          | Scott (VA)    |
| Ruppersberger | Scott, David  |
| Rush          | Sensenbrenner |
| Ryan (OH)     | Serrano       |
| Sánchez       | Sewell (AL)   |
| Sarbanes      | Sherman       |
| Schakowsky    | Sinema        |
| Schiff        | Sires         |
| Schneider     | Slaughter     |
| Schrader      | Smith (NJ)    |
| Scott (VA)    | Smith (WA)    |
| Scott, David  | Speler        |
| Sensenbrenner | Suozzi        |
| Serrano       | Swalwell (CA) |
| Sewell (AL)   | Takano        |
| Sherman       | Thompson (CA) |
| Sinema        | Titus         |
| Sires         | Tonko         |
| Slaughter     | Torres        |
| Smith (NJ)    | Tsongas       |
| Smith (WA)    | Veasey        |

Velázquez  
Visclosky  
Walz

Waters, Maxine  
Watson Coleman  
Welch

Wilson (FL)  
Yarmuth

## NOT VOTING—8

Bilirakis  
Cleaver  
Cummings

Jones  
Labrador  
Meeks

Napolitano  
Scalise

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1105

So the amendment was agreed to.  
The result of the vote was announced  
as above recorded.

## AMENDMENT NO. 18 OFFERED BY MR. HUNTER

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from California (Mr. HUN-  
TER) on which further proceedings were  
postponed and on which the ayes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 234, noes 190,  
not voting 9, as follows:

[Roll No. 375]

## AYES—234

|               |               |                 |
|---------------|---------------|-----------------|
| Abraham       | Culberson     | Hensarling      |
| Aderholt      | Curbelo (FL)  | Herrera Beutler |
| Allen         | Davidson      | Hice, Jody B.   |
| Amodei        | Davis, Rodney | Higgins (LA)    |
| Arrington     | Denham        | Hill            |
| Babin         | Dent          | Holding         |
| Bacon         | DeSantis      | Hollingsworth   |
| Banks (IN)    | DesJarlais    | Hudson          |
| Barletta      | Diaz-Balart   | Huizenga        |
| Barr          | Donovan       | Hultgren        |
| Barton        | Duffy         | Hunter          |
| Bergman       | Duncan (SC)   | Hurd            |
| Biggs         | Duncan (TN)   | Issa            |
| Bishop (MI)   | Dunn          | Jenkins (KS)    |
| Bishop (UT)   | Emmer         | Jenkins (WV)    |
| Black         | Estes (KS)    | Johnson (LA)    |
| Blackburn     | Farenthold    | Johnson (OH)    |
| Blum          | Faso          | Johnson, Sam    |
| Bost          | Ferguson      | Jordan          |
| Brady (TX)    | Fitzpatrick   | Joyce (OH)      |
| Brat          | Fleischmann   | Katko           |
| Bridenstine   | Flores        | Kelly (MS)      |
| Brooks (AL)   | Fortenberry   | Kelly (PA)      |
| Brooks (IN)   | Fox           | King (IA)       |
| Buchanan      | Franks (AZ)   | King (NY)       |
| Buck          | Frelinghuysen | Kinzinger       |
| Bucshon       | Gaetz         | Knight          |
| Budd          | Gallagher     | Kustoff (TN)    |
| Burgess       | Garrett       | LaHood          |
| Byrne         | Gianforte     | LaMalfa         |
| Calvert       | Gibbs         | Lamborn         |
| Carter (GA)   | Gohmert       | Lance           |
| Carter (TX)   | Goodlatte     | Latta           |
| Castor (FL)   | Gosar         | Lewis (MN)      |
| Chabot        | Gowdy         | LoBiondo        |
| Cheney        | Granger       | Long            |
| Coffman       | Graves (GA)   | Loudermilk      |
| Cole          | Graves (MO)   | Love            |
| Collins (GA)  | Griffith      | Lucas           |
| Collins (NY)  | Grothman      | Luetkemeyer     |
| Comer         | Guthrie       | MacArthur       |
| Comstock      | Handel        | Marchant        |
| Conaway       | Harper        | Marino          |
| Cook          | Harris        | Marshall        |
| Costello (PA) | Hartzer       | Massie          |
| Cramer        | Hastings      | Mast            |
| Crawford      | Hensarling    |                 |



McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Murphy (PA)  
Newhouse  
Noem  
Norman  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert

## NOES—190

Adams  
Aguilar  
Amash  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Cuellar  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Ellison  
Engel  
Eshoo  
Espallat

Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Sanford  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik

Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

Torres  
Tsongas  
Vargas  
Veasey  
Vela

Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz

## NOT VOTING—9

Bilirakis  
Cleaver  
Cummings

Jones  
Labrador  
Meeks

Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

Napolitano  
Perlmutter  
Scalise

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1108

Ms. PELOSI changed her vote from  
“aye” to “no.”

So the amendment was agreed to.

The result of the vote was announced  
as above recorded.

## AMENDMENT NO. 43 OFFERED BY MR. MCGOVERN

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Massachusetts (Mr.  
McGOVERN) on which further pro-  
ceedings were postponed and on which  
the ayes prevailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 424, noes 0,  
not voting 9, as follows:

[Roll No. 376]

## AYES—424

Abraham  
Adams  
Aderholt  
Aguilar  
Allen  
Amash  
Amodei  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barragán  
Barton  
Bass  
Beatty  
Bera  
Bergman  
Beyer  
Biggs  
Bishop (GA)  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle  
Boyle, Brendan  
F.  
Brady (PA)  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Brown (MD)  
Brownley (CA)

Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Bustos  
Butterfield  
Byrne  
Calvert  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Carter (GA)  
Carter (TX)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chabot  
Cheney  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Clyburn  
Coffman  
Cohen  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Connolly  
Conyers  
Cook  
Cooper  
Correa  
Costa  
Costello (PA)

Evans  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foster  
Fox  
Frankel (FL)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gabbard  
Gaetz  
Gallagher  
Gallego  
Garamendi  
Garrett  
Gianforte  
Gibbs  
Gohmert  
Gomez  
Gonzalez (TX)  
Goodlatte  
Gosar  
Gottheimer  
Gowdy  
Granger  
Graves (LA)  
Graves (MO)  
Green, Al  
Green, Gene  
Griffith  
Grijalva  
Grothman  
Guthrie  
Gutiérrez  
Hanabusa  
Handel  
Harper  
Harris  
Hartzler  
Hastings  
Heck  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Higgins (NY)  
Hill  
Himes  
Holding  
Hollingsworth  
Hoyer  
Hudson  
Huffman  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jackson Lee  
Jayapal  
Jeffries  
Jenkins (KS)  
Jenkins (WV)  
Johnson (GA)  
Johnson (LA)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jordan  
Joyce (OH)  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kelly (MS)  
Kelly (PA)  
Kennedy  
Khanna  
Kihuen  
Kildeer  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Krishnamoorthi  
Kuster (NH)  
Kustoff (TN)  
LaHood  
LaMalfa

Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latta  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lewis (MN)  
Lieu, Ted  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren  
Long  
Loudermilk  
Love  
Lowenthal  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham,  
M.  
Luján, Ben Ray  
Lynch  
MacArthur  
Maloney,  
Carolyn B.  
Maloney, Sean  
Marchant  
Marino  
Marshall  
Massie  
Mast  
Matsui  
McCarthy  
McCaul  
McClintock  
McCollum  
McEachin  
McGovern  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meehan  
Meng  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Moore  
Moulton  
Mullin  
Murphy (FL)  
Murphy (PA)  
Nadler  
Neal  
Newhouse  
Noem  
Nolan  
Norcross  
Norman  
Nunes  
O'Halleran  
O'Rourke  
Olson  
Palazzo  
Pallone  
Palmer  
Panteta  
Pascrell  
Paulsen  
Payne  
Pearce  
Pelosi  
Perlmutter  
Perry  
Peters  
Peterson  
Pingree  
Pittenger  
Pocan  
Poe (TX)  
Poliquin  
Polis  
Posey  
Price (NC)  
Quigley  
Raskin

Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (NY)  
Rice (SC)  
Richmond  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Ros-Lehtinen  
Rosen  
Roskam  
Ross  
Rothfus  
Rowley  
Roybal-Allard  
Royce (CA)  
Ruiz  
Ruppersberger  
Rush  
Russell  
Rutherford  
Ryan (OH)  
Sánchez  
Sanford  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schradler  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Shea-Porter  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Smucker  
Soto  
Speier  
Stefanik  
Stewart  
Stivers  
Suzuki  
Swalwell (CA)  
Takano  
Taylor  
Tenney  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Titus  
Tonko  
Torres  
Trott  
Tsongas  
Turner  
Upton  
Valadao  
Vargas  
Veasey  
Vela  
Visclosky  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Walz

|                |             |            |
|----------------|-------------|------------|
| Wasserman      | Wenstrup    | Woodall    |
| Schultz        | Westerman   | Yarmuth    |
| Waters, Maxine | Williams    | Yoder      |
| Watson Coleman | Wilson (FL) | Yoho       |
| Weber (TX)     | Wilson (SC) | Young (AK) |
| Webster (FL)   | Wittman     | Young (IA) |
| Welch          | Womack      | Zeldin     |

## NOT VOTING—9

|           |             |            |
|-----------|-------------|------------|
| Bilirakis | Graves (GA) | Meeks      |
| Cleaver   | Jones       | Napolitano |
| Cummings  | Labrador    | Scalise    |

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. SIMPSON) (during the vote). There is 1 minute remaining.

□ 1112

Mr. CONYERS changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. COLLINS of Georgia) having assumed the chair, Mr. SIMPSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, and, pursuant to House Resolution 440, he reported the bill, as amended by House Resolution 431, back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

## MOTION TO RECOMMIT

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I have a motion to recommit at the desk.

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

Ms. MICHELLE LUJAN GRISHAM of New Mexico. I am opposed in its current form.

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

The Clerk read as follows:

Ms. Michelle Lujan Grisham of New Mexico moves to recommit H.R. 2810 to the Committee on Armed Services with instructions to report the same back to the House forthwith, with the following amendment:

At the end of subtitle D of title X, insert the following new section 1039:

**SEC. 1039. RULE OF CONSTRUCTION REGARDING USE OF DEPARTMENT OF DEFENSE FUNDING OF A BORDER WALL.**

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be used to plan, develop, or construct any barriers, including walls or fences, along the international border of the United States.

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

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

The National Defense Authorization Act has passed Congress 56 years in a row, and that is a testament to the collaborative, bipartisan work the Armed Services Committee has done to support our troops who put themselves in harm's way every single day to defend our country.

This year, the House Armed Services Committee adopted an amendment introduced by Congressman GALLEGO to ensure that none of the funds meant to support our troops and safeguard our Nation's security can be used for building President Trump's border wall.

The amendment was debated, amended, and ultimately adopted without objection by every single member of the Armed Services Committee.

If you ask the people who know the border the best, whether it is companies, lawmakers, border communities, trade groups, economists, or law enforcement officials—both Republicans and Democrats—most agree that building a wall is unnecessary, impractical, ineffective, and, frankly, a complete waste of time and taxpayer money.

Furthermore, the United States already maintains approximately 650 miles of border fence in areas that most effectively stop the unauthorized entry of people, vehicles, drugs, arms, and other illicit items.

Instead of a costly border wall between the U.S. and Mexico, the Armed Services Committee chose to fully fund military healthcare, raise the pay of military personnel, and improve our Nation's cybersecurity.

They agreed that President Trump's ongoing effort to build a wall is wasteful and has absolutely nothing to do with advancing U.S. national security interests.

I want to emphasize that this amendment incorporated both Democratic and Republican ideas, and passed unanimously in a bipartisan manner. But late Tuesday night, House Republican leadership stripped Congressman GALLEGO's amendment from the NDAA with the use of a glaringly undemocratic, procedural gimmick to help Trump fulfill his campaign promise.

Republican leadership's actions to unilaterally open the door for funding the wall through the use of this defense bill is an insult to every single member of the Armed Services Committee, to our democratic principles, and to the spirit of bipartisanship.

They chose to undermine the unanimous judgment of the Armed Services Committee without the courage to test their proposal with a vote or even a debate on the floor.

You may hear my colleague on the other side of the aisle claim that prohibiting the construction of the wall doesn't fall within the jurisdiction of the Defense Department. However, I am not sure why the 8 members of the Rules Committee believe that they are more qualified to judge what should be included in the NDAA than the 61 members of the Armed Services Committee or the 435 Members of this deliberative body as a whole.

Further, I am not sure why the Rules Committee thought that a discriminatory amendment preventing the Department of Defense from providing medically necessary healthcare services to transgendered military personnel was more appropriate for debate than preventing Trump from usurping funds intended for our troops.

You may also hear that my Republican colleagues claim that President Trump can't use any funds in the NDAA to start construction of the wall anyway. But that is not true. Under title 10, the Secretary of Defense could transfer funding for that purpose this afternoon if he wanted, all without approval of Congress.

Mr. Speaker, the only way this body can guarantee that Trump cannot use Department of Defense funds to construct the border wall is to put that prohibition in the bill explicitly. The only way we can do that is by passing my motion to recommit to restore Congressman GALLEGO's bipartisan amendment in the bill and ensure that our troops are not robbed to pay for a border wall.

But I want to be clear: the adoption of this amendment will not prevent passage of the underlying bill. If the amendment is adopted, it will be incorporated into the bill and the bill will immediately be voted upon.

We all have an opportunity to stand united to support our Nation's servicemembers and to protect hard-earned taxpayer dollars from the President's political pipe dream.

Mr. Speaker, I urge my colleagues to support my final amendment, and I yield back the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I rise in opposition to the motion to recommit.

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

Mr. THORNBERRY. Mr. Speaker, this is a procedural motion that, in my view, should be rejected.

We could spend all day and night arguing provisions that prohibit what is not in the bill. There is nothing in this bill that authorizes a border wall. The focus of the bill is the men and women who serve our Nation in the military and the national security of the United States. And that is what I want to take a moment to talk about.

I would suggest that all of us think back just to the events of the last 10 days. On July 4, North Korea launched what most observers believe is an intercontinental ballistic missile capable of reaching parts of the United States. And we know they already have nuclear weapons.

On July 9, Iraqi Prime Minister al-Abadi went into Mosul to celebrate the ousting of ISIS with U.S. advisers, U.S. airpower, and U.S. intelligence.

Also, this week, the Chinese navy conducted drills in the Mediterranean on their way to conduct joint exercises with the Russians in the Balkans.

This is just a taste of the world we live in, and there are provisions in this bill that address every one of these incidents, from more missile defense to getting more ships in the water faster and cheaper, to supporting our efforts against ISIS, al-Qaida, and terrorist groups.

But there is another event this week that I hope we all keep in mind. On Monday, July 10, a KC-130 crashed on its way across the country, resulting in the death of 15 marines and one sailor. We do not know what caused this crash, but the early evidence indicates that there was a catastrophic failure when it was cruising at altitude.

It will be fully investigated. But in the meantime, I think we always have to remember that, even on routine training missions, even on routine deployments, the men and women who serve are risking their lives for us. We owe them the best equipment, in the best shape, with the best training that our Nation can provide. Unfortunately, that is not what they have been getting.

This year, our committee has heard testimony that, under the budget caps, the Army is outranged, outgunned, and outdated. More than half the Navy aircraft cannot fly. More than half the planes in the Air Force qualify for an antique license in the State of Virginia. More than half the planes the Navy has can't fly. Unfortunately, accident rates are going up.

Sometimes I have heard the argument that: Well, we are not going to give them any more money until they can pass an audit or they can do this and that or the other thing.

But as everybody rushes out to get on their airplanes, just think about this: What if the board of directors of your airline decided that they are not going to spend any more money repairing planes until there is a bookkeeping problem solved in headquarters?

Yet that is exactly what we have been doing to our military. We have not been giving them the planes and other equipment in good repair.

Every year for 55 straight years, Congresses and Presidents of both parties have passed into law a National Defense Authorization Act. There is a lot of credit to go around, including the Members on both sides of this aisle who have contributed to this product. I am very grateful for what they have done. But what I am really grateful for are the men and women who serve and inspire us, the men and women who are counting on us.

Mr. Speaker, I would just say, whatever our differences on other issues, which we will have time to debate in another time and place, whatever our differences about what is in or not in this bill, we need to put those differences aside and continue to support the men and women who serve and defend us. Let's not let them down.

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

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

#### RECORDED VOTE

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 235, not voting 8, as follows:

[Roll No. 377]

AYES—190

|                   |                   |               |
|-------------------|-------------------|---------------|
| Adams             | Clarke (NY)       | Engel         |
| Aguilar           | Clay              | Eshoo         |
| Barragán          | Clyburn           | Espallat      |
| Bass              | Cohen             | Esty (CT)     |
| Beatty            | Connolly          | Evans         |
| Bera              | Conyers           | Foster        |
| Beyer             | Cooper            | Frankel (FL)  |
| Bishop (GA)       | Correa            | Fudge         |
| Blumenauer        | Costa             | Gabbard       |
| Blunt Rochester   | Courtney          | Gallego       |
| Bonamici          | Crist             | Garamendi     |
| Boyle, Brendan F. | Crowley           | Gomez         |
| Brady (PA)        | Cuellar           | Gonzalez (TX) |
| Brown (MD)        | Davis (CA)        | Gottheimer    |
| Brownley (CA)     | Davis, Danny      | Green, Al     |
| Bustos            | DeFazio           | Green, Gene   |
| Butterfield       | DeGette           | Grijalva      |
| Capuano           | Delaney           | Gutiérrez     |
| Carbaljal         | DeLauro           | Hanabusa      |
| Cárdenas          | DelBene           | Hastings      |
| Carson (IN)       | Demings           | Heck          |
| Cartwright        | DeSaulnier        | Higgins (NY)  |
| Castor (FL)       | Deutch            | Himes         |
| Castro (TX)       | Dingell           | Hoyer         |
| Chu, Judy         | Doggett           | Huffman       |
| Ciilline          | Doyle, Michael F. | Jackson Lee   |
| Clark (MA)        | Ellison           | Jayapal       |
|                   |                   | Jeffries      |

|                |               |                |
|----------------|---------------|----------------|
| Johnson (GA)   | McGovern      | Schiff         |
| Johnson, E. B. | McNerney      | Schneider      |
| Kaptur         | Meng          | Schrader       |
| Keating        | Moore         | Scott (VA)     |
| Kelly (IL)     | Moulton       | Scott, David   |
| Kennedy        | Murphy (FL)   | Serrano        |
| Khanna         | Nadler        | Sewell (AL)    |
| Kihuen         | Neal          | Shea-Porter    |
| Kildee         | Nolan         | Sherman        |
| Kilmer         | Norcross      | Sinema         |
| Kind           | O'Halleran    | Sires          |
| Krishnamoorthi | O'Rourke      | Slaughter      |
| Kuster (NH)    | Pallone       | Smith (WA)     |
| Langevin       | Panetta       | Soto           |
| Larsen (WA)    | Pascarell     | Speier         |
| Larson (CT)    | Payne         | Suozi          |
| Lawrence       | Pelosi        | Swalwell (CA)  |
| Lawson (FL)    | Perlmutter    | Takano         |
| Lee            | Peters        | Thompson (CA)  |
| Levin          | Peterson      | Thompson (MS)  |
| Lewis (GA)     | Pingree       | Titus          |
| Lieu, Ted      | Pocan         | Tonko          |
| Lipinski       | Polis         | Torres         |
| Loeback        | Price (NC)    | Tsongas        |
| Lofgren        | Quigley       | Vargas         |
| Lowenthal      | Raskin        | Veasey         |
| Lowe           | Rice (NY)     | Vela           |
| Lujan Grisham, | Richmond      | Velázquez      |
| M.             | Rosen         | Visclosky      |
| Luján, Ben Ray | Roybal-Allard | Walz           |
| Lynch          | Ruiz          | Wasserman      |
| Maloney,       | Ruppersberger | Schultz        |
| Carolyn B.     | Rush          | Waters, Maxine |
| Maloney, Sean  | Ryan (OH)     | Watson Coleman |
| Matsui         | Sánchez       | Welch          |
| McCollum       | Sarbanes      | Wilson (FL)    |
| McEachin       | Schakowsky    | Yarmuth        |

#### NOES—235

|               |                 |              |
|---------------|-----------------|--------------|
| Abraham       | Donovan         | Joyce (OH)   |
| Aderholt      | Duffy           | Katko        |
| Allen         | Duncan (SC)     | Kelly (MS)   |
| Amash         | Duncan (TN)     | Kelly (PA)   |
| Amodei        | Dunn            | King (IA)    |
| Arrington     | Emmer           | King (NY)    |
| Babin         | Estes (KS)      | Kinzinger    |
| Bacon         | Farenthold      | Knight       |
| Banks (IN)    | Faso            | Kustoff (TN) |
| Barletta      | Ferguson        | LaHood       |
| Barr          | Fitzpatrick     | LaMalfa      |
| Barton        | Fleischmann     | Lamborn      |
| Bergman       | Flores          | Lance        |
| Biggs         | Fortenberry     | Latta        |
| Bishop (MI)   | Fox             | Lewis (MN)   |
| Bishop (UT)   | Franks (AZ)     | LoBiondo     |
| Black         | Frelinghuysen   | Long         |
| Blackburn     | Gaetz           | Loudermilk   |
| Blum          | Gallagher       | Love         |
| Bost          | Garrett         | Lucas        |
| Brady (TX)    | Gianforte       | Luetkemeyer  |
| Brat          | Gibbs           | MacArthur    |
| Bridenstine   | Gohmert         | Marchant     |
| Brooks (AL)   | Goodlatte       | Marino       |
| Brooks (IN)   | Gosar           | Marshall     |
| Buchanan      | Gowdy           | Massie       |
| Buck          | Granger         | Mast         |
| Bucshon       | Graves (GA)     | McCarthy     |
| Budd          | Graves (LA)     | McCauley     |
| Burgess       | Graves (MO)     | McClintock   |
| Byrne         | Griffith        | McHenry      |
| Calvert       | Grothman        | McKinley     |
| Carter (GA)   | Guthrie         | McMorris     |
| Carter (TX)   | Handel          | Rodgers      |
| Chabot        | Harper          | McSally      |
| Cheney        | Harris          | Meadows      |
| Coffman       | Hartzler        | Meehan       |
| Cole          | Hensarling      | Messer       |
| Collins (GA)  | Herrera Beutler | Mitchell     |
| Collins (NY)  | Hice, Jody B.   | Moolenaar    |
| Cramer        | Higgins (LA)    | Mooney (WV)  |
| Comstock      | Hill            | Mullin       |
| Conaway       | Holding         | Murphy (PA)  |
| Cook          | Hollingsworth   | Newhouse     |
| Costello (PA) | Hudson          | Noem         |
| Cramer        | Huizenga        | Norman       |
| Crawford      | Hultgren        | Nunes        |
| Culberson     | Hunter          | Olson        |
| Curbelo (FL)  | Hurd            | Palazzo      |
| Davidson      | Issa            | Palmer       |
| Davis, Rodney | Jenkins (KS)    | Paulsen      |
| Denham        | Jenkins (WV)    | Pearce       |
| Dent          | Johnson (LA)    | Perry        |
| DeSantis      | Johnson (OH)    | Pittenger    |
| DesJarlais    | Johnson, Sam    | Poe (TX)     |
| Diaz-Balart   | Jordan          | Poliquin     |

|                   |               |               |
|-------------------|---------------|---------------|
| Posey             | Sanford       | Turner        |
| Ratcliffe         | Schweikert    | Upton         |
| Reed              | Scott, Austin | Valadao       |
| Reichert          | Sensenbrenner | Wagner        |
| Renacci           | Sessions      | Walberg       |
| Rice (SC)         | Shimkus       | Walden        |
| Roby              | Shuster       | Walker        |
| Roe (TN)          | Simpson       | Walorski      |
| Rogers (AL)       | Smith (MO)    | Walters, Mimi |
| Rogers (KY)       | Smith (NE)    | Weber (TX)    |
| Rohrabacher       | Smith (NJ)    | Webster (FL)  |
| Rokita            | Smith (TX)    | Wenstrup      |
| Rooney, Francis   | Smucker       | Westerman     |
| Rooney, Thomas J. | Stefanik      | Williams      |
| Ros-Lehtinen      | Stivers       | Wilson (SC)   |
| Roskam            | Taylor        | Wittman       |
| Ross              | Tenney        | Womack        |
| Rothfus           | Thompson (PA) | Woodall       |
| Rouzer            | Thornberry    | Yoder         |
| Royce (CA)        | Tiberi        | Yoho          |
| Russell           | Tipton        | Young (AK)    |
| Rutherford        | Trott         | Young (IA)    |
|                   |               | Zeldin        |

## NOT VOTING—8

|           |          |            |
|-----------|----------|------------|
| Bilirakis | Jones    | Napolitano |
| Cleaver   | Labrador | Scalise    |
| Cummings  | Meeks    |            |

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1132

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. CLEAVER. Mr. Speaker, I regrettably missed votes on July 12 through 14, 2017. I regrettably had to attend and preside over the funeral of a good friend and civic leader in Kansas City.

Had I been present I would have voted as follows on H.R. 218:

“Yes” on rollcall 351 On Motion to Recommit with Instructions: Gaining Responsibility on Water Act

“No” on rollcall 352 On Passage: Gaining Responsibility on Water Act

“No” on rollcall 353 Motion to Adjourn

“No” on rollcall 354 On ordering the Previous Question

“No” on rollcall 355 On Agreeing to the Resolution H. Res. 440

For H.R. 2810 Had I been present I would have voted as follows:

“No” on rollcall 356 Conaway Amendment 2

“No” on rollcall 357 Polis, Lee Amendment

“Yes” on rollcall 358 Jayapal/Pocan Amendment 5

“Yes” on rollcall 359 Nadler Amendment 6

“Yes” on rollcall 360 Blumenauer Amendment 8

“Yes” on rollcall 361 Aguilar Amendment 10

“No” on rollcall 362 Rogers (AL) Amendment 88

“Yes” on rollcall 363 Garamendi Amendment 12

“Yes” on rollcall 364 Blumenauer Amendment 13

“No” on rollcall 365 McClintock Amendment 14

“Yes” on rollcall 366 Garamendi/Hunter amendment 1

“No” on rollcall 367 Buck amendment 3

“No” on rollcall 368 Buck/Perry amendment 4

“No” on rollcall 369 Hartzler amendment 10

“No” on rollcall 370 Gosar amendment 5

“Yes” on rollcall 371 Rooney, Murphy amendment 6

“No” on rollcall 372 Franks Amendment 13

“No” on rollcall 373 Lamborn Amendment 15

“No” on rollcall 374 Frankel, Byrne Amendment 17

“No” on rollcall 375 Hunter, Wilson Amendment 18

“Yes” on rollcall 376 McGovern, Emmer Amendment 43

“Yes” on rollcall 377 Motion to Recommit H.R. 2810

“Yes” on rollcall 378 Final Passage of H.R. 2810

## PERSONAL EXPLANATION

Mr. BILIRAKIS. Mr. Speaker, because of a funeral of a family member, I was not present on Friday, July 14, for votes during National Defense Authorization Act of 2017. Had I been here I would have voted in the following manner.

Rollcall Vote 372—“Yea”

Rollcall Vote 373—“Yea”

Rollcall Vote 374—“Yea”

Rollcall Vote 375—“Yea”

Rollcall Vote 376—“Yea”

Rollcall Vote 377—MTR—“Nay”

Rollcall Vote 378—Final Passage—“Yea”

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS ON H.R. 218, H.R. 2910, AND H.R. 2883

Mr. SESSIONS. Mr. Speaker, the Rules Committee issued announcements outlining the amendment process for three measures that likely will be before the Rules Committee next week.

An amendment deadline has been set for Tuesday, July 18, at 10 a.m., for H.R. 218, the King Cove Road Land Exchange Act; H.R. 2910, the Promoting Interagency Coordination for Review of Natural Gas Pipelines Act; and H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act.

The text of these measures is available on the Rules Committee website. Feel free to contact me or a member of the Rules Committee if Members have any questions.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

## RECORDED VOTE

Mr. THORNBERRY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 344, noes 81, not voting 8, as follows:

[Roll No. 378]

AYES—344

|          |
|----------|
| Abraham  |
| Aderholt |
| Aguilar  |

|           |
|-----------|
| Allen     |
| Amodei    |
| Arrington |

|            |
|------------|
| Babin      |
| Bacon      |
| Banks (IN) |

|                   |
|-------------------|
| Barletta          |
| Barr              |
| Barton            |
| Beatty            |
| Bera              |
| Bergman           |
| Beyer             |
| Biggs             |
| Bishop (GA)       |
| Bishop (MI)       |
| Bishop (UT)       |
| Black             |
| Blackburn         |
| Blum              |
| Blunt Rochester   |
| Bost              |
| Boyle, Brendan F. |
| Brady (PA)        |
| Brady (TX)        |
| Brat              |
| Bridenstine       |
| Brooks (AL)       |
| Brooks (IN)       |
| Brown (MD)        |
| Brownley (CA)     |
| Buchanan          |
| Buck              |
| Bucshon           |
| Budd              |
| Burgess           |
| Bustos            |
| Byrne             |
| Calvert           |
| Carbajal          |
| Cárdenas          |
| Carter (GA)       |
| Carter (TX)       |
| Cartwright        |
| Castor (FL)       |
| Castro (TX)       |
| Chabot            |
| Cheney            |
| Clay              |
| Clyburn           |
| Coffman           |
| Cole              |
| Collins (GA)      |
| Collins (NY)      |
| Comer             |
| Comstock          |
| Conaway           |
| Connolly          |
| Cook              |
| Cooper            |
| Correa            |
| Costa             |
| Costello (PA)     |
| Courtney          |
| Cramer            |
| Crawford          |
| Crist             |
| Cuellar           |
| Culberson         |
| Curbelo (FL)      |
| Davidson          |
| Davis (CA)        |
| Davis, Danny      |
| Davis, Rodney     |
| Delaney           |
| DeLauro           |
| DelBene           |
| Demings           |
| Denham            |
| Dent              |
| DeSantis          |
| DesJarlais        |
| Deutch            |
| Diaz-Balart       |
| Dingell           |
| Doggett           |
| Donovan           |
| Duffy             |
| Duncan (SC)       |
| Dunn              |
| Emmer             |
| Engel             |
| Estes (KS)        |
| Esty (CT)         |
| Evans             |
| Farenthold        |
| Faso              |
| Ferguson          |
| Fitzpatrick       |
| Fleischmann       |
| Flores            |

|                   |
|-------------------|
| Fortenberry       |
| Foster            |
| Fox               |
| Frankel (FL)      |
| Franks (AZ)       |
| Frelinghuysen     |
| Gaetz             |
| Gallagher         |
| Galleo            |
| Garamendi         |
| Gianforte         |
| Gibbs             |
| Gonzalez (TX)     |
| Goodlatte         |
| Gosar             |
| Gottheimer        |
| Gowdy             |
| Granger           |
| Graves (GA)       |
| Graves (LA)       |
| Graves (MO)       |
| Green, Al         |
| Green, Gene       |
| Grothman          |
| Guthrie           |
| Hanabusa          |
| Handel            |
| Harper            |
| Hartzler          |
| Hastings          |
| Heck              |
| Hensarling        |
| Herrera Beutler   |
| Hice, Jody B.     |
| Higgins (LA)      |
| Higgins (NY)      |
| Hill              |
| Himes             |
| Holding           |
| Hollingsworth     |
| Hoyer             |
| Hudson            |
| Huizenga          |
| Hultgren          |
| Hunter            |
| Hurd              |
| Issa              |
| Jackson Lee       |
| Jenkins (KS)      |
| Jenkins (WV)      |
| Johnson (LA)      |
| Johnson (OH)      |
| Johnson, E. B.    |
| Johnson, Sam      |
| Jordan            |
| Joyce (OH)        |
| Kaptur            |
| Katko             |
| Keating           |
| Kelly (MS)        |
| Kelly (PA)        |
| Kihuen            |
| Kilmer            |
| Kind              |
| King (IA)         |
| King (NY)         |
| Kinzinger         |
| Knight            |
| Krishnamoorthi    |
| Kuster (NH)       |
| Kustoff (TN)      |
| LaHood            |
| LaMalfa           |
| Lamborn           |
| Lance             |
| Langevin          |
| Larsen (WA)       |
| Larson (CT)       |
| Latta             |
| Lawson (FL)       |
| Lewis (MN)        |
| Lieu, Ted         |
| Lipinski          |
| LoBiondo          |
| Loeback           |
| Long              |
| Loudermilk        |
| Love              |
| Lowe              |
| Lucas             |
| Luetkemeyer       |
| Lujan Grisham, M. |
| Lujan, Ben Ray    |
| Lynch             |
| MacArthur         |

|                   |
|-------------------|
| Maloney,          |
| Carolyn B.        |
| Maloney, Sean     |
| Marchant          |
| Marino            |
| Marshall          |
| Mast              |
| McCarthy          |
| McCaul            |
| McCollum          |
| McEachin          |
| McHenry           |
| McKinley          |
| McMorris          |
| Rodgers           |
| McNerney          |
| McSally           |
| Meadows           |
| Meehan            |
| Messer            |
| Mitchell          |
| Moolenaar         |
| Mooney (WV)       |
| Moulton           |
| Mullin            |
| Murphy (FL)       |
| Murphy (PA)       |
| Newhouse          |
| Noem              |
| Nolan             |
| Norcross          |
| Norman            |
| Nunes             |
| O'Halleran        |
| O'Rourke          |
| Olson             |
| Palazzo           |
| Palmer            |
| Panetta           |
| Pascarell         |
| Paulsen           |
| Pearce            |
| Pelosi            |
| Perlmutter        |
| Perry             |
| Peters            |
| Peterson          |
| Pingree           |
| Pittenger         |
| Poe (TX)          |
| Poliquin          |
| Posey             |
| Quigley           |
| Ratcliffe         |
| Reed              |
| Reichert          |
| Renacci           |
| Rice (NY)         |
| Rice (SC)         |
| Roby              |
| Roe (TN)          |
| Rogers (AL)       |
| Rogers (KY)       |
| Rohrabacher       |
| Rokita            |
| Rooney, Francis   |
| Rooney, Thomas J. |
| Ros-Lehtinen      |
| Rosen             |
| Roskam            |
| Ross              |
| Rothfus           |
| Rouzer            |
| Roybal-Allard     |
| Royce (CA)        |
| Ruiz              |
| Ruppersberger     |
| Rush              |
| Russell           |
| Rutherford        |
| Ryan (OH)         |
| Sanford           |
| Sarbanes          |
| Schiff            |
| Schneider         |
| Schweikert        |
| Scott (VA)        |
| Scott, Austin     |
| Scott, David      |
| Sensenbrenner     |
| Sessions          |
| Sewell (AL)       |
| Shea-Porter       |
| Shimkus           |
| Shuster           |

|               |               |                |
|---------------|---------------|----------------|
| Simpson       | Thornberry    | Wasserman      |
| Sinema        | Tiberi        | Schultz        |
| Sires         | Tipton        | Waters, Maxine |
| Smith (MO)    | Titus         | Weber (TX)     |
| Smith (NE)    | Torres        | Webster (FL)   |
| Smith (NJ)    | Trott         | Wenstrup       |
| Smith (TX)    | Turner        | Westerman      |
| Smith (WA)    | Upton         | Williams       |
| Smucker       | Valadao       | Wilson (FL)    |
| Soto          | Veasey        | Wilson (SC)    |
| Stefanik      | Wagner        | Wittman        |
| Stewart       | Walberg       | Womack         |
| Stivers       | Walden        | Woodall        |
| Suozzi        | Walker        | Yoder          |
| Taylor        | Walorski      | Yoho           |
| Tenney        | Walters, Mimi | Young (AK)     |
| Thompson (MS) | Walz          | Young (IA)     |
| Thompson (PA) |               | Zeldin         |

## NOES—81

|                |              |                |
|----------------|--------------|----------------|
| Adams          | Gohmert      | Pallone        |
| Amash          | Gomez        | Payne          |
| Barragán       | Griffith     | Pocan          |
| Bass           | Grijalva     | Polis          |
| Blumenauer     | Gutiérrez    | Price (NC)     |
| Bonamici       | Harris       | Raskin         |
| Butterfield    | Huffman      | Richmond       |
| Capuano        | Jayapal      | Sánchez        |
| Carson (IN)    | Jeffries     | Schakowsky     |
| Chu, Judy      | Johnson (GA) | Schrader       |
| Cicilline      | Kelly (IL)   | Serrano        |
| Clark (MA)     | Kennedy      | Sherman        |
| Clarke (NY)    | Khanna       | Slaughter      |
| Cohen          | Kildee       | Speier         |
| Conyers        | Lawrence     | Swalwell (CA)  |
| Crowley        | Lee          | Takano         |
| DeFazio        | Levin        | Thompson (CA)  |
| DeGette        | Lewis (GA)   | Tonko          |
| DeSaulnier     | Lofgren      | Tsongas        |
| Doyle, Michael | Lowenthal    | Vargas         |
| F.             | Massie       | Vela           |
| Duncan (TN)    | Matsui       | Velázquez      |
| Ellison        | McClintock   | Visclosky      |
| Eshoo          | McGovern     | Watson Coleman |
| Espallat       | Meng         | Welch          |
| Fudge          | Moore        | Yarmuth        |
| Gabbard        | Nadler       |                |
| Garrett        | Neal         |                |

## NOT VOTING—8

|           |          |            |
|-----------|----------|------------|
| Bilirakis | Jones    | Napolitano |
| Cleaver   | Labrador | Scalise    |
| Cummings  | Meeks    |            |

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1139

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: “A bill to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.”.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall votes No. 356 through No. 378 due to my spouse's health situation in California. Had I been present, I would have voted “no” on the Conaway Amendment, “yea” on the Polis Amendment, “yea” on the Jayapal Amendment, “yea” on the Nadler Amendment, “yea” on the Blumenauer Amendment, “yea” on the Aguilar Amendment, “no” on the Rogers Amendment, “yea” on the Garamendi Amendment, “yea” on the Blumenauer Amendment No. 13, “no” on the

McClintock Amendment, “yea” on the Garamendi Amendment, “no” on the Buck Amendment, “no” on the Perry Amendment, “no” on the Harzler Amendment, “no” on the Gosar Amendment, “no” on the Rooney Amendment, “no” on the Franks Amendment, “no” on the Lamborn Amendment, “no” on the Byrne Amendment, “no” on the Hunter Amendment, and “yea” on the McGovern Amendment. I would have also voted “yea” on the Motion to Recommit. I would have also voted “no” on final passage of H.R. 2810—National Defense Authorization Act of Fiscal Year 2018.

#### AUTHORIZING CLERK TO MAKE TECHNICAL AND CONFORMING CHANGES TO H.R. 2810, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that, in the engrossment of H.R. 2810, the Clerk be authorized to correct section numbers, punctuation, and cross-references, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill, and that the instruction in amendment No. 35 printed in House Report 115-217 be changed from page 125 to page 121, and that the instruction in amendment No. 1 printed in part B of House Report 115-212 be changed from page 569, line 12, to page 569, line 14.

The SPEAKER pro tempore (Mr. FRANCIS ROONEY of Florida). Is there objection to the request of the gentleman from Texas?

There was no objection.

## LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I rise to inquire of the majority leader the schedule for the week to come, and I yield to my friend, Majority Leader MCCARTHY from California.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, on Monday, the House will meet at noon for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30.

On Tuesday and Wednesday, the House will meet at 10 a.m. for morning hour and noon for legislative business.

On Thursday, the House will meet at 9 a.m. for legislative business.

Mr. Speaker, the House will consider a number of suspensions next week, a complete list of which will be announced by close of business today.

In addition, the House will consider three bills that help modernize our energy infrastructure and fully utilize America's natural resources.

First will be H.R. 2910, the Promoting Interagency Coordination for Review of Natural Gas Pipelines Act, sponsored

by Representative BILL FLORES. This bill would ensure better coordination between FERC and other agencies in the permitting of new pipelines, while improving accountability by requiring more public disclosures.

Next would be H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act, sponsored by Representative MARKWAYNE MULLIN. This important bill establishes a uniform and transparent process for constructing electric transmission facilities and cross-border pipelines.

And third, H.R. 806, the Ozone Standards Implementation Act, sponsored by Representative PETE OLSON, which streamlines the compliance process and ensures reasonable implementation of the 2015 air quality standards.

Lastly, Mr. Speaker, the House will consider H.R. 218, the King Cove Land Exchange Act, sponsored by Representative DON YOUNG. This land exchange will provide the residents of King Cove a safe and reliable transportation route to necessary medical care.

I look forward to passing these critical bills in the House.

Finally, Mr. Speaker, additional legislative items are possible in the House.

Mr. Speaker, if I could take a moment and wish Chairman THORNBERRY a happy birthday tomorrow. I think passing his bill today was that birthday gift from all.

I will notify Members of any changes to our schedule.

Mr. Speaker, I thank my friend for yielding.

Mr. HOYER. Mr. Speaker, I thank the majority leader for that information.

Mr. Speaker, I might say that that may be the most expensive birthday present anybody ever has gotten, when you mentioned Mr. THORNBERRY. The chairman has done very well, and I congratulate him on his work and on his bipartisan working together with his committee members.

The majority leader and I have talked about this briefly, but, obviously, we now have on the schedule 2 weeks left to go to do our business. There is some discussion in the Senate, as the gentleman knows, about them meeting into August.

Obviously, one of the problems with that is for, particularly, younger Members. A lot of Members here have children who go back to school the third week in August, so the first 2 weeks are not available to them.

Can we give them some direction on whether or not we expect to be here past the scheduled adjournment date of July 31?

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I thank my friend for yielding.

As of now, I have no scheduled changes to what has been announced. I do want to notify the Members,

though, when the Senate sends us a healthcare bill, if we are still in session, we will move to the healthcare bill. If we are out, back in our districts, I would give them a notified time appropriate to come back and begin our work. We would not wait until the recess is over. We would begin work.

Mr. HOYER. Mr. Speaker, I thank the gentleman for his comments. Members ought to plan accordingly.

Secondly, Mr. Speaker, the Appropriations Committee is marking up its bills, but we have not yet adopted a budget and, therefore, have no House-approved top line for discretionary spending.

Can the majority leader give us any view as to whether or not the Budget Committee may be reporting, before we leave for the August break, a budget establishing an upper line for discretionary spending?

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

I have two good pieces of information I would take from there. The Budget Committee will be marking up in committee next week. Appropriations, as you know, because you were a member of it, I have never seen appropriations work like they have this year, knowing that we have a new administration, knowing that you get the budget late, but they have every single bill, all 12, out of subcommittee already. As of the end of the day, they will have seven out of full committee, and at the end of next week, they will have all 12 done through subcommittee and full committee.

So I knew you would be excited. Those are concerns of yours.

Mr. HOYER. Mr. Speaker, I thank the majority leader for his observation.

I might say, if I can, the first year I was majority leader, which was in 2007, we passed all appropriations bills before the August break to the Senate, but I am pleased that the Appropriations Committee is moving forward, and let's hope that we can honor regular order.

Does the majority leader expect us to consider each of the bills that the gentleman refers to as having been passed through subcommittee, some through full committee? Do we expect to consider those discretely one at a time on the floor?

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, no decision has been made yet. Knowing that we are in a different situation with a new administration, there is an opportunity to do it differently but be able to make sure we take up all the bills. I will keep the gentleman notified of when decisions are made.

Mr. HOYER. Mr. Speaker, I thank the majority leader.

Mr. Speaker, in addition, one of the things, obviously, that I think both

sides are concerned about, and Secretary Mnuchin has urged, and others have urged us to deal with, is the debt limit. We are not exactly sure when it will be necessary and when the administration will run out of extraordinary measures to ensure that we pay our bills.

I have told the majority leader privately and I have said publicly to the press that assuming we have a clean debt limit extension, it would be my intention to urge my Members to support such a clean debt limit extension.

Does the gentleman have any thought as to when we might be considering that?

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I thank my friend for yielding and for the question.

Mr. Speaker, I do agree with the gentleman on the premise that it is responsible fiscal policy and it is important to our country's ability to succeed, that includes honoring the full faith and credit of the United States.

The last information I was given, I believe this is public, is that the debt ceiling will not run out until October. There was conversation that that could have been earlier, but we will continue to work with you and Secretary Mnuchin to make sure we pass an extension.

Mr. HOYER. Mr. Speaker, I thank the gentleman.

Mr. Speaker, lastly, I would say that obviously I know the gentleman and I, and I think the overwhelming majority of Members of the House on both sides of the aisle, are very concerned that we ensure that sanctions on Iran's malevolent actions and Russia's actions, including involving itself in an American election, is an item of concern. I know the gentleman is working on it.

Can the gentleman tell me what he thinks the schedule for that bill might be?

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, as the gentleman knows, unfortunately, in the Senate, we had a constitutional challenge on a blue slip on the way they passed their bill. There is concern on this side that we want to make sure we move that bill in a very quick manner and do it correctly.

I do believe that there is a bill that moved out of here that there is an addition that should be added, North Korea. That came out of here 419-1, but I believe Iran, the work that Russia has done, and what North Korea has done, it would be a very strong statement for all of America to get that sanction bill completed and done and to the President's desk as soon as possible.

Mr. HOYER. Mr. Speaker, I thank the gentleman. I share that view that we want to get this done as soon as possible.

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

ADJOURNMENT FROM FRIDAY, JULY 14, 2017, TO MONDAY, JULY 17, 2017

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday, July 17, 2017, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

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

There was no objection.

#### ENSURING VETERAN ACCESS TO SNAP

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this week the House debated the National Defense Authorization Act, which I believe is one of the most essential responsibilities of Congress, to fund our armed services. This House works to ensure our servicemen and -women have the resources they need to keep America safe.

We must also make certain that our veterans, our military, have access to the resources they need to be successful in civilian life. This certainly includes access to nutritional food.

Out of the 22 million veterans in the United States, about 1.7 million are in households that currently participate in the Supplemental Nutrition Assistance Program, or SNAP. Approximately 46 percent of our veterans are senior citizens, including those who served in World War II, Korea, and Vietnam.

Veterans of all ages may also have widely varying levels of disabilities or limitations. SNAP cannot solve all of the challenges a veteran or a member of an Active-Duty military family faces, but it can help eligible veterans once they return home.

As the Agriculture Committee prepares the next farm bill, we must remain vigilant in our dedication to serve those who have given so much in the defense of our Nation.

#### IN TRIBUTE TO KAYE FISSINGER

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

Mr. POLIS. Mr. Speaker, I rise today in tribute to Kaye Fissinger, a late resident of Colorado, who passed away at the age of 73.

I only got to know Kaye during her time in Colorado the last 11 years of

her life. I got to meet her through her work in founding Our Health, Our Future, Our Longmont that initiated a successful fracking ban for the city of Longmont and dealt with the disposal of fracking waste products in the city of Longmont.

While, unfortunately, that fracking ban was later overturned by the Supreme Court, the legacy of her citizen activism should be inspiring for all of us. Her friend, Marisa Dirks, said: "She was a fierce warrior for democracy and for our environment. . . ."

Our mutual friend, Bob Norris, said: "Kaye was dedicated to many aspects of having a better and safer environment for all."

Kaye is somebody who, as a citizen, was able to pull people together and had more effect on keeping people safe than the politicians. Kaye truly helped give voice to the power of the people, and her legacy will live on with all those who were touched and protected by her actions.

#### BUCKS COUNTY, PENNSYLVANIA, WELCOMES THE VIETNAM TRAVELING MEMORIAL WALL

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

Mr. FITZPATRICK. Mr. Speaker, this weekend, Bucks County, Pennsylvania, welcomes the Vietnam Traveling Memorial Wall to Penndel Memorial Field.

Fifty years ago, many brave women and men from Bucks and Montgomery Counties were among the tens of thousands who would give their lives in the Vietnam war. The traveling wall is a large-scale replica of the memorial here in Washington, D.C. It moves around the Nation, providing remembrance and healing to local communities like Bucks County, where 136 soldiers were killed or MIA during the Vietnam war.

I am proud of the Penndel-Hulmeville Memorial Day Parade Committee, Ed Preston; Mike Fitzpatrick; Rich Rush; Vince and Lori Muscato; Mike Sodano; Tom Preston; Ray Mongillo; Walt Davidson; Vicki McLaughlin; Paul Shanahan; Paul and Alexandria Schnider; Dale Walton, Jr.; Carol Beauchamp; Greg Woodrow; and all the volunteers and veterans for their relentless effort to bring the Vietnam Traveling Memorial Wall to Bucks County.

As we honor those who died in service of our Nation, we, too, thank all of those who have served, and we pause to thank and think of those who are defending our country today.

#### STRENGTHENING DOD'S RESPONSE TO PFOA AND PFOS WATER CON- TAMINATION

(Mr. BRENDAN F. BOYLE of Pennsylvania asked and was given permis-

sion to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I want to thank the House Armed Services Committee for working with me to strengthen the Defense Department's response to PFOA and PFOS water contamination issues.

These contaminants are plaguing communities due to the use of AFFF firefighting foams across our Nation, including in Horsham and Willow Grove, Pennsylvania, in my district.

I have been fighting for Federal resources and responsibility since first learning of these issues.

With my amendment, and the \$30 million increases each for the Air Force and Navy to combat this issue that we fought so hard for, this bill is an important step in the right direction toward addressing this issue any and every way we possibly can, but our fight continues.

My bipartisan legislation, H.R. 3106, would require an enforceable nationwide drinking water standard for PFCs, including PFOA and PFOS, rather than the current voluntary advisory.

I will keep fighting to address this issue with the seriousness it merits.

□ 1200

#### BENEFITS OF NATIONAL DEFENSE FUNDING

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

Mr. TAYLOR. Mr. Speaker, I rise to voice my support for the National Defense Authorization Act.

The United States of America is the greatest force for freedom, peace, and prosperity. We are the greatest because we have built a military that has the best equipped, the best trained, and the best led fighting force the world has ever known.

Mr. Speaker, we all have a moral responsibility to every servicemember who puts their life on the line for America. That responsibility is to give them superior equipment, sound strategy that doesn't put them in unnecessary danger, and care for their families while they are away. This bill gives our troops a sorely-needed pay raise, and helps to rebuild our military, thus fulfilling our promise.

In the words of George Washington: "To be prepared for war is the most effectual means of preserving peace."

I am proud of this bill, and I am thankful for my amendment to be included in it, that expands veteran opportunities to get credentialed. It allows servicemembers to use the skills they developed in the military to be more competitive in the workforce. It allows them to get credentialed for in-demand professions that are valued by our civilian employers.

Mr. Speaker, I am proud of this bill, and I am thankful for all those who worked on it.

#### SENATE REPUBLICAN HEALTHCARE BILL SHOULD BE TOSSED IN THE TRASH

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

Ms. BARRAGÁN. Mr. Speaker, the new version of the Senate Republican healthcare bill should be tossed in the trash. No amendment will fix the massive damage it will cause to California and the entire country.

Women, seniors, and low-income families across the country are being threatened. TrumpCare threatens to shut down hospitals in my district, which would leave many of my constituents without access to critical healthcare services.

People like Doreen from Los Angeles County, will be forced to fight for their lives. Doreen was in remission from ovarian cancer in 2010, when she successfully signed up to receive coverage through the Affordable Care Act, even though she had a preexisting condition. Now she is scared for her life as TrumpCare threatens to take away the healthcare she needs to stay cancer free.

I stand up for "fighters," "luchadoras" like Doreen—a woman, senior, and cancer survivor—who will be left helpless by TrumpCare.

Again, the Senate Republican healthcare bill should be tossed in the trash.

#### TRIBUTE TO SENATOR LUKE KENLEY

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

Mr. BANKS of Indiana. Mr. Speaker, I rise today to pay tribute to one of the most influential legislators in the history of the Indiana General Assembly, Luke Kenley, who has recently announced his decision to retire after 25 years of service representing District 20 in the Indiana State Senate.

Senator Kenley was an invaluable resource and mentor during my 6 years of service in the State Senate, and I am grateful that I had the opportunity to learn from him.

Senator Kenley has established himself as a champion of fiscal responsibility and limited government. His accomplishments are too numerous to fully list here, but since 2009, he has led the Senate Appropriations Committee, during which time Indiana passed five balanced budgets, cut taxes, invested in priorities, and built a substantial rainy day fund. And Senator Kenley has been the architect of our State's remarkable fiscal turnaround, and his



impact on Hoosiers will be felt for generations to come.

With a national debt approaching \$20 trillion, I think it is fair to say we could use a lot more of Luke Kenley's style of leadership here in our Nation's Capital.

I wish him well as he prepares to step down on September 30, and I thank him for his remarkable service.

#### FIRST, DO NO HARM

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, those who support the GOP medical bill have forgotten one of the main and first principles of medical care: Do no harm.

They said repeatedly that they would protect preexisting conditions. They said that they would protect accessible and affordable healthcare and premiums. But they must have been crossing their fingers when they said it because nothing is further from the truth.

Under their latest bill, premiums will soar, particularly for the elderly. Women would have to, once again, worry about preexisting conditions, such as pregnancy.

The defunding of Planned Parenthood would hurt many women, particularly low-income women.

And the cuts to Medicare in the bill would be devastating to millions of women, seniors, children, and the disabled.

In addition, the diminished subsidies could mean that more people than the 22 million in the last bill who were removed from healthcare under the bill will lose their healthcare.

Vote "no" on this disastrous bill.

#### CHINA ABUSES ITS OWN PEOPLE

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

Mr. POE of Texas. Mr. Speaker, the United States is finally holding China accountable for its longstanding human trafficking abuses.

In the State Department's 2017 Trafficking in Persons Report, China was downgraded to the worst level: tier 3.

This means that, in the past year, the Chinese have done little to nothing to end human trafficking, which is nothing more than modern-day slavery in this communist nation.

China's crimes include state-sponsored forced labor, sex trafficking, and trafficking of children, men, and women from other countries.

This puts China alongside some of the world's worst offenders of human rights: Russia, Syria, and Iran.

It illegally detains and tortures its own people, as well as U.S. citizens

that are there. It also restricts the fundamental human right to free speech and freedom of religion.

China is allowing labor and sex trafficking to flourish in its borders. Now the entire world knows what has been taking place behind their great wall of brutality: abuse.

And that is just the way it is.

#### WE CANNOT LET POLITICS GET IN THE WAY OF PATRIOTISM

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

Mr. DEUTCH. Mr. Speaker, we cannot allow politics to get in the way of patriotism in this House.

We might disagree about healthcare, or we might disagree about tax reform, but I know that there are patriots in this House who want to stand together against Russian interference in our elections, patriots who will record their votes for country above party.

The Senate passed Russia sanctions 98-2. This is not controversial policy. The controversy, Mr. Speaker, is the refusal to let us vote on it. If you call the vote, Russian sanctions would pass; they would pass with an overwhelming bipartisan majority of patriots, those of us who refuse to let anyone stand in the way of defending our Nation.

When this Nation is under attack, we must come together, Mr. Speaker. Let us vote to condemn Russian cyber attacks, let us vote to insulate sanctions from political interference, and let us stand together as patriots to defend the United States.

Mr. Speaker, bring the Russia sanctions bill, the one that passed the Senate last week, the one that passed 98-2, bring it to a vote here, let us pass it, send it to the President's desk, and see whether he will sign it.

#### CONGRATULATING SUSQUEHANNA VALLEY EMERGENCY MEDICAL SERVICES

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

Mr. SMUCKER. Mr. Speaker, I rise today to congratulate Susquehanna Valley Emergency Medical Services, a first responder organization in my district, for receiving the American Heart Association's Gold Plus Award. Only 1 percent of organizations nationwide achieve this designation.

The designation recognizes the great length that Susquehanna EMS has taken to improve the treatment of patients suffering from severe heart attacks.

Last year, Susquehanna EMS personnel provided lifesaving treatment to 94 percent of patients within the critical 90-minute time period prescribed by the American Heart Association.

These remarkable individuals who serve have taken incredible pride in their work that has had real lifesaving results in our community.

To the dedicated men and women of Susquehanna Valley EMS, I and your community thank you.

#### SANCTION THE KGB, MR. PUTIN, AND RUSSIA

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

Ms. JACKSON LEE. Mr. Speaker, we are not Republicans and we are not Democrats. We are Americans, and we draw together around the protecting of America's security.

With that in mind, you can imagine my shock as a member of the Judiciary Committee to find out that a KGB agent was in a meeting with Jared Kushner, who now has a security clearance, and Donald Trump, Jr., among others.

I was shocked to find out that the lawyer who was present in that meeting had a \$200 million lawsuit to stop being sued on the money laundering, and that that lawsuit was settled by the Trump Justice Department for \$6 million—\$200 million down to \$6 million. To the American people, that means that the \$200 million that was owed to this government turned out to be \$6 million.

That is why I will have a resolution to ask the President to step down. And, as well, to introduce a resolution—a constitutional resolution—to begin a constitutional investigation into whether or not we are protected here in this Nation.

Our security is our greatest priority.

I would also suggest that the sanctions bill that was voted on in the Senate must be voted on in the House now. We cannot still continue to hide the ball. Sanction the KGB, sanction Mr. Putin, sanction Russia. They are, in fact, here to demolish the democracy of this Nation.

#### YAKIMA VALLEY'S BEST BEER EXPERIENCE AWARD

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

Mr. NEWHOUSE. Mr. Speaker, I rise today to celebrate a region in my district, the Yakima Valley, for being recognized as the winner of the World Food Travel Association's FoodTrekking Award for Best Beer Experience.

John Cooper, president and CEO of Yakima Valley Tourism, nominated the region for the award, and this is just one example of the efforts John and his group are making to promote the budding beer and hospitality industries of the Yakima Valley.

The FoodTrekkling Awards recognize excellent food and beverage tourism experiences all over the world, and it is an honor for Yakima to be selected as the winner for the Best Beer Experience among the international applicants. Central Washington's beer industry is thriving and has greatly contributed to the increase in tourism as well as the overall economic development of the area.

As a third-generation hops farmer from the Yakima Valley, I am proud that our fellow growers and our local craft brewers are receiving recognition for their efforts in making our region a unique travel destination.

Please join me in congratulating John, his team, and the entire industry for helping bring such a prestigious award to Washington's Fourth District.

#### HONORING THE LIFE OF NEW YORK STATE TROOPER JOEL R. DAVIS

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

Ms. TENNEY. Mr. Speaker, I rise today to honor the life of New York State Trooper Joel R. Davis.

Trooper Davis was tragically killed in the line of duty on July 9, while responding to a domestic disturbance call in the town of Theresa, in upstate New York. Another victim was also tragically killed in this terrible accident.

Trooper Davis was a father, son, husband, and a friend to many. He was deeply involved in his community, and also served as the commissioner of a local youth league baseball team. Trooper Davis was well-respected by all those who worked with him and beloved by everyone.

As New Yorkers, we stand in solidarity to mourn the life of Trooper Davis, a dedicated public servant and a life that was too soon lost. At this heartbreaking time, we offer our condolences to his family, community, and colleagues alike.

It is at times like these that we come together and pause to extend our gratitude in all law enforcement in our State and across the Nation who risk their lives every day to protect us and to keep us safe.

We are grateful for their dedication, service, and bravery of outstanding members like Trooper Joel Davis, who will rest in peace.

#### THANKING JANET BOSLEY

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

Mr. BIGGS. Mr. Speaker, I rise today to honor the life and public service of Janet Bosley. Janet has been a case-worker in my district office and pre-

viously served my predecessor, Congressman Matt Salmon. She is a wife, a mother, a grandmother, and I am very happy to call her my friend.

Janet will soon be retiring. She faithfully served the constituents of Arizona's Fifth Congressional District for the past 5 years, and her steady presence in the district has been invaluable.

My staff and I are going to miss Janet's infectious smile and her witty stories. She is one of the most engaging people I have known, and my life has been blessed because of her friendship and example.

I wish her the best of luck and happiness as she moves into this new chapter in her life.

Thank you, Janet. May God bless you.

□ 1215

#### THE ROLE OF GOVERNMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Oklahoma (Mr. RUSSELL) is recognized for 60 minutes as the designee of the majority leader.

Mr. RUSSELL. Mr. Speaker, there is a lot of discussion as we gather to talk about the role of government and almost everything that we do day to day. I think most Americans, as they go to work and they look at how the government's role is in their lives, they don't really give the government a lot of thought. They want to be left alone.

They are willing to pay some measure of taxes to have things that we all agree on, like schools, roads, bridges, stoplights, national defense, other things. We like to see efficient government. We like to see it small. We like to see it without waste.

If there are things that other services can provide without it being done by government, we like choices. We like privatization. We like the private sector.

But there are certain things, Mr. Speaker, that the government does have a role in. This was recognized by perhaps the finest American we ever produced, Abraham Lincoln, when he said: "The legitimate object of government is to do for the people what needs to be done, but which they can not, by individual effort, do at all, or do so well, for themselves."

Mr. Speaker, there are three sectors in which the government does have a role; and we as conservatives might want limited government, efficiency, and lack of waste, and our colleagues on the other side of the aisle would want similar things, but they might approach it a different way. We all, as Americans, have a moral obligation to protect the security of the United States of America. We have just seen that with the passage of the National

Defense Authorization. But what I would like to address today is a breach in one of our pillars of national security with a proposal with our aerospace.

The three areas that we must safeguard and protect are our national defense, our national intelligence, and our national aerospace.

We are considering now an AIRR Act, H.R. 2997, which would take the Federal Aviation Administration's reauthorization, which we have to do, and it will pretty much remove Federal control of air traffic controllers and the control of our aerospace and put it into private industry. Many of us, in a bipartisan fashion, have grave concerns with this. I am one of them.

If you look at H.R. 2997, what you will find is that the President has diminished authority. In the 1980s, when air traffic controllers, through their unions, went on strike and they said, "We are not going to play; we are going to picket," and it put the United States at risk, Ronald Reagan warned them by saying, "If you do that, you are fired."

They said, "Oh, he is not going to do that. How is he going to control the skies?"

The President, acting on his constitutional responsibilities, fired them. He took control, as he should have, and air traffic controllers, by the thousands, were removed, and others were put in their place.

H.R. 2997 would remove this type of authority that the President of the United States would have. If this bill were to become law, President Reagan would not have been able to do what he did in the 1980s.

It also removes title 31 authority. What is that? Well, title 31 authority is how we, through the appropriations process and through the power of the purse, control and oversee government so that we, the people, and their duly-elected representatives are able to control the aspects and agencies of government; because without this, without this power of the purse and without this powerful oversight tool, you might have bureaucracies become an entity unto themselves.

So title I authority is vital that we have those hearings, controls, measures, and prohibitions so that even if something is decided on, money is not authorized, and, therefore, it gets shut down. Title 31 authority in H.R. 2997 would be removed.

There are also no other oversight provisions that would be put in its place. Why? Because what it is doing is it will take the Federal Aviation Administration's air traffic control system and it will put it into the hands of a private company.

Now, I am all about privatization in business and choices, and there are a lot of things. But going back to the

Lincoln quote, there are certain collective things that we cannot do as individuals and that the government has a role.

If waste, inability to procure, inability to modernize, or inefficiencies were a condemnation to privatize everything, then why don't we just privatize national defense? They waste money. They have trouble procuring. They have trouble modernizing. Why don't we just turn over national defense to the private sector?

We would never do such a thing because it would place all of us at risk. Yet we are going to take the national aerospace control of the skies, and as it stacks up—and there is a lot that goes on up there, as I will illustrate—we are going to put that into the hands of a private company.

This private company would have a board, but it will not have title I authority oversight, and under its current form, the President will have diminished authority only in time of war to take control of the aerospace system.

This is a bad idea.

It also transfers all DOD intelligence agencies, the Department of Defense intelligence agencies, Homeland Security support to this private entity.

Today, the FAA does a lot of things with their air traffic controllers. What do they do? At any given moment, and as many of you flew into Washington, D.C., to come and see your government at work, you flew on an airline. Sometimes there are delays. You get it. There is weather. There are different things. Other times, you are sitting there and it is clear as a bell and you are wondering what is the holdup.

Part of the reason, unknown to even the pilots on the tarmac, is that there are missions that our military performs. There are national intelligence missions that are being performed and surveillance missions that are being performed. There are homeland security and border security missions that are being performed.

When they take priority, they also take priority for air traffic control and the clearances, and many times things will have to be rerouted to accommodate it. The American public and even the pilots on the planes are none the wiser.

Now, under H.R. 2997, the problem that you will have is that all of this authority will now be coordinated with a private entity. I will explain why this is a problem in a moment.

As a conservative, I am all about privatization where it makes sense, but when it comes to national security, as a combat infantryman, a veteran of three wars, someone who served my country in uniform for 21 years, we must protect this great Republic, and there is a role for the United States Government when it comes to our national security.

When we have strayed from this and tried to privatize certain sectors, our greatest embarrassments with national intelligence have been when we have contracted to private entities for that collection. Think Edward Snowden. Think leaks in government with classified information getting out.

Where is that occurring? It is occurring with subcontractors and private entities who we were assured when we passed these laws: Oh, they will be under the same agencies, under the same systems, and everything will be fine. Trust us.

And then we in Congress have authorized that. And then what? We sit at our hearings and our committees with our bony fingers and our red faces, saying: Mr. Secretary or Mr. Agency Head, how did you let this happen?

All we have to do is look in the mirror. When we take these controls away on things that we must have a government role in—defense, intelligence, and aerospace—we are creating the very construct that causes these problems.

Our alliances were shaken. Our country was embarrassed. Our intelligence was placed at risk. Operators in the field were exposed, some even harmed, because contractors let it get out of hand.

Look at national defense. We see some of the same things. Some of the most embarrassing episodes that we have had have been with security contractors in national defense. We were told: Hey, you don't have time for that; we don't have the budget for that; we can do this more efficiently; you don't need to do this. Yet some of the most black-eyed moments have been with contractors.

Well, what about on the administrative side? That would make sense.

I see my colleague, Representative TED LIEU here. He and I have been very frustrated in seeing some of these types of decisions being made with contracting. The Office of Personnel Management: Hey, let's take this away from the Department of Defense, and let's move all of these classified personnel records, and we will have a clearinghouse, and we can contract that. Everything will be good. You don't have to devote time and treasure to do this.

Yet 25 million exposed records later of those that held security clearances—Mr. LIEU and I both receiving a letter in the mail saying that we had been exposed because we held top secret clearances in the military. And yet when we made these decisions, we said this will be really good if we move this to contracting. It will be more efficient. It will save us money, and it will be just as good. Well, that was not the case.

So now that takes us to national aerospace. What are we talking about here? Tens of thousands of aircraft in the air in flights every single day.

And if it is so broken a system, when was the last time a major, fatal airline

crash happened? Can't remember? You would have to go back a ways, which I will cover in a moment. But let's stick with these national security concerns.

H.R. 2997 diminishes the power of the President, takes away title I authority, does not replace it with any other congressional controls. Sure, it has congressional review for fee changes or rulemaking, but nothing else.

It transfers Department of Defense, Intelligence, Homeland Security, Border Security, all of these things, and it places them under a coordination with a private entity. And they assure us, oh, it will be the same system we have now; everything is going to be just fine.

But the problem is that a private entity, unlike today—did you know every air traffic controller in an air traffic control tower takes an oath of office to support and defend the Constitution of the United States?

Most people didn't even know that, to include those that crafted H.R. 2997.

They take an oath of office. They have to be a United States citizen. Why? Because it is vital to our national security.

Now we want to change that because it is efficient, and it is a broken, archaic system.

Well, we are all about modernizing. That is common ground we can all agree on. We need to modernize. But we do not need to go the direction that H.R. 2997 has, this AIRR Act.

My issues with the bill are purely on policy.

There are excellent people that have worked this issue for a number of years. They have the right motives and the right reasons for approaching this issue. But when it comes to national security, we also have a constitutional and moral requirement to support and defend our great Republic, and here is where some of that is put at risk. Let me enumerate a few of them for you.

Air traffic controllers and managers who work in air traffic control facilities across the country are routinely involved in operations that deal directly with the national security of the United States. How so? Well, most Americans, to include Members of Congress, are not even aware of this facet of their work.

For instance, prior to the beginning of Operation Enduring Freedom—this is a true story—an FAA supervisor placed a number of flight plans in front of an air traffic controller in Kansas City. Those flight plans were for B-2 Stealth bombers that were about to depart from Whiteman Air Force Base, fly across the Atlantic and drop their bombs in Afghanistan, opening the rounds of our response to 9/11, and then they would come back to Whiteman Air Force Base in Missouri.

□ 1230

Now, if you and I were sitting on the tarmac in the Kansas City airport and

looking outside, we would say, “Wow, what is the holdup?” totally oblivious.

Yet this is important work. And their mission was obviously classified at that time, but it was FAA U.S. Government air traffic controllers—not private contractors, not private company citizens—controllers and managers working these aircraft in U.S. airspace many hours prior to the start of the armed conflict.

Every time Air Force One takes off from Joint Base Andrews outside Washington, D.C., carrying very important people, to include the President of the United States, it is an FAA U.S. Government air traffic controller clearing that aircraft for takeoff. Not just clearing it, then it is an FAA U.S. Government air traffic controller and manager who ensure the security of the airspace flown by the world's most famous symbol of freedom, the shiny blue and white Boeing 747 used by Air Force One and Two as a secure way to transport our President, our Vice President, other officials, as they are called and closely monitored by the FAA and other air traffic controllers and managers anytime Air Force One or Marine One aircraft are airborne.

These are operations that go unseen. Many of them and the aspects of them are obviously classified and we could never go into here. But they are vital to our security. They should not be put in a private corporation's hands where there is no oversight and no control.

The FAA air traffic controllers and managers routinely provide airspace security, sometimes for hours on end, at locations across the country as the FBI or State and local law enforcement perform classified missions using government aircraft. In some cases, not even other aircraft know about those missions or what it is that they are conducting, depending upon the sensitivity of what it is that they are doing or is being performed.

U.S. air traffic controllers, government employees, and managers also participate in drug interdiction operations with the Drug Enforcement Administration as well as Customs and Border Protection. This might involve providing intercept vectors due to drug aircraft, drug lords trying to sneak things in or whatever it might be, and that has to alter flight plans and do very complicated things.

It might also involve protecting the airspace for drone operations. Many people are unaware that the FAA U.S. Government-Employed air traffic controllers and managers are also responsible for military flights, not just the kind that I described at our bases and airports, but this includes special-use airspace that maybe has been delegated to the United States in other countries, or to do flight training, refueling, attack and bombing missions. And these same government-employed air traffic controllers and managers are re-

sponsible for military aircraft on secret missions, to include drones and drone killers.

They are responsible for the aircraft of military uses to communicate with our nuclear infrastructure so that if we have to, God forbid, defend the Republic in that manner, they are right there in that loop of that system, not some private company.

They are also responsible for the airspace above the areas where our missile defense capacities occur and the testing systems that go on with that. You can see why handing these coordinations over to a private company might be a little problematic.

And then let's look at September 11, 2001. It was FAA U.S. Government air traffic controllers and managers who were responsible for putting over 4,000 aircraft on the ground almost immediately, in very short order, after America was attacked by terrorists using planes as weapons, killing 3,000 of our fellow citizens. But it was the rapidity of response because of the way the network is that they were able to make instant decisions, not having to coordinate through some private corporation, that they were able to do so. And I will speak more about that.

The airspace above this very Capitol and above the White House, the Supreme Court, and all the monuments that you have enjoyed as you have come to Washington, D.C., or as you work here, the symbols of our Republic, are closely watched over by the FAA, and they are air traffic controllers and managers who have sworn an oath, unlike people in private companies. They don't swear oaths. Employees of private corporations do not take oaths, nor do they promise to defend against all enemies, foreign and domestic.

Privatizing the U.S. air traffic control system will not enhance our country's national security.

Unfortunately, the national security role that FAA controllers and managers perform every day is not well known, even among Members here. But one could list a number of functions that our government performs where we do have a vested interest, the people, in saying we give this authority, we the people, to the government because we can't do this as individuals. The Federal Government does have a role.

So is it about modernization or is it about privatization? We are all in agreement on modernization, but privatization, I am afraid, Mr. Speaker, that a lot of us are like a pack of dogs lapping up antifreeze. It smells good, it might even taste good, but it is not without drastic consequence.

Just this week, we narrowly missed having to vote on this bill in its current form next week. This is why I am bringing these points out, so that we do not make this grave mistake that will

breach our national security. Well-meaning people, friends, colleagues, people with just as much passion as I may have, but yet we the people have to take a step back and protect our national security.

There are also, in H.R. 2997, no provisions to prohibit in this private corporation foreign nationals working in it. Today, if you are going to be an air traffic controller, you have to be a United States citizen. You have to take an oath of office. Under a private corporation or whom they subcontract with for air traffic control, this bill, were it to become law—and it cannot, we must prevent it—what would happen is there are no prohibitions in that law against foreign nationals guiding your skies or taking an oath of office where they are as committed to our Republic, Mr. Speaker, as any of us with the oaths that we have to take.

The national security concerns are paramount. Until we address them, we should not rush in. We want modernization.

I applaud the President of the United States for wanting to bring this issue to the light of the public. We need modernization. We agree with that. In fact, just knowing that we have his support to move towards a modernized plan gives us great comfort because we need that backing from the Executive.

But we have to address these national security issues, and right now, this bill does not do that. Even if it did address all of these, there is still a question that remains: Has the government demonstrated that it cannot control the skies and that the FAA's air traffic control system and its controllers are incapable of keeping us safe?

I can see if it is something that is broken and we have to intervene as government and make sure it is more efficient and we have to do the right thing, but in this case, where is all of this brokenness that we are hearing about? Sure, archaic equipment—been there and done that serving in the military. As you heard Chairman THORBERRY say today, half of the Air Force's aircraft would qualify for antique license if they were civilian aircraft and registered in Virginia.

As a soldier, I live by the motto, “I will fight with what I have, and I will win where I fight.” Whether it is with flintlocks, hatchets, modern rifles, or modern technology, poor is the workman who blames his tools. And our FAA air traffic controllers do a marvelous job with the systems they have.

That is why almost a decade ago we worked towards the next-generation system to modernize, and it is on track with procured funding like NASA has because it is expensive stuff and it takes time. You don't want that subject to funding problems.

The FAA, as a whole, has those funding problems. You have a continuing resolution or a government shutdown

like in 2013, wow, that creates ripples. But if it is about modernization of our control towers, it is on track for the pilots that we might have.

And I know, Mr. Speaker, you have put yourself at the wheel of planes, and in this case there are a lot of things that we can see where the FAA does a marvelous job. It doesn't mean that we have to privatize it.

On 9/11, over 4,000 planes were grounded immediately and safely. What a lot of Americans don't know, Mr. Speaker, is that the FAA's national operations manager who made that unprecedented gutsy call, he was a government employee, you know, one of those bloated government employees we have got to fire and move out. His name was Ben Sliney. And guess what? That was his first day on the job as the FAA's national operations manager. Wow, what a first day.

But he was good. He had taken an oath to the Republic. He made a gutsy call; 4,000 planes put on the ground, and it helped keep our Republic safer, because it could have been worse.

The FAA has clearly demonstrated through its air traffic control system that it can handle the job. When was the last time we can remember a fatal accident with a major carrier? 2009, and that was a regional carrier.

But also in 2009 there was something else that happened. On the 15th of January, 1 month before the fatal accident in February in Buffalo, New York, with the regional carrier, which was the last time we had a major fatal accident, that was US Air Flight 1549, piloted by Captain Chesley Sullenberger and copiloted by Jeff Skiles.

So what we have seen and what we all know is that the heroism of those two pilots that day put the plane down in the Hudson, saving all onboard. And we saw air traffic controllers doing everything with an emergency at one of the busiest airports, providing so many options.

Well, Mr. Sullenberger, like so many of us, has grave concerns with H.R. 2997. This is not a man that has any government interest or privatization this or that or is up here lobbying or doing anything, yet he is somebody America trusts.

You might be interested in some of his comments, and I am quoting Captain Sully here.

He says: "My real issue, and I think for many people, is that we have a wonderful and unique freedom in this country, this unfettered, wonderful aviation system that anyone can participate in safely and efficiently. In most countries, it's either too restrictive or too expensive for an average person to fly, and the only way you can go is on an airliner or military flight," meaning other nations. "It's just prohibitively restrictive or expensive to do it any other way. That's something that we need to protect and preserve, and so

why in the world would we give the keys of the kingdom to the largest airlines?"—under this H.R. 2997 he is referring to. "Because they definitely have their own agenda to lower their costs. Commercial aviation, airline aviation, has become an extraordinarily cost-competitive industry globally, and it becomes more so day by day."

"By removing oversight of the air traffic control system from the FAA and much of the oversight that Congress currently has," Mr. Sullenberger goes on to state, "and giving it to a group of people, stakeholders basically controlled by the largest airlines, to control access to and pricing of access to the air traffic control system. That is an extreme solution to what's really a political budget problem."

Captain Sully goes on to say, "It means bad things for everyone who flies, but especially for people who fly in non-airline ways," meaning general aviation.

□ 1245

"That is a big part of the system," he says. To continue his quote: "I am worried about access. I am worried about equitability. I am worried about safety." Okay, to pause in his quotations here, Captain Sully was the guy on safety. He would go around and this was his job in the airlines. No man was better when it came to safety standards. And then he demonstrated it that day, that he knew what he was talking about.

For him to make these kinds of comments, I think we need to take pause, and take a step back, and listen. To continue his quote: "There are other, better ways to solve this political budget problem—by giving the FAA, in running the air traffic control system and making capital improvements to the air traffic control system, more predictable multiyear funding—without giving away the keys to the kingdom to the largest airlines to control access and fees and pricing too."

Mr. Speaker, I agree with Captain Sully. I think he knows something about it. Modernization. That is an area we can all agree on. American aviation would suffer terribly without the benefit of the public structure of the air traffic control system, including its accountability to Congress, and the FAA.

Establishing a private air traffic control company, corporation, board, outside the purview of Congress, with the unilateral power to collect fees without controls from the government, and distribute service, would threaten our national security—as I have spoken to already—accessibility and affordability of flights, not maybe immediately in the transition, but, as you read H.R. 2997, it goes on to say that they can do a lot of things in a couple of years.

Pilot generation. Look at general aviation in the examples that they use

for comparisons. Many of the proponents of this bill say: Look at Canada. Look at Europe.

I love the Canadian people. I have traveled through most of Europe. I even lived in Germany as an exchange student.

Yes, in Germany today, a pilot can go from 35,000 feet in Lufthansa or an airliner, and he can glide all the way down to Tempelhof Airport in Berlin. Why? Because he doesn't have STEVE RUSSELL, Mr. Speaker, out there in his Cessna 140 in the way. Guess what? In the United States, I have as much right to airspace as a U.S. citizen flying as that Lufthansa pilot, who is, by the way, just coming here to deliver passengers, or any other airline pilot.

That is the beauty of our system. What you won't find in Germany is general aviation. You won't find access. And as Captain Sully correctly stated, it is a wonderful thing. We have access to that. It is one of our hallmark freedoms in the United States.

Now, when he says that we will be handing over the keys to the kingdom, what he means is that it goes to this private corporation, this board, and then they will, for commercial interests, set up—what does that board look like? Well, here it is, right out of the bill.

It will have six of its board members who will be on the commercial side of aviation. Now, I have nothing against commercial aviation. American Airlines, love them, they brought me home from three wars. I will always have those memories.

Regional carriers probably brought many folks listening to this today. But they have commercial interests, as Captain Sully correctly stated. They will be concerned about those issues. That's fine. They run businesses. They don't have to protect our national security. They fly.

And so what we see with this board is six of them in the commercial side—commercial, regional jets. And then you have got one general aviation, and then one on the business side, which could support general aviation or not. But that clearly, as you lay out the board, two that will be appointed by the Secretary of Transportation—kind of his only say in a lot of this process—and then two that will be appointed by the board itself.

So what you will have is a two-thirds lopsided board that will favor the commercial interests rather than aviation as a whole. This is why Captain Sullenberger, and so many others, have had grave concerns about what it does to our freedoms for flying.

Now, much of my protest against this bill will have been because of the national security pieces. We could lay all of this other stuff aside. We have to solve these national security pieces in the bill, and right now, they are not there.

With modernization, we can get to some of that, but we have the safest airspace in the world. Where is this broken, archaic system that we hear people saying? Canada, love the Canadians. I have driven the Alcan twice. I have been through so much of the country, driven 1,200, 1,300 miles on a dirt road in Canada, a wonderful place. I have lectured in many of their cities in a former life.

But Canada has the population of Texas, and if you were to look at the number of flights it handles each day, probably less flights than Texas. Yes, they have a modern system. We are having a modern system with NextGen. What we need to do is solve the acquisition pieces, the modernization pieces—not the privatization pieces.

Why? We all know that much of North America's security is secured by the United States of America. They don't have to face the same things. That is why they can get away with such a small military. It is not an indictment. It is just the truth.

The bill in question, H.R. 2997, strips oversight authority of our national airspace from the President, the Congress, and gives it to this unelected board of individuals, an action that would threaten the United States' ability to maintain the integrity of our airspace, as I spoke to earlier, Mr. Speaker, on what goes on at altitudes and in missions that most of us really have no clue.

It puts at risk thousands of missions that our military conducts in just training and safety in our skies every day. It gives private contractors access to classified data.

Let's go back to what we were talking about with Edward Snowden with the leaks that we are seeing out of the intelligence services these days. Where is that coming from? It is coming from the private contractors. It goes lateral.

Do you think it is going to be any different because we here in Congress say: Oh, no, no, no? Hey, it is going to be great. This is going to be—rest assured, and I can already predict what is going to happen, Mr. Speaker. The disasters will strike. We will sit in Oversight and Government Reform with bony fingers and red faces going: How did you let this happen? And all we have to do is look in the mirror, because we are much like dogs lapping up antifreeze, to lick up something that smells good, tastes good, with drastic consequences.

If we want to maintain the safest and best airspace in the world, we have to prevent the passage of H.R. 2997. Now, this is hard for me to do. Why? Because I don't like opposing my own party. I don't like opposing my friends. I have done some terrible things in my life as a soldier. I don't like conflict anymore. I try to stay as far away from that as I can, and there are two veterans over here giving me thumbs up—combat veterans themselves.

But I took an oath to support and defend the Constitution of the United States. I am not saying if you support this bill you are unconstitutional, or that you don't love your country, or that you don't want to protect the Republic. I am not suggesting that at all. I have too many friends who have a counterview to mine. But it is my responsibility to expose what is in this bill and why it is dangerous, and why we can't do it.

Mr. Speaker, we need to call on the American public and have them contact their Members of Congress and tell them to oppose H.R. 2997, to not let privatization of our air traffic control system happen; to keep it into the role that, like Abraham Lincoln said, sometimes things that we can't do ourselves, we need to do collectively, and the government has a role in that. Mr. Lincoln obviously knew what he was talking about.

Modernization, we can all agree on that. Let's work on that. I applaud the President for bringing this issue to the fore. We need to deliver that win for him.

But breaching national security of our airspace and risking our safety on an unproven system is not a win. Mr. Speaker, it is not something that we need to support.

I yield back the balance of my time.

#### DONALD TRUMP, JR.'S, EMAILS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Arizona (Mr. GALLEGO) is recognized for 60 minutes as the designee of the minority leader.

Mr. GALLEGO. Mr. Speaker, on July 11, Donald Trump, Jr., released a series of emails regarding his meeting with a Russian Government lawyer and an individual associated with Russian intelligence.

Don Trump, Jr.'s, emails are a smoking gun. They prove that the Trump campaign was not only aware of the Russian Government's efforts to meddle in our elections, they were enthusiastic about accepting Russia's support.

What follows are the contents of those emails. They painted a disturbing picture of a campaign, and now an administration willing to break the law and sell out to an adversary of the United States in order to advance their own petty interests.

Our hope is that the American people will carefully consider the content of these messages and what they say about the fitness of Donald Trump and his senior advisers to hold high office.

We will begin. There was a comment posted by Donald Trump, Jr., on Twitter on July 11, 2017. "To everyone, in order to be totally transparent"—which we now know he wasn't even in this email—"I am releasing the entire email chain of my emails with Rob

Goldstone about the meeting on June 9, 2016. The first email on June 3, 2016 was from Rob, who was relating a request from Emin, a person I knew from the 2013 Ms. Universe Pageant near Moscow. Emin and his father have a very highly respected company in Moscow. The information they suggested they had about Hillary Clinton I thought was Political Opposition Research. I first wanted to just have a phone call but when that didn't work out, they said the woman would be in New York and asked if I would meet. I decided to take the meeting. The woman, as she has said publicly, was not a government official. And, as we have said, she had no information to provide and wanted to talk about adoption policy and the Magnitsky Act. To put this in context, this occurred before the current Russian fever was in vogue. As Rob Goldstone said just today in the press, the entire meeting was 'the most inane nonsense I ever heard. And I was actually agitated by it.'"

End of email.

Mr. TED LIEU of California. Will the gentleman yield?

Mr. GALLEGO. I yield to the gentleman from California.

Mr. TED LIEU of California. Mr. Speaker, I am going to be reading the email portions of Rob Goldstone to Donald Trump, Jr. On June 3, 2016, at 10:36 a.m., Rob Goldstone wrote to Donald Trump, Jr., the following:

"Good morning.

"Emin just called and asked me to contact you with something very interesting.

"The Crown prosecutor of Russia met with his father Aras this morning and in their meeting offered to provide the Trump campaign with some official documents and information that would incriminate Hillary and her dealings with Russia and would be very useful to your father.

"This is obviously very high level and sensitive information but is part of Russia and its government's support for Mr. Trump—helped along by Aras and Emin.

"What do you think is the best way to handle this information and would you be able to speak to Emin about it directly?

"I can also send this info to your father via Rhona, but it is ultra sensitive so wanted to send to you first.

"Best.

"Rob Goldstone."

Mr. GALLEGO. On June 3, 2016, at 10:53 a.m., less than 20 minutes after that email, Donald Trump, Jr., wrote back:

"Thanks, Rob, I appreciate that. I am on the road at the moment but perhaps I just speak to Emin first. Seems we have some time, and if it's what you say, I love it especially later in the summer. Could we do a call first thing next week when I am back?

"Best, Don."

Mr. Speaker, "I love it." His response was: "I love it." I worked in politics for a long time. I have never been approached with information from a foreign government. But if I were, my response would not be: "I love it."

My response would be: "This is completely inappropriate." My response would be: "Don't ever contact me again." My response would be: "I am calling the FBI."

In this email, Donald Trump, Jr., showed his true colors. This email proves that he lacks basic integrity. The willingness of Jared Kushner to attend that meeting proves that he, too, is no patriot.

Mr. TED LIEU of California. Mr. Speaker, after we finish reading these emails into the CONGRESSIONAL RECORD, we are going to discuss why it is a straight-up violation of the Federal Election Campaign Act.

On Monday, June 6, 2016, Rob Goldstone writes back to Donald Trump, Jr., in an email at 12:40 p.m., with a subject heading: "Russia—Clinton—private and confidential."

□ 1300

"Hi, Don."

"Let me know when you are free to talk with Emin by phone about this Hillary info—you had mentioned early this week so wanted to try to schedule a time and day."

"Best to you and family."

"Rob Goldstone."

On June 6, 2016, at 3:03 p.m., Donald Trump, Jr., wrote back:

"Rob, could we speak now?"

"D."

Then Rob Goldstone replies to Donald Trump, Jr., that same day at 3:37 p.m.:

"Let me track him down in Moscow."

"What number he could call?"

By the way, any email where someone says tracking someone down in Moscow might just raise some red flags.

Mr. GALLEGO. On June 6, 2016, at 3:38 p.m., Donald Trump, Jr., wrote back:

"My cell"—we have omitted that cell number. Unlike Donald Trump, we do not give out individual cell numbers.

"Thanks."

"D."

Mr. TED LIEU of California. Then Rob Goldstone replies: "Okay. He is on stage in Moscow but should be off within 20 minutes so I am sure can call."

"Rob."

Mr. GALLEGO. On June 6, 2016, just a few minutes after receiving this email, Donald Trump, Jr., wrote back: "Rob, thanks for the help."

From Moscow thanks for the help, he should have said.

Mr. TED LIEU of California. The next day, on June 7, 2016, at 4:20 p.m., Rob Goldstone writes:

"Don."

"Hope all is well."

"Emin asked that I schedule a meeting with you and the Russian Government attorney who is flying over from Moscow for this Thursday."

"I believe you are aware of the meeting—and so wondered if 3 p.m. or later on Thursday works for you?"

"I assume it would be at your office."

"Best."

"Rob Goldstone."

Mr. GALLEGO. On June 7, 2016, at 5:16 p.m., Donald Trump, Jr., writes:

"How about 3 at our offices? Thanks, Rob, appreciate you helping set it up?"

Mr. TED LIEU of California. Later that same day, on June 7, 2016, Rob Goldstone wrote back to Donald Trump, Jr.:

"Perfect won't sit in on the meeting, but will bring them at 3 p.m. and introduce you, et cetera?"

"I will send the names of the two people meeting with you for security when I have them later today."

"Best."

"Rob."

By the way, we now know today that one of those names just happens to be a Soviet counterintelligence officer.

Mr. GALLEGO. On June 7, 2016, at 6:14 p.m., Donald Trump, Jr., writes:

"Great. It will likely be Paul Manafort, campaign boss, my brother-in-law"—Jared Kushner—"and me, 725 Fifth Avenue, 25th floor" which is Trump Tower?

Mr. TED LIEU of California. On June 8, the next day, at 10:34 a.m., Rob Goldstone writes back to Donald Trump, Jr.:

"Good morning."

"Would it be possible to move tomorrow meeting to 4 p.m. as the Russian attorney is in court until 3, I was just informed?"

"Best."

"Rob."

Mr. GALLEGO. On June 8, 2016, at 11:15, Donald Trump, Jr., writes:

"Yes, Rob, I could do that unless they wanted to do 3 today instead. Just let me know and I will lock it in either way."

That is some eagerness that this man has for this information.

Mr. TED LIEU of California. On Wednesday, June 8, 2016, at 11:18 a.m., Rob Goldstone writes back:

"They can't do today as she hasn't landed yet from Moscow, 4 p.m. is great tomorrow."

"Best."

"Rob."

Mr. GALLEGO. This email is from Donald Trump, Jr., sent Wednesday, June 8, 2016, at 12:03 p.m., to Jared Kushner and Paul Manafort. Subject, forward, Russia—Clinton—private and confidential.

"Meeting got moved to 4 tomorrow at my offices."

"Best."

"Don."

Mr. TED LIEU of California. So that completes the email chain.

Under Federal law, under the Federal Election Campaign Act, you cannot solicit or accept any contribution from a foreign national or foreign country. The law defines a contribution not as just a monetary donation but anything of value, an in-kind donation, opposition research, anything of value violates the law.

In this case, we absolutely have conspiracy to violate the Federal Election Campaign Act.

I am a former prosecutor. I know it is very easy to prove a charge of conspiracy. You just have to have the person take one act in furtherance of the conspiracy. So in this case, when Donald Trump, Jr., replies back to the offer of this incriminating information, Hillary Clinton, and says, "I love it," that is one act. He then proceeds to set up a meeting. That is another act. He then shows up at the meeting with Jared Kushner and Paul Manafort. That is a third act. That more than completes a crime conspiracy. We have in black and white right here a violation of Federal law.

Mr. GALLEGO. The other thing that we have to consider is this: right now, there is a person who is in the White House who has lied on their security clearance—a security clearance that we use to determine whether we shall trust somebody with this top secret information for this country.

Jared Kushner was in a meeting with a foreign agent. Now we know that he was in a meeting not just with a foreign agent but a former—"former" Soviet counterintelligence officer. Let me tell you something. There is no such thing as former counterintelligence officers if you ever work with the Soviets. Once you are in the KGB, you are always in the KGB.

Why was that person in that room? It was not to talk about adoption. He certainly wasn't there to talk about anything else. But, if anything, he was there to pass information. The fact that Jared Kushner lied in his clearance, lied and omitted it until finally revealed today, really calls into question whether that man should be in the White House right now and trusted with this type of sensitive information.

TED, you and I were in the military. We both had security clearances. If we had this type of omission in our security clearance, what would have been our punishments?

Mr. TED LIEU of California. Our security clearances would have been suspended immediately. An investigation would have been opened.

I am glad you mentioned Jared Kushner because many of us are wondering, why does he still have a security clearance? Why is he even in the White House?

Let's just sort of walk through a little bit of what happened with his security clearance. On the very first security clearance form, known as an SF-86



form, he lied on it. He did not disclose a single meeting with the Russians.

If you read the form, it says: if you make a false statement or omit material facts, you can be imprisoned.

He omitted all that information. He is then confronted, and what does he do? He revises it. So then he submits a second security clearance form.

Now, it turns out he lied on that one, too, because he did not disclose this latest meeting that happened to be with a Russian counterintelligence officer. So then he had to submit a third form. When you look at his explanation, according to media reports, he said that his staff hit the send button too soon.

Well, both Representative GALLEG0 and I know that that is not how you submit the security clearance form. It is a pretty involved, elaborate process. You have to do this certification. Not only do you have to send it electronically, then you have to sign the paper and submit that with your signature on it—very elaborate.

So now he is lying about the process in which he lied on the three security clearance forms. We don't know why he has a security clearance. We don't know why he is even in the White House.

Mr. GALLEG0. What is the motivation for omitting this meeting? There are clearly emails, there are clearly pointed emails, saying: Why are you going to be attending this meeting?

There is a subject line that says, Clinton emails. There is a subject line that has to do with a Russian agent, a crown prosecutor. Now we know there is a former Soviet counterintelligence agent who just happens to be there, and Jared Kushner omits it from his security clearance. That is not an accident. That is a criminal act, a criminal act that any other citizen in this country, any other soldier, sailor, marine, airman, if we ever did that, we would be quickly prosecuted under the UCMJ.

Mr. ROHRABACHER. Would the gentleman yield for a question?

Mr. GALLEG0. No.

Mr. ROHRABACHER. Would the other gentleman yield for a question?

Mr. GALLEG0. I am controlling time.

Mr. TED LIEU of California. So let me follow up what Representative GALLEG0 said. We have a person in the White House now with a security clearance even though he has lied on at least two of those forms. So there actually needs to be an investigation. That security clearance needs to be suspended immediately.

But, also, for any intelligence official watching this or reading about this, how can you trust Jared Kushner when he lied on these security clearance forms and makes a mockery of the process?

Keep in mind this is the same person who suggested setting up a secret back

channel with the Russians at the Russian Embassy. So the only reason you would want to use Russian equipment at the Russian Embassy is to hide information from U.S. intelligence. So even if his security clearance is not suspended, I really hope that people working for him do not trust him.

Mr. GALLEG0. If you start seeing and putting it all together, we now know that there is a clear narrative of Jared Kushner's involvements with the Russians.

First, he tries to set up a back channel. Then he omits his conversations and meetings in a security clearance. He continues to lie even though he is continuously brought forth as being untruthful. Now we find ourselves in the situation where there is basically zero trust that this man in the White House with top secret clearance is not compromised.

In conclusion, let me close with this. You just heard emails after emails. Imagine this conversation happening the opposite way. Imagine a conversation happening with a Democrat or the Clintons saying, I have information, and the word Moscow is said probably four or five times altogether.

Imagine the idea that you are meeting in private, and then imagine all the follow-up lies that happened.

What would be occurring right now? What would be occurring is what we saw last year: consistent oversight. But there is none. There is no oversight right now. PAUL RYAN has not taken the helm and has not done any type of oversight. The House Republicans have abdicated their responsibility and have allowed Donald Trump and all those other members of his family and the administration who have been compromised to continue being a threat to our national security in the White House.

This should not be the way. Partisanship should never be above patriotism. But what we are seeing right now is naked partisanship being exposed and pushed as far as possible in the hopes of protecting a faulty President, his administration, and his family.

That is not American. That is not what any of us ever signed up for. We swore—whether it was in the Armed Services Committee, whether it was when we were in the armed services, or whether it is when we came here to Congress—to uphold the Constitution of the United States and protect it.

Right now we can honestly say that that is not occurring. There is an absolute abdication happening right now of leadership from House Republicans.

TED, please close.

Mr. TED LIEU of California. Let me conclude by saying that the President said that most people would have taken this meeting. That is just not true.

Again, under the Federal Election Campaign Act, if you solicit, or con-

spire to solicit, or show up at a meeting where you expect to get opposition research from a foreign national, that is a violation of the Federal law. So, in fact, most people would not have taken this meeting unless they were crooked.

We have an example here of what happened when the Al Gore campaign got information. They were sent anonymously briefing notes and things that then Bush was being briefed on and so on. They took that package, and they turned it over to the FBI. That is what should have happened in this case.

In conclusion, this is a pretty big deal. We have people in the White House who believe they are above the law. The lesson in Watergate is that no one is above the law.

Mr. GALLEG0. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The Chair would remind Members to direct all remarks to the Chair and to formally yield and reclaim time when under recognition.

#### DOUBLE STANDARDS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from California (Mr. ROHRABACHER) for 30 minutes.

Mr. ROHRABACHER. Mr. Speaker, I am sorry that my two colleagues refused to yield any time when they are talking, especially when they are using phrases like naked partisanship. That is very interesting, isn't it? We could have had a nice dialog here. I was asking for a chance to go into a dialogue so the American people could understand what was being said rather than this incredible naked partisanship of people who disagree, but I won't yield my time to have a dialogue about it.

I am afraid that doesn't cut it. This is yet another example of what we have seen of people using sinister-sounding descriptions in order to basically distract us from some of the corruption and, I might add, questionable activities of their own Presidential candidate in the last election who was defeated because the American people did not trust that candidate.

By the way, I would like to have asked—I am sorry that my friends have left and wouldn't yield any time for a question—whether or not they believe that Hillary Clinton's activities in Russia while she was a government official, was she involved in money raising from Russian oligarchs to the tune of millions—tens of millions—of dollars?

Was her husband involved in raising this money while she was Secretary of State or while she was a candidate for President of the United States over in Russia, millions of dollars to the Clinton Foundation? I understand even hundreds of thousands of dollars were put in her husband's pocket for a speech that he gave in Russia.

□ 1315

These things need to be looked at. Instead, what we are hearing about is sinister-sounding words about a meeting where someone said they had some information that would help, yes, the campaign, but the reason it would help the campaign is there was supposedly information that showed that Hillary Clinton was involved in some activity that was contrary to the interests of the United States or contrary to the law.

Yes, if someone says to you that they want to give you information, there is nothing wrong with that. In fact, I would hope that my colleagues who just said what is happening on our side of the aisle is naked partisanship, I wonder if the Democratic Party and my other colleagues in this body are calling for Hillary to release all of her emails and to make sure that we have under oath an explanation of these transactions to the Clinton Foundation. Instead, we are hearing all sorts of sinister descriptions of a meeting that was going to give information.

I will tell you right now, everybody in this body, if they think that there could be information that is important for our country to know from any foreigner, we should talk to them and find out what it is. It is not illegal to receive information from someone, especially if you are engaged in an activity that is aimed at trying to secure understanding for policies that you plan to implement as a leader in the United States as an elected leader. There absolutely is nothing wrong.

By the way, I am the chairman of the Europe, Eurasia and Emerging Threats Subcommittee. Russia is in my jurisdiction. Should I ever turn down a chance to talk to somebody who has information for me, negative or positive, about Russia?

No, I shouldn't. And neither should the Trump campaign have ignored any community to receive more information about what was being done by Hillary, perhaps, and the raising of the millions of dollars for the foundation.

So that was a legitimate thing to ask. Then you determine: Is the information accurate or is it not accurate? If it is not accurate, you don't want to touch it.

But many people were disturbed that there had been a release of emails during the campaign, and a lot of the questions about this whole Russia issue is whether Russia or somebody else actually hacked into the system and released those emails.

I think what is important is only whether truth was revealed. If someone was talking about releasing negative and false information, the public should be upset about that. But they should not be upset if they are being given a chance to see more information that is accurate information on this issue.

I would hope and trust that the American people are smart enough to see a diversionary tactic using sinister words over and over again to describe something that is perfectly legal. In some cases, as I say, talking to anybody to get more information to help you make your decisions is a good thing and not a bad thing.

Mr. Speaker, I yield to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I appreciate so much my very good friend from California, with whom I have traveled abroad and had some amazing meetings with representatives of countries around the world.

As I listened to our friends on the other side talk about this issue, it appears very clear what they are saying is that every Member of the House who has ever met with someone from a foreign country and asked questions, whether they believe what they were given or not, is guilty of a crime and should be damned to hell for all eternity.

Basically, is that my friend's impression?

Mr. ROHRABACHER. Mr. Speaker, it seems to me that that is what is being said: because those people are so sinister, you don't listen to them; or, the whole act is sinister, it may be legal.

In reality, we are talking about one person meeting with another who may have information. We in Congress and anyone running for public office should be listening and seeing if there is information that is imparted that is important for our country to know.

Mr. GOHMERT. Mr. Speaker, I appreciate the fact that the gentleman from California and I have met with the then-leader of Iraq. Neither the gentleman from California nor I cared for the man. He was the Prime Minister of Iraq. He did a great deal of damage to Iraq. He, along with President Obama, dramatically weakened Iraq.

I know my friend recalls our conversation with Prime Minister Maliki. We were asking for answers to questions that we considered very serious.

For example, I was asking about his commitment to protect the refugees from Iran that he had pledged to protect. My friend from California was asking about the Iraqi pledge to help pay us back for some of our costs in making Iraq free.

Those two issues so infuriated Prime Minister Maliki that we got word later when we were on the C-130 that we were being banned from Iraq by the Prime Minister.

But to hear our friends across the aisle talk, every time one of them and every time one of us on this side of the aisle have asked even people we consider to be despicable and have done terrible things and we wanted answers, we were committing a crime in demanding those answers.

I also know my friend from California got similar treatment from a

man we believed was corrupt as the leader of Afghanistan at the time.

I don't find any crime or any harm in asking questions and getting answers, even from people for whom we have no respect. So I think it is a good thing. If anybody has got information, even if you don't care for them, try to get the answers to those questions.

Mr. ROHRABACHER. Mr. Speaker, well, we know now people are trying to frighten us and others not to meet with people and not to talk to people. I wonder why.

As far as I am concerned, I don't have just a blind trust in whatever our intelligence agencies give us. Let me note that many of the things that are being quoted aren't even being quoted from our intelligence agencies during this whole national discussion on what Russia's interaction with us has been for the last couple of years.

The fact is that these intelligence reports are filled with weasel words. A weasel word is making it sound like you are saying something, but you put a phrase in that actually doesn't commit you to defending that particular position as being factual.

With that said, I would hope that the American people pay close attention to the sinister words, but also the weasel words, and pay attention to the basic nonsense in telling us that: Oh, a horrible crime has been committed now, because someone in the Trump campaign—whoever it was; I don't care if it was Donald Trump's relatives or his son or whoever it was, anybody in the campaign whatsoever—wants to talk to anybody in the world to get information, I think that is a good thing.

Whether or not at that point it has to be determined whether it is accurate information, to move forward with accurate information is wrong, but your job, too, is to verify what somebody is telling you before you let it influence your policymaking or the decisions that you are making at that moment.

With that said, I would like to change the subject at this point, because I had another issue that I really would like to talk about today.

BITCOIN

Mr. ROHRABACHER. Mr. Chairman, I am the chairman, as I mentioned, of the Subcommittee on Europe, Eurasia, and Emerging Threats. I am a senior member also of the Science, Space, and Technology Committee. I am here, basically, to discuss emerging technology that is unleashing a new economic dynamic, but it could also be negatively impacting on our national security.

I have long considered myself a proponent of freedom. Instead of government controls, I have trusted free people and free markets with optimism that technology and innovation would deal with the perplexing challenges to our security and our prosperity.

In recent years, one of the more exciting innovations helping reshape the

way we live is the introduction of digital currency here and globally.

Thanks to this leap in technology, times are changing right before our eyes. Americans have new ways of fighting inflation and handling their personal business obligations. People with bitcoins living under despotic regimes throughout the world now have the opportunity to protect their assets from abusive and corrupt government. Indeed, the security of the blockchain technology will enable a new wave of societal advances that should invigorate our markets and improve lives.

However, with all that potential benefit of digital currency, there is also danger. It empowers the good people of the world, but it also can be used by those who have goals that are malevolent and evil.

Radical Islamic terrorism is now a horrendous threat that hangs over all the free people in the world, in the United States, and elsewhere. Law enforcement throughout the world is now aware that bitcoin is available for use for terrorists in accomplishing their gruesome missions.

What makes it a good deal for terrorists?

It is anonymous. They can transfer funds using a digital currency platform without any of the usual safeguards that thwart terrorists and criminal activity.

Anti-money laundering and know-your-customer standards have worked to deal with criminals in recent decades, but now that approach can be technologically undermined by the use of the bitcoin instead of traditional currency.

Since digital currencies such as the bitcoin offer a free ability to transfer funds, some of our neighbors, such as Sweden, Thailand, Vietnam, and India, have banned their use.

Mr. Speaker, I do not believe that that is a necessary or practical response. Banning digital currencies will not prevent terrorists from using them any more than banning guns will prevent criminals from using them.

Instead of banning all the digital currencies because some lack standards, I believe we should encourage digital currencies to implement full anti-money laundering and know-your-customer standards.

These protections should empower both our law enforcement and national security professionals to keep terrorist and criminal financing under control while preserving for the rest of us the freedom to use digital currencies.

Thus, with the proper type of regulatory look and seeing what options are available to us, we can prevent terrorists and criminals under control from financing their operations with bitcoins, but the rest of us will still be free to use these new digital currencies and enable America to keep the lead in the world in this enthusiastic technological advance.

In light of my chairmanship of the Subcommittee on Europe, Eurasia, and Emerging Threats, and my experience in the Science, Space, and Technology Committee, I look forward to joining with my colleagues on both sides of the aisle to encourage economic innovation brought by the bitcoins, but also to see to it that digital currencies will have strong standards that will thwart the exploration of this new economic function by terrorists and criminals and other evil forces in the world.

□ 1330

So I look forward to working with my colleagues. I think this is a bipartisan issue. I won't try to make it sound sinister at all, because this is something we can work on, and we must keep America always in the forefront of technological development.

We know with each step forward in technology, there is a potential harm that can be done, but we need to make sure that is taken into consideration, while at the same time that we do not thwart Americans from using the ultimate technologies of the day to secure prosperity and secure freedom and to secure our national security with these new technologies.

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

#### ISSUES OF THE DAY

The SPEAKER pro tempore (Mr. TAYLOR). Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, I appreciate very much my friend from California, DANA ROHRBACHER, making the point that he did.

There is nothing either sinister, wrong, criminal, improper when someone is engaged in an election or when someone is not engaged in an election, if offered information that may be helpful, whatever the source. Unless it is a known criminal that is going to advise someone about some potential crime, there is normally nothing wrong with seeking or even getting that information.

I doubt there is anybody on this House floor, when offered information from a source about an opponent in a campaign, didn't at least take some action to see if there was anything legitimate to it.

So it is just amazing, when we know that there is certainly probable cause to believe crimes have been committed during the Obama administration, yet we got nothing in the way of support in investigating the probable cause of real legitimate crimes; not those for which there is no known criminal statute that would be applicable or that may have been violated, but simply, you know, there may be times when it is bad taste.

But the villainization of Donald Trump, Jr., for inquiring of someone that Loretta Lynch, as Attorney General for President Obama, specifically and personally stepped in to ensure could be in this country, it is just incredible how much is being made of Donald Trump, Jr., meeting with somebody that Attorney General Lynch pulled all kinds of strings to get her in and keep her in the country.

And then when you see that picture of this same person sitting right behind the Obama Ambassador to Russia, Ambassador McFaul, and you know at these hearings, especially an appointed and confirmed official like an ambassador, they don't want somebody directly behind them who is not supportive and not capable of reaching up and handing them a note with information that may be helpful and them answering a question.

We have had countless hearings, and I have seen it done countless times. You want somebody behind you that can help provide answers to questions that you may not can answer without their help.

So there she is, this person that these same friends who pulled all kinds of strings to get her in this country. They are all upset that she ever talked to Donald Trump, Jr., and he has—I admire the fact that he immediately saw that this was a worthless meeting and walked away from it. So pretty amazing. It was good judgment to walk away from it, once he found out what she was about.

I wish that President Obama, Loretta Lynch, and Hillary Clinton had as good a judgment in their meetings with people instead of telling our enemy—and I do consider the man with whom President Obama was meeting an enemy. He was not a friend of the United States.

And what does President Obama do when he doesn't think the microphone can pick him up?

He says: Tell Vladimir Putin—President Obama's close buddy—tell Vladimir, my buddy, that I have a lot more flexibility once I am past this election. "Okay. Yeah. I will pass that on. Dah, dah, I will pass that on."

Clear intent; there is no mistaking. The intent is: I will be able to give away more of America's defenses the way I canceled our missile defense system in Poland once I am reelected because then I don't care. I won't be running. I can't be defeated in another election. So I will be able to give away a lot more of America's defenses.

And what did our friends—who are now so upset about Donald Trump meeting with a Russian lawyer, finding out she was not worth meeting with and leaving—do back then?

Nothing. They defended President Trump's actions either vocally or by their silence while we were raising questions.

I can't end this week without expressing my grave disappointment with

Congress over a specific detail of the National Defense Authorization Act. There are a number of things in there that bother me that I think are big mistakes and that I don't think we should be doing. I think we are wasting money, but compromises have to be made. We are making a form of sausage called "laws," so we have got to compromise on some things.

But there are some things that are so important that there cannot be a compromise. It is too important. It will result in lives being saved or lives being lost, depending on what we do here in Congress.

So our friend, Congresswoman VICKY HARTZLER, realized before I did that the law, as would be in the National Defense Authorization Act, with all the compromises that had to be made under the great leadership—and I am not being sarcastic—of Congressman MAC THORNBERRY—did a masterful job handling all the problems that arose—but the law of the NDAA was and will be, under this new law, such that President Obama and his administration would say, the way it is worded, the way it is, authorizes us to decide that an appropriate use of this very limited more and more precious money for our military to defend us can and should be used whenever someone requests a sex change operation.

The reports are that, with the hormonal treatment, it can be around \$130,000 or so per person. Military commanders advise that they have been told: If you have a military member under your command that asks for a sex change operation and you say something like "have you really thought this through?" or they say something like "why don't you talk to a counselor?" or "let's talk about this" or "you give it some more thought," those are career-ending statements that that commander would have made; that if someone requests a sex change operation, you don't ask questions, you don't refer them to counseling, you don't suggest that they give it more thought. You just sign them up.

Now, the problem there, too, is that apparently they are advised that they have about 2 years minimum that this servicemember will be out of commission, cannot be deployed, you can't be sending them anywhere because you have months of hormonal treatment leading up to the sex change surgery. And then even if there are no complications, the followup and the rehab is quite significant. So you better count on at least a couple of years minimum where that servicemember, that military member cannot be sent anywhere, cannot be ordered deployed. They are useless in defense of our country as far as filling the immediate needs of the military, and that is astounding.

Now, potentially, some might submit that we have come to find out about

maybe the greatest political lobbying by any group of our medical practitioners. And those who compile the diagnostic statistic manual, referred to as DSM—we have had I, II, III, IV, V—each time, they have been subjected to political lobbying because they didn't want people who were thinking about a sex change operation—and even though their chromosomes would not change—still indicating they are male or female, they wanted to have surgery to change. That was considered to be a very serious illness, psychiatric illness.

But with a lot of lobbying, it eventually got downgraded, and the most recent downgrading in the DSM is to something called a "dysphoria." It went from "disorder" to "dysphoria."

But dysphoria, if you look it up, it still is—well, one psychiatrist just said it means confusion, basically. If you have got transgender dysphoria, you are confused. It is the opposite of euphoria. You are not well, you are not happy, you have got behavioral problems because you are not happy with your gender.

Well, for most of our country's history, we understood that, in our military, it is not to be a societal experiment. We want people who can fight, hopefully not to their death, but to the enemy's death to stop those who would kill us or take our freedom.

And it is heartbreaking that—when the amendment came to the floor last night for a vote to prevent any of that precious money that is going to save the lives of our military members, the amendment lost by five votes, 214–209. In other words, if three people had changed their vote, that amendment passes, and no money could be used out of that precious money they need for bulletproof vests, they need for up-armored vehicles to save their lives when an IED hits them, all of these things that are so important to our military.

□ 1345

We are told to account for \$3.5 to \$3.9 billion over 10 years they are projecting to be spent, but that, of course, means that is before word gets out that if you want a sex change operation, if you can get through basic training—I am not sure about that, you may not have to get through basic—but if you can join the military and demand a sex change operation, then you are not deployable. They can't send you to combat for at least 2 years.

We will pay you as a military member. We will provide you, free, the hormonal treatments. We will take that money that could save another member's life and we will spend that on this expensive surgery to change your organs, maybe cut them off or add some, and then we will spend more of that money that could save other military members' lives and spend it on your follow-up and your rehab, all while you can't help them because you are going through this transition.

This is a difficult time, and it breaks my heart. And it is not a civilization-ending thing that happened last night, but when the book one day is written about the rise and fall of what so far has been the most free and greatest nation in the history of mankind, this would be something listed as a symptom of why this country lost the next great war, because they were more concerned about playing societal experiments than they were with defending their lives and their freedom.

I see my friend, as good a friend as I have here in Washington. I yield to my friend, STEVE KING.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Texas for yielding. And I have no better friend in this city either—or this country, for that matter.

Mr. Speaker, I am just called to come to this floor to add a few words to the topic that the gentleman from Texas has courageously brought forward and so few others would want to even speak to: the societal experiment that is going on in our military, the greatest military in the history of the world.

When the gentleman from Texas (Mr. GOHMERT) talks about how history will be written one day, this isn't a civilization killer, but it is an indication of a civilization killer. I think of the circumstances in a little bit older history, back in the 16th century and the 17th century when the Ottoman Empire and the Muslim armies were sweeping across the countryside, and whoever they captured, they pressed into slavery.

And when they pressed them into slavery, they wanted to have their crack troops—they were called Janissaries, and there were other troops too, as well. But what they did in order to keep them from reproducing was that they did reassignment surgery on those slaves that they captured, that they had put into their Janissary troops, and that reassignment surgery was they took them from being a virile, reproductive male into being a eunuch.

Now, they were suitable to work in the harem, but they found out when they put them out in the field to do battle against the enemy that they didn't have the testosterone to take on the fight. And so over a period of time, a generation or two, they finally realized: I guess we are going to have to stop turning these men into eunuchs if we are going to have them as a fighting machine. That is the Janissaries.

And the old history through that is replete with narrative after narrative of them taking out the knife and actually cutting the flesh off of these anatomically complete men. Some would die from that and some would live, but none of them had the will to fight. And so they decided that they were going to keep anatomically complete men, men that were producing testosterone, in

their crack Janissary troops, where they fought well.

That is a lesson of the military, the Ottoman military from 200, 300, 400 years ago. And today we are here thinking somehow we are going to make the military better by letting people line up at the recruitment center who have planned that they want to do sexual reassignment surgery, know that it is expensive, and believe: I can just get into any branch of the United States services—the Army, the Navy, the Air Force, the Marines, maybe become a Navy SEAL—and then submit to sexual reassignment surgery and go from a man to a woman.

By the way, it doesn't look like there are going to be any women becoming men after they go through SEAL training. I don't think that is going to happen, at least currently.

But there is no way that this enhances the capabilities of our military. There is no way it enhances the morale of our military, and you will never see a platoon that is made up by all of the folks that are likely to line up to sign up into our military.

This policy clearly enacted, clearly advertised, is a neon sign for people who want to have sexual reassignment surgery. They will line up at their recruiter's office and they will go into the military, and the military will be saying: You know, we had to turn this person away because they were too heavy, and this one had flat feet, and this one had a bad eye, and this one had a congenital defect of one kind or another, but if they don't have those and they want sexual reassignment surgery, we will cut them up and remake them into something different, to the tune of \$3.5 or \$3.9 billion over a 10-year period of time, and put them off in the recovery room for 2 years before we can put them to work and use them.

And, by the way, they are likely then to be discharged to come back into society if their only purpose was to get the free surgery.

And can you imagine someone who has now gone into Walter Reed Hospital, taken up a bed in Walter Reed Hospital, maybe a roommate with someone who was hit by an IED, someone who lost a couple of legs, amputated in the dangerous, dangerous service of the freedoms of our country, can you imagine those two beds, side by side, and one of them missing a couple of legs, or an arm, or an arm and a leg, or two arms, and the other one saying, "Well, I just came in for sexual reassignment surgery"?

I won't say the next thing that is in my mind. I think the public understands the image of what this is.

This is one of the most appallingly stupid things I have ever seen the United States Congress do, and it has got some competition, but I don't even know what is second, it is so bad. And the long-term thinking of this, the im-

plications of this are awful, Mr. Speaker. We need to reverse this somehow.

I would add, also, that Bob Gates, the former Secretary of Defense, testified before the United States Congress that we had an obesity problem with our young people in America that is a national security risk, it is a national security concern, and we ought to be adopting Michelle Obama's Healthy, Hunger-Free Kids Act that cut the calories down on these kids, because we didn't have enough of them that were available to meet the physical standards to get into the military, and it was a national security risk. Those were his exact words, "a national security risk."

Well, if we can put the kids on a diet in school because it is a national security risk for getting people to meet the weight standards of our military, isn't this a national security risk when you have all of these resources that are redirected from F-35s and pension plans and a raise for our military and housing on our bases, and the list goes on and on, redirect those resources to sexual reassignment surgery and then have them mustered out of the service as soon as they get what they went into the service for in the first place? This is idiocy on the part of the United States Congress.

I salute the gentlewoman from Missouri (Mrs. HARTZLER) for introducing this amendment. I had a similar amendment that was turned down in the Rules Committee. But this is something this Congress made a significant error on. Twenty-four Republicans and every single Democrat voted against this.

I thank the gentleman from Texas for bringing up the topic, and I would be happy to yield back to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I thank my friend for his comments.

In fact, some people sometimes think that we exaggerate, but my very good friend from Iowa and I have stood there on the mountaintop outside of Vienna where Western civilization stood there in the gap, and it was all at risk. The odds were that Western civilization was going to end with the fall of Vienna. If the radical Islamic group that had taken so much of the territory already, if Vienna fell, then the rest of Europe would fall. There would be no stopping this radical Islamic movement through Europe, and there is a good chance we are not even here in this fashion today.

I thought about that and my friend and I standing up there getting a briefing from an individual that knew the history so well, that this is where one group was, this is where the siege was, that is where the Polish group brought cannons, and no one in the Islamic group thought it was possible to get cannons up there.

I thought about that and reflected on that as President Trump was speaking

in Warsaw, Poland, and it was clear how desirous the Polish people have always been for freedom: Yes, you can practice what religion you want to, but don't come try to take over our country and tell us we can't pursue Christianity.

I did not realize until President Trump gave that speech that there in Warsaw, when Pope John Paul II, came, that they were screaming "We want God" as a group—amazing.

So as I recall, though, it was a Polish prince or king that came down, King Jan Sobieski who came to the aid of the Viennese people. They were under siege. They were going to be defeated. It meant the fall of Western civilization; perhaps we headed into a new Dark Ages. And this Polish king comes down, determined, gets cannon up on this mountaintop that no one who was in the 2 years of seeking a sex change operation and sex reassignment, as they call it, could possibly help do during that 2-year period. They got cannons up the mountain in position to help stop the obliteration there of the Western-civilized Vienna, to stop the fall of that radical Islamic empire from taking over and destroying Western civilization, making slaves of all of those whom they overtook.

And some, of course, in their party believed that if an individual refused to become a Muslim, they should be killed. Others believed in the more humane treatment that, no, you make them slaves, and as long as they keep paying their tax, which is really an admittance that there is no God greater than the Islamic God, as long as they are willing to subjugate themselves and worship at the altar by paying that fee to show that they were subservient to the Islamic God, then they could be allowed to live.

Those were two problems back in that day: Do we let the people live if they won't become Muslim, or do we just go ahead and kill them? And many humane thinkers thought: Well, no. As long as they will submit to our god, pay the tax to show they are submitting to our god; and Christianity's God, they have got to forget talking about that or they do need to be killed. Just pay the tax and they can go about still living.

If Vienna doesn't stand, if it falls, as was anticipated, we are done.

And I can assure my friends here in the House that there was no one who was out there defeating the radical Islamic desire to wipe out Western civilization who had undergone a sex change operation in the prior 2 years.

This is a risky time in our history. As others have pointed out, no matter what societal experimentations people want to undertake, what type of lifestyles people want to undertake, the military is intended to protect our freedom so that we can pursue these things.

And I know President Obama was fond of saying: Gee, Guantanamo is a greater recruiting tool. But as I have talked to Muslim friends—yes, I do have them around the world. As I have talked to Muslim friends in other parts of the world, whether Afghanistan, Egypt, other parts of the Middle East, North Africa, they say: You have got to understand, some of the things you do in the United States make for incredible recruiting posters for radicals in our Muslim faith.

When it is advertised that the United States Congress is in favor of taking men and surgically making them into women with the money that they would use to protect the Nation otherwise, or taking women and doing surgery to make them men, the United States Congress would rather spend that money on that surgery than defeating radical Islam, then it is an advertising, just a bonanza for the radical Islamists.

My Muslim friends tell me, they then agree, the recruits: You are right. If that is how stupid they are, their society has no right to remain on the Earth. We need to take them out. They are too stupid.

A disappointing night last night and a disappointing week.

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

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JONES (at the request of Mr. MCCARTHY) for today on account of a medical appointment.

#### ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 1 minute p.m.), under its previous order, the House adjourned until Monday, July 17, 2017, at noon for morning-hour debate.

#### OATH FOR ACCESS TO CLASSIFIED INFORMATION

Under clause 13 of rule XXIII, the following Member executed the oath for access to classified information:

JIMMY GOMEZ

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1967. A letter from the Secretary, Department of Defense, transmitting a letter authorizing three officers to wear the insignia of the grade of major general, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

1968. A letter from the Secretary, Department of Defense, transmitting a letter authorizing two officers to wear the insignia of the grade of major general, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

1969. A letter from the Secretary, Department of Defense, transmitting a letter authorizing Captain William S. Dillon, United States Navy, to wear the insignia of the grade of rear admiral (lower half), pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

1970. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Lake Michigan, Whiting, Indiana [Docket No.: USCG-2017-0195] (RIN: 1625-AA00) received July 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1971. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting the Department's final rule — Listing of Color Additives Exempt from Certification; Spirulina Extract [Docket No.: FDA-2016-C-2570] received July 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1972. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's Major final rule — Revision of Fee Schedules; Fee Recovery for Fiscal Year 2017 [NRC-2016-0081] (RIN: 3150-AJ73) received July 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1973. A letter from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Revisions to the Export Administration Regulations Based on the 2016 Missile Technology Control Regime Plenary Agreements [Docket No.: 170202139-7139-01] (RIN: 0694-AH33) received July 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

1974. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 17-25, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1975. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-97, "Fiscal Year 2017 Revised Local Budget Temporary Adjustment Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

1976. A letter from the Director, Office of Human Resources, Environmental Protection Agency, transmitting twenty-three (23) notifications of a federal vacancy, designation of acting officer, nomination, action on nomination, and discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

1977. A letter from the Chief, Branch of Recovery and State Grants, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of the Oregon Silverspot Butterfly in Northwestern Oregon [Docket No.: FWS-R1-ES-2016-0102; FXES11130900000 178 FF09E42000] (RIN: 1018-BB74) received July 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

1978. A letter from the Chief, Branch of Recovery and State Grants, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Removal of the Hualapai Mexican Vole From the Federal List of Endangered and Threatened Wildlife [Docket No.: FWS-R2-ES-2015-0028; FXES11130900000-178-FF09E42000] (RIN: 1018-AX99) received July 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

1979. A letter from the Chief, Branch of Recovery and State Grants, Ecological Services Program, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Reinstatement of Removal of Federal Protections for Gray Wolves in Wyoming [Docket No.: FWS-R6-ES-2017-0025; FXES11130900000 167 FF09E42000] (RIN: 1018-BC04) received July 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

1980. A letter from the Acting Chief, Branch of Recovery and State Grants, Ecological Services Program, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Reinstatement of Removal of Federal Protections for Gray Wolves in Wyoming [Docket No.: FWS-R6-ES-2017-0025; FXES11130900000 167 FF09E42000] (RIN: 1018-BC04) received July 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

1981. A letter from the Wildlife Biologist, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's Major final rule — Migratory Bird Hunting; Final Frameworks for Migratory Bird Hunting Regulations [Docket No.: FWS-HQ-MB-2016-0051; FF09M21200-178-FXMB1231099BPP0] (RIN: 1018-BB40) received July 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

1982. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Premerger Notification; Reporting and Waiting Period Requirements received July 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

1983. A letter from the President, National Council on Radiation Protection and Measurements, transmitting the 2016 Annual Report of an independent audit of the Council, pursuant to 36 U.S.C. 10101(b)(1) and 150909; to the Committee on the Judiciary.

1984. A letter from the Chief, Regulatory Coordination Division, U.S. Citizenship and Immigration Services, Department of Homeland Security, transmitting the Department's final rule — International Entrepreneur Rule: Delay of Effective Date [CIS



No.: 2572-15; DHS Docket No.: USCIS-2015-0006] (RIN: 1615-AC04) received July 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

1985. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zones; Marine Events held in the Captain of the Port Long Island Sound Zone [Docket No.: USCG-2017-0440] (RIN: 1625-AA00) received July 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1986. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zones; Marine Events held in the Captain of the Port Long Island Sound Zone [Docket No.: USCG-2017-0243] (RIN: 1625-AA00) received July 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1987. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Oswego Harborfest 2017 Breakwall and Barge Fireworks Display; Oswego Harbor, Oswego, NY [Docket No.: USCG-2017-0359] (RIN: 1625-AA00) received July 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1988. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Port Huron Blue Water Fest Fireworks, St. Clair River, Port Huron, MI [Docket No.: USCG-2017-0500] (RIN: 1625-AA00) received July 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1989. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; St. Ignace Fireworks Displays, St. Ignace, MI [Docket No.: USCG-2017-0472] (RIN: 1625-AA00) received July 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1990. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Bay Village Independence Day Celebration Fireworks Display; Lake Erie, Bay Village, OH [Docket No.: USCG-2017-0568] (RIN: 1625-AA00) received July 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1991. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Cleveland Triathlon Swim Event; Lake Erie, Cleveland, OH [Docket No.: USCG-2017-0580] (RIN: 1625-AA00) received July 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1992. A letter from the Attorney-Advisor, Office of Regulations and Administrative

Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Thunder on the Outer Harbor; Buffalo Outer Harbor, Buffalo, NY [Docket No.: USCG-2017-0331] (RIN: 1625-AA00) received July 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1993. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Lakewood Independence Day Fireworks Display; Lake Erie, Lakewood, OH [Docket No.: USCG-2017-0533] (RIN: 1625-AA00) received July 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1994. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Safety Zones; Recurring Marine Events in Sector Columbia River [Docket No.: USCG-2017-0224] (RIN: 1625-AA08, AA00) received July 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1995. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's interim rule — Security Zone; Potomac River, Montgomery County, MD [Docket No.: USCG-2017-0448] (RIN: 1625-AA87) received July 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1996. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; St. Louis River (Duluth-Superior Harbor), between the towns of Duluth, MN and Superior, WI [Docket No.: USCG-2017-0212] (RIN: 1625-AA09) received July 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 1422. A bill to amend the Flood Disaster Protection Act of 1973 to require that certain buildings and personal property be covered by flood insurance, and for other purposes; with an amendment (Rept. 115-220). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 2565. A bill to require the use of replacement cost value in determining the premium rates for flood insurance coverage under the National Flood Insurance Act, and for other purposes; with an amendment (Rept. 115-221). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALDEN: Committee on Energy and Commerce. H.R. 806. A bill to facilitate efficient State implementation of ground-level ozone standards, and for other purposes; with

an amendment (Rept. 115-222). Referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MCGOVERN:

H.R. 3241. A bill to require the Federal Energy Regulatory Commission to consider greenhouse gas emissions related to natural gas pipelines, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. HARTZLER:

H.R. 3242. A bill to expand access to the Rural Community Facilities Program of the Department of Agriculture, and for other purposes; to the Committee on Agriculture.

By Mr. CONNOLLY (for himself, Mr. ISSA, Mr. MEADOWS, and Ms. KELLY of Illinois):

H.R. 3243. A bill to amend title 40, United States Code, to eliminate the sunset of certain provisions relating to information technology, to amend the National Defense Authorization Act for Fiscal Year 2015 to extend the sunset relating to the Federal Data Center Consolidation Initiative, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MEADOWS (for himself, Mr. JODY B. HICE of Georgia, and Mr. CONNOLLY):

H.R. 3244. A bill to amend title 5, United States Code, to provide for annual surveys of Federal employees, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BILIRAKIS (for himself and Ms. CASTOR of Florida):

H.R. 3245. A bill to amend title XI of the Social Security Act to increase civil money penalties and criminal fines for Federal health care program fraud and abuse, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Miss RICE of New York (for herself and Ms. STEFANIK):

H.R. 3246. A bill to amend the Elementary and Secondary Education Act of 1965 to establish a Teacher Advisory Committee and a Parents and Families Advisory Committee; to the Committee on Education and the Workforce.

By Mr. BERA:

H.R. 3247. A bill to direct the President to develop and submit to Congress a strategy to protect United States interests in the Arctic region, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Foreign Affairs, Energy and Commerce, Science, Space, and Technology, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Mr. BLUMENAUER, Ms. BORDALLO, Ms. BROWNLEY of California, Mr. CONNOLLY, Ms. ESHOO, Mr. GRIJALVA, Ms. LOFGREN, Mr. LOWENTHAL, Mr. MCGOVERN, Ms. NORTON, Mr. PETERS, Ms. PINGREE, Mr. POLIS, Ms. SLAUGHTER, Mr. TAKANO, Mr. THOMPSON of



California, Mr. TONKO, Ms. TSONGAS, Ms. VELÁZQUEZ, Mr. WELCH, Mr. LANGEVIN, Mr. TED LIEU of California, and Mr. HUFFMAN):

H.R. 3248. A bill to encourage water efficiency; to the Committee on Energy and Commerce, and in addition to the Committees on Oversight and Government Reform, Armed Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. COMSTOCK:

H.R. 3249. A bill to authorize the Project Safe Neighborhoods Grant Program, and for other purposes; to the Committee on the Judiciary.

By Mr. CROWLEY (for himself, Mr. NADLER, Ms. VELÁZQUEZ, Mr. ESPAILLAT, Ms. CLARKE of New York, Mr. TONKO, Mr. SERRANO, and Mr. JEFFRIES):

H.R. 3250. A bill to provide aliens who performed rescue, recovery, demolition, debris cleanup, or other related services after the September 11 terrorist attacks an opportunity to adjust their status to that of an alien lawfully admitted for permanent residence, and for other purposes; to the Committee on the Judiciary.

By Mr. FORTENBERRY (for himself and Mr. HUFFMAN):

H.R. 3251. A bill to amend the National Trails System Act to include national discovery trails and to designate the American Discovery Trail, and for other purposes; to the Committee on Natural Resources.

By Mr. FOSTER:

H.R. 3252. A bill to amend the Higher Education Act of 1965 to authorize certain students in retain financial aid eligibility while completing a drug rehabilitation program; to the Committee on Education and the Workforce.

By Mr. LOEBSACK:

H.R. 3253. A bill to provide for the health coverage of Members of Congress to be affected if the rate of individuals without health insurance increases; to the Committee on House Administration, and in addition to the Committees on Oversight and Government Reform, Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico (for herself and Mr. CICILLINE):

H.R. 3254. A bill to amend the Internal Revenue Code to impose an excise tax on opioid manufacturers, to make the funds collected through such tax available for opioid (including heroin) abuse prevention and treatment programs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. NORTON, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LOWENTHAL, Mrs. NAPOLITANO, Mr. COOPER, Mr. LEVIN, Ms. SCHAKOWSKY, Mr. CÁRDENAS, Mr. KHANNA, Ms. LOFGREN, and Mr. CONNOLLY):

H.R. 3255. A bill to amend the Fair Labor Standards Act of 1938 regarding reasonable

break time for nursing mothers; to the Committee on Education and the Workforce.

By Mr. MCKINLEY (for himself, Mr. NEWHOUSE, Ms. DEGETTE, Mr. TONKO, Mr. COLLINS of New York, and Mr. LOEBSACK):

H.R. 3256. A bill to amend the Energy Policy Act of 2005 to extend the eligibility for certain hydroelectric production and efficiency incentives; to the Committee on Energy and Commerce.

By Mr. ROKITA (for himself, Mr. BRAT, Mr. LOUDERMILK, and Mr. SMITH of Missouri):

H.R. 3257. A bill to provide certain reforms to promote accountability and efficiency in the civil service, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. RUIZ:

H.R. 3258. A bill to amend the Patient Protection and Affordable Care Act to improve cost sharing subsidies; to the Committee on Energy and Commerce.

By Ms. SPEIER (for herself, Ms. ROSEN, Mr. MOULTON, Mr. COHEN, Mr. EVANS, Mr. MCGOVERN, Mr. ENGEL, Mr. RASKIN, Mr. HIMES, Mr. KHANNA, Ms. HANABUSA, and Mr. WALZ):

H.R. 3259. A bill to prohibit the use of Federal funds for the establishment or support of a cybersecurity unit with the Russian Federation, and for other purposes; to the Committee on Foreign Affairs.

By Mr. THOMPSON of California:

H.R. 3260. A bill to provide passengers in air transportation with certain rights; to the Committee on Transportation and Infrastructure.

By Mrs. TORRES (for herself, Mrs. WAGNER, and Mr. EVANS):

H.R. 3261. A bill to direct the Director of National Intelligence to produce a national intelligence estimate of the revenue sources of the North Korean regime, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Ms. JAYAPAL (for herself and Mr. CICILLINE):

H. Res. 446. A resolution of inquiry requesting the President and directing the Attorney General to transmit, respectively, certain documents to the House of Representatives relating to the removal of former Federal Bureau of Investigation Director James Comey; to the Committee on the Judiciary.

By Mrs. WATSON COLEMAN (for herself, Mr. THOMPSON of Mississippi, Mr. PAYNE, Mrs. DEMINGS, Ms. BARRAGÁN, and Mr. LANGEVIN):

H. Res. 447. A resolution directing the Secretary of Homeland Security to transmit certain documents to the House of Representatives relating to Department of Homeland Security policies and activities relating to businesses owned or controlled by President Donald J. Trump; to the Committee on Homeland Security.

By Mr. CORREA (for himself, Mr. LOWENTHAL, Mrs. MURPHY of Florida, Ms. LOFGREN, Mrs. COMSTOCK, and Mr. MCGOVERN):

H. Res. 448. A resolution recognizing the accomplishments and the contributions of Vietnamese Americans; to the Committee on Oversight and Government Reform.

By Mr. ENGEL (for himself, Mr. SMITH of New Jersey, and Ms. BASS):

H. Res. 449. A resolution urging the Government of Kenya and Kenya's political parties to respect democratic principles and hold credible, peaceful, and transparent elections in August 2017; to the Committee on Foreign Affairs.

By Mr. NOLAN:

H. Res. 450. A resolution expressing the sense of the House of Representatives regarding the power of Congress to protect the right to vote; to the Committee on House Administration.

## MEMORIALS

Under clause 3 of rule XII,

94. The SPEAKER presented a memorial of the House of Representatives of the State of Louisiana, relative to House Resolution No. 129, urging the United States Congress to take such actions as are necessary to support the domestic beef industry; which was referred to the Committee on Agriculture.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MCGOVERN:

H.R. 3241.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. HARTZLER:

H.R. 3242.

Congress has the power to enact this legislation pursuant to the following:

Article I: Section 8: Clause 3 The United States Congress shall have power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. CONNOLLY:

H.R. 3243.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 18 of the United States Constitution

By Mr. MEADOWS:

H.R. 3244.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BILIRAKIS:

H.R. 3245.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1

By Miss RICE of New York:

H.R. 3246.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

By Mr. BERA:

H.R. 3247.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. CARTWRIGHT:

H.R. 3248.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mrs. COMSTOCK:  
H.R. 3249.  
Congress has the power to enact this legislation pursuant to the following:  
Article 1, Section 8, of the U.S. Constitution.

By Mr. CROWLEY:  
H.R. 3250.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8 of the U.S. Constitution.

By Mr. FORTENBERRY:  
H.R. 3251.  
Congress has the power to enact this legislation pursuant to the following:  
The constitutional authority for this bill is pursuant to Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. FOSTER:  
H.R. 3252.  
Congress has the power to enact this legislation pursuant to the following:  
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. LOEBSACK:  
H.R. 3253.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8, Clause 1  
By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 3254.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8, Clause 18 of the United States Constitution, "The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 3255.  
Congress has the power to enact this legislation pursuant to the following:  
Fourteenth Amendment, Section 5, which reads: The Congress shall have power to enforce, by appropriate legislation, the provisions of this article; and Article I, Section 8, Clause 3, which reads: The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. MCKINLEY:  
H.R. 3256.  
Congress has the power to enact this legislation pursuant to the following:  
According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. ROKITA:  
H.R. 3257.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section VIII, Clause XVIII  
To make all laws that shall be necessary and proper for carrying into Execution the foregoing Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. RUIZ:  
H.R. 3258.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, section 8, Clauses 1 and 18 of the United States Constitution, to provide for

the general welfare and make all laws necessary and proper to carry out the powers of Congress.

By Ms. SPEIER:  
H.R. 3259.  
Congress has the power to enact this legislation pursuant to the following:  
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. THOMPSON of California:  
H.R. 3260.  
Congress has the power to enact this legislation pursuant to the following:  
ARTICLE I of the CONSTITUTION OF THE UNITED STATES

By Mrs. TORRES:  
H.R. 3261.  
Congress has the power to enact this legislation pursuant to the following:  
According to Article 1: Section 8: Clause 18: of the United States Constitution, seen below, this bill falls within the Constitutional Authority of the United States Congress.

Article 1: Section 8: Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 38: Mr. TROTT.  
H.R. 113: Ms. DEGETTE and Mr. HILL.  
H.R. 154: Ms. MENG.  
H.R. 367: Mr. NORMAN.  
H.R. 377: Mr. ESTES of Kansas.  
H.R. 422: Mr. HULTGREN, Mr. LONG, Mr. THORNBERRY, and Mr. NORMAN.  
H.R. 490: Mr. COLLINS of Georgia, Mr. YOUNG of Iowa, Mr. SCHWEIKERT, and Mr. GUTHRIE.  
H.R. 523: Mr. NORMAN.  
H.R. 721: Mr. MOONEY of West Virginia, Mr. SESSIONS, Mr. ALLEN, Mr. SMITH of New Jersey, Ms. HERRERA BEUTLER, Mr. THORNBERRY, and Mr. MURPHY of Pennsylvania.  
H.R. 762: Ms. WASSERMAN SCHULTZ.  
H.R. 778: Mr. LABRADOR and Mr. SOTO.  
H.R. 799: Mr. STIVERS.  
H.R. 807: Mr. TED LIEU of California.  
H.R. 816: Mr. BACON.  
H.R. 849: Mr. GALLAGHER, Mr. MOONEY of West Virginia, Mr. MITCHELL, Mr. ISSA, Mr. SIREs, Mr. UPTON, and Mr. FRANKS of Arizona.  
H.R. 880: Ms. JENKINS of Kansas, Mr. WALBERG, and Mr. KINZINGER.  
H.R. 959: Ms. LOFGREN.  
H.R. 1002: Mr. SMUCKER.  
H.R. 1006: Mr. KHANNA.  
H.R. 1065: Mr. NORMAN.  
H.R. 1148: Mr. FOSTER and Mr. PERLMUTTER.  
H.R. 1159: Mr. CRIST, Mr. EVANS, Mr. POE of Texas, Ms. ROSEN, and Mr. SOTO.  
H.R. 1232: Ms. HANABUSA and Ms. CLARK of Massachusetts.  
H.R. 1235: Mr. BUCHANAN, Mr. REICHERT, Ms. ROS-LEHTINEN, Mrs. BLACK, Mr. BISHOP of Michigan, Mr. NUNES, Mr. CURBELO of Florida, Mr. COMER, Mr. SCHWEIKERT, Mr. MURPHY of Pennsylvania, Mr. MARCHANT, Mr. DENT, Mr. FASO, Mr. ROE of Tennessee, Mr. LONG, Ms. STEFANIK, Mr. POLIQUIN, Mr. MESSER, Mr. KINZINGER, Mrs. LOVE, Mr. JONES, and Mr. MCHENRY.

H.R. 1276: Mr. SMITH of Washington.  
H.R. 1298: Ms. JUDY CHU of California.  
H.R. 1322: Mr. PALLONE.  
H.R. 1358: Ms. KELLY of Illinois, Mr. PAYNE, Ms. CLARKE of New York, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Mr. WELCH, Mrs. TORRES, and Mr. WALZ.  
H.R. 1469: Mr. NORMAN.  
H.R. 1639: Ms. BROWNLEY of California.  
H.R. 1687: Ms. SHEA-PORTER.  
H.R. 1698: Mrs. DEMINGS, Mr. TAYLOR, Mr. RUTHERFORD, Mr. DENHAM, Mr. FERGUSON, and Mr. LAHOOD.  
H.R. 1733: Ms. TSONGAS.  
H.R. 1840: Mr. DESJARLAIS.  
H.R. 1843: Mr. CURBELO of Florida.  
H.R. 1864: Mr. EVANS.  
H.R. 1868: Ms. NORTON.  
H.R. 1976: Mr. OLSON.  
H.R. 2040: Mr. STIVERS.  
H.R. 2049: Mr. CONYERS, Mr. GENE GREEN of Texas, and Mr. TONKO.  
H.R. 2062: Mr. SWALWELL of California.  
H.R. 2077: Ms. LOFGREN and Mrs. BEATTY.  
H.R. 2133: Mr. STIVERS, Mr. LOUDERMILK, Mr. MOONEY of West Virginia, and Mr. ROE of Tennessee.  
H.R. 2151: Ms. MCCOLLUM.  
H.R. 2193: Ms. JENKINS of Kansas.  
H.R. 2197: Mr. GOTTHEIMER.  
H.R. 2234: Ms. JUDY CHU of California.  
H.R. 2322: Mr. BISHOP of Michigan.  
H.R. 2383: Mrs. WAGNER.  
H.R. 2401: Ms. CLARK of Massachusetts, Ms. JACKSON LEE, Mrs. Carolyn B. Maloney of New York, Mr. TED LIEU of California, Ms. BARRAGÁN, Ms. JUDY CHU of California, Mr. HUFFMAN, Mr. KINZINGER, Mr. ELLISON, Ms. TSONGAS, and Ms. MENG.  
H.R. 2404: Mr. JOHNSON of Georgia.  
H.R. 2414: Mr. QUIGLEY.  
H.R. 2418: Mrs. NAPOLITANO.  
H.R. 2428: Mr. LOWENTHAL.  
H.R. 2482: Mr. THOMPSON of Pennsylvania.  
H.R. 2519: Mr. WILLIAMS, Mr. SMITH of Missouri, and Ms. MAXINE WATERS of California.  
H.R. 2578: Ms. MENG.  
H.R. 2584: Mr. MOONEY of West Virginia and Ms. JAYAPAL.  
H.R. 2595: Mr. OLSON.  
H.R. 2603: Mr. PETERSON.  
H.R. 2646: Mr. COOK.  
H.R. 2679: Mr. KELLY of Pennsylvania.  
H.R. 2723: Mr. BUCSHON.  
H.R. 2740: Mr. WALZ, Mr. LOWENTHAL, and Mr. STIVERS.  
H.R. 2782: Mr. MACARTHUR.  
H.R. 2832: Mr. BABIN.  
H.R. 2870: Mr. CRAMER.  
H.R. 2883: Mr. SESSIONS.  
H.R. 2902: Ms. JACKSON LEE.  
H.R. 2904: Mr. KILMER, Ms. SÁNCHEZ, and Mr. AGUILAR.  
H.R. 2909: Mr. NORMAN.  
H.R. 2910: Mr. SESSIONS.  
H.R. 2918: Mr. NORMAN.  
H.R. 2926: Mr. LOWENTHAL.  
H.R. 2933: Mr. ESPAILLAT, Mrs. WATSON COLEMAN, Mr. EVANS, Mr. GRIJALVA, Mr. PALLONE, Ms. JACKSON LEE, Mr. TED LIEU of California, Ms. SHEA-PORTER, Mr. RYAN of Ohio, Mr. BLUMENAUER, and Mr. POLIS.  
H.R. 2946: Mr. HARPER and Mr. GALLAGHER.  
H.R. 2948: Mr. MESSER, Mr. SHERMAN, Mr. BARR, Mr. DAVID SCOTT of Georgia, and Mrs. NAPOLITANO.  
H.R. 2953: Mr. MEEHAN, Ms. JENKINS of Kansas, Mr. GRIJALVA, Mr. PALLONE, Mr. JODY B. HICE of Georgia, Mr. LANCE, and Mr. POE of Texas.  
H.R. 2991: Mr. DENT, Mr. COSTELLO of Pennsylvania, Mr. MARINO, and Mr. BARLETTA.  
H.R. 2996: Mr. BRAT and Mr. JOHNSON of Louisiana.

H.R. 3006: Mr. KELLY of Pennsylvania.  
 H.R. 3030: Ms. SCHAKOWSKY.  
 H.R. 3034: Mr. CLEAVER, Mr. KELLY of Mississippi, Ms. MCCOLLUM, Mr. ROTHFUS, Mr. HILL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. RODNEY DAVIS of Illinois, and Mr. LUETKEMEYER.

H.R. 3036: Mr. MAST.  
 H.R. 3053: Mr. KINZINGER, Mr. HARPER, Mrs. MIMI WALTERS of California, Mr. WALBERG, Mr. CRAMER, Mr. JOHNSON of Ohio, Mrs. McMORRIS RODGERS, Mr. MCKINLEY, Mr. FLORES, Mr. LATTA, Mr. LONG, Mr. LANCE, Mr. UPTON, Mr. COLLINS of New York, Mr. OLSON, Mr. MURPHY of Pennsylvania, Mrs. BLACKBURN, Mr. BARTON, Mr. CARTER of Georgia, Mr. HUDSON, Mrs. DINGELL, Mr. MCNERNEY, Mr. PETERS, Mr. GENE GREEN of Texas, Mr. MICHAEL F. DOYLE of Pennsylvania, and Ms. MATSUI.

H.R. 3059: Ms. TSONGAS and Mr. YARMUTH.  
 H.R. 3089: Mr. DONOVAN.  
 H.R. 3091: Ms. MOORE.  
 H.R. 3120: Mr. MEADOWS and Mr. BUCSHON.

H.R. 3139: Mr. OLSON.  
 H.R. 3191: Mr. COHEN, Ms. JACKSON LEE, and Mr. MCGOVERN.

H.R. 3212: Mr. CRAMER.  
 H.R. 3218: Mrs. WALORSKI.  
 H.R. 3222: Mr. FOSTER, Mrs. TORRES, Mr. CONYERS, Ms. JUDY CHU of California, and Mr. ELLISON.

H.R. 3223: Mr. GOSAR, Mr. ROGERS of Alabama, Mr. ARRINGTON, and Mr. ABRAHAM.  
 H.R. 3227: Mr. TAKANO.

H.J. Res. 51: Mr. SMUCKER, Mr. DUFFY, Mr. MOONEY of West Virginia, Mr. MITCHELL, Mr. GENE GREEN of Texas, Mr. NORCROSS, Mr. SCHNEIDER, Mr. UPTON, Mr. SIREs, and Mr. FRANKS of Arizona.

H. Con. Res. 45: Ms. SEWELL of Alabama.  
 H. Con. Res. 59: Mr. NORMAN, Mrs. RADEWAGEN, and Mr. GOSAR.

H. Con. Res. 60: Mr. FRELINGHUYSEN.  
 H. Con. Res. 63: Mr. BROWN of Maryland.  
 H. Con. Res. 68: Mr. LOWENTHAL.  
 H. Res. 58: Mr. LOWENTHAL.  
 H. Res. 274: Mr. HECK and Mr. THOMPSON of California.

H. Res. 294: Ms. JUDY CHU of California.  
 H. Res. 317: Mrs. COMSTOCK.  
 H. Res. 345: Mr. GRIJALVA and Mr. GARAMENDI.  
 H. Res. 349: Mr. BACON.  
 H. Res. 407: Mrs. COMSTOCK.  
 H. Res. 435: Mr. PALLONE.  
 H. Res. 441: Mr. RASKIN.  
 H. Res. 445: Mr. DONOVAN, Ms. ROSELEHTINEN, and Mr. HULTGREN.

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#### DISCHARGE PETITIONS— ADDITIONS AND WITHDRAWALS

The following Members added their names to the following discharge petitions:

Petition 1 by Ms. ESHOO on H.R. 305: Mr. Gomez.

Petition 2 by Mr. SWALWELL of California on H.R. 356: Mr. Gomez.

## EXTENSIONS OF REMARKS

IN RECOGNITION OF ROBINSON FANS, INC. AND ITS 125TH ANNIVERSARY

### HON. MIKE KELLY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 14, 2017

Mr. KELLY of Pennsylvania. Mr. Speaker, today I recognize Robinson Fans, Inc. and its celebration of 125 years as a solely owned family business. Small businesses like Robinson Fans, Inc. are important to both the economy and the community of Pennsylvania's third district. This year, the occasion of its 125th Anniversary, is an appropriate time to celebrate the hard work and outstanding achievements of this small business.

Robinson Fans, Inc., founded in Monongahela, Pennsylvania in 1892, has been operating in the town of Zelienople, Pennsylvania for over a century. This business has helped power locomotives, allowed commodity giants to dig the world's deepest mines, and employed numerous members of the community throughout the years. It has enhanced both the community and the economy, providing jobs and economic opportunity for generations of Pennsylvanians.

Robinson Fans has been victorious through some of America's worst hardships, including the Great Depression and several recessions, an economic feat of enormous scale. It has survived and thrived through multiple generations with new management and operation tactics that kept the business successful. Robinson Fans is now on its sixth generation. This is a remarkable accomplishment, considering most companies do not last beyond 20 years and only 3 percent of family-owned businesses make it to the fourth generation, according to the Family Business Institute.

As a supporter of small businesses like Robinson Fans, I am proud of its efforts and achievements in both the community and the economy. I am sure all my colleagues join me in applauding the valiant efforts of this business and other small businesses that continue to offer economic opportunity to our constituents and make our country a better place.

HONORING THE LIFE OF MIKE MCGARVIN

### HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 14, 2017

Mr. COSTA. Mr. Speaker, we rise today to pay tribute to the life and service of Mr. Mike McGarvin. Mike was the beloved founder of the Poverello House, a homeless shelter in Fresno which provides programs and support services to hundreds of people every day. For

decades Mike touched the lives of countless disadvantaged people in the Fresno area using one simple message, "Listen with compassion; give with a warm heart and a smile."

Mike, or "Papa Mike," as he was affectionately known by many, was born in San Francisco, California in 1944. After early struggles in life, he found solace in a coffee house in San Francisco called Poverello that served those in need. The coffee house was run by a priest, who later asked Mike to volunteer there, an opportunity that proved to be life changing.

After seven years of volunteering at the San Francisco Poverello, Mike and his wife Mary moved back to her hometown of Fresno where he worked as a photographer for the local newspaper, The Fresno Bee. After observing Fresno's homeless population, Mike was reminded of the kindness shown to him at Poverello in San Francisco, and he pledged to find a way to give back.

Mike initiated his legacy by passing out peanut butter and jelly sandwiches to the homeless and the hungry from the back of his car. Soon after, he purchased a small storefront and opened the Poverello House to help those in need in Fresno, naming his small outfit after the place in San Francisco that saved his life. Since its modest beginnings, the Poverello House has grown. It now provides three meals a day, 365 days a year to those in need as well as many other services, such as clothing distribution, emergency food bags, a medical clinic, the Men's Resident Rehabilitation program, and temporary overnight shelter for men and women. The Poverello House is truly a source of salvation for countless individuals in our community.

Mike has been recognized many times throughout his life for his invaluable work, including an honorary doctorate from California State University, Fresno and the Pope John XXIII Award from the Italian Catholic Federation in honor of his years of humanitarian service.

Mike will be remembered by all for his boundless kindness and deep compassion. He leaves a legacy of service and selflessness, both through the Poverello House and in the hearts of the people whose lives he touched. He is survived by his wife of 46 years Mary, daughter Clare, and grandson Tyler.

Mr. Speaker, we ask our colleagues to join us in honoring the life and achievements of Mike McGarvin, whose passion for service and kindness has forever changed the lives of those in need in our community. I join Mike's family and the Poverello House in honoring his life. He will truly be missed.

HONORING THE VILLAGE OF LA GRANGE PARK

### HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 14, 2017

Mr. QUIGLEY. Mr. Speaker, I rise today to honor the Village of La Grange Park as it celebrates its 125th Anniversary.

The Village was founded July 14, 1892, when 300 residents living in the southwest corner of Proviso Township came together to form what was then a unique suburb—a bedroom community with no business district or rail transportation.

La Grange Park prides itself in being one of Illinois' most lively and inclusive villages, in addition to being one of the most economically successful. Originally settled in the 1840s by Chicago residents who fled the rapid population growth of the city, La Grange Park quickly became a prominent Illinois farming town. From its quiet beginnings, La Grange Park has grown into one of the Chicago area's most livable communities for its 13,579 residents.

In recent years, the Village has seen an influx of new residents, as young families have been drawn to the award winning private and public schools that serve the community, including Nazareth Academy, Lyons Township High School and Riverside-Brookfield High School. LaGrange Park also cherishes its senior citizens, providing three first-class senior living facilities.

Today, La Grange Park is still home to many residents of Irish, Italian, and German heritage, but the village has come a long way from its humble beginnings as a farm town. With its gorgeous homes, safe communities, good schools, and over 13,000 residents, it's no wonder that La Grange Park was named one of "The Best Places to Live" by CHICAGO Magazine. The village is also home to many prosperous businesses and attractions that draw visitors from other various parts of the Midwest.

La Grange Park's contributions to the 5th District of Illinois and the state in general, cannot be understated, and I am truly honored to be a part of this historic recognition. Mr. Speaker, I ask you all to join me in celebrating the Village of La Grange Park during this momentous occasion, and may they enjoy many more years of continued success.

PERSONAL EXPLANATION

### HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 14, 2017

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on Thursday, July 13, 2017, I was absent

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

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

from the House because I was unavoidably detained. Due to my absence, I did not record any votes on the Motion to Adjourn, first vote series, and second vote series. I would have voted "aye" on Roll Call 354, Roll Call 355, Roll Call 362, Roll Call 369, and Roll Call 371.

I would have voted "Nay" on Roll Call 353, Roll Call 356, Roll Call 357, Roll Call 358, Roll Call 359, Roll Call 360, Roll Call 361, Roll Call 363, Roll Call 364, Roll Call 365, Roll Call 366, Roll Call 367, Roll Call 368, and Roll Call 370.

RECOGNIZING THE 52ND ANNIVERSARY OF THE OLDER AMERICANS ACT

**HON. JOYCE BEATTY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Mrs. BEATTY. Mr. Speaker, today marks the 52nd Anniversary of the Older Americans Act, a landmark bill signed into law by President Lyndon Johnson on July 14, 1965.

The Older Americans Act provides critical support services for tens of millions of senior citizens and their families.

With 10,000 Americans turning 65 every day, our country has an obligation to keep these programs strong.

Older Americans should be able to live a life of dignity and independence.

However, that promise is under attack by the Trump Administration and Congressional Republicans.

Trumpcare will hurt older Americans by gutting Medicaid by \$722 billion and allowing insurers to charge older Americans more money for less coverage, no matter their health status.

Not to be outdone, Trump's very first budget would eliminate programs like Meals on Wheels and senior employment services, forcing countless older Americans into a life of hunger and poverty.

We cannot break our promise to our seniors.

Democrats will continue to fight to protect the Older Americans Act and ensure every American can live their full life with dignity.

RECOGNITION OF FULBRIGHT GRANTEES

**HON. DAVE BRAT**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Mr. BRAT. Mr. Speaker, I rise today to recognize four constituents who received prestigious Fulbright awards during the 2016–2017 academic year. They are, Ms. Tyra Beaman of Glen Allen, Virginia, Ms. Ellen Korcovelos of Henrico, Virginia, Mr. Colfax Phillips of Richmond, Virginia, and Ms. Eileen Wang of Glen Allen, Virginia.

These scholars will be joining alumni of the Fulbright program who have and will continue to be extraordinarily successful in their lives. Fulbright scholars go on to excel in nearly

every sector of our economy, as well as serving in the highest levels of government and Congress.

According to the United States Department of State, more than 370,000 individuals from the United States and over 180 countries have participated in the Fulbright program since 1946. The Fulbright Student Program boasts that "The Fulbright U.S. Student Program is the largest U.S. exchange program offering opportunities for students and young professionals to undertake international graduate study, advanced research, university teaching, and primary and secondary school teaching worldwide."

This program is a terrific way for students to gain worldwide perspectives and learn valuable lessons from other countries. They are also taking with them the values that made America what it is today. They will build lifelong relationships and be ambassadors for America for years to come. Congratulations.

IN RECOGNITION OF THE RETIREMENT OF LIEUTENANT GENERAL LARRY WYCHE

**HON. MO BROOKS**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Mr. BROOKS of Alabama. Mr. Speaker, I would like to pay tribute to Lieutenant General Larry Wyche, Deputy Commanding General, United States Army Materiel Command, and Senior Commander of Redstone Arsenal in my home state of Alabama, on the occasion of his retirement following more than 42 years of exemplary service to the United States Army.

Lieutenant General Wyche began his career as an enlisted soldier rising to the rank of Sergeant and he will retire with three stars. Those stars were not easy to come by. They were hard earned. Lieutenant General Wyche has been critical in transforming the manner in which Sustainment is provided to our Nation's Warfighters and he has been a champion for the health and welfare of the Organic Industrial Base—our arsenals, manufacturing depots, and ammunition plants.

Lieutenant General Wyche has shaped and led the day-to-day operations of the U.S. Army Materiel Command, a \$58 billion logistics enterprise, staffed by more than 120,000 Soldiers, Civilians, and Contractors for more than two years. The command has a presence in all 50 U.S. states and 155 countries.

As Senior Commander of Redstone Arsenal in my district, Lieutenant General Wyche was in charge of the security and well-being of the more than 70 tenants, Soldiers, Army Civilians, and Families. Under his watch, the quality of life for residents and employees alike greatly improved.

Lieutenant General Wyche's many stellar achievements are too many to recite, but they have had far reaching effects at home and abroad. As a major, he deployed with the XVIII Airborne Corps to Haiti and did his part to restore democracy to that country during Operation Uphold Democracy. His bravery and courage were also tested in Afghanistan during Operation Enduring Freedom.

Lieutenant General Wyche began his career earning stripes and retires having earned every one of his three stars. We thank him for his leadership. On behalf of all those touched by his service, we wish Lieutenant General Wyche and his wife, Denise, and their family, good luck, good ground, and Godspeed. Army Strong.

IN HONOR OF THE 60TH ANNIVERSARY OF EASTERSEALS SOUTHERN GEORGIA

**HON. SANFORD D. BISHOP, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Mr. BISHOP of Georgia. Mr. Speaker, I consider it my great honor and pleasure to extend my sincerest congratulations to the Easterseals Southern Georgia program as it celebrates 60 years of serving individuals living with disabilities and their families. The Easterseals Southern Georgia will celebrate this significant milestone with a celebration on July 15, 2017 at the Doublegate Country Club in Albany, GA.

Easterseals Southern Georgia was brought to life by Mr. and Mrs. Carl Huie after they spent nearly eight years traveling back and forth from Atlanta with their daughter Carlton whose health was ailing. After struggling to find a facility that accommodated her daughter's needs, Mrs. Huie vowed to start a rehabilitation center in Albany to serve the disabled people of Southwest Georgia.

After nearly two years of letter writing and talking with every women's group in Albany, Mrs. Huie convinced the Junior League of Albany to take on the sponsorship and they began working toward establishing what would become the Easter Seal Guild. In 1954, the Devane Home in Albany was rented, and later purchased for use. The center officially opened on November 25, 1957 and on November 21, 1961, the Easter Seal Guild was formed, boasting 25 charter members.

However, in 1990, the Easter Seal Guild dissolved and Easterseals Southern Georgia became a direct affiliate of the National Easterseals Organization. Through the changes, the program continued to grow into a multi-faceted organization, becoming even more responsive to the needs of the region it set out to serve.

The programs for adults and children created by Easterseals Southern Georgia over the years have helped families of individuals who are amputees and those who suffer from traumatic physical and emotional injuries, developmental or intellectual disabilities, and mental illnesses by providing programs that are customized to their needs. The Easterseals Southern Georgia continues to provide these and new services to help ensure that each group's needs are met.

Beyond working to provide opportunities to adults with disabilities, Easterseals Southern Georgia opened "Megan's House" to serve families of children with disabilities. The house was so successful that the Georgia Department of Behavioral Health and Developmental Disabilities provided funds for a second home

in Waycross, Georgia, and the U.S. Congress provided federal funds in 2009 for a third home in Valdosta, Georgia.

Since its inception in 1957, Easterseals Southern Georgia has served over 70,000 citizens in need and has aimed to ensure that those with developmental disabilities have valued roles in the community by administering training and other services that support individual choices and opportunities. Easterseals has expanded its area of outreach to underprivileged adults and children in Northern Florida and East Georgia.

Mr. Speaker, I ask my colleagues to join me and the more than 730,000 residents of Georgia's Second Congressional District in expressing our profound gratitude to Easterseals Southern Georgia for providing citizens with disabilities the long-lasting skills needed to be outstanding members of their communities.

IN HONOR OF JOSEPH NOUFAL

**HON. BARBARA COMSTOCK**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Mrs. COMSTOCK. Mr. Speaker, I would like to take a moment to commemorate the life of my constituent Mr. Joseph "Joey" Noufal from Leesburg, Virginia, who passed away on May 31, 2017, at the age of 48. Throughout his life, Mr. Noufal was an esteemed entrepreneur in our community and a devoted husband, father, and friend. Revered for his sincerity and beloved for his contagious smile, generosity, and compassion, Mr. Noufal embodied an innovative and zealous character. His legacy endures and he will always be remembered and missed by many.

Originally from Beirut, Lebanon, Mr. Noufal immigrated to Northern Virginia during his childhood. From a young age, he developed the essential entrepreneurial qualities of reliability, creativity, and determination by working in his family's salon. Later on, he earned his Associate's Degree in Graphic Design. As an award-winning hair stylist, he successfully ran Noufal Hair Color Studio for more than a quarter-century. Throughout his career, Mr. Noufal garnered numerous international certifications and made house calls to royal families and foreign dignitaries. Additionally, Mr. Noufal operated various business ventures involving franchising, coffee distribution, and corporate cleaning.

Recently, Mr. Noufal and his wife, Vicky, celebrated their 23rd wedding anniversary. Together, they have three sons, Alexander, Brandon, and Mason. Mr. Noufal often remarked that his greatest accomplishment in life was being father to his sons and a partner to his wife. He is also survived by his mother, six brothers, and two sisters.

Mr. Noufal leaves behind a remarkable legacy and an extensive entrepreneurial career to the Commonwealth. His unyielding strength and devotion to his work and clients attested to his selfless character and genial demeanor. He will be greatly missed by the countless lives he has touched.

Mr. Speaker, I ask that my colleagues join me in celebrating the life of, and bidding fare-

well to, Joey Noufal. May he rest in peace, and his family be comforted.

THE HOUSE'S RESPONSE TO  
PRESIDENT TRUMP'S REMARKS  
ON U.S.-RUSSIA CYBERSECURITY  
COOPERATION

**HON. DAVID N. CICILLINE**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Mr. CICILLINE. Mr. Speaker, I rise to express my distress over the House's response to President Trump's recent comments on cybersecurity cooperation with Russia.

The U.S. Intelligence Community has overwhelmingly concluded that Russia actively sought to influence the 2016 election through an active disinformation campaign, and covert cyberattacks. Yet this past weekend, in an act that confounded Republicans and Democrats alike, President Trump bragged about discussing with Vladimir Putin the possibility of establishing a joint cybersecurity unit with Russia. The idea that we would cooperate with Russia on cybersecurity, which would necessarily mean sharing some of our strategies, defies logic.

Naturally concerned by this reckless announcement, this week several of my colleagues and I offered amendments to H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018 to prohibit such cooperation. However, House Republicans refused to bring a single one of them to the floor for consideration.

Not only has our President refused to fully accept the overwhelming evidence that Russia actively sought to influence our elections, he now continues to place our national security at risk by floating the absurd idea that we should actually cooperate with Vladimir Putin, who ordered this campaign against our democratic institutions, in order to guard against future cyber threats.

Mr. Speaker, it would be laughable, if it were not so shameful, that House Republicans are refusing to do anything to even consider prohibiting such a dangerous course of action by President Trump. Why not let the full House vote on this proposal? If any of my colleagues do think it's a good idea to work with Russia on cybersecurity, let them come to the floor and explain themselves.

What will it take before House Republicans take a stand against Russia's actions? If we do not do it, then I promise you it will happen again in the next election.

INSURING SOCIAL SECURITY SOL-  
VENCY FOR CURRENT AND FU-  
TURE GENERATIONS

**HON. TERRI A. SEWELL**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Ms. SEWELL of Alabama. Mr. Speaker, earlier this week, the Ways and Means Subcommittee on Social Security held a hearing to

discuss the Social Security Administration's Annual Trustee Report. This report is a strong reminder that Congress must act to address the Social Security Trust Fund shortfall to ensure the stability of Social Security for generations to come. The longer Congress delays dealing with this impending crisis, the fewer options we will have to address the shortfall.

Social Security is an essential program that prevents elderly Americans from falling into poverty once they reach retirement age or are disabled. Currently, Social Security covers 61 million seniors, and 171 million Americans pay into the system. The Trust Fund is divided into two divisions: Old-Age and Survivors insurance (OASI) and Disability Insurance (DI). These funds cover the 41.2 million retired workers, the 8.8 million disabled workers, and their families.

The long term viability of Social Security is undoubtedly under threat. The Baby Boomers are beginning to retire which is putting significant pressure on the fund. Since Social Security collects fewer revenues than it previously did, it will be forced to draw from the 2.8 trillion dollars in asset reserve. The Social Security Administration Trustee's report estimates that reserves are in danger of depletion by 2034. We cannot let this happen. A reduction in benefits for our seniors would be devastating for many of my constituent, who depend on Social Security payments as their only income in retirement. If benefits decrease, seniors who have paid into the system could be forced to choose between paying for their groceries, their utility bills, or their essential medication.

There are common-sense steps that Congress can take to stabilize the program and insure it's presence for the next century. The Ranking Member of the Ways and Means Social Security Subcommittee, Congressman JOHN LARSON, has introduced H.R. 1902—the Social Security 2100 Act. I am a proud cosponsor of H.R. 1902, which would simultaneously increase benefits for current and future seniors, reduce payroll taxes for middle class and working class Americans, and secure the solvency of the program until 2100. This is accomplished by asking the wealthiest Americans to pay their fair share by raising the payroll tax cap on incomes above \$127,000. There are reasonable solutions that both Democrats and Republicans should be able to support.

Congress cannot afford to abandon our seniors. We must address the Social Security shortfall now. Therefore, I call on Speaker RYAN to bring H.R. 1902 to the floor for a vote.

INTRODUCTION OF HOUSE RESO-  
LUTION RECOGNIZING THE AC-  
COMPLISHMENTS AND CON-  
TRIBUTIONS OF VIETNAMESE  
AMERICANS

**HON. J. LUIS CORREA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Mr. CORREA. Mr. Speaker, today, I am introducing a House Resolution recognizing the accomplishments and contributions of Vietnamese Americans.

I represent part of one of the largest Vietnamese communities in the United States, and I am proud to recognize the valuable contributions of 1.7 million Vietnamese Americans currently living in the United States. The United States is home to the largest number of individuals of Vietnamese descent outside of Vietnam. Additionally, Vietnamese Americans make up the fourth largest Asian American population. Currently, more than 70,000 reside in California's 46th Congressional District.

In the aftermath of the Vietnam War, approximately 800,000 Vietnamese refugees fleeing persecution resettled in the United States. Today, Vietnamese Americans contribute to American society through their work in business, education, science and technology, engineering, mathematics, literature and the arts, gastronomy, the armed forces, and public service at every level of government.

Vietnamese Americans add to the rich cultural and religious diversity of our Nation. As a member of the Congressional Vietnam Caucus, it is critical that we continue to represent and celebrate our Vietnamese families, friends, and neighbors, and recognize their significant contributions to American society.

#### PERSONAL EXPLANATION

#### HON. SALUD O. CARBAJAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Mr. CARBAJAL. Mr. Speaker, I was regretably detained on July 13, 2017 during Roll Call No. 360, the Blumenauer Amendment No. 13 to H.R. 2810.

Had I been present, I would have voted AYE on Roll Call No. 360.

#### HONORING WORLD WAR II VETERAN ED GREEN

#### HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Mr. BARLETTA. Mr. Speaker, it is an honor to recognize my good friend Ed Green for his many years of service to this country, beginning with his time in the U.S. military and continuing thereafter with his many philanthropic endeavors.

During World War II, Ed proudly served as a member of the Navy, operating in a largely clandestine capacity. He lived and worked aboard armed Merchant Marine vessels, consistently risking his life to ensure the safety of those at home.

Upon his honorable discharge from the Navy, Ed continued his selfless dedication to helping others. He became an active member of the Freeland American Legion Post 473, a group committed to mentoring youth and promoting patriotism, honor, and devotion to service members and veterans within its community. Ed was also involved with the long-standing Veterans of Foreign Wars 5010. He served as Commander of the Military Order of

the Cooties Pup Tent 38 in order to help bring smiles to the faces of fellow veterans and residents of the VFW National Home for Children.

Ed's service to his community extended to various local philanthropic projects. For 60 years, he placed flags on the headstones of veterans at Vine Street Cemetery, and when the Standard Speaker newspaper ceased printing flags next to the obituaries of veterans, Ed was responsible for having the newspaper reinstate the practice. Additionally, he spent more than 50 years fighting for disability ratings from the Veterans Administration for hearing loss. He took the lead in organizing countless events during the past many decades, including Flag Day, Veterans Day, and Memorial Day celebrations that took place at locations such as the Laurel Mall and Calvary Cemetery. There is no doubt as to the profound impact Ed has had on the lives of those around him.

Mr. Speaker, please join me in recognizing Ed for all he has sacrificed to serve our country and for all he has contributed to the Hazelton community.

#### HONORING THE CAREER OF COMMAND SERGEANT MAJOR SCOTT C. SCHROEDER

#### HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Mr. HUDSON. Mr. Speaker, I rise today to recognize the retirement of Command Sergeant Major Scott C. Schroeder. After 31 years of dedicated service, Command Sergeant Major Schroeder became the Command Sergeant Major for FORSCOM—a post he held for 3 years.

After enlisting in the United States Army in 1983, he began his career as an electronics mechanic at Fort Bliss, Texas. Serving at military installations all over the world allowed Command Sergeant Major Schroeder to gain valuable experience that would help shape his long career. While stationed at Fort Bragg in North Carolina's Eighth Congressional District, he served with the 2nd Battalion, 505th Parachute Infantry Regiment, and 82nd Airborne Division.

Deployed on numerous operational assignments all over the globe and through some of our nation's toughest times, Command Sergeant Major Schroeder stood ready to answer the call to serve our great country. Some of his most notable engagements were Operation Desert Storm in Saudi Arabia as part of the 82nd Airborne, and Operation Iraqi Freedom in Iraq as part of the 101st Airborne Division. Throughout these operations, he delivered on the promise to keep America safe and confront our enemies head on under the most difficult conditions.

While fighting our nation's battles overseas, Command Sergeant Major Schroeder had a full family at home. Residing in Charlotte, his wife of 26 years, Marla and he have 3 children. This country cannot repay the debt we owe to Command Sergeant Major Schroeder and his family; the Schroeders are true American heroes.

Mr. Speaker, please join me today in commemorating the retirement of Command Sergeant Major Scott C. Schroeder.

#### RECOGNIZING SOUTHERN ARIZONA EFFORTS TO ANTIMICROBIAL RESISTANCE

#### HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Mr. GRIJALVA. Mr. Speaker, one cannot overstate the immediate and extraordinary threat posed by antimicrobial resistance throughout this nation and around the globe. With that in mind, I wish to recognize the exceptional work being done in Southern Arizona to combat this scourge.

We know from the Centers for Disease Control that each year in the United States, at least two million people become infected with bacteria that are resistant to antibiotics and some 23,000 die as a direct result. Experts suggest that based on current trends, antimicrobial resistance could become the world's single greatest killer, surpassing heart disease and cancer, and posing a serious economic threat as well. In light of this, there is an urgent demand for the development of new antimicrobial compounds and faster diagnostic techniques to address this critical issue.

Residents and visitors in Arizona's Third Congressional District and surrounding areas are fortunate to have access to exceptional medical services, including those provided by Tucson Medical Center, Southern Arizona's locally governed nonprofit regional hospital and leading provider for emergency and pediatric care.

TMC is among the first facilities in the nation to adopt the newest superbug-fighting technology. Using the Accelerate Pheno system, developed by Tucson's Accelerate Diagnostics, Inc., TMC health professionals can rapidly detect and identify bacteria as well as determine which antibiotic is most appropriate, and they can do this up to 40 hours faster than was possible using conventional techniques.

I urge all the nation's health facilities to prioritize efforts to combat antibiotic resistance using the best available technology, and recognize TMC and Accelerate Diagnostics for being leaders on this critical issue.

#### COMMEMORATING BASTILLE DAY AND THE PEOPLE OF THE FRENCH REPUBLIC

#### HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Ms. JACKSON LEE. Mr. Speaker, I rise today to commemorate Bastille Day.

On this day we are reminded of the extraordinary resilience and democratic values that have made France an inspiration to the entire world.

Today also marks the one-year anniversary of the devastating and tragic loss of life last year in Nice.



We remember to keep the injured and the deceased in our hearts, and we remind ourselves of the strong, persevering character of the French Republic.

Time and time again, all throughout history, the French were able to demonstrate strong leadership through tragic times, and that is why the United States stands in unyielding solidarity with the people of France, which like the United States, is one of the most welcoming nations in the world.

Mr. Speaker, for centuries Paris has been known to the world as the City of Light.

The title is richly deserved, because Paris has been a world leader in the march of human progress in the arts, culture, science, democratic theory and governance.

I am proud to mention that in my own city of Houston, we commemorate Bastille Day with special celebrations that feature art, dancing, and food.

France embraces the challenges and opportunities of the modern world.

France, and the values it cherishes, showcases a nation that has faced and prevailed against the most sinister of lethal adversaries.

However, we will always ensure that they never confront these adversaries alone; they will be joined by the United States and the other countries of the civilized world.

The French are justly proud of their national motto; "Liberté, égalité, fraternité," (liberty, equality, fraternity) and no perpetrator can ever succeed in leading them to renounce their heritage of freedom and justice.

#### NO SANCTUARY FOR CRIMINALS ACT (H.R. 3003) AND KATE'S LAW (H.R. 3004)

#### HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 14, 2017

Ms. McCOLLUM. Mr. Speaker, I rise today in opposition to H.R. 3003 & H.R. 3004.

The No Sanctuary for Criminals Act (H.R. 3003) is a misguided attempt to defund communities that have enacted separation ordinances so called "sanctuary cities". This legislation would force state and local law enforcement to comply with potentially unconstitutional federal immigration policies, or risk losing critical federal funding. Intimidating our communities by threatening to withhold federal funding will not fix our nation's immigration system. H.R. 3003 will add to the workload of our already overburdened local law enforcement, and drive a wedge between them and the communities they serve. Chiefs of police across our country support the enactment of separation of ordinances in the cities they serve and protect because it builds trust and keeps communities safe. I include in the RECORD a letter from the Law Enforcement Immigration Task Force, which St. Paul Chief of Police Todd Axtell is a member, that explains their strong opposition to this legislation. The federal government should not mandate that local law enforcement turn into Immigration and Customs Enforcement (ICE) officers.

Kate's Law (H.R. 3004) is also a step backwards for our country. For the first time in our

history, the United States would prosecute individuals who voluntarily present themselves at the border to seek asylum or to seek protection as a victim of human trafficking. This legislation would punish previously removed individuals who approach the border to apply for admission even if the individual has no criminal record or history of re-entries.

I stand with my fellow Americans in upholding this country as a welcoming one for immigrants, and with my Democratic colleagues in supporting our local law enforcement with the tools they need to keep all our communities safe.

#### LAW ENFORCEMENT IMMIGRATION TASK FORCE,

June 28, 2017.

DEAR MEMBER OF CONGRESS: As law enforcement leaders dedicated to preserving the safety and security of our communities, we have concerns about legislative proposals that would attempt to impose punitive, "one-size-fits-all" policies on state and local law enforcement. Rather than strengthening state and local law enforcement by providing us with the tools to work with the Department of Homeland Security (DHS) in a manner that is responsive to the needs of our communities, these proposals would represent a step backwards.

Attempts to defund so-called sanctuary cities regularly sweep too broadly, punishing jurisdictions that engage in well-established community policing practices or adhere to federal court decisions that have found federal immigration detainers to violate constitutional protections. We oppose these approaches and urge Congress to work to encourage—rather than compel—law enforcement agency cooperation within our federal system.

We believe that law enforcement should not cut corners. Multiple federal courts have questioned the legality and constitutionality of federal immigration detainers that are not accompanied by a criminal warrant signed by a judge. Even though the legality of such immigration holds is doubtful, some have proposed requiring states and localities to enforce them, shielding them from lawsuits. While this approach would reduce potential legal liability faced by some jurisdictions and departments, we are concerned these proposals would still require our agencies and officers carry out federal directives that could violate the U.S. Constitution, which we are sworn to follow.

Immigration enforcement is, first and foremost, a federal responsibility. Making our communities safer means better defining roles and improving relationships between local law enforcement and federal immigration authorities. But in attempting to defund "sanctuary cities" and require state and local law enforcement to carry out the federal government's immigration enforcement responsibilities, the federal government would be substituting its judgment for the judgment of state and local law enforcement agencies. Local control has been a beneficial approach for law enforcement for decades—having the federal government compel state and local law enforcement to carry out new and sometimes problematic tasks undermines the delicate federal balance and will harm locally-based policing.

Rather than requiring state and local law enforcement agencies to engage in additional immigration enforcement activities, Congress should focus on overdue reforms of the broken immigration system to allow state and local law enforcement to focus their re-

sources on true threats—dangerous criminals and criminal organizations. We believe that state and local law enforcement must work together with federal authorities to protect our communities and that we can best serve our communities by leaving the enforcement of immigration laws to the federal government. Threatening the removal of valuable grant funding that contributes to the health and well-being of communities across the nation would not make our communities safer and would not fix any part of our broken immigration system.

Our immigration problem is a national problem deserving of a national approach, and we continue to recognize that what our broken system truly needs is a permanent legislative solution—broad-based immigration reform.

Sincerely,

Chief Chris Magnus, Tucson, AZ  
Chief Roy Minter, Peoria, AZ  
Chief Sylvia Moir, Tempe, AZ  
Ret. Chief Roberto Villaseñor, Tucson, AZ  
Chief Charlie Beck, Los Angeles, CA  
Ret. Chief James Lopez, Los Angeles County, CA  
Sheriff Margaret Mims, Fresno County, CA  
Sheriff Mike Chitwood, Volusia County, FL  
Sheriff Paul Fitzgerald, Story County, IA  
Chief Wayne Jerman, Cedar Rapids, IA  
Sheriff Bill McCarthy, Polk County, IA  
Public Safety Director, Mark Prosser, Storm Lake, IA  
Sheriff Lonny Pulkrabek, Johnson County, IA  
Chief Mike Tupper, Marshalltown, IA  
Chief William Bones, Boise, ID  
Ret. Chief Ron Teachman, South Bend, IN  
Ret. Chief James Hawkins, Garden City, KS  
Commissioner William Evans, Boston, MA  
Chief Ken Ferguson, Framingham, MA  
Chief Brian Kyes, Chelsea, MA  
Chief Tom Manger, Montgomery County, MD  
Chief Todd Axtell, Saint Paul, MN  
Sheriff Eli Rivera, Cheshire County, NH  
Chief Richard Biehl, Dayton, OH  
Chief Cel Rivera, Lorain, OH  
Public Safety Commissioner Steven Pare, Providence, RI  
Chief William Holbrook, Columbia, SC  
Sheriff Leon Lott, Richland County, SC  
Ret. Chief Fred Fletcher, Chattanooga, TN  
Chief Art Acevedo, Houston, TX  
Sheriff Edward Gonzalez, Harris County, TX  
Sheriff Sally Hernandez, Travis County, TX  
Chief Brian Manley, Austin, TX  
Sheriff Lupe Valdez, Dallas County, TX  
Ret. Chief Chris Burbank, Salt Lake City, UT  
Chief Kathleen O'Toole, Seattle, WA  
Sheriff John Urquhart, King County, WA  
Asst. Chief Randy Gaber, Madison, WI  
Chief Michael Koval, Madison, WI  
Chief Todd Thomas, Appleton, WI

\*Signatures updated as of June 28, 2017  
5 PM ET.

#### PERSONAL EXPLANATION

#### HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 14, 2017

Mr. TED LIEU of California. Mr. Speaker, I was unavoidably detained on July 13, 2017 during the Roll Call No. 369 vote, the Hartzler Amendment No. 10 to H.R. 2810.

Had I been present, I would have voted NAY on Roll Call No. 369.

COMMEMORATING THE 100TH ANNIVERSARY OF PEORIA HEIGHTS FIRE DEPARTMENT

**HON. DARIN LAHOOD**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Mr. LAHOOD. Mr. Speaker, I would like to recognize Peoria Heights Fire Department of Peoria, Illinois, for celebrating their 100th Anniversary.

In 1917, Peoria Heights Fire Department was chartered to provide protection for the village and its inhabitants. Since then, the department has grown immensely; it now provides fire suppression, fire prevention, technical rescue response, and emergency medical services. Over the past 100 years, these men and women have shown their dedication and service to the greater Peoria area by working countless hours to keep our neighbors, friends, and families safe.

Peoria Heights Fire Department protects a total of 6,800 inhabitants and is known throughout Central Illinois for their hard work, dedication, and sacrifice. Today, we thank and celebrate them for their dedication to serving the greater Peoria area. I extend my sincere congratulations to Peoria Heights Fire Department for a successful 100 years, and I wish them another 100 years of success and good fortune.

RECOGNIZING THE MEN AND WOMEN OF ALABAMA ARMY NATIONAL GUARD'S 115TH EXPEDITIONARY SIGNAL BATTALION ON THEIR DEPLOYMENT TO THE MIDDLE EAST

**HON. ROBERT B. ADERHOLT**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Mr. ADERHOLT. Mr. Speaker, I would like to recognize the men and women who proudly make up the Alabama Army National Guard's 115th Expeditionary Signal Battalion as they deploy to the Middle East in defense of our nation.

The 115th has a rich history of service to America. The unit was organized in December 1940 as the 2nd Battalion, 151st Engineers, a little less than a year before our nation would enter World War Two.

In early 1941, the unit was called into federal service to participate in maneuvers in Louisiana as the War Department geared up for the threat of war.

In January of 1942, just after America entered the war, the unit moved to Alaska to help protect American territory from the Japanese. Service during World War Two also included deployments to England and France. The unit would be called into federal service once more in 1963.

The men and women of the 115th would again answer our nation's call to service after the attacks of September 11, 2001 amidst our efforts to neutralize terrorist threats around the world.

The first call to support the War on Terrorism would be in 2003 as part of Operation Iraqi Freedom, returning home in 2005. Then, in 2011, the unit would be sent to Afghanistan as part of Operation Enduring Freedom.

Now, in 2017, like so many Alabama Guard Units, the 115th which has companies in Florence, Haleyville and Huntsville, is once again standing up to serve our nation. The unit will be sent to the Middle East to support and defend our nation's vital interests abroad.

Mr. Speaker, Congress' appreciation along with our continued admiration for these men and women and the service they provide to the United States of America are reflected here today.

HONORING THE LIFE AND ACHIEVEMENTS OF ROSEANN BURKART SERRANO

**HON. JIM COSTA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Mr. COSTA. Mr. Speaker, I rise today to honor the life and achievements of Mrs. RoseAnn Burkart Serrano. Mrs. Serrano dedicated her life to serving her family and her community. She was a volunteer, member, manager, board member, and president of many organizations, both in Le Grand and in the surrounding areas of Chowchilla, Merced, Fresno, Mariposa, and Planada. Mrs. Serrano is a shining example of what it means to make a difference in the world, and she serves as a model of determination and selflessness for all who knew her.

Born in Fresno, Mrs. Serrano graduated from San Joaquin Memorial High School in 1962 before earning a degree in Liberal Studies from Fresno City College. Mrs. Serrano continued her education at California State University, Fresno, where she was a music and history major. At Fresno State, Mrs. Serrano served as the district secretary for the college Catholic organization and met her future husband, David Serrano, through her membership in the Newman Club at the St. Paul Newman Center. After their marriage, Mrs. Serrano began working with her husband at his agricultural business, and she soon became an integral part of Serrano Farms. Besides being a full-time homemaker and mother, Mrs. Serrano irrigated, ran machinery in their almond orchards and cotton fields, and managed the farm's business records and payroll.

In addition to her role at Serrano Farms, Mrs. Serrano was active in numerous organizations, such as California Women for Agriculture, USDA Farm Services Agency Committee, the National Federation of Independent Business, and the Plainsburg Elementary School Board. Mrs. Serrano also volunteered in more local settings, from planning the Le Grand Community Day and Our Lady of Lourdes Parish Dinner, to serving on the Plainsburg Election Board and helping the Plainsburg Library. Additionally, Mrs. Serrano was a regular accompanist and choir singer at Our Lady of Lourdes Catholic Church, where she became the local go-to pianist and organizer for weddings and funerals.

Mrs. Serrano was recognized for her accomplishments and service on numerous occasions. In 1994, she and her husband were awarded the State of California Governor's Small Business Award for Small Business Person of the Year. In 2008, they were also recognized as Le Grand Community Day Citizens of the Year. In 2014, the California Agricultural Leadership Foundation at California State University, Fresno selected Mrs. Serrano as a "Common Threads Honoree," honoring her for community service and philanthropic endeavors.

Mr. Speaker, I urge my colleagues to join me in recognizing the life and achievements of Mrs. RoseAnn Burkart Serrano. The Merced community mourns Mrs. Serrano's passing, but rejoices in her lasting impact and legacy. She could always tell when someone needed her help or a smile, and she was always willing to extend her hand in friendship and open her heart with compassion. Her wisdom, mentorship, and persevering spirit continue to inspire her family and countless others to strive for excellence and serve their communities.

PERSONAL EXPLANATION

**HON. LUIS V. GUTIÉRREZ**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for Roll Call vote 367 on Thursday, July 13, 2017. Had I been present, I would have voted No on Roll Call vote 367.

RECOGNIZING OUR NATION'S COMMUNITY CORRECTIONS PROFESSIONALS DURING PRETRIAL, PROBATION AND PAROLE SUPERVISION WEEK 2017

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Ms. NORTON. Mr. Speaker, today I rise to recognize the nation's community corrections professionals and the vital role they play in enhancing public safety throughout the United States. In honor of the invaluable contributions of these dedicated public servants, the American Probation and Parole Association (APPA) and its associated members have designated the week of July 17 through 23 "Pretrial, Probation and Parole Supervision Week 2017." I thank the thousands of men and women who perform these important public safety duties, and urge my colleagues in the House of Representatives to join me in support of APPA's week-long recognition efforts this year.

In my congressional district, the nation's capital, thousands of women and men serve as pretrial, probation and parole officers or administrators. As public servants, these constituents, along with many other Americans, commit themselves on a daily basis to helping improve the lives of those involved in the

criminal justice system. The work of these professionals ultimately results in stronger and safer communities for all.

Community corrections professionals are responsible for the supervision of adult and juvenile offenders in communities throughout our nation. These trained professionals go above and beyond the call of duty by connecting their clients to supportive services, community-based resources, employment opportunities, housing programs and other evidence-based practices that help individuals successfully complete supervision and reenter society. Community corrections professionals strive to provide these services and support, while simultaneously providing client surveillance, crime prevention and restorative justice.

In honor of Pretrial, Probation and Parole Supervision Week 2017, I take the opportunity to recognize those who carry out community corrections and supervision services here in the District of Columbia, including the officers and professionals of the Court Services and Offender Supervision Agency for the District of Columbia (CSOSA).

CSOSA and the Pretrial Services Agency for the District of Columbia (PSA) are dedicated to reducing recidivism and enhancing public safety in the nation's capital. CSOSA and PSA are recognized as model community supervision entities because of their use of evidence-based practices and community partnerships.

On any given day, CSOSA is responsible for supervising approximately 11,000 individuals on probation, parole or supervised release, while PSA supervises over 17,000 defendants over the course of a year. Charged with having to balance issues of public safety with social services and reentry support, the employees of CSOSA and PSA help to enhance the security of everyone who lives, works or visits the District.

Mr. Speaker, again, I extend my gratitude to these public servants for their commitment, compassion and contributions to healthier and safer communities throughout the United States. I ask the House of Representatives to join me in acknowledging the impact community corrections professionals have on the quality of life of all Americans throughout our country by recognizing July 17 through 23 as Pretrial, Probation and Parole Supervision Week 2017.

#### PERSONAL EXPLANATION

#### HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 14, 2017

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on Wednesday, July 12, 2017, I was absent from the House during the second vote series because I was unavoidably detained. Due to my absence, I did not record any votes for the second vote series. Had I been present, I would have voted: nay on Roll Call Votes 350 and 351, and aye on Roll Call Vote 352.

IN HONOR OF REVEREND DR.  
RALPH WALTER HULING

#### HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 14, 2017

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor an outstanding Man of God, and friend of long standing, Reverend Dr. Ralph Walter Huling, who will celebrate his 30th anniversary as the distinguished pastor of St. James Missionary Baptist Church in Columbus, Georgia. An anniversary worship service will be held on Sunday, August 6, 2017 at the church at 5214 St. James Street in Columbus.

Dr. Huling is a native of Columbus, Georgia. He served our nation honorably as a Chaplain Assistant in the U.S. Army. He earned a Bachelor of Science degree and a Master of Science degree from Troy State University in Phenix City, Alabama and went on to earn a Doctorate in Pastoral Theology from Anderson Theological Seminary in Camilla, Georgia. He utilizes his education to further the next generation by serving as an Adjunct Professor of Psychology at both Chattahoochee Valley Community College and Columbus Technical College.

Throughout his pastoral career, Dr. Huling has played a leading role in several religious-affiliated and community-based organizations. In addition to serving as Pastor of St. James Missionary Baptist Church, he has also pastored at New Hope Baptist Church in Lumpkin, Georgia for 24 years. He is the President of the Interdenominational Ministerial Alliance; faculty member of the National Baptist Convention; certified dean in the National Baptist Congress of Christian Education; moderator of the Mt. Moriah Baptist Association; and International Instructor in the German Congress of Christian Education. In addition, he has served as the President of the Columbus Clergy Class.

Not one to rest on his laurels, Dr. Huling is an active member of many civic organizations where he continuously seeks to pour his time and energy into his community. He is the President of 100 Black Men of Columbus; 2nd Vice Chairman of the Urban League Board of Directors; Chairman of the Board of Directors of the Enrichment Service Program; and a member of the Who's Who Board of Directors for Non-Profits of Georgia. He serves on the Board of Directors of Head Start and the Board of Directors for the Golf Authority in Columbus, Georgia.

Dr. Huling is a strong advocate for restoring the family unit. He retired as a Family Service Coordinator from the Muscogee County School District. In addition, Dr. Huling wrote a book titled, "The Biblical and Cultural Concepts of Marriage and Family Life." He travels around the world teaching and counseling couples and those seeking to be married. He has received numerous humanitarian awards including the President Award from the Georgia Family Service Coordinators Association.

Dr. Huling has achieved much in his life but none of it would be possible without the love and support of his loving wife of 35 years, Dorothy; his daughters, Nekita and Daisha; and grandson, Nolan.

Mr. Speaker, today I ask my colleagues to join me, the congregation of St. James Missionary Baptist Church, and the more than 730,000 residents of Georgia's Second Congressional District in extending our sincerest congratulations to the Reverend Dr. Ralph Walter Huling. A man of great accomplishment, he is an outstanding mentor, strong leader, and prominent community activist, but above all, he is a faithful servant of God.

#### HONORING THE 185TH ANNIVERSARY OF SAXONBURG

#### HON. MIKE KELLY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 14, 2017

Mr. KELLY of Pennsylvania. Mr. Speaker, I rise today to recognize the Borough of Saxonburg in honor of their 185th Anniversary. Located in Butler County Pennsylvania and home to approximately 1,500 residents, Saxonburg is a quaint town with a significant history.

Named for the German state of Saxony, Saxonburg was founded in 1832 by immigrant John Roebling, an admirable architect and engineer. Roebling, whose presence can still be seen and felt today, is responsible for designing the town of Saxonburg and creating an agricultural community that offered immigrants a new life in America.

Roebling revolutionized the art of bridge building when he invented the wire rope from his workshop in Saxonburg, which now serves as a museum and historical landmark for tourists. On July 16, 1842, Roebling was granted a patent for his wire rope invention, marking this year as the 175th Anniversary of Roebling's impact on bridge construction and worldwide transportation in general.

Although Saxonburg has seen many improvements and updates, there has also been a collective effort to maintain its original and unique character. There are countless historic landmarks and structures that have been preserved and maintained, telling the story of days gone by. Saxonburg captured the designation of a historic district on the national level in 2004 and on the state level in 2008, which is a testament to the overall importance of this specific area. If you have the privilege to visit Saxonburg, you will gain a solid understanding of its iconic legacy and unique roots.

Present day citizens of Saxonburg are justifiably proud of their past, especially as they reach these type of momentous milestones. Therefore, as the people of Saxonburg celebrate the anniversary of their founding, I congratulate them on the past 185 years of experiences and accomplishments and wish them continued happiness and success moving forward.

HONORING SONIA SEPULVEDA-  
DEMPSEY

**HON. VICENTE GONZALEZ**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Mr. GONZALEZ of Texas. Mr. Speaker, I rise today to congratulate Sonia Sepulveda-Dempsey, who was recently inducted into the Rio Grande Valley Sports Hall of Fame.

Sonia began running competitively when she was in the seventh grade. While a student at Edinburg High School, she qualified for state three times. Sonia excelled on the track and was recruited heavily by many colleges and universities in the state of Texas. She eventually chose to attend Baylor University in Waco, Texas, where she joined their Track and Field Program. During her college years, Sonia was part of the second fastest relay team in Baylor's history.

Inspired by her first grade teacher, who she refers to as her "haven," Sonia became an educator following her graduation from Baylor. She currently works as a testing facilitator at Edinburg North High School, where her husband serves as the band director. Sonia has been an educator for two decades. She also periodically gives motivational speeches to student athletes, a testament to her passion for athletics and commitment to student athletes.

Mr. Speaker, I applaud Sonia Sepulveda-Dempsey on the occasion of her induction to the Rio Grande Valley Sports Hall of Fame, and recognize her contributions to education and student athletes in South Texas. Today, I am proud to honor Sonia Sepulveda-Dempsey.

TRIBUTE TO GARY GREENE, ESQ.  
AND HIS BIG BAND OF BARRISTERS

**HON. BRAD SHERMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Mr. SHERMAN. Mr. Speaker, I rise today to pay tribute to the Big Band of Barristers and to recognize their founder, attorney Gary S. Greene.

Gary Greene, Esq. and His Big Band of Barristers perform music from the Golden Era of Big Band Swing. Gary S. Greene organized the band in December 2011 as an adjunct to the 75-member Los Angeles Lawyers Philharmonic and the 100-member chorus, Legal Voices. These musicians are civil litigators, trial attorneys, in-house counsels, sole practitioners, partners at law firms, judges and justices, paralegals, law students and the like. The members include conservatory graduates and professional musicians as well as some who only played in their youth.

The mission of these musical groups is to bring the legal community together in harmony to perform concerts and raise funds for organizations providing legal services for those who cannot afford them as well as for other charitable causes and civic events. The Big Band

has performed concerts for the American Diabetes Association, the American Legion, Shriners Hospitals for Children, The Thailians, Magen David Adom, the City of Hope, Hollywood Remembers World AIDS Day, Ascencia (raising funds for housing for the homeless), the Beverly Hills Bar Association's 80th and 85th Anniversaries, Loyola Law School's 50th Anniversary and for justices of the California Supreme Court.

On Friday evening, July 14, 2017, Maestro Greene and the Big Band of Barristers will perform in the Great Hall of the Library of Congress. Speakers at this program include the Librarian of Congress, Dr. Carla Hayden, and Thomas V. Girardi, Esq.

Mr. Speaker, I ask all of my House colleagues to join me in congratulating Maestro Greene and his Big Band of Barristers along with the Los Angeles Lawyers Philharmonic for all their achievements.

HONORING THE RETIREMENT OF  
COLONEL CHRISTOPHER T. DREW

**HON. PETER J. VISCLOSKY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Mr. VISCLOSKY. Mr. Speaker, I am extremely grateful for the opportunity, on behalf of myself and my constituents, to honor Colonel Christopher T. Drew, District Commander for the United States Army Corps of Engineers (USACE)—Chicago District. Throughout his command, Colonel Drew has shown unwavering dedication to improving the quality of life for the people of the District under his command. Colonel Drew will relinquish his command to Colonel Aaron W. Reisinger on July 21, 2017, at which time he will complete his exemplary career in the United States Army.

In 1992, Colonel Drew began his selfless twenty-five year military career in the United States Army. Throughout the years, Colonel Drew completed tours in Texas, New York, California, Missouri, and Kansas, before arriving in Chicago. He was also deployed several times, serving in Operation Uphold Democracy in Haiti, Operation Enduring Freedom in Afghanistan, and Operation Iraqi Freedom in Iraq. Colonel Drew handled every assignment with courage, honor, and merit. He is regarded as a most gifted teacher who excels at bringing people together to solve problems and helping individuals become the best versions of themselves. For his distinguished service, Colonel Drew is the recipient of numerous awards and citations, including two Bronze Star Medals, two Defense Meritorious Service Medals, four Army Meritorious Service Medals, four Army Commendation Medals, five Army Achievement Medals, one Joint Meritorious Unit Award, and two Meritorious Unit Commendations, as well as the Sapper Tab, Ranger Tab, Air Assault Badge, and Parachutist Badge.

Colonel Drew took command of the USACE—Chicago District in 2014. During his time as District Commander in Chicago, his leadership has played a significant role in the organization's accomplishments, most notably in Northwest Indiana. The USACE initiated an

ecosystem restoration project at the Portage Lakefront Park in 2015, in which sixty-five acres were restored, complementing the investments made previously by the USACE to open up public access to Lake Michigan. In East Chicago, Colonel Drew joined city officials to break ground on a shoreline restoration project that will enhance amenities to allow residents to enjoy the lakefront, while benefiting a diverse ecosystem. Stormwater and sanitary sewer projects were initiated by the Colonel's leadership, in partnership with local sponsors in various communities, which improve water quality throughout the region and ultimately improve the quality of life for residents in numerous communities. Work continues on the Little Calumet River Flood Control and Recreation Project, which protects residents along the river and creates opportunities for increased economic development, and the dredging of the Indiana Harbor Ship Canal carries on apace. These projects and others stand testament to Colonel Drew's commitment to the USACE's mission to work with its partners to energize the nation's economy through its civil works projects, as they likewise improve the quality of place in areas such as Northwest Indiana, I am grateful for his generosity of spirit, his meticulous work ethic, and his dedicated life of service.

Colonel Drew's outstanding career is exceeded only by his devotion to his beautiful family. He and his amazing wife, Rochelle, have two beloved children, Ian and Amara.

Mr. Speaker, Colonel Drew has selflessly served his country and his fellow Americans. He has been a steadfast and proven leader throughout his remarkable career, one that has been instrumental in producing and developing the talents of the next generation. I respectfully ask that you and my other distinguished colleagues join me in honoring Colonel Christopher T. Drew for his honorable service to the United States of America and in wishing him well upon his retirement.

SUPPORT OF FY18 NDAA

**HON. TERRI A. SEWELL**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Ms. SEWELL of Alabama. Mr. Speaker, today I rise in support of H.R. 2810, the FY 2018 National Defense Authorization Act. As a Member of Congress, one of my most sacred duties is to help promote and ensure the safety and security of our nation. We are truly grateful and indebted to the brave men and women who have sacrificed their lives to protect our freedom and democracy. This legislation takes great strides towards ensuring that our military is equipped with the most advanced, state of the art technology and military capabilities to defend and protect our nation from ongoing and emerging threats across the world. The FY 2018 NDAA bill authorizes \$630 billion for base budget requirements as well as \$64.6 billion for Overseas Contingency Operations. Additionally, this legislation contains several provisions that would equip, supply, and train our troops; provide resources for them and their families; and set national security policy for threats at home and abroad. I

am particularly pleased to see that this bill prioritizes the readiness of U.S. Cyber Command, cyber mission forces, and cyber warfare tools and capabilities, including initiatives to strengthen the cyber workforce and strengthens congressional oversight of these capabilities.

While I am supportive of the funding allocated to these critically important defense programs, I continue to have strong concerns about Congress' inability to make difficult funding decisions as it relates to our national security priorities. The hard reality is that the overall top line discretionary budget authority in this bill will likely prove to be fiscally unworkable at the end of the legislative and budget process. Ultimately, I am deeply concerned that many of these initiatives will potentially be funded at the expense of vital domestic spending programs. While robust funding of our national security is paramount, it is equally as important that we continue to provide essential funding for domestic programs that help educate our children, ensure every American has access to quality and affordable healthcare, and repair our deteriorating infrastructure. We cannot have a safe and secure country if our people lack the resources necessary to be financially and socially secure. Funding for vitally important programs that help millions of Americans across the country prosper should not be an either or proposition.

I urge my colleagues to support the National Defense Authorization Act for Fiscal Year 2018.

HONORING EDWARD CARL  
DEUTSCHMAN

HON. JIMMY PANETTA

OF CALIFORNIA  
IN THE HOUSE OF REPRESENTATIVES

*Friday, July 14, 2017*

Mr. PANETTA. Mr. Speaker, I rise today to honor Edward Carl Deutschman for his outstanding service to our nation. A longtime resident of the central coast of California and a fellow sailor, he passed away this June at the age of 93.

Not long after graduating high school in 1941, Mr. Deutschman enlisted in the Navy and attended the Del Monte Pre-Flight School in Monterey. Today, this site is the center of the renewed Naval Post Graduate School, one of many prominent military institutions in my district.

During WWII, Mr. Deutschman was soon assigned to the USS *Intrepid* and flew over the Pacific Ocean on many combat missions. He flew a Corsair as a member of the Grim Reaper VF-10 Squadron in April of 1945, providing vital air cover for Marines. Mr. Deutschman was also a lead pilot during the amphibious assault of Okinawa—the final and largest of the Pacific island battles during World War II. Later he participated in an air raid over Tokyo. The anti-aircraft fire was so intense that, as he later put it, “you could almost get out of the plane and walk on the stuff

coming up.” Years after, he maintained close ties to the pilots who fought beside him, reuniting with them each year to reminisce in old stories and enduring friendships.

Mr. Deutschman returned to the mainland and swapped his cockpit for the classroom. Armed with an undergraduate degree in business from California State University–Fresno and a graduate degree in education from the University of Southern California, he discovered his passion for teaching. Over more than thirty years as an elementary school teacher, principal, and assistant superintendent, Mr. Deutschman made a positive impact on the lives of thousands of students.

In his retirement, he returned to California's Central Coast and continued his goodwill on behalf of organizations like the Grey Bears, Boy Scouts of America, Rotary International, and as a board member of Good Shepherd Housing. Edward Deutschman represented the best of his time, not only as a soldier and educator, but as a dedicated family man to his late wife Katherine Bell Thomas, children Kathleen Deutschman Scott, Robert Edward Deutschman, granddaughter Tigest Scott Macauley, and great-grandsons Ibrahim Macauley and Abdul Rahman Macauley. On behalf of California's 20th District, it is my honor to recognize this American hero, Edward Carl Deutschman.

## SENATE—Monday, July 17, 2017

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

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

Let us pray.

Eternal Spirit, today, teach our lawmakers to do things Your way, embracing Your precepts and walking in Your path. Lord, remind them that the road less traveled usually leads to life, and few find it.

As our Senators receive guidance from You and follow Your leading, replace anxiety with calm, confusion with clarity, and despair with hope. Use these legislators to transform dark yesterdays into bright tomorrows. May Your peace guard their hearts. Guide them to find workable solutions for the problems of our Nation and world.

And, Lord, bring healing to Senator JOHN MCCAIN.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. YOUNG). The majority leader is recognized.

### WISHING SENATOR MCCAIN A SPEEDY RECOVERY

Mr. McCONNELL. Mr. President, I spoke to Senator McCain this morning and let him know the Senate continues to send its thoughts to him. Our friend from Arizona is a pretty tough guy, as we all know. He will be back with us soon. We will continue to offer him best wishes for a speedy recovery in the meantime, and we will continue to keep Cindy, their family, his staff, and the people of Arizona in our thoughts.

### NOMINATION OF PATRICK SHANAHAN

Mr. McCONNELL. We will also continue to work on items before the Senate. As we all know, the nomination before the Senate today is of particular

concern to Senator MCCAIN. Just a few days ago, as chairman of the Armed Services Committee, he came to the floor to underline the importance of confirming the nominee before us. Here is what he said.

"In order to rebuild the military," he said, "the Pentagon needs to ramp up readiness programs and embark on an ambitious plan for modernization to make sure our servicemembers are given the training, resources, and capabilities they need. To do that, the Department of Defense must have senior leadership."

For instance—this is Senator MCCAIN last week—the nominee before us, Patrick Shanahan, who has been nominated to be Secretary Mattis's Deputy at the Department of Defense.

"The position of Deputy Secretary of [Defense]," Chairman MCCAIN continued, "is one of the most critical positions in our government. It is essentially the chief operating officer of the largest, most complex organization in the world—the Department that is entrusted with ensuring our national security."

Yet, as Senator MCCAIN noted, the position is now vacant. Friday was the last day of work for the previous Deputy Secretary of Defense, and Democrats, who do not oppose Shanahan's confirmation on the merits, are throwing up procedural hurdles that guarantee this critical national security position will remain vacant for a while longer. Why? To change an outcome? No, not to change an outcome. As I said, many Democrats actually support Shanahan's nomination. He commands the bipartisan support of the Armed Services Committee, which reported his nomination out on a voice vote—a voice vote—and he has earned praise from across the aisle. As one Democratic Senator put it, "[Patrick Shanahan's] entire career has been about solving problems no one else can solve, and these skills would be invaluable at DOD." Well, she is certainly right. Then why is her party playing games with the nomination?

These are the same games we have seen before. Take the Ambassador to China. Democrats voted with us to confirm him 82 to 12. Yet they still forced the Senate to waste days on useless procedural votes getting there. Take the Ambassador to Japan we considered last week. Democrats voted with Republicans to confirm him 86 to 12. Yet they still forced unnecessary procedural hurdles all along the way. Perhaps the most egregious example of this was the noncontroversial judicial nominee from Idaho we considered just

last week. Like the nominee before us, the committee of jurisdiction reported out his nomination on a voice vote. Yet, also like the nominee before us, Democrats threw up unnecessary procedural hurdles on his nomination. When we took the vote to end debate on the judicial nominee from Idaho, they all joined with us—every single one of them—to say that debate on his nomination was not necessary and then insisted on 2 more days of "nondebate" before voting with us to confirm him 100 to 0.

So it doesn't really matter whether the nominee has been nominated to serve in the judiciary or work as an Ambassador or serve in the Treasury Department or head an intelligence agency or sit on the Nuclear Regulatory Commission, Democrats have shown time and time again they are willing to force needless procedural votes on nominees they actually support in order to waste the Senate's time—and presumably with the simultaneous goal of impeding the President's ability to make almost any appointments at all. If this trend continues, it will take us more than 11 years to confirm the remaining Presidential appointments. Let me repeat that. More than 11 years. A Presidential term lasts 4 years.

The level of obstruction exhibited by Senate Democrats on these nominees is simply breathtaking. It is often leaving key Departments without the senior leadership needed to guide our country through the various challenges we face. It needs to stop.

The Senate needs to confirm Mr. Shanahan quickly, and we need to do that for the sake of our national security. And our colleagues need to stop this immediately, for the sake of the country.

### HEALTHCARE LEGISLATION

Mr. McCONNELL. Mr. President, ObamaCare has been hurting the people we represent for many years now. That is why the Senate has been working hard to move beyond its failures. Costs were supposed to go down under ObamaCare, but they skyrocketed. Premiums have already increased by an average of more than 100 percent on the Federal exchange. Next year, they could rise by as much as 50 percent or more in States as diverse as Georgia, New Mexico, and Maryland.

Look, we need to tackle this problem. The revised discussion draft we released last week contains many different reforms designed to make insurance more affordable and more flexible

so it is something Americans actually want to buy. It gives Americans more choices for managing their care. It also takes aim at ObamaCare's taxes that target the middle class and drive up premiums—taxes on everything from health insurance to over-the-counter medication.

Choice was supposed to go up under ObamaCare, but of course it plummeted. Americans living in 70 percent of counties have little to no options for ObamaCare insurance today. Next year, nearly 40 percent fewer insurers have filed to offer plans. Many Americans face the real possibility of having no options at all and could find themselves trapped, forced by law to purchase ObamaCare insurance but left by ObamaCare without any means to do so.

We need to tackle this problem. The revised discussion draft is designed to stabilize the collapsing insurance markets and encourage more insurers to participate. It will transfer many healthcare decisions away from Washington bureaucrats and politicians and put them back with Americans and their doctors. It will also give Americans the freedom to decide their own healthcare, allowing them to purchase the insurance they actually want, rather than just forcing Americans to buy what ObamaCare is selling.

There are other healthcare problems that need to be tackled as well. We need to strengthen Medicaid, for instance, so it can deliver better care at a better cost today and remain available to future generations tomorrow.

Our legislation contains important reforms to move our country forward in all of these areas. These are the kinds of reforms Americans deserve—not the status quo of ObamaCare, not a multibillion-dollar bandaid, not a piling on of even more ObamaCare, but real, patient-centered reforms that can finally move us beyond the pain of this law. The only way we will get there is with continued hard work. That is just what we intend to do.

#### MEASURE PLACED ON THE CALENDAR—H.R. 2430

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 2430) to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes.

Mr. McCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection is heard.

The bill will be placed on the calendar.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the Shanahan nomination, which the clerk will report.

The legislative clerk read the nomination of Patrick M. Shanahan, of Washington, to be Deputy Secretary of Defense.

The PRESIDING OFFICER. The Senator from Texas.

#### HEALTHCARE LEGISLATION

Mr. CORNYN. Mr. President, on Thursday, after two additional weeks of consultation and input from Senators, we released an improved version of the bill we call the Better Care Reconciliation Act, which represents our efforts to address the failing status quo of ObamaCare.

We have said all along that even if Hillary Clinton were elected President, we would have to revisit ObamaCare because we have seen in a number of States that insurance companies are fleeing, leaving people with few, if any, options. People in the individual and small group market are seeing their premiums skyrocket 105 percent, nationwide, since 2013 alone—a 105-percent increase in premiums.

For many of these folks, even though they paid the higher additional premium, their deductibles are so high that, effectively, they are being denied the benefit of any insurance whatsoever. I guess, perhaps, it is no surprise that 28 million Americans would simply be willing to pay the fine that goes along with the individual mandate for not buying government-approved health insurance or claim some sort of hardship exemption.

ObamaCare was sold under the premise that, if you like your policy, you can keep your policy, and, if you like your doctor, you can keep your doctor and, oh, by the way, your premiums are going to go down \$2,500, but what people have experienced has been the opposite of that, with premiums going up on average \$3,000.

We simply believe that we have to act to save the millions of people who

are being hurt by the status quo. That would be true whether Hillary Clinton were President or Donald Trump were President.

Our first goal in the Better Care Reconciliation Act is to stabilize the insurance markets, to make sure that people actually have an insurance company they can buy from.

Our second goal is to get premiums down. The reasons premiums are not down are mainly twofold. One is that you have younger, healthier people simply forgoing insurance, leaving only sicker, older people in the risk pools. Under adverse selection, that means everybody pays higher premiums when younger, healthier people simply don't purchase the product because they can't be part of that risk pool. The second reason why premiums are so high is the mandates. People are simply being ordered by their own government to buy coverage they don't want or need, which drives up premiums, not to mention the fact that young people are subsidizing older people's health insurance premiums the way that ObamaCare was constructed.

We are going to do everything we can to get the premiums down. The first Congressional Budget Office report said that long term you would see premiums go down by as much as 30 percent by the year 2020, but we want to do even better than that if we can.

The third thing we said we wanted to do was that we wanted to protect people with preexisting conditions. When people are forced to keep a job they really don't want because they don't want to lose their employer-provided health coverage due to preexisting conditions, we don't want people to be stuck at a job they don't want or be unable to quit their job and look for something else because they are worried about not being covered due to preexisting condition exclusions. We maintain the current status of the law with regard to protecting people with preexisting conditions.

The fourth thing that we try to do in this bill is that we try to take one of the large entitlement programs, Medicaid, which is an important safety net for low-income Americans, and we put it on a sustainable path. There are some people who think you can spend hundreds of billions of dollars more for Medicaid over time and we can continue to deliver those services to the poor people in our country, and we don't need to worry about crowding out defense spending or education or some other priority. We simply cannot do it. What we have done is put it on a responsible growth rate and delegate more of that authority to the States to come up with innovative programs.

Our plan will remove costly mandates and will help provide more options and drive down some of the exorbitant costs. We will soon have a chance to rescue the American people



from the failures of the ObamaCare experiment. This is a critical moment for the Senate.

I want to go over a few updates to the discussion draft, perhaps in the hopes that some of my colleagues on both sides of the aisle will realize that, when faced with the choice of our reform plan or the status quo, the choice is clear.

After listening to a number of Senators, we made some important updates. For example, to combat the opioid epidemic that is ravaging the country, our new draft includes an additional \$45 billion for substance abuse and recovery.

As this chart indicates, the number of people with HIV has gone down to 6,400, thanks to innovations and drug therapy, principally. As to car accidents, 37,000 people a year die in the United States as a result of car accidents, but 52,000 people—and growing—lose their lives due to opioid and other drug overdoses.

This is an epidemic that has to be dealt with. The abuse of heroin and prescription painkillers is devastating families and communities all across the country, but, particularly, we hear from our colleagues in Ohio, West Virginia, and Kentucky that this is an urgent and unmet need.

These additional resources will be critical for providers, for advocates, and for families on the front lines of this crisis. As I said, our colleagues from Ohio, West Virginia, New Hampshire, and other places advocated for something called the Comprehensive Addiction and Recovery Act last year, which we were able to pass to address this crisis, and we passed additional legislation called the 21st Century Cures Act in December, which, again, added additional resources. But this represents the single largest allocation or appropriation of Federal dollars to deal with this crisis than has ever occurred before. I think it is because it is necessary, and I thank our colleagues for bringing this to our attention. This is a shocking statistic, when you think about it—that more people die of drug overdoses in America today than die in car accidents—and we are going to do something about that in this legislation.

We are also introducing a provision that, for the first time, would allow people to use pretax dollars to pay for their insurance premiums. Let's say you paid 25 percent of your income to taxes. If you can use pretax dollars, then, basically, that effectively lowers your out-of-pocket cost if you can use pretax dollars rather than the net of tax.

We expand the use of health savings accounts to give people that ability, which effectively lowers the cost of their premiums, again, and provides them more flexibility in terms of determining how to provide for their

healthcare. Some people may decide—and we want to give them the freedom to do so—to say: Maybe, all I need is a hospitalization policy in addition to a health savings account, where I will put pretax dollars in there and save them and use those to pay for doctors' visits.

That is the kind of thing that we have seen in States like Indiana and elsewhere, which have been used very effectively to provide additional choices for consumers and their physicians on how they address their healthcare needs and their costs. As I say, allowing consumers to use pretax dollars to pay for their health insurance premiums will help bridge the coverage gap.

Both the Congressional Budget Office and the Joint Committee on Taxation have affirmed that this will help boost access to healthcare coverage.

Another improvement this latest discussion draft brings forward is more options to buy lower premium plans. Under the Better Care Act, anyone in the individual market is allowed to purchase a lower premium health insurance plan, like the one I mentioned.

While those plans have lower monthly costs with a higher deductible, they will still cover up to three primary care visits a year and, ultimately, limit an individual's out-of-pocket costs. Coupled together with the health savings account, this may well be the most affordable way for people to address their healthcare.

Not everybody is the same. That was part of the problem with ObamaCare. It treated us all like we were widgets and not human beings with unique needs, depending on our family circumstances or our health condition or what part of the country we lived in. This allows people to personalize and individualize their own healthcare plan.

I think this is great news for otherwise healthy adults previously barred from purchasing these plans under ObamaCare. Young people, whom we need in the insurance pool in order to bring down premiums for everybody else, don't want to have to subsidize older folks' health coverage. They want to pay the freight for their own costs, but this will allow them access to a lower cost plan that will allow them to be covered for an unexpected hospitalization or other catastrophic event.

In addition to this freedom of choice, these plans will now also be eligible for tax credits. In other words, what we provide is a refundable tax credit, which essentially is a check from the Federal Government to the insurance company to pay your health insurance premium.

Under ObamaCare, people enrolled in these sorts of catastrophic plans were prohibited from receiving tax credits like the ones we are offering, even when they met all other eligibility re-

quirements. That doesn't make any sense, and our legislation fixes that.

We have also made several revisions to Medicaid. I might mention that there is a lot of discussion about whether we are cutting Medicaid. I have said before that only in Washington, DC, can you spend more money year after year and be accused of cutting.

Honestly, fairly, what we do is to reduce the rate of growth for Medicaid, this uncapped entitlement program that contributed more than \$20 trillion to the national debt. We put it on a reasonable budget and a rate of growth. Actually, from the beginning until the end, we will see Medicaid spending go up by the Federal government by \$71 billion.

Ultimately, for Medicaid to work more efficiently for the people it is intended to serve—primarily, the children, the blind, the disabled, and the elderly frail—we need to give the States more flexibility to implement Medicaid spending based upon the unique needs of people in their States.

One of the big problems with ObamaCare is that it expanded Medicaid to otherwise healthy adults. We have a better way to deal with that, using the tax credit, the State innovation and stability funds, and something called the 1332 waivers, where the Centers for Medicare and Medicaid Services essentially is giving the States the opportunity to innovate and use the money and the tax credit to come up with something that suits the needs of their population.

Really, what we need to do is to get Medicaid focused again on the most vulnerable populations, which are the disabled, the blind, the frail elderly, and children. To improve the management of vulnerable populations such as this, now States can apply for a waiver to utilize existing funds as they see fit to improve community-based services that these folks rely on.

Our Medicaid provisions allow the States flexibility to route funds to regions impacted by public health emergencies, which include disastrous weather events like hurricanes. Instead of being applied as a block grant or based on per capita caps, under our legislation, emergency funding will be applied where and when it is needed.

Lastly, under our Medicaid revision, States can add expansion populations under existing block grants if they choose to do so. Medicaid will always be as it has been—a Federal-State shared expense. By allowing States to be flexible in their Medicaid application, we can help them fill the gaps that the mandates under ObamaCare chose to merely gloss over. For example, in Texas, we were not a Medicaid expansion State. So young adults between 100 percent of poverty and 138 percent of poverty will now get access to a tax credit with the innovation and

stability funds and these waivers, which will allow them, for the first time, to get access to private health insurance. That is good for them, and I think represents a vast improvement on the status quo—about 600,000 in Texas alone.

Our new draft includes an additional \$70 billion to encourage States and help them implement these new reforms. What I have come to learn is, people don't really trust Washington, DC. Certainly, based on the experience of ObamaCare—this failed experiment where people were promised certain things that ended up not being true and created the problems we now are having to fix—I think people will have a lot more confidence in a plan that lets the Governors and lets the State leaders manage this money and address the healthcare needs of their population by people who are closest to those people rather than out of Washington, DC.

Our bill does that in a dramatic way. It takes that authority and power grabbed by ObamaCare and gives it back to the Governors and the States to manage. Based on the polling I have seen, people certainly have greater confidence in the States and their leadership at the local level to deal with this than they do under ObamaCare. If Governors want to try to come up with unique healthcare products to drive down premiums, cost sharing, or increased funding for health savings accounts, this legislation gives them greater flexibility and gives them additional funding through the Innovation and Stability Fund to do just that.

Many of us have quoted Louis Brandeis, who served on the U.S. Supreme Court, who said: States are the "laboratories of democracy." It is true. You don't see any innovation at the Federal level. It is more like dealing with the Politburo. It is all command and control—central planning, which we know doesn't work very well. The States are the laboratories of democracy. If we give them the freedom to innovate and the resources to do so, I think we can expect our healthcare system to move forward.

Soon we are going to have a critical vote, one that has been 7 years in the making. While our plan is not perfect, it is certainly better than the status quo, which is why we call it the Better Care Act. This is not the end, as Dr. Tom Price, of Health and Human Services, points out. This is just the next step. We know we are going to have other opportunities to address healthcare, most notably in September, when we reauthorize the Children's Health Insurance Program, but this, by any measure, represents an improvement over the status quo.

I think there are some very useful parts of this bill that people will like if they look at it objectively and consider it fairly, but if we don't take up the bill, well, it can't be changed, and mil-

lions of Americans will continue to be harmed by the status quo. That is a decision we all have to make when we move to the bill.

Do we have enough confidence that we can make it better or are we simply going to throw our hands up and say, "Well, I give up," before we even start, leaving people with the failure of the status quo?

I would like to encourage our colleagues to work with us to make this legislation better. It is unfortunate that healthcare has become such a polarizing and partisan issue. It doesn't need to be that way, but it started off with ObamaCare, which was passed along purely party lines, creating a situation where there is not bipartisan support for healthcare, generally, which is a real tragedy, given the importance this has to all of us and all of our families. Given the hand we have been dealt, we are going to plow ahead and do the best we can.

I sat down at my computer this morning, and I started to write a list of things I liked about the Better Care Act that perhaps most people haven't heard much about. No. 1, it repeals the individual mandate. This is the fine that has been imposed on people for not buying government-approved health insurance. It repeals the job-killing employer mandate. This bill will lower premiums, repeal burdensome taxes, and restore choices. It will help stabilize insurance markets and protect people with preexisting conditions. It will allow people to use pretax dollars to pay for their healthcare costs, including insurance premiums. It provides substantial resources to fight opioid and other substance abuse. It provides better quality coverage to low-income Americans that will improve medical outcomes for low-income Americans, and it puts Medicaid on a sustainable path.

I would like to encourage all of our colleagues to work with us to help make this legislation even stronger. Everybody will be able to offer an amendment and get a vote on the amendment when this bill comes to the floor. I believe the alternative is a disaster for our country, and we simply can't afford to let it stand.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I came to speak on a different subject and will not speak at length about the healthcare bill because this Senator has spoken on a number of occasions about the healthcare bill. Suffice it to say, in light of what the majority whip has just said; that if we really did want to seek a bipartisan solution to the healthcare situation in expanding healthcare for as many people as we possibly can, then what we do, in a bipartisan way, is start saying: We have a current law. Let's fix what needs fixing.

This Senator can say there are a number of discussions going on between Democratic Senators and Republican Senators about doing just that—about such items as a reinsurance fund to ensure companies against catastrophe, the likes of which, in a proposal this Senator has filed, has been costed out. In my State of Florida, it would reduce insurance premiums for health insurance 13 percent. Ideas like that—in a bipartisan way—will solve and bring stability to the marketplace. That is why insurance companies, in fact, are being vigorous in their opposition to the Senator CRUZ part of the bill that basically destabilizes the market by taking all of the older and sicker people and putting them in one pot and putting the younger and healthier people in another pot, which is exactly the opposite of what the principle of insurance is. The principle of insurance is, you spread the risk over as many people as you can and thereby can bring down the per-unit cost.

If we really wanted to fix it in a bipartisan way, we would be able to, but still, as you can see, there is not the appetite for that in this highly polarized, highly ideological, and highly partisan atmosphere we find ourselves in on this particular topic.

#### PROTECTING THE SCIENTIFIC COMMUNITY

Mr. President, this Senator came here to talk about another thing that is equally disturbing because there is a blatant, coordinated effort by some elected officials to muzzle the scientific community. When you start muzzling scientists, you don't come up with the facts, and you don't come up with the truth. What is being presented as facts doesn't really match the truth, and certainly the rhetoric doesn't match what is happening.

For example, just last month in the State of Florida, the Florida Legislature passed, and the Governor signed into law, a bill that allows any resident of the State—regardless of whether they have a student in school—any resident can challenge what is being taught in the public schools. So if a single resident objects to a certain subject that students are being taught having to do with science, a subject such as what is happening in the climate and the changes; the fact that the Sun's rays come in and reflect off the Earth and go back—reflect out and radiate the heat back into space—but when you start putting what are known as greenhouse gases, such as carbon dioxide and methane, up there, they suddenly act as a ceiling, a greenhouse gas ceiling having a greenhouse effect, trapping the heat and causing the Earth to heat up. Two-thirds of the Earth is covered with water. Most of that heat is absorbed in the oceans. What happens to water when it is heated? It expands. That is a fact. Sea level rise in South Florida is a fact. It is a measurement over the last 40 years.

The seas have risen 8 inches in South Florida. That is a fact, but if there are some who object to that climate science, then under this new law just signed by the Governor, they are going to be able to object to that subject being taught in our public schools. A single hearing officer will determine—Lord only knows whom that officer is appointed by—that single person will determine, under the new law, if the objection is justified. They can force a local public school to remove the subject from its curriculum.

Does that sound a little bit strange? Does that sound a little bit scary? It seems like this is the most brazen attack on science we have seen in a long time. It is a blatant attempt to cover up the truth. Instead of accepting the fact that the seas are rising and what is going to be a very real threat—and already is to a coastline like Florida's—they want to literally rip the subject right out of our children's textbooks, while at the same time silencing the teachers and the scientists. I don't think we can sit back and allow our public schools to become political battlegrounds, and we shouldn't allow politicians to silence our teachers and scientists just because they don't happen to like that part of the science.

While this bill was just enacted in Florida, it may be one of the most egregious examples of hiding the truth. Unfortunately, I am sad to report, it is not the only one. In fact, in 2015, Florida's Governor went so far as to reportedly ban State officials from even using the term "climate change" in their reports. Doesn't that sound like muzzling? Yet the effect of sea level rise is still painfully evident in South Florida. What about the water washing over the curbs on Miami Beach at the seasonal high tide? What about the water that is coming over the streets in the Las Olas section of Fort Lauderdale at the seasonal high tide?

In just a month, the new head of the U.S. Environmental Protection Agency fired several members of the Board of Scientific Counselors—the very people responsible for overseeing the Agency's science and research programs. These were scientists at the top of their fields working on behalf of the American people, and suddenly, in one fell swoop, the new head of the EPA fired them all and wants to replace them with—you guessed it—industry representatives, scientists from the very industries that the EPA is supposed to monitor and oversee. If this is not what completes the picture of putting the fox in charge of the henhouse, I don't know what is.

The henhouse is not just climate science, but it includes basic research in all fields, including healthcare—NIH. By the way, thank goodness we have a head of NIH who is a guy who broke the code on the human genome, Dr. Collins. It includes the fields of astronomy—how about NASA—and it in-

cludes the origin of the universe—quantum physics in multiple agencies.

This disturbing trend of hiding the truth if it doesn't match their rhetoric is a trend that is spreading across all levels of government. If information can't be removed from the public domain altogether, then guess what they try to do: They try to discredit it.

For example, look at what has been done now in an effort to pass this disastrous Republican healthcare bill. Instead of—as I have just made comments preparatory to this science subject—trying to work together on a bipartisan bill aimed at improving our Nation's healthcare system, some on the other side of the aisle have resorted to attacking whom? Attacking the nonpartisan Congressional Budget Office after it said that the bill will take healthcare coverage away from tens of millions of people.

The nonpartisan CBO is just that; it is nonpartisan. It is responsible for estimating the costs and effects of nearly every bill that Congress considers. Yet suddenly, when the conclusions of CBO don't match the rhetoric coming from one side, they turn their attacks on the scientists and the mathematicians who release the findings.

Listen to these quotes:

"I have a lot of questions about the accuracy of the CBO," one of our Republican colleagues said here in the Senate.

CBO's time has "come and gone," the White House Budget Director said earlier this year.

"We disagree strenuously with the report," HHS Secretary Price said. "The CBO report's coverage numbers defy logic."

"If you're looking at the CBO for accuracy, you're looking in the wrong place," said the Press Secretary at the White House.

If that is not enough, just last week, the White House itself released a video saying that the CBO's score of the Republican healthcare bill is based on "faulty assumptions and bad math."

It is clear what is going on. This administration's war on science is not a myth. It is not fake news. If you want to know an administration's true priorities, you need to look no further than their budget, and if you look at the President's most recent budget request, you will see dramatic cuts to some of our most important scientific agencies. This Senator has seen that in the jurisdiction of the Commerce Committee—in the NOAA programs and in the NASA programs.

The President's budget calls for more than a 30-percent cut to EPA. It calls for the firing of nearly one-quarter of its staff and the elimination of all funding for programs aimed at fighting climate change. Climate change isn't just about Florida nor is it a coastal State problem; it is a problem of the entire country. The extreme weather

events caused by climate change affect us all. Droughts become more frequent, floods become more severe, and major storms like hurricanes and tornadoes become stronger and even more deadly.

The scientists at NOAA, the National Weather Service, NASA, and most of the other agencies, including our military, who study climate change aren't trying to create a mythical problem that doesn't exist. They are trying to solve real-life problems that affect all of us and that affect them in the carrying out of their duties.

They work at Federal agencies across the country with one goal in mind—to make credible, valid data publicly available for researchers, academic institutions, and businesses that use the information to better understand things.

I see the leader is here to speak. I will conclude with just a couple of thoughts.

These scientists know that we can't just stick our heads in the sand. Science doesn't work like that. Facts are facts. And the fact is that the Earth is heating up, and there is a reason for that, which I explained. If we don't do something about it, the communities that are already affected in my State are going to be communities all over the world. These are not alternative facts.

Yet, instead of helping these scientists do their work, some political leaders are using their positions to hide this information and to make it unavailable. We ought to be speaking out against it, and that is what this Senator is trying to do.

I have filed legislation to protect scientists' rights to speak publicly about their research—not to let them be muzzled—and to ensure that all agencies maintain their scientific integrity.

I hope we can stop this nonsense of hiding the truth. Let's stop this war on science. Let's accept facts as they are and then debate the issues, the policy. The American people deserve an open and honest government that works for them, not a government that distorts the truth to match its rhetoric.

I thank the Senate for indulging me, and I thank the leader for listening patiently.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

THANKING THE SENATOR FROM FLORIDA

Mr. SCHUMER. Mr. President, first, I want to tell my colleague from Florida that it is always a pleasure to listen to him. He is erudite, well-researched, and passionate—always about a subject that matters.

On the subject he just spoke about, no State in our entire Nation has more experience with the frailties of this planet, given that it is heating up, as the Senator from Florida, given all the low-lying, heavily populated areas on

the oceanside and the Gulfside. I thank him for his continued pursuit of these issues that are very important to every one of us.

WISHING SENATOR MCCAIN A SPEEDY RECOVERY

Mr. President, before I begin, for once I would like to express my hope—and I think the hope of every Member of this Chamber—that the senior Senator from Arizona, my good friend JOHN MCCAIN, has a full and speedy recovery from his recent surgery. There is no one who has done more to serve this country in this Chamber than JOHN MCCAIN. There is no one who is more passionate in his defense of our soldiers and our defense than JOHN MCCAIN. He is just an outstanding man and a very, very good friend. I admire him very much, treasure his friendship, and wish him the best. Godspeed to Senator MCCAIN and his family.

HEALTHCARE LEGISLATION

Mr. President, because of Senator MCCAIN's recent illness, it seems that it will be at least another week until the Republican majority forces a vote on the Republican TrumpCare bill. I would suggest to my good friend, the Republican leader, that he use this time to hold public hearings on the bill.

My Republican friends propose to pass legislation that would reorganize one-sixth of our economy and touch the lives of every American without a single hearing. Is that amazing? There has not been one hearing, even though we have been on the bill for 7 months now. There has been no opportunity to hear from experts in a public setting, let alone consider amendments.

So I say to my friend, Senator MCCONNELL: Let's use this extra week or extra weeks to do what Republicans should have done a long time ago. Hold public hearings and allow the stakeholders to come in and express their concerns.

Today we Democrats sent the leader a letter to make this request formally, and we will include a list of non-partisan stakeholders we believe should have a chance to air their views on the Senate Republican healthcare bill. These are groups known for their followings and for the good they do, known for not being political at all, like the American Cancer Society, the American Lung Association, the American Hospital Association, AHIP—the largest trade group for insurers—to name a few. Let's have these groups testify on the policies in this bill so that the American people will have a chance to hear what experts and patient advocates have to say.

I say to my friend, the leader: When you don't have hearings, when you try to hide a bill, it usually results in poor legislation. That is what is happening now: a bill done behind closed doors by a handful of Senators—even Republican Senators didn't know what they were putting together. It doesn't work.

The wisdom of the Founding Fathers, the wisdom of this body through the centuries is to do it in public, have a discussion, have a debate, and the crucible of the legislative process will make it better. The suggestion we are making—obviously we oppose many parts of the bill; obviously so do the American people. But maybe something that would be said at a hearing would change things around.

Additionally, we ask the majority leader to wait for a complete score from the Congressional Budget Office before proceeding to his bill. The Republicans now have a week—maybe more—to get their bill scored by the nonpartisan CBO. They have no excuse to proceed to a bill of this significance without knowing its cost or consequence. Now that they have plenty of time to get that done, we Democrats hope there will be a full CBO score before a vote on the motion to proceed. We make these requests respectfully.

Let me just say one more thing about the CBO. The White House has had an awful tendency—when they don't like a fact, they call it fake, and they try to discredit the fact giver. We have never seen a Presidency like this. I say to my colleagues on the other side of the aisle: Don't let this infection spread to you.

CBO is a nonpartisan organization. The head of CBO was appointed by the Republican leaders of the House and Senate. To discredit CBO simply because you don't like the answer they give is not the American way. The American way is to debate the facts, not deny them, not call them fake because you don't like them.

Unfortunately, our President has made this a hallmark of his Presidency. Anything he doesn't like is fake, even though it is real. His son gives an email, gives a statement, and he says that is fake—what was said is fake. Let it not spread to this body. CBO is a respected organization, as I said, with leaders appointed by Republicans, not by us. Let's hear what they have to say, and let's take it seriously, even though we may not agree with the outcome of where their facts lead.

I would like to make some additional points on one of the more controversial parts of the Republican TrumpCare bill—the Cruz amendment. The Cruz amendment, by allowing insurers to sell junk insurance, would actually increase out-of-pocket costs on average Americans. Premiums might come down for some plans because insurers wouldn't have to cover very much, but the reduction in premiums would be more than offset by skyrocketing deductibles and copays. So the average American would be paying more, not less. The average American, or so many of them, would likely get junk insurance.

My friend Senator COONS of Delaware put it best when he said: Yes, we will

sell you a car. It will be cheaper, but it will have no bumper, no steering wheel, and no carburetor. It will be cheaper, but it will not serve its purpose. It will not get you where you have to go. On these Cruz insurance policies, the insurer can say: no hospitalization, no payment for drugs. What good are they? It is a talking point, but it doesn't help people. It hurts them.

The Cruz amendment would also make insurance unaffordable for Americans who need it most, creating what even the very conservative American Action Forum says would be a death spiral in the marketplace. My friend the senior Senator from Iowa said the Cruz amendment would “annihilate the preexisting condition requirement.” That is not CHUCK SCHUMER or BILL NELSON speaking. That is CHUCK GRASSLEY, one of the most senior Republican Senators from the great State of Iowa, who says that. It is not fake. It is real, what he said. You can't wash it away.

The Cruz amendment winds back the clock in America to the days of the worst practices of insurance companies. It seems that the *raison d'être* of the Cruz amendment is to let insurance companies do whatever they want. In the 1890s, that philosophy may have governed, but America has learned under Republican and Democrat alike that it doesn't protect them. It would allow insurers to sell policies without the ban on preexisting exclusions, without covering essential health benefits, and without lifetime limits on out-of-pocket costs. It would even allow insurers to sell policies that include excessive waiting periods of more than 90 days.

If your kid has cancer, this policy in its fine print says that you have to wait 90 days while you watch your child suffer. What kind of freedom is that? It is freedom for the insurance company. It sure isn't freedom for the family with a child who is suffering.

I find that the Cruz amendment—and sometimes my good friend from Texas cares about freedom for very wealthy people, for millionaires. What about average people? You need freedom to be able to have your insurance company pay when your kid has cancer. You need to be free of that—that they can't pay or will not pay or that you have to wait 90 days. But the Cruz amendment blesses those kinds of restrictions. Remember, the Cruz amendment was added to a bill that slashes Medicaid in a way that would shatter protections for Americans in nursing homes, those struggling with opioid addictions, and Americans in rural parts of the country. The Cruz amendment is a cruel insult adding to a devastating injury.

We have another week or more before the Senate will vote on this bill. The Republican leader can spend that time trying to find new or ever more cynical

ways to buy off necessary votes with bailouts and giveaways to certain States, or he can do what he has promised to do repeatedly as majority leader—return this body to regular order, go through the committee process, have hearings and a robust amendment process—and, I dare say, the resulting product will be a lot better than the one we have before us. I dare say that is why the Founding Fathers set up a Congress—not to have a few people get in a room and rush through a bill that affects a huge percentage of the American economy.

#### “MADE IN AMERICA” WEEK

On another matter, Mr. President, the administration has termed this week “Made in America” Week. So I would urge every American to use this opportunity to look at the administration’s and this President’s “Made in America” record.

President Trump said in his inaugural address that his administration would follow two simple rules: “buy American” and “hire American.” But President Trump’s own businesses don’t even follow those rules. If you are going to preach something, start at home. Start at home.

Trump shirts and ties are made in China. Trump furniture is made in Turkey. While President Trump and his administration are importuning others to make it in America, maybe he should demand it of his businesses first.

The American people should also take a hard look at the Trump administration’s policies on the issues of trade and outsourcing. Again, the words in the President’s inauguration and his actions contradict each other, just as do the actions of his company. Earlier this year, President Trump refused to insist that pipelines and water infrastructure be made with American Steel. Buy American, hire American—why did he refuse to do that? We Democrats wanted it done. I think many Republicans wanted it done. If President Trump were serious about the “Made in America” Week, he would demand that Senate Republicans put Senator BALDWIN’s bill requiring that infrastructure be made with American Steel on the Senate floor.

Another example is the upcoming National Defense Authorization Act, prepared by the Republican majority. It includes rollbacks—actual rollbacks—to the “Buy American” rules. If President Trump was serious about “Made in America” Week, instead of a lot of show and a lot of talking, why doesn’t he oppose those rollbacks and threaten to veto any bill that dilutes or rescinds “Buy American” rules, which the Defense bill coming to the floor does.

So, again, as “Made in America” Week commences, I urge the American people to study the policies of this President and the practices of the businesses that bear his name, because, at

least thus far, the Trump administration’s push for “Made in America” is a bit like Mr. Putin’s proposing a cyber security task force.

#### RECOGNIZING FRENCH PRESIDENT MACRON’S REMARKS ON ANTI-ZIONISM

Mr. President, I would like to applaud French President Emmanuel Macron for his comments over the weekend about anti-Semitism. “We will yield nothing to anti-Zionism,” he said, “because it is the reinvented form of anti-Semitism.”

President Macron is absolutely right. Anti-Semitism is a word that has been used throughout history when Jewish people are judged and measured by one standard and the rest by another—when everyone else was allowed to farm and Jews could not, when everyone else was allowed to live in Moscow and Jews could not, when others could become academics or tradesmen, and Jews could not. Praise God, it has not happened in America, but it was a hallmark of Europe.

The word to describe all of these acts is anti-Semitism. So it is with anti-Zionism. The idea that all other people can seek or defend their right to determination but the Jewish people cannot, that other nations have a right to exist but the Jewish State of Israel does not is also a modern form of anti-Semitism, just as President Macron of France said this weekend. Anti-Zionism, unfortunately, continues to bubble up in many different forms.

There is perhaps no greater example than the pernicious effort to delegitimize Israel through boycotts, divestment, and sanctions. The BDS movement is a deeply biased campaign that I would say, in similar words to Mr. Macron’s, is “a reinvented form of anti-Semitism,” because it seeks to impose boycotts on Israel and not any other nations, most of whose practices are abhorrent, far worse than the democracy of Israel, which recognizes people’s rights.

I hope that the States across this country will continue to push back against the BDS movement by boycotting the boycotters, as my home State of New York has done. I know that my fellow Senators on both sides of the aisle—this is an issue that has, thank God, not lent itself to partisanship—will join me in condemning this modern brand of anti-Semitism, as President Macron did this weekend.

Mr. President, once again, my thoughts go to Senator JOHN MCCAIN, to his speedy recovery, and to the respect that every single Member of this body has for him. We pray that his recovery is speedy, full, and permanent.

I yield the floor.

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

#### LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

##### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 170, John Kenneth Bush.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

#### CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

Dan Sullivan, John Barrasso, John Cornyn, Orrin G. Hatch, Ron Johnson, Chuck Grassley, Tom Cotton, Richard Burr, James Lankford, Lamar Alexander, John Kennedy, Cory Gardner, James M. Inhofe, Michael B. Enzi, John Thune, Todd Young, Mitch McConnell.

#### LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

##### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 100, David Bernhardt.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of David Bernhardt, of Virginia, to be Deputy Secretary of the Interior.

#### CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented

under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of David Bernhardt, of Virginia, to be Deputy Secretary of the Interior.

Mitch McConnell, Roger F. Wicker, John Thune, Tim Scott, John Hoeven, Pat Roberts, Orrin G. Hatch, Tom Cotton, John Barrasso, Thom Tillis, Michael B. Enzi, John Boozman, James M. Inhofe, John Cornyn, James Lankford, Mike Rounds, Cory Gardner.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum calls with respect to the cloture motions be waived.

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

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

NOMINATION OF PATRICK SHANAHAN

Mr. HATCH. Mr. President, I rise today in support of the nomination of Mr. Patrick Shanahan to be Deputy Secretary of Defense.

The Department of Defense is going through historic changes in its organizational structure. These much needed changes are thanks to the chairman of the Armed Services Committee and his unwavering commitment to strengthening our Nation's security and ensuring that American taxpayers get the best return on their investment. We should all applaud the chairman for his efforts.

But even as we make these reforms, we should also heed the lessons of the past. History shows us that the Department of Defense runs best under a Secretary who is a strong policy leader and a Deputy Secretary who is a dynamic business manager. The most obvious example of this preferred structure was when David Packard, the former CEO of the Hewlett-Packard corporation, was confirmed as Deputy Secretary of Defense. Thanks to Deputy Secretary Packard's considerable business acumen, his term in office is still regarded as the model of effective management at the Department of Defense.

That leads us to today and our once-in-a-generation opportunity to replicate this efficiency and success at the Department of Defense. The pieces are now in place. Chairman MCCAIN has provided the statutory catalyst, and I am sorry he has had some difficulty healthwise over the last few days. We can't wait to get him back. Secretary

Mattis is a brilliant thinker and a master strategist who is providing the critical leadership we need during this period of uncertainty, and today he is seeking to replicate the Packard model by choosing as his Deputy a man of proven business and management skill.

I understand that things could have gone a bit better during Mr. Shanahan's confirmation hearing, but I believe we all should remember that Mr. Shanahan has not been nominated for a position in public affairs—far from it. He has been nominated to be a strong manager who can increase the effectiveness and efficiency of the Department of Defense. In this role, I believe Mr. Shanahan will excel. I think everybody who knows him believes that.

Currently, Mr. Shanahan is a senior vice president at the Boeing corporation, where he has been responsible for designing and producing some of the world's most complex machines. For example, when the Boeing Company's latest aircraft, the 787, was experiencing developmental difficulties, Mr. Shanahan was one of the key leaders tasked to solve these issues, earning himself the nickname "Mr. Fix-it."

As further evidence of his leadership, I was particularly impressed with one of Mr. Shanahan's written answers to the Armed Services Committee's questions. He wrote:

In my three decades of experience, I have developed and practiced a formula to create change at scale in large, complex organizations. I believe leadership is essential to changing the status-quo—setting a compelling vision, establishing ambitious goals and realistic intermediate objectives, and converting strategy into action.

Is that not exactly the type of person we want to be managing and reforming the Department of Defense? I personally think it is.

Finally, I believe Mr. Shanahan's most important credential is that he is Secretary Mattis's choice to be the Deputy Secretary of Defense. I firmly believe Secretary Mattis will be remembered as one of our Nation's premier national security leaders. The Secretary does not fool around. He demands the best in himself and those around him. If Secretary Mattis wants Mr. Shanahan, then I believe the Senate should speed his confirmation so the good work can continue.

If confirmed, I look forward to working with Mr. Shanahan, especially to ensure that the Department of Defense maintains our current statutory requirements regarding our defense logistics capabilities. I strongly believe Mr. Shanahan will play a critical role in leading the Department of Defense to a new era of effectiveness and efficiency.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

EXECUTIVE CALENDAR—Continued

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Patrick M. Shanahan, of Washington, to be Deputy Secretary of Defense.

Mitch McConnell, Joni Ernst, Tom Cotton, Thom Tillis, Lindsey Graham, Mike Crapo, John Boozman, Roger F. Wicker, Dan Sullivan, John Cornyn, John Thune, Steve Daines, John Barrasso, David Perdue, Mike Rounds, Orrin G. Hatch, John McCain.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Patrick M. Shanahan, of Washington, to be Deputy Secretary of Defense, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Iowa (Mrs. ERNST), the Senator from Arizona (Mr. FLAKE), the Senator from Nevada (Mr. HELLER), the Senator from Arizona (Mr. MCCAIN), the Senator from Mississippi (Mr. WICKER).

Further, if present and voting, the Senator from Iowa (Mrs. ERNST) would have voted "yea" and the Senator from Mississippi (Mr. WICKER) would have voted "yea".

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) is necessarily absent.

The PRESIDING OFFICER (Mr. KENNEDY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 88, nays 6, as follows:

[Rollcall Vote No. 161 Ex.]

YEAS—88

|            |              |          |
|------------|--------------|----------|
| Alexander  | Cochran      | Franken  |
| Baldwin    | Collins      | Gardner  |
| Barrasso   | Coons        | Graham   |
| Bennet     | Corker       | Grassley |
| Blumenthal | Cornyn       | Hassan   |
| Blunt      | Cortez Masto | Hatch    |
| Boozman    | Cotton       | Heinrich |
| Brown      | Crapo        | Heitkamp |
| Burr       | Cruz         | Hirono   |
| Cantwell   | Daines       | Hoeven   |
| Capito     | Donnelly     | Inhofe   |
| Cardin     | Durbin       | Isakson  |
| Carper     | Enzi         | Johnson  |
| Casey      | Feinstein    | Kaine    |
| Cassidy    | Fischer      | Kennedy  |

|           |         |            |
|-----------|---------|------------|
| King      | Paul    | Stabenow   |
| Klobuchar | Perdue  | Strange    |
| Lankford  | Peters  | Sullivan   |
| Leahy     | Portman | Tester     |
| Lee       | Reed    | Thune      |
| Manchin   | Risch   | Tillis     |
| McCaskill | Roberts | Toomey     |
| McConnell | Rounds  | Udall      |
| Menendez  | Rubio   | Van Hollen |
| Merkley   | Sasse   | Warner     |
| Moran     | Schatz  | Whitehouse |
| Murkowski | Schumer | Wyden      |
| Murphy    | Scott   | Young      |
| Murray    | Shaheen |            |
| Nelson    | Shelby  |            |

## NAYS—6

|            |        |         |
|------------|--------|---------|
| Booker     | Harris | Sanders |
| Gillibrand | Markey | Warren  |

## NOT VOTING—6

|           |        |        |
|-----------|--------|--------|
| Duckworth | Flake  | McCain |
| Ernst     | Heller | Wicke  |

The PRESIDING OFFICER. On this vote, the yeas are 88, the nays are 6.

The motion is agreed to.

The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I want to talk a little bit about what is going on here on the Senate floor. We were just considering the nomination of the Deputy Secretary of Defense, trying to move him along—a very important job—and it has taken some time. As a matter of fact, it has taken a long time, as the Presiding Officer knows, to get nominees from the White House confirmed by this body to run the government.

Running the government is a very important job. We not only need Cabinet Secretaries—which, by the way, took months for this body to confirm. They slowed down the confirmation of the choices of the White House to run the Federal agencies—no real explanation why—and now, Under Secretaries, Deputy Secretaries, Assistant Secretaries, Federal judges—delay, delay, delay, delay.

We are supposed to be trying to put people in place to run the government, which is the job of the Senate, but it has taken a very long time to do it, and it shouldn't be this way. It shouldn't be this way.

When we look at U.S. history, typically, enabling a President to fill the key positions of government has not been a partisan issue. An election happens. Yes, there could be some debate on Cabinet officials, but you typically want to fill the government and start running the government on behalf of the American people. It has not been a partisan issue in America. Well, unfortunately, it is becoming a partisan issue due to what by any measure is historic obstruction on the nominations coming from the White House to run the Federal Government—historic obstruction.

The people did elect us, and they elected a new President, and implicit in the election was that they wanted us to get to work, to do things that, in my view, are very bipartisan. What are some of those things? Growing the economy. We haven't had 3 percent GDP growth in almost 15 years. That is

a bipartisan issue—growing the economy. So are rebuilding our military, unleashing energy that we have in this great Nation in enormous abundance, investing in infrastructure, streamlining regulations that are strangling small businesses, and, yes, enacting policies to address the spiraling costs of health insurance and healthcare costs across the country.

Throughout history, the party in the minority understood this after an election and would vote to confirm new members of an administration—not just Cabinet Secretaries but Under Secretaries, Deputy Secretaries, Assistant Secretaries, and judges. In fact, the current minority leader said the following in 2013: “Who in America doesn't think a President, Democrat or Republican, deserves his or her picks for who should run the agencies? Nobody.”

“Nobody,” he said.

Those were wise words in 2013. I just wish he would remember them in 2017 because apparently he has forgotten those words. He has forgotten those words, because right now there is pure obstruction in terms of trying to seat the people to run the government.

Sometimes it is important to try to explain to the American people what is going on here on the Senate floor because it can be confusing. I still get confused sometimes. There are arcane rules. Let's give an example of what just happened here right now.

We had the Deputy Secretary of Defense, the No. 2 official at the Department of Defense. That is a pretty darn important job. After he came out of the Armed Services Committee, on which I sit, we voted to end debate on his nomination. The vote just happened, and I believe it was 88 to 6, so very bipartisan.

By the way, we need people at the Department of Defense. Whether you are a Democrat or a Republican, regardless of whom you voted for in the November elections, most Americans want us to have good people running the Department of Defense right now. We have very few there—very few—because of this obstruction.

For the Deputy Secretary, the cloture vote just happened, 88 to 6. That is a very strong bipartisan vote. In previous times, in a Democratic or Republican administration, the Senate would normally say: Let's move him. He needs to get over there. Let's unanimously agree to moving that nomination more quickly so he can help run the Department of Defense—a pretty important job.

Well, unfortunately, we are not in that era right now. So what our colleagues on the other side of the aisle have been doing for every single nomination for this administration is now we will have an additional 2-day waiting period, an additional 30 hours of debate. Those are Senate rules, but nor-

mally on someone this noncontroversial, those rules get waived. But we have a minority leader who wants to drag out every single official from being seated. He really hasn't explained why. I haven't heard an explanation why. But it is happening for every single official—three to four days on one official. Someone did an estimation that if they keep this up, if they do this for every single Senate-confirmed job, it will take 11 years. It will take 11 years to seat the officials in the Trump administration. How is that helping the American people? It is not. Yet, nobody comes to the floor to explain why they are doing it. The press doesn't report on it.

Let me provide some other facts on this issue. Normally, when we waive these rules, we can have a voice vote. For a noncontroversial nomination like the Deputy Secretary of Defense, as we just had, normally that would be voice-voted.

At this point in President Obama's Presidency—so the first 6 months of his Presidency—the Senate had allowed more than 90 percent of his nominees to be confirmed by simple voice vote. The Senate asked for procedural votes only eight times on eight nominees—that was it—in the first 6 months of President Obama's administration. That was actually normal. Democrats or Republicans would do something along those lines.

For the Trump administration's first 6 months, the minority leader and his colleagues have demanded cloture votes for every single nominee, no matter what the position, no matter how noncontroversial, no matter how bipartisan. The courtesy extended to President Obama to get his team together so that he could run the country has not been extended here. That is just a fact.

Let me give another fact. According to the nonpartisan Partnership for Public Service, at about this point in President Obama's first term, he had 183 of his nominations confirmed—183. Getting people in their positions in government to run the country—it doesn't matter what party you are in; this is to run the country. But while President Trump's administration at this point has made 178 nominations to the Senate, only 46 have been confirmed. So for President Obama at this point, 183 nominations were confirmed; for this President, 46. This is historic obstruction.

No one comes here and says: Why? Why are you doing this? What is the point? What is the point?

This isn't by accident. The head of a leading Democratic think tank told the press recently that they intended to hold up, delay, tie up floor time for every single nomination for Senate-confirmed positions. But what they don't do—they don't say: And here is why.

Why do they want to do that? It is not going to help us grow the economy.



It is not going to help us with infrastructure. It is not going to help us rebuild our military when we keep the Deputy Secretary from coming in to his position.

Just last week, we had a judge who was nominated from the State of Idaho, a district court judge who was confirmed unanimously, and it took almost the entire week to get him confirmed on the Senate floor because the minority leader was delaying, delaying, delaying—even someone who got 100 percent of the Senators to vote for him. Again, it is not clear why they are doing this.

Some of the other noncontroversial nominees that are being delayed are the Under Secretary of the Treasury for International Affairs and two nominees to review pipelines and other projects at the Federal Energy Regulatory Commission. Do you think we need that for our country to grow the economy? We do.

These are important positions to do the work of the Federal Government. Yet they are all delayed, and nobody in the press even asks any questions. This is historic obstruction right now, and no one is even asking: Why are you doing it?

It would be great to have the minority leader come to the Senate floor and tell us why. I want to know why. I want to grow the economy. We need these people in positions of authority to help us do the things—bipartisan things—that the American people sent us here to do, not delay, not obstruct.

Something else is happening on the Senate floor right now. It is not just the historic obstruction of nominees. The other side, for whatever reason, is now deciding they are going to shut down any movement of anything on the Senate floor. Let me give one example, which is actually quite important.

A lot of what we do here moves by what we call unanimous consent on the Senate floor. There are rules to move things. It can take a lot of time. But a lot of times the leadership of the Senate will get together and say: OK, we can have a unanimous consent agreement to move things faster. It is not just nominees. Sometimes it is actually legislation. As a matter of fact, a lot of things move on the Senate floor through unanimous consent, which is, essentially, a voice vote where everyone, all 100 Senators, say: We agree with that. It is a bill that is really important, very bipartisan. Let's move it. Let's move it fast. It came out of committee. It is not controversial, but maybe it is important, so let's move it.

For whatever reason, it still doesn't explain to the American people why the minority leader would say that we are not going to move anything by unanimous consent right now either. Not only will we hold up every nominee as long as possible—even the non-

controversial ones—nothing is going to move in the Senate by unanimous consent.

Again, why? How does that help the American people? How does that help the American people when you are just blocking things?

#### POWER ACT

Let me give one specific. It is an issue I feel very passionate about. I had a bill introduced last year. It passed the Senate by unanimous consent, and we are trying to pass it right now by unanimous consent this Congress. Unfortunately, it didn't pass out of the House. I think it will. It has passed out of committee again. It is called the Pro bono Work to Empower and Represent Act, the POWER Act. It is very bipartisan. A number of my colleagues on the other side of the aisle, including Senators Heitkamp, Shaheen, Leahy, and Warren, are cosponsors.

Here is what it does: I come to the Senate floor every week to talk about what a great State I live in—Alaska. One thing we actually aren't proud of in Alaska is that we have a real big problem with domestic violence and sexual assault in my State. One of the best ways to deal with that issue, one of the best ways to help victims and survivors break the cycle of violence that occurs with way too many families and way too many women and children in Alaska—and across the country—is to get attorneys to represent them.

Here is a startling fact. It is a little harsh when you say it, but it is true: If there is someone who commits a rape or is accused of committing a rape, that person gets a Sixth Amendment right to counsel. That is in our Bill of Rights. Guess what the victim gets in terms of legal representation: nothing. There is no right. But that is a really important way to help break the cycle of violence—to get survivors and victims an attorney and get the resources to do that. That is what the POWER Act does, and that is why it passed by unanimous consent last year.

We have a big problem in the country in terms of domestic violence and sexual assault. This would help. We are trying to move it right now by unanimous consent. It will pass. But it is not going to pass now because the minority leader is blocking every unanimous consent agreement on the Senate floor. Why? Why?

Does he think that women in America don't need the resources to represent themselves in these kind of horrendous crimes? They do. Trust me. Thousands of them—tens of thousands of them do. So why are we blocking this? Why don't we move it? We are shutting down the whole Senate, trying to shut down the Federal Government's ability to seat itself, to do the work of the American people. This is historic obstruction, and no one explains it. The press doesn't ask about

it. I think the American people need to know about it.

We were elected to move this country forward. The election happened in November. Let's come together. There is a lot of bipartisan work to do. We have our differences on healthcare and other issues, but there are so many things about which we don't have differences—growing the economy, rebuilding our military, infrastructure. We need people in the Federal Government who can do that, and we need leaders in the Senate who can move things forward by unanimous consent—like the POWER Act—when they are not controversial. We don't have those leaders right now, and we need them. We need to get this country moving again. The way things are happening on the Senate floor, it is not happening that way at all.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

#### TRIBUTE TO STEFANIE MOHLER

Mr. ISAKSON. Mr. President, I thank the distinguished Senator from Oregon, Senator MERKLEY, for allowing me a few extra minutes of his time ahead of his speech. I appreciate his courtesy, and I will pay him back.

Ironically, I am thanking him for giving me time to make a speech I have never wanted to make. In fact, I have three times canceled the time I had asked for to make this speech in the last month because when it came time to make it and I opened those doors to come down here, I couldn't quite do it. I couldn't quite do it because, every once in a while, something happens in your career with a loved one or friend or cohort who is so close to you and so meaningful to you that to talk about it is an emotional thing to do.

Such is the occasion tonight for me to pay tribute to Stefanie Mohler, who is my scheduler and has been for years. She came to work for me when I was a Member of the Senate. She has worked for me time and again in the U.S. Senate, except for the one time she left me to go work for George Bush—and I understand that. That was a higher pay grade than mine.

Stefanie was a young lady working for a Congressman from her hometown in Florida when I came to Washington. She wasn't married. She had a wonderful family and lived at home with her folks. She applied for a job as a scheduler for me and came to work for us.

I ran a pretty large company. I had about 1,000 independent contractors and 250 employees. I know a good worker when I see one. Stefanie was the best. But she had that quality beyond just being the best. She cared about every single thing she did and every single person whom she helped and every single person whom she couldn't help. She grew in the job, and she made me a better Congressman and, later, a better Senator.

She came to me about 18 months ago and said: I have some news for you. I am pregnant. I am pregnant with identical twins.

I was so excited for her and her husband because she wanted more than anything else in the world to have a family. My wife and I had a party for her at Christmas in December, and the two babies came in the early part of this year. They are beautiful. She is a wonderful mother. But she has stayed, and she has worked. Her mom has come in and helped her do the chores at home as she continued to fulfill her commitment to me. I thank her so much on the floor of the Senate today for that.

She is married to a great guy named Chase Mohler. Let me tell you a little bit about Chase.

All of us at one time or another in our lives have fallen in love. You know what it feels like to fall in love. You also know what it looks like to see somebody who is in love. You can't describe it, but there is a glow. It is just something that is there.

I was in Jacksonville, FL, with Saxby Chambliss, waiting to come back to Washington when Stefanie was coming back from taking Chase to meet her family in Florida. When she turned the corner in an airport concourse coming toward the planes, I could tell from the glow on her face and the look on her face that something special had happened in her life.

I said: Stefanie, what are you so happy about?

She said: I have found a husband. I am going to marry him. He asked me to marry him.

I was so happy for her and so happy for Chase because I had met him. They had dated while she was working in my office and later married. Chase works for the State Department and has been serving here in Washington. But he got a promotion, and he is going to the North Carolina coast, and he is going to take Stefanie with him.

I am losing the best person I have ever had doing what Stefanie has done for me. He married the best person I have ever seen, and she is doing everything in the world for him.

So I thought I would come to the floor tonight, not to list the accolades—which I could in the thousands—not to say all those platitudes we always love to hear said about ourselves or about somebody important, but to make a confession. I am in love. I am in love with Stefanie Mohler because for most of her adult life she gave her time and her effort to make me a better Member of the U.S. Senate. She supported my wife when she needed it, and I couldn't help. She supported our office when they needed it, and they couldn't help. She did all of the little things that you never ask someone to do because you think it is too little, but it is so important to make a difference in every day that goes by.

When she leaves in about 3 months, I am going to be sad. I will shed a tear or two. I will probably shed one for her before the night is over. But when she leaves, I want her to know and I want the whole Senate document to record that once in a while—every once in a while—somebody special comes along and makes a difference in your life, your effort, and your ability. Stefanie Mohler has been that for me. I will never forget her for all that she has done for me, and I will always be there for her if she ever needs me.

May God bless Stefanie Mohler, and may God bless the United States of America.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Oregon.

#### CLIMATE DISRUPTION

Mr. MERKLEY. Mr. President, climate disruption is the seminal challenge of our generation. It is the most significant test that human civilization on our planet has faced, and there are a lot of questions about how we are going to be able to come together as a community of nations and community of cultures to address this very significant threat to our beautiful blue-green planet.

It affects everything from our farms to our forests to our fisheries. We see the impact in terms of disappearing glaciers, shrinking ice sheets, melting permafrost and dying coral. We see the impact on our farms, our trout streams, and our forests. We see the impact with migrating animals, migrating insects, and more powerful storms.

In response, communities across the globe are taking action. They are transforming their energy economies. They are developing aggressive strategies to save energy in their buildings, in their vehicles, and in their appliances. They are working to replace their fossil fuel energy supplies with clean and renewable energy.

How much do you know about the changes underway? Let's find out. Welcome to episode 3 of the Senate Climate Disruption Quiz. The first question we have is, Why did American Airlines cancel 57 flights between June 20 and 22? Was it extreme temperatures? Was it a pilot strike? Was it severe storms? Was it a fuel shortage? The answer is A, extreme temperatures.

How is that the case?

When air gets hotter, it gets thinner. Thinner air provides less lift for planes to take off, and eventually the runway isn't long enough for the plane to go fast enough to get enough lift to clear the runway. Therefore, all of these flights got canceled.

It is not the first time it has happened. It happened in 2013 in Phoenix, with 18 flights canceled, but this was a pretty dramatic incident attributable to very extreme temperatures.

Let's turn to question No. 2. How long was the recent streak of record-

setting monthly temperatures—meaning, for example, that a given month like May was the hottest May ever, June was the hottest June ever, and July was the hottest July ever? How many months in a row did this happen? Did it happen for 6 months in a row? Or for 12 months in a row? Is it conceivable that this streak extended beyond a year to 16 months or perhaps even for 2 years, to 24 months? Lock in your answer.

The correct answer is C, 16 months. From May 2015 through August 2016, each and every month was the hottest month on record. In September, 2016, the streak was broken, but only by a few hundredths of a degree. In fact, in September 2016, the temperature was still 1.6 degrees Fahrenheit above the 20th century average.

I have a math question to put in here. If you had climate data and temperature data for 50 years, what are the odds that, by chance, 16 months in a row would be the hottest—each one the hottest among the 50 previous months? What are the odds of that? Pull out your calculators, and take 1 out of 50, and take it to the 16th power. What do you get? You get that the odds are less than 1 out of a trillion trillion. That is the odds. In other words, this didn't happen by chance.

Let's turn to question No. 3. Where in the world is the largest floating solar project? Maybe you have never even heard of a floating solar project. There is one. In fact, there are several. Where is the world's largest? Is it in China? Is it in Brazil? Is it in India? Or is it in Australia?

By the way, here is a hint. All four of these actually have floating solar projects. Lock in your answer. Here is the answer.

The answer is A, China.

India has a small floating solar project, and it generates about 100 kilowatts. Australia's is 40 times larger, at 4 megawatts, and it is roughly the equivalent of two wind turbines. Brazil's is yet larger, at 10 megawatts. The largest floating solar project by far is in Liulong, China. The 40-megawatt solar plant is able to provide enough energy to 15,000 homes. Because it floats, it uses less energy than most solar farms because the water acts as a natural coolant.

There is something very symbolic about this largest-in-the-world floating solar project, and that is that it sits on a lake caused by the collapse of abandoned coal mines. It is as if it is saying to us: Let's transition from a fossil fuel economy to a clean, renewable energy economy, like electrons produced by solar power.

Question No. 4, last year plug-in hybrids and fully electric vehicles made up less than 1 percent of global car sales. It is a very small amount. What was the percentage in Norway?

Was it half a percent behind the world average? Was it 15 percent? Was

it 37 percent? Or, perhaps, was it even more than one out of two cars sold in Norway? Lock in your answer.

Here is the right answer. The answer is C, 37 percent. When the world average is under 1 percent, it is pretty impressive that Norway is at 37 percent.

In 2016, plug-in hybrids and fully electric cars made up 37 percent of the new car sales in Norway. That is a huge increase in just a couple of years. Three years earlier, the electric vehicles—the plug-in hybrids and fully electric vehicles—accounted for only 6 percent of Norway's sales. In a short 3 years, it went from 6 percent to 37 percent. This growth is a combination of fees on gas-powered and diesel-powered cars and subsidies for electric vehicles.

Let's look at what else is happening with cars in the world. Volvo has announced that all of its new models from 2019 forward will have some form of electric drive. Then you see the growth of companies like Tesla, which only produces electric cars. It is becoming increasingly clear that the future of the global auto industry is electric.

Let's turn to question No. 5, our final question. This one hits close to home for me as a Senator from Oregon. What killed billions of baby oysters in Oregon in 2007 and 2008? Was it red tide? Red tide occurs when an algae blooms, and it is a red bloom. It discolors the water, turns it red, and releases toxins that are absorbed by the clams and other sea life, so that we can't go out and dig up our clams and eat them for fear of getting poisoned.

Was it red tide that killed the oysters? Or was it the POMS virus, or the Pacific Oyster Mortality Syndrome virus, which affects Pacific oysters and can cause up to 100 percent mortality within days of initial detection? Was it sea lice—tiny jellyfish larvae that are tiny, almost invisible specks that are no larger than a grain of pepper? Or was it rising ocean acidity, caused by the emission of billions of tons of carbon dioxide and other greenhouse gases into the air that get absorbed by the ocean through tidal action? Lock in your answer.

The correct answer is D, rising ocean acidity. How is this possible? How can you stand on the coast of Oregon and look out at the Pacific Ocean and envision that humankind has burned so much fossil fuel—so many fossil fuels—and that it has created so much carbon dioxide in the air and tidal action has absorbed that into the ocean and turned it into carbonic acid that it has changed the acidity of the ocean? It seems completely impossible. Yet over the last 150 years, the burning of fossil fuels by human civilization has increased the acidity of the ocean by 30 percent.

In 2007, when I was running for the U.S. Senate for the first time, the oysters started dying. The scientists got

involved. They said: What is going on? They said: Is it a virus? Is it a bacterium?

It wasn't a virus. It wasn't a bacterium. After some time, they nailed it down simply to that the ocean water had become too acidic, that there was too much carbonic acid in the ocean from carbon dioxide pollution in the atmosphere. Where did that come from? From the burning of fossil fuels.

Now, the water comes into the Whiskey Creek Shellfish Hatchery in a very large pipe, and then it has to be buffered; that is, the acidity has to be decreased before that water continues into the vats with the baby oysters. For all we know, they will have to do this forever more, until we can turn the clock back on global climate disruption.

If the oysters are being affected, what else is going to be affected in the sea chain? What is the impact on our coral reefs, which provide the foundation for many of the world's fisheries? That is something that we should rightly be very concerned about.

There you have it, folks, episode 3 of the Senate Climate Disruption Quiz. How did you do? How many of those questions did you get right? The facts on the ground are changing very quickly as climate disruption increases and communities across the globe respond. Together we are racing the clock, and there is no time to spare. So stay engaged in the fight.

In the near future, I will bring you episode 4 of the Senate Climate Disruption Quiz. In the meantime, if you have a good idea for a climate disruption question, please tweet that question to me at @SenJeffMerkley, using the hashtag ClimateQ4Jeff. Together, let's keep fighting to save our planet.

Henry David Thoreau said: What use is a home if you don't have a tolerable planet to put it on?

Let's work together to make sure we have a tolerable planet, a healthy planet, not just for this generation but for our children and our great-grandchildren and the generations to follow.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### ORDER OF PROCEDURE

Mr. McCONNELL. Mr. President, I ask unanimous consent that at 12 noon on Tuesday, July 18, there be 15 minutes of postcloture debate, equally divided in the usual form, on the Shanahan nomination; that following the use or yielding back of that time, the Senate vote on the nomination; and that if confirmed, the motion to reconsider be considered made and laid

upon the table and the President be immediately notified of the Senate's action, and the Senate immediately resume consideration of the Bush nomination.

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

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### REMEMBERING DAVID DUFF

Mr. McCONNELL. Mr. President, today I wish to remember David Duff, a well-respected coal operator from Perry County, KY. David passed away on July 3 in Snowmass, CO, at the age of 67. He will be remembered by many for his kindness and generosity, especially toward the elderly, children, and our Nation's veterans.

David owned Pine Branch Coal Company, employing hundreds of miners in eastern Kentucky and serving as a leader in the industry. He was dearly loved by many in his community, as was shown by the many signs posted along the road leading to his home in the days after his passing.

Elaine and I send our condolences to David's wife, Susan, their children Lori and Ryan, their grandchildren, and all of their family and friends. We hope that their memories of David will help them through this time of grief.

#### TRIBUTE TO CHIP HUTCHESON

Mr. McCONNELL. Mr. President, today I wish to congratulate my friend Chip Hutcheson, publisher of the Times Leader in Princeton, KY, on his retirement after more than four decades in the newspaper business. Throughout Chip's long career, he was the quintessential community journalist who saw, as one colleague noted, "the newspaper as both a champion for and a guardian of the community." When he retired at the end of June, Chip was named the recipient of the National Newspaper Association's James O. Amos Award. He was only the second Kentuckian to ever win what is known as one of the two "highest and most distinguished tributes in community journalism."

Chip's relationship with the Princeton-based paper began at only 10 months old when his parents purchased the then-Princeton Leader and began to instill in him a love of the trade. Beginning at the age of 8, Chip spent time at the paper, watching his parents

work. In junior high, Chip joined the team to proofread a section of the paper before it was sent to the printer. Later, he proudly wrote that, "Newspaper ink runs in my veins." During high school and college, Chip honed his skills writing for local and campus papers. After graduation, he entered the U.S. Army and served in Vietnam. When he returned, Chip went back to his trade and began a decades-long career of journalistic excellence.

Chip became the publisher of the Princeton Leader upon his parents' retirement in 1976. As local papers merged, Chip became the publisher of the Times Leader in 1992, continuing his family legacy. Chip admitted that his columns may have been a little "old school," but he proudly followed the tradition set by his father and his other role models of local community journalism. He used his writings to give readers an inside look into the lives of his family and community.

Although his efforts were always dedicated to readers in western Kentucky, Chip was recognized across the Commonwealth and the Nation for his outstanding work. He served on the board of directors of the Kentucky Press Association, including 1 year as its president in 2010. The Kentucky Journalism Hall of Fame inducted Chip into its elite ranks in 2012, in recognition of his distinguished career of leadership and service. More recently, Chip served as president of the National Newspaper Association.

Chip has also been a great advocate for families seeking to adopt children internationally. With his wife, Karen, and grandchildren, Lemlem and Kashiku, Chip came to my office several years ago asking for relief from the many regulatory burdens in the adoption process. I was thankful to know of the Hutcheson family's story. By working with my colleagues in the Senate, we passed the bipartisan Accuracy for Adoptees Act, which was then signed into law. Thanks in large part to the efforts of Chip and Karen, more families across the country are able to more easily navigate the rewarding yet often difficult process of bringing a child into a loving home through adoption.

Chip's unwavering dedication to his work and his community left a mark on the readers of Caldwell County. His writings not only brought the news, but he also served as a voice for people in his community by expressing the beauty and joy of western Kentucky life. After decades of hard work, Chip has earned his retirement. Along with his readers, I will miss his observations about life and current events. I would like to join with the Princeton community and all of the supporters of the Times Leader who congratulate Chip on his retirement and wish his family many relaxing and enjoyable years together. Further, I would like to ask my

colleagues in the Senate to join me in commemorating Chip Hutcheson on a distinguished career in community journalism.

#### THE GLOBAL CRISIS OF KILLINGS OF ENVIRONMENTAL ACTIVISTS

Mr. LEAHY. Mr. President, on July 13, Global Witness, a widely respected international nongovernmental organization that reports on corruption and other criminality involving the exploitation of natural resources, released a report entitled, "Defenders of the Earth—Global Killings of Land and Environmental Defenders in 2016."

According to the report, 2016 was the worst year yet for environmental and land rights defenders. At least 200 were killed in what has become a global crisis, pitting local communities, particularly impoverished indigenous groups, against multinational mining, logging, agribusiness, hydroelectric, and hydrocarbon companies that are often supported with foreign financing.

The report says the number of such killings is increasing, up from 185 in 2015 and spreading to new countries—24 in 2016 compared to 16 in 2015. However, because many of these attacks occur in remote areas, the actual number is likely much higher. The number of killings is also only part of the appalling story. Death threats, arbitrary arrests, sexual assaults and other forms of abuse, and misuse of the legal process are among the tactics used to try to intimidate environmental activists.

Often, when faced with peaceful resistance to the construction of dams that displace people from their homes and to logging and mining operations that destroy the forest and pollute the water, the response of the companies, backed up by local security forces, is to accuse the protestors of being "against development," try to divide them with bribes and promises that are later broken, and eventually to silence them with force. The companies get rich and move on, local officials collect payoffs, the electricity or minerals are exported to cities or other countries, and the people whose land was destroyed or water contaminated are immeasurably worse off.

As one activist, who has for years spoken out against Latin America's largest open pit mine, told Global Witness, "[t]hey threaten you so you will shut up. I can't shut up. I can't stay silent faced with all that is happening to my people. We are fighting for our lands, for our water, for our lives."

The reports states, "[t]he battle to protect the planet is rapidly intensifying and the cost can be counted in human lives. More people in more countries are being left with no option but to take a stand against the theft of their land or the trashing of their environment. Too often they are brutally silenced by political and business

elites, while the investors that bankroll them do nothing . . . Almost 40 percent of those murdered were indigenous, as land they've inhabited for generations is stolen by companies, landowners or government officials. Projects are typically imposed on communities without their free, prior and informed consent, backed up by force: police and soldiers are suspected perpetrators in at least 43 murders. Protest is often the only option left to communities exercising their right to have a say about the use of their land and natural resources, putting them on a collision course with those seeking profit at any cost."

The report notes the criminalization of these courageous activists, including in the United States. "They are often painted as criminals, facing trumped-up criminal charges and aggressive civil cases brought by governments and companies seeking to silence them."

It is the responsibility of governments to defend the lives and rights of their citizens. Instead, too many governments are violating their own laws and aiding and abetting in these attacks and assassinations—either by the conduct of their security forces or by their failure to conduct credible investigations of these crimes and to bring those responsible to justice.

Honduran activist Berta Caceres is but one example. Instead of protecting her, the government and the company treated her like a criminal. She was killed for having the courage to defend the rights and territory of the Lenca people. In Honduras alone—a country the size of Kentucky with just 8 million people—more than 100 environmental defenders have reportedly suffered similar fates since 2009, for which no one has been convicted and punished.

I hope this report will spur governments, companies, foreign banks, and international financial institutions to take far stronger action to respect the territorial rights of affected people, to defend freedom of speech and association, to protect the environment, and to uphold the rule of law.

#### RECOGNIZING NASA'S LANGLEY RESEARCH CENTER

Mr. KAINE. Mr. President, on behalf of myself and the senior Senator from Virginia, MARK WARNER, we want to commemorate an important, early step in our Nation's emergence as a world leader in flight, space exploration, and atmospheric science.

One hundred years ago today on July 17, 1917, NASA's Langley Research Center was founded in Hampton, VA. What was once a quiet expanse of farmland and marsh on a riverbank near the Chesapeake Bay has helped transform our Nation's transportation system and the world's understanding of our universe.

That date in 1917 represents the beginning of a journey that would eventually take Americans to the moon and American technology to Mars and beyond.

Born in the days of the National Advisory Committee for Aeronautics, the precursor to NASA, Langley was the agency's first field center and our Nation's first civilian aeronautics laboratory.

The groundbreaking and sky conquering research conducted during Langley's early days led to major advances in aeronautics and, in the years after World War I, helped our Nation cement its status as a pacesetter in flight research. Langley's important work also served as a foundation for America's burgeoning aviation industry.

Langley won the first of its seven Collier trophies, awarded for the highest achievements in aeronautics or astronautics in our Nation, in 1929. That trophy, won for development of cowling for radial air-cooled engines, honored a high level of technical excellence that Langley has maintained ever since.

Over the decades, Langley has evolved into a research center supporting all of NASA's areas of emphasis, from human space exploration to Earth science and from aeronautics to technology development.

NASA Langley's legacy of discovery and innovation is truly remarkable. Researchers at the center helped refine technologies and designs across all flight regimes—subsonic, transonic, supersonic, and hypersonic—revolutionizing the shape and performance of today's aircraft and spacecraft.

This year, we all witnessed some of NASA Langley's contributions to the space race through the lens of the Oscar-nominated film, "Hidden Figures." The film told the story of the many contributions of NASA Langley employees, especially African-American women, to the Mercury 7 mission involving America's first astronauts.

Beyond that, Neil Armstrong and other Apollo astronauts learned how to land on the moon by training at Langley's Lunar Landing Research Facility, now known as the Landing and Impact Research Facility.

Langley led the first successful robotic landing on Mars with the Viking 1 mission, which gave humanity its first glimpse of the landscape of another world. The center's technical expertise in a field called Entry, Descent and Landing—the study of how a spacecraft can safely move through a planet's atmosphere and reach the surface—has been a key to every fully successful robotic landing on the surface of Mars.

Those are just a few highlights among many, many accomplishments.

Over the decades, NASA Langley has contributed technologies that have improved people's lives around the globe.

For example, the grooved pavement that makes our highways safer evolved from research into runway surfaces at Langley. The winglets—the upturned tips of wings seen on commercial aircraft—have saved fuel and reduced pollution for years. Their use is a result of research done by Richard Whitcomb, one of Langley's legendary aerodynamics experts.

Based on what we have seen when visiting the center, we predict this legacy of excellence and innovation will continue—even accelerate—over the next 100 years.

We have been proud to work closely with the center on improving the safe use of unmanned aerial vehicles, better known as drones.

We have also proudly partnered with the center's efforts on groundbreaking materials research, including the Advanced Composites Initiative, to work toward developing lighter, safer, and more fuel-efficient vehicles for air and space.

We have seen Langley's critical involvement in development of the Orion crew module, which was tested at Langley's Landing and Impact Research Facility to ensure that astronauts can safely splashdown in the ocean after future missions.

Langley's test facilities are being used by companies who have partnered with NASA through its Commercial Crew Program. By working with Boeing and Space X, Langley is helping to boost our Nation's growing space industry.

Other current projects include new aircraft designs intended to change the sonic boom to a sonic thud, opening the way for a revolutionary new generation of faster aircraft that will bring vast improvements for the traveling public.

When it comes to serving the public's interest, Langley's work studying the Earth's atmosphere and how it absorbs and radiates heat tops the list. It is critical that NASA's work in earth science research continues. Wise policy decisions rely on high-quality data. Without solid data, we are essentially flying blind in the area of environmental policy.

Coincidentally, the Hampton Roads area of Virginia—where Langley is located—is second only to New Orleans in susceptibility to sea-level rise. NASA Langley is one of many national assets—including military, industrial, and academic institutions—located there. It is an important region of our Nation and Langley's work to study earth's atmosphere will safeguard Hampton Roads, as well as our planet as a whole.

When you consider exciting new capabilities offered by the center's Measurement Systems Laboratory, now under construction, and its Katherine G. Johnson Computational Research Facility, which is set to open later this

year, it is clear that we can expect to see more improvements and discoveries from NASA Langley.

As Virginia's Senators, we take great pride in the fact that NASA's original field lab—sometimes called the agency "Mother Center"—resides in the great Commonwealth of Virginia. We firmly believe that the boundary-pushing spirit displayed over the last 100 years represents some of the best traits of our national character: innovation, exploration, hard work, and the quest to make life better for us all.

We look forward to seeing more amazing innovations from Langley and NASA as our Nation continues its push to solve the great problems of our age and as we extend humanity's reach ever deeper into the universe.

NASA Langley is a remarkable place—and has been for 100 years. As a center for aerospace innovation, technological discovery, and scientific inquiry, Langley continues to lead the way.

We should all cheer them on as they pass this big milestone and rocket ahead into a bold, new century.

#### DRY EYE AWARENESS MONTH

Ms. BALDWIN. Mr. President, in the spirit of the "Decade of Vision," I am pleased to recognize July as Dry Eye Awareness Month. In 2009, while serving in the House of Representatives, I was proud to sponsor the successfully passed H. Res. 366, which recognized the 40th anniversary of the National Eye Institute and designated 2010–2020 as the "Decade of Vision." This resolution sought to bring awareness to our Nation's challenges in vision health, especially as our population ages and the incidence of chronic diseases that may cause vision impairment grows.

Dry eye is one of these growing vision health challenges that affects more than 30 million people in the United States. It occurs when the eye does not produce tears properly or they are not of the correct consistency and evaporate too quickly. It can range from discomfort to a painful chronic and progressive condition that leads to blurred vision or even vision loss. Dry eye is one of the most frequent causes of patient visits to eyecare providers. It is a particularly burdensome issue for our brave soldiers who were engaged in Operation Enduring Freedom and Operation Iraqi Freedom. The Veterans Administration reports that upwards of 70 percent of traumatic brain injury-exposed veterans have dry eye symptoms.

Research supported by the National Institutes of Health and its National Eye Institute has improved our understanding of this condition. Dry eye can have many causes, including environmental exposure, side-effects from medications, eye surgery, eyelid disorders, immune system disorders, contact lens wear, cosmetic use, aesthetic

procedures, and an increasingly common cause: staring at computer or video screens for too long without blinking, which may have a disproportionate impact on our younger generations.

I want to recognize an important educational opportunity during Dry Eye Awareness Month this year. The Tear Film & Ocular Surface Society's "Dry Eye Workshop II Report" will be published in "The Ocular Surface Journal," updating the definition of dry eye and addressing its greater impact on vision health—the first such reexamination since 2007. Report highlights were presented at a July 12, 2017, congressional briefing, accompanied by a "Test Your Tears" screening and presentation of research posters.

The vision community and its coalition partners are uniting to recognize this growing vision health problem, and I stand in support of these awareness and educational efforts.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO EMMETT CHASSANOLI, JR.

• Mr. COCHRAN. Mr. President, I am pleased to commend Emmett Chassaniol, Jr., and the Chassaniol family of Greenwood, MS, for 100 years of service and contributions to the U.S. cotton industry.

Mr. Chassaniol and his family are the subject of a profile published recently by the Delta Business Journal. The profile not only reviews a century of influence by an agricultural family in the Mississippi Delta but also the changes in the cotton industry over the decades. Mississippi remains one of the leading cotton-producing States in the country. Farmers in my State produced more than 1 million bales of cotton in 2016.

Since its founding in 1917, the Chassaniol and Company has helped producers move cotton from the farm to the marketplace. Three generations of the Chassaniol family have engaged in the business of buying, shipping, or selling cotton. I am pleased to recognize their continuous role in meeting the needs of cotton farmers in this important and challenging industry.

Today Emmett Chassaniol, Jr., continues the family cotton business established by his grandfather. Since 1996, he has expanded Chassaniol and Company's reach, selling cotton for producers in Arkansas, Louisiana, and areas of the State beyond the Mississippi Delta. Emmett, Jr., like his grandfather, father, and other family members, has served in leadership positions that have helped to maintain cotton as an important commodity crop in my State.

I am pleased to join cotton producers throughout my State in commending

Emmett Chassaniol, Jr., and the Chassaniol family for 100 years of business in the cotton industry.

I ask that the June 15, 2017, article from the Delta Business Journal magazine, titled "A Century of the Cotton Business—The Chassaniol Family," be printed in the RECORD.

The material follows:

[From the Delta Business Journal, June 15, 2017]

##### A CENTURY OF THE COTTON BUSINESS—THE CHASSANOLI FAMILY (By Mark H. Stowers)

Cotton has been king in Mississippi since the early 1800s but has seen its reign diminish since the late 1980s. The majestic crop has seen a rise in its ranks with an increase in acres planted the past decade. For the past century, the Chassaniol family of Greenwood has been part of the cotton kingdom and its rise and fall and rise again. Emmett Chassaniol Jr., still works in the family cotton business his grandfather started in the early 1900s. He explained the family history in the cotton business by gathering correspondence from his grandfather, family input and his own recollection.

In 1917, the Chassaniol and Company cotton business opened its doors in the Cotton Capital city when the transplanted cotton shipper Herbert Spencer (H.S.) "Pop" Chassaniol decided to stay in his adopted home town. His original office was on 117 Front street but then he later moved to 110 Main Street—the corner of Ramcat Alley and Main Street in the "Cotton Row" area. He stayed in that building until he retired in 1963 and then he passed away in 1966. In 1968, the family sold the building to Mr. Charles Swayze.

In 1956, H.S. recounted his career in a letter he wrote to the vice president of the Hibernia National Bank in New Orleans. H.S. had known the VPs father and uncles in the cotton business in the New Orleans Cotton Exchange.

"My first job was at the age of 12, with Kline Wilson and Company and your Uncle Peter J. Stoube was the manager of the New Orleans office. Through my mother's family, Mr. Stoube gave me my first job as his office boy."

From there Chassaniol worked his way up from the bottom of the cotton business to owning his own cotton business. Emmett's grandfather was later moved to the Delta in 1910—first to Greenville and then Greenwood with the English firm, Alexander Eccles and Company. But they then decided to close that office and move Chassaniol to Tennessee. But H.S. knew he had found a business home, so he stayed in Greenwood and opened up the Chassaniol and Company cotton business in 1917.

The Greenwood Cotton Exchange got its charter in 1927 and H.S. was the first president serving the 1927–1928 term. He later served again from 1940–1941.

Since then, H.S.'s sons—Pershing and Emmett (Sr.)—a cotton buyer—each worked the business together before Pershing started his own company—The Pershing Chassaniol Cotton Factor—in 1955 after serving time in World War II. He also served as president of the Greenwood Cotton Exchange for the 1970–1971 term. Pershing was then joined by his nephew Emmett Jr., and Pershing's daughter, Sally Chassaniol McSpadden. Emmett Jr., served as the Greenwood Cotton Exchange president on three occasions—1992–1993, 1999–2000 and 2006–2007. The Cotton Ex-

change's final year of existence was in 2009 and then it was dissolved.

"Pershing was in that business from 1955 to 1995," Emmett Jr., said. "My dad was in with my grandfather at Chassaniol and Company. Sam Adams came in as partner with my grandfather in 1931 but they never changed the name. That lasted until 1953 when they dissolved the partnership. My grandfather retired in 1963 and passed away in October of 1966."

One of H.S.'s sons, Herbert Chassaniol, Jr., worked with him in the business until June of 1939, when at the age of 25, he died in a diving accident on the Mississippi Gulf Coast. Also, one of Pop's sons, Lloyd, worked in the cotton business for different companies but never with Pop.

"Uncle Lloyd went to work for the George B. Wolfe and Company in Greenwood representing J.P. Stevens out of South Carolina. In 1963, they moved Uncle Lloyd, his wife and four daughters to Greenville, South Carolina where he stayed with them until he retired. He passed away in January of 2000. His widow and four daughters all still live in South Carolina." Emmett Chassaniol said. "Doris Chassaniol Mallette, one of my grandfather's daughters, worked for him as well. My grandfather's son-in-law, J.E. McCurdy was married to Blanche, was a cotton factor but didn't work for my grandfather. Also, my grandfather's nephew, Herbert Chassaniol, ended up as sales manager over at Staplcoth and retired in 1965."

Pershing retired in 1995 and sold his building to Viking Range. Then in January of 1996, Emmett Jr., incorporated his business, Chassaniol and Company and moved into the historic McBee building that dates back to 1880.

For more than a century, the Chassaniol family has blessed farmers and the family alike as the Chassaniols kept to the foundational value as stated by Pershing quite often to his daughter.

"He said it doesn't matter if the farmer comes in and has one bale of cotton or if a farmer comes in and brings in 100 bales of cotton—you treat them just the same because they are both cotton farmers," she said. "That was one of the things I always remembered."

McSpadden, like the rest of the family, grew up in the cotton office as well.

"We would be up there working with them, especially during the busy season," McSpadden said. "I came back in 1979 and took momma's place doing the bookkeeping and worked until 1997."

With no computers, McSpadden had plenty of paperwork to tend to that she included her children's help with as well.

"I would bring work home at night and we'd be sitting in the middle of the living room floor—me and my two boys—and we would have all the class cards spread out and they would help me put them in order," she said. "But just to be able to work with your daddy every day for 18 to 19 years is a true blessing," she said. "We had a wonderful relationship and I went home every day with him to each lunch with momma."

McSpadden invoiced and paid farmers while Emmett graded out and sold the cotton.

"I can't say enough nice things about the farmers, the buyers and the other sellers," McSpadden said. "They were true to their word and it was just a pleasure to be in the cotton business as long as I was."

Emmett Jr., explained his job as "I sell cotton for the farmers. That's all I've ever done as well as my Uncle Pershing. My father and grandfather were shippers and buyers but I don't buy a bale of cotton. I just



represent the farmer and get the price for him and sell cotton for him."

Three generations of the Chassaniol family have worked with the Bank of Commerce and continue to do so today, according to Emmett Jr. The Chassaniols have experienced plenty of technology changes on the cotton selling side as farmers have seen in the field. As field hands used to pick cotton by hand, all of the bookkeeping and cotton samples were all done by hand with what now would seem to be primitive tools.

"The buyers would actually come by, look at the cotton and grade it themselves and pull the staple on it and give you a bid on it," Emmett said. "Now, I don't ever see a farmer come by the office. It's all done electronically. We get our data electronically and we get our warehouse receipts electronically. I've done business with a guy down in Louisiana for 30 years and we've only seen each other twice."

McSpadden's early days involved two daily trips to the bank with cotton receipts.

"I invoiced every bale of cotton. In a year's time, we're talking thousands of bales of cotton. In the beginning the receipts were kept at the bank (in the main safe) and every morning we would have to go to the bank and pick up all the cotton receipts and bring them back to the office and I would invoice them out. The ones I didn't finish with, I had to take back to the bank before they closed at 2:00 p.m.," she said.

But then Pershing got his own safe so his daughter could work a few more hours each day.

"That way we couldn't stop and talk to people on the way to the bank every day," she said.

For Emmett Jr., the introduction of technology made selling cotton a 24/7/365 business pretty much.

"When I first started, the cotton market would open up at 9:30 a.m. and close at 1:30 or 2:00 p.m. Now it opens at 8:00 p.m. at night and closes at 1:15 the next day. While I'm sleeping, the foreign markets are trading cotton. Sometimes when I wake up at night and punch my phone to see what the markets doing. It's really changed," he said. "In 2008, they went to electronic trading and its changed the cotton business for ever and ever. They used to trade it manually in the pits in New York but now it's just punching a button."

Chassaniol is gearing up for a busier year this year as more farmers are adding acreage.

"One thing in the cotton business is that no two years are alike weather-wise or marketwise," he said. "In 1963 and '73 we had good falls and big crops. In '73, we had the flood and two million acres of the Mississippi Delta under water. The price of cotton was around 28 cents and with the flood it shot up to around 90 cents. But in February of '74 it fell pretty good. When the water fell, people started planting cotton and beans. We also had a lot of crawfish that year."

Chassaniol's reach extends beyond the Cotton Capital as he's sold cotton out of Louisiana and Arkansas and in the hills of Mississippi beyond the Delta.

"My favorite part of the business is in the fall when we're busy but with the markets it's a year-round business and you have to watch it every day. When my father and grandfather did it, it was three months—October to December," he said. "It's been a challenge as I've seen my acres decrease over the years but I've got some people coming back who haven't planted cotton in five years. You're going to lose some customers and you're going to pick some up."

As the Chassaniol women married, many of those joined the cotton business including the McCurdy part of the family. McSpadden knows that the kingly crop brought and kept her Chassaniol family close together.

"I am extremely proud of my entire Chassaniol family. They are wonderful people and we've stayed close over the years. Daddy had six brothers and sisters. We have all stayed close. There were 22 grandchildren. Even though we are scattered around we always know what's going on and we keep in touch."

With the parents working long hours in the business, they made sure the kids made it to their extracurricular events over the years as well.

"They had this older man, Sidney Matlock (a porter who worked in the sample room) started with momma and daddy. He was somebody that was big in our lives. Momma couldn't get away to take us to Girl Scouts, well they'd send Sidney to take us," she said.

"I worked with Sidney for a number of years and he was there until his health failed and he retired. We probably opened 100s of thousands of samples of cotton," Emmett Jr., said. "That's how you sold cotton back then. He was a pretty good judge of cotton himself."

Chassaniol has relied on his secretary, Penny Kesterson for the past 16 years to keep his office a success and running smoothly.

"She is invaluable in the office she pulls in our electronic data warehouse receipts and classing info. She does the recaps invoicing and sees to wire transfers, plus other clerical duties," he said. "I could not do without her."

100 years of working in the cotton business with plenty more to come—the Chassaniol family of Greenwood.●

#### TRIBUTE TO CAPTAIN RANDY DOPP

● Mr. VAN HOLLEN. Mr. President, I wish to honor an outstanding American, Captain Randy Dopp, on his retirement from American Airlines.

Captain Dopp distinguished himself with over 31 years of safe commercial airline flying for Piedmont, USAirways, and American Airlines. He has been well-known for his commitment to airline pilots and to the flying community.

Over the years, I have relied on Captain Dopp's knowledge and insights on issues relating to airlines, pensions, and aviation safety. I know that his wisdom and service will be greatly missed.

I ask my colleagues to join me in thanking Captain Dopp on his accomplishments and congratulating him on his retirement.●

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 2430. An act to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2201. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Titanium dioxide; Exemption from the Requirement of a Tolerance" (FRL No. 9961-82) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2202. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pyroxsulam; Pesticide Tolerances" (FRL No. 9962-60) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2203. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Oxirane, 2-methyl, polymer with oxirane, hydrogen sulfate, ammonium salt and potassium salt; Tolerance Exemption" (FRL No. 9962-97) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2204. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Indaziflam; Pesticide Tolerances" (FRL No. 9962-61) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2205. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flubendiamide; Pesticide Tolerances" (FRL No. 9962-13) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2206. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Difenoconazole; Pesticide Tolerances" (FRL No. 9962-05) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2207. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Buprofezin; Pesticide Tolerance" (FRL No. 9962-06) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2208. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Wisconsin; Site-



specific Sulfur Dioxide Requirements for USG Interiors, LLC" (FRL No. 9964-49-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2017; to the Committee on Environment and Public Works.

EC-2209. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of California Air Plan Revisions, Antelope Valley Air Quality Management District" (FRL No. 9962-53-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2017; to the Committee on Environment and Public Works.

EC-2210. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Labeling Relief; Formaldehyde Emission Standards for Composite Wood Products" (FRL No. 9963-05) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2017; to the Committee on Environment and Public Works.

EC-2211. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Compliance Date Extension; Formaldehyde Emission Standards for Composite Wood Products" ((RIN2070-AK35) (FRL No. 9963-74)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2017; to the Committee on Environment and Public Works.

EC-2212. A communication from the Chief of the Branch of Recovery and State Grants, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of the Oregon Silverspot Butterfly in Northwestern Oregon" (RIN1018-BB74) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Environment and Public Works.

EC-2213. A communication from the Chief of the Branch of Recovery and State Grants, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Removing the Greater Yellowstone Ecosystem Population of Grizzly Bears From the Federal List of Endangered and Threatened Wildlife" (RIN1018-BA41) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Environment and Public Works.

EC-2214. A communication from the Chief of the Branch of Recovery and State Grants, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Removal of the Hualapai Mexican Vole From the Federal List of Endangered and Threatened Wildlife" (RIN1018-AX99) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Environment and Public Works.

EC-2215. A communication from the Chief of the Branch of Recovery and State Grants, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Reinstatement of Removal of Federal Protections for

Gray Wolves in Wyoming" (RIN1018-BC04) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Environment and Public Works.

EC-2216. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Part D Plans Generally Include Drugs Commonly Used by Dual Eligibles: 2017"; to the Committee on Finance.

EC-2217. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid/CHIP Program; Medicaid Program and Children's Health Insurance Program (CHIP); Changes to the Medicaid Eligibility Quality Control and Payment Error Rate Measurement Programs in Response to the Affordable Care Act" ((RIN0938-AS74) (CMS-6068-F)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2017; to the Committee on Finance.

EC-2218. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data, and defense services to the United Arab Emirates to establish a Patriot Weapon System Additional Equipment and Spares Program in the amount of \$50,000,000 or more (Transmittal No. DDTT 16-130); to the Committee on Foreign Relations.

EC-2219. A communication from the Assistant General Counsel for the Division of Regulatory Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Rosa's Law" (RIN1801-AA11) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2220. A communication from the Secretary of the Commission, Office of General Counsel, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Premerger Notification; Reporting and Waiting Period Requirements" (16 CFR Part 803) received in the Office of the President of the Senate on July 12, 2017; to the Committee on the Judiciary.

EC-2221. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Dunkirk Lakeshore Air Show; Lake Erie, Dunkirk, NY" ((RIN1625-AA00) (Docket No. USCG-2017-0277)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2222. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Kosciuszko Bridge Construction, Newtown Creek, Brooklyn and Queens, NY" ((RIN1625-AA00) (Docket No. USCG-2017-1048)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2223. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Pacific Ocean, Mamala Bay,

Oahu, Hawaii—Hokulea Arrival" ((RIN1625-AA00) (Docket No. USCG-2017-0421)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2224. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; City of Valdez July 4th Fireworks, Port Valdez, Valdez, AK" ((RIN1625-AA00) (Docket No. USCG-2017-0092)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2225. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Potomac River, Newburg, MD" ((RIN1625-AA00) (Docket No. USCG-2017-0357)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2226. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; United Illuminating Company, Housatonic River Crossing Project; Milford and Stratford, CT" ((RIN1625-AA00) (Docket No. USCG-2017-0825)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2227. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Annual Fireworks Displays within the Sector Columbia River Captain of the Port Zone" ((RIN1625-AA00) (Docket No. USCG-2017-0149)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2228. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Delaware River; Dredging" ((RIN1625-AA00) (Docket No. USCG-2017-0279)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2229. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Sector Upper Mississippi River Annual and Recurring Safety Zones Update" ((RIN1625-AA00) (Docket No. USCG-2017-0272)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2230. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Cleveland Construction Super Boat Grand Prix, Lake Erie, Fairport, OH" ((RIN1625-AA00) (Docket No. USCG-2017-0201)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2231. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Vengeance Sunken Barge, San Francisco, CA" ((RIN1625-AA00) (Docket No. USCG-2017-0310)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2232. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; San Francisco Independence Day Fireworks Display, San Francisco Bay, San Francisco, CA" ((RIN1625-AA00) (Docket No. USCG-2017-0321)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2233. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; City of Benicia Independence Day Fireworks Display, Benicia, CA" ((RIN1625-AA00) (Docket No. USCG-2017-0323)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2234. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; City of Oswego Independence Day Celebration; Lake Ontario, Oswego, NY" ((RIN1625-AA00) (Docket No. USCG-2017-0324)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2235. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Garlock Wedding; Saint Lawrence River, Alexandria Bay, NY" ((RIN1625-AA00) (Docket No. USCG-2017-0558)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2236. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Canalside's 4th of July Celebration; Buffalo Outer Harbor, Buffalo, NY" ((RIN1625-AA00) (Docket No. USCG-2017-0476)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2237. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Navy Underwater Detonation (UNDET) Exercise, Apra Outer Harbor, GU" ((RIN1625-AA00) (Docket No. USCG-2017-0502)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2238. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Verdigris River, Catoosa, OK" ((RIN1625-AA00) (Docket No. USCG-2017-0514)) received during adjournment of the Senate in the Office of the President of the

Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2239. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Cerritos Channel, Long Beach, CA" ((RIN1625-AA09) (Docket No. USCG-2017-0473)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2240. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Anchorage Grounds; Lower Mississippi River below Baton Rouge, LA, including South and Southwest Passes; New Orleans, LA" ((RIN1625-AA01) (Docket No. USCG-2014-0991)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2241. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Ohio River, New Martinsville, WV" ((RIN1625-AA08) (Docket No. USCG-2017-0435)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2242. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Washburn Board Across the Bay, Lake Superior; Chequamegon Bay, WI" ((RIN1625-AA08) (Docket No. USCG-2017-0169)) received in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2243. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Coast Guard Sector, Marine Inspection Zone, and Captain of the Port Zone Structure; Technical Amendment" ((RIN1625-AA00) (Docket No. USCG-2017-0436)) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2017; to the Committee on Commerce, Science, and Transportation.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

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

S. 1568. A bill to require the Secretary of the Treasury to mint coins in commemoration of President John F. Kennedy; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CRUZ:

S. 1569. A bill to amend the Public Health Service Act to eliminate the non-application of certain State waiver provisions to Members of Congress and congressional staff; to the Committee on Rules and Administration.

By Ms. BALDWIN (for herself, Mr. MARKEY, Mrs. MURRAY, Ms. HIRONO, Ms. CORTEZ MASTO, Mrs. GILLIBRAND,

Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. SCHUMER, Mr. DURBIN, Mr. CARPER, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. WYDEN, and Mrs. FEINSTEIN):

S. 1570. A bill to improve Federal population surveys by requiring the collection of voluntary, self-disclosed information on sexual orientation and gender identity in certain surveys, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CRAPO (for himself and Mr. BROWN):

S. 1571. A bill to reauthorize the National Flood Insurance Program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs

#### ADDITIONAL COSPONSORS

S. 167

At the request of Mr. MORAN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 167, a bill to designate a National Memorial to Fallen Educators at the National Teachers Hall of Fame in Emporia, Kansas.

S. 198

At the request of Mr. RUBIO, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 198, a bill to require continued and enhanced annual reporting to Congress in the Annual Report on International Religious Freedom on anti-Semitic incidents in Europe, the safety and security of European Jewish communities, and the efforts of the United States to partner with European governments, the European Union, and civil society groups, to combat anti-Semitism, and for other purposes.

S. 497

At the request of Ms. CANTWELL, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 512

At the request of Mr. BARRASSO, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 512, a bill to modernize the regulation of nuclear energy.

S. 623

At the request of Mr. RUBIO, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 623, a bill to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes.

S. 683

At the request of Ms. HIRONO, the name of the Senator from Wisconsin

(Ms. BALDWIN) was added as a cosponsor of S. 683, a bill to amend title 38, United States Code, to extend the requirement to provide nursing home care to certain veterans with service-connected disabilities.

S. 916

At the request of Mr. CASSIDY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 916, a bill to amend the Controlled Substances Act with regard to the provision of emergency medical services.

S. 978

At the request of Mrs. MURRAY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 978, a bill to direct the Secretary of Education to establish an award program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education.

S. 981

At the request of Ms. KLOBUCHAR, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 981, a bill to require the Secretary of Energy to establish an energy efficiency materials pilot program.

S. 1051

At the request of Mr. RUBIO, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1051, a bill to encourage visits between the United States and Taiwan at all levels, and for other purposes.

S. 1106

At the request of Mr. MERKLEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1106, a bill to designate the same individual serving as the Chief Nurse Officer of the Public Health Service as the National Nurse for Public Health.

S. 1113

At the request of Mrs. FEINSTEIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1113, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure the safety of cosmetics.

S. 1132

At the request of Mr. CASSIDY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1132, a bill to amend title XVIII of the Social Security Act to make permanent the removal of the rental cap for durable medical equipment under the Medicare program with respect to speech generating devices.

S. 1221

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1221, a bill to counter the influence of the Russian Federation in Europe and Eurasia, and for other purposes.

S. 1312

At the request of Mr. GRASSLEY, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 1312, a bill to prioritize the fight against human trafficking in the United States.

S. 1327

At the request of Mr. GRASSLEY, the names of the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1327, a bill to amend the Controlled Substances Act to clarify how controlled substance analogues are to be regulated, and for other purposes.

S. 1354

At the request of Mr. CARPER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1354, a bill to establish an Individual Market Reinsurance fund to provide funding for State individual market stabilization reinsurance programs.

S. 1462

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1462, a bill to amend the Patient Protection and Affordable Care Act to improve cost sharing subsidies.

S. 1498

At the request of Ms. COLLINS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1498, a bill to establish in the Smithsonian Institution a comprehensive American women's history museum, and for other purposes.

S. 1514

At the request of Mr. BARRASSO, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Maine (Mr. KING) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 1514, a bill to amend certain Acts to reauthorize those Acts and to increase protections for wildlife, and for other purposes.

S. 1526

At the request of Mr. TESTER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1526, a bill to appropriate amounts to the Department of Veterans Affairs to improve the provision of health care to veterans, and for other purposes.

S. 1560

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1560, a bill to ensure the integrity of border and immigration enforcement efforts by requiring U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to administer law enforcement polygraph examinations to all applicants for law enforcement positions and to require post-hire polygraph ex-

aminations for law enforcement personnel as part of periodic reinvestigations.

S. 1564

At the request of Ms. WARREN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1564, a bill to amend the Internal Revenue Code of 1986 to permit legally married same-sex couples to amend their filing status for returns outside the 3-year limitation

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. HATCH. Mr. President, I have one request for a committee to meet during today's session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meet during today's session of the Senate:

#### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Monday, July 17, 2017 at 5 p.m., to hold a hearing entitled "A Review of the State Department Reauthorization Bill for FY 2018 and the State Department Reorganization Plans."

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Democratic leader, pursuant to the provisions of Public Law 115-31, appoints the following individuals to serve as members of the Women's Suffrage Centennial Commission: the Honorable Barbara Mikulski of Maryland and Karen V. Hill of New York.

#### ORDERS FOR TUESDAY, JULY 18, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, July 18; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Shanahan nomination; finally, that the Senate recess following resumption of the Bush nomination until 2:15 p.m. to allow for the weekly conference meetings.

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

*July 17, 2017*

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ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

Mr. McCONNELL. Mr. President, if  
there is no further business to come be-

fore the Senate, I ask unanimous con-  
sent that it stand adjourned under the  
previous order.

There being no objection, the Senate,  
at 7:06 p.m., adjourned until Tuesday,  
July 18, 2017, at 10 a.m.

## HOUSE OF REPRESENTATIVES—Monday, July 17, 2017

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

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
July 17, 2017.

I hereby appoint the Honorable SCOTT TAYLOR to act as Speaker pro tempore on this day.

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

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

### MOURNING THE PASSING OF NOBEL PEACE PRIZE LAUREATE, LIU XIAOBO

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

Mr. LEVIN. Mr. Speaker, I rise today to mourn the passing of the Chinese human rights advocate and Nobel Prize Laureate, Liu Xiaobo, who died last Thursday in China, under guard.

The world has lost an incomparably courageous advocate who was dedicated to advancing human rights and the rule of law, and paid for them with his own freedom and life.

Liu's passing last week in Chinese custody marked a tragic end to over a decade of persecution by the Chinese authorities who relentlessly mistreated him as he gradually became a symbol of the pro-democracy movement around the globe.

In 2010, the Nobel Peace Committee awarded him the Peace Prize for his thoughtful advocacy for reform and for his courageous support of the pro-democracy document Charter 08.

A year prior to the Nobel Peace Prize being awarded to Liu, in 2009, Chinese

authorities tried him for subversion of state power, for which he received an 11-year sentence. Given his rising stature in the international community, they imprisoned him in secret locations away from family, supporters, or international media. They kept him from receiving the Peace Prize and put pressure on the committee to rescind the award, in addition to doing everything they could to prevent Liu's supporters from attending the ceremony in Norway.

They routinely censored and continue to censor the internet for references to Liu and other pro-democracy advocates and ideas.

China was so afraid of the power of his words and the bravery of his actions that while Liu was suffering from severe illness, Chinese authorities adopted the ultimate cruelty of not letting him leave China for medical help that experts said might save his life. For China, the supreme goal was his silence.

The more we care about human rights and freedom, the more we must now mark his death and remember him not by being silent ourselves.

I first came to know about Liu's work a few years after the Congressional-Executive Commission on China was created as part of the debate over China's ascension to the World Trade Organization and concerns from Members of Congress over China's human rights record.

In 2000, I coauthored the legislation that created the China commission to help advance and monitor human rights abuses in China. The commission continues to do important work and continues today by shining a spotlight on many issues such as abuses in labor, environment, and freedom of speech and association.

While he was the most prominent voice in China against its repression of human rights and democratic values, Liu was not as well known in his life as another brave voice, Andrei Sakharov. His voice and action occurred during the Cold War, where there was a full press against the Soviet Union, including its suppression of freedom. He supported numerous efforts for freedom, including those of another noble warrior for freedom, Natan Sharansky. Like Sakharov, Liu was awarded the Nobel Peace Prize, but both were kept in virtual imprisonment and not allowed to go to Stockholm.

Liu's battles for freedom occurred when China's economic and political power were rising. The United States

and other nations were wrestling with how to adapt, and relations with China have been increasingly infused with concerns about security, including the nuclearization of North Korea. So there has been a tendency for concerns in other nations about human rights and freedom in China to take a back seat.

This is a major change from the days of Tiananmen Square, and events elsewhere then in China. My son, Andy Levin was in Chengdu during demonstrations there for freedom and he managed amidst all the dangerous turbulence to cable a vivid article about the struggle for freedom there to the Detroit News.

Chinese authorities have also relentlessly harassed his widow, Liu Xia (Lew Tsia), by keeping her in isolation, under house arrest for weeks at a time, and monitoring her every move. For as long as she remains there, the authorities will continue to see her as a symbol of dissent, and continue to harass her in every way imaginable.

The U.S. government at all levels, including the highest, must speak up clearly for her freedom.

I end today by leaving you with Liu words to his wife on the last day before his trial for subversion of state power in 2009:

"Even if I am crushed into powder, I will embrace you with ashes. I will calmly face the impending trial, with no regrets for my choices, and will look forward with hope to tomorrow."

### HONORING FORMER SENATOR BOB DOLE

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

Mr. MARSHALL. Mr. Speaker, I rise today to wish former Kansas Senator Bob Dole a happy 94th birthday, which he celebrated this weekend.

Born in Russell, Kansas, 94 years ago, Senator Dole dedicated his life to being a public servant. In 1945, after nearly giving his life in World War II, then-2nd Lieutenant Bob Dole earned two Purple Hearts and the Bronze Star for his combat valor in Italy. He would later, of course, win the Presidential Medal of Freedom.

After serving as the Representative for the First District, the district I represent, he became Senator Bob Dole in 1968. I well remember sitting in my own classroom of third grade in Ms. Hileman's class at Jefferson grade school and reading our weekly reader, reading about a very contentious race involving Bob Dole. And, of course, Senator Dole went on to win that race and to serve Kansas until his 1996 Presidential run.

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

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

To date, Senator Dole has the record for the longest serving Republican leader in the Senate. Currently, Senator Dole keeps a very busy schedule working here in Washington, D.C., and continues public service in a variety of ways. On many Saturdays, he can be seen greeting veterans at the World War II Memorial, something I have had the pleasure of doing with him.

His international impact is still felt in programs like the McGovern-Dole International Food for Education program, which helps fight childhood hunger and poverty by providing nutrition to more than 22 million school children in 41 developing countries.

Mr. Speaker, as this body debates legislation and its impacts, we would do well to keep in mind leaders like Senator Dole, who never forgot about the human impact of each bill, who has embodied public service his entire life, and who never forgot where he was from, Russell, Kansas.

Happy 94th birthday to my friend, our mentor, our fellow Kansan, Senator Bob Dole.

#### WELCOME HOME FIRST INFANTRY DIVISION

Mr. MARSHALL. Mr. Speaker, I rise today to welcome home our First Infantry Division Headquarters, who have been stationed in Iraq for the last 9 months, advising and assisting Iraqi security forces.

Approximately 150 soldiers in the division returned home this weekend, with the rest returning to Fort Riley later this month. Major General Martin, the commanding general of the First Infantry Division at Fort Riley, was among the soldiers who returned home recently. We thank him for his service abroad and are looking forward to working with him at Fort Riley.

This marks the first time that almost our entire division is back home together on one post. However, one aviation battalion is still currently deployed in the Republic of Korea. These soldiers and their families, especially their families, sacrifice greatly, and it certainly does not go unnoticed.

They are part of a distinguished division, the Big Red One, and return home just in time for celebrations of the division's 100th anniversary.

Welcome home to General Martin and the rest of his troops.

#### HONORING AMELIA EARHART

Mr. MARSHALL. Mr. Speaker, I rise today to acknowledge one of Kansas' most well-known natives, Amelia Earhart.

Amelia was raised in Atchison, Kansas, and would be 120 years old this month, and this month also is the 80th anniversary of her disappearance.

After taking her first plane ride in 1920, she soared to the top of the aviation world attempting to accomplish the audacious flight around the world. Amelia's history has helped shape the future Kansas would have in aerospace industry today.

Her numerous accomplishments, such as being the first woman to fly solo across the Atlantic and being elected president of The Ninety-Nines, a women's aviation club, has helped pave the way for Kansans today and make her print in history.

Thanks, in part, to Amelia, 67 percent of the general aviation fleet has been manufactured in Kansas since 1919. It is an honor to have her from Kansas, and on her birthday, to recognize all she has done for Kansas, aviation, women, and our national pride.

#### WHO HAS CONTROL OVER OUR SKIES

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

Mr. ABRAHAM. Mr. Speaker, I rise today to bring attention to a very critical issue that has occurred concerning our skies and the control thereof.

Our U.S. airspace is the busiest airspace in the world and, alone, is the safest and most successful. We have over 87,000 flights per day in the United States airspace. Our wonderful friends from Canada, just to the north, have only a mere fraction of that.

For decades, our air traffic control has been successfully managed under the FAA with the oversight of Congress and the American taxpayer. Like any system, there is always room for improvement and modernization. However, there are some who think that the only way to get to modernization is through privatization. This could not be further from the truth.

Congress will soon begin debating an FAA reauthorization bill. Chairman SHUSTER and the Committee on Transportation and Infrastructure have done a commendable job and worked tirelessly to craft a bill that brings much-needed reforms to the FAA. However, I strongly disagree with the idea to give control of air traffic services to a private corporation governed by a board made up of special interests. There are just too many reasons why this is a bad idea.

Under the plan, the corporation would operate air traffic control by charging flyers user fees. A private corporation concerned with raising money from user fees will be heavily incentivized to prioritize air traffic services where it can raise the most money.

This incentive would be very harmful to constituents like mine in rural areas who could very well see a reduction in air traffic services.

Further, a private user fee model would undoubtedly reduce revenues to the Airport and Airway Trust Fund, as the administration's own budget predicts. This fund is critical for upgrades and maintenance in small- and medium-sized airports across the country.

Reliable air traffic services and airport infrastructure are essential for rural areas to attract business, for economic growth, and for Americans to have access to safe and efficient travel. This plan is bad for rural America.

Spinning off air traffic control to a private corporation is also a major liability for the American taxpayer. The administration's budget predicts that privatization of air traffic control would cost almost \$46 billion over 10 years. These costs would be compounded by the fact that the private corporation will be required to hire all current Federal air traffic employees, continue to contribute to their Federal benefits and healthcare, and continue to collectively bargain with their union representatives. This is hardly privatization and hardly modernization.

Even more concerning, the taxpayers would likely be on the hook if the corporation took on more debt than it can pay for and is unable to safely operate our skies.

Yes, the bill says there is no Federal guarantee for the corporation, but this hasn't stopped the Federal Government from being forced to bail out other so-called private corporations to the tune of hundreds of billions of dollars such as Fannie Mae and Freddie Mac.

Our airspace is a public resource and a great national treasure. Control over it should not be handed over to a private board with no oversight from Congress and, therefore, no obligation to represent the best interests of the citizens of the United States.

□ 1215

Modernization should continue to be our goal, and Congress can get there without jeopardizing control and safety of our national airspace.

I look forward to working with my colleagues and the President to modernize our airspace while making sure that it remains the safest and most accessible in the world.

#### RECOGNIZING APPOINTEES TO MILITARY SERVICE ACADEMIES

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

Mr. FARENTHOLD. Mr. Speaker, every year, I have the pleasure of nominating outstanding young men and women from the 27th Congressional District of Texas to the United States military service academies.

Recently, I held a lunch for this year's ten appointees and their families, who have received an appointment to one of the five service academies. I enjoyed visiting with these young folks and their families and would like to recognize each of them for their commitment to protect our great Nation.

They are:

Jose Aguirre, from Corpus Christi, Texas, a 2017 graduate of Foy H. Moody

High School, who will attend the United States Naval Academy;

Aaron Jeffrey Frahm, from Corpus Christi, Texas, a 2017 graduate from Marine Military Academy, who will attend the United States Merchant Marine Academy;

Specialist David Zane Ledbetter, United States Army, from Victoria, Texas, a graduate of Victoria West High School, who will attend the U.S. Military Academy, West Point;

Kaila Celiene Lusson, from Corpus Christi, Texas, a 2017 graduate of Aviano High School, Aviano Air Base, Italy, who will attend the Air Force Academy;

Caleb Michael McCann, from Sinton, Texas, a 2016 graduate of Flour Bluff High School, who will attend the Air Force Academy;

John T. McNiff, from Corpus Christi, Texas, a 2017 graduate of Incarnate Word Academy, who will attend the U.S. Coast Guard Academy;

Kalista Courtney Schauer, from Corpus Christi, Texas, a 2017 graduate of Richard King High School, who will attend the U.S. Military Academy, West Point;

Clayton Daley Thompson, from Corpus Christi, Texas, a 2016 graduate of Flour Bluff High School, who will attend the United States Naval Academy;

Cassandra Hamer, from Corpus Christi, Texas, a 2017 graduate of Richard King High School, who will attend the U.S. Coast Guard Academy; and

Josh Smith, from Victoria, Texas, a 2017 graduate of Victoria West High School, who will attend the United States Air Force Academy.

Each of them brings great pride to all of us in the 27th District of Texas. I wish them the best of luck in their academies, and I look forward to hearing great things about their service to our Nation.

#### RECOGNIZING DREW SCOTT

Mr. FARENTHOLD. Mr. Speaker, I was walking along the Cannon tunnel and was looking at all of the art from the Congressional Art Competition. As Members know, each year, thousands of high school students from every congressional district submit their artwork to their Member of Congress for the annual Congressional Art Competition. Helping inspire these young people to become active in the things they are passionate about, like art, is one of my favorite parts of my job.

Today, I would like to recognize Drew Scott, the winner of this year's Congressional Art Competition for the 27th District of Texas. She is a junior at Rockport-Fulton High School, and she won this year's contest with an original colored pencil drawing "Complimentary Calico." It is a drawing of one of her friend's cats.

Earlier this year, I visited Rockport-Fulton High School to announce Drew as the winner, and I recently had the pleasure of hosting Drew and her fam-

ily when they traveled to Washington for the unveiling of her artwork in the Cannon tunnel.

I thank everyone who submitted their artwork for this year's competition. It was an extremely hard decision for the judges. And congratulations to Drew. I look forward to seeing next year's entrants. I would like to encourage all high school students to participate in this wonderful opportunity.

#### RECESS

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

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

□ 1400

#### AFTER RECESS

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

#### PRAYER

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

Eternal God, we give You thanks for giving us another day.

Strengthen the constitutional commitments of the Members of this people's House as they return to the Capitol today. Guide and sustain them in Your wisdom and inspire all, especially those in leadership, with the insights needed to assist our Nation at this time.

During these warm days of summer, may the discourse on the floor and in committees be noted more for light than heat, that the important work to be done might redound to the benefit of all Americans.

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

Amen.

#### THE JOURNAL

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

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

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

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

#### HOUSE OVERWHELMINGLY PASSES THE NATIONAL DEFENSE AUTHORIZATION ACT

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

Mr. WILSON of South Carolina. Mr. Speaker, last week the House of Representatives overwhelmingly passed the National Defense Authorization Act with a bipartisan vote of 344-81. This bill represents a strong commitment to enacting accounting reforms and rebuilding our military.

As chairman of the House Armed Services Subcommittee on Readiness, I am grateful that this bill modernizes our forces and begins to close the readiness gap facing our servicemembers, fulfilling President Donald Trump's pledge to rebuild the American military.

This legislation also supports military families by providing the largest pay raise in 8 years and by giving military families greater flexibility when relocating during the school year.

The primary function of the national government is to provide for our national defense, to ensure that our servicemembers have the training, equipment, and resources they need to achieve the goal as established by Senator Barry Goldwater, "Why Not Victory."

I appreciate the determined leadership of Chairman MAC THORBERRY, and I look forward to continuing to work with him to advance the legislation through the conference process.

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

#### CONGRATULATING COMMANDER HUGGAN ON HIS CAREER

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

Mr. DUNN. Mr. Speaker, I rise today to congratulate an exceptional member of the United States Navy on the event of his retirement, Commander Doug Huggan.

On Friday, July 14, Commander Huggan completed his tour as the commanding officer of the Naval Support Activity Florida. This caps a long and distinguished career.

His service to the Navy started as an E-6 airborne command pilot and has taken him around the world, from the European Command to Japan, and finally to Panama City.

While at NSA Panama City, Commander Huggan led over 3,000 Active-Duty and civilian personnel in performing critical missions, including surface warfare training, explosive ordnance disposal, salvage training, and experimental diving.

His leadership over the last 2 years in the Second District is a testament to



the core values instilled upon all those who serve in the Navy.

Mr. Speaker, please join me in saying thank you to Commander Huggan and his family for their years of service and sacrifice, and wish them luck as they move on to enjoy a new chapter in their life.

#### NORTH KOREA IS A SLAVE TRADER

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

Mr. POE of Texas. Mr. Speaker, a new soccer stadium in St. Petersburg, a luxury apartment complex in Moscow, all brought to Russia by North Korean slaves. That is right. These slaves get almost no wages, no holidays, with little food or sleep.

Little Kim not only enslaves his own people at home, he runs an international slave trade. The slave network brings in \$2 billion to \$3 billion every year to the North Korean military complex and helps little Kim evade sanctions. This is state-sponsored human trafficking and slavery.

The slaves are not just sent to Russia. It is troublemakers like China and Qatar, too, that are slave destinations.

Secretary Tillerson has called upon all countries to fully implement U.N. Security Council resolutions to sever or downgrade diplomatic relations with North Korea in order to financially isolate that country. It is time these countries comply with the United Nations resolutions, and we must send a united message to North Korea: End your slave trade and stop the saber rattling.

And that is just the way it is.

#### IF DONALD TRUMP, JR., WERE A DEMOCRAT

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

Mr. SMITH of Texas. Mr. Speaker, if Donald Trump, Jr., were a Democrat, the media would be defending him for doing what every campaign does: conducting opposition research. The media would be praising him for ending a meeting when it became obvious there was no evidence to back up an informant's allegations. The media would be pointing out that many countries' leaders openly supported Barack Obama for President, including those from the United Kingdom, France, Sweden, and Nicaragua.

Maybe the real crime is the media's double standard. In their irrational obsession with destroying the Trump Presidency, the liberal media have forgotten journalism's profound responsibility: to be fair and objective.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:45 p.m. today.

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

□ 1645

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BACON) at 4 o'clock and 45 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

#### SERGEANT JOSEPH GEORGE KUSICK VA COMMUNITY LIVING CENTER

Mr. DUNN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2210) to designate the community living center of the Department of Veterans Affairs in Butler Township, Butler County, Pennsylvania, as the "Sergeant Joseph George Kusick VA Community Living Center".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2210

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

#### SECTION 1. FINDINGS.

Congress finds the following:

(1) Sergeant Joseph George Kusick of Bruin, Pennsylvania, was assigned to the command and control detachment of the 5th Special Forces Group (Airborne) of the Army during the Vietnam War.

(2) On November 8, 1967, Kusick distinguished himself by exceptionally valorous actions while serving as a radio operator of a special forces reconnaissance team on a combat mission deep in hostile territory.

(3) During an enemy ambush, Kusick, though seriously wounded, refused aid and radioed the forward air controller to advise him of the critical situation.

(4) While the team leader led a withdrawal to a landing zone, Kusick maintained contact with the controller and requested emergency extraction.

(5) Realizing the importance of having a radio operator on the ground to direct landings, Kusick refused evacuation by the first helicopter.

(6) After the second helicopter was shot down, and in the midst of enemy fire, Kusick continued to maintain radio contact and called for a hoist extraction of the men still remaining on the ground.

(7) The last helicopter, which Kusick boarded, was shot down by intense Viet Cong fire and crashed in flames, resulting in Kusick's death.

(8) On December 22, 1967, Kusick was posthumously awarded the Silver Star Medal for gallantry in action.

(9) The citation to accompany the award of the Silver Star Medal stated that "Kusick's gallantry in action, at the cost of his life, was in keeping with the highest traditions of the military service and reflects great credit upon himself, his unit, and the United States Army".

#### SEC. 2. SERGEANT JOSEPH GEORGE KUSICK VA COMMUNITY LIVING CENTER.

(a) DESIGNATION.—The community living center of the Department of Veterans Affairs in Butler Township, Butler County, Pennsylvania, shall after the date of the enactment of this Act be known and designated as the "Sergeant Joseph George Kusick VA Community Living Center".

(b) REFERENCES.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the community living center referred to in subsection (a) shall be deemed to be a reference to the "Sergeant Joseph George Kusick VA Community Living Center".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. DUNN) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

#### GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 2210, a bill to designate the Department of Veterans Affairs Community Living Center in Butler Township, Pennsylvania, as the Sergeant Joseph George Kusick VA Community Living Center.

Sergeant Kusick, a native of Bruin, Pennsylvania, served in the United States Special Forces during the Vietnam war. During a combat mission, deep in hostile territory, on November 8, 1967, Sergeant Kusick was seriously wounded during an ambush by enemy forces.

Wounded, yet refusing aid and initial evacuation, he remained in the midst of battle to help secure emergency extraction for his fellow soldiers. The helicopter that Sergeant Kusick finally boarded was shot down by Viet Cong fire and Sergeant Kusick's life was lost. He was just 22 years old.

Sergeant Kusick was posthumously awarded the Silver Star for "... gallantry in action, at the cost of his life ... in keeping with the highest traditions of the military service and reflects great credit upon himself, his unit, and the United States Army."

It is only fitting and appropriate that we honor Sergeant Kusick's service and sacrifice by naming the VA Butler Healthcare's Community Living Center after him.

H.R. 2210 is sponsored by Congressman MIKE KELLY, from Pennsylvania, and I am grateful to him for introducing it and allowing us to honor and forever remember this great American hero. This legislation satisfies all of the committee's naming criteria and, as such, is supported by the entire Pennsylvania congressional delegation, as well as by many veterans service organizations.

Once again, I thank Congressman KELLY for sponsoring this legislation, and I urge all of my colleagues to join me in supporting it.

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

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

I rise today in support of H.R. 2210, a bill to designate the Community Living Center of the Department of Veterans Affairs in Butler Township, Butler County, Pennsylvania, as the Sergeant Joseph George Kusick VA Community Living Center.

Sergeant Joseph George Kusick was awarded the Silver Star for sacrificing his life in an effort to ensure that as many of his comrades as possible made it home from Vietnam. The resulting recovery effort was to be recorded by the squadron as one of the largest and most hazardous on record.

As a radio operator, Sergeant Kusick served as the connection between the 5th Special Forces Group, who found themselves under enemy ambush, and the forward air controller charged with coordinating their evacuation.

Although Sergeant Kusick was seriously injured during the ambush, he refused multiple offers to evacuate, ultimately refusing two helicopters, only to board a helicopter that was then shot down by intense Viet Cong fire.

His bravery and sacrifice earned him a posthumously awarded Silver Star with the following citation: "Kusick's gallantry in action, at the cost of his life, was in keeping with the highest traditions of the military service and reflects great credit upon himself, his unit, and the United States Army."

Mr. Speaker, I salute Sergeant Kusick for his selfless bravery, and I support the passage of this bill.

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

Mr. DUNN. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Mr. Speaker, I rise today in strong support of H.R. 2210. This bill will designate the Department of Veterans Affairs Community Living Center in my hometown of Butler, Pennsylvania, as the Sergeant Joseph George Kusick VA Community Living Center.

This is something you have heard already, but I want you to understand something, and if we can look for a minute outside of the people's House into thinking of who we actually are as a people. This is a young guy, 22 years old, at the very beginning of his life. At a time when most of us are looking forward to so many great things happening to us, he put himself in harm's way.

Now, when you think of what Sergeant Kusick did, it is incredible that this young man, on a hillside in Vietnam under heavy Viet Cong fire, and being seriously wounded himself, when asked: Listen, Sergeant, get on the helicopter. We can get you out of there.

He said: "No, because if I leave, my comrades cannot be saved." What an incredible place to put yourself in, a 22-year-old who just a couple of years earlier was in Butler, Pennsylvania, enjoying all that life has to offer, and all of the potential of that life, and putting the welfare of others and the safety of others before himself. That is an incredible position to put yourself in.

We have already talked about the medal that Sergeant Kusick was given, and what it meant to everybody. But there is just so much about Sergeant Kusick, and all of these veterans, and all of these folks who have put themselves in harm's way. The one thing that comes out all the time is, there is no place quite as unique as the United States of America; there is nothing quite as unique as our men and women in uniform; there is nothing quite as unique as people who are willing to put themselves second and put the lives and safety of others first.

That is just not something people normally do. Sergeant Kusick did that on that hillside, seriously wounded, working on the radios. He knew that if he didn't stay, the other people wouldn't get extracted. He stayed there, under heavy enemy fire, and watched what was going on, watched the helicopters come in to extract his teammates.

And I think of it all the time: Where do people like Sergeant Kusick come from? And do you know where they come from? They come from all of these small towns and cities across America. They don't think of themselves as being unique. They don't think of their sacrifice as being exceptional. They don't think of what they have done as being out of the ordinary because it is just who we are as Americans.

As I think about these things, I am called to bring out something that I have read, and this is in a different war at a different time. It is a dedication stone at the Korean War Memorial, not too far from our Nation's steps. At the point of the triangle leading to the American flag is a dedication which reads: "Our Nation honors her sons and daughters who answered the call to de-

fend a country they never knew and a people they never met."

A country they never knew, and a people they never met, and they put their life on the line to defend those lives. That is incredible. I would just suggest to people, you can go around this world and hunt for other people like this, and you will find them, but you will not find them in as great numbers as you find right here in the United States of America.

I don't know if Sergeant Kusick was a Republican or a Democrat. I don't know how he voted. I knew where he grew up, because that is where I grew up. I knew who he was because he is from the same area I am from. The only difference in all of us may be the town we grew up and our last name, but the rest of it is all the same.

The same blood that coursed through Sergeant Kusick's veins is the same blood that courses through all of our veins. And he was so willing, so willing to sacrifice his life for saving others. Well, this didn't happen by chance. I have got to tell you that what we are doing today to honor Sergeant Kusick was due to the work of The American Legion, the Disabled American Veterans, the Veterans of Foreign Wars, and especially the tireless effort of the Third Congressional District Military-Veterans Advocacy group, and my friend, Sergeant Art Greathhead, who tirelessly did the research on this.

We ran through all of the things we have to run through, and for those folks who don't know, this is not an easy thing to do. This is hard work to get this done, to honor a hero. But that work was done by all of these folks in a way of saying "thank you" to one of America's fallen heroes; "thank you" to one of American's heroes who has been long forgotten in some circles, but not back home.

We remember Sergeant Kusick. We honor Sergeant Kusick. We thank him for his sacrifice, and we point to a country that is forever grateful to our women and men in uniform for the great sacrifice that they make. But I want to go back to one other thing: 22 years old. Twenty-two, at a time when life is just starting, never again to be able to celebrate a birthday; never again to celebrate Christmas, or Thanksgiving; never again to celebrate a family reunion, but forever lost—but lost for a good reason. He gave his life so that others may survive.

The way they were able to identify Sergeant Kusick's remains—by the way, the helicopter he finally got in after everybody else would have been extracted was shot down, went down in flames. There were dog tags on two of the remains that were recovered. The other body that was recovered did not have dog tags on, but do you know what Sergeant Kusick had? He had his radio pack.

To the very end, Sergeant Kusick was doing what he was required to do

and what he wanted to do, and he not only gave up his life but gave up his entire future.

I can't tell you how much I appreciate this, and I can't tell you how much this means to the people of Butler, Pennsylvania, but more than anything else, to Sergeant Kusick for the sacrifice of a life.

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

I associate myself with the remarks of the gentleman from Pennsylvania. I am very thankful that the gentleman has brought Congress' attention to Sergeant Kusick's deed on behalf of our Nation. I was reflecting on his youth, 22 years old, and to think that so many younger, his age, step forward to defend our Nation and to give up their lives.

I think it is well for all of us in this Chamber to reflect on that sacrifice as we struggle to reach across the aisle and to come to agreement to serve our country, to note the ultimate sacrifice that they put forward. I thank you very much for the effort you have taken to remember a great American hero.

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

Mr. DUNN. Mr. Speaker, I want to thank the gentleman—our colleagues—for his kind comments, and also especially Representative KELLY for bringing forward this outstanding bill. I encourage all Members to support this legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. DUNN) that the House suspend the rules and pass the bill, H.R. 2210.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1700

#### GRANTING CONSENT AND APPROVAL OF CONGRESS TO AMEND WASHINGTON AREA TRANSIT REGULATION COMPACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 92) granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to amend the Washington Area Transit Regulation Compact.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

H.J. RES. 92

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. FINDINGS.

Congress finds the following:

(1) Congress in title III of the Fixing America's Surface Transportation Act (section 3026, Public Law 114-94) provided sole authority to the Secretary of Transportation to appoint Federal Directors to the Board of Directors of the Washington Metropolitan Area Transit Authority and required the signatory parties to the Compact to amend the Compact as necessary.

(2) Legislation enacted by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia contains the amendments to the Washington Metropolitan Area Transit Regulation Compact pursuant to section 3026(b) of the Fixing America's Surface Transportation Act (Public Law 114-94).

#### SEC. 2. CONSENT OF CONGRESS TO COMPACT AMENDMENTS.

(a) CONSENT.—Consent of Congress is given to the amendments of the State of Maryland, the amendments of the Commonwealth of Virginia, and the amendments of the District of Columbia to section 5, of title III of the Washington Metropolitan Area Transit Regulation Compact.

(b) AMENDMENTS.—The amendments referred to in subsection (a) amending section 5 of such Compact are substantially as follows:

“(a) The Authority shall be governed by a Board of eight Directors consisting of two Directors for each Signatory and two for the Federal Government (one of whom shall be a regular passenger and customer of the bus or rail service of the Authority). For Virginia, the Directors shall be appointed by the Northern Virginia Transportation Commission; for the District of Columbia by the Council of the District of Columbia; for Maryland, by the Washington Suburban Transit Commission; and for the Federal Government, by the Secretary of the United States Department of Transportation. For Virginia and Maryland, the Directors shall be appointed from among the members of the appointing body, except as otherwise provided herein, and shall serve for a term coincident with their term on the appointing body. A Director for a Signatory may be removed or suspended from office only as provided by the law of the Signatory from which he was appointed. The non-Federal appointing authorities shall also appoint an alternate for each Director. In addition, the Secretary of the United States Department of Transportation shall also appoint two non-voting members who shall serve as the alternates for the Federal Directors. An alternate Director may act only in the absence of the Director for whom he has been appointed an alternate, except that, in the case of the District of Columbia where only one Director and his alternate are present, such alternate may act on behalf of the absent Director. Each alternate, including the Federal non-voting Directors, shall serve at the pleasure of the appointing authority. In the event of a vacancy in the Office of Director or alternate, it shall be filled in the same manner as an original appointment.

“(b) Before entering upon the duties of his office each Director and alternate director shall take and subscribe to the following oath (or affirmation) of office or any such

other oath or affirmation, if any, as the Constitution or laws of the Government he represents shall provide: ‘I,

hereby solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution and Laws of the state or political jurisdiction from which I was appointed as a Director (alternate director) of the Board of Washington Metropolitan Area Transit Authority and will faithfully discharge the duties of the office upon which I am about to enter.’”

#### SEC. 3. RIGHT TO ALTER, AMEND, OR REPEAL.

The right to alter, amend, or repeal this joint resolution is expressly reserved. The consent granted by this joint resolution shall not be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region that forms the subject of the Compact.

#### SEC. 4. CONSTRUCTION AND SEVERABILITY.

It is intended that the provisions of this Compact shall be reasonably and liberally construed to effectuate the purposes thereof. If any part or application of this Compact, or legislation enabling the Compact, is held invalid, the remainder of the Compact or its application to other situations or persons shall not be affected.

#### SEC. 5. INCONSISTENCY OF LANGUAGE.

The validity of this Compact shall not be affected by any insubstantial differences in its form or language as adopted by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia.

#### SEC. 6. EFFECTIVE DATE.

This joint resolution shall take effect on the date of enactment of this joint resolution.

The SPEAKER pro tempore (Mr. COLLINS of New York). Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Maryland (Mr. RASKIN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

#### GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.J. Res. 92, currently under consideration.

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

There was no objection.

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

Mr. Speaker, H.J. Res. 92, introduced by my Virginia colleague, Representative COMSTOCK, concerns the Washington-area transit system. The resolution makes needed administrative amendments to the longstanding Washington Metropolitan Area Transit Regulation Compact.

These amendments are required under section 3026 of the Fixing America's Surface Transportation, or FAST, Act. That section transferred from the Administrator of General Services to the Secretary of Transportation sole authority to appoint Federal directors to the Washington Metropolitan Area

Transit Authority board of directors. It further required Virginia, Maryland, and the District of Columbia to adopt any necessary conforming amendments to the Washington Area Transit Regulation Compact.

The jurisdictions adopted the needed amendments as required. H.J. Res. 92 accordingly grants Congress' approval to the amendments.

Mr. Speaker, I urge my colleagues to support this resolution, and I thank Members on both sides of the aisle, including Congresswoman COMSTOCK, for their good work on this.

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

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

Mr. Speaker, I rise in strong support of H.J. Res. 92. I thank my colleague from Virginia (Mrs. COMSTOCK), the chairman of the committee, for leading this measure, and I am very happy to lend my support to the resolution.

This resolution would grant congressional consent to amendments to the Washington Metropolitan Area Transit Regulation Compact Authority pursuant to legislation already enacted by the District of Columbia, Maryland, and Virginia, respectively.

Established in 1967, the WMATA is an interstate compact agency responsible for operating the mass transit system for the Washington Metropolitan area.

As part of a broader effort to promote safety and efficiency in the WMATA Metrorail system, Congress transferred appointment authority for the WMATA board of directors to the Secretary of Transportation through enactment of the Fixing America's Surface Transportation Act in 2015, the so-called FAST Act. Under the FAST Act, Congress also directed the WMATA jurisdictions to adopt conforming compact amendments.

H.J. Res. 92 is a bipartisan measure that would grant Congress' consent to these amendments to the WMATA compact.

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

Mr. GOODLATTE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Virginia (Mrs. COMSTOCK), who is the chief sponsor of the legislation.

Mrs. COMSTOCK. Mr. Speaker, I rise in support of my resolution, H.J. Res. 92, which lends congressional approval to an amendment made to the WMATA interstate compact.

As was mentioned, the last iteration of the highway bill, the FAST Act, contained a provision that directed Virginia, Maryland, and D.C. to amend the compact to change appointment authority for the Federal directors on the WMATA board from the administrator of the GSA to the more appropriate Secretary of Transportation.

This was a very commonsense change that was made in light of recent inci-

dents and accidents and the real need to have a top priority for safety.

The Secretary of Transportation, I believe, is in a much better position to appoint directors to the Metro board than the administrator of the GSA. The States of Virginia and Maryland as well as D.C. complied with this directive and amended the compact, and we are all in agreement here.

The previous Secretary of Transportation last year appointed two very well-qualified candidates to serve as the Federal directors on the WMATA board.

The final legal step that we are taking today here in this equation is for Congress to lend its approval to the change, and that is what this resolution does.

Mr. Speaker, I urge my colleagues to support this resolution.

Mr. RASKIN. Mr. Speaker, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank my very good friend Representative JAMIE RASKIN for yielding to me.

Mr. Speaker, I was ranking member of the subcommittee that had jurisdiction over the FAST Act when we received the request from the region—the Maryland, District of Columbia, and Virginia region—to transfer the authority to appoint directors to the Washington Metropolitan Area Transit Authority board from the GSA to the Department of Transportation.

For the life of me, I can't remember why this authority was given to the GSA in the first place. But it may have been because WMATA was considered simply an agency of interest to the Federal Government.

On consideration, under the FAST Act, we agreed that the Department of Transportation was, by far, the more appropriate agency to appoint Federal directors—understand there are local directors—but Federal directors to WMATA. There are also Federal directors to the WMATA board.

This is of great interest to the region. I recognize it is not monumental for the Congress, but the region very much needs this joint resolution. All three jurisdictions—the District of Columbia, Maryland, and Virginia—have made their administrative changes, but these changes need to be confirmed by this body.

Mr. Speaker, I thank Mrs. COMSTOCK for her leadership with this joint resolution, and I ask that the entire body approve it.

Mr. RASKIN. Mr. Speaker, I simply want to, again, commend Mrs. COMSTOCK for her leadership on this legislation. I thank all of our fellow members in the regional delegation in Maryland, Virginia, and the District of Columbia for their collaborative work on this issue, and House Judiciary Committee Chairman GOODLATTE for facilitating the resolution's consideration by both the committee and the House.

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

Mr. GOODLATTE. Mr. Speaker, I urge my colleagues to support this fine legislation.

I thank everybody for their good work, and I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, I rise in strong support of H.J. Res. 92.

This Resolution would grant Congress' consent to certain amendments to the Washington Metropolitan Area Transit Regulation Compact Authority pursuant to legislation enacted by the District of Columbia, Maryland, and Virginia, respectively.

Congress originally consented to this Compact in 1960 and—from time-to-time—the Compact has been amended with Congress' consent, as needed.

The current necessity for H.J. Res. 92 is prompted by the enactment of the Fixing America's Surface Transportation Act of 2015.

In pertinent part, this Act gave sole authority to the Secretary of Transportation to appoint federal directors to the board of directors of the Washington Metropolitan Area Transit Regulation Compact.

To implement this directive, each of the Compact participants had to enact legislation amending the Compact.

H.J. Res. 92 grants Congress' consent to these amendments to the Compact as approved by each of the participating states and the District of Columbia.

This bipartisan measure, which effectuates Congress' directive of 2015, is cosponsored by all of the Congressional Members representing jurisdictions affected by the Metrorail system.

I support this commonsense measure and I urge its swift passage. I commend Representative COMSTOCK for her leadership on this important legislation and I thank House Judiciary Chairman GOODLATTE for facilitating its timely consideration by both the Committee and the House.

Ms. JACKSON LEE. Mr. Speaker, I support H.J. Res. 92 granting consent and approval from Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to amend the Washington Area Transit Regulation Compact.

As Houston is a major transportation hub, I understand and appreciate the importance of this legislation.

The Washington Metropolitan Area Transit Authority (WMATA), an interstate compact agency, provides transportation services to millions of people each year.

It is imperative that the WMATA be safe and effective because it is essential to the commerce and prosperity of the National Capitol Region.

The District of Columbia, the Commonwealth of Virginia, and the State of Maryland intend to create the Washington Metrorail Safety Commission to act as the state safety oversight authority for the WMATA system under 49 U.S.C. 5329.

In title III of the Fixing America's Surface Transportation Act (section 3026, Public Law 114-94), the Congress provided sole authority to the Secretary of Transportation to appoint Federal Directors to the Board of Directors of

the WMATA and required the signatory parties to the Compact to amend the Compact as necessary.

This compact is created for the benefit of the people of the District of Columbia, the Commonwealth of Virginia, and the State of Maryland so that there may be an increase in their safety, commerce, and prosperity.

I urge my colleagues to join me in supporting H.J. Res. 92.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the joint resolution, H.J. Res. 92.

The question was taken.

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

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

The yeas and nays were ordered.

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

#### GRANTING CONSENT AND APPROVAL OF CONGRESS TO ESTABLISH WASHINGTON METRO-RAIL SAFETY COMMISSION

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 76) granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission, as amended.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

##### H.J. RES. 76

Whereas the Washington Metropolitan Area Transit Authority, an interstate compact agency of the District of Columbia, the Commonwealth of Virginia, and the State of Maryland, provides transportation services to millions of people each year, the safety of whom is paramount;

Whereas an effective and safe Washington Metropolitan Area Transit Authority system is essential to the commerce and prosperity of the National Capital region;

Whereas the Tri-State Oversight Committee, created by a memorandum of understanding amongst these 3 jurisdictions, has provided safety oversight of the Washington Metropolitan Area Transit Authority;

Whereas 49 U.S.C. 5329 requires the creation of a legally and financially independent state authority for safety oversight of all fixed rail transit facilities;

Whereas the District of Columbia, the Commonwealth of Virginia, and the State of Maryland intend to create a Washington Metrorail Safety Commission to act as the state safety oversight authority for the Washington Metropolitan Area Transit Authority system under 49 U.S.C. 5329; and

Whereas this compact is created for the benefit of the people of the District of Columbia, the Commonwealth of Virginia, and

the State of Maryland and for the increase of their safety, commerce, and prosperity.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

##### CONSENT AND APPROVAL OF CONGRESS

SECTION 1. The consent and approval of Congress is hereby given for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact for the safety oversight of the Washington Metropolitan Area Transit Authority Metrorail system (known as the Metrorail Safety Commission Interstate Compact), which has been negotiated by representatives of the State, the Commonwealth, and the District, substantially as follows:

##### “ARTICLE I

##### “DEFINITIONS

“1. As used in this MSC Compact, the following words and terms shall have the meanings set forth below, unless the context clearly requires a different meaning. Capitalized terms used herein, but not otherwise defined in this MSC Compact, shall have the definition set forth in regulations issued under 49 U.S.C. § 5329, as they may be revised from time to time.

“(a) ‘Alternate Member’ means an alternate member of the Board;

“(b) ‘Board’ means the board of directors of the Commission;

“(c) ‘Commission’ means the Washington Metrorail Safety Commission;

“(d) ‘Member’ means a member of the Board;

“(e) ‘MSC Compact’ means this Washington Metrorail Safety Commission Interstate Compact;

“(f) ‘Public Transportation Agency Safety Plan’ means the comprehensive agency safety plan for a rail transit agency required by 49 U.S.C. § 5329 and the regulations issued thereunder, as may be amended or revised from time to time;

“(g) ‘Public Transportation Safety Certification Training Program’ means the federal certification training program, as established and amended from time to time by applicable federal laws and regulations, for federal and state employees, or other designated personnel, who conduct safety audits and examinations of public transportation systems, and employees of public transportation agencies directly responsible for safety oversight;

“(h) ‘Safety Sensitive Position’ means any position held by a WMATA employee or contractor designated in the Public Transportation Agency Safety Plan for the WMATA Rail System and approved by the Commission as directly or indirectly affecting the safety of the passengers or employees of the WMATA Rail System;

“(i) ‘Signatory’ means the State of Maryland, the Commonwealth of Virginia, and the District of Columbia;

“(j) ‘State’, ‘state’, or ‘jurisdiction’ means the District of Columbia, the State of Maryland, or the Commonwealth of Virginia;

“(k) ‘Washington Metropolitan Area Transit Authority’ or ‘WMATA’ is the entity created by the WMATA Compact, which entity is responsible for providing certain rail fixed guideway public transportation system services;

“(l) ‘WMATA Compact’ means the Washington Metropolitan Area Transit Authority Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01 et seq.); and

“(m) ‘WMATA Rail System’ or ‘Metrorail’ means the rail fixed guideway public transportation system and all other real and personal property owned, leased, operated, or otherwise used by WMATA rail services and shall include WMATA rail projects under design or construction by owners other than WMATA.

##### “ARTICLE II

##### “PURPOSE AND FUNCTIONS

“2. The Signatories to the WMATA Compact hereby adopt this MSC Compact pursuant to 49 U.S.C. § 5329. The Commission created hereunder shall have safety regulatory and enforcement authority over the WMATA Rail System and shall act as the state safety oversight authority for WMATA under 49 U.S.C. § 5329, as may be amended from time to time. WMATA shall be subject to the Commission’s rules, regulations, actions, and orders.

“3. The purpose of this MSC Compact is to create a state safety oversight authority for the WMATA Rail System, pursuant to the mandate of federal law, as a common agency of each Signatory, empowered in the manner hereinafter set forth to review, approve, oversee, and enforce the safety of the WMATA Rail System, including, without limitation, to:

“(a) Have exclusive safety oversight authority and responsibility over the WMATA Rail System pursuant to federal law, including, without limitation, the power to restrict, suspend, or prohibit rail service on all or part of the WMATA Rail System as set forth in this MSC Compact;

“(b) Develop and adopt a written state safety oversight program standard;

“(c) Review and approve the WMATA Public Transportation Agency Safety Plan;

“(d) Investigate hazards, incidents, and accidents on the WMATA Rail System;

“(e) Require, review, approve, oversee, and enforce Corrective Action Plans developed by WMATA; and

“(f) Meet other requirements of federal and State law relating to safety oversight of the WMATA Rail System.

##### “ARTICLE III

##### “ESTABLISHMENT AND ORGANIZATION

“A. Washington Metrorail Safety Commission

“4. The Commission is hereby created as an instrumentality of each Signatory, which shall be a public body corporate and politic, and which shall have the powers and duties set forth in this MSC Compact.

“5. The Commission shall be financially and legally independent from WMATA.

“B. Board Membership

“6. The Commission shall be governed by a Board of 6 Members with 2 Members appointed or reappointed (including to fill an unexpired term) by each Signatory pursuant to the Signatory’s applicable laws.

“7. Each Signatory shall also appoint or reappoint (including to fill an unexpired term) one Alternate Member pursuant to the Signatory’s applicable laws.

“8. An Alternate Member shall participate and take action as a Member only in the absence of one or both Members appointed from the same jurisdiction as the Alternate Member’s appointing jurisdiction and, in such instances, may cast a single vote.

“9. Members and Alternate Members shall have backgrounds in transit safety, transportation, relevant engineering disciplines, or public finance.

“10. No Member or Alternate Member shall simultaneously hold an elected public office, serve on the WMATA board of directors, be employed by WMATA, or be a contractor to WMATA.

“11. Each Member and Alternate Member shall serve a 4-year term and may be reappointed for additional terms; except that, each Signatory shall make its initial appointments as follows:

“(a) One Member shall be appointed for a 4-year term;

“(b) One Member shall be appointed for a 2-year term; and

“(c) The Alternate Member shall be appointed for a 3-year term.

"12. Any person appointed to fill a vacancy shall serve for the unexpired term.

"13. Members and Alternate Members shall be entitled to reimbursement for reasonable and necessary expenses and shall be compensated for each day spent meeting on the business of the Commission at a rate of \$200 per day or at such other rate as may be adjusted in appropriations approved by all of the Signatories.

"14. A Member or an Alternate Member may be removed or suspended from office only for cause in accordance with the laws of such Member's or Alternate Member's appointing jurisdiction.

"C. Quorum and Actions of the Board

"15. Four Members shall constitute a quorum, and the affirmative vote of 4 Members is required for action of the Board. Quorum and voting requirements under this paragraph may be met with one or more Alternate Members pursuant to section 8.

"16. The Commission action shall become effective upon enactment unless otherwise provided for by the Commission.

"D. Oath of Office

"17. Before entering office, each Member and Alternate Member shall take and subscribe to the following oath (or affirmation) of office or any such other oath or affirmation as the constitution or laws of the Signatory he or she represents shall provide:

"I, \_\_\_\_\_, hereby solemnly swear (or affirm) that I will support and defend the Constitution and the laws of the United States as a Member (or Alternate Member) of the Board of the Washington Metrorail Safety Commission and will faithfully discharge the duties of the office upon which I am about to enter.

"E. Organization and Procedure

"18. The Board shall provide for its own organization and procedure. Meetings of the Board shall be held as frequently as the Board determines, but in no event less than quarterly. The Board shall keep minutes of its meetings and establish rules and regulations governing its transactions and internal affairs, including, without limitation, policies regarding records retention that are not in conflict with applicable federal record retention laws.

"19. The Commission shall keep commercially reasonable records of its financial transactions in accordance with accounting principles generally accepted in the United States of America.

"20. The Commission shall establish an office for the conduct of its affairs at a location to be determined by the Commission.

"21. The Commission shall adopt 5 U.S.C. § 552(a)–(d) and (g), and 5 U.S.C. § 552b, as both may be amended from time to time, as its freedom-of-information policy and open-meeting policy, respectively, and shall not be subject to the comparable laws or policies of any Signatory.

"22. Reports of investigations or inquiries adopted by the Board shall be made publicly available.

"23. The Commission shall adopt a policy on conflict of interest that shall be consistent with the regulations issued under 49 U.S.C. § 5329, as they may be revised from time to time, which, among other things, places appropriate separation between Members, officers, employees, contractors, and agents of the Commission and WMATA.

"24. The Commission shall adopt and utilize its own administrative procedure and procurement policies in conformance with applicable federal regulations and shall not be subject to the administrative procedure or procurement laws of any Signatory.

"F. Officers and Employees

"25. The Board shall elect a Chairman, Vice Chairman, Secretary, and Treasurer from among its Members, each for a 2-year term and shall prescribe their powers and duties.

"26. The Board shall appoint and fix the compensation and benefits of a chief executive officer who shall be the chief administrative officer of the Commission and who shall have expertise in transportation safety and one or more industry-recognized transportation safety certifications.

"27. Consistent with 49 U.S.C. § 5329, as may be amended from time to time, the Commission may employ, under the direction of the chief executive officer, such other technical, legal, clerical, and other employees on a regular, part-time, or as-needed basis as it determines necessary or desirable for the discharge of its duties.

"28. The Commission shall not be bound by any statute or regulation of any Signatory in the employment or discharge of any officer or employee of the Commission, but shall develop its own policies in compliance with federal law. The MSC shall, however, consider the laws of the Signatories in devising its employment and discharge policies, and when it deems it practical, devise policies consistent with the laws of the Signatories.

"29. The Board may fix and provide policies for the qualification, appointment, removal, term, tenure, compensation benefits, worker's compensation, pension, and retirement rights of its employees subject to federal law. The Board may also establish a personnel system based on merit and fitness and, subject to eligibility, participate in the pension, retirement, and worker's compensation plans of any Signatory or agency or political subdivision thereof.

#### "ARTICLE IV

##### "POWERS

"A. Safety Oversight Powers

"30. In carrying out its purposes, the Commission, through its Board or designated employees or agents, shall, consistent with federal law:

"(a) Adopt, revise, and distribute a written State Safety Oversight Program;

"(b) Review, approve, oversee, and enforce the adoption and implementation of WMATA's Public Transportation Agency Safety Plan;

"(c) Require, review, approve, oversee, and enforce the adoption and implementation of any Corrective Action Plans that the Commission deems appropriate;

"(d) Implement and enforce relevant federal and State laws and regulations relating to safety of the WMATA Rail System; and

"(e) Audit every 3 years the compliance of WMATA with WMATA's Public Transportation Agency Safety Plan or conduct such an audit on an ongoing basis over a 3-year time frame.

"31. In performing its duties, the Commission, through its Board or designated employees or agents, may:

"(a) Conduct, or cause to be conducted, inspections, investigations, examinations, and testing of WMATA personnel and contractors, property, equipment, facilities, rolling stock, and operations of the WMATA Rail System, including, without limitation, electronic information and databases through reasonable means, which may include issuance of subpoenas;

"(b) Enter upon the WMATA Rail System and, upon reasonable notice and a finding by the chief executive officer that a need exists, upon any lands, waters, and premises adjacent to the WMATA Rail System, including, without limitation, property owned or occupied by the federal government, for the purpose of making inspections, investigations, examinations, and testing as the Commission may deem necessary to carry out the purposes of this MSC Compact, and such entry shall not be deemed a trespass. The Commission shall make reasonable reimbursement for any actual damage resulting to any such adjacent lands, waters, and premises as a result of such activities;

"(c) Compel WMATA's compliance with any Corrective Action Plan or order of the Commis-

sion by such means as the Commission deems appropriate, including, without limitation, by:

"(1) Taking legal action in a court of competent jurisdiction;

"(2) Issuing citations or fines with funds going into an escrow account for spending by WMATA on Commission-directed safety measures;

"(3) Directing WMATA to prioritize spending on safety-critical items;

"(4) Removing a specific vehicle, infrastructure element, or hazard from the WMATA Rail System; and

"(5) Compelling WMATA to restrict, suspend, or prohibit rail service on all or part of the WMATA Rail System with an appropriate notice period dictated by the circumstances;

"(d) Direct WMATA to suspend or disqualify from performing in any Safety Sensitive Position an individual who is alleged to or has violated safety rules, regulations, policies, or laws;

"(e) Compel WMATA's Office of the Inspector General, created under WMATA Board Resolution 2006–18, or any successor WMATA office or organization having similar duties, to conduct safety-related audits or investigations and to provide its findings to the Commission; and

"(f) Take such other actions as the Commission may deem appropriate consistent with its purpose and powers.

"32. Action by the Board under section 31(c)(5) shall require the unanimous vote of all Members present and voting. The Commission shall coordinate its enforcement activities with appropriate federal and State governmental authorities.

"B. General Powers

"33. In addition to the powers and duties set forth above, the Commission may:

"(a) Sue and be sued;

"(b) Adopt, amend, and repeal rules and regulations respecting the exercise of the powers conferred by this MSC Compact;

"(c) Create and abolish offices, employments, and positions (other than those specifically provided for in this MSC Compact) necessary or desirable for the purposes of the Commission;

"(d) Determine a staffing level for the Commission that is commensurate with the size and complexity of the WMATA Rail System, and require that employees and other designated personnel of the Commission, who are responsible for safety oversight, be qualified to perform such functions through appropriate training, including, without limitation, successful completion of the Public Transportation Safety Certification Training Program;

"(e) Contract for or employ consulting attorneys, inspectors, engineers, and such other experts necessary or desirable and, within the limitations prescribed in this MSC Compact, prescribe their powers and duties and fix their compensation;

"(f) Enter into and perform contracts, leases, and agreements necessary or desirable in the performance of its duties and in the execution of the powers granted under this MSC Compact;

"(g) Apply for, receive, and accept such payments, appropriations, grants, gifts, loans, advances, and other funds, properties, and services as may be transferred or made available to it by the United States government or any other public or private entity or individual, subject to the limitations specified in section 42;

"(h) Adopt an official seal and alter the same at its pleasure;

"(i) Adopt and amend by-laws, policies, and procedures governing the regulation of its affairs;

"(j) Appoint one or more advisory committees; and

"(k) Do such other acts necessary or desirable for the performance of its duties and the execution of its powers under this MSC Compact.



"34. Consistent with this MSC Compact, the Commission shall promulgate rules and regulations to carry out the purposes of this MSC Compact.

#### "ARTICLE V "GENERAL PROVISIONS

##### "A. Annual Safety Report

"35. The Commission shall make and publish annually a status report on the safety of the WMATA Rail System, which shall include, among other requirements established by the Commission and federal law, status updates of outstanding Corrective Action Plans, Commission directives, and on-going investigations. A copy of each such report shall be provided to:

"(a) The Administrator of the Federal Transit Administration;

"(b) The Governor of Virginia, the Governor of Maryland, and the Mayor of the District of Columbia;

"(c) The Chairman of the Council of the District of Columbia;

"(d) The President of the Maryland Senate and the Speaker of the Maryland House of Delegates;

"(e) The President of the Virginia Senate and the Speaker of the Virginia House of Delegates; and

"(f) The General Manager and each member of the board of directors of WMATA.

"36. The Commission may prepare, publish, and distribute such other safety reports that it deems necessary or desirable.

##### "B. Annual Report of Operations

"37. The Commission shall make and publish an annual report on its programs, operations, and finances, which shall be distributed in the same manner provided by section 35.

"38. The Commission may also prepare, publish, and distribute such other public reports and informational materials as it deems necessary or desirable.

##### "C. Annual Independent Audit

"39. An independent annual audit shall be made of the financial accounts of the Commission. The audit shall be made by qualified certified public accountants selected by the Board, who shall have no personal interest, direct or indirect, in the financial affairs of the Commission or any of its officers or employees. The report of audit shall be prepared in accordance with generally accepted auditing principles and shall be distributed in the same manner provided by section 35. Members, employees, agents, and contractors of the Commission shall provide access to information necessary or desirable for the conduct of the annual audit.

##### "D. Financing

"40. The Commission's operations shall be funded, independently of WMATA, by the Signatory jurisdictions and, when available, by federal funds. The Commission shall have no authority to levy taxes.

"41. The Signatories shall unanimously agree on adequate funding levels for the Commission and make equal contributions of such funding, subject to annual appropriation, to cover the portion of Commission operations not funded by federal funds.

"42. The Commission may borrow up to 5% of its last annual appropriations budget in anticipation of receipts, or as otherwise set forth in the appropriations budget approved by all of the Signatories, from any lawful lending institution for any purpose of this MSC Compact, including, without limitation, for administrative expenses. Such loans shall be for a term not to exceed 2 years, or at such longer term approved by each Signatory pursuant to its laws as evidenced by the written authorization by the Mayor of the District of Columbia and the Governors of Maryland and Virginia, and at such rates of interest as shall be acceptable to the Commission.

"43. With respect to the District of Columbia, the commitment or obligation to render financial assistance to the Commission shall be created, by appropriation or in such other manner, or by such other legislation, as the District of Columbia shall determine; provided, that any such commitment or obligation shall be approved by Congress pursuant to the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 et seq.).

"44. Pursuant to the requirements of 31 U.S.C. §§ 1341, 1342, 1349 to 1351, and 1511 to 1519, and D.C. Official Code §§ 47-105 and 47-355.01 to 355.08 (collectively, the 'Anti-Deficiency Acts'), the District cannot obligate itself to any financial commitment in any present or future year unless the necessary funds to pay that commitment have been appropriated and are lawfully available for the purpose committed. Thus, pursuant to the Anti-Deficiency Acts, nothing in the MSC Compact creates an obligation of the District in anticipation of an appropriation for such purpose, and the District's legal liability for the payment of any amount under this MSC Compact does not and may not arise or obtain in advance of the lawful availability of appropriated funds for the applicable fiscal year.

##### "E. Tax Exemption

"45. The exercise of the powers granted by this MSC Compact shall in all respects be for the benefit of the people of the District of Columbia, the Commonwealth of Virginia, and the State of Maryland and for the increase of their safety, commerce, and prosperity, and as the activities associated with this MSC Compact shall constitute the performance of essential governmental functions, the Commission shall not be required to pay any taxes or assessments upon the services or any property acquired or used by the Commission under the provisions of this MSC Compact or upon the income therefrom, and shall at all times be free from taxation within the District of Columbia, the Commonwealth of Virginia, and the State of Maryland.

##### "F. Reconsideration of Commission Orders

"46. WMATA shall have the right to petition the Commission for reconsideration of an order based on rules and procedures developed by the Commission.

"47. Consistent with section 16, the filing of a petition for reconsideration shall not act as a stay upon the execution of a Commission order, or any part of it, unless the Commission orders otherwise. WMATA may appeal any adverse action on a petition for reconsideration as set forth in section 48.

##### "G. Judicial Matters

"48. The United States District Court for the Eastern District of Virginia, Alexandria Division, the United States District Court for the District of Maryland, Southern Division, and the United States District Court for the District of Columbia shall have exclusive and original jurisdiction of all actions brought by or against the Commission and to enforce subpoenas under this MSC Compact.

"49. The commencement of a judicial proceeding shall not operate as a stay of a Commission order unless specifically ordered by the court.

##### "H. Liability and Indemnification

"50. The Commission and its Members, Alternate Members, officers, agents, employees, or representatives shall not be liable for suit or action or for any judgment or decree for damages, loss, or injury resulting from action taken within the scope of their employment or duties under this MSC Compact, nor required in any case arising or any appeal taken under this MSC Compact to give a supersedeas bond or security for damages. Nothing in this paragraph shall be construed to protect such person from suit or liability for damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of such person.

"51. The Commission shall be liable for its contracts and for its torts and those of its Members, Alternate Members, officers, agents, employees, and representatives committed in the conduct of any proprietary function, in accordance with the law of the applicable Signatory (including, without limitation, rules on conflict of laws) but shall not be liable for any torts occurring in the performance of a governmental function. The exclusive remedy for such breach of contract or tort for which the Commission shall be liable, as herein provided, shall be by suit against the Commission. Nothing contained in this MSC Compact shall be construed as a waiver by the District of Columbia, the Commonwealth of Virginia, or the State of Maryland of any immunity from suit.

##### "I. Commitment of Parties

"52. Each of the Signatories pledges to each other faithful cooperation in providing safety oversight for the WMATA Rail System, and, to affect such purposes, agrees to consider in good faith and request any necessary legislation to achieve the objectives of this MSC Compact.

##### "J. Amendments and Supplements

"53. Amendments and supplements to this MSC Compact shall be adopted by legislative action of each of the Signatories and the consent of Congress. When one Signatory adopts an amendment or supplement to an existing section of this MSC Compact, that amendment or supplement shall not be immediately effective, and the previously enacted provision or provisions shall remain in effect in each jurisdiction until the amendment or supplement is approved by the other Signatories and is consented to by Congress.

##### "K. Withdrawal and Termination

"54. Any Signatory may withdraw from this MSC Compact, which action shall constitute a termination of this MSC Compact.

"55. Withdrawal from this MSC Compact shall be by a Signatory's repeal of this MSC Compact from its laws, but such repeal shall not take effect until 2 years after the effective date of the repealed statute and written notice of the withdrawal being given by the withdrawing Signatory to the governors or mayor, as appropriate, of the other Signatories.

"56. Prior to termination of this MSC Compact, the Commission shall provide each Signatory:

"(a) A mechanism for concluding the operations of the Commission;

"(b) A proposal to maintain state safety oversight of the WMATA Rail System in compliance with applicable federal law;

"(c) A plan to hold surplus funds in a trust for a successor regulatory entity for 4 years after the termination of this MSC Compact; and

"(d) A plan to return any surplus funds that remain 4 years after the creation of the trust.

##### "L. Construction and Severability

"57. This MSC Compact shall be liberally construed to effectuate the purposes for which it is created.

"58. If any part or provision of this MSC Compact or the application thereof to any person or circumstances be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this MSC Compact or the application thereof to other persons or circumstances, and the Signatories hereby declare that they would have entered into this MSC Compact or the remainder thereof had the invalidity of such provision or application thereof been apparent.

##### "M. Adoption; Effective Date

"59. This MSC Compact shall be adopted by the Signatories in the manner provided by law



therefor and shall be signed and sealed in 4 duplicate original copies. One such copy shall be filed with the Secretary of State of the State of Maryland, the Secretary of the Commonwealth of Virginia, and the Secretary of the District of Columbia in accordance with the laws of each jurisdiction. One copy shall be filed and retained in the archives of the Commission upon its organization. This MSC Compact shall become effective upon the enactment of concurring legislation by the District of Columbia, the Commonwealth of Virginia, and the State of Maryland, and consent thereto by Congress and when all other acts or actions have been taken, including, without limitation, the signing and execution of this MSC Compact by the Governors of Maryland and Virginia and the Mayor of the District of Columbia.

**"N. Conflict of Laws**

"60. Any conflict between any authority granted herein, or the exercise of such authority, and the provisions of the WMATA Compact shall be resolved in favor of the exercise of such authority by the Commission.

"61. All other general or special laws inconsistent with this MSC Compact are hereby declared to be inapplicable to the Commission or its activities."

**RIGHT TO ALTER, AMEND, OR REPEAL**

SEC. 2. The right to alter, amend, or repeal this joint resolution is expressly reserved. The consent granted by this joint resolution shall not be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region that forms the subject of the Compact.

**CONSTRUCTION AND SEVERABILITY**

SEC. 3. It is intended that the provisions of this Compact shall be reasonably and liberally construed to effectuate the purposes thereof. If any part or application of this Compact, or legislation enabling the Compact, is held invalid, the remainder of the Compact or its application to other situations or persons shall not be affected.

**INCONSISTENCY OF LANGUAGE**

SEC. 4. The validity of this Compact shall not be affected by any insubstantial differences in its form or language as adopted by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia.

**EFFECTIVE DATE**

SEC. 5. This joint resolution shall take effect on the date of enactment of this joint resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Maryland (Mr. RASKIN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

□ 1715

**GENERAL LEAVE**

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.J. Res. 76, currently under consideration.

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

There was no objection.

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

H.J. Res. 76 grants Congress' approval to the Metrorail Safety Com-

mission Interstate Compact, an interstate compact entered into recently by the Commonwealth of Virginia, the State of Maryland, and the District of Columbia.

The safety record of the D.C.-area Metrorail system and other public transit systems in our country has been a matter of increasing concern for some time. To better address public transit safety needs, including metro-rails, Congress included in the Moving Ahead for Progress in the 21st Century, or MAP Act or MAP-21, and the Fixing America's Surface Transportation, or FAST Act, provisions strengthening the Federal Transit Administration's safety oversight authority and related safety requirements for public transit systems.

Pursuant to these acts and through the Metrorail Safety Commission Interstate Compact, Virginia, Maryland, and the District of Columbia have committed to establish a new Washington Metrorail Safety Commission to act as the State safety oversight authority for the Metrorail system. The Transportation and Infrastructure Committee has informed the Judiciary Committee that the new compact's provisions satisfy the requirements of the relevant Federal statutes.

The jurisdictions completed, in March of this year, their adoption by legislation of their respective compact instruments. In the meanwhile, however, due to delays in the adoption of the instruments, the FTA invoked on February 9, 2017, authority to suspend the distribution of transit funds to the jurisdictions until the new safety commission is established.

By passage of H.J. Res. 76, we can hasten the day by which Metrorail safety will be improved and funds obligated for other impacted transit systems in the compact jurisdictions can be made available for release.

I urge my colleagues to support this resolution, and I reserve the balance of my time.

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

Mr. Speaker, I rise in strong support of H.J. Res. 76. This very important legislation grants congressional consent and approval to Maryland, Virginia, and the District of Columbia to enter into a compact under Article I, section 10 of the Constitution, establishing the Metrorail Safety Commission. Importantly, Federal transit funds have been suspended by the Federal Transit Authority until Congress grants its assent to these amendments to the WMATA compact, as H.J. Res. 76 would do.

I want to thank my friend, the distinguished minority whip, STENY HOYER, for taking the lead on this measure, and all of our colleagues in the Virginia and Maryland delegations and District of Columbia delegation for supporting it in such a strong, bipar-

tisan, and cross-Potomac River fashion. I am proud to join them.

Mr. Speaker, I did want to take a moment to say a word about the Metro system.

WMATA is not just the Metro that serves the Washington area. It is truly America's Metro system. It is the second largest system in the Nation, behind only New York City. It is 117 miles long. It has 91 stations, and it includes more than 12,000 employees.

It is critical to the functioning of the Federal Government because it moves more than 40 percent of the Federal workforce every day to and from work and also during the day for various missions that people go on during the normal workday. It is essential to national security. If we didn't have the Metro system, what is already one of the most traffic-plagued and congested regions in the country would be absolutely paralyzed.

It is also the mechanism that moves millions of Americans who come from all over the United States, all of our constituents here in Congress, to visit us. That is how people get to the White House and the Capitol and go to the Pentagon and go to see NIH and visit the museums and the battlefields and so on.

So the Metro is critical not just to the people who live and work here every day and make the Federal Government go, but also to all American citizens who rely on the efficiency of the Federal Government and come to Washington to petition for redress of grievances and to partake in the processes of government.

I am thrilled that this legislation, responding to the safety needs of the system, is moving forward with speed now. It is essential that we continue to invest in the Metro, to upgrade its safety, to upgrade its efficiency and its reliability.

The Federal Government was instrumental in the creation of Metro at the beginning, along with Virginia, Maryland, and the District of Columbia. We all send representatives to the board of Metro. The Federal Government has representatives on the board of Metro. We are equal partners in it, and I want to make sure that everyone here in Congress feels deeply invested in the success of Metro, which, after all, gets a lot of our staffers to work every day.

With passage of H.J. Res. 76, Congress reaffirms its fundamental commitment to America's Metro system. Accordingly, I urge my colleagues to support the swift passage of this resolution.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Virginia (Mrs. COMSTOCK).

Mrs. COMSTOCK. Mr. Speaker, I thank my friend, Chairman GOODLATTE, for his work on this matter and for yielding the time. I appreciate his leadership in bringing this forward.

I rise in support, Mr. Speaker, of this resolution, HJ. Res. 76, offered by the gentleman from Maryland, the minority whip, Mr. HOYER. We have very much a regional partnership that is essential for Metro, and this resolution today reflects that. It lends congressional approval to the new interstate compact between Virginia, Maryland, and the District of Columbia to establish an independent State safety oversight program, in this case known as the Metro Safety Commission.

The previous iteration of the Metro safety oversight body was known as the Tri-State Oversight Commission, and in response to various accidents, inadequacies, and outright failures, the previous Secretary of Transportation, Anthony Foxx, used the authority that we in Congress, together, working with our regional delegation together, gave him to temporarily take over the safety oversight role of Metro through the Federal Transit Administration. But it was only meant to be temporary control. We still need a permanent body to provide this invaluable safety oversight for WMATA, and the passage of this legislation in the House today brings us one important step closer to that goal.

I also would like to mention that, because we had not done this in the timeframe initially allowed, the FTA did give notice to the Metro Safety Commission it had to be in place on or before February 9, and when it wasn't, they suspended some of our Federal funds.

Now, with this today, we hope this initial withholding, which equated to \$8.9 million and is expected could total \$15 million, that now that can move forward.

I have a letter that I include in the RECORD, which is signed by our regional delegation in support of now releasing those funds.

*Washington, DC, June 30, 2017.*

Hon. ELAINE CHAO,  
Secretary, U.S. Department of Transportation,  
Washington, DC.

DEAR SECRETARY CHAO, As representatives of public transit customers in the Commonwealth of Virginia, we write to express our concerns regarding the Federal Transit Administration's (FTA) February 10, 2017 decision to withhold federal transit grant money in response to incomplete efforts to establish a new State Safety Oversight Program (SSOP) for the Washington Metropolitan Area Transit Authority (WMATA).

On February 8, 2016, the FTA gave notice that the Metropolitan Safety Commission (MSC), a new SSOP to succeed WMATA's Tri-State Oversight Commission, must be in place and certified by the FTA on or before February 9, 2017. On February 10, 2017, with no new SSOP certified, the FTA announced it would exercise its authority to withhold five percent of federal funds authorized in fiscal year 2017 under the Urbanized Area Apportionments Program (49 U.S.C. 5307). The initial withholding equated to \$8.9 million, and is expected to total \$15 million if he withholding continues to the end of the current fiscal year. This withholding will not

just impact funding for WMATA, but for broader infrastructure maintenance throughout Virginia, Maryland, and Washington, D.C.

The decision to withhold these federal funds has created significant uncertainty amongst state and local governments in terms of budget planning and stability. Should the withholding of funds continue throughout the remainder of the fiscal year, the governments and their transit systems will be faced with a number of difficult decisions about the manner in which they allocate their limited resources. Under a worst-case scenario, they would be forced to make cuts to state of good repair efforts or reduce service to their respective communities, either of which would be harmful to our constituents. We agree safety must be a top priority, but eliminating funding for infrastructure repair would directly contradict a SSOP's stated goal.

Given the FTA must engage in this process with 29 other transit agencies nationwide by 2019, we appreciate the complexity of the issues that were considered in making the decision to withhold these funds. However, we must emphasize—as many of us have expressed previously either directly to you, your predecessor, or the FTA—that the timing of both the notice and the deadline set by FTA were arbitrary in that there seemed to be little or no consideration of the legislative calendars of the Virginia General Assembly or the General Assembly of Maryland.

The FTA timetable effectively gave Virginia and Maryland less than one full legislative session to negotiate amongst each other and the District, draft the proposal, navigate it through the respective lawmaking bodies, and sign it into law. The unreasonable requirements FTA put forth were not simply for the SSOP to have a legal foundation by the February 2017 deadline, but to have the program fully certified by FTA, which necessitates months of work after passing legislation, including, but not limited to, appointing commissioners, hiring staff, and leasing office space. We are therefore led to believe that FTA either set their requirements without providing fair consideration to the unique institutional challenges that exist within the jurisdictions, or the FTA set them with a deadline so unrealistic that failure was unavoidable.

Given the concerns we have raised in this letter regarding FTA's shortsighted approach to this matter, and in light of the demonstrated progress which has been made, we respectfully request that your office work with the FTA to explore a compromise in which part of these withheld funds can be released as a show of good faith, as the jurisdictions continue their work to construct a stable SSOP.

Lending further justification for this request is the real progress that has been made with respect to organizing the MSC. At the time this is written:

Virginia, Maryland, and the District (the jurisdictions) have each enacted legislation to enter into an interstate compact to form the MSC;

The jurisdictions have submitted a detailed draft certification plan to FTA for review (though FTA has not yet provided formal feedback on the plan);

Joint resolutions have been introduced in both the House of Representatives and the Senate to grant Congressional approval to the MSC compact;

The Senate has passed its version of the joint resolution;

The House Judiciary Committee, which has sole jurisdiction over the joint resolution, has ordered the House's parallel version of the resolution to be reported favorably to the full House; and

We are requesting that the measure be taken up for consideration as soon as possible.

We appreciate the FTA's important safety work, especially its temporary safety oversight role with respect to WMATA. Without FTA's diligence, more harm may have come to WMATA's customers. But we must find an equitable solution to this matter.

We look forward to partnering with you, Madam Secretary, as well as the FTA to ensure safety remains the top priority in all transit systems and that reforms are made to accomplish a transit agency that provides safe, reliable service to our constituents. We appreciate your thoughtful consideration of this request.

Sincerely,

BARBARA COMSTOCK,  
Member of Congress.  
BOB GOODLATTE,  
Member of Congress.  
ROBERT J. WITTMAN,  
Member of Congress.  
TIM KAINE,  
United States Senator.  
MARK R. WARNER,  
United States Senator.  
SCOTT TAYLOR,  
United States Senator.

Mrs. COMSTOCK. Mr. Speaker, we in the region have worked together on these issues and, with this congressional approval and with the help of my colleague, Chairman GOODLATTE, took this to the Judiciary Committee, who will now be able to begin the process of improving Metro in connection with our State and regional partners.

Mr. RASKIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. HOYER), our distinguished minority whip, who has been a longtime champion of the Metro system.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

I was tempted to stop at that podium. One of my Republican predecessors used to come over here a long time ago and speak to Democrats from this podium and then walk back and speak to his Republican colleagues.

This is truly something that both podiums support. It is a bipartisan effort. I was privileged to work with Congresswoman COMSTOCK's predecessor, Frank Wolf, and we worked arm in arm, hip to hip, shoulder to shoulder for a decade with Republican administrations, both the Reagan administration and with the first Bush administration, and this truly is a bipartisan effort to enhance America's subway.

I say "America's subway" because not only do our people use it that live in the region, but millions of Americans who come to Washington, D.C., to see their Capital use their Metro system. I am proud to be the sponsor of this resolution, and I urge my colleagues to support it.

People throughout the National Capital region depend upon Metro to get to

work, reach family and friends, and access shopping and entertainment, as so many of my colleagues have already said. It is the lifeblood of the area's economy. Nobody probably knows that better than GERRY CONNOLLY, who was the head of one of the largest subdivisions in our region and knows how critically important Metro is to our region.

Metro—I have referred to it as the “ties that bind the Washington metropolitan area together”—is used by millions of visitors to our Nation's Capital who come from across the country. It is critical to the functioning of our Federal Government, with Federal employees making up nearly 40 percent of its ridership. They and many military personnel rely on Metro to get to their offices and duty stations on time so they can serve the American people.

As anyone who spends time in this city knows, Metro has had its share of challenges in recent years, including, of course, safety issues that have prompted an ambitious overhaul of safety procedure and infrastructure, which was absolutely necessary and too long in coming.

Safety must continue to be Metro's number one priority both for its passengers and for its employees. Our resolution, Mr. Speaker—when I refer to “our,” the entire metropolitan delegation—would provide congressional consent for the establishment of a Metro-rail Safety Commission—Mrs. COMSTOCK spoke of that; Mr. RASKIN has spoken of that; I am sure others will as well—which will provide real enforcement teeth to our region's commitment to enhancing Metro safety. The safety commission is being launched jointly by Congress, Maryland, Virginia, and the District of Columbia.

I want to thank Ms. NORTON, who, herself, has worked so long and so effectively on behalf of Washington's Metro system. Thank you very much, Congresswoman NORTON.

The Federal Transit Administration is currently withholding approximately \$8.9 million, which Mrs. COMSTOCK referred to. This step will be a significant step in making sure that that \$8.9 million is released. Maryland, Virginia, and D.C. have all given their approval already, the Virginia Legislature, the Maryland Legislature, and the D.C. legislature. Now it is up to Congress.

But today's resolution is not an end. It is an important step, but not an end. It must signal an ongoing commitment across the region to Metro and, yes, by the Congress itself.

I believe that if Metro is to become safer and more reliable, it must have a dedicated funding source. That is not the issue in this resolution, but it is the issue before Metro and before our region and before our country. That is why I will continue to push for more Federal investment in Metro and for WMATA to have every resource it

needs to keep its riders and employees safe, which is to say all of the American people who use it on their visits here as well as those of us who live here.

I want to thank each of the Members of our delegation, our regional delegation, who work together on behalf of the region; and I want to thank, in particular, Senator TIM Kaine from Virginia, who sponsored this legislation on the Senate side. We have all been working hard to ensure this resolution comes to the floor and to make sure all stakeholders have been at the table.

I thank my delegation, the regional delegation, and I thank Mr. GOODLATTE for bringing this resolution to the floor in a timely fashion; and I thank certainly one of our newest Members but one of our most able Members, Mr. RASKIN.

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

Mr. RASKIN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from the District of Columbia (Ms. NORTON), a distinguished Delegate.

Ms. NORTON. Mr. Speaker, I appreciate that my friend, Mr. RASKIN from the State of Maryland, has yielded this time to me.

First, I want to thank the senior member of our delegation. I thank the acknowledged leader of this entire bipartisan delegation, Mr. HOYER, for being the chief sponsor of this resolution that is bipartisan because it concerns the seamless Metro system, seamless because you can't get from one part of this region to the other part of this region without Metro and because this subway is the only subway which encompasses more than one State. It encompasses three jurisdictions. Therefore, we are bipartisan because there is no other way for us to exist. The transportation network requires it, and this resolution does, in fact, shows our bipartisanship.

□ 1730

This resolution is quintessentially important, because it creates a safety commission for Metro.

Now, along with other Members, we see Metro in at least two different ways. We see it, of course, in light of our own constituents. Metro makes it possible for entire neighborhoods to be created, entire parts of the region to be connected. Metro has promoted economic growth, but far more important than any of our individual jurisdictions is the importance of Metro to the Federal Government. You may have heard the figure 40 percent today; almost half of the Federal employees get to work through Metro.

When Metro has a snow day, the whole region shuts down. We are in this Congress by ourselves. If Metro has a snow day, nobody can get to the Congress of the United States or to the Federal Government.

Metro is absolutely critical, and therefore, a safe Metro is essential to all that happens in the Congress of the United States, quite apart from the tourist economy that the District, Maryland, and Virginia are a part of, quite apart from our own local economies.

More important to us all is the safety commission embodied in this joint resolution. Metro is useless if it is not safe. And we know what happens when it is not safe. In 2009, there was a tragic accident in this region. Nine residents lost their lives, seven of them from the District of Columbia. Anybody could have been on that train. In 2015, there was a smoke accident. One woman was killed, another D.C. resident. So an interstate safety commission is necessary if there is to be a Metro at all.

I applaud the local lawmakers from the District of Columbia, Maryland, and Virginia for doing their part to support this jurisdiction safely kneading together the three parts of the region, and I urge my own colleagues to give them permission to move forward.

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

Mr. RASKIN. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank the gentleman from Maryland (Mr. RASKIN), my good friend, for yielding time.

I rise today in support of this legislation, which I was happy to cosponsor with Mr. HOYER and our colleagues in the metropolitan region.

The joint resolution would establish an independent safety oversight commission for the Washington Metropolitan Area Transit Authority that will be empowered to create new safety rules, impose fines, issue subpoenas, and direct additional funding toward safety priorities.

Consideration of the joint resolution in the United States House follows the passage of companion legislation in the Virginia and Maryland General Assemblies, the Council of the District of Columbia, and the United States Senate.

The joint resolution before us represents the culmination of more than a year of multijurisdictional, multi-stakeholder collaboration, and is an example of the kind of bipartisan cooperation we need moving forward for Metro.

For several years now, Metro has been a system in crisis, all lights blinking red. The lack of a strict safety culture has resulted in derailments, falsified track inspection reports, fires, track defects, and, as Ms. NORTON just indicated, has tragically claimed lives.

The previous safety oversight body, the Tri-State Oversight Committee, was admittedly ineffective and failed to safeguard Metro personnel and customers. It was clear the safety crisis at

Metro needed further Federal intervention.

While I am glad that the U.S. Department of Transportation took action, I would have preferred that the Department act in accordance with the NTSB recommendation that it be the FRA, not the FTA, that provided that day-to-day safety oversight. Very simply, the FRA is and was better equipped to pick up this vital mission and run with it from day one, rather than to learn on the job with a modern, contemporary transit system, as the FTA has had to do.

It is my hope that enactment of this joint resolution will finally convince the FTA to reverse its misguided decision to withhold \$8.9 million of Federal transit grants from Virginia, Maryland, and D.C. The FTA announced the withholding of that money on February 10, because the jurisdictions had not yet established a fully certified Metrorail Safety Commission before the FTA's own arbitrary deadline.

The decision to withhold the funds, penalizing other transit systems not related to Metro, which is authorized under the Urbanized Area Apportionments Program, was crude and punitive, and the process that led to the decision was anything but neat.

The 1-year timeline imposed on the jurisdictions to establish and certify the Metro Safety Commission ignored both the unique legislative calendars of the citizen legislatures in Maryland and Virginia as well as the time-consuming, FTA-managed certification process itself for State safety oversight programs.

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

Mr. RASKIN. Mr. Speaker, I yield an additional 1 minute to the gentleman.

Mr. CONNOLLY. Mr. Speaker, I thank the gentleman for yielding.

The 1-year timeline imposed on the jurisdiction ignored those unique legislative schedules, but the decision to withhold money as a punishment for missing an arbitrary deadline was announced at a time, ironically, when all three jurisdictions were, in fact, moving simultaneously to enact just such legislation, as was requested.

This is no good deed going unpunished, Mr. Speaker, and the FTA did not publish its own toolkit, application, or program standard for the oversight program certification process until February 14 of this year, 4 days after they withheld the money punitively from those three jurisdictions. They couldn't meet their own deadline.

As the House and Senate move to enact this joint resolution, I hope to renew my request of the Secretary of Transportation to reverse entirely the FTA's bad decision to block safety and maintenance investments that are so desperately and obviously needed here in the Metro system in Washington.

I ask my colleagues to support the joint resolution before us today and to

recognize that it is a big step forward in the region and in terms of bipartisan cooperation.

Mr. RASKIN. Mr. Speaker, may I just inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Maryland has 4 minutes remaining.

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

Mr. Speaker, when I was a kid in high school, they built the Metro system here. It was a great feat of bipartisan leadership when they built the Metro, and it changed my life. It was the jewel of our region, and it opened up, to at least one kid, the Capitol, the White House, the museums, the National Gallery, the Hirshhorn, the Lincoln Memorial, the Jefferson Memorial, and it was really a spectacular and resplendent addition and feature to the Virginia, D.C., Maryland region.

In the intervening years, there has been inadequate investment in safety, efficiency, and reliability in the Metro system, and we need to bring the Metro back to its original glory and we must make sure that, above all, it is safe for the people who ride it. The safety and security of the passengers is essential.

So passage of this resolution will ensure the establishment of the safety commission to assume effective oversight of this system and to allow for the disbursement of Federal transit funds to Maryland, Virginia, and D.C. for essential transit services.

I urge all of our colleagues to support this bipartisan measure. Again, I want to salute all of the Members who have been involved in this legislation, and I thank House Judiciary Chairman GOODLATTE for facilitating consideration of the resolution by both the Judiciary Committee and by the House.

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

Mr. GOODLATTE. Mr. Speaker, I yield myself the balance of my time to say that this has been a good bipartisan collaborative effort. I thank Minority Whip HOYER, Congresswoman COMSTOCK, and the other Members from the region for their work to assure that safety measures do move forward with regard to the Metro here in the Washington, D.C., area. And this legislation is critical to accomplish that, so I urge my colleagues to support it.

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

Mr. CONYERS. Mr. Speaker, I rise in strong support of H.J. Res. 76.

This resolution would grant the consent and approval of Congress for Virginia, Maryland, and the District of Columbia to enter into a compact establishing the Washington Metrorail Safety Commission.

I support this bipartisan measure for several reasons.

Most importantly, this Commission will help improve the safety of the Washington Metropolitan Area Transit Authority—also known as

WMATA, which provides transportation services for millions of people each year.

Last year alone, nearly 180 million riders traveled on WMATA's commuter rail system. In fact, more than 760,000 riders used that system on just a single day in March of last year.

Unfortunately, there have been a series of serious safety violations at WMATA in recent years, some of which have tragically led to deaths and injuries.

Even though such dangerous conditions are obviously inexcusable, they nevertheless have persisted for many years. There are numerous causes, which range from aging infrastructure, years of neglected maintenance, uncertain funding, and poor oversight and management.

In response to these critical concerns, the District of Columbia—together with the states of Virginia and Maryland—have each passed legislation agreeing to enter into an interstate compact establishing an oversight commission dedicated to improving the safety of WMATA.

Clearly, this undertaking will help ensure WMATA's passengers and workers—as well as the many communities that WMATA serves—have a safe, efficient, and reliable mass transit system.

In addition, H.J. Res. 76 warrants our support because it implements Congress' 2015 directive to the states to establish legal and financially independent state oversight authorities responsible for the safety of fixed rail transit facilities within their respective jurisdictions.

By granting our consent and approval of the interstate compact to be established pursuant to this Resolution, we are fulfilling our responsibility to help ensure the safety of our Nation's rail system.

Finally, prompt consideration of H.J. Res. 76 is imperative not only because of ongoing safety concerns, but also because of financial concerns that serve to exacerbate the safety concerns.

When Congress issued its 2015 directive, it did so with strings attached. A state's failure to comply with this directive would result in a suspension of federal rail transit funding.

Accordingly, the Transportation Department's Federal Transportation Authority suspended its distribution of federal transit funds to the District of Columbia, Maryland, and Virginia earlier this year and it continues to do so until the new safety commission is established.

Thus, every day that goes by without action on this Resolution, is another day that these jurisdictions are deprived of critical federal funding.

So, I encourage my colleagues to join me in supporting the immediate passage of H.J. Res. 76.

The safety and reliability of our Nation's commuter rail transit system should be the standard for other metropolitan areas to aspire to. Unfortunately, much improvement is necessary to reach this critical goal.

H.J. Res. 76, however, will hopefully provide an important opportunity to address the system's safety shortcomings.

In closing, I want to thank Representative STENY HOYER, the esteemed author of this critical legislation. His commitment and leadership are to be commended.

Accordingly, I strongly support this bipartisan measure and urge colleagues on both sides of the aisle to support it as well.

Ms. JACKSON LEE. Mr. Speaker, I rise today in support of H. J. Res. 76, which grants consent and approval from Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission.

As Houston is a major transportation hub, I understand and appreciate the importance of this legislation.

The Washington Metropolitan Area Transit Authority (WMATA), an interstate compact agency, provides transportation services to millions of people each year.

It is imperative that the WMATA be safe and effective as it is essential to the commerce and prosperity of the National Capitol Region.

The District of Columbia, the Commonwealth of Virginia, and the State of Maryland intend to create the Washington Metrorail Safety Commission to act as the state safety oversight authority for the WMATA system under 49 U.S.C. 5329.

In title III of the Fixing America's Surface Transportation Act (section 3026, Public Law 114-94), the Congress provided sole authority to the Secretary of Transportation to appoint Federal Directors to the Board of Directors of the WMATA and required the signatory parties to the Compact to amend the Compact as necessary.

This compact is created for the benefit of the people of the District of Columbia, the Commonwealth of Virginia, and the State of Maryland so that there may be an increase in their safety, commerce, and prosperity.

I urge my colleagues to join me in supporting H. J. Res. 76.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the joint resolution, H.J. Res. 76, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 40 minutes p.m.), the House stood in recess.

□ 1830

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 6 o'clock and 30 minutes p.m.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 2210, by the yeas and nays;

H.J. Res. 92, by the yeas and nays; and

H.J. Res. 76, by the yeas and nays.

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

## SERGEANT JOSEPH GEORGE KUSICK VA COMMUNITY LIVING CENTER

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2210) to designate the community living center of the Department of Veterans Affairs in Butler Township, Butler County, Pennsylvania, as the "Sergeant Joseph George Kusick VA Community Living Center", on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. DUNN) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 401, nays 0, not voting 32, as follows:

[Roll No. 379]

YEAS—401

|                 |               |                |
|-----------------|---------------|----------------|
| Abraham         | Brown (MD)    | Correa         |
| Adams           | Brownley (CA) | Costa          |
| Aderholt        | Buchanan      | Costello (PA)  |
| Aguilar         | Buck          | Courtney       |
| Allen           | Bucshon       | Cramer         |
| Amash           | Budd          | Crawford       |
| Amodei          | Burgess       | Crist          |
| Arrington       | Bustos        | Crowley        |
| Babin           | Butterfield   | Cuellar        |
| Bacon           | Byrne         | Culberson      |
| Banks (IN)      | Calvert       | Curbelo (FL)   |
| Barletta        | Capuano       | Davidson       |
| Barr            | Carbajal      | Davis (CA)     |
| Barragán        | Cárdenas      | Davis, Danny   |
| Barton          | Carson (IN)   | Davis, Rodney  |
| Bass            | Carter (GA)   | DeFazio        |
| Beatty          | Carter (TX)   | DeGette        |
| Bera            | Cartwright    | Delaney        |
| Bergman         | Castor (FL)   | DeLauro        |
| Beyer           | Castro (TX)   | DelBene        |
| Biggs           | Chabot        | Demings        |
| Bilirakis       | Cheney        | Denham         |
| Bishop (GA)     | Chu, Judy     | Dent           |
| Bishop (MI)     | Cielline      | DeSaulnier     |
| Bishop (UT)     | Clark (MA)    | DesJarlais     |
| Black           | Clay          | Deutch         |
| Blackburn       | Cleaver       | Diaz-Balart    |
| Blum            | Clyburn       | Dingell        |
| Blumenauer      | Coffman       | Doggett        |
| Blunt Rochester | Cohen         | Donovan        |
| Bonamici        | Cole          | Doyle, Michael |
| Bost            | Collins (GA)  | F.             |
| Boyle, Brendan  | Collins (NY)  | Duffy          |
| F.              | Comer         | Duncan (SC)    |
| Brady (PA)      | Comstock      | Duncan (TN)    |
| Brady (TX)      | Conaway       | Dunn           |
| Brat            | Connolly      | Ellison        |
| Bridenstine     | Cook          | Emmer          |
| Brooks (IN)     | Cooper        | Engel          |
| Eshoo           |               |                |
| Estes (KS)      |               |                |
| Esty (CT)       |               |                |
| Evans           |               |                |
| Farenthold      |               |                |
| Faso            |               |                |
| Ferguson        |               |                |
| Fitzpatrick     |               |                |
| Fleischmann     |               |                |
| Flores          |               |                |
| Fortenberry     |               |                |
| Foster          |               |                |
| Fox             |               |                |
| Frankel (FL)    |               |                |
| Franks (AZ)     |               |                |
| Frelinghuysen   |               |                |
| Fudge           |               |                |
| Gabbard         |               |                |
| Gaetz           |               |                |
| Gallagher       |               |                |
| Gallego         |               |                |
| Garamendi       |               |                |
| Gianforte       |               |                |
| Gibbs           |               |                |
| Gohmert         |               |                |
| Gomez           |               |                |
| Gonzalez (TX)   |               |                |
| Goodlatte       |               |                |
| Gosar           |               |                |
| Gottheimer      |               |                |
| Gowdy           |               |                |
| Granger         |               |                |
| Graves (GA)     |               |                |
| Graves (LA)     |               |                |
| Graves (MO)     |               |                |
| Green, Al       |               |                |
| Green, Gene     |               |                |
| Griffith        |               |                |
| Grothman        |               |                |
| Guthrie         |               |                |
| Hanabusa        |               |                |
| Handel          |               |                |
| Harper          |               |                |
| Harris          |               |                |
| Hartzer         |               |                |
| Hastings        |               |                |
| Heck            |               |                |
| Hensarling      |               |                |
| Herrera Beutler |               |                |
| Hice, Jody B.   |               |                |
| Higgins (NY)    |               |                |
| Hill            |               |                |
| Himes           |               |                |
| Holding         |               |                |
| Hollingsworth   |               |                |
| Hoyer           |               |                |
| Hudson          |               |                |
| Huffman         |               |                |
| Huizenga        |               |                |
| Hunter          |               |                |
| Hurd            |               |                |
| Issa            |               |                |
| Jackson Lee     |               |                |
| Jayapal         |               |                |
| Jeffries        |               |                |
| Jenkins (KS)    |               |                |
| Jenkins (WV)    |               |                |
| Johnson (GA)    |               |                |
| Johnson (OH)    |               |                |
| Johnson, E. B.  |               |                |
| Jones           |               |                |
| Jordan          |               |                |
| Joyce (OH)      |               |                |
| Kaptur          |               |                |
| Katko           |               |                |
| Keating         |               |                |
| Kelly (IL)      |               |                |
| Kelly (MS)      |               |                |
| Kelly (PA)      |               |                |
| Kennedy         |               |                |
| Khanna          |               |                |
| Kihuen          |               |                |
| Kildee          |               |                |
| Kilmer          |               |                |
| Kind            |               |                |
| King (IA)       |               |                |
| King (NY)       |               |                |
| Kinziger        |               |                |
| Krishnamoorthi  |               |                |
| Kuster (NH)     |               |                |
| Kustoff (TN)    |               |                |
| Labrador        |               |                |
| LaHood          |               |                |
| LaMalfa         |               |                |
| Lamborn         |               |                |
| Lance           |               |                |
| Langevin        |               |                |
| Larsen (WA)     |               |                |
| Larson (CT)     |               |                |
| Latta           |               |                |
| Lawrence        |               |                |
| Lawson (FL)     |               |                |
| Lee             |               |                |
| Levin           |               |                |
| Lewis (GA)      |               |                |
| Lewis (MN)      |               |                |
| Lieu, Ted       |               |                |
| Lipinski        |               |                |
| LoBiondo        |               |                |
| Loeb            |               |                |
| Lofgren         |               |                |
| Long            |               |                |
| Loudermilk      |               |                |
| Love            |               |                |
| Lowenthal       |               |                |
| Lowey           |               |                |
| Lucas           |               |                |
| Luetkemeyer     |               |                |
| Lujan Grisham,  |               |                |
| M.              |               |                |
| Luján, Ben Ray  |               |                |
| Lynch           |               |                |
| MacArthur       |               |                |
| Maloney,        |               |                |
| Carolyn B.      |               |                |
| Marchant        |               |                |
| Marshall        |               |                |
| Massie          |               |                |
| Matsui          |               |                |
| McCarthy        |               |                |
| McCaul          |               |                |
| McClintock      |               |                |
| McCollum        |               |                |
| McEachin        |               |                |
| McGovern        |               |                |
| McHenry         |               |                |
| McKinley        |               |                |
| McMorris        |               |                |
| Rodgers         |               |                |
| McSally         |               |                |
| Meadows         |               |                |
| Meehan          |               |                |
| Meng            |               |                |
| Messer          |               |                |
| Mitchell        |               |                |
| Moolenaar       |               |                |
| Mooney (WV)     |               |                |
| Moore           |               |                |
| Moulton         |               |                |
| Mullin          |               |                |
| Murphy (FL)     |               |                |
| Murphy (PA)     |               |                |
| Nadler          |               |                |
| Neal            |               |                |
| Newhouse        |               |                |
| Noem            |               |                |
| Nolan           |               |                |
| Norcross        |               |                |
| Norman          |               |                |
| Nunes           |               |                |
| O'Halleran      |               |                |
| O'Rourke        |               |                |
| Olson           |               |                |
| Palazzo         |               |                |
| Pallone         |               |                |
| Palmer          |               |                |
| Panetta         |               |                |
| Pascrell        |               |                |
| Paulsen         |               |                |
| Payne           |               |                |
| Pearce          |               |                |
| Pelosi          |               |                |
| Perlmutter      |               |                |
| Perry           |               |                |
| Peters          |               |                |
| Peterson        |               |                |
| Pingree         |               |                |
| Pittenger       |               |                |
| Pocan           |               |                |
| Poe (TX)        |               |                |
| Poliquin        |               |                |
| Polis           |               |                |
| Posey           |               |                |
| Price (NC)      |               |                |
| Quigley         |               |                |
| Raskin          |               |                |
| Ratcliffe       |               |                |
| Reed            |               |                |
| Reichert        |               |                |
| Renacci         |               |                |
| Rice (SC)       |               |                |
| Richmond        |               |                |
| Roby            |               |                |
| Roe (TN)        |               |                |
| Rogers (AL)     |               |                |
| Rogers (KY)     |               |                |
| Rokita          |               |                |
| Rooney, Thomas  |               |                |
| J.              |               |                |
| Ros-Lehtinen    |               |                |
| Rosen           |               |                |
| Roskam          |               |                |
| Ross            |               |                |
| Rothfus         |               |                |
| Rouzer          |               |                |
| Roybal-Allard   |               |                |
| Royle (CA)      |               |                |
| Ruiz            |               |                |
| Ruppersberger   |               |                |
| Russell         |               |                |
| Rutherford      |               |                |
| Sánchez         |               |                |
| Sanford         |               |                |
| Sarbanes        |               |                |
| Schakowsky      |               |                |
| Schiff          |               |                |
| Schneider       |               |                |
| Schrader        |               |                |
| Schweikert      |               |                |
| Scott (VA)      |               |                |
| Scott, Austin   |               |                |
| Scott, David    |               |                |
| Sensenbrenner   |               |                |
| Serrano         |               |                |
| Sessions        |               |                |
| Sewell (AL)     |               |                |
| Shea-Porter     |               |                |
| Sherman         |               |                |
| Shimkus         |               |                |
| Shuster         |               |                |
| Simpson         |               |                |
| Sinema          |               |                |
| Smith (MO)      |               |                |
| Smith (NE)      |               |                |
| Smith (NJ)      |               |                |
| Smith (TX)      |               |                |
| Smith (WA)      |               |                |
| Smucker         |               |                |
| Soto            |               |                |
| Speier          |               |                |
| Stefanik        |               |                |
| Stewart         |               |                |
| Stivers         |               |                |
| Suozi           |               |                |
| Swalwell (CA)   |               |                |
| Takano          |               |                |
| Taylor          |               |                |
| Tenney          |               |                |
| Thompson (CA)   |               |                |
| Thompson (MS)   |               |                |
| Thompson (PA)   |               |                |
| Thornberry      |               |                |
| Tiberi          |               |                |
| Titus           |               |                |
| Tonko           |               |                |
| Torres          |               |                |
| Trott           |               |                |
| Tsongas         |               |                |
| Turner          |               |                |
| Upton           |               |                |
| Valadao         |               |                |
| Veasey          |               |                |
| Vela            |               |                |
| Velázquez       |               |                |
| Wagner          |               |                |
| Walberg         |               |                |
| Walden          |               |                |
| Walker          |               |                |
| Walorski        |               |                |
| Walters, Mimi   |               |                |
| Walz            |               |                |
| Wasserman       |               |                |
| Schultz         |               |                |
| Waters, Maxine  |               |                |
| Watson Coleman  |               |                |
| Weber (TX)      |               |                |
| Welch           |               |                |
| Wenstrup        |               |                |
| Westerman       |               |                |
| Williams        |               |                |
| Wilson (FL)     |               |                |
| Wilson (SC)     |               |                |
| Wittman         |               |                |
| Womack          |               |                |
| Woodall         |               |                |

Yarmuth  
Yoder

Yoho  
Young (AK)

Young (IA)  
Zeldin

NOT VOTING—32

Brooks (AL)  
Clarke (NY)  
Conyers  
Cummings  
DeSantis  
Espaillat  
Garrett  
Grijalva  
Gutiérrez  
Higgins (LA)  
Hultgren

Johnson (LA)  
Johnson, Sam  
Knight  
Maloney, Sean  
Marino  
Mast  
McNerney  
Meeks  
Napolitano  
Rice (NY)  
Rohrabacher

Rooney, Francis  
Rush  
Ryan (OH)  
Scalise  
Sires  
Slaughter  
Tipton  
Vargas  
Visclosky  
Webster (FL)

□ 1854

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# GRANTING CONSENT AND APPROVAL OF CONGRESS TO AMEND WASHINGTON AREA TRANSIT REGULATION COMPACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the joint resolution (H.J. Res. 92) granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to amend the Washington Area Transit Regulation Compact, on which the yeas and nays were ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the joint resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 0, not voting 31, as follows:

[Roll No. 380]

YEAS—402

Abraham  
Adams  
Aderholt  
Aguilar  
Allen  
Amash  
Amodei  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barragán  
Barton  
Bass  
Beatty  
Bera  
Bergman  
Beyer  
Biggs  
Bilirakis  
Bishop (GA)  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Blumenauer  
Blunt Rochester  
Bonamici

Bost  
Boyle, Brendan  
F.  
Brady (PA)  
Brady (TX)  
Brat  
Bridenstine  
Brooks (IN)  
Brown (MD)  
Brownley (CA)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Bustos  
Butterfield  
Byrne  
Calvert  
Capuano  
Carpal  
Cárdenas  
Carson (IN)  
Carter (GA)  
Carter (TX)  
Carterwright  
Castor (FL)  
Castro (TX)  
Chabot  
Cheney  
Chu, Judy

Cicilline  
Clark (MA)  
Clay  
Clever  
Clyburn  
Coffman  
Cohen  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Connolly  
Cook  
Cooper  
Correa  
Costa  
Costello (PA)  
Courtney  
Cramer  
Crawford  
Crist  
Crowley  
Cuellar  
Culberson  
Curbelo (FL)  
Davidson  
Davis (CA)  
Davis, Danny  
Davis, Rodney

DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Demings  
Denham  
Dent  
DeSaulnier  
DesJarlais  
Deutsch  
Diaz-Balart  
Dingell  
Doggett  
Donovan  
Doyle, Michael  
F.  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Ellison  
Emmer  
Engel  
Eshoo  
Esty (CT)  
Evans  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foster  
Foxy  
Frankel (FL)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gabbard  
Gaetz  
Gallagher  
Gallego  
Garamendi  
Garrett  
Gianforte  
Gibbs  
Gohmert  
Gomez  
Gonzalez (TX)  
Goodlatte  
Gosar  
Gottheimer  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green, Al  
Green, Gene  
Griffith  
Guthman  
Guthrie  
Hanabusa  
Handel  
Harper  
Harris  
Hartzler  
Hastings  
Heck  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (NY)  
Hill  
Himes  
Houlton  
Holding  
Hollingsworth  
Hoyer  
Hudson  
Huffman  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jackson Lee  
Jayapal  
Jeffries  
Jenkins (KS)  
Jenkins (WV)  
Johnson (GA)  
Johnson (OH)  
Johnson, E. B.  
Jones

Jordan  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kelly (MS)  
Kelly (PA)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kinzinger  
Krishnamoorthi  
Kuster (NH)  
Kustoff (TN)  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latta  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lewis (MN)  
Lieu, Ted  
Lipinski  
LoBiondo  
Loebach  
Lofgren  
Long  
Loudermilk  
Love  
Lowenthal  
Lowe  
Lucas  
Luetkemeyer  
Lujan Grisham,  
M.  
Luján, Ben Ray  
Lynch  
MacArthur  
Maloney  
Carolyn B.  
Marchant  
Marshall  
Massie  
Matsui  
McCarthy  
McCaul  
McClintock  
McCollum  
McEachin  
McGovern  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Meng  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Moore  
Moulton  
Mullin  
Murphy (FL)  
Murphy (PA)  
Nadler  
Neal  
Newhouse  
Noem  
Nolan  
Norcross  
Norman  
Nunes  
O'Halleran  
O'Rourke  
Olson  
Palazzo  
Pallone  
Palmer  
Panetta  
Pascarell

Paulsen  
Payne  
Pearce  
Pelosi  
Perlmutter  
Perry  
Peters  
Peterson  
Pingree  
Pittenger  
Pocan  
Poe (TX)  
Poliquin  
Polis  
Posey  
Price (NC)  
Quigley  
Raskin  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (SC)  
Richmond  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rokita  
Rooney, Thomas  
J.  
Ros-Lehtinen  
Rosen  
Roskam  
Ross  
Rothfus  
Rouzer  
Roybal-Allard  
Royce (CA)  
Ruiz  
Ruppersberger  
Russell  
Rutherford  
Sánchez  
Sanford  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Shea-Porter  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Smucker  
Soto  
Speier  
Stefanik  
Stewart  
Stivers  
Suozi  
Swalwell (CA)  
Takano  
Taylor  
Tenney  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Titus  
Tonko  
Torres  
Trott  
Tsongas  
Turner  
Upton  
Valadao  
Veasey  
Vela  
Velázquez

Visclosky  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Walz  
Wasserman  
Schultz

Waters, Maxine  
Watson Coleman  
Weber (TX)  
Welch  
Wenstrup  
Westerman  
Williams  
Wilson (FL)  
Wilson (SC)  
Wittman

NOT VOTING—31

Brooks (AL)  
Clarke (NY)  
Conyers  
Cummings  
DeSantis  
Espaillat  
Estes (KS)  
Grijalva  
Gutiérrez  
Higgins (LA)  
Johnson (LA)

Johnson, Sam  
Joyce (OH)  
Knight  
Maloney, Sean  
Marino  
Mast  
McNerney  
Meeks  
Napolitano  
Rice (NY)  
Rohrabacher

Rooney, Francis  
Rush  
Ryan (OH)  
Scalise  
Sires  
Slaughter  
Tipton  
Vargas  
Webster (FL)

□ 1902

So (two-thirds being in the affirmative) the rules were suspended and the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# GRANTING CONSENT AND APPROVAL OF CONGRESS TO ESTABLISH WASHINGTON METRO-RAIL SAFETY COMMISSION

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the joint resolution (H.J. Res. 76) granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the joint resolution, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 399, nays 5, not voting 29, as follows:

[Roll No. 381]

YEAS—399

Abraham  
Adams  
Aderholt  
Aguilar  
Allen  
Amodei  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barragán  
Barton  
Bass  
Beatty  
Bera  
Bergman  
Beyer  
Biggs  
Bilirakis  
Bishop (GA)  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Blumenauer  
Blunt Rochester  
Bonamici  
Bost  
Boyle, Brendan  
F.  
Brady (PA)  
Brady (TX)  
Brat  
Bridenstine  
Brooks (IN)

Biggs  
Bilirakis  
Bishop (GA)  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Blumenauer  
Blunt Rochester  
Bonamici  
Bost  
Boyle, Brendan  
F.  
Brady (PA)  
Brady (TX)  
Brat  
Bridenstine  
Brooks (IN)

Brown (MD)  
Brownley (CA)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Bustos  
Butterfield  
Byrne  
Calvert  
Capuano  
Carpal  
Cárdenas  
Carson (IN)  
Carter (GA)  
Carter (TX)  
Cartwright  
Castor (FL)

|                |                 |                |
|----------------|-----------------|----------------|
| Castro (TX)    | Green, Gene     | McEachin       |
| Chabot         | Griffith        | McGovern       |
| Cheney         | Grothman        | McHenry        |
| Chu, Judy      | Guthrie         | McKinley       |
| Cicilline      | Hanabusa        | McMorris       |
| Clark (MA)     | Handel          | Rodgers        |
| Clay           | Harper          | McSally        |
| Cleaver        | Harris          | Meadows        |
| Clyburn        | Hartzler        | Meehan         |
| Coffman        | Hastings        | Meng           |
| Cohen          | Heck            | Messer         |
| Cole           | Hensarling      | Mitchell       |
| Collins (GA)   | Herrera Beutler | Moolenaar      |
| Collins (NY)   | Hice, Jody B.   | Moore          |
| Comer          | Higgins (NY)    | Moulton        |
| Comstock       | Hill            | Mullin         |
| Conaway        | Himes           | Murphy (FL)    |
| Connolly       | Holding         | Murphy (PA)    |
| Cook           | Hollingsworth   | Nadler         |
| Cooper         | Hoyer           | Neal           |
| Correa         | Hudson          | Newhouse       |
| Costa          | Huffman         | Noem           |
| Costello (PA)  | Huizenga        | Nolan          |
| Courtney       | Hultgren        | Norcross       |
| Cramer         | Hunter          | Norman         |
| Crawford       | Hurd            | Nunes          |
| Crist          | Issa            | O'Halleran     |
| Crowley        | Jackson Lee     | O'Rourke       |
| Cuellar        | Jayapal         | Olson          |
| Culberson      | Jeffries        | Palazzo        |
| Curbelo (FL)   | Jenkins (KS)    | Pallone        |
| Davidson       | Jenkins (WV)    | Palmer         |
| Davis (CA)     | Johnson (GA)    | Panetta        |
| Davis, Danny   | Johnson (OH)    | Pascarella     |
| Davis, Rodney  | Johnson, E. B.  | Paulsen        |
| DeFazio        | Jordan          | Payne          |
| DeGette        | Joyce (OH)      | Pearce         |
| Delaney        | Kaptur          | Pelosi         |
| DeLauro        | Katko           | Perlmutter     |
| DelBene        | Keating         | Perry          |
| Demings        | Kelly (IL)      | Peters         |
| Denham         | Kelly (MS)      | Peterson       |
| Dent           | Kelly (PA)      | Pingree        |
| DeSaulnier     | Kennedy         | Pittenger      |
| DesJarlais     | Khanna          | Pocan          |
| Deutch         | Kihuen          | Poe (TX)       |
| Diaz-Balart    | Kildee          | Poliquin       |
| Dingell        | Kilmer          | Polis          |
| Doggett        | Kind            | Posey          |
| Donovan        | King (IA)       | Price (NC)     |
| Doyle, Michael | King (NY)       | Quigley        |
| F.             | Kinzinger       | Raskin         |
| Duffy          | Krishnamoorthi  | Ratcliffe      |
| Duncan (SC)    | Kuster (NH)     | Reed           |
| Duncan (TN)    | Kustoff (TN)    | Reichert       |
| Dunn           | Labrador        | Renacci        |
| Ellison        | LaHood          | Rice (SC)      |
| Emmer          | LaMalfa         | Richmond       |
| Engel          | Lamborn         | Roby           |
| Eshoo          | Lance           | Roe (TN)       |
| Estes (KS)     | Langevin        | Rogers (AL)    |
| Esty (CT)      | Larsen (WA)     | Rogers (KY)    |
| Evans          | Larson (CT)     | Rokita         |
| Farenthold     | Latta           | Rooney, Thomas |
| Faso           | Lawrence        | J.             |
| Ferguson       | Lawson (FL)     | Ros-Lehtinen   |
| Fitzpatrick    | Lee             | Rosen          |
| Fleischmann    | Levin           | Roskam         |
| Flores         | Lewis (GA)      | Ross           |
| Fortenberry    | Lewis (MN)      | Rothfus        |
| Foster         | Lieu, Ted       | Rouzer         |
| Fox            | Lipinski        | Roybal-Allard  |
| Frankel (FL)   | LoBiondo        | Royce (CA)     |
| Franks (AZ)    | Loeb            | Ruiz           |
| Frelinghuysen  | Loftgren        | Ruppersberger  |
| Fudge          | Long            | Russell        |
| Gabbard        | Loudermilk      | Rutherford     |
| Gaetz          | Love            | Sánchez        |
| Gallagher      | Lowenthal       | Sarbanes       |
| Gallego        | Lowe            | Schakowsky     |
| Garamendi      | Lucas           | Schiff         |
| Garrett        | Luetkemeyer     | Schneider      |
| Gianforte      | Lujan Grisham,  | Schrader       |
| Gibbs          | M.              | Schweikert     |
| Gohmert        | Lujan, Ben Ray  | Scott (VA)     |
| Gomez          | Lynch           | Scott, Austin  |
| Gonzalez (TX)  | MacArthur       | Scott, David   |
| Goodlatte      | Maloney,        | Sensenbrenner  |
| Gosar          | Carolyn B.      | Serrano        |
| Gottheimer     | Marchant        | Sessions       |
| Gowdy          | Marshall        | Sewell (AL)    |
| Granger        | Matsui          | Shea-Porter    |
| Graves (GA)    | McCarthy        | Sherman        |
| Graves (LA)    | McCauley        | Shimkus        |
| Graves (MO)    | McClintock      | Shuster        |
| Green, Al      | McCollum        | Simpson        |

Sinema  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Smucker  
Soto  
Speier  
Stefanik  
Stewart  
Stivers  
Suozi  
Swalwell (CA)  
Takano  
Taylor  
Tenney  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry

Tiberi  
Titus  
Tonko  
Torres  
Trott  
Tsongas  
Turner  
Upton  
Valadao  
Veasey  
Vela  
Velázquez  
Visclosky  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Walz

Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Weber (TX)  
Welch  
Wenstrup  
Westerman  
Williams  
Wilson (FL)  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yarmuth  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

## NAYS—5

Amash  
Jones

Massie  
Mooney (WV)

Sanford

## NOT VOTING—29

Brooks (AL)  
Clarke (NY)  
Conyers  
Cummings  
DeSantis  
Español  
Grijalva  
Gutiérrez  
Higgins (LA)  
Johnson (LA)

Johnson, Sam  
Knight  
Maloney, Sean  
Marino  
Mast  
McNerney  
Meeks  
Napolitano  
Rice (NY)  
Rohrabacher

Rooney, Francis  
Rush  
Ryan (OH)  
Scalise  
Sires  
Slaughter  
Tipton  
Vargas  
Webster (FL)

## □ 1909

So (two-thirds being in the affirmative) the rules were suspended and the joint resolution, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. KNIGHT. Mr. Speaker, on Monday, July 17, I missed three votes to attend to constituent business in my district. Had I been present for the day's vote series, I would have voted "yea" on rollcall No. 379, the passage of H.R. 2210, to designate the community living center of the Department of Veterans Affairs in Butler Township, Butler County, Pennsylvania, as the Sergeant Joseph George Kusick VA Community Living Center, "yea" on rollcall No. 380, the passage of H.J. Res. 92, granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to amend the Washington Area Transit Regulation Compact; and "yea" on rollcall No. 381, the passage of H.J. Res. 76, granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission.

The SPEAKER pro tempore (Mr. MARSHALL). Without objection, the title is amended by striking "a enter" and inserting "enter".

There was no objection.

# REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 806, OZONE STANDARDS IMPLEMENTATION ACT OF 2017

Mr. BURGESS, from the Committee on Rules, submitted a privileged report

(Rept. No. 115-229) on the resolution (H. Res. 451) providing for consideration of the bill (H.R. 806) to facilitate efficient State implementation of ground-level ozone standards, and for other purposes, which was referred to the House Calendar and ordered to be printed.

# REPORT ON H.R. 3266, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

Mr. SIMPSON, from the Committee on Appropriations, submitted a privileged report (Rept. No. 115-230) on the bill (H.R. 3266) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2018, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

# REPORT ON H.R. 3267, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

Mr. CULBERSON, from the Committee on Appropriations, submitted a privileged report (Rept. No. 115-231) on the bill (H.R. 3267) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2018, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

# REPORT ON H.R. 3268, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

Mr. ADERHOLT, from the Committee on Appropriations, submitted a privileged report (Rept. No. 115-232) on the bill (H.R. 3268) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2018, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

## □ 1915

# CONGRATULATING JAMES HAUTMAN

(Mr. PAULSEN asked and was given permission to address the House for 1



minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise today to congratulate James Hautman of Chaska, Minnesota, who recently won the Federal Duck Stamp Contest for the fifth time. This year, James' design depicts three geese flying at sunset.

Since 1934, sales of the Federal Duck Stamp have raised more than \$950 million for the conservation of wetlands and national wildlife refuges all over our country. The money raised helps to preserve the habitat of hundreds of species, as well as provide clean water for many communities throughout the Nation.

Last fall, a panel of five judges selected James' submission out of 152 total entries, marking the fifth time that he has won the competition. Only two other artists, Mr. Speaker, have ever won the Federal Duck Stamp Contest five times, including James' own brother Joseph.

Mr. Speaker, I once again extend my sincere congratulations to James Hautman. Minnesotans are proud to see such a gifted artist from our home State get recognized and use his talents for such a great cause. We wish him the best in his future.

#### PUTTING AMERICA'S HARDWORKING FAMILIES FIRST

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

Mr. KRISHNAMOORTHY. Mr. Speaker, over the Fourth of July district work period, I met with my constituents across Chicago's west and northwest suburbs. Despite the range of our groups and communities I spoke with, there was one theme that was on everybody's mind: the urgent need for Congress to take action that puts hardworking families first.

Across the country, working families are counting on us to invest in infrastructure, modernize our Tax Code, and help their children get the skills necessary for rewarding careers.

Earlier this summer, the House unanimously passed the Thompson-Krishnamoorthi Strengthening Career and Technical Education for the 21st Century Act. This bipartisan legislation will modernize and expand career and technical education programs across the country by increasing funding and local control while expanding the cooperation that exists between educators and employers.

The House has done its part to advance this legislation and support working families. Now the Senate must act and send it to the President for his signature.

#### PAYING TRIBUTE TO J. ROBERT MILLER

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

Mr. COMER. I rise today to pay tribute to my friend, neighbor, mentor, and former Kentucky Commissioner of Agriculture, J. Robert Miller. Robert passed away last night at the age of 97.

J. Robert Miller was a legend in agriculture, agriculture education, and Kentucky politics. He served as Kentucky's Commissioner of Agriculture from 1957 to 1971 during the Louie Nunn administration. Before that, J. Robert was an agriculture teacher at Tompkinsville High School and always an active, lifelong farmer.

Growing up in 4-H and FFA, my earliest memories include Robert Miller. He was a mainstay at Monroe County area livestock shows and FFA banquets, always helping out and offering advice to present and future farmers.

J. Robert Miller was a great man who had a positive influence on countless Kentuckians.

#### STOP THE BLOCKADE IN THE MIDDLE EAST

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

Ms. JACKSON LEE. Mr. Speaker, I always applaud when the United States steps in and takes a leadership role to prevent war. I have traveled to the Mideast for many years as a Member of the United States Congress representing my constituents.

I want to express my appreciation to Secretary of State Rex Tillerson for the energy that he is putting into engaging Saudi Arabia, Kuwait, UAE, Jordan, Egypt, and Qatar to be able to stop the blockade and the conflict that may continue to grow against Qatar.

This is a region that many of these countries have been allies of the United States, the Southern Command is in Qatar, and, frankly, I think they need to be united against those terrorists that plague them all.

I would also say that the UAE, as has been reported in the Nation's newspapers, hacked into the emails of Qatar and put words in the mouths of their government officials that were untrue. This is not the way to proceed with peace and diplomacy.

So I believe we should energetically and aggressively engage these countries to stop this blockade and begin to repair the collaborative efforts to ensure that we fight the war on terror together and not against.

Mr. Speaker, I thank Mr. Tillerson. I look forward to working with him as a Member of the United States Congress to bring peace to that region.

#### RECOGNIZING PENN STATE CREAMERY IN HONOR OF NA- TIONAL ICE CREAM DAY

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, yesterday Americans observed National Ice Cream Day, which is celebrated annually on the third Sunday in July.

In 1984, President Ronald Reagan made the designation and also named July National Ice Cream Month.

Our very own Penn State University is a world leader in dairy production and food science. Over the last 150 years, its Berkey Creamery has been an important Penn State landmark.

Penn State has a herd of more than 200 Holsteins that are milked twice daily, which is the start of the university's delicious ice cream. The methods developed by Penn State's food and dairy scientists have made the creamery a world authority on ice cream and dairy manufacturing.

Penn State's legendary short course, which takes participants from "Cow to Cone," has attracted some of the biggest names in ice cream, from Baskin-Robbins to Ben & Jerry's, from Hershey's to Haagen-Dazs.

For 6 days a year, industry professionals head to Happy Valley for the best-known program dealing with science and the technology of ice cream.

Congratulations to Penn State for being the industry leader, and happy National Ice Cream Month.

#### ENHANCING ACCESS TO HEALTHCARE

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

Mr. CÁRDENAS. Mr. Speaker, I have the honor and the privilege of being a United States Congressman, and with that comes tremendous responsibility. We have a country of over 320 million people—men, women, and children. And right now, we may be days away or even a couple of weeks away from watching the United States Senate possibly change healthcare for America like we have never seen before.

I hope and pray that my colleagues in both Houses and the President of the United States try their best to make sure that we enhance healthcare access rather than divert more than 20 million people away from being able to see a doctor.

Just last week I was visited by some young folks and I was given this red band called "Will Power" for a little boy named Will, who has gone through many operations. If these bills see the light of day and the President's desk and gets into law, people like Will just might not be around very much longer.

Mr. Speaker, let's hope and pray that we do the right thing.

#### CONDOLENCES TO FAMILIES OF THE 2ND MARINE RAIDER BATTALION

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

Ms. TENNEY. Mr. Speaker, I rise today to express my condolences to the families of the 15 marines and one Navy corpsman who tragically lost their lives last week.

These servicemembers were among the most elite in our armed services, with six marines and the sailor from the 2nd Marine Raider Battalion located at Camp Lejeune. The other nine were based out of Stewart Air National Guard Base located in Newburgh, New York.

Many of them had been deployed and served in conflicts in the Middle East. These American heroes valiantly served and placed the needs of our Nation first.

As the parent of a marine now deployed in the Middle East, it is with a heavy heart that I offer my condolences to the friends and families of these exceptional Americans. The greatest worry of family and friends is the tragic loss of a loved one who is serving; thus, it is important to honor and remember these brave men and the sacrifices they made to preserve our way of life.

We thank them and remember them for their service and sacrifice. *Semper fi.*

#### CELEBRATING VERA POWELL'S 90TH BIRTHDAY

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to celebrate the 90th birthday of Ms. Vera Powell, who lives in Pooler, Georgia.

Ms. Powell was born on July 16, 1927, in Tattnall County, Georgia, about 60 miles due west of Savannah. After graduating from Tattnall County High School, Ms. Powell dedicated her life to her family and raising her three children: Bruce, Linda, and Crystal.

In 1994, Ms. Powell moved from Tattnall County to Pooler, Georgia, and became a member of the First Baptist Church of Pooler. Her love of God and fellowship with others turned into a meaningful role with the church's weekly Sunday school class.

Now she has been an active weekly participant, greatly contributing to the fellowship and scholarship with the class for the past 23 years, and is a staple of the church.

The members of the congregation look forward to seeing Ms. Powell as

she greets them at the church doors every Sunday morning.

Ms. Powell's family and friends celebrated her 90th birthday with a reception on July 16, 2017. Please join me in wishing this remarkable woman a very happy birthday.

#### VOTER SUPPRESSION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. VEASEY) is recognized for 60 minutes as the designee of the minority leader.

#### GENERAL LEAVE

Mr. VEASEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of this Special Order.

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

There was no objection.

Mr. VEASEY. Mr. Speaker, it is great to be here with you this evening and to talk about a very important topic.

Before I get into the topic of this hour, it is with great honor that I rise today to coanchor this CBC Special Order hour with my dear friend, Delegate STACEY PLASKETT from the Virgin Islands, and also acknowledge our CBC chair, the Honorable CEDRIC RICHMOND from the great State of Louisiana.

For the next 60 minutes, we have a chance to speak directly to the American people on issues of great importance to the Congressional Black Caucus, the Congress, the constituents that we represent, and all Americans on this very important issue of voter suppression.

Before I go into my remarks, Mr. Speaker, we do have some colleagues here that would like to also speak about this very timely and important topic.

There have been many developments that have occurred over the last week dealing with commissions that are being formed out of the White House to help aid in voter suppression and other things that have been very troubling.

So I am going to ask for the first speaker to rise, and that would be my colleague, also from the great State of Texas, from Harris County and the city of Houston, the Honorable SHEILA JACKSON LEE, who has been very thoughtful and been a great voice on expanding the rights to vote of all Americans. I thank Representative JACKSON LEE for taking the time during this hour to come out and talk about this very important topic.

Mr. Speaker, I yield to the gentleman from Texas.

Ms. JACKSON LEE. Mr. Speaker, I thank the distinguished gentleman from Texas (Mr. VEASEY), the coleader

of this hour, along with Delegate PLASKETT, for not only their astute leadership of the hour, but certainly of their astute leadership of the issue. I am delighted to join my colleagues. I thank the chair of the Congressional Black Caucus, Mr. CEDRIC RICHMOND, for continuing to make sure that the conscience of the Congress, the Congressional Black Caucus, is heard on these crucial issues.

Mr. VEASEY, I am going to focus my issues—because this is not a Republican or Democratic issue. It is an American issue. I do want to personally thank you for your leadership as the named plaintiff of the Texas voter ID litigation, which has been—how should I say? I wanted to say Earth-shattering—but it has been groundbreaking in its recognition of the diminishing of the rights of people to vote by a draconian voter ID law. We know that it has been somewhat modified, but your astuteness recognizes that, even in its modification, in the coming elections, we should be very wary of the effort that the State will utilize the voter ID law for voter suppression.

So today I want to rise in the backdrop of the Shelby case, which many of us are well aware of. The Shelby case, which occurred in Alabama, was the unfortunate case that turned back the clock on the 1965 Voting Rights Act that had been working for decades with absolutely no problem; but, unfortunately, this conservative-leaning Supreme Court made decisions not on what is good for America, not even on what is good in terms of the law, but decided to eliminate section 5.

□ 1930

I am reminded of the very astute words of Justice Ginsburg, very astute words, when she was appalled that the Supreme Court yielded to what I would consider misinterpretation, that there is no problem with discrimination and there is no problem with racism, and Justice Ginsburg very astutely said: Well, we have been very fortunate that the polio vaccination has all but extinguished polio in the United States.

That is great news. But because we have extinguished polio, does that mean we need to get rid of the polio vaccination? And any commonsense thinker, any American, any hard-working American, would absolutely, because they love their children and their families, would have a resounding "no."

So why would you get rid of section 5 when there is documentation, unfortunately and sadly, of discrimination and of racism? Racism is a question of being discriminated against because of race. It does not say Black, it does not say any particular type of race, but it does mention race. That means that section 5 was a protector for all Americans and giving them the added protection of one vote, one person.

So, unfortunately, on June 28, 2017—and, by the way, Mr. Speaker, the pending meeting of this established Commission, the Presidential Advisory Commission on Election Integrity, PACEI, is going to be meeting July 19, this week. This is a dangerous phenomenon.

The chair and Kansas Secretary of State Kris Kobach wrote to the Nation's secretaries of state requesting extensive personal information on American voters—personal information, when we have stood in this well fighting against the PATRIOT Act when it was not written well after 9/11 because its premise was to spy on the American people and to ignore the Fourth Amendment, which is to protect Americans against unreasonable search and seizure.

This is unreasonable search and seizure. Let me list for you what this Commission is asking for. Some of this is public knowledge, but listen to this list: the full first and last names of all registrants; middle names or initials, if available; addresses, dates of birth, political party, if recorded in your State; last four digits of Social Security, if available; voter history—voter history—what elections you voted in from 2006 onward; active and inactive status.

I would venture to say that if I asked my Republican colleagues if they want their constituents sending this information in I would hear a little bit of grumbling.

Canceled status; information regarding any felony convictions.

All these are State issues.

Information regarding voter registration in another State; information regarding military status; and overseas citizen information.

First of all, there is no documentation of massive voter fraud.

“The right to vote, and the sanctity and privacy of the vote, is protected by the U.S. Constitution, including the Fifth, Fourteenth, and Fifteenth Amendments. Due process. All of these allow you to have a degree of privacy. It is an obligation of your administration,” which is a letter to President Trump that I am reading from, “to preserve the sanctity and privacy of the vote, not to undermine it as would be the case if Texas were to comply with the PACEI’s unconscionable request. The only approved government use of voter registration data, outside of voting, is jury selection, not a Presidential Advisory Commission of dubious purpose formed to search for non-consistent evidence to vindicate your false claim that you lost the popular vote by 2.9 million votes, the largest loss in American history, because ‘millions of people who voted illegally.’”

As you well know, that was a statement that no one can document by this present administration. So this Presidential Advisory Commission is a doubling down of an executive order to

find a problem that does not exist. It is a solution, a false solution, seeking to find a problem. It is a dangerous proposition. It is an invasion of the privacy of the American people. And any good person who believes in the right to privacy, any conservative, liberal, moderate, anyone with any political philosophy who believes in the Constitution of the United States should stand arm in arm together against PACEI.

It is the beginning of Big Brother, the arm of Big Brother, the frightening Big Brother, to intrude into the homes of the American people and to secure information that is, in fact, challenging whether you can move from one State to the next, challenging whether or not you can have a voter card canceled or expired, challenging individuals who have been given pardons but had a felony, and challenging military persons who move from place to place. This is an insult, and this is clearly voter suppression, not in any way a way to speak to the issue of fraud.

Mr. Speaker, I ask my colleagues to take this very seriously. I have asked my State to stand down. I have asked the President to pull this request, and I, frankly, believe this executive order should be eliminated.

Mr. Speaker, I include in the RECORD two documents related to this.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 6, 2017.

President DONALD J. TRUMP,  
*The White House, Washington, DC.*

DEAR MR. PRESIDENT: I am writing to urge you to rescind your May 11, 2017 Executive Order establishing the Presidential Advisory Commission on Election Integrity (PACEI) and to direct that the PACEI be dissolved immediately. The PACEI is charged with studying “the registration and voting processes used in Federal elections” and identifying “vulnerabilities in voting systems” that could lead to voter fraud. Many people, however, suspect that the real purpose of the Commission is not investigate widespread voter fraud, which every reputable study has already debunked as a myth, but to gather data to aid in future voter suppression efforts.

On June 28, 2017, PACEI Chair and Kansas Secretary of State Kris Kobach wrote to the nation’s secretaries of state requesting extensive personal information on American voters threatens to violate individual privacy. Specifically, the PACEI seeks to obtain, inter alia: “the full first and last names of registrants, middle names or initials if available, addresses, dates of birth, political party (if recorded in your state), last four digits of social security number if available, voter history (elections voted in) from 2006 onward, active/inactive status, cancelled status, information regarding any felony convictions, information regarding voter registration in another state, information regarding military status, and overseas citizen information.”

Releasing the confidential voter information sought by the PACEI which will be stored in an insecure database on unsecured servers and accessible to the public is illegal, irresponsible, jeopardizes civil liberties and privacy rights, and puts our national security at risk.

It is important that all voters, including those in the 18th Congressional District of Texas whom I am privileged to represent, be fully protected. While supplying only public voter information may seem secure, the sad fact is that it is not. There is no publicly available record for voter registration information for any state in America. Such data set is protected under the principle of collective privacy, recognized by the Supreme Court in the landmark decision of *NAACP v. Alabama*, 377 U.S. 288, 84 S. Ct. 1302, 12 L. Ed. 2d 325 (1964), which held that compelled disclosure of affiliation with groups engaged in advocacy may constitute an impermissible chilling effect on the freedom of association guaranteed by the First Amendment. The Court has affirmed this principle and it is now settled law. Accordingly, Texas cannot, consistent with the U.S. Constitution, supply the private voter information requested by the PACEI. Indeed, if the information sought was public as PACEI contends, there would be no need for it to request the information from state governments.

The right to vote, and the sanctity and privacy of the vote, is protected by the U.S. Constitution, including the Fifth, Fourteenth, and Fifteenth Amendments. It is an obligation of your administration to preserve the sanctity and privacy of the vote, not to undermine it as would be the case if Texas were to comply with the PACEI’s unconscionable request. The only approved government use of voter registration data, outside of voting, is jury selection, not a presidential advisory commission of dubious purpose formed to search for nonexistent evidence to vindicate your false claim that you lost the popular vote by 2.9 million votes, the largest loss in American history, because “millions of people who voted illegally.”

Voter suppression is real but the oft-repeated claim that American elections are rife with voter fraud is a myth. A comprehensive 2014 study published in *The Washington Post* found out of more than a billion votes cast only 31 credible instances of impersonation fraud from 2000 to 2014, and that event this tiny number was likely inflated because the study’s author counted not just voter fraud prosecutions or convictions but all credible claims. Numerous other reports have reached the same conclusion.

Finally, it should be noted that compliance with the PACEI’s voter data request would put the security of the nation’s electoral processes at risk. We know from recent and painful experience, including the cyberattacks on the Veterans Administration, the Office of Personnel Management, not to mention SONY and Yahoo, that large centralized databases are targets of opportunities for criminals, terrorists, and foreign adversaries. It would be the height of recklessness for Texas to provide the PACEI with personal information of millions of person via unsecured email address to be stored in undersecured databases on undersecured servers.

This is why the large majority of states, 44 states and the District of Columbia, have refused to comply with the PACEI’s data requests. To date, only five states have indicated they will cooperate with the PACEI and with a data set this small, any findings drawn by the PACEI will lack external validity and yield no generalizable conclusions. In view of all the circumstances extant, the most reasonable and accurate conclusion that can be reached about the PACEI is that it is not intended to ferret out and prevent voter fraud, but to obtain information that can be used to refine voter suppression efforts.

For these reasons, I strongly urge you to rescind your May 11, 2017 Executive Order and direct that the President's Advisory Commission on Election Integrity be disbanded immediately. Thank you for your consideration. Please contact me if you have any questions or need additional information.

Very truly yours,

SHEILA JACKSON LEE,  
Member of Congress.

[From Congresswoman Sheila Jackson Lee of Texas]

**TRUMP'S VOTER FRAUD COMMISSION IS A  
FRAUD AND SHOULD BE DISBANDED NOW**

Unable to cope with the brutal fact that he lost the popular vote to Hillary Clinton by 2.9 million votes, the largest vote deficit of any president in American history, Donald Trump tweeted that he would have won the popular vote but for "millions of people who voted illegally." Instead of producing any credible evidence to support this claim, a hoax that has been repeatedly and decisively debunked by experts, the President doubled down and issued an Executive Order establishing the "Presidential Advisory Commission on Election Integrity" (PACEI), appointing Kris Kobach, anti-immigration warrior and poster-child for voter fraud conspiratorialists everywhere, to lead the Commission.

It would be more accurate to characterize the PACEI as the "Presidential Advisory Commission on Vote Suppression." Voter suppression is real but the oft-repeated claim that American elections are rife with voter fraud is a myth. According to a comprehensive 2014 study published in *The Washington Post*, out of more than a billion votes cast between 2000 and 2014, only 31 credible instances of impersonation fraud were found, and even this tiny number was likely inflated because the study's author counted not just voter fraud prosecutions or convictions but all credible claims. Numerous other reports have reached the same conclusion.

Any lingering doubt regarding the true purpose of the PACEI should be laid to rest by the request made by Commissioner Kobach on June 28, 2017 when he wrote each of the nation's state secretaries of state requesting that they provide the Commission with "the full first and last names of all registrants, middle names or initials if available, addresses, dates of birth, political party (if recorded in your state), last four digits of social security number if available, voter history (elections voted in) from 2006 onward, active/inactive status, cancelled status, information regarding any felony convictions, information regarding voter registration in another state, information regarding military status, and overseas citizen information."

The information requested by the Commission will not prevent voter fraud. It will violate rather than protect voter privacy. And it will make it easier to craft legislation and devise campaign strategies intended to suppress the vote in urban clusters and among targeted demographic groups, particularly minority voters.

It is important that all voters, and the people of the 18th Congressional District of Texas whom I am privileged to represent, be fully protected. While supplying only public voter information may seem secure, the sad fact is that it is not. There is no publicly accessible database of voter registration information in any of the 50 states or the District of Columbia. That is because information of

this kind is protected from public disclosure under the settled principle of 'collective privacy' recognized by the Supreme Court in the landmark decision of *NAACP v. Alabama*, 377 U.S. 288, 84 S. Ct. 1302, 12 L. Ed. 2d 325 (1964), which held that compelled disclosure of affiliation with groups engaged in advocacy may constitute an impermissible chilling effect on the freedom of association guaranteed by the First Amendment, a holding that has been affirmed repeatedly.

Accordingly, neither Texas nor any state can, consistent with the U.S. Constitution, supply the voter information requested by the PACEI. Indeed, if the information sought was as public in nature as PACEI contends, there simply would be no need for it to request the information from state governments.

Trump's voter suppression commission is a solution in search of a problem. Contrary to what Trump and Kobach would have the public believe, American elections are not rife with widespread voter fraud. Studies have shown that it is more likely an American "will be struck by lightning than that he will impersonate another voter at the polls." No, the major ill affecting our election system is not that too many people vote due to voter fraud, but that too many people are prevented from voting due to vote suppression schemes such as discriminatory photo identification requirements, curtailment of early voting, too few polling stations leading to long lines and excessive wait times, purging of election rolls.

Even in the wholly unimaginable event that the commission created by Donald Trump and led by Kris Kobach could be trusted enough for states to cooperate by sharing their voter data, there is no reasonable basis for assuming that information would be kept secure and the privacy of voters protected. Recent cyberattacks have made clear the vulnerability of large central databases to cyberattack. An information security breach at the Department of Veterans Affairs compromised sensitive personal data of 26.5 million persons and cost the VA between \$100 million to \$500 million to remediate; another occurring at the Office of Personnel Management impacted 22 million current and former federal employees, many of whom held sensitive security clearances; and the attack on Yahoo, the mother of all security breaches, resulted in 1.5 billion user accounts being compromised.

Because large centralized databases are targets of opportunities for criminals, terrorists, and foreign adversaries, it would be the height of recklessness for Texas or any state to provide the PACEI with personal information of millions of persons via unsecured email address to be stored in undersecured databases on undersecured servers. One of the biggest strengths of the American election system is its decentralized nature.

Aggregating all voter data into one centralized database with questionable security protections makes that data highly vulnerable to a cyberattack that could lead to the personal information of hundreds of millions of Americans being stolen and misused. Voter privacy and the integrity of the secret ballot are integral to American democracy. Voter privacy rights should and must be protected. This is especially true since we now know for certain that adversaries like Russia are actively involved in cyberwarfare campaigns to undermine our democracy.

There is no denying that our election system is under assault, but not in the way Trump imagines. Instead of wasting taxpayer money to fund an investigation into

voter fraud, which is as mythical as a unicorn, American democracy would be better served by focusing on and correcting the real problem with our elections—voter suppression and external, illegal, and international interference in our national elections.

I am not opposed to employing reasonable, legitimate, and workable means to safeguard the integrity of our electoral system and to protect the precious right to vote. But Trump's Presidential Advisory Commission on Election Integrity is incapable of doing either and thus should be disbanded and dissolved immediately.

Ms. JACKSON LEE. Mr. Speaker, let me conclude by holding up this map, which indicates the colors of the individual States that are only slightly adhering to this Commission. The orange and the blue are individual States, some that are not adhering and some that are giving basic public information, but not all the personal information.

Mr. Speaker, I thank the gentleman for yielding. I hope we can collectively fight against the suppression of voters, and I thank him for alerting the American people to this severe attempt to perpetrate a wrongness, which is that there is voter fraud, and that we should not violate the privacy of Americans.

Mr. VEASEY. Mr. Speaker, I thank my fellow Texan and colleague for her timely remarks. I think the American public really would be interested in what she talked about with the criminal background history that this Commission wants.

I know that there are a lot of people—both Democrats and Republicans, quite frankly, people of all political stripes—that made mistakes when they were younger and now maybe they go and vote. They are good Americans. They assimilate themselves into society. They have learned from their mistakes, and they would be very disturbed to know that this sort of information about something that they did when they were 21 years old and now they are 40-something years old, they would be very disturbed to know that this type of information was being collected. I thank her for raising that issue.

Mr. Speaker, I yield to the gentleman from New Jersey (Mr. PAYNE), my friend, to also speak on this issue. I thank him for taking the time to come out here today and share some of the concerns that he has.

Mr. PAYNE. Mr. Speaker, let me first thank the gentleman from Texas for sponsoring this CBC Special Order hour. It is a great responsibility and a responsibility that he has done remarkably well in governing the time and the topics on which we speak. This is a timely topic, Mr. Speaker.

In a single decision, the U.S. Supreme Court set ablaze decades of progress by overturning critical portions of the Voting Rights Act. Four years after *Shelby County v. Holder*, voter protections that many Americans rely on are again under assault.

Following that decision, we saw an eruption of unjust voting laws. It is an unfortunate historical fact that, in the absence of Federal safeguards, some States will erect prejudicial barriers to voting. States previously under Federal overview were emboldened and, shortly after the ruling issued, blatantly added discriminatory rules that directly affected minority communities.

Sadly, one of the most significant and imminent threats to accessing the polls comes directly from the administration. Since the inauguration, the Trump administration has withdrawn from longstanding legal challenges to discriminatory voter laws and created the Presidential Advisory Commission on Election Integrity that will investigate the President's wildly unsubstantiated claims of voter fraud. These sorts of actions and rhetoric only reassure States that discriminatory voting laws will be tolerated and upheld in this administration.

I urge Congress to take responsibility and restore vital voter protections that have secured the integrity of our democracy for more than 50 years. Although the Shelby decision was one of the most disruptive judicial decisions in recent American history, passing good voting rights legislation will redeem America's promise of a fair vote for everyone of eligible age.

It appears that protecting America's basic right to vote will be a task reborn with every generation. Obstacles to voting are no longer as blatantly obvious as literary tests and poll taxes. Unjust voter ID laws, voter intimidation, and unfair gerrymandering create barriers to the polls for individuals from all skin colors and age groups.

Although these actions appear insurmountable, they are not. Voter suppression is an affront to the Constitution and will not be tolerated. If we continue to resist all attempts to turn back voter protections, we will be successful and once again stand proudly on the right side of history.

Mr. Speaker, it is unfortunate that this Nation appears to be going in reverse. Gains that have been made by people who weren't necessarily considered citizens when they first arrived here, but property, have had to look to these rulings and laws being created in order for them to have the rights every other American has.

The hands that built this great building could not vote, were property. But it is a beautiful symbol of this Nation's history. The ancestors of the people that helped build these beautiful buildings here will be rolling over in their graves to learn that equality and rights for all are still under attack.

So, Mr. Speaker, the CBC and, I hope, the whole Congress will be vigilant in this area, making sure that all Americans, regardless of where they come from, where they started, and when

they were allowed and even seen as citizens, have the right to vote in this great country.

Mr. VEASEY. Mr. Speaker, I thank the gentleman from New Jersey, particularly for pointing out about the hands that built this building. That is something that is not widely known, that the hands that built this building were not hands of free men but hands of slaves that built this building that we stand under today, that people come and admire from all around the world, and we admire this building as a symbol of freedom. But the hands that built it were not free hands.

And of course what followed emancipation in this country—Jim Crow, voter suppression, and all of those things—once we finally got past the late sixties and seventies, to see some of that coming back again is very, very disturbing, and I want to thank him for his timely comments on that.

Mr. Speaker, I yield to the gentlewoman from Ohio (Mrs. BEATTY). I thank her spending so much time here on the House floor working the Special Order hour, and particularly when it comes to the thing that we are so worried about right now, which is the voter suppression commission.

Mrs. BEATTY. Mr. Speaker, I thank Congressman VEASEY for yielding.

Mr. Speaker, it is an honor for me to stand on this floor, but when I think that tonight I have to stand here and talk about the topic that the Congressional Black Caucus comes to the House floor to speak out against is a sad day.

Mr. Speaker, I thank my classmate and colleague and friend, Congressman MARC VEASEY, for taking a leadership role and for making that clarion call to ask us to come.

□ 1945

Many of us will come tonight and speak out. Several of us will file our message so it can be recorded. Others will be back in their districts fighting for voting rights.

This is something we have to do because, unfortunately, it has been over 50 years since President Lyndon Johnson signed into law the Voting Rights Act of 1965, which has been the most powerful tool in defending the voting rights of minorities.

The Voting Rights Act, as you have heard tonight and you will continue to hear, outlawed the harassment, the intimidation, and the violence that many African Americans experienced when trying to exercise their right to vote.

It ended some of the most overtly discriminatory practices in our country's history by banning literacy tests, appointing Federal examiners in certain problematic areas to register voters and monitor elections, and criminalizing voter intimidation threats and coercion.

Also key to the Voting Rights Act, you have heard many of our attorneys

explain it and talk about the creation of the preclearance process that required certain places with some of the worst histories of discrimination to gain approval from a Federal court or the Department of Justice before making election changes.

However, Mr. Speaker, during my first term in Congress, I became a part of this history. It was in 2013 that the United States Supreme Court struck down this crucial provision of the Voting Rights Act in the *Shelby County v. Holder* decision, opening the door for States to reduce—I am going to say that again, Mr. Speaker—opening the door to reduce the electoral power of minority communities.

And with that door open, many States are taking this opportunity to pass a slew or a wave of laws, including strict voter ID requirements, early voting cutbacks, and registration restrictions, making it harder for many hard-working Americans to vote. That is just not right. Every citizen should have the right to vote.

Following the 2016 election, President Trump falsely claimed that millions voted illegally, perpetuating the myth of voter fraud long used to justify restrictive legislation that suppresses voters in low-income areas. I stand here today to tell you that it is not true.

And when the Congressional Black Caucus hears the President of these United States using terms like “voter fraud” or “illegally voted,” we can read between the lines, Mr. Speaker. He is signaling his intent, in my opinion, to suppress the vote. He is signaling the support for efforts that will make it even harder for poor people, people of color, women, elderly people, to vote, one of the fundamental rights that we have to vote.

While the legislative maneuvers to restrict our citizens' fundamental right to vote should shock the conscience, it has not, and that is why we are standing on this floor today. That is why we are asking Democrats and Republicans to work together to correct this wrong.

We have witnessed the history of some 50-plus years of what happened to many people in some of our Southern States. Mr. Speaker, it is just not right, and that is why we are here today.

As former President Barack Obama said: “This is something that has constantly been disproved.” As a matter of fact, “This is fake news.”

Now, one of my colleagues came to the floor tonight and said this is not a Democrat or a Republican issue. Well, let me say it a little differently. This should not be a Democrat or Republican issue; but if it were a bipartisan issue, we wouldn't be standing here in this Special Order hour demanding and asking that we come together, as Democrats and Republicans, and restore the voting rights.

So let me be very clear. The Congressional Black Caucus, through the leadership of our chairman, Congressman CEDRIC RICHMOND, through the leadership of our power-of-the-hour chair, Congressman MARC VEASEY, and the other members of the Congressional Black Caucus, one of the largest minority caucuses in this House, we stand ready to advocate, we stand ready to protect those who we come here to protect.

So as elected officials, we have a responsibility to ensure the right of “one person, one vote,” and part of this responsibility includes making it easier, Mr. Speaker, not harder for citizens to vote. And we will not stop our quest in ensuring justice for all Americans.

Mr. VEASEY. Mr. Speaker, I thank Representative BEATTY. I really appreciate her participating again and her comments, and we are going to take her call and continue to push on this issue.

Mr. Speaker, I would like to invite my friend and colleague up from the great State of Pennsylvania, Representative DWIGHT EVANS, to also speak about this subject. Of course, throughout the history of African Americans, Philadelphia and Pennsylvania have played a very critical role. I am glad that my colleague from Pennsylvania is stepping up and speaking about this very timely issue of voter suppression in the wake of Shelby County.

I yield to the gentleman from Pennsylvania (Mr. EVANS).

Mr. EVANS. Mr. Speaker, I thank my colleague from the great State of Texas, Congressman VEASEY, for his leadership under Congressman RICHMOND, and for what he and Delegate STACEY PLASKETT have been providing over the last couple of weeks.

Right now, as Members of Congress, we are in what I call an Article I, section 1 moment. Article I, section 1 in the Constitution grants us this power. We need to harness the power of the process to ensure that accountability and transparency for Philadelphians, Pennsylvanians, and all the American people.

We know that voting is a fundamental right, and we know that the Federal Government should not be in the business of dealing with personal information of voters nationwide. Philadelphians, Pennsylvanians, and Americans have a right to privacy. Myself and my colleagues before you today intend to do everything we can to ensure privacy is guaranteed and protected.

The Trump administration has yet to instill confidence and garner respect from the American people. Voting is a right that cannot and will not be taken away. The right to vote is a core American value and guiding principle that must be protected and not tampered with in any way.

Believe me when I tell you, President Trump, we know what you are trying to do here. We see the actions of your administration for what they are. Our neighborhoods are at risk of voter suppression, and we cannot and will not stand for it.

Last week, I was proud to join my colleagues, the chairman of the Congressional Black Caucus, Chairman RICHMOND, and the United States Senator from New Jersey, when they stood up last week and introduced a piece of legislation to revoke President Trump's executive order.

I am proud to stand with the Governor of my State and my friend, Governor Tom Wolf, who has been very outspoken in speaking out for Pennsylvanians all across the Commonwealth and clearly told the President he will not disclose personal PA voter information.

I want to leave you with a quote from Dr. King: “We may have all come on different ships, but we are in the same boat now.”

I have lived my entire life in the City of Philadelphia and know that it is a sanctuary city. We are so much stronger when we celebrate our differences and use them as strengths to uplift us.

We will not accept this voter suppression. Together, we will ensure the choir of our voices are heard loud and clear. We have an obligation to build a stronger tomorrow for all of our neighborhoods.

Mr. Speaker, I join with my colleagues from the Congressional Black Caucus to send a message, a message and a voice that we will not just sit here idly by. We will not allow this process to just run roughshod.

As I said from the beginning, this is an Article I, section 1 moment where we all recognize that we, in Congress, Democrat and Republican alike, recognize that we have an obligation and responsibility to the American public. And this is not about partisanship. This is about a fundamental right, and we don't take it lightly.

So I applaud the leadership, again, of my colleague from the great State of Texas, for what he is providing here, and all the members of the Congressional Black Caucus.

Mr. VEASEY. Mr. Speaker, I thank the gentleman for his comments and appreciate him taking time out to talk about this very critical announcement.

As soon as everyone in the Black community, Black communities around the country, and elected officials around the country who are concerned about voter suppression and other tools and tactics that have been used to suppress the African-American vote, we went to action, and I appreciate that the gentleman was one of the first people to step up and appreciate his participation tonight.

Mr. Speaker, my colleague, Congresswoman EDDIE BERNICE JOHNSON, who

was not able to make it here this evening, will be including a statement in the RECORD. She represents the 30th Congressional District of Texas and is my next-door neighbor. She represents Dallas and the southern suburbs of Dallas. I appreciate her weighing in on this topic as well.

Mr. Speaker, the foundation of American democracy is that, no matter who you are, we are all equal once we step into that voting booth. And the courage that has been displayed by brave foot soldiers who risked and, in some cases, gave their lives to guarantee that constitutional promise was fulfilled must never be forgotten, and this is really important to point out.

I mean, we have Representative JOHN LEWIS, who is a hero of the civil rights movement. But I always encourage people to watch the documentary, “Eyes on the Prize” so they can see how people were treated, how people were treated by law enforcement, how people were treated by people who were in positions of power, people who were active in the community, people who belonged to the Lions Club, belonged to the Elks Club, the way they treated people who were simply trying to register to vote.

There is one scene that I will never forget; it was about a woman who was trying to go and vote, and she was being kicked and shoved and hit and knocked to the ground by law enforcement in Alabama for simply trying to exercise her right to vote that was given to her in the early 1900s when women in this country were finally given the right of suffrage.

It is really in their memory that Congress originally passed the landmark Voting Rights Act of 1965. And for years, both Republicans and Democrats reauthorized the Voting Rights Act, agreeing that equal access to the polls must be preserved for generations to come.

But sadly, Mr. Speaker, in 2013, that tradition dramatically changed. The Supreme Court ruling in Shelby County v. Holder struck down section 4 of the Voting Rights Act and made Congress responsible for updating the VRA. The Court has left it to Congress to create a new formula for determining which States and other jurisdictions should be discovered under section 5 of the Voting Rights Act to ensure protection against discrimination.

But 4 years later, we can confidently say that the Supreme Court ruling set into motion what most of us feared—that minorities and low-income Americans would have to face unfair and punitive barriers from exercising their most basic right as American citizens, and that is the right to vote.

□ 2000

In the years since the Shelby County decision, Republican legislatures nationwide have been in power to unleash



an avalanche of purposely restrictive laws that have been aimed to keep, again, mostly Black and Latino voters away from the poll. Even when you do discovery and when you look into why these laws were passed by State legislatures, it is clear what the intent was.

It is a tactic that the Republican Party has indirectly endorsed, since they believe that trying to earn the vote of the growing minority population, that they would rather keep them away from the polls altogether.

Prior to Shelby, States with a history of voter suppression and discriminatory practices were required to preclear any changes in their election laws with the Department of Justice prior to enactment. But now, in the absence of an updated VRA, States no longer require the DOJ's approval.

I want to talk about my own State, the State of Texas, which has really served as an incubator for the suppressive tactics that Republicans nationwide have been eager to enact for years. I saw this up close and personal in the 8 years that I spent in the Texas Legislature, where I saw Texas Republicans enact SB 14, which severely restricted the types of IDs that voters could bring to the polls in order to cast the ballot. Texas Republicans claimed that limiting acceptable IDs would prevent widespread in-person voter fraud. As vice chair of the Voter Identification and Voter Fraud Select Committee in the Texas state house, I witnessed how Texas Republicans failed to produce any piece of evidence to prove that massive voter impersonation was occurring statewide.

Hearing after hearing—you can go back and look at the record, going back to 2005—I and my other colleagues who served on the committee and who were concerned about some of the voter suppression tactics asked the question: Show us evidence that voter suppression is taking place. We have time here during this legislative session.

That was what we would ask over and over again, and not one person could bring any evidence that this had happened.

Their flawed argument justified limiting voter IDs and instead favored an approach that would exclude student IDs but actually say that it was okay to use a concealed handgun license as a form of ID.

What is interesting about that is that these student IDs, campus law enforcement, which, in the State of Texas, where I am from, again, if a kid has alcohol or if someone is roaming around campus and the police need to be able to verify who they are and identify them, that student ID that is issued by a State university in the State of Texas serves as ID for law enforcement personnel on those campuses to be able to verify whether that student is, in fact, who they are and belongs on that campus. That same ID, again, that is

issued by the State of Texas could not be used to go and vote. It just doesn't make any sense.

When the law was enacted, of course, the DOJ blocked the measure. However, hours after the Shelby decision, Governor Perry enacted Texas' restrictive voter ID law. I became a named plaintiff in the case because I knew that, despite Republicans' claims that the law would disproportionately disenfranchise Latino and African-American voters—the State's own estimates showed that it would potentially disenfranchise over 600,000 Texans who are registered but do not have one of the required forms of ID. And there are lots of different reasons why people may or may not have an ID.

If they were born in a foreign country and they are now American citizens, they may have a hard time getting access to some of those documents. They may not have the money or the transportation to go to the county that they were born in to be able to get the documents that they need in order to get one of these IDs. Again, there are costs and there are transportation and geographic barriers that may take place.

You may have people who were born in the country by midwives, and they are particularly African-American baby boomers and older that migrated from places like Longview, Texas; Marshall, Texas; Tyler, Texas, and they weren't really even raised in those cities. They were raised in smaller towns outside of those cities and they may not have those proper forms of ID.

Remember, segregation was very rampant back then in Texas, and many people were born by midwives, were born in their houses and what have you. There are variations of spellings of last names. I have that in my own family. There are just so many other examples of that.

I am proud to report that two Federal courts, including the Fifth Circuit Court of Appeals, which is easily considered by most to be the most conservative appeals court in the country, have found the law to be discriminatory in its intent and its effect. Despite this victory, we knew that Texas was only the beginning. We have heard about so many other laws around the country that exclude people from being able to register to vote unless they have a passport, or unless they have their birth certificate, which makes it almost impossible for nonprofits to set up a table at a busy grocery store, for instance, on a Saturday and do any sort of voter registration. There are just all sorts of issues out there. There are organizations like King Street Patriots, for instance, that pride themselves on their ability to try to suppress the minority vote. Again, Texas was only the beginning. And, sadly, Mr. Speaker, unless we can find a new way to come together to do what is right

when it comes to suffrage in this country, it seems like this is going to be something that we have to fight for a long time.

Now, sadly, I am ashamed to say that our President has also taken a page out of the Republican playbook and has begun to perpetuate the same myths about widespread voter fraud that, sadly, we have been fighting since the Reconstruction era, Mr. Speaker. Very, very, very sad.

Nearly 3 months after winning the Presidency, President Trump could not handle the fact that, despite winning the Presidency, he lost the popular vote. An unsatisfied with the results, President Trump does what he does best: he went to Twitter to blame his unpopularity on widespread voter fraud.

And, worse, now he has created this Presidential commission on election integrity. It is a sham commission that will, no doubt, work to justify claims that elections are being compromised by our own citizens and serve as a catalyst to continue the wave of voter suppression and intimidation that we have witnessed across this country.

I am proud that the Congressional Black Caucus, the Congressional Hispanic Caucus, and the Asian Pacific American Caucus have all gotten together to introduce legislation to ensure that not a single dollar from the taxpayers is spent towards this phony commission.

Again, I think that everybody should be concerned about this commission. Any commission that wants to gather private information on citizens, put it in a database, information that—quite frankly, mistakes that people made back when they were in college. There are a lot of people out there that I know, that I went to high school and college with, people that I have known around the Fort Worth and Dallas community for a long time, all around the State of Texas, they made mistakes when they were younger. Maybe it was a DWI. Maybe it was some other sort of issue, but they have assimilated themselves back into society. They are working. They are paying taxes. And the fact that this database would want to take the mistakes that they made in their youth and put them in this database and to look at whether or not they are committing some sort of fraud is just something that—again, doesn't matter if you are Democrat or Republican, there are a lot of people out there who made mistakes when they were younger. It is just awful that this could come back to haunt them.

The fact is that the voter fraud myth has been debunked by various reputable research organizations, including the ACLU, the Brennan Center for Justice, the Campaign Legal Center, and the Pew Research Center, to name a few. But that has not changed the fact that Republicans and now our



President want to turn back the clock on voting rights. It is really sad, Mr. Speaker.

The commission recently requested sensitive voter information as part of their fake investigation, and we are already seeing the effects. Out of fear of having their Social Security, voting history, party affiliation, again, their criminal background history that I talked about in a concentrated voter base, news sources have already reported voters deregistering to vote. That is sad because that is exactly the type of voter intimidation that Republicans want to nationalize.

House Republicans have purposely dragged their feet on updating the VRA and ignored their duty to uphold the Constitution and ensure the sacred right of all Americans to be able to cast their vote.

Even as these courts begin to rule against the purposely prejudiced tactics of these GOP State legislatures, it is up to us to bring our voices together and lift the veil on their true intentions. It is our duty now to stand up against these discriminatory practices that are being implemented nationwide, because the President's sham commission will have its first meeting this Wednesday, and we have to send one message loud and clear: We will not allow voter suppression to become normal. We have to make that clear.

I thank my colleagues for working alongside me in this fight, because every member of the Congressional Black Caucus is talking about this in their district when they are going back, townhalls, various other events that are out and about in their respective areas that they represent around our country to let them know what is in store.

I have got to tell you, Mr. Speaker, I am confident that we will once again be able to ensure that the sacred right to vote is not denied to a single American. It has been overcome a lot. We are going to continue to overcome this, just like we have after the Reconstruction era, like we did in the 1960s, and we are going to fight this all the way until we get the fairness that we want.

I want to remind everybody that there is going to be a voter suppression forum tomorrow that members of the Congressional Black Caucus, along with the House Judiciary Democrats, will host on this very topic, voter suppression in the wake of Shelby County, which is the name of the Special Order that we are working on right now. And Members will hear from Kentucky Secretary of State Alison Lundergan Grimes and others about the President's voter fraud commission and the bipartisan backlash that it is facing. The forum will be live-streamed on the House Judiciary Democrats' Facebook page. I invite all Americans to join in this very important and crucial conversation that is going to be taking place on Wednesday.

I thank everybody again that came out to participate for this Special Order hour on voter suppression in the wake of what happened in Shelby County.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in solidarity with my colleagues in the Congressional Black Caucus to speak out against voter suppression. Voter suppression is a serious issue that threatens the integrity of our elections. While the Congressional Black Caucus members have highlighted their numerous concerns, we should all be deeply involved in combating voter suppression and expanding access to the polls for all Americans—particularly in the wake of the destructive ruling in *Shelby County v. Holder*.

When fellow Texan and former President Lyndon Baines Johnson signed the Voting Rights Act of 1965 into law, our country was in the midst of wrestling with literacy tests, the purging of voter rolls, and intimidation by those who wished to keep minorities and other vulnerable segments of the population from casting their ballots at the polls. It was a difficult time in our nation's history, but one that we seemingly overcame together in a broad recognition that all Americans should have equal access to the polls. The positive effects of the Voting Rights Act grew quickly apparent.

Following passage of the VRA, nearly 1 million black voters registered to vote within just four years, including over fifty percent of the black voting age population in every southern state. We witnessed the number of black elected officials in the South more than double, from 72 to 159, following the 1966 elections. By the mid-1980s, there were more African Americans in public office across the South than throughout the rest of the nation combined.

More than fifty years later, we are once again faced with the same fight under a different, more sinister guise. The United States Supreme Court's decision in *Shelby v. Holder* has brought our nation back to our darkest times in history. Discrimination on the basis of race is a persistent reality throughout many localities in states once protected by Section 5 of the Voting Rights Act—including my home state of Texas. Absent these protections, many voters are at risk of losing their fundamental right to vote.

On May 11, 2017, President Trump issued an executive order that would create an "election integrity" commission. The stated purpose of this commission was to combat voter fraud, but we know the true meaning behind an executive order of this nature. It is to repeat the egregious mistakes of our past and once again prevent legitimate voters from exercising their constitutional rights to vote.

Mr. Speaker, the concerns of the Congressional Black Caucus and the concerns of countless Americans are worthy of our time in Congress. We must speak out against thinly veiled commissions meant to suppress the vote. We must bolster the Voting Rights Act to its former power and encourage others to combat voter suppression and protect unfettered access to the ballot.

Ms. JACKSON LEE. Mr. Speaker, I thank my colleagues Congresswoman PLASKETT and

Congressman VEASEY for hosting this special order resisting voter suppression on both the state and federal level since the Supreme Court struck down Section 4 of the Voting Rights Act in the disastrous *Shelby County v. Holder* ruling of 2013.

The Voting Rights Act of 1965 was a watershed moment for the Civil Rights Movement—it liberated communities of color from legal restrictions barring them from their essential right to civic engagement and political representation.

And yet, more than half a century later, we are still discussing voter suppression—something which should be a bygone relic of the past, yet continues to undercut racial minorities, immigrants, women, and young people.

Uncaged by the *Shelby County* ruling, 14 states took extreme measures to enforce new voting restrictions before the 2016 presidential election.

Many of these states have experienced increasing numbers of black and Hispanic voters in recent elections.

If not for devious, state-sponsored voter suppression policies like discriminatory voter ID laws, reduced early voting periods, and voter intimidation tactics that directly or indirectly target racial minorities, the election might have had a drastically different outcome.

To my dismay, many of the civil rights that I once fought for as a student and young lawyer have stagnated or been rolled back by conservative state and federal officials over the years.

To add final insult to injury, the Trump Administration has issued an Executive Order establishing an Election Integrity Commission to investigate not voter suppression, but so-called "voter fraud" in the 2016 election.

Trump and his followers have been remarkably effective in pumping up the myth of voter fraud, but it is just that: a myth.

Between 2000 and 2014, there were 35 credible allegations of voter fraud out of more than 834 million ballots cast—that is less than 1 one-hundred thousandth of a percent.

An extensive study by social scientists at Dartmouth College uncovered no evidence consistent with Trump's wild allegations of widespread voter fraud rigging the 2016 election.

Just for the record, the popular vote of the presidential election was:

Hillary Clinton, 65,853,516;

Donald Trump, 62,884,824.

Trump's deficit of 2.9 million was the largest of any Electoral College winner in history by a massive margin, and despite the allegations of the current Administration, there have been only 4 documented cases of voter fraud in the 2016 election.

The Voter Fraud Commission, like many of Trump's business schemes, is a massive scam built on countless lies that do not hold up to any level of scrutiny.

As Members of Congress, we should be devoting our time, energy, and resources to address Russian infiltration of our election infrastructure amid campaigns, along with a slew of other pressing issues.

Instead, we must deal with the possibility that the Trump Administration's brazen attempt to collect the private information of 200 million Americans could very well result in the

greatest breach of our national security if Trump's proposed joint U.S.-Russia cybersecurity taskforce is ever realized.

Both Democratic and Republican governors from 44 states have flat-out rejected the Trump Administration's request; saying "no" to senseless, dangerous power grabs is a bipartisan issue.

Instead of enjoying and strengthening the protections guaranteed in the Voting Rights Act, we—people of color, women, LGBTQ individuals, and immigrants—have been given the joyless, exhausting task of fending off the constant barrage of attacks levelled at our communities by men like Trump.

Not only are we tasked with reversing the current dismal state of voter suppression against minorities; we are forced to refute the blatant, propagandist lie of voter fraud.

We must not allow our government to slide back into the worst elements of this country's past, to stand idly by as our treasured values of progress and equality are poisoned and dismantled.

My position on this issue is directly aligned with the will of the American people.

I commend my colleagues, Congresswoman PLASKETT and Congressman VEASEY, for hosting this special order in opposition to the Shelby County ruling and Trump's pernicious smear campaign against this country's most historically disenfranchised.

#### COMMUNITY PHARMACIES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Georgia (Mr. COLLINS) is recognized for 60 minutes as the designee of the majority leader.

#### GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, tonight, as we come before the body, we have come back on a topic we have been here before on. It is really the hidden enemy, I guess if you would, of people and trying to get a drug pricing system, something where their community pharmacist, the independent pharmacist, it is that middle man called the PBM, the pharmacy benefit manager, who simply snuck in many years ago.

□ 2015

It originally started as a good idea so that you could collaborate, you could get better drug pricing, you could get it to the consumer through rebates and through concessions. And as in all things, I guess, good ideas and greed just get in the way sometimes.

We are at a point where this is an issue that I want to continue to highlight. We are going to do so in several

ways. We are going to talk about some issues. I spoke with colleagues on the floor before about the really terrible actions of many in the PBM community, especially the largest ones that control over 80 percent of the market. There are only three of those that really control almost the entire marketplace of this and control plans that folks would understand very quickly. They control where you go, how much you pay, the formularies. It is down to that kind of a problem.

Last year, when the world began to wake up to these issues of pricing and all of this came to light, they began to question why these drugs were costing so much, such as the EpiPen. Well, what they began to find out was that these were problematic issues. But if you wanted to really look at the baseline, you had to look at the pharmacy benefit managers, and you had to understand what they were doing that was causing a great deal of problems.

We also have to go back to the basics. Community and independent pharmacists fill a critical niche in the healthcare system, serving the primary healthcare providers for over 62 million Americans. Community pharmacists are some of the most easily accessible health professionals, particularly in our rural areas.

Mr. Speaker, this is an area that I really have talked about before. We talk about the healthcare chain being a complete chain, and it is not just the doctors and the hospitals; it is the pharmacist who is typically the face of healthcare for those after they have gone to their doctors or come out from the hospital to get the medicine that will continue to keep them healthy.

You see, community pharmacists dispense roughly 40 percent of prescriptions nationwide, and a higher percentage in rural areas, such as mine. These community pharmacists regularly interact with their patients outside the pharmacy. They go to church with them. They go to shop with them at the local grocery store. The pharmacies are the sponsors of kids' Little League teams. They are the ones who have the closest personal relationships to the healthcare chain, and they are a trusted source of medical care and advice.

Pharmacists are also able to better treat patients' illnesses with their regular interactions, identifying potential risk factors early on. For example, independent community pharmacists play a key role in ensuring a patient properly uses their medication. In fact, 83 percent of community pharmacists perform the critical patient-care role of providing medication adherent services. Patients' failure to properly take their medication costs the healthcare system almost \$3 billion and contributes to 125,000 deaths annually.

Face-to-face counseling by a trusted pharmacist has proven to be the most

effective method for ensuring patients take their medications, saving thousands of lives and billions of dollars annually.

Mr. Speaker, independent and community pharmacists provide multiple and valuable services, and we can talk about these services and the importance of a community pharmacist. I would be remiss if I did not mention the recent and tragic passing of someone known well in the pharmacists' community for his contributions there.

While I did not know John Carson personally, his death had reverberations throughout the pharmacists' community. Mr. Carson was from San Antonio, Texas, and owned and ran his business there, Oakdell Pharmacy, for almost 50 years. He and his wife were tragically killed in a car accident on July 7, but the legacy Mr. Carson left behind as a father, a pharmacist, and former president of both the Texas Pharmacy Association and the National Community Pharmacists Association will live on. Tonight we mourn his passing but celebrate his achievements.

I could mention individual pharmacists and their work on behalf of their patients for the rest of the evening, and I could have probably every Member of this body do the same. Instead, I will provide some information that shows the great impact on services the individuals have had.

Sixty-five percent of community pharmacists offer home or work delivery; 68 percent of community pharmacists offer immunizations; 83 percent provide medication therapy and management services; and 67 percent of community pharmacists provide monetary support to five or more community organizations. These are the guys you see sponsoring the Little League teams, the chili cook-offs, and that are true participants in our neighborhoods and towns.

Unfortunately, the community pharmacists are in jeopardy across the country, in part, due to anticompetitive behavior and the lack of transparency surrounding practices of the pharmacy benefit managers. They have taken our community pharmacist, and they have abused their trust. Pharmacy benefit managers, especially in the system that we have today, are trying, I believe personally, to get rid of our community independent pharmacists because they have their own chain, their own distribution, and they own the supply chain. When they do, they want to take everything else out, and we have talked about that on many occasions here.

So as we continue tonight, we are going to talk about these issues, as we go from pharmacists and what they have done well, some new issues that have come to light, some lawsuits, also some audits that have come out that show the real problem that we are seeing with this community, and also that

they are having, but also just being run out of business.

Imagine, Mr. Speaker, if you were just trying to get up every day and run your own business, and you had a giant conglomerate tell you and tell your customers that they can't come see you anymore, not give you a reason. And if they are mistaken, they make you correct their mistake. I don't know how it operates in the rest of the world, but that isn't the way a business is supposed to operate.

At this point in the evening, I have several of my friends from Georgia who are here to talk about these issues. First off is my friend from south Georgia; another one, who has been with me on many of these occasions, a Member who has seen this up close and personal, to talk about the issues that we have tonight.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. AUSTIN SCOTT), someone we have been working with on the Armed Services Committee on a lot of things that are going on.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I rise today in support of our Nation's community pharmacies which play a critical role in our healthcare system.

Many of these independent businesses operate in underserved or rural areas—like many of the counties in Georgia's Eighth Congressional District, which I represent—where access to carriers is already an issue and would be worse if community pharmacies did not exist.

In areas where a doctor can be many miles away, local pharmacists deliver flu shots, give advice on over-the-counter drugs, and help with those late-night drugstore runs for a sick child. Many people in our rural communities see their pharmacists much more often than their doctors. There is a very personal relationship between the pharmacist, the patient, and the physician.

As pillars in their community, they are also the businesses that contribute greatly to local economies. It is crucial that these pharmacies have an equitable playing field against large-scale competitors and middleman pharmacy benefit managers when trying to run a successful business in a challenging and complex environment.

I want to reiterate, Mr. Speaker, all they ask for is an equitable playing field. No advantages, just equality. Where I am from, local pharmacists are often a fixture in their communities. These pharmacists have known most of their customers all of their lives. They instill a level of trust that is unparalleled.

I frequently stop in at local community pharmacies when I am back home in the district and never fail to appreciate the unique value they add to their customers' lives. Unfortunately, on some of these visits, I am also troubled to learn how community phar-

macies are finding it extremely difficult to serve the people who have depended on them for years and to compete with some of the larger entities in the healthcare marketplace.

Take, for example, the increased prevalence of preferred networks in Medicare part D plans. Currently, many Medicaid beneficiaries are told by pharmacy benefit managers, or PBMs, which pharmacy to use based on exclusionary arrangements between those PBMs and, for the most part, big-box pharmacies. What most people don't know is that, in fact, in several instances, these big-box pharmacies actually own the PBMs that are creating these preferred networks.

Patients must pay higher copays just because the pharmacy they want to use is excluded by the PBM, who again, as I said, in many cases, actually own the larger pharmacy that they force you to do business with. The majority of the time, the hometown pharmacy is never given the opportunity to participate in the network in the first place.

Another issue I often hear about from community pharmacies is the burdensome DIR fees. Most Americans probably assume that it is a pretty simple transaction when they purchase medication from their local pharmacy. They go in, they pay a copay, and that is the end of it.

But for the pharmacy, the transaction is anything but clear and simple. Pharmacy benefit managers use so-called DIR fees to claw back money from pharmacies on the individual claims long after the claim is thought to have been resolved. That means that a pharmacy often doesn't know the final reimbursement amount they will receive for a claim for weeks, or even months.

Anyone who runs a pharmacy, or any other small business for that matter, knows you can't operate when you don't know what your reimbursements are. When competition is stifled and these small businesses suffer, so do hardworking Americans when they have had their choice to use a community pharmacy instead of a big-box business taken away from them.

Another issue I frequently hear about is the lack of transparency in generic drug reimbursements to pharmacies. Generic prescription drugs account for approximately 80 percent of drugs dispensed. The reimbursement system for these medications is largely unregulated and a complete mystery to all of us. Now, if it is unregulated with transparency, that is fine. But it is unregulated without any transparency.

Pharmacists are often reimbursed for generics by what is referred to as the maximum allowable cost list created by the pharmacy benefit managers. But the methodologies used to create these lists are not disclosed, nor are the lists updated on a regular basis, which frequently results in pharmacists being

reimbursed below the actual acquisition cost for various medications.

In recent years, these extra costs that affect prescription drug prices in community pharmacies have fallen on consumers. Take doxycycline, for example. Doxycycline is a drug that is used to treat a number of bacterial infections. As a generic antibiotic, it has been around for decades. I want to repeat: it is a generic that has been around for decades. In 2012, 30 capsules of doxycycline cost approximately \$15. In 2017, the same dosage cost \$115. That is a price increase of 667 percent.

I want to give you a real-world example of the impact this has on low-income patients in the world. I have a wonderful OB-GYN in my area, and he told me that prior to the price increase, he would simply keep doxycycline in his office, and when he had a patient that needed it, he could simply give the patient—if it was a low-income patient—the drugs instead of having them go to the pharmacy to pick them up. But with a 667 percent price increase, they could no longer afford to simply give the patients the medication that they need.

Nitroglycerin tablets are another example. Nitroglycerin has been used to treat chest pain and stop a heart attack and has seen similar price hikes in the past few years. Again, it is a generic drug that has been around for decades—no excuse in the price increases other than flat out greed.

A drug that is even more common that has been affected by the lack of transparency in the drug market is insulin. As you may know, millions of Americans with diabetes rely on insulin. They have to have it, or they will simply die. According to the American Diabetes Association, the price of insulin in America has nearly tripled over the past 15 years, making the drug nearly unaffordable for many diabetic patients.

The dramatic price hikes of insulin is ironic since, in the early 1920s, Frederick Banting, one of the scientists who helped to first develop insulin, sold the patent for the drug for \$3 because their goal was to make the drug affordable and easy to access for everybody in the world.

Now, nearly 100 years later, one vial of Humalog can cost nearly \$400 in the United States, where it costs a fraction of that in other countries around the world. In Canada and Mexico, the same dosage of Humalog costs less than half, or sometimes even a quarter of what it costs in the United States.

I understand that there is a tremendous cost in developing lifesaving treatments, new drugs, and the next development that is going to save a cancer patient, but these are generic drugs that have been around for decades. These dramatic price increases, the international price disparities, they are occurring, again, on drugs

that have been around for decades because of this pricing scam put in place by the pharmacy benefit managers.

In the coming months, I look forward to continuing to work with my colleagues to address the lack of transparency in the pharmaceutical industry, giving community pharmacies an equitable playing field to compete, which gives hardworking Americans the choice of affordable prescription drugs and which pharmacy they choose to purchase those drugs from.

Mr. Speaker, I want to thank the gentleman, Mr. COLLINS, for hosting this Special Order today.

Mr. COLLINS of Georgia. Mr. Speaker, I thank my friend. We have been talking about this, and I think what is amazing is, the more we have these, and the more we talk about community pharmacists and the issues that we find, people are starting to understand the real problem that exists here.

Mr. Speaker, more than 250,000 individuals employed either on a full-time or part-time basis by community pharmacies, these people's livelihoods are facing consequential threats due to the often anticompetitive behavior of pharmacy benefit managers, or PBMs.

Many people may have never heard of a PBM. Well, let's give them a definition tonight. PBMs are middlemen who administer prescription drug plans. In fact, three primary middlemen control 78—almost 80 percent—of the market and control the pharmacy benefits of over 253 million Americans.

□ 2030

PBMs process prescriptions for groups that pay for drugs and control drug formulation to determine what drugs are covered by specific plans.

The three major PBMs—Express Scripts, CVS Caremark Health, and OptumRx—produce no tangible product. Let me repeat that. These three produce no tangible product. Yet they have a major impact on the way you and I access medication, on small business pharmacies, and even other small business PBMs.

If you don't believe me, just the other day, I was watching a business show, and there was a PBM—there was a transparent PBM who talked through this whole issue of fees, rebates, and everything else. They said: We show everything.

Well, I challenge the three big ones to do it. They don't want to because—if you started looking at actually what they did, they are what I have said many times—they are monopolistic terrorists. That is all they are in this market.

Mr. Speaker, as an example of the major market power that PBMs have, I would like to point you to Express Scripts' annual average revenue. That one company has average revenue of \$101 billion. Now, Mr. Speaker, I am a conservative, free-market business per-

son. I love to see a business actually make money. But you don't do it the way they are doing it. I am not decrying their profit. However, I am calling into question the business model of raking in massive profits on the backs of patients and small business pharmacists. You don't do it that way.

I brought this up on many occasions and only get excuses and obfuscations and everything from the PBMs going online and telling about how great they are but never addressing the real issue. The problem is relegated to the wayside far too long and is coming into sharp focus. In fact, Anthem, an insurer, is currently suing to end its contract with Express Scripts. It claims Express Scripts failed to renegotiate lower drug prices and withheld billions in savings. This lawsuit and stories surrounding it have called into sharper focus PBM tactics that community pharmacists have been grappling with for years. In just a few moments, we are going to hear firsthand about how that has actually been going on.

Through a variety of practices, PBMs make life difficult and undermine competition for our neighborhood pharmacists and the patients that they serve. For example, PBMs have maximum allowable costs—MAC lists—that determine the maximum amount a pharmacist will be reimbursed for certain generic drugs. However, PBMs' reimbursement price determinations are hidden, and there is no transparency in the process.

PBMs commonly manipulate drug prices using what is called spread pricing. I would encourage, Mr. Speaker, those who listen to this and would want to be a part to look this up. Everything we are talking about is actual fact. PBMs charge employers a higher price for a drug than necessary and reimburse pharmacies at the MAC level, which is typically lower. Spread pricing allows PBMs to skim money from the difference between the high rate they charge for a prescription and the low rate they reimburse pharmacies. Spread pricing is artificially raising the acquisition cost of pharmacy drugs by overcharging at the expense of retail pharmacists, consumers, and health plans.

You see, when we understand this, people say: Why is this a problem? Why are we talking about it?

This lack of transparency is also a problem when PBMs administer taxpayer-funded programs like Medicare part D, TRICARE, or the Federal Employees Health Benefits Program. Currently, we can't ensure that the savings generated by cost-saving rebates received by the PBMs are being passed along to government programs. PBMs can receive rebates to acquire prescription drugs at lower-than-advertised costs, and PBMs can then charge the government the full cost for the drug even if a PBM has a significant dis-

count. This deceptive practice increases the cost of prescription drugs for beneficiaries of Federal Government prescription drug programs.

Let's break that down, Mr. Speaker. When we talk about Federal drug programs, these taxpayer-funded programs, we are talking about my taxes, your taxes, and everybody else's taxes. That is why this is important and needs to be addressed. This is what is the problem.

This lack of transparency is unacceptable and jeopardizes the quality of care for millions of patients across the United States. Northeast Georgia has a vibrant pharmacy community, but its pharmacies are being threatened by the unfair practices of the PBM. The fact is—and I have made mention of this before—several pharmacists tell me that if something doesn't change, we are going to see more and more of those pharmacies disappear within the next few years.

I introduced the Prescription Drug Price Transparency Act to help address this situation. My legislation preserves pharmacy access for patients by allowing pharmacists to know the sources PBMs are using to set reimbursement rates for community pharmacists.

PBMs' prices are often based on incentives for manufacturers not disclosed for long periods of time. Oversight of PBMs ensure taxpayers are not footing the bill for generic prescriptions by providing transparency into how drug acquisition costs are determined. The Prescription Drug Price Transparency Act also prevents PBMs from forcing their customers to fill or purchase prescriptions from pharmacies owned and controlled by the same PBM.

Let me go back over that real quickly. The PBMs, the pharmacy benefit managers, are allowed to force customers to fill or purchase prescriptions from pharmacies they own and control. There is no transparency here. They are simply controlling a system and running the market out. This means patients can keep the pharmacists they like rather than being improperly incentivized or coerced to use a PBM-owned pharmacy.

Finally, it would require PBMs to update their MAC pricing list every 7 days, codifying current CMS rules for Medicare part D and expanding it to TRICARE and FEHP. This legislation is vitally important to improving fairness and transparency in drug pricing and reimbursements to independent and community pharmacists.

I will tell you this: I've heard story after story, and we will continue these tonight. The community pharmacists may be muzzled by PBMs, those that are still. There may be fear of retaliations. But I won't let those concerns go unnoticed. We are going to continue to take this fight to the floor so there will be a voice for transparency and fairness for community pharmacists, for

patients, and for taxpayers. Because if they think they can pull a fast one on the Federal Government at the cost of taxpayers, then they have got another thing coming. They may go in and intimidate and strong-arm our community and independent pharmacists. They may threaten them to keep quiet. They may tell them not to go to their elected officials or have a voice to say that we think that there is a better way, or just to be able to compete on a fairness level without anything else except just let us compete. The PBMs may try to strong-arm them and to silence them into submission, but they are not going to be able to silence me. They can't audit me, and they can't do that to the American pharmacist who is simply trying to be a part of this system.

There is nobody that can understand that better than my friend from south Georgia. He is a pharmacist by training. He has left the pharmacies behind so that he can come up here and help us continue this fight for patient care and patient health all across this country. He is a champion in every sense of the word of this industry because, as the old saying is, he is one. He comes tonight to talk further and provide insight into this Congress.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. CARTER). It is good to have him back in the fight tonight.

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for hosting this tonight and for his advocacy on the part of the community pharmacy, but, more importantly, on the part of the patients, because that is what this is about. This is about patients, about patient care, about escalating prescription costs. That is what we are talking about here, about unfair trade practices.

This is America. Like my colleague mentioned earlier, I am not opposed to anybody making money. That is great. More power to them. But where there is a problem with transparency, there is a problem with PBMs. There is a problem with escalating drug prices.

I want to mention that I have been a practicing pharmacist, as Representative COLLINS mentioned, for over 30 years. I have worked with my neighbors and my friends to really provide a helpful voice for their needs. Beneficiaries are facing increased costs in prescription drugs without much of a basis notification as to why these costs are skyrocketing.

My friend, Representative COLLINS; my friend, Representative SCOTT; others—even on the other side of the aisle—Representative PETER WELCH, Representative ELIJAH CUMMINGS, and Representative DAVE LOEBSACK, this is a nonpartisan issue. Everybody has to have prescription medications. Whether you are a Democrat, whether you are a Republican, whether you are an Independent, it doesn't matter. Every-

one is the victim of escalating prescription drug costs. The problem is we have got to understand where that is coming from.

I thank Representative COLLINS for his legislation, the Prescription Drug Price Transparency Act, to bring about greater transparency in the role that pharmacy benefit managers, the PBMs, have in the drug pricing structure.

Many people don't understand the structure or where the additional fees are originating from, which is often a direct result of the lack of transparency between the manufacturer and the dispenser. Let me repeat that. Many people don't understand the structure. I will be quite honest with you. I have been working with this for over 30 years, and I still don't understand it. In fact, I have got numerous examples of where CEOs have said they don't understand it. It is intentionally—intentionally—complicated so that no one understands it.

I had the opportunity last year as a member of the Oversight and Government Reform Committee. We had the CEO of Mylan pharmaceuticals. Mylan, of course, is the manufacturer of EpiPen. It went up in price. The EpiPen costs \$600 for a dual pack.

I said: Okay. When it leaves you, the manufacturer, you are the beginning. You are the manufacturer. How much have you got in costs?

She responded: I have got \$100, maybe \$150 in costs.

I said: Okay. You are the beginning. I am the end. I am the dispensing pharmacist. When it gets to me, it is \$600—\$150 at the beginning, \$600 at the end. What happened in between? What happened in between?

Now, a lot of times it is lost on some of my colleagues here and on the average American because all they are concerned about what the copay is, if the copay is \$15 or if the copay is zero. Okay.

But keep in mind that somebody somewhere is still paying that \$600. In a lot of cases, it is the Federal Government through Medicare part D or State Medicaid plans. Somebody somewhere is paying it.

But when you have the CEO of a manufacturer, when I asked her a direct question, "What happens in between that \$150 and that \$600?" and she says, "I don't know," and I am the pharmacist and I say, "I don't know either," somebody somewhere has to know. I can tell you it is the middle man.

The most effective, the most immediate impact that we can have on prescription drug pricing is to pass this bill that Representative COLLINS has and to have transparency in drug pricing. Sunshine is the greatest disinfectant of all. If we have sunshine, we will have lower drug prices if we have transparency.

I want to give a couple of other examples. My colleague, Representative

COLLINS, mentioned about three PBMs controlling 80 percent of the market. That is not competition when you have got three companies that control 80 percent of a market.

Did you know that Express Scripts, the number one PBM in the country, had gross revenues almost equal to McDonald's, Ford Motor Company, and Pfizer pharmaceuticals added together? Added together, this one PBM.

Now, again, I am not opposed to anyone making money. More power to them. But how are they making it? Nobody knows.

Why don't we have transparency?

Everybody wants lower drug prices, and we have all got to do a better job. Pharmaceutical manufacturers have got to do a better job. Pharmacists have got to do a better job. GPOs have got to do a better job. But until we have transparency, we are never going to be able to get it under control.

I want to give a couple other examples. The manufacturer of the hepatitis C drug has had so much criticism about the price, and it is too expensive. Gilead pharmaceuticals makes SOVALDI. SOVALDI accused Express Scripts of not warning them to go down on the price of SOVALDI. Gilead said: You never wanted us to go down on that price because you are getting a percentage rebate. The higher the cost of that medication, the higher rebate you are getting.

My colleague mentioned about the lawsuit that Anthem has against Express Scripts. Anthem is not going to renew their contract with Express Scripts because they are suing them for billions—that is billions with a "B"—of dollars, saying: You owe us billions of dollars.

These are real-life examples of what I am talking about. That is why we need to pass the Prescription Drug Price Transparency Act that Representative COLLINS is pushing so hard, and has been, and we thank him for that.

I want to also talk about some other bills here continuing in the theme of transparency. We have an opportunity to address the issue of retroactive DIR fees and the impact they have on drug pricing. My colleague, Representative SCOTT, mentioned DIR fees and clawbacks. DIR fees are having a negative impact on the ability to provide accurate and comprehensive services to the beneficiary.

Those fees are a large unknown for pharmacists and don't provide clarity on drug costs to the patient or whether they will be able to accurately meet the needs of their patients. Ultimately, the patient ends up being penalized, and that is an issue that must be addressed. Ultimately, what this boils down to is the patient—the patient, Mr. Speaker, the patient. Let's stay focused on what we are supposed to be focused on, and that is the patient.

We talk about drug costs and we talk about healthcare. We want accessibility, we want affordability, and we want patient-centered healthcare.

□ 2045

That is what we want in prescription drugs, accessibility and affordability. Yes, they need to come down in prices. And again, the most effective, the immediate impact that we can have is to have transparency, transparency in the middleman in what they are doing.

That is the reason why Congressman MORGAN GRIFFITH's legislation is helpful in bringing about stability. Pharmacies would no longer be penalized for providing the same quality service they always have simply because PBMs have shifted cost under a lack of transparency. With this legislation, we can keep costs down for beneficiaries.

Now, I want to talk about another piece of legislation that another good friend, Representative BRETT GUTHRIE from Kentucky has introduced, H.R. 592, the Pharmacy and Medically Underserved Areas Enhancement Act, to address the role of pharmacists in rural communities. With this bill, many of the individuals who seek consultation, especially seniors, can contribute to receive quality input and expertise.

There are many underserved and rural areas of the country where patients don't have access to a primary care provider but have access to a pharmacist. Pharmacists are the most accessible healthcare professionals that we have. That is why provider status is so important. That is what we call this, the Pharmacy and Medically Underserved Areas Enhancement Act.

Under this legislation, pharmacists can continue to service those rural and underserved areas and fill a role that is vital to the healthcare of these residents in these areas.

I also want to compliment and commend Representative GRIFFITH again on his efforts to keep patients' access to compounded medications intact. In June, he introduced a Preserving Patient Access to Compounded Medications Act of 2017. This bill will provide further guidance for the FDA, medical providers, patients, and compounding pharmacies about what constitutes pharmacy compounding and what is regarded as drug manufacturing. This legislation will provide a crucial balance between public safety and patients' access to the medications they need.

Lastly, the leadership of the Energy and Commerce Committee has been critical in advancing legislation both in the 114th and 115th Congress that will lead to research and development of new drugs and treatments. I commend my colleagues on their hard work and thank my good friends for the opportunity to speak tonight on this issue that is very important to me.

Mr. Speaker, the President has identified escalating prescription drug cost

as being one of his biggest priorities. He has said himself: If you are on the other side of research and development, you need to beware because we are coming after you. PBMs, you are on the other side of research and development, and we are coming after you.

This is too important. It is too important to the patients who are trying to get these medications, who need these medications. All we are asking for here is transparency. All we are asking for is to shine the light on what is going on.

I know they make it difficult to understand. It is a shell game. It is nothing more than a shell game. Again, I want to commend my colleague, my friend, Representative COLLINS, for his untiring advocacy on the part of community pharmacists and on the part of citizens who need and depend on their community pharmacists.

Mr. COLLINS of Georgia. Mr. Speaker, I want to thank my friend. He has brought out so many things. And you know, Representative CARTER, one of the things that is off the top, when we talk about Mack Transparency, when we talk about this list we talk about, one of things they come back at us, and they say: Well, it is going to increase cost. You know, if you do this, it increases cost.

And it is sort of interesting because in Texas, this actually happened in 2013, they did their top 200 drugs, and they were somewhere in the neighborhood of a little over \$200. And then in just a matter of 3 years, those average prices of those 200 drugs dropped to below \$100.

We are both from Georgia when we were talking about it. That is going down. It is not going up. It is because they are actually having to show what they are doing. That is why this—don't you agree that that is why we are having to do what we are doing here?

Mr. CARTER of Georgia. There is no question about it. Let me, if I may.

Mr. COLLINS of Georgia. Continue.

Mr. CARTER of Georgia. Mr. Speaker, if I might just give two examples. First of all, there is an example of Caterpillar. Caterpillar has done away with PBMs. They have done away with the third parties. They are doing it themselves. And you know what it has resulted in? Stable drug prices for the past few years.

As opposed to the increases that most companies have seen, Caterpillar, when they cut out the middleman, they have had stable drug prices. They said: We can do this better. And they have done it better.

Keep in mind—the second thing that I want to point out is, keep in mind, why were PBMs created? First of all, they were created to process claims, insurance claims. But what is their purpose? They will tell you our purpose is to keep drug prices down. Our purpose is to keep drug prices down.

Mr. Speaker, how is that working out for you? They are not keeping drug prices down. They are keeping drug prices up. They are one of the reasons why drug prices are going up, one of the primary reasons.

I can remember when I started practicing pharmacy in 1980. And I am proud to say that I am that old. I started practicing pharmacy in 1980. We used to buy directly from the drug companies. I would buy directly from Upjohn, from Merck Sharp & Dohme, from Squibb, from whoever. There was no middleman there. Now I can't even do that. I have to go through the PBM. I have to go through all these different layers and layers in order to get the medication.

PBMs, if their purpose is to control drug prices, then what is going on? Because drug prices are escalating. What a tangled web we weave.

Mr. COLLINS of Georgia. Mr. Speaker, it is that, and I think the interesting thing is the middleman who produces nothing on their own. That is the thing. They don't produce anything in this. They are simply—you know, I think I will just sort of describe it like I see it in northeast Georgia. It is like a tick on the back of a dog. They just simply suck profit off and do not do what you exactly just said. They don't do what they just said.

I mean, Caterpillar. You brought up Caterpillar. I will bring you some numbers with Caterpillar. Caterpillar started moving away from PBMs. They suspected that they could save as much as, in a quarter, \$150 million in drug prices being spent inefficiently.

They went back and did their own formularies. They worked this out so that they are on this straight, and just—the company saved 5- to \$10 million per year in just cholesterol-lowering statins alone, one of the most widely prescribed medications, just in that right there.

When you see how PBMs claim to save money, you look at the Caterpillar model. There are other models out there that are finally looking at this and saying: We can do this in a better way.

And I appreciate your input tonight. I think that has been—you are just highlighting this that there are ways to do this. This is not the only way. And to go into State legislators, and to go into county offices, and to go into county governments, and the Federal Government, and to pull the wool saying "we are saving money," while all along we are seeing this tangled web of DIR fees and clawback and no transparency.

You know, it isn't amazing to me that they are spending so much money on advertising right now. It is not amazing to me that they are trying to spend so much money claiming what we are saying is not true. But they never address the point. They never



say this is not true. They simply say we are saving all this.

I encourage the Energy and Commerce Committee to take these bills up, hold hearings on these things. They are not going to deny it, and they are going to find out that unfortunately what is supposed to be a help has been really falling backwards, and actually, you know—and really, even from the Federal Government, those community and independent pharmacists are not wanting.

Mr. CARTER of Georgia. Mr. Speaker, if I could just mention one thing, and I would be remiss if I did not mention this, because the gentleman has just brought up an outstanding point, and that is: What value are they bringing to the system? What value are PBMs, are middlemen, bringing to the system? That is what I would ask.

Now, look, pharmaceutical manufacturers need to do a better job. They need to bring their prices down. But I will cut them some slack. At least they are using their profits to go back into research and development. At least they are doing that. PBMs don't put one red cent into research and development, not one red cent.

I repeat what I said earlier. I am not against anybody making money, but, Mr. Speaker, this is causing escalating drug prices. The lack of transparency is causing the problems that we are experiencing right now.

The most immediate, the most effective impact that we can have on prescription drug prices is transparency. Sunshine is the greatest disinfectant out there, and we need sunshine.

Thank you for what you are doing for the patients. Thank you for what you are doing for the people who are struggling to pay for their prescriptions. That is what this is about.

Mr. COLLINS of Georgia. Mr. Speaker, it has always been about that. I have come to this well and come to this floor on many occasions to talk about it. And when you look at the impacts they are having on DIR fees and these clawback fees that are coming back after the fact and not at the time of when there is no really need or cause for it, according to the Community Oncology Alliance, pharmacists lose \$58,000 per practice, on average, to DIR fees each year. You know, this makes it completely—I mean, think about that.

Mr. Speaker, if you had a business in which you had \$58,000 just sucked away for no apparent reason, I mean, this is—we wonder why this is happening, and we wonder why people can't get their drugs. We wonder why people wonder why can't I get this drug? Why do I have to wait to get approval here? It is this area right here—DIR fees.

And I do applaud my friend, Mr. GRIFFITH from Virginia, who has introduced this bill, and I am a proud co-sponsor with him on this.

You know, it is amazing today to see when patients—when this happens in Medicare part D, the beneficiaries are going through this process, and really what happens, it increases the problem called the doughnut hole, and they are hitting that doughnut hole sooner, forcing them to pay out of pocket for their drugs. And when patients pass through the doughnut hole into catastrophic coverage, CMS takes on most of the cost of burden-sharing.

Now, here is where it gets important, Mr. Speaker. When CMS picks it up, the cost increased from 10 billion in 2010 to 33 billion in 2015. You cannot tell me DIR fees are not part of that problem right there. You cannot tell me that what they are doing is now taking—they are simply reaching into your pocket, Mr. Speaker. Maybe you can feel it right now. You can feel that hand going into your wallet. You can feel that tax money being taken out and being taken away, sucked away by PBM through these fees and DIR fees, and they are getting into it through Medicare part D. And 10 billion to 33 billion increase is simply from 2010 to 2015.

Pharmacists are at distinct disadvantage when DIR is taken and collected from pharmacies after point of sale. There is a lack of transparency in the detail provided to pharmacists, and the retroactive nature of these fees creates operational and cash flow challenges for pharmacists.

Think about having something that you think you have one price on, and they come back and say: No, you messed it up.

We talked about so many different things. We talked about how PBMs can come in and audit basically their competitors. We talked about how they can send out letters to a pharmacy's clients and say: This pharmacy is no longer taking this prescription plan. And then when the pharmacist points it out, they say: Yeah, you are right; you still have the plan.

And the pharmacists have the audacity to ask: Would you please send a letter to these people who you just sent a letter to and tell them you were mistaken? And the PBM said: No, we can't do that; you will have to do that on your own.

Is this America, Mr. Speaker? Where do we operate like that? And we wonder why our healthcare system and these community pharmacists are bearing the brunt of it.

At the end of the day, it is about people. It is about moms and dads. It is about kids. It is about those folks who simply want a healthcare system that works. And one of the most visible parts of the healthcare system is the community pharmacist, the one who dispenses the drug and asks them: How are you doing? How are the kids? Are you taking your medicine?

And they will ask those questions that maybe some of us just don't want

to ask our doctor. You know, you might just ask that pharmacist that question and say: Really, what does this do to me?

That is what we need. And as long as they are being frontally assaulted, retroactively assaulted with DIR fees, and generally pummelled out of business, the PBM will continue to just drown our community and independent pharmacists.

And as long as that happens, there will be myself and others in the well speaking the truth and pushing our committees to do something about this, because at the end of the day, businesses ought to operate properly. But when you are affecting the taxpayer dollars, when you are going after taxpayers, and you are doing so in a way that takes pharmacists out of the loop, you have threatened them, you have done everything else you can to them, well, the day is over, this Congress will continue to fight. And there are many Members who are learning what is going on, and it is now time I challenge this body and the committees of relevant jurisdiction to take this issue up because we are not going to stop.

And we will be back soon, Mr. Speaker, with some more details on this issue and how much it can be effective. And with that, I yield back the balance of my time.

Mr. DUNCAN of Tennessee. Mr. Speaker, thank you for this opportunity to speak, and thank you, Congressman COLLINS, for your leadership and persistence on this critical issue.

Community pharmacies are so important to our Districts. There is nothing like walking into your local pharmacy, and the pharmacist knows you by name. He knows your medical history. He knows what you need. He knows you.

As one community pharmacist described, "People call me all hours of the day and night. They know where I live, and they come to my house if they need me."

These local pharmacies are in danger of disappearing across the Nation. Why? Because PBMs are running them out of business.

Pharmacy Benefits Managers, or PBMs, claim to act as middlemen and help pharmacies and manufacturers find the best deals for their patients. It's a great idea.

Despite these PBMs' promises, I have heard from more and more pharmacy owners in my District who say that many PBMs are in reality ripping them off with various unethical tricks of their trade.

PBMs are often dictating the prices charged by manufacturers and pharmacists or insurance plans. PBMs are a key problem behind drug price inflation.

One critical aspect of their strategy is gag orders that they impose on pharmacists and manufacturers in contracts, thereby silencing dissenters under threat of being excluded from networks or formularies . . . in other words, under threat of being blocked from buying and selling in the drug market altogether.



Often, PBMs use what they call clawbacks. The outright cost of a drug might only be \$40, but the patient might have to pay double or more than that price through their insurance.

Too many times, pharmacists have to decide between two choices: either violate their consciences by watching often low-income patients pay exorbitant prices—or tell the patients to buy the drug outright, saving them money.

But the second choice comes with a threat . . . because if a pharmacist informs her patients about how to save money, she is violating her contractual gag order imposed by PBMs.

A pharmacy consultant recently interviewed by the LA Times accurately described PBMs like this—“The PBMs are sitting at the center of a big black box. They’re the only ones who have knowledge of all the moving pieces.”

But awareness of PBMs’ deceitful practices is increasing. More and more pharmacists and manufacturers are speaking up and exposing PBMs.

One endocrinologist and professor of medicine at the University of Washington recently said, “It’s becoming very, very common to see patients intentionally withholding their insulin.” Doing so can be deadly, but patients are often facing \$300 per vial and need two vials a week.

There are three PBMs that control the market: ExpressScripts, OptumRx, and CVS Caremark. These three PBMs rake in over \$200 billion a year and are responsible for 290 million Americans through their contracts with both private insurers and government programs like Medicare.

CMS, the Centers for Medicare and Medicaid Services, is “wising up” to PBMs. In June, CMS proposed a new guideline for Medicare Part D PBMs. If finalized, this guidance will address PBMs’ common practice of imposing retroactive fees.

One of the pharmacists in my District told me these retroactive fees, known as DIR fees, can cost him tens of thousands of dollars months after the claims have been processed with no clarification, no explanation, no reasoning from the PBM.

No business or even individual can plan a budget, if months later they may be forced to pay thousands of dollars more for something they thought they had already paid for.

According to one expert and pharmacy owner in my District, he has seen three causes for recent increases in prescription drugs:

(1) FDA involvement, including requiring “modern clinical trials” of old drugs that have worked for decades;

(2) drug manufacturers’ needlessly hiking the price of generic drugs;

(3) PBMs charging ridiculous prices for drugs and pocketing the profits.

According to my constituent, PBMs are the main culprit of the three.

A number of lawsuits are being filed against PBMs, including one class action lawsuit. More and more people are realizing what one lawyer said recently: “We describe this as basically a massive fraud.”

We need to address artificially high drug prices right away. A good place to start is PBMs and their “massive fraud.”

As one small town pharmacist said, “. . . The pharmacy benefit managers . . . set rates I cannot control. I can complain, but it does no good whatsoever. And in a town of 3,000, I cannot make it up on volume.”

PBMs must be more transparent in their operations, so they can be held to their promises and to the laws.

PBMs must not be able to get away any longer with conducting business with their unethical, at best, methods.

In short, PBMs must be held accountable for their roles in the Nation’s drug price crisis.

□ 2100

#### KEEPING AMERICA’S SKIES SAFE

The SPEAKER pro tempore (Mr. BACON). Under the Speaker’s announced policy of January 3, 2017, the Chair recognizes the gentleman from Louisiana (Mr. ABRAHAM) for 30 minutes.

Mr. ABRAHAM. Mr. Speaker, I am here to talk for a few minutes about the FAA reauthorization act, better known as the AIRR Act.

Now, this particular bill has two components: modernization and privatization. President Trump, being a great businessman, the very astute businessman that he is, has told us that we need to modernize our airspace, our air traffic control facilities, everything that allows us to continue to have the safest and busiest airspace, literally, in the world, and I agree wholeheartedly with our great President that we do need to modernize. The issue that I have is with the privatization part.

As mentioned, our airspace is the busiest it has ever been. On a daily basis, somewhere between 87,000 and 88,000 flights take place in the airspace of the United States of America.

We have been asked to compare our air traffic control system with that of our great neighbor to the north, Canada, but the issue with that, Mr. Speaker, is that Canada only has a small, small fraction of the air traffic that we have here in the great United States.

The U.S. airspace is unique because it is a public resource that is accessible to all users, and it is protected by the fact that the air traffic organization, under the FAA, is directly accountable to Congress, but more importantly, to the American people.

Handing over that control of air traffic services to a private corporation, as this AIRR Act wants to do, will put the interests that right now are under the tutelage of air traffic control to a board of directors that may not have the interests of the American taxpayer and the consumer as its foremost priority.

Under the plan that is in the AIRR Act, this corporation will not be answerable to Congress. The only thing they will have to do is to provide reports on its operations every now and

then. Under this plan, Congress has ceded its oversight over a major component of interstate commerce and, might I add—very important—national defense.

There is also very little oversight from our executive branch, the President. Decisions by the corporation to change safety standards or to reduce air traffic services will be subject to minimal scrutiny from the Department of Transportation. Also, as stated, the President will have limited authority to take command of the airspace unless there is a declaration of war.

On the cost and the funding uncertainties, I have an issue with this AIRR Act. The CBO predicts that this plan will cost the Federal Government—which, by the way, is us, taxpayers—\$21 billion over the 10-year budget window, but this doesn’t take into account any other factors that will probably exceed that cost by many, many billions, and that is with a B. The administration’s fiscal 2018 budget paints a fuller picture of the costs, and it estimates a \$46 billion cost over the same 10-year period.

Mr. Speaker, we have got enough budget problems without adding more gasoline to the fire.

The problem is that this revenue is critical for filling the Airport and Airway Trust Fund, which pays for popular programs like the Airport Improvement Program that communities all across the country rely on for their airport improvements, to pay for infrastructure upgrades, runway overlays, lighting, taxiways, those types of things that are essential for an airport to work.

The FAA bill before us authorizes more funding for the Airport Improvement Fund program, which is great, but it is still uncertain where these funds will come from. What makes up for the shortfall? I don’t see it in this bill.

Mr. Speaker, I represent a great swath of the great State of Louisiana, good, good people, a lot of them in a rural community that are far away from any major metropolitan areas. My concern with this AIRR Act is that a private corporation concerned with raising money from user fees will be heavily incentivized to go to where the users are: the East Coast and the West Coast.

My question and my very much concern is: What happens to all of us in between that East Coast and West Coast? I worry that we will be left out of the mix and be left out of the equation because we will not be as able to contribute to user fees because of the population.

Decisions to change air traffic services can too easily be justified by this corporation, this private corporation that is talked about in this AIRR Act, and will face minimal scrutiny from the Department of Transportation.

A reduction in air traffic control services means a reduction in enplanements and a reduction in revenue at small, regional airports, just as I alluded to, and this makes it even harder to access the funding from the Airport Improvement Program.

All of these factors taken together will exacerbate the problem with access to air travel for 95-plus percent of the people in America, and this is hard for rural areas. They have a hard enough time making ends meet. They don't need the extra costs and the extra burden of traveling to a large city, maybe spending the night at a hotel to catch an early flight, the cost of transportation just so they can catch a flight to some other part of the United States.

The taxpayer seems to be on the hook here, too, under this AIRR Act. Under the plan, the Federal Government would simply hand over all the air traffic control assets to the private corporation free of charge, and this will negate decades and hundreds of billions—again, that is with a B—of dollars in taxpayer investments that the corporation will be able to dispose of and sell as it sees fit.

The plan will also create a potential multibillion-dollar unfunded liability for the Department of Defense to upgrade its systems to be interoperable with the new ATC corporation. What if the private corporation has one set of systems, our Department of Defense doesn't have that, but they have got to be talking to each other? This is a national security issue.

And again, who pays for that? Well, again, the taxpayers would certainly be on the hook to bring the Department of Defense up to speed. Again, this is something that we need to look very, very closely at in this bill.

The board of the corporation is not restricted in how much debt it can take on, and this sets up a very dangerous potential for a taxpayer bailout that, although this bill says it won't happen, I again question because these are the same types of promises that we got with Fannie Mae and Freddie Mac, and we know what happened then and how much the taxpayer had to dole out to bail them out.

I have alluded to the safety and national security issue, and I want to hit that a little bit harder.

Under the plan, the oversight from the air traffic safety organization—it is called ATSSOS, Air Traffic Safety Oversight Service—sunsets after 2 years. My question with this AIRR Act is: What happens after the 2-year window? Who watches the gate?

And I do worry about that.

What happens if there are major safety breaches? And certainly we don't want any accidents, but what happens if there is a major accident after 2 years?

When it comes to the operation of our skies—safety, safety, safety. It

trumps everything because we have lives at risk every day.

I go back to my opening remarks. We have the safest system, airspace in the world, and I am concerned that this safety could be jeopardized if our airspace is controlled by a private entity that is primarily motivated by raising revenue.

Control of our airspace is a critical function of national security. As Federal agencies, the FAA and the Department of Defense currently share airspace, training systems, assets, equipment, and information. Divorcing ATC, air traffic control, functions from the Federal Government and inserting an unaccountable third-party private contractor into the coordination of our airspace will make us more vulnerable to attack.

The private ATC corporation that the AIRR Act is touting will have access to highly sensitive information regarding strategic operations in our airspace without the same standards of protection that are required of Federal agencies, so I worry about leaks, those types of issues.

There is also a labor issue that, really, nobody is looking at, I am afraid, in this AIRR Act. I know many air traffic controllers personally. I fly in the United States airspace personally a lot. These are good, dedicated people, and I admire the work that they do every day to safely operate our skies; however, the major labor unions successfully negotiated to get every carve-out they wanted under this plan.

Mr. Speaker, I am a small government guy. I am the guy that stands up on the curb and says we need less government. There are limited areas where I personally believe government, our Federal Government, should be involved, but those are national defense, national security, major infrastructure projects like interstates, maintenance of large river systems, and aerospace and airspace. Everything else, let's let the States and the local governments handle it. I think they can do a better job.

But in this case, in our national airspace where we have both civilian and military operating, again, tens of thousands of times a day, then we need to take a step back and look at our safety record. It has been impeccable for the last several years, and these air traffic controllers are doing a phenomenal job.

My concern, again, is that this private corporation that is in this AIRR Act that we will be asked to vote on will be required to hire all Federal air traffic organization employees, but they will continue to contribute to their Federal benefits and healthcare and continue to collectively bargain with their union representatives.

So, for me, trying to argue that this model of "privatization"—and I will use that in quotation marks—will increase efficiency and keep operational

costs down, these labor provisions that we are giving them in this bill are not a very good ringing endorsement. So if we are going to talk privatization, let's not have a hybrid here. We need to keep it the way it is.

The airspace in America, no one can compare the size, the traffic, the complexity. It is just a phenomenal work of art that happens every day and, again, in a very safe manner. Try to compare us in America with any other system, whether it be the United Kingdom, whether it be Canada. It is like comparing apples to oranges. Again, our volume is so massive compared to any other country that you really can't compare them at all.

I want to give you an example. I wrote this down so I would get it right.

It says, in 2016, the FAA handled over 16 million flights in the U.S.—16 million, think about that—while NAV CANADA, which is the private corporation that handles Canada's airspace, only handled 5 million, 5.5 million, in the same year.

□ 2115

It is impossible to say whether a system similar to Canada's could be adopted in the United States. Mr. Speaker, I have flown in Canadian airspace. I have lost radar contact; I have lost communications; and that is, again, not any shun on Canada. They are a vast, large country with large swaths that are uncovered with radar, I am sure. But again, when I am up there talking to them, the times I have been up there, there may be only one other aircraft in the system or in that area with me.

Back in the United States, I have been in many situations in large areas like Dallas, Houston, or Chicago where it is so busy that you have to wait to get a word in edgewise. But when you do, you get very succinct instruction. You get vectored properly the right way, and you get separation of the small guys like myself from the large guys like the big airline carriers. Again, this routine happens thousands and thousands of times a day, and it happens without incident or accident.

So again, we have got a system that is working. Again, I am all for modernization. We need new equipment. We need better equipment for our airports and for our air traffic controllers. Again, if it makes the system work more efficiently, I am all for that. But again, why take the air traffic controllers that have done such a great job for so many years out of the loop.

Modernization should be a goal of any system, and it doesn't just mean our airspace. Anything we can do in government to make it better and more efficient, I am all for it. Again, I am your less government guy. But in this instance, privatization of air traffic controllers is not the answer, especially when it means handing over the

control of our airspace, the taxpayers' airspace, to a private board unaccountable to the Federal Government.

And I don't know, Mr. Speaker, but history tells me that they may come running back to Congress for a bailout when times get tough. I hope that doesn't happen if this bill should pass. Again, I am opposed to the bill. But we know it has happened so many times in the past when we have allowed situations like this to develop.

Can the Federal Government do a better job in implementing NextGen technology? NextGen technology is the next generation. Again, we live in a phenomenal world of technology. I am living proof of a pilot that used to fly with what we called steam gauges, where we had to look at things much differently. Now I fly in a cockpit that is completely digital. I am in awe of what I am flying in my little airplane as compared to what I was flying in just a few years ago. But we want that technology to be handled in the proper way. The FAA management issue can be fixed by this Congress.

Again, I go back. We have invested billions of dollars in this next generation technology. I simply don't want to take that pile of money and that technology and hand it to this private corporation and say: "Here, guys, it is yours now."

This is not what we are paid to do up here in Congress. We are paid to watch the taxpayers' money. Hopefully, part of our job is to watch where this money goes and to make sure it is spent wisely.

The uncertainty and the lost time of transferring this air traffic control to a private board will only cause delays. Again, I go back to what we have done in the past with other entities where we have tried to move from a Federal or a government agency to a private agency or vice versa. The transition time is usually lengthy. It is usually inefficient, and mistakes are made.

Here, Mr. Speaker, we are not talking just about civilian travel. We are talking about our Department of Defense, so it becomes a safety issue and a national security issue.

Modernization and privatization are not synonymous. They are actually two diverse courses that really have no business in the same bill. We should continue to take steps to provide adequate funding for the FAA and remove barriers for modernization while maintaining U.S. airspace as the safest and most accessible in the world.

Again, Mr. Speaker, I want to commend everyone who has worked on this bill. There have been, I am sure, countless hours. There are some good things in this bill that we need to do. I have addressed the modernization issue. But again, it is the privatization of our air traffic control that gives me pause and that gives me great concern on some of the issues that I have mentioned here in this short period of time.

So I want to take a step back from this AIRR Act. I want to work with my colleagues, see what we can do to get it right and keep our skies safe. Once again I will say: I am the guy that wants less government. This is one of the few areas where government has done a good job, will continue to do a good job, and of those 87,000 flights a day, keep them safe.

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

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MARINO (at the request of Mr. MCCARTHY) for today on account of travel delays.

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today and the balance of the week on account of attending to husband's health situation.

#### ADJOURNMENT

Mr. ABRAHAM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, July 18, 2017, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1997. A letter from the Acting Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting a review of the Advanced Arresting Gear (AAG) program, pursuant to 10 U.S.C. 2433a(b); Public Law 111-23, Sec. 206(a)(1) (as amended by Public Law 111-383, Sec. 1075(b)(35)); (124 Stat. 4371); to the Committee on Armed Services.

1998. A letter from the Deputy Assistant Secretary, Bureau Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 16-123, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1999. A letter from the Deputy Assistant Secretary, Bureau Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 16-129, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2000. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "Metropolitan Police Monitor Nearly 2,500 Demonstrations in 2014-2016 and Report No First Amendment Inquires"; to the Committee on Oversight and Government Reform.

2001. A letter from the Acting Administrator, U.S. Agency for International Development, transmitting the Agency's Semi-annual Report for the period ending March 31, 2017, pursuant to Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

2002. A letter from the Acting Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting the Department's final rule — Pennsylvania Regulatory Program [SATS No.: PA-164-FOR; Docket No.: OSM-2016-0013; S1D1S SS08011000 SX064A000 178S180110; S2D2S SS08011000 SX064A000 17XS501520] received July 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

2003. A letter from the Chief, Branch of Recovery and State Grants, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Removing the Greater Yellowstone Ecosystem Population of Grizzly Bears From the Federal List of Endangered and Threatened Wildlife [Docket No.: FWS-R6-ES-2016-0042; FXES11130900000C6-178-FF09E42000] (RIN: 1018-BA41) received July 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

2004. A letter from the Director, National Legislative Division, American Legion, transmitting statements describing the financial condition of The American Legion as of December 31, 2016 and 2015 along with supplemental data; to the Committee on the Judiciary.

2005. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of Defense, transmitting additional legislative proposals that the Department of Defense requests be enacted during the first session of the 115th Congress; jointly to the Committees on Armed Services and Foreign Affairs.

2006. A letter from the Regulations Coordinator, Office of Strategic Operations and Regulatory Affairs, Department of Health and Human Services, transmitting the Department's final rule — Medicare and Medicaid Programs; Reform of Requirements for Long-Term Care Facilities [CMS-3260-F2] (RIN: 0938-AR61) received July 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Ways and Means and Energy and Commerce.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALDEN: Committee on Energy and Commerce. H.R. 2910. A bill to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes (Rept. 115-223). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALDEN: Committee on Energy and Commerce. H.R. 3050. A bill to amend the Energy Policy and Conservation Act to provide Federal financial assistance to States to implement, review, and revise State energy security plans, and for other purposes; with an amendment (Rept. 115-224). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALDEN: Committee on Energy and Commerce. H.R. 2883. A bill to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for

the import and export of oil and natural gas and the transmission of electricity; with an amendment (Rept. 115-225, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 1351. A bill to amend title 49, United States Code, to direct the Administrator of the Transportation Security Administration (TSA) to make certain improvements in managing TSA's employee misconduct, and for other purposes; with an amendment (Rept. 115-226). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. House Joint Resolution 76. A resolution granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metro-rail Safety Commission; with an amendment (Rept. 115-227). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. House Joint Resolution 92. A resolution granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to amend the Washington Area Transit Regulation Compact (Rept. 115-228). Referred to the House Calendar.

Mr. BURGESS: Committee on Rules. House Resolution 451. A resolution providing for consideration of the bill (H.R. 806) to facilitate efficient State implementation of ground-level ozone standards, and for other purposes (Rept. 115-229). Referred to the House Calendar.

Mr. SIMPSON: Committee on Appropriations. H.R. 3266. A bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2018, and for other purposes (Rept. 115-230). Referred to the Committee of the Whole House on the state of the Union.

Mr. CULBERSON: Committee on Appropriations. H.R. 3267. A bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2018, and for other purposes (Rept. 115-231). Referred to the Committee of the Whole House on the state of the Union.

Mr. ADERHOLT: Committee on Appropriations. H.R. 3268. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2018, and for other purposes (Rept. 115-232). Referred to the Committee of the Whole House on the state of the Union.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on Transportation and Infrastructure and Natural Resources discharged from further consideration. H.R. 2883 referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. KUSTER of New Hampshire (for herself and Mr. BERGMAN):

H.R. 3262. A bill to require the Secretary of Veterans Affairs to carry out a pilot pro-

gram to provide educational assistance to certain former members of the Armed Forces for education and training as physician assistants of the Department of Veterans Affairs, to establish pay grades and require competitive pay for physician assistants of the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BURGESS (for himself, Mrs. DINGELL, Mr. ROSKAM, and Mr. THOMPSON of California):

H.R. 3263. A bill to amend title XVIII of the Social Security Act to extend the Medicare independence at home medical practice demonstration program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK (for herself, Mr. KIND, Mr. VALADAO, and Mr. COSTA):

H.R. 3264. A bill to amend the Internal Revenue Code of 1986 to extend and modify certain tax incentives for biodiesel, renewable diesel, and alternative fuels; to the Committee on Ways and Means.

By Mr. RUTHERFORD (for himself and Ms. KUSTER of New Hampshire):

H.R. 3265. A bill to amend the Immigration and Nationality Act to permit certain E-2 nonimmigrant investors to adjust status to lawful permanent resident status; to the Committee on the Judiciary.

By Mr. BROWN of Maryland (for himself, Mr. CUMMINGS, Mr. DEFAZIO, Mr. EVANS, Mr. GENE GREEN of Texas, Ms. HANABUSA, Mr. JEFFRIES, Ms. LEE, Mr. LYNCH, Mr. MCGOVERN, Mrs. NAPOLITANO, Ms. NORTON, Mr. PETERSON, Mr. RASKIN, Mr. SERRANO, Ms. SHEA-PORTER, Mr. VEASEY, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, Mr. POCAN, and Mr. GARAMENDI):

H.R. 3269. A bill to repeal the revised annuity employee and further revised annuity employee categories within the Federal Employees Retirement System, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COOK (for himself and Mr. O'HALLERAN):

H.R. 3270. A bill to establish a procedure for resolving claims to certain rights-of-way, and for other purposes; to the Committee on Natural Resources.

By Ms. DEGETTE (for herself, Mrs. BROOKS of Indiana, and Mr. REED):

H.R. 3271. A bill to amend title XVIII of the Social Security Act in order to strengthen rules in case of competition for diabetic testing strips, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FRANKEL of Florida (for herself, Mr. TAKANO, Mr. BILIRAKIS, and Mr. RUTHERFORD):

H.R. 3272. A bill to direct the Secretary of Veterans Affairs to carry out a grant program to provide Veteran Student Centers at institutions of higher education to assist veterans in the pursuit of higher education, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GRIJALVA (for himself, Mr. SCHIFF, Mr. HECK, Ms. CLARK of Massachusetts, Mr. SEAN PATRICK MALONEY of New York, Mr. LANGEVIN, Mr. CUMMINGS, Mr. MEEKS, Mr. MOULTON, Ms. BROWNLEY of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. SINEMA, Ms. DEGETTE, Ms. JACKSON LEE, Mr. CICILLINE, Ms. TSONGAS, Mr. AGUILAR, Ms. MCCOLLUM, Mr. POCAN, Mr. SWALWELL of California, Ms. SPEIER, Ms. NORTON, Mr. PALLONE, Ms. MOORE, Mr. GUTIERREZ, Mrs. WATSON COLEMAN, Mr. BLUMENAUER, Mr. PETERS, Mr. WELCH, Mr. TAKANO, Mr. YARMUTH, Mr. MCGOVERN, Mrs. CAROLYN B. MALONEY of New York, Mr. LEVIN, Ms. BONAMICI, Mr. CROWLEY, Ms. LEE, Mr. GALLEGO, Mr. KEATING, Mr. HUFFMAN, Mr. DEUTCH, Mr. QUIGLEY, Mr. GARAMENDI, Mr. CARTWRIGHT, Mr. CONYERS, Mr. KILDEE, Ms. DELBENE, Mr. TED LIEU of California, Ms. WASSERMAN SCHULTZ, Mr. COHEN, Ms. FRANKEL of Florida, Ms. DELAURO, Miss RICE of New York, Ms. SLAUGHTER, Mr. CÁRDENAS, Ms. SCHAKOWSKY, Mr. EVANS, Ms. TITUS, Mr. CARBAJAL, Mr. ENGEL, Ms. PINGREE, Ms. VELÁZQUEZ, Ms. MENG, Mrs. NAPOLITANO, Mr. NADLER, Ms. ROYBAL-ALLARD, Mr. LARSEN of Washington, Ms. CLARKE of New York, Mr. BEYER, Ms. JUDY CHU of California, Ms. JAYAPAL, Ms. SÁNCHEZ, Mr. SMITH of Washington, Mr. JOHNSON of Georgia, Mr. HIGGINS of New York, Ms. HANABUSA, Mr. CRIST, Mr. RUIZ, Ms. ADAMS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. DEFAZIO, and Ms. ESTY of Connecticut):

H.R. 3273. A bill to improve Federal population surveys by requiring the collection of voluntary, self-disclosed information on sexual orientation and gender identity in certain surveys, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MCCARTHY (for himself and Mr. KENNEDY):

H.R. 3274. A bill to require the Secretary of the Treasury to mint coins in commemoration of President John F. Kennedy; to the Committee on Financial Services.

By Mr. MCNERNEY:

H.R. 3275. A bill to provide drought relief through innovation, increased water supply, and regional adaptation and self-sufficiency, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, Transportation and Infrastructure, Agriculture, Science, Space, and Technology, Ways and Means, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESAULNIER (for himself and Ms. LEE):

H. Res. 452. A resolution expressing the sense of the House of Representatives regarding the necessity to publically exonerate the African-American sailors of the United States Navy who were tried and convicted of mutiny in connection with their service at the Port Chicago Naval Magazine in Concord, California, during World War II in order to further aid in healing the racial divide that continues to exist in the United States; to the Committee on Armed Services.

# CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. KUSTER of New Hampshire:

H.R. 3262.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8 of the Constitution, Congress has the power "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof."

By Mr. BURGESS:

H.R. 3263.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States

By Mrs. BLACK:

H.R. 3264.

Congress has the power to enact this legislation pursuant to the following:

a) Article I, section 1, to exercise all legislative powers vested in Congress as granted in the Constitution;

b) Article I, section 8, clause 1, which states that, "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States";

c) Article I, section 8, clause 18, which gives Congress the authority "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof"; and

d) Amendment XVI, providing that "The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration."

By Mr. RUTHERFORD:

H.R. 3265.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. SIMPSON:

H.R. 3266.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ." Together, these specific constitutional provisions establish the congressional power

of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. CULBERSON:

H.R. 3267.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states, "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. ADERHOLT:

H.R. 3268.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. BROWN of Maryland:

H.R. 3269.

Congress has the power to enact this legislation pursuant to the following:

Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

By Mr. COOK:

H.R. 3270.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. DEGETTE:

H.R. 3271.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. FRANKEL of Florida:

H.R. 3272.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 (Clauses 1, 12, 13, and 14) of the United States Constitution, which grants Congress the power to lay and collect taxes for the purpose of spending; to raise and support armies; to provide and maintain a navy; and to make rules for the government and regulation of the land and naval forces.

By Mr. GRIJALVA:

H.R. 3273.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. MCCARTHY:

H.R. 3274.

Congress has the power to enact this legislation pursuant to the following:

Clause 5 of Section 8 of Article I of the Constitution: "The Congress shall have the power . . . to coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures."

By Mr. MCNERNEY:

H.R. 3275.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 36: Mr. MCHENRY.  
H.R. 48: Mr. CICILLINE.  
H.R. 76: Mr. SANFORD.  
H.R. 308: Mr. SANFORD.  
H.R. 350: Mr. NEWHOUSE and Mr. CALVERT.  
H.R. 367: Mr. GUTHRIE.  
H.R. 490: Mr. MCHENRY and Mr. YODER.  
H.R. 525: Mr. ELLISON.  
H.R. 545: Mr. SMUCKER.  
H.R. 632: Mr. CARTER of Georgia.  
H.R. 669: Mrs. WATSON COLEMAN.  
H.R. 676: Mr. BISHOP of Georgia.  
H.R. 681: Mr. SANFORD and Mr. BERGMAN.  
H.R. 712: Mr. CORREA.  
H.R. 721: Mr. AUSTIN SCOTT of Georgia, Mr. LEWIS of Minnesota, and Mr. JOYCE of Ohio.  
H.R. 747: Mr. FITZPATRICK.  
H.R. 750: Mr. NADLER.  
H.R. 828: Mr. TURNER.  
H.R. 830: Mr. SCHNEIDER.  
H.R. 849: Ms. CLARKE of New York, Mr. HUNTER, Mrs. McMORRIS RODGERS, Mr. BISHOP of Utah, Ms. ROS-LEHTINEN, Mr. BLUM, and Mr. KNIGHT.  
H.R. 873: Mr. GIANFORTE and Mrs. NOEM.  
H.R. 911: Mr. NEWHOUSE.  
H.R. 997: Mr. FRANCIS ROONEY of Florida.  
H.R. 1046: Mr. THOMPSON of Pennsylvania.  
H.R. 1057: Mr. PETERS, Mr. CALVERT, and Ms. ROYBAL-ALLARD.  
H.R. 1090: Mr. MACARTHUR.  
H.R. 1141: Mr. DEUTCH.  
H.R. 1148: Mr. GOTTHEIMER and Mr. FORTENBERRY.  
H.R. 1152: Mr. SANFORD.  
H.R. 1164: Mr. DENHAM and Mr. YODER.  
H.R. 1203: Mr. BANKS of Indiana.  
H.R. 1212: Mr. BACON and Miss GONZÁLEZ-COLÓN of Puerto Rico.  
H.R. 1261: Mr. ROUZER and Mr. PEARCE.  
H.R. 1288: Ms. ROSEN.  
H.R. 1317: Mr. TURNER and Mr. STIVERS.  
H.R. 1322: Mr. CARSON of Indiana.  
H.R. 1334: Mr. CRAMER.  
H.R. 1337: Mr. YOUNG of Iowa.  
H.R. 1341: Mr. SANFORD.  
H.R. 1416: Mr. MEEHAN.  
H.R. 1421: Mr. MICHAEL F. DOYLE of Pennsylvania and Mr. BERA.  
H.R. 1478: Ms. CASTOR of Florida.  
H.R. 1516: Mr. GOTTHEIMER.  
H.R. 1539: Mr. PASCRELL.  
H.R. 1566: Ms. WASSERMAN SCHULTZ.  
H.R. 1606: Ms. MENG and Mr. SIRES.  
H.R. 1618: Ms. LOFGREN.  
H.R. 1661: Mr. TAYLOR.  
H.R. 1673: Mr. SUOZZI.  
H.R. 1676: Ms. KUSTER of New Hampshire and Mr. NEWHOUSE.  
H.R. 1772: Mrs. DAVIS of California and Mr. TAKANO.  
H.R. 1796: Ms. ROSEN.

H.R. 1847: Mr. FORTENBERRY.  
 H.R. 1874: Mr. FITZPATRICK.  
 H.R. 1928: Mr. VEASEY, Mr. PERLMUTTER, and Mr. YOUNG of Alaska.  
 H.R. 1937: Mr. ROKITA.  
 H.R. 1953: Ms. ROSEN.  
 H.R. 2049: Mr. BUTTERFIELD and Mr. MICHAEL F. DOYLE of Pennsylvania.  
 H.R. 2069: Mr. FASO.  
 H.R. 2101: Mr. PERRY.  
 H.R. 2150: Ms. LOFGREN, Mrs. BEATTY, and Mr. STIVERS.  
 H.R. 2152: Mr. LABRADOR.  
 H.R. 2259: Mr. RASKIN.  
 H.R. 2298: Mr. OLSON.  
 H.R. 2315: Mr. DENHAM, Mrs. McMORRIS RODGERS, Mr. HASTINGS, Mr. NORMAN, Ms. TSONGAS, Mr. PALLONE, Mr. JONES, and Mr. LOEBSACK.  
 H.R. 2340: Mr. WELCH, Mr. BEN RAY LUJÁN of New Mexico, and Mr. SIMPSON.  
 H.R. 2368: Mr. SANFORD.  
 H.R. 2383: Mr. LUETKEMEYER.  
 H.R. 2478: Mr. CARTER of Georgia.  
 H.R. 2482: Mr. KING of New York.  
 H.R. 2505: Ms. MENG.  
 H.R. 2601: Mr. HIGGINS of Louisiana.  
 H.R. 2651: Mr. CALVERT, Mr. JENKINS of West Virginia, Mr. STIVERS, Mr. CARBAJAL, and Mr. HUNTER.  
 H.R. 2666: Mr. KIND.  
 H.R. 2687: Mr. PETERSON, Ms. ESHOO, and Ms. HANABUSA.  
 H.R. 2690: Mrs. TORRES.  
 H.R. 2712: Mr. CHABOT and Ms. WASSERMAN SCHULTZ.

H.R. 2723: Mr. BROOKS of Alabama.  
 H.R. 2725: Ms. MOORE and Mr. LAWSON of Florida.  
 H.R. 2740: Ms. CLARK of Massachusetts, Ms. SCHAKOWSKY, Mr. CARTER of Georgia, Mr. TURNER, Mr. BISHOP of Michigan, Mr. FASO, and Mr. FARENTHOLD.  
 H.R. 2775: Mr. LOUDERMILK.  
 H.R. 2796: Mr. JONES.  
 H.R. 2800: Mr. LAWSON of Florida.  
 H.R. 2821: Mr. SMITH of Missouri.  
 H.R. 2823: Mr. THOMPSON of Pennsylvania, Ms. FOXX, and Mr. GUTHRIE.  
 H.R. 2853: Mr. GALLAGHER.  
 H.R. 2856: Mrs. HARTZLER.  
 H.R. 2859: Mr. SWALWELL of California.  
 H.R. 2908: Ms. LOFGREN.  
 H.R. 2938: Mr. CARSON of Indiana.  
 H.R. 2961: Mr. SWALWELL of California.  
 H.R. 2976: Mr. MACARTHUR, Mr. TONKO, Mr. TAKANO, Mr. MCGOVERN, and Mr. KILMER.  
 H.R. 3029: Mr. POCAN, Ms. MAXINE WATERS of California, Mr. MCGOVERN, Mr. LARSEN of Washington, Mr. TED LIEU of California, and Mr. RASKIN.  
 H.R. 3040: Ms. SLAUGHTER.  
 H.R. 3053: Mr. LEWIS of Minnesota, Mr. WILSON of South Carolina, Mr. CLAY, Mr. RUSH, and Mr. SCHRADER.  
 H.R. 3057: Mr. COOPER.  
 H.R. 3182: Ms. VELÁZQUEZ, Mr. SOTO, and Mr. DESAULNIER.  
 H.R. 3218: Mr. YOUNG of Iowa and Ms. VELÁZQUEZ.  
 H.R. 3220: Mr. HIGGINS of New York and Ms. JENKINS of Kansas.

H.R. 3239: Mr. AL GREEN of Texas, Mrs. BUSTOS, Mr. RICHMOND, Ms. SCHAKOWSKY, and Ms. LOFGREN.  
 H.R. 3259: Ms. SHEA-PORTER.  
 H.J. Res. 51: Ms. HANABUSA, Mrs. WATSON COLEMAN, Mr. LAHOOD, Mr. HUNTER, Mrs. McMORRIS RODGERS, Mr. BISHOP of Utah, Ms. ROS-LEHTINEN, Mr. FASO, and Mr. BLUM.  
 H. Con. Res. 60: Mr. SHUSTER and Mr. SWALWELL of California.  
 H. Res. 15: Mr. MOONEY of West Virginia and Mr. ZELDIN.  
 H. Res. 319: Mr. GOWDY.  
 H. Res. 349: Ms. LOFGREN.  
 H. Res. 399: Mr. ALLEN.  
 H. Res. 445: Mr. GARRETT, Mr. TED LIEU of California, Mr. CICILLINE, and Ms. NORTON.

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#### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative CASTOR (FL) or a designee to H.R. 806, the Ozone Standards Implementation Act of 2017, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

## EXTENSIONS OF REMARKS

HONORING COMMUNITY BRIDGES  
OF SANTA CRUZ COUNTY

## HON. JIMMY PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 17, 2017*

Mr. PANETTA. Mr. Speaker, I rise to recognize the 40th anniversary of Community Bridges of Santa Cruz County, which has acted as a catalyst for a brighter future by opening doors, offering hope, and providing a hand up to the people of Santa Cruz County, California, since 1977.

Community Bridges' family of ten vital programs meets the needs of more than 22,000 children, families and seniors each year. Its programs empower seniors to live with independence and dignity, increase access to medical care and good nutrition, and provide education and family support.

Throughout the years, Community Bridges has helped launch more than ten nonprofit programs, saved five from closing their doors, and provided leadership to countless community initiatives. Every day, they work collaboratively to build on the safety net in our community and discover solutions to emerging issues across a broad spectrum of stakeholders. Community Bridges effectively engages a broad base of support to carry on their important mission that touches every part of our community for the benefit of all who live and work here.

Mr. Speaker, it is my pleasure to recognize Community Bridges for 40 years of strengthening our diverse community by providing innovative human services.

HONORING THE SERVICE OF  
JUSTICE KATHRYN WERDEGAR

## HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 17, 2017*

Mr. HUFFMAN. Mr. Speaker, I rise today in recognition of California Supreme Court Justice Kathryn Werdegard on her retirement after 23 years of exceptional stewardship on the court and 55 years of public service.

A resident of Marin County, Justice Werdegard received her Bachelor's degree with honors from the University of California, Berkeley, whereupon she began her subsequent legal studies and became the first woman to be elected editor-in-chief of the California Law Review. She completed her law degree at the George Washington University School of Law, where she graduated as the valedictorian of her class.

Upon graduating from law school, Justice Werdegard went to work as an attorney for the Civil Rights Division of the U.S. Department of

Justice in 1962. She showed clear determination and initiative, working directly with Attorney General Robert Kennedy and writing the amicus brief that pressed for the release from jail of Martin Luther King, Jr.

After moving back to California in 1963, Justice Werdegard took on a number of academic and legal challenges before going to work as a research attorney for the State Court of Appeal in 1981. Showing a voracious work ethic and attention to detail, she went on to become a senior staff attorney for the California Supreme Court only four years later.

Justice Werdegard's career as a judge began in 1991, when Governor Wilson appointed her to the State Court of Appeal, only ten years after becoming a staff member for that body. Shortly thereafter, in 1994, Justice Werdegard was appointed by the Governor to the California Supreme Court where she has been ever since.

During her tenure on the California Supreme Court, Justice Werdegard strove to understand the real world impacts of each case brought before her. In doing so, she went beyond politics and ideology to prioritize the rights of people in both her majority and dissenting opinions. Some notable examples of this include her majority opinion that greatly softened California's three strikes law, her 2008 ruling that bans on same-sex marriages are unconstitutional, and her single dissenting opinion that gun manufacturers have a responsibility for the weapons they sell to the public. Because of her clear dedication to the law and rigorous approach to each case, Justice Werdegard is well regarded by her colleagues on and off of the bench.

Mr. Speaker, please join me in expressing deep appreciation for Justice Werdegard's extraordinary service to the legal profession and the public at large by extending to her best wishes on her retirement.

TRIBUTE TO MARTHA RIVERA  
CHAVIS

## HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 17, 2017*

Mr. PAYNE. Mr. Speaker, I ask my colleagues here in the House of Representatives to join me as I rise to pay tribute to Martha Rivera Chavis, and the many contributions she made as a dedicated resident of Montclair, New Jersey, and to countries abroad.

Born and raised in the Dominican Republic, Mrs. Chavis was an astounding woman who loved caring and providing service to people. She completed her studies at San Pedro Apostol Catholic School in the Dominican Republic and received her degree in French Civilization from Sorbonne University in Paris, France in 1987. Following her graduation she

served as a French to Portuguese translator for the Republic of Angola's Ambassador to the United Nations. It was during this time she met the love of her life, Rev. Dr. Benjamin Franklin Chavis. The couple married in September, 1988.

Mrs. Chavis was a beloved mother and fierce advocate for freedom, justice, and equality in the United States, Africa, and the Dominican Republic. She was an astounding First Lady of the National Newspaper Publishers Association, and First Lady of the National Association for the Advancement of Colored People. Her service, however, far expanded from her First Lady roles. After her husband, Rev. Dr. Chavis, visited Angola, the couple cared for nine Angolans including six children with missing limbs as a result of the civil war in Angola, in their home in Montclair, New Jersey. Due to the Chavises' unwavering care, when the nine Angolans returned to Africa, they were able to go back with prosthetics.

Mr. Speaker, I know my fellow members of the U.S. House of Representatives agree that Mrs. Chavis deserves to be recognized for a job well done, and for many years of service to her local and international communities.

ONGOING EFFORTS TO SUPPRESS  
THE VOTE

## HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 17, 2017*

Ms. SEWELL of Alabama. Mr. Speaker, today I rise to bring awareness to the Trump Administration's nefarious voter suppression campaign. On June 28, a letter from the Presidential Advisory Commission on Election Integrity asked states to hand over personal information of voters ranging from Social Security numbers to party affiliation.

As I have stated before, these so called "election integrity" efforts are a sham, and a "solution" that is in search of a problem. The Administration's ridiculously inaccurate claim that the President lost the popular vote due to millions of undocumented immigrants illegally voting is just another false and misleading statement. There are no facts that back up the Trump Administration's claims. Unfortunately, these false claims are now being used as a justification to illegally collect voter information and suppress Americans' sacred right to vote.

Fortunately, these voter suppression efforts by the Trump Administration have received bipartisan opposition. When asked if he would release his constituents' private information, the Secretary of State from Mississippi, Mr. Delbert Hosemann, said that "they can go jump in the Gulf of Mexico, and Mississippi is a great state to launch from". The Secretary of State from my home state of Alabama, Mr.

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

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



John Merrill, has also refused to turn over private information. The opposition to this commission is so strong that 44 states have refused to turn over this private information.

If the Trump Administration were truly concerned about the integrity of our elections, he would join Congress in condemning Russia for interfering in our election and work with our intelligence community to prevent future election-related cyber threats.

This year, I introduced an amendment to the 2017 Intelligence Authorization Act that provides our lawmakers, election officials, campaigns, and the public with additional information and resources to defend our democracy against emerging cyber threats. Our intelligence community warns that if we do not act on this issue, our democracy will again fall victim to Russian cyber-threats. The cybersecurity of our elections shouldn't be a partisan issue, and I was proud to see the House Intelligence Committee take a step forward together by passing my amendment.

We have come too far to allow for voting barriers to be resurrected, or to allow our electoral process to be hijacked by a foreign entity. We have no choice but to move forward and unite to ensure that every citizen of the United States has the opportunity to vote. I call on all of my colleagues to condemn the malicious Election Integrity Commission created by this administration, and support my bill, H.R. 2978—The Voting Rights Advancement Act of 2017 to restore the protections of the Voting Rights Act of 1965.

WHAT WE ALL OWE TO  
LIU XIAOBO

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 17, 2017*

Mr. SMITH of New Jersey. Mr. Speaker, Liu Xiaobo's premature death was a jarring shock to everyone who admired this champion of freedom and democracy. We mourn his loss because it is a tragic loss for his wife, family and friends and a catastrophic loss for China and the entire world.

We owe Liu Xiaobo a debt of gratitude because he demonstrated that the noble ideas of democracy and due process, liberty and the rule of law are not foreign ideas in China.

These are universal principles that beat strongly in the hearts of people everywhere from New Jersey to the Ninevah plains of Iraq, from Poland to Peru, and from Burma to Beijing.

We owe Liu Xiaobo a debt of gratitude because he reminded us that the desire for democracy and human rights is shared by everyone because each person is endowed by the Creator with inalienable rights.

The Chinese Communist Party has tried to curtail his ideas, they call them dangerous and subversive, and they seek to silence, censor, and repress them. Yet, they live on in the hearts of untold millions of Chinese people.

With Liu Xiaobo's death, we are also reminded of the words of Dr. Martin Luther King who said "injustice anywhere is a threat to justice everywhere." We should all agree that

what was done to Liu Xiaobo and his wife Liu Xia was a grave injustice.

Liu Xiaobo's imprisonment in 2009 became a death sentence. The blame for this should lie squarely on the Chinese government and for his death they alone should be held accountable.

Liu Xiaobo was the first Nobel Peace Prize winner to die in state custody since Carl von Ossietzky died after being held in a Nazi concentration camp.

The Chinese government complained that it was "stabbed in the back" by those expecting it to deal quickly with its client state in North Korea. How shameful it is to play the victim card while a victim of their own repression lay dying.

No nation should be judged entirely by crimes of the past, but this crime—the death and silencing of Liu Xiaobo—should follow the Chinese Communist Party like an unwashable, permanent stain.

We must never forget Liu Xiaobo's enduring contributions—whether during the Tiananmen Massacre where he helped save the lives of many students or with Charter 08—the treatise urging political and legal reforms in China based on constitutional principles.

We must not forget Liu Xiaobo; we must advance and preserve his legacy, and repeatedly confront the Chinese Communist Party with his ideas and memory.

In this time of need we must signal the Congress's unanimous support for Liu Xiaobo's family, his wife Liu Xia, and all those bravely standing up for human rights and liberty in China.

I was invited by Liu Xiaobo's family to attend the 2010 Nobel Peace Prize ceremony. It was a moving ceremony; the now famous empty chair spoke volumes about the Chinese Communist Party's abiding fear that human rights and democracy will undermine its power.

I will always remember the words of Liu Xiaobo's speech that day about the importance of pressing for human rights: "Freedom of expression is the foundation of human rights, the source of humanity, and the mother of truth. To strangle freedom of speech is to trample on human rights, stifle humanity, and suppress truth."

And he also expressed his hopes for China's future: "... I firmly believe that China's political progress will not stop, and I, filled with optimism, look forward to the advent of a future free China. For there is no force that can put an end to the human quest for freedom, and China will in the end become a nation ruled by law, where human rights reign supreme."

Liu Xiaobo will, sadly, never see a free China. Chinese authorities have gone to great lengths to stifle his ideas and those who followed him. In recent years, the government of President Xi Jinping has engaged in an extraordinary assault on the rule of law, human rights, ethnic minority groups, and civil society.

As China's economic and military might grows, more and more countries will be afraid to raise subjects that the Chinese Communist Party wants to make taboo.

The U.S. stands alone—inadequate as its efforts are at times—in its willingness to keep on raising human rights issues that need to be

raised. The U.S. cannot lightly shrug off the mantle of being democracy's defender, no matter how heavy that mantle may become.

It is tempting to be pessimistic about China's future and the future of U.S.-China relations. But I am not pessimistic. Constant repression has not dimmed the desires of the Chinese people for freedom and reform. I attribute this fact, in part, to Liu Xiaobo's ideas and example.

Nevertheless, the U.S. cannot be morally neutral or silent in the face of the Chinese government's repression of fundamental freedoms. Human rights are not a secondary interest, but one critically linked to U.S. economic and security interests.

The U.S. must not shy away from meeting with China's other Nobel Laureate, the Dalai Lama, or other dissidents. We must use Congressionally authorized sanctions to hold Chinese officials accountable for torture and gross abuses. We must connect Internet and press freedoms as both economic and human rights priorities. And we must demand, repeatedly and clearly, that the unconditional release of political prisoners is in the interest of better U.S.-China relations.

I believe that someday China will be free. Someday, the people of China will be able to enjoy all of their God-given rights. And a nation of free Chinese men and women will honor and celebrate Liu Xiaobo as a hero. He will be honored along with all others like him who have sacrificed so much, and so long, for freedom.

RECOGNIZING THE SERVICE OF  
COMMANDER HAROLD CHAPMAN

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 17, 2017*

Mr. ZELDIN. Mr. Speaker, I rise today to pay special tribute to Harold Chapman, a resident of New York's First Congressional District and the 73rd AMVETS National Commander. Commander Chapman's unyielding work for both his country and fellow veterans exemplifies public service, and should be appropriately revered and respected. In light of his years of distinguished service to the United States and her people, I am proud to offer this statement in honor of Commander Harold Chapman.

Commander Chapman is an honorably discharged veteran of the United States Air Force, with his Vietnam War-era service including 18 months in the Pacific Theater, as well as postings at air bases in California and Texas. Following his honorable discharge, Commander Chapman began his service at the AMVETS Department of New York, taking command of AMVETS New York Post 18 in 1995. Remarkably, Commander Chapman went on to hold each chair in sequence at the AMVETS Department of New York before taking command of the entire department and its more than 70 posts in 2002.

Following his two terms as New York's representative to AMVETS' National Executive Committee, in 2008, Commander Chapman became the head of AMVETS District I. This

impressive next step saw Commander Chapman oversee all AMVET members and Posts in New York, New Jersey, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine. While in command of District I, Commander Chapman's admirable efforts to grow AMVETS membership throughout his district merited him an award from AMVETS National Headquarters, in addition to previously being recognized as the Department of New York's AMVET of the Year.

Today, Commander Chapman travels the nation to hear directly from AMVETS members on a variety of issues and deliver their important concerns directly to the White House, Secretary of the Department of Veterans Affairs, and Congressional leaders in both the Senate and House of Representatives. As an essential voice in Washington for veterans across the United States, Commander Chapman insists that aiding and protecting our veterans should always be one of our top priorities.

Mr. Speaker, Commander Harold Chapman's dedication to public service and commitment to helping our nation's veterans must be commemorated. Commander Chapman has always put his country before himself, and it is both an honor and privilege to serve as his Representative in Congress.

IN HONOR OF MAJOR GENERAL  
ROBERT D. CARLSON

HON. BARBARA COMSTOCK  
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 17, 2017*

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize Major General Robert D. Carlson, who departed from his role as Commander of the U.S. Army Corps of Engineers, Transatlantic Division, on July 14, 2017. Major General Carlson has dedicated his life to keeping this nation safe, and I am grateful for not only his outstanding service to our great nation, but also to the citizens of Virginia's 10th Congressional District in his capacity as commander of the Transatlantic Division, located in Winchester, Virginia.

At a young age, Major General Carlson chose to pursue a career of service in defense of the freedoms that we cherish. This led him to attend the United States Military Academy where he earned a Bachelor of Science in general engineering. Upon graduation, Major General Carlson was commissioned into the Engineer Regiment and later received a Master of Science in engineering management from the University of Missouri and a Master of Arts in strategic studies from the United States Army War College (USAWC) at Carlisle, Pennsylvania.

Throughout his distinguished career, Major General Carlson has served in numerous command and staff positions from company-to division-level units. Before assuming his current position, some of Major General Carlson's assignments include commanding the 372nd Engineer Brigade and the Contingency Response Unit, 416th Theater Engineer Command, and serving as the Chief of Staff, U.S. Agency for International Development. The co-

lossal amount of prestigious awards and decorations that he has attained are illustrative manifestations of his heroic service and devotion to this nation. These honors, among others, include the Legion of Merit, Bronze Star Medal, Meritorious Service Medal with three Oak Leaf Clusters, Army Commendation Medal with three Oak Leaf Clusters, Army Achievement Medal with three Oak Leaf Clusters, Department of State Meritorious Honor Award, Armed Forces Expeditionary Medal with Bronze Service Star, Afghanistan Campaign Medal with Bronze Service Star, Global War on Terror Service Medal, NATO-SFOR (Balkans) Medal, NATO-ISAF (Afghanistan) Medal, Parachutist Badge, Air Assault Badge, and the Engineer Regiment Bronze DeFleury Medal.

Under his esteemed leadership as commander of the Transatlantic Division, he oversaw both the USACE Contingency Construction Program and the Associated Foreign Military Sales Construction Programs, which provided vital facilities for U.S. Forces and our allies throughout the Middle East. Additionally, Major General Carlson has also been a proponent of increasing awareness of and expanding opportunities for today's youth in the Science, Engineering and Technical career fields and has been involved in STEM-related events, such as National Engineer Week and TAM-sponsored STEM events in the Winchester area.

Mr. Speaker, on behalf of the entire 10th District, I would like to express my gratitude to Major General Carlson for his dedicated career of service, and I ask my colleagues to join me in recognizing such a truly commendable figure. I wish him and his wife, Valerie, and their three children, Cody, Chad, and Camie, all the best as he moves on to his next assignment.

IN HONOR OF CONSUL GENERAL  
DR. ANDY DAVID

HON. TOM MCCLINTOCK  
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 17, 2017*

Mr. MCCLINTOCK. Mr. Speaker, I rise today to honor the efforts of Dr. Andy David, Israel's Consul General to the Pacific Northwest, who has worked tirelessly to deepen the ties between our two nations, as he completes his tour of duty at the Consulate General of Israel in San Francisco.

Dr. Andy David began his appointment as Consul General in August 2012. He has focused his work on relationship building with essential organizations such as the American Jewish Committee and promoting the special relationship between Israel and the U.S.

Throughout his career in public service, Dr. David has focused his work to advance U.S.-Israeli relations in the areas of economic development, business ties and trade opportunities.

Dr. David helped launch a cultural exchange with Israeli artists and the City of San Francisco, developing a strong exchange program with San Francisco-based artists and their Israeli counterparts.

Under Andy's guidance, the University of California system signed a new cooperation agreement with Israel designed to foster technological innovation, research, and development. This collaboration is aimed at helping American and Israeli companies increase competitiveness and improve the commercial success of both countries in global markets.

In 2014, after a series of anti-Israel rallies cropped up throughout San Francisco, Dr. David and fellow pro-Israel supporters organized a rally to show solidarity for continued U.S. support of Israel and increase morale for Israeli soldiers fighting against terrorist groups in Gaza.

Today, a strong U.S.-Israeli relationship is more important than ever. Without the selfless dedication of public servants like Dr. David, the peace and security of both nations would suffer.

The United States knows no greater friend than Israel, and Dr. David has done an extraordinary job of fostering an understanding among Americans of the importance of Israel to the security of the United States. I hope the accomplishments made by Dr. David will inspire a future generation of public servants to deepen the ties between our countries.

Mr. Speaker, the partnership between the United States and Israel will continue to reap Dr. Andy David's contributions for years to come, and I rise to express my profound gratitude for his tremendous service.

RECOGNIZING MASTER SERGEANT  
STANLEY W. TALBOT AND THE  
RENAMING OF CENTENNIAL  
BRIDGE

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 17, 2017*

Mrs. BUSTOS. Mr. Speaker, I rise today to commemorate the renaming of the Centennial Bridge in Rock Island to the Stanley Talbot Memorial Bridge in honor of Master Sergeant Stanley W. Talbot. After serving our community for decades—and after being taken from us far too soon—it is fitting that we honor Master Sgt. Talbot and his family for his dedication, selflessness and public service.

Every day we rely on men and women in uniform to protect our families, as they bravely risk their lives for our safety. We must never forget that these men and women are mothers, fathers, sons, daughters and friends. As the wife of a Sheriff, I sympathize with the family, friends and colleagues of Master Sgt. Talbot. He was a beloved member of the community and his 26 year service to the Illinois State Police deserves to be honored in a public and lasting way.

Memorials and dedications like these help us to remember his sacrifice and the brave sacrifices of those that come after him. Once again, I want to honor Master Sgt. Talbot, and support law enforcement within our community.

HONORING THE CONTRIBUTIONS  
OF MRS. ANITA JOHNSON TO  
THE HOUSE OF REPRESENTATIVES

**HON. MAXINE WATERS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 17, 2017*

Ms. MAXINE WATERS of California. Mr. Speaker, I rise today on behalf of the Financial Services Committee, its Chairman, Mr. HENSARLING, and the U.S. House of Representatives, as I pay tribute to one of the hardest working and dedicated employees this House has ever known.

Mr. Speaker, for over 30 years Anita L. Johnson has served this chamber with distinction, undeniable integrity, humility, kindness, grace, and skill. For the past several years, she has worked ably and diligently as the Chief Administrative Officer for the Democratic Staff of the Financial Services Committee.

Mrs. Johnson began her career on Capitol Hill in 1982 as the Office Manager and Personal Assistant to then-Congressman Harold Ford, Sr. In 1986 she became Office Manager and Personal Assistant to Congressman SANDY LEVIN.

Although her husband's transfer relocated Mrs. Johnson away from Capitol Hill and back to her home town of Memphis, Tennessee, for three years, she returned to the Hill in 1989. For the next decade, she served as Executive Assistant and Clerk for the Education and Labor Committee Democrats. In 1999, she became the Chief Administrative Officer and Clerk for Democrats on the Judiciary Committee—a position she held for twelve years.

In 2013, Mrs. Johnson joined the Financial Services Committee and has remained the Chief Administrative Officer and Clerk until her retirement today.

From my time on the Judiciary Committee and as Ranking Member of the Financial Services Committee I have personally come to know Anita Johnson. She is a tireless and relentless worker, an excellent multi-tasker, doing whatever it takes to accomplish tasks both large and small. When everyone else is stressed because of the pressure, she remains calm.

She is a true professional, whose expertise, integrity, dedication and commitment have served as an example to her peers and colleagues. Her willingness to go the extra mile, her insights and opinions have been extremely valuable to the successful undertakings of each office she has served—especially my own.

She has flawlessly maintained budgets totaling millions of dollars, ensured the smooth running of each office in which she worked; skillfully clerked dozens of markups, and provided valuable assistance to myself, other Members, and staff.

Prior to her time on the Hill, Mrs. Johnson was an educator teaching at Wooddale Senior High School (Memphis, TN); Hazelwood Senior High School (St. Louis, MO); Ivanna Eudora Kean High School (St. Thomas, USVI); and, Savannah Area Vocational Technical School (Savannah, GA). Additionally, Anita has been a member of the Washington

Performing Arts Society Men and Women of the Gospel for years; and, has performed at the Kennedy Center, Carnegie Hall; TNT's "Christmas in Washington"; and, the Kennedy Center Honors. With the Trinity Choir at Alfred Street Baptist Church, Alexandria, Virginia, Anita has also performed in Austria, Italy, Germany, Paris, Brussels, and Amsterdam.

On behalf of the Financial Services Committee, its staff, and this distinguished body, we would like to thank Anita for her commitment to the U.S. House of Representatives and her exemplary service to this nation. Her humility, integrity, generosity, loyalty, sense of humor and professionalism will be sorely missed. She has served as a cherished colleague, mentor and friend to many present and former Hill staff members. We wish her the best of luck and extend to her our deepest gratitude as she leaves Capitol Hill.

ILLINOIS SUPREME COURT  
JUSTICE RITA B. GARMAN

**HON. JOHN SHIMKUS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 17, 2017*

Mr. SHIMKUS. Mr. Speaker, I rise today to congratulate Illinois Supreme Court Justice Rita B. Garman for her exemplary work on the court for the past 16 years.

In acknowledgement of Justice Garman's service, the Vermilion County Board voted to rename the county courthouse "The Rita B. Garman Vermilion County Courthouse." A ceremony dedicating the renamed courthouse will be held on August 4th.

Justice Garman is a 1965 University of Illinois graduate and a 1968 graduate of the University of Iowa College of Law. She began her judicial career at the Vermilion County Courthouse as an associate judge.

She served dutifully and responsibly as a judge in the Fifth Judicial Circuit Court from 1986 to 1995. After that, her dedication and perseverance led her to become an Illinois State Appellate Court Justice. In February 2001 she was appointed to the Illinois Supreme Court, and she went on to serve as Chief Justice from 2013 to 2016. She continues to serve the people of Illinois as a member of the Supreme Court.

I have come to know Justice Garman over the last few years and applaud her for many years of dedication to upholding the law and pursuing justice. I want to personally congratulate her for this recognition by Vermilion County as they rename the courthouse The Rita B. Garman Vermilion County Courthouse.

IN RECOGNITION OF NANCY HUBBARD FOR HER LIFETIME OF  
SERVICE TO THE DEARBORN  
COMMUNITY

**HON. DEBBIE DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 17, 2017*

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Ms. Nancy Hubbard for her service

and dedication to the City of Dearborn. As one of the city's longest serving City Council members, Ms. Hubbard was a tireless public servant who left a legacy of achievement and will be missed.

Ms. Hubbard began her career as a secretary with Ford Motor Company and later worked for the Dearborn Department of Public Works and Dearborn Department of Building and Safety. She was elected to the Dearborn City Council in 1990 and compiled a distinguished record of success during her 24 years on the council. Ms. Hubbard has spent 16 years serving as the Council President Pro Tem, where she used the leadership position to advocate on behalf of the city's residents. She played a key role in the establishment of the Ford Community and Performing Arts Center and in expanding the greenway trail system in the city. She was also involved in economic development initiatives, including the establishment of the Dearborn Town Center and the redevelopment of the Warren Avenue and Dix-Vernor business corridors. As a result of her work, Dearborn has been transformed into a thriving community that effectively serves the needs of the city's residents.

Ms. Hubbard's commitment to public service and the City of Dearborn helped improve the quality of life for the community while driving economic development in the area. As a life-long resident of Dearborn, Ms. Hubbard's deep ties to the area allowed her to effectively engage with her constituents and address pressing issues facing the city at large. She was a tireless advocate during her career with the City Council who remained personally engaged with city's residents throughout her life, and her passion for public service will be missed. It is my hope that the city will continue to build on Ms. Hubbard's outstanding legacy.

Mr. Speaker, I ask my colleagues to join me in honoring Ms. Nancy Hubbard for her public service with the Dearborn City Council. Ms. Hubbard lived a life dedicated to public service and well-being of others.

IN HONOR OF SERGEANT MAJOR  
RONALD E. JOHNSON

**HON. BARBARA COMSTOCK**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 17, 2017*

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize Sergeant Major Ronald E. Johnson, who departed from his role as Command Sergeant of the U.S. Army Corps of Engineers, Transatlantic Division, on July 14, 2017 and will be retiring from the United States Army after over thirty years of honorable service. Sergeant Major Johnson has dedicated his career to keeping this nation safe, and I am grateful for not only his exemplary service to our nation, but also his service to the residents of Virginia's 10th Congressional District in his position as Command Sergeant of the Transatlantic Division, located in Winchester, Virginia.

Sergeant Major Johnson entered the Army in November of 1986 from Terre Haute, Indiana. Over the course of his illustrious career, he has served in a plethora of different capacities, including as a team leader, squad leader,

platoon sergeant, drill sergeant, Equal Opportunity adviser, noncommissioned officer-in-charge of Directorate of Public Works, first sergeant and command sergeant major. Additionally, Sergeant Major Johnson has completed a multitude of tours of duty abroad, including in Germany, Honduras, Thailand, Former Yugoslav Republic of Macedonia, Operations Desert Shield and Desert Storm, Operation Iraqi Freedom I and Operation Enduring Freedom IX and XI. His steadfast commitment to defending this nation and courageous service are evident by the immense amount of awards and decorations that have been bestowed upon him. These honors, among others, include two Legions of Merit, three Bronze Stars, three Meritorious Service Medals, a Joint Service Commendation Medal, six Army Commendation Medals, five Army Achievement Medals, nine Good Conduct Medals, two National Defense Service Medals, three Southwest Asia Service Medals, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, three Afghanistan Campaign Medals, United Nations Medal, NATO Medal, Kuwaiti Liberation Medal, four NCO Professional Development Ribbons, Overseas Service Ribbon, two Meritorious Unit Citations; Combat Action, Drill Sergeant, and Parachutist Badges; Bronze Order of the de Fleury Medal, and the German Physical Fitness Proficiency (Sportsman) Badge.

Mostly recently, under his guidance as Commander Sergeant of the Transatlantic Division for the past three years, Transatlantic Division organizations have completed more than \$1.7 billion in construction projects in the combat regions of Afghanistan. These efforts have included large scale military installations and utility projects, which have been vital to training Afghan security forces and providing the area with a reliable source of power. In addition to his work crucial to enhancing our national security, Sergeant Major Johnson has always been solicitous about the welfare and professional development of his soldiers and established a formal military professional development program and a very active mentoring program.

Mr. Speaker, on behalf of the entire 10th District, I would like to express my sincere appreciation to Sergeant Major Johnson for his dedicated career of service, and I ask my colleagues to join me in recognizing a highly venerated figure. I wish him all the best as he moves on to the next phase in his life.

RECOGNIZING DEPUTY SILVIO  
DEANGELO IV AND OFFICER  
MATTHEW CAVANAGH

**HON. ROBERT A. BRADY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 17, 2017*

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to recognize Deputy Silvio DeAngelo IV of the Delaware County Sheriff's Office and Officer Matthew Cavanagh of the Glenolden Borough Police Department. These men saved the life of my staffer and friend Joseph Campisi when he suffered a heart attack on April 19th, 2015.

Joe had just finished a game of basketball at the L.A. Fitness in Springfield, PA when he suddenly collapsed. Fortunately, Deputy DeAngelo and Officer Cavanagh happened to be finishing a workout at that very moment. Despite being off-duty and having never used a defibrillator on a live person before, they immediately sprang into action. Their training came through in the clutch and they were able to resuscitate him before the EMTs arrived. Thanks to their heroism and decisive action, Joe's heart was beating again in less than two and a half minutes.

After 8 days in a coma, open heart surgery, five weeks in the hospital, and another six months of recovery, Joe was once again able to rejoin my staff. Now, more than two years since his heart attack, I am happy to say that Joe has made a full recovery. Looking at him today, you would never know he came within an inch of death.

Without the bravery and quick-thinking of Officer Cavanagh and Deputy DeAngelo, my friend Joe would not be here today. Mr. Speaker, I ask that you and my other distinguished colleagues join me in thanking these two law enforcement officers. They represent the very best the First District of Pennsylvania has to offer.

IN MEMORY OF WILLIAM W.  
"HOOTIE" JOHNSON

**HON. JOE WILSON**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 17, 2017*

Mr. WILSON of South Carolina. Mr. Speaker, on July 14, 2017, South Carolina lost an esteemed businessman and dedicated public servant with the death of William W. "Hootie" Johnson. He made a positive difference with his philanthropic efforts and I am grateful for his longtime service as Chairman of the Executive Committee at Bank of America and Chairman of Augusta National Golf Club. On Monday, July 17, 2017, a funeral service will be conducted at Eastminster Presbyterian Church in Columbia, South Carolina.

The following thoughtful obituary was appropriately published in The State on July 15, 2017:

Mr. Johnson died Friday, July 14, 2017, at the age of 86. Hootie Johnson was a former chairman of the Executive Committee of Bank of America's Board of Directors. He had also served on the Boards of Directors of Alltel Corporation, Duke Energy Corporation, Liberty Corporation and Stephens, Inc. He was the husband of Pierrine Baker Johnson and was a son of the late Dewey H. and Mabel Woodward Johnson. He was born in Augusta, Georgia. Mr. Johnson held a B.S. degree in business administration from the University of South Carolina as well as an Honorary Doctor of Law degree. Honorary Doctor of Humanities degrees were also conferred upon him by the Medical University of South Carolina and Lander University. He served as chairman of both the South Carolina Ports Authority and the South Carolina Research Authority, as well as a member of The South Carolina State Development Board. Mr. Johnson also served as chairman of the Committee to Develop a Plan of De-

segregation of the National Urban League. He was a Laureate of the South Carolina Business Hall of Fame. The State newspaper named Mr. Johnson as one of South Carolina's 15 most influential business leaders of the 20th Century. Mr. Johnson, an independent, was active in politics serving as finance chairman for Governor Robert McNair, Governor Carroll Campbell, Governor David Beasley, Senator Strom Thurmond, Senator Bob Dole and President George H.W. Bush. Mr. Johnson was chairman of Augusta National Golf Club and chairman of the Masters Tournament from 1998-2006 and chairman emeritus from 2006-present. He held memberships in Biltmore Forest Country Club, Forest Lake Club, the Palmetto Club, the Flamenco Club and the Centurion Club. Memorials may be made to the USC Moore School of Business. Dunbar Funeral Home, Devine Street Chapel, is assisting the family. In addition to his wife, Pierrine, Mr. Johnson is survived by daughters and sons-in-law, Jennifer and Chuck Todd, and Marie and John Fairey, all of Columbia, Sally and Ronnie Wrenn of Charlotte, and Jane and Dan Breeden of Spartanburg; grandchildren, Charlie Todd, Pierrine Todd Thomas, John Fairey, Jr., Harriett Fairey Gilmer, William Fairey, Holt Wrenn, Sarah Wrenn, Mary Breeden, Sally Breeden and Anne Breeden Pitt; great-granddaughters, Louise Thomas, Mabel Marie Gilmer, Florence Elizabeth Wrenn and Elsie Fairey; great-grandsons, Robert Gilmer, John Gilmer, John Fairey III, Willard Fairey, Gage Fairey, William Thomas, Charles Todd IV and Dewey Wrenn. In addition to his parents, he was preceded in death by his sister, Dorothy Ellington, and his brother, D. Wellsman Johnson.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, July 18, 2017 may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

JULY 19

9 a.m.

Select Committee on Intelligence

To hold hearings to examine the nominations of Susan M. Gordon, of Virginia, to be Principal Deputy Director of National Intelligence, Robert P. Storch, of the District of Columbia, to be Inspector General of the National Security Agency, Department of Defense,

and Isabel Marie Keenan Patelunas, of Pennsylvania, to be Assistant Secretary for Intelligence and Analysis, Department of the Treasury.

SH-216

9:30 a.m.

Committee on Security and Cooperation in Europe

To hold hearings to examine illicit cigarette smuggling in the Organization for Security and Co-operation in Europe region.

SD-106

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine the nominations of Ajit Varadaraj Pai, of Kansas, Jessica Rosenworcel, of Connecticut, and Brendan Carr, of Virginia, each to be a Member of the Federal Communications Commission.

SD-G50

Committee on Energy and Natural Resources

Subcommittee on National Parks

To hold hearings to examine S. 257, to clarify the boundary of Acadia National Park, S. 312, to redesignate the Saint-Gaudens National Historic Site as the "Saint-Gaudens National Historical Park", S. 355, to amend the Federal Lands Recreation Enhancement Act to provide for a lifetime National Recreational Pass for any veteran with a service-connected disability, S. 391, to establish the African Burial Ground International Memorial Museum and Educational Center in New York, New York, S. 841, to designate the Veterans Memorial and Museum in Columbus, Ohio, as the National Veterans Memorial and Museum, S. 926, to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, S. 1073, to authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance, S. 1202, to modify the boundary of the Little Rock Central High School National Historic Site, S. 1403, to amend the Public Lands Corps Act of 1993 to establish the 21st Century Conservation Service Corps to place youth and veterans in national service positions to conserve, restore, and enhance the great outdoors of the United States, S. 1438, to redesignate the Jefferson National Expansion Memorial in the State of Missouri as the "Gateway Arch National Park", S. 1459, to establish Fort Sumter and Fort Moultrie National Park in the State of South Carolina, and S. 1522, to establish an Every Kid Outdoors program.

SD-366

Committee on Environment and Public Works

To hold hearings to examine S. 1514, to amend certain Acts to reauthorize those Acts and to increase protections for wildlife.

SD-406

Committee on Health, Education, Labor, and Pensions

Business meeting to consider the nominations of Marvin Kaplan, of Kansas, and William J. Emanuel, of California,

both to be a Member of the National Labor Relations Board.

SD-430

Committee on Homeland Security and Governmental Affairs

Business meeting to consider the nomination of David P. Pekoske, of Maryland, to be an Assistant Secretary of Homeland Security; to be immediately followed by a hearing to examine the Postal Service's actions during the 2016 campaign season, focusing on implications for the Hatch Act.

SD-342

Committee on the Judiciary

To hold an oversight hearing to examine the Department of Justice's enforcement of the Foreign Agents Registration Act.

SD-226

1:30 p.m.

Committee on Veterans' Affairs

To hold hearings to examine the nominations of Thomas G. Bowman, of Florida, to be Deputy Secretary, Brooks D. Tucker, of Maryland, to be an Assistant Secretary (Congressional and Legislative Affairs), and James Byrne, of Virginia, to be General Counsel, all of the Department of Veterans Affairs, and Michael P. Allen, of Florida, Amanda L. Meredith, of Virginia, and Joseph L. Toth, of Wisconsin, each to be a Judge of the United States Court of Appeals for Veterans Claims.

SR-418

2 p.m.

Committee on Foreign Relations

To hold hearings to examine the nominations of Luis E. Arreaga, of Virginia, to be Ambassador to the Republic of Guatemala, and Sharon Day, of Florida, to be Ambassador to the Republic of Costa Rica, both of the Department of State.

SD-419

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

4:15 p.m.

Committee on Foreign Relations

Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues

To hold hearings to examine the collapse of the rule of law in Venezuela, focusing on what the United States and the international community can do to restore democracy.

SD-419

## JULY 20

Time to be announced

Committee on Veterans' Affairs

Business meeting to consider the nominations of Thomas G. Bowman, of Florida, to be Deputy Secretary, Brooks D. Tucker, of Maryland, to be an Assistant Secretary (Congressional and Legislative Affairs), and James Byrne, of Virginia, to be General Counsel, all of the Department of Veterans Affairs, and Michael P. Allen, of Florida, Amanda L. Meredith, of Virginia, and Joseph L. Toth, of Wisconsin, each to be a Judge of the United States Court of Appeals for Veterans Claims.

TBA

9:30 a.m.

Committee on Foreign Relations

To hold hearings to examine the nominations of Kay Bailey Hutchison, of

Texas, to be United States Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador, Kelly Knight Craft, of Kentucky, to be Ambassador to Canada, and Robert Wood Johnson IV, of New York, to be Ambassador to the United Kingdom of Great Britain and Northern Ireland, all of the Department of State.

SD-419

Committee on the Judiciary

Business meeting to consider the nominations of Christopher A. Wray, of Georgia, to be Director of the Federal Bureau of Investigation, Jeffrey Bossert Clark, of Virginia, and Beth Ann Williams, of New Jersey, both to be an Assistant Attorney General, and John W. Huber, to be United States Attorney for the District of Utah, all of the Department of Justice, and Trevor N. McFadden, of Virginia, to be United States District Judge for the District of Columbia.

SD-226

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine housing finance reform, focusing on maintaining access for small lenders.

SD-538

Committee on Commerce, Science, and Transportation

Subcommittee on Communications, Technology, Innovation, and the Internet

To hold hearings to examine an update on FirstNet.

SR-253

Committee on Energy and Natural Resources

To hold hearings to examine the nominations of Brenda Burman, of Arizona, to be Commissioner of Reclamation, and Susan Combs, of Texas, and Douglas W. Domenech, of Virginia, both to be an Assistant Secretary, all of the Department of the Interior, and Paul Dabbar, of New York, to be Under Secretary for Science, David S. Jonas, of Virginia, to be General Counsel, and Mark Wesley Menezes, of Virginia, to be Under Secretary, all of the Department of Energy.

SD-366

Committee on Environment and Public Works

Subcommittee on Fisheries, Water, and Wildlife

To hold hearings to examine innovative financing and funding, focusing on addressing America's crumbling water infrastructure.

SD-406

10:30 a.m.

Committee on Appropriations

Business meeting to markup an original bill entitled, "Energy and Water Development Appropriations Act, 2018", an original bill entitled "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2018", and subcommittee funding guidance.

SD-106

2 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

JULY 25

2:30 p.m.

Committee on Armed Services  
Subcommittee on SeaPower

To hold hearings to receive testimony on options and considerations for achieving a 355-ship Navy from naval analysts.

SR-222

JULY 26

10 a.m.

Committee on Energy and Natural Resources

Subcommittee on Public Lands, Forests, and Mining

To hold hearings to examine S. 32, to provide for conservation, enhanced recreation opportunities, and development of renewable energy in the California Desert Conservation Area, S. 90, to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, S. 357, to direct the Secretary of the Interior to convey certain public lands in San Bernardino County, California, to the San Bernardino Valley Water Conservation District, and to accept in return certain exchanged non-public lands, S. 436, to authorize the Secretary of the Interior to retire coal preference right lease applications for which the Secretary has made an affirmative commercial quantities determination, to substitute certain land selections of

the Navajo Nation, to designate certain wilderness areas, S. 467, to provide for the disposal of certain Bureau of Land Management land in Mohave County, Arizona, S. 468, to establish a procedure for resolving claims to certain rights-of-way, S. 614, to require the Secretary of the Interior to establish a pilot program for commercial recreation concessions on certain land managed by the Bureau of Land Management, S. 785, to amend the Alaska Native Claims Settlement Act to provide for equitable allotment of land to Alaska Native veterans, S. 837, to provide for the conveyance of certain land to Washington County, Utah, to authorize the exchange of Federal land and non-Federal land in the State of Utah, S. 884, to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, S. 941, to withdraw certain National Forest System land in the Emigrant Crevice area located in the Custer Gallatin National Forest, Park County, Montana, from the mining and mineral leasing laws of the United States, S. 1149, to amend the Alaska Native Claims Settlement Act to repeal a provision limiting the export of

timber harvested from land conveyed to the Kake Tribal Corporation under that Act, S. 1230, to prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture, S. 1271, to designate certain mountain peaks in the State of Colorado as "Fowler Peak" and "Boskoff Peak", and S. 1548, to designate certain land administered by the Bureau of Land Management and the Forest Service in the State of Oregon as wilderness and national recreation areas and to make additional wild and scenic river designations in the State of Oregon.

SD-366

2:30 p.m.

Committee on Homeland Security and Governmental Affairs

Permanent Subcommittee on Investigations

To hold an oversight hearing to examine Federal infrastructure permitting and the Federal Permitting Improvement Steering Council.

SD-342

Committee on Indian Affairs

To hold an oversight hearing to examine the Government Accountability Office reports on human trafficking of American Indian and Alaska Natives in the United States.

SD-628

**SENATE—Tuesday, July 18, 2017**

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

**PRAYER**

The PRESIDENT pro tempore. Today's opening prayer will be offered by Dr. Hance Dilbeck, senior pastor of Quail Springs Baptist Church, Oklahoma City, OK.

We are very happy to welcome him here.

The guest Chaplain offered the following prayer:

Let us pray.

O Lord, You made Heaven and Earth and all that dwell therein. We praise You as our Creator. You rule above men and nations as the King of Glory, and we praise You as our King.

Father, we bow before You humbly because we believe that You judge men and nations, and we praise You as our judge, and we delight this morning that Jesus teaches us to call You our Father.

And, Father, we give You thanks for the freedom that we have in this Nation. We thank You for those who fight and serve to protect those freedoms. We thank You for the men and women who serve here in this Chamber. We ask that You give them wisdom, that You guide their decisions.

We pray, Father, that You give us grace as a nation and that You give the men and women in this Senate grace to seek justice and love mercy and to walk humbly with You.

In Christ's Name we pray. Amen.

**PLEDGE OF ALLEGIANCE**

The President pro tempore led the Pledge of Allegiance, as follows:

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

**RECOGNITION OF THE MAJORITY LEADER**

The PRESIDING OFFICER (Mr. SASSE). The majority leader is recognized.

**HEALTHCARE**

Mr. MCCONNELL. Mr. President, one of the Senate's very first acts this Congress was to pass the legislative tools necessary to repeal ObamaCare. We did so because the American people, who had suffered for years under the failures of ObamaCare, were calling out for relief.

Everyone knows about ObamaCare's skyrocketing costs and its plummeting choices. Too often, however, this discussion seems to veer into the abstract. These are not just numbers on a page. These are the lives of real people. These are the men and women we represent, Americans who are hurting, middle-class families who deserve better than ObamaCare's failures. We worked hard to provide them with a better way. We did so in the knowledge that this task would not be easy. We understood it would not come quickly. But we knew it was the right thing to do, so we pushed forward anyway. I believe we must continue to push forward now.

I regret that the effort to repeal and immediately replace the failures of ObamaCare will not be successful. That doesn't mean we should give up. We will now try a different way to bring the American people relief from ObamaCare. I think we owe them at least that much.

In the coming days, the Senate will take up and vote on a repeal of ObamaCare combined with a stable 2-year transition period as we work toward patient-centered healthcare. A majority of the Senate voted to pass the same repeal legislation back in 2015. President Obama vetoed it then; President Trump will sign it now.

I imagine many Democrats were celebrating last night. I hope they consider what they are celebrating. The American people are hurting, they need relief, and it is regretful that our Democratic colleagues decided early on that they did not want to engage with us seriously in the process to deliver that relief.

But this doesn't have to be the end of the story. Passing the repeal legislation will allow us to accomplish what we need to do on behalf of our people. Our Democratic friends have spoken a lot recently about wanting bipartisan solutions. Passing this legislation will provide the opportunity for Senators of all parties to engage with a fresh start and a new beginning for the American people.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

**RECOGNITION OF THE MINORITY LEADER**

The PRESIDING OFFICER. The Democratic leader is recognized.

**HEALTHCARE**

Mr. SCHUMER. Mr. President, last night we learned that the current Republican healthcare bill lacks enough support to even reach the floor of the Senate. After numerous delays, false starts, false predictions, and two pulled votes, it should be crystal clear to everyone on the other side of the aisle that the core of the bill is unworkable.

It is time to move on. It is time to start over. Rather than repeating the same failed partisan process yet again, Republicans should work with Democrats on a bill that lowers premiums, provides long-term stability to the markets, and improves our healthcare system.

I heard the Republican leader this morning say that Democrats "decided early on that they did not want to engage seriously" on healthcare. In the same speech, the Republican leader also admitted that the very first thing the Republican majority did this Congress was to pass reconciliation so they could pass healthcare on a party-line vote—50 needed, no Democrats needed. Early on, the majority leader told Democrats: We don't need you. We don't want you.

Respectfully, I take issue with the idea that Democrats didn't want to engage on healthcare. The majority leader admitted that he decided the matter for us when he locked Democrats out of the process at the outset. At the very beginning of this Congress, President Trump and Leader MCCONNELL said: Don't come knocking on our door on healthcare. We don't need you.

Now that their one-party effort has largely failed, we hope they will change their tune.

It seems like many Republicans are ready for a truly bipartisan effort on healthcare, indeed. My friend Senator MCCAIN has urged it quite strongly saying: "The Congress must now return to regular order, hold hearings, [and] receive input from members of both parties." He said that while recuperating in Arizona. So that is how strongly he feels about it.

Other Republican Senators have made similar comments, but the Republican leader still plans to ignore their advice and instead plans on holding a proxy vote on a straight repeal of our healthcare law first.

Make no mistake about it. Passing repeal without a replacement would be



a disaster. Our healthcare system would implode. Millions would lose coverage. Coverage for millions more would be diminished. Our healthcare system would be in such a deep hole that repair would be nearly impossible.

In fact, passing repeal and having it go into effect 2 years later is, in many ways, worse than the Republican healthcare bill that was just rejected by my Republican colleagues. It is as if our healthcare system were a patient who came in and needed some medicine and the Republicans propose surgery. The operation was a failure. Now Republicans are proposing a second surgery that will surely kill the patient. Medicine is needed—bipartisan medicine, not a second surgery.

We urge our Republican colleagues to change their tune. Passing repeal now is not a door to bipartisan solutions, as the majority leader suggested this morning. Rather, it is a disaster. The door to bipartisanship is open right now, not with repeal but with an effort to improve the existing system. The door is open right now. Republican leadership only needs to walk through it, as many Republican Members are urging.

The door is to accept the progress we have made in our healthcare system and work to improve it. The Affordable Care Act isn't perfect, but repealing all of the good things about the law will create such chaos that there will hardly be anything left to repair.

Republicans don't need to wreak havoc on our healthcare system first in order to get Democrats to the table. We are ready to sit down right now, if Republicans abandon cuts to Medicaid, abandon huge tax breaks for the wealthy, and agree to go through the regular order—through the committees, with hearings, and onto the floor with time for amendments. That is how we perfect legislation here. That is how it has been done for 200 years.

Almost inevitably, when you try to draft something behind closed doors and do not vet it with the public, it becomes a failure—in this case, a disaster. So again our Republican colleagues don't need to wreak havoc on our healthcare system first in order to get Democrats to the table. We are ready to sit down right now, again, if Republicans abandon cuts to Medicaid, abandon tax breaks for the wealthy, and agree to go through the regular order. The door to bipartisanship is open right now. Republicans only need to walk through it.

I would remind my Republican friends that the CBO has already scored the idea of a clean repeal bill, and it would be a catastrophe. Listen to what the nonpartisan CBO said. The head of CBO is appointed by the Republican leader of the Senate and the Republican leader of the House. Here is what CBO said about repeal: It would cause 32 million Americans to lose

their insurance. Premiums would double, while cutting taxes for households with incomes over a million dollars by over \$50,000 a year. It would end Medicaid expansion with no grace period or option for States that like their Medicaid expansion and want to keep it. In many ways, it is just as cruel, if not crueler, to Medicaid as the TrumpCare bill, but in a different way.

So I would expect that the same Senators who are concerned about the TrumpCare bill's Medicaid cuts will be equally concerned about what repeal and delay would do to Medicaid. Many of my Republican friends rejected roundly the idea of repeal and delay several months ago at the beginning of the year when President Trump first proposed it and it seemed like that was really what Republicans would do. Here are just some of the names back then who said repeal and then replace later doesn't work: CASSIDY, ALEXANDER, COLLINS, CORKER, COTTON, HATCH, ISAKSON, MORAN, MCCAIN, MURKOWSKI, PAUL.

Well, I would tell those colleagues and all of the others: The idea hasn't magically gotten better with age. It is still nothing more than a cut-and-run approach to healthcare that will leave millions of Americans out in the cold and will raise costs on everyone—the young, the old, the sick, the healthy, working Americans, and middle-class families. Everyone will be hurt but the very, very wealthy.

Every day that Republicans spend on trying to pass their now failed partisan TrumpCare bill, every day they spend cooking up new tricks to bully their Members to get on a healthcare bill is another day wasted, another day that could have been spent working on real improvements to our healthcare system.

Democrats want to work with our colleagues on the Republican side to stabilize the marketplaces and improve the cost and quality of care, and we want to do it via regular order, a process this body has used time and again to produce consensus, bipartisan, historic legislation.

The majority leader said in 2014, in a speech entitled "Restoring the Senate," "When the Senate is allowed to work the way it was designed to, it arrives at a result acceptable to people all along the political spectrum." But if it is "an assembly line for one party's partisan legislative agenda," it creates "instability and strife" rather than "good stable law."

I want to repeat that. These are the words of Leader MITCH MCCONNELL. I hope Leader MCCONNELL is listening and remembers these words. He hasn't for the last 6 months, and it has only led to trouble for him and his Republican colleagues in the Senate. Let me read it again, the 2014 speech, "Restoring the Senate" by MITCH MCCONNELL. "When the Senate is allowed to work

the way it was designed to, it arrives at a result acceptable to people all along the political spectrum. But if it's "an assembly line for one party's partisan legislative agenda," it creates "instability and strife" rather than "good stable law."

Leader MCCONNELL, I couldn't agree more. It is time to start over on healthcare, abandon the idea of cutting Medicaid to give a tax break to the wealthy, abandon this new repeal and run, and use the regular order to arrive "at a result acceptable to people all along the political spectrum," as Leader MCCONNELL once said. I dare say it would create a much better result for the American people as well.

Thank you.

I yield the floor.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the Shanahan nomination, which the clerk will report.

The legislative clerk read the nomination of Patrick M. Shanahan, of Washington, to be Deputy Secretary of Defense.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from New Hampshire.

#### HEALTHCARE

Mrs. SHAHEEN. Mr. President, the majority leader says that he will move forward this week with a vote on a straight repeal of the Affordable Care Act in its entirety. I don't believe that a majority of Senators are willing to support a reckless leap in the dark, which that vote would mean. It is a vote that would end protections for people with preexisting conditions. It would take healthcare coverage away from tens of millions of Americans and tens of thousands in New Hampshire. It would terminate the Medicaid expansion that has been critical to fighting the opioid epidemic in my State and so many States across this country.

According to the nonpartisan Congressional Budget Office, a straight repeal of the Affordable Care Act would result in more than 32 million people losing their insurance coverage by 2026. Premiums would roughly double in the

individual marketplaces. I urge my Republican friends not to go forward with this misguided approach.

The idea that they can repeal the healthcare bill now and give us a new bill in 2 years or whatever period of time is in the bill just doesn't pass the smell test. If we haven't seen an alternative to the Affordable Care Act in the last 7 years, there is no reason to believe that our Republican colleagues are going to be able to produce a bill in 2 years when there is chaos in the marketplaces.

There is a better way forward for the Senate and for our country. During the Fourth of July recess, Majority Leader MCCONNELL said that if he can't secure the votes to repeal the Affordable Care Act, he is prepared to work in a bipartisan way with Democrats on legislation to repair and strengthen the law.

I believe that bipartisanship is the best way to get something done. That is what I tried to do when I was Governor of New Hampshire. I worked closely with our Republican legislature, and we got things done. It should not be a last resort for what we are doing; it should be the first resort. It should be what we do to build a foundation for policy in this country.

I am hopeful that following the floor consideration of whatever the majority leader decides to do on healthcare—and, hopefully, it is going to get defeated—we will move forward with the majority leader's fallback plan, which I believe should be the starting position. We need to start fresh with regular order to craft bipartisan legislation that builds on the strengths of the Affordable Care Act, that builds on what is working and fixes what is not working. As we have been hearing at town-halls and in countless messages from our constituents, this is exactly what the American people want us to do.

There is remarkable consensus in this country that the Republican leaders' bill is the wrong approach. An ABC/Washington Post poll on Sunday found that by a more than 2-to-1 margin, Americans prefer the Affordable Care Act to the Republican leaders' bill. Their bill is strongly opposed by hospital associations, by healthcare providers, by the health insurance industry, and by nearly every patient advocacy group, including the American Cancer Society and the American Heart Association. There is no reason to think that just repealing the Affordable Care Act is going to make that any better.

On Saturday, the New Hampshire Hospital Association, the New Hampshire Medical Society—our physicians—and the New Hampshire AARP joined together in opposition to the bill. They noted that more than 118,000 Granite Staters—nearly 1 in 10 people in New Hampshire—would lose healthcare coverage under the Republican bill, and that number is even

greater if we just repeal the Affordable Care Act. Their joint statement urges Senators “to start over and create a new version of legislation that protects coverage for those who have it and provides coverage for those who need it most.”

Mr. President, I ask unanimous consent that the joint statement by these groups be printed in the RECORD.

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

[From the Concord Monitor, July 15, 2017]

OUR TURN: PROTECTING PATIENTS MUST BE THE FIRST GOAL OF HEALTH CARE LEGISLATION

(By Todd C. Fahey, Stephen Ahnen and James Potter)

The New Hampshire Hospital Association, New Hampshire Medical Society and AARP New Hampshire have joined in opposition to the Better Care Reconciliation Act currently under consideration in the U.S. Senate.

Our three organizations oppose the BCRA because it would erode health protections for millions of Americans and expose them to increased costs and health risks. We believe that any health care legislation should have the goal of protecting patients first.

We are concerned that the BCRA would reduce funding for Medicare by cutting nearly \$59 billion over 10 years from the Hospital Insurance trust fund, which would hasten Medicare's insolvency and diminish the program's ability to pay for services in the future. This would affect hospitals, doctors and consumers by reducing revenue and making it more difficult to provide services to Medicare patients. To put a sharper point on the issue, New Hampshire hospitals are projected to receive approximately \$1.5 billion less in Medicare reimbursements over the next decade, reductions that were enacted as part of the Affordable Care Act to help pay for the coverage expansions that have occurred. To maintain those spending reductions while millions of people lose health insurance coverage is simply not feasible.

The BCRA threatens protection for people with employer-sponsored health coverage by weakening consumer protections that ban insurance companies from capping how much they will cover annually or over a person's lifetime—leaving people vulnerable to costs that could be financially catastrophic for them.

In addition, the bill cuts more than \$700 billion from Medicaid by creating a capped financing structure in the Medicaid program. This could lead to cuts in provider payments, program eligibility, covered services or all three, ultimately harming some of our nation's most vulnerable citizens and dramatically impacting providers' ability to serve patients and communities who depend on them every day. It has been estimated that this would result in over \$1.4 billion in reduced federal spending on Medicaid in New Hampshire over the next decade. Where would New Hampshire turn to find the resources necessary to care for our most vulnerable citizens?

According to the CBO, the BCRA will leave 22 million more people uninsured, including more than 118,000 Granite State residents who were able to secure vital health coverage through the Affordable Care Act, making it more difficult for our most vulnerable to receive the services they need to stay in their homes. Without health coverage for, and therefore access to, critical health serv-

ices, patients will seek care in emergency rooms, ultimately raising uncompensated care costs for hospitals throughout New Hampshire and increasing cost-shifting to New Hampshire businesses.

We believe that the Better Care Reconciliation Act needs to be viewed through the eyes of patients and the caregivers who take care of them, and should make protecting health care coverage for our most vulnerable citizens a higher priority. We remain opposed to the BCRA and urge the Senate to start over and create a new version of legislation that protects coverage for those who have it and provides coverage for those who need it most.

We appreciate the efforts of both of our senators to protect access to affordable health care for all Granite Staters, and we urge them to continue to work toward bipartisan solutions that will cover more people, not less, and reduce health care costs, including insurance premiums and the high cost of prescription drugs.

Mrs. SHAHEEN. Mr. President, I strongly agree with these New Hampshire groups. After spending 6 months trying to pass the deeply unpopular, deeply flawed bill to repeal the law, shouldn't we welcome a bipartisan effort to improve the law? I believe the answer to that is yes, and the place to begin is by taking urgent action on a matter where most of us agree, and that is providing certainty to health insurance markets in order to hold down premium increases. In their 2018 rate request filings, insurers say that large increases are necessary because of the uncertainty surrounding the repeal of the Affordable Care Act and because the Trump administration refuses to commit to making cost-sharing reduction payments—those payments that go to insurance companies so they can help their consumers with the cost of health insurance, making sure that more people can get health insurance. Well, we now have an opportunity to end this uncertainty by putting the repeal behind us and authorizing a simple bill to authorize regular appropriations for the cost-sharing reduction payments.

The current instability in the ACA marketplace is a manufactured crisis, and Congress can put a stop to it very quickly. That is why I have introduced the Marketplace Certainty Act, which is a bill to permanently appropriate funds to expand the funds for and to expand the cost-sharing repayments. It does two things: It guarantees that these payments are coming, and it is going to cover more people to help. I am pleased to be joined by 26 Senators who have already cosponsored this bill. We can end this artificial crisis. We can immediately restore certainty and stability to the insurance markets, and, in turn, we can get the time we need in order to come together in a bipartisan way to improve this law to build on what is working and to fix what is not.

We have a number of these common-sense measures, and this is one that has been embraced, not just by Democrats but by key Republican leaders,

including Chairman LAMAR ALEXANDER and House Ways and Means Chairman KEVIN BRADY, who have urged that these payments be continued. As Chairman BRADY put it, the payments are needed “to help stabilize the [health] insurance market and help lower premiums for Americans.” He added: “Insurers have made clear the lack of certainty is causing 2018 proposed premiums to rise significantly.”

We have heard from our constituents at home. We have heard from doctors, nurses, hospitals, particularly rural hospitals, nursing homes, patient advocates, insurers, and those constituents who were in the statement I asked to be printed in the RECORD. They are pleading with us to set aside our partisan differences and work together to repair the Affordable Care Act.

Again, we know what we can do. It is not just the Marketplace Certainty Act; there are other bills that have been introduced that can fix the uncertainty in the markets and allow us to address other issues with the law.

Bipartisanship should be the Senate’s first resort, not the last resort. An excellent place to start is by coming together right now to permanently appropriate funds for the cost-sharing reduction payments that keep health coverage affordable and to look at some of the other commonsense measures that are going to be talked about by my colleagues, like Senator KLOBUCHAR, who will be coming to the floor. She has legislation that would help us deal with the high cost of prescription drugs, which is one of the things that is driving the increasing costs of healthcare. We need to pass these commonsense measures, and we need to do it now.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I want to thank Senator SHAHEEN for her leadership, and I am proud to be one of the cosponsors of her bill with her commonsense approach—which I believe is the one that will rule the day—to work together on changes to the Affordable Care Act that will help the American people.

I join my colleagues on the floor in sharing the concerns I have heard from so many people in my State and across the country about the bill that has been introduced by our colleagues. I also heard their desire to have us work together to bring down the costs of healthcare and to make fixes to the Affordable Care Act.

Healthcare leaders in my State have come out strongly against the bill released last week because it would be devastating to the people of our State, especially in our rural areas—rural hospitals—and especially to our seniors who rely on Medicaid funding for nursing homes and assisted living.

Last night we heard that we will not be proceeding to that bill, and, instead, the majority leader wants to bring up repealing big parts of the Affordable Care Act without a replacement. I just want to remind my colleagues that the Congressional Budget Office has already looked at this repeal without a replacement, and it is just as bad. Instead of 22 million people losing their insurance by 2026, the CBO has estimated that about 32 million would lose insurance under the repeal approach, and premiums would double. So this repeal effort doesn’t help the host of Minnesotans who, according to the Minnesota Medical Association, would be harmed by what they call draconian Medicaid cuts.

It doesn’t help our children’s hospitals. I met with several last week, and they were very concerned that Medicaid cuts would wreck their ability to provide healthcare to our kids. This was something, by the way, that I heard repeatedly on the Fourth of July. During the parades, people would come out of the blue, out from the sides of the streets, mixed in with the hot dogs and American flags, and there were these families—predominantly families with kids with disabilities—and they would bring children over to meet me and would say how important this Medicaid funding is for their entire family. I remember that once, when the mom brought her child over with Down syndrome, all of the people on the parade route, on that block, cheered for that family.

We know that we are all in this together, and we know that what happens to one family could, next year, happen to another family. You can have a child with a disability. You can suddenly have a disease that could be debilitating to your family’s finances. Basically, we never know what is going to happen to our health or to the health of our family members. That is why we have health insurance, and we must make sure that it is affordable.

In addition to that, we have had the CEOs of our healthcare system stand up and say that these approaches would lead to major job losses in our State. As I mentioned before, for seniors, AARP has said that, in my State, nearly half of all of the adults who receive tax credits under the Affordable Care Act are 50- to 64-year-olds and these subsidies would be eliminated under the repeal bill. This could make healthcare unaffordable, especially for the more than 350,000 people in my State who are aged 50 to 64 who have preexisting conditions.

Now, it does not have to be this way, as Senator SHAHEEN has so articulately pointed out. I know that several of my Republican colleagues have said that they cannot support legislation that would take away insurance for tens of millions of Americans, and I agree. Instead of making these kinds of draco-

nian cuts and moving backward, I think we have to move forward to actually help make healthcare in America better and more affordable.

We can and we should make changes to the Affordable Care Act. The day it passed, I said this is the beginning and not the end. You simply cannot have a major piece of legislation like that and go for years without any significant changes. That is just not how it has worked with major legislation in the past, but every time we have tried to make changes, we have heard back that we have to repeal it. Maybe the result of all of this chaos in the last month has been that people have finally come to realize what the American people want, as Senator SHAHEEN has pointed out, as well as what is the best policy, and that is to make changes.

I support Senator SHAHEEN’s Marketplace Certainty Act because it would stabilize the individual market and protect and expand the vital program that reduces out-of-pocket healthcare costs for consumers. I also support the bill of Senator KAINE of Virginia, who is here with us today, and Senator CARPER, which is the Individual Health Insurance Marketplace Improvement Act, which reestablishes a Federal reinsurance program. By the way, this idea of reinsurance is something that our Republican legislature in Minnesota just passed on a State basis and is supportive of. So I see these as not just some pie-in-the-sky ideas. I see these ideas as things that we can work on across the aisle.

I just want to end by talking about some of my ideas, many of which have bipartisan support. Again, I throw them in a package of things that we could be working on. I have a bill that would harness the negotiating power of 41 million seniors who are on Medicare in order to bring drug prices down. Right now, by law, Medicare is banned from negotiating prices with all of those seniors. Think of the better bargain that those seniors could get if their marketing power were unleashed.

Senator MCCAIN, the Presiding Officer’s colleague, and I have a bill to allow Americans to bring in safe, less expensive drugs from Canada, which is, by the way, very similar to the American market. As I have often noted, we can see Canada from our porch in Minnesota. We see right across the border the kinds of prices they are able to get. Senator MCCAIN and I and several Republicans voted for a similar measure, and we think we should be allowed to bring in less expensive drugs from Canada and, perhaps, from other countries. You could also tie to it a trigger, if there is no competition or if prices have ballooned like they have for 4 of the top 10 selling drugs in this country.

Senator LEE and I have a bill that would allow for the importation of safe drugs from other countries when there is not healthy competition.

Senator GRASSLEY and I have a bill to stop something called “pay for delay,” which is when big pharmaceutical companies pay off generics in order to keep their products off the market. It would be \$3 billion in savings for the U.S. Government by just passing that, and I would challenge my colleagues to vote against something as simple as that.

Lastly is the CREATES Act, and Senators GRASSLEY, LEAHY, FEINSTEIN, LEE, and I have that bill, which makes sure that we get the samples so that we can get generics on the market, create more competition, and bring prices down.

This debate is about the patients of a nurse practitioner who provides psychiatric care in my State.

She wrote to me:

Please, please, do all you can to prevent these people from losing the health insurance coverage for medical and mental healthcare that is so vital to their lives.

In Minnesota, one-third—32 percent—of the funding for our State’s mental health agencies comes from Medicaid, and across the country, Medicaid expansion has helped 1.3 million people receive treatment for mental health and substance abuse issues.

This debate is about the mom in Minnesota who has private insurance and who has colon cancer. She is working full time, raising two school-age boys and going to chemo every single week. She said she fears she will not be able to afford the care she needs to stay alive.

This debate is about the rural constituents whom I noted come up to me at parades, like the Fourth of July, at nearly every other block, and tell me their stories of how they are concerned about their kids with disabilities and how they are concerned for their rural hospitals.

We have things we can do to make this better, and now is the time when we must get them done. We have bipartisan support for these changes to the Affordable Care Act. Let’s work together on them across the aisle, and let’s remember that this is about one team, one country. We can get this done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I also take to the floor to talk about healthcare. I appreciate my colleagues who are here, earnestly pleading with all of our colleagues to be about a process—Democrats and Republicans and the committee process that we have in the Senate—that does the work that we are supposed to be doing, which is listening to the American public and improving our healthcare system.

Let me tell you about my first meeting of the day. It was an amazing one. I had a mom, Rebecca, and her 5-year-old daughter, Charlie, in my office.

They had asked for the opportunity to meet with me to talk about healthcare. Here is their story.

Charlie is just about 5 years old. She starts kindergarten in the Charlottesville public schools in September. She was born at 26 weeks, or about 14 weeks early. She weighed 1 pound and 11 ounces at birth. She went through the NICU and had great care. When she was released to go home, the doctors thought she would be fine, but within a couple of months, it was pretty clear that she had some significant challenges as she has the diagnosis of cerebral palsy, and she gets 80 percent of her food through a feeding tube. This family has many, many needs.

Charlie, from a cognitive standpoint, is very, very sharp and is excited about starting school, but she has significant needs. Her mother Rebecca said that Charlie is like the case study for why a repeal of the ACA would be a disaster. Charlie has a preexisting condition because of the CP and her challenges. Charlie has already hit all of the lifetime caps that would have rendered her unable to get insurance pre-ACA.

In the hospital, because of her dramatically low birth weight, Charlie was the recipient of Medicaid funds that would be cut under the current bill. Charlie is currently the recipient of a Medicaid waiver, which will help her afford supplies for her feeding tube. When she starts kindergarten in the Charlottesville public schools, Charlie will be given an individualized education plan under the Individuals with Disabilities Education Act, and some of those expenses are being compensated by Medicaid.

The preexisting condition, lifetime caps, and Medicaid cuts all affect this dynamic, young 5-year-old, who is as entitled as any of us to try to be all she can be. If we persist on the path that we are on now with regard to the bill that is being proposed, we will hurt families like these, and we do not need to do that. Instead, we can help them.

Before the passage of the Affordable Care Act, we know that Americans, like Charlie, who had preexisting conditions faced unfair barriers to accessing health coverage. There are challenges that we need to fix, but let’s celebrate a few things. Since 2010, the rate of uninsured Americans has declined to a historic low. More than 20 million people have gained access and have healthcare coverage—many for the first time in their lives. Another statistic that is interesting is that the number of bankruptcies in our Nation has been cut in half. Pre-ACA, medical costs had driven up bankruptcies, but the ACA has brought the bankruptcy rate down. We have to move forward to make healthcare stronger, not to destroy it.

The Republican bill that is being discussed right now, because of its reductions of coverage, slashing Medicaid,

and increases to premiums for seniors, would make the matter worse. The proposed amendment by the Senators from Texas and Utah has led insurance companies to come out and say that this will create a two-tiered system that will punish those with preexisting conditions. The latest plan, which was discussed this morning by the majority leader, would just be a straight repeal of the Affordable Care Act with a promise that we would fix it in a couple of years. It has been scored by the CBO, and the CBO says that it would cause 32 million Americans to lose their coverage and would dramatically increase premiums. Yet we do need to find improvements, and we should be working on that together.

There have been some actions taken by this administration that have compounded challenges. In January, the President signed an Executive order that directed relevant agencies not to enforce key elements of the Affordable Care Act. They terminated components of outreach and enrollment spending. The administration has also threatened to end cost-sharing reduction payments. These actions and additional inactions have created such uncertainty in the individual marketplace that rates have been unstable, and, in some areas, companies are not writing individual policies. The amendment I discussed earlier, from the Senators from Texas and Utah, would make these problems even worse.

There is a better way. There is a way forward, and I am here to just briefly reference a bill that Senator CARPER and I have put on the table that we think will do a good job and should have strong bipartisan support. It is the Individual Health Insurance Marketplace Improvement Act.

One of the ways to address uncertainty in the individual market is to establish a permanent reinsurance program that will stabilize premiums and will give insurance companies some stability so that they can stay in markets, but it will also enable those companies to write premiums at an average level and not have to take into account the high-cost claims. We think it could reduce premiums dramatically all over the country.

Now, the idea of reinsurance should not be controversial. We use it in other programs—flood insurance, crop insurance, and Medicare Part D. A key part of Medicare that was achieved under the Bush administration includes a reinsurance provision. The Affordable Care Act had a reinsurance in its first 3 years, but it expired. That reinsurance helped to maintain stable premiums. This is an idea that is not a Democratic idea. It is an idea that is tested.

Senator CARPER and I introduced the bill to the Senators on the Finance Committee. I am on the HELP Committee. We are just waiting for the opportunity to be able to present it and

get a hearing for it. We ought to be able to work together on reinsurance, on the cost-sharing guarantees that Senator SHAHEEN has proposed, and on a variety of other ideas. Senators CASSIDY and COLLINS have a bill in that uses auto enrollment, which is an interesting concept that we should be tackling.

I am just going to conclude and tell you how naive I am.

I was a mayor and a Governor before I got here to the Senate. When you are a mayor and a Governor, what you know is education and healthcare. We have a Governor here and a Governor here and a Governor here. We have four former Governors who are sitting on the floor. What you know is education, which was your biggest line item, and your second biggest line item is Medicaid—healthcare. I tried to get on the committee when I got to the Senate, and I was not put on the committee. I was very disappointed. For 4 years I tried to get on the HELP Committee. I got on it on January 3. I was so excited. Finally, I am working on something that I know about.

I got a group together of 13 Democratic Senators. Within 48 hours of getting on that committee, on January 5, I wrote a letter to my committee chair, Senator ALEXANDER, a great committee chair, as well as to the Finance chair, Senator HATCH, and to the majority leader, Senator MCCONNELL: If you want to fix healthcare, we are here to sit down with you right now and fix it. I was naive enough to think that, because I was on the HELP Committee, I might be included in a discussion about healthcare. We have had hearings in our committee—many hearings—on nominees, on pensions, on higher ed, on the FDA, but there has been one taboo topic on the HELP Committee since I got on it in January. We are not allowed to have a hearing about healthcare. We haven't had a hearing about the House bill. We haven't had a hearing about Senate proposals. We are being told that we are not going to have a hearing, that we are just going to rush whatever we do to the floor either on a House proposal, a Senate proposal, or a Senate repeal. We are going to completely skip the committee.

Now, you know a little bit about this committee. We have a doctor on the committee, Senator CASSIDY from Louisiana. Our chair of the committee, Senator ALEXANDER, was a Governor. He had a Medicaid Program. He was the president of the University of Tennessee. He had a hospital. He had a medical school. He had physician practice groups. There are people on the HELP Committee who know something about healthcare. There are people on the Finance Committee, which covers Medicaid and Medicare, who know something about healthcare, but we have not been allowed to have a hear-

ing about this. When you have a hearing, you bring people up to the witness table, patients like Charlie, who was in my office this morning, and doctors and hospitals. You ask them what works, what doesn't work, and what can be fixed. We haven't had the opportunity to hear from folks.

So why wouldn't we do exactly what Senator MCCAIN said yesterday? Senator MCCAIN said: We have gone about this the wrong way. We should be the U.S. Senate. We should take advantage of the Senate procedures and the expertise on the Senate committees, including staff expertise, and we should assign these various bills to the relevant committees and have hearings and then come forward with a proposal that will actually improve healthcare for this country.

I am completely confident that if we let the committees do the work they are supposed to do, we will find improvements that can get bipartisan support and that will help Virginians and help Americans. That doesn't seem too much to ask. I hope my colleagues will consider that, and I hope we will be engaged in those discussions soon.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I want to preface my remarks today by asking that you convey to your wingman, Senator JOHN MCCAIN, our colleague, our best wishes and our hope that he is on his way to a speedy recovery and will be back here because we need him. We need his wisdom.

I want to thank TIM KAINE for the leadership that he and Senator SHAHEEN are showing to help us try to stabilize the marketplaces. Senator HASSAN and I have talked a lot about this.

What do we do now? I think this is an opportunity. This is an opportunity here. I realize there is a fair amount of confusion as to which path to take and which way to go. I hope we don't waste this opportunity.

I sent a message to the new chairman of the National Governors Association and to the new vice chairman of the National Governors Association. Brian Sandoval from Nevada is the new chair and the Governor from Nevada, previously the vice chair, and Steve Bullock from Montana is the vice chair. One is a Republican, and the other is a Democrat. I sent them a message this morning saying that it would be good to hear from the Governors. They have been working on a bipartisan letter—they have been working on it for a while—and this is really the time it could make a positive impact.

We have three people sitting here—four of us—who used to be part of the National Governors Association. I loved it, and I am sure Senator KAINE, Senator HASSAN, and Senator SHAHEEN loved it as well. Here is what I suggested that the Governors may want to consider in their message:

No. 1, urge us to hit the pause button. Hit the pause button. Let's just stop in place for a moment.

No. 2, pivot soon—not in September, not in August, but now, like this week, pivot to stabilizing the exchanges.

No. 3, return to regular order. Senator KAINE has already mentioned this. When I talked with Senator MCCAIN last week a couple of times briefly, we both talked about the need for regular order. People have good ideas on healthcare; introduce them. Committees with jurisdiction, hold hearings. Witnesses, including Governors, should come before the committees of jurisdiction—a couple of committees in the House and in the Senate—and let's hear from the experts, and let's certainly hear from the Governors, who have to run these Medicaid Programs and have a lot of expertise in this area to offer us.

Then I would say, after the August recess, if we can actually do something real in stabilizing the exchanges, what a confidence builder that would be among us and, I think, around the country. It would be a great confidence builder.

The other thing I would mention is that when we come back after the August recess, don't just muck around and wonder what we are going to do; we should pull together in a bipartisan way—something we talked about doing a lot, but we don't often do it—to really do maybe a couple of things.

Let's figure out what we need to fix in the Affordable Care Act. Republicans believe that Democrats feel it is perfect and nothing should be changed. Well, I don't feel that way. My guess is that most of our Democrats don't, either. No bill I have ever worked on was perfect. It can always be done better. The same is true with big programs like Medicare and Social Security, veterans programs, and so on. They can all be done better, and this is certainly the case as well. Let's fix the parts of the ACA that need to be fixed, and let's preserve the parts that ought to be preserved.

I would reiterate, speaking on behalf of some recovering Governors, including me, the Governors need to be heavily involved in this. I suspect that all of the former Governors who are on the floor with me today, when we were part of the NGA, we weren't on the floor—actually, I was on this floor any number of times because Governors had access to the floor—but we had many opportunities, many invitations to testify before Senate committees and House committees on a wide range of issues. I think we brought value, and we need to hear from them today.

I want to go back and talk about how we go about stabilizing the exchanges. The first thing that would help would be for the administration to stop destabilizing them. That would be a big help.

Senator Kaine has led on legislation—and he has mentioned it, and I want to drill down on it just a little bit—that would provide reinsurance, much as we do in other ways in terms of the Medicare Part D drug program. Using reinsurance is a very common tool, and we can use it to help stabilize the exchanges.

How would it be used in our proposal? If this lady standing right in front of me were getting healthcare and her healthcare needs were expensive, under our reinsurance plan starting in 2018, 2019, 2020, the first \$50,000 in her healthcare that she used in year one, 2018, the Federal Government—well, the insurance companies themselves actually would be on the hook for the first \$50,000 of care she got. Between \$50,000 and \$500,000, under our proposal, the Federal Government would pay for 80 percent of that cost—80 percent of that cost. Between \$50,000 and \$500,000 would be on the Federal Government. Anything above \$500,000 would be back on the insurance company. That is what we would do for the next 3 years.

Starting in 2021 and going forward, the first \$100,000 would be on the insurance company for the costs borne—created by an individual, and then between \$100,000 and \$500,000, 80 percent of that would be on the Federal Government, and after that, the rest of it is back again on the insurance company to pay for.

That is our proposal. We have a bunch of cosponsors on it, and we need some Republican cosponsors as well. It is not a Democratic idea. It is not a Republican idea. It is just a good idea that deserves bipartisan support.

Another thing we ought to do to stabilize the exchanges is what Senator Shaheen has proposed; that is, we have these CSRs, cost-sharing reductions. I think of them as subsidies to help subsidize people whose income is under a certain level; I think it is 250 percent of poverty. Folks who are in the exchanges getting healthcare coverage and whose income is under 250 percent of poverty currently receive some subsidies to help buy down and reduce the cost of their copays and their deductibles. It is not really clear whether that is authorized. It is not really clear whether that is being funded, but it has been done for a number of years.

The current administration has been saying: Well, we don't know if we are going to continue to do that.

There have been some States that want to go to court and say: You can't do that.

We need to pass a law and say that we are going to have these cost-sharing reductions and that the subsidies will continue to be offered.

The last thing we need to do is to make clear that the individual mandate or something as good as or at least as effective as the individual

mandate is going to be around. For the administration to say: Well, we don't know if we are going to enforce the individual mandate—it just encourages young, healthy people not to get coverage.

We have to make it clear that the individual mandate or something as good as—it could be a proxy for it or maybe several things that work together that could be as effective as the individual mandate. If they don't work, maybe we could just have a default position that would be the individual mandate again.

We ought to have hearings on these kinds of things and discuss them and hear from all kinds of folks.

The other thing I want to mention is just that when I go around my State, my Lord, I have never heard people so interested in encouraging us. I think I am regarded in my State—along with Senator Coons and our Congresswoman, Lisa Blunt Rochester—I think we are regarded as bipartisan people. We are Democrats and proud to be Democrats. We would like to work with Republicans, too, and I think that is part of being a recovering Governor. But on this subject, on healthcare reform, going forward, the people in my State don't want a Democratic victory. They don't want a Republican victory. Frankly, they don't want a Trump victory. They want a victory for our country. That is what they want. They want a victory for our country. And so do I, and I think so do most Democrats in this Chamber and most Republicans.

So let me say again, if I could make this suggestion, let's hit the pause button. Let's stop in place for right now. Let's pivot and figure out how we can stabilize the exchanges. Let's return to regular order. Let's hold bipartisan hearings, have expert witnesses, including folks from all walks of life who know about healthcare coverage, who know a lot about healthcare. After the August recess, let's launch a real, bipartisan effort to fix the things in the ACA that need to be fixed and retain, preserve those aspects that should be retained. As I said before, we need Governors at the table, not just recovering Governors. We need Governors at the table and a bunch of other folks as well who have a lot to contribute.

If we do those things, we will, in the words of—paraphrasing Mark Twain—Mark Twain used to say: When in doubt, tell the truth. You will confound your enemies and delight your friends. I think that is what he used to say. In this case, I would just say, paraphrasing Mark Twain, when in doubt, do what is right. When in doubt, do what is right. We will confound our enemies and delight our friends.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I am honored to join my colleagues here today. I thank Senator Carper for his

excellent suggestions and leadership in terms of reaching out to both the current and former Governors as we proceed on this issue. I am very grateful to my colleague Senator Kaine for his leadership on the HELP Committee and what he brings as a former mayor and Governor.

I rise today to join my colleague from New Hampshire in supporting her efforts to help lower healthcare premiums for middle-class Americans and to stabilize the insurance marketplace.

The Trump administration has been working to sabotage the individual market by playing games with cost-sharing reductions. Those cost-sharing reductions help lower out-of-pocket expenses, such as deductibles and copays, for individuals with health insurance plans in the marketplace. This legislation from Senator Shaheen is a commonsense measure that would work to prevent the instability and chaos being pushed by the administration.

I also join my colleagues in making clear that we are ready and willing to work across the aisle on priorities that will improve and build on the Affordable Care Act and bring down costs for people in New Hampshire and across the country.

Over the course of the last several months, we have seen that the partisan process Republican leadership has pushed with TrumpCare simply won't work. It is going to take a bipartisan approach in order to make progress, not a senseless repeal bill that would pull the rug out from millions of Americans.

I have seen firsthand that it is possible for Democrats and Republicans to come together in order to improve our healthcare system. As Governor of New Hampshire, I worked across party lines to pass a bipartisan Medicaid expansion plan that delivered quality, affordable insurance to over 50,000 hardworking Granite Staters. Expansion has truly made a difference for communities across my State, particularly for people impacted by the heroin, fentanyl, and opioid crisis.

Just last week, I visited Goodwin Community Health in Somersworth and heard from a woman named Elizabeth. At one point in her life, as a result of a substance use disorder, Elizabeth was homeless, and she lost custody of her son. But Elizabeth is now in recovery, and she works at the SOS Recovery Community Organization in Rochester, helping others get the support they need. She said she owes her recovery to the insurance she has received through the Medicaid expansion and the Affordable Care Act.

Elizabeth's story is a great example of the power of what is possible when we come together on bipartisan solutions to help improve the health of our people. This is the same approach we need to take in the Senate, and I believe there are areas for bipartisan cooperation that we should be working



on in order to improve the Affordable Care Act.

In addition to Senator SHAHEEN's legislation to stabilize the individual market and in addition to the legislation we have heard discussed by Senator KAINE and Senator CARPER, there are other things we can do.

I believe it is critical that we take on Big Pharma and bring down the cost of prescription drug prices, including allowing importing safe and affordable drugs and allowing Medicare to negotiate drug prices, and I believe we should eliminate the existing income cliff in the Affordable Care Act which blocks many middle-class individuals from receiving premium assistance.

These are commonsense measures we should be taking now. People across our Nation have made clear, they don't want Congress to do a wholesale repeal of the Affordable Care Act because it would have devastating impacts for them and their families.

I urge my colleagues to put the partisan gamesmanship aside. I join Senator KAINE, as a member of the HELP Committee, in asking for a hearing at the very committee which is supposed to set healthcare policy in this body so we can listen to the voices of constituents, of providers, of other stakeholders. We need to come to the table ready to work on bipartisan solutions in order to improve our healthcare system. All of our people deserve to have access to quality, affordable care so they can be healthy. That makes our country healthy, productive, and strong too.

THE PRESIDING OFFICER. The Senator from New Hampshire.

UNANIMOUS CONSENT REQUEST—S. 1462

Mrs. SHAHEEN. Mr. President, I am really pleased to have been joined by my colleagues to talk about the importance of addressing healthcare for all Americans, especially my colleague from New Hampshire. She and I have been touring the State for months now, talking with people in hospitals, with patients, with physicians, with providers, with people with substance use disorders, with providers who are providing treatment for people with substance use disorders, with people all over New Hampshire about what we can do to make sure people get healthcare when they need it.

That should be the goal of this body. It should not be throwing people off their healthcare, which a repeal of the Affordable Care Act would do. It would throw 32 million people off their healthcare.

We can address the instability in the marketplaces. We can do that pretty quickly. Senators KAINE and CARPER talked about reinsurance, something which has worked very well for the first 3 years of the Affordable Care Act, and the reason it doesn't work now is because they have stopped. That is why we are seeing some of these rate increases.

We can address the uncertainty by being clear that we are not going to repeal the Affordable Care Act, by addressing those cost-sharing reduction payments. The ACA already stipulates that CSR—those payments which reduce the costs of copays and deductibles—are to be made pursuant to 31 U.S.C. 1324.

My bill provides for payments to be made jointly from a permanent appropriation rather than subject to the year-to-year whims of the annual appropriations process. The Marketplace Certainty Act removes all bases for any further questions about what is already clear from a fair reading of the Affordable Care Act as a whole; that both those CSR payments and the advanced premium tax credit subsidies are to be funded from the same permanent appropriation.

I see my colleague from Texas on the floor, and I am sure he is going to object to the unanimous consent request I am going to be proposing in a couple of minutes. He objected last Thursday when I asked for unanimous consent to pass the Marketplace Certainty Act, and he justified the objection by asserting that the cost-sharing reduction payments are—I think he called it a bailout of the insurance companies. That is an inflammatory term, and I think we ought to be careful with how we use it because the truth is, the cost-sharing reduction payments are in no way, shape, or form a bailout. They are orderly payments built into the law to go directly to keep premiums, copays, and deductibles affordable for lower income Americans. In fact, those same payments were included in the bill Majority Leader MCCONNELL just said he is not going to go forward with, the Republican bill. It included those very same cost-sharing reduction payments. I think they were included because there was a recognition that these are important to help address the cost of healthcare for all Americans.

As I said earlier, we have had statements by the chairman of the Health, Education, Labor, and Pensions Committee, LAMAR ALEXANDER, talking about that these payments should be continued. We have heard from House Ways and Means Chairman KEVIN BRADY, who said we need to continue these payments to help stabilize the insurance market. It is the uncertainty that is causing the current problem, and we could address that today—this week—if people were willing to work together.

As Democrats, we have come to the floor to say we want to work together. We think we can address the challenges we face with the Affordable Care Act. We can do it in a bipartisan way. I know we can because TIM SCOTT and I have done it. We passed a bill several years ago by unanimous consent, which basically gave States the ability to control group size for people and for

companies in the marketplaces so I know it can be done, and I know we could do it today if there were a willingness on the part of all of our colleagues to work together. That is what the American people want. They don't want 32 million people thrown off their health insurance. We don't want rural hospitals to close in New Hampshire. We don't want nursing homes to close. We don't want people to be thrown out of their nursing homes.

I was up in northern New Hampshire at a nursing home over the weekend, where I talked to a group of women in their eighties and older. One woman said to me: You know, I worked my whole life. I paid my taxes. I did everything I was supposed to do. I sold my house so I could get into this nursing home so I could qualify under Medicaid. I got rid of all my assets. Now they are telling me I am going to get thrown out? She said: What would I do? I have no place to go. I have no family to help me.

People don't want that. What they want is for us to work together, to help fix healthcare so people can get what they need when they need it.

Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 1462; that the Senate proceed to its immediate consideration; that the bill be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

THE PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CORNYN. Mr. President, reserving the right to object.

The Senator from New Hampshire has acknowledged that she had made this previous request last week. The Kaiser Family Foundation, among other publications, has clearly stated that the cost-sharing reductions she is asking for are paid directly by the Federal Government to insurance companies. Thus, when I call this an insurance company bailout, I believe that is literally true.

The Congressional Budget Office estimates the cost of these payments at \$7 billion in 2017, \$10 billion in 2018, and \$16 billion by 2027.

So what my friend, the Senator from New Hampshire, is proposing is an insurance company bailout in the tens of billions of dollars with no reform, throwing more money at a broken Affordable Care Act, which has been in existence 7 years now.

I know they would like to blame this on President Trump, who has been in office just a short time—about a half a year—but this is built into the very structure of the Affordable Care Act, and it isn't working.

I, personally, will not be part of any bailout of insurance companies without



reforms. That is why we were trying to structure something under the Better Care Act, which unfortunately we haven't been successful with so far. We are going to keep on trying, but this is not the answer.

I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. SHAHEEN. Mr. President, I am disappointed but not surprised that my colleague has objected. I don't believe he objected because of the effort to help pay these subsidies, which are passthroughs to insurance companies.

Reforming how we do those, I am certainly happy to sit down and talk about that, but the fact is, that is not the issue right now. The issue is, this is a way we could address the current uncertainty in the marketplaces in a way that will be good for maintaining stability of healthcare for all Americans. I am disappointed there isn't a willingness to work together to do that.

I hope, as this debate continues, we will finally see people come together to get something done to address, not just healthcare for Americans but to address the one-sixth of the economy that depends on the healthcare industry.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise to discuss the nomination of Mr. Patrick Shanahan to serve as the 33rd Deputy Secretary of Defense. The Senate Armed Services Committee held a hearing on his nomination on June 20, and he was voted out of committee by voice vote.

Mr. Shanahan was born and raised in the State of Washington. He received his undergraduate degree from the University of Washington and then a master's degree and MBA from the Massachusetts Institute of Technology. Mr. Shanahan then embarked on a 30-year career at the Boeing Company, where he rose to the most senior echelons of management, working on both the company's defense and commercial programs. Most recently, Mr. Shanahan served as the senior vice president for supply chain & operations.

The Deputy Secretary of Defense is one of the most important positions within the entire national security system. The Deputy serves as the number 2 official at the Department of Defense, as well as the Department's Chief Management Officer. As the second in command to the Secretary of Defense, the Deputy oftentimes is assigned a broad spectrum of responsibilities which require strong management skills.

The Department currently faces challenges on multiple fronts. For more than 16 years, our military has been consumed by two prolonged wars against violent extremist groups like ISIS. As a result, the military has

faced a generational fight which has sapped readiness and precluded our military personnel from training for full spectrum operations. However, violent extremist groups are only one of the many challenges facing our country.

The past several years have seen the rise of near-peer competitors, most notably Russia and China. Russia has been a resurgent force bent on disrupting Europe and undercutting our own Nation and our Presidential election process. China continues its saber-rattling in the Asia-Pacific region by undermining the freedom of navigation and using economic coercion of its smaller, more vulnerable neighbors. When we factor in the destabilizing actions of North Korea and the long shadow of Iran, it becomes urgently clear that we need strong leadership at the Department of Defense. If Mr. Shanahan is confirmed, he will need to contend with all these challenges. It will not be easy and hard decisions on policy and strategy will need to be made.

Perhaps one of the hardest decisions facing the Deputy Secretary of Defense is the allocation of budget resources within the Department. In an ideal world, a cogent defense strategy that takes into consideration the multitude of concerns facing our Nation would inform how the Department invests resources in weapons platforms and advanced technologies to confront these challenges. However, the reality is that the spending caps imposed by the Budget Control Act determine the level of funding for most of these budget decisions.

The current budgetary crisis is compounded by the fact that the President's most recent budget request adds much needed funding to defense activities, but it shortchanges nondefense spending accounts in order to increase spending for our military. Furthermore, the budget request fails to recognize that the BCA budget caps are law. If these spending levels are enacted, the President's budget request would trigger sequestration, effectively wiping out increased defense spending with mandatory across-the-board cuts.

This would be the worst of all worlds. Not only would we be giving the money on the one hand and taking it back with the other hand, but it would not be in any systematic way. We would be making cuts to readiness. We would be making cuts to personnel. We would make cuts to all sorts of things which are much more valuable than some programs which would receive an additional cut.

Unless we resolve ourselves to act—which is going to take a bipartisan effort to repeal the BCA—we can't effectively fund not only the Department of Defense but every other Federal department. That is one of the great challenges Mr. Shanahan will face. In-

deed, these multiple challenges will require strong leadership and the ability to make tough decisions. Mr. Shanahan has developed a strong reputation during his tenure at Boeing as someone capable of taking on challenging programs, fixing problems, and turning them into successes.

When I met with Mr. Shanahan to discuss his nomination, he emphasized that the public sector needed to work closer with the private sector to get more cost-effective results while ensuring our warfighters have the best equipment at their disposal. It is that kind of leadership that the Department of Defense needs as our Nation faces as diverse an array of threats and challenges to our national security as at any point in our history.

Based on Mr. Shanahan's qualifications and experience, as well as his testimony before the Senate Armed Services Committee, I believe he is fully qualified for the job. Therefore, I will vote in favor of his nomination to be the next Deputy Secretary of Defense, and I trust he will do his best to lead the men and women who ably and courageously serve this Nation.

On a final note, if confirmed, Mr. Shanahan will be relieving Bob Work, who has served this Nation ably and selflessly for most of his life. Bob Work served in the U.S. Marine Corps for 27 years, rising to the rank of colonel. In 2009, he was confirmed as Undersecretary of the Navy, where he shepherded the service through many challenges for the next 4 years.

He tried to return to the private sector, but in 2014 he was then nominated and confirmed as Deputy Secretary of Defense. Bob Work was the continuity in the Defense Department through three Secretaries of Defense. He stayed more than 6 months into the new administration in order to aid Secretary Mattis. There is no task, no matter how difficult or how big or small, that Bob Work would not devote all of his energy to until it was resolved. Bob Work personifies his name. He works, tirelessly. Our Nation owes him a great debt of gratitude, and I hope he takes some well-deserved vacation time and enjoys the company of his wife and daughter.

I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

Under the previous order, all time has expired.

The question is, Will the Senate advise and consent to the Shanahan nomination?

Mr. ALEXANDER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Arizona (Mr. MCCAIN) would have voted "yea".

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 7, as follows:

[Rollcall Vote No. 162 Ex.]

#### YEAS—92

|              |           |            |
|--------------|-----------|------------|
| Alexander    | Flake     | Nelson     |
| Baldwin      | Franken   | Paul       |
| Barrasso     | Gardner   | Perdue     |
| Bennet       | Graham    | Peters     |
| Blumenthal   | Grassley  | Portman    |
| Blunt        | Hassan    | Reed       |
| Boozman      | Hatch     | Risch      |
| Brown        | Heinrich  | Roberts    |
| Burr         | Heitkamp  | Rounds     |
| Cantwell     | Heller    | Rubio      |
| Capito       | Hirono    | Sasse      |
| Cardin       | Hoeven    | Schatz     |
| Carper       | Inhofe    | Schumer    |
| Casey        | Isakson   | Scott      |
| Cassidy      | Johnson   | Shaheen    |
| Cochran      | Kaine     | Shelby     |
| Collins      | Kennedy   | Stabenow   |
| Coons        | King      | Strange    |
| Corker       | Klobuchar | Sullivan   |
| Cornyn       | Lankford  | Tester     |
| Cortez Masto | Leahy     | Thune      |
| Cotton       | Lee       | Tillis     |
| Crapo        | Manchin   | Toomey     |
| Cruz         | McCaskill | Udall      |
| Daines       | McConnell | Van Hollen |
| Donnelly     | Menendez  | Warner     |
| Durbin       | Merkley   | Whitehouse |
| Enzi         | Moran     | Wicker     |
| Ernst        | Murkowski | Wyden      |
| Feinstein    | Murphy    | Young      |
| Fischer      | Murray    |            |

#### NAYS—7

|            |         |        |
|------------|---------|--------|
| Booker     | Harris  | Warren |
| Duckworth  | Markey  |        |
| Gillibrand | Sanders |        |

#### NOT VOTING—1

McCain

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the Bush nomination, which the clerk will report.

The bill clerk read the nomination of John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:48 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. FLAKE).

#### EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER (Mr. PORTMAN). The President pro tempore is recognized.

#### HEALTHCARE

Mr. HATCH. Mr. President, the final pieces of ObamaCare were signed into law a little over 7 years ago. Since that time, Republicans—not just in Congress but throughout the country—have been united in their opposition to the law and our commitment to repeal it. This hasn't been simply a political or partisan endeavor. We are not just trying to take a notch out of President Obama's "win" column. The simple truth is that ObamaCare is not working.

The law was poorly written, and the system it created was poorly designed. Even a number of ObamaCare supporters have come to acknowledge that it hasn't been working the way it was promised to work. As a result, millions of Americans have suffered astronomical increases in their health insurance premiums and fewer and fewer insurance options to choose from. That is ObamaCare's great irony: The law requires people to buy health insurance while also making it impossible to do so.

For 7½ years, Republicans have fought to expose the failures of ObamaCare and have pledged time and time again to repeal it. Every single Republican Member of the Senate has expressed support for repealing ObamaCare. Most of us have made promises to our constituents to do just that. And those promises, coupled with the obvious failures of ObamaCare, are a big reason why we now find ourselves in control of both Chambers of Congress and the Presidency.

For the last 6 months, Republicans have worked in good faith to find a path forward to both repeal and replace ObamaCare. The released discussion drafts attempted to bridge the divide between our more conservative and moderate Members, so the products were never going to be perfect. Such is the inherent nature of compromise. The draft released last week included additions to address Member priorities and was likely the best chance we had at a compromise bill to repeal and replace ObamaCare with significant entitlement reform. But last night a handful of our Members announced they would not support the compromise bill, even though it would have repealed ObamaCare's taxes, reformed Medicaid by putting it on a sustainable path for future generations, and included the largest pro-life protections on Federal spending I have ever seen.

This was the opportunity we had been working toward. All we had to do

was come together and compromise, and 7½ years of promises would have been much, much closer to being fulfilled. But last night we blinked. And, frankly, I think the Members who opted to scuttle the compromise bill will eventually have to explain to their constituents why they left so many ObamaCare fixes on the table and walked away from this historic opportunity.

So where does that leave us? The majority leader has announced his intention to shelve the effort to repeal and replace ObamaCare with a single piece of legislation. Instead, the Senate will move forward to vote on legislation to simply repeal ObamaCare, with a 2-year delay. So, long story short, we have one more chance to do what we have all said we wanted to do.

I am aware that some Members have already expressed their skepticism, if not their opposition, to this approach. I hope they will take the time to reconsider. As Senators contemplate this path, they should keep in mind that the upcoming vote is not about the next 2 years, nor is it about the past 6 months. We are not going to be voting to approve a specific process for drafting and enacting an ObamaCare replacement, and we are not voting to approve the way this effort has moved forward during this Congress.

I know some of our colleagues have doubts about the path forward. Others have complaints about the path that got us here. But this vote, in my view, will simply be about whether we intend to live up to our promises. Do we want to repeal ObamaCare, or are we fine with leaving it in place? That is the question we have to ask ourselves.

Keep in mind, the vast majority of Republican Senators are already on record having voted 2 years ago in favor of a full ObamaCare repeal with a 2-year delay. Of course, in 2015, we knew that the President would veto that legislation, and we now know that the current occupant of the White House would surely sign it. That is really the only difference between then and now. Was the vote in 2015 just a political stunt? Was it just pure partisanship? I know some of our Democratic colleagues claim that was the case. Were they right? I sure hope not. On the contrary, I sincerely hope that any Member of the Senate who voted for the 2015 bill and who has spent the last 7½ years pledging to repeal ObamaCare hasn't suddenly decided to change his or her position now that the vote has a chance to actually matter.

If we vote to pass a full repeal, will we be solving all of our healthcare problems with a single vote? Certainly not. But that was never going to be the case. Anyone who thought repealing and replacing ObamaCare would be easy once we had the votes was likely not paying attention to the problems

plaguing our healthcare system. However, if we act now to pass the full repeal, we will be taking significant steps toward accomplishing our goal and keeping our promises.

If we pass up yet another opportunity, if we can't muster the votes to pass something we have already passed, I have a hard time believing we will get another shot to fulfill our promise and repeal this unworkable law anytime soon. What does that mean? Among other things, it means a congressional bailout of failing insurance markets, probably before the end of 2017. Frankly, that ship may have sailed on that one after last night's developments. We are probably looking at an insurance bailout one way or another. Those who will be interested in moving an insurance bailout later this year should be ready to explain how they want to pay for it.

Failure would also mean premiums will continue to skyrocket and people will be left with few, if any, available insurance options, even though they will still face penalties if they don't make a purchase. It would mean that the ObamaCare taxes and mandates remain in place, and it would keep Medicaid expansion on the books indefinitely, most certainly creating a scenario for Governors to advocate for the Federal Government to continue paying close to 100 percent of the share for able-bodied adults.

We already know what happens if we leave ObamaCare in place. That scenario is playing out before our very eyes. That downward spiral of broken promises—the one the American people have to deal with every day—is the reason we have all committed to repealing ObamaCare.

Don't get me wrong. I wish the path that got us to this point had been easier, with less melodrama and acrimony. To be honest, I wish we had simply moved to this full repeal strategy at the outset because, as I noted several times earlier in this year, it is probably the most feasible path forward if we want to achieve our goals.

It would be nice if things had gone differently. But this is where we are, with only 52 Republicans in the Senate and a minority that from the beginning has wanted no part of this process.

Right now, we have essentially two choices. We can keep talking about repealing ObamaCare and wishing for a better future, one with more Republican votes or more Democrats willing to acknowledge the reality, or we can press forward with the numbers we have and make good on the commitments we have made to the American people.

To quote the old Scottish nursery rhyme, if wishes were horses, then beggars would ride. Translation: More talking and more wishing will not get us anywhere.

We can either take a significant step forward to undo ObamaCare's man-

dates and taxes, which have collectively wreaked havoc on our healthcare system, or we can dither about some more and leave them in place for the foreseeable future. In my view, the choice is an easy one.

I urge all of my colleagues to once again vote with me to repeal ObamaCare. We have blown a number of opportunities already in recent weeks. Last night, we blew a big one. I hope we can avoid doing the same with this upcoming vote. If not, we will have to answer to the American people and explain to them why we failed.

I yield the floor.

I suggest the absence of a quorum.

Mr. CARPER. I ask the Senator to withdraw that suggestion, please.

Mr. HATCH. I withdraw it.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, good to see you and our friend from Utah. I feel compelled to go back in time, if I could. This is a question a lot of people ask me back home and around the country: Where did ObamaCare come from? The part where most people think of ObamaCare is when they think of the exchanges that have been established in all 50 States, where people who don't have healthcare can get coverage as part of a large-group plan. That was an idea that came from RomneyCare.

In 2006 in Massachusetts, when Mitt Romney was the Governor and was running for President, they came up with a really smart idea: Governor Romney, you have a much better chance of being elected President if you have done what no other Governor has done; that is, to cover everybody in your State for healthcare.

Well, that is an interesting idea. They looked around for ideas, and what did they come up with? They came up with an idea that was actually suggested by the Heritage Foundation. The Heritage Foundation found its way to this body in 1993 in legislation introduced by Republican Senator John Chafee of Rhode Island that called for doing five things:

No. 1 was creating exchanges or marketplaces in every State, where people who didn't have coverage could be part of a large group and get coverage.

No. 2, folks who bought coverage on the exchange might be eligible for a sliding-scale tax credit. Lower-income people would get a better tax credit, reducing their premiums, than people whose income was higher.

No. 3 was the idea of an individual mandate. People had to get coverage. If they didn't, they would have to pay a fine. You can't force people to get coverage, but in Massachusetts they said: Well, at least we will fine them, and, eventually, maybe over time, the fine will go up and most people—including young, healthy people—will elect to get coverage and be part of a group

that is actually insurable, as opposed to people who are just sick or who are anxious to get an operation or are needing to get an operation.

The fourth principle, which was the idea underlying the Chafee legislation, which would later become RomneyCare, was the idea that employers of a certain magnitude, or with a certain number of employees, had to cover their employees.

The fifth principle in that original idea was brought to us from the Heritage Foundation, by 23 Republican Senators in 1993—as an alternative, by the way, to HillaryCare—and later became RomneyCare. The fifth principle was the idea that if you are an insurance company and you want to deny coverage to people because they have a preexisting condition, you cannot do that.

That was it. When a number of us in this body worked on the Affordable Care Act, we took the Heritage Foundation idea, the idea from those 23 Republican Senators who introduced it, cosponsored it—including Senator HATCH, including Senator GRASSLEY. Some of the folks who are complaining the most about ObamaCare or the exchanges are the people who supported the original legislation introducing the idea. I don't know if that seems ironic to other people. It certainly does to me.

I spent part of Saturday—invited up to Providence, RI, to do something I used to do for 8 years—meeting with the National Governors Association. For 8 years, as Governor of Delaware, I was privileged to be a part of the National Governors Association, at one time vice chair and later on as the chairman of the group. They invited me to come back and talk about healthcare, healthcare reform, and what was going on here in the Senate. I was happy to do that, and we made it work on my schedule.

There, to speak on behalf of the administration, was the Vice President of the country, the Secretary of Health and Human Services, the OMB Director, and the Administrator of the Center for Medicare and Medicaid Services, explaining to the Governors why they should support the administration's position and why they should support the Republican position here in the Senate.

Today the Republicans sent out a strong letter—not just Republicans. Republican Governors and Democratic Governors sent out a joint letter, a bipartisan letter, saying to us, basically: Do these things.

Their advice to us was this: Hit the pause button; stop what we are doing. No. 2, pivot and stabilize. Stop destabilizing the exchanges.

This administration is trying to destabilize the exchanges, which were a Republican idea, and I think, actually, a good idea. But the administration

has sought to destabilize the exchanges, through a variety of tricks that they are pulling.

The third thing we should do is to stabilize the exchanges. It is not all that hard. Make it clear that the individual mandate, or something very much like the individual mandate, is going to continue to be the law of the land so that we end up with young, healthy people in the exchanges and not just a lot of sick people and older people.

No. 2 is reinsurance. One of the keys to the success of Medicaid Part D, the drug insurance program for folks on Medicare, is reinsurance. A number of us, led by Senator TIM KAINE and myself and others, said: Why don't we take that tried-and-true idea and use it to help stabilize the exchanges? I spoke here earlier today on how that would actually work. It is not a Democratic or a Republican idea. It is just a good idea.

The third thing we need to do to stabilize the exchanges—an idea actually suggested by a number of Senators, including Senator JEANNE SHAHEEN of New Hampshire—is to say that we are going to continue to fund and authorize something called CSRs, or cost-sharing reductions, which actually reduce the copays and the deductibles for lower income people who buy their coverage in the exchanges.

Those three things, we are told by health insurance companies, would reduce the cost of premiums in all the States by anywhere from 25 percent to 35 percent. It would stabilize the exchanges, and it would get other insurance companies to say: I don't know if I want to insure in Ohio, Delaware, or Utah. Insurance companies would say: Well, I think I can offer insurance products there and not lose my shirt. Then, they would get back into the exchange. They would offer coverage. Then, when more than one or two offer coverage, guess what happens. You have competition. And do you know what flows from competition? Better diversity of products to choose from and lower costs.

Those are three things we can do to stabilize the exchanges and, frankly, they are not all that hard.

The fourth thing the Governors suggested we do is, basically, regular order. Around here, regular order means that if people have a good idea, they introduce it. We turn it in up here at the front desk, and the legislative idea goes to the committee of jurisdiction. There is a discussion of whether there should be hearings about that particular bill. If it is a good bill, there may well be hearings. You have sponsors. It could be bipartisan. But, eventually, the idea will have a hearing in committee, and those who like that idea or those who don't like that idea show up in daylight, in the light of day, and say: Here is why I like it; here

is why I don't like it. They let their voices be heard.

On issues as important as healthcare, why we are not fully involving the Governors is beyond me. I just don't get it. Who runs the Medicaid Programs? The Governors in their States. That is a big part of what we are debating in this battle.

I will close with this. I said it before earlier today, and I want to say it again. As I travel around Delaware, talking to people in my little State—we have a lot of Democrats, we have a lot of Republicans, and we have a lot of Independents—they speak to me with one voice, and here is what they say: Work together. Solve some problems together. Democrats and Republicans, take off your hats and work together. That is what they want us to do.

It is not just Delaware. A Kaiser Permanente national survey released last week said 71 percent of the people in this country surveyed said we ought to work together and get this done.

If we are smart, before we leave for the August recess, we will stabilize the exchanges with the three things I talked about. The administration just needs to stand down and just be quiet on this point. If they don't like this Republican idea of the exchanges, just be quiet. But we come back here in September, and we go to work, with regular order, hearings—bipartisan hearings—bipartisan roundtables, and the chance for us to debate legislation in committees in the House and in the Senate, and on this floor, and to debate amendments. That is the way we ought to do this.

Anytime in this country when we have done really big things—Social Security comes to mind, the GI bill comes to mind, and the 1986 tax reform comes to mind—we didn't do it with just Democratic votes or Republican votes. We did it together. If we do that, we will be stronger together.

I will close with an old African proverb. It goes something like this: If you want to go fast, go alone. If you want to go far, go together.

We need to go far. If we do, we and the American people will get a lot further along toward the three things we have sought ever since Harry Truman was President: No. 1, cover everybody; No. 2, quality healthcare; and No. 3, affordable price. That is the "holy grail," and we should strive to get there together.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. CORNYN. Mr. President, after weeks—make that months, make that

years of discussions about the path forward to rescue the American people from ObamaCare, we find ourselves at an important fork in the road.

We have talked among ourselves about the necessity of keeping our promises to repeal and replace ObamaCare. We are coming down to the reality that, without the Democrats being willing to participate in the process and given the strictures of the budget reconciliation process, it is not going to be possible for us to do as much as we would like to do. We will continue to talk, and my hope is that we will continue to make progress with some sort of consensus on how best to proceed.

In the meantime, we do have a bill that 51 Republicans voted for in 2015 to repeal ObamaCare and leave 2 years available for a transition on a bipartisan basis. Here is my concern. Under ObamaCare, there are massive amounts of money being paid to insurance companies for something called cost sharing in order to try to help bring the premiums down, in order to try to help bring the deductibles down to make them affordable. It is pretty clear it is not working, given the 105-percent increase in premiums since 2013 alone under ObamaCare. Right now, we know the individual market, which is the insurance market where individuals and where small businesses buy their health insurance, is in a meltdown mode. That is after 7 years of ObamaCare.

Our friends across the aisle would like to convince you that in the 6 months or so President Trump has been in office, he has been the cause of that. It is not true.

Many of us, myself included, would love to see us stabilize the individual insurance market while we get some important reforms done to try to help bring premiums down in order to reassure people that we are going to protect preexisting conditions and while we do some additional important work on Medicaid reform.

I would be lying if I said that this is easy. Frankly, people didn't send us here to do easy stuff. They sent us here to do the hard stuff, and we need to continue to use our best efforts to keep our commitments and to deliver something better than the broken status quo of ObamaCare.

My concern is, if we are unsuccessful in doing that—we have already seen, for example, our friend, the distinguished Senator from New Hampshire, propose some additional mandatory cost sharing for insurance companies. According to the Kaiser Foundation, these are direct payments from taxpayers to insurance companies. Rather than working with us to try to make a course correction in ObamaCare and to put it on a sustainable path—our friends across the aisle want none of that. What they want is the cash. They

want the billions of dollars that are going to go to insurance companies and no reform.

I personally find that to be an unacceptable alternative. We do need to do something to protect people who are being hurt right now from the sky-high premiums and the deductibles that render their health insurance unaffordable. My concern is, to be absolutely candid with you, right now the President is authorizing on a month-to-month basis the cost-sharing payments, which are sustaining the market as it currently is—not well enough, given the structural problems, but at least keeping some insurance companies available in most places, although not all.

My concern is, unless we pass something like the Better Care Act, we are left with an untenable alternative. The President's statement that he may decide not to make those cost-sharing payments would provoke an immediate crisis in the marketplace, which would force us to act. I don't think that is inherently bad, but I want to make sure that we act in a constructive way, that we are not just throwing billions more dollars at a broken system, but that we actually implement the reforms to put it on the right path.

I know in Washington people tend to think in terms of Republicans and Democrats, and this is all about Obama, this is about Trump, this is about personalities. It is not. It is not even about politics. It shouldn't be, ultimately. This should be about the people we represent in our States and the people we represent across the country. How can we do the best job, given the difficult hand we have been given, to try to help make things better?

This is not going to be the end of the process. This is another step along the journey toward helping to make healthcare more affordable and more accessible.

There is a lot of great work that has been done. As the Presiding Officer knows, he has been at the forefront of trying to make sure we address things like the opioid crisis, which is devastating communities across the country. I was here showing a chart yesterday that the Presiding Officer has seen, showing HIV deaths going way down thanks to modern drugs, car wrecks were still in the 30,000 range, but deaths as a result of overdoses were up around 52,000 a year, I think, is the rough number. That is a public health crisis.

We need to do everything we can to make sure we are delivering services to the people who need it most who are suffering, but if all we do is bail out insurance companies, we will not have done our job, especially toward the communities hurt by the opioid crisis.

We are going to continue to work, but at some point we are going to have to vote, and, yes, people are going to

have to be put on record. Now, we are all grownups. Most of us have held political office for a fair time now. We know how to explain our votes to the voters back home, to whom we are accountable.

If you don't vote, then nobody is accountable, and everybody can blame each other for the outcome. I really do worry, unless we redouble our efforts to come up with meaningful reforms to the broken ObamaCare system, that we will be left with an untenable choice, either an insurance company bailout of the same flawed structure of ObamaCare or an immediate crisis that is going to force us to act and do the bailout without any reforms.

Mr. President, the other thing I just want to point out, in the closing minutes I wish to speak, is the process by which our Democratic friends have dragged their heels to the point of almost bringing this place to a halt, particularly when it comes to a new President getting votes on his nominees for Cabinet positions and sub-Cabinet positions. They are the first to criticize the President for not getting things done that he wants to get done, but when they sabotage his ability to try to populate these important positions in the Cabinet and sub-Cabinet positions by dragging their heels on nominations, they are causing a large part of the problem.

To put this in perspective, in 2009, 90 percent of President Obama's confirmations happened by voice vote. That is without a recorded vote, and that is without 30 hours expiring after voting and closing off the debate. This was just essentially an agreement in 90 percent of the cases.

Democrats in the Senate under the Trump administration have allowed only 10 percent of his nominees to be voice-voted. We allowed 90 percent for President Obama. We didn't agree with President Obama on a lot of things, but we agreed that he won the election, and he was entitled to populate his Cabinet and sub-Cabinet with people of his choice, assuming they weren't disqualified for some other reason.

Well, this week, we have considered Patrick Shanahan, nominated to be Defense Secretary of the Department of Defense, which is a role vitally important to the Department as it works through readiness, modernization, and of course the service to our men and women in uniform, providing them the tools and equipment and the training they need in order to protect the country. In order to accomplish that, the Defense Department needs a full team.

We spend more than \$600 billion a year on national defense, and yet the President can't get his full team put in place on a timely basis because of partisan foot-dragging.

Well, it serves another purpose, I suppose, because the more we are tied up on nominations, the less time we have

to deal with legislation. These kinds of tactics remind me of the former majority leader, Harry Reid, whose political schemes cost his party a 60-vote, filibuster-proof majority.

I know the distinguished senior Senator from New York, my friend, the Democratic leader, remembers that when Members of his own party can't bring back home any record of accomplishment for what they have done during their time here in Washington, it is pretty hard to make the case you should be reelected. After Harry Reid blocked participation, not just from the minority but also from the majority so they couldn't go back home and demonstrate that they had fought and accomplished things for their constituents, their party suffered a very tough political price.

So I would urge our colleagues to end this perpetual obstruction on nominations, legislation, and everything else. Noncontroversial nominees should not require days to get confirmed or judges, for that matter, should not require a 30-hour postcloture vote in order to get confirmed by more than 90 votes. That indicates it is not a controversial vote so why burn up the time except out of spite or desire to slow down this administration or this Congress in terms of getting things done.

The American people sorely want leaders at every level of our government. They are hungry for us to lead and to demonstrate we are listening to them and doing what we believe to be in their best interest, and they deserve a Senate that fulfills one of our most fundamental responsibilities, which is to consider and vote on Presidential nominees.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### HEALTHCARE

Mr. UDALL. Mr. President, thank you for your recognition.

Let me just say, at the beginning, I thank the Chair for the bipartisanship with which we both work on the Indian Affairs Committee. I very much appreciate that.

We are here with a few Members. I rise with my colleagues from the Senate Committee on Indian Affairs. I think Senator HEITKAMP, Senator FRANKEN, and, maybe, others will join us. I join them in reminding the Congress of its duty to Tribes and in its standing up for the healthcare of American Indians and Alaska Natives across Indian Country.

Most of us are aware of the health disparities facing Native communities. We have seen the news about the failings of the Indian Health Service, and many of us have heard directly from Tribal leaders and Native constituents about the barriers to healthcare access on reservations, pueblos, and in villages, but the Members of the Senate on the Indian Affairs Committee are uniquely aware of the complex ways that the Tribal healthcare system works and how those systems will be catastrophically disrupted by TrumpCare and the repeal of the Affordable Care Act.

The U.S. Government has a trust responsibility to provide American Indians and Alaska Natives with comprehensive, quality healthcare. The U.S. Constitution, treaties, and long-settled legal precedents are the basis for this responsibility. The Indian Health Service is the primary agency for fulfilling this obligation, but our trust responsibilities do not end there. The Medicaid and Medicare Program, Planned Parenthood, and other public health services all play key roles in the delivery of Native healthcare, and because the IHS is so consistently and severely underfunded, the ACA has made a huge difference.

Each fiscal year, the IHS receives a finite allocation of discretionary funding that it must stretch in order to meet the healthcare needs of 2.2 million Native Americans. That leaves the IHS with just over \$3,500 per person—less than one-third of the national average—for healthcare spending. As a result, without additional resources, the IHS is forced to ration care, which limits Native families to hospitals and clinics that can only provide “life and limb” emergency medical services. Basic preventive care, like wellness visits, prenatal exams, and mammograms, have frequently been unavailable to most IHS patients.

“Don’t get sick after June,” which is the unofficial motto given to the Indian Health Service on many Indian reservations, has, tragically, become the epitaph of too many Tribal members whose cancers have grown undetected, whose diabetes have gone untreated, and whose high-risk pregnancies have gone unnoticed. In seeing this catastrophic need for healthcare dollars, Congress enacted a series of laws that supplement IHS’s resources. The Affordable Care Act is the most recent and now is the most significant.

Nearly 287,000 American Indians and Alaska Natives from 492 Tribes—almost 90 percent—have benefited from the ACA’s Medicaid expansion. Another 30,000 individual Native Americans have private insurance, thanks to the ACA’s individual marketplace and the Native cost-sharing subsidies. In my home State of New Mexico alone, Medicaid expansion has insured an additional 45,600 Native Americans. Thanks

to the Medicaid expansion and increased access to the individual insurance market, 63 percent of IHS patients have healthcare coverage that allows them to receive care above and beyond the level of life and limb. Because of the ACA, the IHS now receives almost \$1 billion to supplement its healthcare delivery, and that is an increase of 21 percent.

We can see the results. Not only are people healthier, but they are more productive. Health insurance has allowed Native Americans to finish school, return to work, and lead productive lives instead of worrying that their next illnesses could lead to an IHS referral denial or ruin them financially.

It has also improved the economy in Indian Country. The ACA has created new healthcare jobs, and it has led to the construction of new medical facilities. It has meant dialysis clinics on New Mexico pueblos, new hospitals for the Choctaw in Mississippi, and thousands of jobs for Montana’s Blackfeet Indian Reservation. These are just a few examples of a nationwide trend.

TrumpCare will undo this progress. It will undo the newly expanded access to care. It will shut down those new healthcare facilities. It will freeze the economic progress of those areas. These are not just numbers and statistics. We are talking about people’s lives. Individuals will be harmed by TrumpCare and the evisceration of Medicaid.

Let me tell you about Rachel, Justin, and their two children—Adalie and Jude. They are one Native family whose lives have been changed for the better under the Affordable Care Act and the Medicaid expansion. Rachel and Justin are from the Laguna Pueblo in New Mexico.

Here is a photo of them right after Jude was born in August 2015.

Before the ACA and Medicaid expansion, Rachel received hit-or-miss care from the IHS, but when she enrolled at the University of New Mexico, she was able to qualify for Medicaid because of the expansion. This meant that when Rachel and Justin decided to start a family, Rachel had access to preventive services, including prenatal and maternity care. Rachel was able to get the care she needed when she became pregnant with Adalie. Rachel’s prenatal care became even more important when they decided to add to their family when Rachel was in graduate school at UNM. That pregnancy with Jude had serious complications. The doctors figured out that Rachel did not have enough amniotic fluid to support Jude, and she had to have a C-section.

Medicaid expansion allowed Rachel to complete her college education and to get a master’s in public administration without her worrying about healthcare for her and her children. Medicaid expansion meant that Rachel

was able to get the preventive care she needed to make sure that she and Jude were healthy.

Rachel recently got a job offer to work in her chosen field, but now that she is able to get off Medicaid, she is worried that the Republican healthcare proposals will make insurance coverage ineffective or unaffordable. Even though she lives near her Tribe’s IHS facility in the Albuquerque area, she knows that she cannot depend on the IHS to guarantee critical care if insurance premiums become unaffordable. Once again, Rachel is worried about the future of her family’s healthcare.

Rachel is one of thousands of Native Americans whose lives have been dramatically helped by the Affordable Care Act and who are scared that TrumpCare will leave them unable to get the healthcare that their families need in the future.

If this bill becomes law, Tribal communities will be forced back to a system of healthcare rationing. If the President and the Republican leadership eviscerate the Medicaid Program and Federal supports for public health programs, Native American lives will be lost. There is no doubt about it. Let me say this plain and simple: TrumpCare would devastate Indian Country, and it must be stopped.

Just this morning, as vice chair of the Indian Affairs Committee, I held a roundtable with Tribal leaders and Native health experts to hear more about how the Republicans’ healthcare proposals would impact Tribes. I thank the leaders who came in to talk with me and my colleagues on the committee. Senator FRANKEN, Senator HEITKAMP, Senator TESTER, and Senator CANTWELL were there.

All came to hear these Native leaders, and their insight into the damage this bill could do to Native communities was profound. The Turtle Mountain chairman from North Dakota reported that “don’t get sick after June” is no longer true on his reservation because of the ACA and Medicaid expansion. Panelists warned that the rollback of Medicaid would be devastating to Tribal members, and a representative from the San Felipe Pueblo reminded us that Indian health is not an entitlement; it is an obligation.

Now the Republican leader and the President are moving in an even more dangerous direction. They are pushing to repeal the ACA without having any replacement, which would strip healthcare from over 30 million Americans. It would devastate anyone who is sick today, anyone who relies on insurance one gets through the Medicaid expansion or the Affordable Care Act, and it sets up a disaster for anyone who might get sick after its repeal because it would destabilize insurance markets and would throw our economy into turmoil, killing up to 50,000 jobs in New Mexico alone. As often happens with

policies that hurt the most vulnerable, Indian Country would be hit the hardest.

Traditionally, the Senate has worked on a bipartisan basis to address Native American issues. That tradition must continue now. We must work together to find a sustainable solution so that Native Americans can get affordable, quality healthcare when they need it.

Mr. President, I ask unanimous consent that a copy of a letter from the National Congress of American Indians, National Indian Health Board, National Council on Urban Indian Health, and the Self-Governance Communication and Education Tribal Consortium sent to Republican leadership on June 27, 2017, and shared with the Senate Committee on Indian Affairs be printed in the RECORD. This is just one example of the many such letters sent to the Senate over the last few months, and I will submit those additional letters as part of the record at our next Indian Affairs Committee Hearing.

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

JUNE 27, 2017.

Re Tribal priorities in Senate healthcare reform legislation.

Hon. MITCH MCCONNELL,  
The Capitol,  
Washington, DC.

DEAR SENATOR MCCONNELL: On behalf of the National Indian Health Board (NIHB), the National Congress of American Indians (NCAI), National Council on Urban Indian Health (NCUIH), Self-Governance Communication and Education (SGCE), and the Tribal Nations of the United States we serve, we write to convey and explain our strong and united opposition to the Senate's Better Care Reconciliation Act of 2017 (BCRA) in its current form.

While the legislation mirrors several provisions of the House bill that are of critical importance to Indian Country, we have grave concerns about other aspects of the BCRA that make it impossible for us to support the legislation in its current form. Specifically, we cannot support legislation that would gut the Medicaid program or eliminate cost-sharing protections for American Indians and Alaska Natives (AI/ANs). Most importantly, we request that the legislation:

1) Maintain Medicaid funding based on need, rather than capping it according to a complicated per capita allocation formula or through capped block grants.

2) Continue Medicaid Expansion, and at the very least, continue Medicaid Expansion for AI/ANs

3) Protect AVANs from barriers to care that are inconsistent with the federal trust responsibility, such as work requirements under Medicaid

4) Retain cost-sharing protections at Section 1402 of the Patient Protection and Affordable Care Act (ACA); and

5) Maintain funding for preventative services, including the Prevention and Public Health Fund and women's health services.

As you know, the federal government has a trust responsibility, agreed to long ago and reaffirmed many times by all three branches of government, to provide healthcare to Tribes and their members. Both Medicaid and IHS funding are part of the fulfillment of the trust responsibility.

However, the federal government has not done its part to live up to the responsibility to provide adequate health services to AI/ANs. IHS funding is discretionary and is appropriated every year and distributed to IHS and Tribal facilities across the country. But IHS appropriations have been about 50% of need for decades, and Medicaid revenue is essential to help fill the gap. When demand for services is higher than the funds available, services must be prioritized and rationed. As a result of this chronic underfunding, historical trauma, and a federal-state centric public health system, AI/ANs suffer from a wide array of health conditions at levels shockingly higher than other Americans. Nationally, AI/ANs live 4.5 years less than other Americans, but in some states life expectancy is 20 years less. This is not surprising given that in 2016, the IHS per capita expenditures for patient health services were just \$2,834, compared to \$9,990 per person for health care spending nationally. The Senate should pass reform legislation only if it does not reduce access to care for AI/ANs, or further strain the already stretched resources of Indian Health Service, Tribally-operated, and urban Indian health programs (collectively called the "I/T/U").

#### MEDICAID

Cuts to the Medicaid program outlined in the BCRA are especially troubling. Under a block grant per-capita system, States will experience a dramatic reduction in federal funding for their Medicaid programs. Most will have to either reduce eligibility for the program or reduce or eliminate benefits that are essential to many AI/ANs. Medicaid is a crucial program for the federal government in honoring its trust responsibility to provide healthcare to AI/ANs. Because health care services are guaranteed for AI/ANs, cuts in Medicaid only shift cost over to the IHS, which is already drastically underfunded. Put simply, without supplemental Medicaid resources, the Indian health system will not survive.

AI/ANs are a uniquely vulnerable population and uniquely situated in the Medicaid program. Unlike other Medicaid enrollees, because of the federal trust responsibility, AI/ANs have access to limited IHS services to fall back on at no cost to them. As a result, Medicaid enrollment and utilization incentives are completely different for AI/ANs in Medicaid. Medicaid conditions of eligibility designed to ensure that beneficiaries have "personal investment" do not work when mandatory in Indian country. Instead of participating in these programs, many AI/ANs will simply choose not to enroll in Medicaid and fall back on the underfunded IHS instead. This will deprive Tribal and urban programs of vital Medicaid revenue and strain limited IHS resources to the breaking point.

Medicaid is a crucial program for the federal government to fulfill the trust responsibility. Over 40 years ago, Congress permanently authorized the IHS and Tribal facilities to bill Medicaid for services provided to Medicaid-eligible AI/ANs to supplement inadequate IHS funding and as part of the federal trust responsibility. At the same time, because Congress recognized that "... it would be unfair and inequitable to burden a State Medicaid program with costs which normally would have been borne by the Indian Health Service," it ensured that States would not have to bear any such costs, by providing that States would be reimbursed at 100 percent Federal Medical Assistance Percentage (FMAP) for services received through IHS and Tribal facilities.

The Senate Finance Committee, which has primary legislative responsibility for the Medicare and Medicaid programs, adopted a similar reimbursement provision as a part of H.R. 3153, the Social Security Amendments of 1973. In its report on the legislation, the Finance Committee justified the 100 percent FMAP by noting:

"... that with respect to matters relating to Indians, the Federal Government has traditionally assumed major responsibility. The Committee wishes to assure that a State's election to participate in the Medicaid program will not result in a lessening of Federal support of health care services for this population group, or that the effect of Medicaid coverage be to shift to States a financial burden previously borne by the Federal Government."

In light of this legislative history, Tribes are pleased to see the 100 percent FMAP preserved in the BCRA. As the Senate considers this proposed legislation, please ensure that this remains in place. In addition, because the federal trust responsibility also follows AI/ANs off of reservations, 100 percent FMAP should also be extended to services provided through urban Indian health programs (UHIPs).

With regard to Medicaid, we respectfully request that the Senate:

1) Continue to Fund Medicaid Based on Need without Caps

Medicaid is an important tool through which the federal government uses to fulfill its trust responsibility to provide for Indian health care.

The cuts proposed by Sections 133 and 134 of the BCRA would be devastating to Tribal and urban health programs. BCRA would make cuts to Medicaid that are even higher than those proposed by the House of Representatives. BCRA's caps are tied to a lower inflation factor beginning in 2025 that would result in even higher cuts to State Medicaid plans.

We were encouraged to see that BCRA contains provisions that would prevent the cost of care provided to AI/ANs from counting against either a per capita cap or a block grant. However, we request that urban Indian health programs be included in the exemption as well. Faced with the cuts proposed in Sections 133 and 134 of the bill, most States will be forced to make cuts to eligibility and/or services in future years. This will affect all providers and recipients, including Tribal/urban providers and AI/AN patients. This will lead to significant cuts in Medicaid revenues for I/T/Us, and will threaten our ability to provide healthcare services to our people. The Indian healthcare delivery system will not succeed if faced with the cuts proposed in BCRA.

To the extent that the Senate bill maintains such dramatic caps, it should work with Tribes to develop a mechanism to exempt reimbursements for services received through IHS/Tribal/Urban facilities from any State-imposed limitations on eligibility or services that may result from these caps. Such reimbursements would be covered by 100 percent FMAP and therefore will not affect State budgets.

We also request language be added to the bill that requires States with one or more Indian Tribes or Tribal health providers to engage in Tribal consultation on a regular and ongoing basis, and prior to the submission of any Medicaid or CHIP State Plan Amendment, waiver applications, demonstration projects or extensions that may impact them as Medicaid providers or their Tribal members as Medicaid recipients.



### 2) Preserve Medicaid Expansion

Medicaid Expansion has increased access to care and provided critical third-party revenues to the Indian health system. The uninsured rate for Native Americans has fallen nationally from 24.2% to 15.7% since the enactment of the Affordable Care Act, due in large part to Medicaid Expansion. This has resulted in health care services to AI/AN people who might not have normally received care. It has also resulted in saved revenues to the Medicaid program through preventing more complex and chronic health conditions and saved the Medicaid program money. Medicaid Expansion has increased Medicaid revenues at IHS/Tribal/Urban health programs that are being reinvested back into both the Indian and the larger national health care system.

The BCRA would roll back federal funding Medicaid Expansion by 2024. The Senate should preserve Medicaid Expansion as an option for States on a permanent basis. While BCRA contains important provisions designed to equalize funding between Expansion and non-Expansion States, we are concerned that the funding made available to non-Expansion States is insufficient to match that which has been provided to Expansion States. At the very least, Expansion should be retained for the AI/AN population under a special Medicaid optional eligibility category for State Plans in recognition of the federal trust responsibility.

### 3) Exempt AI/ANs from Work Requirements

The BCRA would allow the States to impose mandatory work requirements as a condition of Medicaid eligibility, and incentivize States that impose such requirements with a 5 percent increase in FMAP to reimburse them for the administrative costs of implementing such a requirement.

As noted above, mandatory work requirements will not work in Indian country because the incentive structures are completely different. Unlike other Medicaid beneficiaries, AI/ANs have access to IHS services. If work requirements are imposed as a condition of eligibility, many AI/ANs will elect not to enroll in Medicaid. As a result, rather than encouraging job seeking or saving program costs, mandatory work requirements will discourage AI/ANs from enrolling in Medicaid and place pressure on the already underfunded INS. Further, cash jobs are scarce or non-existent in much of Indian country, making work requirements impossible to meet and job training programs an exercise in futility.

Tribes fully support work programs and employment, but we believe such programs should be voluntary so as not to provide a barrier to access Medicaid for our members. Again, this is consistent with over 40 years of Medicaid policy for Indian Country. To the extent it considers imposing work requirements, the Senate should exempt AI/ANs from any work requirements.

#### MARKETPLACE

We also ask that the Senate amend the BCRA to maintain cost sharing protections for AI/ANs. These protections were included for AI/ANs in fulfillment of Congress and the United States federal trust responsibility to provide health care to Indians. Section 208 of the BCRA would repeal the cost-sharing subsidy program established by Section 1402 of the ACA. However Section 1402(d) of the ACA also includes important and critical cost sharing protections for AI/ANs who have incomes at or below 300 percent of the federal poverty level, or who are referred for care through the IHS Purchased/Referred Care

(PRC) program. These cost-sharing protections incentivize AI/ANs to sign up for health insurance and also make it affordable. Eliminating them would create a disincentive for AI/AN to sign up for insurance, since they already have access to IHS services. This would result in less third party reimbursements for the Indian health system and have a destabilizing effect on the system's ability to provide health care to AI/AN people. Dollar-for-dollar, leveraging cost sharing protections for AI/ANs and thereby encouraging insurance coverage is a very efficient means of moving the needle forward in meeting the federal trust responsibility for health care resources.

#### PREVENTION SERVICES

We are also deeply concerned by the proposed reduction of prevention services in the legislation. The elimination of the Prevention and Public Health Fund will cripple Tribes' efforts to support public health initiatives. Many Tribal health programs rely on PPHF directed funding to keep their public health systems operational. Unlike states, Tribes must piece together a patchwork of funds, some of which are derived from the PPHF, to administer basic prevention services. Additionally, the reduction in funding for women's health services around the country will have major impacts on Tribal members, especially those who do not have direct access to services on or near their reservation. The Senate should restore cuts to the preventative services in the legislation.

Tribes support the inclusion of state funding to address the opioid crisis. However, states do not often pass these funds to Tribes. Drug-related deaths among AI/ANs is almost twice that of the general population. To address this problem, Tribes should either receive direct federal funding to address the opioid crisis, or states should be required to engage in state-Tribal consultation on the use of funds appropriated for the states.

In conclusion, the undersigned organizations must oppose the BCRA in its current form. We could support the legislation only if needs-based funding for Medicaid is preserved, Medicaid Expansion is continued, and the other changes outlined above are made to the bill before passage. In fulfillment of the trust responsibility, current exemptions for AI/ANs from health insurance premiums, co-pays, and cost sharing must be preserved, and Medicaid-eligible AI/ANs must be allowed access to the program without further requirements attached to ensure additional burden is not placed on very limited IHS appropriations. Tribes across the country are eager to come to the table to discuss how shortcomings in the current healthcare system can be addressed, without wreaking immeasurable harm on our health programs and the people we serve.

If you have any questions please do not hesitate to contact NIHB's Executive Director Stacy A. Bohlen.

Sincerely,

VINTON HAWLEY,  
*Chairperson, National  
Indian Health  
Board.*

ASHLEY TUOMI,  
*President, National  
Council on Urban  
Indian Health.*

BRIAN CLADOOSBY,  
*President, National  
Congress of Amer-  
ican Indians.*

W. RON ALLEN,  
*Board Chairman, Self-  
Governance Commu-*

*nication & Edu-  
cation Tribal Con-  
sortium.*

Mr. UDALL. Thank you, Mr. President.

While this small effort cannot fully replace the necessary government-to-government consultation we owe Tribes on this issue, I hope it reminds us of our Federal obligations to Tribes and to all Native Americans. TrumpCare would turn back the clock. It would violate our trust responsibilities. It would endanger the lives of Native families. We cannot let that happen.

Senator FRANKEN has been such an advocate on the Indian Affairs Committee for Tribes in his State and across the Nation. All of us have worked extensively to try to improve a situation about which, many times, we hear from Tribal members is despairing. I really appreciate his effort and thank him for coming to the floor today and participating in this discussion about Indian healthcare and what these Medicaid expansions mean.

I yield the floor to my colleague and friend from the great State of Minnesota, Senator FRANKEN.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Thank you, Mr. President.

I thank my vice chairman of the Indian Affairs Committee, and I thank the Presiding Officer, who chairs the committee. I am honored to serve under both of them.

I rise to discuss the devastating effects the various Republican healthcare proposals that have been made would have on Indian Country.

Republicans are now considering a straight repeal of the Affordable Care Act, with no replacement. This policy, like others that have come before it, would have a devastating effect on Native communities. Today, I want to describe some of the healthcare challenges that these communities face, how the Affordable Care Act has helped to address some of those challenges, and how repealing the Affordable Care Act would undermine these gains and further jeopardize healthcare for an already vulnerable population.

I have served on the Indian Affairs Committee for the past 8 years, and I am continually shocked by what I hear almost every week from Tribal leaders and other witnesses about the challenges that face Native communities. One of the biggest challenges is that the Federal Government consistently falls short of its responsibilities to Indian communities. There is a lack of attention to the concerns of Native communities. There is a dysfunctional bureaucracy and a Congress that doesn't adequately fund Indian programs, and this can create a vicious cycle. When programs don't have adequate funding, they don't work as they should.

Some of my colleagues who have failed to provide Indian Country with the funding they need point to the resulting program inefficiencies as justification for continuing to cut and underfund critical programs. That just doesn't make sense to me. Healthcare has fallen prey to this vicious cycle even though the Federal Government has a trust responsibility to provide healthcare to Tribes and to their members.

Medicaid and the Indian Health Service are both part of this trust responsibility. Over the years, the Indian Health Service has suffered from lack of resources, poor staffing, and other challenges. The vice chairman was right: "Don't get sick after June" is unfortunately something we hear over and over again, and it is said with some irony but also hurt in Indian Country because the funding runs out then.

These challenges mean that many in Indian Country, particularly those living in remote areas, don't have reliable access to the medical care they need on a timely basis. This is healthcare that was promised by treaty and by our Constitution.

Prior to the ACA, funding shortages meant that IHS was only able to provide people with the most basic services, so a lot of the care that people needed was simply not available. For example, prior to the passage of the Affordable Care Act, the Indian Health Service could not afford to provide vital services, including women's health screenings, like mammograms, or basic diabetes care. If you suffered from diabetes, you often had to wait until dialysis was required or limb amputation was needed before being able to receive care. That is just unconscionable. That is terrible. What is more, American Indians and Alaska Natives were more likely to be uninsured than non-Native populations, which meant that many people who needed care that wasn't covered by the IHS simply went without.

The ACA helped change all of this for the better. First, the ACA gave States the option to expand their Medicaid Programs to include low-income adults without dependent children. Thanks to Medicaid expansion, 11 million Americans, including more than 290,000 American Indians and Alaska Natives, were able to get health insurance. The ACA's Medicaid expansion made it possible for an estimated 60 percent of uninsured American Indians and Alaska Natives to qualify for healthcare coverage.

This expansion, coupled with other Medicaid policy reforms, such as those that simplified the enrollment process, helped increase the total number of people covered under the program. In fact, IHS reported earlier this year that 42 percent of patients receiving services—of those who receive the services—did so because they had coverage

through Medicaid. That is what the Indian Health Service said. Forty-two percent of those who received healthcare services did so because they are covered by Medicaid. In Grand Portage, which is a beautiful spot on the northeastern corner of Minnesota, this meant that well over 20 more band members, many of them children, received coverage. We know from a recent report out of Georgetown University that, nationwide, 54 percent of children in American Indian and Alaska Native families were enrolled in Medicaid in 2015, compared to 39 percent of all children.

This program has been a vital source of coverage, and, with health insurance coverage, people have finally been able to access the healthcare they need. That is what healthcare is really about. Healthcare is about having coverage so that you have routine visits for primary care. So if you are diabetic, you have routine visits. It is not about the emergency heroic event; healthcare is about the constancy of care. That is what improves people's health. That is what improves their lives.

Another way the ACA helped improve healthcare for Native populations was by transitioning the IHS to be the payer of last resort. By establishing that Medicare, Medicaid, and private insurance would be the primary payers, the ACA ensured that there was more money going to provide a wider range of services that people needed, while simultaneously reducing the financial burden on the IHS.

Yet there is more that we need to do to strengthen the Affordable Care Act and improve rates of coverage and access within Native communities. For example, we need to do more to address workforce shortages and lack of competition in insurance markets in rural areas. The Presiding Officer knows that. Also, it is imperative that we tackle the opioid epidemic in Indian Country. But recent Republican efforts to repeal the Affordable Care Act will do nothing to address these outstanding needs and would undermine the recent health and coverage gains Tribal communities have been able to achieve. I know the last bill had money targeted at opioid treatment, but it wasn't anywhere near what will be taken away when the Medicaid expansion and cuts to Medicaid are figured in.

The Republicans' proposals would hurt Indian communities in a number of important ways.

First, they would cause tens of millions of people, including many American Indians and Alaska Natives, to lose coverage, with between 15 million and 18 million Americans losing coverage immediately. For example, Republican plans would end the Medicaid expansion, as I have said, which has been central to providing health coverage to many in Native communities.

Second, they would jeopardize the sustainability and stability of the individual market, while giving huge tax breaks to powerful corporate interests.

Finally, they would increase premiums and reduce subsidies that low-income people receive to help pay for their healthcare, which would put private health coverage out of reach for so many.

Efforts to repeal the Affordable Care Act are just bad for Native communities and bad for the country as a whole.

As many of my colleagues know well, American Indians and Alaska Natives are twice as likely, as compared to non-Hispanic Whites, to be overweight, obese, diagnosed with diabetes, and experience hopelessness and depression. In Minnesota, American Indian women are also more likely than Whites to be diagnosed with maternal opiate dependency during pregnancy, and more children are born opioid dependent. Reducing coverage and driving up healthcare costs is the last thing these communities need.

Indian Tribes in Minnesota and in North Dakota and in all of our States are grappling with challenging and complex healthcare needs. They need our help. They don't need legislation that is hastily put together for ideological reasons. They don't need policies that undercut their care and livelihood.

I believe we need to work together across partisan lines. I really hope that is what we are going to do.

The Republican healthcare plans that have been put forward so far break the Federal Government's trust responsibility and undermine the very programs that are helping Indian communities. That is what I sincerely believe.

I urge my colleagues to reject Republican efforts to repeal the Affordable Care Act and instead work with us on a bipartisan basis, in regular order, with hearings before our committees, to strengthen care options for our Native communities and for all Americans. I believe we can do that, and I believe we can work together. It is just the right thing to do.

Thank you, Mr. President.

I yield to the vice chairman of the Indian Affairs Committee, the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, we have been joined by Senator HEITKAMP of North Dakota. I appreciate her work on the subcommittee, her incredibly hard work and hard dedication that she has put in. She has been a champion for her Tribes in North Dakota, a champion for Native children and Native women, and a champion for Native Americans across the country.

I yield to Senator HEITKAMP.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I think that anyone who picked up the Wall Street Journal over the last couple of weeks and read the stories about Indian health and what is happening, especially in our region of the world in the Great Plains—it shocked the conscience. It should have resulted in a prolonged level of outrage that would bring us all together.

Unfortunately, we have seen this movie one too many times. Things happen where we see national stories about challenges in Indian Country, about the failure to fulfill commitments under treaty rights. We see despair. We see the incredible rates of poverty, the incredible rates of unemployment, even in a State like ours where unemployment rates are never the issue. We wonder, why isn't something being done? Guess who wasn't shocked. Those of us who serve on the Indian Affairs Committee.

We on the committee spent a lot of time looking at this last year, trying to figure out how we could engage the bureaucracy to be more responsive and more responsible and how we could look at sourcing the dollars we needed to make sure that Indian health was supplemented and that the level of care we expect when we walk into our hospitals—that that is the level of care Native American people who go to the Indian Health Service on their reservations and who might go to an Indian run, a Tribal run facility, would expect. That is what we expect, and I think that is what the American public might think is actually going on, but those of us on the committee know differently.

We held a roundtable today to talk about what those challenges are, what Native American leaders believe are those challenges, and to ask them a simple question: What has Medicaid expansion meant to your Tribes? What does access to Medicare and Medicaid mean for delivery of healthcare services?

I want to start off by saying that they have a lot of great ideas, and I will run through some of these.

Chairman Keplin from Turtle Mountain said: We need local doctors. It is hard to get people to live on the reservation if they are not from the reservation, so we need to figure out how we are going to get local folks to be trained, and we are willing to do that in our Tribal colleges. We need to build relationships with other healthcare providers, like Sanford, that can bring specialists. We need our cancer infusion center to be there so that people can get cancer treatment right at home. And we need to make sure we are doing everything we can to make sure we can treat diabetes right there at home.

So the healthcare challenges were amazing, but the cost challenges were also amazing.

Duane from Pueblo in New Mexico had some very interesting perspectives. Eighty percent of his patient load comes to the clinic. They speak their Native language. They have had stability in their workforce, but they are looking at transitioning to a Tribal facility. But those people don't want to transition because of Federal retirement. So is there something we can do to keep these treasured healthcare providers working for the Tribe and working for their people—the people who know the language and who are familiar with the case studies?

Lincoln from Alaska said: One of our biggest problems is year-to-year funding. The VA has 2-year funding. We don't know what the money is going to be and when it is going to come. We also need to train local people.

Sam said: We have a huge need to continue to build out our cultural resources and our attention to culture and prevention.

Ron from Washington talked a lot about the recruitment of workforce. The employer mandate came up because so much of the employment on the reservations is in fact Tribal members. They are talking about that they are mandated to buy this health insurance, but these same members have a treaty right to that healthcare. Is there a way to help those stretched Tribal resources go a little further by taking a look at some relief from the employer mandate?

The definition of what constitutes an Indian came up over and over.

From Massachusetts, Cheryl talked about permanent reauthorization of Indian healthcare and more resources in diabetes, because that is a pervasive problem, and Indian employment, again, talking about that issue of buying health insurance.

As to marketplace access for Native American enrollees who are not living on the reservation, how do they make sure they are able to get their treaty rights?

Talking about mental well-being and talking about culture is prevention. One of my favorite lines that came out of this was when we asked about prevention, and Ashley said: Culture is prevention. We need better access to 1115 waivers. Take a look at the Canadian model, she suggested. They do more with cultural sensitivity.

The list goes on and on of great ideas. Not one of these ideas said: Repeal the Affordable Care Act. Not one of them said: Let's get rid of Medicaid expansion; let's not look at what we can do.

Let's just all acknowledge what we who serve on this committee know: We have challenges that far exceed many other populations. We have come to the floor to talk about how the repeal of the Affordable Care Act and how the Republican healthcare bill would hurt different populations. We have talked

about the elderly. We have talked about children with disabilities. We have talked about rural communities. We have talked about many, many more folks. I think we haven't done enough to talk about what this means for Indian people.

We have a special relationship with Indian people in my State because every Tribe in my State is, in fact, a treaty Tribe with a treaty right to healthcare.

Last night, it obviously became clear that the bill, as it stands, wouldn't get enough votes to move forward. But we need to keep talking about this bill, and we need to keep talking about what the questions are. Instead of talking about this bill or that bill or all of the acronyms, let's start with healthcare. Let's have a conversation about healthcare that starts with healthcare. Where are we doing it right? Where are we doing it wrong? How can we reduce costs? Who is being left behind?

It is clear to me that in the healthcare world—never mind the Affordable Care Act or the Better Care Act, whatever the Republican bill was called. That is a discussion for politics. That is not a discussion for healthcare. So let's talk about what Native Americans need. Let's talk about how we have failed.

As I said earlier today, Senator UDALL led a really important discussion about how we need to preserve Medicaid. When we look at the Indian Health Service, I think anyone who really looks at the numbers has to admit that it is chronically underfunded.

Last year, I brought the former IHS Director to North Dakota to press her on maintaining quality care in our Tribal communities. This was especially important because of the severe challenges Indian healthcare has. We know that the lack of funding for Indian healthcare can be critically augmented by three main sources: Medicaid, Medicare, and private insurance. If every person walking in has the ability to pay, we are going to improve access to care, and we are going to improve the opportunity to recruit a workforce.

I think some people may roll their eyes when they say: Don't get sick in June. My husband is a family physician and practices about 60 miles north of the Standing Rock Sioux Tribe. He can tell you that there have been times when people from the reservation have come to the clinic to see him because the clinic in Fort Yates is shuttered—no money that day, no opportunity for healthcare. So people come to get the healthcare they need, but they have to drive a long way. It is wrong. You see a new doctor whom you have never seen before and who may not, in fact, understand your condition.

So the Turtle Mountain Band of Chippewa, who are represented today,

have over 33,000 enrolled members, of which approximately 14,500 actively receive treatment and benefits for services at the local IHS hospital. Thanks to Medicaid expansion and increased enrollment efforts by the Turtle Mountain Band of Chippewa in my State of North Dakota, their Indian Health Service hospital is now able to offer so much more in services to their people and increase their outreach and prevention.

In June alone, Turtle Mountain's IHS clinic served nearly 13,000 clinical patients and provided over 1,000 emergency room services. Third-party billing revenue has now allowed the Tribes to make renovations to their emergency room and their clinic, to purchase new medical equipment, including neonatal monitors, to recruit and hire additional staff, including licensed professionals, to increase staff training and education, to provide Wi-Fi throughout the hospital, and to expand their behavioral healthcare facility to serve more patients.

Since the Medicaid expansion, they have had a 9-percent increase in the number of individuals they have served. Their hospital is also experiencing a decrease in the number of uninsured patients—still too high, in my opinion, at 39 percent. We can get that lower if we get more people to take advantage of Medicaid expansion.

But, unfortunately, a Republican healthcare plan that would eliminate cost-sharing subsidies is making that private health insurance less affordable and less successful.

So let's be honest about how we are affecting our Native American population and talk about the multiple times this expansion has been so important to our Native families.

In North Dakota, the Republican bill would cause an estimated 984 Native Americans to lose cost-sharing reduction subsidies. The Senate Republican healthcare bill would also get rid of the Medicaid expansion and cap the amount of Federal funding States can get to cover those on traditional Medicaid. As a result, it would drastically reduce the amount of Medicaid funding going to the States. This would push the remaining costs to the States and counties that can't afford it.

The American Hospital Association estimates that North Dakota Medicaid would lose \$1.2 billion. I will say that again. North Dakota Medicaid would lose \$1.2 billion through 2026.

Right now, 9,000 North Dakota children and individuals with disabilities—Native Americans, seniors, and low-income families—rely on Medicaid for affordable, quality care, but this bill would rip it away in so many wrong ways.

The uninsured rate for Native Americans has fallen nationally from 24 percent to 15 percent, largely due to Medicaid expansion.

We go on and on. Currently, Medicaid accounts for 24 percent of the Indian Health Service workforce. The Senate Republican bill would strip away \$772 billion from Medicaid, and the White House proposes cutting an already underfunded Indian Health Service budget by 6 percent.

We already know that the per-patient cost in the Indian healthcare system is greatly below that of Medicaid reimbursement cost, on average. So if we take away Medicaid reimbursement, we are hurting not only the providers, but we are once again making healthcare less affordable.

This is a crisis. I can't begin to tell the Members of this body what a crisis Indian healthcare is in. We have known it on the committee for many, many years. In fact, Senator Dorgan was the first one to really sound the alarm of the crisis in the Great Plains area, thinking that a report that was so damaging would result in change. Guess what. It didn't. It didn't result in change. But the one thing we can point to that is a bright shining light has been access to Medicaid dollars. It has given them access to capital expenditure, and it has given them access to workforce. It has given a more consistent way for people who don't live on the reservations to get healthcare.

I have said this many, many times: We need to not go backward; we need to go forward. When people say: We are going to take a step back, we are going to reduce actual appropriations by 6 percent for Indian health, and we are going to eliminate Medicaid expansion, I say: You had better look before you take a step backward because you might be off the cliff. That is how dire it is in Indian Country.

The one thing I am going to conclude with is that for many, many years in healthcare we have not done what we need to do to consult with Tribal people: Here is the facility; this is what we are going to provide. Good luck. One size fits all.

What we need to do and what Medicaid has allowed is that flexibility for Tribes to engage, for Tribal people to engage in what their needs are, and to take a look at those community health models that do dental care, eye care, and mental health and addiction counseling. All of this needs to be wrapped up. When people say there is no hope, there certainly is no hope without help.

There is an old saying: When you have your health, you have everything. I can tell you from personal experience that it is absolutely true. You could be the richest man in the world, but if you don't have good health, your quality of life is not what it could be.

When we look across the indicators of what has happened in Indian health with indigenous people throughout our country, when we know this is our obligation—this is that treaty obligation,

the treaty right that has been bargained for—shame on us.

Medicaid can be that bridge. It can be the bridge to better healthcare. That is why it is so critical, Mr. President and my vice chairman, that we be out here speaking for our communities, speaking for these unique groups of folks who depend so much on Medicaid expansion but who also depend on us to do a better job, to be better stewards of that relationship, to be better citizens as it relates to living up to the obligations that our ancestors negotiated.

I ask everybody who hasn't really been exposed to this issue to read the articles in the Wall Street Journal. But don't just read them and wring your hands and say: This is horrible. Take a step to change the outcome. Don't just read them and say: Boy, that is horrible. Take responsibility for what you read. Every one of us in the Senate and in the Congress is responsible for fulfilling the obligations of these treaties. When we aren't doing it, it is a failure on every one of us, and it is a failure to protect some of the most vulnerable people in our country—and that is Native American children.

I yield the floor and turn it back to my vice chairman, Senator UDALL.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, I know Senator DURBIN is on the floor so I am going to wrap up very quickly. I first want to thank Senator FRANKEN, who came down here and advocated for his State and for Native Americans across the country. I thank Senator HEITKAMP for her passionate speech about Native Americans and Native children. I have known her almost 30 years, as the State attorney general, when she was doing the same things, and she has made real progress.

You can see from this roundtable today—and I really appreciate Senator HEITKAMP coming and helping me chair that. I had to slip out to Foreign Relations, but she spent a significant amount of time chairing that roundtable. I think it really made a difference to all of the Tribal leaders there.

I want to finish with what one of those Tribal leaders said to us.

Senator HEITKAMP, you said something very similar.

This Tribal leader reminded us, he said: Decades ago, Tribes made a downpayment on the healthcare they receive. We are not asking for a handout. We made a downpayment.

What was he talking about?

We made a downpayment with our land, with our water, and with large areas of what were then either territories or the United States—that they considered their homelands. How sad it is to see that we are not fulfilling the promises of these sacred treaties they entered into.

With that, I would conclude—as Senator FRANKEN did and I believe it was

the same thrust of what Senator HEITKAMP was saying—with this. We have hit a wall on healthcare. We have come up to the point where you don't know where to go. The best thing to do when you hit a wall is to get back to the regular order, work on a bipartisan basis, go into committee, let people put proposals forward, have amendments, open up the process.

That is where we need to go at this point. I would urge the Republican leadership to take a look at the regular order. That may help us find our way out to improve the healthcare situation for not only Native Americans but all Americans, which is what we face with this TrumpCare, which is taking us in the wrong direction.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Illinois.

Mr. DURBIN. Mr. President, let me thank my colleagues for coming to the floor and speaking on behalf of Native Americans and the Indian Health Service, its shortcomings and challenges that it creates for us.

I don't have an Indian reservation in my State, but I certainly have visited these Indian reservations in other States and believe we have an ongoing responsibility—social and moral responsibility—to those who were in this country long before many of our ancestors and who have not been treated fairly many, many times when it comes to the poverty they face in this country and the challenges they face.

It is as bad as or worse than any other group in America. We can do better, and we need to start with the Indian Health Service and health services. I thank my colleagues for raising that issue.

Mr. President, it is interesting, this is a historic week in the Senate because we have been engaged in a debate for weeks about what to do about healthcare in America. The Senate, of course, is under the majority control of the Republicans, as the House of Representatives is, and, of course, with a Republican President. They all came to Washington at the beginning of this year and said: The first thing we want to do is to repeal ObamaCare. We have said it for 6 years. We are finally going to do it. We are going to get rid of ObamaCare, the Affordable Care Act, once and for all.

They set out to do it in a variety of ways. President Trump's first Executive order to the agencies of the Federal Government said: Do everything you can to discourage ObamaCare. He turned around and did just that. His agency stopped advertising for people to sign up for ObamaCare. They were determined to put an end to it.

In the House of Representatives, they took a step beyond that. They introduced legislation to repeal it and replace it. What they replaced it with was a disaster. The Congressional

Budget Office took a look at the Republican repeal plan in the House and said 24 million people will lose their health insurance.

Beyond that, they talked about the changes that would take place in health insurance policies with the Republican repeal plan. It passed the House by four votes, which meant that if two Republican Members—and only Republicans voted for it—had voted the other way, it wouldn't have passed. It was that close.

Then it was sent to the Senate, and it was up to the Senate Republicans to decide what they would do with this bill and what they would do with the repeal of ObamaCare. They spent many weeks in conversation and discussion about what they might do. Thirteen Members, Republican Senators, sat in private rooms and talked about what they would do to replace ObamaCare.

Finally, they reported a bill. It turns out their bill was an improvement over the House bill. The House bill eliminated health insurance for 24 million Americans. The Senate bill eliminated health insurance for 23 million Americans. Still, when you look at it, it is a horrible thing.

In my State of Illinois, a million people in my State would have lost health insurance with either the House or Senate Republican bills. It is the reason there has been resistance in my State to this Republican effort from the start.

You would expect it on a political basis. Sure, the Democrats will oppose the Republicans on issues, but this went beyond it. There wasn't a single medical advocacy group in the United States that supported what the Republicans were doing, not one. The hospital associations across America, the medical society of doctors, the nurses, the pediatricians, they all opposed what the Republicans set out to do.

When it looked like there were problems in passing one version of the Senate Republican repeal bill, they sat down to rewrite it. As they sat down to rewrite it, they got into deeper water and bigger problems.

Senator CRUZ, the junior Senator from Texas, said: Well, one way to bring down the cost of health insurance is to take out some of the protections of a health insurance policy. We can get premiums down pretty low if we take away the protections of a health insurance policy that are in the Affordable Care Act.

That was his proposal.

Just this weekend, Blue Cross Blue Shield and the major health insurance industry said that this will be a disaster. If you have some people buying real insurance and real protection and others paying rock-bottom premiums for little or no coverage, you are going to create two classes of Americans, and you are going to see premiums going through the roof for those who are buy-

ing full-coverage policies. They came out against the Cruz proposal.

This week, we returned to face the votes. We were supposed to be voting today, a vote on whether to repeal ObamaCare. As of last night, things started changing. Two Republican Senators joined two others and said they were opposing the effort, and so the Republican majority did not have the votes it needed to go forward.

They said: Well, at least we will vote on repealing ObamaCare.

Three Republican Senators have announced, as of today, that voting for simple repeal is something they will not do. Many of them make the argument that just repealing ObamaCare without replacing it is irresponsible. They are right.

If you don't like the current system, I believe you are duty-bound, as a Senator or Congressman, to come up with a better idea, something that serves America better. They have been unable to reach that point.

Where are we? At this moment, we are at a standstill. The Republican efforts to repeal and replace have stopped as of this moment. There may be a vote, an official vote this week. I don't know. That is up to Senator MCCONNELL as the Republican leader, but it appears there is no plan coming out of the Republican side to replace the Affordable Care Act.

I am proud to have voted for it. I voted for it for very simple reasons. When it comes to health insurance, I believe that is one of the basics in life. I am one of those politicians who believes healthcare is a right, just like police and fire protection. It should be part of who we are in America. I don't believe it is a question of how rich you are or how lucky you are as to whether you have health insurance in this country.

We can do better as a nation. The Affordable Care Act set out to do that. We reduced the number of uninsured Americans with ObamaCare when we passed it 6 years ago by 50 percent. We reduced by half the uninsured people living in my State of Illinois. Many of them went to the insurance exchanges, bought private health insurance. If they had lower incomes, they got subsidies to help pay the premiums. Others picked up Medicaid coverage as their health insurance. It was significant.

I ran into people all across my State, from Chicago to downstate, who had never had health insurance 1 day in their lives. These are not lazy people. These are hard-working people who happen to have the kind of jobs that didn't offer health insurance.

Ray Romanowski, big Polish fellow, guitarist and musician in Chicago said: Senator, I have never had health insurance. I am a musician. Nobody was ever going to provide me with health insurance.

He said: Lucky I have it now because I have been diagnosed with diabetes. I am in my sixties, and I have, through the Affordable Care Act, health insurance through Medicaid.

Similar story, almost identical story in deep Southern Illinois. Judy, who works as a hospitality hostess in a local motel—she is the one who greets you with a smile when you come in for that free breakfast. Judy is 62 years of age. She never had health insurance 1 day in her life. She holds down two and three jobs at a time. The only health insurance she ever had is what she has now under Medicaid.

What is going to happen to those people if we eliminate Medicaid coverage—which the proposals before us suggested—if Medicaid coverage is cut back dramatically?

Those two people, Ray and Judy, are still going to face health challenges. They are still going to get sick and go to the hospital, but if they don't have health insurance, will the hospital treat them? Yes. What will happen to their bills? Their costs will be passed on to everyone else. That is the way it used to be done.

What we have learned this week in Washington, in this national healthcare debate, is there are of course concerns about whether the current healthcare system is what it should be, and I think it can be improved, but we have learned one basic thing. We are not going back. We are not going back to the days when health insurance companies could deny coverage to you or your family because of a preexisting condition. We are not going back to the days where they put a limit on how much they would pay on your health insurance plan.

Remember when you first realized that a \$100,000 limit was not worth that much if you had a serious diagnosis or a serious accident? We are not going back to the days when that health insurance plan literally expired in coverage, forcing you and your family into bankruptcy over medical bills.

We are not going back to the day when families couldn't cover their kids coming out of college. The Affordable Care Act said you can keep your child on your health insurance plan as a family until they reach the age of 26.

Those of us who have had kids who have graduated college realize they don't always get a great job right off the bat. Some of them start as interns or part-time workers, and they don't have health insurance. They now know they have the peace of mind of the family health insurance plan.

We want to make sure we protect that. We are not going back to the day when those young people had no coverage at a critical moment in their lives. We are not going back to the day when we allow these insurance companies to charge whatever premiums they wish.

We put provisions in the law that limit the premiums that can be charged on Americans, that limit the profits that are taken out of health insurance companies. Those were moves that had to be made to protect innocent American families who, unfortunately, were struggling with medical bills before this law passed and now at least have some chance of paying for them.

What we learned in the course of this national debate is significant. We learned that if you put up a proposal, as the Republicans did in the House and the Senate, that takes health insurance away from over 20 million Americans, you have a problem. People are going to push back and say that it isn't fair to take away health insurance and the protection and peace of mind that come with it. If you come up with a plan that ends up dramatically cutting back on Medicaid, you are going to get a lot of people who are concerned about it.

Across America, the Medicaid Program as we know it does many significant things. One-half of the babies born in my State of Illinois are covered by Medicaid. Mom and her prenatal care, the delivery of the baby, and the caring for mom and the child afterward are covered by Medicaid. If you make a cut in the reimbursement for Medicaid, you will endanger the basic treatment needed to have a healthy baby.

The second thing we know is that Medicaid is critical for people with disabilities. I met a mother in Champagne, IL, and she came up and told me she has a 23-year-old autistic son. It has been a struggle for her and her family, but now he has a somewhat independent life. She said: Senator, if you take away Medicaid insurance from him, I will have to put him in some institutional program that I cannot afford. There is nowhere to turn.

I also want to remind people that Medicaid pays school districts to take care of kids with special education needs, transportation, counselors, even feeding tubes for the severely disabled. That is an important part of Medicaid.

I haven't touched on the most expensive part of the Medicaid Program in America. The most expensive part is for those who are in nursing homes, those who are older Americans and need Medicaid to get by. They have Social Security and they have Medicare, but they need Medicaid. If you cut back on Medicaid as proposed by the Republicans in both the House and the Senate, who will take care of these elderly folks who are in a situation where they have exhausted their savings? Do they move back in with the family? Sometimes that is not even possible, but that is one of the prospects faced.

What we need to do is to accept the obvious. We have reached an important political milestone here where the Re-

publicans don't have the votes to move forward, but we still have the challenge of the current system. I was proud to vote for it, but it is far from perfect. The current healthcare system in America, the Affordable Care Act, needs help, needs changes. We need to do it. We ought to just surprise the heck out of America by working together, both political parties, to solve the problems.

Let's identify a few of the most obvious problems.

No. 1, the Affordable Care Act in America today does not address the cost of prescription drugs. You ask a health insurance company: What is driving the cost of premiums? Prescription drugs.

Did you ever notice that when you turn on the television at certain times of the day, it is all about drugs? It is all about new drugs, things you can hardly pronounce. These new drugs are being advertised on television time and again. And then there is a 2- or 3-minute disclaimer: Be careful. If you take this drug, you might die. Be sure and tell your doctor if you have ever had a liver transplant.

I listen to all these warnings, and I am thinking, this is being sold in advertising for the general population? Did you know that there are only three countries in the world that allow television advertising of prescription drugs—the United States, New Zealand, and Brazil?

Why do the pharmaceutical companies advertise drugs on television? Certainly if you want to inform a doctor about a new drug, you wouldn't buy a television ad, would you? The reason they are on television is so that we, as individual consumers and patients, will walk into the doctor's office and say: Doctor, it took me five times, but I finally figured out how to spell "Xarelto," and I want Xarelto as my blood thinner.

The doctor has a choice: He or she can explain to you that you may not need Xarelto, that there is a cheaper version of blood thinner or that this isn't the one that really fits your needs in this circumstance. Doctors don't do that. Many of them just write out the prescription. That is why the television advertising is taking place—to convince the consumer, who asks the doctor and who ends up with the high-priced drug being scripted for them. That is the reality of why the costs of healthcare keep going up.

What does the Affordable Care Act do about that? Nothing. It does nothing when it comes to the cost of prescription drugs. I want these drug companies to make a profit, don't get me wrong. If they are profitable while looking for new cures, that is the way it should be. But when they charge through the roof and double and triple the cost of these pharmaceutical drugs, that is not fair. It is not fair to consumers, and it is not fair to taxpayers.



Think about the fact that many of exactly the same drugs made in the United States are sold in other countries for a fraction of what they cost in the United States. Even in Canada, they charge about one-half or one-third for many of the most popular drugs because the Canadian Government said to the drug companies in America: We are drawing the line. We are not going to let you charge anything you want to charge.

Why don't we do something in America to protect consumers? Why don't we at least inform people when pharmaceutical companies are overcharging so that we can put some pressure on them to stop? That is part of the change to the Affordable Care Act that I think will save us money and at the same time deal with an issue most Americans really are concerned about.

We also should be concerned about the fact that when it comes to the individual health insurance market, that is where most of the problems are. Six percent of the American population buying health insurance through the exchanges—half of them have to pay the full premiums, and some of those premiums go through the roof. Why? Because the people who are buying this insurance are usually people with a medical history or they are older folks and they want to have the peace of mind of coverage. The healthy, younger folks aren't buying it. As a result, the insurance risk pool gets pretty expensive when it comes to premiums. We need to fix that, and we can fix that. That is another thing on which we should come together as Democrats and Republicans to try to achieve.

For those who say: Well, I promised my entire political career that I couldn't wait for the day to come forward and vote to repeal ObamaCare, I just want to tell them that they should be aware that when the Congressional Budget Office looked at the impact of just repealing the Affordable Care Act and not replacing it, they said the following: This would force more insurance companies to leave the market immediately. It would increase premiums by 20 percent a year and double the price of premiums over 10 years, and it would take health insurance away from 32 million people.

So taking that vote to repeal the Affordable Care Act may earn you a cheer at some political rally, but it is not responsible. It is not good. It will raise the cost of health insurance for families across our country if we just repeal and don't replace, and it will take health insurance away from over 30 million people, according to the Congressional Budget Office. It is better that we replace it with something responsible, better that we take the current system and make it stronger.

This has been an interesting debate. I have learned a lot in the course of this debate because I went and visited the

hospitals in Illinois. The Illinois Hospital Association opposed the Republican plan in the House and opposed the proposal in the Senate. They said it would cost us 60 to 80,000 jobs in Illinois and it would close down some hospitals we need in rural parts of our State, smalltown hospitals that are critically important. I don't want to see that happen, the people who live there don't want to see that happen, and you won't be able to keep and attract good employers and good jobs if that does happen. So I have worked with these hospital administrators and want to move forward with them on an alternative.

I will close by saying this: It is interesting how many people say "I can't wait until I reach age 65 because I will qualify for Medicare." Medicare doesn't discriminate based on pre-existing conditions and provides good health insurance for millions of Americans. It is an illustration and a lesson for us that if you have something that isn't driven by the profit motive, that people trust, that has provided basic, good care for Americans, good hospitals and good doctors, that is what people are looking for. Why shouldn't they? That should be part of the American dream. It should be part of our right as Americans.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

The assistant bill clerk proceeded to call the roll.

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

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

Mr. ENZI. Mr. President, in our job, we get a lot of books, probably two or three a week at least, and for the last year most of those have been on healthcare and healthcare reform. A book I received recently is one called "Demystifying ObamaCare," by David G. Brown, who is a doctor. It was helpful enough to me that I thought I would share a part of it with anybody listening. It always fascinates me when we are here talking and maybe somebody is listening.

Page 7 starts out by talking about, "How Does ObamaCare Look After Seven Years?" Incidentally, this one is all well documented and footnoted, which is one of the unusual things about this book. It is not just speculation on his part—it is a lot of research that he has done and shared. He says:

ObamaCare actually reduces insurance market competition by strict rules, regulations, and mandates.

ObamaCare significantly increases healthcare cost by the way it attempts to assist those who cannot afford coverage.

ObamaCare does not tackle the underlying causes of increased costs. Instead, it worsens the factors that drive up the cost of healthcare with the addition of mandates,

regulations, and taxes. ObamaCare does nothing to decrease the factors that increase costs.

ObamaCare has increased the total number of healthcare spending. The cost is not \$938 billion dollars, but now is \$2.6 trillion dollars over 10 years, or almost 3 times the original figure.

ObamaCare increases cost for families, businesses, and individuals for their healthcare. This includes not simply ObamaCare exchanges but health insurance across the board. Associated with this, there has been a marked increase in healthcare premiums, costs for medications, deductibles, and copays.

There has been reduction of access to care in ObamaCare plans, i.e. ObamaCare exchanges (insurance does not equal access).

ObamaCare, to some extent, has reduced the number of uninsured but not handled the problem of the uninsured population.

ObamaCare does not effectively address the problems of the safety net system, i.e. putting new people into Medicaid has exacerbated the problems for Medicaid, and removes its original safety net function.

ObamaCare has reduced funding and thus care for programs for the elderly, Medicare.

ObamaCare has taken the decision making process out of the hands of patients and their families. It has done so by removing their freedom to make those decisions.

This is from the book, "Demystifying ObamaCare," by David Brown, who is a doctor.

It goes on later to say:

The individual mandate was instituted as a way to force patients into having health insurance or else pay a financial penalty for not having it. The employer mandate, which was just instituted in 2016 after several delays, was intended to move those with employer-based insurance into the government sector. Additionally, the HHS required all individual and small group policies to meet the "essential health benefit" requirements. These benefits were determined by the secretary of the HHS and required involvement of not simply government, but also non-government plans. The individual and small group policies then had to be sold at a more significant cost to the consumer.

How is the Employer-Based System changed so employees could be moved into a government system?

Businesses with 50 or more full-time employees had to provide health insurance approved by HHS or be financially penalized.

The cost for businesses for the penalties for not providing insurance was less than the cost of the insurance.

ObamaCare exchanges were there to take in anyone who needed to have insurance. Employer based mandates were a way of moving employees out of the employee-based marketplace into a government program. It is the back door way of having a government based healthcare system. It was ingenious but fortunately, for the American people it was flawed.

Yes, Americans in the individual market lost their insurance (5 million Americans) but the employer-based mandate was postponed through the efforts of Congress. Many of the larger companies have self-insured their employees. The ObamaCare exchange program has been very expensive for the consumers. It has also significantly limited access to care i.e. narrowed networks of providers, (doctors and hospitals). ObamaCare has increased the numbers in Medicaid but this program itself has severe flaws.



Again, in “Demystifying ObamaCare” by David Brown, a doctor, going to page 18, “What Are the Facts About Medicaid and Medicaid Expansion?”

Costs of Medicaid (total federal and state spending) will more than double i.e. more than \$427 billion to \$896 billion between 2014 and 2024. The costs of this will be borne by the taxpayers.

The cost of Medicaid to the states has a tremendous impact on other services. It is often the second most expensive budgetary item. With Medicaid expansion, there are increased costs to the states, even in those states, which have accepted Medicaid expansion and increased federal funding for it. Other state services may have to be reduced even in states who have not accepted Medicaid expansion.

Medicaid is actually a safety net for the poorest and most vulnerable Americans but expansion changes this. It reduces the access to care for others who are already in the system. The single adult able-bodied American is competing for care with those who need the care as a safety net.

It severely underpays doctors and hospitals, and the number of Medicaid providers are declining. It compensates doctors an average of 50% less than private insurance. By CBO estimates, by the time of full implementation of ObamaCare, one out of every six hospitals will be in the red because of severe underpayment from Medicaid and Medicare.

Medicaid expansion does not reduce inappropriate utilization of emergency rooms. A recent study showed Medicaid patients utilize the emergency rooms for their routine care 40% more than those who are uninsured.

Medicaid has the worst clinical outcomes compared with any other medical program. There are worse outcomes including conditions such as heart disease, cancer, complications from major surgery, transplants, and AIDS. These outcomes are independent of patient factors and reflect the program itself. It may be no better than having no insurance at all. A recent study comparing Medicaid patients with those who are uninsured showed no difference in blood pressure, glucose, and cholesterol levels after two years of observation.

In short Medicaid expansion reduces access to care, increases cost of care and places people within the program that has the worst possible outcomes to care.

Going on in “Demystifying ObamaCare,” by David Brown, page 25, “Medicaid Expansion Update: How Does It Stand Today?”

Thirty-one states and the District of Columbia have adopted Medicaid expansion. Three states have considered it but rejected Medicaid expansion. The other sixteen states have refused to participate in it.

Medicaid expansion has increased the Medicaid number from 58 million to approximately 70 million people, 20% of the uninsured population. It has caused overall expansion of the number of people in the program.

ObamaCare has increased the number of individuals insured by allowing them to participate in the existing Medicaid program. In order to do so, the inclusion criteria for their enrollments have changed. Medicaid expansion is now based on age and financial criteria. That includes both the able-bodied individuals who are able to work and those not to and those who were previously involved in the Medicaid safety net. For example, the lower income mother with children.

It was thought that the states that accepted Medicaid expansion would have “free money” if they participated with this Federal program. 100% of the costs of adding new patients were picked up by the federal government with that figure gradually being reduced to 90% of the cost starting in 2017.

This was for new patients added to Medicaid and not the existing patient population. States however found that their Medicaid programs were flooded with new enrollees, many of which had met the criteria for Medicaid before the “woodwork effect.”

The overall expansion of Medicaid with increasing numbers of enrollees has led to marked increase in spending on Medicaid and marked increase in total costs for Medicaid.

It goes on with a lot of numbers which have a lot of significance to accountants, but I will skip over those and continue on with his last two points.

Medicaid is associated with the worst possible clinical success rate across the board for all medical and surgical illnesses. It is worse than any other program, including any government programs such as Medicare or any private program. In certain studies, it has shown to have worse clinical outcomes than having no insurance at all. No data has developed during the course of Medicaid expansion to change these findings.

Medicaid expansion is associated with a huge financial burden on the states and the cost to the states with Medicaid expansion has increased dramatically.

Again, at the end of the chapter it shows a lot of references for where he got this information.

Continuing with “Demystifying ObamaCare” and moving on to page 31 is “What are ObamaCare Insurance Exchanges?”

ObamaCare insurance exchanges are federally constructed and state run markets where individuals and families can purchase insurance plans. Private healthcare insurance companies participate but the insurance companies are only able to sell plans that are acceptable to the Secretary of the HHS. Many individuals and families then could receive subsidies provided by the government, (i.e. taxpayers funded subsidies). The subsidies are [to] be on a sliding scale, families whose income is up to 400% of the federal poverty level can be in the ObamaCare exchange (\$97,000 dollars a year for a family of four). The program is tightly regulated by the Federal Government. The choice is limited to four plans (bronze, silver, gold, and platinum.) Each state was required to set up their own insurance exchanges and then regulate them. If a state did not set up such an exchange, the Federal Government did that for them.

“What Effects These Policies Have on Those Inside and Outside the Exchanges?”

The public must know that the exchanges dramatically restrict patient care by restricting access to care. Exchanges decrease access by reducing access to doctors and hospitals. This includes access to some of the most important specialized care. The exchanges have a limited network of providers.

The public must understand that they do [not have] protection from fraud. Some of the most sensitive information is given to navigators to help enroll people in the exchanges. The enrollees then become “fair game.”

The ObamaCare website, “Healthcare.gov” does not automatically verify enrollee’s eligibility, i.e., whether they legally qualify for subsidies. Various sources indicate that at least 2 million enrollees (some estimates are significantly higher) are receiving subsidies that they did not legally qualify for. Douglas Holtz-Eakins, former director of the CBO, estimates that over the first 10 years of ObamaCare, overpayments and inappropriate payments could add up to \$152 billion dollars. Who pays the bill? The American taxpayer. The website, “Healthcare.gov” cost taxpayers \$1.4 billion dollars in 2014.

He goes on to explain how that increases the costs for all taxpayers.

I will continue with some of the other lessons in this book at another time. The leader is coming to the floor to speak in a few moments.

What we are trying to do is to find some solutions for the American people so they have access to healthcare—and more extensively than now. I recommend for reading this book called “Demystifying ObamaCare” by David Brown. It is very eye-opening. There is a section I will cover later that covers some of the solutions that will be useful.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

#### ORDER OF BUSINESS

Mr. McCONNELL. Mr. President, for the information of all Senators, at the request of the President and the Vice President, and after consulting with our Members, we will have the vote on the motion to proceed to the ObamaCare repeal bill early next week.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### FLOODING IN NORTHERN ILLINOIS

Mr. DURBIN. Mr. President, for the second time this year, Illinois communities are assessing damage and cleaning up after flooding. My thoughts and prayers are with the families and first responders in northern Illinois who are working to recover after heavy rain caused severe flooding in Lake, McHenry, Kane, and Cook Counties last week.

The water has started to recede in some communities, but in some areas,

water levels will likely continue rising this week. Thousands of buildings—including homes, businesses, and schools—have been damaged by floodwaters.

Lake County has been one of the areas most impacted by this flooding. Last weekend, I visited two towns in this area—Libertyville and Gurnee—and I saw street after street of flood damage to homes and businesses. What I saw was heartbreaking. I spoke with residents who were concerned about being able to recover from the flood and resulting damages and who voiced the need to find long-term solutions that will mitigate the impact of future flood events. I am extremely grateful for the hard work of local first responders and county officials. Thankfully, there have been no reports of injuries or fatalities as a result of this historic flooding.

I want to acknowledge the dedication of both the State and local employees and volunteers who have come out to help at every level, from the Illinois Emergency Management Agency and the American Red Cross, to county emergency management agencies. Many volunteers have helped with sandbagging. County board chairman Aaron Lawlor has also been helpful in securing resources and making sure residents have information about where to find shelter and access clean-up supplies.

People from all around the area are pitching in to help their neighbors and even strangers protect property and get back on their feet.

I would also like to thank James Joseph, director of the Illinois Emergency Management Agency, for his hard work. He has been there during a time when Illinois constituents and communities need him the most.

The State has provided 850,000 sandbags and deployed an emergency management assistance team for flood mitigation and response efforts. Representatives from the Illinois Emergency Management Agency are working closely with local officials to make sure communities have the resources needed to protect critical infrastructure and clean up when water begins to recede.

The Governor has declared four counties State disaster areas. In the coming days, the State will work with FEMA and local officials to begin conducting preliminary damage assessments.

Once we have an idea of the scope of the damage, the Governor has the ability to request a Presidential disaster declaration. In the past, it has been challenging for Illinois to receive Federal aid after a disaster occurs, but the Illinois delegation and I stand ready to do whatever we can to help get any Federal assistance needed so that these communities can clean up and recover.

There is more work to be done, and cleanup may be difficult and dan-

gerous, but I have no doubt the people who live and work in the impacted communities will make incredible progress rebuilding with the help and support of volunteers, local officials, and State agencies.

I want to thank everyone who has been engaged in the response and mitigation efforts and all those who will be engaged in recovery efforts in the weeks to come. We will rebuild, as Illinoisans always do, and we will be stronger for it.

#### REMEMBERING BARBARA ANDREWS-MEE

Ms. MURKOWSKI. Mr. President, this Saturday Alaskans will observe “Ted Stevens Day,” a living memory to Alaska’s greatest Senator, who left us 7 years ago next month. As family, friends, and former staffers of Senator Stevens gather in Alaska for this annual observance, many will take time off on Thursday to honor a beloved member of the Stevens’ team, Ted’s loyal assistant and State director, Barbara Andrews-Mee, who passed away earlier this year. I will not be able to attend this event because the Senate will be in session on Thursday, but I wanted to take this opportunity to speak in memory of this loyal and dedicated employee of the U.S. Senate, as well as great friend of Alaska.

Barb’s tenure with Senator Stevens long predates his Senate service. Barb began working with Ted in 1962, 2 years after she came to Alaska. She followed him to the Alaska Legislature and the U.S. Senate, retiring in 1997. Upon her retirement, Stevens said, “For half of my life—and two-thirds of hers—Barbara Andrews-Mee has been my boss. . . .” Barb returned the compliment noting that she had been with Ted Stevens longer than she had been with three husbands.

Barb had a great sense of humor and a huge and welcoming personality. She was regarded as a mentor and grandmother-like figure to generations of young staffers who went to work for Senator Stevens.

She could sure turn a phrase. Alaska humorist Mike Doogan published a few of Barb’s quips in the Anchorage Daily News to celebrate her retirement. Among them, Barb, who was 5-feet tall, once said, “I tell people I used to be 6-foot-2, and then I went to work for Stevens.” But she wasn’t always so humble. Another “Barbism” was “[m]y grandmother always told me dynamite comes in small packages.” I am told that one came in handy when she was working difficult constituent problems to successful conclusion and building Ted’s brand in the process. Whether it was Norwegian stubbornness or Alaskan toughness, she got the job done.

That seemed to be her second best characteristic from Ted’s standpoint. In his May 21, 1997, floor tribute to

Barb, Senator Stevens said, “When I’ve been asked what her best characteristic is, I say ‘loyalty’. That means more to me than any of the help that she’s given me and the people of Alaska over more than three decades; work above and beyond the call of duty.”

Barb was quite the worker, delivering care packages to visiting dignitaries whose flights were refueling at what was then called Elmendorf Air Force Base, picking up Senator Stevens at what is now called Ted Stevens Anchorage International Airport, whatever the hour, and making sure he made the flight back to Washington, and supporting servicemembers and military families.

It wasn’t all work though. Barb actually christened a Navy PC8 coastal patrol craft, the USS Zephyr. She flew in an F-15, experienced several aircraft carrier landings, and traveled in the submarine, USS Alaska. Then there was golf. In 1995, Barb married Vince Mee, her longtime golfing partner. Senator Stevens performed the ceremony on the ninth hole on Eagleglen golf course on Elmendorf. In 2010, Barb authored a book, “Ted Stevens and Mee,” a memoir of her time working with the man they called Alaskan of the Century.

Barb lived a wonderful life—or as she might put it, “A great ride.” Devoted to her wonderful family, to her church, and to community service, she came far from humble beginnings in South Dakota, leading to a long drive up the Alcan to Glennallen, AK, and a path to Alaskan greatness. One of the first women in Rotary and a member of the Athena Society of Anchorage, Barb’s contributions and leadership will be long remembered.

On behalf of the Senate family, I extend my continued condolences to Barb’s family and friends this week as Alaska reflects on her great legacy.

#### RECOGNIZING UNIDOSUS

Ms. CORTEZ MASTO. Mr. President, today I wish to recognize UnidosUS for its leadership on behalf of the Latino community. On July 25, 2017, the Coalition on Human Needs will honor UnidosUS, formerly known as the National Council of La Raza, as one of its Human Needs Heroes for 2017. For almost 50 years, UnidosUS has been at the forefront of the policy movement to build opportunity for Latinos through civil rights, education, housing, economic advancement, health care, and the defense of immigrants’ rights.

UnidosUS ensures that the human face of immigration is always seen and the essential role of immigrants in our communities is understood. I am proud to work with UnidosUS to advance a fair and moral immigration policy. I am also proud to work with UnidosUS

in advancing economic opportunities for Latinos throughout our communities and look forward to our close cooperation in the future.

UnidosUS has a long record of promoting just policies to improve the lives of those in the Latino community. From the Immigration Reform and Control Act of 1986 to the Deferred Action for Childhood Arrivals, DACA, program, UnidosUS has been a trusted source and advocate on immigration policy. The ability of UnidosUS to serve as a broad voice that reflects the views and needs of Latinos across the country ensures that the debate on immigration never forgets the impact on families and communities. It is my honor today to recognize UnidosUS and thank them for all they have done on behalf of Latinos and immigrants.

#### ADDITIONAL STATEMENTS

##### 200TH ANNIVERSARY OF MONROE COUNTY, MICHIGAN

• Mr. PETERS. Mr. President, today I wish to recognize the 200th anniversary of Monroe County, MI. Situated in southeast Michigan on the west shore of Lake Erie, Monroe County is endowed with rich historical and natural treasures, built on a strong agricultural base, home to innovative industries, and populated with dedicated citizens and entrepreneurs.

Founded by Potawatomi Tribes and, later, French missionaries, the history of Monroe County dates back to 1634. French missionaries built the first settlement, named Frenchtown, on the territory and established both a trading post and fort in 1788. The River Raisin provided an agricultural center for the residents of Frenchtown, with an abundance of natural resources to contribute to economic growth. However, in 1813, the Battle of the River Raisin occurred near Frenchtown, resulting in mass human and economic loss. Recognized as the deadliest battle recorded during the War of 1812, the U.S. Congress included the River Raisin National Battlefield Park as part of the National Park Service in 2009, the only national park that commemorates the human contributions and historic legacy of the War of 1812.

As one of the first steps in organizing the Michigan Territory after the War of 1812, Governor Lewis Cass established Monroe County in 1817 as the second county in the State of Michigan. At the time, Monroe County included all of Lenawee and portions of Wayne and Washtenaw Counties. The old settlement of Frenchtown adopted the name "Monroe" in honor of President James Monroe and became the county seat. The flourishing county experienced economic growth and prosperity from the agricultural and paper manufacturing industries, from the

first paper mill, Raisinville Mill, in 1834, to River Raisin Paper Company in 1910, to IKO Monroe, Incorporated, in 2000.

In the early 20th century, Monroe County hit another industrial milestone with the establishment of Monroe Auto Equipment World Headquarters, formerly referred to as Brisk Blast, in 1916, and the Newton Steel plant in 1959. Monroe County gained the reputation as the transportation hub in the State of Michigan, home to international ports on Lake Erie and one of the largest highway gateways into Michigan. The development of transportation infrastructure played a crucial role in connecting the residents of Monroe County to goods and services. Monroe County also attracted entrepreneurs and inventors from across the United States, including Edward Knabush and Edwin Shoemaker who revolutionized furniture design and comfort when they invented the first upholstered reeling chair in 1929.

Today Monroe County is a vibrant community of nearly 150,000 residents who enjoy historic downtowns, beautiful parks, and safe neighborhoods. Residing along the shoreline of the River Raisin and Lake Erie, Monroe County offers a multitude of recreational activities—boating, swimming, camping, hiking, and fishing—at the Eagle Island Marsh unit of the Detroit River International Wildlife Refuge and Sterling State Park. Monroe County is also active in the preservation and promotion of its history by recognizing significant landmarks and sites, including the Dundee Old Mill Museum and Navarre Anderson Trading Post. With its rich historical and natural resources, Monroe County is recognized as one of the top visitor destinations in the State of Michigan.

Monroe County has been an integral part of the State of Michigan and our great Nation for 200 years. As Monroe County celebrates this milestone, I am honored to ask my colleagues to join me in congratulating its residents, elected officials, and businesses as they recognize their history. I wish the county continued growth and prosperity in the years ahead. •

#### MESSAGE FROM THE HOUSE

At 12:15 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills and joint resolutions, in which it requests the concurrence of the Senate:

H.R. 23. An act to provide for drought relief in the State of California, and for other purposes.

H.R. 2210. An act to designate the community living center of the Department of Veterans Affairs in Butler Township, Butler County, Pennsylvania, as the "Sergeant Joseph George Kusick VA Community Living Center".

H.R. 2810. An act to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

H.J. Res. 76. Joint resolution granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission.

H.J. Res. 92. Joint resolution granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to amend the Washington Area Transit Regulation Compact.

#### MEASURES REFERRED

The following bill and joint resolution were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 23. An act to provide drought relief in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

H.J. Res. 92. Joint resolution granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to amend the Washington Area Transit Regulation Compact; to the Committee on the Judiciary.

#### MEASURES PLACED ON THE CALENDAR

The following bill and joint resolution were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2810. An act to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

H.J. Res. 76. Joint resolution granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2244. A communication from the Secretary of Defense, transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2245. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Comptroller of the Currency, Department of the

Treasury, received in the Office of the President of the Senate on July 12, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2246. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary (Terrorism and Financial Intelligence), Department of the Treasury, received in the Office of the President of the Senate on July 12, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2247. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Export Administration Regulations Based on the 2016 Missile Technology Control Regime Plenary Agreements" (RIN0694-AH33) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2248. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Prepaid Accounts Under the Electronic Fund Transfer Act (Regulation E) and the Truth in Lending Act (Regulation Z); Delay of Effective Date" (RIN3170-AA69) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2249. A communication from the Acting Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Pennsylvania Regulatory Program" ((30 CFR Part 938) (Docket ID OSM-2016-0013)) received in the Office of the President of the Senate on July 17, 2017; to the Committee on Energy and Natural Resources.

EC-2250. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Address and Name Changes for Region 4 State and Local Agencies; Technical Correction" (FRL No. 9964-36-Region 4) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2251. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Air Quality Implementation Plans; Puerto Rico; Attainment Demonstration for the Arecibo Area for the 2008 Lead National Ambient Air Quality Standards" (FRL No. 9964-87-Region 2) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2252. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Removal of Clean Air Interstate Rule Program Regulations (CAIR) and Reference to CAIR, and Amendments to Continuous Emission Monitor (CEM Reference)" (FRL No. 9964-79-Region 3) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2253. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; NC; Open Burning and Miscellaneous Revisions" (FRL No. 9965-02-Region 4) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2254. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Maine; Motor Vehicle Fuel Requirements" (FRL No. 9964-80-Region 1) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2255. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Maine; Decommissioning of Stage II Vapor Recovery Systems" (FRL No. 9964-81-Region 1) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2256. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Louisiana: Final Authorization of State Hazardous Waste Management Program Revision" (FRL No. 9962-37-Region 6) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2257. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emissions Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing; Flame Attenuation Lines" (FRL No. 9964-89-OAR) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2258. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Oklahoma: Final Authorization of State Hazardous Waste Management Program Revision" (FRL No. 9962-39-Region 6) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2259. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting; Final Frameworks for Migratory Bird Hunting Regulations" (RIN1018-BB40) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2260. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Terrorist Financing, received in the Office of the President of the Senate on July 12, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2261. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs; Reform

of Requirements for Long-Term Care Facilities" ((RIN0938-AR61) (CMS-3260-F2)) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Finance.

EC-2262. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Modernization of the Customs Brokers Examination" ((RIN1651-AB07) (CBP Dec. 17-05)) received during adjournment of the Senate in the Office of the President of the Senate on June 29, 2017; to the Committee on Finance.

EC-2263. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended, for the six months ending December 31, 2016"; to the Committee on Foreign Relations.

EC-2264. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Rosa's Law" (RIN1801-AA11) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-2265. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary for Intelligence and Analysis, Department of Homeland Security, received in the Office of the President of the Senate on July 12, 2017; to the Select Committee on Intelligence.

## PETITIONS AND MEMORIALS

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

POM-60. A joint resolution adopted by the Legislature of the State of Maine memorializing the United States Congress to reduce tariffs on Maine and lobster and seafood products to keep Maine and domestic lobster and seafood products competitive with Canadian lobster and seafood products; to the Committee on Commerce, Science, and Transportation.

H.P. 1120

We, your Memorialists, the Members of the One Hundred and Twenty-eighth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the United States Congress as follows:

Whereas, the value of marine resources commercially harvested in Maine exceeded \$700 million in 2016, and the value of lobster harvested in Maine accounts for over \$533 million of that amount; and

Whereas, total exports from Maine to the European Union exceeded \$503 million in 2016; and

Whereas, exports from Maine of lobster to the European Union totaled approximately \$158 million, or approximately 80% of all lobster exported from the United States to the European Union, in 2016; and

Whereas, the European Union is the largest global fish and seafood market in the world; and

Whereas, Maine and Canada share the same lobster species and compete for market share

in the European Union and around the world; and

Whereas, the European Union imposes tariffs on fish and seafood products that range from 2% on certain types of salmon to 20% on processed lobster imported from both the United States and Canada; and

Whereas, the Comprehensive Economic and Trade Agreement, or CETA, is a free trade agreement between Canada and the European Union that will reduce tariffs on fish and seafood products exported from Canada to the European Union; and

Whereas, CETA will go into effect on the first day of the month following the date the European Union and Canada notify each other that each has completed all necessary procedures for implementation; and

Whereas, when CETA takes effect, the 8% tariff on live lobster exports from Canada to the European Union will be immediately eliminated, the 6% to 16% tariff on frozen lobster exports from Canada to the European Union will be eliminated over 3 years and the 20% tariff on processed lobster exports from Canada to the European Union will be eliminated over 5 years; and

Whereas, while tariffs on lobster and seafood products exported from Canada to the European Union are being eliminated, tariffs on Maine and other domestic lobster and seafood products exported to the European Union will remain; and

Whereas, the elimination of tariffs on Canadian lobster and seafood products will increase trade between Canada and the European Union, resulting in economic injury to Maine and other domestic lobster and seafood harvesters and processors; and

Whereas, the impact of CETA on Maine lobster harvesters, who landed over 130 million pounds of lobster in 2016, should be minimized; and

Whereas, the impact of CETA on Maine lobster dealers, who support 675 jobs and paid \$28.4 million in wages in 2016, should be minimized; and

Whereas, under the United States Constitution, Article I, the Congress of the United States has the power to regulate commerce with foreign nations; now, therefore, be it

*Resolved*, That We, your Memorialists, on behalf of the people we represent, take this opportunity to respectfully request that the United States Congress, under the provisions of Article I of the United States Constitution, negotiate to reduce tariffs on Maine and domestic lobster and seafood products, or otherwise mitigate the effects of CETA, to ensure that historical, lucrative industries are not damaged by the economic disadvantage that will result from CETA unless these negotiations are undertaken; and be it further

*Resolved*, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

POM-61. A resolution adopted by the House of Representatives of the State of Michigan urging the President of the United States and the United States Congress to continue funding the Essential Air Service program throughout Michigan; to the Committee on Commerce, Science, and Transportation.

#### HOUSE RESOLUTION No. 59

Whereas, the Essential Air Service program was established after airlines were deregulated to ensure that small communities

previously served by certificated airlines maintained commercial service. The Essential Air Service program is used to help provide business leaders, recreationalists, and residents reliable air travel to and from small airports around the country, including five airports in Michigan's Upper Peninsula, and has transported countless individuals since the program's enactment; and

Whereas, the Essential Air Service program is important to the economic well-being of northern Michigan and the Upper Peninsula in towns such as Alpena, Muskegon, Petoskey, Escanaba, Iron Mountain, Ironwood, Sault Ste. Marie, Manistee, and Houghton-Hancock. Northern Michigan is renowned for its vast mineral deposits and rugged wilderness that have long supplied American industry with affordable, domestically-mined metals and timbers for manufacturing. The region's breathtaking scenery and lakeshore are some of the most stunning in the Midwest. Such a large expanse requires reliable air travel to make the region's mines, forests, lakeshores, communities, and colleges as accessible as possible; and

Whereas, President Trump has asked for a reduction in the Essential Air Service's budget. Businesses depend on reliable air travel to and from small airports in northern Michigan and the Upper Peninsula, and airports require funding from the Essential Air Service program to maintain critical infrastructure like runways, lighting, and safety equipment. Any reduction in federal funding for this vital program will harm economic activity in the Upper Peninsula and have a direct and negative impact on American manufacturing and these communities; now, therefore, be it

*Resolved by the House of Representatives*, That we urge the Congress and President of the United States to continue to fund the Essential Air Service program throughout Michigan; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-62. A resolution adopted by the Senate of the Commonwealth of Pennsylvania recognizing the month of May 2017 as "Amyotrophic Lateral Sclerosis Awareness Month"; to the Committee on the Judiciary.

#### SENATE RESOLUTION No. 126

Whereas, Amyotrophic lateral sclerosis (ALS) is better known as Lou Gehrig's Disease; and

Whereas, ALS is a fatal neurodegenerative disease characterized by degeneration of cell bodies of the upper and lower motor neurons in the gray matter of the anterior horn of the spinal cord; and

Whereas, The initial symptoms of ALS is weakness of the skeletal muscles, especially those of the extremities; and

Whereas, As ALS progresses, the patient experiences difficulty in swallowing, talking and breathing; and

Whereas, ALS eventually causes muscles to atrophy and the patient becomes a functional quadriplegic; and

Whereas, Patients with ALS typically remain alert and are aware of their loss of motor functions and the inevitable outcome of continued deterioration and death; and

Whereas, ALS affects military veterans at twice the rate of the general populations; and

Whereas, ALS occurs in adulthood, most commonly between 40 and 70 years of age;

peaking at approximately 55 years of age, and affects both men and women without bias; and

Whereas, Annually, more than 5,000 new ALS patients are diagnosed throughout the nation; and

Whereas, In Pennsylvania, there are currently more than 1,000 individuals who have been formally diagnosed with ALS; and

Whereas, The \$350,000 in State funding appropriated by the General Assembly for ALS support services in the Supplement to the General Appropriation Act of 2015 provided services to more than 900 constituents and a substantial savings to the State budget and taxpayers; and

Whereas, The ALS Association reports that on average, patients diagnosed with ALS only survive two to five years from the time of diagnosis; and

Whereas, ALS has no known cause, prevention or cure; and

Whereas, "Amyotrophic Lateral Sclerosis Awareness Month" increases the public's awareness of ALS patients' circumstances and acknowledges the negative impact this disease has on ALS patients and their families and recognizes the research being done to eradicate ALS; therefore be it

*Resolved*, That the Senate designate the month of May 2017 as "Amyotrophic Lateral Sclerosis Awareness Month" in Pennsylvania; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States and to the presiding officers and members of the Pennsylvania Delegation in the Congress of the United States.

POM-63. A joint resolution adopted by the General Assembly of the State of Colorado designating March 20, 2017, as "Colorado Aerospace Day"; to the Committee on the Judiciary.

#### SENATE JOINT RESOLUTION 17-019

Whereas, Our nation and the world have significantly benefited from technological and scientific advances resulting from space exploration and aerospace activities; and

Whereas, Colorado is the second-largest state in the country for private aerospace employment; 25,500 Coloradans are directly employed in aerospace, with a payroll exceeding \$3.4 billion, and Colorado's aerospace cluster supports more than 188,000 jobs; and

Whereas, Colorado is home to the nation's top aerospace companies, including Ball Aerospace, Boeing, DigitalGlobe, Harris Corporation, Lockheed Martin Space Systems, Northrop Grumman, Raytheon, Sierra Nevada Corporation, Teledyne Brown Engineering, and United Launch Alliance; and close to 500 additional companies that support the aerospace sector by developing products, including spacecraft, launch vehicles, satellites, command and control software, sensors, and navigation operations; and

Whereas, The United States Air Force Academy, along with Colorado's colleges and universities, including the University of Colorado Boulder and University of Colorado Colorado Springs, Colorado School of Mines, Colorado State University, Metropolitan State University of Denver, University of Denver, Colorado Mesa University and Fort Lewis College provide access to world-class aerospace-related degrees and offer aerospace companies one of the country's most educated workforces; and

Whereas, Colorado is the home of the Laboratory for Atmospheric and Space Physics (LASP) at the University of Colorado Boulder that began in 1948, a decade before NASA, and is the world's only research institute to have sent instruments to all eight

planets and Pluto and combines all aspects of space exploration through science, engineering, mission operations, and scientific data analysis; and

Whereas, Colorado is home to NOAA's Space Weather Prediction Center, a world-leading center of predictions of the solar and near-Earth space environment and the nation's official source of watches, warnings, and alerts of incoming solar storms, using satellite observations to protect and save lives and property; and

Whereas, Colorado is a strategic location for national space and cyber activity, with five key military commands—North American Aerospace Defense Command (NORAD), the United States Northern Command (USNORTHCOM), the U.S. Strategic Command's Joint Functional Component Command for Space (JFCC-Space) Missile Warning Center, the United States Air Force Space Command, and the U.S. Army Space and Missile Defense Command/Army Forces Strategic Command and three space-related United States Air Force bases—Buckley, Peterson, and Schriever; and

Whereas, The 460th Space Wing at Buckley Air Force Base, located in Aurora, provides operational command and control of three constellations of space-based infrared missile warning systems, has been defending America continuously since 1970, and is a critical part of global defense and national security; and

Whereas, Colorado is uniting global partners around the world to ensure space access for developing nations via the first planned United Nations space mission—Sierra Nevada Corporation located in Louisville, Colorado, together with the United Nations Office of Outer Space Affairs, will use its Dream Chaser spacecraft to allow developing countries the opportunity to develop and fly microgravity payloads for an extended duration in orbit; and

Whereas, Colorado leads the charge in bringing current and future GPS assets to life, a service provided free to the world by Air Force Space Command in Colorado Springs; and

Whereas, From the operation of GPS satellites by Schriever Air Force Base, to GPS III, the most powerful GPS satellite to date being designed and built by Lockheed Martin and launched by United Launch Alliance with Raytheon developing the command and control capabilities, and companies such as Boeing, Harris Corporation, Braxton Technologies, and Infinity Systems Engineering also supporting GPS development and operations from locations in Colorado, Colorado's GPS technologies enable an integral part of our global economy to have an incalculable impact that has improved the everyday lives of billions of people around the world; and

Whereas, Various organizations are key to Colorado's prominence in aerospace, such as the Colorado Space Coalition (CSC), a group of industry stakeholders working to make Colorado a center of excellence for aerospace; the Colorado Space Business Roundtable, working to bring together aerospace stakeholders from the industry, government, and academia for roundtable discussions and business development and to encourage grassroots citizen participation in aerospace issues; the Colorado Chapter of Citizens for Space Exploration, whose mission is to promote better understanding of aerospace and its importance in our economy and daily lives as well as promoting the importance of human space exploration; and Manufacturer's Edge, a statewide manufacturing assistance center that encourages the strength

and competitiveness of Colorado manufacturers by providing on-site technical assistance through coaching, training, and consulting and collaboration-focused industry programs and leveraging government, university, and economic development partnerships: Now, therefore, be it

*Resolved*, By the Senate of the Seventieth-first General Assembly of the State of Colorado, the House of Representatives concurring herein:

That we, the members of the Colorado General Assembly:

(1) Strongly urge and request the government of the United States of America to take action to preserve and enhance United States leadership in space, spur innovation, and ensure our continued national and economic security by increasing funding for space exploration and activities, including regaining the ability of the United States to deliver astronauts to low earth orbit in the next few years; to commit to sending astronauts to the moon, asteroids, and beyond within this decade; and to aggressively pursue NASA's Orion spacecraft and Space Launch System to get astronauts to Mars orbit by 2028 and boots on the ground by 2033;

(2) Recognize and appreciate Colorado's space and aerospace companies and organizations, especially the growing membership and activities of the Colorado Chapter of Citizens for Space Exploration, whose activities to promote space exploration are helping to increase public understanding and enthusiasm for exploration funding;

(3) Recognize and appreciate the contributions of Colorado's universities, colleges, and national research laboratories to the space and aerospace industries, including their expertise in exploration of the planets and the universe and space-based Earth observation;

(4) Express our most sincere and deepest appreciation to the men and women working in and supporting military and civilian aerospace companies and organizations in Colorado; and

(5) Hereby declare March 20, 2017, to be "Colorado Aerospace Day"; and be it further

*Resolved*, That copies of this Joint Resolution be sent to President Donald Trump; Vice President Mike Pence; Speaker Paul D. Ryan; House Minority Leader Nancy Pelosi; Senate Majority Leader Mitch McConnell; Senate Minority Leader Charles Schumer; Senator Cory Gardner; Senator Michael Bennet; Congresswoman Diana DeGette; Congressman Jared Polis; Congressman Scott Tipton; Congressman Ken Buck; Congressman Doug Lamborn; Congressman Mike Coffman; Congressman Ed Perlmutter; Robert Lightfoot, Acting NASA Administrator; Lesa Roe, Acting NASA Deputy Administrator; Mr. Michael P. Huerta, Federal Aviation Administration Administrator; Governor John Hickenlooper; Lieutenant Governor Donna Lynne; Major General H. Michael Edwards, Adjutant General, Colorado National Guard; Dr. George C. Nield, Associate Administrator for Commercial Space Transportation at the Federal Aviation Administration; General John Raymond, Air Force Space Commander; Colonel Dan Wright, USAF, Commander Aerospace Data Facility-Colorado; Betty Sapp, Director, National Reconnaissance Office; Charles Huettner, Executive Director, Aerospace States Association; Lieutenant Colonel Shelli Brunswick, Acting Chief Executive Officer, Space Foundation; Major General (Retired) Andy Love, Co-Chair, Colorado Space Coalition; Tom Marsh, Co-Chair, Colorado Space Coalition; Rick Ward, Chair, Colorado Space Business Roundtable; and Stacey

DeFore, Chair, Colorado Citizens for Space Exploration.

POM-64. A joint resolution adopted by the Legislature of the State of Nevada rescinding all previous resolutions of the Nevada Legislature which requested Congress to convene a convention to propose amendments to the United States Constitution; to the Committee on the Judiciary.

#### SENATE JOINT RESOLUTION NO. 10

Whereas, The Constitutional Convention of 1787 was initially convened to make revisions to the Articles of Confederation and this Convention decided instead to discard the Articles of Confederation entirely and create a new system of government; and

Whereas, The United States Constitution has served as the cornerstone of American liberty since its creation in 1787 and was the first written national constitution to set forth a system of separation of powers and to ensure that the rights of minority groups could not be easily trampled upon by the will of the majority; and

Whereas, Despite turmoil and grave political and economic concerns, including, without limitation, the contested presidential elections of 1800, 1876 and 2000, the Civil War and the Great Depression, a subsequent constitutional convention has not been held since 1787; and

Whereas, The United States Constitution has proven to be resilient and has been amended only 27 times during the course of its 230-year history; and

Whereas, Article V of the United States Constitution requires the Congress of the United States to convene a constitutional convention upon the application of two-thirds of the several states; and

Whereas, The Nevada Legislature has, at various times, passed resolutions requesting Congress to convene a convention, pursuant to Article V of the United States Constitution, to propose amendments to the Constitution relating to a wide range of subjects; and

Whereas, Over the course of time, the will of the people of the State of Nevada may have changed relating to these resolutions; and

Whereas, A constitutional convention convened by Congress could make sweeping changes to the United States Constitution and threaten the liberty of future generations of Nevadans; and

Whereas, The Nevada Legislature is aware that other state legislatures have made applications requesting that Congress convene a constitutional convention; and

Whereas, The Nevada Legislature no longer supports its previous resolutions which requested that Congress convene a constitutional convention, most of which were adopted over three decades ago, and does not wish for these resolutions to be included with similar applications which were made by other state legislatures; Now, therefore, be it

*Resolved*, By the Senate and Assembly of the State of Nevada, Jointly, That the members of the 79th Session of the Nevada Legislature hereby rescind, repeal, cancel, void, nullify and supersede each previous resolution passed by the Nevada Legislature which requested the Congress of the United States to convene a constitutional convention pursuant to Article V of the United States Constitution; and be it further

*Resolved*, That the members of the 79th Session of the Nevada Legislature urge each state legislature which requested Congress to convene a constitutional convention to withdraw such applications; and be it further



*Resolved*, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the United States Senate, the Speaker of the United States House of Representatives and each member of the Nevada Congressional Delegation; and be it further

*Resolved*, That this resolution becomes effective upon passage.

POM-65. A joint resolution adopted by the Legislature of the State of Texas applying to the United States Congress to call a convention of the states under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the United States Constitution, which impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for federal officials and members of Congress; to the Committee on the Judiciary.

#### SENATE JOINT RESOLUTION NO. 2

Whereas, The drafters of the United States Constitution empowered state legislatures to be guardians of liberty against abuses of power by the federal government; and

Whereas, The federal government has abused its power by creating a crushing national debt through improper and imprudent spending; and

Whereas, The federal government has abused its power by invading the legitimate role of the states through the manipulative process of federal mandates that are to a great extent unfunded; and

Whereas, The federal government has ceased to abide by a proper interpretation of the United States Constitution; and

Whereas, It is the solemn duty of state legislatures to protect the liberty of the people and of future generations by proposing amendments to the United States Constitution that place clear restraints on federal power; and

Whereas, Article V of the United States Constitution authorizes the several state legislatures to restrict the power of the federal government through the amendment process; and

Whereas, Article V of the United States Constitution provides that on application of the legislatures of two-thirds of the several states Congress shall call a convention for the purpose of proposing amendments to the constitution: Now, therefore, be it

*Resolved*, That the 85th Texas Legislature apply to Congress to call a convention under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress; and, be it further

*Resolved*, That, unless rescinded by a succeeding legislature, this application by the 85th Texas Legislature constitutes a continuing application in accordance with Article V of the United States Constitution until at least two-thirds of the legislatures of the several states have applied to Congress to call a convention for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress; and, be it further

*Resolved*, That the Texas secretary of state forward official copies of this resolution to

the president of the United States, to the speaker of the House of Representatives and the president of the Senate of the Congress of the United States, and to all members of the Texas delegation to Congress with the request that this resolution be officially entered in the Congressional Record as an application to Congress for a convention under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress; and, be it further

*Resolved*, That the Texas secretary of state forward official copies of this resolution to the secretaries of state and to the presiding officers of the legislatures of the several states with the request that they join this state in applying to Congress for a convention under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress.

POM-66. A resolution adopted by the Mayor and City Commission of the City of Miami Beach, Florida, urging the President of the United States and the United States Congress to grant temporary protective status to Haitians in the United States; to the Committee on the Judiciary.

POM-67. A resolution adopted by the Township Council of the Township of Mahwah, New Jersey, recognizing June 2, 2017, as National Gun Violence Awareness Day; to the Committee on the Judiciary.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. HATCH:

S. 1572. A bill to amend the Mineral Leasing Act to provide that extraction of helium from gas produced under a Federal mineral lease shall maintain the lease as if the helium were oil and gas; to the Committee on Energy and Natural Resources.

By Mr. COONS (for himself and Mrs.

CAPITO):

S. 1573. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to place signage on Federal land along the trail known as the "American Discovery Trail", and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CORNYN (for himself, Mr.

BOOZMAN, Mr. CASSIDY, and Mr.

RUBIO):

S. 1574. A bill to impose sanctions on individuals who are complicit in human rights abuses committed against nationals of Vietnam or their family members, and for other purposes; to the Committee on Foreign Relations.

By Mr. WHITEHOUSE (for himself, Mr.

CASEY, and Mrs. SHAHEEN):

S. 1575. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for taxpayers who remove lead-based hazards; to the Committee on Finance.

By Mr. BENNET (for himself, Mr.

DAINES, Mr. TESTER, Mr. GARDNER,

Mr. WYDEN, and Mr. MERKLEY):

S. 1576. A bill to provide that the owner of a water right may use the water for the cultivation of industrial hemp, if otherwise authorized by State law; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr.

GRASSLEY, Mr. CORNYN, Mr. LEE, Mr.

CRUZ, Mr. SASSE, Mr. FLAKE, Mr.

CRAPO, Mr. TILLIS, Mr. KENNEDY, and

Mr. LANKFORD):

S. 1577. A bill to amend title 5, United States Code, with respect to the judicial review of agency interpretations of statutory and regulatory provisions; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 425

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 425, a bill to amend the Internal Revenue Code of 1986 to improve the historic rehabilitation tax credit, and for other purposes.

S. 540

At the request of Mr. THUNE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 540, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 635

At the request of Mrs. SHAHEEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 635, a bill to amend title 28, United States Code, to prohibit the exclusion of individuals from service on a Federal jury on account of sexual orientation or gender identity.

S. 652

At the request of Mr. PORTMAN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 652, a bill to amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children.

S. 720

At the request of Mr. CARDIN, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

S. 926

At the request of Mrs. ERNST, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 926, a bill to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, and for other purposes.



S. 1024

At the request of Mr. ISAKSON, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1024, a bill to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 1122

At the request of Mrs. MURRAY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1122, a bill to amend the Occupational Safety and Health Act of 1970 to clarify when the time period for the issuance of citations under such Act begins and to require a rule to clarify that an employer's duty to make and maintain accurate records of work-related injuries and illnesses is an ongoing obligation.

S. 1182

At the request of Mr. YOUNG, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

S. 1356

At the request of Mr. INHOFE, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1356, a bill to amend title 38, United States Code, to authorize the use of Post-9/11 Educational Assistance to pursue independent study programs at certain educational institutions that are not institutions of higher learning, and for other purposes.

S. 1404

At the request of Mr. CRUZ, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1404, a bill to amend the Natural Gas Act to provide for expanded natural gas exports.

S. 1414

At the request of Mr. WICKER, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 1414, a bill to state the policy of the United States on the minimum number of available battle force ships.

S. 1455

At the request of Mr. FLAKE, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1455, a bill to amend the United States Energy Storage Competitiveness Act of 2007 to direct the Secretary of Energy to establish new goals for the Department of Energy relating to energy storage and to carry out certain demonstration projects relating to energy storage.

S. 1457

At the request of Mr. FLAKE, the name of the Senator from Idaho (Mr.

CRAPO) was added as a cosponsor of S. 1457, a bill to amend the Energy Policy Act of 2005 to direct the Secretary of Energy to carry out demonstration projects relating to advanced nuclear reactor technologies to support domestic energy needs.

S. 1474

At the request of Ms. DUCKWORTH, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1474, a bill to prohibit the use of fiscal year 2018 funds for the closure, consolidation, or elimination of certain offices of the Environmental Protection Agency.

S. 1512

At the request of Mr. LANKFORD, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 1512, a bill to prohibit the Secretary of Energy, the Administrator of the Environmental Protection Agency, the Secretary of the Interior, the Secretary of Transportation, and the Chair of the Council on Environmental Quality from considering, in taking any action, the social cost of carbon, the social cost of methane, the social cost of nitrous oxide, or the social cost of any other greenhouse gas, unless compliant with Office of Management and Budget guidance, and for other purposes.

S. 1547

At the request of Mr. BOOKER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1547, a bill to nullify the effect of the recent Executive order that establishes an "election integrity" commission, which will be used and is designed to support policies that will suppress the vote in minority and poor communities across the United States.

S. 1564

At the request of Ms. WARREN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1564, a bill to amend the Internal Revenue Code of 1986 to permit legally married same-sex couples to amend their filing status for returns outside the 3-year limitation.

S. RES. 114

At the request of Mr. YOUNG, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. Res. 114, a resolution expressing the sense of the Senate on humanitarian crises in Nigeria, Somalia, South Sudan, and Yemen.

S. RES. 139

At the request of Mr. WYDEN, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. Res. 139, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself, Mr. BOOZMAN, Mr. CASSIDY, and Mr. RUBIO):

S. 1574. A bill to impose sanctions on individuals who are complicit in human rights abuses committed against nationals of Vietnam or their family members, and for other purposes; to the Committee on Foreign Relations.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1574

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

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Vietnam Human Rights Sanctions Act of 2017".

### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The relationship between the United States and the Socialist Republic of Vietnam has grown substantially since the end of the trade embargo in 1994, with annual trade between the countries reaching more than \$36,000,000,000 in 2014.

(2) However, the transition by the Government of Vietnam toward greater economic activity and trade, which has led to increased bilateral engagement between the United States and Vietnam, has not been matched by greater political freedom or substantial improvements in basic human rights for the people of Vietnam.

(3) Vietnam remains an authoritarian state ruled by the Communist Party of Vietnam, which continues to deny the right of the people of Vietnam to participate in free and fair elections.

(4) According to the Department of State's 2014 Country Reports on Human Rights Practices, Vietnam's "most significant human rights problems . . . were severe government restrictions of citizens' political rights, particularly their right to change their government through free and fair elections; limits on citizens' civil liberties, including freedom of assembly and expression; and inadequate protection of citizens' due process rights, including protection against arbitrary detention".

(5) The Country Reports also state that the Government of Vietnam "continued to restrict speech that criticized individual government leaders; promoted political pluralism or multi-party democracy; or questioned policies on sensitive matters, such as human rights, religious freedom, or sovereignty disputes with China" and "sought to impede criticism by monitoring meetings and communications of political activists".

(6) Furthermore, the Department of State documents that "arbitrary arrest and detention, particularly for political activists, remained a problem", with the Government of Vietnam sentencing 29 arrested activists during 2014. Of those, 6 activists were convicted on national security charges in the penal code for "undermining the unity policy", 17 for "causing public disorder", and 6 for "abusing democratic freedoms".

(7) At the end of 2014, the Government of Vietnam reportedly held more than 125 political prisoners.

(8) On September 24, 2012, 3 prominent Vietnamese bloggers—Nguyen Van Hai (also known as Dieu Cay), Ta Phong Tan, and Phan Thanh Hai (also known as Anh Ba Saigon)—were sentenced to prison based on 3-year-old blog postings criticizing the Government and leaders of Vietnam and the Communist Party of Vietnam. Nguyen Van Hai served 2 years of a 12-year prison sentence on charges of “conducting propaganda against the state” but was later released and departed from Vietnam. If he were to return, he would likely have to complete his prison sentence.

(9) United Nations High Commissioner for Human Rights Navi Pillay responded to the sentencing of the bloggers on September 25, 2012, stating that “[t]he harsh prison terms handed down to bloggers exemplify the severe restrictions on freedom of expression in Vietnam” and calling the sentences an “unfortunate development that undermines the commitments Vietnam has made internationally . . . to protect and promote the right to freedom of expression”.

(10) On March 21, 2013, Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor Daniel B. Baer testified before the Subcommittee on East Asian and Pacific Affairs of the Committee on Foreign Relations of the Senate that “in Vietnam we’ve been disappointed in recent years to see backsliding, particularly on . . . freedom of expression issues . . . people are being prosecuted for what they say online under really draconian national security laws . . . that is an issue that we continue to raise, both in our human rights dialogue with the Vietnamese as well as in other bilateral engagements”.

(11) Although the Constitution of Vietnam provides for freedom of religion, the Department of State’s 2013 International Religious Freedom Report maintains, “Government practices and bureaucratic impediments restricted religious freedom. Unregistered and unrecognized religious groups were often subject to harassment, as well as coercive and punitive actions by authorities.”.

(12) Likewise, the United States Commission on International Religious Freedom 2015 Annual Report states, “The Vietnamese government continues to control all religious activities through law and administrative oversight, restrict severely independent religious practice, and repress individuals and religious groups it views as challenging its authority, including independent Buddhists, Hoa Hao, Cao Dai, Catholics, and Protestants.”.

(13) The 2013 Annual Report notes that in 2004 the United States designated Vietnam as a country of particular concern for religious freedom pursuant to section 402(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)), and that Vietnam responded at that time by releasing prisoners, prohibiting the policy of forced renunciations of faith, and expanding protections for religious groups, and that “[m]ost religious leaders in Vietnam attributed these positive changes to the [country of particular concern] designation and the priority placed on religious freedom concerns in U.S.-Vietnamese bilateral relations”.

(14) However, the 2013 Annual Report concludes that since the designation as a country of particular concern was lifted from Vietnam in 2006, “religious freedom conditions in Vietnam remain mixed”, and therefore recommends to the Department of State that Vietnam should be redesignated as a country of particular concern.

(15) Deputy Assistant Secretary of State Baer likewise testified that “[i]n Vietnam

the right to religious freedom, which seemed to be improving several years ago, has been stagnant for several years”.

**SEC. 3. IMPOSITION OF SANCTIONS ON CERTAIN INDIVIDUALS WHO ARE COMPLICIT IN HUMAN RIGHTS ABUSES COMMITTED AGAINST NATIONALS OF VIETNAM OR THEIR FAMILY MEMBERS.**

(a) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN; IMMIGRATION LAWS; NATIONAL.—The terms “admitted”, “alien”, “immigration laws”, and “national” have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

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

(A) the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Ways and Means, the Committee on Financial Services, and the Committee on Foreign Affairs of the House of Representatives.

(3) CONVENTION AGAINST TORTURE.—The term “Convention against Torture” means the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York on December 10, 1984.

(4) UNITED STATES PERSON.—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

(b) IMPOSITION OF SANCTIONS.—Except as provided in subsections (e) and (f), the President shall impose the sanctions described in subsection (d) with respect to each individual on the list required by subsection (c)(1).

(c) LIST OF INDIVIDUALS WHO ARE COMPLICIT IN CERTAIN HUMAN RIGHTS ABUSES.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a list of individuals who are nationals of Vietnam that the President determines are complicit in human rights abuses committed against nationals of Vietnam or their family members, regardless of whether such abuses occurred in Vietnam.

(2) UPDATES OF LIST.—The President shall submit to the appropriate congressional committees an updated list under paragraph (1) as new information becomes available and not less frequently than annually.

(3) PUBLIC AVAILABILITY.—The list required by paragraph (1) shall be made available to the public and posted on the Web sites of the Department of the Treasury and the Department of State.

(4) CONSIDERATION OF DATA FROM OTHER COUNTRIES AND NONGOVERNMENTAL ORGANIZATIONS.—In preparing the list required by paragraph (1), the President shall consider data already obtained by other countries and nongovernmental organizations, including organizations in Vietnam, that monitor the human rights abuses of the Government of Vietnam.

(d) SANCTIONS.—

(1) PROHIBITION ON ENTRY AND ADMISSION TO THE UNITED STATES.—An individual on the list required by subsection (c)(1) may not—

(A) be admitted to, enter, or transit through the United States;

(B) receive any lawful immigration status in the United States under the immigration laws, including any relief under the Convention Against Torture; or

(C) file any application or petition to obtain such admission, entry, or status.

(2) FINANCIAL SANCTIONS.—The President shall block and prohibit all transactions in all property and interests in property of an individual on the list required by subsection (c)(1) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(e) EXCEPTIONS TO COMPLY WITH INTERNATIONAL AGREEMENTS.—The President may, by regulation, authorize exceptions to the imposition of sanctions under this section to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, and other applicable international agreements.

(f) WAIVER.—The President may waive the requirement to impose or maintain sanctions with respect to an individual under subsection (b) or the requirement to include an individual on the list required by subsection (c)(1) if the President—

(1) determines that such a waiver is in the national interest of the United States; and

(2) submits to the appropriate congressional committees a report describing the reasons for the determination.

(g) TERMINATION OF SANCTIONS.—The provisions of this section shall terminate on the date on which the President determines and certifies to the appropriate congressional committees that the Government of Vietnam has—

(1) unconditionally released all political prisoners;

(2) ceased its practices of violence, unlawful detention, torture, and abuse of nationals of Vietnam while those nationals are engaging in peaceful political activity; and

(3) conducted a transparent investigation into the killings, arrest, and abuse of peaceful political activists in Vietnam and prosecuted those responsible.

**SEC. 4. SENSE OF CONGRESS ON DESIGNATION OF VIETNAM AS A COUNTRY OF PARTICULAR CONCERN WITH RESPECT TO RELIGIOUS FREEDOM.**

It is the sense of Congress that—

(1) the relationship between the United States and Vietnam cannot progress while the record of the Government of Vietnam with respect to human rights and the rule of law continues to deteriorate;

(2) the designation of Vietnam as a country of particular concern for religious freedom pursuant to section 402(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)) would be a powerful and effective tool in highlighting abuses of religious freedom in Vietnam and in encouraging improvement in the respect for human rights in Vietnam; and

(3) the Secretary of State should, in accordance with the recommendation of the United States Commission on International Religious Freedom, designate Vietnam as a country of particular concern for religious freedom.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 259. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

SA 259. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

## SEC. 1088. MODIFICATION TO THE HUBZONE PROGRAM.

Section 3(p)(4)(C) of the Small Business Act (15 U.S.C. 632(p)(4)(C)) is amended by striking “until the later of” and all that follows and inserting “for the 7-year period following the date on which the census tract or nonmetropolitan county ceased to be so qualified.”.

## AUTHORITY FOR COMMITTEES TO MEET

Mr. ALEXANDER. Mr. President, I have 9 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI. paragraph 5(a) of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

## COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, July 18, 2017, at 9:30 a.m., in open session to consider a nomination.

## COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, July 18, 2017, at 2:30 p.m., in open session to consider the nominations.

## COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, July 18, 2017 at 10 a.m. to conduct a hearing to consider nominations.

## COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Senate Committee on Energy and Natural Resources is authorized to meet during the session of the Senate in order to hold a hearing on Tuesday, July 18, 2017 at 10:30 a.m. in Room 366 of the Dirksen Senate Office Building in Washington, DC.

## COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, July 18, 2017, at 9 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled “Comprehensive Tax Reform: Prospects and Challenges.”

## COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, July 18, 2017, at 11 a.m., in 215 Dirksen Senate Office Building, to consider the nomination of David J. Kautter, of Virginia, to be an Assistant Secretary of the Treasury, vice Mark J. Mazur.

## COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, July 18, 2017 at 10 a.m., to hold a hearing entitled “Nominations.”

## COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Tuesday, July 18, 2017 from 3:30 pm–5:00 pm, in room SH-219 of the Senate Hart Office Building to hold a Closed Member Briefing.

## COMMITTEE ON MULTILATERAL INTERNATIONAL DEVELOPMENT, MULTILATERAL INSTITUTIONS, AND INTERNATIONAL ECONOMIC, ENERGY, AND ENVIRONMENT

The Committee on Foreign Relations Subcommittee on Multilateral International Development, Multilateral Institutions, and International Economic, Energy, and Environmental policy be authorized to meet during the session of the Senate on Tuesday, July 18, 2017 at 2:30 p.m., to hold a hearing

entitled “‘The Four Famines’: Root Causes and a Multilateral Action Plan.”

## PRIVILEGES OF THE FLOOR

Ms. HEITKAMP. Mr. President, I ask unanimous consent that Myles Odermann, an intern in my office, be granted floor privileges for the duration of today's session of the Senate.

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

## ORDERS FOR WEDNESDAY, JULY 19, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, July 19; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Bush nomination; finally, that the time until the cloture vote on the Bush nomination be equally divided between the two leaders or their designees.

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

## ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:19 p.m., adjourned until Wednesday, July 19, 2017, at 9:30 a.m.

## CONFIRMATION

Executive nomination confirmed by the Senate July 18, 2017:

## DEPARTMENT OF DEFENSE

PATRICK M. SHANAHAN, OF WASHINGTON, TO BE DEPUTY SECRETARY OF DEFENSE.

## HOUSE OF REPRESENTATIVES—Tuesday, July 18, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. TENNEY).

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
July 18, 2017.

I hereby appoint the Honorable CLAUDIA TENNEY to act as Speaker pro tempore on this day.

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

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

### AMIA BOMBING ANNIVERSARY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Madam Speaker, today I rise to commemorate the 23rd anniversary of the bombing in Buenos Aires, Argentina, of the Jewish Community Center, also known as AMIA.

This cowardly terrorist attack killed 85 people, with hundreds more injured. Yet, nearly 25 years later, the Jewish community and the people of Argentina are still waiting for justice to be served.

This was an attack perpetrated by Iran and its terror proxy, Hezbollah. In fact, these individuals you see here on this poster, Madam Speaker, are responsible for the AMIA bombing. We know who they are and the damage they caused.

My friend, Alberto Nisman, was appointed as a special investigator in Argentina to look into this terrible bombing. He found clear evidence that linked the Iranian regime and Hezbollah to the AMIA attack and the

attack at the Israel Embassy in Buenos Aires just 2 years earlier, in 1992. Tragically, on January 19, 2015, just a few hours before he was set to produce the evidence to the Argentinian Parliament, Alberto was found dead in his apartment under very mysterious circumstances.

So here we are, another sad anniversary later. Congress can play a crucial role in the pursuit of justice for the victims of the embassy bombing, the AMIA bombing, and for Alberto's family.

This past March, along with Chairman ROYCE, Ranking Member ENGEL, TED DEUTCH, JEFF DUNCAN, and ALBIO SIREs, I introduced H. Res. 201, which supports Argentina in its efforts to investigate and hold Iran and Hezbollah accountable for these cowardly acts of terror.

Madam Speaker, today, on the 23rd anniversary of the AMIA bombing, we continue to mourn the lives lost on this tragic day, as we strive for justice. I urge my colleagues to support my resolution, and I urge this body to send a strong message to the Jewish community, the people of Argentina, and the Iranian regime that we will not continue to let another anniversary pass without taking meaningful action.

ECUADOR HOMES

Ms. ROS-LEHTINEN. Madam Speaker, today I rise to commend a constituent, Nina Vaca, for the humanitarian effort she has undertaken in her home country of Ecuador.

On April 16, 2016, a 7.8 magnitude earthquake devastated Ecuador. You can see the devastation still today. It wrecked entire communities, killed hundreds, and left over 25,000 people either injured or homeless.

A year later, Ecuador continues to struggle, with hundreds of families still living in tents. Nina has made it her mission to get these families back into homes.

Determined to make a difference, she founded TRI for Homes, with the goal of building 40 homes for some of these families. Soon, Nina will compete in an IRONMAN triathlon in Ecuador to raise awareness and support for her cause.

I commend Nina for her determination to raise awareness and for building homes for Ecuadorian families. I wish her good luck, and we will all be rooting for her.

CAPTIVE NATIONS WEEK

Ms. ROS-LEHTINEN. Madam Speaker, I rise to commemorate this week as Captive Nations Week.

As a Cuban refugee who had to flee my native homeland of Cuba due to a murderous communist regime, I know how important freedom, democracy, and respect for human rights are. Captive Nations Week serves as a reminder that there are millions of people who continue to live under a brutal, repressive regime.

Tomorrow night, on the east steps of the Capitol, I will speak at the Victims of Communism Memorial Foundation's Captive Nations Week event called No Che Noche to set the record straight on one of history's most sadistic murderers, Che Guevara.

Madam Speaker, our support for those who yearn for freedom and democracy should not be limited to just 1 week. I urge my colleagues to join those around the world who are suffering under oppressive regimes.

We as Americans benefit greatly, and we can do more to make sure that others get the same rights and freedoms we enjoy in this great country.

### RECESS

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

Accordingly (at 10 o'clock and 10 minutes a.m.), the House stood in recess.

□ 1200

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

### PRAYER

Reverend Terry Sanders, Victory House Ministry, Uniontown, Pennsylvania, offered the following prayer:

For this great assembly of leaders, Lord, we come today to ask for Your guidance, wisdom, and support for our Nation.

Help us to engage in meaningful discussions, and allow us to grow closer as our Nation's leaders and to nurture this Nation.

Fill us with Your grace, God, as we make decisions that may affect our Nation and the world.

Continue to remind us that all we do here today, all that we accomplish in our Nation, is for the pursuit of freedom, for Your greater glory, and for the service of humanity.

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

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

We ask all these things in Your name.  
Amen.

### THE JOURNAL

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

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

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Florida (Mr. MAST) come forward and lead the House in the Pledge of Allegiance.

Mr. MAST led the Pledge of Allegiance as follows:

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

### WELCOMING REVEREND TERRY SANDERS

The SPEAKER. Without objection, the gentleman from Pennsylvania (Mr. SHUSTER) is recognized for 1 minute.

There was no objection.

Mr. SHUSTER. Mr. Speaker, I rise today with the great honor of welcoming Reverend Terry Sanders and his wife, Rhonda.

Reverend Sanders traveled here from Uniontown, Pennsylvania, where he is the founder, CEO, and director of Genesis House Ministry, a ministry created to help men leaving the prison system move through a recovery process within a supportive environment, enabling them to transition back to society. His ministry has been helpful in battling the fight against the opioid crisis we face in America today.

The Genesis House, at its core, is a resident house where clients receive far more than a warm bed. Rather than sending former inmates aimlessly into the streets, the ministry provides counseling, mentoring, job skill development, substance abuse programming, job placement services, and family integration assistance.

Reverend Sanders has been working as the chaplain of the Fayette County Prison for more than 10 years and knows firsthand prison release qualifications and what it takes to make a difference in the lives of men.

The ministry opened its doors in 2014 and is a result of Reverend Sanders' desire to make a difference in the community.

I am grateful that Reverend Sanders is able to join us here today, and I would like to take this opportunity to express my deep and sincere appreciation for the great work he and his team are doing in western Pennsylvania.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. COMER). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

### YEARS OF TERROR IN EUROPE

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

Mr. WILSON of South Carolina. Mr. Speaker, it is sad many Americans have forgotten the ongoing global war on terrorism declared against Western families by war fatwas in 1996 and 1998, as displayed at the entrance of the National September 11 Memorial & Museum in New York City.

In the last year, there has been a year of terror in Europe, as reported by The Washington Times on Friday. Beginning in defiance of the anniversary of Bastille Day on July 14, 2016, at Nice, France, with 86 people murdered, it continued with attacks in Berlin, Germany, on July 18; Ansbach, Germany, on July 24; Reutlingen, Germany, on July 24; Normandy, France, on July 26; Berlin, Germany, on December 19; Istanbul, Turkey, on January 1; London, England, on March 22; Stockholm, Sweden, on April 7; Paris, France, on April 20; Manchester, England, on May 22; and London, England, on June 3.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism. We will never forget the 85 men and women murdered in the AMIA Jewish Center bombing in Buenos Aires, Argentina. I am grateful President Donald Trump is taking actions to protect American families.

### CONGRATULATIONS TO MASJID AL-HAQQ ON THEIR 25TH ANNIVERSARY

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

Mr. PAYNE. Mr. Speaker, I congratulate Masjid Al-Haqq in Newark, New Jersey, on its 25th anniversary.

Founded on June 18, 1992, and headed by Imam Muhammad, Masjid Al-Haqq has dedicated 25 years of service to the community, and I want to thank them for an outstanding job.

Masjid Al-Haqq provides the most reputable Muslim journal newspapers on a weekly basis in the city of Newark, without fake news, and sends a large contingent of Newark Muslims to the Muslim Convention held in Chicago each year during Labor Day weekend.

Every December, the Masjid also holds a "Time to Reflect" weekend, where the community gathers for

workshops and family activities. The services they provide impact the lives of many around our community.

I once again offer my sincere congratulations for a job well done. Happy 25th anniversary.

### HONORING FULBRIGHT SCHOLARS

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

Mr. MAST. Mr. Speaker, I rise today to congratulate the four Fulbright scholarship recipients from Florida's 18th Congressional District.

The Fulbright scholarship is a competitive, merit-based grant program for international educational exchange. Each year, the program grants students the opportunity to study, research, or teach abroad.

Dr. Nancy Ackles of Juno Beach, Amanda Fleming of West Palm Beach, Dr. Jan Fritz of Palm City, and Laura O'Connor of Jupiter are all recipients of this prestigious honor.

Dr. Ackles will be traveling to Uzbekistan to teach English; Ms. Fleming will be living in Asia, working to enhance communication with the Vietnamese people; Dr. Fritz will be spending her time in Hungary as a sociology scholar; and Ms. O'Connor will be working in Spain as she teaches English to the local community.

On behalf of the 18th Congressional District of Florida, I want to again congratulate these outstanding students and scholars for receiving the 2018 Fulbright scholarship. I am proud to represent them in Congress.

### FIX IT, DON'T NIX IT

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

Mr. O'HALLERAN. Mr. Speaker, Arizonans I have spoken with are stressed and anxious as they watch politicians in Washington threaten to take away their health coverage.

While the Senate's misguided repeal and replace proposal has been defeated, we cannot rest. The newest repeal plan is irresponsible and will endanger the health and well-being of my constituents. It will send premiums and coverage costs skyrocketing and slash funding for rural and Tribal health clinics, forcing them to close.

There are 1.9 million Arizonans who rely on Medicaid and could be at risk of losing their coverage. Of those, more than 45,000 are Arizona veterans. More than 1 million Arizonans with pre-existing conditions would lose vital protections that ensure they have access to affordable coverage.

Mr. Speaker, these are our children, our loved ones, our families, and our friends. We cannot stand here and play

politics with their health. We must work together to stabilize the insurance markets and develop a long-term solution that improves our healthcare system. We need to include the public in this discussion. We owe them a better plan.

I urge my colleagues on both sides of the aisle to fix it, not nix it.

#### MEDICARE FRAUD

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

Mr. BILIRAKIS. Mr. Speaker, I rise today to shed light on the issue of fraud and abuse in the Medicare program.

Medicare is absolutely critical for seniors in my district and across the country. Not only is Medicare fraud an affront to hardworking taxpayers, it hurts the millions of seniors who rely on the program.

Last week, the HHS inspector general announced the largest healthcare fraud takedown in history: 412 defendants were charged nationwide, including more than 80 cases in Florida, for Medicare fraud totaling about \$1.3 billion in losses. That is why I introduced much-needed legislation to strengthen penalties against those who commit fraud in the Medicare program.

The Medicare Civil and Criminal Penalties Update Act, H.R. 3245, cracks down on Medicare fraud and abuse by increasing civil and criminal fines. We must ensure the Medicare program is strong and sustainable for today's and tomorrow's beneficiaries.

#### LET'S FIX HEALTHCARE TOGETHER

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

Mr. KILDEE. Mr. Speaker, the Republican healthcare plan, TrumpCare, has fallen apart in the Senate, naturally.

After 7 months in office attempting to govern exclusively on their own, Republicans have shown once again that they can't govern. They control the House, the Senate, and the White House.

Repealing the Affordable Care Act is their primary goal and signature achievement. They can't do it. Why? Because the American people get in the way. They said "no," and enough Members of the Senate have responded to that.

But now the Republican plan looks like it is to simply repeal the Affordable Care Act with no replacement. It will take us back to a time where you could have an annual or lifetime cap and could not get insurance if you had a preexisting condition. Thirty-two million people would lose their healthcare coverage overnight.

That is the Republican plan?

We need to work together. We need to come together and fix the problems that we see and not make this such a partisan issue.

#### WELL-DESERVED HALL OF FAME INDUCTEE

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

Mr. EMMER. Mr. Speaker, I rise today to congratulate my friend Chris Coborn on his recent induction into the Minnesota Business Hall of Fame.

Every year, Twin Cities Business honors successful businessmen and -women in Minnesota who have displayed strong leadership and a unique vision.

During his time as president and CEO of Coborn's, Chris Coborn has helped build this family business, which was established in 1921, to 54 full-service supermarkets across Minnesota and North Dakota, in addition to their 70 convenience and liquor stores.

Proving himself a true visionary, Chris expanded Coborn's even more when he obtained an online grocery delivery business. While, at the time, it was seen as a controversial move, Chris had the foresight to go where the market was going for his customers. Decisions like this are exactly why Chris has been selected to join the Minnesota Business Hall of Fame.

Chris Coborn is a business leader in Minnesota and beyond. He truly deserves this recognition and honor.

#### RETIREMENT OF CHIEF MASTER SERGEANT JOSEPHINE YENKE

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

Ms. GABBARD. Mr. Speaker, today I rise to recognize Chief Master Sergeant Josephine Yenke's retirement, after 28 years of honorable service to our Nation in the United States Air Force, Air Force Reserves, and Air National Guard, to her home in Hawaii.

Chief Yenke began her service in Hawaii with Headquarters Pacific Air Forces in 1998 and has contributed significantly, making a long-lasting impact on our troops, servicemembers, and country, including mobilizing support for deploying troops through our country's long period in conflict.

Chief Yenke recently retired as the headquarters individual reservist readiness and integration organization detachment two superintendent at Joint Base Pearl Harbor-Hickam, Hawaii, where she served as the key senior enlisted adviser, assisting the commander with managing and directing personnel resource activities for over 400 reservists.

Chief Yenke has given many years of her life in the service of our country

and embodies the skills and expertise that our Reserve component servicemembers bring to our total force.

Our grateful Nation thanks Josephine for her and her family's service and sacrifice, and we wish her the very best as she begins this new chapter in her life.

□ 1215

#### HONORING THE MEMORY OF WEST VIRGINIA CIRCUIT COURT JUDGE JOHN YODER

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

Mr. MOONEY of West Virginia. Mr. Speaker, I rise today to honor the life and memory of West Virginia's Circuit Court Judge John Yoder, who passed away on June 7, 2017.

Judge Yoder served on the 23rd Judicial Circuit, which included Berkeley, Jefferson, and Morgan Counties in the eastern panhandle of the Second Congressional District, which I represent. He practiced law in Harpers Ferry, West Virginia, for 23 years.

Judge Yoder earned a bachelor of arts degree at Chapman University, and then studied law at the University of Kansas. He also obtained an MBA at the University of Chicago.

John Yoder was appointed by President Ronald Reagan in 1983 to serve as the director of the asset forfeiture office for the U.S. Department of Justice. He continued his distinguished career as a public servant, including two stints as a West Virginia State senator before being elected as circuit court judge.

Judge Yoder is one of the early pioneers of State drug courts and was well known for his big heart and compassion. I join all West Virginians in keeping Judge Yoder's family and friends in our prayers. He will truly be missed.

#### NELSON MANDELA INTERNATIONAL DAY

(Ms. MAXINE WATERS of California asked and was given permission to address the House for 1 minute.)

Ms. MAXINE WATERS of California. Mr. Speaker, I rise today with great pride to join millions of people around the world to honor the life and legacy of South African President Nelson Mandela on Nelson Mandela International Day. I submitted comments for the RECORD this morning, but I would like to highlight a few key points.

In his 95 years of life, President Mandela was a transformative leader who forever changed the world through his steadfast dedication to freedom, equality, and human rights.

After spending 27 years in prison, Nelson Mandela became the first Black South African to be elected President

and used his administration to dismantle apartheid, combat institutional racism, and begin the process of racial reconciliation in his country.

To me, however, Nelson Mandela was more than a world-renowned leader. I had the distinct honor and privilege of calling him a friend. His courageous leadership in the antiapartheid movement encouraged me to join in the fight, which, to this day, is one of the most defining moments of my life.

We will forever be indebted to Nelson Mandela, who taught the world the power of one man having the fortitude to sacrifice his own ideals for a cause greater than himself.

#### RECOGNIZING WORLD YOUTH SKILLS DAY

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, Saturday marked World Youth Skills Day. The United Nations General Assembly started this initiative to raise awareness about the importance of investing in youth skills development.

Young people are almost three times more likely to be unemployed than adults. Young people around the world are exposed to lower quality jobs, greater labor market inequities, and a longer school-to-work transition period.

That is why I am pleased this House voted in favor of the Strengthening Career and Technical Education for the 21st Century Act last month. Too often we have seen students pushed down the college-for-all pathway that just doesn't work for some students.

CTE has established itself as a path that many students choose in pursuit of industry certifications and hands-on skills they can use right out of high school in skills-based education programs or in college.

By modernizing the Federal investment in CTE programs, we will be able to connect more educators with industry stakeholders and close the skills gap.

On World Youth Skills Day, I encourage everyone to consider a career in technical education.

#### FEDERAL FUNDING FOR THE MIECHV PROGRAM

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

Ms. PLASKETT. Mr. Speaker, Federal funding for the Maternal, Infant, and Early Childhood Home Visiting Program is set to expire September 30. This program in the Virgin Islands Department of Health gives at-risk pregnant women and families necessary in-

formation, resources, and skills to raise children who are physically, socially, and emotionally healthy and ready to learn.

In June, Republicans in the House of Representatives' Ways and Means Committee introduced a bill reauthorizing this program. The legislation, which has yet to receive a hearing, included a 5-year reauthorization, but did not expand funding to meet the growing needs for services. It also included serious modifications to the way the program is run, which advocates fear could have harmful unintended consequences.

Home visiting programs are a critical opportunity to reach at-risk pregnant women and new mothers. The first few years of life are the most rapid period of brain development, and home visiting programs provide support to vulnerable families in the earliest stages of their child's life. Home visiting programs establish a solid foundation by partnering with families to support maternal and newborn health and parent engagement.

I would like to express my support for the reauthorization and expansion of this program, and I encourage my colleagues to do the same.

#### SOLAR ECLIPSE IN HOPKINSVILLE, KENTUCKY

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

Mr. COMER. Mr. Speaker, I rise today to speak about a spectacular event that will take place in Hopkinsville, Kentucky this coming August. A solar eclipse will occur on August 21, 2017, the first to traverse coast to coast in the United States in nearly a century. The last time a solar eclipse was in the United States was in 1918. It will not be until 2045 that we witness a similar event.

Hopkinsville is one location in the U.S. fortunate enough to have a position in the direct path of the shadow cast by the eclipse of the Sun. The historic city of Hopkinsville is expecting a huge turnout for this event, as many consider Hopkinsville the "point of greatest eclipse" for this August lunar display.

August 18 to 20 will be a weekend full of celebrations surrounding this rare and memorable experience, including live music, food vendors, and activities for all ages. I thank the many people who have contributed to the promotion of this event in Hopkinsville, and I look forward to a festive weekend in the First District of Kentucky to celebrate the much anticipated solar eclipse.

#### STANDING UP FOR THE DACA PROGRAM

(Mr. POLIS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. POLIS. Mr. Speaker, Colorado is home to 17,000 Deferred Action for Childhood Arrivals, or DACA, recipients. This program is an essential help in our dysfunctional immigration system. It allows young people who only know the U.S. as home to legally reside and work here.

Through my congressional service, I have been moved by the stories of DACA recipients who have bravely spoken up for their communities and only want to positively contribute to our country, young people like Brayan.

Brayan is a business marketing and finance major at Colorado State University, in my district. He moved here with his family at a young age. He was only 3. He doesn't even remember making the trek from Chihuahua, Mexico, to Colorado. He grew up here, attended elementary and high school here. He didn't even know he was undocumented until he was in eighth grade.

DACA has allowed Brayan to come out of the shadows and live with a sense of security rather than anxiety and fear. In Brayan's words, DACA has put hope in the hearts of the forgotten.

What I want Brayan and others like him to know is: You are not forgotten, not by me, not by those of us in the community who know you and love you.

I stand by Brayan's side, and I will fight to ensure that the DACA program is continued for the 17,000 recipients in Colorado and 800,000 nationwide. The bottom line is that Brayan and others like him belong here.

#### PRO-GROWTH TAX REFORM FOR SMALL BUSINESSES

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

Mr. MARCHANT. Mr. Speaker, I rise today to discuss the need for pro-growth tax reform for small businesses in America.

Last week, I was on Main Street in Grapevine, Texas, surrounded by local businesses that were started in pursuit of the American Dream. These businesses are opened by hardworking people trying to give their families a better life and create jobs in north Texas and the communities that I represent.

Washington's Tax Code is too big and too complicated for American small businesses to grow and to be the job creation engine for future generations. We need pro-growth tax reform that lowers the rates for local businesses and simplifies the code for families. Main streets across America are counting on us to do that.

#### NEGATIVE IMPACT OF MEDIA

(Mr. SMITH of Texas asked and was given permission to address the House



for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, a new survey by the Pew Research Center found that an astounding two-thirds of Americans say the news media has a negative impact on our Nation. What a comment on the media.

The survey asked participants whether a variety of institutions are having a positive or negative effect on the way things are going in this country today. The rating the media received was the lowest of all institutions.

Another public opinion poll by Gallup showed the media's credibility has reached a record low. This is not much of a surprise, given the media's constant barrage of personal attacks and negative news coverage. The American people deserve better than a biased media.

For the sake of our country, our democracy, and the credibility of the media itself, let's hope they report the news more fairly and objectively in the future.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. MOONEY of West Virginia) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 18, 2017.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 18, 2017, at 9:19 a.m.:

Appointments:

Women's Suffrage Centennial Commission.  
With best wishes, I am,  
Sincerely,

KAREN L. HAAS.

#### PROVIDING FOR CONSIDERATION OF H.R. 806, OZONE STANDARDS IMPLEMENTATION ACT OF 2017

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 451 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 451

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 806) to facilitate efficient State implementation of ground-level ozone standards, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall

not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-26. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

□ 1230

Mr. BURGESS. Mr. Speaker, House Resolution 451 provides for a structured rule to consider a bill out of the Energy and Commerce Committee pertaining to the Environmental Protection Agency's ozone standards. The rule provides for 1 hour of debate equally divided between the majority and the minority on the Energy and Commerce Committee. The rule further makes in order six Democratic amendments for consideration. Fi-

nally, the minority is afforded the customary motion to recommit.

Under the Clean Air Act's National Ambient Air Quality Standards program, the EPA is tasked with setting standards and regulations for certain defined pollutants, including ground-level ozone, commonly referred to as smog. The Environmental Protection Agency has set these standards and adjusted when necessary in 1971, 1979, 1997, and 2008.

Since 1980, ozone levels have declined by 33 percent, according to the EPA, thanks in large part to diligent State oversight of industries and planning, along with weather patterns and outside temperatures, which all contribute to ozone levels.

Ozone has been a particular issue in the north Texas area that I represent, where hot summer days and prevailing southerly breezes cause air quality issues that affect outdoor activities and may create health concerns.

In 2015, the EPA proposed changing the 2008 ozone standards that had not yet been fully implemented, despite nearly 700 national, State, and local organizations and stakeholders requesting that the EPA allow the 2008 standards to be adopted before moving the goalposts on these regulated parties. In fact, the EPA did not publish its implementation regulations for the 2008 standards until March of 2015, nearly 7 years after the standards had been issued, and then promptly that same year decided to change the rules entirely.

The EPA ignored the request from stakeholders and moved ahead with lowering the ozone standard, manipulating scientific findings in order to justify the move. In fact, nearly two-thirds of the so-called benefits that the EPA claimed would result from this new standard are not based on ozone reductions at all, but instead on reductions from an entirely different pollutant regulated under a different set of rules.

H.R. 806, the Ozone Standards Implementation Act of 2017, is an important step toward focusing the EPA's efforts at science-based regulating of the environment and a rejection of the politically motivated actions of the previous 8 years.

The legislation phases in implementation of the 2008 and 2015 ozone standards, extending the date for final designation for the 2015 standard to 2025, aligning the permitting requirements of the Clean Air Act with the implementation schedule set by the EPA. This allows for a thoughtful and methodical implementation process to proceed at the State level to address the varied needs and nuances that exist in the States based upon industry and based upon weather patterns.

The measured approach contained in H.R. 806 will allow States to pursue cost-effective and practical implementation plans to enforce the EPA's ozone

standards. Further, it utilizes a process that will benefit from the States' practical experiences at implementing previous ozone standards.

Nothing in the legislation before the House today changes any existing air quality standards or regulations. Let me say that again. Nothing in the legislation before the House today changes any existing air quality standards or regulations.

This legislation is focused solely on providing States and businesses the proper tools, time, and flexibility to implement the EPA's regulations most effectively. This is a goal we should all support.

According to the EPA's own analysis in 2015, the vast majority of U.S. counties will meet the 2015 standards by 2025, the same timeframe that the bill before us contemplates implementation.

H.R. 806 is important, however, because it gives States the flexibility to focus on the most pressing environmental issues in each individual State, rather than having the EPA dictate where resources must be used regardless of need.

The Energy and Commerce Committee has been reviewing the issue of finding the correct balance for ozone implementation for years and has crafted legislation that reflects that measured approach.

In 2015, I wrote to the EPA's Clean Air Scientific Advisory Committee expressing my concern over the EPA's expedited implementation of the 2015 standards despite concerns on how the ozone rules could affect other pollutants, namely nitrogen oxide, which has been found to actually increase inversely when ozone levels decrease. This increase of nitrogen oxide is especially present in urban environments where many at-risk populations live.

Given the many implementation questions surrounding EPA's political decision to move forward with the 2015 standards, H.R. 806 is a prudent and justified course that this government should be taking.

For these reasons, I encourage my colleagues to support today's rule and the underlying bill, and I reserve the balance of my time.

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

Mr. Speaker, I rise in opposition to both this rule and the underlying bill. Instead of coming up with new thoughts or new ideas, here we have another recycled and careless bill that has been through this body before that takes away protections for our sick, for our children, for pregnant women, and for the elderly. It is the wrong way to go for our country.

This bill is called the Ozone Standards Implementation Act, but it is actually a political stunt for a special in-

terest, in this case the oil and gas industry. It will hurt our air, our environment, and, frankly, have a negative impact on the health of Americans. It will increase healthcare costs at a time when healthcare costs are already too high.

We see that, the way the House Republicans are trying to jam through the Affordable Care Act repeal, which I remind my friends passed here in the House. It is only in the Senate where they are finally realizing the error of their ways.

In Colorado, 500,000 people have benefited from the Affordable Care Act, and the number of people without insurance has been cut in half from 6.7 percent to 2.5 percent. Of course, it is not perfect, and I hope that now is an opportunity for Democrats and Republicans to work together, rather than Republicans seeking to go at it alone with a plan that provides less people with healthcare rather than more.

The Affordable Care Act made sure that no one can be denied coverage for a preexisting condition. That benefited over 750,000 people in Colorado, including people with cancer and asthma, the rates of which would both increase if this bill that we are discussing under this rule were to become law. Yes, that is right. More people would suffer from asthma and more people would suffer from cancer if this bill were to pass.

This reckless Republican healthcare bill even eliminated the Prevention and Public Health Fund at the end of fiscal year 2017, slashing funding for the Centers for Disease Control by 12 percent, singling out certain providers, like Planned Parenthood, from even participating in the Medicaid program; preventing patients from receiving preventative care services, like cancer screenings and STD testing and contraceptive care from their provider of choice, often, in many cases, the only provider in town.

So it is no surprise that we have yet another bill that would increase healthcare costs before us, lead to more people having to pay more for what they already have for healthcare.

And here we have a bill that is opposed by the American Lung Association, the American Thoracic Society. They are all very strongly opposed to this bill. It is why over 700 healthcare professionals signed a letter in opposition to H.R. 806 dated July 17, 2017, which I include in the RECORD.

JULY 17, 2017.

DEAR MEMBER OF CONGRESS: We, the undersigned physicians, nurses, environmental health professionals and other health professionals, urge you to protect our patients' and communities' health from dangerous air pollution. Please oppose any legislation or administrative actions that would block, weaken or delay work to implement and enforce strong safeguards for healthy air.

Our patients, families, and neighbors need healthy air to breathe, particularly those who are at greater risk of getting sick or

dying prematurely due to air pollution, including children, older adults, and people with asthma, COPD, and heart disease.

Thanks to the Clean Air Act, the United States has made enormous progress in cleaning up ozone and particle pollution. The American Lung Association's 2017 "State of the Air" report found that cities across the U.S. have made continued improvement in reducing these pollutants, with many reaching their lowest ozone levels yet. However, 125 million people still live in areas where they are exposed to unhealthy levels of air pollution.

Clean Air Act protections must continue to be implemented and enforced to ensure that all Americans have healthy air to breathe. In addition, evidence shows that climate change will make it harder to clean up ozone and particle pollution. The nation must reduce the carbon, methane, and other pollutants that lead to warmer temperatures, and work to protect our communities against the many health impacts of climate change.

As health and medical professionals, we call upon you to protect the health of our patients and our communities by opposing measures that would block, weaken, or delay protections under the Clean Air Act, or other protections that reduce harmful air pollution and protect public health from the impacts of climate change. Our communities are counting on you.

Sincerely,

#### ALABAMA

Surya Bhatt, MD; Cindy Blackburn, RN; Ellen Buckner, PhD, RN, CNE, AE-C; Mark Dransfield, MD; Linda Gibson-Young, PhD, ARNP; Katherine Herndon, PharmD, BCPS; deNay Kirkpatrick, DNP, Nurse Practitioner; Kathleen Lovlie, MD; Michael Lyerly, MD; Marissa Natelson Love, MD; Jessica Nichols, RN, BSN; Gabriela Oates, PhD; Ashley Thomas, MD; Paula Warren, MD.

#### ALASKA

Owen Hanley, MD; Charles Holyfield, RRT, Director, Cardiopulmonary Services; Sheila Hurst, Tobacco Treatment Specialist; Elaine Phillips, FNP; Melinda Rathkopf, MD; Jill Valerius, MD, ABIHM, IFMCP, ATC.

#### ARIZONA

Michelle Dorsey, MD; Mark Mabry, RN; Marsha Presley, PhD.

#### ARKANSAS

Marsha Scullark, MPS.

#### CALIFORNIA

Jennifer Abraham, MD; Felix Aguilar, MD, MPH; Ellen Aiken, MD, MPH; Mark Andrade, RCP, RRT, AE-C; Devin Arias, MPH; Ed Avol, Professor, Dept. of Preventive Medicine; Ardel Ayala, RRT; Julia Barnes, MPH, Community Engagement Manager; Laura Barrera, RRT; John Basile, RRT; Bruce Bekkar, MD; Eugene Belogorsky, MD; Simone Bennett, MD; Amir Berjis, MD; Robert Bernstein, MD; Robert Blount, MD; Coletta Boone, RCP; Amy Brendel, MD; Lisa Caine, RCP.

Donna Carr, MD; Cherise Charleswell, MPH; Jiu-Chivan Chen, MD, MPH, ScD; Sharon Chinthrajah, MD; David T. Cooke, MD; Pamela Dannenberg, RN, COHN-S, CAE; John Davis, RN, FNP-BC; Sara DeLaney, RN, MSN, MPH; Anthony DeRiggi, MD; Maria Diaz, RN, BSN; Ralph DiLibero, MD; Jacquelyn Duerr, MPH; Marsha Eptein, MD; Enza Esposito Nguyen, RN, MSN, ANP-BC; Shohreh Farzan, PhD; Bennett Feinberg, MD; Amber Fitzsimmons, PT; Catherine Forrest, MD, MPH; Vanessa Garcia, RN, PHN; Frank Gilliland, MD, PhD.

Robert M Gould, MD; Jim Grizzell, MBA, MA, MCHES(R), ACSM-EP; Kevin Hamilton, RRT; Stephen Hansen, MD, FACP; Catherine Harrison, RN, MPH; Marie Hoemke, RN, PHN, MPA, MA; Mark Horton, MD; Mary Hunsader, RN, MSN, CNS, AE-C; Harriet Ingram, RN, BS; Karen Jakpor, MD, MPH; Martin Joye, MD; Magie Karla, RD; Lynn Kersey, MA, MPH, CLE; Ellen Levine, PhD, MPH; Rita Lewis, RN, PHN; Erica Lipanovich, PA-C; Shanna Livermore, MPH, MCHES; Cynthia Mahoney, MD; Michael Maiman, MD; Atashi Mandal, MD; Futernick Marc, MD.

Margie Matsui, RN, CRRN, COHN-S, FAAOHN; Rob McConnell, MD; DeAnn McEwen, MSN, RN; Ellen McKnight, NP; Robert Meagher, MD; Louis Menachof, MD; Deb Messina-Kleinman, MPH; Jennifer Miller, PhD; Anthony Molina, MD; Janice Murota, MD; Gretchen Nelson, FNP; Wendy Oshima, Health professional; Frances Owens, RRT; Sonal Patel, MD; David Pepper, MD; Tamanna Rahman, MPH; Wendy Ring, MD, MPH; Brenda Rios, FNP; Linda Rudolph, MD, MPH; Cindy Russell, MD.

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Mr. POLIS. In part, it says: “We, the undersigned physicians, nurses . . .”—et cetera—“. . . oppose any legislation . . .”—to—“. . . weaken or delay work to . . . enforce strong safeguards for healthy air.”

They are from nearly every State, Mr. Speaker. And looking at this, I see red states, and I see blue states, Louisiana, Missouri, Montana, Mississippi, and that is because this is science we are talking about here.

This bill will increase healthcare costs. That is the economic side. The human side is it will lead to suffering and even death. That is why it is important to stop this bill now by stopping this rule from passing.

Not only will this bill harm millions of Americans, but, in addition, they have offered it under a way to limit amendments and ideas that Republicans and Democrats had offered. This rule does allow several amendments, one of which is mine, and we will discuss that later, but it doesn't allow for amendments from Democrats and Republicans. They only made in order 6 of the 11 amendments, including germane amendments that were submitted to be debated.

For instance, why wasn't Mr. COOPER's amendment, which clarified that State implementation plans can incorporate local land use policies, allowed any debate on the floor?

All Members with amendments should be given the opportunity to bring them to the full House and get a fair up-or-down vote on the merits of their amendment. That is how we craft better legislation, and that is how we fix bills, Mr. Speaker.

I assure you, this bill needs to be fixed, because all it does is it repack-

ages a bunch of bills that make our air dirtier and our health worse and healthcare more costly, all bills that we have seen here over the last several years, bringing them all together in sort of a Frankenstein bill where you assemble all these horrible body parts from different bills, each of which is bad, creating a huge monster that will kill people and increase healthcare costs for every American.

Instead of trying to weaken the Clean Air Act, putting Americans' health at risk, which is what this bill does, we should be talking about the way to close loopholes that exist in our Clean Air Act; to make our air cleaner, not dirtier; reduce asthma and cancer, not increase asthma and cancer.

That is why I am glad that my amendment was made in order. My amendment is based off of the BREATHE Act, which I introduced with several of my colleagues earlier this year. It would close the oil and gas industry's loophole to the Clean Air Act's aggregation requirement. We will be discussing that in more detail later today, but, very simply, when you have small sites for oil and gas extraction, they don't have to aggregate their pollution, even though in the aggregate, when you have 20,000 wells in a county, cumulatively it can release a large amount of air pollutants, even more than a larger power plant. This amendment would simply hold all sources of emission to the same standard for the impact on the Nation's air quality. I hope that my amendment will be adopted, it is common sense, so we can improve the Clean Air Act rather than eviscerate it.

This bill takes apart a law that is one of the most successful in the history of our country in protecting our most vulnerable and strengthening our economy. A stronger economy means less sick days from work, it means less hospital visits, it means less premature deaths. This bill will increase all of those, sick days, hospital visits, and premature deaths, because it takes away protections for our clean air.

I am proud to say that between 1980 and 2014, emissions of six air pollutants controlled by the Clean Air Act have dropped 63 percent. We should be proud of that. While those six toxic pollutants dropped 63 percent, our gross domestic product increased 147 percent, vehicle miles traveled increased 97 percent, energy consumption increased 26 percent, our population grew by 41 percent. That shows over the last several decades how we can have clean air, a healthy population, and a strong economy—not one at the expense of another.

These emission standards have already generated dramatic public health benefits. A recent peer-reviewed study estimates that the Clean Air Act will save more than 230,000 lives, prevent millions of cases of respiratory prob-

lems in 2020 alone. It also enhances our national productivity by preventing 17 million lost workdays. These public health benefits translate into \$2 trillion in monetized benefits to the economy.

If this bill were to be scored by that metric, this bill would cost \$2 trillion by eviscerating the protections we have in the Clean Air Act, but instead of maintaining and strengthening these important life-saving laws, instead, they are delaying the implementation of the ozone National Ambient Air Quality Standards set by scientists, an update that is long overdue and has economic benefits of \$4.5 billion annually in 2025 alone. This bill would suspend that, which are particularly important for the pregnant, for the elderly, for those who suffer from asthma.

25 million Americans suffer from asthma, 7 million of whom are children. For many, the condition lasts a lifetime and sometimes can be life-threatening. In 2014, about 4,000 people died due to an asthma attack. The connection between air quality and asthma is extremely well documented and incontrovertible, and it shouldn't be understated.

Clean air is an integral part of quality of life, and we shouldn't be tearing down protections that simply allow kids or the elderly to go outside, kids to play outside on a playground in a neighborhood, without worrying about respiratory problems or asthma.

Another problematic provision of this Frankenstein bill is that it changes the criteria for establishing a NAAQS from one that is based solely on protecting public health to one that includes consideration of technology.

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Now, that is the core of the Clean Air Act and necessary to protect public health. The NAAQS determine what level of air pollution is “safe” to breathe. That is just a matter of fact. What is safe is safe, what is not safe is unsafe. Scientists need to determine that. This change would allow polluters to override scientists and is analogous to a doctor making a diagnosis based on how much a test cost.

I don't want my doctor telling me I don't have condition X or Y because I might have a high cost to treat. I don't think anybody else does, either. We demand, and we deserve, safe air. We should be safe breathing the air in our country, period.

The problems go on and on with this bill. I will stop there for now because the Republicans have wasted enough time even bringing this Frankenstein bill to the floor that cobbles together a number of other terrible bills that they have already passed.

Let's move forward with making our air cleaner, not dirtier; with reducing cancer and asthma, not increasing them; and with reducing healthcare

costs, not increasing them. This bill is the wrong direction.

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

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I want to reference a letter that I sent on May 23, 2014, to Dr. Christopher Frey, who was then the chairman of the EPA Clean Air Scientific Advisory Committee.

The letter reads:

"I understand that, due in part to recommendations by the Clean Air Scientific Advisory Committee, EPA's new draft Health Risk and Exposure Assessment for Ozone concludes that—I am quoting from the EPA here—"mortality from short- and long-term ozone exposures and respiratory hospitalization risk is not greatly affected by meeting lower standards."

Again, that is from the EPA draft of the Health Risk and Exposure Assessment for Ozone, from May of 2014.

Mr. Speaker, I include in the RECORD the letter.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
May 23, 2014.

Dr. H. CHRISTOPHER FREY,  
Chair, EPA Clean Air Scientific Advisory Committee, Distinguished University Professor, Department of Civil, Construction, and Environmental Engineering, North Carolina State University, Raleigh, NC.

DEAR DR. FREY: In January 2015, pursuant to a court imposed deadline, the Environmental Protection Agency (EPA) is expected to propose revisions to the current National Ambient Air Quality Standard (NAAQS) for ozone set in 2008. The agency's proposed revisions may well represent the most costly standards the agency has ever sought to impose on the U.S. economy. The Administrator's judgments about the adequacy of the standard and any such proposed revisions accordingly will be subject to close Congressional oversight and scrutiny. A critical question will concern whether the Administrator has fully and clearly evaluated the risk reduction estimates associated with the standard and proposed alternatives.

The Clean Air Scientific Advisory Committee's (CASAC) by statute serves to review the information supporting EPA's assessment of the existing NAAQS for ozone and to help assure that EPA conducts a full and objective evaluation of risks and risk tradeoffs in its proposals. In the context of this review, given the potential costs and impacts of any revision to the current standard, I believe it is critically important that such risks and risk tradeoffs are fully evaluated.

Presently, EPA appears to be moving forward without fully addressing important risk tradeoff questions regarding the impact of emissions reductions of nitrogen oxides (NO<sub>x</sub>), which CASAC has also been reviewing, on ozone concentrations. I write today to draw your attention to concerns that have been raised that EPA has not fully evaluated the risk reduction outcomes identified in the agency's risk assessments used for the upcoming proposed rule.

I understand that, due in part to recommendations by CASAC, EPA's new draft Health Risk and Exposure Assessment for Ozone (HREA) concludes that "mortality from short- and long-term [ozone] exposures

and respiratory hospitalization risk is not greatly affected by meeting lower standards." According to the HREA, this is due in part to the fact that further reductions in nitrogen oxides (NO<sub>x</sub>) emissions will actually increase ozone levels on low concentration days in urban areas where at-risk populations live.

For instance, in modeling a 50 percent reduction in NO<sub>x</sub> emissions from existing levels, the HREA found that April-to-October ozone exposures actually increased for large percentages of exposed populations in several major urban areas where at-risk populations are likely to live, including New York, Detroit, Los Angeles, and Chicago. In other words, even though reducing NO<sub>x</sub> emissions may yield direct benefits by reducing NO<sub>x</sub> related health effects, they may also lead to increased ozone levels—the issue under review by the CASAC Ozone Review Panel.

If EPA is correct to assume that all ozone exposures should be of concern, any increases in ozone exposure throughout the year are important to assess. However, testimony submitted to CASAC this past March notes that EPA's analysis likely underestimates the potential for increases in ozone exposures because the agency does not evaluate the effect of NO<sub>x</sub> emission reductions on ozone levels throughout the full year. Specifically, EPA's analysis of epidemiologically-based short-term mortality and morbidity risks fails to consider the likely increases in ozone levels during the cooler months of the year when NO<sub>x</sub> emissions are reduced. This March testimony reported that such a full year-round analysis of the impact of NO<sub>x</sub> emission reductions in urban Philadelphia resulted in increases in total ozone exposures.

The EPA's analysis itself notes that wintertime increases in ozone "were significant in 11 out of the 15 areas" evaluated when nationwide NO<sub>x</sub> emissions were cut "almost in half," but fails to address how increases in wintertime ozone levels from further NO<sub>x</sub> reductions will affect the proposed health benefits of meeting a lower ozone standard. Potential changes in wintertime ozone levels also pose a problem for EPA's assessment of mortality risks from long-term exposure to ozone.

In light of these shortcomings in analysis, we ask that you recommend that EPA conduct a full year-round analysis of the effect of further NO<sub>x</sub> emission reductions on the epidemiologically-based, short-term mortality and morbidity health benefits from meeting a lower ozone standard. This should be done in a manner that clearly distinguishes between exposure changes projected for urban, suburban, and rural portions of each of the Urban Study Areas. In addition, EPA should provide a discussion of the limitations of projecting future mortality risks from long-term exposure given that the epidemiological study used did not account for potential differences in wintertime ozone levels.

Finally, I understand that transcripts of your public proceedings may not always be preserved for future public access and review. If this is the case, I ask that you ensure that CASAC preserve a full transcript or recording of the telephone conference and related public deliberations for future public access and review.

Thank you for your attention to this request.

Sincerely,

MICHAEL C. BURGESS, M.D.

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

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank my dear friend from Colorado for his leadership on this important issue.

Mr. Speaker, I rise in strong opposition to this dirty air legislation. The House majority is, once again, substituting political ideology for sound science. Make no mistake: this is social Darwinism, at its worst, and a blueprint to make America sick again.

The intent of the Clean Air Act and its amendments couldn't be clearer: public health and science should drive public policy. And safe, breathable air must be our paramount goal.

Under the Clean Air Act, the EPA is required to review the public health impacts of carbon monoxide, lead, ozone, particulate matter, and sulphur dioxide every 5 years and update national air standards. The bill before us would roll that back and delay new standards for a decade. We cannot wait another decade, nor should we.

We know the health impacts of increased smog: greater incidence of asthma, acute bronchitis in children, and, in some cases, premature death. In Fairfax County, where I live, 23,023 children could be at risk of another asthma attack due to poor air quality, and 136,327 adults over the age of 65 are at risk for a medical emergency.

I come from local government, where we actually had to put into place regional programs to reduce smog. This wasn't a theological or ideological assignment for us. It was practical. And let me show you the progress we made because of this legislation, the Clean Air Act and its amendments.

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

Mr. POLIS. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. CONNOLLY. Mr. Speaker, in 1996, this region—the national capital region—had more than 60 orange ozone days, ozone layers that were hazardous to health, warnings given to people. Last year, we had 6, one-tenth of that number. And that is because of the Clean Air Act and its amendments.

Rather than dismantling these protections, we should provide States and localities the resources to continue on the progress we have made. Instead, the Trump budget would slash EPA funding by a third. That is not a plan for healthy communities. It is not a way to make America great.

Mr. Speaker, I urge my colleagues to reject this assault on public health and sound science.

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I include in the RECORD a letter that was sent by Representative JOE BARTON, who was then the ranking member on the Energy and Commerce Committee, and myself, as the ranking member of the Oversight



and Investigations Subcommittee, June 11, 2010, asking for the economic data that the EPA was supposed to provide regarding their proposed rule changes back in 2010.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,  
Washington, DC, June 11, 2010.

Hon. LISA JACKSON,  
Administrator, U.S. Environmental Protection  
Agency,  
Washington, DC.

DEAR ADMINISTRATOR JACKSON: While the President has repeatedly stated that job creation and economic growth are his top priorities, in the environmental arena it appears the Administration is allowing ideology to trump objective science and sound public policy, and is issuing new rules that will significantly impede economic development and growth throughout the United States. In particular, we are concerned that the Administration, through the Environmental Protection Agency (EPA), is promulgating a whole host of unworkable, multi-billion dollar environmental regulations without fully considering all available scientific information, and without regard to, the realistic compliance costs, job impacts, or the ability of states, municipalities and/or businesses to implement the new regulations.

In the past we have expressed very serious concerns about the Administration's global warming regulations and EPA's process for developing its endangerment finding, the agency's highly expedited issuance of that finding, and the agency's reliance on the scientific assessments of outside groups, including the United Nations Intergovernmental Panel on Climate Change (IPCC), without a careful and critical examination of their conclusions and findings. Further, we have significant concerns about the potentially hundreds of billions of dollars or more in compliance costs that are triggered by the finding, the over 6 million entities that may ultimately be subject to complex new permitting requirements, potential enforcement actions, fines and penalties, and threats of citizen suits and other third-party litigation. EPA itself has acknowledged that the stationary source permitting requirements triggered by the endangerment finding are totally unworkable, and that it would be administratively impossible for EPA and states to administer those new requirements, or for employers and businesses to comply.

We write today regarding another set of multi-billion dollar regulations proposed by the Obama Administration which also appear to be extraordinarily expensive and unworkable. Specifically, in January 2010, EPA proposed new National Ambient Air Quality Standards (NAAQS) for ground-level ozone, the main component of smog. NAAQS ozone standards have been revised a number of times over the past several decades, including in 1997 when EPA set an 8-hour "primary" ozone standard, as well as an identical "secondary" standard, to a level of 0.08 parts per million (ppm), or effectively 0.084 ppm. While EPA significantly strengthened that standard in 2008 to a level of 0.075 ppm, in January 2010 this Administration took the unprecedented step of setting aside the 2008 standards, and proposing its own alternative standards based on the prior administrative record and a "provisional assessment," and without conducting a full review of the currently available scientific and technical information. EPA is now proposing a new primary ozone standard within the range of 0.060–0.070 ppm, as well as a distinct cumulative, seasonal secondary standard within

the range of 7–15 ppm-hours. EPA has also proposed an accelerated implementation schedule.

We are very concerned about the proposed standards, not only because there appear to be questions about the development of the proposed standards, but also because EPA estimates that the costs would range from \$19 billion to \$90 billion annually, or nearly a trillion dollars over ten years. Moreover, it appears, based on EPA's own ozone maps and estimates, that most counties in the country could violate the standards, particularly if EPA chooses to set the standard at the lower end of the proposed range. Further, it also appears many areas of the country, including rural and remote areas, could never be in attainment because the standards are so low that they may exceed natural background ozone levels, or ozone levels due to foreign emissions from Asian or other sources.

We understand EPA plans to finalize the proposed ozone standards by August 31, 2010. Before EPA finalizes such standards, we believe your agency should provide the Congress with fuller information about the EPA's process for developing and proposing the new standards, the counties or municipalities expected to be in violation, whether the new standards can realistically be implemented by areas that have higher ozone levels due to natural background ozone levels or foreign emissions, and the potential restrictions that the new standards will place on future economic growth and development for non-attainment areas.

We request your responses to the following questions within two weeks of the date of this letter:

1. Under Sections 108 and 109 of the Clean Air Act (CAA), EPA is authorized to set NAAQS for certain criteria pollutants, including ozone, and the Act sets out specific procedures for revising those standards.

a. In proposing the new standards, why isn't EPA conducting a full analysis of all available data, including more recent data?

b. In proposing the standards, why isn't EPA following the express procedures set forth in Section 109 of the CAA?

2. Under the Clinton Administration's 1997 ozone standards:

a. What types of measures have been required by state and local governments to come into compliance with those standards?

b. What were the estimated costs for compliance with the 1997 standards and how do those compare with estimated costs for the proposed new standards?

c. What analysis, if any, did EPA conduct relating to the potential impacts on employment of the 1997 standards?

d. What were EPA's projections with regard to attainment of the 1997 standards, and approximately how many counties in the United States have still not been able to come into compliance?

e. What are the primary reasons for the inability of these counties to come into compliance?

3. Under the Obama Administration's proposed ozone standards, we understand that EPA projects, based on 2006–2008 data, that of the 675 counties that currently monitor ozone levels, 515 counties (76%) would violate a 0.070 ppm standard, and 650 counties (96%) would violate a 0.060 ppm standard.

a. Please identify the 515 counties that would violate a 0.070 ppm standard, and the expected time needed for attainment.

b. Please identify the additional 135 counties that would violate a 0.060 ppm standard, and the expected time needed for attainment.

4. According to the attached map from EPA's Clean Air Status Trends Network (CASTNET) 2008 Annual Report, it appears many areas of the country that do not currently have ozone monitors would also be likely to violate the new smog standards, including in very rural and remote areas.

a. How many counties don't currently have ozone monitors?

b. Based on CASTNET data and any other data EPA may have regarding ozone levels in non-monitored counties, how many additional counties could be in violation of EPA's proposed ozone standards if a monitor were present? Please identify those counties using the CASTNET data and any other data available, and the expected time needed for attainment.

c. Would there be areas with monitored air quality that attain the proposed standards but that might nevertheless be considered to be in "nonattainment" because they are in a Consolidated Metropolitan Statistical Area (CMSA) in which one monitor or more exceeds the proposed standards?

5. According to the EPA Fact Sheet for the Obama Administration's proposed ozone standards, the implementation costs range from \$19 to \$90 billion annually while EPA projects the value of the health benefits would range from \$13 to \$100 billion per year.

a. What are the primary studies EPA is relying upon in the development of its health benefits estimates? What are the major uncertainties in those studies that could affect the estimates?

b. How many of the health-based studies included in the criteria document for the proposed ozone standards were based on statistically significant evidence compared to those studies that were not?

c. How many of the new health-based studies included in the provisional assessment for the proposed ozone standards were based on statistically significant evidence compared to those studies that were not?

d. Can EPA provide any assurances that the value of the health benefits will outweigh the implementation costs?

6. Under the Obama Administration's proposed ozone standards, what control requirements, including offsets, transportation planning measure or other measures, may apply to nonattainment areas?

a. It appears the proposed standards would create a significant number of new nonattainment areas in the Western United States. How would nonattainment in rural or remote Western states and tribal lands be addressed?

b. In the event that an area fails to attain any new standards by the applicable date, what would be the potential consequences, including any sanctions or penalties?

c. What will happen to states or localities that cannot come into compliance with the proposed standards because of a lack of economically or technically feasible technology necessary to attain compliance?

d. What will happen to states or localities that have natural background ozone levels, and/or ozone levels due to transport from outside the United States, that are currently close to or exceed the new standards?

i. Will such areas be designated as being in nonattainment?

ii. Will EPA require states or localities to attain standards lower than concentrations below the non-controllable background levels?

7. Given, as EPA recognizes, that there would be many new nonattainment areas, does EPA believe it is realistic to require states to provide recommendations to EPA



by January 7, 2011? Is it reasonable to require State Implementation Plans by December 2013?

a. If EPA believes these deadlines are realistic, please explain the basis for that conclusion.

8. Does EPA anticipate requiring separate planning requirements for a seasonable secondary standard if one is adopted as proposed? How does EPA plan to implement this type of secondary standard?

9. Has EPA prepared any analyses of the potential employment impacts of the proposed standards on specific sectors of the economy, including the manufacturing and construction sectors? If yes, please provide copies of such analyses.

10. Has EPA prepared any analyses of the potential relocation of production facilities outside the United States as a result of implementation of the proposed standards? If yes, please provide copies of such analyses.

11. Has EPA prepared any analyses of the potential impacts of the proposed standards on small businesses? If yes, please provide copies of such analyses.

If the EPA withholds any documents or information in response to this letter, please provide a Vaughn Index or log of the withheld items. The index should list the applicable question number, a description of the withheld item (including date of the item), the nature of the privilege or legal basis for the withholding, and a legal citation for the withholding claim.

Should you have any questions, please contact Minority Committee staff.

Sincerely,

JOE BARTON,  
*Ranking Member.*  
MICHAEL BURGESS,  
*Ranking Member, Subcommittee on Oversight and Investigations.*

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

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

Mr. Speaker, President Trump campaigned on the promise of job creation; however, his budget paints a starkly different and darker picture. It cuts job training programs by 39 percent. It would lead to massive job losses with its cuts. In this body, we talk a little about jobs, but we are 7 months into the 115th Congress and have failed to pass any major jobs bill.

Mr. Speaker, I am happy to say that I have an amendment in my hand that will generate thousands of American jobs.

When we defeat the previous question, I will offer an amendment to the rule to bring up Representative DEFAZIO's bipartisan bill, H.R. 2510, the Water Quality Protection and Job Creation Act. The bill will create thousands of new American jobs through increased investment in our Nation's wastewater infrastructure.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. ISSA). Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. DEFAZIO), the distinguished ranking member of the Transportation and Infrastructure Committee.

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman for yielding and for his initiative here to actually create some jobs.

Mr. Speaker, the premise of the legislation before us today is that if we allow more pollution—particularly ozone pollution, which is very detrimental to the health of asthmatics; I mean, bad for the health of everyday Americans, but particularly to the 25 million asthmatics, seniors, and others—the premise is that by polluting the air more with ozone, we will create jobs.

Now, actually, I have got to agree with the Republicans on this. They will create more jobs by polluting the air. Pulmonary specialists will be very busy. And then, oh, the inhaler manufacturers. There has been some great press about the inhaler manufacturers in the last year, where they are quadrupling and sextupling the price to price gouge people. Well, they are going to have a heyday. In fact, I believe they have endorsed this legislation.

And then we are going to have a whole new group of people working on the streets in America. It is going to be a whole new entrepreneurial class. There are actually people in Beijing doing this now. The air is so polluted in Beijing that on many days they say: Don't go outside. But, I mean, you have to go outside sometimes, you have to go to the grocery store, or you have to go to work. They now have a very large industry of street vendors who sell oxygen; so, as you are about to collapse on the street in Beijing, someone will sell you a good whiff of oxygen for whatever they charge for it. We are going to bring that industry to America. So this bill does have phenomenal potential to create a whole new bunch of jobs with oxygen street vendors and then, of course, the pulmonary specialists, the inhaler manufacturers, and others.

The President actually, as a candidate, said that he would triple the amount of money that would be spent on clean water State revolving funds; he would triple it. Now, interestingly enough, the Congressional Budget Office came out with an analysis yesterday of the President's proposed budgets over the next 10 years, which theoretically is going to increase investment and infrastructure. And they said: Actually, not so much. Actually, in fact, his cuts basically would lead to a reduction in investment in clean water and a reduction in investment in ground transportation.

So, instead of tripling the investment and putting many people to work, the President, actually, is going to cut in-

vestment in clean water in his proposed budget. Now, I know he didn't write the budget. You know, he has got this rightwing guy running the CBO—Mulvaney, founder of the Freedom Caucus. But Trump is somewhat responsible for a budget that has his name on it, even if he didn't write it, even if he didn't know what was in it, and even if he doesn't know that it contradicts promises he made as a candidate, which he is not going to deliver as President.

But, that said, I want to help the President out here. So, this bill simply delivers on the President's promise to triple the amount of investment to \$25 billion.

Now, do we need it? Heck, yeah, we need it. According to the American Society of Civil Engineers' 2017 infrastructure report card, America's wastewater treatment systems got a grade of D-plus—not too good. And there is a backlog of more than \$40 billion in clean water infrastructure.

The Federal Government needs to become an honest partner with our cities, counties, and others, who have needs to invest in their wastewater systems. We did it before when we cleaned up our rivers back in the sixties, seventies, and eighties with the Clean Air Act, and we need to do it again. We need the Federal partnership. We need this investment.

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

Mr. POLIS. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. DEFAZIO. And the other good thing is, if we were to spend that money, according to the National Utility Contractors Association, every billion dollars—just \$1 billion—invested in our Nation's water infrastructure creates, or sustains, 27,000 jobs. So do the math. The President can do math. He is a businessman. That would be 540,000 jobs if we delivered on the President's promise to make significant new investments with Federal partnership in clean water in America.

So, we can put together health, cleaning up the environment, and jobs, as opposed to the Republican bill, which deteriorates health, deteriorates the environment and protections, and won't create any jobs.

Just one quick quote here: "The Clean Water State Revolving Fund is a perfect example of the type of program that should be reauthorized because it creates jobs while benefiting the environment, and is an efficient return on taxpayer investment."

That is from the Oregon Water Resources Congress.

Mr. Speaker, I will conclude as we proceed to this absurdity of saying, by deteriorating health, we will create jobs.

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, it is ironic that the gentleman would reference the cost of

asthma inhalers. It was, after all, two Congresses ago where the Environmental Protection Agency actually outlawed the manufacture and sale of over-the-counter asthma inhalers and took them away from those of us who suffer from that disease. And, indeed, losing that over-the-counter option for an over-the-counter epinephrine inhaler for the treatment of asthma as a rescue inhaler, we have, indeed, seen the cost of prescription inhalers quadruple over that time frame.

So, in many ways, as an asthma patient, I hold the EPA directly responsible for my inability to get an inexpensive over-the-counter rescue inhaler. And for many asthma patients, who may find themselves caught short, that means a trip to the emergency room and, probably, a \$1,200 or \$1,500 event that otherwise could have been solved by a Primatene inhaler that sold two for \$16.

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

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

Well, I know my friend actually has a bill on the topic of the asthma inhalers, and I can tell you, if this bill becomes law, we will need all the asthma inhalers we can get, so I think your bill will have to go through.

I would like to inquire of the gentleman why your asthma inhaler bill isn't included in this package, since we will need to sell more asthma inhalers if the rest of the bill goes through?

Mr. BURGESS. Will the gentleman yield?

Mr. POLIS. I yield to the gentleman from Texas.

Mr. BURGESS. The reason is because the manufacture of over-the-counter epinephrine inhalers has been prohibited by the EPA and the Food and Drug Administration.

Mr. POLIS. Did the gentleman consider offering that as an amendment to this bill, your other bill, to allow the sale of those asthma inhalers?

Mr. BURGESS. Will the gentleman yield?

Mr. POLIS. I yield to the gentleman from Texas.

Mr. BURGESS. Number one, it is not germane, and it is more complicated now because the Food and Drug Administration has gotten involved in the process. I wish it were straightforward. It is something I continue to work on.

Mr. POLIS. Mr. Speaker, reclaiming my time, our Rules Committee can waive germaneness. But it would be an appropriate bill to include, as Mr. DeFAZIO pointed out, ironically, there are some jobs that this bill will create: people selling oxygen on the street, pulmonologists, and, yes, asthma inhalers because more people will suffer from asthma, and kids with asthma won't be able to spend as much quality time outside if this bill were to become law.

Instead of continuing this kind of work that raises healthcare costs, and increases asthma and cancer, we should be focusing on issues that create jobs we want. We don't want the air to be so bad that there is somebody selling oxygen canisters on the street.

□ 1300

We want jobs in renewable energy and making our air cleaner, in new forms of energy efficiency and bringing down people's utility bills because we use less energy. That is what excites people and that is what is good for our air.

Instead of focusing on those kinds of needs or, God forbid, shrinking the deficit or halting the handout of subsidies to special interests, they are talking about ideas here like this, that further diminish our standing as a world leader and further diminish what makes America special and our quality of life.

I hope all Members look in the mirror and think about our health, the health of our children, the health of our elderly relatives, and those most at risk. And we ask: How would this bill affect them?

The answer is obvious. It only serves to hurt them. It only serves to make people sicker. It only serves to increase costs, destroy economic value, and create additional risk for our environment.

Mr. Speaker, I encourage my colleagues to vote "no" on this rule and the underlying bill, and I yield back the balance of my time.

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

Mr. Speaker, today's rule provides for the consideration of an important piece of environmental legislation to protect the lives and health of all Americans while providing smart tools to the States to implement the EPA's standards.

I thank my fellow Texan, PETE OLSON, for his work on this legislation, which I know affects his district in the Houston area as much as it does mine in the Dallas-Fort Worth region.

I encourage my colleagues to vote "yes" on today's rule and to support the underlying bill.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 451 OFFERED BY  
MR. POLIS

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2510) to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and con-

trolled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 2510.

THE VOTE ON THE PREVIOUS QUESTION: WHAT  
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

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

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

#### FEDERAL POWER ACT AMENDMENT

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2786) to amend the Federal Power Act with respect to the criteria and process to qualify as a qualifying conduit hydropower facility, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2786

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

#### SECTION 1. QUALIFYING CONDUIT HYDROPOWER FACILITIES.

*Section 30(a) of the Federal Power Act (16 U.S.C. 823a(a)) is amended—*

*(1) in paragraph (2)(C), by striking "45 days" and inserting "30 days"; and*

*(2) in paragraph (3)(C)—*

*(A) in clause (i), by adding "and" after the semicolon;*

*(B) by striking clause (ii); and*

*(C) by redesignating clause (iii) as clause (ii).*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from Illinois (Mr. RUSH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

#### GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material in the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, this bill, H.R. 2786, introduced by my two colleagues, the gentleman from North Carolina (Mr. HUDSON) and the gentlewoman from Colorado (Ms. DEGETTE), has always been a bipartisan bill. It amends the Federal Power Act to promote renewable energy from small conduit hydropower facilities.

The bill would encourage the generation of electricity from existing man-made conduits operated for the distribution of water for agriculture, municipal, or industrial consumption.

I would note that Congress established qualifying conduit exemptions under the Hydropower Regulatory Efficiency Act of 2013. This bill, H.R. 2786, builds on that law to provide benefits to a greater range of conduit hydropower projects. This bill, in fact, will shorten the review period and allow larger conduit projects to be eligible for exemption from certain listing requirements.

I know of no serious objections to the bill. It is bipartisan, as it should be. I urge my colleagues to support it.

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

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

Mr. Speaker, I rise in support of H.R. 2786, the Promoting Small Conduit Hydropower Facilities Act of 2017.

In 2013, our committee moved bipartisan legislation by Representative McMORRIS RODGERS and Representative DEGETTE that created an exemption from hydropower licensing for certain conduit hydropower facilities of 5 megawatts capacity or less.

Under the provision established in the McMorris Rodgers-DeGette bill, the Federal Energy Regulatory Commission, FERC, must determine within 15 days after receipt of a notice of intent to construct a small conduit project by the developer if the project meets the qualifying criteria for exemption under the law.

If FERC makes an initial determination that the project meets that cri-

teria, current law requires FERC to publish a public notice of that determination and provide the public 45 days for an opportunity to comment on or contest FERC's determination.

That bill went on to be signed into law by President Obama and, as of May of this year, has resulted in qualifying 83 projects being exempted from Federal licensing requirements.

□ 1315

The bill before us now, Mr. Speaker, H.R. 2786, sponsored by Mr. HUDSON and Ms. DEGETTE, will amend the Federal Power Act to lift the 5-megawatt cap on conduit projects that could qualify for exemption. The bill would also reduce from 45 days to 30 days the amount of time the public will have to comment on or contest FERC's determination of whether a project qualifies for exception.

There is clearly strong support on both sides of the aisle for the development of conduit hydroelectric projects and for efforts like the Hudson-DeGette bill, which cuts red tape to ensure that environmentally sound projects can move forward quickly and efficiently.

However, Mr. Speaker, the original version of this bill cut the 45-day timeframe for public comment on a proposed exemption too much, down to 15 days. That, in my view, Mr. Speaker, and that of many of my colleagues, was too short a period of time to allow for meaningful public input into the process.

Fortunately and wisely, Mr. Speaker, Chairman UPTON and Chairman WALDEN accepted an amendment by Ranking Member PALLONE that reduced the amount of time for public notification by a third, from 45 days to 30 days, rather than the 15 days that many of us felt was excessive.

As a result, we now have a bill that is good policy, that cuts down on unnecessary regulation, while properly balancing the interests of hydropower development with that of the public.

The bill was rightfully reported by the committee with the unanimous support of Members on both sides of the aisle, and I hope the full House will do the same today.

Mr. Speaker, I urge my colleagues to support the bill, and I reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. HUDSON), the original author of the bill.

Mr. HUDSON. Mr. Speaker, I rise today to urge my colleagues to support H.R. 2786, my bipartisan legislation focused on tapping our Nation's immense conduit hydropower potential.

Hydropower remains one of the most efficient and affordable sources of electricity, as well as one of the largest sources of renewable electricity in America. In North Carolina alone, it

generates enough electricity to power 350,000 homes each year.

The opportunity is tremendous. Picture a tiny turbine placed in an existing man-made pipe that transports water from a water treatment plant. We can produce clean electric power inside these types of man-made conduits. There are over 1.2 million miles of water supply mains in the United States creating literally thousands of energy-recovery hydropower generation opportunities. This technology is readily available and environmentally friendly, but Federal regulations have discouraged and stifled the development.

That is exactly why I introduced this commonsense bill with my colleague, DIANA DEGETTE, whom I will say, even though her Broncos defeated my Panthers in the Super Bowl a couple years ago, it has really been a pleasure to work with on this.

What we are working on is to streamline the Federal review process for non-controversial conduit hydropower projects and make the projects eligible for streamlined consideration.

Mr. Speaker, I urge my colleagues to support this legislation to expand the development of conduit hydropower projects, create clean energy jobs, increase production of affordable renewable power, reduce consumer electricity costs, and improve energy diversity.

Mr. RUSH. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Colorado (Ms. DEGETTE), the cosponsor of this bill.

Ms. DEGETTE. Mr. Speaker, in the spirit of bipartisanship, I won't talk exclusively about the Broncos today. Instead, I want to thank Representative HUDSON for working with me on the bill. It has been a pleasure.

I also want to thank Chairman UPTON and Ranking Member RUSH and Energy and Commerce Chairman WALDEN and Ranking Member PALLONE for helping us work on this important bill. It is really an example of what we can accomplish when we put partisanship aside and work to address our country's needs.

Hydropower is a clean, domestic energy source. Over the last 2 years, it has provided almost 6 percent of U.S. electricity and almost half of all renewable electricity. It also supports hundreds of thousands of good jobs across the country.

As a westerner, I know how important water is to our environment and to our communities, and I am committed to advancing hydropower in a way that both respects existing water rights and minimizes environmental disruption.

Hydropower is often associated with large-scale projects like dams, but I have been particularly interested in smaller-scale projects attached to existing infrastructure, including irriga-

tion canals and municipal water supply systems.

As Mr. RUSH noted, in 2013, I worked with Representative CATHY MCMORRIS RODGERS, another westerner, to pass the Hydropower Regulatory Efficiency Act. That bill became law, and it established a process for qualifying conduit hydropower facilities to move forward without requiring a license from FERC.

A lot of people in western Colorado told me that this was one of the most important bills that they had ever seen come out of Congress, only demonstrating that all politics is local. Even though maybe it didn't seem so important to some people here at the time, 83 hydropower projects have been successfully promoted using the new process, including 23 projects in Colorado. This progress is encouraging, but there is even more we can do.

The Colorado government estimates that existing agricultural irrigation conduits in our State could support an additional 30 megawatts of hydropower, and municipal water supply systems could support another 20 to 25 megawatts. But to realize this potential, we need to listen to the advice that the Energy and Commerce Committee has heard on how to make the process as simple and flexible as possible.

We have heard testimony from FERC that the existing comment period is rarely used for comments that have a bearing on determining whether the project qualifies under the statute. In response, the bill we are considering today would shorten the comment period from 45 to 30 days to avoid unnecessary delays.

Second, FERC suggested lifting the megawatt cap on qualifying conduit projects. The amount of energy demonstrated by a hydroelectric project is not a good indication of its environmental impact. In fact, any project built on existing conduit infrastructure will have little to no environmental impact because it is using water that has already been diverted from its natural course.

The bill would not change the requirement in existing law that the project be built on a conduit that is primarily intended for non-power generating uses, further limiting the potential for any environmental impact.

Together, these two changes will open the door to more conduit hydropower projects without compromising important environmental protections.

Mr. Speaker, again, I would like to emphasize that bill shows what Congress can accomplish when we work together in a bipartisan manner to address our country's needs now and in the future. I urge everyone to support it.

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

Mr. UPTON. Mr. Speaker, I just want to comment briefly on the remarks by my two colleagues.

This is an important bill, and for those of us who have always supported all of the above, whether it be renewable or safe nuclear, all those different things, hydro is part of that mix.

I would just note that I had a question yesterday morning. I did a big Farm Bureau breakfast in my district, and the question about hydropower came up. Just like my friend from Colorado talks about the most important bill in Colorado, this is an important bill.

It is also important that we work together to get this bill done so that the Senate can follow suit. I urge my colleagues to vote for this bipartisan legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 2786, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

#### EXTENDING DEADLINE FOR COMMENCEMENT OF CONSTRUCTION OF A HYDROELECTRIC PROJECT

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2828) to extend the deadline for commencement of construction of a hydroelectric project.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2828

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

#### SECTION 1. EXTENSION.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12569, the Commission shall, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission's procedures under that section, extend the time period during which the licensee is required to commence the construction of the project for up to three consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission under that section.

(b) REINSTATEMENT OF EXPIRED LICENSE.—If the period required for commencement of construction of the project described in subsection (a) has expired prior to the date of the enactment of this Act, the Commission shall reinstate the license effective as of the

date of its expiration and the first extension authorized under subsection (a) shall take effect on the date of such expiration.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from Illinois (Mr. RUSH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

#### GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 2828, introduced by the gentleman from Washington (Mr. NEWHOUSE). This bill will authorize the Federal Energy Regulatory Commission, FERC, to extend the time period during which a licensee is required to commence construction of a hydroelectric project.

Back on July 9, 2013, FERC issued a license for the Public Utility District Number 1 of Okanogan County, Washington's proposed 9-megawatt Enloe hydroelectric project. This project will be located at the existing Enloe Dam on the Similkameen River near the city of Oroville, Washington.

The license requires the licensee to commence construction of the project within 2 years of the issuance date of the license, or by July 9, 2015. At the licensee's request, FERC has already granted the maximum allowable 2-year extension, thus making the construction deadline July 9, 2017.

Development of the Enloe project has experienced setbacks that have complicated the licensee's ability to meet the deadline. This bill, H.R. 2828, would authorize FERC to reinstate the license and issue up to three consecutive 2-year extensions to commence construction.

This bill is consistent with prior congressional actions and FERC's long-standing policy limiting the maximum allowable extension to 10 years from the issuance date of the license.

Mr. Speaker, I urge my colleagues to support the legislation, and I reserve the balance of my time.

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

Mr. Speaker, the legislation before us sponsored by the gentleman from Washington State (Mr. NEWHOUSE) would authorize the Federal Energy Regulatory Commission to extend, up to 6 years, the date by which the licensee for the Enloe Dam hydropower project, No. 12569, is required to commence construction. This is necessary because the project's licensee is not

likely to commence construction by the designated deadline.

Under the Federal Power Act, Mr. Speaker, FERC is unable to further extend that deadline administratively, so action by the Congress is required. In the event the license expires before this legislation is enacted, the bill contains language reinstating the license as of its date of expiration.

□ 1330

FERC has no objection, Mr. Speaker, to this piece of legislation, and neither do I, and I hope that my colleagues will support the passage of H.R. 951.

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

Mr. UPTON. Mr. Speaker, I urge my colleagues again to support this bill, on a bipartisan basis, and I yield back the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, my legislation would provide a much-needed "commencement of construction" extension to the FERC permit for the Enloe Dam Hydroelectric Project located in my Central Washington district.

The Enloe Project is located at the existing Enloe Dam in the Similkameen River Valley, which is situated approximately four miles upriver of the City of Oroville. The original dam was constructed by BLM in 1920 for power generation but operations ceased in 1958 when the Bonneville Power Administration extended a high-voltage transmission line into the Okanogan Valley.

However, since 1958 the dam and its related power-generating facilities have sat dormant and the Okanogan Public Utility District ("District") is now working on the proposed project to re-energize this infrastructure for hydropower development, as well as to relocate the site to the opposite bank, which offers numerous environmental and construction advantages.

The proposed 9 megawatt hydropower facility has faced several setbacks and regulatory hurdles, which have been addressed but have also delayed progress. However, despite these challenges the District has made considerable progress in fulfilling all of the pre-construction obligations contained in its FERC license.

H.R. 2828 would ensure this critical hydropower project can move forward and provide important renewable energy generation to the region. The Enloe Project makes economic and environmental sense, as it will convert currently untapped energy in existing flow releases into clean, carbon-neutral energy. Additionally, the Project will have a footprint that is roughly half the size of the existing facility but will provide approximately three times the generating capacity of the decommissioned plant.

Completion of the Project will provide Washingtonians and the Pacific Northwest region with a clean, renewable energy resource that generates an estimated 45,000 megawatt hours per year of carbon-free, renewable power. Further, the proposed project will create jobs and needed employment opportunities in a region with an unemployment rate that far exceeds the national average, underscoring the many positive benefits this project

will have for the local community, state, and region.

This important legislation will allow for development of this critical hydropower facility to move forward under a realistic regulatory timeline and in a manner consistent with prior congressional actions on similar projects.

By passing this measure and extending the "commencement of construction" deadline for the Enloe Project, Congress can help spur hydropower development in Central Washington and ensure the Project's many benefits are realized, which will have a lasting impact on the region's energy supply and economic viability.

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 2828.

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

A motion to reconsider was laid on the table.

#### ENHANCING STATE ENERGY SECURITY PLANNING AND EMERGENCY PREPAREDNESS ACT OF 2017

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3050) to amend the Energy Policy and Conservation Act to provide Federal financial assistance to States to implement, review, and revise State energy security plans, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3050

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

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Enhancing State Energy Security Planning and Emergency Preparedness Act of 2017".*

#### SEC. 2. STATE ENERGY SECURITY PLANS.

(a) *IN GENERAL.*—Part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.) is amended by adding at the end the following:

#### "SEC. 367. STATE ENERGY SECURITY PLANS.

"(a) *IN GENERAL.*—Federal financial assistance made available to a State under this part may be used for the implementation, review, and revision of a State energy security plan that assesses the State's existing circumstances and proposes methods to strengthen the ability of the State, in consultation with owners and operators of energy infrastructure in such State, to—

"(1) secure the energy infrastructure of the State against all physical and cybersecurity threats;

"(2) mitigate the risk of energy supply disruptions to the State and enhance the response to, and recovery from, energy disruptions; and

"(3) ensure the State has a reliable, secure, and resilient energy infrastructure.

"(b) *CONTENTS OF PLAN.*—A State energy security plan described in subsection (a) shall—

"(1) address all fuels, including petroleum products, other liquid fuels, coal, electricity, and natural gas, as well as regulated and unregulated energy providers;

## GENERAL LEAVE

“(2) provide a State energy profile, including an assessment of energy production, distribution, and end-use;

“(3) address potential hazards to each energy sector or system, including physical threats and cybersecurity threats and vulnerabilities;

“(4) provide a risk assessment of energy infrastructure and cross-sector interdependencies;

“(5) provide a risk mitigation approach to enhance reliability and end-use resilience; and

“(6) address multi-State, Indian Tribe, and regional coordination planning and response, and to the extent practicable, encourage mutual assistance in cyber and physical response plans.

“(c) COORDINATION.—In developing a State energy security plan under this section, the energy office of the State shall, to the extent practicable, coordinate with—

“(1) the public utility or service commission of the State;

“(2) energy providers from the private sector; and

“(3) other entities responsible for maintaining fuel or electric reliability.

“(d) FINANCIAL ASSISTANCE.—A State is not eligible to receive Federal financial assistance under this part, for any purpose, for a fiscal year unless the Governor of such State submits to the Secretary, with respect to such fiscal year—

“(1) a State energy security plan described in subsection (a) that meets the requirements of subsection (b); or

“(2) after an annual review of the State energy security plan by the Governor—

“(A) any necessary revisions to such plan; or

“(B) a certification that no revisions to such plan are necessary.

“(e) TECHNICAL ASSISTANCE.—Upon request of the Governor of a State, the Secretary may provide information and technical assistance, and other assistance, in the development, implementation, or revision of a State energy security plan.

“(f) SUNSET.—This section shall expire on October 31, 2022.”

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 365(f) of the Energy Policy and Conservation Act (42 U.S.C. 6325(f)) is amended—

(1) by striking “\$125,000,000” and inserting “\$90,000,000”; and

(2) by striking “2007 through 2012” and inserting “2018 through 2022”.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) CONFORMING AMENDMENTS.—Section 363 of the Energy Policy and Conservation Act (42 U.S.C. 6323) is amended—

(A) by redesignating subsection (f) as subsection (e); and

(B) by striking subsection (e).

(2) TECHNICAL AMENDMENT.—Section 366(3)(B)(i) of the Energy Policy and Conservation Act (42 U.S.C. 6326(3)(B)(i)) is amended by striking “approved under section 367”.

(3) REFERENCE.—The item relating to “Department of Energy—Energy Conservation” in title II of the Department of the Interior and Related Agencies Appropriations Act, 1985 (42 U.S.C. 6323a) is amended by striking “sections 361 through 366” and inserting “sections 361 through 367”.

(4) TABLE OF SECTIONS.—The table of sections for part D of title III of the Energy Policy and Conservation Act is amended by adding at the end the following:

“Sec. 367. State energy security plans.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from Illinois (Mr. RUSH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and insert extraneous material in the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, this is an important bill. It really is. This bill, H.R. 3050, is a bipartisan bill introduced by myself and by my good friend and colleague across the aisle, Mr. RUSH. It is bipartisan.

This bill reauthorizes the State Energy Program and it strengthens our energy emergency planning and preparedness efforts in a big-time way. This bill builds upon the Energy and Commerce Committee's impressive record of hearings and legislation focused on energy security, emergency preparedness, job creation, and infrastructure protection and resilience.

Across the country, States have to respond to a variety of hazards, including hurricanes, earthquakes, floods, fuel supply disruptions, physical and, yes, cyber threats, too. This legislation provides States with tools in the toolbox so that they have flexibility that they need to address local energy challenges.

It ensures that State energy security planning efforts address fuel supply issues, assess State energy profiles, address potential hazards to each energy sector. It mitigates risk to enhance reliability and incorporate regional planning efforts.

Let's face it, the consumer at home, businesses trying to put out a product, they want to make sure that the electricity is on. They don't care what the excuse is. They want it on.

This bill makes significant strides to protect our Nation's fuel and electric infrastructure from physical and cybersecurity threats and vulnerabilities. It makes sure that we are thinking ahead not just about the actual threat, but, in fact, how our energy and electric systems might be vulnerable in a broader sense.

The bill also encourages mutual assistance, an essential part of responding and restoring in the event of an energy emergency. Teamwork: prioritizing and elevating energy security planning and emergency preparedness is, yes, an important step in the face of increased threats, vulnerabilities, and interdependencies of energy infrastructure and end-use systems.

This bill is important and is going to get to the President's desk in a bipartisan way. Again, I thank my good friend and colleague for his help in getting this bill through our committee and here to the House floor.

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

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

Mr. Speaker, I want to also commend my friend and my colleague from the great State of Michigan, the chairman of the Energy Subcommittee, my longstanding friend, Mr. UPTON, for working with my office to bring H.R. 3050, the Enhancing State Energy Security Planning and Emergency Preparedness Act of 2017, to the floor today.

Mr. Speaker, this Upton-Rush bill represents bipartisan negotiation between Chairman UPTON and myself to much-needed Federal guidance and resources to the States that are on the front lines when it comes to protecting critical energy infrastructure and responding once disaster strikes.

Members on both side of the aisle, Mr. Speaker, support the State Energy Program, and this bill will help provide resources to further develop and enhance the State energy security plans.

Since their inception in the 1970s, State Energy Programs, bolstered by Federal aid, have assisted States in developing these energy security plans in order to help prevent disasters from happening and to mitigate the damage once they do occur.

Mr. Speaker, funding provided in this bill will help States to implement, revise, and to review their energy security plans while also laying out criteria for the contents of these plans. These emergency plans have been instrumental in improving States' abilities to identify potential energy disruptions, quantify the effects of the disruptions, establish response plans, and limit the risk of further disturbances, whether they be natural or manmade.

Federal funding and leadership has also been critical in helping States and local stakeholders identify the roles and responsibilities of the various agencies in times of emergencies while also supporting training and response exercises.

Mr. Speaker, as the Trump administration weakens America's leadership role globally by signaling its intentions to withdraw from the Paris Agreement, it is even more vital that we provide the resources and funding needed for States to take more of a permanent role in advancing smart and sustainable energy policy.

Mr. Speaker, Federal leadership and investment must continue to play a vital role in developing State Energy Assurance Plans, and it is my hope and my expectation that this legislation will indeed bolster these State-led programs by enhancing Federal support.

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

Mr. UPTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. BARTON), former chairman and now vice chairman of the influential and powerful Energy and Commerce Committee, coming from the good State of Texas versus the great State of Michigan.



Mr. BARTON. Mr. Speaker, it is the great State of Texas. I want to set the RECORD straight on that.

I commend Chairman UPTON and Ranking Member RUSH for bringing this bipartisan bill the floor. All we hear is about how we don't get along, Mr. Speaker. Nobody is watching when we do get along. And all of the bills that are being debated and voted on on the House floor today are examples of bipartisanship at the Energy and Commerce Committee, and Mr. UPTON, Mr. RUSH, Mr. PALLONE, Mr. WALDEN, and the other ranking members and subcommittee chairmen are to be commended for that.

One of the bipartisan amendments, which was adopted in full committee on this bill, is a bipartisan amendment from Mr. MCNERNEY, a Democrat from California, and myself, that deals with the cybersecurity and would suggest that, as these States provide these energy security plans to the Department of Energy, they include an assessment of cybersecurity.

So I can't tell you that this is the most important amendment that has ever been added to a bill in our committee, but it is a very good amendment, a very positive amendment. As plans are developed, including an assessment of cybersecurity threats and solutions to those threats, it should make the grid better, more reliable, and help make our country safer.

Mr. Speaker, I strongly support H.R. 3050. Again, I commend Mr. UPTON and Mr. RUSH for working together, and I hope the House very quickly passes this and sends it to the other body.

Mr. UPTON. Mr. Speaker, I would like to conclude by saying that I thank the gentleman from Texas for his remarks. It was an important amendment. God help us if something happens in our country because of a physical or cyber attack. And if it does, we always wonder and ask the questions: What do we do?

This is a step in advance to make sure that, in fact, we do have, as I said earlier, the tools in the toolbox to try and prevent such a travesty from happening that would impact the Nation in a major way. So it is important that this legislation pass this afternoon; that the Senate take it up as quickly as they can; that the President sign it; and that it then gets implemented to protect all of our citizens from East to West, to North, to South. It is an important issue.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 3050, as amended.

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

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

Ordering the previous question on House Resolution 451;

Adopting House Resolution 451, if ordered; and

Suspending the rules and passing H.R. 2786.

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

#### PROVIDING FOR CONSIDERATION OF H.R. 806 OZONE STANDARDS IMPLEMENTATION ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 451) providing for consideration of the bill (H.R. 806) to facilitate efficient State implementation of ground-level ozone standards, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 231, nays 188, not voting 14, as follows:

[Roll No. 382]

YEAS—231

|             |               |                 |
|-------------|---------------|-----------------|
| Abraham     | Cheney        | Frelinghuysen   |
| Aderholt    | Coffman       | Gaetz           |
| Allen       | Cole          | Gallagher       |
| Amash       | Collins (GA)  | Garrett         |
| Amodei      | Collins (NY)  | Gianforte       |
| Arrington   | Comer         | Gibbs           |
| Babin       | Comstock      | Gohmert         |
| Bacon       | Conaway       | Goodlatte       |
| Banks (IN)  | Cook          | Gosar           |
| Barletta    | Costello (PA) | Gowdy           |
| Barr        | Cramer        | Granger         |
| Barton      | Crawford      | Graves (GA)     |
| Bergman     | Curbelo (FL)  | Graves (MO)     |
| Biggs       | Davidson      | Griffith        |
| Bilirakis   | Davis, Rodney | Grothman        |
| Bishop (MI) | Denham        | Guthrie         |
| Bishop (UT) | Dent          | Handel          |
| Black       | DesJarlais    | Harper          |
| Blackburn   | Diaz-Balart   | Harris          |
| Blum        | Donovan       | Hartzler        |
| Bost        | Duffy         | Hensarling      |
| Brady (TX)  | Duncan (SC)   | Herrera Beutler |
| Brat        | Duncan (TN)   | Hice, Jody B.   |
| Bridenstine | Dunn          | Higgins (LA)    |
| Brooks (IN) | Emmer         | Hill            |
| Buchanan    | Estes (KS)    | Holding         |
| Buck        | Farenthold    | Hollingsworth   |
| Bucshon     | Faso          | Hudson          |
| Budd        | Ferguson      | Huizenga        |
| Burgess     | Fitzpatrick   | Hultgren        |
| Byrne       | Fleischmann   | Hunter          |
| Calvert     | Flores        | Hurd            |
| Carter (GA) | Fortenberry   | Issa            |
| Carter (TX) | Fox           | Jenkins (KS)    |
| Chabot      | Franks (AZ)   | Jenkins (WV)    |

|              |                 |               |
|--------------|-----------------|---------------|
| Johnson (LA) | Moolenaar       | Sessions      |
| Johnson (OH) | Mooney (WV)     | Shimkus       |
| Jones        | Mullin          | Shuster       |
| Jordan       | Murphy (PA)     | Simpson       |
| Joyce (OH)   | Newhouse        | Smith (MO)    |
| Katko        | Noem            | Smith (NE)    |
| Kelly (MS)   | Norman          | Smith (NJ)    |
| Kelly (PA)   | Nunes           | Smith (TX)    |
| King (IA)    | Olson           | Smucker       |
| King (NY)    | Palazzo         | Stefanik      |
| Kinzinger    | Paulsen         | Stewart       |
| Knight       | Pearce          | Stivers       |
| Kustoff (TN) | Perry           | Taylor        |
| LaHood       | Pittenger       | Tenney        |
| LaMalfa      | Poe (TX)        | Thompson (PA) |
| Lamborn      | Poliquin        | Thornberry    |
| Lance        | Posey           | Tiberi        |
| Latta        | Ratcliffe       | Tipton        |
| Lewis (MN)   | Reed            | Trott         |
| LoBiondo     | Reichert        | Turner        |
| Long         | Renacci         | Upton         |
| Loudermilk   | Rice (SC)       | Valadao       |
| Love         | Roby            | Wagner        |
| Lucas        | Roe (TN)        | Walberg       |
| Luetkemeyer  | Rogers (AL)     | Walden        |
| MacArthur    | Rogers (KY)     | Walker        |
| Marchant     | Rohrabacher     | Walorski      |
| Marino       | Rokita          | Walters, Mimi |
| Marshall     | Rooney, Francis | Weber (TX)    |
| Massie       | Rooney, Thomas  | Webster (FL)  |
| Mast         | J.              | Wenstrup      |
| McCarthy     | Ros-Lehtinen    | Westerman     |
| McCaul       | Roskam          | Williams      |
| McClintock   | Ross            | Wilson (SC)   |
| McHenry      | Rothfus         | Wittman       |
| McKinley     | Rouzer          | Womack        |
| McMorris     | Royce (CA)      | Woodall       |
| Rodgers      | Russell         | Yoder         |
| McSally      | Rutherford      | Yoho          |
| Meadows      | Sanford         | Young (AK)    |
| Meehan       | Schweikert      | Young (IA)    |
| Messer       | Scott, Austin   | Zeldin        |
| Mitchell     | Sensenbrenner   |               |

NAYS—188

|                 |                |                |
|-----------------|----------------|----------------|
| Adams           | Deuth          | Lee            |
| Aguilar         | Dingell        | Levin          |
| Barragán        | Doggett        | Lewis (GA)     |
| Bass            | Doyle, Michael | Lieu, Ted      |
| Beatty          | F.             | Lipinski       |
| Bera            | Ellison        | Loebach        |
| Beyer           | Engel          | Lofgren        |
| Bishop (GA)     | Eshoo          | Lowenthal      |
| Blumenauer      | Espallat       | Lowe           |
| Blunt Rochester | Esty (CT)      | Lujan Grisham, |
| Bonamici        | Evans          | M.             |
| Boyle, Brendan  | Foster         | Luján, Ben Ray |
| F.              | Frankel (FL)   | Lynch          |
| Brady (PA)      | Fudge          | Maloney,       |
| Brown (MD)      | Gabbard        | Carolyn B.     |
| Brownley (CA)   | Gallego        | Maloney, Sean  |
| Bustos          | Garamendi      | Matsui         |
| Butterfield     | Gomez          | McCollum       |
| Capuano         | Gonzalez (TX)  | McEachin       |
| Carbajal        | Gottheimer     | McGovern       |
| Cárdenas        | Green, Al      | McNerney       |
| Carson (IN)     | Green, Gene    | Meeks          |
| Cartwright      | Grijalva       | Meng           |
| Castor (FL)     | Gutiérrez      | Moore          |
| Castro (TX)     | Hanabusa       | Moulton        |
| Chu, Judy       | Hastings       | Murphy (FL)    |
| Ciilline        | Heck           | Nadler         |
| Clark (MA)      | Higgins (NY)   | Neal           |
| Clarke (NY)     | Himes          | Nolan          |
| Clay            | Hoyer          | Norcross       |
| Cleaver         | Huffman        | O'Halleran     |
| Clyburn         | Jayapal        | O'Rourke       |
| Cohen           | Jeffries       | Pallone        |
| Connolly        | Johnson (GA)   | Panetta        |
| Conyers         | Johnson, E. B. | Pascarell      |
| Cooper          | Kaptur         | Payne          |
| Correa          | Keating        | Pelosi         |
| Costa           | Kelly (IL)     | Perlmutter     |
| Courtney        | Kennedy        | Peters         |
| Crist           | Khanna         | Peterson       |
| Crowley         | Kihuen         | Pingree        |
| Cuellar         | Kildee         | Pocan          |
| Davis (CA)      | Kilmer         | Polis          |
| DeFazio         | Kind           | Price (NC)     |
| DeGette         | Krishnamoorthi | Quigley        |
| Delaney         | Kuster (NH)    | Raskin         |
| DeLauro         | Langevin       | Rice (NY)      |
| DelBene         | Larson (CT)    | Richmond       |
| Demings         | Lawrence       | Rosen          |
| DeSaulnier      | Lawson (FL)    | Roybal-Allard  |



|               |               |                |
|---------------|---------------|----------------|
| Ruiz          | Sinema        | Vargas         |
| Ruppersberger | Sires         | Veasey         |
| Rush          | Slaughter     | Vela           |
| Ryan (OH)     | Smith (WA)    | Velázquez      |
| Sánchez       | Soto          | Visclosky      |
| Sarbanes      | Speier        | Walz           |
| Schakowsky    | Suozzi        | Wasserman      |
| Schiff        | Swalwell (CA) | Schultz        |
| Schneider     | Takano        | Waters, Maxine |
| Schrader      | Thompson (CA) | Watson Coleman |
| Scott (VA)    | Thompson (MS) | Welch          |
| Scott, David  | Titus         | Wilson (FL)    |
| Serrano       | Tonko         | Yarmuth        |
| Sewell (AL)   | Torres        |                |
| Sherman       | Tsongas       |                |

## NOT VOTING—14

|              |              |             |
|--------------|--------------|-------------|
| Brooks (AL)  | Graves (LA)  | Napolitano  |
| Culberson    | Jackson Lee  | Palmer      |
| Cummings     | Johnson, Sam | Scalise     |
| Davis, Danny | Labrador     | Shea-Porter |
| DeSantis     | Larsen (WA)  |             |

□ 1406

Messrs. CROWLEY, McNERNEY, HECK, BUTTERFIELD, and Ms. WASSERMAN SCHULTZ changed their vote from “yea” to “nay.”

Mr. WITTMAN changed his vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. GRAVES of Louisiana. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 382.

(By unanimous consent, Mr. SEAN PATRICK MALONEY of New York was allowed to speak out of order.)

## MOMENT OF SILENCE HONORING

## SERVICEMEMBERS KILLED IN MISSISSIPPI

Mr. SEAN PATRICK MALONEY of New York. Mr. Speaker, last week, we learned the terrible news that we had lost 16 of the very best and brightest members of the United States Marine Corps and the United States Navy when the plane they were traveling on crashed in Mississippi.

I stand here with my colleagues who lost citizens of their districts, in particular, the gentleman from Mississippi (Mr. PALAZZO) and the gentleman from North Carolina (Mr. JONES). This is, of course, a national tragedy, though.

The gentleman from North Carolina represents Camp Lejeune, where six marines and one Navy corpsman were stationed. Those seven servicemembers include Staff Sergeant Robert Cox, Staff Sergeant William Kundrat, Sergeant Chad Jensen, Sergeant Talon Leach, Sergeant Joseph Murray, Sergeant Dietrich Schmieman, and Petty Officer 2nd Class Ryan Lohrey.

I, of course, represent Stewart Air National Guard Base, where nine marines who lost their lives in that terrible crash were stationed.

In my time in Congress, I have had many opportunities to visit with the brave men and women who serve our country and were based at Stewart Air National Guard Base. As you know, they are all truly American heroes.

Those we lost are as follows: Major Caine Goyette, Captain Sean Elliott, Gunnery Sergeant Mark Hopkins, Gun-

nery Sergeant Brendan Johnson, Staff Sergeant Joshua Snowden, Sergeant Julian Kevianne, Sergeant Owen Lennon, Corporal Daniel Baldassare, and Corporal Collin Schaaff.

Mr. Speaker, on behalf of my colleagues standing behind me, all of our communities, and our Nation, I ask for a moment of silence for these 16 brave servicemembers who made the ultimate sacrifice for our freedom.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

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

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

## RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 188, not voting 10, as follows:

[Roll No. 383]

AYES—235

|               |                 |              |
|---------------|-----------------|--------------|
| Abraham       | DesJarlais      | Johnson (OH) |
| Aderholt      | Diaz-Balart     | Jones        |
| Allen         | Donovan         | Jordan       |
| Amash         | Duffy           | Joyce (OH)   |
| Amodei        | Duncan (SC)     | Katko        |
| Arrington     | Duncan (TN)     | Kelly (MS)   |
| Babin         | Dunn            | Kelly (PA)   |
| Bacon         | Emmer           | King (IA)    |
| Banks (IN)    | Estes (KS)      | King (NY)    |
| Barletta      | Farenthold      | Kinzinger    |
| Barr          | Faso            | Knight       |
| Barton        | Ferguson        | Kustoff (TN) |
| Bergman       | Fitzpatrick     | LaHood       |
| Biggs         | Fleischmann     | LaMalfa      |
| Bilirakis     | Flores          | Lamborn      |
| Bishop (MI)   | Fortenberry     | Lance        |
| Bishop (UT)   | Fox             | Latta        |
| Black         | Franks (AZ)     | Lewis (MN)   |
| Blackburn     | Frelinghuysen   | LoBiondo     |
| Blum          | Gaetz           | Long         |
| Bost          | Gallagher       | Loudermilk   |
| Brady (TX)    | Garrett         | Love         |
| Brat          | Gianforte       | Lucas        |
| Bridenstine   | Gibbs           | Luetkemeyer  |
| Brooks (IN)   | Gohmert         | MacArthur    |
| Buchanan      | Goodlatte       | Marchant     |
| Buck          | Gosar           | Marino       |
| Bucshon       | Gowdy           | Marshall     |
| Budd          | Granger         | Massie       |
| Burgess       | Graves (GA)     | Mast         |
| Byrne         | Graves (LA)     | McCarthy     |
| Calvert       | Graves (MO)     | McCaul       |
| Carter (GA)   | Griffith        | McClintock   |
| Carter (TX)   | Grothman        | McHenry      |
| Chabot        | Guthrie         | McKinley     |
| Cheney        | Handel          | McMorris     |
| Coffman       | Harper          | Rodgers      |
| Cole          | Harris          | McSally      |
| Collins (GA)  | Hartzler        | Meadows      |
| Collins (NY)  | Hensarling      | Meehan       |
| Comer         | Herrera Beutler | Messer       |
| Comstock      | Hice, Jody B.   | Mitchell     |
| Conaway       | Higgins (LA)    | Moolenaar    |
| Cook          | Hill            | Mooney (WV)  |
| Costa         | Holding         | Mullin       |
| Costello (PA) | Hollingsworth   | Murphy (PA)  |
| Cramer        | Hudson          | Newhouse     |
| Crawford      | Huizenga        | Noem         |
| Culberson     | Hultgren        | Norman       |
| Curbelo (FL)  | Hunter          | Nunes        |
| Davidson      | Hurd            | Olson        |
| Davis, Rodney | Issa            | Palazzo      |
| Denham        | Jenkins (KS)    | Palmer       |
| Dent          | Jenkins (WV)    | Paulsen      |
| DeSantis      | Johnson (LA)    | Pearce       |

|                   |               |               |
|-------------------|---------------|---------------|
| Perry             | Russell       | Trott         |
| Pittenger         | Rutherford    | Turner        |
| Poe (TX)          | Sanford       | Upton         |
| Poliquin          | Schweikert    | Valadao       |
| Posey             | Scott, Austin | Wagner        |
| Ratcliffe         | Sensenbrenner | Walberg       |
| Reed              | Sessions      | Walden        |
| Reichert          | Shimkus       | Walker        |
| Renacci           | Shuster       | Walorski      |
| Roby              | Simpson       | Walters, Mimi |
| Roe (TN)          | Smith (MO)    | Weber (TX)    |
| Rogers (AL)       | Smith (NE)    | Webster (FL)  |
| Rogers (KY)       | Smith (NJ)    | Wenstrup      |
| Rohrabacher       | Smith (TX)    | Westerman     |
| Rokita            | Smucker       | Williams      |
| Rooney, Francis   | Stefanik      | Wilson (SC)   |
| Rooney, Thomas J. | Stewart       | Wittman       |
| Ros-Lehtinen      | Stivers       | Womack        |
| Roskam            | Taylor        | Woodall       |
| Ross              | Tenney        | Yoder         |
| Rothfus           | Thompson (PA) | Yoho          |
| Rouzer            | Thornberry    | Young (AK)    |
| Royce (CA)        | Tiberi        | Young (IA)    |
|                   | Tipton        | Zeldin        |

## NOES—188

|                   |                |                |
|-------------------|----------------|----------------|
| Adams             | Garamendi      | O'Halleran     |
| Aguilar           | Gomez          | O'Rourke       |
| Barragán          | Gonzalez (TX)  | Pallone        |
| Bass              | Gottheimer     | Panetta        |
| Beatty            | Green, Al      | Pascarell      |
| Bera              | Green, Gene    | Payne          |
| Beyer             | Grijalva       | Pelosi         |
| Bishop (GA)       | Gutiérrez      | Perlmutter     |
| Blumenauer        | Hanabusa       | Peters         |
| Blunt Rochester   | Hastings       | Peterson       |
| Bonamici          | Heck           | Pingree        |
| Boyle, Brendan F. | Higgins (NY)   | Pocan          |
| Brady (PA)        | Himes          | Polis          |
| Brown (MD)        | Hoyer          | Price (NC)     |
| Brownley (CA)     | Huffman        | Quigley        |
| Bustos            | Jayapal        | Raskin         |
| Butterfield       | Jeffries       | Rice (NY)      |
| Capuano           | Johnson (GA)   | Richmond       |
| Carbajal          | Johnson, E. B. | Rosen          |
| Cárdenas          | Kaptur         | Roybal-Allard  |
| Carson (IN)       | Keating        | Ruiz           |
| Cartwright        | Kelly (IL)     | Rush           |
| Castor (FL)       | Kennedy        | Ryan (OH)      |
| Castro (TX)       | Khanna         | Sánchez        |
| Chu, Judy         | Kihuen         | Sarbanes       |
| Ciçilline         | Kildee         | Schakowsky     |
| Clark (MA)        | Kilmer         | Schiff         |
| Clarke (NY)       | Kind           | Schneider      |
| Clay              | Krishnamoorthi | Schrader       |
| Cleaver           | Kuster (NH)    | Scott (VA)     |
| Clyburn           | Langevin       | Scott, David   |
| Cohen             | Larsen (WA)    | Serrano        |
| Connolly          | Larson (CT)    | Sewell (AL)    |
| Conyers           | Lawrence       | Shea-Porter    |
| Cooper            | Lawson (FL)    | Sherman        |
| Correa            | Lee            | Sinema         |
| Courtney          | Levin          | Sires          |
| Crist             | Lewis (GA)     | Slaughter      |
| Crowley           | Lieu, Ted      | Smith (WA)     |
| Cuellar           | Lipinski       | Soto           |
| Davis (CA)        | Loeb sack      | Speier         |
| DeFazio           | Lofgren        | Suozzi         |
| DeGette           | Lowenthal      | Swalwell (CA)  |
| Delaney           | Lowe           | Takano         |
| DeLauro           | Lujan Grisham, | Thompson (CA)  |
| DelBene           | M.             | Thompson (MS)  |
| Demings           | Luján, Ben Ray | Titus          |
| DeSaulnier        | Lynch          | Tonko          |
| Deutch            | Maloney,       | Torres         |
| Dingell           | Carolyn B.     | Tsongas        |
| Ding              | Maloney, Sean  | Vargas         |
| Doget             | Matsui         | Veasey         |
| Doyle, Michael F. | McCollum       | Vela           |
| Ellison           | McEachin       | Velázquez      |
| Engel             | McGovern       | Visclosky      |
| Eshoo             | McNerney       | Walz           |
| Espallat          | Meeks          | Wasserman      |
| Esty (CT)         | Meng           | Schultz        |
| Evans             | Moore          | Waters, Maxine |
| Foster            | Moulton        | Watson Coleman |
| Frankel (FL)      | Murphy (FL)    | Welch          |
| Fudge             | Nadler         | Wilson (FL)    |
| Gabbard           | Neal           | Yarmuth        |
| Gallego           | Nolan          |                |
|                   | Norcross       |                |

## NOT VOTING—10

|              |              |               |
|--------------|--------------|---------------|
| Brooks (AL)  | Johnson, Sam | Ruppersberger |
| Cummings     | Labrador     | Scalise       |
| Davis, Danny | Napolitano   |               |
| Jackson Lee  | Rice (SC)    |               |

□ 1417

Mr. ELLISON changed his vote from “aye” to “no.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUES- TION OF THE PRIVILEGES OF THE HOUSE

Mr. CICILLINE. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I rise to give notice of my intent to raise a question of the privileges of the House.

The form of the resolution is as follows:

Expressing the sense of the House of Representatives that the President shall immediately disclose his tax return information to the House of Representatives and the American people.

Whereas, according to the Tax History Project, every President since Gerald Ford has disclosed his tax return information to the public;

Whereas, the chairmen of the Committee on Ways and Means, Joint Committee on Taxation, and the Committee on Finance have the authority to request the President's tax returns under section 6103 of the Internal Revenue Code of 1986;

Whereas, pursuant to Article I, section 7, clause 1 of the Constitution, often referred to as the Origination Clause, the House of Representatives has the sole authority to initiate legislation that raises revenue for the national government, and the Committee on Ways and Means is considering a comprehensive reform of the Tax Code;

Whereas, President Donald J. Trump holds interests as the sole or principal owner in approximately 500 separate business entities, and the President's tax plan proposes to cut the corporate tax from 35 percent to 15 percent, applicable to many of these entities;

Whereas, against the advice of ethics attorneys and the nonpartisan Office of Government Ethics, the President has refused to divest his ownership stake in his businesses, has instead placed his assets in a trust which is run by his adult children, and the President can withdraw profits from his trust at any time of his choosing from any of the companies he owns;

Whereas, the Director of the Office of Government Ethics, Walter Shaub, resigned on July 6, 2017, stating that “There isn’t much more I could accomplish at the Office of Government Ethics, given the current situation. O.G.E.’s recent experiences have made it clear that the ethics program needs to be strengthened”;

Whereas, according to media reports analyzing President Trump's leaked 2005 tax return, had his own tax plan been in place, he would have paid an estimated 3.48 percent rate instead of a 24 percent rate, saving him \$31.3 million in that year alone;

Whereas, without access to the President's tax returns, the American people cannot determine how much he will personally benefit from proposed changes to the Tax Code or from policy decisions he makes, nor can the American people fully understand the financial interests and motivations of the President;

Whereas, in June 2017, President Trump filed an updated financial disclosure with the Office of Government Ethics which showed that the President reported \$37.2 million income from the Mar-a-Lago resort between January 2016 and April 2017 where he hosted the President of China and from where he ordered missile strikes against Syria;

Whereas, during the same time period, President Trump reported \$288 million in income from all his golf courses, including \$19.7 million from his course in Bedminster, New Jersey;

Whereas, over the weekend of July 14, President Trump sent out eight tweets promoting the U.S. Women's Open Golf Tournament which took place at his Bedminster club;

Whereas, Mar-a-Lago doubled its new member fees to \$200,000 immediately following the 2016 election, and President Trump personally benefits from such new member fees;

Whereas, disclosure of the President's tax returns would help those investigating Russian interference in the 2016 election and assist them in better understanding the President's financial ties to the Russian Federation, Russian businesses, and Russian individuals;

Whereas, in 2013, President Trump said, “Well, I’ve done a lot of business with the Russians. They’re smart and they’re tough,” and President Trump's son, Donald Trump, Jr., told a news outlet in 2008 that “Russians make up a pretty disproportionate cross-section of a lot of our assets”;

Whereas, President Trump fired Federal Bureau of Investigation Director James Comey, who was overseeing an investigation into ties and any collusion between the Russian Government and President Trump's campaign;

Whereas, former Director Comey testified before the Senate Intelligence Committee that President Trump asked him to “let go” of an investigation into former National Security Advisor Michael Flynn's business ties to Russia;

Whereas, President Trump stated on May 11, 2017, that he had decided that he was going to fire Comey because of “this Russia thing”;

Whereas, at the G-20 Hamburg summit on July 7, 2017, President Trump

took a more than 2 hour closed-door meeting with President Vladimir Putin, after which he claimed that he “strongly pressed” President Putin on Russian interference in U.S. elections and that it is “time to move forward”;

Whereas, on June 9, 2016, then-Candidate Trump's son, Donald Trump, Jr., then-Trump campaign chairman Paul Manafort, and Trump son-in-law and current White House adviser Jared Kushner met with a person described as “a Russian government attorney,” and a former Russian military intelligence officer who promised to offer incriminating information about Hillary Clinton which had been collected as part of a Russian Government effort to assist President Trump in his campaign for President;

Whereas, the Committee on Ways and Means has in the past used the authority under section 6103 of the Internal Revenue Code of 1986 in 2014 to make public the confidential tax information of 51 taxpayers;

Whereas, the Committee on Ways and Means has now voted three times along party lines to continue to conceal President Trump's tax returns;

Whereas, the House of Representatives has now refused ten times to act on President Trump's tax returns;

Whereas, the Committee on the Judiciary has failed to conduct even basic oversight on the connections between the Russian Government and the Trump campaign;

Whereas, the Committee on the Judiciary has now voted twice along party lines to decline to request documents detailing the Trump administration's ties with Russian officials;

Whereas, the House of Representatives undermines its dignity and the integrity of its proceedings by continuing the cover-up of President Trump's tax returns;

Now, therefore, be it resolved, that the House of Representatives shall, one, immediately request the tax return and return information of Donald J. Trump for tax years 2006 through 2015, as provided under section 6103 of the Internal Revenue Code of 1986, as well as the tax return, and return information with respect to the President's businesses, of each business entity disclosed by Donald J. Trump on his Office of Government Ethics Form 278e, specifically each corporation and each partnership, within the meaning of subchapter K of chapter 1 of the Internal Revenue Code of 1986, where he is listed as an officer, director, or equivalent, or exercises working control; and

Two, postpone consideration of tax reform legislation until the elected Representatives of the American people in this House have obtained President Trump's tax returns and return information to ascertain how any changes to the Tax Code might financially benefit the President.

The SPEAKER pro tempore. Under rule IX, a resolution offered on the

floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Rhode Island will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

### FEDERAL POWER ACT AMENDMENT

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2786) to amend the Federal Power Act with respect to the criteria and process to qualify as a qualifying conduit hydropower facility, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 2, not voting 11, as follows:

[Roll No. 384]

YEAS—420

|                 |               |               |
|-----------------|---------------|---------------|
| Abraham         | Brat          | Comer         |
| Adams           | Bridenstine   | Comstock      |
| Aderholt        | Brooks (IN)   | Conaway       |
| Aguilar         | Brown (MD)    | Connolly      |
| Allen           | Brownley (CA) | Conyers       |
| Amash           | Buchanan      | Cook          |
| Amodei          | Buck          | Cooper        |
| Arrington       | Bucshon       | Correa        |
| Babin           | Budd          | Costa         |
| Bacon           | Burgess       | Costello (PA) |
| Banks (IN)      | Bustos        | Courtney      |
| Barletta        | Butterfield   | Cramer        |
| Barr            | Byrne         | Crawford      |
| Barragán        | Calvert       | Crist         |
| Barton          | Capuano       | Crowley       |
| Bass            | Carbajal      | Cuellar       |
| Beatty          | Cárdenas      | Culberson     |
| Bera            | Carson (IN)   | Curbelo (FL)  |
| Bergman         | Carter (GA)   | Davidson      |
| Beyer           | Carter (TX)   | Davis (CA)    |
| Biggs           | Cartwright    | Davis, Rodney |
| Bilirakis       | Castor (FL)   | DeFazio       |
| Bishop (GA)     | Castro (TX)   | DeGette       |
| Bishop (MI)     | Chabot        | Delaney       |
| Bishop (UT)     | Cheney        | DeLauro       |
| Black           | Chu, Judy     | DeBene        |
| Blackburn       | Clark (MA)    | Demings       |
| Blum            | Clarke (NY)   | Denham        |
| Blumenauer      | Clay          | Dent          |
| Blunt Rochester | Cleaver       | DeSantis      |
| Bonamici        | Clyburn       | DeSaulnier    |
| Bost            | Cohen         | DesJarlais    |
| Boyle, Brendan  | Cole          | Deutch        |
| F.              | Collins (GA)  | Diaz-Balart   |
| Brady (PA)      | Collins (NY)  | Dingell       |

|                 |                |                 |
|-----------------|----------------|-----------------|
| Doggett         | Kelly (PA)     | Payne           |
| Donovan         | Kennedy        | Pearce          |
| Doyle, Michael  | Khanna         | Pelosi          |
| F.              | Kihuen         | Perlmutter      |
| Duffy           | Kildee         | Perry           |
| Duncan (SC)     | Kilmer         | Peters          |
| Duncan (TN)     | Kind           | Peterson        |
| Dunn            | King (IA)      | Pingree         |
| Ellison         | King (NY)      | Pittenger       |
| Emmer           | Kinzinger      | Pocan           |
| Engel           | Knight         | Poe (TX)        |
| Eshoo           | Krishnamoorthi | Poliquin        |
| Españolat       | Kuster (NH)    | Posey           |
| Estes (KS)      | Kustoff (TN)   | Price (NC)      |
| Esty (CT)       | LaHood         | Quigley         |
| Evans           | LaMalfa        | Raskin          |
| Farenthold      | Lamborn        | Ratcliffe       |
| Faso            | Lance          | Reed            |
| Ferguson        | Langevin       | Reichert        |
| Fitzpatrick     | Larsen (WA)    | Renacci         |
| Fleischmann     | Larson (CT)    | Rice (NY)       |
| Flores          | Latta          | Rice (SC)       |
| Fortenberry     | Lawrence       | Richmond        |
| Foster          | Lawson (FL)    | Roby            |
| Fox             | Lee            | Roe (TN)        |
| Frankel (FL)    | Levin          | Rogers (AL)     |
| Franks (AZ)     | Lewis (GA)     | Rogers (KY)     |
| Frelinghuysen   | Lewis (MN)     | Rohrabacher     |
| Fudge           | Lieu, Ted      | Rokita          |
| Gabbard         | Lipinski       | Rooney, Francis |
| Gaetz           | LoBiondo       | Rooney, Thomas  |
| Gallagher       | Loeb           | J.              |
| Gallego         | Lofgren        | Ros-Lehtinen    |
| Garamendi       | Long           | Rosen           |
| Garrett         | Loudermilk     | Roskam          |
| Gianforte       | Love           | Ross            |
| Gibbs           | Lowenthal      | Rothfus         |
| Gohmert         | Lowe           | Rouzer          |
| Gomez           | Lucas          | Roybal-Allard   |
| Gonzalez (TX)   | Luetkemeyer    | Royce (CA)      |
| Goodlatte       | Lujan Grisham, | Ruiz            |
| Gosar           | M.             | Ruppersberger   |
| Gotthardt       | Luján, Ben Ray | Rush            |
| Gowdy           | Lynch          | Russell         |
| Granger         | MacArthur      | Rutherford      |
| Graves (GA)     | Maloney,       | Ryan (OH)       |
| Graves (LA)     | Carolyn B.     | Sánchez         |
| Graves (MO)     | Maloney, Sean  | Sanford         |
| Green, Al       | Marchant       | Sarbanes        |
| Green, Gene     | Marino         | Schakowsky      |
| Griffith        | Marshall       | Schiff          |
| Grijalva        | Massie         | Schneider       |
| Grothman        | Mast           | Schrader        |
| Guthrie         | Matsui         | Schweikert      |
| Gutiérrez       | McCarthy       | Scott (VA)      |
| Hanabusa        | McCaul         | Scott, Austin   |
| Handel          | McClintock     | Sensenbrenner   |
| Harper          | McCollum       | Serrano         |
| Harris          | McEachin       | Sessions        |
| Hartzler        | McGovern       | Sewell (AL)     |
| Hastings        | McHenry        | Shea-Porter     |
| Heck            | McKinley       | Sherman         |
| Hensarling      | McMorris       | Shimkus         |
| Herrera Beutler | Rodgers        | Shuster         |
| Hice, Jody B.   | McNerney       | Simpson         |
| Higgins (LA)    | McSally        | Sinema          |
| Higgins (NY)    | Meadows        | Sires           |
| Hill            | Meehan         | Slaughter       |
| Himes           | Meeks          | Smith (MO)      |
| Holding         | Meng           | Smith (NE)      |
| Hollingsworth   | Messer         | Smith (NJ)      |
| Hoyer           | Mitchell       | Smith (TX)      |
| Hudson          | Moolenaar      | Smith (WA)      |
| Huffman         | Mooney (WV)    | Smucker         |
| Huizenga        | Moore          | Soto            |
| Hultgren        | Moulton        | Speier          |
| Hunter          | Mullin         | Stefanik        |
| Hurd            | Murphy (FL)    | Stewart         |
| Issa            | Murphy (PA)    | Stivers         |
| Jayapal         | Nadler         | Suozzi          |
| Jeffries        | Neal           | Swalwell (CA)   |
| Jenkins (KS)    | Newhouse       | Takano          |
| Jenkins (WV)    | Noem           | Taylor          |
| Johnson (GA)    | Nolan          | Tenney          |
| Johnson (LA)    | Norcross       | Thompson (CA)   |
| Johnson (OH)    | Norman         | Thompson (MS)   |
| Johnson, E. B.  | Nunes          | Thompson (PA)   |
| Johnson, Sam    | O'Halleran     | Thornberry      |
| Jones           | O'Rourke       | Tiberi          |
| Jordan          | Olson          | Tipton          |
| Joyce (OH)      | Palazzo        | Titus           |
| Kaptur          | Pallone        | Tonko           |
| Katko           | Palmer         | Torres          |
| Keating         | Panetta        | Trott           |
| Kelly (IL)      | Pascrell       | Tsongas         |
| Kelly (MS)      | Paulsen        | Turner          |

|           |                |             |
|-----------|----------------|-------------|
| Upton     | Walters, Mimi  | Wilson (FL) |
| Valadao   | Walz           | Wilson (SC) |
| Vargas    | Wasserman      | Wittman     |
| Veasey    | Schultz        | Womack      |
| Vela      | Waters, Maxine | Woodall     |
| Velázquez | Watson Coleman | Yoder       |
| Visclosky | Weber (TX)     | Yoho        |
| Wagner    | Webster (FL)   | Young (AK)  |
| Walberg   | Welch          | Young (IA)  |
| Walden    | Wenstrup       | Zeldin      |
| Walker    | Westerman      |             |
| Walorski  | Williams       |             |

NAYS—2

Coffman

Polis

NOT VOTING—11

Brady (TX)  
Brooks (AL)  
Cicilline  
Cummings

Davis, Danny  
Jackson Lee  
Labrador  
Napolitano

Scalise  
Scott, David  
Yarmuth

□ 1436

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. POLIS. Mr. Speaker, during rollcall Vote No. 384 on H.R. 2786, I mistakenly recorded my vote as “no” when I should have voted “yes.”

Mr. CICILLINE. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 384.

### RESIGNATION AS MEMBER OF THE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

The SPEAKER pro tempore (Mr. WOODALL) laid before the House the following resignation as a member of the Committee on Oversight and Government Reform:

HOUSE OF REPRESENTATIVES,

Washington, DC, July 18, 2017.

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

DEAR SPEAKER RYAN: I, John Sarbanes, am submitting my resignation from the Committee on Oversight and Government Reform effective immediately. It has been a privilege and honor to have served on this Committee.

Sincerely,

JOHN P. SARBANES,  
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

### ELECTING A MEMBER TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. CROWLEY. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 453

*Resolved*, That the following named Member be and is hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON NATURAL RESOURCES.—Mr. Gomez.

(2) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Mr. Gomez.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## OZONE STANDARDS IMPLEMENTATION ACT OF 2017

### GENERAL LEAVE

Mr. SHIMKUS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill, H.R. 806.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 451 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 806.

The Chair appoints the gentleman from New York (Mr. REED) to preside over the Committee of the Whole.

□ 1438

### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 806) to facilitate efficient State implementation of ground-level ozone standards, and for other purposes, with Mr. REED in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Illinois (Mr. SHIMKUS) and the gentleman from New York (Mr. TONKO) each will control 30 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 806, the Ozone Standards Implementation Act of 2017, is about ensuring effective implementation of our air quality standards.

We have learned that timelines and procedures established almost 30 years ago can be counterproductive today, resulting in unnecessary costs, regulatory delay, and economic uncertainty.

H.R. 806 ensures we will continue to deliver effective environmental protections, with reforms that will also help expand economic opportunity in communities around the Nation.

H.R. 806 removes barriers to the planning and permitting of new or expanded manufacturing facilities and to related economic activity essential for building out America's infrastructure.

The bill's reforms reflect practical improvements to the law suggested by

State and local regulators, who have confronted the growing challenges of implementing multiple air quality standards under multiple implementation plans and under tight statutory deadlines. As a result, these challenges have increased, and it has become more difficult for many areas to enable the economic expansion needed for their communities. This bill takes several sensible steps to fix this situation.

First, it extends the date for final designations for the 2015 ozone standards to 2025. This allows States time to implement the 2008 ozone standards and other measures to improve air quality. The provisions align requirements for new source construction permitting with this phased ozone schedule, which will reduce permitting delays and still ensure the use of the best available emissions control technologies. The provisions would require timely issuance of implementation guidelines by EPA so States can plan effectively.

Second, the bill aligns the air quality standard setting with how the process works in practice, and it ensures fuller information about regulatory impacts. For example, it updates the mandatory review of air quality standards to reflect past experience by extending the requirement to 10 years, and preserves the EPA administrator's discretion to issue revised standards earlier, if necessary. The bill ensures the administrator, prior to revising an air quality standard, obtains advice from the EPA's Independent Science Advisory Committee about any adverse effects on jobs, welfare, and other economic impacts related to implementing the standards.

Finally, the bill takes several steps to address some of the problems communities face when working to meet the standards. For example, it ensures that, for certain ozone and particulate matter nonattainment areas, States are not required to include economically infeasible measures in their plans; it ensures that States may seek relief with respect to certain exceptional events, including droughts; and it directs EPA to examine the impacts of foreign emissions on standards compliance, ozone formation, and identify effective control strategies, including ways to facilitate EPA review to avoid unnecessary penalties for foreign emissions.

The bill also helps communities with most severe air quality challenges that are doing the most to clean up their air by providing a reasonable way to avoid burdensome and unnecessary sanctions, which harm their ability to grow their economies and create jobs.

The provisions of H.R. 806 represent important steps to update the Clean Air Act to reflect what we have learned over the past 25 years since its last major revisions.

There is more work to be done to modernize environmental laws, but en-

suring orderly implementation of air quality standards is an important place to start and essential in our environment and our economy.

Mr. Chair, I urge all Members to support this important bill today, and I reserve the balance of my time.

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

Mr. Chair, I want to express my strong opposition to H.R. 806, the Ozone Standards Implementation Act, which would undermine the Clean Air Act and the decades of progress that we have made to improve our Nation's public health and air quality.

This bill delays implementation of the 2015 ozone standards until 2025, extends the review cycle for all National Ambient Air Quality Standards from 5 to 10 years, and authorizes the EPA administrator to consider technological feasibility when establishing or revising a NAAQS.

Today, we will hear that removing health and environmental protections creates jobs, despite all the evidence that protecting public health and growing the economy are not mutually exclusive.

Since its enactment, the Clean Air Act has reduced key air pollutants by roughly 70 percent, while the United States economy has more than tripled.

We will hear today that our country has made enough progress, and we will hear claims that further progress will be extremely difficult, if not impossible, but this bill's supporters may not tell us that the American Lung Association's 2017 State of the Air report found that nearly 4 in 10 people in the United States live in counties that have unhealthful levels of either ozone or particle pollution. Delaying EPA's more protective health standards will only serve to delay these Americans' access to guaranteed clean air.

□ 1445

I believe American ingenuity continues to be up to the task of developing and deploying technologies that will protect our citizens. History has shown again and again that meeting such basic health protective standards is achievable. More importantly, advancing these protections will make America more productive, more competitive, and will improve quality of life and drive down public health costs tied to asthma, heart disease, and even cancer.

We may hear today that standards change too frequently and EPA should have more time to review and implement each standard. We will likely not hear that EPA has discretion on these matters and is only tasked with changing those standards if it will protect health.

Every year, more studies are completed. With each new study, we gain an even better understanding of how ozone and other pollutants are harming

Americans' health. It is critical that these standards reflect the latest available science.

What we are not likely to hear today is questioning of the large and growing body of scientific and medical evidence that breathing air that contains ozone and other criteria pollutants can cause serious health effects.

Unfortunately, this bill would cast aside that scientific evidence in favor of adding cost and technological feasibility considerations into the standard setting process. The proposed changes to the Clean Air Act will slow down, if not outright roll back, the progress we have made to clean our air. This would be a giant mistake.

Healthier people means fewer sick days, fewer hospital visits, and fewer premature deaths, all of which lead us to a more productive society.

According to a peer-reviewed 2011 EPA study, in 2010 alone, the Clean Air Act prevented over 160,000 premature deaths, 130,000 cases of heart disease, 1.7 million asthma attacks, and a million more respiratory illnesses. Many of those health benefits have helped our most vulnerable populations, particularly our children.

Let's do this for our children. Let's not make it worse. Let's improve our standards. That is why so many public health and medical organizations and professionals have vocally opposed this bill every step of the way.

The Clean Air Act keeps kids in school, adults at work and on the job, and tens of thousands of Americans out of the emergency room each and every year.

At a time when Republicans in Congress have been almost singularly focused on ramming through legislation to repeal the Affordable Care Act and rip healthcare away from tens of millions of Americans, this bill adds insult to injury. Plain and simple, the bill before us today would undermine the Clean Air Act as a safeguard of our public health law, and I encourage each and every Member of the House to oppose it.

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

Mr. SHIMKUS. Mr. Chairman, I yield 4 minutes to the gentleman from Texas (Mr. OLSON), the author of the legislation.

Mr. OLSON. Mr. Chairman, I thank my friend from the land of Lincoln for the time to speak on this important bill this afternoon.

Mr. Chairman, I remember Houston in 1972, 45 years ago. Just like today, we were the heart of America's energy and chemical industries. But back then, there were far too many days I could not see downtown from my home 25 miles away because of smog, ozone.

We have made amazing progress, Mr. Chairman. All of America has made progress. Now it is rare when I can't see downtown from 40 miles away. I am

raising my family in the suburbs of Houston, Texas. I don't want to see my hometown's air get any worse—or anyone else's, for that matter.

I want that progress to continue. That is why this bipartisan bill, H.R. 806, keeps us moving forward with more breathable, cleaner air.

Nothing in this bipartisan bill changes any air quality standard. Nothing in this bill puts costs before science when EPA sets a new standard.

I will say that again because there is a lot of misinformation out there. This bill explicitly says that EPA can never ignore health data and can never put money ahead of safety.

This commonsense bill is about listening to our job creators back home. It is about giving local officials the tools they need to make air rules work. It is about making sure that our communities aren't penalized for pollution they can't control. It is about making sure that, when EPA sets a standard, they have to put out the rules to comply with that standard to our local communities at the exact same time.

Mr. Chairman, this is commonsense, bipartisan legislation. I urge my colleagues to support H.R. 806 so we can keep cleaning up America's air while growing our economy.

Mr. TONKO. Mr. Chairman, I would just suggest that, when we move the timeframe for accomplishment of our progress by 8 years out into the future, we are stalling progress; and when we tamper with a review every 5 years and make it 10, we are denying progress.

Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CÁRDENAS).

Mr. CÁRDENAS. Mr. Chairman, I rise today to speak in opposition to H.R. 806. I call it the "Smog Is Back" bill.

I was born and raised in the San Fernando Valley. As a boy, I was not allowed to play outside due to smog alerts, and you couldn't see the mountains just a few miles away. I have told my kids. They don't know what a smog alert is. You get to see the mountains 365 days a year.

That is because we got smart about cutting pollution. We passed commonsense regulations, and the impact was remarkable. Yet today, as I stand here, this Congress is trying to strip those protections and take us back to a dangerous time. It is not a joke, and this is shameful.

Just over a year ago, my first grandchild was born. It infuriates me that he could grow up with the same restrictions that I had after we have made so much progress. We should be making the world a better place for our children and grandchildren.

Mr. Chairman, when it comes to smog, it is not good to go back to the future. It is just wrong. I urge my colleagues to oppose this legislation for the sake of all children.

Mr. SHIMKUS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. SMITH), the chairman of the Science, Space, and Technology Committee.

Mr. SMITH of Texas. Mr. Chairman, I thank the gentleman from Illinois (Mr. SHIMKUS) for yielding me time, and I thank the gentleman from Texas (Mr. OLSON) for sponsoring H.R. 806, the Ozone Standards Implementation Act of 2017. I appreciate the efforts of Chairman WALDEN, subcommittee Chairman SHIMKUS, and members of the Energy and Commerce Committee to reduce the regulatory burden on the American people and the economy.

As chairman of the Science, Space, and Technology Committee, I have worked to ensure that EPA regulations are based on sound science. Specifically, the committee found that the 2015 ozone standards implemented by the previous administration were based on questionable science and would cost billions of dollars to implement. H.R. 806 is commonsense legislation that appropriately delays the implementation of these new standards, allowing States more time to work through compliance.

This legislation also resets the time period for the next review of Clean Air Act regulations. This is necessary to provide the Agency with ample time to analyze the science and economic impact of new rules.

Mr. Chairman, I urge my colleagues to support this legislation and reduce the regulatory burden on the American people and return the Agency to sound scientific rulemaking.

Again, I appreciate Chairman OLSON taking the initiative on this subject.

Mr. TONKO. Mr. Chairman, we have just heard from two colleagues from Texas, and I want to remind all of my colleagues, our colleagues, that the State of Texas has over 1.5 million residents with asthma, including some 430,000 children. Weakening vital protections in the Clean Air Act would put their health at risk.

Mr. Chairman, I yield 4 minutes to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. Mr. Chairman, I thank my colleague for yielding.

Mr. Chairman, I rise in strong opposition to the Republican's "Smoggy Skies Act" that will gut America's landmark Clean Air Act.

Since Congress passed the Clean Air Act almost 50 years ago, American progress on clean air has gone hand in hand with growth in jobs and businesses. But that is at risk under this bill today because polluters want to take shortcuts and shift the costs to hardworking American families and other businesses. Republicans are helping them get this done through this "Smoggy Skies Act."

Coming from the State of Florida, I understand very well how air pollution

hurts jobs and economic growth. Americans everywhere, regardless of their ZIP Code, deserve an EPA and a Congress working to clean up air pollution, not boost polluter profits at our expense. In Florida, we probably would not be the tourist mecca that we are without the Clean Air Act.

When you look across the globe at other countries and people are deciding, "Where am I going to take my vacation? Where am I going to take my trip?" they are very discerning about countries that do not have the same kind of consumer protections.

I have seen, since the time I was a little girl, vast improvement in air quality back home in the Tampa Bay area, to the point of it used to be, in the early morning, you would walk outside and you could smell and taste it. Now we have very few days of smog and pollution.

But still, Congress should protect the pocketbooks of American citizens, not the profits of polluters because we have pockets of real pollution problems all across America. Approximately 125 million Americans still live in areas with dangerous levels of air pollution.

Air pollution costs our families money as smoggy skies aggravate asthma, COPD, bronchitis, lung disease, and the ability to work outside. Improving ozone standards can help avoid premature deaths, childhood asthma attacks, and missed school days.

I encourage you all to google the New England Journal of Medicine study that came out at the end of last month that said dirty air is very costly and has a deadly impact on many Americans still, especially our older neighbors and younger people with asthma and other respiratory illnesses. It said air pollution hastens death in America.

Harvard researchers determined that, after reviewing years of health records of more than 60 million Medicare beneficiaries in specific air quality levels, we are still in trouble. I took that as a direct warning to this Congress not to roll back the Clean Air Act and air pollution protections.

The Clean Air Act requires the EPA to take a look at air quality every 5 years, but under this bill, nope, it will be every 10 years. So polluters win and citizens pay more.

The Clean Air Act codifies a citizen's right to know when they are breathing dirty air, but under this bill, nope, citizens will not have a right to know. Again, the polluters win and citizens pay more.

Just like Mr. TONKO said, America is the world leader in ingenuity, technology, and science, but not under this GOP bill. Polluters will win, science will lose, and citizens will pay more.

This is a costly shame, and I urge my colleagues to oppose this bill.

Mr. SHIMKUS. Mr. Chairman, I would like to highlight a few specific things.

One is the standards established by the EPA remains unchanged. The real premise of this bill is the fact that, when the 2008 standards came out, it took the EPA 7 years to get to the guidelines for how local communities and businesses could comply. While that was occurring, they ratcheted down a new set of standards.

So when we talk, this is really more about having our citizens and our communities be able to comply with the rules and regs before a new rule and reg gets in place.

Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. BIGGS).

□ 1500

Mr. BIGGS. Mr. Chairman, I thank the gentleman from Illinois for yielding time to me today. I applaud Congressman OLSON for introducing this very important legislation. I also thank Science Committee Chairman LAMAR SMITH for holding numerous hearings to fully examine the Environmental Protection Agency's National Ambient Air Quality Standards.

Arizonans desperately need the reforms that Representative OLSON has offered in his legislation. Unfortunately, my constituents in the East Valley of Maricopa County understand all too well the consequences of onerous EPA regulations.

Arizona has high levels of background ozone in the atmosphere, meaning that, from the EPA's perspective, we are regularly above the attainment level. But instead of trying to fully understand my State's intricate needs or engaging in efforts to work with State officials to develop achievable plans and paths forward, the EPA has doubled down time after time with new standards that are impossible to meet.

H.R. 806 will help States like mine create meaningful implementation plans by giving us more time to work with the Federal Government and stakeholders. It will also allow us more flexibility in how we meet new regulations. Good, commonsense bills like this one are needed to ensure that we do not overregulate in a way that severely disrupts our local economies for little or no benefit.

As chairman of the Science Subcommittee on Environment, I once again applaud Representative OLSON and thank my friend from Illinois, and I look forward to seeing this bill pass this Chamber.

Mr. TONKO. Mr. Chairman, having just heard from the gentleman from Arizona, I want to remind my colleagues that the State of Arizona has over 660,000 residents with asthma, including some 175,000 children. Weakening vital protections in the Clean Air Act would put their health at risk.

Mr. Chairman, I yield 3 minutes to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Chairman, I rise in strong opposition to H.R. 806, the Ozone Standards Implementation Act.

For nearly 5 decades, the Clean Air Act has proven to reduce air pollution by establishing critical National Ambient Air Quality Standards to protect our public health and public welfare. This bill would drastically alter the Clean Air Act, putting everyone at risk by delaying the implementation of stronger air quality protections and extending the review period for setting future air pollution standards.

If we choose not to put air quality and public health first today, we jeopardize and undermine our ability to live long and healthy lives tomorrow.

When the EPA issued its final rule strengthening the National Ambient Air Quality Standards in 2015, this decision was based on the review of thousands of studies showing ozone's harmful effects.

Ozone is a pollutant. If we do not take our responsibility serious to ensure every American has clean and healthy air to breathe, those with asthma will experience more attacks. We need to make sure that our children aren't developing chronic bronchitis and asthma; and we risk increased numbers of premature deaths across the country.

Every American deserves clean air now. We cannot afford an almost decade-long delay of improved air pollution standards.

According to the American Lung Association, nearly 4 in 10 people in the United States live in counties that have unhealthy levels of either ozone or particle pollution. More than 125 million Americans live in 204 counties where they are exposed to concerning levels of air pollution in the form of either ozone or short-term or year-round levels of particles.

While we have continued to make progress reducing ozone pollution, we have to further strengthen these standards in the name of public health. These standards are the cornerstone of the Clean Air Act.

Additionally, the provisions in this bill would also affect future NAAQS reviews for criteria pollutants by extending the review time for 5 to 10 years, compounding the negative public health impacts for generations.

In Michigan, if we fail to lower our ground ozone pollution, our seniors with pulmonary disease, asthma, and diabetes will suffer. For our kids who want to explore the outdoors and experience all the Great Lakes have to offer, ozone pollution may increasingly trigger a variety of health problems, including chest pain, coughing, and throat irritation.

Please, my colleagues, do not do this today. Think of the health of Americans.

Mr. SHIMKUS. Mr. Chairman, let me just remind my colleagues that—why

10 years? I mean, that is a good question.

When the 2008 standards came out, it took the administration 7 years, to 2015, to tell people how to even implement the 2008 standards. Then, 3 months later, they say: Oh, no, we are going to have a new standard set at 2015.

So this debate doesn't reduce or roll back. It says, let's let the EPA establish standards and then give communities time to comply. That is all this bill does.

Mr. Chairman, I yield 3 minutes to the gentleman from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. Mr. Chairman, today the House will vote on a bill addressing the ozone standards issued by the Obama administration.

Look, with the comments you have heard today, we all want clean air. But America has made great strides already. Ozone is down by one-third since 1980.

But the regulations imposed by President Obama in 2015 would cost the economy billions of dollars each year and hamper job growth. In many parts of the country, it is literally impossible to meet the new standards due to the background levels of ozone.

Much of the country, as you just heard the chairman talk about, was still trying to comply with the previous standard when, suddenly, a new level was imposed. This has resulted in confusion and duplication.

The bill that is before us this afternoon provides a commonsense approach. It delays the implementation, but, more importantly, it gives the States flexibility to deal with this issue. It revises the timeframe for changing standards from 5 years to 10 years. That is all. It requires the EPA to consider—very important—the economic and technical feasibility of the new standards.

So, Mr. Chairman, passing this bill today will remove a barrier to economic growth while, at the same time, still protecting our environment.

Mr. TONKO. Mr. Chair, having heard from my friend and colleague from West Virginia, I want to remind my colleagues that the State of West Virginia has 100,000 residents with asthma, including over 18,000 children. So it is weakening vital protections in the Clean Air Act that would put these populations at risk.

Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Chairman, I rise in strong opposition to H.R. 806, better known as the "Smoggy Skies Act."

Because of the Clean Air Act, families have safer air to breathe, fewer emergency room visits, and healthier futures. The bill before us today is a direct attack on that progress, delaying lifesaving protections against ozone pollution.

H.R. 806 will be particularly devastating to children with asthma, the elderly, and people with lung and heart disease. Dirty air remains a public health hazard.

If this bill becomes law, we will be rolling back the Clean Air Act's protections and successes and putting people's health at risk.

The Sacramento region in my district sits in California's Central Valley, which traps pollution from other parts of the State. And despite these challenges, we have fostered a strong partnership between the Federal Government and Sacramento's local agencies to improve our air quality. But in order for this progress to continue, the EPA must set its clean air requirements at a level that truly protects public health.

The bill before us today would block ozone protections and permanently damage the Clean Air Act. Between this "Smoggy Skies Act" and TrumpCare, Republicans are waging an all-out assault on Americans' health.

I urge my colleagues to oppose this bill and protect the well-being of future generations.

Mr. SHIMKUS. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, I rise today in strong support of H.R. 806, the Ozone Standards Implementation Act of 2017, introduced by my friend and colleague, PETE OLSON. This bill is necessary to shield States from job-killing mandates and ozone levels proposed by the Obama administration in October of 2015.

Most States are just beginning to adopt the 75 parts per billion ozone standard proposed in 2008, as the EPA didn't announce implementation guidance and a final rule until March 6 of 2015. Rather than allowing time for that standard to be implemented, the Obama administration moved the goalposts and unilaterally sought to dramatically lower the ozone standard once again to 70 parts per billion in October 2015.

Industry analysis projects that more than 950 different counties throughout the country will immediately be in nonattainment under the October 2015, 70 parts per billion standard. To make matters worse, the 70 parts per billion standard is not currently attainable in 9 of 10 counties in Arizona that measure ozone levels.

When pristine national parks like the Grand Canyon, Yosemite, and Rocky Mountain are in danger of being in nonattainment under the proposed Obama standard, there is a serious problem with the numbers.

The Chamber of Commerce has reported that counties classified as in nonattainment can have important permits denied by the EPA and important Federal highway and transportation projects suspended.

The Arizona Chamber Foundation and Prosper Foundation stated: "The EPA's new ozone standard of 70 parts per billion will virtually be impossible for Arizona to meet due to Arizona's high level of background, limited local sources, and unique geography. . . . Implementation of the current rule in Arizona is not reasonable, based in sound science, or achievable."

Tri-State stated: "In order to preserve our co-op-member owners access to affordable and reliable electricity, Tri-State Generation and Transmission Association wholeheartedly supports H.R. 806."

The National Taxpayer Union stated: "The costs are high for States and localities, regardless of whether they achieve attainment . . . jobs and investments will go elsewhere without more feasible, predictable reforms that are present in H.R. 806."

Even the Obama administration projected in 2010 the unrealistic standard we are debating today would cost our economy between \$19 to \$25 billion annually.

The previous administration also admitted it did not have a clear plan for dealing with background ozone generated by factors outside a State's control. This means the Obama EPA was literally attempting to punish States for ozone pollution that is created in other States like California, or in Mexico, or even China.

The October 2015 Obama ozone rule will force companies to close their doors and kill countless jobs throughout the country if this bill is not passed.

I thank the gentleman from Texas for sponsoring this much-needed legislation, and I urge my colleagues to vote in support of this commonsense bill.

Mr. TONKO. Mr. Chairman, I yield myself such time as I may consume.

As I earlier stated, the State of Arizona has over 660,000 residents with asthma, including 175,000 children; and I just question putting their health at risk with this bill that moves us in the wrong direction.

Mr. Chairman, I include in the RECORD a number of supporting documents. The first is a letter opposing the bill signed by the State Attorneys General of New York, California, Connecticut, Delaware, Illinois, Iowa, Maryland, Massachusetts, New Mexico, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia, and the Acting Secretary of the Pennsylvania Department of Environmental Protection.



APRIL 26, 2017.

Re Opposition to H.R. 806, Ozone Standards Implementation Act of 2017.

Hon. GREG WALDEN, *Chairman*,  
Hon. FRANK PALLONE, *Ranking Member*,  
*Committee on Energy and Commerce, House of Representatives, Washington, DC.*

DEAR REPRESENTATIVE WALDEN AND REPRESENTATIVE PALLONE: We write in opposition to H.R. 806, Ozone Standards Implementation Act of 2017. This bill would not only delay implementation of more protective ozone air quality standards, but, more broadly, would undermine the mandate in the Clean Air Act (Act) that the national ambient air quality standards for ozone and other criteria pollutants be based on up-to-date scientific evidence and focus solely on protecting public health and welfare. As explained below, these measures would be a significant step backward in combatting the dangers of ozone and other criteria pollutants.

Many of our states have struggled for decades with the pervasive problem of ozone pollution. The scientific evidence of harm to public health from ozone pollution is well established, as are the economic consequences. At certain concentration levels, ozone irritates the respiratory system, causing coughing, wheezing, chest tightness and headaches. People exposed to elevated levels of ozone suffer from lung tissue damage, and aggravation of asthma, bronchitis, heart disease, and emphysema. Children, older adults, people with asthma or other lung diseases, and people who are active outdoors are particularly susceptible to the harmful health effects of ozone. Public health harms also exact an economic toll. For example, increased hospital admissions on bad ozone days increase health care costs borne by states and local governments. Ozone pollution also harms public welfare by damaging trees and reducing crop yields by interfering with the ability of plants to produce and store food and making them more susceptible to disease, insect pests, and other stressors. Ozone can also inhibit the ability of plants and trees to mitigate harms from climate change.

To protect against these and other adverse impacts and “to promote the public health and welfare and the productive capacity of its population,” the Act aims “to protect and enhance the quality of the Nation’s air resources.” 42 U.S.C. §7401(b)(1). To achieve this goal, the Act requires EPA to adopt primary standards for certain criteria pollutants, such as ozone, at a level that protects public health with an “adequate margin of safety.” 42 U.S.C. §7409(b)(1). The Act also requires EPA to adopt secondary standards at a level that protects the public welfare from “any known or anticipated adverse effects.” 42 U.S.C. §7409(b)(2). The Act mandates that EPA review the air quality standards for each criteria pollutant every five years and revise the standards as advances in science warrant. As Justice Scalia explained for a unanimous Supreme Court, EPA’s review must set the primary and secondary standards based on the scientific evidence, and may not consider implementation costs or other economic consequences. *Whitman v. Am. Trucking Ass’n*, 531 U.S. 457, 465 (2001). Rather, implementation decisions are a matter for states, which are empowered to evaluate the costs and co-benefits of potential implementation strategies and determine, in light of those costs and co-benefits, which strategies are most suitable for them. See *Union Elec. Corp. v. EPA*, 427 U.S. 246, 266 (1976).

To ensure that our residents and natural resources enjoy the benefits of the clean air that the statute demands, our offices have advocated in rulemakings and litigation that EPA set standards that protect public health and welfare with an adequate margin of safety, as the Act requires. E.g., *Mississippi v. EPA*, 744 F.3d 1334 (D.C. Cir. 2013) (State petitioners, including New York, California, Connecticut, Delaware, Illinois, Maryland, Massachusetts, New Mexico, Oregon, Rhode Island, and the District of Columbia, successfully argued for remand of secondary ozone standards); *American Farm Bureau Fed. v. EPA*, 559 F.3d 512 (D.C. Cir. 2009) (State petitioners and amici, including New York, California, Connecticut, Delaware, Illinois, Maryland, Massachusetts, New Mexico, Oregon, Pennsylvania Department of Environmental Protection, Rhode Island, and the District of Columbia, successfully argued for remand of primary fine particulate matter standards); *Murray Energy v. EPA* (D.C. Cir. 15–1385) (State amici, including California Air Resources Board, Delaware Department of Natural Resources, Massachusetts, New York, Rhode Island, Vermont, and the District of Columbia, filed a brief supporting the 2015 primary ozone standard against attempts to weaken it).

The ozone rule promulgated by EPA in 2015 strengthened the primary standard of 75 parts per billion (ppb) to 70 ppb. 80 Fed. Reg. 65,292 (Oct. 26, 2015). This level was at the high end (i.e., less stringent) of the 65–70 ppb range that EPA proposed in 2014. EPA’s independent science advisors, the Clean Air Scientific Advisory Committee, cautioned that this level may offer little margin of safety, particularly for sensitive subpopulations. Therefore, in comments on the proposal, several of our states urged EPA to adopt a primary standard lower than 70 ppb to protect public health with an adequate margin of safety. However, even tightening the standard from 75 ppb to 70 ppb will result in important public health benefits. For example, EPA conservatively estimated that meeting the 70 ppb standard nationally (not including California) will result in net annual public health benefits of up to \$4.5 billion starting in 2025. These national benefits include preventing approximately: 316 to 660 premature deaths; 230,000 asthma attacks in children; 160,000 missed school days; 28,000 missed work days; 630 asthma-related emergency room visits; and 340 cases of acute bronchitis in children.

Under current law, states will develop and submit their own plans to attain the 2015 standard by 2020 or 2021. But H.R. 806 would delay this deadline until October 2026 and delay other similarly related deadlines, postponing even further the life-saving benefits of attaining clean air. The bill should be rejected on these grounds alone.

In addition, H.R. 806 would undermine the protection of health and welfare from the dangers of all criteria air pollutants by weakening the national ambient air quality standards process for updating standards based on the most recent scientific evidence. Instead of requiring that standards be reviewed—and as necessary, revised—every five years based on the latest scientific evidence on the harms to public health and welfare from exposure to criteria pollutants, H.R. 806 would require updates only once a decade.

The bill would also eliminate the Act’s requirement that air quality standards be set solely based on adequate protection of public health and welfare. Specifically, the bill would authorize the EPA Administrator to also consider “likely technological feasi-

bility” in establishing primary and secondary standards. This provision appears designed to allow EPA to weaken standards nationwide if it thinks a single area might be incapable of meeting them. But if that were the case, the Act already provides relief mechanisms for the affected area. In addition, the bill undermines the Act’s existing protections by creating a loophole that allows EPA to treat hot or dry weather as an “exceptional event” excusing an area’s non-attainment.

Finally, the bill appears to be based on a misunderstanding of the Act’s balance between federal and state authority. The bill directs EPA to cherry-pick hypothetical state implementation strategies and only evaluate their adverse side-effects, and, potentially, use that evaluation to weaken ambient air quality standards. But EPA cannot know at the time it sets standards what strategies states will choose, or how individual states will value their beneficial side-effects. Those considerations should remain separate from the standard-setting process.

In summary, ozone pollution remains a serious and persistent problem for our nation, posing a particular risk to the health of children, the elderly and the sick, as well as individuals who spend time outdoors. Because H.R. 806 would represent a significant step backward in combatting ozone and other dangerous criteria pollutants, we urge you to oppose the bill. Thank you for your attention to this critical matter.

Sincerely,

Eric T. Schneiderman, Attorney General of New York, Lemuel Srolovic, Chief, Environmental Protection Bureau, Michael J. Myers, Assistant Attorney General, Environmental Protection Bureau.

Xavier Becerra, Attorney General of California, David A. Zonana, Supervising Deputy Attorney General, Jonathan Wiener, Deputy Attorney General.

George Jepsen, Attorney General of Connecticut, Matthew I. Levine, Kirsten S.P. Rigney, Scott N. Koschwitz, Assistant Attorneys General, Office of the Attorney General.

Matthew P. Denn, Attorney General of Delaware, Ralph K. Durstein, III, Valerie S. Edge, Deputy Attorneys General, Delaware Department of Justice.

Lisa Madigan, Attorney General of Illinois, Matthew J. Dunn, Gerald T. Karr, James P. Gignac, Assistant Attorneys General, Environmental Enforcement Division.

Thomas J. Miller, Attorney General of Iowa, Jacob Larson, Assistant Attorney General.

Brian Frosh, Attorney General of Maryland, Roberta R. James, Assistant Attorney General.

Maura Healey, Attorney General of Massachusetts, Christophe Courchesne, Chief, Carol Iancu, Assistant Attorneys General, Environmental Protection Division, Office of the Attorney General.

Hector Balderas, Attorney General of New Mexico, Bill Grantham, Assistant Attorney General.

Ellen F. Rosenblum, Attorney General of Oregon, Paul Garrahan, Attorney-in-Charge, Natural Resources Section, Oregon Department of Justice.

Josh Shapiro, Attorney General of Pennsylvania, Office of the Attorney General.

Patrick McDonnell, Acting Secretary, Pennsylvania Department of Environmental Protection.

Peter Kilmartin, Attorney General of Rhode Island, Gregory S. Schultz, Assistant Attorney General.

Thomas J. Donovan, Jr., Attorney General of Vermont, Nicholas F. Persampieri, Assistant Attorney General.

Mark Herring, Attorney General of Virginia, John W. Daniel, II, Deputy Attorney General, Matthew L. Gooch, Assistant Attorney General, Environmental Section.

Bob Ferguson, Attorney General of Washington, Katharine G. Shirey, Assistant Attorney General.

Karl A. Racine, Attorney General for the District of Columbia.

Mr. TONKO. Mr. Chairman, the second document I include in the RECORD is a letter from the Commissioner of the New York State Department of Environmental Conservation, again, opposing the bill.

OFFICE OF THE COMMISSIONER, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION,

Albany, NY.

Re H.R. 806, Ozone Standards Implementation Act of 2017.

Hon. JOHN SHIMKUS, Chairman,

*Subcommittee on the Environment, Committee on Energy and Commerce, House of Representatives, Washington, DC.*

Hon. PAUL D. TONKO, Ranking Member,

*Subcommittee on the Environment, Committee on Energy and Commerce, House of Representatives, Washington, DC.*

DEAR HONORABLE CHAIR SHIMKUS AND REPRESENTATIVE TONKO: The State of New York strongly opposes the "Ozone Standards Implementation Act of 2017," which will substantially harm public health to the detriment of New Yorkers and residents of many other states. The proposed bill would restrict the efficacy of the Clean Air Act in a way that would delay implementation of critical health-based standards for protecting the public from harmful ground-level ozone and other dangerous air pollutants. The result of this proposed bill would be the significant postponement of health and environmental benefits for nearly a decade, inevitably resulting in increased illness and deaths from air pollution.

#### INTRODUCTION

The Clean Air Act ("Act") addresses the critically important issue of protecting the health and welfare of all Americans from excessive levels of air pollution. It establishes a federal-state partnership under which EPA, informed by established science, sets National Ambient Air Quality Standards (NAAQS) at a level necessary to protect public health, and states develop and implement plans for achieving those standards. This collaborative process has significantly reduced pollutant concentrations to the great benefit of the public. Importantly, the process provided by the sections 109 and 110 of the Act recognizes that air pollution knows no boundaries and that air quality in many states, including New York, is impacted by emissions from sources located upwind.

Section 109 of the Act ensures that implementation of the Act is guided by established science; it charges the Clean Air Scientific Advisory Committee (CASAC) with reviewing the latest "state of the science" relating to public and environmental health, and conveying its findings to the Administrator. Based on that information, the Administrator establishes the NAAQS at a level necessary to protect public health within a reasonable margin of safety. Under Section 110 of the Act, States then develop plans to achieve air quality that meets the standard in those areas that do not meet the standard, known as "nonattainment" areas.

In its latest review, CASAC determined that the existing 2008 ozone NAAQS was in-

sufficiently protective of public health, particularly for at-risk groups including children, older adults, people of all ages who have lung diseases such as asthma, and people who are active outdoors. Based on CASAC's scientific findings, EPA determined that implementing the 2015 ozone NAAQS would help prevent a range of harmful health effects each year, including 320 to 660 premature deaths; 230,000 asthma attacks in children; 160,000 days when kids miss school; 28,000 missed work days; 630 asthma-related emergency room visits; and 340 cases of acute bronchitis in children. EPA has identified additional serious health threats from ozone including cardiovascular disease (e.g., heart attacks, strokes, heart disease, congestive heart failure); potential harm to the central nervous system; and potential reproductive and developmental harm. The health benefits from meeting the 2015 ozone NAAQS exceed the costs of controls by 2 to 4 times.

Like many other states, New York strongly supported EPA's strengthening of the ozone NAAQS in 2015. This support comes even though New York faces a substantial burden of achieving ozone attainment in the New York City metropolitan area. This burden, however, is outweighed by the need to address the serious public health impacts. In New York City, approximately 1 in 10 emergency room visits for asthma are attributable to ozone pollution. Rather than seek to delay its ozone attainment efforts, New York strives to bring the New York City metropolitan area into attainment as expeditiously as possible, in order to provide its residents with cleaner and more healthful air to breathe.

#### DELAYING PUBLIC HEALTH BENEFITS OF THE 2015 OZONE NAAQS

The proposed legislation would harm public health by delaying the implementation of the 2015 ozone NAAQS (and its corresponding health benefits) for eight years and further postponing any future standard for several years beyond when they are necessary. Current law requires EPA to designate states under the 2015 ozone NAAQS according to their monitored air quality by October 2017, and states not meeting the standards would have a number of years to reach compliance proportional to the severity of their ozone problems. However, this legislation would defer action so that designations would not be made until October 2025, thus postponing even the beginning of planning efforts until after attainment would otherwise have been achieved under the current structure of the Act. For New Yorkers and other Americans, this would result in a substantial delay in their ability to breathe clean and healthful air.

Even worse, this proposed bill compounds this public health harm by allowing the construction of new power plants and factories without considering their impact on a region's ability to achieve compliance with the NAAQS. Under current law, such new and modified facilities located in areas designated nonattainment are subject to a control technology review under the Clean Air Act's nonattainment new source review program, which requires a demonstration of control technology that would consider the "lowest achievable emission rate," resulting in the most stringent emission limit for a certain source class. This bill would eliminate these new source reviews, which are critical for advancing a nonattainment area toward NAAQS compliance.

Together, these aspects of the legislation will have even worse additional adverse impacts on states like New York that are vic-

timized by upwind air pollution. First, this legislation will impair New York's relief from ozone transport from upwind locations. EPA modeling indicates that between 75% and 94% of the ozone in the New York City metropolitan area comes from sources outside of New York. Although New York will continue actions to reduce emission of ozone precursors, it cannot achieve healthful ozone levels without a substantial reduction in emissions from states located upwind, which are responsible for most of New York's ozone levels. Many of these states encompass areas that are currently monitoring as nonattainment, and these areas would have to achieve emission reductions under current law if designated nonattainment. Postponing a nonattainment designation for the New York City metropolitan area will have the unacceptable effect of postponing the "good neighbor" obligation of upwind areas to reduce their significant contribution to New York's nonattainment until sometime after the nonattainment designation.

Moreover, postponing compliance with nonattainment New Source Review in areas that would otherwise be designated as nonattainment with the ozone NAAQS establishes an inequitable outcome for New York and other states that have already been designated nonattainment. Under this proposed bill, new industrial facilities in areas currently designated nonattainment with the 2008 ozone NAAQS or in the Ozone Transport Region—including all of New York—will have to comply with nonattainment NSR requirements, yet facilities located in regions with comparable or worse air quality and much higher emissions will not have to do so for a decade or more. As such, states that would otherwise be designated nonattainment would gain an unfair advantage in attracting business development under this bill.

#### DELAYING PUBLIC HEALTH BENEFITS FROM REDUCING OTHER CRITERIA POLLUTANTS

Aside from ozone, provisions of this proposed bill would affect future NAAQS reviews for all criteria pollutants, thus compounding negative public health impacts. For example, the bill would irresponsibly extend the NAAQS review time from five years to ten for all criteria pollutants. Retaining the five-year review schedule ensures that the Administrator reviews the relevant state of the science while it is timely and germane. Health science moves quickly; by the time one NAAQS revision is reaching completion, other pertinent clinical studies are being published.

This proposed bill weakens public health protection by making cost and technological feasibility larger factors in the establishment and implementation of NAAQS. The Supreme Court has already upheld the notion that the consideration of costs has no place in the setting of a NAAQS (*Whitman v. American Trucking Associations, Inc.*, 2001). Instead, questions of technological and economic feasibility are considered at the stage of implementing the NAAQS. For example, the Act's nonattainment area classifications recognize that areas with more difficult ozone pollution problems require more time to comply. Unfortunately, Section 3(b) of the proposed bill would change the long-standing practice of how an Administrator determines the NAAQS by allowing him or her to analyze, as a secondary consideration, the likely technological feasibility of a revised NAAQS. Section 3(c) would expand CASAC's role to providing advice to the Administrator on adverse economic effects (among others) prior to the setting of the NAAQS. Taken together, these proposed revisions would have

the effect that NAAQS would no longer be set at levels that are protective of public health and welfare.

Finally, the proposed bill unnecessarily redefines ordinary expected conditions as “exceptional events” that need not be considered by a state in demonstrating attainment. The intent of the “extraordinary event” exception is to allow a state to discount NAAQS exceedances that result from one-time, unpredictable, and uncontrollable events such as wildfires. The proposal, however, would allow commonplace conditions such as stagnant air masses and “meteorological event[s] involving high temperatures or lack of precipitation” to be considered exceptional. In their ozone planning, states should anticipate these conditions, which are expected to occur each year and promote the formation of ozone when public health is at the greatest risk.

We also disagree with the proposal to allow sources to avoid nonattainment new source review until release of the implementation guidance. EPA’s delay in issuing guidance should not be an excuse to allow new sources in nonattainment areas to contribute to further air quality degradation. In addition, the bill’s reduction of the time allotted for states to formulate and submit attainment plans from the current three years to one year reflects a misunderstanding of the laborious process for developing these plans.

#### CONCLUSION

The Clean Air Act is a bipartisan success story. Citizens across the country have benefited from the Act’s clean air requirements over the last few decades. People can breathe easier due to the clean air standards that have resulted from rigorous reviews that are guided by the latest scientific evidence. Passage of this proposed bill would deprive the American people of those benefits, worsen air quality and harm public health substantially.

Sincerely,

BASIL SEGGOS.

Mr. TONKO. Mr. Chairman, the third document I include in the RECORD is a letter signed by 15 medical and public health organizations, again, opposing the bill.

JULY 17, 2017.

DEAR REPRESENTATIVE: Clean air is fundamental for good health, and the Clean Air Act promises all Americans air that is safe to breathe. The undersigned public health and medical organizations urge you to oppose H.R. 806, the so-called “Ozone Standards Implementation Act of 2017.” A more fitting name for this legislation would be the “Smoggy Skies Act,” as it delays lifesaving standards to reduce ozone pollution, or smog, and permanently weakens the Clean Air Act.

Clear, up-to-date, scientific evidence documented the need for greater protection from ozone pollution, and drove the stronger limit on ozone that the U.S. Environmental Protection Agency (EPA) finalized in 2015. To meet the updated standard, the states have clear authority and plenty of time to plan and then work to reduce pollution under the Clean Air Act’s long-established, balanced implementation timeline. Despite those facts, the Smoggy Skies Act imposes additional delays and sweeping changes that will threaten health, particularly the health of children, seniors and people with chronic disease.

The Smoggy Skies Act also reaches far beyond implementation of the current ozone standards. It permanently weakens the Clean

Air Act and future air pollution health standards for all criteria pollutants. Specifically, the Smoggy Skies Act weakens implementation and enforcement of all lifesaving air pollution health standards, including those for carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, and sulfur dioxide. It would also permanently undermine the Clean Air Act as a public health law.

The Clean Air Act requires that EPA review the science on the health impacts of carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, and sulfur dioxide air pollutants every five years and update these national ambient air quality standards according to the current science. The Smoggy Skies Act would lengthen the review period of the air pollution health standards from once every five years to once every ten years for all criteria pollutants. As the science continues to evolve, the public deserves that their protections be based on the most up-to-date science, certainly not a schedule that is twice as long as they currently have under the law. The work that EPA and states do to clean up air pollution should be based on the best and most current science.

Emerging research adds crucial information to our understanding of the impacts that air pollution has on human health, and EPA should not have to wait a decade to incorporate it. For example, on March 29, 2016, a newly published study, Particulate Matter Exposure and Preterm Birth: Estimates of U.S. Attributable Burden and Economic Costs showed new information linking particulate air pollution to nearly 16,000 preterm births per year. Under the Smoggy Skies Act, EPA would have to wait as much as a decade to consider such new evidence when setting standards. Ten years is far too long to wait to protect public health from levels of pollution that the science shows are dangerous or for EPA to consider new information.

In the 2015 review of the ozone standard, EPA examined an extensive body of scientific evidence demonstrating that ozone inflames the lungs, causing asthma attacks and resulting in emergency room visits, hospitalizations, and premature deaths. A growing body of research indicates that ozone may also lead to central nervous system harm and may harm developing fetuses. In response to the evidence, EPA updated the ozone standards. While many of our organizations called for a more protective level, there is no doubt that the updated, 70 parts per billion standard provides greater health protections compared to the previous standard.

The Smoggy Skies Act would delay implementation of these more protective air pollution standards for at least eight years. This means eight years of illnesses and premature deaths that could have been avoided. Parents will not be told the truth about pollution in their community and states and EPA will not work to curb pollution to meet the new standards. The public has a fundamental right to know when pollution in the air they breathe or the water they drink threatens health, and Congress must not add eight years of delay to health protections and cleanup.

Furthermore, the American public overwhelmingly supports upholding these more protective limits on ozone. A 2017 poll found that by a 2-to-1 margin, Americans believe Congress should leave EPA’s updated standards in place, showing clear public opposition to the Smoggy Skies Act.

The Smoggy Skies Act would also permanently weaken implementation of the 2015 and future ozone standards. The Act would delay implementation to a date when the evidence shows that most states would meet the standard with cleanup measures already in place. It would also reduce requirements for areas with the most dangerous levels of ozone. Areas classified as being in “extreme nonattainment” of the standard would no longer need to write plans that include additional contingency measures if their initial plans fail to provide the expected pollution reductions. The Clean Air Act prioritizes reducing air pollution to protect the public’s health, but the Smoggy Skies Act opens a new opportunity for communities to avoid cleaning up, irrespective of the health impacts.

Further, the bill would greatly expand the definition of an exceptional event. Under the Clean Air Act, communities can demonstrate to EPA that an exceptional event, such as a wildfire, should not “count” in determining whether their air quality meets the national standards. This bill would recklessly expand the definition of exceptional events to include high pollution days when the air is simply stagnant—the precise air pollution episodes the Clean Air Act was designed to combat—and declare those bad air days as “exceptional.” Changing the accounting rules will undermine health protection and avoid pollution cleanup.

Additionally, the bill would permanently weaken the Clean Air Act. The Clean Air Act is one of our nation’s premier public health laws because it puts health first. The Act has a two-step process: first, EPA considers scientific evidence to decide how much air pollution is safe to breathe and sets the standard that is requisite to protect public health with an adequate margin of safety. Then, states work with EPA to develop a plan to clean up air pollution to meet the standard. Cost and feasibility are fully considered in the second phase during implementation of the standard.

This bill states that if EPA finds that “a range of levels” of an air pollutant protect public health with an adequate margin of safety, then EPA may consider technological feasibility in choosing a limit within that range. Further, the bill would interject implementation considerations, including projections of adverse economic and energy effects, into the standard setting process. These changes will permanently weaken the core health-based premise of the Clean Air Act—protecting the public from known health effects of air pollution with a margin of safety.

These changes would reverse the intention of the Clean Air Act explicitly included by its bipartisan authors in Congress: that basing the standard on the protection of public health would push technology to develop new tools and techniques to reduce emissions. They understood that pushing the cleanup technology to meet the urgent need to protect health would help to expand job development and growth. They were correct, as the emission control industry today has helped the nation meet stronger standards in creative, cost-effective ways.

The text also explicitly states that the Smoggy Skies Act does not authorize any additional funds to be appropriated to EPA for its work carrying out the bill’s provisions. Forcing EPA to perform the additional work of implementing this bill with no additional resources could put the agency’s current, lifesaving work at further risk.

Finally, an amendment adopted in committee would eliminate key enforcement

provisions under the Clean Air Act. As amended, the bill could perpetuate poor air quality in communities with the highest pollution levels indefinitely. The provision waives the obligation for states with areas heavily polluted by ozone or particulate matter to write effective plans to attain the health standards. Currently, if an area with unhealthy air fails to write an adequate plan to meet air pollution standards, EPA can impose sanctions. Because that enforcement provision exists, EPA has almost never needed to use it—states wrote effective plans. As amended, the Smoggy Skies Act would bar EPA from using this key enforcement tool for especially polluted areas, essentially eliminating the obligation for states to write a meaningful pollution cleanup plan that can demonstrate meeting the health standards.

The Smoggy Skies Act is a sweeping attack on lifesaving standards that protect public health from air pollution. This bill is an extreme attempt to undermine our nation's proven clean air health protections. Not only does it delay the long-overdue updated ozone standards and weaken their implementation and enforcement, it also permanently weakens the health protections against many dangerous air pollutants and the scientific basis of Clean Air Act standards.

Please prioritize the health of your constituents and vote NO on the Smoggy Skies Act.

Sincerely,

Allergy & Asthma Network  
Alliance of Nurses for Healthy Environments  
American Academy of Pediatrics  
American Lung Association  
American Public Health Association  
American Thoracic Society  
Asthma and Allergy Foundation of America  
Center for Climate Change and Health  
Children's Environmental Health Network  
Health Care Without Harm  
National Association of County & City Health Officials  
National Environmental Health Association  
National Medical Association  
Physicians for Social Responsibility  
Trust for America's Health.

Mr. TONKO. Finally, Mr. Chairman, I include a letter signed by 121 environmental and other groups opposing the bill.

MARCH 21, 2017.

DEAR SENATOR/REPRESENTATIVE, on behalf of our millions of members, the undersigned 121 organizations urge you to oppose the "Ozone Standards Implementation Act" (H.R. 806, S. 263). The innocuous-sounding name is misleading: this legislation would actually systematically weaken the Clean Air Act without a single improvement, undermine Americans' 46-year right to healthy air based on medical science, and delay lifesaving health standards already years overdue.

This bill's vision of "Ozone Standards Implementation" eliminates health benefits and the right to truly safe air that Americans enjoy under today's law. First, the legislation would delay for ten years the right to safer air quality, and even the simple right to know if the air is safe to breathe. Corporations applying for air pollution permits would be free to ignore new ground-level ozone (aka smog) health standards during these additional ten years. For the first time the largest sources of air pollution would be allowed to exceed health standards. The bill would also outright excuse the parts of the country suffering the worst smog pol-

lution from having backup plans if they do not reduce pollution. The most polluted parts of the country should not stop doing everything they can to protect their citizens' health and environment by cleaning up smog pollution.

This bill is not content to merely weaken and delay reductions in smog pollution. It also strikes at our core right to clean air based on health and medical science. The medically-based health standards that the law has been founded on for 46 years instead could become a political football weakened by polluter compliance costs. This could well result in communities being exposed to unhealthy levels of smog and soot and sulfur dioxide and even toxic lead pollution. The bill would also double the law's five-year review periods for recognizing the latest science and updating health standards, which are already frequently years late; this means in practice that unhealthy air would persist for longer than ten years.

The legislation also weakens implementation of current clean air health standards. The bill expands exemptions for "exceptional events" that are not counted towards compliance with health standards for air quality, even when air pollution levels are unsafe. This will mean more unsafe air more often, with no responsibility to clean it up. Requirements meant to ensure progress toward reducing smog and soot pollution would shift from focusing on public health and achievability to economic costs. Despite the bland name "Ozone Standards Implementation Act," this bill represents an extreme attack on the most fundamental safeguards and rights in the Clean Air Act.

Since 1970, the Federal Clean Air Act has been organized around one governing principle—that the EPA must set health standards based on medical science for dangerous air pollution, including smog, soot and lead, that protect all Americans, with "an adequate margin of safety" for vulnerable populations like children, the elderly and asthmatics. This legislation eviscerates that principle and protection. We urge you to oppose H.R. 806 and S. 263, to protect our families and Americans' rights to clean air.

Sincerely,

350KC; 350 Loudoun; Alaska Community Action on Toxics; Alton Area Cluster UCM (United Congregations of Metro-East); Brentwood House; California Latino Business Institute; Center for Biological Diversity; Central Valley Air Quality (CVAQ) Coalition; Chesapeake Physicians for Social Responsibility; Chicago Physicians for Social Responsibility.

Citizens for Clean Air; Clean Air Watch; Clean Water Action; Cleveland Environmental Action Network; Climate Action Alliance of the Valley; Connecticut League of Conservation Voters; Conservation Voters for Idaho; Conservation Voters of South Carolina; Dakota Resource Council; Earth Day Network; Earthjustice; Earthworks; Environment Iowa; Environment America.

Environment Arizona; Environment California; Environment Colorado; Environment Connecticut; Environment Florida; Environment Georgia; Environment Illinois; Environment Maine; Environment Maryland; Environment Massachusetts; Environment Michigan; Environment Minnesota; Environment Missouri; Environment Montana; Environment Nevada; Environment New Hampshire; Environment New Jersey; Environment New Mexico; Environment North Carolina.

Environment Ohio; Environment Oregon; Environment Rhode Island; Environment

Texas; Environment Virginia; Environment Washington; Environmental Defense Action Fund; Environmental Entrepreneurs (E2); Environmental Law & Policy Center; Ethical Society of St. Louis; Faith Alliance for Climate Solutions; Florida Conservation Voters; Fort Collins Sustainability Group; Gasp; GreenLatinos.

Health Care Without Harm; Iowa Interfaith Power & Light; Jean-Michel Cousteau's Ocean Futures Society; KyotoUSA; Labadie Environmental Organization (LEO); Latino Donor Collaborative; League of Conservation Voters; League of Women Voters; Maine Conservation Voters; Maryland League of Conservation Voters; Michigan League of Conservation Voters; Moms Clean Air Force; Montana Conservation Voters Education Fund.

Montana Environmental Information Center; National Parks Conservation Association; Natural Resources Defense Council; NC League of Conservation Voters; Nevada Conservation League; New Mexico Environmental Law Center; New York League of Conservation Voters; Northern Plains Resource Council; OEC Action Fund; Ohio Organizing Collaborative, Communities United for Responsible Energy; Oregon League of Conservation Voters; Partnership for Policy Integrity; PennEnvironment.

People Demanding Action, Tucson Chapter; Physicians for Social Responsibility; Physicians for Social Responsibility, Maine Chapter; Physicians for Social Responsibility, Los Angeles Chapter; Physicians for Social Responsibility, Arizona Chapter; Physicians for Social Responsibility, SF Bay Area Chapter; Physicians for Social Responsibility, Tennessee Chapter; Physicians for Social Responsibility, Wisconsin Chapter; Powder River Basin Resource Council; Public Citizen; Public Citizen's Texas Office; RVA Interfaith Climate Justice Team; Safe Climate Campaign; San Juan Citizens Alliance; Sierra Club.

Southern Environmental Law Center; Texas Campaign for the Environment; Texas Environmental Justice Advocacy Services; Texas League of Conservation Voters; The Environmental Justice Center at Chestnut Hills United Church; Trust for America's Health; Union of Concerned Scientists; Utah Physicians for a Healthy Environment; Valley Watch; Virginia Organizing; Virginia Interfaith Power & Light; Voices Verdes; Voices for Progress; Washington Conservation Voters; WE ACT for Environmental Justice; Western Colorado Congress; Western Organization of Resource Councils; Wisconsin Environmental Health Network; Wisconsin League of Conservation Voters; Wisconsin Environment; Wyoming Outdoor Council.

□ 1515

Mr. TONKO. Mr. Chair, I yield 3 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Chair, I want to thank the gentleman for yielding.

Mr. Chair, for the folks who might be watching this today, I think it is important to understand that bad ozone causes a whole lot of health problems—things like making it difficult to breathe deeply. It can aggravate your emphysema. It can cause a sore and scratchy throat. It can aggravate lung diseases like asthma, emphysema, and bronchitis. And it is actually associated with asthma attacks, as I mentioned, and it can cause very serious

obstructive pulmonary disease. It is a bad thing, it is dangerous, and it hurts people.

In the Obama administration, we tried to pass some standards to say that companies that emit the polluting substances have to comply with certain air standards to make sure that people don't suffer these nasty health effects.

What is going on today with H.R. 806 is that the Republicans are going to say: No, they don't have to implement right away. They have got a lot more time, years, before they actually have to comply with these air standards.

So what they are saying is that industries that pollute don't have to take the measures that they would need to take that will cost them money—yes, they will—in order to protect the public's health. They are saying that their money and the profits of their shareholders are more important than the lungs of our kids.

You are going to hear them say all this stuff about jobs, jobs. Please. This is not about jobs. This is about money. This is about profitability from polluting industries that don't want to spend the money to protect the public's health. That is what this is about. That is what we are talking about.

They always say: You can have a job, or you can breathe, but you can't do both. That is what our friends say. You can breathe, but then you won't have a job; or you can have a job, but then you can't breathe.

The fact is, they want to send us to work with gas masks on, and it is wrong. We as a people deserve to breathe. Our kids deserve to breathe. Our seniors deserve to breathe. If it costs a company a little bit more to make sure the air that we have is breathable, then they should spend that money. I believe that they should, because when you look at the health costs on the other side, they are astronomical. What does it cost to lose a loved one dying from an asthma attack or bronchitis or obstructive pulmonary disease? What does it cost a family in terms of not just treasure but heartache when they have their loved ones hooked up to a bunch of machines and wires because they are undergoing a respiratory attack? That is the cost. That is the true cost that we have to consider, Mr. Chair.

The real cost here is not this mythical jobs thing that they say. The real cost they are talking about is profitability, but the true cost to society is our health. Do you really want to see missed days of school, missed days of work? Do you really want to see more people incurring medical bills because of the failure of industry to protect our health when they are taking that stuff that they are spitting out of their smokestacks and putting it into the sky that we all have to breathe?

Mr. Chair, it is time to say "no" to H.R. 806. No.

The Acting CHAIR (Mr. BRIDENSTINE). The time of the gentleman has expired.

Mr. SHIMKUS. Mr. Chairman, let me just remind folks that what is going on here is that we have a 2008 standard that we were told 7 years afterwards: Here is how you comply.

That same year, we get new standards saying: Oh, no, no, no. You have got new standards lower than what it took us 7 years to define.

That is really the debate. We are not eliminating standards, we are not rolling back standards, we are just saying: Give us a break. Give us time to comply with the 2008 standards before you even force down the 2015 standards. Nothing in this bill rolls back either of those standards.

Mr. Chairman, I yield 2 minutes to my colleague from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Chair, I thank my colleague from Illinois for his hard work, and I thank Mr. OLSON for his hard work. They have worked, I think, tirelessly and in an awfully well-intended way to craft a balance between the different competing points of view on this whole issue of ozone.

I know that he is concerned about people's health. I know that he is concerned about the environment. But on this particular issue, I am going to respectfully disagree and agree with my Democratic colleagues to say that I think that the time to act is now, because at some point there becomes the question: If not now, then when? At some point, delay moves to the point of obstruction of moving forward on an idea that has had its different wrinkles, in fairness to my colleague from Illinois. But at some point, you have to act.

Given the fact that people's health does hang in the balance, given the fact that there are another 2,000 cases a day of asthma that are protracted, we need to have a bias for action. I think it is a time for action.

I think it is reasonable. Moving from 75 to 70 parts per billion is not exactly a gargantuan change, given what is at play with regard to health. And finally, simply, I believe it fits with the conservative philosophy that I believe in. The conservative philosophy says that my rights end when they begin to infringe upon yours.

This notion of privatizing gain and offsetting costs to the public is something I think we always have to watch out for when we talk about this notion of free markets and having them truly work.

I, as a boy, grew up down the creek from a place called Campbell Creek, and there was a chemical plant that ended up dumping some stuff in the creek. It turned out not to be so good. It made a lasting impression on me as a boy. They were externalizing their costs, but they were internalizing their profits.

Mr. Chair, I think we need to be true to that theme whether we are talking about air or water or anything else. I think that this bill fits under that larger description. For that reason, I do say, with all due respect for the hard work that has been done, that it is time to act on this particular bill.

Mr. TONKO. Mr. Chair, two points on the review and the standards. Certainly not every review would require a change in standards, and I think that needs to be made clear here. When we talk about the difficulty of having to respond or achieve the standards that have been established and then they go stronger, well, on your way to 70 parts per billion, you are going to be moving through 75 parts per billion as you reduce those particulates that get emitted into our air. It is only logical that you could move along and continue to improve those standards.

This is about maintaining a quality of life, enhancing a quality of life, cutting into, for public health policy purposes, the devastating impacts of air pollutants and their relation to our public health.

Mr. Chair, I yield 3 minutes to the gentlewoman from California (Ms. BARRAGÁN).

Ms. BARRAGÁN. Mr. Chair, I rise today in opposition to the "Smoggy Skies Act," a bill that would effectively gut the Clean Water Act.

I represent one of the most heavily polluted districts in California. As a matter of fact, sometimes kids in my district walk around with inhalers around their necks.

When I was a kid, my father had a home next to the freeway, and I first thought it was a great place to live because it was conveniently by the freeway, and what I later learned about air pollution and smog and the ozone layer, I knew it was not a good thing. When I see kids in my district walk around with inhalers, it just breaks my heart.

Every day, many of my constituents, people of color and low income, are surrounded by oil refineries, major highways, and industrial activities. These activities generate ozone pollution, the key ingredient for smog. It is dangerous. It is deadly.

Since 1970, the Clean Air Act has reduced the ozone in our air, protecting Americans against health problems, including asthma and heart attacks, shortness of breath, low birth weight, and premature death. Clean air is a good investment. The benefits of a healthy environment pay off in worker productivity and longevity. Unhealthy people can't work or go to school, which is also a problem in my district where only 10 percent of students go on to college.

Oftentimes, it is a cycle. They are outside, they breathe in the dirty air, they get sick, they have asthma, they have to go to the doctor, and they miss

school. That is only contributing to the low graduation rates that we are seeing happen in my district.

Smog is not only harmful to health, I think it is harmful especially in young children, in our seniors, and in some of our most vulnerable communities.

Over a third of the U.S. population lives in areas with unhealthy ozone levels—areas that would have to clean up the air under the new and improved 2015 ozone standards.

The “Smoggy Skies Act” is the latest in a series of congressional attempts to gut the Clean Air Act and block or delay lifesaving standards and protection.

Mr. Chair, I urge my colleagues to vote “no” on H.R. 806, the “Smoggy Skies Act.”

Mr. SHIMKUS. Mr. Chair, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the majority leader of the House.

Mr. MCCARTHY. Mr. Chair, I thank the gentleman for yielding me time and for his work.

Mr. Chair, when you drive up north through and past my district in California, you go through some amazing places—Sequoia National Park, Kings Canyon, then right on over to Yosemite. These are beautiful places. American treasures. You don't have to go far off the road to feel like you are remote and completely surrounded by the peacefulness of nature.

I have had my troubles with the EPA—regulatory cap and trade, waters of the U.S. rule. They are a couple that come to mind. But I do think and believe there is a purpose to ozone standards that clean up our air and make our communities healthier.

Yet the latest ozone and particulate matter regulations are so severe and divorced from reality that even the national parks like Sequoia, Kings Canyon, and Yosemite may not be clean enough. If such pristine nature isn't clean, nothing can be.

The problem is that the EPA sets new standards before we reach the old ones, and even before we have the technology to reach the new standards, the only result will be failure.

California's Central Valley faces many disadvantages with air quality. We have prevailing winds from the north to send us pollution from San Francisco, and because of our topography, it traps it all in. But we have made some amazing progress. Good days, when ozone isn't a problem, are up 144 percent since 2002. Unhealthy ones are down over 75 percent in the same period. You see similar trends in particulate matter as well.

But no matter how much better we make our air, we cannot catch up to reach the latest unrealistic EPA hurdles. The head of the San Joaquin Valley Air Pollution Control District said that, to do so, we would have to stop

all fossil fuel combustion in the Central Valley. If we don't do that, don't stop all industry, stop building, stop businesses, and even stop driving our cars, you know what will happen? We will be punished, and we will be fined for where we live.

Now, something obviously has to change because these regulations are not rooted in reality. In this legislation, Mr. Chair, Congressman PETE OLSON's Ozone Standards Implementation Act, we don't get rid of ozone or particulate matter standards, we don't even oppose raising our standards when we use our technology and abilities to improve. What we do is make sure that the standards are set with a specific level for a set time so that the EPA cannot come back and change the goalpost every few years.

What we do is make sure that the EPA actually determines whether something is technologically possible when setting new attainment deadlines. What we do is make sure we aren't penalized for all things affecting our air that we can't control.

□ 1530

We made sure that this legislation accomplished these goals without rolling back the protections for our communities or without backsliding on meeting current EPA standards in the Central Valley.

In the end, we must have clean air, but we have to be smart with this and set achievable and fixed goals our communities can meet. Building on our success, the people of our district and across America can continue to have cleaner air tomorrow than we do today.

Mr. TONKO. Mr. Chair, I yield myself the balance of my time.

Mr. Chair, I want to remind my colleagues, having just heard from a Californian, that California has nearly 3 million residents with asthma, including 650,000 children. Why on Earth would we want to put them at further risk by going backward? I suggest that we keep that in mind as we vote on this measure.

I heard the comment made about unachievable or unrealistic standards. Well, how is it that we have been making progress through the years? We have been growing jobs, and we have been cleaning the air. How is it that that was deemed unrealistic and unachievable?

Mr. Chairman, I believe in the pioneer spirit of this great country. I believe in her intellect. I believe in the passion to do the right thing. And I think that will continue to motivate us as we listen to scientists who tell us about the standards that we ought to achieve.

On our way to 75 parts per billion, we know that it is continued progress if we achieve 70; and if we listen to the Clean Air Scientific Advisory Committee, they will tell us that the air,

for safety, with the safety factor, we should be closer to 60. So we have much more room for progress, and we have the technological wizardry to make that happen. Our children and generations unborn are counting on us.

As has been stated many times over today, this is a move in a backward direction. We are concerned on this side of the aisle about H.R. 806. We need to know that the standards that are out there are achievable, that those standards drive technological improvement.

We can grow the economy and clean the air. They are not mutually exclusive. In fact, we have proven that they are inclusive.

Mr. Chair, I encourage all of my colleagues to support this effort of opposition to H.R. 806. It is, as many have called it, an effort that will continue to hold back progress.

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

Mr. SHIMKUS. Mr. Chairman, I yield myself the balance of my time.

I would first of all like to thank my colleague from New York who serves as the ranking member of the committee. We have done some good work together that we look forward to bringing to the floor in a more amicable setting. Obviously, this one is not. I wish it could have been, but so the public policy world goes.

Let me, in my remaining time, highlight some of the organizations that are supporting our action. Through the committee process, we had the Farm Bureau, the American Petroleum Institute, the American Fuel & Petrochemical Manufacturers, the Portland Cement Association, National Association of Manufacturers, and the U.S. Chamber of Commerce express the need to reform and modernize the Clean Air Act in order to encourage economic growth and job creation, because we understand that what has, also, a major impact on health and welfare is our citizens having good-paying jobs.

There is a focus on what we are trying to do as Republicans through the legislative process, and we want to reduce the tax burdens, to ease the regulatory burdens, and to create jobs so that all of our citizens are able to achieve their economic goals and aspirations.

We also received a letter today that I include in the RECORD from over 145 organizations and over close to 20 State chambers of commerce.

JULY 18, 2017.

Hon. MITCH MCCONNELL,  
Majority Leader, U.S. Senate,  
Washington, DC.

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

Hon. CHUCK SCHUMER,  
Minority Leader, U.S. Senate, Washington, DC.  
Hon. NANCY PELOSI,  
Minority Leader, House of Representatives,  
Washington, DC.

DEAR MAJORITY LEADER MCCONNELL,  
SPEAKER RYAN, AND MINORITY LEADERS



SCHUMER AND PELOSI: The undersigned, which represent a diverse group of industries from across the country, write to express our strong support for H.R. 806 and S. 263, the "Ozone Standards Implementation Act of 2017." This legislation provides a common-sense approach for implementing national ambient air quality standards, recognizes ongoing state efforts to improve air quality through a reasonable implementation schedule for the 2015 ozone standards, streamlines the air permitting process for businesses to expand operations and create jobs, and includes other reforms that bring more regulatory certainty to federal air quality standards. Additionally, the undersigned support language including certain elements of H.R. 806 and S. 263 included in the Fiscal Year 2018 Interior, Environment and Related Agencies Appropriations bill.

We have significant concerns that the 2015 ozone standards overlap with existing state plans to implement the 2008 ozone standards, leading to duplicative and wasteful implementation schedules, and unnecessary and severe economic impacts. The new ozone standards were promulgated in October 2015, only months after states received their final guidance from the Environmental Protection Agency (EPA) on how to implement the 2008 ozone standards. This delay was the result of the Obama administration's decision to halt work on the 2008 ozone standards during a 2010–2011 reconsideration period. The EPA, however, did not account for this self-imposed delay when issuing the 2015 ozone standards, thereby imposing duplicative costs and burdens of implementing multiple standards simultaneously. This is particularly wasteful as the EPA itself projects that nearly the entire country would attain the 2015 ozone standards simply by being provided an opportunity to fully implement already-planned measures like their state implementation plans for the 2008 ozone standards. Local economies also face severe impacts, as analysis of data indicates that the 2015 ozone standards could expand nonattainment to more than 950 counties if planned reductions are not allowed time to take effect, subjecting large parts of the country to costly nonattainment control requirements.

Notwithstanding concerns expressed by thousands of elected officials, state agencies, businesses, community groups, and other stakeholders, the EPA issued the 2015 ozone standards without addressing the overlap with the 2008 ozone standards and the enormous impacts that dual implementation would have on limited state resources, permitting, and the economy. It is now up to Congress to address these issues, and that is why we support H.R. 806 and S. 263. By better aligning the 2015 ozone standards with the 2008 ozone standards and their associated emissions reductions, H.R. 806 and S. 263 will help prevent unnecessary nonattainment designations and cost burdens, without sacrificing environmental protection. The legislation's permitting relief and other reforms are also an important step towards national ambient air quality standards that balance environmental protection and economic development.

In sum, H.R. 806 and S. 263 and the related appropriations language provide a common-sense plan that maintains continued air quality improvement without unnecessarily straining state and local economic resources.

We strongly encourage Congress to act quickly on this critical legislation.

Alabama Petroleum Council; Alaska Chamber; Alliance of Automobile Manufacturers; Alliance of Wyoming Manufacturers;

Aluminum Association; American Chemistry Council; American Coatings Association; American Coke and Coal Chemicals Institute; American Farm Bureau Federation; American Forest & Paper Association; American Fuel & Petrochemical Manufacturers; American Iron and Steel Institute; American Petroleum Institute; American Road & Transportation Builders Association (ARTBA); American Wood Council; Anderson Area Chamber of Commerce; Apache Junction Chamber of Commerce; API New York; API Ohio; API South Carolina.

Ardagh Group, Glass North America; Arizona Chamber of Commerce and Industry; Arizona Mining Association; Arkansas Petroleum Council; Ascension Chamber of Commerce; Associated Petroleum Industries of Michigan; Associated Petroleum Industries of Pennsylvania; Association of American Railroads; Baton Rouge Area Chamber; Buckeye Valley Chamber of Commerce; Carefree Cave Creek Chamber of Commerce; Cedar City Area Chamber of Commerce; Chandler Chamber of Commerce; Chemical Industry Council of California; Chemical Industry Council of Illinois; Chemistry Council of New Jersey; Colorado Association of Commerce & Industry; Colorado Oil & Gas Association; Colorado Petroleum Association; Colorado Petroleum Council.

Colorado Wyoming Petroleum Marketers Association; Connecticut Petroleum Council; Consumer Energy Alliance; Consumer Specialty Products Association; Council of Industrial Boiler Owners (CIBO); CVR Energy, Inc.; Delaware Petroleum Council; East Valley Chambers of Commerce Alliance; Fashion Jewelry & Accessories Trade Association; Flexible Packaging Association; Florida Petroleum Council; Fountain Hills Chamber of Commerce; Georgia Chemistry Council; Georgia Petroleum Council; Gilbert Chamber of Commerce; Glass Packaging Institute (GPI); Global Cold Chain Alliance; GPA Midstream Association; Grand Rapids Area Chamber of Commerce; Greater Bakersfield Chamber of Commerce.

Greater Baton Rouge Industry Alliance, Inc.; Greater Cheyenne Chamber of Commerce; Greater Coachella Valley Chamber of Commerce; Greater Flagstaff Chamber of Commerce; Greater North Dakota Chamber of Commerce; Greater Phoenix Chamber of Commerce; Greater Pittsburgh Chamber of Commerce; Illinois Petroleum Council; Independent Petroleum Association of America; Indiana Petroleum Council; Industrial Energy Consumers of America (IECA); Industrial Environmental Association; Industrial Minerals Association—North America; Institute of Makers of Explosives; Institute of Shortening and Edible Oils; Iowa Association of Business and Industry; Kansas Petroleum Council; Kentucky Association of Manufacturers; Kentucky Chamber of Commerce; Kentucky Chemical Industry Council.

Lodi District Chamber of Commerce; Louisiana Association of Business and Industry; Louisiana Chemical Association; Manufacture Alabama; Maryland Petroleum Council; Massachusetts Petroleum Council; Mesa Chamber of Commerce; Michigan Chemistry Council; Minnesota Petroleum Council; Missouri Petroleum Council; National Asphalt Pavement Association; National Association of Chemical Distributors; National Association of Manufacturers; National Cotton Council; National Council of Farmer Cooperatives; National Lime Association; National Mining Association; National Oilseed Processors Association; National Tooling and Machining Association; Nebraska Chamber of Commerce and Industry.

New Jersey Petroleum Council; New Mexico Association of Commerce & Industry; New York State Chemistry Council; North American Die Casting Association; North Carolina Petroleum Council; North Orange County Chamber; Ohio Chamber of Commerce; Ohio Chemistry Technology Council; Oklahoma State Chamber; Oregon Women In Timber; Owens Illinois, Inc.; Oxnard Chamber of Commerce; Pennsylvania Chamber of Business and Industry; Petroleum Marketers Association of America; Portland Cement Association; Precision Machined Products Association; Precision Metalforming Association; Queen Creek Chamber of Commerce; Rancho Cordova Chamber of Commerce; Roof Coatings Manufacturers Association (RCMA).

Salt Lake Chamber; San Gabriel Valley Economic Partnership; Scottsdale Area Chamber of Commerce; South Carolina Chamber of Commerce; South Carolina Manufacturers Alliance; Tempe Chamber of Commerce; Tennessee Chamber of Commerce & Industry; Tennessee Petroleum Council; Texas Association of Manufacturers; Texas Oil and Gas Association; The Fertilizer Institute; Treated Wood Council; Truck and Engine Manufacturers Association; Tucson Metro Chamber; Tulsa Regional Chamber; U.S. Chamber of Commerce; Utah Petroleum Association; Virginia Chamber of Commerce; Virginia Petroleum Council; West Baton Rouge Chamber of Commerce.

West Virginia Chamber of Commerce; West Virginia Manufacturers Association; West Virginia Petroleum Council; Wisconsin Manufacturers & Commerce; Wisconsin Petroleum Council; Wyoming Petroleum Marketers Association; Yuma County Chamber of Commerce.

Mr. SHIMKUS. If I may, in the middle paragraph it says: "We have significant concerns that the 2015 ozone standards overlap with existing State plans to implement the 2008 ozone standards, leading to duplicative and wasteful implementation schedules, and unnecessary and severe economic impacts. The new ozone standards were promulgated in October of 2015, only months after States received their final guidance from the Environmental Protection Agency on how to implement the 2008 ozone standards."

Mr. Chairman, I couldn't say it any better than that. This is not, as I have said a couple of times, a rolling back of our regulations. This is identifying the fact that 2008 standards were implemented. It took 7 years to do the implementation guidelines, and when those guidelines came out 3 months after that, the Federal Government, through the EPA said, oh, we are going to now ratchet it down 5 more parts per billion, which leads you to believe that people are trying to comply.

Other benefits of this bill address the fact that you could be in the remotest parts of the country and fall against the EPA and ozone standards based upon nothing that you can do. We have communities that are trying to comply, are doing great work, but they are receiving emissions outside of their control. Plus, they will be penalized for that.

So we look forward to continued debates. I know that there have been



amendments offered that we will consider.

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

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-26. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 806

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Ozone Standards Implementation Act of 2017”.

#### SEC. 2. FACILITATING STATE IMPLEMENTATION OF EXISTING OZONE STANDARDS.

##### (a) DESIGNATIONS.—

(1) *DESIGNATION SUBMISSION.*—Not later than October 26, 2024, notwithstanding the deadline specified in paragraph (1)(A) of section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)), the Governor of each State shall designate in accordance with such section 107(d) all areas (or portions thereof) of the Governor’s State as attainment, nonattainment, or unclassifiable with respect to the 2015 ozone standards.

(2) *DESIGNATION PROMULGATION.*—Not later than October 26, 2025, notwithstanding the deadline specified in paragraph (1)(B) of section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)), the Administrator shall promulgate final designations under such section 107(d) for all areas in all States with respect to the 2015 ozone standards, including any modifications to the designations submitted under paragraph (1).

(3) *STATE IMPLEMENTATION PLANS.*—Not later than October 26, 2026, notwithstanding the deadline specified in section 110(a)(1) of the Clean Air Act (42 U.S.C. 7410(a)(1)), each State shall submit the plan required by such section 110(a)(1) for the 2015 ozone standards.

##### (b) CERTAIN PRECONSTRUCTION PERMITS.—

(1) *IN GENERAL.*—The 2015 ozone standards shall not apply to the review and disposition of a preconstruction permit application if—

(A) the Administrator or the State, local, or Tribal permitting authority, as applicable, determines the application to be complete on or before the date of promulgation of the final designation of the area involved under subsection (a)(2); or

(B) the Administrator or the State, local, or Tribal permitting authority, as applicable, publishes a public notice of a preliminary determination or draft permit for the application before the date that is 60 days after the date of promulgation of the final designation of the area involved under subsection (a)(2).

(2) *RULES OF CONSTRUCTION.*—Nothing in this section shall be construed to—

(A) eliminate the obligation of a preconstruction permit applicant to install best available control technology and lowest achievable emission rate technology, as applicable; or

(B) limit the authority of a State, local, or Tribal permitting authority to impose more

stringent emissions requirements pursuant to State, local, or Tribal law than national ambient air quality standards.

#### SEC. 3. FACILITATING STATE IMPLEMENTATION OF NATIONAL AMBIENT AIR QUALITY STANDARDS.

(a) *TIMELINE FOR REVIEW OF NATIONAL AMBIENT AIR QUALITY STANDARDS.*—

(1) *TEN-YEAR CYCLE FOR ALL CRITERIA AIR POLLUTANTS.*—Paragraphs (1) and (2)(B) of section 109(d) of the Clean Air Act (42 U.S.C. 7409(d)) are amended by striking “five-year intervals” each place it appears and inserting “10-year intervals”.

(2) *CYCLE FOR NEXT REVIEW OF OZONE CRITERIA AND STANDARDS.*—Notwithstanding section 109(d) of the Clean Air Act (42 U.S.C. 7409(d)), the Administrator shall not—

(A) complete, before October 26, 2025, any review of the criteria for ozone published under section 108 of such Act (42 U.S.C. 7408) or the national ambient air quality standard for ozone promulgated under section 109 of such Act (42 U.S.C. 7409); or

(B) propose, before such date, any revisions to such criteria or standard.

(b) *CONSIDERATION OF TECHNOLOGICAL FEASIBILITY.*—Section 109(b)(1) of the Clean Air Act (42 U.S.C. 7409(b)(1)) is amended by inserting after the first sentence the following: “If the Administrator, in consultation with the independent scientific review committee appointed under subsection (d), finds that a range of levels of air quality for an air pollutant are requisite to protect public health with an adequate margin of safety, as described in the preceding sentence, the Administrator may consider, as a secondary consideration, likely technological feasibility in establishing and revising the national primary ambient air quality standard for such pollutant.”.

(c) *CONSIDERATION OF ADVERSE PUBLIC HEALTH, WELFARE, SOCIAL, ECONOMIC, OR ENERGY EFFECTS.*—Section 109(d)(2) of the Clean Air Act (42 U.S.C. 7409(d)(2)) is amended by adding at the end the following:

“(D) Prior to establishing or revising a national ambient air quality standard, the Administrator shall request, and such committee shall provide, advice under subparagraph (C)(iv) regarding any adverse public health, welfare, social, economic, or energy effects which may result from various strategies for attainment and maintenance of such national ambient air quality standard.”.

(d) *TIMELY ISSUANCE OF IMPLEMENTING REGULATIONS AND GUIDANCE.*—Section 109 of the Clean Air Act (42 U.S.C. 7409) is amended by adding at the end the following:

“(e) *TIMELY ISSUANCE OF IMPLEMENTING REGULATIONS AND GUIDANCE.*—

“(1) *IN GENERAL.*—In publishing any final rule establishing or revising a national ambient air quality standard, the Administrator shall, as the Administrator determines necessary to assist States, permitting authorities, and permit applicants, concurrently publish regulations and guidance for implementing the standard, including information relating to submission and consideration of a preconstruction permit application under the new or revised standard.

“(2) *APPLICABILITY OF STANDARD TO PRECONSTRUCTION PERMITTING.*—If the Administrator fails to publish final regulations and guidance that include information relating to submission and consideration of a preconstruction permit application under a new or revised national ambient air quality standard concurrently with such standard, then such standard shall not apply to the review and disposition of a preconstruction permit application until the Administrator has published such final regulations and guidance.

“(3) *RULES OF CONSTRUCTION.*—

“(A) Nothing in this subsection shall be construed to preclude the Administrator from issuing regulations and guidance to assist States, permitting authorities, and permit applicants in implementing a national ambient air quality standard subsequent to publishing regulations and guidance for such standard under paragraph (1).

“(B) Nothing in this subsection shall be construed to eliminate the obligation of a preconstruction permit applicant to install best available control technology and lowest achievable emission rate technology, as applicable.

“(C) Nothing in this subsection shall be construed to limit the authority of a State, local, or Tribal permitting authority to impose more stringent emissions requirements pursuant to State, local, or Tribal law than national ambient air quality standards.

“(4) *DEFINITIONS.*—In this subsection:

“(A) The term ‘best available control technology’ has the meaning given to that term in section 169(3).

“(B) The term ‘lowest achievable emission rate’ has the meaning given to that term in section 171(3).

“(C) The term ‘preconstruction permit’—

“(i) means a permit that is required under this title for the construction or modification of a stationary source; and

“(ii) includes any such permit issued by the Environmental Protection Agency or a State, local, or Tribal permitting authority.”.

(e) *CONTINGENCY MEASURES FOR EXTREME OZONE NONATTAINMENT AREAS.*—Section 172(c)(9) of the Clean Air Act (42 U.S.C. 7502(c)(9)) is amended by adding at the end the following: “Notwithstanding the preceding sentences and any other provision of this Act, such measures shall not be required for any nonattainment area for ozone classified as an Extreme Area.”.

(f) *PLAN SUBMISSIONS AND REQUIREMENTS FOR OZONE NONATTAINMENT AREAS.*—Section 182 of the Clean Air Act (42 U.S.C. 7511a) is amended—

(1) in subsection (b)(1)(A)(ii)(III), by inserting “and economic feasibility” after “technological achievability”; and

(2) in subsection (c)(2)(B)(ii), by inserting “and economic feasibility” after “technological achievability”; and

(3) in subsection (e), in the matter preceding paragraph (1)—

(A) by striking “The provisions of clause (ii) of subsection (c)(2)(B) (relating to reductions of less than 3 percent), the provisions of paragraphs” and inserting “The provisions of paragraphs”; and

(B) by striking “, and the provisions of clause (ii) of subsection (b)(1)(A) (relating to reductions of less than 15 percent)”; and

(4) in paragraph (5) of subsection (e), by striking “, if the State demonstrates to the satisfaction of the Administrator that—” and all that follows through the end of the paragraph and inserting a period.

(g) *PLAN REVISIONS FOR MILESTONES FOR PARTICULAR MATTER NONATTAINMENT AREAS.*—Section 189(c)(1) of the Clean Air Act (42 U.S.C. 7513a(c)(1)) is amended by inserting “, which take into account technological achievability and economic feasibility,” before “and which demonstrate reasonable further progress”.

(h) *EXCEPTIONAL EVENTS.*—Section 319(b)(1)(B) of the Clean Air Act (42 U.S.C. 7619(b)(1)(B)) is amended—

(1) in clause (i)—

(A) by striking “(i) stagnation of air masses or” and inserting “(i)(I) ordinarily occurring stagnation of air masses or (II)”; and

(B) by inserting “or” after the semicolon;

(2) by striking clause (ii); and

(3) by redesignating clause (iii) as clause (ii).

(i) *REPORT ON EMISSIONS EMANATING FROM OUTSIDE THE UNITED STATES.*—Not later than 24

months after the date of enactment of this Act, the Administrator, in consultation with States, shall submit to the Congress a report on—

(1) the extent to which foreign sources of air pollution, including emissions from sources located outside North America, impact—

(A) designations of areas (or portions thereof) as nonattainment, attainment, or unclassifiable under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)); and

(B) attainment and maintenance of national ambient air quality standards;

(2) the Environmental Protection Agency's procedures and timelines for disposing of petitions submitted pursuant to section 179B(b) of the Clean Air Act (42 U.S.C. 7509a(b));

(3) the total number of petitions received by the Agency pursuant to such section 179B(b), and for each such petition the date initially submitted and the date of final disposition by the Agency; and

(4) whether the Administrator recommends any statutory changes to facilitate the more efficient review and disposition of petitions submitted pursuant to such section 179B(b).

(j) STUDY ON OZONE FORMATION.—

(1) STUDY.—The Administrator, in consultation with States and the National Oceanic and Atmospheric Administration, shall conduct a study on the atmospheric formation of ozone and effective control strategies, including—

(A) the relative contribution of man-made and naturally occurring nitrogen oxides, volatile organic compounds, and other pollutants in ozone formation in urban and rural areas, including during wildfires, and the most cost-effective control strategies to reduce ozone; and

(B) the science of wintertime ozone formation, including photochemical modeling of wintertime ozone formation, and approaches to cost-effectively reduce wintertime ozone levels.

(2) PEER REVIEW.—The Administrator shall have the study peer reviewed by an independent panel of experts in accordance with the requirements applicable to a highly influential scientific assessment.

(3) REPORT.—The Administrator shall submit to Congress a report describing the results of the study, including the findings of the peer review panel.

(4) REGULATIONS AND GUIDANCE.—The Administrator shall incorporate the results of the study, including the findings of the peer review panel, into any Federal rules and guidance implementing the 2015 ozone standards.

#### SEC. 4. APPLICABILITY OF SANCTIONS AND FEES IF EMISSIONS BEYOND CONTROL.

The Clean Air Act (42 U.S.C. 7401 et seq.) is amended by inserting after section 179B the following new section:

##### “SEC. 179C. APPLICABILITY OF SANCTIONS AND FEES IF EMISSIONS BEYOND CONTROL.

“(a) IN GENERAL.—Notwithstanding any other provision of this Act, with respect to any nonattainment area that is classified under section 181 as severe or extreme for ozone or under section 188 as serious for particulate matter, no sanction or fee under section 179 or 185 shall apply with respect to a State (or a local government or source therein) on the basis of a deficiency described in section 179(a), or the State's failure to attain a national ambient air quality standard for ozone or particulate matter by the applicable attainment date, if the State demonstrates that the State would have avoided such deficiency or attained such standard but for one or more of the following:

“(1) Emissions emanating from outside the nonattainment area.

“(2) Emissions from an exceptional event (as defined in section 319(b)(1)).

“(3) Emissions from mobile sources to the extent the State demonstrates that—

“(A) such emissions are beyond the control of the State to reduce or eliminate; and

“(B) the State is fully implementing such measures as are within the authority of the State to control emissions from the mobile sources.

“(b) NO EFFECT ON UNDERLYING STANDARDS.—The inapplicability of sanctions or fees with respect to a State pursuant to subsection (a) does not affect the obligation of the State (and local governments and sources therein) under other provisions of this Act to establish and implement measures to attain a national ambient air quality standard for ozone or particulate matter.

“(c) PERIODIC RENEWAL OF DEMONSTRATION.—For subsection (a) to continue to apply with respect to a State or local government (or source therein), the State involved shall renew the demonstration required by subsection (a) at least once every 5 years.”.

#### SEC. 5. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) BEST AVAILABLE CONTROL TECHNOLOGY.—The term “best available control technology” has the meaning given to that term in section 169(3) of the Clean Air Act (42 U.S.C. 7479(3)).

(3) HIGHLY INFLUENTIAL SCIENTIFIC ASSESSMENT.—The term “highly influential scientific assessment” means a highly influential scientific assessment as defined in the publication of the Office of Management and Budget entitled “Final Information Quality Bulletin for Peer Review” (70 Fed. Reg. 2664 (January 14, 2005)).

(4) LOWEST ACHIEVABLE EMISSION RATE.—The term “lowest achievable emission rate” has the meaning given to that term in section 171(3) of the Clean Air Act (42 U.S.C. 7501(3)).

(5) NATIONAL AMBIENT AIR QUALITY STANDARD.—The term “national ambient air quality standard” means a national ambient air quality standard promulgated under section 109 of the Clean Air Act (42 U.S.C. 7409).

(6) PRECONSTRUCTION PERMIT.—The term “preconstruction permit”—

(A) means a permit that is required under title I of the Clean Air Act (42 U.S.C. 7401 et seq.) for the construction or modification of a stationary source; and

(B) includes any such permit issued by the Environmental Protection Agency or a State, local, or Tribal permitting authority.

(7) 2015 OZONE STANDARDS.—The term “2015 ozone standards” means the national ambient air quality standards for ozone published in the Federal Register on October 26, 2015 (80 Fed. Reg. 65292).

#### SEC. 6. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 115-229. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. CASTOR OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 115-229.

Ms. CASTOR of Florida. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of section 2, add the following new subsection:

(c) LIMITATION.—This section shall not apply if the Clean Air Scientific Advisory Committee finds that application of subsection (a) could increase (especially for vulnerable populations such as children, seniors, pregnant women, outdoor workers, and minority and low-income communities) any of the following:

(1) Asthma attacks.

(2) Hospitalization and emergency room visits for those with respiratory disease or cardiovascular disease.

(3) The risk of preterm birth, babies born with low birth weight, or impaired fetal growth.

(4) The risk of heart attacks, stroke, or premature death.

(5) Reproductive, developmental, or other serious harms to human health.

The Acting CHAIR. Pursuant to House Resolution 451, the gentlewoman from Florida (Ms. CASTOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. CASTOR of Florida. Mr. Chair, my amendment seeks to ensure that American families aren't forced to pick up the costs of air pollution that should be rightfully borne by polluters. My amendment seeks to protect kids across America, our older neighbors, and the most vulnerable to smog and dirty air.

My amendment says that the Republicans' “Smoggy Skies Act” will not take effect if the EPA Clean Air Scientific Advisory Committee finds negative impacts on individuals with asthma, bronchitis, COPD, and other health conditions, particularly in children and our older neighbors, pregnant women, folks who work outdoors, and those in working-class communities.

Mr. Chairman, Americans value their health and they value America's landmark Clean Air Act. Earlier this year, the American Lung Association released a new poll showing that 61 percent of all Americans support stronger smog standards and clearly oppose this dirty-air policy.

Harold P. Wimmer, national president and CEO of the American Lung Association, said: “More than half of all Americans breathe polluted air, putting them at risk of asthma attacks, respiratory infections, and premature death.”

The public wants clean, healthy air. It is no surprise that American voters strongly support maintaining safeguards to protect their health from the dangers of ozone pollution.

I have seen great improvement in the air quality over my lifetime back home in Tampa, Florida. We have heard in front of our committee and heard from folks through social media, from Democrats and Republicans here today, how much they value clean air and how much progress we have seen. Yet, according to the Florida KIDS COUNT Data book, in 2016, asthma emergency department visits reached over 48,000 in my State, and hospitalizations are in the thousands and thousands. That takes a toll, and it is very costly. Florida is not alone. This affects all Americans.

Mr. Chairman, you might have heard during general debate that I referenced a new, very important study that came out at in the month of June in the New England Journal of Medicine. Here is a press report that summarizes the study.

The title of the story is: "U.S. Air Pollution Still Kills Thousands Every Year, Study Concludes.

"The air Americans breathe has been getting cleaner for decades.

"But air pollution is still killing thousands in the U.S. every year. . . .

"We are now providing bullet-proof evidence that we are breathing harmful air," says Francesca Dominici, a professor of biostatistics at the Harvard T.H. Chan School of Public Health, who led the study. 'Our air is contaminated.'

"Dominici and her colleagues set out to do the most comprehensive study to date assessing the toll that air pollution takes on American lives.

"The researchers used data from Federal air monitoring stations as well as satellites to compile a detailed picture of air pollution down to individual ZIP Codes. They then analyzed the impact of very low levels of air pollution on mortality, using data from 60 million Medicare patients from 2000 to 2012."

They said: "About 12,000 lives could be saved each year . . . by cutting the level of fine particulate matter nationwide by just 1 microgram per cubic meter of air below current standards.

Dominici said: "It's very strong, compelling evidence that, currently, the safety standards are not safe enough."

And yet, Republicans want to take us backwards. They are going to side with polluters over the health of American families, and I think that is wrong.

The proposed rollbacks by the Trump administration and this Republican Congress are simply a costly, dirty air policy. Repealing clean air rules will bring about disastrous health and economic damage to not only the folks I represent back home in Florida, but all across the country.

So let's be clear. Ozone, or smog, is a corrosive gas that forms when emissions from smokestacks and tailpipes cook in the heat and sunlight. It triggers asthma and other respiratory ill-

nesses. It is very expensive. It is not fair for Republicans to let polluters off the hook and shift costs to hard-working American families.

So if you believe in clean air in our great country, support my amendment. If you believe environmental protection based on science, support my amendment. If you want to stand with American families over polluters who seek shortcuts, support the Castor amendment.

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

Mr. SHIMKUS. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, I appreciate my colleague, and I don't question her passion and her evaluation of her perception about what we are doing.

But again, as I have said in general debate, nothing in this bill rolls back the 2008 standards; nothing rolls back the 2015 standards. The attempt is to say: Why is it so difficult to believe that we should meet the 2008 standards and give our communities time to do that before we throw on them a new 2015 standard? So that is the basic premise.

This amendment would allow the advisory panel to nullify one of the central provisions of the bill, section 2(a), which allows States to fully implement the 2008 ozone standards for which EPA only issued the implementing regulations in 2015 before turning to 2015.

So EPA says meet the 2008 standards. Delay, delay, delay; don't know how to do it; no guidelines. 2015 comes, they say meet the 2008 standards; 3 months later, oh, but now we have got 2015 standards we want you to comply with. That is the basic premise of this bill.

□ 1545

Ozone air quality will continue to improve under H.R. 806. Regarding the 2015 standards, the EPA projects the vast majority of U.S. counties will meet the 2015 ozone standards by 2025 just with the rules and programs now in place or underway.

The bill ensures hundreds of counties are on track to meeting the 2015 standards, and that can come into compliance without being subjected to additional regulatory burdens, paper requirements, or restrictions, which will not do anything to improve public health.

The bill also does not limit States from imposing more stringent emission requirements if a State finds that such a condition exists in section 2. Nowhere does the bill authorize States to increase their emissions. This is not about continuing to improve air quality in a manner that doesn't require the States to duplicate paperwork requirements.

Since 1980, ozone levels have declined 32 percent, and as we talk about in the environmental process, the low-hanging fruit has been picked. It gets more and more difficult as you start reducing the standards time, effort, energy, and technology.

So with the reduction of 32 percent by 1980, the EPA projects air quality "will continue to improve over the next decade as additional reductions in ozone precursors from power plants, motor vehicles, and other sources are realized."

Nothing in the pending bill prevents these improvements to air quality from being realized.

Mr. Chairman, I urge a "no" vote on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. CASTOR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. CASTOR of Florida. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Florida will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. TONKO

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 115-229.

Mr. TONKO. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike subsection (b) of section 3 (relating to consideration of technological feasibility) and make such conforming changes as may be necessary.

The Acting CHAIR. Pursuant to House Resolution 451, the gentleman from New York (Mr. TONKO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. TONKO. Mr. Chair, my amendment strikes subsection (b) of section 3, which would allow the EPA to consider technological feasibility when determining what level of pollution is safe.

Health-based standards are the cornerstone of the Clean Air Act—health-based. The EPA sets NAAQS at levels sufficient to protect the public health, essentially, the level of ambient air pollution that is safe to breathe.

While costs are not considered in establishing these standards, costs can be—and are considered—in developing plans to achieve the necessary pollution reductions to meet the standards.

Unfortunately, H.R. 806, as currently drafted, would change the longstanding criteria for establishing an air quality standard from one that is based solely

on protecting public health to one that includes a consideration of the technological feasibility. This issue has been long debated and settled by Congress.

Since passage of the Clean Air Act in 1970, including the 1990 Clean Air Act Amendments, Congress has excluded technological feasibility considerations from standard setting to ensure that public health—and public health alone—would determine the standards for air quality.

In 1970, on the passage of the Clean Air Act, Senator Ed Muskie from Maine said: “The first responsibility of Congress is not the making of technological or economic judgments—or even to be limited by what is or appears to be technologically or economically infeasible. Our responsibility is to establish what the public interest requires to protect the health of persons. This may mean that people and industries will be asked to do what seems to be impossible at present time. But if health is to be protected, these challenges must be met.”

For approaching five decades, that has been the guiding tenet of the Clean Air Act: what is in the betterment of public health.

Guided by this principle, our Nation has experienced a 70 percent reduction in key air pollutants while tripling the size of the economy.

I believe that a great deal of this success can be credited to American innovation. Despite assertions that achieving clean air was not feasible, American ingenuity has consistently risen to the challenge and made our country the leader in both clean air and clean air technology.

Unquestionably, these standards have driven innovation, creating a thriving domestic pollution control industry.

So I ask my colleagues who are in favor of this measure: What is it about a can-do attitude that you don't get? Why is it that you have a lack of trust in the power of American ingenuity?

Had these standards not been ambitious and focused solely on public health, we may still be relying upon the technology from the 1970s and breathing the poor air quality from that era along with it.

Available technologies cannot and should not determine what we can have in terms of clean air. Let's have the scientific and medical experts guide us, and I have confidence that our engineers and innovators will find that way. The history of those protections that we enjoy has been to set ambitious, but achievable, goals. We have achieved those goals, and we have much cleaner air to show for it. Let's not roll back this process.

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

Mr. OLSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. OLSON. Mr. Chairman, Texans like me believe that facts are little, persistent things. With all due respect to my colleagues on the other side of the aisle, apparently, facts are annoying little things. Here are the facts about section 3(b) of my bill:

Section 3(b) states that if the EPA Administrator, in consultation with the EPA's independent scientific advisory committee, finds a range of levels of air quality that are needed to protect public health with an adequate margin of safety, then “the Administrator may . . .”—the Administrator may, not shall, not must, may—“as a secondary consideration, likely technological feasibility in establishing and revising the national primary ambient air quality standard for this pollutant.”

Again, it clearly says may, not shall, not must, but may.

H.R. 806 does not change the Clean Air Act's requirement that standards be based on the protection of public health. Again, H.R. 806 does not change the Clean Air Act's requirement that standards be based on the protection of public health. This bill simply clarifies that the EPA Administrator has the discretion to consider technological feasibility when choosing among a range of levels identified and supported by science as protective of public health.

This is a clarification for all future Administrators—Democrat or Republican—that Congress considers technical feasibility to be a reasonable part of the decisionmaking process with policy choices. These policy choices must be made among a range of scientifically valid options.

Again, facts are little, persistent things, and these are the facts about section 3(b) of H.R. 806.

Mr. Chairman, I urge a “no” vote on this amendment, and I yield back the balance of my time.

Mr. TONKO. Mr. Chairman, I think the insertion of discretion of the Administrator at the EPA as to the technological and economical availability, achievable qualities being inserted into this bill tells me—my interpretation is that the Administrator may not—the Administrator may not, may not—side with the residents—with the people of this country and their right to breathe clean air.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. TONKO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. TONKO. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. BEYER

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 115–229.

Mr. BEYER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike subsection (h) of section 3 (relating to exceptional events).

The Acting CHAIR. Pursuant to House Resolution 451, the gentleman from Virginia (Mr. BEYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BEYER. Mr. Chairman, my amendment would strike the language that weakens the definition of exceptional events for air quality monitoring data. We know that air quality monitoring data is incredibly important and that Americans value clean air.

I am a businessman, and it is axiomatic that we can't manage what we can't measure.

Just last month, The New England Journal of Medicine published a study that showed long-term exposure to air pollution increases mortality for all Americans, but particularly those that are self-identified as racial minorities or people with low incomes.

That is why the EPA is responsible for setting the National Ambient Air Quality Standards, or NAAQS, for outdoor—ambient—air to protect our public health and the environment.

When States and the EPA identify areas that do not meet the standards, States prepare their own plans specifying how they will reach attainment in those areas.

States are currently allowed to exclude monitoring data for periods affected by exceptional events—exceptional events like forest fires or unusual weather conditions, volcanos or seismic activities. They can exclude this data from the measurements used to make designation decisions. This is appropriate and it makes sense.

I think volcanos are exceptional. But this bill changes the exceptions provision in dangerous ways. It changes the definition of what qualifies as exceptional. Instead of exceptional, call it routine. Stagnant air, high temperature, or a lack of precipitation are not exceptional events, but they would be considered exceptional by this bill.

We live in Washington, D.C., with a record number of days of high temperatures this summer already. But this fact shouldn't exempt D.C. from keeping accurate NAAQS data.

Pretending that a heat wave is exceptional or that bad air quality is not harmful to people's health doesn't make it so. Climate change, global warming, and more frequent heat

waves are likely to be the reality of our Earth today. So weakening this definition means that, by default, over time, States will never need to be in compliance with the NAAQS. They can say it is an exceptional event.

So, frustratingly, by weakening this definition of exceptional events, we nullify the standards altogether.

None of us wants to see the disastrous smog events—think of China and India—erupt here in America. So by supporting this amendment, we keep our commitment to the American people to support clean air. We shouldn't weaken our definition of exceptional events to incorporate everyday air occurrences like heat waves.

If this provision becomes law, it can mean more asthma attacks, cardiovascular and respiratory harm, emergency visits, and even early deaths from ozone pollution. So please support my amendment. It is important that if we have standards that they actually mean something. Exceptional is defined as unusual. Exceptional does not mean typical. Let's keep it that way.

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

Mr. SHIMKUS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, under the Clean Air Act, section 319 provides relief to areas that violate National Ambient Air Quality Standards due to unusual or naturally occurring events as that they cannot control.

Section 3(h) would add—and I would argue strengthens the definition—droughts and extraordinary stagnation to the act's definition of an exceptional event.

Let me give you an example. In 2012, there was a major drought in the Midwest. Now, I am from corn country, and we don't irrigate our corn because we have got great soil, and we have got weather conditions for most of the years that provide plentiful rain for that to happen. But that didn't happen in 2012. It was an extraordinary event. It was a drought.

Now the question is posed: Should we punish the communities for an extraordinary event; i.e., a drought that is out of the control of any human being?

It is an "extraordinary event." This language would provide reasonable relief for States in this condition, particularly those in the Western United States for, as I said, events beyond their control.

Nothing in H.R. 806 does away with the detailed statutory requirements under section 319(h) of the Clean Air Act for demonstrating "an exceptional event." Nor does anything in the bill do away with the detailed regulatory procedures and guidelines that the EPA has laid out for demonstrating exceptional events or the requirements to

measure air quality or to make that air quality data available to the public.

□ 1600

This provision simply ensures citizens in areas experiencing unusual or natural occurring events beyond their control do not become subject to penalties or sanctions under the Clean Air Act as a result of those events.

Mr. Chair, I urge a "no" vote on this amendment, and I reserve the balance of my time.

Mr. BEYER. Mr. Chairman, I thank the gentleman for the perspective on corn. As someone who very much respects American agriculture, the worst thing is to have a drought.

Around here, climate change is pretty controversial. We seem to slowly be moving in the recognition that it is real, whether we believe that it is caused by man or not. However, one of the things that we see around the world with climate change is the ever-increasing frequency of droughts.

The existing language in the original bill says that droughts and lack of precipitation are not considered exceptional events. Certainly, if they weren't exceptional before, they are going to be even less exceptional as we move into the future.

I appreciated the debate on the last amendment from my friend, Mr. TONKO, where he talked about the EPA Administrator saying: May, may, may. Well, this is a case where the last thing we want to do is make something like a drought a typical event. It is not going to be exceptional in the years to come.

So, let's preserve these. The EPA Administrator will always have an opportunity in the case of a drought once every 100 years to say that is, in fact, exceptional.

Mr. Chair, I urge adoption of this amendment, and I yield back the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I appreciate my colleague. Again, he was on the floor when I talked about the great work I do with subcommittee members. Obviously, this is part of the debate where we are agreeing to disagree.

I will just say that air quality standards are put in place so that there are things that we can effect and we can deal with through mobile emissions, as you would probably know about, as stationary sources.

Exceptional events, such as droughts, are out of our control. That is why we think it should be placed into the language. We do believe it strengthens the provision of the law, doesn't weaken it.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BEYER).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. BEYER. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 115-229.

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Redesignate sections 5 and 6 as sections 6 and 7, respectively.

Insert after section 4 the following:

**SEC. 5. BRINGING REDUCTIONS TO ENERGY'S AIRBORNE TOXIC HEALTH EFFECTS.**

(a) REPEAL OF EXEMPTION FOR AGGREGATION OF EMISSIONS FROM OIL AND GAS SOURCES.—Section 112(n) of the Clean Air Act (42 U.S.C. 7412(n)) is amended by striking paragraph (4).

(b) HYDROGEN SULFIDE AS A HAZARDOUS AIR POLLUTANT.—The Administrator of the Environmental Protection Agency shall—

(1) not later than 180 days after the date of enactment of this Act, issue a final rule adding hydrogen sulfide to the list of hazardous air pollutants under section 112(b) of the Clean Air Act (42 U.S.C. 7412(b)); and

(2) not later than 365 days after a final rule under paragraph (1) is issued, revise the list under section 112(c) of such Act (42 U.S.C. 7412(c)) to include categories and subcategories of major sources and area sources of hydrogen sulfide, including oil and gas wells.

The Acting CHAIR. Pursuant to House Resolution 451, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

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

Mr. Chair, since the Republicans are talking about a bill that makes the Clean Air Act work better, even though, in many ways, that is the opposite of what the bill does, I have offered an amendment that will actually do that. It will make the Clean Air Act work better to keep our air clean so we can breathe more freely, reduce asthma rates, and reduce cancer rates.

My amendment would very simply close a very glaring loophole that our current Clean Air Act has—a loophole that every day harms the freshness of the air and the health of my constituents in my State and so many others across the country.

My amendment, which is based off of legislation that I have introduced, along with many other cosponsors, four times, including in this Congress, called the BREATHE Act, would close the oil and gas industry's loophole to the Clean Air Act's aggregation requirement.

Currently, oil and gas operations, like the one here, are completely exempt from the aggregation requirement in the Clean Air Act. Under the

aggregation requirement, small air pollution sources that cumulatively reduce as much air pollution as major sources, like a power plant, are actually rounded out entirely of the protections of the Clean Air Act. Oil and gas is exempt, and they shouldn't be.

While one site like this has emissions that are significant, you can imagine having 20,000 of these in one county, which we do in my home State of Colorado, and that cannot conceivably be rounded down to zero. That is the equivalent of several large power plants. We should look at them in the aggregate, where they are close to one another geographically.

The aggregation requirement is actually intended to protect the public from small air pollution sources that might individually seem innocuous, but cumulatively account for large volumes of toxic substances that are put in the air.

We have areas of Wyoming and northern Colorado that have worse air quality than Los Angeles, not because of one or two or ten extraction sites, but because of tens of thousands within an immediate vicinity.

The oil and gas industry currently does not have to aggregate or pull together its small air pollution sources. They round them down to zero. Rounding one or two down to zero is not an issue. Rounding 20,000 in one county down to zero leads to dirtier air, higher asthma, higher cancer rates.

If we round down every fracking pad to zero in an area where there are 100 of them, zero times 100 is still zero. But if we multiply a small amount of pollutants times 100, that can equal a great deal of pollutants, not to mention times 1,000, times 10,000. This provides a more holistic fix to make sure that our air is clean.

My amendment also adds hydrogen sulfide to the Clean Air Act's Federal List of Hazardous Air Pollutants, which was originally on the list but was, in my opinion, wrongly removed by Congress. The Clean Air Act completely exempts hydrogen sulfide from the list, even though hydrogen sulfide already has been scientifically associated as the cause of a number of health issues, including nausea; vomiting; headaches; and irritation of the eyes, nose, and throat.

Hydrogen sulfide often may be released from well heads, pumps, piping, storage tanks, and flaring, which is what we are seeing here. In fact, 15 to 20 percent of all natural gas wells emit hydrogen sulfide, even though control technologies are inexpensive and are already deployed to curtail those hydrogen sulfide emissions.

This amendment ensures our oil and gas industry takes the measures that we need to avoid the release of hydrogen sulfide into communities by adding hydrogen sulfide to the List of Hazardous Air Pollutants and by listing oil

and gas wells as a source of hydrogen sulfide.

My amendment simply makes the Clean Air Act work better. You can't round something significant down to zero, when you have a lot of them concentrated in a particular area. Of course, there is an impact on air quality from 1,000 or 10,000 wells that operate in one county.

Mr. Chair, I encourage my colleagues to vote "yes" on my amendment, and I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR (Mr. TIPTON). The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, the subject of H.R. 806 is criteria pollutants and the National Ambient Air Quality Standards program, not the hazardous air pollutants programs, which my colleague is referring to.

These two programs are addressed under different sections of the Clean Air Act. The whole title is Clean Air Act, but you have one section here dealing with national ambient air quality, and then you have another section on hazardous air aspects, which is what my colleague is trying to address. Criteria pollutants are addressed under section 107 and 110 and part C and D of title 1 of the Clean Air Act, while hazardous air pollutants fall under section 12.

This amendment, moreover, is wholly unrelated to the purpose of H.R. 806, which is to provide State regulators with additional time and flexibility, as we have heard throughout this debate, to implement ozone and other standards for criteria pollutants.

H.R. 806 makes process-related reforms to address practical implementation challenges identified by State regulators. This amendment would make substantive changes relating specifically to regulation of the oil and gas sector.

This amendment would make significant changes to the Clean Air Act that did not receive any Energy and Commerce Committee consideration during the markup of this bill.

The amendment would also circumvent the established regulatory process for listing new hazardous air pollutants set forth under the Clean Air Act.

Mr. Chair, I urge a "no" vote on this amendment, and I reserve the balance of my time.

Mr. POLIS. Mr. Chair, I would like to point out that the Rules Committee granted the necessary waivers to allow this amendment to be considered, as they often do, and this amendment was also considered in a similar bill last session. That is because it is relevant to the subject matter at hand. The Rules Committee often waives those requirements.

This bill, as he pointed out, does two different things, both appearing in different sections of the Clean Air Act.

My amendment will, very simply, make sure that oil and gas operators play by the same rules as other industries. It doesn't mean that flaring won't occur. It will, and it does. For those of us who live in and around fracking, that is a fact of life. What it means is, whereas, you have the argument the industry has made that if you have one or two of these sites and you round the profile of emissions down to zero, just simply doesn't hold water when you have 1,000 or 10,000 active wells in a very limited area. We can't round that down to zero. It is simple math. The profile of emissions from that site is greater than several large power plants, if you have 10,000 wells.

Mr. Chair, I strongly urge my colleagues to vote "yes" on this amendment, and I yield back the balance of my time.

Mr. SHIMKUS. Mr. Chairman, to my colleague from Colorado, sitting in with the Rules Committee yesterday, the question was asked: Would you accept this amendment or would you not? I said: I appreciate my colleagues on the Rules Committee. They will do the due diligence in agreeing which amendment comes to the floor or not.

So it is good to see the Rules Committee has so much comradery and comity that they would allow someone from the committee to offer an amendment on the bill, but I still have to object because it splits this bill and tries to bring in air issues that are in the hazardous air program and jam it into this one where, basically, what we are trying to do is send a signal and allow communities to meet the 2008 standards before a new 2015 standard gets placed upon them 3 months after they do the implementing guidelines.

It is really a process, a bill that makes it easier for people to comply. It really helps EPA more easily be able to evaluate the data and move us forward to a cleaner environment.

Mr. Chair, I reluctantly hold my position that we should vote against the Polis amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POLIS. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. MCNERNEY

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 115-229.

Mr. MCNERNEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.



The text of the amendment is as follows:

Strike section 6.

The Acting CHAIR. Pursuant to House Resolution 451, the gentleman from California (Mr. McNERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

Mr. Chairman, this is an easy amendment to argue because it makes so much sense.

I am going to ask to strike section 6 of the bill. Let me read that section: "No additional funds are authorized to be appropriated to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized."

In other words, they are going to be carried out without any funds.

Mr. Chairman, I am going to move forward here and make the statement that the administration and House Republicans continue to add to the EPA's workload while cutting funding and hampering State and local agencies from providing the resources needed to protect public health.

□ 1615

This is surely unreasonable. In the case of H.R. 806, it will continue to obstruct the EPA's ability to advance and improve our Nation's air and water quality. My congressional district has extremely poor air quality, which has caused a variety of health issues for my constituents.

This bill does weaken the Clean Air Act. Specifically, it targets the implementation and enforcement of air pollution health standards. It also negatively impacts the budget for programs necessary to ensure that Americans can breathe the clean air.

This bill is in stark opposition to the public's overwhelming support of the Clean Air Act. According to the Center for American Progress, the Trump administration's EPA budget, which cuts more than \$2 billion from the Agency's budget, shifts the cost of implementing clean air standards to the States. All of these cuts would be harmful to the 649,000 children and more than 2 million adults with asthma living in California.

Every State agency that testified before the Energy and Commerce Subcommittee on the Environment stated that more, not less, money is needed and that the Clean Air Act was working to protect the public's health and safety.

I represent one of the worst air quality regions in the Nation, the San Joaquin Valley, and yet the San Joaquin Valley air district has been a leader in utilizing EPA grants and expertise to achieve emissions reductions from mo-

bile sources, showing that this funding is beneficial. The valley continues to set emission levels to record lows and has reduced air pollution by over 80 percent. This data proves that the Clean Air Act works and creates a better standard of living for all Americans.

The American Lung Association issued a State of the Air report for 2017 in the State of California. Most of its 28 counties received an F for air quality. We should be striving for better air quality.

Grants like the EPA's Targeted Air Shed Grants and Diesel Emission Reductions Act help thousands of agriculture, trucking, and other businesses acquire low-emitting tractors, trucks, and other equipment. This funding generates jobs and manufacturing here in the United States. These Federal funds have a great track record of benefiting our region, and it is a good investment.

EPA estimates that for every dollar spent on DERA, more than \$20 in health benefits are generated. That is \$20 of health benefits for every dollar invested. All 50 States have these programs.

I also want to highlight how this bill, combined with other efforts by the Trump administration, will continue to negatively impact air quality and public health.

Our States have made tremendous progress and a significant investment toward addressing climate change and public health. However, the Ozone Standards Implementation Act would take a step backward, destroying much of the progress, leading to a greater harm to public health and our economy.

I urge a "yes" vote on this amendment, and I reserve the balance of my time.

Mr. OLSON. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. OLSON. Mr. Chair, first of all, I appreciate my colleagues's challenge back in the San Joaquin Valley. It is a very tough place with ozone.

Fresno County is extreme for ozone, the San Joaquin Valley; Kern County is extreme for ozone, the San Joaquin Valley; Kings County is extreme for ozone, the San Joaquin Valley; Madera County is extreme for ozone, the San Joaquin Valley; Merced County is extreme for ozone, the San Joaquin Valley; Stanislaus County is extreme for ozone, the San Joaquin Valley; Tulare County is extreme for ozone, the San Joaquin Valley. That is a tough problem for your own district in the San Joaquin Valley, but your amendment does not fix this problem in any way.

Under this bill, the amount of resources that EPA needs to review proposed nonattainment designations and

approving complex State implementation plans under 2015 ozone standards will be greatly reduced. EPA will do more with less. Therefore, EPA will be able to carry out the new requirements of this bill within existing authorizations, helping out the San Joaquin Valley.

This amendment is unnecessary because the bill will reduce the implementation costs by eliminating redundant and overlapping Federal regulatory requirements. Less red tape means lower implementation costs.

States testified that the bill will reduce the cost of EPA in their existing ozone programs while continuing to improve air quality and reduce ozone emissions. Our States have an excellent track record for cost-effective emission reductions over the last several decades.

The State of Maine sums up the point of this bill exactly, and they have very little ozone problems. The director of Maine's Bureau of Air Quality testified before our committee:

The changes, as proposed, in H.R. 806 to delay final designations under the 2015 standard until 2025 and to extend the timeframe for standard review from 5 to every 10 years, including concurrently published clearly defined implementing regulations, would allow the due process to be followed and fulfilled. This would more effectively and efficiently utilize Federal, State, and individual facility resources to establish a standard and work for the improvement of air quality and the protection of the people of our Nation.

This amendment is unnecessary. I urge my colleagues to oppose it, and I reserve the balance of my time.

Mr. McNERNEY. Mr. Chair, how much time is remaining?

The Acting CHAIR. The gentleman from California has 1 minute remaining, and the gentleman from Texas has 1 minute remaining.

Mr. McNERNEY. Mr. Chair, I appreciate my colleague and friend from Texas pointing out that we have counties in San Joaquin Valley that have extreme ozone problems, but to ask to do more with less is not reasonable. It is the DERA grants given to the counties from the EPA's budget that have allowed the agencies to have the 80 percent reduction in air pollution.

So taking that money away is not going to help. It is going to make matters worse. Our agencies aren't going to be able to do the things that they have been able to do, and they are not going to be able to continue those things. So I think saying that we can't put more money into air pollution reduction is not the answer. We need to be able to spend money to do this.

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

Mr. OLSON. Mr. Chairman, this bill ensures that EPA has the money to help the San Joaquin Valley and every part of America that is nonattainment for ozone with the funds they need as quickly as possible. EPA will be more



and more and more efficient. I urge opposition to this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. McNERNEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. McNERNEY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

#### AMENDMENT NO. 6 OFFERED BY MR. McNERNEY

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 115-229.

Mr. McNERNEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Air and Health Quality Empowerment Zone Designation Act of 2017”.

#### SEC. 2. AIR AND HEALTH QUALITY EMPOWERMENT ZONES.

(a) DESIGNATION OF AIR AND HEALTH QUALITY EMPOWERMENT ZONES.—

(1) IN GENERAL.—The Administrator may designate an area as an air and health quality empowerment zone if—

(A) the air pollution control district or other local governmental entity authorized to regulate air quality for the area submits an application under paragraph (2) nominating the area for such designation; and

(B) the Administrator determines that—

(i) the information in the application is reasonably accurate; and

(ii) the nominated area satisfies the eligibility criteria described in paragraph (3).

(2) NOMINATION.—To nominate an area for designation under paragraph (1), the air pollution control district or other local governmental entity authorized to regulate air quality for the area shall submit to the Administrator an application that—

(A) demonstrates that the nominated area satisfies the eligibility criteria described in paragraph (3); and

(B) includes a strategic plan that—

(i) is designed for—

(I) addressing air quality challenges and achieving attainment of air quality standards in the area; and

(II) improving the health of the population in the area;

(i) describes—

(I) the process by which the district or local governmental entity is a full partner in the process of developing and implementing the strategic plan; and

(II) the extent to which local institutions and organizations have contributed to the planning process;

(iii) identifies—

(I) the amount of State, local, and private resources that will be available for carrying out the strategic plan; and

(II) the private and public partnerships to be used (which may include participation by,

and cooperation with, institutions of higher education, medical centers, and other private and public entities) in carrying out the strategic plan;

(iv) identifies the funding requested under any Federal program in support of the strategic plan;

(v) identifies baselines, methods, and benchmarks for measuring the success of the strategic plan; and

(vi) includes such other information as may be required by the Administrator; and

(C) provides written assurances satisfactory to the Administrator that the strategic plan will be implemented.

(3) ELIGIBILITY CRITERIA.—To be eligible for designation under paragraph (1), an area must meet all of the following criteria:

(A) NONATTAINMENT.—The area has been designated as being—

(i) in extreme nonattainment of the national ambient air quality standard for ozone; and

(ii) in nonattainment of the national ambient air quality standard for PM<sub>2.5</sub>.

(B) UNIQUE SOURCES.—The area had—

(i) emissions of oxides of nitrogen from farm equipment of at least 30 tons per day in calendar year 2011;

(ii) emissions of volatile organic compounds from farming operations of at least 3 tons per day in calendar year 2010; or

(iii) emissions of oxides of nitrogen from sources governed primarily through international law of at least 50 tons per day in calendar year 2010.

(C) AIR QUALITY-RELATED HEALTH EFFECTS.—As of the date of designation, the area meets or exceeds the national average per capita incidence of asthma.

(D) ECONOMIC IMPACT.—As of the date of designation, the area experiences unemployment rates higher than the national average.

(E) MATCHING FUNDS.—The air pollution control district or other local governmental entity submitting the strategic plan under paragraph (2) for the area agrees that it will make available (directly or through contributions from the State or other public or private entities) non-Federal contributions toward the activities to be carried out under the strategic plan in an amount equal to \$1 for each \$1 of Federal funds provided for such activities. Such non-Federal matching funds may be in cash or in-kind, fairly evaluated, including plant, equipment, or services.

(4) PERIOD OF DESIGNATION.—A designation under paragraph (1) shall remain in effect during the period beginning on the date of the designation and ending on the earlier of—

(A) the last day of the tenth calendar year ending after the date of the designation; or

(B) the date on which the Administrator revokes the designation.

(5) REVOCATION OF DESIGNATION.—The Administrator may revoke the designation under paragraph (1) of an area if the Administrator determines that—

(A) the area is in attainment with the national ambient air quality standards for PM<sub>2.5</sub> and ozone; or

(B) the air pollution control district or other local governmental entity submitting the strategic plan under paragraph (2) for the area is not complying substantially with, or fails to make progress in achieving the goals of, such strategic plan.

(b) GRANTS FOR AIR AND HEALTH QUALITY EMPOWERMENT ZONES.—

(1) IN GENERAL.—For the purpose described in paragraph (2), the Administrator may award one or more grants to the air pollution control district or local governmental

entity submitting the application under subsection (a)(2) on behalf of each air and health quality empowerment zone designated under subsection (a)(1).

(2) USE OF GRANTS.—A recipient of a grant under paragraph (1) shall use the grant solely for the purpose of carrying out the strategic plan submitted by the recipient under subsection (a)(2).

(3) AMOUNT OF GRANTS.—The amount awarded under this subsection with respect to a designated air and health quality empowerment zone shall be determined by the Administrator based upon a review of—

(A) the information contained in the application for the zone under subsection (a)(2); and

(B) the needs set forth in the application for those anticipated to benefit from the strategic plan submitted for the zone.

(4) TIMING OF GRANTS.—To the extent and in the amount of appropriations made available in advance, the Administrator shall—

(A) award a grant under this subsection with respect to each air and health quality empowerment zone on the date of designation of the zone under subsection (a)(1); and

(B) make the grant funds available to the grantee on the first day of the first fiscal year that begins after the date of such designation.

(c) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) PM<sub>2.5</sub>.—The term “PM<sub>2.5</sub>” means particulate matter with a diameter that does not exceed 2.5 micrometers.

#### SEC. 3. REPORT TO CONGRESS.

Not later than 5 years after the date of the enactment of this Act, the Administrator of the Environmental Protection Agency—

(1) shall submit a report to the Congress on the impact of this Act; and

(2) may include in such report a description of the impact of this Act in regard to—

(A) the reduction of particulate matter and nitrogen oxides emissions;

(B) the reduction of asthma rates and other health indicators; and

(C) economic indicators.

Amend the title so as to read: “A bill to provide for the designation of, and the award of grant with respect to, air and health quality empowerment zones.”.

The Acting CHAIR. Pursuant to House Resolution 451, the gentleman from California (Mr. McNERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

Mr. Chairman, H.R. 806 does have a couple of provisions that would be helpful to the air district in my region to avoid economic sanctions for failing to meet certain standards when very specific criteria are met. However, the underlying bill, as a whole, is completely unacceptable and has been called the most irresponsible attack on the Clean Air Act health standards ever introduced.

The Clean Air Act works. It saves lives. It has improved the environment. I am privileged to represent a portion of the San Joaquin Valley which, as was pointed out in the prior amendment, has extreme ozone problems.

We produce more than half of the Nation's fruits, nuts, and vegetables. Unfortunately, the valley has recently been rebounding from an economic downturn and is continually hurt by poor air quality. Action is needed.

This amendment seeks to address the serious health issues that are a direct result of the poor air quality in the San Joaquin Valley and other regions that are most at risk. The amendment provides a grant program for areas that are in nonattainment of PM 2.5, extreme nonattainment of ambient air quality standards, and those with high rates of asthma and unemployment. It requires a dollar-for-dollar matching from the districts receiving the grant.

California has 7 of the top 10 most polluted metropolitan areas and 11 of the worst 25 nationwide. There are millions of people at risk in the valley and south coast due to high levels of PM 2.5 and ozone, including children, seniors, and those with chronic illnesses. San Joaquin Valley counties received F grades for their air quality by the American Lung Association.

Our kids deserve to be healthy, attend school, and live in a clean air environment. Studies have shown that high-quality air standards would prevent thousands of premature deaths in the valley and that it would work to prevent heart attacks, emergency room visits, and missed school- and work-days.

One study estimated that in the Los Angeles-Long Beach-Glendale area, about 2.9 million people missed work or schooldays and were otherwise negatively affected from conducting normal activities due to poor air quality.

Valley children miss hundreds of thousands of days of school each year, and about one in five living in the valley has asthma. Illnesses related to poor air quality cost the valley billions, annually.

H.R. 806 will be a step backward. That is why I have offered this substitute amendment that would allow the EPA to target and work with our Nation's most affected regions, like those in the valley and the south coast. This is about addressing our environment, the air we breathe, and helping those most at risk.

At the same time, California has been cleaning the air. Its economy has continued to grow. In 2016, California's nonfarm employment increased by 2.6 percent, compared to 1.7 percent nationwide. In 2009, California's clean energy industry created \$2.7 billion and employed 123,000 people. By 2020, we expect it to grow to over \$140 billion with 345,000 employed. California's success is proof that H.R. 806 is unnecessary.

I urge adoption of my amendment, and I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, I would like to thank my colleague for his impassioned discussion, especially of his area. We all have a lot of friends here. It is hard for the public to believe I am on both sides of the aisle, so it saddens me to have to speak in opposition to this amendment.

This is doing, similarly, what I had to address with Congressman POLIS in that it is taking a bill in which we are trying to streamline the processes and then somehow creating a grant program out of the money. I don't know where this money is coming from, whether it is coming from the supposed savings from nonimplementation.

But as my colleague from Texas mentioned, the process, as you followed through the committee, is to say: How do you force people who are just told how to comply with 2008 standards, how do you then turn around and give them 2015 standards when they were just told how to comply 3 months prior?

And so what we have tried to do in this piece of legislation is to say let's allow people to move forward on 2008 while making sure that the 2015 standards occur with a deadline of 2025. That is the basic premise.

And it also addresses the issue of, and I know, there are parts of the country where they can do all that they can do and they are not going to meet the standards because of what is being imported from other regions, maybe, in your case, from Asia or from San Francisco or those areas. So how do you end up punishing an area when they are doing everything that they humanly can do?

There is some great, obviously, statistics that you have shared of the success in that region, although they are still stressed under the current standards.

□ 1630

So your amendment would eliminate the widely supported reforms in this bill. And I read, and we will have submitted for the RECORD, the 145-plus organizations that support it, plus the five or ten that we addressed earlier from the markup, and then really kind of apply only to a few parts of the country versus the entire country as a whole.

Across the Nation, States and communities struggle to implement these standards, and we are trying to streamline that process. This amendment would deprive communities across the Nation of the benefits of H.R. 806. It would reduce red tape, relief from the sanctions and penalties for emissions that are outside their control, as I said earlier, and streamline the implementation of the standards.

Mr. Chair, I appreciate my friend and colleague. I know it is a tough environment we are trying to address, especially some of those concerns.

Mr. Chair, I still urge my colleagues to vote "no," and I reserve the balance of my time.

Mr. MCNERNEY. Mr. Chair, how much time is remaining?

The Acting CHAIR. The gentleman from California has 1½ minutes remaining.

Mr. MCNERNEY. Mr. Chair, clearly everybody wants clean air, and I don't doubt that for a second, and I appreciate the effort that is being made to streamline the implementation of clean air. But my questions are: Is this going to be a message bill? Or is this something we are actually going to get signed into law?

And my answer rhetorically is that if you want to get something signed into law, you really have to work on both sides of the aisle.

Now, there are a couple provisions in the bill that I think are completely objectionable. There may be room for compromise. The 10-year extension seems out of bounds to me. Technology moves much faster than 10 years. The idea that technical achievability can be taken into account really does lose sight of the important aspect of the Clean Air Act, which is that we want to protect people's health.

So among other things, if you want to actually get something done, if you want to actually work across the aisle and get something that we may get signed into law, work with us. Otherwise, I am going to have to put forward this amendment that replaces the ozone 805 and replaces it with something that actually works.

Mr. Chair, I urge my colleagues to support this amendment, and I yield back the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I agree with my colleague that this doesn't rise to the standard of the other bills that we will be bringing in a bipartisan manner, and we kind of raised that initially at the beginning. And it is, I think, to both of our losses.

But having said that, my colleague, Congressman OLSON, the author of the bill, did get a couple Democrats to sponsor the primary piece of legislation, and there is a Senate companion bill, S. 263, which we hope will be passed by the Senate. So we are a little more optimistic that this can get over the finish line than Mr. MCNERNEY might be, but, again, we will continue to work together where we can work together, and respectfully disagree when we have disagreements.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCNERNEY).

The amendment was rejected.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments

printed in House Report 115-229 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. CASTOR of Florida.

Amendment No. 2 by Mr. TONKO of New York.

Amendment No. 3 by Mr. BEYER of Virginia.

Amendment No. 4 by Mr. POLIS of Colorado.

Amendment No. 5 by Mr. MCNERNEY of California.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

#### AMENDMENT NO. 1 OFFERED BY MS. CASTOR OF FLORIDA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Florida (Ms. CASTOR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 15-minute vote.

The vote was taken by electronic device, and there were—ayes 194, noes 232, not voting 7, as follows:

[Roll No. 385]

#### AYES—194

|                   |                   |                |
|-------------------|-------------------|----------------|
| Adams             | Davis, Danny      | Johnson (GA)   |
| Aguilar           | DeFazio           | Johnson, E. B. |
| Barragán          | DeGette           | Jones          |
| Bass              | Delaney           | Kaptur         |
| Beatty            | DeLauro           | Keating        |
| Bera              | DelBene           | Kelly (IL)     |
| Beyer             | Demings           | Kennedy        |
| Bishop (GA)       | DeSaulnier        | Khanna         |
| Blumenauer        | Deutch            | Kihuen         |
| Blunt Rochester   | Dingell           | Kildee         |
| Bonamici          | Doggett           | Kilmer         |
| Boyle, Brendan F. | Doyle, Michael F. | Kind           |
| Brady (PA)        | Ellison           | Krishnamoorthi |
| Brown (MD)        | Engel             | Kuster (NH)    |
| Brownley (CA)     | Eshoo             | Langevin       |
| Bustos            | Españillat        | Larsen (WA)    |
| Butterfield       | Esty (CT)         | Larson (CT)    |
| Capuano           | Evans             | Lawrence       |
| Carbajal          | Fitzpatrick       | Lawson (FL)    |
| Cárdenas          | Foster            | Lee            |
| Carson (IN)       | Frankel (FL)      | Levin          |
| Cartwright        | Fudge             | Lewis (GA)     |
| Castor (FL)       | Gabbard           | Lieu, Ted      |
| Castro (TX)       | Gallego           | Lipinski       |
| Chu, Judy         | Garamendi         | Loeb sack      |
| Cicilline         | Gomez             | Lofgren        |
| Clark (MA)        | Gonzalez (TX)     | Lowenthal      |
| Clarke (NY)       | Gottheimer        | Lowe y         |
| Clay              | Green, Al         | Lujan Grisham, |
| Cleaver           | Green, Gene       | M.             |
| Clyburn           | Grijalva          | Luján, Ben Ray |
| Cohen             | Gutiérrez         | Lynch          |
| Connolly          | Hanabusa          | Maloney,       |
| Conyers           | Hastings          | Carolyn B.     |
| Cooper            | Heck              | Maloney, Sean  |
| Correa            | Higgins (NY)      | Mast           |
| Costa             | Himes             | Matsui         |
| Courtney          | Hoyer             | McCollum       |
| Crist             | Huffman           | McEachin       |
| Crowley           | Jackson Lee       | McGovern       |
| Cuellar           | Jayapal           | McNerney       |
| Davis (CA)        | Jeffries          | Meeks          |
|                   |                   | Meng           |

|             |               |
|-------------|---------------|
| Moore       | Richmond      |
| Moulton     | Rosen         |
| Murphy (FL) | Roybal-Allard |
| Nadler      | Ruiz          |
| Neal        | Ruppersberger |
| Nolan       | Rush          |
| Norcross    | Ryan (OH)     |
| O'Halleran  | Sánchez       |
| O'Rourke    | Sarbanes      |
| Pallone     | Schakowsky    |
| Panetta     | Schiff        |
| Pascarell   | Schneider     |
| Payne       | Schrader      |
| Perlmutter  | Scott (VA)    |
| Peters      | Scott, David  |
| Pingree     | Serrano       |
| Pocan       | Sewell (AL)   |
| Poliquin    | Shea-Porter   |
| Polis       | Sherman       |
| Price (NC)  | Sires         |
| Quigley     | Slaughter     |
| Raskin      | Smith (WA)    |
| Reichert    | Soto          |
| Rice (NY)   | Speier        |

#### NOES—232

|               |                 |
|---------------|-----------------|
| Abraham       | Fortenberry     |
| Aderholt      | Fox             |
| Allen         | Franks (AZ)     |
| Amash         | Frelinghuysen   |
| Amodei        | Gaetz           |
| Arrington     | Gallagher       |
| Babin         | Garrett         |
| Bacon         | Gianforte       |
| Banks (IN)    | Gibbs           |
| Barletta      | Gohmert         |
| Barr          | Goodlatte       |
| Barton        | Gosar           |
| Bergman       | Gowdy           |
| Biggs         | Graves (GA)     |
| Billrakis     | Graves (LA)     |
| Bishop (MI)   | Graves (MO)     |
| Bishop (UT)   | Griffith        |
| Black         | Grothman        |
| Blackburn     | Guthrie         |
| Blum          | Handel          |
| Bost          | Harper          |
| Brady (TX)    | Harris          |
| Brat          | Hartzler        |
| Bridenstine   | Hensarling      |
| Brooks (AL)   | Herrera Beutler |
| Brooks (IN)   | Hice, Jody B.   |
| Buchanan      | Higgins (LA)    |
| Buck          | Hill            |
| Bucshon       | Holding         |
| Budd          | Hollingsworth   |
| Burgess       | Hudson          |
| Byrne         | Huizenga        |
| Calvert       | Hultgren        |
| Carter (GA)   | Hunter          |
| Carter (TX)   | Hurd            |
| Chabot        | Issa            |
| Cheney        | Jenkins (KS)    |
| Coffman       | Jenkins (WV)    |
| Cole          | Johnson (LA)    |
| Collins (GA)  | Johnson (OH)    |
| Collins (NY)  | Johnson, Sam    |
| Comer         | Jordan          |
| Comstock      | Joyce (OH)      |
| Conaway       | Katko           |
| Cook          | Kelly (MS)      |
| Costello (PA) | Kelly (PA)      |
| Cramer        | King (IA)       |
| Crawford      | King (NY)       |
| Culberson     | Kinzinger       |
| Curbelo (FL)  | Knight          |
| Davidson      | Kustoff (TN)    |
| Davis, Rodney | LaHood          |
| Denham        | LaMalfa         |
| Dent          | Lamborn         |
| DeSantis      | Lance           |
| DesJarlais    | Latta           |
| Diaz-Balart   | Lewis (MN)      |
| Donovan       | LoBiondo        |
| Duffy         | Long            |
| Duncan (SC)   | Loudermilk      |
| Duncan (TN)   | Love            |
| Dunn          | Lucas           |
| Emmer         | Luetkemeyer     |
| Estes (KS)    | MacArthur       |
| Farenthold    | Marchant        |
| Faso          | Marino          |
| Ferguson      | Marshall        |
| Fleischmann   | Massie          |
| Flores        | McCarthy        |

|                |
|----------------|
| Suozzi         |
| Swalwell (CA)  |
| Takano         |
| Thompson (CA)  |
| Thompson (MS)  |
| Titus          |
| Tonko          |
| Torres         |
| Tsongas        |
| Vargas         |
| Veasey         |
| Vela           |
| Velázquez      |
| Visclosky      |
| Walz           |
| Wasserman      |
| Schultz        |
| Waters, Maxine |
| Watson Coleman |
| Welch          |
| Wilson (FL)    |
| Yarmuth        |

|             |
|-------------|
| Tiberi      |
| Tipton      |
| Trott       |
| Turner      |
| Upton       |
| Valadao     |
| Wagner      |
| Westerman   |
| Williams    |
| Wilson (SC) |

|               |
|---------------|
| Walker        |
| Walorski      |
| Walters, Mimi |
| Weber (TX)    |
| Webster (FL)  |
| Wenstrup      |
| Westerman     |
| Williams      |
| Wilson (SC)   |

|            |
|------------|
| Wittman    |
| Womack     |
| Woodall    |
| Yoder      |
| Yoho       |
| Young (AK) |
| Young (IA) |
| Zeldin     |

#### NOT VOTING—7

|          |            |         |
|----------|------------|---------|
| Cummings | Napolitano | Scalise |
| Granger  | Pelosi     |         |
| Labrador | Ratcliffe  |         |

#### □ 1704

Messrs. MARSHALL, PERRY, PALMER, MOONEY of West Virginia, Mrs. McMORRIS RODGERS, and Mr. DUFFY changed their vote from “aye” to “no.”

Messrs. BUTTERFIELD, SCHRAEDER, POLIS, and HOYER changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

#### AMENDMENT NO. 2 OFFERED BY MR. TONKO

The Acting CHAIR (Mr. HULTGREN). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. TONKO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 241, not voting 10, as follows:

[Roll No. 386]

#### AYES—182

|                   |                   |                |
|-------------------|-------------------|----------------|
| Adams             | Cuellar           | Huffman        |
| Aguilar           | Curbelo (FL)      | Jackson Lee    |
| Barragán          | Davis (CA)        | Jayapal        |
| Bass              | Davis, Danny      | Jeffries       |
| Bera              | DeFazio           | Johnson (GA)   |
| Beyer             | DeGette           | Johnson, E. B. |
| Blumenauer        | Delaney           | Keating        |
| Blunt Rochester   | DeLauro           | Kelly (IL)     |
| Bonamici          | DelBene           | Kennedy        |
| Boyle, Brendan F. | Demings           | Khanna         |
| Brady (PA)        | DeSaulnier        | Kihuen         |
| Brown (MD)        | Deutch            | Kildee         |
| Brownley (CA)     | Dingell           | Kilmer         |
| Bustos            | Doggett           | Kind           |
| Butterfield       | Doyle, Michael F. | Krishnamoorthi |
| Capuano           | Engel             | Kuster (NH)    |
| Carbajal          | Eshoo             | Langevin       |
| Cárdenas          | Españillat        | Larsen (WA)    |
| Carson (IN)       | Esty (CT)         | Larson (CT)    |
| Cartwright        | Evans             | Lawrence       |
| Castor (FL)       | Faso              | Lawson (FL)    |
| Castro (TX)       | Foster            | Lee            |
| Chu, Judy         | Frankel (FL)      | Levin          |
| Cicilline         | Fudge             | Lewis (GA)     |
| Clark (MA)        | Gabbard           | Lieu, Ted      |
| Clarke (NY)       | Gallego           | Lipinski       |
| Clay              | Garamendi         | Loeb sack      |
| Clyburn           | Gomez             | Lofgren        |
| Cohen             | Green, Al         | Lowenthal      |
| Connolly          | Grijalva          | Lowe y         |
| Conyers           | Gutiérrez         | Lujan Grisham, |
| Cooper            | Hanabusa          | M.             |
| Correa            | Hastings          | Luján, Ben Ray |
| Costa             | Heck              | Lynch          |
| Courtney          | Higgins (NY)      | Maloney,       |
| Crist             | Himes             | Carolyn B.     |
| Crowley           | Hoyer             | Maloney, Sean  |
|                   |                   | Mast           |

Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Nadler  
Neal  
Nolan  
Norcross  
O'Halloran  
O'Rourke  
Pallone  
Panetta  
Pascrell  
Payne  
Perlmutter  
Peters  
Pingree  
Pocan  
Polis  
Price (NC)

Quigley  
Raskin  
Rice (NY)  
Richmond  
Ros-Lehtinen  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Scott (VA)  
Scott, David  
Serrano  
Shea-Porter  
Sherman  
Sires  
Slaughter  
Smith (WA)  
Soto

## NOES—241

Abraham  
Aderholt  
Allen  
Amash  
Amodel  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barton  
Bergman  
Biggs  
Bilirakis  
Bishop (GA)  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Clever  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costello (PA)  
Cramer  
Crawford  
Culberson  
Davidson  
Davis, Rodney  
Denham  
Dent  
DeSantis  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Ellison  
Emmer  
Estes (KS)  
Farenthold  
Ferguson  
Fitzpatrick

Fleischmann  
Flores  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gaezt  
Gallagher  
Garrett  
Gianforte  
Gibbs  
Gohmert  
Gonzalez (TX)  
Goodlatte  
Gosar  
Gottheimer  
Gowdy  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green, Gene  
Griffith  
Grothman  
Guthrie  
Handel  
Hollingsworth  
Hudson  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
Lewis (MN)  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas

Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Murphy (FL)  
Murphy (PA)  
Newhouse  
Noem  
Norman  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Reed  
Reichert  
Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Sanford  
Schradler  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Sewell (AL)  
Shimkus  
Shuster  
Simpson  
Sinema

Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi

Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi

Beatty  
Cummings  
DesJarlais  
Granger

Kaptur  
Labrador  
Napolitano  
Pelosi

## NOT VOTING—10

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1708

So the amendment was rejected.  
The result of the vote was announced  
as above recorded.

## AMENDMENT NO. 3 OFFERED BY MR. BEYER

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Virginia (Mr. BEYER)  
on which further proceedings were  
postponed and on which the noes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 191, noes 235,  
not voting 7, as follows:

[Roll No. 387]

## AYES—191

Adams  
Agullar  
Barragán  
Bass  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Clever  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper

Correa  
Courtney  
Crist  
Crowley  
Cuellar  
Curbelo (FL)  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Demings  
Dent  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Ellison  
Engel  
Eshoo  
Españillat  
Esty (CT)  
Evans  
Fitzpatrick  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gomez

Gonzalez (TX)  
Gottheimer  
Green, Al  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin

Lewis (GA)  
Lieu, Ted  
Lipinski  
Loeb sack  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham,  
M.  
Luján, Ben Ray  
Lynch  
Maloney,  
Carolyn B.  
Maloney, Sean  
Mast  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Neal  
Nolan  
Norcross  
O'Rourke  
Pallone

Panetta  
Pascrell  
Payne  
Pelosi  
Perlmutter  
Peters  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Richmond  
Ros-Lehtinen  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)

## NOES—235

Abraham  
Aderholt  
Allen  
Amash  
Amodel  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barton  
Bergman  
Biggs  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costa  
Costello (PA)  
Cramer  
Crawford  
Culberson  
Davidson  
Davis, Rodney  
Denham  
DeSantis  
DesJarlais  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer

Estes (KS)  
Farenthold  
Faso  
Ferguson  
Fleischmann  
Flores  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gaezt  
Gallagher  
Garrett  
Gianforte  
Gibbs  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green, Gene  
Griffith  
Grothman  
Guthrie  
Handel  
Harper  
Harris  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hollingsworth  
Hudson  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
LaHood  
LaMalfa  
Lamborn

Lance  
Latta  
Lewis (MN)  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Murphy (PA)  
Newhouse  
Noem  
Norman  
Nunes  
O'Halloran  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Roskam  
Ross

Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Sanford  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Sinema  
Smith (MO)  
Smith (NE)  
Smith (NJ)

## NOT VOTING—7

Beatty  
Cummings  
Granger

Labrador  
Napolitano  
Scalise

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1712

So the amendment was rejected.  
The result of the vote was announced  
as above recorded.

## AMENDMENT NO. 4 OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Colorado (Mr. POLIS)  
on which further proceedings were  
postponed and on which the noes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 186, noes 242,  
not voting 5, as follows:

[Roll No. 388]

## AYES—186

Adams  
Aguilar  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn

Cohen  
Connolly  
Conyers  
Cooper  
Correa  
Courtney  
Crist  
Crowley  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Ellison  
Engel  
Eshoo  
Españillat  
Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Fudge  
Gabbard

Gallego  
Garamendi  
Gomez  
Gottheimer  
Green, Al  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
Langevin  
Larsen (WA)

Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Walberg  
Young (IA)  
Zeldin

Carolyn B.  
Maloney, Sean  
Matsui  
McCollum  
McEchin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Neal  
Nolan

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barton  
Bergman  
Biggs  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costa  
Costello (PA)  
Cramer  
Crawford  
Cuellar  
Culberson  
Curbelo (FL)  
Davidson  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Donovan  
Duffy

Norcross  
O'Halloran  
O'Rourke  
Pallone  
Panetta  
Sinema  
Pascarella  
Payne  
Pelosi  
Perlmutter  
Peters  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Richmond  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Scott (VA)  
Scott, David

## NOES—242

Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer  
Estes (KS)  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Fox  
Franks (AZ)  
Frelinghuysen  
Gatz  
Gallagher  
Garrett  
Gianforte  
Gibbs  
Gohmert  
Gonzalez (TX)  
Goodlatte  
Gosar  
Gowdy  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green, Gene  
Griffith  
Grothman  
Guthrie  
Handel  
Harper  
Harris  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hollingsworth  
Hudson  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)

Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Soto  
Speier  
Suozi  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Vargas  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Sanford  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster

Cummings  
Granger

Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Veasey  
Wagner

## NOT VOTING—5

Labrador  
Napolitano  
Scalise

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1716

So the amendment was rejected.  
The result of the vote was announced  
as above recorded.

## AMENDMENT NO. 5 OFFERED BY MR. MCNERNEY

The Acting CHAIR (Mr. WOMACK).  
The unfinished business is the demand  
for a recorded vote on the amendment  
offered by the gentleman from Cali-  
fornia (Mr. MCNERNEY) on which fur-  
ther proceedings were postponed and  
on which the noes prevailed by voice  
vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 190, noes 236,  
not voting 7, as follows:

[Roll No. 389]

## AYES—190

Adams  
Aguilar  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)

Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Curbelo (FL)  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.

Ellison  
Engel  
Eshoo  
Españillat  
Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gomez  
Gonzalez (TX)  
Gottheimer  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal

Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lieu, Ted  
Lipinski  
Loeb sack  
Lofgren  
Lowenthal  
Lowey  
Lujan Grisham,  
M.  
Luján, Ben Ray  
Lynch  
Maloney,  
Carolyn B.  
Maloney, Sean  
Matsui  
McCollum

McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Neal  
Nolan  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascarell  
Payne  
Perlmutter  
Peters  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Richmond  
Ros-Lehtinen  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez  
Sarbanes

Schakowsky  
Schiff  
Schneider  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sires  
Slaughter  
Smith (WA)  
Soto  
Speier  
Suoizzi  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

## NOES—236

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barton  
Bergman  
Biggs  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costello (PA)  
Cramer  
Crawford  
Cuellar  
Culberson  
Davidson  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais

Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer  
Estes (KS)  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gaetz  
Gallagher  
Garrett  
Gianforte  
Gibbs  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith  
Grothman  
Guthrie  
Handel  
Harper  
Harris  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hollingsworth  
Hudson  
HuiZenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jones

Jordan  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
Lewis (MN)  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Massie  
Mast  
McCarthy  
McCaull  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Murphy (PA)  
Newhouse  
Noem  
Norman  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Pittenger  
Poe (TX)

Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Sanford

Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Sinema  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner

Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

## NOT VOTING—7

Cummings  
Granger  
Joyce (OH)

Labrador  
Napolitano  
Pelosi

Scalise

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1720

So the amendment was rejected.  
The result of the vote was announced  
as above recorded.

The Acting CHAIR. The question is  
on the amendment in the nature of a  
substitute.

The amendment was agreed to.

The Acting CHAIR. Under the rule,  
the Committee rises.

Accordingly, the Committee rose;  
and the Speaker pro tempore (Mr.  
HULTGREN) having assumed the chair,  
Mr. WOMACK, Acting Chair of the Com-  
mittee of the Whole House on the state  
of the Union, reported that that Com-  
mittee, having had under consideration  
the bill (H.R. 806) to facilitate efficient  
State implementation of ground-level  
ozone standards, and for other pur-  
poses, and, pursuant to House Resolu-  
tion 451, he reported the bill back to  
the House with an amendment adopted  
in the Committee of the Whole.

The SPEAKER pro tempore. Under  
the rule, the previous question is or-  
dered.

The question is on the amendment in  
the nature of a substitute.

The amendment was agreed to.

The SPEAKER pro tempore. The  
question is on the engrossment and  
third reading of the bill.

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

## MOTION TO RECOMMIT

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

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

Mr. CARTWRIGHT. I am opposed.

The SPEAKER pro tempore. The  
Clerk will report the motion to recom-  
mit.

The Clerk read as follows:

Mr. Cartwright moves to recommit the bill  
H.R. 806 to the Committee on Energy and

Commerce with instructions to report the  
same back to the House forthwith, with the  
following amendment:

At the end of the bill, add the following  
new section:

**SEC. 7. LIMITATION.**

This Act and the amendments made by  
this Act shall not apply if the Clean Air Sci-  
entific Advisory Committee, in consultation  
with the Director of the Congressional Budg-  
et Office, finds that application of this Act  
and the amendments made by this Act could  
increase, with respect to Americans without  
access to affordable, comprehensive health  
insurance, any of the following health im-  
pacts:

- (1) Asthma attacks.
- (2) Hospitalizations or emergency room  
visits for those with respiratory or cardio-  
vascular disease.
- (3) The risk of preterm birth, babies born  
with low birth weight, or impaired fetal  
growth.
- (4) The risk of heart attacks, stroke, or  
premature death.
- (5) Reproductive, developmental, or other  
serious harms to human health.

Mr. CARTWRIGHT (during the read-  
ing). Mr. Speaker, I ask unanimous  
consent to dispense with the reading.

The SPEAKER pro tempore. Is there  
objection to the request of the gen-  
tleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. The gen-  
tleman from Pennsylvania is recog-  
nized for 5 minutes.

Mr. CARTWRIGHT. Mr. Speaker, the  
Ozone Act, or perhaps more accurately,  
the "Smoggy Skies Act," will put our  
communities at risk and dangerously  
harm public health. The delays and ex-  
emptions in this act are unprecedented.  
They will cut critical portions of the  
Clean Air Act to the detriment of our  
Nation and our people's health.

This motion to recommit is simple. If  
the Clean Air Scientific Advisory Com-  
mittee, which is an independent group  
of nationally recognized experts, if  
they believe that this act will increase  
asthma attacks, increase emergency  
room visits, increase pre-term births,  
increase impaired fetal growth, lead to  
an increased risk of heart attack,  
stroke, premature death, then the act  
will not go into effect.

Now I ask, what is more important or  
fundamental as the representatives of  
the people than to ensure that our ac-  
tions do not bring harm to the Amer-  
ican people? How can we go home to  
our constituents and look a mother in  
the eye and say we voted for something  
that could make her child sick? How  
can we visit a school if we voted for  
something that could spike rates of  
asthma?

We originally passed the bipartisan  
Clean Air Act to protect the health of  
our people. As we vote to partially dis-  
mantle it today, at least we should en-  
sure scientists certify that we are  
doing no harm to the American people.

Some of my colleagues may vote  
against this motion to recommit be-  
cause they already know this act will  
have a devastating impact on the

American people's health. Plain and simple, ozone is a pollutant. It is the leading component of smog. It causes chest pain, shortness of breath, respiratory infections, asthma attacks, acute bronchitis, and even premature death.

Smog is linked to 16,000 preterm births per year. Exposure to ozone in the womb and in childhood causes permanent lung damage. The new ozone standards could prevent 230,000 childhood asthma attacks per year. Delaying implementation of the new ozone standards will only sentence more and more children to lifelong lung disease.

When setting the new ozone standards, the EPA used the best available science and reviewed hundreds of studies on the negative health effects of ozone. One conclusion was clear: the current standards do not protect the American people.

My Republican colleagues here recently passed legislation that would have taken healthcare away from 22 million people. Now we are considering a bill that would make our Nation sicker, a bill that would hurt our most vulnerable: babies, infants, schoolchildren, the elderly.

For good reasons, this bill is opposed by the American Academy of Pediatrics, the American Heart Association, the American Lung Association, the American Public Health Association, the National Association of County and City Health Officials, and many, many more. These experts know that this bill is nothing more than a recipe for increased sickness and more suffering.

We know that people are being harmed by ozone. We have a duty to our citizens to raise the bar and protect their health. This is the people's House. We are here to protect the people. We are here to fight for the most vulnerable among us and not to represent special interests. We need to be the body to promote health, not take away healthcare. We need to fight for kids, not make them sick. We need to clean our air, not protect polluters.

Mr. Speaker, support this amendment and make sure this bill is not the health catastrophe all the experts know that it is.

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

Mr. SHIMKUS. Mr. Speaker, I rise in opposition to the motion to recommit.

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

Mr. SHIMKUS. Mr. Speaker, to my colleagues and friends, I appreciate the debate. Those who followed it here, just a couple of points.

The question is: Why are we here today?

In 2008, the EPA established ozone standards, and then it took the EPA 7 years to tell communities how to comply with those 2008 standards. It is the truth. I am just telling you the truth.

Three months later, after they told the communities how to comply, they said: Now we are going to give you 2015 standards.

That is why we are here. We are just here trying to say that if the EPA is going to establish standards, then they ought to say: We are going to give you the guidelines on how to comply now, not 7 years later.

So what this bill does is allow communities to meet the 2008 standards. It doesn't roll back any standards. It says meet the 2008 standards. In fact, we don't even say roll back the 2015 standards. We just say, give the communities time to comply with the 2015 standards.

This motion is a distraction. Let's reject it, and move to pass the bill.

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

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

#### RECORDED VOTE

Mr. CARTWRIGHT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 191, noes 235, not voting 7, as follows:

[Roll No. 390]

#### AYES—191

|                 |                |                |
|-----------------|----------------|----------------|
| Adams           | Conyers        | Gonzalez (TX)  |
| Aguiar          | Cooper         | Gotthelmer     |
| Barragán        | Correa         | Green, Al      |
| Bass            | Costa          | Green, Gene    |
| Beatty          | Courtney       | Grijalva       |
| Bera            | Crist          | Gutiérrez      |
| Beyer           | Crowley        | Hanabusa       |
| Bishop (GA)     | Cuellar        | Hastings       |
| Blum            | Davis (CA)     | Heck           |
| Blumenauer      | Davis, Danny   | Higgins (NY)   |
| Blunt Rochester | DeFazio        | Himes          |
| Bonamici        | DeGette        | Hoyer          |
| Boyle, Brendan  | Delaney        | Huffman        |
| F.              | DeLauro        | Jackson Lee    |
| Brady (PA)      | DelBene        | Jayapal        |
| Brown (MD)      | Demings        | Jeffries       |
| Brownley (CA)   | DeSaunier      | Johnson (GA)   |
| Bustos          | Deutch         | Johnson, E. B. |
| Butterfield     | Dingell        | Jones          |
| Capuano         | Doggett        | Kaptur         |
| Carbajal        | Doyle, Michael | Keating        |
| Cárdenas        | F.             | Kelly (IL)     |
| Carson (IN)     | Ellison        | Kennedy        |
| Cartwright      | Engel          | Khanna         |
| Castor (FL)     | Eshoo          | Kihuen         |
| Castro (TX)     | Españillat     | Kildee         |
| Chu, Judy       | Esty (CT)      | Kilmer         |
| Ciциlline       | Evans          | Kind           |
| Clark (MA)      | Foster         | Krishnamoorthi |
| Clarke (NY)     | Frankel (FL)   | Kuster (NH)    |
| Clay            | Fudge          | Langevin       |
| Cleaver         | Gabbard        | Larsen (WA)    |
| Clyburn         | Gallego        | Larson (CT)    |
| Cohen           | Garamendi      | Lawrence       |
| Connolly        | Gomez          | Lawson (FL)    |

|                |               |                |
|----------------|---------------|----------------|
| Lee            | O'Rourke      | Shea-Porter    |
| Levin          | Pallone       | Sherman        |
| Lewis (GA)     | Panetta       | Sinema         |
| Lieu, Ted      | Pascrell      | Sires          |
| Lipinski       | Payne         | Slaughter      |
| Loeb sack      | Pelosi        | Smith (WA)     |
| Lofgren        | Perlmutter    | Soto           |
| Lowenthal      | Peters        | Speier         |
| Lowe y         | Pingree       | Suo zzi        |
| Lujan Grisham, | Pocan         | Swalwell (CA)  |
| M.             | Polis         | Takano         |
| Luján, Ben Ray | Price (NC)    | Thompson (CA)  |
| Lynch          | Quigley       | Thompson (MS)  |
| Maloney,       | Raskin        | Titus          |
| Carolyn B.     | Rice (NY)     | Tonko          |
| Maloney, Sean  | Richmond      | Torres         |
| Matsui         | Rosen         | Tsongas        |
| McCollum       | Roybal-Allard | Vargas         |
| McEachin       | Ruiz          | Veasey         |
| McGovern       | Rush          | Vela           |
| McNerney       | Ryan (OH)     | Velázquez      |
| Meeks          | Sánchez       | Visclosky      |
| Meng           | Sarbanes      | Walz           |
| Moore          | Schakowsky    | Wasserman      |
| Moulton        | Schiff        | Schultz        |
| Murphy (FL)    | Schneider     | Schrader       |
| Nadler         | Schrader      | Waters, Maxine |
| Neal           | Scott (VA)    | Watson Coleman |
| Nolan          | Scott, David  | Wilson (FL)    |
| Norcross       | Serrano       | Yarmuth        |
| O'Halleran     | Sewell (AL)   |                |

#### NOES—235

|               |                 |                 |
|---------------|-----------------|-----------------|
| Abraham       | Estes (KS)      | Latta           |
| Aderholt      | Farenthold      | Lewis (MN)      |
| Allen         | Faso            | LoBiondo        |
| Amash         | Ferguson        | Long            |
| Amodel        | Fitzpatrick     | Loudermilk      |
| Arrington     | Fleischmann     | Love            |
| Babin         | Flores          | Lucas           |
| Bacon         | Fortenberry     | Luetkemeyer     |
| Banks (IN)    | Fox             | MacArthur       |
| Barletta      | Franks (AZ)     | Marchant        |
| Barr          | Frelinghuysen   | Marino          |
| Barton        | Gaetz           | Marshall        |
| Bergman       | Gallagher       | Massie          |
| Biggs         | Garrett         | Mast            |
| Bilirakis     | Gianforte       | McCarthy        |
| Bishop (MI)   | Gibbs           | McCaul          |
| Bishop (UT)   | Gohmert         | McClintock      |
| Black         | Goodlatte       | McHenry         |
| Blackburn     | Gosar           | McKinley        |
| Bost          | Gowdy           | McMorris        |
| Brady (TX)    | Graves (GA)     | Rodgers         |
| Brat          | Graves (LA)     | McSally         |
| Bridenstine   | Graves (MO)     | Meadows         |
| Brooks (AL)   | Griffith        | Meehan          |
| Brooks (IN)   | Grothman        | Messer          |
| Buchanan      | Guthrie         | Mitchell        |
| Buck          | Handel          | Moolenaar       |
| Bucshon       | Harper          | Mooney (WV)     |
| Budd          | Harris          | Mullin          |
| Burgess       | Hartzler        | Murphy (PA)     |
| Byrne         | Hensarling      | Newhouse        |
| Calvert       | Herrera Beutler | Noem            |
| Carter (GA)   | Hice, Jody B.   | Norman          |
| Carter (TX)   | Higgins (LA)    | Nunes           |
| Chabot        | Hill            | Olson           |
| Cheney        | Holding         | Palazzo         |
| Coffman       | Hollingsworth   | Palmer          |
| Cole          | Hudson          | Paulsen         |
| Collins (GA)  | Huizenga        | Pearce          |
| Collins (NY)  | Hultgren        | Perry           |
| Comer         | Hunter          | Peterson        |
| Comstock      | Hurd            | Pittenger       |
| Conaway       | Issa            | Poe (TX)        |
| Cook          | Jenkins (KS)    | Poliquin        |
| Costello (PA) | Jenkins (WV)    | Posey           |
| Cramer        | Johnson (LA)    | Ratcliffe       |
| Crawford      | Johnson (OH)    | Reed            |
| Culberson     | Johnson, Sam    | Reichert        |
| Curbelo (FL)  | Jordan          | Renacci         |
| Davidson      | Joyce (OH)      | Rice (SC)       |
| Davis, Rodney | Katko           | Roby            |
| Denham        | Kelly (MS)      | Roe (TN)        |
| Dent          | Kelly (PA)      | Rogers (AL)     |
| DeSantis      | King (IA)       | Rogers (KY)     |
| DesJarlais    | King (NY)       | Rohrabacher     |
| Diaz-Balart   | Kinzing         | Rokita          |
| Donovan       | Knight          | Rooney, Francis |
| Duffy         | Kustoff (TN)    | Rooney, Thomas  |
| Duncan (SC)   | LaHood          | J.              |
| Duncan (TN)   | LaMalfa         | Ros-Lehtinen    |
| Dunn          | Lamborn         | Roskam          |
| Emmer         | Lance           | Ross            |



|               |               |               |              |                 |               |              |               |                |
|---------------|---------------|---------------|--------------|-----------------|---------------|--------------|---------------|----------------|
| Rothfus       | Smucker       | Walker        | King (IA)    | Noem            | Shuster       | Schiff       | Smith (WA)    | Vargas         |
| Rouzer        | Stefanik      | Walorski      | King (NY)    | Norman          | Simpson       | Schneider    | Soto          | Veasey         |
| Royce (CA)    | Stewart       | Walters, Mimi | Kinzinger    | Nunes           | Smith (MO)    | Schrader     | Speler        | Vela           |
| Russell       | Stivers       | Weber (TX)    | Knight       | Olson           | Smith (NE)    | Scott (VA)   | Stefanik      | Velázquez      |
| Rutherford    | Taylor        | Webster (FL)  | Kustoff (TN) | Palazzo         | Smith (TX)    | Scott, David | Suozi         | Visclosky      |
| Sanford       | Tenney        | Wenstrup      | LaHood       | Palmer          | Smucker       | Serrano      | Swalwell (CA) | Walz           |
| Schweikert    | Thompson (PA) | Westerman     | LaMalfa      | Paulsen         | Stewart       | Sewell (AL)  | Takano        | Wasserman      |
| Scott, Austin | Thornberry    | Williams      | Lamborn      | Pearce          | Stivers       | Shea-Porter  | Thompson (CA) | Schultz        |
| Sensenbrenner | Tiberi        | Wilson (SC)   | Lance        | Perry           | Taylor        | Sherman      | Thompson (MS) | Waters, Maxine |
| Sessions      | Tipton        | Wittman       | Latta        | Peterson        | Tenney        | Sinema       | Titus         | Watson Coleman |
| Shimkus       | Trott         | Womack        | Lewis (MN)   | Pittenger       | Thompson (PA) | Sires        | Tonko         | Welch          |
| Shuster       | Turner        | Woodall       | Long         | Poe (TX)        | Thornberry    | Slaughter    | Torres        | Wilson (FL)    |
| Simpson       | Upton         | Yoder         | Loudermilk   | Posey           | Tiberi        | Smith (NJ)   | Tsongas       | Yarmuth        |
| Smith (MO)    | Valadao       | Yoho          | Love         | Ratcliffe       | Tipton        |              |               |                |
| Smith (NE)    | Wagner        | Young (AK)    | Lucas        | Reed            | Trott         |              |               |                |
| Smith (NJ)    | Walberg       | Young (IA)    | Luetkemeyer  | Renacci         | Turner        |              |               |                |
| Smith (TX)    | Walden        | Zeldin        | MacArthur    | Rice (SC)       | Upton         |              |               |                |
|               |               |               | Marchant     | Roby            | Valadao       |              |               |                |
|               |               |               | Marino       | Roe (TN)        | Wagner        |              |               |                |
|               |               |               | Marshall     | Rogers (AL)     | Walberg       |              |               |                |
|               |               |               | Massie       | Rogers (KY)     | Walden        |              |               |                |
|               |               |               | McCarthy     | Rohrabacher     | Walker        |              |               |                |
|               |               |               | McCaul       | Rokita          | Walorski      |              |               |                |
|               |               |               | McClintock   | Rooney, Francis | Walters, Mimi |              |               |                |
|               |               |               | McHenry      | Rooney, Thomas  | Weber (TX)    |              |               |                |
|               |               |               | McKinley     | J.              | Webster (FL)  |              |               |                |
|               |               |               | McMorris     | Roskam          | Wenstrup      |              |               |                |
|               |               |               | Rodgers      | Ross            | Westerman     |              |               |                |
|               |               |               | McSally      | Rothfus         | Williams      |              |               |                |
|               |               |               | Meadows      | Rouzer          | Wilson (SC)   |              |               |                |
|               |               |               | Meehan       | Royce (CA)      | Wittman       |              |               |                |
|               |               |               | Messer       | Russell         | Womack        |              |               |                |
|               |               |               | Mitchell     | Rutherford      | Woodall       |              |               |                |
|               |               |               | Moolenaar    | Schweikert      | Yoder         |              |               |                |
|               |               |               | Mooney (WV)  | Scott, Austin   | Yoho          |              |               |                |
|               |               |               | Mullin       | Sensenbrenner   | Young (AK)    |              |               |                |
|               |               |               | Murphy (PA)  | Sessions        | Young (IA)    |              |               |                |
|               |               |               | Newhouse     | Shimkus         | Zeldin        |              |               |                |

## NOT VOTING—7

Cummings Napolitano Welch  
Granger Ruppersberger  
Labrador Scalise

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

## □ 1736

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

## RECORDED VOTE

Mr. TONKO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 229, noes 199, not voting 5, as follows:

[Roll No. 391]

## AYES—229

Abraham Cole Gibbs  
Aderholt Collins (GA) Gohmert  
Allen Collins (NY) Goodlatte  
Amash Comer Gosar  
Amodei Comstock Gowdy  
Arrington Conaway Graves (GA)  
Babin Cook Graves (LA)  
Bacon Costa Graves (MO)  
Banks (IN) Costello (PA) Griffith  
Barletta Cramer Grothman  
Barr Crawford Guthrie  
Barton Cuellar Handel  
Bergman Culberson Harper  
Biggs Davidson Harris  
Bilirakis Davis, Rodney Hartzler  
Bishop (GA) Denham Hensarling  
Bishop (MI) Dent Herrera Beutler  
Bishop (UT) DeSantis Hice, Jody B.  
Black DesJarlais Higgins (LA)  
Blackburn Diaz-Balart Hill  
Blum Donovan Holding  
Bost Duffy Hollingsworth  
Brady (TX) Duncan (SC) Hudson  
Brat Duncan (TN) Huelszenga  
Bridenstine Dunn Hultgren  
Brooks (AL) Emmer Hunter  
Brooks (IN) Estes (KS) Hurd  
Buchanan Farenthold Issa  
Buck Ferguson Jenkins (KS)  
Bucshon Fleischmann Jenkins (WV)  
Budd Flores Johnson (LA)  
Burgess Fortenberry Johnson (OH)  
Byrne Foxx Johnson, Sam  
Calvert Franks (AZ) Jones  
Carter (GA) Frelinghuysen Jordan  
Carter (TX) Gaetz Joyce (OH)  
Chabot Gallagher Katko  
Cheney Garrett Kelly (MS)  
Coffman Gianforte Kelly (PA)

Adams Engel Lofgren  
Aguilar Eshoo Lowenthal  
Barragán Espallat Lowey  
Bass Esty (CT) Lujan Grisham,  
Beatty Evans M.  
Bera Faso Luján, Ben Ray  
Beyer Fitzpatrick Lynch  
Blumenauer Foster Maloney,  
Blunt Rochester Frankel (FL) Carolyn B.  
Bonamici Fudge Maloney, Sean  
Boyle, Brendan Gabbard Mast  
F. Gallego Matsui  
Brady (PA) Garamendi McCollum  
Brown (MD) Gomez McEachin  
Brownley (CA) Gonzalez (TX) McGovern  
Bustos Gottheimer McNerney  
Butterfield Green, Al Meeks  
Capuano Green, Gene Meng  
Carbajal Grijalva Moore  
Cárdenas Gutiérrez Moulton  
Carlson (IN) Hanabusa Murphy (FL)  
Cartwright Hastings Nadler  
Castor (FL) Heck Neal  
Castro (TX) Higgins (NY) Nolan  
Chu, Judy Himes Norcross  
Cicilline Hoyer O'Halleran  
Clark (MA) Huffman O'Rourke  
Clarke (NY) Jackson Lee Pallone  
Clay Jayapal Panetta  
Cleaver Jeffries Pascrell  
Clyburn Johnson (GA) Payne  
Cohen Johnson, E. B. Pelosi  
Connolly Kaptur Perlmutter  
Conyers Keating Peters  
Cooper Kelly (IL) Pingree  
Correa Kennedy Pocan  
Courtney Khanna Poliquin  
Crist Kihuen Polis  
Crowley Kildee Price (NC)  
Curbelo (FL) Kilmer Quigley  
Davis (CA) Kind Raskin  
Davis, Danny Krishnamoorthi Reichert  
DeFazio Kuster (NH) Rice (NY)  
DeGette Langevin Richmond  
Delaney Larsen (WA) Ros-Lehtinen  
DeLauro Larson (CT) Rosen  
DelBene Lawrence Roybal-Allard  
Demings Lawson (FL) Ruiz  
DeSaulnier Lee Ruppersberger  
Deutsch Levin Rush  
Dingell Lewis (GA) Ryan (OH)  
Doggett Lieu, Ted Sánchez  
Doyle, Michael Lipinski Sanford  
F. LoBiondo Sarbanes  
Ellison Loebach Schakowsky

## NOES—199

## NOT VOTING—5

Cummings Labrador Scalise  
Granger Napolitano

## □ 1743

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall votes No. 385, No. 386, No. 387, No. 388, No. 389, No. 390, and No. 391 due to my spouses's health situation in California. Had I been present, I would have voted "yea" on the Castor Amendment. I would have also voted "yea" on the Tonko Amendment. I would have also voted "yea" on the Beyer Amendment. I would have also voted "yea" on the Polis Amendment. I would have also voted "yea" on the McNerney Amendment 5. I would have also voted "yea" on the Democratic Motion to Recommit H.R. 806. I would have also voted "nay" on the Final Passage of H.R. 806—Ozone Standards Implementation Act of 2017.

## REPORT ON H.R. 3280, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2018

Mr. GRAVES of Georgia, from the Committee on Appropriations, submitted a privileged report (Rept. No. 115-234) on the bill (H.R. 3280) making appropriations for financial services and general government for the fiscal year ending September 30, 2018, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. BANKS of Indiana). Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2910, PROMOTING INTER-AGENCY COORDINATION FOR REVIEW OF NATURAL GAS PIPELINES ACT; PROVIDING FOR CONSIDERATION OF H.R. 2883, PROMOTING CROSS-BORDER ENERGY INFRASTRUCTURE ACT; PROVIDING FOR CONSIDERATION OF H.R. 218, KING COVE ROAD LAND EXCHANGE ACT; AND FOR OTHER PURPOSES

Ms. CHENEY, from the Committee on Rules, submitted a privileged report

(Rept. No. 115-235) on the resolution (H. Res. 454) providing for consideration of the bill (H.R. 2910) to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes; providing for consideration of the bill (H.R. 2883) to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity; providing for consideration of the bill (H.R. 218) to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay; and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### MOMENT OF SILENCE HONORING OFFICER MIOSOTIS FAMILIA AND STATE TROOPER JOEL DAVIS

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

Mr. ESPAILLAT. Mr. Speaker, it is with both sadness and pride that I rise today to honor the memory of a leader, a hard worker, and an outstanding member of our community, Police Officer Miosotis Familia.

Officer Familia served in the New York City Police Department for 12 years. She grew up in Washington Heights, a neighborhood that I represent in Manhattan. On the Fourth of July, her life was tragically taken in an act of violence.

Her mother, Adriana, was one of her best friends, and the two constantly spent time together. Officer Familia had three children of her own, Genesis, Delilah, and Peter. She gave them all the love her mother had given her in the past.

Today, Officer Familia's legacy lives on through her family, the police officers of the 42nd precinct, and all her loved ones, including all New Yorkers.

My New York colleagues and I stand here on the House floor to salute the memory and the legacy of Officer Miosotis Familia, as well as other officers who have been killed in the line of duty—including State Trooper Joel Davis, who, about a week ago, was also tragically killed in upstate New York.

I now invite my colleagues to join me in a moment of silence in their honor.

#### RECOGNIZING SCOTT WALDRUP

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Scott Waldrup who was a victim of violent

crime during the Fourth of July festivities in Savannah, Georgia.

A Cary, North Carolina, native, Mr. Waldrup came to Savannah in 2011 to join the city's booming food service industry. He tirelessly worked in the industry until he became the general manager at one of Savannah's most popular restaurants, The Grey.

Mr. Waldrup certainly never knew a stranger. His family and friends described him as being adventurous and bold, yet caring and selfless.

During the violence in Savannah that night, Mr. Waldrup selflessly helped others to safety until he was hit by the gunman's car during a police chase to apprehend the criminal. By all accounts, Mr. Waldrup was a hero.

I wish his family, his friends, and his coworkers the best during this very, very difficult time. I will certainly be thinking about all of them.

I encourage others to learn from Mr. Waldrup's example and hope his life serves as a reminder of the tragedies involved in violent crime and deter others from acting violently and recklessly.

#### RECOGNIZING BINGHAMTON RUMBLE PONIES

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

Ms. TENNEY. Mr. Speaker, I rise today to recognize the Binghamton Rumble Ponies, the Double-A affiliate of the New York Mets, who recently invited me to throw out the first pitch at their Fourth of July celebration.

Previously known as the Binghamton Mets, this is the first season that the Rumble Ponies have galloped onto the field at NYSEG Stadium with their new name.

Binghamton, New York, has the unique distinction of being the carousel capital of the world. While there are fewer than 170 antique carousels in the United States and Canada, 6 of them are in Binghamton and the surrounding region. It is this proud local distinction to which the Rumble Ponies owe their name.

I also had the pleasure of watching the game with Jeff Wilpon, the owner of the New York Mets. I know I speak for everyone in the Southern Tier when I say that it is time to "Saddle up for Funn."

#### THANKING SHARON LOLLIO

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

Mr. BISHOP of Michigan. Mr. Speaker, I rise today to pay tribute to an inspirational constituent and friend in my district, Sharon Lollo. Sharon is working tirelessly to plan a Michigan Law Enforcement Officers Memorial

Monument in our capital city of Lansing.

This is important because Michigan remains one of the last States to have a law enforcement memorial, and Sharon is making it her mission to see that this important project does not fall by the wayside by raising awareness to the issue of violence against law enforcement and the importance of honoring the fallen through a permanent memorial in Michigan's Eighth District.

Once constructed, the memorial will be a place of quiet refuge for Michigan residents to reflect on the ultimate sacrifice made by the men and women who keep us safe.

We have lost many Michigan officers in the line of duty over the last few years, and we owe it to them, their families and friends, and the entire law enforcement community to honor them with this special tribute.

Mr. Speaker, I commend Sharon Lollo for her hard work raising the funds and awareness for the Michigan Law Enforcement Officers Memorial Monument. I thank Sharon for her enduring commitment to our men and women in blue and their loved ones.

I am grateful to all those who put their lives on the line to protect our community.

#### HONORING CARRIE MEEK

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to honor the inspiring work of former Congresswoman Carrie Meek.

Hailing from my home State of Florida, Carrie grew up in a family where giving back to the community was a top priority. Throughout her many years of dedicated work, Carrie served as special assistant to the vice president of my alma mater, Miami Dade College, where she was instrumental in the desegregation of the school.

In 1982, Carrie became the first African American elected to the floor of the senate, and my husband, Dexter, and I were proud to work alongside her on behalf of our community. Carrie and I later carried our bipartisan efforts to the marbled Halls of Congress.

As a Congresswoman, Carrie's coveted seat on the Appropriations Committee allowed her to fight for much-needed aid to south Florida after the devastating impact of Hurricane Andrew.

Following her retirement from Congress, Carrie established the Carrie Meek Foundation, promoting programs in housing, education, health, and economic development to improve the quality of life for the most vulnerable members of our society.

At the age of 91, Carrie continues to demonstrate her affection for selfless

public service. She is an example to be followed.

Congratulations to Carrie Meek.

### FAMILY VALUES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, it has been a most interesting day here in Washington, D.C., this last week in which we have seen the battle royal over the repeal of the Affordable Care Act. I want to really speak about the Affordable Care Act, what it has managed to do for Americans.

Much of the conversation over these last several days has been on the other side of it: how it could be repealed and how, somehow, that would be good for Americans.

But the Congressional Budget Office has made it clear that the bill that passed the House of Representatives some time ago, about a month and a half ago, was bad news for Americans. Some 18 million people would lose their health insurance in very short order within a year or so, and some 24 million would lose their health insurance over the next 5 to 7 years. That is a terrible situation.

When you take a look at what has happened in the recent period since 2014 when the Affordable Care Act was actually in full force, we have found many millions of Americans with insurance.

In my own State of California, we now have over 5 million Californians with insurance that they previously did not have. About 1.5 million of those Californians are in the exchange—the California exchange, which we call Covered California—and another 3.5 million are covered in the expanded Medicaid program. That is good news.

It is also good news that people who previously were unable to take care of their medical issues found coverage.

I remember a woman, actually, my wife's beautician, who came to her as the Affordable Care Act was implemented in California and told her: At last I can get insurance. My husband and I are going to have a baby—or we want to have a baby. We couldn't afford it before. But now I have insurance. I am on the exchange. I have the subsidy, and I can afford it—family values.

In the last 6 months, as the new administration has taken hold and as the repeal of the Affordable Care Act has become the talk of the Nation, in a more recent visit, she said: We have delayed getting pregnant because we are not sure if I can have insurance. If they repeal, if they kill ObamaCare, I won't have insurance, and we won't have a baby.

□ 1800

Family values. I want to talk about values: family values and others.

I used this last week, and I am going to use it over and over again, because this is a statement of values. This is from Franklin Delano Roosevelt in the midst of the Great Depression.

President Roosevelt said this: "The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little."

That is a statement of values. That is a statement of purpose. That is the reason why he and the Democrats, during the Great Depression, took the actions like, for example, Social Security. For those who have little, Social Security.

Then, again, in the sixties, for those who have little, this same statement of value came into place. During Lyndon Johnson's Presidency, the Democrats created Medicare for seniors—men and women over 65. All you needed to do to get health insurance was to live until you were 65 years of age. They also added Medicaid for the poor—principally, children and mothers.

It is a statement of values. It is a statement of purpose. It is a statement of where their heart lies and what they thought was important.

Today, we are working on the Affordable Care Act, sometimes, often derisively, called ObamaCare. But many of us proudly call it ObamaCare, where 5 million Californians have health insurance. Across this Nation, there are 20 million in all States, although some States chose not to extend the method of buying insurance on the exchanges. And so the Federal exchange exists.

This House went the opposite direction. So what did it mean? The uninsured rate in America declined down to the lowest number ever in our history, as men, women, and families were able to get health insurance.

I think of a farmer, a single woman in my district, who never had insurance, never could get health insurance, couldn't afford it until the Affordable Care Act, ObamaCare, came along. She was able to get insurance. She was able to get cancer treatment. If she didn't have insurance, she surely would have died. We have countless examples.

When I was the insurance commissioner in California, we would always fight the insurance companies over their denial of insurance. They used to call it preexisting conditions. Since the Affordable Care Act went into place in 2011 and 2012, preexisting conditions were no longer legal as a mechanism for denying insurance in the United States of America. Insurance companies could not rate people on preexisting conditions.

I remember those lists. It was two pages. As insurance commissioner, people would come to me and say: Why do

I have to fill out this form of everything I have ever done in my life? A broken leg playing football in high school had to be listed—asthma, coughs, contagious diseases. Even mundane things like: Are you a pilot; are you into dirt bikes and dirt bike racing?

These were all reasons why insurance would be denied. But with the Affordable Care Act, no more. That history was gone.

So, today, the President of the United States, perhaps proudly, stood before the American people and said: I will let it die. I will let it die. I will let the Affordable Care Act fail.

What is the message to the American public? What is the message that the President of the United States, Mr. Speaker, has said to the American public?

Mr. Speaker, he has said: I will work to deny the American people health insurance.

Mr. Speaker, the President of the United States has, in so many words, said that he will take action to deny the American people health insurance—not all of them, just 20 million. You proactively take specific actions.

And what are those actions? To tell the IRS to not enforce the mandate so that people will be able to go without insurance until they have an accident or sickness and wind up in the emergency room so that everybody else can pay for their care.

He will not allow the payment of the cross-subsidies for those insurance companies that have enrolled an excessive amount of very sick people and other insurance companies that have enrolled a healthy population. That cross-subsidy is critical.

He will create more uncertainty so that the insurance companies do not know how to price their insurance. He has already removed the ability for the Federal and State exchanges to advertise. There is no insurance company, I can tell you from my own experience, that can survive without advertising. They have got to talk about what it is they are offering. They have to sign up people, and they have to have a cross subsidization of healthy, sick, and not so sick people in their pool of risk. But he set up a system so that those exchanges that are in existence in the States and the Federal exchanges will not have the money to advertise.

California is a big State. We can get along without President Trump. So we have set up our own mechanism of providing money for advertising Covered California. A couple of other States have been able to do the same, but not every State.

There has been discussion that the market is collapsing. I want to read to you an analysis done by the Kaiser Family Foundation that just came out

a week ago that would counter the arguments that this is a collapsing market. I am going to read this. It is a little long, but I think it is worth understanding.

“Early results from 2017 suggest the individual market is stabilizing and insurers in this market are regaining profitability. Insurer financial results show no sign of a market collapse.”

Perhaps I should read that again and perhaps the President might also want to read, although I understand he doesn't. Perhaps if he did, he would read the Kaiser Family Foundation report coming out July 2017.

“Insurer financial results show no sign of a market collapse. First quarter premium and claims data from 2017 support the notion that 2017 premium increases were necessary as a one-time market correction to adjust for a sicker-than-expected risk pool.”

I am going to come back to that after finishing reading this.

“Although individual market enrollees appear on average to be sicker than the market pre-ACA, data on hospitalizations in this market suggest that the risk pool is stable on average and not getting progressively sicker as of early 2017. Some insurers have exited the market in recent years, but others have been successful and expanded their footprints, as would be expected in a competitive marketplace.

“While the market on average is stabilizing, there remain some areas of the country that are more fragile. In addition, policy uncertainty has the potential to destabilize the individual market generally. Mixed signals from the administration and Congress as to whether cost sharing subsidy payments will continue or whether the individual mandate will be enforced have led to some insurers to leave the market or request larger premium increases than they would otherwise. A few parts of the country may now be at risk of having no insurer on exchange, though new entrants or expanding insurers have moved in to cover most areas previously thought to be at risk of being bare.”

Not my words, but rather the words of the Kaiser Family Foundation.

So, Mr. Speaker, the President apparently intends to destroy the Affordable Care Act by saying that it doesn't work. In fact, his actions may make it a situation in which it would not work.

I suppose if he has his way, we are going to see, in 2018, the number of uninsured rise back to where it was before the Affordable Care Act. That is about 22 million Americans without insurance.

Well done, Mr. President. Well done. If that is what you want, I want to know what your values are. What are your values?

Mr. Speaker, I would ask the President: What are your values, Mr. President? You have been supporting the

Republican legislation to repeal and replace. It happens to do much for those who have much.

The largest single tax break for the wealthy ever in this Nation's history was in the legislation that passed the House of Representatives with the repeal and replace legislation, so much so that Mr. Trump's Cabinet, made up of the wealthiest Cabinet perhaps ever in America's history, would receive huge tax breaks of well over \$4 million a year, and quite possibly a much higher number.

Those are not the values of the Democratic Party, those are not the values of Franklin Delano Roosevelt, and those are clearly not the values of Americans who care about each other, who are concerned about those who have little.

Ask the American public if they want to do away with Social Security. Ask the American public if they want to do away with Medicaid. Do away with Medicaid? Yes, 60 percent of the Medicaid money supports seniors in nursing homes. You want to do away with that? I don't think so. But that is what it would do.

The Affordable Care Act does need to be improved, and the Democrats have been trying to do that for some time. How can we do it? Many ideas have been proposed.

When the legislation was heard in committees here, the Democrats proposed several amendments to improve the Affordable Care Act. The first amendment was to do away with the repeal, but, of course, that didn't pass in committee and certainly wasn't on the floor.

□ 1815

So how do you deal with improving the Affordable Care Act?

Let's start with drugs. We know that for the Medicare system, that the Federal Government cannot negotiate the price of drugs. And for the exchanges—the Federal exchanges, we cannot negotiate the price of drugs. It was a law that was written with Medicare part D back in 2002 and 2003.

So why can't we negotiate the price of drugs?

We ought to be able to do that. You want to reduce one of the cost factors, let's negotiate the price of drugs.

How about another one? How about consumer services? Increasing the risk pool, increasing the number of men and women that are in the pool by advertising?

I talked earlier about the President removing the money for advertising on the Federal exchanges and State exchanges.

You want to improve it, improve the risk pool. A broad risk pool is a fundamental fact of any insurance program that is successful. But to take overt action, to diminish the risk pool, and to put into the risk pool less healthy people,

and to keep people who are healthy out of the risk pool—please keep in mind that any of us at any particular day may find ourselves in need of very serious medical attention, perhaps a car accident, perhaps a contagious disease, Zika, who knows what it might be, or a pregnancy. So expand the risk pool by advertising, by enforcing the mandate, which is the third element that could be done.

The President has already taken action to tell the IRS not to enforce the mandate. So the young healthy invincibles shirk the law knowing that they don't ever have to pay a penalty because the IRS is not looking.

Okay, if that is what you want to do. However, if you want to improve the healthcare of America, if you want to hold premiums stable and perhaps even declining, expand that risk pool.

How about a few other things?

When the Affordable Care Act passed the House of Representatives in 2009, there was a public option in it. Unfortunately, the Senate wouldn't stand for a public option. But bring the public option back so that there would be a national public option insurance company available to everybody. Bring that back. That is another idea that ought to be the improvement of it.

Another thing: States can and have successfully modified the Medicaid programs in their State. Expand the ability of States to experiment with different ways of providing services under the Medicaid program. Not by eliminating it, as the Republicans would do—that is, eliminating the expansion, as the Republicans would do in their repeal and in TrumpCare—but, rather, allow the States to experiment with different ways of providing the medical services in the Medicaid program. And there are some great ideas out there.

We know that many of the people in Medicaid have long illnesses, high blood pressure; perhaps they have other illnesses that require constant care. We know that there are examples of programs that provide ongoing services so that these illnesses are constantly being able to be monitored and dealt with.

You want to deal with blood pressure, take a couple of cheap pills and you keep the blood pressure down and you avoid stroke and diabetes and the like. Those programs should be existing in most States, in most Medicaid programs. So we ought to provide the opportunity for the States to experiment with different ways of keeping down the cost of medical services.

There are many other things that we can do with regard to the delivery systems. California has been a leader in creating various delivery systems that do keep down the cost of care—comprehensive delivery system, preexisting conditions being taken care of. So we can do this with a variety of ways.

All of these should be on the floor of the House of Representatives and the

Senate and presented to the President as we have the Affordable Care Act in place and we have ideas on how it can be improved.

Programs such as mandatory care, all of those can be taken into consideration. But, no, we are not going to do that. We are just going to let the Affordable Care Act die, so says our President.

It is unbelievable that you sign on, presumably to provide more opportunity for Americans, to provide better medical care for Americans. But, no, that is not what is going to happen here. The President of the United States said he is going to let it die, let it collapse. How cruel, how harsh, and how unlike previous Presidents. I pray future Presidents who say: My job as President of the United States is to carry out, yeah, the preamble to the Constitution, to form a better union.

But apparently that is not the case with this President.

So the Affordable Care Act is the law of the land, and it is the responsibility of the President to carry out the laws of the land, and that includes things that he thinks may be discretionary, such as the IRS mandate, such as the advertising, the cross-subsidization for those insurance companies that have higher risk pools than other insurance companies.

We live in a very important moment where at risk are 22, 23, 24 million American lives. Thankfully, four senators stood strong and courageous and said, no, they were not going to support the repeal of the Affordable Care Act.

It is not over. This fight is going to go on for some time, and as it goes on, I would hope the American people understand what is at risk. It is the well-being of their neighbors, it is the health of their communities, and, indeed, in some cases, it may be their own life. We will see.

But today, a good thing happened—actually it was yesterday a good thing happened. The Senate was unable to pass a repeal of the Affordable Care Act and a replacement that was in every way a terrible blow to Americans. So we are thankful, and we look to the future and we look to the fight ahead.

I can tell you this: My colleagues on the Democratic side are absolutely determined that the Affordable Care Act be improved and that it continue to be the law of the land. And the millions upon millions of Americans that have had the opportunity to purchase health insurance, to be covered in health exchanges, to be covered under the expansion of the Medicaid program, we are there for them and we are going to fight this. And we will succeed because Americans know what is at risk in the legislation that passed the House of Representatives with the repeal of the Affordable Care Act and the legislation that almost passed the Senate. This

isn't over. Our determination to stay the line remains.

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

#### POLICIES THAT ARE HARMFUL TO AMERICA

The SPEAKER pro tempore (Mr. BERGMAN). Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Texas (Mr. CASTRO) for 30 minutes.

Mr. CASTRO of Texas. Mr. Speaker, every day, millions of Americans from every corner of our Nation get up early in the morning, leave their families, go off to work. They work hard to support themselves and their families. Many of them work two or more jobs at a time. Some come home very late, miss seeing their kids go to bed. These are folks, again, in every part of the Nation who don't ask much from their government. The only thing that they ask is that we live in a country where there is opportunity to pursue their American Dreams.

That means different things for different people. Some kids dream of growing up and being a teacher, an engineer, a lawyer, a firefighter, many things. As parents, we want to see our kids succeed, to live in a nation that remains the preeminent Nation of opportunity around the world.

Unfortunately, over the last 6 months, the policies pursued by this administration are endangering the United States' infrastructure of opportunity, endangering our position in the world. Today we are going to have an opportunity to talk about some of those policies that are harmful to America now and America in the future.

President Trump's proposals on the budget, for example, would hurt the creation of jobs, the ability of people to get healthcare, would be bad for the environment, would do so much harm in so many ways. So I am honored tonight to be with three of my colleagues, all of us from different parts of the country: Myself from Texas, the congresswoman from Wisconsin (Ms. MOORE), the congresswoman from Washington State (Ms. JAYAPAL), and the congresswoman from Florida (Ms. WASSERMAN SCHULTZ).

First I yield to the gentlewoman from Wisconsin, Congresswoman GWEN MOORE, because I know that she has some very strong opinions and perspectives on healthcare.

Ms. MOORE. Mr. Speaker, I thank the gentleman for yielding. I just want to tell you how grateful I am that my colleagues want to have this dialogue, this colloquy with me.

I have been so disturbed by the false information that is being given to Americans about the Affordable Care Act, the whole notion that it is somehow in this death spiral, that somehow

the Affordable Care Act is dead. And I think that the President and our illustrious Speaker, and the majority are promoting this point of view because they want the public to believe that the things that they are doing to destroy the Affordable Care Act and, ultimately, Medicaid are the causes for them not having health insurance, the causes for their premiums rising, the causes for insurers fleeing the market in rural areas. And I just want to spend some time this evening sharing the truth with you all this evening.

The majority, they now have both houses of Congress: the Senate and the House of Representatives. They have the White House. And their message that ObamaCare or the Affordable Care Act is dead sort of covers up the fact that they owe the insurance industry \$8 billion that we, in the Affordable Care Act, promised to give to the insurance companies while they sort of figured out how much premiums would cost in this new market.

They have sued the Federal Government because they say that the subsidies that we are paying for poor people are unconstitutional. And, of course, insurers, not knowing whether or not we are actually going to appropriate the money for the Affordable Care Act because they don't know whether we are going to do it or not, that causes destabilization in the market.

They are threatening in their bill to eliminate the individual mandate, which, of course, the individual mandate is a great source of revenue.

□ 1830

They are gutting the taxes on the wealthiest people in the Affordable Care Act to pay for some of the cost-sharing expenses. And, of course, insurance companies have no idea. In order to set appropriate rates and in order to stay in the market, insurance companies need some certainty. So if, in fact, ObamaCare is dead, it is because they have killed it.

Mr. CASTRO of Texas. This week, I thought it was astounding, in the course of less than 24 hours, the Senate was unable to pass a healthcare bill. The President had promised for months that there would be a new healthcare bill to replace so-called ObamaCare. That failed in the Senate. And then the strategy after that became: Well, we are just going to repeal this, and we are going to give ourselves 2 years to come up with a replacement.

That failed today, and I think it failed for good reasons, because that would be disastrous for the American people; 32 million people would be dropped from the healthcare rolls if all you did was repeal.

So what were you hearing in this whole debate in Wisconsin from your constituents and your voters up there?

Mr. Speaker, I yield to the gentlewoman from Wisconsin.

Ms. MOORE. Well, I am glad you asked that question, because there are a couple of things that have happened. They ran into so much trouble in the Senate from those Senators who were concerned about them block-granting the Medicaid program, killing basically Medicaid. This was aside from the Affordable Care Act. To reduce Medicaid funding by one-third was one of the most egregious portions of the bills that have come out of the House and the proposals in the Senate.

What people need to understand is that, especially in States like Alaska, West Virginia, we have got 70 percent of people in nursing homes depending on Medicaid. We are not talking about able-bodied working people who have been able to benefit from the expansion of Medicaid.

Mr. CASTRO of Texas. Sixty-four percent of long-term nursing home stays are paid for by Medicaid.

Ms. MOORE. Exactly.

Ms. WASSERMAN SCHULTZ. Will the gentleman yield?

Mr. CASTRO of Texas. I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. I represent the State of Florida. I want to thank my colleagues for bringing up this extremely important conversation about the, at least, 23 million people who would have lost healthcare coverage if the "Not Very Affordable Care Act" that the Republicans envisioned would have passed.

If I were the President of the United States, I might want to revise my definition of winning, because I think that we have a leader in the White House who repeatedly said that America would get so tired of winning, once he became President, that we wouldn't know what to do with ourselves.

Well, if killing their horrific healthcare bill and making sure that we can maintain healthcare as a right and not return it to the privilege that it once was for only people who could afford it, then I will take that kind of winning, because we did win on behalf of the American people, but we know that this is not the last trick up their sleeve.

The gentlewoman from Wisconsin mentioned the huge cuts to Medicaid in this terrible piece of legislation, and the gentleman from Texas mentioned the 64 percent of seniors in nursing homes who are there because they are on Medicaid.

I represent the State of Florida, Mr. Speaker, and in the State of Florida, we have the highest percentage of senior citizens as a proportion of our population in the country. This is just one example of a very vulnerable population, and this is an example of a population that our friends on the other side of the aisle were willing to just write off and leave twisting in the wind.

What would happen if this bill became law is we would go back to the

days before Medicare and before Medicaid, in which you had families go bankrupt trying to take care of the ever-increasing healthcare needs of their most elderly family members, and it is just absolutely unacceptable.

Mr. CASTRO of Texas. And, Congresswoman WASSERMAN SCHULTZ, in the 1990s, my grandmother was in her eighties. In 1993, she went into a nursing home and stayed there for about 3 years until she passed away. My grandmother suffered most of her life from type 2 diabetes, and before the end of her life, she had to have one of her legs amputated, and finally succumbed to congenital heart failure, but there is no way that my family, my mom, would have been able to afford to pay for 3 years of a nursing home stay but for the effect of this program.

Ms. WASSERMAN SCHULTZ. I, too, had a very similar experience. My mother-in-law suddenly had a stroke when she was 58 years old, and she was cut down in her prime, also suffered from diabetes, and spent 3 years really in a very debilitated condition. She had to spend down essentially all of her assets to be able to qualify for Medicaid, because the only way that she could get care in a nursing home and be able to afford to get quality care in a nursing home was through Medicaid. She did also eventually die after 3 years in a nursing home, but I can't even imagine having to try to find a way to pay for her care if it were not for Medicaid.

Ms. JAYAPAL. Would the gentleman yield?

Mr. CASTRO of Texas. I yield to the gentlewoman from Washington.

Ms. JAYAPAL. I just wanted to go back to this question of Medicaid, because I think you have raised such an important program that is really a mainstay for the American people. A lot of people don't understand exactly how much it covers. You have mentioned 62 percent of seniors in nursing homes.

One in four births in this country is covered through Medicaid. I was just talking to our good colleague, Mr. YARMUTH of Kentucky. Over half of the births in Kentucky are covered through Medicaid.

Then if you look at kids with disabilities, Medicaid covers 60 percent of kids with disabilities.

So when you talk about cutting \$1.5 trillion from Medicaid, as was the case between TrumpCare and what was proposed in the budget, which I know our good friend from Florida is going to talk about, you actually had \$1.5 trillion in cuts to a program that serves 72 million Americans. So it really is a travesty when you think about how much this program supports.

Mr. CASTRO of Texas. Mr. Speaker, I yield to the gentlewoman from Wisconsin.

Ms. MOORE. Mr. Speaker, that is right, because the narrative is that

Medicaid only covers these ne'er-do-well, able-bodied people who the Medicaid expansion dealt with. But the reason why the Senate, to answer your question, couldn't live with the bill that was there is because not only did it repeal the Affordable Care Act, so-called ObamaCare, but it also undermined Medicaid, which is so vital.

And just think about this: cutting Medicaid by one-third would lead to people in nursing homes competing with disabled children, disabled children competing with other disabled adults, and with hospitals and nursing homes fighting for the crumbs that fall from the master's table.

Mr. CASTRO of Texas. And, by the way, Congresswoman MOORE, that is why a lot of people were referring to these cuts as cruel. I mean, it really is cruel.

Ms. MOORE. It is mean.

Ms. WASSERMAN SCHULTZ. "Mean" was the exact word that the President used.

Mr. CASTRO of Texas. That is right. You bring up a great point, and then I want to talk real quick about the budget.

There is this underlying tone from the President and from other politicians that some of the folks who are on Medicaid are somehow undeserving, that they are somehow freeloading, and that is just not the case. It is a complete misunderstanding of who these Americans are.

We talk about how healthcare failed. It seems like the President promised healthcare, but it didn't happen.

One of the things that they wanted to do before healthcare, which hasn't happened either, was tax reform. That is going to be very difficult, especially when one of the foundations of your new tax plan is giving a tax cut to the wealthiest folks, literally who need it the least, but it raises a question of the budget and what the budget does for the American people.

Ms. MOORE. Will the gentlewoman from Florida explain kind of the budget reconciliation, where they are going to get these tax cuts?

Mr. CASTRO of Texas. I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. I would be happy to. I am a member of the Budget Committee, and we are actually going to mark up the Republicans' budget tomorrow in that committee. Really, with all due respect, Mr. Speaker, to the "Commander in Tweet," President Trump's budget that he proposed in May certainly did not put either families or taxpayers first—far from it.

In fact, the budget that both he proposed and that we will mark up tomorrow put Americans and taxpayers dead last, right behind polluters, industry lobbyists, and climate change deniers. And like too many of our Republican colleagues' spending priorities, this

budget, this Republican budget, is actually a brutal attack on America's families.

We all know that it fails to deliver on investments in jobs, in infrastructure, and in education, but, my friends, nowhere is the damage to American families as stark as when it comes to our environment.

The Trump budget, the Republican budget that we will mark up tomorrow, will irreparably damage our air, our water, and our climate. The President has already managed to undermine America's position as a global leader in clean energy frontiers by withdrawing America from the Paris climate accord, for example. And like many of his tweets, President Trump's climate science policies are a rejection of reality, and a cynical embrace of falsehood and fantasy.

Ms. JAYAPAL represents a State that is on a coast, I represent a State that is on a coast, Ms. MOORE represents a State that is on the Great Lakes. Sea levels are rising. Our water levels are rising, Mr. Speaker. Property appraisers and insurance companies in south Florida are already factoring this reality into their home value assessments. King tides are bringing fish into the streets of south Florida.

President Trump's climate change solution is not the Paris climate accord, it is not making sure that we make investments in alternative energy. Let me show you what President Trump's solution to sea level rise and climate change is. His solution is to throw people a life vest, and they can sink or swim. Folks like the people in my district, who have invested most of their savings, like so many people, into their home, a life vest and being told that they can just deal with it is unacceptable.

We have to come together and come up with solutions to make sure that we can fight sea level rise and climate change, to make sure we can keep our drinking water clean, to make sure we make the kinds of investments so that we can protect the air we breathe. We have cities like Flint, Michigan, that have dealt with lead in their water and children being poisoned for years.

To my colleagues, this is something that is an existential threat, that if we don't make the kinds of investments that we must, then we are going to be in a world of hurt, and it is not at some distant point in the future. There was an article in the Miami Herald yesterday, Mr. Speaker, that referenced that my children's generation may not be able to live in my own district. That is absolutely unbelievable.

I am actually thinking of sponsoring an appropriation. Rather than making sure that we can invest in moving away from fossil fuels, maybe we will just invest in more life vests, President Trump's solution to global warming and climate change and sea level rise,

and just issue everybody one of these, and we are good to go.

Mr. CASTRO of Texas. Congresswoman, you bring up a great point, and you focused on the environment there and how the President's budget proposal and the majority's budget proposal is damaging to the environment.

I think about a series that I saw yesterday in Texas. The Texas Tribune is an online publication, but it is kind of like the State newspaper, and they did a series called "A Pass to Poison." And in the series, they noted that in 2016, I believe, there were about 3,700 incidents of air pollution in Texas, and the regulating agency in Texas, which is TCEQ, only gave out fines for 20 of those incidents.

So you talk about breathing harmful air. I can't help but think what will happen if these cuts that are being proposed under this budgetary situation go through, are we going to have 5,000 incidents now, and you are still only going to fine 20 people?

Ms. WASSERMAN SCHULTZ. Will the gentleman yield?

Mr. CASTRO of Texas. I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. I just came from the Appropriations Committee markup on the Interior legislation, and a large part of that committee's work relates to the environment.

In my district, which is ground zero for sea level rise, Broward County recently ordered the drawing of new flood maps because of anticipated higher water levels. The city of Fort Lauderdale has already increased the height requirement for seawalls and raised the elevation of home sites. Miami Beach's climate plan involves building elevated roads and installing pumps to keep out saltwater.

□ 1845

So the President's and the Republican's—our colleagues on the other side of the aisle—solution for sea level rise is basically sink or swim. Here is the President's coastal flood mitigation plan. We have got the sea level rise plan and the coastal flood mitigation plan. Take your pick. At some point, we are probably going to have to give people both because we literally have to slosh around in galoshes when you are walking down the street in south Florida because of how bad the king tides are and how bad the streets flood in a normal rain.

But, God forbid, we should invest in infrastructure. And I know the gentlewoman from Washington (Ms. JAYAPAL), when she was in the State senate, was a significant leader on investing in infrastructure, which is absolutely critical to making sure that we can keep people safe and that we can make sure that we can create jobs. That is something that this President and the Republicans have talked a whole lot about.

We are 178 days into this President's term, and we haven't passed a single piece of legislation related to infrastructure investment. And I think he actually promised to think big, because supposedly Democrats weren't thinking big enough; and that he was going to propose a \$1 trillion infrastructure plan. I am hearing crickets. I am still waiting for that plan.

Mr. CASTRO of Texas. Mr. Speaker, when Americans think about their main concerns—I have a bread and butter district where people are thinking foremost about their work. They want to make sure that they can support themselves and their family members, but there hasn't been much in the way of anything from the White House to create jobs.

Mr. Speaker, I yield to the gentlewoman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. Mr. Speaker, I thank the gentleman for yielding.

There really hasn't. And I want to say that, if you look at the budget, you really get a sense of where the priorities are. They are not investing in climate. They are cutting healthcare dramatically. They are not investing in jobs and infrastructure.

Now, as the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) said, when I was in the State senate—it was actually a Republican-controlled senate—together, we worked on a package and we invested \$16 billion into infrastructure because we knew that that was good for Republicans and for Democrats.

If you look at what this President has to say, this was a tweet that he just put out:

"Really great numbers on jobs and the economy. Things are starting to kick in now. . . ."

But the thing is that, this week, the White House is calling this "Made in America Week." Well, maybe somebody should let the President know that everything should be made in America, because I happen to take a look at some of the products of the Trump Organization—and I am talking about Ivanka Trump's products and all of the President's organizations' products—and here is what I found:

Here is one of the products of Donald J. Trump's signature collection, made in Mexico.

Here is another one from Ivanka Trump, made in China.

So if the President is so incredibly committed to making things in America, I have a proposal—and perhaps we should have an amendment to this effect—that he should start with the Trump Organization. In fact, much of the steel that was put into buildings that were built by the Trump Organization was not steel that was made here in America.

I actually have one of the largest steel manufacturing plants in my district in Washington State. Nobody ever



thinks about it that way, but we do have steel being manufactured in Seattle. And we are in a situation now where this President and this Republican-controlled Congress has yet to introduce a single bill that would actually invest in jobs or infrastructure.

In fact, the budget takes money away from job training. It takes more money out of infrastructure investment than it puts into infrastructure investment. And when you think about the Federal Government's role in infrastructure—of course, we all want public-private partnerships, where possible—the Federal Government has a very strong role in making sure that we are investing in all of our infrastructure, not only our roads and our bridges, but also all of our water sources, and making sure that we are investing in transit. These are all ways to put Americans back to work.

Yet, for a President who ran a campaign based on jobs and infrastructure and a Republican-controlled House, we have yet to see a single job emerge. And even the jobs that he says he has created, recently reports that he had created 45,000 coal mining jobs, but, unfortunately, Mr. Speaker, what we have seen is the numbers show only 800 jobs created in the coal mines.

Ms. WASSERMAN SCHULTZ. Will the gentleman yield?

Mr. CASTRO of Texas. I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. Would the gentlewoman be surprised that last night in the Appropriations Committee, we marked up the T-HUD bill—the Transportation, Housing and Urban Development bill? And for all the talk about making it in America and investing in infrastructure and transportation and making sure that we can create jobs through those vehicles, will the gentlewoman be surprised that the Republican majority actually zeroed out TIGER grants?

Those are the transportation grants that go directly to projects in communities across this country, to help move people around through people movers and investments in roads and bridges.

In my district, a TIGER grant was granted last year for complete streets because we have the highest number of pedestrians and bicyclists killed in the country, unfortunately, in Broward County.

So would the gentlewoman be surprised to learn the so-called big commitment to creating jobs and investing

in infrastructure actually resulted in massive cuts in the very legislation where we would be investing those resources and infrastructure?

Ms. JAYAPAL. Will the gentleman yield?

Mr. CASTRO of Texas. I yield to the gentlewoman from Washington.

Ms. JAYAPAL. I thank the gentlewoman for raising that because this elimination of TIGER grants affects cities across the country—red States, blue States, Republican, and urban. We have a lot of those TIGER grants that have paid for our roads, rails, transit, ports, and new transportation projects.

Perhaps I will turn it back to the gentlewoman from Wisconsin. Would you be surprised to know that the budget actually slashes job training programs for distressed workers by 65 percent?

Ms. MOORE. Will the gentleman yield?

Mr. CASTRO of Texas. I yield to the gentlewoman from Wisconsin.

Ms. MOORE. I would be stunned to think that any party or any President would do that.

Infrastructure has been the bread and butter, and it has been one of the most bipartisan things that we have.

When you talk about the need to expand our economy, expand the gross domestic product, one of the sure-fire ways to do that is through infrastructure projects. Not just building roads, but we need water treatment plants, our new energy economy, we have bio technology, and a number of other ways.

But I hail from Milwaukee, Wisconsin, which is still very reliant on the manufacturing industry. But I am wondering if my colleagues would be surprised to know that healthcare is one-sixth of our economy, and that if we were to repeal the Affordable Care Act and then slash the growth of Medicaid by one-third over the next decade, that there will literally be millions of jobs that are lost?

I mean, everybody depends on the healthcare system, whether you are the brain surgeon or you are the guy that is mopping up the ICU; whether you are the person who is dispensing pharmaceuticals at CVS or whether you are the receptionist at the community health center.

And by destroying the Affordable Care Act, we are going to cost shift a lot to our States. Just over the next decade, it is \$68 billion of unfunded mandates shifted to the States so that they won't be able to fund things.

And I just want to point something out before I finish. There are a lot of people who think that this just doesn't matter to me. Those 24 million, 22 million, whatever number people agree upon that the CBO says that will lose health insurance if the Affordable Care Act ends—those people who are in nursing homes—that doesn't matter to me. Forty-nine percent of the folks in this country receive their healthcare through their employer and your premiums will go sky high, unlike what President Trump says, because you will have to pay for all of the uncompensated care that this country will see after we destroy Medicaid in the Affordable Care Act.

Mr. CASTRO of Texas. I hear you. I wanted to give Congresswoman WASSERMAN SCHULTZ the last word.

Mr. Speaker, I yield to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. I just wanted to, again, place these items on the table and demonstrate the grave impact that will take its toll on the American people if the cuts that have been proposed by the Trump administration and the Republican majority go through. And we will stand together fighting every step of the way to make sure that—instead of galoshes, a life vest, and a surgical mask that we see so many citizens of other countries have to walk around their streets using because their air quality is so poor, we will stand together to continue to fight to make the kind of investments that will help improve, not detract, from people's quality of life.

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

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CUMMINGS (at the request of Ms. PELOSI) for July 11 through July 20.

#### ADJOURNMENT

Mr. CASTRO of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 19, 2017, at 10 a.m. for morning-hour debate.

## EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first and second quarters of 2017, pursuant to Public Law 95-384, are as follows:

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JEFFREY DRESSLER, EXPENDED BETWEEN MAY 26 AND JUNE 5, 2017

| Name of Member or employee | Date    |           | Country           | Per diem <sup>1</sup> |                                                      | Transportation   |                                                      | Other purposes   |                                                      | Total            |                                                      |
|----------------------------|---------|-----------|-------------------|-----------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|
|                            | Arrival | Departure |                   | Foreign currency      | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> |
| Jeffrey Dressler .....     | 5/28    | 5/29      | South Korea ..... |                       | 367.00                                               |                  | ( <sup>3</sup> )                                     |                  |                                                      |                  | 367.00                                               |
|                            | 5/29    | 5/30      | Japan .....       |                       | 496.90                                               |                  | ( <sup>3</sup> )                                     |                  |                                                      |                  | 496.90                                               |
|                            | 5/30    | 6/2       | Vietnam .....     |                       | 692.00                                               |                  | ( <sup>3</sup> )                                     |                  |                                                      |                  | 692.00                                               |
|                            | 6/2     | 6/4       | Singapore .....   |                       | 811.99                                               |                  | ( <sup>3</sup> )                                     |                  |                                                      |                  | 811.99                                               |
| Committee total .....      |         |           |                   |                       | 2,367.89                                             |                  |                                                      |                  |                                                      |                  | 2,367.89                                             |

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Military air transportation.

JEFFREY DRESSLER, July 5, 2017.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO MALTA, EXPENDED BETWEEN MAY 30 AND JUNE 4, 2017

| Name of Member or employee    | Date    |           | Country     | Per diem <sup>1</sup> |                                                      | Transportation   |                                                      | Other purposes   |                                                      | Total            |                                                      |
|-------------------------------|---------|-----------|-------------|-----------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|
|                               | Arrival | Departure |             | Foreign currency      | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> |
| Hon. Mario Diaz-Balart .....  | 6/1     | 6/4       | Malta ..... |                       | 1,062.00                                             |                  | 12,433.00                                            |                  |                                                      |                  | 13,495.00                                            |
| Hon. Jim Costa .....          | 5/30    | 6/3       | Malta ..... |                       | 708.00                                               |                  | 12,908.00                                            |                  |                                                      |                  | 13,616.00                                            |
| Hon. Sheila Jackson Lee ..... | 6/1     | 6/4       | Malta ..... |                       | 1,062.00                                             |                  | 9,433.00                                             |                  |                                                      |                  | 10,495.00                                            |
| Hon. Gregory Meeks .....      | 6/1     | 6/4       | Malta ..... |                       | 1,062.00                                             |                  | 9,471.00                                             |                  |                                                      |                  | 10,533.00                                            |
| Hon. Mike Turner .....        | 6/1     | 6/4       | Malta ..... |                       | 1,062.00                                             |                  | 7,688.00                                             |                  |                                                      |                  | 8,750.00                                             |
| Hon. Ted Poe .....            | 6/1     | 6/4       | Malta ..... |                       | 1,062.00                                             |                  | 13,196.00                                            |                  |                                                      |                  | 14,258.00                                            |
| Hon. Erik Paulsen .....       | 6/1     | 6/3       | Malta ..... |                       | 708.00                                               |                  | 8,448.00                                             |                  |                                                      |                  | 9,156.00                                             |
| Hon. Kurt Schrader .....      | 6/1     | 6/5       | Malta ..... |                       | 1,062.00                                             |                  | 7,601.00                                             |                  |                                                      |                  | 8,663.00                                             |
| Hon. Andy Harris .....        | 6/1     | 6/3       | Malta ..... |                       | 708.00                                               |                  | 11,431.00                                            |                  |                                                      |                  | 12,139.00                                            |
| Hon. Dan Donovan .....        | 6/1     | 6/3       | Malta ..... |                       | 708.00                                               |                  | 11,567.00                                            |                  |                                                      |                  | 12,275.00                                            |
| Hon. French Hill .....        | 6/1     | 6/4       | Malta ..... |                       | 1,062.00                                             |                  | 8,291.00                                             |                  |                                                      |                  | 9,353.00                                             |
| Janice Robinson .....         | 5/30    | 6/4       | Malta ..... |                       | 1,770.00                                             |                  | 6,152.00                                             |                  |                                                      |                  | 7,922.00                                             |
| Angela Ellard .....           | 6/1     | 6/3       | Malta ..... |                       | 708.00                                               |                  | 11,418.00                                            |                  |                                                      |                  | 12,126.00                                            |
| Sarah Blocher .....           | 6/1     | 6/4       | Malta ..... |                       | 1,062.00                                             |                  | 11,416.00                                            |                  |                                                      |                  | 12,478.00                                            |
| Kyle Parker .....             | 6/1     | 6/4       | Malta ..... |                       | 1,062.00                                             |                  | 11,416.00                                            |                  |                                                      |                  | 12,478.00                                            |
| Phil Bednarczyk .....         | 6/1     | 6/4       | Malta ..... |                       | 1,062.00                                             |                  | 11,416.00                                            |                  |                                                      |                  | 12,478.00                                            |
| Committee total .....         |         |           |             |                       | 15,930.00                                            |                  | 164,285.00                                           |                  |                                                      |                  | 180,215.00                                           |

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MARIO DIAZ-BALART, June 29, 2017.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO MEXICO, EXPENDED BETWEEN JUNE 4 AND JUNE 6, 2017

| Name of Member or employee | Date    |           | Country      | Per diem <sup>1</sup> |                                                      | Transportation   |                                                      | Other purposes   |                                                      | Total            |                                                      |
|----------------------------|---------|-----------|--------------|-----------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|
|                            | Arrival | Departure |              | Foreign currency      | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> |
| Hon. Michael McCaul .....  | 6/4     | 6/6       | Mexico ..... |                       | 784.00                                               |                  | 552.00                                               |                  |                                                      |                  | 1,336.00                                             |
| Hon. Linda Sanchez .....   | 6/4     | 6/6       | Mexico ..... |                       | 784.00                                               |                  | 805.00                                               |                  |                                                      |                  | 1,589.00                                             |
| Hon. Gene Green .....      | 6/4     | 6/6       | Mexico ..... |                       | 784.00                                               |                  | 597.00                                               |                  |                                                      |                  | 1,381.00                                             |
| Hon. Zoe Lofgren .....     | 6/4     | 6/6       | Mexico ..... |                       | 784.00                                               |                  | 595.00                                               |                  |                                                      |                  | 1,379.00                                             |
| Hon. Steve Pearce .....    | 6/4     | 6/6       | Mexico ..... |                       | 784.00                                               |                  | 1,006.00                                             |                  |                                                      |                  | 1,790.00                                             |
| Hon. Jared Polis .....     | 6/4     | 6/6       | Mexico ..... |                       | 784.00                                               |                  | 1,506.00                                             |                  |                                                      |                  | 2,290.00                                             |
| Hon. David Valadao .....   | 6/4     | 6/6       | Mexico ..... |                       | 784.00                                               |                  | 743.00                                               |                  |                                                      |                  | 1,527.00                                             |
| Hon. William Hurd .....    | 6/3     | 6/6       | Mexico ..... |                       | 784.00                                               |                  | 656.00                                               |                  |                                                      |                  | 1,440.00                                             |
| Hon. Keith Rothfus .....   | 6/4     | 6/6       | Mexico ..... |                       | 784.00                                               |                  | 809.00                                               |                  |                                                      |                  | 1,593.00                                             |
| Hon. Martha McSally .....  | 6/4     | 6/6       | Mexico ..... |                       | 784.00                                               |                  | 828.00                                               |                  |                                                      |                  | 1,612.00                                             |
| Hon. Norma Torres .....    | 6/4     | 6/6       | Mexico ..... |                       | 784.00                                               |                  | 536.00                                               |                  |                                                      |                  | 1,320.00                                             |
| Leah Campos .....          | 6/4     | 6/6       | Mexico ..... |                       | 784.00                                               |                  | 601.00                                               |                  |                                                      |                  | 1,385.00                                             |
| Eric Jacobstein .....      | 6/4     | 6/6       | Mexico ..... |                       | 784.00                                               |                  | 601.00                                               |                  |                                                      |                  | 1,385.00                                             |
| Elizabeth Cunningham ..... | 6/3     | 6/6       | Mexico ..... |                       | 1,176.00                                             |                  | 634.00                                               |                  |                                                      |                  | 1,810.00                                             |
| Renn Osborne .....         | 6/4     | 6/6       | Mexico ..... |                       | 784.00                                               |                  | 633.00                                               |                  |                                                      |                  | 1,417.00                                             |
| Committee total .....      |         |           |              |                       | 12,153.00                                            |                  | 11,102.00                                            |                  |                                                      |                  | 23,254.00                                            |

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MICHAEL T. MCCAUL, June 29, 2017.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017

| Name of Member or employee | Date    |           | Country | Per diem <sup>1</sup> |                                                      | Transportation   |                                                      | Other purposes   |                                                      | Total            |                                                      |
|----------------------------|---------|-----------|---------|-----------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|
|                            | Arrival | Departure |         | Foreign currency      | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> |

## HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. VIRGINIA FOXX, Chairman, July 10, 2017.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATURAL RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017

| Name of Member or employee | Date    |           | Country | Per diem <sup>1</sup> |                                                      | Transportation   |                                                      | Other purposes   |                                                      | Total            |                                                      |
|----------------------------|---------|-----------|---------|-----------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|
|                            | Arrival | Departure |         | Foreign currency      | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> |

## HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. ROB BISHOP, Chairman, July 5, 2017.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2017

| Name of Member or employee | Date    |           | Country | Per diem <sup>1</sup> |                                                      | Transportation   |                                                      | Other purposes   |                                                      | Total            |                                                      |
|----------------------------|---------|-----------|---------|-----------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|
|                            | Arrival | Departure |         | Foreign currency      | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> |
| Lale Morrison              | 2/18    | 2/19      | Italy   |                       | 139.00                                               |                  | ( <sup>3</sup> )                                     |                  |                                                      |                  | 139.00                                               |
|                            | 2/19    | 2/20      | Jordan  |                       | 141.00                                               |                  | ( <sup>3</sup> )                                     |                  |                                                      |                  | 141.00                                               |
|                            | 2/20    | 2/22      | Israel  |                       | 276.00                                               |                  | ( <sup>3</sup> )                                     |                  |                                                      |                  | 276.00                                               |
|                            | 2/22    | 2/25      | Austria |                       | 345.00                                               |                  | ( <sup>3</sup> )                                     |                  |                                                      |                  | 345.00                                               |
| James McGovern             | 2/19    | 2/23      | Cuba    |                       | 444.00                                               |                  | 1,127.00                                             |                  |                                                      |                  | 1,571.00                                             |
| Cindy Buhl                 | 2/19    | 2/23      | Cuba    |                       | 444.00                                               |                  | 1,127.00                                             |                  |                                                      |                  | 1,571.00                                             |
| Committee total            |         |           |         |                       | 1,789.00                                             |                  | 2,254.00                                             |                  |                                                      |                  | 4,043.00                                             |

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.<sup>3</sup> Military air transportation.

HON. PETE SESSIONS, Chairman, June 29, 2017.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JOINT COMMITTEE ON TAXATION, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017

| Name of Member or employee | Date    |           | Country | Per diem <sup>1</sup> |                                                      | Transportation   |                                                      | Other purposes   |                                                      | Total            |                                                      |
|----------------------------|---------|-----------|---------|-----------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|
|                            | Arrival | Departure |         | Foreign currency      | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> |

## HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. KEVIN BRADY, Chairman, July 6, 2017.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2007. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Frank C. Pandolfe, United States Navy, and his advancement to the grade of vice admiral on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

2008. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Oklahoma: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2016-0344; FRL-9962-39-Region 6] received July 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2009. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing; Flame Attenuation Lines [EPA-HQ-OAR-2010-1042; FRL-9964-89-OAR] received July 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2010. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Louisiana: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2016-0558; FRL-9962-37-Region 6] received July 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2011. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; NC; Open Burning and Miscellaneous Revisions [EPA-R04-OAR-2007-0085; FRL-9965-02-Region 4] received July 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2012. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plans; Puerto Rico; Attainment Demonstration for the Arecibo Area for the 2008 Lead National Ambient Air Quality Standards [EPA-R02-OAR-2016-0559; FRL-9964-87-Region 2] received July 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2013. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Removal of Clean Air Interstate Rule

Program Regulations (CAIR) and Reference to CAIR, and Amendments to Continuous Emission Monitor (CEM) Reference [EPA-R03-OAR-2016-0514; FRL-9964-79-Region 3] received July 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2014. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Maine; Motor Vehicle Fuel Requirements [EPA-R01-OAR-2015-0648; A-1-FRL-9964-80-Region 1] received July 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2015. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Maine; Decommissioning of Stage II Vapor Recovery Systems [EPA-R01-OAR-2016-0296; A-1-FRL-9964-81-Region 1] received July 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2016. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Address and Agency Name Changes for Region 4 State and Local Agencies; Technical Correction [Region 4; FRL-9964-36-Region 4] received July 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2017. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Illinois; NAAQS Updates [EPA-R05-OAR-2016-0512; EPA-R05-OAR-2016-0522; EPA-R05-OAR-2017-0322; FRL-9964-97-Region 5] received July 14, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2018. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-99, "Fiscal Year 2018 Local Budget Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

2019. A letter from the Board of Trustees, Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds, transmitting the 2017 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds, pursuant to 42 U.S.C. 401(c)(2); Aug. 14, 1935, ch. 531, title II, Sec. 201 (as amended by Public Law 100-647, Sec. 8005(a)); (102 Stat. 3781) (H. Doc. No. 115-54); to the Committee on Ways and Means and ordered to be printed.

2020. A letter from the Boards of Trustees, Federal Hospital Insurance and Supplementary Medical Insurance Trust Funds, transmitting the 2017 Annual Report Of The Boards Of Trustees Of The Federal Hospital Insurance And Federal Supplementary Medical Insurance Trust Funds, pursuant to 42 U.S.C. 1395t(b)(2); Aug. 14, 1935, ch. 531, title XVIII, Sec. 1841(b)(2) (as amended by Public Law 108-173, Sec. 801(d)(2)); (117 Stat. 2166) and 42 U.S.C. 1395i(b)(2); Aug. 14, 1935, ch. 531, title XVIII, Sec. 1817(b)(2) (as amended by Public Law 108-173, Sec. 801(d)(1)); (117 (H. Doc. No. 115-53); jointly to the Committees on Ways and Means and Energy and Commerce, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 2875. A bill to make administrative reforms to the National Flood Insurance Program to increase fairness and accuracy and protect the taxpayer from program fraud and abuse, and for other purposes (Rept. 115-233). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAVES of Georgia: Committee on Appropriations. H.R. 3280. A bill to making appropriations for financial services and general government for the fiscal year ending September 30, 2018, and for other purposes (Rept. 115-234). Referred to the Committee of the Whole House on the state of the Union.

Ms. CHENEY: Committee on Rules. House Resolution 454. A resolution providing for consideration of the bill (H.R. 2910) to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes; providing for consideration of the bill (H.R. 2883) to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity; providing for consideration of the bill (H.R. 218) to provide for

the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay; and for other purposes (Rept. 115-235). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BIGGS (for himself, Mr. GOSAR, Mr. GARRETT, Mr. FRANKS of Arizona, Mr. GAETZ, Mr. JODY B. HICE of Georgia, Mr. MASSIE, and Mr. GOHMERT):

H.R. 3276. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, Natural Resources, the Judiciary, House Administration, Rules, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BIGGS (for himself and Mr. GOHMERT):

H.R. 3277. A bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction for health insurance premiums; to the Committee on Ways and Means.

By Mr. BIGGS:

H.R. 3278. A bill to amend the Public Health Service Act to provide for cooperative governing of individual health insurance coverage; to the Committee on Energy and Commerce.

By Mr. COOK:

H.R. 3279. A bill to amend the Mineral Leasing Act to provide that extraction of helium from gas produced under a Federal mineral lease shall maintain the lease as if the helium were oil and gas; to the Committee on Natural Resources.

By Mr. LAMBORN:

H.R. 3281. A bill to authorize the Secretary of the Interior to facilitate the transfer to non-Federal ownership of appropriate reclamation projects or facilities, and for other purposes; to the Committee on Natural Resources.

By Mr. BABIN:

H.R. 3282. A bill to amend title 49, United States Code, with respect to electronic logging devices, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. DONOVAN:

H.R. 3283. A bill to restrict the mailability of tableting machines, encapsulating machines, and controlled substance counterfeiting materials, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FITZPATRICK (for himself, Mrs. MURPHY of Florida, and Mr. DONOVAN):

H.R. 3284. A bill to amend the Homeland Security Act of 2002 to establish a Joint Counterterrorism Awareness Workshop Series, and for other purposes; to the Committee on Homeland Security.

By Mr. HIGGINS of Louisiana (for himself, Mr. JOHNSON of Louisiana, Mr.

PALLONE, Mr. PASCRELL, Mr. SIREs, Mrs. WATSON COLEMAN, Mr. HARPER, Mr. PALAZZO, and Mr. PAYNE):

H.R. 3285. A bill to reauthorize the National Flood Insurance Program, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUFFMAN:

H.R. 3286. A bill to direct the Secretary of Energy to issue regulations regarding disclosure of oil data, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HUFFMAN:

H.R. 3287. A bill to require the Director of the Congressional Budget Office to calculate a carbon score for each bill or resolution; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KUSTER of New Hampshire (for herself, Mr. WELCH, Ms. PINGREE, Ms. SHEA-PORTER, Ms. STEFANIK, Mr. KATKO, and Ms. TENNEY):

H.R. 3288. A bill to amend title 40, United States Code, to promote regional economic and infrastructure development, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATTI:

H.R. 3289. A bill to amend the Communications Act of 1934 to require identification and description on the website of the Federal Communications Commission of items to be decided on authority delegated by the Commission; to the Committee on Energy and Commerce.

By Mr. MCNERNEY (for himself and Mr. LATTI):

H.R. 3290. A bill to require the Secretary of Energy to initiate the development of voluntary model pathways for modernizing the electric grid, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RYAN of Ohio (for himself and Mr. BEN RAY LUJAN of New Mexico):

H.R. 3291. A bill to amend title XIX of the Social Security Act to provide for a State option to provide for maternal, infant, and early childhood home visiting programs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SMITH of Missouri (for himself, Mr. WILLIAMS, Ms. JENKINS of Kansas, and Mr. BLUMENAUER):

H.R. 3292. A bill to amend the Internal Revenue Code of 1986 to impose a mileage-based user fee for mobile mounted concrete boom pumps in lieu of the tax on taxable fuels, and for other purposes; to the Committee on Ways and Means.

By Ms. TENNEY (for herself and Mr. LIPINSKI):

H.R. 3293. A bill to amend section 2533a of title 10, United States Code, to add stainless steel flatware to the list of covered items in such section; to the Committee on Armed Services.

By Mr. CROWLEY:

H. Res. 453. A resolution electing a Member to certain standing committees of the House of Representatives; considered and agreed to, considered and agreed to.

By Mr. LEWIS of Georgia (for himself, Mrs. BEATTY, Mr. BISHOP of Georgia, Mr. CONNOLLY, Mr. CONYERS, Mr. DONOVAN, Mr. ESPAILLAT, Mr. EVANS, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS, Ms. JACKSON LEE, Ms. JAYAPAL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. KHANNA, Ms. LEE, Mr. MCGOVERN, Ms. NORTON, Ms. PLASKETT, Mr. SMITH of Washington, Ms. MAXINE WATERS of California, Mrs. WATSON COLEMAN, and Mr. COHEN):

H. Res. 455. A resolution expressing the sense of the House of Representatives on Nelson Mandela International Day; to the Committee on Foreign Affairs.

### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BIGGS:

H.R. 3276.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. BIGGS:

H.R. 3277.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. BIGGS:

H.R. 3278.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. COOK:

H.R. 3279.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, clause 2 and Article I, Section 8, clause 18

By Mr. GRAVES of Georgia:

H.R. 3280.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. LAMBORN:

H.R. 3281.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 18 and Article IV, section 3, clause 2

By Mr. BABIN:

H.R. 3282.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. DONOVAN:

H.R. 3283.

Congress has the power to enact this legislation pursuant to the following:

United States Constitution Article I, Section 8

By Mr. FITZPATRICK:

H.R. 3284.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. HIGGINS of Louisiana:

H.R. 3285.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. Art. I, Sec. 8. cl. 18

By Mr. HUFFMAN:

H.R. 3286.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HUFFMAN:

H.R. 3287.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7: No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law, and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Ms. KUSTER of New Hampshire:

H.R. 3288.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LATTA:

H.R. 3289.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: Congress shall have the Power . . . "to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes."

By Mr. MCNERNEY:

H.R. 3290.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. RYAN of Ohio:

H.R. 3291.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SMITH of Missouri:

H.R. 3292.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1 provides Congress the power to "lay and collect Taxes, Duties, Imposts and Excises."

By Ms. TENNEY:

H.R. 3293.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress "to provide for the common defense," as enumerated in Article I, Section 8 of the U.S. Constitution.

### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 15: Mr. GOTTHEIMER.

H.R. 60: Mr. DUFFY, Ms. STEFANIK, Mr. CLAY, and Mr. EVANS.

H.R. 140: Mr. CARTER of Georgia.

H.R. 216: Mrs. COMSTOCK.

H.R. 233: Mr. BISHOP of Michigan.

H.R. 346: Mr. ROKITA.

H.R. 422: Mr. WITTMAN and Mr. ROSKAM.

H.R. 425: Mr. WILSON of South Carolina.

H.R. 435: Mr. ROSS.

H.R. 480: Mr. KUSTOFF of Tennessee.

H.R. 490: Mr. BARR, Mr. WOMACK, and Mr. BOST.

H.R. 517: Mr. CAPUANO.

H.R. 548: Mr. BABIN.

H.R. 632: Mr. BRADY of Pennsylvania.

H.R. 671: Mr. GENE GREEN of Texas, Mr. JEFFRIES, and Mr. CLAY.

H.R. 712: Mr. SCHNEIDER.

H.R. 713: Mr. LIPINSKI and Mr. SCHNEIDER.

H.R. 719: Mr. DESJARLAIS.

H.R. 747: Mr. TAYLOR.

H.R. 754: Mr. CONAWAY, Mr. THOMAS J. ROONEY of Florida, Mr. HARRIS, Mr. DIAZ-BALART, Mr. CARTER of Texas, Mr. TURNER, Mr. LOWENTHAL, Mr. ROYCE of California, and Mr. DEUTCH.

H.R. 820: Mr. COOK, Mrs. TORRES, Mr. NADLER, Mr. NEWHOUSE, Mr. AGUILAR, and Mr. ESPAILLAT.

H.R. 825: Mr. VALADAO.

H.R. 828: Mr. MULLIN.

H.R. 849: Mr. POLIQUIN, Mr. RUTHERFORD, and Mrs. HANDEL.

H.R. 850: Mr. DESJARLAIS and Mr. MEADOWS.

H.R. 908: Mr. BLUMENAUER and Mr. RENACCI.

H.R. 911: Mr. BRADY of Pennsylvania.

H.R. 930: Mrs. TORRES, Mr. POLIS, Mr. SCHWEIKERT, Ms. ROYBAL-ALLARD, Mr. FARENTHOLD, Mr. COLE, Mr. HURD, Mr. GROTHMAN, and Mr. KING of New York.

H.R. 949: Mr. THOMPSON of Pennsylvania.

H.R. 976: Mr. THOMPSON of Pennsylvania.

H.R. 1014: Mr. DEUTCH.

H.R. 1037: Mr. KIND.

H.R. 1038: Mr. THOMPSON of Pennsylvania.

H.R. 1050: Ms. ROSEN.

H.R. 1057: Ms. FUDGE.

H.R. 1058: Mr. CURBELO of Florida.

H.R. 1116: Mr. COLLINS of New York and Mr. WOMACK.

H.R. 1141: Mr. DEFAZIO.

H.R. 1148: Mr. FERGUSON.

H.R. 1156: Mr. LOUDERMILK and Mr. SMITH of Texas.

H.R. 1196: Mr. WILSON of South Carolina.

H.R. 1266: Mr. MOULTON.

H.R. 1267: Mr. SEAN PATRICK MALONEY of New York.

H.R. 1284: Mr. GAETZ.

H.R. 1298: Mr. CARTER of Georgia, Mr. ROGERS of Alabama, Ms. MCCOLLUM, and Mr. SCHNEIDER.

H.R. 1300: Mr. SOTO.  
H.R. 1317: Mrs. HARTZLER.  
H.R. 1406: Ms. MURPHY of Pennsylvania, Mr. CONYERS, and Mrs. CAROLYN B. MALONEY of New York.  
H.R. 1421: Mr. AMODEI, Mr. SMUCKER, and Ms. STEFANIK.  
H.R. 1451: Mr. ELLISON.  
H.R. 1528: Mr. GOSAR.  
H.R. 1606: Mr. COLE and Mr. RUSH.  
H.R. 1651: Mr. PETERS.  
H.R. 1697: Ms. HANABUSA, Mr. PAULSEN, Mr. MOOLENAAR, Mr. GALLAGHER, Ms. TITUS, Mr. DENHAM, and Mr. MULLIN.  
H.R. 1722: Mr. ROKITA.  
H.R. 1748: Ms. TSONGAS.  
H.R. 1828: Mr. GAETZ and Mr. YOUNG of Iowa.  
H.R. 1838: Mr. PALAZZO.  
H.R. 1928: Ms. STEFANIK, Mr. JOHNSON of Georgia, and Mr. NOLAN.  
H.R. 2040: Mr. NOLAN.  
H.R. 2077: Mr. SMITH of New Jersey.  
H.R. 2121: Mr. ROSS.  
H.R. 2125: Mr. SANFORD.  
H.R. 2149: Mr. FRANCIS ROONEY of Florida.  
H.R. 2181: Mr. PASCARELL.  
H.R. 2224: Mr. JODY B. HICE of Georgia.  
H.R. 2285: Mr. LANCE.  
H.R. 2287: Mr. BISHOP of Utah and Mr. GOSAR.  
H.R. 2295: Mr. KHANNA.  
H.R. 2309: Mr. WELCH.  
H.R. 2315: Ms. STEFANIK, Mr. ROSKAM, and Mr. DEFAZIO.  
H.R. 2359: Mr. LUCAS.  
H.R. 2432: Mr. THOMPSON of Pennsylvania.  
H.R. 2482: Mr. BROWN of Maryland.  
H.R. 2505: Mr. FORTENBERRY, Mr. KING of New York, and Mr. THOMPSON of Pennsylvania.  
H.R. 2519: Mr. TURNER, Mrs. LOVE, Mr. TAYLOR, Ms. SPEIER, Mr. DESAULNIER, Mr. SMITH of Washington, Mr. ISSA, Mr. WOMACK, Mr. LOBIONDO, Mr. CONNOLLY, Mr. FRELINGHUYSEN, and Mr. WITTMAN.  
H.R. 2526: Mr. SOTO.  
H.R. 2591: Mr. RUTHERFORD.  
H.R. 2603: Mr. LAMALFA and Mr. LAMBORN.  
H.R. 2617: Mr. SENSENBRENNER.  
H.R. 2651: Mr. FASO and Mr. BUCHANAN.  
H.R. 2663: Mr. SIRES and Mr. THOMPSON of Pennsylvania.  
H.R. 2670: Mr. SUOZZI.  
H.R. 2690: Mr. SWALWELL of California, Mr. YARMUTH, Ms. JACKSON LEE, Mr. COHEN, Mr. SCHRADER, Mr. HUFFMAN, Mr. DEUTCH, Ms. VELÁZQUEZ, Mr. TAKANO, and Mr. CORREA.  
H.R. 2712: Mr. GOHMERT.  
H.R. 2713: Mr. ROKITA.  
H.R. 2723: Mr. WALKER, Mr. RATCLIFFE, Mr. HUNTER, and Mrs. WALORSKI.  
H.R. 2740: Mr. KRISHNAMOORTHY, Mr. KUSTOFF of Tennessee, Mr. WILSON of South

Carolina, Mr. MESSER, Mr. SCHIFF, Ms. ADAMS, Mr. GALLEGO, and Mr. RICHMOND.  
H.R. 2779: Mr. COOK and Mr. ROYCE of California.  
H.R. 2790: Mr. SCHRADER, Mr. POLIS, Ms. BROWNLEY of California, Mr. O'ROURKE, Ms. DELBENE, Ms. ADAMS, Ms. JUDY CHU of California, Mr. SEAN PATRICK MALONEY of New York, and Ms. ROSEN.  
H.R. 2796: Mr. GOHMERT and Mr. GROTHMAN.  
H.R. 2797: Mr. YOUNG of Iowa.  
H.R. 2820: Mr. POE of Texas.  
H.R. 2832: Mr. DESJARLAIS and Mr. RATCLIFFE.  
H.R. 2840: Mr. SOTO and Mr. WALZ.  
H.R. 2851: Mr. TURNER.  
H.R. 2856: Mr. MOOLENAAR, Mr. GALLAGHER, Mr. MCKINLEY, and Mr. BRAT.  
H.R. 2859: Mr. NOLAN.  
H.R. 2871: Mr. GOSAR.  
H.R. 2885: Mrs. BROOKS of Indiana.  
H.R. 2898: Mr. GRIJALVA.  
H.R. 2901: Ms. WASSERMAN SCHULTZ.  
H.R. 2902: Mr. WELCH, Mr. COHEN, and Ms. KUSTER of New Hampshire.  
H.R. 2908: Mr. DEFAZIO and Ms. JAYAPAL.  
H.R. 2909: Mr. BISHOP of Michigan.  
H.R. 2938: Mr. CLAY.  
H.R. 2943: Ms. TSONGAS, Mr. COSTELLO of Pennsylvania, and Mr. MEEHAN.  
H.R. 2960: Mr. SWALWELL of California and Mr. NOLAN.  
H.R. 2961: Mr. NOLAN.  
H.R. 2976: Mr. POLIS.  
H.R. 3030: Mr. HULTGREN.  
H.R. 3048: Mr. SCHNEIDER.  
H.R. 3071: Mr. MEADOWS.  
H.R. 3088: Mrs. BROOKS of Indiana.  
H.R. 3110: Mr. ELLISON.  
H.R. 3131: Mr. LUETKEMEYER.  
H.R. 3174: Miss RICE of New York, Mr. SEAN PATRICK MALONEY of New York, Mr. SOTO, Mr. BEYER, Mr. CICILLINE, and Mr. DELANEY.  
H.R. 3191: Ms. HANABUSA, Ms. SCHAKOWSKY, and Mrs. TORRES.  
H.R. 3218: Mr. WITTMAN, Mr. POLIS, Mr. CARSON of Indiana, Mr. O'HALLERAN, Mr. VARGAS, Mr. PASCARELL, Mr. SHERMAN, Ms. JAYAPAL, Mr. BRADY of Pennsylvania, Mrs. BUSTOS, Ms. DEGETTE, Mr. SUOZZI, and Ms. TSONGAS.  
H.R. 3223: Mr. MEADOWS.  
H.R. 3230: Mr. NOLAN.  
H.R. 3255: Mr. MCGOVERN, Mr. CARSON of Indiana, and Mr. ELLISON.  
H.R. 3258: Ms. SCHAKOWSKY, Ms. SEWELL of Alabama, Ms. HANABUSA, Mr. GRIJALVA, Mr. DEFAZIO, Mr. MCEACHIN, Mr. GARAMENDI, Mr. PERLMUTTER, Mr. JOHNSON of Georgia, Mr. KIHUEN, Mr. CARBAJAL, Mr. LOWENTHAL, Mr. DANNY K. DAVIS of Illinois, Mr. RICHMOND, Mr. CLYBURN, Mrs. NAPOLITANO, Mrs. TORRES, Mr. GALLEGO, Ms. JACKSON LEE, Mr.

GENE GREEN of Texas, Mr. KENNEDY, and Mr. BUTTERFIELD.  
H.R. 3273: Mr. POLIS and Mr. WALZ.  
H.R. 3274: Ms. STEFANIK.  
H.J. Res. 51: Mr. POLIQUIN and Mr. RUTHERFORD.  
H.J. Res. 93: Mr. CHABOT.  
H.J. Res. 107: Mr. GOTTHEIMER.  
H. Con. Res. 13: Mr. CORREA, Mrs. BUSTOS, Mr. EVANS, Mr. CUMMINGS, Mr. WILLIAMS, Mr. MOULTON, and Mr. KNIGHT.  
H. Con. Res. 20: Ms. SLAUGHTER.  
H. Con. Res. 60: Mr. KHANNA.  
H. Res. 30: Mr. DESAULNIER.  
H. Res. 188: Mr. DUNCAN of South Carolina and Mr. DONOVAN.  
H. Res. 279: Mr. FLEISCHMANN.  
H. Res. 349: Ms. ESHOO.  
H. Res. 359: Mr. GOHMERT.  
H. Res. 393: Mr. SHERMAN.  
H. Res. 401: Mr. PALLONE, Ms. WASSERMAN SCHULTZ, Ms. DELBENE, Ms. WILSON of Florida, Mr. PAYNE, Mr. GONZALEZ of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CAROLYN B. MALONEY of New York, Mr. FASO, Mr. SOTO, Mr. LOBIONDO, Mr. DESAULNIER, and Mr. POLIS.  
H. Res. 407: Mr. FRANKS of Arizona.  
H. Res. 433: Mr. POE of Texas.  
H. Res. 441: Mr. MOULTON.  
H. Res. 445: Mr. FRANKS of Arizona, Mr. ELLISON, and Mr. COOK.

#### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative TSONGAS (MA) or a designee, to H.R. 218, the King Cove Road Land Exchange Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by me, Congressman DON YOUNG (AK), or a designee, to H.R. 218 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by Representative ENGEL (NY) or a designee to H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

## EXTENSIONS OF REMARKS

### GOLDEN SCHOOLS FOUNDATION

#### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize the Golden Schools Foundation for receiving the Golden Rotary Ethics in Business Award.

The Ethics in Business Award was established by the Golden Rotary to honor for-profit and non-profit businesses. The recipients of this award must maintain integrity, conviction and possess high ethical standards demonstrated by the treatment of customers, employees, community and the environment.

The Golden Schools Foundation (GSF) was founded in 2010 as an independent non-profit and 100 percent volunteer-run organization. GSF strongly believes in supporting students as a whole which in turn supports the community as a whole.

GSF is dedicated to raising and distributing funds in a responsible and ethical manner to foster excellence in education. Among their many accomplishments, programs include the Teaching Excellence program, which supports professional development for teachers and the Student Academic Summer Boot Camp. It also includes supplemental education programs to provide academic exposure to Golden students and encourage a successful academic experience from start to finish.

I extend my deepest congratulations to the Golden Schools Foundation for receiving this well-deserved honor by the Golden Rotary. Thank you for your continued commitment to the students and teachers of our community.

### HONORING COMMANDER REGINALD COOPER

#### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Commander Reginald Cooper.

Commander Cooper is a native of Tchula and a 1997 graduate of Jackson State University. Commander Cooper began his career at the Jackson Police Department where he worked as a patrol officer, served with the Violent Crimes Task Force and as a Detective in the Robbery/Homicide Division. Commander Cooper later served as a Domestic Violence Detective with the Yazoo City Police Department where he was recognized by the Center for Violence Prevention as "Hero of the Year" in 2010. Commander Cooper began working as a Sergeant for the Byram Police Depart-

ment in 2011 and later promoted to Sergeant of the Detective Bureau. Commander Cooper was promoted to Commander of Administrative Support in 2016. The Administrative Support Bureau includes the Criminal Investigations Division, Communications, Records and Accreditation.

Mr. Speaker, I ask my colleagues to join me in recognizing Commander Reginald Cooper for his dedication to serving others.

### IN RECOGNITION OF LEON WRIGHT FOR BEING NAMED 2017 TOWNSHIP CLERK OF THE YEAR

#### HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Mr. Leon Wright, Clerk of Van Buren Charter Township, for being named 2017 Township Clerk of the Year by the Michigan Association of Municipal Clerks. Mr. Wright has distinguished himself through his outstanding public service to the residents of Van Buren Township.

Mr. Wright has served as township clerk since 2008 and has provided effective service to the area's residents. As a municipal clerk, he handles the administration of elections and voter registration, manages records for the township, and is responsible for the office's human resources, payroll and handling of Freedom of Information Act requests. Additionally, Mr. Wright is active in promoting civic engagement and education in the Van Buren Charter Township community. He hosts an annual election for the Belleville High School student government, utilizing voting procedures and materials to simulate real-life voting procedures. This exercise provides participants with important firsthand exposure to civic life. Mr. Wright also handles election worker recruitment and voter registration drives, and is well-known throughout the community for his charitable efforts. These actions have helped create a civic-minded community that is actively engaged in public life.

Mr. Wright has received widespread acclaim for his public service to Van Buren Township. In addition to being named Clerk of the Year, he has served as a Township Director for the board of the Michigan Association of Municipal Clerks and representative to the Southeast Michigan Council of Governments, where he works with other local officials to coordinate regional public initiatives. Mr. Wright also holds several professional certifications, including the Certified Municipal Clerk and Certified Michigan Municipal Clerk designations, and serves as a Notary Public while providing training to the Township staff. His dedication and efforts on behalf of Van Buren Township are worthy of commendation, and it is my

hope that Mr. Wright continues his diligent work on behalf of the area residents in the coming years.

Mr. Speaker, I ask my colleagues to join me in honoring Mr. Leon Wright for being named 2017 Township Clerk of the Year. Mr. Wright has been a dedicated public servant as Township Clerk.

### NELSON MANDELA INTERNATIONAL DAY

#### HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Ms. MAXINE WATERS of California. Mr. Speaker, I rise today with great pride as I join with millions of people around the world who are honoring the life and legacy of South African President Nelson Mandela on the day that the United Nations General Assembly has designated "Nelson Mandela International Day", in recognition of his lifetime of service in South Africa and all over the world.

In his 95 years of life, President Mandela, or 'Mandiba' as he was affectionately called, was a revolutionary and transformative leader who forever changed the world through his steadfast dedication to freedom, equality, and human rights. After spending 27 years in prison, Nelson Mandela became the first black South African to be elected President in what was also the first free, multi-racial, democratic election in South African history. While President Mandela used his administration to dismantle apartheid, combat institutional racism, and begin the process of racial reconciliation in his country, his efforts also taught the world the power of one man having the fortitude to sacrifice his own ideals for a cause greater than himself.

Beginning with his time as the founder of the African National Congress Youth League and extending beyond his tenure as President of South Africa, Nelson Mandela led the anti-apartheid movement and inspired a generation of activists. To me, however, Nelson Mandela was more than a world-renowned hero—I had the distinct honor and privilege of calling him a friend. I credit him for his courageous leadership of the international anti-apartheid movement which encouraged me to join in the fight and is still, to this day, one of the most defining moments of my life and career.

During the 1980s, I served as the Los Angeles Chair of the Free South Africa Movement where I held regular meetings with community leaders, organized countless anti-apartheid rallies and marches, and led an overnight sit-in at the South African Consulate General Office in Los Angeles.

As a member of the California State Assembly, I fought for nine years for the passage of Assembly Bill 134 which was signed into law

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

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



in August of 1986 and forced California to divest \$12 billion in state pension funds tied to the apartheid regime in South Africa. I also put my own freedom on the line when I was arrested for protesting the apartheid regime in front of the South African Consulate in Washington, D.C.

In 1990, I had the distinct honoring of chairing the welcome committee for the Los Angeles stop on Nelson Mandela's eight-city U.S. tour and helped organize a concert and rally attended by 90,000 people in the Los Angeles Coliseum which was filled to capacity.

In 1991, I took my first trip to South Africa after the ban on the African National Congress was lifted and the international boycott of South Africa was ended. During that inspirational trip, I joined with other international representatives in welcoming the end of the ban on the ANC and working for Nelson Mandela's release from prison, and I also traveled with the official United States delegation to South Africa in 1994 to attend his inauguration as President of South Africa. In 1998, I was honored to welcome President Mandela to the United States once again, this time to receive the U.S. Congressional Gold Medal.

For Mandela's 95th birthday in 2013, I led the Congressional Black Caucus and Members of Congress in organizing a bipartisan celebration of his life and legacy. The hour-long event filled Emancipation Hall to capacity and included most of the congressional leadership, including House Speaker John Boehner (ROH), Democratic Leader NANCY PELOSI (D-CA), Senate Majority Leader Harry Reid (D-NV) and Senate Minority Leader MITCH MCCONNELL (R-KY). These leaders were joined by a large group of civil rights leaders, members of the African Diplomatic Corps, and the U.S. Ambassador to South Africa.

Five months later upon his passing in December of 2013, I traveled to South Africa once again to attend his Memorial Service.

So as we pause to reflect on Nelson Mandela's memory today, on what would have been his 99th birthday, let us all remember what he taught us when he said, 'What counts in life is not the mere fact that we have lived. It is what difference we have made to the lives of others that will determine the significance of the life we lead.'

Few embody this quote better than Nelson Mandela himself, and it is my sincere hope that my own career in public service lives up to his extraordinary example.

#### PERSONAL EXPLANATION

### HON. RON ESTES

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Mr. ESTES of Kansas. Mr. Speaker, I was not present for Roll Call vote No. 380, on a motion to suspend the rules and pass H.J. Res. 92, Granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to amend the Washington Area Transit Regulation Compact. Had I been present, I would have voted Yea.

#### PERSONAL EXPLANATION

### HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes Monday, July 17, 2017. Had I been present, I would have voted Yea on Roll Call votes 379, 380, and 381.

#### LUCIA GONZALEZ

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lucia Gonzalez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Lucia Gonzalez is a student at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Lucia Gonzalez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lucia Gonzalez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

#### PERSONAL EXPLANATION

### HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Mr. WEBSTER of Florida. Mr. Speaker, my flight from Florida was delayed due to weather, then due to pilot flight hour regulations, then again due to weather, and finally delayed again due to a second pilot's flight hour regulations.

Had I been present, I would have voted: YEA on Roll Call No. 379, YEA on Roll Call No. 380, and YEA on Roll Call No. 381.

#### PERSONAL EXPLANATION

### HON. CAROL SHEA-PORTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Ms. SHEA-PORTER. Mr. Speaker, last week, I was unable to vote on Roll Call numbers 347, 348, 349, and 353, as I was with my family upon the birth of my grandchild. Had I been present, I would have voted NAY on Roll

Call numbers 347, 348, and 353, and YEA on Roll Call Number 349.

#### SOLIDARITY WITH ARGENTINA

### HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Mr. WILSON of South Carolina. Mr. Speaker, twenty-three years ago, Argentina and the world faced an unprecedented tragedy. A car, loaded down with explosives, detonated outside of the Argentine-Israelite Mutual Association (AMIA), killing 85 individuals and wounding at least 300 in Buenos Aires.

This murderous terrorist attack was the largest attack on the Jewish community since the atrocities of World War II.

I am disappointed that despite years of investigation that have affirmed the attack was perpetrated by Hezbollah, a terrorist organization sponsored by Iran, there has still been no justice for the victims or their families. America has profound sympathy and solidarity for the people of Argentina.

I appreciate the leadership of my colleague, Congresswoman ILEANA ROS-LEHTINEN, former Chairwoman of the Foreign Affairs Committee, for her diligent work to support the government of Argentina as they work to bring those responsible to justice.

In conclusion, God Bless our Troops, and we will never forget September 11th in the Global War on Terrorism.

#### PERSONAL EXPLANATION

### HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Ms. CLARKE of New York. Mr. Speaker, on July 17, 2017, I was unavoidably detained and missed recorded votes No. 379 to 381. Had I been present,

on Roll Call No. 379, H.R. 2210, Sergeant Joseph George Kusick VA Community Living Center, I would have voted YEA;

on Roll Call No. 380, H.J. Res. 92, Granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to amend the Washington Area Transit Regulation Compact, I would have voted YEA; and

on Roll Call No. 381, H.J. Res. 76, Granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission, I would have voted YEA.

#### PERSONAL EXPLANATION

### HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Mr. MARINO. Mr. Speaker, I was unable to attend votes on July 17, 2017 due to travel

delays. Had I been present, I would have voted as follows:

YEA for rollcall vote 379.  
YEA for rollcall vote 380.  
YEA for rollcall vote 381.

**HONORING CAPTAIN SEAN  
ENDECOTT ELLIOTT**

**HON. DARRELL E. ISSA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Mr. ISSA. Mr. Speaker, I rise today to honor Marine Captain Sean Endecott Elliott of south Orange County who died serving his country in a fatal KC-130 Cargo Plane Crash in Leflore County, Mississippi on July 10, 2017.

After graduating from the University of California Davis in 2009, Sean joined the United States Marine Corps where he attained the rank of Captain in 2013. He went on to become an aircraft commander for the KC-130 and fulfilled his lifelong dream of becoming both a pilot and a Marine. A star tennis player known affectionately by his Marine Corps call sign "Puffin" Sean Elliott was a fine soldier who proudly served his country. He accomplished so much for such a young man having been awarded the Navy and Marine Corps achievement medal, two sea service deployment ribbons, a Korean defense service medal, two global war on terrorism expeditionary medals, a global war on terrorism service medal, and a national defense service medal.

Sean Elliott touched the lives of all those he met. He leaves behind his loving wife Catherine and his family in San Juan Capistrano. I hope his memory will continue to bring happiness to the lives of his family and friends. I know that no words can describe the overwhelming grief of his family and friends at this time. The only consolation we here can offer is the thanks of the grateful nation he served and our pledge to support his and all other military families across our country. Sean remains a hero whose memory will continue to provide strength, courage, and inspiration to others.

I thank him for the sacrifice he made to protect our country and to help those who long for peace and freedom. I would like to extend my deepest condolences to his loved ones and to his fellow Marines. This unimaginable tragedy reminds us all to cherish those who serve.

**PERSONAL EXPLANATION**

**HON. JOE COURTNEY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Mr. COURTNEY. Mr. Speaker, I unfortunately missed two votes during a vote series on July 12, 2017. Had I been present, I would have voted:

Aye on Roll Call No. 351, on the Carbajal motion to recommit the Gaining Responsibility on Water Act (H.R. 23) with instructions to the Committee on Natural Resources; and

No on Roll Call No. 352, on passage of the Gaining Responsibility on Water Act (H.R. 23)

**MARIYAH HURTADO**

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Mariyah Hurtado for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Mariyah Hurtado is a student at Wheat Ridge High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Mariyah Hurtado is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Mariyah Hurtado for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

**HONORING TAMETRICE ECKOLS  
STRICKLAND**

**HON. BENNIE G. THOMPSON**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Tametrice Eckols Strickland.

Among the poets, trailblazers, and educational leaders who have paved the way, one of our local educational leaders is Tametrice LaChelle Eckols Strickland, an administrator, mother, daughter, and advisor. Tametrice Strickland was born August 8, 1973, in Marks, Mississippi to L. T. and Lula Eckols. She has lived in the rural town of Lambert, Mississippi, and she has remained there for forty-three years.

Living in the Delta, God and family were at the forefront of daily life. She has been a member of Sykes Chapel Missionary Baptist Church most of her life. Having a relationship with God has been instilled in her. She is currently an evangelist, and she teaches Sunday School and Bible class lessons to adults, works with Sykes Chapel's Youth Ministry, Confinement Ministry, and Nursing Home Ministry.

Her teachers, family, and peers played a vital part in shaping her life. She really enjoyed school and was an honor student from elementary to high school while attending Quitman County public schools. In 1995, she graduated from Quitman County High School as the class president and class Valedictorian. After she graduated from high school, she attended University of Mississippi in Oxford,

Mississippi. After she married in the spring, her first son, Larry Strickland, Jr., was born in the winter of her senior year. However, she refused to allow anything to deter her from her dreams. She became more determined, and she persevered. Later that year, she graduated from the University of Mississippi with a Bachelor of Arts Degree in English.

In August 1995, she returned to her hometown because she wanted to contribute to her community. She worked at Southside Junior High as a kindergarten instructor. In May of 1996, she transferred to Quitman County Middle School to teach language arts to sixth grade students. After teaching at Quitman County Middle School for two years, she served as an instructional coach. During this time, her second child, Aikeem Strickland, was born with physical and cognitive disabilities. She traveled to Northwest Mississippi Regional Hospital in Clarksdale, Mississippi and Lebonheur Hospital in Memphis, Tennessee almost bimonthly for years. Yet, she graduated in 2010 with a Master of Arts Degree in Curriculum and Instruction from the University of Mississippi.

In the summer of 2010 she enrolled in the Mississippi Alternative Path to Quality Leadership Program (MAPQSL) at Coahoma Community College in Clarksdale, Mississippi. After completing her internship, she became an assistant principal at Quitman County Middle School. She served as an assistant principal for one year. The following year, she became the principal of Quitman County Middle School, and she served in that capacity for two years. She became the director of the first Alternative Pathway to Excellence Program in Quitman County School District. She worked with students who really needed a second chance and assistance with academic and behavior and tried to inspire them to achieve their goals. Instead of going from the pipeline of school to prison, her students went through the pipeline of school to school, college or a career.

Her life has been impacted by her family, instructors, colleagues, and people in her community. Her former instructors showed compassion toward her and positively impacted her life. Tametrice Strickland has been employed with Quitman County School District for twenty-one years and is currently an assistant principal at Madison Shannon Palmer High School. She is an inspiring example of dedication and determination. During her lifetime, she has strived to support and empower instructors and provide support, opportunities, and pathways for students to excel. Her former students are now innovative, highly qualified instructors, visionary administrators, effective managers, responsible nurses, and productive leaders.

In addition to working for Quitman County School District, she has served as a consultant for Mississippi Valley State University Reading Institute for two years. Additionally, she has served as a site coordinator for the Foundation of Economic and Education Development (FEED) and Motivating Parents and Children from August 2003 through May 2006, Lead Teacher for Create of Mississippi in 2005 and presented at the Mississippi Department of Education Summer Conference in June 2006.

Tametrice Strickland has been composing poems and short stories since she was sixth grade. Today, she is still working on poetry books and short stories to publish in the future. Some of her accolades include Who's Who among America's Teachers, Teacher of the Month, Appreciation Award from the Foundation of Economic and Education Development (FEED) and Motivating Parents and Children Program (MPAC), Inspiring Vision Award from Batesville Job Corps Center, and Outstanding Community Service Award from Quitman County Development Organization, Inc.

On May 13, 2017, Tametrice Strickland received her Specialist in Educational Leadership from Arkansas State University. As an educator, her goals remain the same. She wants to motivate students to strive for greatness and discover their full potential. She wants to inspire the next generation to affect a positive change in the Quitman County; this rural location does not determine the students' destination. She believes that students have the ability to discover, create, and excel, and it is their duty to prepare them with the necessary tools.

Mr. Speaker, I ask my colleagues to join me in recognizing Tametrice Eckols Strickland as an amazing administrator who is goal oriented and making a difference in her community.

**CELEBRATING THE LIFE OF  
JAMES KYU LEE**

**HON. TED LIEU**  
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES  
*Tuesday, July 18, 2017*

Mr. TED LIEU of California. Mr. Speaker, I rise today to celebrate the life of James Kyu Lee—a loving husband, father, and grandfather—who passed away on May 29, 2017.

James was born in 1932 in Buchon, South Korea where he attended Seoul Technical High School. Shortly after the start of the Korean War, James served valiantly in South Korea's Navy from 1950 to 1953. After the war, James studied at Hong Ik University where he received his bachelor of arts and went on to receive a law degree from Sung Kyun Kwan University. James went on to serve in the Korean Central Intelligence Agency from 1963 to 1978.

In 1980, James immigrated to the United States where he studied and received his California Radiologic Technologist License. He worked at the Medical Clinic as an X-Ray Technician from 1981 to 2002.

He retired in 2002 and enjoyed playing golf in his free time. He remained active in the Korean War Veterans Association and the Korean Navy Veteran Association.

James is survived by his wife, Nan Ja Lee, his three children, Janice Jong Hyun Lee, Chris Hoon Lee, and Brad Hyuck Lee, and seven grandchildren, Alex Lee, Kate Lee, William Lee, Austin Lee, Aaron Lee, Brandon Lee, and Donovan Lee. Three children are happily married. Janice Jong Hyun Lee is married to Jay Lee, Chris Hoon Lee is married to Judy Lee, and Brad Hyuck Lee is married to Julie Lee.

I hope his family can rest knowing James lived a full and happy life. I ask that my colleagues join me in recognizing James Kyu Lee's amazing life.

**RECOGNIZING THE 100TH ANNIVERSARY OF THE 37TH INFANTRY BRIGADE**

**HON. STEVE STIVERS**  
OF OHIO

IN THE HOUSE OF REPRESENTATIVES  
*Tuesday, July 18, 2017*

Mr. STIVERS. Mr. Speaker, I rise today on behalf of the people of Ohio's 15th Congressional District to recognize the 100th anniversary of the 37th Infantry Brigade of the Ohio Army National Guard. Since July 18, 1917, the Buckeye Brigade has had elements stationed in 126 different communities across Ohio, and has served in major conflicts from the First World War to the modern War on Terrorism.

In 1968, then-Governor of Ohio, James Rhodes, astutely described the Buckeye Brigade: "It was a superb outfit, and such units are made by superb men." The bravery and courage displayed by these soldiers causes pride to resonate in the hearts of Americans, and has earned eight of its members the Medal of Honor.

Individually, they are superb; as a unit, they are all but unstoppable. Seen as heavyweights of our military, the 37th was regarded as the best American division the Germany Army faced in World War I, and was among the first formations called upon following the attacks of September 11th.

Today, the Buckeye Brigade is made up of approximately 3,500 soldiers in the Ohio and Michigan Army National Guards, and is regarded as the top IBCT in the Army National Guard—which reflects the readiness and abilities of its soldiers.

As a Brigadier General in the Ohio Army National Guard, I am supremely thankful for the sacrifices made over the years by the 37th Infantry Brigade Combat Team, and am honored to recognize the unit on this tremendous occasion. I also extend my thoughts to the Brigade as it is deployed in support of Operation Joint Guard-Kosovo Force, and pray that they return safely to their loved ones.

**TRIBUTE TO YOUNG STAFF MEMBERS FOR THEIR CONTRIBUTIONS ON BEHALF OF THE PEOPLE OF THE 18TH CONGRESSIONAL DISTRICT OF TEXAS AND THE UNITED STATES**

**HON. SHEILA JACKSON LEE**  
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES  
*Tuesday, July 18, 2017*

Ms. JACKSON LEE. Mr. Speaker, as Members of Congress we know well, perhaps better than most, how blessed our nation is to have in reserve such exceptional young men and women who will go on to become leaders in their local communities, states, and the nation in the areas of business, education, gov-

ernment, philanthropy, the arts and culture, and the military.

We know this because we see them and benefit from their contributions every day. Many of them work for us in our offices as junior staff members, congressional fellows, or interns and they do amazing work for and on behalf of the constituents we are privileged to represent.

Mr. Speaker, I believe there is no higher calling than the call to serve a cause larger than ourselves. That is why I ran for public office. I was inspired to serve by President Kennedy who said, "Ask not what your country can do for you, ask what you can do for your country," and by the Rev. Dr. Martin Luther King, Jr. who said:

"Everybody can be great because anybody can serve. . . . You only need a heart full of grace. A soul generated by love."

By this measure, there are several other great young men and women who served as volunteers this year in my offices. They may toil in obscurity but their contributions to the constituents we serve are deeply appreciated. That is why today I rise to pay tribute to 14 extraordinary young persons for their service to my constituents in the 18th Congressional District of Texas and to the American people. They are: Tiffany Williams from Spelman College and Stanford University; German Barbosa from the University of Houston; Whitley Pannell from Hampton University; Walter Abrego Sara Ali from Texas Tech University; Hadeel Abdallah from the University of Kentucky; Kaleb Taylor from Texas Southern University; Astrid Guerra from Georgetown University; Jeremiah Sung-Eun Kim from Cornell University; Naiya Speight-Leggett of Yale University; Marshall Forney of Morehouse College; Courtney Fontaine of Texas Tech University; Brock Bennett of Morehouse College; Ahmad Awwal of Texas Tech University; and Isabela Belchior from University of Houston Law Center.

Mr. Speaker, the energy, intelligence, and idealism these wonderful young people brought to my office and those interning in the offices of my colleagues help keep our democracy vibrant. The insights, skills, and knowledge of the governmental process they gain from their experiences will last a lifetime and prove invaluable to them as they go about making their mark in this world.

Because of persons like them the future of our country is bright and its best days lie ahead. I wish them all well.

Mr. Speaker, I am grateful that such thoughtful committed young men and women can be found working in my office, those of my colleagues, and in every community in America. Their good works will keep America great, good, and forever young.

**SOUND RELIEF HEARING CENTER**

**HON. ED PERLMUTTER**  
OF COLORADO

IN THE HOUSE OF REPRESENTATIVES  
*Tuesday, July 18, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Sound Relief Hearing Center for receiving the Golden Rotary Ethics in Business Award.

The Ethics in Business Award was established by the Golden Rotary to honor for-profit and non-profit businesses. The recipients of this award must maintain integrity, conviction and possess high ethical standards demonstrated by the treatment of customers, employees, community and the environment.

Sound Relief Hearing Center is a family-owned and operated business specializing in hearing solutions. They have built a foundation of exceptional service, showing compassion for the community and genuinely caring for the people they serve. Their code of ethics includes a commitment to charitable giving, educating the public and volunteering their time. Some examples of their philanthropy include earmarking 10 percent of their earnings for several charities and reimbursing employees for continuing education.

To all the employees of Sound Relief Hearing Center, congratulations on receiving the Golden Rotary Ethics in Business Award, and thank you for your continued commitment to excellence.

LORI AIMEE SNEED

**HON. STEVEN M. PALAZZO**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Mr. PALAZZO. Mr. Speaker, I rise today to recognize and honor the life of Lori Aimee Sneed, beloved member of the Gulfport community, who was taken far too soon and went to be with the Lord on July 12, 2017.

Lori was a vivacious woman who battled many physical challenges throughout her life, all the while spreading her contagious positivity and never-ending kindness to those around her. After suffering a spinal cord injury during her freshman year at the University of Mississippi in 1991, Lori was left a quadriplegic but continued to relentlessly pursue her educational and professional goals.

After completing a year at Mississippi Gulf Coast Community College, Lori fearlessly returned to Ole Miss and received a Bachelor of Arts Degree in English in 1997. A prominent figure on campus, Lori was a member of Pi Beta Phi Sorority, a member of the University of Mississippi Committee on Disabilities, and a two-time winner of the Most Beautiful Eyes on Campus contest.

Upon completion of her degree, her inspiring and persistent personality helped her land her dream job at CNN working in the public information division, a position she held from 1997 to 2006. She shared her marvelous sense of humor with others through "stand up" and improvisational comedy routines, and became an exceptional watercolor artist later in life.

Lori never let her limitations define her. She will always be remembered as a strong, caring, and determined woman by those who had the pleasure of knowing her and will be fondly missed by her parents, Patti and Shorty Sneed, and her brother, Johnny. She epitomized selflessness and was known for being "beautiful inside and out."

Mississippi lost a dear daughter with the death of Lori Aimee Sneed. On behalf of the

United States Congress and the people of Mississippi, we recognize her beautiful life.

IN RECOGNITION OF NANCY HUBBARD FOR HER LIFETIME OF SERVICE TO THE DEARBORN COMMUNITY

**HON. DEBBIE DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Ms. Nancy Hubbard for her service and dedication to the City of Dearborn. As one of the city's longest serving City Council members, Ms. Hubbard was a tireless public servant who left a legacy of achievement and will be missed.

Ms. Hubbard began her career as a secretary with Ford Motor Company and later worked for the Dearborn Department of Public Works and Dearborn Department of Building and Safety. She was elected to the Dearborn City Council in 1990 and compiled a distinguished record of success during her 24 years on the council. Ms. Hubbard has spent 16 years serving as the Council President Pro Tem, where she used the leadership position to advocate on behalf of the city's residents. She played a key role in the establishment of the Ford Community and Performing Arts Center and in expanding the greenway trail system in the city. She was also involved in economic development initiatives, including the establishment of the Dearborn Town Center and the redevelopment of the Warren Avenue and Dix-Vernor business corridors. As a result of her work, Dearborn has been transformed into a thriving community that effectively serves the needs of the city's residents.

Ms. Hubbard's commitment to public service and the City of Dearborn helped improve the quality of life for the community while driving economic development in the area. As a lifelong resident of Dearborn, Ms. Hubbard's deep ties to the area allowed her to effectively engage with her constituents and address pressing issues facing the city at large. She was a tireless advocate during her career with the City Council who remained personally engaged with city's residents throughout her life, and her passion for public service will be missed.

Mr. Speaker, I ask my colleagues to join me in honoring Ms. Nancy Hubbard for her public service with the Dearborn City Council. Ms. Hubbard lived a life dedicated to public service and well-being of others.

TRIBUTE TO STEVE AND HEATHER WINFREE

**HON. JOHN J. DUNCAN, JR.**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Mr. DUNCAN of Tennessee. Mr. Speaker, heroes come into lives in different ways through the challenges people face during their lives.

A very special hero from my district came up with a heartwarming way to share her choice to be an organ donor for her husband who has been suffering from kidney disease for 14 years.

Heather Winfree took her husband's love for baseball and used it as a way to share the good news that she was a donor match.

Because of his diagnosis as a teen, Steve Winfree was never able to achieve his dream of playing college baseball.

Steve collects baseball cards on a regular basis, but the most rare card he has ever received is a custom Topps card that Heather designed for him.

It included Steve's picture and text on the back that read "Steve will be a rookie recipient at Vanderbilt Transplant Center where his wife, Heather, will be pitching a new kidney to him."

Because of Heather's heroic efforts to save the life of her husband, he could receive the transplant as soon as the end of July this year.

I am proud to see people from my district like Heather show us the true meaning of love while people like Steve show us what perseverance looks like.

Please join me in wishing them the best as they both undergo surgery in the near future.

I would like to include in the RECORD the following story about the Winfree's from CBS News.

[From CBS News, July 11, 2017]

MAN LEARNS WIFE IS KIDNEY TRANSPLANT MATCH FROM A CUSTOM-MADE BASEBALL CARD  
(By Jennifer Earl)

Steve Winfree was excited to rip open up a brand new pack of Topps baseball cards. It has become a family tradition over the years. But this time, as he shuffled through the deck, he spotted something unusual—his very own playing card.

As he read the stats on the back, Winfree, who has been suffering from kidney disease for the past 14 years, broke down in tears.

"What the heck?" he asked, as his wife, Heather, sat beside him.

"What is it?" Heather asked, grinning.

Winfree began to read out loud: "Steve has had a lot on his plate. With his health issues, he's been striking out a lot. He was not sure how he was going to wind up," the card's bio said. "His wife, Heather, thinks he's a great catch so she's just dying to go to bat for him. Now Steve will be a rookie recipient."

It was at that moment, Winfree realized his wife was giving him the best gift of all—a new kidney, and a whole new life.

Heather Winfree surprised her husband, Steve, with his very own Topps playing card.

Heather had been tested to see if she could be a match a week earlier. Before she even received the results, she came up with the creative way to share the good news.

"I had already started planning how I was going to tell him before I knew I was a match," Heather told CBS News. "I never considered I wouldn't be a match. I guess I had to have faith I was going to be a match—that was keeping my hope alive."

Steve Winfree was diagnosed with chronic kidney disease at the age of 18. He was getting ready to play college basketball when doctors discovered he had high blood pressure during a pre-season physical.

After running more tests, Winfree was told he only had 50 percent kidney function. His dreams of playing college ball were over.

"He's been through a lot," Heather said. "Kidney disease is really hard. It's been really hard."

Since the couple met seven years ago, he's developed severe gout, arthritis, undergone several surgeries and had to have a toe amputated. He's been on dialysis for over a year.

"A year ago, they put a port in his chest and he ended up going into septic shock," Heather added. "He spent seven days in the intensive care unit. I can't tell you what that grief felt like, feeling like I was going to lose my husband."

Steve Winfree is told his wife is a perfect match for a kidney transplant, and he could have surgery as early as the end of July.

So when doctors at Vanderbilt University Medical Center told Winfree he was eligible to get onto the transplant list in late June, Heather jumped at the opportunity to offer herself up as a living kidney donor.

"I said, 'I want to expedite this. I want to help my husband get better,'" she explained.

Her wish came true when doctors confirmed the match. If everything goes well, Winfree could have surgery by the end of the month.

"Here I am, I have two kidneys and he needs one—why wouldn't I improve his quality of life?" Heather said. "For 14 years of his life he's been battling this disease and finally we have the relief of knowing the end is on the horizon. We've got hope."

#### PERSONAL EXPLANATION

### HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed Roll Call vote numbers 379, 380, and 381. Had I been present, I would have voted Aye on all three votes.

#### JOHN ZABAWA

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud John Zabawa who is retiring as Chief Executive Officer and President of Seniors' Resource Center (SRC) after years of service to the senior community in Colorado.

The Seniors' Resource Center is a person-focused non-profit dedicated to enhancing the independence and quality of life for seniors in the Denver Metro community through coordinated services such as transportation, in-home care, and many other life-enriching programs. Under Mr. Zabawa's leadership, the Center has served over 24,500 people each year, developing strong community relations and raising awareness of senior issues. With his guidance, the Center has expanded its programs and services to reach ten Denver Metro and mountain rural counties across Colorado.

Mr. Zabawa started his career as a recreational therapy assistant in Indiana, coordinating activities for psychiatric patients before serving as a youth counselor for troubled youths in Adams County. His accomplishments include President of LeadingAge Colorado, the Chairman Emeritus of the Board of Directors for the Jefferson Center for Mental Health, and the President of the Jefferson County Council on Aging. In 2005, Mr. Zabawa was appointed by the President of the Colorado State Senate to represent Colorado at the White House Conference on Aging, and he was recently appointed by Governor Hickenlooper to serve on the Strategic Action Planning Group on Aging to create an action plan for Colorado's shifting demographic. John has continuously demonstrated passion, dedication, and leadership in advocating and serving the senior communities, and we will forever be grateful for his commitment.

I extend my deepest thanks to John Zabawa for his service to our community and wish him all the best in his future endeavors.

#### RECOGNIZING JOSH BAGGETT'S YEARS OF SERVICE

### HON. ADAM KINZINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Mr. KINZINGER. Mr. Speaker, I rise today to recognize Josh Baggett for his years of service to the people of Illinois' 16th Congressional District. After ten years of working on the Hill, moving from intern to Legislative Director, Josh is now moving on to new endeavors.

Josh Baggett has worked in my office for over six years. He is a valued member of my office, a mentor to staff and interns, and of course, an important part of the intramural softball team.

While my staff and I are sad to see him leave, as well as his beloved dogs Maggie and Rooster, we know he'll always be a member of Team Kinzinger, and we look forward to seeing him excel as he takes this next step in his career.

Mr. Speaker, on behalf of the 16th District, I would like to share my heartfelt thanks to Josh for his hard work, and wish him all the very best.

#### DE'VONDRE CAMPBELL

### HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today in recognition of NFL player De'Vondre Campbell. A native of Fort Myers, Campbell is returning to his home town to host a summer football camp for our community's youth. As a rookie with the Atlanta

Falcons, Campbell forced a fumble, recorded forty-eight tackles, and had one interception.

Campbell is the epitome of hard work and determination as he paid his way to Hutchinson Community College, then earned a scholarship to the University of Minnesota. He did not let this nor his necessary Lasik surgery deter him from achieving his dream of playing in the NFL. At his camp, he will teach young boys not only the fundamentals of the game, but also the value of teamwork, perseverance, and self-discipline. I commend Campbell for giving back to our community and look forward to seeing his accomplishments in the years to come.

#### 30TH ANNIVERSARY OF DOMAINE DROUHIN WINERY IN OREGON

### HON. SUZANNE BONAMICI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 18, 2017*

Ms. BONAMICI. Mr. Speaker, I rise today to pay tribute to the Drouhin Family, who this month celebrates the 30th Anniversary of Domaine Drouhin Oregon, their esteemed winery in the Willamette Valley's Dundee Hills. The Oregon wine industry, now so acclaimed, was still in nascent form back in 1987 when the Drouhins purchased land in Dayton, Oregon. Their bold leap to Oregon from Burgundy, France, brought great recognition to our region, and international confirmation of our enormous potential. It is rightly considered a historic moment for Oregon wine.

In 1989, the Drouhins built their landmark winery, a building that will continue to inspire guests from all over the world while facilitating the production of exceptional wines for decades to come.

The Drouhins embraced the character and soul of Oregon. Through hard work, and in collaboration with their fellow Oregon wine producers, the Drouhins have helped Oregon wines take their place on the world stage in the finest restaurants, in the most respected shops, and in the best cellars. Oregon wine country is a destination, and Oregon wines are sought around the world.

The Drouhin Family's Oregon adventure vividly shows the cooperation—in knowledge, experience, and passion—between France and America, between Burgundy and Oregon, in the service of excellence.

I am proud to acknowledge that, over the years, the Drouhins have contributed their extraordinary energy and resources to a substantial range of charitable pursuits in Oregon, working to strengthen the community that warmly welcomed them many years ago.

Wine is a reflection of people and place, and it is with great pleasure that today we recognize the Drouhin Family of Burgundy and Oregon. Please join me in thanking the Drouhin Family for their enormous contributions to the Oregon wine industry. I look forward to their next 30 years, and more, of work in and on behalf of the Oregon wine industry.

**SENATE—Wednesday, July 19, 2017**

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

**PRAYER**

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

Let us pray.

Eternal God, we bless Your Holy Name. Lead us safely to the refuge of Your choosing, for You desire to give us a future and a hope.

Today, give our Senators the power to do Your will, as they realize more fully that they are Your servants. May they seek Your best for our Nation, repeatedly soliciting Your guidance and following Your leading. Lord, inspire them to not merely give a handout but a hand up, so that people can maximize their possibilities for the glory of Your Name. Give our lawmakers the perseverance and faith to remain true to duty, striving always to please You.

We pray in Your sacred Name. Amen.

**PLEDGE OF ALLEGIANCE**

The President pro tempore led the Pledge of Allegiance, as follows:

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

**RESERVATION OF LEADER TIME**

The PRESIDING OFFICER (Mr. PAUL). Under the previous order, the leadership time is reserved.

**CONCLUSION OF MORNING BUSINESS**

The PRESIDING OFFICER. Morning business is closed.

**EXECUTIVE SESSION****EXECUTIVE CALENDAR**

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the Bush nomination, which the clerk will report.

The bill clerk read the nomination of John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

The PRESIDING OFFICER. Under the previous order, the time until 10:30 a.m. will be equally divided between the two leaders or their designees.

If no one yields time, the time will be charged equally.

RECOGNITION OF THE MAJORITY LEADER  
The majority leader is recognized.

**HEALTHCARE**

Mr. McCONNELL. Mr. President, ObamaCare was imposed on our country 7 long years ago. It has been hurting the people we represent ever since. Families were supposed to spend less on healthcare costs. They actually paid more. Families were supposed to have more healthcare choices. They ended up with fewer, sometimes none at all.

Worse still, for many years, we had an administration that often waived away the concerns of middle-class families who were hurting. Today, we thankfully have an administration that has chosen instead to listen and agrees with us that Americans deserve a lot better.

I appreciate the efforts of the administration at every step of the process to move beyond the failures of ObamaCare. The President, the Vice President, Secretary Price, Administrator Verma, so many others—we thank them for all the work they have done so far. We look forward to continuing these collaborative efforts when we travel to the White House later today because we have a very important task before us.

As I announced last evening, after consulting with both the White House and our Members, we have decided to hold a vote to open debate on ObamaCare repeal early next week. The ObamaCare repeal legislation will ensure a stable 2-year transition period, which will allow us to wipe the slate clean and start over with real patient-centered healthcare reform. This is the same legislation that a majority of the Senate voted to send to the President in 2015. Now we thankfully have a President in office who will sign it, so we should send it to him.

Mr. President, today the Senate will vote to move forward on the nomination of John Bush, of Kentucky, to serve as a judge on the Sixth Circuit Court of Appeals.

As I said when I introduced Mr. Bush to the Judiciary Committee, I am pleased to join the bipartisan chorus of voices supporting his nomination. More than 100 lawyers and law professors from around the country have written in support of his nomination. Nearly one-third of those supporters are Democrats. They laud Mr. Bush's "excellence, professionalism, and leadership in the legal profession." They also note his "capacity to approach issues with an open mind and to respectfully consider the viewpoints of others."

In addition, some of his supporters from across the ideological spectrum

and from around the country who have known Mr. Bush for decades have written separately to underscore their support for his nomination. They are confident he understands the role of a judge, which is to fairly consider the arguments of both sides in a case and then to decide that case based on the law and nothing else. Indeed, it is precisely because of his firm belief in the rule of law that they strongly support his nomination, despite the fact that he and they may hold different political and policy views.

As an illustration, I think we can all agree it is not common for current or former leaders of Planned Parenthood to praise judicial nominees of Republican Presidents, just as it is not common for me to quote leaders of that organization.

More than one has praised the President's nomination of John Bush because of his fairness, thoughtfulness, and respect for the views of others, regardless of his personal opinions. For instance, Christie Moore is on the board of directors of Planned Parenthood of Indiana and Kentucky. She has practiced law with Mr. Bush for nearly two decades. She is "confident" that "he will follow the rule of law regardless of his personal or political opinions. In my experience, John naturally approaches issues with an open mind and has always been respectful of differing viewpoints. In fact, I am a living example of John's ability to seek out and respect differing viewpoints and opinions. John and I come from opposite ends of the political spectrum—I am a life-long registered Democrat and proudly approach life and politics as a Democrat. Yet John and I have practiced closely together and enjoy a strong and respectful relationship."

She concludes: "I can personally attest John is a consummate professional, and I believe he will be a tremendous asset to the federal court of appeals."

Her law firm colleague, Janet Jakubowicz, similarly explains why Mr. Bush will do an outstanding job on the Sixth Circuit. She states that he "has shown himself to have both the legal ability and temperament to be an outstanding judge."

She writes it is precisely because she is a "long time registered Democrat" that she can say "with extreme confidence" that John Bush "approaches issues with an open mind and has always been respectful of differing viewpoints" and that he will make decisions on the bench "in the same manner, and follow the rule of law regardless of his personal or political opinions."

Sheryl Snyder, also from my hometown, notes that he and Mr. Bush “come from different political parties and have different perspectives on many political issues.” Mr. Snyder says that he is “a Member of the American Civil Liberties Union, and not the Federalist Society.” Nevertheless, he has “every confidence that as a Court of Appeals Judge, John will scrupulously follow the law and apply precedent.” He notes that Mr. Bush is “well known . . . as an experienced, capable, ethical litigator” and that “his knowledge of the law is unquestioned.”

Praise for Mr. Bush is not confined to those from the Commonwealth of Kentucky, however. Ted Boutros, Jr. practices law in Los Angeles. Among other matters, Mr. Boutros represented the plaintiffs in their challenge to California’s Proposition 8. He has known John Bush for a quarter century. He writes that “while we come from different political parties . . . I am certain John will make an absolutely superb Circuit Judge. He is an extraordinary lawyer and an exceptionally fair, decent, and honest person. I have every confidence that as a judge, John will scrupulously follow the law and Constitution and precedent.”

Mr. Bush has received numerous professional awards. For instance, the Best Lawyers in America named him the “Louisville Litigation-Antitrust Lawyer of the Year in 2017,” this year. Last year, the same organization recognized him as the “Louisville Appellate Practice Lawyer of the Year.” He has been included on the Kentucky Super Lawyers list every year for the last decade.

Beginning in 2012, the Sixth Circuit appointed him to serve on its advisory committee on rules, in recognition of his in-depth knowledge of the court’s practice and procedure.

In sum, as evidenced by the impressive testimonials of those who actually know him, John Bush is a man of integrity and considerable ability. He will do an outstanding job on the Sixth Circuit.

**THE PRESIDING OFFICER.** The Senator from Illinois.

**Mr. DURBIN.** Mr. President, I rise in open opposition to the nomination of John Bush, nominated to serve a lifetime appointment on the Sixth Circuit Court of Appeals.

The Federal courts of appeal have a significant impact on the lives of many Americans. Because the Supreme Court only reviews a limited number of cases each year, decisions by the circuit courts represent the final word on thousands of legal matters that involve a host of important issues.

The Senate has to take very seriously its obligation to consider candidates for these important courts. We have to make sure they have the qualifications, the temperament, and the judgment to serve for the rest of their

lives. Based on Mr. Bush’s record and his testimony before the Judiciary Committee, I believe he falls short of this standard.

Over the course of his legal career, Mr. Bush has made dozens of provocative comments, casting serious doubt on his temperament, his judgment, his impartiality, and his ability to serve as a fair and impartial judge.

Consider the following things that this nominee has said or done:

In 2008, Mr. Bush compared abortion to slavery, writing in an anonymous blog, I might add, that “the two greatest tragedies in our country—slavery and abortion—relied on similar reasoning and activist justices at the U.S. Supreme Court, first in the Dred Scott decision and later in Roe.”

Senator FEINSTEIN and I decided to ask Mr. Bush to explain this statement at his hearing. He did not disavow the comparison he made in this anonymous blog. Here is what he said instead. He claimed that he had referred to Roe v. Wade as a tragedy “in the sense that it divided our country.”

I asked Mr. Bush to explain his logic, asking whether he would characterize Brown v. Board of Education as a case that divided our country. He answered: “I wasn’t alive at the time of Brown, but I don’t think it did.”

That is an incredible statement made by a man who seeks to serve on a Federal circuit court for the rest of his life. His logic and his historical analogy have fallen apart. There is no dispute that Brown v. Board of Education, which ended up in the official desegregation of public schools across America, was a landmark Supreme Court decision that deemed racial segregation unconstitutional and, as a result, led to controversy and division across the United States.

I can’t believe a man from Kentucky, a border State—a neighboring state of my State of Illinois—could not measure the impact of Brown v. Board of Education and whether it divided our country. That, to me, is incredible. The reason, of course, he didn’t is because he didn’t want to concede, quite obviously, that he was just opposed to a woman’s right to choose, and this was a rationalization for this position.

There were many other instances in which Mr. Bush expressed provocative and troubling views. He wrote that public financing of election campaigns is “constitutionally dubious” and “runs afoul of constitutional guarantees by forcing taxpayers to subsidize candidates’ political speech and contravention of those taxpayers’ First Amendment rights.”

This is a view which is hard to understand because it contradicts decades of Supreme Court precedent. Mr. Bush, seeking this opportunity to serve for the rest of his life on a Federal court, has now questioned a Supreme Court precedent which has been on the books for years.

He gave a speech where, sadly, he made an anti-gay slur about the town of Louisville, KY. He wrote blog posts supporting the nomination of a voter suppression advocate Hans von Spakovsky to the Federal Election Commission. In response to a written question I sent to him, he refused to disavow President Trump’s claim that 3 to 5 million people voted illegally in 2016. He said it was “the subject of political debate.” That assertion by the President has been rejected and discredited by every objective person who has been challenged but not by Mr. Bush, who seeks this lifetime appointment to the court.

Mr. Bush wrote blog posts that repeatedly placed the terms global warming and climate change in quotes, insinuating they did not exist.

He described then-House Speaker PELOSI as “Mama Pelosi” and wrote that someone should “gag the House speaker.”

He posted articles from right wing websites, speculating that former President Barack Obama was born in Kenya.

He wrote in a blog post during the 2016 Republican National Convention, “Time to roll with Trump.”

The list of comments goes on and on. On a range of policies and legal issues, Mr. Bush has already made crystal clear where he stands.

At his hearing, Mr. Bush asked the Judiciary Committee to trust that he could completely set aside everything I have read into the RECORD this morning; that he can walk away from his personal views if he is confirmed to serve on the circuit court. Unfortunately, he has given us little reason to trust that assurance. He has no judicial experience demonstrating that he could be impartial. He spent his entire career in private practice.

At his hearing before the Judiciary Committee, Mr. Bush was asked by Senator TILLIS, a Republican Senator: “Do you think that impartiality is an aspiration or an absolute expectation?”

Mr. Bush responded: “It is an aspiration. I will do my best to be impartial.”

In other words, Mr. Bush claims that he will try to be impartial but that the Senate shouldn’t expect that he will be completely successful.

Here is what Senator TILLIS, my Republican colleague, then said in reply: “I actually have a concern with someone who thinks impartiality is an aspiration. I think it is an expectation.”

I agree with Senator TILLIS.

I believe Mr. Bush’s failure to commit to impartiality disqualifies him from this lifetime position.

Mr. Bush’s views are far outside the judicial mainstream. He provided no evidence that he could set aside his views if confirmed.

I understand that Mr. Bush does check many of the boxes we have seen



for recent nominees from this administration. Most important and absolutely essential to his nomination is the fact that he is a longtime member of the Federalist Society.

The Federalist Society describes itself as “a group of conservatives and libertarians dedicated to reforming the current legal order.” The Federalist Society is funded by big money, right-wing interests like the Koch brothers, the Chamber of Commerce, and the Ed Uihlein Family Foundation. This is the group President Trump personally thanked for selecting his list of Supreme Court nominee finalists. So far this year, every Trump judicial nominee who has had a hearing before our Senate Judiciary Committee has been a Federalist Society member. Coincidence? I don’t think so.

I urge my Republican colleagues not to let the Federalist Society serve as the selection committee—the secret handshake—to become a Federal judge for life in the United States of America. We want a Federal bench that welcomes independent and impartial thinkers. Mr. Bush’s Federalist Society membership shouldn’t be his ticket to the Federal bench.

In conclusion, this vote, when it comes to his nomination, is really not a close call. It is clear that Mr. Bush has friends in high places, but he has demonstrated a temperament and a judgment which we should not put in a lifetime position on the Federal court of appeals. I urge my colleagues to oppose his nomination.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

HEALTHCARE

Mr. SCHUMER. Mr. President, according to the majority leader, there will not be a vote on the motion to proceed to the healthcare bill until next week. In the time between now and then, my Republican friends have a choice to make about how they want to move forward on what looks like will be a failed vote.

Do they want to take the path of President Trump, who yesterday said that he wanted our healthcare system to fail, or do they want to work with Democrats on legislation to improve the law? It is that simple.

We Democrats know the Affordable Care Act isn’t perfect, and we propose specific legislation that could pass right now to stabilize marketplaces and lower premiums for Americans

across the country. These proposals are specific, nonideological, and could pass quickly and make life better for millions of Americans. A decent number of Republican Governors and even Senators have said that these are the kinds of proposals we need.

Here they are:

First, we have proposed a bill by Senator SHAHEEN that would guarantee the premium reduction payments that insurers say is the No. 1 thing we could do right now to stabilize the individual marketplace.

Second, we have proposed a bill by Senators CARPER and Kaine that would create a reinsurance program for the individual health insurance market, again, aimed at stabilizing the marketplaces.

Third, we have proposed a bill by Senator McCaskill that would enable any American living in a bare county—that is, a bare county that lacks health insurers—to purchase the same insurance we get here in Congress.

All three of these would stabilize the markets and help to prevent premiums from going up further and coverage from decreasing. They address the actual issues in our healthcare system. I have mentioned they are not ideological and exactly the kind of legislation we could work on together. If our intent is to make things better, this is something we can come together on—all three of these proposals. They address the actual issues that we have and should be something we can do together immediately.

The Republican approach—decimating Medicaid to give a tax break to the wealthy—doesn’t solve any of the problems Republicans claim to be so worried about: high premiums, high deductibles, bare counties. In fact, by most objective reports, it makes them worse. The CBO said that under each version of the Republican plan, premiums would go up on many Americans, deductibles and copays would go up, there would be even more bare counties than there are today, and tens of millions would lose insurance.

Repealing the healthcare law without any replacement is even worse. It would cause our healthcare system to implode, creating chaos. Millions more would lose insurance, and for millions more than that coverage would be diminished, all of which is even worse than under the Republican bill.

I hope my colleagues will join with us in working on these three nonideological, practical problem solvers that will reduce premiums and make healthcare better for many, many Americans. Again, many Republicans have spoken favorably of these ideas, and I hope we will go forward.

The worry I have is that our Republican colleagues follow the policies of President Trump. President Trump’s promise to let our healthcare system collapse is just mind-boggling. It is

hard to believe he could say something like that.

President Trump’s promise to let our healthcare system collapse is so, so wrong on three counts: It is a failure morally, it is a failure politically, and it is a remarkable failure of Presidential leadership.

First, the President’s position is a moral failure. It is morally wrong to intentionally undermine the healthcare system in this country, using Americans as political pawns in a cynical game. It is morally wrong to play a political game with healthcare in this country. There is no religious teaching or moral precept that could advocate such a cynical ploy.

The President didn’t say that he wanted the system to change in a way to make it better. He said: I have lost, and I am going to make things worse for everyone to show you that I should have won. As I said, that is a moral failure that none of our religious leaders of any of the great religions would ever, ever accept, nor will the American people.

Second, saying “I am not going to own it” will not work politically. The President is the President. He is in charge. Americans look to him for leadership. They know that Republicans control both branches of Congress and the White House. They know they are in charge.

Earlier this year, the Kaiser Family Foundation found that two-thirds of Americans would blame President Trump and congressional Republicans for the future problems in our healthcare system. Just as they blamed President Obama when he was in charge, they are going to blame President Trump while he is in charge. He is tweeting away that someone else is to blame when he is in charge, which will not work politically, particularly when it comes to something as near and dear to Americans as healthcare—God’s great gift to us, life itself.

It just will not work to say that Democrats are to blame. Believe me, we are not going to stand idly by and shrug our shoulders when American people are suffering because the President is sabotaging our healthcare system for political purposes. We are going to point it out, and the spotlight will be on those whom the American people in November put in charge.

Elections do have consequences, and one of the consequences, Mr. President, one of the consequences, Mr. Trump, is that you are in charge. You have to make things better, not simply point fingers and tweet.

Finally, the President’s position is an astonishing failure of Presidential leadership. His own party has failed to pass a bill—his own party, which controls both Houses of Congress, his own party, which has used special rules designed to exclude Democrats from the beginning. President Trump blames

Democrats and threatens to hold our Nation's healthcare system hostage out of pique—out of pique.

The President was being petty; the President was being small; the President was not Presidential at all. The President would rather throw up his hands than roll up his sleeves and get to work. He would rather cast blame and point fingers than even try to work with Democrats to make the healthcare system better. That is not what Presidents do. It shows a tremendous lack of leadership. The American people want their President to lead. The American people, when there is a problem, want the President to fix it. The American people know that, when facing a defeatist President, you don't just sit in the corner and pout and get angry. You go on from there and try to make things better, as I hope my colleagues on the other side of the aisle will do. Some of them have indicated they will.

Let's recall another President—President Truman. President Truman famously said: "The buck stops here." He was admired for it. This President's words, shirking responsibility and casting blame, were exactly the opposite of President Truman's. "The buck stops here" made President Truman look tall. President Trump's blame game makes him look small and diminished, and people will begin to totally realize his lack of leadership, and respect for him and the office will diminish.

The President should rise to the incredible responsibility of the office, not quit and take the ball home every time the game isn't going the way he likes. The President of the United States, for better or for worse, is responsible for the healthcare of the country, for the healthcare of Americans who voted for him and for Americans who voted against him. He took an oath to faithfully execute the laws of this country, not just the ones he likes.

There is no ducking responsibility as President. The buck stops with you, President Trump.

So if the procedural votes fail next week, I sincerely hope that my Republican friends here in Congress reject the premise of the President to let our healthcare system collapse and hurt millions. Instead, I hope they work with us in the areas I mentioned and many others to do what is right for the American people.

Mr. President, a brief word on the circuit court nominee on whom we will be voting for cloture soon. The nominee, Judge Bush, in my view, is not fit for the austere office of circuit court judge. He has made some extremely troubling comments about the rights of women and the rights of the LGBTQ community. He has employed anti-gay slurs in his speeches and writings. He has disparaged a woman's right to choose, drawing an offensive and false moral equivalency between choice and

slavery. How can my Republican friends vote to elevate to the Sixth Circuit a man who has said things like this?

He clearly lacks the temperament required of a circuit court judge, and I urge all of my colleagues to vote no on cloture and no on the nomination.

Thank you, Mr. President.

I yield the floor.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

Dan Sullivan, John Barrasso, John Cornyn, Orrin G. Hatch, Ron Johnson, Chuck Grassley, Tom Cotton, Richard Burr, James Lankford, Lamar Alexander, John Kennedy, Cory Gardner, James M. Inhofe, Michael B. Enzi, John Thune, Todd Young, Mitch McConnell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 48, as follows:

[Rollcall Vote No. 163 Ex.]

#### YEAS—51

|           |           |          |
|-----------|-----------|----------|
| Alexander | Fischer   | Paul     |
| Barrasso  | Flake     | Perdue   |
| Blunt     | Gardner   | Portman  |
| Boozman   | Graham    | Risch    |
| Burr      | Grassley  | Roberts  |
| Capito    | Hatch     | Rounds   |
| Cassidy   | Heller    | Rubio    |
| Cochran   | Hoeven    | Sasse    |
| Collins   | Inhofe    | Scott    |
| Corker    | Isakson   | Shelby   |
| Cornyn    | Johnson   | Strange  |
| Cotton    | Kennedy   | Sullivan |
| Crapo     | Lankford  | Thune    |
| Cruz      | Lee       | Tillis   |
| Daines    | McConnell | Toomey   |
| Enzi      | Moran     | Wicker   |
| Ernst     | Murkowski | Young    |

#### NAYS—48

|            |          |              |
|------------|----------|--------------|
| Baldwin    | Cantwell | Cortez Masto |
| Bennet     | Cardin   | Donnelly     |
| Blumenthal | Carper   | Duckworth    |
| Booker     | Casey    | Durbin       |
| Brown      | Coons    | Feinstein    |

|            |           |            |
|------------|-----------|------------|
| Franken    | Manchin   | Schatz     |
| Gillibrand | Markey    | Schumer    |
| Harris     | McCaskill | Shaheen    |
| Hassan     | Menendez  | Stabenow   |
| Heinrich   | Merkley   | Tester     |
| Heitkamp   | Murphy    | Udall      |
| Hirono     | Murray    | Van Hollen |
| Kaine      | Nelson    | Warner     |
| King       | Peters    | Warren     |
| Klobuchar  | Reed      | Whitehouse |
| Leahy      | Sanders   | Wyden      |

#### NOT VOTING—1

McCain

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 48.

The motion is agreed to.

The majority leader.

#### ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate recess from 1:45 p.m. until 4 p.m.; further, that all time during morning business, recess, adjournment, and leader remarks count postcloture on the nomination.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Ohio.

Mr. BROWN. Mr. President, today's vote to move forward the President's nominee to join the Sixth Circuit Court of Appeals is a new low. It is a new low that sets a dangerous standard for judges who have power to make critical decisions that impact the everyday lives of the people we serve.

John Bush has a clear record—think about it. He is going to be a judge if this place moves forward tomorrow. John Bush has a clear record of promoting bigotry and discrimination that have no place in our courts. We can't let this nomination slide through this body.

Mr. Bush advocated to the U.S. Supreme Court that women should be barred from attending our military institutions—in this case, Virginia Military Institute. Think about that. There are people in this body who just voted on the motion to proceed—a very small majority that passed this—they are voting for a judge who says to the Supreme Court that women should be barred from attending military institutions like VMI. He went so far as to call the legal standard allowing women to attend "destructive." And we are going to put him on the court? That wasn't 1950. That wasn't 1960. That wasn't in the 1970s. That wasn't even in the 1980s. It was in the 1990s when he said that. Luckily, our Nation's Supreme Court disagreed with Bush's retrograde and sexist opinion by a vote of 7 to 1.

But, alas, Bush wasn't deterred. To this day, he is still a member of an organization that doesn't allow women to join. He has been a member of groups that have a history of barring Jews and African Americans. Maybe we see some signs of that at the White House, but we shouldn't be affirming that on the Senate floor. One of these groups actually changed its street address after

the city of Louisville renamed the street where the front entrance sits for the boxing legend Muhammad Ali. Think about that.

Senator MCCONNELL himself resigned from that same organization because, according to the Lexington Herald-Leader, the majority leader said he “thought it was no longer appropriate to belong to a club that discriminated, and my impression was that the club did.” But we are bringing to the floor a vote for a judge who still belongs.

Leader MCCONNELL went on to reference a commonly accepted Senate standard that Federal judges should not belong to discriminatory organizations, saying: “I thought if it was inappropriate for a federal judge to belong to an all-white club, it certainly was something a United States Senator shouldn’t do.”

So I guess the logic here is that Senators shouldn’t belong to a Whites-only club, but Senators should vote for Federal judges who can belong to a Whites-only club.

I agree with Senator MCCONNELL that a Senator shouldn’t belong, but no Federal judge should belong to a group with a history of discrimination, especially a recent history of discrimination.

Bush regularly contributed to a conservative blog using a fake name. There he advocated extreme political views on issues, including healthcare, campaign finance, LGBT rights, climate change—all critical issues that come before this court, the Sixth Circuit serving Michigan, Ohio, Kentucky, and Tennessee. He even cited White supremacist sources. We are going to vote for this man? He even cited White supremacist sources that pushed the conspiracy theory that President Obama was not born in the United States.

I know the President of the United States—the man who sits in the White House—also subscribed to those birther theories, and only late in his campaign did he say: Well, I do, in fact, believe that the President was born in the United States. He, at least—the President of the United States, the sitting President, then-Candidate Trump—at least finally retracted that. Mr. Bush seems to continue to say that President Obama wasn’t born in the United States and cited those White supremacy theorists who pushed that conspiracy theory.

He has expressed hostility toward women’s rights to make their own personal, private healthcare decisions. In a 2005 public speech—again, not in 1965 or 1975 or 1985, but in a 2005 public speech, he cavalierly repeated a hateful homophobic slur. I would repeat it, but I don’t think it is proper to use that language on the floor of the Senate. I also don’t think it is proper to vote for a nominee to be a judge who feels cavalierly that he can use that term. He

said Speaker of the House NANCY PELOSI should be gagged. He has attacked Senator TED CRUZ, our colleague in this body.

Everyone is entitled to free speech, obviously, even if they choose to do it under a fake name. And Mr. Bush is entitled to his political opinions, no matter how offensive. I, of course, defend his right to say whatever he wants. I think others do too. But those opinions have no place in a Federal court whose job it is to interpret the law fairly and impartially.

Can Mr. Bush be trusted to put aside his personal views when considering the law? Even according to his own words, he can’t. At Mr. Bush’s hearing, my friend from North Carolina, Senator TILLIS, asked Mr. Bush if judicial impartiality is “an aspiration or an absolute expectation.” Bush responded that impartiality is an aspiration—so, in other words, not an expectation. He doesn’t think he needs to be an impartial judge; he just needs to be able to say that he tried.

To administer the law fairly and impartially is the No. 1 job of a judge. The ability to do so is the most basic qualification for the job. Judicial impartiality is a principle of democracy and the backbone of our government. It is the reason African Americans and women can vote, that segregation is part of the past, and that marriage inequality is part of the past.

I saw dozens of Democrats and Republicans last night at the Library of Congress listen to the words of Taylor Branch, perhaps the most noted historian of the civil rights movement, in an interview speaking to us about Dr. King having one foot in the Scriptures and one foot in the Constitution as he advanced and advocated for civil rights. We know what that means for our country. Last night, I saw Republicans and Democrats coming together and celebrating that. Then today on the Senate floor, we are voting for somebody like Mr. Bush, who eschews all of those values we hold dear as a country.

The courts are the reason that women can now attend the Virginia Military Institute. It is the difference between upholding and oppressing the rights of the people we serve.

Think about this: The Obergefell decision—*Obergefell v. Hodges* in Ohio—was the decision that guaranteed the right to marriage equality. It came out of the Southern District of Ohio and was initially appealed to the Sixth Circuit in Cincinnati. Imagine if a man who boldly repeated homophobic slurs had heard the Obergefell appeal. Think about that. He thinks it is very acceptable in public to make speeches and use homophobic slurs, and he is now sitting on the court bench making decisions about this.

Imagine if today an LGBT Ohioan or a Michigander or someone from Sen-

ator MCCONNELL’s home State or Senator ALEXANDER’s home State of Tennessee—if they faced this man, could they be confident that their case would be decided fairly and impartially and that justice would be served? Could we be confident that it would when we have a man who will stand up at an event in a big city, the largest city in Kentucky, and engage in homophobic slurs?

I have heard from both African Americans and Jewish Americans who are absolutely outraged at this nomination, partly because he is unfit to serve and partly because now, as Senator WHITEHOUSE, my friend from Rhode Island, who has one of the best judicial minds in this body, has said, if we confirm Bush, it is going to lower the bar in the future to where it is OK to engage in racist talk or homophobic or misogynist talk; it is OK because Judge Bush did, and he is sitting on the Sixth Circuit, so why not bring some more forward? Is that the standard, that your votes today—the 51 Members of this body who voted for cloture—is that the standard you want to set for the future?

Organizations with a history of fighting for justice and equality have written to me opposing this nomination, including the Human Rights Campaign, the NAACP Legal Defense and Educational Fund, the National Council of Jewish Women, the Leadership Conference, and on and on and on.

We have a responsibility to hold judges to the highest standard. The job demands it. The people we serve—the people whose lives can be forever changed by the decisions these judges make—deserve it. We cannot allow the bar to be lowered for what is considered acceptable behavior by members of the Federal bench because as this bar is lowered, the faith of citizens in the courts and in this body falls along with it. That is the tone we are setting. That is the precedent we are setting.

I am not a lawyer. A lot of my colleagues who voted for John Bush to be confirmed are lawyers. They understand what precedent means. They understand what political precedent means in this body. I don’t think they want that bar lowered because they know that if we do, as I said, the faith of citizens in the courts and in this body falls along with it.

I hope my colleagues join me in opposing Mr. Bush and show the American people that the Senate still has high expectations and that we still stand for decency and impartiality in our Federal judiciary.

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

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

The legislative clerk proceeded to call the roll.

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

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

Mr. CORNYN. Mr. President, we are grinding the wheels here in Washington, DC, in the Senate very slowly, too slowly, when it comes to confirming the President's nominees, first to the Cabinet and now to the sub-Cabinet positions.

When the American people elected President Trump on November 8, they knew they were electing not just one person but also his full executive branch team, most certainly when it comes to filling vital national security positions like those in the Department of Defense. But because of unprecedented delay and obstruction from our Democratic colleagues, at the current pace, it would take more than 11 years to fully staff the executive branch—and to what end? Do our Democratic colleagues object to the qualifications of these nominees? Well, the answer is, by and large, no. Most of these nominees have sailed through the relevant committees, and some were even nominated by President Obama, but that doesn't do anything to expedite the confirmation process. So I can only be left to conclude that our Democratic friends are just trying to make it more difficult for President Trump to do his job and, in the process, make it harder for us in the Senate to do ours.

On Monday, we voted to end the filibuster of Patrick Shanahan, the nominee for Deputy Defense Secretary at the Department of Defense. Thankfully, we voted to confirm him, but he was confirmed by a vote of 92 to 7, so there wasn't any good-faith disagreement about his qualifications. There wasn't any real doubt about whether he would be confirmed, but our friends across the aisle insisted on burning as much time as possible, using every procedural objection they could in order to delay it. This is the same person who passed out of the Armed Services Committee by unanimous voice vote, essentially by unanimous consent.

Well, if there is one thing that is indispensable in the Federal Government, it is our national security. The Department of Defense has been facing a critical shortfall in leadership, which is dangerous to the Nation, especially while we are engaged in such a vast array of conflicts around the world. We have seen only 6 of President Trump's 22 nominations confirmed, and by drastically delaying this process, our Democratic colleagues are promoting not only the waste of taxpayer dollars, but they are putting lives at risk. I recently talked to the commander of a cyber unit who said that it took months for recently appropriated money to make its way out to his unit. In the meantime, he had to make personnel cuts and forgo investing in resources that would strengthen our cyber defenses, all because we couldn't get administrative positions filled at

the Pentagon. The type of drastic action this particular commander was forced to take is not unique. It is reprehensible that anyone would play politics and delay for delay's sake, especially when considering the nomination of a person who directly impacts the training and readiness of our troops.

Of the 197 nominations to agencies made by the President so far, the Senate has confirmed only 48. Additionally, the Senate has confirmed only 2 of the 22 judicial nominations. This is one reason the majority leader said that we are going to spend a couple more weeks during the August recess to be here, working to get our work done. I have already heard from some of our Democratic colleagues saying: Why would the majority leader make that decision? I said: All you need to do is look in the mirror and ask that question of the Democratic leader, who is leading this unprecedented effort in obstructing and slow-walking these nominations. I suspect that they are going to come forward and say: Well, let's play nice now. Let's make a deal.

The Department of Justice, for example, has only 3 out of 19 nominations confirmed. This is the Department of Justice. The Department of Health and Human Services—by the way, we have been talking a lot about healthcare. Wouldn't you think we need a full complement of nominees confirmed there? But only 3 out of 11 have been confirmed there.

In November, when the people elected President Trump, they wanted him, certainly by implication, to appoint a Cabinet of qualified individuals to help guide our country and carry out the tasks and policies of the administration. I am left with the unfortunate conclusion that, really, what this is designed to do is to not accept the verdict of the voters on November 8 but to continue to obstruct this President and the executive branch by any means available in order to try to make his job harder. The problem with that is it hurts the American people. It wastes taxpayer money. It makes our country and the world more dangerous, especially when his national security nominees are not considered and not confirmed. So it really does represent, to my experience, an unprecedented unwillingness to accept the outcome of the election, and it shows contempt, I believe, for the will of the American people when it came to the election on November 8.

It is easy to call this what it really is. It is an unwillingness to accept the outcome of the election, further poisoning the already toxic atmosphere here in Washington, DC, and it doesn't need to be that way. In my experience, even after tough elections, people on both sides of the aisle would generally accept the outcome. I don't know what the alternative might be but to accept

the outcome and then try to work together in the best interest of the American people, try to find those areas where we do agree—we don't agree on everything, but there are areas where we do agree—and to move forward and make progress. That doesn't seem to be happening today, and it is too bad. It is unfortunate.

To put this in perspective, there were only eight cloture votes of President Obama's nominees by his first August recess in 2008. For everybody's concern, the term "cloture votes" basically means invoking all of the procedures to delay things and make it harder to confirm nominees. Only eight times was that used when President Obama was President. By the time we reach the August recess this year, we will have had over three times as many cloture votes; that is, unnecessary obstacles placed in the way of timely confirmation of President Trump's nominees, making us jump through more hoops. It is delay for delay's sake. I believe this strategy—and it is a strategy—is simply unconscionable and that the time-consuming parliamentary procedures and slow-walking and needless gridlock advance no interest of the American people.

I can only hope people will change in the way they approach this. Maybe if they hear from their constituents, maybe if the stories are written about it or people hear about it on the news, they will call their elected representatives and say: The election is over. Accept the outcome and try to work together in the best interest of the American people. I think that is what our constituents expect of us.

So this week we will press forward with two important nominations, John Bush to be U.S. circuit judge for the Sixth Circuit and David Bernhardt to be Deputy Secretary of the Interior. These are two additional, highly qualified individuals who are seriously needed in their respective roles, but it shouldn't take a whole week to confirm three nominees. That is what it takes now, given the obstruction and foot-dragging on the other side.

I would urge our colleagues to end their political gamesmanship for the benefit of our country and for the American people so we can move forward doing the people's business.

I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

#### HEALTHCARE

Mr. MERKLEY. Mr. President, the most important three words in our Constitution are the first three—"We

the People”—the mission statement for our Nation, laid out in supersized font so that no one would forget what this document, our Constitution, is all about. Our Founders did not start out by writing “We the privileged.” They did not call for a document or a form of government for “We the powerful.” Indeed, they wanted to make clear that the structure of the government they were founding would be very different from those in Europe that functioned for the privileged and the powerful.

As President Lincoln summarized, we are a Nation of the people, by the people, and for the people. That is the vision. That is the vision that I have been coming to the floor and talking about for the last year and a half—about the importance of a government that responds to the issues that affect the citizens across this country, that listens to the people of this Nation.

It was President Jefferson who said that the mother principle of the United States is that we have a government within which each citizen has an equal voice. Admittedly, we had some deep flaws that had to be corrected in order to reach that objective, but that vision of each citizen’s having an equal voice was the only way that the government would reflect the will of the people and make decisions that would reflect the will of the people. Of course, it is hard to hold onto that vision because the powerful and the privileged do not like that vision. They want a government that is of, by, and for the powerful and the privileged, not of, by, and for the people.

The history of the United States is one battle after another of decisions that make a foundation for families to thrive in the United States of America and decisions that raid the National Treasury for the benefit of the rich. We see that battle time and time and time again, and we have seen it very recently in this battle over healthcare. Today, I come to the floor to say that the people of the United States have had an incredible victory—a resounding victory—over those who were championing government by and for the privileged and the powerful.

It is really all about this bill, this TrumpCare bill, which originated in the House of Representatives. It proceeded to throw millions off of insurance—more than 20 million people off of insurance—in order to give tax breaks to the richest Americans. What did the House’s bill do? The House’s bill said that we will give to the 400 richest Americans \$33 billion—not \$33,000, not \$33 million—and rip healthcare away from millions of Americans in order to pay for those kinds of tax breaks for the richest. In fact, just those tax breaks for the richest 400 Americans would have paid for 700,000 Americans to have had Medicaid, which is basic healthcare insurance. That would have been enough to

have covered the States of Arkansas, West Virginia, Nevada, and Alaska all put together.

Then we saw the House’s bill come over here to the Senate, and the Senate set up a group of the secret 13. Is there anything more opposite of “we the people” than the secret 13 Senators meeting in the halls of this building and particularly choosing a room that the press would not be allowed into? They did not want to be seen entering the room or leaving the room. That is how secretive it was. That is how embarrassed they were about the possibility of having the American people see what they were crafting. Then they came forward with the Senate’s version of the bill.

Now, of the House’s version, the President of the United States of America called it mean, and he called it heartless, but the Senate’s version did not end up being much different than the House’s version—the Senate’s version that would proceed to throw more than 20 million people off of healthcare, as well, the Senate’s version that, through, maybe, the Congressional Budget Office’s analysis, would throw off 1 million fewer over 10 years—22 million instead of 23 million—but 1 million more over the first year, that being 13 million rather than 12 million. It proceeded to constrain basic Medicare—Medicare as it existed before ObamaCare—in such a fashion that, over time, it would put a stranglehold onto Medicaid. Therefore, it was even meaner, if you will. It was even more heartless than the Senate’s bill.

Then the secret 13 and its leadership said: We do not want to have the American people see this, so we are not going to give the time in order to have committee hearings on it. We are going to keep it out of the healthcare committee. We are going to keep it out of the Finance Committee because the experts will come, and the American people will see just how terrible, how mean, how heartless this bill is.

We had a zero, zero, zero process—zero days of committee examination, compared to 8 years earlier with the longest committee hearing and markup that lasted 5 weeks in the Health, Education, Labor, and Pensions Committee. We had the second longest committee hearing and markup in Finance 8 years earlier, which was the second longest in history. Again, the Senate’s leadership recently said: No exposure in the Finance Committee—zero days in the Finance Committee—zero days in the HELP Committee, and zero months for the Senators to go back and talk to their citizens and talk to their healthcare stakeholders about what this bill would mean.

You know that something is wrong when you have a process that has diverged so dramatically from “we the people.” Instead, we had the secret 13

and the zero days of committee examination and the zero days in the Finance Committee and the zero months to be able to consult with healthcare experts and stakeholders and, most importantly, zero months to be able to hold a dialogue with the citizens back home.

Yet we did hear from the citizens back home. As great as the effort was to hold them at bay—to give them the stiff arm and prevent them from weighing in—they weighed in nonetheless. My office received well over 8,000 phone calls. Of those, they ran 84 to 1, saying stop this diabolical TrumpCare bill. I also received a whole lot of constituent mail, with more than 25,000 people weighing in from Oregon, back home. It ran 36 to 1.

With 84 to 1 and 36 to 1, when do you see such opposition?

Maybe we saw such opposition because the people of the United States wanted to weigh in, knowing that only the powerful special interests were meeting with the secret 13 to design this diabolical bill to rip healthcare from millions of Americans. Maybe that is why so many American citizens weighed in. Thank goodness they did weigh in. They filled our email boxes, and they overflowed our phone systems. They filled the streets often and went to our home States’ offices to say that this matters, and it certainly did matter.

Has there ever been a bill in the history of the United States that did more damage to more people than the TrumpCare bill that was proposed here in the U.S. Senate?

One of the things that the citizens of the United States did was to weigh in with their stories with all of us—with all 100 Members of this Chamber. They wanted to let us know how unexpectedly they had been affected by their having a child who had a sudden and dramatic illness or a car accident that had occurred or, suddenly, a family member who had been afflicted with cancer or emphysema or leukemia or multiple sclerosis. The list went on and on and on—real people, real lives, real challenges, real “we the people” input.

I heard from Caroline in Portland, the mother of two young children who wrote to me, sharing her story of raising a child with special needs and the help that the Oregon Health Plan had been to her family—the Oregon Health Plan, Oregon’s version of Medicaid—and how terrified she was about not being able to afford healthcare for her child under TrumpCare.

I heard from Leslie, who contacted me about his 3½-year-old daughter Gloria, who suffers from a rare genetic condition that has led her to live with near constant seizures and cystic fibrosis. She needs intensive, around-the-clock care, and she is able to get that care because of a special Medicaid waiver that helps her parents afford it.

With TrumpCare, she would have lost that waiver.

I heard from Jay in Eugene, who reached out to share his story about his battle with leukemia and stage IV colon cancer. He was told he could only expect to live another 3 months, unless he received treatment. That was 2 years ago, and he is alive because he was able to access treatment. He has been able to fight the battle with cancer and fight the battle with leukemia, and he was able to do so because of the insurance he had through ObamaCare—through the Affordable Care Act.

Kerry from Corvallis wrote to me, terrified about all of the members of her family who would be uninsurable if they passed TrumpCare: her husband, because he had a blood clotting disease; her son, who suffers from epilepsy; and her 78-year-old mother, who has Alzheimer's.

That fear of being unable to access healthcare because of a preexisting condition ran through story after story after story, but that is the system we had in the United States of America before we had the Affordable Care Act.

Then, there was a woman from Ashland who asked me not to share her name but wanted her story shared. I will call her Katie. Katie is a single mother who is currently battling cancer—invasive breast cancer and malignant melanoma. This is what she wrote to me:

In simple terms, I will die without treatment and the ongoing care that I have received so far through Oregon Health Plan. As a single parent, I could work 24/7 until my last breath and still my income would not afford me basic healthcare if it were not for the Affordable Care Act.

Katie continued:

With a pre-existing condition I would not be insurable, left to suffer and even to succumb from my illness. Once, this was only a nightmare, but now it is a horrifying reality, too surreal to comprehend. I cannot explain the deep heartache and frustration of the thought of orphaning my son, all due to dying from an illness that could have been treated if I had been insured.

Stories like Katie's and Caroline's and Gloria's keep coming in, day after day, email after email, phone call after phone call—indeed, from individuals at my townhalls. The weekend before last, I held a lot of townhalls and a couple of special healthcare forums and a bunch of Main Street walks in Oregon. Five of those townhalls were in counties that are very red, very Republican, and I lost those counties in my reelection by rates of probably 20 to 40 to 50 percent. But at those townhalls, people came out and said: Please stop TrumpCare.

One out of three individuals in rural Oregon, in Republican Oregon, are on the Oregon Health Plan. They remember that, not so long ago, all they had for a healthcare plan was to say a prayer each night and hope they didn't get sick the next day. They would say a prayer each night and hope they would

not be in an accident the next day. That is all the healthcare they had.

Now they are able to get preventive care—preventive care for free. Now they are able to take their children in and get them inoculated. Now they know that, if a loved one in their family becomes ill or injured, that loved one will get the care they need, and they won't go bankrupt in the process.

That is peace of mind. Isn't that the kind of foundation we want, to enable every family to thrive in America? Shouldn't we consider healthcare to be a basic right, a basic service, that is provided with a healthcare system in a "we the people" nation, not a "we the privileged" nation, where healthcare is only available to those who are rich enough to buy it? That is wealth care. That is not healthcare. It is a healthcare system for "we the powerful" or for the powerful who write the laws that benefit themselves but leave everyone else out in the cold. No, a "we the people" nation has a healthcare system suited to we the people, where we provide streets and we provide public transportation and highways as part of the common infrastructure, where we provide free public schools so that every child has a chance to thrive, and where we provide public healthcare so that every citizen can have the peace of mind that, if their loved one gets sick, they will get the care they need.

But we saw the opposite this year. We saw the House bill that would have thrown 12 million people off of healthcare within a year and 23 million within 10 years. As for the President, weeks after he celebrated with his champagne glasses and his leaders from the House and weeks after he celebrated passage, someone told him what was in the bill, and the President said: Wow, that bill is mean and heartless.

Then we came to the Senate, and the secret 13 met, and what did they craft? A bill that was even meaner and more heartless. Instead of throwing 12 million people off of healthcare in a single year, it threw 13 million people off in a single year, and over 10 years, essentially the same number as the House. It wrote a Medicaid provision that over every subsequent year would have made Medicaid less and less accessible to people who need it.

Well, that ran into a dead end. So the Senate said: Let's recraft something that is better. And what did they do? They threw in the Cruz amendment. What did the Cruz amendment do? It is fake insurance. It is a fake insurance amendment.

Do you remember those days when you would get advertisements for healthcare that said: Pay us \$25 a month, pay us \$50 a month, and we will give you a healthcare policy. Millions of Americans bought those policies, and they thought they had something valuable, until they became sick and

went to the doctor. Then they were told: This doesn't cover your doctor's visit, and it doesn't cover your x-ray. It doesn't cover your MRI—that is for sure. It doesn't cover the drugs you need to treat this illness. It doesn't cover a specialist. It doesn't cover hospital care. Oh, and you are pregnant? How wonderful that you are going to have a child, but your healthcare policy—that fake insurance policy that you bought—doesn't cover maternity care.

Fake insurance for the people of the United States of America is the Cruz amendment that was added as a so-called improvement to the mean and meaner bill already crafted by the secret 13—fake insurance. To make it worse, the fake insurance system means that the healthcare policies that cover essential benefits enter into a death spiral. They become so expensive that people can't afford them. So they don't buy them. As a result, only those who are already ill buy the policies, and that makes the policies even more expensive, and so even fewer buy them.

There it is—the Cruz amendment—fake insurance for the young and healthy, and the destruction of insurance with essential benefits for everyone else, pricing it out of reach. In other words, it is like a bomb going off in the healthcare system to destroy healthcare both for the young and healthy and for the older and the sick and those with preexisting conditions.

So some experts weighed in on this and said how terrible that idea is. This is how destructive this is to the healthcare of Americans. Suddenly, there weren't the votes for the Cruz fake insurance amendment, either.

So now what do we have before us? We have the repeal-and-run plan coming to the floor of the Senate, repealing the exchanges; that is, the healthcare marketplace, where people can use subsidies to be able to buy insurance, enabling individuals who are struggling and working families—working families assembling a number of part-time jobs, often minimum-wage jobs with no benefits—to buy insurance on this marketplace.

By the way, this was the Republican plan for healthcare: Let's bring together a marketplace where people can compare policies and can get subsidies to be able to afford those policies. This was the Republican plan. It came from a far-right Republican think tank. It was championed by a Republican Governor. It was test-run at a State level by a Republican nominee who became the nominee of the Republican Party for President of the United States of America. Call it RomneyCare. Call it the exchange. It was the Republican plan.

But my colleagues now say they don't like their own plan, and they don't like the expansion of Medicaid. They don't like the free preventive

conditions. They want to get rid of the possibility of your children staying on your policy until age 26. They want to get rid of the healthcare bill of rights that says that gender is no longer a preexisting condition and you can't discriminate against women because they happen to be women. They want to get rid of the protection you have against policies that have an annual cap, which means, if you get seriously hurt or seriously ill, you don't get covered. They want to get rid of the protection you have that says there can't be lifetime caps that destroy healthcare, so that if you are seriously sick, then, you not only hit your annual limit, but you hit your lifetime limit and no more care for you. Now you have a preexisting condition, and you can't get a policy anywhere else.

As for that whole set of consumer protections—the healthcare bill of rights—my Republican colleagues want to bring this bill to the floor to destroy that entire set of rights. Then, they say: After we have destroyed all of this—destroyed the expansion of Medicaid, destroyed the funding for our healthcare clinics—somewhere down the road we might figure out a new way to provide healthcare—even though they have had year after year after year after year after year after year after year. Let's count them all up, from the years when we crafted the ACA—with an incredible amount of Republican input, by the way. There were more than 100 Republican amendments that were adopted. All of those years later, and now what we have is the majority party's Republican plan to simply repeal all of these pieces that have given a healthcare bill of rights to Americans, that have given struggling Americans access to healthcare, and saying: We are just going to wipe it all away and have people return to where we were before, where the only healthcare insurance they had was to say a prayer each night.

That is not acceptable in a “we the people” republic. I know that as citizens across the country weigh in, they are going to say, as they again fill our inboxes and ring up our phones and visit our offices, that this is not acceptable. It is not acceptable to make it impossible for an entrepreneur to leave a big company and found their company because they now have access to healthcare. That is a beautiful thing. We have launched small businesses by the thousands and thousands and thousands because people were able to get healthcare without being at a large company—small businesses that used to have to just struggle to get any sort of coverage.

There have been a lot of battles between we the people and we the powerful over the history of the United States of America—this 241-year history. We have had those who wanted to suppress the ability of workers to orga-

nize and ask for a fair share of the wealth they were creating. They wanted to bust the union, but the union worked not only to have better benefits for the workers at the mine or at the mill but to have better work circumstances for all Americans—to have a 5-day workweek, to have an 8-hour workday, to have overtime paid at time and a half, to have safer working conditions, to end the exploitation of children in child labor sweatshops, and to have employer-based health coverage. Again and again, workers organizing in the workplace have fought not only for benefits in that workplace but for benefits for all working Americans.

That is a “we the people” battle against the powerful and privileged who want to squeeze the working people until they have nothing—nothing left.

We have had other “we the people” versus the powerful battles. We had one back in the 1920s, where the powerful said: Let's deregulate everything about the banking system. Let's turn it into a wild casino, and everybody will make a lot of money.

There was massive speculation. The stock market ran up like this, and then it crashed. When it crashed, it destroyed the finances of millions of American working families. It left millions of regular families homeless and destitute. My grandmother lived in a boxcar because of this reckless pursuit of more wealth and deregulation by the powerful and the privileged. Thousands of banks across the country closed. More than 1 million families lost their farms in the first 4 years as loans were called in. More than half of all Americans were impoverished. Ninety percent of children in mining communities were malnourished. All because “we the privileged and powerful” want to crush “we the people.”

But “we the people” surged back. They elected a government that established protection for depositors of accounts in our banks, protection through the Federal Deposit Insurance Corporation. They elected a government that said: Let's regulate and create honesty and integrity in the stock market—the Securities and Exchange Commission—so it is a safe place to invest. We can invest with confidence. They created the Tennessee Valley Authority to provide electricity and modernize the impoverished Tennessee Valley region. They forged Social Security so that for the first time Americans could count on having some income when they retire.

We had another “we the people” versus “we the powerful” battle: the civil rights movement. There were those who wanted to suppress opportunity on the basis of race and on the basis of ethnicity. But “we the people” came together and said: Here in America, it is going to be a land of oppor-

tunity for every single individual. No matter your race, no matter your ethnicity, you get a chance to thrive here in the United States of America. The doors cannot be slammed in your face.

That incredible 1964 Civil Rights Act, forged right here in this Chamber where I am speaking at this very moment, was an incredible “we the people” moment.

But it is not a battle we have completely won because still even today in many States across our country doors are legally being slammed in the face of our LGBTQ community. So shouldn't we come back together, pass the Equality Act, and give every single American full opportunity in our country?

Right now, as we come to the conclusion of the healthcare battle between the privileged and the powerful and the people, we have a chance to step out of the extraordinarily partisan role that the majority in this Chamber has played, treasuring power over healthcare in order to—well, in order to what? What purpose? To what purpose? What mission is being fulfilled? Yes, more desks are on that side of the aisle than this side of the aisle, but shouldn't we be here to solve problems? Shouldn't we work together to make our healthcare system better?

Buried deep within that mean and meaner bill are a couple provisions that would make our healthcare system better. There is reinsurance, which enables a company to go into a new healthcare marketplace and be insured against having a disproportionate share of sick people. That makes a marketplace function. Remember, this was the Republican marketplace plan, and they have a provision deep in their bill that would make that marketplace work better.

The marketplace requires healthcare companies to know how much they are going to get paid. Right now, that is in limbo because President Trump has held up the cost-sharing payments and won't commit to them, so nobody knows how to price their policies. He is driving healthcare companies out of one county after another after another. They are saying: We don't know how to price our policies because we aren't told how much we will be compensated. Well, there is a provision deep within that Republican bill that says: We are going to nail down the cost sharing.

There is another provision in that bill that says we should spend more to take on the opioid epidemic. Let's pull that out.

Let's work together. Let's take the cost-sharing block down and the reinsurance proposal and the funding to take on opiates and other drug addiction across the country, combine them, and we will have something we can do to make our current healthcare system better—and make it better as we work en route to having a healthcare system



where simply by virtue of being born an American, you have basic, affordable, quality healthcare. We are a ways from that, from a Medicare for all or a Medicaid for all, but shouldn't we aspire to have that kind of peace of mind rather than the complexity of the system we have now?

At this moment, we have the opportunity to set aside our partisanship and make healthcare work better for our "we the people" Nation, and we should seize that moment.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, today the Senate is considering the nomination of John K. Bush to the Sixth Circuit—someone who should have no place on the Federal bench.

Mr. Bush is one of the most outspoken and blindly ideological judicial nominees I have seen in my time in the Senate. A longtime Republican Party activist and donor in Kentucky, Mr. Bush is also a political blogger whose incendiary comments are beneath the dignity of the office he aspires to hold. On this blog, Mr. Bush hid behind a secret online identity to denigrate people with crude language and to question the very foundation of our country's legal system. Mr. Bush has been a champion of the racist birther conspiracy about President Obama.

When asked about these posts during his hearing, Mr. Bush appeared to regret that his posts presented problems during his confirmation process and did not demonstrate any remorse for the views he expressed in his blog.

In another post, Mr. Bush equated abortion and slavery, calling them "two of the greatest tragedies in American history."

In *Dred Scott*, which is widely considered to be the worst decision in Supreme Court history, the Court held that African Americans were property, not people, and that they were not entitled to citizenship under our Constitution. The American people rejected this holding in the Civil War and in the constitutional amendments passed in its aftermath.

In contrast, the core holding of *Roe*, as reaffirmed in *Casey*, is the law of the land and based on the Constitution's protections for individuals to make intimate and personal decisions.

Comparing a constitutionally protected right to slavery—a crime against humanity and one of the deepest stains on the moral conscience of this country—is unconscionable. I question how a judge holding this kind of view would rule on any number of cases coming before him that force him to confront his strongly held ideological beliefs.

Mr. Bush made repeated attempts to downplay these outrageous statements and tried to convince us that he would simply follow precedent. Saying "I will follow precedent" should not shield

this extreme nominee from legitimate scrutiny of his ideology.

Should he be confirmed, Mr. Bush will likely be presented with cases that provide opportunities to push the precedent envelope. This is particularly evident when examining Mr. Bush's own writings. For example, in a 2008 blog post, he supported statements made by the majority leader, whose campaigns he supported, that judicial appointments could preserve "the anti-abortion agenda." If confirmed, we have every reason to believe that Mr. Bush will take every opportunity to pursue a radical, anti-woman, anti-choice agenda.

Statements like these raise serious questions about whether litigants appearing before potential circuit court judge Bush could trust in the fairness that is the hallmark of our judicial system.

Mr. Bush's inability to understand why his past writings are such a big problem only deepens my concern about his nomination. As a private citizen, Mr. Bush has every right to express his opinions in any way and on any platform he chooses. But he does not have the right to be confirmed to the Federal bench, and he doesn't have the right to demand that we set aside the clear pattern of extremism evident in his writings when considering his lifetime appointment.

There is no question that elections have consequences for who is appointed to be judges and Justices. That is part of our system. With a Republican President and a Republican majority in the Senate, many deeply conservative nominees will be confirmed to the judiciary. But the Senate cannot and must not become a rubberstamp for nominees who do not demonstrate the ability to be fair and impartial in the cases that come before them.

We are reminded every day why fair and impartial judges are so important for our country and for our democracy. Just last week, Judge Derrick Watson from Hawaii tossed out the narrow limits the Trump administration placed on who counts as close family when enforcing the President's discriminatory Muslim ban. Judge Watson's decision shows the importance of ensuring we have Federal judges who understand the rule of law and also have an appreciation for the impact of the court's decisions on ordinary Americans.

Nothing I have heard or read provides any reassurance that the American people can trust that Mr. Bush will put his views aside to render fair and impartial decisions.

I urge my colleagues to oppose his nomination.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, at a time when millions of people nationwide are speaking out and making ab-

solutely clear "no to more attacks on women's health and women's rights and no to the kind of hate and division President Trump sowed on the campaign trail," it is unconscionable that my Republican colleagues are moving now to confirm a circuit court nominee who is so clearly anti-women, anti-choice, and so clearly unqualified and unfit to serve on the bench.

Our Republican colleagues may think that no one is paying close attention to this nomination, that perhaps they will just slip this one through. They are wrong. Today I am here, along with many of my colleagues, to take a stand, to make sure that families know just who President Trump is trying to fill our Nation's court system with and call on Republicans to reject this nomination of John Bush to the Sixth Circuit Court of Appeals.

I consider my decisions about whether to support judicial nominees to be among the most important and consequential choices I make as a Senator. Like Supreme Court Justices, circuit court judges have lifetime appointments. They set legal precedent. They decide on the majority of Federal cases. They can change and shape the lives of generations to come. So it is a responsibility I do not take lightly.

There are so many troubling aspects of this nominee's record—previous statements, writings, legal views—they should alarm every American, from his views on LGBTQ rights, race, and campaign finance reform, to his vision of the environment and election laws.

I would like to start with one aspect of his record that is especially important to me as a woman, a mother, a grandmother, and a U.S. Senator, and that is what this nomination would mean for women. For nearly a decade, Bush has made countless inflammatory, offensive, and troubling comments on a number of issues important to women. It is not possible to go through them all, and, frankly, most should not be repeated on the Senate floor, but I do want to make clear what kind of nominee this is.

Bush has likened a woman's constitutionally protected right to choose to that of slavery, calling it one of the greatest tragedies in the history of our country. This harmful view is a pattern with Bush. In fact, he consistently uses anti-choice rhetoric, whether he is writing about the right to privacy or other case law.

On top of that, Bush has attacked essential health programs for women and children. For example, he has called the Maternal, Infant, and Early Childhood Home Visiting Program—which helps provide at-risk pregnant women the resources they need to raise healthy children—wasteful.

He has authored an amicus brief advocating for the Virginia Military Institute to continue excluding women from admission, where he stated that

there are “different developmental needs of women and men.”

Most recently, on his Judiciary Committee questionnaire, he failed to disclose memberships with various organizations that do not admit women, as well as people of color.

I could go on and on, and any of these alone would be enough for me to oppose this nomination. There are a lot more. Along with his views about women, we have learned of a disturbing pattern of hostility toward the LGBTQ community.

In several articles, Bush has praised court decisions that attack LGBTQ rights. He has used anti-LGBTQ slurs in his personal speeches. He has publicly applauded statements made by candidates for office and government officials that oppose marriage equality.

When given an opportunity to explain any of these comments or previous writings during his committee testimony, he was evasive and dodged questions, and he certainly did not apologize or clarify any of those comments.

I don't think I need to go any further, but I hope it is becoming increasingly clear that this is not a normal nominee. This is someone who lacks the qualifications and character and temperament to be appointed to a lifetime position on the Federal bench.

It is time for President Trump to stop trying to divide our country and use Federal court nominations to push his extreme agenda and undo progress for women and the LGBTQ community.

I will remind my Republican colleagues, we have joined together this year to reject extreme nominees like this before—Andrew Puzder and Mark Green. Those, by the way, were temporary Cabinet positions. This is a lifetime appointment. I hope we do the right thing and reject this nomination.

Before I conclude, it is my understanding that Senate Republicans may attempt to misrepresent Bush's harmful record on women. In case there is any confusion, I would like to read a statement from Planned Parenthood of Indiana and Kentucky on the Bush nomination:

Planned Parenthood of Indiana and Kentucky calls on Sen. Mitch McConnell and Sen. Rand Paul to reject the nomination of John Bush to the Sixth Circuit Court of Appeals.

Bush has demonstrated that he is unqualified for this federal court in upholding fundamental constitutional rights in his writings comparing abortion and slavery, while applauding statements that demonstrate a record of hostility to women and LGBTQ individuals.

Sen. McConnell's statements citing PPINK board members support on the Bush nomination do not reflect the organizational position of the Planned Parenthood affiliate in Kentucky and Indiana and we urge the Senate to reject a nominee that lacks the independence and temperament necessary for a federal judgeship.

Mr. President, I urge our Republican colleagues to make the right choice: to

reject this nominee and put in place a person in a court position that is a lifetime appointment, one who all Americans feel will represent them on the bench.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BLUMENTHAL. Mr. President, I am here to oppose the nomination of John Bush to the U.S. Court of Appeals for the Sixth Circuit.

I have been a member of the Judiciary Committee since I was sworn in as a U.S. Senator 6 years ago. I have participated in dozens of confirmation hearings. Over time, I have become accustomed to hearing nominees attempt to dodge our questions. I have rarely come across a nominee who was as reluctant to respond to my questions as John Bush, and I have rarely felt so unsure and concerned about how a nominee would assume the responsibility of a Federal judgeship if confirmed.

I should emphasize to my colleagues, as well as to the people of Connecticut, there is no nomination I take more seriously than a Federal judgeship, having been before numerous Federal judges, district court judges, courts of appeals judges, and the U.S. Supreme Court on four cases. Having seen as a law clerk, as well as a practicing lawyer, the enormous impact and profound importance of this position, I take no job more seriously and regard no more steadfastly any responsibility that we have.

Mr. Bush has previously stated that originalism was the “only principled way” to interpret the Constitution. When our ranking member, Senator FEINSTEIN of California, then, very reasonably, asked Mr. Bush if judges should always use originalism to interpret the Constitution, his response was this: “My personal views on constitutional interpretation will be irrelevant if I am fortunate enough to be confirmed to the 6th circuit.”

With all due respect to Mr. Bush, I could not disagree more strongly. Asking judicial nominees about how they would approach the task of interpreting the law is extraordinarily relevant to this job. First, judges are not robots. They have views regarding how to interpret statutes and the Constitution. Applying those views is not inconsistent with judicial impartiality, but, especially for a judge on the U.S. court of appeals, those views matter greatly. The American people have a right to know what those views are for an appellate judge, who often cannot simply follow the letter or the exact

words of the Constitution or the Supreme Court's interpretation of it. There are all kinds of gaps that may be left and questions that may be unanswered. Circuit court judges are routinely asked to address constitutional questions that the Supreme Court has never addressed or has answered incompletely, and, sometimes, yes, incorrectly. It changes its constitutional view because of a circuit court judge who has the temerity to say that the Supreme Court either hasn't spoken to the issue or, perhaps, has spoken decades ago, at a time when that interpretation of the constitutional law had relevance and correctness, but not now.

To do our job reviewing judicial nominees of the President, we need to know how Mr. Bush plans to do his job. His refusal to answer causes me extraordinary concern, particularly because, in light of his previous comments, I have a pretty good idea how he intends to continue to apply what he believes to be the original philosophy. It is one thing to say forthrightly and honestly: “That's my philosophy originally.” It is another to completely dodge the question.

I am pleased to be on the floor today with one of my really great colleagues, Senator FRANKEN, who will speak after me, and to have followed two other extraordinarily distinguished Members of this body, Senators MURRAY and HIRONO, to focus on these concerns regarding Mr. Bush's approach to the question of women's healthcare and constitutionally guaranteed reproductive rights under the Fourth Amendment.

Let me note at the outset that our Republican colleagues have referred to a letter of support for Mr. Bush from someone who is on the board of the Kentucky Planned Parenthood affiliate. That letter in no way represents the position of the organization as a whole. In fact, the president of Planned Parenthood of Indiana and Kentucky has stated that Mr. Bush “lacks the independence and temperament necessary for a Federal judgeship.” That's the position of the President of Planned Parenthood for Indiana and Kentucky: He “lacks the independence and temperament necessary for a federal judgeship.” The issue of a woman's right to make decisions about when she becomes pregnant and whether she has an abortion is a constitutionally guaranteed, protected right of every woman, regardless of where she lives and what her background is and any other circumstances. She has that right. I need to know that any person I vote to confirm to the Federal bench will approach cases involving reproductive rights with the utmost care and respect for decades of hard-won precedent.

In coming years, judges will have to determine what constitutes an undue burden—and that is a term of law,

“undue burden”—as States continue to pass new laws that try to restrict women’s reproductive rights. They will have to probe the boundaries of the Court’s Hobby Lobby decision on how religious and reproductive freedoms might conflict. These issues are far from easy, and the Supreme Court has spoken to them in many respects incompletely or unclearly.

So when a nominee will not tell me how he plans to approach constitutional interpretation—even though his record strongly reflects a hostility to reproductive rights—how can I evaluate? How am I to do my job when I don’t know how he is going to do his job? How am I supposed to take seriously his pledge to faithfully apply *Roe v. Wade* and related precedent?

All I have left in evaluating the Bush nomination is what he said outside the confirmation process before he was nominated for this position. As many of us know, Mr. Bush was a blogger, authoring hundreds of posts over several years under a pseudonym. I have read his blog. In the words of one of my colleagues, I am not impressed. He once wrote:

The two greatest tragedies in our country—slavery and abortion—relied on similar reasoning and activist justices at the U.S. Supreme Court, first in the *Dred Scott* decision, and later in *Roe*.

Never mind that this statement is absurd on its face. Never mind that the NAACP called it “offensive and dishonest.” What concerns me at this moment is how this is the best statement of his views on the constitutionality of women’s reproductive rights that we have heard. In light of that statement, how can we expect anything else from this nominee other than the narrowing of reproductive rights?

Then along with the question of how John Bush might act as a judge comes the question of how the public perceives him. When you search the internet for information about his nomination, here is what you find on his blog: a post suggesting that someone “gag the House Speaker,” referring to former House Speaker NANCY PELOSI, not current House Speaker RYAN; two posts suggesting that a reader of the blog from Kenya must somehow be connected to President Obama; a post applauding former Presidential candidate Mike Huckabee’s statements that he believes “life begins at conception” and “strongly disagrees” with “the idea of same-sex marriage”; and a whole collection, a menage of partisan and inflammatory language—to use some euphemism for what can be found here.

Reporters who covered this nomination have used words like “provocative,” “controversial,” and “not normal.” This nomination is, indeed, not normal. It is different and profound, not in a good way. The *Courier-Journal*, Bush’s hometown newspaper, chose

this headline for their coverage: “Trump’s judicial nominee from Louisville ducks questions about his controversial blog posts.” The article went on to quote lawyers describing his answers to Judiciary Committee members as “laughable,” “absurd,” and “dishonest”—all quotes.

The Judiciary Committee heard from 27 LGBT advocacy organizations and 14 reproductive rights groups, and they told us, in no uncertain terms, “no” to this nominee. I agree with them.

Finally, Mr. Bush wants us to believe that his political views can be separated from his law practice or his prospective service on the court. When asked why he cited unreliable news sources like World Net Daily in his writings, he repeatedly shrugged off the question and declined answering, saying political analysis is different from legal analysis. There is truth to that point. Prior political activity is no disqualification, in and of itself, for serving as a judge, but the importance of public confidence in the judiciary is profound. The confidence of people in the fairness and impartiality of our judges is profoundly important and necessary. The courts have no army. They have no police force of their own. Their rulings are credible and enforceable because of confidence in the fairness and objectivity of our judges.

Someone who is so clearly unqualified, by virtue of his record, I cannot support. I encourage my colleagues to join me in voting against Mr. Bush’s nomination.

Thank you, Mr. President.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Minnesota.

MR. FRANKEN. Mr. President, I rise also in opposition to the nomination of John Kenneth Bush. Mr. Bush, who has been nominated to serve as a judge on the Sixth Circuit Court of Appeals, has the dubious distinction of having anonymously written scores of blog posts that aren’t just offensive—which, believe me, they are—but that call into question the nominee’s ability to be a fair and impartial arbiter of the law, which is the job of a judge, especially a circuit court judge. In my view, the nominee’s lengthy record of inflammatory and intemperate writings stands as evidence that Mr. Bush falls far short of the high standards that the Senate should demand of nominees to the Federal bench.

Over the course of nearly 10 years, Mr. Bush wrote under the pseudonym “G. Morris.” He wrote under a pseudonym on a political blog operated by his wife, where he published hundreds of incendiary posts.

Let me be absolutely clear. Being politically active or expressing political opinions is not a disqualifying characteristic in a judicial nominee—at least, not in my view. But as I said during Mr. Bush’s hearing, it is important

for the Senate, in attempting to determine whether a nominee is qualified to serve as a Federal judge, to assess that nominee’s judgment as a judge—to assess his or her judgement—and that is what I would like the President and all our Members to consider.

In the hundreds upon hundreds of posts that Mr. Bush anonymously published on his wife’s blog, Mr. Bush did not demonstrate what any Member of this body would characterize as good judgment. It was far from it. During his hearing, I questioned the nominee about a series of posts in which he seemed to fixate on President Obama’s Kenyan heritage. In one post, Mr. Bush discussed an article that suggested a reporter was detained by the Kenyan Government because he was investigating “Barack Obama’s connections in the country” and that authorities had locked up the reporter in order to prevent him from publishing what he discovered. The article Mr. Bush quoted from and linked to was published on World Net Daily, a website known for peddling conspiracy theories, bogus claims, and White nationalism. In fact, World Net Daily is widely known for trafficking in birtherism—the widely debunked and racist belief that President Obama was not born in this country. Nonetheless, Mr. Bush presented the World Net Daily article as fact. This is a guy who has been nominated to be a circuit court judge calling a World Net Daily article fact.

So during his confirmation hearing, I asked Mr. Bush—and I asked him over and over again—how he decided which sources to rely upon in his writings and how he determined a particular source was credible. In my view, whether a nominee is capable of discerning real news from fake news or blogs that traffic in conspiracy theories from legitimate journalism directly speaks to the nominee’s judgment. Again, the job is judge. Really now, World Net Daily?

Whether and how a nominee evaluates the credibility of a claim or a source of information provides a window into how he might approach the factual record in a case, for example. That is what judges do. But Mr. Bush couldn’t answer my question. Instead, he said: “As a blogger, I was finding things that were in the news that were of note, I thought.” In response to a written question I posed, Mr. Bush said that rather than perform original research to support his claims, he instead “relied upon readily available sources on the internet.” That would be the prestigious internet. Really? Really? From a nominee for the circuit court?

This begs the question: How did Mr. Bush find these articles? Does the nominee consume a steady diet of disinformation and conspiracy theories? I asked him that question in writing. Mr. Bush responded that he did not remember how he came upon those

sources and that, in fact, aside from the articles he quoted, he did not recall reading any articles from those sources, despite the fact that he linked to and quoted liberally from conspiracy-minded websites many, many times in his writings.

Despite Mr. Bush's claims that he can't remember how it was that World Net Daily found its way onto his computer screen and despite his claim that he can't recall how he discovered and then later cited the writings of a birther conspiracy theorist, I suspect that in Mr. Bush's case, the simplest explanation is probably the right one. I suspect the reason Mr. Bush quoted from sources like World Net Daily so frequently is that Mr. Bush frequented those sources, that he frequently read the material they published, and I suspect he enjoyed it. That is just a suspicion based on my judgment.

The fact that a man who anonymously wrote inflammatory and offensive blog posts and who consumed information from sources that routinely publish lies and racially insensitive material could be confirmed to a lifetime appointment on one of the U.S. courts of appeals should shock the conscience of each and every Member of the Senate, no matter what your politics are.

I have served on the Judiciary Committee for 8 years, and during that time I have had the opportunity to evaluate countless judicial nominees. I understand that each Senator has his or her own way of determining whether a nominee should be confirmed. Some Senators prefer nominees who embrace a judicial philosophy of originalism or strict constructionism, others reject that view. For some Senators, a nominee's view of the Second Amendment or *Roe v. Wade* serves as a litmus test.

Setting aside the usual yardsticks by which we measure judicial nominees, Mr. Bush should strike each and every Member of this body as manifestly unqualified, by any measure. Through his writings alone—and I urge all of my colleagues simply to look at his writings on his blog or on his wife's blog that he wrote with a pseudonym. They are awful. They are disgraceful.

Please, I beg my colleagues, read these and say to yourself: Are these writings the writings of a man—no matter what his leanings are in terms of how constitutional law should be decided, what his philosophy is, whether conservative, progressive, or liberal—how we can confirm someone to the circuit court, to a Federal judgeship for life, who writes anonymously these awful, incendiary things, relying on sources that are known for spreading hatred and linking to them. I don't think we have been here before. I don't think we have been here before.

I would beg my colleagues, before you cast this vote—I believe you could not justify to your constituents, that

you could not justify to your family—please read these blog posts by this nominee and check your conscience—not at the door, check it. This is one of those incredibly unusual circumstances where somebody comes before us who, I believe, is uniquely unqualified for the job.

Thank you.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 4 p.m.

Thereupon, the Senate, at 1:55 p.m., recessed until 4:02 p.m. and reassembled when called to order by the Presiding Officer (Mr. CORNYN).

#### EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Texas.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### SMALL BUSINESS EMPLOYEE OWNERSHIP PROMOTION ENHANCEMENT ACT

Mr. PETERS. Mr. President, each Michigander I talk to has their own unique hopes and dreams, but some aspects of the American dream are truly universal—financial security, the opportunity for your children to grow and prosper, and a dignified retirement. We know there are almost limitless paths to achieve these shared goals. For my parents' generation, this often meant a fair day's pay for a day of hard work, a good wage that grew steadily over time, and perhaps a pension that could support a comfortable retirement, and even the money to help for college tuition for your children. For small business owners, the path could mean bootstrapping a business from scratch, scraping by at first, building a business that made a good product, and doing the right thing by your employees and growing into a profitable business.

But in today's economy, for so many people, the connection between today's hard work and tomorrow's economic security isn't always so clear. New entrants to our workforce are increasingly unlikely to have a pension they can rely on for retirement. We are also seeing an entire generation of business owners rapidly approaching retirement after spending a lifetime building their businesses. We have a younger generation of employees who are increasingly disconnected from their employers and an older generation of entrepreneurs who are trying to figure out how to re-

tire without disrupting their successful businesses.

Actually, I see this as a unique opportunity to solve two problems at once. The employee ownership model, including employee stock ownership plans—better known as ESOPs—allows employees of a company to become partial owners. ESOP plans, which often are created as heads of family-run small businesses look to retire, create employee-owners who have a real stake in the company to which they have dedicated their careers. For both management and employees, ESOPs mean that their goals are aligned—a growing, sustainable company that gives a shot at prosperity for everyone, from the highest ranking employee, to midlevel managers, to the front office staff.

For both business owners and employees, the proven benefits of the ESOP model are clear: Employee-owners have higher wages, more job stability, higher net worth, and larger retirement accounts than non-employee owners in similar companies. For entrepreneurs who want to see the company they built continue to thrive after they are gone, research has shown that businesses see their sales grow faster in the years following their conversion to employee ownership.

The data is clear on what employee ownership means for a company's bottom line and for workers' performance, but when I have the chance to visit employee-owned businesses, the benefits are as clear as day.

Last summer, on the first day of my motorcycle tour across Michigan, I visited Sport Truck USA, an aftermarket suspension and offroad distributor in Coldwater that makes world-class parts. Sport Truck USA wasn't just proud of their offered products, they were also proud of their achievement as an employee-owned business. I met a longtime front office employee who had a retirement account worth upwards of \$1 million. I met a warehouse worker who does as well. And they were both very happy to show up for work every day. When Sport Truck was sold in 2014, the ESOP model ensured that their employee-owners had a say in whether to approve the sale and fully compensated them when it went through.

Sport Truck USA is a great success story, but for many businesses, the idea of an employee-owned transition is simply not on their radar. Despite having been enshrined in the law by Congress in 1974, for many business owners and employees, the ESOP model is not well known or understood. Before an ESOP transition can take place, there can be months or sometimes even years of preparation and planning that have to take place. But it is clear—the more people who are aware of their options for employee ownership, the more businesses that

will decide this is the path they want to take.

There is now bipartisan agreement that Congress can take steps to help businesses find the awareness and support they need to make this a reality. That is why I recently introduced bipartisan legislation with the chairman of the Small Business Committee, Senator RISC. Our Small Business Employee Ownership Promotion Enhancement Act will increase awareness and provide technical assistance for the creation of ESOPs and other employee-ownership models. We do this by empowering the business experts at SCORE—the nonprofit small business counseling organization—to provide information about employee ownership. Many of these counselors themselves participated in ESOPs and can speak to their benefits and what it takes to transition to this structure.

As a partner of the Small Business Administration, SCORE and their volunteers are on the ground in communities across the country, and I believe they will help create the next generation of employee-owners. Increasing awareness of ESOPs is a vital first step, and I am committed to finding new ways to provide resources to businesses and employees as they transition to employee ownership. But, for Michiganders who are looking to secure their futures, building awareness of the ESOP model can help make this critical transition.

The Small Business Employee Ownership Promotion Enhancement Act will help successful small business owners retire with the peace of mind that their legacies will be carried on by the employees they will have hired, mentored, and developed over the years. It will help businesses invest in their employees and employees invest in their businesses.

When too many Americans feel as though they are being left behind, employee ownership lifts up employees and gives them a real stake in their companies and the opportunity to prosper and achieve their versions of the American dream.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. COONS. Mr. President, I come to the floor to join my colleagues in opposing the nomination of John Bush to serve on the Sixth Circuit Court of Appeals. Mr. Bush's record leaves me deeply concerned that he has not demonstrated the civility, the temperament, and the judgment that are the most basic requirements to be a judge on a U.S. Federal circuit court.

I also have some concerns with Mr. Bush's legal philosophy. At Mr. Bush's confirmation hearing, I asked questions about his interpretation of due process and the right to privacy. These constitutional rights protect the freedoms that are the linchpin of our modern, diverse, and inclusive society. They impact real people.

My concerns about Mr. Bush extend far beyond disagreements about legal philosophy. I worry more deeply about his judgment and temperament.

He has published statements that demonstrate not just a lack of judgment and temperament but also a fundamental lack of civility and decency.

There are many examples which I could read, but let me cite just a few. He referred to the first female Speaker of the House as "Mama Pelosi" and said she should be gagged. He depicted a threat that Obama supporters stealing a campaign sign would "find out what the Second Amendment is all about." He chose to repeat the use of a well-known, anti-gay slur in a speech he gave. All of this was not while he was in middle school or high school but after he had been practicing law more than 15 years.

There is much more I could cite—some of it more offensive and more derogatory—but I frankly think they don't expand upon my core argument.

These are not the statements of someone fit to serve on a Federal circuit court bench.

Don't get me wrong. Mr. Bush has every right to put these views out into the world. Even now, over in the Senate office buildings, there are folks exercising their First Amendment rights, protesting and, in some cases, being arrested today, expressing strongly their feelings. I am sure some of them are saying things that are forceful, vigorous, even perhaps personally offensive to Members of the Senate as they are protesting.

The vote this body will take on the nomination of Mr. Bush isn't about his First Amendment rights, it is about whether he is capable of conducting himself in a civil way such that he can give fair treatment to all litigants who come before his court.

Our vote isn't about Mr. Bush's own constitutional rights of free expression; it is about upholding all Americans' constitutional rights to fair treatment before the courts and what sort of expectations litigants will have when they stand before him.

Mr. Bush's judgment and his repeated choice to utilize not just negative, not just provocative but inflammatory and derogatory language when expressing himself do not suggest to me that he is capable of the fairness, the civility, and the impartiality we expect.

Mr. Bush owns the reputation he has built for himself in many speeches, op-eds, blogs, and newsletters. I heard very little in the way of disavowing

these prior statements at his confirmation hearing, suggesting that he either stands by them, doesn't see what is wrong with them, or simply doesn't care. I am not sure which is worse, but, to me, each of these is disqualifying.

If my Republican colleagues have reservations about this nominee putting on the robe, sitting on a circuit court bench, and interpreting the law for years to come, I hope you will deliver that message with your vote on the floor.

I haven't shied away from supporting President Trump's nominees when I believe they are fully qualified for the job—even when their politics have sharply diverged from my own, but this case isn't about partisan politics. The Senate should not be a rubberstamp for nominees of any President of any political party. We must guard the balance of power and the integrity of the Federal judiciary as an unbiased and fair-minded institution.

President Trump has more than 100 judicial vacancies to fill. If we don't demand any other standard of the White House than this, this problem will extend beyond the nomination of Mr. Bush to this circuit court seat, and the precious and vital reputation of our Federal judiciary will be damaged as a result.

I pray we do not reach that outcome. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### FOSSIL FUELS

Mr. INHOFE. Mr. President, some really big things are happening right now that are happening under the radar; people are not aware of them. One of them is the fact that the Obama war on fossil fuels is officially over now and good things are happening.

This coincides with a time when we have a shale revolution. We have a situation where we are actually reviving an industry that had been pushed for the last 8 years. Oil and gas accounts for over 5 percent of the jobs in the entire country and accounts for over \$1 trillion in economic impact in the U.S. gross domestic product.

In my State of Oklahoma, the industry directly employs nearly 150,000 people, and each of those jobs support more than two additional jobs in the State. Thanks to the election of President Trump, help has arrived.

There are some very vocal sectors in America that want to put the fossil fuel industry out of business. We know that. They are out there. They are alive and well, and the attacks will keep coming. While most inroads were

made toward that goal during the Obama administration, the environmental extremists will continue to use our court system and the media to ensure that the war on fossil fuels continues, putting American jobs and the economy at risk.

Back in Oklahoma—it is kind of funny—I have an established policy for the last 20 years that every year, at the end of every week, I will either—if I don't have to be in Afghanistan or someplace else—I am always back in the State, never here.

I have been in aviation for many years so I get one of my airplanes and travel around the State and talk to people—real people. People don't understand this because you don't get logical questions asked or responded to here in Washington. They will say, for example—and this happened early in the Obama administration. They would come up to me and say: Explain this to me, Senator INHOFE. We have a President who has a war on fossil fuels, trying to do away with fossil fuels. He doesn't like nuclear either. Yet nuclear and fossil fuels, which is oil and gas, account for 89 percent of the energy it takes to run this machine called America. So if he is successful, how do you run the machine called America? The answer is that you can't.

With the election of a Republican-led Congress and a Republican in the White House, we should be working together to address the concerns of the industries that provide cheap, reliable fuel for American energy. Unfortunately, as what always seems to be the case when we are in power, Republicans can't seem to get together and work toward a common goal, dividing themselves over some of the issues. Healthcare is no better example.

But the threat against the industry and fossil fuels should be a priority of all Republicans and Democrats, whether or not they come from a State dependent on these resources for jobs, because cheaper and more reliable energy is an issue that affects all Americans, helping them to get to work, to heat their homes, and to cook their meals. Yet we already have examples of Republicans not working together to defeat threats to our energy sector.

We only had one CRA vote fail, and that was the one on the BLM venting and flaring rule. It was held up by some of the Republicans who want to expand a mandate they already have, and that is the renewable fuels standard. It was ultimately defeated by another Republican. Now, the oil and gas industry considered this to be one of the real key regulations that was imposed by President Obama and that needed to be released.

If anyone is interested, in my office we have accumulated all 47 of the regulations this administration either is in the process of doing away with or has already done away with, and these are

the things putting people out of business.

So some good things are happening right now. We know that programs were created at the time in our history when we were dependent on foreign oil or when our energy production at home was receding, and that all has changed. Some might not be old enough to remember. I am.

Back in the early 1970s, OPEC in the Middle East retaliated against us for helping Israel against Egypt and Syria in the Yom Kippur invasion by imposing an oil embargo. This resulted in long lines of cars at the pumps and in rationing. It was pretty traumatic. In the late 1970s, unrest in the Middle East again disrupted the oil market, once again causing shortages and prices to skyrocket.

There is the corporate average fuel economy, or CAFE, standards program, as we call them. The CAFE standards program was created during this time of uncertainty in the oil and gas market, when we were dependent on oil from the Middle East. But the bleak future we were facing at that time didn't happen. It wasn't the end of the world as they said it was going to be. In fact, just the opposite happened. The United States is no longer dependent on foreign sources for oil and gas and is in the position to export our resources and provide for better security for us here.

I was very proud of the President the other day when he was in Poland and he made a speech with Putin right there. He talked about the fact that we are going to start exporting our oil and gas—and we are already doing it now—to some of these former satellite countries of the Soviet Union and other countries where they want to import from us but Iran and Russia have had a lock on the exports and so they were forced to be dependent on them. That is not the case anymore.

I would say, parenthetically, to anybody who believes this President was trying to cater to Putin at any time, that he stood up and said: We are going to be the ones exporting, instead of Russia, when their economy is dependent upon their exports. That is actually happening right now.

The cost of cars went up, even though that didn't work. The CAFE standards were by government officials who thought they could force the public into smaller cars, more mileage, and all that, but that is not the way the American people responded. The cost of cars did go up \$3,800 per vehicle from their standards put together for 2016. This was significant when it happened, but it didn't change the behavior of the American people. So any small benefit of new standards estimated at 0.007 degrees by 2100 is outweighed by the fact that consumers are doing something different than the government predicted—I am happy about that—which

always seems to be the case when the government starts messing with industry.

None of this touches the effect the California waiver has on the fuel economy debate and the consumer market. If California and the States that have followed had their way, liquid fuels would be phased out altogether and consumer demand and prices wouldn't really matter.

Another way Congress has tried to manipulate the fuel market when the energy future was uncertain is through the renewable fuels standards. This is not a partisan issue because it is really more of a geographical issue. People up in the core area are very strongly supportive of the renewable fuels standards. Some other people are not. So it is not a partisan thing, as most of the things we talk about on the floor of the Senate are.

In 2005—and then expanded in 2007, despite my best efforts—the RFS was created to address decreased energy production at home and to decrease carbon dioxide emissions. However, with the shale revolution, our dependency on foreign energy stopped. The more we learn about corn ethanol, the more we know RFS has not been the environmental solution as sold to us.

In case we forgot—it has been a while ago—Al Gore was the guy who invented ethanol. This was supposed to solve all the problems out there, until Al Gore realized that the environmental community, which motivated him to get involved with this issue, said: No, that is the worst thing in the world for the environment. So he had to back down.

Land is increasingly set aside for the production of corn to feed the mandate, and the more corn that is diverted to ethanol production, the less there is for our food consumption and for ranchers who need corn to feed their livestock, making the cost of our food rise. That is another major issue nobody talks about anymore.

Fuels with corn ethanol are less efficient than gasoline diesel by 27 percent. So while consumers may pay less at the pump than conventional fuel, they are coming back to the pump more often, and the math works so that it costs them more.

This also translates into more greenhouse gases being released into the atmosphere to make up for the efficiency lost in using corn ethanol. Oklahomans know this and demand for clear gas remains high.

This is very common in Oklahoma. I actually took this picture myself. People know, No. 1, that it is bad for the environment; No. 2, it is not good for mileage; and, No. 3, it destroys small engines. So in Oklahoma, this is what you see in almost every community. They know the demand for clear gas—gas which doesn't have any additives—remains high in my State. Retailers in Oklahoma continue to advertise it.



They also don't like corn ethanol because they understand it is not good for their engines. We heard testimony from people in the small-engine business, such as outboard motors and those things, talking about how they are quite often sued and then have to defend the thing because the damage was actually caused by the ethanol as opposed to the manufacturer.

Ethanol supporters claim the warning labels on the pump are sufficient to alert customers, but studies show consumers make fueling choices by price, and they have ruined boats and small engines, causing manufacturers and retailers to invest in a nationwide campaign to prevent misfueling.

Furthermore, the mandate is not living up to its promises of advancing biofuels. In fact, over the last 5 years, the EPA has had to lower the total renewable volume requirements to amounts below statutory requirements because advanced biofuels have not been developed in the capacity drafters of the RFS had hoped, even with a mandate. To comply with the RFS, we have become reliant on foreign imports of soybeans and ethanol from South America to count toward the RFS—the exact opposite of what the mandate was supposed to prevent in the first place.

Meanwhile, supporters of the RFS want more. They want a waiver for even higher ethanol levels in gas. Currently, gas with 15 percent ethanol or higher can't be sold during the hot summer months because of its negative effect on ambient air quality. Ethanol supporters want a waiver now so that E15 and higher can be sold year round. Right now, it can't be sold during the hot summer months, for obvious reasons. With all the problems with RFS, we should not give them this waiver without addressing the larger issues with the program. Between CAFE and RFS, the fuel industry has had its hands full. But the war is being waged on all fronts, and I will continue to work to make sure that doesn't happen.

There are no guarantees that the next administration after President Trump will not return to the "regulate to death" plans of the Obama administration. I am not talking about the war on fossil fuels. We need to work together to address the regulations that we were not able to address with the CRA process. By the way, the CRA process, the Congressional Review Act process, is one of the two ways that you can minimize or eliminate onerous regulations. It has been very effective. The mandate was the only one that has not been successful. All the rest of the CRAs have been successful. We went 20 years, using it effectively once in 20 years, and we have used it 47 times now. So times have changed.

We are going to work with our colleagues to get as much as we can on

any legislation that looks like it might be moving both in my committee of jurisdiction and on the Senate floor. Any regulation that is a threat to the energy sector should be addressed so we don't find ourselves in the situation of hoping for favorable court rulings again, which is what we relied on before.

There are many regulations that threaten the availability of cheaper energy, and I will be pursuing any means available to address them. As for the waters of the United States rule, when we talk to the farmers and the ranchers around the country and ask what the major problems are, they say: It is nothing found in the farm bill; it is the overregulation by the EPA. Which one regulation do they single out as being the most serious one? It is the waters of the United States.

In my State of Oklahoma, the Panhandle is a very arid area. If we change the jurisdiction from the States to the Federal Government, I am sure it will become some type of a serious problem with all of the water that is not out there. We have the waters of the United States, the Clean Power Plan, the EPA, and the BLM methane rules, and fixing compliance issues with the most recent NAAQ standards.

I will also be pursuing ways to amend the RFS and CAFE programs—from rescinding the California waiver that drives CAFE issues and harmonizing the EPA and DOT rulemaking to reforms of the RFS program, including requiring that any E15 or higher blend be tied to the commercial availability of cellulosic ethanol, or requiring that certain criteria be reached before an E15 waiver is triggered.

There are many ways in which I will be looking to address the issues I have outlined here today, and I look forward to working with my colleagues to ensure that not only is the environment protected but that the entire fuel industry is, as well, and that we have the available fuel.

The latest battle on fossil fuels was won with the election of President Trump, but the war is still being waged. I will continue to defend that industry and any industry that employs that number of people and provides cheap energy for Americans.

Again, the question that I got back in Oklahoma—where the real people are, I might add—if the Obama administration had been successful—and we are dependent upon the very thing he was trying to do away with for 89 percent of the industry—how do we run the machine called America? The answer is, we can't.

With that, I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. MERKLEY. Mr. President, our Nation's courts are supposed to be bastions of justice. They are intended to be run by men and women of sober contemplation and scholarly reflection, with the temperament to put aside their own personal feelings and biases and consider the facts of the case before them in order to make the best judgments possible; men and women committed to a full and fair judiciary—a judiciary that respects our constitutional rights.

I am sorry to say that the nominee for the Sixth Circuit Court of Appeals does not meet those standards. This man is unfit to serve on the bench. As revealed by his own words in a series of blog posts written under a pseudonym, John Bush does not have the temperament or the impartiality to sit on a court where jurists such as William Howard Taft and many eminent others have sat.

Mr. Bush himself acknowledged during his confirmation hearing that "many of the blog posts used flippant or intemperate language"—something I believe is unbecoming of an individual nominated to sit on the Federal bench. But it wasn't just flippant language. It wasn't just intemperate language. He wrote in an extreme rightwing, partisan fashion. His confirmation would threaten women's rights and the rights of LGBTQ Americans. It would threaten Americans' voting rights. It would threaten issue after issue, topic after topic, of the rights embedded in our Constitution.

Let's take a few moments to look at his words and his record. Let's look first at women's rights and the extreme views he has held on this issue.

In 1993, he filed an amicus brief in a Supreme Court appeal defending the Virginia Military Institute's policy of not admitting women, stating that the military-style atmosphere of the institute "does not appear to be compatible with the somewhat different developmental needs of most young women." He was basically indicating that young women cannot handle the same rigors as men or serve in the same capacities as men—certainly a myth that has been shattered time and time again. He is locked into an 1800s view of the world. I know that my daughter, I know that her friends, I know that my colleagues who serve in the Chamber certainly don't believe that a woman is incapable of serving in the same roles in which a man can serve.

There was a 2008 blog post Mr. Bush wrote conflating a woman's legal, constitutional right to choose with slavery. He wrote:

Slavery and abortion rely on similar reasoning and activist justices at the U.S. Supreme Court. . . . first in the Dred Scott decision, and later in Roe.

It is hard to imagine how an individual takes the extraordinary human



condition of slavery and the lack of freedom involved in that and compares it to a woman making decisions, with the advice of her own doctor, about her own body. One is slavery, and one is freedom—clearly not the same thing. How could any woman walking into his courtroom believe she would get a fair hearing with his extreme anti-women views?

For that matter, Mr. Bush's words and actions call into question whether he would abide by and uphold precedent that is far more recent; that is, the rights of the LGBTQ community in America. The Supreme Court declared in *Obergefell v. Hodges* that same-sex couples enjoy the fundamental right to marry, just like any other couple. Yet Mr. Bush has repeatedly demonstrated insensitivity and contempt for the rights of the LGBTQ community.

In 2005, he gave a speech to a private club in Louisville. He apparently wanted to bond with his audience by saying something about the town of Louisville—something he found positive. So he chose to use a quote related to Hunter Thompson, who described Louisville in a quote that uses a derogatory term for gay men. In the piece, Thompson recites the words of a man named Jimbo, who said to him over a glass of double Old Fitz: "I come here every year, and let me tell you one thing I've learned—this is no town to give people the impression you are some kind of. . . ." Fill in the derogatory word—the pejorative for gay men. Of all the possible quotes this individual could choose to create a bond between himself and his audience in Louisville, he chooses to attack the LGBTQ community.

Now, he could have chosen any of a number of quotes. A member of my team did a very quick look. In moments, they found a quote from the great frontiersman Daniel Boone, saying: "Soon after, I returned home to my family, with the determination to bring them as soon as possible to live in Kentucky, which I esteemed a second paradise." That would be a nice thing to describe about Kentucky—about connecting to your audience in Louisville rather than describing the characteristics of hatred and discrimination.

That is where this nominee comes from—full of his vile opinions about women and about a great spectrum of people in our Nation. So much for opportunity for all in the United States of America.

The following year, he coauthored a paper criticizing the Kentucky Supreme Court decision regarding the right to privacy, specifically focusing on LGBTQ communities.

Then, a couple of years later, with the State Department updating the passport applications, he ridiculed the effort to accommodate LGBTQ in one of his posts. At a time when we should

be continuing to push our country forward toward ensuring that the community enjoys the full measure of equality they are entitled to in our Constitution and under the 1964 Civil Rights Act, confirming John Bush to be a Federal judge would certainly walk back many of the gains so many have made.

Then there is his opinion of money in politics. Our Constitution starts with those beautiful three words, "We the People," not "We the powerful who can spend billions of dollars in third-party campaigns to have a megaphone the size of a stadium sound system." No. Jefferson said, for us to really secure the will of the people, the individuals have to have essentially an equal voice.

This individual who is before us today doesn't like that whole concept of equal voice. He doesn't like the mission statement of the Constitution of the United States of America. He wants government by and for the powerful and the privileged and nothing less. Therefore, he should go and serve in some foreign country that doesn't have a vision of government of, by, and for the people. He certainly doesn't belong in our court system in the United States of America.

There is so much more that people have described, including his writing in support of the "lock her up" chants at last summer's Republican convention, his trafficking in birtherism, and more and more.

I will be vehemently opposing this confirmation. I urge my colleagues to do the same. Let's fight for the vision. Let's fight for the "We the People" mission on which our Constitution was founded and that we have the responsibility to uphold.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, so far this year President Trump and Senate Republicans have selected a long list of Wall Street insiders, corporate CEOs, lobbyists, and radical rightwing ideologues to run the Federal Government, but the Republicans haven't stopped there. They are also working to fill vacancies on the courts with the same kind of people—nominees who reflect pro-corporate, radically conservative views that will threaten the principle of equal justice under law.

That is not coincidence. Powerful rightwing groups have had their sights set on the courts for decades, and over the past 8 years they have launched a relentless campaign to capture our courts. During the Obama administration, a key part of their strategy was stopping fair, mainstream nominees with diverse, professional backgrounds from becoming judges. Our Federal courts suffered the consequences. Vacancies sat open for months. They sat open for years, and cases piled up on the desks of overworked judges.

Now, with President Trump in the White House and Senate Republicans

are in control of the Senate, those powerful interests see an unprecedented opportunity to reshape our courts in ways that will benefit billionaires and giant corporations for decades to come. Now they see their chance to stack the courts with radical, rightwing, pro-Big Business conservatives.

John Bush, President Trump's nominee to sit on the Sixth Circuit Court of Appeals, is one of those radical, rightwing, pro-business conservatives. Mr. Bush is not just a member of the ultra-conservative Federalist Society. He is the cofounder and 20-year president of the Louisville chapter. During his career, he has earned a reputation for fighting for the big guys. For example, Mr. Bush supports weakening our campaign finance laws so giant corporations and wealthy individuals can flood our elections with unlimited contributions and buy the officials they want. I believe Mr. Bush's pro-corporate views call his qualifications to the Federal bench into question. I do not understand how he can be fair and impartial when his billionaire buddies show up in court.

My concern about Mr. Bush runs much deeper. He has demonstrated a level of disrespect for other people that flatly disqualifies him for a lifetime appointment to the Federal bench. Here is just a glimpse of what the man nominated to be a Federal judge has written and said in public:

In a blog post, he called for then-House Speaker NANCY PELOSI to be gagged.

In another blog post, Mr. Bush mocked policies that recognize same-sex parents saying that "[i]t's just like the government to decide it needs to decide something like which parent is number one and which parent is number two."

In a speech in Louisville, he repeated a quote from a late journalist saying: "I come here every year, let me tell you one thing I've learned—this is no town to be giving people the impression you're some kind of. . . ." He finished the quote with an anti-gay slur that begins with an "f."

There it is: dismissive, demeaning, and downright ugly. If that word makes you furious, or if you believe that term is hurtful, then think about what it means that this is the man President Trump has put forward to be a Federal judge to sit in judgment on others. Whatever his other qualifications, Mr. Bush has aggressively and conclusively disqualified himself to be a judge. I think Mr. Bush knows that.

In his hearing before the Judiciary Committee, Mr. Bush was not keen to defend what he said. When asked about those hateful statements, he ducked and dodged like a prize fighter. He played that old game we have seen before—the "I promise to be a fair and impartial judge if I am confirmed" game. He is selling, and I am not buying. Mr. Bush should be embarrassed to

defend those statements. They are shameful.

Senator MCCONNELL might defend this man, calling those statements, as he did, “personal views about politics,” but I call them hateful views that disqualify him for a lifetime appointment as a Federal judge. Yes, decent, reasonable people can disagree on policy, and decent, reasonable people can disagree on legal interpretation, but decent, reasonable people should not disagree on basic norms that all judges in our Federal court should abide by. Anyone who thinks it is OK to use anti-gay slurs and to tell anti-LGBTQ jokes is disqualified to be a Federal judge, period.

No Senator—Republican or Democratic—should be willing to confirm such a man. Our courts have one duty: to dispense equal justice under the law. No one can have confidence that Mr. Bush could fulfill such a task, and no Senator should be willing to give Mr. Bush a seat on the court of appeals of the United States of America.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

### REMOVAL OF NOMINATION OBJECTION

Mr. GRASSLEY. Mr. President, on June 20, 2017, I notified the majority leader of my intent to object to any unanimous consent request relating to the nomination of Steven A. Engel, of the District of Columbia, to be the Assistant Attorney General for the U.S. Department of Justice Office of Legal Counsel, until he adequately responded to my questions regarding his views on the OLC’s May 1, 2017, opinion, “Authority of Individual Members of Congress to Conduct Oversight of the Executive Branch.”

As I have previously noted, the opinion erroneously states that individual Members of Congress are not constitutionally authorized to conduct oversight. It creates a false distinction between oversight and what it calls non-

oversight requests. It relegates requests from individual Members for information from the executive branch to Freedom of Information Act requests. I have written a letter to the President requesting that the OLC opinion be rescinded. The executive branch should properly recognize that individual Members of Congress have a constitutional role in seeking information from the executive branch and should work to voluntarily accommodate those requests.

My June 12, 2017, letter to Mr. Engel asked him several questions about the opinion, including whether the opinion met the OLC’s own internal standards requiring impartial analysis, whether individual Members of Congress are “authorized” to seek information from the executive branch, and what level of deference the executive branch should provide to individual Member requests.

Mr. Engel promptly responded to my letter on June 23, 2017, and to a second June 27, 2017, followup letter on July 12, 2017. I ask unanimous consent that Mr. Engel’s responses be placed in the RECORD following my remarks.

I also met with Mr. Engel in my office on July 19, 2017, to further discuss and clarify his views on the authority of individual Members to request information from the executive branch. Mr. Engel’s responses, both in writing and in person, indicate that he agrees each Member, whether or not a chairman of a committee, is a constitutional officer entitled to the respect and best efforts of the executive branch to respond to his or her requests for information to the extent permitted by law. He also agreed: No. 1, that the May 1, 2017, OLC opinion on this topic failed to consider adverse legal authority, specifically *Murphy v. Dep’t of the Army*, 613 F.2d 1151 (D.C. Cir. 1979); and No. 2, that, if confirmed, he would review the opinion; and No. 3, consider whether a more complete analysis of the issue is necessary.

I am satisfied that Mr. Engel understands the obligation of all Members of Congress to seek executive branch information to carry out their constitutional responsibilities and the obligation of the executive branch to respect that function and seek comity between the branches. Therefore, I agree a vote should be scheduled on his nomination, and I wish him the very best in his new role.

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

*Washington, DC, June 23, 2017.*

Hon. CHARLES E. GRASSLEY,  
*Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.*

DEAR CHAIRMAN GRASSLEY: I write in response to your June 12, 2017 letter concerning the May 1, 2017 letter opinion of the Office of Legal Counsel (“OLC”). I appreciate your interest in ensuring that Members of Congress are able to obtain the information necessary to fulfill their constitutional re-

sponsibilities, as well as your attention to ensuring that OLC opinions provide candid, independent, and principled legal advice. If I am confirmed as Assistant Attorney General, I will be committed to ensuring that OLC complies with these principles.

I provide here my responses to the seven questions in your June 12 Letter.

1. Are you familiar with the May 1, 2017 OLC opinion?

Response: I am not currently at the Department of Justice, but I read the May 1, 2017 opinion shortly after it was published.

2. In your view, does this opinion meet the standards described in OLC guidance that require impartial analysis of competing authorities or authorities that may challenge an opinion’s conclusions? If so, can you please point to the portion of the opinion which you believe fully discusses contrary authority or arguments for non-Chairmen’s need for information from the Executive Branch to carry out their constitutional function?

Response: Because I am not currently at the Department of Justice, I have not had occasion to review all of the underlying precedents that may bear upon the May 1, 2017 letter opinion. I agree that an OLC opinion should candidly and fairly address all relevant legal sources, and there are judgment calls that must be made in determining what should be included, particularly with respect to letter opinions (which tend to be shorter and less formal). With respect to the May 1, 2017 opinion, I do agree that *Murphy v. Dep’t of the Army*, 613 F.2d 1151 (D.C. Cir. 1979), which was cited in your June 7, 2017 letter to the President, may bear upon the issues addressed in the May 1, 2017 opinion. I understand that in 1980, and again in 1984, the Department of Justice advised that, with respect to FOIA practices, the *Murphy* decision did not eliminate the legal distinction between requests made by Committee Chairmen and those made by individual Members of Congress. In my opinion, it would have been useful for OLC’s letter opinion to address the Department’s current understanding of the *Murphy* decision in the context of congressional oversight.

3. Do you believe that individual Members of Congress, who are not Chairmen of committees, are “authorized” to seek information from the Executive Branch to inform their participation in the legislative powers of Congress? Do you believe they are authorized by the Constitution? Why or why not? Do you believe that they are authorized by Congress? Why or why not?

Response: The D.C. Circuit has recognized that each member of Congress has a “constitutionally recognized status” that includes a legitimate need “to request such information from the executive agencies as will enable him to carry out the responsibilities of a legislator.” *Murphy*, 613 F.2d at 1157. I believe that individual Members are “authorized” to seek such information in their roles as constitutional officers. The question whether Congress has separately authorized such requests would turn upon the rules of each House of Congress. In my view, the Executive Branch should seek to satisfy the legislative interests reflected in the information requests of individual Members, to the extent practicable and consistent with the confidentiality obligations of the Executive Branch.

4. In your experience, what percentage of congressional requests for information are answered by the Executive Branch on a voluntary basis?

Response: In my experience at the Department of Justice, the Executive Branch seeks

to answer the majority of congressional requests for information on a voluntary basis. Congress rarely seeks the compulsory disclosure of information from a Department or agency.

5. In your view, what is an appropriate reason for withholding information requested by an individual Member of Congress?

Response: Traditionally, the Executive Branch has sought to provide Members of Congress with requested information except where there is a need to protect important confidentiality interests, such as those involving national security information; materials that are protected by law (such as grand jury information, taxpayer information, or materials restricted from disclosure by the Privacy Act); information the disclosure of which might compromise open law enforcement or civil enforcement investigations; presidential communications; or information involving agencies' predecisional deliberative communications.

6. In your view, does the Executive Branch have any Constitutional responsibility to respond to requests for information from individual Members of Congress as part of a process of accommodation in order to promote comity between the branches? If not, why not?

Response: The Department of Justice has recognized that the accommodation process "is an obligation of each branch to make a principled effort to acknowledge and if possible to meet, the legitimate needs of the other branch." Opinion of the Attorney General for the President, Assertion of Executive Privilege in Response to a Congressional Subpoena, 5 Op. O.L.C. 27, 31 (1981). At the same time, the courts and others have distinguished between official requests from Committees and those from individual Members. See, e.g., *Exxon v. FTC*, 589 F.2d 582, 592-93 (D.C. Cir. 1978) (recognizing that the "principle is important that disclosure of information can only be compelled by authority of Congress, its committees or subcommittees, not solely by individual members . . ."); *Alissa M. Dolan et al., Cong. Research Serv., RL30240, Congressional Oversight Manual 65* (Dec. 19, 2014) ("[N]o judicial precedent has directly recognized an individual Member's right, other than a committee chair, to exercise the committee's oversight authority without the permission of a majority of the committee or its chair."). In my view, the Executive Branch should seek to satisfy the legislative needs of Members to the extent practicable and consistent with the confidentiality obligations of the Executive Branch.

7. Is a request from an individual, elected Member of Congress entitled to any greater weight than a FOIA request, given the Member's broad Constitutionally mandated legislative responsibilities? Why or why not?

Response: In view of the constitutional responsibilities of individual Members of Congress, the Executive Branch may well provide information to Members that goes beyond the requirements of the FOIA statute, and the Executive Branch has the discretion to provide information or documents even if it would be exempt from mandatory public disclosure under FOIA. I understand that the Executive Branch does not treat individual Member requests as requests under FOIA, and thus, the Executive Branch may provide more information about Executive Branch programs than it provides to FOIA requestors, who are entitled to receive only documents.

I appreciate your attention to these important questions. Please let me know if I may

be of any more assistance on these issues, or on any other matters in the future.

Sincerely,

STEVEN A. ENGEL.

Washington, DC, July 12, 2017.

Hon. CHARLES E. GRASSLEY,  
*Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.*

DEAR CHAIRMAN GRASSLEY: I write in response to your June 27, 2017 letter, which continues our correspondence concerning the May 1, 2017 letter opinion of the Office of Legal Counsel ("OLC"). I understand your concerns with the legal opinion, as well as with recent reports concerning Executive Branch policies governing congressional oversight. Because I am currently in private practice, I had no role in drafting the May 1 opinion, and I likewise have no familiarity with the Administration's internal policies concerning congressional oversight requests. If I am confirmed as Assistant Attorney General for the Office of Legal Counsel, I will review the May 1 opinion and ensure that OLC's legal advice reflects my best judgment of the law and established practice in this area.

I provide here my responses to the six additional questions raised in your letter.

1. You acknowledged that the OLC opinion did not examine key additional authorities which recognize the constitutional role of individual Members to seek information from the Executive Branch. If confirmed, will you commit to a more careful study of this issue and other questions I have raised?

Response: Yes.

2. Will you commit to modifying this OLC opinion to be consistent with your own recognition that individual Members "are 'authorized' to seek . . . information [from the Executive Branch] in their roles as constitutional officers?" If not, why not?

Response: If I am confirmed, I will review the May 1 opinion and come to my best judgment of the law and established practice in this area, including with respect to any further guidance or clarifications to the May 1 opinion that may be appropriate.

3. You note in your response to Question 3 that "the Executive Branch should seek to satisfy the legislative interests reflected in the information requests of individual Members." As I wrote in my June 7, 2017, letter to the President, the May 1 OLC opinion draws a distinction between "oversight" and "non-oversight" requests. I have never sent or seen a letter requesting information for "non-oversight" purposes, and I still do not understand what it means. As you know, courts have recognized that "oversight" is inherent in the legislative power and just as broad. As the Court recognized in *McGrain v. Daugherty*, 273 U.S. 135 (1927):

A legislative body cannot legislate wisely or effectively in the absence of information respecting the conditions which the legislation is intended to affect or change; and where the legislative body does not possess the requisite information—which not infrequently is true—recourse must be had to others who do possess it.

*Id.* at 175. This power of inquiry "encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes." *Watkins v. United States*, 354 U.S. 178, 187 (1957). Congressional oversight encompasses a myriad of legislative tools, processes, and purposes, and is not simply limited to investigations of waste, fraud, and abuse conducted by a Committee Chairman.

How exactly can a congressional inquiry be distinguished on the basis of whether it is an

"oversight" or a "non-oversight" inquiry, to borrow the language from the May 1 opinion? More importantly, by what authority can the Executive Branch purport to make such a determination absent explicit direction from the Legislative Branch?

Response: If confirmed, I will review the distinction between "oversight" and "non-oversight" inquiries, as those terms are used in the May 1 opinion. The May 1 opinion appears to draw a procedural distinction between information requests made by "a committee, subcommittee, or chairman exercising delegated oversight authority" and those made by individual Members who are not acting pursuant to explicit authorization of the Standing Rules of the Senate or the Rules of the House of Representatives. See Office of Legal Counsel, Letter Opinion for the Counsel to the President, Authority of Individual Members of Congress to Conduct Oversight of the Executive Branch at 3 (May 1, 2017). In support, the May 1 opinion quotes the Congressional Research Service's Congressional Oversight Manual, which advises that when individual Members request agency records "they are not acting pursuant to Congress's constitutional authority to conduct oversight and investigations." *Alissa M. Dolan et al., Cong. Research Serv., RL30240, Congressional Oversight Manual 56* (Dec. 19, 2014)).

As we have previously discussed, the D.C. Circuit has recognized that individual Members have a "constitutionally recognized status" that includes a legitimate need "to request such information from the executive agencies as will enable him to carry out the responsibilities of a legislator." *Murphy v. Dep't of the Army*, 613 F.2d 1151 (D.C. Cir. 1979). This would be true, no matter whether those requests are called "oversight" inquiries or something else. If confirmed, I will consider these issues in connection with my review of the May 1 opinion.

4. The Inspector General Empowerment Act of 2016 explicitly authorizes any member of Congress upon request to obtain information related to Inspector General reports that is not otherwise prohibited from public disclosure. Do you agree that such requests from individual Members are "oversight" requests? Why or why not?

Response: I have not previously studied the referenced provision of the Inspector General Empowerment Act. As a general matter, if a statute calls for the Executive Branch to provide information in response to a request from a Member of Congress, then the Executive Branch should respond—no matter whether the Member's request would be characterized as "oversight" or something else—in a manner consistent with the Department's other statutory and constitutional obligations, including its law enforcement, litigation, and national security responsibilities.

5. I asked in my June 12, 2017, letter whether the Executive Branch has any Constitutional responsibility to respond to individual Members of Congress. You noted, as the OLC opinion notes, that requests from individual Members cannot be compelled. But I did not ask whether individual Members have the power to compel responses. They clearly do not. As you noted in your response to question 4, "Congress rarely seeks the compulsory disclosure of information from a Department or agency." Your experience matches my own. As I noted in my June 7, 2017 letter to the President, most responses to requests for information—from Chairmen or not—are received voluntarily. I also believe it is important to remember that many

of the relevant case precedents examining questions related to congressional oversight arise in a compulsory context. By virtue of the fact that most responses are voluntary, a court has never had occasion to consider them.

What I want to understand is not whether the Executive Branch will pay a legal penalty for refusing to answer individual Member requests, but whether such requests, made as part of their wide-ranging Constitutional responsibilities, are due the best efforts of the Executive Branch given the nature of those responsibilities and the need and desire for comity between the branches. Do you agree? Is this what you mean by your response: "In my view the Executive Branch should seek to satisfy the legislative needs of Members to the extent practicable"?

Response: I agree that in the interest of comity, the Executive Branch should give due weight and sympathetic consideration to requests from individual Members of Congress, even where the executive official is not faced with a legal penalty for refusing to answer, and that is what I meant in my prior response.

6. I asked you whether an individual Member request was entitled to any greater weight than a Freedom of Information Act (FOIA) request. You responded that "the Executive Branch may well provide information to Members that goes beyond the requirements of the FOIA" and that you believe "the Executive Branch does not treat individual member requests as requests under FOIA, and thus, the Executive Branch may provide more information about Executive Branch programs than it provides to FOIA requestors, who are entitled to receive only documents." However, in my experience, FOIA requestors with ready access to judicial review and experienced FOIA litigators often get more information even than Congressional Committees, let alone individual Members. Unlike FOIA litigants, a Member must first convince an entire House of Congress to hold an executive branch official in contempt before obtaining judicial review of an information request. Should the Executive Branch strive to meet a higher standard for voluntary cooperation with Congress, given its constitutional duties, than merely disclosure of that which could be judicially mandated? If so, what would you do to ensure that Executive Branch officials understand the Constitutional basis for the importance of voluntary cooperation with Congressional information requests?

Response: Yes, I agree that the measure of the Executive Branch's cooperation should not be simply what could be judicially mandated. I believe that, in the interest and spirit of comity, the Executive Branch should seek to satisfy the legislative needs of Members, as indicated by my prior response. That may well include providing additional information about Executive Branch programs beyond what would be available to FOIA requestors. If confirmed, I will ensure that the Office of Legal Counsel's legal advice in this area would be consistent with such principles.

I appreciate your interest in these important questions. Please let me know if I may be of any more assistance on these issues or on any other matters in the future.

Sincerely,

STEVEN A. ENGEL.

#### HONORING CAPTAIN ROBERT "BOB" HOLTON

Mr. TESTER. Mr. President, today I wish to honor the life of Air Force

Capt. Robert "Bob" Holton, a lifelong resident of Butte, MT, and an intrepid Vietnam veteran.

To Bob's family, on behalf of myself, my fellow Montanans, and my fellow Americans, I would like extend our deepest gratitude for Bob's service to this Nation.

Bob was born on April 8, 1941, in Butte, MT. He graduated from Butte High School in 1959, a talented musician who excelled at the saxophone, clarinet, and piano.

Bob continued his education at the University of Montana, where he earned his pilot's license and served as an outstanding military cadet with the ROTC. Bob went on to marry his high school classmate, Diane Eck, in 1962, and graduated with a business degree in 1965.

Bob proudly served his country during the Vietnam War, flying an F4 Phantom as an interceptor alongside his comrade Maj. William Campbell, a fighter-bomber. Their deployment took them near the border of Laos and Vietnam, where their plane was downed in enemy fire on January 29, 1969.

This disaster sparked a tragic mystery for the Holton family, who have been unable to find the site of the crash, nor fully confirm its outcome. The circumstances gave them no closure and left Bob's family in pain.

Bob's memory has been tirelessly honored, with folks across the U.S. wearing MIA bracelets in recognition of his unfinished story. The National League of Families and the Air Force have continually supported the Holton family's search for Bob, for which they are endlessly grateful.

Now, 48 years after the crash, Butte's only Vietnam war Missing in Action has been found. Bob's remains have been recovered and will finally be returned to his home State. His life and light will be honored Saturday, July 22, in a ceremonial burial at the Sunset Memorial Park.

For Bob's family, the actions by so many have helped provide closure. On behalf of a grateful Nation, I want to thank them for their hope and continued support for Bob and all of our veterans who are missing in action.

Let us now take a moment to recognize the life of Capt. Robert Holton and the legacy he left behind. We deeply appreciate his service to the American people.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO SHANE DELANDE GILBERT

• Ms. HASSAN. Mr. President, today I wish to recognize Mr. Shane Delande Gilbert, born July 16, 2007, and wish him a happy 10th birthday. A Granite Stater from Merrimack, Shane possesses a deep love for our country and

its history. Shane recently was graduated from Thorntons Ferry Elementary School, where he was an excellent student in Mrs. DeFrancisco's fourth grade class and enrolled in the school's gifted and talented program. This fall, Shane will enter the fifth grade at James Masticola Upper Elementary School in Merrimack.

Shane is deeply engaged in his community. He is a member of his school's Junior Lego League and is involved with the For Inspiration and Recognition of Science and Technology—FIRST—Lego League, as well as karate.

Shane has, with tremendous strength of spirit, shouldered the responsibility of fighting non-Hodgkin's lymphoma and every day exhibits remarkable bravery and courage. Shane is an active participant in the Greater Nahua Relay for Life. For his 10th birthday, in lieu of gifts, Shane asked that donations be made instead to his Relay for Life team "Spuddie's Against Cancer." He raised \$150 towards cancer research and achieved his personal best by walking 10 miles.

Shane's civic mindedness extends to all aspects of life. He is nicknamed. "The Mayor" due to his gregariousness and passion for helping others. A keen political observer and participant, Shane spoke to many Presidential candidates during New Hampshire's most recent primary season and has expressed interest in 1 day running for that office himself. He is also a student of the American Civil War, and recently visited Gettysburg National Military Park in Pennsylvania and will be touring the U.S. Capitol today.

Shane's commitment to his community and his love of our country and its history gives me great hope for our future. I join Shane's parents, Laurie-Ann Gilbert and Christine Delande, in celebrating Shane on the occasion of his 10th birthday.●

#### REMEMBERING MAYNARD F. HAGEMEYER

• Mr. PORTMAN. Mr. President, today I wish to remember Maynard F. Hagemeyer, a WWII veteran and Ohio business and civic leader. Mr. Hagemeyer passed away on July 16, at the age of 98, at his home on Wilmington Road in Clarksville; he died in the same room he was born in on November 22, 1918.

Maynard Hagemeyer attended Spring Hill elementary school in a one-room schoolhouse and graduated from Massie Township High School in Harveysburg, OH in 1936. He attended the University of Cincinnati, studying business administration. He loved horses and, in his youth, showed Percheron and Belgian horses throughout the U.S., and in 1940, he traveled through the Panama Canal, transporting draft horses to Chile.

Drafted into the U.S. Army in 1941, Maynard served almost 5 years during

WWII, half in deployment overseas. He attained the rank of captain and commanded a company in the 23rd replacement battalion in North Africa, serving under General George Patton. He also served under General Mark Clark in Italy.

Maynard took over the family farm in 1948 and operated various business ventures over the years. These included an excavation business, a feed mill, an anhydrous ammonia and fertilizer business, an egg business, and a Standardbred racing and breeding business he started in 1957 that still continues today.

Active in the community, Maynard was a member of the Clarksville Masonic Lodge since 1940, the Scottish Rite and Shrine since 1946, and he joined the Eastern Star in 1947 and served as "Worthy Patron" in 1952 and in 1962.

Maynard was on the Warren County Fair Board for 42 years and the Warren County Veterans Commission for 20 years. He also served as a director of the Ohio Harness Horsemen's Association and was the first president of the Harness Horse Youth Foundation.

He stepped into public service after the death of his father in 1948, completing the balance of his father's term as Warren County commissioner. He was also a member of the Warren County School Board for 10 years and served as a Washington township trustee for 32 years.

Maynard has been recognized many times over the years, including the Pacer Grass Roots award in 1989, named a "Kentucky Colonel" at the age of 91, Masonic Lodge 75-year award in 2016, and the Harveysburg alumni 80-year award in 2016.

Maynard and his beloved wife, Stella, were married for 71 years and had 4 children, 8 grandchildren, and 10 great-grandchildren.

I would like to honor Maynard Hagemeyer for his contributions to his community, his country, and his family.●

#### TRIBUTE TO LIEUTENANT ZACHARY HODGES

● Mr. RUBIO. Mr. President, I would like to highlight the outstanding accomplishments of Lt. Zachary Hodges of Gainesville, FL. Four years ago, I nominated this impressive young man to attend the U.S. Air Force Academy.

I recently received a letter from Zachary letting me know that he has graduated from the U.S. Air Force Academy—a major milestone that his family and friends should be very proud of.

Zachary also said he plans to attend medical school at the University of Florida and looks forward to serving our Nation as an Air Force physician.

I am very proud to have nominated Zachary, who has already accomplished

so much at the age of 22. His enduring commitment to his studies and his country is a testament to his will to succeed and serve. I have no doubt he will inspire others around him to do the same.

I wish Zachary the best of luck and look forward to hearing of his continued success; I am sure he has a very bright future ahead. May God bless him and all of the men and women who serve our Nation in the Armed Forces.●

#### TRIBUTE TO MACI BURKE

● Mr. THUNE. Mr. President, today I recognize the hard work of my Commerce, Science, and Transportation Committee intern Maci Burke. Maci hails from Chamberlain, SD, and is a rising sophomore at the University of Nebraska-Lincoln.

While interning on the Commerce Committee, Maci assisted the Surface Transportation Subcommittee. She is a dedicated worker who was committed to getting the most out of her internship. I extend my sincere thanks and appreciation to Maci for all of the fine work she did for the committee and wish her continued success in the years to come.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawals which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### PRESIDENTIAL MESSAGE

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SIGNIFICANT TRANSNATIONAL CRIMINAL ORGANIZATIONS THAT WAS ESTABLISHED IN EXECUTIVE ORDER 13581 ON JULY 24, 2011—PM 13

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides

for the automatic termination of a national emergency unless, within 90 days of the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to significant transnational criminal organizations declared in Executive Order 13581 of July 24, 2011, is to continue in effect beyond July 24, 2017.

Significant transnational criminal organizations continue to threaten the safety of the United States and its citizens through the scope and gravity of their actions. Such organizations derive revenue through widespread illegal conduct and overwhelmingly demonstrate a blatant disregard for human life through acts of violence and abuse. These organizations often facilitate and aggravate violent civil conflicts and increasingly facilitate the activities of other dangerous persons. As the sophistication of these organizations increases, they pose an increasing threat to the United States.

The activities of significant transnational criminal organizations continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13581 with respect to transnational criminal organizations.

DONALD J. TRUMP.  
THE WHITE HOUSE, July 19, 2017.

#### MESSAGE FROM THE HOUSE

At 10:01 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 806. An act to facilitate efficient State implementation of ground-level ozone standards, and for other purposes.

H.R. 2786. An act to amend the Federal Power Act with respect to the criteria and process to qualify as a qualifying conduit hydropower facility.

H.R. 2828. An act to extend the deadline for commencement of construction of a hydroelectric project.

H.R. 3050. An act to amend the Energy Policy and Conservation Act to provide Federal financial assistance to States to implement, review, and revise State energy security plans, and for other purposes.

#### MEASURES REFERRED

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

H.R. 806. An act to facilitate efficient State implementation of ground-level ozone

standards, and for other purposes; to the Committee on Environment and Public Works.

H.R. 2786. An act to amend the Federal Power Act with respect to the criteria and process to qualify as a qualifying conduit hydropower facility; to the Committee on Energy and Natural Resources.

H.R. 2828. An act to extend the deadline for commencement of construction of a hydroelectric project; to the Committee on Energy and Natural Resources.

H.R. 3050. An act to amend the Energy Policy and Conservation Act to provide Federal financial assistance to States to implement, review, and revise State energy security plans, and for other purposes; to the Committee on Energy and Natural Resources.

### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. ALEXANDER for the Committee on Health, Education, Labor, and Pensions.

\*Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2020.

\*William J. Emanuel, of California, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2021.

By Mr. JOHNSON for the Committee on Homeland Security and Governmental Affairs.

\*David P. Pekoske, of Maryland, to be an Assistant Secretary of Homeland Security.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

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

S. 1578. A bill to streamline the application process for H-2A employers and for other purposes; to the Committee on the Judiciary.

By Mr. ROUNDS (for himself and Mr. KING):

S. 1579. A bill to amend the Consumer Financial Protection Act of 2010 to establish advisory boards, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RUBIO (for himself, Mr. MENENDEZ, and Mr. MANCHIN):

S. 1580. A bill to enhance the transparency, improve the coordination, and intensify the impact of assistance to support access to primary and secondary education for displaced children and persons, including women and girls, and for other purposes; to the Committee on Foreign Relations.

By Mrs. SHAHEEN:

S. 1581. A bill to amend the Internal Revenue Code of 1986 to allow a business credit for gain from the sale of real property for use as a manufactured home community, and for other purposes; to the Committee on Finance.

By Mr. VAN HOLLEN (for himself and Mr. CARDIN):

S. 1582. A bill to establish the Frederick Douglass Bicentennial Commission; to the Committee on the Judiciary.

By Mr. PAUL (for himself, Mr. ENZI, Mr. LEE, and Mr. STRANGE):

S. 1583. A bill to limit the period of authorization of new budget authority provided in appropriation Acts, to require analysis, appraisal, and evaluation of existing programs for which continued new budget authority is proposed to be authorized by committees of Congress, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. JOHNSON (for himself and Mrs. MCCASKILL):

S. 1584. A bill to amend the Ethics in Government Act of 1978 to reauthorize the Judicial Conference of the United States to redact sensitive information contained in financial disclosure reports of judicial officers and employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WHITEHOUSE (for himself, Mr. SCHUMER, Mr. LEAHY, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. DURBIN, Mr. REED, Mr. NELSON, Mr. CARPER, Ms. STABENOW, Mr. MENENDEZ, Mr. CARDIN, Mr. SANDERS, Mr. BROWN, Mr. CASEY, Mrs. MCCASKILL, Ms. KLOBUCHAR, Mr. TESTER, Mr. UDALL, Mrs. SHAHEEN, Mr. MERKLEY, Mr. BENNET, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. COONS, Mr. BLUMENTHAL, Mr. SCHATZ, Ms. BALDWIN, Mr. MURPHY, Ms. HIRONO, Mr. HEINRICH, Mr. KING, Mr. KAINE, Ms. WARREN, Ms. HEITKAMP, Mr. MARKEY, Mr. BOOKER, Mr. PETERS, Mr. VAN HOLLEN, Ms. DUCKWORTH, Ms. HASSAN, Ms. HARRIS, Ms. CORTEZ MASTO, and Ms. CANTWELL):

S. 1585. A bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes; to the Committee on Rules and Administration.

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

S. 1586. A bill to require the Under Secretary for Oceans and Atmosphere to update periodically the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CRUZ (for himself, Mr. LEAHY, and Mr. TILLIS):

S. 1587. A bill for the relief of Liu Xia; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. CASEY, Mr. COONS, Ms. DUCKWORTH, Mr. DURBIN, Mr. FRANKEN, Ms. HARRIS, Ms. HIRONO, Mr. LEAHY, Mr. MARKEY, Mr. SANDERS, Mr. VAN HOLLEN, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 1588. A bill to secure Federal voting rights of persons when released from incarceration; to the Committee on the Judiciary.

By Mr. ROBERTS (for himself, Mr. CARDIN, Mr. WHITEHOUSE, Ms. STABENOW, Mr. BLUNT, Mrs. GILLIBRAND, Ms. COLLINS, Mr. GRASSLEY, Ms. KLOBUCHAR, Mr. CASEY, Mr. FRANKEN, Mr. PORTMAN, Mr. CRAPO, Mr. THUNE, Mr. TESTER, Mr. BROWN, Mr. RISCH, Mr. MORAN, Ms. CANTWELL, Mr. ISAKSON, Ms. BALDWIN, and Mr. PETERS):

S. 1589. A bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes; to the Committee on Finance.

By Mr. SANDERS:

S. 1590. A bill to provide for youth jobs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VAN HOLLEN (for himself and Mr. TOOMEY):

S. 1591. A bill to impose sanctions with respect to the Democratic People's Republic of Korea, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KING (for himself, Ms. COLLINS, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. MURPHY, Ms. HASSAN, Mr. REED, and Mr. MARKEY):

S. Res. 221. A resolution designating September 25, 2017, as "National Lobster Day"; to the Committee on the Judiciary.

By Mr. WARNER (for himself, Mr. BURR, Mrs. FEINSTEIN, Mr. RISCH, Mr. WYDEN, Mr. RUBIO, Mr. HEINRICH, Ms. COLLINS, Mr. KING, Mr. BLUNT, Mr. MANCHIN, Mr. LANKFORD, Ms. HARRIS, Mr. COTTON, and Mr. CORNYN):

S. Res. 222. A resolution designating July 26, 2017, as "United States Intelligence Professionals Day"; to the Committee on the Judiciary.

By Mr. CRUZ (for himself, Mrs. FEINSTEIN, and Mr. GARDNER):

S. Res. 223. A resolution honoring the life and legacy of Liu Xiaobo for his steadfast commitment to the protection of human rights, political freedoms, free markets, democratic elections, government accountability, and peaceful change in the People's Republic of China; to the Committee on Foreign Relations.

By Mr. DURBIN (for himself, Mr. NELSON, Mr. RUBIO, Mr. MENENDEZ, Mr. CRUZ, and Mr. MERKLEY):

S. Res. 224. A resolution recognizing the 5th anniversary of the death of Oswaldo Paya Sardinias, and commemorating his legacy and commitment to democratic values and principles; to the Committee on Foreign Relations.

### ADDITIONAL COSPONSORS

S. 372

At the request of Mr. PORTMAN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 382

At the request of Mr. MENENDEZ, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from New



Mexico (Mr. HEINRICH) were added as cosponsors of S. 382, a bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

S. 720

At the request of Mr. CARDIN, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from Arkansas (Mr. COTTON) were added as cosponsors of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

S. 910

At the request of Mr. SCHUMER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 910, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 916

At the request of Mr. BENNET, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 916, a bill to amend the Controlled Substances Act with regard to the provision of emergency medical services.

S. 926

At the request of Mrs. ERNST, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 926, a bill to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, and for other purposes.

S. 1024

At the request of Mr. ISAKSON, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1024, a bill to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 1050

At the request of Mr. COCHRAN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1050, a bill to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1113

At the request of Mrs. FEINSTEIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1113, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure the safety of cosmetics.

S. 1146

At the request of Mrs. SHAHEEN, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1146, a bill to enhance the ability of the Office of the National Ombudsman to assist small businesses in meeting regulatory requirements and develop outreach initiatives to promote awareness of the services the Office of the National Ombudsman provides, and for other purposes.

S. 1182

At the request of Mr. YOUNG, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

S. 1238

At the request of Ms. COLLINS, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1238, a bill to amend the Internal Revenue Code of 1986 to increase and make permanent the exclusion for benefits provided to volunteer firefighters and emergency medical responders.

S. 1312

At the request of Mr. GRASSLEY, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1312, a bill to prioritize the fight against human trafficking in the United States.

S. 1455

At the request of Mr. FLAKE, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1455, a bill to amend the United States Energy Storage Competitiveness Act of 2007 to direct the Secretary of Energy to establish new goals for the Department of Energy relating to energy storage and to carry out certain demonstration projects relating to energy storage.

S. 1507

At the request of Mr. REED, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1507, a bill to amend the National Flood Insurance Act of 1968 to allow the Administrator of the Federal Emergency Management Agency to provide capitalization grants to States to establish revolving funds to provide funding assistance to reduce flood risks, and for other purposes.

S. 1514

At the request of Mr. BARRASSO, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1514, a bill to amend certain Acts to reauthorize those Acts and to increase protections for wildlife, and for other purposes.

S.J. RES. 17

At the request of Mr. CORNYN, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from

Alabama (Mr. SHELBY) were added as cosponsors of S.J. Res. 17, a joint resolution approving the discontinuation of the process for consideration and automatic implementation of the annual proposal of the Independent Medicare Advisory Board under section 1899A of the Social Security Act.

S. CON. RES. 7

At the request of Mr. ROBERTS, the name of the Senator from Idaho (Mr. RISCHE) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. VAN HOLLEN (for himself and Mr. CARDIN):

S. 1582. A bill to establish the Frederick Douglass Bicentennial Commission; to the Committee on the Judiciary.

Mr. VAN HOLLEN. Mr. President, I rise to join my colleague and friend, Congresswoman ELEANOR HOLMES NORTON, in introducing legislation that would establish a Bicentennial Commission to honor Frederick Douglass in 2018. Douglass was an extraordinary individual who was enslaved at birth in Talbot County, Maryland.

At a young age, Douglass learned to read and write. In 1838 he escaped from Maryland and moved to New York. Then, in 1845, he published his first autobiography called "The Narrative of the Life of Frederick Douglass: an American Slave".

He later escaped to Great Britain to avoid being tracked down and returned to slavery in Maryland. Ultimately, British Quakers paid for his freedom, which enabled him to return to United States, settling in Baltimore, Maryland in 1847. Frederick Douglass continued to be a strong Abolitionist who campaigned against slavery and in favor of the right to vote throughout the East and Mid-West. In 1850 he oversaw the Underground-Railroad in Rochester, New York.

As a Freeman he was able to hold significant positions within the Government. He served as an Advisor to President Lincoln. He was appointed to serve as the District of Columbia Legislative Council, the United States Marshall and the Recorder of Deeds. He subsequently became the Ambassador to Haiti from 1889 to 1891.

Despite his extensive travel, Douglass made four trips back to Talbot County, Maryland. He reconciled with Captain Thomas Auld who had enslaved him in the past. He made a pilgrimage to Tappers Corner in search of his grandmother's cabin and his birthplace. As an entrepreneur, he invested in several enterprises, especially



those that would benefit the African-American community. These included low-income housing developments in his old neighborhood in Fells Point (named Douglass Place) and at Highland Beach, a summer resort community outside of Annapolis popular with African Americans outside of Annapolis.

Two hundred years after Douglass' birth is a fitting time to reflect upon his work and achievements and pay tribute to a man who fought for his freedom and justice for all. He stated: "We have to do with the past only as we can make it useful to the present and the future."

In that spirit, it will be important to honor this man and explore how his legacy can help guide the future of our Country. As Douglass stated, "The life of the Nation is secure only while the Nation is honest, truthful and virtuous".

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 221—DESIGNATING SEPTEMBER 25, 2017, AS "NATIONAL LOBSTER DAY"

Mr. KING (for himself, Ms. COLLINS, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. MURPHY, Ms. HASSAN, Mr. REED, and Mr. MARKEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 221

Whereas the American lobster is recognized around the world as a prized and flavorful culinary delicacy;

Whereas lobster fishing has served as an economic engine and family tradition in the United States for centuries;

Whereas thousands of families in the United States make their livelihoods from lobster fishing and processing;

Whereas, with approximately 150,000,000 pounds of lobster landed each year in the United States, at an annual value of more than \$500,000,000, lobster represents one of the most valuable catches in the United States;

Whereas foreign markets for lobster from the United States are booming, with export values having nearly tripled since 2005;

Whereas historical lore notes that lobster likely joined turkey on the table at the very first Thanksgiving feast in 1621;

Whereas responsible lobstering practices beginning in the 1600s have created one of the most sustainable fisheries in the world;

Whereas 2017 marks the 145th anniversary of lobster conservation efforts in the United States, starting with a Maine law banning the harvest of egg-bearing females;

Whereas, throughout history, United States presidents have served lobster at their inaugural celebrations and state dinners with international leaders;

Whereas lobster is an excellent, versatile source of lean protein that is low in saturated fat and high in vitamin B12;

Whereas the peak of the lobstering season in the United States occurs in the late summer;

Whereas the preservation and long distance transportation of lobster meat was

first achieved 175 years ago with the advent of a canning process;

Whereas lobster has become a culinary icon, with the lobster roll featured at the 2015 World Food Expo in Milan, Italy; and

Whereas lobster is enjoyed at casual beachside lobster boils and also revered as a delicacy at fine dining restaurants: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates September 25, 2017, as "National Lobster Day"; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

##### SENATE RESOLUTION 222—DESIGNATING JULY 26, 2017, AS "UNITED STATES INTELLIGENCE PROFESSIONALS DAY"

Mr. WARNER (for himself, Mr. BURR, Mrs. FEINSTEIN, Mr. RISCH, Mr. WYDEN, Mr. RUBIO, Mr. HEINRICH, Ms. COLLINS, Mr. KING, Mr. BLUNT, Mr. MANCHIN, Mr. LANKFORD, Ms. HARRIS, Mr. COTTON, and Mr. CORNYN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 222

Whereas on July 26, 1908, Attorney General Charles Bonaparte ordered newly-hired Federal investigators to report to the Office of the Chief Examiner of the Department of Justice, which subsequently was renamed the Federal Bureau of Investigation;

Whereas on July 26, 1947, President Truman signed the National Security Act of 1947 (50 U.S.C. 3001 et seq.), creating the Department of Defense, the National Security Council, the Central Intelligence Agency, and the Joint Chiefs of Staff, thereby laying the foundation for today's intelligence community;

Whereas the National Security Act of 1947, which appears in title 50 of the United States Code, governs the definition, composition, responsibilities, authorities, and oversight of the intelligence community of the United States;

Whereas the intelligence community is defined by section 3 of the National Security Act of 1947 (50 U.S.C. 3003) to include the Office of the Director of National Intelligence, the Central Intelligence Agency, the National Security Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Reconnaissance Office, other offices within the Department of Defense for the collection of specialized national intelligence through reconnaissance programs, the intelligence elements of the Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, the Federal Bureau of Investigation, the Drug Enforcement Administration, and the Department of Energy, the Bureau of Intelligence and Research of the Department of State, the Office of Intelligence and Analysis of the Department of the Treasury, the elements of the Department of Homeland Security concerned with the analysis of intelligence information, and other elements as may be designated;

Whereas July 26, 2017, is the 70th anniversary of the signing of the National Security Act of 1947 (50 U.S.C. 3001 et seq.);

Whereas the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458; 118 Stat. 3638) created the position of the Director of National Intelligence to serve as the head of the intelligence community

and to ensure that national intelligence be timely, objective, independent of political considerations, and based upon all sources available;

Whereas Congress has previously passed joint resolutions, signed by the President, to designate Peace Officers Memorial Day on May 15, Patriot Day on September 11, and other commemorative occasions, to honor the sacrifices of law enforcement officers and of those who lost their lives on September 11, 2001;

Whereas the United States has increasingly relied upon the men and women of the intelligence community to protect and defend the security of the United States in the years since the attacks of September 11, 2001;

Whereas the men and women of the intelligence community, both civilian and military, have been increasingly called upon to deploy to theaters of war in Iraq, Afghanistan, and elsewhere since September 11, 2001;

Whereas numerous intelligence officers of the elements of the intelligence community have been injured or killed in the line of duty;

Whereas intelligence officers of the United States are routinely called upon to accept personal hardship and sacrifice in the furtherance of their mission to protect the United States, to undertake dangerous assignments in the defense of the interests of the United States, to collect reliable information within prescribed legal authorities upon which the leaders of the United States rely in life-and-death situations, and to "speak truth to power" by providing their best assessments to decision makers, regardless of political and policy considerations;

Whereas the men and women of the intelligence community have on numerous occasions succeeded in preventing attacks upon the United States and allies of the United States, saving numerous innocent lives; and

Whereas intelligence officers of the United States must of necessity often remain unknown and unrecognized for their substantial achievements and successes: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates July 26, 2017, as "United States Intelligence Professionals Day";

(2) acknowledges the courage, fidelity, sacrifice, and professionalism of the men and women of the intelligence community of the United States; and

(3) encourages the people of the United States to observe this day with appropriate ceremonies and activities.

##### SENATE RESOLUTION 223—HONORING THE LIFE AND LEGACY OF LIU XIAOBO FOR HIS STEADFAST COMMITMENT TO THE PROTECTION OF HUMAN RIGHTS, POLITICAL FREEDOMS, FREE MARKETS, DEMOCRATIC ELECTIONS, GOVERNMENT ACCOUNTABILITY, AND PEACEFUL CHANGE IN THE PEOPLE'S REPUBLIC OF CHINA

Mr. CRUZ (for himself, Mrs. FEINSTEIN, and Mr. GARDNER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 223

Whereas Liu Xiaobo was born on December 28, 1955, in Changchun, People's Republic of China;

Whereas Liu Xiaobo received his bachelor's degree in literature from Jilin University in 1982, his master's degree at Beijing Normal University in 1984, and his doctorate degree in 1988 in literature, after publishing several best-selling books over the course of pursuing his doctorate degree;

Whereas Liu Xiaobo began his work as a visiting lecturer at universities across the world, including Columbia University in New York, New York;

Whereas over the tenure of his career, Liu Xiaobo authored 18 major publications;

Whereas Liu Xiaobo was active in the Tiananmen Square protests, where he initiated the Tiananmen Four Gentlemen Hunger Strike, which lasted 3 days;

Whereas Liu Xiaobo has been credited for saving many students' lives by helping to negotiate their evacuation from Tiananmen Square;

Whereas Liu Xiaobo was detained and jailed in 1989 through 1991 for his role in the protests, and then jailed again in 1996 through 1999 for advocating that the Government of the People's Republic of China redress its wrongdoings in the student protest;

Whereas Liu Xiaobo married Liu Xia in 1996, who has stood bravely by his side as a partner and fellow activist;

Whereas, on December 9, 2008, a diverse group of more than 300 Chinese scholars, writers, lawyers, and activists issued Charter 08, a manifesto calling on the Communist Party of China to abandon authoritarian rule in favor of democracy, the guarantee of human rights, and the rule of law;

Whereas Liu Xiaobo was 1 of the original drafters of Charter 08 and was taken into custody just days before the manifesto was released;

Whereas in December 2009, a court in Beijing sentenced Liu Xiaobo to 11 years in prison for "inciting subversion of state power" for his involvement in drafting Charter 08;

Whereas Liu Xiaobo was awarded the Nobel Peace Prize on October 8, 2010, "for his long and non-violent struggle for fundamental human rights in China";

Whereas Liu Xiaobo's wife, Liu Xia, has been held in extra-legal home confinement since October 2010, 2 weeks after her husband's Nobel Peace Prize award was announced, and has reportedly suffered severe health problems over the years that required hospitalization;

Whereas in May 2011, the United Nations Working Group on Arbitrary Detention issued opinions declaring that the imprisonment of Liu Xiaobo and the detention of Liu Xia by the Government of the People's Republic of China contravened the Universal Declaration of Human Rights;

Whereas Liu Xiaobo has also received more than a dozen awards and honors from several international groups for his work as a defender of the press, an outstanding democratic activist, and a defender of human rights;

Whereas Liu Xiaobo was diagnosed with terminal liver cancer in May 2017;

Whereas Liu Xiaobo died on July 13, 2017, while serving his 11-year prison sentence; and

Whereas Liu Xiaobo dedicated his life to human rights, not only in his own country, but across the globe: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the life and accomplishments of Liu Xiaobo; and

(2) calls for the Government of the People's Republic of China to release Liu Xiaobo's wife, Liu Xia, from house arrest, and allow her to settle in a place or country of her own choosing.

# SENATE RESOLUTION 224—RECOGNIZING THE 5TH ANNIVERSARY OF THE DEATH OF OSWALDO PAYÁ SARDIÑAS, AND COMMEMORATING HIS LEGACY AND COMMITMENT TO DEMOCRATIC VALUES AND PRINCIPLES

Mr. DURBIN (for himself, Mr. NELSON, Mr. RUBIO, Mr. MENENDEZ, Mr. CRUZ, and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 224

Whereas Oswaldo Payá Sardiñas was born in Havana, Cuba, in 1952 and became a non-violent critic of the communist government as a teenager, resulting in 3 years of imprisonment in 1969 at a work camp in Cuba, formerly known as "Isla de Pinos";

Whereas, in 1987, Oswaldo Payá Sardiñas founded the Christian Liberation Movement that called for peaceful civil disobedience against the rule of the Communist Party of Cuba and advocated for civil liberties;

Whereas, in 1992 and 1997, attempts by Oswaldo Payá Sardiñas to run as a candidate for the National Assembly of People's Power were rejected by Cuban authorities;

Whereas, in 1998, Oswaldo Payá Sardiñas and other leaders of the Christian Liberation Movement established the Varela Project in order to circulate a legal proposal to advocate for democratic political reforms within Cuba, including the establishment of freedom of association, freedom of speech, freedom of the press, free elections, freedom to start private businesses, and amnesty for political prisoners;

Whereas, in 2002, the Varela Project delivered a petition to the National Assembly of People's Power with 11,020 signatures from Cuban citizens calling for a referendum on safeguarding basic freedoms, an end to one-party rule, and citing Article 88 of the Constitution of Cuba that allows Cuban citizens to propose laws if the proposal is made by at least 10,000 Cuban citizens who are eligible to vote;

Whereas, in 2003, Oswaldo Payá Sardiñas redelivered the petition to the National Assembly of People's Power with an additional 14,384 signatures, establishing the biggest nonviolent campaign to oppose the Communist Party of Cuba;

Whereas, in March 2003, the crackdown on Cuban dissidents by the Government of Cuba, referred to as the "Black Spring", led to the imprisonment of 75 individuals, including 25 members of the Varela Project and 40 members of the Christian Liberation Movement, and the formation of the Ladies in White movement by the wives of the imprisoned activists;

Whereas, in 2007, Oswaldo Payá Sardiñas called on the National Assembly of People's Power to grant amnesty to nonviolent political prisoners and to allow Cubans to travel freely without a government permit;

Whereas, in 2009, Oswaldo Payá Sardiñas developed a Call for the National Dialogue;

Whereas petitions and calls by Oswaldo Payá Sardiñas to the National Assembly of People's Power were repeatedly dismissed and disparaged by the Government of Cuba;

Whereas Oswaldo Payá Sardiñas, his family, and friends endured years of harassment and intimidation for the peaceful political activism of Oswaldo Payá Sardiñas;

Whereas Oswaldo Payá Sardiñas has been formally recognized in the past for his dedication to the promotion of human rights and

democracy, including by receiving the Homo Homini Award in 1999, the Sakharov Prize for Freedom of Thought in 2002, the W. Averell Harriman Democracy Award from the United States National Democratic Institute for International Affairs in 2003, and being nominated for the Nobel Peace Prize by Václav Havel, the former president of the Czech Republic, in 2005;

Whereas, on July 22, 2012, Oswaldo Payá Sardiñas and Harold Cepero, a fellow pro-democracy activist, died in a troubling car crash in Granma Province, Cuba after being followed by government agents;

Whereas the Government of Cuba has failed to conduct a credible investigation into the car crash that led to the death of Oswaldo Payá Sardiñas;

Whereas the trial and conviction of Ángel Carromero, a youth leader of the People's Party who was visiting Cuba and driving the car at the time of the crash, did not include testimony from key witnesses, and did not resolve questions about whether another car was involved or whether Mr. Carromero was coerced by the Government of Cuba into signing a false statement of guilt;

Whereas, in 2012, the United States Senate unanimously passed Senate Resolution 525, 112th Congress, agreed to July 24, 2012, honoring the life and legacy of Oswaldo Payá Sardiñas;

Whereas, in 2013, a number of United States Senators and the United States Department of State called for an impartial, third-party investigation by the Inter-American Commission on Human Rights of the Organization of American States into the circumstances surrounding the death of Oswaldo Payá Sardiñas;

Whereas, in 2013, Ángel Carromero spoke in detail during an interview with The Washington Post about being hit by another car during the crash, being mistreated and coerced by Cuban authorities following the crash, and being made the "scapegoat" by the Government of Cuba for the death of Oswaldo Payá Sardiñas;

Whereas the dissidents of the "Black Spring" have been released from prison, but many political prisoners remain imprisoned in Cuba despite trails that failed to meet international due process standards; and

Whereas the 2016 Human Rights Report on Cuba by the United States Department of State cited ongoing human rights abuses by the Government of Cuba, namely "the abridgement of the ability of citizens to choose their government; the use of government threats, physical assault, intimidation, and violent government-organized counter protests against peaceful dissent; and harassment and detentions to prevent free expression and peaceful assembly." Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes and commemorates the legacy of Oswaldo Payá Sardiñas on the 5th anniversary of his death on July 22, 2017;

(2) honors the commitment of Oswaldo Payá Sardiñas to democratic values and principles;

(3) calls on the Government of Cuba to allow an impartial, third-party investigation into the circumstances surrounding the death of Oswaldo Payá Sardiñas;

(4) urges the United States to continue to support policies and programs that promote respect for human rights and democratic principles in Cuba in a manner that is consistent with the aspirations of the Cuban people;

(5) urges the Inter-American Commission on Human Rights of the Organization of

American States to continue reporting on human rights issues in Cuba, and to request a visit to Cuba in order to investigate the circumstances surrounding the death of Oswaldo Payá Sardiñas; and

(6) calls on the Government of Cuba to cease violating human rights and to begin providing democratic political freedoms to Cuban citizens, including freedom of association, freedom of speech, freedom of the press, free elections, freedom to start private businesses, and amnesty for political prisoners.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 11 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Wednesday, July 19, 2017, at 10 a.m. in room G50 of the Dirksen Senate Office Building, to hold a "Nominations Hearing."

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

That the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, July 19, 2017, at 10 a.m., in room 406 of the Dirksen Senate Office building, to conduct a hearing entitled, "Legislative Hearing on S. 1514, the Hunting Heritage and Environmental Legacy Preservation (HELP) for Wildlife Act."

##### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, July 19, 2017 at 2 p.m., to hold a hearing entitled "Nominations."

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet in executive session during the session of the Senate on Wednesday, July 19, at 10 a.m. in SD-430. We will be considering the following: Nomination of Marvin Kaplan to be a Member of the National Labor Relations Board Nomination of William Emanuel to be a Member of the National Labor Relations Board.

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, July 19, 2017, at 10 a.m. for a business meeting to consider pending committee business.

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, July 19, 2017, upon conclusion of the preceding business meeting, in order to conduct a hearing titled "The Postal Service's Actions During the 2016 Campaign Season: Implications for the Hatch Act."

##### COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, July 19, 2017, at 1:30 p.m., in SR-418, to conduct a hearing on pending nominations.

##### COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Wednesday, July 19, 2017 from 9 a.m. in room SH-216 of the Senate Hart Office Building to hold an open hearing entitled "Open Hearing on the Nomination of Susan Gordon to be Principal Deputy Director of National Intelligence at the Office of the Director of National Intelligence preceded by Robert P. Storch to be Inspector General of the National Security Agency, and Isabela Patelunas to be Assistant Secretary for Intelligence and Analysis at the Department of the Treasury."

##### COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence authorized to meet during the session of the 115th Congress of the U.S. Senate on Wednesday, July 19, 2017 from 2 p.m. in room SH-219 of the Senate Hart Office Building to hold a Closed Hearing.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS

The Senate Committee on Energy and Natural Resources; Subcommittee on National Parks is authorized to meet during the session of the Senate in order to hold a hearing on Wednesday, July 19, 2017 at 10:15 a.m. in Room 366 of the Dirksen Senate Office Building in Washington, DC.

##### SUBCOMMITTEE ON WESTERN HEMISPHERE, TRANSNATIONAL CRIME; CIVILIAN SECURITY, DEMOCRACY, HUMAN RIGHTS AND GLOBAL WOMEN'S ISSUES

The Committee on Foreign Relations Subcommittee on Western Hemisphere, Transnational Crime; Civilian Security, Democracy, Human Rights and Global Women's Issues is authorized to meet during the session of the Senate on Wednesday, July 19, 2017 at 4:15 p.m., to hold a hearing entitled "The Collapse of the Rule of Law in Venezuela: What the United States and the International Community Can Do to Restore Democracy."

#### PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern,

Janine Kritschgau, be granted privileges of the floor for the remainder of the day.

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

#### APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 9355(a), appoints the following Senator to the Board of Visitors of the U. S. Air Force Academy: the Honorable STEVE DAINES of Montana (Committee on Appropriations).

#### ORDERS FOR THURSDAY, JULY 20, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, July 20; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Bush nomination; further, that all postcloture time on the Bush nomination expire at 12:15 p.m.; finally, that notwithstanding the provisions of rule XXII, the cloture vote with respect to the Bernhardt nomination occur at 1:45 p.m. tomorrow.

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

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:32 p.m., adjourned until Thursday, July 20, 2017, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### DEPARTMENT OF AGRICULTURE

STEPHEN CENSKY, OF MISSOURI, TO BE DEPUTY SECRETARY OF AGRICULTURE, VICE KRYSTA L. HARDEN, RESIGNED.

##### DEPARTMENT OF DEFENSE

JOSEPH KERNAN, OF FLORIDA, TO BE UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE, VICE MARCEL JOHN LETTRE II.

GUY B. ROBERTS, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE ANDREW CHARLES WEBER.

##### SECURITIES AND EXCHANGE COMMISSION

HESTER MARIA PEIRCE, OF OHIO, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2020, VICE LUIS AGUILAR, RESIGNED.

##### ENVIRONMENTAL PROTECTION AGENCY

MICHAEL DOURSON, OF OHIO, TO BE ASSISTANT ADMINISTRATOR FOR TOXIC SUBSTANCES OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE JAMES J. JONES.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

JOHN J. BARTRUM, OF INDIANA, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES, VICE ELLEN GLONINGER MURRAY.

DEPARTMENT OF STATE

PETER HENRY BARLERIN, OF COLORADO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CAMEROON.

DEPARTMENT OF HOMELAND SECURITY

DANIEL J. KANIEWSKI, OF MINNESOTA, TO BE DEPUTY ADMINISTRATOR FOR NATIONAL PREPAREDNESS, FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND SECURITY, VICE TIMOTHY W. MANNING.

DEPARTMENT OF JUSTICE

KURT G. ALME, OF MONTANA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF MONTANA FOR THE TERM OF FOUR YEARS, VICE MICHAEL W. COTTER, RESIGNED.

THE JUDICIARY

ANNEMARIE CARNEY AXON, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN

DISTRICT OF ALABAMA, VICE SHARON LOVELACE BLACKBURN, RETIRED.

LILES CLIFTON BURKE, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA, VICE C. LYNWOOD SMITH, JR., RETIRED.

DEPARTMENT OF JUSTICE

DONALD Q. COCHRAN, JR., OF TENNESSEE, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF TENNESSEE FOR THE TERM OF FOUR YEARS, VICE DAVID RIVERA, RESIGNED.

RUSSELL M. COLEMAN, OF KENTUCKY, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF KENTUCKY FOR THE TERM OF FOUR YEARS, VICE DAVID J. HALE, RESIGNED.

PETER E. DEEGAN, JR., OF IOWA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF IOWA FOR THE TERM OF FOUR YEARS, VICE KEVIN W. TECHAU, RESIGNED.

J. CODY HILAND, OF ARKANSAS, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF ARKANSAS FOR THE TERM OF FOUR YEARS, VICE CHRISTOPHER R. THYER, RESIGNED.

MARC KRICKBAUM, OF IOWA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF IOWA FOR THE TERM OF FOUR YEARS, VICE NICHOLAS A. KLINEFELDT, RESIGNED.

BRIAN J. KUESTER, OF OKLAHOMA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF

OKLAHOMA FOR THE TERM OF FOUR YEARS, VICE MARK F. GREEN, RESIGNED.

R. TRENT SHORES, OF OKLAHOMA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF OKLAHOMA FOR THE TERM OF FOUR YEARS, VICE DANNY CHAPPELLE WILLIAMS, SR., RESIGNED.

WITHDRAWALS

Executive Message transmitted by the President to the Senate on July 19, 2017 withdrawing from further Senate consideration the following nominations:

JAMES CLINGER, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION FOR A TERM OF SIX YEARS, VICE JEREMIAH O'HEAR NORTON, RESIGNED, WHICH WAS SENT TO THE SENATE ON JUNE 19, 2017.

JAMES CLINGER, OF PENNSYLVANIA, TO BE CHAIRPERSON OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION FOR A TERM OF FIVE YEARS, VICE MARTIN J. GRUENBERG, TERM EXPIRING, WHICH WAS SENT TO THE SENATE ON JUNE 19, 2017.

## HOUSE OF REPRESENTATIVES—Wednesday, July 19, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WESTERMAN).

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
July 19, 2017.

I hereby appoint the Honorable BRUCE WESTERMAN to act as Speaker pro tempore on this day.

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

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

### FIGHTING FOR IMMIGRATION POLICIES

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

Mr. GUTIÉRREZ. Mr. Speaker, it looks almost certain that the Trump administration is going to take about 1.2 million immigrants who currently have documents issued by the U.S. Government and turn them into undocumented immigrants. They have work permits and pay their full share of taxes. They are covered by U.S. labor laws and are not undercutting the wages, well-being, and livelihood of native-born American workers.

For all intents and purposes, they are documented workers in the U.S., and many have been here for more than two decades. Nevertheless, the more than 400,000 with temporary protected status, or TPS, and 800,000 with Deferred Action for Childhood Arrivals, or DACA, could be made undocumented in the coming weeks and in the month of September.

Then, once they are categorized as undocumented, President Trump will unleash ICE and Homeland Security to go after them so they can be deported.

There are 800,000 young people who went through a thorough background check and have been complying with the rules of the DACA program for almost 5 years. They were brought here as children and grew up in the United States, went to our schools, played sports with our kids, and they speak English probably as well as you and I.

They came forward, as they were told to, and we actually reduced the population of undocumented immigrants, got people on the books, and were able to redeploy our resources elsewhere.

Now it appears that the leaders in the Republican Party who do not like the idea of so many immigrants having legal status are giving the President an ultimatum: deport the DREAMers, or we will sue.

The Governor of Texas, who is leading the charge, has a very sympathetic judge, and it is up to Jeff Sessions to put up a fight, when he himself has been trying to kill legal status for immigrants for years.

So, practically speaking, between ending DACA and ending TPS, we are going to dump about 1.2 million people into the pool of 10 million to 11 million people who are living and working here under the radar, outside of legal protections, and without any way to become legal.

So this Saturday, in Chicago, at 2 p.m., at Lincoln United Methodist Church on Damen, we are going to get together and organize ourselves to fight back. Yes, there will be legislation from Democrats and even Republicans to fight back. There will be court cases to fight back, even if the Attorney General does nothing, which we fully expect him to do. But fighting for DACA and fighting to keep millions of people in this country who have put down roots and built lives here is going to be a people's fight, and the effort to find ways to protect families and to cope with more than a million people being pushed into the black market requires us to organize in every community across the Nation.

It is up to us to teach each other how we will resist this latest insult in our congregations, churches, universities, cities, and neighborhoods throughout the Nation. Immigrants or people who have DACA or TPS cannot do this on their own, but they need to be part of a coalition that fights back.

Teachers who work with kids every day and bear witness to the fears students face every day about their parents and families can't do this alone. They need to be part of a coalition that comes together to resist.

Employers will face a choice: whether they are just going to roll over while employees are ruled ineligible and work documents are terminated, or to stand with us and stand with their workers and fight for them.

So, if you marched with your pink hat at the Women's March, I am asking you now, on behalf of immigrants and the very future of immigration, to stand with us. If you marched for science or the environment, if you have joined us in protesting bathroom laws and discrimination in all its forms, your brothers and sisters need you now.

At airports across the country, you stood up for refugees and said no to Trump's Muslim ban. We need you. Black Lives Matter, we need you, and, frankly, we need each other.

People are going to peacefully stand up and fight for justice, common sense, and what is right. We need everyone to be there with us, helping us, walking with us. In Chicago, it starts this Saturday at 2 at Lincoln United Methodist Church in Pilsen.

The road ahead is not going to be very easy, but we have fought hard to win victories for our country, and for the DREAMers, who are the leading edge of our movement to make immigration legal again in this country.

Now is the time. We need your help to protect families and communities and to do what is right. We cannot do it alone.

### RECOGNIZING MADE IN PENNSYLVANIA COMPANIES

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to speak about American craftsmanship as the White House celebrates "Made in America Week."

American entrepreneurs, workers, farmers, and innovators have built this country and drive our country. They are the heart of this Nation, and they ensure that the "Made in the USA" label means quality and value, which is something we treasure.

Pennsylvania has a rich history of being a manufacturing leader, especially our storied Pennsylvania steel. The Commonwealth has been an important cog in the wheel of this country's industrial revolution, thanks to industries like iron, coal, and lumber, in addition to steel.

Our Pennsylvania farmers have fed, and continue to feed, generations of Americans, providing safe, nutritious food for all of our neighbors. This rich history continues today.

The Fifth Congressional District is home to numerous producers that have made vital contributions to our prosperity. They have employed American workers, produced American products, and grown American crops. From heritage companies to newer, rising stars, we have a wide cross-section of products produced in the Pennsylvania's Fifth Congressional District.

Brookville Equipment Corporation in Jefferson County is the leading American manufacturer of diesel locomotive engines, street trolleys, and mining machinery. Brookville's mass transit resume includes fully refurbishing streetcars for New Orleans, Philadelphia, and San Francisco.

Since 1889, W.R. Case & Sons Cutlery Company has been fashioning handcrafted pocketknives and sporting knives in McKean County. Zippo Manufacturing Company, makers of the world famous Zippo windproof lighter, owns Case knives today. Zippo is another family-owned business based in Bradford since 1936.

Clarion Industries has two divisions in Clarion County: Clarion Boards, which produces high-quality fiberboard used to manufacture products such as laminate flooring, furniture, fixtures, cabinetry, and moldings; and Clarion Laminates, the only "Made in the USA" flooring manufacturer of its kind.

Emporium Powdered Metal, Inc., in Cameron County, is a powdered metal manufacturer staffed with more than 120 years of combined experience.

Welch's, in Erie County, is particularly known for its grape juices, jams, and jellies made from dark Concord grapes and its white Niagara grape juice.

Clearfield Machine Company has been producing custom machining since 1868 in Clearfield County.

Since 1830, the Woolrich name has stood for the best in sportswear for men and women, and it continues to make outerwear that combines comfort and function in Woolrich, Pennsylvania.

GE Transportation is an American manufacturing giant. The organization manufactures equipment for the railroad, marine, mining, drilling, and energy generation industries in Erie County.

Major leaguers have been swinging our fine Pennsylvania hardwoods, thanks to Jefferson County company BWP Bats. BWP's slogan is "Built With Pride."

Huntingdon County's Bonney Forge has a state-of-the-art forge facility capable of manufacturing our entire line of forged steel fittings and forged steel valve products since 1875.

DiamondBack Truck Covers is a company two Penn State students started in their garage in 2003. They make heavy-duty, utility-oriented, diamond plate aluminum truck bed covers for pickup trucks in Philipsburg, Pennsylvania, in Centre County.

Domtar Paper Company in Elk County is the largest integrated producer of uncoated freesheet paper in North America, and the second largest in the world, based on production and capacity.

Pul-A-Pump of PA, Inc., in Potter County, manufactures portable pump pulling machines for those in need of water well technology, with a unique dual traction belt design that is second to none.

Whirley Industries Incorporated in Warren County designs, develops, and produces products for the food and beverage industry.

Centre County also boasts many new rising stars in high-tech industries, including KCF Technologies, a dynamic technology company that develops and commercializes products for industry and the military.

Mr. Speaker, this is just a sample of the manufacturers who employ our friends, families, and neighbors in the Fifth Congressional District of Pennsylvania. These companies, and many others, produce quality, American-made products, and we could not be more proud to celebrate them during "Made in America Week." Congratulations, and keep up the great work.

#### REPUBLICAN BUDGET

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

Mr. DEFAZIO. Mr. Speaker, one of my colleagues came to the floor this morning and said: It kind of smells like bacon in here. I said: That is because the Republicans are cooking their budget just off the floor. That is what they are doing. They are cooking up a budget with cooked books.

Here we are with a national debt of nearly \$20 trillion and the highest priority on the Republican side of the aisle—reflected both in their so-called healthcare bill, which was actually tax cuts only for people who earned over \$250,000 a year—is tax cuts for people who earn over \$250,000 a year, particularly targeted toward those in the top one-tenth of 1 percent—those who earn millions of dollars a year.

They say that is the cure for all of America's ills: just cut their taxes, and the benefits will trickle down onto all the rest of us. I think a lot of people don't much like to be trickled on in that manner.

What are the priorities, other than tax cuts, in their budget? A massive increase in spending at the Pentagon.

Remember, the Pentagon is the only agency of the Federal Government that

is unauditable. That is right. Every year, every agency of the government is subject to an audit, but not the Pentagon. They say: Hey, we can't be audited. The books are a mess. We can't be audited.

Last fall, there was a report that \$125 billion went missing from the Pentagon budget. The Pentagon attempted to repress that report. God forbid we should bring any fiscal accountability to the Pentagon. They are just going to shower more money on them, in the hope that some of it gets spent on the real needs of the military. But there is no sense of responsibility there.

How are they going to get to their illusory balanced budget if they are having massive tax cuts for the wealthiest among us and massive increases in spending at the Pentagon, with no fiscal accountability?

Well, simple. We are just going to cut the programs that average and struggling Americans depend upon, like student financial aid. They don't know anybody at the country club whose kids need help going to college. So those programs get cut. Hungry kids? They have never met one. Never met a hungry kid. So let's cut the school lunch program again, and let's cut food stamps for families.

But they are breaking some new ground here and breaking some of the President's promises. The President promised he would not cut Medicare. Well, their proposed budget cuts Medicare. Yes, it cuts Medicare. It would cut \$500 billion out of Medicare. It assumes that, instead of getting a guaranteed benefit, an earned benefit that every American over 65 can have, you will get vouchers, and you can go into the private insurance market and do better. It sounds a little bit like the failing ObamaCare plan that they talk about all the time. Now they want to put seniors in that same boat, instead of guaranteed Medicare.

Then, of course, \$1.5 trillion cuts in Medicaid. That is welfare. Well, actually, the largest recipients of Medicaid are seniors in long-term care. A lot of people are going to be surprised when grandma or granddad is out in the street or comes home and needs a lot of help and assistance and there is none to be had.

□ 1015

So that is the largest group.

Now, what is the second largest group of freeloaders on Medicaid?

Oh, it is kids. God forbid that kids should get medical help when they are growing up. Let's have them long-term, lifetime disabled. Deny them medical care when they are young and we will just worry about all that later. This is quite a set of priorities they are putting before us and fiscally irresponsible.

So as I have in past years, I am introducing a fiscally responsible balanced

budget amendment to the Constitution, not like the Republican one that said you have to have two-thirds to increase taxes and one vote to cut taxes, no. This one would say you have to balance the budget, but you do it by prudent reductions in spending, and also you have to deal with the revenue side. And, oh, by the way, mine protects Medicare and Social Security totally from these sorts of cuts. It makes them into the entitlement programs they are supposed to be that the Republicans want to do away with in their budget.

So I think there is a better way to go forward, but just like in their fake healthcare bill, which was really disguised tax cuts for the wealthiest among us, they are now giving us a supposedly prudent fiscal budget blueprint, which, again, is huge tax cuts for the wealthy, massive increases for the Pentagon and cuts for everybody else.

#### DEATH OF THE CONSERVATIVE AGENDA

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

Mr. BROOKS of Alabama. Mr. Speaker, our Republican Senate majority is killing our conservative agenda, our Republican agenda, and President Trump's agenda. The murder weapon is the Senate filibuster rule, an archaic accident of history created during the days of horse-and-buggy and slavery.

The filibuster rule destroys the basic democratic principle of majority rule and obstructs passage of legislation unless a 60 percent supermajority of Senators agree. While today's 52-Senator Republican majority can abolish the filibuster rule anytime it wants, so long as the filibuster rule is in place, Republicans can pass nothing without the consent of CHUCK SCHUMER and the Democrats.

Think about it. Our Republican Senate majority has abdicated control and empowered CHUCK SCHUMER and the Democrat minority to obstruct the will of the Republican House, obstruct the will of the Republican Senate majority, obstruct the will of President Trump, and obstruct the will of the tens of millions of American voters who send us to Washington.

That is political suicide and an abject betrayal of the millions of American voters who sent us here.

There will be no border wall because our Republican Senators empower Democrats to kill it. There will be no ObamaCare repeal because our Republican Senators empower Democrats to stop us. America's out-of-control deficits and debts will cause a debilitating insolvency and bankruptcy that destroys an America it took generations of our ancestors to build because our Republican Senators empower Democrats to spend money we don't have, have to borrow to get, and cannot afford to pay back.

During 2015 and 2016, the House worked hard to address America's challenges. Over 500 of our bills never got so much as a single Senate floor vote. All that work wasted.

The Senate filibuster rule is not in the Constitution. It is not a Federal law or statute. It exists solely at the discretion of the Senate majority.

President Trump understands the filibuster rule and that it threatens the President's entire legislative agenda. On May 2, President Trump urged our Republican Senators to end the filibuster rule, stating: "Change the rules now to 51 percent."

On May 30, President Trump reiterated: "The U.S. Senate should switch to 51 votes immediately and get healthcare and tax cuts approved fast and easy. Dems would do it, no doubt."

President Trump's pleas have fallen on deaf ears. Exhibit A in this murder trial is an April 7 letter to CHUCK SCHUMER, of all people, and MITCH MCCONNELL that lists the accomplices, those deaf ears, who are killing the conservative agenda, the Republican agenda, and President Trump's agenda.

The letter states: "We . . . urge you to . . . preserve existing rules, practices, and traditions as they pertain to the right of Members to engage in extended debate on legislation before the United States Senate. . . . We are united in our determination to preserve the ability of Members to engage in extended debate when bills are on the Senate floor."

Each Senator on exhibit A empowers CHUCK SCHUMER and the Democrats to kill President Trump's agenda. Remarkably, even an Alabama Senator supports killing President Trump's agenda.

Mr. Speaker, Republican Senators claim we need the filibuster to play defense when Democrats control the Senate. I submit that claim is myopic and shortsighted. In the past 90 years, Republicans have not had a single filibuster-proof Senate, while Democrats enjoyed filibuster-proof Senates in the 1930s, the 1960s, and in 2009. In those years, Democrats passed ObamaCare and forced great society welfare programs on us that busted our budgets, destroyed the work ethic, broke up American families, and threatened America with a national insolvency.

Over the long haul and because of the filibuster, Democrats force their leftist, socialist policies down America's throats, while Republicans never have the power to reverse the damage done.

That is the Senate filibuster legacy.

Mr. Speaker, time is running out. America's future is at stake. Now is not the time to play procedural games. I agree with President Trump.

Senate: End the filibuster.

#### VOTE ON LIFESAVING LEGISLATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. KELLY) for 5 minutes.

Ms. KELLY of Illinois. Mr. Speaker, I rise, yet again, to beg this House for action. Let us have a vote on lifesaving legislation.

Just this weekend, 57 Americans were shot in just one U.S. city. Tragically, 11 of them passed away, including a 10-year-old boy and a revered community activist who worked to create jobs for at-risk kids.

The violence did not take a rest after the weekend. On Monday, 13 more people were shot and 3 were killed.

Mr. Speaker, what are we doing here?

People, Americans, American kids are dying every day in every community, in every State, in every district, yet this House, the people's House, continues to do nothing.

Why, Mr. Speaker? Why is that?

Well, I think greed and dollars.

My 101st victim I want to share with you is Gustavo Garcia, who was 10 years old. Mr. Speaker, Gustavo would have turned 11 next month. He would have started fourth grade at Arnold Mireles Academy next month. Instead, he was murdered in the back seat of an SUV by an assault weapon, a weapon of war that this House has allowed to be legal and spill blood on our city streets.

These weapons have one purpose: killing people. They are not for sportsmanship. They are not for personal defense. They are for theaters of war. They are designed to devastate, maim, kill, and destroy. That is why assault weapons were banned from our streets until this House, poisoned by NRA dollars, allowed the bill to expire.

Mr. Speaker, Gustavo Garcia was 10 years old. He had an entire lifetime ahead of him. Mr. Speaker, the operative word in that sentence is "had." Now he has become "Dollar NRA No. 101."

\$102. William "Willie" Cooper, who was 58 years old. Willie was working to change Chicago and give our children a future. He founded the Lilydale Outreach Workers for a Better Community and helped mediate more than 50 conflicts that could have turned deadly.

Willie was everything you could want in a neighbor, a community leader, and a friend. He was kind, concerned about others in his community, someone who truly loved all of his fellow men. Now he is "\$102." He was assassinated also with an assault weapon in front of the nonprofit he founded to help young people find jobs.

Time and time again I hear from the other side of the aisle that work is transformative, it gives people purpose and direction in life. I could not agree more.

Mr. Speaker, nothing stops a bullet like an opportunity. What Chicago



needs is jobs for our young people, not guns flooding from States like Wisconsin and even the Vice President's home State of Indiana.

Mr. Speaker, it is about jobs. So I join Senators DICK DURBIN and TAMMY DUCKWORTH to introduce three pieces of legislation directly targeted to support at-risk youth and the amazing businesses that take a chance on them to change their lives. To date, these bills have simply been referred to committee.

Mr. Speaker, when is the agenda of this House going to turn to the actual issues devastating American families?

This Congress has voted to allow companies to poison our air and water. We passed a bill that stripped 23 million Americans of their health insurance. We even passed a bill that lets dangerously mental ill people buy a firearm. Shameful.

We have not had one single debate, not passed one bill, nothing, zero, zilch, to save American lives. I guess some things just aren't worth the price.

#### RECOGNIZING THE LIFE OF COLONEL THOMAS KUNKEL

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Colonel Thomas Kunkel, who retired on July 10, 2017, as the commander of the 23rd Wing at Moody Air Force Base, near Valdosta, Georgia.

Colonel Kunkel has served in the United States Air Force for over 20 years, and he has logged nearly 3,000 hours of flight. As commander of the 23rd Wing, he led over 5,000 airmen spread over four bases throughout the country.

An example of his extraordinary leadership and bravery occurred when one of his fellow airmen was shot down behind enemy lines during the Kosovo conflict in 1999. Colonel Kunkel bravely led a successful mission to rescue the missing pilot that was shot down by a missile.

Colonel Kunkel was also a part of the Air and Joint Staffs in Washington, D.C., that serve as advisers to the President of the United States.

He was stationed all over America, in addition to his time abroad in Iceland and Qatar, defending the freedoms we all greatly enjoy.

I am proud to rise today to honor Colonel Kunkel for his leadership, his commitment to our country, and his commitment to our airmen. Colonel Kunkel will now begin service in the Secretary of the Air Force Legislative Liaison Office here in Washington, D.C. I wish him all the best.

HONORING ERNIE LEE, STATE OF GEORGIA  
TEACHER OF THE YEAR

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Ernie

Lee, who was named the 2016 Teacher of the Year for the State of Georgia.

Mr. Lee is a dedicated U.S. Government, civics, and history teacher to his students at Windsor Forest High School on Savannah's south side.

After being named as Georgia's Teacher of the Year, Mr. Lee was a finalist for National Teacher of the Year.

Before becoming a teacher in 2008, Mr. Lee practiced law for over 20 years. You can clearly tell through his demeanor and passion that he discovered his true calling when he began teaching.

Mr. Lee is currently working as a fellow at the Smithsonian Institute in Washington, D.C., studying the State of Georgia's historical relationship with Indian Nations, specifically the Supreme Court case, *Cherokee Nation v. Georgia*.

His research during the fellowship is centered around writing and publishing lesson plans on the topic. I can't thank Mr. Lee enough for his dedication to Georgia's students and his ability to inspire them to learn about history and government.

#### RECOGNIZING THE LIFE OF JAMES P. BURNS

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize the life of Mr. James P. Burns of Warner Robins, Georgia, who passed away on April 31, 2017, shortly after celebrating his 100th birthday.

Mr. Burns used his 100 years to make his country and his community a better place to live. Mr. Burns served in the Army Air Corps and the United States Air Force from 1940 to 1960, fighting for his country during World War II and the Korean war.

After being honorably discharged from the Air Force, Mr. Burns worked another 16 years for the Department of Defense before retiring at Robins Air Force Base in Georgia.

Upon his retirement from the DOD, Mr. Burns and his wife, Lucille, dedicated their lives to helping fellow members of the south Georgia community. In his 20 years, Mr. Burns volunteered over 14,500 hours at the Houston Medical Hospital. When he wasn't volunteering for the hospital, Mr. Burns could be found helping seniors do their taxes or transporting food for the local food bank.

I am proud to recognize Mr. Burns' life today and his dedication to the community. He will certainly be missed.

#### TASK FORCE ON DENYING TERRORISTS ENTRY INTO THE U.S.

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

Mr. GALLAGHER. Mr. Speaker, the liberation of Mosul from the Islamic State the other week was a major vic-

tory for the Iraqi people and for the United States, which supported the operation.

But to achieve victory in our broader mission of destroying radical Islamic terrorism and keeping the American people safe, we must confront some tough questions about the road ahead.

As chairman of the Task Force on Denying Terrorists Entry into the United States, I am concerned about the degree to which jihadists and foreign fighters threaten our homeland and our ability to meet these threats.

□ 1030

We know that Iraqi fighters are concealing their identities and fleeing with groups of refugees, many to Europe. These returning fighters have learned to make dangerous weapons, have gotten battlefield experience, and are successfully training young people susceptible to radicalization. We know our visa waiver program, which allows many European citizens to travel to the U.S. without a visa, provides a window of opportunity for these determined terrorists to exploit.

Confronting these threats lies in our ability to quickly and effectively vet and screen travelers, share sufficient intelligence with our allies, and act on credible threats when identified. And the threats are real.

Between 100 and 250 ideologically driven foreigners are thought to have been smuggled into Europe between 2014 and 2016. These foreign fighters pose a greater threat to the West than ever before; and for the sake of our national security, it is a threat we cannot overlook, and it is a threat we must work together to confront. Nothing can be put ahead of the safety and security of the homeland.

Thank you, Mr. Speaker.

#### THE ROLE OF CONGRESS IN PUSHING BACK AGAINST RUSSIA

Mr. GALLAGHER. Mr. Speaker, I rise today not as a Republican or a Democrat, but as an American. If we can really find a way to cut through the media circus surrounding the debate about Russia in the past few weeks, I think it would reinforce for all of us that whatever our political differences, our country must always come first.

Those who would destroy our way of life do not wear the jersey of one political party or another. The only laundry they wear is the flag of their nation, whose interests they will advance regardless of domestic American politics.

And make no mistake, Mr. Speaker: Russia, under Vladimir Putin, is not our friend. He is on no one's team but his own.

There are concrete steps that we in Congress can take to push back against Russian aggression both here at home and overseas. To start with, we must pass sanctions on Russia and Iran. The Senate passed a sanctions bill 98-2 just

1 month ago. We need to do the same. No more excuses. We need to vote immediately.

Most of all, Congress must reclaim its long-neglected role in foreign policy. Russia is not and will never be a partner in Syria. It has supported and enabled the Assad regime's genocidal war while focusing much of its military campaign against U.S.-supported rebels.

At the same time, the growth of Iranian power has deepened the sectarian atmosphere off which ISIS thrives. ISIS and Iran are two sides of the same coin of religious fundamentalism.

To advance our long-term interests in Syria and in the Middle East, we must cease outsourcing our foreign policy to our adversaries, and we can no longer cede a sphere of influence to the Russians and the Iranians.

We here in Congress have a constitutionally mandated role to play. True, we have been derelict in this duty for decades, but we now have an opportunity to reclaim our authority.

As part of a congressionally led campaign to push back against our adversaries, we should revisit the underlying authorities that are allowing us to conduct lethal activities around the world. We need to pass a new Authorization for Use of Military Force to put our efforts against ISIS, against al-Qaida, against all of their affiliates and anyone else who would seek to challenge our interests on the strongest legal footing possible. We can't just sit on the sidelines. The part of passive spectator is unworthy of this great body.

We must lead when it comes to both enhancing our defenses against attacks and pushing back against Russian or Iranian aggression abroad. To do otherwise would be to abdicate our responsibility to our constituents, to our Nation, and to the oath we all took to protect this country.

#### RECOGNIZING THE LIFE OF FALLEN JACKSONVILLE SOLDIER, MARINE SERGEANT JOSEPH MURRAY

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

Mr. RUTHERFORD. Mr. Speaker, today I rise in memory of Marine Sergeant Joseph Murray, who paid the ultimate sacrifice on July 12, 2017, when a KC-130 military transport plane crashed in the Mississippi Delta.

Sergeant Murray had lived in Jacksonville, Florida, since he was 10 years old and was a military dependent whose father was in the Navy for over 20 years. He was a Sandalwood High School graduate in the class of 2009, and joined the Marines that same year. He was stationed at Camp Lejeune, North Carolina.

Sergeant Murray was promoted three times in the first 3 years he was in the

Marine Corps, and he was very proud of his two deployments to Afghanistan. He told his father he wanted to be a grunt instead of an intelligence officer because "that is the hardest thing to do." He died as a member of a special operations team, where his closest friends were the fellow marines who served next to him.

Sergeant Murray was a proud husband and father, with four children: a 5-year-old son, a 3-year-old daughter, and 1-year-old twin boys.

He met his wife, Gayle, the same year he joined the military, and he was a family man who loved to serve others. Gayle said that he would do anything for his family and loved to play his guitar for them. She said: "What he wanted most in the world, besides his family's happiness, was to destroy evil on Earth."

His father, Terry, stated the only thing stronger than his commitment to his family was his commitment to his church. In fact, he was known to hum praise and worship songs when he was on patrol, and his fellow servicemembers looked to him as a faith leader. A fellow marine mentioned: "When Joseph stopped that humming and singing praises, they took the safeties off their weapons because they thought something was up. All was well when Joseph was with them."

His father said: "The city of Jacksonville should be very proud to have had his son come from here."

I can attest today for the citizens of northeast Florida that we are very proud, very proud and honored to have had Sergeant Murray defending our freedoms. Sergeant Murray's dedication to his faith, family, and nation will always be remembered.

May God bless and keep you and your family.

Semper fi, Sergeant Murray.

#### A TOO-MUCH-IS-NOT-ENOUGH MENTALITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, I rise today to address the problem with TrumpCare.

The problem with TrumpCare is a too-much-is-not-enough mentality: a too-much-is-not-enough mentality that would cause some to be willing to sacrifice the needy to satiate the insatiable desires of the greedy; a too-much-is-not-enough mentality that would allow some to rob the needy of healthcare to reward the rich with wealthcare—a too-much-is-not-enough mentality.

This too-much-is-not-enough mentality exists at a time, Mr. Speaker, when the very wealthy are doing very well in this country:

The big banks are banking big bucks.

The healthcare industry is quite healthy. In fact, last year the indus-

try's net income was up \$13.1 billion. That is 46 percent.

CEOs are doing quite well. The top 10 percent CEOs are raking in millions, annually. Let's look at the number one person on the top 10. This person had an income of \$98 million, up 499 percent.

Mr. Speaker, I don't begrudge people from making money. I don't begrudge people from making a lot of money. I do think that they should all pay a fair share of taxes on that money, however. Some of them pay carried interest, which is not the ordinary income tax that other people are paying.

Mr. Speaker, the too-much-is-not-enough mentality not only impacts the way people view healthcare, but it also impacts people who are making minimum wage. Juxtapose the person who made \$98 million last year with the person who is making \$7.25 an hour.

By the way, all minimum wage workers are making \$7.25 an hour except those who are in the service industry, and they make even less. \$7.25 an hour, the minimum wage has not been raised in a decade, more than 10 years. CEOs get raises of millions, annually.

Mr. Speaker, the too-much-is-not-enough mentality is keeping wages down, causing those at the top to make more and creating a chasm between the top and the bottom, and the middle as well; and in so doing, we have created a class ceiling—a class ceiling.

Those who are in the working class are not making enough to make ends meet. At \$7.25 an hour, you cannot afford to take care of a family. At \$7.25 an hour, you can barely manage to take care of your needs, and you cannot afford healthcare.

Those who would take a trillion dollars out of healthcare, those who would reward the rich with billions of dollars as a result, those who would do it so that they can go on to a tax plan where they will cut even more, those who would do this, Mr. Speaker, have a too-much-is-not-enough mentality. It seems that they believe that the poor can do more with less, and that the rich need more to do more.

I refuse to support TrumpCare. I will not support anything developed along the lines of too much is not enough.

#### HONORING THE 106TH RESCUE WING OF THE NEW YORK AIR NATIONAL GUARD

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. ZELDIN) for 5 minutes.

Mr. ZELDIN. Mr. Speaker, I rise today in honor of the 103rd Rescue Squadron, a unit of the 106th Rescue Wing of the New York Air National Guard.

Commanded by Colonel Michael Bank, the 106th Rescue Wing is based out of Gabreski Airport in Westhampton Beach, located in my

home district, and has a long and distinguished history of service.

In October 1991, during the storm that was depicted in the major motion picture "The Perfect Storm," an HH-60 and tanker from the 106th Rescue Wing flew to an endangered sailboat about 250 miles south of its base.

After survival gear was dropped onto the vessel, they began their return to base. However, braving incredibly severe weather conditions, the HH-60 was forced to ditch 60 miles south of base in the Atlantic Ocean. All but one member of the crew was rescued by the United States Coast Guard cutter Tamaroa.

In addition, in 1998, the 106th Rescue Wing carried out the longest overwater rescue mission in an HH-60. Members of their wing were also on scene at Ground Zero during the 9/11 terror attacks.

Then, most recently, this past April, the heroic members of this squadron saved several lives when an explosion occurred on a Slovenian cargo ship. These brave airmen took immediate action when called upon to offer desperately needed medical assistance.

On April 24, the cargo ship Tamar was rocked by an explosion in the forward bulkhead, which resulted in the immediate death of one individual and severe burns for three other crew members, one who, sadly, perished prior to the team's arrival. 1,300 miles off the coast of Cape Cod at the time of the explosion and holding a crew of over 20 men, the situation looked dire for the injured members of this crew.

Boston Rescue Coordination Center was initially contacted for help, who reached out to two Canadian vessels in the area. However, these ships were 12 to 24 hours away, at the very least, and did not possess the necessary medical capability. It was then that the 106th Rescue Wing was called into immediate action to save those lives aboard the vessel.

Less than 2 hours after the request was made by the Coast Guard, this seven-member crew, led by Major Sean Boughal, boarded a C-130 Hercules aircraft from the 102nd Rescue Squadron, also a part of the 106th Rescue Wing, to begin the search and rescue. Following a 5-hour flight and superb airmanship by the C-130 crew, the seven-man PJ team executed a complex night parachute insertion of equipment and personnel into the water and then made their way to the stricken vessel.

After making it onboard, the 103rd Rescue Squadron PJ team provided advanced medical care for the next 2 days until a Portuguese rescue helicopter could hoist the team off and airlift the injured seamen to a higher level of medical care. If not for the brave actions of this rescue wing, there could very well have been a greater loss of life upon that vessel.

Mr. Speaker, these pararescuemen risked life and limb to save these crew

members and have more than earned our respect and admiration. Today I would like to honor Major Edward Boughal, Technical Sergeant Jordan St. Clair, Major Marty Viera, Senior Master Sergeant Erik Blom, Master Sergeant Jed Smith, Staff Sergeant Bryan Dalere, and Senior Airman Michael Hartman for their lifesaving efforts on April 24.

□ 1045

Not only today, but every day, men and women, like those in the 106th Rescue Wing, put themselves on the line to protect us, our families, and our communities. It is so important that we continue to give our support to our Nation's defenders and provide every needed resource for these heroes. All Americans should be very proud of the 106th Rescue Wing and their continued legacy of remarkably answering the call to duty.

#### RECOGNIZING KIDSPACE

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize KidsPeace, which is a private charity dedicated to assisting children and adolescents experiencing emotional, behavioral, and social challenges in Pennsylvania. Founded in 1882, KidsPeace provides a comprehensive range of residential treatment programs, accredited educational services, and a variety of foster care and community-based treatment programs to help people in need overcome challenges and transform their lives.

Last week, I had the privilege of meeting Dominick DiSalvo and Patrick Slattery, advocates of KidsPeace Foster Care in Doylestown in my district, where they work with families affected by the opioid epidemic.

Through the power of family living, kids who have emotional and behavioral challenges learn to participate in healthier relationships with adults, experience healthy family functioning, witness positive parenting styles, participate in community life, and learn social skills through positive role modeling.

I am proud of the efforts of KidsPeace to help Bucks County's youth receive the information and treatment they need to become healthy adults. KidsPeace reminds us that we can all make a difference in the life of a child.

#### HEALTHCARE

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

Mr. DUNCAN of Tennessee. Mr. Speaker, yesterday, I received this

message from a very respected businessman in Knoxville, Randy Greaves.

He wrote:

I just received a letter from Humana stating that they are leaving the State of Tennessee next year.

This leaves no one to write individual health policies in the State. Aetna only writes group policies, and they may withdraw, as well. Please let anyone with a vote know that families are being failed miserably, as you already know.

The insurance that Humana wrote for my family, in 2017, required that we pay the first \$37,000 between premiums and the deductible before insurance would contribute only 50 percent.

It was basically worthless, and now they won't even make that lousy policy available because people on subsidies, mostly with no personal accountability for their own health, cost a fortune to the rest of us.

ObamaCare may have helped 20 million people, but it has hurt 200 million people in the process.

About a month ago, The Irish Times, the largest newspaper in Ireland, reported that they had over 660,000 people on waiting lists for healthcare. That is in a country of less than 5 million people. If you multiply that times 60 or 65, you have got the United States.

Medicare, when it started, when it was first passed, there was a CBO prediction that it would cost \$9 billion after 25 years. Instead, it cost 12 times that after the first 25 years, and now it costs six times more than that, or about 70 times more than the original estimates.

California, as liberal and leftwing as that State is, a few days ago, I read that they tried to pass a healthcare, or medical care for everyone, bill. They had to withdraw the bill because they found out that it would cost \$400 billion for the first year. If you multiply that times 10 or 11, you are talking about the whole United States. We are having trouble affording the Medicare that we have now for 14 percent of the population, so Medicare for everyone is not going to work in this country.

We took what was a very minor problem, for very few people in the mid-sixties, and turned it into a major problem for everyone so that now only Warren Buffett and Bill Gates, and people like that, multibillionaires, can afford healthcare. And the reason is, is that anything the Federal Government subsidizes, the costs just explode because you remove the incentives and pressures to hold costs down.

The American people don't want a Russian or Cuban type of medical system in this country. They don't want a totally federally run system, like they have in so many countries, with medical care that is not even a fraction of what we have.

We are still under ObamaCare today, and it is not working. These insurance companies are pulling out all over the whole country, and The Washington Times reported yesterday, or the day before, that, according to the Department of Health and Human Services,

premiums went up 63 percent in Tennessee in 2017 alone.

Mr. Speaker, this system is not working. We need to move more in the direction of a free market medical system if we are ever going to hope to bring down healthcare costs for the American people with the kind of healthcare that everyone is demanding and wanting and that we want to give to them.

#### RECOGNIZING STEVE BANTA

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

Mr. FARENTHOLD. Mr. Speaker, I am here today to recognize a great American patriot, Captain Steve Banta, call-sign "Slash," who will be retiring this week from his post as commanding officer of Naval Air Station Corpus Christi.

A 1991 graduate of the United States Naval Academy, where he earned a bachelor's degree in engineering, Captain Banta completed primary naval aviation training with the VT-27 Boomers at NAS Corpus Christi, and was designated a naval aviator on March 18, 1994.

His sea duty included deployments on various cruisers, destroyers, frigates to the Mediterranean, Arabian Gulf, Caribbean, Southeast Pacific, and other areas. During his deployment as maintenance officer with HSL-44 Detachment Four, they were the first in the fleet to test the Hellfire missile.

On September 11, 2001, he was deployed on the USS Carl Vinson with Carrier Group Three. During the first 4 months of Operation Enduring Freedom, he coordinated the daily schedule of more than 40 helicopters in 16 different aviation units. In 2009 and 2010, he served as commanding officer of the world famous HSL-48 Vipers. During his tenure, they earned multiple awards for tactical and retention excellence.

Captain Banta's shore duties includes tours as a Seahawk helicopter flight instructor, as an analyst in the Pentagon for the Navy's role in Operation Enduring Freedom, and as the lead country program director for Afghanistan with the Defense Security Cooperation Agency.

He earned a master's degree in national security strategy at the National War College in 2011.

Captain Banta assumed command of Naval Air Station Corpus Christi on June 26, 2014. During his tour, improvements in infrastructure, program management, and quality of life resulted in numerous awards, including Department of Defense Fire Department of the Year, Fire Department National Accreditation, SECNAV Gold Award for Energy and Water Management, and CNO Shore Safety Award. The Wingspan Newspaper was ranked num-

ber one in the Navy, and the base was on the A-list for outstanding customer satisfaction in family housing, and more.

Captain Banta has been an invaluable asset to the Navy, south Texas, and the United States. I wish him and his wife, Sarah, a Corpus Christi native, best of luck as he moves into civilian life and begins his new job as executive director of the USS Lexington Museum on the Bay. Thank you, Captain Banta, for your service.

#### RECESS

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

Accordingly (at 10 o'clock and 53 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

#### PRAYER

Chaplain Marshall Dunbar, Christian Community Action, Lewisville, Texas, offered the following prayer:

Heavenly Father, thank You for the opportunity You have given me to stand before the men and women of this House, who have the awesome responsibility of governing this great Nation. Help them to come together in unity, for Your Word reminds us that a house divided against itself cannot stand.

So believing You know what we have need of before we even ask, together we offer this prayer as taught by Your Son, Jesus Christ:

Our Father, which art in Heaven, hallowed be Thy name. Thy kingdom come, Thy will be done on Earth, as it is in Heaven. Give us this day our daily bread. And forgive us our debts, as we forgive our debtors. And lead us not into temptation, but deliver us from evil, for Thine is the kingdom, and the power, and the glory, forever.

Amen.

#### THE JOURNAL

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

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

Ms. ROS-LEHTINEN. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

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

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

Ms. ROS-LEHTINEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Florida (Mr. DEUTCH) come forward and lead the House in the Pledge of Allegiance.

Mr. DEUTCH led the Pledge of Allegiance as follows:

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

#### WELCOMING CHAPLAIN MARSHALL DUNBAR

The SPEAKER. Without objection, the gentleman from Texas (Mr. BURGESS) is recognized for 1 minute.

There was no objection.

Mr. BURGESS. Mr. Speaker, today I rise to speak in honor of our guest chaplain, Marshall Dunbar, of Cross Roads, Texas.

Chaplain Dunbar is the vice president of Spiritual Life and interim vice president of Programs for Christian Community Action, one of the largest private nonprofits in north Texas. He has an extensive record of service to our country and the north Texas community, including years in active military service, law enforcement, and homeland security.

Chaplain Dunbar was commissioned into the United States Army Reserve Chaplain Corps as a chaplain candidate in 2011, beginning his chaplaincy career at the VA Hospital in Dallas. In 2014, he ended his military career as a first lieutenant.

Chaplain Dunbar holds a B.S. in ministry and leadership from Dallas Christian College and a master of divinity in chaplaincy from Liberty Baptist Theological Seminary. He is currently working toward his doctor of ministry degree in Christian leadership and spiritual formation at Dallas Theological Seminary.

I am grateful to Chaplain Dunbar for his service to north Texans and the American people. It is a true pleasure to have him here in the House, along with his wife, Melinda, and daughter, Elle-Simone. We are grateful for his service and we welcome him to the House.

## MESSAGE FROM THE PRESIDENT

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

## ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

## RECOGNIZING HARVE MOGUL

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise in great admiration of Harve Mogul, who, for more than a quarter century, has served as the CEO of United Way of Miami-Dade.

Through its many successful programs in education, financial stability, and health, this wonderful organization strives to create a stronger Miami.

Harve has been dedicated to public service from a young age, serving as a teacher in the Peace Corps and working at several United Way chapters across our great Nation. In 1991, he took on the great task of leading the Miami chapter, where he arduously worked to broaden the organization's advocacy and philanthropic efforts.

Throughout his tenure, Harve has spearheaded many campaigns, including a national event to advance the U.S. Holocaust Memorial Museum, of which I am proudly a council member.

Harve is now ready for a new chapter in his life. He will be stepping down from his CEO position, but he will continue to advance the goals of this noble organization.

Mr. Speaker, on behalf of our community and the many individuals who have been positively impacted by Harve's contributions, I want to say thank you to my friend, "mi amigo." He is an inspiration to us all. Good luck and Godspeed to Harve Mogul.

## AMERICAN SOLUTION TO HEALTHCARE

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

Mr. GENE GREEN of Texas. Mr. Speaker, the Senate has failed to repeal and replace the Affordable Care Act, or the ACA.

As the President said: Healthcare is hard.

As Democrats, we didn't receive Republican votes to pass the ACA, but it is the law of the land.

Our job as Members of Congress is to fix laws that are not effective. Let's work as Members of Congress not to do

a Republican fix or a Democratic fix. Let's work together as Americans to find the American solution to our healthcare problems. That is what our Founding Fathers and our constituents expect from us.

## CAPTIVE NATIONS WEEK

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

Mr. ROSS. Mr. Speaker, I rise today to recognize Captive Nations Week.

In 1959, Congress authorized and requested the President proclaim the third week in July as Captive Nations Week. During this week, we stand united with those who still live under the rule of communist regimes as they continue fighting against this oppression and lack of human rights. You have my word that I will continue to fight along with you.

As a way to educate current and future generations about the ideology, history, and societal impact of communism, the Victims of Communism Memorial Foundation was authorized in 1993 by a unanimous act of Congress.

In honor of this foundation, I have introduced H. Con. Res. 57, which expresses the sense of Congress that establishing a museum in memory of the victims of communism is an important step in educating Americans about the human rights violations committed by these totalitarian regimes and telling the whole story of 20th century history.

This museum would honor the memory of the heroes who resisted communist tyranny and commemorate America's more than half a century of efforts resisting Soviet imperialism.

I ask my colleagues to join me during Captive Nations Week in recognizing and supporting victims of communism by cosponsoring H. Con. Res. 57 and bringing the truth to light.

## BUDGET FOR THE AMERICAN PEOPLE

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

Ms. JACKSON LEE. Mr. Speaker, many of us are engaged in the budget process today.

A budget for Americans should be the playbook for improving the quality of lives for all Americans. Yet this draconian budget, which is worse than the Trump budget, cuts \$250 billion-plus out of quality of life issues for Americans. It cuts education, healthcare, Medicaid, Medicare, and the environment, undermining the fight against climate change.

Where is the relief for the American people?

We have the fact that wages are slow in growing. Mr. Speaker, corporate

America is doing well, and all that is needed, as some corporations have already done, is to raise the salaries of Americans.

We also need to make sure the government does what the American people need, to shore up the Affordable Care Act, but not cut billions from it. Shore up national defense, but not cut from diplomacy and engagement in peacekeeping activities, as well as USAID. Shore up America's national security. Give a quality of life to our young people so that jobs are created.

How do you do that?

You do that, Mr. Speaker, by ensuring that the climate and quality of life issues are there for corporations to grow. Growth is important for the American people, not draconian cuts to leave Americans without healthcare, without good climate, and without education. We want a budget for the American people.

## SAVING PRECIOUS WELFARE DOLLARS

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

Mr. POLIQUIN. Mr. Speaker, sadly, rural Maine is ground zero for the opioid epidemic in America.

Every day, on average, Mr. Speaker, one fellow Mainer dies from an overdose. Sixty percent of our families are impacted one way or another from this scourge.

For years, Mr. Speaker, law enforcement officials in Maine have found electronic benefit transfer cards, or EBT cards, at drug busts. Every month, these EBT cards are replenished with food stamps and other welfare benefits intended to help disadvantaged families. But too often these valuable cards are used to buy drugs.

Mr. Speaker, this has got to stop. I have found a commonsense way to do that. My Food Stamp Integrity Act permanently disqualifies anyone convicted of drug trafficking from receiving food stamps. This will help make sure limited welfare benefits are saved to compassionately help moms and dads put food on the table for hungry kids.

Additionally, Mr. Speaker, H.R. 3151 will require able-bodied adults without dependents, between the ages of 18 and 50, work at least 20 hours per week, job train, or perform community service in order for taxpayers to help them out with food assistance.

Mr. Speaker, similar reforms in Maine have helped lift thousands out of poverty and into independence and better lives through employment. We have plenty of jobs available.

My bill will help save precious welfare dollars for the disabled, elderly, sick, and the poor. It will also help stop deadly drug trafficking and treat taxpayers better.

Mr. Speaker, H.R. 3151 is a Maine commonsense solution to a national problem. I ask everyone in this Chamber, Republicans and Democrats, to vote for it.

#### LET'S WORK TOGETHER ON HEALTHCARE

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

Mr. CICILLINE. Mr. Speaker, Republicans have threatened to repeal and replace the Affordable Care Act for 7 years, but earlier this week, they failed again to deliver on this threat. So next week, the Senate will vote on a bill to repeal the Affordable Care Act without a replacement.

If this bill were to pass, 32 million people will lose their health insurance, insurance premiums will go up, and insurance markets will unravel. That is exactly why this bill will not pass. But MITCH MCCONNELL and the Republican leadership are going to have a vote anyway.

What is the point?

The American people are sick and tired of Washington failing to get things done. It is time—in fact, well past time—for Republicans to stop going it alone. All of us came here to serve our constituents, but that is not going to happen unless Republicans are willing to work in good faith with Democrats to make the necessary improvements to the Affordable Care Act.

If we work together, none of us will get everything we want, which is true, but our constituents will finally get the progress they have been waiting for, and that is much more important.

#### ROLLING BACK FEDERAL REGULATIONS

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

Mr. BUCSHON. Mr. Speaker, I rise today to recognize a rebounding community in the Eighth District of Indiana.

Sullivan County, Indiana, is located in central western Indiana, along the Wabash River. It is home to roughly 21,000 proud, hardworking Hoosiers. The local economy relies on manufacturing and the coal and transportation industries.

In the first 6 months of this new administration, we have worked with the Trump administration to roll back the aggressive, job-killing Federal regulations of the last 8 years that have devastated this area of the country. The agenda we have set forth of less regulation and lower taxes is breathing life into our local economies and communities like Sullivan, Indiana.

As of May 2017, the unemployment rate in Sullivan County is at a 27-year

low, sitting at 3.3 percent. Just a year ago, the unemployment was 7 percent.

Mr. Speaker, as we continue to work on behalf of the American people, I am hopeful this trend continues.

□ 1215

#### RUSSIAN CYBER ATTACKS

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

Mr. DEUTCH. Mr. Speaker, inaction from this House leaves us open to Russian cyber attacks against our democracy, and the numbers tell the story.

Sixteen months since Russians attacked, this House stands mute. Eleven months since all four major U.S. intelligence agencies confirmed Putin's direct involvement, and we have done nothing.

Eight Russians and Trump advisers met to discuss illegal Russian Government assistance to the Trump campaign, 3 hours of face-to-face meetings between President Trump and Putin, one of those hours with absolutely no accountability to the American people, and 98 out of 100 Senators voted in favor of new Russian sanctions 34 days ago.

And finally zero. Zero action from this House to fight back. Zero show of bipartisanship that mirrors our Senate counterparts. Zero votes on the House floor to send the sanctions bill to the President.

Mr. Speaker, if you allow us to vote on this bill, it will pass with overwhelming bipartisan support. And if you do not allow us to get Russia sanctions to the President's desk and put the pressure on him to sign it, you and the rest of this majority in the House will carry the weight of our failure to stand up to Russia back to your districts in August, and no one will understand how it is that you show weakness when it is strength that is required in the face of Russian aggression. That is what America expects and deserves.

#### RECOGNITION OF ELI BOROCHOV

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

Mr. MCKINLEY. Mr. Speaker, today I would like to recognize a little known role model, Eli Borochoy, a 22-year-old young man from Cedarhurst, New York.

While on a trip to Israel with his family in 2015, Eli was praying during a Shabbat service at the Cave of the Patriarchs in Hebron. While praying, Eli was targeted by a pair of Arab snipers and was shot twice in the leg. Thankfully, after emergency surgery and a lengthy rehabilitation, Eli has recovered.

After the terrorists were apprehended and put on trial, Eli was called upon to

speak in court, which meant he had to face his shooters in person. While addressing the court, Eli displayed conviction and character well beyond his years.

As Eli mentioned in his statement, the only reason he was targeted was the fact that he was practicing his Jewish faith. I commend Eli for standing tall in the face of violence and showing great courage. He is a role model.

#### FREEDOM OF EXPRESSION

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

Mr. COSTA. Mr. Speaker, I rise today to speak about one of the most basic rights that serves as the cornerstone of our democracy, and that is freedom of speech, freedom of expression for all Americans guaranteed in the First Amendment in our Bill of Rights. It is the freedom of press; it is the freedom of assembly; it is the freedom to petition.

This morning, I joined with several fellow Members of Congress and other Americans to exercise this First Amendment freedom in a demonstration outside the Turkish Ambassador's residence, the same place where members of Turkish President Erdogan's security forces attacked 11 peaceful Americans who were exercising their freedom of speech on May 16.

This morning, we stood together to demand the protection of the freedom of expression. We stood together to say that we will never stop fighting for those basic freedoms that are enshrined in our Bill of Rights and protected by our Constitution.

Americans have fought for over 241 years and shed blood to protect our basic freedoms that we hold most dearly. As Supreme Court Justice Cardozo stated in 1937, freedom of expression is "the indispensable condition of nearly every other form of freedom" that we cherish in our country.

#### CELEBRATING ST. CLOUD FEDERAL CREDIT UNION

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

Mr. EMMER. Mr. Speaker, I rise today to celebrate the St. Cloud Federal Credit Union for being named one of the top 150 workplaces in Minnesota by the Minneapolis Star Tribune.

The companies selected were based off of a survey done by Workplace Dynamics, which measured the employees' opinions on engagement, organizational health, and overall satisfaction at their company. This is a wonderful achievement for the St. Cloud Federal Credit Union as Workplace Dynamics surveyed nearly 70,000 employees

throughout Minnesota to come up with these results.

For every company, no matter how big or small, the employees are the key to securing success. The hard work they put in every day is critical, so it is imperative that management ensures they feel both valued and respected.

I want to congratulate everyone at the St. Cloud Federal Credit Union on their incredible teamwork, and I especially want to congratulate management for creating a great workplace for their employees. Your company and employees will continue to thrive due to your leadership. Keep up the good work.

#### STANDING UP FOR THE AMERICAN PEOPLE

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

Mrs. BEATTY. Mr. Speaker, I rise today to let the American people know that my message is standing up for hardworking American people; standing up for hardworking American people to have the healthcare that they deserve and that they have with the Affordable Care Act; standing up for the American people so they can have equal voting rights and not have a sham voting rights commission that President Trump has developed; standing up for American people so they can have an investment in jobs and in their communities; standing up for the American people against Trump's budget; standing up for the American people so we can keep Medicaid; standing up for the American people so we can make sure that they have healthcare, that they have jobs, that we don't cut Medicaid and the safety net programs that allow us to have hardworking Americans supporting their families.

#### AWARENESS FOR TYPE 1 DIABETES

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

Mr. REED. Mr. Speaker, I rise today to raise awareness for the issue of type 1 diabetes across America.

As co-chair of the Congressional Diabetes Caucus on the Republican side with my good friend, DIANA DEGETTE, on the Democratic side, this is an issue I care deeply about. We must work together to find ways to address this disease to improve the lives of families that are dealing with this each and every day.

Mr. Speaker, my family is one of these families. My son, Will, at 17 years of age, has been fighting this disease 24/7, 365 days a year since the age of 4.

This young girl, Kennedy, I had the honor to meet with and is representing

my district here in the congressional workshop being put on by Juvenile Diabetes Research Foundation. She showed me the scars on her fingers where she has to poke her fingers six to seven times a day, Mr. Speaker, to control her blood sugar and monitor it on a regular basis.

She is a true inspiration to all diabetics across the Nation and should be an inspiration to each and every one of us to tackle this disease in a way that will improve lives for generations to come.

#### APPRENTICESHIP GRANTS BUDGET CUT

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

Mr. COURTNEY. Mr. Speaker, last February, President Trump had CEOs from America's largest manufacturers to come and talk about progrowth tax policies. Instead of talking about taxes, what they really talked about is the real need out there, which is to close the skills gap in this country and get the job training out there so that people can get hired.

USA Today reported the next day with the headline: "U.S. factory CEOs to Trump: Jobs exist; skills don't." In the 2017 budget, the bipartisan budget, Congress listened, and we appropriated robust funding for apprenticeship programs, for youth job training programs, and for adult, older incumbent job training programs.

Incredibly, a few minutes ago, the partisan Republican budget cut apprenticeship grants to zero, from 95 million from last year to zero. Mr. Speaker, better skills means better wages and better jobs. We should be investing strongly in job training programs so that people will have a future for themselves and their families.

We should listen to the job creators in this country. We should listen to the people back home, and we should reject this Republican budget which incredibly turns the clock back so that we can fill the job openings that the Labor Department says now total almost 6 million jobs in this country. Close the skills gaps. Invest in job training.

#### HONORING C.J. AND DAVE DUNKLEE

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

Mrs. HARTZLER. Mr. Speaker, I rise today to recognize C.J. and Dave Dunklee, founders of The Healing Box Project. Mr. and Mrs. Dunklee are serving our Nation's veterans through providing guitar lessons at the Truman VA Hospital in Columbia, Missouri.

The Healing Box Project came to life at the Truman VA Hospital a couple of

years ago. C.J. and Dave provide guitars, picks, and lessons to disabled veterans in order to help them ease the wounds that so many of them are facing.

These weekly lessons provide an outlet for veterans to use the joy of music to heal their souls. Weekly, they provide these lessons for up to 50 veterans. C.J. and Dave provide the fundraising through their 501(c)(3) nonprofit to pay for the supplies and lessons needed to help this project succeed.

I am thankful for their efforts to provide services to our Nation's heroes who have so graciously given service to our great country.

Mr. Speaker, it is an honor to take this opportunity to recognize C.J. and Dave for their efforts on behalf of our Nation's veterans. I am blessed to represent them in Congress and wish them continued success with this very special project.

#### HONORING MARYAM MIRZAKHANI

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

Mr. MCNERNEY. Mr. Speaker, I rise today to honor the life and work of Maryam Mirzakhani. Maryam was born and raised in Iran where she was the first female on Iran's International Mathematical Olympiad team, winning gold medals in 1994 and 1995, and was the first Iranian woman elected to the National Academy of Sciences.

She moved to the United States to attend graduate school at Harvard University and became a 2004 research fellow of the Clay Mathematics Institute and a professor at Princeton University. In 2008, she became a professor at Stanford University. In 2014, Maryam was the first woman ever to be bestowed with the most prestigious mathematical award, the Fields Medal, for her outstanding contributions to the dynamics and geometry of Riemann surfaces and their moduli spaces.

The Fields Medals are awarded every 4 years to people aged 40 or younger. Maryam was an amazing mathematician, socially engaging, and involved in the local community. Maryam Mirzakhani died last week at the age of 40, a tragedy not only for her family and friends but for the additional beautiful mathematics she would have given the human race had she been blessed with a long career.

#### HONORING MONSIGNOR JOHN MCSWEENEY

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

Mr. PITTENGER. Mr. Speaker, I rise today in honor of Monsignor John



McSweeney, priest of Charlotte's St. Matthew Catholic Church, the largest Catholic parish in America, who retires this week after more than 40 years of ministry.

He was actually the first priest ordained in what was then the new Charlotte Diocese back in 1974. Monsignor McSweeney is committed to the principle of servant leadership and of helping each member of his parish find their special God-given role in life and in the church.

Despite his very public role, he often reminds folks that Jesus is the star of St. Matthew, not the priest. Monsignor McSweeney has another motto: "You never say no to Jesus."

And so, still listening to Jesus at age 75, Monsignor McSweeney is retiring from America's largest Catholic parish to move on to Haiti or Jamaica to live among the poor and minister to their needs.

May God bless Monsignor McSweeney in this next phase of ministry.

□ 1230

#### AFGHAN ALL-GIRLS ROBOTICS TEAM

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

Mrs. DAVIS of California. Mr. Speaker, I rise today to congratulate the all-girls robotics team from Afghanistan for taking home the silver medal at this weekend's FIRST Global Challenge.

I speak on behalf of my colleagues who travel on our annual bipartisan trip to Afghanistan when I say that these girls are the embodiment of our hopes and dreams for the future of their country. We have learned on our trips that nothing is more important for global security than the development of human capital, and what better example could there be than these remarkable girls.

I want to echo the sentiments of Afghanistan's First Lady and say to the girls, "Saar Bolan demoom kar deen," literally, "You make us hold our heads up high." We are proud of you.

Mr. Speaker, it is important to remember that, when these girls were born, women were not allowed to get an education in Afghanistan. Now, because of the bravery of these girls and the tireless efforts of their teachers, the rest of the world can now see how remarkable Afghan women truly are.

Congratulations on your remarkable achievement.

#### CHIEF JAMES CARMODY, WYOMING, MICHIGAN POLICE DEPARTMENT, MICHIGAN POLICE CHIEF OF THE YEAR

(Mr. HUIZENGA asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. HUIZENGA. Mr. Speaker, I rise today to congratulate a humble public servant and someone, frankly, I am proud to call a friend, Chief James Carmody of the Wyoming, Michigan, Police Department, who was recently named Michigan Police Chief of the Year.

Jim Carmody began his career in 1975 as a police officer in Port Huron, Michigan, where he rose to the rank of deputy chief. In 2006, Jim made the decision to join the Wyoming Police Department as chief and call west Michigan home.

Chief Carmody has led the charge to strengthen the relationship between police officers and the community that they serve, while providing the residents of Wyoming, Michigan, with top-notch law enforcement.

Chief Carmody's relentless commitment to public safety doesn't end there. He also chairs the Michigan Police Chiefs' Traffic Safety Committee and was recently appointed to serve on the Governor's Traffic Safety Commission.

Mr. Speaker, on behalf of the Second District of Michigan, I congratulate Chief Carmody on being named the top Michigan Police Chief for 2016. We thank him for his 42—and keep counting—years of service to Michigan and to our Nation.

#### CONGRATULATING VIRGIN ISLANDS WOMEN'S BASKETBALL TEAM, AND THANKING RAKEEM CHRISTMAS AND THE CHRISTIANSTED HILLSIDERS

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

Ms. PLASKETT. Mr. Speaker, I am happy to congratulate the Virgin Islands women's basketball team on winning the gold medal at the 2017 Centrobasket Championship and finishing the tournament with a 4-1 record. They beat out teams from Mexico, Central America, and the Caribbean.

I particularly want to congratulate Natalie Day, who was named MVP, with a tournament double-double average, 18.6 points and 11 rebounds per game.

Good luck to the Virgin Islands women's team at the FIBA Women's AmeriCup 2017 in Buenos Aires, Argentina. We are rooting for you.

I also want to congratulate another Virgin Islander, Rakeem Christmas, who, for the last 2 years, has played center for the NBA's Indiana Pacers.

I want to thank Rakeem for returning home to St. Croix repeatedly and hosting a series of youth events, and for opening a basketball court funded by his foundation for the Frederiksted

Boys and Girls Club. He and other athletes will coach basketball camps on St. Thomas and St. Croix this week, with the highlight of an all-star competition on St. Croix's Educational Complex.

Finally, to the Hillsiders, who host their annual picnic this weekend, thank you so much for continuing the tradition of the Hillsiders of Christiansted. I will be there to celebrate with you as we remember culture and family, united in pride and hope.

#### RIISING MEDICAL PREMIUMS

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

Mr. DUNCAN of Tennessee. Mr. Speaker, 2 days ago The Washington Times published a chart from the Department of Health and Human Services showing that medical premiums went up 116 percent last year in Arizona, 69 percent in Oklahoma, 63 percent in my home State of Tennessee, 59 percent in Minnesota, 58 percent in Alaska, and on and on and on.

President Obama promised, if we would pass his healthcare bill, that people could keep their plans, yet millions were forced onto ObamaCare because either their premiums went up too high or they lost their insurance altogether. He promised that the average family would save \$2,500 a year. It has been almost impossible to find any family that has saved that \$2,500.

ObamaCare has been great; great in making healthcare unaffordable for almost every family in America.

#### PROVIDING FOR CONSIDERATION OF H.R. 2910, PROMOTING INTER-AGENCY COORDINATION FOR REVIEW OF NATURAL GAS PIPELINES ACT; PROVIDING FOR CONSIDERATION OF H.R. 2883, PROMOTING CROSS-BORDER ENERGY INFRASTRUCTURE ACT; PROVIDING FOR CONSIDERATION OF H.R. 218, KING COVE ROAD LAND EXCHANGE ACT; AND FOR OTHER PURPOSES

Ms. CHENEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 454 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 454

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2910) to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived.

General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-28. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2883) to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-29. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report,

shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 218) to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-27. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part C of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 4. It shall be in order at any time on the legislative day of July 20, 2017, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV, relating to the bill (H.R. 2825) to amend the Homeland Security Act of 2002 to

make certain improvements in the laws administered by the Secretary of Homeland Security, and for other purposes.

SEC. 5. The Committee on Appropriations may, at any time before 5 p.m. on Friday, July 21, 2017, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2018.

The SPEAKER pro tempore (Mr. POE of Texas). The gentlewoman from Wyoming is recognized for 1 hour.

Ms. CHENEY. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

#### GENERAL LEAVE

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

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

Ms. CHENEY. Mr. Speaker, I rise in support of House Resolution 454, which provides a structured rule for the consideration of H.R. 2910, the Promoting Interagency Coordination for Review of Natural Gas Pipelines Act; H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act; and H.R. 218, the King Cove Road Land Exchange Act.

Mr. Speaker, our domestic energy industry has suffered greatly over the last 8 years under outdated regulations and burdensome bureaucratic red tape that have prohibited growth and innovation. Today's rule allows for consideration of two very important bills that will provide clear and transparent policies for our pipeline permitting processes, making them more efficient and effective so that we can fully realize the North American energy boom; create American jobs; grow our economy; and strengthen our relations with our largest energy trading partners, Canada and Mexico.

The first bill, H.R. 2910, the Promoting Interagency Coordination for Review of Natural Gas Pipelines Act, is sponsored by my colleague, Mr. FLORES of Texas.

□ 1245

This bill reinforces the Federal Energy Regulatory Commission's role as the lead agency for siting interstate natural gas pipelines by directing it to identify and invite all agencies considering an aspect of an application to establish a schedule for concurrent reviews, and to impose deadlines for final decisions.

Recent advancements in energy exploration have allowed companies to tap into previously inaccessible natural gas reserves, leading to a dramatic increase in domestic production. The increased supply has lowered energy costs and increased demand for natural gas.

As a result, current U.S. pipelines are now operating near capacity, making new pipelines necessary to deliver gas to consumers across the Nation, especially to those in the Northeast and Midwest, where demand for energy is high, but where they lack the infrastructure to deliver domestic natural gas. Additionally, due to its abundance and affordability, many manufacturers are beginning to rely on natural gas as a primary fuel.

Unfortunately, the permitting process for new pipelines is arduous and unnecessarily burdensome. Currently, when siting a pipeline project, multiple permits are required, including permits under the Clean Water Act, the Endangered Species Act, and the Clean Air Act, for example. According to the Government Accountability Office, the average processing time from pre-filing to certification for interstate natural gas pipelines has been 558 days. We cannot afford to wait that long, Mr. Speaker.

It is critical that we expand and modernize our Nation's pipeline infrastructure to ensure the access to affordable energy and affordable prices for consumers across the country. In order to do this, we simply must promote timely and efficient reviews as well as coordination among Federal, State, and local regulators. This bill accomplishes these goals, and I support its passage.

The rule we are discussing today also provides for consideration of H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act, sponsored by the gentleman from Oklahoma (Mr. MULLIN). This bill creates a uniform and transparent process to authorize the construction, connection, operation, and maintenance of international transfers of oil, natural gas, and electricity imports and exports.

The bill directs the Federal Energy Regulatory Commission to review cross-border oil and natural gas pipelines and the Department of Energy to review cross-border electric transmission facilities, requiring the relevant official to issue a certificate of crossing, unless it is found not to be in the public interest.

Recent advances in technology, Mr. Speaker, have dramatically increased our ability to harness our vast natural resources, but the current ad hoc permitting process has inhibited energy producers from exporting American-made energy to our international trading partners and has significantly delayed recent proposals, such as the Keystone XL pipeline.

The value of energy traded between the United States and its North American neighbors exceeded \$140 billion in 2015, with \$100 billion in U.S. energy imports, and over \$40 billion in exports. We simply cannot afford to gamble our energy security and competitiveness on an inefficient permitting process.

Today's rule, Mr. Speaker, also allows for consideration of H.R. 218, the

King Cove Road Land Exchange Act, sponsored by the gentleman from Alaska (Mr. YOUNG). This bill authorizes an equal value land exchange to facilitate the construction of an 11-mile road linking the remote city of King Cove and the city of Cold Bay, which has a modern airport. The State of Alaska will transfer approximately 43,000 acres to the Department of the Interior to add to the Izembek National Wildlife Refuge in return for 206 acres of Federal lands to build the road.

This road is critical, Mr. Speaker, because harsh winter conditions make transporting individuals in the remote King Cove community of nearly 1,000 people dangerous and sometimes fatal: gale-force winds ground planes and prevent sea travel; evacuations can take days; and the hovercraft terminal and medical facility that Congress temporarily provided funds for, in lieu of land for the road, ceased operation in 2010.

The King Cove community has been denied proper hospital care and access to essential emergency services since they began fighting for this road 40 years ago, and that, Mr. Speaker, is unacceptable.

Ensuring these folks have ground transportation options for accessing the regional hub at Cold Bay, especially during harsh winters, is vital to the safety of this community in emergency situations.

Therefore, Mr. Speaker, I encourage support for the rule for these important bills, and I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentlewoman from Wyoming for yielding me the customary 30 minutes.

Mr. Speaker, the legislation before us today would put some of our most sensitive lands at risk and limit the voices of experts, all to further construction of dangerous projects that could harm local communities.

First, H.R. 2883 undermines the National Environmental Policy Act and tips the scales in favor of massive, controversial oil and gas pipeline and electric transmission projects. Transboundary projects like this often travel for hundreds of miles, last for decades, and pass through sensitive and Native lands and important aquifers. And, as we all know, pipelines leak.

That is why there is currently a rigorous Federal review process that takes into account the impact of these projects on the environment and the communities along their route.

Today, in order to construct an oil pipeline, a natural gas pipeline, or an electrical transmission line that crosses the U.S. border with Canada or Mexico, a Presidential permit must first be obtained, as well as additional approvals from the Federal Energy Regulatory Commission—FERC—the Department of Energy, or the Depart-

ment of Defense, depending on the type of pipeline.

This review process helps us to understand the environmental impact of these projects and it allows communities and landowners along the route to weigh in with their concerns. All of this helps to keep communities safe from hazardous substances that, if spilled or ignited, could have catastrophic consequences. Yet the majority is proposing this measure to severely limit that rigorous review.

The bill effectively exempts these massive projects from environmental and safety review under the National Environmental Policy Act. It narrows the approval process and environmental review to just the "cross-border segment" of projects that physically cross the border with Canada or Mexico rather than, presently, the entire trans-boundary project. So inside the United States, anything goes.

Instead of requiring an agency to affirmatively find a project is in the public interest, the bill also places a burden of proof on the opponents of the project to show that it is not in the public interest. If that wasn't bad enough, the legislation would also give new life to the controversial projects that have already been denied, for very good reason, by allowing permits to be resubmitted under this sham process.

Second, H.R. 2910 would supercharge the natural gas pipeline approval process, putting private property rights in jeopardy and hindering important environmental reviews.

The bill gives the Federal Energy Regulatory Commission almost complete authority and severely limits the input of expert entities tasked with protecting the environment, our natural resources, and public health.

Mr. Speaker, I want to remind those watching today just how streamlined the natural gas pipeline approval process already is. The Federal Energy Regulatory Commission is basically a rubber-stamp entity. It almost never denies a pipeline project. On average, 88 percent of projects are approved within 1 year, and then we think about the consequences later.

In fact, FERC officials have testified that what is mostly slowing down the applications is that the applicants themselves fail to submit the necessary information to perform congressionally mandated project reviews. So this bill is a solution in search of a problem.

Third, H.R. 218 revives an ill-advised proposal to build a road to the Izembek National Wildlife Refuge and its world-class wetlands.

This proposal has been, as pointed out for a number of decades, rejected by multiple State and Federal agencies on numerous occasions over the past 30 years. It has been exhaustively studied time and time again, and, every single time, the results have been clear. The road is not the most viable option for

the residents of King Cove and would do irreparable damage to the refuge.

Yet the majority is ignoring three decades of expert analysis and public input in an effort to green light this damaging road through a congressionally designated wilderness area. More efficient and viable options exist, including the addition of a heliport and construction of a new airport, which we should be focusing on because a road is the wrong approach.

Mr. Speaker, we all know this, but I think we do need to be reminded from time to time that we are the stewards of our environment and this planet and the land only while we are alive. None of us ever really own it. We do, however, have an obligation to protect it, care for it, and make sure that it exists for future generations. These bills fail that test.

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

Ms. CHENEY. Mr. Speaker, I yield 5 minutes to the gentleman from Alaska (Mr. YOUNG), my friend and colleague, and the sponsor of H.R. 218.

Mr. YOUNG of Alaska. Mr. Speaker, I listened to people on the other side. This is a good rule. I want to compliment the Rules Committee.

It is crucially important to recognize that this is an issue that means lives: 19 people have died out of that community of King Cove—mothers, children, husbands, brothers, uncles, and aunts—because they didn't have a road.

We passed legislation similar to this in 2009 that granted a land exchange—and was a massive land exchange—of 43,000 acres for 260 acres from the State of Alaska to construct this road. I think that is a fair exchange for an 11-mile road—single lane, gravel covered—just so they have access to save lives.

Those who speak against it have never experienced the wind that howls through that area when you try to land a plane or take off, you have a sick person with you, and you crash. Or go across the bay when waves are 30 feet high, and the evacuation of those ill people to an area that is only 11 miles away on an unfinished road and they die. Human beings, Alaskan constituents, that have medical aid only 600 miles away and stopped by 11 miles that is not allowed because supposedly there is a better way. And there is no better way than a road in the weather condition I am speaking of.

When you think about it, I often listen to the other side of the aisle in voting against something like this, yet they will defend the right to save certain animals, but they don't want to save human life. That is wrong.

This is a good project. It should be built. I am hoping this body recognizes that lives are important and recognize the fact that this road doesn't disturb any of the wildlife. It is ironic that they will say it is going to disturb the

geese that live off of eelgrass. The closest road that comes to this one bay is 11 miles away—11 miles. And the same area as this wildlife range has miles of road in it already, miles of road already in place. One of those roads already in place goes right by the lagoon where the tourists go watch the geese.

Now, why can't a tourist go by an area and watch the geese and it doesn't disturb them, but if someone is sick, dying, in a bus, ambulance, car, or truck, that is going to disturb the geese?

This is a nonsense argument by environmental communities around this Nation that want to put a stop to anything that benefits mankind and save the wildlife, say from New York or San Francisco, and don't know what they are talking about.

□ 1300

My job is to protect my people. This is not going to cost the taxpayers a nickel. This is going to be a project that is well done, and it will not disturb the wildlife they are so-called trying to protect.

So I ask my colleagues on this floor to think about humanity. Think about that person, be it your mother, your daughter, your son, your aunt, your uncle, your brother, and you would want to see them die because they are trying to protect a goose?

Shame on you. Shame on those who vote against this bill, saying: This is more important—I live in New York or California. This goose is more important than human life.

I think it is time we use a little sense in this body, a little understanding. Let's build this road. Let's pass this bill.

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

If we defeat the previous question, I will offer an amendment to the rule to bring up Representative PASCRELL of New Jersey's Bring Jobs Home Act, H.R. 685. This bill will close the tax loophole that rewards companies from moving jobs overseas, while providing a tax credit to companies that move jobs back to the United States.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. MITCHELL). Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. PASCRELL) to discuss our proposal.

Mr. PASCRELL. Mr. Speaker, I thank the ranking member and spokesman for the other side.

Before I give my remarks, I don't think this is an either/or proposition,

Mr. Speaker. Some of the things that my friend from Alaska just talked about make sense. There is nothing more essential than life. But this is a bill that has been put in with other bills as well. So I rise in opposition to the rule, Mr. Speaker.

This week, the Ways and Means Subcommittee on Trade held our first hearing of the year, which was on NAFTA. You would think, from the President's rhetoric on trade, that many on the other side in Congress would be focused on creating good-paying, middle-class jobs and boosting our manufacturing base. You would think that. But, instead, we are here debating a bill, a number of bills, that are an assault on private property rights and the environment in the name of corporate profit and expediency.

Lo, what happened in 1923 that led to a change in our Tax Code when we tried to privatize public property and public resources. It was the biggest scandal of the 20th century.

Where are the jobs that were supposed to be coming back from overseas under this administration? Where are the higher middle class wages? Where are the policies coming from this Congress that support workers and their families?

The majority of Americans, Mr. Speaker, agree that keeping United States jobs from moving overseas should be a top priority. Yet, despite the empty promises made by this President, the flow of jobs overseas has not stopped by any barometer.

This administration has awarded government contracts to companies that continue to offshore our jobs. Think about that. Our tax money is still going to corporate America that sends jobs overseas to help those companies send jobs overseas. Now, if that makes any sense, I will listen to the rationale.

We don't stop companies from offshoring American jobs by holding rallies. We do it by making good policy, an exercise this administration and this majority-led Congress have refused to engage in. If they want to change that, they can start right now.

Under current law, when companies move overseas, we give them a tax break for the cost—a tax break. That is the law.

We need to stop offshoring now. The Congress can defeat the previous question and bring up the Bring Jobs Home Act. This bill eliminates this tax deduction and gives a tax credit of up to 20 percent of the cost to United States businesses that bring jobs back to the United States of America. The companies would have to add jobs to claim the credit.

I have also introduced legislation, the Jobs and Trade Competitiveness Act, that builds on the Bring Jobs Home Act and further strengthens enforcement against countries that cheat our trade laws.

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

Ms. SLAUGHTER. I yield an additional 2 minutes to the gentleman.

Mr. PASCRELL. I encourage my colleagues to look at it.

So let's stop subsidizing companies that ship jobs overseas and start bringing jobs back to our shores. It doesn't get much simpler than that, Mr. Speaker.

This is not a new idea. President Obama and Democrats in Congress have raised this bill for years. The Republican House has blocked our bill at every turn. Senator STABENOW of Michigan leads this bill in the Senate, where it cleared a procedural vote in 2014, 93-7.

President Trump has declared this week Made In America Week. I challenge you today to stop the small talk and put your money where your mouth is. Take up and pass this bill to stand up for American manufacturing and the workers here at home who need it.

I urge a "no" vote on the previous question so we can bring up the Bring Jobs Home Act and start bringing jobs back to the United States.

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

I share my colleague's dedication to job creation, and what we know is that the kind of job creation we need in this Nation can only come with access to reliable, affordable sources of energy. Our fossil fuels in this country are a national treasure, and these bills that are being considered under this rule today are bills that would help to streamline the regulatory process.

We have been, Mr. Speaker, really facing a war on fossil fuels during the course of the last 8 years. We have seen these industries targeted, completely unfairly targeted, based on some notion that, by shutting down our fossil fuel industry, we are somehow going to be able to continue to have economic growth. We have seen the environmental officials of the previous administration even admit before this body that things like the Clean Power Plan would result, if fully implemented, in a negligible impact on the environment.

So, again, I think that it is important to recognize that it is at the center of the agenda that we are pushing forward, frankly, with historic progress in this Congress to begin to generate the kind of economic growth that we really need to get back on track.

We have been stagnant now for 8 years. We have seen overreach from the Federal Government. We have seen a situation in which companies, industry, individuals, and small businesses are strangled by regulatory red tape.

No one is suggesting that there shouldn't be oversight. No one is suggesting that there shouldn't be environmental review, but what we know is we have got to streamline it.

We cannot be in a position where bureaucrats—and, frankly, it is often

unelected bureaucrats in Washington, D.C.—impose absolutely unattainable restrictions, impose rules that our industry can't meet and prevent us from being able to have access to our own energy sources. Again, it is that reliable, affordable energy that will allow our economy to grow and bring back the jobs that the gentleman says, and to which I agree, are so important for this Nation.

Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. WILLIAMS).

Mr. WILLIAMS. Mr. Speaker, I would like to take this time to speak on behalf of H.R. 2910, Promoting Interagency Coordination for Review of Natural Gas Pipelines Act, and the potential impact it could have on our Nation.

Right now, the Federal Energy Regulatory Commission, or FERC, is the lead agency for coordinating required reviews and authorizations for interstate natural gas pipelines. In order to start a pipeline project, you need multiple permits from a variety of platforms as well as coordination from Federal, State, and local governments.

As history has shown us time and time again, a multistep approval process just does not work. Mixing three different levels of government has and always will be a recipe for total disaster. It makes for unnecessary delays that are caused by too many cooks in the kitchen.

I fully support my friend and colleague Representative BILL FLORES' bill that will promote more timely and efficient reviews. We need to strengthen FERC's lead agency role that it was designed to create accountability and transparency.

Overall, this bill will encourage more timely and efficient reviews and keep energy prices affordable for all Americans. Mr. Speaker, I urge all my colleagues to support this rule and the underlying bill.

In God we trust.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, I thank the gentlewoman for yielding.

I rise in opposition to the rule and urge my colleagues to defeat the previous question so that we can take up the legislation that has just been outlined by Mr. PASCRELL.

There is no more responsibility that we have than creating good-paying jobs for the American people; and this is, after all, according to President Trump, "Make It in America" Week, which, in fact, is a centerpiece of the Democratic agenda. We have a number of bills that are designed to help reinvigorate and strengthen American manufacturing.

It is shocking for the American people to learn that we have a Tax Code, as Mr. PASCRELL outlined, that gives a tax break to companies that ship

American jobs overseas, exactly the opposite of what it should be if we are really concerned about creating good-paying jobs here in our own country. So defeating the previous question means we could take up the stop offshoring now legislation, which would get rid of this nonsensical provision in our Tax Code.

When you go out there and talk to constituents, you say: One of the reasons we can't keep good manufacturing jobs here in America is because we incentivize, we use some of your tax dollars to incentivize companies to ship those jobs overseas. It makes no sense.

So how about, during "Make It in America" Week, rather than just using that phrase, as the President has done, let's do something that will actually help promote making things in this country—I know, probably a challenging concept for the President, who does his manufacturing overseas, not in the United States.

Let's take a bold step today. Remove that provision of the Tax Code, and have a Tax Code provision that actually incentivizes creating jobs in our own country and giving tax credits to companies that create jobs in America. What a novel idea.

I urge my colleagues to defeat the previous question so that we can take this piece of legislation up, and perhaps it will then encourage my colleagues on the other side of the aisle to move forward on a number of bills that are part of the Democratic Make It in America agenda to help rebuild American manufacturing and put people back to work in good-paying jobs.

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

I understand that my colleagues on the other side of the aisle don't want to talk about energy. They don't want to talk about fossil fuels. They don't want to talk about how important these are to the economy.

I would propose, Mr. Speaker, maybe what we should do is turn out the lights in this Chamber. Maybe we ought to turn off the air conditioning, Mr. Speaker, and we could have the debate in the dark, which is where we would be, frankly, if we followed the energy policies in the approach of our colleagues on the other side of the aisle.

These bills are hugely important, Mr. Speaker, to ensure that we are able to continue to get access to the energy that we need; and it is crucially important that we not skip over the burden that has been caused by the Federal Government, by the regulatory burden we have been feeling, and that we take action, as is our responsibility, to begin to help to roll back that overreach, to begin to help to provide some relief so that we can, in fact, get the jobs back that our colleagues say they desire so much and that we know we need.

Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I am privileged to be recognized by the gentlewoman from Wyoming, and I rise in support of this combined rule that we have here.

I thought it was important that I speak to some of the provisions that are in the underlying bill and also the provisions that are not in the underlying bill.

□ 1315

I would characterize this rule, that is the rule for the reauthorization of the Department of Homeland Security—it is actually the authorization. It has never been authorized in that fashion before—the authorization of Homeland Security after 15 years. I think that it does a lot of good things in that it lays out a definition and frames the duties of the Department of Homeland Security broadly and pretty closely in their entirety.

There are some things that are missing from this that I would like to have plugged into this reauthorization language. However, I believe the goal was, all along, to draft a piece of reauthorization language that would be, I will say, compatible to both sides of the aisle and without particular dissent.

Therefore, we have a piece of legislation that isn't as impactful as I would like, and yet it is here on the floor under suspension with the idea that we can move this along and frame the Department of Homeland Security's duties in the fashion that is here.

I don't object to the provisions that are in the authorization language that exists, but I would point out that it sets the stage, and now there is an agreement that has been reached through a number of entities, including the White House, the DOJ, the DHS, and I understand from our leadership and others, that soon there will be the piece of legislation that we refer to as Davis-Oliver.

In Davis-Oliver, we actually have the enforcement provisions that are necessary to restore the respect for the rule of law, and especially the domestic enforcement of our immigration laws.

We are setting the stage for that and clearing the path for that with this rule on the legislation that will pass, I believe, under suspension.

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

Ms. CHENEY. I yield an additional 1 minute to the gentleman.

Mr. KING of Iowa. The provisions that are necessary that I would point out to the body, Mr. Speaker, are this:

The number one most important is this: We only have 5,000 ICE agents for 50 States and territories. They are spread so thin they can't possibly enforce immigration law. We need that number tripled. That is 10,000 ICE agents. That is the most important

component of this to have the officers to bring that enforcement.

Second thing is we need to make sure that the ICE detainer language is there and in Davis-Oliver. That is something that had been neutralized by an action of the Obama administration, and they need to be certain that they have the full authority to carry firearms.

Mr. Speaker, I make these points so that the body can anticipate what is coming down the pike. I intend to support the rule and the underlying bills, and I intend to be here on the floor advocating all of the components of Davis-Oliver, also including the components I have articulated here today.

Mr. Speaker, I appreciate the opportunity to address the House.

Ms. SLAUGHTER. Mr. Speaker, the American people may be scratching their heads wondering why, with everything going on in the world, we are prioritizing bills that put our environment at risk—bills the Senate may never take up.

Let me remind them that the majority is just doing the bidding of an administration that has shown a complete disregard for air, water, and land. The administration has already proposed a budget that would slash the Environmental Protection Agency by 32 percent. This would harm not only conservation and climate efforts, but thousands of jobs nationwide.

As a microbiologist, I know firsthand the importance of science in our legislative process, yet the majority has refused to give science and facts their rightful place in policy debates that we have.

From drastically reducing funding for the Environmental Protection Agency, and by discrediting climate change, to attempting to eliminate safeguards for our genetic privacy, the majority and this administration have worked hand in hand to ruthlessly roll back the scientific advancements that we have made.

It is shameful that we are here today considering bills that would silence experts and risk the health and safety of our communities.

Mr. Speaker, I urge a "no" vote on the previous question on the rule and the bills, and I yield back the balance of my time.

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

I am proud to be here, and I am proud of the agenda that we have taken up under the Republican leadership in this Congress. We are indeed doing the important work that the people sent us here to do.

So far, just a list of some of the things that we have done in the first few months of this Congress: We have taken the first step in our obligation to repeal and replace ObamaCare, a system that is absolutely failing, that is causing rising premiums. It is causing people to lose their insurance all across

the Nation, a system that will collapse if we don't fix it. We, the House Republicans, have taken important steps in order to begin the repeal and replace process of ObamaCare.

Also, Mr. Speaker, we have passed a bill to repeal and replace Dodd-Frank, legislation that was strangling our local community banks across the country. We have taken a step to begin to fix that and provide relief.

We have also dealt with important immigration issues and taken important action in terms of passing legislation to end human trafficking.

I am very proud, as a member of the Armed Services Committee, of the work that we have done to pass the National Defense Authorization Act to begin to rebuild our military and get the military the resources it needs so that it can defend us against a growing array of threats and a very complex array of enemies across the Nation.

We have also, Mr. Speaker, taken important steps using the congressional review action process to repeal regulations put in place over the last 8 years that have been damaging to our industry, to individuals, to small businesses all across the Nation.

We have been historically productive, and it may be that our colleagues on the other side of the aisle don't agree with the steps that we have taken, but it is simply not accurate to say we aren't focusing on what is important. We are focusing on those issues that matter most to the men and women across this Nation that will begin to make sure we can keep everybody safe, begin to make sure we can defend ourselves, begin the process of reforming our outdated and burdensome tax code, as well, Mr. Speaker, as ensuring we bring back the kind of economic growth we know we need and fixing our healthcare system.

These bills that we are debating today, the rule for these bills, are part of that process. I want to thank my colleagues, Mr. FLORES, Mr. MULLIN, and Mr. YOUNG, for their hard work on this legislation.

In Wyoming, which is one of our Nation's largest energy-producing States, we know how important it is that we work to develop our domestic energy resources. We know the technology that has been available that has helped us do that, that has helped us begin to, for the first time ever, have energy independence that has really helped us begin to have the kind of economic growth we need.

We cannot depend just on that technology. We also have got to improve the permitting process, Mr. Speaker. Improving the pipeline permitting process by promoting the kind of timely review, supporting interagency coordination, and creating a new and streamlined system for safety that will help us to transport our energy exports and imports are all crucial steps in our



ability to ensure affordable energy and economic growth.

The other bill that we are considering under this rule, Mr. Speaker, H.R. 218, will provide a desperately needed road, as you heard my colleague Mr. YOUNG explain, to improve the safety and well-being of the residents of King Cove, Alaska, and save lives, Mr. Speaker.

Therefore, I urge adoption of both the rule and the underlying bills.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 454 OFFERED BY  
MS. SLAUGHTER

At the end of the resolution, add the following new sections:

SEC. 6. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 685) to amend the Internal Revenue Code of 1986 to encourage domestic insourcing and discourage foreign outsourcing. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 7. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 685.

THE VOTE ON THE PREVIOUS QUESTION: WHAT  
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated

the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

The SPEAKER pro tempore (Mr. MITCHELL). The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

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

RAISING A QUESTION OF THE  
PRIVILEGES OF THE HOUSE

Mr. CICILLINE. Mr. Speaker, I rise to a question of the privileges of the House and offer the resolution that was previously noticed.

The SPEAKER pro tempore (Mr. COLLINS of Georgia). The Clerk will report the resolution.

The Clerk read as follows:

Expressing the sense of the House of Representatives that the President shall immediately disclose his tax return information to the House of Representatives and the American people.

Whereas, according to the Tax History Project, every President since Gerald Ford has disclosed his tax return information to the public;

Whereas, the chairmen of the Committee on Ways and Means, Joint Committee on Taxation, and the Committee on Finance have the authority to request the President's tax returns under section 6103 of the Internal Revenue Code of 1986;

Whereas, pursuant to Article I, section 7, clause 1 of the Constitution, often referred to as the Origination Clause, the House of Representatives has the sole authority to initiate legislation that raises revenue for the national government, and the Committee on Ways and Means is considering a comprehensive reform of the Tax Code;

Whereas, President Donald J. Trump holds interests as the sole or principal owner in approximately 500 separate business entities, and the President's tax plan proposes to cut the corporate tax from 35 percent to 15 percent, applicable to many of these entities;

Whereas, against the advice of ethics attorneys and the nonpartisan Office of Government Ethics, the President has refused to divest his ownership stake in his businesses, has instead placed his assets in a trust which is run by his adult children, and the President can withdraw profits from his trust at any time of his choosing from any of the companies he owns;

Whereas, the Director of the Office of Government Ethics, Walter Shaub, resigned on July 6, 2017, stating that "There isn't much more I could accomplish at the Office of Government Ethics, given the current situation. O.G.E.'s recent experiences have made it clear that the ethics program needs to be strengthened";

Whereas, according to media reports analyzing President Trump's leaked 2005 tax return, had his own tax plan been in place, he would have paid an estimated 3.48 percent rate instead of a 24 percent rate, saving him \$31.3 million in that year alone;

Whereas, without access to the President's tax returns, the American people cannot determine how much he will personally benefit from proposed changes to the Tax Code or from policy decisions he makes, nor can the American people fully understand the financial interests and motivations of the President;

Whereas, in June 2017, President Trump filed an updated financial disclosure with the Office of Government Ethics which showed that the President reported \$37.2 million income from the Mar-a-Lago resort between January 2016 and April 2017 where he hosted the President of China and from where he ordered missile strikes against Syria;

Whereas, during the same time period, President Trump reported \$288 million in income from all his golf courses, including \$19.7 million from his course in Bedminster, New Jersey;

Whereas, over the weekend of July 14, President Trump sent out eight tweets promoting the U.S. Women's Open Golf Tournament which took place at his Bedminster club;

Whereas, Mar-a-Lago doubled its new member fees to \$200,000 immediately following the 2016 election, and President



Trump personally benefits from such new member fees;

Whereas, disclosure of the President's tax returns would help those investigating Russian interference in the 2016 election and assist them in better understanding the President's financial ties to the Russian Federation, Russian businesses, and Russian individuals;

Whereas, in 2013, President Trump said, "Well, I've done a lot of business with the Russians. They're smart and they're tough," and President Trump's son, Donald Trump, Jr., told a news outlet in 2008 that "Russians make up a pretty disproportionate cross-section of a lot of our assets";

Whereas, President Trump fired Federal Bureau of Investigation Director James Comey, who was overseeing an investigation into ties and any collusion between the Russian Government and President Trump's campaign;

Whereas, former Director Comey testified before the Senate Intelligence Committee that President Trump asked him to "let go" of an investigation into former National Security Advisor Michael Flynn's business ties to Russia;

Whereas, President Trump stated on May 11, 2017, that he had decided that he was going to fire Comey because of "this Russia thing";

Whereas, at the G-20 Hamburg summit on July 7, 2017, President Trump took a more than 2 hour closed-door meeting with President Vladimir Putin, after which he claimed that he "strongly pressed" President Putin on Russian interference in U.S. elections and that it is "time to move forward";

Whereas, on June 9, 2016, then-Candidate Trump's son, Donald Trump, Jr., then-Trump campaign chairman Paul Manafort, and Trump son-in-law and current White House adviser Jared Kushner met with a person described as "a Russian government attorney," and a former Russian military intelligence officer who promised to offer incriminating information about Hillary Clinton which had been collected as part of a Russian Government effort to assist President Trump in his campaign for President;

Whereas, the Committee on Ways and Means has in the past used the authority under section 6103 of the Internal Revenue Code of 1986 in 2014 to make public the confidential tax information of 51 taxpayers;

Whereas, the Committee on Ways and Means has now voted three times along party lines to continue to conceal President Trump's tax returns;

Whereas, the House of Representatives has now refused ten times to act on President Trump's tax returns;

Whereas, the Committee on the Judiciary has failed to conduct even basic oversight on the connections between the Russian Government and the Trump campaign;

Whereas, the Committee on the Judiciary has now voted twice along party lines to decline to request documents detailing the Trump administration's ties with Russian officials;

Whereas, the House of Representatives undermines its dignity and the integrity of its proceedings by continuing the cover-up of President Trump's tax returns: Now, therefore, be it

*Resolved*, That the House of Representatives shall—

1. Immediately request the tax return and return information of Donald J. Trump for tax years 2006 through 2015, as provided under section 6103 of the Internal Revenue Code of 1986, as well as the tax return, and

return information with respect to the President's businesses, of each business entity disclosed by Donald J. Trump on his Office of Government Ethics Form 278e, specifically each corporation and each partnership, within the meaning of subchapter K of chapter 1 of the Internal Revenue Code of 1986, where he is listed as an officer, director, or equivalent, or exercises working control; and

2. Postpone consideration of tax reform legislation until the elected Representatives of the American people in this House have obtained President Trump's tax returns and return information to ascertain how any changes to the Tax Code might financially benefit the President.

□ 1330

The SPEAKER pro tempore. Does the gentleman from Rhode Island wish to present argument on the parliamentary question of whether the resolution presents a question of the privileges of the House?

Mr. CICILLINE. Yes.

The SPEAKER pro tempore. The gentleman is recognized on the question of order.

Mr. CICILLINE. Mr. Speaker, this resolution raises the question of the privilege of the House pursuant to rule IX, clause 1, as it affects, "the rights of the House collectively, its dignity, and the integrity of its proceedings," insofar as it raises the House's failure to undertake its constitutional responsibility of oversight and the obligation of all elected officials to ensure decisions are made free of conflicts and with the public interest in mind.

In particular, matters related to the House's constitutionally granted powers have been recognized as valid questions of the privileges of the House. The Origination Clause that requires that revenue bills originate in the House includes the issues related to revenues generated by our Tax Code.

Clearly, the issues raised by this resolution cover these matters contemplated by the Origination Clause. There is nothing more of a threat to the integrity of the House than ignoring our duty to provide a check and balance to the executive branch.

To restore the dignity of the House, we must use our authority to request President Trump's tax returns and give the American people the transparency they deserve.

The stunning conflicts of interest are piling up as the President, his family, and his friends profit in their personal business endeavors while serving in public office. President Trump has not divested himself from his businesses as was recommended.

The SPEAKER pro tempore. The gentleman's remarks must be confined to the question of order.

Mr. CICILLINE. I understand, Mr. Speaker. My point is, in order to rule on this, it is important for the Chair to understand that the severity of the questions with respect to the integrity of our proceedings are undermined because of the potential conflicts of in-

terest and the lack of information about the tax returns and related materials of the President.

So you can't make an argument about the rights of the House collectively, its dignity, and the integrity of the proceedings without understanding the presence, the evidence of the conflicts of interest, of the potential foreign entanglements, of the self-dealing that tax returns would reveal and help illuminate.

You also can't protect the integrity of our responsibilities as a check on the executive branch without understanding that we have a responsibility to examine these financial interactions, the influence of the Russians, and interfering with our elections, the firing of Director Comey, the secret meetings between the President's campaign.

The SPEAKER pro tempore. The gentleman is again reminded to keep his remarks confined to the question of order.

Mr. CICILLINE. Mr. Speaker, I understand the ruling of the Chair with respect to confining my remarks. These remarks, in fact, relate directly to whether or not this resolution, which seeks the production of the President's tax returns, relate to "the rights of the House collectively, its dignity, and the integrity of the proceedings."

What I am suggesting, Mr. Speaker, is that in order for the House to fulfill its responsibilities, its constitutional responsibilities of oversight, and check and balance on the executive branch and to faithfully honor our responsibilities under the Origination Clause that says the House is the place that revenue generation must begin—and we are contemplating a reform of the Tax Code—in order to do that, free from the potential conflicts of interest, the House and the American people have a right to know what are the real interests of President Trump, where are his investments, what are the tax policies, will they benefit him, or will they benefit the American people.

The SPEAKER pro tempore. The Chair reminds the gentleman to confine his remarks to the question of order. The Chair is prepared to rule.

The gentleman from Rhode Island seeks to offer a resolution as a question of the privileges of the House under rule IX.

In evaluating the resolution under rule IX, the Chair must determine whether the resolution affects "the rights of the House collectively, its safety, dignity, and the integrity of its proceedings."

The first resolving clause of the resolution offered by the gentleman from Rhode Island seeks tax returns and tax return information of the President and certain of his business entities.

Section 702 of the House Rules and Manual states that "rule IX is concerned not with the privileges of the

Congress, as a legislative branch, but only with the privileges of the House, as a House.”

As the Chair most recently ruled on June 21, 2017, a resolution offered under rule IX seeking information from actors entirely extramural to the House—such as the President and certain business entities in which the President may be involved—is not uniquely concerned with the privileges of the House, as a House.

Accordingly, the resolution offered by the gentleman from Rhode Island does not constitute a question of privilege under rule IX.

Mr. CICILLINE. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

#### MOTION TO TABLE

Ms. CHENEY. Mr. Speaker, I have a motion at the desk.

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

The Clerk read as follows:

Ms. Cheney moves that the appeal be laid on the table.

The SPEAKER pro tempore. The question is on the motion to table.

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

Mr. CICILLINE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to table will be followed by 5-minute votes on:

Ordering the previous question on House Resolution 454;

Adopting House Resolution 454, if ordered; and

Agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 235, nays 190, answered “present” 1, not voting 7, as follows:

[Roll No. 392]

#### YEAS—235

|             |               |               |
|-------------|---------------|---------------|
| Abraham     | Brooks (IN)   | Davidson      |
| Aderholt    | Buchanan      | Davis, Rodney |
| Allen       | Buck          | Denham        |
| Amash       | Bucshon       | Dent          |
| Amodei      | Budd          | DeSantis      |
| Arrington   | Burgess       | DesJarlais    |
| Babin       | Byrne         | Diaz-Balart   |
| Bacon       | Calvert       | Donovan       |
| Banks (IN)  | Carter (GA)   | Duffy         |
| Barletta    | Carter (TX)   | Duncan (SC)   |
| Barr        | Chabot        | Duncan (TN)   |
| Barton      | Cheney        | Dunn          |
| Bergman     | Coffman       | Emmer         |
| Biggs       | Cole          | Estes (KS)    |
| Bilirakis   | Collins (GA)  | Farenthold    |
| Bishop (MI) | Collins (NY)  | Faso          |
| Bishop (UT) | Comer         | Ferguson      |
| Black       | Comstock      | Fitzpatrick   |
| Blackburn   | Conaway       | Fleischmann   |
| Blum        | Cook          | Flores        |
| Bost        | Costello (PA) | Fortenberry   |
| Brady (TX)  | Cramer        | Foxx          |
| Brat        | Crawford      | Franks (AZ)   |
| Bridenstine | Culberson     | Frelinghuysen |
| Brooks (AL) | Curbelo (FL)  | Gaetz         |

|                 |                   |               |
|-----------------|-------------------|---------------|
| Gallagher       | Loudermilk        | Roskam        |
| Garrett         | Love              | Ross          |
| Gianforte       | Lucas             | Rothfus       |
| Gibbs           | Luetkemeyer       | Rouzer        |
| Gohmert         | MacArthur         | Royce (CA)    |
| Goodlatte       | Marchant          | Russell       |
| Gosar           | Marino            | Rutherford    |
| Gowdy           | Marshall          | Schweikert    |
| Granger         | Massie            | Scott, Austin |
| Graves (GA)     | Mast              | Sensenbrenner |
| Graves (LA)     | McCarthy          | Sessions      |
| Graves (MO)     | McCaul            | Shimkus       |
| Griffith        | McClintock        | Shuster       |
| Grothman        | McHenry           | Simpson       |
| Guthrie         | McKinley          | Smith (MO)    |
| Handel          | McMorris          | Smith (NE)    |
| Harper          | Morris            | Smith (NJ)    |
| Harris          | McSally           | Smith (TX)    |
| Hartzler        | Meadows           | Smucker       |
| Hensarling      | Meehan            | Stefanik      |
| Herrera Beutler | Messer            | Stewart       |
| Hice, Jody B.   | Mitchell          | Stivers       |
| Higgins (LA)    | Moolenaar         | Taylor        |
| Hill            | Mooney (WV)       | Tenney        |
| Holding         | Mullin            | Thompson (PA) |
| Hollingsworth   | Murphy (PA)       | Thornberry    |
| Hudson          | Newhouse          | Tiberi        |
| Huizenga        | Noem              | Tipton        |
| Hultgren        | Norman            | Trott         |
| Hunter          | Nunes             | Turner        |
| Hurd            | Olson             | Upton         |
| Issa            | Palazzo           | Valadao       |
| Jenkins (KS)    | Palmer            | Wagner        |
| Jenkins (WV)    | Paulsen           | Walberg       |
| Johnson (LA)    | Pearce            | Walden        |
| Johnson (OH)    | Perry             | Walker        |
| Johnson, Sam    | Pittenger         | Walorski      |
| Jordan          | Poe (TX)          | Walters, Mimi |
| Joyce (OH)      | Poliquin          | Weber (TX)    |
| Katko           | Posey             | Webster (FL)  |
| Kelly (MS)      | Ratcliffe         | Wenstrup      |
| Kelly (PA)      | Reed              | Westerman     |
| King (IA)       | Reichert          | Williams      |
| King (NY)       | Renacci           | Wilson (SC)   |
| Kinzinger       | Rice (SC)         | Wittman       |
| Knight          | Roby              | Womack        |
| Kustoff (TN)    | Roe (TN)          | Woodall       |
| LaHood          | Rogers (AL)       | Yoder         |
| LaMalfa         | Rogers (KY)       | Yoho          |
| Lamborn         | Rohrabacher       | Young (AK)    |
| Lance           | Rokita            | Young (IA)    |
| Latta           | Rooney, Francis   | Zeldin        |
| Lewis (MN)      | Rooney, Thomas J. |               |
| LoBiondo        | Ros-Lehtinen      |               |
| Long            |                   |               |

#### NAYS—190

|                   |                   |                   |
|-------------------|-------------------|-------------------|
| Adams             | Courtney          | Heck              |
| Aguilar           | Crist             | Higgins (NY)      |
| Barragán          | Crowley           | Himes             |
| Bass              | Cuellar           | Hoyer             |
| Beatty            | Davis (CA)        | Jackson Lee       |
| Bera              | Davis, Danny      | Jayapal           |
| Beyer             | DeFazio           | Jeffries          |
| Bishop (GA)       | DeGette           | Johnson (GA)      |
| Blumenauer        | Delaney           | Johnson, E. B.    |
| Blunt Rochester   | DeLauro           | Jones             |
| Bonamici          | DeBene            | Kaptur            |
| Boyle, Brendan F. | Demings           | Keating           |
| Brady (PA)        | DeSaulnier        | Kelly (IL)        |
| Brown (MD)        | Deutch            | Kennedy           |
| Brownley (CA)     | Dingell           | Khanna            |
| Bustos            | Doggett           | Kihuen            |
| Butterfield       | Doyle, Michael F. | Kildee            |
| Capuano           | Ellison           | Kilmer            |
| Carbajal          | Engel             | Kind              |
| Cardenas          | Eshoo             | Krishnamoorthi    |
| Carson (IN)       | Espallat          | Kuster (NH)       |
| Cartwright        | Esty (CT)         | Langevin          |
| Castor (FL)       | Evans             | Larsen (WA)       |
| Castro (TX)       | Foster            | Larson (CT)       |
| Chu, Judy         | Frankel (FL)      | Lawrence          |
| Cicilline         | Fudge             | Lawson (FL)       |
| Clark (MA)        | Gabbard           | Lee               |
| Clarke (NY)       | Gallego           | Levin             |
| Clay              | Garamendi         | Lewis (GA)        |
| Cleaver           | Gonzalez (TX)     | Lieu, Ted         |
| Clyburn           | Gottheimer        | Lipinski          |
| Cook              | Green, Al         | Loeback           |
| Connolly          | Green, Gene       | Lofgren           |
| Conyers           | Grijalva          | Lowenthal         |
| Cooper            | Gutiérrez         | Lowe              |
| Correa            | Hanabusa          | Lujan Grisham, M. |
| Costa             | Hastings          | Luján, Ben Ray    |

|               |               |                |
|---------------|---------------|----------------|
| Lynch         | Pingree       | Sires          |
| Maloney       | Pocan         | Slaughter      |
| Carolyn B.    | Polis         | Smith (WA)     |
| Maloney, Sean | Price (NC)    | Soto           |
| Matsui        | Quigley       | Speier         |
| McCollum      | Raskin        | Suozi          |
| McGovern      | Rice (NY)     | Swalwell (CA)  |
| McNerney      | Richmond      | Takano         |
| Meeks         | Rosen         | Thompson (CA)  |
| Meng          | Roybal-Allard | Thompson (MS)  |
| Moore         | Ruiz          | Titus          |
| Moulton       | Ruppersberger | Tonko          |
| Murphy (FL)   | Rush          | Torres         |
| Nadler        | Ryan (OH)     | Tsongas        |
| Neal          | Sánchez       | Vargas         |
| Nolan         | Sarbanes      | Veasey         |
| Norcross      | Schakowsky    | Vela           |
| O'Halleran    | Schiff        | Velázquez      |
| O'Rourke      | Schneider     | Visclosky      |
| Pallone       | Schrader      | Walz           |
| Panetta       | Scott (VA)    | Wasserman      |
| Pascarella    | Scott, David  | Schultz        |
| Payne         | Serrano       | Waters, Maxine |
| Pelosi        | Sewell (AL)   | Watson Coleman |
| Perlmutter    | Shea-Porter   | Welch          |
| Peters        | Sherman       | Wilson (FL)    |
| Peterson      | Sinema        | Yarmuth        |

ANSWERED “PRESENT”—1

Sanford

#### NOT VOTING—7

|          |            |         |
|----------|------------|---------|
| Cummings | Labrador   | Scalise |
| Gomez    | McEachin   |         |
| Huffman  | Napolitano |         |

□ 1401

Ms. KAPTUR, Messrs. WELCH and PETERSON changed their vote from “yea” to “nay.”

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**PROVIDING FOR CONSIDERATION OF H.R. 2910, PROMOTING INTER-AGENCY COORDINATION FOR REVIEW OF NATURAL GAS PIPELINES ACT; PROVIDING FOR CONSIDERATION OF H.R. 2883, PROMOTING CROSS-BORDER ENERGY INFRASTRUCTURE ACT; PROVIDING FOR CONSIDERATION OF H.R. 218, KING COVE ROAD LAND EXCHANGE ACT; AND FOR OTHER PURPOSES**

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 454) providing for consideration of the bill (H.R. 2910) to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes; providing for consideration of the bill (H.R. 2883) to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity; providing for consideration of the bill (H.R. 218) to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay; and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 236, nays 192, not voting 5, as follows:

[Roll No. 393]

YEAS—236

|               |                 |                   |
|---------------|-----------------|-------------------|
| Abraham       | Goodlatte       | Olson             |
| Aderholt      | Gosar           | Palazzo           |
| Allen         | Gowdy           | Palmer            |
| Amash         | Granger         | Paulsen           |
| Amodei        | Graves (GA)     | Pearce            |
| Arrington     | Graves (LA)     | Perry             |
| Babin         | Graves (MO)     | Pittenger         |
| Bacon         | Griffith        | Poe (TX)          |
| Banks (IN)    | Grothman        | Poliquin          |
| Barletta      | Guthrie         | Posey             |
| Barr          | Handel          | Ratcliffe         |
| Barton        | Harper          | Reed              |
| Bergman       | Harris          | Reichert          |
| Biggs         | Hartzler        | Renacci           |
| Bilirakis     | Hensarling      | Rice (SC)         |
| Bishop (MI)   | Herrera Beutler | Roby              |
| Bishop (UT)   | Hice, Jody B.   | Roe (TN)          |
| Black         | Higgins (LA)    | Rogers (AL)       |
| Blackburn     | Hill            | Rogers (KY)       |
| Blum          | Holding         | Rohrabacher       |
| Bost          | Hollingsworth   | Rokita            |
| Brady (TX)    | Hudson          | Rooney, Francis   |
| Brat          | Huizenga        | Rooney, Thomas J. |
| Bridenstine   | Hultgren        | Ros-Lehtinen      |
| Brooks (AL)   | Hunter          | Roskam            |
| Brooks (IN)   | Hurd            | Ross              |
| Buchanan      | Issa            | Rothfus           |
| Buck          | Jenkins (KS)    | Rouzer            |
| Bucshon       | Jenkins (WV)    | Royce (CA)        |
| Budd          | Johnson (LA)    | Russell           |
| Burgess       | Johnson (OH)    | Rutherford        |
| Byrne         | Johnson, Sam    | Sanford           |
| Calvert       | Jordan          | Schweikert        |
| Carter (GA)   | Joyce (OH)      | Scott, Austin     |
| Carter (TX)   | Katko           | Sensenbrenner     |
| Chabot        | Kelly (MS)      | Sessions          |
| Cheney        | Kelly (PA)      | Shimkus           |
| Coffman       | King (IA)       | Shuster           |
| Cole          | King (NY)       | Simpson           |
| Collins (GA)  | Kinzinger       | Smith (MO)        |
| Collins (NY)  | Knight          | Smith (NE)        |
| Comer         | Kustoff (TN)    | Smith (NJ)        |
| Comstock      | LaHood          | Smith (TX)        |
| Conaway       | LaMalfa         | Smucker           |
| Cook          | Lamborn         | Stefanik          |
| Costello (PA) | Lance           | Stewart           |
| Cramer        | Latta           | Stivers           |
| Crawford      | Lewis (MN)      | Taylor            |
| Culberson     | LoBiondo        | Tenney            |
| Curbelo (FL)  | Long            | Thompson (PA)     |
| Davidson      | Loudermilk      | Thornberry        |
| Davis, Rodney | Love            | Tiberi            |
| Denham        | Lucas           | Tipton            |
| Dent          | Luetkemeyer     | Trott             |
| DeSantis      | MacArthur       | Turner            |
| DesJarlais    | Marchant        | Upton             |
| Diaz-Balart   | Marino          | Valadao           |
| Donovan       | Marshall        | Wagner            |
| Duffy         | Massie          | Walberg           |
| Duncan (SC)   | Mast            | Walden            |
| Duncan (TN)   | McCarthy        | Walker            |
| Dunn          | McCaul          | Walorski          |
| Emmer         | McClintock      | Walters, Mimi     |
| Estes (KS)    | McHenry         | Weber (TX)        |
| Farenthold    | McKinley        | Webster (FL)      |
| Faso          | McMorris        | Wenstrup          |
| Ferguson      | Rodgers         | Westerman         |
| Fitzpatrick   | McSally         | Williams          |
| Fleischmann   | Meadows         | Wilson (SC)       |
| Flores        | Meehan          | Wittman           |
| Fortenberry   | Messer          | Womack            |
| Fox           | Mitchell        | Woodall           |
| Franks (AZ)   | Moorenaar       | Yoder             |
| Frelinghuysen | Mooney (WV)     | Yoho              |
| Gaetz         | Mullin          | Young (AK)        |
| Gallagher     | Murphy (PA)     | Young (IA)        |
| Garrett       | Newhouse        | Zeldin            |
| Gianforte     | Noem            |                   |
| Gibbs         | Norman          |                   |
| Gohmert       | Nunes           |                   |

NAYS—192

|                   |                   |                |
|-------------------|-------------------|----------------|
| Adams             | Gallego           | Norcross       |
| Aguilar           | Garamendi         | O'Halleran     |
| Barragán          | Gomez             | O'Rourke       |
| Bass              | Gonzalez (TX)     | Pallone        |
| Beatty            | Gottheimer        | Panetta        |
| Bera              | Green, Al         | Pascrell       |
| Beyer             | Green, Gene       | Payne          |
| Bishop (GA)       | Grijalva          | Pelosi         |
| Blumenauer        | Gutiérrez         | Perlmutter     |
| Blunt Rochester   | Hanabusa          | Peters         |
| Bonamici          | Hastings          | Peterson       |
| Boyle, Brendan F. | Heck              | Pingree        |
| Brady (PA)        | Higgins (NY)      | Pocan          |
| Brown (MD)        | Himes             | Polis          |
| Brownley (CA)     | Hoyer             | Price (NC)     |
| Bustos            | Huffman           | Quigley        |
| Butterfield       | Jackson Lee       | Raskin         |
| Capuano           | Jayapal           | Rice (NY)      |
| Carbajal          | Jeffries          | Richmond       |
| Cardenas          | Johnson (GA)      | Rosen          |
| Carson (IN)       | Johnson, E. B.    | Roybal-Allard  |
| Cartwright        | Jones             | Ruiz           |
| Castor (FL)       | Kaptur            | Ruppersberger  |
| Castro (TX)       | Keating           | Rush           |
| Chu, Judy         | Kelly (IL)        | Ryan (OH)      |
| Ciilline          | Kennedy           | Sánchez        |
| Clark (MA)        | Khanna            | Sarbanes       |
| Clarke (NY)       | Kihuen            | Schakowsky     |
| Clay              | Kildee            | Schiff         |
| Cleaver           | Kilmer            | Schneider      |
| Clyburn           | Kind              | Schrader       |
| Cohen             | Krishnamoorthi    | Scott (VA)     |
| Connolly          | Kuster (NH)       | Scott, David   |
| Conyers           | Langevin          | Serrano        |
| Cooper            | Larsen (WA)       | Sewell (AL)    |
| Correa            | Larson (CT)       | Shea-Porter    |
| Costa             | Lawrence          | Sherman        |
| Courtney          | Lawson (FL)       | Sinema         |
| Crist             | Lee               | Sires          |
| Crowley           | Levin             | Slaughter      |
| Cuellar           | Lewis (GA)        | Smith (WA)     |
| Davis (CA)        | Lieu, Ted         | Soto           |
| Davis, Danny      | Lipinski          | Speier         |
| DeFazio           | Loebbeck          | Suozzi         |
| DeGette           | Lofgren           | Swalwell (CA)  |
| Delaney           | Lowenthal         | Takano         |
| DeLauro           | Lowe              | Thompson (CA)  |
| DelBene           | Lujan Grisham, M. | Thompson (MS)  |
| Demings           | Lujan, Ben Ray    | Titus          |
| DeSaulnier        | Lynch             | Tonko          |
| Deutch            | Maloney,          | Torres         |
| Dingell           | Carolyn B.        | Tsongas        |
| Doggett           | Maloney, Sean     | Vargas         |
| Doyle, Michael F. | Matsui            | Veasey         |
| Ellison           | McCollum          | Vela           |
| Engel             | McGovern          | Velázquez      |
| Eshoo             | McNerney          | Visclosky      |
| Españat           | Meeks             | Walz           |
| Estry (CT)        | Meng              | Wasserman      |
| Evans             | Moore             | Schultz        |
| Foster            | Moulton           | Waters, Maxine |
| Frankel (FL)      | Murphy (FL)       | Watson Coleman |
| Fudge             | Nadler            | Welch          |
| Gabbard           | Neal              | Wilson (FL)    |
|                   | Nolan             | Yarmuth        |

NOT VOTING—5

|          |            |         |
|----------|------------|---------|
| Cummings | McEachin   | Scalise |
| Labrador | Napolitano |         |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1410

So the previous question was ordered. The result of the vote was announced as above recorded.

(By unanimous consent, Mr. DUNCAN of Tennessee was allowed to speak out of order.)

CONGRESSIONAL GOLF TOURNAMENT

Mr. DUNCAN of Tennessee. Mr. Speaker, this is the fourth year I have had the privilege of chairing the Members and former Members golf tournament to benefit Warfighters Sports and Tee It Up for the Troops, two char-

ities that work with the most severely wounded warriors. This year, we had our biggest turnout ever. We had well over 200 participants, including 35 severely wounded golfers.

When I play golf, sometimes people ask me how I did. I tell them, "Unbelievable." It could be either way. But the most unbelievable thing happened in this tournament. Finally, after many years of losses, we Republicans decided to let the Democrats win one year. The Democrats won by 4 points, and that is out of a several-thousand point system. So it was a very close match.

I want to offer my congratulations to my co-chairman, GENE GREEN, and thank every Member and former Member who participated. We had a great turnout.

Mr. Speaker, I yield to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Speaker, I thank my colleague from Tennessee for yielding.

We are proud to accept the Speaker's trophy for winning the golf tournament. The most important thing—and you said it—is that we raised \$144,000 to go to wounded warrior and warfighter programs. Over the last 10 years, Members of Congress, on a bipartisan basis, raised over \$1 million.

JIMMY, I am just glad we were able to take this trophy home. We will see you next year.

PARLIAMENTARY INQUIRY

Ms. LEE. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state her parliamentary inquiry.

Ms. LEE. Mr. Speaker, it is my understanding that the Rules Committee has posted a Rules Committee print of the Defense appropriations bill and that this committee version does not include the language added during the Defense appropriations markup on a bipartisan basis in committee that would repeal the 2001 authorization to use force and give 8 months for Congress to do what our Constitution requires, and that is to debate and to come up with a new vote and to decide what we are going to do on behalf of our country.

Further inquiry. Members don't really quite understand this. I can't explain to Members how in the heck this body can prevent this amendment from being undemocratically stripped from this bill.

Can the Chair explain that, please.

The SPEAKER pro tempore. The Chair appreciates the gentlewoman's inquiry but also states to the gentlewoman that it does not relate to a pending question or matter at this time.

Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 234, nays 194, not voting 5, as follows:

[Roll No. 394]

YEAS—234

|               |                 |                   |
|---------------|-----------------|-------------------|
| Abraham       | Gibbs           | Murphy (PA)       |
| Aderholt      | Gohmert         | Newhouse          |
| Allen         | Goodlatte       | Noem              |
| Amodei        | Gosar           | Norman            |
| Arrington     | Gowdy           | Nunes             |
| Babin         | Granger         | Olson             |
| Bacon         | Graves (GA)     | Palazzo           |
| Banks (IN)    | Graves (LA)     | Palmer            |
| Barletta      | Graves (MO)     | Paulsen           |
| Barr          | Griffith        | Pearce            |
| Barton        | Grothman        | Perry             |
| Bergman       | Guthrie         | Pittenger         |
| Biggs         | Handel          | Poe (TX)          |
| Billakis      | Harper          | Poliquin          |
| Bishop (MI)   | Harris          | Posey             |
| Bishop (UT)   | Hartzler        | Ratcliffe         |
| Black         | Hensarling      | Reed              |
| Blackburn     | Herrera Beutler | Reichert          |
| Blum          | Hice, Jody B.   | Renacci           |
| Bost          | Higgins (LA)    | Rice (SC)         |
| Brady (TX)    | Hill            | Roby              |
| Brat          | Holding         | Roe (TN)          |
| Bridenstine   | Hollingsworth   | Rogers (AL)       |
| Brooks (AL)   | Hudson          | Rogers (KY)       |
| Brooks (IN)   | Huizenga        | Rohrabacher       |
| Buchanan      | Hultgren        | Rokita            |
| Buck          | Hunter          | Rooney, Francis   |
| Bucshon       | Hurd            | Rooney, Thomas J. |
| Budd          | Issa            | Ros-Lehtinen      |
| Burgess       | Jenkins (KS)    | Roskam            |
| Byrne         | Jenkins (WV)    | Ross              |
| Calvert       | Johnson (LA)    | Rothfus           |
| Carter (GA)   | Johnson (OH)    | Rouzer            |
| Carter (TX)   | Johnson, Sam    | Royce (CA)        |
| Chabot        | Jones           | Russell           |
| Cheney        | Jordan          | Rutherford        |
| Coffman       | Joyce (OH)      | Sanford           |
| Cole          | Katko           | Schweikert        |
| Collins (GA)  | Kelly (MS)      | Scott, Austin     |
| Collins (NY)  | Kelly (PA)      | Sensenbrenner     |
| Comer         | King (IA)       | Sessions          |
| Comstock      | King (NY)       | Shimkus           |
| Conaway       | Kinzinger       | Shuster           |
| Cook          | Knight          | Simpson           |
| Costello (PA) | Kustoff (TN)    | Smith (MO)        |
| Cramer        | LaHood          | Smith (NE)        |
| Crawford      | LaMalfa         | Smith (NJ)        |
| Culberson     | Lamborn         | Smith (TX)        |
| Curbelo (FL)  | Lance           | Smucker           |
| Davidson      | Latta           | Stefanik          |
| Davis, Rodney | Lewis (MN)      | Stewart           |
| Denham        | LoBiondo        | Stivers           |
| Dent          | Long            | Taylor            |
| DeSantis      | Loudermilk      | Tenney            |
| DesJarlais    | Love            | Thompson (PA)     |
| Diaz-Balart   | Lucas           | Thornberry        |
| Donovan       | Luetkemeyer     | Tiberi            |
| Duffy         | MacArthur       | Tipton            |
| Duncan (SC)   | Marchant        | Trott             |
| Duncan (TN)   | Marino          | Upton             |
| Dunn          | Marshall        | Valadao           |
| Emmer         | Mast            | Wagner            |
| Estes (KS)    | McCarthy        | Walberg           |
| Farenthold    | McCaul          | Walden            |
| Faso          | McClintock      | Walker            |
| Ferguson      | McHenry         | Walorski          |
| Fitzpatrick   | McKinley        | Walters, Mimi     |
| Fleischmann   | McMorris        | Weber (TX)        |
| Flores        | Rodgers         | Webster (FL)      |
| Fortenberry   | McSally         | Wenstrup          |
| Foxx          | Meadows         | Westerman         |
| Franks (AZ)   | Meehan          | Williams          |
| Frelinghuysen | Messer          | Wilson (SC)       |
| Gaetz         | Mitchell        | Wittman           |
| Gallagher     | Moolenaar       | Womack            |
| Garrett       | Mooney (WV)     |                   |
| Gianforte     | Mullin          |                   |

Woodall  
Yoder

Yoho  
Young (AK)

Young (IA)  
Zeldin

NAYS—194

Adams  
Aguilar  
Amash  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt  
Bonamici  
Boyle, Brendan F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Cuellar  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Demings  
DeSaulnier  
Deutsch  
Dingell  
Doggett  
Doyle, Michael F.  
Ellison  
Engel  
Eshoo  
Españat  
Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Fudge  
Gabbard

Gallego  
Garamendi  
Gomez  
Gonzalez (TX)  
Gottheimer  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lieu, Ted  
Lipinski  
Loebsock  
Lofgren  
Lowenthal  
Lowey  
Lujan Grisham, M.  
Luján, Ben Ray  
Lynch  
Maloney,  
Carolyn B.  
Maloney, Sean  
Massie  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Neal  
Nolan

Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascrell  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Richmond  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Soto  
Speier  
Suozi  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

NOT VOTING—5

Cummings  
Labrador

Napolitano  
Scalise

Turner

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1422

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on

agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO TRANSNATIONAL CRIMINAL ORGANIZATIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 115-55)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days of the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to significant transnational criminal organizations declared in Executive Order 13581 of July 24, 2011, is to continue in effect beyond July 24, 2017.

Significant transnational criminal organizations continue to threaten the safety of the United States and its citizens through the scope and gravity of their actions. Such organizations derive revenue through widespread illegal conduct and overwhelmingly demonstrate a blatant disregard for human life through acts of violence and abuse. These organizations often facilitate and aggravate violent civil conflicts and increasingly facilitate the activities of other dangerous persons. As the sophistication of these organizations increases, they pose an increasing threat to the United States.

The activities of significant transnational criminal organizations continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13581 with respect to transnational criminal organizations.

DONALD J. TRUMP.  
THE WHITE HOUSE, July 19, 2017.

PROMOTING INTERAGENCY CO-  
ORDINATION FOR REVIEW OF  
NATURAL GAS PIPELINES ACT

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill, H.R. 2910.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 454 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2910.

The Chair appoints the gentleman from Tennessee (Mr. DUNCAN) to preside over the Committee of the Whole.

□ 1426

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2910) to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes, with Mr. DUNCAN of Tennessee in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. UPTON) and the gentlewoman from Florida (Ms. CASTOR) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of H.R. 2910, the Promoting Interagency Coordination for Review of Natural Gas Pipelines Act, introduced by my colleague and friend from Texas (Mr. FLORES).

I want to congratulate him for his work on this very important piece of legislation that, in fact, will streamline the permit process for the building of energy infrastructure, which will strengthen our economy, create the jobs that we want, and, in fact, increase our energy security. Very important.

This bill is going to address the critical need to expand and modernize the Nation's natural gas pipeline infrastructure by promoting a more timely and efficient review.

Mr. Chairman, by establishing FERC as the lead agency, this bill is going to bring greater certainty, accountability, and transparency to the siting process for interstate natural gas pipelines. Unfortunately, many important projects have been delayed unnecessarily while waiting for permits from participating agencies, and when siting a pipeline project, multiple permits are

always required, permits under the Clean Water Act, the Endangered Species Act, the Clean Air Act.

So FERC often coordinates with a variety of Federal, State, and local governments and Indian Tribes to balance a wide range of issues, including the potential impacts on environmental and wildlife resources, land use, and, of course, property rights.

This bill is going to improve the permitting process by strengthening the lead agency role of FERC in further defining the process for participating in Federal and State agencies, and the intent of these provisions is to involve stakeholders sooner so that they can be involved in the setting of the schedule and identify issues of concern earlier in the process.

Further, the legislation requires that agencies conduct their respective reviews concurrently and in conjunction with the project-related review conducted by FERC in compliance with NEPA—in compliance with NEPA.

□ 1430

To be clear, we are not skipping steps, we are just saying that one part of the process shouldn't hold up the entire project if progress can be made on other required permits.

So this bill is going to encourage more timely and efficient reviews, a more robust and reliable energy pipeline system, more affordable energy prices for every American.

Mr. Chair, I congratulate the gentleman from Texas, who has brought this bill before us through the committee process.

Mr. Chair, I reserve the balance of my time.

Ms. CASTOR of Florida. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise in opposition to H.R. 2910. The bill shortcuts the important review process for interstate natural gas pipeline projects, a process which already boasts one of the quickest review periods for any type of major energy project. The bill is unnecessary.

To my colleague from the Energy and Commerce Committee's point when he says that too many of these projects are being delayed: to the contrary. The Federal Energy Regulatory Commission testified in front of our committee that almost 90 percent of interstate natural gas pipeline projects are approved within 1 year. This is a dangerous bill because of what it does to short-circuit safety and environmental review processes.

Now, I want to say, at the outset, pipelines can be a safe and practical way to transport natural gas. Natural gas pipelines are part of a modern energy infrastructure system—I would say that almost all Democrats agree with that—but what this bill does is it shortcuts, it overrides safety, private property rights, environmental concerns.

This is a problem, because when you look at the long list of serious accidents involving natural gas pipelines, the fatalities, the accidents, the injuries, it is just inappropriate and very poor public policy to give those natural gas pipelines a pass.

Mr. Chair, I yield as much time as he may consume to the gentleman from Illinois (Mr. RUSH), the ranking member of the Energy and Commerce's Subcommittee on Energy.

Mr. RUSH. Mr. Chair, I want to thank the gentlewoman from Florida (Ms. CASTOR), a wonderful colleague and a Member who has really shown extraordinary leadership on this matter and other matters that appear before this Congress and the Energy and Commerce Committee.

Mr. Chair, I strongly oppose H.R. 2910 because it is a bill that offers a solution in search of a problem.

As FERC testified before the Energy Subcommittee just this past May, a whopping 88 percent of natural gas pipeline applications are currently processed within a year, and the number one reason for the delays in the approval process was due to applicants submitting incomplete paperwork.

Mr. Chair, H.R. 2910 does nothing to actually address the reason behind the delays, but instead will allow incomplete applications to be considered, will allow incomplete data from aerial surveys to be considered, and would minimize the input of States and agencies responsible for protecting the environment, sensitive lands, and other natural resources.

However, that said, one of the most egregious aspects of this bill is that it would actually make it easier for private pipeline companies to claim eminent domain and seize private property of hardworking American citizens.

Mr. Chair, as we have seen in the past and continue to witness today, the issue of constructing these major pipelines through aquifers, private property, cultural sites, and other sensitive lands is a topic that causes great public consternation and great public concern.

Congress should be taking into account the sensitive nature of this extremely divisive issue by listening to our own constituents, the American people, and giving them more of a voice in these very difficult decisions, rather than trying to limit their input.

Mr. Chair, to address this critical issue, both Ranking Member PALLONE, as well as my colleague, Congresswoman WATSON COLEMAN of New Jersey, and I offered amendments to deny private companies the right to claim eminent domain unless constructing a pipeline was found to be in the public interest, and not solely as a way for companies to turn a profit.

Mr. Chair, even though this amendment was brought up and voted down by my Republican colleagues in the Energy and Commerce Committee, it was

ruled nongermane to today's discussion for some very odd, but also for some very obvious reason.

In other words, Mr. Chair, the majority party has determined that although they are pushing a bill that would make it easier for private companies to seize lands from private citizens for financial gain, Members of Congress are not allowed to take up an up-or-down vote on that issue on the floor here today.

This Congress is telling the American people: Hell, no, you won't have a voice in this. We are here operating solely in the interests of private companies for their private profit.

Mr. Chair, I can assure you that the American people will not agree with this decision to place the interests of private natural gas companies above the rights and interests of private landowners.

Congress should not make it easier for private companies to claim eminent domain and potentially negatively impact historical sites, reservoirs, farms, and other private properties while at the same time limiting the ability for States, Tribes, and local communities to provide input into the process.

Mr. Chair, why are we allowing these private companies to have eminent domain over the private property, over the land of American citizens, without any input from States on this particular matter?

Mr. Chair, for these reasons, I strongly oppose this bill, and I urge all my colleagues to oppose it as well.

Mr. UPTON. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, there is a reason why the parliamentarians ruled that the amendments on eminent domain are not applicable here: because they are not germane. Eminent domain is not part of this bill. In fact, the underlying natural gas act requires that eminent domain proceedings, "shall conform as nearly as may be with the practice and procedure in similar action or proceedings in the courts of the State where the property is situated."

This doesn't change that, and that is why those eminent domain amendments were not made in order.

Mr. Chair, I yield 3 minutes to the gentleman from Texas (Mr. FLORES), the sponsor of the bill.

Mr. FLORES. Mr. Chairman, I thank Chairman UPTON for yielding me time in his effort to bring this bill to the floor today.

Mr. Chairman, I rise today to urge my colleagues to support H.R. 2910. Thanks to the shale revolution, America is a top global producer of natural gas, and in the past several years, natural gas has become the top fuel choice for generating electricity in our Nation.

My constituents in Texas have seen the dramatic benefits of the shale revolution and pay some of the lowest elec-

tricity costs in the Nation. For example, last April, the residential price for electricity was just over 11 cents per kilowatt-hour. However, the average price in Massachusetts was almost 21 cents per kilowatt-hour.

America's domestic energy outlook has completely flipped from scarcity to abundance, yet why do some parts of the country, primarily in the northeast, pay twice as much for electricity? There is one clear reason: some areas lack the needed pipeline infrastructure to bring natural gas to consumers.

The reason for this is that some State and Federal agencies are failing to make timely decisions on the necessary pipeline permits to deliver natural gas to consumers.

We can and we should modernize our pipeline infrastructure to match our abundant natural gas resources. Making the permitting process more efficient enables and encourages a more robust and reliable pipeline infrastructure system; that way, all parts of the country can realize the benefits of clean, affordable, and abundant natural gas.

My bill, the Promoting Interagency Coordination for Review of Natural Gas Pipelines Act, builds on important permit reforms under the Energy Policy Act of 2005 by bringing greater accountability, predictability, and transparency to the process to approve interstate natural gas pipelines.

This bill requires early notification to all participating agencies, States, and Indian Tribes, and it reinforces FERC's status as the lead agency for coordination.

It further establishes a clear process for consultation and concurrent reviews among Federal and State agencies and Indian Tribes, and sets deadlines for final decisions.

Mr. Chairman, these are common-sense reforms that reduce interagency bureaucracy, and I think that we can all agree that permitting should be more transparent and more accountable.

H.R. 2910 enhances certainty for pipeline applicants, but it is important to note that this bill does not guarantee an outcome, it does not guarantee an approval on any application, and it does not change any existing environmental laws. So all the rhetoric we just heard over the last few minutes about it changing the environment is absolutely 100 percent false.

It does not change any eminent domain laws or adversely affect private property rights. So all that argument we heard a few minutes ago is false. So we could conclude this debate pretty quickly if the other side will acknowledge the fact of what this bill really does do and what it doesn't do.

It does, however, ensure that involved agencies do their job and that they act on appropriate projects in a timely manner.

The CHAIR. The time of the gentleman has expired.

Mr. UPTON. Mr. Chair, I yield an additional 1 minute to the gentleman from Texas.

Mr. FLORES. Similar provisions have passed the House as stand-alone legislation and were also included in the comprehensive energy bill that passed the House last Congress. Additionally, H.R. 2910 passed out of the Energy and Commerce Committee on a bipartisan vote.

My bill enables more reliable infrastructure to deliver affordable, environmentally friendly natural gas to consumers.

This American energy resource serves as an important energy source for hardworking families and powers our economy.

Mr. Chair, I urge my colleagues to support H.R. 2910.

Ms. CASTOR of Florida. Mr. Chair, I think the point on eminent domain is the fact that this bill will trample on the rights of landowners, because my colleague is correct, current law gives natural gas pipeline companies access to Federal eminent domain authority, allowing these corporations to take private property to build their pipelines. But what the bill does, it would further narrow the already few opportunities that landowners and stakeholders have for review of safety and important environmental protections.

It also would allow surveying while circumventing local permitting and without property owner consent, and that is a very significant change, because it would allow Federal and State agencies to accept aerial survey data and provides that the agencies may grant conditional approvals based on that data, and that can be unwise and unsafe. So we wanted to highlight that as a very significant concern for those Members who are concerned about eminent domain and private property rights.

Mr. Chair, I yield 5 minutes to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN).

Mrs. WATSON COLEMAN. Mr. Chair, I would like to take this opportunity to thank my colleague from Florida for yielding me some time to speak on what I consider to be a very important issue.

Mr. Chair, I rise to strongly oppose H.R. 2910, the Promoting Interagency Coordination for Review of Natural Gas Pipelines Act.

□ 1445

This industry-backed bill provides FERC with unnecessary authorities that put the interest of companies over that of the people and the environment.

The current process that FERC uses to approve pipelines is inherently flawed, genuinely threatens our green spaces, water resources, and public and private lands.

By allowing this bill to pass, we are permitting FERC to exclude the input of those who would be directly impacted in exchange for benefiting the fossil fuel industry. We need to have a more comprehensive process that considers the effects these pipelines will have on local communities, which is why I introduced H.R. 2649, the Safer Pipelines Act of 2017.

My legislation is about inclusiveness, ensuring that the voice of communities impacted by a proposed pipeline are heard loud and clear.

I have seen this problem up close.

One project before FERC is a proposed PennEast pipeline, which would run through my congressional district. The PennEast plan has been fraught by community concerns on issues ranging from potential contamination of drinking water and destruction of environmentally sensitive areas.

Despite these issues, FERC's final environmental impact statement erroneously concluded that the project would have minimal impact.

Just last month, the New Jersey Department of Environmental Protection rejected the construction permits due to PennEast's continuous refusal to provide simple environmental surveys and information requested by the State.

Not only does this bill severely threaten clean water in environmentally sensitive areas, it also tramples on the rights of private property owners and communities.

Jacqueline Evans of New Jersey has shared this story with us:

The farm I built with my children would be completely destroyed by the 36-inch pipe built to the weakest standards allowable.

The pipeline route is less than 200 feet from my children's bedrooms, putting them in a designated "incineration zone."

Our well, that provides water for our family and our livestock, is threatened.

PennEast has threatened me by insisting I sign a "deal" of less than 4 percent of the value of our home, or lose it through eminent domain.

PennEast's intimidation tactics include telling us that FERC will approve the pipeline with or without surveys and environmental studies that are required.

Mr. Chairman, this is unacceptable.

I offered two amendments to this bill that the Rules Committee refused to allow on the floor. One would have limited the use of eminent domain for gas pipeline projects, and the other would have limited the use of area remote surveys.

We cannot prioritize the wishes of private pipeline companies at the expense of clean drinking water, our environment and natural resources, and the rights of private owners.

So I stand here today begging my colleagues to vote for the people and to reject this bill by voting against it.

Mr. UPTON. Mr. Chairman, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), a member of the Energy and Commerce Committee.

Mrs. BLACKBURN. Mr. Chairman, I thank Chairman UPTON and Mr. FLORES for the work that they have done on this piece of legislation. Mr. FLORES spoke of the need to do this and why it is so important for us to begin to simplify and clean up the rules and the regulation process so that we do provide certainty not only for our constituents, but also for industry.

In addition to that, Mr. Chairman, what we do is to provide hope to millions of workers who work in the energy sector.

I want to read from a letter of support. This is from the International Union of Operating Engineers. They sent a letter in support of Mr. FLORES' bill, and it gets right to the heart of the issue.

"Domestic energy production provides good-paying jobs for members of the IUOE and other construction craftworkers and continues to employ thousands of our members. Uncertainty and delay during environmental reviews, however, hinder the growth of jobs related to the Nation's energy infrastructure. Congress should give FERC additional tools to keep Federal agencies accountable and maximum coordination in the permitting process."

Mr. Chairman, this is from individuals who work in this energy sector, who understand the vital importance of having a secure, safe, and stable energy supply. They are individuals who want to see growth in this industry. They also want to make certain that we do this in the appropriate way—as we have done, as H.R. 2910 does—to respect individual and private property works.

The CHAIR. The time of the gentlewoman has expired.

Mr. UPTON. Mr. Chairman, I yield an additional 1 minute to the gentlewoman.

Mrs. BLACKBURN. Giving FERC the authority that they need to go in and consolidate and simplify this environmental process for these interstate gas projects is the right thing to do.

Many times, what slows these projects down and causes the situation that the International Union of Operating Engineers speaks to is the fact that you have multiple permits that are required, and they are from multiple agencies and multiple levels of government. Any time you are going through that, there are more opportunities for mistakes and it is going to be more costly.

So I congratulate my colleague for a job well done, and I encourage my colleagues to vote for and support H.R. 2910.

Ms. CASTOR of Florida. Mr. Chairman, I want to make it clear: I heard the comments of my colleague from Tennessee, and the Democrats do support natural gas pipelines, a very important part of our energy infrastructure.

And, as a reminder, the Federal Energy Regulatory Commission approves

almost 90 percent of all pipeline applications within 1 year. And if there is any holdup recently, it is because the Republican-led Senate has not confirmed an additional FERC appointee. That is holding up the process of approving more natural gas pipelines.

What we don't approve of, however, is a spill that attempts to short-circuit very important safety and environmental review processes and take private property rights away from landowners.

Mr. Chairman, I yield 4 minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Chairman, I thank the gentlewoman from Florida for yielding.

I rise in opposition to H.R. 2910, the Promoting Interagency Coordination for Review of Natural Gas Pipelines Act.

This bill is a solution in search of a problem.

We heard from FERC that 88 percent of projects are certified within 1 year following a completed application. It is clear that, under the existing process, these projects are moving forward without significant delays.

We have not seen good evidence that we need to further tilt the process in favor of pipeline companies, which is what the bill before us today would do.

While I am concerned about a number of provisions in this bill, I specifically want to highlight the section that would require Federal and State agencies to accept aerial survey data, such as data collected by drones, and allow these agencies to grant conditional approvals based on that data.

Aerial data have limitations and can be insufficient. These data may not account for historic sites, endangered species, or wetlands. But, under this bill, agencies would be required to consider the project.

Granting conditional permits based on inadequate data will ultimately not speed up the process, but what it does instead is circumvent the rights of landowners.

We also should be more thoughtful about changing this process, given the implications that will impact private landowners' rights.

Under the law, pipeline companies are able to use eminent domain authority, allowing these corporations to take private property to build their pipelines. This bill would further restrict the already limited opportunities that private landowners and concerned citizens have to weigh in on proposed projects.

Streamlining is fine, but we are considering expediting a process that can result in the use of eminent domain. The bar for seizing private property should be high, and lowering that bar is to the detriment of private landowners.

Historically, when considering the use of eminent domain, the question has been: Is it in the public's interest?



But this bill is forcing the question to shift to: Is it in the company's interest?

That is not acceptable to me, and it certainly isn't acceptable to the general public.

If we continue to expedite and rubber stamp these projects, consumers will be on the hook for unviable and, eventually, stranded assets.

We need to look at our energy infrastructure based on holistic, regional needs that take into account how many projects are under consideration and how it would impact existing infrastructure.

Mr. Chairman, I ask my colleagues to oppose this bill.

Mr. UPTON. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, I rise today in strong support of H.R. 2910, legislation sponsored by my friend and Western Caucus member, BILL FLORES.

One area of wide bipartisan agreement is the need to support critical infrastructure in the United States. This bill presents an important opportunity to deliver on our commitment to modernize infrastructure, grow the economy, and support safe, reliable American-made energy.

By improving agency and industry coordination, we can provide more certainty regarding the timeframe and procedures of the pipeline review process. By making these improvements, we will ensure that the energy we produce right here in America can be transported in the safest possible manner.

If my colleagues are truly serious about protecting the environment, we should be promoting American-made energy, where we know it will be produced in adherence to the highest environmental and safety standards.

This bill does exactly that by making the improvements necessary to modernize our pipeline approval process. These improvements are necessary to match the advancements in shale gas technology and increased demand for safe, reliable, and domestically-sourced energy.

While roads and bridges often get the most attention when we talk about the need for updated infrastructure, modern pipelines and other energy infrastructure are sorely needed to support our economy and power our homes and businesses.

Promoting efficient and comprehensive cooperation within our regulatory process is an effort that is not only bipartisan, but plain common sense.

Mr. Chairman, I thank the gentleman from Texas for sponsoring this much-needed legislation, and I urge my colleagues to vote in support of this commonsense bill.

Ms. CASTOR of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, when we had a hearing earlier in the year in the Energy and Commerce Committee, I assumed there was a major backlog of unreviewed applications that spurred my colleagues on the other side of the aisle to draft this bill. But then we heard from experts from the Federal Energy Regulatory Commission about this, and they testified that nearly 90 percent of these major infrastructure projects are approved in less than a year.

Many companies working to have other interstate energy projects approved can only dream of a Federal review occurring in less than a year. So this is already a very efficient process.

I would say this bill is unnecessary, it is duplicative, and it is wasteful. And I know many in the Congress here are looking for ways to eliminate government waste and duplication.

The Congress has already taken action to streamline the Federal environmental permitting review process for major infrastructure projects. Sometimes our memories are short, but it was just last Congress where Congress adopted the major Transportation and Infrastructure bill, the FAST Act. It passed in a bipartisan manner and was signed into law.

The FAST Act authorized the Federal Permitting Improvement Steering Council, or FPISC, to improve the timeliness, predictability, and transparency of Federal environmental review processes for these major infrastructure projects.

Now, FPISC is already getting underway. It has set up this enhanced coordination and transparency by establishing a lead agency for the project, recommends performance schedules, and public project timetables. Many of the provisions in this bill, however, seem to be largely duplicative of the activities of FPISC and what they are already doing.

FPISC is already overseeing and coordinating permitting processes for 32 major infrastructure projects, including seven interstate natural gas pipelines—just to highlight that this is an unnecessary power grab that really is short-circuiting very important safety and environmental review processes.

□ 1500

There is no problem across this country right now with getting your natural gas pipeline approved unless there is a real problem in the details of the application.

Now, I used to practice environmental law in a previous lifetime, and what I learned is, when you provide for these short-circuited processes that keep the public out, that keep other stakeholders out, what you are going to do on the back end, you are going to cause more lawsuits, more delays, rather than just adhering to the proper process, answering questions as you go

along, pressing ahead, altering the route when it needs to be rerouted.

So this is a very important issue. The details really matter here.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I yield myself 30 seconds.

I include in the RECORD three letters in support. The National Electrical Contractors Association has a letter of support. The National Taxpayers Union has a letter of support, as well as the National Association of Manufacturers.

NATIONAL ELECTRICAL  
CONTRACTORS ASSOCIATION,  
Bethesda, MD, July 18, 2017.

Hon. PAUL RYAN,  
House of Representatives,  
Washington, DC.

DEAR SPEAKER RYAN: On behalf of the National Electrical Contractors Association (NECA), I am writing in strong support of H.R. 2883, Promoting Cross-Border Energy Infrastructure Act which would establish a more uniform and transparent approval process for the construction, connection, operation, or maintenance of oil or natural gas pipelines or electric transmission facilities for the import or export of oil, natural gas, or electricity. NECA also supports H.R. 2910, Promoting Interagency Coordination for Review of Natural Gas Pipelines Act, which would help address the need to modernize the nation's natural gas pipeline infrastructure by promoting more timely and efficient reviews by the Federal Energy Regulatory Commission (FERC). NECA believes these critical pieces of legislation will facilitate construction projects along the United States' borders and encourage energy independence.

NECA is the nationally recognized voice of the \$130 billion electrical construction industry that brings power, light, and communication technology to buildings and communities across the U.S. NECA's national office and its 119 local chapters are dedicated to enhancing the industry through continuing education, labor relations, safety codes, standards development, and government relations. NECA is committed to advocating for a comprehensive energy policy that addresses all available opportunities for energy exploration and independence.

By establishing a more concrete process for the approval of construction projects to import oil, natural gas, and electricity, this legislation would create more jobs in the construction industry while working towards America's energy independence. Construction along the U.S. border to import oil, natural gas, and electricity will greatly enhance our nation's energy security and promote energy independence. It is clear Congress plays a critical role in streamlining the approval process and enacting policies that support approval and construction of energy infrastructure projects. The benefits of these projects are clear: job creation, energy security, energy independence, and economic growth; such construction is in the national interest. NECA strongly endorses H.R. 2883 and H.R. 2910 and believes that these bills will deliver many benefits to our nation.

Sincerely,

MARCO A. GIAMBERARDINO, MPA,  
Executive Director, Government Affairs.

NATIONAL TAXPAYERS UNION,  
Washington, DC, July 18, 2017.

NATIONAL TAXPAYERS UNION VOTE ALERT

NTU urges all Representatives to vote "YES" on the following bills that would reduce regulatory burdens and promote economic growth.

H.R. 806, "Ozone Standards Implementation Act of 2017": This legislation would extend the timeframe for compliance with the 2008 and 2015 ozone standards and put in place process reforms going forward. The bungled 2008/2015 revisions have created an implementation headache for many states, now tasked with simultaneously working to enact dual standards. The costs are high for states and localities—regardless of whether they achieve attainment. Nonattainment means lost funds for highways and other essential infrastructure projects. On the other hand, reaching attainment could require limits on new construction and manufacturing production, expensive retrofitting, and oppressive new rules. Either way, jobs and investment will go elsewhere without the more feasible, predictable reforms in H.R. 806.

H.R. 2883, "Promoting Cross-Border Energy Infrastructure Act": This legislation would streamline the archaic cross-border permitting process for energy facilities that stretch across the borders we share with Mexico and Canada. The current Presidential Permit regime is far from clear and can leave projects in regulatory limbo for years on end. Creating a consolidated and standardized approval process would increase the Congressional accountability provided for in Article 1, Section 8 of the Constitution, granting Congress the authority to "regulate Commerce with foreign Nations," while eliminating costly regulatory hurdles that stand between consumers and low-cost energy options.

H.R. 2910, "Promoting Interagency Coordination for Review of Natural Gas Pipelines Act": This legislation would facilitate the timely review of natural gas pipeline permitting by clearly designating the Federal Energy Regulatory Commission as the lead agency responsible for interstate natural gas pipeline site permitting. This, along with other measures to increase efficiency such as providing for concurrent reviews and commonsense timetables, would help avoid duplication and other unnecessary delays. In addition, H.R. 2910 would increase transparency in the permitting process through more public disclosure, as well as create new opportunities for public input.

In general, markets crave certainty in order to anticipate where resources should be allocated. This is doubly true for the giant infrastructure and manufacturing projects these bills address. Planning, personnel, and capital all depend on a transparent, predictable, consistent regulatory process. Together, these reforms would result in increased investment in our energy infrastructure, spurring job-growth in an essential and lucrative sector of our economy, and enhancing low-cost energy options for consumers.

Roll call votes on H.R. 806, H.R. 2883, and H.R. 2910 will be included in our annual Rating of Congress and a "YES" vote will be considered the pro-taxpayer position.

If you have any questions, please contact NTU Federal Affairs Manager.

NATIONAL ASSOCIATION  
OF MANUFACTURERS,  
July 19, 2017.

DEAR REPRESENTATIVES: The National Association of Manufacturers (NAM), the largest

manufacturing association in the United States representing manufacturers in every industrial sector and in all 50 states, urges you to support H.R. 2910, the Promoting Interagency Coordination for Review of Natural Gas Pipelines Act, introduced by Rep. Bill Flores (R-TX).

Domestic natural gas has transformed the U.S. economy, made our companies more competitive, created jobs and put money back in the pockets of working Americans. Manufacturers use natural gas as a fuel for direct process uses, such as drying, melting, process cooling, machine drive and refrigeration; as a fuel for direct non-process uses in manufacturing establishments, such as heating, ventilation, HVAC and lighting; as a fuel for indirect purposes, such as boilers used to produce electricity and steam; and as a feedstock in refining, chemicals and primary metals sectors. Over the next decade, total demand for natural gas is projected to increase by 40 percent. Domestic manufacturing is poised to be a key driver of this growth. Consequently, major investments in new pipeline infrastructure are required to ensure manufacturers have a steady, reliable stream of natural gas.

Unfortunately, permitting these infrastructure projects remains a lengthy process. Permitting should follow a comprehensive process that ensures timely and predictable decision-making, but federal and state permitting agencies can create roadblocks and delays when coordination is inadequate. Strengthening the Federal Energy Regulatory Commission's (FERC's) coordination of interagency processes is critical to the permitting of natural gas infrastructure and ensuring manufacturers have access to this affordable resource.

H.R. 2910 would reinforce FERC's role as the lead agency for siting interstate natural gas pipelines by directing FERC to identify and invite all agencies considering an aspect of an application to establish a schedule for concurrent reviews, and to impose deadlines for final decisions. H.R. 2910 would ensure projects undergo a robust agency review while completing that review in a timely and predictable manner.

The NAM's Key Vote Advisory Committee has indicated that votes on H.R. 2910, including procedural motions, may be considered for designation as Key Manufacturing Votes in the 115th Congress.

Thank you for your consideration.

Sincerely,

ARIC NEWHOUSE,  
Senior Vice President,  
Policy and Government Relations.

Mr. UPTON. Mr. Chairman, might I inquire if the gentleman has any further speakers.

Ms. CASTOR of Florida. Mr. Chairman, I have one additional speaker and some submissions for the RECORD.

Mr. UPTON. Mr. Chairman, I have no more speakers at this point, so I reserve the balance of my time.

Ms. CASTOR of Florida. Mr. Chairman, I yield myself such time as I may consume.

I include in the RECORD some information on pipeline incidents from the U.S. Government, just to highlight the fact that it is vitally important that these pipelines undergo safety and environmental reviews. These are the pipeline incident reports from 1997–2016 for all States. I will just read a few of these statistics here.

In 2016, you had 16 fatalities from natural gas pipeline incidents, 83 injuries, total cost of property damage, over \$300 million. In 2015, 10 fatalities, 49 injuries, over 328 incidents. There is a 3-year average from 2014–2016 of 312 incidents. The 5-year average across the country is 299 incidents; 10-year average, 286 incidents.

For fatalities, the 3-year average, 15 fatalities; the 5-year average, 13; the 10-year average, 13; the 20-year average, 16.

And for injuries, the 3-year average, 75 injuries; the 5-year average, 64 injuries; the 10-year average, 64 injuries; the 20-year average, 65 injuries. And the property damage report, just the 3-year average is about \$315 million.

PHMSA PIPELINE INCIDENTS: MULTI-YEAR  
AVERAGES (1997–2016)

Incident Type: Significant, System Type: All, State: All.

Incident count:

3 Year Average, (2014–2016), 312; 5 Year Average, (2012–2016), 299; 10 Year Average, (2007–2016), 286; 20 Year Average, (1997–2016), 284.

Fatalities:

3 Year Average, 15; 5 Year Average, 13; 10 Year Average, 13; 20 Year Average, 16.

Injuries:

3 Year Average, 75; 5 Year Average, 64; 10 Year Average, 64; 20 Year Average, 65.

Total cost:

3 Year Average, \$315,138,727; 5 Year Average, \$306,888,604; 10 Year Average, \$475,607,772; 20 Year Average, \$389,601,666.

2017 Year-to-date:

Incidents, 118; Fatalities, 1; Injuries, 16; Total Cost, \$49,385,394.

Calendar year, Number, Fatalities, Injuries, Total cost current year dollars:

1997, 267, 10, 77, \$110,377,793; 1998, 295, 21, 81, \$174,516,797; 1999, 275, 22, 108, \$178,313,209; 2000, 290, 38, 81, \$257,659,464; 2001, 233, 7, 61, \$79,086,596; 2002, 258, 12, 49, \$124,067,949; 2003, 297, 12, 71, \$163,459,897; 2004, 309, 23, 56, \$314,362,210; 2005, 336, 16, 46, \$1,476,994,582; 2006, 257, 19, 34, \$157,117,098; 2007, 265, 15, 46, \$147,800,810; 2008, 278, 8, 54, \$592,290,867; 2009, 275, 13, 62, \$180,360,208; 2010, 264, 19, 103, \$1,854,123,037; 2011, 287, 12, 51, \$447,059,777; 2012, 254, 10, 54, \$233,813,285; 2013, 304, 8, 42, \$355,213,552; 2014, 301, 19, 94, \$305,253,746; 2015, 328, 10, 49, \$338,297,940; 2016, 308, 16, 83, \$301,864,494; Grand Total, 5,681, 310, 1,302, \$7,792,033,312.

Ms. CASTOR of Florida. Mr. Chairman, I would just say that it is inappropriate to short-circuit the very important safety and environmental review processes for our interstate natural gas pipelines. This is a solution in search of a problem.

We know that FERC approves these gas pipeline applications at about 90 percent. The only reason a little delay has fallen off recently is because the Senate has not approved the new FERC appointee over a matter of 5 months. If they would do that, I think they could get back on track as well.

The ones that are not approved are undergoing very significant review. Even in the case for the major projects now, we have a new system, a coordinated effort through the FPISC, the new council that is overseeing interstate natural gas pipeline, so it is duplicative as well.

It is inappropriate for a process that already grants eminent domain rights through pipeline companies to go through private property now to short-circuit the environmental and safety reviews. That is just really going too far for corporations and their profits, where landowners and other stakeholders have to have the ability to weigh in. Otherwise, you are going to cause more lawsuits and more delays at the very end of the process and, I think, do exactly the opposite of what the author of the legislation intends to do.

So at this point, based upon all of the evidence that has been presented, I urge my colleagues to vote “no” on this bill. Don’t elevate corporate profits over the interests of the public.

I yield back the balance of my time.

Mr. UPTON. Mr. Chairman, I yield myself such time as I may consume.

I would urge my colleagues to support this legislation. Again, this streamlines the process. There are still no shortcuts that are here. We require that the agencies work concurrently with each other. At the end of the day, we know that pipelines are literally the safest way to transport whatever it is, oil, gas, to the consumers, and at a lower cost. It is safer and, obviously, helps the most vulnerable with lower costs.

We have literally millions of miles of pipelines. And I would note that we passed major, major bipartisan legislation in several Congresses—it was bipartisan, it was overwhelmingly bipartisan—that President Obama signed into law increasing the safety standards and fines for any new pipelines that are built. Those laws, obviously, stay on the books.

Again, I would urge my colleagues to vote for the bill. I look forward to the debate on a couple of the amendments.

I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-28. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 2910

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Promoting Interagency Coordination for Review of Natural Gas Pipelines Act”.*

#### SEC. 2. PERC PROCESS COORDINATION FOR NATURAL GAS PIPELINE PROJECTS.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term “Commission” means the Federal Energy Regulatory Commission.

(2) FEDERAL AUTHORIZATION.—The term “Federal authorization” has the meaning given that term in section 15(a) of the Natural Gas Act (15 U.S.C. 717n(a)).

(3) NEPA REVIEW.—The term “NEPA review” means the process of reviewing a proposed Federal action under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

(4) PROJECT-RELATED NEPA REVIEW.—The term “project-related NEPA review” means any NEPA review required to be conducted with respect to the issuance of an authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act.

(b) COMMISSION NEPA REVIEW RESPONSIBILITIES.—In acting as the lead agency under section 15(b)(1) of the Natural Gas Act for the purposes of complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to an authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act, the Commission shall, in accordance with this section and other applicable Federal law—

(1) be the only lead agency;

(2) coordinate as early as practicable with each agency designated as a participating agency under subsection (d)(3) to ensure that the Commission develops information in conducting its project-related NEPA review that is usable by the participating agency in considering an aspect of an application for a Federal authorization for which the agency is responsible; and

(3) take such actions as are necessary and proper to facilitate the expeditious resolution of its project-related NEPA review.

(c) DEFERENCE TO COMMISSION.—In making a decision with respect to a Federal authorization required with respect to an application for authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act, each agency shall give deference, to the maximum extent authorized by law, to the scope of the project-related NEPA review that the Commission determines to be appropriate.

(d) PARTICIPATING AGENCIES.—

(1) IDENTIFICATION.—The Commission shall identify, as early as practicable after it is notified by a person applying for an authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act, any Federal or State agency, local government, or Indian Tribe that may issue a Federal authorization or is required by Federal law to consult with the Commission in conjunction with the issuance of a Federal authorization required for such authorization or certificate.

(2) INVITATION.—

(A) IN GENERAL.—The Commission shall invite any agency identified under paragraph (1) to participate in the review process for the applicable Federal authorization.

(B) DEADLINE.—An invitation issued under subparagraph (A) shall establish a deadline by which a response to the invitation shall be submitted to the Commission, which may be extended by the Commission for good cause.

(3) DESIGNATION AS PARTICIPATING AGENCIES.—The Commission shall designate an agency identified under paragraph (1) as a participating agency with respect to an application for authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act unless the agency informs the Commission, in writing, by the deadline established pursuant to paragraph (2)(B), that the agency—

(A) has no jurisdiction or authority with respect to the applicable Federal authorization;

(B) has no special expertise or information relevant to any project-related NEPA review; or

(C) does not intend to submit comments for the record for the project-related NEPA review conducted by the Commission.

(4) EFFECT OF NON-DESIGNATION.—

(A) EFFECT ON AGENCY.—Any agency that is not designated as a participating agency under paragraph (3) with respect to an application for an authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act may not request or conduct a NEPA review that is supplemental to the project-related NEPA review conducted by the Commission, unless the agency—

(i) demonstrates that such review is legally necessary for the agency to carry out responsibilities in considering an aspect of an application for a Federal authorization; and

(ii) requires information that could not have been obtained during the project-related NEPA review conducted by the Commission.

(B) COMMENTS; RECORD.—The Commission shall not, with respect to an agency that is not designated as a participating agency under paragraph (3) with respect to an application for an authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act—

(i) consider any comments or other information submitted by such agency for the project-related NEPA review conducted by the Commission; or

(ii) include any such comments or other information in the record for such project-related NEPA review.

(e) SCHEDULE.—

(1) DEADLINE FOR FEDERAL AUTHORIZATIONS.—A deadline for a Federal authorization required with respect to an application for authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act set by the Commission under section 15(c)(1) of such Act shall be not later than 90 days after the Commission completes its project-related NEPA review, unless an applicable schedule is otherwise established by Federal law.

(2) CONCURRENT REVIEWS.—Each Federal and State agency—

(A) that may consider an application for a Federal authorization required with respect to an application for authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act shall formulate and implement a plan for administrative, policy, and procedural mechanisms to enable the agency to ensure completion of Federal authorizations in compliance with schedules established by the Commission under section 15(c)(1) of such Act; and

(B) in considering an aspect of an application for a Federal authorization required with respect to an application for authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act, shall—

(i) formulate and implement a plan to enable the agency to comply with the schedule established by the Commission under section 15(c)(1) of such Act;

(ii) carry out the obligations of that agency under applicable law concurrently, and in conjunction with, the project-related NEPA review conducted by the Commission, and in compliance with the schedule established by the Commission under section 15(c)(1) of such Act, unless the agency notifies the Commission in writing that doing so would impair the ability of the agency to conduct needed analysis or otherwise carry out such obligations;

(iii) transmit to the Commission a statement—

(I) acknowledging receipt of the schedule established by the Commission under section 15(c)(1) of the Natural Gas Act; and

(II) setting forth the plan formulated under clause (i) of this subparagraph;

(iv) not later than 30 days after the agency receives such application for a Federal authorization, transmit to the applicant a notice—

(I) indicating whether such application is ready for processing; and

(II) if such application is not ready for processing, that includes a comprehensive description of the information needed for the agency to determine that the application is ready for processing;

(v) determine that such application for a Federal authorization is ready for processing for purposes of clause (iv) if such application is sufficiently complete for the purposes of commencing consideration, regardless of whether supplemental information is necessary to enable the agency to complete the consideration required by law with respect to such application; and

(vi) not less often than once every 90 days, transmit to the Commission a report describing the progress made in considering such application for a Federal authorization.

(3) **FAILURE TO MEET DEADLINE.**—If a Federal or State agency, including the Commission, fails to meet a deadline for a Federal authorization set forth in the schedule established by the Commission under section 15(c)(1) of the Natural Gas Act, not later than 5 days after such deadline, the head of the relevant Federal agency (including, in the case of a failure by a State agency, the Federal agency overseeing the delegated authority) shall notify Congress and the Commission of such failure and set forth a recommended implementation plan to ensure completion of the action to which such deadline applied.

(f) **CONSIDERATION OF APPLICATIONS FOR FEDERAL AUTHORIZATION.**—

(1) **ISSUE IDENTIFICATION AND RESOLUTION.**—

(A) **IDENTIFICATION.**—Federal and State agencies that may consider an aspect of an application for a Federal authorization shall identify, as early as possible, any issues of concern that may delay or prevent an agency from working with the Commission to resolve such issues and granting such authorization.

(B) **ISSUE RESOLUTION.**—The Commission may forward any issue of concern identified under subparagraph (A) to the heads of the relevant agencies (including, in the case of an issue of concern that is a failure by a State agency, the Federal agency overseeing the delegated authority, if applicable) for resolution.

(2) **REMOTE SURVEYS.**—If a Federal or State agency considering an aspect of an application for a Federal authorization requires the person applying for such authorization to submit data, the agency shall consider any such data gathered by aerial or other remote means that the person submits. The agency may grant a conditional approval for the Federal authorization based on data gathered by aerial or remote means, conditioned on the verification of such data by subsequent onsite inspection.

(3) **APPLICATION PROCESSING.**—The Commission, and Federal and State agencies, may allow a person applying for a Federal authorization to fund a third-party contractor to assist in reviewing the application for such authorization.

(g) **ACCOUNTABILITY, TRANSPARENCY, EFFICIENCY.**—For an application for an authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act that requires multiple Federal authorizations, the Commission, with input from any Federal or State agency considering an aspect of the application, shall track and make available to the public on the Commission's website information related to the actions required to complete the Federal authorizations. Such information shall include the following:

(1) The schedule established by the Commission under section 15(c)(1) of the Natural Gas Act.

(2) A list of all the actions required by each applicable agency to complete permitting, reviews, and other actions necessary to obtain a final decision on the application.

(3) The expected completion date for each such action.

(4) A point of contact at the agency responsible for each such action.

(5) In the event that an action is still pending as of the expected date of completion, a brief explanation of the reasons for the delay.

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of House Report 115–235. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. TSONGAS

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 115–235.

Ms. TSONGAS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, after line 9, add the following:

(h) **LIMITATION ON APPLICATION.**—This section shall not apply to any application for an authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act with respect to which any part of a pipeline facility that is a subject of the application is to be located on lands required under Federal, State, or local law to be managed for purposes of natural resource conservation or recreation.

The CHAIR. Pursuant to House Resolution 454, the gentlewoman from Massachusetts (Ms. TSONGAS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Massachusetts.

Ms. TSONGAS. Mr. Chairman, my amendment protects a robust public review process for any proposed pipeline that seeks to cross protected conservation and recreation lands. The legislation before us today, with its short-circuited environmental reviews, puts treasured public lands at risk.

My home State of Massachusetts, like many areas around the country, faces real energy challenges. We need careful and strategic long-term planning in order to lower energy prices and maintain reliability and resiliency. Over the past several years, we have seen proposals for new natural gas pipelines that would stretch hundreds of miles and cross many different communities.

We must work to identify ways to lower energy prices for our homes and

businesses, and increasing the supply of lower cost natural gas may be one way to achieve that objective while we transition to cleaner, more affordable, and sustainable alternatives. However, we cannot, in the long run, afford to be careless about our other environmental interests as we make that transition.

These major infrastructure proposals in New England and elsewhere around the country deserve close and careful scrutiny given the potential environmental impacts and the costs borne by ratepayers.

Regrettably, this legislation moves us in the wrong direction. This bill would force FERC to rush decision-making, including environmental reviews necessary to determine if pipelines will have negative impacts on State forests, parks, wildlife management areas, and wetlands, lands expressly put aside as a result of a public decision to protect them.

Our Nation has a longstanding history of preserving natural habitats and protecting open spaces for the public benefit, and we have invested enormous public resources toward these goals. These lands and the decisions behind them deserve to be honored.

In my district, we recently went through the public review process for a proposed natural gas pipeline. Hundreds of my constituents expressed their concerns about the project. Construction of the pipeline could have jeopardized local wildlife and impacted both State and federally designated conservation land, as well as Massachusetts' scarce farmland.

Thanks to a robust review process, the public had numerous opportunities to question the project and express these legitimate concerns, and their views were able to be fully considered.

While I believe we must protect that review process for all infrastructure projects, my amendment focuses on pipelines that cross protected conservation and recreation lands.

I urge my colleagues to support my amendment and protect investments by Federal taxpayers, States, and local communities in preserving their natural and historic resources.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Chairman, I would just note that all current reviews that we do now for pipeline siting, they all remain in place. None of it goes away. Those same reviews take place.

The gentlewoman's amendment, in our view, is unnecessary because nothing in this legislation would limit environmental protections or affect laws that govern the multiple use of our public lands.

Pipelines, we know, as I said earlier, are the safest, most efficient way to transport energy supplies. The overwhelming majority of Americans

strongly support modernizing our infrastructure, including pipelines, to ensure stable, affordable supplies. And I would note, we have millions of miles of pipelines across the country.

So what is the alternative if you don't have a pipeline?

Well, it is going to be more expensive and, frankly, the accident record is not perfect either. It includes rail or truck, often at a higher cost, which then is passed along to those consumers, impacting the most vulnerable the most.

Infrastructure modernization and job growth go hand in hand with environmental and natural resource protection. Investing in our infrastructure is a smart investment for energy security, job growth, manufacturing, and creating the jobs that we want.

Maintaining and expanding these economywide benefits is dependent on a transparent and a predictable regulatory approval of infrastructure projects. That is what the underlying bill does.

This amendment, however, we would view as a step backward. I would urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Ms. TSONGAS. Mr. Chairman, I would like to say, first, that energy infrastructure is critical to our economy; yet we cannot simply give the fossil fuel industry carte blanche to build pipelines without robust public reviews.

I yield 1¼ minutes to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Chairman, I am proud to co-lead this amendment with my colleagues, Ms. TSONGAS and Mr. MCGOVERN.

FERC, as it is currently structured, is not adequately protecting our most valued public lands designed for recreation and conservation, and this bill will only make this particular mismanagement worse. We are witnessing this firsthand in my Virginia.

At stake is one of our Nation's treasured landscapes, the Appalachian National Scenic Trail, the A.T., and the surrounding national parkland and national forestlands. The A.T. was congressionally dedicated as a national scenic trail nearly 50 years ago, and it is one of the most significant land features in the Eastern United States. It is famous around the world.

Its cultural heritage, its recreational options, its natural resources all serve crucial roles in the lives and communities of the Appalachian region, but it is at risk.

The proposed Mountain Valley Pipeline route impacts 19 prominent views over nearly 100 miles of the Appalachian Trail. Tinker Cliffs, the Dragon's Tooth, even the totally iconic McAfee Knob all will be corrupted by this pipeline.

I am not anti-pipeline. I am not anti-energy. I am an avid Appalachian Trail

hiker. I have crossed almost all of the 60 pipeline crossings that exist on the trail. But the Mountain Valley's proposed route doesn't take the least impactful route. It doesn't cross the trail. It runs alongside it for almost 100 miles.

□ 1515

You will be able to see the impact day after day after day. It doesn't sound like the developers thought about minimizing their impact on this important cultural icon.

It has also become clear that the proposed route would require an amendment to the Jefferson National Forest management plan, which was carefully constructed and well balanced.

Mr. Chair, I urge my colleagues to support this amendment and protect one of America's most treasured natural places.

Ms. TSONGAS. Mr. Chair, I yield back the balance of my time.

Mr. UPTON. Mr. Chairman, I again remind my colleagues to oppose the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Ms. TSONGAS).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. TSONGAS. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. LYNCH

The CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 115-235.

Mr. LYNCH. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, after line 9, add the following:

**SEC. 3. PIPELINE SECURITY.**

In considering an application for an authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act, the Federal Energy Regulatory Commission shall consult with the Administrator of the Transportation Security Administration regarding the applicant's compliance with security guidance and best practice recommendations of the Administration regarding pipeline infrastructure security, pipeline cybersecurity, pipeline personnel security, and other pipeline security measures.

The CHAIR. Pursuant to House Resolution 454, the gentleman from Massachusetts (Mr. LYNCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. LYNCH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, at the outset, I would like to thank Chairman UPTON and Ms. CASTOR, the ranking member from Florida, for their articulate debate this afternoon on this important issue.

I would also like to thank Chairman SESSIONS, Ranking Member SLAUGHTER, and all of the members of the Rules Committee for making this amendment in order.

This commonsense amendment will simply ensure that the Transportation Security Administration, the Federal agency with the primary jurisdiction over pipeline security on behalf of the American people, will retain a meaningful seat at the table when it comes to determinations made by the Federal Energy Regulatory Commission, FERC, on whether to approve a pipeline construction permit.

In particular, this amendment provides that, in considering a pipeline permit application, FERC must simply consult with TSA administrators as to whether a pipeline developer is compliant with existing TSA guidelines and best practice recommendations governing pipeline security. That includes an examination of facility security, cybersecurity, and other critical measures that are designed to safeguard the American people against the threat of terrorists and cyber attacks perpetrated on the U.S. pipeline system.

While H.R. 2910 seeks to expedite the FERC review process for pipeline construction projects in the name of efficiency, we also know that recent terrorist and cyber attacks launched against pipeline facilities nationwide have more than demonstrated that we cannot place expediency above national security and public safety.

In 2015, a domestic terrorist received a maximum 20-year sentence after pleading guilty to Federal charges relating to his use of a highly volatile explosive device to damage a natural pipeline in Texas. Four years earlier than that, a similar attack was perpetrated in Oklahoma by an individual armed with a homemade improvised explosive device.

In addition, the 2017 series on "Pipelines in Peril," published by Energy and Environment News, reported that advanced cyber threats targeting U.S. pipelines have only increased and evolved over the past 5 years, following a so-called pipeline hacking spree undertaken by members of the Chinese military. The theft of sensitive data from at least 23 separate U.S. pipeline companies in 2011 and 2012 constitute the sort of cyber breach that the Congressional Research Service has described as allowing hackers the ability to "disrupt pipeline service and cause spills, explosions, and fires all from remote locations."

I would also like to express my concern regarding an issue that was the subject of an amendment of mine which was not ruled in order, and that

is the issuance of pipeline construction permits by FERC in areas where a project site and its surrounding community is already experiencing pre-existing unsafe levels of air pollutants.

In my own congressional district in Massachusetts, FERC recently approved a proposal for a natural gas compressor station in the beautiful town of Weymouth, Massachusetts, and as evidenced by the certificate of independent and quality testing conducted by Dr. Curt Nordgaard and other community stakeholders, the air quality in Weymouth is already at toxic levels of so-called criteria air pollutants such as benzene.

My amendment would have suspended the certificate issued by FERC for the Weymouth compressor station and other projects that the commission approves for construction and communities that have unsafe air quality levels.

In addition to my concerns around air quality, I have to highlight the public safety issues surrounding the route of a natural gas pipeline that FERC approved in West Roxbury, a local neighborhood in the heart of my district. The pipeline runs through a densely populated neighborhood. It runs right through an active blasting area in a quarry that is located next to a residential area, and I don't know how that happens if public safety and national security are considerations.

Whether a pipeline is blown up because of stupidity because FERC has located it in a blasting zone or it is because of a nefarious attempt of outside actors, the bottom line is that FERC should sit down and talk with TSA when they are looking at these siting decisions. The bottom line is, what this amendment will accomplish, it will require that to happen, that consultation to happen between TSA and FERC.

Mr. Chair, I ask Members to vote in support of this amendment, and I yield back the balance of my time.

Mr. UPTON. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Chairman, I would like to start out by saying that we are prepared to accept the amendment. I know that all of us here take pipeline safety very seriously, and certainly since my chairmanship of the Energy and Commerce Committee, we put safety at the forefront of our efforts to modernize our pipeline infrastructure. We passed two major bills that President Obama signed, and I think there may have been maybe a single Member that opposed that legislation over the years, but we care a lot about that.

In the last Congress, we passed the PIPES Act and the FAST Act. Again, major bipartisan initiatives that Mr. PALLONE and I worked out that got to President Obama's desk. Each of these

two bills took important steps to update our laws to protect against emerging physical attacks as well as cyber attacks, threats to the grid, in our energy delivery systems, including pipelines.

We know that multiple Federal and State agencies have a role to play and an opportunity to lead with that expertise. While the Department of Energy is the lead sector-specific agency for cybersecurity and for the energy sector, the Pipeline and Hazardous Materials Safety Administration, PHMSA, is responsible for administering minimum pipeline safety standards, and the TSA, the Transportation Security Administration, does monitor threats to our transportation sector. I think that is where the gentleman from Massachusetts is coming from with this amendment.

The amendment, I have got to say, appears to be consistent with current law, while a rigid consultation requirement could end up resulting in delays if the TSA is not able to consult in a timely manner, but, again, the language is "consult." I would hope that that would happen.

The amendment also appears to address pipeline facilities, but it is not clear whether it includes LNG as an example. Given the overlapping nature of Federal and State jurisdiction over pipeline safety, we want to make sure that we are doing it right and that we have got all the tools in the toolbox to make sure that that happens and we don't wonder what would have happened without this amendment.

Mr. Chair, I appreciate the gentleman's amendment. We are ready to work with him, but certainly, at this point, ready to accept the amendment.

Mr. LYNCH. Will the gentleman yield?

Mr. UPTON. I yield to the gentleman from Massachusetts.

Mr. LYNCH. Mr. Chair, first of all, I thank the gentleman very much for accepting the amendment. I agree, there may be some other areas that are not particularly addressed, such as the LNG situation. Obviously, we want to increase the level of safety with respect to LNG as well, but I understand those questions can be answered during our debate with the Senate as well and in conference.

But the bottom line is I thank him for accepting the amendment.

Mr. UPTON. Mr. Chair, reclaiming my time, it is my understanding, I believe, that a GAO report has been requested by some of our friends on both sides of the aisle, and we welcome the completion of that report and are anxious to see the result.

Mr. Chairman, again, I am prepared to accept the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. LYNCH).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. BEYER

The CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 115-235.

Mr. BEYER. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, after line 9, add the following:  
(g) SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENTS.—

(1) IN GENERAL.—In conducting a project-related NEPA review, the Commission shall prepare a supplement to a draft environmental impact statement or a final environmental impact statement if—

(A) the Commission makes a substantial change in the proposed action that is relevant to environmental concerns; or

(B) there are significant new circumstances or information relevant to environmental concerns and bearing on the application for authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act with respect to which the project-related NEPA review is being conducted, or its impacts.

(2) MITIGATION PLANS.—In conducting a project-related NEPA review, if a draft environmental impact statement does not include information about mitigation plans for adverse impacts that cannot reasonably be avoided, the Commission shall prepare a supplement to the draft environmental impact statement that includes such information.

The CHAIR. Pursuant to House Resolution 454, the gentleman from Virginia (Mr. BEYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BEYER. Mr. Chairman, it is a great honor to come after this bipartisan discussion between Mr. LYNCH and Mr. UPTON. I hope a precedent has been set, Mr. Chairman.

I offered this amendment to improve the Federal Energy Regulatory Commission's public comment period and transparency process.

This amendment would require FERC to issue a supplemental environmental impact statement if there is critical new information relevant to a pipeline proposal, and to require mitigation plans for adverse impacts if not already provided.

The case of the Mountain Valley Pipeline demonstrated how the current FERC process has failed us and why this amendment is necessary.

I recently wrote a letter to FERC on this very issue, asking that they initiate a supplemental environmental impact statement before moving forward with the issuance of a Certificate of Public Convenience and Necessity.

Quite simply, the process was flawed.

In response to a September 2016 draft environmental impact statement, Mountain Valley Pipeline, LLC, had to present more information and an updated route for the pipeline proposal to FERC. Originally, Mr. Chairman, they



offered 1,000 pages of updates for public comment, but then their updates extended beyond the public comment period, which ended in December 2016, and included thousands of additional pages of crucially important information—20,000 pages of crucially important information. Think about how long it would take to read 20,000 pages.

What is most egregious is that, because this document dump came after the public comment period had ended, affected stakeholders weren't able to offer their comments for FERC consideration. They had already closed the public comment period, but the pipeline company was still submitting thousands of pages.

Even more ridiculous, the developers have continued to add more documents, even after FERC issued the final environmental impact statement. So apparently it wasn't final in the eyes of the developers.

For many, FERC's recent decision to issue this final statement for the proposed Mountain Valley Pipeline is patently alarming.

The appropriate course would be to issue a supplemental environmental impact statement and allow for public comment on those 20,000 pages.

Let's fix this woefully incompetent process.

Local communities affected most by proposed energy infrastructure projects naturally have concerns regarding the projects near them.

On my extensive visits to southwest Virginia last summer, there were two kinds of signs everywhere, Mr. Chairman. There were "Make America Great Again, Donald Trump for President," and there were "No Mountain Valley Pipeline."

They deserve the opportunity to express their views fully and to participate in a robust public engagement process, especially for projects which will use eminent domain to seize their private land from homeowners and farmers.

If there are major changes offered after the public comment period is open, let's make sure the public has the ability to weigh in with their proposals.

Mr. Chairman, I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Chairman, FERC is the lead agency for siting interstate natural gas pipelines. We all know that. But there are a number of other Federal and State agencies that also have to issue associated permits for large-scale projects.

□ 1530

Through the FERC prefile process, sponsors engage with landowners, local

communities, and government agencies to educate stakeholders and collect the information about the best location for siting that pipeline.

The underlying bill, H.R. 2910, brings much-needed certainty and transparency to the process by encouraging the stakeholders to participate in good faith early in the process. Unfortunately, this amendment, the way that we read it, would create more uncertainty and create more opportunities for delays.

The overwhelming majority of Americans strongly support expanding the infrastructure. Creating the jobs, the pipelines, ensures stable and affordable supplies. Flexibility, affordable, and reliable energy is important for American families and businesses to thrive.

I would note, at this point we still don't have a quorum with FERC, and we want that to change. That will be an issue that goes through the confirmation process in the Senate, but consumers really only benefit from domestic energy if we can get it to them.

Investing in infrastructure is a smart investment, so I would urge my colleagues to vote "no" on this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. BEYER. Mr. Chairman, I yield myself such time as I may consume.

I very much agree with the lead sponsor of the bill, Mr. UPTON, that we don't want any more uncertainty, and we certainly don't want more delays.

In fact, this amendment was originally in a bipartisan bill sponsored by my Republican friend from Virginia, MORGAN GRIFFITH. I literally lifted it word for word.

What we want to do is make sure that all of the information is on the table at the beginning. It is just not fair to the people who are affected by a pipeline that an environmental impact statement is issued and they wouldn't have a chance to comment on it.

So let's make sure that the developers are putting all of the information out first. And if they put it out and the public comment period closes and then they give you the rest of the information, then, clearly, FERC has made the decision without all that, and the public has been cheated out of the ability to comment on what is going to happen to their land and to their homes. It is just not fair.

Mr. Chair, I encourage my colleagues on both sides of the aisle to support this good, bipartisan amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BEYER).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. BEYER. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the

amendment offered by the gentleman from Virginia will be postponed.

Mr. UPTON. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FLORES) having assumed the chair, Mr. DUNCAN of Tennessee, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2910) to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes, had come to no resolution thereon.

#### PROMOTING CROSS-BORDER ENERGY INFRASTRUCTURE ACT

GENERAL LEAVE

Mr. UPTON. Mr. Chair, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill, H.R. 2883.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution H.R. 2883 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2883.

The Chair appoints the gentleman from Tennessee (Mr. DUNCAN) to preside over the Committee of the Whole.

□ 1534

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2883) to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity, with Mr. DUNCAN of Tennessee in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. UPTON), and the gentlewoman from Florida (Ms. CASTOR), each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, I rise today in strong support of H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act.

This legislation continues the great tradition of bipartisan legislation coming out of the House Energy and Commerce Committee. Our focus has been



and will continue to be building America's infrastructure, creating jobs, and strengthening our economy.

I want to congratulate my colleagues and sponsors of this bill, particularly Mr. MULLIN and Mr. GENE GREEN, Republican and Democrat, for their work on this legislation.

H.R. 2883 would establish coordinated procedures to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas, and the transmission of electricity. That is what the bill does.

The legislation would replace the requirements established under executive order that persons obtain a Presidential permit before constructing an oil and gas pipeline or electric transmission facility that crosses the border between the U.S., Mexico, and Canada.

To date, Congress has not asserted its authority to establish proceedings for permitting cross-border energy infrastructure. In the absence of a statutorily directed process, agencies have made decisions regarding cross-border energy infrastructure within the context of their interpretation of a series of executive orders dating back to the 1950s.

Recent proposals, most notably the Keystone XL pipeline, have faced significant and unnecessary delays as a result of political interference in what should have been a straightforward review. There is bipartisan agreement that we should have a free flow of energy in North America.

This bill is going to level the playing field for energy infrastructure projects located at the international border. The legislation takes important steps to bring fairness to the process and provide certainty to countries whom we already have a free trade agreement with and businesses that want to create jobs in the U.S. It is going to strengthen our effort to improve and update NAFTA and enhance our trilateral trading relationships.

It is time Congress exercised its constitutional authority to regulate commerce with foreign nations and replace the Presidential permit requirement with a more transparent, efficient, and effective review process.

Establishing the cross-border permitting process in law would lead to more objective and timely decisions, which, in turn, is going to create the jobs, strengthen our Nation's energy security, and support affordable and reliable energy for all Americans.

Again, I want to thank my colleagues for their efforts on this important legislation, and I reserve the balance of my time.

Ms. CASTOR of Florida. Mr. Chair, I yield myself such time as I may consume.

I rise in opposition to H.R. 2883, the Promoting Cross-Border Energy Infra-

structure Act. My Republican colleagues argue that we need more bills like H.R. 2883 to extract and transport more oil and gas as quickly as possible. But building a modern energy infrastructure for the 21st century requires a lot more than drilling wells, laying more pipelines, filling more railcars with crude oil, and putting more tanker trucks on our highways.

A modern, American, 21st century energy infrastructure plan must address the threat of climate change. This is the biggest energy challenge that we face as a country. We cannot have a meaningful conversation about America's energy infrastructure without also having a conversation about the changing climate and the huge costs heaped on hardworking American families and businesses because of the change in climate.

I am proud to represent the State of Florida, but here is what my neighbors are experiencing now: higher AC bills, more extreme weather events, heat waves, higher cost for flood insurance and property insurance, and property taxes that are having to go now to repair our water and wastewater infrastructure on the coast.

We have a rapidly diminishing window to act to reduce our carbon pollution before the catastrophic impacts of climate change are irreversible. The energy infrastructure decisions that we make today will have a real impact on whether we can mitigate climate change in the future. We need to understand this risk before we lock in infrastructure that will produce carbon pollution for decades to come.

This bill's supporters don't like to be reminded of the daunting challenges of the changing climate. That is reflected in our discussion today, and, frankly, it is reflected in the glaring inaction of this Republican Congress to address climate change.

If enacted into law, H.R. 2883 would move us backwards in our fight for the clean energy economy and the jobs of the future. H.R. 2883 would rubber-stamp permits for pipelines to carry oil, natural gas, even tar sands crude into the United States.

Tar sands crude is the dirtiest fuel on the planet from a climate perspective, and this bill creates a permitting process for cross-border pipelines that make it difficult, if not impossible, for the Federal Government to say no to any of these projects.

This bill asserts that every cross-border energy project is always in the public interest. It is up to a project's opponent to try to prove otherwise. The bill even allows the oil industry to make major modifications to its pipelines without getting any approval at all. That means, if a company wants to increase its pipeline capacity or reverse an existing pipeline to carry more oil, natural gas, or tar sands crude into the United States, the company can do just that, no questions asked.

Building new pipelines or expanding existing ones could have a profound environmental impact, but the bill allows for no meaningful environmental review for a cross-border pipeline. The bill says the Federal Government can only examine the cross-border segment of the project.

Who thought that up? That is very creative.

It is almost hard to believe that this is what the bill does, but it is true. For a pipeline spanning hundreds of miles, the environmental review will focus on only that tiny part that crosses the U.S. border. That is irresponsible. That would eliminate the possibility of any meaningful examination of the carbon pollution impacts of these pipelines.

We should be examining the carbon impact of every pipeline before we approve it. Many are very important. But to do so without important environmental reviews in this day and age is frightening.

The future will belong to the country that builds an energy infrastructure to support a cleaner, lower carbon economy, and it is our responsibility to lead the country in the clean energy future with all of the jobs, consumer savings, and economic growth that would be provided.

This bill also provides more proof of what is plain: In this Republican-led Congress, it is, unfortunately, likely to go down in history as having failed to meet one of its greatest responsibilities of this time—the challenge of the changing climate. Our children and grandchildren will be poorer for it, and they will ask us, and especially my Republican colleagues: Why didn't you act when you had the chance?

Mr. Chair, I reserve the balance of my time.

Mr. UPTON. Mr. Chair, I reserve the balance of my time.

Ms. CASTOR of Florida. Mr. Chair, I yield 3 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chair, I want to thank my colleague on the Energy and Commerce Committee for yielding me the time.

I rise today in support of H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act.

The Presidential permitting process dates back through many administrations, beginning with the administration of Ulysses S. Grant. The executive branch has taken the necessary steps to ensure our cross-border infrastructure with Canada and Mexico was constructed.

These past administrations, and even the current administration, were forced to issue executive orders because Congress failed to act. Congress has the duty to regulate the commerce of the United States, and cross-border energy infrastructure projects fall well within that space.

Opponents of this bill argue the executive permitting process has worked

well in the past. It is true that in the past the process has been proven effective. Unfortunately, cross-border decisions have now fallen victim to election year-cycle politics.

We cannot build infrastructure in this country or on the continent based on who sits in the White House, whether they be Democrat or Republican. It is Congress' responsibility to create regulatory rules by which infrastructure is constructed.

□ 1545

This bill will create a regulatory process at the Federal Energy Regulatory Commission, the Department of State, and the Department of Energy to permit cross-border infrastructure. It is not different than building roads, bridges, or railways. The Department of Transportation coordinates with the Federal, State, and local agencies to ensure projects are completed and the environment is protected. We will do the same thing for pipes and wires. We need to build electric transmission lines and pipelines to move resources from where they are to where they are needed.

The bill complies with the National Environmental Policy Act and requires a full environmental review of any cross-border facility including analysis of climate change impacts. More so, the entire length of the pipeline or electric transmission line will be reviewed for environmental impacts not just for the cross-border pipeline.

While there is some confusion on this issue, opponents of the bill talk about how we will gut the NEPA process—the National Environmental Policy Act. This is simply not the case. My colleague from Texas (Mr. VEASEY) will offer a bipartisan amendment to the bill clarifying that the scope of the National Environmental Policy Act review shall not be limited in any way by this act.

The bill is about the future and how to meet energy demands for the 21st century. We should embrace the changes taking place in North America and harmonize our policies with those of our neighbors both to the north with Canada and to the south with Mexico, and this bill, if it becomes law, will do that.

Mr. MULLIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we are here talking about how to take politics out of our infrastructure. As we just heard the gentleman from Texas (Mr. GENE GREEN), this is a bipartisan bill. We hear a lot of stuff about it damaging the environment; it doesn't. We are talking about crossing a border and taking a situation that was held up for 8 years with the Keystone pipeline and making sure it has the transparent and consistent approach on how we regulate these permits.

The United States is a powerhouse around the world. We want to keep it

that way. We want our country to compete freely in the global market and continue to positively benefit our economy. My bill, H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act, supports the construction of energy infrastructure across our North America borders.

Simply put, this bill takes the politics out of energy infrastructure projects. The construction of these border-crossing facilities should be done effectively and efficiently without getting caught up in our Nation's politics. These facilities are used for importing and exporting oil, natural gas, and electricity that enhance the trade of our energy products that benefit our economy.

This bipartisan piece of legislation allows a transparent and efficient process to be followed the same way every time and for every project. Most importantly, it provides regulatory certainty to those charged with carrying out these projects. I want to thank this House for allowing such bills to come forth and the opportunity to allow this bill to be heard.

Mr. Chairman, I reserve the balance of my time.

Ms. CASTOR of Florida. Mr. Chairman, lest anyone be left with the impression that there is a problem with cross-border pipeline approvals, the U.S. Energy Information Administration, from a December 2016 report, says that over the last 5 years, natural gas pipeline capacity between the U.S. and Mexico has grown substantially and is projected to double through 2018.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ of Texas. Mr. Chairman, I rise in support of H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act.

This bill would enact crucial reforms allowing efficient trade of energy products with our North American friends and allies. Unfortunately, the existing process has politicized vital cross-border energy infrastructure.

H.R. 2883 offers a narrowly crafted, sensible solution to this problem. The bill will create a process at the Federal Energy Regulatory Commission, State Department, and the Department of Energy to permit cross-border infrastructure projects.

This new procedure will bring regulatory certainty while ensuring these projects are environmentally sound and within public interest. These projects create jobs in my district in south Texas and across the country.

I congratulate and thank Mr. GREEN and Mr. MULLIN for this important piece of legislation. Energy security, targeted regulatory reforms, and smart infrastructure investments are things we can all support, and we should all support.

Mr. Chairman, I urge a "yes" vote on this sensible bipartisan legislation.

Mr. MULLIN. Mr. Chairman, as you have heard, two of my colleagues from Texas have just come out, obviously, in support of this bill. There is not a lot that Texas and Oklahoma agree on, especially this time of the year when we enter football season. Other than that, we agree that Oklahoma is better at football than Texas.

Mr. GENE GREEN of Texas. Will the gentleman yield?

Mr. MULLIN. I yield to the gentleman.

Mr. GENE GREEN of Texas. Mr. Chairman, I want to thank Congressman MULLIN for partnering together.

Like he said, Texas and Oklahoma have a lot of things in common. We both are energy States. But believe me, the Red River does divide us on football.

Mr. MULLIN. Mr. Chairman, I include in the RECORD a letter from the International Union of Operating Engineers, a letter from Edison Electric Institute, a letter from the IOSA, and a letter from the Plains All American Pipeline all in support of this bill.

INTERNATIONAL UNION OF OPERATING  
ENGINEERS, AFFILIATED WITH THE  
AMERICAN FEDERATION OF LABOR  
AND CONGRESS OF INDUSTRIAL OR-  
GANIZATIONS,

July 18, 2017.

Hon. PAUL RYAN,  
Speaker of the House, Washington, DC.

Hon. NANCY PELOSI,  
Minority Leader, Washington, DC.

DEAR SPEAKER RYAN AND LEADER PELOSI: The International Union of Operating Engineers (IUOE) supports H.R. 2883, the Cross-Border Energy Infrastructure Act, legislation that provides clear congressional authority to the process of evaluating transnational pipeline projects. Further, the IUOE endorses H.R. 2910, a bill Promoting Inter-Agency Coordination for Review of Natural Gas Pipelines Act.

We respectfully request that you support both of these pieces of legislation when they come to the floor of the House of Representatives this week.

The International Union of Operating Engineers represents 400,000 working men and women in the United States and Canada, thousands of whom build and maintain the nation's energy infrastructure. We are one of four unions that are signatory to the National Pipeline Agreement. Operating Engineers perform millions of hours of work on pipeline projects around the United States every year; millions of additional hours were performed on pipeline work by IUOE members in Canada.

North America's energy network is inextricably linked. Eliminating legal and regulatory uncertainty regarding the permitting of cross-border energy facilities will promote investment and job creation in North America, and that is why the IUOE supports H.R. 2883. Removing these regulatory barriers will ultimately increase the interconnection of the North American energy network and at the same time improve reliability, security, and affordability.

Today, the process for permitting this energy infrastructure lives only through Executive Order. North America's energy future is simply too important to leave to the ambiguity and imprecision of administrative fiat.

Granting clear legislative authority and delegating responsibility to an agency experienced with the National Environmental Policy Act and permitting processes, the Federal Energy Regulatory Commission (FERC), rather than the Department of State, will increase the competency and capacity of the review of cross-border energy projects. It is a clear improvement in the administration of major project permitting.

Updating the American domestic permitting and regulatory framework for natural-gas pipelines is also essential. Several steps are necessary in this regard, and H.R. 2910 is one of them. Domestic energy production provides good-paying jobs for members of the IUOE and other construction craftworkers and continues to employ thousands of our members. Uncertainty and delay during environmental reviews, however, hinder the growth of jobs related to the nation's energy infrastructure. Congress should give FERC additional tools to keep federal agencies accountable and maximize coordination in the permitting process.

H.R. 2910 requires reporting and transparency in the review of major projects. These requirements raise the bar for regulators and provides the public with a better understanding of the environmental impacts that are receiving particular rigor and examination—or perhaps needlessly delaying the overall project-review timeline. Democrats and Republicans supported similar reporting and transparency in the FAST Act. Enactment of H.R. 2910 is a necessary step to help place the booming energy sector on a sound footing for the future.

The International Union of Operating Engineers supports both H.R. 2883 and H.R. 2910 and respectfully requests that you support the legislation this week when it comes before you.

Thank you for your consideration.

Sincerely,

JAMES T. CALLAHAN,  
General President.

EDISON ELECTRIC INSTITUTE,  
July 18, 2017.

Hon. PAUL RYAN,  
Speaker, House of Representatives, Washington, DC.

Hon. NANCY PELOSI,  
Minority Leader, House of Representatives  
Washington, DC.

DEAR SPEAKER RYAN AND MINORITY LEADER PELOSI: The Edison Electric Institute supports H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act, which is scheduled for floor action this week.

Timely decisions for the siting and permitting of energy infrastructure are essential to building the smarter and more resilient infrastructure that electric companies need to deliver reliable, affordable, safe, and increasingly clean energy to Americans. H.R. 2883 would replace the need for a presidential permit for transmission lines or pipelines that cross a U.S. border with a certificate of crossing to be approved by the Department of Energy for electric transmission facilities, or the Federal Energy Regulatory Commission for oil or natural gas pipelines. The National Environmental Policy Act and other federal laws that apply to the project would not be affected.

H.R. 2883 would improve the process for decisions on cross-border projects while protecting the public's interest in such projects. We urge the House to pass H.R. 2883.

Sincerely,

THOMAS R. KUHN,  
President.

Rep. FRED UPTON,  
Chairman, Energy Subcommittee,  
Washington, DC.  
Rep. BOBBY RUSH,  
Ranking Member,  
Washington, DC.

DEAR CHAIRMAN UPTON AND RANKING MEMBER RUSH: The In Situ Oil Sands Alliance (IOSA) offers strong support for the Promoting Cross-Border Energy Infrastructure Act reintroduced by Congressman Markwayne Mullin (R-OK) and Congressman Gene Green (D-TX) and urges you to back its timely passage. IOSA is an alliance of Canadian oil sands developers dedicated to the responsible development of the resource using drilling technologies. We support this legislation as it establishes greater predictability in the process of developing additional energy transportation links between our two countries which will serve a critical role in continuing towards North American energy independence and reducing dependence on unstable overseas suppliers. These links will help to ensure that growing Canadian oil sands production remains a secure, affordable, environmentally responsible and economically beneficial source of supply for the United States.

Historically, Canada and the United States have enjoyed a mutually beneficial energy trade relationship. The Canadian oil sands provide substantial economic benefits to U.S.—for every two oil sands jobs created in Canada, one job is created in the U.S. Nearly 1,600 U.S. companies directly supply the oil sands, representing \$1.9 billion in sales in 2014 and 2015. Canada is the United States' most trusted trading partner, providing 41% of U.S. oil imports in 2016.

Canada's oil sands represent the third largest reserves in the world and are well-positioned to provide a secure and affordable supply for American refining and consumption for years to come. However, the benefits accruing to the United States from Canadian oil sands development depend on sufficient energy transportation infrastructure capacity. The Promoting Cross-Border Energy Infrastructure Act proposes four key modernizations of the cross-border infrastructure regulatory process that can ensure the timely development of projects:

Introduction of a Definitive Decision Timeline: Introducing timing and development certainty currently absent from the approval process, the Act requires a decision no later than 120 days after any applicable environmental review is complete.

Determination of National Interest: Lead agencies would be able to make national interest determination for cross border energy infrastructure projects but the assumption would be that cross border energy projects are in the national interest unless determined otherwise by that lead agency.

Agency Decision-Making: By removing the requirement for a Presidential permit, the relevant official or agency would serve as final authority, further streamlining the process while assuring that the lead agency is the Federal agency with relevant subject-matter expertise. The bill would designate FERC as the responsible official for oil and gas pipelines and the Secretary of Energy for electric transmission lines. These agencies already have responsibility for evaluating aspects affecting the national interest with respect to these types of projects. The only change from current practice is to substitute FERC for the Secretary of State as lead with respect to oil pipelines. This change is appropriate given the level of expertise at FERC for review and approval of liquid pipeline projects, including rate setting and ensuring equal access.

IOSA,  
June 19, 2017.

Streamlining of the approval process: New certificates of crossings and Presidential permits would not be required for modifications to existing border-crossing projects that are operating or for which approvals have previously been issued.

The Promoting Cross-Border Energy Infrastructure Act will serve to enhance the existing mutually beneficial Canada-U.S. energy partnership. Thank you for your consideration of and support for the Act.

Sincerely,  
PATRICIA NELSON,  
Vice Chair, In Situ Oil Sands Alliance.

PLAINS ALL AMERICAN  
PIPELINE, L.P.  
July 18, 2017.

Hon. MARKWAYNE MULLIN,  
Member of Congress,  
Washington, DC.

Hon. GENE GREEN,  
Member of Congress,  
Washington, DC.

DEAR CONGRESSMAN MULLIN AND CONGRESSMAN GREEN: I am writing on behalf of Plains All American Pipeline, L.P. in support of your legislation, H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act.

This legislation will provide the needed reform of the existing Presidential Permit process for liquid pipeline projects crossing international borders. As you know, there is no authorizing statute from the Congress laying out the requirements for this program. There is no guidance in the law on what should be reviewed, and what can be exempted because it is too small to make a difference. There are no laws on what criteria to use, what to examine, or a time certain for completing a review. The unfortunate result of the lack of clear guidance is uncertainty and delay. In fact, the sum total of State Department rules and procedures for this process is one single page, so almost all applications can be dealt with subjectively, which results in a lack of certainty for our business.

Plains All American experienced this uncertainty first hand when we purchased seven pipelines crossing the U.S.-Canadian border. The guidelines used by the State Department triggered our need to apply for a new presidential permit in 2012. These pipelines already had an ownership "name change" permit application that remained pending from their previous change of ownership in 2007. Plains applications for "name change" permits remained pending until 2016. So, for 4 years, the State Department had been considering whether to issue a presidential permit for something almost as simple as a name change at the top of the permit. There were no operational changes of the pipelines, no change in materials or any physical or environmental impacts.

Hopefully, having this process come under the jurisdiction of the Federal Energy Regulatory Commission will provide an objective standard with set timelines that will provide greater certainty.

Thank you for your work,  
Best,

HARRY N. PEFANIS,  
President & COO,  
Plains All American  
Pipeline.

Mr. MULLIN. Once again, I understand that there is opposition to the bill because of a fear. But the true fear

is: Are we willing to hold up the infrastructure needs of this country for political gain? For the years that we had from the previous administration, that is exactly what happened. It was political.

What we are trying to do when we take it out of the State Department's hands and put it with FERC is put it with a bipartisan oversight agency that takes an approach to looking at the infrastructure needs that this country has and saying: Is this in the country's best interest?

They have been doing it, and they do it well.

Mr. Chairman, I reserve the balance of my time.

Ms. CASTOR of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I include in the RECORD letters from a number of environmental and other organizations in opposition to the bill.

They write, in part: "On behalf of the undersigned organizations and our millions of members and supporters across the country, we write today to express our strong opposition to H.R. 2883, the 'Promoting Cross-Border Energy Infrastructure Act.' This bill represents a fourth irresponsible attempt to pass the previously titled 'North American Energy Infrastructure Act' in as many years. For the reasons below, we are opposed to the passage of this legislation and its attempt to ram through permits for new cross-border oil and gas pipelines and electric transmission lines without meaningful environmental review or public participation."

JUNE 26, 2017.

Re Please Oppose H.R. 2883, the "Promoting Cross-Border Energy Infrastructure Act".

DEAR REPRESENTATIVE: On behalf of the undersigned organizations and our millions of members and supporters across the country, we write today to express our strong opposition to H.R. 2883, the "Promoting Cross-Border Energy Infrastructure Act." This bill represents a fourth irresponsible attempt to pass the previously titled "North American Energy Infrastructure Act" in as many years. For the reasons below, we are opposed to the passage of this legislation and its attempt to ram through permits for new cross-border oil and gas pipelines and electric transmission lines without meaningful environmental review or public participation.

Our reasons for opposing H.R. 2883 are as follows:

It is unnecessary and eliminates longstanding procedure. Executive Order 13337 established a longstanding process that has been used by both Republican and Democratic administrations for decades to ensure that energy transmission projects crossing our international borders from Canada and Mexico are in the national interest.

It eliminates critical environmental and economic analysis. H.R. 2883 eliminates the current requirement that proposed oil and natural gas pipelines and electric transmission lines that cross the U.S. border with Mexico or Canada obtain a presidential permit, after an environmental review and determination that the project is in the national interest.

It irresponsibly narrows the scope of environmental review. H.R. 2883 replaces existing processes with one that limits environmental review to a narrow portion of the project, exempts certain types of projects from any permit requirement, and shifts the burden of proof to make it difficult to not approve a project.

It undermines the National Environmental Policy Act. The bill effectively exempts cross-border projects from meaningful environmental review under the National Environmental Policy Act (NEPA) by dramatically narrowing the focus of that review. Under the bill, the permit requirement and NEPA review apply only to the cross-border segment of the project. Trans-boundary pipelines and transmission lines are multi-billion dollar infrastructure investments that stretch hundreds of miles, last for decades, and pose environmental risks well beyond their border crossings. However, contrary to NEPA, the bill precludes review of the project's full impacts, such as oil spills and the consequences for landowners, public safety, drinking water, climate change, and wildlife.

It eliminates the need to justify projects as in the national interest. The bill eliminates the requirement that to issue a permit, the federal permitting agency must find the project to be in the national interest. Instead, the bill requires an agency to approve the project, unless it finds that the narrow segment that crosses the border "is not in the public interest of the United States." By shifting the burden of proof to require a showing that the project is contrary to the public interest and sharply narrowing the focus of that inquiry, this provision makes it extremely difficult for an agency to ever deny a permit, and it largely eliminates the ability to approve a permit subject to protective conditions.

Large, complicated, risky projects like oil and gas pipelines and electric transmission facilities are precisely the types of activities that ought to be well-planned and reviewed before they are built. Failure to do so not only results in threats to public safety, but can also harm our economy and environment.

Instead of improving responsible siting, construction, and operation of oil and gas pipelines and electric transmission facilities, this bill goes in the opposite direction by forcing these projects through no matter what the costs may be. For these reasons, we urge you to oppose this bill.

Sincerely,

350.org; Bold Alliance; Clean Water Action; Defenders of Wildlife; Greenpeace USA; Indigenous Environmental Network; League of Conservation Voters; Natural Resources Defense Council; Oil Change International; Power Shift Network; Seeding Sovereignty; Sierra Club.

JULY 18, 2017.

Re Oppose H.R. 2910 and H.R. 2883, Dangerous Handouts to the Oil and Gas Industry.

DEAR REPRESENTATIVE: The League of Conservation Voters (LCV) works to turn environmental values into national priorities. Each year, LCV publishes the National Environmental Scorecard, which details the voting records of members of Congress on environmental legislation. The Scorecard is distributed to LCV members, concerned voters nationwide, and the media.

LCV urges you to vote NO on H.R. 2910, the Promoting Interagency Coordination for Review of Natural Gas Pipelines Act, and H.R.

2883, the Promoting Cross-Border Energy Infrastructure Act.

H.R. 2910 sacrifices public input and thorough environmental review in favor of giving the Federal Energy Regulatory Commission (FERC) more power to fast-track approval of interstate natural gas pipelines. FERC has no accountability to the public or the environment, yet this bill would allow it to limit the participation and input of other state and federal agencies with relevant expertise in reviews required under the National Environmental Policy Act (NEPA). Additionally, H.R. 2910 would allow FERC to establish the scope of the environmental review and conditionally approve projects with incomplete environmental impact analysis, which could result in irreversible harm to our environment and public health. Given FERC's history of rash approval of pipelines, H.R. 2910 is unnecessary, dangerous, and nothing more than a handout to the oil and gas industry at the expense of the health and safety of our communities.

H.R. 2883 would greenlight permitting of new, potentially harmful cross-border oil and gas pipelines and electric transmission lines without meaningful and thorough review and oversight. It eliminates many important longstanding procedures, undermining critical environmental and economic review by abolishing the requirement that a project obtain a presidential permit and be affirmatively determined to be in the public interest. H.R. 2883 also narrows the scope of environmental review under NEPA, exempting certain projects altogether and severely limiting the review of these massive, expensive, long-lasting infrastructure projects to only the section that crosses the border, ignoring the potential damaging impacts from the project as a whole. By only reviewing a small portion of these projects and essentially erasing the national interest requirement, this bill would make it almost impossible for an agency to ever deny a permit and could result in irreversible damage to our health, public safety, climate, environment, and economy.

Again, we urge you to REJECT H.R. 2910 and H.R. 2883, and will consider including votes on these bills in the 2017 Scorecard.

Sincerely,

GENE KARPINSKI,  
President.

JULY 18, 2017.

Re Please Oppose H.R. 2883, the "Promoting Cross-Border Energy Infrastructure Act".

DEAR REPRESENTATIVE: On behalf of the undersigned organizations and our millions of members and supporters across the country, we write today to express our strong opposition to H.R. 2883, the "Promoting Cross-Border Energy Infrastructure Act." This bill represents a fourth irresponsible attempt to pass the previously titled "North American Energy Infrastructure Act" in as many years. We are opposed to the passage of this legislation and its attempt to ram through permits for new cross-border oil and gas pipelines and electric transmission lines without meaningful environmental review or public participation.

Our reasons for opposing H.R. 2883 are as follows:

It is unnecessary and eliminates longstanding procedure. Executive Order 13337 established a longstanding process that has been used by both Republican and Democratic administrations for decades to ensure that energy transmission projects crossing our international borders from Canada and Mexico are in the national interest.

It eliminates critical environmental and economic analysis. H.R. 2883 eliminates the current requirement that proposed oil and natural gas pipelines and electric transmission lines that cross the U.S. border with Mexico or Canada obtain a presidential permit, after an environmental review and determination that the project is in the national interest.

It irresponsibly narrows the scope of environmental review. H.R. 2883 replaces existing processes with one that limits environmental review to a narrow portion of the project, exempts certain types of projects from any permit requirement, and shifts the burden of proof to make it difficult to not approve a project.

It undermines the National Environmental Policy Act. The bill effectively exempts cross-border projects from meaningful environmental review under the National Environmental Policy Act (NEPA) by dramatically narrowing the focus of that review. Under the bill, the permit requirement and NEPA review apply only to the cross-border segment of the project. Trans-boundary pipelines and transmission lines are multi-billion dollar infrastructure investments that stretch hundreds of miles, last for decades, and pose environmental risks well beyond their border crossings. However, contrary to NEPA, the bill precludes review of the project's full impacts, such as oil spills and the consequences for landowners, public safety, drinking water, climate change, and wildlife.

It eliminates the need to justify projects as in the national interest. The bill eliminates the requirement that to issue a permit, the federal permitting agency must find the project to be in the national interest. Instead, the bill requires an agency to approve the project, unless it finds that the narrow segment that crosses the border "is not in the public interest of the United States." By shifting the burden of proof to require a showing that the project is contrary to the public interest and sharply narrowing the focus of that inquiry, this provision makes it extremely difficult for an agency to ever deny a permit, and it largely eliminates the ability to approve a permit subject to protective conditions.

Large, complicated, risky projects like oil and gas pipelines and electric transmission facilities are precisely the types of activities that ought to be well-planned and reviewed before they are built. Failure to do so not only results in threats to public safety, but can also harm our economy and environment.

Instead of improving responsible siting, construction, and operation of oil and gas pipelines and electric transmission facilities, this bill goes in the opposite direction by forcing these projects through no matter what the costs may be. For these reasons, we urge you to oppose this bill.

Sincerely,

350.org; Bold Alliance; Center for Biological Diversity; Clean Water Action; Defenders of Wildlife; Earthjustice; Environment America; Greenpeace USA; Indigenous Environmental Network; League of Conservation Voters; Natural Resources Defense Council; Oil Change International; Power Shift Network; Public Citizen; Seeding Sovereignty; Sierra Club.

Ms. CASTOR of Florida. Mr. Chairman, H.R. 2883 eliminates the current requirement that proposed oil and natural gas pipelines and electric transmission lines that cross the U.S. border

obtain a Presidential permit. That only happens after an environmental review and a determination that the project is in the national interest. I know this might be tempting to some of my colleagues, but I encourage you to have a closer look at what this bill really does.

The bill replaces this process with a new process that limits environmental review to a narrow portion of the project, just the portion that crosses the border. It exempts certain types of projects from any permit requirement and shifts the burden of proof to make it difficult to disapprove a project.

The bill also allows a project that is rejected under current law to reapply under the new, weaker process and exempts all modifications to existing cross-border projects from any requirement for Federal review or approval.

In essence, it grants a get-out-of-jail-free card, or, actually, I guess it is more akin to whatever you roll, you get to pass go, and you get to collect your \$200. That is not okay for some international oil pipelines, natural gas pipelines, and electric transmission lines. These are major infrastructure projects, and we have got to maintain the ability to have a meaningful review; otherwise, we are going to suffer significant incidents, accidents, fatalities, and more.

So let me close my remarks and my portion of the debate here today. I have enjoyed this debate, but I want to highlight again that the Congress is really missing an opportunity to address one of the most significant challenges that we face, and that is the challenge of climate change.

What is particularly troubling about this bill, as well, is it keeps the public in the dark. Think about it. If you live near a major international pipeline project, shouldn't you have the right to participate and understand what such project will allow in your backyard?

The bill would allow large and long-lived cross-border energy projects to be approved with no understanding or consideration of their environmental impact or to be exempted from any permitting requirement at all. The bill assumes that these projects are always in the public interest regardless of the merits. It is an unjustifiable giveaway. It elevates corporate profits over the public interest, and it is wrong.

The public, including communities and landowners directly affected by the projects, would have little or no information and no opportunity to object or request mitigating action except to the extent provided under limited State laws.

For all of these reasons, I urge a "no" vote on the bill.

Mr. Chairman, I yield the balance of my time to the gentlewoman from New Hampshire (Ms. KUSTER).

Ms. KUSTER of New Hampshire. Mr. Chairman, I rise today in strong oppo-

sition to the bills we are considering today which would short-circuit the approval process of fossil fuel projects at the expense of our environment and private property owners.

In my home State of New Hampshire, Granite Staters are all too familiar with the problems of siting natural gas projects and the disruption this can cause for small rural towns.

In 2015, energy giant Kinder Morgan proposed a large natural gas pipeline project that would have cut through 17 New Hampshire towns in my district which are home to numerous environmentally sensitive areas that would have been negatively impacted by this project.

Throughout the review process, I heard from thousands of my constituents whose concerns were not being heard by the Federal Energy Regulatory Commission.

Thanks to the commitment and tireless efforts of these advocates, Kinder Morgan eventually pulled the plug on the project, but there is so much more that needs to be done to give average citizens a seat at the table during FERC's review process.

The bills we are considering today would do nothing to elevate the concerns of impacted communities during the FERC proceedings, and these bills aim to jam through risky pipeline projects while constraining other agencies from concluding important environmental reviews.

We all know that FERC acts as a rubber stamp for fossil fuel projects, and the bills we are considering today further narrow the opportunities for private landowners to push back against projects and try to protect their land from eminent domain.

□ 1600

At a time when pipeline expansion has increased dramatically, we should be working on bipartisan solutions that increase public participation during FERC proceedings. That is why I have cosponsored legislation to create an Office of Public Participation within FERC that would level the playing field for average citizens and give them a seat at the table.

H.R. 2910, which we just debated, does nothing to achieve this goal and will only lead to more communities being left in the dark during FERC proceedings.

H.R. 2883 would eliminate the need for a Presidential permit for cross-border energy projects and dramatically narrow the environmental review to the narrow portion of the project that crosses the border. These cross-border projects are oftentimes hundreds of miles long. It simply makes no sense to conduct an environmental review on the small portion that crosses the border. That is just common sense.

For the good of our environment, for the good of our communities and public

lands, I urge my colleagues to oppose these harmful pieces of legislation.

Ms. CASTOR of Florida. Mr. Chair, I yield back the balance of my time.

Mr. MULLIN. Mr. Chairman, I actually have a couple of more speakers.

The CHAIR. Without objection, the gentlewoman from Florida may reclaim her time.

Mr. MULLIN. Mr. Chair, I was under the impression the other side had yielded back the balance of her time.

The CHAIR. The gentleman is correct, but by unanimous consent, the gentlewoman may reclaim the time.

Mr. MULLIN. Mr. Chair, I ask unanimous consent to allow the minority to reclaim the balance of her time.

The CHAIR. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULLIN. Mr. Chair, I yield 2 minutes to the gentleman from Kansas (Mr. MARSHALL).

Mr. MARSHALL. Mr. Chairman, I rise today in support of H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act, introduced by my friend and Great Plains colleague to the south, MARKWAYNE MULLIN.

This bill could not come at a better time. As we continue to have discussions in this country about both our future as an energy leader and our trading relationship with Mexico and Canada, it is time to review bureaucratic permitting processes that constrain new energy transportation projects. This bill does just that. It improves and streamlines the permitting process for pipelines and energy transmission equipment when they are crossing U.S. international borders.

Energy trade within North America is a nearly \$150 billion business that provides significant benefits here at home. This bill shows that we can focus on protecting our environment and being an energy leader. It maintains full environmental reviews and continues compliance with the National Environmental Policy Act.

We saw how broken our current regulatory structure was when politics and personal interests nearly ended the Keystone XL pipeline without any regard to science, facts, or the livelihoods of the people who needed those jobs. This legislation will allow American entrepreneurs to stop fighting endless red tape and uncertain timelines and get back to doing what we do best: creating jobs, innovating, and making North America a leader in energy production.

Voters have told us time and time again to get the bureaucratic morass of Big Government out of the way. They have asked us to promote an all-of-the-above energy strategy that includes oil and gas and to unleash the power of free trade and American innovation. They have asked for good jobs and more energy security.

I thank my good friend from Oklahoma for sponsoring this. I ask my colleagues to support H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act.

Ms. CASTOR of Florida. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Chair, I thank the gentlewoman from Florida for yielding.

Mr. Chair, I stand up to oppose H.R. 2883.

Basically, what this bill does is preapproves border-crossing energy products by making it extremely difficult to put a stop to them on any grounds.

As a general matter, specifically for oil pipelines, within the United States, oil pipelines don't need Federal approval. No Federal reviews or permits on these projects are required. If the pipeline harms endangered species, the ESA will apply. If the construction destroys wetlands, a project permit may be needed from the Corps of Engineers. But generally, neither of these requirements trigger a broader evaluation of the project. Currently, the only reason to prepare an environmental assessment or impact for cross-border pipelines or transmission lines is because the existing Presidential permit requirement triggers NEPA.

Under this bill, there would be no projectwide Federal environmental assessment for all these projects. State laws don't substitute for NEPA. Many States don't have approval authority over pipelines within their States.

The CHAIR. The time of the gentleman has expired.

Ms. CASTOR of Florida. Mr. Chair, I yield the gentleman an additional 30 seconds.

Mr. MCNERNEY. Even those States with some instate authority don't have the resources or expertise to develop the information provided by a Federal environmental impact statement. No State has permitting authority over the portions of a pipeline located in other States. Without NEPA, there would be no broad Federal environmental review of cross-border transmission lines.

Mr. Chair, we need these protections, and I ask my colleagues to oppose H.R. 2883.

Mr. MULLIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. GENE GREEN), my good friend.

Mr. GENE GREEN of Texas. Mr. Chair, there seems to be some confusion here that this bill takes away National Environmental Policy Act enforcement. That is just not true. In fact, during a committee hearing in the Energy and Commerce Committee, we produced a Congressional Research Service report that said that nothing in this bill will take away the responsibility for the NEPA process, the National Environmental Policy Act.

To make sure that every inch of those pipelines will be studied for environmental issues is not our intention. Our intention is just to move product. We will go through all the efforts.

Mr. Chair, I include in the RECORD a report from the Congressional Research Service that we got in committee.

[From the Congressional Research Service, May 2, 2017]

#### MEMORANDUM

To: The Honorable Gene Green; Attention: Justin Ackley

From: Linda Luther, Analyst in Environmental Policy, ext. 7-6852

Subject: Scope of NEPA Review Required for Federal Agency Approvals

This memorandum responds to your request asking CRS to clarify the scope of an environmental review prepared by federal agencies under the National Environmental Policy Act (NEPA). More specifically, you asked CRS to identify the scope of environmental impacts that a federal agency would be likely to evaluate before making a final decision on a request to approve certain energy infrastructure projects that would cross a United States border, such as the issuance of a "certificate of crossing" that would be required in the Promoting Cross-Border Energy Infrastructure Act (discussion draft released April 25, 2017). This memorandum identifies the range of environmental impacts that federal agencies currently evaluate when demonstrating compliance with NEPA. It also discusses current agency practices, for similar projects, that generally involve the evaluation of the environmental impacts of any new facilities constructed in the United States (i.e., impacts that may occur as a result of approving a cross-border energy infrastructure project). Information in this memorandum may be used or may have been used in other CRS products.

Before a federal agency can make a final decision on a proposed federal action, NEPA requires that agency to identify the proposal's effects on the "quality of the human environment." The scope and level of review required under NEPA depends on whether those effects will be "significant." To make that determination, each agency must identify and evaluate the proposal's—

Direct effects—impacts caused by the project and occurring at the same time and place, including impacts directly associated with the construction and operation of the facilities;

Indirect effects—impacts that are later in time or farther removed in distance, but still reasonably foreseeable; and

Cumulative effects—impacts on the environment that result from the incremental impacts of the action when added to other past, present, or reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes that other action.

If an agency is authorized to approve a cross-border facility (e.g., issue a certificate of crossing for certain energy infrastructure projects as in the proposed bill), that agency's decision must be informed by appropriate environmental review required under NEPA. As federal agencies currently implement NEPA, the requirement to identify and consider direct, indirect, and cumulative impacts has meant that the agency evaluates the effects of siting, building and operating the entire structure in the United States (not just the cross-border segment they are



authorized to approve). That is, if a federal agency is authorized to approve a cross-border project, that agency's existing NEPA practices would likely continue to involve analysis of impacts associated with the approval of the facility that physically crosses the border, as well as any new facilities constructed in the United States.

I hope this information is useful to you. Please feel free to contact me if you have additional questions.

Mr. GENE GREEN of Texas. Mr. Chair, the other issue, though, is we are going to do belts and suspenders. That is an old saying I heard. We already had a belt, but now we are going to deal with an amendment from Congressman VEASEY. We will make sure it is belts and suspenders and that the National Environmental Policy Act is applied to these pipelines, because that is not our intent.

So we not only have the Congressional Research Service saying it is, we are going to put language into this bill, and I understand it will be accepted by our side, to make sure that is there.

What we need to do is make sure that our closest neighbors, Canada and Mexico—right now, Mexico needs the natural gas that we are producing in Texas, Louisiana, Oklahoma, and New Mexico; but 20 years from now, our wells may be dry for natural gas, and we will need that natural gas that Mexico will be producing when they work in northern Mexico.

So that is why we need to structuralize this, if we are really going to have a North American energy market for electric transmission like they do up in the New England States or electric transmissions even along the border in Texas. I know they do the same thing in southern California. We need to have some certainty with our closest neighbors.

We have a free trade agreement with these two countries. It is already decided it is in our national interest. Why would we set aside energy as something different? That is why this bill is so important.

Mr. Chair, I urge a "yes" vote for this legislation.

Ms. CASTOR of Florida. Mr. Chair, I reserve the balance of my time.

Mr. MULLIN. Mr. Chair, I yield 2 minutes to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, I rise today in strong support of H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act, introduced by my friend and Western Caucus member MARKWAYNE MULLIN.

H.R. 2883 streamlines the permitting process for pipelines and electricity transmission equipment that crosses the United States' international borders.

Energy trade between the U.S., Mexico, and Canada is nearly a \$150 billion business that provides significant benefits to America. This bill will prevent another Keystone XL-like delay and

takes politics out of the decision-making process.

Cross-border oil and gas pipelines and cross-border electric transmission facilities should not be held up by government bureaucracies. Without this legislation, important projects that provide benefits to our economy will continue to incur unnecessary delays and government red tape.

Edison Electric Institute supports H.R. 2883, stating:

Timely decisions for the sifting and permitting of energy infrastructure are essential to building more resilient infrastructure that electric companies need to deliver reliable, affordable, safe, and increasingly clean energy to Americans.

The National Taxpayers Union supports the bill, stating:

This legislation would streamline the archaic cross-border permitting process for energy facilities that stretch across the borders we share with Mexico and Canada.

The current Presidential permit regime is far from clear and can leave projects in regulatory limbo for years to come. Creating a consolidated and standardized approval process would increase the congressional accountability provided for in Article I, section 8 of the Constitution.

The bill requires a full environmental review and complies with NEPA. This legislation makes so much sense that even labor unions support it. Let's fulfill our constitutional obligations, streamline important energy infrastructure projects, and advance a true all-of-the-above energy strategy.

I thank the gentleman from Oklahoma for sponsoring this much-needed legislation, and I urge my colleagues to vote in support of this commonsense bill.

Ms. CASTOR of Florida. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I strongly urge the Members of this body to oppose this misguided bill so that the Congress can turn its attention to the most daunting challenge of our time: climate change, our clean energy future, and the clean energy economy and all of the jobs it entails.

Mr. Chair, again, I urge a "no" vote, and I yield back the balance of my time.

Mr. MULLIN. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, this bill has absolutely no effect on any environmental law. The bill expressly provides that approval of a project under this act does not affect the application of any other Federal laws that are applicable to the construction, operation, or maintenance of a project. The Congressional Research Service has reviewed the legislation and has confirmed that fact.

My point is, other than the fact that they just want to oppose this because, maybe, people oppose fossil fuels as a whole, this makes sense. This is a bill

that moves forward. As we stated earlier, it takes politics out of our permitting process. It brings structure and certainty to those that are providing our infrastructure needs.

Mr. Chair, I urge my colleagues to vote "yes," and I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-29. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 2883

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### **SECTION 1. SHORT TITLE.**

*This Act may be cited as the "Promoting Cross-Border Energy Infrastructure Act".*

#### **SEC. 2. APPROVAL FOR BORDER-CROSSING FACILITIES.**

(a) AUTHORIZATION OF CERTAIN ENERGY INFRASTRUCTURE PROJECTS AT AN INTERNATIONAL BOUNDARY OF THE UNITED STATES.—

(1) AUTHORIZATION.—Except as provided in paragraph (3) and subsection (e), no person may construct, connect, operate, or maintain a border-crossing facility for the import or export of oil or natural gas, or the transmission of electricity, across an international border of the United States without obtaining a certificate of crossing for the border-crossing facility under this subsection.

(2) CERTIFICATE OF CROSSING.—

(A) REQUIREMENT.—Not later than 120 days after final action is taken, by the relevant official or agency identified under subparagraph (B), under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a border-crossing facility for which a person requests a certificate of crossing under this subsection, the relevant official or agency, in consultation with appropriate Federal agencies, shall issue a certificate of crossing for the border-crossing facility unless the relevant official or agency finds that the construction, connection, operation, or maintenance of the border-crossing facility is not in the public interest of the United States.

(B) RELEVANT OFFICIAL OR AGENCY.—The relevant official or agency referred to in subparagraph (A) is—

(i) the Federal Energy Regulatory Commission with respect to border-crossing facilities consisting of oil or natural gas pipelines; and

(ii) the Secretary of Energy with respect to border-crossing facilities consisting of electric transmission facilities.

(C) ADDITIONAL REQUIREMENT FOR ELECTRIC TRANSMISSION FACILITIES.—In the case of a request for a certificate of crossing for a border-crossing facility consisting of an electric transmission facility, the Secretary of Energy shall require, as a condition of issuing the certificate of crossing under subparagraph (A), that the border-crossing facility be constructed, connected, operated, or maintained consistent with all applicable policies and standards of—



(i) the Electric Reliability Organization and the applicable regional entity; and

(ii) any Regional Transmission Organization or Independent System Operator with operational or functional control over the border-crossing facility.

(3) **EXCLUSIONS.**—This subsection shall not apply to any construction, connection, operation, or maintenance of a border-crossing facility for the import or export of oil or natural gas, or the transmission of electricity—

(A) if the border-crossing facility is operating for such import, export, or transmission as of the date of enactment of this Act;

(B) if a permit described in subsection (d) for the construction, connection, operation, or maintenance has been issued; or

(C) if an application for a permit described in subsection (d) for the construction, connection, operation, or maintenance is pending on the date of enactment of this Act, until the earlier of—

(i) the date on which such application is denied; or

(ii) two years after the date of enactment of this Act, if such a permit has not been issued by such date.

(4) **EFFECT OF OTHER LAWS.**—

(A) **APPLICATION TO PROJECTS.**—Nothing in this subsection or subsection (e) shall affect the application of any other Federal statute to a project for which a certificate of crossing for a border-crossing facility is requested under this subsection.

(B) **NATURAL GAS ACT.**—Nothing in this subsection or subsection (e) shall affect the requirement to obtain approval or authorization under sections 3 and 7 of the Natural Gas Act for the siting, construction, or operation of any facility to import or export natural gas.

(C) **OIL PIPELINES.**—Nothing in this subsection or subsection (e) shall affect the authority of the Federal Energy Regulatory Commission with respect to oil pipelines under section 60502 of title 49, United States Code.

(b) **IMPORTATION OR EXPORTATION OF NATURAL GAS TO CANADA AND MEXICO.**—Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended by adding at the end the following: “In the case of an application for the importation of natural gas from, or the exportation of natural gas to, Canada or Mexico, the Commission shall grant the application not later than 30 days after the date on which the Commission receives the complete application.”.

(c) **TRANSMISSION OF ELECTRIC ENERGY TO CANADA AND MEXICO.**—

(1) **REPEAL OF REQUIREMENT TO SECURE ORDER.**—Section 202(e) of the Federal Power Act (16 U.S.C. 824a(e)) is repealed.

(2) **CONFORMING AMENDMENTS.**—

(A) **STATE REGULATIONS.**—Section 202(f) of the Federal Power Act (16 U.S.C. 824a(f)) is amended by striking “insofar as such State regulation does not conflict with the exercise of the Commission’s powers under or relating to subsection 202(e)”.

(B) **SEASONAL DIVERSITY ELECTRICITY EXCHANGE.**—Section 602(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a-4(b)) is amended by striking “the Commission has conducted hearings and made the findings required under section 202(e) of the Federal Power Act” and all that follows through the period at the end and inserting “the Secretary has conducted hearings and finds that the proposed transmission facilities would not impair the sufficiency of electric supply within the United States or would not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Secretary.”.

(d) **NO PRESIDENTIAL PERMIT REQUIRED.**—No Presidential permit (or similar permit) required

under Executive Order No. 13337 (3 U.S.C. 301 note), Executive Order No. 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, Executive Order No. 12038, Executive Order No. 10485, or any other Executive order shall be necessary for the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility, or any border-crossing facility thereof.

(e) **MODIFICATIONS TO EXISTING PROJECTS.**—No certificate of crossing under subsection (a), or permit described in subsection (d), shall be required for a modification to—

(1) an oil or natural gas pipeline or electric transmission facility that is operating for the import or export of oil or natural gas or the transmission of electricity as of the date of enactment of this Act;

(2) an oil or natural gas pipeline or electric transmission facility for which a permit described in subsection (d) has been issued; or

(3) a border-crossing facility for which a certificate of crossing has previously been issued under subsection (a).

(f) **EFFECTIVE DATE; RULEMAKING DEADLINES.**—

(1) **EFFECTIVE DATE.**—Subsections (a) through (e), and the amendments made by such subsections, shall take effect on the date that is 1 year after the date of enactment of this Act.

(2) **RULEMAKING DEADLINES.**—Each relevant official or agency described in subsection (a)(2)(B) shall—

(A) not later than 180 days after the date of enactment of this Act, publish in the Federal Register notice of a proposed rulemaking to carry out the applicable requirements of subsection (a); and

(B) not later than 1 year after the date of enactment of this Act, publish in the Federal Register a final rule to carry out the applicable requirements of subsection (a).

(g) **DEFINITIONS.**—In this section—

(1) the term “border-crossing facility” means the portion of an oil or natural gas pipeline or electric transmission facility that is located at an international boundary of the United States;

(2) the term “modification” includes a reversal of flow direction, change in ownership, change in flow volume, addition or removal of an interconnection, or an adjustment to maintain flow (such as a reduction or increase in the number of pump or compressor stations);

(3) the term “natural gas” has the meaning given that term in section 2 of the Natural Gas Act (15 U.S.C. 717a);

(4) the term “oil” means petroleum or a petroleum product;

(5) the terms “Electric Reliability Organization” and “regional entity” have the meanings given those terms in section 215 of the Federal Power Act (16 U.S.C. 824o); and

(6) the terms “Independent System Operator” and “Regional Transmission Organization” have the meanings given those terms in section 3 of the Federal Power Act (16 U.S.C. 796).

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of House Report 115-235. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

□ 1615

AMENDMENT NO. 1 OFFERED BY MR. ENGEL

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 115-235.

Mr. ENGEL. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, after line 16, insert the following:

(i) the Secretary of State with respect to border-crossing facilities consisting of oil pipelines;

Page 2, line 17, strike “(i)” and insert “(ii)”.

Page 2, line 19, strike “oil or”.

Page 2, line 21, strike “(ii)” and insert “(iii)”.

The CHAIR. Pursuant to House Resolution 454, the gentleman from New York (Mr. ENGEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ENGEL. Mr. Chairman, since 1968, oil pipelines that cross international borders have been reviewed and authorized by the Department of State. That is nearly 50 years. This is common sense. After all, the State Department handles diplomacy, the State Department manages treaties related to our international boundaries, and the State Department is responsible for the security of pathways for our pipelines.

But the bill we are considering today would shift decisionmaking authority for those pipelines from the State Department, which is equipped to handle all aspects of this issue, to Federal Energy Regulatory Commission, which isn’t equipped.

So it just doesn’t make any sense to me, Mr. Chairman. It seems quite arbitrary and quite foolish and moving in the wrong direction. This is change for change’s sake, and it wouldn’t improve the process.

My amendment would prevent this mistake. It would simply ensure that permitting authority for cross-border oil pipelines remains with the Department of State. That is the permitting authority for cross-border oil pipelines to remain with the Department of State.

In each of the past two Congresses, my friends in the majority agreed. They passed substantially similar legislation to change the cross-border pipeline permitting process, but they kept the final approval authority where it belongs, with the Department of State.

Cross-border oil pipelines are matters of international diplomacy and national security, and oversight should remain with the State Department. The old adage, “If it ain’t broke, don’t fix it,” I don’t know what we are trying to do here. So I urge support for my amendment.

Mr. Chair, I yield back the balance of my time.

Mr. MULLIN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. MULLIN. Mr. Chair, H.R. 2883 was designated the Federal Energy Regulatory Commission, the lead agency of the permitting cross-border oil pipelines.

FERC is an independent agency made up of a bipartisan commission that regulates interstate transmission of electricity, natural gas, and oil. FERC also reviews proposals to build liquefied natural gas terminals, interstate natural gas pipelines, and cross-border natural gas facilities.

FERC has a proven track record of working with a wide array of stakeholders on complex pipeline projects to balance the public interest. It is clearly the best suited agency for the job of permitting cross-border oil pipelines.

As we learned from the Keystone XL experience during the Obama administration, the State Department lacks the ability to pull out politics from our Nation's infrastructure. There is nothing in this bill that would prevent the State Department from being consulted about an application, but FERC should take the lead on cross-border oil pipelines.

H.R. 2883 would provide the permitting process with much-needed consistency and transparency. The gentleman's amendment would double down on the failures of the past and reinject bipartisan politics into the process.

Mr. Chairman, I urge a "no" on this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. ENGEL. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 2 OFFERED BY MS. TSONGAS

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 115-235.

Ms. TSONGAS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, after line 14, insert the following:

(D) ADDITIONAL REQUIREMENT FOR OIL AND NATURAL GAS PIPELINE FACILITIES.—In the case of a request for a certificate of crossing for a border-crossing facility consisting of an oil or natural gas pipeline facility, the Federal Energy Regulatory Commission may not issue a certificate of crossing under subparagraph (A) if any part of the oil or natural gas pipeline project is to be located on lands re-

quired under Federal, State, or local law to be managed for purposes of natural resource conservation or recreation.

The CHAIR. Pursuant to House Resolution 454, the gentlewoman from Massachusetts (Ms. TSONGAS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Massachusetts.

Ms. TSONGAS. Mr. Chairman, my amendment protects a robust public review process for any proposed pipeline that seeks to cross protected conservation and recreation lands, this time for pipelines that includes a crossing with Canada or Mexico. The legislation before us today, with its narrowly defined environmental reviews and limited public input, puts treasured public resources at risk.

My home State of Massachusetts, like many areas around the country, faces real energy challenges. We need careful and strategic long-term planning in order to lower energy prices and increase reliability and resiliency.

However, as with H.R. 2910 that we considered earlier this afternoon, H.R. 2883 moves us in the wrong direction. In fact, it doesn't allow any careful or strategic planning when it comes to fossil fuel pipelines.

Cross-border and natural gas pipeline interests should not be permitted to cavalierly tread on public lands, lands expressly set aside by Federal taxpayers, State and local communities for the benefit of conservation and public recreation.

Our Nation has a longstanding history of preserving natural habitats and protecting open spaces for the public benefit, and we have invested significant public resources toward these goals. These lands and the decisions behind them deserve to be honored.

The potential negative environmental impacts of an oil or natural gas pipeline are too great to risk such treasured investments by Federal taxpayers and State and local communities, and we should not quickly forego the essential public review process that has helped ensure these public treasures are available to future generations.

Mr. Chairman, I urge support for my amendment, and I reserve the balance of my time.

Mr. MULLIN. Mr. Chair, I claim the time in opposition.

The CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. MULLIN. Mr. Chair, I reserve the balance of my time for closing.

Ms. TSONGAS. Mr. Chair, I don't have any additional speakers.

I would just like to say that energy infrastructure is critical to our economy, yet we cannot simply give the fossil fuel industry a carte blanche to build pipelines that adversely impact conservation and recreation lands.

Mr. Chair, I yield back the balance of my time.

Mr. MULLIN. Mr. Chair, I yield 2 minutes to my colleague from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chair, I rise in opposition to this amendment. In the United States today, there is 150 million acres of protected land set aside in the National Wildlife Refuge System for protected designation for America's fish, wildlife, and plants.

Conservation efforts like the National Wildlife Refuge System build up America's great conservation legacy that began with Teddy Roosevelt. Ensuring that future generations of Americans have access to these great traditions must be our priority as a body going forward.

In this 150 million acres of National Wildlife Refuge System land, though, there currently stretches 1,339 miles of pipeline already. Protecting our natural resources and building much-needed infrastructure are not mutually exclusive goals.

These pipelines are already there. They are not destroying the lands or their ecosystem or prohibiting the American people from enjoying access to this public land. Companies must pay the government for use of the land for pipelines. That money, in turn, goes into acquiring more land for conservation efforts and recreational use.

The Department of Transportation's review of safety accidents conducted under President Obama's administration showed that in addition to providing a substantial cost advantage, pipelines result in fewer spillage incidents and personal injuries than either road or rail.

As coal-fired power plants continue to shut down, the demand for natural gas, a lower emission alternative, is going to keep going up. Whether the gas is produced in Canada, Alaska, North Dakota, Pennsylvania, or the Gulf of Mexico, it will be used all over the country, and we need to ensure that a regulatory framework is in place that allows us to get this supply to where it is needed.

The amendment is a backhanded way to prevent any pipelines or electrical transmission infrastructure from being built.

Mr. Chair, I urge my colleagues to vote "no" on this amendment.

Mr. MULLIN. Mr. Chair, H.R. 2883 strikes a right balance for wise management of our multiuse public lands and natural resources. The amendment would upset this careful balance.

Mr. Chair, I urge a "no" vote on this amendment, and I yield back the balance of my time.

The Acting CHAIR (Mr. WEBER of Texas). The question is on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. TSONGAS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Massachusetts will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. GENE GREEN OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 115–235.

Mr. GENE GREEN of Texas. Mr. Chair, as the designee of Mr. VEASEY, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, after line 3, insert the following:

(D) SCOPE OF NEPA REVIEW.—Nothing in this Act, or the amendments made by this Act, shall affect the scope of any review required to be conducted under section 102 of the National Environmental Policy Act of 1969 with respect to a project for which a certificate of crossing for a border-crossing facility is requested under this subsection.

The Acting CHAIR. Pursuant to House Resolution 454, the gentleman from Texas (Mr. GENE GREEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. GENE GREEN of Texas. Mr. Chair, again, this is Congressman VEASEY's idea, and I am doing it for him because he couldn't be here.

Our intent when crafting the bill was never to reduce or limit the National Environmental Policy Act applicability when considering whether to approve a cross-border project.

Before a Federal agency can make a final determination on a proposed Federal action, the National Environmental Policy Act requires that the agency identify the proposal's effects on the quality of human environment and whether these effects will be significant.

To make this determination, Federal agencies identify and evaluate the direct and indirect cumulation of effects of the proposal. Direct effects are the impacts caused by the project occurring at the same time and place. Indirect effects are the impacts that are later in time or further removed but still reasonably foreseeable. And cumulative effects are impacts on the environment that result with incremental impacts on the action, regardless of what person or agency undertakes that action.

The Federal agencies currently implement NEPA. The requirement to identify all three of these impacts has required the analysis of impacts to include not just the cross-border section of the project, but any new facility or structure constructed within the United States.

Our office had the bill analyzed by the experts at the Congressional Re-

search Office, who confirmed that the underlying bill did not in any way limit the scope of future National Environmental Policy Act reviews under it. Under our language, they will continue to involve reviews of the entire project, not just that part that crosses the border section.

With that said, I have heard concerns from Members who are worried that the bill will limit the NEPA in some way. I am happy to support this bipartisan amendment with my colleague, Mr. VEASEY, which unequivocally states that nothing in this act or the amendments made by this act shall affect the scope of any review required to be conducted by the National Environmental Policy Act of 1969.

I support this good faith amendment—and like I said earlier, it is belts and suspenders, but sometimes we need them to pass legislation—and I urge my colleagues to do so as well.

Mr. Chair, I yield back the balance of my time.

Mr. MULLIN. Mr. Chair, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Oklahoma is recognized for 5 minutes.

There was no objection.

Mr. MULLIN. Mr. Chair, I rise in support of the gentleman's amendment, which would clarify the intent of the legislation not to affect the application of any or other Federal laws that are applicable to the construction, operation, or maintenance of the project.

Despite the talking points used by some of my friends, nothing in this bill would exempt a project from complying with applicable environmental laws or restrict the scope of environmental review.

The gentleman from Texas' amendment makes this abundantly clear. H.R. 2883 would lead to a more objective and timely decision, create jobs, strengthen our Nation's energy security, and support affordable and reliable energy for all Americans.

Mr. Chair, I urge a "yes" vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. GENE GREEN).

The amendment was agreed to.

□ 1630

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 115–235 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. ENGEL of New York.

Amendment No. 2 by Ms. TSONGAS of Massachusetts.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. ENGEL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. ENGEL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 182, noes 246, not voting 5, as follows:

[Roll No. 395]

AYES—182

|                 |                |                |
|-----------------|----------------|----------------|
| Adams           | Gomez          | O'Rourke       |
| Aguilar         | Green, Al      | Pallone        |
| Barragan        | Grijalva       | Panetta        |
| Bass            | Gutiérrez      | Pascrell       |
| Beatty          | Hanabusa       | Payne          |
| Bera            | Hastings       | Pelosi         |
| Beyer           | Heck           | Perlmutter     |
| Bishop (GA)     | Higgins (NY)   | Peters         |
| Blumenauer      | Himes          | Pingree        |
| Blunt Rochester | Hoyer          | Pocan          |
| Bonamici        | Huffman        | Polis          |
| Boyle, Brendan  | Jackson Lee    | Price (NC)     |
| F.              | Jayapal        | Quigley        |
| Brown (MD)      | Jeffries       | Raskin         |
| Brownley (CA)   | Johnson (GA)   | Reichert       |
| Bustos          | Johnson, E. B. | Rice (NY)      |
| Butterfield     | Kaptur         | Richmond       |
| Capuano         | Keating        | Rosen          |
| Carbajal        | Kelly (IL)     | Roybal-Allard  |
| Cárdenas        | Kennedy        | Royce (CA)     |
| Carson (IN)     | Khanna         | Ruiz           |
| Cartwright      | Kihuen         | Ruppersberger  |
| Castor (FL)     | Kildee         | Rush           |
| Castro (TX)     | Kilmer         | Ryan (OH)      |
| Chu, Judy       | Kind           | Sánchez        |
| Ciциlline       | Krishnamoorthi | Sarbanes       |
| Clark (MA)      | Kuster (NH)    | Schakowsky     |
| Clarke (NY)     | Langevin       | Schiff         |
| Clay            | Larsen (WA)    | Schneider      |
| Cleaver         | Larson (CT)    | Scott (VA)     |
| Clyburn         | Lawrence       | Scott, David   |
| Connolly        | Lawson (FL)    | Serrano        |
| Conyers         | Lee            | Sewell (AL)    |
| Cooper          | Levin          | Shea-Porter    |
| Courtney        | Lewis (GA)     | Sherman        |
| Crist           | Lieu, Ted      | Sinema         |
| Crowley         | Lipinski       | Sires          |
| Davis (CA)      | Loeb sack      | Slaughter      |
| Davis, Danny    | Lofgren        | Smith (WA)     |
| DeFazio         | Lowenthal      | Soto           |
| DeGette         | Lowe y         | Speier         |
| Delaney         | Lujan Grisham, | Suo zzi        |
| DeLauro         | M.             | Swalwell (CA)  |
| DelBene         | Luján, Ben Ray | Takano         |
| Demings         | Lynch          | Thompson (CA)  |
| DeSaulnier      | Maloney,       | Thompson (MS)  |
| Deutch          | Carolyn B.     | Titus          |
| Dingell         | Maloney, Sean  | Tonko          |
| Doggett         | Matsui         | Torres         |
| Doyle, Michael  | McCollum       | Tsongas        |
| F.              | McEachin       | Vargas         |
| Ellison         | McGovern       | Velázquez      |
| Engel           | McNerney       | Visclosky      |
| Eshoo           | Meeks          | Walz           |
| Espallat        | Meng           | Wasserman      |
| Esty (CT)       | Moore          | Schultz        |
| Evans           | Moulton        | Waters, Maxine |
| Foster          | Murphy (FL)    | Watson Coleman |
| Frankel (FL)    | Nadler         | Welch          |
| Fudge           | Neal           | Wilson (FL)    |
| Gabbard         | Nolan          | Yarmuth        |
| Gallego         | Norcross       |                |
| Garamendi       | O'Halleran     |                |

NOES—246

|          |       |           |
|----------|-------|-----------|
| Abraham  | Allen | Amodei    |
| Aderholt | Amash | Arrington |

Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barton  
Bergman  
Biggs  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Brady (PA)  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cohen  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Correa  
Costa  
Costello (PA)  
Cramer  
Crawford  
Cuellar  
Culberson  
Curbelo (FL)  
Davidson  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer  
Estes (KS)  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gaetz  
Gallagher  
Garrett  
Gianforte  
Gibbs  
Gohmert  
Gonzalez (TX)  
Goodlatte

Gosar  
Gottheimer  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green, Gene  
Griffith  
Grothman  
Guthrie  
Handel  
Harper  
Harris  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hollingsworth  
Hudson  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
Lewis (MN)  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Massie  
Mast  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Murphy (PA)  
Newhouse  
Noem  
Norman

Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Reed  
Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas J.  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Russell  
Rutherford  
Sanford  
Schrader  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Veasey  
Vela  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

So the amendment was rejected.

The result of the vote was announced as above recorded.

#### AMENDMENT NO. 2 OFFERED BY MS. TSONGAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 179, noes 247, not voting 7, as follows:

[Roll No. 396]

#### AYES—179

Adams  
Aguilar  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan F.  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Cabrera  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Correa  
Courtney  
Crist  
Crowley  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Demings  
DeSaulnier  
Deutsch  
Dingell  
Doggett  
Ellison  
Engel  
Eshoo  
Español  
Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Fudge  
Gabbard

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barton  
Bergman  
Biggs  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Brady (PA)  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costa  
Costello (PA)  
Cramer  
Crawford  
Cuellar  
Culberson  
Curbelo (FL)  
Davidson  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Donovan  
Doyle, Michael F.  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer  
Estes (KS)  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gaetz  
Gallagher  
Garrett  
Gianforte  
Gibbs

#### NOES—247

Gohmert  
Gonzalez (TX)  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green, Gene  
Griffith  
Grothman  
Guthrie  
Handel  
Harper  
Harris  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hollingsworth  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
Lawson (FL)  
Lewis (MN)  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Massie  
Mast  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Murphy (PA)  
Newhouse  
Noem  
Norcross  
Norman

#### NOT VOTING—7

Napolitano  
Scalise  
Tenney

□ 1703

So the amendment was rejected.

#### NOT VOTING—5

Cummings  
Labrador

□ 1658

Ms. STEFANIK, Messrs. VELA, GOTTHEIMER, PALAZZO, BURGESS, VEASEY, CHABOT, CUELLAR, WALBERG, and MEADOWS changed their vote from “aye” to “no.”

Ms. FUDGE changed her vote from “no” to “aye.”

The result of the vote was announced as above recorded.

Stated against:

Mr. HUDSON. Mr. Chair, I was unavoidably detained from the House floor. Had I been present, I would have voted "nay" on rollcall No. 396 (Tsongas Amendment to H.R. 2833).

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. RODNEY DAVIS of Illinois) having assumed the chair, Mr. WEBER of Texas, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2883) to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity, and, pursuant to House Resolution 454, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### MOTION TO RECOMMIT

Mr. O'HALLERAN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. O'HALLERAN. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. O'Halleran moves to recommit the bill H.R. 2883 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith, with the following amendment:

Page 3, after line 14, insert the following:

(D) AMERICAN IRON AND STEEL.—As a condition of issuing a certificate of crossing under subparagraph (A), the relevant official or agency shall require that all of the iron and steel products used in the construction, connection, operation, and maintenance of the border-crossing facility are produced in the United States, as determined by the relevant official or agency in a manner consistent with United States obligations under international agreements.

Mr. MULLIN (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The SPEAKER pro tempore. The gentleman from Arizona is recognized for 5 minutes.

Mr. O'HALLERAN. Mr. Speaker, this is the final amendment to the bill which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, hardworking families across Arizona and across our country are sick and tired of Congress putting partisan politics ahead of creating jobs at home.

As I travel across rural Arizona and speak to workers, miners, farmers, and families, I am asked the same questions: "When is Congress going to get serious about helping rural America?"

"When are you guys going to work together and create good-paying jobs?"

"When are we going to rebuild our crumbling infrastructure and roads?"

"When are we finally going to get reliable broadband?"

In my 7 months in Congress, I have seen firsthand the failure to address these problems in a truly bipartisan manner. American workers are counting on all of us, Democrats and Republicans, to focus on bringing back jobs to our country.

The underlying bill before us does not go far enough to ensure pipelines, which involve major investments and can span hundreds of miles across sensitive areas, are made with quality, reliable, American-made materials.

My commonsense amendment simply requires Federal agencies to certify that all of the iron and steel products used in any cross-border pipelines are produced in the United States before they can be approved.

Mr. Speaker, foreign steelmakers now supply half the oil and gas drilling and extraction pipes used in the United States, and it is only getting worse. The American Iron and Steel Institute estimates that imports of steel pipes for the oil and gas industry are up 237 percent in the first half of 2017 from a year earlier.

Earlier this year, President Trump signed an executive order instructing the Secretary of Commerce to develop a plan that would require any company building a pipeline within U.S. borders to use American-made materials and equipment. My amendment mirrors the spirit of that executive order by applying the same rules to any proposed cross-border pipelines.

Mr. Speaker, we need to rebuild America. We need to rebuild America's infrastructure. We need to rebuild America's energy infrastructure, but

we need to rebuild America by creating American jobs.

Mr. Speaker, I can think of no better message to send during President Trump's "Made in America Week" than by standing up for American workers and supporting this commonsense amendment. I urge my colleagues to vote "yes."

Mr. Speaker, I yield back the balance of my time.

Mr. MULLIN. Mr. Speaker, I claim the time in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. MULLIN. Mr. Speaker, this is just a procedural motion to deny the important benefits of this legislation to the American workers, businesses, and our collective energy security. It fits a pattern of delay and obstruction that we simply cannot support. I urge my colleagues to oppose this motion to recommit and vote "yes" on final passage.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

#### RECORDED VOTE

Mr. O'HALLERAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 193, noes 232, not voting 8, as follows:

[Roll No. 397]

AYES—193

|                 |                |               |
|-----------------|----------------|---------------|
| Adams           | Clarke (NY)    | Duncan (TN)   |
| Aguilar         | Clay           | Ellison       |
| Barragán        | Cleaver        | Engel         |
| Bass            | Clyburn        | Eshoo         |
| Beatty          | Cohen          | Español       |
| Bera            | Connolly       | Esty (CT)     |
| Beyer           | Conyers        | Evans         |
| Bishop (GA)     | Cooper         | Foster        |
| Blumenauer      | Correa         | Frankel (FL)  |
| Blunt Rochester | Costa          | Fudge         |
| Bonamici        | Courtney       | Gabbard       |
| Boyle, Brendan  | Crist          | Gallego       |
| F.              | Crowley        | Garamendi     |
| Brady (PA)      | Cuellar        | Gomez         |
| Brown (MD)      | Davis (CA)     | Gonzalez (TX) |
| Brownley (CA)   | Davis, Danny   | Gottheimer    |
| Bustos          | DeFazio        | Green, Al     |
| Butterfield     | DeGette        | Green, Gene   |
| Capuano         | Delaney        | Grijalva      |
| Carbajal        | DeLauro        | Gutiérrez     |
| Cárdenas        | DelBene        | Hanabusa      |
| Carson (IN)     | Demings        | Hastings      |
| Cartwright      | DeSaulnier     | Heck          |
| Castor (FL)     | Deutch         | Higgins (NY)  |
| Castro (TX)     | Dingell        | Himes         |
| Chu, Judy       | Doggett        | Hoyer         |
| Cicilline       | Doyle, Michael | Huffman       |
| Clark (MA)      | F.             | Jackson Lee   |

Jayapal McCollum  
 Jeffries McEachin  
 Johnson (GA) McGovern  
 Johnson, E. B. McMerney  
 Jones Meeks  
 Kaptur Meng  
 Keating Moore  
 Kelly (IL) Moulton  
 Kennedy Murphy (FL)  
 Khanna Nadler  
 Kihuen Neal  
 Kildee Nolan  
 Kilmer Norcross  
 Kind O'Halleran  
 Krishnamoorthi O'Rourke  
 Kuster (NH) Pallone  
 Langevin Panetta  
 Larsen (WA) Pascarell  
 Larson (CT) Payne  
 Lawrence Perlmutter  
 Lawson (FL) Peters  
 Lee Peterson  
 Levin Pingree  
 Lewis (GA) Pocan  
 Lieu, Ted Polis  
 Lipinski Price (NC)  
 Loeb sack Quigley  
 Lofgren Raskin  
 Lowenthal Rice (NY)  
 Lowey Richmond  
 Lujan Grisham, M. Rosen  
 Luján, Ben Ray Roybal-Allard  
 Lynch Ruiz  
 Maloney, Carolyn B. Ruppersberger  
 Maloney, Sean Ryan (OH)  
 Matsui Sánchez  
 Sarbanes

## NOES—232

Abraham DesJarlais  
 Aderholt Diaz-Balart  
 Allen Donovan  
 Amash Duffy  
 Amodei Duncan (SC)  
 Arrington Dunn  
 Babin Emmer  
 Bacon Estes (KS)  
 Banks (IN) Farenthold  
 Barletta Faso  
 Barr Ferguson  
 Barton Fitzpatrick  
 Bergman Fleischmann  
 Biggs Flores  
 Bilirakis Fortenberry  
 Bishop (MI) Foxx  
 Bishop (UT) Franks (AZ)  
 Black Frelinghuysen  
 Blackburn Gaetz  
 Blum Gallagher  
 Bost Garrett  
 Brady (TX) Gianforte  
 Brat Gibbs  
 Bridenstine Gohmert  
 Brooks (AL) Goodlatte  
 Brooks (IN) Gosar  
 Buchanan Gowdy  
 Buck Granger  
 Bucshon Graves (GA)  
 Budd Graves (LA)  
 Burgess Graves (MO)  
 Byrne Griffith  
 Calvert Grothman  
 Carter (GA) Guthrie  
 Carter (TX) Handel  
 Chabot Harper  
 Cheney Harris  
 Coffman Hartzler  
 Cole Hensarling  
 Collins (GA) Herrera Beutler  
 Collins (NY) Hice, Jody B.  
 Comer Higgins (LA)  
 Comstock Hill  
 Conaway Holding  
 Cook Hollingsworth  
 Costello (PA) Hudson  
 Cramer Huizenga  
 Crawford Hultgren  
 Culberson Hunter  
 Curbelo (FL) Hurd  
 Davidson Issa  
 Davis, Rodney Jenkins (KS)  
 Denham Jenkins (WV)  
 Dent Johnson (LA)  
 DeSantis Johnson (OH)

Schakowsky  
 Schiff  
 Schneider  
 Schrader  
 Scott (VA)  
 Scott, David  
 Serrano  
 Sewell (AL)  
 Shea-Porter  
 Sherman  
 Sinema  
 Sires  
 Slaughter  
 Smith (WA)  
 Soto  
 Speier  
 Stuezel  
 Swalwell (CA)  
 Takano  
 Thompson (CA)  
 Thompson (MS)  
 Titus  
 Tonko  
 Torres  
 Tsongas  
 Vargas  
 Veasey  
 Vela  
 Velázquez  
 Visclosky  
 Walz  
 Wasserman  
 Schultz  
 Waters, Maxine  
 Watson Coleman  
 Welch  
 Wilson (FL)  
 Yarmuth

Pittenger  
 Poe (TX)  
 Poliquin  
 Posey  
 Ratcliffe  
 Reichert  
 Renacci  
 Rice (SC)  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rohrabacher  
 Rokita  
 Rooney, Francis  
 Rooney, Thomas J.  
 Ros-Lehtinen  
 Roskam  
 Ross  
 Rothfus  
 Rouzer  
 Royce (CA)  
 Russell

Cummings  
 Labrador  
 Napolitano

Rutherford  
 Sanford  
 Schweikert  
 Scott, Austin  
 Sensenbrenner  
 Sessions  
 Shimkus  
 Shuster  
 Simpson  
 Smith (MO)  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Smucker  
 Stefanik  
 Stewart  
 Stivers  
 Taylor  
 Tenney  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tipton

## NOT VOTING—8

Pelosi  
 Scalise  
 Reed  
 Valadao  
 Rogers (KY)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1718

Ms. JACKSON LEE changed her vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. REED. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 397.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. CASTOR of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 254, nays 175, not voting 4, as follows:

[Roll No. 398]

## YEAS—254

Abraham  
 Aderholt  
 Allen  
 Amash  
 Amodei  
 Arrington  
 Babin  
 Bacon  
 Banks (IN)  
 Barletta  
 Barr  
 Barton  
 Bergman  
 Biggs  
 Bilirakis  
 Bishop (GA)  
 Bishop (MI)  
 Bishop (UT)  
 Black  
 Blackburn  
 Blum  
 Bost  
 Brady (PA)  
 Brady (TX)  
 Brat  
 Bridenstine

Brooks (AL)  
 Brooks (IN)  
 Buchanan  
 Buck  
 Bucshon  
 Budd  
 Burgess  
 Byrne  
 Calvert  
 Carter (GA)  
 Carter (TX)  
 Chabot  
 Cheney  
 Coffman  
 Cole  
 Collins (GA)  
 Collins (NY)  
 Comer  
 Comstock  
 Conaway  
 Conyers  
 Cook  
 Correa  
 Costa  
 Costello (PA)  
 Cramer

Franks (AZ)  
 Frelinghuysen  
 Gaetz  
 Gallagher  
 Garrett  
 Gianforte  
 Gibbs  
 Gohmert  
 Gonzalez (TX)  
 Goodlatte  
 Gosar  
 Gottheimer  
 Gowdy  
 Granger  
 Graves (GA)  
 Graves (LA)  
 Graves (MO)  
 Green, Gene  
 Griffith  
 Grothman  
 Guthrie  
 Handel  
 Harper  
 Harris  
 Hartzler  
 Hensarling  
 Herrera Beutler  
 Hice, Jody B.  
 Higgins (LA)  
 Hill  
 Holding  
 Hollingsworth  
 Hudson  
 Huizenga  
 Hultgren  
 Hunter  
 Hurd  
 Issa  
 Jackson Lee  
 Jenkins (KS)  
 Jenkins (WV)  
 Johnson (LA)  
 Johnson (OH)  
 Johnson, Sam  
 Jones  
 Jordan  
 Joyce (OH)  
 Katko  
 Kelly (MS)  
 Kelly (PA)  
 King (IA)  
 King (NY)  
 Kinzinger  
 Knight  
 Kustoff (TN)  
 LaHood  
 LaMalfa  
 Lamborn  
 Lance  
 Larsen (WA)

Latta  
 Lewis (MN)  
 LoBiondo  
 Long  
 Loudermilk  
 Love  
 Lucas  
 Luetkemeyer  
 MacArthur  
 Marchant  
 Marino  
 Marshall  
 Massie  
 Mast  
 McCarthy  
 McCaul  
 McClintock  
 McHenry  
 McKinley  
 McKinley  
 Rodgers  
 McSally  
 Meadows  
 Meehan  
 Messer  
 Mitchell  
 Moolenaar  
 Mooney (WV)  
 Mullin  
 Murphy (PA)  
 Newhouse  
 Noem  
 Norcross  
 Norman  
 Nunes  
 Olson  
 Palazzo  
 Palmer  
 Paulsen  
 Pearce  
 Perry  
 Peterson  
 Pittenger  
 Poe (TX)  
 Poliquin  
 Posey  
 Ratcliffe  
 Reed  
 Reichert  
 Renacci  
 Rice (SC)  
 Richmond  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rohrabacher  
 Rokita  
 Rooney, Francis

## NAYS—175

Rooney, Thomas J.  
 Ros-Lehtinen  
 Roskam  
 Ross  
 Rothfus  
 Rouzer  
 Royce (CA)  
 Russell  
 Rutherford  
 Sanford  
 Schrader  
 Schweikert  
 Scott, Austin  
 Sensenbrenner  
 Sessions  
 Shimkus  
 Shuster  
 Simpson  
 Smith (MO)  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Smucker  
 Stefanik  
 Stewart  
 Stivers  
 Taylor  
 Tenney  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tipton  
 Trott  
 Turner  
 Upton  
 Valadao  
 Veasey  
 Vela  
 Wagner  
 Walberg  
 Walden  
 Walker  
 Walorski  
 Walters, Mimi  
 Weber (TX)  
 Webster (FL)  
 Wenstrup  
 Westerman  
 Williams  
 Wilson (SC)  
 Wittman  
 Womack  
 Woodall  
 Yoder  
 Yoho  
 Young (AK)  
 Young (IA)  
 Zeldin

Adams  
 Aguilar  
 Barragan  
 Bass  
 Beatty  
 Bera  
 Beyer  
 Blumenauer  
 Blunt Rochester  
 Bonamici  
 Boyle, Brendan F.  
 Brown (MD)  
 Brownley (CA)  
 Bustos  
 Butterfield  
 Capuano  
 Carbajal  
 Cardenas  
 Carson (IN)  
 Cartwright  
 Castor (FL)  
 Castro (TX)  
 Chu, Judy  
 Cicilline  
 Clark (MA)  
 Clarke (NY)  
 Clay  
 Cleaver  
 Clyburn  
 Cohen  
 Connolly  
 Cooper

Courtney  
 Crist  
 Crowley  
 Davis (CA)  
 Davis, Danny  
 DeFazio  
 DeGette  
 Delaney  
 DeLauro  
 DelBene  
 Demings  
 DeSaulnier  
 Deutch  
 Dingell  
 Doggett  
 Doyle, Michael F.  
 Ellison  
 Engel  
 Eshoo  
 Espallat  
 Esty (CT)  
 Evans  
 Foster  
 Frankel (FL)  
 Fudge  
 Gabbard  
 Gallego  
 Garamendi  
 Gomez  
 Green, Al  
 Grijalva  
 Gutierrez

Hanabusa  
 Hastings  
 Heck  
 Higgins (NY)  
 Himes  
 Hoyer  
 Huffman  
 Jayapal  
 Jeffries  
 Johnson (GA)  
 Johnson, E. B.  
 Kaptur  
 Keating  
 Kelly (IL)  
 Kennedy  
 Khanna  
 Kihuen  
 Kildee  
 Kilmer  
 Kind  
 Krishnamoorthi  
 Kuster (NH)  
 Langevin  
 Larson (CT)  
 Lawrence  
 Lawson (FL)  
 Lee  
 Levin  
 Lewis (GA)  
 Lieu, Ted  
 Lipinski  
 Loeb sack  
 Lofgren

Lowenthal  
Lowe  
Lujan Grisham,  
M.  
Luján, Ben Ray  
Lynch  
Maloney,  
Carolyn B.  
Maloney, Sean  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Neal  
Nolan  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascrell

Payne  
Pelosi  
Perlmutter  
Peters  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter

Sherman  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Soto  
Speier  
Suozzi  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Vargas  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

## NOT VOTING—4

Cummings  
Labrador

Napolitano  
Scalise

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1724

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PROMOTING INTERAGENCY COORDINATION FOR REVIEW OF NATURAL GAS PIPELINES ACT

The SPEAKER pro tempore. Pursuant to House Resolution 454 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2910.

Will the gentleman from Texas (Mr. WEBER) kindly take the chair.

□ 1725

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2910) to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes, with Mr. WEBER of Texas (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 3 printed in part A of House Report 115-235 offered by the gentleman from Virginia (Mr. BEYER) had been postponed.

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 115-

235 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. TSONGAS of Massachusetts.

Amendment No. 3 by Mr. BEYER of Virginia.

The Chair will reduce to 2 minutes the minimum time for any electronic vote in this series.

## AMENDMENT NO. 1 OFFERED BY MS. TSONGAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 249, not voting 4, as follows:

[Roll No. 399]

## AYES—180

Adams  
Agullar  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Correa  
Courtney  
Crist  
Crowley  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Ellison  
Engel

Eshoo  
Españat  
Esty (CT)  
Evans  
Fitzpatrick  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lieu, Ted  
Lipinski  
Loeb sack  
Lofgren  
Lowenthal  
Lowey

Lujan Grisham,  
M.  
Luján, Ben Ray  
Lynch  
Maloney,  
Carolyn B.  
Maloney, Sean  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Neal  
Nolan  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascrell

Sires  
Slaughter  
Smith (WA)  
Soto  
Speier  
Suozzi  
Swalwell (CA)  
Takano  
Thompson (CA)

Sires  
Slaughter  
Smith (WA)  
Soto  
Speier  
Suozzi  
Swalwell (CA)  
Takano  
Thompson (CA)

Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Vargas  
Velázquez  
Visclosky  
Walz

## NOES—249

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barton  
Bergman  
Biggs  
Billirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Boyle, Brendan  
F.  
Brady (PA)  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costa  
Costello (PA)  
Cramer  
Crawford  
Cuellar  
Culberson  
Curbelo (FL)  
Davidson  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer  
Estes (KS)  
Farenthold  
Faso  
Ferguson  
Fleischmann  
Flores  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gaetz  
Gallagher  
Garrett  
Gianforte  
Gibbs  
Gohmert

Gonzalez (TX)  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green, Gene  
Griffith  
Grothman  
Guthrie  
Handel  
Harper  
Harris  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hollingsworth  
Hudson  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
Lewis (MN)  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Massie  
Mast  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Murphy (PA)  
Newhouse  
Noem  
Norcross  
Norman  
Nunes

Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Ryan (OH)  
Sanford  
Schradner  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Sinema  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Snucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Veasey  
Vela  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin



## NOT VOTING—4

Cummings Napolitano  
Labrador Scalise

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1730

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

## AMENDMENT NO. 3 OFFERED BY MR. BEYER

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Virginia (Mr. BEYER)  
on which further proceedings were  
postponed and on which the noes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 192, noes 236,  
not voting 5, as follows:

[Roll No. 400]

## AYES—192

|                 |                |                |
|-----------------|----------------|----------------|
| Adams           | Deuth          | Larsen (WA)    |
| Aguilar         | Dingell        | Larson (CT)    |
| Barragán        | Doggett        | Lawrence       |
| Bass            | Doyle, Michael | Lawson (FL)    |
| Beatty          | F.             | Lee            |
| Bera            | Ellison        | Levin          |
| Beyer           | Engel          | Lewis (GA)     |
| Bishop (GA)     | Eshoo          | Lieu, Ted      |
| Blumenauer      | Españalat      | Lipinski       |
| Blunt Rochester | Esty (CT)      | Loeb sack      |
| Bonamici        | Evans          | Lofgren        |
| Boyle, Brendan  | Foster         | Lowenthal      |
| F.              | Frankel (FL)   | Lowey          |
| Brady (PA)      | Fudge          | Lujan Grisham, |
| Brown (MD)      | Gabbard        | M.             |
| Brownley (CA)   | Gallego        | Luján, Ben Ray |
| Bustos          | Garamendi      | Lynch          |
| Butterfield     | Gomez          | Maloney,       |
| Capuano         | Gonzalez (TX)  | Carolyn B.     |
| Carbajal        | Goodlatte      | Maloney, Sean  |
| Cárdenas        | Green, Al      | Matsui         |
| Carson (IN)     | Green, Gene    | McCollum       |
| Cartwright      | Griffith       | McEachin       |
| Castor (FL)     | Grijalva       | McGovern       |
| Castro (TX)     | Gutiérrez      | McNerney       |
| Chu, Judy       | Hanabusa       | Meeks          |
| Ciçilline       | Harris         | Meng           |
| Clark (MA)      | Hastings       | Moore          |
| Clarke (NY)     | Heck           | Moulton        |
| Clay            | Higgins (NY)   | Murphy (FL)    |
| Cleaver         | Himes          | Nadler         |
| Clyburn         | Hoyer          | Neal           |
| Cohen           | Huffman        | Nolan          |
| Connolly        | Jackson Lee    | Norcross       |
| Conyers         | Jayapal        | O'Halleran     |
| Cooper          | Jeffries       | O'Rourke       |
| Correa          | Johnson (GA)   | Pallone        |
| Courtney        | Johnson, E. B. | Panetta        |
| Crist           | Kaptur         | Pascarell      |
| Crowley         | Keating        | Payne          |
| Cuellar         | Kelly (IL)     | Pelosi         |
| Davis (CA)      | Kennedy        | Perlmutter     |
| Davis, Danny    | Khanna         | Peters         |
| DeFazio         | Kihuen         | Pingree        |
| DeGette         | Kildee         | Pocan          |
| Delaney         | Kilmer         | Polis          |
| DeLauro         | Kind           | Price (NC)     |
| DelBene         | Krishnamoorthi | Quigley        |
| Demings         | Kuster (NH)    | Raskin         |
| DeSaulnier      | Langevin       | Rice (NY)      |

Richmond  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Scott (VA)  
Scott, David  
Serrano

Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Soto  
Speier  
Suozi  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko

Torres  
Tsongas  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

## NOT VOTING—5

Calvert  
Cummings  
Labrador  
Napolitano  
Scalise

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1735

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

The Acting CHAIR. The question is  
on the amendment in the nature of a  
substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule,  
the Committee rises.

Accordingly, the Committee rose;  
and the Speaker pro tempore (Mr. ROD-  
NEY DAVIS of Illinois) having assumed  
the chair, Mr. WEBER of Texas, Acting  
Chair of the Committee of the Whole  
House on the state of the Union, re-  
ported that that Committee, having  
had under consideration the bill (H.R.  
2910) to provide for Federal and State  
agency coordination in the approval of  
certain authorizations under the Nat-  
ural Gas Act, and for other purposes,  
and, pursuant to House Resolution 454,  
he reported the bill back to the House  
with an amendment adopted in the  
Committee of the Whole.

The SPEAKER pro tempore. Under  
the rule, the previous question is or-  
dered.

Is a separate vote demanded on the  
amendment to the amendment re-  
ported from the Committee of the  
Whole?

If not, the question is on the amend-  
ment in the nature of a substitute, as  
amended.

The amendment was agreed to.

The SPEAKER pro tempore. The  
question is on the engrossment and  
third reading of the bill.

The bill was ordered to be engrossed  
and read a third time, and was read the  
third time.

## MOTION TO RECOMMIT

Mrs. WATSON COLEMAN. Mr.  
Speaker, I have a motion to recommit  
at the desk.

The SPEAKER pro tempore. Is the  
gentlewoman opposed to the bill?

Mrs. WATSON COLEMAN. I am op-  
posed in its current form.

The SPEAKER pro tempore. The  
Clerk will report the motion to recom-  
mit.

The Clerk read as follows:

Ms. Watson Coleman moves to recommit  
the bill H.R. 2910 to the Committee on En-  
ergy and Commerce with instructions to re-  
port the same back to the House forthwith,  
with the following amendment:

At the end, add the following:

## SEC. 3. NO EMINENT DOMAIN.

An application for a certificate of public  
convenience and necessity under section 7 of  
the Natural Gas Act may not be approved  
unless the applicant agrees not to exercise

## NOES—236

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barton  
Bergman  
Biggs  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costa  
Costello (PA)  
Cramer  
Crawford  
Culberson  
Curbelo (FL)  
Davidson  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer  
Estes (KS)  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foxen  
Franks (AZ)  
Frelinghuysen  
Gaetz  
Gallagher  
Garrett

Gianforte  
Gibbs  
Allen  
Gohmert  
Gosar  
Gottheimer  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Grothman  
Guthrie  
Handel  
Harper  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hollingsworth  
Hudson  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
Lewis (MN)  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Massie  
Mast  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin

Murphy (PA)  
Newhouse  
Noem  
Norman  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Sanford  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman

eminent domain authority under section 7(h) of such Act.

Mr. FLORES (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the motion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for 5 minutes.

Mrs. WATSON COLEMAN. Mr. Speaker, I have a motion to recommit the bill with instructions to add language prohibiting the use, really the abuse, of Federal eminent domain authority by large gas pipeline companies.

Currently, the law allows pipeline companies—given authorization by FERC—to circumvent landowner opposition and exercise the right of eminent domain to acquire land necessary for pipeline construction, which is privately owned, so that the pipeline construction can operate and maintain—meaning for-profit pipeline companies can seize private land from owners who are unwilling to sell.

More often than not, compensation provided to the property owner is far from fair or just and the negotiations are rarely conducted in good faith. In the event that fair compensation is paid, no one should be forced to sell against their will.

The bottom line is simple: too often eminent domain authority is exercised without the determination of a true public benefit. Certificate holders can manipulate this authority to take whatever land they deem necessary for their gas pipeline projects.

With the recent boom in domestic gas production, this is happening all across the United States and harming property owners in many of our districts. This practice is wrong, and it must be stopped.

In my home State of New Jersey, residents, including my own constituents, are very concerned about the pending PennEast Pipeline Project—a proposed 118-mile, 36-inch gas pipeline stretching from northeast Pennsylvania to my district.

Their proposal crosses the property of more than 500 landowners, many of whom have strongly objected to this project going forward.

My constituents and our neighbors who are affected by this project will receive little, if any, local benefits from the project, because most of the natural gas transported through the pipeline is likely destined for markets outside of New Jersey, including for export overseas.

PennEast would cut through districts represented by both Republicans and Democrats, and it is opposed by my colleagues in this body on both sides of the aisle.

Democrats and Republicans alike can agree that one of the most important rights for all Americans is the right to own private property. But today, the growth in gas pipeline projects threatens this right for many Americans.

Everyone deserves a good place to live and a safe place to raise their children. No one should have to worry about losing their hard-earned property, through no fault of their own, just to pad private company coffers.

Preventing these private for-profit companies from having access to the eminent domain authority in section 7(h) of the Natural Gas Act would not only make this law better by halting abuse of that authority by private gas pipeline companies, but also place public interests over private profit.

This motion presents an opportunity to send a clear message to our constituents who have worked hard to own their property and a piece of the American Dream.

Their choice is clear, and it is yours, but I urge all of my colleagues to vote “yes” on the motion to recommit and stand with landowners over land takers.

Mr. Speaker, I yield back the balance of my time.

Mr. FLORES. Mr. Speaker, I claim the time in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. FLORES. Mr. Speaker, I urge all of my colleagues to oppose the motion to recommit and to vote “yes” on final passage.

I am going to make everybody happy because I am going to be really quick about this. This MTR is just a rehash of an amendment that the other side of the aisle tried to introduce during the original bill. That amendment was not germane, and the reason it wasn't germane is because this bill does not affect eminent domain in any way whatsoever.

So the bottom line is, that this is just another procedural motion to deny the important benefits of this legislation to American workers, to American businesses, and to our collective energy security. It fits a pattern of delay and obstruction that we simply cannot support.

Mr. Speaker, I urge our Members to oppose this procedural motion, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

#### RECORDED VOTE

Mrs. WATSON COLEMAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 239, not voting 5, as follows: (vote result)

[Roll No. 401]

#### AYES—189

|                 |                |                |
|-----------------|----------------|----------------|
| Adams           | Gallego        | Nolan          |
| Aguilar         | Garamendi      | Norcross       |
| Barragán        | Gomez          | O'Halleran     |
| Bass            | Gonzalez (TX)  | O'Rourke       |
| Beatty          | Gottheimer     | Pallone        |
| Bera            | Green, Al      | Panetta        |
| Beyer           | Grijalva       | Pascarell      |
| Bishop (GA)     | Gutiérrez      | Payne          |
| Blumenauer      | Hanabusa       | Pelosi         |
| Blunt Rochester | Hastings       | Perlmutter     |
| Bonamici        | Heck           | Peters         |
| Boyle, Brendan  | Higgins (NY)   | Pingree        |
| F.              | Himes          | Pocan          |
| Brady (PA)      | Hoyer          | Polis          |
| Brown (MD)      | Huffman        | Price (NC)     |
| Brownley (CA)   | Jackson Lee    | Quigley        |
| Bustos          | Jayapal        | Raskin         |
| Butterfield     | Jeffries       | Rice (NY)      |
| Capuano         | Johnson (GA)   | Richmond       |
| Carbajal        | Johnson, E. B. | Rosen          |
| Cárdenas        | Jones          | Roybal-Allard  |
| Carson (IN)     | Kaptur         | Ruiz           |
| Cartwright      | Keating        | Ruppersberger  |
| Castor (FL)     | Kelly (IL)     | Rush           |
| Castro (TX)     | Kennedy        | Ryan (OH)      |
| Chu, Judy       | Khanna         | Sánchez        |
| Cicilline       | Kihuen         | Sarbanes       |
| Clark (MA)      | Kildee         | Schakowsky     |
| Clarke (NY)     | Kilmer         | Schiff         |
| Clay            | Kind           | Schneider      |
| Cleaver         | Krishnamoorthi | Scott (VA)     |
| Clyburn         | Kuster (NH)    | Scott, David   |
| Cohen           | Langevin       | Serrano        |
| Connolly        | Larsen (WA)    | Sewell (AL)    |
| Conyers         | Larson (CT)    | Shea-Porter    |
| Cooper          | Lawrence       | Sherman        |
| Correa          | Lawson (FL)    | Sinema         |
| Courtney        | Lee            | Sires          |
| Crist           | Levin          | Slaughter      |
| Crowley         | Lewis (GA)     | Smith (WA)     |
| Cuellar         | Lieu, Ted      | Soto           |
| Davis (CA)      | Lipinski       | Speier         |
| Davis, Danny    | Loebach        | Suozzi         |
| DeFazio         | Lofgren        | Swalwell (CA)  |
| DeGette         | Lowenthal      | Takano         |
| Delaney         | Lowe           | Thompson (CA)  |
| DeLauro         | Lujan Grisham, | Thompson (MS)  |
| DelBene         | M.             | Titus          |
| Demings         | Luján, Ben Ray | Tonko          |
| DeSaulnier      | Lynch          | Torres         |
| Deutch          | Maloney,       | Tsongas        |
| Dingell         | Carolyn B.     | Vargas         |
| Doggett         | Maloney, Sean  | Veasey         |
| Doyle, Michael  | Matsui         | Vela           |
| F.              | McCollum       | Velázquez      |
| Ellison         | McEachin       | Visclosky      |
| Engel           | McGovern       | Walz           |
| Eshoo           | McNerney       | Wasserman      |
| Español         | Meeks          | Schultz        |
| Esty (CT)       | Meng           | Waters, Maxine |
| Evans           | Moore          | Watson Coleman |
| Foster          | Moulton        | Welch          |
| Frankel (FL)    | Murphy (FL)    | Wilson (FL)    |
| Fudge           | Nadler         | Yarmuth        |
| Gabbard         | Neal           |                |

#### NOES—239

|            |             |              |
|------------|-------------|--------------|
| Abraham    | Bilirakis   | Bucshon      |
| Aderholt   | Bishop (MI) | Budd         |
| Allen      | Bishop (UT) | Burgess      |
| Amash      | Black       | Byrne        |
| Amodel     | Blackburn   | Calvert      |
| Arrington  | Blum        | Carter (GA)  |
| Babin      | Bost        | Carter (TX)  |
| Bacon      | Brady (TX)  | Chabot       |
| Banks (IN) | Brat        | Cheney       |
| Barletta   | Bridenstine | Coffman      |
| Barr       | Brooks (AL) | Cole         |
| Barton     | Brooks (IN) | Collins (GA) |
| Bergman    | Buchanan    | Collins (NY) |
| Biggs      | Buck        | Comer        |

Comstock Jenkins (KS)  
Conaway Jenkins (WV)  
Cook Johnson (LA)  
Costa Johnson (OH)  
Costello (PA) Johnson, Sam  
Cramer Jordan  
Crawford Joyce (OH)  
Culberson Katko  
Curbelo (FL) Kelly (MS)  
Davidson Kelly (PA)  
Davis, Rodney King (IA)  
Denham King (NY)  
Dent Kinzinger  
DeSantis Knight  
DesJarlais Kustoff (TN)  
Diaz-Balart LaHood  
Donovan LaMalfa  
Duffy Lamborn  
Duncan (SC) Lance  
Duncan (TN) Latta  
Dunn Lewis (MN)  
Emmer LoBiondo  
Estes (KS) Long  
Farenthold Loudermilk  
Faso Love  
Ferguson Lucas  
Fitzpatrick Luetkemeyer  
Fleischmann MacArthur  
Flores Marchant  
Fortenberry Marino  
Foxy Marshall  
Franks (AZ) Massie  
Frelinghuysen Mast  
Gaetz McCarthy  
Gallagher McCaul  
Garrett McClintock  
Gianforte McHenry  
Gibbs McKinley  
Gohmert McMorris  
Goodlatte Rodgers  
Gosar McSally  
Gowdy Meadows  
Granger Meehan  
Graves (GA) Messer  
Graves (LA) Mitchell  
Graves (MO) Moolenaar  
Green, Gene Mooney (WV)  
Griffith Mullin  
Grothman Murphy (PA)  
Guthrie Newhouse  
Handel Noem  
Harper Norman  
Harris Nunes  
Hartzler Olson  
Hensarling Palazzo  
Herrera Beutler Palmer  
Hice, Jody B. Paulsen  
Higgins (LA) Pearce  
Hill Perry  
Holding Peterson  
Hollingsworth Pittenger  
Hudson Poe (TX)  
Huizenga Poliquin  
Hultgren Posey  
Hunter Ratcliffe  
Hurd Reed  
Issa Reichert

## NOT VOTING—5

Cummings Napolitano Valadao  
Labrador Scalise

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1749

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. CASTOR of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 248, nays 179, not voting 6, as follows:

[Roll No. 402]

## YEAS—248

Abraham  
Aderholt  
Allen  
Amash  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barton  
Bergman  
Biggs  
Billrakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Boyle, Brendan F.  
Brady (PA)  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Cook  
Correa  
Costa  
Costello (PA)  
Cramer  
Crawford  
Cuellar  
Woodall  
Culberson  
Curbelo (FL)  
Davidson  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer  
Estes (KS)  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gaetz  
Gallagher  
Garrett  
Gianforte

## NAYS—179

Adams  
Aguilar  
Barragán  
Bass  
Beatty  
Bera

Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Courtney  
Crist  
Crowley  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael F.  
Ellison  
Engel  
Eshoo  
Español  
Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gomez  
Gottheimer  
Green, Al  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lieu, Ted  
Lipinski  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham, M.  
Luján, Ben Ray  
Lynch  
Maloney, Carolyn B.  
Maloney, Sean  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Neal  
Nolan  
O'Rourke  
Pallone  
Panetta  
Pascarella  
Payne  
Pelosi  
Perlmutter  
Peters  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Richmond  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sires  
Slaughter  
Smith (WA)  
Soto  
Speier  
Suozi  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Vargas  
Veasey  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

## NOT VOTING—6

Cummings Loeb sack Ros-Lehtinen  
Labrador Napolitano Scalise

□ 1756

Mr. MESSER changed his vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mrs. NAPOLITANO. Mr. Speaker, I was absent during roll call votes No. 395, No. 396, No. 397, No. 398, No. 399, No. 400, No. 401, and No. 402 due to my spouse's health situation in California. Had I been present, I would have voted “yea” on the Engel Amendment. I would have also voted “yea” on the Tsongas/McGovern/Beyer Amendment. I would have also voted “yea” on the Democratic Motion to Recommit H.R. 2883. I would have also voted “nay” on the Final Passage of H.R. 2883—Promoting Cross-Border Energy Infrastructure Act. I would have also voted “yea” on the Tsongas/McGovern/Beyer Amendment. I would have also voted “yea” on the Beyer Amendment. I would have also voted “yea” on

the Democratic Motion to Recommit H.R. 2910. I would have also voted "nay" on the Final Passage of H.R. 2910—Promoting Interagency Coordination for Review of Natural Gas Pipelines Act.

#### PERSONAL EXPLANATION

Ms. JACKSON LEE. Mr. Speaker, yesterday, on Tuesday, July 18, I was unavoidably detained on constituency business.

On rollcall vote No. 382, motion on ordering the previous question on the rule, if I had been present, I would have voted "no."

On rollcall vote No. 383, House Resolution 451 covering H.R. 806, if I had been present, I would have voted "no."

On rollcall vote No. 384 on H.R. 2786, if I had been present, regarding qualifying conduit hydropower facility by Mr. HUDSON, I would have voted "yes."

#### COMMEMORATING 200TH ANNIVERSARY OF ERIE CANAL

(Ms. TENNEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TENNEY. Mr. Speaker, I rise today to commemorate the 200th anniversary of the Erie Canal. Construction first began in 1817 in Rome, New York, with the first completed portion connecting two cities in the 22nd Congressional District, Rome and Utica.

The Erie Canal was transformative in establishing New York as the Empire State. The canal opened the interior of our Nation, allowing westward expansion and the free flow of goods. With a drastic 90 percent reduction in shipping costs, the canal established our region as a hub of economic activity in the early 20th century and made New York the busiest port in the entire Nation.

In addition to the vast economic impact, the Erie Canal had an important cultural effect. Nearly 80 percent of upstate New York's population lives within 25 miles of the canal. From Albany to Buffalo, today, the Erie Canal is designated as a National Heritage Area, continuing its rich legacy.

This Saturday, a first dig celebration in Rome, New York, will recognize this historic and monumental achievement in both New York's and our Nation's history.

In the words of the famous Erie Canal song: "You'll always know your neighbor, and you'll always know your pal, if you've ever navigated on the Erie Canal."

□ 1800

#### HOMELESSNESS

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, today, homeless advocates from Rhode Island, including from Crossroads Rhode Island and from Rhode Island Housing, came to visit my office.

Mr. Speaker, it is difficult to express in words how important their work is. These groups take care of the least among us. They provide shelter for the working poor and those affected by the opioid crisis, and they assist those not working because of age, infirmity, or disability. They help keep lives together. They help keep families together.

Mr. Speaker, we must continue to provide strong funding for these programs in our appropriations bills. We still have not fully emerged from the financial crisis and people are still trying to make ends meet. Foster youth are particularly vulnerable, with as many as 40 percent who age out of the system becoming homeless.

Mr. Speaker, social services organizations and nonprofits can only do so much on their own. They need support to keep our vulnerable brothers and sisters from falling off a cliff. We can do better and we deserve to support them.

#### RECOGNIZING THE PADUCAH AREA CHAMBER OF COMMERCE

(Mr. COMER asked and was given permission to address the House for 1 minute.)

Mr. COMER. Mr. Speaker, I rise today to recognize the Paducah Area Chamber of Commerce for their designation as the 2017 Chamber of the Year by the Association of Chamber of Commerce Executives. This national honor was awarded at the ACCE National Convention in Nashville, Tennessee, on July 18.

This is the second win for the Paducah Area Chamber of Commerce in the last 6 years, and is national recognition of the area's national business leaders whose community contributions are unparalleled. Ranking among the top 10 percent of Chambers nationwide, their mission of promotion, advocacy, and education develops well-rounded, lifelong business leaders with a pride and responsibility to their fellow community members.

As the largest city in the First District of Kentucky, the chamber's efforts have benefited not only the Paducah area, but positively impact communities throughout western Kentucky.

I would like to thank President Sandra Wilson and Board Chair Tammy Zimmerman, as well as the board of directors, staff, and chamber members for their unwavering dedication to the betterment of local industry. I look forward to many future accomplishments for the chamber, and I am proud to represent the thriving business leaders of Paducah.

#### NAFTA AND MADE IN AMERICA WEEK

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, I rise because President Trump has dubbed this week "Made in America Week." But one can't pretend one's way to creating jobs in the United States, even if you are President.

A key index that gives you a clue to the truth of job creation in the United States is the trade deficit: How many more products and services are country exports, rather than imports from off-shore sweatshops?

Well, for every month of the Trump administration—that is what the red line is—the jobs hole for America is growing deeper.

You see here that the May 2017 deficit on this scorecard confirms the failing Trump trade record, with a \$46 billion trade and jobs deficit for May alone—larger than last year, larger than every other month.

The President spoke endlessly about trade during the campaign and promised turning NAFTA into a good deal for Americans. Without a doubt, working people of the Midwest put him in the Presidency because he promised to renegotiate NAFTA, that bad deal. Now it is his turn to live up to the bargain.

There is an old expression, "Don't tell me what he says, show me what he does."

Well, President Trump could start by onshoring all foreign goods he makes abroad—everything from ties, suits, bracelets, and so forth.

I haven't seen any inclination to date by this President reshoring items so that he creates jobs again in this country. He contributes to a growing trade surplus, not a deficit.

[From the guardian.com, July 18, 2017]

TRUMP'S "MADE IN AMERICA" WEEK: THE PRESIDENT'S HYPOCRISY IS ON DISPLAY  
(By Adam Gabbatt)

The White House celebrates US-manufactured products this week, even though Trump's vodka, menswear and even board games have been made overseas.

Donald Trump has declared this week "Made in America" week. According to the White House, it's an opportunity for the president to showcase "products that are made in America".

Unfortunately for Trump, that description would rule out many of the products he and members of his family have made and sold. From Donald J Trump Collection clothing to Trump Vodka to Trump: the Game, the president has a track record of not making things in America.

The week was scheduled to kick off at the White House on Monday, with Trump walking around some tables looking at products made in all 50 states. So in honour of the president's communist-dictator-esque photo opportunity, here's a look at some not-made-in-America Trump gear.

ALCOHOL

Trump Vodka ("The finish is disappointingly harsh"—InternetWines.com) was an ill-

fated attempt by Trump to branch into the spirits world. The vodka ("No discernable flavor"—VodkaBuzz) was manufactured in the Netherlands by a company called Wanderers Distillery and launched in the US in 2006.

But the beverage ("My taste buds unfortunately associate the flavor with the smell of paint"—VodkaBuzz) failed to sell. The trademark was abandoned in 2008, according to *Rolling Stone*. By 2011, Trump Vodka was "out of circulation".

"We don't need Chinese products," Trump told Fox News in 2010. "The stuff that's been sent over from China is—it falls apart after a year and a half. It's crap."

It was an odd thing to say for a self-described master businessman offering to the American public many menswear products—featured in the Donald J Trump Signature Collection—that were made in China.

Donald J Trump eyeglasses were made in China. Donald Trump's ties were made in China. Some of the Donald J Trump suits were made in China.

To be fair, Trump is an equal opportunity overseas manufacturer. His dress shirts have been manufactured in Bangladesh, Honduras and Vietnam. And China.

It turned out Trump was right about people not needing Chinese products. In 2015, the Donald J Trump Signature Collection was jettisoned by Macy's. His famous red hats, meanwhile, actually are made in the US. It's the unofficial ones that aren't.

#### EDUCATION

Trump University ("A fraud from beginning to end"—New York attorney general Eric Schneiderman) was a US business.

But the university, which was not actually an accredited university, encouraged students to outsource jobs overseas.

"We hear terrible things about outsourcing jobs—how sending work outside of our companies is contributing to the demise of American businesses," Trump wrote on the Trump University blog in 2005. "But in this instance I have to take the unpopular stance that it is not always a terrible thing."

In November 2016, Trump settled three fraud lawsuits relating to the university for \$25m.

#### HOMEWARE

"Several Trump Home items are listed as made in China or imported from China the Washington Post reported in 2016.

According to the Post, foreign-made items in Trump's furniture collection include mirrors, ceramic vases, wall decorations, kitchen items and lighting fixtures. They were all made in China. Some Trump Home picture frames were manufactured in India.

Earlier this year, Peter York, who wrote a 2006 book about the homes of autocrats, including Saddam Hussein and Nicolae Ceausescu, wrote about the similarities between their tastes and Trump's interior decor preferences.

"The best aesthetic descriptor of Trump's look, I'd argue, is dictator style," York said.

#### BOARD GAMES

Trump: the Game ("I loathed every miserable second of it"—Ars Technica) was launched in 1989, then pushed out again in 2004 after Trump became host of *The Apprentice*.

The game ("Bizarre"—Business Insider) was manufactured in the US by Milton Bradley Company. But the dice, according to this photo of the Trump: the Game packaging, were made in China.

It is difficult to tell if the dice were "crap" and fell apart after a year and a half, because

Trump: the Game sold poorly. In 2011, *Time* magazine listed the game as one of Trump's top 10 business failures.

#### IVANKA TRUMP CLOTHING

It's not just Donald Trump who has a track record of overseas manufacturing. In December, the New York Times, citing two trade databases, reported that "almost all" of Ivanka Trump's clothing line is made overseas.

In May, New York-based activists were arrested in China while investigating the making of Ivanka Trump shoes. In July, the Washington Post traced Ivanka Trump products to Bangladesh, China, India, Indonesia and Vietnam.

More than 20 stores have dropped Ivanka Trump's products since her father started his run for president.

#### POLL MISREPRESENTS THE ELECTORATE

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, a recent Washington Post-ABC News poll states that only 36 percent of Americans approve the job President Trump is doing. But the results of this poll are flawed because it did not use a representative sample of Republican and Democratic participants.

This Washington Post-ABC NEWS poll used a population sample that was 35 percent Democratic and only 23 percent Republican, underrepresenting Republican voters by about 10 percent.

As noted by strategist Jim McLaughlin, "If the poll reflected the actual electorate, Trump would be in mid-40s, which is what his favorability rating was on election day when he won an overwhelming electoral college victory."

The same Washington Post pollsters gave Hillary Clinton a four-point advantage over Donald Trump on the eve of the election. They consistently predicted a significant Clinton victory, only to be proved wrong. Their credibility is questionable.

#### SUPPORT NATIONAL CLINICIANS HIV/AIDS TESTING AND AWARENESS DAY

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, I rise today to recognize this Friday as the 10th annual National Clinicians HIV/AIDS Testing and Awareness Day.

It is a harsh reality that HIV/AIDS touches every community across the country. Although we made great progress in treating the disease, it is imperative to continue striving for prevention, effective treatments, and a cure.

This is particularly important in my home State of New Jersey. In 2013

alone, over 2,000 adults and adolescents were diagnosed with HIV, making New Jersey the sixth highest in the country of new diagnoses. In ages 13 to 24, diagnoses have increased from 10 to 18 percent, and in the African-American community, rates are above the national average.

We must remain vigilant to combat this epidemic that continues to plague communities across our Nation, especially in light of the continued efforts to repeal the Affordable Care Act and remove insurance protections for millions. We must be vocal against all efforts to take away the ability to receive adequate care and do our part to fight HIV/AIDS. Encourage your loved ones to get tested.

#### PRESIDENT DONALD TRUMP'S ACHIEVEMENTS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, tomorrow marks President Donald Trump's first 6 months in office, and I appreciate his many successes for the American people.

His leadership for jobs has inspired record highs today for the Dow, S&P 500, and NASDAQ. President Trump has advanced a decisive foreign policy positively addressing the Muslim world, upholding the United States commitment to NATO, and working with our allies for peace through strength. Additionally, the President has taken firm action against rogue regimes.

In Syria, President Trump was clear that America will not tolerate chemical weapons attacks by the Assad regime against his citizens. In North Korea, the President has made clear that he will challenge the continued provocation by the communist, totalitarian regime; and that the U.S. will expose Iran for their ballistic missile testing and human rights abuses.

As of June 30, the House has passed 269 bills, the most of the last five administrations, with 37 laws signed to date, the most of the last five administrations.

I look forward to continuing to work with President Donald Trump and Vice President MIKE PENCE for positive achievements to promote American families.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

#### RECOGNIZING CAROLYN WHITAKER-TANDY

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, 11 years ago, I set off on a long-shot campaign run by a talented and passionate

but also overworked and inexperienced staff, many of whom were learning on the job. Yet everything went pretty smoothly—smoothly enough, obviously.

A big reason for this was an unpaid volunteer who just seemed to know how to do everything. She would show up with a warm, ever-present smile, eager to tackle the smallest task or take on the most challenging responsibility. Whatever was needed, Carolyn Whitaker-Tandy made everything easier. When it was time to hire a district director, Carolyn made that decision easy, too.

I am fortunate to have had my friend Carolyn running my Louisville office since day one. Though I will miss her leadership, I am proud that she is moving on to new opportunities. I know the people of Louisville are better off because of her service. I saw it firsthand every day for more than a decade.

For all she accomplished, her commitment, and her continued friendship, I am forever grateful. I expect great things from Carolyn and her amazing family, and I wish them nothing but the best going forward.

#### TURKISH TYRANT NOT WELCOME IN UNITED STATES

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, today I was joined by some Members of Congress, along with other Americans, in taking a stand for the First Amendment right of freedom of expression.

We stood across the street from the Turkish Embassy, where, a few weeks ago, Turkish President Erdogan was visiting. But while a peaceful protest was taking place in May, Dictator Erdogan's security detail crossed the street and assaulted and beat up U.S. citizens protesting the rogue regime.

People were injured. The outlaws escaped arrest and fled to Turkey. No apology was issued by the Turks, but, rather, the government justified the assault on Americans. Erdogan should not be welcome back into the United States until he apologizes. Also, the culprits must face justice in American courts.

The First Amendment right of freedom of expression is the First Amendment because it is the most important of all of our rights. No foreign tyrant can assault the First Amendment or assault Americans without consequences. This should never occur on our soil.

And that is just the way it is.

#### CONGRATULATING THE YOUNG GUNS AT QUAIL CREEK

(Mr. THOMAS J. ROONEY of Florida asked and was given permission to address the House for 1 minute.)

Mr. THOMAS J. ROONEY of Florida. Mr. Speaker, I rise today to congratulate the Young Guns at Quail Creek for winning the 2017 Scholastic Clay Target Program National Championship. Based out of my hometown, Okeechobee, Florida, the Young Guns have won the SCTP State championship for the past 3 years.

The Young Guns had the highest combined team score of all 38 teams competing. Specifically, one participant, Nicholas Blenker, had the highest overall score in the competition for trap, skeet, and sporting clays. Over the course of the 2-day competition, Nicholas shot 575 out of 600, only missing 25 shots.

Mr. Speaker, I congratulate the whole team on their success and for making Okeechobee proud.

#### FINI PROGRAM SHOULD BE REAUTHORIZED IN NEXT FARM BILL

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, as chairman of the Nutrition Subcommittee, I rise today to speak about an important program that gives SNAP participants access to more fruits and vegetables.

SNAP, the Supplemental Nutrition Assistance Program, helps provide low-income families with the resources they need to consume more nutritious food. The Agriculture Act of 2014 created the Food Insecurity Nutrition Incentive program, or FINI, which provided \$100 million to support produce incentive programs around the country for SNAP participants.

This means SNAP benefits could be used at farmers' markets, grocery stores, and other farmer-to-consumer retailers serving rural and urban communities.

Mr. Speaker, the FINI program is successful in achieving the established goal of encouraging SNAP households to consume fresh, healthy produce. More than 74 percent of shoppers reported that they were eating more produce.

As the Agriculture Committee works to develop the next farm bill, I know the FINI program should be reauthorized. The benefits of this program are twofold: it supports local American farmers and provides more Americans with quality food. That is what I call made in America.

□ 1815

#### RECOGNIZING OFFICER KASSIDY GROVE AND OFFICER RYAN MORRISON

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute.)

Mr. FITZPATRICK. Mr. Speaker, I am proud to recognize Middletown Township's two newest police officers: Officer Kassidy Grove and Officer Ryan Morrison.

Officers Grove and Morrison, both 23 years old, were sworn in by the Middletown Township Board of Supervisors this week.

Kassidy Grove is a graduate of Pennsbury High School and attended Lock Haven University where she played rugby. She went on to work at the Lehigh County Sheriff's Office and for the Yardley Borough Police Department.

Ryan Morrison graduated from Neshaminy High School, after which he enlisted as a military police officer. He recently graduated from the Temple University Police Academy.

Mr. Speaker, as we celebrate Kassidy Grove and Ryan Morrison joining the police department of my hometown, Middletown Township, we recognize the larger commitment of all law enforcement to step up and serve their communities.

Mr. Speaker, I stand in solidarity with my brothers and sisters of the thin blue line, and I urge all Americans to honor their sacrifice. Together, let us recommit ourselves to the daily ideals and laws that Officers Grove and Morrison and so many others are sworn to uphold.

#### HOURLY MEETING ON TOMORROW

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore (Mr. DUNN). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

#### POLICE AND CIVILIAN RELATIONS IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Maryland (Mr. RASKIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. RASKIN. Mr. Speaker, I am delighted to take this time from the minority leader on behalf of the Congressional Progressive Caucus. We are doing a Special Order hour this evening on police and civilian relations.

We are joined by the very distinguished Congressman KEITH ELLISON. Before we start, though, I yield to the gentleman from California (Mr. SHERMAN).

#### HONORING THE LIFE OF NADADUR VARDHAN

Mr. SHERMAN. Mr. Speaker, I rise today to honor the life of my good friend of 30 years, Nadadur Vardhan, a leader in the Indian-American community, who passed away on July 3 of this

year at age 70 in Los Angeles, surrounded by his extended family.

Nadadur Vardhan was born in India and immigrated to the United States in 1978. Arriving in America with just the clothes on his back, he poured his energy into building a career as an international tax consultant. Over four decades, he grew his Santa Monica-based accounting practice to a thriving firm.

Nadadur served as President of the Malibu Hindu Temple, one of the largest Hindu temples in the United States, and invited me to speak there and to be there on many occasions. As president of the temple, he was regularly invited to speak to political, cultural, and religious groups across the world. Nadadur also founded the Indo-American Vision Foundation, a pioneering independent think tank that empowered Indian-American political activism.

For his work in promoting the Indo-American community, he received the Ellis Island Medal of Honor. A passionate community leader, he personally met with many U.S. Presidents, Prime Ministers of India, and other elected officials. Nadadur was responsible for organizing several major cultural and political events, many of which I was honored to attend, including the World Hindu Economic Forum, forums with Indian Ambassadors to the United States, and events with a wide range of public figures.

Mr. Speaker, I ask that all of my colleagues join me in honoring his many contributions to our Nation and to extend condolences to his wife, Dr. Indubala Nadadur Vardhan; his daughters, Dr. Malini Nadadur and Anjani Nadadur; his brother, Nadadur Kumar; his sisters, Dr. Pushpa Kasturi and Alamelu Krishnamachary; his extended family; and to all whose lives he touched.

Mr. RASKIN. Mr. Speaker, I thank Mr. SHERMAN for his comments. And again, the Progressive Caucus Special-Order hour tonight is on the subject of the police power in America, and its uses, its abuses, what has been taking place in different parts of the country, and we are going to kick off with KEITH ELLISON, who has been the chair of the Progressive Caucus. And in addition to being a distinguished member of the Congress from Minnesota, he is the vice chairman of the Democratic National Committee.

Mr. Speaker, I yield to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, I do appreciate the gentleman for yielding.

Mr. Speaker, I come before the House today to talk about a tragic situation involving Justine Damond. Justine Damond was a young woman who saw what she believed to be a sexual assault outside of her home. She then made a call to the police and asked them to come to give assistance.

Ms. Damond then went outside to try to meet with the police to report what

she saw, and for some reason, which no one really knows quite yet, she was shot in the abdomen and died.

Ms. Damond, 40 years old, she was due to be married in only a few weeks. She leaves behind a fiancé, her fiancé's son, her family, her parents, and here we are again dealing with a tragic situation in which an unarmed civilian has been shot by a member of law enforcement.

Now, as I speak today, Mr. Speaker, I want to be very clear. I know many police officers personally. I know how hard they work. I know the dangers that they incur. I know that they, by and large, join the force because they want to help people, because they are courageous and brave and are willing to put themselves in harm's way in order to protect other citizens. And I myself, and many people I know, have called on the police to stop crimes from happening, to report them, and we are grateful when they report.

But it is also true, Mr. Speaker, that officer-involved shootings happen with tremendous frequency, and it is not even a matter of blaming the officer. We have to ask ourselves what is going on with the system of policing which allows us to return to this tragic scenario again and again and again.

Justine Damond, again, was reportedly in her pajamas, and she was trying to help another person, yet somehow the officer, who was on the passenger side of the squad car, shot through the door or the window, and that is not clear, and she sustained lethal injuries.

One of the most disturbing things about this particular case, Mr. Speaker, is that the officer's body cameras were not turned on. The dash cam did not capture the interaction between Justine and the officers, and the body cams were, again, as I mentioned, not on. This is despite the fact that all Minneapolis police officers have worn body cameras since the end of 2016. Why the body cameras were not on, we can only speculate.

But I urge, with everything I have, that the Minnesota Bureau of Criminal Apprehension, Minneapolis Police Department, and everyone and anyone who has jurisdictional authority investigate the reason for these tools to not be in use.

Justine is dead. Justine is not coming back. And it is true that innocent people get killed by criminals all day, and that is a sad reality of our world. It doesn't just happen in my city of Minneapolis. It happens all over the country. It happens all over the globe.

But I think that citizens expect that members of law enforcement, who are sworn to protect us, would take due care to protect life, not end it, unless there was a legal basis to do so.

Now, again, I don't know what happened here. Nobody really knows what caused the officer to somehow reach over his partner and shoot Ms. Damond

in the abdomen and kill her when she is unarmed and wearing pajamas and is the reporter of a crime. The weeks and days ahead will reveal what happened. But I assure you that this will not be the last time that it happens unless, as a society, we begin to ask ourselves why these things are happening.

In our community in Minnesota, we are still trying to figure out how to deal with it, how to cope with the death of Philando Castile. Philando Castile was shot and killed on videotape, captured on live-stream Facebook. To the credit of John Choi, who was the prosecutor, district attorney in Ramsey County, Minnesota, that officer was charged with the criminal offense of manslaughter, and after a jury trial, that officer was acquitted.

When I looked at the dash cam and saw the officer discharge his firearm into the body of Philando Castile, it was absolutely horrifying, and I couldn't possibly understand why this happened. I don't know what the jurors saw, and I am a lawyer myself, and I support the jury system, but I can tell you that Philando Castile, who did have a firearm, said: Officer, I have a firearm; I have a license to carry a firearm. And the next thing you know, bam, bam, bam, bam, bam, young man dead.

Philando Castile was a beloved member of his community. He was the lunch attendant. He was the lunch manager at Hill Elementary School in St. Paul, and the children needed counseling, and the families needed somebody to explain why was Philando Castile shot this way.

The children are raised to respect the police, but they knew Philando Castile and they loved him, and they couldn't reconcile why the police, who they respect, would hurt Philando Castile, who they also respected and admired and loved.

Jamar Clark, another one from Minnesota, unarmed, shot, killed, tremendous outpouring of community frustration around this, brought an 18-day protest outside of the Fourth Precinct in Minneapolis, and you know, drew the attention of the entire community. And I can assure you that many people, particularly young people, were angry, upset, frustrated, feeling very vulnerable because they just felt that there was no accountability in that their lives just didn't matter very much in the eyes of the people who were sworn to protect and defend them.

We have a community problem, Mr. Speaker. We have to come together and deal with it, and it is simply not enough to say it is all the cops' fault or it is all the citizens' fault. This is a social problem that calls for a social solution.

Part of it will be changes in law. Part of it will be departmental changes. Part of it will be changes in the way we



do business. But we have got to have these changes. And if people just say, "It is not my fault, you know, it was an accident, this person had it coming," we will never get to the bottom of these kind of things.

Mr. Speaker, in 1967, there were a state of civil disturbances, some people call riots, throughout our urban areas, and the government responded by issuing something called a Kerner Commission Report, K-E-R-N-E-R. And one of the findings of that is that police community relations were incredibly bad, that communication was poor, and that the police were essentially sent into areas that were economically and socially isolated and deprived in order to keep order, and what really should have been happening is that we should have been investing in jobs and opportunity and social inclusion, and we just asked the police to sort of just solve this problem without making the investments that our society should have made.

□ 1830

I am sad to say that we really don't seem to have advanced very far. The fact is that often civil disturbances, which are often referred to as riots, occur after these tragic shootings. Civil judgments are paid out. Citizens tend to distrust the police and are less willing to call them when they need them.

There are tremendous social costs to not addressing these officer-involved shootings involving unarmed civilians, and we have to be there to do something about it.

We have seen a number of tragic circumstances all across the country, whether it is Sandra Bland or whether it is Walter Scott in South Carolina, whether it is Eric Garner who died begging for a breath or whether it is all of the victims of Officer Holtzclaw who routinely and systematically sexually abused women in Oklahoma City. The fact is there is great discretionary latitude conferred on our law enforcement officers.

We need more oversight and accountability. We need people to be held accountable when they break the law, and I mean people who are police and people who are not. We need to say that there is one standard of justice and that everyone has to adhere to it.

We know about Michael Brown, 17 years old, shot in 2014, or we could say Tamir Rice. There are so many cases. They just go on and on and on. We are at a point where we have to address this crisis.

Now, Ms. Damond is one of more than 500 fatal shootings by police this year alone. I will say it again, Mr. Speaker. Ms. Damond is one of more than 500 people who have been fatally killed by the police this year. Some of them, the officer may have had legal justification, some not; but when you

have got 500 people across this country being shot and killed, it is a crisis that we have to do something about.

This year, I could simply tell you, Mr. Speaker, that offering prayers simply isn't going to get it done. We have a systemic problem, and whether we have to talk about addressing body cameras more and insisting upon their use or whether we need implicit bias training for police to raise awareness of unconscious or implicit biases, whether we need to train officers on the deescalation of force and have training in that regard and, yes, prosecutions of people who just commit crimes with a uniform on, we have got to take decisive action.

We need more diversity in police departments, and we need more diversity in jury selection. We need grand jury reform, and we need the Department of Justice to keep account of all the cases that involve officer-involved shootings.

One thing we absolutely do not need is for the Attorney General, Jefferson Beauregard Sessions, to abandon consent decrees, which have brought some level of understanding and communication between communities and the police departments. We need a partner in the Federal Government, Mr. Speaker. What is at stake is too important.

We also need quality schools. We need investment in neighborhoods. We need quality jobs and affordable housing. We need healthcare for all, and we need to have clean air and water for everyone. We need those things as part of the ecosystem that human beings live in. But none of these things are a replacement for decent, respectful treatment people deserve from law enforcement.

I am not here to give up. I am here to engage police in a dialogue about how we reduce these shootings, how we increase the trust, how we make sure that no one feels that they can't go to the police because the trust has been so severely damaged.

I believe we have got to come together as a society and recognize that this problem is serious. It is not getting better; in fact, it is getting worse.

When you think about cases involving people like Mya Hall, or Alexa Christian, Meagan Hockaday, Sandra Bland, Natasha McKenna, all African-American women killed by or after encounters with the police, it is not just men; it is women, too. It is not just African Americans; it is whites, too. Justine Damond was a white female. It is Latinos. It is people of different economic stations. It is not just one community. If Ms. Damond's case proves anything, it is that officer-involved shootings of unarmed civilians don't only occur in certain neighborhoods of certain people.

The time is now for us to act. And I do put out a call for police and communities to engage in an intensive discussion about how we restore trust, how

we increase accountability, and how we really make it true when we write on the side doors of our police vehicles all across this country, "to protect and serve."

Mr. RASKIN. Mr. Speaker, I thank Mr. ELLISON very much for those very thoughtful and insightful comments.

I want to pick up the discussion about the police power and expand the discussion to include not just power over persons, but power over property in America.

Our Constitution's Framers were deeply informed by the social contract theorists of the 17th and 18th centuries, and those theorists believed that we enter into a social contract out of a state of nature, because we are all made better off by virtue of being part of a society.

So the first incarnation of it came from Thomas Hobbes in his work on the "Leviathan." Hobbes argued that the state of nature was, in his famous words, "nasty, brutish, and short," because anybody could kill anybody. And so we enter into society together, and we give our power to the leviathan, the government.

Now, the problem with his view, of course, was that the leviathan, the government, had whatever powers it wanted, unlimited, infinite powers. And at that point, as the Framers of our Constitution would see, you have got a real problem, because you might be saved from criminals and bandits and thieves, but now you have got to deal with an all-powerful government and police who can trample your rights just as much as the thieves and the bandits could. So the Hobbesian theory was inadequate.

John Locke, in his famous work on the social contract, improved upon the proposition. The state of nature for him was not quite so frightful a place. There were certain virtues to a state of nature, so people were actually giving something up by going into it.

So in his view, entering the social contract meant that we would surrender some of our powers to government, and certainly our powers to commit violence and theft against other people, but in return, we would be guaranteed rights by the government and we would also have rights against the government, and that was the view that deeply informed the U.S. Constitution.

The whole point of the rule of law is that the people have rights against the government, against those who are just the agents of the sovereign. The sovereign is the people. The people are the sleeping sovereign who can come awake in times of constitution-making and also in order to make law.

Now, the whole social contract becomes unraveled Hobbesian style if we are attacked by the police. So my friend, Congressman POE from Texas, earlier spoke about the horrific spectacle of violence waged against U.S.

citizens and others in the streets of Washington, D.C., by the thugs of Prime Minister Erdogan from Turkey, who were unleashed on protesters, and we saw, as Congressman POE said, a scene of really savage violence take place right here in Washington.

I am glad that we have a bipartisan consensus that that kind of police attack on freedom of expression, freedom of assembly is unacceptable in the United States of America, whether it is on citizens or whether it is on permanent residents or whether it is on non-citizens.

But there is something else that is going on in the country having to do with the police power. The police power in common law terms, in the American vernacular, is not just the power that police officers have to regulate public safety and public order; the police power also has to do generally with the governmental power to regulate.

There are some very troubling things that are taking place in America today. One of them has to do with the eminent domain power. We are seeing rampant abuse of the eminent domain power across the country today, where private developers use their political power and influence in campaign contributions in order to get local governments or State governments to condemn private property of homeowners in order to oust them from their homes in order to build a private project.

Now, one of the chief perpetrators of this business model in the United States of America happens to be the President of the United States, Donald Trump, who has bragged about his use of the eminent domain power and has been involved in a lot of litigation relating to eminent domain power.

I will take you to Atlantic City and introduce you to a woman named Vera Coking, who lived in a three-story house off of the Boardwalk in Atlantic City right next door to the 22-story Trump Plaza that then-businessman Donald Trump had built. Trump had built the hotel; he built the casino; he built a parking garage. But it wasn't enough for him. He wanted a VIP parking garage.

He wanted a parking garage for limos and made an offer, which Ms. Coking refused, on her house so he could demolish her house and build his expanded garage. She said: No, thank you.

He came back with another offer. She said: No, thank you. It is not a question of money. My family has lived in this house for generations, and my kids went to school here, and we belong to the church here. It is not for sale.

Well, then at that point, President Trump, in order to build his gold-plated parking garage for the limos, went to a government agency that he knew well called the Atlantic City Casino Redevelopment Authority to help him take away Ms. Coking's property, and

they entered into litigation. Fortunately, she found pro bono counsel in the Libertarian public interest group, the Institute for Justice, a Libertarian think tank and legal action center, and they were able to stop Donald Trump in court in a case called *Atlantic City Community Redevelopment Authority v. Banin*. Unfortunately, that took place before the famous *Kelo v. New London* decision in 2005.

Now, there was a very similar scenario in *Kelo*, in a hard-hit working-class town in Connecticut called New London, where the Pfizer Corporation and a local private land redevelopment authority, one of these shadowy, mixed public-private entities, decided that they wanted to displace a whole neighborhood in New London so they could destroy the blight, as they called it, and put in their brand-new development.

Ms. Kelo, a very soft-spoken single woman, working-class woman, decided to fight, and she also found the Institute for Justice, and they organized the community to say, no, they were not blight, that they had ties to this community and they were not going to be forced out by these big corporations.

They won all the way up to the Supreme Court, and then a five-Justice majority in the Supreme Court, in the *Kelo* decision in 2005, determined that it is perfectly constitutional and consistent with the Takings Clause in the Fifth Amendment of our Constitution for a public municipal corporation to condemn a person's private home or a private small business in order to turn it over to another private business if it is consistent with someone's economic redevelopment plan. And this was a decision that President Trump said he "agrees with 100 percent."

Because, remember, that was his business model, that everything is for sale, and if you refuse to sell to Donald Trump and his companies, they are just going to get public authority to come in to get you out of the way so they can condemn your land and take it over.

Now, it turns out that in the *Kelo* decision, after the Supreme Court's erroneous judgment in it, the land was condemned, Susette Kelo was forced out of her house, and—guess what—they never even built it. Today it is an urban wilderness taken over by wild cats.

□ 1845

Well, let's look at another example of abuse of police power in America today.

I understand that earlier this morning, the Justice Department announced a new Federal policy to help State and local police officers take cash and property from anybody suspected of a crime even without arresting them, even without charging them with a crime, and even without an arrest war-

rant, reversing an Obama administration rule that was put in place because of rampant abuse of people's rights across the country.

This is the United States of America. The police should not be able to stop people on the street, in their cars, or at their homes and say: I think that the money you have doesn't really belong to you. I think the condo you have doesn't belong to you. I think the car you have doesn't belong to you. I think your property looks suspect. We are going to seize it. And then we are going to hold it, and you have the burden of coming to sue us to prove that your property is innocent—without charging them with a crime, without arresting them, or without using a search warrant. This is what Attorney General Sessions wants to do with the Orwellian new order that he handed down today. He wants to get the Federal Government back into the business of working with State and local governments to simply declare people's property and their money presumptively guilty. And then they have to go out, hire a lawyer, and go to court to prove that their property or money is clean within the eyes of the government.

But whatever happened to due process? Under our Constitution, we are presumed to be innocent of crimes, and our property should be presumed to be innocent of crimes if there is no legal process at all to condemn our property or to cast a shadow of criminal suspicion over it.

If you look at the history of this, Attorney General Holder barred State and local police from using the Federal legal regime to seize cash and other property without criminal charges or without criminal warrants, which is the right way to do it. That is the constitutional way to think about it.

In a democratic society, the people are presumed to be innocent until they are proven guilty. It is not as if we are walking around with the stigma of being presumed guilty of doing something in the eyes of the State.

Since 2008, thousands of police agencies have made more than 55,000 seizures of cash and property worth \$3 billion under a Justice Department civil asset forfeiture program, which allowed the police to make seizures and then share the proceeds with Federal agencies. It allowed the Federal agencies to cooperate with State and local law enforcement.

Then the Department of Justice said they were disengaging from that because there was a series in *The Washington Post* about all of the extraordinary abuses taking place.

There was one gentleman, a small business man, a Chinese-American citizen of the United States who was traveling with a lot of money because he was going to purchase a building for his new Chinese restaurant that he was going to open up, and so he had, I think

it was around \$25,000 or \$30,000 with him. He got stopped by the police and he was exceedingly nervous about the whole thing. They said he was acting nervous and they took his money from him, his life savings that he was hanging on to in order to go and purchase a building for a Chinese restaurant. Luckily, he found some lawyers, but it took several years for him to get the money back. He lost the deal.

He is in the minority because most people this happens to never go to court to try to get their money back, they are so terrified and demoralized by the experience of having their property taken by government agents without any due process at all.

I urge everyone to go and find that Washington Post series on the abuses that led up to the change in policy that was put into place by Attorney General Eric Holder.

Now, Attorney General Sessions does a U-turn. The administration, which President Trump started by saying he wanted to give power back to the States and back to the people of the United States, instead says the Federal Government is going to be incentivizing more violation of people's due process rights by allowing seizure of people's property and money.

It goes back to what Congressman ELLISON was talking about: What is this going to do for police-civilian relations in the United States, when people are terrified that their property can be taken away by agents of the State without an arrest, without a criminal warrant, or without any charges at all? That is not right in our country. That is not right in a country that does not allow for a taking of private property without a public purpose. It is not right in a country that is based on due process of law, that is based on probable cause and search warrants for people being searched.

That is where this administration is taking us with the policy that was announced earlier today. It is going to make our communities only more suspicious and only more dangerous.

We have to step back from this Orwellian leviathan vision of government, an all-powerful State that can seize your home or your small business because a big business man like Donald Trump wants your property to build his casino garage for his VIP guests; or because some fancy company decides it wants to redevelop your land; or because the police decide you don't look the right way and we are just going to take your money out of your pocket, we are going to seize what is in your wallet, we are going to take your car, we are going to take your boat, or we are going to take your condo or apartment without any criminal charges at all, and you go and deal with the problem.

Mr. Speaker, in the United States of America, we are a land of laws. The

great Tom Paine said that, in the monarchies, the king is law, but in the democracies, the law is king.

We have to abide by the rule of law here. And I am not talking about Democrat, Republican, left, or right. We all have to be constitutional patriots in America, to stand up for our Constitution.

I would invite the President of the United States to come join us here to talk about the problem of eminent domain abuse and to talk about the problem of law enforcement taking people's property and their money without due process of law, because it is a serious threat to everything that we believe in and why we created our social contract. All of us have got to be constitutional patriots and stand up for the basic principles of the country.

Mr. Speaker, I yield back the balance of my time.

#### AMERICA'S DEBT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Arizona (Mr. SCHWEIKERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. SCHWEIKERT. Mr. Speaker, I yield to my friend from Indiana (Mr. HOLLINGSWORTH).

#### COSTLY AND BURDENSOME REGULATIONS

Mr. HOLLINGSWORTH. Mr. Speaker, I thank my colleague from Arizona for yielding to me. I promise to be brief.

Mr. Speaker, I rise today to talk about something that Hoosiers back home are talking to me about every single day, and that is to rise to express my support for those struggling against burdensome and costly regulations, those costly regulations that are hurting Hoosier businesses from being able to get their products to market, from ultimately being able to grow their enterprises, and from ultimately being able to hire more Hoosiers.

When Democrats passed the Dodd-Frank Act, they promised a success for Main Street. Instead, Dodd-Frank has become a nightmare for businesses on Main Street.

Specifically, while I was back home just a few weeks ago, I met with two businesses working hard to do right by their customers and employees but confounded by section 1502 of the Dodd-Frank Act.

Section 1502 requires businesses to disclose due diligence on the source and chain of custody of "conflict minerals," as well as hire a third party to honor their due diligence and subsequently submit a report to the SEC on those measures. According to its Democratic authors, this provision would only affect the biggest of companies, but those companies have to bring in all of their suppliers, all of their vendors in order to comply, which affects many small businesses across Indiana's Ninth District.

One of those firms is Best Home Furnishings in Paoli. They manufacture quality furniture across Indiana, and I was astounded to learn the lengths they must go through in order to comply with this regulation. They travel far abroad to verify the wood is conflict-free. And even after all that time-consuming and very costly travel, they are left wondering, despite all of their best efforts, if they are making any impact on those areas that are far from their plants, far from their customers, and far from their employees.

Another such example is Key Electronics, a manufacturer that is working on electronics in Indiana to get through opioid withdrawals for many Hoosiers who are afflicted by this scourge on our communities. It is a laudable goal, but they are hamstrung by the thousands and thousands of dollars they pay to ensure the customers that they work with ultimately get this third-party audit on them and all of their vendors. This challenging business with very thin margins is being limited in what they can invest in innovative, desperately needed therapy for those addicted to opioids.

For every dollar and every moment that a businessowner has to spend complying with this outrageous and unnecessary regulation, those are minutes and dollars that are not directed towards job creation, not directed towards investing in America's future, and not directed towards fulfilling their and, ultimately, their employees' dreams.

Mr. Speaker, I look forward to working with my colleagues in this Congress to bring an end to the excessive job-killing regulations that stand between Hoosiers and their entrepreneurial dreams.

#### GIVE AMERICANS BACK THEIR HEALTHCARE SYSTEM

Mr. HOLLINGSWORTH. Mr. Speaker, I rise today to talk about how regulations and restrictions in healthcare space are preventing new innovations from being able to deliver better care to Hoosiers back home.

I recently met with a local business just outside of my district, Mainstreet Health Investments, who is working hard to develop new rapid recovery centers that are truly better in matching patients' needs with services provided.

For example, when a patient has knee surgery, they only need a hospital for a very limited window during their period of acute care. They need that hospital for such immediate recovery, but, hours after that, they can be transferred to a different recovery center, one that better matches their needs as a patient, enabling them to recover much more quickly and enabling us all to save significant dollars by matching that care with the needs that they have.

Frankly, I have been amazed at the quality of these rapid recovery centers,

where the patient is truly focused on, in a holistic manner, such that they can develop and have physical therapy right there in that location. It is innovations just like these rapid recovery centers that they are building that will help deliver better cures to more Americans.

This is how we make a healthcare system that is not only more affordable, not only more accessible, but also better for patients in the long run. I want it to be just as effective, in addition to affordable and accessible.

What stands in the way? What is standing in their way is certainly government bureaucracy, a government that is retarding a level of innovation, retarding their ability to grow and build more of these facilities across the country despite the demonstrated need and the demonstrated benefit to those patients.

So I wanted to talk about those regulations and how they stand in the way of Americans and Hoosiers who are trying to get ahead, trying to get their companies get ahead, trying to help their fellow employees get ahead, and, ultimately, that will, together, help America get ahead.

Mr. SCHWEIKERT. Mr. Speaker, one of the reasons for taking this time—and it was only about 3 weeks ago we actually took the leadership hour and we did a series of presentations on what was happening in debt and the excessive spending in the Federal Government, what was driving it and what was happening with mandatory spending. Then the very next morning, CBO issued an update.

Have you ever had one of those moments in your life where you just spent almost an hour on the floor walking through the numbers, and you get a document and you start digging into it, and you find out a number of the things you presented just 14 hours earlier were wrong? But, sadly, they were wrong in the wrong direction, if there is such a way to phrase it.

Think of this: From January's Congressional Budget Office number until June's number, the U.S. debt deficit this year, the U.S. deficit this year, grew by \$134 billion as our projection for the end of the year. So, functionally, the deficit for 2017, the fiscal year we are in, we will come very close to \$700 billion this year.

□ 1900

It is going to be 693 is the projection. And if anyone saw—I think it was yesterday or the day before—Mick Mulvaney over at OMB, was projecting, from the White House's calculations, that the deficit this year was going to be about \$704 billion.

So we put together this slide next to me just to make it clear how much that is, to just sort of understand what is going on and trying to put this in perspective.

Okay. So we are going to use the CBO number because, you know, it is the Congressional Budget Office. So \$693 billion is going to be borrowed for 2017, the year we are in right now.

Well, think about that. That is \$1.89 billion every single day. That is \$79 million every hour; \$1.3 million every minute. And, what, \$1,900 every second? And that is what we are borrowing. So if I take up an hour here, you all get to make a decision if my hour here was worth \$79 million of borrowing.

Why is this sort of devastating in the numbers when you really start to dig into this CBO report?

Well, first let me give you one of the things that bothered me the most. This is a big deal when, from January to June, our excessive spending and borrowing number actually increases by 25 percent and it got almost zero press.

We are living in a society right now where, if there is a shiny object, a tweet, another story, the press, even a lot of the Members of this body, run talk about that. And I will make you the argument that the greatest systemic threat to this society are these numbers because the fact we are going to borrow \$134 billion more than we were already projecting, it is worse than that.

If you were to step back 1 year ago, 1 year ago we thought this year's deficit was going to be about \$450 billion. I mean, it is still outrageous. In a year's time that number now is kissing up to \$700 billion this year.

To understand the scale of that, we are going to actually do some of our slides. And the first one we are going to put up is the slide from 3 weeks ago, and the punch line on it is the numbers are worse than this. I just wasn't going to use up a whole bunch of ink and print a new one. But this is important to understand.

So this is where we think we are going. This is what is in the CBO report. But do you see actually the blue areas? That is sort of spending that is on autopilot. When we say autopilot, it is by formula. You reach a certain age, you get certain benefits. You fall below a certain income, you get certain benefits. We borrow money, we pay back the interest. You have served honorably in the military, you qualify for certain benefits.

But this is 2026, so this is functionally 9 budget years from now. Understand where we will be. Social Security, Medicare, Medicaid, other things that are formula driven, you fall below a certain income, you get interest on the debt.

And you start to realize only 22 percent of all spending in 9 years will be things that functionally get voted on here. Everything else will be by formula. Your government is very quickly becoming a health insurer with an army, an insurance company with an

What is fascinating is—think about this—this year we are going to kiss up close to \$700 billion in borrowing. That is more than all discretionary spending on nonmilitary discretionary spending. So think about that. If you came to me and said, “David, I want you to only spend exactly what you are taking in right now,” you get to help me make a decision. If I am not allowed to touch mandatory spending, the entitlements, do you remove the entire military, or do you remove everything else you think of as government, the Park Service, the FDA, the FBI?

Everything else is government because all of that is living on borrowed money. And somehow we desperately must find a way for the American public to understand the scale and how quickly these numbers are moving away from us.

In 5 years, so those folks who are 60 years old today, they are at the peak of what we call the “Baby Boom.” So in 5 years from now, we actually hit the peak of our brothers and sisters who will receive their retirement benefits, if they take them at 65. And you start to look at the numbers. And we are going to—let's switch to the next slide. And you will actually start to see that curve steepening.

We are going to show a slide in a couple of boards from here that starts to show you at what point we are running these trillion-dollar deficits.

The next point I also wanted to make that was here in the CBO report is, when we borrow an additional \$134 billion on top of what we already projected—so close to \$700 billion this year—that is now part of the rolling debt. That is part of—now we are going to be paying interest on that for generations because our inflection point to pay down the debt is moving farther away from us every day because—you saw the previous slide—every day we are borrowing pretty close to \$1.9 billion every single day.

So why this slide is important is—just understand—in 9 budget years, if you said, “David, I want you to deal with the debt. I don't want you to do it today because I don't want to lose any benefits. I don't want to talk about the complications of what happens if we had to deal with the reality of trying to make the combination of making the economy grow and having to deal with entitlement reform,” but in 9 years, only 11 percent of the budget would be nondefense, non-entitlement.

And the amazing thing is, that number will stay almost identical for the next 10 years. So almost all the growth, a trillion-plus dollars of growth in those 9 years is coming almost solely from Medicare, Medicaid, Social Security, interest on the debt, veterans' benefits, but mostly Medicare.

It is really difficult to talk about, but if you actually look in the CBO

numbers, you understand, we have a couple of our key trust funds that start to run out of money within the 10-year window. So let's actually switch slides and try to—and a couple of these are going to be repetitive for a point, so it starts to become more absorbable of what is actually really going on in these underlying numbers.

So we put this one together just to sort of have a sense of what has happened. What happened from when we were estimating in 2016, the Congressional Budget Office gave us a number, so this is a year ago. We were building our budgets. We were building our projections. We were building our cost analysis on how much interest financing, these things. This is a year ago. We thought we were going to borrow \$544 billion, still an outrageous amount of money.

Here we are a year later and we are going to come close to \$700 billion. Then in January, from a year ago—so this last January—it moved up to, hey, we are going to borrow \$559 billion. Not a lot of movement. And then 6 months later, it blows off the charts. And now all of a sudden, we know from the CBO number, it is \$693 billion of borrowing this year.

The OMB number, I know the chart over here I think is saying 702. I could swear I saw 704, but let's just call it \$700 billion.

This is an intense frustration because, if you actually listen to many of us as we get behind these mikes, we will argue and fight and fuss often on things that, when you actually add them up, are pretty small, sometimes bordering on petty, that don't really have a multiplier effect into the future.

Yet, how much discussion have you heard behind these microphones in the last 3 weeks, since the CBO report came out, the update came out that, hey, from January to June, somehow the number just grew by 25 percent; we just added another \$134 billion of borrowing this year?

This isn't way off into the future. It is this year. And guess what. We are going to be financing that for as long as anyone who is probably watching this or listening to this in this room is alive.

Can we go to the next slide. We are heading toward a time where the growth of this debt, the growth in mandatory spending is moving to crushing everything else we care about. So if you happen to be someone who is a Member of this body and you care passionately about education, you must understand that the mandatory spending is going to crush it.

If you care about the environment and other programs, the finding resources to pay for those things is gone.

If you care desperately about defense, defense is going to be competing for scarcer and scarcer dollars because

those dollars are promised in our mandatory spending, our entitlements.

So the only reason I threw this one up was just getting a sense that just the movement from January to June—the chart may not look like a big deal, but we are dealing with hundreds of billions of dollars here.

You see that little separation between the red line and the blue line?

That separation is 6 months. This isn't a game. It shouldn't be partisan. The numbers are the numbers, and Congress cannot continue to exist in a math-free zone.

So—and I am sorry. This is actually—I have toned down my charts because I was getting made fun of by making too many of them, and, actually, I was. I think I killed one of the big printers here on Capitol Hill, but that is another discussion.

So let's actually sort of look at this one. This is functionally 2017 to 2027. So the 10-year window, which we use constantly around here. Just understand what this constant growth of the debt does in the mix of our priorities that we are able to pay for.

Where is the money? Where does it ultimately come from? Where does it go?

So if we are here right now, the first bar is spending. The second bar is revenues or pay-fors or mechanics. You know, some of it is borrowing, some of it is payroll taxes, and other things. Then the same thing for 2027.

So let's first take a look at where we are at right now, and this is by gross domestic product. So they tell me this is a much more elegant way to sort of understand how much of our society's economy is going into finance government—is going into finance government's debt. And none of these numbers have State and local. This is just us at the Federal Government level.

So take a look. This year, hey, about 1.4 percent of our GDP, of the economic muscle of our society is going into financing our excessive spending, our debt. In 10 years, it is 2.9 percent. So it is the entire economy, close to 3 percent of it is going to be grabbed just to pay for debt.

But when you also start to look at—you see that black portion on the top? In 2017, the excessive spending here, without revenue—so it is borrowing—is 3.6 percent of our entire GDP went to borrowing. In 10 years, it is 5.2, and it keeps growing, and it really starts to take off.

Remember we had the comment “in 5 years, we hit the peak of the Baby Boom moving into retirement.” And if you see the curve, it steepens and, over the next couple of decades, it blows off the charts.

So you actually start to look at the mix of: What are our resources? What do we have?

Well, let's just go to the 2027. So that is this. So, functionally, 6 percent of

our entire economy will be going to Social Security; 6.9 percent of our GDP will be going to healthcare programs. Another 2.5 percent of our society's GDP will be going to other mandatory programs.

Only 5.4 will be going to everything we call discretionary, and part of that is also defense. So about half of that will be defense and half of that will be other discretionary programs.

□ 1915

This is where we are moving prioritywise. The growth of these programs consume everything in their path.

One of the things we actually talked about 3 weeks ago when we were behind this microphone—look, there are demographic changes, but when I was a kid, \$4 were spent for young people for every dollar that was spent for our, what we will call, seniors. Today, that is reversed. Today, we will spend \$4 for seniors for every dollar spent for young people, and that curve continues to move away from us. So just understand, that is the decision this body, this society, has made as our priorities.

Now, why this slide is so incredibly important to understand, if you see the blue there—and, look, I am blessed to be on the Social Security Committee in Ways and Means. We just had the actuarial report, and Social Security has problems, but it is not a crisis. It is fixable. As a matter of fact, any well meaning people, a handful of them could get in a room and in a day fix the unfunded liabilities, which I think is 22, \$24 trillion over the 75-year window for Social Security.

What should terrify you are the numbers I am about to point out that are actually within Medicare. Let's actually just sort of reach over here, and forgive me for leaning over. Let's say you are 50 years old today. We are going to use 65 as the benchmark for retirement. You are going to be retiring in 2030. You see the gray here? Over your career, over your work life, the average person who will be retiring in 2030 will have put in \$179,000 into Medicare.

But do you see this side? They are going to receive \$621,000 in benefits. The person who is 60 years old today, in the average, and these are means, the person who is 60 today, retiring in 5 years, will have paid \$179,000 in part of their FICA tax going to Medicare. Over their years of retirement, because of longevity, because of healthcare costs, because of a series of different things, they are going to take out \$621,000.

Now, I need you to start to multiply those types of differentials where we put in this, we are taking this out, and multiply it times 76 million of our brothers and sisters who we define as baby boomers.

Do you see the math problem?

This slide isn't from some conservative group. I believe it is from the Urban Institute. This is just reality.

Let's say you happen to be my most liberal constituent, and you care desperately about the preservation of these entitlements and of Medicare. You should be the first one lining up with me and others around here from both sides of the aisle saying: We must do two key things. We must adopt policies that maximize economic growth, because whether it be tax reform, whether it be regulatory reform, whether it be immigration reform, all these things, but primarily tax reform, we must do those policies that drive economic growth, because a growing economy solves a lot of problems, but it doesn't come close to dealing with these types of shortfalls.

So the second thing that must be done, and it is going to take fair-minded people on both sides of the aisle, we are going to have to do entitlement reform. It is just the math.

When someone gets behind one of these microphones or is running for office and they say, "Well, if we just get rid of waste and fraud, or if we just get rid of foreign aid, or if we just get rid of this," I am sorry, they need to go out and invest in a calculator. That is not what the underlying numbers say.

And to try to double down on a couple of these points, to understand how fast these numbers are moving away from us, in 2022—it sounds like a long time from now, but, look, we are working on the 2018 budget right now. So, what, four budget years from now? Every year, we are going to be running a \$1 trillion deficit, and it grows and grows. That \$1 trillion of borrowing in 2022 has to be financed.

We are working on this chart. It is a little more complicated, so you are not going to see it for another month or so. As you are borrowing more money and interest rates go up, you do understand it is not just the money we are borrowing this year. When we move up the interest rates because we are out there in the markets sucking up the capital, pulling the capital in, when we raise interest rates, there are about \$2.5 trillion of our \$14-plus trillion of publicly held debt that is refinanced every year. So it is not just the interest we pay on new borrowing. Like, right now, almost \$1.9 billion had to be borrowed today. It is not just the interest we are going to pay on that, but it is the effect on everything that is refinanced every year, every day, every month, every quarter, because as those interest rates move up, we have to change the financing.

Just understand, when you look at this chart just how fast—and this is just the borrowing number—how it explodes away from us. So in 2027, 10 years from now, annual deficit, \$1.463 trillion of just borrowing. That is 9 budget years from now.

You realize, if you add that up, I believe that is more than all military and all other discretionary spending we are spending today. Please understand how

fast these numbers are moving away from us and start demanding that we, as Members of Congress, toughen up and do those things that are really difficult, really hard, and the willingness to tell the truth of what is driving these debts and deficits.

My primary reason for putting up this chart is that I am a huge fan that we have to do sort of this holistic approach, that it is now incumbent upon us as policymakers to do everything and do everything at once. You can't just have us say we need to do healthcare reform because almost no one in the country who is outside that world is paying attention to what it is doing to the debt and deficit, blowing them off the charts.

Then we have those of us who are focused right now on doing tax reform. We talk about our book of specialty, and people who care about immigration, care about this, care about that. The reality is we have to do it all. We have to do it all at the same time to maximize economic growth.

The GDP indicator today from the Atlanta Fed, we call it GDPNow—it is a wonderful website. It is a great app—I think has us at 2.5 percent GDP. Okay. That is better than we have been.

The new CBO baseline built into this next 10-year projection is saying 1.9 percent GDP growth. That is unacceptable because these numbers continue to remain incredibly ugly if we grow at that speed. But if we were to be at 3, 3.5, the numbers get much easier to deal with. But this chart is really important and a little tough to absorb, but it basically demonstrates, even with additional growth, we are still going to have to do entitlement reform, and it is going to have to be on a fairly large scale.

Growth makes it just a lot easier and makes it so we can do a much longer onramp for our brothers and sisters who are right now planning for retirement or other benefit programs that are out there.

So in this next slide, I wanted to show it because I wanted to actually use it to talk about—I know right now there is a lot of consternation of what is happening over in the Senate in regards to healthcare, and I think constantly there is a lot of misinformation about the healthcare bill we did here in the House, what I have read of what has been worked on in the Senate.

So let's first get a couple things very clear. If you hear a commentator, if you are someone behind one of these mics, talk about, "Well, it is one-sixth of the economy and that is what is in this bill," they didn't read the bill.

The ACA replacement is almost exclusively about the small portion of our society that is in the individual market. They don't get their healthcare from an employer. They don't get their healthcare from Medi-

care. They don't get their healthcare from the VA. They don't get their healthcare from Indian Health Service or TRICARE or all these other ways. They are the plumber. They are my wife and I when we were running our own business.

In my congressional district, it is only 2 percent of my population. In my State, it is only 4 percent of my population. That was the population that was having great difficulties if they held a preexisting condition. Well, this society now, we have all come to terms, we are a guaranteed-issue society. That was in our bill when it passed. But that is still a tiny portion of the society that is in that individual market. In a State like mine, Arizona, you have a single choice, huge price hikes, and none of that was what was promised.

When you start to look at the math on the deductibles and then the price, so many of our brothers and sisters out there who should be in that individual market are basically saying: I would rather pay the fine; let them try to catch me. Because we have already talked about them. We did a whole presentation, I think, about 6 weeks ago, 2 months ago, that were in this ratcheting problem. Half of our population who should be in that individual market, let's just call them the healthy, 50 percent of that population who only use about 3 percent of the healthcare dollars, they basically said: It is too expensive; I am not buying.

But every time someone who is a part of that healthy portion of the curve says "Yeah, you have mandatory purchase, but I am still not going to buy" and doesn't purchase, you end up in this ratcheting effect. And the ratcheting effect, it gets more expensive, so more drop out; gets more expensive, more drop out. And that has been the crisis that is the ACA. Most people know it as ObamaCare, but to be respectful, let's call it the ACA.

It has an actuarial, structural death spiral. So our attempt was: Could you do a series of things that would lower the premiums enough for that 50 percent of the population who only uses 3 percent of the healthcare dollars to get them to actually buy? Mandatory. Hasn't worked. Maybe really well-priced coverage would work, because when they participate, the curve flattens out. Because right now, it looks like a hockey stick, and we know there is functionally a tiny percent of our population, I think it is like 5 percent of the population, equals almost 50 percent of all the spending.

So the reason this chart is up here, we were trying to find an elegant way to try to say those of us who, like myself, I have fairly severe asthma, but folks with chronic conditions, diabetes, particularly if it is not managed, other things, that is actually 84 percent of all healthcare costs.

When we did the risk-sharing amendment for the ACA replacement bill, we were trying to fixate on that continuity of care. How do you finance that continuity of care for our brothers and sisters, particularly those who have those chronic conditions, to make sure that is continuity of care between themselves, their doctors, their healthcare institution, the insurer? I thought we did a fairly elegant job of drafting that and then putting real resources behind it.

But this is important to understand, the outlier of our brothers and sisters out there, those of us who have pre-existing conditions or who have chronic conditions, end up being the cost drivers in our healthcare.

So our ability to be creative, our ability to say: If you have one of those in your pocket, can this actually be part of your healthcare management? Are we going to accept the reality that someone with a chronic condition should be allowed to pick up their phone and use FaceTime to talk to their doctor?

□ 1930

Should a poor person be allowed to use their phone to consult their doctor? Should they be allowed to wear sensors and other things? There are some incredibly creative things rolling onto the market there to help our brothers and sisters with chronic illness. This body needs to be prepared to adopt them, because here is the punch line: whether it had been the ACA, whether it had been a replacement, had almost nothing actually to do with healthcare. It had to do with who pays. This was about the money: who pays, who gets the money.

Because remember, it was in 1986—31 years ago—a piece of legislation was passed basically saying you cannot deny someone medical services. You show up to the emergency room, you show up in the hospital, you are getting your medical services, and you can actually see this in the data. For the last 30 years, the number of procedures, particularly the stuff it costs, has been laid much the same.

So when you have people saying, “Oh, you are not going to be able to get healthcare,” we have been a society for 30-plus years that has sort of a guarantee of delivery of health services. The great battle is who pays.

Do you remember a few years ago when we had the great consternation of dispro share, uncompensated care. I worked on those issues. And now all of these years later, we are basically trying to make an argument of who pays, how do we pay, how do we get more healthy—that is 20-, 30-, 40-year-olds who are healthy, how do we get more of them, particularly in the individual markets, to participate?

Then the second half is Medicaid. This is a strange city because it is one

of those cities, when you actually look at the dollars, even though the dollars are going to continue to grow and grow and grow, so many people define that as a cut. But remember, we were looking at the exploding deficit debt numbers. We have to deal with the reality. We are in real trouble, and we are going to have to step up and start being honest with each other about what is happening in the underlying math here.

So I know this is a little diversion from what was in the CBO report, but once again, you saw on the charts that the healthcare and healthcare entitlement numbers were substantially driving the deficits. Now you actually sort of see what is in the underlying part of that population.

We will go back to the beginning again. Hopefully, I haven't spoken for a whole hour, for your sake and mine. But one more time: this year, according to CBO, 3 weeks ago—and you have heard lots of talk about it, right? That was me being sarcastic—\$193 billion of borrowing this year. We are going to borrow almost \$1.9 billion every day, \$79 million every hour. I have been here an hour. Has this been worth \$79 million to you?

But think about it—and I know I misspoke earlier, so that is one of the reasons I wanted to put this board up. It is \$21,900, \$21,900 every second of borrowing.

I have a 21-month-old. It is the greatest gift the good Lord has ever given my wife and me.

I pray for the birth mother every night, saying, “Thank you.”

But if you look at the charts, when she hits her peak earning years, her tax rates are going to be double, maybe even more, of what I would pay today.

The economic growth is probably crushed by the amount of debt; and a lot of the calculations, if we step out 30 years, the computers can't even model them anymore. Because, understand, there are some amazing numbers in here that functionally, in 9 budget years, we are at 91 percent debt to GDP on publicly held debt. That is not the money we borrowed from the trust funds.

So the question I ask—I love my little girl. How many of you love your kids? How many of you love your grandkids? How many of you love this country? How many of you want this country to have an amazing future, because it can. This is all fixable. Just every single day we wait, we make it so much more difficult.

Mr. Speaker, I yield back the balance of my time.

#### IMPORTANT ISSUES OF THE DAY

The SPEAKER pro tempore (Mr. BUDD). Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Virginia (Mr. GARRETT) for 30 minutes.

Mr. GARRETT. Mr. Speaker, I also want to thank my colleague, Congressman SCHWEIKERT from Arizona.

I hadn't intended to, but I will begin my remarks by addressing his remarks, and I will do something that I rarely do, and that is to quote a French historian, political scientist, and diplomat, Alexis de Tocqueville, who stated: “The American Republic will endure until the day that Congress discovers that it can bribe the public with the public's own money.”

The previous administration was led by an individual who, on the campaign trail, said that \$7 trillion in debt was unpatriotic. Now we sit at the precipice of \$20 trillion after two terms, and I would submit that perhaps that is unpatriotic multiplied by three, or nearly that, and echo the sentiments of Mr. SCHWEIKERT that it is absolutely, positively unsustainable.

Now, there are ways that we could certainly deal with runaway debt. One way would be to completely devalue the currency. If you really want to step away from the hyperbolic barbs that are thrown by my colleagues across the aisle as relate to the motives for the legislation that we carry and find out who would be really harming seniors and children, it would be those who would continue to spend until the only way to cover the tab was to deflate the value of the very moneys set aside to care for those least able to care for themselves.

Mr. Speaker, I thank Congressman SCHWEIKERT not only for his wise remarks, but also for reminding me just how much I miss being a member of the statehouse in the Commonwealth of Virginia where there is actual back-and-forth debate on the merits of issues, wherein that small percentage of individuals who choose to inform themselves might shape their opinions based on a discourse rather than people standing at this microphone unchecked.

That leads me to my next point, which is also not on the subject that I originally intended to address, and that is the statement of my distinguished colleague from Maryland, Mr. RASKIN, who spoke on this floor about 45 minutes ago on a subject that is important not just to him and not just to me, but to America, and that is on the subject of asset forfeiture.

His comments were indicative of the tone that this body has devolved into. One of the many Democrats whom I admire, Daniel Patrick Moynihan, whom Vanity Fair described as a fervent Democrat who saw the value in working with Republicans—where is he today?—he once said: You are entitled to your own opinions, but you are not entitled to your own facts.

Mr. RASKIN said that the Trump administration was burdening Americans by virtue of an asset forfeiture policy, and he cited the case of a Chinese restaurant, an entrepreneur who he said



had amassed \$25,000 so that he could buy a building. But he was going over the speed limit so he was pulled over by police. So without cause, they took his money, and it took him 7 years, according to my colleague, to recoup his money and the opportunity was lost, and that is what is wrong with Mr. Trump's policy.

Wow. And he implored listeners to please look up this case, so I did.

In fact, there was a man who had saved money to purchase a Chinese restaurant who was going 10 miles an hour over the speed limit. He was pulled over by law enforcement, and he had not \$25,000, but \$75,000 forfeited. It took him not 7 years, but 10 months to get it back, and it happened in 2014. I am not terribly sure who was President then, but I don't think it was Donald Trump.

So I will join my colleague in suggesting that we need asset forfeiture review and reform in this country. But, please, you are entitled to your own opinions; you are not entitled to your own facts.

Now, why am I here tonight? Golly, Ned, why am I here at all? Who are we as a nation?

I tell my children, if you want to know what is the right thing to do in life when you are confronted with tough challenges, when you have a dilemma, ask yourself, "Who do I want to be?" Not "Who am I?" "Who do I want to be?"

Because I hope I never reach my aspirational goals, but I keep trying as long as I am here. I don't think if you reach all of your goals for who you want to be that you have aimed high enough. If you ask yourself, "Who do I want to be when I face that ethical or moral dilemma?" you will always then come up with the right answer when you answer what the person you want to be would do.

I grew up with a father who actually had a name for the belt that he wore around his waist. It was "The Enforcer." I had a mother who thought I could do anything I wanted to do and a father who would kick my tail if I didn't give it my best effort.

I spent nearly 10 years as a prosecutor, and I can't tell you how many times I looked down the dais at the criminal defendant and thought, "I wonder, but there for the grace of God go I"—but for the fact that I was blessed with amazing parents who encouraged me and loved me and disciplined me and told me the things I could do, unlike so many in political office today who garner votes and support by telling people what they can't do, what they need done for them.

By gosh, this country was built on a government dependent upon people, not a people dependent upon government. And that is who we are. Now, who are we going to be? Where are we going?

A wiser person than I once said, if you want to know where you are going, you should look where you have been. It is a relatively humbling thing to do representing the Fifth District of Virginia, because the Fifth District of Virginia was first represented in this institution by James Madison.

I tell people those are some very small, big shoes to fill—very small, big shoes to fill. James Madison won the congressional seat when he ran in an election against a pillar of American foreign policy named Monroe. They were so collegial during their campaign that they often traveled together.

When Madison was elected to Congress prior to the 17th Amendment, he went to the Virginia General Assembly—the longest serving democratically elected legislative body on the planet Earth—and suggested that James Monroe should be the Senator; and, indeed, he was made the Senator. So we have Madison. We have Monroe.

The drafter of the Declaration of Independence, Thomas Jefferson, lived in Virginia's Fifth District. The power of the Article III branch of government, the Supreme Court, John Marshall retired in Virginia's Fifth District. Patrick Henry retired in Virginia's Fifth District. Lee and Grant sat at a table at Appomattox Court House and ended the American Civil War in the Fifth District of Virginia, and a young woman named Barbara Johns stood up in the face of possible injury or death to start the Virginia civil rights movement in the Fifth District. So it is pretty humbling, but it gives me a good lesson in who we are.

So many on my side of the aisle criticized President Obama when he said: If you have a business, you didn't do that. Somebody else did that for you.

I will defend him. I will defend him. You did it with blood and sweat and tears and hard work and persistence and the willingness to stand up time and again after failing. You did it, but you did it because you stood on the shoulders of giants who gave you the opportunity to do it, those imperfect people: Thomas Jefferson, a slave owner, who gave us near-perfect documents; James Madison, documents that have been revised, oh, I don't know, 27 times in hundreds of years, that we constantly should strive to be a more perfect Union, that we will never achieve that status of a perfect Union so long as institutions on Earth are governed by mere mortal men, but that we have a duty in this Nation to try to continue to.

So that is why I am here. I am not here to perpetuate my own power. I understand that the most indispensable person is the person who recognizes that they are not indispensable.

Folks, drive past the graveyard and look at the headstones, because I can promise you, there are piles of folks buried there who thought the world

just couldn't go on without them. And the band played on.

The Fifth District of Virginia was here before I got here. It will be here after I leave. I am not here to perpetuate my own name or my own legacy or any sort of power. I am here to make sure that everything I do is pointed towards giving the posterity that will follow us—to my children, SCHWEIKERT's children, and your children—every bit as good, if not better, opportunities than those which we had.

I believe there are two fundamental entitlements to birth of Americanism.

□ 1945

First, you are entitled to an opportunity. We should always strive to make that opportunity more of an equal opportunity. But in a world where if your last name is Clinton, Trump, Obama, or Bush, you probably have a better chance of getting into Harvard. We are not there yet. But everyone is entitled to an opportunity. Everyone within the Jeffersonian construct of liberty that is "my freedom extends to the point where yours starts so long as you don't harm another," should be free to make decisions for yourself and has an entitlement to define success for themselves.

If you want to be the world's best beekeeper, go be the world's best beekeeper. If you want to be a great stay-at-home dad, by golly, be a great stay-at-home dad. If you would like to work to cure cancer, please do. If you want to be a Member of this body and try to perpetuate opportunity for our posterity, please do. If you want to be a Member of this body and try to perpetuate your own power or your own legacy, please don't.

So this brings me to the point where I stand here today. I have been here 6 months—not terribly long. Thank God I have been unable to shake my citizen world view in favor of a legislator world view. So as I walk into this Chamber and as I stand next to these women and men on both sides of the aisle, I am a little humbled. When I walk down the staircase on the edge of the original House Chamber that has been worn through time by the footfalls of the likes of Kennedy, Madison, Monroe, Eisenhower, and Lincoln, I am humbled.

But I would revert back to the words that Alexis de Tocqueville observed over 150 years ago, and that is we will thrive until we begin to attempt to bribe the taxpayers with their own money. At some point things become unsustainable. At some point we need to recognize that we are about freedom of individuals to venture and fail and venture and gain, that we are a nation whose government should depend upon people, not whose people should depend upon government.

An hour and a half ago I stood on this very floor, and I dropped at the Clerk's

desk H. Res. 458. H. Res. 458 is a vehicle that would move to discharge past the normal process of procedures. H.R. 1436 is a bill that was voted for by every Republican Member of this body in 2015, which would provide for a repeal of the broken promises that are the Affordable Care Act.

Just yesterday, in conference, they showed us polling, and it showed that the American people trust the Republicans more on national defense, border security, jobs, and the economy, but we were kind of sketchy on healthcare. I can read a poll, but I came here to do what I think is right. I came here to do what I said I would do.

This plan that I think could reasonably be called the Managed Healthcare Bailout Program or the Health Insurance Industry Profit Enhancement Act has failed working Americans, and the paradigm under which we have debated it has failed to be an honest one. So if I am here not to enhance myself or my legacy, if I am here to do what I think is right or what I said I would do when I ran for office, then I need to stand up and do what I said I was going to do when I ran for office, and that was to ensure that the decisions of Americans were left to Americans, that we minimize the interference in individuals' lives by the government, and that we recognize—and I will paraphrase—that Mr. Jefferson was correct when he said that the fruits of the working class are safest when the legislature is not in session.

I believe it was Will Rogers who said: They say the only certain things in life are death and taxes, only death doesn't get worse every time Congress meets.

We hear about a CBO score that says X million people will lose coverage. The last time I looked, this thing was called the Affordable Care Act, not the Affordable Coverage Act. Even if it were called the Affordable Coverage Act, it would be a misnomer because it is not affordable.

A story published about 3 months ago indicated that two-thirds of Americans couldn't find \$1,000 in case of a financial crisis. But deductibles have gone from \$1,000 to 2,000, to 3,000, to 4,000, to \$5,000 for the average family of four.

I ask you: If your deductible is \$5,000 and you can't find \$1,000 in times of crisis, do you have healthcare?

You have coverage. You have coverage, but you don't have healthcare. You are still indigent, and it is a broken promise. But don't worry, there were lots more: If you like your plan, you can keep your plan. It turns out that wasn't true. If you like your doctor, you can keep your doctor. It turns out that wasn't true. We should see an average decrease of about \$2,500 a year per policy. It turns out that wasn't true.

Don't worry, these insurers who supported the plan—remember the insurance industry endorsed the Affordable

Care Act—they are doing this out of benevolence, folks.

I have an article from the New York Post that says there is a cost spiral associated with ObamaCare and with the insurance industry, but the cost spiral is upward. If you had bought \$100 worth of UnitedHealthcare the day the ACA passed and sold it, the last time I looked, you would have \$580. That is a heck of an investment. The only people making out on this are the big insurers. Meanwhile, rank and file Americans are perpetually lied to by folks who say: Those guys don't care.

Actually, we do. We are just not trying to perpetuate our own power by taking from one group and giving to another while bankrupting our Nation and robbing our children blind.

So I have only been here for 6 months. I went to some people very early on and I said: How about discharging this bill? I am frustrated.

They said: Well, it is not time for that.

I said: Okay. I want to be a team player.

I am frustrated, and we get to this point. The President is frustrated. The Senate is frustrated. I don't give a hootin' heck about the President or the Senate or this body. I care about the American people whom I serve. They are frustrated. And nobody on the other side of the aisle will talk about a plan that the namesake of the plan, President Barack Obama, said has serious problems, that Minnesota Democratic Governor Mark Dayton said is bankrupting his State and is unsustainable, and that President Bill Clinton said is the craziest thing.

We have zero suggestions for help because, by gosh, we can score political points. Shame on both sides of the aisle if you are doing this to score political points.

We ought to be doing this to make sure that the fundamental birthright of Americanism, opportunity, is perpetuated for perpetuity and that it doesn't die in the hands of a group of the political class who say: Well, this will get me points at home. People told me not to do this. It might not help you. Your district is not that safe.

I don't rightly care. I am going to do the right thing. I have never had a job in my life that I wasn't willing to lose if it meant doing the right thing.

So what are the goals of this?

This is rather brash. They are humble. I want the leadership of this Chamber to understand that the rank and file Members support them, that we got their backs, that we thank them for their best efforts, and we don't want to quit this fight. We thank you for what you do. Let's keep going and keep that darn promise.

I got a feeling that if you keep your promise, if you are worried about elections, then your reward will come when people realize there is somebody in this

town who has some integrity. So I want to support leadership. I want to send a message to the other Chamber that we are willing to act if they are willing to act, and maybe embolden them. I want to let the President know that we haven't quit on him. But, most importantly, I want to send a message to the American people that some people in D.C. mean what they say.

There have been dozens of votes for repeal by Members who knew that the repeal would never happen because it had to cross the desk of the person for whom the bill was named. It was a theoretical abstract: Sure, I support it.

We are playing with live ammunition, folks. Let's see who meant what they said. Come to this desk—and if you are watching at home, contact your Member and tell him to come to this desk—and sign onto the discharge petition, H. Res. 458. Or maybe you didn't mean it or you did. Who knows? But let us know. Shoot straight with folks. Dozens of votes for repeal.

Let me be clear about this, too. I am not sitting here trying to pull the rug out from under people. The bill that would be discharged by this resolution would not immediately end ObamaCare. Instead, it would give us a 2-year window. And I will bet you that if we repealed and had a 2-year window to debate a replacement, that we might get some input from people on both sides of the aisle. I know to a meta-physical certainty that no side has the monopoly on good ideas. I would love to have some input. There will certainly be Members who say: I don't believe the Federal Government should have a large role. There will be other Members who say: We should have single payer.

Right now, we are stuck in a broken system because of political gamesmanship. It burned me when I was on the outside, and it burns me on the inside.

What are the facts? What are the real facts?

The average individual premium, according to eHealth, May 3, 2017, has gone up 39 percent in the last 2 years. The average family plan has gone up 49 percent. That means if you were an individual and your premium was \$1,000 a month, it is now \$1,330 roughly a month. I am doing math on the fly in my head. If you are a family and you were paying \$500 a month, then it is \$740-ish a month. That is in 2 years. The average individual plan is up 147 percent from 2008. The average family plan is up 177 percent.

Folks, Americans' income hasn't increased at that rate.

The average is up 25 percent in the last year, and that is according to the Department of Health and Human Services' report of October of 2016. That means if you were paying \$2,000 a year ago, you are paying \$2,500 now—25 percent in 1 year.

Candidly, all the disingenuous arguments on the other side about how

many will die if we move to a system that allows individuals choices are not only hollow, disingenuous, and beneath the dignity of this body by virtue of their disingenuousness, but they are also false.

Folks, for the first time in nearly a generation, the mortality rate rose in 2015. U.S. life expectancy dropped from 2014 to 2015 for the first time since the 1990s. Ironically, it dropped more in States that expanded Medicaid. So I am not only disgusted with and sick of such harsh rhetoric, but I think it has now been proven demonstrably false.

We talk about who will be kicked off their plan. According to the CBO, 10 million people lost their employer plans. Those are the plans that, if they liked, they could keep. Roughly 15 million of the people who are now insured are insured by virtue of an individual mandate. That means that we have forcefully compelled American citizens to purchase a good or service at the risk of forfeiture of their money or their freedom.

We live in a country where you can choose in many places to buy marijuana. You can choose to bungee jump. You can choose to skydive. Heck, in some places, you can choose to visit a prostitute. But you can't choose a healthcare plan that doesn't carry coverage for mental health or for maternity. You can't do that. That is against the law.

This is about choice. I served in the United States Army as a fire support officer, and when I left the Army, I made the egregious error of attending law school—just kidding. When I did that, I chose not to have healthcare because as I looked at what I was able to do on the limited amount of money that my family had and did a cost-benefit analysis and the fact I was in relatively good shape and young, I determined that our family's best interests were served by not spending that money. It was a crazy, brazen risk that I think paid off, but it certainly should be within the purview of decisions that Americans are allowed to make, and right now it is not.

I am frustrated, but I am fighting. A lot of people are frustrated, but they are fighting. I want to see our leadership succeed. I want to see this Nation continue to be unequivocally the greatest experiment in freedom that the Earth has ever known. But if we continue to try to parlay largesse in failed programs into political power, we won't. We won't.

The time to measure things based not on intentions, but results is nigh. In Oregon, they spent hundreds of millions of dollars to create a website for the ObamaCare exchange that failed to enroll a single individual, and nobody was fired and nobody went to prison. I was a prosecutor for a long time, and I will tell you, if you waste or defraud people of 100, 200, \$300 million, you usu-

ally either lose your job or go to prison. But if you are in politics in Oregon, you are rewarded because, by gosh, you had great intentions.

Let's judge these things not by their intentions, but by their outcomes. Let's not argue about who has coverage, but about who has access to affordable care. Let's support revision that drives down premiums and deductibles, and let's trumpet our victories based on whom we actually help, not whom we intended to help.

□ 2000

I stand united with the bulk of my colleagues. I know there are some who might have said one thing and now do another. This is an avenue by which we might find out who they are.

I don't, for a moment, question the individual motives of Members. I think they have an opportunity to distinguish themselves by virtue of signing onto this resolution.

I ask you again, if you are watching at home, to contact your Member if you agree with what I said and ask them if they will come to this bar when we are in session and sign their name to H. Res. 458 and demonstrate that they are willing to do the exact same thing now, when it counts, that they did dozens and dozens of times under the previous administration when they knew that their actions would be met with a veto pen.

I don't do this to score political points, I don't do this to make my name bigger, and I don't do this because it feels good. I do this because we owe it to the giants whose shoulders we stand upon—Patrick Henry; Thomas Jefferson; Martin Luther King, Jr.; Abraham Lincoln; Barbara Johns; John F. Kennedy; and Ronald Reagan—the people who gave us the opportunity to be as successful and great as we are. Don't piddle it away. Be responsible. Be willing to say no when no is the appropriate answer, and do what is right.

Mr. Speaker, I yield back the balance of my time.

Mr. GARRETT. Mr. Speaker, I hadn't intended to but I'll begin my remarks by addressing his remarks. And I'll do something that I rarely do and that is to quote a French historian, political scientist, and diplomat, and that is Alexis de Tocqueville, who stated, "The American Republic will endure until the day that Congress discovers that it can bribe the public with the public's own money. The previous administration was led by an individual who on the campaign trail said that 7 trillion dollars in debt was "unpatriotic." Now we sit at the precipice of 20 trillion dollars in debt after two terms and I would submit that perhaps that's unpatriotic multiplied by three, or nearly that, and echo the sentiments of Mr. SCHWEIKERT that it is absolutely, positively unsustainable. Now there are ways that we could certainly deal with runaway debt. One way would be to completely devalue the currency. If you really want to step away from the hyperbolic barbs that are thrown by my col-

leagues across the aisle as it relates to the motives for the legislation that we carry and find out who would really be harming seniors and children, it would be those who would continue to spend until the only way to cover the tab was to deflate the value of the very monies set aside to care far those least able to care for themselves. And so I thank Congressman SCHWEIKERT, not only for his wise remarks but also for reminding me just how much I miss being a member of the state house in the Commonwealth of Virginia where there is actual back and forth debate on the merits of issues, wherein those small percentage of individuals who choose to inform themselves might shape their opinion based on a discourse rather than people standing at this microphone unchecked.

Which leads me to my next point, which is also not on the subject that I originally intended to address and that is, the statement of my distinguished colleague from Maryland, Mr. RASKIN, who spoke on this floor about 45 minutes ago on a subject that's important not just to him, and not just to me, but to America, and that is on the subject of asset forfeiture. His comments were indicative of the tone that this body has devolved into. One of the many Democrats who I admire, Daniel Patrick Moynihan, who Vanity Fair described as a fervent Democrat who saw the value of working with Republicans (where is he today?), once said, "You're entitled to your own opinions, but you're not entitled to your own facts." Mr. RASKIN said the Trump Administration was burdening Americans by virtue of an asset forfeiture policy and he cited the case of a Chinese restaurant and an entrepreneur who he said had amassed 25,000 dollars so that he could buy a building, but he was going over the speed limit so he was pulled over by police so without cause they took his money and it took 7 years according to my colleague to recoup his money and the opportunity was lost and that's what's wrong with Mr. Trump's policy. Wow. And he implored listeners to please look up this case, so I did. In fact there was a man who had saved money to open up a Chinese restaurant who was going 10 miles an hour over the speed limit who was pulled over by law enforcement who had not 25 but 75,000 dollars forfeited and it took him not 7 years but 10 months to get it back and it happened in 2014 and I'm not terribly sure who was president then and I'm not terribly sure who was president then but I don't think it was Donald Trump! So I will join my colleague in suggesting that we need asset forfeiture review and refer in this country, but please, you're entitled to your own opinions, you're not entitled to your own facts.

Now why am I here tonight? Golly Ned, why am I here at all? Who are we as a nation? I tell my children if you want to know what's the right thing to do in life when you're confronted with challenges, when you have a dilemma, ask yourself who do I want to be, not who am I, but who do I want to be, because I hope I never reach my aspirational goals, but I keep trying as long as I am here. I don't think that if you reach all your goals for who you want to be that you've aimed high enough. And if you ask yourself who I want to be when you face that ethical or moral dilemma you will always then come up with the right answer when you

answer what the person you want to be, would do. And so I grew up with a father who actually had a name for the belt that he wore around his waist, it was the enforcer. I had a mother who thought I could do anything I wanted to do and a father who would kick my tail if I didn't give it my best effort. I spent nearly ten years as a prosecutor and I can't tell you how many times I looked down the dais at the criminal defendant and thought, I wonder but there for the grace of God, go I. But for the fact that I was blessed with amazing parents who encouraged me who loved me and disciplined me and told me the things I could do, unlike so many in political office today who garner votes and support by telling people what they can't do, what they need done for them.

By gosh this country was built on a government dependent upon people, not a people dependent upon government. And that's who we are. Now, who are we going to be? Where are we going? A wiser person than I once said, "If you want to know where you're going, you should look where you've been." It's a relatively humbling thing to do representing the fifth district of Virginia, because the fifth district of Virginia was first represented by in this institution by James Madison. I tell people those are some very small, big shoes to fill. Very small, big shoes to fill. James Madison won the congressional seat when he ran in an election against a pillar of American foreign policy named Monroe. They were so collegial during the campaign that they often traveled together and when Madison was elected to Congress, prior to the Seventeenth Amendment, he went to the Virginia Assembly, the longest serving, democratically elected, legislative body on the planet Earth, and suggested that James Monroe should be the Senator, and indeed he was made the Senator. So we have Madison, we have Monroe. The drafter of the Declaration of Independence, Thomas Jefferson, lived in Virginia's fifth district. The arbiter of the power of the Article III branch of government, the Supreme Court, John Marshall, retired in Virginia's fifth district. Patrick Henry retired in Virginia's fifth district. Lee and Grant sat at a table at Appomattox Courthouse at the end of the American Civil War in the fifth district of Virginia. And a young woman named Barbara Johns stood up in the face of possible injury or death to start the Virginia Civil Rights movement in the fifth district. So it's pretty humbling and it gives me a good lesson in who we are. So many on my side of the aisle criticized President Obama when he said, you know if you have a business, you didn't do that, somebody else did that for you. I'll defend him, I'll defend him. You did it, with blood and sweat and tears and hardwork and persistence and willingness to stand up time and again after failing. You did it because you stood on the shoulders of giants who gave you the opportunity to do it. That imperfect people, Thomas Jefferson, a slave owner, who gave us near perfect documents, James Madison, documents that have been revised, oh I don't know 27 times in hundreds of years. That we constantly should strive to be a more perfect union. That we will never achieve that status of a perfect union, so long as institutions on Earth are governed by mere mortal men, but that we have a duty in this nation to

try to continue to. So that's why I'm here. I'm not here to perpetuate my own power. I understand that the most indispensable person is the person who recognizes that they are not indispensable. Folks drive past the graveyard and look at the headstones because I can promise you there's piles of folks buried there that thought the world just couldn't go on without them. And the band played on. The fifth district of Virginia was here before I got here and it'll be here when I leave. I'm not here to perpetuate my own name or my own legacy or any sort of power. I'm here to make sure that everything I do is pointed towards giving the posterity that will follow us, my children, SCHWEIKERT's children, and your children, every bit as good, if not better opportunities than those which we had. I believe there are two fundamental entitlements to birth of Americanism. First, you are entitled to opportunity. We should always strive to make that opportunity equal opportunity. But in a world where if your last name is Clinton or Trump or Obama or Bush, you probably have a better chance of getting into Harvard, we're not there yet. But everyone, everyone is entitled to an opportunity. And everyone within the Jeffersonian Construct of Liberty, that is my freedom extends to the point where yours starts, so long that you don't harm another, you should be free to make decisions for yourself.

Everyone is entitled to an opportunity and everyone within the Jeffersonian construct of liberty that is my freedom extends to the point where yours starts, so long as you don't harm another you should be free to make decisions for yourself has an entitlement to define success for themselves. If you wanna be the world's best bee keeper, go be the world's best bee keeper. If you wanna be a great stay at home dad, by golly be a great stay at home dad. If you'd like to work to cure cancer, please do. If you wanna be a member of this body and try to perpetuate opportunity for our posterity, please do. If you wanna be a member of this body and try to perpetuate your own power or your own legacy, please don't. And so this brings me to the point of why I stand here today, I've been here 6 months not terribly long. Thank God, I've been unable to shake my citizen world view in favor of a legislator world view. So as I walk into this chamber as I stand next to these women and men on both sides of the aisle I'm a little humbled. When I walk down the staircase on the edge of the original house chamber that's been worn by time by the footsteps of the likes on Kennedy, and Madison, and Monroe, and Eisenhower and Lincoln, I'm humbled. But I would revert back to the words that elitists observed over 150 years ago, and that is we will thrive until we attempt to begin to bribe the tax payers with their own money. And at some point things become unsustainable and at some point we need to recognize that we are about freedom of individuals to venture and fail and venture and gain and that we are a nation whose government should depend upon people, and not whose people should depend upon government. An hour and a half ago I stood on this very floor and I dropped at the clerks desk, HRS 458, house resolution 458 is a vehicle that would move to discharge past the normal process and procedures house resolution 1436, HR 1436 is a bill that

was voted for by every republican member of this body in 2015 which would provide for a repeal of the broken promises that are the affordable care act. Just yesterday, in conference they showed us polling and it showed that the American people trusted republicans more on national defense, border security, jobs in the economy, but were kinda sketchy on healthcare, right? We can read a poll but I came here to do what I think is right. I came here to do what I said I would do, and this plan that I think could reasonably be called the managed healthcare bailout program, the health insurance industry profit enhancement act has failed working Americans and that paradigm under which we have debated it has failed to be an honest one. But if I'm here not to enhance myself, or my legacy and if I'm here to do what I think is right, what I said I would do when I ran for office, then I need to stand up and do what I said I was gonna do when I ran for office, and that was to ensure that the decisions of Americans were left to Americans that we minimize the interference in individuals lives by the government, and that we recognize and ill paraphrase the Mr. Jefferson who was correct when he said the fruits of the working class are safest when the legislators are not in session. Hm, I believe it was Roy Rogers who said that the only certain thing in life are death and taxes but death doesn't get worse every time congress meets. We hear about a CBO score that says x million people will lose coverage. Hm. Well the last time I looked this thing was called the affordable care act not the affordable coverage act and even if it was called the affordable coverage act it would be a misnomer because it's not affordable. A story published about 3 months ago indicated that two thirds of Americans couldn't find a 1000 dollars in case of a financial crisis. But deductibles have gone from 1000 to 2000 to 3000 to 4000 to 5000 dollars for the average family of four, and I ask you if your deductible is 5000 dollars in times of crisis do you have healthcare? You have coverage, you have coverage but you don't have healthcare, you're still indigent and it's a broken promise but don't worry there were lots more if you like your plan you can keep your plan turns out that wasn't true. If you like your doctor, you can keep your doctor, turns out that wasn't true. We should see an average decrease of about 2500 dollars per year per policy turns out that wasn't true don't worry these insurers who have supported the plan remember the insurance industry endorsed the affordable care act there doing this out of benevolence folks. I have an article from the New York post that says there's a cost spiral that associated with Obama care with the insurance industry but the cost spiral is upward if you'd have bought 100 dollars worth of united health care the day the ACA passed and sold it the last time I looked you'd have 580 dollars, that's a heck of an investment. The only people making out on this are the big insurers, meanwhile all Americans are perpetually lied to by folks who say those guys don't care, actually we do, we're just not trying to perpetuate our own power by taking from one group and giving to another while bankrupting our nation and robbing our children blind. And so, I've only been here for 6 months and I went to some people very

early on and said so how about discharging this bill, and frustrated him and they said well its not time for that and I said okay I wanna be a team player. I'm frustrated and we get to this point, the president's frustrated, the senate's frustrated, I don't give a hoot and hack about the president or the senate or this body, I care about the American people who I serve and they're frustrated. And nobody on the other side of the aisle will talk about a plan that the namesake of a plan President Barack Obama said, and I quote has serious problems. That Minnesota democrat governor Mark Dayton said bankrupting a state and is unsustainable that President Bill Clinton said is the craziest thing, we have zero suggestions for help, because by gosh we can score political points. Shame on ya, on both sides of the aisle if you're doing this to score political points. We oughta be doing this to make sure that the fundamental birth right of Americanism, opportunity is perpetuated for perpetuity and that it doesn't die in the hands of a group of political class who said well this will get me points at home. People told me not to do that it might not help you, your district's not that safe, I don't rightly care, I'm gonna do the right thing. I've never had a job in my life that I wasn't willing to lose if it meant doing the right thing. So what are the goals of this? Rather, rash, they're humble I want the leadership of this chamber to understand that the ranking file members support them, that we got their backs, that we thank them for their best efforts and that we don't wanna quit this fight. Thank you for what you do. Let's keep going and keep that darn promise I got a feelin that if you keep your promise if you're worried about elections, your reward will come when people realize there's somebody in this town that has some integrity so I wanna support leadership, I wanna send a message to the other chamber that were willing to act if they're willing to act and maybe embolden them. I wanna let the president know that we haven't quit on him but most importantly I wanna send a message to the American people that some people in D.C. mean what they say. Woah. There have been dozens of votes for repeal by members who knew that the repeal would never happen because it had to cross the desk of the person for whom the bill was named. Right? It was a theoretical abstract, sure, I support it. Were playing with live ammunition folks lets see who meant what they said come to this desk and if you're watching this at home, contact your member and tell them to come to this desk and sign on to the discharge position HRS 458. Or maybe you didn't mean it, or you did or who knows but let us know. Hm. Dozen of votes for repeal and let me be clear about this too, I'm not sitting here trying to pull the rug out from under people, and the bill that would be discharged by this solution would not immediately end Obamacare, and instead it would give us a two year window, a two year window, and I'll bet you that if we repealed and had a two year window to bait a replacement that we might get some input from people.

I know to a metaphysical certainty that no side has a monopoly on good ideas. I would love to have some input, there will certainly be members who say "well I don't believe the federal government should have a large role."

There will be other members that say we should have single payer. Well, right now we are stuck in a broken system because of political gamesmanship. And it burned me when I was on the outside and it burns me on the inside. What are the facts? What are the real facts? The average individual premium according to E Health in May 3rd, 2017 has gone up 39% in the last two years. The average family plan has gone up 49%. That means if you are an individual and your premium was a \$1000 a month its now \$1330 or there roughly a month. I'm doing math on the fly in my head. If you are a family and you are paying \$500 a month than its \$740ish a month. That's in two years.

The average individual plan is up 147% from 2008. The average family plan is up 177%. Folks, Americans income hasn't increased at that rate. The average is up 25% in the last year and that is according to the Department of Health and Human Services report of October of 2016. That means if you were paying \$2000 a year ago, you are paying \$2500 now. 25% in 1 year. And candidly all the disingenuous arguments on the other side about how many people will die, if we move to a system that allows individuals choices, is not only hollow and disingenuous and beneath the dignity of this body by virtue of their disingenuity but also false. Folks, for the first time in nearly a generation mortality rate rose in 2015. U.S. life expectancy dropped from 2014 to 2015 for the first time since the 1990s. And ironically it dropped more in states that expanded Medicaid.

So, I'm not only disgusted with and sick of such harsh rhetoric, but I think it's not been proven demonstrably false. We talk about who will be kicked off their plan. According to the CBO, 10 million people have lost their employer plans. Those are the plans that if they like they can keep. And roughly 15 million of the people who are now insured, by virtue of an individual mandate, that we have forcefully compelled American citizens to purchase a good or service at the risk of forfeiture of their money or their freedom. We live in a country where you can choose in many places to buy marijuana, you can choose to bungee jump, you can choose to sky dive. Heck, in some places you can choose to visit a prostitute. But you can't choose a healthcare plan that doesn't carry coverage for mental health or for maternity. You can't do that. That's against the law.

This is about choice. I served in the United States Army as a fire support officer. And when I left the army, I made the egregious error of law school, just kidding. And when I did that, I chose not to have healthcare because as I looked at what I was able to do on a limited amount of money that my family had, and did a cost benefit analysis, and the fact that I was in relatively good shape and young, I determined that my best interests were served by not spending the money. It was a crazy, brazen risk that I think paid off, but it should certainly be in the prevue of decisions Americans are allowed to make. And right now, it's not.

I'm frustrated, but I'm fighting. A lot of people are frustrated, but they are fighting. I want to see our leadership succeed. I want to see this nation be, unequivocally, the greatest ex-

periment in freedom that the earth has ever known. But, if we continue to try and parlay largesse and failed programs into political power, we won't, we won't. And the time to measure things based not on intentions, but results is nigh. In Oregon, they spent hundreds of millions of dollars to create a website for the Obamacare exchange that failed to enroll a single individual—and nobody was fired and nobody went to prison. I was a prosecutor for a long time. And I'll tell you that if you waste or defraud people of one hundred or two hundred or three hundred million dollars, you usually either lose your job or go to prison. But, if you're in politics in Oregon, you're rewarded because by gosh you had great intentions.

Let's judge these things not by their intentions but by their outcomes. Let's not argue about who has coverage but who has access to affordable care. Let's support revision that drives down premiums and down deductibles. And let's trumpet our victories based on who we actually helped, not who we intended to help. I stand united with the bulk of my colleagues. I know there are some who said we'd do one thing and now do another. This is an avenue by which we might find out who they are. But I don't for a moment question the individual motives of members. I think they have an opportunity to distinguish themselves by virtue of signing on to this resolution. I ask you again if your watching at home to contact your member if you agree with what we said. And ask them if they'll come to this bar, when we're in session, and sign their name to House Resolution 458 and demonstrate their willing to do the exact same thing now, when it counts, that they did dozens and dozens of times under the previous administration when they knew that they're actions would be met with a veto pen. And I don't do this to score political points. And I don't do this to make my name bigger. I don't do this to because it feels good. I do this because we owe it to the giants who's shoulders we stand upon, to Patrick Henry and Thomas Jefferson and Martin Luther King and Abraham Lincoln and Barbara Johns and John Kennedy and Ronald Reagan, the people who gave us the opportunity to be as successful and great as we are. Don't piddle it away. Don't piddle it away. Be responsible. Be willing to say no when no is the appropriate answer. And do what's right. Mr. Speaker, with that I yield back my time and I'd ask unanimous consent that all members have five legislative days to revise and extend their remarks and include extraneous materials on the topic of this special order.

The SPEAKER pro tempore. Members should address their remarks to the Chair and not to a perceived viewing audience.

#### GENERAL LEAVE

Mr. GARRETT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the topic of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

### ADJOURNMENT

Mr. GARRETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 1 minute p.m.), under its previous order, the House adjourned until tomorrow, Thursday, July 20, 2017, at 9 a.m.

### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. VELÁZQUEZ (for herself and Mr. CHABOT):

H.R. 3294. A bill to amend the Small Business Act to clarify the definitions relating to HUBZones, and for other purposes; to the Committee on Small Business.

By Ms. MAXINE WATERS of California (for herself, Mr. CONYERS, and Ms. VELÁZQUEZ):

H.R. 3295. A bill to require the President, the Vice President, and certain high-level officials to file a report with the Office of Government Ethics, when selling real property, disclosing each natural person who is a beneficial owner of the real property upon completion of the sale, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. ELLISON:

H.R. 3296. A bill to amend the Internal Revenue Code of 1986 to allow a business credit for gain from the sale of real property for use as a manufactured home community, and for other purposes; to the Committee on Ways and Means.

By Mr. KELLY of Mississippi:

H.R. 3297. A bill to streamline the application process for H-2A employers and for other purposes; to the Committee on the Judiciary.

By Mr. BARTON (for himself, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. LOUDERMILK, Mr. MARSHALL, Mr. FLEISCHMANN, Mr. DUNCAN of South Carolina, Mr. BERGMAN, Mr. RODNEY DAVIS of Illinois, Mr. MOOLENAAR, Mr. WALKER, Mr. DESANTIS, Mr. THOMAS J. ROONEY of Florida, Mr. CRAWFORD, Mr. LAMALFA, Mr. BROOKS of Alabama, Mr. BISHOP of Michigan, Mr. CONAWAY, Mr. PALAZZO, Mr. POSEY, Mr. WILSON of South Carolina, Mr. LEWIS of Minnesota, Mr. MITCHELL, Mr. WALBERG, Mr. PALMER, Mr. WOMACK, Mr. MULLIN, Mr. WITTMAN, Mr. VALADAO, Mr. MEEHAN, Mr. DENHAM, Mr. SWALWELL of California, Mr. BRADY of Texas, Mr. COSTELLO of Pennsylvania, Mr. GAETZ, Mr. JOHNSON of Ohio, Mr. KELLY of Mississippi, Mr. LAHOOD, Mr. PAULSEN, Mr. PEARCE, Mr. ROSS, Mr. SHIMKUS, Mr. WENSTRUP, Mr. WILLIAMS, Mr. YODER, Mr. CROWLEY, Mr. RICHMOND, Mr. GOHMERT, Mr. RYAN of Ohio, Mr. AGUILAR, Mr. SUOZZI, Ms. BARRAGAN, Mr. PANETTA, Mr. ESPAILLAT, Mr. WALZ, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BEYER, Mr. HUFFMAN, Mr. TED LIEU of California, Mr. PERLMUTTER, Mr. KILDEE, Mr. COURTNEY, Mr. CARTWRIGHT, Mr.

BRADY of Pennsylvania, Mr. SIRES, Mr. YARMUTH, Mr. GUTIÉRREZ, Mr. DESAULNIER, Mr. CAPUANO, Mr. LARSON of Connecticut, Mr. NORCROSS, Mr. CLYBURN, Mr. HASTINGS, Mr. SCOTT of Virginia, Mr. CARSON of Indiana, Mr. JEFFRIES, Mr. RUIZ, Ms. FUDGE, Mr. BISHOP of Georgia, Mrs. BEATTY, Ms. KELLY of Illinois, Ms. CLARKE of New York, Mr. CLEAVER, Mr. THOMPSON of Mississippi, Ms. LEE, Mrs. DEMINGS, Mr. McEACHIN, Mr. JOHNSON of Georgia, Mr. DANNY K. DAVIS of Illinois, Mr. LEWIS of Georgia, Mrs. WATSON COLEMAN, Mr. PAYNE, Mr. BROWN of Maryland, Ms. JACKSON LEE, Ms. SEWELL of Alabama, Mr. ELLISON, Mr. CÁRDENAS, Ms. SÁNCHEZ, Mr. PASCRELL, Mr. WELCH, Mr. VEASEY, Mr. LYNCH, Mr. GALLEG0, Mr. KIHUEN, Mr. POLIS, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 3298. A bill to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes; to the Committee on House Administration.

By Mr. McHENRY (for himself and Mr. MEEKS):

H.R. 3299. A bill to amend the Revised Statutes, the Home Owners' Loan Act, the Federal Credit Union Act, and the Federal Deposit Insurance Act to require the rate of interest on certain loans remain unchanged after transfer of the loan, and for other purposes; to the Committee on Financial Services.

By Mr. SCHNEIDER (for himself and Mr. BRADY of Pennsylvania):

H.R. 3300. A bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to require States to submit pre-election reports on the extent to which absentee ballots for elections for Federal office are or will be available for transmission to absent uniformed services voters and overseas voters by not later than 45 days before the election, to repeal the authority of States to waive the requirement of such Act that States transmit absentee ballots for such elections to such voters by not later than 45 days before the election, and for other purposes; to the Committee on House Administration.

By Mr. ISSA (for himself, Mr. NADLER, Mr. CONYERS, Mrs. BLACKBURN, Mr. THOMAS J. ROONEY of Florida, and Mr. DEUTCH):

H.R. 3301. A bill to amend title 17, United States Code, to provide Federal protection to the digital audio transmission of a sound recording fixed before February 15, 1972, and for other purposes; to the Committee on the Judiciary.

By Mr. DEUTCH (for himself, Ms. WILSON of Florida, Mr. COHEN, Mr. HASTINGS, Ms. PINGREE, and Mr. CÁRDENAS):

H.R. 3302. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to make improvements in the old-age, survivors, and disability insurance program, and to provide for Social Security benefit protection; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONNOLLY (for himself, Mr. KING of New York, and Mr. LANGEVIN):

H.R. 3303. A bill to permit disabled law enforcement officers, customs and border protection officers, firefighters, air traffic controllers, nuclear materials couriers, members of the Capitol Police, members of the Supreme Court Police, employees of the Central Intelligence Agency performing intelligence activities abroad or having specialized security requirements, and diplomatic security special agents of the Department of State to receive retirement benefits in the same manner as if they had not been disabled; to the Committee on Oversight and Government Reform, and in addition to the Committees on Intelligence (Permanent Select), and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BEATTY (for herself and Mrs. WAGNER):

H.R. 3304. A bill to require the Attorney General to designate Human Trafficking Coordinators for Federal judicial districts, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUMENAUER (for himself and Mr. BUCHANAN):

H.R. 3305. A bill to amend titles 23 and 49, United States Code, with respect to bikeshare projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CROWLEY:

H.R. 3306. A bill to authorize a national grant program for on-the-job training; to the Committee on Education and the Workforce.

By Mr. GRIJALVA (for himself, Mr.

BRENDAN F. BOYLE of Pennsylvania, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. ELLISON, Mr. EVANS, Mr. GALLEG0, Mr. GUTIÉRREZ, Mr. HASTINGS, Mr. HUFFMAN, Ms. JACKSON LEE, Ms. JAYAPAL, Ms. KAPTUR, Ms. KELLY of Illinois, Mr. LANGEVIN, Ms. LEE, Mr. LOWENTHAL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. McGOVERN, Ms. MOORE, Ms. NORTON, Mr. POCAN, Mr. RASKIN, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SLAUGHTER, Mr. SOTO, Mr. TAKANO, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, and Ms. WILSON of Florida):

H.R. 3307. A bill to amend title XVI of the Social Security Act to update eligibility for the supplemental security income program, and for other purposes; to the Committee on Ways and Means.

By Mr. HIGGINS of Louisiana:

H.R. 3308. A bill to require an audit and review of the caregiver programs of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SAM JOHNSON of Texas:

H.R. 3309. A bill to require the Commissioner of Social Security to make publicly available online tools to allow individuals eligible for disability benefits to assess the impact of earnings on the individual's eligibility for, and amount of, benefits received through Federal and State benefit programs; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 3310. A bill to amend titles II and XVI of the Social Security Act to provide certain individuals with information on employment support services; to the Committee on Ways and Means.

By Mr. LANGEVIN (for himself, Ms. JUDY CHU of California, and Mr. RUIZ):



H.R. 3311. A bill to establish an Individual Market Reinsurance fund to provide funding for State individual market stabilization reinsurance programs; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUETKEMEYER (for himself, Ms. SINEMA, Mr. WILLIAMS, Mr. DAVID SCOTT of Georgia, Mr. HILL, Mr. GOTTHEIMER, Mr. BUDD, Mr. STIVERS, and Mr. MEEKS):

H.R. 3312. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to specify when bank holding companies may be subject to certain enhanced supervision, and for other purposes; to the Committee on Financial Services.

By Mr. MEADOWS:

H.R. 3313. A bill to require the Secretary of Housing and Urban Development to consider the availability of affordable housing in allocating amounts made available for fiscal year 2017 for the Veterans Affairs-Supported Housing program, and for other purposes; to the Committee on Financial Services.

By Mr. POLIS (for himself, Mr. GRIJALVA, Mr. HUFFMAN, and Ms. JAYAPAL):

H.R. 3314. A bill to transition away from fossil fuel sources of energy to 100 percent clean and renewable energy by 2050, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Transportation and Infrastructure, Education and the Workforce, Financial Services, Natural Resources, Appropriations, Agriculture, Small Business, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RENACCI (for himself and Mr. BERA):

H.R. 3315. A bill to amend section 9010 of the Patient Protection and Affordable Care Act to exclude limited scope vision insurance coverage from health insurance coverage subject to the health insurance provider annual fee; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROSEN (for herself, Ms. STEFANIK, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. EVANS, Mr. MEEKS, Ms. NORTON, Mr. TONKO, Mr. BEYER, Ms. HANABUSA, Mr. CRIST, and Mrs. MURPHY of Florida):

H.R. 3316. A bill to direct the National Science Foundation to award grants to encourage young girls to participate in computer science and other STEM activities, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TROTT (for himself and Mrs. CAROLYN B. MALONEY of New York):

H.R. 3317. A bill to amend title 18, United States Code, to increase the penalty for female genital mutilation, and for other purposes; to the Committee on the Judiciary.

By Mr. TURNER:

H.R. 3318. A bill to amend title 36, United States Code; to the Committee on the Judiciary.

By Mr. VEASEY (for himself, Mr. COOK, and Mr. RYAN of Ohio):

H.R. 3319. A bill to extend the duration of Military OneSource Program services for members of the Armed Forces upon their separation or retirement from the Armed Forces; to the Committee on Armed Services.

By Mr. YOHO (for himself, Mr. ROYCE of California, Mr. ENGEL, Mr. SHERMAN, Mr. CHABOT, and Mr. CONNOLLY):

H.R. 3320. A bill to direct the Secretary of State to develop a strategy to regain observer status for Taiwan in the World Health Organization, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DEFAZIO:

H.J. Res. 109. A joint resolution proposing an amendment to the Constitution of the United States to provide for balanced budgets for the Government; to the Committee on the Judiciary.

By Mr. STIVERS (for himself and Mr. CUELLAR):

H.J. Res. 110. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Ms. NORTON:

H. Con. Res. 69. Concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run; to the Committee on Transportation and Infrastructure.

By Mr. COHEN (for himself, Mr. AL GREEN of Texas, Mr. CARSON of Indiana, Ms. LEE, Mrs. WATSON COLEMAN, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CICILLINE, Mr. RASKIN, Ms. SCHAKOWSKY, Mr. LEWIS of Georgia, Mr. YARMUTH, Ms. JUDY CHU of California, Ms. BASS, Mr. ELLISON, Mr. GUTIERREZ, Ms. FUDGE, Mr. DESAULNIER, Mr. POCAN, Ms. MAXINE WATERS of California, Ms. JAYAPAL, Mr. GRIJALVA, Ms. JACKSON LEE, Ms. LOFGREN, Mr. ESPAILLAT, Mr. PAYNE, Mr. BEYER, Mr. NADLER, Mr. TED LIEU of California, and Mr. CÁRDENAS):

H. Res. 456. A resolution objecting to the conduct of the President of the United States; to the Committee on Oversight and Government Reform, and in addition to the Committees on the Judiciary, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LAWRENCE (for herself, Ms. FRANKEL of Florida, Mr. EVANS, Mr. NADLER, Ms. NORTON, Ms. KAPTUR, Mr. COURTNEY, Mr. KHANNA, Mr. LEWIS of Georgia, Ms. SPEIER, Mr. DAVID SCOTT of Georgia, Mrs. CAROLYN B. MALONEY of New York, Mr. COHEN, Mr. TED LIEU of California, Mr. TAKANO, Ms. LEE, Ms. BONAMICI, Ms. JUDY CHU of California, Mrs. BEATTY, Ms. JAYAPAL, Ms. ADAMS, Mr. DELANEY, Ms. MOORE, Ms. MENG, Ms. HANABUSA, Ms. JACKSON LEE, Mrs. DAVIS of California, Ms. TSONGAS, Mr. KEATING, Mr. SEAN PATRICK MALONEY of New York, Ms. SCHAKOWSKY, Ms. KUSTER of New Hampshire, Mr. LAWSON of Florida, Mrs. BROOKS of Indiana, Mr. TONKO, Ms.

WILSON of Florida, Mr. PALLONE, and Ms. BROWNLEY of California):

H. Res. 457. A resolution honoring the 169th anniversary of the first women's rights convention held in the United States in Seneca Falls, New York; to the Committee on the Judiciary.

By Mr. GARRETT (for himself, Mr. JORDAN, Mr. DESJARLAIS, Mr. BROOKS of Alabama, Mr. POSEY, Mr. NORMAN, Mr. PERRY, Mr. DUNCAN of South Carolina, Mr. AMASH, Mr. GOSAR, Mr. MEADOWS, Mr. JODY B. HICE of Georgia, Mr. BIGGS, Mr. BRAT, Mr. BLUM, Mr. BUDD, Mr. MASSIE, and Mr. DAVIDSON):

H. Res. 458. A resolution providing for consideration of the bill (H.R. 1436) to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; to the Committee on Rules.

By Mr. CORREA:

H. Res. 459. A resolution expressing the sense of the House of Representatives that the United States should support the development of programs that better prepare students for careers in cybersecurity by actively promoting ethical hacking skills; to the Committee on Education and the Workforce.

By Mr. DUFFY:

H. Res. 460. A resolution requesting the Secretary of the Interior to recognize the rich history of the logging industry and the importance of lumberjack sports by adding the Lumberjack Bowl to the National Register of Historic Places; to the Committee on Natural Resources.

By Mr. SOTO (for himself, Mr. RUIZ, Mr. COSTA, Mr. GONZALEZ of Texas, Mrs. TORRES, Ms. SÁNCHEZ, Ms. VELÁZQUEZ, Mr. ESPAILLAT, Mr. CASTRO of Texas, Mr. SABLON, Mr. GUTIÉRREZ, Mr. CARBAJAL, Mr. CORREA, Mr. VARGAS, Mr. GRIJALVA, Mr. GALLEGO, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CÁRDENAS, Mrs. NAPOLITANO, Mr. VELA, Ms. ROYBAL-ALLARD, and Mr. GOMEZ):

H. Res. 461. A resolution urging Tom Flores be inducted to the Pro Football Hall of Fame; to the Committee on Oversight and Government Reform.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. VELÁZQUEZ:

H.R. 3294.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power \* \* \* To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. MAXINE WATERS of California:

H.R. 3295.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 5 and Clause 18 of the United States Constitution

By Mr. ELLISON:

H.R. 3296.



Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7, Clause 1 and Section 8, Clause 1.

By Mr. KELLY of Mississippi:

H.R. 3297.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. BARTON:

H.R. 3298.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8, clause 1

By Mr. McHENRY:

H.R. 3299.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence . . . of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States.

By Mr. SCHNEIDER:

H.R. 3300.

Congress has the power to enact this legislation pursuant to the following:

Article I.

By Mr. ISSA:

H.R. 3301.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 8, "to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Rights to their respective Writings and Discoveries."

By Mr. DEUTCH:

H.R. 3302.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 as interpreted by *Steward Machine Company v. Davis* and by *Helvering v. Davis* ("general welfare" and general taxation).

By Mr. CONNOLLY:

H.R. 3303.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 18 of the United States Constitution

By Mrs. BEATTY:

H.R. 3304.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article 1 of the Constitution which states that Congress has the power "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department of Officer thereof."

By Mr. BLUMENAUER:

H.R. 3305.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII, Clause VII

By Mr. CROWLEY:

H.R. 3306.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: "The Congress shall have Power [. . .] To regulate Commerce with foreign Nations, and among the several States . . ."

By Mr. GRIJALVA:

H.R. 3307.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. HIGGINS of Louisiana:

H.R. 3308.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

Article I, Section 8, Clause 18

By Mr. SAM JOHNSON of Texas:

H.R. 3309.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution, to "provide for the common defense and general welfare of the United States."

By Mr. SAM JOHNSON of Texas:

H.R. 3310.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution, to "provide for the common defense and general welfare of the United States."

By Mr. LANGEVIN:

H.R. 3311.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. LUETKEMEYER:

H.R. 3312.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests lies in Article 1, Section 7, Clause 2 of the Constitution, which allows for every bill passed by the House of Representatives and the Senate and signed by the President to be codified into law; and therefore implicitly allows Congress to repeal any bill that has been passed by both chambers and signed into law by the President.

Additionally, the Constitution grants to Congress the explicit power to regulate commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3, the Commerce Clause.

By Mr. MEADOWS:

H.R. 3313.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. POLIS:

H.R. 3314.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution. Article I, Section 8

By Mr. RENACCI:

H.R. 3315.

Congress has the power to enact this legislation pursuant to the following:

"The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution."

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; 1.

By Ms. ROSEN:

H.R. 3316.

Congress has the power to enact this legislation pursuant to the following:

Clause 8 of Section 8 of Article I of the Constitution

By Mr. TROTT:

H.R. 3317.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. TURNER:

H.R. 3318.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. VEASEY:

H.R. 3319.

Congress has the power to enact this legislation pursuant to the following:

Title 10, United States Code

By Mr. YOHO:

H.R. 3320.

Congress has the power to enact this legislation pursuant to the following:

Section II Clause 18

By Mr. DeFAZIO:

H.J. Res. 109.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

By Mr. STIVERS:

H.J. Res. 110.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution, which grants Congress the authority, whenever two thirds of both chambers deem it necessary, to propose amendments to the Constitution.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 15: Ms. TSONGAS.

H.R. 19: Mr. SUOZZI, Mr. SENSENBRENNER, and Mr. LONG.

H.R. 25: Mr. LONG.

H.R. 233: Mr. KILDEE.

H.R. 242: Mr. GARAMENDI and Mr. SEAN PATRICK MALONEY of New York.

H.R. 392: Mr. PAYNE, Mr. BILIRAKIS, Mr. PETERSON, and Mr. DENHAM.

H.R. 411: Mr. LAWSON of Florida.

H.R. 459: Ms. LOFGREN.

H.R. 664: Mr. RASKIN.

H.R. 719: Mr. KELLY of Pennsylvania and Mr. GOSAR.

H.R. 721: Mrs. DINGELL and Mr. SMITH of Missouri.

H.R. 770: Ms. SHEA-PORTER.

H.R. 790: Mr. DESAULNIER.

H.R. 844: Mr. CARTER of Georgia.

H.R. 849: Mr. YOUNG of Iowa, Mr. RATCLIFFE, and Ms. CHENEY.

H.R. 850: Mr. GOSAR and Mr. FLORES.

H.R. 873: Mr. KEATING.

H.R. 909: Mr. MURPHY of Pennsylvania.

H.R. 911: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. COHEN, Mr. GARAMENDI, and Mr. THOMPSON of California.

H.R. 918: Mr. CURBELO of Florida and Mr. O'ROURKE.

H.R. 963: Ms. PINGREE.

H.R. 964: Mr. SIREs, Mr. MACARTHUR, Ms. SLAUGHTER, and Mr. LOBIONDO.

H.R. 986: Mr. GAETZ.

H.R. 1002: Mr. TURNER.

H.R. 1046: Mr. MCGOVERN.

H.R. 1090: Mr. THOMPSON of Pennsylvania.

H.R. 1116: Mr. GRAVES of Louisiana.

H.R. 1148: Mrs. NAPOLITANO and Ms. SHEA-PORTER.

H.R. 1155: Mrs. NAPOLITANO and Ms. SHEA-PORTER.

H.R. 1164: Mr. PITTINGER, Mr. JORDAN, Mr. CRAMER, Mr. MULLIN, Mr. JODY B. HICE of Georgia, Mr. PALAZZO, Mr. KNIGHT, and Mr. WALKER.

H.R. 1264: Mr. BARTON, Mr. PEARCE, Mr. ROSS, and Mr. OLSON.

H.R. 1267: Ms. BROWNLEY of California.

H.R. 1436: Mr. BUCK.

H.R. 1494: Mr. GENE GREEN of Texas, Mrs. BUSTOS, Mr. GOTTHEIMER, Mr. BISHOP of Michigan, and Mrs. MURPHY of Florida.

H.R. 1584: Mr. GRIJALVA.

H.R. 1606: Ms. SEWELL of Alabama.

H.R. 1612: Ms. FRANKEL of Florida.

H.R. 1659: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 1660: Ms. VELÁZQUEZ and Ms. LOFGREN.

H.R. 1676: Mr. PERLMUTTER, Mr. VISCLOSKEY, Ms. ROYBAL-ALLARD, Mr. PASCRELL, Mr. CLAY, Mr. SUOZZI, Mr. CONYERS, Mr. NOLAN, and Ms. JUDY CHU of California.

H.R. 1685: Miss RICE of New York and Mr. VEASEY.

H.R. 1698: Mr. TONKO.

H.R. 1731: Mr. ROTHFUS and Mr. MURPHY of Pennsylvania.

H.R. 1757: Ms. WILSON of Florida.

H.R. 1795: Mr. ROHRABACHER.

H.R. 1810: Mr. ROHRABACHER.

H.R. 1828: Mr. DUNCAN of Tennessee.

H.R. 1847: Mrs. MURPHY of Florida.

H.R. 1865: Mr. CARBAJAL, Mrs. COMSTOCK, and Mr. RODNEY DAVIS of Illinois.

H.R. 1876: Mr. FLORES.

H.R. 1889: Mr. BEN RAY LUJÁN of New Mexico and Mr. KIHUEN.

H.R. 1949: Ms. SEWELL of Alabama.

H.R. 1955: Mr. THOMPSON of Pennsylvania.

H.R. 1974: Ms. SCHAKOWSKY.

H.R. 2023: Mr. BARTON.

H.R. 2049: Mr. FARENTHOLD and Mr. KENNEDY.

H.R. 2063: Mr. SEAN PATRICK MALONEY of New York.

H.R. 2119: Mr. SCHNEIDER.

H.R. 2173: Mr. FORTENBERRY.

H.R. 2276: Mr. MASSIE.

H.R. 2279: Mr. BISHOP of Georgia, Mr. NEAL, Ms. CLARK of Massachusetts, Ms. DELAURO, Ms. BORDALLO, Mr. WALZ, Mr. RYAN of Ohio, Mr. GARAMENDI, Ms. PINGREE, Mr. TONKO, Mr. KENNEDY, Mr. KEATING, Mr. PALLONE, Mr. KILDEE, and Mr. GOTTHEIMER.

H.R. 2315: Mr. KEATING, Mr. HIGGINS of New York, Mr. RYAN of Ohio, and Mr. MCCAUL.

H.R. 2359: Mr. STIVERS.

H.R. 2404: Mr. SOTO.

H.R. 2414: Ms. JUDY CHU of California.

H.R. 2417: Ms. MENG.

H.R. 2472: Mr. POLIS.

H.R. 2488: Mr. HOYER.

H.R. 2550: Mr. BISHOP of Georgia.

H.R. 2612: Mr. TAKANO, Ms. WILSON of Florida, Mr. SENSENBRENNER, Mr. GUTIÉRREZ, Mr. CONYERS, Mr. RASKIN, Ms. JAYAPAL, Mr. COHEN, Ms. JACKSON LEE, Mr. EVANS, Mr. AL GREEN of Texas, Mr. JOHNSON of Georgia, and Mr. SCOTT of Virginia.

H.R. 2622: Mrs. CAROLYN B. MALONEY of New York.

H.R. 2651: Mr. REED, Mr. UPTON, and Mr. SUOZZI.

H.R. 2723: Mr. FLORES and Mr. MARCHANT.

H.R. 2733: Mrs. DINGELL and Mr. BRADY of Pennsylvania.

H.R. 2740: Mr. O'HALLERAN, Miss RICE of New York, Mr. COOK, Mr. SMITH of Washington, and Mr. COLE.

H.R. 2747: Mr. DENT.

H.R. 2770: Mr. RYAN of Ohio.

H.R. 2797: Mr. DUNCAN of Tennessee.

H.R. 2801: Mr. COOPER.

H.R. 2805: Mr. WILLIAMS.

H.R. 2820: Mr. DONOVAN and Mr. REED.

H.R. 2823: Mr. FRANCIS ROONEY of Florida, Mr. FERGUSON, and Mr. ESTES of Kansas.

H.R. 2832: Mr. GOSAR and Mr. FLORES.

H.R. 2862: Mr. VALADAO.

H.R. 2871: Mr. PETERSON.

H.R. 2899: Mr. SMITH of Washington.

H.R. 2903: Mr. POCAN.

H.R. 2908: Mr. CUMMINGS.

H.R. 2913: Ms. KELLY of Illinois.

H.R. 2933: Mr. KRISHNAMOORTHY, Mrs. DINGELL, and Ms. BLUNT ROCHESTER.

H.R. 2957: Mr. THOMPSON of Pennsylvania.

H.R. 2989: Mrs. CAROLYN B. MALONEY of New York, Mr. RASKIN, Mr. KRISHNAMOORTHY, Mr. RUSSELL, and Mr. LYNCH.

H.R. 2996: Mr. RATCLIFFE, Mr. GOSAR, Mr. DESJARLAIS, Mr. WALKER, Mr. BARR, and Mr. FLORES.

H.R. 3020: Mr. VARGAS.

H.R. 3031: Mr. CONNOLLY.

H.R. 3048: Mr. KHANNA, Mr. EVANS, and Ms. NORTON.

H.R. 3054: Mr. BISHOP of Utah.

H.R. 3067: Ms. KUSTER of New Hampshire.

H.R. 3089: Mr. LOBIONDO.

H.R. 3091: Mr. ELLISON.

H.R. 3100: Mrs. CAROLYN B. MALONEY of New York.

H.R. 3187: Ms. HANABUSA.

H.R. 3191: Ms. CASTOR of Florida.

H.R. 3197: Ms. BARRAGÁN, Mr. JONES, Mr. POLIS, and Mr. GARRETT.

H.R. 3218: Mrs. BEATTY, Mr. CICILLINE, Ms. PELOSI, Ms. ESHOO, Mr. LOWENTHAL, Mrs. MURPHY of Florida, Mr. KIND, Mr. LIPINSKI, Mr. PERLMUTTER, Mr. ZELDIN, Mr. HECK, and Mr. KING of New York.

H.R. 3222: Mr. KILMER.

H.R. 3223: Mr. SMITH of Missouri and Mr. LAMALFA.

H.R. 3228: Ms. SHEA-PORTER.

H.R. 3236: Mr. WELCH, Mr. MARCHANT, Ms. JENKINS of Kansas, and Mr. ABRAHAM.

H.R. 3239: Mr. SWALWELL of California.

H.R. 3254: Ms. CLARK of Massachusetts, Mr. GRIJALVA, and Mr. PETERSON.

H.R. 3255: Mr. SWALWELL of California.

H.R. 3273: Mr. O'ROURKE.

H.R. 3285: Mr. CRIST.

H.J. Res. 51: Mr. YOUNG of Iowa, Ms. BROWNLEY of California, Mr. RATCLIFFE, Mr. KNIGHT, and Ms. CHENEY.

H.J. Res. 107: Mr. BISHOP of Georgia.

H. Con. Res. 28: Mr. DAVIDSON, Mr. DESJARLAIS, Mr. HUIZENGA, and Mr. LAMALFA.

H. Con. Res. 59: Mrs. NAPOLITANO and Ms. ESHOO.

H. Res. 15: Mr. MEEKS.

H. Res. 88: Mr. PALAZZO.

H. Res. 128: Mr. BILIRAKIS, Mrs. TORRES, and Mr. ENGEL.

H. Res. 129: Mr. POLIQUIN, Mr. LAMALFA, Mr. DAVID SCOTT of Georgia, Mr. BABIN, Mr. WEBER of Texas, Mr. PITTENGER, Mr. HUIZENGA, Mr. WENSTRUP, and Mrs. NOEM.

H. Res. 271: Mr. BILIRAKIS.

H. Res. 307: Mr. THOMPSON of Pennsylvania.

H. Res. 313: Mr. DONOVAN.

H. Res. 353: Mr. CICILLINE.

H. Res. 445: Mr. ENGEL, Ms. LEE, and Mr. DUNCAN of South Carolina.

H. Res. 446: Mr. CONYERS, Ms. LOFGREN, and Mr. SHERMAN.

H. Res. 449: Mr. CAPUANO, Mr. PAYNE, Mr. THOMAS J. ROONEY of Florida, Ms. FRANKEL of Florida, and Mr. MCGOVERN.

## EXTENSIONS OF REMARKS

VISIT TO HINDU HERITAGE DAY IN  
ELK GROVE VILLAGE, ILLINOIS  
ON JULY 23RD

**HON. RAJA KRISHNAMOORTHY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. KRISHNAMOORTHY. Mr. Speaker, today I honor the work and community engagement of the organizers of and participants in Hindu Heritage Day on Sunday, July 23 in Elk Grove Village, Illinois.

Hinduism is one of the world's oldest living religions, and the faith is richly diverse with traditions stretching back thousands of years. Hinduism is a religion that prides itself on plurality, inclusion, tolerance, non-violence, and the embrace of diversity. These same values line up with our shared American values, and it is without question that in these times, we must defend these values. When people try to divide Americans or separate us, we need to remember that all of us belong together and that diversity and inclusion make us stronger as a country.

Every time I visit with members of the Hindu community, I am inspired by their devotion and their commitment to making our communities stronger all over the nation. Mr. Speaker, as a Hindu-American, I am also proud to support my many friends and family who celebrate their religion and culture throughout the country.

I honor Hindu Heritage Day on July 23, 2017 in the metropolitan Chicago area.

IN HONOR OF PAUL W. SANBORN

**HON. FRANCIS ROONEY**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today to honor the memory of a true pioneer and icon for the City of Cape Coral. Paul Warren Sanborn was a man of commitment; to his wife of 70 years, Mildred, to his daughters, Carol, Donna, and Mary, to his friends, and to the community he loved, and that loved him back. There are far too many accomplishments in a life well lived to fit into this writing, but to put it simply, Paul was Mr. Cape Coral.

Paul Sanborn served his country as a B-24 gunner and radio operator with the U.S. Army Air Corps during World War II. Upon moving to Cape Coral in 1962, Paul immediately turned his service towards the small community of 1,100 people; as a charter member of the Rotary Club of Cape Coral and American Legion Post 90, Chamber of Commerce President, Cape Coral Hospital Board member, Lee County Mosquito Control official, Cape Coral

High School task force member, and official city historian. During his 55 years in Cape Coral, countless other charitable, business and civic organizations benefited from his generosity. Paul was named citizen of the year in both 1968 and 1992. By the time that Paul Sanborn Park was dedicated in 2008, the city had grown to a population of over 160,000.

Mr. Speaker, there is no greater example of service over self than Paul Sanborn. His wit, wisdom, generosity and friendship will be missed by all.

CONGRATULATING CATHY GERALI

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise to congratulate Cathy Gerali, the District Manager of the Metro Wastewater Reclamation District (Metro District) in Colorado, on her election as the President of the National Association of Clean Water Agencies (NACWA). The Metro District was formed in 1961 and provides wholesale wastewater transmission and treatment services to 59 local governments and approximately 1.7 million people across the Denver metro area.

Cathy started her successful career at Metro District 35 years ago as an account clerk. Through her strong work ethic and dedication, she moved up the ranks to serve as the strategic planning and internal control officer and Deputy Manager before being selected as District Manager in 2008.

Cathy is known as a dynamic leader who believes in recognizing her staff for their important work protecting the environment, protecting public health and allowing the region to thrive. Each year for Earth Day, Cathy hosts a special breakfast to celebrate employees. She is known for always being on the front lines, being accessible to employees, and checking on facility operations. She has also played key leadership roles nationally with a number of water organizations helping advance both research and advocacy for municipal clean water utilities.

Cathy understands when we invest in our public water infrastructure we are investing in the health of our environment, our communities, and our economy. Cathy's fundamental understanding of the importance of advancing today's clean water agencies as utilities of the future will make her an invaluable leader at NACWA.

Once again, I congratulate Cathy Gerali on her election as the President of NACWA. As she has done with the Metro District, I am confident she will lead NACWA with integrity, a spirit of collaboration, and an eye toward innovation and progress.

IMPLEMENTING THE GLOBAL  
FOOD SECURITY ACT

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. SMITH of New Jersey. Mr. Speaker, yesterday I held a hearing to assess the impact of the Global Food Security Act and judge how it is being implemented. We examined it with an eye toward reauthorization later this Congress.

By way of background, as many of you know, the Global Food Security Act was a standout piece of bipartisan legislation that was passed in the last Congress. I was the author of the House version of the bill, which had the support of Ms. BASS and Mr. MEADOWS from our subcommittee.

While GFSA was only signed into law in 2016, it codified a policy that had a far longer history. Like the landmark PEPFAR program, it also bridges multiple administrations.

By way of history, it was President Bush, who beginning in 2002, started to elevate the importance of food security in U.S. foreign policy, especially in Africa, via the Initiative to End Hunger in Africa (IEHA), which was funded through development assistance and implemented through USAID. At the same time, the Millennium Challenge Corporation began making substantial investments in agriculture-led economic growth programs, particularly in Africa.

It was from this foundation that President Obama instituted the Feed the Future Initiative, launched at the G8 Meeting in L'Aquila, Italy, in 2009. By that time, food insecurity as a national security issue had come to the fore. The years 2007 through 2008 saw a rise in food prices across the world, and the ensuing political turmoil this caused led to the rise, for example, of the Muslim Brotherhood in Egypt.

Today, we see President Trump and his administration continuing to implement the GFSA. We are also at a point where we can begin to assess the success of implementation, underscoring an important point for us legislators; it is never sufficient simply to pass legislation, but Congress has a constitutionally-mandated duty to make sure that the executive branch faithfully executes the laws that it passes.

Among the things we heard about are results from our efforts. Have we been successful, for example, in reducing stunting, one of the key purposes of the Act and an outcome that is measurable?

We also heard about the country selection process. How are countries that we decide to partner with chosen? What criteria do we use, and is the criteria measurable and objective?

Also, how faithfully is the GFSA's mandate to work with small-holder farmers being implemented?

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

As we look toward reauthorization, we need to ask ourselves what is working, what isn't working, and what can we do better to maximize the effect of our investment.

Consider, for example, our nutrition programs aimed at mothers and children during the first 1,000 days of life window, from conception to the second birthday. We know that this period is absolutely critical for achieving healthy outcomes in children that stays with them throughout their lives, helping boost their natural immunities to ward off diseases and giving them a head start in life. We hope to hear from USAID on the successes of our nutrition interventions during the first 1,000 days.

But we need to ask ourselves, are we truly firing on all cylinders? Are we achieving the best possible results in terms of nutrition and stunting reduction, or are we failing to maximize our investments.

USAID, for example, has a neglected tropical diseases program that addresses intestinal worms and parasites that affect close to one billion people. If this work, however, is siloed—if worms are not addressed concomitantly with our nutrition interventions—the question arises: Are we maximizing our nutrition interventions? In other words, are we feeding the future, or simply feeding the worms?

It is relatively inexpensive to conduct deworming interventions among affected populations. The gains, however, can be enormous. One recent study on cost-effectiveness concluded that "deworming's effect is robustly positive, with a weight gain per dollar spent more than 35 times greater" than those found in simple school feeding programs.

Thus, we need to ask whether we are taking advantage of synergies in our nutrition efforts, by not only including deworming, but also following up with behavior changing WaSH, or water and sanitation/health instruction. Sometimes the solution of how to keep reinfestation by worms from happening can be as simple as providing children with a pair of shoes, as worms often enter the body through a foot that comes into contact with infected soil, or making sure vegetables are washed thoroughly and peeled.

The question for USAID is whether we are fully utilizing such synergies. Tomorrow, the question for us here in Congress will be what we can do in our reauthorization legislation to ensure that USAID is given the necessary direction and tools to prioritize such synergies.

#### CONGRATULATING ANNA VOLLET OF THE HELIAS CATHOLIC HIGH SCHOOL LADY CRUSADERS

#### HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Anna Vollet of the Helias Catholic High School Lady Crusaders on her second place finish at the 2017 Class 4 Missouri Track and Field State Championship in the 200-meter sprint.

Anna and her coach should be commended for all of their hard work throughout this past

year and for Anna's success at the State Championship.

I ask you to join me in recognizing Anna Vollet of the Helias Catholic High School Lady Crusaders for a job well done.

#### HONORING DR. STANLEY DUDRICK

#### HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 2017

Mr. BARLETTA. Mr. Speaker, it is my great honor to join the town of Nanticoke and the medical community at-large in recognizing Dr. Stanley Dudrick for his many years of selfless medical service and innovative work. Through Dr. Dudrick's passion for surgery and his invention of the total parenteral nutrition (TPN) intravenous feeding method, he has saved millions of lives and earned the distinction of being one the most influential doctors in the world.

Raised in Nanticoke, Dr. Dudrick inherited the values and work ethic of his coal mining family. He drew encouragement from those in his community, including his mother's doctors, who inspired him to pursue a higher education in medicine. After graduating from Franklin and Marshall College, he became a research fellow and surgical resident at the University of Pennsylvania School of Medicine. It was there, at the age of 32, that Dr. Dudrick made his historic breakthrough by inventing the revolutionary TPN system in 1967.

While his invention revolutionized the medical field, it was just the beginning of Dr. Dudrick's storied career. He went on to become a professor of surgery at UPenn, and helped to launch the University of Texas Medical School's Department of Surgery, becoming its chief of surgery. He also served as chairman of the surgery department at the Pennsylvania Hospital and later at the Yale University School of Medicine.

In 2011, Dr. Dudrick returned home with all of this experience and success to give back to the community where his renowned career began. He is currently a professor at Misericordia University in Dallas and at Geisinger Commonwealth School of Medicine in Scranton. This month marks 50 years since Dr. Dudrick revolutionized the medical community, and the city of Nanticoke will recognize today as "Dr. Dudrick Day" by unveiling a historical marker to be displayed outside of his childhood home.

Mr. Speaker, please join me in recognizing Dr. Dudrick for his revolutionary contributions to the medical community and his selfless dedication to saving the lives of others.

#### IN APPRECIATION OF THE SERVICE OF JOSEPH EHRENKRANTZ

#### HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 2017

Mr. CONYERS. Mr. Speaker, I rise to recognize Joseph Ehrenkrantz for his dedicated

service to the House of Representatives. Over the past two years, he has diligently served the House Judiciary Committee.

A 2014 graduate of the University of Maryland, Joe majored in English and Political Science. He began his career with the House Judiciary Committee Democrats shortly after graduation—initially as an intern and subsequently as a Professional Staff member.

Joe has worked tirelessly on the full range of issues that come before the Committee. These include civil rights and voting rights, state and local taxation, constitutional issues, and investor visas. Joe was also charged with keeping track of innumerable legislative and oversight details concerning the Committee. He has performed all of these tasks with his customary energy and enthusiasm.

Joe has also served the Committee with regard to a number of administrative matters. These include coordinating briefings, staffing hearings, organizing Minority forums, providing information technology assistance, clerking markups, helping coordinate the intern program, and providing general office management. His knowledge of Committee proceedings and procedure, coupled with his dedication to progressive priorities, has made him an integral member of our staff.

We thank Joe for his many outstanding contributions to the House Judiciary Committee and the U.S. House of Representatives, and wish him well as he begins law school at Georgetown University this fall. He will surely be greatly missed.

#### HONORING THE STANISLAUS COUNTY POLICE ACTIVITIES LEAGUE (PAL)

#### HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 19, 2017

Mr. DENHAM. Mr. Speaker, I rise today to honor the Stanislaus County Police Activities League (PAL) for its dedication to educating our youth in public safety. It has served as an extraordinary step in promoting strong communities throughout Stanislaus County.

Originally known as the Stanislaus County Police Athletics League, PAL was created 25 years ago in 1992 by then-Sheriff Les Weidman. He saw the negative impact that drug addiction, gang violence, and other criminal activity was having in Stanislaus County, and wanted to do something about it. So, together with Stanislaus County Superintendent of Schools Martin Peterson, they started PAL. The first event they debuted was a boxing program at Mae Hensley Junior High in Ceres. Since then, PAL has continued to grow.

The pursuit of opportunities that get kids involved in their community is paramount to the success of Stanislaus County. Children involved in this program will attain the skills necessary to be successful both in their classroom and in their future career-making decisions. Additionally, kids coming out of the PAL program will learn skills and activities that set an example for younger generations. These are just a few of the reasons why PAL is deserving of praise.

Mr. Speaker, please join me in commending everyone involved in the great work that PAL does for our community. Also, I want to congratulate the Stanislaus County Police Activities League on its 25th Anniversary in supporting our youth.

#### RECOGNIZING BARBARA CLELAND

##### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. COFFMAN. Mr. Speaker, I rise today to express my gratitude for Barbara Cleland, the Aurora City Councilwoman at-large, for her extraordinary work and dedication to the city of Aurora for the past three decades. Her leadership has contributed to many of Aurora's most successful programs and initiatives.

Barb Cleland has made the decision to retire from politics so that she may spend more time with her family and five grand-children. Her tenure in local politics was one that brought positive change and development to a city that has experienced great growth since she was first elected.

Throughout her tenure, Councilwoman Cleland has sought to advance this city to its greatest potential. From relocating the University of Colorado Health Center, to putting stop signs on a street, her work is as meticulous as it is beneficial to the community around her. Despite retiring from the City Council, she will continue serving on the board for the Aurora Housing Authority, the Colorado State Housing Board, and as the Legislative and Community Relations director at Aurora Mental Health. Her focus on Public Safety, Courts, and Civil Service during her decades of dedicated service on the City Council for the City of Aurora reveals her commitment to her constituents and to their well-being.

Barb Cleland has enhanced the quality of life for every citizen in the City of Aurora. Her leadership during the last 28 years have made the City of Aurora the great place it is today.

Mr. Speaker, a great nation cannot exist without great representatives in local government. I believe that Ms. Barbara Cleland is among the very best and I am very grateful for her unyielding dedication to public service.

#### INTRODUCTION OF HOUSE RESOLUTION SUPPORTING THE DEVELOPMENT OF PROGRAMS THAT PREPARE STUDENTS FOR CAREERS IN CYBERSECURITY

##### HON. J. LUIS CORREA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. CORREA. Mr. Speaker, today, I am introducing a House Resolution supporting the development of programs that prepare students for careers in cybersecurity.

As a Member of the Committee on Homeland Security, I have come to understand that we need to invest in our nation's students to make sure our country is prepared to combat

the cyber challenges of the 21st century. It is critical that the United States develop cybersecurity programs that allow students to keep up with the demands of rapidly evolving technology and to address the risks associated with cyber threats.

The United States faces a critical shortage of trained cybersecurity professionals, a shortage that includes an estimated 10,000 cybersecurity employment openings in the Federal Government alone. This number is likely to grow to as many as one million unfilled positions throughout the United States by 2019. Educating and training our students is vital to bolster the cyber capabilities of our government, military, and private sector.

By encouraging students to develop cyber skills, we can begin to work towards building robust cybersecurity education. It is well known that early exposure to skills such as computer programming and ethical hacking increases accessibility to higher education and can encourage students to pursue a career in cybersecurity.

Over the years, the United States has become a target of a growing number of malicious cyber attacks, including large-scale breaches that compromise the personal identities and personal information of millions of Americans. These cyber threats pose a significant risk to the protection of our critical infrastructure, privacy, and national security.

It is essential that our country continues to support the development of cybersecurity education programs to ensure the United States is protected from cyber attacks. Our students are the key to the future, and we must do everything we can to make sure they are equipped with the skills necessary to combat the cyber challenges of the 21st century.

#### CONGRATULATING THE JEFFERSON CITY JAY'S BASEBALL TEAM

##### HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Jefferson City Jays' Baseball Team for their 2017 Missouri Class 5 Baseball State Championship.

This team and their coach should be commended for all of their hard work throughout this past year and for bringing home the State championship to their school and community.

I ask you to join me in recognizing the Jefferson City Jays' Baseball Team for a job well done.

#### H.R. 2810, THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018

##### HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. DeFAZIO. Mr. Speaker, last Friday, I voted against H.R. 2810, the National Defense Authorization Act for Fiscal Year (FY) 2018.

The legislation includes several provisions that I strongly support, including giving servicemen and women a well-deserved raise of 2.4 percent. Those who serve in uniform have made extraordinary sacrifices for our country and have earned and deserve a pay raise. It also includes funding for Ukraine and Eastern Europe security initiatives to counter Russia's heightened military provocations and annexation of Crimea.

Despite these important initiatives, I have strong concerns with H.R. 2810. This legislation authorizes more than \$688.3 billion, which is \$70.4 billion more than the FY 2017 authorized level and \$28.5 billion more than the president's request. This includes \$74.6 billion to the Overseas Contingency Operations (OCO) fund, an account which is not counted in the budget and is not paid for. It adds to the deficit and is used as a slush fund by the Pentagon.

Unlike every other federal agency, the Department of Defense (DOD) refuses to complete a financial audit so taxpayers know how the biggest bureaucracy in the federal government spends their money. In fact, a shocking report released last December exposed \$125 billion in administrative waste that the Pentagon tried to bury from being viewed by the public.

I refuse to support increased bureaucratic waste at the expense of American taxpayers and our men and women in uniform. A more accountable and transparent department would ensure taxpayer dollars are directed towards the needs of our troops and the benefits they deserve, rather than buying unnecessary weapon systems, sustaining a Cold War era military force, and giving the president a blank check to fund wars Congress hasn't authorized.

I have always advocated for maintaining Congress's constitutionally-confirmed prerogative to declare war under the War Powers Act and limiting the President's authority to engage in armed conflict without the consent of Congress. I strongly oppose the NDAA's continued authorization of spending for wars that are not congressionally approved. The Pentagon uses the 2001 Authorization of Use of Military Force (AUMF) to continue to justify the 16 years our troops have been fighting in the Middle East. In his short time in office, President Trump has already sent troops to Iraq, Syria and elsewhere without seeking a new Authorization of Use of Military Force (AUMF), a violation of the War Powers Act.

Additionally, the bill prohibits the closing of Guantanamo Bay, which costs more than \$100 million each year to house 41 prisoners and has been used as a top recruiting tool by terrorists. Frankly, the prison at Guantanamo Bay has been a black eye for the United States, has eroded relationships with our allies, undermined U.S. missions abroad, and put U.S. citizens and our troops at risk of retaliation.

Congress can make responsible cuts to our defense budget without jeopardizing the safety of our troops or undermining our national security. Fiscal responsibility and accountability at the Pentagon would allow for funds to be better spent supporting the basic needs of our troops, meeting our obligations to veterans of past wars, and ensuring our true defense needs are prioritized.

## PERSONAL EXPLANATION

**HON. KAY GRANGER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Ms. GRANGER. Mr. Speaker, I was unable to attend votes in the afternoon of July 18, 2017. Had I been present, I would have voted NAY on Roll Call No. 385; NAY on Roll Call No. 386; NAY on Roll Call No. 387; NAY on Roll Call No. 398, and NAY on Roll Call No. 389.

RECOGNIZING THE LIFE OF  
LOUISE LITTLE**HON. DOUG COLLINS**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize the life of Louise Little, a native of Morganton who passed away on June 30.

Louise was born and raised in our home of northeast Georgia. After graduating from Sacred Heart College, she moved back to the area to care for her friends and loved ones as a lab technician at the Rockford Clinic.

With a passion for service, Louise used her time away from work to immerse herself in her community. She was actively involved in the Lions Club, where she received numerous awards for her dedication and selflessness towards others.

On the political front, Louise was a leader who encouraged women to get more involved in politics. Her commitment to women earned her the position of president at her local chapter of the National Federation of Republican Women.

Between that and her work with the local Republican party, she encouraged others to speak out and share their ideas. She believed that every voice matters and that every individual has the power to make a difference.

Mr. Speaker, northeast Georgia is grateful for Louise Little. This woman lived a life committed to helping others. She was determined to make her community and country a better place for everyone.

While I'm sad to see the story of such an outstanding woman come to a close, I am thankful that Mrs. Little's legacy will carry on among her neighbors.

HONORING THE LIFE OF MARION  
WALSINGHAM**HON. NEAL P. DUNN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. DUNN. Mr. Speaker, I rise today to honor the memory of Marion Walsingham, a pillar of the Bay County, Florida community who recently passed away at the age of 94.

Marion and her husband, Alvin, opened "Alvin's 5 and Dime" in St. Andrews in 1950.

The store later became "Alvin's Island Stores," with locations on Panama City Beach, Destin, Fort Walton, Pensacola Beach, Orange Beach, Alabama, and Gulf Shores, Alabama.

Marion was an active member of St. Andrew United Methodist Church, the founding member of the Panama City Beach Women's Club, and a member of the first Library Committee to bring a Public Library to Panama City Beach. She was instrumental in starting the first Chapter of the Order of the Eastern Star in Panama City Beach, working her way through the leadership within the Chapter, and eventually serving as the Chairman of the Cancer Fund from 2009 to 2010.

Aside from her work in the community, Marion enjoyed spending time traveling with her grandchildren and supporting her great-grandchildren at local events.

Mr. Speaker, please join me in honoring a life well-lived. Marion Walsingham dedicated her life to the Bay County community and we will forever be grateful.

INTRODUCTION OF THE  
BIKESHARE TRANSIT ACT OF 2017**HON. EARL BLUMENAUER**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. BLUMENAUER. Mr. Speaker, America is in the middle of a bikeshare revolution. More than 100 communities have bikeshare systems, supporting a network of 4,800 stations and over 42,000 bikes. Since 2010, riders have taken more than 88 million trips, with the number of trips and systems increasing each year.

Today, my community is celebrating the one-year anniversary of its BIKETOWN bikeshare launch. In the last year, more than 75,000 Portlanders and visitors have taken hundreds of thousands of trips, covering more than half a million miles and removing untold numbers of automobiles from city streets. The system's success has already led to its expansion, giving more communities access to efficient, carbon-free transportation.

The increased commercial investment around bikeshare stations and networks is driving economic development across the country. Systems are opening in communities of all sizes from Los Angeles and Cleveland to Topeka and Birmingham. While some existing bikeshare programs received federal dollars to develop their systems, the lack of an established funding source has proved an impediment to many other projects. Since the term "bikeshare" is not defined in U.S. code or described by law as a form of transit, existing bikeshare systems and departments of transportation are forced to operate in a gray area, creating challenges for funding, maintaining, and administering these programs.

Today, I am introducing the Bikeshare Transit Act, legislation that will eliminate this gray area by defining bikeshare in statute and making bikeshare systems eligible to receive funding to enhance related public transportation service or transit facilities. The bill allows federal funding to be used for acquiring or replac-

ing bikeshare-related equipment and constructing bikeshare facilities. Bikeshare systems will also be listed as eligible projects under the Congestion Mitigation and Air Quality (CMAQ) Improvement Program.

The Bikeshare Transit Act will remove significant barriers facing new and existing bikeshare projects applying for federal funding while underscoring that bikeshare programs drive economic development and are an important part of bringing choice and adding value to America's transportation system.

CONGRATULATING THE SOUTH  
CALLAWAY BULLDOGS' BASE-  
BALL TEAM**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the South Callaway Bulldogs' Baseball Team for their 2017 Missouri Class 3 Baseball State Championship.

This team includes Adam Albaugh, Austin Loucks, BJ Moffat, Braden Lallier, Caleb Hall, Clayton Knipfel, Cole Shoemaker, Devin Borghardt, Drake Davidson, Dustin Loucks, Dylan Lepper, Grayson Peneston, Jerod Mistler, Josh Johnson, Kaden Helsel, Landon Horstman, Nickalas Mealy, Nicolas Moffat, Peyton Leeper, Treysen Gray, Tyklen Salmmons, Tyler Lepper, and their coach, Heath Lepper. They should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing the South Callaway Bulldogs' Baseball Team for a job well done.

RECOGNIZING THE ACHIEVEMENTS  
OF RACHEL HECK**HON. STEVE COHEN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. COHEN. Mr. Speaker, I rise today to recognize Rachel Heck who made Memphis proud over the weekend at the U.S. Women's Golf Open. At 15 years of age, Rachel was the youngest player in the 2017 U.S. Women's Open field.

Rachel Heck is a sophomore at St. Agnes Academy with a stellar 4.7 GPA and has already committed to attend Stanford University. She was selected to be the USA Today high school golfer of the year and The Commercial Appeal's High School Golfer of the Year. Rachel qualified for the U.S. Women's Open on her first attempt, taking one of two spots in the Braselton, Ga., sectional qualifier.

Last September, Rachel won the TSSAA Division II-AA girls state title. In June, she won the 2017 Rolex Girls Junior Championship. She's No. 3 in the Golfweek/Sagarin Junior Rankings and is ranked second by the American Junior Golf Association.

Rachel Heck finished her first appearance at the U.S. Women's Open at 2-over-290. Overall, Rachel posted rounds of 72-74-72-72 while battling difficult conditions throughout, including heavy rains on Thursday and Friday. She finished 33rd in a six-way tie and placed 3rd amongst amateurs.

Rachel Heck is one of the greatest, if not the greatest, Memphis golfers ever. Dr. Carey Middlecoff (born in Hall, TN) won the U.S. Open Championship in 1949 and the Masters Tournament in 1955 and Shaun Micheel (born in Orlando, FL) won the PGA Championship in 2003, but Rachel is a native, born and raised in Memphis.

I joined thousands of Memphians watching Rachel, who had one of the best human interest stories of the tournament. I wish her the best as she continues her golf career at St. Agnes and at Stanford University.

**HONORING THE LIFE AND LEGACY  
OF MRS. LORI ANN GLASSER**

**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. HASTINGS. Mr. Speaker, I rise today to honor the life and legacy of Mrs. Lori Ann Glasser, whom we sadly lost on July 18, 2017. Lori was a constituent and friend of mine, and I will miss her dearly. My thoughts and prayers are with her family and friends in this undoubtedly difficult time.

Lori contributed greatly to the growth of Democratic politics in Florida, specifically in Broward County. She was the president of the Sunrise Regular Democratic Club, and the past president of the Council of Democratic Club Presidents for Broward County. She held that position for 5 years, becoming the longest serving president in that organization's history. She was also the past president of the Gold Coast Women's Democratic Club of Broward County, and the Broward Democratic Party Area Leader for Sunrise, Plantation, North Lauderdale, and Tamarac.

She was an elected Florida Delegate representing the 20th and 23rd Congressional Districts at every Democratic National Convention from 1992 to 2008, and proudly served on numerous boards and committees both political and civil.

Lori's contributions to our community will be remembered for years to come. She is survived by her husband, Craig Glasser of Sunrise, Florida, and her son. May their faith bring comfort to them in their time of grief, and know that Lori's spirit and loving memory will always live on.

**RECOGNIZING THE NATIONAL  
IMMIGRATION LAW CENTER**

**HON. LUIS V. GUTIÉRREZ**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. GUTIÉRREZ. Mr. Speaker, I rise today to recognize the National Immigration Law

Center for its leadership and decades-long commitment to defending and advancing the rights of immigrants with low income.

On July 25th, the Coalition on Human Needs will rightfully honor the National Immigration Law Center as one of its Human Needs Heroes for the year. Since 1979, NILC has grown to be one of the premier immigrants' rights organizations, strategically using a combination of litigation, policy, communications, and alliance-building strategies to effect social change.

During my years in office, I have been proud to work with NILC to advance fair and moral immigration policies. During a debate that all too often plays to fear rather than fact, NILC works to make sure that policymakers remember the humanity of immigrants, their irreplaceable contributions to our economy and culture, and the real effects these laws have on their lives. By defending immigrants' rights to due process, fair treatment as workers, and preventing racial profiling, NILC has benefited our communities and strengthened our democracy.

I have been proud to work with NILC on many important bills and advocacy efforts. Over the years, we have worked tirelessly to keep families together through deportation defense. We have fought to reverse cuts to immigrant families' welfare benefits. We have put our heads together to draft smart, fair, and humane Comprehensive Immigration Reform and DREAM legislation to make immigration legal again and to protect young immigrants. We have advocated for immigrants' health by creating legislation that would allow undocumented immigrants to obtain healthcare through the Affordable Care Act. Today, we continue to work together to protect our country's immigrant community that is under the threat of mass detention, deportation, and overall criminalization of immigrants. Together, we have not and we will not back down from this threat. I am proud to be an ally of NILC, and I applaud them in their tireless commitment to creating fair and just immigration policies.

The National Immigration Law Center has been a trusted source of policy on the intersection of poverty and immigration, an unyielding voice for making sure the debate on immigration reflects the lives of those that it affects, and a staunch defender of immigrant rights. It is my honor today to recognize the National Immigration Law Center for its dedication and skill, as well as to thank them for all that they have done on behalf of immigrants.

**CONGRATULATIONS TO THE 2017  
SERVICE ACADEMY APPOINTEES  
FROM THE 21ST CONGRESSIONAL  
DISTRICT OF TEXAS**

**HON. LAMAR SMITH**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. SMITH of Texas. Mr. Speaker, today we congratulate the 2017 Service Academy appointees from the 21st Congressional District of Texas.

The following individuals accepted Academy appointments:

Mia Elizabeth Bean, Canyon Lake High School, United States Military Academy; Kerrilee A. Berger, Smithson Valley High School, United States Air Force Academy; Hannah Kay Boubel, Fredericksburg High School, United States Military Academy; Madison K. Dean-Von Stultz, Smithson Valley High School, United States Merchant Marine Academy; Jack Daniel Dunworth, Westlake High School, United States Naval Academy; JC Matthew Engel, Westlake High School, Greystone Preparatory School at Schreiner University, United States Merchant Marine Academy; Matthew Joseph Friedel, Central Catholic High School, United States Naval Academy; Alexander Russell Heldstab, Katherine Anne Porter School, Greystone Preparatory School at Schreiner University, United States Military Academy; James Bailey Marshall, Saint Mary's Hall, United States Military Academy; Julie Ann Padilla, Cole High School, United States Air Force Academy; Benjamin Lewis Parrish, Saint Mary's Hall, United States Military Academy; Shamus Kennedy Phelan, SHAPE American High School (Belgium), United States Air Force Academy; Jazmin Alexis Robinson, Claudia Taylor Johnson High School, United States Air Force Academy; and Jesse Alan Zimmer, Bandera High School, United States Merchant Marine Academy.

These outstanding students have much to give to their Academy and to our country. We appreciate their talents and their patriotism.

**HONORING THE SERVICE OF  
JUDGE DAMON J. KEITH**

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. CONYERS. Mr. Speaker, I rise to recognize a great public servant and a brilliant jurist, Judge Damon J. Keith. Throughout his 50 years on the federal bench, Judge Keith has steadfastly and courageously protected the constitutional and civil rights of all Americans, and I am pleased that he will be honored tonight in a special event at the Supreme Court celebrating his outstanding career, and his service to the United States.

Judge Keith was born on the Fourth of July in 1922. From an early age, he stood out as a scholar and an athlete. He graduated from Northwestern High School in Detroit, where he excelled in track and he went on to become the first in his family to earn a college degree, graduating from West Virginia State College in 1943. After serving in the U.S. Army for three years, he continued his education and earned his law degree from Howard University Law School in 1949.

Judge Keith started his legal career in Detroit with the African-American law firm of Loomis, Jones, Piper & Colden, and he was one of six Detroit attorneys invited to the White House in 1963 by President John F. Kennedy to discuss the role of lawyers in the civil rights struggle.

In 1967, he was appointed to the federal bench by President Lyndon Johnson, becoming only the second African-American to sit on



the U.S. District Court for the Eastern District of Michigan, and in 1975, he rose to become Chief Judge of that court. During his tenure on the District Court, Judge Keith delivered several key civil rights rulings on such important issues as school desegregation, employment and housing discrimination, and affirmative action.

In 1971, Judge Keith issued a landmark civil liberties ruling in *U.S. v. Sinclair*, which found wiretap surveillance absent a court order in domestic security cases to be unconstitutional. This case came to be known as the "Keith decision" and it was unanimously upheld by the United States Supreme Court. His ruling is also widely acknowledged as contributing to passage of the Foreign Intelligence Surveillance Act in 1975, which placed important restrictions on government surveillance of Americans.

In 1977, President Jimmy Carter appointed Judge Keith to the United States Court of Appeals for the Sixth Circuit, where he has served with distinction. He took senior status in 1995, but he continues to be a vital member of that Court. Just last year, his impassioned dissent in a voting rights case gained national recognition, as he recounted the ugly history of voter suppression in this country, and he stood up for the rights of all Americans to have their voices heard at the ballot box.

Judge Keith is well deserving of the numerous honors and awards he has received throughout his career, including: the National Association for the Advancement of Colored People's highest award, the Spingarn Medal, in 1974; the American Bar Association's Thurgood Marshall Award in 1997; the Edward J. Devitt Award for Distinguished Service to Justice in 1998, presented by a panel comprised of a United States Supreme Court Justice, a federal circuit court judge, and a federal district court judge; and honorary degrees from Harvard University, Yale University, Georgetown University, the University of Michigan, Tuskegee University, and over thirty other institutions.

Tonight, a distinguished panel that includes former Attorney General Eric Holder will bestow one more honor, in recognition of his lifetime of service as a defender of the Constitution and the civil rights of all people. I am proud to call Judge Keith a mentor, a friend, and an inspiration.

**CONGRATULATING HERMANN HIGH SCHOOL BEARCATS BOYS GOLF TEAM**

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Hermann High School Bearcats Boys Golf Team on their first place win in the 2017 Class 2 Missouri State Golf Tournament.

This team includes Andrew Budnik, Justin Grosse, Matthew Heidger, Thomas Henson, Ross Henson, and their coach, Jeremy Hosick. They should be commended for all of their hard work throughout this past year and

for bringing home the state championship to their school and community.

I ask you to join me in recognizing the Hermann High School Bearcats Boys Golf Team on a job well done.

**HONOR FLIGHT NORTHERN COLORADO'S 18TH HONOR FLIGHT**

**HON. KEN BUCK**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. BUCK. Mr. Speaker, in honor of America's heroic veterans, the Honor Flight Network conducts two annual Honor Flight ceremonies to Washington, D.C. to give our nation's heroes a day to visit and reflect at their war memorials. On May 7, 2017, Honor Flight Northern Colorado held its 18th Honor Flight that gave many of our courageous veterans this extraordinary opportunity. I am pleased to recognize the Honor Flight on May 7, 2017, honoring World War II, Korean War, and Vietnam War veterans of Northern Colorado.

Mr. Speaker, those who participated in this flight are as follows:

World War II: Cecil Carlisle, Richard Crum, Edgar Darrow, Charles Davis, Eugene Doering, Muriel Elijah, Armand Hansen, Nathan Stiewig, William Thousand, Willard Williams, Richard Zisch.

Korean War: Richard Anema, John Baker, Edwin Boggie, Robert Brethauer, George Browning, Ralph Crockett, Gary Crouch, Marvin Elwood, John Fickes, Harold Hogness, LaVern Hueske, Harry Kembel, Neville Kempkes, Harold Krug, Louis Lambdin, Robert Lebsack, Arthur Meyer, LeRoy Odell, Loren Postlewait, Frank Shipman, Wayne Sodman, Irvin Trout, Wayne Wallis, Lois Wolfson.

Vietnam War: Jose Abeyta, Tony Abeyta, Timothy Ahern, Daniel Alires, Nelson Bachus, James Barnett, John Barslund, Stephen Bartels, Les Bates, Bernard Bay, David Beard, David Becker, Gary Becker, Mark Becker, Stephen Bernardo, Howard Bostrom, William Bradford, Darrell Brasier, Robert Brevig, Timothy Camps, Thomas Chagolla, Eric Christensen, Marvin Clark, Norris Clark, Richard Conley, David Cowan, Wesley Craig, Lorraine Davison, Gary Dorsey, Christopher Erickson, Stanley Fisher, Jerome Folse, Patricia Folse, Douglas Frost, Aurthur Gallegos, Theodore Gilbert, Leroy Gonzales, Raymond Gonzales, Albert Guse, Lowell Hill, Richard Istas, Timothy Jachowski, Joseph Kolicko Jr, Robert Krasznai, James Kuehl, Gary La-Crosse, Patrick Lennon, Gary Littlefield, Robert Loos, Malcom Macaulay, Robert Maciel, Ronald Martinez, Jonathan Mason, Douglas Mayeda, Joseph McKeon, Lee McCain, Donald McKinley, Michael McPheron, Lawrence Montoya, Tobias Morales, Marjorie Morningstar, Warren Morrow, John Niehoff, Everett Noble Jr., Jeffrey Nuce, Danny Oppie, Robert Ortega, William Pierson, William Post Jr., Anthony Quintana, Jimmy Rahm, Rudolph Ramirez, Constantino Ramos, Ronald Ray, Abel Razo, James Rose, Stephen Ryan, William Sheahan, Jimmie Shipp, William Springsteel, John Swens, Rolland Trauernicht, Vernon Turner, Daniel Valdez, Dwight Van

Beber, William Weaver, Warren Wienke, Richard Wyatt.

It is my distinct pleasure as the U.S. Representative of the 4th District of Colorado to recognize the honor, courage, and sacrifice of these heroes, along with all members of America's Armed Forces. I thank them for their dedication and service to this nation.

**RECOGNIZING MRS. REBECCA WATTLEWORTH**

**HON. RODNEY DAVIS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize Mrs. Rebecca Wattleworth, who was recently named a finalist for Illinois Teacher of the Year by the National Network of State Teachers of the Year.

Each year, this organization recognizes the outstanding teachers that help improve student learning and the teaching profession.

Mrs. Wattleworth is a math and science teacher at Warrensburg-Latham High School in my district. Like many in her profession, she takes a personal interest in her students, ensuring they have all the tools they need to succeed in the classroom and beyond. She has received many distinctions for her commitment to education, including previously being named a finalist for this same honor in 2012.

Mrs. Wattleworth is among the best educators in the state of Illinois and I am proud to recognize her dedication to her students and her community.

Congratulations Mrs. Wattleworth, on this well-deserved award. I thank her for all she does.

**HONORING THE 30TH ANNIVERSARY OF JUBILEE HOMES OF SYRACUSE, INC.**

**HON. JOHN KATKO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. KATKO. Mr. Speaker, I rise today to honor the 30th Anniversary of Jubilee Homes of Syracuse, Inc.

Jubilee Homes of Syracuse, Inc. was founded with the goal of revitalizing Syracuse's Southwest neighborhood with long-term solutions for its residents to achieve adequate and affordable housing. For the last 30 years, Jubilee Homes, led by Executive Director Walter Dixie, has collaborated with community partners to construct over 100 affordable new homes and expanded its efforts to include economic, youth, and workforce development in Southwest Syracuse. By creating a sense of community among the residents of Southwest Syracuse and through its initiatives increasing homeownership and expanding business development, Jubilee Homes has helped to stabilize the neighborhoods in Southwest Syracuse and improve the quality of life for countless residents.

I am proud to recognize Jubilee Homes for celebrating its 30th anniversary. Jubilee

Homes has become a staple for the Syracuse community and I wish this outstanding organization continued success in the years to come.

**HONORING THE LIFE AND LEGACY  
OF JAIME MARTINEZ**

**HON. JOAQUIN CASTRO**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. CASTRO of Texas. Mr. Speaker, I rise today to honor the life and legacy of Jaime Martinez, a son of San Antonio and civil rights leader who left an indelible mark on our city and nation. He was raised on the West Side of San Antonio by his grandparents, immigrants to the United States who had an appreciation for President Franklin Delano Roosevelt that resonated with Jaime in his youth. They involved him at an early age in La Sociedad Mutualista Mexicana, which taught Jaime the importance of serving the community and helping others.

After attending Lanier High School, Jaime pursued his passion for music, and toured with a number of bands across the United States and Canada before returning to San Antonio in 1966. Shortly after, he joined the International Union of Electrical Workers (IUE, now the IUE-AFL-CIO) Local 780. Jaime went on to become the Secretary Treasurer for the Executive Board of IUE District 11, the first Mexican American to do so at the national level, and served as the National Labor Coordinator for Coordinadora 96.

A talented and passionate organizer, Jaime served as first vice president for the Central Labor Council of the AFL-CIO and as president of the national Labor Council of Latin American Advancement (LCLAA). Also a strong advocate for immigrant rights, Jaime founded and was president of the League of United Latin American Citizens (LULAC) Council No. 4626 in San Antonio. Later, he became the National Chairperson of the Immigration Committee for LCLAA and treasurer of LULAC at the national level. For nearly two decades, until his passing, Jaime also served as the founder and chairman of the Cesar Chavez Legacy and Educational Foundation.

Jaime is survived by his wife, Maria Guadalupe Martinez; his daughter, Sarah Marie Martinez; his sons Ernest J. Martinez and Christopher Michael Martinez; his daughter-in-law Joyce A. Martinez; and his granddaughters Erika, Kayla, Amanda, and Sophia. I wish the entire Martinez family comfort and solace at this difficult time. Jaime's life of leadership and service improved the lives of workers and immigrants across the country. He will be missed.

**RECOGNIZING THE LIFE OF  
PHILIP FOREST**

**HON. DOUG COLLINS**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize the life of Philip Forest,

a native of Ellijay, who passed away on July 1. Mr. Forest lived a life committed to serving his country and helping his fellow citizens.

When Philip graduated high school, he enlisted in the U.S. Army where he served in the Medical Services Unit and, over time, became an Intelligence Officer. After 16 years of service, Mr. Forest retired and began a new career—a career that spanned from the U.S. Department of Housing and Urban Development to the National Association of Homebuilders.

Despite his demanding career, Mr. Forest still prioritized time for his friends and neighbors. When he moved to northeast Georgia, he became involved in the Georgia High Country Builders Association, from which he received a Lifetime Achievement Award, and was an active member at his local Republican Party.

When I think of Philip Forest, I think of a man who wanted to serve his country in any and every capacity. Mr. Forest's service was inexhaustible, and I hope his legacy encourages northeast Georgians for years to come.

**PERSONAL EXPLANATION**

**HON. KAY GRANGER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Ms. GRANGER. Mr. Speaker, I was unable to attend votes in the afternoon of July 18, 2017. Had I been present, I would have voted NAY on Roll Call No. 390 and YEA on Roll Call No. 391.

**CONGRATULATING GANNON WITH-  
ERS OF THE NEW BLOOMFIELD  
WILDCATS**

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Gannon Withers of the New Bloomfield Wildcats for his second place finish in the 2017 Missouri Class 1 Boys Individual Golf State Championship.

Gannon and his coach should be commended for all of their hard work throughout this past year and for bringing home the team state championship to their school and community.

I ask you to join me in recognizing Gannon Withers of the New Bloomfield Wildcats for a job well done.

**RELATING TO A RESOLUTION  
RAISING A QUESTION OF THE  
PRIVILEGES OF THE HOUSE**

**HON. DAVID N. CICILLINE**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. CICILLINE. Mr. Speaker, my resolution raises the question of the privileges of the

House pursuant to Rule IX, clause 1, as it affects "the rights of the House collectively, its dignity, and the integrity of its proceedings."

Insofar as it raises the House's failure to undertake its constitutional responsibility of oversight and the obligation of all elected officials to ensure decisions are made free of conflicts and with the public interest in mind.

In particular, matters related to the House's constitutionally granted powers have been recognized as valid questions of the privileges of the House. The Origination Clause that requests revenue bills to originate in the House includes the issues related to revenues generated by our tax code. Clearly the issues raised by this resolution cover those matters contemplated by the Origination Clause.

There is nothing more of a threat to the integrity of the House than ignoring our duty to provide a check and balance to the executive branch. To restore the dignity of the House, we must use our authority to request President Trump's tax returns and give the American people the transparency they deserve.

The stunning conflicts of interest are piling up as the President, his family, and his friends profit in their personal business endeavors while serving in public office.

President Trump has not divested himself from his businesses as was recommended by the Office of Government Ethics. He is the sole beneficiary of the trust his sons now manage and can still pull funds from it at any time.

We need to see how the President would personally benefit from changes to our tax code. Tax code changes proposed by his administration could lower his own personal tax bill by tens of millions of dollars. The American people have a right to know.

Mr. Trump fired the Director of the FBI, James Comey, and admitted he did so because he didn't like the investigation into the Trump campaign's possible collusion with Russian officials. The following day, he welcomed the Russian foreign minister and Russian ambassador to the Oval Office with open arms, and revealed highly sensitive, classified information to them.

And now we know that several members of the Trump Campaign and President Trump's inner circle met with a Russian lawyer and intelligence agent during the campaign, hoping to get incriminating information against Hillary Clinton.

Yet to this day, we have no way of knowing President Trump's or the various Trump organizations' ties to Russia. We don't know whether Trump or his firms have received Russian income or loans or entered into Russian-linked partnerships. A "certified" letter from paid attorneys does nothing to assuage these concerns.

The Legislative Branch has the responsibility and the authority to check the Executive Branch and Section 6103 of the tax code allows for an examination of his tax returns—authority put in place specifically so Congress could examine conflicts of interest in the Executive following the Teapot Dome scandal.

We cannot ignore our duty to fully examine the personal financial entanglements this President may have with Russian entities and individuals and whether he has abused the tax laws of this country.

We have nothing but evidence to justify such an examination. If and when such conflicts are revealed, I do not want to say to our

constituents that we had the power to review these conflicts, but we did nothing. I for one do not want my integrity or the integrity of my colleagues in this body to be demeaned by such a shameful failure.

To restore the dignity of the House, we must use our authority to request President Trump's tax returns and give the American people the transparency they deserve.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 20, 2017 may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

JULY 25

Time to be announced

Committee on Agriculture, Nutrition, and Forestry

To hold hearings to examine commodities, credit, and crop insurance, focusing on perspectives on risk management tools and trends for the 2018 Farm Bill.

SD-106

10 a.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard

To hold hearings to examine efforts on marine debris in the oceans and Great Lakes.

SR-253

Committee on Environment and Public Works

Subcommittee on Clean Air and Nuclear Safety

To hold hearings to examine developing and deploying advanced clean energy technologies.

SD-406

Committee on the Judiciary

To hold hearings to examine the nominations of Ralph R. Erickson, of North Dakota, to be United States Circuit Judge for the Eighth Circuit, Dabney Langhorne Friedrich, of California, to be United States District Judge for the District of Columbia, Stephen S. Schwartz, of Virginia, to be a Judge of the United States Court of Federal Claims, and Brian Allen Benczkowski, of Virginia, to be an Assistant Attorney General, Department of Justice.

SD-226

2:30 p.m.

Committee on Armed Services

Subcommittee on SeaPower

To hold hearings to receive testimony on options and considerations for achieving a 355-ship Navy from naval analysts.

SR-222

JULY 26

9:30 a.m.

Special Committee on Aging

To hold hearings to examine progress toward a cure for Type I Diabetes, focusing on research and the artificial pancreas.

SD-106

10 a.m.

Committee on Appropriations

Subcommittee on Financial Services and General Government

To hold hearings to examine proposed budget estimates and justification for fiscal year 2018 for the Department of the Treasury.

SD-138

Committee on Commerce, Science, and Transportation

To hold hearings to examine the nominations of Karen Dunn Kelley, of Pennsylvania, to be Under Secretary for Economic Affairs, and Peter B. Davidson, of Virginia, to be General Counsel, both of the Department of Commerce, and Mark H. Buzby, of Virginia, to be Administrator of the Maritime Administration, and Ronald L. Batory, of New Jersey, to be Administrator of the Federal Railroad Administration, both of the Department of Transportation.

SR-253

Committee on Energy and Natural Resources

Subcommittee on Public Lands, Forests, and Mining

To hold hearings to examine S. 32, to provide for conservation, enhanced recreation opportunities, and development of renewable energy in the California Desert Conservation Area, S. 90, to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, S. 357, to direct the Secretary of the Interior to convey certain public lands in San Bernardino County, California, to the San Bernardino Valley Water Conservation District, and to accept in return certain exchanged non-public lands, S. 436, to authorize the Secretary of the Interior to retire coal preference right lease applications for which the Secretary has made an affirmative commercial quantities determination, to substitute certain land selections of the Navajo Nation, to designate certain wilderness areas, S. 467, to provide for the disposal of certain Bureau of Land Management land in Mohave County, Arizona, S. 468, to establish a procedure for resolving claims to certain rights-of-way, S. 614, to require the Secretary of the Interior to establish a pilot program for commercial recreation concessions on certain land managed by the Bureau of Land Management, S. 785, to amend the Alaska Native Claims Settlement Act to provide for equitable allotment of land to Alaska Native veterans, S. 837, to provide for the conveyance of certain land to Washington County, Utah, to authorize the exchange of Federal land and non-Federal

land in the State of Utah, S. 884, to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, S. 941, to withdraw certain National Forest System land in the Emigrant Crevice area located in the Custer Gallatin National Forest, Park County, Montana, from the mining and mineral leasing laws of the United States, S. 1149, to amend the Alaska Native Claims Settlement Act to repeal a provision limiting the export of timber harvested from land conveyed to the Kake Tribal Corporation under that Act, S. 1230, to prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture, S. 1271, to designate certain mountain peaks in the State of Colorado as "Fowler Peak" and "Boskoff Peak", and S. 1548, to designate certain land administered by the Bureau of Land Management and the Forest Service in the State of Oregon as wilderness and national recreation areas and to make additional wild and scenic river designations in the State of Oregon.

SD-366

Committee on Homeland Security and Governmental Affairs

Business meeting to consider S. 873, to amend section 8433 of title 5, United States Code, to provide for flexibility in making withdrawals from the Thrift Savings Fund, S. 288, to require notice and comment for certain interpretative rules, S. 886, to amend the Homeland Security Act of 2002 to establish an Acquisition Review Board in the Department of Homeland Security, S. 906, to amend the Homeland Security Act of 2002 to provide for congressional notification regarding major acquisition program breaches, S. 1199, to amend the Homeland Security Act of 2002 to reauthorize the Border Enforcement Security Task Force program within the Department of Homeland Security, S. 938, to require notice of cost-free Federal procurement technical assistance in connection with registration of small business concerns in procurement systems, S. 1208, to direct the Secretary of Homeland Security to provide for an option under the Secure Mail Initiative under which a person to whom a document is sent under that initiative may elect to have the United States Postal Service use the Hold for Pickup service or the Signature Confirmation service in delivering the document, S. Con. Res. 15, expressing support for the designation of October 28, 2017, as "Honoring the Nation's First Responders Day", H.R. 1293, to amend title 5, United States Code, to require that the Office of Personnel Management submit an annual report to Congress relating to the use of official time by Federal employees, H.R. 1117, to require the Administrator of the Federal Emergency Management Agency to submit a report regarding certain plans regarding assistance to applicants and grantees during the response

to an emergency or disaster, H.R. 1679, to ensure that the Federal Emergency Management Agency's current efforts to modernize its grant management system includes applicant accessibility and transparency, H.R. 195, to amend title 44, United States Code, to restrict the distribution of free printed copies of the Federal Register to Members of Congress and other officers and employees of the United States, H.R. 194, to ensure the effective processing of mail by Federal agencies, and an original bill to amend the Ethics in Government Act of 1978 to reauthorize the Judicial Conference of the United States to redact sensitive information contained in financial disclosure reports of judicial officers and employees.

SD-342

## Committee on the Judiciary

To hold an oversight hearing to examine the Foreign Agents Registration Act and attempts to influence United States elections, focusing on lessons learned from current and prior administrations.

SD-226

2:30 p.m.

## Committee on Homeland Security and Governmental Affairs

## Permanent Subcommittee on Investigations

To hold an oversight hearing to examine Federal infrastructure permitting and the Federal Permitting Improvement Steering Council.

SD-342

## Committee on Indian Affairs

To hold an oversight hearing to examine the Government Accountability Office reports on human trafficking of Amer-

ican Indian and Alaska Natives in the United States.

SD-628

JULY 27

10 a.m.

## Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the nominations of Joseph Otting, of Nevada, to be Comptroller of the Currency, Department of the Treasury, and Randal Quarles, of Colorado, to be a Member of the Board of Governors of the Federal Reserve System, to be a Member of the Board of Governors of the Federal Reserve System (Reappointment), and to be Vice Chairman for Supervision of the Board of Governors of the Federal Reserve System.

SD-538

## SENATE—Thursday, July 20, 2017

The Senate met at 10 a.m. and was called to order by the Honorable LUTHER STRANGE, a Senator from the State of Alabama.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, our shield, look with favor upon us. Lord, You have told us in James 4:2 that we have not because we ask not. We therefore continue to ask You to place Your healing hand on Senator JOHN MCCAIN. Astound us with Your power.

Today, we also pray that You would guide our lawmakers around the obstacles that hinder their progress, uniting them for the common good of this great land. Lord, enable them to go from strength to strength, as they fulfill Your purposes for their lives. Striving to please You, help them to stand for right and leave the consequences to You.

We pray in Your powerful Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 20, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LUTHER STRANGE, a Senator from the State of Alabama, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mr. STRANGE thereupon assumed the Chair as Acting President pro tempore.

### RECESS SUBJECT TO THE CALL OF THE CHAIR

The ACTING PRESIDENT pro tempore. In my capacity as a Senator from

the State of Alabama, I ask unanimous consent that the Senate recess subject to the call of the Chair.

There being no objection, the Senate, at 10:03 a.m., recessed subject to the call of the Chair and reassembled at 10:11 a.m. when called to order by the Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### THOUGHTS AND PRAYERS FOR SENATOR MCCAIN

Mr. MCCONNELL. Mr. President, Senator MCCAIN is an American hero. He is a hero to our conference. He is a hero to our country. Here in the Senate, he is a friend to almost all of us. Our collective prayers are with him now. We are thinking of Cindy and the rest of his family as well, along with his staff and the people of Arizona.

Senator MCCAIN, as we all know, has never shied away from a fight, and I assure you he isn't going to back down now. I know the Senator from Arizona will confront this challenge with the same extraordinary courage that has characterized his entire life, and he should know that we are all in his corner, every single one of us.

We look forward to seeing our friend again soon, and we hope he will be back in the very near future.

### HEALTHCARE

Mr. MCCONNELL. Mr. President, I thank the President for having our conference over to the White House yesterday. The President and his administration understand the American people are hurting under ObamaCare. They have been long engaged in the effort to bring relief. Nobody could have been more involved in this effort than the President, the Vice President, and the entire team, with numerous phone calls and meetings. They have been all in, and I want the President and his entire team to know how much we appreciate their deep involvement in this and their commitment to getting an outcome.

Dealing with this issue is what is right for the country. The fight to move beyond the status quo of ObamaCare was certainly never going to be easy, but we have come a long way, and I look forward to continuing our work together to finally bring relief.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the Bush nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

Mr. ENZI. Mr. President, I ask unanimous consent to speak for a few minutes as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### HEALTHCARE

Mr. ENZI. Mr. President, my colleagues and I have been on this floor for the last 7 years talking about the problems with ObamaCare and the need to address them.

In the early days, when ObamaCare was still being cobbled together, we talked about individuals losing their coverage. Promises were made that if you liked the plan you had, you could keep it. That turned out to be a broken promise.

In 2009 and 2010, we talked about premiums skyrocketing. Today, we are still talking about it. Premiums are more than 100 percent higher in Wyoming today than they were when the law was passed. Our insurer has fortunately been more conservative in their approach. So premiums didn't spike the way they did in other States.

I usually enjoy being right, but in this case, I am very sad to have watched the worst possible scenario play out. Time after time, President Obama was faced with problems in implementation and in outcomes, and he would dismiss them by saying: "It just needs more time," or, as this cartoon shows, "it just needs a tune up."

We and the American people gave it time and money—specifically, 7 years and hundreds of billions of dollars. We are now left trying to pick up the pieces of health insurance markets all across the country.

You can see here that this ambulance is ObamaCare. Behind it is its engine and other key components, and they have completely fallen apart. That is the private insurance market today. The part you don't see here is that there is a patient in the back of this ambulance. This isn't just about politics. This is about real people and whether they can afford an insurance premium that is in some cases higher than their rent or their mortgage payments each month.

Even before its passage, my Republican colleagues and I talked about the danger that ObamaCare posed to private insurance markets.

Insurers have already left the market in droves. In Wyoming, we are down to one carrier. We lost the others to the economics of ObamaCare, and we will be lucky to keep the one we have. I know many people in our country are going to be in the position of having no insurers offering plans in their county.

How could this happen? It has happened because of politics being put before patients and an unwillingness to take on the hard task of fixing something that you have sold as the perfect solution.

I can tell you that healthcare isn't a simple issue. It is incredibly complex and, really, there is no one right way to tackle it. I was the ranking member of the Health, Education, Labor, and Pensions Committee when ObamaCare passed. We worked hard to find common ground. When it became clear that there was not a reciprocal commitment to that from our colleagues on the other side of the aisle, we did work hard to try to stop it.

Now we are finally in a position to do so. We have a President in the White House who is committed to repealing and replacing ObamaCare with better care before more irreparable harm is done. Republicans have been working on an approach that attempts to address both the short-term and long-term problems caused by ObamaCare.

We have problems to solve right now. We are proposing to stabilize insurance markets in the short term and to get insurance costs on a more manageable trajectory over the longer term. We are striking at the heart of ObamaCare by removing its mandates and taxes while putting Medicaid on a more sustainable footing.

Doing this isn't easy. You may have read a little something about the challenges of moving a healthcare bill forward, but the alternative is to do what our colleagues on the other side of the aisle have done for 7 years and watch ObamaCare crater. We don't think that is the right thing to do. We think we have an obligation, even if it is not an easy vote, to salvage our insurance system.

Getting something done in Washington isn't always a pretty process, but I am proud to be working with the women and men in my conference who see that there is something larger at stake than themselves and who know that sitting this out means more harm and, perhaps, harm that can't be undone later.

I will keep working. I am committed to passing the best product that we can deliver for the people of Wyoming and for our whole country. I look forward to continuing to work together to repeal ObamaCare and replace it with policies that will truly improve healthcare in America. I hope my colleagues will join me in this worthy endeavor.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, yesterday, several of my Democratic colleagues spoke in opposition to the nomination of John Bush to serve on the Sixth Circuit Court of Appeals. They were particularly concerned about his activities outside of the courtroom, especially his personal blog posts. The comments of my friend, the junior Senator from Minnesota, were representative of their concern.

He reminded us that he has been serving on the Judiciary Committee for 8 years. He said that by confirming someone to the Federal bench like Mr. Bush, who has blogged about controversial political and policy matters, the Senate would be doing something unprecedented. Specifically, my friend from Minnesota—in angst—said, "I don't think we have been here before."

"I don't think we have been here before," he said. I would encourage my friend to think a little harder about his tenure on the Judiciary Committee. Just a few years ago, the Senate considered President Obama's nomination of Stephen Bough to be a Federal judge in Missouri. Mr. Bough had been quite an active blogger himself. His blogging and online commentary were not simply confined to political satire and sarcasm. His blogging didn't use merely

flippant or intemperate language. His blogging demonstrated a real and palpable animus toward conservatives and Republicans in general, toward elected Republicans in particular, and by name—by name. He insulted and impugned people from his home State, such as Senators, his Governor, the President of the United States, and a Republican nominee for President, just to name a few.

Mr. Bough's posts were truly mean-spirited. It wasn't just that he called Republicans "knuckleheads"—which he did. That was when he was feeling especially kind. No, he said specific Republicans were "corrupt." They had done "evil things"—"evil things." I can go on and on about his corrosive rhetoric.

He approvingly posted an article describing how San Francisco was contemplating naming a sewage plant after President Bush as a suitable legacy for the President and posted another one that said his Governor was highly "ignorant."

His invective was not reserved to members of the political branches. He said that his State supreme court was the most corrupt in the history of the State. I am not making this up. He is an officer of the court, calling the supreme court the most corrupt in the history of his State.

For my Democratic colleagues who now profess to care about the judgment of judicial nominees who blog, I submit that impugning the integrity of the tribunal that has jurisdiction over their professional conduct and law license, as Mr. Bough did, is more than a few tweaks shy of exhibiting sound judgment.

Mr. Bough also implied that President Bush made his Supreme Court appointments as some sort of quid pro quo. He harshly criticized sitting Supreme Court Justices by name, and he claimed that the Republican nominee for President wanted only Federal judges who would disregard the law and rule in favor of the "religious right" and that he was "sucking up."

He made a crude comment about women that I will not repeat.

Now, some of our Democratic colleagues have criticized John Bush because he said that he would try hard to be impartial as a judge. By contrast, in one of his blog posts, Stephen Bough flat-out said that he, himself, "shouldn't be a judge." This is commentary on himself. But every one of our Democratic colleagues on the Judiciary Committee at the time, including our friend from Minnesota, obviously disagreed with his own judgment about himself. They all voted for him, which is especially curious in hindsight, given the superior weight our Democratic colleagues now place on blog posts. Only one Member of the Democratic conference voted against Mr. Bough. These are many of the same Democrats, of course, who are supposedly

aghast—aghast—at the Bush nomination. Mr. Bough is now Federal District Court Judge Stephen Bough.

Finally, I would like to set the record straight on the subject of the slur. Mr. Bush did not use the slur in a blog post, and he did not use it flippantly. In fact, he said he has never used this term and would never use it.

Rather, Mr. Bush quoted by name someone else—a prominent author who had used the slur. Mr. Bush quoted him to show how various authors had viewed our hometown of Louisville over time—both those who praised it and those who criticized it. In short, Mr. Bush said that he used it to show “the good, the bad, and the ugly.”

So who was the author he quoted verbatim and by name? Why, it was noted liberal Hunter Thompson. I note that Mr. Thompson’s use of the slur did not prevent liberals, including Democratic officeholders, from praising him. In fact, not one but two Democratic Presidential candidates went to his funeral—George McGovern and John Kerry.

The Senate has considered a judicial nominee who did use this slur in a blog posting, who actually did use the exact same slur, in fact. The judicial nominee was not quoting any literary or published work, and this judicial nominee did not use the slur for any critical purpose. The judicial nominee used it flippantly and cavalierly. Who was the judicial nominee? It was President Obama’s judicial nominee and current Federal District Court Judge Stephen Bough, who sits on the bench right now for life, after being confirmed by the votes of our Democratic colleagues.

I hope I have at least refreshed the memory of my friend from Minnesota and some of my other Democratic colleagues.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

THOUGHTS AND PRAYERS FOR SENATOR MCCAIN

Mr. SCHUMER. Mr. President, first, on a sad note but one always of hope when it comes to Senator MCCAIN, his cancer diagnosis sent a shock wave through the Senate last night. He is one of my dear friends, as he is a dear friend to many in this body, and from the bottom of my heart, I wish him and his family well. So does every Member of this Chamber. The respect that this man has is broad and deep, both based on his service to America and on what he has done here in this Chamber.

I agree with what the majority leader said earlier, in that JOHN MCCAIN is an

American hero. There is no one who has done more to serve his country and this Chamber than Senator MCCAIN. There is no one who is more passionate in the defense of our soldiers and in our defense than Senator MCCAIN.

The same courage that he showed as a soldier he showed here. JOHN MCCAIN and I led a group to deal with immigration reform. He had to take so many tough positions to do what was right. He was fearless. His word was good. He was good at compromising, and he was good at making his views known.

With that bill, which passed this body with 67 or 68 votes—a large number of Democrats and Republicans—had it become law, our country’s economy would have been better, and our security would have been better because it was so tough on the border. We would have been in a better place for it had that bill passed.

The point I want to make is not with regard to the bill but to MCCAIN—how we were in rooms for hours and hours, day after day, and we got to see the mettle of the man. Boy, the more you knew him, the better he looked, and the better he was.

So we know that, against this new battle, Senator MCCAIN will fight in the only way he knows how—with every fiber of his being. We wish him well. Our prayers are for him and his family. We hope that he joins us very soon because this country needs JOHN MCCAIN now more than ever.

HEALTHCARE

Mr. President, on the issue of healthcare, yesterday President Trump seemed intent on pushing forward the Republicans’ failing healthcare plan with a vote sometime early next week. We have been on the topic of healthcare for 7 months, and I am still not sure which version of the Republican plan we will be voting on.

Will it be repeal and replace? Will we be voting on the Senate bill that would cause 22 million Americans to lose their coverage and that would cause costs to go up and care to go down? Will it be with the Cruz amendment, which would annihilate the “pre-existing condition” requirement, in quoting my friend Senator GRASSLEY? Or will it be repeal without replace, which would cause our healthcare system to implode, creating chaos, which would cause millions to lose insurance and millions more to have their coverage diminished?

The CBO confirmed last night that repeal without replace would cause 32 million Americans—that is about a 10th of the country—to lose their insurance and would cause premiums to double after 10 years.

It was a horrible idea in January and was rejected, wisely, by our Republican colleagues. We were not involved. The door was closed on us on January 4. It is a horrible idea now.

So will that be the focus next week or will it be a new bill that has more

money thrown in, as some have suggested—the same core bill of devastating cuts to Medicaid, tax breaks for the wealthy and the special interests, the cruel Cruz amendment, and an extra \$2 billion slush fund? Is that going to be the bill?

We Democrats do not know what our Republican friends are planning to vote on next week. I will bet that many Republicans do not know yet either. What we do know is that a \$200 billion slush fund, tacked onto a bill that would gut Medicaid and other services by well over \$1 trillion, is like putting an old bandaid on a bullet wound. The \$200 billion in additional funding would only offset 17 percent of the bill’s total cuts to coverage. It would not come anywhere close to covering the wound that the Republicans are inflicting on Medicaid, on Americans in nursing homes, on Americans in rural areas, on those who are suffering from opioid addiction. It just will not work, and repeal without replace is even worse. All of the options are horrible options for the Republican Party, but, more importantly, they are horrible options for the American people.

It is time to start over. It is time for our Republican colleagues to drop this failed approach and work with Democrats on actually improving our healthcare system. They closed the door on us on January 4 in passing something called reconciliation, which basically says: We do not need the Democrats; we will do it ourselves. Let them open the door now that they have seen that that failed approach does not work. I outlined three specific, non-ideological proposals yesterday that we could work on together, right now, to stabilize the marketplaces and help bring down premiums. I believe they would pass quickly. My Republican friends do not seem to know what to do. My suggestion is to drop these failed ideas and work with Democrats on the commonsense, nonideological solutions that we Democrats have offered.

Here is one more point. I have heard some of my colleagues say they may vote for the motion to proceed next week because they are in favor of debate. I will remind them that the rules under reconciliation only allow for 20 hours of debate to be equally divided between the parties and 1 minute of debate allowed per amendment. That is not debate. The idea that you would vote on the motion to proceed in order to have a healthcare debate is absurd. If my colleagues want to debate healthcare, they should vote no on the motion to proceed and urge their leader to hold a real debate—in committees, in public hearings, on the floor, and through regular order, which is a process that they have spurned for 7 months—not 10 hours for each party, with 1 minute per amendment, on such an important proposal. That is not a



debate. It is the legislative equivalent of "Beat the Clock." This is serious business—the health and welfare of the American people—not some game show.

#### TRADE AND OUTSOURCING

Mr. President, just as the administration is flailing and failing on healthcare, they are failing on trade and outsourcing as well.

I read today that the administration has failed to secure any concessions from China on its dumping of excess steel and aluminum in our markets, which is killing jobs in my State and in many others. As well, today, the Carrier plant at which President-Elect Trump tweeted about saving jobs just laid off 300 workers in Indiana and moved the positions to Mexico. It is exactly 6 months to the day since President Trump took office. It is a shame that we are losing these good-paying American jobs. Despite all of the President's tough talk on trade and his Commerce Secretary's "100 days of trade talks" plan, the loss of these jobs shows that, in 6 months, the Trump administration has been unable to actually deliver results on trade, with the exception of the first U.S. beef shipment to China, which was the result of an agreement that President Obama helped to broker before the end of his term. The Trump administration has made few inroads in reducing our trade deficit or in making it easier for our companies to compete abroad.

It is all well and good to tweet about a few hundred jobs saved at the Carrier plant, as the President-elect did last December—and I am glad he saved them—but as President, you have to actually take strong action, not go to one plant. You need policies that will protect millions of workers from the rapacious policies of China and other countries. Making America great again requires more than 140 characters per issue. The 338 jobs that are leaving Carrier today are a reminder that, when it comes to actual substance and policy, the Trump administration has done very little to change the game on trade to keep jobs in the United States—another broken promise to the American worker.

Mr. President, I reiterate my remarks from yesterday on the nomination of John Bush to the Sixth Circuit Court of Appeals. Many of my colleagues have been down on the floor and have expressed just how distressing and damaging this nomination will be.

His extreme record demonstrates that John Bush simply does not have the temperament to be an impartial Federal judge—the very least our system requires. Once again, I urge my colleagues to oppose his confirmation.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

#### THOUGHTS AND PRAYERS FOR SENATOR MCCAIN

Ms. HASSAN. Mr. President, I thank our leader, Senator SCHUMER, for his remarks.

I join with Senator SCHUMER and all of our colleagues in wishing the very best to our tough and resilient American hero and colleague, JOHN MCCAIN. Our thoughts and prayers are with him and his family. We need him back here as fast as he can get here.

#### HEALTHCARE

Mr. President, I also share Leader SCHUMER's remarks and concerns about the current status of the healthcare bill as we understand it.

I urge my colleagues on the other side of the aisle to vote down the motion to proceed so that we can have regular order and so that we can hear from stakeholders and the American people about how changes in healthcare would impact them and what ideas they have for us to be able to lower costs and make sure that all Americans have access to truly affordable, high-quality care.

Mr. President, I also rise to oppose the nomination of Attorney John K. Bush to serve on the U.S. Court of Appeals for the Sixth Circuit.

An independent and impartial judiciary is critical to our democracy and to our march toward progress. Our Founders established our court system to serve as an independent arbiter that would protect the rights of every American and ensure equal justice under our laws. Unfortunately, it is clear that Mr. Bush lacks the impartiality and commitment to equal justice for every American that is needed to qualify for a lifetime appointment on the Sixth Circuit Court of Appeals.

President Trump's nomination of Mr. Bush represents yet another attempt by this administration to undermine the rights of American women to make their own healthcare decisions and to control their own destinies. To fully participate not only in our economy but also in our democracy, women must be recognized for their capacity to make their own healthcare decisions, just as men are, and they must have the full independence to do so, just as men do. Mr. Bush has made it clear that he fundamentally disagrees with that principle and that he does not support a woman's constitutionally protected right to have a safe and legal abortion. Hiding behind a pseudonym on an online blog, Mr. Bush has gone so far as to compare a woman's right to make her own reproductive health decisions to slavery, saying they are "the two greatest tragedies in our country." The fact that someone nominated for the bench would believe something like this is nothing short of appalling.

Mr. Bush has also criticized essential programs that women and their families depend on, referring to programs like the Women, Infants, and Children Program—otherwise known as WIC—

and grants to combat violence against women as "wasteful."

I also have real concerns with Mr. Bush's record when it comes to the rights of LGBTQ Americans. Mr. Bush has made clear that he is vehemently opposed to marriage equality, calling it a "no-compromise" position. In 2011, he criticized the State Department for an announcement that led to more equal treatment of same-sex parents, and he has even used an offensive, anti-gay slur in a quote that he chose to use in public remarks.

Mr. Bush's deeply offensive public statements and his record indicate that he is an individual who is focused on extreme partisanship and who does not recognize the basic equality of all Americans. His statements and his actions tell us that he is not committed to the concept of equal justice under our laws. This is unacceptable for someone seeking a lifetime appointment to a job that requires sound judgment, objectivity, and, more than anything else, an essential commitment to fairness.

I will oppose Mr. Bush's nomination to the Sixth Circuit Court of Appeals, and I urge my colleagues to do the same.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. I ask unanimous consent to be allowed to speak as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, to the disappointment of the American public, the world scientific community, and even to corporate giants like Goldman Sachs and Cargill, President Trump recently decided to withdraw the United States from the Paris Agreement. He cited as justification a slew of alternative facts. Some of the most egregious of these alternative facts came from a National Economic Resource Associates—a group we will call NERA in this speech—report that was commissioned and promoted by a group that calls itself the U.S. Chamber of Commerce but fronts for the fossil fuel industry. "U.S. Chamber of Carbon" might be a better and more accurate name for it.

The U.S. Chamber of Commerce, so-called, is a heavy hitter in Washington. It was the second largest spender of anonymous outside money, or dark money, in the 2016 Federal elections, second only to the National Rifle Association. In addition to all that political

election spending, it wields the largest lobbying force on Capitol Hill. In 2015, the chamber dropped over \$100 million on lobbying.

The U.S. Chamber of Commerce is one of climate action's most implacable enemies, as everybody here knows, despite the good climate policies of so many companies on its board. Along with Senators WARREN, SANDERS, and others, I examined this inconsistency between the positions of the chamber and of its board members in our recent report, "The U.S. Chamber of Commerce: Out of Step with the American People and its Members."

Mr. President, I ask unanimous consent to have printed in the RECORD excerpts from the report, "The U.S. Chamber of Commerce: Out of Step with the American People and its Members."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE U.S. CHAMBER OF COMMERCE: OUT OF STEP WITH THE AMERICAN PEOPLE AND ITS MEMBERS

A Report from Senators Sheldon Whitehouse, Elizabeth Warren, Barbara Boxer, Bernard Sanders, Sherrod Brown, Jeff Merkley, Richard Blumenthal, and Edward Markey

(Select Climate Change Specific Excerpts)

EXECUTIVE SUMMARY

The United States Chamber of Commerce (the Chamber), the largest lobbying organization in the country, has used its considerable resources to fight legislation in Congress and Obama Administration actions on tobacco and climate change at home and abroad. A series of 2015 New York Times articles exposed the Chamber's aggressive tactics to help the tobacco industry fight international antismoking laws, regulations, and policies, and described the organization's systematic efforts to undermine the Environmental Protection Agency's work to address climate change and carbon pollution. These activities raised questions about the Chamber's policy-making process; one analyst concluded that "the Chamber is at odds with the interests of some, if not most, of its membership in three other areas: climate change, minimum wages and tobacco," and described its advocacy as "aligned with the small number of companies that are its largest contributors."

In response to the 2015 allegations, Senators Sheldon Whitehouse, Elizabeth Warren, Barbara Boxer, Bernard Sanders, Sherrod Brown, Jeff Merkley, Richard Blumenthal, and Edward Markey examined the positions and actions of Chamber Board members to determine the extent to which the Chamber's activities on tobacco and climate change reflect its Board members' views and interests. The analysis focused on the 108 private-sector members of the Chamber's Board of Directors, which the Chamber describes as "the principal governing and policymaking body of the U.S. Chamber of Commerce. . . . [that] determine[s] the U.S. Chamber's policy positions on business issues and advise[s] the U.S. Chamber on appropriate strategies to pursue." The findings of this analysis—based on correspondence with the Chamber's Board members and a review of publicly available information on Chamber Board member positions on tobacco and climate change—reveal the following:

The Chamber's positions and actions on tobacco and climate change are at odds with those of its Board members. Approximately half of the companies on the Chamber's Board of Directors have adopted anti-tobacco and pro-climate positions that contrast sharply with the Chamber's activities. Chamber Board member companies have acknowledged the public health harms of tobacco and support the efforts of their employees to quit smoking. They have also taken public positions and actions in support of efforts to reduce carbon emissions and address climate change. Despite the positions of its Board members, the Chamber opposes efforts in Congress and by the Administration to address these issues.

Not a single Board member explicitly supported the Chamber's lobbying efforts. In response to inquiries from several senators, 21 Chamber Board members distinguished their actions from the Chamber's on tobacco by describing their own positive efforts, and five respondents distinguished their actions and positions on climate change. Five additional companies on the Chamber's Board explicitly disagreed with the Chamber's positions on tobacco or tobacco lobbying activities. For example, Chamber Board member Celgene stated that it "[does] not support tobacco use or policies that promote tobacco use." Steward Health Care Systems elaborated on its disagreement with the Chamber's actions, saying that it "was the only company on the Chamber Board that went on record to oppose the initiative." Other respondents sidestepped key questions and failed to respond to questions about how they viewed the Chamber's activities. Not one Board member explicitly supported the Chamber's actions on tobacco and climate.

The Chamber's decision-making process and Board policy decisions are not transparent. Ten Chamber Board members revealed, in their responses to the congressional inquiries, that they had no knowledge of or input into the Chamber's lobbying activities on tobacco or climate issues. For example, Chamber Board member Edward Jones, Inc., indicated that the company "[was] not advised of any campaigns. . . [and is] not aware of any processes" to develop these campaigns. Semptra Energy reported that "the issues raised in [the] letter have not been discussed during the short time [it has] been a member of the organization." Despite the Chamber's description of the Board as its "principal governing and policy-making body," not one Chamber Board member explicitly indicated that they were fully aware of and able to provide their input and views to the Chamber regarding its actions on tobacco and climate.

The findings in this report raise serious questions about the Chamber's credibility and its actions on tobacco and climate policy, and indicate that the Chamber does not accurately represent the positions, input, and knowledge of its membership.

I. INTRODUCTION

The United States Chamber of Commerce is the largest lobbying organization in the country. OpenSecrets, a nonprofit, nonpartisan research group that tracks the effects of money and lobbying, showed that in 2015 alone, the Chamber spent roughly \$85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). During the 2013–2014 election cycle, the Chamber spent \$35 million on political expenditures (through super PACs, 501(c) organizations, and/or political party committees) that were "outside" or independent of candidates' campaign committees.

The Chamber has used its considerable resources to fight legislation and government action on tobacco and climate change at home and abroad. A series of 2015 New York Times articles exposed the Chamber's aggressive activities helping the tobacco industry to fight international antismoking laws, regulations, and policies, and described the organization's systematic efforts to undermine the Environmental Protection Agency's work to address climate change and carbon pollution.

While the Chamber claims that it "reflects the grassroots views of the entire business community" and that it represents the "interests of more than three million businesses of all sizes, sectors, and regions" when it interacts with Congress, its positions and actions on tobacco and climate do not appear to reflect or communicate the positions of many of its member companies. The following analysis shows that approximately half of the companies on the Chamber's Board of Directors have publicly taken positions on tobacco and climate change that are in conflict with the Chamber's actions and positions. This calls into question the Chamber's allegedly transparent decision-making process, and suggests that the Chamber does not accurately represent the positions of its member companies.

Moreover, the Chamber's lobbying is at odds with its own public positions. The organization strongly professes that it is anti-tobacco, saying that it "is not in the business of promoting cigarette smoking at home or abroad, period." It also claims to support the environment, saying that it "has in its public documents, Hill letters and testimony, supported efforts to reduce greenhouse gas emissions in the atmosphere," and calling for a "comprehensive climate change law." Plainly, there is a broad gap between the Chamber's stated policies, its Board members' positions, and its actual lobbying activities.

III. THE CHAMBER'S LOBBYING ON TOBACCO AND CLIMATE ISSUES

When the Chamber weighs in, many in Washington, D.C., listen. The Chamber is the largest lobbying organization in the country and claims to represent the "interests of more than three million businesses of all sizes, sectors, and regions" when it interacts with Congress. OpenSecrets, a nonprofit, nonpartisan research group that tracks the effects of money and lobbying, showed that in 2015 alone, the Chamber spent roughly \$85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (National Association of Realtors). During the 2013–2014 election cycle, the Chamber spent \$35 million on political expenditures (through super PACs, 501(c) organizations, and/or political party committees) that were "outside" or independent of candidates' campaign committees.

The Chamber has attacked U.S. climate policies with similar zeal. According to The New York Times, in early 2014, a group of 30 corporate lawyers, coal lobbyists, and Republican political strategists gathered at the Chamber's headquarters to devise legal strategies to dismantle the President's Clean Power Plan—before President Obama had even introduced a draft proposal of it. The Chamber has also been vocal about its opposition to climate action when testifying before Congress. For instance, the Chamber has testified in opposition to the Paris Agreement, despite the fact that many of its Board member companies have pledged to support the goals of the Agreement. Additionally, nearly all of Chamber campaign

contributions—94%—have reportedly gone to climate change denier candidates.

#### V. FINDINGS

Based on the responses to the Tobacco and Climate Letters and public positions and policies of Board members, the report finds that:

Approximately half of the companies on the U.S. Chamber of Commerce's Board of Directors have anti-tobacco and/or pro-climate positions.

None of the respondents to the Tobacco and Climate Letters expressed explicit support for the Chamber's activities, and numerous Chamber Board members distanced themselves from Chamber activities on tobacco or climate.

The Chamber's decision-making process lacks transparency, even with respect to its Board members. A number of Board members were unaware of key Chamber policymaking and lobbying decisions on tobacco and climate.

#### Climate Change Findings

Almost half of the Chamber Board members (52 of 108, 48%) have taken public positions supporting efforts to reduce carbon emissions and address climate change, including eight of the companies that responded to the Senate inquiry on Chamber climate policies (see Appendix V). The remaining Board member companies appear to have no public position on climate change as a public health or environmental issue.

These 52 companies that support efforts to address climate change, have undertaken their own initiatives to reduce carbon emissions, support the EPA's work on climate change, or have publicly committed to support of the Paris Agreement.

Indeed, many Chamber Board members are national and international leaders on this issue. For example:

Allstate is a member of the Ceres Company Network, a group of companies that have agreed to improve their environmental and social performance, publicly report on their sustainability practices, and continuously improve their performance and disclosure on sustainability issues. Allstate was also named to the Climate Disclosure Leadership Index (CDLI) from 2008 to 2014 for its efforts to reduce its carbon footprint and transparency on its climate change adaptation.

AT&T is one of more than 150 companies to have signed on to the American Business Act on Climate Pledge. AT&T has committed to reduce its direct greenhouse emissions by 20 percent and reduce its electricity consumption by 2020.

BMO Financial Group stated that it is "focused on reducing our environmental footprint, setting clear goals and consistently maintaining carbon neutrality across our entire enterprise."

Las Vegas Sands was named to the CDP's "A list" in 2015 for its efforts to address and disclose corporate climate change information.

Ryder received the EPA SmartWay Excellence Award in 2013 and 2014 in recognition of its efforts to address carbon pollution and emissions.

Sanofi "strives to reduce [its] environmental impact, so that [it] can contribute to decreasing the effects of climate change. This includes a two-pronged approach to reduce [its] carbon footprint and to combat diseases directly correlated with climate change." Sanofi says that it has reduced its carbon emissions by 60 times, cut transport costs by 50 percent, and has set a goal of reducing its water consumption by 25 percent between 2010 and 2020.

3M is a founding member of the National Climate Coalition. In its 2015 Sustainability Report, 3M touted its "history of proactive leadership in addressing both the challenges and opportunities presented by climate change and energy conservation."

UPS stated it was "pleased to join 12 other firms at the White House on July 27, 2015, in launching the American Business Act on Climate Change . . . [W]e pledged first to reduce our carbon intensity by 20% by 2020, from a 2007 baseline. Second, we plan for our alternative fuel and technology fleet, which will number about 8,000 trucks by the end of the year, to have driven a cumulative 1 billion miles by 2017."

No Chamber Board members that responded to the Senate letter explicitly supported the Chamber's lobbying actions on climate policy. Seven respondents to the Climate Letter indicated that they do not agree with every action taken by trade associations of which they are a member, and three companies declined to express a position. Two of the eleven companies that responded to the Climate Letter (Citadel and HCSC) indicated that they were not involved in the Chamber's climate-related activities, and the other nine did not indicate whether they were involved in the Chamber's climate policy decision-making process.

Despite the fact that nearly half of Chamber Board members have acknowledged the risk of climate change or are actively working to address the risks of climate change, the Chamber has opposed executive action on climate and lobbied heavily in support of legislation undermining climate action, assembling a "vast network of lawyers and lobbyists ranging from state capitols to Capitol Hill, aided by Republican governors and congressional leaders," to oppose President Obama's climate change regulations.

#### VI. CONCLUSION

The Chamber claims that it "reflects the grassroots views of the entire business community when the organization testifies before Congress or regulatory agencies, disseminates reports or statements to the media, or sends comments or letters to Capitol Hill and to policymakers." It states that "everyone involved in the process must help develop positions that benefit the entire business community, rather than any given narrow interest . . . The process must be open and above board."

But this investigation finds these claims to be plainly untrue. Despite its claims of a representative policy-making process, the Chamber does not speak for many of its Board members on two of the most pressing public health issues of our time. The discrepancy between how the Chamber and its Board members act on tobacco and climate is stark. Bloomberg columnist Barry Ritholtz contends that it is easy for the Chamber to ignore its numerous member companies that oppose its stance because one third of its revenue comes from just 19 companies, many of them in the energy industry.

Indeed, based on the responses of Chamber Board member companies, the Chamber seems to act at will, without broadly consulting its leading members about fundamental policy positions on which it spends millions of dollars in collected dues.

Some American business icons have demonstrated leadership by disaffiliating themselves from the Chamber over fundamental policy disagreements. Apple, Exelon, and Pacific Gas and Electric (PG&E), have left the Chamber over its destructive climate policies. Nike left the Board for similar reasons,

and other members—Intel, Johnson & Johnson, and Microsoft—publicly disagree with and distance themselves from the Chamber's climate position. And CVS Health withdrew its membership from the Chamber last year due to the group's tobacco lobbying.

Many Chamber members do good work to address the risks of tobacco and climate change. But too many of these members quietly disapprove of the Chamber's positions without taking action. As long as these Board members lend their tacit support to an organization that spearheads systematic efforts against policies to limit tobacco and climate change, it is difficult to accept their claims that they are anti-tobacco or good on climate.

We encourage Chamber Board members to stop looking the other way where there is disagreement, and defending their Chamber membership as supporting free speech. This positioning makes it appear as though they're trying to have it both ways and damages their credibility and efforts in support of positive action. These companies should take responsibility for the positions and actions of the Chamber, and use their leverage as an opportunity to shift the tenor of a powerful lobbying force away from harming public health and towards positions that help reduce tobacco use and address the risks of climate change.

Mr. WHITEHOUSE. When President Trump announced his withdrawal from the Paris Agreement, he used these alternative facts from that chamber-commissioned NERA report. Here is what Trump said:

Compliance with the terms of the Paris Accord and the onerous energy restrictions it has placed on the United States could cost America as much as 2.7 million lost jobs by 2025. . . . This includes 440,000 fewer manufacturing jobs.

End of alternative facts quote.

This was another assertion:

By 2040, compliance with the commitments put into place by the previous administration would cut production for the following sectors: paper down 12 percent; cement down 23 percent; iron and steel down 38 percent; coal—and I happen to love the coal miners—down 86 percent; natural gas down 31 percent. The cost to the economy at this time would be close to \$3 trillion in lost GDP and 6.5 million industrial jobs, while households would have \$7,000 less income and, in many cases, much worse than that.

End quote of his alternative facts.

Countless reviewers, including PolitiFact, Scientific American—that known crazy, phony, liberal publication, Scientific American—CNBC, and Fortune magazine, fact-checked the President's speech. It did not fare well. PolitiFact warned us to "take these statistics with a grain of salt." An analysis of the underlying report was done by Kenneth Gillingham, an economics professor at Yale University. He pointed out that the NERA study made up a hypothetical set of policy actions to reach those goals. Those policy actions may well never have been taken by anyone to comply with the Paris Agreement, but that was what they used. Second, NERA only modeled the cost side.

You have heard the phrase "cost-benefit equation." They only looked at the

costs. They didn't ever look at the benefit side. This is phony accounting when you only look at one side of the ledger.

NERA, of course, has a history of producing misleading reports for its industry sponsors. In 2015, it released a report for the National Association of Manufacturers on the proposed ozone standard, claiming it would cost as much as \$140 billion per year. On the cost side, EPA estimated it would cost a fraction of what NERA estimated, less than 12 percent. The economic consulting firm Synapse analyzed the NAM report and found it "grossly overstates compliance costs, due to major flaws, math errors, and unfounded assumptions . . . these assumptions and other flaws led NERA to overstate compliance costs by more than 700 percent."

That is just on the cost side. Once again, they didn't even bother to look at the benefits. It is a one-side-of-the-ledger-phony analysis. Of course, the chamber commissioned NERA to do the same thing for it on climate: overestimate the costs and ignore the benefits. In this world of climate denial, this is a classic maneuver.

Senator TED CRUZ cited the NERA report in his CNN op-ed urging President Trump to pull the United States out of the Paris Agreement a day before President Trump cited these stats in his withdrawal speech.

CRUZ, Trump, and the chamber ignored more than 1,000 companies that supported the United States remaining in the Paris Agreement, including several chamber member companies. Some of these have publicly distanced themselves from the chamber as a result of the President's decision. A recent Bloomberg news article was headlined, "Paris Pullout Pits Chamber Against Some of Its Biggest Members."

Citigroup said: "We have been outspoken in our support for the Paris agreement and have had a dialogue with the Chamber about how its views and advocacy on climate policy are inconsistent with Citi's position." Similar distancing came from Dow and Ford.

Over the weekend, the Washington Post ran a piece, "Is the most powerful lobbyist in Washington"—that is the so-called U.S. Chamber of Commerce—"losing its grip," exploring this tension around climate in more detail. The article said: "[P]erhaps the most nettlesome issue for the Chamber has been climate change." It calls out the chamber's claims to be neutral on the Paris Agreement, while actually providing "ammunition for foes of the agreement."

The article highlights the chamber's climate denial efforts, including its 2009 proposal to hold a public trial on climate science—what it dubbed "the Scopes monkey trial of the 21st century." New Mexico-based utility PNM

Resources actually quit the chamber because that idea was so preposterous.

The Washington Post identified 8 of the 25 companies that signed an ad in the New York Times supporting the Paris Agreement as chamber members, including GE, Microsoft, and Walt Disney. The CEOs of these companies publicly criticized President Trump's decision.

Microsoft's Brad Smith said:

We're disappointed with the decision to exit the Paris Agreement. Microsoft remains committed to doing our part to achieve its goals.

GE's Jeff Immelt said:

Disappointed with today's decision on the Paris Agreement. Climate change is real. Industry must now lead and not depend on government.

Walt Disney's Bob Iger said:

As a matter of principle, I've resigned from the President's Council over the #Paris Agreement withdrawal.

The chamber is out of step with its own members on climate change, maintaining a scientifically untenable position as every one of our State universities knows. Who is pulling the chamber's chain? It is hard to tell since the chamber hides from the public who its donors are, but I suspect the answer is the same as to why the Republicans continue to revive the hated, zombie healthcare bill despite huge public distaste for it.

Mr. President, that brings me to the nomination of John Bush to the U.S. Court of Appeals for the Sixth Circuit. The chamber's rigid anti-climate stance is part of a fossil fuel political program that holds this Chamber in a state of intimidation and inaction on climate change. As Congress cowers before this fossil fuel political presence, we are now advancing the nomination of a climate denier to the Federal bench.

John Bush was not nominated because of any track record of distinguished performance or demonstrated commitment to public service. To the contrary, his most notable achievements seem to be a series of wildly offensive blog postings and public statements, denying that climate change is real and mocking it, comparing a woman's right to choose to the evil of slavery, casually using vile slurs against gay people. On and on goes the list.

Bush has written a number of posts dealing with environmental issues in which he insists on placing the terms "global warming" and "climate change" in quotation marks, insinuating that they do not really exist. Tell that to your home State universities.

With this appalling track record, why was he nominated? It is not hard to figure that out. He is here because through those offensive blog posts and by flagging himself as a loyal climate denier, he signals himself as a willing foot soldier of the big special interests. These big special interests are intent

on capturing our courts, just as they have captured so much of Congress.

Judicial nominees like Mr. Bush are exactly what these special interests want, to make sure they can, first, maintain their dark money influence. That is their most particular key. That is the mother ship off of which all the other special interest mischief they perform comes from and of course to see to it that these big interests are never held accountable to the American people. That is the signal he sends.

Bush has flagged that he will rule the right way for the big special interests that fund the Republican Party, and the special interests' big reward is his nomination and confirmation. He has shown that he is familiar with the recipes when it comes time to cook the decisions.

My Democratic colleagues and I respect any President's desire and prerogative to fill the vacancies in the executive and judicial branches. Even though I understand we will not see eye to eye with our colleagues across the aisle on every nominee, Senate Democrats have given the President's nominees a very fair shake. This is no normal nominee. This is a freak who lowers the bar on judicial nominees forever.

If Mr. Bush wants to exercise his First Amendment right to spout offensive, ignorant, and hateful nonsense as some kind of nutty Breitbart blogger, he is free to do so, but that is not the measure—or has not until today been the measure of a Federal judge for the U.S. Court of Appeals.

Mr. Bush is patently unqualified for this position, well outside any version of the mainstream, and his appointment can reasonably be predicted to bring dishonor and preordained partiality to the judiciary. I regret we are at this point.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Bush nomination?

Mr. SASSE. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Michigan (Ms. STABENOW) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 47, as follows:

(Rollcall Vote No. 164 Ex.)

## YEAS—51

|           |           |          |
|-----------|-----------|----------|
| Alexander | Fischer   | Paul     |
| Barrasso  | Flake     | Perdue   |
| Blunt     | Gardner   | Portman  |
| Boozman   | Graham    | Risch    |
| Burr      | Grassley  | Roberts  |
| Capito    | Hatch     | Rounds   |
| Cassidy   | Heller    | Rubio    |
| Cochran   | Hoeven    | Sasse    |
| Collins   | Inhofe    | Scott    |
| Corker    | Isakson   | Shelby   |
| Cornyn    | Johnson   | Strange  |
| Cotton    | Kennedy   | Sullivan |
| Crapo     | Lankford  | Thune    |
| Cruz      | Lee       | Tillis   |
| Daines    | McConnell | Toomey   |
| Enzi      | Moran     | Wicker   |
| Ernst     | Murkowski | Young    |

## NAYS—47

|              |            |            |
|--------------|------------|------------|
| Baldwin      | Gillibrand | Murray     |
| Bennet       | Harris     | Nelson     |
| Blumenthal   | Hassan     | Peters     |
| Booker       | Heinrich   | Reed       |
| Brown        | Heitkamp   | Sanders    |
| Cantwell     | Hirono     | Schatz     |
| Cardin       | Kaine      | Schumer    |
| Carper       | King       | Shaheen    |
| Casey        | Klobuchar  | Tester     |
| Coons        | Leahy      | Udall      |
| Cortez Masto | Manchin    | Van Hollen |
| Donnelly     | Markey     | Warner     |
| Duckworth    | McCaskey   | Warren     |
| Durbin       | Menendez   | Whitehouse |
| Feinstein    | Merkley    | Wyden      |
| Franken      | Murphy     |            |

## NOT VOTING—2

|        |          |
|--------|----------|
| McCain | Stabenow |
|--------|----------|

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

## EXECUTIVE CALENDAR

Mr. ENZI. Madam President, I ask unanimous consent that the Senate resume consideration of the Bernhardt nomination.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of David Bernhardt, of Virginia, to be Deputy Secretary of the Interior.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Madam President, I want to discuss this nomination.

I am here to add my voice to those of my colleagues who oppose the nomination of David Bernhardt to be Deputy Secretary of the Interior. There are a host of reasons—from his history of censoring scientists to his denial of climate change—but I am going to limit my remarks to his allegiance to the oil industry and, specifically, his disregard for the importance of a moratorium on any drilling in the eastern Gulf of Mexico.

During his confirmation process, he gave some very troubling responses to questions about the moratorium from the ranking member, Senator CANTWELL. She asked: “Do you support the current moratorium in relation to offshore drilling in the Eastern Gulf of Mexico?”

He responded:

I am aware that, in response to the President's recent Executive Order on the Outer Continental Shelf, Secretary Zinke issued a Secretarial Order 3350 directing the Bureau of Ocean Energy Management to review and develop a new five-year plan. I support the President's and the Secretary's actions to examine new leasing opportunities within the OCS in order to advance the Administration's energy agenda.

Then Senator CANTWELL asked him: “Do you support extending this moratorium?”

He responded: “I support the President's and the Secretary's actions aimed at increasing offshore production while balancing conservation objectives.”

First of all, when it comes to the eastern gulf, there is no good way to increase offshore production while balancing environmental concerns. The gulf—the eastern gulf is still recovering from the horrific 2010 *Deepwater Horizon* explosion, which fouled the gulf all the way east into most of the Panhandle of Florida.

Secondly, as I have explained time and again, it makes no sense to drill in an area that is critically important to the U.S. military and is the largest testing and training area for the U.S. military in the world, where we are testing our most sophisticated weapons systems and where we are sending our fighter pilots who need the open space to train. That is why they have the F-22 training at Tyndall Air Force Base. That is why they have training for pilots on the F-35 at Eglin Air Force Base. That is also why the Chief of Staff of the Air Force wrote in a letter just recently, “The moratorium is essential for developing and sustaining the Air Force's future combat capabilities.”

I ask unanimous consent to have the two letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF THE UNDER SECRETARY  
OF DEFENSE,  
Washington, DC, April 26, 2017.

Hon. MATT GAETZ,  
House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVE GAETZ: Thank you for your letter dated March 24, 2017, regarding maintaining the moratorium on oil and gas activities in the Gulf of Mexico beyond 2022. Since military readiness falls under my purview, I have been asked to respond to your letter on behalf of the Secretary of Defense. The Department of Defense (DoD) cannot overstate the vital importance of maintaining this moratorium.

National security and energy security are inextricably linked and the DoD fully sup-

ports the development of our nation's domestic energy resources in a manner that is compatible with military testing, training, and operations. As mentioned in your letter, the complex of eastern Gulf of Mexico operating areas and warning areas provides critical opportunities for advanced weapons testing and joint training exercises. The moratorium on oil and gas “leasing, pre-leasing, and other related activities” ensures that these vital military readiness activities may be conducted without interference and is critical to their continuation. Emerging technologies such as hypersonics, autonomous systems, and advanced sub-surface systems will require enlarged testing and training footprints, and increased DoD reliance on the Gulf of Mexico Energy Security Act's moratorium beyond 2022. The moratorium is essential for developing and sustaining our nation's future combat capabilities.

Since signing the 1983 “Memorandum of Agreement Between the Department of Defense and the Department of the Interior on Mutual Concerns on the Outer Continental Shelf,” the two departments have worked cooperatively to ensure offshore resource development is compatible with military readiness activities. During recent discussions between the DoD and the Department of the Interior's Bureau of Ocean Energy Management, a question arose concerning whether Congress intended the moratorium to prohibit even geological and geophysical survey activities in the eastern Gulf. We would welcome clarification from Congress concerning this matter.

On behalf of the Secretary, I appreciate your interest in sustaining our testing and training activities in the eastern Gulf of Mexico.

Sincerely,

A.M. KURTA,

Performing the Duties of the Under Secretary  
of Defense for Personnel and Readiness.

DEPARTMENT OF THE AIR FORCE,  
OFFICE OF THE CHIEF OF STAFF,  
Washington, DC, June 27, 2017.

Hon. BILL NELSON,  
United States Senate,  
Washington, DC.

DEAR SENATOR NELSON: I write this letter in whole-hearted support of a proposal seeking to extend the moratorium on leasing, preleasing, or any other related activity in any area east of the Military Mission Line in the Gulf of Mexico. I understand this provision is being considered for inclusion in the National Defense Authorization Act for Fiscal Year 2018.

The Air Force fully supports the development of our nation's domestic energy resources in a manner that is compatible with the military testing, training, and operations. The complex of eastern Gulf of Mexico operating areas and warning areas provides critical opportunities for advanced weapons testing and joint training exercises. The moratorium on oil and gas leasing, preleasing, and other related activities ensures that these vital military readiness activities may be conducted without interference and is critical to their continuation. Of course, we are always willing to work with the appropriate agencies to see if there are ways to explore for energy without hampering air operations.

The moratorium is essential for developing and sustaining the Air Force's future combat capabilities. Although the Gulf of Mexico Energy Security Act's moratorium does not expire until 2022, the Air Force needs the certainty of the proposed extension to guarantee long-term capabilities for future tests.

Emerging technologies such as hypersonics, 5th generation fighters, and advanced subsurface systems will require enlarged testing and training footprints, and increased Air Force reliance on the moratorium far beyond 2022.

Please don't hesitate to contact me if you have any questions. I look forward to continuing our work with you to ensure America's Air Force remains the very best.

Sincerely,

DAVID L. GOLDFEIN,  
General, USAF, Chief of Staff.

Mr. NELSON. The letters—one from the Office of the Secretary of Defense and the other from General Goldfein, the Chief of Staff of the Air Force—state they are needing to put a major investment of telemetry into the eastern gulf range for all of these sophisticated weapons systems, and they don't want this investment of the infrastructure with the moratorium ending in the year 2022. They want to extend the moratorium for another 5 years, to 2027. That is a reasonable request by the Department of Defense and the Department of the Air Force.

For example, a test can start way down in the South, off of Key West, and a cruise missile could go all the way, 300 miles, because of the size of this test range, and then it could have a land impact on Eglin Air Force Base. That is part of our testing regime.

One could ask, Why couldn't the cruise missile weave around oil rig activities? Well, look at the new miniature cruise missiles that are out there. It is not one, but a swarm, which takes up a big footprint that we are testing. This is just one example of a weapons system that needs a lot of open space. This is a national asset. We don't want to give it up. That is why the top brass in the Pentagon is asking that we extend this moratorium so that those expensive investments in telemetry can be made.

We should not put someone in charge at the Department of the Interior if he has an open objection to what is obviously needed for national security and if he has demonstrated a history of siding just with special interests. It would be a bad decision when it comes to the national security of this country.

I am going to oppose the nomination, but that is just one reason, one item, on an ever-growing list of concerns that this Senator has with the Department of the Interior these days.

On June 29, Secretary Zinke announced that the Department was seeking public comment on a new 5-year plan for offshore oil and gas leasing. In case anyone has forgotten, the current 5-year plan was just finalized 6 months ago and is supposed to run through 2022. Why would the Department spend more taxpayer money to go through the whole process all over again? The only reason this Senator can see is that the oil industry wants more acreage. They are going after the eastern Gulf of Mexico, despite the fact

that the Department of Defense is asking for exactly the opposite.

By the way, they ought to take from the very productive sections of the Gulf of Mexico off of Louisiana. There are acres and acres under lease, but of all those acres under lease, how many are actually drilled and/or in production? It is a small percentage of the acreage under lease that is actually drilled. So why don't we take advantage of the existing leases, particularly in the central gulf, which is where the oil is? That is where all the sediments over millions of years came down the Mississippi River, settled in what is today the gulf, into the Earth's crust, compacted it, and made it into oil. That is where the oil is.

Now, remember, also out there in the eastern gulf, this is the area that is off limits. This is the Eglin Gulf Test and Training Range. The Air Force wants to extend that moratorium from 2022 by 5 years—out to 2027—in order to protect it for all of these reasons we have been discussing. It is all of that open space, and we ought not give it up.

I will give you another example of the short memories over at the Department of the Interior.

After the 2010 BP oilspill, it became clear that the relationship between regulators and the oil industry was a problem so the Minerals Management Service was divided into two separate agencies in the Department of the Interior—the Bureau of Ocean Energy Management, which regulates lease sales, and the Bureau of Safety and Environmental Enforcement, which is supposed to ensure that safety standards are followed. Less than a decade later, people seem to have forgotten all of that, and they want to put the two back together again. It is another example of what is going on. Not only that, but the administration is trying to roll back the safety rules, like the well control rule that was finalized in November of last year. This long-overdue rule seeks to prevent what went so tragically wrong on the *Deepwater Horizon* rig from ever happening again.

Every day, it seems like the administration is coming up with a new way to put the gulf at risk and Florida's coastline and tourism-driven economy at risk. It is now putting at risk the national security of the country by messing up the largest testing and training range for the U.S. military and the world. It is utilized by all branches of service. As a matter of fact, when they stopped the Atlantic fleet of the Navy from doing all of its training off of Puerto Rico to the Island of Vieques, all of that training came to the gulf. The Navy squadrons come down for 2 weeks at a time to the Naval Air Station Key West, with the airport actually being on Boca Chica Key, and when they lift off on the runway, within 2 minutes, those F/A-18s are over restricted airspace so they do not have to

spend a lot of time and fuel in getting to their training area.

I have heard from business owners, and I have heard from residents across the entire State of Florida. They do not want drilling in the eastern gulf. They have seen what can happen when the inevitable spill happens. We lose an entire season of tourism, and all of that revenue goes away, along with that loss.

Why do they know that?

The BP oilspill was off of Louisiana, but the winds started carrying the oil slicks to the east. It got as far east as Pensacola Beach, and the white, sugary sands of Pensacola were covered in black oil. That was the photograph that went around the world. The winds continued to push it, and tar mats came over and got onto the beach at Destin. We were desperately trying to keep the oil from going into the Choctawhatchee Bay at Destin like it had already gone into the Pensacola Bay at Pensacola. The winds kept pushing it to the east, and the tarballs ended up all over the tourism beaches of Panama City. Then the winds did us a favor—they reversed, and they started taking it back to the west.

So there was oil on some of the beaches, but what happened for an entire year of the tourist season? The tourists did not come to the gulf beaches, not only in Northwest Florida but all down the peninsula, all the way down to Marco Island, and they lost an entire tourist season. That is why people are so upset about any messing around.

This Senator brings this to us as I have spoken of what has happened and have stood up for over the last four decades in order to fight to prevent those kinds of spills from happening again off the coast of the State of Florida.

Yet now we have, right here, an issue in front of us, something that could threaten the Department of Defense's mission for being ready to protect this Nation. In that case, my recommendation to the Senate is not to vote for this nomination for Deputy Secretary of the Interior because of his history and because of how he responded to Senator CANTWELL in the committee.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. ERNST). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. CANTWELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. CANTWELL. What is the pending business?

The PRESIDING OFFICER. The Bernhardt nomination is pending.

Ms. CANTWELL. I thank the Chair.

Madam President, I rise today to speak about the Bernhardt nomination to be Deputy Secretary of the Interior.



The Deputy Secretary plays an important role in forming and carrying out the administration's policy on a broad range of issues. These issues include our Nation's public lands, our national parks, our national wildlife refuges, our water resources, mineral and energy development on public lands and Federal waters, carrying out our trust responsibilities to our Tribal nations, and working with our territories and Freely Associated States.

The Deputy Secretary also performs very important functions as it relates to the Secretary or in the Secretary's absence. In virtually all matters, the Deputy Secretary has the authority of the Secretary. That is why I look at this position with such an important critique, because we know in past positions there have been conflicts, and we know we have important policies to discuss, and we need to make sure we have no conflicts of interest.

I have made no secret that I have concerns about this nomination. Mr. Bernhardt is no stranger to this body and he is no stranger to the Department of the Interior. He held a number of senior political positions in the Department during the Bush administration beginning in 2006.

After leaving the Department in 2009, he returned to a successful private practice. For 8 years, he has represented a wide range of clients, including oil and gas companies, mining companies, and water supply interests in California, just to name a few. If he is confirmed, he will oversee the same companies at the Department of the Interior; that is, he will be making decisions on the same things that he lobbied for at the agency, and now he will be on the other side of the table and be able, after a short period of time, to make decisions in those areas.

So, as I said at his confirmation hearing—I'm not suggesting that just working for the private sector disqualifies someone, but when you have a wide range of issues that you have worked on in the private sector and now you are going to be on the other side of the table, it brings up concerns.

The President of the United States traveled the country when he was campaigning and said he wanted to drain the swamp from special interests, and he has repeated that many times over the last few years. But with Mr. Bernhardt's nomination, I am afraid he is not draining the swamp, he is actually helping to fill it.

The nominee's private sector experience as a registered lobbyist for companies whose main public policy focuses are in the Department of Interior creates an appearance of a conflict of interest. Also, the nominee wants to lead the Department that he sued four times.

It is true that Mr. Bernhardt has considerable experience. We saw another nominee come to this same post in a

past administration on the same basis. People thought he had a lot of experience in a lot of these cases, but he obviously didn't follow the law and ended up going to jail because of his overreaching within the agency and organization.

So these are very important public policy issues, public lands issues—interests that the American people need to make sure are aboveboard and no conflicts of interest.

Mr. Bernhardt served in the highest levels of the Department of the Interior at a time when the inspector general called it "a culture of ethical failure." I know that at the hearing he told us he tried to help change that failure of culture within the agency. The Inspector General also testified that "ethics failures on the part of senior department officials—taking the form of appearances of impropriety, favoritism and bias—have been routinely dismissed with a promise 'not to do it again.'"

While Mr. Bernhardt has given testimony about the fact that he tried to help change and get away from that culture, I still have concerns that his private sector client base poses a significant problem. The nominee's extensive client base in the area, which falls under the jurisdiction of the Department of the Interior, creates at least an inherent appearance of conflict. He and his clients have lobbied extensively on such matters as the Cadiz pipeline in California, opening up the Arctic National Wildlife Refuge to oil exploration, and weakening the Endangered Species Act. He has advocated in favor of expanding offshore drilling and lifting the moratorium in the Gulf after the Deepwater Horizon disaster. He also represented Westlands Water District, the Nation's largest irrigation district, as a registered lobbyist. His law firm represented Westlands in four different lawsuits against the Department of the Interior.

In November 2016, he joined the Trump transition team, and Mr. Bernhardt deregistered as a lobbyist for Westlands yet continued to work for them in some capacity.

As the ranking member of the Energy and Natural Resources Committee, I raised concerns about these issues with the nominee during his confirmation hearing. He has submitted required financial disclosure and ethics forms, but there are specific questions we want to make sure are addressed.

He has declined to comment on recusing himself beyond just the 1-year minimum that is required by the ethics rules. I know Mr. Bernhardt says he will comply with whatever the organization and agency requires, but we don't have the time, given the long list of conflicts of interest and given that past case representation, to constantly know every issue and every meeting and every oversight to make sure that

undue influence is not being pressured at the Department of Interior.

The President of the United States, who nominated Mr. Bernhardt, told the Times just yesterday in a conversation about the Attorney General: "If he was going to recuse himself, he should have told me before he took the job and I would have picked someone else." Well, I hope that is not the issue here. I hope the agency isn't running fast toward somebody who just won't recuse themselves in hopes that they will get someone who will do the bidding of these interests and not take into consideration the complexity, the legal structure, and the challenges that dealing with these issues takes.

In fact, as late as March of this year, Mr. Bernhardt's firm was submitting invoices to Westlands for lobbying charges with itemized expenses. Documents show he was engaged in regular contact with congressional offices and working on legislation and efforts to inform administration policy at the same time he was serving on the Trump transition team.

Even the appearance that Mr. Bernhardt was still lobbying on behalf of clients that do business with the Department of the Interior at the same time he wants to help lead it validates some of the concerns we have been expressing.

I remain concerned about his record on behalf of these corporations at the expense of the environment and his tenure at the Department of the Interior and many other challenges. The Department's responsibilities and jurisdictions are just too vast. They are too important to the American people to just green-light someone who I believe will be very challenged in doing this job. So I urge my colleagues to oppose this nomination.

Just today, a complaint was filed with a U.S. Attorney about this nominee's alleged lobbying activities based on new records available pursuant to California public records law. I want answers from the nominee. We are going to continue to ask questions.

In the meantime, I ask my colleagues to oppose this nomination. Make sure we get the answers we need before the nomination of David Bernhardt can continue.

I thank the Presiding Officer.

I yield the floor.

Madam President, I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GARDNER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GARDNER. Madam President, it is my honor to come to the Senate floor today to talk in support of a fellow Coloradan's nomination to be the



Deputy Secretary of the Department of the Interior—David Bernhardt. I am very excited about his nomination, strongly support his nomination, and believe that my fellow Coloradan will do an absolutely incredible job for Colorado and for the rest of this country at the Department of the Interior.

I had the great honor just a month or more ago of welcoming David to the committee and welcoming his beautiful family there with him that day. I reminded his oldest son Will about the connection that my family and our oldest child will always have with Will, because when my wife Jaime was working at the Department of the Interior, our oldest daughter Alyson spent some time at daycare with David Bernhardt's son Will, as well. It was the same daycare and the same work Jaime and David did at the Department of the Interior, working together all those years. But there is more than that. There are more connections I will share, between David Bernhardt and me, and one of the many reasons why I support him.

I have known him personally and professionally for nearly two decades. We both grew up in rural Colorado. I am from the Eastern Plains of Colorado, and Mr. Bernhardt is from the Western Slope. I am from the flatlands, and he is from the mountains. We share a lot of common interests in rural development and saving small towns.

We both began our public service 1 year apart, interning in the Colorado State Legislature for a member of the Colorado State Legislature named Russell George, who would go on, eventually, to become the Colorado speaker of the house.

I will never forget when I began. It was in the second term of then-State Representative Russell George. I worked for him on Tuesdays and Thursdays in an internship through Colorado State University. He said: You should reach out and meet last year's intern because I think he could help you figure out the ropes around here and what you should know about the internship. He gave me the phone number for David Bernhardt. So I followed in the footsteps of David Bernhardt at the capitol, and I am excited to see the work that he continues to do.

As I mentioned, Mr. Bernhardt worked with my wife Jaime at the Department of the Interior, and, at one point, their offices were just around the corner from one another. His personal background and public and private sector professional experiences prove that he is a strong voice for the West and extremely well-qualified for the nomination to be Deputy Secretary. He has extensive insight on western water policy, natural resource policy, and Indian affairs, just to name a few. Those who have worked with Mr. Bernhardt commend him for his integ-

rity and wealth of knowledge on the issues under the jurisdiction of the Department of the Interior.

In 2008, after the Department reached the largest Indian water rights settlement in the Nation's history, Secretary Kempthorne personally acknowledged Mr. Bernhardt's work as then-Solicitor and stated: "His effective coordination—both within Interior as well as with the local, tribal, state and congressional leaders—was essential to the success we celebrate today."

The country will indeed benefit from having Mr. Bernhardt serve as Deputy Secretary, a position that is the second ranking official within the Department and has statutory responsibilities as the chief operating officer.

Along with Mr. Bernhardt's professional career, I believe it is important to fully understand his background and the foundation of his interest in public lands, which further qualifies him for this very important role.

Mr. Bernhardt is originally from the outskirts of the small town of Rifle, CO, located on Colorado's Western Slope. If you have driven through the Eisenhower Tunnel, the Veterans Memorial Tunnels, or if you go to Grand Junction, CO, you will have been right by and through Rifle, CO.

Few places more fully embody the spirit and mission of the agency he has been nominated to lead as Deputy Secretary. Growing up in rural Colorado instilled in David strong western values and interests, and, to this day, Mr. Bernhardt enjoys hunting, recreation, the outdoors, and fishing.

Rifle is located in Garfield County, an area where about 60 percent of the lands are Federal public lands. Think about the work he is about to take on upon confirmation: 60 percent of his home county is public lands.

Rifle was founded as a ranching community along the Colorado River, and it retains that heritage today, along with tremendous opportunities for world-class outdoor recreation, including fishing, hiking, skiing, rafting, and rock climbing. It also sits at the very edge of the Piceance Basin, an area in Colorado which has vast amounts of natural gas.

David grew up in the oil shale boom and bust and has said that the boom-and-bust cycle in Western Colorado has made him more sensitive to the potential benefits and the potential impacts—both environmental and social—of resources development.

In the 1980s, his hometown of Rifle was hit hard by the State's oil shale crash, and he personally experienced some of the hard times the Nation's rural communities often face. Much like the Department of the Interior itself, Rifle is a community that is a product of its public lands and the western heritage around it. It is centrally located, just a few miles away from the iconic Grand Mesa, the

world's largest flat top mountain. The flat top's wilderness and the Roan Plateau represent a home base among these public lands, with virtually unmatched access to world-class outdoor experiences, which is why Mr. Bernhardt has such a passion for these issues.

His background and outlook on public lands and water issues assisted him in his prior service at the Department of the Interior, including in the Solicitor's role. Mr. Bernhardt's confirmation as Solicitor was confirmed by voice vote by the U.S. Senate in 2006. By voice vote, he was approved the last time he served at the Department of the Interior.

There have been other nominees—I think this has been a subject of debate on his nomination—considered by the Energy Committee and by this body who practiced private law from the time between their public service appointments at the Department of the Interior and the time they would come back to the administration. Mr. Bernhardt has taken the same steps these nominees did in order for his nomination to move forward today.

I think it is important to point out the Hayes-Schneider standard that was established for the Department of the Interior.

David Hayes, nominated for Deputy Secretary in the Obama administration, was confirmed by the Senate. He had previously served in the Clinton administration, and then he served in the Obama administration. In between that time, he had a private law practice.

Janice Schneider, nominated for Assistant Secretary under President Obama, served in the Clinton administration but in between served in a private law practice. What we see is another nominee who is a dedicated public servant, has gained experience in the private sector, and is willing to come back to public service to give back to our great country.

Mr. Bernhardt's integrity and ability are two of his strongest qualities for his nomination. Public service requires certain sacrifices. I certainly appreciate Mr. Bernhardt's and his family's acceptance of the nomination that will be considered by this body today.

I hope the Senate process has not become a broken process, which disincentivizes qualified people—like Mr. Bernhardt, who is held in high professional regard—from serving and from returning to public service. That is why I hope his nomination today receives strong bipartisan support.

As the Senate takes up the vote on this nomination, I urge my colleagues to hold this nominee to the same practice, the same process to which we hold all nominees who are under consideration before the U.S. Senate.

There are a number of individuals and organizations that support David

Bernhardt. The Southern Ute Indian Tribe in Colorado has written a letter of support for his nomination; the Colorado Water Congress, a very important organization made up of environmentalists and water users and municipalities, supports David Bernhardt's nomination; the Colorado River District supports David Bernhardt's nomination.

Why are these important? Because these are people who have worked with him throughout his career, from the time he was an intern for Russell George in the State legislature to the time that he worked with Scott McInnis, to the time he worked at a law firm, to the time he worked at the Department of the Interior, all the way up until today.

The National Congress of American Indians supports David Bernhardt as Deputy Secretary of the Interior; Ducks Unlimited applauds the nomination of David Bernhardt as Deputy Secretary of the Interior; the Boone and Crockett Club supports David Bernhardt's nomination to be Deputy Secretary of the Interior. The list goes on and on.

Here is a letter from a wide variety of organizations: the International Snowmobile Manufacturers Association, the Recreational Vehicle Industry, environmental organizations that have done great work in conservation, the National Shooting Sports Foundation. These are groups, organizations—not partisan efforts, but organizations that rely on Democrats and Republicans.

The Indian Nation supports David Bernhardt's nomination. These are Republicans, Democrats, and Independents across the country who believe David Bernhardt would do an incredible job at the Department of the Interior.

Here is a letter of support for David Bernhardt from the chief of the Penobscot Nation. The National Cattlemen's Beef Association supports the nomination of David Bernhardt. The list goes on and on.

To my colleagues today, from those who know him best, I ask support for David Bernhardt, Deputy Secretary of the Department of the Interior, and stress the importance of a strong bipartisan vote today to show support for our western States that have so much need at the Department of the Interior. The work needs to be done so that we can start once again getting to the work of the people.

I yield the floor.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of David Bernhardt, of Virginia, to be Deputy Secretary of the Interior.

Mitch McConnell, Roger F. Wicker, John Thune, Tim Scott, John Hoeven, Pat Roberts, Orrin G. Hatch, Tom Cotton, John Barrasso, Thom Tillis, Michael B. Enzi, John Boozman, James M. Inhofe, John Cornyn, James Lankford, Mike Rounds, Cory Gardner.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of David Bernhardt, of Virginia, to be Deputy Secretary of the Interior, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. MORAN), and the Senator from Nebraska (Mr. SASSE).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

The PRESIDING OFFICER (Mr. PERDUE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 56, nays 39, as follows:

[Rollcall Vote No. 165 Ex.]

#### YEAS—56

|           |           |           |
|-----------|-----------|-----------|
| Alexander | Fischer   | Murkowski |
| Barrasso  | Flake     | Paul      |
| Bennet    | Gardner   | Perdue    |
| Blunt     | Graham    | Portman   |
| Boozman   | Grassley  | Risch     |
| Burr      | Hatch     | Roberts   |
| Capito    | Heinrich  | Rounds    |
| Cassidy   | Heitkamp  | Rubio     |
| Cochran   | Heller    | Schatz    |
| Collins   | Hoeven    | Scott     |
| Corker    | Inhofe    | Shelby    |
| Cornyn    | Isakson   | Strange   |
| Cotton    | Johnson   | Sullivan  |
| Crapo     | Kennedy   | Thune     |
| Cruz      | King      | Tillis    |
| Daines    | Lankford  | Toomey    |
| Donnelly  | Lee       | Wicker    |
| Enzi      | Manchin   | Young     |
| Ernst     | McConnell |           |

#### NAYS—39

|              |            |            |
|--------------|------------|------------|
| Baldwin      | Franken    | Nelson     |
| Blumenthal   | Gillibrand | Peters     |
| Booker       | Harris     | Reed       |
| Brown        | Hassan     | Sanders    |
| Cantwell     | Hirono     | Schumer    |
| Cardin       | Kaine      | Shaheen    |
| Carper       | Klobuchar  | Tester     |
| Casey        | Markey     | Udall      |
| Coons        | McCaskill  | Van Hollen |
| Cortez Masto | Menendez   | Warner     |
| Duckworth    | Merkley    | Warren     |
| Durbin       | Murphy     | Whitehouse |
| Feinstein    | Murray     | Wyden      |

#### NOT VOTING—5

|        |       |          |
|--------|-------|----------|
| Leahy  | Moran | Stabenow |
| McCain | Sasse |          |

The PRESIDING OFFICER. On this vote, the yeas are 56, the nays are 39.

The motion is agreed to.

The Senator from Utah.

Mr. HATCH. Mr. President, is it appropriate to make a speech at this time?

The PRESIDING OFFICER. It is.

Mr. HATCH. Thank you, Mr. President.

President Ronald Reagan used to say that people are policy. Attacking a new President's policies, therefore, often includes undermining his or her ability to appoint men and women to lead his or her administration.

The Constitution gives to the President the power to appoint executive branch officials. The Senate has the power of advice and consent as a check on that appointment power.

In the early months of the Obama administration, Senate Democrats were clear about how we should carry out our role in the appointment process. Less than 2 weeks after President Obama took office, the Judiciary Committee chairman said he wished that the Senate could have put the new Justice Department leadership in place even more quickly. Just 3 months into President Obama's first term, the chairman argued that, "at the beginning of a presidential term, it makes sense to have the President's nominees in place earlier, rather than engage in needless delay."

Well, actions speak much louder than words. With a Republican in the White House, Senate Democrats have turned our role of advice and consent into the most aggressive obstruction campaign in history.

This chart is an illustration.

Democrats complained about obstruction when, during the first 6 months of the Obama administration, the Senate confirmed 69 percent of his nominations. Today marks 6 months since President Trump took the oath of office, and the Senate has been able to confirm only 23 percent of his nominations.

I ask my Democratic colleagues: If 69 percent is too low, what do you call a confirmation pace that is two-thirds lower?

Democrats do not have the votes to defeat nominees outright. That is why the centerpiece of their obstruction campaign is a strategy to make confirming President Trump's nominees as difficult and time-consuming as possible.

Here is how they do it. The Senate is designed for deliberation as well as for action. As a result, the Senate must end debate on a nomination before it can confirm that nomination. Doing so informally is fast. Doing it formally is slow.

In the past, the majority and minority informally agreed on the necessity or length of any debate on a nomination, as well as when a confirmation vote would occur. The first step in the Democrats' obstruction campaign, therefore, is to refuse any cooperation on scheduling debates and votes on nominations. The only option is to use the formal process of ending debate by invoking cloture under Senate rule

XXII. A motion to end debate is filed, but the vote on that motion cannot occur for 2 calendar days. If cloture is invoked, there can then be up to 30 hours of debate before a confirmation vote can occur.

The Democrats' obstruction play-book calls for stretching this process out as long as possible. While informal cooperation can take a couple of hours, the formal cloture process can take up to several days.

The late Senator Daniel Patrick Moynihan once said that you are entitled to your opinion, but not to your own set of facts. I would state, then, to let the confirmation facts do the talking.

President Trump and his three predecessors were each elected with the Senate controlled by his own political party. This is another illustration right here. At this point in the Clinton and George W. Bush administrations, the Senate had taken no cloture votes—nothing, none whatsoever—as you can see, on nominations. We took just four nomination cloture votes at this point during the Obama administration. So far in the Trump administration, the Senate has taken 33 cloture votes on nominations. Think about that. If that isn't obstruction, I don't know what is. It is not even close.

There is one very important difference between cloture votes taken in the beginning of the Clinton, Bush, or Obama administrations and those taken this year. In November 2013, Democrats effectively abolished nomination filibusters by lowering the vote necessary to end debate from a supermajority of 60 to a simple majority. It now takes no more votes to end debate than it does to confirm a nomination. In other words, the Senate did not take cloture votes during previous administrations, even though doing so could have prevented confirmation.

Today, Democrats are forcing the Senate to take dozens of cloture votes even though doing so cannot prevent confirmation. At least half of these useless cloture votes taken so far would have passed even under the higher 60-vote threshold.

Earlier this week, 88 Senators, including 41 Democrats, voted to end debate on President Trump's nominee to be Deputy Secretary of Defense. We have seen tallies of 67, 81, 89, and even 92 votes for ending debate. Meanwhile, these needless delays are creating critical gaps in the executive branch.

A clear example is the nomination of Makan Delrahim, a former Senate staffer whom everybody on both sides knows, is a wonderful guy, and who everybody knows is honest. But this clear example is the nomination of Delrahim to head the Antitrust Division at the Department of Justice. Antitrust enforcement is a critical element of national economic policy. It protects con-

sumers and businesses alike, and, without filling these important posts, uncertainty in the market reigns. This is a particular problem at a time of common and massive mergers and acquisitions. Yet Mr. Delrahim, like dozens of others, has been caught in the maelstrom of delays. Mr. Delrahim was appointed out of the Judiciary Committee on a 19-to-1 vote. Everybody there knows how good he is, how decent he is, how honorable he is, and how bipartisan he has been. He is supremely qualified and enjoyed broad support throughout the Senate as a whole. Yet his nomination, like so many others, languishes on the floor because of Democratic obstruction. Indeed, it has taken longer to get Mr. Delrahim confirmed than any Antitrust Division leader since the Carter administration. Keep in mind that this is a former staffer of ours who served both Democrats and Republicans.

Regarding the delay of Mr. Delrahim's confirmation, I ask unanimous consent to have two news articles printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From www.wsj.com, July 12, 2017]

SENATE FIGHT OVER TRUMP'S NOMINEES  
HEATS UP

(By Brent Kendall and Natalie Andrews)

WASHINGTON—A congressional battle over President Donald Trump's nominations for a range of influential positions is escalating and becoming more acrimonious, creating additional uncertainty over when some notable government vacancies might be filled.

Mr. Trump has been slower than recent presidents to roll out nominees. But for an array of people the president has selected, Senate Democrats are using procedural tactics to slow the confirmation process to a crawl—at least in part to object to the lack of open hearings on health-care legislation, Democratic leaders say.

More than 30 nominees are sitting on the sidelines while they await a final Senate confirmation vote. Those include several picks for the Justice and Treasury departments, as well as new commissioners for a federal energy regulator that has been unable to conduct official business because of its vacancies.

If the current pattern holds, many of these people may not be confirmed for their jobs before the Senate takes a break in mid-August. Senate Minority Leader Chuck Schumer (D., N.Y.) in most circumstances has been invoking Senate procedures to require up to 30 hours of debate per nominee, an amount of Senate floor time that means lawmakers can't confirm more than a handful of nominees each week.

The minority party often waives a requirement for lengthy debate, but Democrats are generally declining to do so. In response to GOP complaints, they cite what they call Republican obstructionism under President Barack Obama, including Republicans' refusal to hold a hearing or vote on Mr. Obama's Supreme Court nominee, Merrick Garland.

In the current environment, even non-controversial nominees can take up several days of Senate time. For example, the Senate spent much of the first part of the week

considering the nomination of David Nye to be a federal judge in Idaho. Mr. Nye was originally nominated by Mr. Obama and Mr. Trump renominated him after taking office.

Senators took a procedural vote Monday on Mr. Nye, but he wasn't confirmed until Wednesday afternoon, on a 100-0 vote.

Raw feelings on both sides of the aisle erupted this week. Republicans accused Democrats of unprecedented obstruction, saying it would take the Senate more than 11 years at the current pace before Mr. Trump could fully staff a government.

White House legislative affairs director Marc Short, in a press briefing Monday, accused Mr. Schumer of being an irresponsible champion of the "resist" movement. Senate Majority Leader Mitch McConnell (R., Ky.) cited the issue as a top reason for his decision to push back the Senate's planned August recess by two weeks.

On the Senate floor Wednesday, Mr. McConnell said Democrats were "bound and determined to impede the president from making appointments, and they're willing to go to increasingly absurd lengths to further that goal."

Democrats dismiss such characterizations given what they see as unprecedented Republican tactics toward Mr. Obama's nominees, especially Judge Garland. In February 2016, Republican Senate leaders said they wouldn't consider a Supreme Court nominee until after the election.

Democrats also note that Mr. Trump has yet to name people for hundreds of vacancies and say there have been paperwork problems with a number of people he has chosen.

"Our Republican friends, when they're worried about the slow pace of nominations, ought to look in the mirror," Mr. Schumer said on the Senate floor on Tuesday. The GOP complaints about the pace of confirmations, he added, "goes to show how desperate our Republican leadership is to shift the blame and attention away from their health-care bill."

Mr. Schumer has said Democrats will generally insist on lengthy Senate debate time for nominees until Republicans start using traditional Senate procedures for advancing their health legislation, including committee hearings and bill markups.

Mr. McConnell has said Republicans have held numerous hearings on ACA issues in the past and it isn't necessary to do so for the current legislation.

Unlike the political fights earlier in the year over some of Mr. Trump's cabinet picks and his Supreme Court nomination of Neil Gorsuch, the current nominees at the head of the queue aren't high-profile, and some have bipartisan support.

Those awaiting Senate floor action include Makan Delrahim, in line to lead the Justice Department's antitrust division. Mr. Delrahim, a deputy White House counsel who served as a government antitrust lawyer in the George W. Bush administration, was approved by the Senate Judiciary Committee five weeks ago on a 19-1 vote.

Among its current pending matters, the antitrust division is deep into its review of AT&T Inc.'s proposed \$85 billion deal to acquire Time Warner Inc., a transaction announced in October.

Also pending are two picks for Republican seats on the Federal Energy Regulatory Commission, which usually has five members but currently has just one. Since February, the commission has lacked a quorum to conduct official business such as approving energy infrastructure projects. The nominees, Neil Chatterjee, a McConnell aide, and Robert Powelson, each were approved on a 20-3

vote by the Senate Energy and Natural Resources Committee last month.

Mr. Trump may have made a tactical misstep by not moving to fill an open Democratic FERC seat at the same time he announced the GOP nominees in May. For government commissions made up of members from both parties, presidents usually look to pair Democratic and Republican nominees, which gives both sides an incentive to move forward with the nominations. Mr. Trump in late June announced his intention to nominate Richard Glick, a Democratic Senate staffer, for an open FERC seat, but he hasn't done so yet.

Other pending nominees include Boeing executive Patrick Shanahan to be deputy secretary of defense, the No. 2 slot at the Pentagon, and Kevin Hassett to be the chairman of the Council of Economic Advisers.

Dozens of other nominees have been working their way through Senate committees and could be in line for full Senate consideration in the coming weeks. Those include Christopher Wray for FBI director as well as two nominees for the Nuclear Regulatory Commission.

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WAIT TO CONFIRM TRUMP'S ANTITRUST CHIEF  
LONGEST IN 40 YEARS  
(By Eric Kroh)

It has taken longer for the administration of President Donald Trump to get its top antitrust lawyer in place at the U.S. Department of Justice than any since President Jimmy Carter, leaving the division running at a limited clip some six months into Trump's tenure.

As of Friday, it has been 175 days since Trump's inauguration, and his nominee for assistant attorney general in charge of the DOJ's antitrust division, Makan Delrahim, has yet to be approved by the full Senate despite pressing matters such as the government's review of AT&T's proposed \$85 billion acquisition of Time Warner.

After taking office, Trump's five predecessors had their nominees to head the antitrust division confirmed by June at the latest. In the last 40 years, only Carter has taken longer to get his pick permanently installed after a change in administration. Carter nominated John H. Shenefield to be assistant attorney general on July 7, 1977, and he was confirmed on Sept. 15 of that year.

On the rung below, only two of five deputy assistant attorney general positions are currently filled at the antitrust division. Though the division is largely staffed by career employees and has been humming along under acting directors, the lack of a confirmed head and the vacancies at the deputy level could be a sign that the administration doesn't place a high priority on antitrust matters, according to Christopher L. Sagers of the Cleveland-Marshall College of Law at Cleveland State University.

"It doesn't seem like this particular White House has been as interested in the day-to-day administration of government as it has been in political issues," Sagers said. "I don't think that bodes particularly well for antitrust enforcement."

Trump did not take especially long to nominate Delrahim. It had been 66 days since his inauguration when Trump announced his choice on March 27. Former President Barack Obama was relatively speedy with his pick, naming Christine A. Varney to the position a mere two days after taking the oath of office. On average, though, the six presidents before Trump took about 72 days to announce their nominees.

However, it has taken an unusually long time for Delrahim to make it through the logjam of nominations in the Senate. As of Friday, it has been 109 days since Trump announced Delrahim as his pick to lead the antitrust division. Of the past six administrations, only President George W. Bush's nominee took longer to confirm when the Senate approved Charles A. James on June 15, 2001, 120 days after he was nominated.

Popular wisdom holds that the antitrust division is hesitant to launch any major merger challenges or cartel investigations when it is operating under an acting assistant attorney general, but that is largely a canard, Sagers said.

It's true that the division has been mainly focused on addressing litigation and deal reviews that were already ongoing when Trump took office and continuing probes begun under Obama. However, past acting assistant attorneys general have not been afraid to take aggressive enforcement actions, such as the DOJ's challenge to AT&T's acquisition of T-Mobile in 2011 under acting head Shari A. Pozen, Sagers said.

Nevertheless, the lack of permanent leadership is likely being felt at the division, Sagers said.

"At a minimum, it's a burden on the agency's ability to get all its work done," he said.

For example, the DOJ asked the Second Circuit on two occasions for more time to file its opening brief in a case involving the government's interpretation of a decades-old antitrust consent decree that applies to music performing rights organization Broadcast Music Inc. In its request, the DOJ said it needed to push back the filing deadline because of the turnover in leadership at the antitrust division.

"Given the context of decrees that govern much of the licensing for the public performance of musical works in the United States, this is an important issue," the DOJ said in an April court filing. "In the meantime, there is still an ongoing transition in the leadership in the Department of Justice, and this is a matter on which the newly appointed officials should have an opportunity to review any brief before it is filed."

The Second Circuit ultimately declined to grant the DOJ's second request for an extension.

The setting of big-picture policies at the antitrust division such as in the BMI case is exactly the kind of thing that can fall by the wayside under temporary leadership, Sagers said.

Depending on the industry, companies may also be waiting to see the direction the DOJ takes on merger reviews under the Trump administration before deciding to follow through with or pursue large deals, according to Andrea Murino, a partner with Goodwin Procter LLP.

"I do think it is something you have to factor in," Murino said.

Dealmakers may be watching to see how the DOJ acts on blockbuster transactions such as the AT&T-Time Warner merger. The antitrust division also has to decide whether to challenge German drug and chemicals maker Bayer AG's \$66 billion acquisition of U.S.-based Monsanto Co.

The antitrust division's tenor will in large part be set by who will serve under Delrahim in the deputy assistant attorney general positions. Following Delrahim's confirmation, current acting Assistant Attorney General Andrew Finch will serve as his principal deputy. Last month, the DOJ named Donald G. Kempf Jr. and Bryson Bachman to two of the

deputy assistant attorney general openings, leaving three vacancies remaining.

While it's preferable to have a full slate of officials and enforcers in place, the antitrust division will continue to review deals, go to court and police cartels until those seats are filled, Murino said.

"They've gone through this before, maybe just not for this length of time," she said. "There is a slew of really talented career people that do not change with the political administration."

As long as those people are in place, they will keep the trains running on time."

Mr. HATCH. Mr. President, Mr. Delrahim's appointment is just one example among many. This particular example serves an important case in point. Democrats are deliberately slow walking dozens of confirmations in a cynical effort to stall the President's agenda and hurt the President, but they are hurting the country, and they are hurting the Senate. They are hurting both sides.

I don't want to see Republicans respond in kind when Democrats become the majority and when they have a President.

It won't surprise anyone to hear that they are not limiting their obstruction campaign to executive branch nominees. In fact, looking at the judicial branch shows that this is part of a long-term obstruction strategy. In February 2001, just days after the previous Republican President took office, the Senate Democratic leader said they would use "any means necessary" to obstruct the President's nominees. A few months later Democrats huddled in Florida to plot how, as the New York Times described it, to "change the ground rules" of the confirmation process. And change the ground rules is exactly what they did.

For two centuries, the confirmation ground rules called for reserving time-consuming rollcall votes for controversial nominees so that Senators could record their opposition. Nominations with little or no opposition were confirmed more efficiently by voice vote or unanimous consent.

Democrats have literally turned the confirmation process inside out. Before 2001, the Senate used a rollcall vote to confirm just 4 percent—4 percent—of judicial nominees and only 20 percent of those rollcall votes were unopposed nominees.

During the Bush Administration, after Democrats changed the ground rules, the Senate confirmed more than 60 percent of judicial nominees by rollcall vote, and more than 85 percent of those rollcall votes were on unopposed nominees.

Today, with a Republican President again in office, Democrats are still trying to change the confirmation ground rules. The confirmation last week of David Nye to be a U.S. district judge was a prime example. The vote to end debate on the Nye nomination was 97 to 0. In other words, every Senator, including every Democrat, voted to end

the debate. Most people with common sense would be asking why the cloture vote was held at all and why the delay.

But Democrats did not stop there. Even after a unanimous cloture vote, they insisted on the full 30 hours of postcloture debate time provided for under Senate rules. To top it off, the vote to confirm the nomination was 100 to 0.

I don't want anyone to miss this. Democrats demanded a vote on ending a debate none of them wanted, and then they refused to end the debate they had just voted to terminate—all of this on a nomination that every Democrat supported. That is changing the confirmation ground rules.

Only four of the previous 275 cloture votes on nominations had been unanimous. In every previous case, whatever the reason was for the cloture vote in the first place, the Senate proceeded promptly to a confirmation vote.

In 2010, for example, the Senate confirmed President Obama's nomination of Barbara Keenan to the Fourth Circuit 2 hours after unanimously voting to end debate.

In 2006 the Senate confirmed the nomination of Kent Jordan to the Third Circuit less than 3 hours after unanimously ending debate.

In 2002 the Senate confirmed by voice vote the nomination of Richard Carmona to be Surgeon General less than 1 hour after unanimously ending debate.

The Nye nomination was the first time the Senate unanimously invoked cloture on a U.S. district court nominee. This was the first time there was a unanimous vote to end debate on any nomination on which the minority refused to allow a prompt confirmation vote.

Here is another chart that shows the percent confirmed by rollcall vote during the Clinton administration, the George W. Bush administration, and the Obama administration. Here we have the Trump administration, and, as you can see, they are not confirming his nominees even if they are qualified and the Democrats admit it. No matter how my friends across the aisle try to change the subject, these facts are facts.

While the Senate used time-consuming rollcall votes to confirm less than 10 percent of the previous three Presidents' executive branch nominees, under President Trump, it is nearly 90 percent.

I admit the Democrats are bitter about the Trump win. I understand that. Everybody on their side expected Hillary Clinton to win. Many on our side expected her to win as well. But she didn't. President Trump is now President, and he did win, and he is doing a good job of delivering people up here to the Senate for confirmation.

This is not how the confirmation process is supposed to work.

The Constitution makes Senate confirmation a condition for Presidential appointments. This campaign of obstruction is exactly what the Senate Democrats once condemned. Further poisoning and politicizing the confirmation process only damages the Senate, distorts the separation of powers, and undermines the ability of the President to do what he was elected to do.

I hope our colleagues on the other side will wise up and realize that what they are doing is destructive to the Senate, harmful to the Senate, and it is a prelude to what can happen when they get the Presidency. I don't want to see that happen on the Republican side.

#### TAX REFORM

Mr. President, to change the subject, I would like to speak about the effort to reform our Nation's Tax Code. Last week, I came to the floor to give what I promised would be the first in an ongoing series of statements about tax reform. Today, I would like to give the second speech on that subject in this series.

As I have said before, while there are tax reform discussions ongoing between congressional leaders and the administration, I expect there to be a robust and substantive tax reform process here in the Senate, one that will give interested Members—hopefully from both parties—an opportunity to contribute to the final product. I anticipate that, at the very least, the members of the Finance Committee will want to engage fully in this effort.

I have been working to make the case for tax reform for the last 6 years, ever since I became the lead Republican on the Senate Finance Committee. This current round of floor statements is a continuation of that effort.

Last week, I spoke on the need to reduce the U.S. corporate tax rate in order to grow our economy, create jobs, and make American businesses more competitive. Today's topic is closely related to that one. Today, I want to talk about the need to reform our international tax system.

Over the last couple of decades, we have enjoyed a rapid advancement in technology and communication, which has been a great benefit to everyone and has improved the quality of life for people all over the world. Unfortunately, our tax system has failed to evolve along with everything else.

For example, in the modern world, business assets have become increasingly more mobile. Assets like capital, intellectual property, and even labor can now be moved from one country to another with relative ease and simplicity. Assets that are relatively immobile—those that cannot be easily moved—are becoming increasingly rare. The Tax Code needs to change to reflect that fact.

Our current corporate tax system imposes a heavy burden on businesses' as-

sets, which creates an overwhelming incentive for companies to move their more mobile assets offshore, where income derived from the use of the assets is taxed at lower rates.

As I noted last week, there is no shortage of lower tax alternatives in the world for companies incorporated in the United States. It does not take a rocket scientist to understand this concept. All other things being equal, if there are two countries that tax businesses at substantially different rates, companies in the country with higher tax rates will have a major incentive to move taxable assets to the country with lower rates. That dynamic only moves in one direction, as there are not many companies that are looking to move to higher tax countries, like the United States, from lower tax jurisdictions. This is not just a theory; this has been happening for years.

An inversion, if you will recall, is a transaction in which two companies merge, and the resulting combined entity is incorporated offshore. Let me repeat some numbers that I cited last week. In the 20 years between 1983 and 2003, there were just 29 corporate inversions out of the United States. In the 11 years between 2003 and 2014, there were 47 inversions—nearly double the number in half the amount of time. That number includes companies that are household names in the United States. This is happening in large part because of the perverse incentives embedded in our corporate tax system and the stupidity of us in the Congress to not solve this problem.

Keep in mind that I am only talking about inversions. There are also foreign takeovers of U.S. companies, not to mention arrangements that include earnings stripping and profit shifting. The collective result has been a massive erosion of the U.S. tax base and, perhaps more importantly, decreased economic activity here at home.

Make no mistake—our foreign competitors are fully aware of these incentives. They have recognized that lowering corporate tax rates can help them lure economic activity into their locations. Yet, in the face of this competition, the U.S. tax system has remained virtually frozen.

As I noted last week, reducing the corporate tax rate would help alleviate these problems, but more will be required, including reforms to our international tax system.

Currently, the United States uses what is generally referred to as a worldwide tax system for international tax, which means that U.S. multinationals pay the U.S. corporate tax on domestic earnings as well as on earnings acquired abroad. Taxes on those offshore earnings are generally deferred so long as the earnings are kept

offshore and are only taxed upon repatriation to the United States after accounting for foreign tax credits and the like.

Put simply, this type of system is antiquated. The vast majority of our foreign counterparts have already done away with worldwide taxation and have converted to a territorial system. Generally speaking, a territorial system is one in which multinational companies pay tax only on earnings derived from domestic sources.

By clinging to its worldwide tax system and a punitively high corporate tax rate, the United States has severely diminished the ability of its multinational companies to compete in the world marketplace. Because U.S.-based companies are subject to worldwide taxation while their global competitors are subject to territorial taxation systems, U.S. companies all too often end up having to pay more taxes than their foreign competitors, putting them at a distinct competitive disadvantage.

Generally speaking, foreign-based companies pay taxes only once at the tax rate of the country from which they have derived the specific income. A U.S. multinational, on the other hand, generally pays taxes on offshore income at the rate set by the source country but then gets hit again—and at a punitively high rate—when it repatriates its earnings back to America.

This is stupidity in its highest sense. This needs to change. It is not only Republicans who are saying that; many Democrats have recognized this issue as well. For example, I will cite the Finance Committee's bipartisan working group on international tax, which is cochaired by Senators PORTMAN and SCHUMER, our ranking minority leader, which examined these issues thoroughly and produced a report in 2015. In that report, after noting that most industrialized countries have lower corporate rates and territorial systems, this bipartisan group of Senators said: "This means that no matter what jurisdiction a U.S. multinational is competing in, it is at a competitive disadvantage."

The report by Senators PORTMAN and SCHUMER and the members of their working group also referred to something called the lock-out effect. Simply put, the lock-out effect refers to the incentives U.S. companies have to hold foreign earnings and make investments offshore in order to avoid the punitive U.S. corporate tax. This is not a dodge or a tax hustle on the part of these companies; they are simply doing what the Tax Code tells them to do. The Tax Code essentially tells U.S. companies: You can have \$100 in Ireland, say, or you can have \$65 in the United States. Well, no surprise here—companies generally opt to have \$100 in Ireland.

Currently, a huge amount of capital—as much as \$2.5 trillion or maybe

even more—that is held by U.S. multinational companies is effectively locked out of the United States and is unavailable for investment here at home. However, as Senators SCHUMER and PORTMAN and their colleagues on the international tax working group noted, those funds can easily be used to grow the economies of those foreign countries that have kept their tax codes up to date.

These are massive problems, and if we are going to put together an effective tax reform package and be competitive, we will have to find a way to tackle these issues. The most obvious way, of course, would be with a combination of reducing our corporate tax rates, transitioning to a territorial tax system, and ensuring protection of the U.S. tax base from things like earnings stripping and profit shifting. That approach, as it turns out, has bipartisan support.

These matters represent a significant portion of our tax reform efforts, and we already know it is one on which Republicans and Democrats can agree, at least in concept. In other words, there is ample reason for our Democratic colleagues to join Republicans and for Republicans to join Democrats in the tax reform discussions.

These issues are not just important for faceless corporations or tax planners; they are important for American workers who are up and down the income scale. Anyone who is hoping to have a job and opportunities here in the United States and not somewhere else has an interest in reforming our international tax system. If we pass up this current opportunity to address these issues, people should expect to see more and more economic activity and the headquarters and supporting staff of more household-name companies moved outside the United States.

With bipartisan recognition of the need for reform and agreement on international concepts already having been displayed, we owe it to the American people to work together and fix this problem.

As I have said multiple times, I hope my friends on the other side of the aisle will be willing to work with us on tax reform, but if they decline—and, sadly, we have seen some indication that they will—Republicans will need to be ready to take steps to fix these problems. I think we will be ready. Indeed, I think we are more than up to the challenge. I hope we do something about these important issues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

HEALTHCARE

Mr. MURPHY. Mr. President, I thank the Senator from Georgia for the recognition.

Colleagues, the new CBO score is out on, I guess, version 4.5 or 5.5—it is hard to keep track of the bill to repeal the

Affordable Care Act—and nothing has changed. This proposal, which is a moral and intellectual dumpster fire, is still a disaster.

Here is what the CBO says about the bill that is currently being reworked behind closed doors by my Republican colleagues. The CBO says that, immediately, 15 million people would lose coverage by next year. That is a humanitarian catastrophe. It is something this country has never witnessed before—that number of people losing coverage in that short a period of time. Our emergency rooms would be overwhelmed as they would be unable to deal with the scope of that kind of humanitarian need. Ultimately, the number would rise to 22 million at the end of the 10-year window. We know it will be far bigger than that in the second 10 years because that is when the worst of the Medicaid cuts will happen, but 22 million is a lot of folks. It is no different than in the previous version, which was 23 million, or in the House's bill, which somehow got a majority vote in that place despite 24 million people losing health insurance, according to the CBO.

Today, 90 percent of Americans are covered by health insurance. The CBO says that number will go all the way down to 82 percent. I have heard my friend Senator CORNYN complain on this floor year after year that the ACA still leaves millions of Americans uncovered. This would make it even worse.

When you get down to look at what happens to individual Americans, it gets even more frightening. Let me give an example of how this bill would dramatically increase premiums on individuals who are currently insured through the private market.

A lot of the coverage losses happen because of this assault on Medicaid, but lots of folks who have private coverage would not be able to afford it any longer. If you are a 64-year-old who is making, let's say, \$55,000, that is over three times the Federal poverty level. In a lot of places, you can live on \$56,000. Today, that individual is paying about a \$6,700 premium. Under the Republican healthcare bill, that individual would be paying \$18,000 in premiums. That is an increase of 170 percent. That is just one individual.

The bottom line is that, if you are older and you are less wealthy, you are going to be paying a whole lot more under this proposal.

Despite all of the guarantees made by Republicans and this President that under their plan, costs would go down, that deductibles would go down and premiums would go down, the CBO says the exact opposite. It says that, especially if you are sort of middle-income and are 50 or older, your premiums will go up dramatically.

This is a terrible bill. It does not solve a single problem that the Republicans said they were trying to fix.



More people lose insurance, costs go up, and quality does not get better. This is a terrible piece of legislation.

We are at this very frightening time in the negotiations when changes are being made to this bill not to improve policy but to try to win individual votes. That is what is happening as we speak. Behind closed doors, small changes are being made to this bill to try to win the votes of individual Senators, giving them specific amounts of money for their State, and their State alone, in order to win their vote. That is shameful, and it is no way to reorder one-fifth of the American economy. We are talking about 20 percent of the U.S. economy. And changes are being made to this bill right now that have nothing to do with good healthcare, that have only to do with winning individual votes to try to get to 50, because Republicans refuse to work with Democrats—refuse to work with us. So instead of building a product that could get big bipartisan support, Republicans are now down to a handful of their Members and are trying to find ways to deliver amounts of money to those Members' States in order to win their vote.

There is a special fund in the latest version of the bill for insurance companies in Alaska that was not in the previous version of the bill. Now, all of these provisions get written in a way that if you are an average, ordinary American who decides to take a couple of hours of your time to read the bill, you would never know that it was a specific fund for Alaska because it doesn't say "Alaska." It sets up a whole bunch of requirements that a State has to meet to get this special fund for insurance companies, and only one State fits that description, and it is Alaska.

There is a change in this bill from previous law that addresses States that were late Medicaid expanders, States that expanded into the new Medicaid population allowed for under the Affordable Care Act but did it late in the process. The previous version didn't give those States credit when establishing the baseline for the new Medicaid reductions, but miraculously this new bill has a specific provision to allow for two States that were late Medicaid expanders to be able to get billions of additional dollars sent to their State. Those States are Alaska and Louisiana—two States.

There is a new provision in the latest version of the bill that makes a very curious change to the way in which DISH payments are sent to States—that is the Disproportionate Share Hospital Program that helps hospitals pay for the costs for people without insurance. Not coincidentally, it is a change that was advocated by one Senator from one State: Florida. The change will disproportionately benefit the State of Florida, and it is now in the new version.

These are not changes that help the American healthcare system. They are not changes that benefit my State or the State of the majority of Members here. Some of these changes don't benefit 98 of us; they only benefit 2 of us. And they are in this version of the bill in order to win votes, not to make good policy.

We heard word this morning of a new fund that was invented in the middle of the night last evening that would supposedly help States that are Medicaid expansion States transition their citizens who are currently on Medicaid to the private market. Now there are reports that it is a \$200 billion fund, and that is a lot of money. It sounds like a lot of money, and it is a lot of money, but it would represent 17 percent of the funds that are being cut to States, and it would only be a temporary bandaid on a much bigger problem. Why? Because CBO says definitively that the subsidies in this bill for people who want to buy private insurance are so meager that virtually no one who is kicked off of Medicaid will be able to afford those new premiums. That is why the numbers are so sweeping in their scale—22 million people losing healthcare insurance.

So even if you get a little bit of money to help a group of individuals in a handful of States transition, when that money runs out—and it will—they are back in the same place. All they are doing is temporarily postponing the enormity of the pain that gets delivered. And once again, this provision being delivered to only States with Medicaid expansion populations is being targeted in order to win votes, not in order to improve the entirety of the healthcare system.

Senator CORKER called out his colleagues today. He said that he was willing to vote for the motion to proceed, but he was growing increasingly uncomfortable with a bill that was increasingly—I think his word was "incoherent." That is what happens when you get to the point where you have a deeply unpopular bill that everybody in the country hates and you need to put amounts of money in it to get a handful of additional votes. It becomes incoherent. And this was an incoherent bill to begin with. It is hard to make this bill more incoherent, but that is what is happening when these individual funds are being set up for Alaska, Louisiana, and Florida.

We could solve all of this if Republicans decided to work with Democrats. If we set aside the big tax cuts for the wealthy and the pillorying of the Medicaid Program, if we try to fix the real problems Americans face today, we could do it on a bipartisan way. And wouldn't that be great.

I get it that there is enormous political advantage for Democrats to sit on the sidelines and watch Republicans vote for a bill that has a 15-percent ap-

proval rating, just like there was political advantage for Republicans to sit on the sidelines and not do anything to help Democrats provide insurance to 20 million more Americans. Healthcare is a very thorny political issue, but it doesn't have to be that way. We could sit down together and own this problem and the solution together, and we could end healthcare being a permanent political cudgel that just gets used every 5 to 10 years by one side to beat the other side over the head.

We are Senators too. We got elected just like our Republican friends did. Why won't Republicans let Democrats into the room, especially after this bill has failed over and over again to get 50 votes from Republicans? We don't have a communicable disease. We aren't going to physically hurt you if you let us into that room. We are not lying when we say we have a desire to compromise.

Democrats aren't going to walk into a negotiating room and demand a single-payer healthcare system. We understand that we are going to have to give Republicans some of what they want; maybe that is flexibility in the benefit design that is offered on these exchanges. But Republicans are going to have to give Democrats some of what we want, which is the end to this madness—an administration that is trying to sabotage our healthcare system and destroy the healthcare our citizens get. But that could be a compromise. It is not illegal to meet with us. There are 48 of us; there are not 12 of us. My constituents in Connecticut deserve to have a voice in how one-fifth of the American economy is going to be transformed.

I know a lot of my Republican friends want to do this. I have talked with Republican Senators who say: Well, when this process falls apart, we want to work with you. It is falling apart, because the only way Republicans are going to get the 50 votes is by making these shameful changes—specific funding streams for specific States in order to get a handful of votes—and that is not how this place should work. Maybe that is how things happened here 100 years ago, but it is not how things should happen today.

So once again I will beg my Republican colleagues to stop this partisan closed-door exercise and come and work with Democrats. We can do this together. We can own it together. We will have plenty of other stuff left to fight about if we find a way to agree on a path forward for America's healthcare system.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from Oregon.

Mr. WYDEN. Mr. President, before he leaves the floor, I want to commend my colleague from Connecticut for a very thoughtful speech. I think he has made the case that the challenge ahead



is really a two-part drill—first, to stop something that is especially ill advised, and second, to then move to a better way that really focuses on sunlight and bipartisanship. So I thank my colleague for his very thoughtful comments.

#### THINKING ABOUT SENATOR MCCAIN

Mr. President, I am here to speak about healthcare, but before I turn to that subject, I want to spend a few minutes talking about our wonderful colleague JOHN MCCAIN.

Some of the most satisfying moments I have had in public life have been serving with JOHN MCCAIN. When I came to the U.S. Senate—Oregon's first new U.S. Senator in almost 30 years—I had the honor of being chosen to serve on the Senate Commerce Committee, which was chaired by JOHN MCCAIN. And what an exhilarating way to begin serving in the Senate. We tackled big, meaty, important issues of the future—the question of multiple and discriminatory taxes on internet commerce. We focused, for example, on Enron and what went wrong there when so many consumers were ripped off. We dug into consumer rights. JOHN MCCAIN was an early advocate for saying that if you rode on an airplane, it didn't mean you ought to sacrifice basic consumer rights, and some of those same issues are getting more attention today.

Then, of course, we built on this floor the Y2K measure. When everybody was so concerned about what would happen at that time, Senator MCCAIN gave me the honor of being his Democratic partner in putting together a bill. We had the benefit of incredible work from the private sector and first responders and smarter Federal policies. We all know that some of the calamitous predictions about Y2K didn't come to pass.

JOHN MCCAIN did some extraordinary work at that time. As a young U.S. Senator, what a thrill it was to be able to be involved with a real American hero on some of those first experiences I had in the Senate.

As we begin to absorb the news of last night, what struck me is that now we are counting on JOHN MCCAIN's legendary strength to give cancer its toughest fight ever—toughest fight ever.

I just wanted to come to the floor today and say we are rooting for you, dear friend. We are rooting for you and Cindy and your wonderful family, and we are thinking about you this afternoon.

#### HEALTHCARE

Mr. President, it is my sense that if you thought the TrumpCare debate in the Senate had met its end on Tuesday, it is pretty obvious you ought to be thinking again. The zombie stirs once more.

The latest attempt by the majority to cobble together 50 votes, according to reports, comes down to waving a \$200

billion slush fund in front of Senators from States that expanded Medicaid under the Affordable Care Act.

As the ranking Democrat on the Senate Finance Committee, I am very pleased that the Presiding Officer joined the committee this year. We have studied this one-time slush fund, and the theory, of course, is that it is supposed to be enticing enough for a Senator to vote for a bill that still slashes Medicaid to the bone.

Let's be realistic about what the slush fund represents in the context of the overall plan. Senate Republicans are steering tens of millions of Americans toward a cliff and are offering the world's smallest pillow to break the fall.

Before I go further on the specifics of what the majority has on offer, I want to step back and take a look at what the American people have been subjected to over the course of this debate. The reason I want to do this is that, even by Beltway standards here in Washington, this is the absolute worst of this city.

In the crusade to repeal the Affordable Care Act, the ACA, there has been the AHCA—the House TrumpCare bill. That is the one that earned the big victory ceremony with the President of the United States in the Rose Garden. Next, we had the BCRA—the Senate TrumpCare bill. Then, there was a second version of the BCRA. Then, along came something called the ORRA, the bill I have called “repeal and ruin,” which got its start back in 2015. Then, this morning, the public got a look at a third version of the BCRA. My sense is, if you are having coffee in Coos Bay, OR, or in Roseburg over lunch or something like that, your head is going to be spinning as you hear this news.

I also want to make sure folks know about the strategy that has come out of the White House over the last few days. The President first endorsed the Senate's TrumpCare bill, but then it was repeal only. Then, while the country watched the administration sabotage the Affordable Care Act, the President said that everybody ought to just sit back and watch what happens. Then it was back to calling for the Senate majority to pass TrumpCare.

Nobody in this Chamber, with the possible exception of Senate Majority Leader MITCH MCCONNELL, can claim to really know what is coming down the pike on American healthcare. So with the health and well-being of hundreds of millions of Americans at stake, this shadowy, garbled, and wretched process really just leaves your jaw on the floor.

Senate Republicans seem to be speeding toward a vote on something. As I mentioned, there is the prospect of this \$200 billion slush fund being dangled out there to help round up votes. My sense is that this slush fund is of zero consolation to the millions of Americans who live in States that didn't ex-

pand Medicaid. It is of zero consolation to the tens of millions of middle-class families who are going to have their tax cuts or healthcare ripped away and see their premiums skyrocket. It will be of zero consolation to middle-class families who are panicked over whether they are going to be able to take care of elderly parents and grandparents when long-term care through Medicaid is cut.

Make no mistake about what this slush fund really does; it just delays a little bit of the pain for a short time in States that expanded Medicaid. But the slush fund is going to run dry. That is a fact. State budgets are going to get hit like a wrecking ball. That is the reason so many Governors are so unhappy with what is on offer.

There is no escaping the consequences of whatever the Senate passes. If you had objections to TrumpCare or a repeal-only bill yesterday, this doesn't change a thing.

A few hours ago, the nonpartisan Congressional Budget Office—for folks who don't follow the lingo and CBO, those are our nonpartisan umpires. They put out an analysis of the third version of the Senate Republican healthcare bill. If you were hoping that was the charm, the news doesn't exactly help your cause.

The CBO found that it is still going to send premiums through the roof. The new version is going to kick 22 million Americans off their healthcare. It is still going to make healthcare unaffordable for millions of Americans with preexisting conditions. That is especially troubling to me—and I know the Presiding Officer is very interested in the policy foundations of these big issues. Before the Presiding Officer came to this body, I worked with one of our former colleagues, and we put together what is still the only comprehensive bipartisan health reform—seven Democrats, seven Republicans—that has been introduced in this body. One of the priorities that those Senators—and some of those colleagues on the other side of the aisle are still here; they were cosponsors of this bill, and many of the Democratic sponsors are still here. There was bipartisan agreement that there should be an airtight, loophole-free commitment to protecting people with preexisting conditions. As I said, seven Democrats, seven Republicans signed off on that bill. A number of them from both sides still serve in the U.S. Senate today.

Now what is being discussed is an approach that would make healthcare unaffordable for millions of people with preexisting conditions, really taking a big step back—and I have heard my colleague speak about this, commenting on TV shows and the like—toward the days when healthcare in America was for the healthy and the wealthy. That is what you get if you don't have airtight protections for

those with preexisting conditions, if you don't have what we had in our original bill by seven Democrats, seven Republicans—airtight protections, loophole-free protections for those with preexisting conditions. If you don't have it, you are marching back to the days when healthcare was for the healthy and wealthy, where you could not move to another job if you got a great opportunity because you had a preexisting condition. You were immobilized. That is where this is going with the proposal to make healthcare unaffordable for millions of people with preexisting conditions, turning back the clock, moving away from what has strong bipartisan support in this Chamber with Senators on both sides who are still here.

For those who care about the affordability of health coverage, there is a statistic that really leaves you without words. Under the Senate Republican bill, in 2026, a middle-aged American who brings home \$26,500 annually will face a deductible of \$13,000—\$13,000. If you are watching this, remember that figure the next time you hear that the Senate Republican bill lowers costs or puts the patient at the center of care. If this bill becomes law, that individual with a \$13,000 deductible is one bad injury or diagnosis away from personal bankruptcy. How does that figure compare to the system on the books today, you might ask? Under the Affordable Care Act, that same individual's deductible is \$800.

The other option being put forward by Senate Republican leaders is a repeal-only strategy, and they claim it would have a 2-year transition. But the numbers from the Congressional Budget Office make clear that the idea of a transition after a repeal bill passes is a fantasy.

"Repeal and run" means that 17 million Americans lose coverage in the first year; 32 million Americans lose coverage within a decade; premiums in private market plans double. It is easy to see why. My colleague in the Chair, the Presiding Officer, knows so well about the signals that are sent to the private marketplace; we are talking about the marketplace. If you are pouring gasoline on the fires of uncertainty in the private insurance sector and people can't plan and they can't calculate, what will happen during this 2-year transition? You are going to have bedlam in the marketplace. It is a prescription for trouble, and premiums and private market plans will double.

The numbers I am talking about are real lives. I was the director of the Gray Panthers senior citizens group for almost 7 years before I was elected to the Congress. This is my background. As I started to see government reports and the like, I came to realize that those reports—all those facts and figures on pieces of paper, long sheets of paper, figure after figure—are not real-

ly what this debate is all about. This is a debate about people, about their hopes and aspirations and what they want for the future. Families are worried, for example, about how they are going to pay for the care of an older parent. I think about those seniors I met as director of the Gray Panthers. They did nothing wrong. They scrimped and saved, and they didn't go on the special vacation. They didn't buy the boat. They did everything right. They educated their kids and tried to sock away a little money. What we know is, growing old in America is expensive. In spite of being careful about costs all their lives, when a spouse needed extra care or they had early onset of healthcare problems, they went through all the money they saved. Then they needed Medicaid.

Medicaid now picks up the costs of two out of three nursing home beds in America. What is not known is very often seniors need not just that care, but they need home and community-based care. They need a continuum of services so they get the right kind of care at the right time.

They are looking at this bill. They are saying this is going to make my prospects for being able to afford care—whether it is nursing homes, home and community-based services—an awful lot harder to figure out in the days ahead.

We have young people who have been through cancer scares. We have single parents who work multiple jobs to put food on the table. This is what I am hearing about at home. When I had the good fortune of being chosen Oregon's first new Senator in almost 30 years, I made a pledge that I would have an open meeting, open to everybody in every one of my State's counties. We have 36 counties in Oregon.

This year, so far, I have had 54 open-to-all town meetings. Each one of them lasts 90 minutes. There are no speeches. People say what they want. They ask a question. It is the way the Founding Fathers wanted it to be. They are educating me, and I am trying to respond. I am trying to take back to Washington, DC, which often strikes them as a logic-free zone—I am trying to take their thoughts back to Washington, DC. Frankly, my highest priority has been to find common ground with people of common sense on the Finance Committee, especially in the healthcare area, because long ago I decided if you and your loved ones don't have your health, nothing else really matters.

At those 54 town meetings—they have been in counties where Donald Trump won by large numbers or Hillary Clinton won by large numbers—each one of those meetings has been dominated by the fears of Americans of all walks of life, of all political philosophies worried about what is going to happen to their healthcare.

Frankly, their worry seems to be just as great in rural communities that President Trump won by large majorities because Medicaid expansion in my State has been enormously helpful. So many Oregon communities, under 10,000 in population, have been able to use Medicaid expansion at a hospital to maybe hire another person. It has really been a lifeline. They have an awful lot of people between 55 and 64. They are going to be charged five times as much as young people here, and they are going to get fewer tax credits to deal with it.

In all of these counties—counties won by Donald Trump, counties won by Hillary Clinton—fear about healthcare has been front and center. People are fearful and obviously would like some clarity, some sense of what is coming next.

One of our colleagues whom I do a lot of work with, Senator THUNE—a member of the Finance Committee and his party's leadership—spoke to a reporter a little bit ago. He couldn't say what the Senate would take up, if the first procedural vote passes next week, whether it would be TrumpCare or a straight repeal bill.

My sense is, everybody is being asked to walk into this abyss on healthcare but particularly colleagues on the other side of the aisle. To be in the dark about what is on offer a few days before a vote that affects hundreds of millions of Americans, one-sixth of the American economy—for them to be in the dark, someone like myself, the ranking Democrat on the Senate Finance Committee that has jurisdiction over Medicare and Medicaid and tax credits, strikes me as very odd, even by the standards of the beltway.

The American people are now left guessing about what comes next. The only guarantee, should the first procedural vote succeed, is that both options Senate Republican leaders put on the table are going to raise premiums, make care unaffordable for those with preexisting conditions, and leave tens of millions of Americans without health coverage.

I want to repeat a message that I and other Democratic Senators have been delivering for days. The choice between TrumpCare and straight repeal of the Affordable Care Act is false. Nobody is being forced to choose between calamity and disaster.

Democrats and Republicans absolutely can work together on the healthcare challenges facing the country. As soon as there is a willingness to drop this our-way-or-the-highway approach—this partisan approach known as reconciliation—there will be a good-faith effort on our side to find common ground.

I heard enough of the back-and-forth in this debate to know there is a bipartisan interest; for example, in flexibility for States. I know the President

of the Senate is especially interested in this issue—flexibility for the States. He has given it a lot of thought. I want him to know I am always open to talking to him about this issue.

In the bill I described earlier—seven Democrats, seven Republicans—we had a special section which became law in the Affordable Care Act that in effect provided for what are called innovation waivers. The theory—and I am sure my colleague in the Chair has been thinking about these issues as well—is based on the idea we both have heard for years, conservatives have said, if those folks in Washington will just give us the freedom, we can find better ways to cover people, hold down the costs, and make what works in Louisiana work for us, and folks in Oregon can pursue what works for folks in Oregon.

I said, at the time, that every single bill that I would be part of in this debate about fixing American healthcare would have a provision that would respond to this argument that the States are the laboratories of democracy. We would have a provision that would allow considerable flexibility for States to take their own approaches.

I continue to feel very strongly about it. I wrote an entire section of my comprehensive bill to give States flexibility, and fortunately it was included in the Affordable Care Act. There ought to be room to work on these kinds of issues, State flexibility. There ought to be room to work on a bipartisan basis with respect to bringing down prescription drug costs.

I have indicated to the President of the Senate, I think the lack of transparency in the pharmaceutical market has really been a major factor in the reason that our people get hammered by escalating drug prices.

We have heard for so long that some of the middlemen—they are called pharmaceutical benefit managers. They came into being a few years ago. They said: We will negotiate for businesses or States or labor unions. We will negotiate a better deal for the consumer.

Consumers said: Hey, we will see that in our pocketbook. At home we would see that at a pharmacy, at Fred Meyer or Rite Aid or Walgreens or any of our pharmacies. These are all big pharmacies around the country. Right now, as of this afternoon, we don't know what these middlemen put in their pocket and what they put in our pocket.

There ought to be an opportunity to find common ground. I think there ought to be a chance for Democrats and Republicans to work together on approaches like my SPIKE bill, which says that when a big pharmaceutical company wants to drive up the prices, they should have to publicly justify why they are doing so.

There ought to be ways for Democrats and Republicans to work together

and bring down prescription drug costs. There certainly is bipartisan interest in getting more competition and more consumers into the insurance markets. That means more predictability and certainty.

My view is, if you are serious about really helping to make the private insurance market robust, you have to stop this crusade to repeal the ACA. Insurers are making decisions right now. All eyes are on this body to bring certainty back to the marketplace.

The reality is, there is only a very short time with respect to 2018 premiums. I know there are Republican Senators who would like to tackle challenges on a bipartisan basis. The message my colleagues and I are sending on this side of the aisle is, there are a lot of open arms here. Instead of taking the partisan route and causing devastation in our healthcare system, let's work together to make healthcare better and more affordable for all Americans.

I consider that kind of bipartisan cooperation to be the premier challenge of my time in public service, to work with colleagues, common sense, looking for common ground. I have heard one after another of my colleagues on this side of the aisle state that in just the last few days.

Let us set aside this partisan our-way-or-the-highway approach, opt for the alternative, which is more sunshine and more bipartisanship. I will pledge to you everything in my power on the Senate Finance Committee to bring that about.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MANUFACTURING

Mr. BLUNT. Mr. President, the White House started out this week with all kinds of activities on the White House grounds pertaining to things that we make here in America and the importance of manufacturing and, frankly, the kinds of good jobs that have traditionally come with manufacturing.

When we have an economy that focuses on making things and growing things, that has always been the strongest economy for working American families—an economy that competes, an economy that produces. Where the Presiding Officer and I live in Louisiana and in Missouri, in the middle of the country and close to that great transportation corridor and close to the resources of the country, we always particularly thrive when we are in an economy that is focused on making things.

With all of the other discussions this week, it would be a shame to not think about those products from every State that the President talked about this week, that were on the Capitol grounds, and that are reflective of companies that are almost brandnew and companies that are a century old, where people had figured out how to be competitive enough in what they were doing that they could make a living for themselves and lots of other people, doing just that. In fact, manufacturing employs 12.3 million people in the country today, including more than 260,000 people in my State of Missouri. There is no doubt that we benefit from those kinds of jobs.

I was glad that in 2014 we were able to get the Revitalize American Manufacturing and Innovation Act signed into law. This was a new way, a new opportunity for businesses to link with each other and to link with training facilities, maybe research universities. You have to have that kind of public partner, as well, to see what we could be to be even more competitive than we are. When we looked at Germany and other countries, they were not only doing this sort of thing, but they were doing it in a way that made it really hard for us sometimes to keep up with that level of interaction between innovation and manufacturing, innovation and labor.

Businesses are really very much impacted, jobs are very much impacted by the decisions that government ultimately sets the stage for. If you are going to make something in America today, the first two boxes I think you would have to check would be can you pay the utility bill and does the transportation system work with what you are trying to do. If you can't check those two boxes, no matter how great that workforce and that location might be, you are not going to take those jobs there. So government, either as a regulator or as a provider, is going to be very involved in whether you can pay the utility bill.

That is why I was really glad to see the new director at the Environmental Protection Agency look at the power rule. The courts fortunately had already said you don't have the authority to do that—only Congress can do what you want to do here—which is look at the power rule and look at States like many of our States in the middle of the country where, in my State, the so-called clean power rule would have doubled the utility bill for families and the places they work in about 10 or 12 years. By the way, nobody pays the utility bill for you. The utility bill is paid based on how many utilities you use. There is no mythical big government to come in and pay the utility bill unless we are going to have a totally different system than we have now. The utility bill would have doubled.

I have often said that in the last three years in this fight to see that this didn't happen to Missouri families—and I said it again on the radio this morning in an interview, thinking that this fortunately had not happened—I said: If you want to test what happens if the utility bill is allowed to double because of some needless government action—and double before it has to because you are doing things before they have to be done—the next time you pay your utility bill, just as you are writing your checks out of your checkbook, pay it one more time and see what you are going to do with the rest of your family's money that month, which suddenly you can't do because you are paying the utility bill twice.

There are ways—when we need to transition to some other kind of utility provider if we want to transition in fuels or sources or whatever—there are ways to do that. The way to do that is to say that the next time you have to build something, the next time you have to borrow money that the utility users are going to pay back over 20 or 30 years, once you have paid for what you are doing now that has met all the requirements, you have to do it differently than what that silly rule would have said, because it would have said you have to pay for what you already have, but you have to also be paying for what you immediately had to replace it with.

This would have been like if you had the CAFE standards, the miles-per-gallon standards, if that same agency would have said: OK, we are going to have new miles-per-gallon standards and they are effective immediately, and if you have a car that doesn't meet those standards, you of course have to keep paying for your car, but you also have to have a new car. That is what we were about to tell utility users and families. And if you don't think that would have had an impact on jobs, you are just not thinking about jobs.

There was a water rule, the waters of the United States, that would have done about the same thing. Both of those have been pushed back by the courts, and hopefully we are walking toward a more reasonable situation where we are thinking about how to accomplish the same goals in a way that lets families accomplish their dreams.

Then the second thing, the transportation issue: Does the transportation system work for what you want to make? Can you get the material where you need to get it? Can you get a product in a way that continues to make you competitive? And the State and Federal Government and local governments are very, very much in charge of the decisions that make that environment whatever it is.

So when we are thinking about "Made in America," we have to think about those things. Then we have to

think, with that infrastructure in place, what is the third and crucial piece of that puzzle coming together? It is a workforce that is competitive and prepared and an education system that is prepared to help with whatever comes next.

If we think we know what the average person, or any person, is going to be doing and how they are going to be doing it 20 years from now, I suspect none of us are quite that able to predict what 20 years from now is going to look like. In fact, if we had thought about the way we do most of the work we do now 20 years ago, it would be amazing: Oh, it is just 20 years later, but we didn't have the cell phone, we didn't have an iPad, we didn't have a computer. There was nothing at the factory that did what that machine does right now. We have to have a workforce that is ready, and we have to do all we can to make that workforce ready.

On the infrastructure front, we need to look not only at the infrastructure bill that is coming up, but also how many more tools can we put in the toolbox. Senator WARNER and I reintroduced the BRIDGE Act to provide one more tool to create more incentive for private sector partnerships, to do things differently than we have done them before. If we are going to get different results, we have to do different things. If we do just exactly what we have been doing, we are going to get just exactly what we have been getting.

So as the President focuses, I think properly, on the kinds of American jobs that create stronger families and more opportunities, we don't want to lose this week without also thinking about those jobs, thinking about the 12.3 million Americans who work at making things, thinking about the more than a quarter of a million Missourians who do that. Think about the others who work at growing things and how an economy that makes things and grows things is a stronger economy than an economy where people just trade services with each other. There is nothing wrong with trading services, but if you do that on top of a productive economy, it has a much better likelihood for everyone involved to serve the people who provide the services, as well as the people who are out there making things that are competitive in the world to have better opportunities.

I appreciate the President and Vice President this week calling attention to that important part of what we do as we move toward transportation and infrastructure and other things.

#### THOUGHTS AND PRAYERS FOR SENATOR MCCAIN

Mr. President, while I am on the floor, I want to mention for just a minute our friend, JOHN MCCAIN. I know lots of prayers have been said for Senator MCCAIN and his family. Lots of stories today have been told and traded, and there are lots of stories to tell.

When I was in the House for 14 years, I was often in brief meetings with Senator MCCAIN. Frankly, I never grew to appreciate him anywhere near like I did when I had a chance to begin to work with him every day. For me, at least, he was an acquired taste. It took time to really see his strength, his tenacity, and to understand that irascibility was just part of who he is and part of his determination to make the country and the Congress and the Senate better.

It would be hard to find anyone more determined or less fearful. In fact, someone in a recent debate in the last year or so said that Senator MCCAIN had—I think a reporter said that Senator MCCAIN had done something because he was afraid to do the other thing. When asked about it, Senator MCCAIN said: Well, it has been a long time since I was afraid.

He is a man who served his country day after day after day, and still does; a believer in what we stand for; someone who has traveled all over the world, as I have had a chance to travel to dangerous spots and other places. Over and over again, as I would get there, people would say: Here is what Senator MCCAIN had to say when he was here. Here is what Senator MCCAIN did when he was here. Senator MCCAIN was here last week. He was there, always proud of the independence and determination and democracy and freedom that he stands for.

We all know he is in a fight right now, but we all also know he is a fighter. He is not a man who surrenders. I know the prayers of not only the Senate but so many people all over the country and, frankly, all over the world go out to help JOHN MCCAIN as he faces this fight.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. WARREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. WARREN. Mr. President, I rise today to oppose the nomination of David Bernhardt as the next Deputy Secretary of the Interior.

Mr. Bernhardt has shown that he is unwilling to fight for the long-term conservation of our public lands and the responsible use of our public resources. By his own admission, he intends to be a big business yes-man for the Trump administration's extreme disregard for our environment and the human lives that are affected.

President Trump promised to drain the swamp of DC, but with each day of this administration, this Republican-controlled Senate approves yet another corporate insider to help out big business. The decision to nominate Mr.

Bernhardt is no exception. He is another conflict-ridden, climate-dismissing Trump appointee who favors profits over people.

Let's look at his record. Mr. Bernhardt has extensive political experience in the Department of the Interior under the Bush administration, but in his tenure at the Department, including the 2 years he oversaw the ethics division, the Department was awash in ethical scandals and scientific misconduct.

And what did he do after he left government service? He scooted off to a lucrative lobbying firm to help Big Oil and other extraction companies maximize their profits by expanding offshore drilling and delaying air pollution limits on coal plants, regardless of the impact that would have on our children's future.

Even Mr. Bernhardt isn't proud of his own record. Prior to his nomination, his lobbying firm bio bragged about recently helping corporations fight against the Endangered Species Act, supporting corporate interests in offshore drilling and exploration for fossil fuels, and helping mining companies pursue public lands for development. He openly bragged about recently representing "an entity under investigation by a Federal Agency" and "entities accused of violating the Department of the Interior's regulations." He swaggered through Washington. That is, he swaggered right up until he was under consideration for the No. 2 spot at Interior. Now that he is in the public spotlight, he has scrubbed all those pro-industry, pro-pollution references from his bio. Now that the public is paying attention, he is putting out a clean image of a public servant who just happens to advise big corporations from time to time.

Beyond the ties Mr. Bernhardt still has to industry, I am alarmed by his willingness to serve as the corporate rubberstamp that President Trump wants. Mr. Bernhardt is a walking conflict of interest who has taken one spin through the revolving door, and now he is coming back around again for a second pass.

The Deputy Secretary serves at the pleasure of the President. But a Deputy Secretary—the No. 2 at the Department—is, first and foremost, bound to serve the American people and the mission of the Department. No President is properly served by a corporate yes-man, and Mr. Bernhardt's yes-man mentality was on full display during his confirmation hearing.

When my colleague from Minnesota, Senator AL FRANKEN, questioned Mr. Bernhardt about climate change at his nomination hearing, he was all too willing to dismiss the urgency of climate change, and he pushed aside the responsibility of the Department of the Interior to act. In defiance of accepted climate science, he stated:

This President ran, he won on a particular policy perspective. That perspective's not going to change to the extent we have the discretion under the law to follow it.

In other words, don't bother me with the facts; we will just stick to whatever President Trump tells us to do.

But the rest of us can't ignore the facts. Our planet is getting hotter. The last 16 years were all among the hottest 17 years on record, and our seas are rising at an alarming rate. Our coasts are threatened by furious storm surges that can sweep away homes and devastate even our largest cities. Our economically disadvantaged communities, too often situated in low-lying floodplains, are one bad storm away from destruction. Our naval bases are under attack—not by enemy ships but by rising seas. Our food supplies and forests are threatened by droughts and wildfires that are becoming so common across the country that they barely even make the evening news.

The effects of manmade climate change are all around us, and things will only continue to get worse at an accelerating pace if we don't do something about it. We can act, and one important step is saying no to corporate raiders who are seeking to exploit public lands and gamble with our children's future.

President Trump thinks leadership is handing over management of our public lands to Big Oil and Big Coal executives who are looking to stuff their pockets while the getting is good. Mr. Bernhardt, a seasoned advocate for corporate interests, seems all too eager to please this President and corporate interests, no matter the cost to the American people. If President Trump's highest ranking agency officials are not brave enough to speak even a little truth to power about this President's climate delusions, then, who will?

The American people deserve leadership at the Department of the Interior—leadership that is committed to ensuring that our public resources and our public lands are preserved for future generations of Americans. The American people deserve leadership that fights back when the President seeks to cut thousands of jobs at the Department of the Interior or offers a budget that critically undermines the Department's mission and threatens our public lands.

The American people deserve leadership at the Department of the Interior—leadership that works for the people—and that is not David Bernhardt.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BLUNT). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

(At the request of Mr. SCHUMER the following statement was ordered to be printed in the RECORD.)

### VOTE EXPLANATION

• Ms. STABENOW. Mr. President, due to a family related matter in Michigan, I was unable to attend today's rollcall vote on the nomination of John K. Bush to be a United States circuit judge for the Sixth Circuit. Had I been able to attend, I would have opposed his nomination.

I also was unable to attend today's rollcall vote on the motion to invoke cloture on the nomination of David Bernhardt to be Deputy Secretary of the Interior. Had I been able to attend, I would have voted no on the cloture motion.●

### MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

Mrs. MURRAY. Mr. President, July 22, 2017, marks the 30th anniversary of the enactment of the McKinney-Vento Homeless Assistance Act, our Nation's landmark law designed to prevent and address homelessness. Many communities in my home State of Washington and across the country are confronting a surge in homeless and housing-insecure individuals, and the resources brought to bear by McKinney-Vento are essential to continued progress. The McKinney-Vento Act also marked the first time that Congress provided dedicated funding to ensure equal educational opportunities for children and youth who are experiencing homelessness. The law requires States and school districts to remove barriers that homeless children and youth face in receiving a high-quality education. In the years since the McKinney-Vento Act was passed, hundreds of thousands of young people experiencing homelessness have received the supports they need in order to attend school, graduate, and secure a well-paying job that can provide for their families.

I am proud to have introduced and seen enacted legislation to remove barriers and provide support to homeless children and youth, from early childhood through postsecondary education. Many of these laws have codified best practices pioneered by dedicated Washington State educators determined to make a difference for homeless children and youth.

I have fought and continue to fight for funding that makes a difference for homeless children and youth, veterans and other adults, and families experiencing homelessness. I ask my colleagues to join me in celebrating the success of the McKinney-Vento Act and recognizing how far we still have to go in order to solve our homelessness crisis and make sure that every child in our country has access to a quality education no matter where they live, how they learn, or how much money their parents make.

#### RECOGNIZING THOSE WHO SERVED ON WAKE ISLAND

Mr. CRAPO. Mr. President, today I wish to honor the servicemembers and civilians who served on Wake Island in World War II, as the last gathering of the Survivors of Wake-Guam-Cavite, Inc., is scheduled to be held in Boise in September.

Survivors of the defense of Wake Island and their families have held annual reunions and other get-togethers for the last nearly 71 years. Idaho became home to annual reunions of Wake Island survivors and their families. Many of these gatherings have been organized by Alice Ingham, whose husband was on Wake Island, but since many Wake Island survivors have now, unfortunately, passed away, the organization has decided to wind down their reunions, noting, "We would like to honor all of our Wake men—the living, the deceased, and those who never made it home from the war—with this final reunion." The last worker from Idaho, Joe Goicoechea of Boise, passed away this past year.

The astounding Americans who served on Wake Island and their families are lasting examples of courage and resolve. The history of World War II and the bravery of the American servicemembers who fought for our Nation and its allies are familiar parts of our collective national history, but an often overlooked part of this legacy is the service of the civilian workers on Wake Island who were swept into the war. The civilian workers, including many Idahoans, working for Morrison Knudsen Company, building infrastructure on the island, when it was attacked the same day as the attack on Pearl Harbor, immediately became soldiers. Their service cannot be forgotten. I thank all those who have helped keep the memories of those who served on Wake Island alive.

In Veterans Memorial Park in Boise, a memorial honoring Americans who served on Wake Island gives the following account: "Five hours after bombing Pearl Harbor on December 7th, 1941, Japanese forces attacked Wake Island, a tiny island midway between Hawaii and Japan. The United States was constructing a runway essential for planes to refuel on their

way through the area. There were 449 Marines, 68 Sailors, 6 Army Air Corps, and 1146 civilians employed by the Boise-based Morrison Knudsen Company on the island. Approximately 250 of the MK workers were from Idaho. For 15 days the military and civilians bravely defended the island from the Japanese forces. Wake Island fell to the Japanese on December 23, 1941.

"Following the battle, 98 civilian construction workers were kept on Wake Island to labor for the Japanese. When their work was complete, they were forced to dig their own graves before being executed. The remaining defenders of the island, both military and civilian, were taken as prisoners of war by the Japanese and held for 44 months. These brave heroes endured exceedingly harsh conditions, serving as slave labor for the Japanese government in Japan and China. Many died in captivity. In 1981 the civilian MK employees were granted Veteran status in recognition of their service in the War of the Pacific . . ."

Those who survived and returned home have enriched our communities. Thank you to those who served on Wake Island and their families for the immeasurable service you have given to our country and for your enduring examples of devotion and strength.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO MAJOR RICHARD E. HAGNER

• Mr. COCHRAN. Mr. President, I am pleased to commend MAJ Richard E. Hagner for his dedication to duty and service to the Nation as an Army congressional fellow and congressional budget liaison for the Assistant Secretary of the Army. Major Hagner was recently selected for the Army's prestigious Advanced Strategic Planning and Policy Program and will be transitioning from his present assignment to begin doctoral studies at Vanderbilt University.

A native of Milwaukee, WI, Major Hagner was commissioned as an infantry officer after his graduation from North Georgia College and State University with a bachelor of science degree. He subsequently earned master's degrees in joint information operations from the Naval Postgraduate School and legislative affairs from the George Washington University.

Major Hagner has served in a broad range of assignments during his Army career. He has served as a rifle platoon leader, communications officer, and network engineer, becoming instrumental to the success of his units from the battalion to brigade level. Notably, he has also commanded at the company level in Mannheim, Germany, following a demanding combat deployment to Afghanistan. His leadership has brought great credit to the U.S. Army.

In 2015, Major Hagner was selected to be an Army congressional fellow, where he served in the offices of the late Congressman Alan Nunnelee of Mississippi and Congressman Steve Israel of New York. I have had the privilege of working with him in his role as a congressional budget liaison officer. In that role, Richard ensured the Army's budget positions were well represented before the appropriations committees.

It has been a pleasure to have worked with MAJ Richard Hagner. His leadership, thoughtful judgment, and exemplary work have been a positive influence on his soldiers, peers, and superiors throughout his career. I am pleased to recognize and commend his dedication to our Nation and service to the U.S. Congress as an Army congressional liaison.●

##### TRIBUTE TO JIM SINCLAIR

• Mr. DAINES. Mr. President, this week, I have the distinct honor of recognizing Jim Sinclair of Plains for the leadership he has provided to his community in northwest Montana. As the senior pastor of his church, Jim has provided a helping hand to others for over two decades.

The people of Sanders County know Jim and his wife, Renee, for the admirable work their ministry has done to support those in need. Before becoming a pastor, Jim made a living harvesting timber, and those skills have been valuable with helping the most vulnerable members of their community stay warm during the cold Montana winters. In addition to distributing firewood, Jim's church harnesses the talents of many volunteers in order to provide a food bank, soup kitchen, and clothing bank. Jim's hands on approach to ministry has empowered his community to help each other overcome challenges.

Communities like Plains depend on folks like Jim and Renee, as well as the dozens of volunteers they have mentored over the years. I thank them for all the hard work they have done and wish them the best as their ministry continues to grow in the service of others.●

##### RECOGNIZING ST. PAUL AFRICAN METHODIST EPISCOPAL CHURCH

• Mr. MANCHIN. Mr. President, I am proud to stand before you this evening to celebrate the 125th anniversary of the founding of the St. Paul African Methodist Episcopal Church. First built on Court Street in Charleston, WV, St. Paul African Methodist Episcopal Church has served as a bedrock of faith since its founding in 1892.

With humble beginnings, St. Paul AME first organized in the basement of the old Charleston courthouse under the leadership of Rev. Lewis McGhee, Sr. One year later, construction began on a permanent home, and in 1897, that home was completed.

The St. Paul African Methodist Episcopal Church has been a leader of the community for its entire existence. In the early 1900s, Rev. Francis Herman Gow formed the first African American Boy Scout troop in Charleston. Reverend Gow's trailblazing did not just end there, and in 1915, Reverend Gow established the Mattie V. Lee Home to provide housing for African-American women who travelled to Charleston in search of work.

The Mattie V. Lee Home still stands today under the direction of the Prester Center, where it serves as an addiction treatment facility. Just as the Mattie V. Lee Home continues to make a difference in the Charleston community so long after its founding date, so too does the St. Paul African Methodist Episcopal Church.

Today the St. Paul African Methodist Episcopal Church works to provide both healing and spiritual guidance in Charleston. Under the direction of Rev. John Sylvia, the church serves free weekly dinners for all interested, and associate pastor Rev. Roberta Smith was involved in creating RESET, a group to foster positive dialogue between law enforcement, clergy, and community of Charleston, WV.

It is through these acts of positivity and spiritual guidance that St. Paul AME has flourished in the Charleston community. I would like to thank Rev. John Sylvia and the entire congregation at St. Paul African Methodist Episcopal Church for their commitment to the Charleston community. I am proud of the work done by St. Paul AME, and I know that the church will continue to spread the Word of the Lord for many more years to come.●

#### RECOGNIZING ROHINNI

● Mr. RISCH. Mr. President, today I would like to highlight the innovation, creativity, and entrepreneurial spirit that is found all across my home State of Idaho. Every month, I recognize a small business owner from one of our Idaho communities who embodies the spirit of innovation and determination in delivering a product or service that makes a substantial difference in the lives of many Americans. The small business that I would like to highlight this month has done just that by having an outsized influence on the micro-electronic and lighting industries. As chairman of the Senate Committee on Small Business and Entrepreneurship, I am pleased to honor Rohinni as the Small Business of the Month for July 2017.

The future is bright for this Coeur d'Alene based technology startup. Rohinni develops and manufactures LED lighting products. Described as "the World's Thinnest LED lighting," they allow light to be printed in any shape, on any surface, and for any need. The company's products have al-

ready been applied in many different fields, including transportation and consumer electronics.

Cofounders Cody Peterson and Andy Huska first worked together creating advanced force-sensing capacitive membrane switches, touchpads, and touchscreens for the Pacinian Corporation, which Mr. Peterson founded. With their extensive experience and background in innovative technology products, they began with a new, clever concept: Using a thin slice of conductive material, they were able to disperse thousands of micro-LED diodes to create glowing surfaces. With this new direction, Rohinni was born in 2013. After further developing this innovative technique and obtaining 44 patents, including one for the world's thinnest keyboard, Cody and Andy mastered micro-LED placement. With the help of some crucial venture capital investments 2 years later, the cofounders turned their idea into a successful company and have even expanded with a branch office in Austin, TX. Their new technology has been successfully used in many products, including fabric, television displays, mobile devices, and automotive displays.

Rohinni's creative efforts have been recognized by several business and trade publications. As one of the founders of the Semiconductor Caucus, I recognize the importance that these emerging technologies have on the advancement of our Nation's scientific progress, as we continue to move towards manufacturing products that are simpler in design, more efficient, lighter in weight, and smaller in size. The innovation displayed by companies like Rohinni help to preserve our global competitive edge in the electronic, semiconductor, and memory industries.

It is my honor to recognize Cody Peterson and Andy Huska and the employees of Rohinni who have made lasting contributions to the electronics industry. You make our State proud, and I look forward to watching your continued growth and success.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### PRESIDENTIAL MESSAGE

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SIGNIFICANT TRANSNATIONAL CRIMINAL ORGANIZATIONS THAT WAS ESTABLISHED IN EXECUTIVE ORDER 13581 ON JULY 24, 2011—PM 14

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to significant transnational criminal organizations declared in Executive Order 13581 of July 24, 2011, is to continue in effect beyond July 24, 2017. This notice superseded the notice regarding this topic submitted to the *Federal Register* on July 19, 2017.

The activities of significant transnational criminal organizations have reached such scope and gravity that they threaten the stability of international political and economic systems. Such organizations are increasingly sophisticated and dangerous to the United States; they are increasingly entrenched in the operations of foreign governments and the international financial system, thereby weakening democratic institutions, degrading the rule of law, and undermining economic markets. These organizations facilitate and aggravate violent civil conflicts and increasingly facilitate the activities of other dangerous persons.

The activities of significant transnational criminal organizations continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13581 with respect to transnational criminal organizations.

DONALD J. TRUMP.  
THE WHITE HOUSE, July 20, 2017.

#### MESSAGES FROM THE HOUSE

At 10:13 a.m., a message from the House of Representatives, delivered by



Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate

H.R. 2883. An act to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity.

H.R. 2910. An act to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes.

At 2:57 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 218. An act to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay.

H.R. 2825. An act to amend the Homeland Security Act of 2002 to make certain improvements in the laws administered by the Secretary of Homeland Security, and for other purposes.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 218. An act to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay; to the Committee on Energy and Natural Resources.

H.R. 2825. An act to amend the Homeland Security Act of 2002 to make certain improvements in the laws administered by the Secretary of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2883. An act to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity; to the Committee on Energy and Natural Resources.

H.R. 2910. An act to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2266. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Revisions to Freedom of Information Act Regulations" (RIN3038-AE57) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2267. A communication from the Secretary of Defense, transmitting the report of three (3) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2268. A communication from the Secretary of Defense, transmitting the report of two (2) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2269. A communication from the Secretary of Defense, transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2270. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Frank C. Pandolfe, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-2271. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a certification of the Advanced Arresting Gear (AAG) program; to the Committee on Armed Services.

EC-2272. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the annual report of the National Security Education Program for fiscal year 2016; to the Committee on Armed Services.

EC-2273. A communication from the Acting Assistant Secretary of the Army (Acquisition, Logistics and Technology), transmitting, pursuant to law, a report relative to Army Industrial Facilities Cooperative Activities with Non-Army Entities for Fiscal Year 2016; to the Committee on Armed Services.

EC-2274. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Minority and Women Inclusion Final Rule" (RIN2590-AA78) received during adjournment of the Senate in the Office of the President of the Senate on July 14, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2275. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report entitled "Quality of Water, Colorado River Basin, Progress Report No. 25"; to the Committee on Energy and Natural Resources.

EC-2276. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Illinois; NAAQS Updates" (FRL No. 9964-97-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on July 14, 2017; to the Committee on Environment and Public Works.

EC-2277. A communication from the Director of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Generic Aging Lessons Learned for Subsequent License Renewal Applications for Nuclear Power Plants" (NUREG-2191, Volumes 1 and 2; and NUREG-2192) received during adjournment of the

Senate in the Office of the President of the Senate on July 14, 2017; to the Committee on Environment and Public Works.

EC-2278. A communication from the Board of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting, pursuant to law, the Board's 2017 Annual Report; to the Committee on Finance.

EC-2279. A communication from the Board of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting, pursuant to law, the Board's 2017 Annual Report; to the Committee on Finance.

EC-2280. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on the Nurse Education, Practice, Quality, and Retention Program" for fiscal year 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-2281. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2015 and Fiscal Year 2016 Distribution of Funds Under Section 330 of the Public Health Service Act Report to Congress"; to the Committee on Health, Education, Labor, and Pensions.

EC-2282. A communication from the Acting Assistant Secretary for Elementary and Secondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Elementary and Secondary Education Act of 1965, as Amended by the Every Student Succeeds Act—Accountability and State Plans" ((RIN1810-AB27) (Docket No. ED-2016-OESE-0032)) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-2283. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-97, "Fiscal Year 2017 Revised Local Budget Temporary Adjustment Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-2284. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-99, "Fiscal Year 2018 Local Budget Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-2285. A communication from the Chief of the Regulatory Coordination Division, Office of Policy and Strategy, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Exercise of Time-Limited Authority to Increase the Fiscal Year 2017 Numerical Limitation for the H-2B Temporary Nonagricultural Worker Program" (RIN1615-AC12) received in the Office of the President of the Senate on July 18, 2017; to the Committee on the Judiciary.

EC-2286. A communication from the Chief Financial Officer and the Chief Operating Officer of the National Tropical Botanical Garden, transmitting, pursuant to law, a report relative to an audit of the Garden for the period from January 1, 2016, through December 31, 2016; to the Committee on the Judiciary.

EC-2287. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Severn River, Sherwood Forest, MD" ((RIN1625-AA00) (Docket No. USCG-2017-0468)) received in the Office of the

President of the Senate on July 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2288. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Navigation and Navigable Waters, and Shipping: Technical, Organizational, and Conforming Amendments" (Docket No. USCG-2016-0498) received in the Office of the President of the Senate on July 18, 2017; to the Committee on Commerce, Science, and Transportation

## PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-68. A joint resolution adopted by the Legislature of the State of Nevada urging the United States Congress not to repeal the Patient Protection and Affordable Care Act or its most important provisions; to the Committee on Finance.

### ASSEMBLY JOINT RESOLUTION NO. 9

Whereas, In 2010, the Patient Protection and Affordable Care Act (Public Law 111-148), commonly known as the Affordable Care Act, was passed by Congress and signed into law by President Barack Obama; and

Whereas, The Affordable Care Act established a comprehensive series of health insurance reforms designed to make universal, affordable health insurance coverage available to all Americans, while also controlling rising health care costs and ending certain common industry practices that limited access to health insurance coverage; and

Whereas, The Affordable Care Act expanded access to health insurance coverage by creating health insurance marketplaces, allowing children to stay on a parent's health insurance plan until the age of 26 years, expanding Medicaid and establishing a system of tax credits and penalties designed to both encourage consumers to purchase individual health insurance coverage and provide incentives to businesses to encourage them to provide health insurance coverage to employees; and

Whereas, The Affordable Care Act prohibits an insurer from denying health insurance coverage to a person on the basis of a preexisting condition, prohibits an insurer from rescinding coverage, eliminates lifetime and annual limits on coverage, requires all marketplace plans to provide coverage for 10 essential health benefits, including preventative care, establishes a mechanism for consumers to appeal determinations regarding coverage and establishes a system to assist consumers in navigating the health insurance marketplace; and

Whereas, The Affordable Care Act additionally provides incentives to expand the number of primary health care providers and encourages them to serve in medically underserved areas, promotes alternative payment methodologies designed to improve the value of care and encourages patients to use community-based resources and other services intended to reduce unnecessary hospitalizations and inappropriate emergency department use; and

Whereas, The Affordable Care Act further mandates health insurance coverage for colorectal cancer screening tests for persons who are between 50 and 75 years of age, mammograms annually for women who are over 40 years of age, and regular screenings of

women for cervical cancer and the human papillomavirus vaccine to prevent cervical cancer; and

Whereas, The Affordable Care Act mandates health insurance coverage for immunization vaccines for children, including, without limitation, diphtheria, tetanus, pertussis, influenza, measles and rotavirus; and

Whereas, The Affordable Care Act includes many other benefits and protections to ensure access to health care by all; and

Whereas, A number of national leaders have proposed repealing the Affordable Care Act during the 115th Congress without a plan to replace the Affordable Care Act which adequately protects the thousands of Nevadans who benefit from or may not have access to health insurance coverage without the Act; and

Whereas, Repealing the Affordable Care Act without establishing mechanisms to preserve the significant improvements and protections afforded by the law, and without adequately providing for those who stand to lose their health insurance coverage upon repeal, will have significant detrimental effects on individuals and their families, on the health care industry in general and on the overall economic well-being of both Nevada and the nation as a whole: Now, therefore, be it

*Resolved by the Assembly and Senate of the State of Nevada Jointly*, That the members of the 79th Session of the Nevada Legislature hereby urge Congress to fully preserve the critical benefits afforded by the Affordable Care Act which many Nevadans have come to rely upon; and be it further

*Resolved*, That Congress should not repeal the Affordable Care Act so that these essential programs remain available to future generations of Nevadans; and be it further

*Resolved*, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Vice President of the United States, as the presiding officer of the United States Senate, the Speaker of the United States House of Representatives and each member of the Nevada Congressional Delegation; and be it further

*Resolved*, That this resolution becomes effective upon passage.

POM-69. A resolution adopted by the House of Representatives of the State of Michigan supporting and encouraging the International Criminal Court to conduct an independent investigation into the human rights violations allegedly occurring in the Chechen Republic of Russia; to the Committee on Foreign Relations.

### HOUSE RESOLUTION NO. 79

Whereas, A formal complaint has been filed with the International Criminal Court alleging horrific harms inflicted on gay men in the Chechen Republic of Russia. The complaint cites abuses stemming from both governmental actions as well as so-called "honor killings" by members of the men's own families; and

Whereas, The Chechen Republic of Russia has denied that any abuses have occurred, and have further denied that gay men exist within the Chechen Republic. Russia has begun an internal investigation into the alleged abuses; and

Whereas, Every human being has the right to life and to be free from bodily integrity abuses by their government. These basic human rights include the right to be free from torture and other forms of cruel and unusual punishment; and

Whereas, The International Criminal Court should not stand idly by if severe violations

of basic human rights have in fact occurred against residents of one of its member nations. The International Criminal Court has the authority to open an official investigation into the alleged violations occurring in the Chechen Republic of Russia: Now, therefore, be it

*Resolved by the House of Representatives*, That we support and encourage the International Criminal Court to conduct an independent investigation into the human rights violations allegedly occurring in the Chechen Republic of Russia; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the International Criminal Court, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-70. A resolution adopted by the House of Representatives of the State of Colorado relative to ensuring access to reproductive care; to the Committee on Health, Education, Labor, and Pensions.

### HOUSE RESOLUTION 17-1005

Whereas, Colorado has always been committed to a quality health care system and to creating policies that meet the health needs of women and families, including affordable reproductive health services; and

Whereas, Colorado was the first state to allow safe, legal abortion on a bipartisan basis in 1967; and

Whereas, The American College of Obstetricians and Gynecologists has stated that "[s]afe, legal abortion is a necessary component of women's health care", and health providers and associations affirm that good access to reproductive health care deeply and positively impacts women's lives and futures; and

Whereas, Reproductive health care is both safe and common. More than 90% of women have used contraception, about three in ten women will have an abortion in her lifetime, and more than half of women will have a child at some point in their lives.

Whereas, People may disagree with the decision to seek an abortion, but it is a decision that each person should make for themselves with the counsel of their health providers, their families, and their faiths; and

Whereas, Rates of maternal mortality are decreasing around the world, but increasing in the United States for women of color who face an alarming and disparate rate of pregnancy complications and maternal mortality; and

Whereas, Restrictions on the availability of reproductive health care and limits on health coverage, such as policies denying insurance coverage for reproductive health services, have a disparate impact on low-income women and women of color and their families; and

Whereas, Obstacles to obtaining the best method of contraception for each person's unique health and life circumstances remain a barrier to many; and

Whereas, Low-income women and women of color face a higher rate of unintended pregnancy, so ensuring access to contraception is a critical part of helping to address health disparities in marginalized communities; and

Whereas, An inability or difficulty to conceive is not only emotionally difficult for people looking to start a family but can be prohibitively expensive, so we must do more to help people seeking to build their families, regardless of sexual orientation or gender identity; and

Whereas, There is a continued need to address inequities in health care access and ensure culturally and linguistically appropriate training of health providers: Now, therefore, be it

*Resolved by the House of Representatives of the Seventy-first General Assembly of the State of Colorado:*

That we, the members of the Colorado House of Representatives, find that:

(1) Colorado continues to be a state where all individuals' health remains a top priority, and Coloradans resist attempts to undermine the right to access reproductive health care;

(2) Access to comprehensive and affordable reproductive health care is critical to ensure that people have the information and services to prevent unintended pregnancies, the support to have healthy pregnancies and become parents when they are ready, and the ability to raise their children in a safe and healthy environment and to be able to care for their families with dignity;

(3) State, county, and city health departments shall promote policies to ensure access to a full range of reproductive health care, including abortion, and eliminate disparities that prevent low-income women and women of color from seeking safe, high-quality care;

(4) Both public and private health insurance should cover the full range of reproductive health care, including abortion;

(5) Facilities and professionals providing reproductive health services shall not be subjected to regulations that do not have a medical benefit and that are more burdensome than those imposed on other facilities or health care professionals that provide medically comparable procedures. Provision of services should be based on the best medical practices as developed by medical experts and supported by medical evidence.

(6) All qualified health care professionals shall be able to provide the full range of reproductive health care, including abortion, and have access to appropriate medical training; and be it further

*Resolved*, That copies of this Resolution be sent to President Donald J. Trump; Vice President Mike Pence; Paul Ryan, Speaker of the United States House of Representatives; Orrin Hatch, President Pro Tempore of the United States Senate; Governor John W. Hickenlooper; Dr. Larry Wolk, Executive Director, Colorado Department of Public Health and Environment; and the members of Colorado's Congressional Delegation.

POM-71. A resolution adopted by the House of Representatives of the State of Colorado relative to recognizing the importance of Colorado libraries; to the Committee on Health, Education, Labor, and Pensions.

#### HOUSE RESOLUTION 17-1008

Whereas, Colorado libraries are a vital and essential public resource that provide free and equal access to educational and recreational material and enrich the lives of all citizens; and

Whereas, Libraries play a critical role in democracy and community development by promoting civil discourse and empowering citizens to learn, imagine, and succeed; and

Whereas, Libraries across Colorado lead the way in developing new and innovative ways of meeting the needs of and uniting the state's increasingly diverse population; and

Whereas, Colorado receives \$2.7 million annually from the federal Institute of Museum and Library Services (IMLS) for library services and technology, which is roughly two-thirds of the State Library's total operational costs; and

Whereas, The IMLS is the main funding source for more than 40 different Colorado library services and programs, yet costs less than 49 cents per resident; and

Whereas, One such program is the Check Out Colorado State Parks program, now in its second year. The program allows each library to offer two Colorado state park passes and activity backpacks to library patrons. The program was used almost 4,000 times total, or more than 165 times a week in the first six months; and

Whereas, Early learning programs, such as One Book 4 Colorado, which gives away 75,000 books each year to 4-year-olds statewide; Storyblocks.org, an online tool to help parents learn how to reinforce early learning skills; and the statewide Summer Reading Program that encourages children, teens, and adults to read and learn for fun, are all funded through the IMLS; and

Whereas, The IMLS funds support professional development programs like the Career Online High School, which, when launched this month, will help more than 200 adults in 17 libraries across the state earn high school diplomas and career experience, and the Highly Effective School Library program, which helps schools provide tools for students to develop 21st century skills and meet academic standards; and

Whereas, Essential library programs and services, such as the Colorado Talking Book Library, Colorado's historic newspaper collection, the state's institutional libraries, state publications, and many others all receive funding support through the IMLS; and

Whereas, This vital funding from the IMLS allows every Coloradan to have access to these programs and ensures that Colorado's rich diversity and culture is represented by libraries across the state, including the Blair-Caldwell African American Research Library in Denver's historic Five Points neighborhood that is devoted to preserving and showcasing the many contributions of African Americans to Colorado and the West and is one of only five library institutions in the nation that encompasses a circulating collection, archive, and museum; and the Rodolfo "Corky" Gonzalez Branch Library, designed specifically to celebrate the diverse and culturally rich community of West Denver; and be it

*Resolved by the House of Representatives of the Seventy-first General Assembly of the State of Colorado:*

That we, the members of the Colorado House of Representatives:

(1) Declare our support and appreciation for Colorado libraries and staff; and

(2) Recognize that the invaluable public services and programs provided by Colorado libraries and staff cannot be sustained without the funding support of the federal Institute of Museum and Library Services; and be it further

*Resolved*, That copies of this Resolution be sent to Donald Trump, President of the United States; Mike Pence, Vice President of the United States; John Hickenlooper, Governor of Colorado; the Colorado Association of Libraries; the Colorado Department of Education; and the members of Colorado's Congressional delegation.

POM-72. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to pass the Trickett Wendler Right to Try Act of 2017; to the Committee on Health, Education, Labor, and Pensions.

#### HOUSE CONCURRENT RESOLUTION No. 18

Whereas, state legislatures across the United States have passed measures known

as "Right to Try" laws authorizing access by terminally ill patients to investigational drugs and other potentially life-saving methods of treatment; and

Whereas, as of the date of filing of this Resolution, at least thirty-three U.S. states, including Louisiana, have established a Right to Try law; and

Whereas, Louisiana's Right to Try law, enacted through House Bill No. 891 (Act No. 346) of the 2014 Regular Session, sets forth the following legislative findings:

(1) The process of approval for investigational drugs, biological products, and devices in the United States often takes many years.

(2) A terminally ill patient does not have the luxury of waiting for an investigational drug, product, or device to receive final approval from the U.S. Food and Drug Administration (FDA); and

Whereas, this law (R.S. 40:1169.1 et seq.) provides that, subject to certain conditions, terminally ill patients in Louisiana are authorized to use drugs, biological products, and devices that have successfully completed phase one of an FDA-approved clinical trial but which remain under investigation in the clinical trial process and have not yet been approved by the FDA for general use; and

Whereas, the Trickett Wendler Right to Try Act of 2017 has been introduced in the One Hundred Fifteenth United States Congress as S. 204 and would codify in federal law the essential provisions of the Right to Try laws of Louisiana and other states; and

Whereas, a key function of this legislation is to bar the federal government from prohibiting or restricting the production, manufacture, distribution, prescribing, or dispensing of an experimental drug, biological product, or device that is intended to treat a terminally ill patient and is authorized by and in accordance with state law; and

Whereas, the Trickett Wendler Right to Try Act of 2017 and the Right to Try law of Louisiana affirm the fundamental right of a patient with a terminal illness to attempt to preserve his own life by accessing available investigational drugs, biological products, and devices; and that the decision to pursue such a course of treatment is one that rightfully should be made by a terminally ill patient in consultation with his physician, and not by the government; Now, therefore, be it

*Resolved*, that the Legislature of Louisiana does hereby memorialize the United States Congress to pass the Trickett Wendler Right to Try Act of 2017; and be it further

*Resolved*, that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-43. A joint resolution adopted by the General Assembly of the State of Colorado designating April 2017 as "Second Chance Month"; to the Committee on the Judiciary.

#### HOUSE JOINT RESOLUTION 17-1026

Whereas, Every person is endowed with human dignity; and

Whereas, Redemption and second chances are American values; and

Whereas, An estimated 65 million American citizens have a criminal record; and

Whereas, Eighty-six thousand people are currently incarcerated or under the supervision of the Colorado Department of Corrections, and data shows that approximately 95 percent of those in state prison will be released to their communities; and

Whereas, Individuals with a criminal record often face a "second prison" of significant barriers, also known as collateral consequences; and

Whereas, Many of these collateral consequences fail to provide any proven public safety benefit, are mandatory, and take effect automatically, regardless of the seriousness of the offense, the time passed since the offense, or the individual's efforts to make amends and earn back the public's trust; and

Whereas, The inability to find gainful employment and other collateral consequences of conviction inhibit the economic mobility of people with a criminal history, which negatively impacts the well-being of their children and families for generations; and

Whereas, Collateral consequences contribute to recidivism, increase victimization, decrease public safety, and result in lost economic output for Colorado and the United States; and

Whereas, BKB Limited, BornFit, Denver Scrap Metal Recycling, Hallucination Sports, H.E.A.T. Inc., Lifted From The Rut, the Hornbuckle Foundation, Prison Fellowship, Second Chances Denver, The Shores Treatment & Recovery, TRIBE Recovery Services, and Youth for Christ sponsored the annual Second Chances 5k on Saturday, April 8, 2017, in Denver, Colorado, in order to raise awareness of the obstacles that people with a criminal record face and to provide opportunities for members of the community to run or walk in honor of second chances; and

Whereas, April 21, 2012, is the anniversary of the death of Charles Colson, who used his second chance following his incarceration for a Watergate-related crime to found Prison Fellowship, the nation's largest Christian nonprofit serving prisoners and their families; and

Whereas, The designation of April as "Second Chance Month" can increase public awareness about the need for closure for those with a criminal record and about opportunities to provide second chances: Now, therefore, be it

*Resolved by the House of Representatives of the Seventy-first General Assembly of the State of Colorado, the Senate concurring herein:*

That we, the members of the Colorado General Assembly:

(1) Designate April 2017 as "Second Chance Month";

(2) Honor the work of communities, governmental institutions, nonprofits, congregations, employers, and individuals in removing unnecessary legal and societal barriers that prevent individuals with a criminal record from becoming productive members of society; and

(3) Call upon the people of Colorado to observe "Second Chance Month" through actions and programs that promote awareness of the "second prison" and provide second chances for those who have paid their debt; and be it further

*Resolved,* That copies of this Joint Resolution be sent to Donald Trump, President of the United States; Mike Pence, Vice President of the United States; Jeff Sessions, Attorney General of the United States; John Hickenlooper, Governor of Colorado; Donna Lynne, Lieutenant Governor of Colorado; Rick Raemisch, Executive Director of the Colorado Department of Corrections; BKB Limited; BornFit; Denver Scrap Metal Recycling; Hallucination Sports; H.E.A.T. Inc.; Lifted From The Rut; the Hornbuckle Foundation; Prison Fellowship; Second Chances Denver; The Shores Treatment & Recovery; TRIBE Recovery Services; Youth for Christ; and the members of Colorado's Congressional delegation.

POM-74. A resolution adopted by the House of Representatives of the State of Colorado

concerning the commemoration of the birthday of the Reverend Dr. Martin Luther King, Jr.; to the Committee on the Judiciary.

#### HOUSE RESOLUTION 17-1004

Whereas, The Reverend Dr. Martin Luther King, Jr., was born in Atlanta, Georgia, on January 15, 1929, graduated from Morehouse College with a Bachelor of Arts degree in 1948, graduated from Crozer Theological Seminary in 1951, and received a Ph.D. from Boston University in 1955; and

Whereas, Rev. Dr. King's faith, resiliency, and commitment to justice became known worldwide through his speeches, writings, and actions; and

Whereas, Rev. Dr. King declared that the moral responsibility to aid the oppressed did not stop at the edge of his street, town, or state when he wrote, "I cannot sit idly by in Atlanta and not be concerned about what happens in Birmingham. Injustice anywhere is a threat to justice everywhere."; and

Whereas, Rev. Dr. King withstood attacks on his home and family, among numerous other threats and setbacks, standing firm in his conviction that although the arc of the moral universe is long, it bends towards justice; and

Whereas, Rev. Dr. King led the Montgomery bus boycott, a 13-month protest beginning in 1955, against the segregated city bus lines; and

Whereas, The Montgomery bus boycott led to the integration of the Montgomery city bus system and is widely credited as the beginning of the civil rights movement in America; and

Whereas, In 1957, Rev. Dr. King was elected president of the Southern Christian Leadership Conference, an organization formed to provide leadership for the burgeoning civil rights movement; and

Whereas, Between 1957 and 1968, Rev. Dr. King spoke more than 2,500 times, wrote 5 books as well as numerous articles, led protests, helped register African American voters, was arrested more than 20 times, was awarded 5 honorary degrees, was named Man of the Year by Time magazine, and became the symbolic leader of the African American community as well as a world figure; and

Whereas, On August 28, 1963, Rev. Dr. King directed the March on Washington, wherein more than 200,000 Americans gathered in the name of equality and civil rights and which culminated in Rev. Dr. King's historic "I Have a Dream" speech; and

Whereas, The leadership of Rev. Dr. King was instrumental in bringing about landmark legislation, such as the "Civil Rights Act of 1964", which prohibited segregation in public accommodations and facilities and banned discrimination based on race, color, or national origin, and the "Voting Rights Act of 1965", which eliminated remaining legal barriers to voting for disenfranchised African American voters; and

Whereas, In 1964, Rev. Dr. King was awarded the Nobel Peace Prize for his tireless and selfless work in the pursuit of justice for African Americans and other oppressed people in America; and

Whereas, Rev. Dr. King's 13 years of non-violent leadership ended abruptly and tragically when, on April 4, 1968, he was assassinated while standing on the balcony of the Lorraine Motel in Memphis, Tennessee; and

Whereas, Rev. Dr. King's life and work continue to echo in our lives as we strive to reach the lofty goal he set when he said, "Let us all hope that the dark clouds of racial prejudice will soon pass away and the deep fog of misunderstanding will be lifted from our fear-drenched communities, and in

some not too distant tomorrow the radiant stars of love and brotherhood will shine over our great nation with all their scintillating beauty."; and

Whereas, Rev. Dr. King's birthday is a federal holiday in the United States and a state holiday in the state of Colorado, which is celebrated each year on the third Monday in January; and

Whereas, On Monday, January 16, 2017, we celebrate the 31st anniversary of Rev. Dr. King's holiday: Now, therefore, be it

*Resolved by the House of Representatives of the Seventy-first General Assembly of the State of Colorado:*

That we, the members of the Colorado General Assembly, hereby encourage appropriate observances, ceremonies, and activities to commemorate the federal and state legal holiday honoring the Rev. Dr. Martin Luther King, Jr., throughout all cities, towns, counties, school districts, and local governments within Colorado; and be it further

*Resolved,* That copies of this Joint Resolution be sent to President Barack Obama, Honorable Governor John Hickenlooper, the Congressional Black Caucus, the National Black Caucus of State Legislators, and the members of Colorado's congressional delegation: Senators Michael Bennet and Cory Gardner and Representatives Diana DeGette, Jared Polis, Scott Tipton, Ken Buck, Doug Lamborn, Mike Coffman, and Ed Perlmutter.

POM-75. A resolution adopted by the City Council of the City of Oberlin, Ohio, to the President of the United States opposing the withdrawal of the United States from the Paris Climate Agreement; to the Committee on Foreign Relations.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOEVEN, from the Committee on Appropriations, without amendment:

S. 1603. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2018, and for other purposes (Rept. No. 115-131).

By Mr. ALEXANDER, from the Committee on Appropriations, without amendment:

S. 1609. An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2018, and for other purposes (Rept. No. 115-132).

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. INHOFE for Mr. MCCAIN for the Committee on Armed Services.

\*David Joel Trachtenberg, of Virginia, to be a Principal Deputy Under Secretary of Defense.

\*Charles Douglas Stimson, of Virginia, to be General Counsel of the Department of the Navy.

\*Owen West, of Connecticut, to be an Assistant Secretary of Defense.

\*Ryan McCarthy, of Illinois, to be Under Secretary of the Army.

Air Force nomination of Lt. Gen. Steven L. Kwast, to be Lieutenant General.

\*Air Force nomination of Gen. Paul J. Selva, to be General.

Army nomination of Maj. Gen. Bruce T. Crawford, to be Lieutenant General.

Air Force nomination of Lt. Gen. John B. Cooper, to be Lieutenant General.

Army nominations beginning with Col. John B. Dunlap III and ending with Col. Andrew M. Roman, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nomination of Col. Deborah Y. Howell, to be Brigadier General.

Army nomination of Lt. Gen. Stephen R. Lyons, to be Lieutenant General.

Army nomination of Maj. Gen. Charles W. Hooper, to be Lieutenant General.

Army nomination of Maj. Gen. Edward M. Daly, to be Lieutenant General.

Army nomination of Col. Michelle M. Rose, to be Brigadier General.

Navy nomination of Capt. Daniel W. Dwyer, to be Rear Admiral (lower half).

Navy nomination of Rear Adm. (lh) Ross A. Myers, to be Rear Admiral.

Marine Corps nomination of Maj. Gen. John J. Broadmeadow, to be Lieutenant General.

Marine Corps nomination of Lt. Gen. Kenneth F. McKenzie, Jr., to be Lieutenant General.

Marine Corps nomination of Lt. Gen. Vincent R. Stewart, to be Lieutenant General.

Marine Corps nomination of Maj. Gen. Herman S. Clardy III, to be Lieutenant General.

Army nomination of Lt. Gen. William C. Mayville, Jr., to be Lieutenant General.

Army nomination of Maj. Gen. Richard D. Clarke, to be Lieutenant General.

Navy nomination of Rear Adm. Frederick J. Roegge, to be Vice Admiral.

Marine Corps nomination of Maj. Gen. Daniel J. O'Donohue, to be Lieutenant General.

Marine Corps nomination of Maj. Gen. Michael A. Rocco, to be Lieutenant General.

Marine Corps nomination of Lt. Gen. Mark A. Brilakis, to be Lieutenant General.

Air Force nomination of Brig. Gen. John D. Slocum, to be Major General.

Air Force nomination of Brig. Gen. Anthony J. Carrelli, to be Major General.

Air Force nomination of Brig. Gen. Sam C. Barrett, to be Major General.

Army nominations beginning with Col. Michael N. Adame and ending with Col. Patrick C. Thibodeau, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017. (minus 2 nominees: Col. Robert B. Davis; Col. Andrew M. Harris)

Army nominations beginning with Col. John C. Andonie and ending with Col. Cynthia K. Tinkham, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Army nominations beginning with Col. Samuel AgostoSantiago and ending with Col. William L. Zana, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Navy nomination of Rear Adm. (lh) William R. Merz, to be Vice Admiral.

Mr. INHOFE for Mr. MCCAIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with William John Ackman and ending with Michael D. Zollars, which nominations were received by the Senate and appeared in the Congressional Record on June 5, 2017.

Air Force nomination of Lisa E. Donovan, to be Major.

Air Force nomination of Kirt L. Stallings, to be Colonel.

Air Force nominations beginning with Michael G. Rhode and ending with Scott D. Wright, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Air Force nomination of Richard L. Allen, to be Colonel.

Air Force nomination of Michael J. Silverman, to be Major.

Air Force nomination of Maiya D. Anderson, to be Colonel.

Air Force nominations beginning with Kimberly M. Kittleson and ending with Kevin C. Peterson, which nominations were received by the Senate and appeared in the Congressional Record on June 26, 2017.

Air Force nominations beginning with Cecilia A. Florio and ending with John M. Fejes, which nominations were received by the Senate and appeared in the Congressional Record on June 26, 2017.

Army nominations beginning with James C. Benson and ending with Jacob S. Loftice, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nomination of Timothy D. Litka, to be Lieutenant Colonel.

Army nomination of Scott D. Blackwell, to be Colonel.

Army nominations beginning with Michael A. Adams and ending with D012118, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nominations beginning with Todd R. Anderson and ending with John F. Yanikov, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nominations beginning with Douglas A. Allen and ending with Thomas K. Sarrouf, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nominations beginning with Charles E. Bane and ending with Matthew D. Wegner, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nomination of Dareen A. Douchi, to be Major.

Army nomination of Brandon J. Baer, to be Lieutenant Colonel.

Army nomination of Barry Murray, to be Lieutenant Colonel.

Army nominations beginning with Francis K. Agyapong and ending with Sashi A. Zickefoose, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nominations beginning with Joseph H. Afanador and ending with D013069, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nominations beginning with Bert M. Baker and ending with Maria R. S. Yates, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nominations beginning with Breck S. Brewer and ending with Diana W. Weber, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nominations beginning with Daniel F. Alemany and ending with Brittany E. McCroan, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nomination of Wil B. Neubauer, to be Colonel.

Army nomination of Mark C. Gillespie, to be Colonel.

Army nomination of Joseph M. O'Callaghan, Jr., to be Colonel.

Army nomination of Bret P. Van Poppel, to be Colonel.

Army nomination of Aliya I. Wilson, to be Major.

Army nomination of William O. Murray, to be Lieutenant Colonel.

Army nomination of Patrick R. Wilde, to be Lieutenant Colonel.

Army nomination of Jeff H. McDonald, to be Colonel.

Army nominations beginning with Edward V. Abrahamson and ending with D012929, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Army nominations beginning with Scott J. Akerley and ending with D002220, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Army nominations beginning with Ryan C. Agee and ending with D011536, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Army nominations beginning with Erik C. Alfsen and ending with D013346, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Army nominations beginning with Bradford A. Baumann and ending with Thomas B. Vaughn, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Army nomination of Jay A. Johannigman, to be Colonel.

Navy nominations beginning with Cameron M. Balma and ending with Scott D. Ziegenhorn, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Richard A. Ackerman and ending with Patricia R. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Sarah R. Boutwell and ending with Andrew F. Young, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Jeremiah E. Chaplin and ending with Jeanette Sheets, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nomination of Linwood O. Lewis, to be Commander.

Navy nomination of Brian A. Evick, to be Commander.

Navy nominations beginning with Kristopher M. Brazil and ending with Sheree T. Williams, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Bryce D. Abbott and ending with Shane M. Zimmerman, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Jeremiah P. Anderson and ending with Ashley S.

Wright, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Stacy J. G. Arenstein and ending with Henry L. Thomason, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Kelly W. Bowman, Jr. and ending with Robert H. Vohrer, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Lara R. Bollinger and ending with Candice C. Tresch, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Patrick P. Davis and ending with Sean C. Stevens, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Jeffery A. Alsop and ending with Terry N. Traweek, Jr., which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nomination of Linda C. Seymour, to be Captain.

Navy nomination of Chad J. Trubilla, to be Commander.

Navy nominations beginning with Patrick R. Adams and ending with James T. Watters, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Navy nomination of Randall G. Schimpf, to be Lieutenant Commander.

By Mr. HATCH for the Committee on Finance.

\*David J. Kautter, of Virginia, to be an Assistant Secretary of the Treasury.

By Mr. GRASSLEY for the Committee on the Judiciary.

Christopher A. Wray, of Georgia, to be Director of the Federal Bureau of Investigation for a term of ten years.

Trevor N. McFadden, of Virginia, to be United States District Judge for the District of Columbia.

Beth Ann Williams, of New Jersey, to be an Assistant Attorney General.

John W. Huber, of Utah, to be United States Attorney for the District of Utah for the term of four years.

Justin E. Herdman, of Ohio, to be United States Attorney for the Northern District of Ohio for the term of four years.

John E. Town, of Alabama, to be United States Attorney for the Northern District of Alabama for the term of four years.

By Mr. ISAKSON for the Committee on Veterans' Affairs.

\*Brooks D. Tucker, of Maryland, to be an Assistant Secretary of Veterans Affairs (Congressional and Legislative Affairs).

\*Michael P. Allen, of Florida, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

\*Amanda L. Meredith, of Virginia, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

\*Joseph L. Toth, of Wisconsin, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

\*Thomas G. Bowman, of Florida, to be Deputy Secretary of Veterans Affairs.

\*James Byrne, of Virginia, to be General Counsel, Department of Veterans Affairs.

\*Nomination was reported with recommendation that it be confirmed sub-

ject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BLUNT (for himself, Mr. COCHRAN, Mr. CORNYN, Mr. MANCHIN, Mr. ENZI, Mr. THUNE, Mr. STRANGE, and Mrs. CAPITO):

S. 1592. A bill to prohibit the Federal Government from requiring race or ethnicity to be disclosed in connection with the transfer of a firearm; to the Committee on the Judiciary.

By Ms. HARRIS (for herself and Mr. PAUL):

S. 1593. A bill to provide grants to States and Indian tribes to reform their criminal justice system to encourage the replacement of the use of payment of secured money bail as a condition of pretrial release in criminal cases, and for other purposes; to the Committee on the Judiciary.

By Mr. LEE (for himself, Mr. CRUZ, Mr. LANKFORD, Mr. COTTON, Mr. STRANGE, and Mr. RUBIO):

S. 1594. A bill to amend the National Labor Relations Act to modify the authority of the National Labor Relations Board with respect to rulemaking, issuance of complaints, and authority over unfair labor practices; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO (for himself and Mrs. SHAHEEN):

S. 1595. A bill to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PETERS (for himself and Mr. RUBIO):

S. 1596. A bill to amend title 38, United States Code, to increase certain funeral benefits for veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. JOHNSON:

S. 1597. A bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury and the Commissioner of the Social Security Administration to disclose certain return information related to identity theft, and for other purposes; to the Committee on Finance.

By Mr. ISAKSON (for himself, Mr. TESTER, Mr. ROUNDS, Mrs. McCASKILL, Mr. TILLIS, Mr. MANCHIN, Mr. HELLER, Ms. KLOBUCHAR, Mr. CORNYN, Mr. FRANKEN, Mr. CRAPO, Mr. DONNELLY, Mr. INHOFE, Ms. DUCKWORTH, Mr. SULLIVAN, Mr. KAINE, Mr. DAINES, Mr. UDALL, Ms. COLLINS, Ms. HEITKAMP, Mr. BLUNT, Mr. PETERS, Mr. RUBIO, Mr. BROWN, Mr. ROBERTS, Mr. HEINRICH, Mr. MORAN, Ms. HIRONO, Mrs. CAPITO, Ms. HASSAN, Mr. BOOZMAN, Mr. CARDIN, Mrs. FISCHER, Mr. NELSON, Ms. STABENOW, Mrs. SHAHEEN, Mrs. MURRAY, Mr. BLUMENTHAL, Ms. WARREN, and Mr. CASSIDY):

S. 1598. A bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KAINE (for himself and Mr. PORTMAN):

S. 1599. A bill to require the Secretary of Labor to award grants for promoting industry or sector partnerships to encourage industry growth and competitiveness and to improve worker training, retention, and advancement; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HIRONO (for herself and Mr. MERKLEY):

S. 1600. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to make improvements in the old-age, survivors, and disability insurance program, and to provide for Social Security benefit protection; to the Committee on Finance.

By Mrs. SHAHEEN (for herself, Ms. KLOBUCHAR, Mr. FRANKEN, and Ms. HARRIS):

S. 1601. A bill to amend the Fair Housing Act to establish that certain conduct, in or around a dwelling, shall be considered to be severe or pervasive for purposes of determining whether a certain type of sexual harassment has occurred under that Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. GILLIBRAND:

S. 1602. A bill to authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating certain land as the Finger Lakes National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HOEVEN:

S. 1603. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2018, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. LEE (for himself, Mr. LEAHY, Mr. HOEVEN, and Mr. CRUZ):

S. 1604. A bill to establish the Daniel Webster Congressional Clerkship Program; to the Committee on Rules and Administration.

By Mr. CASEY (for himself, Mrs. MURRAY, Ms. CORTEZ MASTO, Mr. BLUMENTHAL, Ms. WARREN, Mrs. GILLIBRAND, and Mrs. FEINSTEIN):

S. 1605. A bill to improve the response to sexual assault and sexual harassment on board aircraft operated in passenger air transportation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER (for himself and Mr. FRANKEN):

S. 1606. A bill to authorize grants for the support of caregivers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH:

S. 1607. A bill to establish a pilot program to transform the Federal-aid highway program to a performance- and outcome-based program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. FLAKE (for himself, Mr. PAUL, Mr. DONNELLY, and Mr. MURPHY):

S. 1608. A bill to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes; to the Committee on Rules and Administration.



By Mr. ALEXANDER:

S. 1609. An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2018, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. SCOTT (for himself and Mr. GRASSLEY):

S. 1610. A bill to require law enforcement agencies to report the use of lethal force, and for other purposes; to the Committee on the Judiciary.

By Mr. HOEVEN (for himself and Mr. ROUNDS):

S. 1611. A bill to amend title 38, United States Code, to allow the Secretary of Veterans Affairs to enter into certain agreements with non-Department of Veterans Affairs health care providers if the Secretary is not feasibly able to provide health care in facilities of the Department or through contracts or sharing agreements, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HATCH:

S. 1612. A bill to expand the definition of highway safety improvement project under section 148 of title 23, United States Code, to include education integrated into an approved State strategic highway safety plan, and for other purposes; to the Committee on Environment and Public Works.

By Mr. RISCH:

S. 1613. A bill to amend the Pittman-Robertson Wildlife Restoration Act to modernize the funding of wildlife conservation, and for other purposes; to the Committee on Environment and Public Works.

By Ms. DUCKWORTH:

S. 1614. A bill to provide for the regulation of video visitation services and inmate calling services by the Federal Communications Commission generally, to establish criteria for the provision of video visitation services by the Bureau of Prisons, and for other purposes; to the Committee on the Judiciary.

By Mr. GRAHAM (for himself, Mr. DURBIN, Mr. FLAKE, and Mr. SCHUMER):

S. 1615. A bill to authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children and for other purposes; to the Committee on the Judiciary.

By Mr. CRAPO (for himself, Mr. PERDUE, Mr. TILLIS, Mr. COTTON, Mr. SCOTT, Mr. HELLER, Mr. ROUNDS, Mr. TOOMEY, Mr. SHELBY, Mr. CORKER, Mr. SASSE, Mr. MORAN, Mrs. CAPITO, Mr. HATCH, Mr. ISAKSON, Mr. BARASSO, Mr. WICKER, Mr. ENZI, Mr. RUBIO, Mr. BLUNT, Mr. CRUZ, Mr. LANKFORD, Mr. STRANGE, and Mr. COCHRAN):

S.J. Res. 47. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements"; to the Committee on Banking, Housing, and Urban Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ENZI (for himself, Ms. HEITKAMP, Mr. CRAPO, Mr. INHOFE, Mr. RISCH, Mr. CORNYN, Mr. TESTER, Mr. LANKFORD, Mr. HOEVEN, Mr. BAR-

RASSO, Mr. HEINRICH, Mr. UDALL, Mr. THUNE, Mr. MERKLEY, and Mr. ROUNDS):

S. Res. 225. A resolution designating July 22, 2017, as "National Day of the American Cowboy"; to the Committee on the Judiciary.

By Ms. BALDWIN:

S. Res. 226. A resolution designating the week of July 17 through July 21, 2017, as "National Ectodermal Dysplasias Week" and supporting the goals and ideals of National Ectodermal Dysplasias Week to raise awareness and understanding of ectodermal dysplasias; to the Committee on the Judiciary.

By Mrs. CAPITO (for herself, Ms. DUCKWORTH, Mr. UDALL, Mr. DURBIN, and Mr. MORAN):

S. Res. 227. A resolution recognizing "National Youth Sports Week" and the efforts by parents, volunteers, and national organizations in their efforts to promote healthy living and youth development; to the Committee on Commerce, Science, and Transportation.

By Mr. CARDIN (for himself, Mr. COONS, Mr. BOOKER, and Mr. MERKLEY):

S. Res. 228. A resolution calling for a credible, peaceful, free, and fair presidential election in Kenya in August 2017; to the Committee on Foreign Relations.

By Mr. ROUNDS:

S. Con. Res. 22. A concurrent resolution expressing the sense of Congress on the use of the Intergovernmental Personnel Act Mobility Program and the Department of Defense Information Technology Exchange Program to obtain personnel with cyber skills and abilities for the Department of Defense; to the Committee on Armed Services

## ADDITIONAL COSPONSORS

S. 170

At the request of Mr. RUBIO, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 170, a bill to provide for non-preemption of measures by State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 431

At the request of Mr. THUNE, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 431, a bill to amend title XVIII of the Social Security Act to expand the use of telehealth for individuals with stroke.

S. 563

At the request of Mr. HELLER, the name of the Senator from Georgia (Mr.

PERDUE) was added as a cosponsor of S. 563, a bill to amend the Flood Disaster Protection Act of 1973 to require that certain buildings and personal property be covered by flood insurance, and for other purposes.

S. 609

At the request of Mr. MORAN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 609, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes.

S. 690

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 690, a bill to extend the eligibility of redesignated areas as HUBZones from 3 years to 7 years.

S. 708

At the request of Mr. MARKEY, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 708, a bill to improve the ability of U.S. Customs and Border Protection to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, and for other purposes.

S. 794

At the request of Mr. ISAKSON, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 794, a bill to amend title XVIII of the Social Security Act in order to improve the process whereby Medicare administrative contractors issue local coverage determinations under the Medicare program, and for other purposes.

S. 952

At the request of Ms. WARREN, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 952, a bill to increase the role of the financial industry in combating human trafficking.

S. 1034

At the request of Mrs. FEINSTEIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1034, a bill to improve agricultural job opportunities, benefits, and security for aliens in the United States, and for other purposes.

S. 1122

At the request of Mrs. MURRAY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1122, a bill to amend the Occupational Safety and Health Act of 1970 to clarify when the time period for the issuance of citations under such Act begins and to require a rule to clarify that an employer's duty to make and



maintain accurate records of work-related injuries and illnesses is an ongoing obligation.

S. 1182

At the request of Mr. YOUNG, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

S. 1311

At the request of Mr. CORNYN, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1311, a bill to provide assistance in abolishing human trafficking in the United States.

S. 1393

At the request of Mr. CORNYN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1393, a bill to streamline the process by which active duty military, reservists, and veterans receive commercial driver's licenses.

S. 1462

At the request of Mrs. SHAHEEN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Missouri (Mrs. McCASKILL) were added as cosponsors of S. 1462, a bill to amend the Patient Protection and Affordable Care Act to improve cost sharing subsidies.

S. 1526

At the request of Mr. TESTER, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1526, a bill to appropriate amounts to the Department of Veterans Affairs to improve the provision of health care to veterans, and for other purposes.

S. 1533

At the request of Mr. GRASSLEY, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 1533, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, and for other purposes.

S. 1546

At the request of Mr. WARNER, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 1546, a bill to amend the Patient Protection and Affordable Care Act to provide greater flexibility in offering health insurance coverage across State lines.

S. 1552

At the request of Mr. FLAKE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1552, a bill to amend the Internal Revenue Code of 1986 to allow individuals to designate that up to 10 percent of their income tax liability be used to re-

duce the national debt, and to require spending reductions equal to the amounts so designated.

S. 1558

At the request of Mr. RISCH, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1558, a bill to amend section 203 of Public Law 94-305 to ensure proper authority for the Office of Advocacy of the Small Business Administration, and for other purposes.

S. 1559

At the request of Mr. RISCH, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1559, a bill to ensure a complete analysis of the potential impacts of rules on small entities.

S. 1562

At the request of Mr. GARDNER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1562, a bill to impose sanctions with respect to the Government of the Democratic People's Republic of Korea and any enablers of the activities of that Government, and for other purposes.

S. 1587

At the request of Mr. CRUZ, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1587, a bill for the relief of Liu Xia.

S. 1588

At the request of Mr. CARDIN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1588, a bill to secure Federal voting rights of persons when released from incarceration.

S. 1589

At the request of Mr. CARDIN, the name of the Senator from Missouri (Mrs. McCASKILL) was added as a cosponsor of S. 1589, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S.J. RES. 17

At the request of Mr. CORNYN, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S.J. Res. 17, a joint resolution approving the discontinuation of the process for consideration and automatic implementation of the annual proposal of the Independent Medicare Advisory Board under section 1899A of the Social Security Act.

S. CON. RES. 15

At the request of Ms. WARREN, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. Con. Res. 15, a concurrent resolution expressing support for the designation of October 28, 2017, as "Honoring the Nation's First Responders Day".

S. RES. 75

At the request of Mr. PORTMAN, the name of the Senator from California

(Mrs. FEINSTEIN) was added as a cosponsor of S. Res. 75, a resolution recognizing the 100th anniversary of the Academy of Nutrition and Dietetics, the largest organization of food and nutrition professionals in the world.

S. RES. 160

At the request of Mr. NELSON, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Res. 160, a resolution honoring the service to United States Armed Forces provided by military working dogs and contract working dogs, also known as "war dogs".

S. RES. 223

At the request of Mr. CRUZ, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 223, a resolution honoring the life and legacy of Liu Xiaobo for his steadfast commitment to the protection of human rights, political freedoms, free markets, democratic elections, government accountability, and peaceful change in the People's Republic of China.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAINE (for himself and Mr. PORTMAN):

S. 1599. A bill to require the Secretary of Labor to award grants for promoting industry or sector partnerships to encourage industry growth and competitiveness and to improve worker training, retention, and advancement; to the Committee on Health, Education, Labor, and Pensions.

Mr. KAINE. Mr. President, the U.S. infrastructure system is in critical need of an upgrade. The American Society of Civil Engineers recently graded the U.S. system a D+ given its capacity, condition, funding, future need, operation and maintenance, public safety, resilience and innovation. Any investment to improve our Country's infrastructure system would create millions of new jobs, requiring millions of skilled workers to fill them.

A recent study by the Center of Education and the Workforce at Georgetown University estimated that a \$1 trillion infrastructure investment would create 11 million new jobs. Nearly half of these would require training past the high school level. Even without a significant investment, though, infrastructure industries are already struggling to meet workforce demands. Workers in infrastructure industries are expected to retire at a 50% higher rate than the general workforce. And historic inequities that have limited women and people of color from accessing these jobs have further constrained the pipeline of potential workers. To ensure infrastructure investments benefit businesses, workers and the economy, the U.S. must invest in the creation of a diverse pipeline of workers

with skills necessary to access in-demand opportunities.

Industry and sector partnerships are a proven strategy for helping workers prepare for middle-skill jobs and helping businesses find skilled workers. Congress requires States and local areas to support the development of these partnerships under the Workforce Innovation and Opportunity Act (WIOA), but no dedicated funding has been provided for these activities. Work-based learning strategies, such as apprenticeships, are common pathways to skilled jobs in infrastructure industries. Many small and medium-sized businesses shy away from developing high-quality work-based learning programs, however, because of real or perceived costs associated with the strategy.

This is why I am pleased to introduce with my colleague, Senator PORTMAN, the Building U.S. Infrastructure by Leveraging Demands for Skills Act or BUILDS Act. The BUILDS Act creates a grant program that would support industry and sector partnerships working with local businesses, industry associations and organizations, labor organizations, State and local workforce boards, economic development agencies and other partners engaged in their communities to encourage industry growth, competitiveness and collaboration to improve worker training, retention and advancement in targeted infrastructure clusters.

Specifically, the bipartisan BUILDS Act would leverage sector partnerships to engage businesses in work-based learning programs. Businesses and industries would be incentivized to work with the greater community to create on-the-job training programs to fill the jobs necessary to expand the Country's infrastructure system. Additionally, businesses and education providers would be connected to develop classroom curriculum to complement on-the-job learning. Workers on the other hand, would receive support services such as mentoring and career counseling to ensure that they are successful from the pre-employment to placement in a full-time position.

Our Country desperately needs improvements to critical infrastructure like our roads and bridges, however to do that work we must have a trained workforce that's ready to fill these good-paying jobs. Virginia businesses in the transportation, construction, energy, and information technology industries continue to tell me they have trouble finding job applicants with the necessary skills. This bill will help workers get the job training they need to be hired. I hope that my colleagues on both sides of the aisle consider the BUILDS Act as a necessary component to any investment in our Nation's infrastructure.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 225—DESIGNATING JULY 22, 2017, AS “NATIONAL DAY OF THE AMERICAN COWBOY”

Mr. ENZI (for himself, Ms. HEITKAMP, Mr. CRAPO, Mr. INHOFE, Mr. RISCH, Mr. CORNYN, Mr. TESTER, Mr. LANKFORD, Mr. HOEVEN, Mr. BARRASSO, Mr. HEINRICH, Mr. UDALL, Mr. THUNE, Mr. MERKLEY, and Mr. ROUNDS) submitted the following resolution; which was referred to the Committee on the Judiciary:

#### S. RES. 225

Whereas pioneering men and women, recognized as “cowboys”, helped to establish the American West;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas the cowboy spirit exemplifies strength of character, sound family values, and good common sense;

Whereas the cowboy archetype transcends ethnicity, gender, geographic boundaries, and political affiliations;

Whereas the cowboy, who lives off the land and works to protect and enhance the environment, is an excellent steward of the land and its creatures;

Whereas cowboy traditions have been a part of American culture for generations;

Whereas the cowboy continues to be an important part of the economy through the work of many thousands of ranchers across the United States who contribute to the economic well-being of every State;

Whereas millions of fans watch professional and working ranch rodeo events annually, making rodeo one of the most-watched sports in the United States;

Whereas membership and participation in rodeo and other organizations that promote and encompass the livelihood of cowboys span every generation and transcend race and gender;

Whereas the cowboy is a central figure in literature, film, and music and occupies a central place in the public imagination;

Whereas the cowboy is an American icon; and

Whereas the ongoing contributions made by cowboys and cowgirls to their communities should be recognized and encouraged: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates July 22, 2017, as “National Day of the American Cowboy”; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

### SENATE RESOLUTION 226—DESIGNATING THE WEEK OF JULY 17 THROUGH JULY 21, 2017, AS “NATIONAL ECTODERMAL DYSPLASIAS WEEK” AND SUPPORTING THE GOALS AND IDEALS OF NATIONAL ECTODERMAL DYSPLASIAS WEEK TO RAISE AWARENESS AND UNDERSTANDING OF ECTODERMAL DYSPLASIAS

Ms. BALDWIN submitted the following resolution; which was referred to the Committee on the Judiciary:

#### S. RES. 226

Whereas ectodermal dysplasias is a congenital disorder that causes defects to the skin, hair, nails, teeth, and glands of an individual and can also cause harm to other body parts of an individual, such as the eyes, ears, and throat;

Whereas ectodermal dysplasias is a genetic disorder that is passed from parent to child;

Whereas a child may be the first individual in a family to be affected by ectodermal dysplasias and can then pass the condition on to the next generation;

Whereas ectodermal dysplasias is a rare disorder that affects fewer than 200,000 people in the United States;

Whereas symptoms of ectodermal dysplasias in an individual can include—

- (1) the inability to perspire;
- (2) lack of tears in the eyes;
- (3) cleft lip and palate;
- (4) sparse saliva;
- (5) missing fingers or toes; and

(6) absence or malformation of some or all teeth, known as anodontia and hypodontia, respectively;

Whereas there are more than 180 different types of ectodermal dysplasias and a specific diagnosis depends on the combination of symptoms that an individual experiences;

Whereas there is no cure for ectodermal dysplasias;

Whereas the treatment for ectodermal dysplasias varies depending on the severity of the disease, which can range from mild symptoms to extensive health issues that require advanced care;

Whereas many types of ectodermal dysplasias affect the teeth and the nature of dental and oral symptoms—

- (1) are specific to each syndrome; and
- (2) can include severe hypodontia and anodontia that require complex care;

Whereas an individual who suffers from ectodermal dysplasias can expect to spend approximately \$150,000 on dental care alone during the lifetime of the individual;

Whereas most insurance companies provide coverage for the treatment of a congenital disease or anomaly;

Whereas most States require coverage for any repair or restoration of body parts for a congenital disease like ectodermal dysplasias;

Whereas coverage for complex and medically necessary dental procedures that are required because of ectodermal dysplasias, including prosthetic teeth and bone grafts, is routinely denied;

Whereas access to health insurance coverage for medically necessary dental services relating to ectodermal dysplasias varies across the United States;

Whereas gaps in ectodermal dysplasias coverage have serious consequences for patients and their families and may lead to severe limits on proper oral function and the ability to eat or speak;

Whereas scientists across the United States are conducting research projects and clinical trials and are hopeful that breakthroughs in ectodermal dysplasias research and treatment are forthcoming; and

Whereas the Senate is an institution that can raise awareness about ectodermal dysplasias to the general public and the medical community: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week of July 17 through July 21, 2017, as “National Ectodermal Dysplasias Week”; and

(2) supports the goals and ideals of National Ectodermal Dysplasias Week to raise

awareness and understanding of ectodermal dysplasias;

(3) encourages the people of the United States to become more informed about—

(A) ectodermal dysplasias; and

(B) the role of comprehensive treatment for all symptoms of ectodermal dysplasias, including dental manifestations, in improving quality of life; and

(4) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the National Foundation for Ectodermal Dysplasias, a nonprofit organization dedicated to improving the lives of individuals affected by ectodermal dysplasias.

**SENATE RESOLUTION 227—RECOGNIZING “NATIONAL YOUTH SPORTS WEEK” AND THE EFFORTS BY PARENTS, VOLUNTEERS, AND NATIONAL ORGANIZATIONS IN THEIR EFFORTS TO PROMOTE HEALTHY LIVING AND YOUTH DEVELOPMENT**

Mrs. CAPITO (for herself, Ms. DUCKWORTH, Mr. UDALL, Mr. DURBIN, and Mr. MORAN) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 227

Whereas July 16 through 22 is “National Youth Sports Week”, a celebration of youth sports participation and all of the benefits youth derive from engagement in sports;

Whereas a primary goal in youth sports is to encourage active participation by all youth in healthy physical activities according to their age, interests, and abilities;

Whereas the relationship between sports skills and life skills provide young athletes with fundamental values, compassion, and the good ethics needed to succeed both on and off the playing field;

Whereas, in 2008, the National Council of Youth Sports (“NCYS”) reported that there are more than 60,000,000 registered participants in organized amateur youth sports programs;

Whereas youth sports offer a multitude of positive benefits to participants that extend far beyond the playing field, including—

(1) improved academic performance, such as increased school attendance, lower dropout rates, higher high school graduation rates, and higher grade point averages;

(2) increased health and positive physical behaviors, such as improved health factors, and prevention of obesity, chronic diseases, and other health problems;

(3) social well-being, such as character development, and exposure to positive role models; and

(4) improved psychological health, such as decreased likelihood of substance abuse, reduced instances of behavioral misconduct, and high self-esteem; and

Whereas National Youth Sports Week highlights the efforts made toward—

(1) promoting physical activity in all segments of the community;

(2) living healthy;

(3) making access to physical activities easier by removing barriers to creating youth development activities;

(4) encouraging youth development activities and outcomes; and

(5) improving the safety of participating in physical activities: Now, therefore, be it

*Resolved*, That the Senate recognizes the millions of youth throughout the United

States who benefit from youth sports, and the parents, volunteers, and local and national organizations, such as the National Council of Youth Sports, that make youth sports in the United States possible.

**SENATE RESOLUTION 228—CALLING FOR A CREDIBLE, PEACEFUL, FREE, AND FAIR PRESIDENTIAL ELECTION IN KENYA IN AUGUST 2017**

Mr. CARDIN (for himself, Mr. COONS, Mr. BOOKER, and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 228

Whereas the United States has deep interests in Kenya’s democratic stability and regional leadership, and a free and fair election in Kenya holds regional significance as an example for other African countries with elections scheduled in the near future;

Whereas Kenya has general elections scheduled for August 8, 2017;

Whereas electoral violence in 2007 and 2008 resulted in the deaths of at least 1,300 people and the displacement of 600,000 in Kenya, effectively paralyzing the country and the wider region for more than two months before the creation of a power-sharing government;

Whereas the people of Kenya adopted a new constitution in 2010 that sought to devolve power to 47 counties and their elected governors and local representatives;

Whereas the public confidence in the electoral process is critical both to continued democratic progress in Kenya and to ensuring the transparency in electoral preparations that is vital for the success of the August 8, 2017, elections;

Whereas, despite having a permissible legal environment, the Government of Kenya has taken actions to limit democratic space for civil society and media organizations, which could adversely affect their contributions to a credible, peaceful election and broader democratic consolidation;

Whereas there have been deeply concerning instances of hate speech by all sides in Kenya, inciting supporters to ethnic violence as a means by which to gain electoral advantage, intimidate electoral rivals, or suppress voter turnout; and

Whereas the political parties, monitoring groups, and the media in Kenya have the legal authority to record polling station results and tallies at the constituency and national levels in order to ensure that the process is perceived as honest and transparent: Now, therefore, be it

*Resolved*, That the Senate—

(1) calls upon the Government of Kenya and opposition parties in Kenya—

(A) to hold credible, peaceful, free, and fair presidential elections in August 2017 in order to advance democratic consolidation in Kenya and promote stability in the broader region; and

(B) to condemn in the strongest terms the use of hate speech and the incitement of violence by political candidates, the media, or any Kenyan citizens;

(2) calls upon Kenyan citizens to fully and peacefully participate in the general elections and seek to resolve any disputes over results through the legal system;

(3) calls upon Kenyan political candidates at the national, county, and local levels to respect the Electoral Code of Conduct and the Political Party Code of Conduct;

(4) encourages political parties, civil society, and the media in Kenya to act responsibly with their parallel vote tabulations so as not to usurp the role of the electoral commission as the official source for declaring official election results;

(5) encourages civil society organizations in Kenya to continue providing critical early warning and response measures to mitigate election-related violence and further strengthen democratic processes;

(6) commends the key role the faith-based community has played in ensuring a peaceful pre- and post-election environment through periodically convening the Multi-Sectoral Forum to deliberate on matters of governance, election management, and looming insecurity;

(7) supports efforts by the Department of State and the United States Agency for International Development (USAID), including the Bureau of Conflict and Stabilization Operations, the Bureau of Democracy, Human Rights, and Labor, and the Bureau of African Affairs, to assist election-related preparations in Kenya, including programs focused on conflict mitigation;

(8) strongly encourages the President to appoint an Assistant Secretary of State for African Affairs in order to bolster diplomatic engagement with the Government of Kenya, the opposition, and the donor community, which has historically been critical during Kenya’s elections; and

(9) calls upon the United States Government and other international partners, especially election-focused nongovernmental organizations, to continue to support Kenya’s efforts to address the remaining electoral preparation challenges and identify gaps in which additional resources or diplomatic engagement could make important contributions to the conduct of the elections.

**SENATE CONCURRENT RESOLUTION 22—EXPRESSING THE SENSE OF CONGRESS ON THE USE OF THE INTERGOVERNMENTAL PERSONNEL ACT MOBILITY PROGRAM AND THE DEPARTMENT OF DEFENSE INFORMATION TECHNOLOGY EXCHANGE PROGRAM TO OBTAIN PERSONNEL WITH CYBER SKILLS AND ABILITIES FOR THE DEPARTMENT OF DEFENSE**

Mr. ROUNDS submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 22

*Resolved by the Senate (the House of Representatives concurring),*

**SECTION 1. SHORT TITLE.**

This concurrent resolution may be cited as the “Whole of Society Cyber Personnel Cooperation Resolution of 2017”.

**SEC. 2. SENSE OF CONGRESS ON USE OF INTERGOVERNMENTAL PERSONNEL ACT MOBILITY PROGRAM AND DEPARTMENT OF DEFENSE INFORMATION TECHNOLOGY EXCHANGE PROGRAM TO OBTAIN PERSONNEL WITH CYBER SKILLS AND ABILITIES FOR THE DEPARTMENT OF DEFENSE.**

It is the sense of Congress that—

(1) the Department of Defense should fully use the Intergovernmental Personnel Act Mobility Program (IPAMP) and the Department of Defense Information Technology Exchange Program (ITEP) to obtain cyber personnel across the Government by leveraging

cyber capabilities found at the State and local government level and in the private sector in order to meet the needs of the Department for cybersecurity professionals; and

(2) the Department should implement at the earliest practicable date a strategy that includes policies and plans to fully use such programs to obtain such personnel for the Department.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 260. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 261. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 1519, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 260. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XVI, add the following:

**SEC. 1630C. SENSE OF CONGRESS ON USE OF INTERGOVERNMENTAL PERSONNEL ACT MOBILITY PROGRAM AND DEPARTMENT OF DEFENSE INFORMATION TECHNOLOGY EXCHANGE PROGRAM TO OBTAIN PERSONNEL WITH CYBER SKILLS AND ABILITIES FOR THE DEPARTMENT OF DEFENSE.**

It is the sense of Congress that—

(1) the Department of Defense should fully use the Intergovernmental Personnel Act Mobility Program (IPAMP) and the Department of Defense Information Technology Exchange Program (ITEP) to obtain cyber personnel across the Government by leveraging cyber capabilities found at the State and local government level and in the private sector in order to meet the needs of the Department for cybersecurity professionals; and

(2) the Department should implement at the earliest practicable date a strategy that includes policies and plans to fully use such programs to obtain such personnel for the Department.

SA 261. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

**SEC. 1273. STRATEGY TO IMPROVE DEFENSE INSTITUTIONS AND SECURITY SECTOR FORCES IN NIGERIA.**

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains a comprehensive strategy to support improvements in defense institutions and security sector forces in Nigeria.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) An assessment of the threats posed by terrorist and other militant groups operating in Nigeria, including Boko Haram, ISIS-WA, and Niger Delta militants, as well as a description of the origins, strategic aims, tactical methods, funding sources, and leadership structures of each such organization.

(2) An assessment of efforts by the Government of Nigeria to improve civilian protection, accountability for human rights violations, and transparency in the defense institutions and security sector forces.

(3) A description of the key international and United States diplomatic, development, intelligence, military, and economic resources available to address instability across Nigeria, and a plan to maximize the coordination and effectiveness of these resources to counter the threats posed by Boko Haram, ISIS-WA, and Niger Delta militants.

(4) An assessment of efforts undertaken by the security forces of the Government of Nigeria to improve the protection of civilians in the context of—

(A) ongoing military operations against Boko Haram in the northeast region;

(B) addressing farmer-herder land disputes in the Middle Belt;

(C) renewed militant attacks on oil and gas infrastructure in the Delta; and

(D) addressing pro-Biafra protests in the southeast region.

(5) An assessment of the effectiveness of the Civilian Joint Task Force that has been operating in parts of northeastern Nigeria in order to ensure that underage youth are not participating in government-sponsored vigilante activity in violation of the Child Soldiers Accountability Act of 2008 (Public Law 110-340).

(6) An assessment of the options for the Government of Nigeria to eventually incorporate the Civilian Joint Task Force into Nigeria's military or law enforcement agencies or reintegrate its members into civilian life.

(7) A plan for the United States Government to work with the Nigerian military and judiciary to transparently investigate human rights violations committed by the security forces of the Government of Nigeria and other security forces operating in Nigeria that have involved civilian casualties, including a plan to undertake tangible measures of accountability following such investigations in order to break the cycle of conflict.

(8) A plan for the United States Government to work with the Nigerian defense institutions and security sector forces to improve detainee conditions.

(9) A plan for the United States Government to work with the Nigerian military, international organizations, and nongovernmental organizations to demilitarize the humanitarian response to the food insecurity and population displacement in northeastern Nigeria.

(10) Any other matters the President considers appropriate.

(c) UPDATES.—Not later than 1 year after the date on which the report required under subsection (a) is submitted to the appropriate congressional committees, and annually thereafter for 5 years, the President shall submit to the appropriate congressional committees an update of the report containing updated assessments and evaluations on progress made on the plans described in the report, including—

(1) updated assessments on the information described in paragraphs (2), (4), and (6) of subsection (a); and

(2) descriptions of the steps taken and outcomes achieved under each of the plans described in paragraphs (7), (8), (9), and (10) of subsection (a), as well as assessments of the effectiveness and descriptions of the metrics used to evaluate effectiveness for each such plan.

(d) FORM.—The report required under subsection (a) and the updates required under (c) shall be submitted in unclassified form, but may include a classified annex.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees;

(2) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(3) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 9 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, July 20, 2017 at 10 a.m. to conduct a hearing entitled, “Housing Finance Reform: Maintaining Access for Small Lenders”.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Senate Committee on Energy and Natural Resources is authorized to meet during the session of the Senate in order to hold a nomination hearing on Thursday, July 20, 2017, at 10 a.m. in Room 366 of the Dirksen Senate Office Building in Washington, DC.

##### COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, July 20, 2017, at 10 a.m., in 215 Dirksen Senate Office Building, to consider favorably reporting the nomination of David J. Kautter, of Virginia, to be an Assistant Secretary of the Treasury, vice Mark J. Mazur.

##### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, July 20, 2017, at 9:30 a.m., to hold a hearing entitled “Nominations.”

## COMMITTEE ON JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on July 20, 2017, at 9:30 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

## COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to hold a business meeting during the session of the Senate on Thursday, July 20, 2017, off the senate floor and in conjunction with afternoon votes, to consider pending nominations.

## COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Thursday, July 20, 2017 from 2 p.m., in room SH-219 of the Senate Hart Office Building to hold a Closed Hearing.

## SUBCOMMITTEE ON TECHNOLOGY, INNOVATION, AND INTERNET

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Thursday, July 20, 2017, at 10 a.m. in room 253 of the Russell Senate Office Building. The Committee will hold Subcommittee Hearing on "An Update on FirstNet."

## COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

## SUBCOMMITTEE ON FISHERIES, WATER AND WILDLIFE

The Subcommittee on Fisheries, Water and Wildlife of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Thursday, July 20, 2017, at 10 a.m., in Room 406 of the Dirksen Senate Office Building, to conduct a hearing entitled, "Innovative Financing and Funding: Addressing America's Crumbling Water Infrastructure."

## ORDERS FOR MONDAY, JULY 24, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 4 p.m., Monday, July 24; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Bernhardt nomination; finally, that the postcloture time on the Bernhardt nomination expire at 5:30 p.m., Monday, July 24.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADJOURNMENT UNTIL MONDAY, JULY 24, 2017, AT 4 P.M.

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:11 p.m., adjourned until Monday, July 24, 2017, at 4 p.m.

## NOMINATIONS

## Executive nominations received by the Senate:

## DEPARTMENT OF STATE

JON M. HUNTSMAN, JR., OF UTAH, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE RUSSIAN FEDERATION.

## DEPARTMENT OF JUSTICE

BART M. DAVIS, OF IDAHO, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF IDAHO FOR THE TERM OF FOUR YEARS, VICE WENDY J. OLSON, RESIGNED.

JOSHUA J. MINKLER, OF INDIANA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF INDIANA FOR THE TERM OF FOUR YEARS, VICE JOSEPH H. HOGSETT, RESIGNED.

## IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

BETTY S. ALEXANDER  
ERICA L. ARNOLD  
ARON W. BOWLIN  
MELISSA K. BURKE  
REGINALDO F. CAGAMPAN  
TREVOR W. CARLSON  
TAMERA A. CORSON  
VIRGILIO S. CRESCINI  
JESUS M. CRESPO DIAZ  
VIRGINIA H. DAMIN  
CHRISTINE D. DAVIES  
DANA DONES  
JAMES J. DRISCOLL  
CHRISTA D. DUNCANARFAA  
TREVOR W. EBORN  
BRIAN E. ELLIS  
CAROL M. ELLSWORTH  
BROOKES A. ENGLEBERT  
JENNIFER M. FAUST  
THOMAS N. FULLER  
LACY L. GEE  
EDITH R. GLANTON  
ELIZABETH K. GLOOR  
NOELLE M. GRIFFITH  
STACEY M. HAMLETT  
BRADLEY S. HAZEN  
LAWRENCE B. HENRY  
RACHEL S. HERNANDEZ  
DANETTE R. HINELY  
STUART R. HITCHCOCK  
TODD A. HLAVAC  
KARI L. JOHNDROWCASEY  
ROBERT D. JOHNS  
MATTHEW C. JONES  
JAMES A. KETZLER  
MONICA A. KNAPP  
SHANE E. LAWSON  
SARAH A. LEDFORD  
BRANDON J. LIMTIACO  
MARY F. LISEC  
LEAH M. LIZADA  
RODRIGO F. LOPEZ  
RUBEN A. LOPEZ  
DANIEL S. MCCLURE  
ALEAH J. MCHENRY  
HILARY A. MEYER  
KEVIN J. MICHEL  
ERIC J. MILLER  
MARK J. MILLER  
ERIN C. MOHAN  
ARON C. MYERS  
ERIN R. OCKERREZA  
KRISTINA R. OLIVER  
KAREN L. ORTOLANI  
JOSE L. PINON  
JESSICA M. PIPKIN  
SHANNA C. POWELLSEARCEY  
SHARON QUALLIO  
VALERIE R. QUINN  
PETER W. SCHENKE  
EILEEN SCOTT  
SEBASTIAN STACHOWICZ  
JACK A. STANSBURY  
SHALANDA D. STEPHENS  
KENDER W. SURIN  
MELISSA E. TRONCOSO  
LIGIA B. VILLAJUANA  
ABIGAIL T. WHITE  
ALFONZA WILLIS  
BRANDON K. WOLF  
JAMES S. ZMIJSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

DOMINIC J. ANTENUCCI  
JOHN J. BOYD  
LOUIS E. BUTLER  
MATTHEW P. CUTCHEN  
CHRISTOPHER J. DEERWESTER  
HOLLY H. DIDAWICK  
GUY W. EDEN

ERIKA C. GEHLEN  
NATHANIEL R. GROSS  
BRIAN A. HAHN  
TEMPERANCE C. HUFFSTETLER  
KIMBERLY J. KELLY  
JAMES M. KENNEDY, JR.  
BRIAN D. KORN  
DAVID H. LEE  
COURTNEY E. LEWIS  
ABIGAIL L. MEYERS  
MARY R. MURPHY  
SARA A. ONEILMILLER  
JEFFREY J. PIETRZYK  
AARON M. RIGGIO  
BENJAMIN C. ROBERTSON  
ELIZABETH M. ROCHE  
JACOB W. ROMELHARDT  
IAN SANTICOLA  
RYAN SANTICOLA  
LISA M. SENAY  
DAVID M. SHULL  
CHRISTOPHER C. SWAIN  
CRAIG S. THEDWALL  
SEAN M. THOMPSON  
CHRISTOPHER P. TOSCANO  
GRAHAM C. WINEGEART  
MATTHEW J. WOOTEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

CLEMA ANDERSON  
JOHNFRITZ E. ANTOINE  
JANETTE B. ARENCIBIA  
STEFANIE M. BLIGHTON  
JON D. CHAMPINE  
SHAWNNA M. CHEE  
JANIESE A. CLECKLEY  
LESLIE R. COUNCILOR  
WILLIAM T. CRIDER  
PRASAD B. DIWADKAR  
SCOTT E. DUNN  
MARIA D. EDUSADA  
JANINE E. ESPINAL  
ROMMEL D. FLORES  
MONICA E. GONZALEZ  
BRADEY R. GOTTO  
KIBWE A. HAMPDEN  
MELISSA J. HARNLY  
SCOTT A. HAZELRIGG  
SAMUEL H. JARVIS  
JASON M. JONES  
PAMELA M. KLEPACTULENSRU  
CODY L. LALLATIN  
AUSTIN W. LATOUR  
SAMUEL Y. LEVIN  
CARL E. LONG, JR.  
DAVID J. LOOMIS II  
KEVIN J. LYLE  
VENANCIO MAYSONET  
SEAN M. MCCARTHY  
BERNARD C. McDONALD  
KEVIN P. MCMULLEN  
JOSHUA A. MILLER  
NAUSHEEN MOMEN  
THOMAS P. MURPHY  
JULIA A. NEFCZYK  
MARGARET M. PARKS  
DARREN J. PIERCE  
JOHN B. PRICE  
MATHEW A. RANDOLPH  
ELIZABETH C. RAPHAEL  
CHAD J. REES  
ALBERT RICCARDI III  
JUAN N. ROSARIO  
NATHAN L. SEAMAN  
DOUGLAS A. SEARLES  
ERIN M. SIMMONS  
ELIZABETH G. SKOREY  
JOSEPH A. SORCIC  
KEVIN L. STARKEY  
CHRISTOPHER T. STEELE  
LEEDJIA A. SVEC  
JARED H. TAYLOR  
GEORGE W. VANCIL  
DEAN J. WAGNER, JR.  
MARK D. WAKEFIELD  
STACY J. WASHINGTON  
MICHAEL A. ZUNDEL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

ERIC F. BAUMAN  
ROBIN C. BENNETT  
KITTIMA BOONSIRISERM SOOK  
MARK A. BUCKNER  
LAURA N. CARLE  
JOSHUA E. COHEN  
CAREY H. COLLINSDEISLEY  
DEREK T. FAGEN  
EDWARD J. GIVENS, JR.  
BENJAMIN M. GRAY  
JAYSON H. HUBER  
DAMON T. JENSEN  
DAVID Z. LIU  
RUOHONG LIU  
JASON W. MATHYS  
JENNIFER L. MCGUIREHAYEMAN

CALEB J. NOORDMANS  
MELANIE A. PERRY  
BARRY E. PETERSON  
BRYAN P. RASMUSSEN  
SHAWN D. TEUTSCH  
PHILLIP S. TIMMONS  
JOSHUA C. TREESH  
LESLIE H. TRIPPE  
WALTER B. VOLINSKI, JR.  
EVAN R. WHITBECK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

THOMAS B. ABLEMAN  
JAVIER AGRAZ, JR.  
ARRIEL E. ATENZA  
JONATHAN D. AUTEN  
SARAH B. BALLARD  
PATRICK D. BARKER  
THOMAS K. BARLOW  
JASON R. BERNHARD  
WILLIAM A. BOLLER  
KIM E. BURKE  
AMY A. CANUSO  
GREGORY G. CAPRA  
PETER N. CARBONE  
JOHN M. CHILDS  
ANNA Y. CHOE  
JAMES CHUNG  
DELBERT D. CLARK  
JAMES K. CLARK  
DEBRA D. COFFEY  
RANDY W. CONNOLLY  
JERALD L. COOK  
PATRICK D. CRONYN  
GARFIELD CROSS  
EMILY L. CROSSMAN  
LAWRENCE C. DECKER  
JUSTIN J. DEGRADO  
JULIE E. DIERKSHEIDE  
BRIAN M. DIMMER  
MARK S. DOUGLAS  
ADRIAN ELLIOTT  
KENNETH M. FECHNER  
DARYL B. FICK, JR.  
ELIZABETH M. FOWLER  
SHARI L. GENTRY  
ANTONINO GERMANA  
LISA K. GIBSON  
DOMINIC T. GOMEZLEONARDELLI  
DAVID E. GREENE  
STEVEN D. GRIJALVA  
RICHARD T. GROSSART  
SUZANNE R. GUEDEMAN  
DAVID A. HELTZEL  
KRISTINA J. HOOVER  
KRISTOFER A. KAZLAUSKAS  
TERRENCE M. KILFOIL  
CHARLES C. KO  
KELLY G. KOREN  
MICHAEL J. KRZYZANIAK  
JACQUELINE S. LAMME  
JONATHAN S. LEIBIG  
DEREK N. LODICO  
KATHLEEN M. LOVE  
MARTIN W. LUNCEFORD  
DOUGLAS C. MCADAMS  
JONATHAN D. MCDIVITT  
LUCAS S. MCDONALD  
SEAN F. MCGRATH  
JIAN M. MEI  
ELLIE C. K. MENTLER  
DEREK M. MILETICH  
KYLE E. MILLER  
LYNITA H. MULLINS  
THOMAS J. MURPHY II  
WAYNE T. MURPHY  
JOSHUA D. NASSIRI  
MEGHANN E. NELLES  
BENJAMIN E. NELSON  
LUKE C. NICHOLAS  
JUSTIN J. NORK  
ALFRED J. OWINGS II  
DAVID A. PAZ  
ANGEL J. PEREZ  
JAMI J. PETERSON  
CHRISTOPHER R. PHILLIPS  
HUY Q. PHUN  
EVELYN M. POTOCHNY

HOWARD I. PRYOR II  
BENJAMIN N. QUARTEY  
JODIE D. RAPPE  
WILLIAM W. REYNOLDS, JR.  
NELLY K. RICE  
JAMES R. RIPPLE  
CHRISTA M. ROBINSON  
MATTHEW W. ROSE  
BRIANNA L. RUPP  
MICHELLE J. SANGIORGI  
JOSEPH W. SCHMITZ  
ALBERT J. SCHUETTE, JR.  
ANIL N. SHAH  
MANISH SINGLA  
JASON E. SMITH  
MONIQUE E. SMITH  
LEAH K. SPRING  
KRISTINA J. STCLAIR  
THEODORE J. STEELMAN  
EDWARD T. STICKLE, JR.  
NICHOLAS N. SWEET  
VIRGINIA P. TETI  
ROBERT N. UNISZKIEWICZ  
JOHANNAH K. VALENTINE  
MARCEL M. VARGAS  
SHELTON A. VIOLA  
WILLIAM H. WARD  
JOHN G. WHALEY  
KRISTI M. WOOD  
JEFFREY C. WORTHLEY  
BRUCE A. YEE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

ERIC W. HASS  
GAIL M. MULLEAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

CHRISTOPHER L. ALMOND  
REBECCA W. BARRETT  
PETER R. BENSON  
BLAKE E. BURKET  
BRANDON M. CASPERSON  
JUAN CHAVIRA  
ANDREW D. CLINE  
JAMES M. DOHM  
GRADY D. DONATHAN IV  
ELIZABETH A. DURIKA  
ALAN W. EICHELMAN  
TIMOTHY W. GLEASON  
LAKEVA B. GUNDERSON  
JACKSON R. HABECK  
ROBERT B. HAGEL  
BENJAMIN P. HOFMAN  
CARL E. JACKSON, JR.  
WEURIELUS D. JOHNSON  
TIMOTHY W. KABER  
GREG C. KIRK  
ROBERT D. KLEINMAN  
DENNIS LA  
CHAD M. MARSHALL  
ANGELIQUE N. MCBEE  
ANDREW W. OLSEN  
BRYAN M. PARNELL  
FEDERICO PEREZROMERO  
WILLIAM R. PITCAIRN IV  
AARON J. RIPLE  
DANIEL J. SCHMITT  
JACOB W. SEGALLA  
THOMAS J. SOLETER  
JUSTIN D. SPINKS  
CORTNEY B. STRINGHAM  
BENJAMIN H. TURNER  
DANIEL W. WALL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

ROBERT E. BRADSHAW  
AARON C. CARLTON  
THOMAS T. COOK  
JAMES L. DANCE  
JERRY D. DURHAM

STEPHEN D. FISHER  
PAUL B. GREER  
JEFFERY B. JENKINS  
TAVIS J. LONG  
HARVEY C. MACKLIN  
MARC H. MASSIE  
JOHN M. MIYAHARA  
MICHAEL Q. OBANNON  
RONALD S. ODELL, JR.  
CHARLES A. OWENS  
RAY F. RIVERS  
DONALD W. ROGERS, JR.  
MARGARET E. SIEMER  
LEROY C. YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

THOMAS E. ARNOLD  
RASAQ A. BALOGUN  
KRISTINA J. BICKING  
MICHAEL C. BISHOP  
JOSEPH R. BOSSI  
TIMOTHY J. CALVO  
DAVID M. CARROLL  
ABDUL R. CEVILLE  
TANYA K. CORMIER  
ANTHONY R. DICOLA  
JOHN C. DONNELLY  
ANDRE L. FIELDS  
DAVID S. FUCHS, JR.  
BRIAN L. GARBERT  
TERRY C. GRIGSBY  
JOHN P. HAGAN  
JACKIE B. HURSE  
WILLIAM M. JAKUBOWICZ  
MARCUS L. JONES  
RICHARD D. JONES  
CHRISTOPHER R. KADING  
MORDOCAI KIFLU  
CHRISTOPHER M. LOUNSBERRY  
TAQUINA T. LUSTER  
BRIAN P. MADDEN  
MICHAEL H. MALONE  
DANIEL W. METZ  
JASON A. MORGAN  
OWEN B. MORRISSEY  
SEAN A. NEER  
QUY P. NGUYEN  
SEAN J. NUIA  
LEOPOLDO OCHOA, JR.  
DAVID J. OZECK  
ANDREW M. PHILLIPS  
NICOLE C. PONDER  
JAMES A. PROSSER  
JECISKEN RAMSEY  
MATTHEW B. REED  
KEVIN C. RICHARDSON  
DENA B. RISLEY  
BRANDOLYN N. ROBERTS  
CHRISTOPHER F. ROESNER  
FRANKLIN B. SEMILLA  
BRAN M. SHERMAN  
MATTHEW J. SHIELDS  
JAIME J. SIQUEIROS  
TAMARA T. SONON  
JOSEPH K. SPEDE  
SHANE D. STATEN  
JESSE K. TALJERON  
DOUGLAS H. THOMPSON  
MICHAEL L. TUCKER  
NICHOLAS A. ULMER  
JOSE L. VARGAS  
ANGELA C. WATSON  
CHRISTOPHER T. WILSON  
MICHAEL P. YUNKER

## CONFIRMATION

Executive nomination confirmed by  
the Senate July 20, 2017:

### THE JUDICIARY

JOHN KENNETH BUSH, OF KENTUCKY, TO BE UNITED  
STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT.

## HOUSE OF REPRESENTATIVES—Thursday, July 20, 2017

The House met at 9 a.m. and was called to order by the Speaker.

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Gracious God, we give You thanks for giving us another day.

You have blessed us with all good gifts, and with thankful hearts we express our gratitude. You have created us with opportunities to serve other people in their need, to share together in respect and affection, and to be faithful in the responsibilities we have been given.

In this moment of prayer, please grant to the Members of this people's House, as they return home to meet with their respective constituents, the gifts of wisdom and discernment, that in their words and actions they will do justice, love with mercy, and walk humbly with You.

May all that is done this day be for Your greater honor and glory.  
Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Michigan (Mr. MITCHELL) come forward and lead the House in the Pledge of Allegiance.

Mr. MITCHELL led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

### ILLINOIS FLOODING

(Mr. ROSKAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROSKAM. Mr. Speaker, it has been a difficult week in northern Illinois. A little over a week ago, tor-

rential rains fell on Wisconsin and northern Illinois. Four Illinois counties have been named disaster areas: Lake County, McHenry County, Kane County, and Cook County.

As difficult as it is, it is an incredibly impressive thing to visit these communities, particularly Algonquin, Port Barrington, and Fox River Grove, among others, all in the Sixth Congressional District. What you will witness is literally hundreds of volunteers following through and filling thousands of bags of sand to help their neighbors.

Municipal employees, first responders, local leaders, the Governor of Illinois, and members of the Illinois delegation have all come together in order to meet our neighbors' needs at this time.

For those of you who are people of faith, I ask that you would pray for these families as they are going through this difficult time. Also, I commend those at home who have lent a hand.

### HONORING REVEREND DR. HOWARD W. PARKER, JR.

(Mr. BUTTERFIELD asked and was given permission to address the House for 1 minute.)

Mr. BUTTERFIELD. Mr. Speaker, I rise this morning to honor the Reverend Dr. Howard W. Parker, Jr., who has served as pastor of historic Sycamore Hill Missionary Baptist Church located in Greenville, North Carolina, for more than 35 years, and will soon retire.

The son of Howard and Bernice Parker, Dr. Parker excelled academically, attending Shaw University, Winston-Salem State University, Wake Forest University, and United Christian College, ultimately receiving a master of divinity degree and an honorary doctor of divinity degree.

Under his devoted leadership, Mr. Speaker, Sycamore Hill Missionary Baptist Church has grown in membership and has become a giant in the Greenville community. In addition to leading his congregation, Dr. Parker served as president of the North Carolina General Baptist State Convention, which represents more than a half a million Missionary Baptists in 1,700 North Carolina congregations.

Dr. Parker's commitment to the community has stretched far beyond the pulpit. He was twice elected to the Pitt County Board of Education and served as the board's chair. He serves as associate chaplain of the Greenville

Police Department and is a member of the Greenville Initiative on Gang Violence.

Dr. Parker is married to the former Ruby LaVerna Grantham from Goldsboro. They are the proud parents of two adult children, Kelly and Andrea.

His distinguished career and life of unselfish and dedicated service to mankind has positively impacted the lives of so many. His contributions to the community are far and wide, and too numerous to mention.

I ask my colleagues this morning to join me in honoring Reverend Dr. Howard W. Parker, Jr., and thank him for his important service to God and humanity. We wish him well in the years to come.

### CONGRESSIONAL PAYER STATE CAUCUS

(Mr. LANCE asked and was given permission to address the House for 1 minute.)

Mr. LANCE. Mr. Speaker, I rise today to announce the formation of the Congressional Payer State Caucus.

I join my colleague, Congressman BILL FOSTER from Illinois, in leading this bipartisan caucus that will examine the disparity States like New Jersey and Illinois experience by paying more in Federal taxes than we receive in Federal spending. In fact, New Jersey is dead last, with a rate of return of just 77 cents for every Federal tax dollar sent to Washington.

The caucus seeks to recommend legislation to ensure that donor States keep more of their hard-earned funds. For example, working to maintain the State and local tax deduction when this body considers an overhaul of our Nation's Tax Code. Eliminating that deduction would further increase the disparity that already exists.

Alexander Hamilton wrote in the Federalist Papers about his fear that the Federal Government might monopolize taxation to the "entire exclusion and destruction of State governments."

The caucus will work to address this problem and for a greater return on the tremendous Federal revenue stream from economic activity and innovation in New Jersey and other States.

### ENCOURAGING GIRLS TO TAKE UP COMPUTER SCIENCE

(Ms. ROSEN asked and was given permission to address the House for 1 minute.)

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Ms. ROSEN. Mr. Speaker, in Nevada and across the country, we are continuing to see a huge demand for workers in the technical industry, including software developers; engineers; and computer programmers, like myself. Despite the progress we have made, fewer than one in five computer science graduates are women.

I am proud to introduce my bill, H.R. 3316, the Code Like a Girl Act, because I believe in breaking down barriers and closing the gender gap once and for all.

This bipartisan legislation invests in computer science education, opening doors for women to become part of a highly skilled workforce. Funding programs that encourage girls to take up computer science is one of the most important steps we can take to break down barriers and level the playing field for women everywhere. The Code Like a Girl Act will go one step further by teaching our girls that zero is false, one is true, and that we matter, too.

I encourage my colleagues to invest in our girls by supporting my bill.

#### MADE IN AMERICA WEEK

(Mr. MITCHELL asked and was given permission to address the House for 1 minute.)

Mr. MITCHELL. Mr. Speaker, I rise today in the spirit of Made in America Week.

Since taking office in January, I have had the privilege and honor of meeting with American workers and small-business owners in my district, from manufacturers to the farmers who feed our community and our world.

Unfortunately, we have seen far too many of our jobs leave this country. I am focused on addressing the problems in our economy that are destroying jobs and stalling growth.

We have already made significant progress in reducing the regulatory burdens that make it hard for businesses large and small to survive. Congress has passed and the President has signed 14 Congressional Review Acts overturning excessive and ridiculous regulations. I look forward to passing comprehensive tax reform that is simpler and fairer for all Americans so individuals can keep more of their paycheck and for jobs to stay in America. I will continue to advance solutions to help Americans gain skills needed to compete in our changing workforce.

Mr. Speaker, let's remain focused on keeping jobs in America and products made in America.

#### FIFTH ANNIVERSARY OF COLORADO SHOOTING

(Mr. PERLMUTTER asked and was given permission to address the House for 1 minute.)

Mr. PERLMUTTER. Mr. Speaker, July 20, 5 years ago, we had a terrible tragedy in Colorado. Twelve young peo-

ple were killed, 70 were injured, and countless suffered emotional trauma.

Today I want to recognize these 12. Despite the tragedy we suffered and the impact on our community, there were at least two bright spots: the response of law enforcement, firefighters, ambulance drivers, and medical personnel in dealing with what was a war zone.

Over the 5 years, the families have come together and become great friends, recognizing and celebrating the lives of the people who were taken by that crazed shooter.

I want to recognize them, I want to recognize the dedicated people who assisted them, and just let everybody know that we won't forget. Time goes on and the memories dim a little bit, but these were great young people. Our first responders were wonderful.

#### RECOGNIZING GREG ELLIOT

(Mr. MOONEY of West Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOONEY of West Virginia. Mr. Speaker, I rise today to recognize a truly outstanding constituent in the field of healthcare, Greg Elliot of Charleston, West Virginia. He has been selected this year as one of the recipients of the prestigious Joe Warner Patient Advocacy Award.

The National Center for Assisted Living, the Nation's largest association of professional long-term healthcare providers, bestows this annual award on association members who have worked diligently to educate Members of Congress about the needs of long-term care patients, and to advance the quality in the long-term and post-acute care community.

Mr. Elliot is a second-generation owner of AMFM, which operates 17 long-term, skilled nursing and rehabilitation centers throughout West Virginia.

Greg is frequently in Washington visiting my congressional office, advocating on behalf of West Virginia seniors.

The third-party research institute, My InnerView, has ranked AMFM facilities in the top 10 percent in the Nation 46 times for customer or employee satisfaction.

Greg Elliot resides in Charleston with his wife of 16 years, Jennifer; his 10-year-old daughter, Elizabeth; and their two dogs.

Mr. Speaker, please join me in thanking Greg for his years of dedication and care to our Nation's frail, elderly, and disabled. His career reflects the ideals embodied in the Joe Warner Patient Advocacy Award.

#### LET'S WORK TOGETHER ON HEALTHCARE

(Mr. RUIZ asked and was given permission to address the House for 1 minute.)

Mr. RUIZ. Mr. Speaker, many health insurance executives say they are raising premiums and leaving exchanges because of uncertainty and the threat of not paying the cost-sharing reductions and not funding them.

Brad Wilson, CEO of Blue Cross Blue Shield of North Carolina told The Washington Post in May: "The failure of the administration and the House to bring certainty and clarity by funding CSRs has caused our company to file a 22.9 percent premium increase, rather than one that is materially lower."

We need a bipartisan solution to stabilize exchanges. We need to stop threatening not to pay the CSRs.

I introduced the Marketplace Certainty Act, which provides stability by permanently funding and expanding eligibility for these subsidies. This is pragmatic, commonsense legislation to stop premiums from skyrocketing, keep insurers in exchanges, and help people struggling to afford healthcare.

I urge Republicans and Democrats to put people over partisanship and solutions above ideology by working together, by sponsoring my bill, and helping American families afford healthcare.

#### INDEPENDENT COMMISSION FOR RUSSIA INVESTIGATION

(Ms. VELÁZQUEZ asked and was given permission to address the House for 1 minute.)

Ms. VELÁZQUEZ. Mr. Speaker, since last year, when our intelligence community concluded that Russia sought to influence our elections, we have seen a series of terrifying headlines. This has not stopped.

Last week, we found out the President's son took a meeting in which he anticipated receiving from the Russian Government damaging information on the Democratic nominee. This was after it was spelled out in black and white in an email that the information came from the Kremlin. Donald, Jr.'s, response: I love it. But now we must go further. We need an independent commission, which Congress can authorize.

Speaker RYAN, these issues go beyond party. They go to the heart of our democracy. The American people deserve the truth. Allow a vote on an independent commission before the August recess.

□ 0915

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE of Texas). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

The House will resume proceedings on the postponed question at a later time.

## DEPARTMENT OF HOMELAND SECURITY AUTHORIZATION ACT

Mr. McCAUL. Mr. Speaker, pursuant to House Resolution 454, I move to suspend the rules and pass the bill (H.R. 2825) to amend the Homeland Security Act of 2002 to make certain improvements in the laws administered by the Secretary of Homeland Security, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2825

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Department of Homeland Security Authorization Act” or the “DHS Authorization Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.  
Sec. 2. References.

#### DIVISION A—HOMELAND SECURITY

##### TITLE I—DEPARTMENT OF HOMELAND SECURITY HEADQUARTERS

Sec. 1001. Short title.

##### Subtitle A—Headquarters Operations

Sec. 1101. Homeland security enterprise defined.  
Sec. 1102. Functions and components of Headquarters of Department of Homeland Security.  
Sec. 1103. Repeal of Director of Shared Services and Office of Counter-narcotics Enforcement of Department of Homeland Security.  
Sec. 1104. Responsibilities and functions of Chief Privacy Officer.  
Sec. 1105. Responsibilities of Chief Financial Officer.  
Sec. 1106. Chief Information Officer.  
Sec. 1107. Quadrennial Homeland Security review.  
Sec. 1108. Office of Strategy, Policy, and Plans.  
Sec. 1109. Office of External Affairs.  
Sec. 1110. Chief Procurement Officer.  
Sec. 1111. Chief Security Officer.  
Sec. 1112. Office of Inspector General.  
Sec. 1113. Office for Civil Rights and Civil Liberties.  
Sec. 1114. Department of Homeland Security Rotation Program.  
Sec. 1115. Future Years Homeland Security Program.  
Sec. 1116. Field efficiencies plan.  
Sec. 1117. Submission to Congress of information regarding reprogramming or transfer of Department of Homeland Security resources to respond to operational surges.  
Sec. 1118. Report to Congress on cost savings and efficiency.  
Sec. 1119. Research and development and CBRNE organizational review.  
Sec. 1120. Activities related to children.

##### Subtitle B—Human Resources and Other Matters

Sec. 1131. Chief Human Capital Officer responsibilities.

Sec. 1132. Employee engagement steering committee and action plan.

Sec. 1133. Annual employee award program.

Sec. 1134. Independent investigation and implementation plan.

Sec. 1135. Timely guidance to DHS personnel regarding Executive Orders.

Sec. 1136. Secretary’s responsibilities regarding election infrastructure.

##### TITLE II—DEPARTMENT OF HOMELAND SECURITY ACQUISITION ACCOUNTABILITY AND EFFICIENCY

Sec. 1201. Definitions.

##### Subtitle A—Acquisition Authorities

Sec. 1211. Acquisition authorities for Under Secretary for Management of the Department of Homeland Security.

Sec. 1212. Acquisition authorities for Chief Financial Officer of the Department of Homeland Security.

Sec. 1213. Acquisition authorities for Chief Information Officer of the Department of Homeland Security.

Sec. 1214. Acquisition authorities for Program Accountability and Risk Management.

Sec. 1215. Acquisition innovation.

##### Subtitle B—Acquisition Program Management Discipline

Sec. 1221. Acquisition Review Board.

Sec. 1222. Requirements to reduce duplication in acquisition programs.

Sec. 1223. Department leadership council.

Sec. 1224. Government Accountability Office review of Board and of requirements to reduce duplication in acquisition programs.

Sec. 1225. Excluded party list system waivers.

Sec. 1226. Inspector General oversight of suspension and debarment.

##### Subtitle C—Acquisition Program Management Accountability and Transparency

Sec. 1231. Congressional notification for major acquisition programs.

Sec. 1232. Multiyear Acquisition Strategy.

Sec. 1233. Acquisition reports.

##### TITLE III—INTELLIGENCE AND INFORMATION SHARING

##### Subtitle A—Department of Homeland Security Intelligence Enterprise

Sec. 1301. Homeland intelligence doctrine.

Sec. 1302. Analysts for the Chief Intelligence Officer.

Sec. 1303. Annual homeland terrorist threat assessments.

Sec. 1304. Department of Homeland Security data framework.

Sec. 1305. Establishment of Insider Threat Program.

Sec. 1306. Threat assessment on terrorist use of virtual currency.

Sec. 1307. Department of Homeland Security counterterrorism advisory board.

Sec. 1308. Border and gang threat assessment.

Sec. 1309. Security clearance management and administration.

##### Subtitle B—Stakeholder Information Sharing

Sec. 1311. Department of Homeland Security Fusion Center Partnership Initiative.

Sec. 1312. Fusion center personnel needs assessment.

Sec. 1313. Program for State and local analyst clearances.

Sec. 1314. Information technology assessment.

Sec. 1315. Department of Homeland Security classified facility inventory and dissemination.

Sec. 1316. Terror inmate information sharing.

Sec. 1317. Annual report on Office for State and Local Law Enforcement.

Sec. 1318. Annual catalog on Department of Homeland Security training, publications, programs, and services for State, local, and tribal law enforcement agencies.

##### TITLE IV—MARITIME SECURITY

Sec. 1401. Strategic plan to enhance the security of the international supply chain.

Sec. 1402. Container Security Initiative.

Sec. 1403. Cyber at ports.

Sec. 1404. Facility inspection intervals.

Sec. 1405. Updates of maritime operations coordination plan.

Sec. 1406. Evaluation of Coast Guard Deployable Specialized Forces.

Sec. 1407. Cost benefit analysis of co-locating DHS assets.

Sec. 1408. Repeal of interagency operational centers for port security and secure systems of transportation.

Sec. 1409. Maritime security capabilities assessments.

Sec. 1410. Conforming and clerical amendments.

##### TITLE V—TRANSPORTATION SECURITY ADMINISTRATION

##### Subtitle A—Administration

Sec. 1501. Amendments to the Homeland Security Act of 2002 and title 5, United States Code.

Sec. 1502. Amendments to title 49, United States Code.

Sec. 1503. Amendments to the Aviation and Transportation Security Act.

Sec. 1504. Information required to be submitted to Congress under the strategic 5-year technology investment plan of the Transportation Security Administration.

Sec. 1505. Maintenance of security-related technology.

Sec. 1506. Transportation Security Administration efficiency.

Sec. 1507. Transportation senior executive service accountability.

##### Subtitle B—Passenger Security and Screening

Sec. 1511. Department of Homeland Security trusted traveler program collaboration.

Sec. 1512. PreCheck Biometric pilot project.

Sec. 1513. Identity and travel document verification.

Sec. 1514. Computed tomography pilot project.

Sec. 1515. Explosives detection canine teams for aviation.

Sec. 1516. Standard operating procedures at airport checkpoints.

Sec. 1517. Traveler redress improvement.

Sec. 1518. Screening in areas other than passenger terminals.

Sec. 1519. Federal Air Marshal Service agreements.

Sec. 1520. Federal Air Marshal mission scheduling automation.

Sec. 1521. Canine detection research and development.

Sec. 1522. International Civil Aviation Organization.

Sec. 1523. Passenger security fee.

Sec. 1524. Last point of departure airport certification.

- Sec. 1525. Security incident response at airports and surface transportation hubs.
- Sec. 1526. Airport security screening opt-out program.
- Sec. 1527. Personnel management system review.
- Sec. 1528. Innovation task force.
- Sec. 1529. Airport law enforcement reimbursement.
- Subtitle C—Transportation Security Screening Personnel Training and Accountability
- Sec. 1531. Transportation security training programs.
- Sec. 1532. Alternate new security screening personnel training program cost and feasibility study.
- Sec. 1533. Prohibition of advance notice of covert testing to security screeners.
- Subtitle D—Airport Access Controls and Perimeter Security
- Sec. 1541. Reformation of certain programs of the Transportation Security Administration.
- Sec. 1542. Airport perimeter and access control security.
- Sec. 1543. Exit lane security.
- Sec. 1544. Reimbursement for deployment of armed law enforcement personnel at airports.
- Subtitle E—Air Cargo Security
- Sec. 1551. Air cargo advance screening program.
- Sec. 1552. Explosives detection canine teams for air cargo security.
- Subtitle F—Information Sharing and Cybersecurity
- Sec. 1561. Information sharing and cybersecurity.
- Subtitle G—Surface Transportation Security
- Sec. 1571. Definitions.
- Sec. 1572. Surface transportation security assessment and implementation of risk-based strategy.
- Sec. 1573. Risk-based budgeting and resource allocation.
- Sec. 1574. Surface transportation security management and interagency coordination review.
- Sec. 1575. Transparency.
- Sec. 1576. TSA counterterrorism asset deployment.
- Sec. 1577. Surface transportation security advisory committee.
- Sec. 1578. Review of the explosives detection canine team program.
- Sec. 1579. Expansion of national explosives detection canine team program.
- Sec. 1580. Explosive detection technology.
- Sec. 1581. Study on security standards and best practices for United States and foreign passenger transportation systems.
- Sec. 1582. Amtrak security upgrades.
- Sec. 1583. Study on surface transportation inspectors.
- Sec. 1584. Security awareness program.
- Sec. 1585. Voluntary use of credentialing.
- Sec. 1586. Background records checks for issuance of hazmat licenses.
- Sec. 1587. Recurrent vetting for surface transportation credential-holders.
- Sec. 1588. Pipeline security study.
- Subtitle H—Security Enhancements in Public Areas of Transportation Facilities
- Sec. 1591. Working group.
- Sec. 1592. Technical assistance; Vulnerability assessment tools.
- Sec. 1593. Operations centers.
- Sec. 1594. Review of regulations.
- Sec. 1595. Definition.
- TITLE VI—EMERGENCY PREPAREDNESS, RESPONSE, AND COMMUNICATIONS
- Subtitle A—Grants, Training, Exercises, and Coordination
- Sec. 1601. Urban Area Security Initiative.
- Sec. 1602. State Homeland Security Grant Program.
- Sec. 1603. Grants to directly eligible tribes.
- Sec. 1604. Law enforcement terrorism prevention.
- Sec. 1605. Prioritization.
- Sec. 1606. Allowable uses.
- Sec. 1607. Approval of certain equipment.
- Sec. 1608. Memoranda of understanding.
- Sec. 1609. Grants metrics.
- Sec. 1610. Grant management best practices.
- Sec. 1611. Prohibition on consolidation.
- Sec. 1612. Maintenance of grant investments.
- Sec. 1613. Transit security grant program.
- Sec. 1614. Port security grant program.
- Sec. 1615. Cyber preparedness.
- Sec. 1616. Major metropolitan area counterterrorism training and exercise grant program.
- Sec. 1617. Operation Stonegarden.
- Sec. 1618. Non-Profit Security Grant Program.
- Sec. 1619. Study of the use of grant funds for cybersecurity.
- Subtitle B—Communications
- Sec. 1631. Office of Emergency Communications.
- Sec. 1632. Responsibilities of Office of Emergency Communications Director.
- Sec. 1633. Annual reporting on activities of the Office of Emergency Communications.
- Sec. 1634. National Emergency Communications Plan.
- Sec. 1635. Technical edit.
- Sec. 1636. Public Safety Broadband Network.
- Sec. 1637. Communications training.
- Subtitle C—Medical Preparedness
- Sec. 1641. Chief Medical Officer.
- Sec. 1642. Medical Countermeasures Program.
- TITLE VII—OTHER MATTERS
- Sec. 1701. Decision regarding certain executive memoranda.
- Sec. 1702. Permanent authorization for Asia-Pacific Economic Cooperation Business Travel Card Program.
- Sec. 1703. Authorization of appropriations for Office of Inspector General.
- Sec. 1704. Canine teams.
- Sec. 1705. Technical amendments to the Homeland Security Act of 2002.
- Sec. 1706. Savings clause.
- DIVISION B—U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
- Sec. 2001. Short title.
- Sec. 2002. Establishment of U.S. Immigration and Customs Enforcement.
- DIVISION C—UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES
- Sec. 3001. Short title.
- Sec. 3002. Establishment of United States Citizenship and Immigration Services.
- DIVISION D—UNITED STATES SECRET SERVICE
- Sec. 4001. Short title.
- Sec. 4002. Presidential appointment of Director of the Secret Service.
- Sec. 4003. Restricted building or grounds.
- Sec. 4004. Threats against former vice presidents.
- Sec. 4005. Increased training.
- Sec. 4006. Training facilities.
- Sec. 4007. Evaluation of vulnerabilities and threats.
- Sec. 4008. Evaluation of use of technology.
- Sec. 4009. Evaluation of use of additional weaponry.
- Sec. 4010. Security costs for secondary residences.
- Sec. 4011. Establishment of Ethics Program Office.
- Sec. 4012. Secret Service protection at polling places.
- Sec. 4013. Sense of Congress.
- DIVISION E—COAST GUARD
- Sec. 5001. Short title.
- TITLE I—AUTHORIZATIONS
- Sec. 5101. Authorizations of appropriations.
- Sec. 5102. Authorized levels of military strength and training.
- TITLE II—COAST GUARD
- Sec. 5201. Training; public safety personnel.
- Sec. 5202. Commissioned service retirement.
- Sec. 5203. Officer promotion zones.
- Sec. 5204. Cross reference.
- Sec. 5205. Repeal.
- Sec. 5206. Unmanned aircraft system.
- Sec. 5207. Coast Guard health-care professionals; licensure portability.
- Sec. 5208. Incentive contracts for Coast Guard yard and industrial establishments.
- Sec. 5209. Maintaining cutters in class.
- Sec. 5210. Congressional affairs; Director.
- Sec. 5211. Contracting for major acquisitions programs.
- Sec. 5212. National Security Cutter.
- Sec. 5213. Radar refresher training.
- Sec. 5214. Repeal.
- Sec. 5215. Extension of authority.
- Sec. 5216. Authorization of amounts for Fast Response Cutters.
- Sec. 5217. Authorization of amounts for ice trials of icebreaker vessels.
- Sec. 5218. Shoreside infrastructure.
- Sec. 5219. Aircraft improvements.
- Sec. 5220. Acquisition plan for inland waterway and river tenders and Bay-class icebreakers.
- Sec. 5221. Report on sexual assault victim recovery in the Coast Guard.
- TITLE III—PORTS AND WATERWAYS SAFETY
- Sec. 5301. Codification of Ports and Waterways Safety Act.
- Sec. 5302. Conforming amendments.
- Sec. 5303. Transitional and savings provisions.
- Sec. 5304. Rule of construction.
- Sec. 5305. Advisory Committee: Repeal.
- Sec. 5306. Regattas and marine parades.
- Sec. 5307. Regulation of vessels in territorial waters of United States.
- TITLE IV—MARITIME TRANSPORTATION SAFETY
- Sec. 5401. Clarification of logbook entries.
- Sec. 5402. Technical corrections; licenses, certifications of registry, and merchant mariner documents.
- Sec. 5403. Numbering for undocumented barges.
- Sec. 5404. Drawbridge deviation exemption.
- Sec. 5405. Deadline for compliance with alternate safety compliance programs.
- Sec. 5406. Authorization for marine debris program.
- Sec. 5407. Alternative distress signals.
- Sec. 5408. Atlantic Coast Port Access Route Study recommendations.
- Sec. 5409. Documentation of recreational vessels.

- Sec. 5410. Certificates of documentation for recreational vessels.
- Sec. 5411. Backup global positioning system.
- Sec. 5412. Waters deemed not navigable waters of the United States for certain purposes.
- Sec. 5413. Uninspected passenger vessels in St. Louis County, Minnesota.
- Sec. 5414. Engine cut-off switch requirements.
- Sec. 5415. Analysis of commercial fishing vessel classification requirements.

#### TITLE V—MISCELLANEOUS

- Sec. 5501. Repeal.
- Sec. 5502. Reimbursements for non-Federal construction costs of certain aids to navigation.
- Sec. 5503. Corrections to provisions enacted by Coast Guard Authorization Acts.
- Sec. 5504. Ship Shoal Lighthouse transfer: Repeal.
- Sec. 5505. Coast Guard maritime domain awareness.
- Sec. 5506. Towing safety management system fees.
- Sec. 5507. Oil spill disbursements auditing and report.
- Sec. 5508. Land exchange, Ayakulik Island, Alaska.
- Sec. 5509. Vessel response plans in the Arctic Report.
- Sec. 5510. Assessment of public comments on additional anchorages on the Hudson River.
- Sec. 5511. Public safety answering points and maritime search and rescue coordination.
- Sec. 5512. Documentation of “America’s Finest”.

#### DIVISION F—FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

- Sec. 6001. Short title.
- Sec. 6002. Reauthorization of Federal Emergency Management Agency.
- Sec. 6003. Comprehensive study of disaster costs and losses.
- Sec. 6004. National Domestic Preparedness Consortium.
- Sec. 6005. Rural Domestic Preparedness Consortium.
- Sec. 6006. National preparation and response efforts relating to earthquakes and tsunamis.
- Sec. 6007. Authorities.
- Sec. 6008. Center for faith-based and neighborhood partnerships.
- Sec. 6009. Emergency support functions.
- Sec. 6010. Review of National Incident Management System.
- Sec. 6011. Remedial action management program.
- Sec. 6012. Center for Domestic Preparedness.
- Sec. 6013. FEMA Senior Law Enforcement Advisor.
- Sec. 6014. Technical expert authorized.
- Sec. 6015. Mission support.
- Sec. 6016. Systems modernization.
- Sec. 6017. Strategic human capital plan.
- Sec. 6018. Office of Disability Integration and Coordination of Department of Homeland Security.
- Sec. 6019. Technical amendments to National Emergency Management.

#### SEC. 2. REFERENCES.

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

### DIVISION A—HOMELAND SECURITY TITLE I—DEPARTMENT OF HOMELAND SECURITY HEADQUARTERS

#### SEC. 1001. SHORT TITLE.

This division may be cited as the “Department of Homeland Security Authorization Act for Fiscal Years 2018 and 2019”.

#### Subtitle A—Headquarters Operations

#### SEC. 1101. HOMELAND SECURITY ENTERPRISE DEFINED.

Section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101) is amended—

(1) by redesignating paragraphs (9) through (20) as paragraphs (10) through (21), respectively; and

(2) by inserting after paragraph (8) the following new paragraph (9):

“(9) The term ‘homeland security enterprise’ means any relevant governmental or nongovernmental entity involved in homeland security, including a Federal, State, or local government official, private sector representative, academic, or other policy expert.”.

#### SEC. 1102. FUNCTIONS AND COMPONENTS OF HEADQUARTERS OF DEPARTMENT OF HOMELAND SECURITY.

Section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112) is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “through the Office of State and Local Coordination (established under section 801)” and inserting “through the Office of Partnership and Engagement”;

(B) in paragraph (2), by striking “and” after the semicolon at the end;

(C) in paragraph (3), by striking the period and inserting “; and”; and

(D) by adding at the end the following:

“(4) entering into agreements with governments of other countries, in consultation with the Secretary of State, and international nongovernmental organizations in order to achieve the missions of the Department.”; and

(2) by adding at the end the following new subsection:

“(h) HEADQUARTERS.—

“(1) COMPONENTS.—There is in the Department a Headquarters. The Department Headquarters shall include each of the following:

“(A) The Office of the Secretary.

“(B) The Office of the Deputy Secretary.

“(C) The Executive Secretary.

“(D) The Management Directorate, including the Office of the Chief Financial Officer.

“(E) The Office of Strategy, Policy, and Plans.

“(F) The Office of the General Counsel.

“(G) The Office of the Chief Privacy Officer.

“(H) The Office for Civil Rights and Civil Liberties.

“(I) The Office of Operations Coordination.

“(J) The Office of Intelligence and Analysis.

“(K) The Office of Legislative Affairs.

“(L) The Office of Public Affairs.

“(M) The Office of the Inspector General.

“(N) The Office of the Citizenship and Immigration Services Ombudsman.

“(O) The Office of Partnership and Engagement.

“(2) FUNCTIONS.—The Secretary, acting through the appropriate official of the Headquarters, shall—

“(A) establish an overall strategy to successfully further the mission of the Department;

“(B) establish initiatives that improve Department-wide operational performance;

“(C) establish mechanisms to—

“(i) ensure that components of the Department comply with Department policies and fully implement the strategies and initiatives of the Secretary; and

“(ii) require the head of each component of the Department and component chief officers to comply with such policies and implement such strategies and initiatives;

“(D) establish annual operational and management objectives to evaluate the performance of the Department;

“(E) ensure that the Department successfully meets operational and management performance objectives through conducting oversight of component agencies;

“(F) ensure that the strategies, priorities, investments, and workforce of Department components align with Department objectives;

“(G) establish and implement policies related to Department ethics and compliance standards;

“(H) establish and implement, in consultation with the Office of Civil Rights and Civil Liberties, policies which preserve individual liberty, fairness, and equality under the law;

“(I) manage and encourage shared services across Department components;

“(J) lead and coordinate interaction with Congress and other external organizations; and

“(K) carry out other such functions as the Secretary determines are appropriate.”.

#### SEC. 1103. REPEAL OF DIRECTOR OF SHARED SERVICES AND OFFICE OF COUNTERNARCOTICS ENFORCEMENT OF DEPARTMENT OF HOMELAND SECURITY.

(a) ABOLISHMENT OF DIRECTOR OF SHARED SERVICES.—

(1) ABOLISHMENT.—The position of Director of Shared Services of the Department of Homeland Security is abolished.

(2) CONFORMING AMENDMENT.—The Homeland Security Act of 2002 is amended by striking section 475 (6 U.S.C. 295).

(3) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 475.

(b) ABOLISHMENT OF THE OFFICE OF COUNTERNARCOTICS ENFORCEMENT.—

(1) ABOLISHMENT.—The Office of Counternarcotics Enforcement is abolished.

(2) CONFORMING AMENDMENTS.—The Homeland Security Act of 2002 is amended—

(A) in subparagraph (B) of section 843(b)(1) (6 U.S.C. 413(b)(1)), by striking “by—” and all that follows through the end of that subparagraph and inserting “by the Secretary; and”;

and

(B) by striking section 878 (6 U.S.C. 112).

(3) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 878.

#### SEC. 1104. RESPONSIBILITIES AND FUNCTIONS OF CHIEF PRIVACY OFFICER.

(a) IN GENERAL.—Section 222 of the Homeland Security Act of 2002 (6 U.S.C. 142) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by inserting “to be the Chief Privacy Officer of the Department,” after “in the Department,”; and

(ii) by striking “to the Secretary, to assume” and inserting “to the Secretary. Such official shall have”;

(B) in paragraph (5), by striking “and” at the end;

(C) by striking paragraph (6); and

(D) by inserting after paragraph (5) the following new paragraphs:

“(6) developing guidance to assist components of the Department in developing privacy policies and practices;

“(7) establishing a mechanism to ensure such components are in compliance with Federal, regulatory, statutory, and Department privacy requirements, mandates, directives, and policies;

“(8) working with the Chief Information Officer of the Department to identify methods for managing and overseeing the records, management policies, and procedures of the Department;

“(9) working with components and offices of the Department to ensure that information sharing activities incorporate privacy protections;

“(10) serving as the Chief FOIA Officer of the Department for purposes of subsection (j) of section 552 of title 5, United States Code (popularly known as the Freedom of Information Act), to manage and process requests related to such section;

“(11) developing guidance on procedures to be followed by individuals making requests for information under section 552 of title 5, United States Code;

“(12) overseeing the management and processing of requests for information under section 552 of title 5, United States Code, within Department Headquarters and relevant Department component offices;

“(13) identifying and eliminating unnecessary and duplicative actions taken by the Department in the course of processing requests for information under section 552 of title 5, United States Code;

“(14) preparing an annual report to Congress that includes—

“(A) a description of the activities of the Department that affect privacy during the fiscal year covered by the report, including complaints of privacy violations, implementation of section 552a of title 5, United States Code (popularly known as the Privacy Act of 1974), internal controls, and other matters; and

“(B) the number of new technology programs implemented in the Department during the fiscal year covered by the report, the number of such programs that the Chief Privacy Officer has evaluated to ensure that privacy protections are considered and implemented, the number of such programs that effectively implemented privacy protections into new technology programs, and an explanation of why any new programs did not effectively implement privacy protections; and

“(15) carrying out such other responsibilities as the Secretary determines are appropriate, consistent with this section.”;

(2) by adding at the end the following new subsection:

“(f) REASSIGNMENT OF FUNCTIONS.—Notwithstanding subsection (a)(10), the Secretary may reassign the functions related to managing and processing requests for information under section 552 of title 5, United States Code, to another officer within the Department, consistent with requirements of that section.”.

#### SEC. 1105. RESPONSIBILITIES OF CHIEF FINANCIAL OFFICER.

(a) IN GENERAL.—Section 702 of the Homeland Security Act of 2002 (6 U.S.C. 342) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

“(b) RESPONSIBILITIES.—In carrying out the responsibilities, authorities, and functions specified in section 902 of title 31, United

States Code, the Chief Financial Officer shall—

“(1) oversee Department budget formulation and execution;

“(2) lead and provide guidance on performance-based budgeting practices for the Department to ensure that the Department and its components are meeting missions and goals;

“(3) lead cost-estimating practices for the Department, including the development of policies on cost estimating and approval of life cycle cost estimates;

“(4) coordinate with the Office of Strategy, Policy, and Plans to ensure that the development of the budget for the Department is compatible with the long-term strategic plans, priorities, and policies of the Secretary;

“(5) develop financial management policy for the Department and oversee the implementation of such policy, including the establishment of effective internal controls over financial reporting systems and processes throughout the Department;

“(6) provide guidance for and over financial system modernization efforts throughout the Department;

“(7) lead the efforts of the Department related to financial oversight, including identifying ways to streamline and standardize business processes;

“(8) oversee the costs of acquisition programs and related activities to ensure that actual and planned costs are in accordance with budget estimates and are affordable, or can be adequately funded, over the lifecycle of such programs and activities;

“(9) fully implement a common accounting structure to be used across the entire Department by fiscal year 2020; and

“(10) track, approve, oversee, and make public information on expenditures by components of the Department for conferences, as appropriate, including by requiring each component to—

“(A) report to the Inspector General of the Department the expenditures by such component for each conference hosted or attended by Department employees for which the total expenditures of the Department exceed \$20,000, within 15 days after the date of the conference; and

“(B) with respect to such expenditures, provide to the Inspector General—

“(i) the information described in subsections (a), (b), and (c) of section 739 of title VII of division E of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113-235); and

“(ii) documentation of such expenditures.”.

(b) RULE OF CONSTRUCTION.—Nothing in the amendment made by this section may be construed as altering or amending the responsibilities, authorities, and functions of the Chief Financial Officer of the Department of Homeland Security under section 902 of title 31, United States Code.

#### SEC. 1106. CHIEF INFORMATION OFFICER.

(a) IN GENERAL.—Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343) is amended—

(1) in subsection (a), by adding at the end the following new sentence: “In addition to the functions under section 3506(a)(2) of title 44, United States Code, the Chief Information Officer shall perform the functions set forth in this section and such other functions as may be assigned by the Secretary.”;

(2) by redesignating subsection (b) as subsection (d); and

(3) by inserting after subsection (a) the following new subsections:

“(b) RESPONSIBILITIES.—In addition to performing the functions under section 3506 of title 44, United States Code, the Chief Information Officer shall serve as the lead technical authority for information technology programs of the Department and Department components, and shall—

“(1) advise and assist the Secretary, heads of the components of the Department, and other senior officers in carrying out the responsibilities of the Department for all activities relating to the budgets, programs, security, and operations of the information technology functions of the Department;

“(2) to the extent delegated by the Secretary, exercise leadership and authority over Department information technology management and establish the information technology priorities, policies, processes, standards, guidelines, and procedures of the Department to ensure interoperability and standardization of information technology;

“(3) maintain a consolidated inventory of the mission critical and mission essential information systems of the Department, and develop and maintain contingency plans for responding to a disruption in the operation of any of those information systems;

“(4) maintain the security, visibility, reliability, integrity, and availability of data and information technology of the Department;

“(5) establish and implement policies and procedures to effectively monitor and manage vulnerabilities in the supply chain for purchases of information technology, in consultation with the Chief Procurement Officer of the Department;

“(6) review contracts and interagency agreements associated with major information technology investments and information technology investments that have had cost, schedule, or performance challenges in the past;

“(7) assess the risk of all major information technology investments and publically report the risk rating to the Office of Management and Budget; and

“(8) carry out any other responsibilities delegated by the Secretary consistent with an effective information system management function.

(c) STRATEGIC PLANS.—In coordination with the Chief Financial Officer, the Chief Information Officer shall develop an information technology strategic plan every five years and report to the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate on the extent to which—

“(1) the budget of the Department aligns with priorities specified in the information technology strategic plan;

“(2) the information technology strategic plan informs the budget process of the Department;

“(3) information technology priorities were or were not funded and the reasons for not funding all priorities in a given fiscal year;

“(4) the Department has identified and addressed skills gaps needed to implement the information technology strategic plan; and

“(5) unnecessary duplicate information technology within and across the components of the Department has been eliminated.”.

(b) SOFTWARE LICENSING.—

(1) SOFTWARE INVENTORY.—Not later than 180 days after the date of the enactment of this Act and every two years thereafter until

2022, the Chief Information Officer of the Department of Homeland Security, in consultation with Department component chief information officers, shall—

(A) conduct a Department-wide inventory of all existing software licenses held by the Department, including utilized and unutilized licenses;

(B) assess the needs of the Department and the components of the Department for software licenses for the subsequent two fiscal years;

(C) examine how the Department can achieve the greatest possible economies of scale and cost savings in the procurement of software licenses;

(D) determine how the use of shared cloud-computing services will impact the needs for software licenses for the subsequent two fiscal years;

(E) establish plans and estimated costs for eliminating unutilized software licenses for the subsequent two fiscal years; and

(F) submit a copy of each inventory conducted under subparagraph (A) to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

(2) **PLAN TO REDUCE SOFTWARE LICENSES.**—If the Chief Information Officer determines through the inventory conducted under paragraph (1) that the number of software licenses held by the Department and the components of the Department exceed the needs of the Department, not later than 90 days after the date on which the inventory is completed, the Secretary of Homeland Security shall establish a plan for reducing the number of such software licenses to meet needs of the Department.

(3) **PROHIBITION ON PROCUREMENT OF NEW SOFTWARE LICENSES.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), upon completion of a plan under paragraph (2), no additional resources may be obligated for the procurement of new software licenses for the Department until such time as the need of the Department exceeds the number of used and unused licenses held by the Department.

(B) **EXCEPTION.**—The Chief Information Officer may authorize the purchase of additional licenses and amend the number of needed licenses as necessary.

(c) **COMPTROLLER GENERAL REVIEW.**—Not later than fiscal year 2019, the Comptroller General of the United States shall review the extent to which the Chief Information Officer fulfilled all requirements established in this section and the amendment made by this section.

(d) **COMPLETION OF FIRST DEFINITION OF CAPABILITIES.**—Not later than one year after the date of the enactment of this Act, the Chief Information Officer shall complete the first information technology strategic plan required under subsection (c) of section 701 of the Homeland Security Act of 2002, as added by subsection (a) of this section.

#### **SEC. 1107. QUADRENNIAL HOMELAND SECURITY REVIEW.**

(a) **IN GENERAL.**—Section 707 of the Homeland Security Act of 2002 (6 U.S.C. 347) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (B), by striking “and” at the end;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following new subparagraph (C):

“(C) representatives from appropriate advisory committees established pursuant to sec-

tion 871, including the Homeland Security Advisory Council and the Homeland Security Science and Technology Advisory Committee, or otherwise established, including the Aviation Security Advisory Committee established pursuant to section 44946 of title 49, United States Code; and”;

(2) in subsection (b)—

(A) in paragraph (2), by inserting before the semicolon at the end the following: “based on the risk assessment required pursuant to subsection (c)(2)(B)”;

(B) in paragraph (3)—

(i) by inserting “, to the extent practicable,” after “describe”; and

(ii) by striking “budget plan” and inserting “resources required”;

(C) in paragraph (4)—

(i) by inserting “, to the extent practicable,” after “identify”;

(ii) by striking “budget plan required to provide sufficient resources to successfully” and inserting “resources required to”; and

(iii) by striking the semicolon at the end and inserting “, including any resources identified from redundant, wasteful, or unnecessary capabilities and capacities that can be redirected to better support other existing capabilities and capacities, as the case may be; and”;

(D) in paragraph (5), by striking “; and” and inserting a period; and

(E) by striking paragraph (6);

(3) in subsection (c)—

(A) in paragraph (1), by striking “December 31 of the year” and inserting “60 days after the date of the submittal of the President’s budget for the fiscal year after the fiscal year”;

(B) in paragraph (2)—

(i) in subparagraph (B), by striking “description of the threats to” and inserting “risk assessment of”;

(ii) in subparagraph (C), by inserting “, as required under subsection (b)(2)” before the semicolon at the end;

(iii) in subparagraph (D)—

(I) by inserting “to the extent practicable,” before “a description”; and

(II) by striking “budget plan” and inserting “resources required”;

(iv) in subparagraph (F)—

(I) by inserting “to the extent practicable,” before “a discussion”; and

(II) by striking “the status of”;

(v) in subparagraph (G)—

(I) by inserting “to the extent practicable,” before “a discussion”;

(II) by striking “the status of”;

(III) by inserting “and risks” before “to national homeland”; and

(IV) by inserting “and” after the semicolon at the end;

(vi) by striking subparagraph (H); and

(vii) by redesignating subparagraph (I) as subparagraph (H);

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following new paragraph (3):

“(3) **DOCUMENTATION.**—The Secretary shall retain the following documentation regarding the quadrennial homeland security review:

“(A) Records regarding the consultation carried out the pursuant to subsection (a)(3), including—

“(i) all written communications, including communications sent out by the Secretary and feedback submitted to the Secretary through technology, online communications tools, in-person discussions, and the inter-agency process; and

“(ii) information on how feedback received by the Secretary informed the quadrennial homeland security review.

“(B) Information regarding the risk assessment, as required under subsection (c)(2)(B), including—

“(i) the risk model utilized to generate the risk assessment;

“(ii) information, including data used in the risk model, utilized to generate the risk assessment;

“(iii) sources of information, including other risk assessments, utilized to generate the risk assessment; and

“(iv) information on assumptions, weighing factors, and subjective judgments utilized to generate the risk assessment, together with information on the rationale or basis thereof.”; and

(4) by redesignating subsection (d) as subsection (e); and

(5) by inserting after subsection (c) the following new subsection (d):

“(d) **REVIEW.**—Not later than 90 days after the submission of each report required under subsection (c)(1), the Secretary shall provide to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate information on the degree to which the findings and recommendations developed in the quadrennial homeland security review covered by the report were integrated into the acquisition strategy and expenditure plans for the Department.”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to a quadrennial homeland security review conducted after December 31, 2017.

#### **SEC. 1108. OFFICE OF STRATEGY, POLICY, AND PLANS.**

(a) **IN GENERAL.**—Section 708 of the Homeland Security Act of 2002 (as redesignated pursuant to section 1705(g) of this Act; relating to the Office of Strategy, Policy, and Plans of the Department of Homeland Security) is amended—

(1) in subsection (a), by adding at the end the following: “The Office of Strategy, Policy, and Plans shall include the following components:

“(1) The Office of International Affairs.

“(2) The Office of Cyber, Infrastructure, and Resilience Policy.

“(3) The Office of Strategy, Planning, Analysis, and Risk.

“(4) The Office of Threat Prevention and Security Policy.

“(5) The Office of Border, Immigration, and Trade Policy.”;

(2) by redesignating subsections (e) through (g) as subsections (f) through (h), respectively; and

(3) by inserting after subsection (d) the following new subsection:

“(e) **ASSISTANT SECRETARY FOR INTERNATIONAL AFFAIRS.**—The Office of International Affairs shall be led by an Assistant Secretary for International Affairs appointed by the Secretary. The Assistant Secretary shall—

“(1) coordinate international activities within the Department, including activities carried out by the components of the Department, in consultation with other Federal officials with responsibility for counterterrorism and homeland security matters;

“(2) advise, inform, and assist the Secretary with respect to the development and implementation of the policy priorities of the Department, including strategic priorities for the deployment of assets, including personnel, outside the United States;

“(3) develop, in consultation with the Under Secretary for Management, guidance for selecting, assigning, training, and monitoring overseas deployments of Department personnel, including minimum standards for pre-deployment training;

“(4) maintain awareness regarding the international travel of senior officers of the Department and their intent to pursue negotiations with foreign government officials, and review resulting draft agreements; and

“(5) perform such other functions as are established by law or delegated by the Under Secretary for Policy.”.

**(b) ABOLISHMENT OF OFFICE OF INTERNATIONAL AFFAIRS.—**

(1) **IN GENERAL.**—The Office of International Affairs within the Office of the Secretary of Homeland Security is abolished.

(2) **TRANSFER OF ASSETS AND PERSONNEL.**—The functions authorized to be performed by such office as of the day before the date of the enactment of this Act, and the assets and personnel associated with such functions, are transferred to the head of the Office of International Affairs provided for by section 708 of the Homeland Security Act of 2002, as amended by this section.

(3) **CONFORMING AMENDMENT.**—The Homeland Security Act of 2002 is amended by striking section 879 (6 U.S.C. 459).

(4) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 879.

(c) **CONFORMING AMENDMENTS RELATING TO ASSISTANT SECRETARIES.**—Subsection (a) of section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113) is amended—

(1) in the subsection heading, by inserting “; ASSISTANT SECRETARIES AND OTHER OFFICERS” after “UNDER SECRETARIES”;

(2) in paragraph (1), by amending subparagraph (I) to read as follows:

“(I) An Administrator of the Transportation Security Administration.”;

(3) by amending paragraph (2) to read as follows:

“(2) **ASSISTANT SECRETARIES.**—The following Assistant Secretaries shall be appointed by the President or the Secretary, as the case may be, without the advice and consent of the Senate:

“(A) **PRESIDENTIAL APPOINTMENTS.**—The Department shall have the following Assistant Secretaries appointed by the President:

“(i) The Assistant Secretary, Infrastructure Protection.

“(ii) The Assistant Secretary for Public Affairs.

“(iii) The Assistant Secretary for Legislative Affairs.

“(B) **SECRETARIAL APPOINTMENTS.**—The Department shall have the following Assistant Secretaries appointed by the Secretary:

“(i) The Principal Assistant Secretary for External Affairs.

“(ii) The Assistant Secretary, Office of Cybersecurity and Communications.

“(iii) The Assistant Secretary for International Affairs.

“(iv) The Assistant Secretary for Partnership and Engagement.

“(v) The Assistant Secretary for Threat Prevention and Security Policy.

“(vi) The Assistant Secretary for Border, Immigration, and Trade Policy.

“(vii) The Assistant Secretary for Cyber, Infrastructure, and Resilience Policy.

“(viii) The Assistant Secretary for Strategy, Planning, Analysis, and Risk.

“(ix) The Assistant Secretary for State and Local Law Enforcement.”; and

(4) by adding at the end the following new paragraphs:

“(3) **ASSISTANT SECRETARY FOR LEGISLATIVE AFFAIRS.**—The Assistant Secretary for Legislative Affairs shall oversee one internal reporting structure for engaging with authorizing and appropriating congressional committees.

“(4) **LIMITATION ON CREATION OF POSITIONS.**—No Assistant Secretary position may be created in addition to the positions provided for by this section unless such position is authorized by a statute enacted after the date of the enactment of the Department of Homeland Security Authorization Act for Fiscal Years 2018 and 2019.”.

(d) **HOMELAND SECURITY ADVISORY COUNCIL.**—Subsection (b) of section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112) is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) in paragraph (3), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(4) shall establish a Homeland Security Advisory Council to provide advice and recommendations on homeland security-related matters, including advice with respect to the preparation of the Quadrennial Homeland Security Review.”.

(e) **PROHIBITION ON NEW OFFICES.**—No new office may be created to perform functions transferred by this section, other than as provided in section 709 of the Homeland Security Act of 2002, as amended by this Act.

(f) **DEFINITIONS.**—In this section each of the terms “functions”, “assets”, and “personnel” has the meaning given each such term under section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).

(g) **DUPLICATION REVIEW.**—

(1) **REVIEW REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall complete a review of the functions and responsibilities of each Department of Homeland Security component responsible for international affairs to identify and eliminate areas of unnecessary duplication.

(2) **SUBMISSION TO CONGRESS.**—Not later than 30 days after the completion of the review required under paragraph (1), the Secretary shall provide the results of the review to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

(3) **ACTION PLAN.**—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional homeland security committees an action plan, including corrective steps and an estimated date of completion, to address areas of duplication, fragmentation, and overlap and opportunities for cost savings and revenue enhancement, as identified by the Government Accountability Office based on the annual report of the Government Accountability Office entitled “Additional Opportunities to Reduce Fragmentation, Overlap, and Duplication and Achieve Other Financial Benefits”.

**SEC. 1109. OFFICE OF EXTERNAL AFFAIRS.**

(a) **IN GENERAL.**—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding at the end the following new section:

**“SEC. 709. OFFICE OF EXTERNAL AFFAIRS.**

“(a) **IN GENERAL.**—There is established in the Department an Office of External Affairs.

“(b) **HEAD OF THE OFFICE.**—The Office of External Affairs shall be headed by a Principal Assistant Secretary for External Af-

fairs, who shall be appointed by the Secretary. The Principal Assistant Secretary shall report to the Secretary.

“(c) **COMPOSITION.**—The Office of External Affairs shall include the following components:

“(1) The Office of Legislative Affairs, led by the Assistant Secretary for Legislative Affairs who shall report to the Principal Assistant Secretary for External Affairs.

“(2) The Office of Public Affairs, led by the Assistant Secretary for Public Affairs who shall report to the Principal Assistant Secretary for External Affairs.

“(3) The Office of Partnership and Engagement, led by the Assistant Secretary for Partnership and Engagement who shall report to the Principal Assistant Secretary for External Affairs.

“(d) **ASSISTANT SECRETARY FOR PARTNERSHIP AND ENGAGEMENT.**—The Assistant Secretary for Partnership and Engagement shall be appointed by the Secretary and shall—

“(1) lead the efforts of the Department to incorporate external feedback from stakeholders into policy and strategic planning efforts, as appropriate, in consultation with the Office for Civil Rights and Civil Liberties;

“(2) conduct the activities specified in section 2006(b);

“(3) advise the Secretary on the effects of the policies, regulations, processes, and actions of the Department on the private sector and create and foster strategic communications with the private sector to enhance the primary mission of the Department to protect the homeland;

“(4) coordinate the activities of the Department relating to State and local government;

“(5) provide State and local governments with regular information, research, and technical support to assist local efforts at securing the homeland; and

“(6) perform such other functions as are established by law or delegated by the Secretary.”.

(b) **TRANSFER OF FUNCTIONS, ASSETS, AND PERSONNEL OF OFFICE FOR STATE AND LOCAL LAW ENFORCEMENT.**—The functions authorized to be performed by the Office for State and Local Law Enforcement of the Department of Homeland Security as of the day before the date of the enactment of this Act, and the assets and personnel associated with such functions, are transferred to the Office of Partnership and Engagement under section 709 of the Homeland Security Act of 2002, as added by this section.

**(c) ABOLISHMENT OF OFFICE FOR STATE AND LOCAL GOVERNMENT COORDINATION.—**

(1) **IN GENERAL.**—The Office for State and Local Government Coordination of the Department of Homeland Security is abolished.

(2) **TRANSFER OF FUNCTIONS AND ASSETS.**—The functions authorized to be performed by such Office for State and Local Government Coordination immediately on the day before the date of the enactment of this Act, and the assets and personnel associated with such functions, are transferred to the Office of Partnership and Engagement under section 709 of the Homeland Security Act of 2002, as added by this section.

(3) **CONFORMING AMENDMENT.**—The Homeland Security Act of 2002 is amended by striking section 801 (6 U.S.C. 631).

(4) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 801.

(d) **ABOLISHMENT OF SPECIAL ASSISTANT TO SECRETARY OF HOMELAND SECURITY.—**



(1) IN GENERAL.—The Special Assistant to the Secretary authorized by section 102(f) of the Homeland Security Act of 2002 (6 U.S.C. 112(f)), as in effect on the day before the date of the enactment of this Act, is abolished.

(2) TRANSFER OF FUNCTIONS AND ASSETS.—The functions authorized to be performed by such Special Assistant to the Secretary immediately before the enactment of this Act, and the assets and personnel associated with such functions, are transferred to the Office of Partnership and Engagement under section 709 of the Homeland Security Act of 2002, as added by this section.

(3) CONFORMING AMENDMENT.—Section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112) is amended by striking subsection (f).

(e) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 708 (as redesignated pursuant to section 1705(o) of this Act) the following new item:

“Sec. 709. Office of External Affairs.”.

**SEC. 1110. CHIEF PROCUREMENT OFFICER.**

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.), as amended by this Act, is further amended by adding at the end the following new section: “**SEC. 710. CHIEF PROCUREMENT OFFICER.**

“(a) IN GENERAL.—There is in the Department a Chief Procurement Officer, who shall serve as a senior business advisor to agency officials on procurement-related matters and report directly to the Under Secretary for Management. The Chief Procurement Officer is the senior procurement executive for purposes of subsection (c) of section 1702 of title 41, United States Code, and shall perform procurement functions as specified in such subsection.

“(b) RESPONSIBILITIES.—The Chief Procurement Officer shall—

“(1) delegate or retain contracting authority, as appropriate;

“(2) issue procurement policies and oversee the heads of contracting activity of the Department to ensure compliance with those policies;

“(3) serve as the main liaison of the Department to industry on procurement-related issues;

“(4) account for the integrity, performance, and oversight of Department procurement and contracting functions;

“(5) ensure that procurement contracting strategies and plans are consistent with the intent and direction of the Acquisition Review Board;

“(6) oversee a centralized acquisition workforce certification and training program using, as appropriate, existing best practices and acquisition training opportunities from the Federal Government, private sector, or universities and colleges to include training on how best to identify actions that warrant referrals for suspension or debarment;

“(7) provide input on the periodic performance reviews of each head of contracting activity of the Department;

“(8) collect baseline data and use such data to establish performance measures on the impact of strategic sourcing initiatives on the private sector, including small businesses;

“(9) establish and implement policies and procedures to effectively monitor and manage vulnerabilities in the supply chain for all Department purchases;

“(10) ensure that a fair proportion of the value of Federal contracts and subcontracts are awarded to small businesses (in accord-

ance with the procurement contract goals under section 15(g) of the Small Business Act (15 U.S.C. 644(g)), maximize opportunities for small business participation in such contracts, and ensure, to the extent practicable, small businesses that achieve qualified vendor status for security-related technologies are provided an opportunity to compete for contracts for such technology;

“(11) conduct oversight of implementation of administrative agreements to resolve suspension or debarment proceedings; and

“(12) carry out any other procurement duties that the Under Secretary for Management may designate.

“(c) HEAD OF CONTRACTING ACTIVITY DEFINED.—In this section the term ‘head of contracting activity’ means an official responsible for the creation, management, and oversight of a team of procurement professionals properly trained, certified, and warranted to accomplish the acquisition of products and services on behalf of the designated components, offices, and organizations of the Department, and as authorized, other government entities.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002, as amended by this Act, is further amended by inserting after the item relating to section 709 the following new item:

“Sec. 710. Chief Procurement Officer.”.

**SEC. 1111. CHIEF SECURITY OFFICER.**

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is further amended by inserting after the item relating to section 710, as added by this Act, the following new section:

**“SEC. 711. CHIEF SECURITY OFFICER.**

“(a) IN GENERAL.—There is in the Department a Chief Security Officer, who shall report directly to the Under Secretary for Management.

“(b) RESPONSIBILITIES.—The Chief Security Officer shall—

“(1) develop and implement the security policies, programs, and standards of the Department;

“(2) identify training and provide education to Department personnel on security-related matters; and

“(3) provide support to Department components on security-related matters.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is further amended by inserting after the item relating to section 710, as added by this Act, the following new item:

“Sec. 711. Chief Security Officer.”.

**SEC. 1112. OFFICE OF INSPECTOR GENERAL.**

(a) SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds the following:

(A) The Inspector General Act of 1978 mandates that Inspectors General are to conduct audits and investigations relating to the programs and operations of Federal departments to promote economy, efficiency, and effectiveness in the administration of programs and operations, and to prevent and detect fraud and abuse in such programs and operations.

(B) The Inspector General Act of 1978 mandates that Inspectors General are to provide a means for keeping Federal departments and the Congress fully and currently informed about problems and deficiencies relating to the administration of such programs and operations and the necessity for and progress of corrective action.

(C) The Office of the Inspector General of the Department of Homeland Security detects, investigates, and prevents instances of

waste, fraud, abuse, and mismanagement within the Department, and offers solutions for response.

(D) The Office of the Inspector General of the Department of Homeland Security consistently produces high-value, high-impact work that enhances the security and safety of the homeland.

(E) The Inspector General of the Department of Homeland Security provides the leadership and accountability within the Office of the Inspector General to oversee a cabinet-level agency.

(F) The Inspector General of the Department of Homeland Security stands as a leader within the Inspector General community through consistent exemplary service.

(G) The Office of Inspector General of the Department of Homeland Security offers the Federal Government and American taxpayers an impressive return on investment, measured in dollars spent versus dollars saved.

(H) The Office of the Inspector General of the Department of Homeland Security enhances the Department’s ability to effectively and efficiently administer laws.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Inspector General of the Department of Homeland Security plays a vital role in fulfilling the Department’s daily missions.

(b) NOTIFICATION.—The heads of offices and components of the Department of Homeland Security shall promptly advise the Inspector General of the Department of all allegations of misconduct with respect to which the Inspector General has investigative authority under the Inspector General Act of 1978. The Inspector General may waive the notification requirement under this subsection with respect to any category or subset of allegations of misconduct.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed as affecting the authority of the Secretary of Homeland Security under subsection (a) of section 8I of the Inspector General Act of 1978 (5 U.S.C. App. 8I).

**SEC. 1113. OFFICE FOR CIVIL RIGHTS AND CIVIL LIBERTIES.**

(a) IN GENERAL.—Section 705 of the Homeland Security Act of 2002 (6 U.S.C. 345) is amended—

(1) in the section heading, by striking “**ESTABLISHMENT OF OFFICER FOR**”;

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following new subsection:

“(b) OFFICE FOR CIVIL RIGHTS AND CIVIL LIBERTIES.—There is in the Department an Office for Civil Rights and Civil Liberties. Under the direction of the Officer for Civil Rights and Civil Liberties, the Office shall support the Officer in the following:

“(1) Integrating civil rights and civil liberties into activities of the Department by conducting programs and providing policy advice and other technical assistance.

“(2) Investigating complaints and information indicating possible abuses of civil rights or civil liberties, unless the Inspector General of the Department determines that any such complaint or information should be investigated by the Inspector General.

“(3) Carrying out the Department’s equal employment opportunity and diversity policies and programs, including complaint management and adjudication.

“(4) Communicating with individuals and communities whose civil rights and civil liberties may be affected by Department activities.

“(5) Any other activities as assigned by the Officer.”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated \$22,571,000 for each of fiscal years 2018 and 2019 to carry out section 705 of the Homeland Security Act of 2002, as amended by subsection (a) of this section.

**SEC. 1114. DEPARTMENT OF HOMELAND SECURITY ROTATION PROGRAM.**

(a) **ENHANCEMENTS TO THE ROTATION PROGRAM.**—Section 844 of the Homeland Security Act of 2002 (6 U.S.C. 414) is amended—

(1) by striking “(a) ESTABLISHMENT.—”;

(2) by redesignating paragraphs (1) through (5) as subsections (a) through (e), respectively, and adjusting the margins accordingly;

(3) in subsection (a), as so redesignated—

(A) by striking “Not later than 180 days after the date of enactment of this section, the” and inserting “The”; and

(B) by striking “for employees of the Department” and inserting “for certain personnel within the Department”;

(4) in subsection (b), as so redesignated—

(A) by redesignating subparagraphs (A) through (G) as paragraphs (3) through (9), respectively, and adjusting the margins accordingly;

(B) by inserting before paragraph (3), as so redesignated, the following new paragraphs:

“(1) seek to foster greater departmental integration and unity of effort;

“(2) seek to help enhance the knowledge, skills, and abilities of participating personnel with respect to the programs, policies, and activities of the Department.”;

(C) in paragraph (4), as so redesignated, by striking “middle and senior level”; and

(D) in paragraph (7), as so redesignated, by inserting before “invigorate” the following: “seek to improve morale and retention throughout the Department and”;

(5) in subsection (c), as redesignated by paragraph (2)—

(A) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and adjusting the margins accordingly; and

(B) in paragraph (2), as so redesignated—

(i) by striking clause (iii); and

(ii) by redesignating clauses (i), (ii), and (iv) through (viii) as subparagraphs (A) through (G), respectively, and adjusting the margins accordingly;

(6) by redesignating subsections (d) and (e), as redesignated by paragraph (2), as subsections (e) and (f), respectively;

(7) by inserting after subsection (c) the following new subsection:

“(d) **ADMINISTRATIVE MATTERS.**—In carrying out the Rotation Program the Secretary shall—

“(1) before selecting employees for participation in the Rotation Program, disseminate information broadly within the Department about the availability of the Rotation Program, qualifications for participation in the Rotation Program, including full-time employment within the employing component or office not less than one year, and the general provisions of the Rotation Program;

“(2) require as a condition of participation in the Rotation Program that an employee—

“(A) is nominated by the head of the component or office employing the employee; and

“(B) is selected by the Secretary, or the Secretary’s designee, solely on the basis of relative ability, knowledge, and skills, after fair and open competition that assures that all candidates receive equal opportunity;

“(3) ensure that each employee participating in the Rotation Program shall be en-

titled to return, within a reasonable period of time after the end of the period of participation, to the position held by the employee, or a corresponding or higher position, in the component or office that employed the employee prior to the participation of the employee in the Rotation Program;

“(4) require that the rights that would be available to the employee if the employee were detailed from the employing component or office to another Federal agency or office remain available to the employee during the employee participation in the Rotation Program; and

“(5) require that, during the period of participation by an employee in the Rotation Program, performance evaluations for the employee—

“(A) shall be conducted by officials in the office or component employing the employee with input from the supervisors of the employee at the component or office in which the employee is placed during that period; and

“(B) shall be provided the same weight with respect to promotions and other rewards as performance evaluations for service in the office or component employing the employee.”; and

(8) by adding at the end the following new subsection:

“(g) **INTELLIGENCE ROTATIONAL ASSIGNMENT PROGRAM.**—

“(1) **ESTABLISHMENT.**—The Secretary shall establish an Intelligence Rotational Assignment Program as part of the Rotation Program under subsection (a).

“(2) **ADMINISTRATION.**—The Chief Human Capital Officer, in conjunction with the Chief Intelligence Officer, shall administer the Intelligence Rotational Assignment Program established pursuant to paragraph (1).

“(3) **ELIGIBILITY.**—The Intelligence Rotational Assignment Program established pursuant to paragraph (1) shall be open to employees serving in existing analyst positions within the Department’s Intelligence Enterprise and other Department employees as determined appropriate by the Chief Human Capital Officer and the Chief Intelligence Officer.

“(4) **COORDINATION.**—The responsibilities specified in subsection (c)(2) that apply to the Rotation Program under such subsection shall, as applicable, also apply to the Intelligence Rotational Assignment Program under this subsection.”.

(b) **CONGRESSIONAL NOTIFICATION AND OVERSIGHT.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall provide to the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate information about the status of the Homeland Security Rotation Program authorized by section 844 of the Homeland Security Act of 2002, as amended by subsection (a) of this section.

**SEC. 1115. FUTURE YEARS HOMELAND SECURITY PROGRAM.**

(a) **IN GENERAL.**—Section 874 of the Homeland Security Act of 2002 (6 U.S.C. 454) is amended—

(1) in the section heading, by striking “YEAR” and inserting “YEARS”;

(2) by striking subsection (a) and inserting the following:

“(a) **IN GENERAL.**—Not later than 60 days after the date on which the budget of the President is submitted to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Com-

mittee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives (referred to in this section as the ‘appropriate committees’) a Future Years Homeland Security Program that covers the fiscal year for which the budget is submitted and the 4 succeeding fiscal years.”; and

(3) by striking subsection (c) and inserting the following new subsections:

“(c) **PROJECTION OF ACQUISITION ESTIMATES.**—On and after February 1, 2018, each Future Years Homeland Security Program shall project—

“(1) acquisition estimates for the fiscal year for which the budget is submitted and the four succeeding fiscal years, with specified estimates for each fiscal year, for all major acquisitions by the Department and each component of the Department; and

“(2) estimated annual deployment schedules for all physical asset major acquisitions over the five-fiscal-year period described in paragraph (1) and the full operating capability for all information technology major acquisitions.

“(d) **SENSITIVE AND CLASSIFIED INFORMATION.**—The Secretary may include with each Future Years Homeland Security Program a classified or other appropriately controlled document containing any information required to be submitted under this section that is restricted from public disclosure in accordance with Federal law or any Executive Order.

“(e) **AVAILABILITY OF INFORMATION TO THE PUBLIC.**—The Secretary shall make available to the public in electronic form the information required to be submitted to the appropriate committees under this section, other than information described in subsection (d).”.

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of such Act is further amended by striking the item relating to section 874 and inserting the following new item:

“874. Future Years Homeland Security Program.”.

**SEC. 1116. FIELD EFFICIENCIES PLAN.**

(1) **IN GENERAL.**—Not later than 270 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and Committee on Homeland Security and Governmental Affairs of the Senate a field efficiencies plan that—

(A) examines the facilities and administrative and logistics functions of components of the Department of Homeland Security located within designated geographic areas; and

(B) provides specific recommendations and an associated cost-benefit analysis for the consolidation of the facilities and administrative and logistics functions of components of the Department within each designated geographic area.

(2) **CONTENTS.**—The field efficiencies plan submitted under paragraph (1) shall include the following:

(A) An accounting of leases held by the Department or its components that have expired in the current fiscal year or will be expiring in the next fiscal year, that have begun or been renewed in the current fiscal year, or that the Department or its components plan to sign or renew in the next fiscal year.

(B) For each designated geographic area—

(i) An evaluation of specific facilities at which components, or operational entities of

components, of the Department may be closed or consolidated, including consideration of when leases expire or facilities owned by the government become available.

(ii) An evaluation of potential consolidation with facilities of other Federal, State, or local entities, including—

- (I) offices;
- (II) warehouses;
- (III) training centers;
- (IV) housing;
- (V) ports, shore facilities, and airfields;
- (VI) laboratories; and
- (VII) other assets as determined by the Secretary.

(iii) An evaluation of the potential for the consolidation of administrative and logistics functions, including—

- (I) facility maintenance;
- (II) fleet vehicle services;
- (III) mail handling and shipping and receiving;
- (IV) facility security;
- (V) procurement of goods and services;
- (VI) information technology and telecommunications services and support; and
- (VII) additional ways to improve unity of effort and cost savings for field operations and related support activities as determined by the Secretary.

(C) An implementation plan, including—

(i) near-term actions that can co-locate, consolidate, or dispose of property within 24 months;

(ii) identifying long-term occupancy agreements or leases that cannot be changed without a significant cost to the Government; and

(iii) how the Department can ensure it has the capacity, in both personnel and funds, needed to cover up-front costs to achieve consolidation and efficiencies.

(D) An accounting of any consolidation of the real estate footprint of the Department or any component of the Department, including the co-location of personnel from different components, offices, and agencies within the Department.

**SEC. 1117. SUBMISSION TO CONGRESS OF INFORMATION REGARDING REPROGRAMMING OR TRANSFER OF DEPARTMENT OF HOMELAND SECURITY RESOURCES TO RESPOND TO OPERATIONAL SURGES.**

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 is further amended by adding at the end the following new section:

**“SEC. 712. ANNUAL SUBMITTAL TO CONGRESS OF INFORMATION ON REPROGRAMMING OR TRANSFERS OF FUNDS TO RESPOND TO OPERATIONAL SURGES.**

“For each fiscal year until fiscal year 2023, the Secretary of Homeland Security shall provide to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate, together with the annual budget request for the Department, information on—

“(1) any circumstance during the year covered by the report in which the Secretary exercised the authority to reprogram or transfer funds to address unforeseen costs, including costs associated with operational surges; and

“(2) any circumstance in which any limitation on the transfer or reprogramming of funds affected the ability of the Secretary to address such unforeseen costs.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is further amended by inserting after the item relating to section 711, as added by this Act, the following new item:

“712. Annual submittal to Congress of information on reprogramming or transfers of funds to respond to operational surges.”.

**SEC. 1118. REPORT TO CONGRESS ON COST SAVINGS AND EFFICIENCY.**

(a) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Under Secretary of Homeland Security for Management, shall submit to the congressional homeland security committees a report that includes each of the following:

(1) A detailed accounting of the management and administrative expenditures and activities of each component of the Department of Homeland Security and identifies potential cost savings, avoidances, and efficiencies for those expenditures and activities.

(2) An examination of major physical assets of the Department, as defined by the Secretary;

(3) A review of the size, experience level, and geographic distribution of the operational personnel of the Department.

(4) Recommendations for adjustments in the management and administration of the Department that would reduce deficiencies in the capabilities of the Department, reduce costs, and enhance efficiencies.

(b) FORM OF REPORT.—The report required under subsection (a) shall be submitted in unclassified form but may include a classified annex.

**SEC. 1119. RESEARCH AND DEVELOPMENT AND CBRNE ORGANIZATIONAL REVIEW.**

(a) DEPARTMENT OF HOMELAND SECURITY RESEARCH AND DEVELOPMENT ACTIVITIES.—

(1) IN GENERAL.—The Secretary of Homeland Security shall assess the organization and management of the Department of Homeland Security's research and development activities, and shall develop and submit to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate, not later than six months after the date of the enactment of this Act, a proposed organizational structure for the efficient and effective management of such research and development activities.

(2) ORGANIZATIONAL JUSTIFICATION.—The proposed organizational structure for the management of the Department of Homeland Security's research and development activities included in the assessment required under paragraph (1) shall include the following:

(A) A discussion of the methodology for determining such proposed organizational structure.

(B) A comprehensive inventory of research and development activities of the Department, and the proposed location of each activity under such proposed organizational structure, including a description of the effects on specific directorates and offices based on any proposed relocation of their activities.

(C) Information relating to how such proposed organizational structure will facilitate and promote enhanced coordination and better collaboration between the research and development activities of the Department and the offices and components of the Department, including a specific description of operational challenges resulting from the current organizational structure and a detailed explanation of how the proposed organizational structure will address such challenges.

(D) Information relating to how such proposed organizational structure will support the development of research and development priorities and capabilities across the Department.

(E) A discussion of any resulting cost savings and efficiencies from such proposed organizational structure.

(F) Recommendations for any necessary statutory changes, an explanation of why no statutory or organizational changes are necessary, or a request for additional time to complete the organizational justification.

(b) DEPARTMENT OF HOMELAND SECURITY CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR, AND EXPLOSIVES ACTIVITIES.—

(1) IN GENERAL.—The Secretary of Homeland Security shall—

(A) assess the organization and management of the Department of Homeland Security's chemical, biological, radiological, nuclear, and explosives activities, including the activities of the Office of Health Affairs, the Domestic Nuclear Detection Office, and the Office for Bombing Prevention; and

(B) by not later than six months after the date of the enactment of this Act, develop and submit to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a proposed organizational structure to ensure enhanced coordination, effectiveness, and efficiency by providing strengthened chemical, biological, radiological, nuclear, and explosives capabilities in support of homeland security.

(2) ORGANIZATIONAL JUSTIFICATION.—The proposed organizational structure for the management of the Department of Homeland Security's chemical, biological, radiological, nuclear, and explosives activities included in the assessment required under paragraph (1) shall include the following:

(A) A discussion of the methodology for determining such proposed organizational structure.

(B) A comprehensive inventory of chemical, biological, radiological, nuclear, and explosives activities of the Department, and the proposed location of each activity under such proposed organizational structure.

(C) Information relating to how such proposed organizational structure will enhance the development of chemical, biological, radiological, nuclear, and explosives priorities and capabilities across the Department, including a specific description of operational challenges resulting from the current organizational structure and a detailed explanation of how the proposed organizational structure will address such challenges.

(D) A discussion of any resulting cost savings and efficiencies from such proposed organizational structure.

(E) Recommendations for any necessary statutory changes, an explanation of why no statutory or organizational changes are necessary, or a request for additional time to complete the organizational justification.

(c) REVIEW REQUIRED.—Not later than three months after the submission of the proposed organizational justifications required under subsections (a)(1) and (b)(1), the Comptroller General of the United States shall submit to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a review of the organizational justifications. The review shall consider how the proposed organizational realignment, or

lack thereof, of research and development activities and chemical, biological, radiological, nuclear, and explosives activities will improve or impede the Department's ongoing efforts in such mission areas, including an assessment of—

(1) any potential cost savings or additional costs incurred as a result of any proposed organizational realignment;

(2) an assessment of the comparison of benefits and costs of the proposed organizational structure;

(3) the extent to which the organizational justification submitted pursuant to subsections (a)(1) and (b)(1) fully assesses, documents, and addresses any potential problems that could result from any proposed organizational realignment;

(4) the extent to which the organizational justification identifies specific deficiencies in operations resulting from the existing organizational structure of the Department and an explanation of how any proposed realignment will address such deficiencies;

(5) the extent to which the Department solicited and incorporated the feedback of its workforce in the proposed organizational structure; and

(6) the extent to which the Department conducted and incorporated stakeholder outreach in developing the proposed organizational structure.

#### **SEC. 1120. ACTIVITIES RELATED TO CHILDREN.**

Paragraph (6) of subsection (c) of section 708 of the Homeland Security Act of 2002 (6 U.S.C. 349(c)), as redesignated by section 410 of this Act, is amended by inserting “, including feedback from organizations representing the needs of children,” after “stakeholder feedback”.

#### **Subtitle B—Human Resources and Other Matters**

#### **SEC. 1131. CHIEF HUMAN CAPITAL OFFICER RESPONSIBILITIES.**

Section 704 of the Homeland Security Act of 2002 (6 U.S.C. 344) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by inserting “, including with respect to leader development and employee engagement,” after “policies”;

(ii) by striking “and in line” and inserting “, in line”; and

(iii) by inserting “and informed by best practices within the Federal government and the private sector,” after “priorities.”;

(B) in paragraph (2), by striking “develop performance measures to provide a basis for monitoring and evaluating” and inserting “evaluate, on an ongoing basis.”;

(C) in paragraph (3), by inserting “that, to the extent practicable, are informed by employee feedback,” after “policies”;

(D) in paragraph (4), by inserting “including leader development and employee engagement programs,” before “in coordination”;

(E) in paragraph (5), by inserting before the semicolon at the end the following: “that is informed by an assessment, carried out by the Chief Human Capital Officer, of the learning and developmental needs of employees in supervisory and non-supervisory roles across the Department and appropriate workforce planning initiatives”;

(F) by redesignating paragraphs (9) and (10) as paragraphs (11) and (12), respectively; and

(G) by inserting after paragraph (8) the following new paragraphs:

“(9) maintain a catalogue of available employee development opportunities, including the Homeland Security Rotation Program pursuant to section 844, departmental leadership development programs, interagency de-

velopment programs, and other rotational programs;

“(10) ensure that employee discipline and adverse action programs comply with the requirements of all pertinent laws, rules, regulations, and Federal guidance, and ensure due process for employees.”;

(2) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(3) by inserting after subsection (c) the following new subsection:

“(d) CHIEF LEARNING AND ENGAGEMENT OFFICER.—The Chief Human Capital Officer may designate an employee of the Department to serve as a Chief Learning and Engagement Officer to assist the Chief Human Capital Officer in carrying out this section.”; and

(4) in subsection (e), as so redesignated—

(A) by redesignating paragraphs (2), (3), and (4) as paragraphs (5), (6), and (7), respectively; and

(B) by inserting after paragraph (1) the following new paragraphs:

“(2) information on employee development opportunities catalogued pursuant to paragraph (9) of subsection (b) and any available data on participation rates, attrition rates, and impacts on retention and employee satisfaction;

“(3) information on the progress of Department-wide strategic workforce planning efforts as determined under paragraph (2) of subsection (b);

“(4) information on the activities of the steering committee established pursuant to section 710(a), including the number of meeting, types of materials developed and distributed, and recommendations made to the Secretary.”;

#### **SEC. 1132. EMPLOYEE ENGAGEMENT STEERING COMMITTEE AND ACTION PLAN.**

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding at the end the following new section:

##### **“SEC. 714. EMPLOYEE ENGAGEMENT.**

“(a) STEERING COMMITTEE.—Not later than 120 days after the date of the enactment of this section, the Secretary shall establish an employee engagement steering committee, including representatives from operational components, headquarters, and field personnel, including supervisory and non-supervisory personnel, and employee labor organizations that represent Department employees, and chaired by the Under Secretary for Management, to carry out the following activities:

“(1) Identify factors that have a negative impact on employee engagement, morale, and communications within the Department, such as perceptions about limitations on career progression, mobility, or development opportunities, collected through employee feedback platforms, including through annual employee surveys, questionnaires, and other communications, as appropriate.

“(2) Identify, develop, and distribute initiatives and best practices to improve employee engagement, morale, and communications within the Department, including through annual employee surveys, questionnaires, and other communications, as appropriate.

“(3) Monitor efforts of each component to address employee engagement, morale, and communications based on employee feedback provided through annual employee surveys, questionnaires, and other communications, as appropriate.

“(4) Advise the Secretary on efforts to improve employee engagement, morale, and communications within specific components and across the Department.

“(5) Conduct regular meetings and report, not less than once per quarter, to the Under Secretary for Management, the head of each component, and the Secretary on Department-wide efforts to improve employee engagement, morale, and communications.

“(b) ACTION PLAN; REPORTING.—The Secretary, acting through the Chief Human Capital Officer, shall—

“(1) not later than 120 days after the date of the establishment of the steering committee under subsection (a), issue a Department-wide employee engagement action plan, reflecting input from the employee engagement steering committee established pursuant to subsection (a) and employee feedback provided through annual employee surveys, questionnaires, and other communications in accordance with paragraph (1) of such subsection, to execute strategies to improve employee engagement, morale, and communications within the Department; and

“(2) require the head of each component to—

“(A) develop and implement a component-specific employee engagement plan to advance the action plan required under paragraph (1) that includes performance measures and objectives, is informed by employee feedback provided through annual employee surveys, questionnaires, and other communications, as appropriate, and sets forth how employees and, where applicable, their labor representatives are to be integrated in developing programs and initiatives;

“(B) monitor progress on implementation of such action plan; and

“(C) provide to the Chief Human Capital Officer and the steering committee quarterly reports on actions planned and progress made under this paragraph.

“(c) TERMINATION.—This section shall terminate on the date that is five years after the date of the enactment of this section.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item related to section 713, as added by this Act, the following new item:

“Sec. 714. Employee engagement.”.

(c) SUBMISSIONS TO CONGRESS.—

(1) DEPARTMENT-WIDE EMPLOYEE ENGAGEMENT ACTION PLAN.—The Secretary of Homeland Security, acting through the Chief Human Capital Officer of the Department of Homeland Security, shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the Department-wide employee engagement action plan required under subsection (b)(1) of section 714 of the Homeland Security Act of 2002 (as added by subsection (a) of this section) not later than 30 days after the issuance of such plan under such subsection (b)(1).

(2) COMPONENT-SPECIFIC EMPLOYEE ENGAGEMENT PLANS.—Each head of a component of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the component-specific employee engagement plan of each such component required under subsection (b)(2) of section 714 of the Homeland Security Act of 2002 (as added by subsection (a) of this section) not later than 30 days after the issuance of each such plan under such subsection (b)(2).

#### **SEC. 1133. ANNUAL EMPLOYEE AWARD PROGRAM.**

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

**“SEC. 715. ANNUAL EMPLOYEE AWARD PROGRAM.**

“(a) IN GENERAL.—The Secretary may establish an annual employee award program to recognize Department employees or groups of employees for significant contributions to the achievement of the Department's goals and missions. If such a program is established, the Secretary shall—

“(1) establish within such program categories of awards, each with specific criteria, that emphasizes honoring employees who are at the non-supervisory level;

“(2) publicize within the Department how any employee or group of employees may be nominated for an award;

“(3) establish an internal review board comprised of representatives from Department components, headquarters, and field personnel to submit to the Secretary award recommendations regarding specific employees or groups of employees;

“(4) select recipients from the pool of nominees submitted by the internal review board under paragraph (3) and convene a ceremony at which employees or groups of employees receive such awards from the Secretary; and

“(5) publicize such program within the Department.

“(b) INTERNAL REVIEW BOARD.—The internal review board described in subsection (a)(3) shall, when carrying out its function under such subsection, consult with representatives from operational components and headquarters, including supervisory and non-supervisory personnel, and employee labor organizations that represent Department employees.

“(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize additional funds to carry out the requirements of this section or to require the Secretary to provide monetary bonuses to recipients of an award under this section.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002, as amended this Act, is further amended by inserting after the item relating to section 714 the following new item:

“Sec. 715. Annual employee award program.”.

**SEC. 1134. INDEPENDENT INVESTIGATION AND IMPLEMENTATION PLAN.**

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act or the issuance of a report by the Inspector General of the Department of Homeland Security on the extent to which the Department has an equitable and consistent disciplinary process, whichever is later, but in no case later than one year after such date of enactment, the Comptroller General of the United States shall utilize, if available, such report and investigate whether the application of discipline and adverse actions are administered in an equitable and consistent manner that results in the same or substantially similar disciplinary outcomes across the Department for misconduct by a non-supervisory or supervisor employee who engaged in the same or substantially similar misconduct.

(b) CONSULTATION.—In carrying out the investigation described in subsection (a), the Comptroller General of the United States shall consult with the employee engagement steering committee established pursuant to subsection (b)(1) of section 714 of the Homeland Security Act of 2002 (as added by this Act).

(c) ACTION BY UNDER SECRETARY FOR MANAGEMENT.—Upon completion of the investigation described in subsection (a), the Under

Secretary for Management of the Department of Homeland Security shall review the findings and recommendations of such investigation and implement a plan, in consultation with the employee engagement steering committee established pursuant to subsection (b)(1) of section 714 of the Homeland Security Act of 2002, to correct any relevant deficiencies identified by the Comptroller General of the United States. The Under Secretary for Management shall direct the employee engagement steering committee to review such plan to inform committee activities and action plans authorized under such section 714.

**SEC. 1135. TIMELY GUIDANCE TO DHS PERSONNEL REGARDING EXECUTIVE ORDERS.**

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 is further amended by adding at the end the following new section:

**“SEC. 716. TIMELY GUIDANCE TO PERSONNEL REGARDING EXECUTIVE ORDERS.**

“To the maximum extent practicable, before any Executive Order affecting Department functions, programs, or operations takes effect, the Secretary, in coordination with the heads of relevant Department components and offices, shall make every effort to, as expeditiously as possible, provide to relevant Department personnel written guidance regarding how such Executive Order is to be implemented.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is further amended by inserting after the item relating to section 715, as added by this Act, the following new item:

“Sec. 716. Timely guidance to personnel regarding Executive Orders.”.

**SEC. 1136. SECRETARY'S RESPONSIBILITIES REGARDING ELECTION INFRASTRUCTURE.**

The Secretary of Homeland Security shall continue to prioritize the provision of assistance, on a voluntary basis, to State and local election officials in recognition of the importance of election infrastructure to the United States and that its incapacity or destruction would have a debilitating impact on national security, and that state and non-state adversaries should not compromise election infrastructure.

**TITLE II—DEPARTMENT OF HOMELAND SECURITY ACQUISITION ACCOUNTABILITY AND EFFICIENCY****SEC. 1201. DEFINITIONS.**

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 is amended by inserting before section 831 the following new section:

**“SEC. 830. DEFINITIONS.**

“In this subtitle:

“(1) The term ‘acquisition’ has the meaning given such term in section 131 of title 41, United States Code.

“(2) The term ‘acquisition decision authority’ means the authority, held by the Secretary acting through the Deputy Secretary or Under Secretary for Management to—

“(A) ensure compliance with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives;

“(B) review (including approving, pausing, modifying, or canceling) an acquisition program through the life cycle of such program;

“(C) ensure that acquisition program managers have the resources necessary to successfully execute an approved acquisition program;

“(D) ensure good acquisition program management of cost, schedule, risk, and system

performance of the acquisition program at issue, including assessing acquisition program baseline breaches and directing any corrective action for such breaches; and

“(E) ensure that acquisition program managers, on an ongoing basis, monitor cost, schedule, and performance against established baselines and use tools to assess risks to an acquisition program at all phases of the life cycle of such program to avoid and mitigate acquisition program baseline breaches.

“(3) The term ‘acquisition decision event’ means, with respect to an acquisition program, a predetermined point within each of the acquisition phases at which the acquisition decision authority determines whether such acquisition program shall proceed to the next acquisition phase.

“(4) The term ‘acquisition decision memorandum’ means, with respect to an acquisition, the official acquisition decision event record that includes a documented record of decisions, exit criteria, and assigned actions for such acquisition, as determined by the person exercising acquisition decision authority for such acquisition.

“(5) The term ‘acquisition program’ means the process by which the Department acquires, with any appropriated amounts, by contract for purchase or lease, property or services (including construction) that support the missions and goals of the Department.

“(6) The term ‘acquisition program baseline’, with respect to an acquisition program, means a summary of the cost, schedule, and performance parameters, expressed in standard, measurable, quantitative terms, which must be met in order to accomplish the goals of such program.

“(7) The term ‘best practices’, with respect to acquisition, means a knowledge-based approach to capability development that includes—

“(A) identifying and validating needs;

“(B) assessing alternatives to select the most appropriate solution;

“(C) clearly establishing well-defined requirements;

“(D) developing realistic cost assessments and schedules;

“(E) securing stable funding that matches resources to requirements;

“(F) demonstrating technology, design, and manufacturing maturity;

“(G) using milestones and exit criteria or specific accomplishments that demonstrate progress;

“(H) adopting and executing standardized processes with known success across programs;

“(I) establishing an adequate workforce that is qualified and sufficient to perform necessary functions; and

“(J) integrating the capabilities described in subparagraphs (A) through (I) into the Department's mission and business operations.

“(8) The term ‘breach’, with respect to a major acquisition program, means a failure to meet any cost, schedule, or performance threshold specified in the most recently approved acquisition program baseline.

“(9) The term ‘congressional homeland security committees’ means—

“(A) the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(B) the Committee on Appropriations of the House of Representatives and of the Senate.

“(10) The term ‘Component Acquisition Executive’ means the senior acquisition official

within a component who is designated in writing by the Under Secretary for Management, in consultation with the component head, with authority and responsibility for leading a process and staff to provide acquisition and program management oversight, policy, and guidance to ensure that statutory, regulatory, and higher level policy requirements are fulfilled, including compliance with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives established by the Under Secretary for Management.

“(11) The term ‘life cycle cost’ means the total ownership cost of an acquisition, including all relevant costs related to acquiring, owning, operating, maintaining, and disposing of the system, project, or product over a specified period of time.

“(12) The term ‘major acquisition program’ means a Department acquisition program that is estimated by the Secretary to require an eventual total expenditure of at least \$300,000,000 (based on fiscal year 2017 constant dollars) over its life cycle cost.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is further amended by inserting before the item relating to section 831 the following new item:

“830. Definitions.”.

#### Subtitle A—Acquisition Authorities

#### SEC. 1211. ACQUISITION AUTHORITIES FOR UNDER SECRETARY FOR MANAGEMENT OF THE DEPARTMENT OF HOMELAND SECURITY.

Section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341) is amended—

(1) in subsection (a)(2), by inserting “and acquisition management” after “procurement”;

(2) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(3) by inserting after subsection (c) the following new subsection:

“(d) ACQUISITION AND RELATED RESPONSIBILITIES.—

“(1) IN GENERAL.—Notwithstanding subsection (a) of section 1702 of title 41, United States Code, the Under Secretary for Management is the Chief Acquisition Officer of the Department. As Chief Acquisition Officer, the Under Secretary shall have the authorities and perform the functions specified in subsection (b) of such section and shall perform all other functions and responsibilities delegated by the Secretary or described in this subsection.

“(2) FUNCTIONS AND RESPONSIBILITIES.—In addition to the authorities and functions specified in section 1702(b) of title 41, United States Code, the functions and responsibilities of the Under Secretary for Management related to acquisition include the following:

“(A) Advising the Secretary regarding acquisition management activities, taking into account risks of failure to achieve cost, schedule, or performance parameters, to ensure that the Department achieves its mission through the adoption of widely accepted program management best practices and standards and, where appropriate, acquisition innovation best practices.

“(B) Leading the acquisition oversight body of the Department, the Acquisition Review Board, and exercising the acquisition decision authority to approve, pause, modify (including the rescission of approvals of program milestones), or cancel major acquisition programs, unless the Under Secretary delegates such authority to a Component Acquisition Executive pursuant to paragraph (3).

“(C) Establishing policies for acquisition that implement an approach that takes into

account risks of failure to achieve cost, schedule, or performance parameters that all components of the Department shall comply with, including outlining relevant authorities for program managers to effectively manage acquisition programs.

“(D) Ensuring that each major acquisition program has a Department-approved acquisition program baseline, pursuant to the Department’s acquisition management policy.

“(E) Ensuring that the heads of components and Component Acquisition Executives comply with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives.

“(F) Providing additional scrutiny and oversight for an acquisition that is not a major acquisition if—

“(i) the acquisition is for a program that is important to departmental strategic and performance plans;

“(ii) the acquisition is for a program with significant program or policy implications; and

“(iii) the Secretary determines that such scrutiny and oversight for the acquisition is proper and necessary.

“(G) Ensuring that grants and financial assistance are provided only to individuals and organizations that are not suspended or debarred.

“(H) Distributing guidance throughout the Department to ensure that contractors involved in acquisitions, particularly contractors that access the Department’s information systems and technologies, adhere to relevant Department policies related to physical and information security as identified by the Under Secretary for Management.

“(I) Overseeing the Component Acquisition Executive organizational structure to ensure Component Acquisition Executives have sufficient capabilities and comply with Department acquisition policies.

“(J) Ensuring acquisition decision memoranda adequately document decisions made at acquisition decision events, including any affirmative determination of contractor responsibility at the down selection phase and any other significant procurement decisions related to the acquisition at issue.

“(3) DELEGATION OF ACQUISITION DECISION AUTHORITY.—

“(A) LEVEL 3 ACQUISITIONS.—The Under Secretary for Management may delegate acquisition decision authority in writing to the relevant Component Acquisition Executive for an acquisition program that has a life cycle cost estimate of less than \$300,000,000.

“(B) LEVEL 2 ACQUISITIONS.—The Under Secretary for Management may delegate acquisition decision authority in writing to the relevant Component Acquisition Executive for a major acquisition program that has a life cycle cost estimate of at least \$300,000,000 but not more than \$1,000,000,000 if all of the following requirements are met:

“(i) The component concerned possesses working policies, processes, and procedures that are consistent with Department-level acquisition policy.

“(ii) The Component Acquisition Executive concerned has adequate, experienced, and dedicated professional employees with program management training, as applicable, commensurate with the size of the acquisition programs and related activities delegated to such Component Acquisition Executive by the Under Secretary for Management.

“(iii) Each major acquisition program concerned has written documentation showing that it has a Department-approved acquisition program baseline and it is meeting

agreed-upon cost, schedule, and performance thresholds.

“(4) RELATIONSHIP TO UNDER SECRETARY FOR SCIENCE AND TECHNOLOGY.—

“(A) IN GENERAL.—Nothing in this subsection shall diminish the authority granted to the Under Secretary for Science and Technology under this Act. The Under Secretary for Management and the Under Secretary for Science and Technology shall cooperate in matters related to the coordination of acquisitions across the Department so that investments of the Directorate of Science and Technology are able to support current and future requirements of the components of the Department.

“(B) OPERATIONAL TESTING AND EVALUATION.—The Under Secretary for Science and Technology shall—

“(i) ensure, in coordination with relevant component heads, that major acquisition programs—

“(I) complete operational testing and evaluation of technologies and systems;

“(II) use independent verification and validation of operational test and evaluation implementation and results; and

“(III) document whether such programs meet all performance requirements included in their acquisition program baselines;

“(ii) ensure that such operational testing and evaluation includes all system components and incorporates operators into the testing to ensure that systems perform as intended in the appropriate operational setting; and

“(iii) determine if testing conducted by other Federal agencies and private entities is relevant and sufficient in determining whether systems perform as intended in the operational setting.

“(5) DEFINITIONS.—In this subsection, the terms ‘acquisition’, ‘best practices’, ‘acquisition decision authority’, ‘major acquisition program’, ‘acquisition program baseline’, and ‘Component Acquisition Executive’ have the meanings given such terms in section 830.”.

#### SEC. 1212. ACQUISITION AUTHORITIES FOR CHIEF FINANCIAL OFFICER OF THE DEPARTMENT OF HOMELAND SECURITY.

Paragraph (2) of section 702(b) of the Homeland Security Act of 2002 (6 U.S.C. 342(b)) is amended by adding at the end the following new subparagraph:

“(J) Oversee the costs of acquisition programs and related activities to ensure that actual and planned costs are in accordance with budget estimates and are affordable, or can be adequately funded, over the life cycle of such programs and activities.”.

#### SEC. 1213. ACQUISITION AUTHORITIES FOR CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF HOMELAND SECURITY.

Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343), as amended by this Act, is further amended by adding at the end the following new subsection:

“(e) ACQUISITION RESPONSIBILITIES.—The acquisition responsibilities of the Chief Information Officer shall include the following:

“(1) Oversee the management of the Homeland Security Enterprise Architecture and ensure that, before each acquisition decision event (as such term is defined in section 830), approved information technology acquisitions comply with departmental information technology management processes, technical requirements, and the Homeland Security Enterprise Architecture, and in any case in which information technology acquisitions do not comply with the Department’s management directives, make recommendations

to the Acquisition Review Board regarding such noncompliance.

“(2) Be responsible for providing recommendations to the Acquisition Review Board regarding information technology programs, and be responsible for developing information technology acquisition strategic guidance.”.

**SEC. 1214. ACQUISITION AUTHORITIES FOR PROGRAM ACCOUNTABILITY AND RISK MANAGEMENT.**

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is further amended by adding at the end the following:

**“SEC. 717. ACQUISITION AUTHORITIES FOR PROGRAM ACCOUNTABILITY AND RISK MANAGEMENT.**

“(a) ESTABLISHMENT OF OFFICE.—There is in the Management Directorate of the Department an office to be known as ‘Program Accountability and Risk Management’. The purpose of the office is to—

“(1) provide consistent accountability, standardization, and transparency of major acquisition programs of the Department; and

“(2) serve as the central oversight function for all Department acquisition programs.

“(b) RESPONSIBILITIES OF EXECUTIVE DIRECTOR.—The Program Accountability and Risk Management shall be led by an Executive Director to oversee the requirement under subsection (a). The Executive Director shall report directly to the Under Secretary for Management, and shall carry out the following responsibilities:

“(1) Monitor regularly the performance of Department acquisition programs between acquisition decision events to identify problems with cost, performance, or schedule that components may need to address to prevent cost overruns, performance issues, or schedule delays.

“(2) Assist the Under Secretary for Management in managing the acquisition programs and related activities of the Department.

“(3) Conduct oversight of individual acquisition programs to implement Department acquisition program policy, procedures, and guidance with a priority on ensuring the data the office collects and maintains from Department components is accurate and reliable.

“(4) Serve as the focal point and coordinator for the acquisition life cycle review process and as the executive secretariat for the Acquisition Review Board.

“(5) Advise the persons having acquisition decision authority in making acquisition decisions consistent with all applicable laws and in establishing clear lines of authority, accountability, and responsibility for acquisition decision making within the Department.

“(6) Engage in the strategic planning and performance evaluation process required under section 306 of title 5, United States Code, and sections 1105(a)(28), 1115, 1116, and 9703 of title 31, United States Code, by supporting the Chief Procurement Officer in developing strategies and specific plans for hiring, training, and professional development in order to rectify any deficiency within the Department’s acquisition workforce.

“(7) Develop standardized certification standards in consultation with the Component Acquisition Executives for all acquisition program managers.

“(8) In the event that a certification or action of an acquisition program manager needs review for purposes of promotion or removal, provide input, in consultation with the relevant Component Acquisition Execu-

tive, into the performance evaluation of the relevant acquisition program manager and report positive or negative experiences to the relevant certifying authority.

“(9) Provide technical support and assistance to Department acquisitions and acquisition personnel in conjunction with the Chief Procurement Officer.

“(10) Prepare the Comprehensive Acquisition Status Report for the Department, as required by title I of division D of the Consolidated Appropriations Act, 2016 (Public Law 114-113), and make such report available to the congressional homeland security committees.

“(c) RESPONSIBILITIES OF COMPONENTS.—Each head of a component shall comply with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives established by the Under Secretary for Management. For each major acquisition program, each head of a component shall—

“(1) define baseline requirements and document changes to such requirements, as appropriate;

“(2) establish a complete life cycle cost estimate with supporting documentation, including an acquisition program baseline;

“(3) verify each life cycle cost estimate against independent cost estimates, and reconcile any differences;

“(4) complete a cost-benefit analysis with supporting documentation;

“(5) develop and maintain a schedule that is consistent with scheduling best practices as identified by the Comptroller General of the United States, including, in appropriate cases, an integrated master schedule; and

“(6) ensure that all acquisition program information provided by the component is complete, accurate, timely, and valid.

“(d) CONGRESSIONAL HOMELAND SECURITY COMMITTEES DEFINED.—In this section, the term ‘congressional homeland security committees’ means—

“(1) the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(2) the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

**“SEC. 718. ACQUISITION DOCUMENTATION.**

“(a) IN GENERAL.—For each major acquisition program, the Executive Director responsible for the preparation of the Comprehensive Acquisition Status Report, pursuant to paragraph (11) of section 710(b), shall require certain acquisition documentation to be submitted by Department components or offices.

“(b) WAIVER.—The Secretary may waive the requirement for submission under subsection (a) for a program for a fiscal year if either—

“(1) the program has not—

“(A) entered the full rate production phase in the acquisition life cycle;

“(B) had a reasonable cost estimate established; and

“(C) had a system configuration defined fully; or

“(2) the program does not meet the definition of ‘capital asset’, as defined by the Director of the Office of Management and Budget.

“(c) CONGRESSIONAL OVERSIGHT.—At the same time the President’s budget is submitted for a fiscal year under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and Committee on Homeland Security and Gov-

ernmental Affairs of the Senate information on the exercise of authority under subsection (b) in the prior fiscal year that includes the following specific information regarding each program for which a waiver is issued under subsection (b):

“(1) The grounds for granting a waiver for that program.

“(2) The projected cost of that program.

“(3) The proportion of a component’s annual acquisition budget attributed to that program, as available.

“(4) Information on the significance of the program with respect to the component’s operations and execution of its mission.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is further amended by inserting after the item relating to section 716, as added by this Act, the following new items:

“Sec. 717. Acquisition authorities for Program Accountability and Risk Management.

“Sec. 718. Acquisition documentation.”.

**SEC. 1215. ACQUISITION INNOVATION.**

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) as amended by this Act, is further amended by adding at the end the following new section:

**“SEC. 719. ACQUISITION INNOVATION.**

“The Under Secretary for Management may—

“(1) designate an individual within the Department to manage acquisition innovation efforts of the Department;

“(2) test emerging acquisition best practices to carrying out acquisitions, consistent with the Federal Acquisition Regulation and Department acquisition management directives, as appropriate;

“(3) develop and distribute best practices and lessons learned regarding acquisition innovation throughout the Department;

“(4) establish metrics to measure the effectiveness of acquisition innovation efforts with respect to cost, operational efficiency of the acquisition program (including timeframes for executing contracts), and collaboration with the private sector, including small businesses; and

“(5) determine impacts of acquisition innovation efforts on the private sector by—

“(A) engaging with the private sector, including small businesses, to provide information and obtain feedback on procurement practices and acquisition innovation efforts of the Department;

“(B) obtaining feedback from the private sector on the impact of acquisition innovation efforts of the Department; and

“(C) incorporating such feedback, as appropriate, into future acquisition innovation efforts of the Department.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 718, as added by this Act, the following new item:

“Sec. 719. Acquisition innovation.”.

(c) INFORMATION.—Not later than 90 days after the date on which the Secretary of Homeland Security submits the annual budget justification for the Department of Homeland Security for each of fiscal years 2019 through 2023, the Secretary shall, if appropriate, provide information to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the activities undertaken in the previous fiscal year in furtherance of section 719 of the Homeland Security



Act of 2002, as added by subsection (a), on the following:

(1) Emerging acquisition best practices that were tested within the Department during such fiscal year.

(2) Efforts to distribute best practices and lessons learned within the Department, including through web-based seminars, training, and forums, during such fiscal year.

(3) Utilization by components throughout the Department of best practices distributed by the Under Secretary of Management pursuant to paragraph (3) of such section 719.

(4) Performance as measured by the metrics established under paragraph (4) of such section 719.

(5) Outcomes of efforts to distribute best practices and lessons learned within the Department, including through web-based seminars, training, and forums.

(6) Any impacts of the utilization of innovative acquisition mechanisms by the Department on the private sector, including small businesses.

(7) The criteria used to identify specific acquisition programs or activities to be included in acquisition innovation efforts and the outcomes of such programs or activities.

(8) Recommendations, as necessary, to enhance acquisition innovation in the Department.

#### **Subtitle B—Acquisition Program Management Discipline**

##### **SEC. 1221. ACQUISITION REVIEW BOARD.**

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is amended by adding at the end the following new section:

##### **“SEC. 836. ACQUISITION REVIEW BOARD.**

“(a) IN GENERAL.—The Secretary shall establish an Acquisition Review Board (in this section referred to as the ‘Board’) to—

“(1) strengthen accountability and uniformity within the Department acquisition review process;

“(2) review major acquisition programs; and

“(3) review the use of best practices.

“(b) COMPOSITION.—The Under Secretary for Management shall serve as chair of the Board. The Secretary shall also ensure participation by other relevant Department officials, including at least two component heads or their designees, as permanent members of the Board.

“(c) MEETINGS.—The Board shall meet regularly for purposes of ensuring all acquisitions processes proceed in a timely fashion to achieve mission readiness. The Board shall convene at the discretion of the Secretary and at any time—

“(1) a major acquisition program—

“(A) requires authorization to proceed from one acquisition decision event to another throughout the acquisition life cycle;

“(B) is in breach of its approved requirements; or

“(C) requires additional review, as determined by the Under Secretary for Management; or

“(2) a non-major acquisition program requires review, as determined by the Under Secretary for Management.

“(d) RESPONSIBILITIES.—The responsibilities of the Board are as follows:

“(1) Determine whether a proposed acquisition has met the requirements of key phases of the acquisition life cycle framework and is able to proceed to the next phase and eventual full production and deployment.

“(2) Oversee whether a proposed acquisition’s business strategy, resources, management, and accountability is executable and is aligned to strategic initiatives.

“(3) Support the person with acquisition decision authority for an acquisition in determining the appropriate direction for such acquisition at key acquisition decision events.

“(4) Conduct systematic reviews of acquisitions to ensure that such acquisitions are progressing in compliance with the approved documents for their current acquisition phases.

“(5) Review the acquisition documents of each major acquisition program, including the acquisition program baseline and documentation reflecting consideration of trade-offs among cost, schedule, and performance objectives, to ensure the reliability of underlying data.

“(6) Ensure that practices are adopted and implemented to require consideration of trade-offs among cost, schedule, and performance objectives as part of the process for developing requirements for major acquisition programs prior to the initiation of the second acquisition decision event, including, at a minimum, the following practices:

“(A) Department officials responsible for acquisition, budget, and cost estimating functions are provided with the appropriate opportunity to develop estimates and raise cost and schedule matters before performance objectives are established for capabilities when feasible.

“(B) Full consideration is given to possible trade-offs among cost, schedule, and performance objectives for each alternative.

“(e) ACQUISITION PROGRAM BASELINE REPORT REQUIREMENT.—If the person exercising acquisition decision authority over a major acquisition program approves such program to proceed into the planning phase before such program has a Department-approved acquisition program baseline, the Under Secretary for Management shall create and approve an acquisition program baseline report regarding such approval, and the Secretary shall—

“(1) within seven days after an acquisition decision memorandum is signed, notify in writing the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate of such decision; and

“(2) within 60 days after the acquisition decision memorandum is signed, submit to such committees a report stating the rationale for such decision and a plan of action to require an acquisition program baseline for such program.

“(f) REPORT.—The Under Secretary for Management shall provide information to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on an annual basis through fiscal year 2022 on the activities of the Board for the prior fiscal year that includes information relating to the following:

“(1) For each meeting of the Board, any acquisition decision memoranda.

“(2) Results of the systematic reviews conducted pursuant to paragraph (4) of subsection (d).

“(3) Results of acquisition document reviews required pursuant to paragraph (5) of subsection (d).

“(4) Activities to ensure that practices are adopted and implemented throughout the Department pursuant to paragraph (6) of subsection (d).”

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is further amended by adding after the item relating to section 835 the following new item:

“Sec. 836. Acquisition Review Board.”

##### **SEC. 1222. REQUIREMENTS TO REDUCE DUPLICATION IN ACQUISITION PROGRAMS.**

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is further amended by adding at the end the following new section:

##### **“SEC. 837. REQUIREMENTS TO REDUCE DUPLICATION IN ACQUISITION PROGRAMS.**

“(a) REQUIREMENT TO ESTABLISH POLICIES.—In an effort to reduce unnecessary duplication and inefficiency for all Department investments, including major acquisition programs, the Deputy Secretary, in consultation with the Under Secretary for Management, shall establish Department-wide policies to integrate all phases of the investment life cycle and help the Department identify, validate, and prioritize common component requirements for major acquisition programs in order to increase opportunities for effectiveness and efficiencies. The policies shall also include strategic alternatives for developing and facilitating a Department component-driven requirements process that includes oversight of a development test and evaluation capability; identification of priority gaps and overlaps in Department capability needs; and provision of feasible technical alternatives, including innovative commercially available alternatives, to meet capability needs.

“(b) MECHANISMS TO CARRY OUT REQUIREMENT.—The Under Secretary for Management shall coordinate the actions necessary to carry out subsection (a), using such mechanisms as considered necessary by the Secretary to help the Department reduce unnecessary duplication and inefficiency for all Department investments, including major acquisition programs.

“(c) COORDINATION.—In coordinating the actions necessary to carry out subsection (a), the Deputy Secretary shall consult with the Under Secretary for Management, Component Acquisition Executives, and any other Department officials, including the Under Secretary for Science and Technology or his designee, with specific knowledge of Department or component acquisition capabilities to prevent unnecessary duplication of requirements.

“(d) ADVISORS.—The Deputy Secretary, in consultation with the Under Secretary for Management, shall seek and consider input within legal and ethical boundaries from members of Federal, State, local, and tribal governments, nonprofit organizations, and the private sector, as appropriate, on matters within their authority and expertise in carrying out the Department’s mission.

“(e) MEETINGS.—The Deputy Secretary, in consultation with the Under Secretary for Management, shall meet at least quarterly and communicate with components often to ensure that components do not overlap or duplicate spending or activities on major investments and acquisition programs within their areas of responsibility.

“(f) RESPONSIBILITIES.—In carrying out this section, the responsibilities of the Deputy Secretary, in consultation with the Under Secretary for Management, are as follows:

“(1) To review and validate the requirements documents of major investments and acquisition programs prior to acquisition decision events of the investments or programs.

“(2) To ensure the requirements and scope of a major investment or acquisition program are stable, measurable, achievable, at an acceptable risk level, and match the resources planned to be available.

“(3) Before any entity of the Department issues a solicitation for a new contract, coordinate with other Department entities as appropriate to prevent unnecessary duplication and inefficiency and—

“(A) to implement portfolio reviews to identify common mission requirements and crosscutting opportunities among components to harmonize investments and requirements and prevent unnecessary overlap and duplication among components; and

“(B) to the extent practicable, to standardize equipment purchases, streamline the acquisition process, improve efficiencies, and conduct best practices for strategic sourcing.

“(4) To ensure program managers of major investments and acquisition programs conduct analyses, giving particular attention to factors such as cost, schedule, risk, performance, and operational efficiency in order to determine that programs work as intended within cost and budget expectations.

“(5) To propose schedules for delivery of the operational capability needed to meet each Department investment and major acquisition program.”

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is further amended by adding after the item relating to section 836, as added by this Act, the following new item:

“Sec. 837. Requirements to reduce duplication in acquisition programs.”

#### SEC. 1223. DEPARTMENT LEADERSHIP COUNCIL.

(a) IN GENERAL.—Subtitle H of title VIII of the Homeland Security Act of 2002 is amended by adding at the end the following new section:

##### “SEC. 890B. DEPARTMENT LEADERSHIP COUNCIL.

“(a) DEPARTMENT LEADERSHIP COUNCIL.—

“(1) ESTABLISHMENT.—The Secretary may establish a Department leadership council as the Secretary determines necessary to ensure coordination and improve programs and activities of the Department.

“(2) FUNCTION.—A Department leadership council shall—

“(A) serve as coordinating forums;

“(B) advise the Secretary and Deputy Secretary on Department strategy, operations, and guidance; and

“(C) consider and report on such other matters as the Secretary or Deputy Secretary may direct.

“(3) RELATIONSHIP TO OTHER FORUMS.—The Secretary or Deputy Secretary may delegate the authority to direct the implementation of any decision or guidance resulting from the action of a Department leadership council to any office, component, coordinator, or other senior official of the Department.

“(4) MISSION.—In addition to other matters assigned to it by the Secretary and Deputy Secretary, a leadership council shall—

“(A) identify, assess, and validate joint requirements (including existing systems and associated capability gaps) to meet mission needs of the Department;

“(B) ensure that appropriate efficiencies are made among life-cycle cost, schedule, and performance objectives, and procurement quantity objectives, in the establishment and approval of joint requirements; and

“(C) make prioritized capability recommendations for the joint requirements validated under subparagraph (A) to the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary to review decisions of the leadership council.

“(5) CHAIRPERSON.—The Secretary shall appoint a chairperson of a leadership council,

for a term of not more than 2 years, from among senior officials from components of the Department or other senior officials as designated by the Secretary.

“(6) COMPOSITION.—A leadership council shall be composed of senior officials representing components of the Department and other senior officials as designated by the Secretary.

“(7) RELATIONSHIP TO FUTURE YEARS HOMELAND SECURITY PROGRAM.—The Secretary shall ensure that the Future Years Homeland Security Program required under section 874 is consistent with any recommendations of a leadership council required under paragraph (2)(C), as affirmed by the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary under that paragraph.”

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by inserting after the item relating to section 890A the following new item:

“Sec. 890B. Department leadership council.”

#### SEC. 1224. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF BOARD AND OF REQUIREMENTS TO REDUCE DUPLICATION IN ACQUISITION PROGRAMS.

(a) REVIEW REQUIRED.—The Comptroller General of the United States shall conduct a review of the effectiveness of the Acquisition Review Board established under section 836 of the Homeland Security Act of 2002 (as added by this Act) and the requirements to reduce unnecessary duplication in acquisition programs established under section 837 of such Act (as added by this Act) in improving the Department’s acquisition management process.

(b) SCOPE OF REPORT.—The review shall include the following:

(1) An assessment of the effectiveness of the Board in increasing program management oversight, best practices and standards, and discipline among the components of the Department, including in working together and in preventing overlap and unnecessary duplication.

(2) An assessment of the effectiveness of the Board in instilling program management discipline.

(3) A statement of how regularly each major acquisition program is reviewed by the Board, how often the Board stops major acquisition programs from moving forward in the phases of the acquisition life cycle process, and the number of major acquisition programs that have been halted because of problems with operational effectiveness, schedule delays, or cost overruns.

(4) An assessment of the effectiveness of the Board in impacting acquisition decision-making within the Department, including the degree to which the Board impacts decision making within other headquarters mechanisms and bodies involved in the administration of acquisition activities.

(c) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the congressional homeland security committees a report on the review required by this section. The report shall be submitted in unclassified form but may include a classified annex.

#### SEC. 1225. EXCLUDED PARTY LIST SYSTEM WAIVERS.

Not later than five days after the issuance of a waiver by the Secretary of Homeland Security of Federal requirements that an agency not engage in business with a contractor in the Excluded Party List System (or suc-

cessor system) as maintained by the General Services Administration, the Secretary shall submit to Congress notice of such waiver and an explanation for a finding by the Secretary that a compelling reason exists for issuing such waiver.

#### SEC. 1226. INSPECTOR GENERAL OVERSIGHT OF SUSPENSION AND DEBARMENT.

The Inspector General of the Department of Homeland Security shall—

(1) conduct audits as determined necessary by the Inspector General regarding grant and procurement awards to identify instances in which a contract or grant was improperly awarded to a suspended or debarred entity and whether corrective actions were taken to prevent recurrence; and

(2) review the suspension and debarment program throughout the Department to assess whether suspension and debarment criteria are consistently applied throughout the Department and whether disparities exist in the application of such criteria, particularly with respect to business size and categories.

#### Subtitle C—Acquisition Program Management Accountability and Transparency

#### SEC. 1231. CONGRESSIONAL NOTIFICATION FOR MAJOR ACQUISITION PROGRAMS.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is further amended by adding at the end the following new section:

##### “SEC. 838. CONGRESSIONAL NOTIFICATION AND OTHER REQUIREMENTS FOR MAJOR ACQUISITION PROGRAM BREACH.

“(a) REQUIREMENTS WITHIN DEPARTMENT IN EVENT OF BREACH.—

“(1) NOTIFICATIONS.—

“(A) NOTIFICATION OF BREACH.—If a breach occurs in a major acquisition program, the program manager for such program shall notify the Component Acquisition Executive for such program, the head of the component concerned, the Executive Director of the Program Accountability and Risk Management division, the Under Secretary for Management, and the Deputy Secretary not later than 30 calendar days after such breach is identified.

“(B) NOTIFICATION TO SECRETARY.—If a breach occurs in a major acquisition program and such breach results in a cost overrun greater than 15 percent, a schedule delay greater than 180 days, or a failure to meet any of the performance thresholds from the cost, schedule, or performance parameters specified in the most recently approved acquisition program baseline for such program, the Component Acquisition Executive for such program shall notify the Secretary and the Inspector General of the Department not later than five business days after the Component Acquisition Executive for such program, the head of the component concerned, the Executive Director of the Program Accountability and Risk Management Division, the Under Secretary for Management, and the Deputy Secretary are notified of the breach pursuant to subparagraph (A).

“(2) REMEDIATION PLAN AND ROOT CAUSE ANALYSIS.—

“(A) IN GENERAL.—If a breach occurs in a major acquisition program, the program manager for such program shall submit to the head of the component concerned, the Executive Director of the Program Accountability and Risk Management division, and the Under Secretary for Management in writing a remediation plan and root cause analysis relating to such breach and program. Such plan and analysis shall be submitted at a date established at the discretion of the Under Secretary for Management.

“(B) REMEDIATION PLAN.—The remediation plan required under this subparagraph (A) shall—

“(i) explain the circumstances of the breach at issue;

“(ii) provide prior cost estimating information;

“(iii) include a root cause analysis that determines the underlying cause or causes of shortcomings in cost, schedule, or performance of the major acquisition program with respect to which such breach has occurred, including the role, if any, of—

“(I) unrealistic performance expectations;

“(II) unrealistic baseline estimates for cost or schedule or changes in program requirements;

“(III) immature technologies or excessive manufacturing or integration risk;

“(IV) unanticipated design, engineering, manufacturing, or technology integration issues arising during program performance;

“(V) changes to the scope of such program;

“(VI) inadequate program funding or changes in planned out-year funding from one 5-year funding plan to the next 5-year funding plan as outlined in the Future Years Homeland Security Program required under section 874;

“(VII) legislative, legal, or regulatory changes; or

“(VIII) inadequate program management personnel, including lack of sufficient number of staff, training, credentials, certifications, or use of best practices;

“(iv) propose corrective action to address cost growth, schedule delays, or performance issues;

“(v) explain the rationale for why a proposed corrective action is recommended; and

“(vi) in coordination with the Component Acquisition Executive for such program, discuss all options considered, including the estimated impact on cost, schedule, or performance of such program if no changes are made to current requirements, the estimated cost of such program if requirements are modified, and the extent to which funding from other programs will need to be reduced to cover the cost growth of such program.

“(3) REVIEW OF CORRECTIVE ACTIONS.—

“(A) IN GENERAL.—The Under Secretary for Management shall review the remediation plan required under paragraph (2). The Under Secretary may approve such plan or provide an alternative proposed corrective action within 30 days of the submission of such plan under such paragraph.

“(B) SUBMISSION TO CONGRESS.—Not later than 30 days after the review required under subparagraph (A) is completed, the Under Secretary for Management shall submit to the congressional homeland security committees the following:

“(i) A copy of the remediation plan and the root cause analysis required under paragraph (2).

“(ii) A statement describing the corrective action or actions that have occurred pursuant to paragraph (2)(b)(iv) for the major acquisition program at issue, with a justification for such action or actions.

“(b) REQUIREMENTS RELATING TO CONGRESSIONAL NOTIFICATION IF BREACH OCCURS.—

“(1) NOTIFICATION TO CONGRESS.—If a notification to the Secretary is made under subsection (a)(1)(B) relating to a breach in a major acquisition program, the Under Secretary for Management shall notify the congressional homeland security committees of such breach in the next quarterly Comprehensive Acquisition Status Report, as required by title I of division D of the Consolidated Appropriations Act, 2016, (Public Law

114-113) following receipt by the Under Secretary of notification under such subsection.

“(2) SIGNIFICANT VARIANCES IN COSTS OR SCHEDULE.—If a likely cost overrun is greater than 20 percent or a likely delay is greater than 12 months from the costs and schedule specified in the acquisition program baseline for a major acquisition program, the Under Secretary for Management shall include in the notification required in paragraph (1) a written certification, with supporting explanation, that—

“(A) such program is essential to the accomplishment of the Department's mission;

“(B) there are no alternatives to the capability or asset provided by such program that will provide equal or greater capability in both a more cost-effective and timely manner;

“(C) the new acquisition schedule and estimates for total acquisition cost are reasonable; and

“(D) the management structure for such program is adequate to manage and control cost, schedule, and performance.

“(c) CONGRESSIONAL HOMELAND SECURITY COMMITTEES DEFINED.—In this section, the term ‘congressional homeland security committees’ means—

“(1) the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(2) the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 837, as added by this Act, the following new item:

“Sec. 838. Congressional notification and other requirements for major acquisition program breach.”.

#### SEC. 1232. MULTIYEAR ACQUISITION STRATEGY.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is further amended by adding at the end the following new section:

#### “SEC. 839. MULTIYEAR ACQUISITION STRATEGY.

“(a) MULTIYEAR ACQUISITION STRATEGY REQUIRED.—

“(1) IN GENERAL.—Not later than one year after the date of the enactment of this section, the Secretary shall submit to the appropriate congressional committees and the Comptroller General of the United States a multiyear acquisition strategy to guide the overall direction of the acquisitions of the Department while allowing flexibility to deal with ever-changing threats and risks, to keep pace with changes in technology that could impact deliverables, and to help industry better understand, plan, and align resources to meet the future acquisition needs of the Department. Such strategy shall be updated and included in each Future Years Homeland Security Program required under section 874.

“(2) FORM.—The strategy required under paragraph (1) shall be submitted in unclassified form but may include a classified annex for any sensitive or classified information if necessary. The Secretary shall publish such strategy in an unclassified format that is publicly available.

“(b) CONSULTATION.—In developing the strategy required under subsection (a), the Secretary shall, as the Secretary determines appropriate, consult with headquarters, components, employees in the field, and individuals from industry and the academic community.

“(c) CONTENTS OF STRATEGY.—The strategy shall include the following:

“(1) PRIORITIZED LIST.—A systematic and integrated prioritized list developed by the Under Secretary for Management in coordination with all of the Component Acquisition Executives of Department major acquisition programs that Department and component acquisition investments seek to address, including the expected security and economic benefit of the program or system that is the subject of acquisition and an analysis of how the security and economic benefit derived from such program or system will be measured.

“(2) INVENTORY.—A plan to develop a reliable Department-wide inventory of investments and real property assets to help the Department—

“(A) plan, budget, schedule, and acquire upgrades of its systems and equipment; and

“(B) plan for the acquisition and management of future systems and equipment.

“(3) FUNDING GAPS.—A plan to address funding gaps between funding requirements for major acquisition programs and known available resources, including, to the maximum extent practicable, ways of leveraging best practices to identify and eliminate overpayment for items to—

“(A) prevent wasteful purchasing;

“(B) achieve the greatest level of efficiency and cost savings by rationalizing purchases;

“(C) align pricing for similar items; and

“(D) utilize purchase timing and economies of scale.

“(4) IDENTIFICATION OF CAPABILITIES.—An identification of test, evaluation, modeling, and simulation capabilities that will be required to—

“(A) support the acquisition of technologies to meet the needs of such strategy;

“(B) leverage to the greatest extent possible emerging technological trends and research and development trends within the public and private sectors; and

“(C) identify ways to ensure that appropriate technology is acquired and integrated into the Department's operating doctrine to improve mission performance.

“(5) FOCUS ON FLEXIBLE SOLUTIONS.—An assessment of ways the Department can improve its ability to test and acquire innovative solutions to allow needed incentives and protections for appropriate risk-taking in order to meet its acquisition needs with resiliency, agility, and responsiveness to assure homeland security and facilitate trade.

“(6) FOCUS ON INCENTIVES TO SAVE TAXPAYER DOLLARS.—An assessment of ways the Department can develop incentives for program managers and senior Department acquisition officials to—

“(A) prevent cost overruns;

“(B) avoid schedule delays; and

“(C) achieve cost savings in major acquisition programs.

“(7) FOCUS ON ADDRESSING DELAYS AND BID PROTESTS.—An assessment of ways the Department can improve the acquisition process to minimize cost overruns in—

“(A) requirements development;

“(B) procurement announcements;

“(C) requests for proposals;

“(D) evaluation of proposals;

“(E) protests of decisions and awards; and

“(F) the use of best practices.

“(8) FOCUS ON IMPROVING OUTREACH.—An identification and assessment of ways to increase opportunities for communication and

collaboration with industry, small and disadvantaged businesses, intra-government entities, university centers of excellence, accredited certification and standards development organizations, and national laboratories to ensure that the Department understands the market for technologies, products, and innovation that is available to meet its mission needs and to inform the Department's requirements-setting process before engaging in an acquisition, including—

“(A) methods designed especially to engage small and disadvantaged businesses, a cost-benefit analysis of the tradeoffs that small and disadvantaged businesses provide, information relating to barriers to entry for small and disadvantaged businesses, and information relating to unique requirements for small and disadvantaged businesses; and  
“(B) within the Department Vendor Communication Plan and Market Research Guide, instructions for interaction by acquisition program managers with such entities to—

“(i) prevent misinterpretation of acquisition regulations; and

“(ii) permit, within legal and ethical boundaries, interacting with such entities with transparency.

“(9) COMPETITION.—A plan regarding competition under subsection (d).

“(10) ACQUISITION WORKFORCE.—A plan regarding the Department acquisition workforce under subsection (e).

“(d) COMPETITION PLAN.—The strategy required under subsection (a) shall also include a plan to address actions to ensure competition, or the option of competition, for major acquisition programs. Such plan may include assessments of the following measures in appropriate cases if such measures are cost effective:

“(1) Competitive prototyping.

“(2) Dual-sourcing.

“(3) Unbundling of contracts.

“(4) Funding of next-generation prototype systems or subsystems.

“(5) Use of modular, open architectures to enable competition for upgrades.

“(6) Acquisition of complete technical data packages.

“(7) Periodic competitions for subsystem upgrades.

“(8) Licensing of additional suppliers, including small businesses.

“(9) Periodic system or program reviews to address long-term competitive effects of program decisions.

“(e) ACQUISITION WORKFORCE PLAN.—

“(1) ACQUISITION WORKFORCE.—The strategy required under subsection (a) shall also include a plan to address Department acquisition workforce accountability and talent management that identifies the acquisition workforce needs of each component performing acquisition functions and develops options for filling such needs with qualified individuals, including a cost-benefit analysis of contracting for acquisition assistance.

“(2) ADDITIONAL MATTERS COVERED.—The acquisition workforce plan under this subsection shall address ways to—

“(A) improve the recruitment, hiring, training, and retention of Department acquisition workforce personnel, including contracting officer's representatives, in order to retain highly qualified individuals who have experience in the acquisition life cycle, complex procurements, and management of large programs;

“(B) empower program managers to have the authority to manage their programs in an accountable and transparent manner as such managers work with the acquisition workforce;

“(C) prevent duplication within Department acquisition workforce training and certification requirements through leveraging already-existing training within the Federal Government, academic community, or private industry;

“(D) achieve integration and consistency with Government-wide training and accreditation standards, acquisition training tools, and training facilities;

“(E) designate the acquisition positions that will be necessary to support the Department acquisition requirements, including in the fields of—

“(i) program management;

“(ii) systems engineering;

“(iii) procurement, including contracting;

“(iv) test and evaluation;

“(v) life cycle logistics;

“(vi) cost estimating and program financial management; and

“(vii) additional disciplines appropriate to Department mission needs;

“(F) strengthen the performance of contracting officers' representatives (as defined in subpart 1.602-2 and subpart 2.101 of the Federal Acquisition Regulation), including by—

“(i) assessing the extent to which such representatives are certified and receive training that is appropriate;

“(ii) assessing what training is most effective with respect to the type and complexity of assignment; and

“(iii) implementing actions to improve training based on such assessments; and

“(G) identify ways to increase training for relevant investigators and auditors of the Department to examine fraud in major acquisition programs, including identifying opportunities to leverage existing Government and private sector resources in coordination with the Inspector General of the Department.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 838, as added by this Act, the following new item:

“Sec. 839. Multiyear acquisition strategy.”.

(c) GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF MULTI-YEAR ACQUISITION STRATEGY.—

(1) REVIEW.—After submission of the first multiyear acquisition strategy in accordance with section 839 of the Homeland Security Act of 2002, as added by subsection (a), after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a review of such plan within 180 days to analyze the viability of such plan's effectiveness in the following:

(A) Complying with the requirements of such section 839.

(B) Establishing clear connections between Department of Homeland Security objectives and acquisition priorities.

(C) Demonstrating that Department acquisition policy reflects program management best practices and standards.

(D) Ensuring competition or the option of competition for major acquisition programs.

(E) Considering potential cost savings through using already-existing technologies when developing acquisition program requirements.

(F) Preventing duplication within Department acquisition workforce training requirements through leveraging already-existing training within the Federal Government, academic community, or private industry.

(G) Providing incentives for acquisition program managers to reduce acquisition and procurement costs through the use of best

practices and disciplined program management.

(2) DEFINITIONS.—The terms “acquisition”, “best practices”, and “major acquisition programs” have the meaning given such terms in section 830 of the Homeland Security Act of 2002, as added by this Act.

(3) REPORT.—Not later than 180 days after the completion of the review required by subsection (a), the Comptroller General of the United States shall submit to the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate a report on the review. Such report shall be submitted in unclassified form but may include a classified annex.

#### SEC. 1233. ACQUISITION REPORTS.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is further amended by adding at the end the following new section:

#### “SEC. 840. ACQUISITION REPORTS.

“(a) COMPREHENSIVE ACQUISITION STATUS REPORT.—

“(1) IN GENERAL.—At the same time as the President's budget is submitted for a fiscal year under section 1105(a) of title 31, United States Code, the Under Secretary for Management shall submit to the congressional homeland security committees an annual comprehensive acquisition status report. The report shall include the following:

“(A) The information required under the heading ‘Office of the Under Secretary for Management’ under title I of division D of the Consolidated Appropriations Act, 2012 (Public Law 112-74) (as required under the Department of Homeland Security Appropriations Act, 2013 (Public Law 113-6)).

“(B) A listing of programs that have been cancelled, modified, paused, or referred to the Under Secretary for Management or Deputy Secretary for additional oversight or action by the Board, Department Office of Inspector General, or the Comptroller General.

“(C) A listing of established Executive Steering Committees, which provide governance of a program or related set of programs and lower-tiered oversight, and support between acquisition decision events and component reviews, including the mission and membership for each.

“(2) INFORMATION FOR MAJOR ACQUISITION PROGRAMS.—For each major acquisition program, the report shall include the following:

“(A) A narrative description, including current gaps and shortfalls, the capabilities to be fielded, and the number of planned increments or units.

“(B) Acquisition Review Board (or other board designated to review the acquisition) status of each acquisition, including the current acquisition phase, the date of the last review, and a listing of the required documents that have been reviewed with the dates reviewed or approved.

“(C) The most current, approved acquisition program baseline (including project schedules and events).

“(D) A comparison of the original acquisition program baseline, the current acquisition program baseline, and the current estimate.

“(E) Whether or not an independent verification and validation has been implemented, with an explanation for the decision and a summary of any findings.

“(F) A rating of cost risk, schedule risk, and technical risk associated with the program (including narrative descriptions and mitigation actions).

“(G) Contract status (including earned value management data as applicable).

“(H) A lifecycle cost of the acquisition, and time basis for the estimate.

“(3) UPDATES.—The Under Secretary shall submit quarterly updates to such report not later than 45 days after the completion of each quarter.

“(b) QUARTERLY PROGRAM ACCOUNTABILITY REPORT.—The Under Secretary for Management shall prepare a quarterly program accountability report to meet the mandate of the Department to perform program health assessments and improve program execution and governance. The report shall be submitted to the congressional homeland security committees.

“(c) CONGRESSIONAL HOMELAND SECURITY COMMITTEES DEFINED.—In this section, the term ‘congressional homeland security committees’ means—

“(1) the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(2) the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.”.

(b) LEVEL 3 ACQUISITION PROGRAMS OF COMPONENTS OF THE DEPARTMENT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, component heads of the Department of Homeland Security shall identify to the Under Secretary for Management of the Department all level 3 acquisition programs of each respective component. Not later than 30 days after receipt of such information, the Under Secretary shall certify in writing to the congressional homeland security committees whether such component heads have properly identified such programs. To carry out this paragraph, the Under Secretary shall establish a process with a repeatable methodology to continually identify level 3 acquisition programs.

(2) POLICIES AND GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, component heads of the Department of Homeland Security shall submit to the Under Secretary for Management of the Department their respective policies and relevant guidance for level 3 acquisition programs of each respective component. Not later than 90 days after receipt of such policies and guidance, the Under Secretary for Management shall certify to the congressional homeland security committees that each component’s respective policies and guidance adhere to Department-wide acquisition policies.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is further amended by inserting after the item relating to section 839 the following new item:

“840. Acquisition reports.”.

**TITLE III—INTELLIGENCE AND INFORMATION SHARING**

**Subtitle A—Department of Homeland Security Intelligence Enterprise**

**SEC. 1301. HOMELAND INTELLIGENCE DOCTRINE.**

(a) IN GENERAL.—Subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) is amended by adding at the end the following new section:

**“SEC. 210G. HOMELAND INTELLIGENCE DOCTRINE.**

“(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the Secretary, acting through the Chief Intelligence Officer of the Department, in coordination with intelligence components of the Department, the Office of the General

Counsel, the Privacy Office, and the Office for Civil Rights and Civil Liberties, shall develop and disseminate written Department-wide guidance for the processing, analysis, production, and dissemination of homeland security information (as such term is defined in section 892) and terrorism information (as such term is defined in section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485)).

“(b) CONTENTS.—The guidance required under subsection (a) shall, at a minimum, include the following:

“(1) A description of guiding principles and purposes of the Department’s intelligence enterprise.

“(2) A summary of the roles and responsibilities of each intelligence component of the Department and programs of the intelligence components of the Department in the processing, analysis, production, or dissemination of homeland security information and terrorism information, including relevant authorities and restrictions applicable to each intelligence component of the Department and programs of each such intelligence components.

“(3) Guidance for the processing, analysis, and production of such information.

“(4) Guidance for the dissemination of such information, including within the Department, among and between Federal departments and agencies, among and between State, local, tribal, and territorial governments, including law enforcement, and with foreign partners and the private sector.

“(5) An assessment and description of how the dissemination to the intelligence community (as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))) and Federal law enforcement of homeland security information and terrorism information assists such entities in carrying out their respective missions.

“(c) FORM.—The guidance required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

“(d) ANNUAL REVIEW.—For each of the five fiscal years beginning with the fiscal year that begins after the date of the enactment of this section, the Secretary shall conduct a review of the guidance required under subsection (a) and, as appropriate, revise such guidance.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 210F the following new item:

“Sec. 210G. Homeland intelligence doctrine.”.

**SEC. 1302. ANALYSTS FOR THE CHIEF INTELLIGENCE OFFICER.**

Paragraph (1) of section 201(e) of the Homeland Security Act of 2002 (6 U.S.C. 121(e)) is amended by adding at the end the following new sentence: “The Secretary shall also provide the Chief Intelligence Officer with a staff having appropriate expertise and experience to assist the Chief Intelligence Officer.”.

**SEC. 1303. ANNUAL HOMELAND TERRORIST THREAT ASSESSMENTS.**

(a) IN GENERAL.—Subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

**“SEC. 210H. HOMELAND TERRORIST THREAT ASSESSMENTS.**

“(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this section and for each of the next five fiscal years

(beginning in the fiscal year that begins after the date of the enactment of this section) the Secretary, acting through the Under Secretary for Intelligence and Analysis, and using departmental information, including component information, and information provided through State and major urban area fusion centers, shall conduct an assessment of the terrorist threat to the homeland.

“(b) CONTENTS.—Each assessment under subsection (a) shall include the following:

“(1) Empirical data assessing terrorist activities and incidents over time in the United States, including terrorist activities and incidents planned or supported by persons outside of the United States targeting the homeland.

“(2) An evaluation of current terrorist tactics, as well as ongoing and possible future changes in terrorist tactics.

“(3) An assessment of criminal activity encountered or observed by officers or employees of components in the field which is suspected of financing terrorist activity.

“(4) Detailed information on all individuals denied entry to or removed from the United States as a result of material support provided to a foreign terrorist organization (as such term is used in section 219 of the Immigration and Nationality Act (8 U.S.C. 1189)).

“(5) The efficacy and spread of foreign terrorist organization propaganda, messaging, or recruitment.

“(6) An assessment of threats, including cyber threats, to the homeland, including to critical infrastructure and Federal civilian networks.

“(7) An assessment of current and potential terrorism and criminal threats posed by individuals and organized groups seeking to unlawfully enter the United States.

“(8) An assessment of threats to the transportation sector, including surface and aviation transportation systems.

“(c) ADDITIONAL INFORMATION.—The assessments required under subsection (a)—

“(1) shall, to the extent practicable, utilize existing component data collected from the field; and

“(2) may incorporate relevant information and analysis from other agencies of the Federal Government, agencies of State and local governments (including law enforcement agencies), as well as the private sector, disseminated in accordance with standard information sharing procedures and policies.

“(d) FORM.—The assessments required under subsection (a) shall be shared with the appropriate congressional committees and submitted in classified form, but—

“(1) shall include unclassified summaries; and

“(2) may include unclassified annexes, if appropriate.”.

(b) CONFORMING AMENDMENT.—Subsection (d) of section 201 of the Homeland Security Act of 2002 (6 U.S.C. 121) is amended by adding at the end the following new paragraph:

“(27) To carry out section 210H (relating to homeland terrorist threat assessments).”.

(c) CLERICAL AMENDMENT.—The table of contents of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 210G, as added by this Act, the following new item:

“Sec. 210H. Homeland terrorist threat assessments.”.

**SEC. 1304. DEPARTMENT OF HOMELAND SECURITY DATA FRAMEWORK.**

(a) IN GENERAL.—The Secretary of Homeland Security shall develop a data framework to integrate existing Department of

Homeland Security datasets and systems, as appropriate, for access by authorized personnel in a manner consistent with relevant legal authorities and privacy, civil rights, and civil liberties policies and protections. In developing such framework, the Secretary shall ensure, in accordance with all applicable statutory and regulatory requirements, the following information is included:

(1) All information acquired, held, or obtained by an office or component of the Department that falls within the scope of the information sharing environment, including homeland security information, terrorism information, weapons of mass destruction information, and national intelligence.

(2) Any information or intelligence relevant to priority mission needs and capability requirements of the homeland security enterprise, as determined appropriate by the Secretary.

(b) DATA FRAMEWORK ACCESS.—

(1) IN GENERAL.—The Secretary of Homeland Security shall ensure that the data framework required under this section is accessible to employees of the Department of Homeland Security who the Secretary determines—

(A) have an appropriate security clearance;

(B) are assigned to perform a function that requires access to information in such framework; and

(C) are trained in applicable standards for safeguarding and using such information.

(2) GUIDANCE.—The Secretary of Homeland Security shall—

(A) issue guidance for Department of Homeland Security employees authorized to access and contribute to the data framework pursuant to paragraph (1); and

(B) ensure that such guidance enforces a duty to share between offices and components of the Department when accessing or contributing to such framework for mission needs.

(3) EFFICIENCY.—The Secretary of Homeland Security shall promulgate data standards and instruct components of the Department of Homeland Security to make available information through the data framework under this section in a machine-readable standard format, to the greatest extent practicable.

(c) EXCLUSION OF INFORMATION.—The Secretary of Homeland Security may exclude from the data framework information that the Secretary determines access to or the confirmation of the existence of could—

(1) jeopardize the protection of sources, methods, or activities;

(2) compromise a criminal or national security investigation;

(3) be inconsistent with the other Federal laws or regulations; or

(4) be duplicative or not serve an operational purpose if included in such framework.

(d) SAFEGUARDS.—The Secretary of Homeland Security shall incorporate into the data framework systems capabilities for auditing and ensuring the security of information included in such framework. Such capabilities shall include the following:

(1) Mechanisms for identifying insider threats.

(2) Mechanisms for identifying security risks.

(3) Safeguards for privacy, civil rights, and civil liberties.

(e) DEADLINE FOR IMPLEMENTATION.—Not later than two years after the date of the enactment of this Act, the Secretary of Homeland Security shall ensure the data framework required under this section has the

ability to include appropriate information in existence within the Department of Homeland Security to meet its critical mission operations.

(f) NOTICE TO CONGRESS.—

(1) OPERATIONAL NOTIFICATION.—Not later than 60 days after the date on which the data framework required under this section is fully operational, the Secretary of Homeland Security shall provide notice to the appropriate congressional committees of such.

(2) REGULAR STATUS.—The Secretary shall submit to the appropriate congressional committees regular updates on the status of the data framework required under this section, including, when applicable, the use of such data framework to support classified operations.

(g) DEFINITIONS.—In this section:

(1) NATIONAL INTELLIGENCE.—The term “national intelligence” has the meaning given such term in section 3(5) of the National Security Act of 1947 (50 U.S.C. 3003(5)).

(2) APPROPRIATE CONGRESSIONAL COMMITTEE.—The term “appropriate congressional committee” has the meaning given such term in section 2(2) of the Homeland Security Act of 2002 (6 U.S.C. 101(1)).

#### SEC. 1305. ESTABLISHMENT OF INSIDER THREAT PROGRAM.

(a) IN GENERAL.—Title I of the Homeland Security Act of 2002 (6 U.S.C. 111 et seq.) is amended by adding at the end the following new section:

##### “SEC. 104. INSIDER THREAT PROGRAM.

“(a) ESTABLISHMENT.—The Secretary shall establish an Insider Threat Program within the Department. Such Program shall—

“(1) provide training and education for Department personnel to identify, prevent, mitigate, and respond to insider threat risks to the Department’s critical assets;

“(2) provide investigative support regarding potential insider threats that may pose a risk to the Department’s critical assets; and

“(3) conduct risk mitigation activities for insider threats.

“(b) STEERING COMMITTEE.—

“(1) IN GENERAL.—The Secretary shall establish a Steering Committee within the Department. The Under Secretary for Intelligence and Analysis shall serve as the Chair of the Steering Committee. The Chief Security Officer shall serve as the Vice Chair. The Steering Committee shall be comprised of representatives of the Office of Intelligence and Analysis, the Office of the Chief Information Officer, the Office of the General Counsel, the Office for Civil Rights and Civil Liberties, the Privacy Office, the Office of the Chief Human Capital Officer, the Office of the Chief Financial Officer, the Federal Protective Service, the Office of the Chief Procurement Officer, the Science and Technology Directorate, and other components or offices of the Department as appropriate. Such representatives shall meet on a regular basis to discuss cases and issues related to insider threats to the Department’s critical assets, in accordance with subsection (a).

“(2) RESPONSIBILITIES.—Not later than one year after the date of the enactment of this section, the Under Secretary for Intelligence and Analysis and the Chief Security Officer, in coordination with the Steering Committee established pursuant to paragraph (1), shall—

“(A) develop a holistic strategy for Department-wide efforts to identify, prevent, mitigate, and respond to insider threats to the Department’s critical assets;

“(B) develop a plan to implement the insider threat measures identified in the strat-

egy developed under subparagraph (A) across the components and offices of the Department;

“(C) document insider threat policies and controls;

“(D) conduct a baseline risk assessment of insider threats posed to the Department’s critical assets;

“(E) examine existing programmatic and technology best practices adopted by the Federal Government, industry, and research institutions to implement solutions that are validated and cost-effective;

“(F) develop a timeline for deploying workplace monitoring technologies, employee awareness campaigns, and education and training programs related to identifying, preventing, mitigating, and responding to potential insider threats to the Department’s critical assets;

“(G) require the Chair and Vice Chair of the Steering Committee to consult with the Under Secretary for Science and Technology and other appropriate stakeholders to ensure the Insider Threat Program is informed, on an ongoing basis, by current information regarding threats, best practices, and available technology; and

“(H) develop, collect, and report metrics on the effectiveness of the Department’s insider threat mitigation efforts.

“(c) DEFINITIONS.—In this section:

“(1) CRITICAL ASSETS.—The term ‘critical assets’ means the people, facilities, information, and technology required for the Department to fulfill its mission.

“(2) INSIDER.—The term ‘insider’ means—

“(A) any person who has access to classified national security information and is employed by, detailed to, or assigned to the Department, including members of the Armed Forces, experts or consultants to the Department, industrial or commercial contractors, licensees, certificate holders, or grantees of the Department, including all subcontractors, personal services contractors, or any other category of person who acts for or on behalf of the Department, as determined by the Secretary; or

“(B) State, local, tribal, territorial, and private sector personnel who possess security clearances granted by the Department.

“(3) INSIDER THREAT.—The term ‘insider threat’ means the threat that an insider will use his or her authorized access, wittingly or unwittingly, to do harm to the security of the United States, including damage to the United States through espionage, terrorism, the unauthorized disclosure of classified national security information, or through the loss or degradation of departmental resources or capabilities.”

(b) REPORTING.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of section 104 of the Homeland Security Act of 2002 (as added by subsection (a) of this section) and the biennially thereafter for the next four years, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate a report on how the Department of Homeland Security and its components and offices have implemented the strategy developed pursuant to subsection (b)(2)(A) of such section 104, the status of the Department’s risk assessment of critical assets, the types of insider threat training conducted, the number of Department employees who have received such training, and information on

the effectiveness of the Insider Threat Program (established pursuant to subsection (a) of such section 104), based on metrics developed, collected, and reported pursuant to subsection (b)(2)(H) of such section 104.

(2) DEFINITIONS.—In this subsection, the terms “critical assets”, “insider”, and “insider threat” have the meanings given such terms in section 104 of the Homeland Security Act of 2002 (as added by subsection (a) of this section).

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 103 the following new item:

“Sec. 104. Insider Threat Program.”.

**SEC. 1306. THREAT ASSESSMENT ON TERRORIST USE OF VIRTUAL CURRENCY.**

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis, as authorized by section 201(b)(1) of the Homeland Security Act of 2002 (6 U.S.C. 121), shall, in coordination with appropriate Federal partners, develop and disseminate a threat assessment regarding the actual and potential threat posed by individuals using virtual currency to carry out activities in furtherance of an act of terrorism, including the provision of material support or resources to a foreign terrorist organization. Consistent with the protection of classified and confidential unclassified information, the Under Secretary shall share the threat assessment developed under this section with State, local, and tribal law enforcement officials, including officials that operate within State, local, and regional fusion centers through the Department of Homeland Security State, Local, and Regional Fusion Center Initiative established in section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h).

(b) DEFINITIONS.—In this section:

(1) FOREIGN TERRORIST ORGANIZATION.—The term “foreign terrorist organization” means an organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(2) VIRTUAL CURRENCY.—The term “virtual currency” means a digital representation of value that functions as a medium of exchange, a unit of account, or a store of value.

**SEC. 1307. DEPARTMENT OF HOMELAND SECURITY COUNTERTERRORISM ADVISORY BOARD.**

(a) IN GENERAL.—Subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

**“SEC. 210I. DEPARTMENTAL COORDINATION ON COUNTERTERRORISM.**

“(a) ESTABLISHMENT.—There is in the Department a board to be composed of senior representatives of departmental operational components and headquarters elements. The purpose of the board shall be to coordinate and integrate departmental intelligence, activities, and policy related to the counterterrorism mission and functions of the Department.

“(b) CHARTER.—There shall be a charter to govern the structure and mission of the board. Such charter shall direct the board to focus on the current threat environment and the importance of aligning departmental counterterrorism activities under the Secretary’s guidance. The charter shall be reviewed and updated every four years, as appropriate.

“(c) MEMBERS.—

“(1) CHAIR.—The Secretary shall appoint a Coordinator for Counterterrorism within the Department who will serve as the chair of the board.

“(2) ADDITIONAL MEMBERS.—The Secretary shall appoint additional members of the board from among the following:

“(A) The Transportation Security Administration.

“(B) U.S. Customs and Border Protection.

“(C) U.S. Immigration and Customs Enforcement.

“(D) The Federal Emergency Management Agency.

“(E) The Coast Guard.

“(F) United States Citizenship and Immigration Services.

“(G) The United States Secret Service.

“(H) The National Protection and Programs Directorate.

“(I) The Office of Operations Coordination.

“(J) The Office of the General Counsel.

“(K) The Office of Intelligence and Analysis.

“(L) The Office of Policy.

“(M) The Science and Technology Directorate.

“(N) Other departmental offices and programs as determined appropriate by the Secretary.

“(d) MEETINGS.—The board shall meet on a regular basis to discuss intelligence and coordinate ongoing threat mitigation efforts and departmental activities, including coordination with other Federal, State, local, tribal, territorial, and private sector partners, and shall make recommendations to the Secretary.

“(e) TERRORISM ALERTS.—The board shall advise the Secretary on the issuance of terrorism alerts pursuant to section 203 of this Act.

“(f) PROHIBITION ON ADDITIONAL FUNDS.—No additional funds are authorized to carry out this section.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 210H, as added by this Act, the following new item:

“Sec. 210I. Departmental coordination on counterterrorism.”.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Coordinator for Counterterrorism, shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the status and activities of the board established under section 210I of the Homeland Security Act of 2002, as added by subsection (a) of this section.

**SEC. 1308. BORDER AND GANG THREAT ASSESSMENT.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall conduct a threat assessment on whether human smuggling organizations and transnational gangs are exploiting vulnerabilities in border security screening programs to gain access to the United States and threaten the United States or border security.

(b) RECOMMENDATIONS.—Upon completion of the threat assessment required under subsection (a), the Secretary of Homeland Security shall make a determination if any changes are required to address security vulnerabilities identified in such assessment.

**SEC. 1309. SECURITY CLEARANCE MANAGEMENT AND ADMINISTRATION.**

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 is amended—

(1) by inserting before section 701 (6 U.S.C. 341) the following:

“Subtitle A—Headquarters Activities”; and

(2) by adding at the end the following new subtitle:

“Subtitle B—Security Clearances

**“SEC. 731. DESIGNATION OF NATIONAL SECURITY SENSITIVE AND PUBLIC TRUST POSITIONS.**

“(a) IN GENERAL.—The Secretary shall require the designation of the sensitivity level of national security positions (pursuant to part 1400 of title 5, Code of Federal Regulations, or similar successor regulation) be conducted in a consistent manner with respect to all components and offices of the Department, and consistent with Federal guidelines.

“(b) IMPLEMENTATION.—In carrying out subsection (a), the Secretary shall require the utilization of uniform designation tools throughout the Department and provide training to appropriate staff of the Department on such utilization. Such training shall include guidance on factors for determining eligibility for access to classified information and eligibility to hold a national security position.

**“SEC. 732. REVIEW OF POSITION DESIGNATIONS.**

“(a) IN GENERAL.—Not later than one year after the date of the enactment of this subtitle, and every five years thereafter, the Secretary shall review all sensitivity level designations of national security positions (pursuant to part 1400 of title 5, Code of Federal Regulations, or similar successor regulation) at the Department.

“(b) DETERMINATION.—If during the course of a review required under subsection (a), the Secretary determines that a change in the sensitivity level of a position that affects the need for an individual to obtain access to classified information is warranted, such access shall be administratively adjusted and an appropriate level periodic reinvestigation completed, as necessary.

“(c) CONGRESSIONAL REPORTING.—Upon completion of each review required under subsection (a), the Secretary shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the findings of each such review, including the number of positions by classification level and by component and office of the Department in which the Secretary made a determination in accordance with subsection (b) to—

“(1) require access to classified information;

“(2) no longer require access to classified information; or

“(3) otherwise require a different level of access to classified information.

**“SEC. 733. AUDITS.**

“Beginning not later than 180 days after the date of the enactment of this section, the Inspector General of the Department shall conduct regular audits of compliance of the Department with part 1400 of title 5, Code of Federal Regulations, or similar successor regulation.

**“SEC. 734. REPORTING.**

“(a) IN GENERAL.—The Secretary shall annually through fiscal year 2022 submit to the Committee on Homeland Security and the Committee on Oversight and Government Reform of the House of Representatives and



the Committee on Homeland Security and Governmental Affairs of the Senate a report on the following:

“(1) The number of denials, suspensions, revocations, and appeals of the eligibility for access to classified information of an individual throughout the Department.

“(2) The date and status or disposition of each reported action under paragraph (1).

“(3) The identification of the sponsoring entity, whether by a component, office, or headquarters of the Department, of each action under paragraph (1), and description of the grounds for each such action.

“(4) Demographic data, including data relating to race, sex, national origin, and disability, of each individual for whom eligibility for access to classified information was denied, suspended, revoked, or appealed, and the number of years that each such individual was eligible for access to such information.

“(5) In the case of a suspension in excess of 180 days, an explanation for such duration.

“(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form and be made publicly available, but may include a classified annex for any sensitive or classified information if necessary.

**“SEC. 735. UNIFORM ADJUDICATION, SUSPENSION, DENIAL, AND REVOCATION.**

“Not later than one year after the date of the enactment of this section, the Secretary, in consultation with the Homeland Security Advisory Committee, shall develop a plan to achieve greater uniformity within the Department with respect to the adjudication of eligibility of an individual for access to classified information that are consistent with the Adjudicative Guidelines for Determining Access to Classified Information published on December 29, 2005, or similar successor regulation. The Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the plan. The plan shall consider the following:

“(1) Mechanisms to foster greater compliance with the uniform Department adjudication, suspension, denial, and revocation standards by the head of each component and office of the Department with the authority to adjudicate access to classified information.

“(2) The establishment of an internal appeals panel responsible for final national security clearance denial and revocation determinations that is comprised of designees who are career, supervisory employees from components and offices of the Department with the authority to adjudicate access to classified information and headquarters, as appropriate.

**“SEC. 736. DATA PROTECTION.**

“The Secretary shall ensure that all information received for the adjudication of eligibility of an individual for access to classified information is consistent with the Adjudicative Guidelines for Determining Access to Classified Information published on December 29, 2005, or similar successor regulation, and is protected against misappropriation.

**“SEC. 737. REFERENCE.**

“Except as otherwise provided, for purposes of this subtitle, any reference to the ‘Department’ includes all components and offices of the Department.”.

(b) CLERICAL AMENDMENT.—The table of contents of the Homeland Security Act of 2002 is amended—

(1) by inserting before the item relating to section 701 the following new item:

“Subtitle A—Headquarters Activities”;

(2) by inserting after the final item relating to title VII the following new items:

“Subtitle B—Security Clearances

“Sec. 731. Designation of national security sensitive and public trust positions.

“Sec. 732. Review of position designations.

“Sec. 733. Audits.

“Sec. 734. Reporting.

“Sec. 735. Uniform adjudication, suspension, denial, and revocation.

“Sec. 736. Data protection.

“Sec. 737. Reference.”.

**Subtitle B—Stakeholder Information Sharing**

**SEC. 1311. DEPARTMENT OF HOMELAND SECURITY FUSION CENTER PARTNERSHIP INITIATIVE.**

(a) IN GENERAL.—Section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h) is amended—

(1) by amending the section heading to read as follows:

**“SEC. 210A. DEPARTMENT OF HOMELAND SECURITY FUSION CENTER PARTNERSHIP INITIATIVE.”;**

(2) in subsection (a), by adding at the end the following new sentence: “Beginning on the date of the enactment of the Department of Homeland Security Authorization Act of 2017, such Initiative shall be known as the ‘Department of Homeland Security Fusion Center Partnership Initiative’.”;

(3) by amending subsection (b) to read as follows:

“(b) INTERAGENCY SUPPORT AND COORDINATION.—Through the Department of Homeland Security Fusion Center Partnership Initiative, in coordination with principal officials of fusion centers in the National Network of Fusion Centers and the officers designated as the Homeland Security Advisors of the States, the Secretary shall—

“(1) coordinate with the heads of other Federal departments and agencies to provide operational and intelligence advice and assistance to the National Network of Fusion Centers;

“(2)(A) support the integration of fusion centers into the information sharing environment;

“(B) conduct outreach to such fusion centers to identify any gaps in information sharing; and

“(C) consult with other Federal agencies to develop methods to address any such gaps, as appropriate;

“(3)(A) identify Federal databases and datasets, including databases and datasets used, operated, or managed by Department components, the Federal Bureau of Investigation, and the Department of the Treasury, that are appropriate, in accordance with Federal laws and policies, to address any gaps identified pursuant to paragraph (2), for inclusion in the information sharing environment; and

“(B) coordinate with the appropriate Federal agency to deploy or access such databases and datasets;

“(4) support the maturation and sustainment of the National Network of Fusion Centers;

“(5) reduce inefficiencies and maximize the effectiveness of Federal resource support to the National Network of Fusion Centers;

“(6) provide analytic and reporting advice and assistance to the National Network of Fusion Centers;

“(7) review information within the scope of the information sharing environment, including homeland security information, terrorism information, and weapons of mass destruction information, that is gathered by the National Network of Fusion Centers and

incorporate such information, as appropriate, into the Department's own such information;

“(8) provide for the effective dissemination of information within the scope of the information sharing environment to the National Network of Fusion Centers;

“(9) facilitate close communication and coordination between the National Network of Fusion Centers and the Department and other Federal departments and agencies;

“(10) provide the National Network of Fusion Centers with expertise on Department resources and operations, including, in coordination with the national cybersecurity and communications integration center under section 227, access to timely technical assistance, risk management support, and incident response capabilities with respect to cyber threat indicators, defensive measures, cybersecurity risks, and incidents (as such terms are defined in such section), which may include attribution, mitigation, and remediation, and the provision of information and recommendations on security and resilience, including implications of cybersecurity risks to equipment and technology related to the electoral process;

“(11) coordinate the provision of training and technical assistance to the National Network of Fusion Centers and encourage participating fusion centers to take part in terrorism threat-related exercises conducted by the Department;

“(12) review information relating to cybersecurity risks that is gathered by State, local, and regional fusion centers, and incorporate such information, as appropriate, into the Department's own information relating to cybersecurity risks;

“(13) ensure the dissemination to State, local, and regional fusion centers of the information described in paragraph (12);

“(14) ensure, to the greatest extent practicable, that support for the National Network of Fusion Centers is included as a national priority in applicable homeland security grant guidance;

“(15) ensure that each fusion center in the National Network of Fusion Centers has a privacy policy approved by the Chief Privacy Officer of the Department and a civil rights and civil liberties policy approved by the Officer for Civil Rights and Civil Liberties of the Department;

“(16) coordinate the nationwide suspicious activity report initiative to ensure information gathered by the National Network of Fusion Centers is incorporated as appropriate;

“(17) promote and facilitate, to the greatest extent practicable, nationwide suspicious activity report training of fire, emergency medical services, emergency management, and public health personnel;

“(18) lead Department efforts to ensure fusion centers in the National Network of Fusion Centers are the primary focal points for the sharing of homeland security information, terrorism information, and weapons of mass destruction information with State, local, tribal, and territorial entities to the greatest extent practicable;

“(19) develop and disseminate best practices on the appropriate levels for staffing at fusion centers in the National Network of Fusion Centers of qualified representatives from State, local, tribal, and territorial law enforcement, fire, emergency medical, and emergency management services, and public health disciplines, as well as the private sector; and

“(20) carry out such other duties as the Secretary determines appropriate.”;

(4) in subsection (c)—

(A) by striking so much as precedes paragraph (3)(B) and inserting the following:

“(C) RESOURCE ALLOCATION.—

“(1) INFORMATION SHARING AND PERSONNEL ASSIGNMENT.—

“(A) INFORMATION SHARING.—The Under Secretary for Intelligence and Analysis shall ensure that, as appropriate—

“(i) fusion centers in the National Network of Fusion Centers have access to homeland security information sharing systems; and

“(ii) Department personnel are deployed to support fusion centers in the National Network of Fusion Centers in a manner consistent with the Department’s mission and existing statutory limits.

“(B) PERSONNEL ASSIGNMENT.—Department personnel referred to in subparagraph (A)(ii) may include the following:

“(i) Intelligence officers.

“(ii) Intelligence analysts.

“(iii) Other liaisons from components and offices of the Department, as appropriate.

“(C) MEMORANDA OF UNDERSTANDING.—The Under Secretary for Intelligence and Analysis shall negotiate memoranda of understanding between the Department and a State or local government, in coordination with the appropriate representatives from fusion centers in the National Network of Fusion Centers, regarding the exchange of information between the Department and such fusion centers. Such memoranda shall include the following:

“(i) The categories of information to be provided by each entity to the other entity that are parties to any such memoranda.

“(ii) The contemplated uses of the exchanged information that is the subject of any such memoranda.

“(iii) The procedures for developing joint products.

“(iv) The information sharing dispute resolution processes.

“(v) Any protections necessary to ensure the exchange of information accords with applicable law and policies.

“(2) SOURCES OF SUPPORT.—

“(A) IN GENERAL.—Information shared and personnel assigned pursuant to paragraph (1) may be shared or provided, as the case may be, by the following Department components and offices, in coordination with the respective component or office head and in consultation with the principal officials of fusion centers in the National Network of Fusion Centers:

“(i) The Office of Intelligence and Analysis.

“(ii) The Office of Infrastructure Protection.

“(iii) The Transportation Security Administration.

“(iv) U.S. Customs and Border Protection.

“(v) U.S. Immigration and Customs Enforcement.

“(vi) The Coast Guard.

“(vii) The national cybersecurity and communications integration center under section 227.

“(viii) Other components or offices of the Department, as determined by the Secretary.

“(B) COORDINATION WITH OTHER FEDERAL AGENCIES.—The Under Secretary for Intelligence and Analysis shall coordinate with appropriate officials throughout the Federal Government to ensure the deployment to fusion centers in the National Network of Fusion Centers of representatives with relevant expertise of other Federal departments and agencies.

“(3) RESOURCE ALLOCATION CRITERIA.—

“(A) IN GENERAL.—The Secretary shall make available criteria for sharing informa-

tion and deploying personnel to support a fusion center in the National Network of Fusion Centers in a manner consistent with the Department’s mission and existing statutory limits.”; and

(B) in paragraph (4)(B), in the matter preceding clause (i), by inserting “in which such fusion center is located” after “region”;

(5) in subsection (d)—

(A) in paragraph (3), by striking “and” at the end;

(B) by redesignating paragraph (4) as paragraph (5);

(C) by inserting after paragraph (3) the following new paragraph:

“(4) assist, in coordination with the national cybersecurity and communications integration center under section 227, fusion centers in using information relating to cybersecurity risks to develop a comprehensive and accurate threat picture;”.

(D) in paragraph (5), as so redesignated—

(i) by striking “government” and inserting “governments”; and

(ii) by striking the period at the end and inserting “; and”; and

(E) by adding at the end the following new paragraph:

“(6) utilize Department information, including information held by components and offices, to develop analysis focused on the mission of the Department under section 101(b).”;

(6) in subsection (e)—

(A) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—To the greatest extent practicable, the Secretary shall make it a priority to allocate resources, including deployed personnel, under this section from U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and the Coast Guard to support fusion centers in the National Network of Fusion Centers located in jurisdictions along land or maritime borders of the United States in order to enhance the integrity of and security at such borders by helping Federal, State, local, tribal, and territorial law enforcement authorities to identify, investigate, and otherwise interdict persons, weapons, and related contraband that pose a threat to homeland security.”; and

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking “participating State, local, and regional fusion centers” and inserting “fusion centers in the National Network of Fusion Centers”;

(7) in subsection (j)—

(A) by redesignating paragraph (5) as paragraph (7);

(B) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(C) by inserting before paragraph (2) the following new paragraph:

“(1) the term ‘cybersecurity risk’ has the meaning given such term in section 227.”.

(D) in paragraph (5), as so redesignated, by striking “and” at the end; and

(E) by inserting after such paragraph (5) the following new paragraph:

“(6) the term ‘National Network of Fusion Centers’ means a decentralized arrangement of fusion centers intended to enhance individual State and urban area fusion centers’ ability to leverage the capabilities and expertise of all fusion centers for the purpose of enhancing analysis and homeland security information sharing nationally; and”;

(8) by striking subsection (k).

(b) ACCOUNTABILITY REPORT.—Not later than one year after the date of the enactment of this Act and annually thereafter

through 2024, the Under Secretary for Intelligence and Analysis of the Department of Homeland Security shall report to the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate on the efforts of the Office of Intelligence and Analysis of the Department and other relevant components and offices of the Department to enhance support provided to fusion centers in the National Network of Fusion Centers, including meeting the requirements specified in section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), as amended by subsection (a) of this section.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by striking the item relating to section 210A and inserting the following new item:

“Sec. 210A. Department of Homeland Security Fusion Center Partnership Initiative.”.

(d) REFERENCE.—Any reference in any law, rule, or regulation to the “Department of Homeland Security State, Local, and Regional Fusion Center Initiative” shall be deemed to be a reference to the “Department of Homeland Security Fusion Center Partnership Initiative”.

#### SEC. 1312. FUSION CENTER PERSONNEL NEEDS ASSESSMENT.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an assessment of Department of Homeland Security personnel assigned to fusion centers pursuant to subsection (c) of section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), as amended by this Act, including an assessment of whether deploying additional Department personnel to such fusion centers would enhance the Department’s mission under section 101(b) of such Act and the National Network of Fusion Centers. The assessment required under this subsection shall include the following:

(1) Information on the current deployment of the Department’s personnel to each fusion center.

(2) Information on the roles and responsibilities of the Department’s Office of Intelligence and Analysis intelligence officers, intelligence analysts, senior reports officers, reports officers, and regional directors deployed to fusion centers.

(3) Information on Federal resources, in addition to personnel, provided to each fusion center.

(4) An analysis of the optimal number of personnel the Office of Intelligence and Analysis should deploy to fusion centers, including a cost-benefit analysis comparing deployed personnel with technological solutions to support information sharing.

(5) An assessment of fusion centers located in jurisdictions along land and maritime borders of the United States, and the degree to which deploying personnel, as appropriate, from U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and the Coast Guard to such fusion centers would enhance the integrity and security at such borders by helping Federal, State, local, tribal, and territorial law enforcement authorities to identify, investigate, and interdict persons, weapons, and related contraband that pose a threat to homeland security.

(6) An assessment of fusion centers located in jurisdictions with large and medium hub

airports, and the degree to which deploying, as appropriate, personnel from the Transportation Security Administration to such fusion centers would enhance the integrity and security of aviation security.

(b) DEFINITIONS.—In this section:

(1) FUSION CENTER.—The term “fusion center” has the meaning given such term in subsection (j) of section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h).

(2) NATIONAL NETWORK OF FUSION CENTERS.—The term “National Network of Fusion Centers” has the meaning given such term in subsection (j) of section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), as amended by this Act.

**SEC. 1313. PROGRAM FOR STATE AND LOCAL ANALYST CLEARANCES.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that any program established by the Under Secretary for Intelligence and Analysis of the Department of Homeland Security to provide eligibility for access to information classified as Top Secret for State, local, tribal, and territorial analysts located in fusion centers shall be consistent with the need to know requirements pursuant to Executive Order No. 13526 (50 U.S.C. 3161 note).

(b) REPORT.—Not later than two years after the date of the enactment of this Act, the Under Secretary of Intelligence and Analysis of the Department of Homeland Security, in consultation with the Director of National Intelligence, shall submit to the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate a report on the following:

(1) The process by which the Under Secretary of Intelligence and Analysis determines a need to know pursuant to Executive Order No. 13526 to sponsor Top Secret clearances for appropriate State, local, tribal, and territorial analysts located in fusion centers.

(2) The effects of such Top Secret clearances on enhancing information sharing with State, local, tribal, and territorial partners.

(3) The cost for providing such Top Secret clearances for State, local, tribal, and territorial analysts located in fusion centers, including training and background investigations.

(4) The operational security protocols, training, management, and risks associated with providing such Top Secret clearances for State, local, tribal, and territorial analysts located in fusion centers.

(c) DEFINITION.—In this section, the term “fusion center” has the meaning given such term in subsection (j) of section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h).

**SEC. 1314. INFORMATION TECHNOLOGY ASSESSMENT.**

(a) IN GENERAL.—The Under Secretary of Intelligence and Analysis of the Department of Homeland Security, in collaboration with the Chief Information Officer of the Department and representatives from the National Network of Fusion Centers, shall conduct an assessment of information systems (as such term is defined in section 3502 of title 44, United States Code) used to share homeland security information between the Department and fusion centers in the National Network of Fusion Centers and make upgrades to such systems, as appropriate. Such assessment shall include the following:

(1) An evaluation of the accessibility and ease of use of such systems by fusion centers in the National Network of Fusion Centers.

(2) A review to determine how to establish improved interoperability of departmental information systems with existing information systems used by fusion centers in the National Network of Fusion Centers.

(3) An evaluation of participation levels of departmental components and offices of information systems used to share homeland security information with fusion centers in the National Network of Fusion Centers.

(b) DEFINITIONS.—In this section:

(1) FUSION CENTER.—The term “fusion center” has the meaning given such term in subsection (j) of section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h).

(2) NATIONAL NETWORK OF FUSION CENTERS.—The term “National Network of Fusion Centers” has the meaning given such term in subsection (j) of section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), as amended by this Act.

**SEC. 1315. DEPARTMENT OF HOMELAND SECURITY CLASSIFIED FACILITY INVENTORY AND DISSEMINATION.**

(a) IN GENERAL.—The Secretary of Homeland Security shall, to the extent practicable—

(1) maintain an inventory of those Department of Homeland Security facilities that the Department certifies to house classified infrastructure or systems at the secret level and above;

(2) update such inventory on a regular basis; and

(3) share part or all of such inventory with—

(A) Department personnel who have been granted the appropriate security clearance;

(B) non-Federal governmental personnel who have been granted a Top Secret security clearance; and

(C) other personnel as determined appropriate by the Secretary.

(b) INVENTORY.—The inventory of facilities described in subsection (a) may include—

(1) the location of such facilities;

(2) the attributes of such facilities (including the square footage of, the total capacity of, the number of workstations in, and the number of conference rooms in, such facilities);

(3) the entities that operate such facilities; and

(4) the date of establishment of such facilities.

**SEC. 1316. TERROR INMATE INFORMATION SHARING.**

(a) IN GENERAL.—The Secretary of Homeland Security, in coordination with the Attorney General and in consultation with other appropriate Federal officials, shall, as appropriate, share with State, local, and regional fusion centers through the Department of Homeland Security Fusion Center Partnership Initiative under section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), as amended by this Act, as well as other relevant law enforcement entities, release information from a Federal correctional facility, including the name, charging date, and expected place and date of release, of certain individuals who may pose a terrorist threat.

(b) SCOPE.—The information shared pursuant to subsection (a) shall be—

(1) for homeland security purposes; and

(2) regarding individuals convicted of a Federal crime of terrorism (as such term is defined in section 2332b of title 18, United States Code).

(c) PERIODIC THREAT ASSESSMENTS.—Consistent with the protection of classified information and controlled unclassified information, the Secretary of Homeland Security

shall coordinate with appropriate Federal officials to provide State, local, and regional fusion centers described in subsection (a) with periodic assessments regarding the overall threat from known or suspected terrorists currently incarcerated in a Federal correctional facility, including the assessed risks of such populations engaging in terrorist activity upon release.

(d) PRIVACY PROTECTIONS.—Prior to affecting the information sharing described in subsection (a), the Secretary shall receive input and advice from the Officer for Civil Rights and Civil Liberties, the Officer for Privacy and the Chief Intelligence Officer of the Department.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed as requiring the establishment of a list or registry of individuals convicted of terrorism.

**SEC. 1317. ANNUAL REPORT ON OFFICE FOR STATE AND LOCAL LAW ENFORCEMENT.**

Subsection (b) of section 2006 of the Homeland Security Act of 2002 (6 U.S.C. 607) is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph:

“(5) ANNUAL REPORT.—For each of fiscal years 2018 through 2022, the Assistant Secretary for State and Local Law Enforcement shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the activities of the Office for State and Local Law Enforcement. Each such report shall include, for the fiscal year covered by the report, a description of each of the following:

“(A) Efforts to coordinate and share information regarding Department and component agency programs with State, local, and tribal law enforcement agencies.

“(B) Efforts to improve information sharing through the Homeland Security Information Network by appropriate component agencies of the Department and by State, local, and tribal law enforcement agencies.

“(C) The status of performance metrics within the Office of State and Local Law Enforcement to evaluate the effectiveness of efforts to carry out responsibilities set forth within the subsection.

“(D) Any feedback from State, local, and tribal law enforcement agencies about the Office, including the mechanisms utilized to collect such feedback.

“(E) Efforts to carry out all other responsibilities of the Office of State and Local Law Enforcement.”.

**SEC. 1318. ANNUAL CATALOG ON DEPARTMENT OF HOMELAND SECURITY TRAINING, PUBLICATIONS, PROGRAMS, AND SERVICES FOR STATE, LOCAL, AND TRIBAL LAW ENFORCEMENT AGENCIES.**

Paragraph (4) of section 2006(b) of the Homeland Security Act of 2002 (6 U.S.C. 607(b)) is amended—

(1) in subparagraph (E), by striking “and” at the end;

(2) in subparagraph (F), by striking the period and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

“(G) produce an annual catalog that summarizes opportunities for training, publications, programs, and services available to State, local, and tribal law enforcement agencies from the Department and from each component and office within the Department and, not later than 30 days after the date of

such production, disseminate the catalog, including by—

“(i) making such catalog available to State, local, and tribal law enforcement agencies, including by posting the catalog on the website of the Department and cooperating with national organizations that represent such agencies;

“(ii) making such catalog available through the Homeland Security Information Network; and

“(iii) submitting such catalog to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(H) in coordination with appropriate components and offices of the Department and other Federal agencies, develop, maintain, and make available information on Federal resources intended to support fusion center access to Federal information and resources.”.

#### TITLE IV—MARITIME SECURITY

##### SEC. 1401. STRATEGIC PLAN TO ENHANCE THE SECURITY OF THE INTERNATIONAL SUPPLY CHAIN.

Paragraph (2) of section 201(g) of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 941(g)) is amended to read as follows:

“(2) **UPDATES.**—Not later than 270 days after the date of the enactment of this paragraph and every three years thereafter, the Secretary shall submit to the appropriate congressional committees a report that contains an update of the strategic plan required by subsection (a).”.

##### SEC. 1402. CONTAINER SECURITY INITIATIVE.

Subsection (1) of section 205 of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 945) is amended—

(1) by striking “(1) **IN GENERAL.**—Not later than September 30, 2007,” and inserting “Not later than 270 days after the date of the enactment of the Border and Maritime Security Coordination Improvement Act,”;

(2) by redesignating subparagraphs (A) through (H) as paragraphs (1) through (8), respectively, and by moving the margins of such paragraphs (as so redesignated) two ems to the left; and

(3) by striking paragraph (2).

##### SEC. 1403. CYBER AT PORTS.

(a) **CYBERSECURITY ENHANCEMENTS TO MARITIME SECURITY ACTIVITIES.**—Subparagraph (B) of section 70112(a)(2) of title 46, United States Code, is amended—

(1) by redesignating clauses (i) through (iii) as clauses (ii) and (iv), respectively; and

(2) by inserting before clause (ii) the following new clause:

“(i) shall facilitate the sharing of information relating to cybersecurity risks and incidents (as such terms are defined in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148)) to address port-specific cybersecurity risks and incidents, which may include the establishment of a working group of members of such committees to address such port-specific cybersecurity risks and incidents.”.

(b) **VULNERABILITY ASSESSMENTS AND SECURITY PLANS.**—Title 46, United States Code, is amended—

(1) in subparagraph (C) of section 70102(b)(1), by inserting “cybersecurity,” after “physical security,”; and

(2) in subparagraph (C) of section 70103(c)(3)—

(A) in clause (i), by inserting “cybersecurity,” after “physical security,”;

(B) in clause (iv), by striking “and” after the semicolon at the end;

(C) by redesignating clause (v) as clause (vi); and

(D) by inserting after clause (iv) the following new clause:

“(v) prevention, management, and response to cybersecurity risks and incidents (as such terms are defined in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148)); and”.

##### SEC. 1404. FACILITY INSPECTION INTERVALS.

Subparagraph (D) of section 70103(c)(4) of title 46, United States Code, is amended to read as follows:

“(D) subject to the availability of appropriations, verify the effectiveness of each such facility security plan periodically, but not less than one time per year without notice, and more frequently as determined necessary, in a risk based manner, with or without notice to the facility.”.

##### SEC. 1405. UPDATES OF MARITIME OPERATIONS COORDINATION PLAN.

(a) **IN GENERAL.**—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) is amended by adding at the end the following new section:

##### “SEC. 434. UPDATES OF MARITIME OPERATIONS COORDINATION PLAN.

“Not later than 180 days after the date of the enactment of this section and biennially thereafter, the Secretary shall submit to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a maritime operations coordination plan for the coordination and cooperation of maritime operations undertaken by components and offices of the Department with responsibility for maritime security missions. Such plan shall update the maritime operations coordination plan released by the Department in July 2011, and shall address the following:

“(1) Coordination of planning, integration of maritime operations, and development of joint maritime domain awareness efforts of any component or office of the Department with responsibility for maritime homeland security missions.

“(2) Maintaining effective information sharing and, as appropriate, intelligence integration, with Federal, State, and local officials and the private sector, regarding threats to maritime security.

“(3) Cooperation and coordination with other departments and agencies of the Federal Government, and State and local agencies, in the maritime environment, in support of maritime homeland security missions.

“(4) Work conducted within the context of other national and Department maritime security strategic guidance.”.

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by adding after the item relating to section 433 the following new item:

“Sec. 434. Updates of maritime operations coordination plan.”.

##### SEC. 1406. EVALUATION OF COAST GUARD DEPLOYABLE SPECIALIZED FORCES.

(a) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Commerce, Science, and Transportation of the Senate a

report that describes and assesses the state of the Coast Guard's Deployable Specialized Forces (in this section referred to as the “DSF”). Such report shall include, at a minimum, the following elements:

(1) For each of the past three fiscal years, and for each type of DSF, the following:

(A) A cost analysis, including training, operating, and travel costs.

(B) The number of personnel assigned.

(C) The total number of units.

(D) The total number of operations conducted.

(E) The number of operations requested by each of the following:

(i) The Coast Guard.

(ii) Other components or offices of the Department of Homeland Security.

(iii) Other Federal departments or agencies.

(iv) State agencies.

(v) Local agencies.

(F) The number of operations fulfilled by the entities specified in subparagraph (E).

(2) An examination of alternative distributions of DSFs, including the feasibility, cost (including cost savings), and impact on mission capability of such distributions, including at a minimum the following:

(A) Combining DSFs, primarily focused on counterdrug operations, under one centralized command.

(B) Distributing counter-terrorism and anti-terrorism capabilities to DSFs in each major United States port.

(b) **DEPLOYABLE SPECIALIZED FORCE DEFINED.**—In this section, the term “Deployable Specialized Force” means a unit of the Coast Guard that serves as a quick reaction force designed to be deployed to handle counter-drug, counter-terrorism, and anti-terrorism operations or other maritime threats to the United States.

##### SEC. 1407. COST BENEFIT ANALYSIS OF CO-LOCATING DHS ASSETS.

(a) **IN GENERAL.**—For any location in which U.S. Customs and Border Protection's Office of Air and Marine Operations is based within 45 miles of locations where any other Department of Homeland Security agency also operates air and marine assets, the Secretary of Homeland Security shall conduct a cost-benefit analysis to consider the potential cost of and savings derived from co-locating aviation and maritime operational assets of the Office of Air and Marine Operations at facilities where other agencies of the Department operate such assets. In analyzing such potential cost savings achieved by sharing aviation and maritime facilities, such analysis shall consider, at a minimum, the following factors:

(1) Potential enhanced cooperation derived from Department personnel being co-located.

(2) Potential costs of, and savings derived through, shared maintenance and logistics facilities and activities.

(3) Joint use of base and facility infrastructure, such as runways, hangars, control towers, operations centers, piers and docks, boathouses, and fuel depots.

(4) Potential operational costs of co-locating aviation and maritime assets and personnel.

(5) Short term moving costs required in order to co-locate facilities.

(6) Acquisition and infrastructure costs for enlarging current facilities, as needed.

(b) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and the Committee on Transportation and

Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report summarizing the results of the cost-benefit analysis required under subsection (a) and any planned actions based upon such results.

**SEC. 1408. REPEAL OF INTERAGENCY OPERATIONAL CENTERS FOR PORT SECURITY AND SECURE SYSTEMS OF TRANSPORTATION.**

Sections 70107A and 70116 of title 46, United States Code, are repealed.

**SEC. 1409. MARITIME SECURITY CAPABILITIES ASSESSMENTS.**

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

**“SEC. 435. MARITIME SECURITY CAPABILITIES ASSESSMENTS.**

“Not later than 180 days after the date of the enactment of this section and annually thereafter, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an assessment of the number and type of maritime assets and the number of personnel required to increase the Department’s maritime response rate pursuant to section 1092 of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 223; Public Law 114–328).”

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002, as amended by this Act, is further amended by inserting after the item relating to section 434 the following new item:

“Sec. 435. Maritime security capabilities assessments.”.

**SEC. 1410. CONFORMING AND CLERICAL AMENDMENTS.**

(a) SECTIONS.—The following provisions of the Security and Accountability for Every Port Act of 2006 (Public Law 109–347) are amended as follows:

- (1) By striking section 105.
- (2) By redesignating sections 106 and 107 as sections 105 and 106, respectively.
- (3) By striking section 108.
- (4) By redesignating sections 109 and 110 as sections 107 and 108, respectively.
- (5) In section 121 (6 U.S.C. 921)—

(A) by striking subsections (c), (d), and (e); and

(B) redesignating subsections (f), (g), (h), and (i) as subsections (c), (d), (e), and (f), respectively.

(6) By striking sections 122 and 127 (6 U.S.C. 922 and ).

(7) By redesignating sections 123, 124, 125, 126, and 128 as sections 122, 123, 124, 125, and 126, respectively.

(8) In section 233 (6 U.S.C. 983), by striking subsection (c).

(9) By striking section 235 (6 U.S.C. 984).

(10) By redesignating section 236 as section 235.

(11) By striking sections 701 and 708 (and the item relating to such section in the table of contents of such Act).

(12) By redesignating sections 702, 703, 704, 705, 706, 707, and 709 as sections 701, 702, 703, 704, 705, 706, and 707, respectively.

(b) TABLE OF CONTENTS.—

(1) SECURITY AND ACCOUNTABILITY FOR EVERY PORT ACT OF 2006.—The table of contents of the Security and Accountability for Every Port Act of 2006 (Public Law 109–347) is amended as follows:

(A) In the list of items relating to subtitle A of title I, by striking the items relating to

sections 105 through 110 and inserting the following new items:

“Sec. 105. Prohibition of issuance of transportation security cards to persons convicted of certain felonies.

“Sec. 106. Long-range vessel tracking.

“Sec. 107. Notice of arrival for foreign vessels on the Outer Continental Shelf.

“Sec. 108. Enhanced crewmember identification.”.

(B) In the list of items relating to subtitle C of title I, by striking the items relating to sections 122 through 128 and inserting the following new items:

“Sec. 122. Random searches of containers.

“Sec. 123. Work stoppages and employee-employer disputes.

“Sec. 124. Threat assessment screening of port truck drivers.

“Sec. 125. Border Patrol unit for United States Virgin Islands.

“Sec. 126. Center of Excellence for Maritime Domain Awareness.”.

(C) In the list of items relating to subtitle C of title II, by striking the items relating to sections 235 and 236 and inserting the following new item:

“Sec. 235. Information sharing relating to supply chain security cooperation.”.

(D) In the list of items relating to title VII, by striking the items relating to sections 701 through 709 and inserting the following new items:

“Sec. 701. Disclosures regarding homeland security grants.

“Sec. 702. Trucking security.

“Sec. 703. Air and Marine Operations of the Northern Border Air Wing.

“Sec. 704. Phaseout of vessels supporting oil and gas development.

“Sec. 705. Coast Guard property in Portland, Maine.

“Sec. 706. Methamphetamine and methamphetamine precursor chemicals.

“Sec. 707. Protection of health and safety during disasters.”.

(2) TITLE 46.—In the list of items relating to the analysis for chapter 701 of title 46, United States Code, by striking the items relating to sections 70107A and 70116.

**TITLE V—TRANSPORTATION SECURITY ADMINISTRATION**

**Subtitle A—Administration**

**SEC. 1501. AMENDMENTS TO THE HOMELAND SECURITY ACT OF 2002 AND TITLE 5, UNITED STATES CODE.**

(a) HOMELAND SECURITY ACT OF 2002.—Paragraph (1) of section 103(a) of the Homeland Security Act of 2002, as amended by this Act, is further amended by adding at the end the following new subparagraph:

“(K) An Administrator of the Transportation Security Administration, in accordance with section 114 of title 49, United States Code.”.

(b) INCLUSION IN EXECUTIVE SCHEDULE.—Section 5315 of title 5, United States Code, is amended by adding at the end the following:

“Administrator of the Transportation Security Administration, Department of Homeland Security.”.

**SEC. 1502. AMENDMENTS TO TITLE 49, UNITED STATES CODE.**

(a) AMENDMENTS.—Section 114 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “Department of Transportation” and inserting “Department of Homeland Security”;

(2) in subsection (b)(1), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(3) by striking “Under Secretary” each place it appears and inserting “Administrator”;

(4) in subsection (b), in the heading, by striking “UNDER SECRETARY” and inserting “ADMINISTRATOR”;

(5) in subsection (e)(4), by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”;

(6) in subsection (f)—

(A) in paragraph (6), by striking “Managers” and inserting “Directors”; and

(B) in paragraph (14), by inserting “air carriers or” before “foreign air carriers”;

(7) in subsection (g)—

(A) by striking “the Secretary” each place it appears and inserting “the Secretary of Homeland Security”; and

(B) in paragraph (3), by striking “The Secretary” and inserting “The Secretary of Homeland Security”;

(8) in subsection (j)(1)(D), by striking “the Secretary” and inserting “the Secretary of Homeland Security”;

(9) in subsection (1)—

(A) in paragraph (2)(A), by striking “the Secretary” and inserting “the Secretary of Homeland Security”; and

(B) in paragraph (4)(B), by striking “the Administrator under subparagraph (A)” and inserting “the Administrator of the Federal Aviation Administration under subparagraph (A)”;

(10) in subsection (m)—

(A) in the heading, by striking “UNDER SECRETARY” and inserting “ADMINISTRATOR”; and

(B) in paragraph (1), in the heading, by striking “UNDER SECRETARY” and inserting “ADMINISTRATOR”;

(11) in subsection (n), by striking “Department of Transportation” and inserting “Department of Homeland Security”;

(12) in subsection (o), by striking “Department of Transportation” and inserting “Department of Homeland Security”;

(13) in subsection (p)(4), by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”;

(14) by redesignating subsections (u), (v), and (w) as subsections (t), (cc), and (dd), respectively; and

(15) by inserting after subsection (t), as so redesignated, the following new subsections:

“(u) DEPUTY ADMINISTRATOR.—There is established in the Transportation Security Administration a Deputy Administrator, who shall assist the Administrator in the management of the Transportation Security Administration.

“(v) OFFICE OF PUBLIC AFFAIRS.—

“(1) ESTABLISHMENT.—There is established in the Transportation Security Administration an Office of Public Affairs (in this subsection referred to as the ‘Office’).

“(2) ASSISTANT ADMINISTRATOR.—The head of the Office shall be the Assistant Administrator for Public Affairs, who shall report to the Administrator of the Transportation Security Administration or the Administrator’s designee.

“(3) FUNCTIONS.—The Office shall be responsible for facilitating understanding of the Transportation Security Administration’s mission by communicating with internal and external audiences in a timely, accurate, and transparent manner.

“(w) OFFICE OF CIVIL RIGHTS AND LIBERTIES, OMBUDSMAN, AND TRAVELER ENGAGEMENT.—

“(1) ESTABLISHMENT.—There is established in the Transportation Security Administration an Office of Civil Rights and Liberties, Ombudsman, and Traveler Engagement (in this subsection referred to as the ‘Office’).”

“(2) ASSISTANT ADMINISTRATOR.—The head of the Office shall be the Assistant Administrator for Civil Rights and Liberties, Ombudsman, and Traveler Engagement, who shall report to the Administrator of the Transportation Security Administration or the Administrator’s designee.

“(3) FUNCTIONS.—The Office shall be responsible for managing allegations of violations of civil rights and civil liberties from the public, carrying out the Administration’s equal employment opportunity and diversity policies and programs, including complaint management and adjudication, and helping to ensure that employees and the traveling public are treated in a fair and lawful manner.

“(X) OFFICE OF LEGISLATIVE AFFAIRS.—

“(1) ESTABLISHMENT.—There is established in the Transportation Security Administration an Office of Legislative Affairs (in this subsection referred to as the ‘Office’).

“(2) ASSISTANT ADMINISTRATOR.—The head of the Office shall be the Assistant Administrator for Legislative Affairs, who shall report to the Administrator of the Transportation Security Administration or the Administrator’s designee.

“(3) FUNCTIONS.—The Office shall be responsible for developing and implementing strategies within the Transportation Security Administration to achieve congressional approval or authorization of the Administration’s programs and policies.

“(Y) OFFICE OF FINANCE AND ADMINISTRATION.—

“(1) ESTABLISHMENT.—There is established in the Transportation Security Administration an Office of Finance and Administration (in this subsection referred to as the ‘Office’).

“(2) CHIEF FINANCIAL OFFICER.—The head of the Office shall be the Chief Financial Officer, who shall report to the Administrator of the Transportation Security Administration or the Administrator’s designee.

“(3) FUNCTIONS.—The Office shall be responsible for financial, budgetary, and administrative activities that support the mission of the Transportation Security Administration.

“(Z) OFFICE OF THE CHIEF OF OPERATIONS.—

“(1) ESTABLISHMENT.—There is established in the Transportation Security Administration an Office of the Chief of Operations (in this subsection referred to as the ‘Office’).

“(2) CHIEF OF OPERATIONS.—The head of the Office shall be the Chief of Operations, who shall report to the Administrator of the Transportation Security Administration or the Administrator’s designee.

“(3) FUNCTIONS.—The Office shall be responsible for the following:

“(A) Conducting protection, response, detection, assessment, and investigation activities in airports and other transportation facilities and deploying Federal Air Marshals on United States aircraft traveling domestically and internationally.

“(B) Identifying, analyzing, and mitigating risk by assessing vulnerabilities at international locations to determine risk, evaluating risk impacts to determine mitigation activities, and executing mitigation activities to reduce risk to the United States.

“(C) Providing security and intelligence professionals with timely information in order to prevent a terrorist attack against the transportation systems of the United States.

“(D) Developing security policies and plans that reduce the risk of catastrophic terrorist attacks.

“(E) Providing risk-based, adaptive security that includes airport checkpoint and baggage screening operations, regulatory compliance, cargo inspections, and other specialized programs designed to secure transportation.

“(F) Safeguarding the transportation systems of the United States through the qualification and delivery of innovative security capabilities.

“(aa) OFFICE OF THE CHIEF OF MISSION SUPPORT.—

“(1) ESTABLISHMENT.—There is established in the Transportation Security Administration an Office of the Chief of Mission Support (in this subsection referred to as the ‘Office’).

“(2) CHIEF OF MISSION SUPPORT.—The head of the Office shall be the Chief of Mission Support, who shall report to the Administrator of the Transportation Security Administration or the Administrator’s designee.

“(3) FUNCTIONS.—The Office shall be responsible for the following:

“(A) Negotiating and awarding contracts and other procurement vehicles that improve the Transportation Security Administration’s capabilities.

“(B) Providing strategic, sustainable, and comprehensive programs and services that attract, build, and inspire a talented workforce.

“(C) Overseeing the development, delivery, and evaluation of training programs for Transportation Security Administration employees.

“(D) Providing information technologies and services that enable global transportation security.

“(E) Ensuring the integrity, efficiency, and effectiveness of the Transportation Security Administration’s workforce, operations, and programs through objective audits, covert testing, inspections, and criminal investigations.

“(F) Ensuring consistency in misconduct penalty determinations and an expeditious and fair adjudication process.

“(G) Building the Transportation Security Administration’s capabilities by managing the acquisition, testing, deployment, and sustainment of security technology and other acquisition programs.

“(bb) OFFICE OF THE CHIEF COUNSEL.—

“(1) ESTABLISHMENT.—There is established in the Transportation Security Administration an Office of the Chief Counsel (in this subsection referred to as the ‘Office’).

“(2) CHIEF COUNSEL.—The head of the Office shall be the Chief Counsel for the Transportation Security Administration, who shall report to the General Counsel of the Department of Homeland Security.

“(3) FUNCTIONS.—The Office shall be responsible for providing legal advice and services across the Transportation Security Administration.”

(b) SECTION 115.—Subsection (c) of section 115 of title 49, United States Code, is amended—

(1) in paragraph (1), by striking “Under Secretary of Transportation for security” and inserting “Administrator of the Transportation Security Administration”; and

(2) in paragraph (6), by striking “Under Secretary” and inserting “Administrator of the Transportation Security Administration”.

(c) SECTION 40119.—Section 40119 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(2) in subsection (b)(4)—

(A) by inserting “of the Federal Aviation Administration” after “Administrator”; and

(B) by inserting “Federal Aviation” before “Administration”; and

(3) in subsection (c), by striking “Under Secretary” and inserting “Administrator of the Transportation Security Administration”.

(d) SECTION 44901.—Section 44901 of title 49, United States Code, is amended—

(1) by striking “Under Secretary of Transportation for Security” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(2) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(3) by striking “Assistant Secretary (Transportation Security Administration)” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(4) by striking “Assistant Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(5) in subsection (d), by striking “Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation” each place it appears and inserting “the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives”.

(e) SECTION 44902.—Section 44902 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(2) in subsection (b), by striking “Under Secretary” and inserting “Administrator of the Transportation Security Administration”.

(f) SECTION 44903.—Section 44903 of title 49, United States Code, is amended—

(1) in subsection (b)(1), by inserting “the Secretary of Homeland Security,” before “the Secretary of Transportation”;

(2) in subsection (c)(2)(C), by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”;

(3) in subsection (d), in the matter preceding paragraph (1), by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”;

(4) in subsection (g)—

(A) in paragraph (1)(A), in the heading, by striking “UNDER SECRETARY” and inserting “ADMINISTRATOR”; and

(B) in paragraph (2), by striking “Under Secretary’s” each place it appears and inserting “Transportation Security Administration Administrator’s”;

(5) in subsection (h)—

(A) in paragraph (3), by inserting “of Homeland Security” after “Secretary”;

(B) in paragraph (6)(C), in the matter preceding clause (i), by inserting “of Homeland Security” after “Secretary”;

(6) in subsection (i)(1), by striking “, after receiving the recommendations of the National Institute of Justice,”;

(7) in subsection (j)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “Under Secretary for Transportation Security” and inserting “Administrator of the Transportation Security Administration”; and

(ii) in the matter following subparagraph (E), by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”; and

(B) in paragraph (2), by striking “Secretary of Transportation” each place it appears and inserting “Secretary of Homeland Security”;

(8) in subsection (1)(1), by striking “Under Secretary for Border and Transportation Security of the Department of Homeland Security” and inserting “Administrator of the Transportation Security Administration”;

(9) by striking “Under Secretary of Transportation for Security” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(10) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(11) by striking “Assistant Secretary of Homeland Security (Transportation Security Administration)” each place it appears and inserting “Administrator of the Transportation Security Administration”; and

(12) by striking “Assistant Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(g) SECTION 44904.—Section 44904 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(2) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”; and

(3) in subsection (d) by striking “Assistant Secretary of Homeland Security (Transportation Security Administration)” and inserting “Administrator of the Transportation Security Administration”.

(h) SECTION 44905.—Section 44905 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”;

(2) in subsection (b), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(3) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(i) SECTION 44906.—Section 44906 of title 49, United States Code, is amended—

(1) by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(2) by striking “Under Secretary” each place it appears and inserting “Administrator”.

(j) SECTION 44908.—Section 44908 of title 49, United States Code, is amended by striking “Secretary of Transportation” each place it appears and inserting “Secretary of Homeland Security”.

(k) SECTION 44909.—Section 44909 of title 49, United States Code, is amended—

(1) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”; and

(2) by striking “the Customs Service” each place it appears and inserting “U.S. Customs and Border Protection”.

(l) SECTION 44911.—Section 44911 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraphs (1) through (10), by striking “the” each place it appears and inserting “The”; and

(B) by inserting the following at the end of the following new paragraphs:

“(11) The Coast Guard.

“(12) The Department of Homeland Security.

“(13) The National Geospatial-Intelligence Agency.

“(14) The National Reconnaissance Office.”;

(2) in subsection (b)—

(A) by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”; and

(B) by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(3) in subsection (d), by striking “the Secretary” and inserting “the Secretary of Homeland Security”; and

(4) in subsection (e)—

(A) by striking “the Secretary” and inserting “the Secretary of Homeland Security”; and

(B) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(m) SECTION 44912.—Section 44912 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(B) in paragraph (3), by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”;

(2) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(n) SECTION 44913.—Section 44913 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(B) in paragraph (2), by striking “the Committee on Transportation and Infrastructure” and inserting “the Committee on Homeland Security”;

(2) in subsection (b), by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”; and

(3) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(o) SECTION 44914.—Section 44914 of title 49, United States Code, is amended—

(1) by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(2) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(p) SECTION 44915.—Section 44915 of title 49, United States Code, is amended by striking

“Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”.

(q) SECTION 44916.—Section 44916 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(2) in subsection (b), by striking “Under Secretary” and inserting “Administrator of the Transportation Security Administration”.

(r) SECTION 44917.—Section 44917 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(B) in paragraph (2), by inserting “of Homeland Security, utilizing a risk-based security methodology,” after “Secretary”;

(2) by striking subsections (b) and (c);

(3) redesignating subsection (d) as subsection (b); and

(4) in subsection (b), as so redesignated—

(A) in paragraph (1), by striking “Assistant Secretary for Immigration and Customs Enforcement” and inserting “Administrator of the Transportation Security Administration”; and

(B) in paragraph (3), by striking “Assistant Secretary” each place it appears and inserting “Administrator”.

(s) SECTION 44918.—Section 44918 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)(E), by striking “the Under Secretary for Border and Transportation Security of the Department of Homeland Security” and inserting “the Administrator of the Transportation Security Administration”; and

(B) in paragraphs (5), (6), and (7), by striking “the Administrator” each place it appears and inserting “the Administrator of the Federal Aviation Administration”; and

(2) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(t) SECTION 44919.—Section 44919 of title 49, United States Code, is amended by striking

“Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(u) SECTION 44920.—Section 44920 of title 49, United States Code, is amended by striking

“Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(v) SECTION 44921.—Section 44921 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(2) in subsection (b)(6)—

(A) by inserting “the Committee on Homeland Security and” before “the Committee on Transportation and Infrastructure”; and

(B) by inserting “the Committee on Homeland Security and Governmental Affairs” before “the Committee on Commerce, Science, and Transportation”;

(3) in subsection (d)(4), by striking “may,” and inserting “may”;

(4) in subsection (i)(2), by striking “the Under Secretary” before “may”;

(5) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”; and



(6) by striking “Under Secretary’s” each place it appears and inserting “Transportation Security Administration Administrator’s”.

(w) SECTION 44922.—Section 44922 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(2) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(x) SECTION 44923.—Section 44923 of title 49, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “the Under Secretary for Border and Transportation Security of the Department of Homeland Security” and inserting “the Administrator of the Transportation Security Administration”;

(2) in subsection (c), by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”; and

(3) in subsection (d)—

(A) in paragraph (3), in the heading, by striking “UNDER SECRETARY” and inserting “ADMINISTRATOR”; and

(B) in paragraph (4), by inserting “, Homeland Security,” before “and Transportation and Infrastructure”; and

(4) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(y) SECTION 44924.—Section 44924 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “Under Secretary for Border and Transportation for Security of the Department of Homeland Security” and inserting “Administrator of the Transportation Security Administration”; and

(B) by striking “Administrator under” and inserting “Administrator of the Federal Aviation Administration under”;

(2) in each of subsections (b) through (f), by inserting “of the Federal Aviation Administration” after “Administrator” each place it appears;

(3) in subsection (g), by inserting “the Committee on Homeland Security and” before “the Committee on Transportation and Infrastructure”; and

(4) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(z) SECTION 44925.—Section 44925 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “Assistant Secretary of Homeland Security (Transportation Security Administration)” and inserting “Administrator of the Transportation Security Administration”; and

(B) in paragraph (3), by inserting “of Homeland Security” after “Secretary”; and

(2) in subsection (d), by striking “Assistant Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(aa) SECTION 44926.—Section 44926 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “United States” and inserting “U.S.”; and

(2) in subsection (b)(3)—

(A) in the matter preceding subparagraph (A), by striking “an” and inserting “a”; and

(B) in subparagraph (B), by striking “United States” and inserting “U.S.”.

(bb) SECTION 44927.—Section 44927 of title 49, United States Code, is amended—

(1) in subsection (a), in the first sentence, by striking “Veteran” and inserting “Veterans”; and

(2) by striking “Assistant Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(cc) SECTION 44933.—Section 44933 of title 49, United States Code, is amended—

(1) in the heading, by striking “MANAGERS” and inserting “DIRECTORS”;

(2) in subsection (a)—

(A) in the first sentence—

(i) by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(ii) by striking “Manager” and inserting “Director”;

(B) in the second sentence—

(i) by striking “Under Secretary” and inserting “Administrator of the Transportation Security Administration”; and

(ii) by striking the term “Managers” each place it appears and inserting “Directors”; and

(3) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “Manager” and inserting “Director”; and

(B) in paragraph (2), by striking “Under Secretary” and inserting “the Administrator of the Transportation Security Administration”.

(dd) SECTION 44934.—Section 44934 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(2) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(ee) SECTION 44935.—Section 44935 of title 49, United States Code, is amended—

(1) by striking “Under Secretary of Transportation for Security” each place it appears and inserting “Administrator of the Transportation Security Administration”; and

(2) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(3) in subsection (e)(2)(A)(ii), by striking “section 1101(a)(22) of the Immigration and Nationality Act” and inserting “section 101(a)(22) of the Immigration and Nationality Act”; and

(4) by redesignating the second subsection (i) (relating to accessibility of computer-based training facilities) as subsection (k).

(ff) SECTION 44936.—Section 44936 of title 49, United States Code, is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A)—

(i) by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(ii) by striking “Under Secretary of Transportation for Transportation Security,” and inserting “Administrator of the Transportation Security Administration,”; and

(B) in subparagraphs (B) and (C), by striking “Under Secretary of Transportation for Transportation Security” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(2) in subsection (c)(1), by striking “Under Secretary’s” and inserting “Transportation Security Administration Administrator’s”; and

(3) by striking “Under Secretary” each place it appears and inserting “Adminis-

trator of the Transportation Security Administration”.

(gg) SECTION 44937.—Section 44937 of title 49, United States Code, is amended by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”.

(hh) SECTION 44938.—Section 44938 of title 49, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1)—

(A) by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”; and

(B) by striking “the Secretary considers” and inserting “the Secretary of Homeland Security considers”;

(C) by striking “The Secretary” and inserting “The Secretary of Homeland Security”; and

(D) by striking “Under Secretary of Transportation Security” and inserting “Administrator of the Transportation Security Administration”; and

(2) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(ii) SECTION 44940.—Section 44940 of title 49, United States Code, is amended—

(1) in subsection (a)(1)—

(A) in the matter preceding paragraph (1), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(B) in subparagraph (F) by striking “Managers” and inserting “Directors”;

(2) in subsection (e)(1), in the heading, by striking “UNDER SECRETARY” and inserting “ADMINISTRATOR”; and

(3) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(jj) SECTION 44941.—Section 44941 of title 49, United States Code, is amended by inserting “the Department of Homeland Security,” before “the Department of Transportation”.

(kk) SECTION 44942.—Section 44942 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by redesignating paragraph (1) as subsection (c) and moving such subsection, as so redesignated, two ems to the left; and

(ii) by redesignating subparagraphs (A) and (B) as subsections (d) and (e), respectively, and moving such subsections, as so redesignated, four ems to the left;

(2) by striking subsections (a) and (b);

(3) by striking subsection (c), as so redesignated;

(4) by redesignating subsections (d) and (e), as so redesignated, as subsections (a) and (b), respectively;

(5) by striking the term “the Secretary” each place it appears and inserting “the Secretary of Homeland Security”;

(6) by striking “Under Secretary for Transportation Security” each place it appears and inserting “Administrator of the Transportation Security Administration”; and

(7) by striking “Congress” and inserting “the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate”.

(ll) SECTION 44943.—Section 44943 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “The Under Secretary for Transportation Security” and inserting “The Administrator of

the Transportation Security Administration”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “the Secretary” and inserting “the Secretary of Homeland Security”; and

(ii) by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(B) by striking “the Under Secretary” each place it appears and inserting “the Administrator of the Transportation Security Administration”; and

(3) in subsection (c), by striking “the Under Secretary for Transportation Security” and inserting “the Administrator of the Transportation Security Administration”.

(mm) SECTION 44944.—Section 44944 of title 49, United States Code, is amended—

(1) in subsection (a)(1), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(2) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(nn) SECTION 44945.—Section 44945 of title 49, United States Code, is amended by striking “Assistant Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(oo) SECTION 44946.—Section 44946 of title 49, United States Code, is amended—

(1) in subsection (c)(2)(A), by striking “, but a member may continue to serve until a successor is appointed” and inserting “but may continue until such time as a successor member begins serving on the Advisory Committee”;

(2) in subsection (g)—

(A) by striking paragraph (2); and

(B) redesignating paragraph (3) as paragraph (2); and

(3) by striking “Assistant Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(pp) SECTION 45107.—Section 45107 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(2) in subsection (b), by striking the second sentence.

(qq) CLERICAL AMENDMENTS.—The analysis for chapter 449 of title 49, United States Code, is amended by striking the item relating to section 44933 and inserting the following new item:

“44933. Federal Security Directors.”.

#### SEC. 1503. AMENDMENTS TO THE AVIATION AND TRANSPORTATION SECURITY ACT.

(a) SECTION 101.—Section 101 of the Aviation and Transportation Security Act (Public Law 107-71) is amended—

(1) in subsection (c) (5 U.S.C. 5313 note)—

(A) by striking paragraph (1);

(B) by redesignating paragraphs (2) and (3) as paragraph (1) and (2), respectively; and

(C) in paragraph (1), as so redesignated—

(i) by striking “Under Secretary” and inserting “Administrator of the Transportation Security Administration”;

(ii) by striking “30 percent” and inserting “15 percent”;

(iii) by striking “the Secretary’s” and inserting “the Secretary of Homeland Security”;

(iv) by striking “Under Secretary’s” and inserting “Transportation Security Administration Administrator’s”; and

(2) by striking subsection (g) (49 U.S.C. 44901 note).

(b) SECTION 106.—Section 106 of the Aviation and Transportation Security Act (49 U.S.C. 44903 note) is amended—

(1) in subsection (b)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(B) in paragraph (2)(A), by striking “Under Secretary” each place it appears and inserting “Administrator”;

(C) in paragraph (2)(B), in the matter preceding clause (i), by striking “Secretary” and inserting “Secretary of Homeland Security”; and

(2) in subsection (e), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”.

(c) SECTION 109.—Section 109 of the Aviation and Transportation Security Act (49 U.S.C. 114 note) is amended—

(1) in subsection (a)—

(A) by striking “(a) IN GENERAL.—The Under Secretary of Transportation for Security” and inserting “The Administrator of the Transportation Security Administration”;

(B) in paragraph (4), by—

(i) striking “medical product” and inserting “liquid or gel medical product or nourishment and nutrition for infants and toddlers, including formula, breast milk, and juice,”; and

(ii) by striking “the product” and inserting “such product or nourishment or nutrition”; and

(C) in paragraph (7), by striking “voice stress analysis, biometric,” and inserting “biometric”; and

(2) by striking subsection (b).

(d) SECTION 110.—Section 110 of the Aviation and Transportation Security Act is amended by striking subsections (c) and (d).

(e) SECTION 111.—Section 111 of the Aviation and Transportation Security Act (49 U.S.C. 44935 note) is amended—

(1) in subsection (c)—

(A) by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(B) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(2) in subsection (d)—

(A) in paragraph (1)—

(i) by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(ii) by striking “Under Secretary” each place it appears and inserting “Administrator”;

(B) in paragraph (2), by striking “Under Secretary” and inserting “Administrator of the Transportation Security Administration”.

(f) SECTION 117.—Section 117 of the Aviation and Transportation Security Act (49 U.S.C. 44903 note) is amended by inserting “the Secretary of Homeland Security in consultation with” before “the Secretary of Transportation”.

(g) SECTION 132.—Section 132 of the Aviation and Transportation Security Act is repealed.

(h) SECTION 135.—Section 135 of the Aviation and Transportation Security Act is repealed.

(i) SECTION 137.—Section 137 of the Aviation and Transportation Security Act (49 U.S.C. 44912 note) is repealed.

(j) REDESIGNATIONS.—Sections 133, 134, 136, 138, 139, 140, 141, 142, 143, 144, 145, 146, and 147 of the Aviation and Transportation Security Act are amended by redesignating such sections as sections 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, and 144, respectively.

#### SEC. 1504. INFORMATION REQUIRED TO BE SUBMITTED TO CONGRESS UNDER THE STRATEGIC 5-YEAR TECHNOLOGY INVESTMENT PLAN OF THE TRANSPORTATION SECURITY ADMINISTRATION.

(a) ADDITIONAL INFORMATION REQUIRED.—Section 1611 of the Homeland Security Act of 2002 (6 U.S.C. 563) is amended—

(1) in subsection (g)—

(A) in the matter preceding paragraph (1), by striking “biennially” and inserting “annually”;

(B) in paragraph (1), by striking “and”;

(C) in paragraph (2), by striking the period and inserting “; and”;

(D) by adding at the end the following new paragraph:

“(3) information about acquisitions completed during the fiscal year preceding the fiscal year during which the report is submitted.”; and

(2) by adding at the end the following new subsections:

“(h) NOTICE OF COVERED CHANGES TO PLAN.—

“(1) NOTICE REQUIRED.—The Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives notice of any covered change to the Plan by not later than 90 days after the date on which the change is made.

“(2) DEFINITION OF CHANGE.—In this subsection, the term ‘covered change’ means an increase or decrease in the dollar amount allocated to the procurement of a technology or an increase or decrease in the number of a technology.”.

(b) REPORT ON EQUIPMENT IN OPERATION POST-LIFE-CYCLE.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives a report describing any equipment of the Transportation Security Administration that is in operation after—

(1) the end of the life-cycle of the equipment specified by the manufacturer of the equipment; or

(2) the end of the useful life projection for the equipment under the strategic 5-year technology investment plan of the Transportation Security Administration, as required by section 1611 of the Homeland Security Act of 2002 (6 U.S.C. 563).

(c) NOTICE TO AIRPORTS AND AIRLINES.—Upon the enactment of this Act, the Administrator of the Transportation Security Administration shall notify airports and airlines of any changes to the 5-year technology investment plan of the Transportation Security Administration.

#### SEC. 1505. MAINTENANCE OF SECURITY-RELATED TECHNOLOGY.

(a) IN GENERAL.—Title XVI of the Homeland Security Act of 2002 (6 U.S.C. 561 et seq.) is amended by adding at the end the following new subtitle:

**“Subtitle C—Maintenance of Security-Related Technology****“SEC. 1621. MAINTENANCE VALIDATION AND OVERSIGHT.**

“(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this subtitle, the Administrator shall develop and implement a preventive maintenance validation process for security-related technology deployed to airports.

“(b) MAINTENANCE BY ADMINISTRATION PERSONNEL AT AIRPORTS.—For maintenance to be carried out by Administration personnel at airports, the process referred to in subsection (a) shall include the following:

“(1) Guidance to Administration personnel at airports specifying how to conduct and document preventive maintenance actions.

“(2) Mechanisms for the Administrator to verify compliance with the guidance issued pursuant to paragraph (1).

“(c) MAINTENANCE BY CONTRACTORS AT AIRPORTS.—For maintenance to be carried by a contractor at airports, the process referred to in subsection (a) shall require the following:

“(1) Provision of monthly preventative maintenance schedules to appropriate Administration personnel at each airport that includes information on each action to be completed by contractor.

“(2) Notification to appropriate Administration personnel at each airport when maintenance action is completed by a contractor.

“(3) A process for independent validation by a third party of contractor maintenance.

“(d) PENALTIES FOR NONCOMPLIANCE.—The Administrator shall require maintenance contracts for security-related technology deployed to airports to include penalties for noncompliance when it is determined that either preventive or corrective maintenance has not been completed according to contractual requirements and manufacturers’ specifications.”.

(b) CLERICAL AMENDMENT.—The table of contents of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 1616 the following:

“Subtitle C—Maintenance of Security-Related Technology

“Sec. 1621. Maintenance validation and oversight.”.

**SEC. 1506. TRANSPORTATION SECURITY ADMINISTRATION EFFICIENCY.**

(a) EFFICIENCY REVIEW.—Not later than 270 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall conduct and complete a comprehensive, agency-wide efficiency review of the Administration to identify and effectuate spending reductions and administrative savings through the streamlining or restructuring of Administration divisions to make the Administration more efficient. In carrying out the review under this section, the Administrator shall consider each of the following:

(1) The elimination of any unnecessarily duplicative or overlapping programs and initiatives that can be streamlined.

(2) The elimination of any unnecessary or obsolete rules, regulations, directives, or procedures.

(3) The reduction in overall operating expenses of the Administration, including costs associated with the number of personnel, as a direct result of efficiencies gained through the implementation of risk-based screening or through any other means as determined by the Administrator.

(4) Any other matters the Administrator determines are appropriate.

(b) REPORT TO CONGRESS.—Not later than 30 days after the completion of the efficiency

review required under subsection (a), the Administrator of the Transportation Security Administration shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the results and cost savings expected to be achieved through such efficiency review.

**SEC. 1507. TRANSPORTATION SENIOR EXECUTIVE SERVICE ACCOUNTABILITY.**

(a) REDUCTION PLAN.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Administrator of the Transportation Security Administration, shall develop a strategic plan, including a timeline, to reduce by 20 percent by June 30, 2019, the number of positions at the Senior Executive Service level at the Administration.

(b) CONGRESSIONAL REVIEW.—Not later than 30 days after the completion of the Senior Executive Service reduction plan required under subsection (a), the Administrator of the Transportation Security Administration shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a copy of such plan.

**Subtitle B—Passenger Security and Screening****SEC. 1511. DEPARTMENT OF HOMELAND SECURITY TRUSTED TRAVELER PROGRAM COLLABORATION.**

The Secretary of Homeland Security shall continue the review of all trusted traveler vetting programs carried out by the Department of Homeland Security using representatives from such programs to make recommendations on possible efficiencies that could be gained by integrating requirements and operations and increasing information and data sharing across programs.

**SEC. 1512. PRECHECK BIOMETRIC PILOT PROJECT.**

Not later than one year after the date of the enactment of this Act, the Administrator of the Transportation Security Administration (TSA) shall conduct a pilot project to test a secure, automated, and biometric-based system at airports to verify the identity of individuals who are members of TSA PreCheck or another Department of Homeland Security trusted traveler program that affords TSA expedited screening. Such system shall be designed to—

(1) improve security while also reducing the need for security screening personnel to perform identity and travel document verification for such individuals;

(2) reduce the average wait time of such individuals;

(3) reduce overall operating expenses of the Administration;

(4) be integrated with the Department’s watch list and trusted traveler matching programs; and

(5) be integrated with other technologies to further facilitate risk-based passenger screening at checkpoints, to the extent practicable and consistent with security standards.

**SEC. 1513. IDENTITY AND TRAVEL DOCUMENT VERIFICATION.**

Section 44901 of title 49, United States Code, is amended by adding at the end the following new subsection:

“(m) ESTABLISHMENT OF SCREENING SYSTEM FOR CERTAIN PERSONS.—Not later than December 31, 2018, the Administrator of the Transportation Security Administration shall, subject to the availability of appro-

priations, implement an identity and travel document verification system designed to establish a secure, automated system at all airports for verifying identity and travel documents of persons seeking entry into the sterile area of an airport. Such system shall—

“(1) assess the need for security screening personnel to perform identity and travel document verification for such passengers, thereby assessing the overall number of such screening personnel;

“(2) reduce the average wait time of such passengers;

“(3) reduce overall operating expenses of the Administration;

“(4) be integrated with the Administration’s watch list matching program; and

“(5) be integrated with other technologies to further facilitate risk-based passenger screening at checkpoints, to the extent practicable and consistent with security standards.”.

**SEC. 1514. COMPUTED TOMOGRAPHY PILOT PROJECT.**

Not later than 90 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall conduct a pilot project to test the use of screening equipment using computed tomography technology to screen baggage at passenger checkpoints.

**SEC. 1515. EXPLOSIVES DETECTION CANINE TEAMS FOR AVIATION.**

(a) PASSENGER SCREENING TEAMS.—The Administrator of the Transportation Security Administration shall ensure that by December 31, 2018, at least 300 explosives detection canine teams are dedicated to passenger screening purposes at airports in the United States at which the Administration performs, or oversees the implementation and performance of, security measures, including screening responsibilities.

(b) USE OF CANINES TO DETECT SCREENING ANOMALIES.—At airports in the United States at which—

(1) canine teams trained to screen passengers are available, and

(2) the Transportation Security Administration has passenger screening responsibilities,

the Administrator of the Transportation Security Administration may use such teams to detect screening anomalies.

**SEC. 1516. STANDARD OPERATING PROCEDURES AT AIRPORT CHECKPOINTS.**

(a) STANDARDIZATION.—The Administrator of the Transportation Security Administration shall require, to the extent practicable, that standard operating procedures at airport checkpoints for passengers and carry-on baggage are carried out in a uniform manner among similarly situated airports.

(b) REPORT TO CONGRESS.—Not later than 270 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on how standard operating procedures were made uniform in accordance with subsection (a).

(c) AUDITS.—Beginning one year after the date of the enactment of this Act, the Inspector General of the Department of Homeland Security shall conduct periodic audits of adherence to the standard operating procedures, as established by the Administrator of the Transportation Security Administration, under this section of screening personnel at large, medium, and small airports in diverse geographical areas.

**SEC. 1517. TRAVELER REDRESS IMPROVEMENT.****(a) REDRESS PROCESS.—**

(1) **IN GENERAL.**—Not later than 30 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall, using existing resources, systems, and processes, ensure the availability of the Department of Homeland Security Traveler Redress Inquiry Program (DHS TRIP) redress process to adjudicate inquiries for individuals who—

(A) are citizens of the United States or aliens lawfully admitted for permanent residence;

(B) have filed an inquiry with DHS TRIP after receiving enhanced screening at an airport passenger security checkpoint more than three times in any 60-day period; and

(C) believe they have been wrongly identified as being a threat to aviation security.

(2) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the implementation of the redress process required under paragraph (1).

**(b) PRIVACY IMPACT REVIEW AND UPDATE.—**

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall review and update the Privacy Impact Assessment for the Secure Flight programs to ensure such Assessment accurately reflects the operation of such programs.

(2) **PUBLIC DISSEMINATION; FORM.**—The Secure Flight Privacy Impact Assessment review and update required under paragraph (1) shall be published on a publically-accessible internet webpage of the Transportation Security Administration and submitted to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

**(c) TRANSPORTATION SECURITY ADMINISTRATION RULE REVIEW AND NOTIFICATION PROCESS.—**

(1) **RULE REVIEW.**—Not later than 60 days after the date of the enactment of this Act and every 120 days thereafter, the Assistant Administrator of the Office of Intelligence and Analysis of the Transportation Security Administration, in coordination with the entities specified in paragraph (2), shall conduct a comprehensive review of the Transportation Security Administration's intelligence-based screening rules.

(2) **NOTIFICATION PROCESS.**—Not later than 48 hours after changing, updating, implementing, or suspending a Transportation Security Administration intelligence-based screening rule, the Assistant Administrator of the Office of Intelligence and Analysis of the Transportation Security Administration shall notify the following entities of any such change, update, implementation, or suspension, as the case may be:

(A) The Office of Civil Rights and Liberties, Ombudsman, and Traveler Engagement of the Transportation Security Administration.

(B) The Office of Civil Rights and Liberties of the Department of Homeland Security.

(C) The Office of Chief Counsel of the Administration.

(D) The Office of General Counsel of the Department.

(E) The Privacy Office of the Administration.

(F) The Privacy Office of the Department.

(G) The Federal Air Marshal Service.

(H) The Traveler Redress Inquiry Program of the Department.

**(d) FEDERAL AIR MARSHAL SERVICE COORDINATION.—**

(1) **IN GENERAL.**—The Administrator of the Transportation Security Administration shall ensure that the Transportation Security Administration's intelligence-based screening rules are taken into account for Federal Air Marshal mission scheduling.

(2) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on how the Transportation Security Administration's intelligence-based screening rules are incorporated in the risk analysis conducted during the Federal Air Marshal mission scheduling process.

(e) **GAO REPORT.**—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a study on the Transportation Security Administration's intelligence-based screening rules and the effectiveness of such rules in identifying and mitigating potential threats to aviation security. Such study shall also examine coordination between the Transportation Security Administration, the Department of Homeland Security, and other relevant partners relating to changing, updating, implementing, or suspending such rules as necessary.

**SEC. 1518. SCREENING IN AREAS OTHER THAN PASSENGER TERMINALS.**

The Administrator of the Transportation Security Administration is authorized to provide screening services to a commercial charter air carrier in areas other than primary passenger terminals upon the request of such carrier. A commercial charter air carrier shall direct any such request to the Federal Security Director for the airport where such services are requested. A Federal Security Director may elect to provide screening services if such services are available. The Administrator shall enter into an agreement with a commercial charter air carrier for compensation from such carrier requesting the use of screening services for all reasonable costs in addition to overtime costs that are incurred in the provision of screening services under this section.

**SEC. 1519. FEDERAL AIR MARSHAL SERVICE AGREEMENTS.**

(a) **STANDARDIZATION.**—Not later than 60 days after the date of the enactment of the Act, the Administrator of the Transportation Security Administration shall develop a standard working document that shall be the basis of all negotiations and agreements that begin after the date of the enactment of this Act between the United States and foreign governments or partners regarding Federal Air Marshal coverage of flights to and from the United States.

(b) **WRITTEN AGREEMENTS.**—All agreements between the United States and foreign governments or partners regarding the presence of Federal Air Marshals on flights to and from the United States must be written and signed by the Secretary of Homeland Security or the Secretary's designee.

(c) **CONGRESSIONAL NOTIFICATION.**—The Secretary of Homeland Security shall transmit

to the relevant Congressional committees any agreements described in subsection (b) within 30 days of such agreement being signed.

**SEC. 1520. FEDERAL AIR MARSHAL MISSION SCHEDULING AUTOMATION.**

The Administrator of the Transportation Security Administration shall seek to acquire an automated software capability for the scheduling of Federal Air Marshal Service missions based on current risk modeling.

**SEC. 1521. CANINE DETECTION RESEARCH AND DEVELOPMENT.**

(a) **IN GENERAL.**—The Secretary of Homeland Security shall conduct an audit of all canine training programs of the Department of Homeland Security and convene a working group of representatives from all such programs to make recommendations on possible efficiencies that could be gained by integrating training standards and facilities.

(b) **CANINE STAFFING ALLOCATION MODEL.**—The Administrator of the Transportation Security Administration shall develop a staffing allocation model for canines to determine the optimal number of passenger screening canines at airports in the United States.

(c) **REPORT TO CONGRESS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the recommendations required by subsection (a).

**(d) BRIEFING TO CONGRESS.—**

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall brief the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate on the state of explosives detection canine production and training in the United States.

(2) **CONTENTS.**—The briefing required under paragraph (1) shall include the following:

(A) An analysis of the steps the Transportation Security Administration may take to foster additional production of explosives detection canines in the United States by the private sector.

(B) Perspectives from current explosives detection canine industry stakeholders regarding the impact of the Administration's procurement model on business considerations.

(C) An analysis regarding whether the Administration effectively communicates canine training guidelines and testing methodology to the private sector.

(D) The extent to which physical capacity limitations at current Administration-operated sites hinder the operations of either the Administration or industry.

**SEC. 1522. INTERNATIONAL CIVIL AVIATION ORGANIZATION.**

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the United States Ambassador or the Chargé d'Affaires to the United States Mission to the International Civil Aviation Organization shall pursue improvements to airport security, including if practicable, introducing a resolution to raise minimum standards for airport security.

(b) **REPORT TO CONGRESS.**—Not later than 180 days after the date of the enactment of this Act, the United States Ambassador or the Chargé d'Affaires to the United States

Mission to the International Civil Aviation Organization shall report to the Committee on Homeland Security and the Committee on Foreign Affairs of the House of Representatives and the Committee on Homeland Security and Governmental Affairs, the Committee on Foreign Relations, and the Committee on Commerce, Science, and Transportation of the Senate on the implementation of subsection (a).

#### SEC. 1523. PASSENGER SECURITY FEE.

The Secretary of Homeland Security is prohibited from incorporating an increase in the passenger security fee under section 44940 of title 49, United States Code, beyond what is authorized at the time the annual budget proposal for the Department of Homeland Security is transmitted to Congress.

#### SEC. 1524. LAST POINT OF DEPARTURE AIRPORT CERTIFICATION.

Subparagraph (B) of section 44907(a)(2) of title 49, United States Code, is amended by inserting “, including the screening and vetting of airport workers” before the semicolon at the end.

#### SEC. 1525. SECURITY INCIDENT RESPONSE AT AIRPORTS AND SURFACE TRANSPORTATION HUBS.

The Gerardo Hernandez Airport Security Act of 2015 (Public Law 114–50; 49 U.S.C. 44903 note) is amended—

(1) in section 3—

(A) in subsection (b), in the matter preceding paragraph (1), by striking “may” each place it appears and inserting “shall”;

(B) by redesignating subsection (c) as subsection (d); and

(C) by inserting after subsection (b) the following new subsection:

“(c) REVIEW.—The Administrator of the Transportation Security Administration shall review the active shooter response guidelines specified for Department of Homeland Security personnel under this section and make a recommendation to the Secretary of Homeland Security to modify such guidelines for personnel who are certified Federal law enforcement officials and for personnel who are uniformed but unarmed security officials.”; and

(2) in section 7—

(A) in subsection (b), in the matter preceding paragraph (1), by striking “may” each place it appears and inserting “shall”;

(B) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(C) by inserting after subsection (b) the following new subsection:

“(c) REVIEW.—The Administrator of the Transportation Security Administration shall review the active shooter response guidelines specified for Department of Homeland Security personnel under this section and make a recommendation to the Secretary of Homeland Security to modify such guidelines for personnel who are certified Federal law enforcement officials and for personnel who are uniformed but unarmed security officials.”.

#### SEC. 1526. AIRPORT SECURITY SCREENING OPT-OUT PROGRAM.

Section 44920 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “120” and inserting “90”;

(B) by redesignating paragraph (3) as paragraph (4);

(C) by inserting after paragraph (2) the following new paragraph:

“(3) ENTRANCE INTO CONTRACT.—The Administrator of the Transportation Security Administration shall make best efforts to

enter into a contract with a private screening company to provide screening services at an airport not later than 180 days after the date of approval of an application submitted by the operator of such airport under subsection (a).”; and

(D) in subparagraph (A) of paragraph (4), as so redesignated, in the matter preceding clause (i), by striking “not later than 60 days following the date of the denial” and inserting “immediately upon issuing the denial”; and

(2) by striking subsection (h) and inserting the following new subsections:

“(h) EVALUATION OF SCREENING COMPANY PROPOSALS FOR AWARD.—Notwithstanding any other provision of law, including title 48 of the Code of Federal Regulations and the Federal Advisory Committee Act (5 U.S.C. App.), an airport operator that has applied and been approved to have security screening services carried out by a qualified private screening company under contract with the Administrator of the Transportation Security Administration may nominate to the head of the contracting activity an individual to participate in the evaluation of proposals for the award of such contract. Any such participation on a proposal evaluation committee shall be conducted in accordance with the provisions and restrictions of chapter 21 of title 41, United States Code.

“(i) INNOVATIVE SCREENING APPROACHES AND TECHNOLOGIES.—The operator of an airport at which screening services are provided under this section is encouraged to recommend to the Administrator of the Transportation Security Administration innovative screening approaches and technologies. Upon receipt of any such recommendations, the Administrator, shall review and, if appropriate, test, conduct a pilot project, and, if appropriate, deploy such approaches and technologies.”.

#### SEC. 1527. PERSONNEL MANAGEMENT SYSTEM REVIEW.

(a) IN GENERAL.—Notwithstanding subsection (d) of section 111 of the Aviation and Transportation Security Act (49 U.S.C. 44935 note), not later than 30 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall convene a working group consisting of representatives of the Administration and representatives of the labor organization representing security screening personnel to discuss reforms to the Administration’s personnel management system, including appeals to the Merit Systems Protection Board and grievance procedures.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the working group convened under subsection (a) shall terminate and shall submit to the Administrator of the Transportation Security Administration and the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing agreed-upon reforms to the Administration’s personnel management system. The Administrator may implement associated recommendations mutually agreed to by the parties to such working group before the end of such one year period.

#### SEC. 1528. INNOVATION TASK FORCE.

(a) IN GENERAL.—The Administrator of the Transportation Security Administration may establish a task force to collaborate with air carriers, airport operators, and other aviation security stakeholders to foster the pursuit of innovations in aviation security prior to the acquisition process.

(b) ACTIVITIES.—The task force authorized under subsection (a) may conduct activities designed to identify and develop an innovative technology or capability with the potential of enhancing aviation security, including—

(1) conducting a field demonstration of such a technology or capability in the airport environment;

(2) gathering performance data from such a demonstration to inform the acquisition process; and

(3) providing funding and promoting efforts to enable participation in a demonstration by a small business that has an innovative technology but does not have adequate resources to participate.

(c) COMPOSITION.—The task force authorized under subsection (a) shall be—

(1) chaired by the Administrator of the Transportation Security Administration’s designee; and

(2) comprised of representatives appointed by the Administrator, in consultation with the Chairperson of the Aviation Security Advisory Committee (established pursuant to section 44936 of title 49, United States Code), from appropriate stakeholders from—

(A) within the Administration;

(B) air carriers;

(C) airport operators;

(D) other aviation security stakeholders; and

(E) as appropriate, the Science and Technology Directorate of the Department of Homeland Security and any other appropriate component of the Department.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall require the Administrator of the Transportation Security Administration to acquire an innovative technology or emerging security capability.

(e) NON-APPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the task force authorized under subsection (a).

#### SEC. 1529. AIRPORT LAW ENFORCEMENT REIMBURSEMENT.

Not later than 120 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the Transportation Security Administration’s law enforcement officer reimbursement program, which shall include information relating to the following:

(1) The current structure of the program, including how funding disbursement decisions are made.

(2) An assessment of threats requiring law enforcement officer response at airports.

(3) The scope of current law enforcement activities covered under the program, and an assessment of whether such covered activities should be expanded to reflect emerging threats.

(4) The annual costs to airport authorities for providing law enforcement for such covered activities at security checkpoints.

(5) Proposed methodology for funding allocations.

#### Subtitle C—Transportation Security Screening Personnel Training and Accountability

#### SEC. 1531. TRANSPORTATION SECURITY TRAINING PROGRAMS.

(a) IN GENERAL.—Section 44935 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following new subsection:

“(1) INITIAL AND RECURRING TRAINING.—

“(1) IN GENERAL.—The Administrator of the Transportation Security Administration

shall establish a training program for new security screening personnel located at the Federal Law Enforcement Training Center in Glynco, Georgia.

“(2) **RECURRING TRAINING.**—Not later than 180 days after the date of the enactment of this subsection, the Administrator of the Transportation Security Administration shall establish recurring training of security screening personnel regarding updates to screening procedures and technologies, including methods to identify the verification of false or fraudulent travel documents, as well as training on emerging threats, in response to weaknesses identified in covert tests at airports. The training shall include—

“(A) internal controls for monitoring and documenting compliance of transportation security officers with such training requirements; and

“(B) such other matters as identified by the Administrator with regard to such training.”

(b) **GAO STUDY.**—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall report to Congress on the effectiveness of the new security screening personnel training at Glynco, Georgia, required under subsection (1) of section 44935 of title 49, United States Code, as amended by this section.

**SEC. 1532. ALTERNATE NEW SECURITY SCREENING PERSONNEL TRAINING PROGRAM COST AND FEASIBILITY STUDY.**

Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall conduct a cost and feasibility study of developing a training program for security screening personnel that will provide such personnel with an equal level of training as is provided in the training program for new security screening personnel located at the Federal Law Enforcement Training Center in Glynco, Georgia, that could be conducted at or within 50 miles of such security screening personnel's duty station. Such study should examine the use of online seminar and training platforms for portions of the training curriculum that are conducive to such an outcome.

**SEC. 1533. PROHIBITION OF ADVANCE NOTICE OF COVERT TESTING TO SECURITY SCREENERS.**

Section 44935 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following new subsection:

“(m) **PROHIBITION OF ADVANCE NOTICE TO SECURITY SCREENERS OF COVERT TESTING AND EVALUATION.**—

“(1) **IN GENERAL.**—The Administrator of the Transportation Security Administration shall ensure, to the greatest extent practicable, that information concerning a covert test of a transportation security system to be conducted by a covert testing office, the Inspector General of the Department of Homeland Security, or the Government Accountability Office is not provided to any individual involved in such test prior to the completion of such test.

“(2) **EXCEPTIONS.**—Notwithstanding paragraph (1)—

“(A) an authorized individual involved in a covert test of a transportation security system may provide information concerning such covert test to—

“(i) employees, officers, and contractors of the Federal Government (including military personnel);

“(ii) employees and officers of State and local governments; and

“(iii) law enforcement officials who are authorized to receive or directed to be provided such information by the Administrator of the Transportation Security Administration, the Inspector General of the Department of Homeland Security, or the Comptroller General of the United States, as the case may be; and

“(B) for the purpose of ensuring the security of any individual in the vicinity of a site at which a covert test of a transportation security system is being conducted, an individual conducting such test may disclose his or her status as an individual conducting such test to any appropriate individual if a security screener or other individual who is not a covered employee identifies the individual conducting such test as a potential threat.

“(3) **SPECIAL RULES FOR TSA.**—

“(A) **MONITORING AND SECURITY OF TESTING PERSONNEL.**—The head of each covert testing office shall ensure that a person or group of persons conducting a covert test of a transportation security system for a covert testing office is accompanied at the site of such test by a cover team composed of one or more employees of such covert testing office for the purpose of monitoring such test and confirming the identity of personnel involved in such test under subparagraph (B).

“(B) **RESPONSIBILITY OF COVER TEAM.**—Under this paragraph, a cover team for a covert test of a transportation security system shall—

“(i) monitor such test; and

“(ii) for the purpose of ensuring the security of any individual in the vicinity of a site at which such test is being conducted, confirm, notwithstanding paragraph (1), the identity of any individual conducting such test to any appropriate individual if a security screener or other individual who is not a covered employee identifies the individual conducting such test as a potential threat.

“(C) **AVIATION SCREENING.**—Notwithstanding subparagraph (A), the Transportation Security Administration is not required to have a cover team present during a test of the screening of persons, carry-on items, or checked baggage at an aviation security checkpoint at or serving an airport if such test—

“(i) is approved, in coordination with the designated security official for the airport operator by the Federal Security Director for such airport; and

“(ii) is carried out under an aviation screening assessment program of the Department of Homeland Security.

“(D) **USE OF OTHER PERSONNEL.**—The Transportation Security Administration may use employees, officers, and contractors of the Federal Government (including military personnel) and employees and officers of State and local governments or any personnel authorized by the Federal Security Director to conduct covert tests.

“(4) **DEFINITIONS.**—In this subsection, the following definitions apply:

“(A) **APPROPRIATE INDIVIDUAL.**—The term ‘appropriate individual’, as used with respect to—

“(i) a covert test under paragraph (2)(B) of a transportation security system, means any individual who the individual conducting such test determines needs to know his or her status as an individual conducting such test; or

“(ii) a covert test under paragraph (3)(B)(i), means any individual who the cover team monitoring such test determines needs to know the identity of such cover team.

“(B) **COVERED EMPLOYEE.**—The term ‘covered employee’ means any individual who re-

ceives notice of a covert test before the completion of a test under paragraph (2)(B).

“(C) **COVERT TEST.**—

“(i) **IN GENERAL.**—The term ‘covert test’ means an exercise or activity conducted by a covert testing office, the Inspector General of the Department of Homeland Security, or the Government Accountability Office to intentionally test, compromise, or circumvent transportation security systems to identify vulnerabilities in such systems.

“(ii) **LIMITATION.**—Notwithstanding clause (i), the term ‘covert test’ does not mean an exercise or activity by an employee or contractor of the Transportation Security Administration to test or assess compliance with relevant regulations.

“(D) **COVERT TESTING OFFICE.**—The term ‘covert testing office’ means any office of the Transportation Security Administration designated by the Administrator of the Transportation Security Administration to conduct covert tests of transportation security systems.

“(E) **EMPLOYEE OF A COVERT TESTING OFFICE.**—The term ‘employee of a covert testing office’ means an individual who is an employee of a covert testing office or a contractor or an employee of a contractor of a covert testing office.”

**Subtitle D—Airport Access Controls and Perimeter Security**

**SEC. 1541. REFORMATION OF CERTAIN PROGRAMS OF THE TRANSPORTATION SECURITY ADMINISTRATION.**

(a) **DEFINITIONS.**—In this subtitle:

(1) **AIR CARRIER.**—The term “air carrier” has the meaning given such term in section 40102 of title 49, United States Code.

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate.

(3) **FOREIGN AIR CARRIER.**—The term “foreign air carrier” has the meaning given such term in section 40102 of title 49, United States Code.

(4) **INTELLIGENCE COMMUNITY.**—The term “intelligence community” has the meaning given such term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(5) **SECURED AREA.**—The term “secured area” has the meaning given such term in section 1540.5 of title 49, Code of Federal Regulations.

(6) **SECURITY IDENTIFICATION DISPLAY AREA.**—The term “Security Identification Display Area” has the meaning given such term in section 1540.5 of title 49, Code of Federal Regulations.

(7) **STERILE AREA.**—The term “sterile area” has the meaning given such term in section 1540.5 of title 49, Code of Federal Regulations.

(b) **COST AND FEASIBILITY STUDY.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration, in consultation with the Aviation Security Advisory Committee (established under section 44946 of title 49, United States Code), shall submit to the appropriate congressional committees and the Comptroller General of the United States a cost and feasibility study of a statistically significant number of Category I, II, III, IV, and X airports assessing the impact if all employee access points from non-secured areas to secured areas of such airports are comprised of the following:

(A) A secure door utilizing card and pin entry or biometric technology.

(B) Surveillance video recording, capable of storing video data for at least 30 days.

(C) Advanced screening technologies, including at least one of the following:

(i) Magnetometer (walk-through or handheld).

(ii) Explosives detection canines.

(iii) Explosives trace detection.

(iv) Advanced imaging technology.

(v) X-ray bag screening technology.

(2) **CONTENTS.**—The study required under paragraph (1) shall include information related to the employee screening costs of those category I, II, III, IV, and X airports which have already implemented practices of screening 100 percent of employees accessing secured areas of airports, including the following:

(A) Costs associated with establishing an operational minimum number of employee entry and exit points.

(B) A comparison of estimated costs and effectiveness associated with implementing the security features specified in paragraph (1) to—

(i) the Federal Government; and

(ii) airports and the aviation community.

(3) **COMPTROLLER GENERAL ASSESSMENT.**—

(A) **IN GENERAL.**—Upon completion of the study required under paragraph (1), the Comptroller General of the United States shall review such study to assess the quality and reliability of such study.

(B) **ASSESSMENT.**—Not later than 90 days after the receipt of the study required under paragraph (1), the Comptroller General of the United States shall report to the appropriate congressional committees on the results of the review required under subparagraph (A).

(C) **AIRPORT WORKER EDUCATION AND SECURITY AWARENESS.**—

(1) **COOPERATIVE EFFORTS TO ENHANCE AIRPORT SECURITY AWARENESS.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall work with air carriers, foreign air carriers, airport operators, labor unions representing credentialed employees, and the Aviation Security Advisory Committee to enhance security awareness of credentialed airport populations regarding insider threats to aviation security and recognized practices related to airport access controls.

(2) **CREDENTIALING STANDARDS.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall, in consultation with air carriers, foreign air carriers, airport operators, labor unions representing credentialed employees, and the Aviation Security Advisory Committee, assess credentialing standards, policies, and practices to ensure that insider threats to aviation security are adequately addressed.

(B) **REPORT.**—Not later than 30 days after completion of the assessment required under subparagraph (A), the Administrator of the Transportation Security Administration shall report to the appropriate congressional committees on the results of such assessment.

(3) **SIDA, STERILE AREA, AND AOA APPLICATIONS.**—

(A) **SOCIAL SECURITY NUMBERS REQUIRED.**—Not later than 60 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall require the submission of a social security number for each individual applying for a Security Identification Display Area, Ster-

ile Area, or Air Operations Area airport credential to strengthen security vetting effectiveness. An applicant who does not provide such applicant's social security number may be denied such a credential.

(B) **SCREENING NOTICE.**—The Administrator of the Transportation Security Administration shall issue requirements for airport operators to include in applications for access to a Security Identification Display Area, Sterile Area, or Air Operations Area a notice informing applicants that an employee holding a credential granting access to such an area may be screened at any time while gaining access to, working in, or leaving such an area.

(d) **SECURING AIRPORT WORKER ACCESS.**—

(1) **IN GENERAL.**—The Administrator of the Transportation Security Administration shall work with airport operators and the Aviation Security Advisory Committee to identify advanced technologies, including biometric identification technologies, for securing employee access to the secured areas and sterile areas of airports.

(2) **RAP BACK VETTING.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall ensure that all credentialed aviation worker populations currently requiring a fingerprint-based criminal record history check are continuously vetted through the Federal Bureau of Investigation's Rap Back Service, in order to more rapidly detect and mitigate insider threats to aviation security.

(3) **INSIDER THREAT EDUCATION AND MITIGATION.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall identify means of enhancing the Transportation Security Administration's ability to leverage the resources of the Department of Homeland Security and the intelligence community to educate Administration personnel on insider threats to aviation security and how the Administration can better mitigate such insider threats.

(4) **PLAYBOOK OPERATIONS.**—The Administrator of the Transportation Security Administration shall ensure that Transportation Security Administration-led employee physical inspection efforts of aviation workers, known as Playbook operations, are targeted, strategic, and focused on providing the greatest level of security effectiveness.

(5) **COVERT TESTING.**—

(A) **IN GENERAL.**—The Administrator shall conduct covert testing of Transportation Security Administration-led employee inspection operations at airports and measure existing levels of security effectiveness. The Administrator of the Transportation Security Administration shall provide—

(i) the results of such testing to the airport operator for the airport that is the subject of any such testing, and, as appropriate, to air carriers and foreign air carriers that operate at the airport that is the subject of such testing; and

(ii) recommendations and technical assistance for air carriers, foreign air carriers, and airport operators to conduct their own employee inspections, as needed.

(B) **ANNUAL REPORTING.**—The Administrator of the Transportation Security Administration shall annually, for each of fiscal years 2018 through 2022, submit to the appropriate congressional committees report on the frequency, methodology, strategy, and effectiveness of employee inspection operations at airports.

(6) **CENTRALIZED DATABASE.**—Not later than 180 days after the date of the enactment of

this Act, the Administrator of the Transportation Security Administration, in consultation with the Aviation Security Advisory Committee, shall—

(A) establish a national database of individuals who have had either their airport or airport operator-issued badge revoked for failure to comply with aviation security requirements;

(B) determine the appropriate reporting mechanisms for air carriers, foreign air carriers, and airport operators to—

(i) submit to the Administrator data regarding individuals described in subparagraph (A); and

(ii) access the database established pursuant to such subparagraph; and

(C) establish a process to allow individuals whose names were mistakenly entered into such database to correct the record and have their names removed from such database.

(e) **INSIDER THREAT COORDINATION EFFORTS.**—The Department of Homeland Security is the lead interagency coordinator pertaining to insider threat investigations and mitigation efforts at airports. The Department shall make every practicable effort to coordinate with other relevant Government entities, as well as the security representatives of air carriers, foreign air carriers, and airport operators, as appropriate, when undertaking such investigations and efforts.

(f) **AIRPORT TASK FORCES.**—The Secretary of Homeland Security is authorized, through the Director of U.S. Immigration and Customs Enforcement, to form airport task forces using Homeland Security Investigations personnel and any other Department of Homeland Security personnel the Secretary determines necessary. Such airport task forces shall investigate and mitigate insider threats to aviation security, in coordination with Federal, State, local, tribal, and territorial law enforcement partners, as appropriate.

(g) **INFORMATION TECHNOLOGY SECURITY.**—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the appropriate congressional committees a plan to conduct recurring reviews of the operational, technical, and management security controls for Administration information technology systems at airports.

#### **SEC. 1542. AIRPORT PERIMETER AND ACCESS CONTROL SECURITY.**

(a) **RISK ASSESSMENTS OF AIRPORT SECURITY.**—

(1) **IN GENERAL.**—The Administrator of the Transportation Security Administration shall—

(A) not later than 120 days after the date of the enactment of this Act, update the Transportation Sector Security Risk Assessment (TSSRA) for the aviation sector; and

(B) not later than 180 days after such date—

(i) update with the latest and most currently available intelligence information the Comprehensive Risk Assessment of Perimeter and Access Control Security (in this section referred to as the "Risk Assessment of Airport Security") and determine a regular timeframe and schedule for further updates to such Risk Assessment of Airport Security; and

(ii) conduct a system-wide assessment of airport access control points and airport perimeter security, including cargo facilities.

(2) **CONTENTS.**—The security risk assessments required under paragraph (1)(B) shall

(A) include updates reflected in the TSSRA and Joint Vulnerability Assessment (JVA) findings;



(B) reflect changes to the risk environment relating to airport access control points and airport perimeters;

(C) use security breach data for specific analysis of system-wide trends related to airport access control points and airport perimeter security to better inform risk management decisions; and

(D) take into consideration the unique geography of and current recognized practices used by airports to mitigate potential vulnerabilities.

(3) **REPORT.**—The Administrator of the Transportation Security Administration shall report to the appropriate congressional committees, relevant Federal departments and agencies, and airport operators on the results of the security risk assessments required under paragraph (1).

(b) **AIRPORT SECURITY STRATEGY DEVELOPMENT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall update the 2012 National Strategy for Airport Perimeter and Access Control Security (in this section referred to as the “National Strategy”).

(2) **CONTENTS.**—The update to the National Strategy required under paragraph (1) shall include

(A) information from the Risk Assessment of Airport Security; and

(B) information on—

(i) airport security-related activities;

(ii) the status of efforts by the Transportation Security Administration to address the goals and objectives referred to in subsection (a);

(iii) finalized outcome-based performance measures and performance levels for each relevant activity and goal and objective under subparagraphs (A) and (B); and

(iv) input from airport operators.

(3) **UPDATES.**—Not later than 90 days after the update is completed under paragraph (1), the Administrator of the Transportation Security Administration shall implement a process for determining when additional updates to the strategy referred to in such subsection are needed.

#### **SEC. 1543. EXIT LANE SECURITY.**

There is authorized \$77,000,000 for each of fiscal years 2018 and 2019 to carry out subsection (n)(1) of section 44903 of title 49, United States Code.

#### **SEC. 1544. REIMBURSEMENT FOR DEPLOYMENT OF ARMED LAW ENFORCEMENT PERSONNEL AT AIRPORTS.**

There is authorized \$45,000,000 for each of fiscal years 2018 and 2019 to carry out subsection (h) of section 44901 of title 49, United States Code.

#### **Subtitle E—Air Cargo Security**

#### **SEC. 1551. AIR CARGO ADVANCE SCREENING PROGRAM.**

(a) **IN GENERAL.**—Subtitle B of title IV of the Homeland Security Act of 2002 (6 U.S.C. 211 et seq.) is amended by adding at the end the following new section:

#### **“SEC. 420. AIR CARGO ADVANCE SCREENING PROGRAM.**

“(a) **IN GENERAL.**—The Secretary, consistent with the requirements of the Trade Act of 2002 (Public Law 107-210) shall—

“(1) establish an air cargo advance screening program (in this section referred to as the ‘ACAS Program’) for the collection by U.S. Customs and Border Protection of advance electronic information from air carriers and other persons within the supply chain regarding cargo being transported to the United States by air;

“(2) under such program, require that such information be transmitted by such air car-

riers and other persons at the earliest point practicable prior to loading of such cargo onto an aircraft destined to or transiting through the United States;

“(3) establish appropriate communications systems with freight forwarders, shippers, and air carriers;

“(4) establish a system that will allow freight forwarders, shippers, and air carriers to provide shipment level data for air cargo, departing from any location that is inbound to the United States; and

“(5) coordinate with the Administrator of the Transportation Security Administration to identify opportunities in which the information furnished in compliance with the ACAS Program could be used by the Administrator.

“(b) **INSPECTION OF HIGH-RISK CARGO.**—Under the ACAS Program, the Secretary shall ensure that all cargo that has been identified as high-risk is inspected—

“(1) prior to the loading of such cargo onto aircraft at the last point of departure, or

“(2) at an earlier point in the supply chain, before departing for the United States.

“(c) **CONSULTATION.**—In carrying out the ACAS Program, the Secretary shall consult with relevant stakeholders, as appropriate, to ensure that an operationally feasible and practical approach to—

“(1) the collection of advance information with respect to cargo on aircraft departing for the United States, and

“(2) the inspection of high-risk cargo, recognizes the significant differences among air cargo business models and modes of transportation.

“(d) **ANALYSIS.**—The Secretary may analyze the information referred to in subsection (a) in the Department’s automated targeting system and integrate such information with other intelligence to enhance the accuracy of the risk assessment process under the ACAS Program.

“(e) **NO DUPLICATION.**—The Secretary shall carry out this section in a manner that, after the ACAS Program is fully in effect, ensures, to the greatest extent practicable, that the ACAS Program does not duplicate other Department programs or requirements relating to the submission of air cargo data or the inspection of high-risk cargo.

“(f) **CONSIDERATION OF INDUSTRY.**—In carrying out the ACAS Program, the Secretary shall—

“(1) take into consideration that the content and timeliness of the available data may vary among entities in the air cargo industry and among countries, and shall explore procedures to accommodate such variations while maximizing the contribution of such data to the risk assessment process under the ACAS Program;

“(2) test the business processes, technologies, and operational procedures required to provide advance information with respect to cargo on aircraft departing for the United States and carry out related inspection of high-risk cargo, while ensuring delays and other negative impacts on vital supply chains are minimized; and

“(3) consider the cost, benefit, and feasibility before establishing any set time period for submission of certain elements of the data for air cargo under this section in line with the regulatory guidelines specified in Executive Order 13563, and any successor Executive Order or regulation.

“(g) **GUIDANCE.**—The Secretary shall provide guidance for participants in the ACAS Program regarding the requirements for participation, including requirements for transmitting shipment level data.

“(h) **USE OF DATA.**—The Secretary shall use the data provided under the ACAS Program for targeting shipments for screening and aviation security purposes only.”

(b) **FINAL RULE.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall issue a final regulation to implement the ACAS Program under section 420 of the Homeland Security Act of 2002 (as added by subsection (a) of this section) to include the electronic transmission to U.S. Customs and Border Protection of data elements for targeting cargo, including appropriate security elements of shipment level data, as determined by the Secretary.

(c) **REPORT.**—Not later than 180 days after the date of the commencement of the ACAS Program under section 420 of the Homeland Security Act of 2002 (as added by subsection (a) of this section), the Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the operational implementation of providing advance information under the ACAS Program and the value of such information in targeting cargo.

(d) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 419 the following new item:

“Sec. 420. Air cargo advance screening program.”

#### **SEC. 1552. EXPLOSIVES DETECTION CANINE TEAMS FOR AIR CARGO SECURITY.**

Section 1307 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1116) is amended by adding at the end the following new subsection:

“(h) **EXPLOSIVES DETECTION CANINE TEAMS FOR AIR CARGO SECURITY.**—

“(1) **IN GENERAL.**—In order to enhance the screening of air cargo and ensure that third-party explosives detection canine assets are leveraged for such purpose, the Administrator shall, not later than 180 days after the date of the enactment of this subsection—

“(A) develop and issue standards for the use of such third-party explosives detection canine assets for the primary screening of air cargo;

“(B) develop a process to identify qualified non-Federal entities that will certify canine assets that meet the standards established by the Administrator pursuant to subparagraph (A);

“(C) ensure that entities qualified to certify canine assets shall be independent from entities that will train and provide canines to end users of such canine assets;

“(D) establish a system of Transportation Security Administration audits of the process developed pursuant to subparagraph (B); and

“(E) provide that canines certified for the primary screening of air cargo can be used by air carriers, foreign air carriers, freight forwarders, and shippers.

“(2) **IMPLEMENTATION.**—Upon completion of the development of the process under subsection (a), the Administrator shall—

“(A) facilitate the deployment of such assets that meet the certification standards of the Administration, as determined by the Administrator;

“(B) make such standards available to vendors seeking to train and deploy third-party explosives detection canine assets; and

“(C) ensure that all costs for the training and certification of canines, and for the use

of supplied canines, are borne by private industry and not the Federal Government.

“(3) DEFINITIONS.—In this subsection:

“(A) AIR CARRIER.—The term ‘air carrier’ has the meaning given such term in section 40102 of title 49, United States Code.

“(B) FOREIGN AIR CARRIER.—The term ‘foreign air carrier’ has the meaning given such term in section 40102 of title 49, United States Code.

“(C) THIRD-PARTY EXPLOSIVES DETECTION CANINE ASSETS.—The term ‘third-party explosives detection canine assets’ means any explosives detection canine or handler not owned or employed, respectively, by the Administration.”.

#### **Subtitle F—Information Sharing and Cybersecurity**

##### **SEC. 1561. INFORMATION SHARING AND CYBERSECURITY.**

(a) FEDERAL SECURITY DIRECTORS.—Section 44933 of title 49, United States Code, is amended by adding at the end the following new subsection:

“(c) INFORMATION SHARING.—Not later than one year after the date of the enactment of this subsection, the Administrator shall—

“(1) require each Federal Security Director of an airport to meet at least quarterly with the airport director, airport security coordinator, and law enforcement agencies serving each such airport to discuss incident management protocols, including the resolution of screening anomalies at passenger screening checkpoints; and

“(2) require each Federal Security Director at an airport to inform, consult, and coordinate, as appropriate, with the respective airport security coordinator in a timely manner on security matters impacting airport operations and to establish and maintain operational protocols with such airport operators to ensure coordinated responses to security matters.”.

(b) PLAN TO IMPROVE INFORMATION SHARING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Administrator of the Transportation Security Administration, shall develop a plan to improve intelligence information sharing with State and local transportation entities that includes best practices to ensure that the information shared is actionable, useful, and not redundant.

(2) CONTENTS.—The plan required under subsection (a) shall include the following:

(A) The incorporation of best practices for information sharing.

(B) The identification of areas of overlap and redundancy.

(C) An evaluation and incorporation of stakeholder input in the development of such plan.

(D) The integration of recommendations of the Comptroller General of the United States on information sharing.

(3) SOLICITATION.—The Administrator shall solicit on an annual basis input from appropriate stakeholders, including State and local transportation entities, on the quality and quantity of intelligence received by such stakeholders relating to information sharing.

(c) BEST PRACTICES SHARING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Administrator of the Transportation Security Administration, shall establish a mechanism to share with State and local transportation entities best practices from across the law enforcement spectrum,

including Federal, State, local, and tribal entities, that relate to employee training, employee professional development, technology development and deployment, hardening tactics, and passenger and employee awareness programs.

(2) CONSULTATION.—The Administrator of the Transportation Security Administration shall solicit and incorporate stakeholder input—

(A) in developing the mechanism for sharing best practices as required under paragraph (1); and

(B) not less frequently than once each year on the quality and quantity of information such stakeholders receive through the mechanism established under such subsection.

(d) CYBERSECURITY.—

(1) IN GENERAL.—The Secretary of Homeland Security shall—

(A) not later than 120 days after the date of the enactment of this Act, develop and implement a cybersecurity risk assessment model for aviation security, consistent with the National Institute of Standards and Technology Framework for Improvement Critical Infrastructure Cybersecurity and any update to such Framework pursuant to section 2 of the National Institute of Standards and Technology Act (15 U.S.C. 272), to evaluate current and future cybersecurity risks;

(B) evaluate, on a periodic basis, but not less often than once every two years, the effectiveness of the cybersecurity risk assessment model under subparagraph (A);

(C) seek to ensure participation of at least one information sharing and analysis organization (as such term is defined in section 212 of the Homeland Security Act of 2002 (6 U.S.C. 131)) representing the aviation community in the national cybersecurity and communications integration center, pursuant to subsection (d)(1)(B) of section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148);

(D) establish guidelines for voluntary reporting of aviation-related cybersecurity risks and incidents to the national cybersecurity and communications integration center under section 227 of the Homeland Security Act of 2002, and other appropriate Federal agencies; and

(E) request the Aviation Security Advisory Committee established pursuant to section 44946 of title 49, United States Code, to report and make recommendations to the Secretary on enhancing the sharing of information related to aviation-related cybersecurity risks and incidents between relevant Federal, state, local, tribal, and territorial entities and the aviation stakeholder community.

(2) CYBERSECURITY ENHANCEMENTS TO AVIATION SECURITY ACTIVITIES.—The Secretary of Homeland Security, in consultation with the Secretary of Transportation, shall—

(A) direct the sharing of information concerning cybersecurity risks and incidents to address aviation-specific risks; and

(B) upon request, conduct cybersecurity vulnerability assessments for airports and air carriers.

(3) TSA DATABASE CYBER ASSESSMENT.—

(A) ASSESSMENT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall evaluate the cybersecurity of the Transportation Security Administration databases for trusted traveler and credentialing programs that contain personal information of specific individuals or information that identifies specific individuals, including the Transportation Worker

Identification Credential and Pre-Check trusted traveler programs, and the means for transmission of data to and from such databases and develop information on any identified cybersecurity vulnerabilities and remediation plans to address such vulnerabilities;

(B) SUBMISSION TO CONGRESS.—Not later than 30 days after the completion of the evaluation required under subparagraph (A), the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate information relating to such evaluation. Such submission shall be provided in a classified form.

(C) SUBMISSION OF SUPPLEMENTARY INFORMATION.—Not later than 90 days after the completion of such evaluation, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate supplementary information relating to such evaluation, including information relating to any identified cybersecurity vulnerabilities and remediation plans to address such vulnerabilities. Such submission shall be provided in a classified form.

(4) DEFINITIONS.—In this subsection, the terms “cybersecurity risk” and “incident” have the meanings given such terms in section 227 of the Homeland Security Act of 2002.

#### **Subtitle G—Surface Transportation Security**

##### **SEC. 1571. DEFINITIONS.**

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(2) EXPLOSIVES DETECTION CANINE TEAM.—The term “explosives detection canine team” means a canine and a canine handler trained to detect explosives and other threats as determined by the Secretary.

(3) RISK.—The term “risk” means the potential for an unwanted outcome resulting from an accident, event, or occurrence, as determined by its likelihood and the associated consequences.

(4) THREAT.—The term “threat” means an individual, entity, action, or natural or man-made occurrence that has or indicates the potential to harm life, information, operations, the environment, or property.

(5) VULNERABILITY.—The term “vulnerability” means a physical feature or operational attribute that renders an entity open to exploitation or susceptible to a given hazard.

##### **SEC. 1572. SURFACE TRANSPORTATION SECURITY ASSESSMENT AND IMPLEMENTATION OF RISK-BASED STRATEGY.**

(a) SECURITY ASSESSMENT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall complete an assessment of the vulnerabilities of and risks to surface transportation systems, including findings from similar vulnerability analyses completed within three years of the date of the enactment of this Act.

(2) CONSIDERATIONS.—In conducting the security assessment under paragraph (1), the Secretary of Homeland Security shall, at a minimum—

(A) consider appropriate intelligence;

(B) consider security breaches and attacks at domestic and international transportation facilities;

(C) consider the vulnerabilities and risks associated with specific modes of surface transportation systems;

(D) evaluate the vetting and security training of—

(i) employees in surface transportation systems; and

(ii) other individuals with access to sensitive or secure areas of transportation systems; and

(E) consider input from—

(i) representatives of different modes of surface transportation systems;

(ii) subject to paragraph (3)—

(I) critical infrastructure entities; and

(II) the Transportation Systems Sector Coordinating Council; and

(iii) the heads of other relevant Federal departments or agencies.

(b) RISK-BASED SECURITY STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date the security assessment under subsection (a) is complete, the Secretary of Homeland Security shall use the results of such assessment—

(A) to develop and implement a cross-cutting, risk-based security strategy that includes—

(i) all surface transportation systems;

(ii) a mitigating strategy that aligns with each vulnerability and risk identified in subsection (a);

(iii) a planning process to inform resource allocation;

(iv) priorities, milestones, and performance metrics to measure the effectiveness of such risk-based security strategy; and

(v) processes for sharing relevant and timely intelligence threat information with appropriate stakeholders;

(B) to develop a management oversight strategy that—

(i) identifies the parties responsible for the implementation, management, and oversight of the risk-based security strategy under subparagraph (A); and

(ii) includes a plan for implementing such risk-based security strategy; and

(C) to modify the risk-based budget and resource allocations, in accordance with section 573(c), for the Transportation Security Administration.

(2) COORDINATED APPROACH.—In developing and implementing the risk-based security strategy under paragraph (1)(A), the Secretary of Homeland Security shall coordinate with the heads of other relevant Federal departments or agencies, and stakeholders, as appropriate—

(A) to evaluate existing surface transportation security programs, policies, and initiatives, including the explosives detection canine teams, for consistency with the risk-based security strategy and, to the extent practicable, avoid any unnecessary duplication of effort;

(B) to determine the extent to which stakeholder security programs, policies, and initiatives address the vulnerabilities and risks to surface transportation systems identified in subsection (a); and

(C) subject to subparagraph (B), to mitigate each such vulnerability and risk.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date the security assessment under subsection (a) is complete, the Secretary of Homeland Security shall submit to the appropriate congressional committees and the Inspector General of the Department of Homeland Security a report that—

(A) describes the process used to complete such security assessment;

(B) describes the process used to develop the risk-based security strategy under subsection (b)(1)(A);

(C) describes such risk-based security strategy;

(D) includes the management oversight strategy under subsection (b)(1)(B);

(E) includes—

(i) the findings of such security assessment;

(ii) a description of the actions recommended or taken by the Department or another Federal department or agency to mitigate the vulnerabilities and risks identified in subsection (a);

(iii) any recommendations for improving the coordinated approach to mitigating vulnerabilities and risks to surface transportation systems; and

(iv) any recommended changes to the National Infrastructure Protection Plan developed pursuant to Homeland Security Presidential Directive-7, the modal annexes to such plan, or relevant surface transportation security programs, policies, or initiatives; and

(F) may contain a classified annex.

(2) PROTECTIONS.—In preparing the report required under paragraph (1), the Secretary of Homeland Security shall take appropriate actions to safeguard information described by section 552(b) of title 5, United States Code, or protected from disclosure by any other law of the United States.

(d) UPDATES.—Not less frequently than semiannually, the Secretary of Homeland Security shall report to or brief the appropriate congressional committees on the vulnerabilities of and risks to surface transportation systems and how such vulnerabilities and risks affect the risk-based security strategy under subsection (b)(1)(A).

#### SEC. 1573. RISK-BASED BUDGETING AND RESOURCE ALLOCATION.

(a) REPORT.—In conjunction with the submission of the Department's annual budget request to the Office of Management and Budget, the Administrator of the Transportation Security Administration shall submit to the appropriate congressional committees a report that describes a risk-based budget and resource allocation plan for surface transportation sectors, within and across modes, that—

(1) reflects the risk-based security strategy under section 572(b)(1)(A); and

(2) is organized by appropriations account, program, project, and initiative.

(b) BUDGET TRANSPARENCY.—Subsection (a) of section 1105 of title 31, United States Code, is amended by adding at the end the following new paragraph:

“(40) a separate statement clearly distinguishing the resources requested for surface transportation security from the resources requested for aviation security.”

(c) RESOURCE REALLOCATION.—

(1) IN GENERAL.—Not later than 15 days after the date on which the Transportation Security Administration allocates any resources or personnel, including personnel sharing, detailing, or assignment, or the use of facilities, technology systems, or vetting resources, for a non-transportation security purpose or National Special Security Event (as defined in section 2001 of Homeland Security Act of 2002 (6 U.S.C. 601)), the Secretary of Homeland Security shall provide to the appropriate congressional committees the notification described in paragraph (2).

(2) NOTIFICATION.—A notification described in this paragraph shall include—

(A) the reason for and a justification of the resource or personnel allocation at issue;

(B) the expected end date of such resource or personnel allocation; and

(C) the projected cost to the Transportation Security Administration of such personnel or resource allocation.

#### SEC. 1574. SURFACE TRANSPORTATION SECURITY MANAGEMENT AND INTERAGENCY COORDINATION REVIEW.

(a) REVIEW.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) review the staffing, budget, resource, and personnel allocation, and management oversight strategy of the Transportation Security Administration's surface transportation security programs;

(2) review the coordination between relevant entities of leadership, planning, policy, inspections, and implementation of security programs relating to surface transportation to reduce redundancy and regulatory burden; and

(3) submit to the appropriate congressional committees a report on the findings of the reviews under paragraphs (1) and (2), including any recommendations for improving coordination between relevant entities and reducing redundancy and regulatory burden.

(b) RELEVANT ENTITIES DEFINED.—In this section, the term “relevant entities” means—

(1) the Transportation Security Administration;

(2) other Federal, State, or local departments or agencies with jurisdiction over a mode of surface transportation;

(3) critical infrastructure entities;

(4) the Transportation Systems Sector Coordinating Council; and

(5) relevant stakeholders.

#### SEC. 1575. TRANSPARENCY.

(a) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act and every 180 days thereafter, the Administrator of the Transportation Security Administration shall make available through a public website information regarding the status of each regulation relating to surface transportation security that is directed by law to be issued but that has not been issued if more than two years have passed since the date of enactment of each such law.

(b) INSPECTOR GENERAL REVIEW.—Not later than 180 days after the date of the enactment of this Act and every two years thereafter until all of the requirements under titles XIII, XIV, and XV of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1111 et seq.) and under this Act have been fully implemented, the Inspector General of the Department of Homeland Security shall submit to the appropriate congressional committees a report that—

(1) identifies the requirements under such titles of such Act and under this Act that have not been fully implemented;

(2) describes what, if any, additional action is necessary; and

(3) includes recommendations regarding whether any of such requirements should be amended or repealed.

#### SEC. 1576. TSA COUNTERTERRORISM ASSET DEPLOYMENT.

(a) IN GENERAL.—The Administrator of the Transportation Security Administration is authorized to maintain 30 Visible Intermodal Prevention and Response (VIPR) teams for deployment, at the request of and in collaboration with Federal, State, and local transportation stakeholders, to prevent and deter acts of terrorism against United States

transportation systems and for other counterterrorism purposes. Starting in January 2019 and for five years thereafter, the Administrator shall annually assess whether the number of VIPR teams is adequate to respond to requests for collaboration from Federal, State, and local transportation stakeholders and to carry out counterterrorism activities with respect to United States transportation systems.

(b) CONGRESSIONAL NOTIFICATION.—If the Administrator of the Transportation Security Administration determines that the number of VIPR teams should be reduced below 30, the Administrator shall notify the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than 90 days prior to such a determination.

(c) REPORT TO CONGRESS.—Not later than 60 days after the development and implementation of the performance measures and objectives required under subsection (f), the Administrator of the Transportation Security Administration shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the appropriate number of VIPR teams needed by the Administration.

(d) STAKEHOLDER NOTIFICATION.—If the Transportation Security Administration deploys any counterterrorism personnel or resource, such as explosive detection assets, property inspections, or patrols by VIPR teams, to enhance security at a surface transportation system or surface transportation facility for a period of not less than 180 consecutive days, the Administrator shall provide sufficient notification to the system or facility operator, as applicable, not less than 14 days prior to terminating the deployment.

(e) EXCEPTION.—Subsection (d) shall not apply if the Administrator of the Transportation Security Administration—

(1) determines there is an urgent security need for the personnel or resource described in such subsection; and

(2) notifies the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(f) VIPR TEAMS.—Section 1303 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1112) is amended—

(1) in subsection (a)(4), by striking “team,” and inserting “team as to specific locations and times within the facilities of such entities at which VIPR teams are to be deployed to maximize the effectiveness of such deployment,”; and

(2) by striking subsection (b) and inserting the following new subsections:

“(b) PERFORMANCE MEASURES.—Not later than one year after the date of the enactment of this subsection, the Administrator shall develop and implement a system of qualitative performance measures and objectives by which to assess the roles, activities, and effectiveness of VIPR team operations on an ongoing basis, including a mechanism through which the transportation entities referred to in subsection (a)(4) may submit feedback on VIPR team operations involving their systems or facilities.

“(c) PLAN.—Not later than one year after the date of the enactment of this section, the Administrator shall develop and implement a plan for ensuring the interoperability of communications among VIPR team participants and between VIPR teams and any

transportation entities with systems or facilities that are involved in VIPR team operations. Such plan shall include an analysis of the costs and resources required to carry out such plan.”.

#### SEC. 1577. SURFACE TRANSPORTATION SECURITY ADVISORY COMMITTEE.

(a) IN GENERAL.—Subchapter II of chapter 449 of title 49, United States Code, is amended by adding at the end the following new section:

##### “§ 44947. Surface Transportation Security Advisory Committee

“(a) ESTABLISHMENT.—The Administrator of the Transportation Security Administration (referred to in this section as the ‘Administrator’) shall establish within the Transportation Security Administration the Surface Transportation Security Advisory Committee (referred to in this section as the ‘Advisory Committee’).

“(b) DUTIES.—

“(1) IN GENERAL.—The Advisory Committee may advise, consult with, report to, and make recommendations to the Administrator on surface transportation security matters, including the development, refinement, and implementation of policies, programs, initiatives, rulemakings, and security directives pertaining to surface transportation security.

“(2) RISK-BASED SECURITY.—The Advisory Committee shall consider risk-based security approaches in the performance of its duties.

“(c) MEMBERSHIP.—

“(1) COMPOSITION.—The Advisory Committee shall be composed of—

“(A) voting members appointed by the Administrator under paragraph (2); and

“(B) nonvoting members, serving in an advisory capacity, who shall be designated by—

“(i) the Transportation Security Administration;

“(ii) the Department of Transportation; and

“(iii) such other Federal department or agency as the Administrator considers appropriate.

“(2) APPOINTMENT.—The Administrator shall appoint voting members from among stakeholders representing each mode of surface transportation, such as passenger rail, freight rail, mass transit, pipelines, highways, over-the-road bus, and trucking, including representatives from—

“(A) associations representing such modes of surface transportation;

“(B) labor organizations representing such modes of surface transportation;

“(C) groups representing the users of such modes of surface transportation, including asset manufacturers, as appropriate;

“(D) relevant law enforcement, first responders, and security experts; and

“(E) such other groups as the Administrator considers appropriate.

“(3) CHAIRPERSON.—The Advisory Committee shall select a chairperson from among its voting members.

“(4) TERM OF OFFICE.—

“(A) TERMS.—

“(i) IN GENERAL.—The term of each voting member of the Advisory Committee shall be two years, but a voting member may continue to serve until the Administrator appoints a successor.

“(ii) REAPPOINTMENT.—A voting member of the Advisory Committee may be reappointed.

“(B) REMOVAL.—

“(i) IN GENERAL.—The Administrator may review the participation of a member of the Advisory Committee and remove such member for cause at any time.

“(ii) ACCESS TO CERTAIN INFORMATION.—The Administrator may remove any member of the Advisory Committee who the Administrator determines should be restricted from reviewing, discussing, or possessing classified information or sensitive security information.

“(5) PROHIBITION ON COMPENSATION.—The members of the Advisory Committee may not receive any compensation from the Government by reason of their service on the Advisory Committee.

“(6) MEETINGS.—

“(A) IN GENERAL.—The Advisory Committee shall meet at least semiannually in person or through web conferencing, and may convene additional meetings as necessary.

“(B) PUBLIC MEETINGS.—At least one of the meetings of the Advisory Committee each year shall be—

“(i) announced in the Federal Register;

“(ii) announced on a public website; and

“(iii) open to the public.

“(C) ATTENDANCE.—The Advisory Committee shall maintain a record of the persons present at each meeting.

“(D) MINUTES.—

“(i) IN GENERAL.—Unless otherwise prohibited by Federal law, minutes of the meetings of the Advisory Committee shall be published on the public website under subsection (e)(5).

“(ii) PROTECTION OF CLASSIFIED AND SENSITIVE INFORMATION.—The Advisory Committee may redact or summarize, as necessary, minutes of the meetings to protect classified information or sensitive security information in accordance with law.

“(7) VOTING MEMBER ACCESS TO CLASSIFIED INFORMATION AND SENSITIVE SECURITY INFORMATION.—

“(A) DETERMINATIONS.—Not later than 60 days after the date on which a voting member is appointed to the Advisory Committee but before such voting member may be granted any access to classified information or sensitive security information, the Administrator shall determine if such voting member should be restricted from reviewing, discussing, or possessing classified information or sensitive security information.

“(B) ACCESS.—

“(i) SENSITIVE SECURITY INFORMATION.—If a voting member is not restricted from reviewing, discussing, or possessing sensitive security information under subparagraph (A) and voluntarily signs a nondisclosure agreement, such voting member may be granted access to sensitive security information that is relevant to such voting member's service on the Advisory Committee.

“(ii) CLASSIFIED INFORMATION.—Access to classified materials shall be managed in accordance with Executive Order 13526 of December 29, 2009 (75 Fed. Reg. 707), or any subsequent corresponding Executive order.

“(C) PROTECTIONS.—

“(i) SENSITIVE SECURITY INFORMATION.—Voting members shall protect sensitive security information in accordance with part 1520 of title 49, Code of Federal Regulations.

“(ii) CLASSIFIED INFORMATION.—Voting members shall protect classified information in accordance with the applicable requirements for the particular level of classification of such information.

“(8) JOINT COMMITTEE MEETINGS.—The Advisory Committee may meet with one or more of the following advisory committees to discuss multimodal security issues and other security-related issues of common concern:

“(A) Aviation Security Advisory Committee, established under section 44946 of title 49, United States Code.

“(B) Maritime Security Advisory Committee, established under section 70112 of title 46, United States Code.

“(C) Railroad Safety Advisory Committee, established by the Federal Railroad Administration.

“(9) SUBJECT MATTER EXPERTS.—The Advisory Committee may request the assistance of subject matter experts with expertise related to the jurisdiction of the Advisory Committee.

“(d) REPORTS.—

“(1) PERIODIC REPORTS.—The Advisory Committee shall periodically submit to the Administrator reports on matters requested by the Administrator or by a majority of the members of the Advisory Committee.

“(2) ANNUAL REPORT.—

“(A) SUBMISSION.—The Advisory Committee shall submit to the Administrator and the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate an annual report that provides information on the activities, findings, and recommendations of the Advisory Committee during the preceding year.

“(B) PUBLICATION.—Not later than six months after the date that the Administrator receives an annual report under subparagraph (A), the Administrator shall publish a public version of such report, in accordance with section 552a(b) of title 5, United States Code.

“(e) ADMINISTRATION RESPONSE.—

“(1) CONSIDERATION.—The Administrator shall consider the information, advice, and recommendations of the Advisory Committee in formulating policies, programs, initiatives, rulemakings, and security directives pertaining to surface transportation security efforts.

“(2) FEEDBACK.—Not later than 90 days after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on such recommendation, including—

“(A) if the Administrator agrees with such recommendation, a plan describing the actions that the Administrator has taken, will take, or recommends that the head of another Federal department or agency take to implement such recommendation; or

“(B) if the Administrator disagrees with such recommendation, a justification for such disagreement.

“(3) NOTICES.—Not later than 30 days after the date the Administrator submits feedback under paragraph (2), the Administrator shall—

“(A) notify the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate of such feedback, including the agreement or disagreement under subparagraph (A) or subparagraph (B) of such paragraph, as applicable; and

“(B) provide the committees specified in subparagraph (A) with a briefing upon request.

“(4) UPDATES.—Not later than 90 days after the date the Administrator receives a rec-

ommendation from the Advisory Committee under subsection (d)(2) that the Administrator agrees with, and quarterly thereafter until such recommendation is fully implemented, the Administrator shall submit to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate a report or post on the public website under paragraph (5) an update on the status of such recommendation.

“(5) WEBSITE.—The Administrator shall maintain a public website that—

“(A) lists the members of the Advisory Committee;

“(B) provides the contact information for the Advisory Committee; and

“(C) information relating to meetings, minutes, annual reports, and the implementation of recommendations under this section.

“(f) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee or any subcommittee established under this section.”

(b) ADVISORY COMMITTEE MEMBERS.—

(1) VOTING MEMBERS.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall appoint the voting members of the Surface Transportation Security Advisory Committee established under section 44947 of title 49, United States Code, as added by subsection (a) of this section.

(2) NONVOTING MEMBERS.—Not later than 90 days after the date of the enactment of this Act, each Federal Government department and agency with regulatory authority over a mode of surface transportation, as the Administrator of the Transportation Security Administration considers appropriate, shall designate an appropriate representative to serve as a nonvoting member of the Surface Transportation Security Advisory Committee.

(c) CLERICAL AMENDMENT.—The analysis for chapter 449 of title 49, United States Code, is amended by inserting after the item relating to section 44946 the following new item:

“44947. Surface Transportation Security Advisory Committee.”

#### **SEC. 1578. REVIEW OF THE EXPLOSIVES DETECTION CANINE TEAM PROGRAM.**

(a) IN GENERAL.—Not later than 90 days after the date that the Inspector General of the Department of Homeland Security receives the report under section 572(c), the Inspector General shall—

(1) review the explosives detection canine team program of the Department, including—

(A) the development by the Transportation Security Administration of a deployment strategy for explosives detection canine teams;

(B) the national explosives detection canine team training program, including canine training, handler training, refresher training, and updates to such training; and

(C) the use of the canine assets during an urgent security need, including the reallocation of such program resources outside the transportation systems sector during an urgent security need; and

(2) submit to the appropriate congressional committees a report on such review, including any recommendations.

(b) CONSIDERATIONS.—In conducting the review of the deployment strategy under sub-

section (a)(1)(A), the Inspector General of the Department of Homeland Security shall consider whether the Transportation Security Administration's method to analyze the risk to transportation facilities and transportation systems is appropriate.

#### **SEC. 1579. EXPANSION OF NATIONAL EXPLOSIVES DETECTION CANINE TEAM PROGRAM.**

(a) IN GENERAL.—The Secretary of Homeland Security, where appropriate, shall encourage State, local, and tribal governments and private owners of high-risk transportation facilities to strengthen security through the use of explosives detection canine teams.

(b) INCREASED CAPACITY.—

(1) IN GENERAL.—Before the date the Inspector General of the Department of Homeland Security submits the report under section 578, the Administrator of the Transportation Security Administration may increase the number of State and local surface and maritime transportation explosives detection canine teams by not more than 70 such teams.

(2) ADDITIONAL TEAMS.—Beginning on the date the Inspector General of the Department of Homeland Security submits the report under section 578, the Secretary of Homeland Security may increase the State and local surface and maritime transportation explosives detection canine teams by not more than 200 such teams unless more of such teams are needed as identified in the risk-based security strategy under section 572(b)(1)(A), consistent with section 573 or with the President's most recent budget submitted under section 1105 of title 31, United States Code.

(3) RECOMMENDATIONS.—Before initiating any increase in the number of explosives detection teams under paragraph (2), the Secretary of Homeland Security shall consider any recommendations in the report under section 578 on the efficacy and management of the explosives detection canine program of the Department of Homeland Security.

(c) DEPLOYMENT.—The Secretary of Homeland Security shall—

(1) use any additional explosives detection canine teams, as described in subsection (b)(1), as part of the Department of Homeland Security's efforts to strengthen security across the Nation's surface and maritime transportation systems;

(2) make available explosives detection canine teams to all modes of transportation, subject to the requirements under section 576, to address specific vulnerabilities or risks, on an as-needed basis and as otherwise determined appropriate by the Secretary; and

(3) consider specific needs and training requirements for explosives detection canine teams to be deployed across the Nation's surface and maritime transportation systems, including in venues of multiple modes of transportation, as the Secretary considers appropriate.

#### **SEC. 1580. EXPLOSIVE DETECTION TECHNOLOGY.**

The Secretary of Homeland Security shall prioritize the research and facilitation of next generation technologies to detect explosives in the Nation's surface transportation systems.

#### **SEC. 1581. STUDY ON SECURITY STANDARDS AND BEST PRACTICES FOR UNITED STATES AND FOREIGN PASSENGER TRANSPORTATION SYSTEMS.**

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study of how the Transportation Security Administration—

(1) identifies and compares—

(A) United States and foreign passenger transportation system security standards; and

(B) best practices for protecting passenger transportation systems, including shared terminal facilities, and cyber systems; and

(2) disseminates to stakeholders the findings under paragraph (1).

(b) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall issue a report that contains—

(1) the findings of the study conducted under subsection (a); and

(2) any recommendations for improving relevant processes or procedures.

#### SEC. 1582. AMTRAK SECURITY UPGRADES.

(a) RAILROAD SECURITY ASSISTANCE.—Subsection (b) of section 1513 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1163) is amended—

(1) in paragraph (1), by inserting before the period at the end the following: “, including communications interoperability where appropriate with relevant outside agencies and entities”;

(2) in paragraph (5), by striking “security of” and inserting “security and preparedness of”;

(3) in paragraph (7), by striking “security threats” and inserting “security threats and preparedness, including connectivity to the National Terrorist Screening Center”;

(4) in paragraph (9), by striking “and security officers” and inserting “, security, and preparedness officers”.

(b) SPECIFIC PROJECTS.—Subsection (a)(3) of section 1514 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1164) is amended—

(1) in subparagraph (D) by inserting before the semicolon at the end the following: “, or to connect to the National Terrorism Screening Center watchlist”;

(2) in subparagraph (G), by striking “and” after the semicolon;

(3) in subparagraph (H) by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following new subparagraphs:

“(I) for improvements to passenger verification systems;

“(J) for improvements to employee and contractor verification systems, including identity verification technology; or

“(K) for improvements to the security of Amtrak computer systems, including cybersecurity assessments and programs.”.

#### SEC. 1583. STUDY ON SURFACE TRANSPORTATION INSPECTORS.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report that—

(1) identifies any duplication or redundancy between the Transportation Security Administration and the Department of Transportation relating to surface transportation security inspections or oversight; and

(2) provides recommendations, if any, relating to—

(A) improvements to the surface transportation security inspectors program, including—

(i) changes in organizational and supervisory structures;

(ii) coordination procedures to enhance consistency; and

(iii) effectiveness in inspection and compliance activities; and

(B) whether each transportation mode needs inspectors trained and qualified for each such specific mode.

#### SEC. 1584. SECURITY AWARENESS PROGRAM.

(a) ESTABLISHMENT.—The Administrator of the Transportation Security Administration shall establish a program to promote surface transportation security through the training of surface transportation operators and frontline employees on each of the skills identified in subsection (c).

(b) APPLICATION.—The program established under subsection (a) shall apply to all modes of surface transportation, including public transportation, rail, highway, motor carrier, and pipeline.

(c) TRAINING.—The program established under subsection (a) shall cover, at a minimum, the skills necessary to observe, assess, and respond to suspicious items or actions that could indicate a threat to transportation.

(d) ASSESSMENT.—

(1) IN GENERAL.—The Administrator of the Transportation Security Administration shall conduct an assessment of current training programs for surface transportation operators and frontline employees.

(2) CONTENTS.—The assessment under paragraph (1) shall identify—

(A) whether other training is being provided, either voluntarily or in response to other Federal requirements; and

(B) whether there are any gaps in existing training.

(e) UPDATES.—The Administrator of the Transportation Security Administration shall ensure the program established under subsection (a) is updated as necessary to address changes in risk and terrorist methods and to close any gaps identified in the assessment under subsection (d).

(f) SUSPICIOUS ACTIVITY REPORTING.—

(1) IN GENERAL.—The Secretary of Homeland Security shall ensure there exists a national mechanism for an individual to use to report to the Department of Homeland Security suspicious activity in transportation systems.

(2) PROCEDURES.—The Secretary of Homeland Security shall establish procedures for the Department of Homeland Security—

(A) to review and follow-up, as necessary, on each report received under paragraph (1); and

(B) to share, as necessary and in accordance with law, such reports with appropriate Federal, State, local, and tribal entities.

(3) RULE OF CONSTRUCTION.—Nothing in this section may be construed to—

(A) replace or affect in any way the use of 9-1-1 services in an emergency; or

(B) replace or affect in any way the security training program requirements specified in sections 1408, 1517, and 1534 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1137, 1167, and 1184; Public Law 110-53).

(g) FRONTLINE EMPLOYEE DEFINED.—In this section, the term “frontline employee” includes—

(1) an employee of a public transportation agency who is a transit vehicle driver or operator, dispatcher, maintenance and maintenance support employee, station attendant, customer service employee, security employee, or transit police, or any other employee who has direct contact with riders on a regular basis, and any other employee of a public transportation agency that the Administrator of the Transportation Security Administration determines should receive security training under this section or who is receiving security training under other law;

(2) over-the-road bus drivers, security personnel, dispatchers, maintenance and maintenance support personnel, ticket agents, other terminal employees, and other employees of an over-the-road bus operator or terminal owner or operator who the Administrator determines should receive security training under this section or who is receiving security training under other law; or

(3) security personnel, dispatchers, locomotive engineers, conductors, trainmen, other onboard employees, maintenance and maintenance support personnel, bridge tenders, and any other employees of railroad carriers who the Administrator determines should receive security training under this section or who is receiving security training under other law.

#### SEC. 1585. VOLUNTARY USE OF CREDENTIALING.

(a) IN GENERAL.—An individual who is subject to credentialing or a background investigation under section 5103a of title 49, United States Code, may satisfy such requirement by obtaining a valid transportation security card issued under section 70105 of title 46, United States Code.

(b) FEES.—The Secretary of Homeland Security may charge reasonable fees, in accordance with section 520(a) of the Department of Homeland Security Appropriations Act, 2004 (6 U.S.C. 469(a)), for providing the necessary credentialing and background investigation under this section.

(c) DEFINITIONS.—In this section:

(1) INDIVIDUAL WHO IS SUBJECT TO CREDENTIALING OR A BACKGROUND INVESTIGATION.—The term “individual who is subject to credentialing or a background investigation” means an individual who—

(A) because of employment is regulated by the Transportation Security Administration, Department of Transportation, or Coast Guard and is required to have a background records check to obtain a hazardous materials endorsement on a commercial driver's license issued by a State under section 5103a of title 49, United States Code; or

(B) is required to have a credential and background records check under section 2102(d)(2) of the Homeland Security Act of 2002 (6 U.S.C. 622(d)(2)) at a facility with activities that are regulated by the Transportation Security Administration, Department of Transportation, or Coast Guard.

(2) VALID TRANSPORTATION SECURITY CARD ISSUED UNDER SECTION 70105 OF TITLE 46, UNITED STATES CODE.—The term “valid transportation security card issued under section 70105 of title 46, United States Code” means a transportation security card issued under section 70105 of title 46, United States Code, that is—

(A) not expired;

(B) shows no signs of tampering; and

(C) bears a photograph of the individual representing such card.

#### SEC. 1586. BACKGROUND RECORDS CHECKS FOR ISSUANCE OF HAZMAT LICENSES.

(a) ISSUANCE OF LICENSES.—Paragraph (1) of section 5103a(a) of title 49, United States Code, is amended—

(1) by striking “unless” and inserting “unless—”;

(2) by striking “the Secretary of Homeland Security” and inserting the following:

“(A) the Secretary of Homeland Security”;

(3) in subparagraph (A), as designated pursuant to paragraph (2) of this subsection, by striking the period at the end and inserting “; or”;

(4) by adding at the end the following new subparagraph:

“(B) the individual holds a valid transportation security card issued under section 70105 of title 46.”.

(b) TRANSPORTATION SECURITY CARD.—Paragraph (1) of section 5103a(d) of title 49, United States Code, is amended, in the matter preceding subparagraph (A), by striking “described in subsection (a)(1)” and inserting “under subsection (a)(1)(A)”.

**SEC. 1587. RECURRENT VETTING FOR SURFACE TRANSPORTATION CREDENTIAL-HOLDERS.**

Section 70105 of title 46, United States Code, is amended by adding at the end the following new subsection:

“(r) RECURRENT VETTING.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the Secretary shall develop and implement a plan to utilize the Federal Bureau of Investigation’s Rap Back Service in order to establish recurrent vetting capabilities for individuals holding valid transportation security cards under this section.

“(2) EXEMPTION.—Individuals holding valid transportation security cards under this section who are subject to recurrent vetting under the plan to utilize the Rap Back Service referred to in paragraph (1) shall be exempt from any recurrent determinations or background checks under this section to which such individuals would otherwise be subject every five years in the absence of such utilization.”.

**SEC. 1588. PIPELINE SECURITY STUDY.**

(a) STUDY.—The Comptroller General of the United States shall conduct a study regarding the roles and responsibilities of the Department of Homeland Security and the Department of Transportation with respect to pipeline security. Such study shall address whether—

(1) the Annex to the Memorandum of Understanding executed on August 9, 2006, between the Department of Homeland Security and the Department of Transportation adequately delineates strategic and operational responsibilities for pipeline security, including whether it is clear which department is responsible for—

(A) protecting against intentional pipeline breaches and cyber attacks;

(B) responding to intentional pipeline breaches and cyber attacks; and

(C) planning to recover from the impact of intentional pipeline breaches and cyber attacks;

(2) the respective roles and responsibilities of each department are adequately conveyed to relevant stakeholders and to the public; and

(3) the processes and procedures for determining whether a particular pipeline breach is a terrorist incident are clear and effective.

(b) REPORT ON STUDY.—Not later than 180 days after the date of the enactment of this section, the Comptroller General of the United States shall submit to the Secretary of Homeland Security and the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the findings of the study conducted under subsection (a).

(c) REPORT TO CONGRESS.—Not later than 90 days after the submission of the report under subsection (b), the Secretary of Homeland Security shall review and analyze the study and submit to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on such review and analysis, including any recommendations for—

(1) changes to the Annex to the Memorandum of Understanding referred to in subsection (a)(1); and

(2) other improvements to pipeline security activities at the Department.

**Subtitle H—Security Enhancements in Public Areas of Transportation Facilities**

**SEC. 1591. WORKING GROUP.**

(a) IN GENERAL.—The Secretary of Homeland Security may establish a working group to promote collaborative engagement between the Department of Homeland Security and public and private stakeholders to develop non-binding recommendations for enhancing the security in public areas of transportation facilities.

(b) ANNUAL REPORT.—If the Secretary of Homeland Security establishes a working group pursuant to subsection (a), not later than one year after such establishment and annually thereafter for five years, the Secretary shall report on the working group’s organization, participation, activities, findings, and non-binding recommendations for the immediately preceding 12 month period. The Secretary may publish a public version describing the working group’s activities and such related matters as would be informative to the public, consistent with section 552(b) of title 5, United States Code.

(c) INAPPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group or any subsidiary thereof.

**SEC. 1592. TECHNICAL ASSISTANCE; VULNERABILITY ASSESSMENT TOOLS.**

(a) IN GENERAL.—The Secretary of Homeland Security shall—

(1) inform public and private sector stakeholders regarding the availability of Department of Homeland Security technical assistance, including vulnerability assessment tools, to help enhance the security in public areas of transportation facilities; and

(2) subject to availability of appropriations, provide such technical assistance, upon request, to such a stakeholder.

(b) BEST PRACTICES.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall publish and widely disseminate best practices for protecting and enhancing the resilience of public areas of transportation facilities, including associated frameworks or templates for implementation. As appropriate, such best practices shall be updated periodically.

**SEC. 1593. OPERATIONS CENTERS.**

Not later than 120 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration, in consultation with the heads of other appropriate offices or components of the Department of Homeland Security, shall make available to public and private stakeholders a framework for establishing an operations center within a transportation facility to promote interagency response and coordination.

**SEC. 1594. REVIEW OF REGULATIONS.**

(a) REVIEW.—Not later than one year after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committee on Homeland Security of the House and the Committee on Commerce, Science, and Transportation of the Senate a report that includes a review of regulations, directives, policies, and procedures issued by the Administrator regarding the transportation of a firearm and ammunition by an aircraft passenger, and, as appropriate, infor-

mation on plans to modify any such regulation, directive, policy, or procedure based on such review.

(b) CONSULTATION.—In preparing the report required under subsection (a), the Administrator of the Transportation Security Administration shall consult with the Aviation Security Advisory Committee (established pursuant to section 44946 of title 49, United States Code) and appropriate public and private sector stakeholders.

**SEC. 1595. DEFINITION.**

In this subtitle, the term “public and private sector stakeholders” has the meaning given such term in section 114(u)(1)(C) of title 49, United States Code.

**TITLE VI—EMERGENCY PREPAREDNESS, RESPONSE, AND COMMUNICATIONS**

**Subtitle A—Grants, Training, Exercises, and Coordination**

**SEC. 1601. URBAN AREA SECURITY INITIATIVE.**

Section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604) is amended—

(1) in subsection (b)(2)(A), in the matter preceding clause (i), by inserting “, using the most up-to-date data available,” after “assessment”;

(2) in subsection (d)(2), by amending subparagraph (B) to read as follows:

“(B) FUNDS RETAINED.—To ensure transparency and avoid duplication, a State shall provide each relevant high-risk urban area with a detailed accounting of the items, services, or activities on which any funds retained by the State under subparagraph (A) are to be expended. Such accounting shall be provided not later than 90 days after the date of which such funds are retained.”; and

(3) by striking subsection (e) and inserting the following new subsections:

“(e) THREAT AND HAZARD IDENTIFICATION RISK ASSESSMENT AND CAPABILITY ASSESSMENT.—As a condition of receiving a grant under this section, each high-risk urban area shall submit to the Administrator a threat and hazard identification and risk assessment and capability assessment—

“(1) at such time and in such form as is required by the Administrator; and

“(2) consistent with the Federal Emergency Management Agency’s Comprehensive Preparedness Guide 201, Second Edition, or such successor document or guidance as is issued by the Administrator.

“(f) PERIOD OF PERFORMANCE.—The Administrator shall make funds provided under this section available for use by a recipient of a grant for a period of not less than 36 months.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for grants under this section \$800,000,000 for each of fiscal years 2018 through 2022.”.

**SEC. 1602. STATE HOMELAND SECURITY GRANT PROGRAM.**

Section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605) is amended by striking subsection (f) and inserting the following new subsections:

“(f) THREAT AND HAZARD IDENTIFICATION RISK ASSESSMENT AND CAPABILITY ASSESSMENT.—

“(1) IN GENERAL.—As a condition of receiving a grant under this section, each State shall submit to the Administrator a threat and hazard identification and risk assessment and capability assessment—

“(A) at such time and in such form as is required by the Administrator; and

“(B) consistent with the Federal Emergency Management Agency’s Comprehensive Preparedness Guide 201, Second Edition, or such successor document or guidance as is issued by the Administrator.



“(2) **COLLABORATION.**—In developing the threat and hazard identification and risk assessment under paragraph (1), a State shall solicit input from local and tribal governments, including first responders, and, as appropriate, non-governmental and private sector stakeholders.

“(3) **FIRST RESPONDERS DEFINED.**—In this subsection, the term ‘first responders’ includes representatives of local governmental and nongovernmental fire, law enforcement, emergency management, and emergency medical personnel.

“(g) **PERIOD OF PERFORMANCE.**—The Administrator shall make funds provided under this section available for use by a recipient of a grant for a period of not less than 36 months.

“(h) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated for grants under this section \$600,000,000 for each of fiscal years 2018 through 2022.”

#### **SEC. 1603. GRANTS TO DIRECTLY ELIGIBLE TRIBES.**

Section 2005 of the Homeland Security Act of 2002 (6 U.S.C. 606) is amended by—

(1) redesignating subsections (h) through (k) as subsections (i) through (l), respectively; and

(2) inserting after subsection (g) the following new subsection:

“(h) **PERIOD OF PERFORMANCE.**—The Secretary shall make funds provided under this section available for use by a recipient of a grant for a period of not less than 36 months.”

#### **SEC. 1604. LAW ENFORCEMENT TERRORISM PREVENTION.**

(a) **LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM.**—Subsection (a) of section 2006 of the Homeland Security Act of 2002 (6 U.S.C. 607) is amended—

(1) in paragraph (1)—

(A) by inserting “States and high-risk urban areas expend” after “that”; and

(B) by striking “is used”; and

(2) in paragraph (2), by amending subparagraph (I) to read as follows:

“(I) activities as determined appropriate by the Administrator, in coordination with the Assistant Secretary for State and Local Law Enforcement within the Office of Partnership and Engagement of the Department, through outreach to relevant stakeholder organizations; and”; and

(3) by adding at the end the following new paragraph:

“(4) **ANNUAL REPORT.**—The Administrator, in coordination with the Assistant Secretary for State and Local Law Enforcement, shall report annually from fiscal year 2018 through fiscal year 2022 on the use of grants under sections 2003 and 2004 for law enforcement terrorism prevention activities authorized under this section, including the percentage and dollar amount of funds used for such activities and the types of projects funded.”

(b) **OFFICE FOR STATE AND LOCAL LAW ENFORCEMENT.**—Subsection (b) section 2006 of the Homeland Security Act of 2002 (6 U.S.C. 607) is amended—

(1) in paragraph (1), by striking “Policy Directorate” and inserting “Office of Partnership and Engagement”

(2) in paragraph (4)—

(A) in subparagraph (B), by inserting “, including through consultation with such agencies regarding Department programs that may impact such agencies” before the semicolon at the end; and

(B) in subparagraph (D), by striking “ensure” and inserting “certify”.

#### **SEC. 1605. PRIORITIZATION.**

(a) **IN GENERAL.**—Subsection (a) of section 2007 of the Homeland Security Act of 2002 (6 U.S.C. 608) is amended—

(1) in paragraph (1)—

(A) by amending subparagraph (A) to read as follows:

“(A) its population, including consideration of domestic and international tourists, commuters, and military populations, including military populations residing in communities outside military installations;”; and

(B) in subparagraph (E), by inserting “, including threat information from other relevant Federal agencies and field offices, as appropriate” before the semicolon at the end; and

(C) in subparagraph (I), by striking “target” and inserting “core”; and

(2) in paragraph (2), by striking “target” and inserting “core”.

(b) **REVIEW.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security, through the Administrator of the Federal Emergency Management Agency, shall review and report to the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate on the risk formula and methodology used to award grants under sections 2003 and 2004 of the Homeland Security Act of 2002 (6 U.S.C. 604 and 605), including a discussion of any necessary changes to such formula to ensure grant awards are appropriately based on risk.

(c) **COMPTROLLER GENERAL REVIEW.**—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall review and assess the risk formula and methodology used to award grants under sections 2003 and 2004 of the Homeland Security Act of 2002, including—

(1) the process utilized by the Department of Homeland Security to gather threat information for each potential State and high-risk urban area;

(2) the extent to which such risk formula and methodology considers the factors specified in section 2007 of the Homeland Security Act of 2002 (6 U.S.C. 608), in particular—

(A) the extent to which the jurisdiction has unmet core capabilities due to resource constraints;

(B) the degree to which a jurisdiction has been able to address capability gaps with previous grant awards; and

(C) in the case of a high-risk urban area, the extent to which such high-risk urban area includes—

(i) incorporated municipalities, counties, parishes, and Indian tribes within the relevant eligible metropolitan area the inclusion of which will enhance regional efforts to prevent, prepare for, protect against, and respond to acts of terrorism; and

(ii) other local and tribal governments in the surrounding area that are likely to be called upon to respond to acts of terrorism within the high-risk urban area; and

(3) how grant award amounts are determined.

#### **SEC. 1606. ALLOWABLE USES.**

Section 2008 of the Homeland Security Act of 2002 (6 U.S.C. 609) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “target” and inserting “core”; and

(B) by redesignating paragraphs (6) through (14) as paragraphs (8) through (16), respectively;

(C) in paragraph (5), by inserting before the semicolon at the end the following: “, provided such purchases align with the Statewide Communication Interoperability Plan and are coordinated with the Statewide Interoperability Coordinator or Statewide interoperability governance body of the State of the recipient”; and

(D) by inserting after paragraph (5) the following new paragraphs:

“(6) enhancing medical preparedness, medical surge capacity, and mass prophylaxis capabilities, including the development and maintenance of an initial pharmaceutical stockpile, including medical kits and diagnostics sufficient to protect first responders, their families, immediate victims, and vulnerable populations from a chemical or biological event;

“(7) enhancing cybersecurity, including preparing for and responding to cybersecurity risks and incidents (as such terms are defined in section 227) and developing statewide cyber threat information analysis and dissemination activities;”; and

(E) in paragraph (8), as so redesignated, by striking “Homeland Security Advisory System” and inserting “National Terrorism Advisory System”; and

(F) in paragraph (14), as so redesignated, by striking “3” and inserting “5”; and

(2) in subsection (b)—

(A) in paragraph (3)(B), by striking “(a)(10)” and inserting “(a)(12)”; and

(B) in paragraph (4)(B)(i), by striking “target” and inserting “core”; and

(3) in subsection (c), by striking “target” and “core”.

#### **SEC. 1607. APPROVAL OF CERTAIN EQUIPMENT.**

(a) **IN GENERAL.**—Section 2008 of the Homeland Security Act of 2002 (6 U.S.C. 609), as amended by this Act, is further amended—

(1) in subsection (f)—

(A) by striking “If an applicant” and inserting the following:

“(1) **APPLICATION REQUIREMENT.**—If an applicant”; and

(B) by adding at the end the following new paragraphs:

“(2) **REVIEW PROCESS.**—The Administrator shall implement a uniform process for reviewing applications that, in accordance with paragraph (1), contain explanations to use grants provided under section 2003 or 2004 to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards developed under section 647 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 747).

“(3) **FACTORS.**—In carrying out the review process under paragraph (2), the Administrator shall consider the following:

“(A) Current or past use of proposed equipment or systems by Federal agencies or the Armed Forces.

“(B) The absence of a national voluntary consensus standard for such equipment or systems.

“(C) The existence of an international consensus standard for such equipment or systems, and whether such equipment or systems meets such standard.

“(D) The nature of the capability gap identified by the applicant, and how such equipment or systems will address such gap.

“(E) The degree to which such equipment or systems will serve the needs of the applicant better than equipment or systems that meet or exceed existing consensus standards.

“(F) Any other factor determined appropriate by the Administrator.”; and

(2) by adding at the end the following new subsection:

“(g) REVIEW PROCESS.—The Administrator shall implement a uniform process for reviewing applications to use grants provided under section 2003 or 2004 to purchase equipment or systems not included on the Authorized Equipment List maintained by the Administrator.”.

(b) INSPECTOR GENERAL REPORT.—Not later than three years after the date of the enactment of this Act, the Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report assessing the implementation of the review process established under paragraph (2) of subsection (f) of section 2008 of the Homeland Security Act of 2002 (as added by subsection (a) of this section), including information on the following:

(1) The number of requests to purchase equipment or systems that do not meet or exceed any applicable consensus standard evaluated under such review process.

(2) The capability gaps identified by applicants and the number of such requests granted or denied.

(3) The processing time for the review of such requests.

#### SEC. 1608. MEMORANDA OF UNDERSTANDING.

(a) IN GENERAL.—Subtitle B of title XX of the Homeland Security Act of 2002 (6 U.S.C. 611 et seq.) is amended by adding at the end the following new section:

#### “SEC. 2024. MEMORANDA OF UNDERSTANDING WITH DEPARTMENTAL COMPONENTS AND OFFICES.

“The Administrator shall enter into memoranda of understanding with the heads of the following departmental components and offices delineating the roles and responsibilities of such components and offices regarding the policy and guidance for grants under section 1406 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135), sections 2003 and 2004 of this Act, and section 70107 of title 46, United States Code, as appropriate:

“(1) The Commissioner of U.S. Customs and Border Protection.

“(2) The Administrator of the Transportation Security Administration.

“(3) The Commandant of the Coast Guard.

“(4) The Under Secretary for Intelligence and Analysis.

“(5) The Director of the Office of Emergency Communications.

“(6) The Assistant Secretary for State and Local Law Enforcement.

“(7) The Countering Violent Extremism Coordinator.

“(8) The Officer for Civil Rights and Civil Liberties.

“(9) The Chief Medical Officer.

“(10) The heads of other components or offices of the Department, as determined by the Secretary.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 2023 the following new item:

“Sec. 2024. Memoranda of understanding with departmental components and offices.”.

#### SEC. 1609. GRANTS METRICS.

(a) IN GENERAL.—To determine the extent to which grants under sections 2003 and 2004 of the Homeland Security Act of 2002 (6 U.S.C. 603 and 604) have closed capability gaps identified in State Preparedness Reports required under subsection (c) of section 652 of the Post-Katrina Emergency Manage-

ment Reform Act of 2006 (6 U.S.C. 752; title VI of the Department of Homeland Security Appropriations Act, 2007; Public Law 109-295) and Threat and Hazard Identification and Risk Assessments required under subsections (e) and (f) of such sections 2003 and 2004, respectively, as added by this Act, from each State and high-risk urban area, the Administrator of the Federal Emergency Management Agency shall conduct and submit to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an assessment of information provided in such Reports and Assessments.

(b) ASSESSMENT REQUIREMENTS.—The assessment required under subsection (a) shall include a comparison of successive State Preparedness Reports and Threat and Hazard Identification and Risk Assessments that aggregates results across the States and high-risk urban areas.

#### SEC. 1610. GRANT MANAGEMENT BEST PRACTICES.

The Administrator of the Federal Emergency Management Agency shall include in the annual Notice of Funding Opportunity relating to grants under sections 2003 and 2004 of the Homeland Security Act of 2002 (6 U.S.C. 604 and 605) an appendix that includes the following:

(1) A summary of findings identified by the Office of the Inspector General of the Department of Homeland Security in audits of such grants and methods to address areas identified for improvement, including opportunities for technical assistance.

(2) Innovative projects and best practices instituted by grant recipients.

#### SEC. 1611. PROHIBITION ON CONSOLIDATION.

The Secretary of Homeland Security may not implement the National Preparedness Grant Program or any successor consolidated grant program unless the Secretary receives prior authorization from Congress permitting such implementation.

#### SEC. 1612. MAINTENANCE OF GRANT INVESTMENTS.

Section 2008 of the Homeland Security Act of 2002 (6 U.S.C. 609), as amended by this Act, is further amended by adding at the end the following new subsection:

“(h) MAINTENANCE OF EQUIPMENT.—Any applicant for a grant under section 2003 or 2004 seeking to use funds to purchase equipment, including pursuant to paragraphs (3), (4), (5), or (12) of subsection (a) of this section, shall by the time of the receipt of such grant develop a plan for the maintenance of such equipment over its life-cycle that includes information identifying which entity is responsible for such maintenance.”.

#### SEC. 1613. TRANSIT SECURITY GRANT PROGRAM.

Section 1406 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135) is amended—

(1) in subsection (b)(2)(A), by inserting “and associated backfill” after “security training”; and

(2) by striking subsection (m) and inserting the following new subsections:

“(m) PERIODS OF PERFORMANCE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), funds provided pursuant to a grant awarded under this section for a use specified in subsection (b) shall remain available for use by a grant recipient for a period of not fewer than 36 months.

“(2) EXCEPTION.—Funds provided pursuant to a grant awarded under this section for a use specified in subparagraph (M) or (N) of subsection (b)(1) shall remain available for

use by a grant recipient for a period of not fewer than 55 months.

“(n) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for grants under this section \$200,000,000 for each of fiscal years 2018 through 2022.”.

#### SEC. 1614. PORT SECURITY GRANT PROGRAM.

Section 70107 of title 46, United States Code, is amended by—

(1) striking subsection (1);

(2) redesignating subsection (m) as subsection (1); and

(3) by adding at the end the following new subsections:

“(n) PERIOD OF PERFORMANCE.—The Secretary shall make funds provided under this section available for use by a recipient of a grant for a period of not less than 36 months.

“(o) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for grants under this section \$200,000,000 for each of the fiscal years 2018 through 2022.”.

#### SEC. 1615. CYBER PREPAREDNESS.

(a) IN GENERAL.—Section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148) is amended—

(1) in subsection (c)—

(A) in paragraph (5)(B), by inserting “, including State, local, and regional fusion centers, as appropriate” before the semicolon at the end;

(B) in paragraph (7), in the matter preceding subparagraph (A), by striking “information and recommendations” each place it appears and inserting “information, recommendations, and best practices”; and

(C) in paragraph (9), by inserting “best practices,” after “defensive measures.”; and

(2) in subsection (d)(1)(B)(ii), by inserting “and State, local, and regional fusion centers, as appropriate” before the semicolon at the end.

(b) SENSE OF CONGRESS.—It is the sense of Congress that to facilitate the timely dissemination to appropriate State, local, and private sector stakeholders of homeland security information related to cyber threats, the Secretary of Homeland Security should, to the greatest extent practicable, work to share actionable information in an unclassified form related to such threats.

#### SEC. 1616. MAJOR METROPOLITAN AREA COUNTERTERRORISM TRAINING AND EXERCISE GRANT PROGRAM.

(a) IN GENERAL.—Subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 603 et seq.) is amended by adding at the end the following new section:

#### “SEC. 2009. MAJOR METROPOLITAN AREA COUNTERTERRORISM TRAINING AND EXERCISE GRANT PROGRAM.

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—The Secretary, acting through the Administrator and the heads of other relevant components of the Department, shall carry out a program to make grants to emergency response providers to prevent, prepare for, and respond to emerging terrorist attack scenarios, including complex, coordinated terrorist attacks and active shooters, as determined by the Secretary, against major metropolitan areas.

“(2) INFORMATION.—In establishing the program pursuant to paragraph (1), the Secretary shall provide to eligible applicants—

“(A) information, in an unclassified format, on emerging terrorist attack scenarios, including complex, coordinated terrorist attacks and active shooters, which grants under such program are intended to address; and

“(B) information on training and exercises best practices.

“(b) ELIGIBLE APPLICANTS.—

“(1) IN GENERAL.—Only jurisdictions that have previously received, but are no longer eligible for, funding under section 2003 may apply for a grant under the program established pursuant to subsection (a).”

“(2) ADDITIONAL JURISDICTIONS.—Eligible applicants receiving funding under the program established pursuant to subsection (a) may include in activities funded by such program neighboring jurisdictions that would be likely to provide mutual aid in response to emerging terrorist attack scenarios, including complex, coordinated terrorist attacks and active shooters.”

“(c) PERMITTED USES.—The recipient of a grant under the program established pursuant to subsection (a) may use such grant to—

“(1) identify capability gaps related to preparing for, preventing, and responding to emerging terrorist attack scenarios, including complex, coordinated terrorist attacks and active shooters;

“(2) develop or update plans, annexes, and processes to address any capability gaps identified pursuant to paragraph (1);

“(3) conduct training to address such identified capability gaps;

“(4) conduct exercises, including at locations such as mass gathering venues, places of worship, or educational institutions, as appropriate, to validate capabilities;

“(5) pay for backfill associated with personnel participating in training and exercises under paragraphs (3) and (4); and

“(6) pay for other permitted uses under section 2008.

“(d) PERIOD OF PERFORMANCE.—The Administrator shall make funds provided under this section available for use by a recipient of a grant for a period of not fewer than 36 months.

“(e) INFORMATION SHARING.—The Administrator shall, to the extent practicable, aggregate, analyze, and share with relevant emergency response providers information on best practices and lessons learned from—

“(1) the planning, training, and exercises conducted using grants authorized under the program established pursuant to subsection (a); and

“(2) responses to actual terrorist attacks around the world.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under this section \$39,000,000 for each of fiscal years 2018 through 2022.”

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 2008 the following new item:

“Sec. 2009. Major metropolitan area counterterrorism training and exercise grant program.”.

#### SEC. 1617. OPERATION STONEGARDEN.

(a) IN GENERAL.—Subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 601 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

##### “SEC. 2010. OPERATION STONEGARDEN.

“(a) ESTABLISHMENT.—There is established in the Department a program to be known as ‘Operation Stonegarden’. Under such program, the Secretary, acting through the Administrator, shall make grants to eligible law enforcement agencies, through the State Administrative Agency, to enhance border security in accordance with this section.

“(b) ELIGIBLE RECIPIENTS.—To be eligible to receive a grant under this section, a law enforcement agency shall—

“(1) be located in—

“(A) a State bordering either Canada or Mexico; or

“(B) a State or territory with a maritime border; and

“(2) be involved in an active, ongoing U.S. Customs and Border Protection operation coordinated through a sector office.

“(c) PERMITTED USES.—The recipient of a grant under this section may use such grant for any of the following:

“(1) Equipment, including maintenance and sustainment costs.

“(2) Personnel, including overtime and backfill, in support of enhanced border law enforcement activities.

“(3) Any activity permitted for Operation Stonegarden under the Department of Homeland Security’s Fiscal Year 2016 Homeland Security Grant Program Notice of Funding Opportunity.

“(4) Any other appropriate activity, as determined by the Administrator, in consultation with the Commissioner of U.S. Customs and Border Protection.

“(d) PERIOD OF PERFORMANCE.—The Secretary shall make funds provided under this section available for use by a recipient of a grant for a period of not less than 36 months.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$110,000,000 for each of fiscal years 2018 through 2022 for grants under this section.

“(e) REPORT.—The Administrator shall annually for each of the fiscal years specified in subsection (d) submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report containing information on the expenditure of grants made under this section by each grant recipient.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002, as amended by this Act, is further amended by inserting after the item relating to section 2009 the following new item:

“Sec. 2010. Operation Stonegarden.”.

#### SEC. 1618. NON-PROFIT SECURITY GRANT PROGRAM.

(a) IN GENERAL.—Subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 601 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

##### “SEC. 2011. NON-PROFIT SECURITY GRANT PROGRAM.

“(a) ESTABLISHMENT.—There is established in the Department a program to be known as the ‘Non-Profit Security Grant Program’ (in this section referred to as the ‘Program’). Under the Program, the Secretary, acting through the Administrator, shall make grants to eligible nonprofit organizations described in subsection (b), through the State in which such organizations are located, for target hardening and other security enhancements to protect against terrorist attacks.

“(b) ELIGIBLE RECIPIENTS.—Eligible nonprofit organizations described in this subsection (a) are organizations that are—

“(1) described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; and

“(2) determined to be at risk of a terrorist attack by the Administrator.

“(c) PERMITTED USES.—The recipient of a grant under this section may use such grant for any of the following uses:

“(1) Target hardening activities, including physical security enhancement equipment and inspection and screening systems.

“(2) Fees for security training relating to physical security and cybersecurity, target hardening, terrorism awareness, and employee awareness.

“(3) Any other appropriate activity, as determined by the Administrator.

“(d) PERIOD OF PERFORMANCE.—The Administrator shall make funds provided under this section available for use by a recipient of a grant for a period of not less than 36 months.

“(e) REPORT.—The Administrator shall annually for each of fiscal years 2018 through 2022 submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report containing information on the expenditure by each grant recipient of grant funds made under this section.

“(f) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated \$50,000,000 for each of fiscal years 2018 through 2022 to carry out this section.

“(2) SPECIFICATION.—Of the amounts authorized to be appropriated pursuant to paragraph (1)—

“(A) \$35,000,000 is authorized for eligible recipients located in jurisdictions that receive funding under section 2003; and

“(B) \$15,000,000 is authorized for eligible recipients in jurisdictions not receiving funding under section 2003.”.

(b) CONFORMING AMENDMENT.—Subsection (a) of section 2002 of the Homeland Security Act of 2002 (6 U.S.C. 603) is amended by striking “sections 2003 and 2004” and inserting “sections 2003, 2004, and 2011”.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 2008 the following new item:

“Sec. 2011. Non-Profit Security Grant Program.”.

#### SEC. 1619. STUDY OF THE USE OF GRANT FUNDS FOR CYBERSECURITY.

Not later than 120 days after the enactment of this section, the Administrator, in consultation with relevant components of the Department, shall conduct a study on the use of grant funds awarded pursuant to section 2003 and section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 604 and 605), including information on the following:

(1) The amount of grant funds invested or obligated annually during fiscal years 2006 through 2016 to support efforts to prepare for and respond to cybersecurity risks and incidents (as such terms are defined in section 227 of such Act (6 U.S.C. 148)).

(2) The degree to which grantees identify cybersecurity as a capability gap in the Threat and Hazard Identification and Risk Assessment carried out pursuant to the amendment made by sections 601 and 602 of this title.

(3) Obstacles and challenges related to using grant funds to improve cybersecurity.

(4) Plans for future efforts to encourage grantees to use grant funds to improve cybersecurity capabilities.

#### Subtitle B—Communications

#### SEC. 1631. OFFICE OF EMERGENCY COMMUNICATIONS.

The Secretary of Homeland Security may not change the location or reporting structure of the Office of Emergency Communications of the Department of Homeland Security unless the Secretary receives prior authorization from the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate permitting such change.

**SEC. 1632. RESPONSIBILITIES OF OFFICE OF EMERGENCY COMMUNICATIONS DIRECTOR.**

(a) IN GENERAL.—Subsection (c) of section 1801 of the Homeland Security Act of 2002 (6 U.S.C. 571) is amended—

(1) by striking paragraph (3);

(2) by redesignating paragraphs (4) through (15) as paragraphs (3) through (14), respectively;

(3) in paragraph (8), as so redesignated, by striking “, in cooperation with the National Communications System,”;

(4) in paragraph (12) by striking “Assistant Secretary for Grants and Training” and inserting “Administrator of the Federal Emergency Management Agency”;

(5) in paragraph (13), as so redesignated, by striking “and” at the end;

(6) in paragraph (14), as so redesignated, by striking the period at the end and inserting a semicolon; and

(7) by adding at the end the following new paragraphs:

“(15) administer the Government Emergency Telecommunications Service (GETS) and Wireless Priority Service (WPS) programs, or successor programs; and

“(16) assess the impact of emerging technologies on interoperable emergency communications.”.

(b) PERFORMANCE OF PREVIOUSLY TRANSFERRED FUNCTIONS.—Subsection (d) of section 1801 of the Homeland Security Act of 2002 is amended by—

(1) striking paragraph (2); and

(2) redesignating paragraph (3) as paragraph (2).

**SEC. 1633. ANNUAL REPORTING ON ACTIVITIES OF THE OFFICE OF EMERGENCY COMMUNICATIONS.**

Subsection (f) of section 1801 of the Homeland Security Act of 2002 (6 U.S.C. 571) is amended to read as follows:

“(f) ANNUAL REPORTING OF OFFICE ACTIVITIES.—The Director of the Office of Emergency Communications shall, not later than one year after the date of the enactment of this subsection and annually thereafter for each of the next four years, report to the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the activities and programs of the Office, including specific information on efforts to carry out paragraphs (4), (5), and (6) of subsection (c).”.

**SEC. 1634. NATIONAL EMERGENCY COMMUNICATIONS PLAN.**

Section 1802 of the Homeland Security Act of 2002 (6 U.S.C. 572) is amended—

(1) in subsection (a), in the matter preceding paragraph (1)—

(A) by striking “, and in cooperation with the Department of National Communications System (as appropriate).”; and

(B) by inserting “, but not less than once every five years,” after “periodically”; and

(2) in subsection (c)—

(A) by redesignating paragraphs (3) through (10) as paragraphs (4) through (11), respectively; and

(B) by inserting after paragraph (2) the following new paragraph:

“(3) consider the impact of emerging technologies on the attainment of interoperable emergency communications.”.

**SEC. 1635. TECHNICAL EDIT.**

Paragraph (1) of section 1804(b) of the Homeland Security Act of 2002 (6 U.S.C. 574(b)), in the matter preceding subparagraph (A), by striking “Assistant Secretary for Grants and Planning” and inserting “Admin-

istrator of the Federal Emergency Management Agency”.

**SEC. 1636. PUBLIC SAFETY BROADBAND NETWORK.**

The Undersecretary of the National Protection and Programs Directorate of the Department of Homeland Security shall provide to the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate information on the Department of Homeland Security’s responsibilities related to the development of the nationwide Public Safety Broadband Network authorized in section 6202 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1422; Public Law 112-96), including information on efforts by the Department to work with the First Responder Network Authority of the Department of Commerce to identify and address cyber risks that could impact the near term or long term availability and operations of such network and recommendations to mitigate such risks.

**SEC. 1637. COMMUNICATIONS TRAINING.**

The Under Secretary for Management of the Department of Homeland Security, in coordination with the appropriate component heads, shall develop a mechanism, consistent with the strategy required pursuant to section 4 of the Department of Homeland Security Interoperable Communications Act (Public Law 114-29; 6 U.S.C. 194 note), to verify that radio users within the Department receive initial and ongoing training on the use of the radio systems of such components, including interagency radio use protocols.

**Subtitle C—Medical Preparedness****SEC. 1641. CHIEF MEDICAL OFFICER.**

Section 516 of the Homeland Security Act of 2002 (6 U.S.C. 321e) is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1), by inserting “and shall establish medical and human, animal, and occupational health exposure policy, guidance, strategies, and initiatives,” before “including—”;

(B) in paragraph (1), by inserting before the semicolon at the end the following: “, including advice on how to prepare for, protect against, respond to, recover from, and mitigate against the medical effects of terrorist attacks or other high consequence events utilizing chemical, biological, radiological, or nuclear agents or explosives”;

(C) in paragraph (2), by inserting before the semicolon at the end the following: “, including coordinating the Department’s policy, strategy and preparedness for pandemics and emerging infectious diseases”;

(D) in paragraph (5), by inserting “emergency medical services and medical first responder stakeholders,” after “the medical community,”;

(E) in paragraph (6), by striking “and” at the end;

(F) in paragraph (7), by striking the period and inserting a semicolon; and

(G) by adding at the end the following new paragraphs:

“(8) ensuring that the workforce of the Department has evidence-based policy, standards, requirements, and metrics for occupational health and operational medicine programs;

“(9) directing and maintaining a coordinated system for medical support for the Department’s operational activities;

“(10) providing oversight of the Department’s medical programs and providers, including—

“(A) reviewing and maintaining verification of the accreditation of the Department’s health provider workforce;

“(B) developing quality assurance and clinical policy, requirements, standards, and metrics for all medical and health activities of the Department;

“(C) providing oversight of medical records systems for employees and individuals in the Department’s care and custody; and

“(D) providing medical direction for emergency medical services activities of the Department; and

“(11) as established under section 528, maintaining a medical countermeasures stockpile and dispensing system, as necessary, to facilitate personnel readiness, and protection for the Department’s employees and working animals and individuals in the Department’s care and custody in the event of a chemical, biological, radiological, nuclear, or explosives attack, naturally occurring disease outbreak, or pandemic.”; and

(2) by adding at the end the following new subsection:

“(d) MEDICAL LIAISONS.—The Chief Medical Officer may provide medical liaisons to the components of the Department to provide subject matter expertise on medical and public health issues and a direct link to the Chief Medical Officer. Such expertise may include the following:

“(1) Providing guidance on health and medical aspects of policy, planning, operations, and workforce health protection.

“(2) Identifying and resolving component medical issues.

“(3) Supporting the development and alignment of medical and health systems.

“(4) Identifying common gaps in medical and health standards, policy, and guidance, and enterprise solutions to bridge such gaps.”.

**SEC. 1642. MEDICAL COUNTERMEASURES PROGRAM.**

(a) IN GENERAL.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding at the end the following new section:

**“SEC. 528. MEDICAL COUNTERMEASURES.**

“(a) IN GENERAL.—The Secretary shall establish a medical countermeasures program to facilitate personnel readiness, and protection for the Department’s employees and working animals and individuals in the Department’s care and custody, in the event of a chemical, biological, radiological, nuclear, or explosives attack, naturally occurring disease outbreak, or pandemic, and to support Department mission continuity.

“(b) OVERSIGHT.—The Chief Medical Officer of the Department shall provide programmatic oversight of the medical countermeasures program established pursuant to subsection (a), and shall—

“(1) develop Department-wide standards for medical countermeasure storage, security, dispensing, and documentation;

“(2) maintain a stockpile of medical countermeasures, including antibiotics, antivirals, and radiological countermeasures, as appropriate;

“(3) preposition appropriate medical countermeasures in strategic locations nationwide, based on threat and employee density, in accordance with applicable Federal statutes and regulations;

“(4) provide oversight and guidance on dispensing of stockpiled medical countermeasures;

“(5) ensure rapid deployment and dispensing of medical countermeasures in a chemical, biological, radiological, nuclear, or explosives attack, naturally occurring disease outbreak, or pandemic;

“(6) provide training to Department employees on medical countermeasure dispensing; and

“(7) support dispensing exercises.

“(c) **MEDICAL COUNTERMEASURES WORKING GROUP.**—The Chief Medical Officer shall establish a medical countermeasures working group comprised of representatives from appropriate components and offices of the Department to ensure that medical countermeasures standards are maintained and guidance is consistent.

“(d) **MEDICAL COUNTERMEASURES MANAGEMENT.**—Not later than 180 days after the date of the enactment of this section, the Chief Medical Officer shall develop and submit to the Secretary an integrated logistics support plan for medical countermeasures, including—

“(1) a methodology for determining the ideal types and quantities of medical countermeasures to stockpile and how frequently such methodology shall be reevaluated;

“(2) a replenishment plan; and

“(3) inventory tracking, reporting, and reconciliation procedures for existing stockpiles and new medical countermeasure purchases.

“(e) **STOCKPILE ELEMENTS.**—In determining the types and quantities of medical countermeasures to stockpile under subsection (d), the Chief Medical Officer shall utilize, if available—

“(1) Department chemical, biological, radiological, and nuclear risk assessments; and

“(2) Centers for Disease Control and Prevention guidance on medical countermeasures.

“(f) **REPORT.**—Not later than 180 days after the date of the enactment of this section, the Chief Medical Officer shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on progress in achieving the requirements of this section.”.

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by adding after the item relating to section 527 the following new item:

“Sec. 528. Medical countermeasures.”.

#### **TITLE VII—OTHER MATTERS**

##### **SEC. 1701. DECISION REGARDING CERTAIN EXECUTIVE MEMORANDA.**

Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall review existing Department of Homeland Security policy memoranda, including memoranda approved by prior Secretaries that remain in effect, to determine whether such memoranda should remain in effect and, if so, whether any of such memoranda should be modified.

##### **SEC. 1702. PERMANENT AUTHORIZATION FOR ASIA-PACIFIC ECONOMIC COOPERATION BUSINESS TRAVEL CARD PROGRAM.**

Section 2(a) of the Asia-Pacific Economic Cooperation Business Travel Cards Act of 2011 (Public Law 112-54; 8 U.S.C. 1185 note) is amended by striking “During the 7-year period ending on September 30, 2018, the Secretary” and inserting “The Secretary”.

##### **SEC. 1703. AUTHORIZATION OF APPROPRIATIONS FOR OFFICE OF INSPECTOR GENERAL.**

There is authorized to be appropriated for the Office of the Inspector General of the Department of Homeland Security \$175,000,000 for each of fiscal years 2018 and 2019.

##### **SEC. 1704. CANINE TEAMS.**

The Commissioner of U.S. Customs and Border Protection may request additional canine teams when there is a justified and

documented shortage and such additional canine teams would be effective for drug detection at the border.

##### **SEC. 1705. TECHNICAL AMENDMENTS TO THE HOMELAND SECURITY ACT OF 2002.**

(a) **TITLE I.**—Section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), as amended by this Act, is further amended as follows:

(1) In subsection (a)(1)—

(A) in subparagraph (E), by striking “the Bureau of” and inserting “United States”; and

(B) by adding at the end the following new subparagraph:

“(L) An Administrator of the Transportation Security Administration.”.

(2) In subsection (d)(5), by striking “section 708” and inserting “section 707”.

(b) **TITLE II.**—Title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) is amended as follows:

(1) In section 202 (6 U.S.C. 122)—

(A) in subsection (c), in the matter preceding paragraph (1), by striking “Director of Central Intelligence” and inserting “Director of National Intelligence”; and

(B) in subsection (d)(2), by striking “Director of Central Intelligence” and inserting “Director of National Intelligence”.

(2) In section 210E (6 U.S.C. 124I)—

(A) by striking subsection (e); and

(B) by redesignating subsection (f) as subsection (e).

(3) In section 223(1)(B) (6 U.S.C. 143(1)(B)), by striking “and” after the semicolon at the end.

(4) In section 225 (6 U.S.C. 145), by striking subsections (c) and (d).

(5) In section 228A(c)(1)(C), by striking “section 707” and inserting “section 706”.

(c) **TITLE III.**—Title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.) is amended as follows:

(1) In section 302 (6 U.S.C. 182), by striking “biological,” each place it appears and inserting “biological.”.

(2) By redesignating the second section 319 (relating to EMP and GMD mitigation research and development) as section 320.

(d) **TITLE IV.**—Title IV of the Homeland Security Act of 2002 (6 U.S.C. 201 et seq.) is amended as follows:

(1) By redesignating section 402 (6 U.S.C. 202) as section 401.

(2) In section 401(4), as so redesignated, by striking “section 428” and inserting “section 426”.

(3) By redesignating section 417 as section 416.

(4) By redesignating section 427 (6 U.S.C. 235) as section 425.

(5) In section 425, as so redesignated, by striking subsection (c).

(6) By redesignating section 428 (6 U.S.C. 236) as section 426.

(7) In section 426, as so redesignated, in—

(A) in subsection (e), by striking paragraphs (7) and (8);

(B) by striking subsections (g) and (h); and

(C) by redesignating subsection (i) as subsection (g).

(8) By redesignating section 429 (6 U.S.C. 237) as section 427.

(9) By redesignating section 430 (6 U.S.C. 238) as section 428.

(10) By striking section 431 (6 U.S.C. 239).

(11) By redesignating section 432 (6 U.S.C. 240) as section 429.

(12) By redesignating section 433 (6 U.S.C. 241) as section 430.

(13) By amending the subtitle D heading to read as follows: “**U.S. Immigration and Customs Enforcement**”.

(14) By striking section 445 (6 U.S.C. 255).

(15) By striking section 446 (6 U.S.C. 256).

(16) In the subtitle E heading, by inserting “**United States**” before “**Citizenship and Immigration Services**”.

(17) In section 452 (6 U.S.C. 272)—

(A) by striking “the Bureau of” each place it appears and inserting “United States”; and

(B) in subsection (f), in the subsection heading, by striking “BUREAU OF” and inserting “UNITED STATES”.

(18) By striking section 453 (6 U.S.C. 273).

(19) By striking section 455 (6 U.S.C. 271 note).

(20) By striking section 456 (6 U.S.C. 275).

(21) By striking section 459 (6 U.S.C. 276).

(22) By striking section 460 (6 U.S.C. 277).

(23) By striking section 461 (6 U.S.C. 278).

(24) By redesignating section 462 (6 U.S.C. 279) as section 455.

(25) In section 455, as so redesignated, in subsection (b)(2)(A), in the matter preceding clause (i)—

(A) by striking “the Bureau of Citizenship and Immigration Services” and inserting “United States Citizenship and Immigration Services”; and

(B) by striking “Assistant Secretary of the Bureau of Border Security” and inserting “Director of U.S. Immigration and Customs Enforcement”.

(26) By striking section 472 (6 U.S.C. 292).

(27) By striking section 473 (6 U.S.C. 293).

(28) By striking section 474 (6 U.S.C. 294).

(29) By redesignating section 476 (6 U.S.C. 296) as section 472.

(30) In section 472, as so redesignated—

(A) by striking “the Bureau of Citizenship and Immigration Services” each place it appears and inserting “United States Citizenship and Immigration Services”; and

(B) by striking “the Bureau of Border Security” each place it appears and inserting “U.S. Immigration and Customs Enforcement”.

(31) By striking section 477 (6 U.S.C. 297).

(32) By redesignating section 478 (6 U.S.C. 298) as section 473.

(33) In section 473, as so redesignated—

(A) in the section heading, by inserting “**ANNUAL REPORT ON**” before “**IMMIGRATION**”; and

(B) by striking subsection (b); and

(C) in subsection (a)—

(i) by striking “REPORT.—” and all that follows through “One year” and inserting “REPORT.—One year”; and

(ii) by redesignating paragraph (2) as subsection (b) and moving such subsection two ems to left; and

(iii) in subsection (b), as so redesignated—

(I) in the heading, by striking “INCLUDED” and inserting “INCLUDED”; and

(II) by redesignating subparagraphs (A) through (H) as paragraphs (1) through (8), respectively, and moving such paragraphs two ems to the left.

(e) **TITLE V.**—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended as follows:

(1) In section 501 (6 U.S.C. 311)—

(A) in paragraph (8), by striking “section 502(a)(6)” and inserting “section 504(a)(6)”;

(B) by redesignating paragraphs (9) through (14) as paragraphs (10) through (15), respectively; and

(C) by inserting after paragraph (8) the following new paragraph:

“(9) the term ‘Nuclear Incident Response Team’ means a resource that includes—

“(A) those entities of the Department of Energy that perform nuclear or radiological emergency support functions (including accident response, search response, advisory, and

technical operations functions), radiation exposure functions at the medical assistance facility known as the Radiation Emergency Assistance Center/Training Site (REAC/TS), radiological assistance functions, and related functions; and

“(B) those entities of the Environmental Protection Agency that perform such support functions (including radiological emergency response functions) and related functions.”.

(2) By striking section 502 (6 U.S.C. 312).

(3) In section 504(a)(3)(B) (6 U.S.C. 314(a)(3)(B)), by striking “, the National Disaster Medical System.”.

(4) In section 506(c) (6 U.S.C. 316(c)), by striking “section 708” each place it appears and inserting “section 707”.

(5) In section 509(c)(2) (6 U.S.C. 319(c)(2)), in the matter preceding subparagraph (A), by striking “section 708” and inserting “section 707”.

(f) TITLE VI.—Section 601 of the Homeland Security Act of 2002 (6 U.S.C. 331) is amended by striking “Director of Central Intelligence” each place it appears and inserting “Director of National Intelligence”.

(g) TITLE VII.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended as follows:

(1) By striking section 706 (6 U.S.C. 346).

(2) By redesignating section 707 (6 U.S.C. 347) as section 706.

(3) By redesignating section 708 as section 707.

(4) By redesignating section 709 (relating to the Office of Strategy, Policy, and Plans) as section 708.

(5) In section 708, as so redesignated, in subsection (c)(3), by striking “section 707” and inserting “section 706”.

(h) TITLE VIII.—Title VIII of the Homeland Security Act of 2002 (6 U.S.C. 361 et seq.) is amended as follows:

(1) By redesignating section 812 as section 811.

(2) In section 811, as so redesignated—

(A) by striking subsections (a) and (c); and

(B) in subsection (b)—

(i) by striking “(as added by subsection (a) of this section)” each place it appears;

(ii) by redesignating paragraphs (2) through (4) as subsections (b) through (d), respectively, and by moving such subsections, as so redesignated, two ems to the left;

(iii) in paragraph (1), by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and by moving such paragraphs, as so redesignated, two ems to the left; and

(iv) by striking “(b) PROMULGATION OF INITIAL GUIDELINES.—” and all that follows through “In this subsection” and inserting the following:

“(a) DEFINITION.—In this section”;

(C) in subsection (b), as so redesignated, by striking “IN GENERAL” and inserting “IN GENERAL”;

(D) in subsection (c), as so redesignated, by striking “MINIMUM REQUIREMENTS” and inserting “MINIMUM REQUIREMENTS”; and

(E) in subsection (d), as so redesignated, by striking “NO LAPSE OF AUTHORITY” and inserting “NO LAPSE OF AUTHORITY”.

(3) In section 843(b)(1)(B) (6 U.S.C. 413(b)(1)(B)), by striking “as determined by” and all that follows through “; and” and inserting “as determined by the Secretary; and”.

(4) By striking section 857 (6 U.S.C. 427).

(5) By redesignating section 858 (6 U.S.C. 428) as section 857.

(6) By striking section 872 (6 U.S.C. 452).

(7) By striking section 881 (6 U.S.C. 461).

(8) In section 892 (6 U.S.C. 482)—

(A) in subsection (b)(7), by striking “Director of Central Intelligence” and inserting “Director of National Intelligence”; and

(B) in subsection (c)(3)(D), by striking “Director of Central Intelligence” and inserting “Director of National Intelligence”.

(9) By striking section 893 (6 U.S.C. 483).

(10) By redesignating section 894 (6 U.S.C. 484) as section 893.

(i) TITLE IX.—Section 903(a) of the Homeland Security Act of 2002 (6 U.S.C. 493(a)) is amended in the subsection heading by striking “MEMBERS—” and inserting “MEMBERS—”.

(j) TITLE X.—Section 1001(c)(1) of the Homeland Security Act of 2002 (6 U.S.C. 511(c)(1)) is amended by striking “Director of Central Intelligence” and inserting “Director of National Intelligence”.

(k) TITLE XV.—Title XV of the Homeland Security Act of 2002 (6 U.S.C. 541 et seq.) is amended as follows:

(1) By striking section 1502 (6 U.S.C. 542).

(2) By redesignating section 1503 (6 U.S.C. 543) as section 1502.

(l) TITLE XVI.—Section 1611(d)(1) of the Homeland Security Act of 2002 (6 U.S.C. 563(d)(1)) is amended by striking “section 707” and inserting “section 706”.

(m) TITLE XIX.—Section 1902(b)(3) of the Homeland Security Act of 2002 (6 U.S.C. 592(b)(3)) is amended—

(1) in the paragraph heading, by striking “HAWAIIAN NATIVE-SERVING” and inserting “NATIVE HAWAIIAN-SERVING”; and

(2) by striking “Hawaiian native-serving” and inserting “Native Hawaiian-serving”.

(n) TITLE XX.—Section 2021 of the Homeland Security Act of 2002 (6 U.S.C. 611) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

(o) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended as follows:

(1) By striking the items relating to sections 317, 319, 318, and 319 and inserting the following new items:

“Sec. 317. Promoting antiterrorism through international cooperation program.

“Sec. 318. Social media working group.

“Sec. 319. Transparency in research and development.

“Sec. 320. EMP and GMD mitigation research and development.”.

(2) By striking the items relating to sections 401 and 402 and inserting the following new item:

“Sec. 401. Border, maritime, and transportation responsibilities.”.

(3) By striking the item relating to section 417 and inserting the following new item:

“Sec. 416. Allocation of resources by the Secretary.”.

(4) By striking the items relating to sections 427 through 433 and inserting the following new items:

“Sec. 425. Coordination of information and information technology.

“Sec. 426. Visa issuance.

“Sec. 427. Information on visa denials required to be entered into electronic data system.

“Sec. 428. Office for Domestic Preparedness.

“Sec. 429. Border Enforcement Security Task Force.

“Sec. 430. Prevention of international child abduction.”.

(5) By striking the items relating to sections 445 and 446.

(6) By amending the item relating to subtitle E of title IV to read as follows:

“Subtitle E—United States Citizenship and Immigration Services”.

(7) By amending the item relating to section 451 to read as follows:

“Sec. 451. Establishment of United States Citizenship and Immigration Services.”.

(8) By striking the items relating to sections 455, 456, 459, 460, and 461 and inserting before the item relating to section 457 the following new item:

“Sec. 455. Children’s affairs.”.

(9) By striking the items relating to sections 472 through 478 and inserting the following new items:

“Sec. 472. Separation of funding.

“Sec. 473. Annual report on immigration functions.”.

(10) By striking the item relating to section 502.

(11) By striking the item relating to section 524.

(12) By striking the items relating to sections 706 through 709 and inserting the following new items:

“Sec. 706. Quadrennial Homeland Security Review.

“Sec. 707. Joint Task Forces.

“Sec. 708. Office of Strategy, Policy, and Plans.”.

(13) By striking the items relating to sections 811 and 812 and inserting the following new item:

“Sec. 811. Law enforcement powers of Inspector General agents.”.

(14) By striking the items relating to sections 857 and 858 and inserting the following new item:

“Sec. 857. Identification of new entrants into the Federal marketplace.”.

(15) By striking the item relating to section 872.

(16) By striking the item relating to section 881.

(17) By striking the items relating to sections 893 and 894 and inserting the following new item:

“Sec. 893. Authorization of appropriations.”.

(18) By striking the items relating to sections 1502 and 1503 and inserting the following new item:

“Sec. 1502. Review of congressional committee structures.”.

## SEC. 1706. SAVINGS CLAUSE.

Nothing in this Act shall be construed as providing the Department of Homeland Security or any of its components, agencies, or programs with real property authority, including with respect to leases, construction, or other acquisitions and disposals.

## DIVISION B—U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

### SEC. 2001. SHORT TITLE.

This division may be cited as the “Immigration and Customs Enforcement Authorization Act of 2017”.

### SEC. 2002. ESTABLISHMENT OF U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT.

(a) IN GENERAL.—Section 442 of the Homeland Security Act of 2002 (6 U.S.C. 252) is amended to read as follows:

“SEC. 442. ESTABLISHMENT OF U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT.

“(a) ESTABLISHMENT.—There is established within the Department an agency to be known as ‘U.S. Immigration and Customs Enforcement’.

“(b) DIRECTOR OF U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT.—There shall be at the head of U.S. Immigration and Customs Enforcement a Director of U.S. Immigration and Customs Enforcement (in this section referred to as the ‘Director’).”

“(c) DUTIES AND QUALIFICATIONS.—The Director shall—

“(1) have a minimum five years—

“(A) professional experience in law enforcement (which may include enforcement of the immigration laws, as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)) or the customs and trade laws of the United States, as defined in section 2 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4301)); and

“(B) management experience;

“(2) identify, arrest, detain and seek the removal of inadmissible and deportable aliens and otherwise enforce the immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))), other than through criminal prosecutions;

“(3) investigate and, where appropriate, refer for prosecution, any criminal or civil violation of Federal law relating to or involving—

“(A) the immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)));

“(B) border control and security, including the prevention of the entry or residence of terrorists, criminals, and human rights violators;

“(C) the customs and trade laws of the United States, as defined in section 2 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4301);

“(D) the import or export of merchandise, including the illicit possession, movement of, or trade in goods, services, property, arms, instruments of terrorism, items controlled or prohibited from export, child exploitation, intellectual property, or currency or other monetary instruments;

“(E) bulk cash smuggling or other financial crimes with a cross border or international nexus;

“(F) transnational gang activity;

“(G) chapter 40 or 44 of title 18, United States Code, or other violation relating to firearms, explosives, or other destructive devices involving an alien;

“(H) severe forms of trafficking in persons, as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102);

“(I) the production, procurement, counterfeiting, alteration, or use of fraudulent immigration documents or fraudulently obtaining immigration benefits;

“(J) unlawful use of personal information, including immigration document fraud, when such use relates to or affects border security, terrorism, customs, immigration, naturalization, trade, travel, or transportation security;

“(K) drug laws, as specified in the Controlled Substance Act and the Controlled Substance Import and Export Act in the context of cross-border criminal activity; or

“(L) fraud or false statements relating to or involving any matter specified in this paragraph.

“(4) administer the National Intellectual Property Rights Coordination Center established in section 305 of the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114–125; 19 U.S.C. 4344);

“(5) jointly with the Commissioner of U.S. Customs and Border Protection, develop and

submit the joint strategic plan required under section 105 of the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114–125; 19 U.S.C. 4314);

“(6) coordinate with Federal, State, local, tribal, and foreign agencies in carrying out the duties described in paragraphs (2) and (3);

“(7) in coordination with the Department of State and the Office of International Affairs of the Department, establish staff liaison offices and vetted units in appropriate foreign countries to support the counterterrorism efforts and other international activities including investigations and repatriation efforts;

“(8) assign employees of the Department to diplomatic and consular posts, in coordination with the Secretary, pursuant to section 426(e);

“(9) establish, maintain, and administer appropriate interagency law enforcement centers in furtherance of the Director’s statutory duties, including interagency centers, in accordance with applicable law, or as prescribed by the Secretary;

“(10) administer the Border Enforcement Security Task Force established under section 429;

“(11) operate the Cyber Crimes Center established in section 890A;

“(12) in carrying out paragraph (3), administer internal conspiracy investigations at United States ports of entry; and

“(13) carry out other duties and powers prescribed by law, or delegated by the Secretary.

“(d) GENERAL ENFORCEMENT POWERS.—The Director may authorize agents and officers of U.S. Immigration and Customs Enforcement to—

“(1) carry out the duties and responsibilities authorized under sections 287 and 274A of the Immigration and Nationality Act (8 U.S.C. 1357 and 8 U.S.C. 1324(a)) and section 589 of the Tariff Act of 1930 (19 U.S.C. 1589a);

“(2) offer and pay rewards for services and information leading to the apprehension of persons involved in the violation or attempted violation of those provisions of law which United States Immigration and Customs Enforcement is authorized by statute to enforce;

“(3) conduct undercover investigative operations pursuant to section 294 of the Immigration and Nationality Act (8 U.S.C. 1363a), and section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081; enacted as part of the Anti-Drug Abuse Act of 1986); and

“(4) carry out other duties and responsibilities provided under the laws of the United States.

“(e) DEPUTY DIRECTOR.—There shall be a Deputy Director of United States U.S. Immigration and Customs Enforcement who shall assist the Director in managing U.S. Immigration and Customs Enforcement and who shall assist the Director in carrying out the Director’s duties.

“(f) OFFICE OF HOMELAND SECURITY INVESTIGATIONS.—

“(1) IN GENERAL.—There is established in U.S. Immigration and Customs Enforcement an Office of Homeland Security Investigations.

“(2) EXECUTIVE ASSOCIATE DIRECTOR.—There shall be at the head of the Office of Homeland Security Investigations an Executive Associate Director, who shall report to the Director.

“(3) DUTIES.—The Office of Homeland Security Investigations shall—

“(A) serve as the law enforcement office of U.S. Immigration and Customs Enforcement with a primary responsibility to conduct in-

vestigations of terrorist organizations and other criminal organizations that threaten homeland or border security;

“(B) serve as the law enforcement office of U.S. Immigration and Customs Enforcement with responsibility to conduct investigations of, and, where appropriate, refer for prosecution, any criminal or civil violation of Federal law, including—

“(i) money laundering offenses with a cross-border nexus;

“(ii) bulk cash smuggling with a cross-border nexus;

“(iii) commercial fraud with a cross-border nexus and intellectual property theft;

“(iv) cybercrimes;

“(v) human smuggling and human trafficking as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102), and human rights violations as defined by 28 U.S.C. 509B(e);

“(vi) narcotics and weapons smuggling and trafficking;

“(vii) export violations;

“(viii) international art and antiquity theft;

“(ix) identity and benefits fraud, as those terms are defined in title 8 and title 18, United States Code, relating to or involving any matter specified in this subparagraph; and

“(x) any other criminal or civil violation prescribed by law or delegated by the Director;

“(C) administer the program to collect information relating to nonimmigrant foreign students and other exchange program participants described in section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372), including the Student and Exchange Visitor Information System established under such section, and use such information to carry out the enforcement functions of United States Immigration and Customs Enforcement;

“(D) administer a National Export Enforcement Coordination Center, which shall serve as the primary information sharing forum within the Federal Government to coordinate, promote, and assist Federal and international investigations of export control offenses;

“(E) conduct investigations of alleged violations of, and make arrests under, section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), including referring for prosecution, or levying monetary penalties against, an employer found to be in violation of such section, and administratively arresting, and initiating removal proceeding against, an alien unlawfully employed;

“(F) administer a Human Smuggling and Trafficking Center, which shall serve as the primary information sharing forum within the Federal Government to coordinate, promote, and assist Federal and international investigations in human smuggling and trafficking investigations;

“(G) administer the Bulk Cash Smuggling Center, which shall serve to investigate domestic and international bulk cash smuggling activities and support law enforcement in efforts to investigate and restrict bulk cash smuggling;

“(H) investigate and refer for prosecution public safety matters involving (to the extent provided in subsection (b)(4))—

“(i) large-scale operations prosecuted pursuant to chapter 96 (relating to racketeer influenced and corrupt organizations) of title 18, United States Code; and

“(ii) the smuggling into, and sale within, the United States of weapons; and



“(I) carry out other duties and powers prescribed by the Director.

“(g) OFFICE OF ENFORCEMENT AND REMOVAL OPERATIONS.—

“(1) IN GENERAL.—There is established in U.S. Immigration and Customs Enforcement an Office of Enforcement and Removal Operations.

“(2) EXECUTIVE ASSOCIATE DIRECTOR.—There shall be at the head of the Office of Enforcement and Removal Operations an Executive Associate Director, who shall report to the Director.

“(3) DUTIES.—The Office of Enforcement and Removal Operations shall—

“(A) serve as the law enforcement office of U.S. Immigration and Customs Enforcement with primary responsibility to enforce the civil immigration and nationality laws of the United States;

“(B) identify, locate, arrest, detain, and seek the removal of aliens in custodial settings or at-large, and remove aliens ordered removed, who—

“(i) are inadmissible or deportable under sections 212(a)(3) or 237(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3) or 1227(a)(4)), or otherwise present a national security risk to the United States;

“(ii) are inadmissible or deportable under sections 212(a)(2) or 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2) or 1227(a)(2));

“(iii) undermine the border security efforts and operations of the United States;

“(iv) enter the United States in violation of Federal law;

“(v) are unlawfully present in the United States;

“(vi) are members of a criminal gang or participate in gang-related crimes, except as described in subsection (f)(3);

“(vii) constitute threats to the public safety; or

“(viii) are otherwise subject to exclusion, deportation, or removal from the United States.

“(C) refer for prosecution aliens described in subparagraph (B) or section 922(g)(5) of title 18, United States Code;

“(D) have custody (and the authority to release) over aliens detained for potential exclusion, deportation, or removal from the United States, manage the administrative immigration detention operations of U.S. Immigration and Customs Enforcement, and provide necessary, and appropriate medical care to detained aliens in the custody of the agency;

“(E) plan, coordinate, and manage the execution of exclusion, deportation, and removal orders issued to aliens;

“(F) investigate and refer for prosecution a civil or criminal violation of the immigration laws or an offense described in section 287(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1357(a)(5)); and

“(G) carry out other duties and powers as prescribed by the Director.

“(h) OFFICE OF THE PRINCIPAL LEGAL ADVISOR.—

“(1) IN GENERAL.—There is established in U.S. Immigration and Customs Enforcement an Office of the Principal Legal Advisor.

“(2) PRINCIPAL LEGAL ADVISOR.—There shall be at the head of the Office the Principal Legal Advisor a Principal Legal Advisor.

“(3) DUTIES.—The office of the Principal Legal Advisor shall—

“(A) provide specialized legal advice and policy guidance to the Director;

“(B) represent the Department in all exclusion, deportation, and removal proceedings

before the Executive Office for Immigration Review;

“(C) represent U.S. Immigration and Customs Enforcement in venues and fora as authorized by the Director or General Counsel of the Department of Homeland Security, or otherwise permitted by law; and

“(D) carry out other duties and powers as prescribed by the Director.

“(i) OFFICE OF PROFESSIONAL RESPONSIBILITY.—

“(1) IN GENERAL.—There is established in U.S. Immigration and Customs Enforcement an Office of Professional Responsibility.

“(2) ASSISTANT DIRECTOR.—There shall be at the head of the Office of Professional Responsibility an Assistant Director, who shall report to the Director.

“(3) DUTIES.—The Office of Professional Responsibility shall—

“(A) investigate allegations of administrative, civil, and criminal misconduct involving any employee or contractor of U.S. Immigration and Customs Enforcement;

“(B) inspect and review United States Immigration and Customs Enforcement's offices, operations, and processes, including detention facilities operated or used by U.S. Immigration and Customs Enforcement, and provide an independent review of United States Immigration and Customs Enforcement's organizational health, effectiveness, and efficiency of mission;

“(C) provide and manage the security programs and operations for U.S. Immigration and Customs Enforcement; and

“(D) carry out other duties and powers as prescribed by the Director.

“(j) OFFICE OF MANAGEMENT AND ADMINISTRATION.—

“(1) IN GENERAL.—There is established in U.S. Immigration and Customs Enforcement an Office of Management and Administration.

“(2) EXECUTIVE ASSOCIATE DIRECTOR.—There shall be at the head of the Office of Management and Administration an Executive Associate Director, who shall report to the Director.

“(3) DUTIES.—The Office of Management and Administration shall—

“(A) administer the Office of Human Capital to provide guidance to the agency and ensure compliance with human resources policies and practices;

“(B) administer the Office of Chief Financial Officer;

“(C) administer the Office of Policy to develop and communicate the agency policies and priorities;

“(D) create best practices to efficiently respond to all Freedom of Information Act requests received by the agency;

“(E) manage all information technology systems within the agency; and

“(F) carry out additional duties as assigned or delegated by the Director.

“(k) DEPARTMENTAL EVIDENCE DATABASES.—Notwithstanding any other provision of this Act, any officer within the Office of Enforcement and Removal Operations engaged in the duties of that office under subsection (f)(3)(C) or (f)(3)(F) shall be provided access, in connection to such duties, to databases necessary for the proper collection, recordation, and retention of any evidence collected.

“(l) OTHER AUTHORITIES.—

“(1) IN GENERAL.—The Secretary may establish such other Executive Associate Directors, or other similar positions or officials, as the secretary determines necessary to carry out the missions, duties, functions, and authorities of U.S. Immigration and Customs Enforcement.

“(2) NOTIFICATION.—If the Secretary exercises the authority provided pursuant to paragraph (1), the Secretary shall notify the Committee on the Judiciary and the Committee on Homeland Security of the House of Representatives and the Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate not later than 30 days before exercising such authority.

“(m) OTHER FEDERAL AGENCIES.—Nothing in this section may be construed as affecting or limiting in any manner the authority, as in existence on the day before the date of the enactment of this section, of any other Federal agency or other component of the Department.”

(b) SPECIAL RULES.—

(1) TREATMENT.—Section 442 of the Homeland Security Act of 2002, as amended by subsection (a) of this section, shall be treated as if included in such Act as of the date of the enactment of such Act. In addition to the functions, missions, duties, and authorities specified in such amended section 442, U.S. Immigration and Customs Enforcement shall continue to perform and carry out the functions, missions, duties, and authorities under section 442 of such Act as in existence on the day before such date of enactment (notwithstanding the treatment described in this paragraph).

(2) RULES OF CONSTRUCTION.—

(A) RULES AND REGULATIONS.—Notwithstanding the treatment described in paragraph (1), nothing in this division may be construed as affecting in any manner any rule or regulation issued or promulgated pursuant to any provision of law, including section 442 of the Homeland Security Act of 2002, as in existence on the day before the date of the enactment of this division, and any such rule or regulation shall continue to have full force and effect on and after such date.

(B) OTHER ACTIONS.—Notwithstanding the treatment described in paragraph (1), nothing in this division may be construed as affecting in any manner any action, determination, policy, or decision pursuant to section 442 of the Homeland Security Act of 2002 as in existence on the day before the date of the enactment of this division, and any such action, determination, policy, or decision shall continue to have full force and effect on and after such date.

(c) CONTINUATION IN OFFICE.—

(1) DIRECTOR.—The individual serving as the Director of U.S. Immigration and Customs Enforcement on the day before the date of the enactment of this division (notwithstanding the treatment described in subsection (b)(1)) may serve as the Director of U.S. Immigration and Customs Enforcement in accordance with section 442 of the Homeland Security Act of 2002, as amended by subsection (a), until the earlier of—

(A) the date on which such individual is no longer eligible to serve as Director; or

(B) the date on which a person nominated by the President to be the Director is confirmed by the Senate in accordance with such section 441.

(2) OTHER POSITIONS.—The individuals serving as the Deputy Director, Executive Associate Directors, Deputy Executive Associate Directors, or similar officers or officials of U.S. Immigration and Customs Enforcement under section 442 of the Homeland Security Act of 2002 on the day before the date of the enactment of this division (notwithstanding the treatment described in subsection (b)(1)) may serve as the appropriate Deputy Director, Executive Associate Directors, Deputy

Executive Associate Directors, Associate Directors, Deputy Associate Directors, Assistant Directors, and other officers and officials under section 442 of such Act, as amended by subsection (a), unless the Director of U.S. Immigration and Customs Enforcement determines that another individual should hold such position.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by striking the item relating to section 442 and inserting the following:

“Sec. 442. Establishment of U.S. Immigration and Customs Enforcement.”.

(d) TRANSPORTATION.—Section 1344(b)(6) of title 31, United States Code, is amended by inserting “the Director of U.S. Immigration and Customs Enforcement, the Commissioner of U.S. Customs and Border Protection,” after “the Administrator of the Drug Enforcement Administration.”.

(e) RULE OF CONSTRUCTION.—Nothing in this Act or the amendments made by this Act may be construed as creating any new ground for removal under the immigration laws (as such term is defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

(f) SENSE OF CONGRESS.—It is the sense of Congress that a primary mission of U.S. Immigration and Customs Enforcement is to enforce the full range of immigration laws within the interior of the United States.

(g) CONFORMING AMENDMENTS.—

(1) TITLE 5.—Section 5314 of title 5, United States Code, is amended by inserting after “Director of the Bureau of Citizenship and Immigration Services.” the following new item: “Director of U.S. Immigration and Customs Enforcement.”.

(2) INSPECTOR GENERAL ACT OF 1978.—Section 81(e) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking “the Bureau of Border Security,” and inserting “United States Immigration and Customs Enforcement.”.

(3) TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015.—Paragraph (2) of section 802(d) of the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114-125) is amended by inserting before the period at the end of the following: “or the Director of U.S. Immigration and Customs Enforcement, as determined by the Secretary of Homeland Security”.

(4) HOMELAND SECURITY ACT OF 2002.—Title IV of the Homeland Security Act of 2002 is amended—

(A) in subtitle C—

(i) in subsection (e) of section 426 (as redesignated in section 1705 of this Act), by adding at the end the following new paragraph:

“(9) DELEGATED AUTHORITY.—For purposes of this subsection, the Secretary shall act through the Director of U.S. Immigration and Customs Enforcement.”; and

(ii) in section 429 (as redesignated in section 1705 of this Act)—

(I) by redesignating subsection (e) as subsection (f); and

(II) by inserting after subsection (d) the following new subsection:

“(e) ADMINISTRATION.—The Director of U.S. Immigration and Customs Enforcement shall administer BEST units established under this section.”; and

(B) in subtitle E, in subsection (a)(2)(C) of section 451 (6 U.S.C. 271), by striking “at the same level as the Assistant Secretary of the Bureau of Border Security” and inserting “in accordance with section 5314 of title 5, United States Code”; and

(h) CLERICAL AMENDMENTS.—The table of contents in section 1(b) of such Act is amended by striking the item relating to subtitle D of title IV and inserting the following new item:

“Subtitle D—U.S. Immigration and Customs Enforcement”.

## **DIVISION C—UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES**

### **SEC. 3001. SHORT TITLE.**

This division may be cited as the “United States Citizenship and Immigration Services Authorization Act”.

### **SEC. 3002. ESTABLISHMENT OF UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES.**

(a) IN GENERAL.—Section 451 of the Homeland Security Act of 2002 (6 U.S.C. 271) is amended to read as follows:

#### **“SEC. 451. ESTABLISHMENT OF UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES.**

“(a) ESTABLISHMENT.—There is established within the Department an agency to be known as ‘United States Citizenship and Immigration Services’.

“(b) DIRECTOR OF UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES.—There shall be at the head of United States Citizenship and Immigration Services a Director of United States Citizenship and Immigration Services (in this section referred to as the ‘Director’).

“(c) QUALIFICATIONS AND DUTIES.—The Director shall—

“(1) have at least 5 years of management experience;

“(2) establish the policies and priorities of United States Citizenship and Immigration Services;

“(3) advise the Secretary of any policy or operation that affects, in a significant manner, the mission of another Department component;

“(4) meet regularly with the U.S. Citizenship and Immigration Services Ombudsman (established in section 452).

“(5) carry out—

“(A) the adjudication of immigrant and nonimmigrant visa applications and petitions;

“(B) the adjudication of naturalization applications;

“(C) the adjudication of asylum and refugee applications;

“(D) adjudications performed at service centers; and

“(E) all other adjudications formerly performed pursuant to this section by the Immigration and Naturalization Service or the Bureau of Citizenship and Immigration Services, on the day before the date of the enactment of the United States Citizenship and Immigration Services Authorization Act; and

“(6) carry out other duties and powers prescribed by law or delegated by the Secretary.

“(d) DEPUTY DIRECTOR.—There shall be a Deputy Director of United States Citizenship and Immigration Services who shall assist the Director in managing United States Citizenship and Immigration Services and who shall assist the Director in carrying out the Directors duties.

“(e) OFFICE OF THE CHIEF COUNSEL.—

“(1) IN GENERAL.—There is established within United States Citizenship and Immigration Services an Office of the Chief Counsel.

“(2) CHIEF COUNSEL.—There shall be at the head of the Office of the Chief Counsel a Chief Counsel.

“(3) DUTIES.—The Office of the Chief Counsel shall—

“(A) provide specialized legal advice, opinions, determinations, and other assistance to the Director with respect to legal matters affecting United States Citizenship and Immigration Services;

“(B) represent United States Citizenship and Immigration Services in visa petition appeal proceedings when applicable; and

“(C) carry out other duties and powers prescribed by law or delegated by the Director.

“(f) OFFICE OF POLICY AND STRATEGY.—

“(1) IN GENERAL.—There is established within United States Citizenship and Immigration Services an Office of Policy and Strategy.

“(2) CHIEF.—There shall be at the head of the Office of Policy and Strategy a Chief.

“(3) DUTIES.—The Office of Policy and Strategy shall—

“(A) develop policy recommendations for the Director;

“(B) coordinate strategy for policy implementation; and

“(C) carry out other duties and powers prescribed by law or delegated by the Director.

“(g) OFFICE OF CITIZENSHIP.—

“(1) IN GENERAL.—There is established within United States Citizenship and Immigration Services an Office of Citizenship.

“(2) CHIEF.—There shall be at the head of the Office of Citizenship a Chief.

“(3) DUTIES.—The Office of Citizenship shall—

“(A) promote instruction and training on citizenship responsibilities, as well as assimilation and civic integration, for eligible aliens who are interested in becoming naturalized citizens of the United States; and

“(B) carry out other duties and powers prescribed by law or delegated by the Director.

“(h) FRAUD DETECTION AND NATIONAL SECURITY DIRECTORATE.—

“(1) IN GENERAL.—There is established within United States Citizenship and Immigration Services a Fraud Detection and National Security Directorate.

“(2) ASSOCIATE DIRECTOR.—There shall be at the head of the Fraud Detection and National Security Directorate an Associate Director who shall report to the Director.

“(3) DUTIES.—The Fraud Detection and National Security Directorate Office of Citizenship shall in a manner that is consistent with the immigration laws (as such term is defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))—

“(A) seek to prevent immigration benefits from being granted to individuals who pose a threat to national security or public safety;

“(B) seek to prevent immigration benefits from being granted to individuals who defraud the immigration system;

“(C) conduct security and background investigations of applicants for immigration benefits and develop systems and techniques for identifying and preventing immigration benefits fraud;

“(D) investigate and refer to U.S. Immigration and Customs Enforcement, where appropriate, incidents of known or suspected fraud; and

“(E) carry out other duties and powers prescribed by law or delegated by the Director.

“(i) IMMIGRATION RECORDS AND IDENTITY SERVICES DIRECTORATE.—

“(1) IN GENERAL.—There is established within United States Citizenship and Immigration Services an Immigration Records and Identity Services Directorate.

“(2) ASSOCIATE DIRECTOR.—There shall be at the head of the Immigration Records and Identity Services Directorate an Associate Director who shall report to the Director.

“(3) DUTIES.—The Immigration Records and Identity Services Directorate shall—

“(A) manage the operation of an employment eligibility verification system as provided for by section 404 of the Illegal Immigration and Immigrant Responsibility Act of 1996 (U.S.C. 1324a note) or any successor provision;

“(B) manage the operation of the Systematic Alien Verification for Entitlements Program, or its successor program, designed to assist Federal, State, and local benefit-issuing agencies, institutions, and licensing agencies in determining the immigration status of benefit applicants so only those legally entitled to benefits receive them;

“(C) manage the biometric services, including the collection and dissemination of biometric information, provided to United States Citizenship and Immigration Services components;

“(D) manage immigration records and provide information regarding such records to stakeholders; and

“(E) carry out other duties and powers prescribed by law or delegated by the Director.

“(j) FIELD OPERATIONS DIRECTORATE.—

“(1) IN GENERAL.—There is established within United States Citizenship and Immigration Services a Field Operations Directorate.

“(2) ASSOCIATE DIRECTOR.—There shall be at the head of the Field Operations Directorate an Associate Director who shall report to the Director.

“(3) DUTIES.—The Field Operations Directorate shall—

“(A) oversee all field offices;

“(B) oversee the adjudication of immigration benefits applications and petitions, and naturalization applications;

“(C) conduct interviews for pending immigration benefits applications and petitions;

“(D) conduct naturalization ceremonies;

“(E) conduct required security and background security checks for pending applications and petitions;

“(F) ensure the integrity of immigration benefit processing that occurs at the field offices; and

“(G) carry out other duties and powers prescribed by law or delegated by the Director.

“(k) REFUGEE, ASYLUM, AND INTERNATIONAL OPERATIONS DIRECTORATE.—

“(1) IN GENERAL.—There is established within United States Citizenship and Immigration Services a Refugee, Asylum, and International Operations Directorate.

“(2) ASSOCIATE DIRECTOR.—There shall be at the head of the Refugee, Asylum, and International Operations Directorate an Associate Director who shall report to the Director.

“(3) DUTIES.—The Refugee, Asylum, and International Operations Directorate shall—

“(A) oversee refugee application adjudication and interviews;

“(B) oversee asylum application adjudication and interviews;

“(C) seek to ensure the integrity of application processing that occurs under the Refugee, Asylum and International Operations Directorate's authority;

“(D) perform other authorized functions of United States Citizenship and Immigration Services outside of the United States, such as those associated with international adoptions and naturalization of members the Armed Forces; and

“(E) carry out other duties and powers prescribed by law or delegated by the Director.

“(l) SERVICE CENTER OPERATIONS DIRECTORATE.—

“(1) IN GENERAL.—There is established within United States Citizenship and Immi-

gration Services a Service Center Operations Directorate.

“(2) ASSOCIATE DIRECTOR.—There shall be at the head of the Service Center Operations Directorate an Associate Director who shall report to the Director.

“(3) DUTIES.—The Service Center Operations Directorate shall—

“(A) oversee and manage all Service Centers;

“(B) oversee the adjudication of immigration benefit applications and petitions that occur at Service Centers;

“(C) seek to ensure the integrity of immigration benefits processing that occurs at the Service Centers; and

“(D) carry out other duties and powers prescribed by law or delegated by the Director.

“(m) MANAGEMENT DIRECTORATE.—

“(1) IN GENERAL.—There is established within United States Citizenship and Immigration Services a Management Directorate.

“(2) ASSOCIATE DIRECTOR.—There shall be at the head of the Management Directorate an Associate Director who shall report to the Director.

“(3) DUTIES.—The Management Directorate shall carry out management duties and powers prescribed by law or delegated by the Director.

“(n) OFFICE OF PROFESSIONAL RESPONSIBILITY.—

“(1) IN GENERAL.—There is established within United States Citizenship and Immigration Services an Office of Professional Responsibility.

“(2) CHIEF.—There shall be at the head of the Office of Professional Responsibility a Chief who shall report to the Director.

“(3) DUTIES.—The Office of Professional Responsibility shall—

“(A) seek to ensure compliance with all United States Citizenship and Immigration Services programs and policies relating to corruption, misconduct, or mismanagement;

“(B) investigate allegations of administrative, civil, and criminal misconduct involving any employee or contractor of United States Citizenship and Immigration Services; and

“(C) carry out other duties and powers prescribed by law or delegated by the Director.

“(o) OTHER AUTHORITIES.—

“(1) IN GENERAL.—The Secretary may establish such other Associate Directors, or other similar positions or officials, as the Secretary determines necessary to carry out the missions, duties, functions, and authorities of United States Citizenship and Immigration Services.

“(2) NOTIFICATION.—If the Secretary exercises the authority provided pursuant to paragraph (1), the Secretary shall notify the Committee on the Judiciary and the Committee on Homeland Security of the House of Representatives and the Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate not later than 30 days prior to the exercise of such authority.”

(b) SPECIAL RULES.—

(1) TREATMENT.—Section 451 of the Homeland Security Act of 2002 (6 U.S.C. 271), as amended by subsection (a) of this section, shall be treated as if included in such Act as of the date of the enactment of such Act. In addition to the functions, missions, duties, and authorities specified in such amended section 451, United States Citizenship and Immigration Services shall continue to perform and carry out the functions, missions, duties, and authorities under section 451 of such Act as in existence on the day before such date of enactment (notwithstanding the treatment described in this paragraph).

(2) RULES OF CONSTRUCTION.—

(A) RULES AND REGULATIONS.—Notwithstanding the treatment described in paragraph (1), nothing in this division may be construed as affecting in any manner any rule or regulation issued or promulgated pursuant to any provision of law, including section 451 of the Homeland Security Act of 2002 (6 U.S.C. 271), as in existence on the day before the date of the enactment of this division, and any such rule or regulation shall continue to have full force and effect on and after such date.

(B) OTHER ACTIONS.—Notwithstanding the treatment described in paragraph (1), nothing in this division may be construed as affecting in any manner any action, determination, policy, or decision pursuant to section 451 of the Homeland Security Act of 2002 (6 U.S.C. 271) as in existence on the day before the date of the enactment of this division, and any such action, determination, policy, or decision shall continue to have full force and effect on and after such date.

(c) CONTINUATION IN OFFICE.—

(1) DIRECTOR.—The individual serving as Director of United States Citizenship and Immigration Services on the day before the date of the enactment of this division may, notwithstanding the treatment provision under paragraph (1) of subsection (b), continue to serve as the Director of United States Citizenship and Immigration Services on and after such date of enactment in accordance with section 451 of the Homeland Security Act of 2002 (6 U.S.C. 271), as amended by subsection (a) of this section, until the earlier of—

(A) the date on which such individual is no longer eligible to serve as Director; or

(B) the date on which a person nominated by the President to be the Director is confirmed by the Senate in accordance with such amended section 451.

(2) OTHER POSITIONS.—The individuals serving as Chiefs, Associate Directors and other officers and officials under section 451 of the Homeland Security Act of 2002 (6 U.S.C. 271) on the day before the date of the enactment of this division may, notwithstanding the treatment provision under paragraph (1) of subsection (b), serve as the appropriate Chiefs, Assistant Directors and other officers and officials under such section 451 as amended by subsection (a) of this section unless the Director of United States Citizenship and Immigration Services determines that another individual should hold such position.

(d) REFERENCES.—

(1) TITLE 5.—Section 5314 of title 5, United States Code, is amended by striking “Director of the Bureau of Citizenship and Immigration Services” and inserting “Director of United States Citizenship and Immigration Services, Department of Homeland Security”.

(2) OTHER REFERENCES.—On and after the date of the enactment of this division, any reference in any other Federal law, Executive order, rule, regulation, or delegation of authority to the “Director of the Bureau of Citizenship and Immigration Services” or the “Bureau of Citizenship and Immigration Services” shall be deemed to be a reference to the Director of United States Citizenship and Immigration Services or United States Citizenship and Immigration Services, respectively.

(e) EMPLOYEE DISCIPLINE.—Section 454 of the Homeland Security Act of 2002 is amended to read as follows:

“SEC. 454. EMPLOYEE DISCIPLINE.

“Notwithstanding any other provision of law, the Secretary may impose disciplinary

action on any employee of United States Citizenship and Immigration Services who knowingly deceives Congress or agency leadership on any matter.”.

**(f) COMBINATION PROHIBITION.—**

(1) IN GENERAL.—Section 471 of the Homeland Security Act of 2002 is amended to read as follows:

**“SEC. 471. COMBINATION PROHIBITION.**

“The authority provided by section 1502 may be used to reorganize functions or organizational units within U.S. Immigration and Customs Enforcement or United States Citizenship and Immigration Services, but may not be used to combine the two components into a single agency or otherwise to combine, join, or consolidate functions or organizational units of the two components with each other.”.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by amending the item relating to section 471 to read as follows:

“Sec. 471. Combination prohibition.”.

**DIVISION D—UNITED STATES SECRET SERVICE**

**SEC. 4001. SHORT TITLE.**

This division may be cited as the “Secret Service Reauthorization Act of 2017”.

**SEC. 4002. PRESIDENTIAL APPOINTMENT OF DIRECTOR OF THE SECRET SERVICE.**

Section 3056 of title 18, United States Code, is amended by adding at the end:

“(h) The Director of the Secret Service shall be appointed by the President, by and with the advice and consent of the Senate. The Director of the Secret Service is the head of the Secret Service.”.

**SEC. 4003. RESTRICTED BUILDING OR GROUNDS.**

Section 1752(a) of title 18, United States Code, is amended—

(1) in paragraph (3), by striking “or” at the end;

(2) in paragraph (4), by inserting “or” at the end; and

(3) by inserting after paragraph (4) the following:

“(5) knowingly, and with the intent to enter a restricted building or grounds, causes any object to enter any restricted building or grounds, when, or so that, such object, in fact, impedes or disrupts the orderly conduct of government business or official functions;”.

**SEC. 4004. THREATS AGAINST FORMER VICE PRESIDENTS.**

Section 879(a) of title 18, United States Code, is amended—

(1) in paragraph (4), by striking “section 3056(a)(6);” and inserting “paragraph (6) or (8) of section 3056(a); or”; and

(2) by inserting after paragraph (4) the following:

“(5) a person protected by the Secret Service under a Presidential memorandum;”.

**SEC. 4005. INCREASED TRAINING.**

Beginning in the first full fiscal year after the date of enactment of this Act, the Director of the Secret Service shall increase the annual number of hours spent training by officers and agents of the Secret Service, including officers of the United States Secret Service Uniformed Division established under section 3056A of title 18, United States Code and agents operating pursuant to section 3056 of title 18, United States Code, including joint training between the two.

**SEC. 4006. TRAINING FACILITIES.**

The Director of the Secret Service is authorized to construct facilities at the Rowley Training Center necessary to improve the

training of officers of the United States Secret Service Uniformed Division established under section 3056A of title 18, United States Code and agents of the United States Secret Service, operating pursuant to section 3056 of title 18, United States Code.

**SEC. 4007. EVALUATION OF VULNERABILITIES AND THREATS.**

(a) IN GENERAL.—The Director of the Secret Service shall devise and adopt improved procedures for evaluating vulnerabilities in the security of the White House and threats to persons protected by the Secret Service, including threats posed by unmanned aerial systems or explosive devices.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Director of the Secret Service shall report on the implementation of subsection (a) to—

(1) the Committee on the Judiciary of the House of Representatives;

(2) the Committee on the Judiciary of the Senate;

(3) the Committee on Homeland Security of the House of Representatives;

(4) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(5) the Committee on Oversight and Government Reform of the House of Representatives.

**SEC. 4008. EVALUATION OF USE OF TECHNOLOGY.**

(a) IN GENERAL.—The Director of the Secret Service, in consultation with the Under Secretary for Science and Technology of the Department of Homeland Security, and other experts, shall devise and adopt improved procedures for—

(1) evaluating the ways in which technology may be used to improve the security of the White House and the response to threats to persons protected by the Secret Service; and

(2) retaining evidence pertaining to the duties referred to in paragraph (1) for an extended period of time.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Director of the Secret Service shall report on the implementation of subsection (a) to—

(1) the Committee on the Judiciary of the House of Representatives;

(2) the Committee on the Judiciary of the Senate;

(3) the Committee on Homeland Security of the House of Representatives;

(4) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(5) the Committee on Oversight and Government Reform of the House of Representatives.

**SEC. 4009. EVALUATION OF USE OF ADDITIONAL WEAPONRY.**

The Director of the Secret Service shall evaluate the practicability of equipping agents and officers with weapons other than those provided to officers and agents of the Secret Service as of the date of enactment of this Act, including nonlethal weapons.

**SEC. 4010. SECURITY COSTS FOR SECONDARY RESIDENCES.**

(a) IN GENERAL.—The Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note) is amended by striking section 4 and inserting the following:

**“SEC. 4. NOTIFICATION REGARDING EXPENDITURES ON NON-GOVERNMENTAL PROPERTIES.**

“The Secret Service shall notify the Committees on Appropriations of the House and Senate of any expenditures for permanent facilities, equipment, and services to secure any non-Governmental property in addition to the one non-Governmental property designated by each protectee under subsection (a) or (b) of section 3.”.

(b) CONFORMING AMENDMENTS.—The Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note), as amended by this Act, is further amended—

(1) in section 3(b), by striking “any expenditures by the Secret Service” and all that follows through “imposed under section 4” and inserting “any expenditures by the Secret Service for permanent facilities, equipment, and services to secure the non-Governmental property previously designated under subsection (a) are subject to the requirements set forth in section 4”; and

(2) in section 5(c), by striking “within the limitations imposed under section 4”.

**SEC. 4011. ESTABLISHMENT OF ETHICS PROGRAM OFFICE.**

Subject to the oversight of the Office of Chief Counsel of the United States Secret Service, the Director of the Secret Service shall establish an Ethics Program Office, consisting of a minimum of two employees, to administer the provisions of the Ethics in Government Act of 1978, as amended, and to provide increased training to employees of the United States Secret Service.

**SEC. 4012. SECRET SERVICE PROTECTION AT POLLING PLACES.**

Section 592 of title 18, United States Code, is amended by adding at the end the following:

“This section shall not prevent any officer or agent of the United States Secret Service from providing armed protective services authorized under section 3056 or pursuant to a Presidential memorandum at any place where a general or special election is held.”.

**SEC. 4013. SENSE OF CONGRESS.**

It is the sense of Congress that an assessment made by the Secretary of Homeland Security or the Director of the Secret Service with regard to physical security of the White House and attendant grounds, and any security-related enhancements thereto should be accorded substantial deference by the National Capital Planning Commission, the Commission of Fine Arts, and any other relevant entities.

**DIVISION E—COAST GUARD**

**SEC. 5001. SHORT TITLE.**

This Act may be cited as the “Coast Guard Authorization Act of 2017”.

**TITLE I—AUTHORIZATIONS**

**SEC. 5101. AUTHORIZATIONS OF APPROPRIATIONS.**

Section 2702 of title 14, United States Code, is amended:

(1) in the matter preceding paragraph (1), by striking “fiscal years 2016 and 2017” and inserting “fiscal years 2018 and 2019”; and

(2) in paragraph (1), by striking subparagraphs (A) and (B) and inserting the following:

“(A) \$7,263,698,328 for fiscal year 2018; and  
“(B) \$7,452,554,484 for fiscal year 2019.”;

(3) in paragraph (2), by striking subparagraphs (A) and (B) and inserting the following:

“(A) \$1,945,000,000 for fiscal year 2018; and  
“(B) \$1,945,000,000 for fiscal year 2019.”;

(4) in paragraph (3), by striking subparagraphs (A) and (B) and inserting the following:

“(A) \$134,237,000 for fiscal year 2018; and  
“(B) \$134,237,000 for fiscal year 2019.”;

(5) in paragraph (4), by striking subparagraphs (A) and (B) and inserting the following:

“(A) \$16,701,000 for fiscal year 2018; and  
“(B) \$16,701,000 for fiscal year 2019.”;

(6) in paragraph (5), by striking subparagraphs (A) and (B) and inserting the following:

“(A) \$37,263,294 for fiscal year 2018; and  
“(B) \$38,232,140 for fiscal year 2019.”.

**SEC. 5102. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.**

Section 2704 of title 14, United States Code, is amended—

(1) in subsection (a), by striking “for each of fiscal years 2016 and 2017” and inserting “for fiscal year 2018 and an end-of-year strength for such personnel of 44,500 for fiscal year 2019”; and

(2) in subsection (b), by striking “fiscal years 2016 and 2017” and inserting “fiscal years 2018 and 2019”.

**TITLE II—COAST GUARD**

**SEC. 5201. TRAINING; PUBLIC SAFETY PERSONNEL.**

(a) IN GENERAL.—Chapter 7 of title 14, United States Code, is amended by adding at the end the following:

**“§ 155. Training; public safety personnel**

“(a) IN GENERAL.—The Commandant may, on a reimbursable or a non-reimbursable basis, make training available to public safety personnel whenever the Commandant determines that—

“(1) a member of the Coast Guard, who is scheduled to participate in such training, is unable or unavailable to participate in such training;

“(2) no other member of the Coast Guard, who is assigned to the unit to which the member of the Coast Guard who is unable or unavailable to participate in such training is assigned, is able or available to participate in such training; and

“(3) such training, if made available to such public safety personnel, would further the goal of interoperability among Federal agencies, non-Federal governmental agencies, or both.

“(b) DEFINITION.—For the purposes of this section, the term ‘public safety personnel’ includes any Federal, State (or political subdivision thereof), territorial, or tribal law enforcement officer, firefighter, or emergency response provider.

“(c) TREATMENT OF REIMBURSEMENT.—Any reimbursements for training that the Coast Guard receives under this section shall be credited to the appropriation used to pay the costs for such training.

“(d) STATUS OF TRAINED PERSONNEL; LIMITATION ON LIABILITY.—

“(1) STATUS.—Any public safety personnel to whom training is made available under this section who is not otherwise a Federal employee shall not, because of that training, be considered a Federal employee for any purpose (including the purposes of chapter 81 of title 5 (relating to compensation for injury)) and sections 2671 through 2680 of title 28 (relating to tort claims).

“(2) LIMITATION ON LIABILITY.—The United States shall not be liable for actions taken by such personnel in the course of training made available under this section.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 7 of such title is amended by inserting at the end the following:

“155. Training; public safety personnel.”.

**SEC. 5202. COMMISSIONED SERVICE RETIREMENT.**

For Coast Guard officers who retire in fiscal year 2017 or 2018, the President may reduce the period of active commissioned service required under section 291 of title 14, United States Code, to a period of not less than eight years.

**SEC. 5203. OFFICER PROMOTION ZONES.**

Section 256(a) of title 14, United States Code, is amended by striking “six-tenths.” and inserting “one-half.”.

**SEC. 5204. CROSS REFERENCE.**

Section 373(a) of title 14, United States Code, is amended by inserting “designated under section 371” after “cadet”.

**SEC. 5205. REPEAL.**

Section 482 of title 14, United States Code, and the item relating to that section in the analysis for chapter 13 of that title, are repealed.

**SEC. 5206. UNMANNED AIRCRAFT SYSTEM.**

(a) IN GENERAL.—Chapter 3 of title 14, United States Code, is amended by adding at the end the following:

**“§ 61. Unmanned aircraft system**

“(a) IN GENERAL.—Subject to the availability of appropriations and to subsection (b), the Secretary of the department in which the Coast Guard is operating shall establish a land-based unmanned aircraft system program under the control of the Commandant of the Coast Guard.

“(b) LIMITATIONS.—

“(1) IN GENERAL.—During any fiscal year for which funds are appropriated for the design or construction of the Offshore Patrol Cutter, the Commandant—

“(A) may not award a contract for design of an unmanned aircraft system for use by the Coast Guard; and

“(B) may acquire an unmanned aircraft system only if such a system—

“(i) has been part of a program of record, procured by, or used by, the Department of Defense or the Department of Homeland Security, or a component thereof, before the date on which the Commandant acquires the system; and

“(ii) is acquired by the Commandant through an agreement with such a department or component, unless the unmanned aircraft system can be obtained at less cost through independent contract action.

“(2) LIMITATIONS ON APPLICATION.—

“(A) SMALL UNMANNED AIRCRAFT.—Paragraph (1)(B) does not apply to small unmanned aircraft.

“(B) PREVIOUSLY FUNDED SYSTEMS.—Subsection (b) does not apply to the design or acquisition of an unmanned aircraft system for which funds for research, development, test, and evaluation have been received from the Department of Defense or the Department of Homeland Security.

“(c) DEFINITIONS.—In this section each of the terms ‘small unmanned aircraft’ and ‘unmanned aircraft system’ has the meaning that term has in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).”.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by adding at the end the following:

“61. Unmanned aircraft system.”.

(c) CONFORMING AMENDMENT.—Subsection (c) of section 564 of title 14, United States Code, is repealed.

**SEC. 5207. COAST GUARD HEALTH-CARE PROFESSIONALS; LICENSURE PORTABILITY.**

(a) IN GENERAL.—Chapter 5 of title 14, United States Code, is amended by adding at the end the following:

**“§ 104. Coast Guard health-care professionals; licensure portability**

“(a) Notwithstanding any law regarding the licensure of health-care providers, a health-care professional described in subsection (b) may practice the health profession or professions of the health-care professional at any location in any State, the District of Columbia, or a Commonwealth, territory, or possession of the United States, regardless of where such health-care profes-

sional or the patient are located, if the practice is within the scope of the authorized Federal duties of such health-care professional.

“(b) A health-care professional described in this subsection is an individual—

“(1) who is—

“(A) a member of the Coast Guard;

“(B) a civilian employee of the Coast Guard;

“(C) a member of the Public Health Service who is assigned to the Coast Guard;

“(D) a personal services contractor under section 1091 of title 10; or

“(E) any other health-care professional credentialed and privileged at a Federal health-care institution or location specially designated by the Secretary; and

“(2) who—

“(A) has a current license to practice medicine, osteopathic medicine, dentistry, or another health profession; and

“(B) is performing authorized duties for the Coast Guard.

“(c) In this section each of the terms ‘license’ and ‘health-care professional’ has the meaning that term has in section 1094(e) of title 10.”.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

“104. Coast Guard health-care professionals; licensure portability.”.

**SEC. 5208. INCENTIVE CONTRACTS FOR COAST GUARD YARD AND INDUSTRIAL ESTABLISHMENTS.**

Section 648 of title 14, United States Code, is amended—

(1) by inserting before the text the following: “(a) IN GENERAL.—”;

(2) in subsection (a), as designated by the amendment made by paragraph (1) of this section, by striking the period at the end of the last sentence and inserting “or in accordance with subsection (b).”; and

(3) by adding at the end the following:

“(b) INCENTIVE CONTRACTS.—

“(1) The parties to an order for industrial work to be performed by the Coast Guard Yard or a Coast Guard industrial establishment designated under subsection (a) may enter into an order or a cost-plus-incentive-fee order in accordance with this subsection.

“(2) If such parties enter into such an order or a cost-plus-incentive-fee order, an agreed-upon amount of any adjustment described in subsection (a) may be distributed as an incentive to the wage-grade industrial employees who complete the order.

“(3) Before entering into such an order or cost-plus-incentive-fee order such parties must agree that the wage-grade employees of the Coast Guard Yard or Coast Guard industrial establishment will take action to improve the delivery schedule or technical performance agreed to in the order for industrial work to which such parties initially agreed.

“(4) Notwithstanding any other provision of law, if the industrial workforce of the Coast Guard Yard or such Coast Guard industrial establishment satisfies the performance target established in such an order or cost-plus-incentive-fee order—

“(A) the adjustment to be made pursuant to this subsection shall be reduced by such agreed-upon amount and distributed to such wage-grade industrial employees; and

“(B) the remainder of the adjustment shall be credited to the appropriation for such order current at that time.”.

**SEC. 5209. MAINTAINING CUTTERS IN CLASS.**

Section 573(c)(3)(A) of title 14, United States Code, is amended—

(1) by striking “(A) IN GENERAL.—”; and

(2) by inserting “and shall maintain such cutter in class” before the period at the end.

#### SEC. 5210. CONGRESSIONAL AFFAIRS; DIRECTOR.

(a) IN GENERAL.—Chapter 3 of title 14, United States Code, as amended by section 206 of this Act, is further amended by adding at the end the following:

##### “§ 62. Congressional affairs; director

“The Commandant shall appoint a Director of Congressional Affairs from among officers of the Coast Guard who are in a grade above captain.”.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

“62. Congressional Affairs; Director.”.

#### SEC. 5211. CONTRACTING FOR MAJOR ACQUISITIONS PROGRAMS.

(a) IN GENERAL.—Subchapter II of chapter 15 of title 14, United States Code, is amended by adding at the end the following:

##### “§ 580. Contracting for major acquisitions programs

“(a) IN GENERAL.—The Commandant of the Coast Guard, or the head of an integrated program office established for major acquisitions, may enter into contracts for major acquisition programs.

“(b) AUTHORIZED METHODS.—Such contracts—

“(1) may be block buy contracts;

“(2) may be incrementally funded;

“(3) may include combined purchases, also known as economic order quantity purchases, of—

“(A) materials and components; and

“(B) long lead time materials; and

“(4) may be multiyear contracts that comply with section 2306b of title 10.

“(c) SUBJECT TO APPROPRIATIONS.—Any contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of amounts specifically provided in advance for that purpose in subsequent appropriations Acts.”.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by adding at the end of the items relating to such subchapter the following:

“580. Contracting for major acquisitions programs.”.

(c) CONFORMING AMENDMENTS.—The following provisions are repealed:

(1) Section 223 of Public Law 113–281 (14 U.S.C. 577 note), and the item relating to that section in the table of contents in section 2 of such Act.

(2) Section 221(a) of Public Law 112–213 (14 U.S.C. 573 note).

(3) Section 207(a) of Public Law 114–120 (14 U.S.C. 87 note).

#### SEC. 5212. NATIONAL SECURITY CUTTER.

(a) STANDARD METHOD FOR TRACKING.—The Commandant of the Coast Guard may not certify an eighth National Security Cutter as Ready for Operations before the date on which the Commandant provides to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

(1) a notification of a new standard method for tracking operational employment of Coast Guard major cutters that does not include time during which such a cutter is away from its homeport for maintenance or repair; and

(2) a report analyzing cost and performance for different approaches to achieving varied

levels of operational employment using the standard method required by paragraph (1) that, at a minimum—

(A) compares over a 30-year period the average annualized baseline cost and performances for a certified National Security Cutter that operated for 185 days away from homeport or an equivalent alternative measure of operational tempo—

(i) against the cost of a 15 percent increase in days away from homeport or an equivalent alternative measure of operational tempo for a National Security Cutter; and

(ii) against the cost of the acquisition and operation of an additional National Security Cutter; and

(B) examines the optimal level of operational employment of National Security Cutters to balance National Security Cutter cost and mission performance.

(b) CONFORMING AMENDMENTS.—

(1) Section 221(b) of the Coast Guard and Maritime Transportation Act of 2012 (14 U.S.C. 573 note) is repealed.

(2) Section 204(c)(1) of the Coast Guard Authorization Act of 2016 (130 Stat. 35) is repealed.

#### SEC. 5213. RADAR REFRESHER TRAINING.

Not later than 60 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall prescribe a final rule eliminating the requirement that a mariner complete an approved refresher or recertification course to maintain a radar observer endorsement. The rulemaking shall be exempt from the requirements of chapters 5 and 6 of title 5, United States Code, and Executive Orders 12866 and 13563.

#### SEC. 5214. REPEAL.

Section 676a(a) of title 14, United States Code, is amended—

(1) by striking paragraph (2);

(2) by striking “(1) IN GENERAL.—”; and

(3) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively; and

(4) in paragraph (2), as so redesignated, by striking “subparagraph (A)” and inserting “paragraph (1)”.

#### SEC. 5215. EXTENSION OF AUTHORITY.

Section 404 of the Coast Guard Authorization Act of 2010 (Public Law 111–281; 124 Stat. 2950) is amended—

(1) in subsection (a), in the text preceding paragraph (1), by striking “sections 3304, 5333, and 5753” and inserting “section 3304”; and

(2) in subsection (b), by striking “2017.” and inserting “2021.”.

#### SEC. 5216. AUTHORIZATION OF AMOUNTS FOR FAST RESPONSE CUTTERS.

(a) IN GENERAL.—Of the amounts authorized for each fiscal year 2018 and 2019 under section 2702(2) of title 14, United States Code, as amended by this Act, \$165,000,000 is authorized for the acquisition of three Fast Response Cutters in each such fiscal year.

(b) TREATMENT OF ACQUIRED CUTTERS.—Any cutters acquired under subsection (a) shall be in addition to the 58 cutters approved under the existing acquisition baseline.

#### SEC. 5217. AUTHORIZATION OF AMOUNTS FOR ICE TRIALS OF ICEBREAKER VESSELS.

(a) IN GENERAL.—Of the amounts authorized for fiscal year 2018 under paragraphs (1) and (5) of section 2702 of title 14, United States Code, as amended by this Act, up to \$3,000,000 is authorized for the Commandant of the Coast Guard to carry out ice trials of icebreaker vessels documented under section 12111 of title 46, United States Code.

(b) ASSESSMENTS.—Ice trials referred to in subsection (a) shall—

(1) assess the ability of an icebreaker vessel to carry out the missions of the Coast Guard enumerated in section 2 of title 14, United States Code; or

(2) conduct operational tests to produce information that could be used in the design and acquisition of icebreaker vessels by the Coast Guard to carry out such missions.

#### SEC. 5218. SHORESIDE INFRASTRUCTURE.

Of the amounts authorized under section 2702(2) of title 14, United States Code, as amended by this Act, for each of fiscal years 2018 and 2019 there is authorized to be appropriated \$165,000,000 to the Secretary of the department in which the Coast Guard is operating to fund the acquisition, construction, rebuilding or improvement of Coast Guard shoreside infrastructure and facilities necessary to support Coast Guard operations and readiness.

#### SEC. 5219. AIRCRAFT IMPROVEMENTS.

Of the amounts authorized under section 2702(2) of title 14, United States Code, as amended by this Act, for each of fiscal years 2018 and 2019 there is authorized to be appropriated up to \$3,500,000 to the Secretary of the department in which the Coast Guard is operating to fund analysis and program development for improvements for Coast Guard MH–65 aircraft.

#### SEC. 5220. ACQUISITION PLAN FOR INLAND WATERWAY AND RIVER TENDERS AND BAY-CLASS ICEBREAKERS.

(a) ACQUISITION PLAN.—Not later than 270 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a plan to replace or extend the life of the Coast Guard fleet of inland waterway and river tenders, and the Bay-class icebreakers.

(b) CONTENTS.—The plan under subsection (a) shall include—

(1) an analysis of the work required to extend the life of vessels described in subsection (a);

(2) recommendations for which, if any, such vessels it is cost effective to undertake a ship-life extension or enhanced maintenance program;

(3) an analysis of the aids to navigation program to determine if advances in navigation technology may reduce the needs for physical aids to navigation;

(4) recommendations for changes to physical aids to navigation and the distribution of such aids that reduce the need for the acquisition of vessels to replace the vessels described in subsection (a);

(5) a schedule for the acquisition of vessels to replace the vessels described in subsection (a), including the date on which the first vessel will be delivered;

(6) an estimate of the cost per vessel and of the total cost of the acquisition program of record; and

(7) a description of the order in which vessels to replace the vessels described in subsection (a) will be built, and the homeports of each such vessel upon its commissioning.

#### SEC. 5221. REPORT ON SEXUAL ASSAULT VICTIM RECOVERY IN THE COAST GUARD.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the

Senate a report on sexual assault prevention and response policies of the Coast Guard and strategic goals related to sexual assault victim recovery.

(b) **CONTENTS.**—The report shall—

(1) describe Coast Guard strategic goals relating to sexual assault climate, prevention, response, and accountability, and actions taken by the Coast Guard to promote sexual assault victim recovery;

(2) explain how victim recovery is being incorporated into Coast Guard strategic and programmatic guidance related to sexual assault prevention and response;

(3) examine current Coast Guard sexual assault prevention and response policy with respect to—

(A) Coast Guard criteria for what comprises sexual assault victim recovery;

(B) alignment of Coast Guard personnel policies to enhance—

(i) an approach to sexual assault response that gives priority to victim recovery;

(ii) upholding individual privacy and dignity; and

(iii) the opportunity for the continuation of Coast Guard service by sexual assault victims; and

(C) sexual harassment response, including a description of the circumstances under which sexual harassment is considered a criminal offense; and

(4) to ensure victims and supervisors understand the full scope of resources available to aid in long-term recovery, explain how the Coast Guard informs its workforce about changes to sexual assault prevention and response policies related to victim recovery.

### **TITLE III—PORTS AND WATERWAYS SAFETY**

#### **SEC. 5301. CODIFICATION OF PORTS AND WATERWAYS SAFETY ACT.**

(a) **CODIFICATION.**—Subtitle VII of title 46, United States Code, is amended by inserting before chapter 701 the following:

#### **“CHAPTER 700—PORTS AND WATERWAYS SAFETY**

##### **“SUBCHAPTER A—VESSEL OPERATIONS**

“Sec.

“70001. Vessel traffic services.

“70002. Special powers.

“70003. Port access routes.

“70004. Considerations by Secretary.

“70005. International agreements.

##### **“SUBCHAPTER B—PORTS AND WATERWAYS SAFETY**

“70011. Waterfront safety.

“70012. Navigational hazards.

“70013. Requirement to notify Coast Guard of release of objects into the navigable waters of the United States.

##### **“SUBCHAPTER C—CONDITION FOR ENTRY INTO PORTS IN THE UNITED STATES**

“70021. Conditions for entry to ports in the United States.

##### **“SUBCHAPTER D—DEFINITIONS, REGULATIONS, ENFORCEMENT, INVESTIGATORY POWERS, APPLICABILITY**

“70031. Definitions.

“70032. Saint Lawrence Seaway.

“70033. Limitation on application to foreign vessels.

“70034. Regulations.

“70035. Investigatory powers.

“70036. Enforcement.

##### **“SUBCHAPTER A—VESSEL OPERATIONS**

#### **“§ 70001. Vessel traffic services**

“(a) Subject to the requirements of section 70004, the Secretary—

“(1) in any port or place under the jurisdiction of the United States, in the navigable

waters of the United States, or in any area covered by an international agreement negotiated pursuant to section 70005, may construct, operate, maintain, improve, or expand vessel traffic services, that consist of measures for controlling or supervising vessel traffic or for protecting navigation and the marine environment and that may include one or more of reporting and operating requirements, surveillance and communications systems, routing systems, and fairways;

“(2) shall require appropriate vessels that operate in an area of a vessel traffic service to utilize or comply with that service;

“(3)(A) may require vessels to install and use specified navigation equipment, communications equipment, electronic relative motion analyzer equipment, or any electronic or other device necessary to comply with a vessel traffic service or that is necessary in the interests of vessel safety.

“(B) Notwithstanding subparagraph (A), the Secretary shall not require fishing vessels under 300 gross tons as measured under section 14502, or an alternate tonnage measured under section 14302 as prescribed by the Secretary under section 14104, or recreational vessels 65 feet or less to possess or use the equipment or devices required by this subsection solely under the authority of this chapter;

“(4) may control vessel traffic in areas subject to the jurisdiction of the United States that the Secretary determines to be hazardous, or under conditions of reduced visibility, adverse weather, vessel congestion, or other hazardous circumstances, by—

“(A) specifying times of entry, movement, or departure;

“(B) establishing vessel traffic routing schemes;

“(C) establishing vessel size, speed, or draft limitations and vessel operating conditions; and

“(D) restricting operation, in any hazardous area or under hazardous conditions, to vessels that have particular operating characteristics or capabilities that the Secretary considers necessary for safe operation under the circumstances;

“(5) may require the receipt of prearrival messages from any vessel, destined for a port or place subject to the jurisdiction of the United States, in sufficient time to permit advance vessel traffic planning before port entry, which shall include any information that is not already a matter of record and that the Secretary determines necessary for the control of the vessel and the safety of the port or the marine environment; and

“(6) may prohibit the use on vessels of electronic or other devices that interfere with communication and navigation equipment, except that such authority shall not apply to electronic or other devices certified to transmit in the maritime services by the Federal Communications Commission and used within the frequency bands 157.1875–157.4375 MHz and 161.7875–162.0375 MHz.

“(b) **COOPERATIVE AGREEMENTS.**—

“(1) **IN GENERAL.**—The Secretary may enter into cooperative agreements with public or private agencies, authorities, associations, institutions, corporations, organizations, or other persons to carry out the functions under subsection (a)(1).

“(2) **LIMITATION.**—

“(A) A nongovernmental entity may not under this subsection carry out an inherently governmental function.

“(B) As used in this paragraph, the term ‘inherently governmental function’ means any activity that is so intimately related to

the public interest as to mandate performance by an officer or employee of the Federal Government, including an activity that requires either the exercise of discretion in applying the authority of the Government or the use of judgment in making a decision for the Government.

“(c) **LIMITATION OF LIABILITY FOR COAST GUARD VESSEL TRAFFIC SERVICE PILOTS AND NON-FEDERAL VESSEL TRAFFIC SERVICE OPERATORS.**—

“(1) **COAST GUARD VESSEL TRAFFIC SERVICE PILOTS.**—Any pilot, acting in the course and scope of his or her duties while at a Coast Guard Vessel Traffic Service, who provides information, advice, or communication assistance while under the supervision of a Coast Guard officer, member, or employee shall not be liable for damages caused by or related to such assistance unless the acts or omissions of such pilot constitute gross negligence or willful misconduct.

“(2) **NON-FEDERAL VESSEL TRAFFIC SERVICE OPERATORS.**—An entity operating a non-Federal vessel traffic information service or advisory service pursuant to a duly executed written agreement with the Coast Guard, and any pilot acting on behalf of such entity, is not liable for damages caused by or related to information, advice, or communication assistance provided by such entity or pilot while so operating or acting unless the acts or omissions of such entity or pilot constitute gross negligence or willful misconduct.

#### **“§ 70002. Special powers**

“The Secretary may order any vessel, in a port or place subject to the jurisdiction of the United States or in the navigable waters of the United States, to operate or anchor in a manner the Secretary directs if—

“(1) the Secretary has reasonable cause to believe such vessel does not comply with any regulation issued under section 70034 or any other applicable law or treaty;

“(2) the Secretary determines such vessel does not satisfy the conditions for port entry set forth in section 70021 of this title; or

“(3) by reason of weather, visibility, sea conditions, port congestion, other hazardous circumstances, or the condition of such vessel, the Secretary is satisfied such direction is justified in the interest of safety.

#### **“§ 70003. Port access routes**

“(a) **AUTHORITY TO DESIGNATE.**—Except as provided in subsection (b) and subject to the requirements of subsection (c), in order to provide safe access routes for the movement of vessel traffic proceeding to or from ports or places subject to the jurisdiction of the United States, the Secretary shall designate necessary fairways and traffic separation schemes for vessels operating in the territorial sea of the United States and in high seas approaches, outside the territorial sea, to such ports or places. Such a designation shall recognize, within the designated area, the paramount right of navigation over all other uses.

“(b) **LIMITATION.**—

“(1) **IN GENERAL.**—No designation may be made by the Secretary under this section if—

“(A) the Secretary determines such a designation, as implemented, would deprive any person of the effective exercise of a right granted by a lease or permit executed or issued under other applicable provisions of law; and

“(B) such right has become vested before the time of publication of the notice required by paragraph (1) of subsection (c).

“(2) **CONSULTATION REQUIRED.**—The Secretary shall make the determination under



paragraph (1)(A) after consultation with the head of the agency responsible for executing the lease or issuing the permit.

“(C) CONSIDERATION OF OTHER USES.—Before making a designation under subsection (a), and in accordance with the requirements of section 70004, the Secretary shall—

“(1) undertake a study of the potential traffic density and the need for safe access routes for vessels in any area for which fairways or traffic separation schemes are proposed or that may otherwise be considered and publish notice of such undertaking in the Federal Register;

“(2) in consultation with the Secretary of State, the Secretary of the Interior, the Secretary of Commerce, the Secretary of the Army, and the Governors of affected States, as their responsibilities may require, take into account all other uses of the area under consideration, including, as appropriate, the exploration for, or exploitation of, oil, gas, or other mineral resources, the construction or operation of deepwater ports or other structures on or above the seabed or subsoil of the submerged lands or the Outer Continental Shelf of the United States, the establishment or operation of marine or estuarine sanctuaries, and activities involving recreational or commercial fishing; and

“(3) to the extent practicable, reconcile the need for safe access routes with the needs of all other reasonable uses of the area involved.

“(d) STUDY.—In carrying out the Secretary’s responsibilities under subsection (c), the Secretary shall—

“(1) proceed expeditiously to complete any study undertaken; and

“(2) after completion of such a study, promptly—

“(A) issue a notice of proposed rulemaking for the designation contemplated; or

“(B) publish in the Federal Register a notice that no designation is contemplated as a result of the study and the reason for such determination.

“(e) IMPLEMENTATION OF DESIGNATION.—In connection with a designation made under this section, the Secretary—

“(1) shall issue reasonable rules and regulations governing the use of such designated areas, including rules and regulations regarding the applicability of rules 9 and 10 of the International Regulations for Preventing Collisions at Sea, 1972, relating to narrow channels and traffic separation schemes, respectively, in waters where such regulations apply;

“(2) to the extent that the Secretary finds reasonable and necessary to effectuate the purposes of the designation, make the use of designated fairways and traffic separation schemes mandatory for specific types and sizes of vessels, foreign and domestic, operating in the territorial sea of the United States and for specific types and sizes of vessels of the United States operating on the high seas beyond the territorial sea of the United States;

“(3) may, from time to time, as necessary, adjust the location or limits of designated fairways or traffic separation schemes in order to accommodate the needs of other uses that cannot be reasonably accommodated otherwise, except that such an adjustment may not, in the judgment of the Secretary, unacceptably adversely affect the purpose for which the existing designation was made and the need for which continues; and

“(4) shall, through appropriate channels—

“(A) notify cognizant international organizations of any designation, or adjustment thereof; and

“(B) take action to seek the cooperation of foreign States in making it mandatory for vessels under their control to use, to the same extent as required by the Secretary for vessels of the United States, any fairway or traffic separation scheme designated under this section in any area of the high seas.

#### “§ 70004. Considerations by Secretary

“In carrying out the duties of the Secretary under sections 70001, 70002, and 70003, the Secretary shall—

“(1) take into account all relevant factors concerning navigation and vessel safety, protection of the marine environment, and the safety and security of United States ports and waterways, including—

“(A) the scope and degree of the risk or hazard involved;

“(B) vessel traffic characteristics and trends, including traffic volume, the sizes and types of vessels involved, potential interference with the flow of commercial traffic, the presence of any unusual cargoes, and other similar factors;

“(C) port and waterway configurations and variations in local conditions of geography, climate, and other similar factors;

“(D) the need for granting exemptions for the installation and use of equipment or devices for use with vessel traffic services for certain classes of small vessels, such as self-propelled fishing vessels and recreational vessels;

“(E) the proximity of fishing grounds, oil and gas drilling and production operations, or any other potential or actual conflicting activity;

“(F) environmental factors;

“(G) economic impact and effects;

“(H) existing vessel traffic services; and

“(I) local practices and customs, including voluntary arrangements and agreements within the maritime community; and

“(2) at the earliest possible time, consult with and receive and consider the views of representatives of the maritime community, ports and harbor authorities or associations, environmental groups, and other persons who may be affected by the proposed actions.

#### “§ 70005. International agreements

“(a) TRANSMITTAL OF REGULATIONS.—The Secretary shall transmit, via the Secretary of State, to appropriate international bodies or forums, any regulations issued under this subchapter, for consideration as international standards.

“(b) AGREEMENTS.—The President is authorized and encouraged to—

“(1) enter into negotiations and conclude and execute agreements with neighboring nations, to establish compatible vessel standards and vessel traffic services, and to establish, operate, and maintain international vessel traffic services, in areas and under circumstances of mutual concern; and

“(2) enter into negotiations, through appropriate international bodies, and conclude and execute agreements to establish vessel traffic services in appropriate areas of the high seas.

“(c) OPERATIONS.—The Secretary, pursuant to any agreement negotiated under subsection (b) that is binding upon the United States in accordance with constitutional requirements, may—

“(1) require vessels operating in an area of a vessel traffic service to utilize or to comply with the vessel traffic service, including the carrying or installation of equipment and devices as necessary for the use of the service; and

“(2) waive, by order or regulation, the application of any United States law or regula-

tion concerning the design, construction, operation, equipment, personnel qualifications, and manning standards for vessels operating in waters over which the United States exercises jurisdiction if such vessel is not en route to or from a United States port or place, and if vessels en route to or from a United States port or place are accorded equivalent waivers of laws and regulations of the neighboring nation, when operating in waters over which that nation exercises jurisdiction.

“(d) SHIP REPORTING SYSTEMS.—The Secretary, in cooperation with the International Maritime Organization, may implement and enforce two mandatory ship reporting systems, consistent with international law, with respect to vessels subject to such reporting systems entering the following areas of the Atlantic Ocean:

“(1) Cape Cod Bay, Massachusetts Bay, and Great South Channel (in the area generally bounded by a line starting from a point on Cape Ann, Massachusetts at 42 deg. 39’ N., 70 deg. 37’ W; then northeast to 42 deg. 45’ N., 70 deg. 13’ W; then southeast to 42 deg. 10’ N., 68 deg. 31’ W, then south to 41 deg. 00’ N., 68 deg. 31’ W; then west to 41 deg. 00’ N., 69 deg. 17’ W; then northeast to 42 deg. 05’ N., 70 deg. 02’ W, then west to 42 deg. 04’ N., 70 deg. 10’ W; and then along the Massachusetts shoreline of Cape Cod Bay and Massachusetts Bay back to the point on Cape Ann at 42 deg. 39’ N., 70 deg. 37’ W).

“(2) In the coastal waters of the Southeastern United States within about 25 nm along a 90 nm stretch of the Atlantic seaboard (in an area generally extending from the shoreline east to longitude 80 deg. 51.6’ W with the southern and northern boundary at latitudes 30 deg. 00’ N., 31 deg. 27’ N., respectively).

#### “SUBCHAPTER B—PORTS AND WATERWAYS SAFETY

##### “§ 70011. Waterfront safety

“(a) IN GENERAL.—The Secretary may take such action as is necessary to—

“(1) prevent damage to, or the destruction of, any bridge or other structure on or in the navigable waters of the United States, or any land structure or shore area immediately adjacent to such waters; and

“(2) protect the navigable waters and the resources therein from harm resulting from vessel or structure damage, destruction, or loss.

“(b) ACTIONS AUTHORIZED.—Actions authorized by subsection (a) include—

“(1) establishing procedures, measures, and standards for the handling, loading, unloading, storage, stowage, and movement on a structure (including the emergency removal, control, and disposition) of explosives or other dangerous articles and substances, including oil or hazardous material as those terms are defined in section 2101;

“(2) prescribing minimum safety equipment requirements for a structure to assure adequate protection from fire, explosion, natural disaster, and other serious accidents or casualties;

“(3) establishing water or waterfront safety zones, or other measures, for limited, controlled, or conditional access and activity when necessary for the protection of any vessel, structure, waters, or shore area; and

“(4) establishing procedures for examination to assure compliance with the requirements prescribed under this section.

“(c) STATE LAW.—Nothing in this section, with respect to structures, prohibits a State or political subdivision thereof from prescribing higher safety equipment requirements or safety standards than those that

may be prescribed by regulations under this section.

**“§ 70012. Navigational hazards**

“(a) REPORTING PROCEDURE.—The Secretary shall establish a program to encourage fishermen and other vessel operators to report potential or existing navigational hazards involving pipelines to the Secretary through Coast Guard field offices.

“(b) SECRETARY’S RESPONSE.—

“(1) NOTIFICATION BY THE OPERATOR OF A PIPELINE.—Upon notification by the operator of a pipeline of a hazard to navigation with respect to that pipeline, the Secretary shall immediately notify Coast Guard headquarters, the Pipeline and Hazardous Materials Safety Administration, other affected Federal and State agencies, and vessel owners and operators in the pipeline’s vicinity.

“(2) NOTIFICATION BY OTHER PERSONS.—Upon notification by any other person of a hazard or potential hazard to navigation with respect to a pipeline, the Secretary shall promptly determine whether a hazard exists, and if so shall immediately notify Coast Guard headquarters, the Pipeline and Hazardous Materials Safety Administration, other affected Federal and State agencies, vessel owners and operators in the pipeline’s vicinity, and the owner and operator of the pipeline.

“(c) PIPELINE DEFINED.—For purposes of this section, the term ‘pipeline’ has the meaning given the term ‘pipeline facility’ in section 60101(a)(18) of title 49.

**“§ 70013. Requirement to notify Coast Guard of release of objects into the navigable waters of the United States**

“(a) REQUIREMENT.—As soon as a person has knowledge of any release from a vessel or facility into the navigable waters of the United States of any object that creates an obstruction prohibited under section 10 of the Act of March 3, 1899, popularly known as the Rivers and Harbors Appropriations Act of 1899 (33 U.S.C. 403), such person shall notify the Secretary and the Secretary of the Army of such release.

“(b) RESTRICTION ON USE OF NOTIFICATION.—Any notification provided by an individual in accordance with subsection (a) may not be used against such individual in any criminal case, except a prosecution for perjury or for giving a false statement.

**“SUBCHAPTER C—CONDITION FOR ENTRY INTO PORTS IN THE UNITED STATES**

**“§ 70021. Conditions for entry to ports in the United States**

“(a) IN GENERAL.—No vessel that is subject to chapter 37 shall operate in the navigable waters of the United States or transfer cargo or residue in any port or place under the jurisdiction of the United States, if such vessel—

“(1) has a history of accidents, pollution incidents, or serious repair problems that, as determined by the Secretary, creates reason to believe that such vessel may be unsafe or may create a threat to the marine environment;

“(2) fails to comply with any applicable regulation issued under section 70034, chapter 37, or any other applicable law or treaty;

“(3) discharges oil or hazardous material in violation of any law of the United States or in a manner or quantities inconsistent with any treaty to which the United States is a party;

“(4) does not comply with any applicable vessel traffic service requirements;

“(5) is manned by one or more officers who are licensed by a certifying State that the

Secretary has determined, pursuant to section 9101 of title 46, does not have standards for licensing and certification of seafarers that are comparable to or more stringent than United States standards or international standards that are accepted by the United States;

“(6) is not manned in compliance with manning levels as determined by the Secretary to be necessary to insure the safe navigation of the vessel; or

“(7) while underway, does not have at least one licensed deck officer on the navigation bridge who is capable of clearly understanding English.

“(b) EXCEPTIONS.—

“(1) IN GENERAL.—The Secretary may allow provisional entry of a vessel that is not in compliance with subsection (a), if the owner or operator of such vessel proves, to the satisfaction of the Secretary, that such vessel is not unsafe or a threat to the marine environment, and if such entry is necessary for the safety of the vessel or persons aboard.

“(2) PROVISIONS NOT APPLICABLE.—Paragraphs (1), (2), (3), and (4) of subsection (a) of this section shall not apply to a vessel allowed provisional entry under paragraph (1) if the owner or operator of such vessel proves, to the satisfaction of the Secretary, that such vessel is no longer unsafe or a threat to the marine environment, and is no longer in violation of any applicable law, treaty, regulation or condition, as appropriate.

**“SUBCHAPTER D—DEFINITIONS, REGULATIONS, ENFORCEMENT, INVESTIGATORY POWERS, APPLICABILITY**

**“§ 70031. Definitions**

“As used in subchapters A through C and this subchapter, unless the context otherwise requires:

“(1) The term ‘marine environment’ means—

“(A) the navigable waters of the United States and the land and resources therein and thereunder;

“(B) the waters and fishery resources of any area over which the United States asserts exclusive fishery management authority;

“(C) the seabed and subsoil of the Outer Continental Shelf of the United States, the resources thereof, and the waters superjacent thereto; and

“(D) the recreational, economic, and scenic values of such waters and resources.

“(2) The term ‘Secretary’ means the Secretary of the department in which the Coast Guard is operating, except that such term means the Secretary of Transportation with respect to the application of this chapter to the Saint Lawrence Seaway.

“(3) The term ‘navigable waters of the United States’ includes all waters of the territorial sea of the United States as described in Presidential Proclamation No. 5928 of December 27, 1988.

**“§ 70032. Saint Lawrence Seaway**

“The authority granted to the Secretary under sections 70001, 70002, 70003, 7004, and 70011 may not be delegated with respect to the Saint Lawrence Seaway to any agency other than the Saint Lawrence Seaway Development Corporation. Any other authority granted the Secretary under subchapters A through C and this subchapter shall be delegated by the Secretary to the Saint Lawrence Seaway Development Corporation to the extent the Secretary determines such delegation is necessary for the proper operation of the Saint Lawrence Seaway.

**“§ 70033. Limitation on application to foreign vessels**

“Except pursuant to international treaty, convention, or agreement, to which the United States is a party, subchapters A through C and this subchapter shall not apply to any foreign vessel that is not destined for, or departing from, a port or place subject to the jurisdiction of the United States and that is in—

“(1) innocent passage through the territorial sea of the United States; or

“(2) transit through the navigable waters of the United States that form a part of an international strait.

**“§ 70034. Regulations**

“(a) IN GENERAL.—In accordance with section 553 of title 5, the Secretary shall issue, and may from time to time amend or repeal, regulations necessary to implement subchapters A through C and this subchapter.

“(b) CONSULTATION.—In the exercise of the regulatory authority under subchapters A through C and this subchapter, the Secretary shall consult with, and receive and consider the views of all interested persons, including—

“(1) interested Federal departments and agencies;

“(2) officials of State and local governments;

“(3) representatives of the maritime community;

“(4) representatives of port and harbor authorities or associations;

“(5) representatives of environmental groups;

“(6) any other interested persons who are knowledgeable or experienced in dealing with problems involving vessel safety, port and waterways safety, and protection of the marine environment; and

“(7) advisory committees consisting of all interested segments of the public when the establishment of such committees is considered necessary because the issues involved are highly complex or controversial.

**“§ 70035. Investigatory powers**

“(a) SECRETARY.—The Secretary may investigate any incident, accident, or act involving the loss or destruction of, or damage to, any structure subject to subchapters A through C and this subchapter, or that affects or may affect the safety or environmental quality of the ports, harbors, or navigable waters of the United States.

“(b) POWERS.—In an investigation under this section, the Secretary may issue subpoenas to require the attendance of witnesses and the production of documents or other evidence relating to such incident, accident, or act. If any person refuses to obey a subpoena, the Secretary may request the Attorney General to invoke the aid of the appropriate district court of the United States to compel compliance with the subpoena. Any district court of the United States may, in the case of refusal to obey a subpoena, issue an order requiring compliance with the subpoena, and failure to obey the order may be punished by the court as contempt. Witnesses may be paid fees for travel and attendance at rates not exceeding those allowed in a district court of the United States.

**“§ 70036. Enforcement**

“(a) CIVIL PENALTY.—

“(1) IN GENERAL.—Any person who is found by the Secretary, after notice and an opportunity for a hearing, to have violated subchapters A through C or this subchapter or a regulation issued under subchapters A through C or this subchapter shall be liable

to the United States for a civil penalty, not to exceed \$25,000 for each violation. Each day of a continuing violation shall constitute a separate violation. The amount of such civil penalty shall be assessed by the Secretary, or the Secretary's designee, by written notice. In determining the amount of such penalty, the Secretary shall take into account the nature, circumstances, extent, and gravity of the prohibited acts committed and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and such other matters as justice may require.

“(2) COMPROMISE, MODIFICATION, OR REMISSION.—The Secretary may compromise, modify, or remit, with or without conditions, any civil penalty that is subject to imposition or that has been imposed under this section.

“(3) FAILURE TO PAY PENALTY.—If any person fails to pay an assessment of a civil penalty after it has become final, the Secretary may refer the matter to the Attorney General of the United States, for collection in any appropriate district court of the United States.

“(b) CRIMINAL PENALTY.—

“(1) CLASS D FELONY.—Any person who willfully and knowingly violates subchapters A through C or this subchapter or any regulation issued thereunder commits a class D felony.

“(2) CLASS C FELONY.—Any person who, in the willful and knowing violation of subchapters A through C or this subchapter or of any regulation issued thereunder, uses a dangerous weapon, or engages in conduct that causes bodily injury or fear of imminent bodily injury to any officer authorized to enforce the provisions of such a subchapter or the regulations issued under such subchapter, commits a class C felony.

“(c) IN REM LIABILITY.—Any vessel that is used in violation of subchapters A, B, or C or this subchapter, or any regulations issued under such subchapter, shall be liable in rem for any civil penalty assessed pursuant to subsection (a) and may be proceeded against in the United States district court for any district in which such vessel may be found.

“(d) INJUNCTION.—The United States district courts shall have jurisdiction to restrain violations of subchapter A, B, or C or this subchapter or of regulations issued under such subchapter, for cause shown.

“(e) DENIAL OF ENTRY.—Except as provided in section 70021, the Secretary may, subject to recognized principles of international law, deny entry by any vessel that is not in compliance with subchapter A, B, or C or this subchapter or the regulations issued under such subchapter—

“(1) into the navigable waters of the United States; or

“(2) to any port or place under the jurisdiction of the United States.

“(f) WITHHOLDING OF CLEARANCE.—

“(1) IN GENERAL.—If any owner, operator, or individual in charge of a vessel is liable for a penalty or fine under this section, or if reasonable cause exists to believe that the owner, operator, or individual in charge may be subject to a penalty or fine under this section, the Secretary of the Treasury, upon the request of the Secretary, shall with respect to such vessel refuse or revoke any clearance required by section 60105 of title 46.

“(2) GRANTING CLEARANCE REFUSED OR REVOKED.—Clearance refused or revoked under this subsection may be granted upon filing of a bond or other surety satisfactory to the Secretary.”

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such subtitle is amended by

inserting before the item relating to chapter 701 the following:

**“700. Ports and Waterways Safety .....70001.”**  
**SEC. 5302. CONFORMING AMENDMENTS.**

(a) ELECTRONIC CHARTS.—

(1) TRANSFER OF PROVISION.—Section 4A of the Ports and Waterways Safety Act (33 U.S.C. 1223a)—

(A) is redesignated as section 3105 of title 46, United States Code, and transferred to appear after section 3104 of that title; and

(B) is amended by striking subsection (b) and inserting the following:

“(b) LIMITATION ON APPLICATION.—Except pursuant to an international treaty, convention, or agreement, to which the United States is a party, this section shall not apply to any foreign vessel that is not destined for, or departing from, a port or place subject to the jurisdiction of the United States and that is in—

“(1) innocent passage through the territorial sea of the United States; or

“(2) transit through the navigable waters of the United States that form a part of an international strait.”

(2) CLERICAL AMENDMENT.—The analysis at the beginning of chapter 31 of such title is amended by adding at the end the following: “3105. Electronic charts.”

(b) PORT, HARBOR, AND COASTAL FACILITY SECURITY.—

(1) TRANSFER OF PROVISIONS.—So much of section 7 of the Ports and Waterways Safety Act (33 U.S.C. 1226) as precedes subsection (c) of that section is redesignated as section 70116 of title 46, United States Code, and transferred so as to replace section 70116 of that title, as in effect before the enactment of this Act.

(2) DEFINITIONS, ADMINISTRATION, AND ENFORCEMENT.—Section 70116 of title 46, United States Code, as amended by paragraph (1) of this subsection, is amended by adding at the end the following:

“(c) DEFINITIONS, ADMINISTRATION, AND ENFORCEMENT.—This section shall be treated as part of chapter 700 for purposes of sections 70031, 70032, 70034, 70035, and 70036.”

(3) CLERICAL AMENDMENT.—The analysis at the beginning of chapter 701 of such title is amended by striking the item relating to section 70116 and inserting the following:

“70116. Port, harbor, and coastal facility security.”

(c) NONDISCLOSURE OF PORT SECURITY PLANS.—Subsection (c) of section 7 of the Ports and Waterways Safety Act (33 U.S.C. 1226), as so designated before the application of subsection (b)(1) of this section—

(1) is redesignated as subsection (f) of section 70103 of title 46, United States Code, and transferred so as to appear after subsection (e) of such section; and

(2) is amended by striking “this Act” and inserting “this chapter”.

(d) REPEAL.—Section 2307 of title 46, United States Code, and the item relating to that section in the analysis at the beginning of chapter 23 of that title, are repealed.

(e) REPEAL.—The Ports and Waterways Safety Act (33 U.S.C. 1221–1231, 1232–1232b), as amended by this Act, is repealed.

**SEC. 5303. TRANSITIONAL AND SAVINGS PROVISIONS.**

(a) DEFINITIONS.—In this section:

(1) SOURCE PROVISION.—The term “source provision” means a provision of law that is replaced by a title 46 provision under this title.

(2) TITLE 46 PROVISION.—The term “title 46 provision” means a provision of title 46, United States Code, that is enacted by section 5302.

(b) CUTOFF DATE.—The title 46 provisions replace certain provisions of law enacted before the date of the enactment of this Act. If a law enacted after that date amends or repeals a source provision, that law is deemed to amend or repeal, as the case may be, the corresponding title 46 provision. If a law enacted after that date is otherwise inconsistent with a title 46 provision or a provision of this title, that law supersedes the title 46 provision or provision of this title to the extent of the inconsistency.

(c) ORIGINAL DATE OF ENACTMENT UNCHANGED.—For purposes of determining whether one provision of law supersedes another based on enactment later in time, a title 46 provision is deemed to have been enacted on the date of enactment of the source provision that the title 46 provision replaces.

(d) REFERENCES TO TITLE 46 PROVISIONS.—A reference to a title 46 provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding source provision.

(e) REFERENCES TO SOURCE PROVISIONS.—A reference to a source provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding title 46 provision.

(f) REGULATIONS, ORDERS, AND OTHER ADMINISTRATIVE ACTIONS.—A regulation, order, or other administrative action in effect under a source provision continues in effect under the corresponding title 46 provision.

(g) ACTIONS TAKEN AND OFFENSES COMMITTED.—An action taken or an offense committed under a source provision is deemed to have been taken or committed under the corresponding title 46 provision.

**SEC. 5304. RULE OF CONSTRUCTION.**

This title, including the amendments made by this title, is intended only to transfer provisions of the Ports and Waterways Safety Act to title 46, United States Code, and may not be construed to alter—

(1) the effect of a provision of the Ports and Waterways Safety Act, including any authority or requirement therein;

(2) a department or agency interpretation with respect to the Ports and Waterways Safety Act; or

(3) a judicial interpretation with respect to the Ports and Waterways Safety Act.

**SEC. 5305. ADVISORY COMMITTEE: REPEAL.**

Section 18 of the Coast Guard Authorization Act of 1991 (Public Law 102–241; 105 Stat. 2213) is repealed.

**SEC. 5306. REGATTAS AND MARINE PARADES.**

(a) IN GENERAL.—Chapter 700 of title 46, United States Code, as established by section 5301 of this Act, is amended by adding at the end the following:

“SUBCHAPTER E—REGATTAS AND MARINE PARADES

**“§ 70041. Regattas and marine parades**

“(a) IN GENERAL.—The Commandant of the Coast Guard may issue regulations to promote the safety of life on navigable waters during regattas or marine parades.

“(b) DETAIL AND USE OF VESSELS.—To enforce regulations issued under this section—

“(1) the Commandant may detail any public vessel in the service of the Coast Guard and make use of any private vessel tendered gratuitously for that purpose; and

“(2) upon the request of the Commandant, the head of any other Federal department or agency may enforce the regulations by means of any public vessel of such department and any private vessel tendered gratuitously for that purpose.

“(c) TRANSFER OF AUTHORITY.—The authority of the Commandant under this section

may be transferred by the President for any special occasion to the head of another Federal department or agency whenever in the President's judgment such transfer is desirable.

**“(d) PENALTIES.—**

**“(1) IN GENERAL.—**For any violation of regulations issued pursuant to this section the following penalties shall be incurred:

**“(A)** A licensed officer shall be liable to suspension or revocation of license in the manner prescribed by law for incompetency or misconduct.

**“(B)** Any person in charge of the navigation of a vessel other than a licensed officer shall be liable to a penalty of \$5,000.

**“(C)** The owner of a vessel (including any corporate officer of a corporation owning the vessel) actually on board shall be liable to a penalty of \$5,000, unless the violation of regulations occurred without the owner's knowledge.

**“(D)** Any other person shall be liable to a penalty of \$2,500.

**“(2) MITIGATION OR REMISSION.—**The Commandant may mitigate or remit any penalty provided for in this subsection in the manner prescribed by law for the mitigation or remission of penalties for violation of the navigation laws.”.

**(b) CLERICAL AMENDMENT.—**The analysis for chapter 700 of title 46, United States Code, as established by section 5301 of this Act, is amended by adding at the end the following:

**“SUBCHAPTER E—REGATTAS AND MARINE PARADES**

**“70041. Regattas and marine parades.”.**

**(c) REPEAL.—**The Act of April 28, 1908 (35 Stat. 69, chapter 151; 33 U.S.C. 1233 et seq.), is repealed.

**SEC. 5307. REGULATION OF VESSELS IN TERRITORIAL WATERS OF UNITED STATES.**

**(a) ESTABLISHMENT OF SUBCHAPTER F.—**Chapter 700 of title 46, United States Code, as established by section 5301 of this Act, is amended by adding at the end the following:

**“SUBCHAPTER F—REGULATION OF VESSELS IN TERRITORIAL WATERS OF UNITED STATES**

**“§ 70054. Definitions**

**“In this subchapter:**

**“(1) UNITED STATES.—**The term ‘United States’ includes all territory and waters, continental or insular, subject to the jurisdiction of the United States.

**“(2) TERRITORIAL WATERS.—**The term ‘territorial waters of the United States’ includes all waters of the territorial sea of the United States as described in Presidential Proclamation 5928 of December 27, 1988.”.

**(b) REGULATION OF ANCHORAGE AND MOVEMENT OF VESSELS DURING NATIONAL EMERGENCY.—**Section 1 of title II of the Act of June 15, 1917 (40 Stat. 220, chapter 30; 50 U.S.C. 191), is amended—

(1) by striking the section designation and all that follows before “by proclamation” and inserting the following:

**“§ 70051. Regulation of anchorage and movement of vessels during national emergency**

**“Whenever the President”;**

(2) by striking “of the Treasury”;

(3) by striking “of the department in which the Coast Guard is operating”;

(4) by striking “this title” and inserting “this subchapter”;

(5) by transferring the section so that the section appears before section 70054 of title 46, United States Code (as added by subsection (a) of this section).

**(c) SEIZURE AND FORFEITURE OF VESSEL; FINE AND IMPRISONMENT.—**Section 2 of title

II of the Act of June 15, 1917 (40 Stat. 220, chapter 30; 50 U.S.C. 192), is amended—

(1) by striking the section designation and all that follows before “agent,” and inserting the following:

**“§ 70052. Seizure and forfeiture of vessel; fine and imprisonment**

**“(a) IN GENERAL.—**If any owner,”;

(2) by striking “this title” each place it appears and inserting “this subchapter”;

(3) by transferring the section so that the section appears after section 70051 of title 46, United States Code (as transferred by subsection (b) of this section).

**(d) ENFORCEMENT PROVISIONS.—**Section 4 of title II of the Act of June 15, 1917 (40 Stat. 220, chapter 30; 50 U.S.C. 194), is amended—

(1) by striking all before “may employ” and inserting the following:

**“§ 70053. Enforcement provisions**

**“The President”;**

(2) by striking “the purpose of this title” and inserting “this subchapter”;

(3) by transferring the section so that the section appears after section 70052 of title 46, United States Code (as transferred by subsection (c) of this section).

**(e) CLERICAL AMENDMENT.—**The analysis for chapter 700 of title 46, United States Code, as established by section 5301 of this Act, is amended by adding at the end the following:

**“SUBCHAPTER F—REGULATION OF VESSELS IN TERRITORIAL WATERS OF UNITED STATES**

**“70051. Regulation of anchorage and movement of vessels during national emergency.**

**“70052. Seizure and forfeiture of vessel; fine and imprisonment.**

**“70053. Enforcement provisions.**

**“70054. Definitions.”.**

**TITLE IV—MARITIME TRANSPORTATION SAFETY**

**SEC. 5401. CLARIFICATION OF LOGBOOK ENTRIES.**

**(a) IN GENERAL.—**Section 11304 of title 46, United States Code, is amended—

(1) in subsection (a), by striking “an official” and inserting “a”;

(2) in subsection (b), by amending paragraph (3) to read as follows:

**“(3)** Each illness of, and injury to, a seaman of the vessel, the nature of the illness or injury, and the medical treatment provided for the injury or illness.”.

**(b) TECHNICAL AMENDMENT.—**Section 11304(b) is amended by striking “log book” and inserting “logbook”.

**SEC. 5402. TECHNICAL CORRECTIONS: LICENSES, CERTIFICATIONS OF REGISTRY, AND MERCHANT MARINER DOCUMENTS.**

Title 46, United States Code, is amended—

(1) in section 7106(b), by striking “merchant mariner's document,” and inserting “license,”;

(2) in section 7107(b), by striking “merchant mariner's document,” and inserting “certificate of registry,”;

(3) in section 7507(b)(1), by striking “licenses or certificates of registry” and inserting “merchant mariner documents”;

(4) in section 7507(b)(2) by striking “merchant mariner's document.” and inserting “license or certificate of registry.”.

**SEC. 5403. NUMBERING FOR UNDOCUMENTED BARGES.**

Section 12301(b) of title 46, United States Code, is amended—

(1) by striking “shall” and inserting “may”;

(2) by inserting “of” after “barge”.

**SEC. 5404. DRAWBRIDGE DEVIATION EXEMPTION.**

Section 5 of the Act entitled “An Act making appropriations for the construction, re-

pair, and preservation of certain public works on rivers and harbors, and for other purposes”, approved August 18, 1894 (33 U.S.C. 499), is amended by adding at the end the following new subsection:

**“(d) EXEMPTION.—**

**“(1) IN GENERAL.—**A change to a schedule that governs the opening of a drawbridge that will be in effect for less than 6 months shall not be subject to the rule making requirements of section 553 of title 5, United States Code.

**“(2) ALTERNATE REQUIREMENTS.—**

**“(A) DUTIES OF SECRETARY.—**The Secretary of the department in which the Coast Guard is operating shall provide notice of each such change through—

**“(i)** a local notice to mariners;

**“(ii)** a Coast Guard broadcast notice to mariners; or

**“(iii)** another method of notice that the Secretary considers appropriate.

**“(B) OWNER AND OPERATOR DUTIES.—**With respect to any drawbridge other than a railroad drawbridge, the owner or operator of such drawbridge shall provide notice of such a change to—

**“(i)** the general public, through publication in a newspaper of general circulation;

**“(ii)** the Department of Transportation or other public agency with administrative jurisdiction over the roadway that abuts the approach to such bridge; and

**“(iii)** the law enforcement organization with jurisdiction over the roadway that abuts the approach to such bridge.”.

**SEC. 5405. DEADLINE FOR COMPLIANCE WITH ALTERNATE SAFETY COMPLIANCE PROGRAMS.**

**(a) DEADLINE.—**Section 4503(d) of title 46, United States Code, is amended by striking so much as precedes paragraph (3) and inserting the following:

**“(d)(1)** The Secretary, in cooperation with the commercial fishing industry, may prescribe an alternative safety compliance program that shall apply in lieu of requirements under section 4502(b), for any category of fishing vessels, fish processing vessels, or fish tender vessels that are—

**“(A)** at least 50 feet overall in length;

**“(B)** built before July 1, 2013; and

**“(C)** 25 years of age or older.

**“(2)** An alternative safety compliance program prescribed under paragraph (1) shall apply to a vessel—

**“(A)** except as provided in subparagraph (B), after the later of January 1, 2020, or the end of the 3-year period beginning on the date on which the Secretary prescribes the program; and

**“(B)** in the case of a vessel that undergoes a major conversion completed after the later of July 1, 2013, or the date the Secretary establishes standards for the alternate safety compliance program, upon the completion of such conversion.”.

**(b) CONFORMING AMENDMENT.—**Section 4502(b) of title 46, United States Code, is amended by inserting “and subject to section 4503(d),” after “In addition to the requirements of subsection (a) of this section.”.

**SEC. 5406. AUTHORIZATION FOR MARINE DEBRIS PROGRAM.**

The Marine Debris Research, Prevention, and Reduction Act is amended—

(1) in section 9 (33 U.S.C. 1958)—

(A) by striking the em-dash and all that follows through “(1)”;

(B) by striking “; and” and all that follows through the end of the section and inserting a period; and

(2) by adding at the end the following:

**“SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

“Of the amounts authorized for each fiscal year under section 2702(1) of title 14, United States Code, up to \$2,000,000 are authorized for the Commandant to carry out section 4 of this Act, of which not more than 10 percent may be used for administrative costs.”.

**SEC. 5407. ALTERNATIVE DISTRESS SIGNALS.**

(a) **PERFORMANCE STANDARD.**—Not later than one year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue a rule that establishes a performance standard for distress signals, including for maritime visual distress signals, that may be used as an alternative to the distress signals required by section 175.110 of title 33, Code of Federal Regulations..

(b) **AUTHORIZATION OF USE.**—Not later than 180 days after the date of the issuance of a rule under subsection (a), the Secretary shall issue a rule amending part 175 of title 33, Code of Federal Regulations, to authorize use of distress signals in accordance with such performance standard.

**SEC. 5408. ATLANTIC COAST PORT ACCESS ROUTE STUDY RECOMMENDATIONS.**

Not later than 30 days after the date of the enactment of the Act, the Commandant of the Coast Guard shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of action taken to carry out the recommendations contained in the final report issued by the Atlantic Coast Port Access Route Study (ACPARS) workgroup for which notice of availability was published March 14, 2016 (81 Fed. Reg. 13307).

**SEC. 5409. DOCUMENTATION OF RECREATIONAL VESSELS.**

Coast Guard personnel performing nonrecreational vessel documentation functions under subchapter II of chapter 121 of title 46, United States Code, may perform recreational vessel documentation under section 12114 of such title in any fiscal year in which—

(1) funds available for Coast Guard operating expenses may not be used for expenses incurred for recreational vessel documentation;

(2) fees collected from owners of yachts and credited to such use are insufficient to pay expenses of recreational vessel documentation; and

(3) there is a backlog of applications for recreational vessel documentation.

**SEC. 5410. CERTIFICATES OF DOCUMENTATION FOR RECREATIONAL VESSELS.**

Section 12114 of title 46, United States Code, is amended by adding at the end the following:

“(d) **EFFECTIVE PERIOD.**—A recreational endorsement for a vessel—

“(1) except as provided in paragraph (3), shall be effective for 5 years;

“(2) shall require the owner of the vessel to notify the Coast Guard of each change in the information on which the issuance of the certificate of documentation is based that occurs before the expiration of the certificate under this subsection, by not later than 30 days after such change; and

“(3) shall terminate upon the expiration of such 30-day period if the owner has not notified the Coast Guard of such change before the end of such period.

“(e) **STATE AND LOCAL AUTHORITY TO REMOVE ABANDONED AND DERELICT VESSELS.**—Nothing in this section shall be construed to limit the authority of a State or local authority from taking action to remove an abandoned or derelict vessel.

“(f) **AUTHORITY.**—

“(1) **REQUIREMENT.**—The Secretary shall assess and collect a fee for the issuance or renewal of a recreational endorsement, that is equivalent to the fee established for the issuance or renewal, respectively, of a fishery endorsement pursuant to section 2110.

“(2) **TREATMENT.**—Fees collected under this subsection—

“(A) shall be credited to the account from which the costs of such issuance or renewal were paid; and

“(B) may remain available until expended.”.

**SEC. 5411. BACKUP GLOBAL POSITIONING SYSTEM.**

(a) **IN GENERAL.**—Subtitle VIII of title 46, United States Code, is amended by adding at the end the following:

**“CHAPTER 807—POSITION, NAVIGATION, AND TIMING**

“Sec.

“80701. Land-based complementary and backup positioning, navigation, and timing system.

**“§ 80701. Land-based complementary and backup positioning, navigation, and timing system**

“(a) **ELORAN.**—Subject to the availability of appropriations, the Secretary shall provide for the establishment, sustainment, and operation of a reliable land-based enhanced LORAN, or eLORAN, positioning, navigation, and timing system.

“(b) **PURPOSE.**—The purpose of the system established under subsection (a) is to provide a complement to, and backup for, the Global Positioning System (in this section referred to as ‘GPS’) to ensure the availability of uncorrupted and nondegraded positioning, navigation, and timing signals for military and civilian users in the event that GPS signals are corrupted, degraded, unreliable, or otherwise unavailable.

“(c) **REQUIREMENTS.**—The system established under subsection (a) shall—

“(1) be wireless;

“(2) be terrestrial;

“(3) provide wide-area coverage;

“(4) transmit a precise, high-power signal in the 100 kilohertz spectrum and meet the one microsecond accuracy requirement specified in the Federal Radio Navigation Plan;

“(5) be synchronized with coordinated universal time;

“(6) be resilient and extremely difficult to disrupt or degrade;

“(7) be able to penetrate underground and inside buildings;

“(8) be capable of deployment to remote locations;

“(9) take full advantage of the infrastructure of the existing, unused Coast Guard long-range navigation system (commonly known as ‘LORAN-C’), and subject to the concurrence and agreement of other agencies, unused facilities associated with the Ground Wave Emergency Network and Nationwide Differential GPS systems;

“(10) utilize and leverage the capabilities of the entity for development, building, and operation of the system;

“(11) function in an interoperable and complementary manner with other similar positioning, navigation, and timing systems;

“(12) be made available by the Secretary for use by other Federal agencies for public purposes at no cost; and

“(13) incorporate such other requirements determined necessary by the Secretary with respect to such agencies.

“(d) **SECRETARY DEFINED.**—In this section the term ‘Secretary’ means the Secretary of

Transportation, acting through the Commandant of the Coast Guard.”.

(b) **CLERICAL AMENDMENT.**—The analysis for subtitle VIII of title 46, United States Code, is amended by adding after the item relating to chapter 805 the following:

**“807. Position, navigation, and timing80701.”.**

(c) **IMPLEMENTATION PLAN.**—Not later than 180 days after the date of the enactment of this Act, the Secretary, as that term is defined in the amendments made by this section, shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a plan to ensure that the system required under such amendments is fully operational by not later than 3 years after such date of enactment.

**SEC. 5412. WATERS DEEMED NOT NAVIGABLE WATERS OF THE UNITED STATES FOR CERTAIN PURPOSES.**

For purposes of the application of subtitle II of title 46, United States Code, to the Volunteered (Hull Number CCA4108), the Illinois and Michigan Canal is deemed to not be navigable waters of the United States.

**SEC. 5413. UNINSPECTED PASSENGER VESSELS IN ST. LOUIS COUNTY, MINNESOTA.**

Section 4105 of title 46, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

“(c) In applying this title with respect to an uninspected vessel of less than 25 feet overall in length that carries passengers on Crane Lake or waters contiguous to such lake in St. Louis County, Minnesota, the Secretary shall substitute ‘12 passengers’ for ‘6 passengers’ each place it appears in section 2101(42).”.

**SEC. 5414. ENGINE CUT-OFF SWITCH REQUIREMENTS.**

(a) **INSTALLATION REQUIREMENT.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue a regulation amending part 183 of title 33, Code of Federal Regulations, that requires associated equipment manufacturers, distributors, and dealers installing propulsion machinery and associated starting controls on a recreational vessel less than 26 feet overall in length and capable of developing at least 115 pounds of static thrust or 3 horsepower to install an engine cut-off switch in compliance with American Boat and Yacht Standard A-33.

(2) **EFFECTIVE DATE.**—The regulation shall take effect at the end of the 1-year period beginning on the date of the issuance of such regulation.

(b) **DEFINITIONS.**—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue a regulation amending part 175 and part 183 of title 33, Code of Federal Regulations, that—

(1) defines the term “engine cut-off switch” for purposes of that part to mean a mechanical or electronic device that is connected to propulsion machinery of a recreational vessel less than 26 feet overall in length that will stop propulsion if—

(A) the switch is not properly connected to the propulsion machinery; or

(B) the switch components are—

(i) submerged in water; or

(ii) separated from the propulsion machinery by a predetermined distance; and

(2) defines the term “engine cut-off switch link” for purposes of that part to mean equipment that—

(A) is attached to as recreational vessel operator; and

(B) activates the engine cut-off switch.

(c) **EDUCATION ON CUT-OFF SWITCHES.**—The Commandant of the Coast Guard, through the National Boating Safety Advisory Council established under section 13110 of title 46, United States Code, may initiate a boating safety program on the use and benefits of cut-off switches for recreational vessels.

**SEC. 5415. ANALYSIS OF COMMERCIAL FISHING VESSEL CLASSIFICATION REQUIREMENTS.**

(a) **ANALYSIS.**—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the status of the implementation of the survey and classification requirements referred to in section 4503 of title 46, United States Code.

(b) **CONTENTS.**—The analysis required under subsection (a) shall include information on—

(1) the average costs to vessel owners to comply with such section; and

(2) the impact such section is having on commercial fishing vessel safety.

**TITLE V—MISCELLANEOUS**

**SEC. 5501. REPEAL.**

Subsection (h) of section 888 of the Homeland Security Act of 2002 (6 U.S.C. 468) is repealed.

**SEC. 5502. REIMBURSEMENTS FOR NON-FEDERAL CONSTRUCTION COSTS OF CERTAIN AIDS TO NAVIGATION.**

(a) **IN GENERAL.**—Subject to the availability of amounts specifically provided in advance in subsequent appropriations Acts and in accordance with this section, the Commandant of the Coast Guard may reimburse a non-Federal entity for costs incurred by the entity for a covered project.

(b) **CONDITIONS.**—The Commandant may not provide reimbursement under subsection (a) with respect to a covered project unless—

(1) the need for the project is a result of the completion of construction with respect to a federally authorized navigation channel;

(2) the Commandant determines, through an appropriate navigation safety analysis, that the project is necessary to ensure safe marine transportation;

(3) the Commandant approves the design of the project to ensure that it meets all applicable Coast Guard aids-to-navigation standards and requirements;

(4) the non-Federal entity agrees to transfer the project upon completion to the Coast Guard for operation and maintenance by the Coast Guard as a Federal aid to navigation;

(5) the non-Federal entity carries out the project in accordance with the same laws and regulations that would apply to the Coast Guard if the Coast Guard carried out the project, including obtaining all permits required for the project under Federal and State law; and

(6) the Commandant determines that the project satisfies such additional requirements as may be established by the Commandant.

(c) **LIMITATIONS.**—Reimbursements under subsection (a) may not exceed the following:

(1) For a single covered project, \$5,000,000.

(2) For all covered projects in a single fiscal year, \$5,000,000.

(d) **EXPIRATION.**—The authority granted under this section shall expire on the date

that is 4 years after the date of enactment of this section.

(e) **COVERED PROJECT DEFINED.**—In this section, the term “covered project” means a project carried out by a non-Federal entity to construct and establish an aid to navigation that facilitates safe and efficient marine transportation on a Federal navigation project authorized by title I of the Water Resources Development Act of 2007 (Public Law 110–114).

**SEC. 5503. CORRECTIONS TO PROVISIONS ENACTED BY COAST GUARD AUTHORIZATION ACTS.**

Section 604(b) of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281; 128 Stat. 3061) is amended by inserting “and fishery endorsement” after “endorsement”.

**SEC. 5504. SHIP SHOAL LIGHTHOUSE TRANSFER: REPEAL.**

Effective January 1, 2021, section 27 of the Coast Guard Authorization Act of 1991 (Public Law 102–241; 105 Stat. 2218) is repealed.

**SEC. 5505. COAST GUARD MARITIME DOMAIN AWARENESS.**

(a) **IN GENERAL.**—The Secretary of the department in which the Coast Guard is operating shall seek to enter into an arrangement with the National Academy of Sciences not later than 60 days after the date of the enactment of this Act under which the Academy shall prepare an assessment of available unmanned, autonomous, or remotely controlled maritime domain awareness technologies for use by the Coast Guard.

(b) **ASSESSMENT.**—The assessment shall—

(1) describe the potential limitations of current and emerging unmanned technologies used in the maritime domain for—

(A) ocean observation;

(B) vessel monitoring and identification;

(C) weather observation;

(D) to the extent practicable for consideration by the Academy, intelligence gathering, surveillance, and reconnaissance; and

(E) communications;

(2) examine how technologies described in paragraph (1) can help prioritize Federal investment by examining;

(A) affordability, including acquisition, operations, and maintenance;

(B) reliability;

(C) versatility;

(D) efficiency; and

(E) estimated service life and persistence of effort; and

(3) analyze whether the use of new and emerging maritime domain awareness technologies can be used to—

(A) carry out Coast Guard missions at lower costs;

(B) expand the scope and range of Coast Guard maritime domain awareness;

(C) allow the Coast Guard to more efficiently and effectively allocate Coast Guard vessels, aircraft, and personnel; and

(D) identify adjustments that would be necessary in Coast Guard policies, procedures, and protocols to incorporate unmanned technologies to enhance efficiency.

(c) **REPORT TO CONGRESS.**—Not later than 1 year after entering into an arrangement with the Secretary under subsection (a), the National Academy of Sciences shall submit the assessment prepared under this section to the Committees on Transportation and Infrastructure and Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(d) **USE OF INFORMATION.**—In formulating costs pursuant to subsection (b), the National Academy of Sciences may utilize in-

formation from other Coast Guard reports, assessments, or analyses regarding existing Coast Guard manpower requirements or other reports, assessments, or analyses for the acquisition of unmanned, autonomous, or remotely controlled technologies by the Federal Government.

**SEC. 5506. TOWING SAFETY MANAGEMENT SYSTEM FEES.**

(a) **REVIEW.**—The Commandant of the Coast Guard shall—

(1) review and compare the costs to the Government of—

(A) towing vessel inspections performed by the Coast Guard; and

(B) such inspections performed by a third party; and

(2) based on such review and comparison, determine whether the costs to the Government of such inspections performed by a third party are different than the costs to the Government of such inspections performed by the Coast Guard.

(b) **REVISION OF FEES.**—If the Commandant determines under subsection (a) that the costs to the Government of such inspections performed by a third party are different than the costs to the Government of such inspections performed by the Coast Guard, then the Commandant shall revise the fee assessed by the Coast Guard for such inspections as necessary to conform to the requirements under section 9701 of title 31, United States Code, that such fee be based on the cost to the Government of such inspections and accurately reflect such costs.

**SEC. 5507. OIL SPILL DISBURSEMENTS AUDITING AND REPORT.**

Section 1012 of the Oil Pollution Act of 1990 (33 U.S.C. 2712) is amended—

(1) by repealing subsection (g);

(2) in subsection (1)(1), by striking “Within one year after the date of enactment of the Coast Guard Authorization Act of 2010, and annually thereafter,” and inserting “Each year, on the date on which the President submits to Congress a budget under section 1105 of title 31, United States Code,”; and

(3) by amending subsection (1)(2) to read as follows:

“(2) **CONTENTS.**—The report shall include—

“(A) a list of each incident that—

“(i) occurred in the preceding fiscal year; and

“(ii) resulted in disbursements from the Fund, for removal costs and damages, totaling \$500,000 or more;

“(B) a list of each incident that—

“(i) occurred in the fiscal year preceding the preceding fiscal year; and

“(ii) resulted in disbursements from the Fund, for removal costs and damages, totaling \$500,000 or more; and

“(C) an accounting of any amounts reimbursed to the Fund in the preceding fiscal year that were recovered from a responsible party for an incident that resulted in disbursements from the Fund, for removal costs and damages, totaling \$500,000 or more.”.

**SEC. 5508. LAND EXCHANGE, AYAKULIK ISLAND, ALASKA.**

(a) **LAND EXCHANGE.**—If the owner of Ayakulik Island, Alaska, offers to exchange the Island for the Tract—

(1) within 30 days after receiving such offer, the Secretary shall provide notice of the offer to the Commandant;

(2) within 90 days after receiving the notice under paragraph (1), the Commandant shall develop and transmit to the Secretary proposed operational restrictions on commercial activity conducted on the Tract, including the right of the Commandant to—



(A) order the immediate termination, for a period of up to 72 hours, of any activity occurring on or from the Tract that violates or threatens to violate one or more of such restrictions; or

(B) commence a civil action for appropriate relief, including a permanent or temporary injunction enjoining the activity that violates or threatens to violate such restrictions; and

(3) within 90 days after receiving the proposed operational restrictions from the Commandant, the Secretary shall transmit such restrictions to the owner of Ayakulik Island; and

(4) within 30 days after transmitting the proposed operational restrictions to the owner of Ayakulik Island, and if the owner agrees to such restrictions, the Secretary shall convey all right, title and interest of the United States in and to the Tract to the owner, subject to an easement granted to the Commandant to enforce such restrictions, in exchange for all right, title and interest of such owner in and to Ayakulik Island.

(b) **BOUNDARY REVISIONS.**—The Secretary may make technical and conforming revisions to the boundaries of the Tract before the date of the exchange.

(c) **PUBLIC LAND ORDER.**—Effective on the date of an exchange under subsection (a), Public Land Order 5550 shall have no force or effect with respect to submerged lands that are part of the Tract.

(d) **FAILURE TO TIMELY RESPOND TO NOTICE.**—If the Commandant does not transmit proposed operational restrictions to the Secretary within 30 days after receiving the notice under subsection (a)(1), the Secretary shall, by not later than 60 days after transmitting such notice, convey all right, title, and interest of the United States in and to the Tract to the owner of Ayakulik Island in exchange for all right, title, and interest of such owner in and to Ayakulik Island.

(e) **CERCLA NOT AFFECTED.**—This section and an exchange under this section shall not be construed to limit the application of or otherwise affect section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(f) **DEFINITIONS.**—In this section:

(1) **COMMANDANT.**—The term “Commandant” means the Secretary of the department in which the Coast Guard is operating, acting through the Commandant of the Coast Guard.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(3) **TRACT.**—The term “Tract” means the land (including submerged land) depicted as “PROPOSED PROPERTY EXCHANGE AREA” on the survey titled “PROPOSED PROPERTY EXCHANGE PARCEL” and dated 3/22/17.

#### **SEC. 5509. VESSEL RESPONSE PLANS IN THE ARCTIC REPORT.**

Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the oil spill prevention and response capabilities available for the area covered by the Captain of the Port Zone, as established by the Secretary, that includes the Arctic (as defined in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111)). The report shall include—

(1) a description of equipment and assets available for response under the vessel re-

sponse plans approved for vessels operating in the area covered by such Captain of the Port Zone;

(2) a description of the locations of such equipment and assets, including an estimate of the time necessary to deploy such equipment and assets;

(3) a determination regarding how effectively such equipment and assets are distributed throughout such Captain of the Port Zone;

(4) a determination regarding whether the ability to deploy such equipment and assets is taken into account when measuring the equipment and assets available;

(5) a validation of the port assessment visit process and a verification of the response resource inventory; and

(6) a description of the resources needed by the Coast Guard to conduct port assessments, exercises, response plan review, and spill responses in such Captain of the Port Zone.

#### **SEC. 5510. ASSESSMENT OF PUBLIC COMMENTS ON ADDITIONAL ANCHORAGES ON THE HUDSON RIVER.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall—

(1) assess the public comments received by the Coast Guard on proposals to establish additional anchorages on the Hudson River between Yonkers, New York, and Kingston, New York; and

(2) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on such assessment, including—

(A) a detailed summary of concerns raised in such comments about the economic, safety, and environmental impacts of such additional anchorages on the communities bordering the Hudson River between Yonkers, New York, and Kingston, New York, including impacts of such anchorage grounds to sites listed on the National Priorities List under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and areas designated as critical habitat of species listed as endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(B) the response of the Coast Guard to such concerns.

(b) **RESTRICTION.**—The Commandant may not establish any of the anchorages described in subsection (a) before the end of the 180-day period beginning on the date of the submission of the report under subsection (a)(2).

#### **SEC. 5511. PUBLIC SAFETY ANSWERING POINTS AND MARITIME SEARCH AND RESCUE COORDINATION.**

Not later than 180 days after the date of the enactment of this Act—

(1) the Secretary of the department in which the Coast Guard is operating acting through the Commandant of the Coast Guard shall review Coast Guard policies and procedures for public safety answering points and search-and-rescue coordination with State and local law enforcement entities in order to—

(A) further minimize the possibility of maritime 911 calls being improperly routed; and

(B) assure the Coast Guard is able to effectively carry out the Coast Guard’s maritime search and rescue mission; and

(2) the Commandant shall formulate a national maritime public safety answering

points policy and submit a report to the Congress on that subject.

#### **SEC. 5512. DOCUMENTATION OF “AMERICA’S FINEST”.**

Notwithstanding sections 12112 and 12113 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise and a fishery endorsement for the vessel *America’s Finest* (United States official number 1276760).

#### **DIVISION F—FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)**

##### **SEC. 6001. SHORT TITLE.**

This division may be cited as the “FEMA Reauthorization Act of 2017”.

##### **SEC. 6002. REAUTHORIZATION OF FEDERAL EMERGENCY MANAGEMENT AGENCY.**

Section 699 of the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109–295; 6 U.S.C. 811) is amended—

(1) by striking “administration and operations” each place it appears and inserting “management and administration”;

(2) in paragraph (2), by striking “; and”;

(3) in paragraph (3), by striking the period and inserting “; and”;

(4) by adding at the end the following:

“(4) for fiscal year 2018, \$1,049,000,000;

“(5) for fiscal year 2019, \$1,065,784,000; and

“(6) for fiscal year 2020, \$1,082,836,544.”.

##### **SEC. 6003. COMPREHENSIVE STUDY OF DISASTER COSTS AND LOSSES.**

(a) **ESTABLISHMENT.**—Not later than 30 days after the date of enactment of this Act, the Administrator shall begin, acting through the National Advisory Council, a comprehensive study relating to disaster costs and losses and Federal disaster assistance.

(b) **ADDITIONAL MEMBERSHIP.**—For the purposes of the comprehensive study required under subsection (a), as soon as practicable after the date of enactment of this Act, the Administrator shall appoint the following members to the National Advisory Council:

(1) Individuals who have the requisite technical knowledge and expertise on issues related to disaster costs and losses.

(2) Representatives of the insurance industry.

(3) Experts in and representatives of the construction and building industry.

(4) Individuals nominated by national organizations representing State, local, and Tribal governments and personnel.

(5) Academic experts.

(6) Representatives of the private industry, such as vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for emergency management services.

(7) Other members, as the Administrator considers appropriate.

(c) **CONSULTATION WITH NONMEMBERS.**—For the purposes of the comprehensive study required under subsection (a), the National Advisory Council shall consult with other relevant agencies and entities that are not represented on the National Advisory Council to consider research, data, findings, recommendations, innovative technologies, and developments, including—

(1) entities engaged in federally funded research; and

(2) academic institutions engaged in relevant work and research.

(d) **STUDY REQUIREMENTS.**—Not later than 120 days after the date of enactment of this Act, the National Advisory Council shall convene to evaluate disaster costs and losses and Federal disaster assistance, including consideration of the following:



(1) TRENDS AND CONTRIBUTING FACTORS.—An assessment of trends, and factors contributing to such trends (such as shifting demographics and aging infrastructure), in disaster costs and losses and Federal disaster assistance, including the following:

(A) Loss of life and injury.

(B) Property damage and other costs to individuals, the private sector, and each level of government.

(C) Presidentially declared disasters.

(D) Disaster assistance available from all Federal sources.

(2) DISASTER ROLES AND RESPONSIBILITY.—Fundamental principles that drive national disaster assistance decision making, including the appropriate roles for each level of government, the private sector, and individuals.

(e) RECOMMENDATIONS.—The National Advisory Council shall develop recommendations to reduce disaster costs and losses in the United States and to more efficiently and effectively deliver Federal disaster assistance, including consideration of the following:

(1) Actions to enhance national disaster assistance decision making.

(2) Incentives, including tax incentives, to reduce disaster costs and losses and promote a more efficient and effective use of Federal disaster assistance.

(3) Mechanisms to promote disaster cost and loss reduction, mitigation, and resiliency.

(4) Legislative proposals, including proposals for implementing the recommendations in the report compiled pursuant to the requirement in section 1111 of the Sandy Recovery Improvement Act of 2013 (Public Law 113-2; 127 Stat. 49).

(5) Legal, societal, geographic, technological, and other challenges to implementation of recommendations.

(6) Projected dollar savings and efficiencies, including measures of effectiveness, from recommendations.

(f) REPORT TO ADMINISTRATOR AND CONGRESS.—Not later than 1 year after the National Advisory Council convenes under subsection (d), the National Advisory Council shall submit a report containing the data, analysis, and recommendations developed under subsections (d) and (e) to—

(1) the Administrator;

(2) the Committee on Transportation and Infrastructure of the House of Representatives; and

(3) the Committee on Homeland Security and Governmental Affairs of the Senate.

(g) AVAILABILITY OF INFORMATION.—The Administrator shall make the data collected pursuant to this section publicly available on the website of the Agency.

#### SEC. 6004. NATIONAL DOMESTIC PREPAREDNESS CONSORTIUM.

Section 1204 of the Implementing Recommendations of the 9/11 Commission Act (6 U.S.C. 1102) is amended—

(1) in subsection (c), by inserting “to the extent practicable, provide training in settings that simulate real response environments, such as urban areas,” after “levels.”;

(2) in subsection (d), by striking paragraphs (1) and (2) and inserting the following:

“(1) for the Center for Domestic Preparedness—

“(A) \$63,939,000 for fiscal year 2018;

“(B) \$64,962,024 for fiscal year 2019; and

“(C) \$66,001,416 for fiscal year 2020; and

“(2) for the members referred to in paragraphs (2) through (7) of subsection (b)—

“(A) \$101,000,000 for fiscal year 2018;

“(B) \$102,606,000 for fiscal year 2019; and

“(C) \$104,247,856 for fiscal year 2020.”; and

(3) in subsection (e) by striking—

(A) “each of the following entities” and inserting “members enumerated in section (b)”;

(B) “2007—” and inserting “2015.” and

(C) paragraphs (1) through (5).

#### SEC. 6005. RURAL DOMESTIC PREPAREDNESS CONSORTIUM.

(a) IN GENERAL.—The Secretary of Homeland Security is authorized to establish a Rural Domestic Preparedness Consortium within the Department of Homeland Security consisting of universities and nonprofit organizations qualified to provide training to emergency response providers from rural communities.

(b) DUTIES.—The Rural Domestic Preparedness Consortium authorized under subsection (a) shall identify, develop, test, and deliver training to State, local, and Tribal emergency response providers from rural communities, provide on-site and mobile training, and facilitate the delivery of training by the training partners of the Department of Homeland Security.

(c) AUTHORIZATION OF APPROPRIATIONS.—Of amounts appropriated for Continuing Training Grants of the Department of Homeland Security, \$5,000,000 is authorized to be used for the Rural Domestic Preparedness Consortium authorized under subsection (a).

#### SEC. 6006. NATIONAL PREPARATION AND RESPONSE EFFORTS RELATING TO EARTHQUAKES AND TSUNAMIS.

The Administrator of the Federal Emergency Management Agency shall be responsible for the Nation's efforts to reduce the loss of life and property, and to protect the Nation, from an earthquake, tsunami, or combined earthquake and tsunami event by developing the ability to prepare and plan for, mitigate against, respond to, recover from, and more successfully adapt to such an event.

#### SEC. 6007. AUTHORITIES.

Notwithstanding any other provision of law, the non-federally funded actions of private parties, State, local, or Tribal governments, on State, local, Tribal, and private land, and the effects of those actions, shall not be attributed to the Federal Emergency Management Agency's actions under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4002 et seq.), the Biggert-Waters Flood Insurance Reform Act of 2012 (subtitle A of title II of division F of Public Law 112-141; 126 Stat. 916), and the Homeowner Flood Insurance Affordability Act of 2014 (Public Law 113-89; 128 Stat. 1020) for the purposes of section 7 (16 U.S.C. 1536) and section 9 (16 U.S.C. 1538) of the Endangered Species Act. Actions taken under the National Flood Insurance Act of 1968, the Flood Disaster Protection Act of 1973, the Biggert Waters Flood Insurance Reform Act of 2012, and the Homeowner Flood Insurance Affordability Act of 2014, that may influence private actions do not create a Federal nexus for the purpose of applying the requirements of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536).

#### SEC. 6008. CENTER FOR FAITH-BASED AND NEIGHBORHOOD PARTNERSHIPS.

(a) IN GENERAL.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding at the end the following new section:

#### “SEC. 529. CENTER FOR FAITH-BASED AND NEIGHBORHOOD PARTNERSHIPS.

“(a) IN GENERAL.—There is established in the Agency a Center for Faith-Based and Neighborhood Partnerships, headed by a Director appointed by the Secretary.

“(b) MISSION.—The mission of the Center shall be to develop and coordinate Departmental outreach efforts with faith-based and community organizations and serve as a liaison between such organizations and components of the Department for activities related to securing facilities, emergency preparedness and response, and combating human trafficking.

“(c) RESPONSIBILITIES.—In support of the mission of the Center for Faith-Based and Neighborhood Partnerships, the Director shall—

“(1) develop exercises that engage faith-based and community organizations to test capabilities for all hazards, including active shooter incidents;

“(2) coordinate the delivery of guidance and training to faith-based and community organizations related to securing their facilities against natural disasters, acts of terrorism, and other man-made disasters;

“(3) conduct outreach to faith-based and community organizations regarding guidance, training, and exercises and Departmental capabilities available to assist faith-based and community organizations to secure their facilities against natural disasters, acts of terrorism, and other man-made disasters;

“(4) facilitate engagement and coordination among the emergency management community and faith-based and community organizations;

“(5) deliver training and technical assistance to faith-based and community-based organizations and provide subject-matter expertise related to anti-human trafficking efforts to help communities successfully partner with other Blue Campaign components; and

“(6) perform any other duties as assigned by the Administrator.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is further amended by inserting after the item relating to section 528 the following:

“Sec. 529. Center For Faith-Based And Neighborhood Partnerships.”.

#### SEC. 6009. EMERGENCY SUPPORT FUNCTIONS.

(a) UPDATE.—Paragraph (13) of section 504(a) of the Homeland Security Act of 2002 (6 U.S.C. 314(a)) is amended by inserting “, periodically updating (but not less often than once every five years),” after “administering”.

(b) EMERGENCY SUPPORT FUNCTIONS.—Section 653 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 753; title VI of the Department of Homeland Security Appropriations Act, 2007; Public Law 109-295) is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection:

“(d) COORDINATION.—The President, acting through the Administrator, shall develop and provide to Federal departments and agencies with coordinating, primary, or supporting responsibilities under the National Response Framework performance metrics to ensure readiness to execute responsibilities under the emergency support functions of such Framework.”.

#### SEC. 6010. REVIEW OF NATIONAL INCIDENT MANAGEMENT SYSTEM.

Paragraph (2) of section 509(b) of the Homeland Security Act of 2002 (6 U.S.C. 319(b)) is amended, in the matter preceding subparagraph (A), by inserting “, but not less often than once every five years,” after “periodically”.

**SEC. 6011. REMEDIAL ACTION MANAGEMENT PROGRAM.**

Section 650 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 750; title VI of the Department of Homeland Security Appropriations Act, 2007; Public Law 109-295) is amended to read as follows:

**“SEC. 650. REMEDIAL ACTION MANAGEMENT PROGRAM.**

“(a) IN GENERAL.—The Administrator, in coordination with the National Council on Disability and the National Advisory Council, shall establish a remedial action management program to—

“(1) analyze training, exercises, and real world events to identify lessons learned, corrective actions, and best practices;

“(2) generate and disseminate, as appropriate, the lessons learned, corrective actions, and best practices referred to in paragraph (1); and

“(3) conduct remedial action tracking and long-term trend analysis.

“(b) FEDERAL CORRECTIVE ACTIONS.—The Administrator, in coordination with the heads of appropriate Federal departments and agencies, shall utilize the program established pursuant to subsection (a) to collect information on corrective actions identified by such Federal departments and agencies during exercises and the response to natural disasters, acts of terrorism, and other man-made disasters, and shall, not later than one year after the date of the enactment of this section and annually thereafter for each of the next four years, submit to Congress a report on the status of such corrective actions.

“(c) DISSEMINATION OF AFTER ACTION REPORTS.—The Administrator shall provide electronically, to the maximum extent practicable, to Congress and Federal, State, local, Tribal, and private sector officials after-action reports and information on lessons learned and best practices from responses to acts of terrorism, natural disasters, capstone exercises conducted under the national exercise program under section 648(b), and other emergencies or exercises.”.

**SEC. 6012. CENTER FOR DOMESTIC PREPAREDNESS.**

(a) IMPLEMENTATION PLAN.—The Administrator of the Federal Emergency Management Agency shall develop an implementation plan, including benchmarks and milestones, to address the findings and recommendations of the 2017 Management Review Team that issued a report on May 8, 2017, regarding live agent training at the Chemical, Ordnance, Biological and Radiological Training Facility and provide to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate updates and information on efforts to implement recommendations related to the management review of the Chemical, Ordnance, Biological, and Radiological Training Facility of the Center for Domestic Preparedness of the Federal Emergency Management Agency, including, as necessary, information on additional resources or authority needed to implement such recommendations.

(b) COMPTROLLER GENERAL REVIEW.—Not later than one year after the date of the enactment of this section, the Comptroller General of the United States shall review and report to Congress on the status of the implementation plan required by subsection (a) and the governance structure at the Chemical, Ordnance, Biological and Radiological Training Facility of the Center for

Domestic Preparedness of the Federal Emergency Management Agency.

**SEC. 6013. FEMA SENIOR LAW ENFORCEMENT ADVISOR.**

(a) IN GENERAL.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

**“SEC. 530. SENIOR LAW ENFORCEMENT ADVISOR.**

“(a) ESTABLISHMENT.—There is established in the Agency a Senior Law Enforcement Advisor to serve as a qualified expert to the Administrator for the purpose of strengthening the Agency’s coordination among State, local, and Tribal law enforcement.

“(b) QUALIFICATIONS.—The Senior Law Enforcement Advisor shall have an appropriate background with experience in law enforcement, intelligence, information sharing, and other emergency response functions.

“(c) RESPONSIBILITIES.—The Senior Law Enforcement Advisor shall—

“(1) coordinate on behalf of the Administrator with the Office for State and Local Law Enforcement under section 2006 for the purpose of ensuring State, local, and Tribal law enforcement receive consistent and appropriate consideration in policies, guidance, training, and exercises related to preventing, preparing for, protecting against, and responding to natural disasters, acts of terrorism, and other man-made disasters within the United States;

“(2) work with the Administrator and the Office for State and Local Law Enforcement under section 2006 to ensure grants to State, local, and Tribal government agencies, including programs under sections 2003, 2004, and 2006(a), appropriately focus on terrorism prevention activities; and

“(3) serve other appropriate functions as determined by the Administrator.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002, as amended by this Act, is further amended by inserting after the item relating to section 529 the following new item:

“Sec. 530. Senior Law Enforcement Advisor.”.

**SEC. 6014. TECHNICAL EXPERT AUTHORIZED.**

Paragraph (2) of section 503(b) of the Homeland Security Act of 2002 (6 U.S.C. 313(b)) is amended—

(1) in subparagraph (G), by striking “and” at the end;

(2) in subparagraph (H), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(I) identify and integrate the needs of children into activities to prepare for, protect against, respond to, recover from, and mitigate against natural disasters, acts of terrorism, and other man-made disasters, including catastrophic incidents, including by appointing a technical expert, who may consult with relevant outside organizations and experts, as necessary, to coordinate such activities, as necessary.”.

**SEC. 6015. MISSION SUPPORT.**

(a) ESTABLISHMENT.—The Administrator of the Federal Emergency Management Agency shall designate an individual to serve as the chief management official and principal advisor to the Administrator on matters related to the management of the Federal Emergency Management Agency, including management integration in support of emergency management operations and programs.

(b) MISSION AND RESPONSIBILITIES.—The Administrator of the Federal Emergency Management Agency, acting through the of-

ficial designated pursuant to subsection (a), shall be responsible for the management and administration of the Federal Emergency Management Agency, including with respect to the following:

(1) Procurement.

(2) Human resources and personnel.

(3) Information technology and communications systems.

(4) Real property investment and planning, facilities, accountable personal property (including fleet and other material resources), records and disclosure, privacy, safety and health, and sustainability and environmental management.

(5) Security for personnel, information technology and communications systems, facilities, property, equipment, and other material resources.

(6) Any other management duties that the Administrator may designate.

(c) MOUNT WEATHER EMERGENCY OPERATIONS AND ASSOCIATED FACILITIES.—Nothing in this section shall be construed as limiting or otherwise affecting the role or responsibility of the Assistant Administrator for National Continuity Programs with respect to the matters described in subsection (b) as such matters relate to the Mount Weather Emergency Operations Center and associated facilities. The management and administration of the Mount Weather Emergency Operations Center and associated facilities remain the responsibility of the Assistant Administrator for National Continuity Programs.

(d) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that includes—

(1) a review of financial, human capital, information technology, real property planning, and acquisition management of headquarters and all regional offices of the Federal Emergency Management Agency; and

(2) a strategy for capturing financial, human capital, information technology, real property planning, and acquisition data.

**SEC. 6016. SYSTEMS MODERNIZATION.**

Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the Federal Emergency Management Agency’s efforts to modernize its grants and financial information technology systems, including the following:

(1) A summary of all previous efforts to modernize such systems.

(2) An assessment of long-term cost savings and efficiencies gained through such modernization effort.

(3) A capability needs assessment.

(4) Estimated quarterly costs.

(5) Estimated acquisition life-cycle dates, including acquisition decision events.

**SEC. 6017. STRATEGIC HUMAN CAPITAL PLAN.**

Subsection (c) of section 10102 of title 5, United States Code, is amended by striking “2007” and inserting “2018”.

**SEC. 6018. OFFICE OF DISABILITY INTEGRATION AND COORDINATION OF DEPARTMENT OF HOMELAND SECURITY.**

(a) OFFICE OF DISABILITY INTEGRATION AND COORDINATION.—

(1) IN GENERAL.—Section 513 of the Homeland Security Act of 2002 (6 U.S.C. 321b) is amended to read as follows:

**“SEC. 513. OFFICE OF DISABILITY INTEGRATION AND COORDINATION.**

“(a) IN GENERAL.—There is established within the Federal Emergency Management Agency an Office of Disability Integration and Coordination, which shall be headed by a Director.

“(b) MISSION.—The mission of the Office is to ensure that individuals with disabilities and other access and functional needs are included in emergency management activities throughout the Agency by providing guidance, tools, methods, and strategies for the purpose of equal physical program and effective communication access.

“(c) RESPONSIBILITIES.—In support of the mission of the Office, the Director shall—

“(1) provide guidance and coordination on matters related to individuals with disabilities in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster;

“(2) oversee Office staff and personnel responsible for disability integration in each regional office with respect to carrying out the mission of the Office;

“(3) liaise with the staff of the Agency including nonpermanent employees, organizations representing individuals with disabilities, other agencies of the Federal Government, and State, local, and Tribal government authorities regarding the needs of individuals with disabilities in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster;

“(4) coordinate with the technical expert on the needs of children within the Agency to provide guidance and coordination on matters related to children with disabilities in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster;

“(5) consult with organizations representing individuals with disabilities about access and functional needs in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster;

“(6) ensure the coordination and dissemination of best practices and model evacuation plans for individuals with disabilities;

“(7) collaborate with Agency leadership responsible for training to ensure that qualified experts develop easily accessible training materials and a curriculum for the training of emergency response providers, State, local, and Tribal government officials, and others on the needs of individuals with disabilities;

“(8) coordinate with the Emergency Management Institute, Center for Domestic Preparedness, Center for Homeland Defense and Security, U.S. Fire Administration, National Exercise Program, and National Domestic Preparedness Consortium to ensure that content related to persons with disabilities, access and functional needs, and children are integrated into existing and future emergency management trainings;

“(9) promote the accessibility of telephone hotlines and websites regarding emergency preparedness, evacuations, and disaster relief;

“(10) work to ensure that video programming distributors, including broadcasters, cable operators, and satellite television services, make emergency information accessible to individuals with hearing and vision disabilities;

“(11) ensure the availability of accessible transportation options for individuals with disabilities in the event of an evacuation;

“(12) provide guidance and implement policies to ensure that the rights and feedback of individuals with disabilities regarding post-evacuation residency and relocation are respected;

“(13) ensure that meeting the needs of individuals with disabilities are included in the components of the national preparedness system established under section 644 of the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109-295; 120 Stat. 1425; 6 U.S.C. 744); and

“(14) perform any other duties as assigned by the Administrator.

“(d) DIRECTOR.—After consultation with organizations representing individuals with disabilities, the Administrator shall appoint a Director. The Director shall report directly to the Administrator, in order to ensure that the needs of individuals with disabilities are being properly addressed in emergency preparedness and disaster relief.

“(e) ORGANIZATIONS REPRESENTING INDIVIDUALS WITH DISABILITIES DEFINED.—For purposes of this section, ‘organizations representing individuals with disabilities’ shall mean the National Council on Disabilities and the Interagency Coordinating Council on Preparedness and Individuals with Disabilities, among other appropriate disability organizations.”.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 513 and inserting the following new item:

“513. Office of Disability Integration and Coordination.”.

(b) REPORTING.—

(1) REPORT TO CONGRESS.—Not later than 120 days after the date of the enactment of this section, the Administrator shall submit to Congress a report on the funding and staffing needs of the Office of Disability Integration and Coordination under section 513 of the Homeland Security Act of 2002, as amended by subsection (a).

(2) COMPTROLLER GENERAL REVIEW.—Not later than 120 days after the date of the submission of the report under paragraph (1), the Comptroller General of the United States shall review the report to evaluate whether the funding and staffing needs described in the report are sufficient to support the activities of the Office of Disability Integration and Coordination.

**SEC. 6019. TECHNICAL AMENDMENTS TO NATIONAL EMERGENCY MANAGEMENT.**

(a) HOMELAND SECURITY ACT OF 2002.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 501 et seq.) is amended—

(1) in section 501(8) (6 U.S.C. 311(8))—

(A) by striking “National Response Plan” each place it appears and inserting “National Response Framework”; and

(B) by striking “502(a)(6)” and inserting “504(a)(6)”;

(2) in section 503(b)(2)(A) (6 U.S.C. 313) by inserting “and incidents impacting critical infrastructure” before the semicolon;

(3) in section 504(a) (6 U.S.C. 314(a))—

(A) in paragraph (3) by striking “, including—” and inserting “(that includes incidents impacting critical infrastructure), including—”;

(B) in paragraph (4) by inserting “, including incidents impacting critical infrastructure” before the semicolon;

(C) in paragraph (5) by striking “and local” and inserting “local, and Tribal”;

(D) in paragraph (6) by striking “national response plan” and inserting “national response framework, which shall be reviewed and updated as required but not less than every 5 years”;

(E) by redesignating paragraphs (7) through (21) as paragraphs (8) through (22), respectively;

(F) by inserting after paragraph (6) the following:

“(7) developing integrated frameworks, to include consolidating existing Government plans addressing prevention, protection, mitigation, and recovery with such frameworks reviewed and updated as required, but not less than every 5 years;”;

(G) in paragraph (14), as redesignated, by striking “National Response Plan” each place it appears and inserting “National Response Framework”;

(4) in section 507 (6 U.S.C. 317)—

(A) in subsection (c)—

(i) in paragraph (2)(E), by striking “National Response Plan” and inserting “National Response Framework”; and

(ii) in paragraph (3)(A), by striking “National Response Plan” and inserting “National Response Framework”; and

(B) in subsection (f)(1)(G), by striking “National Response Plan” and inserting “National Response Framework”;

(5) in section 508 (6 U.S.C. 318)—

(A) in subsection (b)(1), by striking “National Response Plan” and inserting “National Response Framework”; and

(B) in subsection (d)(2)(A), by striking “The Deputy Administrator, Protection and National Preparedness” and inserting “A Deputy Administrator”;

(6) in section 509 (6 U.S.C. 319)—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) by striking “National Response Plan” and inserting “National Response Framework, National Protection Framework, National Prevention Framework, National Mitigation Framework, National Recovery Framework”;

(II) by striking “successor” and inserting “successors”; and

(III) by striking “plan” at the end of that paragraph and inserting “framework”; and

(ii) in paragraph (2), by striking “National Response Plan” each place it appears and inserting “National Response Framework”; and

(B) in subsection (c)(1)—

(i) in subparagraph (A)—

(I) by striking “NATIONAL RESPONSE PLAN” in the header and inserting “NATIONAL RESPONSE FRAMEWORK”; and

(II) by striking “National Response Plan” in the text and inserting “National Response Framework”; and

(ii) in subparagraph (B), by striking “National Response Plan” and inserting “National Response Framework”;

(7) in section 510 (6 U.S.C. 320)—

(A) in subsection (a), by striking “enter into a memorandum of understanding” and inserting “partner”;

(B) in subsection (b)(1)(A), by striking “National Response Plan” and inserting “National Response Framework”; and

(C) in subsection (c), by striking “National Response Plan” and inserting “National Response Framework”;

(8) in section 515(c)(1) (6 U.S.C. 321d(c)(1)), by striking “and local” each place it appears and inserting “, local, and Tribal”;

(9) by striking section 524 (6 U.S.C. 321m); and

(10) in section 525(a) (6 U.S.C. 321n), by striking “Secretary” and inserting “Administrator”.

(b) POST-KATRINA EMERGENCY MANAGEMENT REFORM ACT OF 2006.—

(1) CITATION CORRECTION.—Section 602(13) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 701(13)) is amended by striking “502(a)(6)” and inserting “504(a)(6)”.

(2) CHANGE OF REFERENCE.—Chapter 1 of subtitle C of title VI of the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109-295) is amended by striking “National Response Plan” each place it appears and inserting “National Response Framework”.

(c) SAVINGS CLAUSE.—The amendments made by subsection (a) to section 503(b)(2)(A) and paragraphs (3) and (4) of section 504(a) of the Homeland Security Act of 2002 shall not be construed as affecting the authority, existing on the day before the date of enactment of this division, of any other component of the Department of Homeland Security or any other Federal department or agency.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. McCAUL) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

#### GENERAL LEAVE

Mr. McCAUL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. McCAUL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of the Department of Homeland Security Authorization Act of 2017.

Mr. Speaker, the American people are reminded about the threats facing our country on a daily basis. When they turn on the TV or pick up the newspaper, they learn about the latest terror attack or plot, foreign governments engaged in cyber warfare, and drug smugglers and human traffickers relentlessly trying to creep across our border and infect our neighborhoods.

Our adversaries are determined and agile. They wish to strike our homeland and disrupt our way of life. They are constantly calling for new attacks to be carried out against Americans with any weapons they have available.

To stay ahead of our enemies, we need a national security apparatus that is best set up for success and can adapt to new challenges as they arise.

After the 9/11 attacks, the creation of the Department of Homeland Security was necessary to help confront the threats at that time. Unfortunately, Congress has never reauthorized DHS

since it was created. This is just simply unacceptable, and that is why eight committee chairmen signed a memorandum of understanding at the beginning of the year stating: “The Department of Homeland Security and its components should be authorized on a regular basis to ensure robust oversight and improve its operation.”

If we are going to keep America safe, we must reform and improve DHS through a first-ever comprehensive reauthorization. The legislation before us today accomplishes several goals.

First, it reasserts Congress’ Article I authority granted by the Constitution to write laws and give discretion to the Department. Congress has abdicated its role and responsibility in providing comprehensive legislative direction since 2002, and has ceded power to the executive branch. This legislation will fix that.

Second, it creates efficiencies by eliminating, consolidating, and streamlining programs and offices. With dangers gathering and the terrorist threat evolving, we need the most nimble DHS possible for the Secretary to lead and carry out the Department’s vital mission.

Third, this bill protects American taxpayers by making DHS more accountable. Through new cost-efficiency efforts, we will be able to provide the funds necessary to keep our country safe while identifying and eliminating government waste.

Fourth, our legislation will support our frontline defenders and first responders. This bill will provide the tools and training needed to defeat emerging threats through important grant programs while also allowing DHS to better focus on recruiting and training a qualified workforce.

Finally, it improves America’s security. Specifically, this reauthorization will: strengthen the Department’s ability to deny terrorists entry into the United States; ensure that Federal agencies meet readiness standards to respond to terror attacks and natural disasters; expand TSA’s use of explosive detection technology and bolster security at last points of departure; it will also modernize and replace outdated Coast Guard vessels; it will prioritize investigations of cross-border crimes, including human trafficking, cybercrimes, and drug smuggling.

These are necessary measures that we, as Congress, must take to fight back against the array of ever-changing threats. This legislation is a commonsense and bipartisan bill that is long overdue. It also enjoys strong backing from the administration.

In testimony given to my committee, Secretary Kelly stated: “This is an important endeavor which will provide the Department with the authorities it needs to carry out its mission.”

And just recently today in an op-ed that ran this morning in support of

this bill, Secretary Kelly wrote: “There is no more important mission—no duty more sacred—than protecting the people of the United States, and I strongly encourage Members in both parties to support this legislation.”

Protecting our homeland and keeping American families safe are shared goals that should bring both parties together, not push us apart, and a comprehensive reauthorization of the Department of Homeland Security will be a major bipartisan accomplishment and an example of what we can achieve when we put the safety and security of our country ahead of partisan politics.

Mr. Speaker, I would like to thank the majority leader for all his efforts to help bring this to the floor. I would also like to thank each of the chairmen of jurisdiction for signing the MOU, as well as members of the Committee on Homeland Security from both sides of the aisle, and the staff members who made this possible.

Let’s show our enemies that we stand united in protecting our country, our values, and our people. So I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON WAYS AND MEANS,

Washington, DC, June 27, 2017.

Hon. MICHAEL McCAUL,  
Chairman, Committee on Homeland Security,  
Washington, DC.

DEAR CHAIRMAN McCAUL: I am writing with respect to H.R. 2825, the “Department of Homeland Security Authorization Act of 2017.” This bill contains provisions within the Rule X jurisdiction of the Committee on Ways and Means.

The Committee on Ways and Means will not seek a sequential referral on H.R. 2825 so that it may proceed expeditiously to the House floor for consideration. This is done with the understanding that the jurisdictional interests of the Committee on Ways and Means over this and similar legislation are in no way diminished or altered. In addition, the Committee reserves the right to seek conferees on H.R. 2825 and requests your support when such a request is made.

I would appreciate your response confirming this understanding with respect to H.R. 2825 and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the bill on the House floor.

Sincerely,

KEVIN BRADY,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
Washington, DC, June 27, 2017.

Hon. KEVIN BRADY,  
Chairman, Committee on Ways and Means,  
Washington, DC.

DEAR CHAIRMAN BRADY: Thank you for your letter regarding H.R. 2825, the “Department of Homeland Security Authorization Act of 2017.” I appreciate your support in bringing this very important legislation reauthorizing the Department of Homeland Security before the House of Representatives, and appreciate the willingness of the Committee on Ways and Means to forego seeking a sequential referral.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing a sequential referral on this bill at this time, the Committee on Ways and Means does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Ways and Means represented on the conference committee for provisions within your jurisdiction.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,  
*Chairman, Committee on Homeland Security.*

COMMITTEE ON TRANSPORTATION AND  
INFRASTRUCTURE, HOUSE OF REP-  
RESENTATIVES,

*Washington, DC, June 23, 2017.*

Hon. MICHAEL T. MCCAUL,  
*Chairman, Committee on Homeland Security,*  
*Washington, DC.*

DEAR CHAIRMAN MCCAUL: I write concerning H.R. 2825, the "Department of Homeland Security Authorization Act of 2017." This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite Floor consideration of H.R. 2825, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I appreciate you working with us on the text of the bill and request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest in the Congressional Record during House Floor consideration of the bill. I look forward to working with the Committee on Homeland Security as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,  
*Chairman.*

HOUSE OF REPRESENTATIVES, COM-  
MITTEE ON HOMELAND SECURITY,

*Washington, DC, June 27, 2017.*

Hon. BILL SHUSTER,  
*Chairman, Committee on Transportation and*  
*Infrastructure, Washington, DC.*

DEAR CHAIRMAN SHUSTER: Thank you for your letter regarding H.R. 2825, the "Department of Homeland Security Authorization Act of 2017." I appreciate your support in bringing this very important legislation reauthorizing the Department of Homeland Security before the House of Representatives, and appreciate the willingness of the Committee on Transportation and Infrastructure to forego seeking a sequential referral.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing a sequential referral on this bill at this time, the Committee on Transportation and Infrastructure does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future.

In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Transportation and Infrastructure represented on the conference committee for provisions within your jurisdiction.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,  
*Chairman, Committee on Homeland Security.*

COMMITTEE ON OVERSIGHT AND  
GOVERNMENT REFORM,

*Washington, DC, June 22, 2017.*

Hon. MICHAEL T. MCCAUL,  
*Chairman, Committee on Homeland Security,*  
*Washington, DC.*

DEAR MR. MCCAUL: I am writing to you concerning the jurisdictional interests of the Committee on Oversight and Government Reform in H.R. 2825, the "Department of Homeland Security Authorization Act of 2017," which was ordered reported favorably to the House by the Committee on Homeland Security on June 14, 2017.

Our committee recognizes the importance of H.R. 2825 and the need for the legislation to move expeditiously, notwithstanding my recent investiture as the Chair of the Oversight Committee one week ago. Therefore, while we have identified matters of jurisdictional interest to the Oversight Committee in the bill, I do not intend to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces, or otherwise affects the jurisdiction of the Committee on Oversight and Government Reform.

The Oversight Committee's jurisdictional claim stems from the presence of numerous provisions in H.R. 2825 that directly implicate the Committee's jurisdiction as defined in House Rule X. Specifically, the bill as ordered reported includes provisions concerning and even amending title 5, title 41 and other cross-cutting issues involving the government writ large, as well as issues that implicate congressional oversight and access. Just as the Committee has jurisdiction over legislation that establishes government-wide requirements or adds agencies or elements to those requirements, the Committee necessarily has jurisdiction over legislation that does the reverse—creating exceptions to or otherwise adversely impacting the applicability of existing government-wide requirements.

I ask that a copy of this letter and your response acknowledging our jurisdictional interest be included in the Committee Report and as part of the Congressional Record during consideration of this bill by the House. The Committee on Oversight and Government Reform also asks that you support our request to be conferees on the provisions over which we have jurisdiction during any House-Senate conference.

I look forward to working with you in my new capacity as chair of the Oversight Committee. The Committee has been, and remains, open to working with the Committee on Homeland Security to ensure that the Committee on Homeland Security and the federal government as a whole are best equipped to address any and all national security challenges, through robust oversight and improved operations of the Department of Homeland Security.

Thank you for your consideration in this matter.

Sincerely,

TREY GOWDY,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
*Washington, DC, June 27, 2017.*

Hon. TREY GOWDY,  
*Chairman, Committee on Oversight and Govern-*  
*ment Reform, Washington, DC.*

DEAR CHAIRMAN GOWDY: Thank you for your letter regarding H.R. 2825, the "Department of Homeland Security Authorization Act of 2017." Congratulations on recently becoming Chairman of the Oversight and Government Reform Committee. I appreciate your support in bringing this very important legislation reauthorizing the Department of Homeland Security before the House of Representatives, and appreciate the willingness of the Committee on Oversight and Government Reform to forego seeking a sequential referral.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing a sequential referral on this bill at this time, the Committee on Oversight and Government Reform does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Oversight and Government Reform represented on the conference committee for provisions within your jurisdiction.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,  
*Chairman, Committee on Homeland Security.*

COMMITTEE ON SCIENCE, SPACE,  
AND TECHNOLOGY,  
*Washington, DC, July 19, 2017.*

Hon. MICHAEL MCCAUL,  
*Chairman, Committee on Homeland Security,*  
*Washington, DC.*

DEAR MR. CHAIRMAN: I am writing concerning H.R. 2825, the "Department of Homeland Security Authorization Act of 2017," which was introduced on June 8, 2017.

H.R. 2825 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. In order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,  
*Chairman.*

COMMITTEE ON HOMELAND SECURITY,  
Washington, DC, July 19, 2017.

Hon. LAMAR SMITH,  
Chairman, Committee on Science, Space, and  
Technology, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for your letter regarding H.R. 2825, the "Department of Homeland Security Authorization Act of 2017." I appreciate your support in bringing this very important legislation reauthorizing the Department of Homeland Security before the House of Representatives, and appreciate the willingness of the Committee on Science, Space, and Technology to forego seeking a sequential referral.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing a sequential referral on this bill at this time, the Committee on Science, Space, and Technology does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Science, Space, and Technology represented on the conference committee for provisions within your jurisdiction.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,

Chairman, Committee on Homeland Security.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2825, the Department of Homeland Security Authorization Act of 2017.

Mr. Speaker, most Americans give little thought to the range of activities that the Department of Homeland Security undertakes every day to safeguard our Nation. Consideration of this legislation today provides us with the opportunity to take a moment to not only acknowledge the contributions of the 240,000 men and women who serve at the Department but to consider what DHS does on a daily basis.

On any given day, the Transportation Security Administration screens 2 million air passengers and 1 million bags. The Federal Protective Service protects 1.4 million people who visit and work in Federal buildings. The U.S. Customs and Border Protection screens 282,000 vehicles, 72,000 truck, rail, and maritime containers. The U.S. Coast Guard seizes and removes over 1,000 pounds of drugs and saves more than 10 lives in search and rescue operations daily.

The Secret Service provides physical protection to the Nation's highest elected leaders, visiting foreign dignitaries, facilities, and major events. And the National Cybersecurity and Communications Integration Center issues 50 cyber warnings and blocks nearly 2,000 intrusions.

This list of activities is not, by any means, exhaustive, but I think it is important for Members to keep in mind what DHS does every day, as we consider H.R. 2825.

A central focus of this legislation is improving operations within the DHS

by, among other things, bolstering acquisition management, employee engagement, policymaking, stakeholder engagement, and civil rights and civil liberties.

Additionally, H.R. 2825 seeks to enhance DHS' counterterrorism and intelligence efforts and the sharing of threat information with State, local, and regional fusion centers.

I am particularly pleased that H.R. 2825 rejects the Trump administration's proposed cuts to assistance to State and local jurisdictions. Not only does H.R. 2825 authorize homeland security first responder grants, training, and exercises, but it also restores funding for two critical TSA programs: the Law Enforcement Grant Program and the program to fund security staffing at airport exit lanes.

With respect to the Urban Area Security Initiative Grant Program, it authorizes funding at \$800 million, which is \$350 million above President Donald Trump's request. For the State Homeland Security Grant Program, it authorizes \$600 million, which is \$250 million above President Donald Trump's request.

Additionally, the Transit Security, Port Security, Nonprofit Security, and Stonegarden Grant Programs are authorized at levels well above President Donald Trump's request.

When it comes to securing our Nation, the American public expects DHS to make smart investments. H.R. 2825 seeks to ensure that the policies and protections are in place to do just that.

It has been almost 15 years since 22 agencies were thrust together to create the third largest Federal department. Since that time, DHS has never been reauthorized.

Today, I urge my colleagues to join me in supporting this measure, which gives DHS the direction and support it needs to safeguard our Nation.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. MCCAUL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the Transportation and Infrastructure Committee, and I want to thank him for working with me in getting to this day.

Mr. SHUSTER. Mr. Speaker, I rise in support of H.R. 2825, and I want to commend and congratulate my two good friends, Chairman MCCAUL and Ranking Member THOMPSON, and the members of the Homeland Security Committee and their staff for their work on this important bill.

This Congress, eight committee chairmen agreed to work together on the Department of Homeland Security reauthorization. I did so because securing our Nation's homeland is extremely important to the American people. I also believe it is our duty to work together to support fellow chairmen on their priorities, especially large reauthorizations like this.

The Transportation and Infrastructure Committee marked up two authorizations in our jurisdiction that are included in this bill: the U.S. Coast Guard and the Federal Emergency Management Agency.

The Coast Guard authorization supports service missions to enforce all Federal laws on the high seas and in U.S. waters. It does so by providing a variety of acquisition authorities to help lower costs, requiring a land-based unmanned aircraft system program, eliminating redundant training requirements, and providing the Coast Guard parity with other armed services in matters related to healthcare and retirement.

On FEMA, the bill provides the first ever reauthorization of the agency to ensure accountability and strong congressional oversight. It includes a number of provisions to help address 21st century challenges to disaster preparedness and response and to support energy response personnel.

Both of our reauthorizations were bipartisan efforts and approved with bipartisan support. Again, I thought it was important to move these measures through the Committee on Transportation and Infrastructure to support Chairman MCCAUL and Ranking Member THOMPSON and their legislative priorities. I want to thank them both again for their work. I urge my colleagues to support this bill.

□ 0930

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Mrs. DEMINGS).

Mrs. DEMINGS. Mr. Speaker, I rise today in support of this bill, and particularly the provision that creates a new competitive grant program designed to preserve core capability gains achieved with previous Urban Area Security Initiative, UASI, grant funding.

The UASI program provides critical Federal support to local law enforcement in large metropolitan areas to help them protect their residents and visitors. I was the police chief in Orlando when Orlando was initially approved for UASI funding, and, therefore, I know firsthand how critical such Federal support is to Orlando and other large metropolitan areas.

Orlando, a number one destination, is now where an ISIS-inspired terrorist took the lives of 49 people and injured many more, the deadliest in our Nation's history.

As first responders from my district responded to the scene, the dedicated staff and analysts of the Central Florida Intelligence Exchange, CFIX, a member of DHS' National Network of Fusion Centers, sprung into action together and shared information. Together, the courageous first responders and CFIX saved lives and helped to quickly identify the perpetrator.

The capabilities that led to their successful response were created through



previous grant investments, in particular, the Urban Area Security Initiative. Unfortunately, such Federal funding capabilities and preparedness can be severely diminished or even lost.

My concern is this: What will happen to the capabilities developed with previous grant support now that the funding is no longer available?

The bill today would create a \$39 million competitive grant program for former UASI cities and would make sure that core capability gains achieved with previous grant funding were supported and maintained.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. THOMPSON of Mississippi. I yield an additional 1 minute to the gentleman from Florida.

Mrs. DEMINGS. Mr. Speaker, as Secretary Kelly acknowledged before the Committee on Homeland Security last month, the threat of terrorism has metastasized around the country. Whether it is New York City, the largest municipality in the country, or some other small town in the middle of Arkansas, the potential is about the same, in my view, for a lone-wolf attack. That was how the Secretary described it last week, and I could not agree with him more. The demands on local law enforcement are even more increasing, ever changing, and more complex.

Mr. Speaker, I thank the chairman of the Homeland Security Committee and our ranking member for their vision and commitment to keeping our homeland safe. Do we have any greater purpose?

Reauthorization of the Department is long overdue and I commend the Chairmen and Ranking Members for their commitment to working together, in a bipartisan fashion, to accomplish what had not been possible for so many years.

Mr. Speaker, I rise today in support of this bill and particularly the provision that creates a new competitive grant program designed to preserve core capability gains achieved with previous Urban Area Security Initiative (UASI) grant support.

The UASI program provides critical federal support to local law enforcement in large metropolitan areas to help them protect their residents and visitors.

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The capabilities that led to their successful response were created through previous grant investments, in particular the Urban Area Security Initiative.

Unfortunately, such federally funded capacities and preparedness can be severely diminished or even lost.

My concern is this: what will happen to the capabilities developed with previous grant support now that funding is no longer available?

The bill before us today would create a \$39 million competitive grant program for former UASI cities, and would make sure that core capability gains achieved with previous federal grant support are maintained.

As Secretary Kelly acknowledged before the Committee on Homeland Security last month, the threat of terrorism "has metastasized around the country, whether it's New York City, the largest municipality in the [ ] country, or some little town in the middle of Arkansas, the [ ] potential is about the same in my view for a lone wolf attack"—that was how the Secretary described it last week.

My constituents in Florida know, all too well, the truth of the Secretary's words.

No city in America can afford to go backwards; to lose ground on preparedness.

The demands on local law enforcement are ever increasing, ever changing, and more complex than ever before. The federal government must continue to be a strong partner to local law enforcement who are our first line of defense.

I thank the Chairman of the Committee on Homeland Security for his support of this program.

The bill would also require the Government Accountability Office to perform an independent review of the risk formula and award processes for the UASI program, as well as the State Homeland Security Grant Program.

The preparedness of urban areas and the threats they face has changed since the programs were created after the 9/11 attacks, and this report will assess the current process used to collect and evaluate threat information in order to ensure grant funds are provided where they are needed most.

I am also pleased that this bill would reject a proposal, put forth earlier this year by President Trump in his first budget, which called for transitioning almost 1,100 Transportation Security Officers currently staffing airport exit lanes to security checkpoints.

The elimination of exit lane staffing in budget proposal is problematic for a few reasons.

First, exit lane staffing responsibilities and expenses would be shifted to local airport authorities. The primary responsibility for security of the traveling public should remain in the hands of the TSA.

Second, elimination of such staffing would directly contradict the statutory language of the Bipartisan Budget Agreement of 2013 that requires TSA to monitor passenger exit points from the sterile areas of airports.

As a former Captain of the Airport Division of the Orlando Police Department, and a 27-year veteran of law enforcement, I can tell you: There is no question about it. TSA is responsible for exit lane staffing.

Eliminating federal exit lane staffing would not enhance our nation's security, and doing so would be a contravention of the existing statutory requirement.

I offered an amendment in the Homeland Security Committee, which was accepted, that explicitly authorizes funding at the Fiscal Year (FY) 2017 level for exit lane coverage through Fiscal Year 2019.

As a result, the bill before us today sends a clear message to the Administration that we will not stand for TSA attempting to foist its Congressionally-mandated duties onto its local partners.

Again, I thank the Chairman of the Committee on Homeland Security for his support of these measures, and I thank Ranking Member Thompson for his vision and commitment to keeping our homeland safe. Do we have any other greater purpose?

I urge my colleagues to support the bill.

Mr. McCAUL. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE), chairman of the Judiciary Committee, and I want to thank him for his close coordination in getting to this day.

Mr. GOODLATTE. Mr. Speaker, I thank the chairman of the Homeland Security Committee for yielding and for his longtime work on this authorization.

Authorizing all of the Cabinet Departments is important, but it is crucial that Congress reauthorize the Department of Homeland Security. The American people must have faith that DHS will serve to protect this Nation, and this authorization demonstrates Congress' commitment to the critical missions being performed daily by this diverse Department.

This bill is the product of collaboration between several committees, and the Judiciary Committee greatly contributed to this bill as it authorizes three component agencies within the jurisdiction of the Judiciary Committee: the United States Immigration and Customs Enforcement, the United States Citizenship and Immigration Services, and the United States Secret Service.

Make no mistake: we authorize the Department and its agencies to carry out each and every duty and utilize every tool necessary to keep America safe. While the bill does contain much of the authorizing language as reported out of the Judiciary Committee, it does not reflect all of our important work on the ICE and USCIS authorizations. It is critical that these two DHS components have all the tools necessary to carry out their functions. H.R. 2825 should have explicitly included such tools as the clear congressional intent to ensure that these agencies have them at their disposal in order to enforce the laws.

I do support this bill because it is an important step in ensuring that ICE and USCIS can continue to perform at a very high level. This Congress must soon finish the job, however, and ensure that these agencies have the resources and legislative support that they need to enforce our immigration laws in the interior of the United States.



The House must pass the Judiciary Committee's enforcement bills, including the Davis-Oliver Act, the Protection of Children Act, the Refugee Program Integrity Restoration Act, and the Legal Workforce Act, among others. I intend to see these bills on the House floor in the near future, and I look forward to fulfilling our promise so that DHS can truly fulfill its mission.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. BARRAGAN), who represents the largest container port in the Nation, the port of L.A.-Long Beach.

Ms. BARRAGAN. Mr. Speaker, I rise today to support H.R. 2825.

Mr. Speaker, first I want to thank my colleagues on the Homeland Security Committee for adopting my amendment to provide \$45 million to reimburse local law enforcement at airports. There has been an increase in the tax at airports, including at my home airport of LAX, and this funding is vital to keeping our airports secure and our economy moving.

Both sides compromised to move this bill forward, and the programs in it are critical to the security of our ports, our borders, and our homeland. Going forward, we can do more to add more funding at the ports.

I represent America's port, the Port of Los Angeles. Our ports are the Nation's largest border crossings, so we must invest in funding security at the ports.

The port security grants I proposed in my committee are crucial to the cyber and physical safety programs at the Ports of Los Angeles and Long Beach, and without increased funding, they have been forced to stop several innovative and important projects. I will continue to fight for increased port security funding. I am determined to fill the staffing and funding gaps in maritime security and give our ports what they need to be safe and efficient.

Mr. Speaker, I urge my colleagues to support this reauthorization, but we have more work to do.

Mr. MCCAUL. Mr. Speaker, I yield 2½ minutes to the gentleman from New York (Mr. DONOVAN), chairman of the Subcommittee on Emergency Preparedness, Response, and Communications of the Homeland Security Committee.

Mr. DONOVAN. Mr. Speaker, I rise today in strong support of H.R. 2825, the Department of Homeland Security Authorization Act of 2017, which will reauthorize the Department for the very first time.

As the chairman of the Subcommittee on Emergency Preparedness, Response, and Communications, I am particularly proud of title VI of division A, which includes provisions of my legislation, the PREPARE Act.

The bill reauthorizes critical grant programs responsible for helping first

responders while measuring the returns on these investments. It ensures first responders in fusion centers receive information on cybersecurity threats. It requires FEMA to assess how homeland security grant funding has closed capability gaps and provides grant recipients with best practices to ensure fiscally responsible use of taxpayer dollars. It requires the Department to consider the impact of emerging technology while supporting efforts to achieve national interoperable emergency communications.

The grant's authorization provisions have received the support of the Police Commissioner of the City of New York, the International Association of Fire Chiefs, the National Fusion Center Association, the Major County Sheriffs of America, and the Conference of Mayors.

I include these letters of support in the RECORD.

THE POLICE COMMISSIONER,  
CITY OF NEW YORK,  
New York, NY, June 12, 2017.

Chairman MICHAEL MCCAUL,  
*Committee on Homeland Security, House of Representatives, Washington DC.*

DEAR CHAIRMAN MCCAUL: New York City remains the nation's top terror target because of its large population, historic landmarks, iconic tourist destinations, and unique international status. The New York City Police Department (NYPD) is steadfast in fulfilling our mission to protect millions of New York City residents, as well as the millions of people who work in and visit our city each year.

The NYPD supports the new funding levels proposed in the PREPARE Act. These levels reflect a willingness to ensure that Law Enforcement is equipped with the tools to keep our communities safe. The bill demonstrates an understanding that we are safest when federal resources are focused where the threats are.

The PREPARE Act would provide a crucial investment in homeland security preparedness, both for the safety of New York City and the entire nation. This investment is particularly important in light of the recent events in Europe and the expressed goals of a variety of groups seeking to recruit individuals from within our borders to carry out mass casualty attacks. Federal funding is essential to allow law enforcement to adapt to the new challenges by developing innovative technology and enhanced preparedness programs, like the NYPD's Counterterrorism Bureau Training Unit.

I strongly support passage of the PREPARE Act and urge you to continue to place the highest priority on protecting New York and other high-threat urban areas. Increasing funding for these key programs is critical to further ensuring our nation's security and preparedness.

Thank you for your continued support of the New York City Police Department.

All the best,

JAMES P. O'NEILL,  
*Police Commissioner.*

INTERNATIONAL ASSOCIATION  
OF FIRE CHIEFS,  
Fairfax, VA, June 13, 2017.

Hon. MICHAEL MCCAUL,  
*Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.*

DEAR CHAIRMAN MCCAUL: On behalf of the nearly 12,000 fire and emergency service lead-

ers of the International Association of Fire Chiefs (IAFC), I express our support for Title VI of the amendment in the nature of a substitute to the Department of Homeland Security Authorization Act of 2017 (H.R. 2825). This legislation will play an important role in helping our nation's fire and emergency service personnel to respond to the escalating number of threats that we face.

As recent events have shown, the terrorist threat presents a wide variety of tactics and techniques. For any type of terrorist attack, local first responders will be the first on-scene and will have to provide an immediate response. This fact means that local first responders must be ready to respond to explosives; active shooter incidents; complex, coordinated attacks; and threats of biological or chemical terrorism. The federal government can provide valuable training and equipment as incentives to help states and local governments develop multidisciplinary approaches to future threats.

Title VI of the substitute amendment has a number of provisions that will help local first responders, including:

Annually authorizing \$800 million for the Urban Areas Security Initiative (UASI) program and \$600 million for the State Homeland Security Grant Program (SHSGP) from Fiscal Year (FY) 2018 through FY 2022.

Allowing the use of SHSGP and UASI funds to develop medical preparedness and surge capacity in case of a biological attack, including medical kits to protect first responders and their families;

Protecting the grant programs, like SHSGP and UASI, from consolidation by the Federal Emergency Management Agency without congressional authorization;

Authorizing a grant program to help emergency response providers plan, train and prepare for complex, coordinated attacks;

Expanding the role of the Chief Medical Officer to authorize the development of policies to protect first responders from the medical effects of acts of terrorism; and

Protecting the Office of Emergency Communications, which is a valuable resource for improving public safety communications interoperability, from elimination or consolidation without congressional authorization.

The IAFC appreciates your leadership in ensuring that local first responders are prepared to mitigate the increasing number of threats facing our nation. An effective response by local first responders at the beginning of a terrorist attack will help save lives and reduce the success of an act of terrorism. This legislation will help the nation's fire and EMS personnel prepare for these threats. We urge the committee members to support your substitute amendment to H.R. 2825.

Sincerely,  
Fire Chief JOHN D. SINCLAIR,  
*President and Chairman of the Board.*

NATIONAL FUSION  
CENTER ASSOCIATION,  
June 13, 2017.

Hon. MICHAEL MCCAUL, Chairman,  
Hon. BENNIE THOMPSON, Ranking Member,  
*Committee on Homeland Security, House of Representatives, Washington, DC.*

DEAR CHAIRMAN MCCAUL AND RANKING MEMBER THOMPSON: I write on behalf of the National Fusion Center Association (NFCA) in support of provisions in the PREPARE Act that will strengthen preparedness of the homeland.

The PREPARE Act would make meaningful improvements in the way the Federal government supports terrorism prevention

activities carried out by fusion centers in collaboration with the larger group of public safety partners including components of the Department of Homeland Security. The bill would reauthorize key preparedness grant programs with improvements in the way the grants are administered, including with meaningful input from the law enforcement communities in each state. It would strengthen the Law Enforcement Terrorism Prevention Activities requirement that is in existing law by fostering enhanced engagement among law enforcement practitioners and key offices within DHS including the Office of State and Local Law Enforcement and FEMA.

The bill also takes productive steps to help Federal, state, and local partners share information on cyber threats. Ensuring effective collaboration and preparedness regarding cyber threats is becoming more important, and the PREPARE Act would be helpful on this front by encouraging the timely analysis and sharing of threat information.

We commend your consistent and aggressive efforts to find ways for Congress to foster improved collaboration and coordination by Federal, state, local, and private entities to protect the homeland. We have made great progress, but we have much more work to do. The PREPARE Act is the latest example of your dedication to this purpose, and we look forward to working with you and your colleagues to ensure effective legislation is enacted.

Sincerely,

MIKE SENA,  
President.

MAJOR COUNTY SHERIFFS OF AMERICA,  
Alexandria, VA, June 9, 2017.

Hon. MICHAEL MCCAUL,  
House Homeland Security Committee, House of Representatives, Washington, DC.

DEAR CHAIRMAN MCCAUL: As Vice Presidents of the Major County Sheriffs of America (MCSA) in charge of Homeland Security and Government Affairs, we write to thank you for your leadership and support of local law enforcement through the FY18 grant authorizations found within Title VI of H.R. 2825, the Department of Homeland Security Authorization Act of 2017.

MCSA is an association of elected Sheriffs representing the nation's largest counties with populations of 500,000 people or more. Collectively, we provide public safety services to over 100 million residents and have a unique understanding of the national security challenges facing our nation.

Since September 11, 2001, our country has made great progress in our nation's ability to prepare for, respond to and prevent terrorist attacks; however, in an era of deep budget cuts and reduced federal funding, state and local law enforcement do not have sufficient funds by themselves to support the homeland security mission.

Federal funding such as the Homeland Security Grant Program (HSGP) which includes the Urban Areas Security Initiative (UASI) and the State Homeland Security Program (SHSP) work to address gaps in local agency capabilities for responding to terrorist threats in the homeland. Authorizing UASI at \$800 million and SHSP at \$600 million is critical to our efforts. Local capabilities that have been built in part through UASI and SHSP funds are not self-sustaining and require consistent federal support to maintain a level of vigilance against threats. This requires an active, and invested level of collaboration with our partner agencies to maintain a level of preparedness that our citizens deserve and expect.

There also remains a strong need for the Law Enforcement Terrorism Prevention Activities (LETPA) requirement that is in current law. Under this provision, 25% of all UASI and SHSP funds that are received by a state must be used for LETPA. If this requirement was removed, there would be zero dedicated federal support for terrorism prevention activities, which is a unique role of law enforcement. Based on what we have recently seen all over the world, now is not the time to step away from this critical activity. On a related note, there should be much more formal local law enforcement input into FEMA's grant guidance and prioritization processes to ensure transparency in the policy directives, grant guidance, and risk formulas.

We greatly appreciate your leadership and we thank you and Committee staff for working honestly and collaboratively with the MCSA. Please let us know if we can be of further assistance as we continue our work to protect the homeland.

Very Respectfully,

Sheriff MICHAEL J.  
BOUCHARD,  
Oakland County (MI),  
MCSA VP—Government  
Affairs.

Sheriff RICHARD STANEK,  
Hennepin County  
(MN), MCSA VP—  
Homeland Security.

THE U.S. CONFERENCE OF MAYORS,  
Washington, DC, June 19, 2017.

Hon. MICHAEL MCCAUL,  
Chairman, Homeland Security Committee,  
Washington, DC.

DEAR CHAIRMAN MCCAUL: I write on behalf of The United States Conference of Mayors to indicate our support for the provisions relating to the homeland security grant programs in H.R. 2825, the Department of Homeland Security Authorization Act of 2017. At a time of growing concern about the terror threat to our cities, it is important to have a stable five-year source of funding that helps us prevent and respond to attacks.

While we appreciate the authorization levels you have included in the bill and understand the funding constraints you faced in drafting the bill, we must be clear that more funding is needed to help keep our cities safe. This applies, of course, both to designated higher risk jurisdictions and to the many areas not in that category, or no longer in that category, which have critical infrastructure and other risk factors which would suggest their need for assistance.

We also appreciate your inclusion of language that would require authorization from Congress for any grant consolidation proposals and the maintenance of the law enforcement terrorism prevention set-aside, a provision of great importance to our police departments.

The nation's mayors appreciate your leadership on homeland security and other issues and look forward to working with you and the Committee to see these provisions enacted into law.

Sincerely,

TOM COCHRAN,  
CEO and Executive Director.

Mr. DONOVAN. I am also pleased a number of the provisions provided by the Committee on Homeland Security are included in division F of this bill. These provisions authorize FEMA's senior law enforcement adviser, ensure an appropriate focus on good manage-

ment practices at FEMA, support vital training programs for first responders, and codify the Office of Disability Integration and Coordination to ensure individuals with disabilities are integrated into disaster preparedness and response efforts.

I look forward to continuing to work with Subcommittee Chairman BARLETTA of the Transportation and Infrastructure Committee as this bill progresses through the process.

Mr. Speaker, I want to commend Chairman MCCAUL for his leadership in getting this bill through the committee and onto the floor, and I urge my colleagues to join me in supporting this bill.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the chairman and ranking member of the committee for doing a historic reauthorization of this historic Department that came in the backdrop of the most heinous and singular terrorist act in terms of the beginning part of the 21st century to come together with this important statement about securing the homeland.

This year will mark the 15th year of the Department of Homeland Security. Homeland security is defined as "the national effort to ensure a homeland that is safe, secure, and resilient against terrorism and other hazards where American interests, aspirations, and ways of life can thrive . . . ."

This is what I hope this bill will do. I want to take special note of two of the subagencies in this bill in particular, taking note of the killing of Gerardo Hernandez, the first TSA officer in the line of duty to be killed, in Los Angeles, and the machete attack on Carol Richel at the Louis Armstrong New Orleans International Airport. We owe a great deal of appreciation and thanks to the Transportation Security Administration and the TSOs. I personally thank them for the work that they do to be front line in securing America.

I also want to express my appreciation for the Secret Service, who, of course, through challenges, have continued to work to protect America's most important leadership, the President in particular. I thank them for their service.

I also want to make mention of the fact that I was very appreciative of the number of amendments that I was able to get in. The Jackson Lee amendments included mandates that the Department of Homeland Security add a new provision to the duties of the Office for Civil Rights and Civil Liberties, which directs that the Department recognize as part of their mission to preserve individual liberty, fairness, and equality under the law.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. THOMPSON of Mississippi. I yield an additional 1 minute to the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman from Mississippi, the ranking member.

Mr. Speaker, my second amendment deals with the multiyear acquisition strategy, keeps pace with changes in technology. This amendment makes sure that the agency's purchases are most up-to-date.

My third amendment deals with the fusion centers and will develop, keep up-to-date, and make available information on Federal resources intended to support fusion centers across America.

My fourth amendment would add to the list of DHS components, including the chief medical officer, to allow them to enter into MOUs so that they can be most helpful across the country.

My other amendment deals with preparedness, ensuring that the National Domestic Preparedness Consortium includes a special directive regarding preparedness in urban areas.

Finally, let me say that we have oversight over ICE and the immigration services. I think it is important to note that ICE has to be responsible, not seeking to raid and deport individuals who have been in this country, who are paying their taxes, and who have options to be able to stay in this country. I hope this reauthorization recognizes that we need comprehensive immigration reform and that ICE is important, but it must restrain its reckless way of deporting individuals.

Mr. Speaker, I rise in speak in strong support of H.R. 2825, the Homeland Security Authorization Act of 2017, which is the first authorization bill for the Department of Homeland Security since its creation.

I thank Chairman McCaul and Ranking Member THOMPSON for working diligently to bring before the House of Representatives the authorization legislation.

As a Senior member of the Committee on Homeland Security, and former Chair of the Subcommittee on Transportation Security, now known as the Transportation and Protective Security Subcommittee, as well as the former Ranking Member of the Subcommittee on Border and Maritime Security, I am very much aware of the importance of the work performed by the men and women who protect us from terrorism.

Homeland Security is defined as: "the national effort to ensure a homeland that is safe, secure, and resilient against terrorism and other hazards where American interests, aspirations, and ways of life can thrive to the national effort to prevent terrorist attacks within the United States, reduce the vulnerability of the U.S. to terrorism, and minimize the damage from attacks that do occur."

This year will mark the 15th year the Department of Homeland Security has been in existence and we owe the men and women who serve on the front line of defending our people of the United States against terrorist acts at home.

DHS's mission is to secure the nation from the many threats we face.

DHS is securing our nation through the dedication and hard work of the more than 229,000 employees to serve the nation in jobs that range from aviation and border security to emergency response, from cybersecurity analyst to chemical facility inspector.

The Department of Homeland Security has many challenges—the greatest of which is overcoming serious morale problems.

This authorization will accomplish a great deal, but the underlying central problem for the Department of Homeland Security is morale.

The employees of the Department of Homeland Security are on the front lines of our nation's defense against terrorism.

I recall the shooting incident at LAX that killed Gerardo Hernandez, who became the first TSA officer killed in the line of duty; and the machete attack at the Louis Armstrong New Orleans International Airport that resulted in injuries to Senior Transportation Security Officer Carol Richel.

Their sacrifice and heroism reminds me of what we saw on September 11, 2001.

I will never forget that day, which made the creation of the Department of Homeland Security necessary.

September 11, 2017 will mark the 16th Anniversary of the attacks that killed 2,977 men, women and children.

On September 11, 2001, I stood on the East Front steps of the Capitol along with 150 Members of the House of Representatives and sang "God Bless America."

I will forever recall the Members of this House who stood with each other not as Democrats or Republicans, but as Americans.

I want to thank and commend the work of our first responders across the nation for their efforts to protect and serve their communities and our nation.

Our duty as Members of Congress is to support the Department of Homeland Security in meeting its core mission of keeping Americans safe.

I am in support of H.R. 2825 for the following three reasons:

Terrorists have evolved their means and methods for perpetrating acts of terror that were not envisioned at the time the agency was created;

The role of the Internet as a tool for terrorists to recruit and train people around the world who may be drawn to their messages of hate must be calculated into the work to defend the nation; and

The Department of Homeland Security has evolved since its initial authorization bill became law on November 25, 2002, and this bill is a necessary step to make sure the agency can benefit from that experience.

I appreciate and thank the Committee on Homeland Security Members for the inclusion of my bill, the "Federal Information Resource to Strengthen Ties with State and Local Law Enforcement Act of 2017" also known as the "FIRST State and Local Law Enforcement Act" in the Amendment in the Nature of a Substitute for H.R. 2824, the Homeland Security Authorization Act of 2017.

Mr. Speaker, the FIRST State and Local Law Enforcement Act, supports transparency

and oversight of the work of the DHS Office of State and Local Law Enforcement by requiring that an annual report of its activities be provided to Congress.

This office is the primary coordinator, liaison, and advocate for state, local, tribal, and territorial law enforcement agencies.

This office was created based on recommendations from the 9/11 Commission and serves as the primary liaison between DHS and non-Federal law enforcement agencies across the country.

The office also leads the coordination of DHS' policies related to state, local, tribal, and territorial law enforcement's role in preventing, preparing for, protecting against, and responding to natural disasters, acts of terrorism and other man-made disasters.

Because this DHS office plays a significant role in the required outreach to state and local law enforcement entities it is important that the Committee be kept apprised of its work.

The "FIRST State and Local Law Enforcement Act" will include data about the coordination and information with State and locals, establishing and reporting performance and metrics feedback received from State, local, and tribal law enforcement agencies about the Office.

I thank the Chairman and Ranking Member of the Homeland Security Committee for also including Several Jackson Lee amendments in the final bill:

The First Jackson Lee Amendment adds to the list of the Bill's mandates for the Department of Homeland Security, which the Secretary of DHS shall implement as part of the overall mission of the agency.

This Jackson Lee Amendment adds a new provision to the duties of the Office of Civil Rights and Civil Liberties, which directs that the Department recognizes as part of its mission to preserve individual liberty, fairness, and equality under the law;".

The Second Jackson Lee Amendment adds an assurance that the DHS Multiyear Acquisition Strategy keeps "pace with changes in technology that could impact deliverables." This amendment makes sure that the agency's purchases are the most up to date technology available.

The Third Jackson Lee Amendment would amend the Department of Homeland Security Fusion Center Partnership Initiative section of the bill to make sure that the Department will "develop, keep up to date, and make available information on federal resources intended to support fusion center access to agency data."

The unique and well established relationship between the National Network of Fusion Centers and the Department of Homeland Security is codified in this authorization bill, and important transparency measure.

This amendment creates an ongoing mission by the Homeland Security Fusion Center Partnership Initiative to support local and state fusion participation.

The Fourth Jackson Lee Amendment adds to the list of DHS components which can enter into Memorandums of Understanding to include the Chief Medical Officer.

A memorandum of understanding or MOU is a formal agreement between Department of Homeland Security components and two or more parties regarding a matter of mutual

benefit or interest where each party will provide to the other something of consequence.

In the case of this Jackson Lee amendment, the Office of Chief Medical Officer will be able to enter into MOUs, which are not legally binding agreements, for the purpose of carrying out its mission.

The fifth Jackson Lee Amendment assures that the Department of Homeland Security's National Domestic Preparedness Consortium includes a special directive regarding preparedness training for urban areas.

The Amendment establishes that "to the extent practicable," the Department of Homeland Security will "provide training in settings that simulate real response environments, such as urban areas."

Urban preparedness planning will include drills, and my amendment allows each urban area to determine the settings and scenarios that will best approximate the challenges that may need to be overcome.

Few of us will forget the impact of Hurricane Katrina or what we saw following Hurricane Sandy.

None of us will forget the attack on New York City or the months of difficult excavation and recovery at the site of the attacks.

Urban centers come with a host of challenges that require adjustments in how preparedness drills are conducted to ensure that lessons learned can be applied to real world conditions.

I thank the Committee for adoption of these legislative improvements, which added them to the bill being debated by the House of Representatives.

I ask that the members of the House to support H.R. 2825, the "Department of Homeland Security Authorization Act of 2017."

Mr. MCCAUL. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HUNTER), chairman of the Subcommittee on Coast Guard and Maritime Transportation of the Transportation and Infrastructure Committee.

Mr. HUNTER. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, H.R. 2825 includes H.R. 2518, the Coast Guard Authorization Act of 2017, in division E. The Coast Guard Authorization Act is a product of bipartisan efforts of the Transportation and Infrastructure Committee, specifically through Chairman SHUSTER's leadership and the efforts of Ranking Member DEFAZIO and Ranking Member GARAMENDI and our great staff, Dave Jansen and John Clark Rayfield.

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The Coast Guard Authorization Act includes an authorization of funding for fiscal years 2018 and 2019 to support the Coast Guard and its servicemembers. It is important to remember the Coast Guard is one of the five Armed Forces, and even though it is outside of the Department of Defense, the service plays a critical role in protecting our country. It is unique in being the only armed force with law enforcement authorities, and this combination allows

the service to perform its multitude of missions.

The Committee on Transportation and Infrastructure has been overseeing the Coast Guard for more than two decades and moved legislation to support the service in each Congress since 1995. The text of the Coast Guard Authorization Act is a product of hearings, discussions with the Coast Guard, and regulated industries.

The bill does four main things:

Clarifies acquisition authorities to be used by the Coast Guard;

Updates certain service authorities to provide them parity with the other Armed Forces;

Amends a variety of Coast Guard regulatory authorities; and

Provides regulatory relief for fishing and maritime transportation industries.

The Coast Guard Authorization Act is a great bill. I urge Members to support it and the passage of the broader bill, H.R. 2825.

Mr. THOMPSON of Mississippi. Mr. Speaker, I reserve the balance of my time.

Mr. MCCAUL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Wisconsin (Mr. GALLAGHER), chairman of the Task Force on Denying Terrorist Entry into the United States of the Homeland Security Committee.

Mr. GALLAGHER. Mr. Speaker, I would like to acknowledge and thank Chairman MCCAUL for his leadership in undertaking this effort as we take the next step in advancing the 2017 Department of Homeland Security authorization bill.

As part of this broader legislative effort, I sponsored the Intelligence Rotational Assignment Program Act because I believe we need to make sure that our Intelligence Committee has the best and most robust training in the world in order to keep our Nation safe.

In 2015, the Department's Chief Intelligence Officer identified the need to strengthen the workforce at the agency by giving intelligence analysts the tools they need to succeed. I served as an intelligence officer for 7 years in the Marine Corps and worked in the Intelligence Committee, including at the National Counterterrorism Center, and the Drug Enforcement Administration, so I know firsthand the value of intelligence analysts gaining experience in different mission areas in order to broaden their ability to do their jobs more effectively for the American people.

This program does that. It encourages analysts to gain experience in all of the various agencies that are part of the larger DHS community.

With authorization, this bill will ensure that we are building and strengthening the expertise among employees at the DHS in order to keep the country safe.

Mr. THOMPSON of Mississippi. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCCAUL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New York (Mr. KATKO), chairman of the Subcommittee on Transportation and Protective Security of the Homeland Security Committee.

Mr. KATKO. Mr. Speaker, I rise today in strong support of H.R. 2825. This critical piece of legislation is a chance for Congress to fulfill its duty to oversee the missions, programs, and functions of the Department of Homeland Security and its component agencies.

As chairman of the Subcommittee on Transportation and Protective Security, I am particularly pleased to support the important provisions of this bill relating to the Transportation Security Administration and the Secret Service.

This bill will make measurable and lasting improvements to the way in which we protect the traveling public on both aviation and surface transportation systems. It also provides much-needed leadership and continuity to TSA by establishing a 5-year term for its administrator.

Specifically, the bill provides important streamlining of TSA functions and offices; improves the vetting of aviation workers; enhances emergency preparedness at airports to protect against terrorist attacks and active shooters; and bolsters the Department's focus on aviation cybersecurity issues.

Passing this legislation will ensure that TSA is prioritizing the development and procurement of new passenger screening technologies and ramping of deployment of explosives detection canines for both aviation and surface transportation sectors.

Mr. THOMPSON of Mississippi. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCCAUL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Louisiana (Mr. HIGGINS), a member of the Homeland Security Committee.

Mr. HIGGINS of Louisiana. Mr. Speaker, I rise today in support of passage of H.R. 2825, the Department of Homeland Security Authorization Act of 2017, of which I am honored to be an original cosponsor.

The threats facing American families are real and rapidly evolving. Since the original authorization 15 years ago, DHS has never been reauthorized, leading to inefficiencies and a lack of congressional oversight.

Mr. Speaker, I thank Chairman MCCAUL and his staff for their work on making the reauthorization package a reality. National security is an issue that affects every man, woman, child, Republican, and Democrat in our Nation. This bill will go a long way to ensuring that DHS remains mission ready to continue protecting our homeland.

This legislation accomplishes several key things:

It creates efficiencies that protect the people's treasure and holds programs accountable;

It offers congressional guidance for agencies within DHS such as Immigration and Customs Enforcement and the U.S. Citizenship and Immigration Services to bolster our Nation's response to illegal immigration; and

Supports the boots-on-the-ground and frontline defenders with much-needed resources.

Mr. Speaker, I urge my colleagues to support the bill.

Mr. THOMPSON of Mississippi. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCCAUL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Kansas (Mr. ESTES).

Mr. ESTES of Kansas. Mr. Speaker, I rise today in support of H.R. 2825, the Department of Homeland Security Authorization Act.

America faces mounting threats to our national security from around the globe. This includes the increased threats faced by Islamist terrorism, foreign cyber attacks, and an unsecured southern border.

This bill will improve the Department of Homeland Security by making it more efficient and improving its processes so that the DHS can face security threats head on.

This bill promotes the domestic sharing of counterterrorism information and calls for regular reports to Congress on cost-saving and efficiency activities, including consolidation of facilities and response to operational surges.

I believe this bill is vital to ensuring America's continued safety.

Mr. THOMPSON of Mississippi. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCCAUL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Virginia (Mr. GARRETT), a member of the Homeland Security Committee.

Mr. GARRETT. Mr. Speaker, there are two amendments to this important piece of legislation that we bring forward. I want to thank the chairman of the committee for allowing us the opportunity to be heard and participate in this process.

The first is an amendment that ensures that there is a strategic plan to reduce senior executive positions as it relates to the TSA. Right now, we have more tail of the dragon than teeth of the dragon. We need to make sure that we are focusing our assets efficiently and with responsibility to the taxpayers who give us the money to protect the homeland. This will save over \$7 million in salary alone.

The second ensures that there is an oversight of the Homeland Security Grant Program, which is intended to

protect the homeland, so we demonstrate that we are being good stewards of the public's dollars, while ensuring the safest possible Nation that we can.

Mr. THOMPSON of Mississippi. Mr. Speaker, H.R. 2825 was unanimously approved by the Committee on Homeland Security on June 14, 2017, after 39 Democratic amendments focused on strengthening the underlying bipartisan bill were accepted.

To make this legislative package more complete, subsequent to committee consideration, text that was approved by the Transportation and Infrastructure and Judiciary Committees was added.

Mr. Speaker, I urge Members to join me in supporting passage of this important homeland security legislation that includes provisions that have the support of groups as diverse as the International Association of Fire Chiefs, the U.S. Conference of Mayors, National Fusion Center Association, the Jewish Federations of North America, the American Federation of Government Employees, and the American Public Transportation Association.

Mr. Speaker, let me compliment the chairman for a job well done.

Mr. Speaker, I yield back the balance of my time.

Mr. MCCAUL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me give my heartfelt thanks to the ranking member for his work on this important legislation, first ever. It was a real team effort on both sides of the aisle. I want to thank all of the staff on both sides of the aisle, Rosaline Cohen and Jennifer Gorski, who worked tirelessly.

Mr. Speaker, I include in the RECORD a January 11, 2017, memorandum of understanding, signed by myself and seven other committee chairmen.

#### MEMORANDUM REGARDING AUTHORIZATION OF THE DEPARTMENT OF HOMELAND SECURITY

We, the chairs of the committees with jurisdiction over the Department of Homeland Security or its components, are hereby recording our agreement on the following principles for the 115th Congress:

1. The Department of Homeland Security ("the Department") and its components should be authorized on a regular basis to ensure robust oversight and improve its operation.

2. Committees with jurisdiction over the Department and its components will prioritize the authorization of the Department and any unauthorized or expiring component in that committee's authorization and oversight plan.

3. To the maximum extent practicable, the committees with jurisdiction over unauthorized or expiring components of the Department shall coordinate with the Committee on Homeland Security to produce a comprehensive authorization bill for the Department.

4. The Committee on Homeland Security shall coordinate with the committees with jurisdiction over unauthorized or expiring components of the Department in the development of any comprehensive authorization bill for the Department.

5. The Committee on Homeland Security and the committees with jurisdiction over components of the Department shall jointly develop a process for the vetting and pre-clearing of base text and amendments offered at subcommittee and full committee markups of a DHS authorization bill in the Committee on Homeland Security that fall within the jurisdiction of a committee other than or in addition to the Committee on Homeland Security.

6. The committees will expedite consideration of any comprehensive authorization bill for the Department, including timely resolution of any matters subject to a sequential or additional referral.

7. To the extent that there are policy differences between the committees regarding a provision of the comprehensive authorization bill for the Department, the committees will make best efforts to resolve any such dispute.

8. The Committee on Homeland Security shall not include any provision in a comprehensive authorization bill that the chair of the Committee on Ways and Means has determined to be a revenue provision or a provision affecting revenue. If the chair of the Committee on Ways and Means makes such a determination, nothing in this agreement shall be construed to preclude that chair from exercising an additional or sequential referral over the measure, or a point of order under clause 5(a) of Rule XXI of the Rules of the House of Representatives.

9. Nothing in this agreement shall be construed as altering any committee's jurisdiction under rule X of the Rules of the House of Representatives or the referral of any measure thereunder.

10. Further, nothing in this memorandum precludes a further agreement between the committees with regard to the implementation of a process to ensure regular comprehensive authorizations of the Department.

Signed,

Gregg Walden, Chair, Committee on Energy and Commerce; Michael T. McCaul, Chair, Committee on Homeland Security; Devin Nunes, Chair, Permanent Select Committee on Intelligence; Bob Goodlatte, Chair, Committee on the Judiciary; Jason Chaffetz, Chair, Committee on Oversight and Government Reform; Lamar Smith, Chair, Committee on Science, Space and Technology; Bill Shuster, Chair, Committee on Transportation and Infrastructure; Kevin Brady, Chair, Committee on Ways and Means.

Mr. MCCAUL. Mr. Speaker, in conclusion of this debate, it is very important to remember that a comprehensive reauthorization of the Department of Homeland Security has never been done before. While various reauthorization efforts have been tried in the past, we finally have a chance to get it across the finish line and have it signed into law. So let's stand together as Republicans and Democrats and show the people we represent both parties and that both parties can work with one another by putting our national security above politics.

This legislation is not just about good governance or bureaucratic reforms. It is absolutely essential to making sure we are able to defeat the grave and growing threats facing the United States.

Once again, I want to thank the ranking member and all of his staff; leadership, as well, and their staff; and, also, all of the members of the Office of the Legislative Counsel, who got us to this point here today.

Mr. Speaker, I yield back the balance of my time.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
*Washington, DC, July 18, 2017.*

Hon. DEVIN NUNES,  
*Chairman, Permanent Select Committee on Intelligence, Washington, DC.*

DEAR CHAIRMAN NUNES: Thank you for your follow up letter regarding H.R. 2825 dated June 27, 2017. I appreciate your continued willingness to work with me to bring H.R. 2825 to the House Floor.

As I stated in my June 22, 2017 letter, the Committee on Homeland Security concurs with the mutual understanding that by foregoing seeking a sequential referral at this time, the House Permanent Select Committee on Intelligence does not waive any jurisdictional interest it may have over provisions in the bill.

Regarding the provisions referenced in your recent letter, each of the sections listed were introduced as stand alone bills, as well as included in H.R. 2825, and the Committee on Homeland Security was granted the primary referral on such provisions. As discussed between our staff and in the exchange of letters, I recognize that your Committee could request a sequential referral on those provisions. I reiterate my continued appreciation for the cooperation of you and your staff in moving H.R. 2825 through the legislative process.

Per your request, I will include your letters, my response letters, the "Memorandum Regarding Authorization of the Department of Homeland Security" and accompanying January 11, 2017 exchange of letters in the Congressional Record when H.R. 2825 is considered on the Floor.

Sincerely,

MICHAEL T. MCCAUL,  
*Chairman.*

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

*June 27, 2017.*

Hon. MICHAEL MCCAUL,  
*Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.*

DEAR CHAIRMAN MCCAUL: Thank you for your letter dated June 22, 2017, regarding H.R. 2825, the "Department of Homeland Security Authorization Act of 2017." I appreciate your recognition of the jurisdictional interest of the Permanent Select Committee on Intelligence (HPSCI) in legislation relating to the National Intelligence Program (NIP), as well as the importance of the "Memorandum Regarding Authorization of the Department of Homeland Security" and our accompanying January 11, 2017 exchange of letters.

As you note, your letter of January 11 permits the Committee on Homeland Security to report legislation including "Department-wide provisions that could affect Department elements that happen to receive funding through the NIP." H.R. 2825, however, contains several provisions that are not "Department-wide," but instead direct the NIP-funded Department of Homeland Security Office of Intelligence and Analysis (I&A) to take specific actions and/or provide Congress with reports—and are therefore within the

exclusive jurisdiction of HPSCI. Those provisions include:

Section 113—"Intelligence Rotational Assignment Program"

Section 301—"Homeland Intelligence Doctrine"

Section 302—"Analysts For The Chief Intelligence Officer."

Section 303—"Annual Homeland Terrorist Threat Assessments"

Section 311—"Department of Homeland Security Fusion Center Partnership Initiative"

Per my letter of June 21, HPSCI will continue to forego an official request for sequential referral. However, I request that you include a copy of this letter in the Congressional Record along with the other letters and attachments we exchanged last week. Thank you again for your cooperation.

Sincerely,

DEVIN NUNES,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
*Washington, DC, June 22, 2017.*

Hon. DEVIN NUNES,  
*Chairman, Permanent Select Committee on Intelligence, Washington, DC.*

DEAR CHAIRMAN NUNES: Thank you for your letter regarding H.R. 2825, the "Department of Homeland Security Authorization Act of 2017." I appreciate your support in bringing this very important legislation reauthorizing the Department of Homeland Security before the House of Representatives, and appreciate the willingness of the Permanent Select Committee on Intelligence to forego seeking a sequential referral.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing a sequential referral on this bill at this time, the Permanent Select Committee on Intelligence does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Permanent Select Committee on Intelligence represented for provisions within your jurisdiction on the conference committee.

Additionally, the Committee on Homeland Security recognizes and appreciates the importance of the Memorandum Regarding Authorization of the Department of Homeland Security and the letter exchange on January 11, 2017. The Committee on Homeland Security contends that per such agreement the bill reported by the Committee "does not intend to authorize any elements of the Department that are funded through the National Intelligence Program (NIP). . . . but may include Department-wide provisions that could affect Department elements that happen to receive funding through the NIP."

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,  
*Chairman,  
Committee on Homeland Security.*

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,  
*Washington, DC, June 21, 2017.*

Hon. MICHAEL MCCAUL,  
*Chairman, Committee on Homeland Security, Washington, DC.*

DEAR CHAIRMAN MCCAUL: H.R. 2825, a bill "to amend the Homeland Security Act of

2002 to make certain improvements in the laws administered by the Secretary of Homeland Security, and for other purposes," was recently marked up and reported by your Committee. Given that several provisions of H.R. 2825 implicate National Intelligence Program (NIP)-funded activities, I am confident that upon request the bill will be sequentially referred to the Permanent Select Committee on Intelligence (the Committee).

As you know, we signed a Memorandum Regarding Authorization of the Department of Homeland Security and exchanged letters on January 11, 2017 (January 2017 Exchange of Letter), to clarify the Committee's exclusive jurisdiction over NIP-funded elements of the Department of Homeland Security (DHS). The January 2017 Exchange of Letters affirmed that, consistent with the Rules of the House of Representatives, the Intelligence Authorization Act (IAA) is the vehicle that through which Congress authorizes annual appropriations for the NIP, including NIP-funded elements of the Department of Homeland Security (DHS). Moreover, those letters made explicit that the Committee on Homeland Security would not report to the House any bill that authorizes any elements of DHS funded through the NIP, and that if any such bill is reported by the Committee on Homeland Security, this Committee will request a sequential referral of the bill.

In order to expedite the House's consideration of the H.R. 2825, and in recognition of the unique importance of authorizing legislation for DHS, the Committee will forego an official request for sequential referral or consideration of the measure. This courtesy, is however, conditioned on our mutual understanding and agreement that it will in no way diminish or alter the jurisdiction of the Committee with respect to any future jurisdictional claim over the subject matter contained in the bill or any similar measure. It is also conditioned on the Committee on Homeland Security's adherence to the agreement embodied in the January 2017 Exchange of Letters. In the future, the Committee will not hesitate to take up non-conforming legislation on sequential referral.

I would appreciate your response to this letter confirming this understanding and would request that you include in the Congressional Record during floor consideration of H.R. 2825 a copy of this letter, your response, and the January 2017 Exchange of Letters, including the Memorandum. Thank you in advance for your cooperation.

Sincerely,

DEVIN NUNES,  
*Chairman.*

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

*January 11, 2017.*

Hon. MICHAEL MCCAUL,  
*Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.*

DEAR CHAIRMAN MCCAUL: In accordance with paragraph 10 of the January 2017 "Memorandum Regarding Authorization of the Department of Homeland Security," I write to confirm our mutual understanding of the procedure through which the House will authorize the elements of the Department of Homeland Security (DHS) funded through the National Intelligence Program (NIP).

I appreciate your dedication to producing a comprehensive reauthorization of DHS that will improve congressional oversight of the Department. As you know, Rule X(11)(b)(1) of the House of Representatives grants the Permanent Select Committee on Intelligence



sole jurisdiction over “proposed legislation . . . relating to . . . the National Intelligence Program as defined in Section 3(6) of the National Security Act” and “[a]uthorizations for appropriations, both direct and indirect, for . . . the National Intelligence Program as defined in Section 3(6) of the National Security Act;” and Rule X(j)(3) of the House of Representatives grants the Committee on Homeland Security jurisdiction over the “functions of the Department of Homeland Security,” including those functions related to the “integration, analysis, and dissemination of homeland security information.”

As you also know, the Intelligence Authorization Act (IAA) is the annual vehicle through which Congress authorizes appropriations for the NIP, including for elements of DHS that receive funding through the NIP. The IAA includes a classified schedule of authorizations, incorporated into the statute by reference, and direction and recommendations in a classified annex to the report of the Permanent Select Committee on Intelligence. Nothing in the January 2017 “Memorandum Regarding Authorization of the Department of Homeland Security,” shall be construed to grant the Committee on Homeland Security jurisdiction over proposed legislation relating to the NIP or authorizations for appropriations for the NIP.

In keeping with these principles, the Committee on Homeland Security will not report to the House any bill that authorizes any elements of DHS funded through the NIP. If any such bill is reported by the Committee on Homeland Security, the Permanent Select Committee on Intelligence will request a sequential referral of the bill. Understanding, however, that both of our committees have a jurisdictional interest in the Department’s Office of Intelligence and Analysis, we agree to work together to ensure that the Office receives the most effective congressional guidance.

We further agree that if the Committee on Homeland Security reports a DHS-wide authorization bill to the House, I may offer an amendment during consideration of the bill in the full House. That amendment will contain the text of any legislative provisions related to the NIP-funded elements of DHS previously reported by the Permanent Select Committee on Intelligence. If the Permanent Select Committee on Intelligence has not reported any provisions related to the NIP-funded elements of DHS, I will not offer an amendment, and the DHS-wide authorization bill will not contain any provisions related to the NIP-funded elements of DHS. We further agree that you will oppose as non-germane all amendments related to the NIP-funded elements of DHS in markup in the Committee on Homeland Security. If any amendments related to the NIP-funded elements of DHS are subsequently offered during consideration by the full House, you agree to consult with me before taking action.

Finally, we agree that you will support the appointment of the Chairman and Ranking Member of the Permanent Select Committee on Intelligence to any committee of conference on a DHS-wide authorization bill that includes any provisions related to the NIP-funded elements of DHS.

In accordance with Rule X(11)(b)(2) this understanding does not preclude either the Committee on Homeland Security or the Permanent Select Committee on Intelligence from authorizing other intelligence and intelligence-related activities of DHS, including, but not limited to, the Homeland Secu-

rity Intelligence Program. In keeping with paragraph 5 of the January 2017 “Memorandum Regarding Authorization of the Department of Homeland Security,” our committees will work jointly to vet and clear any provisions of a DHS authorization bill related to these other intelligence and intelligence-related activities of DHS. Furthermore, I hope the staff of our committees can continue to closely and expeditiously to conduct rigorous oversight of intelligence activities throughout DHS.

The understanding detailed by this letter is limited to the 115th Congress. It shall not constitute an understanding between our committees in any subsequent congress.

I would appreciate your response to this letter confirming this understanding. I look forward to working with you to continue congressional oversight of DHS intelligence activities, and I thank you in advance for your cooperation.

Sincerely,

DEVIN NUNES,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
Washington, DC, January 11, 2017.

Hon. DEVIN NUNES,  
Permanent Select Committee on Intelligence,  
United States Capitol, Washington, DC.

DEAR CHAIRMAN NUNES: Thank you for your letter supporting the Committee on Homeland Security’s plans to conduct a comprehensive reauthorization of the Department of Homeland Security (“the Department”) in the 115th Congress, as expressed in the 2017 “Memorandum Regarding Authorization of the Department of Homeland Security.”

I appreciate your willingness to help ensure the Department is fully authorized, and recognize that there may be areas of jurisdictional interest to the Permanent Select Committee on Intelligence (“Intelligence Committee”) in such an authorization. Rule X(j)(3) of the House of Representatives grants the Committee on Homeland Security jurisdiction over the “functions of the Department of Homeland Security,” including those functions related to the “integration, analysis, and dissemination of homeland security information,” while Rule X(11)(b)(1) grants the Permanent Select Committee on Intelligence jurisdiction over “proposed legislation relating to . . . the National Intelligence Program as defined in Section 3(6) of the National Security Act” and “[a]uthorizations for appropriations, both direct and indirect, for . . . the National Intelligence Program as defined in Section 3(6) of the National Security Act.”

The Committee on Homeland Security does not intend to authorize any elements of the Department that are funded through the National Intelligence Program (“NIP”) as part of the Department authorization bill it reports to the House this Congress, although we both agree that the reported bill may include Department-wide provisions that could affect Department elements that happen to receive funding through the NIP. Accordingly, I will oppose as non-germane any amendments which may be offered in my committee’s markup related to the NIP-funded elements of the Department. I further agree to consult you before taking any action on similar amendments which may be offered during consideration of the bill by the full House.

In the interest of ensuring the most robust Department authorization possible, we further agree that you may offer an amendment

during consideration of the bill in the full House. That amendment will contain the text of any legislative provisions related to the NIP-funded elements of DHS previously reported by the Permanent Select Committee on Intelligence. If the Permanent Select Committee on Intelligence has not reported any provisions related to the NIP-funded elements of DHS, you will not offer an amendment. Understanding, however, that both of our committees have a jurisdictional interest in the Department’s Office of Intelligence and Analysis, we agree to work together to ensure that the Office receives the most effective congressional guidance.

Finally, I reiterate my intention that nothing included in the 2017 “Memorandum Regarding Authorization of the Department of Homeland Security” alters the jurisdiction of either the Committee on Homeland Security or the Permanent Select Committee on Intelligence. The Committee on Homeland Security appreciates the past success we have enjoyed working with the Intelligence Committee. I am grateful for your support and look forward to continuing to work together toward our mutual goal of ensuring that the Department and its components are authorized on a regular basis.

Sincerely,  
MICHAEL T. MCCAUL,  
Chairman.

THE SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MCCAUL) that the House suspend the rules and pass the bill, H.R. 2825, as amended.

The question was taken.

THE SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MCCAUL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

THE SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

## KING COVE ROAD LAND EXCHANGE ACT

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 218.

THE SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

THE SPEAKER pro tempore. Pursuant to House Resolution 454 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 218.

The Chair appoints the gentleman from Alabama (Mr. PALMER) to preside over the Committee of the Whole.

□ 0958

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the



consideration of the bill (H.R. 218) to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay, with Mr. PALMER in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Utah (Mr. BISHOP) and the gentleman from Arizona (Mr. GRIJALVA) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chair, I include in the RECORD my statement on the ABCs of Izembek.

Alaska's ardently asking for action and assistance to acquire acute acres to always allow actual access across areas and assuredly avert atrocious aviation accidents after appalling administrative blockades on building basic boulevards between beautiful bays before blizzards.

The bill doesn't bombard birds like Black Brants because Congress can carefully craft conveyances to create consistent courses for certain care in this Cove community. Construction cop outs and crumbling commitments cause a cacophony of complex concerns and constitute considerable consternation when crossing channels in choppy conditions. Don's diligently doting on his district, dutifully demanding demonstrable developments daily so the Department doesn't dawdle on their domain. Despite dangerous dashes and emergency evacuations, expanding elevated environmental evaluations exploded expenses. Exact exchanges exempt events to enhance embarking on equally enjoyable exits in eleven expanses. Frankly, fifty-five frigid flights fleeing fast from freezing fields in furious flurries found frighteningly few fancy facilities for fearful families.

Geese gradually got generally greedy, grimly generating genuine grief on giant goals of going great grounds on gravel and grabbing glory from good glacial gateways.

Historically, hovercraft hijinks harmfully hampered hurrying to hospitals and hobbled healing, harpooning hope and hardening hardships near the harsh harbors. The House must hastily have a helpful hand in halting havoc and hindering hefty hazards for Izembek inhabitants instead of idling indefinitely. Interior's indecision impeded infrastructure and informally interrupted implementing instant improvements, isolating irate individuals in increasingly impassible journeys. Jewell jumped into jeopardy when justifying juxtapositions and jarring, jolty jaunts from King Cove that keep killing kind kin without kindling key kernels of keen knowledge.

King Cove lacks life-saving lanes linking lonesome localities on land while lofty liberals lamely lament losing limited landscapes and maroon many who might make mends with medical ministrations. Masterful mandatory medivacs must make miraculous moves after miniscule mainland migrations. Narrow native neighborhoods need necessary navigable networks now that nasty neglect notched nineteen needless obituaries. Other offered options outlined aren't okay or optimal for open-

ing outbound opportunities over a one-lane, non-paved preferred path across a pulchritudinous peninsula. Patients patiently practice peacefully praying to postpone pain and postmortems while partisan panels prioritize protecting a percent of the preserve over the perishing population.

Perhaps people quietly question this quixotic quandary, quickly quarreling over quality, quaint routes. Resilient rural Refuge residents require really rapid resolutions to reliably ride on requisite roads routinely in rough situations. Seventy segments of street are still stationed in the sanctuary, so small sections won't subvert the surroundings. The State swap saves the site's sheltered status while swelling up safety and security for this scorned society. 1,000 tormented townsmen tempt their tombs in terrifying travels. They take threatening treks that traverse the tough tundra between the two towns in treacherous temperatures. United, we urgently untie this unbelievably unjust ultimatum for a unique unwinding of unfortunately unreliable voyages.

Valid in vibrant victory we venture to vote to viciously vanish vanity and vacate this wrongdoing. When we want wins, wavering willfully won't work. We weigh wishes of wilderness with wild winter weather while ways wane for wandering within windstorms. Xylophone.

Yeah, yeah, yeah, you're yawning and yearning for me to yield and stop yapping like a yelling yahoo while you're still young. So I'll zig-zag and zoom past zany zealots in Zen like Ryan Zinke.

Mr. BISHOP of Utah. Mr. Chair, I yield 5 minutes to the gentleman from Alaska (Mr. YOUNG), the author of the bill, the only Representative Alaska has here on this floor, and someone who understands this issue because he has been dealing with it for a number of years.

Mr. YOUNG of Alaska. Mr. Chairman, this is an issue that should have been settled a long time ago.

In 2009, this Congress passed a land exchange piece of legislation, very similar to this, and we made one mistake. We did put into it the ability to have the Fish and Wildlife Service make recommendations. Even then, the recommendations were on a positive side.

The last administration decided, under the Secretary of the Interior, not to build an 11-mile road to save my constituents, the Aleut people from King Cove, in favor of a goose, and the people who live in King Cove weren't really considered.

□ 1000

Now, this is a road that is 11 miles long that goes not through the Izembek Refuge, but through some of the areas, mostly just along the edge. And the argument you will hear is that they will disturb the geese. You will hear it disturbs the eelgrass that the geese and the loons live on. The road will bother them.

It is ironic; the refuge itself, which this refuge is not a new area, it has been inhabited by man, frankly, in the

last generation, and they built about 70 miles of road to supply a military base called Cold Bay, which is the airport we are trying to seek this road to connect it with King Cove.

They actually take tourists that arrive in Cold Bay and take the bus and go out the same road, not the one we want to build, but a road right next to the so-called lagoon and the eelgrass for the tourists. And for some reason, tourists don't bother geese. That is what I can't quite understand. But it is all right for them to do that, but not allow the people of King Cove to save their lives.

Since the refusal to build this road, 19 people, my constituents, Aleut people from King Cove, have died because they could not be evacuated to the airport so you could fly them out.

Now, some people will say, well, they have got an airport. Yes, 1,600 feet, winds are blowing 90 miles an hour, you try to get off. Or put yourselves on a boat and go across in 30-foot waves.

And you will hear, well, we built them and they got a hovercraft. They never wanted it. They knew it wouldn't work. The Clinton administration said, oh, this is our solution and it is better than a road that would disturb the geese, so they accepted the use of it, and it did fail.

The hovercraft does not work, yet we will have an amendment later on, the area that did not ask for it is going to be requested to pay the money back. I didn't hear anybody, by the way, say, because a levee failed and we put money into it, they had to pay the money back.

So let's really consider what we are talking about here. We are talking about 11 miles, single lane, gravel-covered road to provide access to Cold Bay for people in the community who do not have access to a hospital, which is 600 miles away in Anchorage.

We had one lady evacuated at a cost of \$250,000 by the Coast Guard. The helicopter crashed, and she lost her life.

We had two other elders that went across with a crab boat. They had to put the people into a crab pot because there was no way to get to this airport.

So, Mr. Chairman, I am suggesting to my fellow colleagues, let's do what is right. This does no harm to the refuge. It, in fact, saves lives, gives them an opportunity to take and experience the medical care that all the rest of us have. Let's do the right thing today.

Let's not be caught into special interests that say it is going to hurt the refuge. I know many even got phone calls: Oh, this is going to be terrible.

The truth of the matter is it is not terrible. It is the right thing to do. So I am asking my colleagues, let's vote "yes" on this bill. Let's vote "no" on the amendments. Let's do what is right today in the House of Representatives.

Mr. GRIJALVA. Mr. Chairman, I yield myself such time as I may consume.

Today we are being asked to mandate a land exchange that will put a road through a designated wilderness area inside the Izembek National Wildlife Refuge in Alaska. If that sounds familiar, that is because we have been down this road before.

After years of prodding from the Alaska delegation, the Public Land Management Act of 2009 authorized this exchange and the eventual construction of the road. However, that 2009 authorization was contingent upon a determination by the Secretary of the Interior that the road was in the public interest.

The Fish and Wildlife Service then spent nearly 5 years preparing a full environmental impact statement in order to analyze the environmental impacts of the proposed road, and to determine if viable alternatives existed. During the lengthy and public process, the agency held 130 public meetings, reviewed thousands of public comments, 97 percent of which were opposed to the road.

Ultimately, the Interior Department determined that building a road through the one-of-a-kind wilderness area is not justified because it will destroy an irreplaceable ecosystem, and there are other ways to improve transportation in the area.

This is not just a simple trail through the woods. It is a road through a narrow chain of islands and lagoons. Its construction requires the development of bridges, installation of culverts and pipes, and the dredge and fill of nearly 4 acres of wetlands.

The Izembek National Wildlife Refuge supports numerous species of migratory waterfowl that we have international treaty obligations to protect, including nearly the entire global population of the Pacific black brant, and one of the only populations of non-migratory tundra swans, in addition to providing prime habitat for bears, caribou, and other wildlife.

Now, before the point can be made, let me just say, I want to be clear, I have never been to the refuge. Opposition to this road is not based on personal opinion or spite, or ignorance, or because we love birds more than people.

Opposition to this road is based on extensive public comments and a long, careful, scientific review of its merits conducted by conservation professionals. The table of contents for the environmental review—not the review itself, but just the table of contents—is 28 pages long. The EIS comes with 10 appendices.

The Department of the Interior did its homework. They weighed the costs and the benefits and made an informed decision. Now we are being asked just to ignore that scientific analysis and ram this road right through the refuge, despite knowing the damage it will do.

The consequences of a decision like that are known. They are not unin-

tended. The road through an Alaskan wilderness is not justified. This particular road is not justified, and it is not necessary.

Mr. Chairman, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I yield 5 minutes to the gentleman from Arkansas (Mr. WESTERMAN), who is hurriedly making his way to the front podium.

Mr. WESTERMAN. Mr. Chairman, I rise in support of H.R. 218, the King Cove Road Land Exchange Act. I thank Congressman DON YOUNG for his tireless work on this pressing issue.

Nineteen people: the cost of decades of inaction by the Federal Government, Mr. Chairman, is 19 American lives.

Expedient access to a hospital is something most Americans can, fortunately, take for granted. For many, emergency services are an ambulance ride away. Not for the citizens of King Cove, Alaska.

Adjacent to the Aleutian Islands, the 1,000 residents of King Cove, Alaska, are connected to hospitals in the region via a small runway and a ferry. Harsh winter storms ground planes and prevent safe sea travel, cutting off residents from hospitals and necessary supplies.

In truly dire emergencies, King Cove residents have but two choices. Number one is to pray a boat captain will brave enormous seas. Or wait until the Coast Guard can dispatch a medivac helicopter.

Mr. Chairman, allow me to read some of the stories of those who have braved the sea, or held out until help arrived.

Take, for example, Lonnie Brandell, who had to hoist his ailing father out of a fishing boat during a blizzard. After a perilous 3-hour journey to Cold Bay, the sea was so rough his boat could not dock. Brandell had to tie a rope around his father and allow him to be pulled to safety. To quote Brandell: "It was not a good scenario at all. But if we had stayed here one more day, even 10 or 12 more hours, he would not have lived."

Or take Etta Kuzakin, who went into labor early. Unable to safely leave King Cove during a storm, it took the Coast Guard 8 hours to arrive to rescue her. "I was lucky," she says. "The Coast Guard was in the area. That is really what it was. They were in the area."

Mr. Chairman, this is shameful. Our citizens should not have to wait hours for a medivac, or brave treacherous seas while we sit here and debate this issue. No American should have to perish while we argue whether or not a refuge would be better off with 81 or 70 miles of gravel road.

I urge my colleagues to listen to the stories of Etta Kuzakin, Lonnie Brandell, and others. I urge my colleagues to think about the 19 Americans who perished for want of a gravel road.

Mr. Chairman, I strongly support H.R. 218.

Mr. GRIJALVA. Mr. Chairman, I continue to reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona (Mr. GOSAR), a subcommittee chairman of the Natural Resources Committee.

Mr. GOSAR. Mr. Chairman, I rise today in strong support of H.R. 218, the King Cove Road Land Exchange Act, introduced by my good friend and Western Caucus Vice-Chairman for Indian Affairs and Oceans, Mr. DON YOUNG.

H.R. 218 authorizes a commonsense land exchange between the U.S. Fish and Wildlife Service and the State of Alaska that will save lives and taxpayer money.

The bill provides significant benefits for all parties, including tribal members, supporters of fish and wildlife, supporters of the environment, supporters of the Izembek National Wildlife Refuge and, most importantly, the people living in the surrounding areas that need access to critical medical and healthcare services.

Local communities in the State of Alaska have been trying to build a one-lane, 11-mile gravel road to link King Cove and Cold Bay for nearly 3 decades.

The bill authorizes the transfer of more than 43,000 acres of Alaska State land in exchange for just 206 acres of Federal land. These 43,000-plus acres will be added to the Izembek National Wildlife Refuge in order to protect fish, wildlife, and the environment.

The one-lane, 11-mile noncommercial road that will be built as a result of this legislation is necessary in order to provide access to emergency medical assistance for American citizens and native populations.

The bill will save taxpayer money. Since 2013 alone, 55 emergency medivacs have been required to get people in need of significant medical attention to hospitals. Many of these medical evacuations have required the Coast Guard, as inclement weather prevents aerial flights on an average of 100 days per year and results in cancellation of more than 40 percent of flights in King Cove.

In order to receive lifesaving care, local residents often must fly 600 miles to Anchorage. Connecting King Cove to Cold Bay Airport will allow the Agdaagux Tribe and local residents to receive the emergency services they need and deserve.

The National Congress of American Indians has testified before Congress multiple times in support of this legislation and on the need to construct this road. NCAI has also passed formal resolutions of support in 2007, 2014, and 2015.

The 2015 NCAI resolution stated: "The Aleut people of King Cove are continuing to seek justice for this

basic right to safe and dependable transportation access for emergency and routine medical health, which is an expectation that most Americans, Indian and non-Indian take for granted

“Because of public health, safety, and quality of life factors, the NCAI does hereby support the rights of the Aleut people of King Cove for this basic expectation of dependable transportation access, and calls upon Congress to immediately pass new legislation approving a land corridor for the construction of a permanent lifesaving road linking the community of King Cove to Cold Bay Airport.”

I couldn't agree more with the National Congress of American Indians. These people in these local communities have a fundamental right to basic healthcare. Let's pass this bill so that we can build an 11-mile gravel road and ensure they receive these basic services.

Mr. Chairman, I thank the gentleman from Alaska for his leadership in sponsoring this much-needed legislation. I urge my colleagues on both sides of the aisle to vote in support of this commonsense bill.

Mr. GRIJALVA. Mr. Chairman, I yield myself such time as I may consume.

We have heard the argument, and we will repeatedly hear the argument that the road connecting King Cove to Cold Bay is needed for health and safety purposes. While it is true that the road will be used for medical emergencies, there is a lot of evidence pointing to another objective.

□ 1015

If you look at the decades-long effort to build this road, it becomes clear that there has always been a commercial purpose in mind. King Cove is home to one of the largest fish processing facilities, operated by Peter Pan Seafoods, a subsidiary of a Japanese company that is one of the largest seafood companies in the world.

Fishing is the backbone of the King Cove economy, and it has always been one of the reasons for the road. Let's look at the facts.

In 1994, the city of King Cove passed a resolution to emphasize the positive socioeconomic impacts of a 20-mile road linking King Cove to the Cold Bay Airport. The resolution did not mention any need to use the road for health or safety or for emergency situations of residents.

In 2005, the Aleutians East Borough participated in public scoping meetings and presented their vision for a hub airport for Cold Bay. This plan included cold storage capability for fish from King Cove and other communities awaiting air freight.

In 2010, as part of a Fish and Wildlife EIS for the land exchange we are debating today, an Aleutians East Bor-

ough assemblyman stated that Peter Pan Seafoods would use the road to transport fresh product.

And finally, on May 25 of this year, Alaska Governor Bill Walker sent a request to the Trump administration. He asked for: “Access for isolated King Cove residents to the airport in Cold Bay in all weather conditions, enabling access to health services and the movement of goods and people between King Cove and Cold Bay.”

When you add all this up, the evidence is pretty convincing. Sure, the road will be used for emergency evacuations, but it will also be used to transport fresh product to Cold Bay to be sold throughout Asia and the rest of the world.

Despite language in the bill seeking to prohibit commercial use of the road, once it is built, this prohibition will be incredibly difficult, if not impossible, to enforce. This is an incredibly remote area, and the Fish and Wildlife Service does not have the resources or staff capacity to police the use of the road.

Mr. Chair, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chair, I yield 5 minutes to the gentleman from California (Mr. MCCLINTOCK), the chairman of the Federal Lands Subcommittee.

Mr. MCCLINTOCK. Mr. Chair, I thank the gentleman for yielding me time.

Mr. Chairman, we have just heard a very familiar theme from the Democratic side of the aisle. It is a theme they have sounded for the past decade and goes a long way to explain why America's prosperity has been stagnating. It has literally been on hold during these past 8 years.

God forbid there should be more jobs to support struggling families in this little community. God forbid our roads should ever be used to get products to people who desperately need them.

Now, it is hard for me to understand how a one-lane gravel road is going to accommodate all of that commerce. What it is going to accommodate are people who desperately need access to the neighboring city of Cold Bay.

Mr. Chair, I rise in strong support of this bill, Mr. YOUNG's H.R. 218, on behalf of the people of King Cove, Alaska.

I want you to imagine being a resident of that tiny little community. Its only outside access is by a gravel airstrip and a little tiny harbor. It is just 20 miles from the city of Cold Bay. Cold Bay has got a regional airport, they have got medical facilities, but there is no road connecting that little town with the life-sustaining civilization just 20 miles away.

We all know of the exceptionally harsh weather conditions in that area; they routinely prevent air and sea travel out of King Cove. If you are in trouble in that weather, there is help just down the road, but there is no road.

Why is there no road? Well, we have just heard a sampling of why. It is not because of natural barriers. It is not for lack of need or financing. It is because a national wildlife refuge in a section of the Alaska Peninsula National Wildlife Refuge is in between these communities and the Federal Government and leftwing environmental activists just won't hear of it.

For over 20 years, the people of King Cove have begged for this lifesaving road for their safety—not a major interstate, not a parkway, just a one-lane road. It requires only 206 acres out of the 59 million acres of designated Federal wilderness in Alaska.

Just in the last 4 years, this has been pointed out, 55 emergency medical evacuations have been made, a number of which required Coast Guard involvement or extended patient waiting times or both.

Mr. WESTERMAN has told us just last year of the King Cove woman in her seventies suffering from heart issues medevaced from King Cove to Cold Bay by Coast Guard vessel after high winds prevented an air ambulance from landing at King Cove. In the end, it took the woman over 7 hours to reach a hospital in Anchorage.

A road between King Cove and Cold Bay would go a long way to preventing similar situations from recurring, and it would provide a potentially lifesaving evacuation route for King Cove citizens in the event of an emergency. And if it helps provide additional jobs for that little community, well, I say so much the better.

Congressman YOUNG has tried for more than a decade to get this done, but it has been stymied by leftwing environmental activists and by ideological zealots in the bureaucracy. During our hearing on the bill, opposition came not from any of the communities involved, but from environmental activists hundreds of miles away from King Cove, although they seemed to have mouthpieces here in this House.

In exchange for use of the 206 acres of Federal land for this road, the State of Alaska is willing to transfer 40,000 acres of State land to the Federal Government. This bill facilitates that transfer and, after two decades, finally gives permission for this little road to be built. It is long overdue.

I salute Congressman YOUNG for his persistent pursuit of justice for the long-suffering people of King Cove.

Mr. Chair, I ask for speedy adoption of this bill by this House.

Mr. GRIJALVA. Mr. Chairman, we are not saying that the residents of King Cove do not deserve reliable transportation options, and neither did the EIS. The EIS included an analysis of nonroad transportation options that would piggyback off the \$37.5 million Congress has already invested in King Cove's infrastructure.

The Interior Department also asked the U.S. Army Corps of Engineers to

analyze the nonroad transportation options to connect King Cove with Cold Bay. The Army Corps published a report in 2015 that identified three viable alternatives. These included a new airport that is capable of supporting aircraft that can fly directly to Anchorage, a heliport for emergency evacuations, and an ice-capable marine vessel that is able to make the trip to Cold Bay in weather conditions that the taxpayer-funded hovercraft could not.

Options exist, and that is why I urge a “no” vote on this bill.

Mr. Chair, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chair, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I yield as much time as he may consume to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Chair, I thank my friend from Arizona for yielding me time.

Mr. Chair, I rise to oppose this bill today for a number of reasons, but building a road through a congressionally designated wilderness area is without precedent. There are lots of other reasons.

I would note that at least today's debate shifts the focus of this Congress in the right direction because, when we look to Alaska, it requires a gaze just a little bit further into Russia, and I only wish that what we were debating today was the sanctions bill that passed the Senate by a vote of 98–2. The reason that we should be debating that bill today is readily apparent to anyone who has been paying attention to recent events.

Just this morning, we read of the President's interview with *The New York Times*, and we think about a President who took action to fire the acting Attorney General, to urge the FBI Director to go easy on Flynn in the Flynn investigation, who fired the FBI Director because of the Russia investigation, and who just now, in this interview yesterday, threatened the acting FBI Director, the Attorney General of the United States, and the person carrying out the investigation of Russia and the potential ties between his administration and Russia.

All of this gets to the larger point, which is we are getting ready to go home at the end of next week for August, and if we go home without passing the sanctions bill and getting tough on Russia, we will have failed the American people on a vital national security issue. We will be showing weakness at a time when the American people expect to see strength, expect us to stand up to Russian attempts to interfere with our election, to stand up when we learn about an eight-person—for now, eight-person—meeting that was put together with the sole purpose, according to the emails,

of providing information to help President Trump, then candidate Trump, get elected with the assistance of the Russian Government.

We don't know where this will all lead. I acknowledge that. But it is because what we do know about Russia that we have to act not against the administration—it is a mischaracterization to suggest that. The bill passed 98–2 in the Senate. This is a bill that will enable us to move forward in a bipartisan way, which the American people desperately want, to stand up to Russia.

It is for that reason that is I ask unanimous consent that the House bring up H.R. 3203, which is the Russia sanctions bill that passed the Senate 98–2—98–2. When has this body seen that kind of bipartisanship?

I ask that that bill be brought up so that we can vote on it and not disappoint the American people before we leave here in August. That is what we ought to be doing. I hope we will have the chance to do it now.

Mr. Chair, I ask unanimous consent that we bring up the Russia sanctions bill to debate and to pass that bill today.

The CHAIR. The gentleman's request cannot be entertained in the Committee of the Whole.

#### PARLIAMENTARY INQUIRIES

Mr. DEUTCH. Mr. Chair, a point of parliamentary inquiry.

The CHAIR. The gentleman will state his parliamentary inquiry.

Mr. DEUTCH. May the request that the Russia sanctions bill, H.R. 3203, that passed the Senate 98–2 be brought up for consideration when we are no longer meeting as the Committee of the Whole?

The CHAIR. A request may be made at that time.

Mr. DEUTCH. And one further point of parliamentary inquiry.

The CHAIR. The gentleman will state his parliamentary inquiry.

Mr. DEUTCH. When we have an opportunity to make the unanimous consent request to bring up the Russia sanctions bill so we can get tough on Russia, as the American people expect us to do, is that something that would require, when I ask for unanimous consent, can the Speaker alone refuse to grant that consent?

The CHAIR. The Chair will not respond to a hypothetical question.

Mr. BISHOP of Utah. Mr. Chair, may I inquire of the ranking member if he has any germane speakers left on this issue.

Mr. GRIJALVA. Other than myself, no.

Mr. BISHOP of Utah. Mr. Chair, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me deal with one claim.

The claim that people will die if we don't pass H.R. 218 is wrong. The claim

is wrong because there is no evidence to back it up, and it is wrong because using this kind of over-the-top rhetoric is irresponsible.

We do not oppose this bill because we think animal life is more value than human life, and throwing accusations like that around on the House floor should be beneath all of us.

We do not have to rely on one Member's claim that the sky is falling. These concerns have been assessed for years through public process, and the conclusion was that there were viable alternatives that will address any legitimate public safety concerns.

People's lives do not hang in the balance. We can protect public health and the refuge if we abandon this bill and work together on a better solution.

This is, indeed, a remote area. That is why many of the residents choose to live there in the first place. They are fully accustomed to the challenges that come with living in the last frontier. To address these challenges, the Federal Government has appropriated tens of millions of dollars to this community for better medical and transportation facilities.

We have remote communities in Arizona, especially Tribal communities, that would surely appreciate \$37.5 million to address their health and safety concerns as well.

The local government used some of that money to buy a hovercraft that could make the airport run much faster than this road will ever allow. The local community, not the Federal Government, elected to stop using the hovercraft. Surely, if people's lives were at stake, the local government would not have made that kind of a decision.

We have legitimate policy differences on this bill. The EIS has convinced many on our side that this is not a worthwhile proposal. Let's debate these findings calmly and rationally that would serve the public in this debate and look for a solution that both protects people's health and the refuge.

Mr. Chair, I yield back the balance of my time.

□ 1030

Mr. BISHOP of Utah. Mr. Chair, I yield myself the balance of my time.

This is an issue that people have, for three decades, been trying calmly discuss and find an alternative. Unfortunately, the people of Alaska, who have been engaged in this effort for the last three-plus decades, have been rebuffed at every turn in which the only answer they got was the Federal Government here in Washington giving them an alternative, and forcing upon them an alternative that flat out didn't work, and it hasn't worked in the last 7 years.

One of the things we should realize is that this idea of building this road is not new. The House has voted to build this road. The Senate has voted to

build this road. Unfortunately, they didn't vote it on the same bill, except, in 2009, when there was a piece of legislation that went through both the House and the Senate, which was very clear at the time that it was the intent of both the House and the Senate to build the road, but it did require the Interior Department to do the NEPA process. They took 4 years.

Now think of that. It was in 2009 when the bill was passed and the intent of Congress was very clear. Four years later, the Interior Department finally got around to doing the study, a study which, I might add, had five options that were added to it, one of which was to do nothing, and the Interior Department chose, after 4 years of study as their preferred option, to do nothing.

Therefore, all of the efforts and anguish of these people in Alaska went to naught because a bureaucracy here decided, despite what the House had said and despite what the Senate had said, that they knew best, despite what the people of Alaska needed, they knew best and their option simply was to do nothing.

This bill, let me remind you, all of the masses of people who are here, is not about a road. It is about a land transfer for a road. The State of Alaska is putting up 43,096 acres for new wilderness in exchange for 200-plus acres—240, I think, acres to be a road, a road that already exists. There is a 30-mile road that exists. The only problem is, only 19 of the 30 miles are constructed. They exist. They are there now.

What Alaska is asking is: Simply give us the last 11, so the road that does exist can be used. It can be used for them, for their medical needs, for their recreation, if they want to. I mean, it has been brought up that, heaven forbid, this might be used for economic advantage. I don't know why this community of around 1,000 people, about 80 percent are Native Alaskans, would ever have the audacity to think that they ought to have a job, or the audacity to think that maybe they should try and use something that is there to further their economic ability to actually earn a living.

How uppity can you get, when we realize that those of us sitting here 6,000 miles away really have the superior wisdom to tell those people living in King Cove how they actually should live their life, and we did it. We did it in the 1990s. We said: No, you can't have a road because we have a philosophical opposition to it. Instead, we will spend a heck of a lot of money to come up with a hovercraft that doesn't work, and is too expensive, and is useless, and it no longer exists.

And now you are saying, "No, no, no, you can't have access to the mainland. You can't have access to an all-weather airport. You can't have access for medical care; you can't have access for jobs. You can't have access for any-

thing. Instead, let's work together to come up with another really stupid idea that won't work as well," when the solution is simply to build a road, 11 miles to connect an existing road so people who live in King Cove can do it.

You have already heard the data that has been presented. In the last 30 years, 19 people have died. Nineteen people have died, and it can be traced specifically to the fact that they didn't have access to healthcare.

In the last 3 years, they have had over 50 cases when medevac had to be used, very expensively, by the Coast Guard to try and help people out there. You wouldn't have to do that if you simply had the silly road; the 70-year-old woman who had to wait 7 hours, suffering a heart attack before she could get medical care; the woman in labor who had to go 6 hours before she could get someplace to have medical care; the man who had the saw accident, who had to wait 12 hours before he was able to get any kind of medical care, simply because there is not an 11-mile single-lane gravel road to connect to the rest of the 30-mile road that already exists.

And we sit here and try and tell these people in Alaska what is best for them, what is good for them? And that is emotional? And that is irrational?

No. What is irrational is that we are going through this again, the same thing we did last decade, the same thing that happened in the 1990s. And it is going to continue until we finally say: People should have a right to decide for themselves what is best for them.

The people who live in this community want a road. It is not going to hurt anything. It is 200 acres, and this is a land exchange. Actually, I have to admit, I don't like that. Alaska is giving up 40,000 acres—40,000 acres—so they can do 200 acres of a road. I think that is an exorbitant fee that is being extracted from the State of Alaska just so they can give these people, the overwhelming majority of whom are Native Alaskans, the opportunity of having access to their community so they can get medical care or whatever else they need so they can have it.

And we are sitting here because we don't want to do a precedent. This is the right thing to do. We should do this. We should have been done it back in the Clinton administration when it first came up. We should have gone through with it in 2009 when they finally passed it in both the House and the Senate, and then had to wait 4 years for the Interior Department to study the issue, and their conclusion was: let's not do anything. That doesn't exist.

It is time for us to do something to help people, to put people above ideology, to pass the bill.

Mr. Chair, I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-27. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 218

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "King Cove Road Land Exchange Act".*

#### SEC. 2. FINDING.

*Congress finds that the land exchange required under this Act (including the designation of the road corridor and the construction of the road along the road corridor) is in the public interest.*

#### SEC. 3. DEFINITIONS.

*In this Act:*

(1) **FEDERAL LAND.**—

(A) **IN GENERAL.**—The term "Federal land" means the approximately 206 acres of Federal land located within the Refuge as depicted on the map entitled "Project Area Map" and dated September 2012.

(B) **INCLUSION.**—The term "Federal land" includes the 131 acres of Federal land in the Wilderness, which shall be used for the road corridor along which the road is to be constructed in accordance with section 4(b)(2).

(2) **NON-FEDERAL LAND.**—The term "non-Federal land" means the approximately 43,093 acres of land owned by the State as depicted on the map entitled "Project Area Map" and dated September 2012.

(3) **REFUGE.**—The term "Refuge" means the Izembek National Wildlife Refuge in the State.

(4) **ROAD CORRIDOR.**—The term "road corridor" means the road corridor designated under section 4(b)(1).

(5) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

(6) **STATE.**—The term "State" means the State of Alaska.

(7) **WILDERNESS.**—The term "Wilderness" means the Izembek Wilderness designated by section 702(6) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 1132 note; Public Law 96-487).

#### SEC. 4. LAND EXCHANGE REQUIRED.

(a) **IN GENERAL.**—If the State offers to convey to the Secretary all right, title, and interest of the State in and to the non-Federal land, the Secretary shall convey to the State all right, title, and interest of the United States in and to the Federal land.

(b) **USE OF FEDERAL LAND.**—The Federal land shall be conveyed to the State for the purposes of—

(1) designating a road corridor through the Refuge; and

(2) constructing a single-lane gravel road along the road corridor subject to the requirements in section 6.

(c) **VALUATION, APPRAISALS, AND EQUALIZATION.**—

(1) **IN GENERAL.**—The value of the Federal land and the non-Federal land to be exchanged under this section—

(A) shall be equal, as determined by appraisals conducted in accordance with paragraph (2); or

(B) if not equal, shall be equalized in accordance with paragraph (3).

(2) APPRAISALS.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary and State shall select an appraiser to conduct appraisals of the Federal land and non-Federal land.

(B) REQUIREMENTS.—The appraisals required under subparagraph (A) shall be conducted in accordance with nationally recognized appraisal standards, including—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) the Uniform Standards of Professional Appraisal Practice.

(3) EQUALIZATION.—

(A) SURPLUS OF FEDERAL LAND.—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land to be conveyed under the land exchange under this section, the value of the Federal land and non-Federal land shall be equalized—

(i) by conveying additional non-Federal land in the State to the Secretary, subject to the approval of the Secretary;

(ii) by the State making a cash payment to the United States; or

(iii) by using a combination of the methods described in clauses (i) and (ii).

(B) SURPLUS OF NON-FEDERAL LAND.—If the final appraised value of the non-Federal land exceeds the final appraised value of the Federal land to be conveyed under the land exchange under this section, the value of the Federal land and non-Federal land shall be equalized by the State adjusting the acreage of the non-Federal land to be conveyed.

(C) AMOUNT OF PAYMENT.—Notwithstanding section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), the Secretary may accept a payment under subparagraph (A)(ii) in excess of 25 percent of the value of the Federal land conveyed.

(d) ADMINISTRATION.—On completion of the exchange of Federal land and non-Federal land under this section—

(1) the boundary of the Wilderness shall be modified to exclude the Federal land; and

(2) the non-Federal land shall be—

(A) added to the Wilderness; and

(B) administered in accordance with—

(i) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(ii) other applicable laws.

(e) DEADLINE.—The land exchange under this section shall be completed not later than 180 days after the date of enactment of this Act.

**SEC. 5. ROUTE OF ROAD CORRIDOR.**

The route of the road corridor shall follow the southern road alignment as described in the alternative entitled “Alternative 2—Land Exchange and Southern Road Alignment” in the final environmental impact statement entitled “Izembek National Wildlife Refuge Land Exchange/Road Corridor Final Environmental Impact Statement” and dated February 5, 2013.

**SEC. 6. REQUIREMENTS RELATING TO ROAD.**

The requirements relating to usage, barrier cables, and dimensions and the limitation on support facilities under subsections (a) and (b) of section 6403 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1180) shall apply to the road constructed in the road corridor.

**SEC. 7. EFFECT.**

The exchange of Federal land and non-Federal land and the road to be constructed under this Act shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

The CHAIR. No amendment to that amendment in the nature of a sub-

stitute shall be in order except those printed in part C of House Report 115–235. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. TSONGAS

The CHAIR. It is now in order to consider amendment No. 1 printed in part C of House Report 115–235.

Ms. TSONGAS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, after line 18, insert the following:

**SEC. 7. MITIGATION PLAN.**

The requirements related to mitigation under section 6403(e) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1180) shall apply to the road constructed in the road corridor.

The CHAIR. Pursuant to House Resolution 454, the gentlewoman from Massachusetts (Ms. TSONGAS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Massachusetts.

Ms. TSONGAS. Mr. Chairman, I yield myself such time as I may consume.

My amendment is very straightforward. It restores a bipartisan provision to the bill, one that was actually approved by Congress and signed into law by President Obama.

In 2009, Congress approved the King Cove Land Exchange under the condition that it be found to be in the national interest by the Secretary of the Interior. After a transparent 4-year review that included over 70,000 public comments and 130 public meetings, Secretary Jewell ultimately concluded that it was not in the national interest, and the land exchange was not approved.

Nevertheless, the legislation that was approved and signed into law in 2009 with Democratic and Republican support included language that, should the road be approved, it would have required the State of Alaska, Federal agencies, and local residents to develop a mitigation plan for the road so that impacts to migratory birds, wildlife, and wetlands are minimized.

The land exchange language that was passed by Congress in 2009 is similar to the legislation that we are considering today, with a few notable exceptions, including the removal of the section requiring this environmental mitigation plan.

It is common practice for any new road construction project to include an environmental mitigation plan, especially a road through such a sensitive area.

Mr. Chair, I urge adoption of my commonsense amendment to reinsert this bipartisan language, and I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chair, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Chair, I yield myself such time as I may consume.

This amendment is mischievous and trying to defeat what we are trying to do today. The amendment is wholly unnecessary to mitigate impacts of migratory birds in Izembek Refuge. Again, the single-lane noncommercial 11 miles has no effect upon the wildlife, the waterfowl, of any kind.

It would allow, again, the Secretary, or one of the other Secretaries of a lesser part, like Fish and Wildlife Service, to delay the project. It is an effort, again, to delay the project.

We didn't expect—by the way, when we say there are 70,000 or more public comments, there was less than 100 from Alaska. These are outside comments. This whole idea of public comments sometimes doesn't make sense when they are nowhere near the Izembek Refuge or this road.

Sometimes I think we get caught in this idea that, oh, we have got all of these public comments against something or for something, let's look at where they are from.

This amendment, again, as I say, is mischievous. It is trying to kill the project. It should not be done. It is being pushed by the environmental community, again, to kill this project.

As I mentioned in my opening statement, you probably got some phone calls. Frankly, they don't know what they are talking about. So I urge my colleagues to vote against this amendment, which is an attempt, again, to stop this road. Let's build this road for the people of King Cove.

Mr. Chair, I yield back the balance of my time.

Ms. TSONGAS. Mr. Chairman, I think it is important to keep in mind that the lands that this road seeks to cross are Federally protected public lands. They are managed and protected on behalf of all Americans to specifically protect wildlife habitat. And, as such, when changes like this are being debated, all Americans have the right to register their opinion.

They are also designated wilderness, the highest level of protection that the American people bestow upon a piece of public land, and we in Congress are stewards of that mandate.

The road proposed by this legislation could do irreparable harm to the fragile environment of this wildlife refuge if mitigation steps are not taken. As the Department of the Interior stated in 2013, this area is “a globally significant landscape that supports an abundance and diversity of wildlife unique



to the refuge that years of analysis shows us would be irretrievably damaged by construction and operation of the proposed road."

The Department also found that construction of the road would lead to "significant degradation of irreparable ecological resources that would not be offset by the protection of other lands to be received under an exchange."

My amendment simply reinserts bipartisan language that was approved by Congress and signed into law by 2009 that will help mitigate some, but not all, of the negative environmental impacts in the event that the road is constructed.

Mr. Chair, I continue to reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chair, I ask unanimous consent to reclaim my time. I made a mistake and I said "yield," when I should have said "reserve."

The CHAIR. Is there objection to the request of the gentleman from Alaska? There was no objection.

Mr. YOUNG of Alaska. Mr. Chair, I thank the gentleman for allowing me to speak on this again.

I stress the fact that the Federal Government is going to receive 43,000 acres for additional wilderness in exchange for 42 acres. I mean, I don't know how many deals you can ever work that you get that kind of deal. This is a great thing for the refuge. It is the right thing for the refuge.

Again, as we go about this bipartisan legislation, we expected in 2009 to have this road built. That is why we are back here. It is not the first time. For 40 years this community has been trying to get this road built.

We thought that we had it in 2009, but because of the administrations that were unfavorable to it, and the slowness of the report of the Fish and Wildlife Service, and then having Secretary of the Interior Sally Jewell say, "No, there are other alternatives," when they did not work.

So I am suggesting, respectfully, that, again, this amendment is trying to kill the bill. It is not trying to provide a solution to anything.

Respectfully, I would say this again: vote against this amendment. Let's defeat this amendment.

Mr. Chair, I reserve the balance of my time.

Ms. TSONGAS. Mr. Chair, I have no other speakers, and I continue to reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chair, may I just inquire how much time is remaining?

The CHAIR. The gentleman from Alaska has 2½ minutes remaining. The gentlewoman from Massachusetts has 2 minutes remaining.

□ 1045

Mr. YOUNG of Alaska. Mr. Chair, I reserve the balance of my time.

Ms. TSONGAS. Mr. Chairman, I would just like to first remind my distinguished colleague from Alaska, who I know cares very deeply about his constituents, that in 2009, he did vote for the omnibus land package that included the language that I would like to see become part of the legislation before us today.

Mr. Chairman, my amendment is simple. It restores bipartisan language that was passed by Congress and that Congressman YOUNG supported and signed into law on similar legislation authorizing this land exchange back in 2009.

The road through Izembek National Wildlife Refuge is expected to have a significant detrimental impact on lands that are protected for the benefit of all Americans. This amendment will help mitigate some, but not all, of these impacts in the event that the road is constructed.

Mr. Chairman, I urge my colleagues to support my amendment, and I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 1 minute to the gentleman from Utah (Mr. BISHOP) who is the chairman.

Mr. BISHOP of Utah. Mr. Chairman, I can say I don't support this because even though I had three bills in that package, I voted against it. It was a bad package going through.

But the problem is that this amendment does nothing more than reinsert the language that caused the problem in the first place. This language is the reason that we don't have the solution right now. Remember, the solution was no action, not to do anything whatsoever.

I understand sometimes we have distance issues that come here. The gentlewoman from Massachusetts has not an inch of BLM land in her entire State. Only 3 percent of the land is controlled by the Federal Government, which is much different than having 90 percent controlled by the Federal Government as in Alaska. I would contend that if there was any other area in the Nation—especially the eastern part of the Nation that had a situation like this—they would not tolerate this existing.

They also had the ability of actually solving the problem on the local level, which is what they are asking in this bill to simply do. Eighty percent of these people are Native Alaskans. They don't have the lung power to come up here and express for themselves. They don't have the resources to hire special interest groups to come express for themselves. They are depending on us to do it for them.

Mr. YOUNG of Alaska. Mr. Chairman, how much time is remaining?

The CHAIR. The gentleman has 1½ minutes remaining.

Mr. YOUNG of Alaska. Again, may I suggest we talk about this legislation.

We thought 9 years ago or 8 years ago that we would have this road built. There is no Federal money involved in it. It is a road that needs to be done, and if we reinstate this language, what will happen is there will be a time where the road again will be studied and won't be built. For forty years, they have waited and lost lives, and we are talking about letting the Federal Government get involved again.

Mr. Chairman, I am saying this is the time to build the road.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. TSONGAS. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Massachusetts will be postponed.

#### AMENDMENT NO. 2 OFFERED BY MR. YOUNG OF ALASKA

The CHAIR. It is now in order to consider amendment No. 2 printed in part C of House Report 115-235.

Mr. YOUNG of Alaska. I have an amendment at the desk, Mr. Chairman.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, line 21, insert "(including the issuance of any permit that may be required from any Federal agency to construct the road)" after "under this Act".

The CHAIR. Pursuant to House Resolution 454, the gentleman from Alaska (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, in order to fully ensure that this emergency route will not be slowed down by unnecessary regulatory delays, my amendment makes minor changes to section 7 to conform to the text of H.R. 218 with the Senate text of S. 101.

Section 7 of the underlying bill waives the NEPA process because the NEPA process had already been completed in 2014 under Secretary Jewell. An environmental impact statement has already been published. Secretary Jewell ignored the public health and safety aspects that killed people because we don't have a road.

There is no reason to make the people of King Cove go through the time-consuming and expensive process again when it was done so recently. The people of King Cove have fought for this road for 40 years. People have literally died, again, because of the lack of this road to Cold Bay which has a 6,000-foot airstrip.



Mr. Chairman, again, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Chairman, I rise in opposition to this amendment. While it was described as a technical amendment to conform the bill to the Senate version, it does much more than make a simple technical correction.

Mr. YOUNG's amendment expands the NEPA waiver in the underlying bill to exempt all permits associated with the construction of the proposed road from environmental review and public input. It is bad enough that the bill waives NEPA for the land exchange, but under this amendment, any and all improvements would be exempt from review. This could include a Clean Water Act permit necessary to move forward with the construction.

Mr. Chairman, this amendment makes the bill worse. I urge a "no" vote, and I yield back the balance of my time.

Mr. YOUNG of Alaska. Again, Mr. Chairman, let's not wait again for 40 years or 9 years or 10 years. This has already been done by the study. The impact statement has already been done. The NEPA process has already been done. It has been done recently, and this is not a cheap effort for a small community. So I am suggesting, respectfully, this amendment be adopted so we can build a road.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. GRIJALVA

The CHAIR. It is now in order to consider amendment No. 3 printed in part C of House Report 115-235.

Mr. GRIJALVA. Mr. Chairman, I have an amendment made in order under the rule at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, after line 24, insert the following:

**SEC. 8. TAXPAYER FAIRNESS.**

This Act shall not take effect until the State of Alaska has repaid to the United States the \$20,000,000 in Federal funds appropriated and paid to the State of Alaska under section 353(a) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (Public Law 105-277).

The CHAIR. Pursuant to House Resolution 454, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, acknowledging that I am running the

risk of being uppity on this particular amendment, but thankfully never smug, I rise in support of my amendment to H.R. 218, the King Cove Road Land Exchange Act.

My amendment simply requires the State of Alaska to repay \$20 million appropriated in 1999 to support the town of King Cove before the bill can take effect. The American taxpayer has already provided the town of King Cove with a total of \$37.5 million to improve transportation access and medical facilities in the area. That included \$20 million to build a road, construct a dock, and purchase marine equipment.

Part of this money was used to purchase a \$9 million hovercraft. This Federal funding was provided as an alternative to building a road through the Izembek National Wildlife Refuge. The hovercraft worked as it was designed. It carried up to 49 passengers at a time, an ambulance, and even cargo, making the trip between King Cove and Cold Bay in 20 minutes—a trip that would take 2 hours on the proposed road when it is not shut down by extreme weather conditions.

After operating for 3 years and performing at least 30 medical evacuations, the local government stopped using the hovercraft. The Aleutians East Borough is now trying to sell the hovercraft on the open market for \$5 million.

As we speak, House Republicans are seeking massive and dangerous cuts to spending on things like education, assistance to working families, and even Medicaid and Medicare. Before we mandate construction of a road through congressionally designated wilderness, it is only fair that American taxpayers are reimbursed for Federal funding that was intended to avoid the construction required by this legislation.

Mr. Chairman, I urge adoption of my amendment, and I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, this amendment would penalize the State of Alaska for a Clinton administration decision by making them pay back grant money for the costly and often unreliable emergency hovercraft system.

Residents of King Cove never wanted this system and only agreed to the compromise when it became clear the Clinton administration would oppose any effort to authorize the construction of this lifesaving road.

After years of working in good faith to make the solution work, King Cove had to abandon the system due to exorbitant cost and, frankly, mechanical failures on the craft. It was very expensive to run.

Very frankly, the amendment attempts reparation but it targets the

wrong group. The amendment puts a price tag on the safety of King Cove residents who have sought more reliable access to medical care for decades.

Congress does not require Louisiana to pay the Federal Government for the failed levees in New Orleans after Hurricane Katrina before building new ones and should not be charging the residents of King Cove for constructing this road.

By the way, furthermore, the amendment seeks repayment from the State of Alaska that did not receive money; however, the grant money is for temporary emergency relief efforts which were largely awarded to the local governments.

Mr. Chairman, again, I think this amendment is a punitive amendment. I urge my colleagues to vote against the amendment, and I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, let me remind, the point of the amendment is that the money, the \$37.5 million, and also the decision by the local residents to purchase the hovercraft, that was not mandated by the Federal Government. It was their decision, again with Federal money, \$9 million, and so that was all in lieu of construction of the road.

This legislation mandates a construction of that road, and I think it is only fair to the taxpayers that if the purpose was in lieu of to deal with the medical evacuation situations that we have heard about here again today, then the American taxpayers should be reimbursed for that. This was not an error caused by, as the levees in New Orleans, faulty design and construction that bore responsibility to the Federal Government. These were local decisions made on the use of that money. Now that the use of that money is moot, then the taxpayers deserve to be reimbursed.

Mr. Chairman, I urge support of my amendment, and I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I yield such time as he may consume to the gentleman from Utah (Mr. BISHOP) who is the chairman of the committee.

Mr. BISHOP of Utah. Mr. Chairman, as we close on this particular amendment, let me say I would never consider this amendment uppity. I would consider it cute and a gotcha amendment because the reality is, unlike what has been alluded to, the community did not want this hovercraft.

They wanted what was promised them in the bill, which was an 11-mile road to connect to the rest of the road. It was forced upon them by the Clinton administration that said: This is it; take it or leave it.

They tried to make it work. The bottom line is the system didn't work. But the Clinton administration here, 6,000 miles away, forced on to local residents

who knew they would have a problem something that did not work, and they quit doing it simply because they could not afford to maintain that hovercraft.

The hovercraft is for sale; but no one needs a hovercraft. That is why this community now is stuck with the decision that we made 6,000 miles away because we know what is right for King Cove, Alaska, instead of allowing them to have some kind of control over their own lives.

What Mr. YOUNG said is accurate. When the levees broke along the Mississippi and the Missouri, we didn't go to those States to insist on it. When there are wildfires that take place in the West, including the gentleman from Arizona's home State, we don't go back to Arizona and force them to pay for all of it. This is simply an amendment that is cute, and it is a gotcha amendment. But it is also wrong.

It was also pointed out the grants went to the community. The community is not being required under this amendment to pay it back, it is the State, which simply means the amendment is also poorly written if it ever was indeed supposed to be a sincere amendment.

This is one of those things that we don't need to go through. The options are very clear. We have gone through the process. Vote against this particular amendment.

Mr. YOUNG of Alaska. Vote "yes" on the bill and "no" on the amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. GRIJALVA. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

□ 1100

Mr. BISHOP of Utah. Mr. Chair, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HOLDING) having assumed the chair, Mr. PALMER, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 218) to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay, had come to no resolution thereon.

#### DEPARTMENT OF HOMELAND SECURITY AUTHORIZATION ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfin-

ished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2825) to amend the Homeland Security Act of 2002 to make certain improvements in the laws administered by the Secretary of Homeland Security, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MCCAUL) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 386, nays 41, not voting 6, as follows:

[Roll No. 403]

YEAS—386

|                 |                |                 |
|-----------------|----------------|-----------------|
| Abraham         | Connolly       | Graves (LA)     |
| Adams           | Cook           | Graves (MO)     |
| Aderholt        | Cooper         | Green, Gene     |
| Aguilar         | Correa         | Griffith        |
| Allen           | Costa          | Grothman        |
| Amodei          | Costello (PA)  | Guthrie         |
| Arrington       | Courtney       | Hanabusa        |
| Babin           | Cramer         | Handel          |
| Bacon           | Crawford       | Harper          |
| Banks (IN)      | Crist          | Harris          |
| Barletta        | Cuellar        | Hartzler        |
| Barr            | Culberson      | Hastings        |
| Barragán        | Curbelo (FL)   | Heck            |
| Barton          | Davis (CA)     | Hensarling      |
| Beatty          | Davis, Rodney  | Herrera Beutler |
| Bera            | DeFazio        | Hice, Jody B.   |
| Bergman         | DeGette        | Higgins (LA)    |
| Beyer           | Delaney        | Higgins (NY)    |
| Bilirakis       | DeLauro        | Hill            |
| Bishop (GA)     | DeBene         | Himes           |
| Bishop (MI)     | Demings        | Holding         |
| Bishop (UT)     | Denham         | Hollingsworth   |
| Black           | Dent           | Hoyer           |
| Blackburn       | DeSantis       | Hudson          |
| Blum            | DeSaunier      | Huffman         |
| Blunt Rochester | DesJarlais     | Huizenga        |
| Bonamici        | Deutch         | Hultgren        |
| Bost            | Diaz-Balart    | Hunter          |
| Boyle, Brendan  | Dingell        | Hurd            |
| F.              | Donovan        | Issa            |
| Brady (PA)      | Doyle, Michael | Jackson Lee     |
| Brady (TX)      | F.             | Jenkins (KS)    |
| Bridenstine     | Duffy          | Jenkins (WV)    |
| Brooks (AL)     | Duncan (SC)    | Johnson (LA)    |
| Brooks (IN)     | Dunn           | Johnson (OH)    |
| Brown (MD)      | Emmer          | Johnson, E. B.  |
| Brownley (CA)   | Engel          | Johnson, Sam    |
| Buchanan        | Eshoo          | Jordan          |
| Buck            | Estes (KS)     | Joyce (OH)      |
| Bucshon         | Esty (CT)      | Katko           |
| Budd            | Evans          | Keating         |
| Burgess         | Farenthold     | Kelly (IL)      |
| Bustos          | Faso           | Kelly (MS)      |
| Butterfield     | Ferguson       | Kelly (PA)      |
| Byrne           | Fitzpatrick    | Kennedy         |
| Calvert         | Fleischmann    | Khanna          |
| Capuano         | Flores         | Kihuen          |
| Carbajal        | Fortenberry    | Kildee          |
| Carson (IN)     | Foster         | Kilmer          |
| Carter (GA)     | Fox            | Kind            |
| Carter (TX)     | Frankel (FL)   | King (IA)       |
| Cartwright      | Franks (AZ)    | King (NY)       |
| Castor (FL)     | Frelinghuysen  | Kinzing         |
| Chabot          | Fudge          | Knight          |
| Cheney          | Gabbard        | Krishnamoorthi  |
| Chu, Judy       | Gaetz          | Kuster (NH)     |
| Cicilline       | Gallagher      | Kustoff (TN)    |
| Clark (MA)      | Garamendi      | LaHood          |
| Clay            | Garrett        | LaMalfa         |
| Cleaver         | Gianforte      | Lamborn         |
| Clyburn         | Gibbs          | Lance           |
| Coffman         | Gomez          | Langevin        |
| Cohen           | Gonzalez (TX)  | Larsen (WA)     |
| Cole            | Goodlatte      | Larson (CT)     |
| Collins (GA)    | Gosar          | Latta           |
| Collins (NY)    | Gottheimer     | Lawrence        |
| Comer           | Gowdy          | Lawson (FL)     |
| Comstock        | Granger        | Levin           |
| Conaway         | Graves (GA)    | Lewis (GA)      |

|                |                 |                |
|----------------|-----------------|----------------|
| Lewis (MN)     | Panetta         | Shuster        |
| Lieu, Ted      | Pascrell        | Simpson        |
| Lipinski       | Paulsen         | Sinema         |
| LoBiondo       | Payne           | Sires          |
| Loeback        | Pearce          | Slaughter      |
| Lofgren        | Pelosi          | Smith (MO)     |
| Long           | Perlmutter      | Smith (NE)     |
| Loudermilk     | Perry           | Smith (NJ)     |
| Love           | Peters          | Smith (TX)     |
| Lowenthal      | Peterson        | Smith (WA)     |
| Lowe           | Pingree         | Smucker        |
| Lucas          | Pittenger       | Soto           |
| Luetkemeyer    | Pocan           | Speier         |
| Lujan Grisham, | Poe (TX)        | Stefanik       |
| M.             | Poliquin        | Stewart        |
| Luján, Ben Ray | Posey           | Stivers        |
| Lynch          | Price (NC)      | Suozi          |
| MacArthur      | Quigley         | Swalwell (CA)  |
| Maloney,       | Raskin          | Taylor         |
| Carolyn B.     | Ratchliffe      | Tenney         |
| Maloney, Sean  | Reed            | Thompson (CA)  |
| Marchant       | Reichert        | Thompson (MS)  |
| Marino         | Renacci         | Thompson (PA)  |
| Marshall       | Rice (NY)       | Thornberry     |
| Mast           | Rice (SC)       | Tiberi         |
| Matsui         | Roby            | Tipton         |
| McCarthy       | Roe (TN)        | Titus          |
| McCaul         | Rogers (AL)     | Tonko          |
| McClintock     | Rogers (KY)     | Torres         |
| McCollum       | Rohrabacher     | Trott          |
| McEachin       | Rokita          | Tsongas        |
| McHenry        | Rooney, Francis | Turner         |
| McKinley       | Rooney, Thomas  | Upton          |
| McMorris       | J.              | Valadao        |
| Rodgers        | Ros-Lehtinen    | Vela           |
| McNerney       | Rosen           | Visclosky      |
| McSally        | Roskam          | Wagner         |
| Meadows        | Ross            | Walberg        |
| Meehan         | Rothfus         | Walden         |
| Meeks          | Rouzer          | Walker         |
| Messer         | Roybal-Allard   | Walorski       |
| Mitchell       | Royce (CA)      | Walters, Mimi  |
| Moolenaar      | Ruiz            | Walz           |
| Mooney (WV)    | Ruppersberger   | Wasserman      |
| Moore          | Rush            | Schultz        |
| Moulton        | Russell         | Watson Coleman |
| Mullin         | Rutherford      | Weber (TX)     |
| Murphy (FL)    | Ryan (OH)       | Welch          |
| Murphy (PA)    | Sánchez         | Wenstrup       |
| Neal           | Sarbanes        | Westerman      |
| Newhouse       | Schiff          | Williams       |
| Noem           | Schneider       | Wilson (FL)    |
| Nolan          | Schweikert      | Wilson (SC)    |
| Norcross       | Scott (VA)      | Wittman        |
| Norman         | Scott, Austin   | Womack         |
| Nunes          | Scott, David    | Woodall        |
| O'Halleran     | Sensenbrenner   | Yarmuth        |
| O'Rourke       | Sessions        | Yoder          |
| Olson          | Sewell (AL)     | Yoho           |
| Palazzo        | Shea-Porter     | Young (AK)     |
| Pallone        | Sherman         | Young (IA)     |
| Palmer         | Shimkus         | Zeldin         |

NAYS—41

|              |              |                |
|--------------|--------------|----------------|
| Amash        | Ellison      | McGovern       |
| Bass         | Espallat     | Meng           |
| Biggs        | Galleo       | Nadler         |
| Blumenauer   | Gohmert      | Polis          |
| Brat         | Green, Al    | Sanford        |
| Cárdenas     | Grijalva     | Schakowsky     |
| Castro (TX)  | Gutiérrez    | Schrader       |
| Clarke (NY)  | Jayapal      | Serrano        |
| Conyers      | Jeffries     | Takano         |
| Crowley      | Johnson (GA) | Vargas         |
| Davidson     | Jones        | Veasey         |
| Davis, Danny | Kaptur       | Velázquez      |
| Doggett      | Lee          | Waters, Maxine |
| Duncan (TN)  | Massie       |                |

NOT VOTING—6

□ 1133

Messrs. CASTRO of Texas, CÁRDENAS, VARGAS, Mses. MAXINE WATERS of California, VELÁZQUEZ, Messrs. BLUMENAUER, AL GREEN of Texas, JEFFRIES, Ms. BASS, Mr. VEASEY, Ms. CLARKE of New York, Messrs. DANNY K. DAVIS of Illinois, JOHNSON of Georgia, BIGGS,

TAKANO, Ms. MENG, Messrs. ELLISON and DOGGETT changed their vote from “yea” to “nay.”

Mses. EDDIE BERNICE JOHNSON of Texas, PINGREE, Mr. HOLLINGSWORTH, and Ms. SPEIER changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### KING COVE ROAD LAND EXCHANGE ACT

The SPEAKER pro tempore. Pursuant to House Resolution 454 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 218.

Will the gentlewoman from Wyoming (Ms. CHENEY) kindly take the chair.

□ 1135

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 218) to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay, with Ms. CHENEY (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 3 printed in House Report 115-235, offered by the gentleman from Arizona (Mr. GRIJALVA), had been postponed.

#### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part C of House Report 115-235 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. TSONGAS of Massachusetts.

Amendment No. 3 by Mr. GRIJALVA of Arizona.

The Chair will reduce to 2 minutes the minimum time for any electronic vote in this series.

#### AMENDMENT NO. 1 OFFERED BY MS. TSONGAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 234, not voting 9, as follows:

[Roll No. 404]

#### AYES—190

|                 |                |                |
|-----------------|----------------|----------------|
| Adams           | Gabbard        | Neal           |
| Aguilar         | Gallego        | Nolan          |
| Barragán        | Garamendi      | Norcross       |
| Bass            | Gomez          | O'Halleran     |
| Beatty          | Gonzalez (TX)  | O'Rourke       |
| Bera            | Gottheimer     | Pallone        |
| Beyer           | Green, Al      | Panetta        |
| Bishop (GA)     | Green, Gene    | Pascarell      |
| Blumenauer      | Grijalva       | Payne          |
| Blunt Rochester | Gutiérrez      | Pelosi         |
| Bonamici        | Hanabusa       | Perlmutter     |
| Boyle, Brendan  | Hastings       | Peters         |
| F.              | Heck           | Pingree        |
| Brady (PA)      | Higgins (NY)   | Pocan          |
| Brown (MD)      | Himes          | Polis          |
| Brownley (CA)   | Hoyer          | Price (NC)     |
| Bustos          | Huffman        | Quigley        |
| Butterfield     | Jackson Lee    | Raskin         |
| Capuano         | Jayapal        | Rice (NY)      |
| Carbajal        | Jeffries       | Rosen          |
| Cárdenas        | Johnson (GA)   | Roybal-Allard  |
| Carson (IN)     | Johnson, E. B. | Ruiz           |
| Cartwright      | Kaptur         | Ruppersberger  |
| Castor (FL)     | Keating        | Rush           |
| Castro (TX)     | Kelly (IL)     | Ryan (OH)      |
| Chu, Judy       | Kennedy        | Sánchez        |
| Cicilline       | Khanna         | Sarbanes       |
| Clark (MA)      | Kihuen         | Schakowsky     |
| Clarke (NY)     | Kildee         | Schiff         |
| Clay            | Kilmer         | Schneider      |
| Cleaver         | Kind           | Schrader       |
| Clyburn         | Krishnamoorthi | Scott (VA)     |
| Cohen           | Kuster (NH)    | Scott, David   |
| Connolly        | Langevin       | Serrano        |
| Conyers         | Larsen (WA)    | Sewell (AL)    |
| Cooper          | Larson (CT)    | Shea-Porter    |
| Correa          | Lawrence       | Sherman        |
| Costa           | Lawson (FL)    | Sinema         |
| Courtney        | Lee            | Sires          |
| Crist           | Levin          | Slaughter      |
| Crowley         | Lewis (GA)     | Smith (WA)     |
| Cuellar         | Lieu, Ted      | Soto           |
| Davis (CA)      | Lipinski       | Speier         |
| Davis, Danny    | Loebback       | Suozzi         |
| DeFazio         | Lofgren        | Swalwell (CA)  |
| DeGette         | Lowenthal      | Takano         |
| Delaney         | Lowe           | Thompson (CA)  |
| DeLauro         | Lujan Grisham, | Thompson (MS)  |
| DelBene         | M.             | Titus          |
| Demings         | Luján, Ben Ray | Tonko          |
| DeSaulnier      | Lynch          | Torres         |
| Deutch          | Maloney,       | Tsongas        |
| Dingell         | Carolyn B.     | Vargas         |
| Doggett         | Maloney, Sean  | Veasey         |
| Doyle, Michael  | Matsui         | Vela           |
| F.              | McCollum       | Velázquez      |
| Ellison         | McEachin       | Viscosky       |
| Engel           | McGovern       | Walz           |
| Eshoo           | McNerney       | Wasserman      |
| Españillat      | Meeks          | Schultz        |
| Esty (CT)       | Meng           | Waters, Maxine |
| Evans           | Moore          | Watson Coleman |
| Foster          | Moulton        | Welch          |
| Frankel (FL)    | Murphy (FL)    | Wilson (FL)    |
| Fudge           | Nadler         | Yarmuth        |

#### NOES—234

|             |             |               |
|-------------|-------------|---------------|
| Abraham     | Black       | Carter (TX)   |
| Aderholt    | Blackburn   | Chabot        |
| Allen       | Blum        | Cheney        |
| Amash       | Bost        | Coffman       |
| Amodei      | Brady (TX)  | Cole          |
| Arrington   | Brat        | Collins (GA)  |
| Babin       | Bridenstine | Collins (NY)  |
| Bacon       | Brooks (AL) | Comer         |
| Banks (IN)  | Brooks (IN) | Comstock      |
| Barletta    | Buchanan    | Conaway       |
| Barr        | Buck        | Cook          |
| Barton      | Bucshon     | Costello (PA) |
| Bergman     | Budd        | Cramer        |
| Biggs       | Burgess     | Crawford      |
| Bilirakis   | Byrne       | Culberson     |
| Bishop (MI) | Calvert     | Curbelo (FL)  |
| Bishop (UT) | Carter (GA) | Davidson      |

|                 |              |                 |
|-----------------|--------------|-----------------|
| Denham          | Joyce (OH)   | Rice (SC)       |
| Dent            | Katko        | Roby            |
| DeSantis        | Kelly (MS)   | Roe (TN)        |
| DesJarlais      | Kelly (PA)   | Rogers (AL)     |
| Diaz-Balart     | King (IA)    | Rogers (KY)     |
| Donovan         | King (NY)    | Rohrabacher     |
| Duffy           | Kinziger     | Rokita          |
| Duncan (SC)     | Knight       | Rooney, Francis |
| Duncan (TN)     | Kustoff (TN) | Rooney, Thomas  |
| Dunn            | LaHood       | J.              |
| Emmer           | LaMalfa      | Ros-Lehtinen    |
| Estes (KS)      | Lamborn      | Roskam          |
| Farenthold      | Lance        | Ross            |
| Faso            | Latta        | Rothfus         |
| Ferguson        | Lewis (MN)   | Rouzer          |
| Fitzpatrick     | LoBiondo     | Royce (CA)      |
| Fleischmann     | Long         | Russell         |
| Flores          | Loudermilk   | Rutherford      |
| Fortenberry     | Love         | Sanford         |
| Fox             | Lucas        | Schweikert      |
| Franks (AZ)     | Luetkemeyer  | Scott, Austin   |
| Frelinghuysen   | MacArthur    | Sensenbrenner   |
| Gaetz           | Marchant     | Sessions        |
| Gallagher       | Marino       | Shimkus         |
| Garrett         | Marshall     | Simpson         |
| Gianforte       | Massie       | Smith (MO)      |
| Gibbs           | Mast         | Smith (NE)      |
| Gohmert         | McCarthy     | Smith (NJ)      |
| Goodlatte       | McCaul       | Smith (TX)      |
| Gosar           | McClintock   | Smucker         |
| Gowdy           | McHenry      | Stefanik        |
| Granger         | McKinley     | Stewart         |
| Graves (GA)     | McMorris     | Stivers         |
| Graves (LA)     | Rodgers      | Taylor          |
| Graves (MO)     | McSally      | Tenney          |
| Griffith        | Meadows      | Thompson (PA)   |
| Grothman        | Meehan       | Thornberry      |
| Guthrie         | Messer       | Tiberi          |
| Handel          | Mitchell     | Tipton          |
| Harper          | Moolenaar    | Trott           |
| Harris          | Mooney (WV)  | Turner          |
| Hartzer         | Mullin       | Upton           |
| Hensarling      | Murphy (PA)  | Valadao         |
| Herrera Beutler | Newhouse     | Walberg         |
| Hice, Jody B.   | Noem         | Walden          |
| Higgins (LA)    | Norman       | Walker          |
| Hill            | Nunes        | Walorski        |
| Holding         | Olson        | Walters, Mimi   |
| Hollingsworth   | Palazzo      | Weber (TX)      |
| Hudson          | Palmer       | Webster (FL)    |
| Huizenga        | Paulsen      | Wenstrup        |
| Hultgren        | Pearce       | Westerman       |
| Hunter          | Perry        | Williams        |
| Hurd            | Peterson     | Wilson (SC)     |
| Issa            | Pittenger    | Wittman         |
| Jenkins (KS)    | Poe (TX)     | Womack          |
| Jenkins (WV)    | Poliquin     | Yoder           |
| Johnson (LA)    | Posey        | Yoho            |
| Johnson (OH)    | Ratcliffe    | Young (AK)      |
| Johnson, Sam    | Reed         | Young (IA)      |
| Jones           | Reichert     | Zeldin          |
| Jordan          | Renacci      |                 |

#### NOT VOTING—9

|               |            |         |
|---------------|------------|---------|
| Cummings      | Napolitano | Shuster |
| Davis, Rodney | Richmond   | Wagner  |
| Labrador      | Scalise    | Woodall |

#### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. COLLINS of Georgia) (during the vote). There is 1 minute remaining.

□ 1139

So the amendment was rejected.

The result of the vote was announced as above recorded.

#### AMENDMENT NO. 3 OFFERED BY MR. GRIJALVA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 167, noes 260, not voting 6, as follows:

[Roll No. 405]

AYES—167

|                 |                |                 |
|-----------------|----------------|-----------------|
| Adams           | Esty (CT)      | Nadler          |
| Barragán        | Evans          | Neal            |
| Bass            | Foster         | Nolan           |
| Beatty          | Frankel (FL)   | Norcross        |
| Bera            | Fudge          | O'Rourke        |
| Beyer           | Gallego        | Pallone         |
| Bishop (GA)     | Garamendi      | Panetta         |
| Blumenauer      | Gomez          | Pascarell       |
| Blunt Rochester | Gonzalez (TX)  | Payne           |
| Bonamici        | Green, Al      | Pelosi          |
| Boyle, Brendan  | Grijalva       | Perlmutter      |
| F.              | Gutiérrez      | Pingree         |
| Brady (PA)      | Hastings       | Pocan           |
| Brown (MD)      | Heck           | Polis           |
| Brownley (CA)   | Higgins (NY)   | Price (NC)      |
| Bustos          | Himes          | Quigley         |
| Butterfield     | Hoyer          | Raskin          |
| Capuano         | Huffman        | Rice (NY)       |
| Carbajal        | Jackson Lee    | Roybal-Allard   |
| Cárdenas        | Jayapal        | Ruppersberger   |
| Carson (IN)     | Jeffries       | Rush            |
| Cartwright      | Johnson (GA)   | Ryan (OH)       |
| Castor (FL)     | Kaptur         | Sánchez         |
| Castro (TX)     | Keating        | Sarbanes        |
| Chu, Judy       | Kelly (IL)     | Schakowsky      |
| Cicilline       | Kennedy        | Schiff          |
| Clark (MA)      | Khanna         | Schrader        |
| Clarke (NY)     | Kihuen         | Scott (VA)      |
| Clay            | Kildee         | Scott, David    |
| Cleaver         | Kilmer         | Serrano         |
| Clyburn         | Kind           | Sewell (AL)     |
| Cohen           | Krishnamoorthi | Sherman         |
| Connolly        | Kuster (NH)    | Sires           |
| Conyers         | Langevin       | Slaughter       |
| Cooper          | Larsen (WA)    | Smith (WA)      |
| Correa          | Larson (CT)    | Soto            |
| Costa           | Lawrence       | Speier          |
| Courtney        | Lawson (FL)    | Swailewell (CA) |
| Crowley         | Lee            | Takano          |
| Cuellar         | Levin          | Thompson (CA)   |
| Davis (CA)      | Lewis (GA)     | Thompson (MS)   |
| Davis, Danny    | Lieu, Ted      | Titus           |
| DeFazio         | Lofgren        | Tonko           |
| DeGette         | Lowenthal      | Tsongas         |
| Delaney         | Lowe           | Vargas          |
| DeLauro         | Lujan Grisham, | Vela            |
| DelBene         | M.             | Velázquez       |
| Demings         | Luján, Ben Ray | Visclosky       |
| DeSaulnier      | Maloney,       | Walz            |
| Deutch          | Carolyn B.     | Wasserman       |
| Dingell         | Matsui         | Schultz         |
| Doggett         | McCollum       | Waters, Maxine  |
| Doyle, Michael  | McEachin       | Watson Coleman  |
| F.              | McGovern       | Welch           |
| Ellison         | McNerney       | Wilson (FL)     |
| Engel           | Meeks          | Yarmuth         |
| Eshoo           | Meng           |                 |
| Espallat        | Moulton        |                 |

NOES—260

|             |              |               |
|-------------|--------------|---------------|
| Abraham     | Bost         | Comer         |
| Aderholt    | Brady (TX)   | Comstock      |
| Aguilar     | Brat         | Conaway       |
| Allen       | Bridenstine  | Cook          |
| Amash       | Brooks (AL)  | Costello (PA) |
| Amodel      | Brooks (IN)  | Cramer        |
| Arrington   | Buchanan     | Crawford      |
| Babin       | Buck         | Crist         |
| Bacon       | Bucshon      | Culberson     |
| Banks (IN)  | Budd         | Curbelo (FL)  |
| Barletta    | Burgess      | Davidson      |
| Barr        | Byrne        | Davis, Rodney |
| Barton      | Calvert      | Denham        |
| Bergman     | Carter (GA)  | Dent          |
| Biggs       | Carter (TX)  | DeSantis      |
| Bilirakis   | Chabot       | DesJarlais    |
| Bishop (MI) | Cheney       | Diaz-Balart   |
| Bishop (UT) | Coffman      | Donovan       |
| Black       | Cole         | Duffy         |
| Blackburn   | Collins (GA) | Duncan (SC)   |
| Blum        | Collins (NY) | Duncan (TN)   |

|                 |               |                 |
|-----------------|---------------|-----------------|
| Dunn            | LaHood        | Rokita          |
| Emmer           | LaMalfa       | Rooney, Francis |
| Estes (KS)      | Lamborn       | Rooney, Thomas  |
| Farenthold      | Lance         | J.              |
| Faso            | Latta         | Ros-Lehtinen    |
| Ferguson        | Lewis (MN)    | Rosen           |
| Fitzpatrick     | Lipinski      | Roskam          |
| Fleischmann     | LoBiondo      | Ross            |
| Flores          | Loebbeck      | Rothfus         |
| Fortenberry     | Long          | Rouzer          |
| Fox             | Loudermilk    | Royce (CA)      |
| Franks (AZ)     | Love          | Ruiz            |
| Frelinghuysen   | Lucas         | Russell         |
| Gabbard         | Luetkemeyer   | Rutherford      |
| Gaetz           | Lynch         | Sanford         |
| Gallagher       | MacArthur     | Schneider       |
| Garrett         | Maloney, Sean | Schweikert      |
| Gianforte       | Marchant      | Scott, Austin   |
| Gibbs           | Marino        | Sensenbrenner   |
| Gohmert         | Marshall      | Sessions        |
| Goodlatte       | Massie        | Shea-Porter     |
| Gosar           | Mast          | Shimkus         |
| Gottheimer      | McCarthy      | Shuster         |
| Gowdy           | McCaul        | Simpson         |
| Granger         | McClintock    | Sinema          |
| Graves (GA)     | McHenry       | Smith (MO)      |
| Graves (LA)     | McKinley      | Smith (NE)      |
| Graves (MO)     | McMorris      | Smith (NJ)      |
| Green, Gene     | Rodgers       | Smith (TX)      |
| Griffith        | McSally       | Smucker         |
| Grothman        | Meadows       | Stefanik        |
| Guthrie         | Meehan        | Stewart         |
| Hanabusa        | Messer        | Stivers         |
| Handel          | Mitchell      | Suozzi          |
| Harper          | Moolenaar     | Taylor          |
| Harris          | Mooney (WV)   | Tenney          |
| Hartzler        | Moore         | Thompson (PA)   |
| Hensarling      | Mullin        | Thornberry      |
| Herrera Beutler | Murphy (FL)   | Tiberi          |
| Hice, Jody B.   | Murphy (PA)   | Tipton          |
| Higgins (LA)    | Newhouse      | Torres          |
| Hill            | Noem          | Trott           |
| Holding         | Norman        | Turner          |
| Hollingsworth   | Nunes         | Upton           |
| Hudson          | O'Halleran    | Valadao         |
| Huizenga        | Olson         | Veasey          |
| Hultgren        | Palazzo       | Walberg         |
| Hunter          | Palmer        | Walden          |
| Hurd            | Paulsen       | Walker          |
| Issa            | Pearce        | Walorski        |
| Jenkins (KS)    | Perry         | Walters, Mimi   |
| Jenkins (WV)    | Peters        | Weber (TX)      |
| Johnson (LA)    | Peterson      | Webster (FL)    |
| Johnson (OH)    | Pittenger     | Wenstrup        |
| Johnson, E. B.  | Poe (TX)      | Westerman       |
| Johnson, Sam    | Poliquin      | Williams        |
| Jones           | Posey         | Wilson (SC)     |
| Jordan          | Ratcliffe     | Wittman         |
| Joyce (OH)      | Reed          | Womack          |
| Katko           | Reichert      | Woodall         |
| Kelly (MS)      | Renacci       | Yoder           |
| Kelly (PA)      | Rice (SC)     | Yoho            |
| King (IA)       | Roby          | Young (AK)      |
| King (NY)       | Roe (TN)      | Young (IA)      |
| Kinzie          | Rogers (AL)   | Zeldin          |
| Kinzie          | Rogers (KY)   |                 |
| Knight          | Rohrabacher   |                 |
| Kustoff (TN)    |               |                 |

NOT VOTING—6

|          |            |         |
|----------|------------|---------|
| Cummings | Napolitano | Scalise |
| Labrador | Richmond   | Wagner  |

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1144

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. BOST). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. COLLINS of Georgia) having assumed the chair, Mr. BOST, Acting Chair of the Committee of the Whole House on the

state of the Union, reported that that Committee, having had under consideration the bill (H.R. 218) to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay, and, pursuant to House Resolution 454, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

## MOTION TO RECOMMIT

Mr. GARAMENDI. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. GARAMENDI. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Garamendi moves to recommit the bill H.R. 218 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

Page 6, after line 24, insert the following:

**SEC. 8. REQUIREMENT REGARDING USE OF AMERICAN-MADE MATERIALS AND CONSTRUCTION EQUIPMENT.**

The road and road corridor described in section (4)(b) shall be constructed using only materials and equipment manufactured in the United States.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. Mr. Speaker, I have something very, very special for us in the next 3 minutes. This is an opportunity for us to vote on something everybody in this Chamber wants. That is right.

Everybody in this Chamber wants American jobs, they want American manufacturing to succeed, and they want American—how should we put this?—made in America, right? Manufactured in America, right? Yes, that is it.

Let me read to you this amendment, which, if accepted, would not stop this bill from passing, which I suspect it will, whether this is accepted or not. But here is your chance, colleagues.

This amendment reads: “The road and road corridor described in section

(4)(b) shall be constructed using only materials and equipment manufactured in the United States.”

Who is opposed to that? Who is opposed to that? Surely, my colleagues on the left and the right want to have American equipment used in manufacturing this road or any other road, any other pipeline, or any other infrastructure project. This is what we all want, all of us.

This amendment is about as simple as it could be, and it is about as important as we would find on any of the amendments.

I am not going to do a gotcha thing today. All too often these MTRs are simply gotcha votes. I am not going to do that to you today.

But I want all of us to consider the art of the possible. Consider for a moment the art of the possible, that we could come together and we could amend this piece of legislation and other pieces of legislation that will be coming to us on infrastructure and roads and highways and water, and we could put into each and every one of those a very simple sentence that says they will be built with American equipment, American labor, and American materials. That is it.

I know my Republican colleagues want it as much as my Democratic colleagues, although you are shy and you are not willing to shout up in support. But I will tell you what I will give you the opportunity to do. I am aware of that talk as much as any of you are, and here is my promise to my Republican colleagues and to my Democratic colleagues. Give us a resounding “yes” so that the very clear ear of our Speaker can hear a “yes” vote from all of us, and let’s go home.

Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Speaker, I appreciate the efforts of the gentleman from California. I would remind him, when he was in the Clinton administration and the Clinton administration forced the community to buy a hovercraft instead of building this road, that was made in Canada.

However, I want you to know that I am actually livid for the people of King Cove, Alaska, because they lack a life-saving lane on the land to link this lonesome locality that has been left alone while lofty litigious liberals lamely lament losing a little landscape.

Mr. Speaker, the arguments are limited and they lack love for the Aleuts who are there.

This amendment is a loser. Vote “no.” Vote “yes” on passage, and let’s get out of here.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. GARAMENDI. Mr. Speaker, without regard to the argument in opposition to my amendment, I think we ought to go home and let it be. I am not going to ask for a recorded vote.

The SPEAKER pro tempore. The gentleman is not recognized for debate.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 248, nays 179, not voting 6, as follows:

[Roll No. 406]

YEAS—248

|               |                 |                |
|---------------|-----------------|----------------|
| Abraham       | Davis, Rodney   | Huizenga       |
| Aderholt      | Denham          | Hultgren       |
| Allen         | Dent            | Hunter         |
| Amodei        | DeSantis        | Hurd           |
| Arrington     | DesJarlais      | Issa           |
| Babin         | Diaz-Balart     | Jenkins (KS)   |
| Bacon         | Donovan         | Jenkins (WV)   |
| Banks (IN)    | Duffy           | Johnson (LA)   |
| Barletta      | Duncan (SC)     | Johnson (OH)   |
| Barr          | Duncan (TN)     | Johnson, E. B. |
| Barton        | Dunn            | Johnson, Sam   |
| Bergman       | Emmer           | Jones          |
| Biggs         | Estes (KS)      | Jordan         |
| Bilirakis     | Farenthold      | Joyce (OH)     |
| Bishop (GA)   | Faso            | Katko          |
| Bishop (MI)   | Ferguson        | Kelly (MS)     |
| Bishop (UT)   | Fleischmann     | Kelly (PA)     |
| Black         | Flores          | King (IA)      |
| Blackburn     | Fortenberry     | King (NY)      |
| Blum          | Fox             | Kinzinger      |
| Bost          | Franks (AZ)     | Knight         |
| Brady (TX)    | Frelinghuysen   | Kustoff (TN)   |
| Brat          | Gabbard         | LaHood         |
| Bridenstine   | Gaetz           | LaMalfa        |
| Brooks (AL)   | Gallagher       | Lamborn        |
| Brooks (IN)   | Garrett         | Lance          |
| Buchanan      | Gianforte       | Larsen (WA)    |
| Buck          | Gibbs           | Latta          |
| Bucshon       | Gohmert         | Lewis (MN)     |
| Budd          | Gonzalez (TX)   | LoBiondo       |
| Burgess       | Goodlatte       | Long           |
| Byrne         | Gosar           | Loudermilk     |
| Calvert       | Gottheimer      | Love           |
| Carson (IN)   | Gowdy           | Lucas          |
| Carter (GA)   | Granger         | Luetkemeyer    |
| Carter (TX)   | Graves (GA)     | MacArthur      |
| Chabot        | Graves (LA)     | Marchant       |
| Cheney        | Graves (MO)     | Marino         |
| Clay          | Green, Gene     | Marshall       |
| Coffman       | Griffith        | Mast           |
| Cole          | Grothman        | McCarthy       |
| Collins (GA)  | Guthrie         | McCaul         |
| Collins (NY)  | Hanabusa        | McClintock     |
| Comer         | Handel          | McHenry        |
| Comstock      | Harper          | McKinley       |
| Conaway       | Harris          | McMorris       |
| Cook          | Hartzler        | Rodgers        |
| Costa         | Hensarling      | McSally        |
| Costello (PA) | Herrera Beutler | Meadows        |
| Cramer        | Hice, Jody B.   | Meehan         |
| Crawford      | Higgins (LA)    | Messer         |
| Cuellar       | Hill            | Mitchell       |
| Culberson     | Holding         | Moelenaar      |
| Curbelo (FL)  | Hollingsworth   | Mooney (WV)    |
| Davidson      | Hudson          | Mullin         |

|                 |                   |               |
|-----------------|-------------------|---------------|
| Murphy (PA)     | Rooney, Thomas J. | Thornberry    |
| Newhouse        | Ros-Lehtinen      | Tiberi        |
| Noem            | Roskam            | Tipton        |
| Norman          | Ross              | Trott         |
| Nunes           | Rothfus           | Turner        |
| Olson           | Rouzer            | Upton         |
| Palazzo         | Royce (CA)        | Valadao       |
| Palmer          | Russell           | Veasey        |
| Paulsen         | Rutherford        | Vela          |
| Pearce          | Sanford           | Walberg       |
| Perry           | Schweikert        | Walden        |
| Peterson        | Scott, Austin     | Walker        |
| Pittenger       | Sensenbrenner     | Walorski      |
| Poe (TX)        | Sessions          | Walters, Mimi |
| Poliquin        | Shimkus           | Weber (TX)    |
| Posey           | Shuster           | Webster (FL)  |
| Ratcliffe       | Simpson           | Wenstrup      |
| Reed            | Smith (MO)        | Westerman     |
| Reichert        | Smith (NE)        | Williams      |
| Renacci         | Smith (NJ)        | Wilson (SC)   |
| Rice (SC)       | Smith (TX)        | Wittman       |
| Roby            | Smucker           | Womack        |
| Roe (TN)        | Stefanik          | Woodall       |
| Rogers (AL)     | Stewart           | Yoder         |
| Rogers (KY)     | Stivers           | Yoho          |
| Rohrabacher     | Taylor            | Young (AK)    |
| Rokita          | Tenney            | Young (IA)    |
| Rooney, Francis | Thompson (PA)     | Zeldin        |

NAYS—179

|                 |                |                |
|-----------------|----------------|----------------|
| Adams           | Gallego        | O'Halleran     |
| Aguilar         | Garamendi      | O'Rourke       |
| Amash           | Gomez          | Pallone        |
| Barragan        | Green, Al      | Panetta        |
| Bass            | Grijalva       | Pascarell      |
| Beatty          | Gutiérrez      | Payne          |
| Bera            | Hastings       | Pelosi         |
| Beyer           | Heck           | Perlmutter     |
| Blumenauer      | Higgins (NY)   | Peters         |
| Blunt Rochester | Himes          | Pingree        |
| Bonamici        | Hoyer          | Pocan          |
| Boyle, Brendan  | Huffman        | Polis          |
| F.              | Jackson Lee    | Price (NC)     |
| Brady (PA)      | Jayapal        | Quigley        |
| Brown (MD)      | Jeffries       | Raskin         |
| Brownley (CA)   | Johnson (GA)   | Rice (NY)      |
| Bustos          | Kaptur         | Rosen          |
| Butterfield     | Keating        | Roybal-Allard  |
| Capuano         | Kelly (IL)     | Ruiz           |
| Carbajal        | Kennedy        | Ruppersberger  |
| Cárdenas        | Khanna         | Rush           |
| Cartwright      | Kihuen         | Ryan (OH)      |
| Castor (FL)     | Kildee         | Sánchez        |
| Castro (TX)     | Kilmer         | Sarbanes       |
| Chu, Judy       | Kind           | Schakowsky     |
| Ciциlline       | Krishnamoorthi | Schiff         |
| Clark (MA)      | Kuster (NH)    | Schneider      |
| Clarke (NY)     | Langevin       | Schrader       |
| Cleaver         | Larson (CT)    | Scott (VA)     |
| Clyburn         | Lawrence       | Scott, David   |
| Cohen           | Lawson (FL)    | Serrano        |
| Connolly        | Lee            | Sewell (AL)    |
| Conyers         | Levin          | Shea-Porter    |
| Cooper          | Lewis (GA)     | Sherman        |
| Correa          | Lieu, Ted      | Sinema         |
| Courtney        | Lipinski       | Sires          |
| Crist           | Loeb sack      | Slaughter      |
| Crowley         | Lofgren        | Smith (WA)     |
| Davis (CA)      | Lowenthal      | Soto           |
| Davis, Danny    | Lowey          | Speier         |
| DeFazio         | Lujan Grisham, | Suoizzi        |
| DeGette         | M.             | Swalwell (CA)  |
| Delaney         | Lujan, Ben Ray | Takano         |
| DeLauro         | Lynch          | Thompson (CA)  |
| DelBene         | Maloney,       | Thompson (MS)  |
| Demings         | Carolyn B.     | Titus          |
| DeSaulnier      | Maloney, Sean  | Tonko          |
| Deutch          | Massie         | Torres         |
| Dingell         | Matsui         | Tsongas        |
| Doggett         | McCollum       | Vargas         |
| Doyle, Michael  | McEachin       | Velázquez      |
| F.              | McGovern       | Visclosky      |
| Ellison         | McNerney       | Walz           |
| Engel           | Meeks          | Wasserman      |
| Eshoo           | Meng           | Schultz        |
| Espallat        | Moore          | Waters, Maxine |
| Esty (CT)       | Moulton        | Watson Coleman |
| Evans           | Murphy (FL)    | Welch          |
| Fitzpatrick     | Nadler         | Wilson (FL)    |
| Foster          | Neal           | Yarmuth        |
| Frankel (FL)    | Nolan          |                |
| Fudge           | Norcross       |                |

## NOT VOTING—6

Cummings  
Labrador

Napolitano  
Richmond

Scalise  
Wagner

□ 1209

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall vote Nos. 403 through 406 due to my spouse's health situation in California. Had I been present, I would have voted "no" on H.R. 2825—DHS Authorization Act of 2017, "yea" on the Tsongas Amendment, "yea" on the Grijalva Amendment, and "no" on final passage of H.R. 218—King Cove Road Land Exchange Act.

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 620

Mr. SUOZZI. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 620.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

ANNOUNCING THE PASSING OF  
THE HONORABLE RALPH REGULA

(Mr. CHABOT asked and was given permission to address the House for 1 minute.)

Mr. CHABOT. Mr. Speaker, as dean of the Ohio delegation, I am greatly saddened to inform the Members that our former colleague, Ralph Regula, who was the dean of the Ohio delegation, has passed away.

Ralph was 92 years of age. He had the honor of serving his constituents back home in Ohio for 36 years. He was a key player on the Appropriations Committee for many years. He will be truly missed.

I wanted to inform the Members that Congressman BOB GIBBS—Ralph was a constituent of Congressman GIBBS—will be organizing a Special Order next week. So Members who are interested, on either side of the aisle, in participating in that should contact Representative GIBBS' office.

## LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Madam Speaker, I rise for the purpose of inquiring of the majority leader the schedule for the week to come, and I yield to the gentleman from California (Mr. MCCARTHY), the majority leader.

Mr. MCCARTHY. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, on Monday, the House will meet at noon for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30.

On Tuesday, Wednesday, and Thursday, the House will meet at 10 a.m. for morning hour and noon for legislative business.

On Friday, the House will meet at 9 a.m. for legislative business.

Madam Speaker, the House will consider a number of suspensions next week, a complete list of which will be announced by close of business tomorrow.

Now, one suspension worth highlighting is H.R. 3218, the Forever GI Bill, sponsored by Representative PHIL ROE. This bipartisan legislation will remove the 15-year cap for benefits that forces veterans to use it or lose it, while enabling vets to take advantage of innovative new models like nano-degrees and massive open online courses.

Education in the 21st century is a process of lifelong learning, and I look forward to the House passing this important reform on behalf of the men and women who bravely serve our Nation.

In addition, the House will use the Congressional Review Act to disapprove of the CFPB rule on arbitration agreements. This rule hurts consumers at the expense of class-action trial lawyers, and we will work with our colleagues in the Senate to overturn this misguided regulation.

The House will also consider H.R. 3219, the Make America Secure Appropriations Act, sponsored by Representative RODNEY FRELINGHUYSEN.

□ 1215

Madam Speaker, this is vital that we demonstrate our commitment to America's servicemembers and uphold our constitutional duty to provide for the common defense.

This security package includes the committee's marked and reported bills for Defense, Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs.

Among many positives, the bill gives a 2.4 percent pay raise for our troops, increases funding for our Capitol Police, ensures greater oversight and accountability at the VA, and fully funds the President's request for a wall along our southern border.

As always, Members are advised that late-night votes are likely next week during the consideration of this appropriations package.

Finally, Madam Speaker, additional legislative items are possible in the House, and I will be sure to notify Members of any additions to our schedule.

Mr. HOYER. Madam Speaker, I thank the majority leader for the information that he has given us.

Suffice it to say there are a couple of these bills, obviously, that give us great pause. But having said that, the Appropriations Committee, over the last few weeks, has marked up, I think,

all of its bills now, 12 bills. There was discussion about bringing an omnibus with all 12 bills in it. That has obviously not happened, and so we have what we refer to as a minibus.

We only have 17 legislative days left, Madam Speaker, until the end of the fiscal year on September 30. First, I would like to ask the majority leader if he can tell us the process under which the minibus will be considered. As the gentleman pointed out, there are four distinct appropriations bills that are included in the minibus.

Is this going to be an open rule?

Will all of these bills be open to amendment, or will they be considered under a rule so that our Members can prepare for the consideration of these appropriations bills?

Madam Speaker, I yield to my friend, the majority leader.

Mr. MCCARTHY. Madam Speaker, I thank the gentleman for yielding me time, and I thank him for his question.

Madam Speaker, he is correct that, as of today, all 12 appropriations bills will be done from committee, marked up in subcommittee and full committee, and I want to thank the Appropriations Committee for their work. They achieved something that has not been achieved before in the timeline that they were given, and it is extraordinary the work they were able to do.

It is correct in the Make America Secure minibus package that we are bringing, that that package covers over 66 percent of our total discretionary spending.

As the Rules Committee has noted, the bill will come under a rule, so it will be a structured rule. We assume that there will be hundreds of amendments, as the gentleman knows, just like in the NDAA, more than 200 amendments.

I would like it noted there were more Democratic amendments than there were Republican amendments in the process that we worked through, and that is why I expect there will be late votes next week as well.

Mr. HOYER. Madam Speaker, I thank the gentleman.

Madam Speaker, the gentleman made an observation about there were more Democratic amendments. That is unusual for your bills. We usually find more Republican amendments to your bills than we do Democratic amendments. But having said that, I think the gentleman's observation is correct.

I want to make it clear to Members of the House, perhaps, who have not served here very long, the first year I was majority leader in 2007, it wasn't just consideration in committee. We passed through the House of Representatives all 12 appropriations bills and sent them to the Senate prior to the August break so that the Senate had a full month to consider them. We didn't get them all done, as you have suspected.

But in any event, I don't think I have ever seen, Mr. Leader, an omnibus passed prior to the August break. Individual bills being passed, but a minibus of this nature with, as you point out, 66 percent of the discretionary spending, which, by the way, there is no budget, and, therefore, this breaks the sequester level. It breaks the agreements that we have had in the past under Ryan-Murray for 4 years, two Congresses, and the number that is being used is a number that was simply taken out of the air. There has been no vote on the floor, no other way to have set that number.

We also believe that the amendments that are going to be offered are going to be offered in a very short space of time, and that is going to be a problem, but we will see what the rule says.

Can the gentlemen tell me, do we expect to bring the other eight bills to the floor in September?

Madam Speaker, I yield to my friend.

Mr. MCCARTHY. Madam Speaker, I thank the gentleman for yielding me time, and I thank him for his note that sometimes we have more Republican ideas usually that come to the floor, and I think ideas are good.

Madam Speaker, I do intend to bring the rest of the appropriations bills through this floor and get them done to send them to the Senate.

Mr. HOYER. Madam Speaker, I thank the gentleman.

Now, the gentleman mentioned that the border wall was going to be fully paid for. The Homeland Security bill is not a part of the package that includes four bills. Madam Speaker, can the gentleman tell me what bill that will be included in?

I yield to my friend.

Mr. MCCARTHY. Madam Speaker, I thank the gentleman for yielding me time.

Madam Speaker, as the gentleman knows, the President campaigned across America to the American public about making sure our borders are secure. Many Members on both sides of the aisle know the challenges we have along the border. The President requested and this fully funds the President's request.

As I look back in history along this line about border security, there are many times in history it shows, just a short history ago, of those who have voted for it. Hillary Clinton has voted for border security as well on the wall, Barack Obama, Joe Biden, and CHUCK SCHUMER.

This will be an amendment made in Rules for the bill.

Mr. HOYER. Madam Speaker, I thank the gentleman for his comments.

It is an amendment made in Rules. Is that going to be an amendment that will be made in order for full consideration and debate on the floor of the House of Representatives?

Madam Speaker, I yield to my friend.

Mr. MCCARTHY. Madam Speaker, as the gentleman knows, I do not speak for the Rules Committee. It will be their process and their determination. It is a committee. They will decide as a committee.

Mr. HOYER. Madam Speaker, I thank the majority leader for that answer.

Given the fact that, as the gentleman has pointed out, this was made a major issue by the administration during the campaign, in light of the fact that there are many members of his own administration who believe the wall will not work and is not the most effective way to do what all of us agree ought to be done, and that is to keep our border secure and to make sure that we know who is coming into the United States of America—I think that is a unanimous position, frankly, of the Members of this House.

This border wall, as I understand it, is in none of the four bills that have been marked up by the committee. Therefore, my presumption is the Rules Committee is, in some fashion, going to add this. If they add it, frankly, to the rule and that it is adopted as a result of the adoption of the rule, that will preclude a vote on the wall.

Now, I know the gentleman doesn't like me to quote his book, but it seems to me, in the book, every issue was going to be taken on its own, discretely, and that Members of the House would be able to work their will.

If it is in the rule, that is, I think, not consistent with that ability of Members of the House to fully debate whether or not we ought to be putting billions and billions and billions of dollars into a wall and whether or not that wall would be effective to accomplish the objective.

Madam Speaker, can the gentleman assure me that it will not be simply included and assumed to be adopted by the adoption of the rule itself and will, in fact, be an amendment on which the House can engage and work its will?

Madam Speaker, I yield to my friend.

Mr. MCCARTHY. Madam Speaker, I thank the gentleman for yielding.

He brings up a point about the security of our border. It was a debate nationally, but it wasn't a new debate. It is a debate that actually happened on this floor a short amount of time ago. We all remember the Secure Fence Act. It was actually debated right before I was elected.

We got veto-proof majorities in both the House and Senate. Sixty-four Democrats voted for that bill on this floor, 80 of 100 Senators.

I would like to note once again, who were those Senators who voted for this? It was Hillary Clinton; at the time, Senator Barack Obama; Senator Joe Biden; and Senator CHUCK SCHUMER. So it is not a new challenge.

But the gentleman will be thankful that we have taken the new technology

and also applied it within this bill for border security. We have levees. We have dams as well. We have taken the ideas on all sides. The American public has requested this. I can't promise what the Rules Committee will do, just as I would never ask you to promise what one of the committees is going to do.

Just as you quote my book—and I don't get upset with you quoting my book. You should buy it and read it more. Buy more books. The whole staff should be reading my book.

Mr. HOYER. I am enthralled by it, Mr. Majority Leader.

Mr. MCCARTHY. And just to clarify, I get no royalties. The Wounded Veterans get the money, and I am thankful that you buy it.

But if I may finish with this, the Rules Committee will act. The American public expects us to act. We utilize technology. We utilize levees. We utilize dams. And I will tell you, many of those ideas come from your side of the aisle.

It is requested not just from Members on your side of the aisle, but Democrats and city councils and others that are along the border.

So, yes, we are taking action, just as we said we would do. The Rules Committee will find the right place to apply it, and we will be able to have the discussion on the floor.

Mr. HOYER. Madam Speaker, I understand the majority leader's reticence to answer the question because he says he can't speak for the Rules Committee. I understand that. But the fact of the matter is this is an important issue. It ought to be considered by the House.

It ought to have every Member's ability to speak to the issue of whether or not we ought to build that wall, not whether we ought to have security—we all agree that we should and must have security—but whether we do it with a wall, as I said, in which many members of the current administration do not believe it will work and have been quoted as saying so in the past, and there are many Members on our side who feel that.

I would hope that the majority leader would at least make it known to the Rules Committee that we ought to have that as a freestanding amendment, not incorporate it in a rule that the vote for the rule or a vote against the rule is, of itself, a vote on the wall itself.

Lastly, Mr. Leader, I want to say that you and I are both very concerned about the Russian sanctions and Iranian sanctions bill that is pending. We have been working very hard on that, very constructively on that, and I look forward, over the next 24 hours, more or less, to see whether or not we could get that resolved.

We have introduced, as you know, the Senate bill as a House bill. We



would be for that if it would be brought to the floor. But we want to make sure that we move a bill, as you do, as quickly as possible and get agreement with the Senate and move that bill to the President's desk.

I thank you for your work on that, and I look forward to working with you over the next day or two to see if we can achieve that objective together.

Madam Speaker, unless the gentleman wants further time, I yield back the balance of my time.

ADJOURNMENT FROM THURSDAY, JULY 20, 2017, TO MONDAY, JULY 24, 2017

Mr. MCCARTHY. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday, July 24, 2017, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

THE SPEAKER pro tempore (Ms. CHENEY). Is there objection to the request of the gentleman from California?

There was no objection.

□ 1230

#### RECOGNIZING GABRIELLA BOFFELLI

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Madam Speaker, last night I was proud to present my legislative director, Gabriella Boffelli, with the Vermillion Award of the Congressional Hispanic Leadership Institute, CHLI, named after the late Steve Vermillion, the former chief of staff to Congressman Lincoln Diaz-Balart.

This award is presented each year to two staffers who exemplify Steve's huge heart and dedication to freedom. None are more deserving than Gaby, and her fellow honoree, Angela Ramirez.

Since starting as an intern in my Miami office 6 years ago, Gaby has risen through the ranks, year after year, serving our south Florida community with wisdom, grace, and integrity. Now completing a master's degree at Johns Hopkins University, Gaby is the consummate public servant, selflessly working on behalf of our constituents, while constantly fighting for democracy and human rights in places like Nicaragua.

It has been an honor to have Gaby Boffelli on my team, and I know this is just the beginning of an extraordinary career.

Congratulations, my friend. Felicidades, mi amiga.

#### BRING AMERICA TO 100 PERCENT RENEWABLE ENERGY BY 2050

(Ms. JAYAPAL asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. JAYAPAL. Mr. Speaker, to quote Ronald Reagan: "Preservation of our environment is not a liberal or conservative challenge; it's common sense." Yet, this week, my Republican colleagues continued the trend of pushing through bills that deeply undermine critical environmental protections.

H.R. 806, the "Smoggy Skies Act," is an attack on the Clean Air Act that will lift protections against harmful pollutants that put the health of our communities at risk. Republicans also made it clear that they are prioritizing dangerous pipelines while shirking environmental review processes.

But despite their efforts, we are looking ahead and putting forward a bold vision for protecting our environment and our economic future. I am proud to introduce, with Congressmen POLIS, GRIJALVA, and HUFFMAN, the 100 by '50 Act, which aims to bring the United States to 100 percent renewable energy by 2050.

Climate change is the biggest threat to our planet, our economy, our children, and our communities, and our bill lays out a bold roadmap for ensuring that we transition to a clean and renewable energy economy while prioritizing good jobs for workers and investments in our communities.

This is the time to be bold.

#### HONORING HABITAT FOR HUMANITY OF BUCKS COUNTY

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FITZPATRICK. Mr. Speaker, I rise to honor Habitat for Humanity of Bucks County, which is an organization dedicated to eliminating substandard housing, locally and worldwide, through constructing, rehabilitating, and preserving homes.

This global, nonprofit housing organization, with a local chapter in my district, operates on the principles that seek to put God's love into action. Habitat for Humanity of Bucks County advocates for fair and just housing policies that provide training and access to resources to help families improve their living conditions.

The Bucks County chapter of Habitat for Humanity is a motivated team, driven towards service, where they build communities and empower families. I am grateful for the work of Executive Director Florence Kawoczka, Laura Blair, B.J. Breish, Colleen Brink, Stefanie Clark, Candace Clarke, Mike Fallon, Susan Harritty, Josh Hilliker, Theresa Leonard, Sam Martin, Tracy Mulvaney, Karen Reeve, and all of the associates and volunteers who make this organization possible.

Mr. Speaker, I am proud to work with the Bucks County Habitat for Hu-

manity, driven by the conviction that every man, every woman, and every child should have a simple, durable place to live in dignity and safety, and that decent shelter and decent community should be a matter of conscience for all of us.

#### PROVIDE PROTECTION FOR UNDOCUMENTED FARMWORKERS

(Mr. PANETTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PANETTA. Mr. Speaker, I represent the central coast of California, known to many of my colleagues as the salad bowl of the world. It is where agriculture is the number one industry, and it is where the farm labor movement was partially founded.

Now, as many Republicans and Democrats know, in agriculture, undocumented farmworkers do a majority of the labor-intensive work needed to put food on our dinner tables. That is why I am a cosponsor of H.R. 2690, the Agricultural Worker Program Act, also known as the "Blue Card" bill.

This bill would provide a majority of our farmworkers with a path to legal permanent residence. Now, it doesn't allow people to jump the line. It doesn't just give them benefits. In fact, there are certain obligations that they must undertake in order to receive those benefits. They have to work in agriculture for at least 100 days, and then they have to commit to working in agriculture for 100 days over the next 5 years.

Our farmworkers, whom we employ and critically need, are now living in the shadows for fear of deportation. This bill would provide legal protections for our farmworkers to ensure a better future for their families, our farms, and our communities.

While it is my hope that this bill would again be incorporated into a larger comprehensive package negotiated by Republicans and Democrats, just like it was in 2013 when Congress nearly passed comprehensive immigration reform, the people who help feed our families deserve this opportunity, and that is why I support it.

#### "MADE IN AMERICA" WEEK

(Mr. WESTERMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WESTERMAN. Mr. Speaker, I rise today to show my support for the "Made in America" Week initiative. It is an initiative to highlight the contributions of American workers and job creators.

Made in America brings to mind a combination of the American spirit of innovation and perseverance that is required to turn raw materials into manufactured goods.

I am proud of the contributions that my home State of Arkansas makes to the American economy. In Arkansas, 13 percent of the State's workforce is employed in the manufacturing industry, which is the second highest percentage in the South and the third highest percentage in the Nation. Twenty-eight percent of those jobs in Arkansas are in the Fourth District.

In 2016, manufacturers contributed \$2.2 trillion to the American economy. For every dollar spent in manufacturing, an additional \$1.80 is added to another part of the economy.

With abundant resources, a strong infrastructure, and a second-to-none work ethic, Arkansas is working to train the next generation of technicians and visionaries so that manufacturing can expand, promoting better careers, stronger families, and thriving communities.

#### THANKING UNSUNG HEROES IN WAKE OF ILLINOIS FLOODING

(Mr. SCHNEIDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHNEIDER. Mr. Speaker, this week, torrential rains caused record flooding in many parts of Illinois, and, in particular, in my district. I had the chance to visit some of the affected areas over the weekend, joined by my colleagues from Illinois, Mr. HULTGREN and Mr. ROSKAM, as well as Senator DURBIN, Fox Lake Mayor Donny Schmit, and Lake County Chair Aaron Lawlor. We spoke with residents and saw firsthand some of the many challenges these communities are facing.

I rise today, however, to recognize the many unsung heroes who have stepped up to help their neighbors, and often helped total strangers, in the wake of this disaster. This includes our first responders, dedicated government workers, and volunteers, many coming from towns far away and unaffected by the floods.

As the rains fell and then in the days after, these people worked tirelessly around the clock to lend a hand and try to hold off the rising waters. We are not out of the woods yet, and the people who serve our communities day in and day out in our local governments, our police and fire departments, and our emergency agencies are continuing to work with professionalism and quick coordination.

Mr. Speaker, I am pleased to use my time today to say "thank you" to these people working behind the scenes without due recognition. They represent the very best of our communities and our Nation and make us all very proud.

#### HONORING THE MEMORY OF DIETRICH SCHMIEMAN

(Mr. NEWHOUSE asked and was given permission to address the House for 1 minute.)

Mr. NEWHOUSE. Mr. Speaker, I rise today to honor the life and memory of a constituent and distinguished soldier in our Nation's Armed Services, U.S. Marine Corps Sergeant Dietrich Schmieman of Richland, Washington, who passed away on July 10, along with 15 of his fellow servicemen.

Sergeant Schmieman served honorably as part of an elite Marine raider battalion stationed at Camp Lejeune and was on his way to complete his predeployment training in Yuma, Arizona, before being deployed to the Middle East.

Our Nation owes a debt of gratitude to individuals like Dietrich who, through their service, have preserved the freedoms that form the cornerstone of our Nation.

Sergeant Schmieman's death is a tragedy. The hole he leaves in the lives of his friends and his family can never be filled. I join the Nation in sending prayers to his family during this very difficult time.

Please join me in remembering Sergeant Schmieman and his dedication to selfless service to our Nation.

Again, our prayers are with his family and his loved ones.

#### REPEAL OF OBAMACARE STATISTICS

(Mr. SOTO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SOTO. Mr. Speaker, next week we will see consideration of the repeal of ObamaCare without a replacement. This would be a life-and-death issue for most Americans.

First, we would see skyrocketing uninsured rates: 18 million people would lose insurance next year; 32 million people would lose insurance by 2026.

We would also see skyrocketing premiums: 20 to 25 percent by next year, 50 percent by 2020, and 100 percent by 2026.

Seventy-five percent of Americans would live in a place where there would be no marketplace insurer.

We know that for every 455 people who gain coverage across the United States, according to the New England Journal of Medicine, that at least one life is saved. So if we lose coverage for 20 million people next year, we would be looking at 43,000 to almost 44,000 avoidable deaths in the United States. That is why this is life and death.

TrumpCare has had its shot, and it has failed. It is time for the parties to come together now. It is time to have a bipartisan bill to fix the ACA.

The American people deserve nothing less.

#### HONORING THE MEMORY OF OFFICER MIOSOTIS FAMILIA

(Mr. FASO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FASO. Mr. Speaker, today I rise to honor the memory of Officer Miosotis Familia.

Officer Familia was a member of the New York City Police Department's 46th Precinct in the Bronx who lost her life in the early hours of July 5. She was targeted by a deranged ex-convict who assassinated her in cold blood.

As New York City Police Commissioner James O'Neill said at Officer Familia's funeral: "Everything our government stands for—freedom of speech, freedom of worship, freedom from want, freedom from fear—everything starts with public safety. Miosotis knew this, and she wanted all of us to play our part.

"That is why violence against police and what we represent is a dishonor to civilized society."

With a renewed dedication to law enforcement and the communities they serve, we pledge to keep Officer Familia's legacy alive.

Mr. Speaker, I include in the RECORD Commissioner O'Neill's remarks.

#### REMARKS BY COMMISSIONER O'NEILL FOR OFFICER FAMILIA'S FUNERAL

Good morning everybody.

Barbara [NYPD Chaplain Rev. Dr. Barbara Williams-Harris], I'm not sure if I'm ready to celebrate yet. I have to work on it.

Members of the NYPD Chaplains Unit; Pastor Davidson and the staff and congregation of World Changers Church—I love the name; Mayor de Blasio; Adriana, Gennie, Peter, Delilah; Inspector Phil Rivera and all the men and women of the 4-6 Precinct in the Bronx; law enforcement officers from all across our nation and the world, many of whom traveled great distances to support us in this time of incredible sorrow; and all other friends and family gathered here this morning:

On behalf of the entire New York City Police Department, I extend our most profound condolences.

Police Officer Miosotis Familia was a kind and authentic woman.

One of 10 children raised in Washington Heights before she and her family moved together to the Bronx, she was serious but sharp-witted. And though she was the youngest, her siblings say she was never spoiled.

Miosotis was the glue that held her large family together. She would mediate any dispute, especially among her six feisty sisters. Known as a lovable goof, they playfully called her "La Loca," or Crazy Girl.

And later, as a mother, she would teach her own children life lessons—like being kind to strangers, blessing others with a smile, and respecting those less fortunate.

I'm told that Valentine's Day was her favorite holiday. She'd really go overboard with the hearts and the decorations in their Kingsbridge apartment, just so the kids could see all the love that was theirs.

Like every New Yorker, Miosotis just wanted to do her job, work hard, live without fear, improve her life, and the lives of 86-year-old mother, her two daughters, and her son.

But she also wanted to do something else: She wanted to improve the lives of other families, as well. When she made that decision 12 years ago to become an NYPD cop—a Bronx cop—she epitomized why many people choose to become police officers.

Gennie, Peter, Delilah: I can talk forever about the great things—the fantastic things that police officers do every single day for millions of people—but nothing I can say will bring your mom back. I'm sorry for that.

But I can make you this promise: Your mom didn't die in vain. Your mom's legacy will never fade from importance or memory.

Your mom made it her mission to make your home—New York City—a better and safer place for everyone. And I vow to you we will continue to find our way forward in her honor. Because that's what cops do.

Cops are regular people who believe in the possibility of making this a safer world. It's why we do what we do. It's why we run toward, when others run away.

Your mom believed in the possibility of being part of something larger than herself. She accepted the vast responsibility that came with her decision, knowing that it would be challenging, recognizing that someone has to do this job, and believing she was willing and able to fill that role. And she was right.

Miosotis wanted other people to know her, to work with her, and to help her make this a better city for all of us.

Everything our government stands for—freedom of speech, freedom of worship, freedom from want, freedom from fear—everything starts with public safety. Miosotis knew this, and she wanted all of us to play our part.

That is why violence against the police and what we represent is a dishonor to civilized society. We should be outraged that any single person had so little regard for your right to public safety.

On the night our nation celebrated its independence, the coward who committed this atrocity did not walk down the street after midnight and shoot just anybody.

He shot a cop.

Mental illness and medication may have played a part—I don't know. What is certain, however, is that he hated the police. He saw us as the “bad guys” because countless times he heard it in conversation, saw it on television, read it in the newspapers. Combine that toxic blend with his special brand of evil, and you get . . . this funeral.

Hate has consequences. When we demonize a whole group of people—whether that group is defined by race, by religion, or by occupation—this is the result. I don't know how else to say it: This was an act of hate, in this case, against police officers—the very people who stepped forward and made a promise to protect you, day and night.

This amazing woman, this mother, this daughter, this sister, this friend, this New York City police officer, was assassinated solely because of what she represented and for the responsibility she embraced.

All her killer could see was a uniform, even though Miosotis was so much more. He blamed the police for his own terrible choices in life. And for the way he emerged after our society agreed he should go away to prison for a while.

As a city, and as a country, I don't believe we're in the same place we were at the end of 2014, when Detectives Rafael Ramos and WenJian Liu were assassinated under similar circumstances in Brooklyn. We are on firmer ground now, with police and communities working more effectively together.

But in mid-2017, there unquestionably is a creeping apathy among the public about the work and role of its dedicated police officers. I think of it this way: You don't really notice the lights are on . . . until they go out. If we do wrong, we are vilified. If we do right, we are ignored.

There is little attention paid to positive changes in policing, in general, and in this police department, in particular, no matter how effective they may be.

But the manner in which Miosotis was killed should remind everybody that the civility of our society balances on a knife's edge. And the 36,000 uniformed members of the NYPD are just regular people who made a selfless decision to help maintain that balance.

There is nothing more human than a 48-year-old mother of three, living in the Bronx, who decided to swear an oath, put on a uniform, and live a life with meaning. Fighting crime and keeping people safe is not a responsibility that the police take lightly, and neither should the public.

While crime continues to go down, year after year, that provides little comfort when the fabric of our society, the blanket of public safety we provide, is torn by a senseless, direct assault on one of our protectors.

Here are the numbers we don't talk about nearly enough:

Since our start in 1845, more than 840 New York City police officers have died in the line of duty. Miosotis is our seventh cop to be shot and killed in just the last five years. And she's our third female officer ever to be murdered on the job.

Across our nation, 135 police officers were killed in the line of duty last year, the sharpest spike in the last five years. And just yesterday, New York State Trooper Joel Davis was killed in the line of duty while responding to a radio run of a domestic dispute in upstate New York.

Each of these murdered officers has one thing in common: They lost their lives while protecting the lives of others. Some people say: “Well, that's what cops signed up for, right? That's their job.”

Let me tell you something: Regular people sign up to be cops. They sign up for this job of protecting strangers, knowing there are inherent risks. But not one of us ever agreed to be murdered in an act of indefensible hate. Not one of us signed up to never return to our family or loved ones.

So, where are the demonstrations for this single mom, who cared for her elderly mother and her own three children? There is anger and sorrow, but why is there no outrage? Because Miosotis was wearing a uniform? Because it was her job?

I simply do not accept that.

Miosotis was targeted, ambushed, and assassinated. She wasn't given a chance to defend herself. That should matter to every single person who can hear my voice, in New York City and beyond.

We know there's evil in this world. That's why we need the police. But as New Yorkers, we can decide that people like Miosotis' killer will ultimately fail. He will not drive us apart. We can decide to come together and make our city reflect the good inside all of us, the hopes and simple dreams we share.

I'm asking the public to make a commitment to support your police, to work with us. Commit to watching the backs of those you call when you're scared, those you call when you're in trouble.

NYPD cops answer about four-and-a-half million radio runs a year, and are flagged down countless other times. AnAfor good or

bad, only a tiny handful of our actions make the news. That tiny handful—some when things go right, others when things go wrong—because that's what sells newspapers—those are the ones that define us. And the millions—literally millions—of our other actions go unnoticed.

But we don't turn away from criticism, because we know it comes hand-in-hand with the possibility of making the safest big city in America even safer. We know you need us. And we need you. We want all our neighborhoods to be safer places for our children, for our elderly, for ourselves.

But without peace and safety, we have nothing. It's a shared responsibility. You must participate. You must not retreat.

It seems that we put all our societal failures on our police to solve. If there's not enough drug addiction funding, many say it's the police who should change their tactics. If there's not enough money for mental health, many say it's the cops who need to alter what they're doing out on the streets. If our society hasn't adequately invested in schools, the cops need to figure that out.

We tell our police: “You're the counselor, you're the parent, you're the social worker, you're the referee.” But policing was never intended to solve all those problems.

It's our obligation to continually drive down crime and keep people safe. That's what Miosotis vowed to do. And that's the work we vow to continue in her stead.

What we are left with are the memories, moments shared, lives touched, friendships forged. There is no making sense of what is truly senseless. There is no explaining the unexplainable. Words do not do it justice. We cannot fix the hurt. We have to put that in the hands of a higher power. And the higher power I'm talking about is you.

We need the public to take a more-active role in our city's safety. I'm asking you to connect with your police. Listen to my words: Your police. We are yours. We're here to help. We're here to make things better. But we need your assistance. We need it now, more than ever. Because no one knows what's going on a street, or a block, better than those who live and work there every day.

That's how your neighborhoods will keep getting better. And that's how we're going to continue to keep driving crime down and keep everybody safe. And that's how we'll find our way forward, together. That's Miosotis' legacy.

The pain we feel today will not soon pass, but we know she did not die in vain. Our anger can be transformed into effective change. Our sorrow can make us a better society. We may not ever match the sacrifice made by Miosotis, but surely we can try to match her sense of service. If we cannot match her courage, we can strive to match her devotion.

In the last few days—the 4-6 Precinct, Police Plaza, all across New York—we've received many, many messages of hope and support. They tell us that people around the nation and around the world love the police very much, and mourn with us. They tell us they need us, and that they are proud of us.

I, too, couldn't be more proud of our cops.

To the men and women of the NYPD who bravely put on that uniform every day—and they do, it takes courage—and to all those who have come before us: Thank you for your dedication, your leadership, and your powerful example.

And I also couldn't be more proud of—and thankful for—Miosotis, whom I promote today to Detective-First Grade. Please rise and applaud her life and service.

To Gennie, Peter, and Delilah: Here we are, today, literally surrounded by a sea of blue as far as the eye can see outside this building. And know this: Our family will always be with yours. We don't ever forget. We will always be here for you and this city.

And to all the members of the NYPD: Do not ever forget why you chose to become a police officer. Be proud of who you are and what you do. Always remember that Miosotis lived to protect all New Yorkers, and her legacy protects us still.

We pray that she now finds rest, and that her beloved family finds solace and peace and the strength to live the lives their mother fought to give them.

God bless Miosotis. God bless her family. God bless every member of the New York City Police Department, who will forever carry on her most important work.

Thank you.

Mr. FASO. I also include in the RECORD my full statement. May God bless Officer Miosotis Familia's memory.

Mr. Speaker and my colleagues, today I rise to honor the memory of Officer Miosotis Familia. Officer Familia was a member of the New York Police Department's 46th Precinct in the Bronx who lost her life in the early hours of July 5th. She was targeted by a deranged ex-convict who assassinated her in cold blood. All of New York was affected by this evil act. The 48-year-old loving mother devoted her life to helping others. Sadly, she becomes the third female NYPD officer to be murdered on the job; the first in New York since 9/11.

Officer Familia had two daughters and a son. She wanted to leave them a better future, a safer city. Every one of the 36,000 uniformed members of the NYPD goes to work every day for this vision. They sacrifice. They risk bodily harm, and worse. Too often they do so despite a hostile media and an indifferent public. As New York Police Commissioner James O'Neill said about her, and all law enforcement personnel, at Officer Familia's funeral: "Cops are regular people who believe in the possibility of making this a safer world. It's why we do what we do. It's why we run toward, when others run away." He remarked, furthermore, "Everything our government stands for—freedom of speech, freedom of worship, freedom from want, freedom from fear—everything starts with public safety. Miosotis knew this, and she wanted all of us to play our part. That is why violence against the police and what we represent is a dishonor to civilized society. We should be outraged that any single person had so little regard for your right to public safety."

Through it all, Officer Miosotis Familia carried love in her heart: love for the Bronx neighborhood she patrolled; love for the people of her city and state; and love for the oath she swore all those years ago when she made the decision to enter law enforcement: To serve and protect.

Her killer—and I refuse to mention his name—was driven only by hate. This is the hate which in 2016 resulted in the sharpest spike in police killings in five years. It is the hate that robbed three children of their mother with a single gunshot on a dark Bronx street. I want to share with this Chamber a recollection by Officer Familia's oldest daughter, deliv-

ered at her funeral. She said that Miosotis came into her room on July 4 before going to work, a regular person believing in the possibility of bringing about a safer world.

She said, "I'm going to work now. And I love you." She hugged her daughter, twice, and left to join her fellow officers. Now Officer Familia joins those lost in the line of duty. With love in her heart, she kept us safe. With a renewed dedication to law enforcement and the communities they serve, we pledge here to keep Officer Miosotis Familia's legacy alive.

#### WISHING JOHN MCCAIN A SPEEDY RECOVERY

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, yesterday I left an event and went straight to my cellphone. The first thing on it was a notice that JOHN MCCAIN had brain cancer. I literally stopped in my steps and thought about JOHN MCCAIN and was saddened.

Senator JOHN MCCAIN is a true American hero who served our country in Vietnam and has served our country in this House of Representatives and the United States Senate.

When he ran for President, he had a bus called Straight Talk, and that wasn't just a name on a bus. He is a straight shooter.

He has been a voice of reason and honesty, standing up and speaking truth to power during these last 6 months of this current Presidency, and somebody whom we need as a voice.

It seems that Arizona produces those voices. They produced it with Barry Goldwater, and they produced it with JOHN MCCAIN.

He is a nice guy, too. The few opportunities I had to interchange with JOHN MCCAIN or go up to him and say something to him about an issue, he was always very easygoing, very pleasant, a good human being.

I urge you, if there are people in your life that you think well of, that you care about, let them know it now, and keep JOHN MCCAIN in your prayers. Hopefully, he will come back and continue to serve the United States as he has throughout his entire life.

□ 1245

#### HIGHLIGHTING HALL GROWS

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to highlight the success of my friends and neighbors at the Hall County Chapter of the Georgia Farm Bureau. This past year, the Farm Bureau launched Hall GROWS, an educational initiative designed to help students expand their knowledge of agriculture.

In my home State of Georgia, agriculture is the largest industry, contributing \$74 billion to the State's GDP. Our young people represent the next generation of farmers, agricultural experts, and consumers. It is our duty to ensure that these young students possess an understanding of the strategic advantage that agriculture represents for the United States.

The Farm Bureau is donating time, funding, and other resources so that schools can cultivate gardens, hold workshops for educators, and have classroom activities to help students. Because of efforts like these, Hall GROWS can continue to make an impact both in the lives of students and on the future of the industry.

The Farm Bureau's willingness to support students attests to the generosity of the American farmer. I am excited to see this program make a positive difference in communities like my own in Hall County in Gainesville, Georgia.

Again, congratulations to the Hall County Farm Bureau for their work and effort and Hall GROWS.

#### REMEMBERING AND HONORING CONGRESSMAN MARK TAKAI

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, 1 year ago today, we lost a brother, a friend, and a colleague, someone who made a great impact on my home State of Hawaii and this country.

My friend, Congressman Mark Takai, was someone who lived his entire life with a full heart committed to serving the people of Hawaii and his country. Always ready with a helping hand with creative new ideas and a hearty laugh, Mark was someone who was always on the move.

I had the honor of serving with Mark all the way back in the Hawaii State Legislature, through our time serving together in the Hawaii Army National Guard and then, again, here in Congress where we both served on the Armed Services Committee.

Mark, time and time again, made his decisions based on how best he could serve the people of Hawaii, and he took a lot of pictures along the way. Mark led by example with respect and with aloha understanding and passion building partnerships focused on seeing how he could get the job done.

So on this day commemorating Mark, my heart is with his family: his wife, Sami; his kids, Matthew and Kaila; his parents, Naomi and Erik; our entire National Guard "family," "ohana," and the people of Hawaii as we remember Mark and honor his entire life and legacy of service.

## OBAMACARE

(Mr. DESANTIS asked and was given permission to address the House for 1 minute.)

Mr. DESANTIS. Mr. Speaker, Republicans have promised for years to repeal and replace ObamaCare, and this effort has seemed to have stalled in the Senate.

The best way to restart the ObamaCare repeal process is simple. Make Congress live under it.

The President can make this happen. ObamaCare included a provision dropping the congressional health plans for Members of Congress and diverting Members to the ObamaCare exchanges where they would have to pay their own premiums. Yet an Obama administration regulation gutted this provision and provided lucrative taxpayer subsidies for Members thereby creating an illegal exemption for Congress under ObamaCare.

Mr. President, cancel this regulatory exception. Make Members live under ObamaCare as written. If you make them live under ObamaCare, my guess is that they will vote to quickly repeal ObamaCare.

## FREEDOM FROM BURDENSOME REGULATIONS

(Mr. BIGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BIGGS. Mr. Speaker, last week, I started "Freedom Friday" to highlight freedom-killing regulations currently in effect.

Congress used the Congressional Review Act to overturn 14 regulations implemented in the waning days of the Obama administration. The repeal of these rules alone could save the economy millions of hours of paperwork—as much as \$3.7 billion in regulatory costs to Federal agencies and up to \$35 billion in compliance costs for industries. This is a nice start, but we are not done yet.

My main priority here in Congress is to restore the constitutional parameters of the Federal Government and end overregulation. The first regulation that I will be highlighting for "Freedom Friday" is an overly burdensome restriction on our trucking industry. California and the Ninth Circuit have imposed more stringent standards for truckers than those established by the Federal Motor Carrier Safety Administration.

There are some issues over which Congress has clear constitutional authority. This is one of them. We simply cannot allow our vital interstate commerce to fall victim to an incoherent patchwork of burdensome regulations.

Our economic and national security depend on resisting this ominous trend.

## ISSUES OF THE DAY

The SPEAKER pro tempore (Mr. COMER). Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, I want to follow up on what my friend from Florida, Congressman RON DESANTIS, was saying: Under ObamaCare—that passed without a single Republican vote—Congress was expressly put under all of the conditions of ObamaCare, and it expressly took us out from the insurance that we liked, the insurance plans we had and liked, and 180 degrees contrary to what President Obama said and so many of our friends across the aisle.

Even though we liked our insurance and we wanted to keep it, it turns out that was not true what they had been saying for so many months. We didn't get to keep our insurance. I know emails keep circulating that Members of Congress have some special "pie in the sky" health insurance, but, actually, it is exactly the same insurance options that every single Federal employee from—well, I started to say from the President down, but, actually, the President does have his own special healthcare. But I guess that is why ObamaCare seemed so appealing. It wouldn't affect the President and his family, or he might have looked at it a little bit differently. But since he has his 24/7 physician, it seemed okay to him to force the rest of the country under it.

Every Federal employee before ObamaCare had the same options we did. The major change in congressional healthcare came since the provision was put in there. Although every single Federal employee had employer—which means Federal Government, which means taxpayer—assistance in paying the premiums for their health insurance, we had to pay part and the Federal Government paid part—taxpayers, in other words, paid part. That was pretty common across the country.

But in ObamaCare, for some reason, Speaker PELOSI and Majority Leader Harry Reid thought it was a good idea to stick it to Members of Congress that were not in leadership so that there would be no Federal supplement. No Federal employer was going to pay part of the cost of the insurance, health insurance, for Members of Congress. That is in the bill.

Originally, we thought that meant every single Member of Congress would not get the employer part paid by the Federal Government. But it turns out

the Speaker and certain of the leadership and leadership staff who must have helped draft the bill, that the way it was worded did not include the funds they were paid for them so they would continue to get the Federal portion paid by the government and taxpayers as that is.

But then Speaker Boehner, Majority Leader Reid, and President Obama got together, and they worked out a deal. Like my friend, Congressman DESANTIS from Florida, pointed out, they made a deal to completely ignore what was in black and white print in ObamaCare that Members of Congress, other than the leadership, would not have the Federal Government paying any part of theirs. All the rest of the Federal employees in the country, yes, they would still have the Federal Government pay part of their insurance, only Members of Congress wouldn't.

They made a deal to specifically ignore what our Democratic friends put in the law, in black and white expressly there, and so we had gotten so many calls and so much information.

Going all over east Texas, I've heard from so many people who have lost their insurance who now could not afford their insurance and now were forced into a network that did not have the doctor who was saving their lives or the medication that was saving their lives, didn't have Mayo Clinic and didn't have the certain cancer facility that they had been using to keep their lives going.

I had heard so many of those horror stories from constituents I just could not—I mean, I went and talked to the personnel here that are supposed to help us sign up for healthcare, and I just could not bring myself to sign up for ObamaCare that was being illegally interpreted. It is not even an interpretation; it is very clear. We didn't get the Federal subsidy, yet they agreed to do it despite what they put in the law and agreed to in the law. So I went without insurance at all for a few years and then have to pay extra to have insurance through my wife's employer.

RON DESANTIS made a great point. If we went ahead and enforced ObamaCare exactly the way it is written, the Speaker and the leaders would be taken care of in the House and Senate, but the rank-and-file Members of the House and Senate, I think, would more quickly have come to the conclusion: we have got to have a change, and we have got to have it quick.

Perhaps that is what President Obama was thinking when he agreed to have the taxpayers fund the huge part of the congressional health insurance that, gee, if he did that, then they wouldn't be as quick to want to overturn it.

I think it is very important as we hear friends across the aisle talk about how devastating it will be if we repeal ObamaCare. Yeah, what happens? Think about it. What happens if we repeal ObamaCare? We would go back to the way it was before ObamaCare passed. I didn't remember it being quite this high, but one of our friends mentioned this week, I remember the polls were saying 75 percent of Americans were satisfied with their health insurance before ObamaCare was shoved down every Americans' throat. So if we repealed ObamaCare, what would happen is we would go back to a health insurance—or a healthcare situation—where 75 percent of Americans were satisfied.

What many of us were saying, as we were in the minority on this side, we were begging our friends across the aisle, look, don't just throw out the entire healthcare system the way it is even though you have got people in the health insurance business and the big pharmaceuticals helping you write ObamaCare so they are going to make billions and billions more than they have ever made—yes, it is true, a lot of health insurers have gone out of business, but the big ones that helped write ObamaCare and sign on to it—happy to endorse it and embrace it—made record profits. So much for opposing crony capitalism. We see it at its best in ObamaCare.

So Americans should be a bit skeptical when they see some of the people who helped write ObamaCare and made billions and billions saying: oh, no, let's not throw it out.

Well, just remember, if we did that, if we just voted to end ObamaCare and have our system exist as if ObamaCare had never passed, it would immediately put us into a situation where the vast majority of Americans were satisfied with their health insurance and with the healthcare they got.

□ 1300

I have noted over the years that one of the things that has helped with the acceptance by the minority that has accepted ObamaCare as being a good thing has been that politicians here in Washington have skewed the difference between health insurance and healthcare.

I know people have said: Oh, gosh, people were dying on the sidewalks.

Actually, if you are on the sidewalk and you have got a health problem, you do as people that I have seen in the emergency rooms have done: they go to the emergency room. I am standing in line behind them, waiting to get care for one of my children.

So it wasn't a matter of not getting that healthcare. Those people did not have health insurance.

What good is ObamaCare insurance when your deductible is \$7,000, \$8,000, and you are paying \$10,000, \$12,000 a

year for your insurance and you don't have enough to put aside in savings to even pay \$1,000 to \$2,000 of your deductible?

Yes, you have health insurance, but you sure don't have healthcare because now, because of ObamaCare, you cannot afford it.

Yes, from time to time I hear people say: Yeah, but the subsidy is working out so well, I am able to have insurance.

Well, what is your deductible?

Well, it is pretty high, but I am satisfied with it.

You know what we keep finding?

They are satisfied with it because they have got cheap health insurance and it works out fine until they have something catastrophic happen and they find out they don't have the money to cover what they have got to cover.

We have got to do something. I submit it wouldn't be so bad to go back to a system that a majority of Americans said they were satisfied with and then work from there.

Don't throw out the whole system again and make the Federal Government, Big Brother, have its fingers in every aspect of your supposed care. When the Federal Government has that role, whether you want to call them death panels or not, there are bureaucrats who will make decisions to decide what they are going to allow you to have and be paid for. That should never, ever be the role of the government.

Some say to go to a single-payer system. I despise that term because it masks just how evil the system is. It is socialized medicine, which is also another way of saying you have rationed care. Everybody is not going to get what they need, and the government will decide who they think has a life valuable enough to get a new knee or to get a new hip or to have back surgery or to have lifesaving surgery. The government will decide that.

That is the same reason I have heard from numerous seniors now. Before ObamaCare passed, they had Medicare as supplemental coverage. But even so, after ObamaCare passed, which cut \$716 billion out of Medicare, they could not get timely surgeries that they needed before ObamaCare.

If we don't repeal ObamaCare, it will continue with those wait times that many seniors are now experiencing. Whereas, it used to be: When do you want to do this? Tomorrow? Next week? When do you want to do it?

Now it is: I know you need it now, but it is going to be 2 or 3 months before we can work you in.

It is rationed care. That is what ObamaCare causes. There is going to be more and more of that unless we get ObamaCare repealed. I just don't think that is an option. A majority of Americans did not want ObamaCare, and,

after it passed, still didn't want ObamaCare. They gave us the majority in the House, now in the Senate, and now the Presidency on a promise that we would get rid of ObamaCare.

So we start from the premise that healthcare will be better and more affordable once ObamaCare is repealed. There needs to be reforms, but you have got to start from the premise that you have to get rid of the system that is skewing and basically destroying the greatest healthcare system ever produced in the history of the world.

Medical historians, as I noted before, have indicated there was probably some point in the early 1900s—it can be debated when that point may have occurred; some say around the protocols in the early 1900s, around World War I—or whenever it was, around 100 years ago, for the first time in human history, someone who needed healthcare had a better chance of getting better if they didn't go see a doctor. That point was in the early 1900s. After that point, you started having a better chance of getting well if you went to see a doctor.

So you look at that time, whether it is 100 years, 120 years, and to think that just in the thousands of years of recorded history in our lifetimes, you have not only had a chance of getting well after seeing a doctor, but you have a great chance of being cured.

Think of all the diseases and conditions that we found cures for. We have so many yet to go. There will always be something else that needs to be researched and cured, because that is the state of this world. But we had a system here in America that produced more lifesaving medications and treatments and surgeries, more lifesaving and enhancing procedures of all kinds because, for one thing, we had competition, we had a free market system.

Our Founders so wisely put in the Constitution provisions for rewarding people, because of original thoughts or inventions, copyrights and patents. Congress has done a lot of damage to that system in recent years, but it still provides an incentive to create something that is lifesaving or life-enhancing.

We simply cannot build a healthcare system that helps people based on the foundation of ObamaCare. More and more—until it is complete, socialized medicine will be, if we leave ObamaCare in place, there will be more and more rationed care, which means less and less care for individuals.

For 6 years, Republicans have been united in our support for fully repealing ObamaCare. Congress has voted—at least the House has—more than 60 times to repeal ObamaCare. So it is not the time to get timid. Now is the time to support the President's efforts to get rid of ObamaCare.

If what we have to do is bring forth the bill that we passed in the last Congress and put it on the desk of the

President to get rid of the thing that has, at least informally, President Obama's name and that he says he is proud of—people are getting hurt, people can't afford what they have got. More and more are losing insurance. We are losing more and more insurance companies.

I still continue to be quite concerned to just say there is a great panacea in buying insurance across State lines because, unless we end the exemption from the monopoly laws, the antitrust laws, then we could very easily end up with only one or two insurance companies in the whole country instead of having only one in 30 or 40 States.

Far better it is to just end the exemption from antitrust laws, end the ability for a health insurance company to monopolize and have monopolistic tactics that keep entrepreneurs from developing new insurance companies, different ways of paying for healthcare. We have got to end that so that people that come up with new ways and better ways to provide healthcare end up doing well because of their great idea to provide more affordable healthcare.

One thing in my mind that is absolutely certain: if we can just get rid of ObamaCare, then one of the steps we have got to take is to get back to a system that we had 50 years ago or so, when I was growing up in Mount Pleasant in east Texas, and you knew what things cost.

All the different times I had to be taken in for stitches because I got involved in activity that was going to get somebody hurt—and I was often the one—all those times I went in for stitches, my parents always knew what it was going to cost when the doctor put stitches in my head or above and below my eye. All the different places I have got them, they knew.

Of course, on one occasion—he can't get in trouble now because he is gone—a dear friend of the family that was a family physician at the time let my mother, since she was such a good seamstress, put in maybe three of my five stitches. Mother said: That is just basic sewing; I can do that. He said: You sure could. I have seen you sew. That is all it is.

I don't encourage that kind of thing, but mother did a nice job, and he closed it up. She knew she was still going to pay the fee. Even though she put a couple of stitches in, she knew she was going to pay the fee. Anyway, he was short-handed on nurses that day, and mother was the nurse because it was a weekend and he came in special.

Anyway, you don't see people anymore, like they did when I was young, who say: I am going to a different doctor because the other doctor raised his prices and that one is just as good. You don't see that.

Nobody knows actually what the doctors are getting paid. I have asked for answers from wonderful healthcare

providers that are really trying to take care of people: How much is this? How much is that?

Well, LOUIE, I can't really tell you. It depends.

Is it Medicare, Medicaid, cash, Blue Cross, Anthem, an HMO? You have got to tell me. And what is the diagnosis?

Sometimes it is a different charge, depending on what the disease is.

Why is that?

Because the government has put different payment schemes on these things.

We have got to get rid of a system where nobody knows what anything costs. You can't have competition and spur healthcare and healthcare providers on to the very best they can possibly do to innovate new ways and better ways to treat people and to provide healthcare if we don't have actual competition and people knowing what they are paying for. That is one of the things we have got to get back to.

I know there are some physicians who have said: Well, my contract with the insurance company doesn't have that provision.

I have heard some do, but some have told me: Yes, my contract as a doctor with that insurance company said I specifically cannot let somebody who is paying cash pay as low an amount as I am taking as full payment from this insurance company.

Well, that shouldn't be the case. But as long as an insurance company can monopolize, violate antitrust laws, then they will be able to do that kind of thing to keep people from being able to pay cash as readily as they could if they were one of the major insurance companies.

□ 1315

We ought to get out of that.

How do you get out of that?

Well, the first thing is you never ever will as long as ObamaCare continues to be the law of the land.

So I am so proud we have a President that continues to push the idea of getting rid of ObamaCare so that we can have a better system providing healthcare. And I do use the word "healthcare" and not "health insurance."

And it bothers the heck out of me that the CBO makes this grandiose claim of how many people will lose their insurance, because they are too ignorant, under the models they create, to distinguish the difference between somebody who chooses not to buy a policy that costs them a fortune, has a huge deductible, and is going to not help them when they need it, and someone who says: Gee, I want to keep this insurance, but I can't afford it.

The CBO has made themselves—put themselves in such a blind position, they can't tell the difference. The CBO says, "Well, if somebody says, I am not paying for this insurance policy. The

deductible is too high. The premiums are too high. I am going to put my money in a savings account, and I will have, in 3 years, \$40,000 to cover healthcare problems, if I have some in the future, and that will keep growing," well, they will say that poor person that now has a huge growing health savings account is like a poor homeless individual, and the government yanked away their insurance.

No. They just chose to quit rewarding a health insurance company for not providing them insurance that they need. There is a difference between losing insurance and just refusing to buy insurance that is worthless.

I am hoping that we are moving closer to the day when we can get rid of this Democrat Congress contrived group called the Congressional Budget Office, CBO. I have been convinced for a number of years that we will never be able to get this country on sound footing with a driving economy, all boats being lifted, getting the country out of debt as long as the CBO is the official scorer for the bills in this building.

It seems clear to me. Yes, I understand. They have come to my office a couple of times. I understand. I get it. You create models, and then you feed this information in that you think is important to the models you created that hardly ever rely on actual historical performance. And then you just dutifully report what the model says the cost is and what is going to happen as a result.

Try living with history and using absolute historical evidence of what happens instead of creating some goofy model that, as best it appears now, when they—well, first, I think \$1.2 trillion, they estimated ObamaCare. And then after President Obama woodshedded Elmendorf, the director—and I know he doesn't like that term—but whatever you want to call it, he called him over to the Oval Office, met with him; Elmendorf comes out, redoes his numbers—Oh, it was under a trillion dollars. \$800 billion, just like President Obama said. How about that?

And then as soon as it passes, shortly thereafter, well, you know, it is actually probably more like 1.7, 1.9. And now more modern estimates say it is not \$800 billion; it is now 1.2. It is at least \$2 trillion, maybe \$4 trillion, maybe \$4½ trillion. It is just through the roof.

So I don't think it is unrealistic to say that the CBO's margin of error on ObamaCare wasn't plus or minus 2 or 3 percent. It was plus or minus 200 to 400 or so percent. No entity that cannot have a better margin of error than 200 percent has any business scoring anything considered official in this building.

And I know Dr. Arthur Laffer got a private grant to figure out a way to have competitive scoring of bills in the House and Senate so that these scorers



could have a score on their accuracy, their success rate for accurate scoring of bills.

So as you go along, this Republican idea of competition being a good thing—you have competitive scoring instead of one official group that will never allow this country to get on a proper footing because it was set up in 1974 as Nixon was going out. And the Democrats were having a heyday, and they got a little giddy and left 2 million people in southeast Asia to die instead of having an orderly transition, and, at home, were wreaking havoc with the way we pass laws in this building.

I will continue to urge the President of the United States, as we take up a tax reform bill, not to give in to the pressure from people in Congress toward the top to go more to a 20 or 21 percent corporate tax because the corporate tax really is about the most insidious—one of the most insidious taxes because it is based on a lie.

We tell the American people, “Oh, you don’t have to worry. We are going to sock it to these evil corporations and make them pay all this big tax,” when the fact is that corporations don’t exist, don’t continue to exist if they don’t have the customers pay that corporate tax. That charge is ultimately paid by Americans across the country. It is another way of sticking it to the little guy when you have a high corporate tax.

And I am fully aware there are people in this country that think it is a great thing that they think we are evolving from a manufacturing country to more of a service economy where we just provide services and don’t get engaged in this lowlife manufacturing.

Well, guess what, that lowlife manufacturing is how a country survives for centuries. Any nation that is considered to have power in the world loses that power after the next war if they cannot produce the things that they need to defend themselves from hateful, evil leaders in the world.

Some people didn’t seem to mind when we were losing the tire manufacturing, steel manufacturing, steel product manufacturing, losing all that to China. They didn’t seem to care. Oh, Louie, don’t worry about it. We are a service economy.

Well, as a historian, I am telling you, if we don’t get back to manufacturing the things that we have to have to defend ourselves successfully against evil tyrants—whether in Iran, North Korea, totalitarian in Russia, wherever, if we don’t manufacture what we need to defend ourselves and our freedoms, we won’t have them past the next war. And be sure of this. Don’t believe me. You know, Jesus said there will always be wars and rumors of wars. They are going to exist.

But Reagan was right. You know, the best way to avoid a war is to have so

much strength that people will not attack you. They don’t want to challenge you because they know you can take them out.

Unfortunately, we have had the ability to take out evil empires and evil tyrant leaders for a long time. But just as occurred when I was in the United States Army, Active Duty for 4 years, was at Fort Benning, and our embassy was attacked in Tehran, hostages were taken. We had a President—well, he had hailed the Ayatollah Khomeini as a man of peace when he took power, so it was kind of tough on him to turn around and attack him.

But the Iranians said the students did it. But it became very clear very soon, they stopped saying the students had the hostages, and started saying, “We have the hostages.” It was a government-orchestrated attack. They could have and should have protected our embassy, and Carter should have made it clear: You either get our people out unharmed or we are bringing the full power of the United States military to Iran. And it wouldn’t be a bluff. I think they would have let them go.

That is why they spent at least 3 days talking about the students having them. That was a way out. If Carter had said, “We are coming if you don’t get those folks out,” I think that they would have let them go. But you can’t bluff in a situation like that. But we should have made it clear that we are not tolerating attacks on United States land—and that is what an embassy is.

And because we didn’t defend ourselves there, the stories started: Well, they ran from Vietnam. You know, didn’t do anything, the paper tiger.

One after another we got hit and didn’t properly respond. And I understand President Reagan acknowledged that he let the Congress intimidate him into pulling our forces out of Beirut after 300 marines or so precious lives were lost to a terrorist attack.

So the story built and continued: The United States is a paper tiger. They won’t defend themselves.

And it became attractive to be attacked.

So we need a 15 percent corporate tax. Meeting with different CEOs in years past over in China: Why did you leave America?

I thought they would say: Because of all the regulations. Yeah, those were problems. And sometimes unions are too—demand too much, and we can’t stay in business, so we move.

But no. The number one answer over and over is: You know, we got a deal cut, and now we are at an effective rate between 15, 20 percent corporate tax. And in America, you know, they say, cumulatively, corporations are probably paying around 40 percent for corporate tax.

It is time to undercut the tax that China pays. Bring back our steel indus-

try. Let’s get back to having Detroit—after so many of the great Midwestern States had cities that were model cities, and people were working, and there weren’t the big slums because things were going great, that day can come back. But it will not come back to the extent it could with a 20 or 21 percent corporate tax.

But, oh, my goodness, if we cut our corporate tax to 15 percent, this United States economy will explode. This less than 2 percent that we had growth under President Obama, lowest for any 8 years in our history, that would end overnight.

Mr. Speaker, if I might ask how much time I have left?

The SPEAKER pro tempore. The gentleman from Texas has 23 minutes remaining.

Mr. GOHMERT. Mr. Speaker, I want to direct attention to this ongoing narrative about collusion with Russia. We still desperately need an independent counsel to investigate the Mueller-Comey-Lynch-Clinton relationships.

It appears Mueller is on a tear and he is going to do everything he can to divert attention from his collusion with James Comey. They were buddies. They colluded about so much.

Comey is trying to get an independent counsel appointed. He was able—by leaking illegally, pulling these shenanigans, he consulted with Mueller even on his testimony. And Mueller is the guy who is supposed to judge the testimony. And under current Federal regulations, Mueller should have recused himself.

We got to have somebody investigate Mueller. It is getting out of hand.

□ 1330

In the meantime, the new developments seem to make clear to some of us that Donald Trump, Jr., seems like a nice guy, but he appears to have been the target of a Democratic action to try to take down the Trump campaign.

They point to this meeting between Donald Trump and Natalia Veselnitskaya, a Moscow attorney. Some of this is in an article written by Scott McKay, July 14, *The American Spectator*. She was trying to meet with Donald Trump, Jr., and when they actually had the meeting, she didn’t have anything to give him. She brought up about the bill that was passed that helped some extremely wealthy Russians who were buddies with Putin, but, as this article points out, the evidence of collusion between Trump, Jr., and the Russians seems to be based on a timeline which included the WikiLeaks disclosures of hacked Democratic National Committee emails and Trump’s request that the Russians make public the 30,000 emails of Clinton supposedly that she deleted from her illegal private server. But it is a smoking gun that Trump was the beneficiary of this Putin regime intelligence arm hacking the 2016 elections,

so our friends across the aisle seem to say, but that doesn't make sense. He got nothing out of the meeting.

At some point, everybody in this room had to run for election, and if they had an opponent, if somebody said, "Hey, you need to know this about your opponent," you know, at some time or another, everybody in this room has listened to something, and many times it is just garbage, and you say, "I don't want anything to do with that."

And essentially that is what Donald Trump, Jr., did after he got lured into a meeting.

But when you think, wait a minute, what was this Moscow attorney even doing in this country? This article points out that her presence in the United States alone ought to be the source of suspicion, that not only is the Trump-Russian collusion narrative suspect, but the real inquiry ought to be whether the encounter was a small part of a larger attempt to trap the Trump campaign.

The Russian lawyer wasn't even supposed to be in the United States. She had been denied a visa for entry into the United States in late 2015, but given a rather extraordinary parole by the Obama administration to assist preparation for a client subject to an asset forfeiture by the Justice Department.

She could not be in the United States unless someone who answered directly to the President of the United States said: We are going to let her in. She is working on something special, so we are going to let her in. Even though we knew previously she is not somebody we should let in, she is doing something special right now. We want her in.

And the story is that Loretta Lynch had to approve her coming in.

So the client, Prevezon Holdings, that this Russian attorney was allowed to come in to help, was suspected of having paid some portion of \$230 million stolen by Russian mobsters. When Sergei Magnitsky, a Russian lawyer representing a company that had been the victim of the theft, reported it to authorities in Moscow, he was promptly jailed and beaten to death by the Russians.

The American response to this atrocity was the 2012 Magnitsky Act, which sanctioned several individuals connected to human rights abuses. The Russian Government retaliated by preventing American adoptions of Russian children. Who did that hurt? The Russian children, but Putin didn't care. Why would he care? He is making billions, he has got people like this Russian lawyer who Loretta Lynch let in.

So then we find out in June the Russian lawyer was permitted to fly back to the U.S. to have the meeting with Trump, Jr., at Trump Tower, no less, and then ends up in the front row for a

congressional hearing. She was sitting right there behind the Obama Ambassador.

In my experience, all the hearings I have seen, when you have somebody from the administration of the caliber of an ambassador, they are very careful to make sure people behind him are those who can hand a note to help him answer a question. That is what is normal. Yet there she is, right behind Obama's Ambassador to Russia.

Then she turns up at a D.C. showing of a documentary film on the negative effects of the Magnitsky Act and later appeared at a dinner involving another couple of representatives, and she is now a lobbyist for the Russians overtly. Maybe she was then. The repeal of that legislation is a priority item for the Russians and a personal objective for Veselnitskaya, the Russian attorney.

So rather than any Clinton dirt, as was reportedly the primary subject brought forth at the meeting with Donald Trump, it appears she was here with the approval of Loretta Lynch, with the approval of the Obama Department of Homeland Security.

They knew what she was about, just like they knew what the member of a terrorist organization was about when they approved him coming to the White House and Janet Napolitano lied at our hearing, said that that wasn't happening.

So she did all of this without a visa. She did not file a Foreign Agents Registration document, which is required, and the Obama administration gave her a pass on those things: Sure, let her in. She is doing important work. We are not giving her a visa; we are just letting her in. We are not going to pick her up, because she is doing important work.

Really? She is setting Donald Trump, Jr., up, and the Obama administration considered that important enough to let this person who they previously realized should not be allowed in the country to come in to do that kind of important work, set up Donald Trump?

Well, anyway, turns out Veselnitskaya was connected to Fusion GPS. That is the Democrat opposition research firm, which employed a former British spy who used Russian contacts to produce the infamous and now debunked "urinary dossier" smearing Trump. Veselnitskaya hired Fusion GPS head, Glenn Simpson, to work on behalf of Prevezon, the company she was allowed into the country to represent. Fusion then hired Christopher Steele, the British spy who drew on Russian sources to produce his dossier, and then they made him available for private briefings on the dossier with left-leaning media sources such as Mother Jones, The New York Times, The Washington Post, Yahoo, The New Yorker, CNN.

And, by the way, there is Veselnitskaya's social media account,

which is decidedly more aligned with the Fusion GPS side of the equation than with Trump. She was no friend of the Trumps. Every indication was she wanted the Trumps taken down.

Trump, Jr., met with her. It appears to be a setup.

I was guest hosting Patriot Tonight the other night. Some people say: Why do you do this media?

One of my jobs is to not only be aware of what is going on here, try to vote properly, argue the right way on different bills, but it is also to make sure that people in America know what is going on. And a guy called in, very interesting, but he seemed to have a pretty good grip on all of this. It is just amazing how many American citizens across the country—they are not confused by the smokescreen that we get from the mainstream media.

So if timelines are interesting to you, there is this: reportedly the Obama administration sought permission to electronically monitor Trump Tower in early June, and the FISA court refused to grant it, but in October, they allowed it. Isn't that something?

Once they set up Donald Trump, Jr., with this friend of the Obama administration, this Russian attorney who was using the Democrats' own opposition research firm, she was helping them, they then convinced a judge: Go ahead and let us monitor everything going on in Trump Tower. When the judge initially refused to do that.

The article said: "So if you'd like to don your tinfoil hat and play the collusion game, try this on for size—when the Obama administration couldn't get permission from the FISA court to surveil Trump, they allowed Veselnitskaya back in the country to take part in those Washington activities—meeting up with Donald Trump. "... and in the meantime"—she used—"the administration's pals at Fusion"—GPS—"with attempting to hook Trump, Jr."—into a basis for them getting a warrant.

There was nothing to that meeting, yet they used it, got a warrant to further monitor everything going on in the Trump Tower in October.

It just keeps pointing back to the fact we have got to get an independent counsel to investigate Mueller and his ties to Comey and Lynch and the Clintons, and get to the bottom of this mess. Yes, I want an investigation, because this is looking pretty lurid right now.

Just in the time left, I do need to mention, this continuing push by friends across the aisle and the Obama holdovers in our executive branch, they think net neutrality is something we have got to have. Maureen Collins in The Federalist has a great article on July 19, and she points out regarding net neutrality:

"The debate over net neutrality can easily turn into techie-jargon that no

one understands. Here is the basic gist: the internet is made up of bits. Proponents of net neutrality want to make sure these bits are all treated equally, meaning all web content appears on your computer at the same speed and with the same quality.

"That sounds like a good thing, right? Supporters say that net neutrality would make all content equal by ensuring that internet providers cannot buy faster or higher quality content. The free market, they say, is inherently unfair and only a third party—the government—can determine how content should be treated. But that sounds exactly like textbook New-Deal progressivism.

"You see, this is not a question of whether or not internet content should be equally available. Rather, it is the much older question of who should determine that content is equally available: consumers, or the government?"

"Even the background of net neutrality is straight out of the New Deal playbook. Like many administrative programs, the fight for net neutrality began when similar provisions failed in Congress. After legislative failures, what is a good progressive to do?"

"Progressive," that term bothers me, kind of like "single payer." Single payer means socialized medicine, government-run and rationed healthcare. What does progressive mean? Well, it actually is a throwback. It is socialism. Some socialists are even hardcore communists, not all are, but they want an Orwellian government where they watch and know everything going on, and they know better than Americans do. Let the government decide your future.

□ 1345

"The Bush FCC adopted principles for 'preserving internet freedom' in 2005, but did not go through a formal rulemaking process. In 2008, the FCC went after Comcast for going against these principles, only to get struck down by the D.C. Circuit, where bad administrative law goes to die.

"The entire process repeated itself under the Obama administration. In 2010, the FCC adopted an 'Open Internet Order.' Verizon Wireless sued the commission and, again, the commission lost at the D.C. Circuit.

"By now, it may seem that there must be something legally wrong with the FCC's net neutrality regulations."

And that is exactly right.

"Under the U.S. Constitution, only Congress can give a specific power to an executive agency, like the FCC—usually through statute. Here's the kicker: the FCC claimed Congress gave them the power to regulate the internet through the Communications Act of 1934. The observant reader will notice this law was passed a long time before the internet even existed, though the act did give the FCC power to regu-

late 'common carriers' like radio, wire communication, and telephone companies."

But not the internet.

"Not only does net neutrality follow the New Deal's progressive formula, it literally derives its power from a New Deal-era law. Right before the 2016 Presidential election, the Obama FCC created a third set of net neutrality rules."

The bottom line is, if there is net neutrality, the government will decide what you get to see and hear on your internet. When I had family living in China, I knew what it was to be censored and have the government deciding. You can't learn anything negative about the government.

We cannot allow this pleasant sounding net neutrality to become a reality because, though it goes along perfectly with ObamaCare, with the government controlling our healthcare, why shouldn't they control what we get to see and hear on the internet?

And the bottom line is, this is the United States of America and it was created to control government, not to let the government control our free choices.

Mr. Speaker, I yield back the balance of my time.

#### ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 48 minutes p.m.), under its previous order, the House adjourned until Monday, July 24, 2017, at noon for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2021. A letter from the Acting Assistant Secretary, Acquisition, Technology, and Logistics, Department of the Army, transmitting a report on the use of the authority for Army industrial facilities to engage in cooperative activities with non-Army entities for fiscal year 2016, pursuant to 10 U.S.C. 4544 note; Public Law 110-181, Sec. 328(b) (as amended by Public Law 112-81, Sec. 323(b)) (125 Stat. 1362); to the Committee on Armed Services.

2022. A letter from the Assistant General Counsel for Division of Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting the Department's Major final rule — Elementary and Secondary Education Act of 1965, As Amended By the Every Student Succeeds Act — Accountability and State Plans [Docket ID: ED-2016-OESE-0032] (RIN: 1810-AB27) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

2023. A letter from the Secretary, Department of the Interior, transmitting Progress Report No. 25 on the continuing studies of

the quality of water in the Colorado River Basin, pursuant to 43 U.S.C. 620n; Apr. 11, 1956, ch. 203, Sec. 15; (70 Stat. 111); to the Committee on Natural Resources.

2024. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-0461; Directorate Identifier 2014-NM-159-AD; Amendment 39-18937; AD 2017-13-07] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2025. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2017-0126; Directorate Identifier 2016-NM-211-AD; Amendment 39-18943; AD 2017-13-13] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2026. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-9574; Directorate Identifier 2016-NM-063-AD; Amendment 39-18921; AD 2017-12-06] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2027. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-3148; Directorate Identifier 2014-NM-254-AD; Amendment 39-18928; AD 2017-12-13] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2028. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-9188; Directorate Identifier 2016-NM-102-AD; Amendment 39-18920; AD 2017-12-05] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2029. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-9566; Directorate Identifier 2016-NM-191-AD; Amendment 39-18927; AD 2017-12-12] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2030. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Finleyville, PA [Docket No.: FAA-2016-9496; Airspace Docket No.: 16-AEA-16] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2031. A letter from the Management and Program Analyst, FAA, Department of

Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters Deutschland GmbH Helicopters [Docket No.: FAA-2017-0061; Directorate Identifier 2016-SW-005-AD; Amendment 39-18934; AD 2017-13-04] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2032. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Temporary Restricted Areas R-2509E, R-2509W, and R-2509N; Twentynine Palms, CA [Docket No.: FAA-2016-9536; Airspace Docket No.: 16-AWP-27] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2033. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters [Docket No.: FAA-2017-0078; Directorate Identifier 2015-SW-026-AD; Amendment 39-18933; AD 2017-13-03] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2034. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-9384; Directorate Identifier 2016-NM-154-AD; Amendment 39-18944; AD 2017-13-14] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2035. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2017-0558; Directorate Identifier 2015-NM-133-AD; Amendment 39-18930; AD 2017-12-15] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2036. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Arcata, CA; Fortuna, CA; and Establishment of Class E Airspace; Arcata, CA, and Eureka, CA [Docket No.: FAA-2015-6751; Airspace Docket No.: 15-AWP-18] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2037. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Hilo, HI [Docket No.: FAA-2017-0222; Airspace Docket No.: 17-AWP-8] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2038. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace; Tucson, AZ [Docket No.:

FAA-2017-0218; Airspace Docket No.: 17-AWP-4] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2039. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31134; Amdt. No.: 3747] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2040. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of VOR Federal Airways V-55, V-63, V-177, V-228, and V-246 in the Vicinity of Stevens Point, WI [Docket No.: FAA-2016-9374; Airspace Docket No.: 16-AGL-23] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2041. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Multiple Restricted Areas; Townsend, GA [Docket No.: FAA-2017-0585; Airspace Docket No.: 17-ASO-13] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2042. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31135; Amdt. No.: 3748] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2043. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31136; Amdt. No.: 3749] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2044. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Piper Aircraft, Inc. Airplanes [Docket No.: FAA-2016-9254; Directorate Identifier 2015-CE-030-AD; Amendment 39-18948; AD 2017-14-04] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2045. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters [Docket No.: FAA-2017-0060; Directorate Identifier 2016-SW-090-AD; Amendment 39-18949; AD 2017-14-05] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2046. A letter from the Management and Program Analyst, FAA, Department of

Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters [Docket No.: FAA-2016-6693; Directorate Identifier 2015-SW-033-AD; Amendment 39-18886; AD 2017-10-12] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2047. A letter from the Interim Deputy Secretary of Veterans Affairs, Acting Under Secretary of Defense for Personnel Readiness, Department of Veterans Affairs and Department of Defense, transmitting the Annual Joint Report for Fiscal Year 2016 regarding the activities and accomplishments of the Department of Veterans Affairs and Department of Defense Joint Executive Committee, pursuant to 38 U.S.C. 8111(f)(1); Public Law 96-22, Sec. 301(a) (as amended by Public Law 97-174, Sec. 3(a)(3)); (96 Stat. 73); jointly to the Committees on Armed Services and Veterans' Affairs.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2370. A bill to authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance (Rept. 115-236). Referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BUDD (for himself, Ms. SINEMA, and Mr. PEARCE):

H.R. 3321. A bill to require the establishment of a national strategy for combating the financing of terrorism and related financial crimes, and for other purposes; to the Committee on Financial Services.

By Mrs. HARTZLER:

H.R. 3322. A bill to amend the Internal Revenue Code of 1986 to require that States give preference in allocating low-income housing credit dollar amounts to projects which are committed to providing non-smoking buildings; to the Committee on Ways and Means.

By Mr. CARTWRIGHT (for himself, Mr.

BRADY of Pennsylvania, Mr. CAPUANO, Mr. CARSON of Indiana, Mr. COHEN, Ms. CLARKE of New York, Mr. CONYERS, Mr. DELANEY, Mr. ELLISON, Ms. ESHOO, Mr. GARAMENDI, Mr. GRIMALVA, Mr. HASTINGS, Ms. JACKSON LEE, Mr. LOWENTHAL, Mr. LYNCH, Mr. MCGOVERN, Ms. MOORE, Mrs. NAPOLITANO, Mr. NOLAN, Ms. NORTON, Mr. O'ROURKE, Mr. PETERS, Mr. POCAN, Mr. RUSH, Mr. SWALWELL of California, Mr. TAKANO, Mr. VARGAS, Mr. VELA, and Mr. YOHIO):

H.R. 3323. A bill to amend section 9A of the Richard B. Russell National School Lunch Act to require that local school wellness policies include a requirement that students receive 50 hours of school nutrition education per school year; to the Committee on Education and the Workforce.

By Mr. ISSA (for himself, Mr. LARSEN of Washington, and Mr. BRADY of Texas):

H.R. 3324. A bill to include New Zealand in the list of foreign states whose nationals are eligible for admission into the United States as E-1 and E-2 nonimmigrants if United States nationals are treated similarly by the Government of New Zealand; to the Committee on the Judiciary.

By Mr. BARTON (for himself, Ms. CASTOR of Florida, Mr. GENE GREEN of Texas, Ms. ESHOO, Mr. REICHERT, and Ms. HERRERA BEUTLER):

H.R. 3325. A bill to amend title XIX of the Social Security Act to provide States with the option of providing coordinated care for children with complex medical conditions through a health home, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BARR:

H.R. 3326. A bill to increase accountability, combat corruption, and strengthen management effectiveness at the World Bank; to the Committee on Financial Services.

By Mr. THOMPSON of California (for himself, Mr. YOUNG of Alaska, Mr. JONES, and Mr. MARSHALL):

H.R. 3327. A bill to require the Secretary of Defense to declassify certain documents related to incidents in which members of the Armed Forces were exposed to toxic substances; to the Committee on Armed Services.

By Mr. KATKO (for himself, Mr. MCCAUL, and Mr. SIRE):

H.R. 3328. A bill to require a study regarding security measures and equipment at Cuba's airports, require the standardization of Federal Air Marshal Service agreements, require efforts to raise international aviation security standards, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Foreign Affairs, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROYCE of California (for himself and Mr. ENGEL):

H.R. 3329. A bill to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTER of Georgia (for himself, Mr. ALLEN, Mr. CHABOT, Mr. COLE, Mr. ROUZER, Mr. AUSTIN SCOTT of Georgia, Mr. JODY B. HICE of Georgia, Mr. BABIN, and Mr. BLUM):

H.R. 3330. A bill to amend title III of the Social Security Act to permit States to conduct substance abuse risk assessments and targeted drug testing as a condition for the receipt of unemployment benefits, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JENKINS of Kansas (for herself and Ms. MATSUI):

H.R. 3331. A bill to amend title XI of the Social Security Act to promote testing of in-

centive payments for behavioral health providers for adoption and use of certified electronic health record technology; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JENKINS of Kansas (for herself, Mr. YODER, Mr. ESTES of Kansas, and Mr. MARSHALL):

H.R. 3332. A bill to award the Congressional Gold Medal to Bob Dole, in recognition for his service to the nation as a soldier, legislator, and statesman; to the Committee on Financial Services.

By Mr. GOSAR (for himself, Mr. AMODEI, Mr. FRANKS of Arizona, Mr. SCHWEIKERT, Mr. SESSIONS, and Mr. YOUNG of Alaska):

H.R. 3333. A bill to provide for the orderly disposal of certain Federal lands, to benefit education and other purposes through the sales of such lands, to consolidate Federal lands to improve management, to provide for the acquisition of lands for recreational and other opportunities, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BEATTY (for herself, Mr. CLEAVER, Mr. COHEN, Mr. CONYERS, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. JEFFRIES, Ms. KAPTUR, Ms. KELLY of Illinois, Ms. LEE, Ms. NORTON, Mr. RUSH, Mr. STIVERS, Mr. VEASEY, and Mr. YARMUTH):

H.R. 3334. A bill to posthumously award a Congressional gold medal to Maya Angelou in recognition of her achievements and contributions to American culture and the civil rights movement; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS (for himself and Mr. CUELLAR):

H.R. 3335. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to enter into contracts with qualified nonprofit organizations to provide service dogs to eligible veterans with a mental health mobility disorder related to post-traumatic stress or traumatic brain injury, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CONYERS (for himself, Ms. WILSON of Florida, Ms. NORTON, Mr. CUMMINGS, Ms. JACKSON LEE, and Mr. EVANS):

H.R. 3336. A bill to provide for youth jobs, and for other purposes; to the Committee on Education and the Workforce.

By Ms. DELAURO (for herself, Ms. SPEIER, Ms. SLAUGHTER, Ms. PINGREE, Mr. JONES, Ms. CLARK of Massachusetts, Mr. RUSH, and Ms. CLARKE of New York):

H.R. 3337. A bill to ban meat and poultry products processed in China from school lunches, and for other purposes; to the Committee on Education and the Workforce.

By Ms. DELAURO (for herself, Ms. WASSERMAN SCHULTZ, Ms. CLARKE of New York, Mr. COHEN, Mr. KHANNA, Mr. LARSEN of Washington, Mr. RUPERSBERGER, Mrs. DINGELL, Mr. CON-

NOLLY, Mrs. CAROLYN B. MALONEY of New York, Ms. BORDALLO, Ms. KAPTUR, Mr. POCAN, Mr. TAKANO, Mr. YARMUTH, Mr. PAYNE, Mr. SERRANO, Mr. SCHIFF, Ms. TSONGAS, Mrs. NAPOLITANO, Mr. GRIJALVA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. NADLER, Mr. ENGEL, Mr. RYAN of Ohio, Mr. HASTINGS, Mr. LANGEVIN, Mr. MCGOVERN, Mr. RUSH, Mr. CLYBURN, Mr. CARSON of Indiana, Ms. ROYBAL-ALLARD, Mr. CICILLINE, and Ms. JUDY CHU of California):

H.R. 3338. A bill to require that health plans provide coverage for a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. DINGELL (for herself, Ms. DELAURO, Mr. RYAN of Ohio, Ms. KAPTUR, Mr. RASKIN, Mr. ELLISON, Mr. GRIJALVA, Mr. CONYERS, Ms. SCHAKOWSKY, Mr. POCAN, Mr. SLAUGHTER, Mr. DESAULNIER, Mr. LIPINSKI, Mr. PINGREE, Mr. SHERMAN, Mr. MCGOVERN, and Mr. NOLAN):

H.R. 3339. A bill to amend the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 to require the publication of certain texts for trade agreements negotiated under that Act, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT (for himself, Ms. JUDY CHU of California, Ms. DELBENE, Mr. HIGGINS of New York, Mr. LEVIN, Ms. SEWELL of Alabama, and Mr. THOMPSON of California):

H.R. 3340. A bill to amend the Internal Revenue Code of 1986 to provide taxpayer protection and assistance, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FARENTHOLD:

H.R. 3341. A bill to amend title 18, United States Code, to regulate the use of cell-site simulators, and for other purposes; to the Committee on the Judiciary.

By Mr. GALLAGHER (for himself, Mr. SUOZZI, Mr. ROYCE of California, Mr. ROSKAM, and Mr. ENGEL):

H.R. 3342. A bill to impose sanctions on foreign persons that are responsible for gross violations of internationally recognized human rights by reason of the use by Hizballah of civilians as human shields, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIHUEN:

H.R. 3343. A bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to require States upon request to provide absent uniformed services voters and overseas

voters who receive absentee ballots in an election for Federal office held in the State with absentee ballots for all subsequent elections for Federal office held in the State through the next regularly scheduled general election for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. LANGEVIN (for himself, Ms. BONAMICI, and Ms. STEFANIK):

H.R. 3344. A bill to amend the STEM Education Act of 2015 to require the National Science Foundation to promote the integration of art and design in STEM education, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. LAWSON of Florida (for himself, Ms. VELÁZQUEZ, Mr. HASTINGS, Mr. GONZALEZ of Texas, Mr. EVANS, Mr. PAYNE, Mr. BUTTERFIELD, Ms. BARRAGÁN, Mrs. WATSON COLEMAN, Mr. BISHOP of Georgia, Ms. BROWNLEY of California, Ms. SHEA-PORTER, Ms. HANABUSA, Mr. ESPAILLAT, Mrs. BEATTY, Ms. ADAMS, Ms. LEE, Ms. GABBARD, Mr. PALLONE, Ms. CLARKE of New York, Mr. CORREA, Mr. THOMPSON of California, Mr. SOTO, and Mr. VEASEY):

H.R. 3345. A bill to amend the Internal Revenue Code of 1986 to establish a small business start-up tax credit for veterans creating businesses in underserved communities; to the Committee on Ways and Means.

By Mr. LAWSON of Florida:

H.R. 3346. A bill to provide for the refinancing and recalculation of certain Federal student loans, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. RUSH, Mr. GENE GREEN of Texas, Ms. DEGETTE, Mr. BUTTERFIELD, Mr. MCNERNEY, Mr. WELCH, Ms. CLARKE of New York, Mrs. DINGELL, and Mrs. NAPOLITANO):

H.R. 3347. A bill to establish an additional fund in the Treasury to ensure consumers do not lose access to over-the-air broadcast television as a result of the reorganization of broadcast television spectrum, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PETERS (for himself, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. MARSHALL, and Mr. ROTHFUS):

H.R. 3348. A bill to expand the tropical disease product priority review voucher program to encourage treatments for the Middle East respiratory syndrome; to the Committee on Energy and Commerce.

By Ms. SANCHEZ (for herself, Mr. REED, Mr. RYAN of Ohio, and Mr. MEEHAN):

H.R. 3349. A bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for the installation and maintenance of mechanical insulation property; to the Committee on Ways and Means.

By Mr. SENSENBRENNER (for himself, Mr. CHABOT, Ms. DELBENE, and Mr. FARENTHOLD):

H.R. 3350. A bill to amend title 17, United States Code, to establish a database of non-dramatic musical works and sound recordings to help entities that wish to publicly perform such works and recordings to identify and compensate the owners of rights in

such works and recordings, and for other purposes; to the Committee on the Judiciary.

By Mr. SENSENBRENNER (for himself and Mr. CARTER of Georgia):

H.R. 3351. A bill to amend the Immigration and Nationality Act to provide for the admission of certain health care workers as immigrants, and for other purposes; to the Committee on the Judiciary.

By Mr. TAKANO (for himself, Mr. VARGAS, and Ms. CASTOR of Florida):

H.R. 3352. A bill to amend the Immigration and Nationality Act to provide that an applicant for citizenship who served honorably in the Armed Forces of the United States is not automatically barred from becoming a citizen of the United States for having committed certain crimes, and for other purposes; to the Committee on the Judiciary.

By Mr. ROTHFUS (for himself, Mr. HENSARLING, Mr. KING of New York, Mr. ROYCE of California, Mr. LUCAS, Mr. MCHENRY, Mr. PEARCE, Mr. POSEY, Mr. LUETKEMEYER, Mr. HUIZENGA, Mr. DUFFY, Mr. STIVERS, Mr. HULTGREN, Mr. ROSS, Mr. PITTENGER, Mrs. WAGNER, Mr. BARR, Mr. MESSER, Mr. TIPTON, Mr. WILLIAMS, Mr. POLIQUIN, Mrs. LOVE, Mr. HILL, Mr. EMMER, Mr. ZELDIN, Mr. TROTT, Mr. LOUDERMILK, Mr. MOONEY of West Virginia, Mr. MACARTHUR, Mr. DAVIDSON, Mr. BUDD, Mr. KUSTOFF of Tennessee, Ms. TENNEY, and Mr. HOLLINGSWORTH):

H.J. Res. 111. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements"; to the Committee on Financial Services.

By Mr. PERRY:

H.J. Res. 112. A joint resolution to authorize the use of United States Armed Forces against organizations that support Islamist extremism, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SCHIFF (for himself, Ms. MCCOLLUM, Mr. KEATING, Ms. LEE, Ms. NORTON, Mrs. DAVIS of California, Mrs. NAPOLITANO, Mr. GUTIÉRREZ, Mr. BLUMENAUER, Mr. SLAUGHTER, Mr. GARAMENDI, Mr. WELCH, Mr. GRIJALVA, Mr. COHEN, Mr. LYNCH, and Mr. BERA):

H.J. Res. 113. A joint resolution proposing an amendment to the Constitution of the United States relating to the authority of Congress and the States to regulate contributions and expenditures in political campaigns and to enact public financing systems for such campaigns; to the Committee on the Judiciary.

By Mr. ISSA (for himself, Mr. BRADY of Texas, Mr. RYAN of Ohio, Mr. POSEY, Mr. NUNES, Mrs. MIMI WALTERS of California, Mr. COOK, Mr. KNIGHT, Mr. ROHRBACHER, Mr. ROYCE of California, Mr. MOONEY of West Virginia, Mr. UPTON, Mr. BURGESS, Ms. TENNEY, Mr. LAMBORN, Mr. PERRY, Mr. HUNTER, Mr. VARGAS, Mr. CORREA, Mr. CUELLAR, Mr. KAPTUR, Mr. COLLINS of New York, Ms. STEFANIK, Mr. FLORES, Mr. MCCLINTOCK, Mr. MAST, Mr. POLIQUIN, Mr. DUNN, Mrs. BLACKBURN, Mr. LAMALFA, Mr. BABIN, Mr. HUIZENGA, Mr. PITTENGER, Mr. CHABOT, and Mr. DESJARLAIS):

H. Con. Res. 70. Concurrent resolution recognizing and commending the leadership, pa-

triotism, and contributions of veterans service organizations and volunteers involved for their commitment and sacrifice to ensure veterans are laid to rest with the honor and ceremony they earned through selfless service to the people of the United States in the Armed Forces; to the Committee on Veterans' Affairs.

By Mr. ISSA (for himself, Mr. BRADY of Texas, Mr. RYAN of Ohio, Mr. POSEY, Mr. NUNES, Mrs. MIMI WALTERS of California, Mr. COOK, Mr. KNIGHT, Mr. ROHRBACHER, Mr. ROYCE of California, Mr. MOONEY of West Virginia, Mr. UPTON, Mr. BURGESS, Mr. PERRY, Ms. TENNEY, Mr. LAMBORN, Mr. HUNTER, Mr. VARGAS, Mr. CORREA, Mr. CUELLAR, Mr. KAPTUR, Mr. COLLINS of New York, Ms. STEFANIK, Mr. FLORES, Mr. MAST, Mr. MCCLINTOCK, Mr. POLIQUIN, Mr. DUNN, Mrs. BLACKBURN, Mr. LAMALFA, Mr. BABIN, Mr. HUIZENGA, Mr. PITTENGER, Mr. CHABOT, and Mr. DESJARLAIS):

H. Res. 462. A resolution recognizing the patriotism and contributions of veterans service organizations; to the Committee on Veterans' Affairs.

By Ms. MAXINE WATERS of California (for herself, Ms. LEE, Ms. NORTON, Mrs. NAPOLITANO, Ms. BORDALLO, Ms. JUDY CHU of California, Ms. JACKSON LEE, Ms. WILSON of Florida, Mr. HASTINGS, Mr. PAYNE, Mr. EVANS, Ms. CLARKE of New York, Ms. KELLY of Illinois, Ms. BROWNLEY of California, Ms. ADAMS, and Mr. MCGOVERN):

H. Res. 463. A resolution supporting the goals and ideals of National Clinicians HIV/AIDS Testing and Awareness Day, and for other purposes; to the Committee on Energy and Commerce.

By Ms. SPEIER (for herself, Mr. SCHIFF, and Mr. KHANNA):

H. Res. 464. A resolution designating the week of July 17 through July 21, 2017, as "National Ectodermal Dysplasias Week" and supporting the goals and ideals of National Ectodermal Dysplasias Week to raise awareness and understanding of ectodermal dysplasias; to the Committee on Energy and Commerce.

By Mr. NOLAN:

H. Res. 465. A resolution expressing the sense of the House of Representatives that regular order should be restored in the House and Senate; to the Committee on Rules.

By Mr. REICHERT (for himself and Mrs. LOWEY):

H. Res. 466. A resolution supporting the role of the United States in promoting children's access to quality education in the poorest countries through the Global Partnership for Education; to the Committee on Foreign Affairs.

By Mr. THOMAS J. ROONEY of Florida:

H. Res. 467. A resolution expressing the sense of the House of Representatives that the United Nations Security Council should immediately impose an arms embargo against the Government of South Sudan and all other parties to hostilities in South Sudan; to the Committee on Foreign Affairs.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers



granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BUDD:

H.R. 3321.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, granting authority to regulate interstate commerce and commerce with foreign nations, along with Article I, Section 8, Clause 18, granting authority to make all laws that are necessary and proper for executing the foregoing.

By Mrs. HARTZLER:

H.R. 3322.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1

By Mr. CARTWRIGHT:

H.R. 3323.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 2: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

By Mr. ISSA:

H.R. 3324.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 to establish a uniform Rule of Naturalization

By Mr. BARTON:

H.R. 3325.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution which gives Congress the power to "regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

By Mr. BARR:

H.R. 3326.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. THOMPSON of California:

H.R. 3327.

Congress has the power to enact this legislation pursuant to the following:

United States Constitution, Article I, Section 1.

By Mr. KATKO:

H.R. 3328.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. ROYCE of California:

H.R. 3329.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. CARTER of Georgia:

H.R. 3330.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the Constitution.

By Ms. JENKINS of Kansas:

H.R. 3331.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises,

to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 9:

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.

By Ms. JENKINS of Kansas:

H.R. 3332.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18, to make all laws, which shall be necessary and proper for carrying into execution the foregoing powers.

By Mr. GOSAR:

H.R. 3333.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (the Property Clause). Congress has the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States. By virtue of this enumerated power, Congress has governing authority over the lands, territories, or other property of the United States—and with this authority Congress is vested with the power to all owners in fee, the ability to sell, lease, dispose, exchange, convey, or simply preserve land. The Supreme Court has described this enumerated power as one "without limitation" in *Kleppe v New Mexico*, 426 U.S. 529, 542-543 (1976).

By Mrs. BEATTY:

H.R. 3334.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the U.S. Constitution

By Mr. BILIRAKIS:

H.R. 3335.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States and Article I, Section 8, Clause 7 of the Constitution of the United States.

Article I, section 8 of the United State Constitution, which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and provide for organizing, arming, and disciplining the militia.

By Mr. CONYERS:

H.R. 3336.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Ms. DELAURO:

H.R. 3337.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article I, Section 8, Clause 18 of the United States Constitution.

By Ms. DELAURO:

H.R. 3338.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution and Article I, Section 8, Clause 1 of the United States Constitution.

By Mrs. DINGELL:

H.R. 3339.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section VIII

By Mr. DOGGETT:

H.R. 3340.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. FARENTHOLD:

H.R. 3341.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1 and 3, and the 4th and 14th Amendments to the Constitution

By Mr. GALLAGHER:

H.R. 3342.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. KIHUEN:

H.R. 3343.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section IV of the Constitution

By Mr. LANGEVIN:

H.R. 3344.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. LAWSON of Florida:

H.R. 3345.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LAWSON of Florida:

H.R. 3346.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. PALLONE:

H.R. 3347.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3 of the U.S. Constitution. That provision gives Congress the power "to regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

By Mr. PETERS:

H.R. 3348.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. SANCHEZ:

H.R. 3349.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1,

By Mr. SENSENBRENNER:

H.R. 3350.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 8

By Mr. SENSENBRENNER:

H.R. 3351.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

By Mr. TAKANO:

H.R. 3352.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. ROTHFUS:

H.J. Res. 111.

Congress has the power to enact this legislation pursuant to the following:



Article I, Section 1 of the Constitution of the United States, "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives;" and Article I, Section 8, Clause 3, "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;" and Article I, Section 8, Clause 18, "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof."

By Mr. PERRY:

H.J. Res. 112.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 11

By Mr. SCHIFF:

H.J. Res. 113.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. POSEY.  
H.R. 38: Mr. CALVERT.  
H.R. 112: Mrs. MURPHY of Florida.  
H.R. 113: Mrs. MURPHY of Florida.  
H.R. 175: Mr. CARTER of Georgia.  
H.R. 352: Mr. CARTER of Georgia.  
H.R. 398: Mr. BUCHANAN and Mr. MEEKS.  
H.R. 399: Ms. JUDY CHU of California, Mr. KHANNA, and Ms. SHEA-PORTER.  
H.R. 453: Mr. STIVERS.  
H.R. 490: Mr. LUCAS, Mr. ESTES of Kansas, and Mr. KUSTOFF of Tennessee.  
H.R. 535: Mr. BRENDAN F. BOYLE of Pennsylvania.  
H.R. 619: Mr. RYAN of Ohio.  
H.R. 635: Mr. KIHUEN.  
H.R. 644: Mr. MASSIE.  
H.R. 712: Mr. BISHOP of Georgia.  
H.R. 713: Mr. BISHOP of Georgia.  
H.R. 721: Mr. SIMPSON.  
H.R. 754: Mr. NUNES, Mr. CUELLAR, Mr. ESPAILLAT, and Mr. BRADY of Pennsylvania.  
H.R. 772: Mr. SANFORD and Mr. HARPER.  
H.R. 778: Mr. MITCHELL.  
H.R. 785: Mr. BABIN.  
H.R. 792: Mr. BISHOP of Michigan and Mrs. DINGELL.  
H.R. 795: Mr. BARLETTA, Mr. GROTHMAN, Mr. BARR, Mr. TAYLOR, and Mr. KIHUEN.  
H.R. 817: Mr. HIGGINS of New York.  
H.R. 823: Mr. BEYER, Ms. MAXINE WATERS of California, and Ms. SEWELL of Alabama.  
H.R. 850: Mr. MESSER.  
H.R. 873: Mr. RATCLIFFE, Mr. WENSTRUP, Mr. LIPINSKI, and Mr. TAKANO.  
H.R. 1002: Mr. SARBANES.  
H.R. 1057: Mr. DANNY K. DAVIS of Illinois and Mr. SHIMKUS.  
H.R. 1094: Mr. DELANEY.  
H.R. 1102: Mr. PETERS.  
H.R. 1148: Mr. FITZPATRICK, Mr. BARTON, and Mr. FARENTHOLD.  
H.R. 1156: Mr. DUNN.  
H.R. 1164: Mr. DUNN and Mr. WILLIAMS.  
H.R. 1205: Ms. MENG, Mr. SEAN PATRICK MALONEY of New York, and Mr. POLIS.  
H.R. 1289: Ms. BROWNLEY of California.  
H.R. 1298: Mr. HECK.  
H.R. 1357: Ms. KUSTER of New Hampshire.  
H.R. 1419: Mr. POE of Texas.  
H.R. 1467: Mr. ENGEL.  
H.R. 1481: Mr. BRADY of Pennsylvania.  
H.R. 1539: Mr. BISHOP of Georgia.  
H.R. 1555: Mr. HARPER.  
H.R. 1565: Mr. CRAMER.

H.R. 1626: Mr. RODNEY DAVIS of Illinois.  
H.R. 1697: Mr. JORDAN, Mr. JODY B. HICE of Georgia, and Mr. BILIRAKIS.  
H.R. 1734: Ms. SCHAKOWSKY.  
H.R. 1759: Mr. POLIS and Mr. CARBAJAL.  
H.R. 1795: Ms. BASS.  
H.R. 1821: Mr. JOHNSON of Georgia.  
H.R. 1938: Mr. SANFORD.  
H.R. 2015: Mr. SCHIFF and Ms. SCHAKOWSKY.  
H.R. 2069: Mr. MEEKS and Mr. MACARTHUR.  
H.R. 2083: Mrs. MCMORRIS RODGERS.  
H.R. 2106: Mr. ROYCE of California and Mr. BERA.  
H.R. 2121: Ms. MOORE.  
H.R. 2133: Mr. RENACCI, Mr. LATTA, Mr. KUSTOFF of Tennessee, and Mr. WALBERG.  
H.R. 2151: Mr. SCHNEIDER.  
H.R. 2295: Mr. PRICE of North Carolina.  
H.R. 2319: Mr. CLAY, Mr. THOMPSON of Pennsylvania, and Mr. CLEAVER.  
H.R. 2327: Mr. BABIN, Mr. BLUM, Mr. CALVERT, Mr. BISHOP of Utah, Mr. PITTENGER, Mr. WEBER of Texas, Mr. BOST, Mr. CRAMER, Mr. CUELLAR, and Mr. LOWENTHAL.  
H.R. 2403: Mr. RYAN of Ohio.  
H.R. 2404: Ms. ADAMS, Mr. BROWN of Maryland, Mr. BUTTERFIELD, Ms. CLARKE of New York, Mr. CLEAVER, Mr. CLYBURN, Mr. DANNY K. DAVIS of Illinois, Ms. FUDGE, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MOORE, Mr. PAYNE, Mr. RICHMOND, Ms. SEWELL of Alabama, Mr. THOMPSON of Mississippi, Ms. MAXINE WATERS of California, and Mrs. WATSON COLEMAN.  
H.R. 2408: Mr. COOK, Ms. CASTOR of Florida, Mrs. COMSTOCK, Mr. TED LIEU of California, Miss GONZÁLEZ-COLÓN of Puerto Rico, and Mr. O'ROURKE.  
H.R. 2465: Ms. TSONGAS, Ms. JACKSON LEE, and Mr. MURPHY of Pennsylvania.  
H.R. 2482: Ms. SINEMA and Mr. LEVIN.  
H.R. 2519: Mrs. DAVIS of California, Mr. MCEACHIN, Mr. HUFFMAN, Mr. KILDEE, Mr. AMODEI, Mr. FARENTHOLD, Mr. MARINO, Mr. GIANFORTE, Mr. PAULSEN, Mr. TIBERI, Mr. CUELLAR, Mr. COOPER, and Ms. KAPTUR.  
H.R. 2556: Mr. JOYCE of Ohio.  
H.R. 2583: Mr. LOWENTHAL.  
H.R. 2584: Mr. STIVERS and Ms. LOFGREN.  
H.R. 2652: Mr. COLE.  
H.R. 2656: Ms. SHEA-PORTER.  
H.R. 2687: Mr. MICHAEL F. DOYLE of Pennsylvania and Mr. SEAN PATRICK MALONEY of New York.  
H.R. 2711: Mr. EVANS, Mr. THOMPSON of Pennsylvania, and Mr. PETERSON.  
H.R. 2712: Mr. MEEHAN.  
H.R. 2723: Ms. JENKINS of Kansas and Mr. SMITH of Texas.  
H.R. 2746: Mr. LOWENTHAL.  
H.R. 2770: Mr. RUIZ.  
H.R. 2779: Mr. LAMALFA.  
H.R. 2851: Ms. SINEMA, Mr. CURBELO of Florida, Mr. KELLY of Pennsylvania, Mr. HARRIS, and Mr. SMUCKER.  
H.R. 2871: Mr. BRAT and Mr. DUNN.  
H.R. 2884: Ms. KAPTUR, Ms. TSONGAS, and Ms. HANABUSA.  
H.R. 2916: Mrs. DINGELL.  
H.R. 2929: Mr. MOULTON.  
H.R. 2942: Mr. NEAL.  
H.R. 2968: Mrs. NAPOLITANO and Mr. EVANS.  
H.R. 2972: Mr. THOMPSON of Pennsylvania.  
H.R. 2973: Mr. THOMPSON of Pennsylvania, Mr. FOSTER, and Mr. SMITH of Washington.  
H.R. 3051: Mr. CARSON of Indiana.  
H.R. 3053: Mr. ISSA, Mr. RODNEY DAVIS of Illinois, Mr. FLEISCHMANN, and Mr. NEWHOUSE.  
H.R. 3071: Mr. ROSS.  
H.R. 3079: Ms. CLARK of Massachusetts and Mr. GOODLATTE.  
H.R. 3084: Mrs. WALORSKI.  
H.R. 3091: Ms. SHEA-PORTER and Mr. SERRANO.  
H.R. 3111: Mr. CUMMINGS, Mr. CONYERS, Ms. SCHAKOWSKY, Ms. NORTON, Mr. GRIJALVA, Ms. MOORE, and Mr. LANGEVIN.

H.R. 3129: Mr. PEARCE, Ms. MCCOLLUM, and Mr. NEWHOUSE.  
H.R. 3131: Mr. COLE.  
H.R. 3133: Mr. ROUZER.  
H.R. 3139: Mr. BRAT.  
H.R. 3145: Mr. GARRETT.  
H.R. 3174: Mr. QUIGLEY and Mr. COLE.  
H.R. 3186: Mr. SCOTT of Virginia, Mr. THOMPSON of California, Ms. BROWNLEY of California, Ms. SPEIER, Ms. LEE, Ms. KUSTER of New Hampshire, Mr. POLIS, Mr. ELLISON, Mr. DEFazio, Mr. QUIGLEY, Mr. WELCH, Mr. SARBANES, Mr. LOWENTHAL, Mr. MCGOVERN, Mr. KILDEE, Ms. LOFGREN, and Mr. KEATING.  
H.R. 3192: Ms. KELLY of Illinois.  
H.R. 3199: Ms. LOFGREN and Mr. BUTTERFIELD.  
H.R. 3214: Ms. CASTOR of Florida, Mr. PERLMUTTER, Mr. YARMUTH, and Mr. SERRANO.  
H.R. 3218: Mr. ISSA, Mrs. NAPOLITANO, Mr. KHANNA, Mr. CUELLAR, Ms. NORTON, Ms. BORDALLO, Mr. HIGGINS of New York, Mr. COSTA, Ms. MATSUI, Mr. NADLER, Mr. KILMER, Mr. KRISHNAMOORTHY, Mr. CASTRO of Texas, Ms. CASTOR of Florida, Mr. SCHNEIDER, Mr. HURD, Mrs. DINGELL, Mr. VEASEY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. SLAUGHTER, and Mr. RASKIN.  
H.R. 3222: Mr. CUMMINGS.  
H.R. 3223: Mr. BABIN and Mr. ROUZER.  
H.R. 3236: Mr. ROSKAM.  
H.R. 3258: Mr. SEAN PATRICK MALONEY of New York, Mr. MCGOVERN, Mr. BEN RAY LUJÁN of New Mexico, and Mr. COHEN.  
H.R. 3274: Mr. NEAL, Mr. MCGOVERN, Ms. CLARK of Massachusetts, Mr. CAPUANO, Mr. LYNCH, Ms. TSONGAS, Mr. KEATING, Mr. MOULTON, Mr. LARSON of Connecticut, Mr. CROWLEY, Mr. DEUTCH, Ms. BROWNLEY of California, and Miss GONZÁLEZ-COLÓN of Puerto Rico.  
H.R. 3282: Mr. POSEY, Mr. GROTHMAN, and Mr. WEBER of Texas.  
H.R. 3298: Mr. AMODEI, Mr. TURNER, Mr. SAM JOHNSON of Texas, Mr. ABRAHAM, Mr. GUTHRIE, Mr. MESSER, Mrs. WAGNER, Mr. DENT, and Mr. CHABOT.  
H.J. Res. 1: Mr. NORMAN.  
H.J. Res. 6: Mr. NORMAN.  
H. Res. 129: Mr. GRAVES of Georgia and Mr. ALLEN.  
H. Res. 201: Mr. MAST, Mr. BRADY of Texas, Ms. LOFGREN, Mr. CHABOT, and Mr. ZELDIN.  
H. Res. 274: Mr. RASKIN.  
H. Res. 317: Mrs. WATSON COLEMAN.  
H. Res. 426: Mr. PERLMUTTER.  
H. Res. 445: Mr. LOWENTHAL, Mr. WALZ, Mr. ESPAILLAT, and Mr. ROSKAM.  
H. Res. 446: Mr. COHEN.  
H. Res. 447: Mr. CORREA.  
H. Res. 458: Mr. GAETZ, Mr. GRIFFITH, Mr. RENACCI, Mr. HARRIS, and Mr. LABRADOR.

#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 620: Mr. SUOZZI.

#### PETITIONS, ETC.

Under clause 3 of rule XII,

59. The SPEAKER presented a petition of Lieutenant Governor Byron Mallott, Alaska, relative to House Joint Resolution 14, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

RECOGNIZING THE OUTSTANDING SERVICE OF COLONEL JOHN G. BUCK, DISTRICT COMMANDER FOR THE SEATTLE DISTRICT, U.S. ARMY CORPS OF ENGINEERS

### HON. DEREK KILMER

OF WASHINGTON  
IN THE HOUSE OF REPRESENTATIVES  
*Thursday, July 20, 2017*

Mr. KILMER. Mr. Speaker, I rise today to commemorate the 26 year service record of Colonel John G. Buck, District Commander for the Seattle District of the U.S. Army Corps of Engineers, and I am proud to offer my sincere congratulations on his upcoming retirement.

Col. Buck received his U.S. Army commission in 1991 from the United States Military Academy. He has served in various leadership positions throughout the United States, Europe, and the Middle East.

In 2005, he was awarded the Bronze Order of the de Fleury Medal for his outstanding performance of duty. He then served as commander of the 14th Engineer Battalion at Joint Base Lewis McChord, where he effectively trained a battalion for deployment to Afghanistan. His successful training methods served as a model for other engineering units.

Throughout his career, Col. Buck has demonstrated strong dedication and leadership that has been an asset in every position he has held, exemplifying the values and ideals of the U.S. Army and the Corps of Engineers.

I have had the honor of knowing and working with Col. Buck over the past three years while he served as Commander of the Seattle District where he spearheaded the advancement of a number of key projects for the State of Washington.

During his tenure, the Seattle District successfully completed their first two favorable reports in nearly a decade. Thanks to his direction, the Puget Sound Nearshore Restoration Project and the Skokomish River Ecosystem Restoration Project were approved and congressionally authorized in 2016. Collectively these projects represent roughly half a billion dollars in new authority to complete over 2,000 acres of aquatic ecosystem restoration in our state. This is an enormous accomplishment.

I am also especially grateful for his hard work and dedication to resolving a difficult and complicated permitting issue and providing some much needed regulatory clarity to shellfish growers in our region. Thanks to his efforts, more people will have more economic opportunity.

Mr. Speaker, it is truly an honor to represent a man of this caliber here in our nation's capital. I am humbled to be able to speak in recognition of his impressive career and service record today in the United States' Congress, and I am grateful for the many contributions he has made to our country as well as the State of Washington.

IN RECOGNITION OF 26TH CONGRESSIONAL DISTRICT ATHLETIC TEAMS

### HON. MICHAEL C. BURGESS

OF TEXAS  
IN THE HOUSE OF REPRESENTATIVES  
*Thursday, July 20, 2017*

Mr. BURGESS. Mr. Speaker, I rise today to recognize recent athletic victories within my district. I am proud to announce that the Argyle High School boy's golf team has claimed the title of state champions this spring.

The Argyle High School boy's golf team attained their third straight state title by thirteen strokes. The Eagles three-peat performance in the UIL Class 4A state tournament was led by Coach Brady Bell. Also of note, Luke Griggs took fifth place in individual performance at the state tournament. The team has won its local district tournament for six consecutive years, and continues to excel in this area of athletics. The team effort displayed by Argyle's High School golf team in the state tournament demonstrates the continued success and dedication in District 26.

It is my honor to represent Argyle High School boy's golf team in the U.S. House of Representatives. These dedicated student athletes and their coaches have represented the 26th District well, and our community looks forward to more successful seasons to come.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER ARMY STAFF SERGEANT (SSG) JORGE LUIS PENA-ROMERO, JR.

### HON. TRENT KELLY

OF MISSISSIPPI  
IN THE HOUSE OF REPRESENTATIVES  
*Thursday, July 20, 2017*

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of fallen soldier Army Staff Sergeant (SSG) Jorge Luis Pena-Romero Jr. who gave his life while in service to our nation on July 16, 2005, during Operation Iraqi Freedom. SSG Pena-Romero was killed when an improvised explosive device detonated near his military vehicle in Baghdad. SSG Pena-Romero was assigned to the 1st Squadron, 11th Armored Cavalry Regiment, Fort Irwin, Texas, which was attached to the 155th Armored Brigade Combat Team from Mississippi.

According to the Los Angeles Times, SSG Pena-Romero, a Guadalajara, Mexico native, moved with his family to the United States when he was 2. He loved to draw and build model planes and cars. He also loved anything military-related. He collected newspaper clippings, according to his wife, Melissa.

SSG Pena-Romero joined the Army in 1995 after graduating from Fallbrook High School.

He played football, basketball and baseball. While stationed in Fort Hood, he met his wife on a double date with his roommate. Melissa recalls that date.

"My sister and his roommate didn't last," Melissa said. "We did."

The article also states that SSG Pena-Romero served tours in Korea and Kosovo. He became a U.S. citizen in 2003, the same year that he was assigned to Ft. Irwin.

SSG Pena-Romero was known in the Army for being generous and compassionate. He provided personal equipment if a soldier was missing a canteen or a first aid pouch.

In his personal life, SSG Pena-Romero preferred to spend time with his family. He played soccer with his daughter, Alexis. He played football with his sons, Jorge III and Adrian.

SSG Pena-Romero is survived by his wife, Melissa; parents, Jorge Sr. and Maria Pena; three children, Alexis Jorge III, and Adrian; and four siblings.

SSG Pena-Romero became a citizen of the United States to live the American dream and defend the freedoms we all enjoy. His service will always be remembered.

RECOGNIZING GREG ELLIOT FOR RECEIVING THE JOE WARNER PATIENT ADVOCACY AWARD

### HON. ALEXANDER X. MOONEY

OF WEST VIRGINIA  
IN THE HOUSE OF REPRESENTATIVES  
*Thursday, July 20, 2017*

Mr. MOONEY of West Virginia. Mr. Speaker, I rise today to recognize a truly outstanding constituent in the field of health care, Greg Elliot of Charleston, West Virginia. Mr. Elliot has been selected this year as one of the recipients of the prestigious Joe Warner Patient Advocacy Award.

The National Center for Assisted Living, a branch of the American Healthcare Association (AHCA/NCAL), is the nation's largest association of professional long term health providers. They bestow this annual award on Association members who have worked diligently to educate Members of Congress about the needs of long term care patients, and to advance quality in the long term and post-acute care community.

These members share the same passion and commitment to progressing long term and post-acute care as the late Joe Warner of Illinois-based Heritage Enterprises, for whom the award is named. All the recipients share a compassionate and caring view of our nation's frail, elderly, and disabled.

Greg Elliot's commitment to improving long-term care continues today as the Vice President of American Medical Facilities Management in West Virginia. Mr. Elliot is a second-generation owner of AMFM, which operates 17 long-term care, skilled nursing and rehabilitation centers throughout West Virginia.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Three of these centers are located in my congressional district including the Braxton Health Care and Rehabilitation Center in Sutton, Clay Health Care Center in Ivydale and the E.A. Hawse Nursing and Rehabilitation Center in Baker.

AMFM Nursing and Rehabilitation Centers employ more than 1,700 West Virginians, provides care for more than 1,100 patients, and is the largest privately held-multi-facility nursing home company in West Virginia.

Greg is frequently in Washington visiting my Congressional office advocating on behalf of West Virginia seniors. I always appreciate his ideas and insight into health care issues and I look forward to many more meetings in the future. With Greg Elliot's leadership, AMFM has received countless awards such as the Silver Achievement in Quality Award from the American Healthcare Association. He also received Administrator of the Year Award from West Virginia Health Care Association. The third-party research institute, My Inner View, has ranked AMFM facilities in the top 10 percent in the nation 46 times for customer or employee satisfaction.

Mr. Elliot is currently on the board for the Charleston Area Alliance & Chamber of Commerce, and is an At-Large Representative on the American Healthcare Association Board of Governors.

Greg Elliot has been very involved in charities throughout West Virginia. In fact, to date the AMFM Charitable Foundation has donated more than \$500,000 for charitable organizations throughout West Virginia including food pantries, local volunteer fire departments, libraries and women's shelters.

Mr. Elliot founded The AMFM Grill Team, a group of employee volunteers that band together to provide great BBQ to the AMFM centers and surrounding communities. In 2016 following the devastating flooding in our state, the team went to two flooded communities and prepared hundreds of meals for the affected residents.

Greg Elliot resides in Charleston, WV with his wife Jennifer of 16 years, his 10-year-old daughter Elizabeth and their two dogs. Greg enjoys the outdoors, cooking out, and all things electronic, especially building robots with his daughter.

Mr. Speaker, please join me in thanking Greg Elliot for his years of dedication and care to our nation's frail, elderly and disabled. His career and life accomplishments truly reflect the ideals embodied in the Joe Warner Patient Advocacy Award.

IN RECOGNITION OF 26TH CONGRESSIONAL DISTRICT ATHLETIC TEAMS

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 2017*

Mr. BURGESS. Mr. Speaker, I rise today to recognize recent athletic victories within my district. I am proud to announce that the Colony High School softball team claimed the title of state champions this spring.

Coach Deana Coleman led the Colony Cougars to their first appearance in the UIL Class

5A state championship, and sophomore Karlie Charles was named the game's most valuable player. Furthermore, five team members have joined the 5A 2017 All-Tournament Team. I would like to congratulate the Colony High School softball team on its successful 2017 season, capped off by this well-deserved state championship.

It is my honor to represent the Colony High School softball team in the U.S. House of Representatives. These dedicated student athletes and their coaches have represented the 26th District well, and our community looks forward to more successful seasons to come.

HONORING GARDEN CLUB OF LEXINGTON

**HON. ANDY BARR**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 2017*

Mr. BARR. Mr. Speaker, I rise to honor a very special organization, the Garden Club of Lexington as they celebrate their 100th anniversary.

The Garden Club of Lexington was formed in 1917, and in 1924, they were invited to join the Garden Club of America. For their first large civic project, members planted trees along Richmond Road. This provided an attractive and lasting entrance to the city of Lexington.

One of the major undertakings of the Garden Club of Lexington was the establishment of public gardens at Ashland, the historic home of the renowned Henry Clay. Clay represented Kentucky in the United States Senate and in the House of Representatives, where he served three terms as Speaker. Club members over the years raised funds, designed, and established beautiful garden areas at Ashland, including the Saunder Peony Garden. The award winning gardens are enjoyed by countless citizens and visitors to Central Kentucky.

The Garden Club of Lexington organizes many other civic projects designed to beautify Lexington and to provide the public with wonderful opportunities to enjoy nature. As this outstanding organization celebrates its first 100 years, I applaud them for past accomplishments and wish them a bright future.

It is my honor to recognize the Garden Club of Lexington before the United States House of Representatives.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI NAVY PETTY OFFICER FIRST CLASS (PO1) STACY OREDIA JOHNSON

**HON. TRENT KELLY**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 2017*

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Navy Petty Officer First Class (PO1) Stacy Oredia Johnson who paid the ultimate sacrifice while defending our great nation on July 18, 2011, during Oper-

ation Enduring Freedom. PO1 Johnson was killed in a motorcycle crash in Manama, Bahrain. PO1 Johnson was assigned to Naval Security Force Bahrain.

According to the Associated Press, PO1 Johnson, a 1993 Rolling Fork High School graduate, reported for recruit training in November 1993. He served on the amphibious ships USS *Ogden* and USS *Peleliu* as well as the carrier USS *Nimitz*. His duty stations included being located in Texas and Hawaii, but he spent most of his time in service in San Diego, California. He reported to Naval Security Force Bahrain in September 2010 after spending a year at Region Southwest Security Detachment, San Diego.

While PO1 Johnson was stationed in San Diego, he met and married his wife, Randa. They had three children together, Dallas, Jordy, and Nashira. Randa recalled her husband's service in an online tribute. She said PO1 Johnson served his country for nearly 18 years and he was fortunate to have traveled the world and connected with many people with whom he developed amazing friendships.

PO1 Johnson is survived by his wife, Randa Johnson; children, Dallas Johnson, Jordy Johnson, Nashira Johnson, and stepson, Demonte Fagan. He was preceded in death by his father, Ernest Lee Johnson; and his mother, Lillie Mae Johnson.

PO1 Johnson's service to our nation will not be forgotten.

IN RECOGNITION OF 26TH CONGRESSIONAL DISTRICT ATHLETIC TEAMS

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 2017*

Mr. BURGESS. Mr. Speaker, I rise today to recognize recent athletic victories within my district. I am proud to announce that the Keller High School softball team has claimed the title of state champions this spring.

The Keller High School Indians softball team, coached by Bryan Poehler, this season earned its second consecutive UIL Class 6A state championship. Also of note, Keller's second baseman Camryn Woodall was named most valuable player of the championship game. This is the fourth title earned by the Keller Indians in school history. This team put forth great effort in securing the 6A division state title, persevering through two weather delays in their path to championship victory.

It is my honor to represent the Keller High School softball team in the U.S. House of Representatives. These dedicated student athletes and their coaches have represented the 26th District well, and our community looks forward to more successful seasons to come.

HONORING THE EMPLOYEES OF  
AEROJET ORDNANCE TENNESSEE**HON. DAVID P. ROE**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 2017*

Mr. ROE of Tennessee. Mr. Speaker, today I am honored to recognize Aerojet Ordnance Tennessee (AOT) and their 81 employees in Jonesborough, Tennessee, on the delivery of their seven millionth M67 Hand Grenade body assembly in May 2017.

Awarded its first M67 Hand Grenade body assembly contract from the Joint Munitions Command at Rock Island Arsenal in 2001, when it became the sole supplier of the M67 grenade body for the U.S. and Canadian governments, AOT has been producing the M67 at a high rate. Over the past 16 years, AOT has been producing almost 500,000 grenade body assemblies annually on average to support our warfighters.

On the occasion of this milestone, I am proud to recognize the dedicated, hardworking employees of AOT and their achievements so far. These Tennesseans are working hard to ensure our men and women in uniform have the resources they need to carry out their missions effectively, and they deserve our sincere appreciation.

RECOGNIZING THE FREEPORT  
BOYS TRACK AND FIELD TEAM  
FOR THEIR CLASS 2A STATE  
TITLE**HON. CHERI BUSTOS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 2017*

Mrs. BUSTOS. Mr. Speaker, I rise today to congratulate the Freeport High School Boys Track and Field team for earning the Class 2A Illinois State Championship.

The Freeport Boys Track and Field team scored 37 points and defeated over seventy other teams to win the title. Their dedication and passion for their sport meant that they were determined to win gold. As a former athlete, I understand the amount of hard work and commitment to be awarded such a title. The Freeport Track and Field team is an example of the importance of dedication and a strong work ethic. I am proud there is such young talent in our community, and to see them represent Freeport throughout the state.

Mr. Speaker, I would like to again formally congratulate the Freeport Boys Track and Field team on their title, and I join the rest of the community in wishing them every success in the future.

IN RECOGNITION OF 26TH CON-  
GRESSIONAL DISTRICT ATH-  
LETIC TEAMS**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 2017*

Mr. BURGESS. Mr. Speaker, I rise today to recognize recent athletic victories within my district. I am proud to announce that Krum High School Softball has claimed the title of state champions this spring.

The Krum High School softball team made its first appearance in a state championship this season, led by Coach Bryan Chaney. The Krum High School softball team put forth a great effort throughout its 4A state title run. Junior pitcher and championship game MVP, Krum's Tristan Bridges, led Krum's softball team in a narrow victory. This display of success has set a winning precedent for future teams in the 26th District of Texas.

It is my honor to represent the Krum High School in the U.S. House of Representatives. These dedicated student athletes and their coaches have represented the 26th District well, and our community looks forward to more successful seasons to come.

RUSSIAN HACKING AND THE NEED  
FOR TRANSPARENCY**HON. TERRI A. SEWELL**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 2017*

Ms. SEWELL of Alabama. Mr. Speaker, governmental transparency is a cornerstone of our democracy, and the American people deserve nothing less than the full disclosure of the Trump campaign's Russian contacts. It seems like every week, we find out more information about meetings between Russian contacts and individuals within President Trump's inner circle. Advisors in President Trump's White House have been forced to revise applications for security clearance because of repeated failures to report meetings with officials connected to the Kremlin.

In addition, the Trump Administration's refusal to acknowledge the vast scope of Russian interference in the 2016 election is leaving the United States vulnerable and exposed, opening the doors for future Russian attacks against our electoral system. The CIA, the FBI, the Director of National Intelligence, the NSA, and the other intelligence agencies in the intelligence community all agree that the Russians directed the hacking of the 2016 election. It is time that the Trump Administration unequivocally denounces the Russian government's meddling in our electoral process. The longer they delay standing up to Putin, the longer our country remains susceptible to further cyber-attacks.

The integrity of our elections is at stake. It is time for the Administration to stop pretending that the hacking did not happen, and start working to ensure that it does not happen again. Many Americans had to traverse a long, arduous path in their fight to secure the

right to vote. I represent the 7th Congressional District of Alabama, the home to some of the greatest battlefields of the Civil Rights and Voting Rights Movement: Birmingham, Selma, and Montgomery. My constituents overcame insurmountable adversity in order to secure their right to vote. They shed blood and sacrificed their lives so that future generations would never be turned away from the ballot box or denied their sacred, constitutional right to vote. We are doing them a gross injustice if we do not take action against the Russian government's blatant interference in our election.

The American people deserve to know the truth, and they deserve the assurance that their government is working on their behalf to remove barriers to the ballot box. We cannot afford to sacrifice the integrity of our elections, nor impugn the veracity of our intelligence community and our law enforcement agencies. I urge the Trump Administration to accept the facts in front of them so we can begin to move forward and ensure that no foreign entity ever has the ability to attack our democracy again.

## HONORING PATRICK DOWNTON, JR.

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 2017*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Patrick Downton, Jr. Patrick is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 692, and earning the most prestigious award of Eagle Scout.

Patrick has been very active with his troop, participating in many scout activities. Over the many years Patrick has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Patrick has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Patrick Downton, Jr., for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING THE LIFE OF THE  
FALLEN SOLDIER ARMY SER-  
GEANT (SGT) TRAVIS S. COOPER**HON. TRENT KELLY**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 2017*

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of fallen Mississippi soldier Army Sergeant (SGT) Travis S. Cooper who paid the ultimate sacrifice while defending our nation on July 16, 2005, during Operation Iraqi Freedom. SGT Cooper was killed when an improvised explosive device hit his convoy in Baghdad.

SGT Cooper was assigned to the 2nd Battalion, 114th Field Artillery Regiment, 155th

Brigade Combat Team headquartered in Starkville, Mississippi.

SGT Cooper, a Macon, Mississippi native, was 24 years old at the time of death. He attended Noxubee High School in Macon, Mississippi. According to his brother, Antwan Cooper, he left school a year early and took his General Educational Development (GED) test. In September 2000, he joined the National Guard.

According to the Associated Press, Governor Haley Barbour said, "Our hearts and prayers go out to the Cooper family and friends. Marsha and I honor this brave man's service, and we deeply regret this incident."

SGT Cooper was awarded the Bronze Star Medal, Purple Heart, Mississippi Medal of Valor, Army Commendation Medal, Army Achievement Medal (2 Oak Leaf Clusters), Army Good Conduct Medal, National Defense Service Medal, Global War on Terrorism Expeditionary Medal, Iraq Campaign Medal, and the Combat Action Badge.

SGT Cooper's funeral was held at Miller's Chapel Missionary Baptist Church. He was buried at Oddfellows Cemetery in Macon, Mississippi.

SGT Cooper's service and sacrifice will always be remembered.

#### SAUDI ARABIA

#### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 2017

Mr. POE of Texas. Mr. Speaker, Saudi Arabia is a crucial ally in the fight against terrorism. Many of the same terrorist organizations that threaten the United States also desire to overthrow the Saudi government and break our partnership.

It's a key member of the coalition to fight ISIS, with its pilots flying alongside Americans since day one of the campaign in Syria. Last year, Riyadh adopted strict laws prohibiting fundraising for terrorism, jointly designating support networks for al-Qaeda and the Taliban.

Saudi intelligence has assisted in preventing terrorist plots targeting the U.S. In 2010 Saudi assistance helped foil an attempt by al-Qaeda to conceal bombs on a cargo plane en route to the United States. The Saudis are also battling Iranian-backed rebels in Yemen. These rebels not only threaten the Kingdom but also targeted our own warships and destabilize the Red Sea trade routes.

The current diplomatic standoff between Saudi Arabia and Qatar demonstrates that Riyadh is willing to take a stand against state sponsorship of terrorism in the region. This is all encouraging. However, the Saudis still have much more they need to do at home to counter the sources of extremism in the region.

The battle against terrorism will ultimately have to be fought and won on the battlefield of ideas. Saudi Arabia has simply not done enough to defeat extremist ideology. The Kingdom is playing the role of both arsonist and firefighter when it comes to Islamic extremism.

Nowhere is this more evident than the textbooks Saudi Arabia produces to teach its youth. For far too long Saudi Arabia's education curriculum has inspired the very ideology that is at the root of many terrorist organizations like ISIS and al-Qaeda.

Saudi textbooks are full of anti-Semitism, conspiracy theories, and calls to violence that have incited students both at home and across the world. This poisonous ideology has provided the groundwork for generations of radicalization and extremism.

In fact, ISIS adopted official Saudi textbooks for its schools in 2015 until the terrorist group could publish its own. Moreover, its export of hateful material through Saudi-funded schools abroad has helped spread the toxic ideology to more tolerant and open Muslim communities in countries such as Kosovo and Indonesia.

While the Kingdom has repeatedly pledged to remove extremist content from its curriculum, troubling language remains in many of the most recent editions of Saudi textbooks. In 2006 the Saudis committed to eliminate all passages that promoted hatred towards any religion by 2008.

Yet even today textbooks include content that discourages befriending "infidels," claims the goal of Zionism is world domination, and encourages "fighting" any polytheist or infidel who refuses to submit to the supremacy of Islam. This intolerance is unacceptable and directly contributes to the widespread persecution of religion minorities that plagues the Middle East.

Another passage in a current Saudi textbook for middle school students states that "the mujahideen who are doing good deeds for the sake of Allah . . . should be given transportation, weapons, food and anything else they may need to continue their jihad." Messages such as this undermine the Saudis own counterterrorism efforts.

By indoctrinating children into the belief that people of other faiths are inferior or are a threat to Islam, Saudi Arabia is ensuring future generations of extremists that will join the ranks of terrorist groups. This is not to ignore that some positive steps have been taken. In recent years the Kingdom has introduced passages that denounce terrorism and encourage dialogue with other faiths.

But these steps only send mixed messages to easily influenced young minds so long as the more extreme messages remain. The State Department and previous administrations have also failed to hold their Saudi counterparts to past pledges.

The State Department has even refused to publish reports that shed light on these troubling textbooks for fear of embarrassing our Saudi partners. While we appreciate Riyadh's contribution to our overall counterterrorism efforts in the region, we must hold them accountable for their role in fueling the very extremism we are trying to combat. It is in both our countries' interest.

In the fight against terrorism, we all need to be on the same page.

And that's just the way it is.

HONORING MATTHEW PARR

#### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Matthew Parr. Matthew is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1393, and earning the most prestigious award of Eagle Scout.

Matthew has been very active with his troop, participating in many scout activities. Over the many years Matthew has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Matthew has contributed to his community through his Eagle Scout project. Matthew researched native plants and then constructed a pollinator station outside of St. Therese North Catholic Church in Kansas City, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Matthew Parr for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### TX-22 STUDENTS RECEIVE THE PRESIDENT'S ENVIRONMENTAL YOUTH AWARD

#### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Eric Li, Toby Liu, Charles Wang, Melody Voo, Alexander Miao, Jimmy Liu and Eric Tong, all from TX-22, for receiving the Environmental Protection Agency and the White House Council on Environmental Quality's President's Environmental Youth Award (PEYA).

The seven students, from Pearland, Katy and Houston, were recognized for starting the organization, We Care Act, which refurbishes electronics and other items and sends them to needy children living in poverty or affected by natural disasters. So far, We Care Act has collected and reused more than 40,000 items and sent them to more than 20 countries. PEYA recognizes outstanding environmental projects by K-12 youth. Students are selected based on their initiative, creativity and applied problem-solving skills that are needed to tackle environmental problems and find solutions.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Eric L., Toby, Charles, Melody, Alexander, Jimmy and Eric T. for receiving this honorable award. We Care Act is a fantastic organization that helps those who truly need it. We're proud of their dedication to helping others.

HONORING THE LIFE OF NEW  
YORK STATE TROOPER JOEL  
DAVIS

**HON. ELISE M. STEFANIK**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 2017*

Ms. STEFANIK. Mr. Speaker, I rise today to honor the memory of New York State Trooper Joel Davis, a Watertown native who was recently killed in the line of duty while serving his community. I extend my condolences to his family, especially his wife, Suzanne, and three children. Joel Davis lived his life in a way that was truly indicative of his North Country values. He was deeply dedicated to his family and completely invested in the well-being of his community members.

After graduating from Indian River High School, Trooper Davis attended Jefferson Community College, and eventually went on to graduate from the Black River/St. Lawrence Valley Police Academy in 2003. He worked as a Jefferson County Sheriff's Deputy for 10 years before his service as a New York State Trooper, where he was known as a "go-to guy," responsible for the Philadelphia, New York satellite station outside of Fort Drum. Additionally, Davis was a certified sniper with the Jefferson County Sheriff's Emergency Response Team and was a field training officer for both the Sheriff and State Police. Davis will be fondly remembered as a fair cop who heard both sides of every situation and was always first-on-scene when an issue arose. He was an honest, polite, friendly, and kind man who wanted to help the community he called home.

Joel Davis had an older brother, Josh, who is a member of the Watertown City Police Department. Josh cites his brother as one of the most important role models in his life, and the reason he chose a career in law enforcement. Though Joel was considered the more serious of the two brothers, he also loved a good joke and to laugh—he loved to dance to music and have fun.

Trooper Davis also loved sports and grew up playing every sport imaginable with his family and friends. In his spare time, he volunteered as a coach and commissioner of a youth baseball league, and has had a lasting impact on the lives of the many young athletes he worked with.

This past Saturday, thousands of officers attended the services for Trooper Joel Davis. We will not forget Trooper Davis and the ultimate sacrifice he made. Our hearts mourn with his family, friends, and the entire law enforcement community.

IN RECOGNITION OF ANTHONY  
COLACCHIO

**HON. WILLIAM R. KEATING**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 2017*

Mr. KEATING. Mr. Speaker, I rise today in sincere recognition of Anthony Colacchio and his commendable dedication in starting a

wheelchair curling program at the Cape Cod Curling Club, as well as his dedication to serving wheelchair athletes.

Anthony has always been passionate about volunteering his time, money, and efforts to helping those who are differently-abled. He is a nationally-certified wheelchair trainer, has convinced the Grand National Curling Committee to set aside money to assist wheelchair curlers, accompanied the United States Paralympic Team to the Paralympic Games in Sochi, Russia in 2014, and will be accompanying the team again during the 2018 Games in Pyeong Chang, South Korea. Anthony and his wife, Mary, have also been invaluable in the ongoing expansion to make the Cape Cod Curling Club in Falmouth, Massachusetts handicap accessible.

Anthony's renowned work with the wheelchair curling community has roots much closer to home. After seeing his brother, who was in a wheelchair, sidelined from sport, Anthony saw curling as a golden opportunity to bring together all athletes in a common arena as equals. Anthony's work has come with sacrifice—dedicating so much of his time to the sport, he has missed special occasions with family but they have remained supportive throughout his tireless work.

Anthony's volunteerism does not end at the edge of the ice. He is involved in Neighborhood Falmouth, a local chapter of a national movement that promotes community residence for older Americans. Anthony regularly takes seniors to their doctors' appointments, providing vital transportation so they can access the health services they need. Additionally, he is on the board of directors for USS *Donner* Reunion, an organization that provides information and holds reunions for former shipmates of the USS *Donner*, a dock landing ship that served in the U.S. Navy from 1945 to 1970.

Anthony and Mary host an annual banquet in July known as the International Bonspiel. This year marks the 48th year of the banquet, and attendees will include veterans of the wheelchair curling community from South Korea, Slovakia, Canada, and the United States. Anthony's selfless commitment to both wheelchair athletes and the sport of curling has touched innumerable lives in the United States and around the world. For these efforts he is being recognized this year at the Bonspiel dinner.

Mr. Speaker, I am proud to honor Anthony Colacchio for his dedication to the sport of curling and creating an equal playing field for people of all abilities. I ask that my colleagues join me in thanking him for his work and wishing him all the best as he continues his important efforts.

HONORING NATHAN PAUL RAWSON

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 2017*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Nathan Paul Rawson. Nathan is a very special young man who has exemplified the finest qualities of citi-

zenship and leadership by taking an active part in the Boy Scouts of America, Troop 692, and earning the most prestigious award of Eagle Scout.

Nathan has been very active with his troop, participating in many scout activities. Over the many years Nathan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Nathan has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Nathan Paul Rawson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATING DR. WILEY J.  
DOBBS

**HON. MICHAEL K. SIMPSON**

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 2017*

Mr. SIMPSON. Mr. Speaker, I rise today to congratulate Dr. Wiley J. Dobbs for 33 years of distinguished service educating Idahoans on the occasion of his retirement from his current position as Superintendent of Twin Falls School District.

Dr. Dobbs' career as an educator is marked by a stalwart commitment to students across Idaho, particularly in Twin Falls. After serving as a high school teacher in Montpelier, Idaho, Dr. Dobbs returned to his hometown of Twin Falls to serve as an educator in both junior high schools and high schools, as well as a stint at the University of Idaho as an education instructor. After years in the classroom, Dr. Dobbs transitioned to the Twin Falls School District as Director of Operations in 2000. By 2003, he had accepted the position that would carry him to retirement: Superintendent of Twin Falls School District.

Throughout his career, Dr. Dobbs has demonstrated a superior dedication to the lives of the students and families he serves. In fact, Dr. Dobbs spent much of his career creating opportunities for students outside the classroom by volunteering as an advisor to the Congressional Award program. With his help, the city of Twin Falls has garnered national recognition for the quality and quantity of students who earn their Congressional Award for an outstanding commitment to setting and achieving their goals.

Mr. Speaker, I sincerely thank Dr. Dobbs for his service and commitment to education in Idaho. On behalf of a grateful state, I wish him well in the next chapter of his life.

HONORING THE ALLIED CLEAN  
FUELS PLAZA

**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 2017*

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor the Allied Clean Fuels

Plaza upon the occasion of their Grand Opening Celebration. This fuel service center is the first business in Northern California to specialize in offering clean fuel options for all types of vehicles.

In addition to the traditional three grades of unleaded and diesel gasoline offered by most service stations throughout the country, the Plaza offers a broad range of fuels and energies which address the ecological issues of the twenty-first century. These fuels include E-85 ethanol, diesel exhaust fluid (DEF), renewable hydrocarbon diesel, Propane Autogas and six fast-fill compressed natural gas (CNG) dispensers. The Plaza also features the option to recharge electric cars with a state of the art Tesla Supercharger Station. The Supercharger is capable of charging, eight Tesla vehicles simultaneously in just 20 minutes.

The Allied Clean Fuels Plaza is addressing the serious issue of climate change by making cleaner sources of energy available to our community. The station is already equipped to offer Liquefied Natural Gas (LNG) and Hydrogen to meet the demands of our community as these fuels become more popular. The Plaza represents the first of the types of businesses we will need to protect the vitality of our environment for future generations.

While the Plaza is looking toward the future, they are firmly rooted in the history and values of our community. They are affiliated with Allied Propane Service, which has been operating in Northern California for 50 years. Their emphasis on clean fuel reflects the desires of members of our community to be responsible consumers. Their full service Circle K convenience store sells sandwiches, soups and regional cheeses from local vendors, and they offer premium wines from Napa and Sonoma, the best wine in the world.

Mr. Speaker, the Allied Clean Fuels Plaza is an innovative, responsible and impressive new service station in my community. Stan Teaderman is the driving force behind the Plaza and is an important member of our community who works hard to benefit the environment and support many charitable causes. Therefore, it is fitting and proper that we honor them here today and wish them the best of success.

#### PERSONAL EXPLANATION

### HON. JIMMY GOMEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 2017

Mr. GOMEZ. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted Nay on Roll Call No. 392

#### HONORING PARKER SWAGGERTY

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Parker Swaggerty. Parker is a very special young man who has

exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1360, and earning the most prestigious award of Eagle Scout.

Parker has been very active with his troop, participating in many scout activities. Over the many years Parker has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Parker has contributed to his community through his Eagle Scout project. Parker built a wheelchair accessible sidewalk for the Chapel of Family Promise in Kansas City, Missouri, which provides transitional housing for homeless families.

Mr. Speaker, I proudly ask you to join me in commending Parker Swaggerty for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### SEVEN LAKES SENIOR SELECTED FOR INTERNATIONAL OLYMPIAD

### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Thomas Xiong of Katy, TX, for being chosen to join Team USA at the International Biology Olympiad.

Thomas, a Seven Lakes High senior, was selected as a gold medalist in the 15th annual USA Biology Olympiad (USABO), qualifying him to represent the U.S. at the International Biology Olympiad this July in the U.K. He was picked out of 20 USABO National Finalists. To be chosen, he had to take practical and theoretical tests that followed 10 days of intensive biology instruction at Marymount University in Arlington, VA. The finalists studied with U.S. experts in the fields of cellular and molecular biology, plant anatomy and physiology, animal anatomy and physiology, genetics and evolution, ecology, ethology, and biosystematics. Thomas will represent the U.S. with Edward Lee of Austin, TX, Alexander Tsao of Fullerton, CA and Catherine Wang of Lexington, MA.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Thomas for being one of four to represent the U.S. at the International Biology Olympiad. We know he will be a great asset to Team USA and will make TX proud. Good luck.

#### RECOGNIZING LT. COLONEL TED BALLARD

### HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 2017

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful to honor a true American hero who has continued to make a difference in the lives of many throughout his life. Lt. Colonel Arthur "Ted" Ballard Jr. was born in Spartanburg, South Carolina in 1932. He is a

graduate of Spartanburg Senior High School, Spartanburg Junior College, and attended Clemson University.

In 1954, Ted joined the U.S. Air Force as an Aviation Cadet and received his silver pilot's wings and commission the following year. In 1955, he married the love of his life, Ruth. Their son, Kevin, was born in 1959.

In June of 1966, Ted was deployed to the Korat Air Force Base in Thailand to begin flying combat missions over Vietnam. On September 26, 1966, during his 68th mission, Ted's F-105 was shot down by ground fire, forcing Ted to eject the aircraft over enemy territory just north of Hanoi. He suffered a broken left leg and was captured and interned by the North Vietnamese. Ted remained as a prisoner of war for six years, spending time in the infamous "Hanoi Hilton."

Upon his release in March of 1973, Ted returned to the United States and underwent medical treatment and recovery until August of that year. He and his wife decided to finish their undergraduate degrees after his return. Ted went on to earn a master's degree and serve on the faculty of the USAF War College before retiring in 1975. He and his wife moved back to Spartanburg, South Carolina, where Ted became the instructor for the Air Force Junior ROTC program at Gaffney High School. He retired in 1997 after teaching for 22 years.

Sadly, Ted lost his son in 2009 and his wife in 2015. Upon his wife's death, Ted established the Dr. Kevin Dale Ballard 1980 Endowed Scholarship Fund at Wofford College, in South Carolina, in memory of both his brilliant son and loving wife. The scholarship will be awarded to a deserving Wofford College student studying science, technology, or medicine for the first time this fall.

On May 7, 2017, Ted was presented the Order of the Palmetto, South Carolina's highest civilian honor, by Governor Henry McMaster for his admirable service to the citizens of South Carolina.

A truly remarkable man, Ted continues to share the extraordinary story of his life, his time as a POW, and his time in the armed forces. He has made South Carolina and our nation proud.

#### HONORING KEITH ANDREW WILLIAMSON, II

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Keith Andrew Williamson, II. Keith is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 214, and earning the most prestigious award of Eagle Scout.

Keith has been very active with his troop, participating in many scout activities. Over the many years Keith has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Keith has contributed to his community through his



Eagle Scout project. Keith refurbished a council ring and fire pit at Immacolata Manor in Liberty, Missouri, rebuilding the trail to the ring, repairing the fire pit and constructing benches around the fire pit.

Mr. Speaker, I proudly ask you to join me in commending Keith Andrew Williamson, II, for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

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RECOGNIZING MAJOR PATRICK W. MILLER

**HON. TOM REED**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 2017*

Mr. REED. Mr. Speaker, I rise today to recognize Major Patrick W. Miller for his outstanding acts of heroism and his dedicated military service.

Major Miller received his commission into the Medical Service Corps in 2003 from St. Bonaventure University and continued his service as Medical Platoon Leader for the 1st Cavalry Division in Texas. His battalion was soon deployed to Baghdad, Iraq, where he served for 13 months. Major Miller was promoted to Battalion Assistant Operations Officer and spent another 15 months in Iraq before returning home.

In 2011, Major Miller was assigned as Chief of Resource Management for U.S. Army Medical Activity at Fort Drum. He remained there until moving back to Fort Hood to act as Brigade Comptroller for the 1st Medical Brigade. It was there that on April 2nd, 2014, Major Miller heard gunfire outside his office. Miller faced the attacker and was injured while trying to impede the rampage.

Major Miller was able to get to safety and call 911, sounding the alarm on the attack. Despite the horrific circumstances, Major Miller continued to maintain his composure and conduct himself professionally, all the while remaining cognizant of the well-being of those around him.

I ask my colleagues to join me in commending Major Patrick W. Miller for his heroic actions and the dedication and honor with which he serves our country.

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PERSONAL EXPLANATION

**HON. CLAUDIA TENNEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 2017*

Ms. TENNEY. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "Nay" on Roll Call No. 395, and "Nay" on Roll Call No. 396.

SUGAR LAND NATIVE NAMED A  
2017 NASA ASTRONAUT CANDIDATE

**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 20, 2017*

Mr. OLSON. Mr. Speaker, I rise today to congratulate Loral O'Hara of Sugar Land, TX, a Clements High School Ranger, for being selected by NASA to join the 2017 Astronaut Candidate Class.

Currently working as a Research Engineer for the Woods Hole Oceanographic Institution, Loral has an exceptional professional history, including working as a design engineer, mechanical technician and as a project engineer. She has a Bachelor of Science degree in Aerospace Engineering from the University of Kansas and a Master of Science degree in Aeronautics and Astronautics from Purdue University. Loral will report for duty this August, where she will begin her two years of training as an Astronaut Candidate. Once done, she will be assigned technical duties in the Astronaut Office while she awaits a flight assignment.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Loral for being selected as a NASA Astronaut Candidate. We are very proud of her and look forward to her representing TX-22 in space.

## SENATE—Monday, July 24, 2017

The Senate met at 4 p.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, our souls long for You, for we find strength and joy in Your presence. Guide our lawmakers to put their trust in You, seeking in every undertaking to know Your will. Lord, when they go through difficulties, may they remember that with Your help they can accomplish the seemingly impossible. Give them a faith that will trust You even when the darkness is blacker than a hundred midnights. May they renew their commitment to You, finding strength and courage from Your guidance. Inspire them to always trust You to direct their steps.

We pray in Your strong Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. ERNST). The majority leader is recognized.

### HEALTHCARE

Mr. McCONNELL. Madam President, 7 years ago, Democrats forced ObamaCare on the American people. It was supposed to lower health costs, but, of course, they skyrocketed. It was supposed to provide more health options, but they plummeted.

At ObamaCare's launch, millions lost the health plans they liked and were promised they could keep. In the years since, Americans have continued to lose access to plans, hospitals, and doctors they know and they trust.

Now ObamaCare teeters on the edge of total collapse, threatening to drag even more of the men and women we represent right down with it. That shouldn't be an acceptable outcome to any of us. It certainly is not acceptable to me.

I made a commitment to the people I represent. I told the people of Kentucky that I would vote to move beyond the failures of ObamaCare. The

Senate did so in 2015, but President Obama wielded his veto pen. The Senate can do so again now, and President Trump will use his pen to sign such legislation.

The first step this time, the first vote we will take soon, is on whether or not to begin the debate at all—whether to have the debate. I believe my mandate from the people of Kentucky is to vote yes, and I certainly intend to do so.

I know many colleagues feel the same. I know many of us have waited literally years for this moment to finally arrive, and, at long last, it has. I urge every colleague to join me.

I know many have ideas on how to improve healthcare. Some of these ideas have real potential. Others, like applying temporary bandaids or quadrupling down on ObamaCare, are not going to move us forward. That doesn't mean Senators shouldn't have the chance to offer those ideas.

The only way we will have an opportunity to consider ideas is if Senators are allowed to offer and debate them. That means voting to begin the open amendment process. That means voting to kick off a robust debate in which Senators from all parties can represent the views of their constituents. It means voting to proceed, and that will occur tomorrow.

ObamaCare has been a disaster from the start. The added tragedy is the utter predictability of it all. Republicans warned about higher costs and fewer choices. We warned that Americans would lose their plans. We warned that ObamaCare would inevitably collapse under its own weight.

Our concerns were all waved away all the time. It turns out that we were right to be concerned. ObamaCare has hurt the people we represent. We have seen all the statistics—the higher costs and the reduced choices—but this is about more than just numbers on a page. What we are talking about here are the lives of real people, constituents of ours who have struggled under this failed leftwing experiment literally for years.

Through calls, letters, meetings, and dozens of healthcare forums across my State, thousands of Kentuckians have shared their ObamaCare horror stories. I have seen the pain in their eyes. I have heard their struggles to make ends meet. I have come to the Senate floor time and again to relay their heartbreaking stories. I know many colleagues have done the same.

Our constituents deserve better than the pain ObamaCare has brought them. They deserve a new direction on healthcare. When that vote comes, I

will keep my commitment to vote to move beyond the failures of ObamaCare. I will vote yes on the motion to proceed. I urge all of our colleagues to do the same.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

### EXECUTIVE SESSION

### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the Bernhardt nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of David Bernhardt, of Virginia, to be Deputy Secretary of the Interior.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, July 24 marks a significant milestone in the history of my home State of Utah. On this day, 170 years ago, Brigham Young and the Mormon pioneers first entered the Salt Lake Valley. Facing violence and discrimination at every turn, Utah's early settlers crossed the Nation in search of a land where they could practice their religion free from prejudice and abuse. In the cradle of the Rocky Mountains, they found a home.

Each year, we remember the sacrifice of these courageous men and women and the miraculous events that led to the founding of our State by observing Pioneer Day. This special holiday is a celebration of the pioneer spirit, that unique mix of industry, ingenuity, and innovation that transformed an arid desert plain into one of the most prosperous States in the Nation.

Pioneer Day is a perennial reminder of how a people—left to their own devices and empowered to follow their dreams—can accomplish incredible things. It is a testament to what westerners can achieve when the government steps out of the way and allows the human spirit to flourish.

It seems only fitting then that on Pioneer Day I speak in support of David Bernhardt, a man who immediately understands the western way of

life and has dedicated his career to defending it.

As my colleagues know, Mr. Bernhardt has been nominated to serve as the next Deputy Secretary of the Department of the Interior. Today, I wish to express my support for his confirmation in the strongest possible terms.

Mr. Bernhardt has a distinguished record of public service, having served for nearly 10 years in the Department of Interior as Solicitor, Deputy Solicitor, Deputy Chief of Staff, and Director of Congressional Affairs. Now that Mr. Bernhardt works in private practice, Mr. Bernhardt is regarded as one of the Nation's most experienced and authoritative legal minds on natural resource policy.

Broad support for Mr. Bernhardt's confirmation is a testament to the sterling reputation he has built over an accomplished career in both the public and private sectors. State wildlife management agencies, Native American Tribes, environmental conservation and wildlife protection groups, and the Congressional Western Caucus are among the many organizations that have strongly endorsed Mr. Bernhardt's nomination. He has also garnered the support of hundreds of recreationists, sportsmen, anglers, agricultural producers, and ranchers.

Nominating Mr. Bernhardt is in keeping with the President's promise to restore trust between westerners and the Federal Government. After just 6 months in office, our President has already made tremendous progress in repairing the broken relationship between local communities and the executive branch.

Of course, significant challenges remain, especially in my home State of Utah, where reduced access to Federal land has hurt the rural economy. Fortunately, as a former Interior Solicitor, Mr. Bernhardt has the legal and political background necessary to tackle some of the greatest challenges facing Utah and the West. He is well-equipped to improve sage grouse management practices, streamline permitting on Federal lands, and increase recreational access.

Mr. Bernhardt is also committed to fostering cooperation between Interior agencies and State and Tribal governments, in addition to reducing the National Park Service's backlog. Reducing the maintenance backlog is critical to tourism in Utah, which is home to the Mighty 5 national parks.

I applaud the nomination of Mr. Bernhardt. His breadth of experience makes him uniquely qualified to serve as Deputy Secretary, and I look forward to working with him and Secretary Zinke to further the important work of the Department of the Interior.

In that regard, I also praise Secretary Zinke, who, I think, is doing a terrific job in that Department, under-

standing the needs of the West, especially the needs of all those areas that we know are supervised by the Interior Department. He is a terrific human being, and I have a great deal of respect for him. The reason he is so good is because he has had all the experience working in the West and living in the West and doing the things that really have made the West a great place to begin with.

Mr. Bernhardt is going to be a great addition to our government, and I want to applaud Secretary Zinke for helping to push him forward.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

#### HEALTHCARE

Mr. SCHUMER. Madam President, as soon as tomorrow, we could be voting on a motion to proceed to the Republican healthcare plan. What that plan is, I am not sure anybody really knows. My friend the majority whip, when reporters asked him if his own Members would know what they would be voting on, said: "That's a luxury we don't have."

We have been on the topic of healthcare for 7 months. Republicans have been talking about repealing and replacing the Affordable Care Act for over 7 years. Yet here we are, 1 or 2 days from a vote on the motion to proceed, and we don't even know what the Republicans plan is to vote on. We are potentially 1 or 2 days away from a vote on a bill that would reorganize one-sixth of the American economy and impacts tens of millions of American lives, and no one knows what it is. It is sort of like "Alice in Wonderland" around here. It comes down to this bizarre game where the Republican leader has basically said: Let's spin a wheel and see what we are going to vote on. This is no way to treat a matter as serious as healthcare—so near and dear to the lives of so many Americans.

I don't know how a single one of my Republican friends can in good conscience vote to proceed to a truncated debate on something as important as healthcare without knowing what bill they will ultimately be voting on. Isn't this the same party that shouted "Read the bill, read the bill" from the rafters when the Affordable Care Act was debated? It is completely bewildering.

Maybe we will be voting on the Republican repeal-and-replace bill, which will cause costs to go up and care to go down, which will cause 22 million Americans to lose their insurance, and

which will so cruelly exchange healthcare for millions of working Americans for another tax break for the wealthy and the special interests. Maybe we will be voting on repeal without replace, which is even worse, which will cause our healthcare system to implode, creating chaos for 32 million Americans who would lose their insurance and chaos for millions more who would see their coverage diminish or their premiums rise. No one knows what we will be voting on. We know one thing: All the options are bad.

There is no good way out of this. The truth is, the Republicans are completely stuck when it comes to healthcare. Every single version of their repeal-and-replace bill is rotten at the core. Repeal without replace is even worse. The American people don't want tax breaks for the wealthy or the slashing of Medicaid. They don't want to repeal all the progress we made in healthcare without any plan to put in its place.

It is time to start over. It is time to go back to the drawing board—abandon tax cuts for the wealthy, abandon cuts to Medicaid, abandon repeal and run—and come together, both parties, around a set of nonideological proposals to improve our healthcare system. That is what we Democrats want to do.

I have called several Republicans. Some in their leadership are saying: Leader SCHUMER doesn't want people to talk to each other and won't let that happen if the bill fails. Well, first, I couldn't prevent it if I wanted to, and second, I don't want to. I want us to sit down and come up with ways to improve ACA. No one said it is perfect.

So if the bill fails tomorrow, we will start right away trying to work with our Republican colleagues to stabilize the marketplace and improve the cost and quality of healthcare. Whether they join us in that effort is entirely up to them.

#### ECONOMIC POLICIES TO HELP AMERICAN FAMILIES

Madam President, on another matter, today in Berryville, VA, the Democratic Party began presenting our vision for the future of the country. As I have traveled New York State, from upstate, rural, Republican areas, like Sodas Bay, where I was Friday, to suburban Long Island, to the inner-city Bronx, I have found one thing in common: Average families feel they have been pushed around by large economic forces, and they are losing that traditional, American faith in the future. Too many families in America feel as though rules of the economy are rigged against them. They feel as if they are getting a raw deal. And they are right. American families deserve a better deal so this country works for everyone, not just the elites and special interests. Today, Democrats started presenting that better deal to the American people.

There used to be a basic bargain in this country that if you worked hard and played by the rules, you could own a home, afford a car, put your kids through college, and take a modest vacation every year, while putting enough away for a comfortable retirement. I should know. I grew up in that America. My father was an exterminator, and he worked very hard but managed to—not making a whole lot of money—build a good life for his family. But things have changed.

Today's working Americans are justified in having greater doubts about the future than almost any generation since the Depression. Corporate interests and the superwealthy are allowed to spend unlimited, undisclosed money on campaigns and lobbying so they can protect their special deals in Washington. And for too long—far too long—government has played along, tilting the economic field in favor of the wealthy and the powerful, taking the burden off them and putting it on the backs of hard-working Americans. The result is an economy that has created enormous wealth at the top, while producing less work and less pay for average Americans. Incomes and wages have flatlined while everyday costs are skyrocketing.

Democrats, frankly, have too often hesitated from directly and unflinchingly taking on the misguided policies that got us here—so much so that Americans don't know what we stand for. Well, not after today. Democrats are showing the country that we are the party on the side of working people and that we stand for three things: First, we are going to increase people's pay; second, we are going to reduce their everyday expenses; and third, we are going to provide workers the tools they need for the 21st-century economy.

Today we announced three new policies to advance these goals.

Right now, there is nothing to stop vulture capitalists from egregiously raising the price of lifesaving drugs without justification. We are going to fight for rules to stop prescription drug price gouging and demand that drug companies justify price increases to the public. And we are going to push for empowering Medicare to negotiate lower drug prices for seniors.

Right now, our antitrust laws are designed to allow huge corporations to merge, padding the pockets of investors but sending costs skyrocketing for everything from cable bills and airline tickets to beer, food, and healthcare. We are going to fight to allow regulators to penalize big companies if they are hurting consumers and to make it harder for companies to merge if it reduces competition.

Right now, millions of unemployed or underemployed people—particularly those without a college degree—could be brought back into the labor force

and retrained to secure full-time, higher paying work. We propose giving employers—particularly small businesses—a large tax credit to train workers for unfilled jobs, with a requirement to hire that worker at a good wage once the training is complete.

In future weeks, we will offer additional ideas, from rebuilding rural America to fundamentally changing our trade laws to benefit workers, not multinational corporations. Now, we are in the minority in both Houses of Congress. We know that. We cannot delude anyone that this Congress will begin passing our priorities tomorrow, but this is the start of a new vision for our party. This set of economic policies will form the backbone of our agenda, and we welcome our Republican colleagues to join with us in any of these ideas they might find acceptable.

"A better deal" is not just a slogan; it is a mission. It is about reorienting government to work on behalf of people and families. It is not going to be the work of only one Congress. It shouldn't be the work of one party. As I said, we welcome any Republicans willing to work with us on these issues because there is an American imperative and a moral imperative to do what we are doing here.

If that torch, held by the lady in the harbor of the city in which I live—that symbol of optimism and hope for the future—starts flickering, it is a different America, an America no one will like.

American families deserve a better deal, a government that has their back and helps make the economy work for them. That is how we will restore the fundamental optimism that defines the American spirit.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

#### HEALTHCARE

Mr. CARDIN. Madam President, first, let me thank the Democratic leader for his statement on a better deal for all Americans.

I had a chance over the weekend to travel throughout my State, and I heard over and over again the people of Maryland talking about what we need to do on a better deal. I had an interesting forum on healthcare, and Marylanders want a better deal on healthcare. They want to make sure healthcare is affordable, that they can get access to quality care, and they can make sure we maintain the highest quality healthcare.

What they don't want to see is us moving in the wrong direction. I heard over and over again their concerns about what is happening with the consideration of the bill the Republican leadership is anticipating having a vote on later this week. That bill would proceed on legislation that would eliminate healthcare coverage

for, at least, 22 million Americans, maybe as high as 33 million Americans. I must tell you that is not a better deal for Americans on their healthcare needs. We could do much better moving in the opposite direction and making healthcare more affordable, not cutting people out of healthcare insurance.

In my State of Maryland, in 2018 alone, 221,000 people in my State would lose coverage under the proposals the Republican leadership is suggesting, including 4,200 veterans, 164,000 people in the Medicaid system, and 62,000 people in the individual marketplace. That is going to hurt. These are people today who have healthcare coverage who would lose their healthcare coverage. It would hurt our seniors in the coverage they get under the Medicaid system for long-term care. It would hurt those who are working to try to end this opioid drug addiction issue.

Under the current law, mental health, behavioral health, and drug addiction is covered under the essential health benefits. It is covered under private insurance. It is covered under the Medicaid system. That is in danger of being lost under the legislation being considered.

I heard from public health and law enforcement over the weekend how that would move our community in the wrong direction if those bills were considered.

I also heard from the majority leader that all he wants to do is get on this bill, and then we can offer amendments. Well, that is not accurate. You can't offer any amendments you want on a bill that is under reconciliation instructions, and we certainly aren't going to get a fair shot at trying to make this bill a better bill under the restrictions we are operating under: We had no committee hearings. We had no committee markups. That is not the way legislation should be considered.

The other issue I heard about from people in Maryland—I think you will hear this from people around the country—is they want to bring down the cost of their healthcare coverage. They want to bring down the cost of their healthcare. They want to reduce the high growth rate in healthcare costs in this country. Yet the Senate Republican bill increases the average premium by as much as \$1,700 in Maryland by 2020 and preserves what we call the age tax—a 5-to-1 difference.

So if you happen to be 55 years of age, you are going to pay a lot more than that in increases in your health insurance premiums. That is not what people in Maryland want to see. That is not what people in this country want to see. They are concerned that we should be building on the Affordable Care Act to bring down the cost of their premium increases, not to increase it by that dramatic amount of money.

The increase in deductibles in Maryland could be as high as \$3,300 for a person making \$42,000 per year and \$5,600 for a person making about \$18,000 a year. Those are increases in deductibles. They can't afford that. The concerns we have—people like the Affordable Care Act, and they want us to improve it. They want us to improve it. They don't want us to add to their costs, and the bill the majority leader is asking us to consider would have people in Maryland and around the country paying more—not less, which they want.

The people in Maryland and around this country like the consumer protections we have under the Affordable Care Act. They like the idea that there is no annual cap or lifetime cap. I had several people who came up to me to tell me about their own personal circumstances. One father explained to me that his child was born with serious issues and that they reached their cap within a matter of months. Without the protection in the Affordable Care Act, they would have had no other insurance coverage. Yet, under the bill being considered by the Republican leadership, that family could lose that protection because you could see the imposition of caps.

All of us know of people who are very concerned about preexisting conditions. The bill that is being considered under the Republican leadership weakens those protections against discrimination of preexisting conditions.

Let me just remind my colleagues of what we saw before the Affordable Care Act in discriminatory practices by private insurance companies. We had reined much of that in under the Affordable Care Act. All of that could be lost if we proceed on legislation—and move it forward—that doesn't provide the consumer protections, allows the elimination of caps, allows discriminatory practices in regard to preexisting conditions, restricts the amount of money going into the Medicaid system so our States are forced basically to cut back on the Medicaid system. We lose the expanded coverage—the Congressional Budget Office has already told us that—and we go back to the days of job lock. I want to talk about that for one moment because I think this is one of the untold stories. We haven't had a lot of discussion on the floor.

If you go in the wrong direction and you do what the Republican leadership is talking about doing and repeal the Affordable Care Act and either repeal and later replace or replace it now with a program that will eliminate a lot of coverage and once again eliminate these consumer protections we have in health insurance, what you do is people get locked into employment. They are afraid to leave their job because they have insurance that covers their family—they have a spouse with cancer or

they have a child with a major disability. Yes, they would like to do what this country is best known for, and that is set out with an entrepreneurial spirit, start a company or go and take risks, but they can't do it because they know they are jeopardizing their family's healthcare because they can't get the type of insurance they need to cover their risks. That is called job lock and that works against the growth of our economy.

There are so many reasons to be concerned about what the majority leader is asking us to do—to proceed on this bill that all the options we have seen will cost tens of millions of people their coverage, take away a lot of the consumer protections we have seen in the law, and discriminate against our elderly, discriminate against minorities and women. That would be returning to our old healthcare system. No, that is not the right way to do it.

I am frequently asked: Well, what should we do? The Affordable Care Act, doesn't it have problems? Doesn't it need to be fixed?

The Affordable Care Act has done a lot of good. It has given people coverage who never had coverage before. It has reined in the discriminatory practices of health insurance companies. It has made a dramatic improvement on dealing with minority health and health disparities. It has provided essential health benefits so we deal with mental health and addiction. It has done a lot of really good things, but, yes, we could improve it. There has never been a major law passed without us going back and revisiting.

Why haven't Democrats been part of this process? Well, we could not get engaged in this process because the way this bill came to the floor, it didn't come through the Health, Education, Labor, and Pensions Committee, it didn't come in through the Finance Committee, the two committees of jurisdiction that deal with the healthcare system in this country. Instead, it came in through the majority leader using the rule XIV process to bring out a reconciliation bill that can be jammed through, with limited time and no open amendment process, from the point of view that amendments have to be germane to the reconciliation instructions so we don't have an opportunity to fix this bill.

We weren't part of the process to develop the bill. You are not giving an opportunity for the democratic system to work. There was no on-ramp for Democrats to get engaged in the process.

About 2 weeks ago—maybe 3 weeks ago now—I filed legislation and sent letters to my Republican colleagues telling them: I want to work with you. I do. I have worked with Republicans in the Finance Committee on healthcare bills. We have gotten some good things done. Democrats and Republicans want

to work together, so let's work together.

The legislation I filed dealt with the two major problems that I hear about, as I travel throughout Maryland, regarding what we need to fix on the Affordable Care Act and how we can make it better.

Problem No. 1, we need more stability and competition within the individual marketplace. Yes, we have seen large proposed increases in premiums in the individual marketplace—not in the group plans where most Americans have their insurance but in the individual marketplace. Why? Because we don't have enough people who have signed up in the exchanges. Younger, healthier people, because there really hasn't been a penalty imposed, have chosen not to join. They will say: Look, we will join if we have a need.

We have also found that with President Trump indicating he may not fund the cost-sharing provisions that go directly to the insurance carriers that keep the premiums low and the deductibles and copays low, this also has a lot of insurance companies nervous. As a result, the premium increases are larger than what we had anticipated. We need to do something about it.

How can we keep those premium increases at a more reasonable growth rate rather than what we have seen? One way we could do it is a proposal that, I believe, has bipartisan support; that is, deal with what is known as reinsurance. Reinsurance is a way we spread the risk over a greater group of people, therefore dealing with those high-risk pools in a way in which their premium costs are much more affordable.

Another way we can do it is by Congress mandating that the President fund the cost-sharing with the insurance carriers so we don't have the threat that they are going to pull out those funds that are used to keep copays and deductibles low.

Another way we can do it is to increase our support for those who are of modest income and the funds they have to lay out for their premiums because we know you can make a good salary, but because of the cost of healthcare, if you don't have an employer providing part of those benefits, it is very hard for you to be able to afford that without some help. We can do all of that.

Another thing we could do is bring more competition into the individual marketplace. We have had those who have suggested a Medicare for all. We have had those who have suggested Medicare for the near elderly—the 55 to 65 age group or something similar to that. We have others who have suggested that we have a public option under the exchanges. All those, to me, make sense because it just brings in more competition. There is no additional government cost here because

they are not subsidized any differently than any other insurance plan, but it gives more options, more choice, more competition, and therefore more stability in the individual marketplace. We could do all that and all that can help.

The other thing we really need to deal with is to deal with the overall cost of healthcare. Here, again, Democrats and Republicans have had ideas. Why don't we take on the pharmaceutical industry? Why do Americans pay twice what Canadians pay for the same medicines that are manufactured here in the United States? Why don't we have rebates in the Medicare system like the rebates we have in the Medicaid system? Why don't we organize our purchasing power in a larger pool so we can get greater discounts for the government taxpayers? All those things will bring down the cost of prescription medicines. The President has talked about it. Democrats and Republicans have talked about it. It is time we act.

We have acted in several areas to try to deal with more value-based reimbursements in our healthcare system, recognizing we should treat the person, not the particular disease. Many people have more than one ailment, and they have to go back to the doctor multiple times. Why don't we have a more coordinated, integrated care model?

I talked on the floor about 2 weeks ago about the coordinated care model between Sheppard Pratt Hospital in Baltimore and Mosaic, which deals with behavioral health issues and how they deal with it in an integrated, coordinated care model, which saves money. It saves money. There are fewer tests, more timely interventions.

How can we use telemedicine? They are using telepsychiatry. How can we use that to bring down the cost of care? When I am asked in my district, asked in my State as to what I can do—where is my plan, and how can we fix the Affordable Care Act—my answer is quite simple: I am proud of the progress we have made under the Affordable Care Act. I invite Democrats and Republicans through our committees to work together to improve it. Yes, we can improve it. We can provide more stability in the individual marketplace. We can bring down the high annual growth we have seen in premiums in the individual marketplace. We can continue to bring down the growth rate of healthcare costs by working together on some of these commonsense approaches in order to deal with healthcare in America. All of this I think we can do, with Democrats and Republicans working together. But the first order of business—and I urge my colleagues—the first order of business is to stop this process of trying to jam a repeal of the Affordable Care Act and a replacement that would cost tens of millions of people in this country their

health coverage and would move in the wrong direction on how we should improve healthcare in America. Let's get that off the table.

Let's reject this motion to proceed that the majority leader is talking about voting on later this week. Let's do what Senator ALEXANDER, the chairman of the Health, Education, Labor, and Pensions Committee has suggested. Let's have hearings in our committees. Let's work together, and let's bring legislation that stabilizes the Affordable Care Act and deals with the two major problems that the people in this country are talking about; that is, bringing down the growth rate of premium costs and bringing down the overall growth rate of healthcare costs in America. I believe we can do both by working together. There are suggestions I have made, and I am sure other Members have. Let's work on those. Let's work together and get it done. Let's do what is in the best interest of the people in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

#### MONTANA WILDFIRES

Mr. TESTER. Madam President, it has been a long, hot, dry summer in Montana. That is why I rise today to honor the brave men and women in Montana who are fighting wildfires throughout our great State, the families who are facing devastating losses due to drought and fire, and to call on Congress to do their job and help these folks.

Due to the drought and high temperatures, Montana has turned into a tinderbox. Unfortunately, fires have sparked all across our State, some 24 of them—which changes by the hour, I might add. Across Montana, over one-quarter million acres have already burned, and many of these fires continue to rage. Montana is burning, and our heroic firefighters are protecting lives, our lands, our homes, our way of life.

#### HONORING TRENTON JOHNSON

Madam President, I would be remiss if I didn't mention one firefighter in particular, Missoula's Trenton Johnson. Trenton lost his life last week while he was on the fire line. Trenton's bravery and sacrifice will not be forgotten.

#### LODGEPOLE COMPLEX FIRE

Madam President, communities across the State are coming together to protect their homes and livelihoods, and families are concerned about their homes, property, and health. The largest fire is the Lodgepole Complex fire in Garfield County. This afternoon, 30-mile-per-hour winds ballooned the Lodgepole Complex to more than 230,000 acres. Over the weekend, the fire jumped the highway, and as of today it is nowhere near containment.

The Lodgepole Complex fire is made up of three different fires that have

turned Eastern Montana's farm and grazing land into an ashtray, leaving an unknown number of farms and ranches with an uncertain future, forcing families to evacuate and communities to join local fire departments, with anyone willing and able to join in the firefight.

Sadly, Montana is used to this. Fire season has been as common as the autumn and the spring. As I stand here, nearly two dozen uncontained, large fires are raging in Montana. It has taken more and more resources to fight fires, and these resources are becoming more and more difficult to come by.

Places like Garfield County are being forced to ask for donations to get volunteer firefighters the fuel they need to save lives and protect property, and this is unacceptable. Protecting our communities from disaster and coming to help our fellow Americans in their time of need is a fundamental pillar of government.

I was pleased to see Governor Bullock declare Montana a fire emergency, which will go a long way to bring much needed resources into our State. Last night, the regional director of FEMA denied emergency assistance for the Lodgepole fire, so this afternoon, I called Administrator Brock Long of FEMA to make sure he heard from me about the situation on the ground and asked him to cut loose much needed relief into Montana.

Firefighters from all levels of government have bravely fought fires across our State. Folks across Federal, State, and local agencies have been working around-the-clock to contain the havoc. Montana's communities are strong, tight-knit, and they always persevere, but they expect the government to have their backs. Congress can assist these communities by changing the way we fund fighting wildland fires. Fires are a devastating natural disaster and should be treated that way. We need to raise the disaster cap so that we can budget for the real cost of fighting fires, making sure the folks on the ground have the resources they need to keep our communities safe.

As an example, Forest Service resources are already stretched thin. When a fire starts, they are forced to take money they use for managing the forest and use that for fighting fires. Twenty years ago, firefighting took up about 20 percent of the Forest Service budget. In 2016, more than half of the Forest Service budget was spent on fighting fires. This is not sustainable.

When Montana's communities are burning, I don't want a bureaucrat in Washington, DC, weighing the pros and cons of sending help to these communities. We want the fire to be contained. As Montana burns, Congress cannot afford to wait. We need to act and allow catastrophic wildfires to be treated as what they are—natural disasters. It is the least we can do for the

rancher in Jordan who lost his cattle, the rancher in Sand Springs who no longer has a fence around his pasture, or any Montanan who is forced to leave the home they have known because a fire may be descending upon them.

Fire season is always a testament to the strength of Montana's communities. Everyone works together, they put aside their differences, and they play their part to achieve a common goal. Neighbors open their homes to displaced families; churches and community centers turn into places to get food and other essentials. Congress can learn a thing or two from these Montana communities. These communities and firefighters work around-the-clock. Now is the time for Congress to help out. We can do that by fixing how we fund firefighting.

In the meantime, I hope you all will join Sharla and me in sending thoughts and prayers to all the Montanans who have been changed by wildfire. Our thoughts and prayers are with those heroes on the frontlines.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. HIRONO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### HEALTHCARE

Ms. HIRONO. Madam President, it is unconscionable that the U.S. Senate will soon be voting on a measure that would force between 22 and 32 million people to lose their health insurance. This vote is particularly unconscionable when you consider that each Member of this Chamber has high quality health insurance that will be there whenever we need it—and we all will, as I recently found out.

I know as well as anyone that we are all one diagnosis away from a serious illness. When I was diagnosed with kidney cancer not too long ago, I had the peace of mind of knowing that I was covered and that insurance would make the cost of treating my illness more manageable. Many of my colleagues on both sides of the aisle have found comfort in having high quality health insurance as they confront serious illnesses and injuries of their own.

Every American deserves that same peace of mind. That is why I am fighting for universal healthcare that is a right for every American, not a privilege reserved only for those who can afford it. This is something we can and should be working on in a bipartisan fashion. There are a lot of great ideas we could be debating and considering to move us toward this bipartisan goal.

Instead, the majority leader and his allies are forcing a vote on TrumpCare, a mean, ugly bill that will deprive tens

of millions of people across our country of the healthcare they deserve.

Although some have argued over the past week that this vote is doomed to fail, we can't be complacent. We have to keep fighting because if TrumpCare becomes the law of the land, it would be devastating for tens of millions of people across the country, harming the poorest, sickest, and oldest members of our society. It would undermine protections for Americans living with serious and chronic conditions, who could face a reimposition of yearly and lifetime caps on their care. It would impose an age tax on people 50 to 64 years old, which would allow insurance companies to charge them up to five times more for insurance because of their age. I could go on.

For hundreds of thousands of people in Hawaii and tens of millions more across the country, TrumpCare is not an abstract proposal that would have no relevance to their lives. I have heard literally from tens of thousands of people from across Hawaii about the devastating consequences TrumpCare would have on their lives. Hawaii is a small State. To think that literally over 20,000 people in Hawaii have contacted my office to tell me the devastation that TrumpCare will bring to their lives—this is because insurance is personal. They have spoken out against this bill loudly and clearly because healthcare is personal.

Keith Moniz from Maui has a particularly compelling story to tell. Keith's brother, Lester, after working as a custodian for more than 40 years at St. Anthony School, lost his job and his health insurance. Only a few short months later, Lester had a debilitating stroke that left him permanently disabled. Fortunately, Keith's brother was able to obtain Medicaid coverage and is now a long-term resident at Hale Makua Health Services on Maui, where nearly 80 percent of all patients and residents rely on Medicaid to pay for their necessary care.

Keith was very clear about what would happen if TrumpCare succeeded in making large cuts to Medicaid.

I quote Keith:

It would be devastating. We had a difficult time taking care of him—

His brother, Lester—

when he was at home, and he's gotten the care that he needs at Hale Makua. It would be a big loss . . . I don't know what we would do, where we would be able to move him to.

Alvin, another resident at Hale Makua, was paralyzed in a car accident in 2006. Alvin lived with his aunt and uncle for a short time after his accident, but the complexity of his care was too much for them to handle on their own. Alvin has lived at Hale Makua for almost 11 years now. He gets daily physical therapy and receives the supportive, life-sustaining care he needs. He would not be able to afford to live at Hale Makua without support from Medicaid.

When asked, Alvin had a simple message for people in Washington, DC, who are trying to make huge cuts to Medicaid.

I quote Alvin:

I'm not a politician, but I know that these programs really help those who are in need. I really hope that they would take a longer look at it and realize that these are programs the elderly and disabled need.

People like Lester and Alvin are depending on us to keep up the fight against this mean, ugly bill until it is defeated for good. As we contemplate what is next, I hope we can come together across party lines to stabilize insurance markets and continue our work to provide universal healthcare for every American.

I should think that each and every one of us who represents some 800,000—well, our entire State. I used to be in the U.S. House. There, you have districts, and I represented about 800,000 people. Of course, as a Member of the Senate, I represent the whole State. I should think that all of us who represent literally the 300 or so million people all across our country would care about the healthcare of every single one of our constituents, and TrumpCare is not the way to ensure that.

The fight continues.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FLAKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MORAN). Without objection, it is so ordered.

#### NORTH AMERICAN FREE TRADE AGREEMENT

Mr. FLAKE. Mr. President, it has been 2 months since Ambassador Lighthizer notified Congress of the administration's intent to enter into negotiations with Mexico and Canada on the North American Free Trade Agreement. During that time, I launched something called NAFTA 4 AZ, which is an initiative to allow Arizonans to share their stories about how NAFTA has changed their lives for the better.

I have heard from Arizonans across the State who work in a multitude of industries—from dairy farmers to call center employees—and the responses I have received are overwhelmingly positive. For example, Matt Mandel, who serves as chief operating officer for SunFed, a company based in Rio Rico, shared his personal story.

Matt wrote:

Fresh produce trade has kept my family working here in the State of Arizona for three generations. Arizona imports over 17 billion pounds of fresh, healthy fruits and vegetables—bilateral trade between the United States and Mexico representing over \$40 billion. Let's modernize NAFTA.



Mignonne Hollis with the Arizona Regional Economic Development Foundation tweeted:

NAFTA and our trade partners in Mexico have allowed us to grow the aerospace industry in southern Arizona, which is key to our economic development.

Dairy farmer Jim Boyle notes:

Most of our customers are local—right here in our State—but our biggest customer outside of Arizona is Mexico. We ship daily loads of cheese, powder, and tank loads of cream all the way through Mexico. Please, let's keep NAFTA working for the American farmer.

Other comments I have received through my website include statements like "I have enjoyed a constant supply of fresh fruits and vegetables in these years of NAFTA. I have also noticed . . . how relatively inexpensive many household items have been since" and "We supply parts that cross the border multiple times before they reach final assembly in the U.S. Free trade is vital to our success and the success of our customers who not only get us where we need to go but protect our shores and vital interests."

The Arizona Chamber of Commerce noted in its comments on NAFTA:

Agreement is central to the State's economic prosperity.

The NAFTA agreement, that is.

Mexico is Arizona's leading trade partner. Canada is the State's second leading trade partner.

In an interview focused on the NAFTA renegotiation process, the CEO of Arizona's Hispanic chamber stated: "We know that Mexican nationals spend over a billion dollars a year in just Pima County." That is just one county.

It is hardly surprising to hear such overwhelmingly positive support for NAFTA, considering the benefits it has had on Arizona's economy.

NAFTA 4 AZ has helped to put on paper what Arizonans know all too well: NAFTA plays a critical role in supporting jobs, opportunity, and economic growth. It has been great to hear from people all over the State talking about how NAFTA has helped them and asking the administration to modernize NAFTA, not to end it.

NAFTA 4 AZ submissions, as well as comments submitted to the USTR from Arizona stakeholders, share one common plea: Do not harm the trilateral structure and the reciprocal market access of NAFTA.

Earlier this week the Office of the U.S. Trade Representative made public its negotiating objectives for NAFTA. Based on what the USTR released, it appears the administration has recognized the importance of this central tenet of NAFTA. I am pleased that it appears that the administration will seek to modernize NAFTA along the well-worn lines of what was negotiated for the now defunct Trans-Pacific Partnership Agreement.

I think we can all agree that addressing the issues of digital trade and intellectual property in the agreement, which is more than 20 years old, is the key to NAFTA's continued success. Let's modernize it, not end it.

However, these negotiating objectives mark the next step in a long process that will have tremendous impact on Arizona's economy, for better or for worse. Unfortunately, the path forward for NAFTA remains uncertain and there is a long road to travel before we get to a place where the United States, Mexico, and Canada can all agree to an updated NAFTA.

From the vegetable fields of Yuma to the warehouses in Nogales, to the small retailers along the southern border, to the hotels throughout the valley, to the ranches up north where I grew up in Snowflake, NAFTA is important to all Arizonans.

I will review the administration's objectives closely as I continue to talk to Arizonans about what they need to ensure vibrant cross-border trading.

I look forward to continued consultation between Congress and the administration as this process to modernize NAFTA moves forward.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I have come to the floor to speak this evening in support of the confirmation of David Bernhardt to be Deputy Secretary of the Department of the Interior.

The Deputy Secretary is the department's COO, or chief operating officer. This is the individual who holds the position to really execute the strategy and oversee the initiatives that are undertaken by thousands of employees as they carry out their statutory duties and the administration's agenda. It is a very key position.

I believe very strongly that Secretary Zinke has chosen a strong individual for this position of Deputy Secretary. Mr. Bernhardt is a fellow westerner. He comes from the small town of Rifle, CO. He understands the management of Federal lands and how it affects those who live near them, the implications of Federal policies, and the need for balance between conservation and development.

David is an avid sportsman. He likes to hunt. He likes to fish. He likes to get outside and enjoy the outdoors.

Mr. Bernhardt also has extensive experience at the Department of the Interior. He previously spent several years as its solicitor, and this is a position for which he was confirmed by this Senate Chamber by voice vote. So he has gone through this process before and was endorsed strongly at the time.

Throughout his time at the Department of the Interior, Mr. Bernhardt gained expertise about a range of Alas-

ka and western issues. He also has a strong reputation as a manager which, of course, is critical for a Deputy Secretary.

Mr. Bernhardt's nomination is supported by dozens of Members of this Chamber and by dozens of stakeholder groups. He has been endorsed by a broad coalition of sportsmen's groups as well, including Ducks Unlimited, the Safari Club, and the Theodore Roosevelt Conservation Partnership. The Association of Fish and Wildlife Agencies, the National Water Resources Association, the Family Farm Alliance, NCAI, or the National Conference of American Indians, and the Southern Ute Indian Tribe are just a few more that have weighed in favorably on his behalf.

Mr. Bernhardt also fared well throughout the confirmation process, proving again that he is a good choice for this role. We held a hearing on his nomination on May 18. We reported him favorably from the Energy and Natural Resources Committee with bipartisan support. We moved that out on June 4. So we have had about 6 weeks now where others have had an opportunity to review him and review his credentials. It is unfortunate that he has had to wait 6 weeks. I know that Secretary Zinke is anxious to put him to work. He is now ready this evening to be confirmed by the full Senate.

I would like to thank David Bernhardt for his willingness to return to Federal service. I think he will be a very capable second-in-command for Secretary Zinke, helping to steer the Department in a positive direction. Alaskans, especially this one, are looking forward to working with him.

I urge my colleagues to support Mr. Bernhardt's confirmation.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DAINES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DAINES. Mr. President, I ask unanimous consent that I be allowed to complete my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DAINES. Mr. President, David Bernhardt is a well-qualified nominee to serve as our next Deputy Secretary of the Interior.

The Department of the Interior is charged with managing our wildlife, our public lands, including our national parks and refuges, and our Nation's rich natural resources, which are key to American energy independence. They are charged with the sacred responsibility of protecting the Federal Government's trust responsibility to Indian Tribes.

Managing the Department of the Interior is a complex balancing act. We need someone who is able to balance these competing interests, and we need someone who understands the importance of our public lands.

David Bernhardt has spent his life balancing competing interests, weighing the stewardship of our natural resources and wildlife with the letter of the law. His relationship to our lands and the western way of life is not second nature; it is first.

Mr. Bernhardt was confirmed unanimously by the Senate in 2006 as the Solicitor of the Department. As Solicitor he proved he was capable of upholding the law, even under difficult situations. My colleagues may remember that he wrote the opinion that decided to list the polar bear and drafted a workable rule. As we know, Secretary Salazar then upheld this rule.

As Solicitor, he prioritized establishing a robust ethics team at the Department. That ethics team still exists today.

Mr. Bernhardt has proven to have the highest level of integrity and work ethic. For heaven's sake, he is a westerner. He is from Rifle, CO, and the importance of our public lands and wildlife flows through his veins like a lot of us who live out West. I have confidence that he will be a dedicated servant to our western way of life, where we love to hunt, to fish, to hike on our public lands. I have confidence in this because I know he loves this way of life as well.

I am not the only one who has this confidence. Listen to this list of support from groups across our country that support his appointment: the Theodore Roosevelt Conservation Partnership; Ducks Unlimited; the Rocky Mountain Elk Foundation, the Boone and Crockett Club, and others that many Montanans are members of, including the Mule Deer Foundation, the NRA, and the National Shooting Sports Foundation.

While the U.S. Senate confirmed Ryan Zinke as Secretary of the Interior, he became the first Montanan, my friend Ryan Zinke, to serve on the President's Cabinet since our statehood in 1889. It sent a message that the Department of the Interior would have our Montana values and our western values, and the confirmation of David Bernhardt as Deputy Secretary would make good on that promise.

While Montanans and westerners highly value access to our public lands and wildlife, Montanans are also pleading—pleading—for our land management agencies to be better partners, to work alongside our States, and to work alongside our landowners.

Secretary Zinke needs a right-hand man to make sure we uphold our commitment to Indian Nations. Secretary Zinke promised to rebuild trust in our Federal land and wildlife management agencies and strengthen the govern-

ment-to-government relationship with Indian Tribes. He needs a deputy in place who can help implement this vision to restore trust and balance to the Department of the Interior for Montanans.

My colleagues, it is time Secretary Zinke has a Deputy we can all count on, and I look forward to casting my vote for David Bernhardt.

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired. The question is, Will the Senate advise and consent to the Bernhardt nomination?

Mr. SASSE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from West Virginia (Mrs. CAPITO), the Senator from Arizona (Mr. MCCAIN), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 43, as follows:

[Rollcall Vote No. 166 Ex.]

#### YEAS—53

|          |           |           |
|----------|-----------|-----------|
| Barrasso | Flake     | Murkowski |
| Bennet   | Gardner   | Paul      |
| Blunt    | Graham    | Perdue    |
| Boozman  | Grassley  | Portman   |
| Burr     | Hatch     | Risch     |
| Cassidy  | Heitkamp  | Roberts   |
| Cochran  | Heller    | Rounds    |
| Collins  | Hoeven    | Rubio     |
| Corker   | Inhofe    | Sasse     |
| Cornyn   | Isakson   | Scott     |
| Cotton   | Johnson   | Shelby    |
| Crapo    | Kennedy   | Strange   |
| Cruz     | King      | Sullivan  |
| Daines   | Lankford  | Thune     |
| Donnelly | Lee       | Tillis    |
| Enzi     | Manchin   | Wicker    |
| Ernst    | McConnell | Young     |
| Fischer  | Moran     |           |

#### NAYS—43

|              |           |            |
|--------------|-----------|------------|
| Baldwin      | Harris    | Reed       |
| Blumenthal   | Hassan    | Sanders    |
| Booker       | Heinrich  | Schatz     |
| Brown        | Hirono    | Schumer    |
| Cantwell     | Kaine     | Shaheen    |
| Cardin       | Klobuchar | Stabenow   |
| Carper       | Leahy     | Tester     |
| Casey        | Markey    | Udall      |
| Cools        | McCaskill | Van Hollen |
| Cortez Masto | Menendez  | Warner     |
| Duckworth    | Merkley   | Warren     |
| Durbin       | Murphy    | Whitehouse |
| Feinstein    | Murray    | Wyden      |
| Franken      | Nelson    |            |
| Gillibrand   | Peters    |            |

#### NOT VOTING—4

|           |        |
|-----------|--------|
| Alexander | McCain |
| Capito    | Toomey |

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. McCONNELL. Mr. President, I ask unanimous consent that with re-

spect to the Bernhardt nomination the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018—MOTION TO PROCEED

Mr. McCONNELL. Mr. President, I move to proceed to Calendar No. 175, H.R. 2810.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 175, H.R. 2810, a bill to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The PRESIDING OFFICER. The Senator from Montana.

#### MONTANA WILDFIRES

Mr. DAINES. Mr. President, as I speak, wildfires are blazing across Montana. In fact, as of this moment, we have 21 active fires, with just about 300,000 acres burned, which has turned our big sky into gray smoke. In fact, the Lodgepole fire in Eastern Montana alone has burned over 250,000 acres, and there are 300-plus heroes bravely working to tame those growing flames.

I was on the phone a couple of times with our county commissioner from Garfield County, and we talked about how to get more resources for these devastating fires. I just got word an hour ago that the Sunrise fire on the western side of our State, near Superior, MT, was just elevated in the last couple of hours as the No. 2 national priority fire in the Nation.

Montana is hot, Montana is dry, and there is a long way to go yet in this fire season. The status quo is simply unacceptable. With these fires blazing and the ground cracking beneath us, we are reminded of how fragile the way of life in Montana is.

Our No. 1 economic driver in Montana is agriculture. Montana ag supports our economy in seasons of plenty, as well as in seasons of drought, including physical drought and unseasonable rains. We have seen both in Montana, and farmers and ranchers have risen to the occasion each time. As they have supported us, we must support them.

The historic drought conditions in Eastern Montana warrant relief from

regulations that limit the producers' abilities to use our land in the best ways possible. I was pleased by the decision of Secretary Perdue and the USDA to allow impacted producers to best use the Conservation Reserve Program acreage for grazing, but I believe Montana producers are not able to sleep at night for fear of losing their family farms. They deserve more support from those who benefit from their legacy of hard work.

I have held and will continue to hold USDA's feet to the fire, urging additional emergency relief for farmers and ranchers. I have been engaging with Montana farmers and ranchers. Most recently, I spoke with officials; I was literally on the phone last night with officials from Garfield County, talking with folks on the ground as to what the lack of rain has meant for them.

I understand the severity of drought and the risk of wildfires. Let me tell you, wildfires are all too common for those of us who live in Montana. Hundreds of fires burn through Montana's forests every year, with countless firefighters fighting to protect lives and property. Year after year, I will come down here, and you will hear me speak on the floor; you will hear me in committees; you will hear me back home, talking about the fact that these fires are ready to ignite at any moment. You can see the unmanaged forests we have in Montana are literally just waiting for a massive wildfire. With nearly 300,000 acres burned—and we aren't even in August yet; it is still July—it is a big deal for a State known for its wide open landscapes.

We need forest management reform urgently. It is a topic always on the forefront of my mind and on the forefront of Montanans and those of us out West, but it is on the back burner of the swamp here in Washington, DC, until, of course, we get to fire season; then we will talk about it.

We must reform the way we manage our national forests. We can use proven tactics to reduce the threat of wildfires, as well as to reduce the rate of spread and intensity of those fires when they occur. We need a wildfire funding fix because we can't just keep hoping the Congress will pay back the Forest Service at the end of every season. It is not the way a family budgets, and the Forest Service shouldn't have to either.

We have nearly 5 million acres of national forest in Montana that have been identified as critically in need of restoration. We are talking about dying and dead timber, primarily because of beetle kill, and we can't even get in and manage the timber because we have these far-left groups that would challenge many of our timber sales in court. I have joined Senator AMY KLOBUCHAR of Minnesota in sponsoring legislation to encourage partnerships between the Forest Service

and the State foresters to carry out these cross-boundary restoration projects.

A fire does not respect boundaries; it doesn't know where the State land ends or Federal land begins or where private land is or reservation lands are. We need to work better as neighbors along the fence line to reduce fuels and wildfire hazards across the country. These partnerships and projects will make fighting these wildfires safer for firefighters and allow them to return home safely to their families.

At this time of year, we recognize our firefighters, in particular, as some of the bravest men and women out there. The courage with which they run toward danger—I tell you, if you have never seen a wildfire burning out west, it is an incredibly terrifying sight to see huge plumes of flames that reach up to 30,000 feet in the atmosphere. They are ominous. These brave men and women run toward danger to protect our lives and our homes.

#### HONORING TRENTON JOHNSON

Mr. President, let me close by recognizing a young man who lost his life in Montana just this past week. His name was Trenton Johnson. Trenton Johnson was such a man—one of those brave heroes. It is with a heavy heart that I offer prayers of strength and peace to the family and friends of Trenton Johnson, who died fighting a fire just last Wednesday near Seeley Lake in the northwest corner of Montana.

Trenton will be remembered for his bravery, and I pray that his family and friends find solace and encouragement in the memories of his vibrant but way too short life. He was just 19 years old.

As we pray for rain in Montana, we also pray for the safety and protection of all of our firefighters who, as we speak at this very moment, are still battling blazes all across our State and across the Western United States.

Mr. President, as I said, it is with a heavy heart that I offer prayers of strength and peace to the family and friends of Trenton Johnson. This brave Montanan died fighting a fire last Wednesday near Seeley Lake in the northwest corner of our State. Over this past weekend, in his hometown of Missoula, Trenton's loss was mourned by his family and friends, his fire crew, and many of his fellow Montanans. This 19-year-old was celebrated by many as a successful high school leader and athlete, a student at Montana State University, and a fire crew member in his first season battling forest fires. The tragedy of his passing was felt across the State.

The inherent danger firefighters face with bravery when they defend the lives and livelihoods of a community from the path of an unpredictable fire is awe inspiring. In Montana, the annual efforts of firefighters at every turn is essential to our collective safety. The men and women who make up

these fire crews are a combination of expertise, courage, and grit.

I pray that Trenton's family and friends find solace and encouragement in the memories of his vibrant life, and I pray for the safety of all firefighters still battling blazes across Big Sky Country.

Thank you.

The PRESIDING OFFICER. The Senator from Washington.

#### HEALTHCARE

Mrs. MURRAY. Mr. President, I am here this evening to stand with the patients and families and communities nationwide to make sure they have a voice to continue speaking out against TrumpCare and to urge our Republican colleagues to stand with their constituents and join Democrats in rejecting this mean bill.

Before I go any further, I want to talk about an incredible group of families I met with recently who are making their voices heard against TrumpCare. These are parents with kids who are battling serious and complex medical conditions. These families have spent the majority of their summer here in Washington, DC, sharing their stories about what having healthcare means to them.

The little lobbyists, young kids 3 years old, 5 years old, should be at home in their neighborhoods like other kids, but, instead, they are here fighting for their own healthcare and their lives.

I held a press conference with these families here in the Capitol, where their parents shared stories about what TrumpCare would mean for them and their families. They spoke about their worries and their fears for the future.

One story was that of Elena Hung and her daughter Xiomara. Xiomara is 3 years old. She will be starting school this fall. You can tell she is one of those kids with incredible energy, who just lights up a room. But Xiomara was born with complications in her lungs, heart, and kidneys. She needs a tracheostomy, a feeding tube, and a ventilator just to stay alive.

Elena has told me what it has meant for her and her family to have healthcare these last couple of years. Elena and her husband both have professional degrees, good-paying jobs, and savings in the bank. They have done everything right, as Elena put it, and played by the rules, but nothing prepared them for dealing with the expensive care Xiomara would need. The hospitalizations, multiple surgeries, and medical equipment have all added up to cost more than \$3 million.

Elena talked about the uncertainty that TrumpCare has caused her family. Because of TrumpCare, she said that they are terrified about lifetime caps coming back and about losing their home or going bankrupt. If they lose their healthcare, Xiomara's 10 pre-existing conditions may make her uninsurable. This is so wrong. The Hung

family should be able to focus on Xiomara, the care she needs, and getting the right specialists and therapies to advance her treatment.

The Morrison family, whom I also met with, shouldn't have to worry about their son Timmy getting the care he needs.

Xiomara and Timmy and all the other little lobbyists deserve to be kids, live at home, to go to school, grow up, and just live. That was Elena's message to our Republican colleagues, and I couldn't agree with her more.

I have seen my share of contentious legislation during my time in the Senate. I have seen quite a few Democratic bills that Republicans couldn't stand. I saw Republican bills that Democrats would never vote for. I understand that some of my colleagues may disagree with certain parts of the Affordable Care Act. But what I can't understand is why anyone would ignore real life stories of their own constituents whose lives have changed and even been saved by this law. For one, that is not how you have a serious policy debate—ignoring your constituents and facts and fudging the numbers. More importantly, that is not what we were sent here to do by the people we represent. They rightly expect and deserve better.

What we have seen for the last 7 years—and since the Republican leadership began their efforts to repeal the ACA—has been truly unprecedented. In January of this year, the Republican leadership kicked Democrats out of the process entirely under reconciliation. Since then they have done everything possible to prevent not just Democrats but anyone other than their own party to be involved in that process—no hearings, no scrutiny, no public input, no expert testimony. When they finally released the TrumpCare bill after months of negotiating in secret in a room of 13 men, it was no surprise that it was immediately rejected by people across the country because it was clear that their bill isn't actually about healthcare—far from it. Their bill is about giving a massive gift to the wealthy and already well-connected on the backs of children and working families and people with disabilities and the sick and elderly.

So Democrats, Republicans, Independents, and millions of people have stood up and said no to this awful bill, no to increasing costs to families and seniors, no to putting insurance companies back in charge, no to kicking tens of millions of people off their health insurance, no to attacking women's health and rights. In fact, one study came out showing it was the least popular bill in three decades.

I guess it is no surprise that my Republican colleagues didn't want to defend this bill, but here is what is frankly appalling: What did Republican leaders do in the face of large-scale, pop-

ular rejection of the bill? What did Republican leaders do after Members of their own party said that they couldn't vote for it without massive changes to help more people? They made the bill worse. They did nothing to address the concerns that even many Republicans—Governors, Senators, and so many others—had about the massive cuts to Medicaid that would be devastating to patients and to our States. They did nothing to truly address the defunding of Planned Parenthood and cutting off access to care for millions of women. They included an opioid fund so insignificant that a Republican Governor said it would be like "spitting in the ocean."

When it comes to affordability and putting insurance companies back in charge, Republican leaders not only didn't fix that problem, they made it a whole lot worse. They caved to the most extreme Members of their caucus by including the Cruz-Lee provision. Now with every sweetener, every tweak, they have not only made the bill worse, they have made it unworkable, and even in violation of the Senate reconciliation process.

Now, as soon as tomorrow, the Republican leadership is saying that they are going to move forward with either a vote on their failed TrumpCare bill, a vote to repeal the ACA entirely—with no plan to help families who would be devastated—or maybe a vote on the disastrous House version of the TrumpCare bill. Nobody knows, especially our Republican colleagues.

It is like Leader MCCONNELL is setting up Senate Republicans to play "choose your own adventure" with our families' healthcare. Even he does not know for sure where this will end, but he is clearly willing to do whatever it takes to get to yes, and so is President Trump. He is doing what he does—tweeting threats, stirring up his extreme base, sending Vice President PENCE to twist arms to try to convince a few more Republicans to stay quiet about their very legitimate concerns. Yet, as we head toward a possible vote tomorrow, I hope my Republican colleagues—especially those who have already indicated that they oppose this bill and process—will demand better for their own constituents.

I am going to keep saying this until it sinks in, which is that Democrats are ready, as we always have been, to work with Republicans to improve our healthcare system and make healthcare more affordable, more accessible, of higher quality, and to clean up the mess that has now been made with their efforts to sabotage the ACA in order to jam this TrumpCare bill through.

Let's be clear. As President Trump and Republicans have tried to pass TrumpCare legislatively, they have also implemented it by undermining our current healthcare system. Unless

they get serious and get to work with Democrats, families are going to face higher premiums in 2018, and they will have fewer choices—all because of partisan political tactics.

This fight is on the razor's edge, and Democrats are going to keep doing everything we can to stop it. We just need a few Republicans to join us, to stand on the side of patients and families and say no to TrumpCare. Democrats will do everything we can to persuade more Republicans to join us, but what has made the difference thus far, what has truly mattered, is when Republicans have heard from their own constituents.

I am here tonight to strongly urge people across the country to ramp up the pressure in these last few hours. Keep calling and tweeting. Double down on your advocacy, and make your voices heard. Again, we have less than 24 hours until the Republican leadership plans to hold a vote.

Republican Senators, we also need to hear from you. Now is the time to stand up, do the right thing, and oppose TrumpCare once and for all.

I know a number of our colleagues are going to be coming to the floor tonight to talk about this, and they will be raising their voices and their concerns. I urge all Senators to stand with us tomorrow and vote no.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, I am truly dismayed by what we have seen in this Chamber over the last couple of months with respect to the Senate TrumpCare bill.

We are expecting to take a vote tomorrow on the motion to proceed, but at this point, our Republican colleagues have not shared with us exactly what we are proceeding to. We do not know if our Republican colleagues will attempt to replace the ACA with their flawed TrumpCare bill or if they will just vote to repeal the ACA and immediately upend health insurance markets across the country. Not one of these options is acceptable, and I am skeptical that my colleagues will be able to come up with a better solution in the next 24 hours.

For an issue of this magnitude, we should be holding hearings, meetings, and discussions in the committees of jurisdiction, with experts from around the country, much like we did when we worked to pass the Affordable Care Act. In that way, we could have worked together across the aisle to develop ideas that would improve the system in place, not gut it.

There have long been misconceptions about how the Affordable Care Act

came to be. For over a year, we held hearings, meetings, and roundtable discussions with Members from both parties and had a robust amendment process in our committees, both in the Senate Finance Committee and in the Health, Education, Labor, and Pensions Committee. I served on the HELP Committee at that time and went through numerous hearings, open discussions, and numerous amendments, and I listened to my colleagues. In fact, the HELP Committee's draft of the ACA included over 160 amendments that were offered by my Republican colleagues. It was truly a bipartisan effort at the committee level to try to at least discuss the critical issues that both sides had identified.

This stands in stark contrast to the bill our colleagues have written in secret this year. Even some Republican Senators were kept in the dark, excluded from the process. There were no opportunities for experts, doctors, patients, and others to weigh in and offer comments. As a result, they have written a bill that is bad for patients, bad for healthcare providers, bad for States, and bad for the system as a whole.

My colleagues even rejected the chance to hear from States in public hearings about their healthcare systems in terms of what has worked well and what has not. There are examples of States that have done some very innovative things and some examples of States that have had difficulties. We always say that the States are the great incubators for new ideas. Yet the process that was adopted did not incorporate the views in both of the cases—those in which States have done remarkably well and, frankly, when they could have done much better.

We should look to the States to see how we can improve our healthcare system and let them be partners with us in this process. That is what we did in the consideration of the Affordable Care Act. In fact, some States had already worked to expand access to care before the ACA, most notably Massachusetts, with RomneyCare, and we looked carefully at those examples and tried to incorporate those successful ideas in a national model.

By contrast, across the country, Governors and Senators and State legislators—both Democrats and Republicans—are largely opposed to the Senate Republicans' TrumpCare bill because they know it would be a bad idea for their States. State and local officials have crossed party lines and joined together to get the word out about how bad this bill would be for Americans in all States and from all walks of life. My Republican colleagues must heed their advice and abandon this harmful approach.

It is no secret as to why my Republican colleagues have struggled to come up with the votes within their caucus for their repeal efforts. Their proposals are bad for my State of Rhode Island and bad for the country as a whole. In fact, many States with Republican legislatures and Republican Governors have done very well in incorporating the ACA and understand the impact this will have almost immediately on their healthcare systems.

While we do not know exactly what we will be voting on tomorrow, we have some guesses based on some of what Republicans have publicly shared over the last couple of weeks, and each proposal seems to be worse than the next.

First, my colleagues tried to vote on their TrumpCare bill, which would have provided massive tax giveaways to the very wealthiest Americans at the expense of hard-working Americans across the country. This bill would have decimated Medicaid, cutting State budgets and eliminating access to care for seniors, children, and people with disabilities. Fifty percent of the funds in my State go to seniors, and it is roughly equivalent across the country. Typically, it is through Medicaid for seniors who are in nursing homes. If they were to lose that funding, the States could not make it up.

I think every State in this country is struggling with its own fiscal issues—education, transportation and infrastructure—a host of issues. When this money is pulled out, they will not be able to replace it. They will make difficult decisions about cutting back eligibility so that, ironically, middle-class seniors will be the first to feel the brunt of these cuts. That is exactly one of the areas in which we are trying to improve our system, not only of healthcare but of government. Even after doing that, I think they will still come up short, and that is when they will go into the education funding formulas. There are many States across the country now that are already in crisis, and this will just add to the crisis.

None of these fixes, I don't think, will overcome the damage that would be inflicted by the bill. The non-partisan Congressional Budget Office confirmed that last week when it released an updated score of the bill to reflect some of the changes that had been made. The CBO said that under this revised bill—the latest one that has been evaluated—22 million Americans would lose coverage, just like in the previous version of the bill. It said that 22 million Americans—a significant number of our neighbors—would lose their coverage. Many of them are working families, and many of them have children with special needs, and they need this coverage. They would be thrown out.

I was at a Lowe's store in Rhode Island when a young man came up to me—probably in his mid-thirties—and said: Please, Senator, you have to stop this bill. I have a son who has a serious problem.

I believe he told me it was MS.

He said: If, eventually, they remove the lifetime limits on healthcare insurance, as they are talking about, I will be done. I have employer healthcare insurance. I have a good job, and I have benefits, but if they put those lifetime limits back again, I will be bankrupt. My son will not have the care, or he will only get the care through some type of—something—some extraordinary method.

That is the reality. These are our neighbors.

Similarly, the CBO said that out-of-pocket costs would increase across the

board and that care would be prohibitively expensive for the sickest and poorest amongst us. That is one of the great ironies here—that the sickest would be paying more and more and more.

The CBO was not misled by these so-called fixes that have come into the bill. In fact, we know that the reality would be even worse, I believe, than the CBO has predicted because it has not taken into account a provision that was added too late to be scored—a provision that would bifurcate insurance markets and separate the sick from the healthy, which would lead to a death spiral in the market that would all but certainly collapse the market. They are plans that are not really insurance. They are kind of—I don't know what they are. In fact, the CBO could not even call them insurance. But that would qualify as a plan. The healthiest, youngest people would buy it because it would be cheap, and they would have some kind of sense of protection, driving the sickest and older people into other plans, which would increase their costs and, in fact, create this bifurcated system in which either young, healthy people would not have insurance or they would have this insurance, which would not be insurance when they need it. Then you would have more and more people with chronic conditions and illnesses and just the accumulated health issues of age flocking to what is left and bringing down that system. It would be a death spiral.

If that were not bad enough, some of my colleagues on the other side of the aisle decided that the backup plan would be to vote on a bill to repeal the ACA in its entirety on a 2-year delay. They claim that it will give them an opportunity to work out a replacement plan. This is not sound policy. First, they have had more than 7 years to come up with a replacement but have not had any success. At this moment, there is this ad hoc “What do we put in? What do we take out?” The 7 years of supposed study and analysis has produced, apparently, nothing, and they have spent all of this year behind closed doors, coming up with something they think will work, but they have come up with the same results—the same CBO scores, basically. The real end game is not to repeal and replace; it just seems to be to repeal.

My other concern is that even if this repeal is delayed by 2 years, markets will not wait 2 years to react and insurance companies will not wait 2 years to react. They have to provide for decades in terms of actuarial values, in terms of their shareholders. Hospitals will not wait 2 years. They will see this coming to an end. They will start scaling back their programs, their outreach, all of the things they do, and the effects will be imminent. This effort would leave 17 million more Americans uninsured next year and 32 million more Americans uninsured over the next decade. That is the repeal-and-wait approach. And once again the CBO said this bill will lead to skyrocketing healthcare costs, for the reasons that I suggest: markets will

not wait. Markets will move very quickly once they know this is gone. And since in the last 7 years we couldn't get a replacement, the idea that we are getting it in 2 more years is something they won't believe, and it will be immediate and devastating—again, another death spiral for the marketplace. But here we are on the precipice of voting on whether to upend our entire healthcare system so that, in some respects, this President can claim a victory over former President Obama—not because it is sound healthcare policy but just because of that very complicated relationship. And it is not the right thing to do.

It is long past time for us to leave the campaign rhetoric behind, to get together in a bipartisan fashion, and to work out ways to improve our healthcare system. That is what we attempted to do with the ACA. We sat in meeting after meeting, hearing after hearing—the longest markup, I believe, in the HELP Committee—accepting and voting on Republican amendments and Democratic amendments. That is how we get things done—I hope that is how we get things done.

Healthcare makes up one-sixth of our economy. And when you walk into an ER or a doctor's office, they don't ask you whether you are a Republican or a Democrat, but whether you have insurance. That is the only question they ask: How are you paying for this? If you don't have insurance, then you are in an awfully difficult position, and we know that.

Everybody is going to use the healthcare system in their life. This is not an optional thing. This is not something that is designed for a special group of people. We all will use the healthcare system. And if you can't access it because you have no money or no insurance, maybe you will find a way through the emergency room or some other way, but it won't be the best healthcare and it won't be the most efficient and economical for our country.

In fact, one of the ironies of our healthcare system before the ACA is that we could have large portions of our population with no health insurance, not getting treatment for illnesses that could have been readily fixed while they were in their forties and fifties, and then suddenly at 65, with Medicare, which we all support, they can get treatment they need.

I had an ophthalmologist in my office one day, and they kind of looked around and commented: Well, you are right, because I see people right now coming into Medicare—65, 66 years old—because they had early onset diabetes, which could have been treated by a modest drug regime in their forties and fifties. They are now so sick that they have to have expensive surgery.

That is not effective for the country. With the Affordable Care Act, we were

putting our whole Nation, we hoped—from young people, children, all the way through—on a path to good healthcare, so that by the time they get to Medicare, those issues would not be so important.

So I would urge my colleagues to abandon this effort, to begin tomorrow not with a vote on their proposal, but sitting down with both sides, doing the same process that we did. Again, one of the tests of life is, do you allow your colleagues and friends to do what you did, or do you insist they do something else? We are just asking them to do the same thing we did with the Affordable Care Act over many months of hearings and debate, and then at the end there was a vote.

We are going to see this for the first time tomorrow—the details. We still don't know what is going to be in it. There will be a vote, but it won't be an informed vote. It won't be a result of careful deliberation. It won't be a result of a bipartisan effort. It won't be a result of all the equity holders, including doctors, patients, public health officials, and governors, coming together and saying: We can do this better. That, to me, is a shame.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

##### TRIBUTE TO KIMBERLY BRANDT

Mr. HATCH. Mr. President, I speak today to bid farewell to Kimberly Brandt. Kim has worked for the Senate Finance Committee as the chief oversight counsel for more than 6 years. Kim came to the Finance Committee after years of public service, and she leaves it to again answer the call to public service. While we are sorry to see her leave, I want to take a minute to note the important contributions she has made while on the Finance Committee.

She has coordinated oversight on virtually every conceivable topic within the ambit of the committee's jurisdiction. That work has included IRS, Medicaid and Medicare, Social Security, and trade compliance oversight.

While her work has been both bipartisan and exceptional, Kim is probably equally known to everyone here as the thoughtful baker.

Always cognizant of the little things, Kim made it her life's mission in the Senate to ensure every staffer and Senator had a cookie in their hand when

they needed it most. Her mantra that there are only a few things in life a good cookie can't improve has spread like fresh flowers in a spring garden.

It is no wonder the first comment most of my staffers have made is "who will make us cookies?" after hearing that Kim is leaving. The most unfortunate thing, however, is that I am not sure there is anyone who can fill those shoes. Kim's cookies are perhaps the best I have ever had during my tenure in the Senate. Only my wife's lemon bars can compare, and I feel compelled to say that just to ensure I don't end up on the couch tonight.

I mean, my goodness, just talking about Kim's cookies is making me hungry. You just can't beat her peanut butter and chocolate chip cookies.

While Kim's attention to these little things have brought her considerable fame while she has worked here, there is little doubt in my mind that Kim's legacy extends far beyond her cuisine.

As just one example, Kim worked tirelessly through one of the largest investigations of the IRS that we have seen in recent memory. Kim's leadership ensured that our committee's analysis was both grounded in fact and integrity, and though it took several dozen months to complete, I don't believe there is anyone in this body that would dispute that report's precision, thoughtfulness, and earnestness.

She also has become known as the person who tackles complicated issues involving the Medicare and Medicaid Programs and develops creative, thoughtful policy solutions. That has been evident in her recent work on Medicaid over the past year and in her efforts to come up with solutions to the Medicare audit and appeals backlog, as well as the complicated and burdensome Stark rule. In each of these instances, Kim has engaged the impacted stakeholders and the relevant policy folks and come up with legislative ideas that are bipartisan. This is no small task.

It is this type of work ethic and reputable end product that makes Kim the type of person you hate to see leave, but you quietly rejoice that they are going to be the one helping steer the ship in the administration.

Truly, Kim's appointment as Principal Deputy Administrator for Operations at the Centers for Medicare and Medicaid Services, CMS, reflects this administration's desire to have quality individuals helping lead an agency facing daunting challenges. I don't think anyone would contend with the need for strong and informed leadership there. I can think of no one better suited for the position. I would like to take a few minutes to briefly reflect on Kim's experience to explain why I believe that to be true.

Before Kim came to the Finance Committee, she worked as senior counsel at Alston & Bird here in Washington, DC, advising clients on



healthcare compliance and fraud and abuse issues. Prior to her work at Alston & Bird, Kim served 7 years as the director of the Medicare Program Integrity Group at CMS. For 5 years before that, Kim worked at the HHS Office of Inspector General as special counsel and director of external affairs and as a senior counsel negotiating False Claims Act settlements and drafting and monitoring corporate integrity agreements.

Just that work experience, in two administrations and a respected law firm, should be enough to qualify Kim for this important role, but I am not done. Kim also worked on authoring OIG's compliance guidance for individual and small group physician practices.

She received her J.D. with a concentration in health law from the DePaul School of Law, an M.A. in legislative affairs and health policy from George Washington University, and her B.A. from Valparaiso University.

Kim has long been recognized nationally as an expert in healthcare compliance and fraud and abuse issues, but in 2016, that recognition culminated in her receiving the Healthcare Compliance and Ethics Professional of the Year award from the Society for Corporate Compliance and Ethics and the Health Care Compliance Association.

While I am sure to speak for all of my staff and fellow Senators when I say that we will miss Kim, I think I can also say, with confidence, that we have the greatest faith in Kim. Yes, we will probably have strikes due to the absence of Kim's baked goods, and yes, our oversight and Medicaid efforts will not be the same without Kim, but this is important work we are all engaged in, and it would be wrong to bar our great country from the service of this wonderful and highly talented friend of mine.

Before I conclude, though, I would like to harken back to one of my favorite stories about Kim.

It was in the wake of the Lois Lerner debacle. Kim and her team spent more than a dozen months hashing out a highly detailed and important investigation that revealed quite a bit more than what we were initially expecting. In the end, Kim and her team interviewed more than 32 current and former IRS and Treasury employees and reviewed nearly 1.5 million pages of documents. The fruit of their labor was a staggering and included a four-part treatise on the IRS's processing of 501(c)(3) and 501(c)(4) applications for tax-exempt status. There were thousands of pages of appendices and hundreds of pages of report text.

Before the report was finalized, however, I wanted to be sure I had read every word. Aside from the hefty amount of reading, it also created problems because the text included confidential taxpayer information and only those with clearance could enter

my office while I reviewed the text. Kim's humor, wit, and zealous optimism kept me alert and motivated throughout the investigation of those hundreds of pages, and while I have always cherished Kim's famous cookies, they never tasted better than they did then.

Now, I had always appreciated Kim, but in this instance, her commitment to detail and integrity really struck me. To ensure that the product coming out of the committee was a complete and accurate one, she went back to the IRS to confirm that the committee had all relevant documents. Only then did we discover the thousands of pages of missing emails which would become a critical part of the investigation. If it weren't for Kim's hard work and intellectual rigor, we would have never discovered this fact, and throughout the investigation, which was often heated and impassioned on both sides of the aisle, Kim was fair, honest, and worked hard to keep the inquiry bipartisan, something no other committee in Congress could do.

This and many other incredible memories of Kim will be with me forever, and words can't quite say how truly grateful I am to have Kim help me make all those memories these past several years.

Our work in the Nation's Capital can get ugly sometimes. It can be partisan. We often wonder whether we can still get good people to go into public service, but then we are reminded that there are good people in this town who repeatedly answer the call to public service. Kim Brandt is one of these—and she is one of the best. The Finance Committee, the Senate, CMS, and, in honesty, the United States of America is lucky to have her in these roles, and we thank her for her hard work.

I am going to miss you, Kim.

I want to wish Kim, her beloved pup Sherlock, and her family all of the best. I feel no need to hesitate when I say that we are all proud of you and will miss you dearly.

Thank you.

#### MESSAGE FROM THE HOUSE

At 7:26 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3298. An act to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3298. An act to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes; to the Committee on Rules and Administration.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 595. A bill to provide U.S. Customs and Border Protection with additional flexibility to expedite the hiring process for applicants for law enforcement positions, and for other purposes (Rept. No. 115-133).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 760. A bill to expand the Government's use and administration of data to facilitate transparency, effective governance, and innovation, and for other purposes (Rept. No. 115-134).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 756. A bill to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes (Rept. No. 115-135).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1096. A bill to amend and enhance certain maritime programs of the Department of Transportation, and for other purposes (Rept. No. 115-136).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ROBERTS (for himself, Mr. MORAN, Mr. MCCAIN, Mr. COCHRAN, Mr. SHELBY, Mrs. MURRAY, Mr. GRASSLEY, Mr. MCCONNELL, Mr. HATCH, Mr. LEAHY, Mr. WYDEN, Mr. INHOFE, Mrs. FEINSTEIN, and Mr. ERNST):

S. 1616. A bill to award the Congressional Gold Medal to Bob Dole, in recognition for his service to the nation as a soldier, legislator, and statesman; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CORNYN (for himself, Mr. TESTER, Mr. JOHNSON, Mrs. MCCASKILL, Mr. TILLIS, Ms. HEITKAMP, and Mr. CRUZ):

S. 1617. A bill to designate the checkpoint of the United States Border Patrol located on United States Highway 77 North in Sarita, Texas, as the "Javier Vega, Jr. Border Patrol Checkpoint"; to the Committee on Homeland Security and Governmental Affairs.

By Ms. STABENOW:

S. 1618. A bill to amend the Internal Revenue Code of 1986 for purposes of the tax on private foundation excess business holdings to treat as outstanding any employee-owned stock purchased by a business enterprise pursuant to certain employee stock ownership retirement plans; to the Committee on Finance.



By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 1619. A bill to amend the Servicemembers Civil Relief Act to extend the interest rate limitation on debt entered into during military service to debt incurred during military service to consolidate or refinance student loans incurred before military service; to the Committee on Veterans' Affairs.

By Mr. COTTON (for himself and Mr. GARDNER):

S. 1620. A bill to enhance the security of Taiwan and bolster its participation in the international community, and for other purposes; to the Committee on Foreign Relations.

By Mr. WICKER (for himself, Mr. MANCHIN, Mr. SULLIVAN, Mr. BARRASSO, Mrs. FISCHER, Mr. MORAN, Mr. SCHATZ, Ms. KLOBUCHAR, Mr. PETERS, and Mr. WYDEN):

S. 1621. A bill to require the Federal Communications Commission to establish a methodology for the collection by the Commission of information about commercial mobile service and commercial mobile data service, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MENENDEZ:

S. 1622. A bill to amend the Federal Water Pollution Control Act relating to beach monitoring, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MENENDEZ:

S. 1623. A bill to increase the maximum penalty for unfair and deceptive practices relating to advertising of the costs of air transportation; to the Committee on Commerce, Science, and Transportation.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BURR (for himself and Mr. TILLIS):

S. Res. 229. A resolution recognizing the contributions of the Montagnard indigenous tribespeople of the Central Highlands of Vietnam to the United States Armed Forces during the Vietnam War, and condemning the ongoing violation of human rights by the Government of the Socialist Republic of Vietnam; to the Committee on Foreign Relations.

By Mr. WHITEHOUSE (for himself, Mr. CASSIDY, Mr. WYDEN, Mr. REED, Ms. HIRONO, Mr. MARKEY, Mr. CARPER, Ms. WARREN, Mr. MURPHY, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Ms. HASSAN, Mr. CARDIN, Mrs. SHAHEEN, Mr. NELSON, Mr. COONS, Mr. BOOKER, Mrs. MURRAY, Ms. BALDWIN, Mrs. FEINSTEIN, Ms. COLLINS, Mr. KING, Mr. BROWN, Ms. CANTWELL, Mr. WARNER, Mr. COCHRAN, Ms. HARRIS, Mr. MENENDEZ, and Mr. PORTMAN):

S. Res. 230. A resolution designating the week of September 16 through September 23, 2017, as "National Estuaries Week"; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 59

At the request of Mr. CRAPO, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cospon-

sor of S. 59, a bill to provide that silencers be treated the same as long guns.

S. 170

At the request of Mr. RUBIO, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S. 170, a bill to provide for non-preemption of measures by State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 298

At the request of Mr. TESTER, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 298, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 407

At the request of Mr. CRAPO, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 474

At the request of Mr. GRAHAM, the names of the Senator from Idaho (Mr. RISCH) and the Senator from Louisiana (Mr. KENNEDY) were added as cosponsors of S. 474, a bill to condition assistance to the West Bank and Gaza on steps by the Palestinian Authority to end violence and terrorism against Israeli citizens.

S. 497

At the request of Ms. CANTWELL, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 642

At the request of Mr. PAUL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 642, a bill to restore the integrity of the Fifth Amendment to the Constitution of the United States, and for other purposes.

S. 693

At the request of Ms. BALDWIN, the names of the Senator from Arkansas

(Mr. BOOZMAN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 693, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 860

At the request of Mr. WHITEHOUSE, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 860, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

At the request of Mr. GRASSLEY, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 860, *supra*.

S. 980

At the request of Mrs. CAPITO, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 980, a bill to amend title XVIII of the Social Security Act to provide for payments for certain rural health clinic and Federally qualified health center services furnished to hospice patients under the Medicare program.

S. 1002

At the request of Mr. MORAN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1002, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1014

At the request of Mrs. FISCHER, the names of the Senator from Louisiana (Mr. KENNEDY) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1014, a bill to direct the Secretary of Veterans Affairs to make grants to eligible organizations to provide service dogs to veterans with severe post-traumatic stress disorder, and for other purposes.

S. 1024

At the request of Mr. ISAKSON, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1024, a bill to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 1182

At the request of Mr. YOUNG, the names of the Senator from Missouri

(Mrs. McCASKILL), the Senator from Delaware (Mr. COONS), the Senator from New Mexico (Mr. HEINRICH), the Senator from Rhode Island (Mr. REED), the Senator from California (Ms. HARRIS) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

S. 1311

At the request of Mr. CORNYN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1311, a bill to provide assistance in abolishing human trafficking in the United States.

S. 1343

At the request of Mr. THUNE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1343, a bill to amend the Internal Revenue Code to extend and modify certain charitable tax provisions.

S. 1353

At the request of Mr. LEAHY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1353, a bill to require States to automatically register eligible voters to vote in elections for Federal offices, and for other purposes.

S. 1453

At the request of Mr. DONNELLY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1453, a bill to allow the Secretary of Health and Human Services to designate certain substance use disorder treatment facilities as eligible for National Health Service Corps service.

S. 1520

At the request of Mr. WICKER, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 1520, a bill to expand recreational fishing opportunities through enhanced marine fishery conservation and management, and for other purposes.

S. 1562

At the request of Mr. GARDNER, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1562, a bill to impose sanctions with respect to the Government of the Democratic People's Republic of Korea and any enablers of the activities of that Government, and for other purposes.

S. 1564

At the request of Ms. WARREN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1564, a bill to amend the Internal Revenue Code of 1986 to permit legally married same-sex couples to amend their filing status for returns outside the 3-year limitation.

S. 1595

At the request of Mr. RUBIO, the names of the Senator from Idaho (Mr.

CRAPO) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 1595, a bill to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes.

S. 1598

At the request of Mr. ISAKSON, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Louisiana (Mr. KENNEDY) were added as cosponsors of S. 1598, a bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 1615

At the request of Mr. GRAHAM, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1615, a bill to authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children and for other purposes.

S.J. RES. 17

At the request of Mr. CORNYN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S.J. Res. 17, a joint resolution approving the discontinuation of the process for consideration and automatic implementation of the annual proposal of the Independent Medicare Advisory Board under section 1899A of the Social Security Act.

S.J. RES. 47

At the request of Mr. CRAPO, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S.J. Res. 47, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements".

S. CON. RES. 6

At the request of Mr. BARRASSO, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 75

At the request of Mr. PORTMAN, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Indiana (Mr. DONNELLY) were added as cosponsors of S. Res. 75, a resolution recognizing the 100th anniversary of the Academy of Nutrition and Dietetics, the largest organization of food and nutrition professionals in the world.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself, Mr. TESTER, Mr. JOHNSON, Mrs.

McCASKILL, Mr. TILLIS, Ms. HEITKAMP, and Mr. CRUZ):

S. 1617. A bill to designate the checkpoint of the United States Border Patrol located on United States Highway 77 North in Sarita, Texas, as the "Javier Vega, Jr. Border Patrol Checkpoint"; to the Committee on Homeland Security and Governmental Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1617

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Javier Vega, Jr. Memorial Act of 2017".

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) A native of La Feria, Texas, Border Patrol Agent Javier Vega, Jr. served his country first a member of the United States Marines Corps and then proudly as a border patrol agent in the canine division with his dog, Goldie.

(2) Agent Vega was assigned to the Kingsville, Texas Border Patrol Station as a canine handler and worked primarily at the Sarita Border Patrol Checkpoint.

(3) On August 3, 2014, Agent Vega was on a fishing trip with his family near Raymondville, Texas, when 2 criminal aliens attempted to rob and attack them.

(4) Agent Vega was shot and killed while attempting to subdue the assailants and protecting his family.

(5) Agent Vega is survived by his wife, parents, 3 sons, brother, sister-in-law, niece, and dog, Goldie.

#### SEC. 3. DESIGNATION.

The checkpoint of the United States Border Patrol located on United States Highway 77 North in Sarita, Texas, shall be known and designated as the "Javier Vega, Jr. Border Patrol Checkpoint".

#### SEC. 4. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the checkpoint described in section 3 shall be deemed to be a reference to the "Javier Vega, Jr. Border Patrol Checkpoint".

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 1619. A bill to amend the Servicemembers Civil Relief Act to extend the interest rate limitation on debt entered into during military service to debt incurred during military service to consolidate or refinance student loans incurred before military service; to the Committee on Veterans' Affairs.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1619

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. INTEREST RATE LIMITATION ON DEBT ENTERED INTO DURING MILITARY SERVICE TO CONSOLIDATE OR REFINANCE STUDENT LOANS INCURRED BEFORE MILITARY SERVICE.**

(a) IN GENERAL.—Subsection (a) of section 207 of the Servicemembers Civil Relief Act (50 U.S.C. App. 527) is amended—

(1) in paragraph (1), by inserting “ON DEBT INCURRED BEFORE SERVICE” after “LIMITATION TO 6 PERCENT”;

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following new paragraph (2):

“(2) LIMITATION TO 6 PERCENT ON DEBT INCURRED DURING SERVICE TO CONSOLIDATE OR REFINANCE STUDENT LOANS INCURRED BEFORE SERVICE.—An obligation or liability bearing interest at a rate in excess of 6 percent per year that is incurred by a servicemember, or the servicemember and the servicemember's spouse jointly, during military service to consolidate or refinance one or more student loans incurred by the servicemember before such military service shall not bear an interest at a rate in excess of 6 percent during the period of military service.”;

(4) in paragraph (3), as redesignated by paragraph (2) of this subsection, by inserting “or (2)” after “paragraph (1)”; and

(5) in paragraph (4), as so redesignated, by striking “paragraph (2)” and inserting “paragraph (3)”.

(b) IMPLEMENTATION OF LIMITATION.—Subsection (b) of such section is amended—

(1) in paragraph (1), by striking “the interest rate limitation in subsection (a)” and inserting “an interest rate limitation in paragraph (1) or (2) of subsection (a)”; and

(2) in paragraph (2)—

(A) in the paragraph heading, by striking “EFFECTIVE AS OF DATE OF ORDER TO ACTIVE DUTY” and inserting “EFFECTIVE DATE”; and

(B) by inserting before the period at the end the following: “in the case of an obligation or liability covered by subsection (a)(1), or as of the date the servicemember (or servicemember and spouse jointly) incurs the obligation or liability concerned under subsection (a)(2)”.

(c) STUDENT LOAN DEFINED.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

“(3) STUDENT LOAN.—The term ‘student loan’ means the following:

“(A) A Federal student loan made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

“(B) A private student loan as that term is defined section 140(a) of the Truth in Lending Act (15 U.S.C. 1650(a)).”.

## SUBMITTED RESOLUTIONS

**SENATE RESOLUTION 229—RECOGNIZING THE CONTRIBUTIONS OF THE MONTAGNARD INDIGENOUS TRIBESPEOPLE OF THE CENTRAL HIGHLANDS OF VIETNAM TO THE UNITED STATES ARMED FORCES DURING THE VIETNAM WAR, AND CONDEMNING THE ONGOING VIOLATION OF HUMAN RIGHTS BY THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIETNAM**

Mr. BURR (for himself and Mr. TILLIS) submitted the following resolution;

which was referred to the Committee on Foreign Relations.

S. RES. 229

Whereas the Montagnards are an indigenous tribespeople living in Vietnam's Central Highlands region;

Whereas the Montagnards were driven into the mountains by invading Vietnamese and Cambodians in the 9th century;

Whereas French Roman Catholic missionaries converted many of the Montagnards in the 19th century and American Protestant missionaries subsequently converted many to various Protestant sects;

Whereas, during the 1960s, the United States Mission in Saigon, the Central Intelligence Agency (CIA), and United States Army Special Forces, also known as the Green Berets, trained the Montagnards in unconventional warfare;

Whereas an estimated 61,000 Montagnards, out of an estimated population of 1,000,000, fought alongside the United States and the Army of the Republic of Vietnam (ARVN) forces against the North Vietnamese Army and the Viet Cong;

Whereas the CIA, United States Special Forces, and the Montagnards cooperated on the Village Defense Program, a forerunner to the War's Strategic Hamlet Program, and an estimated 43,000 Montagnards were organized into Civilian Irregular Defense Groups (CIDGs) to provide protection for the areas around the CIDGs' operational bases;

Whereas, at its peak, the CIDGs had approximately 50 operational bases, with each base containing a contingent of two United States Army officers and ten enlisted men, and an ARVN unit of the same size, and each base trained 200 to 700 Montagnards or “strikers”;

Whereas another 18,000 Montagnards were reportedly enlisted into mobile strike forces and various historical accounts describe a strong bond between the United States Special Forces and the Montagnards, in contrast to Vietnamese Special Forces and ARVN troops;

Whereas the lives of thousands of members of the United States Armed Forces were saved as a result of the heroic actions of the Montagnards, who fought loyally and bravely alongside United States Special Forces in the Vietnam War;

Whereas, after the fall of the Republic of Vietnam in 1975, thousands of Montagnards fled across the border into Cambodia to escape persecution;

Whereas the Government of the reunified Vietnamese nation, renamed the Socialist Republic of Vietnam, deeply distrusted the Montagnards who had sided with the United States and ARVN forces, and subjected them to imprisonment and various forms of discrimination and oppression after the Vietnam War ended;

Whereas, after the Vietnam War, the United States Government resettled large numbers of Montagnards in several States and an estimated several thousand Montagnards currently reside in North Carolina, which is the largest population of Montagnards residing outside of Vietnam;

Whereas the Socialist Republic of Vietnam currently remains a one-party state, ruled and controlled by the Communist Party of Vietnam (CPV), which continues to restrict freedom of religion, movement, land and property rights, and political expression;

Whereas some Montagnard-Americans have shared their personal stories about Vietnamese authorities either preventing them from visiting Vietnam or subjecting them to

interrogation upon re-entering the country on visits;

Whereas the Department of State's 2016 Country Reports on Human Rights Practices documents the Government of Vietnam's claim that Montagnards fleeing to Cambodia and Thailand are illegal migrants in pursuit of economic opportunities, and human rights groups assess that the Government has pressured Cambodian and Thai authorities to refuse Montagnards refugee or temporary asylum-seeker status and repatriate them to Vietnam;

Whereas the Department of State's 2016 Country Reports on Human Rights Practices states that, although Vietnamese law prohibits discrimination against ethnic minorities and despite Vietnam's significant economic growth, the economic gap between many ethnic minority communities and ethnic Vietnamese (Kinh) communities persisted as a result of longstanding and persistent discrimination;

Whereas the Department of State's 2016 Country Reports on Human Rights Practices further states that ethnic minority populations in Vietnam also experienced significant health challenges as maternal and child mortality rates were significantly higher in ethnic minority areas, in comparison with urban and coastal areas;

Whereas the United States Commission on International Religious Freedom (USCIRF) in its 2016 Annual Report states that “Montagnards, many of whom are Protestant, face numerous restrictions” such as being prevented from holding religious ceremonies, harassed or punished, and “many are summoned to meet with local authorities and pressured to cease practicing their ‘poisonous’ faith”;

Whereas Montagnards have stated that this kind of ongoing social and religious persecution drove them to flee to Cambodia;

Whereas USCIRF reports that, since October 2014, “up to 300 Montagnards have fled Vietnam to Cambodia, many because of religious persecution” but “only 13 have been granted refugee status with the United Nations High Commissioner for Refugees (UNHCR) as countless others are waiting for Cambodia to process their asylum claims, and dozens have been returned to Vietnam, often at great risk of reprisals”; and

Whereas USCIRF recommends that Vietnam be designated a Country of Particular Concern (CPC) as a means to facilitating reforms: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the contributions of the Montagnards who fought loyally and bravely with United States Armed Forces during the Vietnam War and who continue to suffer persecution in Vietnam as a result of this relationship;

(2) condemns ongoing actions by the Government of Vietnam to suppress basic human rights and civil liberties of its citizens;

(3) calls on the Government of Vietnam to allow human rights groups access to all regions of the country and to end restrictions of basic human rights, including the right for Montagnards to practice their Christian faith freely, the right to land and property, freedom of movement, the right to retain ethnic identity and culture, and access to an adequate standard of living;

(4) recognizes the importance of the U.S. Refugee Admissions Program (USRAP) and that, where determined to be eligible, Montagnards should be provided access to USRAP for resettlement in the United States and in other countries; and

(5) urges the President and Congress to develop policies at every level, including trade,

military, and economic policy, that support Montagnards and other marginalized ethnic minority and indigenous populations in Vietnam that reflect United States interests and commitment to upholding human rights and democracy abroad.

**SENATE RESOLUTION 230—DESIGNATING THE WEEK OF SEPTEMBER 16 THROUGH SEPTEMBER 23, 2017, AS “NATIONAL ESTUARIES WEEK”**

Mr. WHITEHOUSE (for himself, Mr. CASSIDY, Mr. WYDEN, Mr. REED, Ms. HIRONO, Mr. MARKEY, Mr. CARPER, Ms. WARREN, Mr. MURPHY, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Ms. HASSAN, Mr. CARDIN, Mrs. SHAHEEN, Mr. NELSON, Mr. COONS, Mr. BOOKER, Mrs. MURRAY, Ms. BALDWIN, Mrs. FEINSTEIN, Ms. COLLINS, Mr. KING, Mr. BROWN, Ms. CANTWELL, Mr. WARNER, Mr. COCHRAN, Ms. HARRIS, Mr. MENENDEZ, and Mr. PORTMAN) submitted the following resolution; which was referred to the Committee on the Judiciary:

**S. RES. 230**

Whereas the estuary regions of the United States constitute a significant share of the economy of the United States, with as much as 43 percent of the gross domestic product of the United States generated in shore adjacent counties;

Whereas the population of shore adjacent counties in the United States increased by 39 percent from 1970 to 2010 and is projected to continue to increase;

Whereas not fewer than 2,100,000 jobs in the United States were supported by marine tourism and recreation in 2013;

Whereas the commercial and recreational fishing industries support over 1,600,000 jobs in the United States;

Whereas, in 2015—

(1) commercial fish landings in the United States were valued at nearly \$5,300,000,000; and

(2) recreational anglers took nearly 61,000,000 saltwater fishing trips and spent \$28,700,000,000 on fishing trips and durable equipment;

Whereas estuaries provide vital habitats for countless species of fish and wildlife, including more than 68 percent of the commercial fish catch in the United States by value and 80 percent of the recreational fish catch in the United States by weight, as well as many species that are listed as threatened or endangered species;

Whereas estuaries provide critical ecosystem services that protect human health and public safety, including water filtration, flood control, shoreline stabilization, erosion prevention, and the protection of coastal communities during hurricanes and storms;

Whereas the United States had already lost more than 50 percent of the wetlands that existed in the 13 Colonies by the 1980s;

Whereas some bays in the United States that were once filled with fish and oysters have become dead zones filled with excess nutrients, chemical wastes, harmful algae, and marine debris;

Whereas changes in sea level can affect estuarine water quality and estuarine habitats;

Whereas the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) provides that the policy of the United States is to

preserve, protect, develop, and, if possible, restore or enhance the resources of the coastal zone of the United States, including estuaries, for current and future generations;

Whereas 27 coastal and Great Lakes States and territories of the United States operate or contain a National Estuary Program or a National Estuarine Research Reserve;

Whereas scientific study leads to a better understanding of the benefits of estuaries to human and ecological communities;

Whereas the Federal Government, State, local, and tribal governments, national and community organizations, and individuals work together to effectively manage the estuaries of the United States;

Whereas estuary restoration efforts restore natural infrastructure in local communities in a cost-effective manner, helping to create jobs and reestablish the natural functions of estuaries that yield countless benefits; and

Whereas the week of September 16 through September 23, 2017, is recognized as “National Estuaries Week” to increase awareness among all people of the United States, including Federal Government and State, local, and tribal government officials, about the importance of healthy estuaries and the need to protect and restore estuaries: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week of September 16 through September 23, 2017, as “National Estuaries Week”;

(2) supports the goals and ideals of National Estuaries Week;

(3) acknowledges the importance of estuaries to sustaining employment in the United States and the economic well-being and prosperity of the United States;

(4) recognizes that persistent threats undermine the health of the estuaries of the United States;

(5) applauds the work of national and community organizations and public partners that promote public awareness, understanding, protection, and restoration of estuaries;

(6) reaffirms the support of the Senate for estuaries, including the scientific study, preservation, protection, and restoration of estuaries; and

(7) expresses the intent of the Senate to continue working to understand, protect, and restore the estuaries of the United States.

**PRIVILEGES OF THE FLOOR**

Ms. HIRONO. Mr. President, I ask unanimous consent that Dee Williams, a fellow in my office, be granted floor privileges for the remainder of today’s session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that privileges of the floor be granted to my second-session summer interns Kasey Casort, Hannah McCue, Jesse Oney, Ronald Meehan, Dawson Verley, Evan Ipock, Samantha Warner, Kobe Rizk, Brian Dusek, Madeline Ko, Aimee Bushnell, and Fatos Redzepi for the remainder of their session in August.

The PRESIDING OFFICER. Without objection, it is so ordered.

**ORDERS FOR TUESDAY, JULY 25, 2017**

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon, Tuesday, July 25; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed.

The PRESIDING OFFICER. Without objection, it is so ordered.

**NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018—MOTION TO PROCEED—Continued**

The PRESIDING OFFICER. The Senator from Illinois.

**HEALTHCARE**

Mr. DURBIN. Mr. President, this week—perhaps as early as tomorrow—Majority Leader McCONNELL, who just left the floor, will ask the Senate to vote on a bill we have not seen. That is right. We will be voting this week on a bill we haven’t seen. I think it is a first. I am going to do a little research to see if this has ever happened before in the Senate, where Members of the Senate were brought together to vote on a bill that has not been made public or printed for us to review.

This isn’t an inconsequential bill. This is a bill about the healthcare system of the United States of America. There is not a single American living in our Nation today who will not be affected by our vote this week because we are in the process of deciding whether we will change healthcare in America, health insurance in America, and there is not a single one of us who doesn’t have a health insurance plan, either private or public, or not affected by the health insurance industry in healthcare across the United States. In fact, healthcare itself represents one-sixth of the American economy.

So we are being asked to vote on a bill this week which has not been printed and given to us and which will change healthcare for every single American and affect one-sixth of the American economy.

We do know that some of the previous provisions that have been brought before us on the Republican side have an impact—a negative impact—and in my State of Illinois, a very personal negative impact.

We know that their effort to repeal ObamaCare, which has been a political slogan that has been used for 6 or 7 years, ran into a wall when the American people said: Well, if you repeal it, what is left? What will be there? What will replace it?

At that point, the Republican effort disassembled. They didn’t have an alternative. They spent the last 6 years

under ObamaCare—the Affordable Care Act—saying “No, repeal it” without spending the time to think about what would follow, what is next.

The Congressional Budget Office—this is an interesting thing—the Congressional Budget Office is a non-partisan agency that we turn to that evaluates our work. They take a look at the bills we write, and they take a look at the laws that will pass, and they say: Well, this is the impact it will have on the deficit, on future generations, on entitlement programs.

Sometimes the Congressional Budget Office is maddening. They take forever. I don't know what is going on over there, but what you think is a simple question can take weeks and sometimes longer to result in an analysis, and there are times when I just flat out disagree with their analysis.

Let me give an example. When we debated the Affordable Care Act, we said that one of the things we need to do is make sure there is plenty of preventive medicine. For example, we make sure under the Affordable Care Act that every senior gets a free annual physical. Our belief is, if you detect a problem a person has early enough, you might be able to lessen its impact or actually cure it. We said that to the Congressional Budget Office, and they replied to us: You cannot put a dollar value on preventive medicine.

Well, it is common sense; isn't it? If you find something early, it is more likely to be cured. It is cheaper. No, you can't put a dollar on it.

So the Congressional Budget Office sometimes can frustrate us, but we rely on them, and I would say, for the most part, they do give us good advice. I don't agree completely with them, but they give us good advice.

Do you know what they say about the Republican repeal plans that have been passed in the House of Representatives and the various versions that have been suggested? They believe those repeal efforts will take health insurance away from 22 million to 32 million Americans.

Think about that. We passed the Affordable Care Act because so many people in America had no health insurance, and we wanted to make sure they had it—for their own peace of mind, for their own good health, to make sure there was fairness in our system so sick people without health insurance who are cared for don't have their bills passed on to everybody else. Well, the Congressional Budget Office took a look at the Republican plan, which passed the U.S. House of Representatives by four votes—all Republican votes—four votes, and they looked at the plans proposed by Senator McCONNELL and the Republicans, and they said: At the end of the day, 22 to 32 million Americans will lose their health insurance. They said, in my State of Illinois, 1 million out of 12½ million will lose their health insurance.

I cannot understand how any Senator of either political party could, in good conscience, come here and say: Boy, we had a great week. We just passed a healthcare reform bill, and 1 million people in Illinois will lose their health insurance. Really? That is why you ran for the U.S. Senate, to take health insurance coverage away from people? I would have thought common decency, common sense would suggest we want to do just the opposite. We want more and more people to fall under the protection of health insurance.

We also know some of the reforms we built into the Affordable Care Act are going to be changed by at least the early versions of the Republican repeal bill. Like what? One out of three Americans has a preexisting medical condition. A few weeks ago, I went through a heart procedure that worked out just fine—thank you—but now I have a preexisting condition. I am in pretty big company: one out of three people across the United States.

Remember the day before we passed the Affordable Care Act? Before we passed the Affordable Care Act, if you had a preexisting condition, if you could get health insurance, it was darned expensive.

A good friend of mine had a trucking company. He had some problems with his ankle. He went to the doctor. The next year, when they wrote the health insurance plan for his trucking company, they excluded anything on the health insurance policy affecting his legs and his feet. Each year, he said, I was afraid to turn in any claim because the next year they wouldn't cover him. It is a preexisting condition.

We changed that. We changed the law. We said, in America, when you sell health insurance, you cannot discriminate because of preexisting conditions. You can't discriminate with higher premiums because you have a child with diabetes. You can't discriminate with higher premiums if your wife has survived breast cancer. Now, to me, that is common sense, and it is humane.

The Republican approach allows the States to waive that—back to the bad old days, when preexisting conditions could run your premiums through the roof, where you have haves and have-nots when it comes to health insurance, and Republicans said the other protections we put in the Affordable Care Act are also on the chopping block.

For example, my wife and I raised three kids, put them through college. They had their health insurance when they were students. They came out of college looking for jobs—thank you—and it took a little while to find the right job, and we worried: Now that they are not in school, whose health insurance is going to protect them while they are looking for a job with benefits?

We put in the Affordable Care Act that your kids—young adults—can stay under your family health insurance plan until they reach the age of 26. It is just common sense. Keep them under the family plan until they have a chance to get that job with benefits.

We put other provisions in there—lifetime limits. It used to be, you would buy health insurance in this country and to keep the costs down, they would say: We have you covered. Up to \$150,000, you are covered. Now, \$150,000 sounds like a huge amount of money to people of modest means and working families, but we all know you are one accident or one diagnosis away from having medical bills that go through the roof. So \$150,000? Get real. That could be 2 days in a hospital with a doctor and a surgery or radiation. That is the reality.

So we took lifetime limits off the policies. They can't do that to you in America anymore. When you buy health insurance, you have health insurance, and if, God forbid, your condition takes your bills to sky heaven, they are going to be covered. Now the Republicans say: Well, that is another thing we will take out. We will make that optional.

Can I tell you one other one that really gets me because it was a big debate here for years. Back where my friend Senator SHELDON WHITEHOUSE is standing used to be the desk of Paul Wellstone, a liberal Senator from the State of Minnesota. What a good guy—terrific guy—short, feisty. Boy, when he got into a fight, you wanted to be on his side.

Paul Wellstone teamed up with a man who sat right there named Pete Domenici. Pete Domenici was exactly the opposite politically: from New Mexico, conservative, Republican, disagreed with Wellstone on virtually everything, except for one thing. Each of them had in their families someone suffering from mental illness. They decided they were going to do something about the fact that most health insurance plans did not cover mental illness. It was a battle that went on for years to require health insurance to include mental illness and they won the battle and we put it in the Affordable Care Act. Now, the Republicans say: Let's make that optional. This is something you can buy if you want to buy it.

At the end of the day, I think we all know we need a health insurance plan which is there when we need it, that covers things we can't even imagine when we buy the health insurance, and it makes sure people don't end up broke and bankrupt because of healthcare bills.

That was the driving cause, the driving reason for people filing bankruptcy in America—medical bills. They couldn't pay them. Since we passed the Affordable Care Act, the number of bankruptcies filed because of medical

bills has been cut in half. So good health insurance that covers you when you need it and covers a member of your family when you need it is essential. That is why this debate and this vote tomorrow are so essential.

One thing I forgot to mention. Wellstone and Domenici didn't just cover mental illness. They put another provision in there, and most of us paid no attention to it: substance abuse treatment. That has to be covered in health insurance too. Is that important? Have you heard of the opioid epidemic, the heroin epidemic?

I recently asked one of the best providers in Chicago about this, and they said: Luckily, people who have a child who ends up being addicted and needs treatment, if they have private health insurance, there is some coverage. Now, there is a battle about how many bills will be paid and how much is paid, but it is covered under the health insurance plan. Republicans want to make that optional. They call it freedom of choice.

The junior Senator from Texas, TED CRUZ, talks about policies you could buy that are really cheap policies. We call it junk insurance. You are insured in name only. If you need it, it isn't going to be there. That has been in the Republican plans that have come before us. We don't know whether that will be in the plan we have to vote on tomorrow. We don't know. It is a mystery.

How many hearings have been held on the bill we will vote for tomorrow on proceeding to change healthcare in America? None. Not one. How many amendments have been offered? Of course, none. We haven't seen it. We don't know.

We also know something else. The Republican plan on healthcare will slash the Medicaid Program. Most people—myself included—a few years ago, would have been stumped to describe the Medicaid Program and what it covered. Now, I will tell you what it covers, and think about cutting what I am about to describe by 25 to 35 percent.

No. 1, half of the children born in the State of Illinois are paid for by Medicaid. Their mother's prenatal care, the birth of the child, and postnatal care of mom and the kid is covered by Medicaid—one-half.

In addition to that, every school district in my State—probably in Rhode Island, probably in Oklahoma—receives Medicaid payments—school districts. Why? For the kids with special education needs. Medicaid helps pay for counselors so these kids can be mainstreamed in education. Medicaid in my State even pays for feeding tubes for those severely disabled children who are in school—but a 25- to 35-percent cut in the Republicans' proposals for Medicaid.

The most expensive thing in Medicaid, the thing that costs the most

money, I haven't mentioned. Is your mother in a nursing home? Is your father? Your grandfather? Sixty percent of the people in nursing homes rely on Medicaid to stay in that nursing home and get the basic care they need. So when you cut that by 25 to 35 percent, what happens to Mom? What happens to your grandfather? Does that mean the family now has a bill to pick up? Does that mean they have to leave the nursing home and go somewhere else? Where will that be? Yet that is one of the proposals.

The disabled community, they stepped up as well. Medicaid is health insurance for disabled people in America. A woman in Champagne came to me and said: I have a 23-year-old son with autism. He is pretty good. He is kind of on his own. He is doing some things. Senator, if he didn't have Medicaid health insurance, I would have to put him in an institution. I don't want to do that.

How important is Medicaid? How important is it that the Republicans will slash this Medicaid? It gets to the heart of healthcare for tens of millions of people in the United States of America.

Why do Republicans want to cut Medicaid? It is simple. It is linear. It is direct. They have to cut \$700 billion out of Medicaid to provide a tax cut for the wealthiest people in America.

Oh, DURBIN, you are making that up. This must be a press release from the Democratic National Committee. No, that is exactly what it is all about. In order to pay for the tax cuts to the highest income individuals, to pharmaceutical companies, and to health insurance companies, they cut Medicaid payments to the States. They think that is simple justice, a tax cut. They are always for tax cuts, but look who pays for that tax cut.

So who lines up for and against the Republican approach we are going to get to vote on tomorrow? That is easy. There is not a single medical advocacy group in America today supporting the Republican position. That is a pretty broad statement. You had better be ready to back it up, Senator. I am ready. Hospitals, doctors, nurses, pediatricians, every medical advocacy group, and community clinics all oppose what the Republicans are setting out to do—and they are not alone. Remember the preexisting conditions? I mentioned diabetes and cancer. The American Diabetes Association, the American Cancer Association, the American Heart, Lung, you name it, all of those groups oppose what the Republicans are setting out to do. They realize it is a dramatic step backward in terms of healthcare in America.

Every healthcare repeal bill Congressional Republicans have devised to date has represented a massive step backward for healthcare. None of the bills proposed by Senate or House Repub-

licans would increase the number of Americans with health insurance coverage. It does just the opposite. None of them reduce costs or improve care.

You say: Well, if you tell me you don't know what the bill is going to be, how are you describing it? I am giving the composite of all the bills that have been offered by the Republicans in the House and Senate. So far, we think—one in the House for sure—four different bills in the Senate, which I have just described, you will find this in all the bills. They don't get better, they get worse. None of them will strengthen our healthcare system or improve people's lives.

One of my Republican colleagues really put it in a few words very directly and said recently: I didn't come to Washington to hurt people.

I trust that none of us—not a single Republican or Democrat—came for that purpose. We want to help people, don't we? Isn't that why we are here? That is why we need to reject this approach. It is why we need to sit down together and make our healthcare system better.

I voted for the Affordable Care Act. I believe in it. It cut the number of uninsured people in my State in half, and I think that is a worthy goal. It made many other changes which I have described here this evening.

Is it perfect? By no means. I used this example before: The only perfect law that I know of was carried down the side of a mountain on clay tablets by Senator Moses. Everybody else does their best, and sometimes we need a little help. Our current healthcare system needs some help.

Let me tell you where I think we ought to change it. No. 1, we know that the one market where the premiums are going through the roof is the individual marketplace, where small business people and others are facing skyrocketing premiums. What percentage of America fits into that group? Six percent. They are not being treated fairly under the current system. We have to change it. We have to make healthcare premiums affordable. Every Republican plan brought before us raises those premium costs.

No. 2, we don't address the costs of prescription drugs in the Affordable Care Act. Health insurance companies tell us that is driving premium costs more than any single item. Blue Cross Blue Shield in Illinois pays more for pharmaceuticals—prescription drugs—each year than they pay for inpatient hospital care. There is nothing that is controlling these costs. We should; shouldn't we?

Shouldn't we agree that, if you happen to live in some part of the country where you don't have health insurance available in the marketplace, at a very minimum you will have a public option? What do I mean by that? A plan that looks like Medicare, a plan that



isn't driven by profit, but a plan that provides the basic services. We can do that. We have Medicare Advantage programs. We have other options. We want to make sure that is available to every American. You choose it, if you wish.

Those three things right off the top I would include as part of what we can do on a bipartisan basis—Democrats and Republicans. Take the tax cut off the table. Take slashing Medicaid off the table. Take rewards to health insurance companies off the table. Focus on helping the families, businesses, and individuals in America who need this basic protection.

We are going to go into this mystery vote tomorrow. We have been elected to the U.S. Senate. There aren't many people in history who have had this honor. What we are doing tomorrow does not bring honor to the Senate.

Considering a bill that has not been written, published, and disclosed to the American people is just wrong. Considering a bill that has never had a committee hearing is unfair. Considering a bill that I am sure will have many flaws and weaknesses is reckless.

That is what we face this week. How important is it? It may be the most important vote we cast this year as far as I am concerned. There is nothing more important in life than the peace of mind in knowing you have health insurance at that critical moment when you or somebody in your family desperately needs help.

There is not going to be a minor amendment offered on the floor that will straighten out the situation.

I know my colleagues are here to speak. I will close by saying this. If you come to watch this bill, whatever it is, brought before the Senate in the next few days, it will not be a moment when you think better of this place. It is a process called vote-arama. Here is what it means. You put an amendment on the floor and file it with the clerk. They read the amendment. Then you have 2 minutes—1 minute for and 1 minute against—and you vote.

Really? We are going to take the healthcare system of America and put it through that kind of a process, where we don't even have time to sit and measure the impact of one amendment over the other? The Congressional Budget Office will not have its analysis. So it is really going to be a free skate. We will be up here trying our best to vote yes or no on these amendments if we proceed to the bill.

Here is the good news. If 3 Republicans—3 out of 52—will step up and say: Stop, we can do better as a Senate, that will be the end of this terrible endeavor. We will send the measure back to committee. We will have Democrats and Republicans sit down. They will go through the regular process. They will produce a bill. The public will get to read it. They will go through expert testimony. Then we will have an

amendment process. Then they will bring it to the floor, and we will do the same. We will consider it carefully. We will use our best judgment and try to come up with something on a bipartisan basis that is a credit to America.

Instead, what we are going to face, if the majority leader has his way tomorrow, is a process that does not serve this country well and does not bring honor to the Senate.

I urge my Republican colleagues, three of them at least, to step up. They aren't just saving a lot of people across America from the worry of whether they have good health insurance when they desperately need it. They are saving the reputation of the Senate.

I yield the floor.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise tonight to speak about the healthcare legislation. I am grateful for the remarks of our colleague from Illinois, the great leader that he is, talking not only about the impact on his home State but on our country.

I think a lot of us, especially in the last couple of weeks, have had an opportunity both to debate healthcare and, probably more importantly, when we go home to be on the road, to go to places where folks are thinking about it very intensively.

Many people I had a chance to interact with and, really, to listen to on the road were folks in small towns and rural areas, especially, who probably didn't ever imagine they would have to engage in this kind of a discussion or debate. Coming into a conference room to have a discussion or a roundtable about healthcare is not what they do every day. They don't necessarily sit around to talk about a public policy issue. They usually have so much in their lives that keeps them busy and so many concerns and so many challenges that are weighing them down that they don't have any opportunity to have these kinds of conversations.

Many of them felt obligated to have these conversations. Many of them were motivated to speak out because of what would happen in their lives and usually in the life of someone in their family.

When I was in a number of counties the last couple of weeks, especially in rural areas, you would hear from a lot of moms and dads about their children, usually in this context: What will the Medicaid cuts mean for my child? In many cases, the child has a disability or more than one. Sometimes there is a series of complex disabilities—plural—and the mom or the dad is there to talk about it.

In these discussions, you hear a combination of sentiments and a combination of information. You hear sometimes a cataloging of what their daily life is like, what they do when they

wake up in the morning and have to get that child or that young person ready for school if they have a disability or more than one disability. These parents become experts in all kinds of medical terminology and prescription drugs, and they become experts in assistive technology or equipment that allows their son or daughter to lead as full a life as possible.

For these families, this is real life. This isn't some debate in Washington that we engage in here. This is about real life. That is why the issue of Medicaid, I think, has been so prominent.

If we learned one thing over the last couple of months, it is that some people in Washington might have thought that Medicaid could be described as a "them" program. That is for someone else who is far away, and I don't have to worry about that. We found out that Medicaid is an "us" program. Medicaid is an American program.

It is one of the ways we come together as a nation and say: You are up against something that I might not be up against. You have a challenge that I might not have, but I am going to do my part to support that program to give you a chance.

If you are a child with a disability, we come together as a community, as a nation, and say we are going to help that child. We are going to do everything possible to make sure that child can lead a full life.

For many folks who are low income—they are working, but they don't have a very high income and don't have employer coverage—we say in that instance: You are someone we should try to help with a program that provides healthcare—Medicaid.

We say to seniors, if we believe, as we do, that you have given us so much—whether you fought our wars or worked in our factories or both, or taught our children, built the Nation, or built the middle class, and did all kinds of things for us—the least we can do is to make sure, if you need extra help getting into a nursing home or getting the benefit of long-term care, Medicaid will be there for you, without a doubt.

It is only until recently that a lot of those same families have had to ask the question: Will that program called Medicaid—that "us" program, not a "them" program—be there for my child who has a disability? Will that program be there for me and my family, because our income is such that we qualify for Medicaid and we need that help? Will that Medicaid be there for that older citizen who has given us so much, given so much to their family, given so much to the Nation? Will that program continue to be there to give them that little bit of extra help they might need to get into a nursing home?

Unfortunately for a lot of them, it is not a little bit. It is a lot, because they need that much help to have the benefit of long-term care.



I have read a number of letters on the floor over the weeks and months, and I will continue to do that. It is remarkable, though, how people have put their own stories on paper or they have been interviewed by a local newspaper or they have been on local television, or even national television, talking about their lives, talking about their children, talking about their worries, and also giving us the benefit of their hopes and their dreams for their children. They are hopes and dreams that would be thwarted in some instances by a vote we could take here. They are hopes and dreams that in some cases would be absolutely shattered if we took the wrong step on Medicaid and the wrong step on healthcare.

Obviously, I am not a supporter of the legislation before us. It seems like every time there is a change made, the legislation is either no better or a lot worse. The number of uninsured doesn't seem to budge.

The latest Congressional Budget Office determination—this is dated July 20, last Thursday. It is a letter from the Congressional Budget Office, from Director Keith Hall to Senator MIKE ENZI, the chairman of the Senate Budget Committee. I am quoting from page 4. The Congressional Budget Office says in this letter:

According to CBO and JCT's estimates, in 2018, 15 million more people would be uninsured under this legislation than under current law. The increase in the number of uninsured people relative to the number under current law would reach 19 million in 2020 and 22 million in 2026.

That is what the CBO tells us. Once again, we have that same number—that stubborn number—22 million people uninsured, and 15 of the 22 becoming uninsured in 2018, next year. It is an immediate impact, the likes of which and the gravity of which we can't even begin to imagine. Imagine that, in the course of 1 year or maybe 1½ years, 18 million people in the country are losing their healthcare, just when we made the advancement of having 20 million people covered between the time the Patient Protection and Affordable Care Act was passed and just in the last year or so.

We have made all that progress forward on coverage. One of the consequences—one of many but one of the consequences of this legislation—would be to wipe all that out. It is two or three steps forward and several steps backward. That alone makes no sense.

As I said, when people come to meetings across the State about this bill, it is remarkable what they will tell you about their own challenges. It has to be very difficult to stand in front of a group of relative strangers—and sometimes with media there—and express to you or express to the people in the room or to the people listening in an interview or otherwise their innermost fears. That has to be disturbing. It

must be difficult to do, but they feel compelled to do it because they have never had to worry like this—never had to worry in the course of their lifetimes about a direct threat to the healthcare of their children, a direct threat to the healthcare that their family has.

I have notes here from a meeting just a couple of weeks ago. I will not say who the parents are; I don't have their permission. But I will say this: It was a parent in a county that is considered rural, a family that seems to be relatively secure in terms of their employment and everything else in their lives. After describing what Medicaid means to their family because they have a child with a disability, the mom talked about her own insurance. This is a common theme. The parent or parents have a good job or sometimes two good jobs, and they have insurance in most cases. Yet, because of the severity of the disability of their child, they have to have Medicaid. There is no choice. There is no way with 20 jobs that they could pay for the services that child needs—services, therapies, treatments. The good news is, we live in a country that has those available, but a lot of that will be ripped away if we pass this legislation.

Here is what this mom said when talking about what she is determined to do for her child. She said: It is not negotiable. That is what she said about what is provided to her child. She said that these are necessities. These aren't extra things. These aren't just add-ons to some other healthcare. These are absolute necessities. Then she went through and itemized and cataloged all the ways and all of the tools and benefits that her family receives from Medicaid so that her child, who has a severe disability, might have a shot to lead as full a life as possible.

The idea that this mother or anyone like her should have to come to a meeting in the United States of America and have to make an argument as to why those services should be preserved for her son or her daughter or any other member of her family—the idea that she should even have to make that argument is insulting to us as a country. We would be a different country if Medicaid were changed in the way some folks around here want to change it.

I have used the word “decimation.” That is exactly what it is. It would be decimation, and a lot of families' lives would be destroyed. This is real life for these families.

Even if someone could prove that a year from now or 5 years from now or 10 years from now, that mother and her family would be somehow walled off or protected—even if you could guarantee that, it is still wrong because she shouldn't have to worry for a minute. She should have no uncertainty about whether her child is going to have Med-

icaid going forward—her child with a profound disability. There should be no question. That child should get Medicaid today, tomorrow, and as long as they need it for the rest of their life because we are a great country. We do that in America. We can do it over and over again.

We can have the strongest economy. We can have the strongest military, and we can take care of those families, no matter what, no questions asked, whatever it takes because that is who we are as Americans. But there are some people around here who just don't believe that. To use that mom's word, they think it is all negotiable—that if it is the right year and the numbers line up, maybe we can help you.

We need a tax cut, apparently. That is what they argue. They need a tax cut for wealthy folks, so Medicaid is going to pay for that. To say that is insulting is a gross understatement. That is obscene. That is as close to uttering an obscenity as anything I can think of. So you bet we are going to fight when it comes to those kinds of decisions—fight against those kinds of cuts.

I mentioned that I had been on the road a good bit and have spent a lot of time in counties that are rural counties in Pennsylvania. Just to give you an example of the numbers, I live in a State that has 67 counties, and 48 of the 67 are rural. Those are our Pennsylvania counties. If you add up all of the individuals in those 48 rural counties in Pennsylvania who got insurance by way of the Medicaid expansion—or received insurance in the marketplaces in the intervening years between passage of the ACA and currently—just in those 48 counties, over 278,000 people have healthcare—278,266. I use a precise number because right down to the 66, it matters. Every single one of those individuals in those 48 rural counties should have an ironclad guarantee that no bill will pass the U.S. Senate that will rip away their healthcare, not for one person. That should be our promise to them.

That is the number of people covered, right? With the Medicaid expansion plus the marketplace, 278,266 residents of rural Pennsylvania are covered. If the Senate bill passed, here is at least one estimate of what would happen to those rural counties: 151,000-plus people. I will not use the exact number because it is an estimate. The estimate is that around 150,000 people would lose their health insurance. You move forward in rural Pennsylvania by over 278,000 people; then you take two steps backward and rip healthcare away from 150,000 in rural Pennsylvania. I haven't gotten to the big population centers. That is the reality in Pennsylvania.

Then if you break it down even further—these are just 11 rural counties that I visited in the month of July in addition to other counties. In 11 rural

Pennsylvania counties—these are counties with very small populations. One of them, Forest County, which I was in this weekend, has a little more than 7,000 people in its total population. In these 11 rural Pennsylvania counties, 54,180 people have healthcare today because of Medicaid expansion, plus those who got it through the marketplace, so 54,180 get healthcare. What is the estimate of who would lose if the bill passed? It is 32,410. Let's call it 30,000, roughly, because it is an estimate. So 54,000 gain; then you rip it away from 30,000. Does that make any sense at all? Does that help the country? How are we stronger after that? How are we better off as a country or, in my case, as a State? How are the people of our Commonwealth better off when 30,000 in 11 rural counties lose their coverage—or 150,000 in 48 rural counties?

I know I am over my time, and I will wrap up because we have colleagues here. This is a pivotal moment. To say it is a pivotal moment for the Senate is a big understatement, but it is also, I think, a pivotal moment for the country. We are going to be on a different path than we have been for a long time. Usually what happens over time is that you are expanding protections, enlarging the number of people who are the beneficiaries of protections of one kind or another. In this case, we would be going in the wrong direction.

I hope our colleagues will think long and hard before they vote yes either to move forward to debate on a bill that is deeply flawed or to vote for the bill itself.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Washington

**Ms. CANTWELL.** Mr. President, I thank the Senator from Pennsylvania for being here. We have been out here many a night, talking about the importance of Medicaid. I so appreciate his leadership in the Senate on this very important issue. He has been a champion of the Children's Health Insurance Program and has been a voice amongst all Senators in making sure that people have access to healthcare. I so appreciate being out here with him tonight.

I don't really appreciate being here right at this moment. I am really flabbergasted. Why are we here at this moment? Why are we here? I am pretty sure that President Trump, when he was candidate Trump, put in a tweet that he would not cut Medicaid. Yet that is the proposal we are talking about.

No matter what the proposal is—repeal, the House bill, the proposal scored by CBO or some Senate alternative on junk insurance—they all are a cut to Medicaid, so I am not sure how we are here. I am not sure how we are here when the Vice President at the time campaigned, I am sure, against the Affordable Care Act and then be-

came Governor of Indiana and implemented Medicaid expansion in his own State. After saying that he was against the Affordable Care Act, he implemented Medicaid expansion. I am sure people in his home State said: If you want to take care of people, if you want to raise our standard of living, if you want to keep down the costs of healthcare delivery and private insurance, put people on coverage so that they aren't driving up the cost of uncompensated care.

So how are we here? How are we here when our House colleagues came up with a proposal that basically cuts 23 million people off of healthcare—including 15 million people on Medicaid—after working with the President, who said that he didn't want to cut Medicaid, and the Vice President, who basically campaigned against it and then went ahead and expanded it?

I can't believe how many times I have been on the Senate floor, and I haven't seen one of my colleagues come down here and talk about solutions that they are proposing. I just hear them come and talk about the repeal of the Affordable Care Act and kicking millions of people off of the healthcare they currently have.

Tonight, I can imagine there are many people across the United States of America who are like me, thinking, how could this be happening? How could we be sitting here tonight, not knowing what the Senate is going to vote on, not knowing whether they are going to repeal their health insurance, not knowing where their Senators stand or even if the Senator knows what proposal they are voting on? Yet I can tell you this: More than 70 percent of the American people think the ideas that have now been put forth by the House and the Senate Republicans and the President do not work. They are not the way to increase access to healthcare and drive down the cost of private insurance in the insurance market.

You don't have to take my word for it. I am looking at a statement by Ohio's Republican Governor, John Kasich. I worked with John Kasich in the House of Representatives. He was a budget hawk. He wanted to figure out how to make things work. So I trust that, as Governor, he is a fiscal steward about how to get things done when he says: "Until Congress can step back from political gamesmanship and come together with a workable, bipartisan plan, it is a mistake for the Senate to proceed with a vote on Tuesday and force a one-sided deal that the American people are clearly against."

So why are we here? Why are we here when a President promised that he wasn't going to cut Medicaid, a Vice President said that he was against the bill but then went and did Medicaid expansion? The people in the United States responded very clearly that

they are not interested in cutting millions of people off of health insurance because they know that, even if it doesn't affect their family, it doesn't make common sense for keeping down the costs of healthcare.

So I ask my colleagues to stop and think about the people in the United States of America who are clearly scared to death about what is going to happen tomorrow. They are scared that someone in their family or that they, the provider for their family, are not going to be able to provide insurance.

If you are so brave, come down here and volunteer, as an amendment, to cut all of us—cut the Senate off of our access to health insurance until we come up with some idea that you think is so terrific. I doubt you will come and propose that. You wouldn't want your family cut off of healthcare.

I meet people like Emily Talbot, who came to visit me from Seattle Children's Hospital, who at age 6 was diagnosed with a condition that affected her brain tissues and spinal canal. She was from Idaho, and she was referred to Seattle Children's because it is the pediatric referral center for our region. Thanks to Medicaid, she saw 11 different pediatric subspecialists and had 13 brain surgeries and 7 back surgeries. Her mom told me that without Medicaid and without the prohibition on lifetime caps, she wouldn't have access to healthcare today.

Is that what my Republican colleagues want to say tomorrow, that "we don't really know for sure how we are going to do this, we don't really know what works, but even though we said we weren't going to cut Medicaid, we are going to cut people off of health insurance who currently have coverage?"

I think the reason why people like these Governors from Republican States have been willing to speak out against this proposal and raise their concerns is because they have to be a steward of Medicaid, and they have to be fiscally responsible. So they know there are better ways.

When I talk to the regional hospitals in my State, they tell me that covering more people under Medicaid has created downward pressure on price in the individual market. It has helped us.

So our solution cannot be decimating the Medicaid market. Our solution has to look at those in the individual market who don't have as much clout as a big employer or somebody who can buy in bulk and drive down their price. There are ways to address that issue.

I look forward to working with my colleagues on those solutions, but that is not what is being recommended tomorrow. Those solutions haven't been put forth, nor are they part of any of these proposals. So I ask my colleagues to not proceed.

The President promised he was not going to cut Medicaid, and now it is

like you want somebody to jump off the cliff tomorrow, and you are saying: Oh, by the way, I will throw you a parachute on the way down. It doesn't work.

As my colleagues have said here tonight, it is time to give certainty to this population that we have a proposal that will help continue to give them access to care. I would say to my colleagues that taking a vote on politics when it is the lives and the healthcare access that so many millions of Americans seek—don't play politics with healthcare. Let's get a solution that works and works on both sides of the aisle.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, let me open my remarks by saying that from the very beginning of this ill-starred healthcare misadventure the Republicans have been on, Democrats have over and over again offered to help and to participate. Over and over again, we have spoken to, for instance, Chairman ALEXANDER on the HELP Committee, saying: Give us a shot. Try something. We can do this. You have talked all these years about regular order.

How many times have we heard the majority leader say that regular order is the way to go and talk about how important the Senate is because it follows regular order? It looks as though all of that was nothing but a lot of bunkum because when he had the chance to come here and actually trust the Senate to work through regular order, what did he do? The very first day, he jammed through reconciliation to open a purely partisan pathway to undoing ObamaCare.

Well, people have discovered that a lot of what they thought was their good healthcare is ObamaCare. So people on Medicaid, people whose private policies now don't have preexisting condition limits, caps on how much can be spent in a year or in a lifetime, folks who will get their money through the exchange, suddenly they have all discovered "Oh my gosh, that was ObamaCare. Don't take that away from me." That is one of the reasons we see all of the groups who come here concerned about healthcare lined up against this bill.

This bill, other than the creepy cabal of billionaires who are behind it, doesn't have a friend. And it just shows how narrow the Republican Party has now become that they will follow the creepy billionaires off the cliff against the advice of so many respected American organizations.

How about the American Cancer Society? The American Cancer Society says that the Republican bill would leave patients and those with preexisting conditions paying more for

less coverage. They have come out against the bill.

I have a constituent home in Rhode Island, and her name is Patricia. She and her daughters live in a beautiful place in Rhode Island, Wakefield, RI. Like a lot of people I have heard from, Patricia is afraid. She is afraid that what this Congress is going to do is to repeal the Affordable Care Act and let health insurers go back to discriminating against people with preexisting conditions.

What is hers? Well, Patricia and her daughters have a genetic mutation, and that genetic mutation increases their risk of cancer. They would ordinarily be counting on the American Cancer Society to argue for them, and sure enough, the American Cancer Society has come out against the Republican health legislation.

Well, it got real for Patricia last year when her 34-year-old daughter was battling breast cancer. Fortunately, her health insurance covered her treatment, and it worked. She is now cancer-free. But because of their genetic mutation, Patricia and her daughters will need to be screened frequently for the rest of their lives. Under the Affordable Care Act, these potentially lifesaving screenings are covered, and Patricia and her daughters are not penalized for having a preexisting condition. Why on Earth would you want to go back to a world in which those two things weren't true?

Patricia wrote:

A genetic mutation is not caused by an unhealthy or careless lifestyle, as some members of Congress seem to think. You can do everything "right" and still end up with cancer or another debilitating disease.

So she urged me to consider all the people who would be affected by the new healthcare bill, not just looking out for the rich and the healthy.

Another group who came out against this was the American Association of Retired Persons, the AARP. This bill may have changed, but the results are the same. The results are higher costs and less coverage for older Americans. Why would you want to do that? And this isn't just language from the AARP; it comes home again.

Lisa from Pascoag, up in northern Rhode Island—a bucolic, rural part of Rhode Island—wrote to share her experience with the Affordable Care Act. This is her and her husband's third year on their ACA plan. Like many Rhode Islanders, they qualify for financial assistance to help them afford their health insurance. You would think that would be a good thing. Lisa thinks it is a good thing. She wrote to me that she thanks God every day that they have quality health insurance they can afford.

Her husband is a welder fabricator—a job that takes a toll. He has had several blood tests this year and recently began seeing a hematologist. Lisa

knows that this type of specialty care would have been out of reach for their family without their current coverage, and so she is worried. She is frightened by the Republican health plan.

She and her husband are 56 and 62 years old. They are within AARP's interests. And she understands that because of their age, under the Republican plan, their premiums could go up five to eight times what they are paying today—five to eight times what they are paying today—and the tax credits that have been proposed, in Lisa's words, "won't cut it."

Doctors know a little bit about healthcare, and the American College of Physicians has come out in opposition. "The BCRA . . . will not preserve and improve essential coverage, benefits and consumer protections, and access to care" is their concern. Of course, why would you want to listen to the doctors about healthcare when you have a little pack of creepy billionaires who are telling you what to do? Never bother to listen to the doctors.

Well, Judith from Riverside, RI, is a doctor. She is a physician who works at a community mental health center in Providence. Judy told me that she sees the benefits of the Affordable Care Act every single day. She treats patients with serious mental illnesses, and they have what she called "tremendous" healthcare and social service needs. Prior to the Affordable Care Act, almost all of her patients were uninsured, and she spent her days scrambling to try to find different avenues to get them free care, to get them whatever they could scrounge. Since the expansion of Medicaid under the Affordable Care Act, she said, almost all of her patients have health insurance and they are able to get the medical care they need. As Judy put it, with all of their life challenges, at least they don't have to worry that they can't afford care.

Planned Parenthood is a favorite target of our Republican friends, and Planned Parenthood is strongly opposed to these measures. Women get a lot of their healthcare from Planned Parenthood. Planned Parenthood said: "With this latest version of TrumpCare, women will pay the biggest price of all."

Olive is a young woman living in Providence who shared her experience with me about how Planned Parenthood has been a reliable source of healthcare for her throughout her life. As a college student, Olive went to Planned Parenthood for birth control and well-woman care. She had a routine exam, and a doctor at Planned Parenthood found a lump in her breast. Twenty years old and far from her family, Olive said she was worried but never felt alone. Planned Parenthood connected her with the followup care and testing that she needed. She was treated by their doctors. Fortunately,

the mass turned out to be benign, but Olive says she is forever grateful to Planned Parenthood for their help to her during a scary situation for a young woman.

Olive is still a patient at Planned Parenthood, and she even volunteers at their health clinic in Providence. She knows firsthand how important Planned Parenthood is for healthcare for millions of men and women across the country—particularly women—and, like the other people who have written to me, she is afraid of what will happen if Republicans succeed in defunding Planned Parenthood.

Small business folks have spoken to me about this. There is a lot of talk about how you need more freedom not to have insurance and freedom to be told you can't have insurance if you are sick. That is not the kind of freedom I think we really want to support around here. The freedom we want to support is for somebody to be able to follow their dreams, and over and over again, I hear from people who are able to get free of being linked to their employer healthcare plan and go out on their own because of the Affordable Care Act.

Laura is a small business owner in our capital city, Providence. She and her husband own an architectural design and construction firm that builds homes around Rhode Island. Construction is not a line of work you want to be in without health insurance. Well, because of the Affordable Care Act, Laura and her husband have affordable health insurance and dental coverage, and they have it for the first time. They can see the doctors they want to see, and their out-of-pocket costs are reasonable.

The Affordable Care Act has allowed small business owners like Laura and her husband to pursue their professional dreams, boosting our local economy and creating jobs for others without having to risk their livelihoods and life savings if an illness or an injury befalls them.

Just last night, I was in Narragansett, RI, and a woman came up to me to say: When you get back down there, please fight for us on the Affordable Care Act.

She said: The Affordable Care Act has given me two things. One, it has given me my freedom. Because of the Affordable Care Act, I was able to leave my employer-supported program and have the confidence to go out on my own and become an illustrator.

Her business is so successful that she has actually started hiring people to support her business.

She said: That freedom to be an entrepreneur, to succeed, would never ever have happened if I had been chainlocked to my employer program and did not have an affordable option like the Affordable Care Act provides.

Second, she said: Once I did this, once I started my business, I then went

for checkups. I was able to get tests that I could not have gotten before, and what they found was a tumor behind my eye. Luckily, it was not cancerous, but had they not caught it, she said, I would have lost my sight.

If you are an illustrator, being blind is a very tough proposition. She said: I have my freedom, and I have my sight because of this law. SHELDON, fight for me.

Janice from Cranston is the last person I will mention tonight. She wrote in to share how important the Affordable Care Act has been to her and her husband and how important our Rhode Island marketplace has been for her.

She said: There may be marketplaces that aren't working in different places around the country. Fine, go fix those. Don't mess with mine.

It is working in Rhode Island, and Janice is one of the beneficiaries of it. She is now retired. She lives with her husband Bob in Cranston. Before the Affordable Care Act, she tried to buy health insurance in the individual market, and it was quoted to her at \$800 per month—not affordable to her, not with limited income like that. So Janice and Bob have quality affordable insurance through Rhode Island's health insurance exchange, and they are happy about it. Don't disrupt their lives.

Janice actually told me that her health insurance premium actually went down this year, and so she splurged with the savings and bought dental insurance as well. That was a success. She wrote to me: "I wouldn't have been able to afford healthcare if it wasn't for ObamaCare."

Like so many of these other people who have written in, Janice says that she and Bob are scared to death that they will lose their insurance if the Affordable Care Act is repealed. She doesn't understand how some Members of Congress can claim to care about their constituents and still try to repeal their healthcare coverage. Janice said: "They have money and they have good insurance, and they must not know what it is like for people like us."

Well, we need to remember those real people out there who are getting the Medicaid benefit, who are getting affordable insurance through the exchanges and getting help with the premiums and the people who are on private insurance but no longer have to face lifetime caps or annual caps or preexisting conditions. Even people who are still on Blue Cross have gotten a benefit from this. Why would we want to take that all away?

The last thing I want to mention is this. Those are all personal stories, and it is really important to remember that behind this creepy billionaire effort to perform some kind of ideological experiment on people by taking away their healthcare, there are actu-

ally real people who are really going to suffer in their real lives, and it will have been deliberately done to them by people here who simply couldn't say no to the creepy billionaires.

There is another piece of this. It is a little more complicated, but I will close on this.

I love to use this graph. I use it all the time. This axis of the graph shows how long people live in different countries. The range is from 72 to 86. This part of the graph shows how much people pay in different countries for healthcare per year. Virtually everybody that we compete with is right in here—Japan, Greece, United Kingdom, Germany, and France. They are right in here. They do pretty well on life expectancy, and here they are in this cross of the \$2,000 to \$6,000 per year range. The most expensive other country in the world is Switzerland, at \$6,000 per year. Look at where the United States is. We spend \$8,500 per year—way more, double more than what the average is of the other countries we compete against. For that we get super killer life expectancy. I guess killer life expectancy isn't the right phrase to use. But do you get great life expectancy on that vast expenditure of healthcare? No. We compete with the Czech Republic. We compete with Croatia. Part of what the Affordable Care Act did was to try to focus on this.

Here is the punch line. One of the things we do in the Budget Committee is that we look at things in 10-year chunks. If you look at the 10-year chunk from 2018, which is this year right here, to 2027, here is a 10-year period. What this graph shows is that, back here in 2010, the Congressional Budget Office did a prediction of what the healthcare costs for the country was going to be in this 10-year period. They said this is how much we are going to have to spend on Federal healthcare.

What happened is that we passed the Affordable Care Act and costs started to go down. They came in below expectations. Around here, they rebooted the test, and they did a new projection based on the new information for this same 10-year period. As you will notice, the costs that we have projected for that 10-year period from 2018 to 2027, inclusive, have fallen. They have fallen by \$3.3 trillion.

If you want to talk about savings on our debt and deficit, if you want to talk about savings in healthcare, this red line was projected before the Affordable Care Act, and the green line—the difference—was the projection after the Affordable Care Act was law and after the results began to come in.

I can't promise you that every single one of those \$3.3 trillion in savings was a direct result of a provision in the Affordable Care Act, but when we have delivered \$3.3 trillion in savings, why would we never want to talk about

that? Why would we want to put any of that at risk? Why would we want to go back to the preexisting condition of this prediction and pile \$3.3 trillion back into that out-year period? It makes no sense.

So whether you are a person who has constituents who are real and who are going to suffer, who are going to suffer in real life as a result of the decision and the vote that you cast tomorrow, or whether you are a propeller-headed budget hawk who just wants to figure out how you can reduce America's costs, why would you vote for a bill and put any of this at risk? Why the fear of your constituents? Why the \$3.3 trillion in savings? It makes no sense.

I will end where I began. If people will come to their senses and want to do this in a bipartisan fashion, during regular order—boy, did we hear a lot about regular order until regular order wasn't wanted any longer—we are here. We want to work with you. There are tons of ideas out there. We can work to improve the healthcare system for the real people in the real world, and not just do what we are told by a cabal of creepy billionaires who are yanking the chain of the Republican Party.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, a few weeks ago the Senate Republicans had to cancel a vote on the healthcare bill because the number crunchers over at the Congressional Budget Office, or the CBO, pointed out that the Republican bill was going to take away health insurance from 22 million people and drive up the costs for millions more. So Senate Republicans started throwing new plans together, one after another, rolling the dice and hoping the CBO would come back with a better number.

Here is a quick guide to what the Republicans have tried since the last time they canceled their vote on this bill. First, there was a bill that was, basically, the same as the first version but that included a little bit more money. CBO said it still knocked 22 million people off their healthcare coverage.

Second, there was a bill to simply repeal the Affordable Care Act, with no replacement whatsoever. CBO said that one would knock 32 million people off their healthcare.

Third, there was a proposal by Senator CRUZ that would let insurance companies offer insurance at one price to people with no preexisting conditions and another price for anybody who had anything wrong. We don't even have a CBO score for that one because CBO had trouble figuring out how many people with preexisting conditions who really needed insurance would never be able to pay for it under that bill.

Why is it that the Republicans have so much trouble coming up with something—with anything—that would im-

prove healthcare in America? The problem is that the Republicans' real motivation behind all these healthcare bills is not to improve healthcare. It is to give giant tax cuts to the richest families and corporations in this country. When the goal is a big tax cut, it is hard to come up with something that actually also improves people's healthcare.

The Republican healthcare bills have gone from bad to worse to embarrassing. What makes this so painful, however, is that the health—even the survival—of real people hangs in the balance.

A couple of weeks ago, I met with families who said they hoped—they said they prayed—the Senate would not pass this terrible health bill. Each of these families had a small child who had been born with complex medical needs.

I met Baxter, who is only 3 years old and has cerebral palsy. I met Tom, who was born 4 months prematurely and needed multiple surgeries to help correct his medical conditions. I met Brody, who was born with his organs growing outside his body in a protective sac. He spent more than 7 months at Boston Children's Hospital, undergoing complicated surgeries to fit his organs back inside his body.

I met these children, and I have to state that all of these kids are fighters. Every one of them has endured great pain and shown courage and determination. Every one of them has needed help from Medicaid for hospital bills, breathing equipment, special feeding tubes, physical therapists, speech therapists, and nurses to help train the family on how to clean a blocked IV line or how to deal with seizures. Medicaid means these children get the medical care they need, and it means they can live at home instead of in an institution. It means their families don't have to go bankrupt. It is that simple.

Without this help, these families would be destroyed. These children and their families are the face of Medicaid, and we fight every day to protect them.

Just to be clear, Baxter's mother said to me that, without the help that Medicaid provided, Baxter would have died. They are good, hardworking parents with jobs and insurance, but they didn't have the millions of dollars it took to keep Baxter alive or the money to buy the equipment and support they needed to keep Baxter at home. Yes, this is about life and death, and if anyone doubts it, call Baxter's mom and ask her to explain it to you.

The Republican plan isn't just cruel. It is immoral, and it is not who we are as a people. We are better than that.

We shouldn't even be holding this vote tomorrow. The American people have begged Republicans to stop. Governors from red States and blue States

alike have told them that this bill will be deeply harmful. Patient groups, the American Medical Association, pediatricians, nurses, hospital groups, nursing homes, and the AARP have all sounded the alarm, saying these bills would do irreparable damage to our health system and to families that are trying to take care of their loved ones.

I urge Republicans to stop the politics. People across this country—Democrats, Republicans, and Independents—don't want you to repeal healthcare for millions of people. Listen to those people. Listen to Baxter and Tom and Brody. Listen to all the people who love them.

I know there is a lot we could do to make healthcare more affordable in this country. I know there is a lot we could do to make our delivery system work better. We could work together and build something better for all of America. But we can't even start down that path if we rip away healthcare from millions of Americans. We just cannot do this. It is wrong.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank my colleague from Massachusetts for her good words and her advocacy.

I rise to join her and my colleagues on the floor in sharing the concerns I continue to hear every single day in my State, whether it is just simply walking the parades, as I did in Stillwater, MN, where people would come up off the sides, or, on the Fourth of July, when a family with a child with Down syndrome just came off the side of the parade and grabbed me and said we need healthcare for our son, that we cannot cut him off, that we cannot make these drastic, draconian reductions to Medicaid—because he is the face for Medicaid.

Right now, as far as I know, we have many versions of this healthcare bill. I think I heard this version referred to as option C. I was thinking that is not really correct because we have had options A and B. Those were the two House healthcare bills. We had options C and D, which were the two Senate healthcare bills. Then we went to option E, which was back to the idea of repealing without having a replacement. Now, as far as I know, after doing A, B, C, D, and E, we are at plan F. My mom was a teacher her entire life, and I learned from her that you cannot get much lower than F, right? I think it is time to set a new course, and that is to work together for a better grade for the American people and for a better healthcare plan, which means working across the aisle to make changes to the Affordable Care Act.

The Minnesotans whom I have heard from do not like A, B, C, D, E, or F. On

Friday, in fact, I received a letter that was signed by 121 different Minnesota healthcare organizations, and it talked about these past proposals.

They wrote this:

Minor changes or amendments will not change the ultimate impact of these bills and their deep and devastating impact on Minnesota and its citizens.

What were these groups?

They were pretty mainstream groups, those being the AARP Minnesota, our children's hospitals, the Autism Society of Minnesota, our nursing homes, the Minnesota Hospital Association, the Minnesota Nurses Association, Mental Health Minnesota, our Catholic Health Association, our addiction treatment professionals, and many more.

As different as these groups may be in their missions and in the work they do and who belongs to them and where they live, what they have in common is that they are dedicated to taking care of the health and well-being of Minnesotans. They are scared about what would happen if any of these proposals—A, B, C, D, E, or F—were to pass.

They have seen that the nonpartisan Congressional Budget Office estimates that with a number of these bills, it would mean that over 20 million people, if not all of them, would lose their health insurance, that Medicaid would get cut by more than \$700 billion, and that out-of-pocket costs would skyrocket. Deductibles for a benchmark plan could reach \$13,000 by 2026. They have seen that the Congressional Budget Office has found that a repeal bill without a replacement would be even worse, as 32 million people would lose their coverage, and premiums would double.

I understand why these Minnesota healthcare organizations are scared about these bills, but the people who are even more scared are the citizens of my State who depend on the Affordable Care Act for their healthcare.

As I said, we all knew, on the day it passed, that the Affordable Care Act was a beginning and not an end. You cannot pass a major piece of legislation like that without making changes over time. Unfortunately, with the exception of a few minor things, we have been, basically, blocked from making changes because we are always having thrown at us this idea of simply repealing everything and causing chaos. After the sentiment of the American people has been made quite clear—and you do not have to look at a poll to know that; all you have to do is walk down the Main Street during any parade in our State—now is the time for us to work across the aisle and make some positive changes.

What are those changes? For one, we know we must bring some certainty to the exchanges and stabilize the market.

I see the Senator from New Hampshire here who is the former Governor of New Hampshire. She knows, along with her colleague Senator SHAHEEN, we need to have more certainty in the marketplace. That is why we support the bill that would do that. We should vote on that bill.

I also support Senators Kaine and Carper's legislation—the Individual Health Insurance Marketplace Improvement Act—to reestablish a Federal reinsurance program. This bill would lower premiums by providing support for high-cost patients.

Now, the Republican legislature in my State—both houses are Republican—joined with the Democratic Governor in our State and passed a similar State-based reinsurance program.

I know Alaska, which, by all accounts, is a red State, has passed a reinsurance program that recently got approval from this administration. Just last week, as Senator HASSAN knows, New Hampshire announced its plans to pursue one as well.

So we can and we should come together to pursue this as one change we can make positively for the Nation.

Another is, it is long past time to do something about the rising cost of prescription drugs. I have a bill—and I see my colleague from Minnesota here as well, Senator FRANKEN. We have worked on this issue together on both bills, which is similar to this issue of harnessing the negotiating power of 41 million seniors who are on Medicare in order to bring drug prices down. Right now, Medicare is literally banned from negotiating on behalf of 41 million seniors. The last time I checked, the senior citizens in my State had a lot of power, and 41 million people, especially seniors, is a lot of negotiating power. Let's harness that because it will not just help to bring drug prices down in the Medicare Program, but it will help down the line for all citizens.

There is the bringing in of more competition. One way you do that is by dangling the prospect of competition from other countries. You can do it with a trigger that is based on the number of competitors you have in a certain market. You can do it based on an increase in price or you can just do it.

I and Senator MCCAIN, who is certainly in our thoughts and prayers this week, have long had a bill to allow Americans to bring in safe, less expensive drugs from Canada. That is very similar to that of the U.S. market. As I have often noted when I talk about this bill, we can see Canada from our porch in Minnesota. We can see those lower prices right across the border.

When we have developed so many lifesaving drugs, when we have done the research, when we have put government money—taxpayer money—into the research, why in this country do we have the most expensive drugs in the world?

I can tell you why. It is that we have not done anything about it here because, for too long, the pharmaceutical companies have been able to have their way when it comes to legislation. This is the end of that. Finally, the American people are starting to see this as not just campaign rhetoric but as a real problem when 4 out of the top 10 best selling drugs have gone up over 100 percent in just the last 10 years.

Here are some more ideas.

Senator LEE and I have a bill—bipartisan, across the aisle—that would again allow the temporary importation of safe drugs that have been on the market in another country for at least 10 years when there is not healthy competition for that drug in this country.

Generics. I and Senator GRASSLEY, a Republican from Iowa, have a bill to stop something called pay for delay, which is when big pharmaceutical companies actually pay off generic companies to keep less expensive products off the market. That is an outrage. I would challenge any Senator to vote against that. I do not think one will. That is why we need a vote, and that is a perfect example of a bipartisan bill that could be included in a package of measures that could be improvements on the Affordable Care Act.

How about this one? It is the CREATES Act, which is another bipartisan bill with me, Senator GRASSLEY, Senator LEAHY, Senator FEINSTEIN, Senator LEE, and many others that would put a stop to tactics in which pharmaceutical companies refuse to provide samples that the generic companies need to develop new drugs. According to the Congressional Budget Office, this legislation would save taxpayers \$3.5 billion, and the one I just mentioned on pay for delay would save taxpayers \$2.9 billion.

Why would we say to the taxpayers of this country that we will not do that, that we will not even allow it to come up for a vote?

These are votes the Senate should and must take. Bringing up a bill that devastates the Medicaid Program or that repeals big parts of the Affordable Care Act, without having a replacement, does the opposite. It does nothing. These bills—A, B, C, D, E, or F—do nothing in terms of bringing down pharmaceutical prices.

What is this really about? It is about the identical twins whom I met yesterday from Cambridge, MN, which is a small town—a town similar, I am sure, to the towns the Presiding Officer would find in his State or to the towns in New Hampshire or to the towns Senator WHITEHOUSE would see in Rhode Island.

This is about identical twins. One of the twins is a pitcher, and one of the twins is a catcher on their softball team. One of the twins found out, just in the last year, that she has juvenile



diabetes. It is a very dangerous, dangerous thing to have at that young age. The other twin is perfectly healthy. Of course, the family had to go immediately to the doctor. They bought insulin, and the insulin had gone up three times what it should have in just the last few years. It is very difficult for them to afford now. They got the strips. They had to do all of this, and the price kept escalating. To add to everything else, now this mom is worried that one of her daughters, not two, will have a preexisting condition and be kicked off of the insurance.

Think about that. They are identical twins. It could be either one. You do not know which one. Is it the catcher? Is it the pitcher? It is a lottery. If you do not have healthcare like the Affordable Care Act in place, it is like a lottery. You do not know which one of them is going to be kicked off the insurance, not have insurance, and get very sick and possibly die. That is what we are talking about here.

That is not what this country is about. It could happen to anyone—to anyone in this Chamber, to anyone up in the Gallery, to anyone at home. You do not know when it is going to happen to you or your sister or your brother or your neighbor or your dad or your mom or your grandma or your grandpa. That is why we have affordable healthcare insurance.

This debate is also about our seniors and our rural communities. As Senator FRANKEN knows, we have heard time and time again from our rural hospitals—from Aurora to Gilbert, to Tower. I was up there recently, and that is what I heard about—the rural hospitals and how difficult it is going to be for them if any of these bills pass.

I know it is something our Republican colleagues, all of whom are from rural States—Senators Collins, Capito, and Murkowski—have expressed real concerns about with regard to the impact of some of the proposed Medicaid cuts and what they would do in their States.

Opioids. Both the Senator from New Hampshire who is here with me today, Senator HASSAN, and certainly Senator WHITEHOUSE have been leaders in this area. That is why we passed the Cures Act. That is why we put a bunch of funding from the Cures Act into opioid addiction treatment. That is why we passed the Comprehensive Addiction and Recovery Act on a bipartisan basis—one of the few bills that made it through last year.

You cannot just run TV ads on it, and you cannot just put it on campaign brochures and then go out 6 months later and cut Medicaid, which provides the treatment for 32 percent of opioid medication-assisted treatments we have in our State. You cannot do that. You cannot give beautiful speeches and go to press conferences and then make those kinds of cuts. I know my col-

leagues on both sides of the aisle understand this.

This is a time when we can chart a different path forward, when we can end up where we should have begun but still standing, and that is by working together to find some positive changes to the Affordable Care Act for the American people. Again, I said it on the day it passed—it is a beginning and not an end. Let's seize this moment, open the door, and work together for the American people.

Thank you, Mr. President.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I rise to talk about the effort by Republicans in the majority to rip apart our healthcare system and jeopardize the protections for people with preexisting conditions and to throw millions of people off their health insurance.

Now, it is deeply troubling at this point that with less than 24 hours until the expected vote, we don't even know which version of repeal the Republicans hope to pass. Do Republicans support the Better Care Reconciliation Act—the bill that according to the Congressional Budget Office, would cause 22 million more Americans to become uninsured, which would drive up healthcare costs and dismantle the Medicaid Program? Do they support the Cruz amendment, which would bring back junk insurance plans that offer virtually no protection and drive up out-of-pocket costs for vital services or will they rally behind their backup option, a plan to repeal the Affordable Care Act and replace it with nothing—that is, nothing—an approach that would add 32 million more Americans to the ranks of the uninsured and cause average premiums in the nongroup market to double or will it be something else entirely? We don't know.

This is reckless. This is irresponsible. The American people deserve better.

Let's be clear. A vote for the motion to proceed is a vote to move forward with conceivably any one of these bills, and all of these bills are terrible. They jeopardize lifesaving care and treatment for millions of American families, especially those with preexisting conditions. They tear apart our safety net and give tax breaks to powerful corporations.

Let me remind my Republican colleagues that a vote in support of the motion to proceed will have real-world consequences for your constituents who may lose their health insurance. Perhaps these are people you have met; people, many of whom may be losing sleep out of justified fear that their children or their parents, their loved ones or they themselves are at risk of losing their healthcare.

I have talked to so many people in my State about these dangerous pro-

posals. There is Kristi. Kristi is a young farmer in Greater Minnesota whose husband and two kids relied on Medicaid to access care when their farm was struggling.

There is Sandy, whose mom is in a nursing home and who doesn't know how she will pay for the round-the-clock care her mother needs if Medicaid, which covers more than 6 in 10 nursing home residents nationwide, scales back coverage.

Then, this is Sheri, who said that if it weren't for Medicaid, her son Brandon, who has cerebral palsy and hydrocephalus, probably wouldn't be here. I met Brandon. I think he is 18 or 19. He was born 15 weeks early, in Minneapolis, about a pound and a half. They took him to the Mayo Clinic in Rochester. The Mayo Clinic said: We can't handle him, so they sent him back to Minneapolis to Gillette Children's Hospital, which could. They told Brandon's parents: He is going to require \$1 million in care the first day to save his life.

Brandon has had, I think, 37, 38 surgeries. He spoke at a meeting we had on Medicaid a couple of weeks ago in Minnesota, and he stood—he had a walker. He had just gotten an A-minus in his first college course. He was actually, in a way, the last person in the room I was worried about because his resilience—this guy, this kid is going to be amazing. I don't think he would be here if we didn't have the kind of Medicaid we have and the kind of Medicaid my colleagues on the other side of the aisle are talking about limiting in a way that will affect so many people I have met across my State.

This is one of those votes that will go down in history. It is one of those votes that all of us will be answering for wherever we go for the rest of our lives.

The former Republican Senator from Minnesota, David Durenberger, outlined some of the reasons Senators should not vote for this consequential legislation in an excellent op-ed, a piece he wrote, and it was in USA TODAY today. Senator Durenberger—again, a Republican from Minnesota and someone whom I talk to a lot about healthcare—wrote this piece, saying resist the bullying, don't vote for a mystery healthcare bill.

I ask unanimous consent to have printed in the RECORD Senator Durenberger's op-ed.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FORMER GOP SENATOR: RESIST THE BULLYING. DON'T VOTE FOR A MYSTERY HEALTH CARE BILL

There will be no do-overs on this. Take it from me: a no vote this week is the only one that will be defensible in the years to come.

What do you do when you are a U.S. senator and the president wants you to vote for a health care bill that could radically change health care?



You ask questions. You hold hearings. You understand what it would mean to your constituents. You listen to those who know the system. And when it doesn't add up, you vote against it.

The year was 1979, and I was a freshman Republican senator from Minnesota. Inflation was driving the already high costs of health care through the roof. President Carter wanted to use Medicare and Medicaid to limit increases in hospital budgets in the face of rapidly inflating costs.

Ultimately, I decided to vote against it as it would end up hurting the people of my state and was inconsistent with my beliefs. And then, after the vote, we—Democrats and Republicans—launched an effort to learn how best to change the cost curve of the entire health system by focusing on how we pay for Medicare.

This week, the Senate once again is set to vote on a health care bill that will radically change how people get coverage and who can afford their care. But unlike normal times, Senators, you are being asked to approve a Motion to Proceed to a vote:

Without knowing what will be in the bill.

Without knowing what the non-partisan Congressional Budget Office will say about the impact of major amendments and the final bill on coverage and premiums.

With full knowledge that the Senate parliamentarian, who rules on what can and can't be allowed in a budget bill, has said that the Senate must remove provisions intended to prevent an insurance market death spiral

Without knowing the details of the secret state Medicaid waivers the Trump administration insists will make the bill work.

Without knowing how your own state budget will be impacted.

Without knowing how you will defend the provisions you will only learn about later, including the payoffs and other things that will be sneaked into the bill at the last minute.

Without even knowing which bill you are being asked to vote on, what the defining amendments will be and how much time you will have when being pressed for a final vote you'll be stuck with. Forever.

A vote in these circumstances will rightly provoke anger and distrust unlikely to abate. Take it from me: A no vote on the Motion to Proceed this week is the only one that will be defensible in the years to come.

I have had my arm twisted by the best of them—presidents and Senate leaders and party whips alike. I know how uncomfortable it can be. Usually, they were able to attempt a convincing argument about what is good about the bill for the country or my state. But I never would have voted for something so far reaching without knowing the answer to all the questions above.

Never in all my years did I experience the level of bullying we see today. It doesn't look good in Minnesota, and I suspect it doesn't look any better in your state.

I know that some of you ran for office vowing to repeal the Affordable Care Act, hoping to improve coverage and decrease costs. As public opinion polls tell us, voters do not believe this bill does the job. The good news is we haven't run out of time to ask questions and to work together to fix what needs fixing if we take the time to return to regular order and hold hearings.

Seven years ago, Democrats supported a bill far from Democratic orthodoxy. It did not provide for single payer, nor Medicare for all. Not even a public option. They handed Republicans a chance to build a health

system that plays to our unique strengths as a nation, not to our weaknesses.

As someone whose efforts earned the support of both Presidents Ronald Reagan and George H.W. Bush to reduce health care costs without leaving anyone behind, I know our party can do much better. But it should be obvious to all of you listening to your constituents that voting on this hodgepodge of mysterious bills is not the way.

Because there are no do-overs. The vote for the Motion To Proceed is likely a vote for final passage, and the House clearly stands ready to pass the Senate bill unchanged.

There is no making good on all of the issues later. Once the funds for health coverage are gone, it will take new tax increases to replace them. And what's the likelihood that will happen?

There will be no hiding this vote. Let me assure you, as the official scorekeeper, the CBO will eventually score the entire bill, and that's what your vote will be evaluated on.

For those who worry about re-election politics, I can assure you that going into a campaign confident that you've done what's best for every one of your constituents, not just for those who want to stick you with a stale slogan, is the best medicine you'll ever have prescribed for you.

Mr. FRANKEN. Mr. President, there aren't many votes like this in a Senator's career so let's just lay this out. If you support the vote tomorrow, the following are some of the specific consequences that could follow and in many cases would follow.

First, it is a vote that would open debate on bills that would undermine protections for people with preexisting conditions. This could happen in one of two ways. This vote could open debate on the potential Cruz amendment, which would allow insurance companies, as long as they offer ACA-compliant plans on the exchanges, to also sell bare-bones, skimpy plans outside of the exchanges, with almost no consumer protections. Under this amendment, insurers would be allowed to deny coverage and charge higher rates to women, older adults, and individuals with preexisting conditions. To my Republican colleagues, I ask: Do you know someone who is pregnant? Do you know someone who has diabetes? Asthma? Depression? Cancer? Multiple sclerosis? Substance use disorders? Arthritis? Dementia? Sleep apnea? Parkinson's? All of these people could be denied coverage under the Cruz amendment, just as they were prior to the ACA.

The Cruz amendment will also bring back annual and lifetime limits, coverage exclusions, and more.

When I was campaigning in 2008, and I would go around Minnesota—cafes, VFW halls, bars—there would be a flyer up for a family who had gone bankrupt for someone who had gotten sick. This would bring back those annual limits, those lifetime limits. Do we really want to go back to that?

The Cruz amendment is intended to deceive. The amendment is designed to make people think it would lower premiums since it would allow insurers to

offer stripped-down plans that don't comply with the ACA's consumer protections, but what it actually does is skyrocket the price of insurance for people with preexisting conditions like epilepsy, Crohn's disease, and stroke, while eviscerating the quality of insurance for those who don't yet need, or know they need, such coverage.

In fact, America's Health Insurance Plans, which is the national political advocacy and trade association of companies that sell health insurance to Americans, and the BlueCross BlueShield Association have said this proposal is "simply unworkable in any form and would undermine protections for those with preexisting medical conditions, increase premiums and lead to widespread terminations of coverage for people currently enrolled in the individual market."

The fact is, these high-deductible, bare-bones plans are a dangerous rip-off, and many people will not even realize what garbage insurance they have until it is too late.

Here is the thing. Even if the Cruz amendment were removed from the bill, the Better Care Reconciliation Act would still undermine protections for people with preexisting conditions. That is because the bill would allow, and even incentivize, States to waive ACA protections like the guarantee of coverage for basic essential health benefits.

If you are allowed to offer plans that don't cover basic services like mental health, prescription drugs, and maternity care, then you have a backdoor channel to charge people who need those services more than those who don't. Not only that, States that seek waivers and end the guarantee of essential health benefits bring us right back into the world of annual and lifetime limits—a world where your care would end not because your doctor said so but because the insurance company would stop paying for it. This could be true even for people who get their health insurance through their employer. In fact, even if you work in a State that hasn't taken this waiver, your employer could have gotten their health insurance from a State that had.

In short, with or without the Cruz amendment, the Better Care Reconciliation Act breaks President Trump's promise to protect people with preexisting conditions.

Second, yes, tomorrow is a vote to end Medicaid as we know it. Medicaid is a lifeline, providing health insurance and access to care for more than 70 million Americans. That is about one in every five Americans. It includes seniors, pregnant women, people with disabilities, families with children.

Senator KLOBUCHAR was right about this being a lottery. Any of us can be in an accident. Any of us can be diagnosed at any time. Any of us can have a child who is diagnosed at any time with something unexpected.

Healthcare really should be a right. I don't understand people who say: I am healthy. My kids are healthy. Why should I suffer? I am the victim here. Nothing has happened to me. Why should we have a system where I am paying for people with preexisting conditions?

Really? Is that the attitude my Republican colleagues are taking? Because that seems to be the logic.

Medicaid had been a bedrock of our healthcare system since 1965. It was and is a Federal promise made to States and to all Americans over 50 years ago. And most of all, Medicaid works. But the Better Care Reconciliation Act would gut it. It would end the program's coverage guarantee, leaving States to either roll back coverage or slash other vital programs in order to meet their citizens' needs.

Finally, a vote to support the motion to proceed to this bill is a vote to drive up people's total healthcare costs. The Republicans' plans decrease or eliminate the ACA's tax credits, which help people afford their insurance—that was part of the construct—and it dramatically hikes premiums for older Americans, although ones younger than I—I am now 66, but from 50 to 64. It drives up deductibles and other out-of-pocket costs that many people have to pay in order to receive care.

Americans don't like these proposals. In fact, new polling shows that only 17 percent of Americans think they and their families will be better off under the Republican plans. That is 17 percent.

What Americans want is for Republicans and Democrats to work together to build on and improve the Affordable Care Act. So why do my Republican colleagues continue to push forward on these terrible bills? It doesn't have to be this way. There is another option. This body can reject the wrongheaded and ill-thought-out proposals and allow for an open, bipartisan process under regular order where we can work together and do the things the American people actually sent us here to do—expand coverage, lower costs, and improve care. We should have bipartisan hearings where we hear from non-partisan expert witnesses about the challenges facing the Affordable Care Act so we can work together to fix what isn't working in the ACA.

What we do know from the last few years is that coverage matters. This is important. Coverage matters. Just having coverage matters. Healthcare isn't really about these big, heroic emergencies. A person's health is about some of those events, but what it is really about is having coverage and getting continuous care throughout your life.

Rigorous studies have shown that for every 300 to 800 adults who get coverage, 1 life is saved per year. Research summarized by Atul Gawande and his

colleagues in a recent New England Journal of Medicine piece finds that health coverage expansions have improved people's access to care, improved their financial security, meaning fewer bankruptcies and medical bills sent to collections, improved chronic disease care and outcomes, improved self-reported health, and more. Overall, health insurance has been shown to help Americans live longer, healthier lives. Now is not the time to roll back our progress.

I urge my Republican colleagues to think about what a vote for proceeding on this terrible legislation would mean for the American people.

Paul Wellstone said that politics isn't about winning; it isn't about money; it isn't about power; it is about improving people's lives. Our constituents sent us here to improve their lives. So I urge my Republican colleagues to vote no. Let's work together to fix what needs to be fixed in the Affordable Care Act and do all we can to make sure people have access to affordable, high-quality healthcare when they need it.

Mr. President, I yield the floor to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I thank my colleague from Minnesota for his words and his advocacy on behalf of the people of his State and all across our country.

I rise today to join my colleagues and once again speak out against the Senate Republican healthcare bill and the dangerous impact it would have on the people of my home State of New Hampshire and Americans from all walks of life.

This week, Senate Republicans are pressing ahead with plans that would increase health insurance costs, give Americans worse health insurance, and strip away health coverage from millions of Americans. Yet, despite statements that a vote will come tomorrow or in a matter of days, Senate Republican leadership will not tell even their own Members what proposal we will vote on, let alone hold a hearing on the impact of the bill.

As version after version of this bill has emerged from behind closed doors, somehow each time it is even worse than the last, and every version would be devastating for people across New Hampshire. These bills would lead to higher costs for worse coverage. In fact, the nonpartisan Congressional Budget Office has said we would see even higher deductibles than the ones we already see. This proposal would decimate the Medicaid Program and end Medicaid expansion. It would take coverage away from millions. The Congressional Budget Office has projected that between 22 and 32 million people would lose coverage, depending on which bill we vote on.

We know that rising healthcare costs are squeezing hard-working people across America. I have made clear to my colleagues across the aisle that I am willing to work with anyone who is serious about working together to build and improve on the Affordable Care Act, to lower costs, but unfortunately these Senate Republican bills would do just the opposite.

Over the past months, I have heard from people all across New Hampshire. They have shared their most personal stories, their frustrations, and their fears about what will happen if this bill becomes law.

Last month, Senator SHAHEEN and I held an emergency hearing in Concord to hear from our constituents about how proposals put forward by Senate Republicans would impact them. We held this emergency hearing at 2 p.m. on a Friday afternoon in the summer, with just a day's notice. Yet hundreds of people showed up, and more than 50 people got up and shared their most personal stories about the importance of healthcare, of how they have benefited from the important protections provided under current law, including maternity care, prescription drug coverage, and coverage for substance use disorder services.

One of those Granite Staters was a woman named Maura from Exeter, NH. Maura told us that the Affordable Care Act has been a "financial life-saver" for her family. She explained to us how, when she signed up for health insurance through the Affordable Care Act, her premiums dropped by \$750 a month because of subsidies. As Maura described it, she and her family were able to put the extra \$750 each month toward childcare, food, and their mortgage.

On another recent visit to Granite State Independent Living in Concord, a nonprofit that provides a range of assisted-living services for Granite Staters, I also heard about the importance of Medicaid from a Granite Stater named Terry. Terry has physical disabilities and requires the assistance of personal care aides, who are paid through Medicaid. They help her with daily tasks, such as getting up in the morning and getting dressed and preparing meals. Terry said that without the support from Medicaid, she wouldn't be able to go to work, to her job, or do basic tasks, such as shopping on her own. Without Medicaid, she would need to burden her family in order to complete everyday, basic activities, and she wouldn't be able to go to work. Terry fears that this support could be taken away under this legislation, and she is right. It could be. She said that given the cuts to Medicaid and the provisions in TrumpCare, she "wouldn't get anywhere near what I need to survive."

Finally, I have heard from advocates and those in recovery from substance

use disorders about how vital Medicaid expansion has been in helping them get the support they need in order to get well and back on their feet. In fact, those on the front lines of this epidemic have said that Medicaid expansion is the No. 1 tool we have in order to combat the heroin, fentanyl, and opioid crisis, which is the most pressing public health and safety challenge facing my State.

A few weeks ago, I visited Goodwin Community Health in Somersworth and heard from a woman named Elizabeth. At one point in her life, as a result of substance misuse disorder, Elizabeth was homeless and she had lost custody of her son. Elizabeth is now in recovery, and she works at the SOS Recovery Community Organization in Rochester, helping others get the support they need.

She said that she owes her recovery to Medicaid expansion and the Affordable Care Act and that holding on to Medicaid is essential because without it, many people who are in the throes of addiction would not be able to find help.

Elizabeth said:

I just really want to emphasize the ripple effect that recovery has on the community. It's not just because I'm in recovery that I can help somebody else. Everyone around me is impacted. When we talk about the recovery revolution, it's about how everyone in the community is affected when someone gets into recovery.

Elizabeth is right. People who can get healthcare can get healthy, and that has a tremendous ripple effect. It lifts us all. It makes us productive and strong.

At the heart of all of these stories—Maura, Terry, and Elizabeth—and the stories that I hear all over my State is the basic fact that our communities, our families, and our entire country are better off when we give more people a chance to participate, to get the support they need, to live their lives with dignity, to contribute to our economy, and to thrive.

Unfortunately, if TrumpCare becomes law, the progress we have made will be lost, insurance costs will rise, and millions of people will lose the care that they need.

I am going to continue to stand with my Democratic colleagues and fight against this legislation until we defeat it once and for all.

I urge the people of New Hampshire and across our beloved United States of America to continue speaking out about how this legislation would impact their lives.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Vermont.

Mr. SANDERS. Mr. President, I do not know—and I don't know if anyone knows—whether the Republican so-called healthcare legislation will pass tomorrow, whether the beginning of the debate will take place or whether it

will not. I don't know that, but this I do know. The legislation being proposed—and by the way, we still don't know what that legislation is. In general, what we do know is that the legislation being proposed is the cruelest, most destructive, and irresponsible piece of legislation ever brought to the U.S. Senate in the modern history of our country.

I know the media focuses on, do the Republicans have the votes, how is this Senator going to vote, how is that Senator going to vote? All of that is interesting to those of us inside the beltway. The far more important issue—which we don't discuss enough; the media doesn't cover enough—is what this legislation actually would do if it were implemented.

Right now, unique among major countries on Earth, we do not guarantee healthcare to all people as a right. The result of that is that we now have today—before this disastrous legislation—28 million Americans who have no health insurance and even more who have high deductibles and high copayments, preventing them from getting to a doctor when they should.

We have a bad situation now. It is better today than before the Affordable Care Act was passed, when we had over 50 million people without insurance, but no one suggested what we have today is where we should be. Yet we have 28 million people uninsured. The Republican solution to this problem is to throw another 22 million people off of the health insurance that they currently have.

I want the American people to, for one moment, put themselves in the place of someone tonight who may be watching what we are talking about here, who has cancer, who has heart disease, who has diabetes or some other life-threatening illness. Millions of people are in that position. They are struggling for their lives right now. They are under treatment. They are thinking, what happens if this Republican bill is passed? Will I live and continue to get the treatment that I need or will I die?

I think there are very few Members of the Senate who have met with their constituents on this issue, who have not seen people break into tears, asking: What is going to happen to me or my children or my parents?

We did a teleconference townhall a few weeks ago in Vermont. We had some 16,000 people on the line, and a woman whose kid has a very, very serious illness called. The cost of the prescription drugs are off the chart. She asked: What is going to happen to my child if this bill goes through?

Do you know what? I didn't have the guts to tell her what might happen to her child. I don't want to be on the phone telling any person in Vermont or in America that their child might die

because of the legislation that might proceed tomorrow.

This legislation would cut Medicaid by almost \$800 billion over a 10-year period, taking healthcare away from lower income and working-class families, including many children with special needs, kids with Down syndrome, kids who have serious emotional problems, kids whose lives now depend on Medicaid. When you cut Medicaid by \$800 billion, many of those children will lose coverage entirely or receive significantly fewer benefits.

This legislation, when we cut Medicaid by \$800 billion, will have a severe and dramatic impact on nursing homes all over America. A lot of people don't know this, but if your mom has Alzheimer's and is in a nursing home or your dad has a terminal illness and is in a nursing home, guess what: Medicaid pays almost two-thirds of the costs associated with nursing home care in America. What happens to the people in nursing homes when you slash Medicaid? How many of them will get thrown out of the nursing homes? Where do they go? Are families in America, working-class families, going to be forced to make the choice of whether they take care of their parents or whether they send their kids to college? Those are the choices that working-class families may have to make if this horrific legislation gets passed.

This legislation would dramatically decrease funding for the opioid and heroin epidemic that is sweeping this country, including my State of Vermont, including Kentucky, West Virginia, New Hampshire, Ohio, and States all over the country that are struggling with the opioid addiction problem.

The program that provides the most funding to help deal with addiction treatment and addiction prevention happens to be Medicaid. What happens to our efforts to try to get a handle on this terrible, terrible epidemic sweeping our country when you make massive cuts to Medicaid?

I found it amusing that when Donald Trump ran for President—oh, he was a great friend of the working class. He was going to stand up for the working class. Let me mention to workers all over this country who are in their sixties that if this legislation passes, your premiums are going to go up dramatically. That is one of the reasons the AARP strongly opposes this legislation.

If you live in Baltimore, for example, where I was this morning, speaking to the NAACP—in Baltimore, if you are 60 years of age and you make \$40,000 a year, your average health insurance premiums will go up from about \$4,000 a year now to \$8,800 per year, more than double. If you are a 62-year-old worker, making \$40,000 a year—not a lot of money—how are you going to pay that?

Remember, all that Donald Trump said about what a great friend of the working class he was. This legislation would defund Planned Parenthood.

I get a kick out of hearing my Republican friends talk about choice, freedom. Oh, my goodness, they love choice and freedom. They want the American people to go to any place they want to go. It is all about what America is about. Two and a half million women have made a choice, and the choice they have made is that they want to get their healthcare from Planned Parenthood. That choice, that freedom would be taken away from them, starting tomorrow, if this legislation is passed.

When you think about insurance, you think that insurance is about covering you in your time of need. Before the Affordable Care Act was passed, many millions of the American people could not get the health insurance they needed to address their particular healthcare crisis. If you had a heart disease, if you had breast cancer, if you had diabetes, the insurance companies would say: We are in the business of making money. Why on God's Earth would we want to insure you if you had breast cancer 5 years ago and it is possible it might recur? That is a losing proposition for us.

That is what insurance companies want to do. They are not in the business of providing healthcare. They are in the business of making money. They denied, unbelievably—think about how crazy this is; they actually would deny coverage to people who had preexisting conditions.

I have problems with the Affordable Care Act. It is far, far from perfect. It did end that obscenity of allowing insurance companies not to cover people who had preexisting conditions—something that is quite unbelievable.

Guess what. If this legislation is passed, in all likelihood, many people in this country with preexisting conditions will not be able to get healthcare that they need at a price they can afford. We don't quite know how many of them will die. Nobody can make that prediction.

I want to read for you a very interesting article that appeared from an institution called PolitiFact. PolitiFact is an entity that tries to keep a check on what politicians say. They look at you and you make a statement, and they say: Is this true or is this guy not telling the truth? I was on a TV program called "Meet the Press" a number of weeks ago. I said: Well, you know, if this Republican legislation is passed, thousands of Americans will die.

And my Republican colleagues and the rightwing media said: BERNIE SANDERS is engaging in hyperbole. He is exaggerating. Who wants to see anybody die?

I know nobody here wants to see anybody die. Of course not. No Republican

does. No Democrat does. No Independent does. But we have to look at the consequences of what we do.

So what PolitiFact did was take a look at the studies to see whether I was telling the truth.

Mr. President, I ask unanimous consent that the PolitiFact article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From www.politifact.com, June 27, 2017]

BERNIE SANDERS' PROJECTION OF THOUSANDS' OF DEATHS FROM LOST HEALTH COVERAGE IS WELL-SUPPORTED

(By Louis Jacobson)

During an interview on NBC's Meet the Press, Sen. Bernie Sanders, I-VT., didn't hold back in his criticism of Republican efforts to roll back the Affordable Care Act: He said such legislative efforts will literally be deadly.

"What the Republican proposal (in the House) does is throw 23 million Americans off of health insurance," Sanders told host Chuck Todd. "What a part of Harvard University—the scientists there—determine is when you throw 23 million people off of health insurance, people with cancer, people with heart disease, people with diabetes, thousands of people will die."

Sanders continued, "I wish I didn't have to say it. This is not me. This is study after study making this point. It is common sense."

Even if it seems like common sense that insurance would save lives, would it be on the scale of "thousands," as Sanders said? And would legitimate studies show that?

#### STUDYING THE STUDIES

When we contacted Sanders' office, spokesman Josh Miller-Lewis cited two sources.

One is the "Harvard study" Sanders mentioned—published on June 22, 2017, by the liberal Center for American Progress. It was coauthored by a Harvard professor of social epidemiology; two medical students who graduated from Harvard's T.H. Chan School of Public Health, and two policy specialists at the Center for American Progress.

To come up with their estimates, the authors of the Harvard-Center for American Progress report adapted the results of a peer-reviewed 2014 study of the Massachusetts state health care law—a law that was a model for the Affordable Care Act. The 2014 study was lead-authored by Harvard professor Benjamin D. Sommers.

The Harvard-Center for American Progress study projected that there would be one excess death for every 830 people who lose coverage as a result of the AHCA. Using Congressional Budget Office projections of the impact of the House version of the bill, the authors estimated an additional 217,000 deaths over the next decade, or 21,700 per year.

The second piece of evidence Sanders' office cited was an op-ed by yet more health policy specialists who are affiliated with Harvard—David Himmelstein and Steffie Woolhandler, who are professors of public health at Hunter College-City University of New York as well as lecturers at Harvard Medical School.

The op-ed—published on Jan. 23, 2017, well before either chamber's Republican health care bill was introduced—used as its basis a different study lead-authored by Sommers. This 2012 study tracked what happened after states expanded Medicaid.

Adapting the findings of the 2012 study to a scenario in which 20 million Americans lost coverage—which turned out to be lower than what the CBO found for the House bill—Himmelstein and Woolhandler estimated that there would be 43,956 deaths annually due to the GOP's health policy changes.

It's worth noting, however, that both of these projections come from the ideological left. As we noted, the Center for American Progress is a liberal think tank. And Himmelstein and Woolhandler are founders of Physicians for a National Health Program, a group that advocates for single-payer national health insurance—a proposal that is even further to the left than the Affordable Care Act.

So can Sanders' assertion be supported by the peer-reviewed literature alone?

#### WHAT PRIOR STUDIES SAY

In our previous fact-checking of this issue, we found at least seven academic papers that detected a link between securing health insurance and a decline in mortality. Here's a rundown.

In 2002, a panel of more than a dozen medical specialists convened by the federally chartered Institute of Medicine estimated that 18,000 Americans had died in 2000 because they were uninsured. In January 2008, Stan Dorn, a senior research associate at the Urban Institute, published a paper that sought to update the IOM study with newer data. Replicating the study's methodology, Dorn concluded that the figure should be increased to 22,000.

A 2009 American Journal of Public Health study concluded that a lack of health insurance "is associated with as many as 44,789 deaths in the United States, more than those caused by kidney disease."

Three studies looked at state-level expansions of Medicaid and in each case found "significant" improvements in mortality after such expansions of coverage. These include a 2012 New England Journal of Medicine study of New York, Maine, and Arizona by Harvard researchers, and a 2014 study of Massachusetts by researchers from Harvard and the Urban Institute. (These were the two articles that formed the basis of the analyses cited by Sanders' staff.)

A 2014 study published by the blog of the health policy publication Health Affairs looked at states that, at the time, had declined to expand Medicaid under the Affordable Care Act. It estimated that the 25 states studied would have collectively avoided between 7,000 and 17,000 deaths.

A 2014 study in the Journal of Clinical Oncology found improved survival rates for young adults with cancer after securing insurance under the Affordable Care Act.

A 2017 study in the journal Medical Care looked at a provision of the Affordable Care Act that allows young adults to be covered under a parent's policy. The study found a decline in mortality among this population from diseases amenable to preventive treatment. (Mortality from trauma, such as car accidents, saw no decrease, as would be expected.)

We found two papers with results that were more equivocal.

A paper published in April 2009 in HSR: Health Services Research. In it, Richard Kronick of the Department of Family and Preventive Medicine at the University of California (San Diego) School of Medicine, raised questions about the conclusions of the seminal Institute of Medicine study from 2002. Kronick's study adjusted the data—as the IOM had not—for a number of demographic and health factors, including status

as a smoker and body mass index, and found that doing so removed the excess number of deaths found in the original study.

A 2013 paper in the *New England Journal of Medicine* coauthored by Katherine Baicker of Harvard University compared about 6,000 patients in Oregon who got coverage through a 2008 Medicaid expansion and about 6,000 who didn't. While the study found improvements in out-of-pocket medical spending and lower rates of depression among those who got coverage, key benchmarks for physical health—including blood pressure, cholesterol, and blood sugar—did not improve in such patients.

But even the two lead authors of the more equivocal studies have told us that the scholarly record demonstrates that having health insurance saves lives, and that not having insurance can lead to additional deaths.

We asked several of the authors of these papers whether they believe Sanders' assertion of "thousands" of deaths is generally supported by the scholarly evidence. We heard back from three of them.

"Thousands" is completely fair," Dorn said.

Baicker agreed. "It is of course difficult to pin down an exact number of deaths that would be caused by a specific new policy," she said. "But a number like 'thousands' does not seem unreasonable, based on the available evidence."

And Sommers—whose work formed the indirect basis of the studies cited by Sanders—concurred.

"I agree that it's challenging to pin down an exact number on this," Sommers said. But overall, the academic evidence "certainly gets you into the range of thousands of deaths per year."

#### OUR RULING

Sanders said, "When you throw 23 million people off of health insurance—people with cancer, people with heart disease, people with diabetes—thousands of people will die. . . . This is study after study making this point."

Sanders' statement on Meet the Press was phrased generally enough to be defensible. We found ample evidence in the academic literature to suggest that legislation on the scale of the House bill would produce "thousands" of additional deaths.

That said, we can't say with any specificity how many deaths will occur. It's important to note that the studies provide estimates only, and each study found a slightly different result. On balance, we rate the statement Mostly True.

Mr. SANDERS. One of the studies my office cited was published on June 22, 2017, by the Center for American Progress. It was coauthored by a Harvard professor of social epidemiology, two medical students who graduated from Harvard's T.H. Chan School of Public Health, and two policy specialists at the Center for American Progress. I won't go through all of the details, but I will say this, quoting from PolitiFact:

The Harvard-Center for American Progress study projected that there would be one excess death for every 830 people who lose coverage as a result of the AHCA.

The Republican bill.

Using Congressional Budget Office projections of the impact of the House version of the bill, the authors estimated an additional 217,000 deaths over the next decade, or 21,700 per year.

That is not BERNIE SANDERS; that is a study done at Harvard.

The second piece of evidence Sanders' office cited was an op-ed by yet more health policy specialists who are affiliated with Harvard—David Himmelstein and Steffie Woolhandler, who are professors of public health at Hunter College-City University of New York as well as lecturers at Harvard Medical School.

Adapting the findings of the 2012 study to a scenario in which 20 million Americans lost coverage—which turned out to be lower than what the CBO found for the House bill—

They estimated 23 million would lose coverage—

Himmelstein and Woolhandler estimated that there would be 43,956 deaths annually due to the GOP's health policy changes.

Quoting again from PolitiFact:

So can Sanders' assertion be supported by the peer-reviewed literature alone?

Then they cite some studies.

In 2002, a panel of more than a dozen medical specialists convened by the federally chartered Institute of Medicine estimated that 18,000 Americans had died in the year 2000 because they were uninsured. In January 2008, Stan Dorn, a senior research associate at the Urban Institute, published a paper that sought to update the IOM study with newer data. Replicating the study's methodology, Dorn concluded that the figure should be increased to 22,000.

A 2009 *American Journal of Public Health* study concluded that a lack of health insurance "is associated with as many as 44,789 deaths in the United States, more than those caused by kidney disease."

And on and on it goes. This is not BERNIE SANDERS talking; this is scientific and medical study after medical study saying what is obvious—that if you have a life-threatening disease and cannot get healthcare, you will die.

So I would hope that my Republican colleagues, as they vote tomorrow, understand the consequences of their vote. I know no Republican—nobody here—wants to see anybody die, but when you take 23 million people off of the health insurance they have, many thousands of those people will die.

I think most Americans would think that when you are dealing with an issue like healthcare, which impacts, by definition, every single person in our country, and when you are dealing with an issue that impacts about one-sixth of the American economy—over \$3 trillion a year—that you just might want to have some serious discussions on that issue. You might want to ask—here is a radical idea—doctors what they think about this legislation. What is it going to mean to their patients? Wow, that is a pretty radical idea when dealing with healthcare for all the American people. You might want to have one hearing, maybe, and say to doctors: Doctors, what do you think about this bill?

What about hospitals? How will this bill impact hospitals, especially rural hospitals in Vermont, Virginia, and all across this country? You might want to talk to a hospital administrator.

You might want to talk to a patient advocate, maybe somebody from the American Cancer Society or somebody who is active in the diabetes effort. You just might want to talk to the experts on healthcare as to how this legislation might impact the work they do. But, amazingly, in an unprecedented way, this legislation was written behind closed doors. I think it was 12, 13 Republican Senators who wrote this bill. Most Republican Senators don't even know what is in this bill, let alone Democrats and let alone the American people.

How do you write legislation that impacts every American, one-sixth of the economy, and not have one public hearing to hear from those most knowledgeable about healthcare in America? But that is exactly what the Republican leadership has done. I know why they did that. It is not a secret. If you had a horrific piece of legislation, trust me, you would want as little public discussion as possible. You would try to hide what this bill does. I understand that. Yet, despite all of that, it turns out that virtually every major healthcare organization in America opposes this bill.

I don't know how you can go forward with legislation that has had zero public hearings, that is opposed overwhelmingly by the American people—last poll that I saw from USA TODAY had 12 percent support for this legislation—and go forward with legislation opposed by every major healthcare organization in America. This bill is opposed by the AARP, the largest senior group in America. It is opposed by the American Hospital Association, the American Medical Association, the American Cancer Society, the American Heart Association, the American Academy of Family Physicians, the American Academy of Pediatrics, the American Psychiatric Association, the Federation of American Hospitals, the Catholic Health Association, the American Lung Association, the Cystic Fibrosis Foundation, the March of Dimes, the National MS society; and the American Nurses Association. In other words, virtually every major healthcare organization does not want to see this bill passed.

The American people overwhelmingly do not want to see this bill passed. So how come it might pass? People don't want it. Healthcare organizations don't want it. Who wants it? I will tell how wants it—people who are going to get tax breaks. They think it is a great idea. Billionaires who got \$200 billion in tax breaks from the House bill think it is an extraordinary idea. So what if 23 million people lose their health insurance from the House bill. The top one percent will get \$200 billion in tax breaks. Large healthcare corporations like it. The insurance companies and the drug companies are going to get a combined hundreds of billions of dollars.

I will tell you who else likes it: those people associated with the Koch brothers who are spending hundreds of millions of dollars on elections. They like it because their ideology, their philosophy is that government should play no role in the concerns of the American people. Mark my words—if this bill, which would cut Medicaid by \$800 billion, passes, Medicare will be next. And in the House, they have already passed legislation that would voucherize Medicare. Social Security will not be far behind. That is the ideology of the Koch brothers and the people who fund the Republican Party. Their concern is with large campaign contributors, not the American people.

I hope very much that tomorrow when we assemble here—I gather in the afternoon—for a vote, the Republicans will think more about people in their own State, about their children, the elderly, the sick, and not just about their campaign contributors.

Thank you very much, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I rise this evening to help deliver a message from American families to my colleagues on the other side of the aisle. The American people have sent a clear message to Washington. The message is that they do not want us to go forward with this partisan—and mean—healthcare repeal bill. But, incredibly, we are today about to embark on a vote to do the exact opposite.

What is happening in Washington this week is that we are completely ignoring the message that Wisconsinites and the hard-working American families across this country have sent for us to hear. Haven't you been listening?

To my colleagues on the other side of the aisle, have you been listening to the calls pouring in from families in your States? Have you been listening to the voices of parents and their children, the schoolteachers and doctors, and the working people who are daily struggling to get ahead? These messages have been sent to Washington. They have been sent loudly and for too many months—in fact, for too many months for you to possibly not have heard them. The American people don't want to pay more for less care. They don't want the age tax or the higher premiums this plan is offering. People with preexisting conditions don't want to be thrown into a high-risk pool or priced out of the coverage they have today. They don't want bare-bones insurance that doesn't cover the essential services and lifesaving care they may need. They don't want their loved ones who depend on Medicare for nursing home care or their disabled children who rely on Medicaid funding at school to have their care put at risk through caps and cuts. The American people don't want a plan that will make things worse.

It is hard for me to believe that Washington hasn't heard this message because I have been listening.

I have been listening to people like Jean. Jean is from Baraboo, WI. She told me that she is scared because her Crohn's disease would cost her a fortune if her preexisting conditions were not covered. She told me that she needs the healthcare she has today because "my husband ruptured a disk in his back that prevented him from getting a job that promised us coverage. So now he works multiple jobs."

I have been listening to Mary from Kenosha, WI. I met with Mary recently, and she told me about her son Kyle. Kyle, at a young age, was diagnosed on the autism spectrum and was never expected to learn to even speak. When Kyle was 7, medical professionals spoke with Mary and said that Kyle might have to be removed from his home and left to be cared for in an institution. But Mary had hope, and thanks to Medicaid, Kyle was able to receive some very specialized medical therapy for his autism, and he was able to remain at home. He was able to receive an education. He was able to get his driver's license, and now Kyle is attending college.

Mary is terrified, nonetheless, that this bill's drastic cuts to Medicaid would rob Kyle of the care he needs to achieve the independence that he has worked so hard for during his entire life. Mary told me about her concern for so many other families with similar situations.

I have been listening to Greg. Greg is from Stoddard, WI. He has no idea how he and other older Wisconsinites will be able to afford higher costs for healthcare. Greg's sons, both of whom have diabetes, are already struggling with skyrocketing insulin prices.

I have been listening to the Schaumburg family in Seymour, WI. Their daughter Zoe was born with a congenital heart defect. She had to have open heart surgery at 5 days of age. Now, Zoe is guaranteed coverage without being denied or charged more, but Zoe's parents are scared that this repeal plan will make things worse. When Zoe's mom, Chelsey Schaumburg, was told about how this plan would weaken the guaranteed protections and care that people have today, she said this in her letter to me: "To me, it's like they're taking the American Dream from her . . . kids in Wisconsin with preexisting conditions . . . are counting on you to protect that right."

This isn't right. This isn't fair. It is not who we are.

If my colleagues who have been drafting this plan behind closed doors have not been listening to the messages of fear and anxiety from the American people, maybe they will listen to why this proposal is very personal to me.

When I was 9 years old, I got sick. I got really sick. I was in the hospital

for 3 months. Following getting out of the hospital, I required significant followup care for nearly a year before I regained my full strength and fully recovered.

But when it came to health insurance, it was like I had a scarlet letter. My grandparents, who raised me, couldn't find a policy that would cover me, not from any insurer and not at any price. They had to pay for my care out of pocket, and I can tell you they made some major sacrifices to do so, all because I was a child who had been branded with those terrifying words "preexisting condition."

So what are we doing here? It is time to stop the partisan nonsense. The people of Wisconsin did not send me to Washington to take away people's healthcare. They sent me to fight for people like Zoe, Kyle, and Jean. What I hear from people in Wisconsin is that they want us working together to protect the care people have and to make it more affordable.

We should be working together to lower costs like skyrocketing prescription drug prices. We should be working together to strengthen the insurance market and give people more options. But we should not be working on partisan repeal legislation that will make things worse, that will leave millions uninsured, that will make healthcare more expensive, and that will price families out of the care they have today.

It is time we listened to the messages that are being sent to Washington. It is time we worked together across the partisan aisle to do our jobs—the jobs the American people sent us here to do on their behalf.

I hope the congressional majority will join me and my colleagues to work together to strengthen healthcare and to move our country forward.

I thank the body.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. Kaine. Mr. President, I thank my colleague from Wisconsin and also my colleague from Vermont. Their words have been very powerful.

I also rise to talk about healthcare. We are told in the Senate that tomorrow we vote, but we don't know what we will be voting on. We will bring up a House bill that, by virtually every account, is not going to be the bill that we will be voting on, but we don't yet know which version of healthcare we will be voting on if we proceed to the debate.

It is like a three-card monte game. There are all sorts of different versions that are out there on the table. One version would take health insurance away from 22 million people, one from 25 million, and one from 32 million, and we are not being told which one we will vote on.

When I was a kid, there was a TV show we used to watch, "Let's Make a



Deal.” One of the features of the show was this: What is behind door No. 1, and what is behind door No. 2? The contestants would have the opportunity to pick. One would be great, and one would be a disaster. That was the fun of the game show: What is behind door No. 1? What is behind door No. 2?

But this isn’t about a game show. We are not participating in a game show. We are participating in a decision about the most important aspect of any person’s life—their health—and about the most important expenditure they ever make with a dollar—a healthcare expenditure—and about the largest sector of the American economy—healthcare.

Instead of treating the issue with the gravity it deserves, there is a secret plan and a mystery vote without any hearings, shutting out the committees, including the HELP Committee, where I serve, shutting out the minority party, which represents 48 of the 100 Senators in this body, and, most importantly, shutting out the public. As the Senator from Vermont mentioned, in this body, the greatest deliberative body in the world, we have not had a single hearing. We have not heard from a single doctor, a single patient, a single hospital, a single nurse, a single insurance company, or a single medical innovator. We are about to take a vote on the most important expenditure in anyone’s life and the largest sector in the American economy following a completely closed process where it has been the will of the majority to keep the door shut.

This isn’t a game show.

Let me tell you how real this is. I did something on Friday that I often do. I started doing this in 2002. I live in Richmond, but I drive a number of hours to Wise County, VA, which is a county on the border between Virginia and Kentucky. It is a county where my wife’s family is from. She grew up in Roanoke, but her dad is from Big Stone Gap, VA, in Wise County, right across the border from Pike and Hazard Counties in Kentucky.

There is a fairground in Wise—the Virginia-Kentucky fairgrounds. Back in the late 1990s, a Catholic nun, Sister Bernie, and two other wonderful nurses who have become friends—Teresa and Paula—decided to try to offer healthcare for people who didn’t have health insurance at this county fairground. They just set up with a few volunteers, and they said: If you live in Appalachia, if you don’t have health insurance, if you need medical care or dental care, just come and we will see what we can do. They do this every July, for one weekend a year.

Here is what this has grown into. I first went when I was Lieutenant Governor in 2002. People start to arrive. I have talked about this on the floor. I just did it Friday, and I want to share some stories. They start to arrive

Tuesday or Wednesday in cars. They camp in the campground. Now, it is July, and this weekend was the hottest weekend in the summer. They start camping with their kids, often in cars. Some are sleeping in cars. Some are throwing blankets out on the lawn next to a chain-link fence. They wait in the tens, in the dozens, in the fifties, in the hundreds.

Then they open the door at 6 a.m. It is Friday morning, and the people who have waited for days come in and get a number to see if they can get healthcare on Friday, Saturday, or Sunday from volunteer doctors in the richest Nation and the most compassionate Nation in the world.

When they opened the door on Friday morning, I was down there. I do what I do. I go and I work the registration booth, and I talk to people and register them so they can get healthcare. I got there a little late. They had opened the door at 6 a.m., and I got there 8 a.m. They had already given out numbers to 1,200 people in the first 2 hours. Over the course of the weekend, they serve thousands of people.

They come in to get dental care. For most of them, their teeth are too far gone. So it is just a matter of pulling their teeth. Some come in to have most of their teeth pulled, and then they can get dentures. They get an eye exam and find out: Wow, I should have gotten glasses 5 or 10 years ago. No wonder I have been such a poor student all the way through school, or no wonder I have had such a hard time on my job. I needed glasses.

They get a cancer screening. Sometimes they get something caught early, and sometimes they get something caught very late.

It is an amazing spectacle. It is uplifting because of the volunteers who turn out—doctors, dental hygienists, nurses, and the Lion’s Club, which comes to do vision screenings. That is uplifting.

It is depressing and it is heart-breaking to see people sleeping up against chain-linked fences and sleeping crunched over in their car for days so that they can get a little bit of free healthcare in the richest Nation on Earth.

When I work the registration booth, I have to ask people a series of questions so that they know who they can go see when they are there. I worked the booth for about an hour and a half. Here is a question you ask everybody: How long has it been since you have seen a doctor? How long has it been since you have seen a doctor?

I had a mother of four kids. The kids were 12 and under, and they were sort of buzzing around. The mom was sitting in a chair. You know what happens if you are a mom with kids that young. Your kids pick up something in school. They bring it home, and you get sick. This is what happens to par-

ents. I have a colleague here with young kids, and he knows what I am talking about.

I asked the mother: How long has it been since you have seen a doctor?

I am not really sure.

So I was kind of going through my checklist. Have you seen a doctor within the last year?

No, not within the last year.

Have you seen a doctor within the last 2 years?

Not within the last 2 years.

Have you seen a doctor within the last 3 years?

I might have seen a doctor in the last 3 years.

That was a mother of four young kids.

I had somebody sitting across from me, and I asked her another common question: Are you employed? You ask everybody this. Part-time? Full-time?

I am not employed, but I am about to get my nursing license back.

Well, that is interesting. So you are in healthcare.

Well, I used to be. I am about to get my nursing license back.

Well, what happened?

Now, this wasn’t on the questionnaire, but I couldn’t resist asking her: What happened?

Well, I was a nurse. I had a great career. I had a great life. But then a doctor prescribed me opioids for arthritis, and the bottom fell out of my life. I got addicted to opioids, and I lost my license, and I lost virtually everything in my life. Now I am unemployed, but I am working as a counselor at a church, trying to help people who are also opioid addicted. I am about to get my license back, but I am not working yet, and I don’t have insurance yet, and that is why, even though I am a nurse and I am a healthcare professional, I have waited in line for a couple of days to come get healthcare.

There was a woman from Maryland who had been laid off as a supervisor at McDonald’s a number of months ago. She was unemployed. She had horrible dental problems that were way past being solved. She just needed to get a bunch of her teeth pulled to ease her pain. So get what this woman did. This is about an 8 or 9 hour drive from her house. When her teeth got so bad and so painful after her firing and she needed to have her teeth pulled, she couldn’t go anywhere. She didn’t have anybody to do it.

She said: I think there is this free clinic in Appalachia. Now, it is a couple of months out. So I am going to have to suffer through the pain for a while, but I also have to save up some money.

She saved up her money like most people would try to save money for a summer vacation. She saved up her money so she could put enough gas in the car and pay for one night at a hotel and so she could drive for 9 hours to



Wise County, VA, and wait in the line for days and come and get a bunch of her teeth pulled in the richest and most compassionate Nation on Earth.

By the way, I had another guy, and I asked him the question: What are you here for? Are you here for medical services, are you here for dental services or are you here for vision services?

He said: I am actually here for all three, but the problem is, it is the hottest day of the year. It is 95 and humid, and I am so sick, I can't sit out in the Sun all day. So I got to do two out of three. I can't do all three.

I said: Which are the two worst, is it the medical and dental or vision and dental or vision and medical? He said: Look, I will do dental and medical, but even though I have glasses and I need to get an upgrade, I can't wait around because I am so sick out in the hot Sun for so long. So you are just going to have to give me two out of the three. I can't wait all weekend. I can't wait all day in this dusty fairground on the 21st of July to get healthcare.

These people need us. They need us to be at our best. They need us to be thinking about them.

The first time I went to this clinic in Wise, I was struck by the magnanimity of the volunteers, I was struck by the need, but what really hit me was when I went into the parking lot. I expected to see cars from Virginia and Kentucky because Kentucky is 10 miles away from the fairgrounds. I might have expected to see cars from West Virginia, which is 100 miles away, or Tennessee, which is 40 miles away, but North Carolina is 150 miles away, South Carolina is 350 miles away, Georgia is 400 miles away, Alabama is farther, and Oklahoma is farther. People drive from all over the Southeast in the United States, in the richest nation on Earth, in the most compassionate Nation on Earth, to wait for days in a dusty campground in the heat of the hottest part of the summer so they can have their teeth pulled because they don't have healthcare.

The Affordable Care Act has cut the uninsurance rate to one of the lowest in recorded history, but we haven't gone far enough. We have to do better by these people who are sleeping in their cars or up against chain-link fences, who are traveling for 9 hours to get their teeth pulled, not worse. We want to have fewer people like this and fewer folks who need to do this, not more.

The vote we are going to have about whether it is 22 million or 25 million or 32 million people who lose health insurance, that is going the wrong way. We have to go a different way. We have to do better, not worse.

Most of the things we talk about in this Chamber are about issues. This isn't about issues, this is about who we are. This is about who we are as Senators. This is about who we are as

Americans. This is about who we are as thinking, feeling, breathing, believing human beings. It is about who we are.

A great teacher, a great teacher once laid out the yardstick: "I was sick and you took care of me." That is one version of the New Testament. There are other phraseologies from the 25th chapter of Matthew: I was sick and you visited me. I was sick and you cared for me. I was sick and you looked after me. The Teacher basically says, the way you treat someone who is sick is the way you treat the Creator.

It is important to be compassionate to somebody who is sick, and anybody who is hearing these words, you don't have to think for a second to think about somebody in your family who is suffering from cancer or dementia or mental illness or who has been the victim of an accident. There are faces appearing in your minds right now because we all have this in our families. The way we treat people who are sick is not just a measure of us, it is a measure of what we think about the Creator. When a great teacher said, "I was sick and you took care of me," he was giving an instruction to us about the way we should behave.

In the last week, I am struck by the fact that this body has been jolted by the news about two of our colleagues, both of whom who have had cancer diagnoses. Last week, we were shocked and saddened to hear about our colleague from Arizona, Senator MCCAIN, who is my chairman on the Armed Services Committee who is suffering a very tough form of cancer, and cancer is going to find a match in Senator MCCAIN.

This touches us in this body. A week or two before, we heard about another colleague on the Armed Services Committee who sits next to me at every committee hearing, Senator HIRONO, who just announced she has kidney cancer and just underwent surgery. I was chatting on the floor with her earlier tonight. I don't think she would mind me saying, she is strong and she is a fighter, like Senator MCCAIN is a fighter, but she is worried about it just like Senator MCCAIN would be. This touches everyone.

It touches the powerful, it touches the powerless. It touches the wealthy, it touches the poor. It touches men, it touches women. It touches the young, it touches the old. It touches everyone, and the way we treat people who are sick, the way we treat people who are anxious about their health is the way we treat the Creator. That is what we are taught. So let's live up to that standard.

Why would we do otherwise? Why are we here? Why did we run? Why do we serve? What do people expect of us? I was sick, and you cared for me. I was sick, and you visited me. I was sick, and you looked after me. I was sick, and you took care of me.

Is it that hard? Is it so important to rush it through and not have hearings and not have committees and not engage the Democrats and not listen to the people sleeping against chain-link fences or driving 9 hours to get their teeth pulled?

We can't afford to get this wrong, and the talent of the people in this body convinces me beyond a shadow of a doubt that if we take the time, we can get this right. If we can get this right, why will we not take the time to get this right?

So I would plead with my colleagues, let's stand together on behalf of the sick, let's stand together on behalf of those who are counting on us.

Another part of the New Testament is the Letter of Paul to the Hebrews: "Because we are surrounded by such a great cloud of witnesses, we have got to do the right thing." We are surrounded by a great cloud of witnesses who want us to do the right thing, and I know we can, and I pray we will.

With that Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I was really glad to be on the floor to hear the remarks of my great friend Senator Kaine.

It is gut-check time in the U.S. Senate. The legislation we are going to consider tomorrow would hurt a lot of people in ways I think that are very hard to fathom. One of our colleagues said: I didn't come here to hurt people.

Everybody came here with designs on how to make their community, their State, their Nation a better place, and we are on the verge of taking a vote on a bill that objectively will rain a level of devastation down on this country that is really hard to fathom.

I can't match Senator Kaine's eloquence talking about the personal stakes here. We take for granted the fact that as employees of the U.S. Senate, we get a health benefit that makes sure that if we do fall ill or if our children fall ill, we will not have to think about whether we have the money to be able to afford treatment, but that is not how it is for all of those families who lined up in Virginia to receive care. That is not how it is for those who come to a similar event in Connecticut that is targeted just for dental services but has a line that begins the night before and is oversubscribed before the event begins the next morning.

That is not how it was for the millions of American families who used to go bankrupt because, when faced between a choice of personal financial ruin and the death of a child or a loved one, they chose financial ruin. Until you have been faced with that choice, I don't think there is any way to understand it. It certainly is a choice no one in this Chamber will ever have to make.

In Connecticut, the Burger family made that choice. Before the Affordable Care Act was passed, in the 2-week period of time where Mr. Burger didn't have healthcare insurance, their son was diagnosed with cancer, and when he got on his new plan, it was a pre-existing condition so it wasn't covered, and the Burger family lost everything. They went through their savings account. They lost their house. They went bankrupt. They were one of thousands and thousands of families who made that choice. That rarely happens any longer. The number of personal bankruptcies in this country has been cut in half because of the Affordable Care Act.

The Affordable Care Act hasn't made healthcare magically affordable for everyone, but it has meant that people don't have to make that choice any longer. The scope of the pain we are talking about, if any of the three versions of this bill get the vote, is really hard to fathom. Under the original version of the bill, 23 million people would lose insurance.

I amended this chart when a series of changes were made at the last minute that CBO scored to reduce that number to 22 million, but this is the entire population of Alaska, Delaware, Hawaii, Idaho, Kansas, Maine, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, South Dakota and West Virginia, all losing healthcare at the same time, and the majority of that happens in the first year. So of the 22 million, 14 or 15 million of those people lose insurance next year. The scope of that devastation—12 months from now, 15 million less people having insurance, 15 million more people showing up in emergency rooms to get care—is something I don't think any of my colleagues really can get their head wrapped around.

For all the times President Trump said the Affordable Care Act is dead, that ObamaCare is in a death spiral, that is not true. It is a lie. It is a lie because the Congressional Budget Office says the death spiral only occurs if you pass any of the versions of the legislation we are considering; that if the Affordable Care Act stays in place, 28 million people will not have insurance—which is far too many—but if one of these bills go into effect, at the end of 10 years, we will have 50 million people without insurance.

A new report from the Kaiser Family Foundation found that the ACA markets are not collapsing despite what the White House says—despite the lies they perpetuate. Early results from 2017 suggest the individual market is stabilizing and insurers in this market are regaining profitability. "Insurer financial results show no sign of a market collapse." That is the Kaiser Family Foundation's finding which mirrors the finding of CBO.

The collapse in our insurance market only happens if one of these bills pass,

and it is not just the number of people who lose healthcare. The folks we should care most about—the people who are making just enough money so they don't qualify for Federal programs but not enough money that they can save for retirement and pay for their kids' college bills and do all the things you need to do in order to lead a respectable life—those people are going to be hurt worst by this bill.

If you are a 64-year-old getting ready for Medicare coverage, you are making \$56,000 a year, you are going to pay 170 percent more under this bill just in your premiums, never mind the extra money you are going to pay in copays and deductibles.

The CBO says that if these bills are passed, a single policyholder who purchases a plan at a 58-percent actuarial value in 2026 would have a deductible of roughly \$13,000 for medical and drug expenses combined, which is absolutely unaffordable.

By every metric, whether it be the amount of money that you pay or the number of people who do not have healthcare coverage, the CBO answers this question: Who gets hurt under the GOP healthcare plan? Pretty clearly, everybody, unless you are an insurance company, a drug company, or rich. If you are affluent and you can afford your own healthcare, you will be fine. If you are an insurance company or a drug company, you are going to get a big tax cut out of this. But everyone else will get hurt and get hurt really badly.

I have watched my Republican friends process this information. I have watched them, largely, stay silent. The Democrats are the only people on the floor of the Senate these days who are talking about healthcare. Most of my Republican friends are not willing to come down and defend any of these products, but those who have been have shifted their rationale.

Republicans who have been willing to come down and defend their plan concede that millions and millions of people will lose insurance, and they concede that rates will go up for most Americans. So they cling to one last value that underpins the Republicans' healthcare plan. In their words, that value is freedom—the freedom not to be insured. The Republicans suggest that you should not really worry about 32 million people losing insurance because those people really did not want insurance and now they will be free not to have it. That is just not what the CBO says. The CBO says that millions and millions of these people who will lose insurance desperately want it; they are just not going to be able to afford it.

It is also not true that the bill grants that kind of freedom. Insurance is compulsory under the Republican healthcare plan just like it is under the Democratic plan. It is just compulsory

in a different way. The Republican plan says that as a penalty for not having insurance, you will be banned from purchasing insurance for 6 months. The Affordable Care Act says that if you do not purchase insurance, you will get a penalty on your tax form. Either way, it is a penalty.

Yet a new wrinkle has been thrown into this debate because last week it was ruled that, in a reconciliation, the Republicans cannot include this penalty provision. Without it, the entire bill falls apart. Markets would collapse.

For all of the Republicans' talk about the freedom not to purchase insurance, they included a requirement in their bill that people buy insurance. They know they had to because they know that without it, the entire insurance market would collapse. Why is that? If you require insurance companies to charge the same thing for sick people as for non-sick people, then you have to encourage people who are not sick to buy insurance. If you do not, folks will just wait until they are sick to buy insurance, and the only people who will have insurance will be the people who have acute conditions. That will make insurance itself unaffordable, and insurers will stop offering products, or they will jack up rates to the point that it will be totally unaffordable for everyone.

In the Affordable Care Act, that is what led to the individual mandate. In the Republican healthcare bill, that is what led to this provision that locks you out of insurance for 6 months. But that has been ruled veritable. That has been ruled essentially out of order under reconciliation.

The Republicans are going to be faced with a choice if they are able to get on this bill. They will either remove that provision and guarantee the collapse of the entire insurance market in this country or they will have to strengthen that penalty in order for it to be allowed under reconciliation, but that will essentially rob the last rhetorical argument that the Republicans had in favor of this bill. They cannot argue that it provides more people with insurance. They cannot argue that it helps with cost. They cannot claim that it increases quality. They know that. The only thing left that they could argue is that it allows some people to go without insurance if they do not want it. In truth, their bill does not do that, and the rules of the Senate are going to require that they increase that penalty even more if they want any plausible, workable version of this bill to survive.

It leaves us in a place in which there is no argument to do this. It does not advance values that Republicans hold dear, like personal freedom, it does not improve people's healthcare experiences, and it does not increase the number of people who have healthcare insurance.

It really does beg the question: Why are we doing this? Did anybody come to the Senate with the desire to hurt this many people?

If I had told my Republican colleagues 4 years ago that their ACA replacement plan was going to drive up the number of people without insurance by 32 million and increase rates by 20 percent in year 1, would you have believed it? No. For 6 years, I took my Republican colleagues at their word. I did not agree with them that we should repeal the Affordable Care Act, but at least I thought they had the same goals in mind as we did—more people having access to the healthcare system and costs being controlled for as many people as possible. It is now clear that we do not. The Republicans are about to vote on a bill that will inflict unthinkable amounts of pain on this country. Who gets hurt under the GOP health plan? Everybody.

I said this on the floor last week, and I will just say it again to close—that it does not have to be this way. We have accepted for so long that healthcare is a political ping-pong ball that gets tossed from one side to the other every 5 or 10 years.

Why is it so inconceivable that Democrats and Republicans could not sit down together and try to work out keeping the parts of the Affordable Care Act that are working and improving the parts that are not? Why couldn't the Democrats understand that the Republicans want flexibility of benefit design and give Republicans something on that if you understood that we want some certainty of these marketplaces? We do not want President Trump to be able to sabotage and undermine these markets. Why can't there be a compromise and a deal there?

There is still time. If this vote fails tomorrow, there is still the ability for us to come together, because in the end, there is the story Senator KAINE told about rural Virginia. Everybody here knows that story. Everybody here knows there is enormous work still to be done, and nobody out there is believing the lies about this bill, this wonderful healthcare plan President Trump is promising. Everybody in this country hates this bill. It has a 15-percent approval rate. These folks know there is virtually no one who is helped by this bill other than insurance companies, drug companies, and people who are very affluent and fortunate enough to be healthy.

We do not have a communicable disease on our side of the aisle. We are not going to physically hurt you if you get in a room with us. We actually do deeply desire to improve the healthcare system. You have just got to give us a chance.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I rise to address the Republican plan to have a vote to proceed to a healthcare bill tomorrow. The only challenge is that we have no idea what bill we are being asked to proceed to. This is hardly the way a democratic republic operates in which the leader of the majority says: We want to come to the floor with no committee deliberation, no consultation with healthcare experts, no dialogue with the public, no amendments in committee of any kind, and vote on a mystery bill.

The biggest mystery to me is how it is possible that the majority of Republicans are taking seriously a plan to rip healthcare from 20 million-plus Americans in order to give fabulous giveaways to the richest among us. The bill they entertained previously would have given \$33 billion to the richest 400 Americans—\$33 billion. I have mentioned this number before. Some journalists have quoted it as \$33 million, and some citizens have said that I meant \$33,000. No. It is \$33 billion to the richest 400 Americans—enough funds to pay for Medicaid for 700,000 people.

What individual would say it is moral to rip healthcare away from 20 million people in order to give tax breaks to the very richest among us? In some misguided, mysterious way, something has gotten ahold of the hearts and minds of my colleagues and made them think this was some kind of good idea to do so much damage to so many.

In fact, we have been having this conversation since January. It was earlier this year, when President Trump was sworn in, when the majority said: We are going to come to the floor of the Senate, and we are going to repeal healthcare for millions of Americans in short order.

Here we are 6 months later, and it has not happened yet—in part because when people look at the details, they start to raise questions.

It took a long time for the House to send a bill over to the Senate, and then the Senate proceeded to work on this bill with a group of 13 secret Senators—working in a secret room, in secret meetings—with the public not allowed, with fellow Senators not allowed. They came up with a bill that looked very much like the House bill, and we will talk more about that later.

The President said in his campaign and throughout much of this year: You are going to have such great healthcare at a tiny fraction of the cost, and it is going to be so easy.

Well, it has not been that easy. We have seen the President back a plan from the House and invite everyone over to celebrate at the White House and get the champagne bottles out and say how wonderful it was that the House had passed this healthcare bill—this bill that would strip healthcare from more than 20 million Americans.

Then, a couple of weeks later, someone explained to him what was in that bill, and he said: Oh, well, that bill is mean and heartless. Then the secret 13 here in the Senate meet, and they come out with a very similar bill. And now Trump is all excited; now we have a really good bill, except that in a single year, it would do even more damage to healthcare in America.

Along the way, the President moderated his dialogue a bit and said: Who knew healthcare could be so complicated? Well, Mr. President, most of the people in America realize we have a complicated healthcare system. We have an overlapping system of six different systems of healthcare. It really is quite messy and difficult. It would be great if we could, in fact, adopt a much simpler system. And I certainly have been advocating for us to have a much simpler system, so just by right of being an American, you are born into this world and you have healthcare. That is the way most developed nations do it, but not here in the United States of America. We have a great healthcare system for the very wealthy, and we have a very complicated, stressful system for everyone else.

What are we going to vote on tomorrow? I wish the majority leader would come to the floor and tell us. Will we vote on a motion to proceed to a bill that looks like—what? What can you tell us? Is it TrumpCare 3.0? How does it differ from TrumpCare 1.0 or 2.0? Will it have the Cruz amendment in it for fake insurance, the provision that would do enormous damage on both ends of the insurance market, providing fake insurance policies to the young and the healthy and destabilizing healthcare and putting it into a death spiral for everyone else? Or, Mr. Majority Leader, maybe you could come and tell us if you are planning a straight repeal of the ACA—a straight repeal that would raise costs and premiums even higher and not just rip healthcare from 20-plus million people, but from 30 million-plus people, a plan that would be even more devastating than the previous plan. Is that what you want us to vote to proceed to tomorrow?

I can tell you that we shouldn't be voting to proceed to any version on healthcare, something that so affects the peace of mind and the quality of life of Americans. We should be operating like a democracy, like a democratic republic—holding committee hearings, holding a conversation. This is what we did when we talked about the ACA those several years ago. We had more than 100 committee meetings, roundtables, and walk-throughs here in the U.S. Senate. We had the single longest markup of a healthcare bill in the HELP Committee ever in the history of the United States. We had the second longest session marking up

the bill in the Finance Committee. We had the entertainment of hundreds and hundreds of amendments, and we adopted over 100 Republican amendments. There was a very public, extended process, with a ton of time to go home and consult with healthcare experts and stakeholders in our own States and with the most important stakeholders—the citizens of the United States of America—the men and women and sons and daughters and grandparents. How did they feel about these changes?

Well, as everyone knows, President Trump did call the House bill mean and heartless, but we just keep getting bills that are meaner and more heartless. The House bill would kick 23 million people off insurance over the next decade and 14 million just next year. The subsequent bills don't look that different.

The secret 13 here in the Senate went and did their deliberations, adopted pretty much the same thing as the Senate, only they made it worse. That June Senate bill would kick 15 million off in a single year, rather than 14 million. And then we had the brilliant idea of a repeal-only bill, which would do even worse, kicking 17 million people off in a single year and 32 million off within the 10-year period.

Then we have the bill that isn't even on here because we didn't get a Congressional Budget Office score on it; that is, the special Cruz fake insurance amendment bill—the one that would say: Hey, insurance companies, you can offer policies that are not worth the paper they are written on. Oh, they are very appealing. There is a health insurance policy. You only have to pay \$40 a month. Isn't that great? And then the policyholder who has it, they get in a car accident, they get a broken bone, and they find out the emergency room is not covered, the x rays are not covered, the cast is not covered, the doctor is not covered. Nothing is covered. That is why it is fake insurance. That is why it costs only \$40 a month. It might as well be 40 cents a month, for all we care, because it just doesn't cover anything.

Then, your spouse—your wife—has the great, joyful news that you are going to have a child together, and guess what. Maternity care is not covered. Can you imagine in this modern era not covering maternity care? Yet, before the Affordable Care Act, many, many policies in America didn't cover maternity care.

Well, in addition, these brilliant plans by my colleagues would cause premiums to skyrocket. Then, we have, of course, the fact that they do diabolical things to those who have pre-existing conditions.

Now, let me spend a little more time on the special Cruz fake insurance version of this. Yes, it gave those very cheap policies that aren't worth the

paper they are printed on to the young and the healthy. But then, those who are older—those who are sick or have injuries or have preexisting conditions or are concerned that they may develop difficult medical issues—they need to buy a policy that actually covers the things that one would expect, that has an essential benefits package, the same as every single policy in America today has. But, because the young and the healthy are buying the fake policies, that means that the costs skyrocket on the policies with the essential care benefits. As a result of that, more people bail out who feel like they are not directly in danger of getting sicker or injured, and then the cost of the policy goes up even more. It is a death spiral for insurance: fake insurance at one end, destruction of the insurance market at the other end.

So my colleagues decided to not even share the Congressional Budget Office analysis of that bill. It was that bad.

Let's see what some folks said about this. Larry Levitt, senior Vice President of the Kaiser Family Foundation said: "If there were a Joy of Cooking for insurance, this would be the perfect recipe for destabilizing the market and turning the marketplaces into high-risk pools."

That is his comment about the Cruz fake insurance plan.

Let's turn to a joint letter from Blue Cross Blue Shield and from America's Health Insurance Plans about the Cruz insurance plan, the Cruz fake insurance plan. Their letter says: "It is simply unworkable in any form and would undermine protections for those with pre-existing medical conditions, increase premiums and lead to widespread terminations of coverage for people currently enrolled in the individual market."

Or how about an article in the Atlantic by Vann Newkirk, published just a week ago, July 14 of this year: "The Cruz amendment creates almost a textbook scenario of wide-scale adverse selection—whereby riskier and more expensive patients wind up concentrated in risk pools—and entirely undermines any tools for managing that adverse selection."

That is a fancy way of talking about the death spiral in insurance for those who are not young and healthy.

Then we go to the conversation that CBO says is the worst option of all: 17 million would lose coverage in the first year and 32 million by 2026 under the repeal-only plan. Next year, in just 1 year, premiums would skyrocket above what they might have gone to anyway by an additional 25 percent.

Now, our majority leader likes to say that wouldn't actually happen because provisions in the bill don't go into effect for 2 years. Well, these estimates and these commentaries take that into account, because the destabilization in the marketplace begins immediately.

Does anyone really think insurance companies are going to stick around the marketplace that they don't know is going to exist in 1 or 2 years?

This repeal-and-run strategy would throw our healthcare industry into chaos. If you think it is a good plan, well, I have some beachfront property in Arizona you might want to buy.

Every version of this Republican TrumpCare plan is worse and worse for the American people, yet these are the options that are being put forward. The majority leader wants us to vote to proceed to this set of undesirables tomorrow, these undesirable—in fact, "undesirable" is just too kind of a word for these policies. These are despicable. These are destructive. These are, as the President said, mean and hard-hearted.

Shouldn't we try to pursue options that will make our healthcare system work better? That is what we need to do. Let's start by nailing down the cost-sharing reduction payments, or CSRs. These payments are a lifeline to more than 12 million low-income Americans. They lower the premiums, and they lower the deductibles. They are important sources of stability for insurance companies. But our President has said: I am not sure I want to release these CSR payments. So what happens with that? Insurance companies have to assume they are not going to get them, so they are raising their rates or perhaps bailing out of the market completely.

If these CSR payments are terminated, insurers may leave these exchanges altogether. For those who do stay in, the average premiums for silver plans would need to increase by 19 percent just to compensate for the loss of the CSRs. Because insurance companies are like any other business, they need to know how much they are going to be paid if they provide a product, and right now, they don't know.

Let's hear what some have had to say. When the insurance company Anthem pulled out of Ohio in June—last month—the company cited "continual changes in Federal operations, rules and guidance" as the main reason for exiting the marketplace.

The company also said that "the individual market remains volatile and the lack of certainty of funding for cost sharing reduction subsidies . . . does not provide a sustainable path forward."

Then there is Brad Wilson, the president of Blue Cross Blue Shield of North Carolina, who said:

The biggest single reason for that rate increase is the lack of the federal funding for Cost Sharing Reduction Payments in 2018. We cannot assume nor should we that the money is going to be there based on what we know today.

At another point Mr. WILSON was quoted as saying:

The failure of the administration and the House to bring certainty and clarity by funding CSRs has caused our company to file a

22.9 percent premium increase, rather than one that is materially lower. . . . The rate increase would be 8.8 percent if the CSRs were guaranteed for 2018.

A single-digit increase versus more than a 20-percent increase, and they have to go with the higher increase because they don't know if the President is going to make the payments that he is obliged to make.

I think a piece from the Baltimore Sun from May 5 describes the situation we find ourselves in best, when it says:

It's not the problems in the Affordable Care Act exchanges that are driving the Republican effort to repeal Obamacare. It's the Republican effort to kill Obamacare that's causing problems in the exchanges.

President Trump and the Congressional Republicans are trying to exacerbate them. He closes by saying: "No wonder rates are going up."

This really does make clear the situation. The President wants to say the exchanges have problems so we need to repeal and run or repeal and replace. Our answer to the exchanges having problems is to drive 20 million people plus off healthcare, maybe 30 million people off healthcare. In fact, the exchanges are having problems because they are being sabotaged by President Trump and our Republican colleagues; first, by wiping out the reinsurance proposal, which enables companies to go into a new area and compete but only if they have insurance against getting a disproportionate share of the really sick people. That is a very logical part of an insurance plan which encourages companies to go into new markets to compete, and my colleagues sabotaged it.

The cost-sharing reduction payments we just talked about, a very key part of lowering premiums and making the policies affordable so struggling, hard-working Americans can buy those policies and have lower premiums and lower deductibles, but my colleagues and President Trump have sabotaged it.

That is not a service to the American people. Maybe they feel they are doing a service—to whom? To the rich who can buy insurance without any of this effort to provide insurance throughout our society. Do my colleagues really want a world in which we only have wealth care? That is healthcare that only the wealthy can buy. Do they really want to denigrate, tear down, and destroy the quality of life of millions of their constituents by pursuing this path?

It was not that long ago that Franklin Roosevelt said: "The test of our progress is not whether we add more to the abundance of those who have much, it is whether we provide enough for those who have little."

But in their bills, my colleagues have been saying: We want to give massive tax giveaways to those who have the most by ripping healthcare away from

those who are struggling, hard-working Americans.

It is the opposite. It is the opposite of the belief that we are all in this together, and we want a foundation for every family to thrive. I want a foundation for every family to thrive. That means peace of mind that if your loved one gets sick, they will get the care they need. It is the peace of mind that if your loved one gets sick, they will not end up bankrupt.

We are not just talking about ripping healthcare insurance away from more than 20 million people. We are talking about ripping peace of mind away from 20 million people. We are not just talking about those individuals. We are talking about undermining the rural and urban healthcare infrastructure which helps everyone.

I have been out in very rural, Republican parts of my State holding town-halls. I am hearing from those who are in clinics, and they have improved considerably. Some of them have doubled their number of employees over the last 8 years because of the support for healthcare clinics in the ACA and also because their uncompensated care—the number of people they were serving who couldn't pay their bills—has dropped enormously.

So not only have they been able to employ a lot more people providing healthcare in the community, but they have been able to do additional things. They have been able to provide more preventive services, more mental health services, and so forth. So it has been a big win for rural America, and my colleagues want to tear that down. That just doesn't make any sense at all.

That is why everyone here should vote unanimously to oppose going onto a mystery healthcare bill tomorrow. There is so much we could do together if we want to improve healthcare: fix those CSRs; provide a fix to reinsurance; proceed to have a full enrollment period rather than cutting it short; retain and reinforce the individual mandates so those who have insurance are covered throughout the spectrum, from the young and healthy to those who are older; provide the sort of advertising that enables people to sign up and make the signup process a lot easier than it is right now. There is so much we can do together to make our healthcare system work better.

My colleagues have come to the floor tonight to say this really matters. Quit playing games with people's lives, quit trying to destroy the foundation for our families to thrive, and vote no on a motion to proceed to a mystery healthcare bill tomorrow.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, the Senate Republicans are about to take one of the most reckless actions in Senate

history. They are going to vote to blow up the American healthcare system and do I don't know what next.

I want to be really clear about this. Never before has the Senate voted on major legislation that would reorder one-sixth of the American economy and impact tens of millions of American families without even knowing what the bill does. There has been no bipartisanship. There have been no hearings.

Let me just say something about hearings. This may seem like sort of a process or procedural complaint, but this very much matters. Hearings matter because it is how you get experts to tell you whether your bill is any good, whether it is smart or stupid, harmful or helpful. Hearings matter because they subject your bill and the process to public scrutiny. The media is able to report on what you are up to, and your constituents know what you are up to. So it is not a small thing to complain about no hearings. In fact, you can't be a good legislator without having hearings, and you can't be an effective legislative body without conducting public hearings. We never have major legislation without hearings, but that is exactly what they are doing, and there is one very simple reason for this. They are embarrassed by what is in this bill.

It is true we don't know exactly what is in this bill. There are lots and lots of versions and lots of notions being kicked around, but we can be sure of a few things.

First, we know this; that whatever problems there are with the Affordable Care Act, this bill doesn't even bother to try to fix them. To the extent that people are worried about high deductibles, it actually increases the deductibles. To the extent that people are worried about the lack of choices on the healthcare exchanges, it doesn't even try to fix that.

Second, we don't know exactly how much they are going to cut Medicaid, but they are going to cut Medicaid. Whether it is rolling back the Medicaid expansion or making these radical structural reforms, essentially block-granting Medicaid to the States, they are going to deeply cut Medicaid. This hurts people. It hurts people in nursing homes. It hurts people with drug addiction. Medicaid is a program that works and delivers care for millions of Americans, and it will be slashed massively tomorrow.

We also don't know whether they are going to keep the capital gains tax cut or get rid of it. In any case, they are going to get rid of most of the revenue in the Affordable Care Act. They are cutting taxes for the very wealthy, and the way they pay for that is to cut Medicaid. So under the guise of fixing the ACA, they do the thing they wanted to do all along—cut taxes, cut Medicaid. It has nothing to do with ACA: cut taxes, cut Medicaid. That is what

the bill tomorrow will do. I don't care if it is the 2015 version. I don't care if it is BCRA. I don't care if it is a new Senate version. I don't care if it is CRUZ's. All this cuts taxes for the wealthy and cuts Medicaid. That is what this legislation does.

Americans are going to be hurt by this legislation; people with pre-existing conditions, families with a loved one struggling with opioid abuse, people in nursing homes, people who rely on Medicaid, people who rely on Planned Parenthood. The tens of millions of people who will lose their insurance almost instantly. That is why every single patient advocacy group, from the American Cancer Society to the March of Dimes, to the National Physicians Alliance, to disability groups, to the AARP—everybody hates this bill. Make no mistake, they hate every version of it.

It is not like there is a less harmful version. Either 22 million or 23 million or 32 million lose their healthcare. We don't have to do this to ourselves. We don't have to do this to the American people.

So there are lots of different versions of this legislation. What the leader is doing, very cleverly, is allowing people to believe that the thing they are moving to is the thing they may prefer. In other words, it is a blank canvas. It is just a motion to proceed. It is just a motion to begin debate.

Make no mistake, the vote tomorrow is to repeal the Affordable Care Act with no plan to replace it. That is what they are doing tomorrow, and they have been totally secretive because they know the moment they start talking specifics, the whole thing comes crashing down.

There are core elements of this vote tomorrow that are true no matter what. It cuts Medicaid; it cuts taxes for the rich; it reduces patient protections; it reduces the number of people who have insurance; and it will all be done with no hearings, no Democrats, no experts in healthcare. This thing will be dropped on us without enough time to review it, without enough time to interact with our home State to figure out what the impact would be.

We are being asked to do one of the most reckless things any group of legislators has ever been asked to do, which is to jump off a policy cliff—a healthcare cliff, a political cliff—and eventually they are going to tell you it is going to work out. Make no mistake, the reason they can't tell you what is in the bill is the moment they do, this thing will come crashing down.

What we have to do is make sure this thing comes crashing down anyway, and we have to do it for the tens of millions of Americans who depend on Medicaid and the ACA. We have to do it for our rural hospitals, we have to do it for people with preexisting conditions, and we have to do it for people without

power, without money, without the ability to walk 200 yards from this Chamber to the U.S. Senate doctor, the best healthcare in the world.

Not only are we on the exchange—I have a Kaiser plan so we are on the exchange, we are in ACA—but also, anytime I want, if I have a headache, if I have a stomach ache, if I have something more serious, I can literally walk about 200 yards from here, go to the Senate doctor, and get whatever kind of healthcare I need.

I want you to understand how lucky the people who are voting on your future are and how privileged we all are in this literally gilded place, when people's lives and livelihoods and life savings are on the line tomorrow, and if I get so much as a hangnail, I get to call my staff and have them help me out. We are lucky people, and we need to think about whom we are representing. I will be fine. Every Member of this Chamber will be fine, but our job is not to take care of ourselves. Our job is to represent our constituents.

This bill has earned a really historic title: Most unpopular major bill in American history. Most unpopular major bill in American history. How that can get 20 votes, let alone 51, is beyond me.

I want to make one last point. We need to kill this bill, not just because of all the harm it is going to do to the country, we need to do it for the legislative branch of the U.S. Government. We just can't make laws like this.

Right now, the majority party is shortsighted because at some point Democrats are going to have the gavel. The temptation to follow this precedent being set this week, to enact major legislation without hearings and without the other party, might destroy the Senate itself. There is still time. There is still good will. We can walk back from the brink and do the right thing.

I yield the floor.

THE PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Georgia.

Mr. PERDUE. Mr. President, it is nice to see you here at 11 p.m. on Monday night. One of the privileges we have of being in the majority is that we get to preside over the U.S. Senate, so we can listen to all of our colleagues talk to this august body.

I have been in that chair for the last couple of hours. I can't go to bed tonight without putting the record straight in this body. I don't think there is a Member of the U.S. Senate who doesn't want America to have the best healthcare in the world. The problem is, we have a campaign of disinformation that is underway right now, and it is outrageous. I cannot let it stand.

My mission tonight, very briefly, will be to put some facts on the table, on the record, because we have a lot of innuendo right now, a lot of disinformation: Oh, my God, people are going to die.

Let me remind everybody, we are sitting here with a healthcare system that is collapsing. There is no other way to describe it.

Why are we here tonight at 11 p.m.? Before I get to healthcare, I want to remind the American public of why the U.S. Senate is open tonight. We also did this earlier in the spring because something historic is underway right now in the United States of America and that is this: For the first time in our history, the minority party has not waived a Senate rule that would bypass the time requirements when confirming a nominee by the President of the United States. Because of that, we today have confirmed only around 29 percent of this President's nominees. The prior President, at this very point in time, had over 70 percent—over 70 percent—almost 300 people. I think the number today is under 50 for this President. It wasn't until a month or so ago that he could even have a full staff meeting.

By the way, who is running America today? Holdovers from the last administration because we haven't been able to confirm the new nominees. Over 200 people right now stand in line, waiting to be confirmed by this body. It is outrageous.

The American people ought to be upset. They ought to be more than upset. Let's define who is doing that. It is not the majority. The minority party is dragging their feet because it slows down everything else.

Guess what doesn't get done this year if we continue with this schedule. Unless we are here every night, as we are tonight, we will not have time to get to taxes this year. We will not have time to get to what the American people are assuming we are going to get to. Consumer confidence is at a 13-year high because they are anticipating that we are going to clean up some of this mess.

Let me quickly move on to healthcare and put a few facts on the record tonight before we close. There are five healthcare systems in America. We forget this. We talk only about ObamaCare right now, but there are five healthcare systems in America.

First, we have group policies. This is where almost the majority—the vast majority are in this. Anyone who works in a company or in a large organization has a group policy.

Then there is the individual market. The individual market is what ObamaCare addresses. It is only 13 percent of the entire healthcare system.

Then there is the VA.

Then there are Medicare and Medicaid.

There are five different systems of healthcare in the United States. What we are dealing with is the individual market and Medicaid—mostly the individual market.

Let me try to describe the situation as we see it today. In 2008, before the



ACA, there were 48 million people in America who did not have insurance. That is a catastrophe by anyone's measure. In the richest country in the history of the world, we had 48 million people who did not have insurance. You could be precluded from having insurance because of a preexisting condition. You could lose your insurance. You couldn't transfer across State lines. If you changed companies, even in group policies, you could be denied coverage under the next employer's policy.

There were real problems. Both sides had responsibility for that, but today after the ACA, 28 million people, as we stand here tonight, still do not have insurance in America—28 million. Of the 20 million who got it, 16 got it only because of the expansion of Medicaid, not because of ObamaCare's work in the individual market; 16 million got it because of the expansion of Medicaid.

All that was, was bribery from the Federal Government to certain States that decided to take the money and run. They didn't do their citizens a full justice. What we see of the remaining 4 million of the 20 million who got insurance during ObamaCare—remember, 16 million got it because of the expansion of Medicaid; of the remaining 4 million, 2 million are like my wife and me.

Do you remember the day when President Obama said that if you like your insurance, you can keep your insurance and if you like your doctor, you can keep your doctor? Like most Democrats in the Senate and the House who voted on ObamaCare without reading it, he obviously didn't know what was in the bill because neither of those things were true.

I was canceled. In an individual policy before I ran for the U.S. Senate, my individual policy as a retiree was canceled, and the only policy we could get under the exchange in ObamaCare included things like vision, hearing, drug rehabilitation. I have never had a problem with that. My wife hasn't either.

By the way, maternity—I met my wife in first grade. We are not having babies at this age. What is that? My rate is almost double because we had to take things in policies that we did not need.

Of the remaining 2 million, 1 million are the most destitute, low-income people who really do need our help, but we have disrupted the entire healthcare system because the Democrats thought that the bigger government approach would work.

How has that worked out in places like the VA? I hear talk now about single payer; I will get to that in a second. If you like the VA, you are going to love a single-payer system because that is exactly what it is.

Let me go on. I have heard a lot of talk in this Chamber tonight about, oh my God, the Republicans are going to hurt people in America—hurt people in America.

Let me talk about who is hurting people in America today. This is a travesty in itself. We cannot get the information from the IRS. We have just now gotten the information from the IRS. In 2014, the IRS, under the rules of ObamaCare, fined 8 million people \$1.8 billion.

Mr. President, I don't know about you, but I am outraged. I know you are too.

The irony of that is that 85 percent of the people who were fined in 2014—\$1.8 billion—85 percent made less than \$50,000, and less than half of them made \$25,000.

What our Democratic friends did was cram down the throats of Americans this thing called ObamaCare, and then they put fines on people who couldn't afford insurance, and they are the poorest people in our country.

Who is standing for those guys today—the Democrats? Don't you bet. They want a Big Government solution that gives them more power, and they could not care less about the very poor people they claim to champion. I have had enough of it. This is outrageous.

Twenty-two million people are going to lose insurance. That is what they tell us. Let's clean this up right now. The CBO's own estimate says that once you remove the mandate—forget about what else is available. If you just remove the mandate, because the policies are so expensive, 15 million are going to give it up. That is happening today.

By the way, do you know that CBO is using a March 2016 baseline to compare these numbers to? It is outrageous. In business, you would never accept this. Yet today they are determined to be the "holy grail" up here. I haven't seen a number come out of the CBO that I would depend on yet. In fact, in 2010, they overestimated the number of people who would sign up for ObamaCare by 12 million people. They missed the estimate by more than 50 percent. This isn't a rounding error. They don't know what they are doing.

Right now, today, we have the same problem. Fifteen million people say they will give up their insurance voluntarily because it is too expensive. That has nothing to do with the new plan. That is because ObamaCare is too expensive.

They also say that 4 million people will give up Medicaid. Medicaid is free. Why would somebody give up Medicaid?

They say ObamaCare is so good and so affordable that they are going to add 5 million people to it. There is no evidence today that would back that claim up. That is not a quantified model outcome. It is the estimate of a person who sits over there and makes this up. The other side is acting like, oh my goodness, this is the "holy grail."

Let's talk about this. The premiums under ObamaCare prior to this year, over the last 2 years, are up over 105 percent in America. They say that the reason premiums are going up is because of uncertainty coming out of the White House. This year's rates were determined last year, before we even knew this President was going to be a nominee. That is more disinformation.

What I am fed up with is that it sounds like a good story until you see the facts. The premiums in my State alone going into next year are going up 42 percent.

Here is the untold truth: In my State, 96 of 159 counties have only one carrier. That is a monopoly. They can do pretty much whatever they want. That is under ObamaCare, not anything else we are talking about. That is the reality today.

By the way, here is the real comeuppance. Today in my State—and you have the same problem in your State—300,000 people who make less than the poverty rate in my State cannot get insurance today under ObamaCare. Forget about what we are talking about to fix this mess. Today under ObamaCare, they can't get insurance—300,000 people in my State. That is true in every State in our country. That is the untold ugliness of ObamaCare.

ObamaCare is hurting people right now. I am tired of hearing the other side talk about how they care for people—they care for people—and then they fine the poorest people in America \$1.8 billion. Then they deny 300,000 people in my State access to healthcare. Enough already.

What are we doing about it? Six months ago, this President said that there were four objectives that any healthcare system in America and the individual market had to meet. The first was access. We have already talked about how ObamaCare is failing people who need access to it. The lowest income people in America are being denied insurance under ObamaCare. We fixed that. People who want insurance are going to get insurance.

By the way, premiums were the second thing we had to do to try to get costs down because it is becoming too prohibitive. I have sons in the middle of their careers. They can't really afford the insurance they are being offered today. I feel it firsthand in my own life.

Premiums right now, though—if we put into place the suggestions we have on the table right now, the HHS Department has estimated just last week with a very credible model that rates could come down as much as 78 percent in the next 4 years. Has anybody heard the other side remind us of that data point? No. Why do those rates come down? Because the free-market system gets to act again, instead of being shackled in choices being removed. All of a sudden, now we move into it.

By the way, they talk about these made-up fantasy policies. Wait a minute. I had one of those made-up fantasy policies that you can't get today under ObamaCare. It is called catastrophic coverage. For some people with a high deductible, catastrophic coverage—that works. They are denied that today because Big Government knows more about what you need in your personal life.

The third thing we had to do—and this was very important. The second part of this problem is that Medicaid was not on a sustainable path. I am sorry. They have overpromised, and they cannot deliver. There is no way



over the next 30 years that we can sustain Medicaid. Just as Medicare and Social Security are going bankrupt, we cannot afford to do what they are promising people we are going to do. They know that. They already know that.

Just like the Great Society, these Big Government programs that they promise all the time are going to work have never worked. The Great Society, the War on Poverty was going to remove poverty from America. I remember that.

I sit at a desk where that bill was signed by the then-Democratic leader of the Senate, Richard Russell, before it went to the White House. I am reminded every day of how Big Government has failed the American people. That war on poverty has spent trillions of dollars trying to reduce poverty in America. Yet, today, the poverty rate is fundamentally the same as it was in 1965 when that was signed into law.

Big Government does not work in situations like this. I lived under a single payer. My son lived under a single payer. This is the alternative they are after. I have heard it mentioned three times on the floor of the Senate tonight. We cannot go there. It bifurcates delivery. It would add \$3.2 trillion. That is more than we spend on all of our mandatory expenses today—\$3.2 trillion every single year. That is impossible. If you think that would work, imagine this. Go home and look at your tax bill. Whatever you paid the Federal Government last year, double it. That is what that would mean. It is not workable.

The fourth thing we had to do was make sure preexisting conditions were protected. I worried about that through my entire career. If I changed jobs, if I had been sick or my family had been sick, I might have been denied insurance. We can't allow that. This bill doesn't allow that. We protected preexisting conditions. We put Medicaid on a sustainable path for the long term. We also bring premiums down. That was a major priority here. And we give everybody in America ac-

cess to healthcare—period, end of the conversation.

That is not good enough. The other side is not going to be happy until this Federal Government steps in and takes over 18 percent of our economy called healthcare. They tried to do it in 1992 to 1994, under HillaryCare. They tried to do it here. I remember the Speaker of the House saying: If you want to know what is in this bill, you have to vote for the bill. We are not doing that today. This cloud of innuendo that the other side has perpetrated on the American people is just not true.

In 2010, not one Republican voted for ObamaCare. Not one amendment got to the floor of this Senate. Yet they want to talk about this great open policy. They had 7 years to fix this mess. People in my State have been hurt by it. It is unforgivable, and we can do something about it this week.

Senator JOHN MCCAIN is very sick. He is a fighter. He will take care of this. I hope he will be back this week to help us. If he can, I think he will. We are going to vote on it this week. We have to do this for the American people.

I want to remind everybody what is at stake here. If we don't pass this tomorrow, then we end up moving toward a single-payer system. Let me remind everybody of the other Big Government failures we talk about: the VA and the Postal Service. Fannie Mae and Freddie Mac are bankrupt. We talk about the ObamaCare failures. Then there is the Great Society of rural poverty. I want to remind everybody.

Let me close with this. I heard tonight that this is a reckless action, the new policy. I heard New Testament examples about how to take care of your brethren. It is shocking to me that somebody on the other side would say that when they know these statistics of what they have done—8 million of the poorest people in America have been fined \$1.8 billion. Half of them make under \$25,000 a year. That is taking care of your brethren all right. I am embarrassed. We can fix that.

I believe we heard the rain of devastation: No one is helped by this bill; it

is a reckless act. Here is the one I love: We want to work with you. We want to work with you to help fix this thing. Just a year ago, I didn't hear any speeches in here—I don't think you did from that Chair—where anybody on that side acknowledged that there was anything wrong with ObamaCare. You hear today: We want to work with you to help fix ObamaCare. It is 7 years too late, in my opinion. It would have been nice to have been included in the conversation in 2009 and 2010 when it was crammed down the throats of Republicans.

I believe this is a historic moment in America, not just for healthcare. Healthcare is very important, but it is bigger than that. This is about the direction of our country. Are we going to try to trust Big Government again and again until we can't afford it? We are already well down that rabbit hole. We cannot afford this chance again. We have already proven it doesn't work.

I hope that this week colleagues on our side will get together and we will vote this thing in. I welcome any Democratic support as well. I know we are not going to get it. This is a time to stand. I hope we will have that vote. I fully encourage my colleagues here to support that. Let's get on with business.

#### ADJOURNMENT UNTIL TOMORROW

Mr. PERDUE. Mr. President, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 11:19 p.m., adjourned until Tuesday, July 25, 2017, at 12 noon.

#### CONFIRMATION

Executive nomination confirmed by the Senate July 24, 2017:

DEPARTMENT OF THE INTERIOR

DAVID BERNHARDT, OF VIRGINIA, TO BE DEPUTY SECRETARY OF THE INTERIOR.

## HOUSE OF REPRESENTATIVES—Monday, July 24, 2017

The House met at noon and was called to order by the Speaker pro tempore (Mr. COMER).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 24, 2017.

I hereby appoint the Honorable JAMES COMER to act as Speaker pro tempore on this day.

PAUL D. RYAN,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 1:50 p.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

### HONORING PROFESSOR VED NANDA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Colorado (Mr. COFFMAN) for 5 minutes.

Mr. COFFMAN. Mr. Speaker, it is my honor today to recognize the long career and accomplishments of a dear friend of mine, Professor Ved Nanda, who will be celebrating his 50th year teaching international law at the University of Denver.

As a professor at the Sturm College of Law, Professor Ved Nanda has been a pioneer in the international law community since his arrival at the University of Denver in 1965. Professor Nanda created the school's renowned international legal studies program and established the Denver Journal of International Law and Policy in 1972. His work has inspired a countless number of students to become a part of the conversation on human rights and international issues.

In addition to his achievements as an educator, Professor Nanda has contributed significantly to the international law community. He has served as the United States delegate to the World

Federation of United Nations Associations where he worked to promote world peace, human rights, and the spread of democracy throughout the world.

The culmination of his work has led to his receipt of countless awards, including the "World Legal Scholar" award in 1990 and the "United Nations Association Human Rights Award" in 1997. I want to congratulate Professor Ved Nanda once more on his long career and many achievements. Professor Nanda's greatest passion was educating his students about the importance of international law and human rights. It is an honor to have a living legend in our community.

### RECOGNIZING LENAPE VALLEY FOUNDATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, for over a half century, the Lenape Valley Foundation has provided assistance, compassion, and hope to thousands of children, adults, and families within my district. They offer services related to mental health, substance abuse, intellectual disability, and early intervention.

I was pleased to meet with community leaders and volunteers during the groundbreaking ceremony at The Lodge at Lenape Valley Foundation, a new construction on the campus of Lower Bucks Hospital.

The new facility will provide more outpatient mental health services, including individual group and family therapy, an improved crisis call center, an improved crisis walk-in center, peer support, and Bucks County's only Crisis Residential Program.

I am thankful for the leadership of the Lenape Valley executive team: Alan Hartl, Walter Wolaniuk, Sharon Curran, Philip Braun, JoAnne Davis, Mary Dubyk, Mary Jane Fletcher, Traci Gorman, Angela Jacobsen, Marjorie Morgan, and Mary Ann Venezia, as well as board president, Robert Rogala; vice president, Lisa Bodine; secretary, Helene Cevasco Mathern; treasurer, Mark Strasburg; and all the board of directors.

I am proud to work with an organization which recognizes that everyone can grow and progress toward personal fulfillment, and we are proud to stand by their side.

### HONORING UNITED WAY OF BUCKS COUNTY

Mr. FITZPATRICK. Mr. Speaker, the United Way of Bucks County is dedicated to improving the lives through the caring power of communities. We all have a stake in making our communities healthy and prosperous. The United Way of Bucks County is committed to working together, advancing the common good, and creating a better life for all.

The United Way works in close collaboration with diverse partners in Bucks County. From schools, government agencies, community corporations, neighborhood associations, the faith community, and volunteers, the United Way brings together passion, resources, and expertise to get things done in Bucks County.

Although there are about 1,300 United Way chapters nationally, each chapter shapes its own identity, holding firm that everyone deserves a good life through quality education, stable employment, supportive income, and good health.

I am very proud to work with Bucks County's team at the United Way: Marissa Christie, Faith Parkinson, Patricia Winslow Gallagher, Matt Uhler, Danielle Bush, Tim Philpot, Candi Guerrero, Katie Matarazzo, Dan Warvolis, and Pat Miller.

Mr. Speaker, these problem-solvers are making an impact on improving lives and making Bucks County a more prosperous community, and for that, they are deserving of all of our thanks and support.

### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 6 minutes p.m.), the House stood in recess.

□ 1400

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. MIMI WALTERS of California) at 2 p.m.

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Lord, our God, thank You for giving us another day.

As they are returning to the Capitol, please be with the Members of this people's House in all their undertakings

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

today. You know them through and through. You know how they relate with one another and know them as the American people do, as the 115th Congress of the United States.

Lord, help them to know You. As ultimate truth, send Your spirit upon them, that You might find a dwelling place among them, so that all Your people can place trust in them as leaders as well as their representatives.

May all that is done this day be for Your greater honor and glory.

Amen.

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Minnesota (Mr. WALZ) come forward and lead the House in the Pledge of Allegiance.

Mr. WALZ led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 20, 2017.

Hon. PAUL D. RYAN,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 20, 2017, at 2:52 p.m.:

Appointments:  
Board of Visitors of the U.S. Air Force Academy.

With best wishes, I am,  
Sincerely,

KAREN L. HAAS.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 20, 2017.

Hon. PAUL D. RYAN,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of

the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on July 20, 2017 at 5:14 p.m., said to contain a message from the President whereby he submits a notice continuing the national emergency with respect to significant transnational criminal organizations.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,  
*Clerk of the House.*

#### CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO TRANSNATIONAL CRIMINAL ORGANIZATIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 115-57)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to significant transnational criminal organizations declared in Executive Order 13581 of July 24, 2011, is to continue in effect beyond July 24, 2017. This notice superseded the notice regarding this topic submitted to the *Federal Register* on July 19, 2017.

The activities of significant transnational criminal organizations have reached such scope and gravity that they threaten the stability of international political and economic systems. Such organizations are increasingly sophisticated and dangerous to the United States; they are increasingly entrenched in the operations of foreign governments and the international financial system, thereby weakening democratic institutions, degrading the rule of law, and undermining economic markets. These organizations facilitate and aggravate violent civil conflicts and increasingly facilitate the activities of other dangerous persons.

The activities of significant transnational criminal organizations continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13581 with respect

to transnational criminal organizations.

DONALD J. TRUMP.  
THE WHITE HOUSE, July 20, 2017.

#### RECOGNIZING STEWART ADAIR

(Mr. HURD asked and was given permission to address the House for 1 minute.)

Mr. HURD. Madam Speaker, I rise to recognize the extraordinary contributions Mr. Stewart Adair has made on my hometown of Helotes, Texas.

Since first becoming the Walmart store manager in 2013, Mr. Adair has dedicated his professional and personal life to helping the people of Helotes. Stewart and his family have become pillars of the community.

As the store manager, Mr. Adair was responsible for leading hundreds of employees, where he quickly grew to become a role model and mentor to many.

In addition to his commitments to his job and his family, Stewart has spent much of his personal time supporting our Nation's troops. Stewart is well known in Helotes for organizing the annual Turkey for Troops program, which he has helped grow into a thriving charity event.

As many in the community of Helotes know, Stewart was recently diagnosed with cancer.

This past Saturday, I was honored to volunteer my time for a man who has done so much to help his community. Mr. Adair is a perfect example of a Good Samaritan, and I am proud to recognize all that he has done for our community in Helotes.

#### PRESIDENT TRUMP'S "ART OF THE DEAL" BOOK

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Madam Speaker, those who are fair-minded and want to understand President Trump better should read his best-selling book from 30 years ago, which is as timely today as it was then. It is called "The Art of the Deal" and reveals these characteristics.

Donald Trump usually makes decisions quickly based on knowledge, experience, and intuition, rather than waiting for consultants' studies. He is a tough but practical negotiator willing to compromise to achieve a goal. He gets a deal done sooner or later, even if it sometimes takes years.

He is a counterpuncher who doesn't like to start a fight but will give more than he receives. He is loyal to friends who are loyal to him.

Most of the President's actions should be of no surprise to anyone who has read his book. In fact, those who are objective are likely to appreciate him more.

# RECOGNIZING GRAND VIEW HEALTH HOSPITAL

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FITZPATRICK. Madam Speaker, for more than 100 years, residents of Bucks and Montgomery Counties have trusted Grand View Health hospital with the well-being of their families. They are dedicated toward leading our community to a healthier future.

Following their Community Health Needs Assessment, Grand View Health has identified and prioritized a community health improvement program, which, over the next 3 years, will address health challenges present in their service area.

I am proud of the positive impact that Grand View Health has made in our community. I commend their board of trustees for their outstanding leadership and service to our community. Many thanks to Jeffrey Landis, Mary Anne Poatsy, Mark Schlosser, William Aichele, Jean Keeler, Michael Corrado, Marc Freeman, Nicholas Lindberg, Robert Pritchard, Gregory Shelly, and all the doctors, nurses, staff, and volunteers who make this a success.

Madam Speaker, Grand View Health's commitment to the people it serves reminds us that we are all in this together, and it is never too late to start living a healthy lifestyle.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

## DEPARTMENT OF VETERANS AFFAIRS BONUS TRANSPARENCY ACT

Mr. ROE of Tennessee. Madam Speaker, I move to suspend the rules and pass the bill (S. 114) to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 114

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. APPROPRIATION OF AMOUNTS.

(a) VETERANS CHOICE PROGRAM.—There is authorized to be appropriated, and is appro-

riated, to the Secretary of Veterans Affairs, out of any funds in the Treasury not otherwise appropriated, \$2,000,000,000 to be deposited in the Veterans Choice Fund under section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note).

(b) AVAILABILITY OF AMOUNTS.—The amounts appropriated under subsection (a) shall be available for obligation or expenditure without fiscal year limitation.

### SEC. 2. EXTENSION OF REDUCTION IN AMOUNT OF PENSION FURNISHED BY DE- PARTMENT OF VETERANS AFFAIRS FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILI- TIES.

Section 5503(d)(7) of title 38, United States Code, is amended by striking “September 30, 2024” and inserting “December 31, 2027”.

### SEC. 3. EXTENSION OF REQUIREMENT FOR COL- LECTION OF FEES FOR HOUSING LOANS GUARANTEED BY SECRETARY OF VETERANS AFFAIRS.

Section 3729(b)(2) of title 38, United States Code, is amended—

(1) in subparagraph (A)—

(A) in clause (iii), by striking “September 30, 2024” and inserting “December 31, 2027”; and

(B) in clause (iv), by striking “September 30, 2024” and inserting “December 31, 2027”; and

(2) in subparagraph (B)—

(A) in clause (i), by striking “September 30, 2024” and inserting “December 31, 2027”; and

(B) in clause (ii), by striking “September 30, 2024” and inserting “December 31, 2027”; and

(3) in subparagraph (C)—

(A) in clause (i), by striking “September 30, 2024” and inserting “December 31, 2027”; and

(B) in clause (ii), by striking “September 30, 2024” and inserting “December 31, 2027”; and

(4) in subparagraph (D)—

(A) in clause (i), by striking “September 30, 2024” and inserting “December 31, 2027”; and

(B) in clause (ii), by striking “September 30, 2024” and inserting “December 31, 2027”.

### SEC. 4. EXTENSION OF AUTHORITY TO USE IN- COME INFORMATION.

Section 5317(g) of title 38, United States Code, is amended by striking “September 30, 2024” and inserting “December 31, 2027”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

#### GENERAL LEAVE

Mr. ROE of Tennessee. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROE of Tennessee. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of S. 114, as amended, a bill to authorize appropriations for the Veterans

Choice Program. This bill would authorize and appropriate \$2 billion for the Department of Veterans Affairs' Veterans Choice Fund.

Allowing the Veterans Choice Fund to run dry is not a viable option. The Choice Program has provided critical care to millions of veteran patients.

In March, Secretary Shulkin testified that the expiration of the Choice Program would be a “disaster” for veterans. Just a few weeks ago, the Acting Under Secretary for Health reiterated that sentiment when she testified that veteran wait times would increase if the Choice Program went away.

Congress created the Choice Program in response to a nationwide wait-time scandal in 2014 to increase access to care through VA community providers for veterans who either cannot access care at a VA medical facility within a timely manner or who live far away from the nearest VA medical facility. Since the Choice Program was signed into law almost 3 years ago, it has gone through many growing pains and evolved considerably.

We know from a Government Accountability Office report from earlier this year that most of the veterans who use the Choice Program do so because VA does not offer the service that veteran needs.

We also know that veteran demand for care through the Choice Program has never been higher, and, consequently, the remaining money in the Veterans Choice Program will run out in mid August, a few short weeks from now.

We cannot allow that to happen, and with passage of S. 114, as amended today, we won't.

There are allegations that providing more money for the Choice Program is inappropriate unless we also provide more money for the VA healthcare system. I fail to understand the logic of that argument.

First, providing money for the Choice Program is providing money for support to the VA healthcare system. Choice is a VA program. Through it, VA patients and veteran patients are able to access care that would have otherwise have required either a long, possibly debilitating wait or an excessive travel time.

Second, the idea that Congress has been pouring money into VA community care programs to the detriment of addressing VA's in-house capacity is simply erroneous. VA's bottom line has increased substantially since the turn of the century while most other government agencies have seen theirs stagnate or reduced.

Madam Speaker, VA's budget has gone up four times since 2001. It has quadrupled. Two weeks ago, former Secretary Principi testified that since he left the Department in 2005 to the most current VA budget submission released in May, VA's budget increased a

JUNE 28, 2017.

stunning 268 percent. That growth will likely continue, which is appropriate, given our Nation's commitment to serving her veterans.

Yet, especially considering that the Choice Program is just 3 years old, the idea that Congress is focused only on growing VA's external capacity is false.

That said, there are certainly priorities that remain unaddressed in the bill before us, and I am committed to continuing to work on those in the coming months.

However, providing \$2 billion today will ensure that the Choice Program remains funded for the next 6 months, solving our most pressing issue and preventing yet another veteran access crisis like the one that led to the creation of the Choice Program 3 short years ago while we addressed other important issues.

An important point to note is that the bill's costs are paid for using the same offsets that were used in the original act creating the Choice Fund.

I look forward to working with the minority, our colleagues in the Senate, and other stakeholders to charter a long-term path forward for the Choice Program and to address other needs to ensure that the VA healthcare system remains strong and stable for generations to come.

I am grateful to Ranking Member WALZ for his leadership and commitment in working very closely with me to come to a mutually agreeable solution today and to committing to continue to stand shoulder to shoulder in finding solutions in the months ahead. He has been a great partner.

Madam Speaker, I urge all of my colleagues to join me in supporting S. 114, as amended, and I reserve the balance of my time.

□ 1415

Mr. WALZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, you are going to hear today and we have a series of bills, many of them historic in nature, many of them—all of them—worked in a bipartisan manner.

There has been a lot of talk lately of the one place in Congress that is really functioning well, and that is in the Veterans' Affairs Committee, and I would echo that. It is because of the commitment, the dedication, and the end state that all of us agree on is the best possible care for those warriors willing to put their lives in harm's way, their families, and the care that was pledged to them.

Also, with that being said, democracy is hard. It requires us to do the work here, with the stakeholders, and there is no issue that has a more committed group of stakeholders than the veterans' community. Some of the names you are going to hear of veterans service organizations are a hall-

mark and a bedrock of not just veterans' issues, but of our communities. We work with them hand in hand to make sure that this Congress understands exactly what they need.

And democracy is hard. It is that old sausage-making adage sometimes. It is a disappointment to me that we are on the floor because I think we are just a little bit early; I think we are about a day. Like we have before, we stood on this floor when we had a very important accountability bill forward, and I said at that time we were going to have to work with the Senate to make sure we got something passed. We did that, it passed, and I am proud that we were able to do that.

It happened with the GI Bill that is coming up. The first run we went at it did not work because we had not built that collaboration, and I am disappointed today that I believe S. 114 has fallen into that.

This is a very fast-moving problem, because I want to be clear. What this does is it extends veterans' access to care in the community through the Veterans Choice Program without providing additional resources for the Department of Veterans Affairs to enhance its internal capacity.

I agree with my colleague who was very clear about the capacity of the VA, what Choice does, and I would absolutely echo not funding this program before we leave for the August recess is unacceptable. But not getting a bill that the Senate can agree on, not getting a bill that the President can sign, and not getting a bill that actually does what we are supposed to do is also not acceptable.

The gentleman is also right: we have quadrupled the VA budget, and I am proud of that. I also think it is probably not lost on anyone that that started in 2001 at the same time that we fought America's longest war and are still engaged around the world, with an aging population of Vietnam, Korean, and World War II veterans.

As it became apparent that the Veterans Choice Program was facing a funding shortfall earlier this summer, nine veterans service organizations—Disabled American Veterans, the American Legion, Veterans of Foreign Wars, Paralyzed Veterans of America, AMVETS, Iraq and Afghanistan Veterans of America, Military Officers Association of America, Military Order of the Purple Heart, and Vietnam Veterans of America—issued a letter which provided very clear guidance to House and Senate leadership and House and Senate Veterans' Affairs Committees in terms of a solution, and I include in the RECORD the letter from these organizations.

Hon. JOHNNY ISAKSON,  
*Chairman, Senate Veterans' Affairs Committee,*  
*Washington, DC.*

Hon. JON TESTER,  
*Ranking Member, Senate Veterans' Affairs Committee,*  
*Washington, DC.*

Hon. PHIL ROE, M.D.,  
*Chairman, House Veterans' Affairs Committee,*  
*Washington, DC.*

Hon. TIM WALZ,  
*Ranking Member, House Veterans' Affairs Committee,*  
*Washington, DC.*

DEAR CHAIRMEN ISAKSON AND ROE, RANKING MEMBERS TESTER AND WALZ: As leaders of the nation's largest veterans service organizations, and on behalf of our combined five million members and auxiliaries, we write to urge you to expeditiously reach agreement on and advance legislation to ensure continuous access to health care for millions of veterans enrolled in the Department of Veterans Affairs (VA) health care system, including care provided through the Choice program. Specifically, we call on you to reach agreement on an emergency appropriation and authorization bill that would address urgent resource shortfalls endangering VA's medical care programs—including Choice, community care and medical services. Further, in order to prevent these problems from recurring in the future, we call on you to equally invest in modernizing and expanding VA's capacity to meet rising demand for care, as well as finally address the glaring inequity in law that prevents thousands of family caregivers from getting the support they need to care for their veterans severely disabled before September 11, 2001.

In recent weeks, VA Secretary David Shulkin has repeatedly made clear in his public statements and congressional testimony that current funding is no longer projected to be adequate to meet the needs of an increasing number of veterans seeking medical treatment directly through the VA system as well as through community care programs, particularly the Choice program. Secretary Shulkin has made clear that rising demand for care by veterans has consumed more VA resources than previously anticipated, threatening the ability of VA to meet all of its obligations to ill and injured veterans both this year and next. Although Public Law 115-26 extended the Choice program beyond its prior sunset date of August 7, 2017, VA now projects it will likely run out of funding prior to the end of fiscal year (FY) 2017 unless additional funding is made available. Further, based on recent utilization trends, VA projects a higher demand for both community care and Choice next year (FY 2018), and anticipates additional funding requirements above the budget request made just weeks earlier. In order to ensure continuation of the Choice program—and absent an infusion of new funding—VA has stated its intention to take extraordinary budget actions, including pulling back unobligated funding from VA medical facilities and utilizing funding in FY 2017 that had been designated as carryover funding for its FY 2018 budget request, thereby further reducing available medical care resources for next year.

Messrs. Chairmen and Ranking Members, our nation has a sacred obligation to ensure the men and women who served and sacrificed to defend our way of life receive timely, high-quality health care through a fully-funded VA health care system, which includes community care or Choice options whenever and wherever necessary. With the

Choice program rapidly running out of funds and its successor community care program still many months away, it is imperative that Congress not allow veterans to go without needed care before this transition is completed.

We note that VA's FY 2018 budget submission included a request for \$3.5 billion in mandatory funds to continue the Choice program. In order to meet Congressional PAYGO requirements, VA also included two legislative proposals we vehemently oppose which would cut billions of dollars from veterans disability compensation through changes to Individual Unemployability eligibility and rounding down cost-of-living adjustment (COLA) increases to "pay" for the new Choice funding. We find it absolutely unconscionable to cut benefits for disabled veterans to "pay" for their medical care. Congress imposed these PAYGO rules on itself and Congress has the authority to waive them by designating new funding for the existing Choice program as emergency spending, just as it did when the Choice program was created in 2014 through Public Law 113-146, the Veterans Access, Choice and Accountability Act (VACAA). It is our understanding that the actual need to continue the Choice program for the balance of this year and through the end of FY 2018 is approximately \$4.3 billion.

We remind you that the primary reason the Choice program was created was to address gaps in access due to the lack of clinicians and clinical space necessary to provide timely access to health care for all enrolled veterans. As such, VACAA not only included emergency funding to allow additional access to community care outside VA, it also contained funding to rebuild and expand capacity inside VA. Therefore, we call on you to continue this commitment to strengthen and modernize the VA by providing equal emergency funding to address VA's infrastructure and personnel gaps. There are at least 27 VA health care facility leases awaiting funding in order to be activated. In addition, there are dozens of minor and major construction projects that require billions of dollars in funding to sustain and expand VA's capacity to provide timely care to enrolled veterans. Furthermore, VA has tens of thousands of vacant positions which will require not just funding, but innovative new programs to recruit and retain hard-to-fill clinical positions in many areas of the country. Therefore, we call on you to include an equivalent level of funding—\$4.3 billion—to support VA's internal capacity to deliver care.

Finally, since enactment of the Public Law 111-163 in 2010, which created the Program of Comprehensive Assistance for Family Caregivers (PCAFC), eligibility has been restricted to caregivers of severely disabled veterans injured or made ill on or after September 11, 2001. The clear intention of the law was to initiate this program rapidly for post-9/11 veterans to address their urgent needs, thereafter working to expand the program to meet the critical needs of family caregivers of seriously disabled veterans of all generations as soon as feasible. However seven years later, Congress has yet to begin addressing the blatant unfairness facing caregivers of severely disabled veterans injured prior to September 11, 2001. As Secretary Shulkin and other experts agree, supporting caregivers who allow veterans to remain in their homes will save VA money that would otherwise need to be spent for long term institutional care. Therefore, we call on you to include both authorization

and funding to eliminate this indefensible inequity based on existing bipartisan legislation in the Senate (S. 591) and the House (H.R. 1472, H.R. 1802).

While the current funding crisis must be addressed in the short term through emergency funding and authorization, we remain focused on moving beyond the flawed Choice program as soon as practicable. We continue to urge you to work with us, Secretary Shulkin and other critical stakeholders to design and implement a new paradigm for veterans health care built around an integrated network, with a modernized VA serving as the coordinator and primary provider of care, and community providers addressing remaining gaps in access and services. We further urge you to consolidate all community care programs through a single unified discretionary funding source that includes the necessary flexibility and accountability to ensure that VA can deliver the highest quality of care in the most appropriate clinical settings within the network.

Messrs. Chairmen and Ranking Members, we recognize the continuing attention and commitment you have all shown to providing timely and accessible care to our nation's injured and ill veterans, and we hope you will work with us and Secretary Shulkin to address this urgent funding shortfall. America's veterans have earned the right to high-quality, timely and accessible health care. We believe that the comprehensive plan outlined above will ensure our nation continues to meet that sacred obligation and call on you to support it.

Respectfully,

Garry J. Augustine, Executive Director, Washington Headquarters, DAV (Disabled American Veterans); Robert E. Wallace, Adjutant General, Veterans of Foreign Wars of the United States; Joseph Chenelly, National Executive Director, AMVETS; Dana T. Atkins, Lieutenant General, U.S. Air Force (Ret.), President, Military Officers Association of America; Rick Weidman, Executive Director for Policy and Government Affairs, Vietnam Veterans of America; Verna L. Jones, Executive Director, The American Legion; Sherman Gillums, Jr., Executive Director, Paralyzed Veterans of America; Paul Rieckhoff, Founder and CEO, Iraq and Afghanistan Veterans of America (IAVA); Hershel Gober, National Commander, Military Order of the Purple Heart.

Mr. WALZ. In their letter from June 28, they wrote: "Specifically, we call on you to reach an agreement on an emergency appropriation and authorization bill that would address urgent resource shortfalls endangering VA's medical care programs—including Choice, community care and medical services. Further, in order to prevent these problems from recurring in the future, we call on you to equally invest in modernizing and expanding VA's capacity to meet rising demand for care. . . ."

Choice means choosing to go to the VA hospital and choice means choosing to use community care. Both are equal opportunities for our veterans to get the care they need.

The current bill before us does not meet the requirements asked for by our veterans service organizations. In fact, in order to keep the Veterans Choice

Program going, House leadership and the Budget Committee have refused to see this as an emergency and are requiring \$2 billion in offsets to pay for the bill.

While the actual offsets being offered are noncontroversial and are the ones the committee has used in the past, the fact that the leadership is requiring offsets from VA programs to pay for private care is wrong—all of this to appease a small vocal minority who simply sees any spending as unnecessary.

On Friday, a number of the same VSOs listed above issued a joint statement, which noted:

"Veterans healthcare benefits have already been 'paid for' through the service and sacrifice of the men and women who wore our Nation's uniform, millions whom suffered injuries, illnesses and lifelong disabilities."

I agree with them. Without emergency funding, robbing Peter to pay Paul, an analogy used by the Paralyzed Veterans of America, is not a viable path. It is actually robbing future Peter to pay current Paul.

Had it been apparent VA would be facing this shortfall, Congress maybe would have never extended the Veterans Choice Program beyond its sunset of August 7 and would have, instead, begun working on legislation that would have consolidated VA's multiple community care programs into one easy-to-understand and -use program.

I reiterate: Choice is not a permanent VA program. Now, it may end up being that. It may be someone's wish, but it is not. It was a short-term fix that was testified we need to extend the program. Several weeks later, leadership of the VA came back and told us they are 4-point-whatever billion dollars short and asked us to fix it. That is not the chairman's fault; that is not the Members of this House's fault; but it is our responsibility.

Now, the question is: How do we ensure that the care is continuous? How do we make sure care is not interrupted? How do we make sure a veteran who is getting chemotherapy in the private setting right now is not told to not come back because we are not going to pay it?

The sense of urgency is with all of us. What I ask is that we try and come back, take a look at what we can do. And I will say this: the chairman of the Veterans' Affairs Committee in the House has made as good faith an effort to do this as anyone could possibly ask. I understand the challenges coming from a broader caucus and asking for this. This, where we are at today, is significantly changed from where we started, but it is apparent, in the Senate, that it will not pass.

We will not have money for the Veterans Choice Program, so we need to decide: Do we stand and make a statement of ideological, fiscal, whatever

they want to call it, or do we come together, unanimously agree on something we can move forward, build capacity into the VA to assure that Choice is there, everything from the research into the VA to the care in the communities, and come together to find that?

Moreover, these shortages are further reinforced in Choice when you take into account veterans' reliance on VA's system for care has steadily increased. While enrollment has been flat in fiscal years 2014 through 2016, the total number of veterans utilizing VA healthcare has grown by 3 percent. The total appointments in VA increased by more than 5 percent during this period.

In order to address that need, since the Veterans Choice Program was implemented, the total number of community care appointments has increased by 61 percent, and more than 25 million appointments were completed in fiscal year 2016. Over one-fifth of this care was completed in the Veterans Choice Program. No disagreement. Community care has always been there, and community care is an absolute staple of the VA.

What is also not debatable is capacity inside the VA must remain there. Any shortfall in capacity is going to distort where people are getting their care.

While we are not here to oppose the premise of veterans having access to care, members of my Caucus, as this stands right now, cannot go forward until we figure out how we are going to come to a compromise that gets the capacity as it should be in the VA and also allows us and everyone—we should never have this discussion in this House. If we can't find compromise that gets something across the finish line that actually does something for veterans, everything else is just messaging for politics.

Madam Speaker, I look forward to the chairman's words, and I reserve the balance of my time.

Mr. ROE of Tennessee. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I think the one way that we don't have the Veterans Choice Program work for veterans is not vote for S. 114. Just to clarify a couple of things, this \$2 billion is emergency spending that our Budget Committee agreed to.

I want to just for a minute kind of go over how we got to this position where we are right now.

The Veterans Choice Program, in April, we were told, would last until next January or February. So we passed the CHOICE Act, and the President signed it into law. We found out a short 60 days later that the funds would run out in mid August—the 7th to the 15th of August is when the Secretary told us—so that kind of caught us off guard, and we had to get moving rather quickly.

The June 28 letter that my good friend, Mr. WALZ, referred to sort of got us started with this process. I want to go through it because the process is important about how we are here today.

The Members need to understand that my efforts to work with the committee's ranking member and, indeed, all members of the committee on a path forward which addresses the concerns of all of the organizations, I have done that.

Let me begin by saying I fundamentally disagree that we have neglected the needs of our internal VA healthcare system. We just passed a MILCON-VA bill last week. I stated the reasons for that in my earlier remarks. I think the Secretary's op-ed this morning in USA Today clearly makes the point.

Madam Speaker, I include in the RECORD that article.

[From USA Today, July 24, 2017]

VETERANS AFFAIRS SECRETARY: VA HEALTH CARE WILL NOT BE PRIVATIZED ON OUR WATCH

(By David Shulkin)

As a physician, my professional assessment is that the Department of Veterans Affairs has made significant progress over the past six months—but it still requires intensive care. In order to restore the VA's health, we must strengthen its ability to provide timely and high quality medical care while improving experiences and outcomes for veterans.

I believe the best way to achieve this goal is to build an integrated system that allows veterans to get the best health care possible, whether it comes from the VA or the private sector.

This is not a novel idea. No health care provider delivers every treatment under the sun. Referral programs for patients to get care through outside providers (known as Choice or Community Care at the VA) are as essential to the medical profession as stethoscopes and tongue depressors. But VA attempts to offer veterans these options have frequently stirred controversy.

Some critics complain that letting veterans choose where they get certain health care services will lead to the privatization of VA. Nothing could be further from the truth.

VA has had a community care program for years. Congress significantly expanded these efforts in 2014 in response to the wait time crisis. As a result, since the beginning of this year, VA has authorized over 18 million community care appointments—3.8 million more than last year, or a 26% increase, according to the VA claims system.

But as VA's community care efforts have grown, so has our capacity to deliver care in-house. The VA budget is nearly four times what it was in 2001. Since then, the department's workforce has grown from some 224,000 employees in 2001 to more than 370,000 today, according to the Office of Personnel Management. And we're delivering 3 million more appointments at VA facilities per year than we were in 2014.

In other words, community care or private capacity and VA's internal capacity are not mutually exclusive. We are ramping up both simultaneously in order to meet the health care needs of the veterans we are charged with serving. Our fiscal 2018 budget continues this trend. It will spend \$2.7 billion

more for in-house VA care, compared to a \$965 million increase for community care. This means that the total dollar increase for medical care within VA is three times that of the increase for community care. Overall, when all funding sources are taken into account, we expect to spend \$50 billion on health care services within VA and \$12.6 billion on VA community care in fiscal 2018.

Even though these numbers make it abundantly clear VA is not at all headed toward privatization, I understand the underlying concerns of some critics. They don't want to lose all that VA has to offer. I don't either—and we won't.

Many of VA's services cannot be replicated in the private sector. In addition to providing some of the best quality overall health care in the country, VA delivers world class services in polytrauma, spinal cord injury and rehabilitation, prosthetics and orthotics, traumatic brain injury, post-traumatic stress treatments and other behavioral health programs. The department plays a critical role in preparing our nation's doctors and nurses—70% of whom train at VA facilities. And we lead the nation in innovation, with VA research having contributed to the first liver transplant, development of the cardiac pacemaker, advancements in treatments for PTSD, cutting-edge prosthetics, and many other medical breakthroughs.

All of these factors underscore that fears of privatization are simply unfounded. President Trump is dedicated to maintaining a strong VA, and we will not allow VA to be privatized on our watch. What we do want is a VA system that is even stronger and better than it is today. To achieve that goal, VA needs a strong and robust community care program.

Veterans deserve the best. If a VA facility isn't meeting the community standard for care, doesn't offer a specific service, or doesn't have an appointment available when it's needed, veterans should have access to care in their community.

This is precisely what they have earned and deserve. It's what the VA is working with Congress and Veterans Service Organizations to deliver. And it's what the system needs to remain a valuable resource for our country's great veterans, now and in the future.

Mr. ROE of Tennessee. Madam Speaker, I respect the veterans service organizations and their point of view, and I am a member of most of them. I, therefore, reached an agreement with the ranking member on a plan to fund the Veterans Choice Program for 1 year, fund the life safety maintenance issues at VA facilities, approve 28 VA clinic leases, provide the Secretary with the tools to be more competitive in attracting and retaining VA physicians, and conduct a long-overdue asset review of VA's aging facilities.

When the ranking member and I briefed the VSOs on this plan and then committee members—two separate meetings—it was clear that we needed to take some time to work out the differences. There was some concern there. And I have said that is fine. I think we can take a two-phased approach.

Phase one was the one we are talking about today, and we agreed on that. It is necessary to fund the Veterans



Choice Program for 6 months to ensure that the veterans get needed healthcare without long drives and waits. That is exactly what we were dealing with 3 years ago.

The second phase, which we would consider 6 months from now, would consider the remaining items I have talked about between the ranking member and me. During the interim, the committee would conduct open, transparent hearings on asset review and anything else—the leases or anything else—that was in that agreement. There was full transparency about this plan among committee members, which is why I found it a little disheartening now what I am hearing.

The reality is, right now, we don't have an agreement from the Senate or a bill to act on, so it is time for us to act because time is growing short.

There are veterans out there, Madam Speaker, that are getting chemotherapy as we speak. There are pregnant veterans who need to know if they can have their baby and have it paid for by the VA. I could go on and on. That is why we need to remove this right now. Then we would have time to work these other issues out.

And just a couple of VA staffing issues. You hear the concern that VA is going to be privatized and so forth. I hear that all of the time. Well, this is what the VA has done, as far as their facilities are concerned, since 2010. I arrived here in 2009.

Since then, the VA has added 3,600 physicians, almost 13,000 nurses—and they are one of the largest employers of nurses in the country—almost 4,000 LPNs, and over 3,200 nonphysician healthcare providers. I could go on and on. The increase in medical services has been over \$10 billion since then. So there have been huge increases.

And just a couple of things from the VA Secretary's editorial in *USA Today*: "But as VA's community care efforts have grown, so has our capacity to deliver care in-house. The VA budget is nearly four times what it was in 2001. Since then, the Department's workforce has grown from some 224,000 employees in 2001 to more than 370,000 today, according to the Office of Personnel Management."

That doesn't sound like an organization that is being privatized. It has grown in that capacity.

"And we're"—the VA—"delivering 3 million more appointments at VA facilities per year than we were in 2014."

They have grown that capacity internally.

In our fiscal 2018 budget, the trend continues. We are going to spend \$2.7 billion more on in-house VA care compared to a \$965 million increase in community care. So there is a \$3 billion increase in in-house VA care versus out-of-VA care, or outside care.

I think these are all good things. I think the fact that more veterans are

getting care, more appointments are being made, whether they are in or out of the VA, is a good thing. But to make the argument that this is privatization is clearly not there.

I would like to say that we can work these out. We need to make sure we take that anxiety away. The Secretary has clearly stated that he has to have this passed. I would simply pass it. It gives us 6 months, Madam Speaker, to work on these issues, and I am more than happy to do it. I have stated so to every organization out there.

Madam Speaker, I reserve the balance of my time.

Mr. WALZ. Madam Speaker, I yield myself such time as I may consume.

I would just like to respond to the chairman.

I, too, have not made the argument on privatization. I do not believe that is the goal here. I do not believe that is what we talked about. If there are those that have that, that is not the intention of this committee, the chairman, his staff, or anyone involved with this.

And when we did talk—and I think this could be an interesting way for this House to listen to how we do this. There was transparency in these negotiations, and we sat in front of people and did them. And one of the issues in there was we had to build the capacity amongst the VSOs.

We need to stop for a minute. There may be times we need to take those hard votes against it, but I ask all of the Members to think about this, Madam Speaker. All of the veterans service organizations have lined up in opposition to this.

□ 1430

Now, that doesn't mean that they are totally right, and it doesn't mean that there isn't something here we can talk and debate about. The question is trying to get their goodwill.

I think when we talked the last time, we had some leases, and I am not calling them token, but in the budget of the big VA, which I do think in many cases is adequately funded, trying to get some of that to show the sense of goodwill.

If I were counting on the decision being made strictly by the VA Committee, I would encourage people to know this would get done, but I am deeply concerned we are going to see a Frankenstein monster of appropriation process this week that in no way resembles regular order. That has nothing to do with this committee.

Again I would say, if it were left to us, bifurcating this issue and coming back and fixing it, I have faith in that. In this House of Representatives and the leadership now, I do not have that, nor do the veterans service organizations.

So the question here is not questioning the motive, the question here

is not a false canard of privatization versus inside-the-VA care, it is not even the discussion we are having right now of the adequacy overall of the whole budget; it is a case of the VA leadership running a program, running out of money way before they had, and coming to the House and telling us that. And this is not and cannot be made that the idea is you are going to go home without funding the VA. No one will say that about you, and no one should say that about us. Everybody in this House will get this thing done and get it funded. So it is not the case.

I do understand this: we are against the wall, we are under the gun, because they just handed us this. So it is our job to figure out how to build everybody into this.

So the things that are being asked to do with the Choice Program, I support that. The offsets and pay-for, I disagree with. To make that work, our side was willing to say: Can we show some good faith and fund some of these leases and get some payments for these folks in terms of an emergency spending? But I understand the difficulty is if a spending bill comes, there is going to be a vocal group of folks who are going to make the case, as we have seen, that makes it very difficult to move legislation.

Madam Speaker, you have witnessed it with healthcare, you have witnessed it with other things, that we are going to have to compromise. If we get into our corners, it is not going to work.

So I want to be very clear. The motives of the chairman to care for our veterans is unquestioned, Choice being funded is unquestioned. Making sure there is capacity and goodwill and the funding needs in these leases and some of the things we are asking for is a necessity to make sure the Senate can pass this, and that it shows them that we are moving in the right direction.

So I would ask, give us a day, have us come back at this. Don't put this thing on the board to fail and then let everyone else take the message. Everyone here knows we are going to end up here and pass something that can be signed into law, and that will happen. The questions are: Do we do damage amongst ourselves; do we keep the goodwill and the collaboration; or do we decide we need to make a message first, then come back and then blame someone because they are not funding the veterans? No one in here wants that to happen.

Madam Speaker, I reserve the balance of my time.

Mr. ROE of Tennessee. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I do agree with my good friend, the gentleman from Minnesota, TIM WALZ. We are not going to leave here until we pass this, because there are veterans out there who are ill, who have served this country honorably, who need care.

I am a physician. I have worked in a VA hospital, I have worked in a medical unit in Southeast Asia many years ago, I have seen the results and injuries of war, and I have seen the results and injuries of current wars. And we are going to do this.

I know when I sat down and we put this compromise package together, and as openly as I could, I brought in the VSOs, I brought in both the Republican and Democrat sides, which we typically just check all that at the door in this committee, which I am thankful for, and work just for veterans, and there were some issues that were brought up. And I recognized that, and I said: Well, the smart thing to do is we know that Choice runs out of money in 2 to 3 weeks. We have to fund the veterans' healthcare now, and we will take these other issues up as a package and have time to debate them and discuss them. That is all this is about. It is about emergency spending. We recognize that, and that is okay with our side.

I say the easiest way to do this is put this \$2 billion bill on President Trump's desk, he will sign it, and veterans will have access to this Choice Program for the next 6 months. That is what the Secretary wants. He wrote a very eloquent editorial in USA Today about this entire issue.

Madam Speaker, I reserve the balance of my time.

Mr. WALZ. Madam Speaker, may I inquire how much time I have left.

The SPEAKER pro tempore. The gentleman from Minnesota has 8 minutes remaining.

Mr. WALZ. Madam Speaker, I yield 5 minutes to the gentleman from California (Mr. TAKANO), the vice ranking member of the full Committee on Veterans' Affairs.

Mr. TAKANO. Madam Speaker, I rise today to oppose S. 114.

A strong and sustainable Veterans Health Administration is critical to providing America's veterans with the care they deserve. By funding the Choice exception without investing in the VA itself, this legislation explicitly prioritizes the private sector at the VA's expense. This is not an acceptable way forward.

Care in the community has always been and will always be important in ensuring veterans have access to care, the care that they have earned, but it would be a profound mistake to funnel billions of dollars into private care while neglecting the VA and the millions of veterans it serves every year, and that is exactly what this bill does.

Veterans service organizations are speaking out, because they know what is at stake. They understand the bigger policy implications of today's vote.

This legislation is a referendum on the mistaken belief that the private sector is better equipped to care for our Nation's veterans than specialized VA doctors.

I have a statement from eight VSOs that echo these concerns, and I include it in the RECORD.

LEADING VETERANS ORGANIZATIONS CALL ON MEMBERS OF CONGRESS TO DEFEAT UNACCEPTABLE CHOICE FUNDING LEGISLATION

URGE HOUSE TO WORK WITH SENATE TO REACH A BIPARTISAN, BICAMERAL AGREEMENT

(Joint Statement from AMVETS, DAV (Disabled American Veterans), Iraq and Afghanistan Veterans Association (IAVA), Military Officers Association of America (MOAA), Military Order of the Purple Heart (MOPH), Veterans of Foreign Wars (VFW), Vietnam Veterans of America (VVA), and Wounded Warrior Project (WWP))

As organizations who represent and support the interests of America's 21 million veterans, and in fulfillment of our mandate to ensure that the men and women who served are able to receive the health care and benefits they need and deserve, we are calling on Members of Congress to defeat the House vote on unacceptable choice funding legislation (S. 114, with amendments) scheduled for Monday, July 24, and instead work with the Senate to reach a bipartisan, bicameral agreement.

As we have repeatedly told House leaders in person this week, and in a jointly-signed letter on June 28, we oppose legislation that includes funding only for the "choice" program which provides additional community care options, but makes no investment in VA and uses "savings" from other veterans benefits or services to "pay" for the "choice" program.

Veterans health care benefits have already been "paid for" through the service and sacrifice of the men and women who wore our nation's uniform, millions of whom suffered injuries, illnesses and lifelong disabilities.

In order to ensure that veterans can receive necessary care without interruption, we call on House leaders to take the time necessary to work together with Senate leaders to develop acceptable "choice" funding legislation that not only fills the current funding gap, but also addresses urgent VA infrastructure and resource needs that led to creation of the "choice" program in the first place.

All of our organizations are committed to building a future veterans health care system that modernizes VA and integrates community care whenever needed so that enrolled veterans have seamless access to timely, quality care. However, if new funding is directed only or primarily to private sector "choice" care without any adequate investment to modernize VA, the viability of the entire system will soon be in danger.

We call on leaders in both the House and Senate to work together in good faith, and we remain committed to supporting such efforts, in order to quickly reach an agreement that ensures veterans health care is not interrupted in the short term, nor threatened in the long term.

Mr. TAKANO. The organizations signing the statement are AMVETS; the Disabled American Veterans; Iraq and Afghanistan Veterans Association, IAVA; Military Officers Association of America, MOAA; Military Order of the Purple Heart; Veterans of Foreign Wars; Vietnam Veterans of America; and Wounded Warrior Project.

I would like to quote from a few of the paragraphs:

"In order to ensure that veterans can receive necessary care without interruption, we call on House leaders to take the time necessary to work together with Senate leaders to develop acceptable Choice funding legislation that not only fills the current funding gap, but also addresses urgent VA infrastructure and resource needs that led to creation of the Choice Program in the first place.

"All of our organizations are committed to building a future veterans healthcare system that modernizes VA and integrates community care whenever needed so that enrolled veterans have seamless access to timely, quality care. However, if new funding is directed only or primarily to private sector Choice care without any adequate investment to modernize VA, the viability of the entire system will soon be in danger."

I also have letters opposing S. 114 from the Paralyzed Veterans of America and the VFW. I include these letters in opposition in the RECORD.

WASHINGTON, July 22, 2017.—Paralyzed Veterans of America (Paralyzed Veterans) today weighed in on options being considered to fund the veteran "choice" program, as the House of Representatives considers a vote on a draft bill, S. 114 as amended, on Monday, July 24. Priorities for the organization include open discussion on the best way to build up specialized veteran-centric services offered by the Department of Veterans Affairs (VA), while expanding access to non-specialized healthcare for veterans without cutting critical non-healthcare VA benefits.

"The notion of streamlining VA is a necessary discussion that must continue. The devil is in the details, though," said Sherman Gillums Jr., executive director of Paralyzed Veterans of America. "We do support the responsible 'right sizing' of VA, starting with the elimination of redundancies and ultimately using cost savings to increase reinvestment in VA's foundational services, such as spinal cord injury care. Offsets, at least in part, may be necessary in order to achieve that."

Offsets, or program and benefit trade-offs used for budgeting purposes, are not new to VA. Past offsets include fees and collections related to housing loans and extensions in the reduction of certain pensions used to pay for other benefits. However, this is the first time Congress is requiring VA to include deficit reduction as a component of the agency's plan to maintain and expand the VA Choice Program. Moreover, some veteran advocates have expressed staunch opposition to offsets because they require VA to employ a "rob Peter to pay Paul" approach to funding programs.

"Paralyzed Veterans' main concern is that using these offsets to pay for VA healthcare comes at the expense of expanding non-healthcare benefits, such as disability compensation," explained Gillums. "However, we are not prepared to simply oppose offsets because we believe VA is open to strengthening healthcare for our most catastrophically disabled veterans, which matters above all else. Paralyzed Veterans leads as an expert voice on the most complex healthcare challenges these veterans face, and we intend to use that voice to promote new ideas and progress."

"The bottom line is the discussion must continue with open minds on all sides," concluded Gillums.

#### ABOUT PARALYZED VETERANS

Paralyzed Veterans of America is the only congressionally chartered veterans service organization dedicated solely for the benefit and representation of veterans with spinal cord injury or disease. For 70 years, we have ensured that veterans have received the benefits earned through their service to our nation; monitored their care in VA spinal cord injury units; and funded research and education in the search for a cure and improved care for individuals with paralysis.

As a partner for life, Paralyzed Veterans also develops training and career services, works to ensure accessibility in public buildings and spaces, provides health and rehabilitation opportunities through sports and recreation and advocates for veterans and all people with disabilities. With more than 70 offices and 33 chapters, Paralyzed Veterans serves veterans, their families and their caregivers in all 50 states, the District of Columbia and Puerto Rico (pva.org).

Source: Paralyzed Veterans of America.

#### VFW URGES OPPOSITION TO S. 114

From: Carlos Fuentes, VFW Legislative Director.

Sent: Monday, July 24, 2017.

Subject: VFW Urges Opposition to S. 114.

On behalf of the nearly 1.7 million members of the Veterans of Foreign Wars of the United States and its Auxiliary, we urge all members of Congress to vote NO on S. 114, which would gradually privatize the VA health care system.

At the VFW's 118th National Convention, VFW National Commander Brian Duffy asked our members what they thought of this bill.

Respectfully,

CARLOS FUENTES,  
Director, National Legislative Service,  
The Veterans of Foreign Wars of the U.S.

Mr. TAKANO. Madam Speaker, after more than 2 years and more than \$10 billion, the VA Choice Program has failed to deliver on its promise of shorter wait times for veterans.

It is time for us to recognize that private care is not the panacea for the complex challenge of caring for our Nation's veterans and that the VA's role must remain foundational to veterans' care. This bill does not reflect that reality.

I urge my colleagues to reject this legislation while we continue to work toward a bipartisan, bicameral solution.

Mr. ROE of Tennessee. Madam Speaker, may I inquire as to the time left on our side.

The SPEAKER pro tempore. The gentleman has 9 minutes remaining.

Mr. ROE of Tennessee. Madam Speaker, I yield myself such time as I may consume. I want to clarify a couple of things that have been said here today.

Madam Speaker, we did work out an agreement. When I met with all of the interested parties, which I thought was our job, both the ranking member and myself did this, as we always do, we found out some issues that were there.

The primary thing we have to do right now is to provide healthcare, or we will be right back to where we were in 2014, when there were waiting lists around the country and veterans dying waiting on care.

Maybe not in urban America, but in rural America where I live, many of these hospitals and veterans absolutely rely on this for their health and welfare. The further they live away from a VA facility, the more they rely on Choice.

Let me go over this again so that it is clear. I got into Congress in 2009. I was elected then and sworn in then. The VA was spending \$93.7 billion on all VA care; that is the disability claims, healthcare, and cemeteries. In this fiscal year, that budget is going to be \$186 billion, where basically the discretionary budget in this Congress has been flat, so that money has come from other places, education, environment, other places that we have invested in our veterans, which is, and I believe to this day, a good thing to be doing.

We have gone, in 2001, from 224,000 people, that is not a small organization, to 370,000 people who work for the VA today. They are providing that money.

I guess what I was hearing from the other side of the aisle was if we didn't have the Choice Program, the wait times would have gotten shorter. I mean, that is the reason we have the Choice Program, was the VA wasn't doing it.

The fact is, they have hired people. I mentioned here just a moment ago, since 2010, when I first got here, they have hired 13,000 more nurses, 3,600 more doctors, 3,200 more physician extenders, nurse practitioners and PAs. So the VA has increased its capacity, and they have seen millions of more visits.

This week, we are going to take up the VA appropriations bill. I misspoke a minute ago; I said last week. This week, we are taking up the MILCON-VA appropriations bill where we talk about those things, about the money that we are going to spend in the VA. That is going to be debated this week.

This is a separate issue. This is about providing healthcare for veterans after August 15, that is 2 to 3 weeks from now, when that program will be shut off and veterans in the middle of care will not be able to get care.

It is a simple vote. We can work these other things out in the next few months after this very easily.

Madam Speaker, I reserve the balance of my time.

Mr. WALZ. Madam Speaker, I have no further speakers. I am prepared to close, and I yield myself the balance of my time.

Madam Speaker, to be clear, we are very aligned on the goals here. I am not implying that wait times went down if we didn't have Choice. I was on

the conference committee that created Choice as part of it. There is community care that has been there. There is also a \$12 billion shortfall in facilities rated D and F. We had sewer lines breaking and running feces back into hospitals, those types of things.

I am not saying that maybe the money is not already there or they are not using it correctly. The fact of the matter is this was a program that was created out of the crisis of Phoenix. It did not stand up as quickly as it could have; it was plagued with tons of problems that many of us heard about. We kept committed to it. I would argue that they are getting their legs under them and providing care in a timely manner.

It grossly overspent where it was at. We have had no audit. And I think we need to keep this in mind, that on this side of the aisle, I will be the first to talk to anyone who grandstands this and makes this as a case that this is a failure at the VA or the administration. I don't know that yet.

What I would say is we are all in this together, so we want to get it done. I am simply making the case today that in light of opposition that is rarely seen from the VSOs in such opposition to this, that even though the outcome is there, and nothing the chairman said was incorrect, it is the spirit of what it takes to legislate that is missing around here. You can go to the White House after passing a bill in the House, and if the Senate doesn't do anything, it is not a law.

So we have other people to deal with: constituents, veterans, veterans service organizations, Democrats in the Senate, Republicans in the Senate, Democrats on this side.

So what I am asking is, just give a little on the side of what it takes to build the coalition, get the thing passed, and then let's go back and fund VA care and end this ridiculous argument of privatization versus non-privatization. Wherever a veteran can get the care and access it as quickly, timely, and quality as possible is what we are trying to shoot for. In many cases, that is in the VA; in other cases, it is in the community. So this is not a drop-dead.

My hope on this is, is that a debate, when it comes to emergency spending of money and depending on the Senate, is not going to split the goodwill, the good work, and, I would argue, the fair democracy and execution of how the House of Representatives is supposed to work.

So my final statements on this would be, I am in virtual total agreement with the chairman on what needs to be done here. Our differences lie in, he is right, when I went back and talked to people, I could not sell to the VSOs the plan as it is, and they have every right to speak out on that. And we could not sell the Senate at this point.

So what I would ask the gentleman again is, don't make us oppose this piece of legislation simply to make a statement for a few members. Bring it back when we can have the Senate, the VSOs, and everyone in and accomplish our goal.

Madam Speaker, I yield back the balance of my time.

□ 1445

Mr. ROE of Tennessee. Madam Speaker, I yield myself such time as I may consume.

Obviously, this has been a robust debate about a very important issue, which is providing timely healthcare for veterans who have been waiting. The ranking member and I negotiated in good faith and put an agreement together, which fell apart this weekend.

We had met basically with both the VSOs and the committee members and had an agreement to go forward. I then backed up on that agreement because I realized it wasn't a consensus, and just divided it into two.

The most pressing need, Madam Speaker, is to provide healthcare, whether it is chemotherapy or obstetrical care, surgery that a veteran may need, timely visits to the doctor. In 2 to 3 weeks we are up that close, and one of the reasons is, as has been stated multiple times, the VA gave us some really bad information 2 months ago. We thought this was going to last for 6 more—8 more months before we ran out of money in this vital program for veterans.

This is going to get passed. For all veterans or people out there, citizens of this country watching this, we are going to provide this for our veterans.

And I might add that not all VSOs do oppose this. Many were mentioned, but many others do not oppose this legislation.

I think it is critical that we get this done, Madam Speaker, get this off the table this week, signed into law, work the other part of the agreement that we had agreed to out in the next coming weeks. I will be willing to work as expeditiously as possible to get this done.

Once again, I encourage all Members to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, S. 114, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WALZ. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

# REPORT ON H.R. 3358, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

Mr. COLE, from the Committee on Appropriations, submitted a privileged report (Rept. No. 115-244) on the bill (H.R. 3358) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

## HARRY W. COLMERY VETERANS EDUCATIONAL ASSISTANCE ACT OF 2017

Mr. ROE of Tennessee. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3218) to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3218

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Harry W. Colmery Veterans Educational Assistance Act of 2017”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. References to title 38, United States Code.

### TITLE I—POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM

Sec. 101. Consideration of certain time spent receiving medical care from Secretary of Defense as active duty for purposes of eligibility for Post-9/11 Educational Assistance.

Sec. 102. Educational assistance under Post-9/11 Educational Assistance Program for members of the Armed Forces awarded the Purple Heart.

Sec. 103. Inclusion of Fry Scholarship recipients and Purple Heart recipients in Yellow Ribbon G.I. Education Enhancement Program.

Sec. 104. Inclusion of certain members of the Armed Forces serving on active duty in Yellow Ribbon G.I. Education Enhancement Program.

Sec. 105. Consolidation of certain eligibility tiers under Post-9/11 Educational Assistance Program of the Department of Veterans Affairs.

Sec. 106. Eligibility for Post-9/11 Educational Assistance for certain members of reserve components of Armed Forces who lost entitlement to educational assistance under Reserve Educational Assistance Program.

Sec. 107. Calculation of monthly housing stipend under Post-9/11 Educational Assistance Program based on location of campus where classes are attended.

Sec. 108. Charge to entitlement for certain licensure and certification tests and national tests under Department of Veterans Affairs Post-9/11 Educational Assistance Program.

Sec. 109. Restoration of entitlement to educational assistance and other relief for veterans affected by school closure or disapproval.

Sec. 110. Additional authorized transfer of unused Post-9/11 Educational Assistance benefits to dependents upon death of originally designated dependent.

Sec. 111. Edith Nourse Rogers STEM Scholarship.

Sec. 112. Honoring the national service of members of the Armed Forces by elimination of time limitation for use of entitlement.

Sec. 113. Monthly stipend for certain members of the reserve components of the Armed Forces receiving Post-9/11 Educational Assistance.

Sec. 114. Annual reports to Congress on information on student progress submitted by educational institutions.

Sec. 115. Improvement of information technology of the veterans benefits administration of the Department of Veterans Affairs.

Sec. 116. Department of Veterans Affairs high technology pilot program.

### TITLE II—OTHER EDUCATIONAL ASSISTANCE PROGRAMS

Sec. 201. Work-study allowance.

Sec. 202. Duration of educational assistance under Survivors' and Dependents' Educational Assistance Program.

Sec. 203. Olin E. Teague increase in amounts of educational assistance payable under Survivors' and Dependents' Educational Assistance Program.

### TITLE III—ADMINISTRATION OF EDUCATIONAL ASSISTANCE PROGRAMS

Sec. 301. State approving agency funding.

Sec. 302. Authorization for use of Post-9/11 Educational Assistance to pursue independent study programs at certain educational institutions that are not institutions of higher learning.

Sec. 303. Provision of information on priority enrollment for veterans in certain courses of education.

Sec. 304. Limitation on use of reporting fees payable to educational institutions and sponsors of programs of apprenticeship.

Sec. 305. Training for school certifying officials.

Sec. 306. Extension of authority for Advisory Committee on Education.

Sec. 307. Department of Veterans Affairs provision of on-campus educational and vocational counseling for veterans.

Sec. 308. Provision of information regarding veteran entitlement to educational assistance.

Sec. 309. Treatment, for purposes of educational assistance administered by the Secretary of Veterans Affairs, of educational courses that begin seven or fewer days after the first day of an academic term.

Sec. 310. Inclusion of risk-based reviews in State approving agency oversight activities.

Sec. 311. Comptroller General study of State approving agency performance.

#### TITLE IV—RESERVE COMPONENT BENEFITS

Sec. 401. Eligibility of reserve component members for Post-9/11 Educational Assistance.

Sec. 402. Time limitation for training and rehabilitation for veterans with service-connected disabilities.

#### TITLE V—OTHER MATTERS

Sec. 501. Repeal inapplicability of modification of basic allowance for housing to benefits under laws administered by Secretary of Veterans Affairs.

Sec. 502. Reconsideration of previously denied claims for disability compensation for veterans who allege full-body exposure to nitrogen mustard gas, sulfur mustard gas, or Lewisite during World War II.

#### SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

#### TITLE I—POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM

##### SEC. 101. CONSIDERATION OF CERTAIN TIME SPENT RECEIVING MEDICAL CARE FROM SECRETARY OF DEFENSE AS ACTIVE DUTY FOR PURPOSES OF ELIGIBILITY FOR POST-9/11 EDUCATIONAL ASSISTANCE.

(a) IN GENERAL.—Section 3301(1)(B) is amended by inserting “12301(h),” after “12301(g).”

(b) RETROACTIVE APPLICATION.—The amendment made by subsection (a) shall apply with respect to service in the Armed Forces occurring on or after September 11, 2001.

(c) APPLICATION WITH RESPECT TO USE OF ENTITLEMENT.—An individual who is entitled to educational assistance by reason of the amendment made by subsection (a) may use such entitlement to pursue a course of education beginning on or after August 1, 2018.

##### SEC. 102. EDUCATIONAL ASSISTANCE UNDER POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM FOR MEMBERS OF THE ARMED FORCES AWARDED THE PURPLE HEART.

(a) ELIGIBILITY.—Section 3311(b) is amended by adding at the end the following new paragraph:

“(10) An individual who is awarded the Purple Heart for service in the Armed Forces occurring on or after September 11, 2001, and continues to serve on active duty in the Armed Forces or is discharged or released from active duty as described in subsection (c).”

(b) AMOUNT OF ASSISTANCE.—Section 3313(c)(1) is amended by striking “or (9)” and inserting “(9), or (10).”

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2018.

##### SEC. 103. INCLUSION OF FRY SCHOLARSHIP RECIPIENTS AND PURPLE HEART RECIPIENTS IN YELLOW RIBBON G.I. EDUCATION ENHANCEMENT PROGRAM.

(a) IN GENERAL.—Section 3317(a) is amended, in the second sentence, by striking “paragraphs (1) and (2)” and inserting “paragraphs (1), (2), (9), and (10).”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on August 1, 2018.

##### SEC. 104. INCLUSION OF CERTAIN MEMBERS OF THE ARMED FORCES SERVING ON ACTIVE DUTY IN YELLOW RIBBON G.I. EDUCATION ENHANCEMENT PROGRAM.

(a) IN GENERAL.—Section 3317(a) is amended, in the first sentence, by striking “section 3313(c)(1)(A)” and inserting “subsection (c)(1)(A) or (e)(2)(A) of section 3313 of this title.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on August 1, 2022.

##### SEC. 105. CONSOLIDATION OF CERTAIN ELIGIBILITY TIERS UNDER POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) ENTITLEMENT.—Section 3311(b), as amended by section 102, is further amended—

(1) in paragraph (6)(A), by striking “12 months” and inserting “6 months”;

(2) by striking paragraph (7); and

(3) by redesignating paragraphs (8), (9), and (10) as paragraphs (7), (8), and (9), respectively.

(b) AMOUNT OF EDUCATIONAL ASSISTANCE.—Section 3313(c) is amended by striking paragraph (7).

(c) CONFORMING AMENDMENTS.—Chapter 33 is further amended as follows:

(1) In section 3311(f), by striking “paragraph (9)” each place it appears and inserting “paragraph (8).”

(2) In section 3313, as amended by section 102—

(A) in subsection (c)(1), by striking “(9), or (10)” and inserting “(8), or (9).”

(B) in subsection (d), by striking “paragraphs (2) through (7)” each place it appears and inserting “paragraphs (2) through (6).”

(C) in subsection (e)(2)(C)—

(i) by striking “paragraphs (3) through (8)” and inserting “paragraphs (3) through (7).”

(ii) by striking “paragraphs (2) through (7)” and inserting “paragraphs (2) through (6).”

(D) in subsection (f)(2)(A)(ii), by striking “paragraphs (2) through (7)” and inserting “paragraphs (2) through (6).”

(E) in subsection (g)(3)—

(i) in subparagraph (A)(iv)—

(I) by striking “paragraphs (3) through (8)” and inserting “paragraphs (3) through (7).”

(II) by striking “paragraphs (2) through (7)” and inserting “paragraphs (2) through (6).”

(ii) in subparagraph (B)(iii)—

(I) by striking “paragraphs (3) through (8)” and inserting “paragraphs (3) through (7).”

(II) by striking “paragraphs (2) through (7)” and inserting “paragraphs (2) through (6).”

(iii) in subparagraph (C)(ii)—

(I) in subclause (I), by striking “(9)” and inserting “(8).”

(II) in subclause (II)—

(aa) by striking “paragraphs (3) through (8)” and inserting “paragraphs (3) through (7).”

(bb) by striking “paragraphs (2) through (7)” and inserting “paragraphs (2) through (6).”

(iv) in subparagraph (D)(ii)—

(I) in subclause (I), by striking “(9)” and inserting “(8).”

(II) in subclause (II)—

(aa) by striking “paragraphs (3) through (8)” and inserting “paragraphs (3) through (7).”

(bb) by striking “paragraphs (2) through (7)” and inserting “paragraphs (2) through (6).”

(F) in subsection (h), by striking “paragraphs (2) through (7)” and inserting “paragraphs (2) through (6).”

(3) In section 3316—

(A) in subsection (a)(1), by striking “paragraphs (2) through (7)” and inserting “paragraphs (2) through (6).”

(B) in subsection (b)(1), by striking “paragraphs (2) through (7)” and inserting “paragraphs (2) through (6).”

(4) In section 3317(a), in the second sentence, as amended by section 103, by striking “paragraphs (1), (2), (9), and (10)” and inserting “paragraphs (1), (2), (8), and (9).”

(5) In section 3321(b)(4), as amended by section 112, by striking “section 3311(b)(9)” and inserting “section 3311(b)(8).”

(6) In section 3322—

(A) in subsection (e), by striking “3311(b)(9)” and inserting “3311(b)(8).”

(B) in subsection (f), by striking “3311(b)(9)” and inserting “3311(b)(8).”

(C) in subsection (h)(2), by striking “3311(b)(9)” and inserting “3311(b)(8).”

(7) In section 3679(c)(2)(B), by striking “3311(b)(9)” and inserting “3311(b)(8).”

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2020.

##### SEC. 106. ELIGIBILITY FOR POST-9/11 EDUCATIONAL ASSISTANCE FOR CERTAIN MEMBERS OF RESERVE COMPONENTS OF ARMED FORCES WHO LOST ENTITLEMENT TO EDUCATIONAL ASSISTANCE UNDER RESERVE EDUCATIONAL ASSISTANCE PROGRAM.

(a) ELECTION.—Section 16167 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(c) ELIGIBILITY FOR POST-9/11 EDUCATIONAL ASSISTANCE.—A member who loses eligibility for benefits under this chapter pursuant to subsection (b) shall be allowed to elect (in such form and manner as the Secretary of Veterans Affairs may prescribe) to have such service previously credited toward this chapter credited towards establishing eligibility for educational assistance under chapter 33 of title 38, notwithstanding the provisions of section 16163(e) of this title or section 3322(h)(1) of title 38.”

(b) QUALIFICATION OF SERVICE.—Section 3301(1) of title 38, United States Code, shall be construed to include, in the case of a member of a reserve component of the Armed Forces who, before November 25, 2015, established eligibility for educational assistance under chapter 1607 of title 10, United States Code, pursuant to section 16163(a)(1) of such title, but lost eligibility for such educational assistance pursuant to section 16167(b) of such title, service on active duty (as defined in section 101 of such title) that satisfies the requirements of section 16163(a)(1) of such title.

(c) ENTITLEMENT.—Section 3311(b)(6) of title 38, United States Code, shall be construed to include an individual who, before November 25, 2015, established eligibility for educational assistance under chapter 1607 of

title 10, United States Code, pursuant to section 16163(b) of such title, but lost such eligibility pursuant to section 16167(b) of such title.

(d) DURATION.—Notwithstanding section 3312 of title 38, United States Code, an individual who establishes eligibility for educational assistance under chapter 33 of such title by crediting towards such chapter service previously credited towards chapter 1607 of title 10, United States Code, is only entitled to a number of months of educational assistance under section 3313 of title 38, United States Code, equal to the number of months of entitlement remaining under chapter 1607 of title 10, United States Code, at the time of conversion to chapter 33 of title 38, United States Code.

**SEC. 107. CALCULATION OF MONTHLY HOUSING STIPEND UNDER POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM BASED ON LOCATION OF CAMPUS WHERE CLASSES ARE ATTENDED.**

(a) IN GENERAL.—Section 3313(c)(1)(B)(i)(I) is amended by striking “the institution of higher learning at which the individual is enrolled” and inserting “the campus of the institution of higher learning where the individual physically participates in a majority of classes”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to initial enrollment in a program of education on or after August 1, 2018.

**SEC. 108. CHARGE TO ENTITLEMENT FOR CERTAIN LICENSURE AND CERTIFICATION TESTS AND NATIONAL TESTS UNDER DEPARTMENT OF VETERANS AFFAIRS POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM.**

(a) LICENSURE AND CERTIFICATION TESTS.—Subsection (c) of section 3315 is amended—

(1) by striking “shall be determined at the rate of one month (rounded to the nearest whole month)” and inserting “shall be prorated based on the actual amount of the fee charged for the test relative to the rate for one month”; and

(2) by striking “for each amount paid that equals” and inserting “payable”.

(b) NATIONAL TESTS.—Section 3315A is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

“(3) A national test that evaluates prior learning and knowledge and provides an opportunity for course credit at an institution of higher learning as so described.”; and

(2) in subsection (c)—

(A) by striking “shall be determined at the rate of one month (rounded to the nearest whole month)” and inserting “shall be prorated based on the actual amount of the fee charged for the test relative to the rate for one month”; and

(B) by striking “for each amount paid that equals” and inserting “payable”.

(c) TESTS INCLUDED.—Section 3452(b) is amended in the last sentence—

(1) by striking “and national tests providing” and inserting “, national tests providing”; and

(2) by inserting before the period at the end the following: “, and national tests that evaluate prior learning and knowledge and provides an opportunity for course credit at an institution of higher learning”.

(d) EFFECTIVE DATE.—The amendments made by this Act shall apply to a test taken on or after August 1, 2018.

**SEC. 109. RESTORATION OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE AND OTHER RELIEF FOR VETERANS AFFECTED BY SCHOOL CLOSURE OR DISAPPROVAL.**

(a) SCHOOL CLOSURE OR DISAPPROVAL.—

(1) RESTORATION OF ENTITLEMENT.—Chapter 36 is amended by adding at the end the following new section:

**“§ 3699. Effects of closure or disapproval of educational institution**

“(a) CLOSURE OR DISAPPROVAL.—Any payment of educational assistance described in subsection (b) shall not—

“(1) be charged against any entitlement to educational assistance of the individual concerned; or

“(2) be counted against the aggregate period for which section 3695 of this title limits the receipt of educational assistance by such individual.

“(b) EDUCATIONAL ASSISTANCE DESCRIBED.—Subject to subsection (c), the payment of educational assistance described in this paragraph is the payment of such assistance to an individual for pursuit of a course or program of education at an educational institution under chapters 30, 32, 33, or 35 of this title, or chapters 1606 or 1607 of title 10, if the Secretary determines that the individual—

“(1) was unable to complete such course or program as a result of—

“(A) the closure of the educational institution; or

“(B) the disapproval of the course or a course that is a necessary part of that program under this chapter by reason of—

“(i) a provision of law enacted after the date on which the individual enrolls at such institution affecting the approval or disapproval of courses under this chapter; or

“(ii) after the date on which the individual enrolls at such institution, the Secretary prescribing or modifying regulations or policies of the Department affecting such approval or disapproval; and

“(2) did not receive credit or lost training time, toward completion of the program of education being so pursued.

“(c) PERIOD NOT CHARGED.—The period for which, by reason of this subsection, educational assistance is not charged against entitlement or counted toward the applicable aggregate period under section 3695 of this title shall not exceed the aggregate of—

“(1) the portion of the period of enrollment in the course from which the individual did not receive credit or with respect to which the individual lost training time, as determined under subsection (b)(2), and

“(2) the period by which a monthly stipend is extended under section 3680(a)(2)(B) of this title.

“(d) CONTINUING PURSUIT OF DISAPPROVED COURSES.—(1) The Secretary may treat a course of education that is disapproved under this chapter as being approved under this chapter with respect to an individual described in paragraph (2) if the Secretary determines, on a case-by-case basis, that—

“(A) such disapproval is the result of an action described in clause (i) or (ii) of subsection (b)(1)(B); and

“(B) continuing pursuing such course is in the best interest of the individual.

“(2) An individual described in this paragraph is an individual who is pursuing a course of education at an educational institution under chapters 30, 32, 33, or 35 of this title, or chapters 1606 or 1607 of title 10, as of the date on which the course is disapproved under this chapter.

“(e) NOTICE OF CLOSURES.—Not later than five business days after the date on which the Secretary receives notice that an educational institution will close or is closed, the Secretary shall provide to each individual who is enrolled in a course or program or education at such educational institution

using entitlement to educational assistance under chapter 30, 32, 33, or 35 of this title, or chapter 1606 or 1607 of title 10, notice of—

“(1) such closure and the date of such closure; and

“(2) the effect of such closure on the individual's entitlement to educational assistance pursuant to this section.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3698 the following new item:

“3699. Effects of closure or disapproval of educational institution.”.

(b) MONTHLY HOUSING STIPEND.—

(1) IN GENERAL.—Subsection (a) section 3680 is amended—

(A) by striking the matter after paragraph (3)(B);

(B) in paragraph (3), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(C) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(D) in the matter preceding subparagraph (A), as redesignated, in the first sentence, by striking “Payment of” and inserting “(1) Except as provided in paragraph (2), payment of”; and

(E) by adding at the end the following new paragraph (2):

“(2) Notwithstanding paragraph (1), the Secretary may, pursuant to such regulations as the Secretary shall prescribe, continue to pay allowances to eligible veterans and eligible persons enrolled in courses set forth in paragraph (1)(A)—

“(A) during periods when educational institutions are temporarily closed under an established policy based on an Executive order of the President or due to an emergency situation, except that the total number of weeks for which allowances may continue to be so payable in any 12-month period may not exceed four weeks; or

“(B) solely for the purpose of awarding a monthly housing stipend described in section 3313 of this title, during periods following a permanent closure of an educational institution, or following the disapproval of a course of study described in section 3699(b)(1)(B) of this title, except that payment of such a stipend may only be continued until the earlier of—

“(i) the date of the end of the term, quarter, or semester during which the closure or disapproval occurred; and

“(ii) the date that is 120 days after the date of the closure or disapproval.”.

(2) CONFORMING AMENDMENT.—Paragraph (1)(C)(ii) of such subsection, as redesignated, is amended by striking “described in subclause (A) of this clause” and inserting “described in clause (i)”.

(c) APPLICABILITY.—

(1) SCHOOL CLOSURE OR DISAPPROVAL.—

(A) IN GENERAL.—The amendments made by subsection (a) shall take effect on the date that is 90 days after the date of the enactment of this Act, and shall apply with respect to courses and programs of education discontinued as described in section 3699 of title 38, United States Code, as added by subsection (a)(1), after January 1, 2015.

(B) SPECIAL APPLICATION.—With respect to courses and programs of education discontinued as described in section 3699 of title 38, United States Code, as added by subsection (a)(1), during the period beginning January 1, 2015, and ending on the date of the enactment of this Act, an individual who does not transfer credits from such program of education shall be deemed to be an individual



who did not receive such credits, as described in subsection (b)(2) of such section, except that the period for which the individual's entitlement is not charged shall be the entire period of the individual's enrollment in the program of education. In carrying out this paragraph, the Secretary of Veterans Affairs, in consultation with the Secretary of Education, shall establish procedures to determine whether the individual transferred credits to a comparable course or program of education.

(2) MONTHLY HOUSING STIPEND.—The amendments made by subsection (b) shall take effect on August 1, 2018, and shall apply with respect to courses and programs of education discontinued as described in section 3699 of title 38, United States Code, as added by such subsection, on or after the date of the enactment of this Act.

**SEC. 110. ADDITIONAL AUTHORIZED TRANSFER OF UNUSED POST-9/11 EDUCATIONAL ASSISTANCE BENEFITS TO DEPENDENTS UPON DEATH OF ORIGINALLY DESIGNATED DEPENDENT.**

(a) TRANSFER UPON DEATH OF DEPENDENT.—Section 3319 is amended—

(1) in subsection (f)(1), by inserting after “section 3321” the following: “, and except as provided in subsection (k) or (l),”; and

(2) by adding at the end the following new subsection:

“(k) ADDITIONAL TRANSFER UPON DEATH OF DEPENDENT.—In the case of a dependent to whom entitlement to educational assistance is transferred under this section who dies before using all of such entitlement, the individual who transferred the entitlement to the dependent may transfer any remaining entitlement to a different eligible dependent, notwithstanding whether the individual is serving as a member of the Armed Forces when such transfer is executed.

“(l) TRANSFER BY DEPENDENT.—In the case of an individual who transfers entitlement to educational assistance under this section who dies before the dependent to whom entitlement to educational assistance is so transferred has used all of such entitlement, such dependent may transfer such entitlement to another eligible dependent in accordance with the provisions of this section.”.

(b) EFFECTIVE DATES.—

(1) ELIGIBLE DEATHS.—The amendments made by this section shall apply with respect to deaths occurring on or after August 1, 2009.

(2) USE OF ENTITLEMENT.—A dependent to whom entitlement to educational assistance is transferred under subsection (k) or (l) of section 3319 of title 38, United States Code, as added by subsection (a), may use such entitlement to pursue a course of education beginning on or after August 1, 2018.

**SEC. 111. EDITH NOURSE ROGERS STEM SCHOLARSHIP.**

(a) IN GENERAL.—Subchapter II of chapter 33 is amended by adding at the end the following new section:

**“§ 3320. Edith Nourse Rogers STEM Scholarship**

“(a) IN GENERAL.—Subject to the limitation under subsection (f), the Secretary shall provide additional benefits to eligible individuals selected by the Secretary under this section. Such benefits shall be known as the ‘Edith Nourse Rogers STEM Scholarship’.

“(b) ELIGIBILITY.—For purposes of this section, an eligible individual is an individual—

“(1) who is or was entitled to educational assistance under section 3311 of this title;

“(2) who has used all of the educational assistance to which the individual is entitled

under this chapter or will, based on the individual's rate of usage, use all of such assistance within 180 days of applying for benefits under this section;

“(3) who applies for assistance under this section; and

“(4) who—

“(A) is an individual who—

“(i) is enrolled in a program of education leading to a post-secondary degree that, in accordance with the guidelines of the applicable regional or national accrediting agency, requires more than the standard 128 semester (or 192 quarter) credit hours for completion in a standard, undergraduate college degree in—

“(I) biological or biomedical science;

“(II) physical science;

“(III) science technologies or technicians;

“(IV) computer and information science and support services;

“(V) mathematics or statistics;

“(VI) engineering;

“(VII) engineering technologies or an engineering-related field;

“(VIII) a health profession or related program;

“(IX) a medical residency program;

“(X) an agriculture science program or a natural resources science program; or

“(XI) other subjects and fields identified by the Secretary as meeting national needs;

“(ii) has completed at least 60 standard semester (or 90 quarter) credit hours in a field referred to in clause (i); or

“(B) is an individual who has earned a post-secondary degree in a field referred to in subparagraph (A)(i) and is enrolled in a program of education leading to a teaching certification.

“(c) PRIORITY.—In selecting eligible individuals to receive additional benefits under this section, the Secretary shall give priority to the following individuals:

“(1) Individuals who require the most credit hours described in subsection (b)(4).

“(2) Individuals who are entitled to educational assistance under this chapter by reason of paragraph (1), (2), (8), or (9) of section 3311(b) of this title.

“(d) AMOUNT OF ASSISTANCE.—(1) The Secretary shall pay to each eligible individual who receives additional benefits under this section the monthly amount payable under section 3313 of this title for not more than nine months of the program of education in which the individual is enrolled (adjusted with respect to the individual pursuant to section 3313(c), as appropriate), except that the aggregate amount paid to an individual under this section may not exceed \$30,000.

“(2) The Secretary may not pay to such an individual an amount in addition to the amount payable under paragraph (1) by reason of section 3317 of this title.

“(3) An individual who receives additional benefits under this section may also receive amounts payable by a college or university pursuant to section 3317 of this title.

“(e) PROHIBITION ON TRANSFER.—An individual who receives additional benefits under this section may not transfer any amount of such additional benefits under section 3319 of this title.

“(f) MAXIMUM AMOUNT OF TOTAL ASSISTANCE.—The total amount of benefits paid to all eligible individuals under this section may not exceed—

“(1) \$25,000,000 for fiscal year 2019;

“(2) \$75,000,000 for each of fiscal years 2020 through 2022; and

“(3) \$100,000,000 for fiscal year 2023 and each subsequent fiscal year.

“(g) CONGRESSIONAL NOTICE.—If the Secretary identifies a new subject or field pursu-

ant to subsection (b)(4)(A)(i)(XI) as meeting a national need, the Secretary shall submit to Congress notice of such identification at least 90 days before conferring eligibility on any individual for purposes of this section on the basis of such identification, including any analysis of labor market supply and demand used in identifying the new subject or field, as applicable.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3319 the following new item:

“3320. Edith Nourse Rogers STEM Scholarship.”.

(c) EFFECTIVE DATE.—Section 3320 of title 38, United States Code, shall take effect on August 1, 2019.

(d) COMPTROLLER GENERAL REPORT.—

(1) INTERIM REPORT.—Not later than August 1, 2022, the Comptroller General of the United States shall submit to Congress a report containing the results of an interim assessment of the Comptroller General of the Edith Nourse Rogers STEM Scholarship program under section 3320 of title 38, United States Code, as added by subsection (a). Such report shall include the recommendations of the Comptroller General for improving the scholarship program and an assessment of each of the following, using rigorous, systematic, and objective methodology, and including comparisons to eligible veterans who did not participate in the program:

(A) An explanation of the identification of the Secretary of Veterans Affairs of subjects and fields meeting national needs under subsection (b)(4)(A)(i)(XI) of such section, including any analysis of labor market supply and demand, as applicable.

(B) An evaluation of the types of educational institutions and programs where beneficiaries use the educational assistance provided under the scholarship program.

(C) The completion rate of students participating in the program.

(D) The job placement rate for individuals who completed a program of education using educational assistance provided under the scholarship program in the field of study of the program of education.

(E) The median annual earnings of individuals who completed a program of education using educational assistance provided under the scholarship program.

(F) The average age of the individuals who received educational assistance under the scholarship program.

(G) An assessment of the extent to which any educational institutions made changes to degrees or programs of education offered by the institution for which the scholarship program may be used after the date of the enactment of this Act.

(2) FINAL REPORT.—Not later than August 1, 2024, the Comptroller General shall submit to Congress an assessment of such scholarship program that includes each of the following:

(A) Each item described in subparagraph (A) through (G) of paragraph (1).

(B) The percentage of individuals who completed a program of education using educational assistance provided under the scholarship program who were subsequently employed for a period of six months or longer in the field of study of the program of education.

(C) The percentage of individuals who completed a program of education using educational assistance provided under the scholarship program who were subsequently employed for a period of less than six months in the field of study of the program of education.



**SEC. 112. HONORING THE NATIONAL SERVICE OF MEMBERS OF THE ARMED FORCES BY ELIMINATION OF TIME LIMITATION FOR USE OF ENTITLEMENT.**

(a) IN GENERAL.—Subsection (a) of section 3321 is amended—

(1) by striking “individual’s entitlement” and all that follows through the period and inserting “individual’s entitlement—”; and

(2) by adding at the end the following new paragraphs:

“(1) in the case of an individual whose last discharge or release from active duty is before January 1, 2013, expires at the end of the 15-year period beginning on the date of such discharge or release; or

“(2) in the case of an individual whose last discharge or release from active duty is on or after January 1, 2013, shall not expire.”.

(b) CHILDREN OF DECEASED MEMBERS.—Subsection (b)(4) of such section is amended—

(1) by inserting “of this title” after “3311(b)(9)”;.

(2) by striking “child’s entitlement” and all that follows through the period and inserting “child’s entitlement—”; and

(3) by adding at the end the following new subparagraphs:

“(A) in the case of a child who first becomes entitled to such entitlement before January 1, 2013, expires at the end of the 15-year period beginning on the date of such child’s eighteenth birthday; or

“(B) in the case of a child who first becomes entitled to such entitlement on or after January 1, 2013, shall not expire.”.

(c) SPOUSES OF DECEASED MEMBERS.—Subsection (b) of such section is further amended by adding at the end the following new paragraph:

“(5) APPLICABILITY TO SPOUSES OF DECEASED MEMBERS.—The period during which a spouse entitled to educational assistance by reason of section 3311(b)(9) may use such spouse’s entitlement—

“(A) in the case of a spouse who first becomes entitled to such entitlement before January 1, 2013, expires at the end of the 15-year period beginning on the date on which the spouse first becomes entitled to such entitlement; or

“(B) in the case of a spouse who first becomes entitled to such entitlement on or after January 1, 2013, shall not expire.”.

**SEC. 113. MONTHLY STIPEND FOR CERTAIN MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES RECEIVING POST-9/11 EDUCATIONAL ASSISTANCE.**

(a) IN GENERAL.—Section 3313 is further amended by adding at the end the following new subsection:

“(j) DETERMINATION OF MONTHLY STIPENDS DURING CERTAIN ACTIVE DUTY SERVICE.—

“(1) PRO RATA BASIS.—In any month in which an individual described in paragraph (2) is performing active duty service described in section 3301(1)(B) of this title, the Secretary shall determine the amount of monthly stipends payable under this section for such month on a pro rata basis for the period of such month in which the covered individual is not performing such active duty service.

“(2) INDIVIDUAL DESCRIBED.—An individual described in this paragraph is an individual who is—

“(A) a member of the reserve components of the Armed Forces; and

“(B) pursuing a program of education using educational assistance under this chapter.”.

(b) APPLICATION.—The amendment made by subsection (a) shall apply with respect to a quarter, semester, or term, as applicable, commencing on or after August 1, 2018.

**SEC. 114. ANNUAL REPORTS TO CONGRESS ON INFORMATION ON STUDENT PROGRESS SUBMITTED BY EDUCATIONAL INSTITUTIONS.**

Section 3326 is amended—

(1) by striking “As a condition” and inserting “(a) SUBMITTAL OF INFORMATION BY EDUCATIONAL INSTITUTIONS.—As a condition”; and

(2) by adding at the end the following new subsection:

“(b) REPORTS TO CONGRESS.—Not later than March 1 of each year, the Secretary shall submit to Congress a report that includes a summary of the information provided by educational institutions under subsection (a) for the calendar year preceding the year during which such report is submitted.”.

**SEC. 115. IMPROVEMENT OF INFORMATION TECHNOLOGY OF THE VETERANS BENEFITS ADMINISTRATION OF THE DEPARTMENT OF VETERANS AFFAIRS.**

(a) PROCESSING OF CERTAIN EDUCATIONAL ASSISTANCE CLAIMS.—The Secretary of Veterans Affairs shall, to the maximum extent possible, make such changes and improvements to the information technology system of the Veterans Benefits Administration of the Department of Veterans Affairs to ensure that—

(1) to the maximum extent possible, all original and supplemental claims for educational assistance under chapter 33 of title 38, United States Code, are adjudicated electronically; and

(2) rules-based processing is used to make decisions with respect to such claims with little human intervention.

(b) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a plan to implement the changes and improvements described in subsection (a).

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the implementation of the changes and improvements described in subsection (a).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Veterans Affairs \$30,000,000 to carry out this section during fiscal years 2018 and 2019.

**SEC. 116. DEPARTMENT OF VETERANS AFFAIRS HIGH TECHNOLOGY PILOT PROGRAM.**

(a) PILOT PROGRAM.—The Secretary of Veterans Affairs shall carry out a pilot program under which the Secretary shall provide eligible veterans with the opportunity to enroll in high technology programs of education that the Secretary determines provide training or skills sought by employers in a relevant field or industry.

(b) ELIGIBILITY.—For purposes of the pilot program under this section, an eligible veteran is a veteran who is entitled to educational assistance under chapter 30, 32, 33, 34, or 35 of title 38, United States Code, or chapter 1606 or 1607 of title 10, United States Code.

(c) CONTRACTS.—

(1) IN GENERAL.—For purposes of carrying out subsection (a), by not later than 180 days after August 1, 2018, the Secretary shall seek to enter into contracts with any number of qualified providers of high technology programs of education for the provision of such programs to eligible veterans under the pilot program. Each such contract shall provide for the conditions under which the Secretary may terminate the contract with the pro-

vider and the procedures for providing for the completion of the instruction of students who were enrolled in a program provided by such provider in the case of such a termination.

(2) PAYMENT OF CONTRACTORS.—A contract under this subsection shall provide that the Secretary shall pay to a provider—

(A) upon the enrollment of an eligible veteran in the program, 25 percent of the cost of the tuition and other fees for the program of education for the veteran;

(B) upon the completion of the program by the veteran, 25 percent of such cost; and

(C) upon the employment of the veteran in the field of study of the program following completion of the program, 50 percent of such cost.

(3) QUALIFIED PROVIDERS.—For purposes of the pilot program, a provider of a high technology program of education is qualified if—

(A) the provider has been operational for at least two years;

(B) the provider has successfully provided the high technology program for at least one year; and

(C) the provider meets the approval criteria developed by the Secretary under paragraph (4).

(4) APPROVAL CRITERIA.—The Secretary shall develop criteria for approving providers for purposes of the pilot program. In developing such criteria, the Secretary may consult with State approving agencies. Such criteria is not required to meet the requirements of section 3672 of title 38, United States Code.

(5) TUITION REIMBURSEMENT.—In entering into contracts to carry out the pilot program, the Secretary shall give preference to a qualified provider that offers tuition reimbursement for any student who—

(A) completes a program of education offered by the provider; and

(B) does not find full-time meaningful employment in the field of study of the program within the 180-day period beginning on the date the student completes the program.

(d) HOUSING STIPEND.—The Secretary shall pay to each eligible veteran who is enrolled in a high technology program of education under the pilot program on a full-time basis a monthly housing stipend equal to the product—

(1) of—

(A) in the case of a veteran pursuing resident training, the monthly amount of the basic allowance for housing payable under section 403 of title 37, United States Code, for a member with dependents in pay grade E-5 residing in the military housing area that encompasses all or the majority portion of the ZIP code area in which is located the institution at which the individual is enrolled; or

(B) in the case of a veteran pursuing a program of education through distance learning, a monthly amount equal to 50 percent of the amount payable under subparagraph (A), multiplied by

(2) the lesser of—

(A) 1.0; or

(B) the number of course hours borne by the individual in pursuit of the program of education involved, divided by the minimum number of course hours required for full-time pursuit of such program of education, rounded to the nearest multiple of 10.

(e) HIGH TECHNOLOGY PROGRAM OF EDUCATION DEFINED.—In this section, the term “high technology program of education” means a program of education that—

(1) is offered by an entity other than an institution of higher learning;

(2) does not lead to a degree; and

(3) provides instruction in computer programming, computer software, media application, data processing, or information sciences.

(f) REPORTS.—

(1) SECRETARY OF VETERANS AFFAIRS.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report on the pilot program under this section.

(2) COMPTROLLER GENERAL.—

(A) INTERIM REPORT.—Not later than three years after the date on which the Secretary first enters into a contract under this section, the Comptroller General of the United States shall submit to Congress a report containing the results of the interim assessment of the Comptroller General. Such report shall include the recommendations of the Comptroller General for improving the pilot program and an assessment of each of the following:

(i) The technology experience of the directors and instructors of the providers of high technology programs of education under the pilot program.

(ii) Whether the providers cooperated with the technology industry to create the curriculum for the program of education.

(iii) Whether the providers use an open source curriculum for the program of education.

(iv) The admittance rate into the pilot program.

(v) The job placement and retention rate for veterans who completed a program of education under the pilot program in the field of study of the program.

(vi) The percentage of veterans who completed a program of education under the pilot program who were subsequently employed for a period of six months or longer in a field of study of the program.

(vii) The percentage of veterans who completed a program of education under the pilot program who were subsequently employed for a period of less than six months in a field of study of the program.

(viii) The median annual salary of veterans who completed a program of education under the pilot program and were subsequently employed.

(ix) As applicable, the transfer rates to other academic or vocational programs and certifications and licensure exam passage rates.

(x) The average age of veterans who participated in the pilot program.

(B) FINAL REPORT.—Not later than five years after the date on which the Secretary first enters into a contract under this section, the Comptroller General shall submit to Congress a final report on the pilot program. Such report shall include the recommendation of the Comptroller General with respect to whether the program should be extended and an assessment of each item described in clauses (i) through (x) of subparagraph (A).

(g) AUTHORIZATION OF APPROPRIATIONS.—For each fiscal year during which the Secretary carries out a pilot program under this section, \$15,000,000 shall be made available for such purpose from funds appropriated to, or otherwise made available to, the Department for the payment of readjustment benefits.

(h) TERMINATION.—The authority to carry out a pilot program under this section shall terminate on the date that is five years after the date on which the Secretary first enters into a contract under this section.

## TITLE II—OTHER EDUCATIONAL ASSISTANCE PROGRAMS

### SEC. 201. WORK-STUDY ALLOWANCE.

Section 3485(a)(4) is amended by striking “the period beginning on June 30, 2017, and ending on June 30, 2022,” each place it appears and inserting “any time on or after June 30, 2017.”

### SEC. 202. DURATION OF EDUCATIONAL ASSISTANCE UNDER SURVIVORS’ AND DEPENDENTS’ EDUCATIONAL ASSISTANCE PROGRAM.

Section 3511(a)(1) is amended—

(1) by striking “chapter for” and all that follows through the period and inserting “chapter—”; and

(2) by adding at the end the following new subparagraphs:

“(A) in the case of a person who first enrolls in a program of education using such entitlement before August 1, 2018, for an aggregate period not in excess of 45 months (or to the equivalent thereof in part-time training); or

“(B) in the case of a person who first enrolls in a program of education using such entitlement on or after August 1, 2018, for an aggregate period not in excess of 36 months (or to the equivalent thereof in part-time training).”

### SEC. 203. OLIN E. TEAGUE INCREASE IN AMOUNTS OF EDUCATIONAL ASSISTANCE PAYABLE UNDER SURVIVORS’ AND DEPENDENTS’ EDUCATIONAL ASSISTANCE PROGRAM.

(a) INCREASE.—Section 3532 is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “\$788” and inserting “\$1,224”; and

(ii) by striking “\$592” and inserting “\$967”; and

(iii) by striking “\$394” and inserting “\$710”; and

(B) in paragraph (2)(B), by striking “\$788” and inserting “\$1,224”; and

(2) in subsection (b), by striking “\$788” and inserting “\$1,224”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to a month that begins on or after October 1, 2018.

## TITLE III—ADMINISTRATION OF EDUCATIONAL ASSISTANCE PROGRAMS

### SEC. 301. STATE APPROVING AGENCY FUNDING.

(a) INCREASE.—Section 3674(a) of title 38, United States Code, is amended—

(1) in paragraph (2)(A), by striking “out of amounts available for the payment of readjustment benefits” and inserting “out of amounts in the Department of Veterans Affairs readjustment benefits account and amounts appropriated to the Secretary”; and

(2) by redesignating paragraph (4) as paragraph (5);

(3) by inserting after paragraph (3) the following new paragraph (4):

“(4) In addition to amounts made available under paragraph (5), there is authorized to be appropriated to carry out this section \$3,000,000 for fiscal year 2019 and each subsequent fiscal year.”; and

(4) in paragraph (5), as so redesignated—

(A) by striking “The total” and inserting “(A) The total”; and

(B) by striking “for any fiscal year shall be \$19,000,000” and inserting “for fiscal year 2018 shall be \$21,000,000 and for fiscal year 2019 and thereafter shall be \$23,000,000”; and

(C) by adding at the end the following new subparagraph:

“(B) Beginning in fiscal year 2019, whenever there is an increase in benefit amounts payable under title II of the Social Security

Act (42 U.S.C. 401 et seq.) as a result of a determination made under section 215(i) of such Act (42 U.S.C. 415(i)), the Secretary shall, effective on the date of such increase in benefit amounts, increase the amount in effect under subparagraph (A), as in effect immediately prior to the date of such increase in benefit amounts payable under title II of the Social Security Act, by the same percentage as the percentage by which such benefit amounts are increased.”

### SEC. 302. AUTHORIZATION FOR USE OF POST-9/11 EDUCATIONAL ASSISTANCE TO PURSUE INDEPENDENT STUDY PROGRAMS AT CERTAIN EDUCATIONAL INSTITUTIONS THAT ARE NOT INSTITUTIONS OF HIGHER LEARNING.

Section 3680A is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “in—” and inserting “in any of the following:”; and

(B) in paragraph (1)—

(i) by striking “any” and inserting “Any”; and

(ii) by striking the semicolon at the end and inserting a period;

(C) in paragraph (2)—

(i) by striking “any” and inserting “Any”; and

(ii) by striking the semicolon at the end and inserting a period;

(D) in paragraph (3)—

(i) by striking “any” and inserting “Any”; and

(ii) by striking “; or” and inserting a period; and

(E) by striking paragraph (4) and inserting the following new paragraph (4):

“(4) Any independent study program except an independent study program (including such a program taken over open circuit television) that—

“(A) is accredited by an accrediting agency or association recognized by the Secretary of Education under subpart 2 of part H of title IV of the Higher Education Act of 1965 (20 U.S.C. 1099b);

“(B) leads to—

“(i) a standard college degree;

“(ii) a certificate that reflects educational attainment offered by an institution of higher learning; or

“(iii) a certificate that reflects completion of a course of study offered by—

“(I) an area career and technical education school (as defined in subparagraphs (C) and (D) of section 3(3) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302(3))) that provides education at the postsecondary level; or

“(II) a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c))) that provides education at the postsecondary level; and

“(C) in the case of a program described in subparagraph (B)(iii)—

“(i) provides training aligned with the requirements of employers in the State or local area where the program is located, which may include in-demand industry sectors or occupations; and

“(ii) provides a student, upon completion of the program, with a recognized postsecondary credential that is recognized by employers in the relevant industry, which may include a credential recognized by industry or sector partnerships in the State or local area where the industry is located; and

“(iii) meets such content and instructional standards as may be required to comply with the criteria under section 3676(c)(14) and (15) of this title.”; and

(2) by adding at the end the following new subsection:

“(h) In this section, the terms ‘State or local area’, ‘recognized postsecondary credential’, ‘industry or sector partnership’, and ‘in-demand industry sector or occupation’ have the meaning given such terms in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).”

**SEC. 303. PROVISION OF INFORMATION ON PRIORITY ENROLLMENT FOR VETERANS IN CERTAIN COURSES OF EDUCATION.**

Section 3698(c)(1)(C) is amended—

(1) in clause (ix), by striking “and” at the end;

(2) in clause (x), by striking the period and inserting “; and”; and

(3) by adding at the end the following new clause:

“(xi) information on whether the institution administers a priority enrollment system that allows certain student veterans to enroll in courses earlier than other students.”

**SEC. 304. LIMITATION ON USE OF REPORTING FEES PAYABLE TO EDUCATIONAL INSTITUTIONS AND SPONSORS OF PROGRAMS OF APPRENTICESHIP.**

(a) IN GENERAL.—Subsection (c) of section 3684 is amended to read as follows:

“(c)(1) The Secretary may pay to any educational institution, or to the sponsor of a program of apprenticeship, furnishing education or training under either this chapter or chapter 31, 34, or 35 of this title, a reporting fee which will be in lieu of any other compensation or reimbursement for reports or certifications which such educational institution or sponsor of a program of apprenticeship is required to submit to the Secretary by law or regulation.

“(2) Such reporting fee shall be computed for each calendar year by multiplying \$16 by the number of eligible veterans or eligible persons enrolled under this chapter or chapter 31, 34, or 35 of this title. The reporting fee shall be paid to such educational institution or sponsor of a program of apprenticeship as soon as feasible after the end of the calendar year for which it is applicable.

“(3) No reporting fee payable to an educational institution under this subsection shall be subject to offset by the Secretary against any liability of such institution for any overpayment for which such institution may be administratively determined to be liable under section 3685 of this title unless such liability is not contested by such institution or has been upheld by a final decree of a court of appropriate jurisdiction.

“(4) Any reporting fee paid to an educational institution or sponsor of a program of apprenticeship after the date of the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2011 (Public Law 111-377)—

“(A) shall be utilized by such institution or sponsor solely for the making of certifications required under this chapter or chapter 31, 34, or 35 of this title or for otherwise supporting programs for veterans; and

“(B) with respect to an institution that has 100 or more enrollees described in paragraph (2) may not be used for or merged with amounts available for the general fund of the educational institution or sponsor of a program of apprenticeship.

“(5) The reporting fee payable under this subsection shall be paid from amounts appropriated for readjustment benefits.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on August 1, 2018.

**SEC. 305. TRAINING FOR SCHOOL CERTIFYING OFFICIALS.**

(a) TRAINING REQUIREMENT.—The Secretary of Veterans Affairs shall, in consultation with the State approving agencies, set forth requirements relating to training for school certifying officials employed by covered educational institutions offering courses of education approved under chapter 36 of title 38, United States Code. If a covered educational institution does not ensure that a school certifying official employed by the educational institution meets such requirements, the Secretary may disapprove any course of education offered by such educational institution.

(b) DEFINITIONS.—In this section:

(1) The term “covered educational institution” means an educational institution that has enrolled 20 or more individuals using educational assistance under title 38, United States Code.

(2) The term “school certifying official” means an employee of an educational institution with primary responsibility for certifying veteran enrollment at the educational institution.

(3) The term “State approving agency” means a department or agency of a State designated under section 3671 of title 38, United States Code.

(c) EFFECTIVE DATE.—This section shall take effect on August 1, 2018.

**SEC. 306. EXTENSION OF AUTHORITY FOR ADVISORY COMMITTEE ON EDUCATION.**

Section 3692 is amended by striking “December 31, 2017” and inserting “December 31, 2022”.

**SEC. 307. DEPARTMENT OF VETERANS AFFAIRS PROVISION OF ON-CAMPUS EDUCATIONAL AND VOCATIONAL COUNSELING FOR VETERANS.**

(a) IN GENERAL.—Chapter 36 is amended by inserting after section 3697A the following new section:

**“§ 3697B. On-campus educational and vocational counseling**

“(a) IN GENERAL.—The Secretary shall provide educational and vocational counseling services for individuals described in section 3697A(b) of this title at locations on the campuses of institutions of higher learning selected by the Secretary. Such counseling services shall be provided by employees of the Department who provide such services under section 3697A of this title.

“(b) SELECTION OF LOCATIONS.—(1) To be selected by the Secretary under this section, an institution of higher learning shall provide an appropriate space on the campus of the institution where counseling services can be provided under this section.

“(2) In selecting locations for the provision of counseling services under this section, the Secretary shall seek to select locations where the maximum number of veterans would have access to such services.

“(c) ANNUAL REPORT.—Not later than 180 days after the date of the enactment of this section, and each year thereafter, the Secretary shall submit to Congress a report on the counseling services provided under this section. Such report shall include, for the year covered by the report—

“(1) the average ratio of counselors providing such services to individuals who received such services at each location where such services were provided;

“(2) a description of such services provided;

“(3) the recommendations of the Secretary for improving the provision of such services; and

“(4) any other matters the Secretary determines appropriate.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3697A the following new item:

“3697B. On-campus educational and vocational counseling.”

**SEC. 308. PROVISION OF INFORMATION REGARDING VETERAN ENTITLEMENT TO EDUCATIONAL ASSISTANCE.**

(a) IN GENERAL.—Subchapter II of chapter 36 is further amended by adding at the end the following new section:

**“§ 3699A. Provision of certain information to educational institutions**

“(a) IN GENERAL.—For each veteran or other individual pursuing a course of education that has been approved under this chapter using educational assistance to which the veteran or other individual is entitled under chapter 30, 32, 33, or 35 of this title, the Secretary shall make available to the educational institution offering the course information about the amount of such educational assistance to which the veteran or other individual is entitled. Such information shall be provided to such educational institution through a secure information technology system accessible by the educational institution and shall be regularly updated to reflect any amounts used by the veteran or other individual.

“(b) ELECTION.—A veteran or other individual pursuing a course of education described in subsection (a) may elect not to provide the information described in such subsection to an educational institution in a manner prescribed by the Secretary.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is further amended by inserting after the item relating to section 3699 the following new item:

“3699A. Provision of certain information to educational institutions.”

(c) EFFECTIVE DATE.—Section 3699A of title 38, United States Code, as added by this section, shall take effect on August 1, 2018.

**SEC. 309. TREATMENT, FOR PURPOSES OF EDUCATIONAL ASSISTANCE ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS, OF EDUCATIONAL COURSES THAT BEGIN SEVEN OR FEWER DAYS AFTER THE FIRST DAY OF AN ACADEMIC TERM.**

Section 3684(a) is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following new paragraph (4):

“(4) A course offered by an educational institution that does not begin on the first day of an academic term, but does begin seven or fewer days after such day, shall be treated as beginning on such day for purposes of this section.”

**SEC. 310. INCLUSION OF RISK-BASED SURVEYS IN STATE APPROVING AGENCY OVERSIGHT ACTIVITIES.**

Section 3673(d) is amended—

(1) in the subsection heading, by striking “COMPLIANCE AND”; and

(2) by striking “such compliance and oversight” and inserting “conducting risk-based surveys and other such oversight”; and

(3) by inserting “, in consultation with the State approving agencies,” after “as the Secretary”.

**SEC. 311. COMPTROLLER GENERAL STUDY OF STATE APPROVING AGENCY PERFORMANCE.**

(a) STUDY REQUIRED.—The Comptroller General of the United States shall carry out a study on the performance of State approving agencies. Such study shall include each of the following:

(1) An analysis of the effectiveness of the cooperation between the Secretary of Veterans Affairs and State approving agencies regarding the execution of shared compliance and oversight responsibilities under chapter 36 of title 38, United States Code.

(2) An analysis of the resources necessary for State approving agencies to fulfill the responsibilities of such agencies under such title, including an analysis of whether Congress has appropriated sufficient funds for State approving agencies to fulfill such responsibilities and the historic effect of funding on the ability of such agencies to fulfill such responsibilities.

(3) An evaluation of the use by State approving agencies of risk-based methods of review for identifying violations of established standards under such chapter.

(4) An examination of how State approving agencies use risk factors, including rapid increases in veteran enrollment, increases in the amount of benefits per capita, volume of student complaints, rates of Federal student loan defaults of veterans, veteran completion rates, deficiencies identified by accreditors and other State agencies, and deficiencies in Department of Veterans Affairs program administration compliance, in their oversight and compliance responsibilities and in selecting educational institutions for review of eligibility.

(5) Recommendations on how the Secretary and State approving agencies can better use data to evaluate, approve, or disapprove educational institutions under such chapter.

(b) **REPORT TO CONGRESS.**—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Secretary of Veterans Affairs, the Committee on Veterans' Affairs of the Senate, and the Committee on Veterans' Affairs of the House of Representatives, a report on the study required under subsection (a) and the findings and recommendations of the Comptroller General with respect to such study.

#### **TITLE IV—RESERVE COMPONENT BENEFITS**

##### **SEC. 401. ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR POST-9/11 EDUCATIONAL ASSISTANCE.**

(a) **IN GENERAL.**—Section 3301(1)(B) is amended by striking “or 12304” and inserting “12304, 12304a, or 12304b”.

(b) **RETROACTIVE APPLICATION.**—The amendment made by subsection (a) shall apply with respect to service in the Armed Forces occurring on or after the date of the enactment of the Post-9/11 Veterans Educational Assistance Act of 2008 (Public Law 110-252).

(c) **APPLICATION WITH RESPECT TO USE OF ENTITLEMENT.**—An individual who is entitled to educational assistance by reason of the amendment made by subsection (a) may use such entitlement to pursue a course of education beginning on or after August 1, 2018.

##### **SEC. 402. TIME LIMITATION FOR TRAINING AND REHABILITATION FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES.**

Section 3103(f) is amended by striking “or 12304” and inserting “12304, 12304a, or 12304b”.

#### **TITLE V—OTHER MATTERS**

##### **SEC. 501. REPEAL INAPPLICABILITY OF MODIFICATION OF BASIC ALLOWANCE FOR HOUSING TO BENEFITS UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS.**

(a) **REPEAL.**—Subsection (b) of section 604 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act

for Fiscal Year 2015 (Public Law 113-291; 37 U.S.C. 403 note) is repealed.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on January 1, 2018, and shall apply with respect to individuals who first use their entitlement to educational assistance under chapter 33 of title 38, United States Code, on or after such date.

##### **SEC. 502. RECONSIDERATION OF PREVIOUSLY DENIED CLAIMS FOR DISABILITY COMPENSATION FOR VETERANS WHO ALLEGE FULL-BODY EXPOSURE TO NITROGEN MUSTARD GAS, SULFUR MUSTARD GAS, OR LEWISITE DURING WORLD WAR II.**

(a) **IN GENERAL.**—

(1) **RECONSIDERATION REQUIRED.**—The Secretary of Veterans Affairs shall reconsider all claims for compensation described in paragraph (2) and make a new determination regarding each such claim.

(2) **CLAIMS FOR COMPENSATION DESCRIBED.**—A claim for compensation described in this paragraph is a claim for compensation under chapter 11 of title 38, United States Code, that the Secretary determines—

(A) arose from the alleged full-body exposure of a veteran to a covered substance—

(I) during active military, naval, or air service during World War II; and

(ii) at a site listed in paragraph (3); and

(B) was denied before the date of the enactment of this Act.

(3) **SITES.**—The sites listed in this paragraph are the following:

- (A) Camp Siebert, Alabama.
- (B) Fort McClellan, Alabama.
- (C) Huntsville Arsenal, Alabama.
- (D) Rocky Mountain Arsenal, Colorado.
- (E) Naval Research Laboratory, D.C.
- (F) Bushnell Field, Florida.
- (G) Great Lakes Naval Training Center, Illinois.
- (H) Edgewood Arsenal, Maryland.
- (I) Fort Detrick, Maryland.
- (J) Naval Research Laboratory, Maryland.
- (K) Naval Training Center, Bainbridge, Maryland.
- (L) Horn Island Installation, Mississippi.
- (M) Camp Crowder, Missouri.
- (N) Hart's Island, New York.
- (O) Camp Lejeune, North Carolina.
- (P) Charleston, South Carolina.
- (Q) Dugway Proving Ground, Utah.
- (R) Toole Army Depot, Utah.
- (S) Naval Research Laboratory, Virginia.
- (T) U.S.S. Eagle Boat No. 58.
- (U) Ondal, India.
- (V) Fort Clayton, San Jose Island, Panama.

(W) Any site the Secretary of Veterans Affairs determines is appropriate.

(4) **FACTORS OF CONSIDERATION.**—In making a determination under paragraph (1), the Secretary—

(A) shall consider—

(i) that contemporaneous records of testing of full-body exposure to a covered substance frequently may be unavailable because such tests were classified or such records were lost or destroyed;

(ii) that many veterans were sworn to secrecy following testing described in clause (i);

(iii) each statement based on personal knowledge of a veteran who served at a site listed in paragraph (3);

(iv) information in the report from the Secretary of Defense under subsection (b)(2); and

(v) any evidence the Secretary considers relevant; and

(B) may not determine that testing of full-body exposure to a covered substance did not occur at a site based solely on—

(i) information contained in the Department of Defense and Department of Veterans Affairs Chemical Biological Warfare Database; or

(ii) any list of known sites of testing of full-body exposure to a covered substance maintained by the Department of Veterans Affairs or the Department of Defense.

(5) **PRESUMPTION OF EXPOSURE.**—In carrying out paragraph (1), when the Secretary of Veterans Affairs makes a determination regarding whether a veteran experienced full-body exposure to a covered substance, the Secretary—

(A) shall presume, unless there is affirmative evidence to establish otherwise, that the veteran experienced such exposure by reason of the service of the veteran in World War II—

(i) based on the locations listed in paragraph (3); and

(ii) consistent with the places, types, and circumstances of service of the veteran in accordance with section 1154 of title 38; and

(B) shall resolve each reasonable doubt in favor of the veteran.

(6) **EFFECTIVE DATE OF AWARD.**—The effective date of any award of disability compensation resulting from reconsideration of a claim under paragraph (1) shall be fixed in accordance with the facts found, but shall not be earlier than the date of the receipt of the claim for compensation described in paragraph (2).

(b) **INVESTIGATION AND REPORT BY THE SECRETARY OF DEFENSE.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) investigate and assess each site—

(A) where the Army Corps of Engineers has uncovered evidence of testing conducted by the Department of Defense during World War II to assess the effects of full-body exposure to a covered substance on humans; or

(B) with regards to which more than two veterans have been denied claims for compensation under chapter 11 of title 38, United States Code, in connection with exposure to a covered substance at such site; and

(2) submit to the appropriate congressional committees and the Secretary of Veterans Affairs a report on testing described in paragraph (1)(A), including—

(A) a list of each location where such testing occurred, including locations investigated and assessed under paragraph (1);

(B) the dates of each such testing; and

(C) the number of members of the Armed Forces who experienced full-body exposure to a covered substance in each such testing.

(c) **INVESTIGATION AND REPORT BY SECRETARY OF VETERANS AFFAIRS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) investigate and assess—

(A) the actions taken by the Secretary to contact individuals who experienced full-body exposure to a covered substance in the course of testing described in subsection (b)(1)(A);

(B) the number of claims filed with the Secretary for disability compensation under chapter 11 of title 38, United States Code, arising from testing described in subsection (b)(1)(A); and

(C) the percentage of claims described in subparagraph (B) that the Secretary denied.

(2) submit to the appropriate congressional committees and the Secretary of Defense a report regarding the investigations and assessments carried out under paragraph (1).

(B) may not determine that testing of full-body exposure to a covered substance did not occur at a site based solely on—

(i) information contained in the Department of Defense and Department of Veterans Affairs Chemical Biological Warfare Database; or

(ii) any list of known sites of testing of full-body exposure to a covered substance maintained by the Department of Veterans Affairs or the Department of Defense.

(5) **PRESUMPTION OF EXPOSURE.**—In carrying out paragraph (1), when the Secretary of Veterans Affairs makes a determination regarding whether a veteran experienced full-body exposure to a covered substance, the Secretary—

(A) shall presume, unless there is affirmative evidence to establish otherwise, that the veteran experienced such exposure by reason of the service of the veteran in World War II—

(i) based on the locations listed in paragraph (3); and

(ii) consistent with the places, types, and circumstances of service of the veteran in accordance with section 1154 of title 38; and

(B) shall resolve each reasonable doubt in favor of the veteran.

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(B) the dates of each such testing; and

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(d) DEFINITIONS.—In this section:

(1) The terms “active military, naval, or air service”, “veteran”, and “World War II” have the meanings given such terms in section 101 of title 38, United States Code.

(2) The term “appropriate congressional committees” means—

(A) the Committees on Armed Services of the House of Representatives and the Senate; and

(B) the Committees on Veterans’ Affairs of the House of Representatives and the Senate.

(3) The term “covered substance” means—

(A) nitrogen mustard gas;

(B) sulfur mustard gas; or

(C) Lewisite.

(4) The term “full-body exposure”, with respect to a covered substance, has the meaning given that term by the Secretary of Defense.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

#### GENERAL LEAVE

Mr. ROE of Tennessee. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROE of Tennessee. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 3218, as amended, the Harry W. Colmery Veterans Educational Assistance Act of 2017, which I introduced with Ranking Member WALZ and every member of the Committee on Veterans’ Affairs 2 weeks ago.

This bill and how it got to this point today is a shining example of how well Congress can and should work together. It is the result of tireless work of many veterans service organizations and the bipartisan efforts of committee members.

I am proud that the improvements and enhancements to the GI Bill that this Chamber will advance today will empower servicemembers, veterans, survivors, and dependents for generations to come.

This is the first major improvement to the GI Bill since 2011, and it encompasses 17 bills introduced by our colleagues, many who serve on the Veterans’ Affairs Committee, and also others who share our committee’s commitment to the men and women who have raised their right hand side to serve.

This package includes over 30 provisions and brings forward many enhancements that veterans’ groups have requested for years. I have said it before and I will say it again, this isn’t a package that comes along every day.

Madam Speaker, H.R. 3218, as amended, is aptly named after Mr. Harry W.

Colmery, who is credited with actually writing by hand the first draft of the World War II-era GI Bill. It is only appropriate that we honor him today for his work on the first GI Bill decades ago.

This package would do a number of things, and I want to focus on just a few key improvements. First, it would eliminate the 15-year time limit to use the GI Bill benefits for future eligible beneficiaries and anyone who left active service on or after January 1, 2013.

Madam Speaker, the GI Bill, when I used it for 2 years after I got out of the military, was, at 10 years, you could no longer use it. This is a lifetime commitment to the American people, to our veterans, if they can exercise their GI Bill benefit at any time.

Let me repeat that. For the first time in the history of our GI Bill, future beneficiaries and some veterans will be able to carry these benefits with them throughout their life.

Secondly, the bill would provide significant increases in GI Bill funding for reservists and guardsmen, including those who are currently serving on orders but do not accrue GI Bill eligibility, as well as dependents, surviving spouses, and surviving dependents.

It would also provide 100 percent GI eligibility for post-9/11 Purple Heart recipients.

Finally, it would increase opportunities for veterans to complete a science, technology, engineering, math degree, or other high technology program. That particular issue is one that I know Leader MCCARTHY has advocated for. It is a privilege to have him as an original cosponsor of the bill, and we thank him for his leadership in getting the bill to the House floor promptly.

The provisions I just mentioned only scratch the surface of the benefits that our veterans and survivors will receive under this bill.

The amendment to this bill before the House today provides technical and conforming changes to ensure the bill is budget-neutral over the 10-year budget window, clarifies that students impacted by the closure of ITT Tech would be able to have their GI Bill eligibility restored if they are unable to transfer their credits, and, starting in fiscal year 2022, would provide eligibility for a Yellow Ribbon Program to Active Duty servicemembers.

Madam Speaker, we owe a debt of gratitude to all the VSOs who pushed for this package. And I would be remiss if I didn’t single out and give my sincere thanks to the Student Veterans of America, the American Legion, the Veterans of Foreign Wars, the Vietnam Veterans of America, Tragedy Assistance Program for Survivors, the Military Order of the Purple Heart, and Got Your Six for working tirelessly across the Hill over several months to help us make this happen.

I commend and thank them because, without a doubt, we would not be in

this Chamber today on the verge of this historic moment without their efforts.

Finally, I thank Ranking Member WALZ for his strong leadership and support in making this package come together. I also express my appreciation to Senators ISAKSON and TESTER for their efforts in negotiating a strong package we can all agree on. I know they are planning to hold a markup on this companion bill to H.R. 3218, as amended, this week, and I would expect that they can pick up and pass this bill and get it to President Trump’s desk before the August District Work Period.

Madam Speaker, this is a strong bill that would help thousands of student veterans for the rest of their lives. I urge my colleagues to support it, and I reserve the balance of my time.

COMMITTEE ON ARMED SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 20, 2017.

Hon. DAVID P. ROE, M.D.,

Chairman, Committee on Veterans’ Affairs,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning H.R. 3218, the “Harry W. Colmery Veterans Educational Assistance Act of 2017.” There are certain provisions in the bill which fall within the Rule X jurisdiction of the Committee on Armed Services.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important legislation, I am willing to waive this committee’s further consideration of H.R. 3218. I do so with the understanding that by waiving consideration of the bill, the Committee on Armed Services does not waive any fixture jurisdictional claim over the subject matters contained in the legislation which fall within its Rule X jurisdiction.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the committee report on H.R. 3218 and into the Congressional Record during consideration of the measure on the House floor. The committee also reserves the right to seek appointment to any House-Senate conference on this legislation and requests your support if such a request is made. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,  
WILLIAM M. “MAC” THORNBERRY,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON VETERANS’ AFFAIRS,  
Washington, DC, July 21, 2017.

Hon. WILLIAM M. “MAC” THORNBERRY,  
Chairman, House Committee on Armed Services,  
Washington, DC.

DEAR CHAIRMAN THORNBERRY: In reference to your letter on July 20, 2017, I write to confirm our mutual understanding regarding H.R. 3218, as amended, the “Harry W. Colmery Veterans Educational Assistance Act of 2017.”

I appreciate the House Committee on Armed Services’ waiver of consideration of provisions under its jurisdiction and its subject matter as specified in your letter. I acknowledge that the waiver was granted only to expedite floor consideration of H.R. 3218, as amended, and does not in any way waive

or diminish the Committee on Armed Services' jurisdictional interests over this legislation or similar legislation. I will support your committee's request for appointment to any House-Senate conference on H.R. 3218, as amended. Finally, I will also support your request to include a copy of our exchange of letters on this matter in the committee report on H.R. 3218, as amended, and in the Congressional Record during floor consideration.

Again, thank you for your assistance and cooperation with these matters. Sincerely,

DAVID P. ROE, M.D.,

*Chairman.*

Mr. WALZ. Madam Speaker, I yield myself such time as I may consume.

I rise in unwavering support of H.R. 3218.

It is interesting, we may prove a couple of things. One is that the universe needs to be balanced, or God has an incredible sense of irony, or our democracy is resilient and strong because, after our debate over the last piece of legislation, I can tell you that, in the time I have had the privilege of representing the people of southern Minnesota, I am not sure there is a day that I feel more of that sense of pride and honor than to be here today. Much of that thanks goes to a humble man who won't say so himself.

The Colmery GI Bill, in any years past, and maybe with a different chairman, would have been the Roe GI Bill, as the Sonny Montgomery GI Bill; but the chairman is a man of humbleness and passing on thanks to others, and it shows in giving the credit to so many Members who wrote and were part of this legislation.

This is a real historic piece of work. It is hard to get big pieces of legislation like this done. I saw somebody had written up recently and said: Well, the VA Committee is moving a lot of things because it is easy.

I think, after that last little debate and how this one has gone, there is nothing easy about it because it is not supposed to be easy. It is supposed to be a challenge building the coalitions necessary. It is supposed to be thoughtful because we are impacting generations going forward.

There are so many people to thank, and the chairman started hitting on them; but I want to again as someone who, if not for the GI Bill, would not have received my education, and our lives and the trajectory of our lives are changed dramatically for that.

Somebody stood in these chairs years ago and thought about putting a GI Bill in place that ended up benefiting me; and the idea of being able to pay it forward from one veteran to another, or from this House to another, is something that seems like it is lacking too much around here.

When we get together, there is much we can do for this country. The improvements in the bill are wide-ranging. I just want to mention a couple because I think they need to be said and I think veterans are paying attention,

Madam Speaker, and maybe some of the folks watching this.

I am happy to say we are able to remove the 15-year expiration date. The idea of a lifetime GI Bill just goes to the reality of modern-day warriors; many of them serving at different times, serving later in life, not going right away when they get out, or even changing professions; and having that benefit there and holding it and enhancing their education is not only benefiting their lives, it benefits our economy.

We know that when these wars started we had very high veteran unemployment rates. We are trying to figure out different ways. And as the chairman pointed out, using the GI Bill for STEM research and other ways to get a skill set is just smart legislation.

I want to thank a few folks on the other side about understanding that we have one force now. We do not have an active Army and a Guard and Reserve that are two separate things. These warriors fight side by side, and their call up, when they get called up, means the same thing.

Because of the way regulation was written, there were things in here that created an inequality among them. And we were happy to have a general with us in General BERGMAN, Representatives O'ROURKE, BANKS, and RADEWAGEN, along with someone who is not a member of this committee but is a co-chair on the Guard and Reserve Caucus. Mr. PALAZZO worked to make sure that we offset those things to make sure our Guard and reservists receive those same benefits from when they were deployed.

So this is a rare opportunity, Madam Speaker, to pass a significant piece of legislation that is fully paid for, compromised to in a bipartisan manner. The Senate is going to pick this up, I think. And I look forward to that day when President Trump, hopefully here towards the end of summer or early fall, picks that pen up and signs this and makes a difference in veterans' lives today and going forward.

So my thanks once again to the chairman and his leadership for bringing together and building this coalition that made something that many of us thought about for many years; we would like to have seen got done. It is going to get done today.

Madam Speaker, I reserve the balance of my time.

□ 1500

Mr. ROE of Tennessee. Madam Speaker, I think one of the greatest things in here is the lifetime benefit. When I was in my early twenties, I wouldn't have put a big bet on being 40 years old. So I know you don't ever think you are going to get there, but you do. With the changing workforce today, it is a huge benefit that I think that veterans going forward are going

to appreciate and the country will benefit from.

Madam Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. FITZPATRICK), my good friend.

Mr. FITZPATRICK. Madam Speaker, I thank the chairman and the ranking member for their leadership on this bill.

Since 1944, the GI Bill has provided veterans the opportunity to invest in themselves and their future through access to education benefits.

My father attended college on the GI Bill following his service to our country, launching his life and putting our family on the path to success.

While the world has changed since 1944, the dedication and service of our men and women in uniform remains constant. These volunteer warriors stand ready to defend our Nation in theaters around the globe. While we can never fully thank them for their commitment, we must endeavor to assist them and their families wherever possible.

The Harry W. Colmery Veterans Educational Assistance Act improves and extends the benefits granted to veterans and their surviving dependents through the GI Bill, helping to ease the transition from Active Duty to civilian life by paving the way with new career opportunities and technical education.

This bipartisan legislation is a crucial step to investing in the success of our veterans and advancing the common cause of serving those who have served us so honorably.

Madam Speaker, I thank the chairman and the ranking member and the entire committee for their leadership.

Mr. WALZ. Madam Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. ESTY), my good friend and a stalwart supporter of veterans, the ranking member of the Disability Assistance and Memorial Affairs Subcommittee.

Ms. ESTY of Connecticut. Madam Speaker, I rise in enthusiastic support of the Harry W. Colmery Veterans Educational Assistance Act, or the new GI Bill.

I thank Chairman ROE and Ranking Member WALZ for leading the charge so that we can bring this important legislation to the House floor today.

I have the great honor of serving on the House Veterans' Affairs Committee, a committee on which Democrats and Republicans work together and work closely with our partners, the veterans service organizations.

The GI Bill we bring forward today is no exception. This strong bipartisan legislation represents the biggest expansion of veterans' educational benefits in a decade. It is a huge win for our Nation's veterans.

The men and women of our military deserve the security of knowing that, upon completion of their service to our country, they will be able to embark



on a fulfilling career and continue providing for their families.

I want to highlight several of the veterans who represent why we need this bill today. The first is a young man from my hometown of Cheshire. He was a classmate of my middle son in high school, and who, at age 19, lost his left leg and seriously injured his right leg when his unit was hit by an IED in Afghanistan. He had been in the country 3 months. It was the third IED.

He has been awarded a Purple Heart, but this young man and many others would not, under the current GI Bill, be entitled to receive educational benefits. That seems crazy, and it is. But this bill will correct that injustice and ensure that all our Purple Heart heroes, our American heroes are entitled to use those benefits because, regardless of those months, they have served this country.

The second one I think of is a 90-plus-year-old, who doesn't like to disclose his age, a Navy veteran from New Britain, Connecticut. He has just earned his second master's degree. That is the point of the lifelong benefits. We need educational benefits for life.

Again, this bill corrects the injustice for Guard and reservists, lifelong benefits. It is a win for America. The military is changing. The GI Bill needs to change with it.

Mr. ROE of Tennessee. Madam Speaker, I yield 2 minutes to the gentleman from Florida (Mr. BILIRAKIS), my distinguished colleague, a senior member and vice chair of the committee.

Mr. BILIRAKIS. Madam Speaker, I thank the chairman. I think he outdid himself on this one. This is outstanding stuff. There is no other word. It is huge. It really is. He is helping our true American heroes with this, and I am so proud to be a cosponsor of this legislation.

The challenges our Nation's heroes face do not end on the battlefield. Education and career training programs offer veterans the opportunity to enter a new chapter of their lives when they return home from their service.

I recently visited AmSkills, a manufacturing apprenticeship center in New Port Richey, Florida, to learn more about the good work they are doing locally to help veterans transition to civilian careers.

The Forever GI Bill helps ensure that veterans nationwide have the resources to access career education programs such as AmSkills, of course, going to a university maybe, a community college, vocational training, whatever they want to do.

Importantly, this bill allows future eligible GI Bill recipients to use their benefits at any point in their lives. That is incredible. It is long overdue, as opposed to the current 15-year time limit, which is so unfair.

It also includes my provision, the VETERAN Act, which authorizes \$30

million to help the VA invest in modernizing their information technology systems for claims processing.

Congress and the House Veterans' Affairs Committee would have oversight of the VA's proposed changes and monitor its progress. The provision would be a major step in helping veterans receive their benefits in a more timely and efficient manner.

Overall, the legislation before us today will improve, expand, and modernize the GI Bill program for veterans and their surviving spouses and dependents. That is so very important.

Madam Speaker, I urge passage of this great bill.

Mr. WALZ. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. TAKANO), the vice ranking member of the full Committee on Veterans' Affairs.

Mr. TAKANO. Madam Speaker, I rise in strong support of H.R. 3218, which secures and strengthens the GI Bill for future generations of veterans. It does so without cutting benefits from anyone who is currently serving.

There are several provisions in this legislation worth celebrating. Removing time restrictions for future student veterans and making this a lifetime benefit, and increasing support for reservists, guardsmen, and their families are among the long overdue improvements to the GI Bill that are included in this legislation.

But the restoration of GI Bill benefits for students defrauded by ITT Tech and Corinthian Colleges is particularly noteworthy for veterans in my district and across the country. When those two schools abruptly shut their doors, thousands of student veterans were left with nontransferable credits, depleted benefits, and none of the job opportunities they were promised. By restoring their tuition and housing benefits, we are restoring a measure of justice for these veterans, and we are restoring their opportunity to get the education they deserve.

I hope this is just the start of our efforts to crack down on for-profit colleges that exploit veterans.

Madam Speaker, I thank Chairman ROE and Ranking Member WALZ for their leadership, as well as the other members of the committee and the veterans service organizations who contributed to the strength of this legislation.

Madam Speaker, passing H.R. 3218 is an important step toward ensuring that every person who serves this Nation has the opportunity to live a rewarding and purposeful and prosperous civilian life. I encourage all Members to support this bill.

Madam Speaker, before closing, let me just add my praise to the chairman for his generosity and humbleness. I recognize, too, that this bill does not bear his name but the name of a predecessor. That was an incredible gesture,

Madam Speaker. I salute the chairman's leadership.

Mr. ROE from Tennessee. Madam Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. COFFMAN), my good friend, a Marine and Army veteran, and senior member of the Veterans' Affairs Committee.

Mr. COFFMAN. Madam Speaker, today the House will vote on H.R. 3218, the Harry W. Colmery Veterans Educational Assistance Act, the largest expansion of educational benefits for our veterans in over a decade.

This legislation provides a lifetime benefit of the GI Bill, an additional 9 months of GI Bill eligibility for veterans pursuing a STEM degree, protection of GI Bill benefits for veterans impacted by a school's closure, and makes it easier for veterans to use their GI Bill for credentialing and licensure tests.

Madam Speaker, H.R. 3218 also includes provisions from my bill, the GI Bill Processing Improvement Act, H.R. 2549, which ensures that veterans studying under the GI Bill for their military service receive their benefits in a timely manner.

Madam Speaker, as a United States Army veteran who attended the University of Colorado under the GI Bill, and my late father, a retired United States Army Master Sergeant, Harold Coffman, who learned heating and air-conditioning repair under the GI Bill, I rise today in strong support of this legislation.

Mr. WALZ. Madam Speaker, I yield 2 minutes to the gentleman from the Northern Mariana Islands (Mr. SABLAN), my good friend, a member of the Veterans' Affairs Committee, and the voice of our Pacific Island veterans.

Mr. SABLAN. Madam Speaker, I rise in support of the Harry W. Colmery Veterans Educational Assistance Act of 2017, a bipartisan measure of which I am an original cosponsor.

Among the bill's many benefits that preceding speakers have stated, there are three that address issues specifically brought to me by veterans in my district, the Northern Mariana Islands.

The first affects veterans who were enrolled in colleges that closed and who, as a result, lost their educational benefit. The bill today restores that benefit so those veterans can continue their education.

The second problem my veterans brought to me has to do with post-9/11 reservists, like those in Company E, 100th Battalion, 442nd Infantry Regiment, part of the Go for Broke Unit; and the 302nd Quartermaster Company in the Marianas; and national guardsmen, like the 368th Military Police Company, who were under Active Duty and who did not accrue education benefits. Those veterans will now have their Active Duty count towards the GI Bill.

Third, the minimum GI Bill benefit for veterans with less than 36 months



of qualifying active service increases to 50 percent of the maximum amount payable.

Madam Speaker, I thank House Veterans' Affairs Committee Chairman ROE and Ranking Member WALZ for their leadership and commitment to working together for the benefit of our veterans, a truly bipartisan product of work.

I also commend the veteran service organizations we worked with for their determination to ensure our country honors the promise made to those who served and sacrificed on our behalf and in service to our Nation.

Madam Speaker, I ask for support for this legislation.

Mr. ROE of Tennessee. Madam Speaker, I yield 2 minutes to the gentleman from Florida (Mr. RUTHERFORD), an active member of the Veterans' Affairs Committee.

Mr. RUTHERFORD. Madam Speaker, I rise today also in strong support of H.R. 3218, the Harry W. Colmery Veterans Educational Assistance Act of 2017.

When our brave men and women put on the uniform to protect our Nation, we have a sacred responsibility to provide them and their families with certain opportunities in repayment for their services and sacrifice.

As a new generation of servicemembers are returning from the battlefield, we as a nation have needed to reevaluate how we better help our veterans succeed back home. This important legislation is an example of how that success for veterans can be achieved.

As a result of the hard work of many veteran service organizations, the House Veterans' Affairs Committee, and countless veteran advocates, H.R. 3218 makes many important reforms to the GI Bill to improve veterans' access to education.

One reform that I would like to highlight is a provision that I introduced as a stand-alone piece of legislation earlier this year called the Julian Woods Yellow Ribbon Program Expansion Act.

Madam Speaker, under current law, dependents and surviving spouses of those killed in action who attend college on the Fry Scholarship are not eligible for the Yellow Ribbon Program. The Yellow Ribbon Program helps to cover the cost of schools with tuition above the level of what the GI Bill covers.

□ 1515

Since the dependents and spouses of those killed in action are not currently eligible for this program, they are, in fact, limited in their educational opportunities.

I thank the committee, Chairman ROE, and Ranking Member WALZ for including my bill in this legislation, and it is just one of many reforms that this package makes.

Madam Speaker, I urge my colleagues' support.

Mr. WALZ. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. KHANNA), a true supporter of veterans and new Member of the House who came with a passion for veterans.

Mr. KHANNA. Madam Speaker, I thank Ranking Member WALZ.

I want to commend Ranking Member WALZ and Chairman ROE for this extraordinary piece of legislation that invests in the education of our veterans. I also am pleased that you included Majority Leader MCCARTHY's legislation of which I was a proud original cosponsor, the VET TEC Act. That will allow veterans, for the first time, to take technology courses and learn some of the skills that are going to be needed for the 21st century economy.

It is no surprise that I read that the majority leader got this idea from his son, who spent a lot of time out in Silicon Valley and is well regarded. It is really heartening to see this House come together with the chairman's and ranking member's leadership on the jobs of the 21st century and making sure our veterans have opportunities for them.

Mr. ROE of Tennessee. Madam Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. MESSER), my good friend. We have served on the Education and the Workforce Committee together since he has been here, and he is in his fourth term.

Mr. MESSER. Madam Speaker, I appreciate the chairman and his extraordinary leadership on this important topic.

I rise today to urge support for this broad, bipartisan reform package which expands and modernizes the GI Bill to better serve our military families. The bill includes a bipartisan proposal that I have worked on with Congressman MARK TAKANO of California to help veteran students impacted by school closures, like ITT Tech and Corinthian Colleges, based in our home States.

When ITT Tech abruptly closed its doors, 40,000 students nationwide, including 7,000 veterans, were left without a degree or path forward. Jason Nyikos, a U.S. Navy veteran from Greenfield, Indiana, in my district, had to start his degree completely from scratch after spending 2 years at ITT Tech. Not a single credit transferred, and his GI Bill is going to run out before he can get a new degree. He told my office: "To spend 2 years of my life at a place with nothing to show for it is one of the biggest disappointments."

Jason's story is, sadly, one of thousands. It is not fair to these veterans that they would lose their GI benefits through no fault of their own, and if we really care, we need to do something about it.

The Takano-Messer proposal restores GI Bill benefits to veterans who were

attending ITT Tech and Corinthian Colleges when they closed so they can earn their degrees elsewhere. It also helps veterans who may be impacted by a school closure in the future.

Our military men and women count on their GI Bill benefits to build a career and a life after they have served our country. This bill will make sure they get a chance.

Madam Speaker, I urge your support and again thank the chairman for his efforts on this important issue and all of the reforms in this bill.

Mr. WALZ. Madam Speaker, I reserve the balance of my time.

Mr. ROE of Tennessee. Madam Speaker, it sounds like the gentleman who spent 2 years and didn't have anything to show for it was in the U.S. Congress, but that is another story altogether.

Madam Speaker, I yield 2 minutes to the gentlewoman from Indiana (Mrs. BROOKS), my good friend, whom I served with on the Education and the Workforce Committee.

Mrs. BROOKS of Indiana. Madam Speaker, I rise today to speak in support of H.R. 3218, the Harry W. Colmery Veterans Educational Assistance Act. This bipartisan package will extend and ultimately improve our veterans' access to GI Bill benefits.

And while I wasn't prepared to speak to this, since my colleague from Indiana, Mr. MESSER, just spoke, I also rise in support of the Takano-Messer amendment to support those veterans who are not receiving credits now from their time at ITT Tech. So I do support that amendment as well.

But I am proud to be a part of this bill that Chairman ROE has so ably shepherded, and I appreciate the bipartisan support on both sides of the aisle for including the Veterans TEST Accessibility Act. This act does just what the title implies: it gives our veterans simpler, fairer access to tests like the SAT and GRE, as well as licensing and certification tests, like certifications to be mechanics, firefighters, Realtors, to name just a few.

Our current law requires veterans to use a full month of eligibility to be reimbursed for these tests. Given the relatively low cost of many tests, it simply isn't worth it for many veterans to lose potential reimbursement for an entire month of other educational expenses, like tuition. This provision fixes that problem. Veterans will be reimbursed for the amount of the test only, and they can still utilize the remaining eligibility to cover other educational expenses incurred that month.

Our vets have the skills and experience that many universities and employers are looking for, but they face challenges. This commonsense provision will give our veterans the tools they need to compete in the job market and help address veteran underemployment and unemployment. It allows

them to take what they have learned, so many skills that they learned prior to and during their service, and use these benefits they have earned to advance their education and career.

I would like to thank Chairman ROE for his leadership, the VSOs, and all of our colleagues who have contributed to this important piece of legislation, and I urge passage of the bill.

Mr. WALZ. Madam Speaker, may I inquire how much time I have left.

The SPEAKER pro tempore (Ms. TENNEY). The gentleman from Minnesota has 9 minutes remaining.

Mr. WALZ. Madam Speaker, I yield myself such time as I may consume.

Once again, you heard from members of the committee, and Members of this House about an important piece of legislation.

This past Saturday, I had the opportunity to meet with my hometown Guard unit, the 2nd Battalion of the 135th Infantry, the Red Bull Battalion. They came back from a mission in the Sinai.

When they left to go to the Sinai, because of the 12304(b) orders that were in there, they were not eligible for certain benefits. The entire time they were deployed, they continued to call and asked what was happening on the bill. On Saturday, they had just returned, and I was able to tell them that we were going to vote tonight, we were going to move this thing, and that their questions had been responded to.

So, retroactively, we were able to get this back to 2013. There are lots of good things in here that I think, as people spend a little more time on this, they will see, smart stuff.

Generations of veterans have contributed to our country and bettered themselves through the GI Bill. It is one of those things that a grateful nation does, an earned benefit that has been improved with time.

Madam Speaker, I urge my colleagues to support the passage of H.R. 3218, as amended, and I yield back the balance of my time.

Mr. ROE of Tennessee. Madam Speaker, I yield myself such time as I may consume.

This was a process, and it took several months working with the VSOs, with our staffs, with Mr. WALZ's team and our team and others to get this bill where it is. And I think, as Mr. WALZ said, that as people dig into this bill, it is truly, I believe, an outstanding piece of legislation that honors the people who serve this country and will give them a benefit when they come home.

If you are 25 years old and you come home and you have a job from the military, you separate after a few years of service, and your job leaves when you are 42, you have lost that benefit now.

Now, you can go back and get retrained. We know that the average person is going to have five, six, seven different occupations during a profes-

sional working career. This will allow our veterans, I think some of the absolute finest people that grace this Nation, to be able to be the ones who are the leaders in the future because of the education benefit that they have earned with their service.

I thank my friend, Mr. WALZ, for his work on this and leadership on this, along with his team and our team here.

Madam Speaker, I urge all of my colleagues to support this, and I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, I rise today in strong support of H.R. 3218, the "Harry W. Colmery Veterans Educational Assistance Act of 2017."

H.R. 3218 eliminates the current 15-year cap for veterans to use the benefits provided in the GI Bill, therefore enabling future eligible recipients to use their GI bill benefits for their entire lives.

This change would greatly aid our brave veterans in facilitating the transition from active duty to civilian life by ensuring that veterans have access to retraining at any point after service to meet the needs of a changing economy.

Furthermore, H.R. 3218 would enhance GI Bill benefits for survivors of military members killed during active duty by granting them access to the Yellow Ribbon Program, which is a program that covers more costs at private institutions of higher learning for eligible recipients.

By expanding access to financial assistance, this bill ameliorates the often high cost barrier associated with higher education for survivors of military members killed in the line of duty.

H.R. 3218 will also protect veteran's GI Bill benefits from the closures of private, for-profit universities, a development that has negatively impacted many student veterans across the nation.

Madam Speaker, our veterans deserve better than to see their hard-earned benefits lost, especially for events beyond their own control.

This bill also increases GI Bill benefits for nine additional months for student veterans enrolled in STEM 5-year degree programs.

I am pleased that this bill gives our veterans the resources they need to take advantage of the opportunities provided by the growing technology industry.

Last, this bill would qualify post-9/11 Purple Heart recipients for full GI Bill benefits.

It is imperative that service members whose active duty is cut short due to an injury suffered in the line of fire have their heroic service recognized fully when receiving GI Bill benefits.

H.R. 3218 corrects previous inequities faced by our nation's brave veterans, and protects their future.

I urge all of my colleagues to join me in supporting H.R. 3218.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 3218, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROE of Tennessee. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

## MILITARY RESIDENCY CHOICE ACT

Mr. ROE of Tennessee. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 282) to amend the Servicemembers Civil Relief Act to authorize spouses of servicemembers to elect to use the same residences as the servicemembers.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 282

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Military Residency Choice Act".

### SEC. 2. RESIDENCE OF SPOUSES OF SERVICEMEMBERS FOR TAX PURPOSES.

(a) RESIDENCE FOR TAX PURPOSES.—Section 511(a)(2) of the Servicemembers Civil Relief Act (50 U.S.C. 4001(a)(2)) is amended by adding at the end the following new sentence: "The spouse of a servicemember may elect to use the same residence for purposes of taxation as the servicemember regardless of the date on which the marriage of the spouse and the servicemember occurred."

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to any return of State or local income tax filed for any taxable year beginning with the taxable year that includes the date of the enactment of this Act.

### SEC. 3. RESIDENCE OF SPOUSES OF SERVICEMEMBERS FOR VOTING.

(a) IN GENERAL.—Section 705(b) of such Act is amended—

(1) by striking "State or local office" and all that follows through the period at the end of paragraph (3) and inserting "State or local office—"; and

(2) by adding at the end the following new paragraphs:

"(1) a person who is absent from a State because the person is accompanying the person's spouse who is absent from that same State in compliance with military or naval orders shall not, solely by reason of that absence—

"(A) be deemed to have lost a residence or domicile in that State, without regard to whether or not the person intends to return to that State;

"(B) be deemed to have acquired a residence or domicile in any other State; or

"(C) be deemed to have become a resident in or a resident of any other State; and

"(2) the spouse of a servicemember may elect to use the same residence as the servicemember regardless of the date on which the marriage of the spouse and the servicemember occurred."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 90 days after the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Tennessee (Mr. ROE) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

#### GENERAL LEAVE

Mr. ROE of Tennessee. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROE of Tennessee. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 282, the Military Residency Choice Act. The Military Residency Choice Act would change the way military spouses claim State residency by allowing a spouse to claim the same State of residence as their servicemember spouse, even if they have never physically lived in that State.

I want to commend Representatives STEFANIK and WITTMAN for their work on this bill, and I will allow them to describe it in greater detail in a moment.

Madam Speaker, I urge all of my colleagues to join me in supporting H.R. 282, and I reserve the balance of my time.

Mr. WALZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 282. This is a commonsense bill. It has received bipartisan support as it moved through the committee. It simplifies the process for a spouse of a servicemember to choose and change their State of residency for tax and voting purposes.

The bill is about removing additional headaches from servicemembers' lives and doing right by them. There are enough issues being a member of the military and for spouses and family. We don't need to add more to it.

This is a smart piece of legislation. It does exactly what it says it is going to do, and I support and encourage all Members to join me in support.

Mr. Speaker, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. STEFANIK), co-author of the bill and my colleague on the Education and the Workforce Committee.

Ms. STEFANIK. Mr. Speaker, my legislation gives military spouses the choice to establish the same State of residency as the servicemember, giving them the benefit of retaining the same State of residency for voting and tax purposes.

As the proud Representative of Fort Drum and the Navy site at Kesselring, which I visited just this past Friday, I have heard firsthand about the chal-

lenges that military families face, and I have the highest respect for the sacrifices these families make to help protect our Nation and safeguard our freedom.

Military families must relocate every few years due to their spouse's responsibility to meet the requirements within the military. They sacrifice a great deal during these relocations, uprooting their lives and disrupting their families, all while serving as the critical support system for their loved ones. This is often a difficult and challenging time, with the heaviest burden falling upon military spouses.

Current law allows Active-Duty servicemembers to maintain one State of legal residence for tax and voting purposes, even when servicemembers receive military orders requiring them to relocate, but this does not apply to the servicemember's spouse. Essentially, this loophole requires spouses to establish residency every time the servicemember receives a new assignment, adding undue stress and anxiety to military families already under the pressure of managing their relocation. This legislation fixes this inconsistency.

Military spouses serve, too, and this bill eliminates the daunting task of documenting multiple tax jurisdictions and helps reduce instances of military spousal unemployment.

Traveling across the north country in New York, I have listened to the sacrifices our military families make to keep our Nation safe. We have a duty to reduce these burdens they face.

Mr. Speaker, I urge my colleagues to support this bill on a bipartisan basis.

Mr. WALZ. Mr. Speaker, I again urge Members to support this smart piece of legislation, and I yield back the balance of my time.

□ 1530

Mr. ROE of Tennessee. Mr. Speaker, once again, I encourage all Members to support this commonsense legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. WALKER). The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 282.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WALZ. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### VA PROVIDER EQUITY ACT

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1058) to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1058

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "VA Provider Equity Act".

#### SEC. 2. ROLE OF PODIATRISTS IN DEPARTMENT OF VETERANS AFFAIRS.

##### (a) INCLUSION AS PHYSICIAN.—

(1) IN GENERAL.—Subchapter I of chapter 74 of title 38, United States Code, is amended by adding at the end the following new section:

##### "§ 7413. Treatment of podiatrists; clinical oversight standards

"(a) PODIATRISTS.—Except as provided by subsection (b), a doctor of podiatric medicine who is appointed as a podiatrist under section 7401(1) of this title is eligible for any supervisory position in the Veterans Health Administration to the same degree that a physician appointed under such section is eligible for the position.

"(b) ESTABLISHMENT OF CLINICAL OVERSIGHT STANDARDS.—The Secretary, in consultation with appropriate stakeholders, shall establish standards to ensure that specialists appointed in the Veterans Health Administration to supervisory positions do not provide direct clinical oversight for purposes of peer review or practice evaluation for providers of other clinical specialties."

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 7412 the following new item:

"7413. Treatment of podiatrists; clinical oversight standards."

##### (b) MODIFICATION AND CLARIFICATION OF PAY GRADE.—

(1) GRADE.—The list in section 7404(b) of such title is amended—

(A) by striking "PHYSICIAN AND DENTIST SCHEDULE" and inserting "PHYSICIAN AND SURGEON (MD/DO), PODIATRIC SURGEON (DPM), AND DENTIST AND ORAL SURGEON (DDS, DMD) SCHEDULE";

(B) by striking "Physician grade" and inserting "Physician and surgeon grade"; and

(C) by striking "PODIATRIST, CHIROPRACTOR, AND," and inserting "CHIROPRACTOR AND".

(2) APPLICATION.—The amendment made by paragraph (1) shall apply with respect to a pay period of the Department of Veterans Affairs beginning on or after the date that is 30 days after the date of the enactment of this Act.

#### SEC. 3. EXTENSION OF REDUCTION IN AMOUNT OF PENSION FURNISHED BY DEPARTMENT OF VETERANS AFFAIRS FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILITIES.

Section 5503(d)(7) of title 38, United States Code, is amended by striking "September 30, 2024" and inserting "September 30, 2026".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1058, as amended, the VA Provider Equity Act. This legislation would recognize the professional contribution of hardworking podiatrists within the Department of Veterans Affairs healthcare system.

The VA standard for compensating podiatrists has not been updated in 41 years. In that time, education and training for podiatrists has been revolutionized.

As a result of the VA's failure to recognize and respond to advancements in podiatry practice, it has created significant disparities in pay and advancement opportunities for podiatrists practicing at the VA in comparison to their peers in the private sector.

Consequently, the VA struggles to recruit and retain experienced, qualified podiatrists—those we want caring for our veterans—at a time when veteran need for podiatry care is increasing.

This legislation would solve that problem by allowing VA podiatrists the opportunity to seek leadership opportunities at VA medical facilities and making podiatry pay equal to physician and dentist pay within the VA healthcare system.

I am grateful to my good friend, fellow veteran, and committee member, Dr. BRAD WENSTRUP, the chairman of the Subcommittee on Health, for his leadership in recognizing what an important issue this is and being thoughtful and tenacious in pursuit of a solution to it.

I am proud to join Dr. WENSTRUP in fully supporting this legislation and urge all of my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Mr. WALZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support H.R. 1058, as amended. The VA Provider Equity Act is a commonsense solution to a really important problem that is plaguing the VHA—a shortage of healthcare providers.

This legislation would allow VHA to attract the talented and experienced podiatrists it needs to better treat conditions caused by lower extremity injuries.

By allowing podiatrists the opportunity to advance within the VHA

while earning pay comparable to what private sector podiatrists earn, VHA can better attract and retain these providers.

I appreciate the gentleman from Ohio, Dr. WENSTRUP's, work highlighting this, educating all of us on the committee, and making sure that the treatments of podiatrists between VHA and the private sector industry is aligned.

Mr. Speaker, I urge my colleagues to support this good piece of legislation, and I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. WENSTRUP). Colonel Wenstrup is a member of the Veterans' Affairs Committee.

Mr. WENSTRUP. Mr. Speaker, I rise in support of H.R. 1058, the VA Provider Equity Act, as amended, which would strengthen access to the comprehensive first-class healthcare that veterans deserve.

Podiatric care is one of the top needs at VA medical centers across the country. Veterans of the wars in Iraq and Afghanistan report high rate of musculoskeletal ailments resulting from lower extremity injuries inflicted by improvised explosive devices.

Veterans of previous wars also experience higher instances of foot and ankle ailments caused by aging, diabetes, and service-connected disabilities. All of this leads to increased demand for podiatric care at the VHA.

However, VA struggles to recruit and retain podiatrists due to a disparity in pay and leadership opportunities in comparison to both podiatrists in the private sector and to other physicians employed by the VA.

This is because VA first established standards for podiatrists in 1976, and podiatric education, training, and practice have changed considerably since that time. Nonetheless, VA's outdated standards have remained unchanged. This has translated into increased wait times. As of 2015, 93 percent of new podiatry patients wait more than 15 days for an appointment, and podiatry is the fourth most referred-out surgical service to community care.

My bill, H.R. 1058, the VA Provider Equity Act, would make VA's doctors of podiatric medicine equal to doctors of osteopathy and medical doctors within VA in terms of pay and ensure that VA podiatrists are eligible for the same promotions and leadership opportunities as other VA physicians, which is consistent with the private sector.

This bill will make it easier for VA to recruit and retain the specialists our veterans so desperately need. In turn, this will result in better care for veterans and savings to the taxpayer, as a recent study from the UCLA Center for Health Policy Research found that podiatry services provided to diabetic patients could have saved between \$29 million and \$97 million in 2014, in the State of California alone.

Mr. Speaker, as the House Veterans' Affairs Committee and the rest of our colleagues in Congress continue to work together to help our veterans receive the care they need, I urge the passage of this bill.

Mr. WALZ. Mr. Speaker, again, this is a smart piece of legislation. I thank the gentleman from Ohio for his work on this.

Mr. Speaker, I urge passage of H.R. 1058, and I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, once again, I encourage all Members to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 1058, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WALZ. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

## DEPARTMENT OF VETERANS AFFAIRS BONUS TRANSPARENCY ACT

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1690) to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1690

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Department of Veterans Affairs Bonus Transparency Act".*

### SEC. 2. ANNUAL REPORT ON PERFORMANCE AWARDS AND BONUSES AWARDED TO CERTAIN HIGH-LEVEL EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

*(a) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by inserting after section 717 the following new section:*

**"§718. Annual report on performance awards and bonuses awarded to certain high-level employees**

*"(a) IN GENERAL.—Not later than 120 days after the end of each fiscal year, the Secretary shall submit to the appropriate committees of Congress a report that contains, for the most recent fiscal year ending before the submittal of the report, a description of the performance*

awards and bonuses awarded to Regional Office Directors of the Department, Directors of Medical Centers of the Department, Directors of Veterans Integrated Service Networks, and any other individual employed in a senior executive position.

“(b) *ELEMENTS*.—Each report submitted under subsection (a) shall include the following with respect to each performance award or bonus awarded to an individual described in such subsection:

“(1) *The amount of each award or bonus.*

“(2) *The job title of the individual awarded the award or bonus.*

“(3) *The location where the individual awarded the award or bonus works.*

“(c) *DEFINITIONS*.—In this section:

“(1) The term ‘appropriate committees of Congress’ means—

“(A) the Committee on Veterans’ Affairs and the Committee on Appropriations of the Senate; and

“(B) the Committee on Veterans’ Affairs and the Committee on Appropriations of the House of Representatives.

“(2) The term ‘individual’ means—

“(A) a career appointee (as that term is defined in section 3132(a)(4) of title 5); or

“(B) any individual who occupies an administrative or executive position and who was appointed under section 7306(a) or section 7401(1) of this title.

“(3) The term ‘senior executive position’ means—

“(A) with respect to a career appointee (as that term is defined in section 3132(a)(4) of title 5), a Senior Executive Service position (as such term is defined in section 3132(a)(2) of title 5); and

“(B) with respect to an individual appointed under section 7306(a) or section 7401(1) of this title, an administrative or executive position.”.

(b) *CLERICAL AMENDMENT*.—The table of sections at the beginning of chapter 7 of such title is amended by inserting after the item relating to section 717 the following new item:

“718. Annual report on performance awards and bonuses awarded to certain high-level employees.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

#### GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1690, as amended, the Department of Veterans Affairs Bonus Transparency Act.

This bill would require the Department of Veterans Affairs to submit an annual report to specified congressional committees on the performance awards and bonuses presented to Senior Executive Service employees, SES employees.

I believe that, if you do excellent work, you should receive a bonus. I also believe such a bonus should be justified and that there should be some level of transparency regarding those who receive a bonus.

Mr. Speaker, I support Congresswoman TENNEY’s bill, and I reserve the balance of my time.

Mr. WALZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2006, the VA Procurement Efficiency and Transparency Act.

This legislation will require VA to record any costs or savings it incurs as a result of using competitive procedures. The reporting requirement is limited to contracts reported in the Federal procurement data system and will ensure increased transparency in the VA.

It also requires VA to use standardized contracting templates throughout the entire VA. This will create an efficient system for VA contracting officers so they are not wasting man-hours developing multiple documents to award VA contracts.

Anyone who has been a Member of Congress and has dealt with VA contracts knows how difficult, confusing, and just, quite honestly, frustrating this is. So having standardized forms will improve oversight of these contracts so that all VA employees and contractors follow the same requirements for the same type of contract.

Mr. Speaker, I urge my colleagues to support this smart legislation, efficiency in government, and help provide care in a more timely manner.

Mr. Speaker, I urge its support, and I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Ms. TENNEY) who is the author of the bill.

Ms. TENNEY. Mr. Speaker, I first want to thank Chairman ROE and Ranking Member WALZ for prioritizing bipartisanship and putting our veterans ahead of politics. This committee’s work is a testament to what we can achieve here in Congress when we put aside politics and focus on results.

Mr. Speaker, the Department of Veterans Affairs Bonus Transparency Act requires the VA to submit a report to Congress at the end of each fiscal year listing the bonuses that were awarded to senior-level executives within the department.

In 2015, VA employees received more than \$177 million in bonuses, which was 24 percent more than they had received in 2014. The average bonus for a senior executive was \$10,000.

I have no doubt that the men and women of the VA serve our veterans admirably each day. In fact, I know that they do. In my own district, I have spoken with veterans who are grateful for the compassionate care they receive from the VA hospital in Syracuse

as well as local VA clinics in Binghampton and Rome.

VA employees should be fairly compensated for their work and awarded for their achievements in service to our Nation’s veterans.

It is also clear to me that there is more work to be done. Just recently, an audit of several VA facilities in North Carolina and Virginia revealed that wait times continue to be misrepresented and that nearly 14,000 veterans were denied access to timely care. The audit also found that veterans were waiting an average of 26 days to see mental health specialists, while the VA falsely reported average wait times of 6 days.

In light of such news, the American people are right to wonder who at the VA may be receiving a bonus this year. They are also right to be concerned about the nature and conditions of such bonuses.

H.R. 1690 would add a simple reporting requirement to existing law that will streamline the oversight of bonuses at the VA. It requires the agency to proactively provide information to Congress that details the amount of each bonus awarded to senior executives as well as the job titles of the individuals and the location of their employment.

Because of the patterns of mismanagement at the VA, veterans must know how bonuses are being awarded at the agency, and Congress deserves to receive this information in as timely a manner as possible without having to request it each year. This bill increases transparency over the bonus process without placing an undue burden on the agency.

It is an honor to represent a district that is home to more than 55,000 veterans. I owe it to each of them every day to make sure that the VA is accountable and transparent. Our Nation’s veterans deserve the very best healthcare for their service and sacrifice to our Nation.

Mr. Speaker, I thank Chairman ROE and Ranking Member WALZ for their support, and I urge my colleagues to support H.R. 1690.

Mr. ROE of Tennessee. Mr. Speaker, sometimes we sing from the same song sheet, and sometimes we don’t sing from the same song sheet.

Mr. Speaker, I reserve the balance of my time.

Mr. WALZ. Mr. Speaker, I yield myself such time as I may consume.

Yes, Mr. Speaker, I was in the Lutheran hymnal and not the Baptist. I apologize to the gentlewoman, and the next time I ask my 10-year-old to not be on his phone, I will be duly chastised.

Mr. Speaker, I do rise in support of H.R. 1690. The gentlewoman is right. It is smart. The public demands transparency. Make sure that there is an accountability in this, and make sure that we are tracking.

So I thank the gentlewoman for her tolerance of us getting ahead of ourselves.

Mr. Speaker, I urge my colleagues to support this piece of legislation also, and I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, once again, I encourage all Members to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 1690, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WALZ. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### VETERANS AFFAIRS MEDICAL SCRIBE PILOT ACT OF 2017

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1848) to direct the Secretary of Veterans Affairs to carry out a pilot program on the use of medical scribes in Department of Veterans Affairs medical centers, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1848

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Veterans Affairs Medical Scribe Pilot Act of 2017”.

#### SEC. 2. DEPARTMENT OF VETERANS AFFAIRS MEDICAL SCRIBE PILOT PROGRAM.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall carry out a two-year pilot program under which the Secretary shall increase the use of medical scribes at Department of Veterans Affairs medical centers.

(b) LOCATIONS.—The Secretary shall carry out the pilot program at the 10 medical centers of the Department as follows:

(1) At least four such medical centers located in rural areas.

(2) At least four such medical centers located in urban areas.

(3) Two such medical centers located in areas with need for increased access or increased efficiency, as determined by the Secretary.

(c) MEDICAL SCRIBES.—

(1) HIRING.—Under the pilot program the Secretary shall—

(A) hire 20 new Department of Veterans Affairs term employees as medical scribes; and

(B) seek to enter into contracts with appropriate entities for the employment of 20 additional medical scribes.

(2) DISTRIBUTION.—The Secretary shall assign four medical scribes to each of the 10

medical centers of the Department where the Secretary carries out the pilot program as follows:

(A) Two scribes shall be assigned to each of two physicians.

(B) Thirty percent of the scribes shall be employed in the provision of emergency care.

(C) Seventy percent of the scribes shall be employed in the provision of specialty care in specialties with the longest patient wait times or lowest efficiency ratings, as determined by the Secretary.

(d) REPORTS.—

(1) REPORTS TO CONGRESS.—Not later than 180 days after the commencement of the pilot program required under this section, and every 180 days thereafter for the duration of the pilot program, the Secretary of Veterans Affairs shall submit to Congress a report on the pilot program. Each such report shall include each of the following:

(A) A separate analysis of each of the following with respect to medical scribes employed by the Department of Veterans Affairs and medical scribes performing Department of Veterans Affairs functions under a contract:

(i) Provider efficiency.

(ii) Patient satisfaction.

(iii) Average wait time.

(iv) The number of patients seen per day by each physician or practitioner.

(v) The amount of time required to hire and train an employee to perform medical scribe functions under the pilot program.

(B) Metrics and data for analyzing the effects of the pilot program, including an evaluation of the each of the elements under clauses (i) through (iv) of subparagraph (A) at medical centers who employed scribes under the pilot program for an appropriate period preceding the hiring of such scribes.

(2) COMPTROLLER GENERAL REPORT.—Not later than 90 days after the termination of the pilot program under this section, the Comptroller General of the United States shall submit to Congress a report on the pilot program. Such report shall include a comparison of the pilot program with similar programs carried out in the private sector.

(e) DEFINITIONS.—In this section:

(1) The term “medical scribe” means an unlicensed individual hired to enter information into the electronic health record or chart at the direction of a physician or licensed independent practitioner whose responsibilities include the following:

(A) Assisting the physician or practitioner in navigating the electronic health record.

(B) Responding to various messages as directed by the physician or practitioner.

(C) Entering information into the electronic health record, as directed by the physician or practitioner.

(2) The terms “urban” and “rural” have the meanings given such terms under the rural-urban commuting codes developed by the Secretary of Agriculture and the Secretary of Health and Human Services.

(f) FUNDING.—The pilot program under this section shall be carried out using amounts otherwise authorized to be appropriated for the Department of Veterans Affairs. No additional amounts are authorized to be appropriated to carry out such program.

#### SEC. 3. PROHIBITION ON SMOKING IN FACILITIES OF THE VETERANS HEALTH ADMINISTRATION.

(a) PROHIBITION.—Section 1715 of title 38, United States Code, is amended to read as follows:

#### “§ 1715. Prohibition on smoking in facilities of the Veterans Health Administration

“(a) PROHIBITION.—(1)(A) Except as provided in subparagraph (B), no person may smoke indoors in any facility of the Veterans Health Administration.

“(B) In the case of a facility of the Veterans Health Administration that is a community living center, no person may smoke indoors in such facility on or after December 31, 2018.

“(2) No person may smoke outdoors in any facility of the Veterans Health Administration on or after October 1, 2021.

“(b) DEFINITIONS.—In this section:

“(1) The term ‘smoke’ includes the smoking of cigarettes (including e-cigarettes or electronic cigarettes), cigars, pipes, and any other combustion of tobacco.

“(2) The term ‘facility of the Veterans Health Administration’ means any land or building (including any medical center, nursing home, domiciliary facility, outpatient clinic, or center that provides readjustment counseling) that is—

“(A) under the jurisdiction of the Department of Veterans Affairs;

“(B) under the control of the Veterans Health Administration; and

“(C) not under the control of the General Services Administration.

“(3) The term ‘community living center’ means a facility of the Department that provides nursing home care.”

(b) CONFORMING AMENDMENTS.—

(1) The table of sections at the beginning of chapter 17 of such title is amended by striking the item relating to section 1715 and inserting the following:

“1715. Prohibition on smoking in facilities of the Veterans Health Administration.”

(2) Section 526 of the Veterans Health Care Act of 1992 (Public Law 102-585) is repealed.

(c) EFFECTIVE DATE.—This section shall take effect 90 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

#### GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I rise today in support of H.R. 1848, as amended, the Veterans Affairs Medical Scribe Pilot Act of 2017, which I am proud to sponsor.

One of my priorities as chairman of the House Committee on Veterans' Affairs is to increase access to care for veteran patients. One way to do that is help hardworking Department of Veterans Affairs clinicians to be more efficient in the practice of high-quality care.

The Veterans Affairs Medical Scribe Pilot Act of 2017 would do just that by



creating a 2-year pilot program to test the use of scribes in VA medical centers.

□ 1545

Scribes are increasingly used in the private sector to help doctors navigate and document a patient's electronic health record. That allows doctors to place their focus not on a computer screen, but squarely on the patient.

I jokingly say, Mr. Speaker, that it was electronic health records that made me a Congressman. Basically, it ran me out of the medical office. That is a slight exaggeration, but it is not too far off.

Like many doctors I hear from today, I found the increasing amount of time that I was spending attending to electronic health record requirements, necessary as they may be, detracted from the quality of my patients' interactions and significantly slowed down how smoothly my clinic day would operate. I believe the same is true at VA. Many doctors now, Mr. Speaker, are spending over half their time entering information, just basically being data entry people.

Onsite visits to VA medical facilities across the country, my staff and I always ask VA employees how we can help them provide safer, better care and see more patients. By far, one of the most common responses that we hear is a plea to "give us scribes; give us some help."

That is exactly what passage of H.R. 1848, as amended, will do.

This bill also includes provisions of H.R. 1662, a bill sponsored by Dr. BRAD WENSTRUP, the chairman of the Subcommittee on Health, which would bring VA medical centers in line with every other major healthcare system by prohibiting smoking on VA medical facility properties.

I thank Dr. WENSTRUP for his leadership on this issue, and I am grateful to be working with him to make VA medical facilities healthy, smoke-free places for VA employees to serve veterans and for veterans to seek care.

Mr. Speaker, I urge all my colleagues to support me in supporting H.R. 1448, as amended, and I reserve the balance of my time.

Mr. WALZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support H.R. 1848, as amended, the Veterans Affairs Medical Scribe Pilot Act of 2017, offered by Chairman ROE.

No one knows more about this, and I appreciate the chairman's education that goes into learning about the practice of medicine. Having a physician as the chairman is invaluable. This issue of scribes and how it interfaces with the doctor providing the care and the electronic medical record has been invaluable for me to understand.

I know that the chairman and many physicians have said they are

spending too much time entering the data and not enough time on patients. Chairman ROE's legislation would allow for the use of scribes within the VA during a 2-year pilot program. It has been proven to assist physicians and alleviate administrative burdens.

This is smart stuff, again. I appreciate the insight brought to us and making more efficiencies in the system.

Mr. Speaker, I urge support of the bill, and I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, once again, I encourage all Members to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 1848, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WALZ. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### VA PROCUREMENT EFFICIENCY AND TRANSPARENCY ACT

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2006) to amend title 38, United States Code, to improve the procurement practices of the Department of Veterans Affairs, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2006

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

"This Act may be cited as the "VA Procurement Efficiency and Transparency Act".

#### SEC. 2. INFORMATION ON COST OR PRICE SAVINGS FROM COMPETITION.

(a) IN GENERAL.—Chapter 81 of title 38, United States Code, is amended by inserting after section 8128 the following new section:

##### "§ 8129. Information on cost or price savings from competition

"(a) RECORDING OF INFORMATION.—With respect to any contract awarded by the Secretary that is reported in the Federal Procurement Data System described in section 1122(a)(4)(A) of title 41, United States Code, or any successor system, the Secretary shall record information on the amount of any cost or price savings realized by using competitive procedures in awarding such contract.

"(b) PLACEMENT OF RECORDS.—The Secretary shall place recorded information under subsection (a) as follows:

"(1) With respect to contracts recorded in the Electronic Contract Management System, or any successor system, in such system.

"(2) With respect to contracts not covered by paragraph (1), in a location determined appropriate by the Secretary.

"(c) CALCULATION OF COST SAVINGS.—(1) In carrying out subsection (a), the Secretary shall calculate the amount of cost or price savings realized by using competitive procedures in awarding a contract by—

"(A) subtracting the total value of the selected offer or quote from the average of the total values of all offers or quotes evaluated; or

"(B) subtracting the total value of the selected offer or quote from the total value of the median offer or quote evaluated.

"(2) If the difference calculated pursuant to paragraph (1) is negative, the Secretary shall record such difference as zero.

"(3) The Secretary shall make calculations under paragraph (1) with respect to a contract—

"(A) at the time at which the Secretary obligates amounts under such contract; or

"(B) if such contract contains options, at the time at which the option is exercised."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 8128 the following new item:

"8129. Information on cost or price savings from competition."

#### SEC. 3. USE OF STANDARDIZED PROCUREMENT TEMPLATES.

To the extent practicable, the Secretary of Veterans Affairs shall make available and use on a Department-wide basis the standardized procurement templates used by the Central Office of the Department, the Veterans Health Administration, the Veterans Benefits Administration, and the National Cemetery Administration. In carrying out this section, the Secretary may customize such templates to address particular procurement situations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

#### GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2005, the VA Procurement Efficiency and Transparency Act.

H.R. 2006 is commonsense contracting, transparency, and efficiency legislation sponsored by my friend, Representative MIKE COFFMAN, an esteemed member of the Veterans' Affairs Committee.

This bill will make clear how much money the VA is saving by competing



contracts and direct the VA to organize its contracting documents. Procurement difficulties seem to happen year after year, and I thank Representative COFFMAN and other Members with reform bills under consideration today for their work on this issue.

Mr. Speaker, I urge all Members to support H.R. 2006, and I reserve the balance of my time.

Mr. WALZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I feel so strongly about this, I am going to support it again today. I urge my colleagues to support H.R. 2006, and I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. COFFMAN), a senior member of the Veterans' Affairs Committee, a veteran of both the Marine Corps and the U.S. Army, and a great friend.

Mr. COFFMAN. Mr. Speaker, one of the VA's top procurement goals is to achieve savings through competition. However, there is no uniformity in how the savings are calculated or if they are recorded at all.

This is why I introduced H.R. 2006, the VA Procurement Efficiency and Transparency Act. My bill will create a consistent method for the VA to measure and record the cost savings generated by competing contracts from its \$20 billion procurement budget.

H.R. 2006 also directs the VA to organize its document templates, which are the building blocks for every contract, and make them accessible in a central place.

Mr. Speaker, too often, the VA reports flawed or incomplete data to Congress and to the public. While the VA's current leadership is working to correct years of transparency problems, the legislation gives that effort a much-needed push in the right direction.

Mr. Speaker, the VA's contracting will benefit by adopting these best practices, and I encourage my colleagues to support this commonsense measure.

Mr. WALZ. Mr. Speaker, I urge support of this piece of legislation, and I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I encourage all Members to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 2006.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WALZ. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further pro-

ceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

# PROTECTING BUSINESS OPPORTUNITIES FOR VETERANS ACT OF 2017

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2749) to amend title 38, United States Code, to improve the oversight of contracts awarded by the Secretary of Veterans Affairs to small business concerns owned and controlled by veterans, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2749

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Protecting Business Opportunities for Veterans Act of 2017".

## SEC. 2. LIMITATIONS ON SUBCONTRACTS UNDER CONTRACTS WITH SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY VETERANS.

(a) IN GENERAL.—Section 8127 of title 38, United States Code, is amended—

(1) by redesignating subsection (1) as subsection (m); and

(2) by inserting after subsection (k) the following new subsection (1):

“(1) LIMITATIONS ON SUBCONTRACTING.—(1)(A) The requirements applicable to a covered small business concern under section 46 of the Small Business Act (15 U.S.C. 657s) shall apply with respect to a small business concern owned and controlled by veterans that is awarded a contract under this section.

“(B) For purposes of applying the requirements of section 46 of the Small Business Act (15 U.S.C. 657s) pursuant to subparagraph (A), the term ‘similarly situated entity’ used in such section 46 includes a subcontractor for a small business concern owned and controlled by veterans described in such subparagraph (A).

“(2) The Secretary may award a contract under this section only after the Secretary obtains from the offeror a certification that the offeror will comply with the requirements described in paragraph (1)(A) if awarded the contract. Such certification shall—

“(A) specify the exact performance requirements applicable under such paragraph; and

“(B) explicitly acknowledge that the certification is subject to section 1001 of title 18.

“(3)(A) The Director of Small and Disadvantaged Business Utilization for the Department, established pursuant to section 15(k) of the Small Business Act (15 U.S.C. 644(k)), and the Chief Acquisition Officer of the Department, established pursuant to section 1702 of title 41, shall jointly implement a process using the systems described in section 16(g)(2) of the Small Business Act (15 U.S.C. 645(g)(2)), and any other relevant systems available, to monitor compliance with this subsection.

“(B) The Director of Small and Disadvantaged Business Utilization and the Chief Acquisition Officer shall jointly refer any violations or suspected violations of this sub-

section to the Inspector General of the Department.

“(C) If the Secretary determines, in consultation with the Inspector General of the Department, that a small business concern that is awarded a contract under this section did not act in good faith with respect to the requirements described in paragraph (1)(A), the small business concern shall be subject to any or all of the following consequences—

“(i) referral to the Debarment and Suspension Committee of the Department;

“(ii) a fine under section 16(g)(1) of the Small Business Act (15 U.S.C. 645(g)(1)); and

“(iii) prosecution for violating section 1001 of title 18.

“(D) Not later than November 30 for each of years 2018 through 2022, the Inspector General shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report for the fiscal year preceding the fiscal year during which the report is submitted that includes, for the fiscal year covered by the report—

“(i) the number of referred violations and suspected violations received under subparagraph (B); and

“(ii) the disposition of such referred violations, including the number of small business concerns suspended or debarred from Federal contracting or referred to the Attorney General for prosecution.”.

(b) EFFECTIVE DATE.—Subsection (1) of section 8127 of title 38, United States Code, as added by subsection (a) shall apply with respect to a contract entered into after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

## GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2749, as amended, the Protecting Business Opportunities for Veterans Act of 2017.

H.R. 2749, as amended, is contracting reform legislation sponsored by my friends, General BERGMAN and Representative KUSTER, the chairman and ranking member of our Oversight and Investigations Subcommittee.

This bill will help stop companies that exploit the existing contracting laws and regulations to take work away from legitimate service-disabled veteran-owned small businesses and veteran-owned small businesses.

It is crucial that Federal procurement be fair and that veteran entrepreneurs actually receive the business opportunities that the law creates for

them. This bill is a smart fix for a difficult problem, and I appreciate my colleagues' work on it.

Mr. Speaker, I urge all Members to support H.R. 2749, as amended, and I reserve the balance of my time.

Mr. WALZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2749, as amended, the Protecting Business Opportunities for Veterans Act.

I thank General BERGMAN and Ms. KUSTER of New Hampshire for introducing this. The Subcommittee on Oversight and Investigations has worked hard to ensure that our service-disabled veteran-owned small businesses are provided the protections and support they need from the VA to remain competitive in the Federal contracting process.

Congress granted Federal Government contracting preferences to small businesses owned by veterans and service-disabled veterans because we want our veteran entrepreneurs to thrive.

This bill, introduced by Representatives BERGMAN and KUSTER, closes a loophole utilized by some that pass through contracts to non-veteran-owned businesses. This practice is unfair to the thousands of small-business owners who are actually serving and owned by service-disabled veterans who play by the rules.

The bill ensures that only our veteran entrepreneurs get this preference by closing the loophole. It is smart, it is the right thing to do, and I urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. BERGMAN), a new member of our committee and chairman of the Subcommittee on Oversight and Investigations.

Mr. BERGMAN. Mr. Speaker, I rise to speak today on behalf of H.R. 2749, the Protecting Business Opportunities for Veterans Act of 2017. I thank the chairman and the ranking member for their support for Ranking Member KUSTER and myself.

Mr. Speaker, H.R. 2749 aims to provide the VA with the tools it needs to correct the persistent problem in contracting. The problem is improper pass-throughs. An improper pass-through is when a small business obtains a contract under a set-aside, but gives all or substantially all of the work to a large company and, nonetheless, collects profit.

Sometimes multiple companies pass through the work while adding price markups. This has long been prohibited by law and wastes taxpayer dollars; but, in practice, agencies have little ability to stop it.

In the VA, veteran-owned and service-disabled veteran-owned small businesses have special preference to receive contracts, but bad actors are tak-

ing contracts away from law-abiding veteran businessowners who truly want to perform their work. The committee gets complaints about this situation nearly every week.

This bill will make every bidder for a VA contract certify that it will perform the percentage of work the law already requires. The bill also directs the VA to work with the Office of Inspector General in a more effective way to find, stop, and, where appropriate, punish the improper pass-throughs.

H.R. 2749 relies on existing law and fills in gaps in implementation, but does not create any new bureaucracy.

The solution is long overdue. I strongly urge my colleagues to support the bill.

Mr. WALZ. Mr. Speaker, I urge passage of this good piece of legislation that is doing the right thing, and I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I urge all Members to support H.R. 2749, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. RICE of South Carolina). The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 2749, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WALZ. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### ENSURING VETERAN ENTERPRISE PARTICIPATION IN STRATEGIC SOURCING ACT

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2781) to direct the Secretary of Veterans Affairs to certify the sufficient participation of small business concerns owned and controlled and owned by veterans and small business concerns owned by veterans with service-connected disabilities in contracts under the Federal Strategic Sourcing Initiative, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2781

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Ensuring Veteran Enterprise Participation in Strategic Sourcing Act".*

#### SEC. 2. SECRETARY OF VETERANS AFFAIRS CERTIFICATION OF SUFFICIENT PARTICIPATION OF SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY VETERANS AND SMALL BUSINESS CONCERNS OWNED BY VETERANS WITH SERVICE-CONNECTED DISABILITIES IN CONTRACTS UNDER THE FEDERAL STRATEGIC SOURCING INITIATIVE.

(a) **CERTIFICATION REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate certification in writing that with respect to each contract (except for domestic delivery services) awarded under the Federal Strategic Sourcing Initiative (managed by the Office of Federal Procurement Policy) a sufficient number of small business concerns owned and controlled by veterans and a sufficient number of small business concerns owned and controlled by veterans with service-connected disabilities are represented within each category.

(b) **INSUFFICIENT REPRESENTATION.**—If the Secretary determines that the representation by small business concerns owned and controlled by veterans or small business concerns owned and controlled by veterans with service-connected disabilities within a category of the contracts awarded under such Federal Strategic Sourcing Initiative is not a sufficient number, the Secretary shall—

(1) consult with the Administrator of the General Services Administration to increase the number of such concerns awarded contracts under such category; or

(2) require the Department of Veterans Affairs to stop awarding orders under that category of the Initiative, effective on the date of such determination.

(c) **DEFINITIONS.**—In this section:

(1) The terms "small business concern owned and controlled by veterans" and "small business concern owned and controlled by veterans with service-connected disabilities" have the meaning given such terms in section 8127(k) of title 38, United States Code.

(2) The term "category" means—

(A) a type of supply or service for which a suite of contracts has been established under the Federal Strategic Sourcing Initiative; or

(B) any further subdivision or grouping within such a suite of contracts.

(3) The term "sufficient number", with respect to a type of business concern, means not fewer than two and enough to maximize the percentage of orders entered into by the Secretary with such business concerns, as determined by the Secretary.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

#### GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

□ 1600

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2781, as amended, the Ensuring Veteran Enterprise Participation in Strategic Sourcing Act.

H.R. 2781 is another piece of thoughtful contracting legislation sponsored by a hardworking member of the Veterans' Affairs Committee, Dr. NEAL DUNN. This bill will make sure that all small businesses owned by veterans and service-disabled veterans are never excluded from a particular group of contracts run by the General Services Administration, or GSA.

Despite Congress' efforts to give our veterans maximum opportunity in VA contracting, the system does not always work as it should. This bill fixes a loophole that has cropped up recently and makes sure veteran businesses are not inadvertently ignored when VA uses these GSA contracts.

Mr. Speaker, I urge all of my colleagues to join me in supporting H.R. 2781, as amended.

Mr. Speaker, I reserve the balance of my time.

Mr. WALZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2781. As said, the bill would require the VA Secretary and the General Services Administration to increase the number of veteran-owned small businesses and service-disabled veteran-owned small businesses on the Federal Strategic Sourcing Initiative. The Federal Strategic Sourcing Initiative increases cost savings, value, and socioeconomic participation for the sourcing of government contracts and ensures that our government has a community of businesses to strategically source from.

Ensuring more veteran-owned small business and service-disabled veteran-owned small businesses are on the Federal Strategic Sourcing Initiative means that taxpayer dollars are spent on contracts that add value to the U.S. Government, at the same time supporting veteran-owned businesses—smart legislation, again, the right thing to do.

Mr. Speaker, I urge my colleagues to support this piece of legislation, and I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. DUNN), a veteran and the author of the bill.

Mr. DUNN. Mr. Speaker, H.R. 2781 is a commonsense solution to a complicated problem. I am proud to sponsor it with my good friend, the gentleman from California (Mr. PANETTA).

Over the last 10 years, Congress gave veteran and veteran service-disabled veteran-owned small businesses the highest preference to compete for VA contracts. Last year, the Supreme Court ruled in the Kingdomware case that this preference applies in all situations, even when VA uses contracts awarded by other agencies. A loophole has emerged in a group of contracts

called the Federal Strategic Sourcing Initiative run by the General Services Administration.

Currently, the VA uses the GSA to connect them with suppliers of certain goods and services that they need to purchase. All too often, the GSA is not connecting the VA with enough small businesses that are owned by veterans and service-disabled veterans. The law requires that the VA look for these companies and buy from them when it can, if they are competitive; but when the veteran businesses are not on the GSA list, the VA can't find them or use them.

Because of the loophole, well-qualified veteran-owned companies are being passed over. In some cases, VA disregards the GSA contracts and finds veteran-owned companies elsewhere on their own, but this wastes resources by creating contracts similar to what the GSA already has in place.

This bill simply directs the VA Secretary to determine whether veteran-owned and service-disabled veteran-owned small businesses are sufficiently represented on the contracts for VA to follow the law. If not, the VA must consult with the GSA to increase the representation on all the contracts and their subcategories. Should this not be possible on a particular contract or subcategory, the VA must stop using it.

I am honored that this bill has earned the support of the American Legion, the Veterans of Foreign Wars, and the National Veteran Small Business Coalition. We need to hold the VA accountable to the veterans it serves, including our veteran and service-disabled small business owners. It is the right thing to do, and I urge all Members to support it.

Mr. WALZ. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. PANETTA), one of the co-authors of this bill and a veteran himself and a champion of veterans since he has been in Congress.

Mr. PANETTA. Mr. Speaker, I rise today in support of H.R. 2781, the Ensuring Veteran Enterprise Participation in Strategic Sourcing Act.

It is a bill that the kind gentleman from Florida and I have sponsored so that it is easier for the Department of Veterans Affairs to contract with the very veterans whom they serve.

As a veteran and someone who has worked with veterans, I understand the challenges our servicemembers can face when they transition from military to civilian life. That is why we in Congress are working to serve those who served us by opening every opportunity for our veterans to thrive and contribute not just to our communities, but to our country.

Throughout the United States, there are many quality veteran and service-disabled veteran-owned small businesses that sell office and janitorial

supplies or provide building maintenance services. Those businesses and the government would mutually benefit if the businesses seeking Federal contracts were given a fair chance to compete.

But as it stands now, veteran and service-disabled veteran-owned small businesses are losing out on such opportunities because of an unintentional loophole when the VA contracts with the General Services Administration, the GSA, for office and janitorial services, equipment, and supplies.

Now, that loophole opened up last year when the VA implemented the Kingdomware Supreme Court ruling. Normally, when it comes to its contracts, the VA ensures that veteran-owned small businesses are considered in the bidding process. But the Kingdomware ruling required that the VA set aside contracts for veteran-owned small businesses when there are two or more companies that are interested, capable, and can perform at a fair and reasonable price. So when the VA contracts with the GSA for janitorial or office supplies, the GSA is not giving veteran-owned businesses the proper consideration for those types of contracts; thus, the requirement to consider veteran-owned businesses is not being implemented.

Fortunately, this bill, our bill, Democrats' and Republicans' bill, would close that loophole. It would require the VA Secretary to work with the GSA to increase the number of service-disabled veteran and veteran-owned small businesses represented in that contracting process.

The bill would eliminate that barrier that limited our veterans and their businesses from contracting with the government. It is a solution that is fair to veteran entrepreneurs. It is a bill that has strong bipartisan support. It is a bill that moved through the House Veterans' Affairs Committee with unanimous consent, and it is a bill that all of us are proud of, Democrats and Republicans, and that is why I am proud to sponsor this bill. I am proud to present it to you with the gentleman from Florida because it will do what is smart for our country's veterans, and that is why I encourage my colleagues to support this bill.

Mr. ROE of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. BOST), the subcommittee chair on the committee and a marine veteran.

Mr. BOST. Mr. Speaker, I rise today in support of H.R. 2781, the Ensuring Veteran Enterprise Participation in Strategic Sourcing Act.

This important legislation clarifies that veteran-owned small businesses should be given proper consideration for contracts with the Department of Veterans Affairs. It will help to ensure that our contracting is efficient and fair to our Nation's veterans.

The VA has a special responsibility to maximize business opportunities for our heroes when they come home from serving abroad. Helping veteran-owned small businesses succeed is a bipartisan effort, as you have heard already here today. I am happy to see so many of my colleagues support it.

I want to thank my colleague, Dr. DUNN, for offering the commonsense fix to contracting at the VA, and I look forward to voting in favor of it. I urge Members to support H.R. 2781.

Mr. WALZ. Mr. Speaker, I have no further speakers. Again, I urge my colleagues to support H.R. 2781.

Mr. Speaker, I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. BERGMAN), the Oversight and Investigations Subcommittee chair and a marine who served with distinction.

Mr. BERGMAN. Mr. Speaker, I am proud to join Dr. DUNN and Mr. PANNETTA in supporting H.R. 2781, the Ensuring Veteran Enterprise Participation in Strategic Sourcing Act. This bill and my bill are complementary legislation.

In addition to the vital healthcare and benefits VA provides to our veterans, it also awards billions of dollars of contracts annually to their small businesses. The impact of these contracts to support livelihoods and create jobs all over our country cannot be overstated.

Just as veteran businessowners must abide by the rules, VA must abide by the rules and make available to them the contracting opportunities they have earned. Federal procurement is a very complicated system that sometimes produces strange outcomes. We must continue to work on that procurement and make sure that it functions properly.

I strongly urge all my colleagues to support H.R. 2781.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself the balance of my time.

In closing, I would certainly urge everyone to support this actionable piece of legislation.

During the last 6½ months, the Veterans' Affairs Committee has been a very active committee. When we realized that our Choice Program was running short of funds, the committee, in a bipartisan way, voted to extend that.

We have also realized that there are 470,000 veterans whose claims are in appeals and have not been adjudicated. We realize that program is not functioning as it should. The House acted quickly, was bipartisan. That legislation has now been passed out of the Senate VA Committee and is awaiting action by the floor. We hope to have it passed and signed into law soon.

We knew that the Secretary of the VA said he had problems, that he couldn't—most VA employees are ter-

rific. Some of my best friends work at the VA. But there are some not good employees out of the 370,000 there, and the Secretary said, to do his job, to reform the VA, he needed a bill where he could terminate poor-performing employees, and this House and Senate gave him that. The President has signed that into law.

The Secretary has also moved in speeding up the electronic health record transformation into a modern off-the-shelf system. We debated on this floor, today, the Post-9/11 GI Bill update, which is a tremendous benefit for veterans, and decades from now we will look back on this debate we had on the floor, I think, with some admiration as I do. It has been a true privilege and pleasure to be on this committee and to work with my colleagues on the other side of the aisle to take care of these important issues this committee has produced. It will make this promise to our veterans of this country; it will continue to produce results for them.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 2781, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WALZ. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### SMALL BUSINESS INVESTMENT OPPORTUNITY ACT OF 2017

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2333) to amend the Small Business Investment Act of 1958 to increase the amount of leverage made available to small business investment companies, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2333

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Small Business Investment Opportunity Act of 2017".*

#### SEC. 2. INDIVIDUAL SBIC LEVERAGE LIMIT INCREASE.

*Section 303(b)(2)(A)(ii) of the Small Business Investment Act of 1958 (15 U.S.C. 683(b)(2)(A)(ii)) is amended by striking "\$150,000,000" and inserting "\$175,000,000".*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Ohio (Mr. CHABOT) and the gentlewoman from California (Ms. JUDY CHU) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as chairman of the House Small Business Committee, a day does not go by without me hearing from our Nation's job creators. From inspiring accounts that are driven by their work ethic to stories of sacrifice all in the name of growing their company, the Nation's small businesses are the true lifeblood of the American economy.

□ 1615

With over 29 million small businesses operating in the United States, they are responsible for two out of every three new jobs created in this country. However, their full potential is being held back by heavy-handed regulations and uncertainty. Unfortunately, their inability to access capital continues to prevent job creation and expansion.

As a way to increase access to capital, the Small Business Administration jump-starts and enhances the flow of venture and private equity capital through the Small Business Investment Company program, also known as the SBIC program.

Created in the 1958 Small Business Investment Act, the program utilizes a privately owned and SBA licensed model to increase access to capital. With over 300 SBICs operating in the country and more than \$24 billion of capital under management, the program in fiscal year 2015 invested more than \$5.4 billion in approximately 1,000 small businesses.

In 2015, I introduced a SBIC bill that focused on increasing the family of funds limit.

Similar to my 2015 legislation that was signed into law, the bill we have before us today concentrates on the individual leverage limit. Currently set at \$150 million, the individual limit determines how much capital can be deployed by a SBIC that has only one fund under management. To better utilize this program and allow an increase in capital to small businesses, H.R. 2333—the bill that we are considering here this afternoon—increases the individual leverage limit to \$175 million.

I want to thank the gentleman from California (Mr. KNIGHT), the chairman of our Subcommittee on Contracting and Workforce, for his leadership on this issue.

With access to capital being such a critical need for small business expansion and job creation, an increase in the individual leverage limit could deliver the needed capital that the next great American company is searching for.

This bill has broad bipartisan support and was favorably passed out of committee unanimously. I urge my colleagues to vote "yes" on H.R. 2333.

Mr. Speaker, I thank Ms. JUDY CHU, who is here this afternoon, I believe, on behalf of Ms. VELÁZQUEZ, who is the ranking member. We have a very strong bipartisan working committee. It is one of those in Congress that I think can be a model for other committees in how the two parties can actually work together and push forward with policies that are good for the country overall. We are not a very partisan committee. We work together. And I want to thank both Ms. VELÁZQUEZ and Ms. JUDY CHU for their participation in that bipartisanship.

Mr. Speaker, I reserve the balance of my time.

Ms. JUDY CHU of California. Mr. Speaker, I yield myself such time as I may consume.

To date, small business investment companies have assisted thousands of high-growth businesses, providing over \$100 billion in capital. The key to the program's success is leveraging Federal funds to expand the amount of private capital invested in promising small firms.

The Small Business Administration provides funding to qualified SBICs with expertise in certain sectors of the economy. SBICs then use their own funds and leverage from SBA to invest in small businesses. Their actions have facilitated over 3 million jobs total and nearly \$6 billion per year of investment in domestic small employers.

Yet this very success has pushed many SBIC licensees against the leverage caps, in turn reducing the flow of capital to worthy small businesses. Addressing the cap should be a priority to stabilize the financial landscape. Failure to do so leaves employers without capital to create jobs and expand our economy.

In recent years, Congress has raised the leverage limits for SBICs to maximize the impact for family of funds licensees, but neglected to assist SBICs that manage just one company. That leverage cap remains at \$150 million.

H.R. 2333, the Small Business Investment Opportunity Act, would increase the cap to \$175 million for a SBIC that manages just one company. This change will enhance the flow of capital to small businesses.

I am happy to be an original cosponsor of this legislation, and I urge my colleagues to vote for this bill.

Mr. Speaker, I would also like to add my appreciation to Chairman CHABOT for his support in the process. I commend his leadership and Ranking Member VELÁZQUEZ for their willingness to work in a bipartisan manner. I am pleased to serve on a committee that takes their responsibility seriously to help our Nation's small businesses prosper.

Mr. Speaker, I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield such time as he may consume to the

gentleman from Kansas (Mr. MARSHALL).

Mr. MARSHALL. Mr. Speaker, I rise today in support of H.R. 2333, the Small Business Investment Opportunity Act of 2017.

Constantly, we hear that access to capital is a major hurdle for small businesses. Despite an improving economy, small business lending has plateaued since the Great Recession.

The Small Business Investment Opportunity Act aims to improve access to capital by increasing the amount a small business investment company can provide to small businesses.

In Kansas, communities from Hutchinson to Shawnee, Newton to Parsons, have benefited from small business investment company programs, with more than \$307 million in investments to over 110 small businesses across the State.

Small businesses are the Nation's job creators, and providing this sort of access to capital will spur job creation and growth.

Mr. Speaker, I recently finished my 39th townhall, and I dare say that at every townhall somebody asked me: Why can't Congress do anything in a bipartisan fashion?

Mr. Speaker, this is an example of both parties working together for bipartisan solutions to grow this economy.

Mr. Speaker, I encourage my colleagues to support this measure.

Ms. JUDY CHU of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. NORMAN), the newest member of the Small Business Committee.

Mr. NORMAN. Mr. Speaker, I rise in strong support of H.R. 2333, the Small Business Investment Opportunity Act of 2017.

As a businessman, I am keenly aware of how vital small businesses are to keeping our Nation's economy moving forward.

Small businesses alone employ nearly half of America's private sector workforce. However, the dreams of many small business owners in South Carolina can't be fully realized because of the serious obstacle of accessing capital. This burden prevents the creation of more jobs and better opportunities for the hardworking American people.

H.R. 2333 will allow the SBIC program, offered by the SBA to help tackle lending roadblocks, to be utilized to its full potential by increasing the individual leverage limit from \$150 million to \$175 million. With this legislation, small businesses will have a greater chance to grow and help spur our economy.

Mr. Speaker, I urge my colleagues to join me in support of H.R. 2333 and for all of the small businesses nationwide.

Ms. JUDY CHU of California. Mr. Speaker, expanding access to capital for small businesses has been a top priority for both sides of the aisle.

The SBIC program fills the gap in the capital markets for businesses that have outgrown SBA's flagship 7(a) loan guarantee program, but remain too small or risky for the private equity industry.

H.R. 2333 will help boost this program's success by changing how much leverage a SBIC can obtain from SBA.

Specifically, this legislation is narrowly tailored to increase the leverage limit exclusively for SBICs that manage just one company. Increasing the capital will expand the flow of much-needed capital to small businesses.

Mr. Speaker, I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. CHABOT. Mr. Speaker, I want to, again, commend the gentleman from California (Mr. KNIGHT) for his leadership on this particular legislation. He is the subcommittee chairman of the Contracting and Workforce Subcommittee.

Mr. Speaker, in closing, let me reiterate the importance of this bill, which aims to increase access to capital for small businesses. It simply increases the SBIC's individual leverage limit from \$150 million to \$175 million.

This legislation really is common sense. And, as I mentioned before, it is bipartisan. I, again, want to thank the gentlewoman from California (Ms. JUDY CHU) for her bipartisan leadership on this as well.

It will enhance the ability of small businesses to gain the needed money to expand and create jobs in our communities.

Mr. Speaker, I urge my colleagues to vote "yes" on H.R. 2333, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 2333, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### MICROLOAN MODERNIZATION ACT OF 2017

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2056) to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2056

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Microloan Modernization Act of 2017”.

**SEC. 2. DEFINITIONS.**

In this Act—

(1) the term “intermediary” has the meaning given that term in section 7(m)(11) of the Small Business Act (15 U.S.C. 636(m)(11)); and

(2) the term “microloan program” means the program established under section 7(m) of the Small Business Act (15 U.S.C. 636(m)).

**SEC. 3. MICROLOAN INTERMEDIARY LENDING LIMIT INCREASED.**

Section 7(m)(3)(C) of the Small Business Act (15 U.S.C. 636(m)(3)(C)) is amended by striking “\$5,000,000” and inserting “\$6,000,000”.

**SEC. 4. MICROLOAN TECHNICAL ASSISTANCE.**

Section 7(m)(4)(E) of the Small Business Act (15 U.S.C. 636(m)(4)(E)) is amended by striking “25 percent” each place such term appears and inserting “50 percent”.

**SEC. 5. SBA STUDY OF MICROENTERPRISE PARTICIPATION.**

Not later than 1 year after the date of enactment of this Act, the Administrator of the Small Business Administration shall conduct a study and submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on—

(1) the operations (including services provided, structure, size, and area of operation) of a representative sample of—

(A) intermediaries that are eligible to participate in the microloan program and that do participate; and

(B) intermediaries that are eligible to participate in the microloan program and that do not participate;

(2) the reasons why eligible intermediaries described in paragraph (1)(B) choose not to participate in the microloan program;

(3) recommendations on how to encourage increased participation in the microloan program by eligible intermediaries described in paragraph (1)(B); and

(4) recommendations on how to decrease the costs associated with participation in the microloan program for eligible intermediaries.

**SEC. 6. GAO STUDY ON MICROLOAN INTERMEDIARY PRACTICES.**

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report evaluating—

(1) oversight of the microloan program by the Small Business Administration, including oversight of intermediaries participating in the microloan program; and

(2) the specific processes used by the Small Business Administration to ensure—

(A) compliance by intermediaries participating in the microloan program; and

(B) the overall performance of the microloan program.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from California (Ms. JUDY CHU) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the microloan program at the Small Business Administration is a program that acutely targets small dollar borrowers by utilizing nonprofit intermediaries known as microlenders.

Beyond lending the needed capital that is critical to a small business, microlenders are required to provide technical assistance and training to borrowers and perspective borrowers.

The program is unique to the SBA's capital access programs because it combines capital with counseling, two ingredients for growth. However, like many Federal programs, it is in need of modernizing to fully meet the demands of America's small businesses.

H.R. 2056, the Microloan Modernization Act of 2017, does just that.

To fully service small dollar borrowers, H.R. 2056 raises the lending volume a microloan intermediary has at its disposal from \$5 million to \$6 million.

Next, the legislation provides flexibility to the outdated and antiquated 25/75 rule that limits the amount of preloan technical assistance a microloan intermediary can offer to their small business clients.

By updating the rule to a 50/50 split, more complete assistance can be offered in the early stages of the process, oftentimes, when a small business needs it the most.

To determine if the program is running at its full potential with microlenders throughout the Nation, H.R. 2056 also directs the SBA to study the utilization of the program.

Lastly, to make sure the SBA is providing the correct amount of supervision, the Government Accountability Office, the GAO, is required to study the SBA's oversight tools.

As we continue to see signs of economic improvement, we must steadfastly defend the Nation's small businesses and startups. H.R. 2056 makes important changes to the program that will enhance a small dollar borrower's ability to grow and create jobs.

I want to thank the gentlewoman from Florida (Mrs. MURPHY) and all the members on this committee who have taken a leading role in this legislation. It has broad bipartisan support—again, the Small Business Committee working in a bipartisan fashion.

Mr. Speaker, I urge my colleagues to vote “yes” on H.R. 2056, and I reserve the balance of my time.

□ 1630

Ms. JUDY CHU of California. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise in support of H.R. 2056, the Microloan Modernization Act

of 2017. This bill comes at an important time, because the nature of small business financing has evolved. No longer do many banks want to take on a business loan under \$250,000, leaving much of the Nation's small employers empty-handed.

Small entities don't always want or need large amounts of capital, and find small loans sufficient to meet their needs, or they lack the qualifications necessary to qualify for a bank loan. The SBA's Microloan program helps fill this gap by serving entrepreneurs who are not served by the private sector or SBA's 7(a) loan program.

This program has provided millions of dollars in financing and technical assistance to small businesses and entrepreneurs since its inception in 1992. By providing loans to nonprofit intermediaries who, in turn, lend funds to the smallest of small businesses, the program helps borrowers streamline their operations, grow to profitability, and create new jobs.

Microloans have proven to be incredibly valuable to prospective entrepreneurs and to communities who badly need greater economic opportunities. Despite the average microloan size being about \$13,000, these loans have changed the face of small business lending and how small companies are funding their success.

H.R. 2056 offers a much-needed change by increasing the microloan intermediary loan limit from \$5 million to \$6 million. It also raises the cap on grant funds that intermediaries can spend on technical assistance for prospective borrowers.

Microloans are labor intensive and require staff time, expense, and risk. Technical assistance grants allows intermediaries to support personalized and intensive technical assistance for those microborrowers in their portfolio. Raising the cap will better serve potential business borrowers by ensuring they are ready for that next step: taking on a loan.

These changes will increase the reach of the program and will ultimately go a long way toward creating opportunity for established enterprises and those who dream of going into business for themselves.

I strongly urge my colleagues to support this important bill.

Mr. Speaker, I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. BACON).

Mr. BACON. Mr. Speaker, I rise today in support of the Microloan Modernization Act of 2017. This legislation will benefit America's small businesses by improving the Small Business Administration's Microloan program.

Small business lending has not kept pace with the improving economy after the Great Recession, and this has been especially true for small-dollar borrowers.



Early stage small businesses do not have the proven financial history and lack access to traditional lending. Unable to borrow money from banks and credit unions, they often turn to friends, family, or credit cards to finance their businesses.

The SBA Microloan program provides access to capital through nonprofit intermediaries that will loan up to \$50,000 for their upstart companies. These intermediaries also offer technical assistance and counseling to facilitate their business' success.

H.R. 2056 will improve the SBA Microloan program by expanding the lending volume to microloan intermediaries, by giving them greater flexibility with their SBA technical assistance grants, to provide more preloan comprehensive assistance to businesses in their infancy, and by requiring the SBA to study and report to Congress on the utilization of the program.

This bill provides meaningful reforms to modernize the SBA Microloan program, and I am a proud cosponsor. This is a needed bill to support the engine of our economy: our small businesses.

Mr. Speaker, I urge my colleagues to support this bipartisan legislation.

Ms. JUDY CHU of California. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from Florida (Mrs. MURPHY).

Mrs. MURPHY of Florida. Mr. Speaker, I rise in support of H.R. 2056, my bipartisan bill to improve the Small Business Administration's Microloan program.

Small businesses are the backbone of our Nation's economy. In my home State of Florida, there are 2.4 million small businesses, which is 99.8 percent of all employers in the State. These businesses employ 3.2 million workers.

In my central Florida district, we have a vibrant community of entrepreneurs, and they tell me the number one challenge they face is access to capital. As someone who counseled entrepreneurs and businesses in the private sector before I came to Congress, I know how difficult it can be to obtain the capital you need to start and grow a small business. That is why this bill to improve SBA's Microloan program is so important.

Mr. Speaker, I thank Chairman CHABOT and Ranking Member VELÁZQUEZ for helping to advance this bill through the Small Business Committee, where the bill received unanimous support. I also thank the Administrator of the SBA, Linda McMahon, and her senior staff for working with my office to make modest changes to the bill after it was introduced.

These changes should better position the bill to move through Congress and then to be signed into law by the President.

The Microloan program is one of several lending programs administered by

the SBA. Its goal is to help small-dollar borrowers who want to start or grow their business. Under this program, the SBA makes loans to nonprofit organizations known as intermediaries. These intermediaries, in turn, make short-term loans up to \$50,000 to small businesses and nonprofit childcare centers. Recipients of microloans use these funds to finance their operations and to acquire supplies and equipment.

The Microloan program seeks, in particular, to assist small business owners with little or no credit history, women and minority businessowners, and aspiring and existing entrepreneurs who may not qualify for traditional bank loans or even for the larger loan guarantee programs that the SBA administers.

In fiscal year 2016, intermediaries provided over \$60 million in loans to small firms around the country, creating or retaining nearly 18,000 jobs in the process. While the loans may not be large, they can mean the difference between a small business starting up and succeeding or struggling and shutting.

Despite the relative success of the Microloan program, it must be modernized. My bill would improve the program in two respects. First, the bill would increase the total amount an intermediary can borrow from the SBA from \$5 million to \$6 million. This will allow intermediaries to make more small-dollar loans to more small businesses and entrepreneurs.

Second, the bill would enable intermediaries to use a larger percentage of the technical assistance grants they receive from the SBA in order to help small business owners and entrepreneurs navigate the microloan applications process.

Mr. Speaker, I respectfully ask my colleagues on both sides of the aisle to support this bill, which will assist and empower more small businesses.

Mr. CHABOT. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Ms. JUDY CHU of California. Mr. Speaker, I have no further speakers, and I yield myself the balance of my time to close.

Mr. Speaker, SBA's Microloan program fulfills a critical need in the capital markets. It is a key resource for startup, newly established, and growing small businesses, many of which come from traditionally underserved markets, where personal and commercial credit are hard to come by.

The Microloan Modernization Act of 2017 makes targeted reforms to assist more of these small businesses, by raising the amount that the SBA may commit to an intermediary and raising the cap on the amount of grant funding for technical assistance.

These changes would further assist very small businesses to obtain loans

and, in turn, provide them greater opportunity to create and retain the jobs that they need.

With no significant effect on the Federal budget, I can think of no better time to make long-sought changes to improve the program. As such, I once again would urge my colleagues to support this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. CHABOT. Mr. Speaker, in closing, I would note again that we have bipartisan work on this committee. I thank Mrs. MURPHY and Mr. BACON for working together and pushing this bill, which I think will benefit small businesses all across the country. I we appreciate that. Mrs. MURPHY, of course, is from Florida, and Mr. BACON is from Nebraska.

I think the Microloan program really is an important tool in the SBA's capital access toolbox, but it is in need of modernizing, and H.R. 2056 does that. These are the reforms, I think, that the Nation's job creators need.

Small businesses, startups, and entrepreneurs have the ideas to create the next great American company. We just need to provide the correct environment for that growth to take place, and I think this is something that will contribute towards that possibility and, therefore, be able to create more jobs for more Americans all across the country.

Mr. Speaker, I would urge my colleagues to support H.R. 2056, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 2056, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### INVESTING IN MAIN STREET ACT OF 2017

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2364) to amend the Small Business Investment Act of 1958 to increase the amount that certain banks and savings associations may invest in small business investment companies, subject to the approval of the appropriate Federal banking agency, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2364

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Investing in Main Street Act of 2017".



## SEC. 2. INVESTMENT IN SMALL BUSINESS INVESTMENT COMPANIES.

Section 302(b) of the Small Business Investment Act of 1958 (15 U.S.C. 682(b)) is amended—

(1) in paragraph (1), by inserting before the period the following: “or, subject to the approval of the appropriate Federal banking agency, 15 percent of such capital and surplus”;

(2) in paragraph (2), by inserting before the period the following: “or, subject to the approval of the appropriate Federal banking agency, 15 percent of such capital and surplus”;

(3) by adding at the end the following:

“(3) APPROPRIATE FEDERAL BANKING AGENCY DEFINED.—For purposes of this subsection, the term ‘appropriate Federal banking agency’ has the meaning given that term under section 3 of the Federal Deposit Insurance Act.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from California (Ms. JUDY CHU) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

### GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

As members of the Small Business Committee, we hear day in and day out how access to capital continues to challenge job creation and job growth. We must continue to work in a bipartisan fashion to create an environment for small businesses to flourish and grow.

One resource available to small employers is the Small Business Investment Company program, or the SBIC program, which currently runs on a zero cost subsidy to the American taxpayer.

The program enhances access to capital for small business throughout the Nation by utilizing a private sector-owned and SBA-licensed formula to increase equity capital.

Within the SBIC program, banks and Federal savings associations are limited to the amount of capital or surplus they can invest in an SBIC. Under current statute, the limit prevents no more than a 5 percent investment.

The legislation we have before us today, H.R. 2364, the Investing in Main Street Act of 2017, increases this investment threshold to 15 percent and requires any investment above the 5 percent mark to be subject to approval by the bank's regulator. This new 15 percent marker brings parity to the program with rules by the Office of the Comptroller of the Currency.

As the Nation's small businesses continue to experience difficulties accessing capital, assistance like the SBIC program delivers, and has a track record to prove it. Some of the Nation's most prominent companies have received SBIC financing in the past. The update provided in H.R. 2364 will continue and build upon the success of the program.

This bill has broad bipartisan support and was favorably passed out of committee unanimously. I would urge my colleagues to vote “yes” on H.R. 2364.

Mr. Speaker, I reserve the balance of my time.

Ms. JUDY CHU of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of my bill, H.R. 2364, the Investing in Main Street Act of 2017.

Small businesses are the backbone of our economy, accounting for two out of every three new jobs. So as part of our commitment to creating opportunities and growing our economy, it is our responsibility to help more small businesses succeed.

The SBA's Small Business Investment Company, or SBIC, program is an effective tool that facilitates private investment into early stage startup small businesses across the country, and all at no Federal cost.

Tesla, FedEx, Apple, Intel, and Costco are just a few examples of the thousands of small businesses that have successfully used the Small Business Investment Company program during their early stages of growth.

One of the SBIC program's greatest strengths is its hands-off approach, giving fund managers the autonomy to invest in almost any business sector they choose, from apparel to cutting-edge technology. This freedom, coupled with sound investment strategies, has led to its success.

In fact, in 2016, the SBIC program provided \$6 billion in financing to 1,200 small businesses and helped to sustain over 120,000 jobs. It has afforded America's small businesses an invaluable opportunity to grow their innovative ideas.

□ 1645

However, the SBIC program is currently restricted from taking more than 5 percent of capital investments from banks due to an outdated provision in the Small Business Investment Act of 1958. At the same time, current banking regulations established by the Office of the Comptroller of the Currency allow these banks to invest up to 15 percent of their capital and surplus into SBICs.

The Investing in Main Street Act will correct this discrepancy by allowing banks and Federal savings associations to invest up to 15 percent of their holdings to these funds to match current banking regulations. This change will

strengthen and grow the SBIC program, unleashing more capital to small businesses, and all at no cost to the taxpayer. That means more entrepreneurs will be able to access the capital they need to grow their businesses and hire more workers.

This legislation makes a sensible change to address the number one need of small firms: accessing capital.

I would like to thank our cosponsors, Representative KNIGHT and Representative MENG, for their support, and I ask my fellow Members to support this bill.

I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Ms. JUDY CHU of California. Mr. Speaker, I yield 3 minutes to the gentlewoman from North Carolina (Ms. ADAMS), the ranking member of the committee.

Ms. ADAMS. Mr. Speaker, I thank the gentlewoman from California for yielding.

Mr. Speaker, small businesses are the backbone of our economy. This is particularly true in my home State of North Carolina. According to a recent report, North Carolina is the number one State in the country for starting a small business. As such, I will support programs that allow them to flourish.

Today, as vice ranking member of the Small Business Committee, I rise to express my full support for H.R. 2364, the Investing in Main Street Act.

The number one concern raised by small businesses is the lack of access to capital; and because of this access problem, small businesses tend to rely more on personal credit cards, often with higher interest rates, than on more affordable small business loans.

The Investing in Main Street Act helps free up affordable capital, and this bill increases access to capital for small businesses by raising the percentage capital banks and savings associations may invest in small businesses up to 15 percent. With increased opportunity, entrepreneurs will be able to grow and expand their businesses as well as hire more employees, allowing them to reach their full potential.

The Investing in Main Street Act is good for business, it is good for small business, and it is good for our economy.

I want to thank Chairman CHABOT and Ranking Member VELÁZQUEZ and all of my colleagues for supporting this bill, and I urge my colleagues to support this bill as we may continue to give small businesses opportunities to thrive and employ American workers.

Mr. CHABOT. Mr. Speaker, I continue to reserve the balance of my time.

Ms. JUDY CHU of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, access to capital is the lifeblood of every small business. The

SBIC program fills the gap between the availability of venture capital and the needs of small businesses in startup and growth situations.

The SBIC program has long been an important way of channeling capital to leading-edge, high-growth companies. In fact, some of the Nation's most successful corporations received early-stage financing from SBICs. Without it, they may not be the companies that they are today.

The key to the program's success is leveraging Federal funds to increase the amount of private capital invested in such promising startup companies. By dramatically increasing the amount of capital in the SBIC program, the changes made by H.R. 2364 will result in significant small business investment. As such, I once again urge my colleagues to support this measure.

Mr. Speaker, I yield back the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

In closing, I would like to thank the gentlewoman from California (Ms. JUDY CHU) and the gentlewoman from North Carolina (Ms. ADAMS) for their leadership in introducing this and pushing this important legislation forward.

Once again, it is a bipartisan piece of legislation, and we have worked together. Republicans and Democrats working together, isn't that something? So we appreciate their hard work on this.

With small businesses being the cornerstones of nearly every community in the Nation, we must continue to work together to create an environment for growth and job creation. The 29 million small businesses all across the Nation are depending on us actually working together on things like this.

I know the ranking member of the committee likes to say, "There aren't Republican small businesses; there aren't Democratic small businesses; they are just small businesses," and she is absolutely right. So I really do appreciate their working on this legislation.

H.R. 2364 is commonsense legislation that enjoys bipartisan support. I urge my colleagues to vote "yes" on this.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 2364, which authorizes financial institutions to invest more of their capital in small business investment funds.

As it stands, federally insured banks and savings associations are limited to investing a maximum of 5 percent of their capital and surplus in Small Business Investment Companies (SBIC).

Small Business Investment Companies (SBIC) are private funds, licensed and regulated by the Small Business Administration, that make investments in small businesses using their own capital or loans borrowed with an SBA guarantee.

Under H.R. 2364, financial institutions would be able to invest as much as 15 percent of their capital and surplus in SBICs.

There are over 8 million small businesses in America, which account for 54 percent of all U.S. sales.

Small businesses also provide 55 percent of all jobs and 66 percent of all net new jobs since the 1970s.

With more than half of Americans either owning or working for a small business, it is clear these companies are a vital part of our nation economy.

As the representative for Houston, one of the leading cities for entrepreneurs and small businesses, I remain mindful of the significance of, and have strongly advocated for policies that will preserve and create jobs and keep our nation's small business sector strong.

When small firms are able to grow and thrive, we all benefit from their innovations, job-creating power, and ability to make the U.S. more competitive globally.

That is why I urge all members to join me in supporting H.R. 2364.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 2364.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### WOUNDED OFFICERS RECOVERY ACT OF 2017

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3298) to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3298

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Wounded Officers Recovery Act of 2017".

#### SEC. 2. PAYMENTS FROM UNITED STATES CAPITOL POLICE MEMORIAL FUND TO EMPLOYEES SUSTAINING SERIOUS LINE-OF-DUTY INJURIES.

(a) AUTHORIZING PAYMENTS FROM FUND.—Section 2 of Public Law 105-223 (2 U.S.C. 1952) is amended—

(1) in the section heading, by inserting "AND CERTAIN OTHER UNITED STATES CAPITOL POLICE EMPLOYEES" before the period at the end;

(2) by striking "Subject to the regulations" and inserting "(a) IN GENERAL.—Except to the extent used or reserved for use under subsection (b) and subject to the regulations"; and

(3) by adding at the end the following new subsection:

"(b) PAYMENTS FOR EMPLOYEES SUSTAINING SERIOUS LINE-OF-DUTY INJURIES.—In addition to the amounts paid under subsection (a), amounts in the Fund may be paid to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, in accordance with the regulations issued under section 4(b)."

(b) REGULATIONS OF CAPITOL POLICE BOARD.—Section 4 of Public Law 105-223 (2 U.S.C. 1954) is amended—

(1) by striking "The Capitol Police Board" and inserting "(a) IN GENERAL.—The Capitol Police Board"; and

(2) by adding at the end the following new subsection:

"(b) REGULATIONS GOVERNING PAYMENTS TO EMPLOYEES SUSTAINING SERIOUS LINE-OF-DUTY INJURIES.—In carrying out subsection (a), the Capitol Police Board shall issue specific regulations governing the use of the Fund for making payments to employees of the United States Capitol Police who have sustained serious line-of-duty injuries (as authorized under section 2(b)), including regulations—

"(1) establishing the conditions under which an employee is eligible to receive such a payment;

"(2) providing for the amount, timing, and manner of such payments; and

"(3) ensuring that any such payment is in addition to, and does not otherwise affect, any other form of compensation payable to the employee, including benefits for workers' compensation under chapter 81 of title 5, United States Code."

(c) TREATMENT OF AMOUNTS RECEIVED IN RESPONSE TO INCIDENT OF JUNE 14, 2017.—The second sentence of section 1 of Public Law 105-223 (2 U.S.C. 1951) is amended by striking "deposit into the Fund" and inserting "deposit into the Fund, including amounts received in response to the shooting incident at the practice for the Congressional Baseball Game for Charity on June 14, 2017,".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. RODNEY DAVIS) and the gentleman from Pennsylvania (Mr. BRADY) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield 1 minute to the gentleman from Mississippi (Mr. HARPER), chairman of the House Administration Committee, whom I want to thank for allowing me the opportunity to manage this very important bill today. I couldn't ask for a nicer, more respectful chairman.

Mr. HARPER. Mr. Speaker, I rise in support of H.R. 3298, which allows United States Capitol Police officers who have sustained serious injuries in the line of duty to receive payments from the United States Capitol Police Memorial Fund.

The bill is just one of the ways that we, as an institution, can recognize the swift and heroic actions taken by the Capitol Police officers who put their lives on the line each and every day to protect the United States Capitol not just for the Members of Congress, but for all of the staff and all of the many visitors from across our country and around the world.

Our thoughts and prayers are with those who were injured during the June

14 shooting, including Officers David Bailey and Crystal Griner, and we wish them a speedy recovery.

GENERAL LEAVE

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all and foremost, thoughts, again, and prayers are out for Representative STEVE SCALISE. I can't wait and hope to see him walk through these doors. I wish him well and his family well.

An inside joke: I hope he has his beans in his pocket. Both being from Italian ancestry, we carry our beans with us, and I hope that he has them with him now for a speedy recovery.

Mr. Speaker, I rise today in strong support of H.R. 3298 and applaud my colleague from Pennsylvania (Mr. MICHAEL F. DOYLE) for helping to introduce this measure.

Officer Bailey and Officer Griner are American heroes. It has been widely reported that their swift action saved dozens of lives. Every Member of Congress owes them an enormous debt.

Every day, thousands of our Capitol Police officers protect Members, staff, and visitors in this building. You see some at the doors, others working with canine dogs, but there are also many officers you do not see. These officers are analyzing intelligence, working with law enforcement, and performing many other tasks that keep this place safe. Should any of these officers be seriously injured performing their duties, this bill would provide some measure of relief and peace of mind for their families.

I urge my colleagues to support the passage of this bill, and I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

I do want to thank my good friend, Mr. BRADY, for being here today, managing this bill on the other side, and I also want to thank the coach of the Democrats, who won this year. I certainly liked it better when we had the trophy.

But to be able to know that the thoughts and the prayers are with so many of our Capitol Police officers every single day and also, especially, the heroic actions of Agent Bailey and Agent Griner, what you and our next speaker did with this legislation makes all of us who were a part of this time very humble and thankful.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BARTON), our manager, the sponsor of this piece of legislation today.

Mr. BARTON. Mr. Speaker, today is the 19th anniversary, if you can call it an anniversary, of a shooting in the United States Capitol in which two Capitol Police officers, Officer Chestnut and Detective Gibson, were killed. They were defending the Capitol, and a gunman got in and was heading towards the majority leader at the time, Tom DeLay's office. And they, in defending that office, were shot and killed.

The Speaker at the time and the Congress at the time established a Wounded Officers Fund, but they made it specific to those two fallen officers.

As we all know, on June 14, we had another shooting, although it was at a baseball practice for the charity baseball game where the Republican Members were practicing out in Alexandria, Virginia. Two officers, Officers Bailey and Griner, were both seriously injured in defending the 20-some-odd Republican Members that were at practice that morning.

What this bill does, Mr. Speaker, is simply take an existing fund that was established for two officers that were killed in the line of duty and open it up, now and in the future, for Capitol Police officers who were seriously injured in the line of duty defending the Capitol and defending the Members.

I want to thank the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE), the Democratic manager, for being an original sponsor with me. I want to thank every member of the Republican and Democratic baseball teams who have signed on as original sponsors.

I want to thank PAUL RYAN and KEVIN MCCARTHY, STENY HOYER and NANCY PELOSI, leadership on both sides of the aisle, for making it possible to bring this bill to the floor. We introduced it last Thursday, and we are voting on it tonight; and wonder of wonders, the Senate is probably going to vote on it tomorrow, and there is a chance the President will sign it this week.

□ 1700

We are showing the American people that we can work together for a noble cause. As has already been pointed out, Officers Bailey and Griner both, at risk to their own lives, defended the Members, staff, and volunteers at that baseball practice on June 14.

I watched Officer Bailey run past me directly at the shooter, risking his life, and two other Alexandria Police officers who had arrived on the scene assisted him. Officer Griner was wounded but was providing covering fire, and that is when they brought down the shooter.

They are heroes. They have sustained injuries. They deserve some assistance.

The American people have donated probably \$600,000 or \$700,000 to provide some assistance, and this technical change in the existing fund would allow that to happen.

Mr. Speaker, I want to thank Mr. DAVIS. I hope everybody can support this.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE), my friend.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I want to thank my good friends BOB BRADY and RODNEY DAVIS and JOE BARTON—not only good friends, but people that have been associated with the Congressional Baseball Game for a long time.

Mr. Speaker, every day, thousands of people, including Members of Congress and their staffs, rely upon the men and women of the U.S. Capitol Police to protect us. Over the years, the Capitol Police have been called upon to respond to a number of violent attacks, selflessly risking life and limb to protect us and the people who visit this Capitol. As was mentioned, this is the anniversary where Officers Gibson and Chestnut made the ultimate sacrifice to protect the then-leader of the House.

I know that all of us here are very grateful to the U.S. Capitol Police for their efforts every day to keep our Capitol safe.

Everyone pretty much knows what happened. Members of the Republican baseball team were attacked a little over a month ago. Each day we would get up at about 6 in the morning to go to baseball practice. It is a wonderful tradition that has been going on for over 100 years here in the House of Representatives, one game each year, Democrats against the Republicans, with the proceeds going to three charities: the Boys and Girls Club of Washington, D.C.; the Washington Literacy Council; and the Washington Nationals Dream Foundation.

It is not a softball game; it is a hardball game. We play hardball in Washington. We get to play at the Washington Nationals' stadium, and we get to wear our home team uniforms and relive our youth. Most of us were just amateur baseball players in Little League and PONY League. We have a few guys that played at the college level. We go out there and we practice every day and give it our all. It is great comradery. We build great friendships over the years. Every year we would get about 9,000 or 10,000 people that actually come to the Washington Nationals' stadium and would raise about half a million dollars for the charities.

Well, this year, something happened that none of us ever dreamed when we got up every morning and went to the practice, and that was a shooter showed up that day at this park in Northern Virginia and started firing on the Republican baseball team.

Our team was practicing at the same time at a different location, and the first text I got on my phone during our batting practice was from one of my staff that asked me if I was okay. I couldn't understand why he was asking me that question, but about a second later news came on our telephones that there had been a shooter at the congressional baseball practice. It wasn't at first said which one it was. I knew it wasn't ours, so I knew it had to be the Republican practice.

When we called our players off the field, my thoughts immediately went to JOE BARTON's son Jack, someone whom I have become good friends with over the years.

Jack is, what, JOE, 11 years old?

I think I have known him since he was much younger than that. Jack will come here on the floor during the baseball week, and he will come over and he will say hello to me, and I will try to see if I can get any secrets from Jack about his dad's strategy against the Democratic team. Jack would always say: "I can't give you any information on that." I thought about him right away as we knew that the shots were being fired and that people were down.

We called our team into the dugout, and about the only thing we could think to do, JOE, was to sit down and to say a prayer that you were safe. I prayed that Jack was safe and that nobody was seriously hurt that day.

As we all know, our colleague and good friend STEVE SCALISE was seriously wounded and, to this day, is still in the hospital. We want to send our prayers and best wishes to STEVE that he recovers fully, and that he and his family can get back to a normal course of life.

But what a lot of people don't realize, had STEVE SCALISE not been there that day, his protective detail, Officers Bailey and Griner, wouldn't have been there that day either. Our friends on the Republican baseball team would have been pretty much defenseless against this guy with an assault rifle and an automatic pistol.

But to their credit, Officers Bailey and Griner—this gentleman started over at the third baseline, and our friends were seeking cover in the first base dugout, which was recessed, to get some protection. But as the shooter started to move towards home plate, these officers realized that he was going to have an angle into that dugout, and there could have been a lot of people killed. They came out from their cover and literally charged at this shooter, and both of them were hit. They continued to fire on this gunman even after they had been hit, and with the help of some Alexandria Police officers, too, brought this shooter down.

Thank God no one on the baseball team or staff—all the people on that field—lost their life that day. The shooter did, but no one else did.

When you sit down and think about what it takes to make that decision to put your life at risk for someone else, Officers Griner and Bailey knew that when they came out in the open like that and started shooting at this guy that they very well could lose their life trying to make sure nobody else did. But they did their job, and they did what they were trained to do.

Both of them got hurt and both are recovering from these bullet wounds, and they have out-of-pocket costs. Their healthcare doesn't cover all of their expenses. They are on administrative leave. They are not making the same pay they would make as a protective detail officer. There was no means for us to help them because of the way this fund was structured, only to make payments if an officer lost their life in the line of duty. I think JOE was correct when he said it was almost created specifically for the two officers that lost their lives.

We both came to realize that there needed to be a change in the law if we were going to be able to help Officers Bailey and Griner and, in the future, if an officer was seriously wounded in the line of duty, for payments to be made out of this fund. That is the purpose of this piece of legislation that we have over 100 cosponsors for. I believe every member of the Democratic and Republican baseball teams has signed on as cosponsors. I know a lot of other Members who weren't on the teams have also put their names to this because we want to make sure that Crystal and David know that we care about them.

I can tell you, the night of the baseball game, David Bailey was at our game, and if you would have seen the Members come up and hug him and express their appreciation for what he did, it was a very emotional moment. I know Crystal threw out the first pitch at the women's softball game.

Those are two heroic people. Those are two people that put their lives secondary to the lives of the people they are sworn to protect, and I think it is only fitting and proper that this body pass this piece of legislation that will allow us the opportunity to help make them whole again and to let the rest of our Capitol Police force know that they have our backs and that we are going to make sure that we have their backs.

Mr. Speaker, I am proud to join my good friend JOE BARTON and the entire Republican and Democratic baseball teams in supporting this piece of legislation. I hope the Senate moves swiftly on it and we can get this passed.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, the reason why we are here can't be stated much better than what my colleague Mr. DOYLE just so eloquently delivered today.

Mr. Speaker, I yield 1 minute to the gentleman from Kansas (Mr. MARSHALL), one of our pitchers, one of our

newest members of our congressional baseball team, and a good friend.

Mr. MARSHALL. Mr. Speaker, the morning of June 14, 2017, I elected to not attend the Republican team's congressional baseball practice. Had I been there, I would have been in the bullpen right where the shooting began. I thank God every day I was not there that morning.

For my colleagues who were there, we have no doubt their lives were saved by the heroic response of Crystal Griner and David Bailey of the Capitol Police.

In the shooting's aftermath, we should do everything we can to ensure they have the full support of the U.S. Government and are allowed the support of groups like the USCP Memorial Fund.

Mr. Speaker, in gratitude for their bravery and sacrifice for running to the battle, I encourage my colleagues to support the Wounded Officers Recovery Act. I thank them again for their heroism.

Mr. BRADY of Pennsylvania. Mr. Speaker, I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. WALKER), our starting pitcher.

Mr. WALKER. Mr. Speaker, I appreciate the opportunity to be here today. Thank you for your leadership on this, Congressman DAVIS.

Currently, the United States Capitol Police are not allowed to transfer donations from the USCP Memorial Fund to officers injured in the line of duty but only to families of deceased officers. The great thing about this legislation is that it would allow the U.S. Capitol Police to transfer those donations to injured officers as well as families of deceased officers to help defray and cover some of the medical costs.

As a former pastor, I can tell you that one of the biggest stressors on families is when there has been an illness or injury to these families that causes additional financial strain. This is common sense. It is certainly bipartisan, across-the-aisle of doing the right thing.

Mr. Speaker, I am proud to support this legislation. Again, I thank Representative DAVIS for his leadership, as well as Representative BRADY, and I am proud to support this piece of legislation.

Mr. BRADY of Pennsylvania. Mr. Speaker, I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. LOUDERMILK), my good friend who was there with us that morning, somebody whom I watched act heroically and his watchful eye on the entire process, somebody who can give us his personal anecdotes.

Mr. LOUDERMILK. Mr. Speaker, I give a special thanks to my good friend from Illinois for his thoughtfulness in this bill.

Mr. Speaker, there are times in our lifetime that leave an impact on our lives and we never forget that place or time when we experienced the event or we heard of the event. For my father, it was the attack on Pearl Harbor. He always remembered that moment and the place and the feelings he had when he heard of the attack, which motivated him to join the United States Army. For my children, it was the attacks on America on September 11, 2001.

For me, Mr. Speaker, it is Flag Day, June 14, 2017, at a baseball practice. Not only will I remember that event, but I specifically remember where I was because I was there. Not only was I there, I was within proximity of 10 to 15 feet from the officers who acted so heroically. And still, Mr. Speaker, those images of that day are vivid in my mind. There isn't a day that goes by—and I am sure it is the same thing for the other players—that I don't relive a portion of that moment.

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But although those images are vivid, time heals all wounds, and at some point the details will be obscured by the fog of war and other events in our lives. But I will never forget the heroic actions of those two officers that day. Even at the moment when Agent Griner took a bullet—which I believe was destined for me, or definitely in my direction—which took her down and out of the fight, Agent Bailey came to check on his partner, and immediately put himself even more in the line of fire to draw the fire away from us.

I can't express how heroic these officers acted. Some may say, well, that is their duty, but what I experienced, Mr. Speaker, was above and beyond any call of duty, setting aside their own safety, their own persons, and putting themselves in a situation where death may have been imminent.

They were in a gunfight with someone with a more powerful, more accurate rifle, and all they had was a handgun. But they never let that dissuade them from protecting the lives of those of us. I would not be here today if it wasn't for those two agents.

This is the least that we could do, as has been expressed by many other speakers. The cost upon the families is tremendous when someone is injured in the line of duty. I believe that this is all fitting, and it is an expression of our appreciation for what they do for us day in and day out.

I hope and I pray that we never have an incident like that again, but as history tells us, something like this will happen again. And I just hope that we have agents like Agents Griner and

Bailey on duty when that happens again.

There were many miracles on the field that day, and one of those miracles was having the two right agents there doing their job, just like all of our Capitol Police do every day.

I support this bill. I support the intent behind it, and I hope that we move forward with this in an expeditious manner and that we have a unanimous vote on this.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

My dad was a police officer, and I know what it is like when you get that phone call in the middle of the night, when he would call our house, and we would jump out of bed, even though he was just calling to find out whether I was home or not. But I know the hardship it can put on families.

On 9/11, when we were in our office buildings, and we were told to run and get out of our office buildings, our police officers were running in. Two days later, on this same floor, when there was a bomb scare and everybody cleared out, we were getting briefed, and we were clearing out running down those steps, our police officers—men and women—and first responders and firefighters were running in.

We need to let them know every day, not just today. This is a great thing we are doing here today for them. We need to let them know every day just how much we appreciate what they do.

When we come to work here, we are protected. We have dogs sniff our cars, and we go through metal detectors. Everybody goes through metal detectors. The Capitol Police come to work and leave their house every day with a vest, after they give their loved ones a kiss good-bye, the loved ones not knowing whether they are going to see them again.

So make no mistake about it, we need to let them know every single day how much we appreciate them and tell them please to stay safe.

Officer Bailey and Officer Griner saved many injuries and possibly many lives. We need to thank Officer Griner and Officer Bailey, and may God bless both of them.

Mr. Speaker, I urge the passage of this bill, and I yield back the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

I thank my colleagues, Mr. BRADY and Mr. DOYLE, for the opportunity to come here today on this floor and show America the bipartisanship that we see and we witness on this floor every single day—not just because of a baseball game—to do what is right.

Mr. Speaker, I want to again thank my colleague, JOE BARTON, for leading this effort—not only leading us as a manager of our baseball team, leading

us as somebody who brings their son, their 11-year-old son to practice to have fun playing with a bunch of old guys who really shouldn't be playing baseball as much as we enjoy doing it, but to be able to do it, to raise money for local D.C. charities.

JOE, Jack, Barry, I, and the rest of us who were there that morning, none of us ever thought that, at approximately 7:09, we would hear the words: Run, he has got a gun. And it was mentioned by Mr. DOYLE about those of us who dove in that dugout.

Let me tell you something, Mr. Speaker. I think I could have beaten Usain Bolt from home plate where I was standing to that dugout that day. I dove in that dugout not knowing where the shooter was, what the shooter's motives were, and what was next.

As I was working my way outside of that dugout, I saw Agent Bailey come onto that field in the line of fire to protect every single one of us who were there that day, and it wasn't just Members of Congress. It wasn't just people who this shooter may have politically disagreed with that morning that were there that day.

It was an 11-year-old boy like Jack Barton. There were innocent people walking in that park, walking their dogs, in the line of fire that morning because this person may have disagreed with what we do on this floor.

For those people who are watching today, understand, again, what we are doing here, which is what is right to help those heroes, Agent Bailey and Agent Griner, get access to the funds that all of America put forth on their behalf in less than 24 hours after that tragic shooting. Let us all remind them that we do get along; we do work together. It is not just when tragic moments like this happen. It is a lot more often than what you see.

In less than 24 hours after that shooting, the American people stepped up, and they did what Americans do in the wake of tragedies every single time we witness them.

We had already raised a record amount of money for local D.C. charities with this year's game, \$600,000, \$100,000 more than what was normal. And they sold, again, 10,000 seats. In less than 24 hours, the American people from all over this great Nation raised another \$900,000 to go to local D.C. charities and to the Capitol Police Memorial Fund, which was added the last day.

They also sold 25,000 tickets. I think that game that night, we outsold like three major league games in attendance. We obviously didn't play as well as they did, but we outsold them.

And that shows you what America is all about. It shows you what Republicans and Democrats are all about. It shows you that in the wake of a senseless tragedy, where we watched our friend lay on that field, not knowing

what the outcome was going to be for STEVE SCALISE and his family, Matt Mika, Zack Barth, Agent Griner, and Agent Bailey, that those two saved the lives of everyone on that field that day.

Charging at gunfire is not something I ever thought I would do, and I didn't do that day. But thank God they were there, and they did. And those Alexandria police officers, the police officers I never saw arrive at that scene, thank God they were there.

Because it is the heroic actions of all of those officers, especially those two who I joked with when I walked onto this House floor when I would see them here, not knowing that we would have ever been a part of something that will bind us all together, a tragedy that happens one morning in Alexandria, Virginia, while a bunch of old guys are playing baseball.

We will forever be bound by what we saw and what we witnessed that day. There is not an hour in the day that goes by in my life that I don't think about what happened on that field that morning.

The smells, the sounds, the fear that all of us experienced that day could have been, as every speaker said before, much worse without the heroes who ran toward gunfire, sacrificing themselves for every one of us, and every innocent person in that park, in that field that day.

This is why we have got to make this technical change, Mr. Speaker. We are here. We are lawmakers. We write the laws. We can change the laws. And when this fund was set up, because of the tragedy that many still in D.C. witnessed that day with Officer Gibson and Officer Chestnut who were gunned down protecting innocent Americans in this building, this fund was set up to honor them, not knowing that years later—and today is the anniversary of that shooting—we would need to modify this bill to help two more of our heroes who were lucky and blessed enough to survive.

Today we are going to do that because of the leadership of Mr. BARTON and Mr. DOYLE. Let me go back to that day in 1998. I was actually a new staffer for a new Member of Congress named JOHN SHIMKUS. I was sitting in the district office in Springfield, Illinois, when I heard the news that shootings were happening in the U.S. Capitol—the fear as a staffer that went through me, wondering where my friend and my boss were. But I got to see it from out there. I never thought years later I would get to witness it as a Member of Congress.

And witness it, we all did, but also we learned from it, and we learned what America was all about. And today is our day in the U.S. Congress to stand up for those heroes who protected us that day and say: We are going to help you.

I, and my family, my kids, my wife, every family member who I was able to

reach out to that morning, and all of those who I wasn't able to talk to, we cannot say thank you enough to Agent Griner, Agent Bailey, and the Alexandria Police Department for making sure we have the ability to make this fix.

I urge every one of my colleagues to vote “yes” on this bill. Let's send a message back to America that we thank them for what they did for our officers, and we thank them for allowing all of us the privilege to serve in this great institution.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LANCE). The question is on the motion offered by the gentleman from Illinois (Mr. RODNEY DAVIS) that the House suspend the rules and pass the bill, H.R. 3298, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2018

Mr. NUNES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3180) to authorize appropriations for fiscal year 2018 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3180

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Intelligence Authorization Act for Fiscal Year 2018”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

#### TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.

Sec. 102. Classified Schedule of Authorizations.

Sec. 103. Personnel ceiling adjustments.

Sec. 104. Intelligence Community Management Account.

#### TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

Sec. 202. Computation of annuities for employees of the Central Intelligence Agency.

#### TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 301. Restriction on conduct of intelligence activities.

Sec. 302. Increase in employee compensation and benefits authorized by law.

Sec. 303. Congressional oversight of intelligence community contractors.

Sec. 304. Enhanced personnel security programs.

#### TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

##### Subtitle A—Office of the Director of National Intelligence

Sec. 401. Authority for protection of current and former employees of the Office of the Director of National Intelligence.

Sec. 402. Designation of the program manager-information sharing environment.

Sec. 403. Technical correction to the executive schedule.

##### Subtitle B—Other Elements

Sec. 411. Requirements relating to appointment of General Counsel of National Security Agency.

Sec. 412. Transfer or elimination of certain components and functions of the Defense Intelligence Agency.

Sec. 413. Technical amendments related to the Department of Energy.

#### TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

Sec. 501. Assessment of significant Russian influence campaigns directed at foreign elections and referenda.

Sec. 502. Foreign counterintelligence and cybersecurity threats to Federal election campaigns.

Sec. 503. Assessment of threat finance relating to the Russian Federation.

#### TITLE VI—REPORTS AND OTHER MATTERS

Sec. 601. Period of overseas assignments for certain foreign service officers.

Sec. 602. Semiannual reports on investigations of unauthorized public disclosures of classified information.

Sec. 603. Intelligence community reports on security clearances.

Sec. 604. Report on expansion of Security Protective Services jurisdiction.

Sec. 605. Report on role of Director of National Intelligence with respect to certain foreign investments.

Sec. 606. Report on Cyber Exchange Program.

Sec. 607. Review of intelligence community participation in vulnerabilities equities process.

Sec. 608. Review of Intelligence Community whistleblower matters.

Sec. 609. Sense of Congress on notifications of certain disclosures of classified information.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term “congressional intelligence committees” means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

#### TITLE I—INTELLIGENCE ACTIVITIES

##### SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2018 for the conduct of



the intelligence and intelligence-related activities of the following elements of the United States Government:

- (1) The Office of the Director of National Intelligence.
- (2) The Central Intelligence Agency.
- (3) The Department of Defense.
- (4) The Defense Intelligence Agency.
- (5) The National Security Agency.
- (6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
- (7) The Coast Guard.
- (8) The Department of State.
- (9) The Department of the Treasury.
- (10) The Department of Energy.
- (11) The Department of Justice.
- (12) The Federal Bureau of Investigation.
- (13) The Drug Enforcement Administration.
- (14) The National Reconnaissance Office.
- (15) The National Geospatial-Intelligence Agency.
- (16) The Department of Homeland Security.

#### SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 101 and, subject to section 103, the authorized personnel ceilings as of September 30, 2018, for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany this Act.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

#### SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR INCREASES.—The Director of National Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2018 by the classified Schedule of Authorizations referred to in section 102(a) if the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 3 percent of the number of civilian personnel authorized under such schedule for such element.

(b) TREATMENT OF CERTAIN PERSONNEL.—The Director of National Intelligence shall establish guidelines that govern, for each element of the intelligence community, the treatment under the personnel levels authorized under section 102(a), including any exemption from such personnel levels, of employment or assignment in—

(1) a student program, trainee program, or similar program;

(2) a reserve corps or as a reemployed annuitant; or

(3) details, joint duty, or long-term, full-time training.

(c) NOTICE TO CONGRESSIONAL INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall notify the congressional intelligence committees in writing at least 15 days prior to each exercise of an authority described in subsection (a).

#### SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2018 the sum of \$526,900,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2019.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 804 positions as of September 30, 2018. Personnel serving in such elements may be permanent employees of the Office of the Director of National Intelligence or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2018 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts made available for advanced research and development shall remain available until September 30, 2019.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2018, there are authorized such additional personnel for the Community Management Account as of that date as are specified in the classified Schedule of Authorizations referred to in section 102(a).

#### TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

##### SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2018 the sum of \$514,000,000.

##### SEC. 202. COMPUTATION OF ANNUITIES FOR EMPLOYEES OF THE CENTRAL INTELLIGENCE AGENCY.

(a) COMPUTATION OF ANNUITIES.—

(1) IN GENERAL.—Section 221 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2031) is amended—

(A) in subsection (a)(3)(B), by striking the period at the end and inserting “, as determined by using the annual rate of basic pay that would be payable for full-time service in that position.”;

(B) in subsection (b)(1)(C)(i), by striking “12-month” and inserting “2-year”;

(C) in subsection (f)(2), by striking “one year” and inserting “two years”;

(D) in subsection (g)(2), by striking “one year” both places it appears and inserting “two years”;

(E) by redesignating subsections (h), (i), (j), (k), and (l) as subsections (i), (j), (k), (l), and (m), respectively; and

(F) by inserting after subsection (g) the following:

“(h) CONDITIONAL ELECTION OF INSURABLE INTEREST SURVIVOR ANNUITY BY PARTICIPANTS MARRIED AT THE TIME OF RETIREMENT.—

“(1) AUTHORITY TO MAKE DESIGNATION.—Subject to the rights of former spouses under subsection (b) and section 222, at the time of retirement a married participant found by the Director to be in good health may elect to receive an annuity reduced in accordance with subsection (f)(1)(B) and designate in writing an individual having an insurable interest in the participant to receive an annuity under the system after the participant's death, except that any such election to provide an insurable interest survivor annuity to the participant's spouse shall only be effective if the participant's spouse waives the spousal right to a survivor annuity under this Act. The amount of the annuity shall be equal to 55 percent of the participant's reduced annuity.

“(2) REDUCTION IN PARTICIPANT'S ANNUITY.—The annuity payable to the participant making such election shall be reduced by 10 percent of an annuity computed under subsection (a) and by an additional 5 percent for each full 5 years the designated individual is younger than the participant. The total reduction under this subparagraph may not exceed 40 percent.

“(3) COMMENCEMENT OF SURVIVOR ANNUITY.—The annuity payable to the designated individual shall begin on the day after the retired participant dies and terminate on the last day of the month before the designated individual dies.

“(4) RECOMPUTATION OF PARTICIPANT'S ANNUITY ON DEATH OF DESIGNATED INDIVIDUAL.—An annuity which is reduced under this subsection shall, effective the first day of the month following the death of the designated individual, be recomputed and paid as if the annuity had not been so reduced.”.

(2) CONFORMING AMENDMENTS.—

(A) CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT.—The Central Intelligence Agency Retirement Act (50 U.S.C. 2001 et seq.) is amended—

(i) in section 232(b)(1) (50 U.S.C. 2052(b)(1)), by striking “221(h),” and inserting “221(i),”; and

(ii) in section 252(h)(4) (50 U.S.C. 2082(h)(4)), by striking “221(k)” and inserting “221(l)”.

(B) CENTRAL INTELLIGENCE AGENCY ACT OF 1949.—Subsection (a) of section 14 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3514(a)) is amended by striking “221(h)(2), 221(i), 221(l),” and inserting “221(i)(2), 221(j), 221(m),”.

(b) ANNUITIES FOR FORMER SPOUSES.—Subparagraph (B) of section 222(b)(5) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2032(b)(5)(B)) is amended by striking “one year” and inserting “two years”.

(c) PRIOR SERVICE CREDIT.—Subparagraph (A) of section 252(b)(3) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2082(b)(3)(A)) is amended by striking “October 1, 1990” both places that term appears and inserting “March 31, 1991”.

(d) REEMPLOYMENT COMPENSATION.—Section 273 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2113) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:



“(b) PART-TIME REEMPLOYED ANNUITANTS.—The Director shall have the authority to reemploy an annuitant in a part-time basis in accordance with section 8344(l) of title 5, United States Code.”.

(e) EFFECTIVE DATE AND APPLICATION.—The amendments made by subsection (a)(1)(A) and subsection (c) shall take effect as if enacted on October 28, 2009, and shall apply to computations or participants, respectively, as of such date.

### TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

#### SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

#### SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

#### SEC. 303. CONGRESSIONAL OVERSIGHT OF INTELLIGENCE COMMUNITY CONTRACTORS.

(a) OVERSIGHT BY CONGRESS.—

(1) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by inserting after section 506J the following new section:

##### “SEC. 506K. OVERSIGHT OF INTELLIGENCE COMMUNITY CONTRACTORS.

“Notwithstanding the terms of any contract awarded by the head of an element of the intelligence community, the head may not—

“(1) prohibit a contractor of such element from contacting or meeting with either of the congressional intelligence committees (including a member or an employee thereof) to discuss matters relating to a contract;

“(2) take any adverse action against a contractor of such element, including by suspending or debaring the contractor or terminating a contract, based on the contractor contacting or meeting with either of the congressional intelligence committees (including a member or an employee thereof) to discuss matters relating to a contract; or

“(3) require the approval of the head before a contractor of such element contacts or meets with either of the congressional intelligence committees (including a member or an employee thereof) to discuss matters relating to a contract.”.

(2) CLERICAL AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 506J the following new item:

“Sec. 506K. Oversight of intelligence community contractors.”.

(b) APPLICATION.—The amendment made by subsection (a)(1) shall apply with respect to a contract awarded by the head of an element of the intelligence community on or after the date of the enactment of this Act.

#### SEC. 304. ENHANCED PERSONNEL SECURITY PROGRAMS.

Section 11001(d) of title 5, United States Code, is amended—

(1) in the subsection heading, by striking “AUDIT” and inserting “REVIEW”;

(2) in paragraph (1), by striking “audit” and inserting “review”; and

(3) in paragraph (2), by striking “audit” and inserting “review”.

### TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

#### Subtitle A—Office of the Director of National Intelligence

##### SEC. 401. AUTHORITY FOR PROTECTION OF CURRENT AND FORMER EMPLOYEES OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 5(a)(4) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3506(a)(4)) is amended by striking “such personnel of the Office of the Director of National Intelligence as the Director of National Intelligence may designate;” and inserting “current and former personnel of the Office of the Director of National Intelligence and their immediate families as the Director of National Intelligence may designate;”.

##### SEC. 402. DESIGNATION OF THE PROGRAM MANAGER—INFORMATION SHARING ENVIRONMENT.

(a) INFORMATION SHARING ENVIRONMENT.—Section 1016(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(b)) is amended—

(1) in paragraph (1), by striking “President” and inserting “Director of National Intelligence”; and

(2) in paragraph (2), by striking “President” both places that term appears and inserting “Director of National Intelligence”.

(b) PROGRAM MANAGER.—Section 1016(f) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(f)) is amended by striking “The individual designated as the program manager shall serve as program manager until removed from service or replaced by the President (at the President’s sole discretion).” and inserting “Beginning on the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2018, each individual designated as the program manager shall be appointed by the Director of National Intelligence.”.

##### SEC. 403. TECHNICAL CORRECTION TO THE EXECUTIVE SCHEDULE.

Section 5313 of title 5, United States Code, is amended by adding at the end the following:

“Director of the National Counterintelligence and Security.”.

#### Subtitle B—Other Elements

##### SEC. 411. REQUIREMENTS RELATING TO APPOINTMENT OF GENERAL COUNSEL OF NATIONAL SECURITY AGENCY.

(a) IN GENERAL.—Section 2 of the National Security Agency Act of 1959 (Public Law 86-36; 50 U.S.C. 3602) is amended by adding at the end the following new subsection:

“(c)(1) There is a General Counsel of the National Security Agency.

“(2) The General Counsel of the National Security Agency shall be appointed by the President, by and with the advice and consent of the Senate.”.

(b) EFFECTIVE DATE.—Subsection (c) of section 2 of the National Security Agency Act of 1959 (Public Law 86-36; 50 U.S.C. 3602) shall apply with respect to any person who is appointed to serve as General Counsel of the National Security Agency on or after January 21, 2021.

##### SEC. 412. TRANSFER OR ELIMINATION OF CERTAIN COMPONENTS AND FUNCTIONS OF THE DEFENSE INTELLIGENCE AGENCY.

(a) INFORMATION REVIEW TASK FORCE.—

(1) TRANSFER REQUIRED.—Effective on the date that is 180 days after the date of the enactment of this Act, there is transferred from the Director of the Defense Intelligence

Agency to the Chairman of the Joint Chiefs of Staff all functions performed by the Information Review Task Force and all assigned responsibilities performed by the Information Review Task Force. Upon such transfer, such Task Force shall be designated as a chairman’s controlled activity.

(2) TRANSITION PLAN.—

(A) CONGRESSIONAL BRIEFING.—Not later than 60 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency and the Chairman of the Joint Chiefs of Staff shall jointly brief the congressional intelligence committees and the congressional defense committees on the plan to carry out the transfer required under paragraph (1).

(B) SUBMITTAL OF FORMAL PLAN.—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency and the Chairman of the Joint Chiefs of Staff shall jointly submit to the congressional intelligence committees and the congressional defense committees a formal plan for the transfer required under paragraph (1).

(3) LIMITATION ON USE OF FUNDS.—The Director of the Defense Intelligence Agency may not obligate or expend any funds authorized to be appropriated for the Information Review Task Force for fiscal year 2018 after the date that is 180 days after the date of the enactment of this Act. Any such funds that are unobligated or unexpended as of such date shall be transferred to the Chairman of the Joint Chiefs of Staff.

(b) IDENTITY INTELLIGENCE PROJECT OFFICE.—

(1) ELIMINATION.—Effective on the date that is 180 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency shall eliminate the Identity Intelligence Project Office, including all functions and assigned responsibilities performed by the Identity Intelligence Project Office. All personnel and assets pertaining to such Office shall be transferred to other elements of the Defense Intelligence Agency, as determined by the Director.

(2) TRANSITION PLAN.—

(A) CONGRESSIONAL BRIEFING.—Not later than 60 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency shall brief the congressional intelligence committees and the congressional defense committees on the plan to carry out the elimination required under paragraph (1).

(B) SUBMITTAL OF FORMAL PLAN.—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency shall submit to the congressional intelligence committees and the congressional defense committees a formal plan for the elimination required under paragraph (1).

(3) LIMITATION ON USE OF FUNDS.—The Director of the Defense Intelligence Agency may not obligate or expend any funds authorized to be appropriated for the Identity Intelligence Project Office for fiscal year 2018 after the date that is 180 days after the date of the enactment of this Act. Any such funds that are unobligated or unexpended as of such date shall be transferred to other elements of the Defense Intelligence Agency, as determined by the Director.

(c) WATCHLISTING BRANCH.—

(1) TRANSFER REQUIRED.—Effective on the date that is 180 days after the date of the enactment of this Act, there is transferred from the Director of the Defense Intelligence Agency to the Director for Intelligence of the Joint Staff all functions and all assigned

responsibilities performed by the Watchlisting Branch.

(2) TRANSITION PLAN.—

(A) CONGRESSIONAL BRIEFING.—Not later than 60 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency and the Director for Intelligence of the Joint Staff shall jointly brief the congressional intelligence committees and the congressional defense committees on the plan to carry out the transfer required under paragraph (1).

(B) SUBMITTAL OF FORMAL PLAN.—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency and the Director for Intelligence of the Joint Staff shall jointly submit to the congressional intelligence committees and the congressional defense committees a formal plan for the transfer required under paragraph (1).

(3) LIMITATION ON USE OF FUNDS.—The Director of the Defense Intelligence Agency may not obligate or expend any funds authorized to be appropriated for the Watchlisting Branch for fiscal year 2018 after the date that is 180 days after the date of the enactment of this Act. Any such funds that are unobligated or unexpended as of such date shall be transferred to the Director for Intelligence of the Joint Staff.

(d) COUNTER-THREAT FINANCE.—

(1) ELIMINATION.—Not later than 180 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency shall eliminate the Counter-Threat Finance analysis function of the Defense Intelligence Agency. All personnel and assets pertaining to such function shall be transferred to other elements of the Defense Intelligence Agency, as determined by the Director.

(2) TRANSITION PLAN.—

(A) CONGRESSIONAL BRIEFING.—Not later than 60 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency shall brief the congressional intelligence committees and the congressional defense committees on the plan to eliminate the Counter-Threat Finance analysis function under paragraph (1).

(B) SUBMITTAL OF FORMAL PLAN.—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency shall submit to the congressional intelligence committees and the congressional defense committees a formal plan to eliminate such function under paragraph (1).

(3) LIMITATION ON USE OF FUNDS.—The Director of the Defense Intelligence Agency may not obligate or expend any funds authorized to be appropriated for the Counter-Threat Finance analysis function for fiscal year 2018 after the date that is 180 days after the date of the enactment of this Act. Any such funds that are unobligated or unexpended as of such date shall be transferred to other elements of the Defense Intelligence Agency, as determined by the Director.

(e) NATIONAL INTELLIGENCE UNIVERSITY.—

(1) TRANSFER REQUIRED.—Effective on October 1, 2020, there is transferred from the Director of the Defense Intelligence Agency to the Director of National Intelligence all functions and all assigned responsibilities performed by the National Intelligence University.

(2) TRANSITION PLAN.—

(A) CONGRESSIONAL BRIEFING.—Not later than October 1, 2018, the Director of the Defense Intelligence Agency and the Director of National Intelligence shall jointly brief the congressional intelligence committees and

the congressional defense committees on the plan to carry out the transfer required under paragraph (1).

(B) SUBMITTAL OF FORMAL PLAN.—Not later than April 1, 2019, the Director of the Defense Intelligence Agency and the Director of National Intelligence shall jointly submit to the congressional intelligence committees and the congressional defense committees a formal plan for the transfer required under paragraph (1).

(3) LIMITATION ON USE OF FUNDS.—The Director of the Defense Intelligence Agency may not obligate or expend any funds authorized to be appropriated for the National Intelligence University after October 1, 2020. Any such funds that are unobligated or unexpended as of such date shall be transferred to the Director of National Intelligence.

(F) CONGRESSIONAL NOTICE FOR REPROGRAMMING.—Not later than 30 days before transferring any funds relating to transferring or eliminating any function under this section, the Director of the Defense Intelligence Agency shall submit to the congressional intelligence committees and the congressional defense committees notice in writing of such transfer.

(g) TREATMENT OF CERTAIN FUNCTIONS AND RESPONSIBILITIES.—

(1) IN GENERAL.—In the case of any function or executive agent responsibility that is transferred to the Director of National Intelligence pursuant to this section, the Director of National Intelligence may not delegate such function or responsibility to another element of the intelligence community.

(2) EXECUTIVE AGENT RESPONSIBILITY.—In this subsection, the term “executive agent responsibility” means the specific responsibilities, functions, and authorities assigned by the Director of National Intelligence to the head of an intelligence community element to provide defined levels of support for intelligence operations, or administrative or other designated activities.

(h) DEADLINE FOR POLICY UPDATES.—Not later than October 1, 2020, the Director of National Intelligence, the Under Secretary of Defense for Intelligence, and the Chairman of the Joint Chiefs of Staff shall ensure that all relevant policies of the intelligence community and Department of Defense are updated to reflect the transfers required to be made pursuant to this section.

(i) TREATMENT OF TRANSFERRED FUNCTIONS.—No transferred functions or assigned responsibility referred to in subsection (a), (c), or (e) shall be considered a new start by the receiving element, including in the case of any lapse of appropriation for such transferred function or assigned responsibility.

(j) REPORTS ON OTHER ELEMENTS OF DEFENSE INTELLIGENCE AGENCY.—

(1) NATIONAL CENTER FOR CREDIBILITY ASSESSMENT.—

(A) SENSE OF CONGRESS.—It is the sense of Congress that—

(i) the assignment of executive agency for the National Center for Credibility Assessment to the Director of the Defense Intelligence Agency may be limiting the ability of the Center to effectively serve the Federal customer base of the Center;

(ii) the failure of the Director of National Intelligence, in the role of the Director as security executive for the Federal Government, to define in policy the term “Executive Agent” may be further limiting the ability of the Center to receive sufficient resources to carry out the critical Federal mission of the Center; and

(iii) the evolution of the Center from an organization of the Army to an organization

serving 27 departments and agencies and responsible for all Federal credibility assessment training, oversight, and research and development, has resulted in a convoluted oversight structure based on legacy reporting requirements.

(B) REPORT.—Not later than October 1, 2018, the Director of the Defense Intelligence Agency, the Director of National Intelligence, and the Secretary of Defense shall jointly submit to the congressional intelligence committees and the congressional defense committees a report on—

(i) the current and projected missions and functions of the National Center for Credibility Assessment;

(ii) the effectiveness of the current organizational assignment of the Center to the Director of the Defense Intelligence Agency;

(iii) the effectiveness of the current oversight structure between the Center, the Defense Intelligence Agency, the Under Secretary of Defense for Intelligence, and the Director of National Intelligence; and

(iv) the resources and authorities necessary to most effectively execute the missions and functions of the Center.

(2) UNDERGROUND FACILITIES ANALYSIS CENTER.—

(A) SENSE OF CONGRESS.—It is the sense of Congress that—

(i) the assignment of executive agency for the Underground Facilities Analysis Center to the Director of the Defense Intelligence Agency may be limiting the ability of the Center to effectively serve the broader intelligence community customer base of the Center;

(ii) the failure of the Director of National Intelligence to define in policy the term “Executive Agent” may be further limiting the ability of the Center to receive sufficient resources to carry out the critical mission of the Center; and

(iii) the requirements of the intelligence community and Department of Defense with respect to underground facilities are not adequately being met given the scale and complexity of the problem set and the relatively small amount of funding currently received by the Center.

(B) REPORT.—Not later than October 1, 2018, the Director of the Defense Intelligence Agency, the Director of National Intelligence, and the Chairman of the Joint Chiefs of Staff shall jointly submit to the congressional intelligence committees and the congressional defense committees a report on—

(i) the missions and functions of the Underground Facilities Analysis Center;

(ii) the state of the requirements of the intelligence community and Department of Defense with respect to underground facilities and the ability of the Center to meet such requirements;

(iii) the effectiveness of the current organizational assignment of the Center to the Director of the Defense Intelligence Agency;

(iv) the effectiveness of the current oversight structure between the Center, the Defense Intelligence Agency, the Secretary of Defense, and the Director of National Intelligence; and

(v) the resources and authorities necessary to most effectively execute the missions and functions of the Center.

(k) CONGRESSIONAL DEFENSE COMMITTEES DEFINED.—In this section, the term “congressional defense committees” means—

(1) the Committees on Armed Services of the Senate and House of Representatives; and

(2) the Committees on Appropriations of the Senate and House of Representatives.

**SEC. 413. TECHNICAL AMENDMENTS RELATED TO THE DEPARTMENT OF ENERGY.**

(a) ATOMIC ENERGY DEFENSE ACT.—Section 4524(b)(2) of the Atomic Energy Defense Act (50 U.S.C. 2674(b)(2)) is amended by inserting “Intelligence and” after “The Director of”.

(b) NATIONAL SECURITY ACT OF 1947.—Paragraph (2) of section 106(b) of the National Security Act of 1947 (50 U.S.C. 3041(b)(2)) is amended—

(1) in subparagraph (E), by inserting “and Counterintelligence” after “Office of Intelligence”;

(2) by striking subparagraph (F);

(3) by redesignating subparagraphs (G), (H), and (I) as subparagraphs (F), (G), and (H), respectively; and

(4) in subparagraph (H), as redesignated by paragraph (3), by realigning the margin of such subparagraph two ems to the left.

**TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES****SEC. 501. ASSESSMENT OF SIGNIFICANT RUSSIAN INFLUENCE CAMPAIGNS DIRECTED AT FOREIGN ELECTIONS AND REFERENDA.**

(a) ASSESSMENT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report containing an analytical assessment of the most significant Russian influence campaigns, if any, conducted during the 3-year period preceding the date of the enactment of this Act, as well as the most significant current or planned such Russian influence campaigns, if any. Such assessment shall include—

(1) a summary of such significant Russian influence campaigns, including, at a minimum, the specific means by which such campaigns were conducted, are being conducted, or likely will be conducted, as appropriate, and the specific goal of each such campaign;

(2) a summary of any defenses against or responses to such Russian influence campaigns by the foreign state holding the elections or referenda;

(3) a summary of any relevant activities by elements of the intelligence community undertaken for the purpose of assisting the government of such foreign state in defending against or responding to such Russian influence campaigns; and

(4) an assessment of the effectiveness of such defenses and responses described in paragraphs (2) and (3).

(b) FORM.—The report required by subsection (a) may be submitted in classified form, but if so submitted, shall contain an unclassified summary.

(c) RUSSIAN INFLUENCE CAMPAIGN DEFINED.—In this section, the term “Russian influence campaign” means any effort, covert or overt, and by any means, attributable to the Russian Federation directed at an election, referendum, or similar process in a country other than the Russian Federation or the United States.

**SEC. 502. FOREIGN COUNTERINTELLIGENCE AND CYBERSECURITY THREATS TO FEDERAL ELECTION CAMPAIGNS.**

(a) REPORTS REQUIRED.—

(1) IN GENERAL.—As provided in paragraph (2), for each Federal election, the Director of National Intelligence, in coordination with the Under Secretary of Homeland Security for Intelligence and Analysis and the Director of the Federal Bureau of Investigation, shall make publicly available on an internet website an advisory report on foreign counterintelligence and cybersecurity threats to election campaigns for Federal offices. Each

such report shall include, consistent with the protection of sources and methods, each of the following:

(A) A description of foreign counterintelligence and cybersecurity threats to election campaigns for Federal offices.

(B) A summary of best practices that election campaigns for Federal offices can employ in seeking to counter such threats.

(C) An identification of any publicly available resources, including United States Government resources, for countering such threats.

(2) SCHEDULE FOR SUBMITTAL.—A report under this subsection shall be made available as follows:

(A) In the case of a report regarding an election held for the office of Senator or Member of the House of Representatives during 2018, not later than the date that is 60 days after the date of the enactment of this Act.

(B) In the case of a report regarding an election for a Federal office during any subsequent year, not later than the date that is one year before the date of the election.

(3) INFORMATION TO BE INCLUDED.—A report under this subsection shall reflect the most current information available to the Director of National Intelligence regarding foreign counterintelligence and cybersecurity threats.

(b) TREATMENT OF CAMPAIGNS SUBJECT TO HEIGHTENED THREATS.—If the Director of the Federal Bureau of Investigation and the Under Secretary of Homeland Security for Intelligence and Analysis jointly determine that an election campaign for Federal office is subject to a heightened foreign counterintelligence or cybersecurity threat, the Director and the Under Secretary, consistent with the protection of sources and methods, may make available additional information to the appropriate representatives of such campaign.

**SEC. 503. ASSESSMENT OF THREAT FINANCE RELATING TO THE RUSSIAN FEDERATION.**

(a) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence, acting through the National Intelligence Manager for Threat Finance, shall submit to the congressional intelligence committees a report containing an assessment of the financing of threat activity by the Russian Federation.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include, at a minimum, the following:

(1) A summary of leading examples from the 3-year period prior to the date of the report of any threat finance activities conducted by, for the benefit of, or at the behest of officials of the Government of Russia, persons subject to sanctions under any provision of law imposing sanctions with respect to Russia, or Russian nationals subject to sanctions under any other provision of law.

(2) An assessment with respect to any trends or patterns in threat finance activities relating to Russia, including common methods of conducting such activities.

(3) A summary of engagement and coordination with international partners on threat finance relating to Russia, especially in Europe, including examples of such engagement and coordination.

(4) An identification of any resource and collection gaps.

(c) FORM.—The report submitted under subsection (a) may be submitted in classified form.

(d) THREAT FINANCE DEFINED.—In this section, the term “threat finance” means—

(1) the financing of cyber operations, global influence campaigns, intelligence service activities, proliferation, terrorism, or transnational crime and drug organizations;

(2) the methods and entities used to spend, store, move, raise, or conceal money or value on behalf of threat actors;

(3) sanctions evasion; or

(4) other forms of threat financing domestically or internationally, as defined by the President.

**TITLE VI—REPORTS AND OTHER MATTERS****SEC. 601. PERIOD OF OVERSEAS ASSIGNMENTS FOR CERTAIN FOREIGN SERVICE OFFICERS.**

(a) LENGTH OF PERIOD OF ASSIGNMENT.—Subsection (a) of section 502 of the Foreign Service Act of 1980 (22 U.S.C. 3982) is amended by adding at the end the following new paragraph:

“(3) In making assignments under paragraph (1), and in accordance with section 903, and, if applicable, section 503, the Secretary shall assure that a member of the Service may serve at a post for a period of not more than six consecutive years.”

(b) FOREIGN LANGUAGE DEPLOYMENT REQUIREMENTS.—Section 702 of the Foreign Service Act of 1980 (22 U.S.C. 4022) is amended by—

(1) redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

“(c) FOREIGN LANGUAGE DEPLOYMENT REQUIREMENTS.—

“(1) IN GENERAL.—The Secretary of State, with the assistance of other relevant officials, shall require all members of the Service who receive foreign language training in Arabic, Farsi, Chinese (Mandarin or Cantonese), Turkish, Korean, and Japanese by the institution or otherwise in accordance with subsection (b) to serve three successive tours in positions in which the acquired language is both relevant and determined to be a benefit to the Department.

“(2) OVERSEAS DEPLOYMENTS.—In carrying out paragraph (1), at least one of the three successive tours referred to in such paragraph shall be an overseas deployment.

“(3) WAIVER.—The Secretary of State may waive the application of paragraph (1) for medical or family hardship or in the interest of national security.

“(4) CONGRESSIONAL NOTIFICATION.—The Secretary of State shall notify the Committees on Appropriations and Foreign Affairs of the House of Representatives and Committees on Appropriations and Foreign Relations of the Senate at the end of each fiscal year of any instances during the prior twelve months in which the waiver authority described in paragraph (3) was invoked.”

**SEC. 602. SEMIANNUAL REPORTS ON INVESTIGATIONS OF UNAUTHORIZED PUBLIC DISCLOSURES OF CLASSIFIED INFORMATION.**

(a) IN GENERAL.—Title XI of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by adding at the end the following new section:

“SEC. 1105. SEMIANNUAL REPORTS ON INVESTIGATIONS OF UNAUTHORIZED PUBLIC DISCLOSURES OF CLASSIFIED INFORMATION.

“(a) IN GENERAL.—On a semiannual basis, each covered official shall submit to the congressional intelligence committees a report that includes, with respect to the preceding 6-month period—

“(1) the number of investigations opened by the covered official regarding an unauthorized public disclosure of classified information;

“(2) the number of investigations completed by the covered official regarding an unauthorized public disclosure of classified information; and

“(3) of the number of such completed investigations identified under paragraph (2), the number referred to the Attorney General for criminal investigation.

“(b) DEFINITIONS.—In this section:

“(1) The term ‘covered official’ means—

“(A) the heads of each element of the intelligence community; and

“(B) the inspectors general with oversight responsibility for an element of the intelligence community.

“(2) The term ‘investigation’ means any inquiry, whether formal or informal, into the existence of an unauthorized public disclosure of classified information.

“(3) The term ‘unauthorized public disclosure of classified information’ means the unauthorized disclosure of classified information to a journalist or media organization.”.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 1104 the following new item:

“Sec. 1105. Semiannual reports on investigations of unauthorized public disclosures of classified information.”.

#### **SEC. 603. INTELLIGENCE COMMUNITY REPORTS ON SECURITY CLEARANCES.**

Section 506H of the National Security Act of 1947 (50 U.S.C. 3104) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A)(ii), by inserting “and” after the semicolon;

(B) in subparagraph (B)(ii), by striking “; and” and inserting a period; and

(C) by striking subparagraph (C);

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following new subsection (b):

“(b) INTELLIGENCE COMMUNITY REPORTS.—(1) Not later than March 1 of each year, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the security clearances processed by each element of the intelligence community during the preceding calendar year. Each such report shall separately identify security clearances processed by each such element and shall cover Federal employees and contractor employees.

“(2) Each report submitted under paragraph (1) shall include each of the following for each element of the intelligence community for the year covered by the report:

“(A) The total number of initial security clearance background investigations opened for new applicants.

“(B) The total number of security clearance periodic re-investigations opened for existing employees.

“(C) The total number of initial security clearance background investigations for new applicants that were finalized and adjudicated with notice of a determination provided to the prospective applicant, including—

“(i) the total number that were adjudicated favorably and granted access to classified information; and

“(ii) the total number that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

“(D) The total number of security clearance periodic background investigations that were finalized and adjudicated with notice of a determination provided to the existing employee, including—

“(i) the total number that were adjudicated favorably; and

“(ii) the total number that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

“(E) The total number of pending security clearance background investigations, including initial applicant investigations and periodic re-investigations, that were not finalized and adjudicated as of the last day of such year and that remained pending as follows:

“(i) For 180 days or less.

“(ii) For 180 days or longer, but less than 12 months.

“(iii) For 12 months or longer, but less than 18 months.

“(iv) For 18 months or longer, but less than 24 months.

“(v) For 24 months or longer.

“(F) In the case of security clearance determinations completed or pending during the year preceding the year for which the report is submitted that have taken longer than 12 months to complete—

“(i) the cause of the delay for such determinations; and

“(ii) the number of such determinations for which polygraph examinations were required.

“(G) The percentage of security clearance investigations, including initial and periodic re-investigations, that resulted in a denial or revocation of a security clearance.

“(H) The percentage of security clearance investigations that resulted in incomplete information.

“(I) The percentage of security clearance investigations that did not result in enough information to make a decision on potentially adverse information.

“(3) The report required under this subsection shall be submitted in unclassified form, but may include a classified annex.”; and

(4) in subsection (c), as redesignated by paragraph (2), by inserting “and (b)” after “subsection (a)(1)”.

#### **SEC. 604. REPORT ON EXPANSION OF SECURITY PROTECTIVE SERVICES JURISDICTION.**

(a) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the congressional intelligence committees a report on the feasibility, justification, costs, and benefits of expanding the jurisdiction of the protective services of the Central Intelligence Agency under section 15(a)(1) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3515(a)). The report shall include—

(1) an explanation of the need for expanding such jurisdiction beyond the 500-foot limit specified in such section 15(a)(1); and

(2) an identification of any comparable departments or agencies of the Federal Government in the Washington metropolitan region (as defined in section 8301 of title 40, United States Code) whose protective services jurisdictions exceed 500 feet.

(b) FORM.—The report under subsection (a) may be submitted in classified form.

#### **SEC. 605. REPORT ON ROLE OF DIRECTOR OF NATIONAL INTELLIGENCE WITH RESPECT TO CERTAIN FOREIGN INVESTMENTS.**

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the heads of the elements of the intelligence community determined appropriate by the Director, shall submit to the congressional intelligence committees a report on the role of the Director in pre-

paring analytic materials in connection with the evaluation by the Federal Government of national security risks associated with potential foreign investments into the United States.

(b) MATTERS INCLUDED.—The report under subsection (a) shall—

(1) describe the current process for the provision of the analytic materials described in subsection (a);

(2) identify the most significant benefits and drawbacks of such process with respect to the role of the Director, including any benefits or drawbacks relating to the time allotted to the Director to prepare such materials; and

(3) include recommendations to improve such process.

#### **SEC. 606. REPORT ON CYBER EXCHANGE PROGRAM.**

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the potential establishment of a fully voluntary exchange program between elements of the intelligence community and private technology companies under which—

(1) an employee of an element of the intelligence community with demonstrated expertise and work experience in cybersecurity or related disciplines may elect to be temporarily detailed to a private technology company that has elected to receive the detailee; and

(2) an employee of a private technology company with demonstrated expertise and work experience in cybersecurity or related disciplines may elect to be temporarily detailed to an element of the intelligence community that has elected to receive the detailee.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) The feasibility of establishing the exchange program described in such subsection.

(2) Identification of any challenges in establishing the exchange program.

(3) An evaluation of the benefits to the intelligence community that would result from the exchange program.

#### **SEC. 607. REVIEW OF INTELLIGENCE COMMUNITY PARTICIPATION IN VULNERABILITIES EQUITIES PROCEEDINGS.**

(a) REVIEW.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall review, with respect to the 3-year period preceding the date of the review, the roles and responsibilities of the elements of the intelligence community in the process of the Federal Government for determining whether, when, how, and to whom information about a vulnerability that is not publicly known will be shared with or released to a non-Federal entity or the public.

(b) REPORT.—

(1) SUBMISSION.—Not later than 240 days after the date of the enactment of this Act, the Inspector General shall submit to the congressional intelligence committees a report on the results of the review under subsection (a).

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) A description of the roles and responsibilities of the elements of the intelligence community in the process of determining whether, when, how, and to whom information about a vulnerability that is not publicly known will be shared or released to a non-Federal entity or the public.

(B) The criteria used by the Federal Government, including elements of the intelligence community, in making such determination.

(C) With respect to the period covered by the review—

(i) a summary of vulnerabilities known to elements of the intelligence community that were reviewed by the Federal Government pursuant to such process, including—

(I) the number of vulnerabilities known to the intelligence community that were reviewed; and

(II) of such number of reviewed vulnerabilities, the number for which information was shared with or released to a non-Federal entity or the public;

(ii) an assessment of whether there were any vulnerabilities known to elements of the intelligence community that were not reviewed pursuant to such process, and if so, the basis and rationale for not conducting such a review; and

(iii) a summary of the most significant incidents in which a vulnerability known to the intelligence community, but not shared with or released to a non-Federal entity or the public, was exploited by an individual, an entity, or a foreign country in the course of carrying out a cyber intrusion.

(D) A description of any current mechanisms for overseeing such process.

(E) Recommendations to improve the efficiency, effectiveness, accountability, and, consistent with national security, transparency of such process.

(F) Any other matters the Inspector General determines appropriate.

(3) FORM.—The report may be submitted in classified form.

(c) VULNERABILITY DEFINED.—In this section, the term “vulnerability” means, with respect to information technology, a design, configuration, or implementation weakness in a technology, product, system, service, or application that can be exploited or triggered to cause unexpected or unintended behavior.

#### SEC. 608. REVIEW OF INTELLIGENCE COMMUNITY WHISTLEBLOWER MATTERS.

(a) REVIEW OF WHISTLEBLOWER MATTERS.—The Inspector General of the Intelligence Community, in consultation with the inspectors general for the Central Intelligence Agency, the National Security Agency, the National Geospatial-Intelligence Agency, the Defense Intelligence Agency, and the National Reconnaissance Office, shall conduct a review of the authorities, policies, investigatory standards, and other practices and procedures relating to intelligence community whistleblower matters, with respect to such inspectors general.

(b) OBJECTIVE OF REVIEW.—The objective of the review required under subsection (a) is to identify any discrepancies, inconsistencies, or other issues, which frustrate the timely and effective reporting of intelligence community whistleblower matters to appropriate inspectors general and to the congressional intelligence committees, and the fair and expeditious investigation and resolution of such matters.

(c) CONDUCT OF REVIEW.—The Inspector General of the Intelligence Community shall take such measures as the Inspector General determines necessary in order to ensure that the review required by subsection (a) is conducted in an independent and objective fashion.

(d) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intel-

ligence committees a written report containing the results of the review required under subsection (a), along with recommendations to improve the timely and effective reporting of intelligence community whistleblower matters to inspectors general and to the congressional intelligence committees and the fair and expeditious investigation and resolution of such matters.

#### SEC. 609. SENSE OF CONGRESS ON NOTIFICATIONS OF CERTAIN DISCLOSURES OF CLASSIFIED INFORMATION.

(a) FINDINGS.—Congress finds that section 502 of the National Security Act of 1947 (50 U.S.C. 3092) requires elements of the intelligence community to keep the congressional intelligence committees “fully and currently informed” about all “intelligence activities” of the United States, and to “furnish to the congressional intelligence committees any information or material concerning intelligence activities . . . which is requested by either of the congressional intelligence committees in order to carry out its authorized responsibilities.”

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the authorities described in subsection (a), together with other intelligence community authorities, obligate an element of the intelligence community to submit to the congressional intelligence committees written notification, by not later than 7 days after becoming aware, that an individual in the executive branch has disclosed covered classified information to an official of an adversary foreign government using methods other than established intelligence channels; and

(2) each such notification should include—

(A) the date and place of the disclosure of classified information covered by the notification;

(B) a description of such classified information;

(C) identification of the individual who made such disclosure and the individual to whom such disclosure was made; and

(D) a summary of the circumstances of such disclosure.

(c) DEFINITIONS.—In this section:

(1) The term “adversary foreign government” means the government of any of the following foreign countries:

(A) North Korea.

(B) Iran.

(C) China.

(D) Russia.

(E) Cuba.

(2) The term “covered classified information” means classified information that was—

(A) collected by an element of the intelligence community; or

(B) provided by the intelligence service or military of a foreign country to an element of the intelligence community.

(3) The term “established intelligence channels” means methods to exchange intelligence to coordinate foreign intelligence relationships, as established pursuant to law by the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the National Security Agency, or other head of an element of the intelligence community.

(4) The term “individual in the executive branch” means any officer or employee of the executive branch, including individuals—

(A) occupying a position specified in article II of the Constitution;

(B) appointed to a position by an individual described in subparagraph (A); or

(C) serving in the civil service or the senior executive service (or similar service for sen-

ior executives of particular departments or agencies).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. NUNES) and the gentleman from California (Mr. SCHIFF) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. NUNES).

#### GENERAL LEAVE

Mr. NUNES. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill, H.R. 3180.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

□ 1730

Mr. NUNES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, passing an annual intelligence authorization bill is the most important tool Congress has to conduct effective oversight of the intelligence activities of the U.S. Government. The Intelligence Committee has brought a bill to the floor every year since fiscal year 2010. Once again, the bill is a bipartisan product that reflects contributions from all committee members. It was reported out of committee by a unanimous voice vote.

Because most of the intelligence budget involves highly classified programs, the bulk of the Committee's schedule of authorizations and direction are found in the classified annex to the bill. This classified annex has been made available to Members since markup in the House Intelligence Committee spaces.

At the unclassified level, I can report that the overall funding authorized by this bill is slightly below the President's budget request. Furthermore, the bill funds the Military Intelligence Program in line with the levels of the House-passed National Defense Authorization Act for Fiscal Year 2018.

The bill implements the first stage of a committee initiative to streamline and optimize defense intelligence beginning with the Defense Intelligence Agency; provides guidelines to guarantee that intelligence community contractors can meet with Congress unhindered; and enhances oversight of intelligence activities by mandating intelligence community reports on threats to Federal elections, leaks of classified information, security clearance processing, and other vital activities.

Mr. Speaker, America faces an international threat matrix more complicated than anything we have endured in the past. The recent, impressive progress made by the U.S. military and its allies against ISIS in Iraq and Syria has not ended the ISIS terror threat. In fact, based on the group's ability to inspire terror attacks

through social media and other means, ISIS could remain a significant threat to the West even after it loses all the territory it controls. Additionally, al-Qaida remains active in Afghanistan and has retained its close links to the resurgent Taliban. Meanwhile, other threats from belligerent regimes like Iran and North Korea continue to intensify, while instability in failed states like Libya presents pressing security challenges to the U.S. and our European allies, including through the facilitation of waves of mass migration that provide cover for the movement of jihadists to the West.

This bill will ensure that the dedicated men and women of our intelligence community have the funding, authorities, and support they need to carry out their mission and to keep us safe, while providing Congress with the tools it needs to provide robust oversight over their actions.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
Washington, DC, July 24, 2017.

Hon. DEVIN NUNES,

*Chairman, Permanent Select Committee on Intelligence, Washington, DC.*

DEAR CHAIRMAN NUNES: I am writing to you concerning the jurisdictional interest of the Committee on Homeland Security in H.R. 3180, the "Intelligence Authorization Act for Fiscal Year 2018." The bill includes provisions that fall within the jurisdiction of the Committee on Homeland Security.

I recognize and appreciate the desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Homeland Security will forego seeking a sequential referral on this bill. However, this is conditional based on our mutual understanding that foregoing action on H.R. 3180 at this time does not prejudice this Committee with respect to any future jurisdictional claim over the subject matter contained in this bill or similar legislation.

This waiver is also given with the understanding that the Committee on Homeland Security expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this or any similar legislation, and requests your support for such a request.

I would appreciate your response to this letter confirming this understanding with respect to H.R. 3180, and ask that a copy of this letter and your response be included in the Congressional Record during consideration of this bill on the House floor.

Sincerely,

MICHAEL T. McCAUL,  
*Chairman.*

HOUSE OF REPRESENTATIVES, PER-  
MANENT SELECT COMMITTEE ON IN-  
TELLIGENCE,

Washington, DC, July 24, 2017.

Hon. MICHAEL McCAUL,

*Chairman, Committee on Homeland Security, Washington, DC.*

DEAR CHAIRMAN McCAUL: I received your letter regarding H.R. 3180, the "Intelligence Authorization Act for Fiscal Year 2018." You have asserted that Section 502 of the Act falls within your jurisdiction because it re-

quests that the Director of National Intelligence coordinate with the National Intelligence Program (NIP) funded Department of Homeland Security Office of Intelligence and Analysis (DHS I&A) to produce a publicly available advisory report on foreign counterintelligence and cyber threats.

Consistent with our January 11, 2017 exchange of letters, HPSCI has exclusive jurisdiction over NIP funded DHS I&A intelligence activities. However, I acknowledge that your letter in no way diminishes or alters the jurisdiction of the Committee on Homeland Security with respect to any future jurisdictional claim over the subject matter contained in the bill or any similar legislation.

I will include a copy of your letter and this response in the Congressional Record during consideration of the legislation on the House Floor. Thank you for your assistance with this matter.

Sincerely,

DEVIN NUNES,  
*Chairman.*

Mr. SCHIFF. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to taking up the Intelligence Authorization Act on suspension at a time when issues concerning the intelligence community have taken on an even greater significance and urgency, and taking up the bill this way will deprive Members of the opportunity to offer important amendments.

The Intelligence Authorization Act for Fiscal Year 2018 is a good and bipartisan bill, but even a good bill can be made better. And although we have taken up the IAA on suspension on occasion in the past, it has only been on the basis of mutual agreement, which is not the case this year.

On its merits, I believe the IAA should and will become law, and I look forward to its ultimate approval by both the House and Senate, and enactment.

Nevertheless, I share Leader PELOSI and Whip HOYER's view that tonight's suspension vote should be opposed. This IAA should go through regular order so that Members may offer amendments. I will vote "no" today because I disagree with the expedited procedure used to bring this to the floor.

The Intelligence Committee has a unique role in this House and a special obligation to the American people.

It is our job to oversee the activities of the 17 agencies that comprise the intelligence community, ensuring that we strike an appropriate balance between protecting our country's national security and the civil liberties of everyone who calls America home.

On behalf of the House—by and through our oversight tools, including the IAA—our committee helps ensure that the activities of the U.S. intelligence community do the following: that they adhere to the Constitution and to the law; that they advance the national security interests of the United States; that they wisely expend taxpayer dollars; and that they steadfastly protect Americans' civil liberties and privacy rights.

The legislation before us today, like its predecessors, continues to fund, equip, and give policy direction to the intelligence community and military intelligence elements of the Department of Defense. It provides funding levels slightly below the President's 2018 budget request and sustains intelligence priorities provided for in previous authorizations.

In addition to the unclassified legislative text and accompanying House report, the IAA includes a classified annex, which directs the resources and spending for the IC's activities and programs. This includes a correlating schedule of authorizations that lays out funding for the IC and the DOD.

This year's IAA, once again, incorporates a number of Democratic Member oversight priorities: it improves our efforts to stamp out waste, fraud, and abuse by requiring an Inspector General-level review of existing whistleblower procedures and by permitting IC contractors to come directly to Congress without requiring permission from the IC elements that employ them.

A provision accompanying the report mandates that the ODNI notify and provide justification to Congress if the executive branch alters the existing Presidential Policy Guidance, or PPG, relating to U.S. counterterrorism actions located outside of designated areas of active hostilities. The PPG, first promulgated under the previous administration, is an important element of U.S. policymaking that seeks to ensure direct action against lawful terrorist targets is undertaken only when necessary and consistent with U.S. national security and foreign policy interests. This is the result of rigorous legal and policy deliberation and coordination within the U.S. Government. Reporting to Congress on any changes to it ensures proper oversight.

The bill also furthers our committee's belief that the future of the IC workforce depends on diversity; as such, this year's IAA enhances the ODNI's Centers of Academic Excellence program.

Finally, this bill reflects a clear-eyed assessment of the threat we face from a resurgent Russia determined to undermine our democratic institutions and our faith in the American political process.

As the intelligence community has determined, Moscow initiated as early as mid-2015 an active measures campaign to assault our 2016 election. The Kremlin's influence campaign consisted of cyber espionage, hacking and weaponizing stolen documents, and a propaganda machine that was used to great effect to amplify every element of their appalling campaign, and perhaps more.

This year's IAA acts on that unanimous IC judgment by directing assessments on Moscow's influence campaigns against foreign elections and



the threat posed by Russian finance activities globally. It also requires ODNI to publish a report on the foreign cybersecurity and counterintelligence threats to future U.S. Federal election campaigns.

As with any product of a good-faith attempt at compromise, I do not pretend this bill is perfect. There are provisions I wish were modified, and some provisions that I would have liked to have seen included. Many of my colleagues feel the same way, and they should have been permitted to offer amendments, something I hope they will be permitted to do by voting “no” on this bill under suspension.

For example, we wish this bill had done more to codify in law some of the previous administration’s counterterrorism reforms, including giving the status of law to an executive order requiring the Director of National Intelligence to continue the practice of releasing publicly available data on the total number of combatants and non-combatants killed or injured due to counterterrorism action.

I look forward to the fiscal year ’18 Intelligence Authorization Act being enacted into law—not through the vehicle of the suspension calendar, but through consideration under regular order. For that reason, I urge a “no” vote here so that all Members will have a chance to be heard.

Mr. Speaker, I am proud to yield 3 minutes to the gentlewoman from Alabama (Ms. SEWELL), who is one of our superb members of the committee and also one of our ranking members.

Ms. SEWELL of Alabama. Mr. Speaker, today I rise to speak on the passage of the fiscal year 2018 Intelligence Authorization Act under suspension of the rules.

Unfortunately, I strongly oppose its passage today, not because it is a bad bill. On the contrary, I voted for it out of committee. But today I disagree on how this bill is presented on the floor. The Intelligence Authorization Act should be on regular order and rule and not on suspension.

This critically important piece of legislation is the most substantial oversight mechanism that Congress has over the intelligence community, and it deserves full consideration and robust debate. The American public and our intelligence community deserve nothing less.

Before authorizing tens of billions of dollars for the United States intelligence community, our lawmakers should carefully consider and debate the issues our intelligence community faces, many of which directly impact our national security. Instead, today’s consideration of the IAA has been fast-tracked, and debate has been cut short.

Most of the work of the intelligence community and our committee happens behind closed doors, which means that debate on the House floor over the

Intelligence Authorization Act is one of the few times the public can engage with the issues facing our intelligence community. By limiting debate on this bill, we cut public engagement off as well.

Mr. Speaker, I am proud of the bipartisan way in which our committee worked to craft this year’s Intelligence Authorization Act. I am excited that this year’s IAA includes a provision that I drafted that provides our lawmakers, election officials, campaigns, and the public with additional information and resources to defend our democracy against emerging cyber threats. Additionally, we will continue to be able to provide a summer internship program to students from the existing Centers of Academic Excellence in intelligence. This year’s IAA will also hold the IC accountable for creating a more diverse and inclusive working environment.

Nevertheless, I will oppose today’s bill not because I don’t support the underlying bill, but because I believe that national security issues raised by this legislation are too important to be fast-tracked.

Mr. Speaker, I urge my colleagues to oppose today’s vote under suspension of the rules and to stand with us in demanding full debate and consideration under regular order.

Mr. NUNES. Mr. Speaker, I have no further speakers, and I reserve the balance of my time to close.

Mr. SCHIFF. Mr. Speaker, I yield myself the balance of my time.

The Intelligence Authorization Act is a critical oversight tool, one component of the legal architecture that governs the authorities and boundaries of our civilian and military intelligence professionals.

The bipartisan legislation before us today is sound, and I endorse its substance on the merits. But I agree with our leadership that the suspension process is not the appropriate venue for its adoption.

For this reason, I will vote “no” on the measure tonight, but I remain optimistic about this legislation’s ultimate passage into law after we complete its consideration under regular order.

Mr. Speaker, I yield back the balance of my time.

Mr. NUNES. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, first, I thank Mr. Phil Tubesing, who has been a congressional fellow with our committee for the last 2 years. This will be his last bill. He will be leaving us at the end of the month, so I wanted to recognize him for all his fine work on the bill.

Mr. Speaker, I urge my colleagues to vote “yes” on this bill. This is typically how the bill has come to the floor from the Intelligence Committee. As nearly all the Members know, for the last several years that is how it has occurred. Unfortunately, we are begin-

ning to deteriorate into political theater at the Intelligence Committee. As long as I am chairman, I am going to continue to try to stop that from happening.

Mr. Speaker, I urge a “yes” vote, and I yield back the balance of my time.

Mr. CARSON of Indiana. Mr. Speaker, as a member of the House Intelligence Committee, I am proud of the bipartisanship that allowed us to put this bill together.

Our committee, which normally operates quietly, has gotten more attention than normal this year as we conduct the critical business of investigating Russian intervention in our elections.

But we still do our day job—overseeing intelligence programs and providing support to the men and women of our intelligence community who fight to keep our country safe.

This bill is the culmination of this cooperation.

Our country is facing a wide array of pervasive and complex threats.

Our near-peer adversaries, Russia and China, are rapidly growing their military capabilities and regularly, unashamedly violating international law.

A nuclear weapons stockpile and functioning ICBM program now sit in the hands of an unpredictable North Korean dictator.

And the so-called caliphate started by ISIS is losing ground, only to increase homegrown attacks against the United States and its allies.

My constituents, like all Americans, are rightly concerned.

But they can feel confident that we are working with the intelligence community on ways to address them.

As the Ranking Member of the Emerging Threats Subcommittee, I am particularly interested in supporting our intelligence professionals who assess and prevent terrorist threats to our homeland—while protecting the civil rights and liberties of innocent Americans.

I’m working to ensure they use their expertise, as well as that in the private sector, to find and remove online propaganda used to recruit would-be attackers.

I’m also proud to include language that will enable the IC and private sector to temporarily exchange IT talent in order to better tackle some of the toughest cybersecurity challenges.

Mr. Speaker, Chairman NUNES and Ranking Member SCHIFF have led this process with bipartisan professionalism.

This bill is stronger because it reflects the input of all of our members.

The full House should have this same opportunity—not be forced to vote up or down under suspension.

Republican leadership owes it to our members to return to regular order so our bill can benefit from the input of the full House.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Homeland Security Committee and vigilant defender of our national security, I rise in support of H.R. 3180, the “Intelligence Authorization Act for Fiscal Year 2018,” which will provide the Intelligence Community (IC) with the necessary resources and authorities to ensure they remain capable of protecting and defending the United States.



This bill authorizes appropriations for Fiscal Year 2018 for vital intelligence activities of the U.S. government, the Community Management Account, and the Central Intelligence Agency (CIA) Retirement and Disability System, and for other purposes.

H.R. 3180 comes at a critical time in the status of our national security and the IC's ability to protect it.

As we continue to face a diverse and growing array of threats from terrorist groups, hostile nation states, and questionable or incompetent figures in the Trump administration, it is crucial that the IC receive all the resources it needs to do its job while Congress has the necessary tools to carry out rigorous oversight of its work.

This bill seeks to meet these challenges by supporting critical national security programs, particularly those focused on countering terrorism and cyberattacks.

Under H.R. 3180, the Director of National Intelligence will be required to electronically publish an unclassified advisory report on foreign counterintelligence and cybersecurity threats to federal elections.

It also bolsters intelligence oversight by ensuring that IC contractors can meet freely with Congress.

Lastly, this bill improves IC accountability to Congress by requiring the IC to provide reports on:

Investigations of leaks of classified information;

Security clearance processing timelines;

The process for reviewing information about computer vulnerabilities for retention or potential release;

And Russian influence campaigns directed at foreign elections and threat finance activities.

Mr. Speaker, H.R. 3180 is a necessary response to the overwhelming evidence pointing to a carefully planned and executed infiltration of our 2016 Presidential Election by the Russian government and its operatives.

The issue of cybersecurity, particularly with regards to our federal election computer system infrastructure, has been of great concern to me and the American public as more and more reports of Russian hacking efforts have come to light.

In addition, the provision requiring reports on security clearance processing timelines should shed light on the highly dubious and inscrutable security clearances of Ivanka Trump and Jared Kushner.

Donald Trump's blatant and irresponsible nepotism towards his daughter and son-in-law have made us all vulnerable to Russian and other foreign influence at the highest levels of our federal government.

H.R. 3180 will give the American people what they crave and deserve: clarity and transparency to pierce through the haze of cover-ups and distractions surrounding the Trump Administration.

This bill also takes significant, much-needed steps to improve benefits for members of the IC, such as increasing employee compensation and authorizing \$514 million in appropriations for the CIA's Retirement and Disability System.

Congress must do its part to adequately recompense the patriotic Americans who

serve our nation through their work in the IC, especially employees with disabilities, who make up 9 percent of the intelligence workforce.

At the same time, we must continue to ensure that Congress can exercise oversight over and maintain transparency for the 17 agencies that comprise the IC.

I am heartened that my Republican colleagues in the Intelligence Committee are starting to see the light in recognizing the sinister threat of Russian infiltration and White House collusion, both of which endanger our nation's ability to practice and protect its core democratic values.

I look forward to working with all Members of Congress to strengthen our IC, and I urge my colleagues to join me in supporting this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. NUNES) that the House suspend the rules and pass the bill, H.R. 3180, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SCHIFF. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 43 minutes p.m.), the House stood in recess.

□ 1830

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CARTER of Georgia) at 6 o'clock and 30 minutes p.m.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RES. 111 PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF THE RULE SUBMITTED BY BUREAU OF CONSUMER FINANCIAL PROTECTION RELATING TO ARBITRATION AGREEMENTS

Mr. BUCK, from the Committee on Rules, submitted a privileged report (Rept. No. 115-252) on the resolution (H. Res. 468) providing for consideration of the joint resolution (H.J. Res. 111) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements", which was referred to the

House Calendar and ordered to be printed.

#### REQUESTING THE SENATE TO RETURN TO THE HOUSE OF REPRESENTATIVES HOUSE JOINT RESOLUTION 76

Mr. BUCK. Mr. Speaker, I send to the desk a privileged resolution and ask for its immediate consideration in the House.

The Clerk read the resolution, as follows:

H. RES. 469

*Resolved*, That the Clerk of the House of Representatives request the Senate to return to the House the joint resolution (H.J. Res. 76) entitled "Granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission."

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 3180, by the yeas and nays;

S. 114, by the yeas and nays;

H.R. 3218, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3180) to authorize appropriations for fiscal year 2018 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. NUNES) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 241, nays 163, not voting 29, as follows:

[Roll No. 407]

YEAS—241

|          |           |            |
|----------|-----------|------------|
| Abraham  | Allen     | Babin      |
| Aderholt | Amodei    | Bacon      |
| Aguilar  | Arrington | Banks (IN) |

Barletta  
Barr  
Barton  
Bera  
Bergman  
Biggs  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Brady (TX)  
Bridenstine  
Brooks (IN)  
Brownley (CA)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Bustos  
Byrne  
Calvert  
Carbajal  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Correa  
Costa  
Cramer  
Crist  
Culberson  
Curbelo (FL)  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Dunn  
Emmer  
Estes (KS)  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Fox  
Franks (AZ)  
Frelinghuysen  
Gaetz  
Gallagher  
Garamendi  
Garrett  
Gianforte  
Gibbs  
Goodlatte  
Gosar  
Gottheimer  
Gowdy  
Granger  
Graves (GA)

Graves (LA)  
Griffith  
Grothman  
Guthrie  
Handel  
Harper  
Harris  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hollingsworth  
Hudson  
Huizenga  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Joyce (OH)  
Katko  
Keating  
Kelly (MS)  
Kelly (PA)  
Kihuen  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kuster (NH)  
Kustoff (TN)  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
Lewis (MN)  
Lipinski  
LoBiondo  
Loeb  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
Lujan Grisham, M.  
MacArthur  
Maloney, Sean  
Marchant  
Marino  
Marshall  
Mast  
McCarthy  
McClintock  
McHenry  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meehan  
Messer  
Mitchell  
Moolenaar  
Mullin  
Murphy (FL)  
Murphy (PA)  
Newhouse  
Noem  
Norcross  
Norman  
Nunes

O'Halleran  
Olson  
Palmer  
Paulsen  
Pearce  
Perry  
Peters  
Peterson  
Pittenger  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rokita  
Rooney, Francis  
Ros-Lehtinen  
Rosen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Ruiz  
Russell  
Rutherford  
Schneider  
Schradler  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shea-Porter  
Shimkus  
Shuster  
Simpson  
Sinema  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stivers  
Suozi  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

## NAYS—163

Adams  
Amash  
Barragan  
Beatty  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan F.  
Brady (PA)  
Brat  
Brown (MD)  
Butterfield

Capuano  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly

Conyers  
Cooper  
Courtney  
Cuellar  
Davidson  
Davis (CA)  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
DeSaulnier  
Deutch  
Dingell

Doggett  
Doyle, Michael F.  
Duncan (TN)  
Ellison  
Engel  
Eshoo  
Español  
Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Gohmert  
Gomez  
Gonzalez (TX)  
Green, Al  
Green, Gene  
Grijalva  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson, E. B.  
Jones  
Knight  
Kaptur  
Kelly (IL)  
Kennedy  
Khanna  
Kildee  
Kilmer  
Kind

Krishnamoorthi  
Labrador  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lieu, Ted  
Lofgren  
Lowenthal  
Lowey  
Luján, Ben Ray  
Lynch  
Maloney  
Carolyn B.  
Massie  
Matsui  
McCollum  
McEachin  
McGovern  
Meeks  
Meng  
Moore  
Moulton  
Nadler  
Neal  
Nolan  
O'Rourke  
Pallone  
Panetta  
Pascarella  
Payne  
Pelosi  
Perlmutter  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley

Raskin  
Rice (NY)  
Richmond  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sanchez  
Sanford  
Sarbanes  
Schakowsky  
Schiff  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman  
Sires  
Slaughter  
Smith (WA)  
Soto  
Speier  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Watson Coleman  
Wilson (FL)  
Yarmuth

## NOT VOTING—29

Bass  
Brooks (AL)  
Costello (PA)  
Crawford  
Crowley  
Cummings  
Davis, Danny  
Graves (MO)  
Gutiérrez  
Hultgren

Jenkins (WV)  
Johnson (GA)  
Lawrence  
McCaul  
McKinley  
Mooney (WV)  
Napolitano  
Palazzo  
Poe (TX)  
Renacci

Rohrabacher  
Rooney, Thomas J.  
Scalise  
Smith (MO)  
Stewart  
Vargas  
Waters, Maxine  
Welch  
Williams

□ 1854

Messrs. MESSER, MEADOWS, LOEBSACK, BIGGS, ARRINGTON, GOSAR, NORCROSS, and GARAMENDI changed their vote from “nay” to “yea.”

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

## DEPARTMENT OF VETERANS AFFAIRS BONUS TRANSPARENCY ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 114) to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 219, nays 186, not voting 28, as follows:

[Roll No. 408]

## YEAS—219

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barton  
Bergman  
Biggs  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Brady (TX)  
Brat  
Bridenstine  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costa  
Cramer  
Culberson  
Curbelo (FL)  
Davidson  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer  
Estes (KS)  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Fox  
Franks (AZ)  
Frelinghuysen  
Gaetz  
Gallagher

Garrett  
Gianforte  
Gibbs  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Griffith  
Grothman  
Guthrie  
Handel  
Harper  
Harris  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hollingsworth  
Hudson  
Huizenga  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
Lewis (MN)  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Mast  
McCarthy  
McClintock  
McHenry  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mitchell  
Moolenaar  
Mullin  
Murphy (PA)

Newhouse  
Noem  
Norman  
Nunes  
Olson  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rokita  
Rooney, Francis  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Sanford  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Sinema  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Wilson (SC)  
Wittman  
Womack  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

## NAYS—186

Adams  
Aguilar  
Barragan  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici

Boyle, Brendan F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)

Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen

Connolly  
Conyers  
Cooper  
Correa  
Courtney  
Crist  
Cuellar  
Davis (CA)  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
DeSaunier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Ellison  
Engel  
Eshoo  
Espallat  
Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gomez  
Gonzalez (TX)  
Gottheimer  
Green, Al  
Green, Gene  
Grijalva  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kelly (IL)

Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lieu, Ted  
Lipinski  
Loeb sack  
Lofgren  
Lowenthal  
Lowey  
Lujan Grisham,  
M.  
Lujan, Ben Ray  
Lynch  
Maloney,  
Carolyn B.  
Maloney, Sean  
Massie  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Neal  
Nolan  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascarell  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson

Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Richmond  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Schweikert  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sires  
Slaughter  
Smith (WA)  
Soto  
Speier  
Suoizzi  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Allen  
Waters, Maxine  
Watson Coleman  
Wilson (FL)  
Woodall  
Yarmuth

## NOT VOTING—28

Bass  
Brooks (AL)  
Costello (PA)  
Crawford  
Crowley  
Cummings  
Davis, Danny  
Graves (MO)  
Gutiérrez  
Hultgren

Jenkins (WV)  
Johnson (GA)  
Lawrence  
McCaul  
McKinley  
Mooney (WV)  
Napolitano  
Palazzo  
Poe (TX)  
Renacci

Rohrabacher  
Rooney, Thomas  
J.  
Scalise  
Smith (MO)  
Stewart  
Vargas  
Welch  
Williams

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1903

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

## MOMENT OF SILENCE IN MEMORY OF OFFICER JACOB J. CHESTNUT AND DETECTIVE JOHN M. GIBSON

The SPEAKER pro tempore. The Chair would ask all present to rise for a moment of silence.

The Chair asks that the House now observe a moment of silence in memory of Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police who were killed

in the line of duty defending the Capitol on July 24, 1998.

## HARRY W. COLMERY VETERANS EDUCATIONAL ASSISTANCE ACT OF 2017

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3218) to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 405, nays 0, not voting 28, as follows:

[Roll No. 409]

YEAS—405

Abraham  
Adams  
Aderholt  
Aguilar  
Allen  
Amash  
Amodei  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barragán  
Barton  
Beatty  
Bera  
Bergman  
Beyer  
Biggs  
Bilirakis  
Bishop (GA)  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Blumenauer  
Blunt Rochester  
Bonamici  
Bost  
Boyle, Brendan  
F.  
Brady (PA)  
Brady (TX)  
Brat  
Bridenstine  
Brooks (IN)  
Brown (MD)  
Brownley (CA)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Bustos  
Butterfield  
Byrne  
Calvert  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)

Carter (GA)  
Carter (TX)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chabot  
Cheney  
Chu, Judy  
Ciocline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Coffman  
Cohen  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Connolly  
Conyers  
Cook  
Cooper  
Correa  
Costa  
Courtney  
Cramer  
Crist  
Cuellar  
Culberson  
Curbelo (FL)  
Davidson  
Davis (CA)  
Davis, Rodney  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
Denham  
Dent  
DeSantis  
DeSaunier  
DesJarlais  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Donovan

Doyle, Michael  
F.  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Ellison  
Emmer  
Engel  
Eshoo  
Espallat  
Estes (KS)  
Esty (CT)  
Evans  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foster  
Foxy  
Frankel (FL)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gabbard  
Gaetz  
Gallagher  
Gallego  
Garamendi  
Garrett  
Gianforte  
Gibbs  
Gohmert  
Gomez  
Gonzalez (TX)  
Goodlatte  
Gosar  
Gottheimer  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Green, Al  
Green, Gene  
Griffith  
Grijalva  
Grothman  
Guthrie  
Hanabusa  
Handel

Harper  
Harris  
Hartzler  
Hastings  
Heck  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Higgins (NY)  
Hill  
Himes  
Holding  
Hollingsworth  
Hoyer  
Hudson  
Huffman  
Huizenga  
Hunter  
Hurd  
Issa  
Jackson Lee  
Jayapal  
Jeffries  
Jenkins (KS)  
Johnson (LA)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Jordan  
Joyce (OH)  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kelly (MS)  
Kelly (PA)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Krishnamoorthi  
Kuster (NH)  
Kustoff (TN)  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latta  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lewis (MN)  
Lieu, Ted  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren  
Long  
Loudermilk  
Love  
Lowenthal  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham,  
M.  
Lujan, Ben Ray  
Lynch  
MacArthur  
Maloney,  
Carolyn B.

Maloney, Sean  
Marchant  
Marino  
Marshall  
Massie  
Mast  
Matsui  
McCarthy  
McClintock  
McCollum  
McEachin  
McGovern  
McHenry  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meehan  
Meeks  
Meng  
Messer  
Mitchell  
Moolenaar  
Moore  
Moulton  
Mullin  
Murphy (FL)  
Murphy (PA)  
Nadler  
Neal  
Newhouse  
Noem  
Nolan  
Norcross  
Norman  
Nunes  
O'Halleran  
O'Rourke  
Olson  
Pallone  
Palmer  
Panetta  
Pascarell  
Paulsen  
Payne  
Pearce  
Pelosi  
Perlmutter  
Perry  
Peters  
Peterson  
Pingree  
Pittenger  
Pocan  
Poliquin  
Polis  
Posey  
Price (NC)  
Quigley  
Raskin  
Ratcliffe  
Reed  
Reichert  
Rice (NY)  
Rice (SC)  
Richmond  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rokita  
Rooney, Francis  
Ros-Lehtinen  
Rosen  
Roskam  
Ross  
Rothfus  
Rouzer  
Roybal-Allard  
Royce (CA)  
Ruiz  
Ruppersberger  
Rush

Russell  
Rutherford  
Ryan (OH)  
Sánchez  
Sanford  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Shea-Porter  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Smucker  
Soto  
Speier  
Stefanik  
Stivers  
Suoizzi  
Swalwell (CA)  
Takano  
Taylor  
Tenney  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Titus  
Tonko  
Torres  
Trott  
Tsongas  
Turner  
Upton  
Valadao  
Veasey  
Vela  
Velázquez  
Visclosky  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Wilson (FL)  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yarmuth  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

## NOT VOTING—28

Bass  
Brooks (AL)  
Costello (PA)  
Crawford  
Crowley  
Cummings  
Davis, Danny  
Graves (MO)

Gutiérrez  
Hultgren  
Jenkins (WV)  
Johnson (GA)  
Lawrence  
McCaul  
McKinley  
Mooney (WV)

Napolitano  
Palazzo  
Poe (TX)  
Renacci  
Rohrabacher  
Rooney, Thomas  
J.

Scalise  
Smith (MO)

Stewart  
Vargas

Welch  
Williams

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1911

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mr. JOHNSON of Georgia. Mr. Speaker, on Monday, July 24, 2017, I was unavoidably detained attending to a funeral in my home state. Thus, I was not present for the rollcall votes that were cast. Had I been present, I would have voted as follows:

1. H.R. 3180—Intelligence Authorization Act for Fiscal Year 2018—I would have voted “no.”

2. S. 114—A bill to authorize appropriations for the Veterans Choice Program—I would have voted “no.”

3. H.R. 3218—Harry W. Colmery Veterans Educational Assistance Act—I would have voted “yes.”

#### REPORT ON H.R. 3362, DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2018

Mr. ROGERS of Kentucky, from the Committee on Appropriations, submitted a privileged report (Rept. No. 115-253) on the bill (H.R. 3362) making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2018, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. BIGGS). Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

#### MILITARY RESIDENCY CHOICE ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 282) to amend the Servicemembers Civil Relief Act to authorize spouses of servicemembers to elect to use the same residences as the servicemembers.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### VA PROVIDER EQUITY ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 1058) to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: “A bill to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs, and for other purposes.”

A motion to reconsider was laid on the table.

#### DEPARTMENT OF VETERANS AFFAIRS BONUS TRANSPARENCY ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 1690) to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1915

#### VETERANS AFFAIRS MEDICAL SCRIBE PILOT ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 1848) to direct the Secretary of Veterans Affairs to carry out a pilot program on the use of medical scribes in Department of Veterans Affairs medical centers, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, as amended.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: “A bill to direct the Secretary of Veterans Affairs to carry out a pilot program on the use of medical scribes in Department of Veterans Affairs medical centers, and for other purposes.”

A motion to reconsider was laid on the table.

#### VA PROCUREMENT EFFICIENCY AND TRANSPARENCY ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 2006) to amend title 38, United States Code, to improve the procurement practices of the Department of Veterans Affairs, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### PROTECTING BUSINESS OPPORTUNITIES FOR VETERANS ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 2749) to amend title 38, United States Code, to improve the oversight of contracts awarded by the Secretary of Veterans Affairs to small business concerns owned and controlled by veterans, and for other purposes, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### ENSURING VETERAN ENTERPRISE PARTICIPATION IN STRATEGIC SOURCING ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 2781) to direct the Secretary of Veterans Affairs to certify the sufficient participation of small business concerns owned and controlled and

owned by veterans and small business concerns owned by veterans with service-connected disabilities in contracts under the Federal Strategic Sourcing Initiative, and for other purposes, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### HAPPY 40TH ANNIVERSARY TO LOG CABIN REPUBLICANS

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to congratulate Log Cabin Republicans as it celebrates 40 years of advocating and advancing equality and justice for LGBT Americans. Formed by a small group of LGBT conservatives in California, Log Cabin Republicans emerged to defeat what is known as the Briggs Initiative, a measure prohibiting gay teachers from teaching in public schools.

This measure was rejected, thanks to the tireless work of this organization and President Reagan with his forceful opposition to the discriminatory policy.

Since then, Log Cabin Republicans have expanded their presence and created over 50 chapters across our great Nation, including in my hometown of Miami. Together we have won many great victories and have taken a historic stride toward equality with the repeal of Don't Ask, Don't Tell, and the legalization of marriage equality.

Mr. Speaker, as a proud ally of the LGBT community, I commend Log Cabin Republicans for advancing our principles of limited government, individual freedoms, and personal responsibility to create a more inclusive party that ensures fairness and equality for all Americans.

Happy 40th to LCR.

#### RECOGNIZING THE 27TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, I rise in recognition of the 27th anniversary of the Americans with Disabilities Act, which was signed into law on July 26, 1990.

This landmark, bipartisan civil rights legislation enables people with

disabilities, including me, to experience more inclusive and fulfilling lives.

The prohibition of discrimination on the basis of a disability has helped to promote equal opportunity, full participation, independent living, and economic self-sufficiency.

Mr. Speaker, it is true that we have made incredible progress since 1990, but we still have work ahead. Too many people with disabilities still lack access to affordable housing, public transportation, education, healthcare, and employment. Full access and inclusion remains a fundamental aspiration, but it is not yet a reality.

Mr. Speaker, we must remain vigilant in defending the intent of the ADA so that future generations can live in an inclusive, accessible world, where the unique talents and abilities of individuals with disabilities are innately recognized.

#### REMEMBERING KATE FRONEK

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise today to remember Kate Fronek, an extraordinary 13-year-old from Eden Prairie who just passed away this last week.

Kate was an active girl who played hockey, lacrosse, and soccer throughout our Eden Prairie community. She attended Central Middle School, and people often noted her love for music.

This past February, Kate was diagnosed with acute myeloid leukemia. In the following months, she underwent multiple rounds of chemotherapy and a bone marrow transplant. Amid these challenges, Kate was brave and spirited, and friends and family remember her positively and, above all, her warm smile.

But over the weekend, in memory of Kate, neighbors and friends began putting orange balloons outside their homes, on the streets, and the bridges as a part of a tribute. Driving around Eden Prairie and seeing the streets lined with these balloons to honor her memory shows that she clearly touched very many lives.

Mr. Speaker, I wanted to extend my thoughts and prayers to the Fronek family. She will be missed, but her spirit will not be forgotten.

#### PRESIDENTIAL PARDONS SHOULD BE TRANSPARENT

(Mr. KRISHNAMOORTHY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KRISHNAMOORTHY. Mr. Speaker, last week, The Washington Post reported that President Trump was considering pardoning his aides, his relatives, and even himself. Any of these

actions would disrupt the investigation of Special Counsel Mueller.

Beyond simply pardoning those convicted of crimes, the President has the power to grant a pardon before charges are even brought, as President Ford's pardon of President Nixon demonstrated.

There is no requirement that Presidential pardons be publicly announced, meaning that President Trump could grant pardons in secret to prevent his associates from cooperating with the special counsel. That is why I am introducing the "Presidential Pardon Transparency Act." The President may have the power to pardon, but the American people have a right to know how and when he does it.

This bill requires the White House to publicly disclose every pardon the President grants. Our Founders established the Presidential power to pardon to protect the American people from their government, not for the President to protect himself. This bill upholds that principle.

#### REMEMBERING ROY HERRINGTON

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, recently, the Appling County community mourned the loss of lifelong resident Roy Herrington.

He was a loving husband to his wife of 59 years, Georgia, and a dedicated father to his three children: Tami, Jeff, and Julie. Roy was an active member of the community. He was a member and a deacon at the Baxley First Baptist Church; a past director of Appling County Chamber of Commerce; and a recipient of the Chamber Award of Excellence in Agriculture.

Roy was awarded the Appling County Chamber of Commerce Citizen of the Year award in 1981.

During my time traveling the 12th District of Georgia, Roy was one of those people who I would always make sure to visit to gain insight on serving the great folks of the 12th District.

Mr. Speaker, we are losing our greatest generation, but as Members of Congress and as Americans, we must not forget the lessons they have taught us. Every village, every community, has a man of peace and influence. In Appling County, that man was Roy Herrington.

Baxley, Georgia, is a better place because of Roy Herrington. He will be remembered often.

#### SUPPORTING NATIONAL HOUSING WEEK OF ACTION

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, I come to the House floor today in support of

National Housing Week of Action and to stand up for a better deal for hard-working Americans.

Access to affordable housing directly impacts the ability of Americans to have a better job, better wages, and a better future. However, far too many families are struggling to keep a roof over their heads as the cost of rent is rising, mortgages are harder to get, and wages remain stagnant.

Due to cuts in Federal rental assistance, only one in four people eligible for it actually are receiving it. Our constituents deserve a better deal. I join Democrats in standing up to create millions of good-paying jobs, full-time jobs by investing in our crumbling infrastructure, and offering apprenticeship programs to new workers.

Mr. Speaker, I will continue to fight for affordable housing programs so all Americans can have the ability to achieve the American Dream.

#### REMEMBERING HEROES JACOB CHESTNUT AND JOHN GIBSON

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, every day on Capitol Hill, we have heroes among us, our Capitol Police. Five weeks ago, three of these heroes saved lives. They killed a deranged man who opened fire on the Republican baseball team. Two heroes were wounded, Crystal Griner and David Bailey. Our brave Capitol Police prevented a massacre.

Another massacre was prevented by the Capitol Police on June 24 of 1998, 19 years ago today. My hometown of Sugar Land, Texas, still hurts over a hero we knew well, Detective John Gibson. He was killed a few feet from where I am standing.

Like Crystal and David, Detective Gibson was assigned to protect a member of House leadership, my neighbor, and my predecessor, Majority Leader Tom DeLay. Gibson heard Officer Jacob Chestnut being killed by an intruder. He shot the attacker, despite being mortally wounded.

Our Capitol Police are true heroes. May we always remember two special heroes, Jacob Chestnut and John Gibson.

#### NO APPROPRIATIONS FOR BORDER WALL

(Mr. CARBAJAL asked and was given permission to address the House for 1 minute.)

Mr. CARBAJAL. Mr. Speaker, I rise in opposition to the House appropriations package that will provide \$1.6 billion for the construction of President Trump's border wall.

As a member of the House Armed Services Committee, I have heard from many military leaders who all agree, a

wall won't make our borders more secure or our Nation safer.

There are more effective ways and technology that would be a better investment of our limited resources. Moreover, the President has failed to provide a cost for this wall, and it would be irresponsible for Congress to write him a blank check, especially after he promised over and over that the American taxpayers would not foot the bill.

This wall only serves as a symbol of xenophobia and hate, while doing nothing to address our broken immigration system. Immigrants strengthen the fabric of our Nation, they serve in our military, they teach in our schools, and some, like myself, are fortunate enough to serve as Members of Congress.

□ 1930

#### SNAP UPDATE AFTER PATHWAYS HEARING

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, last week the Nutrition Subcommittee hosted a hearing on how eligible SNAP participants can improve their education and labor force involvement as they aim for independence.

Over the past 2½ years, the House Agriculture Committee has done a comprehensive review of the Supplemental Nutrition Assistance Program. We have looked at how it is administered and how it can be improved. We have also looked at how we can help Americans climb the ladder of opportunity and get out of poverty.

The subcommittee hearing looked at ways to sync employers with work-capable SNAP participants whose education, skill set, and backgrounds match their needs. This comprehensive approach brings together resources, funding, data, policies, partnerships, and, perhaps most importantly, shared performance measures that continue to allow the development, scaling, and sustainability of these pathway programs.

Stable employment that provides a living wage is essential to helping individuals and families rise out of poverty. As chairman of the subcommittee, I am committed to exploring ways to couple services with employment and education to empower work-capable recipients and help them achieve self-reliance.

#### FIRST, DO NO HARM

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, over this weekend,

I heard nonstop from people—people from all walks of life—who are living each day in fear that this Congress is going to strip them of the healthcare insurance they so desperately need, causing them to lose access to affordable care.

These good, decent, and hardworking people have told me again and again, in no uncertain terms, that they or someone whom they love dearly will suffer or die if our Republican colleagues carry out their catastrophically ill-conceived plan to repeal and replace or repeal and delay. They scoff at the oft-repeated Republican plan that they would merely be choosing not to have coverage, for they know the bitter truth.

To strip these people of the very coverage that keeps them, their children, and their parents alive would be as immoral an act as was ever perpetrated under the guise of governance.

When it comes to setting healthcare policy, this Congress, like every decent doctor since the days of Hippocrates, should be guided by that eternal principle: First, do no harm.

#### RECOGNIZING F.X. MATT BREWING COMPANY OF UTICA, NEW YORK

(Ms. TENNEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TENNEY. Mr. Speaker, I rise today to recognize F.X. Matt Brewing Company, located in Utica, New York. Founded in 1888, Matt's Brewery is the fourth oldest family-owned brewery in the United States.

An award-winning brewery, F.X. Matt Brewing Company is famous for their pale ale lager, Utica Club, the first beer licensed for sale after Prohibition, in addition to international taste test winner Saranac beer and soda lines.

F.X. Matt Brewing Company is currently among the 15 largest beer producers in the Nation, and the Matt family continues to develop new recipes each year.

Matt's Brewery has played an important role in our local community by hosting Saranac Thursdays, a weekly summer concert series, where a portion of the proceeds are donated to the United Way of Utica. Matt's Brewery also hosts the post-race celebration for the world famous Utica Boilermaker 15K road race.

I am grateful to Fred Matt, Nick Matt, and everyone at the brewery for their hard work, ingenuity, and dedication to our community as they continue this historic family business. I encourage my colleagues to stop by my office to try some of their great products.

On a personal note, as a lifelong friend of the Matt family, I will always be grateful to Lillian "Duffy" Matt, affectionately known as Duff, who taught me how to ride a bicycle.

### SUPPORTING THE FULBRIGHT PROGRAM

(Mr. RASKIN asked and was given permission to address the House for 1 minute.)

Mr. RASKIN. Mr. Speaker, I rise today in strong support of the Fulbright Program, which more than 370,000 people from the United States and over 180 countries have participated in since its founding in 1946.

For 70 years, the Fulbright Program has promoted strong relationships between Americans and other people and stimulated international education and progress. Some 57 Fulbright Fellows have received Nobel Prizes; 82 have received the Pulitzer Prize; 33 have gone on to serve as head of state; and 10 have been elected to the U.S. Congress.

All over the world, more than 370,000 Fulbright alumni are making waves in science, medicine, public service, art, business, philanthropy, and education.

Mr. Speaker, President Trump now proposes a staggering 55 percent cut to the Fulbright Scholar Program. This would devastate a successful and flourishing project.

Our country benefits enormously from Fulbright Fellows past, present, and future, and I urge all of my colleagues to continue supporting this excellent program on a full basis.

### SECRETARY PRUITT WELCOMED TO SOUTH CAROLINA

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, this morning at Cameron, South Carolina, I was grateful to join EPA Administrator Scott Pruitt, Senator LINDSEY GRAHAM, Attorney General Alan Wilson, and Commissioner of Agriculture Hugh Weathers to discuss the waters of the United States rule published by the prior administration.

This harmful rule geometrically expanded intrusion of the Federal Government, imposing greater Federal overreach, dictating the definition of waterways, and destroying jobs of original conservationists who promote a clean environment.

I appreciate Administrator Scott Pruitt who facilitated the roundtable to learn directly from local agricultural community leaders about the harmful consequences of the rule. The men and women of the roundtable, hosted by Jim and Karen Roquemore, clearly explained the real impact overreaching regulations have on environmentally positive development for jobs.

I am grateful that President Donald Trump and Administrator Pruitt have committed to review the rule and, most importantly, considered the input from grassroots organizations about the negative impact.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

I appreciate Rusty Shannon of Sandy Run, South Carolina, for alerting me to the destructive consequences of the rule.

### MEDICAID

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, within hours, the Senate will begin a sinister unraveling of the safety net for millions of Americans—\$774 billion cut from Medicaid—and they will throw on the ground some \$200 billion that is just a bait to be able to bring votes in.

It was sad to see the administration speak today about having people lose their lives because, without healthcare, they will. I ask the Senate to vote “no.” Kill this bill.

It would be important if the President would also have an agenda—6 months and he has no jobs bill, no insurance, and no infrastructure bill.

I hope also to restore constitutional integrity, and I expect to introduce legislation dealing with preventing the President from firing the special counsel and from abusing the pardon power to pardon people who are under investigation.

I ask that we work together, and that is to save lives. Vote “no” on that Senate bill.

### HONORING EUGENE WING OF FAIRFIELD, MAINE

(Mr. POLIQUIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIQUIN. Mr. Speaker, throughout America's 241-year history, millions of brave men and women have fought for our freedom, and we are grateful for their service.

Sometimes, Mr. Speaker, we find an American hero who worked behind the scenes to keep us free. Eugene Wing of Fairfield, Maine, in central Maine, is one of these heroes.

Gene was a gifted student who graduated from Bowdoin College in 1905 and then studied economics at Oxford University in England. He was then hired, Mr. Speaker, by The International Banking Corporation and sent to the Philippines, where he became an expert on the trade of natural resources in the Far East.

At the start, Mr. Speaker, of World War I and, later, World War II, the Army Intelligence Service asked Gene to help defeat the enemy and save the world. Mr. Wing took extraordinary risks to locate and help control the flow of coal, oil, gold, silver, and iron ore which were desperately needed by the enemy's war machine. His daring

spirit and extraordinary knowledge of these raw materials gave America and our Allies the upper hand to win both World Wars. Mr. Wing's unusual skill made him a target of our enemies, and he was eventually captured and put to death.

Mr. Speaker, Eugene Wing from Fairfield, Maine, is a true American hero. Millions of people around the world who live in freedom today are the beneficiaries of his sacrifice, his bravery, and his patriotism. We are grateful for Mr. Wing, and we will never forget.

### REMEMBERING JIM VANCE

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, Jim Vance, our local NBC news anchor in this region, who died Saturday at 75, probably set a record, local or national, as news anchor.

For 45 years, while being only himself, Vance presented the news to a region that challenged D.C. TV news with vast changes racially and ethnically, economically and politically. Jim Vance took the dare and told our ever-changing story straight.

He made us see ourselves, from a city with too much crime to today's D.C. with low crime and a big surplus. Only a combination of consummate professionalism and enduring affability could have covered so much quick-moving news without ever missing a beat.

Jim Vance brilliantly told our story throughout our first era of home rule. These years also encapsulated Jim Vance's service and now join his legacy with the District's own history.

### SUPPORTING CARE CORPS

(Ms. MICHELLE LUJAN GRISHAM of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to encourage my colleagues to support the Care Corps Demonstration Act. As a caregiver myself, I know how tough a job it is and how critical it is that we support family caregivers and the paid direct care workforce.

But as our population continues to age, our country faces a critical shortage of caregivers. In 2010, there were seven potential caregivers for every person over the age of 80; by 2030, that ratio is projected to drop by almost half, to about 4 to 1. At the same time, our economy continues to feel the effect of the Great Recession, and many young people are unemployed or underemployed.

That is why I am introducing this bipartisan bill which creates a grant program that would place Care Corps volunteers in communities across the



country to provide services that help seniors and individuals with disabilities remain independent. The program would help meet the need for more caregivers and provide opportunity in a growing career field by offering benefits and educational assistance to the volunteers.

Mr. Speaker, I urge my colleagues to quickly pass this important bill.

#### NO BORDER WALL

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute.)

Mr. O'ROURKE. Mr. Speaker, I rise today to stand against a proposal that we will vote on later this week to spend more than \$1.6 billion to build a wall that we don't need at our border with Mexico.

We have never had lower apprehensions coming from Mexico in my lifetime. We had 105 apprehensions per Border Patrol agent 10 years ago; last year, it was 25.

The border has never been safer. We have never spent more money—\$19.5 billion a year—and instead of putting this \$1.6 billion toward jobs or healthcare or reducing student loan debt, we are trying to solve a problem that we don't have in this country.

We need to instead look to the example of El Paso, Texas, one of the safest cities in the United States. It is the safest not in spite of its connection with Mexico, not in spite of the fact that so many people whom I represent in that community were born in another country—most of them Mexico—but because of those things.

When we treat each other with respect, dignity, and compassion, we also create security, safety, and success. Mr. Speaker, that is the example that we should be following, not a \$1.6 billion investment in a wall that we don't need.

□ 1945

#### FAILURE TO GOVERN: THE FIRST 6 MONTHS UNDER REPUBLICAN CONTROL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentlewoman from the Virgin Islands (Ms. PLASKETT) is recognized for 60 minutes as the designee of the minority leader.

#### GENERAL LEAVE

Ms. PLASKETT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include any extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

Ms. PLASKETT. Mr. Speaker, it is with great honor that I rise today to anchor the CBC Special Order hour.

For the next 60 minutes, we have a chance to speak directly to the American people on issues of great importance to the Congressional Black Caucus, Congress, the constituents we represent, and all Americans.

Led by our chair, CEDRIC RICHMOND from Louisiana, it is our duty, we feel, as the conscience of the Congress, to speak to all people in this hour on the issues that we deem are important and that our constituents have told us are important.

For this Special Order hour, we will spend this time to talk about Failure to Govern: The First 6 Months Under Republican Control.

President Trump's first 6 months have been defined by his often angry and personal tweets, his efforts to denigrate and undercut the multiple investigations into Russian influence in the 2016 election, and most importantly, the stalemated legislative battle to repeal and replace ObamaCare.

President Trump has signed dozens of executive actions and Presidential proclamations. Some have fared better than others. His travel ban plan, for instance, first caused chaos and was effectively shut down by a series of legal challenges. But the second effort, which also faced a flurry of lawsuits, was ultimately allowed to take effect on a limited basis by the Supreme Court.

In all, our President has signed 42 bills into law. But when it comes to big ticket items, like infrastructure, tax reform, and a repeal and/or replacement of ObamaCare, President Trump is sitting on zero. With healthcare seemingly on ice, tax reform is expected to be the big challenge next on our agenda.

Budgets are about priorities, and this President's priorities are clear. His budget hollows out our economy, endangers working families all across this country, in my district of the Virgin Islands, and the other districts that we all represent.

The \$2.5 trillion in cuts to entitlement programs, which include \$192 billion to the Supplemental Nutrition Assistance Program, otherwise known as SNAP, and the \$800 billion to Medicaid, will devastate localities like the Virgin Islands and elsewhere, where one in five children are covered under Medicaid and one-fifth of our population receives SNAP benefits.

The President has a budget with massive cuts that would shred social safety nets and cripple longstanding governmental functions. This administration has created uncertainty in the Nation's healthcare system by sending inconsistent administrative signals and supporting legislation that could deprive millions of people of health insurance coverage, undermine Medicaid health support for low-income Americans, and give wealthy taxpayers a massive tax cut.

He has mismanaged the Federal Government by failing to fill top spots. He has expanded the policy of deporting dangerous and illegal aliens by including many people with minimal records, stable jobs, and American families.

Most recently, we saw this with the Secretary of Homeland Security ordering the 50,000-plus Haitians here under protective status, due to the devastating natural disasters in Haiti, to leave. These are decent, hardworking people who are sending money back home, supporting an economy which is faltering under collapse.

We have seen a reversal of decades of bipartisan cooperation in extending environmental preservation of national landmarks. He has hired foxes to watch the chicken coops by filling his administration with arch-conservatives, many with records opposing the very agencies with which they work, and curbing civil rights and environmental enforcement.

All of these things we have seen in these first 6 months, and we will hear more.

Mr. Speaker, I yield to the gentleman from New Jersey (Mr. PAYNE), to speak on behalf of what we have seen in these last 6 months.

Mr. PAYNE. Mr. Speaker, let me first thank the gentlewoman from the Virgin Islands, who has demonstrated great leadership in leading these CBC Special Order hours. It is not an easy task, but she has done remarkable work in terms of finding topics that are important to our communities and our Nation.

As the gentlewoman stated, Mr. Speaker, this month we marked 6 months of the Trump Presidency and 6 months of congressional Republican inaction.

Republicans made promise after promise to the American people. The President called himself the ultimate dealmaker. I wonder if we are witnessing the first Manchurian President. Instead of the promise of jobs, infrastructure, and a new and improved healthcare plan, we get chaos and seemingly never-ending controversies.

Where is the Republican agenda? Where are their accomplishments? Where are all those wins?

Let's take a look at the numbers. President Trump has a job approval rating of 36 percent, the lowest of any President ever at this point in their Presidency. Republicans can point to zero legislative accomplishments. The President has no plan to lower healthcare costs, no jobs bills, no infrastructure bills, no tax reform, and no clean budget. These simply are the facts.

Instead of doing what is right for the American people, it appears that Republicans are more occupied with taking away healthcare from millions of our constituents to give tax cuts to the wealthy, or defending the administration's most recent controversy.

This week, we will vote on a dishonest security spending package that will force American taxpayers to pay for the President's border wall. Who is going to pay for it? It looks like the American people.

During his campaign and the rhetoric that we heard up until this point, Mexico was going to pay for the wall. Now, here we are, with our Republican colleagues supporting an effort that says that the American people will pay for the wall. Well, we will get the money from Mexico later. Yeah, all right.

As a member of the Homeland Security Committee, I am alarmed by President Trump's and the congressional Republicans' determination to further break down our alliances and ignorance of matters related to the security of this Nation.

Instead of funding the border wall, we should focus on building strong transportation and infrastructure systems that will create good-paying jobs and lay a foundation for a strong economy. Instead, we are weakening America. Let's build America with a strong infrastructure bill and adequate training and apprenticeship programs that will benefit our constituents.

Make it in America is something I heard last week, which sounds magnificent, if we could do it. But if you are going to be the leader of this country and make such pronouncements, you have to live by what you are talking about.

Make it in America is to strive to make sure that we do everything in America. We hear of two buildings Trump erected in Chicago that used Chinese steel or steel from outside the United States. If you look at his ties, his shirts, his suits, the soap in his hotels, nothing is made in America. Who are we trying to kid with this? There is nothing.

Maybe his daughter. Well, no, her shoes aren't made in America. Her dresses are not made in America. Who are we kidding? Who are we fooling?

The American people have to open their eyes and see the sham that is going on. How this President says one thing and does absolutely the opposite is an atrocity. Make it in America? He stood up there in front of the American people and said that, with the suit, shirt, and tie that he had on? Absolutely unconscionable.

Where are the jobs? I am going to be the best job creator you have ever seen. When? You are going to win so much, you are going to get tired of winning. When? The American people deserve better.

The American people deserve better than a Congress that cares more about pushing an agenda that puts wealthcare in front of healthcare. The American people deserve better than a Congress that will pass legislation that will harm our environment, contaminate our air, and pollute our waterways.

The American people deserve better than a Congress that continues to ignore important issues that disproportionately affect African-American communities, such as criminal justice reform, gun violence prevention, and voting rights.

While this administration and congressional Republicans turn their backs on the American workers, we will continue to demand real action to create jobs, raise wages, and create a brighter future for American families.

Ms. PLASKETT. Mr. Speaker, when the gentleman was talking about what has happened in these last 6 months, it reminded me of when the chairman of the Congressional Black Caucus, CEDRIC RICHMOND, on March 22 went with the executive members to visit with the President to speak with him specifically about those things that African Americans and the people who we represent—the 17 million African Americans and the 20-plus million Americans that members of the Congressional Black Caucus represent—to outline for him in a very succinct and systematic manner those issues that are important to us.

You mentioned criminal justice reform. You talked about expansion of voting rights, jobs creation, support to small businesses, infrastructure. These are the things that the President said he was interested in.

These are the things that the Congressional Black Caucus said: We are willing to work with you. We have an agenda. We have specific language, specific legislation that we would like to have a discussion with you. And not a photo op, but really to sit down around a table and discuss actual legislation and how we can be supportive of an agenda that supports the people we represent.

And what have we gotten out of that? Zero to date, 6 months in.

Mr. PAYNE. Will the gentlewoman yield?

Ms. PLASKETT. I yield to the gentleman from New Jersey.

Mr. PAYNE. Mr. Speaker, to the gentlewoman's point, I believe there was a document that was created to give to the President on those issues, and we are still waiting to hear back from the administration in reference to anything that was in that document.

We don't need photo ops. We don't need to go to the White House and be trucked up there and lollygag and use us for whatever they deem proper for them. We need help for the American people. We need an administration that is going to look at these issues, be serious about them, and continue to move this country forward, as it was in the previous 8 years.

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Ms. PLASKETT. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. EVANS), the freshman who is not a

freshman, who represents Philadelphia, who has been a legislator for many years and comes here. He is so thoughtful. He is very quiet just like yourself, Mr. PAYNE, and he sits back and is really more observant but is ready to do the work.

He is about policy, is discussing—on a regular basis I hear him talking about middle communities, middle America, those communities that are on the edge. There are places in Newark, New Jersey, and other places that you represent, in neighborhoods in my own district in the Virgin Islands where working class, hard working class people are there but they are on the edge of losing those homes, losing their health insurance, neighborhoods which they have worked so hard over 20, 30 years to create to be vibrant areas in this country that may be lost under this administration and the lack of action.

So I yield to Congressman EVANS this evening to discuss what he has seen happen in these last 6 months of this administration and how it speaks to those individuals that we represent.

Mr. EVANS. Mr. Speaker, I thank my colleague from the Virgin Islands for her leadership in terms of being provided this opportunity that she has demonstrated clearly that she has been leading these efforts for the Congressional Black Caucus. So I want to again compliment her for all that she has done not just through words, but through action. And then my neighboring legislator from New Jersey, he and I worked very close together and I have known him an awful long time. So I thank both of you.

I have always said there is a big difference between campaigning and governing. I will say that again. There is a big difference between campaigning and governing. President Trump, it is time to govern.

When I talk to people in my district, they are scared about what President Trump and the Republicans are doing when it comes to their healthcare. They know that the Republicans want to take away their healthcare, and they do not know where to turn. We know that the Republican healthcare bill does not protect our family members and friends from preexisting conditions.

Mr. Speaker, I want to tell you the story of a small businessowner in my district named Andrea. Andrea owns a small pet store, Spot's—The Place for Paws, in Narberth, Pennsylvania. Andrea left her Philadelphia law practice to pursue her dream of owning a small business. Andrea has type 1 diabetes, and without the ACA, she would not be able to get the well-priced coverage that covers her health expenses and medication and allows her to keep her shop open.

We are talking about passing a bill that will make life harder for those

trying to get ahead. That is wrong, and that is a risk we cannot take.

Even though the President has yet to deliver on a single promise in 6 months, Pennsylvanians are still anxious and fearful of his plans for the future. President Trump has been in office for 6 months, and we have had 6 months of court cases, stalling, and tweets. Let me repeat that. We have had 6 months of court cases, stalling, and tweets.

The Trump administration is still clearly not ready for prime time. From healthcare to the Russians, to the budget, the Republican party has left the American people with nothing but broken promises.

Philadelphia and Montgomery County residents in my district deserve better. The American people deserve better. For 8 years, the “Party of No” constantly criticized President Obama. Yet, even with control of the House, the Senate, and the White House, they have yet to deliver on a jobs plan, healthcare, tax reform, and the list goes on.

Our Federal workers who help secure our Nation's borders, protect and monitor our food supply, and support businesses through agencies like the SBA should not have to wait for Republicans to continue to make decisions that are not in the best interest of the country.

Our neighborhoods have a lot to lose if we don't stand united and fight for what is right. It is time to roll up our sleeves and work across party lines to fight for sound economic policies that give our schools and students and our small businessowners and entrepreneurs, our seniors, and our veterans the resources they need to prosper and build stronger neighborhoods block by block.

It is time for a better deal. We deserve a better deal and a better opportunity. It is clear to me that we need to build on that opportunity for the future, and the only way we can do it is we have to stop campaigning, Mr. President, and we have to begin to govern.

The over 300 million Americans deserve all of us functioning together, and the Congressional Black Caucus, the conscience of this body, is prepared to lead.

My colleague, who has been leading this effort, she has been demonstrating over and over again a message of hope and optimism. She, too, knows that we can have a better deal, and that better deal is an optimism of people working together.

So I thank you, Mr. Speaker, for your leadership and what you have demonstrated.

Ms. PLASKETT. Mr. Speaker, I thank Mr. EVANS so much for talking about the optimism of the American people. There is a better deal that is out there, and there is a better way

that we all, as Members of Congress, need to demonstrate.

I was looking at a fact Street Sheet that was put together talking about the 200 days of the 115th Congress by the numbers. This is a Congress that is controlled by the Republicans in the House, the Republicans in the Senate, and the Republican administration. You would think that so much legislation could get done, and we are a stalled body at this time.

That is not what the American people brought us to Washington to do. We all represent people who are looking for a better deal, looking for an expansion of the American Dream, a realization of the American Dream in their own lives, and having security for their own children and their grandchildren to be able to realize that dream.

When I looked at these numbers, I was aghast at what has not been done in this Congress and flabbergasted at the things that have been done by this Congress. Zero number of bills to create jobs have been brought to the House floor by House Republican leadership. Zero number of bills that have been considered under an open rule so far this Congress.

The same open rule that, Mr. Speaker, you said that you would exact when you were a young gun coming to Washington, you said that you would use the open rule, but we have not seen that done in this 115th Congress.

Three times, House Republicans blocked a vote on H.R. 685, Bring Jobs Home Act, which ends tax breaks for corporations sending jobs overseas and creates new incentives to create good-paying jobs here in the United States.

There have been zero times that Speaker PAUL RYAN has spoken out in opposition to President Trump's dangerous and unconstitutional Muslim and refugee ban. Zero votes on the expansion and correction to the Voting Rights Act.

234 Republicans blocked a vote on H.R. 2933, a critical bill that promotes effective apprenticeships that gives students and workers the skills they need to find good-paying jobs.

Twice, House Republicans voted against Made in America amendment requiring that specific infrastructure and construction projects use materials and equipment made in the USA.

Mr. Speaker, 229 Republicans voted for a GOP antiworker, bait-and-switch bill that undermines the existing right to hard-earned overtime pay, giving employers the flexibility to substitute overtime pay with comp time while giving employees no guarantee that they can use their comp time when they need it.

Mr. Speaker, 217 Republicans voted for the disastrous TrumpCare bill, which would result in 23 million Americans losing their health insurance coverage, raises out-of-pocket healthcare costs for millions of American families,

imposes a crushing age tax on those 50 to 64, shortens the life of the Medicare trust fund, and guts the protections for people with preexisting conditions.

Mr. Speaker, 233 Republicans voted to gut the Dodd-Frank Act, Wall Street reforms, rolling back key consumer protections, and take us back to pre-2008 era of unchecked risky financial market abuses that resulted in the worst financial crisis since the Great Depression.

There have been zero amount of funding in President Trump's budget for Social Services Block Grants, which provide States with funding for services such as childcare and adult care programs. And there are 1.6 million school-age children that would lose afterschool and summer programs as a result of the President's budget.

When we talk about the President's budget, we need to discuss exactly what those numbers mean and how it is going to affect the American people—people, Mr. Speaker, that we say we represent, but that we are not standing up for against this administration.

The budget would cut SNAP funding by over 190 billion—with a “B”—over the next 10 years, jeopardizing benefits for an estimated 44 million Americans and reduce nutritional foods for women, infants, and children, the WIC program.

The budget also includes SNAP policy changes that would charge food stores using USDA approval to accept food stamps, which could drive smaller food retailers out of the program.

Why is this important?

Because many people in urban areas that are using food stamps are doing so in virtual food deserts. They do not have transportation to go to the large suppliers, the large grocery stores. They go to these smaller grocery stores. They go to these small places to use the food stamps to be able to provide food for their families. These changes would cap benefits, require localities to pay 25 percent of benefits, and limit local waivers for Federal work requirements that many communities are not appropriate because there are no jobs, because we also are not supplying individuals with the job skills, the work skills to be able to find employment in some of these areas.

The budget would reduce Education Department investments by \$9 billion, including through the elimination of preschool and afterschool programs, literacy grants, and funding to improve teacher and principal quality. It also proposes cuts to higher education programs, including elimination of grants for lower income students, low-interest Perkins loans, and cutting by half a program that helps students work to pay off their loans.

The budget also calls for the elimination of NASA Space Grant education programs that prepare students, such as in my district at the University of

the Virgin Islands, for careers in science and technology industries.

The budget would reduce USDA Rural Development funding by \$9.2 million, approximately 30 percent. This is vital in areas like my district in the Virgin Islands with the elimination of rural business cooperative services and rural water and wastewater disposal programs.

The budget would zero out important rural housing assistance, such as single-family housing direct loans; would slash funding for rural broadband, distance learning, telemedicine, and needed community facilities improvement.

Mr. Speaker, these are in rural areas that President Trump won in the election. You would think that he would want to support these rural communities in areas of housing, the most American of American ideals, home ownership.

In the Labor Department, the budget would reduce Labor Department investments by \$2.4 billion, including large cuts to Job Corps. Job Corps, a place that would allow young people to have training for jobs, activities meant to prepare disadvantaged youth, the same youth that we say we are concerned about being on the streets in these urban areas that are so dangerous, those are the individuals going to Job Corps, looking to be prepared for the workplace, and we are going to reduce that by \$2.4 billion? That doesn't make any sense.

The budget request for the Department of Energy would slash research funding and move away from investments in renewables, including a 70 percent cut to the Department's Office of Energy Efficiency and Renewable Energy and zeroing out its weatherization assistance in State energy programs that aid low-income families with reducing energy costs.

□ 2015

The Department's Office of Science would be cut by 17 percent. That budget slashing to NOAA coastal science programs includes eliminating NOAA's Sea Grants program, coastal research at our university, and the coastal zone management grants that aid with climate change mitigation—climate change mitigation—which is needed in areas that I live in, like the Virgin Islands, Florida, Puerto Rico, Hawaii, and in coastal areas that are seeing a tremendous loss of economy and loss of homes because our environment is, in fact, changing.

The Environmental Protection Agency would be cut by approximately 30 percent, partly through elimination of all EPA climate change programs, lead control programs, the Energy Star program that encourages energy-efficient consumer products, and the environmental justice office that investigates the concentration of pollution in low-income communities.

Now we want people to be in communities where pollution is greatest, those inner cities that our President has said he wants to fight so strongly for. We are going to keep them in polluted areas because we are cutting out EPA funding in some of those places.

In transportation and housing, the budget would eliminate \$500 million per year in TIGER grants, Transportation Investment Generating Economic Recovery, which has been important to ports and transshipment projects around this country, in the Virgin Islands, and the Community Development Block Grant program that provides grant funding to localities for economic development activities.

The Department of Housing would be cut nearly 20 percent, including elimination of several housing assistance grant programs and slashing its core rental housing program, Section 8 housing choice vouchers, which assists private rental housing, which is a win-win program. You allow individuals who have private homes, who are renting those out, to receive a voucher to support individuals who are looking to be placed in those homes.

An estimated 250,000 housing vouchers would be taken away over the next fiscal year, vouchers which primarily benefit seniors and individuals with disabilities. Support for local public housing authorities would also see cuts.

The budget would eliminate Commerce Department subdivisions that support businesses and entrepreneurship, such as the Economic Development Administration, the Manufacturing Extension Partnership program, and the Minority Business Development Agency.

Healthcare, of course we could go on for forever, but the budget calls for phasing out enhanced Federal matching funds for expanded Medicaid populations by 2020 for people living in territories and in other areas that are heavily relying on Medicaid. It would be far more expensive for those localities to cover individuals, and our hospitals would be faced with even more uncompensated care costs.

The budget also proposes cuts of \$1.3 billion from the Centers for Disease Control and Prevention, the CDC, and more than \$7 billion from the National Institutes of Health, NIH. In the alternative, stronger budgets for NIH and CDC would benefit in preparation for public health threats and pandemics.

These are the things that we, the members of the Congressional Black Caucus, are seeing that are happening in these first 6 months. We are concerned. We are not here just to bash the President. That is not the objective with bringing these issues out.

The objective is to make the American people aware, to call on our colleagues here in this House, in the House next door to us in the Senate, to

be better stewards of what the American people have given us: the ability, the right, the job of legislating, the job of being a check and balance to an administration which has been caught in a morass of ineffectiveness and inaction to support the American people of this great country.

We are asking, Mr. Speaker, that we would wake up to what is happening, see with clear eyes, not with fake news, not with our own vision of what we would like things to be, but what things are and where this is taking us now, the people who are going to be left behind, that a better deal needs to be made for the American people who have sent us here to Washington to do what is right, to do what is good for them, to represent all the people, not the wealthy.

Listen, I was raised in New York, and I don't have anything against New Yorkers, of course, but we can't just be looking out for those people who are living on the Upper West Side, the Upper East Side, in Tribeca and SoHo, the fat cats of Wall Street. We need to be for all Americans.

I know that each one of us is here sent by the people who have sent us not just for ourselves and not just for our constituents, but for all Americans: those who can't vote, those who rely on us to be the stewards of this great legacy—the Constitution and all that America represents, the land of opportunity. People will be losing that opportunity based on what we have seen in these last 6 months.

We, the Congressional Black Caucus, as the conscience of Congress, are relying and awakening the conscience of this Congress to wake up and see what is happening, to stand up for those who cannot stand up for themselves, and to do the right thing, to make a better deal with the American people—not with Pennsylvania Avenue, not among ourselves, not in our private little meetings, not with what can be done for us and for our small group, but for all Americans, those Americans that are going to be left behind by those billions and trillions in tax cuts that are coming to the social safety net of this country.

It cannot be relied on by many of the States. Many of the States do not have the wherewithal to pick up that slack. And there will be even greater—greater—demise to this country if we continue to allow it to work this way.

We have got to take up the call of those people who cannot speak for themselves and do what is right and tell our President that these 6 months cannot continue for another 3 years. We cannot have it. We will not tolerate it. You must awaken to what is the best deal for all Americans, not just those within your inner circle.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I thank my colleague Congresswoman PLASKETT for

hosting this special order for members of the Congressional Black Caucus (CBC) to speak about the first 6 months of Republicans' failure to govern in the White House and in Congress.

Today marks 185 days since the inauguration of Donald Trump, and 203 days since the start of this Republican Congress.

Despite the countless promises Trump made to the American people, the Trump presidency has been defined by chaos and incompetence from Day 1.

In addition to being mired in controversy, Trump lacks an agenda and has no major accomplishments to tout after six months in office.

Following in the footsteps of their leader, Republicans in both chambers of Congress have utterly failed to produce legislation that actually improves the lives of everyday Americans in any meaningful or measurable way.

Of the 43 bills that have been signed into law, 58 percent of these were noncontroversial suspensions and 33 percent were partisan GOP special-interest bills that strip vital protections away from the American people.

The Republican leadership has demonstrated a remarkable incapacity to actually lead their respective majorities in the House and Senate; instead their "leadership" has been marred by empty legislation, regressive policies, and damage control to rein in each new scandal spiraling out from the White House.

On January 20, 2017, Trump restated his trademark campaign promise to the American people: "Together we will make America great again."

Six months later, and that slogan rings hollower with each passing day.

Six months later, he has forged virtually no deals; he has not achieved his goal of "insurance for everybody," nor has he put forward a single jobs or infrastructure bill, nor has he achieved tax reform, nor has he negotiated a single trade agreement.

Donald Trump promised that his extensive business experience would lead to better deals for the American people, and that he would be the "greatest president for jobs that God ever created."

Six months later, he has taken no action to support job creation or grow the economy.

Instead, the Trump budget includes draconian cuts to education, research, infrastructure, and other key areas that support job creation and the American economy.

Before he entered office, Trump showed off his infamous "deal-making skills" when he promised to make Carrier Corp. keep their furnace factory jobs on American soil.

On the 6-month anniversary of his inauguration, Carrier announced plans to cut 632 workers from the very Indianapolis factory Trump visited last December.

These manufacturing jobs will move to Monterrey, Mexico, where minimum wage is \$3.90; the White House has not addressed this failure of Trump's strong-man, isolationist economic policy.

During his campaign, Trump claimed that he would save the coal industry—a sector that only employs 0.03 percent of the economy—and in June, 2017, Scott Pruitt of the Environmental Protection Agency (EPA) declared that

the U.S. had miraculously created 50,000 coal jobs since 2016.

This staggering figure turned out to be a staggering lie; according to the Bureau of Labor Statistics, the coal sector has added about 1,000 jobs since October, 2016; it appears as though Mr. Pruitt "miscalculated" his estimate by 5,000 percent.

Not only have Trump's predictions for unparalleled job creation and economic growth proved to be pipe dreams or outright lies—the White House's budget proposal cruelly imposes drastic cuts to food stamps, student loans, and disability payments among a host of critical programs.

Trump promised that there would be no cuts to Social Security, Medicare, or Medicaid—that everybody was going to be taken care "much better than they're taken care of now."

Six months later, the Republicans do not have a plan that would ensure all Americans have access to affordable, quality healthcare.

Six months later, the existing Trumpcare plan, which has completely stalled in the Senate, would make 23 million Americans lose their health coverage and increase costs for millions more.

Trumpcare cuts Medicare and Medicaid, and his budget proposal cuts Social Security.

Trumpcare would allow discrimination against Americans with preexisting conditions and imposes an age tax on older Americans.

Thousands of Americans—both Republicans and Democrats, conservatives and liberals, old and young, healthy and sick—have cried out to their Congressmembers to keep the Affordable Care Act and to prevent Trumpcare from ever seeing the light of day.

Americans oppose Trumpcare by a three-to-one margin, but this overwhelming majority sentiment seems to have fallen on deaf ears for Donald Trump and the Republican leadership.

Trump also promised clean air and water in America.

Six months later, the Trump Administration and G.O.P. Congressmembers are rolling back vital environmental protections.

In a move that drew universal ire from the international community and concerned Americans, Trump withdrew the U.S. from the Paris Climate Agreement.

He has signed executive orders rolling back the Clean Power Plan and Clean Water Rule, and 37 Congressional Review Act bills, several of which roll back environmental protections.

His budget proposal would seek to inflict a 31 percent cut to the EPA and eliminates clean water programs for the Great Lakes and Chesapeake Bay.

On the campaign trail, Trump made repeated declarations about restoring national security and being "tough on Russia."

Six months later, Trump has failed to put forward a plan to defeat ISIS or strategies to address the situations in Syria, Iraq, Somalia, or Yemen.

Every week, a new report indicating collusion between the Trump Administration and the Russian government seems to come to light.

American citizens and lawmakers alike have responded to this growing list of scandals with growing anxiety, animosity, and exasperation.

In this and a few other respects, Trump has excelled.

For instance, he racked up 991 tweets since his inauguration; even more impressive, he has made 836 false or misleading claims according to the Washington Post's Fact Checker team.

He has spent a record 40 days at his own golf properties.

His approval rating is without equal at 36 percent—the worst of any president ever at the 6-month mark.

To recap, Trump's legislative accomplishments total at exactly zero:

No plan to lower healthcare costs;

No jobs bill;

No infrastructure bill;

No tax reform;

No plan to avoid defaulting on our debt;

And no budget.

By stark contrast, former President Obama had made great strides at this point in his presidency.

By the 6-month mark, Obama had:

Signed the Lily Ledbetter Fair Pay Act and the American Recovery and Reinvestment Act into law to improve protections for the American worker;

Outlined an extensive new energy policy;

Published an op-ed piece in 30 global newspapers simultaneously to discuss the growing economic crisis;

Passed an historic climate change bill through Congress;

Set out a new approach to Afghanistan and Pakistan;

Announced a new auto emission policy aimed at getting greener cars on the road;

Launched his successful campaign to overhaul the U.S. healthcare system;

And much more.

Americans want a President who can inspire them; they want a President who can lead effectively, with all the dignity and tact befitting the most powerful office in the world.

To our collective dismay and frustration, Trump and the Republicans have been their own worst enemy in preventing major, commonsense legislation from being voted on or signed into law.

I commend my colleague, Congresswoman PLASKETT, for hosting this special order examining the disastrous results that have resulted from 6 months of Republican control over our federal government.

Ms. PLASKETT. Mr. Speaker, as Congress draws closer to the August recess, we are no closer to considering comprehensive legislation to shore up our nation's crumbling infrastructure remains than we were when Republicans took control of Congress. Republicans in Congress have had control over both chambers since January, yet the American people are still left waiting more for a plan to repair our roads and bridges, bolster funding for the Highway Trust Fund, and provide stable funding to local communities for transportation projects.

The costs of Congress' inability to act are staggering. The American Society of Civil Engineers (ASCE) estimates that every American household will lose \$3,400 each year between 2016 and 2025, due to infrastructure deficiencies. Our failure to act will cost the U.S. economy nearly \$4 trillion in GDP by 2025

through diminished productivity, lost jobs, and the increased cost of goods. The longer we wait, the more expensive it will be to repair our roads, electricity grid, and water and wastewater infrastructure.

The Republican House has been in session for 110 days. I am deeply disappointed that the Republican leadership has chosen to ignore important bills that I have supported, such as H.R. 1664—the Investing in America: A Penny for Progress Act. H.R. 1664 would shore up the Highway Trust Fund through new Invest in America bonds and a modest increase in the fuel excise tax. Another bill, H.R. 1265—the Rebuilding America's Airport Infrastructure Act, would eliminate the cap on passenger facility charges, allowing local airports the ability to raise additional funds in order to build up more airport infrastructure such as new terminals and runways. H.R. 2510—the Water Quality Protection and Job Creation Act of 2017 would help bolster financing for new water and wastewater infrastructure projects all across the United States. These are real bills already introduced in Congress that we could consider today.

Mr. Speaker, we cannot afford to wait. There are a number of solutions already before us that this chamber could consider. It will take a display of political will by the Republican Party to consider these practical solutions to our nation's infrastructure woes. The American people are demanding that we act swiftly on these policies so that we can focus on what is most important—the efficient movement of the people, goods, and services which drive our economy forward. The time to act is now. I strongly urge my colleagues to support a comprehensive plan to shore up our nation's infrastructure.

The SPEAKER pro tempore (Mr. DUNN). Members are reminded to refrain from engaging in personalities toward the President.

#### PARALYSIS RESOURCE CENTER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Florida (Mr. DEUTCH) for 30 minutes.

Mr. DEUTCH. Mr. Speaker, I rise today to share the important work of the Paralysis Resource Center at the Christopher and Dana Reeve Foundation.

Christopher Reeve put a face on spinal cord injury and had an unrelenting drive to pursue the best research in the world. It was his vision, it was his passion, and it was his brilliance that attracted young scientists to take on the cause and advance the field of spinal cord research.

And while his wife, Dana, was universally known as the model for caregiving, her real legacy is the creation of the foundation's Paralysis Resource Center that has reached so many of those living with paralysis and their families with life-changing resources.

The President's budget eliminates all funding for the Paralysis Resource

Center and suggests that the program is duplicative. Fortunately, my colleagues in the House appreciate the unique nature of the work that the PRC does.

The PRC consists of a variety of services, communities, and programs, including:

Information specialists trained to help anyone, from newly paralyzed individuals and their family members to persons who have lived with disabilities for quite some time, by providing individualized support and information;

The Peer and Family Support Program, which builds peer-to-peer connections to help individuals find support and resources among the communities that best understand the day-to-day realities and long-term challenges of individuals living with paralysis;

The Quality of Life Grants Program, which has awarded over 2,900 grants, totaling more than \$22 million, to broaden the impact of nonprofits across the country that foster community engagement and involvement while promoting health and wellness for individuals living with paralysis; and

The Military and Veterans Program, the MVP, which supports the unique needs of current servicemembers and veterans regardless of when they served or how their injury was obtained.

I urge my colleagues to reach out to the Paralysis Resource Center to learn of the important work that they are doing for vulnerable constituents in their districts. If you do, you can see that the PRC is so much more than a line item in a budget. It is more than dollars and cents. It is more than just another program.

The value of these programs can only be appreciated when you learn the stories of the thousands of Americans that the PRC has helped with their services. Tonight, I would like to tell some of those stories. It is through these stories that we can see the amazing work of the Paralysis Resource Center, the lasting legacy of Christopher and Dana Reeve, and the bright future of so many who have been served through the PRC's programs.

You will notice that, throughout these stories, you hear the same names pop up again and again. That is because the PRC builds community and it builds connections.

When a spinal cord injury leaves Americans with no place else to turn, the PRC steps in to help guide the way; and, in return, many of those who have benefited from PRC turn back and look to help others with spinal cord injuries, to support their journey of recovery and rehabilitation.

Mr. Speaker, in order to move forward and to tell these stories, I would like to start by yielding to the gentleman from Rhode Island (Mr. LAN-

GEVIN), my friend, who will share some thoughts with us now.

Mr. LANGEVIN. Mr. Speaker, I want to begin by thanking the gentleman from Florida (Mr. DEUTCH), my colleague, for yielding. It is an honor to join him this evening to discuss the cause and mission that is very close to my heart.

As many of my colleagues know, I was injured back in 1980, as a young police cadet, when I was accidentally shot and paralyzed in the police locker room when a police officer's gun accidentally discharged. So, the cause of finding a cure and better treatments for spinal cord injuries and supporting family members as caregivers of people with spinal cord injuries has, again, been a passion of mine and mission for many years.

In late 2001, it was my privilege to join Christopher and Dana Reeve, two very dear friends of mine whom I got to know very well over the years, in announcing the creation of the Paralysis Resource Center, or the PRC, which was officially established in 2002 as part of the Christopher and Dana Reeve Foundation. These were two remarkable individuals, as I said, I got to know and who became friends of mine over the years.

I can remember back when Christopher Reeve was paralyzed in his horse riding accident and how, instead of being quiet and introverted and just dealing with his recovery, he made it his mission to call attention to the cause of spinal cord injuries and the need for further research to be done and support services to be provided. He was an amazing inspiration to me because he gave voice and was a face of spinal cord injuries and the work that needed to be done to find a cure.

Because of his work and that of the Christopher and Dana Reeve Foundation, we are getting closer and closer every day to finding a cure for spinal cord injuries; and we are getting closer and closer every day to providing support for better quality of life for people with disabilities and paralysis and further support for the families of those who care for people with disabilities, especially those with spinal cord injuries.

In 2009, I was so proud to support the enactment of the Christopher and Dana Reeve Paralysis Act, which formally authorized some of the programs that have led to the success of the PRC. This center has grown to include a network of information specialists, a number of veterans programs, a Peer and Family Support Program, a substantial Quality of Life Grants Program, and a neurorecovery rehabilitation network.

It really is an inclusive center. It conveys the message that people dealing with spinal cord injuries or nerve-related conditions are not alone, that there are people and organizations around them who care and are willing

to give the advice and counsel support that they need. So whether you are living with paralysis or you are the caregiver of a loved one who is paralyzed, the PRC provides resources and information to help serve the specific needs of those affected by spinal cord injuries.

We know there are more than 43 million caregivers in the U.S. providing support to loved ones with chronic disabling conditions on a variety of disabilities, whether it is a sick child or a sick parent or, in particular, those living with spinal cord injuries and paralysis.

Reports estimate that the annual economic value, if we had to put a price tag on this uncompensated care of family caregivers, to be somewhere approximately at the level of \$470 billion annually—\$470 billion annually, if we had to put a dollar figure on this uncompensated care. That is more than the total Medicaid spending was in 2013. That is when this study was done and those statistics were made public.

The benefits of family caregiving, of course, are plentiful and it is what families do for one another. If you have a sick child or a sick parent or a loved one, families so often step up to the plate and they provide that uncompensated care. Again, it is what families do. But, at the same time, it can also take an emotional, mental, and physical toll.

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As a result, respite is the most frequently requested support service among family caregivers. Respite is that little bit of assistance where you have someone coming in to give the caregiver a break during the course of a week. Maybe it is an hour or two a day or a few hours during the course of a week that can make all the difference in allowing the caregiver themselves to go to the doctor or go do their grocery shopping, the things that are important to the rest of the family, or bringing a child to a baseball game or soccer practice; again, just those little everyday things that maybe we often take for granted that a family caregiver may not be able to do but for the fact that they have respite coming in. As a result, respite is, again, the most frequently requested support services among family caregivers.

Supported by the Christopher and Dana Reeve Foundation, the Lifespan Respite Care Program, which I helped to create back in 1996 with then-Congressman Mike Ferguson, a Republican from Pennsylvania, it was a bipartisan effort in creating this program, which operates now in 35 States and the District of Columbia, complements the PRC's efforts to help paralyzed individuals achieve a high quality of life by ensuring that caregivers who help them also receive relief and care, again, and support themselves.

Access to respite services has been shown to promote caregiver health and well-being, promote family stability, reduce the likelihood of abuse and neglect, and delay or even avoid the need for admission to costlier, long-term institutional settings, resulting in significant savings for the healthcare system and ultimately taxpayers, but ultimately helping the loved one who needs the care receive better care, because the loved one providing the care gets the support and the break that they need.

So beyond supporting access to respite for caregivers, we know the PRC's services and programs have touched the lives of people across the country, including those residing in the Ocean State, where I am from in Rhode Island.

For instance, Sarah Galli of Rhode Island spoke about her brother, Jeff, who was injured in 1998, and I would like to share her impactful words on the importance of the PRC now. She wrote:

"July 4, 1998, was the day that my family changed forever. My healthy, strong, athletic 17-year-old brother dove into the shallow end of a swimming pool and was rendered a high-level quadriplegic.

"Each Independence Day that followed has been a reminder of how quickly and irrevocably Jeff had his physical independence taken from him. It is also a reminder of how grateful I am for the support that has enveloped my family with care.

"I can't speak for my brother's experiences as a quad. That is his story to tell. But here is mine. In the years following his accident, I have counted on the Paralysis Resource Center and the Reeve Foundation for support. I have referred friends and strangers to them who require information and advocacy.

"And as a theater major in college, I started a student cabaret, *Born for Broadway*, that expanded an annual gala in the years since, raising awareness and funds for paralysis organizations, including Reeve. And I have also picked up the phone on several occasions to call the PRC and cry. Sometimes you just need to know that you are not alone.

"A friend of mine, Reeve supporter Jeff Ruben, wrote a song about a pal who lives with paralysis, using the lyrics, 'I believe in miracles.'

"I don't believe in miracles, but I do believe in Jeff. And I believe in Reeve. Do you?"

Mr. Speaker, we know the PRC's network of support remains strong to this day. When another Rhode Islander, 21-year-old Jack Calbi, was injured in a mountain bike accident this past April and left paralyzed from the chest down, the PRC immediately reached out to Jack's family to discuss the array of resources available.

Nearly 6 million Americans live with paralysis, depend on robust services

and supports, respite for caregivers that love them, and a continued investment in the science and innovation that will lead to the treatments and cures of tomorrow.

The PRC has become a beacon of hope for so many. And as my dear friend Christopher Reeve said, "Once you choose hope, anything is possible."

Christopher and Dana Reeve were friends of mine. I miss them dearly. They truly did provide hope to me and millions of others, whether affected by paralysis or some other nerve disorder or disabilities in general, or the families that are affected by this condition as well. They made a difference, as has the PRC. I am grateful for their work and I am grateful for all the efforts to keep the PRC going strong so that they can continue to help those living with paralysis, their families, and for those who may be affected in the future.

And together I know that one day, because of all the efforts that are going on through amazing research right now, as we get closer step by step every day to finding a cure for spinal cord injuries, that families will know that they are not alone, that we are in this together, and that PRC and the Christopher and Dana Reeve Foundation are helping us to one day get one step closer to finding the cures and those treatments that we so desperately look for.

Mr. Speaker, I thank my colleague from Florida for raising attention to this issue and for yielding to me.

Mr. DEUTCH. Mr. Speaker, I thank my friend from Rhode Island, Representative LANGEVIN. I thank him for his leadership here in the House on these important issues.

But just as you spoke about your friends Christopher and Dana Reeve and talked specifically about how Christopher Reeve was not quiet and introverted, that he was an inspiration to you, I think it is fair to say, and I am comfortable actually speaking in this one instance on behalf of my colleagues here in the House in saying that just as Christopher Reeve was an incredible leader and an inspiration to you, so, too, Representative LANGEVIN, are you an inspiration to all of us in the House. I thank you for participating tonight.

There are so many other stories to tell. Representative LANGEVIN shared some. I would like to share just a few others.

One is the story of Eric LeGrand. On October 16, 2010, Rutgers University football star Eric LeGrand sustained a spinal cord injury at his C3 and C4 vertebrae.

After a kickoff in the fourth quarter against Army, Eric sprinted down the field and he made the tackle, but after the collision, he stayed down on the field at MetLife Stadium. Eric was paralyzed from the neck down, and doctors gave him a zero to 5 percent chance of regaining neurologic function.



From the moment he was injured, the Paralysis Resource Center was by Eric's side with a wealth of services and support. To conquer the immediate challenges of paralysis, his mother, Karen LeGrand, spoke regularly with the PRC's information specialists, who provided a roadmap of the resources that helped Eric transition to the Kessler Institute for Rehabilitation in West Orange, New Jersey. At that point, Eric was already exceeding expectations for his recovery and was weaned off of his ventilator and his feeding tube.

To help his family understand the long-term realities of a spinal cord injury, Eric and Karen were put in touch with Alan Brown, a dear friend of mine I will speak more about in a bit. Alan is a certified peer mentor and staff member of the Reeve Foundation, and he offered advice from his own personal experience living with quadriplegia for over 25 years.

Eric was also enrolled in the Reeve Foundation's NeuroRecovery Network, the NRN. The NRN is a growing network of rehabilitation centers that develop and provide cutting-edge therapies, like Locomotor Training.

Thanks to the NRN therapies and Eric's determination, he recovered the ability to move his neck and his shoulders. He has also improved trunk, cardiovascular, and pulmonary control.

His quality of life, well-being, and health have dramatically improved through the efforts of the PRC.

To pay forward his gratitude and help others, Eric founded Team LeGrand of the Christopher and Dana Reeve Foundation to speed the development of treatments for spinal cord injury. Since its inception in September 2013, Team LeGrand has raised close to \$1 million.

Karen LeGrand was also inspired by her experience with the PRC, and became a certified peer mentor to offer guidance and support to parents who have children living with paralysis.

Elizabeth Forst is someone else whose story we should focus on. An avid traveler and diver, Elizabeth "E.B." Forst's life changed in 2014 when a dive into a swimming pool resulted in a C4-C5 spinal cord injury.

In the aftermath of her injury, Elizabeth's family struggled with how to move forward and to ensure that Elizabeth could still live life to the fullest.

Her older brother, Tracy, reached out to the Reeve Foundation to tap into the constellation of programs and resources offered by the Paralysis Resource Center. He spoke with information specialists to get a better understanding of his sister's condition and how his family could help her adapt physically, emotionally, and socially to living with a spinal cord injury.

Tracy also regularly referred to the Reeve Foundation's website to educate himself on life after paralysis from

both Elizabeth's perspective and his role as her family member and caregiver.

Thankful for the support she received from the Paralysis Resource Center, Elizabeth became a trained and certified peer mentor to help fellow paralysis community members find beauty and joy after a life-changing injury.

She has also resumed her passion for diving and traveling, as well as blogging for the Reeve Foundation to share her tips for traveling with a disability. E.B. has said she still has a lot of travel destinations on her list, and the PRC is surrounding her with support to make sure she can continue to travel the world.

Denna Laing is someone else we should think about tonight. On December 31, 2015, Denna Laing, a standout hockey player for the NWHL Boston Pride, was playing in the Women's Winter Classic at Gillette Stadium when she crashed headfirst into the boards and sustained a spinal cord injury at her C5 vertebra.

While she was in the hospital, the Reeve Foundation mobilized a network of support through the Paralysis Resource Center to help her family understand the short-term and the long-term challenges of living with paralysis.

They spoke with information specialists who provided tailored assistance on transitioning Denna from the hospital to acute care, and then adjusting to life back in her community.

Denna and her family connected with certified peer mentors like Alan Brown, who offered support and guidance based on their own personal experiences.

She is currently building up her strength and working to improve her health by participating in a comprehensive therapy regime at Journey Forward in Canton, Massachusetts, which is part of the Reeve Foundation's NeuroRecovery Network.

□ 2045

Denna recently tackled the Boston Marathon with help from former NHL player Bobby Carpenter, who pushed her racing wheelchair to the finish line.

Known for her vibrant personality, she credits the support she received from the Reeve Foundation and paralysis community as the reason that she keeps smiling. In her words: "I know the best of my life has yet to come."

J.D. Bruning and Kelly Lamb are from Arkansas. After graduating from the University of Arkansas, J.D. was enjoying the warm weather with his friends when they decided to take a float trip on a local river. Near the end of the float trip, J.D. dove into what he thought was deep water, but it was too shallow, and he sustained a high-level spinal cord injury.

Since that life-changing moment over 4 years ago, J.D. and his family

have tapped into the wealth of resources provided by the Reeve Foundation Paralysis Resource Center to help J.D. live a full and active life in his community.

Given the scarcity of resources for the paralysis community in Arkansas, the PRC was critical in establishing the best possible care for J.D. and helping to navigate the path forward for his family.

His girlfriend, Kelly Lamb, was so inspired by the Reeve Foundation's programs and mission that she ran both the Chicago and New York City Marathons in 2016, under the Team Reeve banner, and raised over \$20,000 to accelerate innovative research.

Kelly has cited the Paralysis Resource Center as a lifeline for thousands of families impacted by paralysis in the State of Arkansas and across the Nation.

Sabrina Cohen is from Florida. Born and raised in Miami Beach, Sabrina sustained a C3-5 spinal cord injury in 1992, when a teenager driver, who promised to give Sabrina a ride to a party, started drag racing and, unfortunately, slammed into a tree. She was 14 years old, and her life was changed forever.

When Sabrina was first injured, there was no centralized resource to learn how to live with paralysis or connect with fellow community members.

When the Reeve Foundation Paralysis Resource Center was founded in 2002, it became and since remains a lifesaving resource for 5.4 million Americans living with paralysis from spinal cord injury, ALS, MS, spina bifida, stroke, and cerebral palsy.

However, physical barriers still existed in Sabrina's community as there was no beach in the Miami Beach area that was accessible to wheelchair users. Through the Sabrina Cohen Foundation, she applied for a Reeve Foundation Quality of Life Grant to fund her dream of a fully accessible beach and playground for the disabled, including seniors, veterans, and children with special needs.

The Quality of Life Grants Program is funded through the Paralysis Resource Center and awards financial support to nonprofits that foster greater health, quality of life, community involvement, and independence for individuals living with paralysis and their caregivers.

She made the most of a Quality of Life Grant to establish Miami Beach's first-ever dedicated public beach with improved wheelchair access and outdoor adaptive fitness and watersport activities.

Finally, I would like to talk about two other people, both also from Florida, and both good friends of mine.

Alan Brown, I mentioned earlier. He is a resident of Aventura, Florida, who was injured in 1988, at the age of 20, when his neck was crushed by an ocean

wave while on vacation in the Caribbean. The accident caused a C5–6 spinal cord injury and left Alan a quadriplegic with no movement below his chest.

For nearly 30 years since the accident, Alan and his family have, through the Alan T. Brown Foundation to Cure Paralysis, provided support, education, and advocacy for the paralysis community.

Initially, the focus for the foundation was on finding a cure for paralysis, a magic bullet that would help everyone living with paralysis to walk again. But after years in a wheelchair, and the difficult challenges to overall health and emotional well-being that paralysis presents, he and his family decided to overhaul the mission of the foundation.

Today, they focus on improving the lives of people living with paralysis through peer mentoring, outreach, and fundraising to help others with basic needs like wheelchairs and ongoing medical care. And now, Alan and his foundation have partnered with the Reeve Foundation to extend the reach and impact of his message to the paralysis community.

Alan travels the country on behalf of the Reeve Foundation to advocate, to increase awareness, and to make an impact on the quality of life of other people living with paralysis and their families.

He currently serves as manager of public impact at the Christopher & Dana Reeve Foundation, and in this role, he focuses on extending the reach of the foundation's impact on the greater public, creating new opportunities for partnership with peer organizations, increasing the visibility of PRC and other Reeve Foundation programs, bolstering fundraising efforts, and developing the national Peer & Family Support Program.

I have been with Alan and been inspired by him on a regular basis, close up, and the work that he does in the paralysis community and for those who are experiencing paralysis firsthand. The work that he does at those early moments is extraordinary.

Finally, Shawn Friedkin, who is from my community in south Florida. In March of 1992, Shawn was injured in a motor vehicle accident 2 weeks before his 27th birthday. He was married with one child, and he spent much of the early years following his injury working to increase medical research funding for spinal cord injuries.

For his efforts, he was invited to the White House to meet with Hillary Clinton, then-First Lady, as part of her healthcare initiative.

Shawn testified before Congress on the need for an increase in research funding. And based on his desire to help others in the community, Shawn left his career in finance, where he worked as a hedge fund manager, to create Stand Among Friends in 1997.

Stand Among Friends, based in Boca Raton, Florida, is a cross-disability advocacy organization. It is focused on helping people with disabilities find employment through vocational training and adaptive technology. It has provided services to more than 4,000 people and helped over 1,000 people find employment. Shawn has grown the services and mission to become one of the top disability service providers in the State of Florida.

And each year, Shawn and the Stand Among Friends organization hosts the “emb(race).” The emb(race) is a day of diversity awareness that includes a half marathon, a 5K, and a family fun walk; and it is, indeed, a way for all of us to embrace one another.

Shawn, as I said, is a dear friend and an inspiration in his community and to all who know him.

Mr. Speaker, in closing, I would like to thank all of those who make the Paralysis Resource Center at the Christopher & Dana Reeve Foundation what it is today.

As you can see from these stories, the PRC comes in at a family's most vulnerable moment. These are the most serious injuries and illnesses one can imagine. They are life-changing, and they come in with an immediate response to help guide families who are hurting to help them create a positive vision of a new life and build a community of support for Americans living with paralysis.

I would like to leave with the words of Christopher Reeve. He said: “I think a hero is an ordinary individual who finds strength to persevere and endure in spite of overwhelming obstacles.”

Tonight, Mr. Speaker, I would urge my colleagues to join me in supporting the Paralysis Resource Center in their work to help empower more American heroes in the fight against spinal cord injuries.

Mr. Speaker, I yield back the balance of my time.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. POE of Texas (at the request of Mr. MCCARTHY) for today on account of personal reasons.

Mr. CUMMINGS (at the request of Ms. PELOSI) for today and the balance of the week.

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today and the balance of the week, on account of attending to her husband's health situation in California.

#### ADJOURNMENT

Mr. DEUTCH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 54 minutes p.m.), under its previous order, the

House adjourned until tomorrow, Tuesday, July 25, 2017, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2048. A letter from the Deputy Assistant Secretary, Office of Legislative Affairs, Department of the Treasury, transmitting the Report to Congress from the Chairman of the National Advisory Council on International Monetary and Financial Policies, pursuant to 22 U.S.C. 262r(a); Public Law 95-118, Sec. 1701(a) (as amended by Public Law 105-277, Sec. 583); (112 Stat. 2681-202); to the Committee on Financial Services.

2049. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Teacher Preparation Issues [Docket ID: ED-2014-OPE-0057] (RIN: 1840-AD07) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

2050. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting the Department's Country Reports on Terrorism 2016, pursuant to Sec. 140 of the Foreign Relations Authorization Act for FY 1988 and 1989, as Amended (22 U.S.C. 2656f); to the Committee on Foreign Affairs.

2051. A letter from the Architect of the Capitol, transmitting the semiannual report of disbursements for the operations of the Architect of the Capitol for the period of January 1, 2017, through June 30, 2017, pursuant to 2 U.S.C. 1868a(a); Public Law 113-76, div. I, title I, Sec. 1301(a); (128 Stat. 428) (H. Doc. No. 115-56); to the Committee on House Administration and ordered to be printed.

2052. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Civil Monetary Penalty Inflation Adjustment (RIN: 3133-AE67) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

2053. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2017-0187; Directorate Identifier 2017-NE-08-AD; Amendment 39-18893; AD 2017-10-19] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2054. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2017-0125; Directorate Identifier 2016-NM-193-AD; Amendment 39-18946; AD 2017-14-02] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2055. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-3984; Directorate Identifier 2014-NM-119-

AD; Amendment 39-18945; AD 2017-14-01] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2056. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2016-9504; Directorate Identifier 2016-NM-107-AD; Amendment 39-18932; AD 2017-12-02] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2057. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-9391; Directorate Identifier 2016-NM-129-AD; Amendment 39-18931; AD 2017-13-01] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2058. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DG Flugzeugbau GmbH Gliders [Docket No.: FAA-2017-0343; Directorate Identifier 2017-CE-005-AD; Amendment 39-18936; AD 2017-13-06] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2059. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-9573; Directorate Identifier 2016-NM-149-AD; Amendment 39-18938; AD 2017-13-08] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2060. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-8185; Directorate Identifier 2016-NM-050-AD; Amendment 39-18940; AD 2017-13-10] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2061. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2015-7529; Directorate Identifier 2014-NM-207-AD; Amendment 39-18939; AD 2017-13-09] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2062. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes [Docket No.: FAA-2016-9437; Directorate Identifier 2016-NM-131-AD; Amendment 39-18941; AD 2017-13-11] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C.

801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2063. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-9071; Directorate Identifier 2016-NM-019-AD; Amendment 39-18942; AD 2017-13-12] (RIN: 2120-AA64) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2064. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Eugene, OR [Docket No.: FAA-2017-0224; Airspace Docket No.: 17-ANM-10] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2065. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace, Sacramento, CA [Docket No.: FAA-2016-9476; Airspace Docket No.: 16-AWP-28] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2066. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Grayling, AK [Docket No.: FAA-2016-9333; Airspace Docket No.: 16-AAL-4] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2067. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of and Establishment of Air Traffic Service (ATS) Routes; Northcentral United States [Docket No.: FAA-2016-8944; Airspace Docket No.: 16-AGL-21] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2068. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31137; Amdt. No.: 3750] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2069. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace for the following North Dakota Towns; Wahpeton, ND; Hettinger, ND; Fargo, ND; Grand Fork, ND; Carrington, ND; Cooperstown, ND; Pembina, ND; Rugby, ND; Devils Lake, ND; Bottineau, ND; Valley City, ND and Gwinner, ND [Docket No.: FAA-2016-9118; Airspace Docket No.: 16-AGL-3] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2070. A letter from the Deputy Assistant Chief Counsel, Federal Railroad Administration, Department of Transportation, trans-

mitting the Department's final rule — Competitive Passenger Rail Service Pilot Program [Docket No.: FRA-2016-0023; Notice No. 4] (RIN: 2130-AC60) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2071. A letter from the Acting Chairman, Surface Transportation Board, transmitting the Board's final rules — Publication Requirements for Agricultural Products [Docket No.: EP 528 (Sub-No. 1)]; Rail Transportation of Grain, Rate Regulation Review [Docket No.: EP 665 (Sub-No. 1)] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2072. A letter from the Acting Chairman, Surface Transportation Board, transmitting the Board's final rule — Offers of Financial Assistance [Docket No.: EP 729] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2073. A letter from the Director, Office of Regulation Policy and Management (00REG), Office of the Secretary (00REG), Department of Veterans Affairs, transmitting the Department's final rule — VA Veteran-Owned Small Business Verification Guidelines (RIN: 2900-AP93) received July 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

2074. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's report entitled, "Report to Congress on Ways to Improve Upon the Part D Appeals Process", pursuant to Sec. 704 of the Comprehensive Addiction and Recovery Act (CARA) (Public Law 114-198); jointly to the Committees on Energy and Commerce and Ways and Means.

2075. A letter from the Chairman, Medicare Payment Advisory Commission, transmitting the Commission's June 2017 Report to the Congress: Medicare and the Health Care Delivery System, pursuant to 42 U.S.C. 1395b-6(b)(1)(D); Aug. 14, 1935, ch. 531, title XVIII, Sec. 1805(b)(1)(D) (as amended by Public Law 111-148, Sec. 2801(b)(2)); (124 Stat. 332); jointly to the Committees on Energy and Commerce and Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

*[Pursuant to Sec. 5 of H. Res. 454, the following reports were filed on July 21, 2017.]*

Mr. DIAZ-BALART: Committee on Appropriations. H.R. 3353. A bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2018, and for other purposes (Rept. 115-237). Referred to the Committee of the Whole House on the state of the Union.

Mr. CALVERT: Committee on Appropriations. H.R. 3354. A bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes (Rept. 115-238). Referred to the Committee of the Whole House on the state of the Union.

Mr. CARTER of Texas: Committee on Appropriations. H.R. 3355. A bill making appropriations for the Department of Homeland

Security for the fiscal year ending September 30, 2018, and for other purposes (Rept. 115-239). Referred to the Committee of the Whole House on the state of the Union.

[Submitted July 21, 2017]

Mrs. BLACK: House Committee on the Budget. House Concurrent Resolution 71. Resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027. (Rept. 115-240). Referred to the Committee of the Whole House on the state of the Union.

[Filed July 24, 2017]

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1927. A bill to amend title 54, United States Code, to establish within the National Park Service the African American Civil Rights Network, and for other purposes; with an amendment (Rept. 115-241). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. S. 249. An act to provide that the pueblo of Santa Clara may lease for 99 years certain restricted land, and for other purposes (Rept. 115-242). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 2749. A bill to amend title 38, United States Code, to improve the oversight of contracts awarded by the Secretary of Veterans Affairs to small business concerns owned and controlled by veterans, and for other purposes (Rept. 115-243). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE: Committee on Appropriations. H.R. 3358. A bill making appropriations for the Departments of Labor, Health, and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2018, and for other purposes (Rept. 115-244). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 282. A bill to amend the Servicemembers Civil Relief Act to authorize spouses of servicemembers to elect to use the same residences as the servicemembers (Rept. 115-245). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 2006. A bill to amend title 38, United States Code, to improve the procurement practices of the Department of Veterans Affairs, and for other purposes (Rept. 115-246). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 3218. A bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes; with an amendment (Rept. 115-247, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 2772. A bill to amend title 38, United States Code, to provide for requirements relating to the reassignment of Department of Veterans Affairs senior executive employees (Rept. 115-248). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 1690. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level

employees of the Department of Veterans Affairs; with an amendment (Rept. 115-249). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 2781. A bill to direct the Secretary of Veterans Affairs to certify the sufficient participation of small business concerns owned and controlled by veterans and small business concerns owned by veterans with service-connected disabilities in contracts under the Federal Strategic Sourcing Initiative, and for other purposes; with an amendment (Rept. 115-250). Referred to the Committee of the Whole House on the state of the Union.

Mr. NUNES: Permanent Select Committee on Intelligence. H.R. 3180. A bill to authorize appropriations for fiscal year 2018 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; with an amendment (Rept. 115-251). Referred to the Committee of the Whole House on the state of the Union.

Mr. BUCK: Committee on Rules. House Resolution 468. Resolution providing for consideration of the joint resolution (H.J. Res. 111) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements" (Rept. 115-252). Referred to the House Calendar.

Mr. ROGERS of Kentucky: Committee on Appropriations. H.R. 3362. A bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2018, and for other purposes (Rept. 115-253). Referred to the Committee of the Whole House on the state of the Union.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Armed Services discharged from further consideration. H.R. 3218 referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COLLINS of Georgia (for himself, Mr. JEFFRIES, Mr. GOODLATTE, Mr. CONYERS, Mr. SENSENBRENNER, Ms. JACKSON LEE, Mr. MARINO, Mr. RICHMOND, Mr. ISSA, and Ms. BASS):

H.R. 3356. A bill to provide for programs to help reduce the risk that prisoners will recidivate upon release from prison, and for other purposes; to the Committee on the Judiciary.

By Ms. MAXINE WATERS of California (for herself, Mr. WALZ, Mr. HECK, Ms. VELÁZQUEZ, Mr. SHERMAN, Mr. MEEKS, Mr. AL GREEN of Texas, Mr. KILDEE, Mrs. BEATTY, Mr. GONZALEZ of Texas, and Mr. LYNCH):

H.R. 3357. A bill to allow the Bureau of Consumer Financial Protection to provide greater protection to servicemembers; to the Committee on Financial Services.

By Mr. McCAUL (for himself, Mr. THOMPSON of Mississippi, Mr. RATCLIFFE, Mr. RICHMOND, Mr. KATKO, Mr. HURD, Mr. DONOVAN, Mr.

GALLAGHER, Mr. HIGGINS of Louisiana, Mr. GARRETT, and Mr. FITZPATRICK):

H.R. 3359. A bill to amend the Homeland Security Act of 2002 to authorize the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Energy and Commerce, Oversight and Government Reform, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HARPER (for himself, Mr. THOMPSON of California, Mrs. BLACK, and Mr. WELCH):

H.R. 3360. A bill to promote and expand the application of telehealth under Medicare and other Federal health care programs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHNEIDER (for himself, Mr. CARBAJAL, Mr. COURTNEY, Mr. HASTINGS, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. JACKSON LEE, Ms. KELLY of Illinois, Ms. LOFGREN, Mr. MEEKS, Ms. NORTON, Mr. QUIGLEY, Ms. SCHAKOWSKY, Ms. SHEA-PORTER, and Mr. SUOZZI):

H.R. 3361. A bill to amend title 18, United States Code, to require federally licensed firearms importers, manufacturers, and dealers to meet certain requirements with respect to securing their firearms inventory, business records, and business premises; to the Committee on the Judiciary.

By Mr. KUSTOFF of Tennessee (for himself, Mr. FOSTER, Mr. ROYCE of California, Mr. STIVERS, Mr. BLUM, and Mr. ROE of Tennessee):

H.R. 3363. A bill to reform uniformity and reciprocity among States that license insurance claims adjusters and to facilitate prompt and efficient adjusting of insurance claims, and for other purposes; to the Committee on Financial Services.

By Mr. ROYCE of California (for himself, Mr. ENGEL, Mr. MCCARTHY, and Mr. HOYER):

H.R. 3364. A bill to provide congressional review and to counter aggression by the Governments of Iran, the Russian Federation, and North Korea, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Intelligence (Permanent Select), the Judiciary, Oversight and Government Reform, Armed Services, Financial Services, Rules, Ways and Means, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUNCAN of Tennessee:

H.R. 3365. A bill to amend title 41, United States Code, to require executive agencies to use competitive procedures for procurement contracts valued at an amount equal to or greater than \$10,000,000, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. GOTTHEIMER (for himself and Mr. KATKO):

H.R. 3366. A bill to amend the Internal Revenue Code of 1986 to allow, in certain cases, an increase in the limitation on the exclusion for gains from a sale or exchange of a

principal residence; to the Committee on Ways and Means.

By Mr. HIGGINS of Louisiana:

H.R. 3367. A bill to terminate the prohibitions on the exportation and importation of natural gas, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIGGINS of New York (for himself and Ms. BROWNLEY of California):

H.R. 3368. A bill to amend title 38, United States Code, to improve the access to child care for certain veterans receiving health care at a facility of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. HUDSON (for himself, Mr. MCHENRY, Ms. FOXX, Mr. JONES, Mr. BUTTERFIELD, Mr. PITTENGER, Mr. PRICE of North Carolina, Mr. BUDD, Mr. MEADOWS, Ms. ADAMS, Mr. WALKER, Mr. ROUZER, and Mr. HOLDING):

H.R. 3369. A bill to designate the facility of the United States Postal Service located at 225 North Main Street in Spring Lake, North Carolina, as the "Howard B. Pate, Jr. Post Office"; to the Committee on Oversight and Government Reform.

By Mr. JEFFRIES:

H.R. 3370. A bill to amend title 38, United States Code, to extend the Yellow Ribbon G.I. Education Enhancement Program to cover recipients of the Marine Gunnery Sergeant John David Fry scholarship, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LAMALFA:

H.R. 3371. A bill to provide for the conveyance of an obsolete Over-the-Horizon Backscatter Radar System receiving station in Modoc County, California, to promote economic development of the site; to the Committee on Natural Resources.

By Mr. MESSER:

H.R. 3372. A bill to amend title 38, United States Code, to provide for the restoration of entitlement to educational assistance and other relief for veterans affected by school closure or disapproval, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. NORTON:

H.R. 3373. A bill to amend the District of Columbia Stadium Act of 1957 to extend for an additional 50 years the lease under which the government of the District of Columbia uses the ground under and the parking facilities associated with Robert F. Kennedy Memorial Stadium; to the Committee on Oversight and Government Reform, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Miss RICE of New York:

H.R. 3374. A bill to improve the safety of individuals by taking measures to end drunk driving; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VELA (for himself, Mr. MCCAUL, Mr. THOMPSON of Mississippi, Ms. MCSALLY, and Mr. CARTER of Texas):

H.R. 3375. A bill to designate the checkpoint of the United States Border Patrol lo-

cated on United States Highway 77 North in Sarita, Texas, as the "Javier Vega, Jr. Border Patrol Checkpoint"; to the Committee on Transportation and Infrastructure.

By Ms. WILSON of Florida (for herself, Mr. SCOTT of Virginia, Ms. KELLY of Illinois, Mrs. DEMINGS, Mr. CLEAVER, Mr. BUTTERFIELD, Mr. THOMPSON of Mississippi, Mr. CLYBURN, Mr. PAYNE, Ms. PLASKETT, Ms. ADAMS, Mrs. WATSON COLEMAN, Ms. FUDGE, Ms. JACKSON LEE, Ms. CLARKE of New York, Ms. MOORE, Mr. CARSON of Indiana, Mr. RICHMOND, Ms. BASS, Mr. BROWN of Maryland, Mr. JEFFRIES, Mr. CLAY, Mr. DANNY K. DAVIS of Illinois, Mrs. BEATTY, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. LEWIS of Georgia):

H.R. 3376. A bill to amend the Workforce Innovation and Opportunity Act to create a pilot program to award grants to units of general local government and community-based organizations to create jobs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MEEHAN (for himself, Mrs. CAROLYN B. MALONEY of New York, Mr. FRANKS of Arizona, Mr. SUOZZI, Mr. RASKIN, Ms. ESHOO, Ms. SPEIER, and Mr. CARTER of Texas):

H. Con. Res. 72. Concurrent resolution expressing the sense of Congress that child safety is the first priority of custody and visitation adjudications, and that State courts should improve adjudications of custody where family violence is alleged; to the Committee on the Judiciary.

By Mr. BUCK:

H. Res. 469. A resolution requesting the Senate to return to the House of Representatives House Joint Resolution 76; considered and agreed to.

By Mr. HIMES (for himself, Mr. PEARCE, Mr. BISHOP of Utah, Mr. EVANS, Mr. GRIJALVA, Ms. JENKINS of Kansas, Mr. KEATING, Mr. SMITH of Washington, Mr. WELCH, and Mr. DONOVAN):

H. Res. 470. A resolution recognizing that international education and exchange programs further national security and foreign policy priorities, enhance economic competitiveness, and promote mutual understanding and cooperation among nations; to the Committee on Foreign Affairs.

By Ms. JAYAPAL (for herself, Mr. SMITH of Washington, Ms. DELBENE, Mr. LARSEN of Washington, Mr. HECK, and Mr. KILMER):

H. Res. 471. A resolution recognizing the 100th anniversary of the Hiram M. Chittenden Locks, in Ballard, Washington; to the Committee on Transportation and Infrastructure.

By Ms. NORTON:

H. Res. 472. A resolution expressing support for the designation of July 29, 2017, as "National Dance Day" and recognizing dance as a form of valuable exercise and artistic expression; to the Committee on Energy and Commerce.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DIAZ-BALART:

H.R. 3353.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. CALVERT:

H.R. 3354.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. CARTER of Texas:

H.R. 3355.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. COLLINS of Georgia:

H.R. 3356.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1, 3, and 18.

By Ms. MAXINE WATERS of California:

H.R. 3357.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution

By Mr. COLE:

H.R. 3358.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United

States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. McCAUL:

H.R. 3359.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. HARPER:

H.R. 3360.

Congress has the power to enact this legislation pursuant to the following:

"Article I, Section 8, Clause 3 of the United States Constitution."

By Mr. SCHNEIDER:

H.R. 3361.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. ROGERS of Kentucky:

H.R. 3362.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. KUSTOFF of Tennessee:

H.R. 3363.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional Authority on which this bill rests is the explicit power of Congress to regulate in commerce in and among the states, as enumerated in Article I, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

By Mr. ROYCE of California:

H.R. 3364.

Congress has the power to enact this legislation pursuant to the following:

Clauses 3 and 18 of article I, section 8 of the United States Constitution.

By Mr. DUNCAN of Tennessee:

H.R. 3365.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 9 of the U.S. Constitution, Clause 7: No Money shall be drawn from the Treasury, but in Consequence of

Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

Under Article I, Section 8 of the U.S. Constitution, Clause 18: The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. GOTTHEIMER:

H.R. 3366.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. HIGGINS of Louisiana:

H.R. 3367.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. Art. I Sec. 8 cl. 18

By Mr. HIGGINS of New York:

H.R. 3368.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, which allows Congress to make all laws "which shall be necessary and proper for carrying into execution" any "other" powers vested by the Constitution in the Government of the United States.

By Mr. HUDSON:

H.R. 3369.

Congress has the power to enact this legislation pursuant to the following:

The power to establish post offices found in Clause 7 of Section 8 of Article 1 of the Constitution.

By Mr. JEFFRIES:

H.R. 3370.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12, 13 or 14 of the Constitution.

By Mr. LAMALFA:

H.R. 3371.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mr. MESSER:

H.R. 3372.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Ms. NORTON:

H.R. 3373.

Congress has the power to enact this legislation pursuant to the following:

clause 2 of section 3 of article IV of the Constitution.

By Miss RICE of New York:

H.R. 3374.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. VELA:

H.R. 3375.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18; and Article IV, Section 3, Clause 2 of the Constitution of the United States

By Ms. WILSON of Florida:

H.R. 3376.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 19: Mr. SHIMKUS, Mr. TIBERI, and Mr. TIPTON.

H.R. 38: Mr. WEBSTER of Florida.

H.R. 44: Mr. SUOZZI, Mr. BRADY of Pennsylvania, Mr. CARSON of Indiana, Mr. HURD, Mr. SMITH of New Jersey, Mrs. NOEM, Mr. SESSIONS, and Mr. CURBELO of Florida.

H.R. 48: Ms. LEE.

H.R. 95: Mr. KIND.

H.R. 122: Mr. BUTTERFIELD and Mr. RASKIN.

H.R. 127: Ms. MOORE, Mr. JONES, and Ms. GABBARD.

H.R. 154: Mrs. BEATTY, Mr. GONZALEZ of Texas, and Mrs. DINGELL.

H.R. 252: Ms. PINGREE and Mr. GONZALEZ of Texas.

H.R. 254: Mr. COHEN.

H.R. 282: Mr. MESSER.

H.R. 370: Mr. CARTER of Georgia and Mr. GOSAR.

H.R. 466: Mr. WEBER of Texas, Mr. HUIZENGA, and Mrs. NOEM.

H.R. 525: Mr. BUDD.

H.R. 529: Mr. COLE.

H.R. 548: Mr. DUNN and Mr. FLORES.

H.R. 632: Mr. COFFMAN and Mr. MARCHANT.

H.R. 635: Ms. ROSEN.

H.R. 719: Mr. MESSER, Mr. ABRAHAM, Mr. PITTENGER, Mr. FARENTHOLD, and Mr. BABIN.

H.R. 747: Mr. ROGERS of Alabama.

H.R. 785: Mr. SAM JOHNSON of Texas, Mr. PEARCE, and Mr. BILIRAKIS.

H.R. 790: Mr. SABLAN.

H.R. 821: Ms. PINGREE.

H.R. 828: Mr. BERA.

H.R. 830: Mr. CARTWRIGHT.

H.R. 846: Mr. GRIFFITH and Mr. BABIN.

H.R. 849: Mr. GOHMERT, Mr. SMITH of New Jersey, and Mr. FRANCIS ROONEY of Florida.

H.R. 850: Mr. LUETKEMEYER, Mr. PITTENGER, and Mr. ROGERS of Alabama.

H.R. 866: Mr. EVANS.

H.R. 873: Mrs. WALORSKI, Mr. MARINO, Mrs. LAWRENCE, and Mr. PAYNE.

H.R. 917: Mr. COFFMAN.

H.R. 918: Mr. MESSER.

H.R. 930: Ms. SINEMA.

H.R. 970: Mr. RUSH, Mr. THOMPSON of Mississippi, Ms. MOORE, Mr. CLAY, and Ms. NORTON.

H.R. 982: Mr. TONKO.

H.R. 1017: Mr. KEATING.

H.R. 1057: Mr. LUETKEMEYER, Mrs. BEATTY, and Mrs. MCMORRIS RODGERS.

H.R. 1098: Mr. COSTA.

H.R. 1136: Mr. MARINO, Mr. DESJARLAIS, and Ms. STEFANIK.

H.R. 1148: Mr. SMUCKER and Mr. PETERS.

H.R. 1156: Mr. ARRINGTON.

H.R. 1164: Mr. HUNTER, Mr. JENKINS of West Virginia, and Mr. WALDEN.

H.R. 1194: Ms. BASS, Mr. BISHOP of Georgia, Mr. BROWN of Maryland, Mr. BUTTERFIELD,

Mr. CARSON of Indiana, Mr. CLEAVER, Mrs. DEMINGS, Mr. ELLISON, Mr. EVANS, Ms. FUDGE, Mr. AL GREEN of Texas, Ms. JACKSON

LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. LAWRENCE, Mr. LAWSON of Florida, Ms. LEE, Mr. LEWIS of Georgia, Mrs. LOVE, Mr. MCEACHIN, Mr. PAYNE, Ms. PLASKETT, Ms. BLUNT ROCHESTER, Mr. SCOTT of Virginia,

Ms. SEWELL of Alabama, Mr. THOMPSON of Mississippi, and Mrs. WATSON COLEMAN.

H.R. 1225: Mr. KILMER.

H.R. 1239: Mr. MESSER.

H.R. 1267: Mr. GALLEG0, Mrs. WALORSKI, and Mr. ESPAILLAT.

H.R. 1291: Ms. PINGREE.

H.R. 1298: Ms. SEWELL of Alabama and Mr. MOONEY of West Virginia.

H.R. 1341: Mr. GENE GREEN of Texas and Ms. ESHOO.

H.R. 1359: Mr. GRAVES of Missouri.

H.R. 1384: Mrs. WALORSKI.



H.R. 1406: Mr. TONKO, Mrs. MURPHY of Florida, Mr. UPTON, Ms. HANABUSA, Ms. GABBARD, Mr. NORCROSS, and Mr. KIND.

H.R. 1456: Ms. SINEMA, Mr. NEAL, and Mr. MARCHANT.

H.R. 1472: Ms. VELÁZQUEZ, Mr. AGUILAR, and Mr. LOWENTHAL.

H.R. 1491: Mr. VALADAO and Mrs. MIMI WALTERS of California.

H.R. 1528: Mr. WALZ.

H.R. 1546: Mr. COSTELLO of Pennsylvania.

H.R. 1553: Mr. COFFMAN.

H.R. 1555: Mr. HASTINGS, Mr. WEBSTER of Florida, Mr. YOUNG of Alaska, Mr. POSEY, and Mr. JEFFRIES.

H.R. 1562: Mr. KHANNA.

H.R. 1606: Mr. COLLINS of New York, Mr. COURTNEY, and Mr. RUSSELL.

H.R. 1626: Mr. COLLINS of New York and Ms. SINEMA.

H.R. 1629: Mr. LAWSON of Florida.

H.R. 1639: Mr. HUFFMAN.

H.R. 1661: Mr. KNIGHT.

H.R. 1676: Ms. TSONGAS.

H.R. 1686: Mr. SMUCKER.

H.R. 1690: Mr. MESSER.

H.R. 1699: Mr. GOODLATTE.

H.R. 1718: Mr. CARTER of Georgia and Mr. WEBSTER of Florida.

H.R. 1730: Mrs. WATSON COLEMAN.

H.R. 1735: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1757: Mr. RASKIN and Mr. CROWLEY.

H.R. 1777: Ms. PINGREE.

H.R. 1796: Mr. MACARTHUR and Mr. MESSER.

H.R. 1811: Mr. POLIQUIN and Mr. HUFFMAN.

H.R. 1825: Mr. BRADY of Pennsylvania, Mr. ZELDIN, and Mr. WALBERG.

H.R. 1828: Mr. RASKIN and Mr. MEEHAN.

H.R. 1861: Mr. SMITH of Missouri, Mr. DUFFY, Mr. SENSENBRENNER, Mr. WENSTRUP, Mr. WALDEN, Mr. LUETKEMEYER, Mr. TIPTON, Mr. SHUSTER, Mr. BARR, Mr. FLORES, Mr. PERRY, Mr. DENT, Mr. GAETZ, Mr. BRADY of Texas, Mr. GROTHMAN, Mr. CUELLAR, Mr. POLIQUIN, Mr. THOMAS J. ROONEY of Florida, Mr. UPTON, Mr. MURPHY of Pennsylvania, Mr. LYNCH, and Mr. COHEN.

H.R. 1864: Mr. MEEKS.

H.R. 1868: Ms. SCHAKOWSKY.

H.R. 1900: Mr. COFFMAN and Mr. KING of New York.

H.R. 1928: Mr. AL GREEN of Texas.

H.R. 1955: Mrs. BUSTOS.

H.R. 1974: Mr. POLIS.

H.R. 2158: Mr. SCHIFF.

H.R. 2182: Ms. ESTY of Connecticut.

H.R. 2206: Ms. WILSON of Florida.

H.R. 2215: Mr. THOMPSON of California.

H.R. 2248: Mr. SCHIFF.

H.R. 2259: Mrs. BEATTY and Mr. COOK.

H.R. 2267: Mr. FOSTER, Ms. KELLY of Illinois, Mr. ZELDIN, Ms. VELÁZQUEZ, Mr. BRADY of Pennsylvania, Mr. KING of New York, Mr. MOULTON, Mrs. BEATTY, and Mr. AMODEI.

H.R. 2272: Mr. SCHIFF.

H.R. 2310: Mr. THOMPSON of Pennsylvania.

H.R. 2315: Mr. WALDEN, Ms. BONAMICI, and Mr. RATCLIFFE.

H.R. 2327: Mr. MCCAUL, Mr. YODER, Mr. GAETZ, Mr. VEASEY, Mrs. DINGELL, Ms. JACKSON LEE, Mr. CONNOLLY, Mr. WOMACK, Ms. MOORE, Mrs. LAWRENCE, Mr. MCNERNEY, and Mr. BRADY of Texas.

H.R. 2358: Mr. KRISHNAMOORTHY.

H.R. 2366: Mr. THOMPSON of California.

H.R. 2404: Mr. ENGEL.

H.R. 2408: Mr. COFFMAN, Mr. SHERMAN, Mrs. DEMINGS, and Mr. SARBANES.

H.R. 2431: Mr. CALVERT.

H.R. 2452: Mr. GOTTHEIMER.

H.R. 2472: Mr. WELCH.

H.R. 2482: Mr. GUTIÉRREZ, Ms. BORDALLO, Mr. LEWIS of Georgia, Mr. YARMUTH, Mrs. DINGELL, and Mr. DELANEY.

H.R. 2499: Mr. JEFFRIES.

H.R. 2519: Mr. VEASEY, Mr. COURTNEY, Ms. BARRAGAN, Mr. JENKINS of West Virginia, Mrs. HARTZLER, Ms. MATSUI, Mr. CARTER of Texas, Ms. WASSERMAN SCHULTZ, Mr. COOK, and Ms. SÁNCHEZ.

H.R. 2537: Mr. GARRETT.

H.R. 2544: Mr. POCAN.

H.R. 2545: Mr. HUFFMAN.

H.R. 2584: Ms. ROSEN and Mr. CURBELO of Florida.

H.R. 2589: Mr. RICHMOND.

H.R. 2617: Mr. CONYERS and Mr. LABRADOR.

H.R. 2651: Mr. COOK, Mrs. CAROLYN B. MALONEY of New York, and Ms. TENNEY.

H.R. 2666: Mr. TAKANO.

H.R. 2687: Mr. HARPER and Mr. KILMER.

H.R. 2690: Mr. CICILLINE, Ms. WASSERMAN SCHULTZ, and Mr. CUELLAR.

H.R. 2712: Mr. FITZPATRICK.

H.R. 2723: Mr. WEBER of Texas, Mr. FARENTHOLD, Mr. BABIN, Mr. ROGERS of Alabama, Mr. GRAVES of Georgia, Mr. ROSS, and Mr. SMITH of Missouri.

H.R. 2733: Mr. TURNER.

H.R. 2740: Mr. CARTWRIGHT, Mr. HIGGINS of New York, Mr. PITTENGER, Mr. PEARCE, Mr. SOTO, Mr. GUTIÉRREZ, and Mr. NORMAN.

H.R. 2747: Mrs. BEATTY.

H.R. 2796: Mr. LABRADOR.

H.R. 2797: Mr. CARSON of Indiana and Mr. RASKIN.

H.R. 2801: Mr. PRICE of North Carolina.

H.R. 2805: Mrs. WAGNER.

H.R. 2838: Mr. SCHIFF.

H.R. 2856: Ms. DELAURO and Mr. JOYCE of Ohio.

H.R. 2870: Mrs. BROOKS of Indiana.

H.R. 2871: Mr. BABIN and Mrs. BEATTY.

H.R. 2899: Mr. COHEN.

H.R. 2901: Mr. DEFazio, Ms. SINEMA, and Ms. SEWELL of Alabama.

H.R. 2908: Mr. CARTWRIGHT.

H.R. 2918: Mr. GRAVES of Georgia and Mr. MURPHY of Pennsylvania.

H.R. 2924: Mr. CARTWRIGHT.

H.R. 2946: Mr. BUDD and Mr. SMUCKER.

H.R. 2968: Ms. NORTON.

H.R. 2976: Mr. DESAULNIER and Mr. RASKIN.

H.R. 2989: Mr. SMUCKER.

H.R. 2991: Mr. SHUSTER.

H.R. 2997: Mr. MESSER.

H.R. 3031: Mr. WITTMAN.

H.R. 3048: Mr. CRIST and Mr. SEAN PATRICK MALONEY of New York.

H.R. 3071: Mr. BABIN.

H.R. 3111: Ms. DELAURO, Mr. KHANNA, Ms. LEE, and Ms. MATSUI.

H.R. 3117: Mr. SMITH of Texas.

H.R. 3139: Mr. GOSAR.

H.R. 3151: Mr. BABIN, Mr. PITTENGER, Mr. ROUZER, Mr. GAETZ, and Mr. KING of Iowa.

H.R. 3174: Mr. KINZINGER.

H.R. 3178: Mr. SMITH of New Jersey and Mr. SESSIONS.

H.R. 3184: Mr. GOODLATTE.

H.R. 3197: Mr. COLLINS of New York, Mr. PAULSEN, Mr. KHANNA, Mr. KELLY of Pennsylvania, Mr. COFFMAN, Mr. CARBAJAL, Ms. SHEA-PORTER, Mr. ESTES of Kansas, and Mr. LOWENTHAL.

H.R. 3218: Mr. SMITH of New Jersey, Mr. GENE GREEN of Texas, Mr. POSEY, Mr. GRIJALVA, Mrs. DEMINGS, Mr. BEYER, Mr. SCHRAEDER, Mr. BERA, Mr. YARMUTH, Ms. HANABUSA, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. ELLISON, Mr. CALVERT, Mr. KILDEE, and Mr. GOTTHEIMER.

H.R. 3222: Mr. BERA and Ms. SÁNCHEZ.

H.R. 3223: Mr. FRANCIS ROONEY of Florida.

H.R. 3239: Ms. ROSEN.

H.R. 3242: Mr. MARSHALL.

H.R. 3246: Mr. LARSON of Connecticut.

H.R. 3255: Ms. SÁNCHEZ.

H.R. 3258: Ms. ROSEN, Ms. CLARKE of New York, Mr. WELCH, and Ms. FRANKEL of Florida.

H.R. 3274: Mr. MESSER, Mr. DONOVAN, Mr. O'HALLERAN, Ms. DELAURO, Mr. SUOZZI, Ms. PELOSI, Mr. NOLAN, Ms. MATSUI, Mr. COOPER, Mr. CONYERS, Mr. GENE GREEN of Texas, Mr. BEYER, Mr. LANCE, Mr. PRICE of North Carolina, and Mr. BANKS of Indiana.

H.R. 3282: Mr. KING of Iowa, Mr. THORNBERRY, Mr. TIBERI, Mr. NORMAN, and Mr. MASSIE.

H.R. 3298: Mrs. DINGELL, Mr. COHEN, Mr. O'HALLERAN, Ms. SPEIER, Mr. CLAY, Ms. DEGETTE, Mr. VELA, Ms. NORTON, Mr. FERGUSON, Ms. JAYAPAL, Mr. SABLON, Mr. BUTTERFIELD, Mr. BARLETTA, Ms. SHEA-PORTER, and Mr. KINZINGER.

H.R. 3302: Ms. SHEA-PORTER and Ms. KAPTUR.

H.R. 3312: Mrs. BEATTY, Mr. SESSIONS, and Mrs. LOVE.

H.R. 3320: Mr. FITZPATRICK.

H.R. 3323: Mr. EVANS.

H.R. 3325: Mrs. WAGNER.

H.R. 3330: Mr. GARRETT.

H.R. 3345: Mr. GENE GREEN of Texas.

H.J. Res. 33: Mr. AL GREEN of Texas.

H.J. Res. 51: Mr. FRANCIS ROONEY of Florida.

H.J. Res. 111: Mr. SESSIONS.

H. Con. Res. 27: Mr. KATKO.

H. Con. Res. 60: Mr. GARRETT.

H. Con. Res. 70: Mr. YOUNG of Alaska.

H. Res. 30: Ms. CHENEY.

H. Res. 199: Mr. DESANTIS.

H. Res. 220: Mr. WALZ.

H. Res. 311: Mr. CURBELO of Florida.

H. Res. 317: Mr. THOMAS J. ROONEY of Florida and Miss GONZÁLEZ-COLÓN of Puerto Rico.

H. Res. 319: Mr. BABIN, Mr. WEBER of Texas, Mr. ALLEN, Mr. PITTENGER, Mr. HUIZENGA, and Mrs. NOEM.

H. Res. 336: Mr. COFFMAN.

H. Res. 357: Mrs. LAWRENCE, Mr. YOUNG of Alaska, Ms. KAPTUR, Mrs. WALORSKI, Mr. ROHRBACHER, Mr. DONOVAN, Ms. KUSTER of New Hampshire, Mr. TED LIEU of California, Mr. TROTT, Mr. BERGMAN, Mr. UPTON, Ms. JAYAPAL, Mr. MCCAUL, Mr. EVANS, Mr. SENSENBRENNER, Ms. KELLY of Illinois, Ms. STEFANIK, Mr. FRANCIS ROONEY of Florida, and Ms. ROS-LEHTINEN.

H. Res. 359: Mr. BRENDAN F. BOYLE of Pennsylvania.

H. Res. 395: Mrs. CAROLYN B. MALONEY of New York.

H. Res. 401: Mrs. TORRES, Mr. CÁRDENAS, Mr. POSEY, Mr. TONKO, Mr. DONOVAN, Mr. TED LIEU of California, Mr. WELCH, and Mr. NORCROSS.

H. Res. 428: Mr. POCAN.

H. Res. 442: Ms. VELÁZQUEZ, Mr. SHERMAN, Mr. MEEKS, Mr. CAPUANO, Mr. CLAY, Mr. LYNCH, Mr. DAVID SCOTT of Georgia, Mr. FOSTER, Mr. HECK, Mr. VARGAS, Mr. KIHUEN, and Ms. JAYAPAL.

H. Res. 443: Mr. DUFFY.

H. Res. 445: Mr. DESANTIS, Mr. SCHIFF, Mr. SHERMAN, Mrs. LOWEY, Mr. JODY B. HICE of Georgia, Ms. KAPTUR, and Ms. CLARK of Massachusetts.

H. Res. 446: Mr. CONNOLLY, Mr. GALLEGO, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. JACKSON LEE, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Mr. TED LIEU of California, Mr. NADLER, Mr. RASKIN, Ms. SHEA-PORTER, and Mr. SMITH of Washington.

H. Res. 447: Ms. JAYAPAL.

H. Res. 449: Mr. GRIJALVA and Ms. NORTON.

H. Res. 458: Mr. BANKS of Indiana.

H. Res. 462: Mr. YOUNG of Alaska.

H. Res. 464: Mr. PETERSON and Mr. COSTELLO of Pennsylvania.



*July 24, 2017*

CONGRESSIONAL RECORD—HOUSE, Vol. 163, Pt. 8

**11479**

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. HENSARLING

Under clause 9 of rule XXI, lists or statements on congressional earmarks,

The provisions that warranted a referral to the Committee on Financial Service in H.J.

Res. 111 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

## EXTENSIONS OF REMARKS

### RECOGNIZING THE GRAND OPENING OF THE CNY CHINESE CULTURE CENTER'S ROCK CENTER FACILITY

#### HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 24, 2017

Mr. KATKO. Mr. Speaker, I rise today to recognize the Central New York Chinese Culture Center's new Rock Center facility in Syracuse, New York.

The CNY Chinese Culture Center plans to reopen the former Rockefeller United Methodist Church building as the Rock Center on July 22, 2017. The building has undergone significant renovations, but the structure's architectural character and history have been preserved to help facilitate the cultural exchanges that will occur at the Rock Center. The CNY Chinese Culture Center's hope for the Rock Center is to continue serving the Syracuse University and DeWitt communities with a wide array of programs, classes, and clubs.

Over the years, the CNY Chinese Culture Center has become a driving force in the Syracuse community, utilizing grassroots efforts to introduce Chinese heritage and culture to our community and foster cultural exchange. I am proud to recognize the grand opening of the CNY Chinese Center's Rock Center and I wish this outstanding organization continued success in the years to come.

### CLEVELAND METROPARKS 100TH ANNIVERSARY

#### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 24, 2017

Ms. KAPTUR. Mr. Speaker, I rise today to recognize and congratulate the oldest park district in Ohio, Cleveland Metroparks, on celebrating their 100th Anniversary, marking a century's worth of service to our region.

In 1917, following the Ohio General Assembly's passage of landmark legislation allowing for the creation and development of park districts, Cuyahoga County probate judge Alexander Hadden appointed the first board of the Cleveland Metropolitan Park District. In an effort to support resource conservation and through the vision and leadership of their first director, William Stinchcomb—a self-taught engineer who first conceptualized the idea of a chain of parks connecting our communities—the Emerald Necklace was born.

From modest beginnings, Cleveland Metroparks held and preserved just 109 acres of land in Cuyahoga County's western and southernmost suburbs. Yet, within their first

decade, what started with just one hundred acres of donated land would soon grow to encompass 9,000 acres throughout more than a dozen communities.

As a national leader in sustainability, Cleveland Metroparks' successes in natural resource conservation, as well as innovation in green infrastructure, provide essential environmental, health and economic benefits for all people. In fact, last year, Cleveland Metroparks won the prestigious American Academy of Park and Recreation Administration's National Gold Medal Award for Excellence in Park and Recreation Management—an award that Cleveland Metroparks has received 4 times since 1994.

Our park systems play a crucial role in environmental stewardship and community health, ensuring not only the preservation and prosperity of our flora and fauna—but improving public health and wellness by preventing health related problems ranging from asthma and obesity to diabetes and mental health.

The Cleveland Metroparks also has a tremendous impact on the regional economy. Tourism remains one of Ohio's largest and fastest growing industries, producing \$43 billion in sales annually. Of that, Cuyahoga County contributes nearly 20 percent, generating \$8.1 billion for the economy in 2015. What's more, a recent study conducted by The Trust for Public Land found that Cleveland Metroparks alone generate nearly a billion dollars annually for the local economy.

Cleveland Metroparks has built an admirable legacy, from the Rocky River Reservation, the first land purchased by the park district, and its many trails weaving through the Valley's forests and wetlands, to the Centennial Trail improving access and re-connecting our region with Wendy Park, Edgewater Beach and Lake Erie's shore. The Metroparks have remained committed to the conservation of natural resources, the education of our community and the recreation opportunities for our friends and family.

Today, 100 years later and spanning 47 diverse communities, Cleveland Metroparks' more than 23,000 acres of preserved wetlands and forests, trails and paths, lakefront beaches, rivers and streams, golf courses and a nationally acclaimed zoo, have become a destination and gathering place for millions of runners, hikers, cyclists, boaters, kayakers, fishermen, birders, nature enthusiasts and families from all across the country.

In recognition of the 100th Anniversary of Cleveland Metroparks, please join me in thanking all those whose vision and leadership have shaped this vast network and helped create one of the most valuable and significant resources in Ohio.

### REMEMBERING THE LIFE OF JOSEPH GRANADOS ELIAS

#### HON. J. LUIS CORREA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 24, 2017

Mr. CORREA. Mr. Speaker, I rise today in memory of a special person that gave greatly to our community, Joseph Granados Elias, who passed away July 6, 2017 at the age of 81. Mr. Granados Elias was a respected business owner, a loved community member, and a selfless husband and father.

Born in Corpus Christi, Texas, Mr. Granados Elias moved to California where he was the longtime owner of Fiesta Juice in downtown Santa Ana. A fierce advocate for Latino businesses, Mr. Granados Elias was known in our community as a fearless warrior and loving friend.

Mr. Granados Elias truly had a heart for others, and he spent his life serving those in greater need than him. One of the first Latino members of Kiwanis, Mr. Granados Elias was heavily involved with the organization, always thinking of how best to offer his time. When a community park needed more money to build a playground accessible for children with special needs, Mr. Granados Elias was instrumental in working with Kiwanis to raise sufficient funds.

This is just one example of how greatly Mr. Granados Elias cared for his community and how strong the relationships he built were. Mr. Granados Elias was known for his warmth, generosity, and incredible joy, which is reflected in the close relationships he shared with his family.

Mr. Speaker and colleagues, please join me in honoring and remembering Mr. Joseph Granados Elias, whose innovative entrepreneurship and loving spirit will live on in the hearts and lives of all those he knew and loved. He is an example to us all of what it means to be a public servant, and I extend my deepest condolences to his children, Suzanne, Sharon, Elizabeth, David, Paul and Albert; his ten grandchildren, and his seven great grandchildren. May God bless this family.

### RECOGNIZING LONGEST SERVING SUNDAY SCHOOL TEACHER, VELMA LEE SEBRING, FOR OUTSTANDING MENTORSHIP

#### HON. MO BROOKS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 24, 2017

Mr. BROOKS of Alabama. Mr. Speaker, it is with great pride that I recognize Velma Lee Sebring for her service over the last 74 years as a Sunday school teacher at Centerpoint Baptist Church in Scottsboro, Alabama.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mrs. Sebring began teaching Sunday school at Centerpoint Baptist Church in 1942. Having taught at the same location for approximately 74 years, she has surpassed the known Guinness World Record for the longest serving Sunday school teacher at one church. Mrs. Sebring began teaching Sunday school at Randall's Chapel United Methodist Church in 1938, meaning she has taught for a combined 78 years.

I believe the education of our young people is of the utmost importance. As a son, husband, and father of educators, I have seen firsthand the sacrifices they make to invest in the future of our children. I appreciate and commend the work Mrs. Sebring has done on behalf of the North Alabama community, and I am confident that her work to support the spiritual needs of countless children over the years has made a lasting, positive impact on numerous generations.

Mrs. Sebring was married to the late Bill Sebring of Scottsboro, and she has three children: Billie Ann Wallace of Northport, Nora Sebring of Scottsboro, and Robert Sebring of Scottsboro.

I urge my colleagues to join me in honoring and thanking Mrs. Sebring for her dedication and mentorship across North Alabama.

#### RECOGNIZING THE 5TH ANNUAL TASTE OF ETHIOPIA

#### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 24, 2017

Mr. COFFMAN. Mr. Speaker, I rise today to recognize the 5th Annual Taste of Ethiopia. The Taste of Ethiopia promotes cultural immersion and provides community services for our extensive Ethiopian immigrant community in Colorado. The event is a unique showcase of music, food, art, crafts, culture, games, and Ethiopian dance.

Moreover, the festival is not only a great opportunity for family fun and bringing the Ethiopian community together, but it also serves to highlight the individual contributions of Ethiopian immigrants to our community. In this spirit, Mr. Speaker, I would like to recognize the following organizers of the Taste of Ethiopia for their hard work and dedication to make this event for our community possible: Nebiyu Asfaw, Sosna Dagne, Elizabeth Moltot, Adanech Denbel, Fikru Ayele, Bizuye Sebsbe, Tilahun Dessie, Aschalew Agonafer, Yalemwork Tekola, Girum Alemayehu, Sophia Belew, Senait Keteman, Selam Ayele, Helen Tekle, and Ayinalem Bayu.

Mr. Speaker, the 6th District of Colorado is home to the largest Ethiopian community in the State of Colorado and it continues to be an honor for me to represent so many Ethiopian immigrants. I had the privilege of attending last year's Taste of Ethiopia and it is a privilege for me to again be included in the Taste of Ethiopia annual celebration.

I again offer my sincere congratulations to the organizers of the Taste of Ethiopia for their tireless work to promote the Ethiopian culture in the State of Colorado.

#### MORRISTOWN MEDICAL CENTER'S 125TH ANNIVERSARY

#### HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 24, 2017

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Morristown Medical Center, located in Morris County, New Jersey, on the occasion of its 125th Anniversary. From humble beginnings, the medical center has grown from a household hospital to a nationally renowned medical center with 6,565 employees, 1,704 physicians, and 526,946 outpatient visits in 2016.

Morristown Medical Center's history began in the late 1800s, when Myra M. B. Brookfield bequeathed her home property for the purpose of establishing a hospital, located on Morris Street in Morristown, New Jersey. Augusta Stone, a fellow colleague, joined her efforts and raised \$15,000 from the community, to equip and furnish the new hospital. The medical center was operated by professionals along with local volunteers, and no role was too small for townspeople. They sewed linens for the hospital bedding and picked vegetables to feed hungry patients. When hospital employees were sent overseas to serve in World War II, volunteers cooked and served meals, answered telephones, and drove the ambulances.

In 1952, the hospital was relocated to Madison Avenue in Morristown, which marked its turning point from a community hospital to a regional medical center. The medical center expanded throughout the next several decades with volunteers finding new methods of raising money. By 1991, the milestone was reached with more than 1,000 volunteers giving 100,000 hours annually.

Today, Morristown Medical Center is a leader in providing medical care and promoting innovation. Their Goryeb Children's Hospital, Carol G. Simon Cancer Center, and Gagnon Cardiovascular Institute, which has performed more heart surgeries than any other hospital in New Jersey, are all nationally recognized institutions.

Further, the Morristown Medical Center has built a strong relationship with its community. Along with aiding patients' medical needs, they also have forged partnerships with local schools and many local organizations to educate the residents of all ages about healthy eating and exercise. The Morristown Medical Center truly dedicates itself to serving the various needs of a diverse community.

Mr. Speaker, I ask that you join me in congratulating the Trustees, administrators and staff, and Women's Auxiliary of Morristown Medical Center on the occasion of its 125th Anniversary.

#### COST ESTIMATE FOR H.R. 2825, THE DHS AUTHORIZATION ACT OF 2017

#### HON. MICHAEL T. MCCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 24, 2017

Mr. MCCAUL. Mr. Speaker, I include in the RECORD the cost estimate from the Congressional Budget Office regarding H.R. 2825. The cost estimate was not available at the time of the filing of the Committee report.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, July 20, 2017.

Hon. MICHAEL MCCAUL,  
Chairman, Committee on Homeland Security,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2825, the DHS Authorization Act of 2017.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz.

Sincerely,

MARK P. HADLEY  
(For Keith Hall, Director).

Enclosure.

H.R. 2825—DHS AUTHORIZATION ACT OF 2017

As reported by the House Committee on  
Homeland Security on June 28, 2017

#### SUMMARY

H.R. 2825 would authorize the appropriation of nearly \$11 billion over the 2018–2022 period for programs in the Department of Homeland Security (DHS), mostly for activities carried out by the Federal Emergency Management Agency (FEMA), but also for programs of the Transportation Security Administration (TSA) and the DHS Office of the Inspector General. In addition, CBO estimates that the bill would authorize the appropriation of \$154 million over the five-year period for other DHS activities, including programs to increase security at airports.

Assuming appropriation of the authorized and estimated amounts, CBO estimates that implementing H.R. 2825 would cost \$5.6 billion over the 2018–2022 period and \$5.4 billion after 2022. In addition, because the legislation would affect direct spending, pay-as-you-go procedures apply; however, we estimate that the net effect would be negligible in every year. The bill would not affect revenues.

CBO estimates that enacting H.R. 2825 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 2825 would impose intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) on airport operators and air carriers. Based on information from the TSA and airport officials, CBO estimates that the total costs of the mandates on public and private entities would fall well below the annual thresholds established in UMRA for intergovernmental and private-sector mandates (\$78 million and \$156 million in fiscal year 2017, respectively, adjusted annually for inflation).

#### ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of H.R. 2825 is shown in the following table. The costs of this legislation fall within budget functions 400 (transportation), 450 (community and regional development), and 750 (administration of justice).

|                                                                        | By fiscal year, in millions of dollars— |       |       |       |       |       |           |
|------------------------------------------------------------------------|-----------------------------------------|-------|-------|-------|-------|-------|-----------|
|                                                                        | 2017                                    | 2018  | 2019  | 2020  | 2021  | 2022  | 2017–2022 |
| INCREASES IN SPENDING SUBJECT TO APPROPRIATION                         |                                         |       |       |       |       |       |           |
| FEMA Programs:                                                         |                                         |       |       |       |       |       |           |
| Authorization Level .....                                              | 0                                       | 2,164 | 2,164 | 1,999 | 1,999 | 1,999 | 10,325    |
| Estimated Outlays .....                                                | 0                                       | 240   | 606   | 922   | 1,327 | 1,705 | 4,800     |
| TSA Programs:                                                          |                                         |       |       |       |       |       |           |
| Authorization Level .....                                              | 0                                       | 122   | 122   | 0     | 0     | 0     | 244       |
| Estimated Outlays .....                                                | 0                                       | 92    | 116   | 28    | 6     | 2     | 244       |
| DHS Inspector General and Office for Civil Rights and Civil Liberties: |                                         |       |       |       |       |       |           |
| Authorization Level .....                                              | 0                                       | 198   | 198   | 0     | 0     | 0     | 395       |
| Estimated Outlays .....                                                | 0                                       | 178   | 198   | 20    | 0     | 0     | 395       |
| Other Programs:                                                        |                                         |       |       |       |       |       |           |
| Estimated Authorization Level .....                                    | 0                                       | 53    | 18    | 24    | 23    | 31    | 154       |
| Estimated Outlays .....                                                | 0                                       | 40    | 24    | 23    | 27    | 30    | 144       |
| Total Changes:                                                         |                                         |       |       |       |       |       |           |
| Estimated Authorization Level .....                                    | 0                                       | 2,537 | 2,502 | 2,023 | 2,027 | 2,030 | 11,118    |
| Estimated Outlays .....                                                | 0                                       | 550   | 943   | 993   | 1,360 | 1,737 | 5,583     |

Notes: Details may not sum to totals because of rounding. FEMA = Federal Emergency Management Agency; TSA = Transportation Security Administration; DHS = Department of Homeland Security.

#### BASIS OF ESTIMATE

For this estimate, CBO assumes that the bill will be enacted near the end of 2017.

#### SPENDING SUBJECT TO APPROPRIATION

CBO estimates that implementing H.R. 2825 would cost \$5.6 billion over the 2018–2022 period. For this estimate, CBO assumes that the authorized and estimated amounts will be provided each year and that spending will follow historical spending patterns for these activities.

Programs with Specified Authorizations. H.R. 2825 would authorize the appropriation of nearly \$11 billion over the 2018–2022 period for many programs in DHS, including activities carried out by FEMA, TSA, and other offices.

FEMA Programs. Title VI of H.R. 2825 would authorize the appropriation of \$10.3 billion over the 2018–2022 period for FEMA's domestic security programs. Specifically, the bill would authorize the annual appropriation of:

\$800 million for the Urban Area Security Initiative;

\$710 million for the State Homeland Security Grant Program;

\$200 million for the Transit Security Grant Program;

\$200 million for the Port Security Grant Program;

\$50 million for grants to nonprofit organizations for security enhancements to protect against terrorism;

\$39 million for the Counterterrorism Training Program; and

About \$165 for the National Domestic Preparedness Consortium.

CBO estimates that implementing those provisions would cost \$4.8 billion over the 2018–2022 period.

TSA Programs. H.R. 2825 would authorize the annual appropriation (through 2019) of:

\$77 million for TSA to monitor exits used by passengers leaving service areas of airports; and

\$45 million for the cost of deploying law enforcement personnel to security checkpoints at airports.

CBO estimates that implementing those provisions would cost \$244 million over the 2018–2022 period.

DHS Inspector General and Office for Civil Rights and Civil Liberties. H.R. 2825 would authorize, for each of 2018 and 2019, the appropriation of:

\$175 million for the DHS Office of the Inspector General; and

About \$23 million for the DHS Office for Civil Rights and Civil Liberties.

CBO estimates that implementing those provisions would cost \$395 million over the 2018–2022 period.

Other Programs. CBO estimates that carrying out other activities (as described

below) would require appropriations of \$154 million over the 2018–2022 period.

TSA Activities. CBO estimates that implementing certain provisions of title V of the bill would require appropriations totaling \$144 million over the 2018–2022 period. That amount includes:

\$56 million for a gradual expansion in the number of canine teams used to detect explosives within surface and maritime transportation systems;

\$43 million for a variety of activities aimed at improving security at airports by enhancing the vetting and screening of aviation workers and controlling their access to secure areas of airports;

\$25 million for increased administrative costs related to a significant expansion in the number of personnel-related policies that could be included in negotiations over collective bargaining agreements; and

\$20 million for the cost of implementing an automated system to verify the identity and travel documents of air passengers.

CBO estimates that implementing these activities would cost \$134 million over the 2018–2022 period (and \$10 million after 2022).

Reports and Audits. H.R. 2825 would require DHS and the Government Accountability Office to prepare about 30 audits and reports (some annually) on various topics within the department's purview. Based on the cost of similar activities, CBO estimates that it would cost about \$10 million over the 2018–2022 period for those reports and audits.

#### Direct Spending

The Asia-Pacific Economic Cooperation (APEC) Business Travel Cards Act of 2011 (Public Law 112–54) authorized DHS to issue special cards to eligible U.S. citizens to facilitate international travel to participating countries (mostly in Asia). Under that act, DHS may not issue the cards after September 30, 2018. H.R. 2825 would extend that program permanently.

DHS collects a fee of \$70 from applicants for the APEC card. Those fees are classified in the budget as offsetting receipts (a reduction in direct spending) and are available to DRS to spend without further appropriation. In fiscal year 2016 DHS collected a total of about \$1 million in fees. CBO estimates that enacting H.R. 2825 would have no significant net effect on DHS spending because we expect the department would continue to collect and spend roughly the same amount in future years.

#### PAY-AS-YOU-GO CONSIDERATIONS

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. CBO estimates that enacting H.R. 2825 would have no significant net effect on direct spending in any year. The bill would not affect revenues.

#### INCREASE IN LONG-TERM DIRECT SPENDING AND DEFICITS

CBO estimates that enacting H.R. 2825 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

#### INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

H.R. 2825 would impose intergovernmental and private-sector mandates as defined in UMRA by requiring airport operators and air carriers to provide information to TSA about individuals who have had their security credentials revoked. Additionally, the bill would require airport operators to notify applicants for security credentials about screening procedures and to submit applicants' social security numbers to the TSA. Those provisions would impose both intergovernmental and private-sector mandates on airport operators and a private-sector mandate on air carriers. Based on information from the TSA and airport officials, CBO expects that affected entities would probably report information to the TSA electronically and estimates that the costs to submit that information would be small. The bill also would require airport operators to include specific information, such as evacuation and communication strategies, in emergency response plans. Because most airport operators already include such information in their response plans under current law, CBO estimates that the costs to comply with the mandate would be small. In total, CBO estimates that the costs on public and private entities would fall well below the annual thresholds established in UMRA for intergovernmental and private-sector mandates (\$78 million and \$156 million in fiscal year 2017, respectively, adjusted annually for inflation).

#### PREVIOUS CBO ESTIMATES

CBO has prepared cost estimates in 2017 for many other bills with provisions that are similar to provisions of H.R. 2825. For each of the bills listed below, our estimates of the costs of the similar provisions are the same as in H.R. 2825:

H.R. 876, the Aviation Employee Screening and Security Enhancement Act of 2017 (as ordered reported by the House Committee on Homeland Security on March 8, 2017);

S. 763, the Surface and Maritime Transportation Security Act (as ordered reported by the Senate Committee on Commerce, Science, and Transportation on April 5, 2017);

H.R. 2188, the Community Counterterrorism Preparedness Act (as ordered reported by the House Committee on Homeland Security on May 3, 2017);

H.R. 1372, the Homeland Security of Children Act (as ordered reported by the House Committee on Homeland Security on March 8, 2017);

H.R. 2169, the Improving Fusion Centers' Access to Information Act (as ordered reported by the House Committee on Homeland Security on May 3, 2017);

H.R. 1249, the DHS Multiyear Acquisition Strategy Act of 2017 (as passed by the U.S. House of Representatives on March 20, 2017);

H.R. 1294, the Reducing DHS Acquisition Cost Growth Act (as passed by the U.S. House of Representatives on March 20, 2017);

H.R. 1252, the DRS Acquisition Authorities Act of 2017 (as passed by the U.S. House of Representatives on March 20, 2017);

H.R. 1282, the DHS Acquisition Review Board Act of 2017 (as ordered reported by the House Committee on Homeland Security on March 8, 2017);

H.R. 1297, the Quadrennial Homeland Security Review Technical Corrections Act of 2017 (as ordered reported by the House Committee on Homeland Security on March 8, 2017); and

S. 504, the APEC Business Travel Cards Reauthorization Act of 2017 (as ordered reported by the Senate Committee on Homeland Security and Governmental Affairs on May 17, 2017).

In addition, on June 27, 2017, CBO transmitted a cost estimate for H.R. 2548, the FEMA Reauthorization Act of 2017 (as ordered reported by the House Committee on Transportation and Infrastructure on May 24, 2017) provisions of that legislation are similar to section 615 of H.R. 2825. However, CBO's estimates of the costs of those similar provisions are different because different amounts are authorized to be appropriated in each piece of legislation.

#### ESTIMATE PREPARED BY

Federal Costs: Megan Carroll (TSA), Robert Reese (FEMA), Mark Grabowicz (all other DHS); Impact on State, Local, and Tribal Governments: Rachel Austin; Impact on the Private Sector: Paige Piper/Bach.

#### ESTIMATE APPROVED BY

Theresa Gullo, Assistant Director for Budget Analysis.

### RECOGNIZING BRIGHTON MAYOR RICHARD McLEAN

#### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Mr. COFFMAN. Mr. Speaker, I rise today to recognize Brighton Mayor Richard McLean, a dedicated public servant who has devoted himself to his community as a City Council member and Mayor for over a decade. Mayor McLean has been involved in numerous boards and commissions in his community, including service as the Chair of the E-470 Board, and as a member of the Adams County Economic Development Board, Airport Coordinating Committee, and the Brighton Economic Development Corporation Board.

As Chair of the E-470 Board, Mayor McLean proved himself to be a stellar steward of taxpayer dollars overseeing the opening of the Quebec interchange six months ahead of schedule. Mr. Speaker, I think Washington could learn a thing or two from this kind of leadership.

Under Mayor McLean's leadership in office, the city of Brighton has received extensive recognition for excellence in city planning, in-

cluding just last April the Denver Regional Council of Governments' award for Brighton's District Comprehensive Master Plan. It is clear Mayor McLean's tireless service to the people of Brighton has made their community a better place to live, work, and raise a family.

Mr. Speaker, I offer my sincere congratulations to Mayor Richard McLean for his over a decade of accomplished public service and wish him all the best in his future endeavors.

### CONGRATULATING RANDY SMITH ON HIS RETIREMENT AS PRESIDENT OF UAW LOCAL 974

#### HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Mrs. BUSTOS. Mr. Speaker, I rise today to congratulate Randy Smith on his retirement from serving as President of United Auto Workers Local 974 in Peoria, Illinois and thank him for his many years of service.

Randy Smith has been a loyal member of the UAW for decades. His dedication and outstanding service to Local 974 led to his election as Vice President in 2010 and his success in this role has allowed him to serve as President since 2013. In addition to his leadership role, Randy has also showed his commitment to the community with his service on the Local 974 Heather Henninger Scholarship Committee, which gives over \$10,000 in scholarship money each year to the children and grandchildren of active, retired, and deceased UAW members to help fund their college education. His service in this role has made a difference in the lives of countless children by expanding their access to educational opportunities.

Mr. Speaker I am proud to recognize Randy's achievements and the incredible support he has provided to the Peoria community. I wish him the best in his retirement and thank him for the invaluable service he has provided to our region.

### PERSONAL EXPLANATION

#### HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Ms. WILSON of Florida. Mr. Speaker, on July 14, 2017, I mistakenly voted "no" on Roll Call 375, the Hunter-Wilson amendment to the National Defense Authorization Act for Fiscal Year 2018. I cosponsored this amendment and intended to vote "yes."

### HONORING MR. SAM OTIS SMITH ON THE OCCASION OF HIS 85TH BIRTHDAY

#### HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Mr. HASTINGS. Mr. Speaker, I rise today to honor Mr. Sam Otis Smith, on the occasion of

his 85th birthday, which will be celebrated on July 25, 2017. Sam is an outstanding individual and I am truly blessed to be able to count him among one of my dearest friends.

Sam was born July 25, 1932 in Charles City County, Virginia. He graduated in 1955 with a B.A. in Agriculture from Virginia State College and was Commissioned as a Second Lieutenant in the U.S. Army. During the course of his career he was awarded three Army Commendation Medals; two Bronze Star Medals; and the Legion of Merit Medal. After 20 years of service to his country, he retired as a Lieutenant Colonel in 1975. That year, Sam began his tenure as the Director of the Physical Plant at Virginia State University, until his retirement in 1989. Sam spent the latter years of his career as a Realtor.

The tenth of eleven children born to Elizabeth Bassett Smith and Charles Smith, Sam has always been devoted to his family and friends. He remains an active member of numerous professional, charitable, and sport organizations.

Mr. Speaker, I have had the great privilege of knowing Sam for many years, and it gives me great pride to honor him on the occasion of his 85th birthday. I wish him many more years of happiness and success.

### HONORING COMMISSIONER CARL SHECHTER

#### HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Ms. WASSERMAN SCHULTZ. Mr. Speaker, it is with great pride that I honor Pembroke Pines City Commissioner Carl Shechter.

In recognition of Mr. Shechter's tremendous work on behalf of Pembroke Pines residents, the city has dedicated its Southwest Focal Point Community Center Campus in his name.

The Carl Shechter Southwest Focal Point Community Center provides services and programming that promote the wellbeing of Pembroke Pines residents. Whether it is Adult Day Care services for seniors or educational and recreational programs for families, the Center unites a broad array of individuals from across Southwest Broward County.

It is fitting that the center be named for Commissioner Shechter as he has always been devoted to enriching the lives of others. He is an extraordinary public servant, and all who walk through the doors of the Carl Shechter Southwest Focal Point Community Center shall now be reminded of his compassionate leadership.

I am proud to call Carl my friend and recognize him today for his selfless contribution to our community. I wish Commissioner Shechter and his family a heartfelt congratulations on this momentous occasion.

## PERSONAL EXPLANATION

**HON. JOYCE BEATTY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Mrs. BEATTY. Mr. Speaker, on July 18, 2017, I missed Roll Call votes 386 and 387. Had I been present, I would have voted Yes on both the Tonko Amendment (Roll Call vote 386), and the Beyer Amendment (Roll Call vote 387).

## RECOGNIZING SUMMER INTERNS

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Mr. COFFMAN. Mr. Speaker, I rise today to recognize Harrison Finch, Lauren Healy, Reagan Miller, and Katie Russ for their hard work and dedication to the people of Colorado's Sixth District as interns in my Washington, D.C. office for the summer of the 115th Congress, First Session.

During their time in my office, Harrison, Lauren, Reagan, and Katie served as tour guides, interacted with constituents, conducted legislative research and learned a great deal about the United States Congress. The work of these young Coloradans has been exemplary and I know they all have bright futures ahead of them. I was glad to be able to offer this educational opportunity to these four, and look forward to seeing them build their prospective careers.

Harrison, Lauren, Reagan, and Katie have all made plans to continue their educational careers back in Colorado and throughout the United States. I am certain they will continue in their great success and wish them all the best in their future endeavors. Mr. Speaker, it is an honor to recognize Harrison Finch, Lauren Healy, Reagan Miller, and Katie Russ for their service this summer.

INTRODUCTION OF A BILL TO AMEND THE DISTRICT OF COLUMBIA STADIUM ACT OF 1957 TO EXTEND FOR AN ADDITIONAL 50 YEARS THE LEASE UNDER WHICH THE GOVERNMENT OF THE DISTRICT OF COLUMBIA USES THE GROUND UNDER AND THE PARKING FACILITIES ASSOCIATED WITH ROBERT F. KENNEDY MEMORIAL STADIUM

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Ms. NORTON. Mr. Speaker, today, I introduce a bill to extend the District of Columbia's lease with the National Park Service to use the land under Robert F. Kennedy Memorial Stadium (RFK) by 50 years, for a total period of 100 years.

RFK Stadium—a memorial to a great civil rights champion, a former United States Sen-

ator and U.S. Attorney General—has seen better days. The District has put together a comprehensive plan to rehabilitate not just the stadium, but the surrounding area to include more green space for public use, sports fields, pedestrian bridges to connect the area to Wards 7 and 8, and a memorial more fitting to the legacy of Robert F. Kennedy. In order to get started on these improvements, a lease extension is required to ensure that the city is able to secure financing.

I urge my colleagues to support the bill.

## RECOGNIZING THE DUNDEE TOWNSHIP LIONS CLUB

**HON. PETER J. ROSKAM**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Mr. ROSKAM. Mr. Speaker, I rise today to recognize the Dundee Township Lions Club from the Sixth Congressional District of Illinois. In June, the club celebrated its 80th Anniversary.

In the years since its humble founding in 1937, the Dundee Township Lions Club has become a champion of civic service, serving as a home to members who strive to create a vibrant and thriving community in West Dundee and the greater Kane County area. Over the years, the Club has contributed finances, time and talent to hundreds of community projects including the creation of pavilions at Randall Oaks Park, the first washrooms at South End Park, the Dundee Township Library room, and many, many more.

From its early origins in the Township, the Lions Club has been a leader in community outreach and service, as well as an organization for other service organizations and community outreach organizations to follow. Through its continued dedication to building a friendly and welcoming environment, the Dundee Township Lions Club has built a reputation as an organization where all walks of life can come together to serve the less fortunate.

Mr. Speaker and distinguished colleagues, please join me in recognizing the occasion of this 80th Anniversary. We join together to honor the Club's legacy of growth and prosperity, and to look ahead to the opportunities the future hold for the Dundee Township Lions Club.

IN HONOR OF THE 100TH ANNIVERSARY OF THE ANNISTON ROTARY CLUB

**HON. MIKE ROGERS**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention to recognize 100th Anniversary of the Anniston Rotary Club.

The Anniston Rotary Club in Anniston, Alabama, was chartered on September 7th, 1917 with 45 charter members including the President, Dr. George Lang. The first meeting was

held at the Riser Café at 10th and Noble Streets in downtown Anniston. The club has met in various locations since that first meeting.

The Anniston Rotary Club has had many projects over its 100 years. The first was a wood yard in West Anniston that furnished work for the unemployed. Later projects included sponsoring the organization of the Choccolocco Council of the Boy Scouts of America in 1919 through 20. The Anniston Rotary Club has also sponsored school programs for purchasing text books, 4-H Clubs and Boys Clubs. They have also helped the Salvation Army, United Way and the Y.M.C.A. Today, the Anniston Rotary Club works to help many local nonprofits and continues to support the Rotary Foundation that guides the international effort to eliminate polio.

The Anniston Rotary Club has sponsored at least two other Rotary Clubs including the Anniston Morning Rotary Club and the Oxford Rotary Club.

Today, the Anniston Rotary Club meets on Tuesdays at noon at the Anniston Country Club. Recently, 100 percent of the club's members became Paul Harris Fellows in honor of contributions made to significantly better relationships with people around the world, a noteworthy distinction on the club's 100th Anniversary.

Mr. Speaker, please join me in celebrating the 100th Anniversary of the Anniston Rotary Club.

CONGRATULATING WAYNE ON BEING NAMED ONE OF THE SAFEST PLACES TO LIVE

**HON. PETER J. ROSKAM**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Mr. ROSKAM. Mr. Speaker, I rise today to congratulate the Village of Wayne on being named one of the safest places to live in Illinois. The village of Wayne was named the seventh safest place on Niche's 2017 Safest Places to Live in Illinois.

Working together, law enforcement, local officials, and the community have made Wayne a safer place to live, work, and raise a family. The residents of Wayne should never underestimate the impact that each citizen's positive actions can have. Everyday there are members of the community helping to change lives, while also inspiring their peers to do the same.

I would be remiss to not also mention the wonderful job of the Wayne Police and volunteer Fire Departments. Day in and day out, the men and women of the Wayne Police and Fire Departments risk their lives to protect their community. Their bravery and courage are very deserving of our recognition and admiration and I am happy to see their service has led to Wayne being named one of the safest cities in Illinois.

Mr. Speaker and distinguished colleagues, please join me in recognizing the village of Wayne and congratulating them on being named one of the safest places in Illinois.

175TH ANNIVERSARY OF THE  
LOGAN DAILY NEWS**HON. STEVE STIVERS**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Mr. STIVERS. Mr. Speaker, I rise today on behalf of the people of Ohio's 15th Congressional District to recognize the 175th Anniversary of the Logan Daily News. Nearly as old as the City of Logan itself, the Logan Daily News has been dutifully and continuously informing its readership since June of 1842.

Under the leadership of S.W. Tucker and Robert Wright, the Hocking Sentinel was born. The paper saw success that its controversial predecessor had not experienced, and continued to grow. In 1960, 30 paperboys dispersed the news of the day; today, 12 delivery routes are still covered as the publication successfully adapts to the digital age of media. While its name, publishers, and mediums have changed over the years, the Logan Daily News' commitment to producing timely and factual reports for the people of Logan and Hocking Valley has been steadfast.

The Logan Daily News influence extends well past its pages. It is a true partner in the community, sponsoring events like Backyard BBQ and Rib Ruckus, the Washboard Music Festival, and the Hocking Valley Community Hospital Golf Tournament. Additionally, the Logan Daily News encourages youth through partnerships with 4-H and the County Fair Board. It supports the local economy through involvement with the Hocking Hills Chamber of Commerce, Hocking Hills Tourism Association, Logan Town Center, and the Lancaster Chamber of Commerce.

I am honored to recognize the Logan Daily News, its reporters, editors, and publishers on this momentous occasion, and I wish them many more successful years and editions.

## CONGRATULATING BARTLETT

**HON. PETER J. ROSKAM**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Mr. ROSKAM. Mr. Speaker, I rise today to congratulate Bartlett on being named one of the safest cities in the United States. The village of Bartlett was named the ninth safest city on Neighborhood Scout's list of America's 100 Safest Cities.

Working together, law enforcement, local officials, and the community have made Bartlett a safer place to live, work, and raise a family. The residents of Bartlett should never underestimate the impact that each citizen's positive actions can have. Everyday there are members of the community helping to change lives, while also inspiring their peers to do the same.

I would be remiss to not also mention the wonderful job of the Bartlett Police and Fire Departments. Day in and day out the men and women of the Bartlett Police and Fire Departments risk their lives to protect their community. Their bravery and courage are very de-

serving of our recognition and admiration and I am happy to see their service has led to Bartlett being named one of the safest cities in America.

Mr. Speaker and distinguished colleagues, please join me in recognizing the village of Bartlett, Illinois and congratulating them on being named one of the safest cities in America.

RECOGNIZING ANNA CIAMARRA  
FOR HER COURAGE AND GEN-  
EROSITY**HON. PETER J. ROSKAM**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Mr. ROSKAM. Mr. Speaker, I am honored to rise today to recognize Anna Ciamarra, a brave, strong, and exceptional young lady from Lombard, Illinois. Anna recently raised over \$6,000 for childhood cancers.

After visiting the doctor when she was 5 years old for a sore throat, Anna found out she had T-cell acute lymphoblastic leukemia. Since that time, Anna has had continuous treatment, including a minimum of two years of inpatient and outpatient therapies that include chemotherapy, lumbar punctures, transfusions and constant diagnostic testing. In spite of all these obstacles, Anna wanted to help others and bring awareness to childhood cancer.

Last year, Anna and her family hosted lemonade stands for Alex's Lemonade Stand Foundation, a national childhood cancer foundation dedicated to funding research into new treatments and cures for all children battling cancer, and raised over \$2,000. This year they were chosen as one of the foundation's National Lemonade Days Hero Ambassadors and thus far raised \$6,900. This amazing figure is not only a credit to Anna's strength and resilience, but also the entire family's compassion and determination to help others. Anna is an inspiration to all and I am sure she will continue to be an advocate for those facing the challenges of cancer.

Mr. Speaker and distinguished colleagues, please join me in honoring and celebrating Anna Ciamarra's generosity and strength. Her advocacy on behalf of childhood cancer is commendable.

HONORING THE DEAF NATIONAL  
HOCKEY TEAM**HON. PETER J. ROSKAM**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Mr. ROSKAM. Mr. Speaker, I am pleased to rise today in recognition of the Illinois members of the men's and women's U.S. National Deaf Ice Hockey Team. Both teams competed in the 2017 World Deaf Ice Hockey Championships in April.

Members of the women's team from Illinois, Maddie Gagliano and Hannah Garcia, tried out for the U.S. National Women's Deaf Ice Hock-

ey team in March and were selected along with 15 other girls to play against Team Canada. The U.S. team ended up losing two hard fought games to Team Canada and although the team has disbanded for now, head coach Jackie McMullin believes Maddie and Hannah have plenty of opportunities to play the game they love.

Max Finley, Ryne Kruger, and Derek Struwing are all Illinois residents who participated for team U.S. in this year's championships. The tournament was held April 19-29, with teams from Canada, Finland, Czech Republic, Kazakhstan and the United States participating. The U.S. men's team finished first in the competition and won the gold medal in a thrilling 6-3 win against Team Canada. This important victory marked the first time the United States has won gold at the World Deaf Hockey Championships.

Maddie, Hannah, Max, Ryne and Derek's participation in the U.S. National Deaf Ice Hockey Championships is truly inspirational. I know I speak for the entire state of Illinois and the country when I say congratulations and that we are all proud of them.

Mr. Speaker and distinguished colleagues, please join me in honoring the Men's and Women's U.S. National Deaf Ice Hockey teams.

RECOGNIZING THE ACCOMPLISH-  
MENTS OF LAZARUS HOUSE**HON. PETER J. ROSKAM**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Mr. ROSKAM. Mr. Speaker, I rise today to recognize the 20th anniversary of Lazarus House, a charitable organization serving the homeless and those who are at risk of homelessness. Their services in providing hospitality, shelter, and education have made them a great contributor to our community.

Since opening its doors on June 6, 1997, Lazarus House has continued to uphold its mission as a transitional living center through the hard work and timeless dedication of its original founder Darlene Marcusson, as well as its current Executive Director, Liz Eakins. Working together with various social service agencies, a large network of volunteers, and a generous family of donors, this organization has faithfully served those who are searching for a sense of hope and a future of opportunities.

Treating their guests as gifts from God, Lazarus House has brought the Gospel to the forefront of their work. Its emergency shelter and outreach programs provide rent, mortgage and utility assistance, and most importantly, a support system for the homeless to call home. In helping their guests transition to independent living with the necessary skills for eventual success, Lazarus House has been a tremendous source of care and a ray of light for the future.

Mr. Speaker and distinguished colleagues, please join me in honoring and celebrating the remarkable achievements of Lazarus House. Their advocacy on behalf of the homeless is commendable.



# CONGRATULATING LAKE IN THE HILLS

## HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Mr. ROSKAM. Mr. Speaker, I rise today to congratulate Lake in the Hills on being named one of the safest cities in the United States. The village of Lake in the Hills was named the seventh safest city on Neighborhood Scout's list of America's 100 Safest Cities.

Working together, law enforcement, local officials, and the community have made Lake in the Hills a safer place to live, work, and raise a family. The residents of Lake in the Hills should never underestimate the impact that each citizen's positive actions can have. Everyday there are members of the community helping to change lives, while also inspiring their peers to do the same.

I would be remiss to not also mention the wonderful job of the Lake in the Hills Police Department and Fire Department. Day in and day out the men and women of the Lake in the Hills Police and Fire Departments risk their lives to protect their community. Their bravery and courage are very deserving of our recognition and admiration and I am happy to see their service has led to Lake in the Hills being named one of the safest cities in America.

Mr. Speaker and distinguished colleagues, please join me in recognizing the village of Lake in the Hills, Illinois and congratulating them on being named one of the safest cities in America.

# HONORING JEFF TURNER FOR HIS YEARS OF SERVICE AND OUTSTANDING CONTRIBUTIONS TO THE COMMUNITY OF ELGIN

## HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Mr. ROSKAM. Mr. Speaker, I rise today to honor a distinguished public servant from the Sixth District of Illinois. Jeff Turner has dedicated his life to the Elgin community and his incredible service is a truly impressive feat which may not be replicated. As the recipient of the 75th Elgin Cosmopolitan Club Distinguished Service Award, he serves as a role model for us all and as proof that one dedicated individual can change the lives of many.

As an active participant within his village serving on multiple boards and committees, Jeff still finds time to successfully manage in the Neighborhood Deli. As the owner of this award-winning deli, he has been instrumental in starting a community dinner program that serves all. Hosting a total of four dinners per year, he has provided a meal to more than 800 residents within the surrounding neighborhoods. With his passion for people and commitment to the well-being of others, Jeff has devoted countless hours serving those around him. Nonetheless, his work does not stop there.

He has previously partnered with the Community Garden Network of Elgin and volun-

teered as an honorary chef for both the Larkin Center Children's Brunch back in 2010 and the Ecker Center's Wishes for Wellness Brunch this past year. Additionally, he has served as a co-chair for both Elgin's Green Expo and their Climate Change Organization Board. In 2016, Jeff was honored with the Harold T. Seigle Community Service Award, Elgin Junior Women's Club Outstanding Man of the Year, and the D. Ray Wilson Volunteer Service Award.

Through hard work and no small amount of perseverance, Jeff Turner has helped countless people and tremendously improved his community. Distinguished Members, please join me in congratulating Jeff for his years of service and many more to come.

# RECOGNIZING LAURA WHIPPLE

## HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Mr. ROSKAM. Mr. Speaker, I am pleased to rise today to recognize Laura Whipple, an exceptional and accomplished young woman from the Sixth District of Illinois. Laura, a senior at Barrington High School has received the Girl Scout Gold Award. This achievement represents many years of diligence and personal accomplishment in supporting the ideals of Scouting.

The Girl Scout Gold Award is the highest and most prestigious award in Girl Scouting and it is no easy feat. The award is presented to girls who aspire to transform a vision into an actionable plan with real results. Laura did just that.

Laura's project was named "Native Bird Houses". This project addressed the inadequate number of shelters for native bird species in her local community. She worked tirelessly, with help from several volunteers, to create different types of bird houses, while educating members of the public on how habitat destruction and invasive species can severely impact the ecosystem. At last count, Laura built 38 birdhouses that will help maintain the avian community at Crabtree Nature Center in Barrington, Illinois.

Mr. Speaker and distinguished colleagues, please join me in recognizing Laura for her remarkable achievement and wishing her well as she continues to make an impact with the Girl Scouts.

# CONGRATULATING WHEATON

## HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 24, 2017*

Mr. ROSKAM. Mr. Speaker, I rise today to congratulate Wheaton on being named one of the safest cities in the United States. The city of Wheaton was named the thirty-second safest city on Neighborhood Scout's list of America's 100 Safest Cities. In fact, Wheaton has a long-held reputation as one of the top 100 safest cities. It was ranked 51 in 2014, 31 in 2015, and 21 last year.

Working together, law enforcement, local officials, and the community have made Wheaton a safer place to live, work, and raise a family. The residents of Wheaton should never underestimate the impact that each citizen's positive actions can have. Everyday there are members of the community helping to change lives, while also inspiring their peers to do the same.

I would be remiss to not also mention the wonderful job of the Wheaton Police and Fire Departments. Day in and day out the men and women of the Wheaton Police and Fire Departments risk their lives to protect their community. Their bravery and courage are very deserving of our recognition and admiration, and I am happy to see their service has led to Wheaton being named one of the safest cities in America.

Mr. Speaker and distinguished colleagues, please join me in recognizing the city of Wheaton, Illinois and congratulating them on being named one of the safest cities in America.

# SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, July 25, 2017 may be found in the Daily Digest of today's RECORD.

# MEETINGS SCHEDULED

JULY 26

Time to be announced

Committee on Veterans' Affairs

Business meeting to consider S. 1598, to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs.

TBA

9:30 a.m.

Special Committee on Aging

To hold hearings to examine progress toward a cure for Type I Diabetes, focusing on research and the artificial pancreas.

SD-106

9:45 a.m.

Committee on Energy and Natural Resources

Subcommittee on Public Lands, Forests, and Mining

To hold hearings to examine S. 32, to provide for conservation, enhanced

recreation opportunities, and development of renewable energy in the California Desert Conservation Area, S. 90, to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, S. 357, to direct the Secretary of the Interior to convey certain public lands in San Bernardino County, California, to the San Bernardino Valley Water Conservation District, and to accept in return certain exchanged non-public lands, S. 436, to authorize the Secretary of the Interior to retire coal preference right lease applications for which the Secretary has made an affirmative commercial quantities determination, to substitute certain land selections of the Navajo Nation, to designate certain wilderness areas, S. 467, to provide for the disposal of certain Bureau of Land Management land in Mohave County, Arizona, S. 468, to establish a procedure for resolving claims to certain rights-of-way, S. 614, to require the Secretary of the Interior to establish a pilot program for commercial recreation concessions on certain land managed by the Bureau of Land Management, S. 785, to amend the Alaska Native Claims Settlement Act to provide for equitable allotment of land to Alaska Native veterans, S. 837, to provide for the conveyance of certain land to Washington County, Utah, to authorize the exchange of Federal land and non-Federal land in the State of Utah, S. 884, to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, S. 941, to withdraw certain National Forest System land in the Emigrant Crevise area located in the Custer Gallatin National Forest, Park County, Montana, from the mining and mineral leasing laws of the United States, S. 1149, to amend the Alaska Native Claims Settlement Act to repeal a provision limiting the export of timber harvested from land conveyed to the Kake Tribal Corporation under that Act, S. 1230, to prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture, S. 1271, to designate certain mountain peaks in the State of Colorado as "Fowler Peak" and "Boskoff Peak", and S. 1548, to designate certain land administered by the Bureau of Land Management and the Forest Service in the State of Oregon as wilderness and national recreation areas and to make additional wild and scenic river designations in the State of Oregon.

SD-366

10 a.m.

Committee on Appropriations  
Subcommittee on Financial Services and General Government

To hold hearings to examine proposed budget estimates and justification for fiscal year 2018 for the Department of the Treasury.

SD-138

Committee on Commerce, Science, and Transportation

To hold hearings to examine the nominations of Karen Dunn Kelley, of Pennsylvania, to be Under Secretary for Economic Affairs, and Peter B. Davidson, of Virginia, to be General Counsel, both of the Department of Commerce, and Mark H. Buzby, of Virginia, to be Administrator of the Maritime Administration, and Ronald L. Batory, of New Jersey, to be Administrator of the Federal Railroad Administration, both of the Department of Transportation.

SR-253

Committee on Environment and Public Works

Business meeting to consider S. 1514, to amend certain Acts to reauthorize those Acts and to increase protections for wildlife.

SD-406

Committee on Foreign Relations

Subcommittee on Africa and Global Health Policy

To hold hearings to examine South Sudan's conflict and famine; to be immediately followed by a full committee hearing to examine the nominations of Michael Arthur Raynor, of Maryland, to be Ambassador to the Federal Democratic Republic of Ethiopia, Maria E. Brewer, of Indiana, to be Ambassador to the Republic of Sierra Leone, and John P. Desrocher, of New York, to be Ambassador to the People's Democratic Republic of Algeria, all of the Department of State.

SD-419

Committee on Homeland Security and Governmental Affairs

Business meeting to consider S. 873, to amend section 8433 of title 5, United States Code, to provide for flexibility in making withdrawals from the Thrift Savings Fund, S. 288, to require notice and comment for certain interpretative rules, S. 886, to amend the Homeland Security Act of 2002 to establish an Acquisition Review Board in the Department of Homeland Security, S. 906, to amend the Homeland Security Act of 2002 to provide for congressional notification regarding major acquisition program breaches, S. 1199, to amend the Homeland Security Act of 2002 to reauthorize the Border Enforcement Security Task Force program within the Department of Homeland Security, S. 938, to require notice of cost-free Federal procurement technical assistance in connection with registration of small business concerns in procurement systems, S. 1208, to direct the Secretary of Homeland Security to provide for an option under the Secure Mail Initiative under which a person to whom a document is sent under that initiative may elect to have the United States Postal Service use the Hold for Pickup service or the Signature Confirmation service in delivering the document, S. Con. Res. 15, expressing support for the designation of October 28, 2017, as "Honoring the Nation's First Responders Day", H.R. 1293, to amend title 5, United States Code, to require that the Office of Personnel Management submit an annual report to Congress relating to the use of official time by Federal employees, H.R. 1117, to require the Administrator of the Federal Emergency Management Agency to submit a report regarding certain

plans regarding assistance to applicants and grantees during the response to an emergency or disaster, H.R. 1679, to ensure that the Federal Emergency Management Agency's current efforts to modernize its grant management system includes applicant accessibility and transparency, H.R. 195, to amend title 44, United States Code, to restrict the distribution of free printed copies of the Federal Register to Members of Congress and other officers and employees of the United States, H.R. 194, to ensure the effective processing of mail by Federal agencies, and an original bill to amend the Ethics in Government Act of 1978 to reauthorize the Judicial Conference of the United States to redact sensitive information contained in financial disclosure reports of judicial officers and employees.

SD-342

Committee on the Judiciary

To hold an oversight hearing to examine the Foreign Agents Registration Act and attempts to influence United States elections, focusing on lessons learned from current and prior administrations.

SD-226

2:30 p.m.

Committee on Homeland Security and Governmental Affairs

Permanent Subcommittee on Investigations

To hold an oversight hearing to examine Federal infrastructure permitting and the Federal Permitting Improvement Steering Council.

SD-342

Committee on Indian Affairs

Business meeting to consider S. 1285, to allow the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, the Confederated Tribes of the Grand Ronde Community of Oregon, the Confederated Tribes of Siletz Indians of Oregon, the Confederated Tribes of Warm Springs, and the Cow Creek Band of Umpqua Tribe of Indians to lease or transfer certain lands, and H.R. 984, to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe; to be immediately followed by an oversight hearing to examine the Government Accountability Office reports on human trafficking of American Indian and Alaska Natives in the United States.

SD-628

JULY 27

9:30 a.m.

Committee on Agriculture, Nutrition, and Forestry

To hold hearings to examine the nominations of Rostin Behnam, of New Jersey, Brian D. Quintenz, of Ohio, and Dawn DeBerry Stump, of Texas, each to be a Commissioner of the Commodity Futures Trading Commission.

SR-328A

Committee on Energy and Natural Resources

Business meeting to consider the nominations of Brenda Burman, of Arizona, to be Commissioner of Reclamation, and Susan Combs, of Texas, and Douglas W. Domenech, of Virginia, both to be an Assistant Secretary, all of the

Department of the Interior, and Paul Dabbar, of New York, to be Under Secretary for Science, David S. Jonas, of Virginia, to be General Counsel, and Mark Wesley Menezes, of Virginia, to be Under Secretary, all of the Department of Energy.

SD-366

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the nominations of Joseph Otting, of Nevada, to be Comptroller of the Currency, Department of the Treasury, and Randal Quarles, of Colorado, to be a Member of the Board of Governors of the Federal Reserve System, to be a Member of the Board of Governors of the Federal Re-

serve System (Reappointment), and to be Vice Chairman for Supervision of the Board of Governors of the Federal Reserve System.

SD-538

Committee on Foreign Relations

Business meeting to consider an original bill entitled, "Department of State Authorization Act, Fiscal Year 2018".

S-116

Select Committee on Intelligence

Closed business meeting to markup pending intelligence matters.

SH-219

10:30 a.m.

Committee on Appropriations

Business meeting to markup an original bill entitled, "Commerce, Justice, Science, and Related Agencies Appro-

priations Act, 2018", an original bill entitled, "Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2018", and an original bill entitled, "Legislative Branch Appropriations Act, 2018".

SD-106

AUGUST 2

2 p.m.

Committee on Foreign Relations

To receive a closed briefing on the Authorizations for the Use of Military Force, focusing on Administration perspectives.

SVC-217

## HOUSE OF REPRESENTATIVES—Tuesday, July 25, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. JOHNSON of Louisiana).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 25, 2017.

I hereby appoint the Honorable MIKE JOHNSON to act as Speaker pro tempore on this day.

PAUL D. RYAN,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

### RECOGNIZING THADDEUS STEVENS COLLEGE OF TECHNOLOGY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, yesterday, I had the privilege of touring Pennsylvania's only State-owned 2-year technical college, Thaddeus Stevens College of Technology, named after an individual, a former Member of Congress that served in the era of Abraham Lincoln in this Chamber. I was pleased to be in Lancaster with my colleague, Representative SMUCKER.

Thaddeus Stevens College of Technology provides a bridge out of poverty for some of the poorest citizens of Pennsylvania through a high-skill, high-wage technical education. Graduates are filling the skills gap in America, as there is a 99 percent placement for graduates of its high-demand programs.

Founded in 1905, Thaddeus Stevens College of Technology educates Pennsylvania's economically and socially disadvantaged students as well as other

qualified students for skilled employment in a diverse and ever-changing workforce. It offers 22 innovative technical-based majors that educate students for numerous job opportunities. From architecture to automotive studies and from masonry to mechanical engineering, there are many career paths for students to pursue.

The hands-on nature of the program allows students exposure to the experience, problem-solving ability, and skills that will be used throughout their careers. Many students enter the workforce after their studies, while others may choose to pursue higher level degrees at 4-year colleges and universities.

Thaddeus Stevens College is also aware that the cost of education often places a financial strain on both the student and their family. Grant programs are offered to assist students who are financially disadvantaged to serve a rich diversity of students.

Last month, I was proud this House unanimously approved my bill, the Strengthening Career and Technical Education for the 21st Century Act. The legislation aims to restore rungs on the ladder of opportunity because all Americans deserve a good-paying, family-sustaining job.

CTE has established itself as a path that many high-achieving students choose in pursuit of industry certification and hands-on skills that they can use right out of high school in skills-based education programs or in colleges like Thaddeus Stevens College of Technology. By modernizing the Federal investment in CTE programs, we will be able to connect more educators with industry stakeholders and close the skills gap that is in this country. There are good jobs out there, but people need to be qualified to get them.

I have proudly championed the Strengthening Career and Technical Education for the 21st Century Act because it puts emphasis on advancing policies and promotes good-paying jobs, and it works to see that everyone from all walks of life can have the opportunity to succeed. Mr. Speaker, I witnessed this firsthand at Thaddeus Stevens College.

This school is an outstanding example of the transformative power of education. The college is a national leader in technical workforce development, and it works to break the intergenerational cycle of poverty for millions of students through career and technical education.

For the fourth consecutive time, The Aspen Institute has named Thaddeus

Stevens as the top 2-year technical college in Pennsylvania. I congratulate the school and all of its students. It is truly a shining example of strong career and technical education programs at work, and its graduates enter the workforce armed with the knowledge and skills they need to succeed and pursue the American Dream. They are learning to earn.

### RECOGNIZING GRANDPARENTS AS CLOSE FAMILY MEMBERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, I think the President has a lot to learn about families. In my opinion, families should be protected and families should remain intact wherever possible, but it is clear the President has other notions.

In the President's world, families can and should be cut off from healthcare coverage. So he is working with Republicans to take coverage away from 20 to 30 million Americans so they can say they made good on a campaign promise, regardless of the consequences in real people's lives.

In the President's world, children, especially his children, don't have to be honest when they apply for security clearances or disclose all their meetings they had with the Russians.

In the President's world, children and grandchildren can be convenient political props, like when a 6-year-old granddaughter is sent into the Oval Office to interrupt an interview with The New York Times, especially when the interview isn't going well for him.

But grandchildren and grandparents in the President's world do not have a "bona fide" family connection when it comes to being refugees. In the latest incarnation of his Muslim and refugee ban, the President excluded grandparents from the category of those close family members—only in the Republicans' mind.

Well, let me tell you something. If the President can be interrupted by his grandchild to shake up an interview that isn't going so well, I can ask my grandson to help me make a point here in Congress.

Here is Luis Andres. Luis Andres is my grandson. You see, in the Gutiérrez family, grandparents and grandchildren are pretty close family members and have a bona fide family connection. In fact, Luis Andres lives downstairs from me with his mom and

dad in the ground floor unit of a two-flat in Portage Park in Chicago, and growing up with Grandma and Grandpa upstairs has distinct advantages. There is always someone to feed you, watch you, help you study, or just joke around.

Throughout much of the world and throughout American history until fairly recently, the idea that families do not include grandparents is laughable. Multiple generations live together or very nearby, and grandparents, even great-grandparents, are an integral part of the family unit and share child rearing responsibilities.

So when you are in Syria or Yemen, Central Africa or Central America, places where surviving day to day without being killed by gunmen, government, or gangs is not easy, extended, multigenerational families not only live together and support each other, occasionally they have to flee to safety together.

But not if Donald Trump has his way they don't, or at least not when it comes to coming here to America.

Thankfully, the American court system disagrees with our President on this. Hawaii sued the President again and won an injunction again, and the Supreme Court, which would ultimately determine the fate of America's commitment to refugees and religious tolerance will determine the case later this year.

But in the meantime, over the objections of the President, grandparents are officially part of the family and have a bona fide relationship that allows them, under the law, to bypass the President's attempt to keep them out.

Thank you, courts, for recognizing and defending families and giving our President a lesson in the obvious.

Mr. Speaker, on Sunday, I learned about a tragedy in San Antonio where a truck packed with immigrants was discovered and at least 10 people were killed. The truck had no ventilation or air-conditioning. There was no water for those inside who had paid a lot of money to risk their lives to live in America—10 dead and another 20 near death, some of them children, under the hot Texas sun in an apparent smuggling operation.

You see, if you cut off legal immigration channels and make people wait decades for a visa, if they are eligible to apply at all, it strengthens the hands of smugglers. If you turn asylum seekers around, in violation of our own laws and international law, those seeking freedom are driven into the arms of smugglers.

If, by going through our legal system in requesting asylum, your entire family becomes vulnerable to deportation, being sent back to a place you fled because death was a certainty, then people will pay smugglers to go around our system because there are no ways to go through it.

A border wall like the one Republicans will slip into the military spending bill this week in the House will not help matters, but only make them worse. Forcing people to enter the black market because there is no way to go through our visa system will undoubtedly increase the number of times we hear about tragedies like the one in Texas and the number of parents, grandparents, and children who lose everything because we have failed to create and maintain a functioning immigration system.

When Luis Andres turns 18 and is able to vote, just like a million young Latinos like him every year are eligible, I know he will remember which party stood for and stood by families and which ones did not. Grandparents, they are part of the American family even if the Republicans don't seem to think so.

#### SHARING THE STORY OF HADAR GOLDIN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. CURBELO) for 5 minutes.

Mr. CURBELO of Florida. Mr. Speaker, I rise today to share and honor the story of Hadar Goldin, an Israel Defense Forces soldier who was killed by Hamas terrorists and whose remains have yet to be returned to his family.

I met Hadar's parent in south Florida earlier this year, and they told me about their son, his love of freedom that inspired his service to Israel and their just cause.

On August 1, 2014, 23-year-old Hadar was killed by Hamas terrorists. His body was then dragged away from his home and into an underground tunnel. Hamas terrorists then stripped him and left his clothing and took his body with them. For nearly 3 years, Hamas has held Hadar's remains from his parents, who merely want to give their son a proper burial.

Mr. Speaker, Israel is one of our strongest allies, our greatest ally, and our support sends a clear message to all terrorists, including Hamas, that the United States will continue to firmly stand with Israel and its people.

No parent should ever face the heartbreak of outliving a child, but those who do should expect a proper burial. Hadar's parents have been denied that basic decency by the Hamas terrorists that murdered their son. So today I am urging those holding Hadar to let him come home so that his parents can say good-bye.

#### SOLIDARITY WITH VENEZUELA

Mr. CURBELO of Florida. Mr. Speaker, Venezuela, once a beacon of economic prosperity in South America, has descended into chaos and turmoil. An oil-rich nation, it now struggles as Maduro's policies have led Venezuela to having the hemisphere's highest inflation rate, resulting in critical short-

ages of food and medicine, as well as the collapse of the Venezuelan currency and rampant crime.

The Maduro regime's incompetence in managing Venezuela's finances and systemic corruption has led to a crack-down on human rights and violence against democratic demonstrators. The country is lurching towards single-party, totalitarian rule.

Rather than working with the opposition to serve the interests of the Venezuelan people, Maduro is using his influence to grasp onto power, first, by having his henchmen on the Supreme Court attempt to strip the National Assembly of its powers, and now, by calling for an unelected constituent assembly to rewrite Venezuela's Constitution. This is just another attempt to usurp and replace Venezuela's Democratic National Assembly with a puppet parliament loyal only to him.

This idea was recently rejected by 98 percent of the 7.2 million Venezuelans that participated in a nonbinding referendum last week. Fortunately, the United States has been quick to show solidarity with these freedom-loving people. I am grateful for the President's show of support and his direct warning to Maduro of the strong and swift economic sanctions the United States will take if he proceeds with the constituent assembly.

The United States will no longer stand by and watch Maduro and his thugs ignore human rights and the rule of law. There is a bipartisan consensus that Maduro's undemocratic and tyrannical rule is unacceptable.

All options are on the table, and I look forward to continuing to work with this administration and my colleagues here in Congress to stand in solidarity with the democratic opposition and the people of Venezuela.

#### RAISING THE GAS TAX

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, we begin an unusual week here on Capitol Hill, although unusual is sort of the new usual in Washington, D.C.

The Senate begins deliberations on an 8-year Republican mission to repeal the Affordable Care Act, and they don't fully know what it is exactly they are voting on.

There is uncertainty in the House over both the budget and appropriations, but, you know, there is an opportunity for Congress to take a step back, to do something that will make a huge difference for everybody from coast to coast, something that can bring together a wide coalition of support and meet unmet needs.

□ 1015

I am talking about addressing the unmet infrastructure needs for a country that is falling apart as we fall behind.

We haven't raised the gas tax in 24 years. And in the course of that 24 years, we have watched the value of the Federal gas tax actually erode 40 percent, due to inflation and increased fuel efficiency, while our needs continue to go up each and every year.

Congress has put together a series of stopgap measures—gimmicks here and there—which have not adequately met those needs, and they have actually increased the budget deficit.

I think back to Ronald Reagan making his Thanksgiving Day speech in November of 1982, when he called on Congress to come back from their recess and more than double the gas tax because, he pointed out, it would put people to work and improve road conditions that were actually damaging people's cars more than what modest increase they would pay. Well, Congress did it, and we were better off as a result. I think each of us would do well to look back at that speech that Ronald Reagan gave, calling on Congress to step up and do its part.

The States are not sitting back. Since over the last 5 years, more than half of the individual States have gone ahead and raised their transportation funding. So far in 2017 alone, California, Indiana, Montana, Oregon, Tennessee, West Virginia, and South Carolina raised the gas tax. In fact, South Carolina raised the gas tax by overruling a Republican Governor's veto.

There are opportunities here for us to be able to step forward and build on this vast coalition. It really isn't a profile in courage to support legislation that is endorsed by the U.S. Chamber of Commerce, the AFL-CIO, contractors, a variety of labor unions, road builders, engineers, trucking companies, and AAA. The widest coalition of people supporting any major issue before us deals with increasing the fuel tax.

And it is interesting, for those who are worried that maybe there is some political downturn, despite the fact that the States have been able to summon the courage. The American Road and Transportation Builders Association did an extensive survey about who were those intrepid legislators that voted to raise the gas tax since 2012. What they found is that those legislators who had the courage and the vision to do what was right for their States were reelected by an over 90 percent rate.

But this shouldn't be about elections. It should be about what is right for the American people. Stepping up, meeting our obligations, so that the Federal Government is a full partner, working with State and local governments, working with the private sector, to be

able to meet the over \$1.1 trillion of critical transportation needs between now and 2025 ought to be the order of business.

I would hope that my friends in Republican leadership would allow us to have just 1 week of hearings on this issue so that we can hear from the president of the U.S. Chamber of Commerce, the president of the AFL-CIO, the truckers, AAA, Republican legislators of principle, people across the country who talk about the need to rebuild and renew America, make our communities more livable, our families safer, healthier, and more economically secure.

#### STUDENT DEBT CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. PAULSEN) for 5 minutes.

Mr. PAULSEN. Mr. Speaker, we continue to hear about the challenges for college students who borrow more and more to pay higher tuition rates and then are saddled with huge debt loads that they will have great difficulty paying back.

The average debt for a 4-year college student today is nearly \$37,000. We need to explore new ways to ensure that every student has the opportunity to go to school, to develop their skills, and then pursue their dreams without feeling deterred by the price tag.

I think we need to look at a new approach, an approach that would help students pay for college. It is a concept known as an income-share agreement. It is a concept that would provide students the funding that they agree to pay back as small, affordable portions of their income over the years following graduation.

Income-share agreements are interest free, and students only will make those payments if they are employed and if they receive an income that meets a certain threshold. This method of financing puts less pressure on students to keep up with fixed high-interest payments while they are faced with job uncertainty.

Rather than accruing debt under the traditional student loan structure, this makes the investment in these students' future more equity-based. Their payments are guaranteed to be affordable, rather than fixed, and a certain price.

This is a much more manageable plan for students, Mr. Speaker, who are eager to get a career underway after graduation and want to make sure that they are putting their degrees into practice in a field that they have studied and have a passion for, rather than feel constrained by the impending weight of paying back loans right away.

That is why I am co-authoring the Investing in Student Success Act. It is

modeled after a program at Purdue University. At Purdue, an average student received a little over \$13,000 in funding for tuition, paired with a student promise to pay back that money in 6 to 10 years after graduation in small percentages of their income.

The bill provides a legal framework for private organizations to invest in individual students through implementing similar income-share agreements. Doing so creates more options for payment and increases accessibility for higher education.

Today, the cost of tuition at a public 4-year university is nearly quadruple what it was back in 1974. Due to rising tuition costs and the increased need for a college degree in the workforce, it is more important now, more than ever before, to address the student loan debt crisis and provide students with the resources they need to graduate with minimal loans.

Income-share agreements also provide the flexibility that students need when faced with an uncertain job market and provide an alternative to the traditional student loan repayment structure.

Mr. Speaker, as we look for ways to make higher education more affordable and more accessible, we should be advancing new innovative solutions to help students go to college without that burden of high debt after graduation, and income-share agreements are another way of accomplishing this.

#### SNAP CUTS IN HOUSE BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, just weeks after President Trump released his devastating budget which guts SNAP, our Nation's first line of defense against hunger, House Republicans have joined in that effort, proposing drastic cuts to our anti-hunger safety net in the budget that they marked up last week.

In their budget, House Republicans have laid out their dangerous agenda: dramatic increases in defense spending and tax cuts for millionaires, billionaires, and corporations—all paid for by cuts to programs that help working families and those struggling to make ends meet.

Among the proposed cuts, House Republicans are seeking \$160 billion in cuts to the Supplemental Nutrition Assistance Program, known as SNAP, over 10 years. \$150 billion of these cuts come from structural changes to SNAP and harsher work requirements and time limits, and an additional \$10 billion would be fast-tracked through the reconciliation process.

Mr. Speaker, SNAP is not an ATM. It is not money to be used for tax breaks for the wealthy, additional weapons

systems, or any corporate handouts. It is intended to help our most vulnerable neighbors purchase groceries and put food on the table when times are tough. Simply put, SNAP helps people eat.

For a meager \$1.40 per person, per meal, SNAP helps alleviate poverty, reduce hunger, and improve nutrition. It is one of the most efficient and effective Federal programs. But it is only \$1.40 per person, per meal. And my friends are proposing more cuts in this program?

Mr. Speaker, I serve as the ranking member on the House Agriculture Committee, Subcommittee on Nutrition. Since 2015, the committee has held 23 hearings on SNAP. In our hearings, we have heard from over 80 witnesses—Republican and Democrat—about ways to make SNAP even better. But none of these witnesses—not one—ever suggested changes like the ones proposed by President Trump and House Republicans.

These Republican proposals are mean-spirited, and they are just as heartless as they are reckless. They do not reflect the realities of the program or seek to understand the challenges faced by those living in poverty. They don't help struggling Americans find work, and they certainly don't help address the "benefit cliff," as some of my Republican colleagues have proposed doing.

If Republicans were genuinely interested in helping struggling families rise out of poverty, they would join Democrats in advocating for higher wages, more jobs, and better work supports like childcare and transportation. They would address affordable housing shortages and help to improve access to healthcare. They would increase investments in job training and career and technical education. They would finally work with us to make college more affordable.

But instead of working on these priorities, House Republicans are hell-bent on pursuing an agenda that belittles the struggles of the working poor and tears apart our safety net. Their awful budget is no exception.

Under the guise of "State flexibility," their budget proposes a block grant-like approach to administering SNAP.

Make no mistake, block-granting SNAP would make hunger worse in this country, plain and simple. It would undermine the successful structure of SNAP—its ability to expand as the economy struggles and contract in times of economic prosperity. The proposed structural changes would likely result in drastic funding cuts and reduced eligibility for the program.

If State flexibility is the true goal, then my Republican friends are in luck. SNAP already has a number of options that States can adopt. What is ironic is some of these State exceptions

are exactly the provisions House Republicans are seeking to do away with.

The Republican budget also calls for additional work requirements of SNAP, relying on dangerous rhetoric that suggests that hardworking families who rely on modest food benefits don't want to work or are somehow lazy. That couldn't be farther from the truth.

I would like to point out that the majority of people on SNAP who can work, do work. Most people on SNAP are not expected to work or cannot work—they are kids, senior citizens, and people who are disabled. But that is exactly who Republicans will hurt if these dangerous proposals advance.

If we are talking about how we can help transition people who can work into the workforce, you don't do that by cutting the program by billions of dollars or by cutting people off from food aid. That does nothing to help people find jobs. It only makes people hungry.

Mr. Speaker, I urge my Republican colleagues to join me in rejecting these damaging cuts, and to support investments in our anti-hunger safety net that will help end hunger now.

#### HONORING THE LIFE OF TROY BOWLING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. BARR) for 5 minutes.

Mr. BARR. Mr. Speaker, I rise today to honor the life of an American patriot and hero, Mr. Troy Bowling of Lexington, Kentucky, who completed his life's service on June 17, 2017, at the age of 90 years old.

His military service during World War II and his commitment to supporting our veterans and the men and women in uniform throughout his life is an inspiration to us all.

At the age of 19, Mr. Bowling began his service as a United States marine and was a proud member of the Easy Company, 2nd Battalion, 27th Marines, 5th Division. During the United States campaign to end the war against Japan, Mr. Bowling's unit was among the first to arrive on the beachheads of Iwo Jima.

While attempting to secure Mount Suribachi, his unit came under intense and concentrated fire, completely overwhelming his unit. Two projectiles struck Mr. Bowling in the chest and leg, leaving him critically wounded on the battlefield.

At that moment, Mr. Bowling said he looked to the heavens and committed to serving mankind for the rest of his life if he survived. Miraculously, a combat photographer and medical team then carried Mr. Bowling to the safety of a landing craft, where he witnessed the planting of the American flag atop Mount Suribachi, an iconic image that persists as one of the most legendary and triumphant moments of

the war. The U.S. Marines eventually took control of the island. However, this victory came at a heavy cost, as over 6,800 U.S. servicemen gave their lives during the battle of Iwo Jima.

In keeping faith with his commitment to God made during that battle, Mr. Bowling devoted over 78,000 hours of volunteer service to others at the Lexington VA Medical Center. For over 66 years, Mr. Bowling rose through the ranks within the Disabled American Veterans organization, holding nearly every position possible, including State commander.

□ 1030

The Bible teaches in Proverbs 21:21 that "He who pursues righteousness and love finds life, prosperity, and honor."

Mr. Bowling has brought great honor upon himself through his dedication, determination, and love for serving the people of our community. Without a doubt, he has remained true to the commitment he made on the rocky terrain of Iwo Jima.

Mr. Bowling embodies the best of American ideals, values, and commitment to serving others, never abandoning the Marine motto of *semper fidelis*, "always faithful."

On behalf of a grateful nation, I would like to thank Mr. Bowling, a model member of the greatest generation, for his many years of service to our country and our community. He is truly an outstanding American and an inspiration to us all.

Troy Bowling, may you rest in peace.

#### CONCERNS OF THE DAY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, this is a somber day today, and it is a very important day in the history of the United States of America.

I have joined with Senator FRANKEN, who indicated that, today, Senators of the United States Senate will make one of the most significant votes, if not the most significant vote of their career, and it will be a vote that they will long remember because, rather than the serious and difficult decisions of war and peace that, over the historical times of this body, many Members have had to make that decision and be in the midst of the throngs of patriotism, the vote that will be taken today will be a vote that those Senators will have brought on themselves; and it is a vote that does not have to be taken, nor a movement that has to be moved; and that is, to cause the American people to face a crumbling healthcare system, to dismantle and diminish the rights and obligations and opportunities for Americans, some 32 million, to have health insurance.



For me, it is both baffling and tragic that Senators would make this a campaign competition game, and that it only represents a notch in their belt.

This does not have anything to do with providing healthcare for Americans. It doesn't have anything to do with what doctors say, what hospitals say, what rural hospitals need, what individuals with chronic illnesses need, or those who have been diagnosed with devastating cancer. It has nothing to do with children who are in desperate need of healthcare.

It has nothing to do with two young people who I met; one who was experiencing autism, who sought to live independently and could not do so without Medicaid, or one who had a chronic illness of which, between 2015 and 2016, he spent or had to spend \$700,000 to live, and, in the last 6 months, he had to spend \$73,000, none of which would have been possible without the Affordable Care Act.

So what is happening in the Senate this afternoon? What vote of courage is being taken? What vote of improving the lives of Americans when the Senate bill, TrumpCare, will cause 49 million people to not have their insurance by 2026?

It will cause rural hospitals to simply crumble. I am from Texas. We have a huge system of rural hospitals helping my constituents, and those hospitals will face disaster. Or the Texas Medical Center, like major hospital configurations across the Nation, where major research is being done, undermined by the vote that will be taken.

It saddens me because I think the American people believe that we come to this place, we take this oath of office, to do what is right for America.

This is not political chips. This is not dominos. This is not a game.

And to the Commander in Chief, for you to be in front of the Boy Scouts—my husband and my son were Boy Scouts, and I sit on the Boy Scout board. I am offended by your words. I am offended because I know how hard my son worked. I know how my husband cherishes his status as an Eagle Scout, and I know what the jamboree means because my child went to it, and I know how excited those young patriots are.

Yet the Commander in Chief would come and speak about former President Obama in a dastardly way, talk about crowd sizes, and then have the nerve to talk about the healthcare bill, not as a moment of conscience, not as a serious issue that would, in fact, make higher costs.

Under the Senate bill, people will be paying more than they have earned for health insurance—well-documented. Of course, this is 22 million in the earlier period of the House bill. We now know it may be 32 million, and, as I have said, 49 million by 2026.

And then, of course, it cuts the protections for preexisting conditions. Of course, it has a crushing age tax. If you are older, 55, you pay more. And then, of course, it undermines Medicare. It interferes with the Medicare trust bill.

Yet the Commander in Chief is speaking before 45,000 or more young men, patriots, Boy Scouts, and talking about the healthcare bill and calling out Senator CAPITO from West Virginia: You better make her vote for it. What kind of leadership and heart is that? What are we dealing with here in this Nation?

I don't have to say anything, Mr. Speaker, about this individual. As I close, let me simply say that I am introducing a resolution to stop any President from firing the special counsel, and any President from abusing the pardon by pardoning anybody who is under investigation for the Russian involvement in our elections. We have to do this, sadly, because we are not focused on governing; we are focusing on insulting.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

#### VETERANS EDUCATION BENEFITS SHOULD BE TRANSFERABLE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Idaho (Mr. LABRADOR) for 5 minutes.

Mr. LABRADOR. Mr. Speaker, I rise today in honor of an amazing Idaho family which has taken a horrible personal tragedy and turned it into a cause that will benefit many other families in the years to come. I am referring to the family of Shauna Hill, a 16-year-old girl who lived in Eagle, Idaho, in my district, and who tragically lost her life in 2012.

At the time of her untimely death, Shauna was a junior at Eagle High School. She was a competitive figure skater and ice dancer and played the violin in her school orchestra. She even performed with the orchestra at New York's Carnegie Hall.

She was also working to qualify for a Congressional Silver Medal for public service, personal development, and physical fitness. She aspired to attend Stanford University and become a doctor. Sadly, she lost her life in a car accident on her way home from orchestra practice.

I first met Shauna's parents, Captain Edward Hill and his wife, Heidi, in 2013, when I helped present them with the Congressional Bronze Medal their daughter had earned. While presenting the award, I learned that Captain Hill, who served 28 years as a Navy pilot and flew to protect America during three combat tours, had retired shortly before Shauna's death.

Following the tragedy, Captain Hill was working with the Navy to try to

reassign his benefits to his second child, Haley, who was also planning to attend college. With almost 3 decades of distinguished service, Captain Hill qualified for the full utilization of the education benefit, but the Navy said Haley wasn't eligible because education benefits under the GI bill cannot be reassigned.

The Hills asked for my help, and my staff got to work. Unfortunately, we found out that the Navy's hands were tied. Current law does not allow the transfer of education benefits after a servicemember has retired. No waivers are permitted, even in such tragic circumstances.

I promised the Hills that I would seek a legislative solution. In February of this year, I introduced H.R. 1112, the Shauna Hill Post 9/11 Education Benefits Transferability Act. This bill would permit the reassignment of veterans' education benefits in cases where the designated beneficiary passes away.

Losing a child is the worst thing I can imagine, and surely Congress didn't intend to exclude the ability to transfer benefits to a surviving child or spouse.

The bill I introduced would correct this oversight, and it has received support from many veterans' groups. These include: the Concerned Veterans for America, the Military Order of the Purple Heart, the Student Veterans of America, AMVETS, the Air Force Sergeants Association, the Association of the United States Navy, and the National Military Family Association.

This month, VA Committee Chairman ROE and Ranking Member WALZ included my bill in the bipartisan GI Bill, the Harry W. Colmery Veterans Education Assistance Act of 2017. This bill passed the House last night, and I was proud to join my colleagues in voting for it.

I am grateful to Chairman ROE and Ranking Member WALZ for including my bill in their legislation. I am also thankful to Senator CRAPO, who has introduced companion legislation in the Senate. Now that the House has acted, it is my hope that the Senate will act too and, from there, our bill can be signed into law.

This legislation will mean a great deal to the Hills. It will be a great comfort to them and all those who have experienced such a terrible loss. As a grateful nation, it is the least that we can do, and America must always be a grateful nation.

The Harry W. Colmery Veterans Education Assistance Act of 2017 keeps our promises to our veterans and their families, especially when they need it the most.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess until noon today.

Accordingly (at 10 o'clock and 41 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

#### PRAYER

Reverend Lonnie Mitchell, Sr., Bethel African Methodist Episcopal Church, Spokane, Washington, offered the following prayer:

O Lord God, pour out Your presence and Your power upon this opening session of the U.S. House of Representatives. Please empower our leaders to deliberate, collaborate, and, when necessary, compromise for the good of our Nation.

As President Lincoln said: With malice toward none, with charity for all, with firmness in the right, as God gives us to see the right, let this Congress strive on to finish the work they are in, to bind up the Nation's wounds . . . to do all which may achieve and cherish a just and lasting peace among everybody and with all nations.

God, we the people in the land of the free and the home of the brave desperately need You now and forevermore. O that You would bless this session and the leaders in this House and all branches of our government.

Respectful of all faiths, in Jesus the Christ I pray.

Amen.

#### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Indiana (Mr. BANKS) come forward and lead the House in the Pledge of Allegiance.

Mr. BANKS of Indiana led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### WELCOMING REVEREND LONNIE MITCHELL, SR.

The SPEAKER. Without objection, the gentlewoman from Washington (Mrs. McMORRIS RODGERS) is recognized for 1 minute.

There was no objection.

Mrs. McMORRIS RODGERS. Mr. Speaker, I am pleased to welcome Pastor Lonnie Mitchell today to the people's House. He accepted the call to ministry in 1985 under the AME church and came to Spokane, Washington, in 1991. He moved his young family and has been there ever since, leading his congregation under the theme to be "the cathedral of love, where everybody is somebody and Jesus is the center of attraction."

He also started the AHANA Business and Professional Organization, which was formed for persons of color. He started Unity in the Community in Spokane, which is now the largest multicultural celebration in the inland Northwest, 22 years strong. He has his master's from Gonzaga University, which is our local Jesuit university, but is a proponent of bringing faith and government together to build and sustain healthy communities.

It was great to have him here today.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BANKS of Indiana). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

#### CARE CORPS DEMONSTRATION ACT

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute.)

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to highlight the Care Corps Demonstration Act, a bill that Congresswoman MICHELLE LUJAN GRISHAM and I will be introducing this week.

Every year, millions of seniors and individuals with disabilities find themselves in need of long-term care and services. However, our Nation faces a critical shortage of caregivers. To address this growing problem, I have joined MICHELLE to introduce the Care Corps Demonstration Act.

This commonsense and bipartisan bill will create a grant program that will provide compassionate young men and women an opportunity to gain valuable experience working with seniors and individuals with disabilities across our great land.

Care Corps will not only help empower our young adults to meet our Nation's senior needs, but it will also provide them with essential educational assistance and give them an opportunity to start or further their careers as caregivers.

Mr. Speaker, I encourage my colleagues to cosponsor this bill so that our seniors and those with disabilities receive the care they so desperately need while empowering our youth to advance their careers.

#### TRUMP ADMINISTRATION SABOTAGING ACA

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute.)

Mr. GENE GREEN of Texas. Mr. Speaker, recently, we learned the Trump administration has diverted taxpayer funds allocated for the enrollment in the Affordable Care Act activities to create social media videos and content claiming that the Affordable Care Act is failing, a deliberate act of sabotage. Instead of making sure Americans remain healthy and improve the risk pool, the HHS is peddling online propaganda to discourage enrollment and health insurance.

According to the Kaiser Family Foundation, the ACA markets are stabilized, and there is simply no evidence of death spirals or collapsing markets. According to reliable polls, over 50 percent of the American people are in support of the Affordable Care Act. That is real news.

The President has repeatedly declared that he would let the ACA fail just to score political points. It is unbelievable that a sitting President would wish catastrophic harm on his own people, but, unfortunately, that is what is happening.

Colleagues, the ACA is not failing on its own. It is being actively sabotaged by the President and our Republican Congress. The administration has repeatedly wavered in its responsibility to administer cost-sharing reduction payments, relaxed enforcement of the insurance mandate, and refused to help State governments shore up their own healthcare exchanges.

The majority and the Trump administration should quit playing politics with our healthcare system.

#### HELLO GORGEOUS!

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Mr. Speaker, I rise today to honor the life of Michael Becker, to celebrate the positive impact that he has had in our community.

In 2006, Michael and his wife, Kim, founded the not-for-profit Hello Gorgeous!, which brings joy to women fighting cancer by giving them a red carpet experience complete with a makeover and spa.

Reaching 15 States with mobile day spas and affiliate salons, Hello Gorgeous! has provided unforgettable experiences to thousands of women all over the country.

The organization Michael and Kim built together and the mission they devoted themselves to brings happiness and hope where it is needed most. Their passion, drive, and faith inspire us all, and their selfless generosity is an example we should strive to follow.

Mr. Speaker, it is an honor and a privilege to represent such kind and giving people. Michael lived a life full of love, laughter, and spirit. My thoughts are with Kim and everyone at Hello Gorgeous! in whose work, I have no doubt, Michael's memory will live on.

#### PASSAGE OF THE GI BILL

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, the Servicemen's Readjustment Act of 1944, also known as the GI Bill, has since provided tens of millions of returning Active-Duty veterans with help buying a home, starting a business, and going to college. Also, in addition to doing the right thing, the GI Bill fundamentally transformed the American economy from an industrial-based economy to a knowledge-based economy.

I was proud to support H.R. 3218 this week that would renew this commitment. The bill provides expanded educational benefits for servicemembers and their families, including the elimination of time restrictions on education credits for veterans who reenter civilian life in 2013 or after.

GI benefits should not come with an expiration date. Our veterans deserve our respect unexpired for their service to our country. This bill affirms that obligation.

#### CONGRATULATING CAPTAIN PHILLIP DAWSON III ON HIS RETIREMENT

(Mr. DUNN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNN. Madam Speaker, I rise today to congratulate Captain Phillip Dawson on his retirement from the United States Navy. On Friday, Captain Dawson will complete a nearly 4-year tour as the commanding officer of the Naval Surface Warfare Center, Panama City, Florida.

A 1988 graduate of the United States Naval Academy, Captain Dawson first served on the USS Tattnall as the anti-submarine warfare officer and, later, on the USS Harry E. Yarnell as the fire control officer.

Captain Dawson assumed command of the Naval Surface Warfare Center in 2013, where he led the center in a wide array of missions, including littoral warfare, coastal defense, and special missions. This base is also home to the U.S. Navy Dive School, where all of the divers from all of our services are trained.

Captain Dawson's selfless sacrifice to this country and dedication to our Navy is truly inspiring. Madam Speaker, please join me in thanking Captain

Dawson, his wife, Belinda, and their three children for their years of service and sacrifice, and wish them luck as they enjoy a new chapter in life.

#### HELPING AMERICANS FIGHT BACK

(Mr. KENNEDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY. Madam Speaker, I met Ted a few weeks ago. He is a bricklayer from Fall River, Massachusetts. It is hard, proud work, the kind that comes with frequent physical injury. Ted is no exception.

Then came the opioid prescriptions. Then came a long and painful road to addiction.

But Ted fought back. By force of will, faith, he pulled himself up, he got treatment, and he got clean. But his most recent injury cost him his job and his health insurance, and a new diagnosis just came in: liver cancer.

Madam Speaker, this is where a system proves what it is made of. When our people are sick, when they are tired, when they are terrified, and when they have given everything that they have got, do we abandon them? No. We pull them up. We bet on their resilience because there is nothing more fundamentally American than the belief that our people survive, they endure, and they rise to fight again.

They deserve a government that will jump into the ring by their side. Today is that test of what is good and decent for our people.

#### THANK YOU, CANDACE RICH

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, it is with sincere gratitude and appreciation I have the opportunity to recognize Candace Rich, legislative assistant for South Carolina's Second Congressional District. I will always appreciate Candace for her years of service on behalf of the people of South Carolina.

A native of Virginia, Candace is an esteemed alumna of the University of South Carolina, with degrees in history and political science. She also earned a master's of arts in instruction and curriculum from Angelo State University.

She is truly dedicated to public service, beginning as an intern in the district office starting in 2010 before joining the staff in 2014.

Candace's experience on healthcare, education, and workforce issues, combined with a genuine desire to serve constituents, has made a difference. Candace was crucial in helping Republicans pass and have signed a record number of bills this year.

It is with mixed feelings but great happiness that I bid Candace farewell.

She is moving on next week to a new role teaching social studies at Central High School in San Angelo, Texas. I know her parents, Tim and Angela, along with her brothers, Aaron and Adam, join me in recognizing her achievements.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

#### WE MUST DO BETTER

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I have been listening daily to heartbreaking stories from real people about their health challenges and what the repeal of the Affordable Care Act would mean to them.

People like Peter Morley, who survived cancer and now lives with lupus—he won't be able to afford his lifesaving infusions if repeal happens.

For Baby Theo, born with two holes and an enlarged kidney, the return of lifetime caps would mean the loss of insurance for him.

And Red Raccoon, an Iraq war veteran suffering from PTSD, he relies on Medicaid to supplement the inadequate VA system.

Each of them and millions more will suffer if repeal or replace goes forward. I believe we are a greater, more caring nation than this. I believe we can, we shall, we must do better.

#### INDIANA'S FISCAL STRENGTH

(Mr. BANKS of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BANKS of Indiana. Madam Speaker, here in Washington, we are currently in the middle of an important debate on the Federal budget.

It is clear that dramatic changes need to be made in the way that taxpayer dollars are spent. We need to get our Nation's fiscal house in order.

As we consider important reforms, we would be wise to turn to my home State of Indiana. Last week, Indiana State Auditor Tera Klutz announced that our State currently has a rainy day fund of nearly \$1.8 billion. Contrast that with a nearly \$20 trillion national debt here in Washington.

As Auditor Klutz noted in a press conference last week: "Hoosiers can rest assured that their government takes the task of managing taxpayers' money seriously. Just like people across the State live within their means, Indiana has worked hard to spend less than we take in, invest in our priorities, and retain resources in the event of an economic downturn."

To get our fiscal house in order, we need more of this Hoosier common

sense in Washington. The attitude and approach that has worked well in Indiana should be a model for the Nation.

#### AMERICAN PEOPLE TO PAY FOR A WALL

(Mr. AGUILAR asked and was given permission to address the House for 1 minute.)

Mr. AGUILAR. Madam Speaker, the appropriations bills we are talking about today should be about providing critical funds to keep our servicemembers safe, take care of our veterans, and support necessary defense programs. It should not be about helping President Trump keep a campaign promise that has no grounding in reality.

House Republicans' reckless decision to force the American people to pay for a wall that does nothing to increase our security or to solve real problems facing our immigration system is both wasteful and counterproductive.

This wall will cost American taxpayers \$1.6 billion. That is \$1.6 billion that could go toward helping veterans or getting our servicemembers the resources they need to stay safe while they risk their lives defending our country.

Rather than come to the table to work on meaningful bipartisan and long-term solutions to fix our broken immigration system, House Republicans would rather give American families' paychecks to President Trump so he can build this wall.

We are here to do the people's work. Building this wall doesn't do the people's work. It soothes the President's ego at the expense of American families.

I urge my colleague to oppose this bill if this dangerous and divisive policy rider is included.

□ 1215

#### WE ARE DOING THE WORK OF THE PEOPLE AND KEEPING OUR PROMISES

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Madam Speaker, all too often, the important work we are doing in the people's House does not get the attention it deserves.

So far this year, we have rolled back 14 overly burdensome regulations from the Obama administration, saving taxpayers billions of dollars in the process.

We passed landmark reforms that are now law to bring greater accountability and better care to the Veterans Administration.

Here in the House, we kept our promise to rescue families from the collapsing ObamaCare law.

We have taken action to rebuild our military, give our troops the biggest

pay raise in 8 years, and expand the GI Bill to improve educational benefits.

We have enhanced border security and public safety by passing Kate's Law.

And we have passed measures to strengthen career and technical education, combat human trafficking, and reform the FDA to encourage medical innovation.

Madam Speaker, these policies, and many more that are languishing in the Senate, will make a real difference in people's lives.

And we will keep working hard on the issues that matter, even if it doesn't always make the headlines.

#### ECONOMY NOT WORKING THE WAY IT SHOULD

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Madam Speaker, the economy simply is not working the way it should. Millions of hardworking men and women across the heartland feel the American Dream has slipped out of reach.

In places like Galesburg, Hanover, and Freeport, Illinois, too many of the families I serve have seen their jobs boxed up and shipped to places like Mexico and China. To make ends meet, many of them have had to take on two or three minimum wage jobs.

That is not the American Dream that we believe in. We believe in an America where we never give up on the fight for better jobs, better wages, and a better future for all of our families.

This is why I was proud to help present the American public with our "Better Deal" economic agenda. Together, we will help 10 million hardworking Americans find good-paying, full-time jobs by making bold investments in our roads and bridges, and doubling our investments in workforce training and apprenticeships to connect workers with the skills that employers need.

And while wages will go up, costs will go down by reducing the price of prescription drugs and making childcare more affordable.

The American people are tired of excuses from Washington. They want real action, and we have a real plan.

#### HONORING THE LIFE OF DAVID COGDILL, SR.

(Mr. DENHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DENHAM. Madam Speaker, I rise today to acknowledge and honor the life of a cherished leader and great friend, former California State Senator Dave Cogdill, Sr. The beloved husband, father, and grandfather passed away at the age of 66 on Sunday, surrounded by his family.

Born on December 31, 1950, Dave spent most of his adult life in public service. That public service started when he enlisted in 1970 in the Air Force Reserve, serving in the Air National Guard, as well as on Active Duty.

In 1975, he was elected as a member of the Board of Directors of the Bridgeport Fire Protection District in Mono County. He moved to Modesto in 1979 and built his real estate appraisal business while serving on various boards and commissions in both the public and private sectors. And he served two terms on the Modesto City Council. Dave went on to represent the 25th District in the California State Assembly for 6 years prior to being elected to the State senate in 2006. He served as the California State Senate Republican leader from 2008 to 2009, in addition to numerous committees, including Public Safety, the Revenue and Taxation, and the Joint Legislative Audit Committees.

A real estate appraiser by trade, Dave served as Stanislaus County assessor from 2011 to 2013, after which he joined the California Building Industry Association as CEO and president in October of 2013.

For his many years of an exemplary legislative career, Dave was awarded the prestigious Profile in Courage Award from the John F. Kennedy Library Foundation in 2010. That was just one of the many recognitions he received throughout his lifetime.

Dave and his wife, Stephanie, were married for 47 years. They have a son, David, Jr.; a daughter, Meghan Merrell; and three grandchildren, Connor, Katie, and Cooper.

Madam Speaker, please join me in honoring and recognizing California State Senator Dave Cogdill for his unwavering leadership and friendship. He had a long history of service to California and to our community. He will be greatly missed.

#### HONORING SERGEANT JOE MURRAY

(Mr. LAWSON of Florida asked and was given permission to address the House for 1 minute.)

Mr. LAWSON. Madam Speaker, last week, we all learned the tragic news that a military transport plane crashed into the Mississippi Delta. Sixteen marines, who courageously fought to defend our country, died from this unfortunate event.

One of those marines was Sergeant Joe Murray of Jacksonville, Florida. I would like to take this moment to express our deepest condolences to Sergeant Murray's family and friends. Our thoughts and prayers are with you.

Sergeant Murray was a husband to Gayle Murray, and a father of four beautiful children—Isaac; Annabelle; and twins, Judah and Micah. He was

known for being a family man who cared deeply for those around him.

Murray was a member of a special operations team and was promoted three times in the first 3 years he was in the Marine Corps and was deployed to Afghanistan twice.

The son of a Navy man, Sergeant Murray will always be remembered as a true American hero. I will continue to pray for him and his family and for every soldier out there protecting our great country.

May he rest in peace, and semper fi.

#### WELFARE TO WORK PROGRAM

(Mr. MARSHALL asked and was given permission to address the House for 1 minute.)

Mr. MARSHALL. Madam Speaker, there are 20,000 open jobs in Kansas and an unemployment rate of 3 percent. This is a 16-year low for our State. However, we face only a 63 percent national workforce participation rate.

Almost 40 percent of our country's labor force has given up on finding a job, or has lost motivation to work.

In Kansas, a top concern I have heard over our 40 townhalls this year is the need for a stronger workforce.

My colleagues and I must start work on a welfare to work program—a set of policies that will empower people to find a job that lifts them out of poverty and lifts their spirit with a sense of purpose.

Let's empower those across the country to get the training they need for a rewarding career and a quality of life that turns the tide of poverty and uncertainty toward personal and societal prosperity.

#### BORDER WALL FUNDING

(Mrs. TORRES asked and was given permission to address the House for 1 minute.)

Mrs. TORRES. Madam Speaker, I rise to express my disappointment that Republican leadership has added something as controversial as funding for the border wall to a critical bill funding our Nation's defense.

There is a reason those who live on the border and know the region best don't want this wall. They know this wall won't keep us safe, and they know it won't stop illegal immigration.

Instead of wasting \$1.6 billion in taxpayer dollars on a piece of security theater, DHS should focus its limited resources on its declared mission, which is "to safeguard the American people, our homeland, and our values." This wall does none of that.

Madam Speaker, I urge my colleagues to stop playing politics with our security and bring a clean bill to the floor.

#### CELEBRATING CRARY ART GALLERY'S 40TH ANNIVERSARY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to celebrate the 40th anniversary of one of the treasures of the Pennsylvania's Fifth Congressional District, the Crary Art Gallery. The Crary Art Gallery was established in 1977 in Warren, Pennsylvania, by painter Gene Crary, and featured works by her late husband, the photographer, Clare J. Crary.

In 1988, the gallery expanded to include the Oriental Room and the Fountain Room. Its reopening in 2000 brought the addition of the Sculpture Court, featuring works by Marion Sanford.

Today, the Crary Art Gallery is dedicated to enriching the region's cultural offerings through noteworthy temporary exhibitions and the display of historical works.

Beginning August 18, the gallery will celebrate its 40th anniversary with the Ruby Exhibition, which will fill the entire museum with the finest works from its Permanent Collection, much of which has not been seen in many years.

I wish the Crary Art Gallery the best as it celebrates 40 incredible years of enriching the lives of those in the community with its invaluable cultural impact.

#### CELEBRATING ESTES PARK'S 100TH ANNIVERSARY

(Mr. POLIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIS. Madam Speaker, I rise today in celebration of the 100th anniversary of the founding of Estes Park, Colorado—the gateway to Rocky Mountain National Park and one of the many treasured mountain towns in our beautiful Second Congressional District of Colorado.

Over 150 years ago, pioneers of the mountain west settled in Estes Park. Homesteaders came from all walks of life.

In April of 1917, the formal incorporation of the town of Estes Park took place, ensuring our community could continue to serve the growing needs of those living in and visiting the beautiful valley.

Since its incorporation, Estes Park has been a vital community partner in growing the outdoor recreation economy, playing host to 4.5 million visitors to Rocky Mountain National Park, making it the single most popular tourist attraction in our entire State. The iconic Stanley Hotel and the Historic Park Theatre are just a few of the iconic landmarks in Estes Park.

Estes Park's ZIP Code is 80517, and on August 5, 2017—8/5/17—Estes Park will have its official centennial celebration—80517. I am incredibly proud to represent the community of Estes Park and its citizens in Congress, and I am thrilled to celebrate the 100th anniversary of Estes Park.

#### RECOGNIZING THE 30TH ANNIVERSARY OF JOHN AND KAREN SHIMKUS

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Madam Speaker, as my colleague from Colorado recognized the 100th anniversary of Estes Park, I take to the floor to thank my wife for putting up with me for 30 years—30 years ago today.

Madam Speaker, as we all know, behind every good man is a great woman. I wanted to come to the floor to thank her for helping raise our three boys, helping make sure that we attend church faithfully, and putting up with the hectic life that a lot of our constituents don't understand living in two places at one time, trying to manage a family in another State, while we are gone almost half of the year.

So I come to the floor just to pause and thank my beautiful wife, Karen, for sticking with me for 30 years.

□ 1230

#### PROVIDING FOR CONSIDERATION OF H.J. RES. 111, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF THE RULE SUBMITTED BY BUREAU OF CONSUMER FINANCIAL PROTECTION RELATING TO ARBITRATION AGREEMENTS

Mr. BUCK. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 468 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 468

*Resolved*, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 111) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements". All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit.

The SPEAKER pro tempore (Mrs. WALORSKI). The gentleman from Colorado is recognized for 1 hour.

Mr. BUCK. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BUCK. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. BUCK. Madam Speaker, I rise today in support of the rule and the underlying resolution.

Congressional Review Act resolutions must follow a prescribed form according to law. This rule provides for consideration of H.J. Res. 111 in keeping with that form.

Madam Speaker, we are here today to prevent Federal overreach by the Consumer Financial Protection Bureau, also known as the CFPB. According to the D.C. Circuit Court, this unaccountable government agency has more unilateral authority than any single commissioner or board member in any other independent agency in the United States Government.

On July 10, 2017, the CFPB exercised that vast authority by issuing a 776-page final rule that restricts the ability of consumers to enter into arbitration agreements. The CFPB's misguided rule effectively eliminates arbitration clauses, instead forcing consumers into significantly more burdensome court proceedings. Eliminating this overbearing rule is a big win for consumers.

Arbitration is an alternative to the judicial system, and it often results in a better outcome for consumers. According to the CFPB's own study, arbitration can be up to 12 times faster than litigation. This study also found that a class action lawsuit's average payout was just \$32 per person, not even close to the \$5,389 awarded on average from arbitration.

Moreover, it costs less for consumers to file an arbitration complaint than it does to file a new complaint in Federal court, making the arbitration system more accessible to all Americans.

Arbitration allows parties to use an independent mediator, instead of hiring expensive lawyers, to settle a dispute. While the rule promulgated by the Consumer Financial Protection Bureau is a bad deal for consumers, it is a huge win for trial lawyers, who make an average of \$1 million per case.

The legislation being considered today would eliminate the CFPB's prohibition on an individual's right to enter into contracts that include arbitration agreements.

The Congressional Review Act allows Congress to eliminate a rule from the

executive branch, and prevents a substantially similar rule from being proposed in its place.

Checks and balances between the three branches of government are the cornerstone of our Constitution. The Congressional Review Act allows Congress to exercise our Article I authority and stop executive overreach that was never intended by the original legislation.

The Congressional Review Act is a powerful tool because it only requires 51 votes to pass in the Senate. To date, Congress has passed 14 CRAs that have been signed by the President. One by one, we have eliminated Obama administration rules that harm Americans and small businesses across this country.

Despite the work we have ahead, these CRAs are important to bringing regulatory relief to millions of Americans. President Trump campaigned on a promise to end government overregulation that hurts Americans and small businesses. He turned those words into action by signing an executive order that requires two regulations be eliminated for every new regulation that is proposed.

President Trump has exceeded those expectations in his first 6 months. For every new proposed rule, he has eliminated 16 regulations.

Unfortunately, he has limited tools to rein in the Consumer Financial Protection Bureau, because it was designed to be unaccountable under Dodd-Frank. This is an agency that continues to be run by an unchecked Director. The structure of the bureau has even been ruled unconstitutional by the judicial branch.

A few weeks ago, the House of Representatives passed legislation to restructure the Consumer Financial Protection Bureau, restoring congressional oversight duties and moving the agency back under the regular legislative appropriations process. I hope the Senate will consider this bill and bring accountability to the Consumer Financial Protection Bureau.

I urge my colleagues to support this resolution and the underlying bill, and eliminate the bad antiarbitration rule issued by the Consumer Financial Protection Bureau.

Madam Speaker, I reserve the balance of my time.

Mr. POLIS. Madam Speaker, I yield myself such time as I may consume, and I rise in opposition to the rule and the underlying legislation, H.J. Res. 111, disapproval of the Consumer Financial Protection Bureau's arbitration rule.

Before turning to the underlying legislation, I want to raise concerns about the bulk of the work this week, which is the so-called minibuss appropriations bill, in which this body will seek to spend over \$700 billion of deficit expenditures. That funding bill combines

four major appropriations bills and represents more than half of discretionary spending. It includes our spending for the legislative branch, veterans, energy and water, and the Department of Defense.

Unfortunately, there is additional deficit spending that my colleagues on the other side of the aisle have decided to put in the bill, providing \$1.6 billion to build a border wall, directly contrary to the promises President Trump made on the campaign trail that another country would pay for the wall. Republicans are seeking to pass the bill to you, Madam Speaker, and our fellow taxpayers to pay for this wall, in direct violation of President Trump's promise.

They also stripped out a bipartisan amendment by Representative LEE that would end the 2001 AUMF and require Congress to come up with a new Authorization for Use of Military Force within 8 months that was placed into this bill in committee. Representative LEE's amendment was stripped out by the Rules Committee despite it being in the committee mark and despite bipartisan support to require an Authorization for Use of Military Force. We really need to start making some decisions about the direction of our military. Representative LEE's amendment would have forced Congress to have that discussion.

Congress, unfortunately, seems to only work—or works best—when we are on the clock, the day or two before the expiration of funding, the day or two before an arbitrary time limit. This would apply a similar test to force Congress to have a discussion around the Authorization for Use of Military Force.

I have full confidence that, had that time not been met, Democrats and Republicans could have provided additional short-term extensions for the Authorization for Use of Military Force until such time Congress could come together to pass a new one, agree with the Senate, and send it to the President's desk.

Now on to the matters at hand.

This underlying resolution of disapproval weakens consumer protections while protecting big banks rather than consumers. This rule was crafted by the Consumer Financial Protection Bureau to help restore consumer rights and give consumers the ability to join together when they are taken advantage of by big banks.

Instead of debating ways to improve consumer protections or increase access to financial services, my colleagues instead have brought a Congressional Review Act resolution that would stop our own financial safety mechanisms from taking any future action on arbitration clauses in consumer financial products.

Now, we have all seen these arbitration clauses. You might need a magnifying glass because the font is small,

the contract is large. Even sophisticated consumers often don't know that by unilaterally signing those rights away, they are removing their ability to address their grievances in court. In many cases, removing the ability to have any justice because when you have a large class, each of whom suffers a small amount of damage, even the cost of administering an arbitration claim can be prohibitive if the claim per affected individual is \$50, \$75, or \$100. Absent these kinds of protections, you give broad license for big banks to rip off large numbers of consumers and take a small amount of money from each of them. That is what this rule is intended to prevent.

The House Financial Services Committee did not hold any hearings on this rule. It didn't go through committee. It appeared just a few days ago when it was introduced. The Consumer Financial Protection Bureau didn't have the opportunity to testify about their studies or their findings, or the process they went through to finalize the rule, including input from the general public.

Congress has authorized the Consumer Financial Protection Bureau to examine the use of arbitration agreements by financial institutions and consumer contracts; and, if necessary, to take appropriate steps to limit the use of them, to prevent arbitration agreements from being forced on consumers. In any particular case, both sides can certainly agree to arbitration. Given the choice, many consumers will choose arbitration. This is about forcing consumers and giving them no alternative but to give away their rights to sue in a court of law in favor of an arbitration process.

The Consumer Financial Protection Bureau found that 90 percent of arbitration agreements built into the fine print of financial consumer products actually do prohibit class action lawsuits. In cases involving credit card issuers, companies being sued used the arbitration clauses buried in the fine print contract to block class action lawsuits 65 percent of the time.

Again, even with the lower costs of administering an arbitration case, it is prohibitive if the claim per person is relatively small. So we are talking about situations where people are illegally ripped off of \$20, of \$100, of their annual credit card processing fee illegally charged. Their redress, absent a class action, is essentially nonexistent because even though the cost of pursuing an arbitration case is significantly less than the courts, they still can either take up an enormous amount of time or, if you hire outside counsel, thousands of dollars. Thank goodness, not the hundreds of thousands of dollars that a full court case can entail, but certainly thousands of dollars.

And if you were deprived of \$30 or \$50, are you just supposed to accept it? Or

can hundreds or thousands of people who were ripped off band together and seek justice, as this rule would allow for?

Long before the Consumer Financial Protection Bureau took any action, the Department of Defense already recognized that forced arbitration clauses in consumer loans to servicemembers stripped away the rights of servicemembers and ultimately banned forced arbitration clauses in consumer loan products made to servicemembers. We don't want people taking advantage of members of our military. So, too, we don't want anybody taking advantage of members of the American public.

But we know that big banks don't want consumers to have more power when it comes to financial products. They prefer the deck remained stacked against consumers, even when a bank or a credit card company breaks the law.

When it comes to financial service products, most consumers are entirely at the mercy of our financial institutions. These arbitration clauses are buried in pages and pages of small print and disclosures that are very technical for people with a college degree, no less a high school degree, no less not even graduating from high school. The consumer doesn't have the ability to modify the contract before they sign it—take it or leave it—or negotiate on any type of footing equally with the bank. They are left with a take-it-or-leave-it choice. According to the Bureau study, more than 75 percent of consumers surveyed did not know whether they were subject to an arbitration clause in their agreements, and less than 7 percent knew that those clauses limit their ability to bring a claim to court. That means 93 percent of the people who sign these agreements don't even realize they are signing their right to sue away, and that is because they are buried in fine print, are unclear, and run contrary to the fundamental American principle of the ability to seek justice when you are wronged.

This final rule restores consumer rights to band together when there is a systemic and widespread form of misconduct by a bank. This resolution of disapproval would stop consumers from even knowing if others were harmed in a similar manner by the same bank or lender so they could potentially band together.

I am glad that the Consumer Financial Protection Bureau final rule actually gave some power back to consumers. And now here we have the Republicans trying to take that power right away and give it back to the big banks.

Madam Speaker, I would like to include in the RECORD a letter signed by 310 organizations that include civil rights, faith-based, and consumer advocacy groups that support the arbitration rule.

JULY 12, 2017.

Re Final Rule on Arbitration Agreements.

MONICA JACKSON,

*Office of the Executive Secretary, Consumer Financial Protection Bureau, Washington DC.*

The 310 undersigned consumer, civil rights, labor, community, and non-profit organizations write to state our strong support for the Consumer Financial Protection Bureau (CFPB)'s final rule to limit pre-dispute binding mandatory (or forced) arbitration clauses in consumer finance contracts. The rule, which will restore consumers' ability to band together in court to pursue claims, is a significant step forward in the ongoing fight to curb predatory practices in consumer financial products and services and to make these markets fairer and safer.

Lenders and other financial services companies use forced arbitration to push consumers out of court and into a private arbitration system that is tilted against them. Forced arbitration eliminates the right to a civil jury trial, limits discovery, restricts or prohibits public disclosure of proceedings and outcomes, and makes meaningful appeals virtually impossible. It also often prohibits consumers from banding together in a class action to hold the company responsible.

Recent scandals again demonstrate the very real harm forced arbitration causes consumers. Reports show that customers had been trying to sue financial services institutions over fraudulent accounts going back a number of years. However, some banks forced those customers into secret, binding arbitration by invoking fine print in consumers' legitimate account agreements to block them from suing over reasons as outrageous as fake accounts, also helping to keep the scandal out of the public eye. Even in cases where widespread fraud has been exposed, banks continue to invoke these fine-print clauses to kill lawsuits stemming from their illegal acts and block consumer recovery.

The CFPB's thorough arbitration study further documents how forced arbitration blocks consumer access to courts, shielding banks and lenders from meaningful accountability for their unlawful behavior. Finalizing the proposed rule will restore crucial class action rights that deter systemic abuses and bring much-needed transparency to consumer financial arbitration.

THE CFPB STUDY DATA SHOWS THAT FORCED ARBITRATION ELIMINATES CONSUMER CLAIMS AND SHIELDS COMPANIES FROM ACCOUNTABILITY

The CFPB's study verified the prevalence of forced arbitration clauses—including class action bans—in consumer financial contracts and found that this practice impacts tens of millions of consumers. Yet it also revealed that consumers typically have no idea they are signing away their right to sue in court when they participate in the financial marketplace.

The most obvious impact of forced arbitration clauses is that they block most consumer claims from going forward at all. Class action bans prevent consumers from bringing complaints of fraud or other abusive or deceptive practices in financial services because the individual value of these claims is often too small for a single consumer to afford to bring alone. Without the option to join together in a class action, just 25 consumers with claims of under \$1,000 pursued arbitration each year. In a county of over 320 million, these numbers leave no doubt that class action bans effectively wipe out consumer claims and thus shield corporate wrongdoers from liability. In the few



claims that went to arbitration, the study also confirmed that forced arbitration overwhelmingly favors industry over consumers.

**CLASS ACTIONS PROVIDE GREAT BENEFIT FOR CONSUMERS CHEATED BY SYSTEMIC WRONGDOING AND DETER RISKY OR ILLEGAL CONDUCT**

The data makes clear that class actions provide a practical way for groups of consumers who have suffered the same kind of abuse from the same corporate wrongdoer to join together to attempt to hold the financial institution accountable. The CFPB study found that 34 million consumers received a total of \$2.2 billion in cash payments, debt forbearance, and other in-kind relief from 2008–2012—not including any attorneys' fees or court costs.

These findings were echoed in an empirical study by disinterested academics, which found consumer class actions against illegal overdraft fees "deliver[ed] fair compensation to a significant portion of class members." Several major banks settled class actions that claimed the banks had purposely reordered consumer transactions to maximize the amount of overdraft fees charged to the consumer. This study found that plaintiffs in these cases recovered up to "65% of damages, with the variation based largely on the strength of the class's claims and the likelihood of winning certification of the class." Yet unknown thousands of other consumers subject to similarly unlawful overdraft fee practices likely got little or no relief when class actions against their banks were dismissed due to arbitration clauses.

Even assuming that their claims would be fairly resolved in arbitration, leaving 34 million consumers to find their own attorney, establish the individual facts of their case, and take time off work to attend an arbitration will never be more efficient than pooling time and resources between millions of consumers harmed in the same way by the same bank or lender to challenge abusive practices. Indeed, additional empirical scholarship demonstrates that most consumers are unaware when they have been harmed, unaware that the harm violates a law, or have decided that filing individual claims is not worth their time and expense.

Collective action is critically important, not only for enabling those already victimized to obtain justice, but also for deterring bad behavior and preventing harm to other victims. While each individual consumer may only lose \$25 or \$50 to a fraudulent charge or illegal fee, for example, unlawful practices implemented at a systemic level can add up to millions or more in ill-gotten gains for banks and lenders who violate the law. Government enforcers have limited resources, and the prospect of class actions helps ensure that banks and lenders obey legal requirements that protect consumers.

**THE RULE'S REPORTING REQUIREMENTS ADD CRUCIAL TRANSPARENCY TO ARBITRATION**

Our organizations strongly support the proposed provision to begin shining a light on individual arbitrations through reporting requirements. Unlike our legal system, which is built upon hundreds of years of precedent, common law principles, and statutory standards of fairness and ethics, arbitration firms have few constraints on their practices and scant record of their proceedings. The substantially shorter history of consumer arbitration has nonetheless produced both anecdotal claims of unethical behavior and documented systemic abuses by unregulated arbitration firms.

The rule's reporting requirements will lend crucial transparency and accountability to a

previously opaque system. Increased transparency can help consumers make informed decisions when choosing how to pursue their claim, in line with well-established principles of the free market. Data collected by the CFPB will also help other government entities, as well as the general public, ensure that arbitrators operate within the law and treat all parties fairly.

**THE RULE IS IN THE PUBLIC INTEREST AND FOR THE PROTECTION OF CONSUMERS**

Because forced arbitration undermines compliance with laws and creates an uneven playing field between corporations that use forced arbitration and those that allow for greater consumer choice in dispute resolution, it is in the public interest and in the interest of consumer protection to prohibit or strictly curtail the use of forced arbitration clauses in consumer financial contracts.

We commend the CFPB for finalizing its rule to restore consumers' right to choose how to resolve disputes with financial institutions and address the public harm caused by forced arbitration, as thoroughly documented in its three-year, comprehensive study.

Thank you for the opportunity to share our views.

**NATIONAL SIGNATORIES**

9to5 National Association of Working Women; Action In Maturity, Inc.; Affordable Housing Alliance; AFL-CIO; Alianza Americas; Alliance for Justice; Allied Progress; American Association for Justice; American Association of University Women (AAUW); American Council of the Blind; American Family Voices; American Federation of State, County and Municipal Employees (AFSCME); American Federation of Teachers; Americans for Democratic Action; Americans for Financial Reform; Association of University Centers on Disabilities; Bankruptcy Law Center; The Bazelon Center for Mental Health Law; Center for Economic Integrity; Center for Economic Justice.

Center for Global Policy Solutions; Center for Justice & Democracy; Center for Popular Democracy; Center for Progressive Reform; Center for Responsible Lending; Centro Legal de la Raza; CFED; Committee to Support the Antitrust Laws; Consumer Action; Consumer Federation of America; Consumers for Auto Reliability and Safety; Consumers Union; Consumer Voice; Daily Kos; Demos; Disability Rights Education & Defense Fund; Economic Analysis and Research Network (EARN); Economic Policy Institute; The Employee Rights Advocacy Institute For Law & Policy; Equal Justice Society.

Equal Justice Works; Fair Share; The Financial Clinic; Food & Water Watch; Fund Democracy; Government Accountability Project; Heartland Alliance for Human Needs & Human Rights; Hindu American Foundation; Homeowners Against Deficient Dwellings; Institute for Agriculture and Trade Policy; The Institute for College Access & Success; Institute for Science and Human Values; Interfaith Center on Corporate Responsibility; International Association for College Admission Counseling; Jobs With Justice; Justice in Aging; The Leadership Conference on Civil and Human Rights; League of United Latin American Citizens; Main Street Alliance; Manufactured Housing Action; Mission Asset Fund.

NAACP; NAACP Legal Defense and Educational Fund, Inc.; National Association for College Admission Counseling; National Association of Consumer Advocates; National Association of Social Workers (NASW); National Center for Law and Economic Justice;

National Center for Lesbian Rights; National Center for Transgender Equality; National Coalition for Asian Pacific American Community Development; National Community Reinvestment Coalition (NCRC); National Council of Jewish Women; National Council of La Raza; National Consumer Law Center (on behalf of its low income clients); National Consumers League; National Employment Lawyers Association; National Employment Law Project; National Fair Housing Alliance; National Health Law Program; National Latino Farmers & Ranchers Trade Association; National Legal Aid and Defender Association.

National LGBTQ Task Force; National Partnership for Women & Families; National Organization for Women; National Urban League; National Women's Law Center; New Rules for Global Finance; Occupational Safety & Health Law Project; Other98; People's Action; Privacy Rights Clearinghouse; Progressive Congress Action Fund; Protect All Children's Environment; Public Citizen; Public Justice; Public Knowledge; Public Law Center; The Rootstrikers Project at Demand Progress; Salvadoran American National Network (SANN); Service Employees International Union (SEIU); Small Business Majority.

Southern Poverty Law Center; TURN—The Utility Reform Network; United Auto Workers (UAW); United Church of Christ Justice and Witness Ministries; United Policyholders; U.S. PIRG; Veterans Education Success; Woodstock Institute; Workplace Fairness; Worksafe; World Hunger Education, Advocacy & Training (WHEAT); Young Invincibles.

**STATE AND LOCAL SIGNATORIES**

Alabama: Woodmere Neighborhood Association—AL.

Arkansas: Arkansans Against Abusive Payday Lending—AR; Arkansas Advocates for Children and Families—AR.

Arizona: Arizona Community Action Association—AZ; Arizona PIRG—AZ; Gila County Community Services—AZ; Mesa Community Action Network—AZ; Save the Family Foundation of Arizona—AZ.

California: California Reinvestment Coalition—CA; CALPIRG—CA; Center for Public Interest Law, University of San Diego School of Law—CA; Consumer Attorneys of California—CA; Consumer Federation of California—CA; East Bay Community Law Center—CA; Golden State Manufactured-home Owners League—CA; Law Foundation of Silicon Valley—CA; The Greenlining Institute—CA.

Colorado: 9to5 Colorado—CO; Bell Policy Center—CO; Build Our Homes Right—CO; Colorado AFL-CIO—CO; Colorado Alliance of Retired Americans—CO; Colorado Council of Churches—CO; Colorado Fiscal Institute—CO; Colorado Latino Forum, Denver Chapter—CO; Colorado Latino Leadership, Advocacy and Research Organization (CLLARO)—CO; Colorado Public Interest Research Group (PIRG)—CO; Colorado Trial Lawyers Association—CO; NAACP State Conference—CO, MT, WY; National Council of Jewish Women, Colorado Section—CO; The Interfaith Alliance of Colorado—CO.

Connecticut: Capital For Change, Inc.—CT; CT. Citizen Action Group—CT; Connecticut Legal Services, Inc.—CT; ConnPIRG—CT.

Delaware: Legal Aid Society of the District of Columbia—DC; ACLU of Delaware, Inc.—DE; Community Legal Aid Society, Inc.—DE; Delaware Alliance for Community Advancement—DE; Delaware Community Reinvestment Action Council, Inc.—DE; Delaware Manufactured Homeowners Association (DMHOA)—DE.

Florida: Catalyst Miami—FL; Fair Housing Center of the Greater Palm Beaches—FL; Florida Alliance for Consumer Protection—FL; Florida PIRG—FL; Jacksonville Area Legal Aid, Inc.—FL; Progress Florida—FL.

Georgia: Georgia PIRG—GA; Georgia Rural Urban Summit—GA; Georgia Watch—GA.

Iowa: Iowa Citizens for Community Improvement—IA; Iowa PIRG—IA.

Illinois: Chicago Jobs Council—IL; Citizen Action—IL; Illinois Asset Building Group—IL; Illinois Association for College Admission Counseling—IL; Illinois PIRG—IL; Manufactured Home Owners Association of Illinois—IL; Metropolitan Tenants Organization—IL; Partners In Community Building, Inc.—IL; Project IRENE—IL.

Indiana: Habitat for Humanity of Northeast Indiana—IN; HomesteadCS—IN; Indiana University McKinney School of Law—IN.

Kansas: Interfaith Housing Services, Inc.—KS; Labette Assistance Center—KS.

Kentucky: Homeless & Housing Coalition of Kentucky—KY; Kentucky Council of Churches—KY; Kentucky Equal Justice Center—KY.

Louisiana: The Middleburg Institute/LABEST—LA; PREACH—LA.

Massachusetts: Cambridge Economic Opportunity Committee, Inc.—MA; Community Action!—MA; Consumer World—MA; Massachusetts Consumers Council, Inc.—MA; MASSPIRG—MA; The Midas Collaborative—MA.

Maryland: Baltimore CASH Campaign—MD; Baltimore Neighborhoods, Inc.—MD; Belair-Edison Neighborhoods, Inc.—MD; Civil Justice, Inc.—MD; Housing Options & Planning Enterprises, Inc.—MD; Howard County Office of Consumer Protection—MD; Maryland CASH Campaign—MD; Maryland Consumer Rights Coalition—MD; Maryland PIRG—MD; Maryland United for Peace and Justice—MD; Public Justice Center—MD.

Michigan: Michigan Association for College Admission Counseling—MI; Michigan Disability Rights Coalition—MI; PIRG in Michigan (PIRGIM)—MI; Progress Michigan—MI.

Minnesota: Mid-Minnesota Legal Aid—MN; Minnesota Association for College Admission Counseling—MN.

Missouri: Missouri Association for College Admission Counseling—MO; Missouri Faith Voices—MO; Missouri PIRG—MO; MORE—Missourians Organizing for Reform and Empowerment—MO.

Mississippi: Mississippi Center for Justice—MS.

Montana: AFSCME Montana Council 9—MT; Greater Yellowstone Central Labor Council—MT; Laborers Local #1686—MT; Montana Organizing Project—MT; Rural Dynamics, Inc.—MT.

North Carolina: Financial Pathways of the Piedmont—NC; North Carolina Consumers Council—NC; North Carolina Justice Center—NC; NCPIRG—NC; OnTrack WNC Financial Education & Counseling—NC; Reinvestment Partners—NC; The Collaborative NC—NC; Winston Salem Forsyth County Asset Building Coalition—NC.

North Dakota: North Dakota Economic Security and Prosperity Alliance—ND; Sacred Pipe Resource Center—ND.

Nebraska: Nebraska Appleseed—NE.

New Hampshire: Granite State Organizing Project—NH; NHPIRG—NH.

New Jersey: Consumers League of New Jersey—NJ; Legal Services of New Jersey—NJ; Manufactured Home Owners of New Jersey, Inc.—NJ; New Jersey Association for College Admission Counseling—NJ; New Jersey Citizen Action—NJ; NJ PIRG—NJ; Sisters of St. Dominic of Caldwell—NJ.

New Mexico: Center for Economic Integrity—New Mexico Office—NM; NMPIRG—NM.

Nevada: Legal Aid Center of Southern Nevada, Inc.—NV; Opportunity Alliance Nevada—NV.

New York: Bankruptcy Law Center—NY; Central New York Citizens in Action, Inc.—NY; Community Service Society of New York—NY; Empire Justice Center—NY; Empire State Consumer Project—NY; Housing and Family Services of Greater New York, Inc.—NY; Hudson River Housing—NY; JASA Legal Services for the Elderly in Queens—NY; Keuka Housing Council, Inc.—NY; Long Island Housing Services, Inc.—NY; Make the Road New York—NY; MFY Legal Services, Inc.—NY; NELA/NY (New York Affiliate of National Employment Lawyers Association)—NY; New Economy Project—NY; New York Legal Assistance Group—NY; New York Public Interest Research Group (NYPIRG)—NY; New York State Association for College Admission Counseling—NY; Public Utility Law Project of New York—NY; Western New York Law Center—NY.

Ohio: Cleveland Tenants Organization—OH; COHHIO—OH; Habitat for Humanity of Findlay/Hancock County—OH; Miami Valley Fair Housing Center, Inc.—OH; Neighborhood Housing Services of Greater Cleveland—OH; Ohio Association of Local Reentry Coalitions—OH; Ohio PIRG—OH; Ohio Poverty Law Center—OH.

Oregon: Innovative Changes—OR; Oregon Consumer League—OR; Oregon PIRG (OSPIRG)—OR.

Pennsylvania: Integra Home Counseling, Inc.—PA; Keystone Progress—PA; Pathways PA—PA; Pennsylvania Association for College Admission Counseling—PA; Pennsylvania National Organization for Women—PA; PennPIRG—PA.

Rhode Island: RIPIRG—RI.

South Carolina: Columbia Consumer Education Council—SC; SC Association for Community Economic Development—SC; South Carolina Appleseed Legal Justice Center—SC.

Tennessee: New Level Community Development Corporation—TN; Tennessee Citizen Action—TN.

Texas: Chinese Community Center, Houston—TX; Equal Justice Center—TX; Family Houston—TX; Literacy Advance of Houston—TX; Take Back Your Rights PAC—TX; Texas Appleseed—TX; Texas Consumer Association—TX; Texas Watch—TX; TexPIRG—TX; United Way of Greater Houston—TX.

Virginia: Virginia Citizens Consumer Council—VA; Virginia Poverty Law Center—VA; Virginia Organizing—VA.

Vermont: Vermont PIRG (VPIRG)—VT.

Washington: Columbia Legal Services—WA; The Northwest Consumer Law Center—WA; SafeWork Washington—WA; WashPIRG—WA.

Wisconsin: Legal Aid Society of Milwaukee—WI; WISPIRG—WI.

West Virginia: Mountain State Justice—WV; WV Center on Budget and Policy—WV; West Virginia Citizen Action Group—WV.

Regional: Potomac and Chesapeake Association for College Admission Counseling; Southern Association for College Admission Counseling; Tri-State Coalition for Responsible Investment; Western Association for College Admission Counseling.

Mr. POLIS. Madam Speaker, this letter, which I think my colleagues will find convincing, has 310 groups that have signed on in support of this rule, including groups from across the ideological spectrum, across the States,

many faith-based groups, and many others, including from my friend from Colorado's and my home State, the Interfaith Alliance of Colorado; the National Council of Jewish Women, Colorado Section; the NAACP State Conference of Colorado; the Colorado Fiscal Institute; the Colorado Council of Churches; the Colorado Alliance of Retired Americans, and many others.

□ 1245

So I am glad that this will appear in the RECORD for all of Congress to see. I will encourage my colleagues to read this letter and see who signed it before casting your vote on the repeal of this rule, the Congressional disapproval resolution. So this will appear in the RECORD, and I know that my colleagues will study that RECORD before making their decision.

Prior to the creation of the Consumer Financial Protection Bureau, Federal consumer protection laws were enforced by a number of different regulators and different agencies. This was uneven and, after the 2008 financial crisis, I was personally glad that we were able to pull together the efforts to protect consumers in the Consumer Financial Protection Bureau.

But despite their success, Republicans have been going after the Consumer Financial Protection Bureau ever since. Despite record profits by banks and Wall Street, here we are trying to go back to a time when there was nobody to keep them in check. Despite the Consumer Financial Protection Bureau returning nearly \$12 billion to harmed consumers, the Republicans continue to attack the agency.

This is entirely the purpose that the Consumer Financial Protection Bureau was created, this type of rule. Congress specifically authorized the Consumer Financial Protection Bureau to study forced arbitration agreements, and determine what steps were necessary.

The Bureau undertook an extensive rulemaking process that had public comments. I hope my colleagues across the aisle who support this repeal were active in that public comment process because that was an important time to be heard. The banks participated in that, consumer groups, and so many other stakeholders before the final rule was issued.

My colleagues across the aisle have not offered any evidence in support of this resolution of disapproval. Why are you seeking to strip rights away from consumers in this fashion?

The Consumer Financial Protection Bureau found that just 400 consumers per year pursue claims in arbitration, with only 16 receiving any cash relief. Again, when you are ripped off of a relatively small amount of money, you don't have redress in the courts as a sole plaintiff. You don't have redress—I shouldn't say you don't; you technically do—you don't have an economic

form of redress in the courts, and you don't have an economically viable form of redress through arbitration.

So the only true mechanism, if you have a million people, each of whom are deprived of \$20 or \$50, the only realistic legal mechanism is a class action lawsuit, which this rule would protect.

There is also no evidence to show, no studies—I would challenge my colleagues to cite them if there are—to show that removing this type of clause can somehow increase costs to consumers.

Frankly, this resolution of disapproval is just a giveaway to big banks at the expense of you, me, everybody who has a credit card, everybody who has a loan—the wrong direction for the country.

Madam Speaker, I reserve the balance of my time.

Mr. BUCK. Madam Speaker, I yield 4 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS), the author of this resolution.

Mr. ROTHFUS. Madam Speaker, I rise today to call on all of my colleagues to support this resolution and the underlying legislation, H.J. Res. 111.

The Consumer Financial Protection Bureau's antiarbitration rule will cause a great deal of harm to consumers, including consumers who wish to settle a dispute with a firm in a timely and effective fashion, as well as other consumers who will see their options and choices diminished and their costs increased by this rule.

The CFPB's rule will hurt the very people the CFPB claims it is supposed to help by depriving individuals of the efficient and effective process of arbitration. The CFPB itself acknowledged that arbitration is 12 times faster, on average, than class actions.

In today's fast-paced economy, hard-working Americans may want to pursue a quicker option than becoming a party to costly and time-consuming litigation that can take years.

Not only are class actions burdensome in terms of time, but they often produce negligible benefits for the plaintiffs in question. In fact, class actions reviewed in the CFPB study resulted in an average recovery of only \$32 per class member. This is so minuscule that the firms being sued are forced to charge their customers additional fees, which fees may be larger than the initial recovery to cover the costs of the firm's legal fees. This often leaves customers worse off financially than if they had never chosen to settle their dispute.

Contrast this negligible or non-existent relief and headache it causes consumers with the average \$5,300 of relief that consumers obtained through arbitration in the cases that the CFPB reviewed in its own study. Contrast the \$32 average individual recovery as well with the average \$1 million that plaintiff lawyers make per settled case.

Madam Speaker, consider also the fact that 87 percent of class actions generate no benefits for consumers whatsoever because they are dismissed by the Court or settled with the named plaintiff only.

In addition to the direct harm the CFPB's antiarbitration rule will cause to consumers, it will also have negative effects on a variety of companies and firms that will have to prepare themselves for falling victim to costly litigation. In light of that, they will be unlikely to direct any financial resources toward providing their customers even the option for arbitration.

In addition, many firms are unavailable to survive such costly litigation, meaning they will either go out of business or be forced to stop offering certain products and services.

How will this benefit consumers?

It won't. It will make their purchases costlier and the products and services they need more difficult to find.

If you want to help ensure consumer recoveries and justice—and we all do—depriving them of the most efficient and most remunerative option is not the answer. Sadly, that is precisely what will result from the CFPB's misguided, anticonsumer rule.

The CFPB's antiarbitration rule will close the door to recovery for consumers, but open the door for million-dollar trial attorney's fees. The underlying legislation considered today will reopen the door to consumer recovery.

Mr. POLIS. It is wonderful to have so many Coloradans here, isn't it, Madam Speaker?

The SPEAKER pro tempore. Absolutely.

Mr. POLIS. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT), another great State that borders the State of Colorado.

Mr. DOGGETT. It once included the State of Colorado, or part of it.

Madam Speaker, I think Republicans are just scared. They are afraid to leave town this week without doing another favor for Wall Street, and this proposal to undermine consumer rights is the next gift that they want to bestow on the big banks.

Republicans can never seem to find their voice, no matter how outrageous the latest Trump tweet might be. They cannot pass meaningful legislation on other subjects, but they feel compelled to answer when Wall Street comes "a calling," as it has on this bill.

Only last month, Republicans approved a bill to give Trump the power to fire the chief cop on the beat; that would be the Director of the Consumer Financial Protection Bureau, who Trump could now dump for actually trying to do his job of protecting consumers from abusive financial practices.

Of course, we see daily that Trump thinks the White House is just a new venue for the latest sequel of "The Ap-

prentice," with him declaring "you're fired" to one person after another, no matter how much damage he does to our national security or to the economic security of families that are struggling to make a go of it all over America.

Well, today's Republican gift to Wall Street is about denying any effective remedy to those who are abused by big banks. A bank can rightfully go to court if a consumer abuses it, and that happens every day in courts across America, with good reason, because it is not a one-way street.

But in the non-negotiable, deceitful fine print at the back of the contract, the bank can deny the consumer the very same opportunity to go to court if that consumer is abused. It is called arbitration, but what it really means is that if a consumer has been treated wrong, neither a judge nor a jury can ever evaluate the facts and conclude for the consumer.

Since usually the arbitrator depends upon the same bank or group of banks to get repeat business, the arbitrator has an incentive to rule against the consumer and for the bank. Often arbitration is little better than going to the bank's own attorney and asking: Do you think your client did anything wrong? And if so, should they do any more than say "I'm sorry"?

Arbitration is the very scheme that Wells Fargo relied upon to obstruct any opportunity for ordinary consumers who tried to hold their bank accountable for creating accounts to which they never gave any consent and charging them for it. Wells Fargo used those arbitration clauses to kick the consumers out of court and to continue its fraud against consumers across America for another 2 years. That is the kind of practice that we will have more of if this legislation is approved.

You know, in the Military Lending Act of 2007, Congress showed the good sense to try to protect our servicemembers who are defending our country all over the world in certain of their loan agreements from having a lender impose a mandatory arbitration agreement. And what, today, we should be doing is supporting similar protections for other Americans who can be exposed to the same type of abuse.

Today's bill to undermine consumer protection is opposed by The Military Coalition and 29 other servicemember and veterans groups representing millions of people. This sorry bill is also opposed by a number—I think literally hundreds of consumer, civil rights, labor, and community groups.

All we are saying in rejecting this bill is to give consumers their day in court, give them the same rights the banks want. In fact, treat consumers as if they were banks because they should be treated with the same dignity and the same rights; and we do that by rejecting this bill and rejecting it soundly.

Mr. BUCK. Madam Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. LUETKEMEYER), the chairman of the Financial Institutions and Consumer Credit Subcommittee.

Mr. LUETKEMEYER. Madam Speaker, I thank the gentleman from Colorado (Mr. BUCK) for his help in quickly bringing this resolution to the floor.

Madam Speaker, I rise today in support of this rule and the underlying resolution, which would block the Consumer Financial Protection Bureau from denying the American people the use of arbitration as a means to resolve consumer complaints.

Since the creation of the Consumer Financial Protection Bureau, consumer costs have gone up and access to financial products has been severely restricted. In some cases, access has evaporated altogether.

The Bureau's arbitration rule is proof of what we have said for years: the CFPB does not operate in the best interest of American consumers. It does not protect the American people, their access to financial products, or their ability to achieve financial independence.

Take as evidence the CFPB's own study on arbitration. It shows that just 13 percent of class action suits actually provided a benefit to consumers, with an average payout of \$32. Let me say that again: an average payout of \$32.

Arbitration, on the other hand, provides an average of more than \$5,000—let me say that again: over \$5,000—to the aggrieved parties.

Again, these figures come from the Bureau's own analysis, their own study. The fact that they cannot somehow justify this rule in the name of consumer protection should offend every single person on this floor today, Madam Speaker.

Simply put, this rule is anticonsumer. It hurts the very people the CFPB purports to protect. It is yet another example of the Washington-knows-best attitude that makes the American people so mad.

This is also why Congress has the oversight tools granted under the Congressional Review Act. In this instance, it is time for Congress to intervene on behalf of the people we represent.

We have argued about the CFPB in the past, but the reality is that this rule, in particular, will have devastating consequences for American consumers. It should serve as a dramatic wake-up call for the need to restrain what is the most powerful and unaccountable government agency in the history of our Nation.

I thank the gentleman from Pennsylvania (Mr. ROTHFUS) and Chairman HENSARLING for their steadfast leadership on this very important issue.

Madam Speaker, I ask my colleagues for their support on the rule and the underlying measure.

□ 1300

Mr. POLIS. Madam Speaker, I yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Madam Speaker, I thank the ranking member, Mr. POLIS, for yielding me the time.

Madam Speaker, I rise today to oppose the rule and underlying bill by my Republican colleagues. The Republican bill favors big Wall Street megabanks and financial interests over the American people. I would ask my Republican friends: Don't you remember the financial crash of 2008 and who created it?

Their bill repeals a new Consumer Financial Protection Bureau rule which cuts down on those companies' abilities to use so-called forced arbitration clauses which prevent cheated or defrauded consumers from going to court. In other words, they prevent the victims from going to court. They want to handcuff the customers, not the megabanks that took them to the cleaners.

This takes us back to the days of when the fine print in the credit card or other financial agreement prevented consumers from banding together in class action lawsuits to challenge illegal behavior by the most powerful financial giants in the world. Try to deal with one of them as an individual. They don't even return phone calls, for heaven's sake. You get in that robo system for hours and hours, and then the phone call cuts off.

Republicans want to dismantle the Consumer Financial Protection Bureau, even after the agency's work for consumers resulted in \$12 billion in relief to 27 million Americans who were harmed, and that is just the beginning.

Why is this Republican-led Congress so keen on protecting companies like Wells Fargo that used arbitration clauses and class action bans to create fraudulent accounts, overcharge customers with debit fees and mortgages, and even avoid responsibility for their misconduct? Criminal misconduct.

You can laugh. Come and meet the millions of people who have lost their homes across this country or are underwater on their mortgages. There is no justice for them.

The idea that banks can rip off consumers by abusing obscure clauses buried deep in their contracts is totally outrageous.

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American people. This is not what President Trump ran on.

Madam Speaker, I urge my colleagues to vote "no" and stand with America's consumers over special interests, particularly the financial predators that brought this country to ruin.

Mr. POLIS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, for months now we have been debating bills that hurt hardworking Americans—bills that kick millions, tens of millions, of people off health insurance; bills that gut safety and environmental protections that would keep our air clean; bills that prioritize the interests of Wall Street over Main Street.

This is not what my constituents want. It is also not what the constituents of many of us want. Madam Speaker, for this reason, Democrats have unveiled an agenda to increase wages, reduce costs for everyday expenses, and give workers the training they need to compete in 21st century jobs.

Madam Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up Representative POCAN's Leveraging Effective Apprenticeships to Rebuild National Skills Act, H.R. 2933, which would promote effective apprenticeships that would give students and workers more opportunities to find good-paying jobs.

Madam Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Madam Speaker, we have less than 4 days left before the scheduled August recess. I hope in that time we can focus on strengthening the economy and empowering consumers rather than taking away consumers' rights, like this bill does.

We should focus on fixing our broken immigration system to create more economic growth and reduce our deficit, and we should create jobs and make sure that more people are covered by healthcare, not less.

Instead, here we are, spending time on the floor of the House stripping away consumer protections and spending American taxpayer money on an unwanted border wall, in direct violation of President Trump's promise.

Madam Speaker, I oppose this rule, and I oppose the underlying legislation. I strongly urge my colleagues to vote "no" on both, and I yield back the balance of my time.

Mr. BUCK. Madam Speaker, I yield myself the balance of my time.

The Consumer Financial Protection Bureau has been a continuous example

of Federal overreach. Once again, bureaucrats in Washington have created a rule that will hurt consumers and make their lives more difficult.

The last 8 years of overregulation have crippled our economy. Today, we have a chance to end this antiarbitration rule and empower consumers with an alternative to spending years in a courtroom.

We can't let concerns about the trial lawyer lobby impact the way we treat consumers. Trial lawyers love this rule enacted by the Consumer Financial Protection Bureau because they will be the biggest beneficiaries. They will walk home with the big winnings, while the individuals who have been harmed walk away with little.

Arbitration allows harmed individuals to receive payouts on the merits of their case without enriching the pockets of trial lawyers at the same time. This legislation is for consumers. It is for the average American who relies on our financial system every day.

Madam Speaker, I thank Chairman SESSIONS and Chairman HENSARLING for bringing this bill to the floor. I urge my colleagues now to vote "yes" on the resolution, and then to vote "yes" on the underlying bill.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 468 OFFERED BY  
MR. POLIS

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2933) to promote effective registered apprenticeships, for skills, credentials, and employment, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 2933.

THE VOTE ON THE PREVIOUS QUESTION: WHAT  
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not

merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BUCK. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

Ms. FRANKEL of Florida. Mr. Speaker, I rise today in opposition of House Joint Resolu-

tion 111 which would eliminate the Consumer Financial Protection Bureau's rule prohibiting mandatory arbitration clauses in financial services contracts. These clauses, which are buried in the fine print of banking contracts, strip consumers who are scammed, cheated, or defrauded by big banks of their constitutional right to seek justice in our nation's courts. Instead, they force consumers to go through a secretive non-judicial process overseen by an arbitration provider chosen by the bank. According to a study conducted by the CFPB, when these disputes are resolved through arbitration, consumers receive relief in only 9 percent of claims and even when consumers do win, they recover, on average, only 12 cents for every dollar claimed. I support the CFPB rule and oppose this effort to allow big banks to deny customers access to the justice system.

The elimination of the forced arbitration rule protects the special interests of Wall Street and hurts consumers. I therefore urge my colleagues to vote no on this Resolution.

Mr. ELLISON. Mr. Speaker, for far too long, people's legal rights have been limited by the use of forced arbitration clauses in contracts for consumer financial products and services. Forced arbitration clauses, also called mandatory pre-dispute clauses, prevent cheated or defrauded American consumers from going to court to challenge wrongdoing by big banks, cell phone providers, auto leasing and auto financing firms, credit repair, payday lenders, debt collectors and credit card companies. Most arbitration clauses for financial products also prohibit consumers from participating in class actions. Forced arbitration clauses have been opposed by conservatives and progressives.

Forced arbitration is a secret process where consumers seek redress at private firms chosen by the financial institution. This rigged system is why banks and lenders receive more than a million dollars per year paid out to them by their customers in forced arbitration, compared to just \$86,216 returned to consumers. While advocates for the financial sector are correct that (sixteen) consumers recover an average of \$5,400 in arbitration every year, they leave out the fact that banks and lenders receive an average award of \$13,195 when they win—and they win 93 percent of the time. Indeed, a recent report found that consumers paid more restitution to Wells Fargo in arbitration than the other way around between 2009 and 2016, the prime years of its fake account scandal.

After years of effort, the Consumer Financial Protection Bureau finalized a rule restoring American consumers' right to join together in court when harmed by systemic and widespread misconduct in the financial marketplace. The rule does not eliminate forced arbitration, but it would make individual secret arbitration more transparent by publishing arbitration complaints and outcomes. It also permits class action lawsuits.

Instead of celebrating a rule that prevents financial interests from evading responsibility, Republicans seek to stop this rule under the Congressional Review Act (CRA). Today, they presented H.J. Res. 111.

It is a vote to prevent consumers from receiving adequate compensation for fraud, deceptive and predatory practices.

A vote for H.J. Res. 111 is a vote to deny Americans their constitutional right to access the legal process.

H.J. Res. 111 would protect companies like Wells Fargo that used arbitration clauses and class action bans to create fraudulent accounts, overcharge customers with debit fees and mortgages and avoid responsibility for misconduct. H.J. Res. 111 would remove federal protections for members of the military from evictions and repossessions while they are on active duty. And, H.J. Res. 111 would deny consumers the ability to get fair compensation for harm.

For those reasons, and more, we urge you to reject a resolution that shields companies from responsibility for risky and illegal conduct.

Today is another example to show the American people just how much Republicans want to rig the system for the powerful. A vote FOR this resolution is a vote to rig the rules to take money from the pockets of the American people and put it into the pockets of the financial sector.

H.J. Res. 111 puts the profits of banks, student loan, car loan and mobile wireless providers, credit card companies, payday lenders, debt collectors over the fair treatment of the American people.

How?

For far too long, people's legal rights have been limited by the use of forced arbitration clauses in contracts for consumer financial products and services. Forced arbitration clauses, also called mandatory pre-dispute arbitration clauses, prevent cheated or defrauded American consumers from going to court to challenge wrongdoing.

If your bank opens a fake account in your name, if your student loan lender refuses to adjust your loan due to your loss of income, if your bank re-orders your debit transactions to maximize overdraft fees, it was frequently impossible for you to join with others to sue the bank as part of a class action.

But two weeks ago, the Consumer Financial Protection Bureau responded to demands from consumers and changed the rules to protect consumers. The Consumer Bureau told banks and lenders they cannot keep their customers out of court. Class action lawsuits must be allowed. And, the Consumer Bureau ended the secrecy that surrounds the arbitration courts. Companies must report court filings, arbitration filings and rulings.

The vast majority of the American people, consumer groups like the Consumer Federation of America, the Military Coalition, and even conservative groups oppose forced arbitration.

A vote AGAINST H.J. Res. 111 is a vote to allow people to receive adequate compensation for fraud, deceptive and predatory practices.

A vote AGAINST H.J. Res. 111 is a vote to give Americans their constitutional right to access the legal process.

Please join me in voting against H.J. Res. 111.

I include in the RECORD various statement of opposition to the joint resolution.

[From National Consumer Law Center, July 2017]

#### SUMMARY OF CFPB RULE ON FORCED ARBITRATION

The Consumer Financial Protection Bureau (CFPB) has issued a rule addressing the

use of forced arbitration clauses in the fine print of financial contracts. The rule has two components:

1) Restores consumers' day in court and accountability when companies engage in widespread violations of the law. Contracts that have forced arbitration clauses will not be permitted to ban consumers from banding together by joining or bringing class actions involving consumer financial services.

2) Brings transparency to the secretive arbitration process. Companies that use forced arbitration in individual cases must report court filings, arbitration claims and rulings and other information to the CFPB (with identifying information redacted) so that the CFPB can study the impact of forced arbitration in individual cases.

The rule applies to the core consumer financial markets involving lending money, storing money, and moving or exchanging money. With some exceptions, the rule would cover most:

Loans and credit, including credit cards, payday loans, student loans, and auto loans (auto finance companies, not auto dealers, except some buy-here/pay-here dealers). Mortgages are already prohibited from having forced arbitration clauses. Providing leads, referrals, purchasing, selling and servicing credit are covered.

Bank accounts, prepaid cards, money transfer services and apps and remittances.

Credit reporting, credit scores, credit monitoring.

Credit repair, debt management, debt settlement, and debt relief services, including those that purport to avoid foreclosure. This includes debt relief involving medical debt, taxes, and other kinds of debt even if not credit related.

Check cashing, check collection, check guaranty services.

Auto leases, but not auto dealers who assign their leases.

Debt collection and payment processing related to these products or services.

Mobile wireless providers that allow third party charges through the wireless bill.

Key areas that are not covered include:

Auto dealers (other than some buy-here/pay-here dealers), such as claims related to discrimination, add-ons, lemon laws, odometer fraud, or deception about a car's history.

For-profit colleges and trade schools, unless the school directly makes loans.

Credit cards, bank accounts and other products begun before the rule goes into effect.

Services offered directly by governments or tribes to members within their jurisdiction. The rule does apply to tribal payday lenders who offer products off-reservation.

Investment products and services by entities regulated by the SEC.

Individuals and others who offer a product or service to 25 or fewer consumers a year.

Nonfinancial products and services, like nursing homes, cable/mobile providers (except for third party charges on bills), employers, or store payment plans that don't charge.

The rule applies to new contracts entered into 211 days after a final rule is published (likely Spring of 2018) and older contracts that are purchased or acquired after that date.

JULY 25, 2017.

Re OPPOSE H.J. Res. 111, Congressional Review Act resolution to repeal CFPB arbitration rule and block future reform of forced arbitration.

HOUSE OF REPRESENTATIVES,  
Washington, DC.

DEAR REPRESENTATIVE: Americans for Financial Reform and Public Citizen write to

urge your opposition to H.J. Res. 111, the resolution to repeal the Consumer Financial Protection Bureau (CFPB)'s arbitration rule under the Congressional Review Act (CRA) and block a similar future rule to protect consumers. This extreme legislative measure would harm the public by insulating bad actors from accountability when they systematically defraud consumers, and give lawbreakers a competitive edge in the marketplace as a result.

Based on five years of careful study and consideration mandated by the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010, this rule is the result of a Congressional directive instructing the agency to restrict or ban forced arbitration if it found the practice harmful to consumers. The rule centers on two commonsense measures: 1) it restores the right of consumers to join together in court by prohibiting class action bans, ensuring consumers can hold banks accountable for widespread harm, and 2) it brings transparency to individual arbitration by publishing claims and outcomes with sensitive information redacted, ensuring banks can no longer cover up illegal behavior.

According to a 2016 poll conducted by Pew Charitable Trusts, nearly 90% of consumers want their right to join together in class action lawsuits restored. Indeed, more than 100,000 individual consumers across the country wrote in to support the rule during its public comment period, as did the Military Coalition, representing 5.5 million servicemembers. Two weeks ago, 310 consumer, civil rights, faith, and labor organizations wrote to support the final rule.

All available data supports the conclusion that class action lawsuits hold bad actors accountable and enable harmed consumers to be made whole. Without the option to join together, just 25 consumers with claims of less than \$1,000 pursue arbitration each year. In contrast, class actions returned \$2.2 billion to 34 million Americans between 2008 and 2012, after deducting attorneys' fees and court costs. An independent study conducted by a former clerk for Justice Scalia reached similar conclusions, finding "even the harshest critics of consumer class actions would have to concede that the picture it paints is a fairly successful one."

While bank lobbyists suggest that consumers recover more money in arbitration than class actions, these claims are misleading at best and brazenly dishonest at worst. Even with class action bans currently a widespread presence in customer contracts, available data shows consumers still recover \$440 million more in class actions than arbitration every year, with nearly 7 million consumers receiving cash relief annually. Class actions also often result in injunctive relief and systemic reforms that benefit consumers who are not members of the class.

Big banks and lenders prefer forced arbitration precisely because the vast majority of consumers cannot and do not pursue claims in that forum. Though bank lobbyists loudly proclaim that consumers recover an average of \$5,400 in arbitration, they neglect to mention that this number is based on just sixteen consumers per year who receive any relief in arbitration, across all fifty states. Because arbitration is so time and resource-intensive for consumers compared to class action lawsuits, the consumers that choose to pursue arbitration tend to have high-dollar claims backed by strong evidence—and even these sixteen consumers recover an average of just nine cents for every dollar claimed.



It is no wonder that the financial industry prefers arbitration when consumers receive a total of just \$86,216 per year. If Wells Fargo had to pay \$5,400 each to even a small percentage of the thousands of customers defrauded in its fraudulent account scandal, surely it would switch sides in this debate. But forced arbitration not only allows banks and lenders to keep millions in illegal profits, it affirmatively lines their pockets with large awards paid out by consumers.

The same study that found sixteen consumers recover a total of \$86,216 in arbitration per year also found that banks and lenders receive more than a million dollars per year paid out to them by their customers in forced arbitration. While sixteen consumers recover an average of \$5,400 in arbitration every year, banks and lenders receive an average award of \$13,195 when they win—and they win 93% of the time. Indeed, a recent report found that consumers paid more restitution to Wells Fargo in arbitration than the other way around between 2009 and 2016, the prime years of its fake account scandal.

In addition to the high payouts banks and lenders receive in arbitration, the Wells Fargo scandal demonstrates how financial companies use secret arbitration proceedings to keep misconduct out of the public eye. After the CFPB led a \$185 million enforcement action against the bank for opening as many as 3.5 million fraudulent accounts and credit cards, reports revealed that customers had been trying to sue Wells Fargo over fake accounts since at least 2013. Yet the bank's lawyers used arbitration clauses buried in the fine print of the customers' other legitimate account contracts to force allegations of fraud out of public court—and the bank continued to profit from its illegal scheme for years.

Finally, real-life experience shows that restoring consumer class action rights will not increase costs or decrease availability of credit. Consumers saw no increase in price after Bank of America, JPMorgan Chase, Capital One, and HSBC dropped their forced arbitration clauses as a result of court-approved settlements. Similarly, mortgage rates did not increase after Congress banned forced arbitration in the mortgage market.

The CFPB arbitration rule will ensure that bad actors cannot turn fraud into a viable profit model to the detriment of law abiding institutions, including the many community banks and credit unions that largely do not include arbitration clauses in their customer contracts. This new rule simply allows consumers to enforce rights deemed crucial by state and federal protections and increases accountability and transparency, making the financial system stronger and safer for all of us. We urge you to reject H.J. Res. 111 and allow this data-driven, commonsense rule to take effect.

Sincerely,

AMERICANS FOR FINANCIAL REFORM  
& PUBLIC CITIZEN.

[From U.S. News and World Report, July 21, 2017]

THE GOP'S FOOLISH DECISION  
(By Dean Clancy)

Those who support overturning the arbitration rule are on the same side as corporate wrongdoers and sexual harassers.

Minimizing "lawsuit abuse" has long been a GOP priority. But overturning the anti-forced arbitration regulation issued this week by Consumer Financial Protection Bureau, as congressional Republican leaders are reportedly rushing to do, would be a political and policy mistake.

Forced arbitration clauses waive a customer's right to sue a company in case of a dispute. The fine-print provisions can be found nowadays in seemingly every contract we agree to, and every app we download.

Business lobbyists defend the clauses as voluntary agreements that minimize "lawsuit abuse" by "greedy" class-action trial attorneys. But in reality, the clauses are often imposed on consumers without informed consent, and are increasingly being used to shield corporate wrongdoing.

The new rule protects Americans from the negative effects of forced arbitration clauses in a host of financial contracts, such as credit cards, bank accounts and payday loans. The clauses are already banned in mortgages and real estate.

News reports suggest the House may vote as soon as next week on a formal "resolution of disapproval" of the CFPB regulation, which was authorized by Congress in 2010, formally proposed in 2016 and finalized this week.

A resolution of disapproval enables Congress to kill a federal regulation within 60 legislative session days following its formal publication, by means of a quick up-or-down, simple-majority vote, with no chance of amendment or filibuster. If the regulation is disapproved by the House, the Senate and the president, it is dead and may not be re-issued. This procedure has been used successfully to overturn fourteen regulations to date, all but one of them in the past six months.

Last week when CFPB announced the new rule, prominent Beltway Republicans cried foul: Rep. Jeb Hensarling of Texas, chairman of the powerful House banking committee, denounced the reg as a "big, wet kiss" to the trial lawyers. Sen. Tom Cotton of Arkansas vowed to kill the regulation swiftly.

The U.S. Chamber of Commerce urged Congress to kill not only this regulation, but every CFPB rule, on grounds the agency is unconstitutional and therefore all of its actions are invalid.

The GOP would be terribly foolish to go down this road, for three reasons. Forced arbitration is: (1) unconscionable; (2) unconstitutional and (3) a big political loser.

1. Unconscionable. Here are some examples of the kind of behavior CFPB's reg is trying to prevent.

Wells Fargo Bank admitted its employees systematically created millions of sham bank accounts in its customers' names, and then in many cases fraudulently billed those same customers for fees and services they never agreed to. Executives of the megabank knew this was happening but did nothing. Then, they decided to blame 5,300 "rogue employees, who were summarily fired. Now, to ward off thousands of lawsuits, the company is hiding behind binding arbitration clauses in its victims' contracts.

Roger Ailes, the now-deceased executive of Fox News, was accused, before his death, by multiple female employees of sexual harassment. To keep the women's allegations out of court, and to forestall a long line of past accusers from taking the witness stand, he invoked clauses in his employees' hiring contracts requiring any disputes be handled through a private, highly secretive arbitration process.

Military readiness has been negatively affected by unscrupulous payday lenders who prey on military servicemembers and veterans. The victims become overly indebted thanks to exorbitant interest rates and hidden fees they don't understand, and then find themselves unable to obtain relief thanks to

forced-arbitration clauses. Because of this, the Military Coalition, which represents nearly 6 million uniformed service members, veterans and their families, has formally petitioned Congress to ban the clauses.

2. Unconstitutional. Question: If binding arbitration clauses are so bad, why are they so common? Because a series of Supreme Court rulings (the most recent one in May) have effectively overturned the traditional common-law understanding of arbitration. In past centuries, arbitration was understood as a voluntary option that is fair only when both parties are of roughly equal bargaining power or else have agreed to it freely after a dispute has arisen.

In lieu of that reasonable understanding, the Court has substituted a doctrine "right of contract" that allows a powerful party to effectively force a weaker party to waive his or her constitutional right to sue, before a dispute has arisen and often without informed consent. This transformation defies common sense and severely weakens Americans' Seventh Amendment right to a jury trial.

Today, arbitration has devolved into a private star-chamber that's stacked in favor of the accused corporation—which, unsurprisingly, usually wins.

Is the CFPB itself unconstitutional? Yes, in my opinion. But so is forced arbitration. And Congress has a duty to protect our right to a jury trial.

Instead of lashing out at the agency by overturning this regulation, Congress should do the right thing and amend the Federal Arbitration Act to make binding arbitration agreements truly voluntary for all Americans, as the Constitution requires. Having done so, it could then, at its leisure, reform (or, as I would prefer, abolish) the controversial agency.

3. A Political Loser. Those who vote to overturn the CFPB regulation will be placing themselves on the side of accused sexual harassers, corporate wrongdoers and unscrupulous payday lenders who exploit our troops.

If Republicans are politically sensible—or just have an ounce of self-respect—they'll take the high road and let this reasonable rule stand.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 229, nays 184, not voting 20, as follows:

[Roll No. 410]

YEAS—229

|            |             |             |
|------------|-------------|-------------|
| Abraham    | Barton      | Brat        |
| Aderholt   | Bergman     | Bridenstine |
| Allen      | Biggs       | Brooks (IN) |
| Amash      | Bilirakis   | Buchanan    |
| Amodei     | Bishop (MI) | Buck        |
| Arrington  | Bishop (UT) | Bucshon     |
| Babin      | Black       | Budd        |
| Bacon      | Blackburn   | Burgess     |
| Banks (IN) | Blum        | Byrne       |
| Barletta   | Bost        | Calvert     |
| Barr       | Brady (TX)  | Carter (GA) |



|                 |              |                   |                     |               |                |                 |               |                   |
|-----------------|--------------|-------------------|---------------------|---------------|----------------|-----------------|---------------|-------------------|
| Carter (TX)     | Hurd         | Ratcliffe         | Kaptur              | Meeks         | Schneider      | Brady (TX)      | Hice, Jody B. | Poe (TX)          |
| Chabot          | Issa         | Reed              | Keating             | Meng          | Schrader       | Brat            | Higgins (LA)  | Poliquin          |
| Coffman         | Jenkins (KS) | Reichert          | Kelly (IL)          | Moore         | Scott (VA)     | Bridenstine     | Hill          | Posey             |
| Cole            | Jenkins (WV) | Rice (SC)         | Kennedy             | Moulton       | Scott, David   | Brooks (IN)     | Holding       | Ratcliffe         |
| Collins (GA)    | Johnson (LA) | Roby              | Khanna              | Murphy (FL)   | Serrano        | Buchanan        | Hollingsworth | Reed              |
| Collins (NY)    | Johnson (OH) | Roe (TN)          | Kihuen              | Nadler        | Sewell (AL)    | Buck            | Hudson        | Reichert          |
| Comer           | Johnson, Sam | Rogers (AL)       | Kildee              | Neal          | Shea-Porter    | Bucshon         | Huizenga      | Rice (SC)         |
| Comstock        | Jones        | Rogers (KY)       | Kilmer              | Nolan         | Sherman        | Budd            | Hultgren      | Roby              |
| Conaway         | Jordan       | Rohrabacher       | Kind                | Norcross      | Sinema         | Burgess         | Hunter        | Roe (TN)          |
| Cook            | Joyce (OH)   | Rokita            | Krishnamoorthi      | O'Halleran    | Sires          | Byrne           | Hurd          | Rogers (AL)       |
| Crawford        | Katko        | Rooney, Francis   | Kuster (NH)         | O'Rourke      | Slaughter      | Calvert         | Issa          | Rogers (KY)       |
| Culberson       | Kelly (MS)   | Rooney, Thomas J. | Larsen (WA)         | Pallone       | Smith (WA)     | Carter (GA)     | Jenkins (KS)  | Rohrabacher       |
| Curbelo (FL)    | Kelly (PA)   |                   | Larson (CT)         | Panetta       | Soto           | Carter (TX)     | Jenkins (WV)  | Rokita            |
| Davidson        | King (IA)    | Ros-Lehtinen      | Lawrence            | Pascrell      | Speier         | Chabot          | Johnson (LA)  | Rooney, Francis   |
| Davis, Rodney   | King (NY)    | Roskam            | Lawson (FL)         | Payne         | Suozzi         | Cheney          | Johnson (OH)  | Rooney, Thomas J. |
| Denham          | Kinzinger    | Ross              | Lee                 | Pelosi        | Swalwell (CA)  | Coffman         | Johnson, Sam  |                   |
| Dent            | Knight       | Rothfus           | Levin               | Perlmutter    | Takano         | Cole            | Jones         | Ros-Lehtinen      |
| DeSantis        | Kustoff (TN) | Rouzer            | Lewis (GA)          | Peters        | Thompson (CA)  | Collins (GA)    | Jordan        | Roskam            |
| DesJarlais      | Labrador     | Royce (CA)        | Lieu, Ted           | Peterson      | Thompson (MS)  | Collins (NY)    | Joyce (OH)    | Ross              |
| Diaz-Balart     | LaHood       | Russell           | Lipinski            | Pingree       | Titus          | Comer           | Katko         | Rothfus           |
| Donovan         | LaMalfa      | Rutherford        | Loeb sack           | Pocan         | Tonko          | Comstock        | Kelly (MS)    | Rouzer            |
| Duffy           | Lamborn      | Sanford           | Lofgren             | Polis         | Torres         | Conaway         | Kelly (PA)    | Royce (CA)        |
| Duncan (TN)     | Lance        | Schweikert        | Lowenthal           | Price (NC)    | Tsongas        | Cook            | King (IA)     | Russell           |
| Dunn            | Latta        | Scott, Austin     | Lowe y              | Quigley       | Vargas         | Cramer          | King (NY)     | Rutherford        |
| Emmer           | Lewis (MN)   | Sensenbrenner     | Lujan Grisham, M.   | Raskin        | Veasey         | Crawford        | Kinzinger     | Sanford           |
| Estes (KS)      | LoBiondo     | Sessions          | Lujan, Ben Ray      | Rice (NY)     | Vela           | Culberson       | Knight        | Schweikert        |
| Farenthold      | Long         | Shimkus           | Lynch               | Rosen         | Velázquez      | Curbelo (FL)    | Kustoff (TN)  | Scott, Austin     |
| Faso            | Loudermilk   | Shuster           | Maloney, Carolyn B. | Roybal-Allard | Visclosky      | Davidson        | Labrador      | Sensenbrenner     |
| Ferguson        | Love         | Simpson           | Maloney, Sean       | Ruiz          | Walz           | Davis, Rodney   | LaHood        | Sessions          |
| Fitzpatrick     | Lucas        | Smith (MO)        | Matsui              | Ruppersberger | Wasserman      | Denham          | LaMalfa       | Shimkus           |
| Fleischmann     | Luetkemeyer  | Smith (NE)        | McCollum            | Rush          | Schultz        | Dent            | Lamborn       | Shuster           |
| Flores          | MacArthur    | Smith (NJ)        | McEachin            | Ryan (OH)     | Waters, Maxine | DeSantis        | Lance         | Simpson           |
| Fortenberry     | Marchant     | Smith (TX)        | McGovern            | Sánchez       | Watson Coleman | DesJarlais      | Latta         | Smith (MO)        |
| Fox             | Marino       | Smucker           | McNerney            | Sarbanes      | Welch          | Diaz-Balart     | Lewis (MN)    | Smith (NE)        |
| Franks (AZ)     | Marshall     | Stefanik          |                     | Schakowsky    | Wilson (FL)    | Donovan         | LoBiondo      | Smith (NJ)        |
| Frelinghuysen   | Massie       | Stewart           |                     | Schiff        | Yarmuth        | Duffy           | Long          | Smith (TX)        |
| Gaetz           | Mast         | Stivers           |                     |               |                | Duncan (SC)     | Loudermilk    | Smucker           |
| Gallagher       | McCarthy     | Taylor            |                     |               |                | Duncan (TN)     | Love          | Stefanik          |
| Garrett         | McCaul       | Tenney            |                     |               |                | Dunn            | Lucas         | Stewart           |
| Gianforte       | McClintock   | Thompson (PA)     |                     |               |                | Emmer           | Luetkemeyer   | Stivers           |
| Gibbs           | McHenry      | Thornberry        |                     |               |                | Estes (KS)      | MacArthur     | Taylor            |
| Gohmert         | McKinley     | Tiberi            |                     |               |                | Farenthold      | Marchant      | Tenney            |
| Goodlatte       | McMorris     | Tipton            |                     |               |                | Faso            | Marino        | Thompson (PA)     |
| Gosar           | Rodgers      | Trott             |                     |               |                | Ferguson        | Marshall      | Thornberry        |
| Gowdy           | McSally      | Turner            |                     |               |                | Fitzpatrick     | Massie        | Tiberi            |
| Granger         | Meehan       | Upton             |                     |               |                | Fleischmann     | Mast          | Tipton            |
| Graves (GA)     | Messer       | Valadao           |                     |               |                | Flores          | McCarthy      | Trott             |
| Graves (LA)     | Mitchell     | Wagner            |                     |               |                | Fortenberry     | McCaul        | Turner            |
| Griffith        | Moolenaar    | Walberg           |                     |               |                | Fox             | McClintock    | Upton             |
| Grothman        | Mooney (WV)  | Walden            |                     |               |                | Franks (AZ)     | McHenry       | Valadao           |
| Guthrie         | Mullin       | Walker            |                     |               |                | Frelinghuysen   | McKinley      | Wagner            |
| Handel          | Murphy (PA)  | Walorski          |                     |               |                | Gaetz           | McMorris      | Walberg           |
| Harper          | Newhouse     | Walters, Mimi     |                     |               |                | Gallagher       | Rodgers       | Walden            |
| Harris          | Noem         | Weber (TX)        |                     |               |                | Garrett         | McSally       | Walker            |
| Hartzler        | Norman       | Webster (FL)      |                     |               |                | Gianforte       | Meehan        | Walorski          |
| Hensarling      | Nunes        | Westerman         |                     |               |                | Gibbs           | Messner       | Walters, Mimi     |
| Herrera Beutler | Olson        | Williams          |                     |               |                | Gohmert         | Mitchell      | Weber (TX)        |
| Hice, Jody B.   | Palazzo      | Wilson (SC)       |                     |               |                | Goodlatte       | Moolenaar     | Webster (FL)      |
| Higgins (LA)    | Palmer       | Womack            |                     |               |                | Gosar           | Mooney (WV)   | Westerman         |
| Hill            | Paulsen      | Woodall           |                     |               |                | Gowdy           | Mullin        | Williams          |
| Holding         | Pearce       | Yoder             |                     |               |                | Granger         | Murphy (PA)   | Wittman           |
| Hollingsworth   | Perry        | Young (AK)        |                     |               |                | Graves (GA)     | Newhouse      | Womack            |
| Hudson          | Pittenger    | Young (IA)        |                     |               |                | Graves (LA)     | Noem          | Woodall           |
| Huizenga        | Poe (TX)     | Zeldin            |                     |               |                | Griffith        | Norman        | Yoder             |
| Hultgren        | Poliquin     |                   |                     |               |                | Grothman        | Nunes         | Young (AK)        |
| Hunter          | Posey        |                   |                     |               |                | Guthrie         | Olson         | Young (IA)        |
|                 |              |                   |                     |               |                | Handel          | Palazzo       | Zeldin            |
|                 |              |                   |                     |               |                | Harper          | Palmer        |                   |
|                 |              |                   |                     |               |                | Harris          | Paulsen       |                   |
|                 |              |                   |                     |               |                | Hartzler        | Pearce        |                   |
|                 |              |                   |                     |               |                | Hensarling      | Perry         |                   |
|                 |              |                   |                     |               |                | Herrera Beutler | Pittenger     |                   |

## NAYS—184

|                   |                   |                |
|-------------------|-------------------|----------------|
| Adams             | Clarke (NY)       | Engel          |
| Aguilar           | Clay              | Eshoo          |
| Barragán          | Cleaver           | Espallat       |
| Beatty            | Clyburn           | Esty (CT)      |
| Bera              | Cohen             | Evans          |
| Beyer             | Connolly          | Foster         |
| Bishop (GA)       | Conyers           | Gabbard        |
| Blumenauer        | Cooper            | Gallego        |
| Blunt Rochester   | Correa            | Garamendi      |
| Bonamici          | Costa             | Gomez          |
| Boyle, Brendan F. | Courtney          | Gonzalez (TX)  |
| Brady (PA)        | Crist             | Gotthelmer     |
| Brown (MD)        | Cuellar           | Green, Gene    |
| Brownley (CA)     | Davis (CA)        | Grijalva       |
| Bustos            | DeFazio           | Gutiérrez      |
| Butterfield       | DeGette           | Hanabusa       |
| Capuano           | Delaney           | Hastings       |
| Carbajal          | DeLauro           | Heck           |
| Cárdenas          | DelBene           | Higgins (NY)   |
| Carson (IN)       | Demings           | Himes          |
| Cartwright        | DeSaulnier        | Hoyer          |
| Castor (FL)       | Deutch            | Huffman        |
| Castro (TX)       | Dingell           | Jackson Lee    |
| Chu, Judy         | Doggett           | Jayapal        |
| Cicilline         | Doyle, Michael F. | Jeffries       |
| Clark (MA)        | Ellison           | Johnson (GA)   |
|                   |                   | Johnson, E. B. |

## NOT VOTING—20

|               |              |            |
|---------------|--------------|------------|
| Bass          | Davis, Danny | Meadows    |
| Brooks (AL)   | Duncan (SC)  | Napolitano |
| Cheney        | Frankel (FL) | Renacci    |
| Costello (PA) | Fudge        | Richmond   |
| Cramer        | Graves (MO)  | Scalise    |
| Crowley       | Green, Al    | Wittman    |
| Cummings      | Langevin     |            |

□ 1330

So the previous question was ordered.  
The result of the vote was announced as above recorded.

Stated for:

Mr. WITTMAN. Madam Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 410.

Ms. CHENEY. Madam Speaker, I was unavoidably detained in a meeting with the Chief of Naval Operations. Had I been present, I would have voted "yea" on rollcall No. 410.

Stated against:

Mr. LANGEVIN. Madam Speaker, on rollcall vote No. 410 I was unavoidably detained. Had I been present, I would have voted "nay."

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. POLIS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 188, not voting 12, as follows:

[Roll No. 411]

## AYES—233

|           |            |             |
|-----------|------------|-------------|
| Abraham   | Bacon      | Bilirakis   |
| Aderholt  | Banks (IN) | Bishop (MI) |
| Allen     | Barletta   | Bishop (UT) |
| Amash     | Barr       | Black       |
| Amodei    | Barton     | Blackburn   |
| Arrington | Bergman    | Blum        |
| Babin     | Biggs      | Bost        |

## NOES—188

|                   |             |                   |
|-------------------|-------------|-------------------|
| Adams             | Cartwright  | DeGette           |
| Aguilar           | Castor (FL) | Delaney           |
| Barragán          | Castro (TX) | DeLauro           |
| Beatty            | Chu, Judy   | DelBene           |
| Bera              | Cicilline   | Demings           |
| Beyer             | Clark (MA)  | DeSaulnier        |
| Bishop (GA)       | Clarke (NY) | Deutch            |
| Blumenauer        | Clay        | Dingell           |
| Blunt Rochester   | Cleaver     | Doggett           |
| Bonamici          | Clyburn     | Doyle, Michael F. |
| Boyle, Brendan F. | Cohen       | Ellison           |
| Brady (PA)        | Connolly    | Engel             |
| Brown (MD)        | Conyers     | Eshoo             |
| Brownley (CA)     | Cooper      | Espallat          |
| Capuano           | Correa      | Esty (CT)         |
| Carbajal          | Costa       | Evans             |
| Cárdenas          | Courtney    | Foster            |
| Carson (IN)       | Crist       | Frankel (FL)      |
|                   | Cuellar     | Fudge             |
|                   | Davis (CA)  | Gabbard           |
|                   | DeFazio     |                   |

Gallego  
Garamendi  
Gomez  
Gonzalez (TX)  
Gottheimer  
Green, Gene  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lieu, Ted  
Lipinski  
Loeback  
Lofgren  
Lowenthal

Lowey  
Lujan Grisham,  
M.  
Luján, Ben Ray  
Lynch  
Maloney,  
Carolyn B.  
Maloney, Sean  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Neal  
Nolan  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascarell  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Richmond  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger

Rush  
Ryan (OH)  
Sánchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Slaughter  
Smith (WA)  
Soto  
Speier  
Suzuki  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

NOT VOTING—12

Bass  
Brooks (AL)  
Costello (PA)  
Crowley

Cummings  
Davis, Danny  
Graves (MO)  
Green, Al

Meadows  
Napolitano  
Renacci  
Scalise

□ 1337

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

#### MEDICARE PART B IMPROVEMENT ACT OF 2017

Mr. BRADY of Texas. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3178) to amend title XVIII of the Social Security Act to improve the delivery of home infusion therapy and dialysis and the application of the Stark rule under the Medicare program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3178

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Medicare Part B Improvement Act of 2017”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—IMPROVEMENTS IN PROVISION OF HOME INFUSION THERAPY

Sec. 101. Home infusion therapy services temporary transitional payment.

Sec. 102. Extension of Medicare Patient IVIG Access Demonstration Project.

Sec. 103. Orthotist's and prosthetist's clinical notes as part of the patient's medical record.

#### TITLE II—IMPROVEMENTS IN DIALYSIS SERVICES

Sec. 201. Independent accreditation for dialysis facilities and assurance of high quality surveys.

Sec. 202. Expanding access to home dialysis therapy.

#### TITLE III—IMPROVEMENTS IN APPLICATION OF STARK RULE

Sec. 301. Modernizing the application of the Stark rule under Medicare.

Sec. 302. Funds from the Medicare Improvement Fund.

#### TITLE I—IMPROVEMENTS IN PROVISION OF HOME INFUSION THERAPY

##### SEC. 101. HOME INFUSION THERAPY SERVICES TEMPORARY TRANSITIONAL PAYMENT.

(a) IN GENERAL.—Section 1834(u) of the Social Security Act (42 U.S.C. 1395m(u)) is amended, by adding at the end the following new paragraph:

“(7) HOME INFUSION THERAPY SERVICES TEMPORARY TRANSITIONAL PAYMENT.—

“(A) TEMPORARY TRANSITIONAL PAYMENT.—

“(i) IN GENERAL.—The Secretary shall, in accordance with the payment methodology described in subparagraph (B) and subject to the provisions of this paragraph, provide a home infusion therapy services temporary transitional payment under this part to an eligible home infusion supplier (as defined in subparagraph (F)) for items and services described in subparagraphs (A) and (B) of section 1861(iii)(2) furnished during the period specified in clause (ii) by such supplier in coordination with the furnishing of transitional home infusion drugs (as defined in clause (iii)).

“(ii) PERIOD SPECIFIED.—For purposes of clause (i), the period specified in this clause is the period beginning on January 1, 2019, and ending on the day before the date of the implementation of the payment system under paragraph (1)(A).

“(iii) TRANSITIONAL HOME INFUSION DRUG DEFINED.—For purposes of this paragraph, the term ‘transitional home infusion drug’ has the meaning given to the term ‘home infusion drug’ under section 1861(iii)(3)(C), except that clause (ii) of such section shall not apply if a drug described in such clause is identified in clauses (i), (ii), (iii) or (iv) of subparagraph (C) as of the date of the enactment of this paragraph.

“(B) PAYMENT METHODOLOGY.—For purposes of this paragraph, the Secretary shall establish a payment methodology, with respect to items and services described in subparagraph (A)(i). Under such payment methodology the Secretary shall—

“(i) create the three payment categories described in clauses (i), (ii), and (iii) of subparagraph (C);

“(ii) assign drugs to such categories, in accordance with such clauses;

“(iii) assign appropriate Healthcare Common Procedure Coding System (HCPCS) codes to each payment category; and

“(iv) establish a single payment amount for each such payment category, in accordance with subparagraph (D), for each infusion drug administration calendar day in the individual's home for drugs assigned to such category.

“(C) PAYMENT CATEGORIES.—

“(i) PAYMENT CATEGORY 1.—The Secretary shall create a payment category 1 and assign to such category drugs which are covered under the Local Coverage Determination on External Infusion Pumps (LCD number L33794) and billed with the following HCPCS codes (as identified as of July 1, 2017, and as subsequently modified by the Secretary): J0133, J0285, J0287, J0288, J0289, J0895, J1170, J1250, J1265, J1325, J1455, J1457, J1570, J2175, J2260, J2270, J2274, J2278, J3010, or J3285.

“(ii) PAYMENT CATEGORY 2.—The Secretary shall create a payment category 2 and assign to such category drugs which are covered under such local coverage determination and billed with the following HCPCS codes (as identified as of July 1, 2017, and as subsequently modified by the Secretary): J1559 JB, J1561 JB, J1562 JB, J1569 JB, or J1575 JB.

“(iii) PAYMENT CATEGORY 3.—The Secretary shall create a payment category 3 and assign to such category drugs which are covered under such local coverage determination and billed with the following HCPCS codes (as identified as of July 1, 2017, and as subsequently modified by the Secretary): J9000, J9039, J9040, J9065, J9100, J9190, J9200, J9360, or J9370.

“(iv) INFUSION DRUGS NOT OTHERWISE INCLUDED.—With respect to drugs that are not included in payment category 1, 2, or 3 under clause (i), (ii), or (iii), respectively, the Secretary shall assign to the most appropriate of such categories, as determined by the Secretary, drugs which are—

“(I) covered under such local coverage determination and billed under HCPCS codes J7799 or J7999 (as identified as of July 1, 2017, and as subsequently modified by the Secretary); or

“(II) billed under any code that is implemented after the date of the enactment of this paragraph and included in such local coverage determination or included in sub-regulatory guidance as a home infusion drug described in subparagraph (A)(i).

“(D) PAYMENT AMOUNTS.—

“(i) IN GENERAL.—Under the payment methodology, the Secretary shall pay eligible home infusion suppliers, with respect to items and services described in subparagraph (A)(i) furnished during the period described in subparagraph (A)(ii) by such supplier to an individual, at amounts equal to the amounts determined under the physician fee schedule established under section 1848 for services furnished during the year for codes and units of such codes described in clauses (ii), (iii), and (iv) with respect to drugs included in the payment category under subparagraph (C) specified in the respective clause, determined without application of the geographic adjustment under subsection (e) of such section.

“(ii) PAYMENT AMOUNT FOR CATEGORY 1.—For purposes of clause (i), the codes and units described in this clause, with respect to drugs included in payment category 1 described in subparagraph (C)(i), are one unit

of HCPCS code 96365 plus four units of HCPCS code 96366 (as identified as of July 1, 2017, and as subsequently modified by the Secretary).

“(iii) PAYMENT AMOUNT FOR CATEGORY 2.—For purposes of clause (i), the codes and units described in this clause, with respect to drugs included in payment category 2 described in subparagraph (C)(i), are one unit of HCPCS code 96369 plus four units of HCPCS code 96370 (as identified as of July 1, 2017, and as subsequently modified by the Secretary).

“(iv) PAYMENT AMOUNT FOR CATEGORY 3.—For purposes of clause (i), the codes and units described in this clause, with respect to drugs included in payment category 3 described in subparagraph (C)(i), are one unit of HCPCS code 96413 plus four units of HCPCS code 96415 (as identified as of July 1, 2017, and as subsequently modified by the Secretary).

“(E) CLARIFICATIONS.—

“(i) INFUSION DRUG ADMINISTRATION DAY.—For purposes of this subsection, a reference, with respect to the furnishing of transitional home infusion drugs or home infusion drugs to an individual by an eligible home infusion supplier, to payment to such supplier for an infusion drug administration calendar day in the individual’s home shall refer to payment only for the date on which professional services (as described in section 1861(iii)(2)(A)) were furnished to administer such drugs to such individual. For purposes of the previous sentence, an infusion drug administration calendar day shall include all such drugs administered to such individual on such day.

“(ii) TREATMENT OF MULTIPLE DRUGS ADMINISTERED ON SAME INFUSION DRUG ADMINISTRATION DAY.—In the case that an eligible home infusion supplier, with respect to an infusion drug administration calendar day in an individual’s home, furnishes to such individual transitional home infusion drugs which are not all assigned to the same payment category under subparagraph (C), payment to such supplier for such infusion drug administration calendar day in the individual’s home shall be a single payment equal to the amount of payment under this paragraph for the drug, among all such drugs so furnished to such individual during such calendar day, for which the highest payment would be made under this paragraph.

“(F) ELIGIBLE HOME INFUSION SUPPLIERS.—In this paragraph, the term ‘eligible home infusion supplier’ means a supplier that is enrolled under this part as a pharmacy that provides external infusion pumps and external infusion pump supplies and that maintains all pharmacy licensure requirements in the State in which the applicable infusion drugs are administered.

“(G) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary may implement this paragraph by program instruction or otherwise.”.

(b) CONFORMING AMENDMENT.—Section 1842(b)(6)(I) of the Social Security Act (42 U.S.C. 1395u(b)(6)(I)) is amended by inserting “or, in the case of items and services described in clause (i) of section 1834(u)(7)(A) furnished to an individual during the period described in clause (ii) of such section, payment shall be made to the eligible home infusion therapy supplier” after “payment shall be made to the qualified home infusion therapy supplier”.

#### SEC. 102. EXTENSION OF MEDICARE PATIENT IVIG ACCESS DEMONSTRATION PROJECT.

Section 101(b) of the Medicare IVIG Access and Strengthening Medicare and Repaying

Taxpayers Act of 2012 (42 U.S.C. 1395l note) is amended—

(1) in paragraph (1), by inserting after “for a period of 3 years” the following: “and, subject to the availability of funds under subsection (g)—

“(A) if the date of enactment of the Medicare Part B Improvement Act of 2017 is on or before September 30, 2017, for the period beginning on October 1, 2017, and ending on December 31, 2020; and

“(B) if the date of enactment of such Act is after September 30, 2017, for the period beginning on the date of enactment of such Act and ending on December 31, 2020”;

(2) in paragraph (2), by adding at the end the following new sentences: “Subject to the preceding sentence, a Medicare beneficiary enrolled in the demonstration project on September 30, 2017, shall be automatically enrolled during the period beginning on the date of the enactment of the Medicare Part B Improvement Act of 2017 and ending on December 31, 2020, without submission of another application. Chapter 35 of title 44, United States Code, shall not apply to any application form used for a Medicare beneficiary who enrolls in the demonstration project on or after such date of enactment.”.

#### SEC. 103. ORTHOTIST'S AND PROSTHETIST'S CLINICAL NOTES AS PART OF THE PATIENT'S MEDICAL RECORD.

Section 1834(h) of the Social Security Act (42 U.S.C. 1395m(h)) is amended by adding at the end the following new paragraph:

“(5) DOCUMENTATION CREATED BY ORTHOTISTS AND PROSTHETISTS.—For purposes of determining the reasonableness and medical necessity of orthotics and prosthetics, documentation created by an orthotist or prosthetist shall be considered part of the individual’s medical record to support documentation created by eligible professionals described in section 1848(k)(3)(B).”.

#### TITLE II—IMPROVEMENTS IN DIALYSIS SERVICES

#### SEC. 201. INDEPENDENT ACCREDITATION FOR DIALYSIS FACILITIES AND ASSURANCE OF HIGH QUALITY SURVEYS.

(a) ACCREDITATION AND SURVEYS.—

(1) IN GENERAL.—Section 1865 of the Social Security Act (42 U.S.C. 1395bb) is amended—

(A) in subsection (a)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking “or the conditions and requirements under section 1881(b)”;

(ii) in paragraph (4), by inserting “(including a renal dialysis facility)” after “facility”;

(B) by adding at the end the following new subsection:

“(e) With respect to an accreditation body that has received approval from the Secretary under subsection (a)(3)(A) for accreditation of provider entities that are required to meet the conditions and requirements under section 1881(b), in addition to review and oversight authorities otherwise applicable under this title, the Secretary shall (as the Secretary determines appropriate) conduct, with respect to such accreditation body and provider entities, any or all of the following as frequently as is otherwise required to be conducted under this title with respect to other accreditation bodies or other provider entities:

“(1) Validation surveys referred to in subsection (d).

“(2) Accreditation program reviews (as defined in section 488.8(c) of title 42 of the Code of Federal Regulations, or a successor regulation).

“(3) Performance reviews (as defined in section 488.8(a) of title 42 of the Code of Fed-

eral Regulations, or a successor regulation).”.

(2) TIMING FOR ACCEPTANCE OF REQUESTS FROM ACCREDITATION ORGANIZATIONS.—Not later than 90 days after the date of enactment of this Act, the Secretary of Health and Human Services shall begin accepting requests from national accreditation bodies for a finding described in section 1865(a)(3)(A) of the Social Security Act (42 U.S.C. 1395bb(a)(3)(A)) for purposes of accrediting provider entities that are required to meet the conditions and requirements under section 1881(b) of such Act (42 U.S.C. 1395rr(b)).

(b) REQUIREMENT FOR TIMING OF SURVEYS OF NEW DIALYSIS FACILITIES.—Section 1881(b)(1) of the Social Security Act (42 U.S.C. 1395rr(b)(1)) is amended by adding at the end the following new sentence: “Beginning 180 days after the date of the enactment of this sentence, an initial survey of a provider of services or a renal dialysis facility to determine if the conditions and requirements under this paragraph are met shall be initiated not later than 90 days after such date on which both the provider enrollment form (without regard to whether such form is submitted prior to or after such date of enactment) has been determined by the Secretary to be complete and the provider’s enrollment status indicates approval is pending the results of such survey.”.

#### SEC. 202. EXPANDING ACCESS TO HOME DIALYSIS THERAPY.

(a) ALLOWING USE OF TELEHEALTH FOR MONTHLY END STAGE RENAL DISEASE-RELATED VISITS.—

(1) IN GENERAL.—Paragraph (3) of section 1881(b) of the Social Security Act (42 U.S.C. 1395rr(b)) is amended—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(B) in clause (i), as redesignated by subparagraph (A), by striking “under this subparagraph” and inserting “under this clause”;

(C) in clause (ii), as redesignated by subparagraph (A), by inserting “subject to subparagraph (B),” before “on a comprehensive”;

(D) by striking “With respect to” and inserting “(A) With respect to”;

(E) by adding at the end the following new subparagraph:

“(B)(i) Subject to clause (ii), an individual who is determined to have end stage renal disease and who is receiving home dialysis may choose to receive monthly end stage renal disease-related visits, furnished on or after January 1, 2019, via telehealth.

“(ii) Clause (i) shall apply to an individual only if the individual receives a face-to-face visit, without the use of telehealth—

“(I) in the case of the initial three months of home dialysis of such individual, at least monthly; and

“(II) after such initial three months, at least once every three consecutive months.”.

(2) CONFORMING AMENDMENT.—Paragraph (1) of such section is amended by striking “paragraph (3)(A)” and inserting “paragraph (3)(A)(i)”.

(b) EXPANDING ORIGINATING SITES FOR TELEHEALTH TO INCLUDE RENAL DIALYSIS FACILITIES AND THE HOME FOR PURPOSES OF MONTHLY END STAGE RENAL DISEASE-RELATED VISITS.—

(1) IN GENERAL.—Section 1834(m) of the Social Security Act (42 U.S.C. 1395m(m)) is amended—

(A) in paragraph (4)(C)(ii), by adding at the end the following new subclauses:

“(IX) A renal dialysis facility, but only for purposes of section 1881(b)(3)(B).

“(X) The home of an individual, but only for purposes of section 1881(b)(3)(B).”; and

(B) by adding at the end the following new paragraph:

“(5) TREATMENT OF HOME DIALYSIS MONTHLY ESRD-RELATED VISIT.—The geographic requirements described in paragraph (4)(C)(i) shall not apply with respect to telehealth services furnished on or after January 1, 2019, for purposes of section 1881(b)(3)(B), at an originating site described in subclause (VI), (IX), or (X) of paragraph (4)(C)(ii), subject to applicable State law requirements, including State licensure requirements.”.

(2) NO FACILITY FEE IF ORIGINATING SITE FOR HOME DIALYSIS THERAPY IS THE HOME.—Section 1834(m)(2)(B) of the Social Security Act (42 U.S.C. 1395m(m)(2)(B)) is amended—

(A) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and by indenting each of such subclauses 2 ems to the right;

(B) in subclause (II), as redesignated by subparagraph (A), by striking “clause (i) or this clause” and inserting “subclause (I) or this subclause”;

(C) by striking “SITE.—With respect to” and inserting “SITE.—

“(i) IN GENERAL.—Subject to clause (ii), with respect to”; and

(D) by adding at the end the following new clause:

“(ii) NO FACILITY FEE IF ORIGINATING SITE FOR HOME DIALYSIS THERAPY IS THE HOME.—No facility fee shall be paid under this subparagraph to an originating site described in subclause (X) of paragraph (4)(C)(ii).”.

(c) CLARIFICATION REGARDING TELEHEALTH PROVIDED TO BENEFICIARIES.—Section 1128A(i)(6) of the Social Security Act (42 U.S.C. 1320a-7a(i)(6)) is amended—

(1) in subparagraph (H), by striking “; or” and inserting a semicolon;

(2) in subparagraph (I), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following new subparagraph:

“(J) the provision of telehealth technologies on or after January 1, 2019, to individuals with end stage renal disease under title XVIII by a health care provider for the purpose of furnishing of telehealth.”.

(d) STUDY AND REPORT ON FURTHER EXPANSION.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study to examine the feasibility, benefits, and drawbacks of expanding the use of telehealth and store-and-forward technologies under the Medicare program under title XVIII of the Social Security Act for items and services included in renal dialysis services, as such term is defined in section 1881(b)(14)(B) of such Act (42 U.S.C. 1395rr(b)(14)(B)).

(2) REPORT.—Not later than two years after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the study conducted under paragraph (1).

### TITLE III—IMPROVEMENTS IN APPLICATION OF STARK RULE

#### SEC. 301. MODERNIZING THE APPLICATION OF THE STARK RULE UNDER MEDICAL CARE.

(a) CLARIFICATION OF THE WRITING REQUIREMENT AND SIGNATURE REQUIREMENT FOR ARRANGEMENTS PURSUANT TO THE STARK RULE.—

(1) WRITING REQUIREMENT.—Section 1877(h)(1) of the Social Security Act (42 U.S.C. 1395nn(h)(1)) is amended by adding at the end the following new subparagraph:

“(D) WRITTEN REQUIREMENT CLARIFIED.—In the case of any requirement pursuant to this

section for a compensation arrangement to be in writing, such requirement shall be satisfied by such means as determined by the Secretary, including by a collection of documents, including contemporaneous documents evidencing the course of conduct between the parties involved.”.

(2) SIGNATURE REQUIREMENT.—Section 1877(h)(1) of the Social Security Act (42 U.S.C. 1395nn(h)(1)), as amended by paragraph (1), is further amended by adding at the end the following new subparagraph:

“(E) SPECIAL RULE FOR SIGNATURE REQUIREMENTS.—In the case of any requirement pursuant to this section for a compensation arrangement to be in writing and signed by the parties, such signature requirement shall be met if—

“(i) not later than 90 consecutive calendar days immediately following the date on which the compensation arrangement became noncompliant, the parties obtain the required signatures; and

“(ii) the compensation arrangement otherwise complies with all criteria of the applicable exception.”.

(b) INDEFINITE HOLDOVER FOR LEASE ARRANGEMENTS AND PERSONAL SERVICES ARRANGEMENTS PURSUANT TO THE STARK RULE.—Section 1877(e) of the Social Security Act (42 U.S.C. 1395nn(e)) is amended—

(1) in paragraph (1), by adding at the end the following new subparagraph:

“(C) HOLDOVER LEASE ARRANGEMENTS.—In the case of a holdover lease arrangement for the lease of office space or equipment, which immediately follows a lease arrangement described in subparagraph (A) for the use of such office space or subparagraph (B) for the use of such equipment and that expired after a term of at least one year, payments made by the lessee to the lessor pursuant to such holdover lease arrangement, if—

“(i) the lease arrangement met the conditions of subparagraph (A) for the lease of office space or subparagraph (B) for the use of equipment when the arrangement expired;

“(ii) the holdover lease arrangement is on the same terms and conditions as the immediately preceding arrangement; and

“(iii) the holdover arrangement continues to satisfy the conditions of subparagraph (A) for the lease of office space or subparagraph (B) for the use of equipment.”; and

(2) in paragraph (3), by adding at the end the following new subparagraph:

“(C) HOLDOVER PERSONAL SERVICE ARRANGEMENT.—In the case of a holdover personal service arrangement, which immediately follows an arrangement described in subparagraph (A) that expired after a term of at least one year, remuneration from an entity pursuant to such holdover personal service arrangement, if—

“(i) the personal service arrangement met the conditions of subparagraph (A) when the arrangement expired;

“(ii) the holdover personal service arrangement is on the same terms and conditions as the immediately preceding arrangement; and

“(iii) the holdover arrangement continues to satisfy the conditions of subparagraph (A).”.

#### SEC. 302. FUNDS FROM THE MEDICARE IMPROVEMENT FUND.

Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking “during and after fiscal year 2021, \$270,000,000” and inserting “during and after fiscal year 2021, \$245,000,000”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BRADY) and the gentleman

from Massachusetts (Mr. NEAL) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

#### GENERAL LEAVE

Mr. BRADY of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3178, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BRADY of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, improving and strengthening Medicare for the long term is a major priority for the American people and Members of Congress on both sides of the aisle; but as we pursue this larger goal, we should not pass up opportunities to make smart, focused improvements that will help Medicare beneficiaries today. That is exactly what the Medicare Part B Improvement Act will do.

I introduced this bill with Ways and Means Ranking Member RICHARD NEAL, Health Subcommittee Chairman PAT TIBERI, and Ranking Member SANDER LEVIN. This legislation delivers targeted, immediate reforms to make Medicare work better for the American people, and it includes solutions from roughly one dozen Members of Congress on both sides of the aisle.

The Medicare Part B Improvement Act takes action on three primary goals: first, expanding access to high-quality care; second, improving efficiency in the delivery of care so that patients can better receive the care they need when they need it; and, third, easing administrative burdens on healthcare providers so they can spend less time on paperwork and more time with patients.

Importantly, H.R. 3178 extends and improves Medicare home infusion services, which allow patients to receive personalized care in the comfort of their own home.

This legislation also extends an ongoing Medicare pilot program, the IVIG demonstration program, that allows patients with weakened immune systems to receive care in their homes.

This demonstration program carries a lot of meaning for me. I introduced it in 2012 as a direct response to the challenges facing patients with immunodeficiency diseases.

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As I learned from Carol Ann Demaret, a constituent and friend of mine whose son David suffered from severe combined immunodeficiency disease, life with a severely weakened immune system can be an incredible struggle. For children especially, it can be a daily fight just to survive.

Allowing these vulnerable patients to receive treatment from the safety of their own home cannot only improve the quality of care, it can greatly enhance their quality of life. It can give a kid a real chance to be a kid.

In addition to these important provisions, this bill contains numerous solutions that will lower healthcare costs and increase access to high-quality, coordinated care for beneficiaries.

More than that, the bill is an excellent example of what we can accomplish through regular order. This legislation was approved unanimously by the Ways and Means Committee on July 13. It demonstrates how, working together, we can solve real challenges facing patients, families, and healthcare providers in our communities.

I would like to thank all the Ways and Means members on both sides of the aisle who helped craft the solutions in this bill. I would also like to recognize Chairman WALDEN and Ranking Member PALLONE of the Energy and Commerce Committee for their leadership and hard work in helping us move this bill forward.

The Medicare Part B Improvement Act takes targeted action to make Medicare work better for the American people. I urge all of my colleagues to join me in supporting its passage.

Madam Speaker, I reserve the balance of my time, and I ask unanimous consent that the gentleman from Ohio (Mr. TIBERI), chairman of the Health Subcommittee, be permitted to control the remainder of the time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. NEAL. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I stand in support of H.R. 3178, the Medicare Part B Improvement Act of 2017.

I am pleased that Chairman BRADY, along with Health Subcommittee Chairman TIBERI, Ranking Member LEVIN, and I worked in a bipartisan manner to draft this legislation. It brings together a number of important measures to improve Medicare part B. I encourage all of our colleagues to support it.

As I said during the bipartisan Ways and Means Committee markup of H.R. 3178, I hope the committee will be able to hold more meetings like this. This is what the American people want and expect from their Members: to get things done in a bipartisan manner.

The bill before us today is pretty straightforward. It makes important changes to Medicare part B in a number of ways. It includes a commonsense transitional policy for home infusion services, cosponsored by Mr. TIBERI and Mr. PASCRELL.

Our colleagues Mr. BISHOP and Mr. MIKE THOMPSON are cosponsors of lan-

guage to streamline Medicare rules to improve access to medically necessary prosthetics and orthotics.

Mr. JOHN LEWIS cosponsored language to help dialysis facilities improve backlogs so they can more efficiently treat end-stage renal disease.

Ms. DELBENE and Mr. MIKE THOMPSON are cosponsors of a bill that allows telehealth so patients can receive dialysis in the comfort of their own home.

Finally, the measure includes clarification language to Stark laws that Mr. KIND led to provide more certainty for Medicare providers.

Our colleagues on both sides of the aisle worked hard on these bills, and I am pleased we can move them forward in a bipartisan manner.

Madam Speaker, I encourage my colleagues to support H.R. 3178, and I reserve the balance of my time.

Mr. TIBERI. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I stand in this Chamber today in strong support of H.R. 3178, a package of bipartisan policies centered on improving care for Medicare beneficiaries across several areas.

In particular, H.R. 3178 includes a bill that I introduced with my friend and colleague from New Jersey, Mr. BILL PASCRELL, that provides a temporary transitional payment for home infusion providers.

The 21st Century Cures Act created a new reimbursement benefit for home infusion therapies beginning in 2021. This new temporary transitional payment will bridge the potential gap in care for beneficiaries, and home infusion providers will continue to administer these therapies without going bankrupt.

This legislation includes other good public policies that further encourage giving seniors the choice to receive more care in the comfort of their own homes, as well as expanding access to providers, particularly in rural and in needy areas.

I would like to thank my colleagues on the Ways and Means Committee for their support. I would also like to thank my colleagues on the Energy and Commerce Committee for their commitment to working on this issue, especially MICHAEL BURGESS, as well as Chairman Emeritus FRED UPTON, who helped pave the way for these policies with the passage of the 21st Century Cures Act.

Madam Speaker, I would like to conclude with a commitment that this is not an end for policies encouraging care—especially drug infusion—in the home for patients who choose to do so. We look forward to working with the administration and clarifying current rules to ensure we successfully implement both this legislation and future policies to ensure inclusion of payment for all drugs needed by the home infusion patient community.

Madam Speaker, I reserve the balance of my time.

Mr. NEAL. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise in strong support of this legislation, and I want to thank all my colleagues who worked in a bipartisan manner to make it happen.

Patients and providers in my district and across the country will benefit from these important improvements, and I am proud to support them.

Two provisions come from bipartisan bills that I have worked on for a number of years. The first helps patients get the devices they need while keeping fraudulent providers out of Medicare. The change we are debating today will ensure that any documentation created by device experts will be included in a patient's medical record to support the physician's directions.

The second provision that I authored comes from the comprehensive telehealth packages that I have been working on with Representative BLACK and our colleagues from the Energy and Commerce Committee, Mr. WELCH and Mr. HARPER. This change will allow for virtual visits and remote patient monitoring for kidney failure patients living at home. Letting these patients utilize telehealth ensures that they can access the services they need from the setting that they prefer: their homes.

This bill is another step forward in the expansion of telehealth, but we can do a lot more. Our telehealth bills offer a menu of options for moving forward. Policies like paying for telestroke services or adding telehealth to the Medicare Advantage program have bipartisan support among both Houses, as well as a broad coalition of support from stakeholders.

We know they save money. I have worked on telehealth for decades. When I was in the California State Senate, I wrote the State's first telehealth legislation to bring critical services to folks enrolled in the State Medicaid program. That was in 1996. Now it is 2017, and we still haven't passed, in Congress, comprehensive telehealth legislation that would expand access for Medicare beneficiaries.

It is long past time for Congress to come to the conclusion that California reached long ago: telehealth saves money, and it saves lives. I am optimistic that the passage of this bill is just a small sample of what is to come in regard to telehealth in the future.

Mr. TIBERI. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BURGESS), chairman of the Health Subcommittee of the Energy and Commerce Committee and a leader on healthcare issues.

Mr. BURGESS. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise in support of H.R. 3178, the Medicare Part B Improvement Act of 2017.

This bill represents a series of bipartisan reforms from the Committees on Energy and Commerce and Ways and Means that will provide targeted reforms to improve access to care for Medicare beneficiaries.

Home infusion patients are oftentimes our Nation's sickest and most vulnerable, and maintaining access to these services in home settings has proved invaluable in ensuring that patients can continue to effectively receive the care that they need.

Under last year's 21st Century Cures Act, we took the necessary steps to ensure that taxpayers and beneficiaries were no longer overcharged on the acquisition and dispensing costs associated with home infusion. Additionally, we took complementary steps to recognize the unique education needs associated with receiving infusion in the home.

However, as my subcommittee learned in a hearing on this issue just last week, there is still more that must be done to integrate these two policies without jeopardizing access to patient care. Therefore, today's bill creates a bridge to connect these critical policies and to resolve the issue.

Additionally, H.R. 3178 takes an additional needed step to protect home health services by expanding opportunities for individuals to receive home dialysis. Access to services like home infusion and home dialysis has had a significant impact in my home State of Texas, and I am encouraged by today's bill, as it will build upon these additional successes for Texans and all Americans.

I would like to thank Chairman BRADY, Chairman TIBERI, and Chairman WALDEN for their leadership on the bill. They rose to the challenge to address these tough policy decisions. This bill is a product of their hard work, as well as the hard work of all the staff involved at the subcommittee and full committee level, and I thank them as well.

Mr. NEAL. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Madam Speaker, I rise today in support of H.R. 3178, the Medicare Part B Improvement Act.

I am pleased that the bill before us today includes legislation that I introduced with my good friend PAT TIBERI from Ohio, the Medicare Part B Home Infusion Services Temporary Transitional Payment Act.

Listening to Mr. TIBERI and Mr. NEAL, I believe what they say should resonate across the Hill. This can't be one and done. Bipartisanship is something that should be contagious, particularly as we are talking about a healthcare event which is important and may mean life or death to many of our citizens.

Home infusion is an essential treatment option for individuals suffering from many, many debilitating diseases like cancer, congestive heart failure, multiple sclerosis, and rheumatoid arthritis. The 21st Century Cures Act, which became law last year, correctly adjusted payments for home infusion drugs and would establish a new home infusion nursing benefit within Medicare beginning in 2021.

However, we have heard concerns that the payment adjustment going into effect before the nursing benefit is implemented could jeopardize access to home infusion in the interim. The bill that Congressman TIBERI from Ohio and I introduced would address that concern by creating a temporary nursing benefit until the new permanent benefit can be implemented.

Madam Speaker, I urge my colleagues to support H.R. 3178.

Mr. TIBERI. Madam Speaker, I yield 2 minutes to the gentlewoman from Kansas (Ms. JENKINS), a valuable member of our Health Subcommittee of the Ways and Means Committee.

Ms. JENKINS of Kansas. Madam Speaker, I rise today in support of H.R. 3178, the Medicare Part B Improvement Act of 2017, which includes my legislation, the Dialysis Certification Act.

Kansas currently ranks among the top three longest wait times for dialysis center surveys. The lack of manpower at the State administrative agency that contracts with CMS for these surveys has left some clinics waiting 2 years for a certification. This bill gives dialysis providers the opportunity to receive surveys and certifications from a CMS-approved third-party accreditor, much like hospitals are able to do now.

□ 1400

Those third-party organizations must demonstrate their standards are as good as or better than the standards used by CMS, and the Secretary must approve them.

I toured several clinics in my district last year, and I was frustrated to learn that a state-of-the-art clinic, necessary to fill a need in Topeka for ESRD patients, has been waiting 2 years for an initial survey, and a clinic in Pittsburg, Kansas, has been waiting for 250 days. Without these clinics, patients are forced to find clinics much further away, which, depending on the access to transportation, can be a barrier to treatment. That is unacceptable, and this problem will be easily solved by this provision.

I want to thank my cosponsor, Congressman JOHN LEWIS, the Energy and Commerce Committee and the Ways and Means Committee chairmen for quickly moving this bill to the House floor for action. This provision will allow dialysis clinics across America to more easily obtain a survey so they may serve patients that depend on their care.

Mr. NEAL. Madam Speaker, I yield 2 minutes to the gentlewoman from Washington (Ms. DELBENE), who is a coauthor of this legislation.

Ms. DELBENE. Madam Speaker, I would like to thank the chair and the ranking member for working with me to include a proposal in this bill that I developed with Congresswoman BLACK, Congressman THOMPSON, and Congressman MEEHAN modernizing Medicare and harnessing the promise of telehealth to improve care for patients nationwide.

Allowing patients with end-stage renal disease to receive dialysis at home can dramatically improve their health outcomes and quality of life. This is something I have heard consistently from providers in my home State of Washington, like the Northwest Kidney Centers, who do incredible work to help patients receive dialysis at home when it is medically appropriate.

Advances in telehealth hold great potential to extend this treatment option to more Americans, particularly in rural communities, but there are still too many barriers to the use of cutting-edge technologies in Medicare. There is a great need to update our laws to reflect these innovations and reimburse telehealth appropriately; otherwise, we won't just be denying access to healthcare today, we could be preventing the next frontier of innovations from even getting off the ground.

Without the long-term visibility of Medicare coverage, startups and entrepreneurs might never get the funding they need to develop new technologies and bring them to market. It is essential that we unlock the full potential of telehealth. By doing so, we can improve patient care, promote health, defeat heartbreaking diseases, and save lives. That is why I am so glad we are taking this step today.

Thank you again to the committee for working with me on this important bill, and I hope it is the first of many victories as we work together to expand telehealth.

I urge my colleagues to vote "yes."

Mr. TIBERI. Mr. Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACK), a valuable member of the Health Subcommittee of the Committee on Ways and Means and who, as you have already heard from previous speakers, has an important provision in this bill and who, more importantly, brings her valuable training as a nurse who practiced before she came to Congress.

Mrs. BLACK. Mr. Speaker, I thank my colleague for yielding me time on this very important issue.

I also want to thank my colleagues for working with me on this—Mr. MEEHAN, Mr. THOMPSON, and Ms. DELBENE—for working on a really important piece of legislation that is included in this package, which will improve the quality of life for seniors on Medicare across the country.

As has previously been said, I am a nurse. I have worked in the field for over 45 years, and I am proud to sponsor a bill that enhances patient care for those patients who are suffering from end-stage renal disease.

You know, we have made tremendous advances in technology over the last decade, and now it would be almost something we couldn't have thought of 45 years ago. Physicians can remotely monitor patients in their dialysis treatments through telehealth to reduce the number of medical visits that are necessary, to ensure that the treatment is efficient and effective, and to also catch signs of complications early, which would cause not only a decrease in quality of care for the patient, but also a cost.

Telehealth provides patients an important component in the comfort of their own homes—think about being sick and having to get in the car to travel—while physicians now have a new tool to treat their patients' whole health.

Our seniors deserve access to this innovative care, and it can save money. It can help to ensure that Medicare can be there for seniors who most need the care.

So I urge my colleagues to take a vote for your constituents and for Medicare beneficiaries across the country and support this bill.

I also look forward to continuing this work. This is certainly not the end of what we can do for our patients who are homebound and need care in the home. I will continue this work with Members on both sides of the aisle, which is being done now, for our Nation's seniors to have access to these kinds of innovative telehealth technologies that will improve care and also, more importantly, help to lower the cost of treatment.

I urge passage of this amendment.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. MATSUI), whose husband served with great distinction as a member of the Ways and Means Committee.

Ms. MATSUI. Mr. Speaker, I rise today in support of H.R. 3178, the Medicare Part B Improvement Act, and, specifically, a provision to extend the IVIG demonstration project that Chairman BRADY and I worked on together.

I have long been a champion of those impacted by primary immunodeficiency diseases, which include more than 300 rare genetic diseases, all of which keep the immune system from functioning properly. A mild infection can cause serious problems and even death for these patients.

Thanks to the IVIG demo, Medicare beneficiaries with immunodeficiency diseases are now able to receive in-home IVIG therapy, meaning they can avoid community settings of care, which can be very important to people with compromised immune systems.

I am pleased that this provision was included in the Medicare Part B Improvement Act. I urge support of this important bill.

Mr. TIBERI. Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, as so often happens here, this bill bears a somewhat grander title than its contents. Medicare part B certainly does need improvement. While I support putting into statute what is already administrative practice, extending a demonstration project that appears to be working and the other provisions that my colleagues have worked on in this bill, I think much more should have happened.

It is especially ironic that, at the very moment we are considering this bill, the United States Senate across the hall is proposing to eliminate healthcare coverage for millions of Americans. Certainly, this Republican repeal effort does far more harm to far more people than we can collectively undo here in the House with this rather modest piece of legislation.

And there is one glaring omission from today's Medicare Improvement Act, one subject that the Republican leadership of the House Ways and Means Committee fears. It fears not only doing something about this problem, it fears about even understanding the extent of the problem, and it certainly fears having any public hearings to explore this subject. That is the menace that is affecting millions of people across this country: pharmaceutical price gouging.

This bill fails to address any aspect of soaring pharmaceutical costs of part B medications. For almost a year, a number of us, House Democrats on the Ways and Means Committee, have called on the chairman to at least schedule a hearing about all aspects, all categories of soaring pharmaceutical prices that not only mean financial ruin for too many families, but also burden Medicare and most any type of taxpayer-financed healthcare initiative.

Government-approved monopolies for drug manufacturers are being exploited by charging the sick and dying whatever they might pay for a little more life, for a little more comfort at monopoly prices.

Under longstanding existing law—it has been there before this Congress ever got together—pharmaceutical companies are at least required to provide average sales price data on part B Medicare drugs. Three years ago, the Office of the Inspector General at the Department of Health and Human Services found that at least one-third of the more than 200 manufacturers of part B drugs had not submitted any of this average sales price data for some

of their products, and an additional 45 manufacturers had not been required to report any data. The Inspector General found that inaccuracies in these average sales price filings may affect taxpayer-financed Medicare payments.

Last month, the nonpartisan Medicare Payment Advisory Commission came before the House Ways and Means Committee and gave its report on Medicare. It noted that this problem on average sales price data continues, and that it has not been addressed by Congress, as the Inspector General had recommended.

The Republican majority has refused to do anything about this problem. It has blocked an amendment that I offered in committee that simply implemented the recommendation of the Inspector General and of MedPAC to get that average sales price data and to ensure that all part B manufacturers report that data or are penalized at a reasonable level. It would simply have ensured compliance with existing law to protect program integrity and to protect the taxpayer interest. And you can be sure that if the Republicans didn't want to know what the prices were, they certainly didn't want to do anything about the soaring prices and the impact on American families.

So I support the bill, but this is a missed opportunity that we should have employed to address a critical problem.

Mr. TIBERI. Mr. Speaker, I yield myself as much time as I may consume.

As the previous speaker said, he supports the bill, which I am pleased to hear that, but as the chairman has said, as the ranking member has said, this is just the beginning. This is just the beginning, and we can't let the perfect be the enemy of the good in this piece of legislation because there is very important bipartisan legislation that is meaningful to people in a home today somewhere in Ohio or Massachusetts where home infusion is really important or dialysis is really important.

I am pleased that the ranking member from Massachusetts has been so helpful on this bill, and I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to thank the staff for their hard work on this bill, including Amy Hall, Sarah Levin, Melanie Egorin from the Democratic staff; Emily Murry and Nick Uehlecke from the Republican staff; Jessica Shapiro from the House Legislative Counsel's office; Ira Burney, Jennifer Druckman, and Lisa Yen from CMS; and the staff of the Congressional Budget Office, Tom Bradley, Rebecca Yip, and Lara Robillard. I want to thank them all for their very, very hard work.

We have this rare opportunity, this rare moment where we have broad agreement on this legislation, and I



hope all Members of the House can find their way to be supportive of this legislation, and I hope the path of bipartisanship that we have chosen here can serve as a reminder of what we can get done.

Mr. Speaker, I yield back the balance of my time.

Mr. TIBERI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just say “ditto” to the gentleman from Massachusetts (Mr. NEAL), whom I have a great relationship with, for all the words about the staff. In particular, I also want to thank Abby Finn from my staff, and Emily Murray and her team; but it has been a pleasure working with the gentleman from Massachusetts’ team as well, and Mr. LEVIN, the ranking member of the Health Subcommittee.

Mr. Speaker, this is a good step in the right direction and the first step in expanding access to high-quality care and improving efficiency and delivery of care so seniors can better receive the care they need where they need it, which is so incredibly important. I really appreciate the comments of the ranking member.

And again, I want to remind everybody what the chairman said, that this is just the beginning, and hopefully this will be a template to much more bipartisan support for the remainder of this year.

Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Michigan. Mr. Speaker, I rise today in strong support of H.R. 3178, the Medicare Part B Improvement Act. This bill would make specific improvements to Medicare Part B programs, like protecting access to orthotics and prosthetics for Medicare beneficiaries who need them.

In particular, a provision within this bill, spearheaded by Representative GT THOMPSON, MIKE THOMPSON, and myself, would allow additional information provided by prosthetists and orthotists—the trained clinical experts who evaluate and fit the beneficiary—to be considered by Medicare to support documentation of medical necessity for orthotics and prosthetics.

This straightforward, bipartisan bill will improve the quality of life of beneficiaries, save jobs of orthotic and prosthetic suppliers, and provide a foundation to better meet the healthcare needs of our aging constituents.

I urge my colleagues to join me in supporting H.R. 3178, the Medicare Part B improvement Act.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Texas (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 3178, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1415

## PLUM ISLAND PRESERVATION ACT

Mr. DONOVAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2182) to require the Comptroller General of the United States to submit a report to Congress on the alternatives for the final disposition of Plum Island, including preservation of the island for conservation, education, and research, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2182

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Plum Island Preservation Act”.

### SEC. 2. FINDINGS.

Congress finds the following:

(1) The Federal Government has owned Plum Island, New York, since 1899.

(2) Since 1954, the Plum Island Animal Disease Center has conducted unrivaled scientific research on a variety of infectious animal-borne diseases, including foot-and-mouth disease, resulting, most recently, in the development of a new cell line that rapidly and reliably detects this highly debilitating disease of livestock.

(3) Over 62 years, the Center has had a strong, proven record of safety.

(4) \$23,200,000 in Federal dollars have been spent on upgrades to, and the maintenance of, the Center since January 2012.

(5) In addition to the Center, Plum Island contains cultural, historical, ecological, and natural resources of regional and national significance.

(6) Plum Island is situated where the Long Island Sound and Peconic Bay meet, both of which are estuaries that are part of the National Estuary Program and are environmentally and economically significant to the region.

(7) The Federal Government has invested hundreds of millions of Federal dollars over the last two decades to make long-term improvements with respect to the conservation and management needs of Long Island Sound and Peconic Bay.

(8) In a report submitted to Congress on April 11, 2016, entitled “National Bio- and Agro-Defense Facility Construction Plan Update” the Department of Homeland Security noted that the new National Bio- and Agro-Defense Facility under construction on such date in Manhattan, Kansas, is, as of such date, fully paid for through a combination of Federal appropriations and funding from the State of Kansas.

### SEC. 3. REPORT REQUIRED ON FINAL DISPOSITION OF PLUM ISLAND.

Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report containing the following:

(1) The alternatives for the final disposition of Plum Island, including the transfer of ownership to another Federal agency, a State or local government, a nonprofit organization, or a combination thereof for the purpose of education, research, or conservation.

(2) With respect to each such alternative final disposition, an analysis of—

(A) the effect such disposition would have on the island’s resources;

(B) the remediation responsibilities under such disposition;

(C) any future legislation necessary to implement such disposition;

(D) the possible implications and issues, if any, of implementing such disposition;

(E) the costs of such disposition, including any potential costs related to the transition, hazard mitigation, and cleanup of property that would be incurred by a recipient of the property under such disposition; and

(F) the potential revenue from such disposition.

### SEC. 4. SUSPENSION OF ACTION.

No action, including any pre-sale marketing activity, may be taken to carry out section 538 of title V of division D of the Consolidated Appropriations Act, 2012 (Public Law 112-74; 125 Stat. 976) until at least 180 days after the report required by section 3 has been submitted to Congress.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. DONOVAN) and the gentleman from New Jersey (Mr. PAYNE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

#### GENERAL LEAVE

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DONOVAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2182, the Plum Island Preservation Act, sponsored by my colleague from New York (Mr. ZELDIN).

This bill requires the Government Accountability Office to review the alternatives for the final disposition of the Department of Homeland Security’s Science and Technology Directorate’s Plum Island Animal Disease Center, commonly known as Plum Island.

Since 1954, Plum Island, located in Suffolk County, New York, has served the Nation in defending against accidental or intentional introduction of foreign animal diseases, including foot-and-mouth disease. However, Plum Island’s facilities are aging and nearing the end of their life cycle.

That is why in 2005, DHS announced that the work being conducted on Plum Island would be moved to a new Federal facility in Kansas. Plum Island will continue to operate until the National Bio and Agro-Defense Facility is fully operational and a complete transition has been made in 2022 or 2023.

This raises the question of what will happen to Plum Island once its activities are fully transferred over to the new facility. The Department looked at this issue and, in June of 2016, released a report that reviewed several options for the final disposition of Plum Island.

This bill simply requires GAO to review and analyze these alternatives to ensure all necessary information was

taken into account before the Department decides how to move forward with the final disposition of Plum Island. Specifically, GAO is to analyze the effects, possible implications and issues, and potential costs and revenue for each disposition.

Finally, H.R. 2182 suspends the sale of Plum Island until GAO completes this thorough review and analysis of alternatives.

My friend, Representative ZELDIN, introduced H.R. 2182 with strong bipartisan support. H.R. 2182 is very similar to a bill that passed the House by voice vote last May.

In conclusion, this bill ensures that there is adequate consideration of all the options for the disposition of the island.

Mr. Speaker, I urge all Members to join me in supporting this bill, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON TRANSPORTATION AND  
INFRASTRUCTURE,

*Washington, DC, July 25, 2017.*

Hon. MICHAEL MCCAUL,  
*Chairman, Committee on Homeland Security,*  
*Washington, DC.*

DEAR CHAIRMAN MCCAUL: I write concerning H.R. 2182, the Plum Island Preservation Act. This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite floor consideration of H.R. 2182, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill would not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest in the Congressional Record during House Floor consideration of the bill. I look forward to working with the Committee on Homeland Security as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,  
*Chairman.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
*Washington, DC, July 25, 2017.*

Hon. BILL SHUSTER,  
*Chairman, Committee on Transportation and Infrastructure, Washington, DC.*

DEAR CHAIRMAN SHUSTER: Thank you for your letter regarding H.R. 2182. I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Transportation and Infrastructure will not seek a sequential referral on the bill.

The Committee on Homeland Security concurs with the mutual understanding that by forgoing a sequential referral of this bill at this time, the Committee on Transportation and Infrastructure does not waive any jurisdiction over the subject matter contained in

this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Transportation and Infrastructure represented on the conference committee.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,  
*Chairman,*  
*Committee on Homeland Security.*

Mr. PAYNE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2182, the Plum Island Preservation Act.

Mr. Speaker, since 1954, the Plum Island Animal Disease Center in New York's Long Island has served as the Nation's principal laboratory responsible for research on foreign animal diseases of livestock, such as foot-and-mouth disease and other animal diseases.

At Plum Island, the Department of Homeland Security works with the U.S. Department of Agriculture to research and develop new vaccines and diagnostic tests for animal disease outbreaks and to defend against international or accidental introduction of animal diseases into the United States.

On September 11, 2005, the Department of Homeland Security announced plans to develop the National Bio and Agro-Defense Facility, or NBAF, as a state-of-the-art biocontainment laboratory for the study of diseases that threaten both America's animal agricultural industry and public health.

As envisioned by DHS, the 580,000-square-foot facility would replace the Plum Island laboratory.

Following an extensive selection process, DHS selected a site in Manhattan, Kansas, for the new lab, and the site is slated to be fully operational by December of 2022.

What H.R. 2182 aims to answer is what will happen to Plum Island when DHS vacates the facility.

DHS is currently studying the range of options for disposition of the property, including transferring it to another Federal agency, a State or local government, or a nonprofit organization for the purposes of education, research, or conservation.

In doing so, DHS is expected to assess the full implications of each option, including cost, cleanup, and hazard mitigation.

H.R. 2182 requires the Government Accountability Office, or GAO, to assess whether the forthcoming study is satisfactory to support a decision. In the event that the study is lacking in a key area, GAO would be required to conduct its own study.

Importantly, H.R. 2182 ensures that Plum Island cannot be sold by the Federal Government to the highest bidder.

Under this bill, the sale of Plum Island is prohibited until at least 180

days after the required reports in the bill have been submitted to Congress.

Mr. Speaker, I reserve the balance of my time.

Mr. DONOVAN. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from New York (Mr. ZELDIN), the sponsor of the bill.

Mr. ZELDIN. Mr. Speaker, I thank Mr. DONOVAN for his support.

I rise today in support of H.R. 2182, to prevent the sale of Plum Island by the Federal Government to the highest bidder.

Situated at the gateway of the Long Island Sound, I personally had the pleasure of visiting this treasured island.

In addition to being a critical resource for research, approximately 90 percent of the land on Plum Island has been sheltered from development, offering Long Island a diverse wildlife and ecosystem and critical habitat for migratory birds, marine mammals, and rare plants.

Plum Island is also an essential cultural and historical resource as well, with recorded history dating back to the 1700s.

The island held the U.S. military's Fort Terry, a coastal defense fortification, which was used through the end of World War II.

Since then, Plum Island has been utilized as a research laboratory and has since grown to become what is known today as the Plum Island Animal Disease Center.

In 2005, the Department of Homeland Security, which currently has jurisdiction over the island, announced that the Animal Disease Center research would be moved to a new Federal facility, the National Bio and Agro-Defense Facility, NBAF, in Kansas.

To offset the cost of this relocation, a law was enacted that called for the private sale of Plum Island by the Federal Government to the highest bidder.

However, because of the costs associated with the cleanup and closure of Plum Island, and because of local zoning restrictions, the Federal Government would receive little compensation for the sale of Plum Island.

Also, in the 12 years since the move to Kansas was approved, the new facility in Kansas is already fully paid for by a combination of Federal appropriations and State and private funds.

Allowing for continued research, public access, and permanent preservation of the island, H.R. 2182 will suspend the laws passed in 2008 and 2011 that mandated the public sale of Plum Island.

This bill will commission the Government Accountability Office, in consultation with the Department of Homeland Security, which currently owns the island, to formulate a comprehensive plan for the future of the island.

It requires the plan focus on conservation, education, and research and

include alternative uses for the island, including a transfer of ownership to another Federal agency, the State or local government, a nonprofit, or a combination thereof.

In the 114th Congress, this bill passed the House unanimously with bipartisan support as H.R. 1887.

My amendment to the Financial Services and General Government Appropriations Act of 2017, H.R. 5485, which would have prohibited any of the funding within the appropriations bill to market or sell Plum Island, also passed the House as well.

I would like to thank the other Members of Congress who have cosponsored this legislation and lent their support to this cause, especially my colleagues from Connecticut, Congressman JOE COURTNEY and Congresswoman ROSA DE LAURO.

I would also like to thank House Majority Leader KEVIN MCCARTHY for bringing this bill to the floor, House Homeland Security Chairman MICHAEL MCCAUL, and all of the local elected officials, groups, and concerned residents on Long Island who have taken an issue on this important issue.

This bill is endorsed by the Preserve Plum Island Coalition, an alliance of over 65 community and environmental groups in New York and Connecticut, focused on the conservation of this island.

I am proud to work alongside all of these great individuals and groups as we strive to save Plum Island.

Since taking office in 2015, one of my highest local priorities has been to protect Plum Island. Preserving this island's natural beauty, while maintaining a research mission, will continue to provide important economic and environmental benefits for Long Island.

Mr. Speaker, I encourage all of my colleagues to vote in support of this critical bill, as well as for the Senate to pass this legislation, so it may be signed into law this year.

Mr. PAYNE. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, I thank Mr. PAYNE for his leadership on the Homeland Security Committee and also for his hard work on this legislation, which, again, has been closely watched back home in Connecticut and on the other side of Long Island Sound, as Mr. ZELDIN indicated as well, in the State of New York.

Again, I rise in strong support, with my colleague, for passage of H.R. 2182, the Plum Island Preservation Act. This has been an effort that has been ongoing since Congress, unfortunately, took, I think, a wrong turn when they enacted legislation in 2009, with the goal of trying to create funding for the National Bio and Agro-Defense Facility in Kansas; but in the process of doing that, it set up a truncated sale of this property, which really deviated from

the normal GSA process of trying to exhaust other beneficial uses before putting it up for sale to the highest bidder.

Again, that has been the struggle for people on both sides of the Long Island Sound, who have been frustrated by the fact that, because Congress mandated a sale without any other options, the incredible, pristine environmental quality of this precious piece of property was basically pushed down the food chain in terms of, again, the way the Federal Government was operating.

Again, I think it is important to recognize—and my colleagues from New York, Mr. DONOVAN and Mr. ZELDIN, understand this—this still is the most densely populated area of America. The boat traffic, the maritime traffic that flows through Long Island Sound, again, is the busiest in the country. And to have a piece of property that is this precious and this pure—which Mr. ZELDIN visited, and I think he can attest to that personally, and I have sailed past it—is really an opportunity that really we just cannot possibly allow to go to a developer that would make that quality forever lost.

So this legislation, which stops the 2009 process in its tracks, has GAO step in and do a full complete analysis across the board in evaluating all options. In particular, the options of preserving this unique environmental asset is the right move for our country, and, again, it will be to the benefit of generations to come.

Again, I want to congratulate Mr. ZELDIN for his persistence. Again, we did get it through the last Congress, the 114th.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PAYNE. I yield an additional 30 seconds to the gentleman.

Mr. COURTNEY. I think getting this done early in the 115th Congress will hopefully allow us the opportunity to get some bandwidth in the Senate's floor schedule to finally get this to the President's desk, and, again, forever protect an asset for generations to come.

Mr. Speaker, again, I urge strong support for this measure.

Mr. DONOVAN. Mr. Speaker, I reserve the balance of my time.

Mr. PAYNE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in strong support of this legislation.

It is very simple. It directs the Comptroller General of the United States to submit a report to the Congress on alternative uses for Plum Island.

□ 1430

The report underscores its ecological significance, that is what it would do; the need to be protected; and it would be an important step toward identifying conservation alternatives to selling Plum Island.

I believe that Plum Island should be a unit of the National Wildlife Refuge System, ensuring that we would safeguard the island's sensitive wildlife and ecological value.

Plum Island is the largest area in southern New England, where seals can rest on dry land. Its 843 acres are home to two threatened bird species: the piping plovers and the roseate terns.

We need to proceed very carefully when considering the future of Plum Island. This is a refuge for wildlife and native plants, and once it is developed, it cannot be restored, which is why the legislation is so important.

By evaluating the alternative uses for Plum Island fully rather than selling it to the highest bidder, we can ensure that this ecological, historical, and cultural treasure can be protected for generations to come.

I am proud to join with my colleagues, Congressman ZELDIN and Congressman COURTNEY, on a bipartisan basis to ensure that the environment is respected in our region and across the country.

Mr. Speaker, I urge my colleagues to support this bill, and I thank the gentleman from New Jersey (Mr. PAYNE) for yielding me the time.

Mr. PAYNE. Mr. Speaker, H.R. 2182 has broad support on both sides of the aisle, as we can see. Plum Island has a history dating back to the 1700s and has been owned by the Federal Government since 1899. This bill takes steps to ensure that this culturally and historically important site is not sold until all relevant questions are answered regarding the final disposition of Plum Island and that a satisfactory comprehensive plan has been developed.

I urge my colleagues to support this important piece of legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. DONOVAN. Mr. Speaker, I, once again, urge my colleagues to support H.R. 2182.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. DONOVAN) that the House suspend the rules and pass the bill, H.R. 2182.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT

Mr. ROYCE of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3364) to provide congressional review and to counter aggression by the Governments of Iran, the Russian Federation, and North Korea, and for other purposes.

The Clerk read the title of the bill.  
The text of the bill is as follows:

H.R. 3364

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

# **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Countering America’s Adversaries Through Sanctions Act”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

## **TITLE I—SANCTIONS WITH RESPECT TO IRAN**

- Sec. 101. Short title.
- Sec. 102. Definitions.
- Sec. 103. Regional strategy for countering conventional and asymmetric Iranian threats in the Middle East and North Africa.
- Sec. 104. Imposition of additional sanctions in response to Iran’s ballistic missile program.
- Sec. 105. Imposition of terrorism-related sanctions with respect to the IRGC.
- Sec. 106. Imposition of additional sanctions with respect to persons responsible for human rights abuses.
- Sec. 107. Enforcement of arms embargos.
- Sec. 108. Review of applicability of sanctions relating to Iran’s support for terrorism and its ballistic missile program.
- Sec. 109. Report on coordination of sanctions between the United States and the European Union.
- Sec. 110. Report on United States citizens detained by Iran.
- Sec. 111. Exceptions for national security and humanitarian assistance; rule of construction.
- Sec. 112. Presidential waiver authority.

## **TITLE II—SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION AND COMBATING TERRORISM AND ILLICIT FINANCING**

- Sec. 201. Short title.
- Subtitle A—Sanctions and Other Measures With Respect to the Russian Federation
- Sec. 211. Findings.
- Sec. 212. Sense of Congress.
- PART 1—CONGRESSIONAL REVIEW OF SANCTIONS IMPOSED WITH RESPECT TO THE RUSSIAN FEDERATION**
- Sec. 215. Short title.
- Sec. 216. Congressional review of certain actions relating to sanctions imposed with respect to the Russian Federation.

### **PART 2—SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION**

- Sec. 221. Definitions.
- Sec. 222. Codification of sanctions relating to the Russian Federation.
- Sec. 223. Modification of implementation of Executive Order 13662.
- Sec. 224. Imposition of sanctions with respect to activities of the Russian Federation undermining cybersecurity.
- Sec. 225. Imposition of sanctions relating to special Russian crude oil projects.
- Sec. 226. Imposition of sanctions with respect to Russian and other foreign financial institutions.
- Sec. 227. Mandatory imposition of sanctions with respect to significant corruption in the Russian Federation.

- Sec. 228. Mandatory imposition of sanctions with respect to certain transactions with foreign sanctions evaders and serious human rights abusers in the Russian Federation.
- Sec. 229. Notifications to Congress under Ukraine Freedom Support Act of 2014.
- Sec. 230. Standards for termination of certain sanctions with respect to the Russian Federation.
- Sec. 231. Imposition of sanctions with respect to persons engaging in transactions with the intelligence or defense sectors of the Government of the Russian Federation.
- Sec. 232. Sanctions with respect to the development of pipelines in the Russian Federation.
- Sec. 233. Sanctions with respect to investment in or facilitation of privatization of state-owned assets by the Russian Federation.
- Sec. 234. Sanctions with respect to the transfer of arms and related materiel to Syria.
- Sec. 235. Sanctions described.
- Sec. 236. Exceptions, waiver, and termination.
- Sec. 237. Exception relating to activities of the National Aeronautics and Space Administration.
- Sec. 238. Rule of construction.

### **PART 3—REPORTS**

- Sec. 241. Report on oligarchs and parastatal entities of the Russian Federation.
- Sec. 242. Report on effects of expanding sanctions to include sovereign debt and derivative products.
- Sec. 243. Report on illicit finance relating to the Russian Federation.
- Subtitle B—Countering Russian Influence in Europe and Eurasia
- Sec. 251. Findings.
- Sec. 252. Sense of Congress.
- Sec. 253. Statement of policy.
- Sec. 254. Coordinating aid and assistance across Europe and Eurasia.
- Sec. 255. Report on media organizations controlled and funded by the Government of the Russian Federation.

- Sec. 256. Report on Russian Federation influence on elections in Europe and Eurasia.
- Sec. 257. Ukrainian energy security.
- Sec. 258. Termination.
- Sec. 259. Appropriate congressional committees defined.

### **Subtitle C—Combating Terrorism and Illicit Financing**

- PART 1—NATIONAL STRATEGY FOR COMBATING TERRORISM AND OTHER ILLICIT FINANCING**
- Sec. 261. Development of national strategy.
- Sec. 262. Contents of national strategy.
- PART 2—ENHANCING ANTITERRORISM TOOLS OF THE DEPARTMENT OF THE TREASURY**
- Sec. 271. Improving antiterror finance monitoring of funds transfers.
- Sec. 272. Sense of Congress on international cooperation regarding terrorist financing intelligence.
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## **TITLE I—SANCTIONS WITH RESPECT TO IRAN**

### **SEC. 101. SHORT TITLE.**

This title may be cited as the “Countering Iran’s Destabilizing Activities Act of 2017”.

### **SEC. 102. DEFINITIONS.**

In this title:

(1) **ACT OF INTERNATIONAL TERRORISM.**—The term “act of international terrorism” has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(3) **FOREIGN PERSON.**—The term “foreign person” means a person that is not a United States person.

(4) **IRANIAN PERSON.**—The term “Iranian person” means—  
(A) an individual who is a citizen or national of Iran; or

(B) an entity organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran.

(5) **IRGC.**—The term “IRGC” means Iran’s Islamic Revolutionary Guard Corps.

(6) **KNOWINGLY.**—The term “knowingly” has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note).

(7) **UNITED STATES PERSON.**—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

**SEC. 103. REGIONAL STRATEGY FOR COUNTERING CONVENTIONAL AND ASYMMETRIC IRANIAN THREATS IN THE MIDDLE EAST AND NORTH AFRICA.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and every 2 years thereafter, the Secretary of State, the Secretary of Defense, the Secretary of the Treasury, and the Director of National Intelligence shall jointly develop and submit to the appropriate congressional committees and leadership a strategy for deterring conventional and asymmetric Iranian activities and threats that directly threaten the United States and key allies in the Middle East, North Africa, and beyond.

(b) **ELEMENTS.**—The strategy required by subsection (a) shall include at a minimum the following:

(1) A summary of the near- and long-term United States objectives, plans, and means for countering Iran’s destabilizing activities, including identification of countries that share the objective of countering Iran’s destabilizing activities.

(2) A summary of the capabilities and contributions of individual countries to shared efforts to counter Iran’s destabilizing activities, and a summary of additional actions or contributions that each country could take to further contribute.

(3) An assessment of Iran’s conventional force capabilities and an assessment of Iran’s plans to upgrade its conventional force capabilities, including its acquisition, development, and deployment of ballistic and cruise missile capabilities, unmanned aerial vehicles, and maritime offensive and anti-access or area denial capabilities.

(4) An assessment of Iran’s chemical and biological weapons capabilities and an assessment of Iranian plans to upgrade its chemical or biological weapons capabilities.

(5) An assessment of Iran’s asymmetric activities in the region, including—

(A) the size, capabilities, and activities of the IRGC, including the Quds Force;

(B) the size, capabilities, and activities of Iran’s cyber operations;

(C) the types and amount of support, including funding, lethal and nonlethal contributions, and training, provided to Hezbollah, Hamas, special groups in Iraq, the regime of Bashar al-Assad in Syria, Houthi fighters in Yemen, and other violent groups across the Middle East; and

(D) the scope and objectives of Iran’s information operations and use of propaganda.

(6) A summary of United States actions, unilaterally and in cooperation with foreign governments, to counter destabilizing Iranian activities, including—

(A) interdiction of Iranian lethal arms bound for groups designated as foreign terrorist organizations under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189);

(B) Iran’s interference in international commercial shipping lanes;

(C) attempts by Iran to undermine or subvert internationally recognized governments in the Middle East region; and

(D) Iran’s support for the regime of Bashar al-Assad in Syria, including—

(i) financial assistance, military equipment and personnel, and other support provided to that regime; and

(ii) support and direction to other armed actors that are not Syrian or Iranian and are acting on behalf of that regime.

(c) **FORM OF STRATEGY.**—The strategy required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) **APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.**—In this section, the term “appropriate congressional committees and leadership” means—

(1) the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the majority and minority leaders of the Senate; and

(2) the Committee on Ways and Means, the Committee on Financial Services, the Committee on Foreign Affairs, and the Speaker, the majority leader, and the minority leader of the House of Representatives.

**SEC. 104. IMPOSITION OF ADDITIONAL SANCTIONS IN RESPONSE TO IRAN’S BALLISTIC MISSILE PROGRAM.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that the Secretary of the Treasury and the Secretary of State should continue to implement Executive Order 13382 (50 U.S.C. 1701 note; relating to blocking property of weapons of mass destruction delivery system proliferators and their supporters).

(b) **IMPOSITION OF SANCTIONS.**—The President shall impose the sanctions described in subsection (c) with respect to any person that the President determines, on or after the date of the enactment of this Act—

(1) knowingly engages in any activity that materially contributes to the activities of the Government of Iran with respect to its ballistic missile program, or any other program in Iran for developing, deploying, or maintaining systems capable of delivering weapons of mass destruction, including any efforts to manufacture, acquire, possess, develop, transport, transfer, or use such capabilities;

(2) is a successor entity to a person referred to in paragraph (1);

(3) owns or controls or is owned or controlled by a person referred to in paragraph (1);

(4) forms an entity with the purpose of evading sanctions that would otherwise be imposed pursuant to paragraph (3);

(5) is acting for or on behalf of a person referred to in paragraph (1), (2), (3), or (4); or

(6) knowingly provides or attempts to provide financial, material, technological, or other support for, or goods or services in support of, a person referred to in paragraph (1), (2), (3), (4) or (5).

(c) **SANCTIONS DESCRIBED.**—The sanctions described in this subsection are the following:

(1) **BLOCKING OF PROPERTY.**—The President shall block, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), all transactions in all property and interests in property of any person subject to subsection (b) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) **EXCLUSION FROM UNITED STATES.**—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any person subject to subsection (b) that is an alien.

(d) **PENALTIES.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (c)(1) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(e) **REPORT ON CONTRIBUTIONS TO IRAN’S BALLISTIC MISSILE PROGRAM.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report describing each person that—

(A) has, during the period specified in paragraph (2), conducted any activity that has materially contributed to the activities of the Government of Iran with respect to its ballistic missile program, or any other program in Iran for developing, deploying, or maintaining systems capable of delivering weapons of mass destruction, including any efforts to manufacture, acquire, possess, develop, transport, transfer, or use such capabilities;

(B) is a successor entity to a person referred to in subparagraph (A);

(C) owns or controls or is owned or controlled by a person referred to in subparagraph (A);

(D) forms an entity with the purpose of evading sanctions that could be imposed as a result of a relationship described in subparagraph (C);

(E) is acting for or on behalf of a person referred to in subparagraph (A), (B), (C), or (D); or

(F) is known or believed to have provided, or attempted to provide, during the period specified in paragraph (2), financial, material, technological, or other support for, or goods or services in support of, any material contribution to a program described in subparagraph (A) carried out by a person described in subparagraph (A), (B), (C), (D), or (E).

(2) **PERIOD SPECIFIED.**—The period specified in this paragraph is—

(A) in the case of the first report submitted under paragraph (1), the period beginning January 1, 2016, and ending on the date the report is submitted; and

(B) in the case of a subsequent such report, the 180-day period preceding the submission of the report.

(3) **FORM OF REPORT.**—Each report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

**SEC. 105. IMPOSITION OF TERRORISM-RELATED SANCTIONS WITH RESPECT TO THE IRGC.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) The IRGC is subject to sanctions pursuant to Executive Order 13382 (50 U.S.C. 1701 note; relating to blocking property of weapons of mass destruction delivery system proliferators and their supporters), the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.), Executive Order 13553 (50 U.S.C. 1701 note; relating to blocking property of certain persons with respect to serious human rights abuses by the Government of Iran), and Executive Order 13606 (50 U.S.C. 1701 note; relating to blocking the property and suspending entry into the United States of certain persons with respect to grave human rights

abuses by the Governments of Iran and Syria via information technology).

(2) The Iranian Revolutionary Guard Corps-Quds Force (in this section referred to as the "IRGC-QF") is the primary arm of the Government of Iran for executing its policy of supporting terrorist and insurgent groups. The IRGC-QF provides material, logistical assistance, training, and financial support to militants and terrorist operatives throughout the Middle East and South Asia and was designated for the imposition of sanctions by the Secretary of the Treasury pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism) in October 2007 for its support of terrorism.

(3) The IRGC, not just the IRGC-QF, is responsible for implementing Iran's international program of destabilizing activities, support for acts of international terrorism, and ballistic missile program.

(b) IN GENERAL.—Beginning on the date that is 90 days after the date of the enactment of this Act, the President shall impose the sanctions described in subsection (c) with respect to the IRGC and foreign persons that are officials, agents, or affiliates of the IRGC.

(c) SANCTIONS DESCRIBED.—The sanctions described in this subsection are sanctions applicable with respect to a foreign person pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).

#### SEC. 106. IMPOSITION OF ADDITIONAL SANCTIONS WITH RESPECT TO PERSONS RESPONSIBLE FOR HUMAN RIGHTS ABUSES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a list of each person the Secretary determines, based on credible evidence, on or after the date of the enactment of this Act—

(1) is responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights committed against individuals in Iran who seek—

(A) to expose illegal activity carried out by officials of the Government of Iran; or

(B) to obtain, exercise, defend, or promote internationally recognized human rights and freedoms, such as the freedoms of religion, expression, association, and assembly, and the rights to a fair trial and democratic elections; or

(2) acts as an agent of or on behalf of a foreign person in a matter relating to an activity described in paragraph (1).

(b) SANCTIONS DESCRIBED.—

(1) IN GENERAL.—The President may, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block all transactions in all property and interests in property of a person on the list required by subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1) or any regulation, license, or order issued to carry out paragraph (1) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the

same extent as a person that commits an unlawful act described in subsection (a) of that section.

#### SEC. 107. ENFORCEMENT OF ARMS EMBARGOS.

(a) IN GENERAL.—Except as provided in subsection (d), the President shall impose the sanctions described in subsection (b) with respect to any person that the President determines—

(1) knowingly engages in any activity that materially contributes to the supply, sale, or transfer directly or indirectly to or from Iran, or for the use in or benefit of Iran, of any battle tanks, armored combat vehicles, large caliber artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems, as defined for the purpose of the United Nations Register of Conventional Arms, or related materiel, including spare parts; or

(2) knowingly provides to Iran any technical training, financial resources or services, advice, other services or assistance related to the supply, sale, transfer, manufacture, maintenance, or use of arms and related materiel described in paragraph (1).

(b) SANCTIONS DESCRIBED.—

(1) BLOCKING OF PROPERTY.—The President shall block, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), all transactions in all property and interests in property of any person subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) EXCLUSION FROM UNITED STATES.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any person subject to subsection (a) that is an alien.

(c) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(1) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) EXCEPTION.—The President is not required to impose sanctions under subsection (a) with respect to a person for engaging in an activity described in that subsection if the President certifies to the appropriate congressional committees that—

(1) permitting the activity is in the national security interest of the United States;

(2) Iran no longer presents a significant threat to the national security of the United States and to the allies of the United States; and

(3) the Government of Iran has ceased providing operational or financial support for acts of international terrorism and no longer satisfies the requirements for designation as a state sponsor of terrorism.

(e) STATE SPONSOR OF TERRORISM DEFINED.—In this section, the term "state sponsor of terrorism" means a country the government of which the Secretary of State has determined to be a government that has repeatedly provided support for acts of international terrorism for purposes of—

(1) section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. 4605(j)(1)(A)) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.);

(2) section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a));

(3) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

(4) any other provision of law.

#### SEC. 108. REVIEW OF APPLICABILITY OF SANCTIONS RELATING TO IRAN'S SUPPORT FOR TERRORISM AND ITS BALLISTIC MISSILE PROGRAM.

(a) IN GENERAL.—Not later than 5 years after the date of the enactment of this Act, the President shall conduct a review of all persons on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury for activities relating to Iran—

(1) to assess the conduct of such persons as that conduct relates to—

(A) any activity that materially contributes to the activities of the Government of Iran with respect to its ballistic missile program; or

(B) support by the Government of Iran for acts of international terrorism; and

(2) to determine the applicability of sanctions with respect to such persons under—

(A) Executive Order 13382 (50 U.S.C. 1701 note; relating to blocking property of weapons of mass destruction delivery system proliferators and their supporters); or

(B) Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).

(b) IMPLEMENTATION OF SANCTIONS.—If the President determines under subsection (a) that sanctions under an Executive order specified in paragraph (2) of that subsection are applicable with respect to a person, the President shall—

(1) impose sanctions with respect to that person pursuant to that Executive order; or

(2) exercise the waiver authority provided under section 112.

#### SEC. 109. REPORT ON COORDINATION OF SANCTIONS BETWEEN THE UNITED STATES AND THE EUROPEAN UNION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report that includes the following:

(1) A description of each instance, during the period specified in subsection (b)—

(A) in which the United States has imposed sanctions with respect to a person for activity related to the proliferation of weapons of mass destruction or delivery systems for such weapons to or by Iran, support for acts of international terrorism by Iran, or human rights abuses in Iran, but in which the European Union has not imposed corresponding sanctions; and

(B) in which the European Union has imposed sanctions with respect to a person for activity related to the proliferation of weapons of mass destruction or delivery systems for such weapons to or by Iran, support for acts of international terrorism by Iran, or human rights abuses in Iran, but in which the United States has not imposed corresponding sanctions.

(2) An explanation for the reason for each discrepancy between sanctions imposed by the European Union and sanctions imposed by the United States described in subparagraphs (A) and (B) of paragraph (1).

(b) PERIOD SPECIFIED.—The period specified in this subsection is—

(1) in the case of the first report submitted under subsection (a), the period beginning on the date of the enactment of this Act and ending on the date the report is submitted; and



(2) in the case of a subsequent such report, the 180-day period preceding the submission of the report.

(c) **FORM OF REPORT.**—The report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

**SEC. 110. REPORT ON UNITED STATES CITIZENS DETAINED BY IRAN.**

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall submit to the appropriate congressional committees and leadership a report on United States citizens, including United States citizens who are also citizens of other countries, detained by Iran or groups supported by Iran that includes—

(1) information regarding any officials of the Government of Iran involved in any way in the detentions; and

(2) a summary of efforts the United States Government has taken to secure the swift release of those United States citizens.

(b) **FORM OF REPORT.**—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.**—In this section, the term “appropriate congressional committees and leadership” means—

(1) the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the majority and minority leaders of the Senate; and

(2) the Committee on Ways and Means, the Committee on Financial Services, the Committee on Foreign Affairs, and the Speaker, the majority leader, and the minority leader of the House of Representatives.

**SEC. 111. EXCEPTIONS FOR NATIONAL SECURITY AND HUMANITARIAN ASSISTANCE; RULE OF CONSTRUCTION.**

(a) **IN GENERAL.**—The following activities shall be exempt from sanctions under sections 104, 105, 106, and 107:

(1) Any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), or to any authorized intelligence activities of the United States.

(2) The admission of an alien to the United States if such admission is necessary to comply with United States obligations under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, or under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other applicable international obligations of the United States.

(3) The conduct or facilitation of a transaction for the sale of agricultural commodities, food, medicine, or medical devices to Iran or for the provision of humanitarian assistance to the people of Iran, including engaging in a financial transaction relating to humanitarian assistance or for humanitarian purposes or transporting goods or services that are necessary to carry out operations relating to humanitarian assistance or humanitarian purposes.

(b) **IMPLEMENTATION.**—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this Act.

(c) **RULE OF CONSTRUCTION.**—Nothing in this Act shall be construed to limit the authority of the President under the Inter-

national Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(d) **DEFINITIONS.**—In this section:

(1) **AGRICULTURAL COMMODITY.**—The term “agricultural commodity” has the meaning given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(2) **GOOD.**—The term “good” has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. 4618) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(3) **MEDICAL DEVICE.**—The term “medical device” has the meaning given the term “device” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(4) **MEDICINE.**—The term “medicine” has the meaning given the term “drug” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

**SEC. 112. PRESIDENTIAL WAIVER AUTHORITY.**

(a) **CASE-BY-CASE WAIVER AUTHORITY.**—

(1) **IN GENERAL.**—The President may waive, on a case-by-case basis and for a period of not more than 180 days, a requirement under section 104, 105, 106, 107, or 108 to impose or maintain sanctions with respect to a person, and may waive the continued imposition of such sanctions, not less than 30 days after the President determines and reports to the appropriate congressional committees that it is vital to the national security interests of the United States to waive such sanctions.

(2) **RENEWAL OF WAIVERS.**—The President may, on a case-by-case basis, renew a waiver under paragraph (1) for an additional period of not more than 180 days if, not later than 15 days before that waiver expires, the President makes the determination and submits to the appropriate congressional committees a report described in paragraph (1).

(3) **SUCCESSIVE RENEWAL.**—The renewal authority provided under paragraph (2) may be exercised for additional successive periods of not more than 180 days if the President follows the procedures set forth in paragraph (2), and submits the report described in paragraph (1), for each such renewal.

(b) **CONTENTS OF WAIVER REPORTS.**—Each report submitted under subsection (a) in connection with a waiver of sanctions under section 104, 105, 106, 107, or 108 with respect to a person, or the renewal of such a waiver, shall include—

(1) a specific and detailed rationale for the determination that the waiver is vital to the national security interests of the United States;

(2) a description of the activity that resulted in the person being subject to sanctions;

(3) an explanation of any efforts made by the United States, as applicable, to secure the cooperation of the government with primary jurisdiction over the person or the location where the activity described in paragraph (2) occurred in terminating or, as appropriate, penalizing the activity; and

(4) an assessment of the significance of the activity described in paragraph (2) in contributing to the ability of Iran to threaten the interests of the United States or allies of the United States, develop systems capable of delivering weapons of mass destruction, support acts of international terrorism, or violate the human rights of any person in Iran.

(c) **EFFECT OF REPORT ON WAIVER.**—If the President submits a report under subsection (a) in connection with a waiver of sanctions under section 104, 105, 106, 107, or 108 with respect to a person, or the renewal of such a waiver, the President shall not be required

to impose or maintain sanctions under section 104, 105, 106, 107, or 108, as applicable, with respect to the person described in the report during the 30-day period referred to in subsection (a).

**TITLE II—SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION AND COMBATING TERRORISM AND ILLICIT FINANCING**

**SEC. 201. SHORT TITLE.**

This title may be cited as the “Countering Russian Influence in Europe and Eurasia Act of 2017”.

**Subtitle A—Sanctions and Other Measures With Respect to the Russian Federation**

**SEC. 211. FINDINGS.**

Congress makes the following findings:

(1) On March 6, 2014, President Barack Obama issued Executive Order 13660 (79 Fed. Reg. 13493; relating to blocking property of certain persons contributing to the situation in Ukraine), which authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to impose sanctions on those determined to be undermining democratic processes and institutions in Ukraine or threatening the peace, security, stability, sovereignty, and territorial integrity of Ukraine. President Obama subsequently issued Executive Order 13661 (79 Fed. Reg. 15535; relating to blocking property of additional persons contributing to the situation in Ukraine) and Executive Order 13662 (79 Fed. Reg. 16169; relating to blocking property of additional persons contributing to the situation in Ukraine) to expand sanctions on certain persons contributing to the situation in Ukraine.

(2) On December 18, 2014, the Ukraine Freedom Support Act of 2014 was enacted (Public Law 113-272; 22 U.S.C. 8921 et seq.), which includes provisions directing the President to impose sanctions on foreign persons that the President determines to be entities owned or controlled by the Government of the Russian Federation or nationals of the Russian Federation that manufacture, sell, transfer, or otherwise provide certain defense articles into Syria.

(3) On April 1, 2015, President Obama issued Executive Order 13694 (80 Fed. Reg. 18077; relating to blocking the property of certain persons engaging in significant malicious cyber-enabled activities), which authorizes the Secretary of the Treasury, in consultation with the Attorney General and the Secretary of State, to impose sanctions on persons determined to be engaged in malicious cyber-hacking.

(4) On July 26, 2016, President Obama approved a Presidential Policy Directive on United States Cyber Incident Coordination, which states, “certain cyber incidents that have significant impacts on an entity, our national security, or the broader economy require a unique approach to response efforts”.

(5) On December 29, 2016, President Obama issued an annex to Executive Order 13694, which authorized sanctions on the following entities and individuals:

(A) The Main Intelligence Directorate (also known as Glavnoe Razvedyvatel'noe Upravlenie or the GRU) in Moscow, Russian Federation.

(B) The Federal Security Service (also known as Federalnaya Sluzhba Bezopasnosti or the FSB) in Moscow, Russian Federation.

(C) The Special Technology Center (also known as STLC, Ltd. Special Technology Center St. Petersburg) in St. Petersburg, Russian Federation.

(D) Zorsecurity (also known as Esage Lab) in Moscow, Russian Federation.



(E) The autonomous noncommercial organization known as the Professional Association of Designers of Data Processing Systems (also known as ANO PO KSI) in Moscow, Russian Federation.

(F) Igor Valentinovich Korobov.

(G) Sergey Aleksandrovich Gizunov.

(H) Igor Olegovich Kostyukov.

(I) Vladimir Stepanovich Alexseyev.

(6) On January 6, 2017, an assessment of the United States intelligence community entitled, “Assessing Russian Activities and Intentions in Recent U.S. Elections” stated, “Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the United States presidential election.” The assessment warns that “Moscow will apply lessons learned from its Putin-ordered campaign aimed at the U.S. Presidential election to future influence efforts worldwide, including against U.S. allies and their election processes”.

#### SEC. 212. SENSE OF CONGRESS.

It is the sense of Congress that the President—

(1) should continue to uphold and seek unity with European and other key partners on sanctions implemented against the Russian Federation, which have been effective and instrumental in countering Russian aggression in Ukraine;

(2) should engage to the fullest extent possible with partner governments with regard to closing loopholes, including the allowance of extended prepayment for the delivery of goods and commodities and other loopholes, in multilateral and unilateral restrictive measures against the Russian Federation, with the aim of maximizing alignment of those measures; and

(3) should increase efforts to vigorously enforce compliance with sanctions in place as of the date of the enactment of this Act with respect to the Russian Federation in response to the crisis in eastern Ukraine, cyber intrusions and attacks, and human rights violators in the Russian Federation.

#### PART 1—CONGRESSIONAL REVIEW OF SANCTIONS IMPOSED WITH RESPECT TO THE RUSSIAN FEDERATION

##### SEC. 215. SHORT TITLE.

This part may be cited as the “Russia Sanctions Review Act of 2017”.

##### SEC. 216. CONGRESSIONAL REVIEW OF CERTAIN ACTIONS RELATING TO SANCTIONS IMPOSED WITH RESPECT TO THE RUSSIAN FEDERATION.

(a) SUBMISSION TO CONGRESS OF PROPOSED ACTION.—

(1) IN GENERAL.—Notwithstanding any other provision of law, before taking any action described in paragraph (2), the President shall submit to the appropriate congressional committees and leadership a report that describes the proposed action and the reasons for that action.

(2) ACTIONS DESCRIBED.—

(A) IN GENERAL.—An action described in this paragraph is—

(i) an action to terminate the application of any sanctions described in subparagraph (B);

(ii) with respect to sanctions described in subparagraph (B) imposed by the President with respect to a person, an action to waive the application of those sanctions with respect to that person; or

(iii) a licensing action that significantly alters United States’ foreign policy with regard to the Russian Federation.

(B) SANCTIONS DESCRIBED.—The sanctions described in this subparagraph are—

(i) sanctions provided for under—

(1) this title or any provision of law amended by this title, including the Executive orders codified under section 222;

(II) the Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (22 U.S.C. 8901 et seq.); or

(III) the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8921 et seq.); and

(ii) the prohibition on access to the properties of the Government of the Russian Federation located in Maryland and New York that the President ordered vacated on December 29, 2016.

(3) DESCRIPTION OF TYPE OF ACTION.—Each report submitted under paragraph (1) with respect to an action described in paragraph (2) shall include a description of whether the action—

(A) is not intended to significantly alter United States foreign policy with regard to the Russian Federation; or

(B) is intended to significantly alter United States foreign policy with regard to the Russian Federation.

(4) INCLUSION OF ADDITIONAL MATTER.—

(A) IN GENERAL.—Each report submitted under paragraph (1) that relates to an action that is intended to significantly alter United States foreign policy with regard to the Russian Federation shall include a description of—

(i) the significant alteration to United States foreign policy with regard to the Russian Federation;

(ii) the anticipated effect of the action on the national security interests of the United States; and

(iii) the policy objectives for which the sanctions affected by the action were initially imposed.

(B) REQUESTS FROM BANKING AND FINANCIAL SERVICES COMMITTEES.—The Committee on Banking, Housing, and Urban Affairs of the Senate or the Committee on Financial Services of the House of Representatives may request the submission to the Committee of the matter described in clauses (ii) and (iii) of subparagraph (A) with respect to a report submitted under paragraph (1) that relates to an action that is not intended to significantly alter United States foreign policy with regard to the Russian Federation.

(5) CONFIDENTIALITY OF PROPRIETARY INFORMATION.—Proprietary information that can be associated with a particular person with respect to an action described in paragraph (2) may be included in a report submitted under paragraph (1) only if the appropriate congressional committees and leadership provide assurances of confidentiality, unless such person otherwise consents in writing to such disclosure.

(6) RULE OF CONSTRUCTION.—Paragraph (2)(A)(iii) shall not be construed to require the submission of a report under paragraph (1) with respect to the routine issuance of a license that does not significantly alter United States foreign policy with regard to the Russian Federation.

(b) PERIOD FOR REVIEW BY CONGRESS.—

(1) IN GENERAL.—During the period of 30 calendar days beginning on the date on which the President submits a report under subsection (a)(1)—

(A) in the case of a report that relates to an action that is not intended to significantly alter United States foreign policy with regard to the Russian Federation, the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives should, as appropriate, hold hearings and briefings and otherwise obtain information in order to fully review the report; and

(B) in the case of a report that relates to an action that is intended to significantly alter United States foreign policy with regard to the Russian Federation, the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives should, as appropriate, hold hearings and briefings and otherwise obtain information in order to fully review the report.

(2) EXCEPTION.—The period for congressional review under paragraph (1) of a report required to be submitted under subsection (a)(1) shall be 60 calendar days if the report is submitted on or after July 10 and on or before September 7 in any calendar year.

(3) LIMITATION ON ACTIONS DURING INITIAL CONGRESSIONAL REVIEW PERIOD.—Notwithstanding any other provision of law, during the period for congressional review provided for under paragraph (1) of a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2), including any additional period for such review as applicable under the exception provided in paragraph (2), the President may not take that action unless a joint resolution of approval with respect to that action is enacted in accordance with subsection (c).

(4) LIMITATION ON ACTIONS DURING PRESIDENTIAL CONSIDERATION OF A JOINT RESOLUTION OF DISAPPROVAL.—Notwithstanding any other provision of law, if a joint resolution of disapproval relating to a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2) passes both Houses of Congress in accordance with subsection (c), the President may not take that action for a period of 12 calendar days after the date of passage of the joint resolution of disapproval.

(5) LIMITATION ON ACTIONS DURING CONGRESSIONAL RECONSIDERATION OF A JOINT RESOLUTION OF DISAPPROVAL.—Notwithstanding any other provision of law, if a joint resolution of disapproval relating to a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2) passes both Houses of Congress in accordance with subsection (c), and the President vetoes the joint resolution, the President may not take that action for a period of 10 calendar days after the date of the President’s veto.

(6) EFFECT OF ENACTMENT OF A JOINT RESOLUTION OF DISAPPROVAL.—Notwithstanding any other provision of law, if a joint resolution of disapproval relating to a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2) is enacted in accordance with subsection (c), the President may not take that action.

(c) JOINT RESOLUTIONS OF DISAPPROVAL OR APPROVAL DEFINED.—In this subsection:

(1) JOINT RESOLUTION OF APPROVAL.—The term “joint resolution of approval” means only a joint resolution of either House of Congress—

(A) the title of which is as follows: “A joint resolution approving the President’s proposal to take an action relating to the application of certain sanctions with respect to the Russian Federation.”; and

(B) the sole matter after the resolving clause of which is the following: “Congress approves of the action relating to the application of sanctions imposed with respect to the Russian Federation proposed by the President in the report submitted to Congress under section 216(a)(1) of the Russia Sanctions Review Act of 2017 on \_\_\_\_\_ relating to \_\_\_\_\_,” with the first blank space being filled with the appropriate date and the second blank space being filled with a short description of the proposed action.

(2) **JOINT RESOLUTION OF DISAPPROVAL.**—The term “joint resolution of disapproval” means only a joint resolution of either House of Congress—

(A) the title of which is as follows: “A joint resolution disapproving the President’s proposal to take an action relating to the application of certain sanctions with respect to the Russian Federation.”; and

(B) the sole matter after the resolving clause of which is the following: “Congress disapproves of the action relating to the application of sanctions imposed with respect to the Russian Federation proposed by the President in the report submitted to Congress under section 216(a)(1) of the Russia Sanctions Review Act of 2017 on \_\_\_\_\_ relating to \_\_\_\_\_.”, with the first blank space being filled with the appropriate date and the second blank space being filled with a short description of the proposed action.

(3) **INTRODUCTION.**—During the period of 30 calendar days provided for under subsection (b)(1), including any additional period as applicable under the exception provided in subsection (b)(2), a joint resolution of approval or joint resolution of disapproval may be introduced—

(A) in the House of Representatives, by the majority leader or the minority leader; and

(B) in the Senate, by the majority leader (or the majority leader’s designee) or the minority leader (or the minority leader’s designee).

(4) **FLOOR CONSIDERATION IN HOUSE OF REPRESENTATIVES.**—If a committee of the House of Representatives to which a joint resolution of approval or joint resolution of disapproval has been referred has not reported the joint resolution within 10 calendar days after the date of referral, that committee shall be discharged from further consideration of the joint resolution.

(5) **CONSIDERATION IN THE SENATE.**—

(A) **COMMITTEE REFERRAL.**—A joint resolution of approval or joint resolution of disapproval introduced in the Senate shall be—

(i) referred to the Committee on Banking, Housing, and Urban Affairs if the joint resolution relates to a report under subsection (a)(3)(A) that relates to an action that is not intended to significantly alter United States foreign policy with regard to the Russian Federation; and

(ii) referred to the Committee on Foreign Relations if the joint resolution relates to a report under subsection (a)(3)(B) that relates to an action that is intended to significantly alter United States foreign policy with respect to the Russian Federation.

(B) **REPORTING AND DISCHARGE.**—If the committee to which a joint resolution of approval or joint resolution of disapproval was referred has not reported the joint resolution within 10 calendar days after the date of referral of the joint resolution, that committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be placed on the appropriate calendar.

(C) **PROCEEDING TO CONSIDERATION.**—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee on Banking, Housing, and Urban Affairs or the Committee on Foreign Relations, as the case may be, reports a joint resolution of approval or joint resolution of disapproval to the Senate or has been discharged from consideration of such a joint resolution (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points

of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(D) **RULINGS OF THE CHAIR ON PROCEDURE.**—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint resolution of approval or joint resolution of disapproval shall be decided without debate.

(E) **CONSIDERATION OF VETO MESSAGES.**—Debate in the Senate of any veto message with respect to a joint resolution of approval or joint resolution of disapproval, including all debatable motions and appeals in connection with the joint resolution, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(6) **RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.**—

(A) **TREATMENT OF SENATE JOINT RESOLUTION IN HOUSE.**—In the House of Representatives, the following procedures shall apply to a joint resolution of approval or a joint resolution of disapproval received from the Senate (unless the House has already passed a joint resolution relating to the same proposed action):

(i) The joint resolution shall be referred to the appropriate committees.

(ii) If a committee to which a joint resolution has been referred has not reported the joint resolution within two calendar days after the date of referral, that committee shall be discharged from further consideration of the joint resolution.

(iii) Beginning on the third legislative day after each committee to which a joint resolution has been referred reports the joint resolution to the House or has been discharged from further consideration thereof, it shall be in order to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(iv) The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except two hours of debate equally divided and controlled by the sponsor of the joint resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(B) **TREATMENT OF HOUSE JOINT RESOLUTION IN SENATE.**—

(i) If, before the passage by the Senate of a joint resolution of approval or joint resolution of disapproval, the Senate receives an identical joint resolution from the House of Representatives, the following procedures shall apply:

(I) That joint resolution shall not be referred to a committee.

(II) With respect to that joint resolution—  
(aa) the procedure in the Senate shall be the same as if no joint resolution had been received from the House of Representatives; but

(bb) the vote on passage shall be on the joint resolution from the House of Representatives.

(ii) If, following passage of a joint resolution of approval or joint resolution of disapproval in the Senate, the Senate receives an identical joint resolution from the House of Representatives, that joint resolution shall be placed on the appropriate Senate calendar.

(iii) If a joint resolution of approval or a joint resolution of disapproval is received from the House, and no companion joint resolution has been introduced in the Senate, the Senate procedures under this subsection shall apply to the House joint resolution.

(C) **APPLICATION TO REVENUE MEASURES.**—The provisions of this paragraph shall not apply in the House of Representatives to a joint resolution of approval or joint resolution of disapproval that is a revenue measure.

(7) **RULES OF HOUSE OF REPRESENTATIVES AND SENATE.**—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(d) **APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.**—In this section, the term “appropriate congressional committees and leadership” means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the majority and minority leaders of the Senate; and

(2) the Committee on Financial Services, the Committee on Foreign Affairs, and the Speaker, the majority leader, and the minority leader of the House of Representatives.

## **PART 2—SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION**

### **SEC. 221. DEFINITIONS.**

In this part:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Finance of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives.

(2) **GOOD.**—The term “good” has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. 4618) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(3) **INTERNATIONAL FINANCIAL INSTITUTION.**—The term “international financial institution” has the meaning given that term in section 1701(c) of the International Financial Institutions Act (22 U.S.C. 262r(c)).

(4) **KNOWINGLY.**—The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(5) **PERSON.**—The term “person” means an individual or entity.

(6) **UNITED STATES PERSON.**—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

**SEC. 222. CODIFICATION OF SANCTIONS RELATING TO THE RUSSIAN FEDERATION.**

(a) **CODIFICATION.**—United States sanctions provided for in Executive Order 13660 (79 Fed. Reg. 13493; relating to blocking property of certain persons contributing to the situation in Ukraine), Executive Order 13661 (79 Fed. Reg. 15535; relating to blocking property of additional persons contributing to the situation in Ukraine), Executive Order 13662 (79 Fed. Reg. 16169; relating to blocking property of additional persons contributing to the situation in Ukraine), Executive Order 13685 (79 Fed. Reg. 77357; relating to blocking property of certain persons and prohibiting certain transactions with respect to the Crimea region of Ukraine), Executive Order 13694 (80 Fed. Reg. 18077; relating to blocking the property of certain persons engaging in significant malicious cyber-enabled activities), and Executive Order 13757 (82 Fed. Reg. 1; relating to taking additional steps to address the national emergency with respect to significant malicious cyber-enabled activities), as in effect on the day before the date of the enactment of this Act, including with respect to all persons sanctioned under such Executive orders, shall remain in effect except as provided in subsection (b).

(b) **TERMINATION OF CERTAIN SANCTIONS.**—Subject to section 216, the President may terminate the application of sanctions described in subsection (a) that are imposed on a person in connection with activity conducted by the person if the President submits to the appropriate congressional committees a notice that—

(1) the person is not engaging in the activity that was the basis for the sanctions or has taken significant verifiable steps toward stopping the activity; and

(2) the President has received reliable assurances that the person will not knowingly engage in activity subject to sanctions described in subsection (a) in the future.

(c) **APPLICATION OF NEW CYBER SANCTIONS.**—The President may waive the initial application under subsection (a) of sanctions with respect to a person under Executive Order 13694 or 13757 only if the President submits to the appropriate congressional committees—

(1) a written determination that the waiver—

(A) is in the vital national security interests of the United States; or

(B) will further the enforcement of this title; and

(2) a certification that the Government of the Russian Federation has made significant efforts to reduce the number and intensity of cyber intrusions conducted by that Government.

(d) **APPLICATION OF NEW UKRAINE-RELATED SANCTIONS.**—The President may waive the initial application under subsection (a) of sanctions with respect to a person under Executive Order 13660, 13661, 13662, or 13685 only if the President submits to the appropriate congressional committees—

(1) a written determination that the waiver—

(A) is in the vital national security interests of the United States; or

(B) will further the enforcement of this title; and

(2) a certification that the Government of the Russian Federation is taking steps to

implement the Minsk Agreement to address the ongoing conflict in eastern Ukraine, signed in Minsk, Belarus, on February 11, 2015, by the leaders of Ukraine, Russia, France, and Germany, the Minsk Protocol, which was agreed to on September 5, 2014, and any successor agreements that are agreed to by the Government of Ukraine.

**SEC. 223. MODIFICATION OF IMPLEMENTATION OF EXECUTIVE ORDER 13662.**

(a) **DETERMINATION THAT CERTAIN ENTITIES ARE SUBJECT TO SANCTIONS.**—The Secretary of the Treasury may determine that a person meets one or more of the criteria in section 1(a) of Executive Order 13662 if that person is a state-owned entity operating in the railway or metals and mining sector of the economy of the Russian Federation.

(b) **MODIFICATION OF DIRECTIVE 1 WITH RESPECT TO THE FINANCIAL SERVICES SECTOR OF THE RUSSIAN FEDERATION ECONOMY.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Treasury shall modify Directive 1 (as amended), dated September 12, 2014, issued by the Office of Foreign Assets Control under Executive Order 13662, or any successor directive (which shall be effective beginning on the date that is 60 days after the date of such modification), to ensure that the directive prohibits the conduct by United States persons or persons within the United States of all transactions in, provision of financing for, and other dealings in new debt of longer than 14 days maturity or new equity of persons determined to be subject to the directive, their property, or their interests in property.

(c) **MODIFICATION OF DIRECTIVE 2 WITH RESPECT TO THE ENERGY SECTOR OF THE RUSSIAN FEDERATION ECONOMY.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Treasury shall modify Directive 2 (as amended), dated September 12, 2014, issued by the Office of Foreign Assets Control under Executive Order 13662, or any successor directive (which shall be effective beginning on the date that is 60 days after the date of such modification), to ensure that the directive prohibits the conduct by United States persons or persons within the United States of all transactions in, provision of financing for, and other dealings in new debt of longer than 60 days maturity of persons determined to be subject to the directive, their property, or their interests in property.

(d) **MODIFICATION OF DIRECTIVE 4.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury shall modify Directive 4, dated September 12, 2014, issued by the Office of Foreign Assets Control under Executive Order 13662, or any successor directive (which shall be effective beginning on the date that is 90 days after the date of such modification), to ensure that the directive prohibits the provision, exportation, or reexportation, directly or indirectly, by United States persons or persons within the United States, of goods, services (except for financial services), or technology in support of exploration or production for new deepwater, Arctic offshore, or shale projects—

(1) that have the potential to produce oil; and

(2) that involve any person determined to be subject to the directive or the property or interests in property of such a person who has a controlling interest or a substantial non-controlling ownership interest in such a project defined as not less than a 33 percent interest.

**SEC. 224. IMPOSITION OF SANCTIONS WITH RESPECT TO ACTIVITIES OF THE RUSSIAN FEDERATION UNDERMINING CYBERSECURITY.**

(a) **IN GENERAL.**—On and after the date that is 60 days after the date of the enactment of this Act, the President shall—

(1) impose the sanctions described in subsection (b) with respect to any person that the President determines—

(A) knowingly engages in significant activities undermining cybersecurity against any person, including a democratic institution, or government on behalf of the Government of the Russian Federation; or

(B) is owned or controlled by, or acts or purports to act for or on behalf of, directly or indirectly, a person described in subparagraph (A);

(2) impose 5 or more of the sanctions described in section 235 with respect to any person that the President determines knowingly materially assists, sponsors, or provides financial, material, or technological support for, or goods or services (except financial services) in support of, an activity described in paragraph (1)(A); and

(3) impose 3 or more of the sanctions described in section 4(c) of the of the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8923(c)) with respect to any person that the President determines knowingly provides financial services in support of an activity described in paragraph (1)(A).

(b) **SANCTIONS DESCRIBED.**—The sanctions described in this subsection are the following:

(1) **ASSET BLOCKING.**—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by the President to be subject to subsection (a)(1) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) **EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.**—In the case of an alien determined by the President to be subject to subsection (a)(1), denial of a visa to, and exclusion from the United States of, the alien, and revocation in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of any visa or other documentation of the alien.

(c) **APPLICATION OF NEW CYBER SANCTIONS.**—The President may waive the initial application under subsection (a) of sanctions with respect to a person only if the President submits to the appropriate congressional committees—

(1) a written determination that the waiver—

(A) is in the vital national security interests of the United States; or

(B) will further the enforcement of this title; and

(2) a certification that the Government of the Russian Federation has made significant efforts to reduce the number and intensity of cyber intrusions conducted by that Government.

(d) **SIGNIFICANT ACTIVITIES UNDERMINING CYBERSECURITY DEFINED.**—In this section, the term “significant activities undermining cybersecurity” includes—

(1) significant efforts—

(A) to deny access to or degrade, disrupt, or destroy an information and communications technology system or network; or

(B) to exfiltrate, degrade, corrupt, destroy, or release information from such a system or network without authorization for purposes of—

- (i) conducting influence operations; or
- (ii) causing a significant misappropriation of funds, economic resources, trade secrets, personal identifications, or financial information for commercial or competitive advantage or private financial gain;
- (2) significant destructive malware attacks; and
- (3) significant denial of service activities.

**SEC. 225. IMPOSITION OF SANCTIONS RELATING TO SPECIAL RUSSIAN CRUDE OIL PROJECTS.**

Section 4(b)(1) of the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8923(b)(1)) is amended by striking “on and after the date that is 45 days after the date of the enactment of this Act, the President may impose” and inserting “on and after the date that is 30 days after the date of the enactment of the Countering Russian Influence in Europe and Eurasia Act of 2017, the President shall impose, unless the President determines that it is not in the national interest of the United States to do so.”.

**SEC. 226. IMPOSITION OF SANCTIONS WITH RESPECT TO RUSSIAN AND OTHER FOREIGN FINANCIAL INSTITUTIONS.**

Section 5 of the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8924) is amended—

- (1) in subsection (a)—
  - (A) by striking “may impose” and inserting “shall impose, unless the President determines that it is not in the national interest of the United States to do so.”; and
  - (B) by striking “on or after the date of the enactment of this Act” and inserting “on or after the date of the enactment of the Countering Russian Influence in Europe and Eurasia Act of 2017”; and
- (2) in subsection (b)—
  - (A) by striking “may impose” and inserting “shall impose, unless the President determines that it is not in the national interest of the United States to do so.”; and
  - (B) by striking “on or after the date that is 180 days after the date of the enactment of this Act” and inserting “on or after the date that is 30 days after the date of the enactment of the Countering Russian Influence in Europe and Eurasia Act of 2017”.

**SEC. 227. MANDATORY IMPOSITION OF SANCTIONS WITH RESPECT TO SIGNIFICANT CORRUPTION IN THE RUSSIAN FEDERATION.**

Section 9 of the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (22 U.S.C. 8908(a)) is amended—

- (1) in subsection (a)—
  - (A) in the matter preceding paragraph (1), by striking “is authorized and encouraged to” and inserting “shall”; and
  - (B) in paragraph (1)—
    - (i) by striking “President determines is” and inserting “President determines is, on or after the date of the enactment of the Countering Russian Influence in Europe and Eurasia Act of 2017.”; and
    - (ii) by inserting “or elsewhere” after “in the Russian Federation”;
  - (2) by redesignating subsection (d) as subsection (e);
  - (3) in subsection (c), by striking “The President” and inserting “except as provided in subsection (d), the President”; and
  - (4) by inserting after subsection (c) the following:

“(d) APPLICATION OF NEW SANCTIONS.—The President may waive the initial application of sanctions under subsection (b) with respect to a person only if the President submits to the appropriate congressional committees—

“(1) a written determination that the waiver—

- “(A) is in the vital national security interests of the United States; or
- “(B) will further the enforcement of this Act; and

“(2) a certification that the Government of the Russian Federation is taking steps to implement the Minsk Agreement to address the ongoing conflict in eastern Ukraine, signed in Minsk, Belarus, on February 11, 2015, by the leaders of Ukraine, Russia, France, and Germany, the Minsk Protocol, which was agreed to on September 5, 2014, and any successor agreements that are agreed to by the Government of Ukraine.”.

**SEC. 228. MANDATORY IMPOSITION OF SANCTIONS WITH RESPECT TO CERTAIN TRANSACTIONS WITH FOREIGN SANCTIONS EVADERS AND SERIOUS HUMAN RIGHTS ABUSERS IN THE RUSSIAN FEDERATION.**

(a) IN GENERAL.—The Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (22 U.S.C. 8901 et seq.) is amended by adding at the end the following:

**“SEC. 10. MANDATORY IMPOSITION OF SANCTIONS WITH RESPECT TO CERTAIN TRANSACTIONS WITH PERSONS THAT EVADE SANCTIONS IMPOSED WITH RESPECT TO THE RUSSIAN FEDERATION.**

“(a) IN GENERAL.—The President shall impose the sanctions described in subsection (b) with respect to a foreign person if the President determines that the foreign person knowingly, on or after the date of the enactment of the Countering Russian Influence in Europe and Eurasia Act of 2017—

- “(1) materially violates, attempts to violate, conspires to violate, or causes a violation of any license, order, regulation, or prohibition contained in or issued pursuant to any covered Executive order, this Act, or the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8921 et seq.); or
- “(2) facilitates a significant transaction or transactions, including deceptive or structured transactions, for or on behalf of—

“(A) any person subject to sanctions imposed by the United States with respect to the Russian Federation; or

“(B) any child, spouse, parent, or sibling of an individual described in subparagraph (A).

“(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by the President to be subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

“(c) IMPLEMENTATION; PENALTIES.—

“(1) IMPLEMENTATION.—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out subsection (b).

“(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b) or any regulation, license, or order issued to carry out subsection (b) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

“(d) APPLICATION OF NEW SANCTIONS.—The President may waive the initial application of sanctions under subsection (b) with respect to a person only if the President submits to the appropriate congressional committees—

“(1) a written determination that the waiver—

- “(A) is in the vital national security interests of the United States; or
- “(B) will further the enforcement of this Act;

“(2) in the case of sanctions imposed under this section in connection with a covered Executive order described in subparagraph (A), (B), (C), or (D) of subsection (f)(1), a certification that the Government of the Russian Federation is taking steps to implement the Minsk Agreement to address the ongoing conflict in eastern Ukraine, signed in Minsk, Belarus, on February 11, 2015, by the leaders of Ukraine, Russia, France, and Germany, the Minsk Protocol, which was agreed to on September 5, 2014, and any successor agreements that are agreed to by the Government of Ukraine; and

“(3) in the case of sanctions imposed under this section in connection with a covered Executive order described in subparagraphs (E) or (F) of subsection (f)(1), a certification that the Government of the Russian Federation has made significant efforts to reduce the number and intensity of cyber intrusions conducted by that Government.

“(e) TERMINATION.—Subject to section 216 of the Russia Sanctions Review Act of 2017, the President may terminate the application of sanctions under subsection (b) with respect to a person if the President submits to the appropriate congressional committees—

- “(1) a notice of and justification for the termination; and
- “(2) a notice that—

“(A) the person is not engaging in the activity that was the basis for the sanctions or has taken significant verifiable steps toward stopping the activity; and

“(B) the President has received reliable assurances that the person will not knowingly engage in activity subject to sanctions under subsection (a) in the future.

“(f) DEFINITIONS.—In this section:

“(1) COVERED EXECUTIVE ORDER.—The term ‘covered Executive order’ means any of the following:

“(A) Executive Order 13660 (79 Fed. Reg. 13493; relating to blocking property of certain persons contributing to the situation in Ukraine).

“(B) Executive Order 13661 (79 Fed. Reg. 15535; relating to blocking property of additional persons contributing to the situation in Ukraine).

“(C) Executive Order 13662 (79 Fed. Reg. 16169; relating to blocking property of additional persons contributing to the situation in Ukraine).

“(D) Executive Order 13685 (79 Fed. Reg. 77357; relating to blocking property of certain persons and prohibiting certain transactions with respect to the Crimea region of Ukraine).

“(E) Executive Order 13694 (80 Fed. Reg. 18077; relating to blocking the property of certain persons engaging in significant malicious cyber-enabled activities), relating to the Russian Federation.

“(F) Executive Order 13757 (82 Fed. Reg. 1; relating to taking additional steps to address the national emergency with respect to significant malicious cyber-enabled activities), relating to the Russian Federation.

“(2) FOREIGN PERSON.—The term ‘foreign person’ has the meaning given such term in

section 595.304 of title 31, Code of Federal Regulations (as in effect on the date of the enactment of this section).

“(3) **STRUCTURED.**—The term ‘structured’, with respect to a transaction, has the meaning given the term ‘structure’ in paragraph (xx) of section 1010.100 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

**“SEC. 11. MANDATORY IMPOSITION OF SANCTIONS WITH RESPECT TO TRANSACTIONS WITH PERSONS RESPONSIBLE FOR HUMAN RIGHTS ABUSES.**

“(a) **IN GENERAL.**—The President shall impose the sanctions described in subsection (b) with respect to a foreign person if the President determines that the foreign person, based on credible information, on or after the date of the enactment of this section—

“(1) is responsible for, complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses in any territory forcibly occupied or otherwise controlled by the Government of the Russian Federation;

“(2) materially assists, sponsors, or provides financial, material, or technological support for, or goods or services to, a foreign person described in paragraph (1); or

“(3) is owned or controlled by, or acts or purports to act for or on behalf of, directly or indirectly, a foreign person described in paragraph (1).

“(b) **SANCTIONS DESCRIBED.**—

“(1) **ASSET BLOCKING.**—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by the President to be subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

“(2) **EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.**—In the case of an alien determined by the President to be subject to subsection (a), denial of a visa to, and exclusion from the United States of, the alien, and revocation in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of any visa or other documentation of the alien.

“(c) **APPLICATION OF NEW SANCTIONS.**—The President may waive the initial application of sanctions under subsection (b) with respect to a person only if the President submits to the appropriate congressional committees—

“(1) a written determination that the waiver—

“(A) is in the vital national security interests of the United States; or

“(B) will further the enforcement of this Act; and

“(2) a certification that the Government of the Russian Federation has made efforts to reduce serious human rights abuses in territory forcibly occupied or otherwise controlled by that Government.

“(d) **IMPLEMENTATION; PENALTIES.**—

“(1) **IMPLEMENTATION.**—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out subsection (b)(1).

“(2) **PENALTIES.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(1) or any regulation, license, or order issued to carry out subsection (b)(1) shall be subject to the

penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

“(e) **TERMINATION.**—Subject to section 216 of Russia Sanctions Review Act of 2017, the President may terminate the application of sanctions under subsection (b) with respect to a person if the President submits to the appropriate congressional committees—

“(1) a notice of and justification for the termination; and

“(2) a notice—

“(A) that—

“(i) the person is not engaging in the activity that was the basis for the sanctions or has taken significant verifiable steps toward stopping the activity; and

“(ii) the President has received reliable assurances that the person will not knowingly engage in activity subject to sanctions under subsection (a) in the future; or

“(B) that the President determines that insufficient basis exists for the determination by the President under subsection (a) with respect to the person.”.

(b) **DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.**—Section 2(2) of the Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (22 U.S.C. 8901(2)) is amended—

(1) in subparagraph (A), by inserting “the Committee on Banking, Housing, and Urban Affairs,” before “the Committee on Foreign Relations”; and

(2) in subparagraph (B), by inserting “the Committee on Financial Services” before “the Committee on Foreign Affairs”.

**SEC. 229. NOTIFICATIONS TO CONGRESS UNDER UKRAINE FREEDOM SUPPORT ACT OF 2014.**

(a) **SANCTIONS RELATING TO DEFENSE AND ENERGY SECTORS OF THE RUSSIAN FEDERATION.**—Section 4 of the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8923) is amended—

(1) by redesignating subsections (g) and (h) as subsections (h) and (i), respectively;

(2) by inserting after subsection (f) the following:

“(g) **NOTIFICATIONS AND CERTIFICATIONS TO CONGRESS.**—

“(1) **IMPOSITION OF SANCTIONS.**—The President shall notify the appropriate congressional committees in writing not later than 15 days after imposing sanctions with respect to a foreign person under subsection (a) or (b).

“(2) **TERMINATION OF SANCTIONS WITH RESPECT TO RUSSIAN PRODUCERS, TRANSFERORS, OR BROKERS OF DEFENSE ARTICLES.**—Subject to section 216 of the Russia Sanctions Review Act of 2017, the President may terminate the imposition of sanctions under subsection (a)(2) with respect to a foreign person if the President submits to the appropriate congressional committees—

“(A) a notice of and justification for the termination; and

“(B) a notice that—

“(i) the foreign person is not engaging in the activity that was the basis for the sanctions or has taken significant verifiable steps toward stopping the activity; and

“(ii) the President has received reliable assurances that the foreign person will not knowingly engage in activity subject to sanctions under subsection (a)(2) in the future.”; and

(3) in subparagraph (B)(ii) of subsection (a)(3), by striking “subsection (h)” and inserting “subsection (i)”.

(b) **SANCTIONS ON RUSSIAN AND OTHER FOREIGN FINANCIAL INSTITUTIONS.**—Section 5 of the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8924) is amended—

(1) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively;

(2) by inserting after subsection (d) the following:

“(e) **NOTIFICATION TO CONGRESS ON IMPOSITION OF SANCTIONS.**—The President shall notify the appropriate congressional committees in writing not later than 15 days after imposing sanctions with respect to a foreign financial institution under subsection (a) or (b).”; and

(3) in subsection (g), as redesignated by paragraph (1), by striking “section 4(h)” and inserting “section 4(i)”.

**SEC. 230. STANDARDS FOR TERMINATION OF CERTAIN SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION.**

(a) **SANCTIONS RELATING TO UNDERMINING THE PEACE, SECURITY, STABILITY, SOVEREIGNTY, OR TERRITORIAL INTEGRITY OF UKRAINE.**—Section 8 of the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (22 U.S.C. 8907) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) **TERMINATION.**—Subject to section 216 of the Russia Sanctions Review Act of 2017, the President may terminate the application of sanctions under subsection (b) with respect to a person if the President submits to the appropriate congressional committees a notice that—

“(1) the person is not engaging in the activity that was the basis for the sanctions or has taken significant verifiable steps toward stopping the activity; and

“(2) the President has received reliable assurances that the person will not knowingly engage in activity subject to sanctions under subsection (a) in the future.”.

(b) **SANCTIONS RELATING TO CORRUPTION.**—Section 9 of the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (22 U.S.C. 8908) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) **TERMINATION.**—Subject to section 216 of the Russia Sanctions Review Act of 2017, the President may terminate the application of sanctions under subsection (b) with respect to a person if the President submits to the appropriate congressional committees a notice that—

“(1) the person is not engaging in the activity that was the basis for the sanctions or has taken significant verifiable steps toward stopping the activity; and

“(2) the President has received reliable assurances that the person will not knowingly engage in activity subject to sanctions under subsection (a) in the future.”.

**SEC. 231. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS ENGAGING IN TRANSACTIONS WITH THE INTELLIGENCE OR DEFENSE SECTORS OF THE GOVERNMENT OF THE RUSSIAN FEDERATION.**

(a) **IN GENERAL.**—On and after the date that is 180 days after the date of the enactment of this Act, the President shall impose 5 or more of the sanctions described in section 235 with respect to a person the President determines knowingly, on or after such date of enactment, engages in a significant transaction with a person that is part of, or operates for or on behalf of, the defense or

intelligence sectors of the Government of the Russian Federation, including the Main Intelligence Agency of the General Staff of the Armed Forces of the Russian Federation or the Federal Security Service of the Russian Federation.

(b) **APPLICATION OF NEW SANCTIONS.**—The President may waive the initial application of sanctions under subsection (a) with respect to a person only if the President submits to the appropriate congressional committees—

(1) a written determination that the waiver—

(A) is in the vital national security interests of the United States; or

(B) will further the enforcement of this title; and

(2) a certification that the Government of the Russian Federation has made significant efforts to reduce the number and intensity of cyber intrusions conducted by that Government.

(c) **DELAY OF IMPOSITION OF SANCTIONS.**—The President may delay the imposition of sanctions under subsection (a) with respect to a person if the President certifies to the appropriate congressional committees, not less frequently than every 180 days while the delay is in effect, that the person is substantially reducing the number of significant transactions described in subsection (a) in which that person engages.

(d) **REQUIREMENT TO ISSUE GUIDANCE.**—Not later than 60 days after the date of the enactment of this Act, the President shall issue regulations or other guidance to specify the persons that are part of, or operate for or on behalf of, the defense and intelligence sectors of the Government of the Russian Federation.

(e) **PENALTIES.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (a) or any regulation, license, or order issued to carry out subsection (a) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

#### **SEC. 232. SANCTIONS WITH RESPECT TO THE DEVELOPMENT OF PIPELINES IN THE RUSSIAN FEDERATION.**

(a) **IN GENERAL.**—The President, in coordination with allies of the United States, may impose 5 or more of the sanctions described in section 235 with respect to a person if the President determines that the person knowingly, on or after the date of the enactment of this Act, makes an investment described in subsection (b) or sells, leases, or provides to the Russian Federation, for the construction of Russian energy export pipelines, goods, services, technology, information, or support described in subsection (c)—

(1) any of which has a fair market value of \$1,000,000 or more; or

(2) that, during a 12-month period, have an aggregate fair market value of \$5,000,000 or more.

(b) **INVESTMENT DESCRIBED.**—An investment described in this subsection is an investment that directly and significantly contributes to the enhancement of the ability of the Russian Federation to construct energy export pipelines.

(c) **GOODS, SERVICES, TECHNOLOGY, INFORMATION, OR SUPPORT DESCRIBED.**—Goods, services, technology, information, or support described in this subsection are goods, services, technology, information, or support that could directly and significantly facili-

tate the maintenance or expansion of the construction, modernization, or repair of energy export pipelines by the Russian Federation.

#### **SEC. 233. SANCTIONS WITH RESPECT TO INVESTMENT IN OR FACILITATION OF PRIVATIZATION OF STATE-OWNED ASSETS BY THE RUSSIAN FEDERATION.**

(a) **IN GENERAL.**—The President shall impose 5 or more of the sanctions described in section 235 if the President determines that a person, with actual knowledge, on or after the date of the enactment of this Act, makes an investment of \$10,000,000 or more (or any combination of investments of not less than \$1,000,000 each, which in the aggregate equals or exceeds \$10,000,000 in any 12-month period), or facilitates such an investment, if the investment directly and significantly contributes to the ability of the Russian Federation to privatize state-owned assets in a manner that unjustly benefits—

(1) officials of the Government of the Russian Federation; or

(2) close associates or family members of those officials.

(b) **APPLICATION OF NEW SANCTIONS.**—The President may waive the initial application of sanctions under subsection (a) with respect to a person only if the President submits to the appropriate congressional committees—

(1) a written determination that the waiver—

(A) is in the vital national security interests of the United States; or

(B) will further the enforcement of this title; and

(2) a certification that the Government of the Russian Federation is taking steps to implement the Minsk Agreement to address the ongoing conflict in eastern Ukraine, signed in Minsk, Belarus, on February 11, 2015, by the leaders of Ukraine, Russia, France, and Germany, the Minsk Protocol, which was agreed to on September 5, 2014, and any successor agreements that are agreed to by the Government of Ukraine.

#### **SEC. 234. SANCTIONS WITH RESPECT TO THE TRANSFER OF ARMS AND RELATED MATERIEL TO SYRIA.**

(a) **IMPOSITION OF SANCTIONS.**—

(1) **IN GENERAL.**—The President shall impose on a foreign person the sanctions described in subsection (b) if the President determines that such foreign person has, on or after the date of the enactment of this Act, knowingly exported, transferred, or otherwise provided to Syria significant financial, material, or technological support that contributes materially to the ability of the Government of Syria to—

(A) acquire or develop chemical, biological, or nuclear weapons or related technologies;

(B) acquire or develop ballistic or cruise missile capabilities;

(C) acquire or develop destabilizing numbers and types of advanced conventional weapons;

(D) acquire significant defense articles, defense services, or defense information (as such terms are defined under the Arms Export Control Act (22 U.S.C. 2751 et seq.)); or

(E) acquire items designated by the President for purposes of the United States Munitions List under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).

(2) **APPLICABILITY TO OTHER FOREIGN PERSONS.**—The sanctions described in subsection (b) shall also be imposed on any foreign person that—

(A) is a successor entity to a foreign person described in paragraph (1); or

(B) is owned or controlled by, or has acted for or on behalf of, a foreign person described in paragraph (1).

(b) **SANCTIONS DESCRIBED.**—The sanctions to be imposed on a foreign person described in subsection (a) are the following:

(1) **BLOCKING OF PROPERTY.**—The President shall exercise all powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (except that the requirements of section 202 of such Act (50 U.S.C. 1701) shall not apply) to the extent necessary to block and prohibit all transactions in all property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) **ALIENS INELIGIBLE FOR VISAS, ADMISSION, OR PAROLE.**—

(A) **EXCLUSION FROM THE UNITED STATES.**—If the foreign person is an individual, the Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, the foreign person.

(B) **CURRENT VISAS REVOKED.**—

(i) **IN GENERAL.**—The issuing consular officer, the Secretary of State, or the Secretary of Homeland Security (or a designee of one of such Secretaries) shall revoke any visa or other entry documentation issued to the foreign person regardless of when issued.

(ii) **EFFECT OF REVOCATION.**—A revocation under clause (i) shall take effect immediately and shall automatically cancel any other valid visa or entry documentation that is in the possession of the foreign person.

(c) **WAIVER.**—Subject to section 216, the President may waive the application of sanctions under subsection (b) with respect to a person if the President determines that such a waiver is in the national security interest of the United States.

(d) **DEFINITIONS.**—In this section:

(1) **FINANCIAL, MATERIAL, OR TECHNOLOGICAL SUPPORT.**—The term “financial, material, or technological support” has the meaning given such term in section 542.304 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(2) **FOREIGN PERSON.**—The term “foreign person” has the meaning given such term in section 594.304 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(3) **SYRIA.**—The term “Syria” has the meaning given such term in section 542.316 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

#### **SEC. 235. SANCTIONS DESCRIBED.**

(a) **SANCTIONS DESCRIBED.**—The sanctions to be imposed with respect to a person under section 224(a)(2), 231(b), 232(a), or 233(a) are the following:

(1) **EXPORT-IMPORT BANK ASSISTANCE FOR EXPORTS TO SANCTIONED PERSONS.**—The President may direct the Export-Import Bank of the United States not to give approval to the issuance of any guarantee, insurance, extension of credit, or participation in the extension of credit in connection with the export of any goods or services to the sanctioned person.

(2) **EXPORT SANCTION.**—The President may order the United States Government not to issue any specific license and not to grant any other specific permission or authority to export any goods or technology to the sanctioned person under—

(A) the Export Administration Act of 1979 (50 U.S.C. 4601 et seq.) (as continued in effect pursuant to the International Emergency

Economic Powers Act (50 U.S.C. 1701 et seq.);

(B) the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(C) the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.); or

(D) any other statute that requires the prior review and approval of the United States Government as a condition for the export or reexport of goods or services.

(3) **LOANS FROM UNITED STATES FINANCIAL INSTITUTIONS.**—The President may prohibit any United States financial institution from making loans or providing credits to the sanctioned person totaling more than \$10,000,000 in any 12-month period unless the person is engaged in activities to relieve human suffering and the loans or credits are provided for such activities.

(4) **LOANS FROM INTERNATIONAL FINANCIAL INSTITUTIONS.**—The President may direct the United States executive director to each international financial institution to use the voice and vote of the United States to oppose any loan from the international financial institution that would benefit the sanctioned person.

(5) **PROHIBITIONS ON FINANCIAL INSTITUTIONS.**—The following prohibitions may be imposed against the sanctioned person if that person is a financial institution:

(A) **PROHIBITION ON DESIGNATION AS PRIMARY DEALER.**—Neither the Board of Governors of the Federal Reserve System nor the Federal Reserve Bank of New York may designate, or permit the continuation of any prior designation of, the financial institution as a primary dealer in United States Government debt instruments.

(B) **PROHIBITION ON SERVICE AS A REPOSITORY OF GOVERNMENT FUNDS.**—The financial institution may not serve as agent of the United States Government or serve as repository for United States Government funds. The imposition of either sanction under subparagraph (A) or (B) shall be treated as 1 sanction for purposes of subsection (b), and the imposition of both such sanctions shall be treated as 2 sanctions for purposes of subsection (b).

(6) **PROCUREMENT SANCTION.**—The United States Government may not procure, or enter into any contract for the procurement of, any goods or services from the sanctioned person.

(7) **FOREIGN EXCHANGE.**—The President may, pursuant to such regulations as the President may prescribe, prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which the sanctioned person has any interest.

(8) **BANKING TRANSACTIONS.**—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the sanctioned person.

(9) **PROPERTY TRANSACTIONS.**—The President may, pursuant to such regulations as the President may prescribe, prohibit any person from—

(A) acquiring, holding, withholding, using, transferring, withdrawing, transporting, importing, or exporting any property that is subject to the jurisdiction of the United States and with respect to which the sanctioned person has any interest;

(B) dealing in or exercising any right, power, or privilege with respect to such property; or

(C) conducting any transaction involving such property.

(10) **BAN ON INVESTMENT IN EQUITY OR DEBT OF SANCTIONED PERSON.**—The President may, pursuant to such regulations or guidelines as the President may prescribe, prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of the sanctioned person.

(11) **EXCLUSION OF CORPORATE OFFICERS.**—The President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, any alien that the President determines is a corporate officer or principal of, or a shareholder with a controlling interest in, the sanctioned person.

(12) **SANCTIONS ON PRINCIPAL EXECUTIVE OFFICERS.**—The President may impose on the principal executive officer or officers of the sanctioned person, or on persons performing similar functions and with similar authorities as such officer or officers, any of the sanctions under this subsection.

(b) **SANCTIONED PERSON DEFINED.**—In this section, the term “sanctioned person” means a person subject to sanctions under section 224(a)(2), 231(b), 232(a), or 233(a).

#### **SEC. 236. EXCEPTIONS, WAIVER, AND TERMINATION.**

(a) **EXCEPTIONS.**—The provisions of this part and amendments made by this part shall not apply with respect to the following:

(1) Activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), or any authorized intelligence activities of the United States.

(2) The admission of an alien to the United States if such admission is necessary to comply with United States obligations under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or under other international agreements.

(b) **WAIVER OF SANCTIONS THAT ARE IMPOSED.**—Subject to section 216, if the President imposes sanctions with respect to a person under this part or the amendments made by this part, the President may waive the application of those sanctions if the President determines that such a waiver is in the national security interest of the United States.

(c) **TERMINATION.**—Subject to section 216, the President may terminate the application of sanctions under section 224, 231, 232, 233, or 234 with respect to a person if the President submits to the appropriate congressional committees—

(1) a notice of and justification for the termination; and

(2) a notice that—

(A) the person is not engaging in the activity that was the basis for the sanctions or has taken significant verifiable steps toward stopping the activity; and

(B) the President has received reliable assurances that the person will not knowingly engage in activity subject to sanctions under this part in the future.

#### **SEC. 237. EXCEPTION RELATING TO ACTIVITIES OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.**

(a) **IN GENERAL.**—This Act and the amendments made by this Act shall not apply with respect to activities of the National Aeronautics and Space Administration.

(b) **RULE OF CONSTRUCTION.**—Nothing in this Act or the amendments made by this

Act shall be construed to authorize the imposition of any sanction or other condition, limitation, restriction, or prohibition, that directly or indirectly impedes the supply by any entity of the Russian Federation of any product or service, or the procurement of such product or service by any contractor or subcontractor of the United States or any other entity, relating to or in connection with any space launch conducted for—

(1) the National Aeronautics and Space Administration; or

(2) any other non-Department of Defense customer.

#### **SEC. 238. RULE OF CONSTRUCTION.**

Nothing in this part or the amendments made by this part shall be construed—

(1) to supersede the limitations or exceptions on the use of rocket engines for national security purposes under section 1608 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3626; 10 U.S.C. 2271 note), as amended by section 1607 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1100) and section 1602 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2582); or

(2) to prohibit a contractor or subcontractor of the Department of Defense from acquiring components referred to in such section 1608.

### **PART 3—REPORTS**

#### **SEC. 241. REPORT ON OLIGARCHS AND PARASTATAL ENTITIES OF THE RUSSIAN FEDERATION.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Director of National Intelligence and the Secretary of State, shall submit to the appropriate congressional committees a detailed report on the following:

(1) Senior foreign political figures and oligarchs in the Russian Federation, including the following:

(A) An identification of the most significant senior foreign political figures and oligarchs in the Russian Federation, as determined by their closeness to the Russian regime and their net worth.

(B) An assessment of the relationship between individuals identified under subparagraph (A) and President Vladimir Putin or other members of the Russian ruling elite.

(C) An identification of any indices of corruption with respect to those individuals.

(D) The estimated net worth and known sources of income of those individuals and their family members (including spouses, children, parents, and siblings), including assets, investments, other business interests, and relevant beneficial ownership information.

(E) An identification of the non-Russian business affiliations of those individuals.

(2) Russian parastatal entities, including an assessment of the following:

(A) The emergence of Russian parastatal entities and their role in the economy of the Russian Federation.

(B) The leadership structures and beneficial ownership of those entities.

(C) The scope of the non-Russian business affiliations of those entities.

(3) The exposure of key economic sectors of the United States to Russian politically exposed persons and parastatal entities, including, at a minimum, the banking, securities, insurance, and real estate sectors.

(4) The likely effects of imposing debt and equity restrictions on Russian parastatal entities, as well as the anticipated effects of



adding Russian parastatal entities to the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury.

(5) The potential impacts of imposing secondary sanctions with respect to Russian oligarchs, Russian state-owned enterprises, and Russian parastatal entities, including impacts on the entities themselves and on the economy of the Russian Federation, as well as on the economies of the United States and allies of the United States.

(b) **FORM OF REPORT.**—The report required under subsection (a) shall be submitted in an unclassified form, but may contain a classified annex.

(c) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Finance of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives.

(2) **SENIOR FOREIGN POLITICAL FIGURE.**—The term “senior foreign political figure” has the meaning given that term in section 1010.605 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

**SEC. 242. REPORT ON EFFECTS OF EXPANDING SANCTIONS TO INCLUDE SOVEREIGN DEBT AND DERIVATIVE PRODUCTS.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Director of National Intelligence and the Secretary of State, shall submit to the appropriate congressional committees a report describing in detail the potential effects of expanding sanctions under Directive 1 (as amended), dated September 12, 2014, issued by the Office of Foreign Assets Control under Executive Order 13662 (79 Fed. Reg. 16169; relating to blocking property of additional persons contributing to the situation in Ukraine), or any successor directive, to include sovereign debt and the full range of derivative products.

(b) **FORM OF REPORT.**—The report required under subsection (a) shall be submitted in an unclassified form, but may contain a classified annex.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Finance of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives.

**SEC. 243. REPORT ON ILLICIT FINANCE RELATING TO THE RUSSIAN FEDERATION.**

(a) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, and not later than the end of each one-year period thereafter until 2021, the Secretary of the Treasury shall submit to the appropriate congressional committees a report describing interagency efforts in the United States to combat illicit finance relating to the Russian Federation.

(b) **ELEMENTS.**—The report required by subsection (a) shall contain a summary of efforts by the United States to do the following:

(1) Identify, investigate, map, and disrupt illicit financial flows linked to the Russian Federation if such flows affect the United States financial system or those of major allies of the United States.

(2) Conduct outreach to the private sector, including information sharing efforts to strengthen compliance efforts by entities, including financial institutions, to prevent illicit financial flows described in paragraph (1).

(3) Engage and coordinate with allied international partners on illicit finance, especially in Europe, to coordinate efforts to uncover and prosecute the networks responsible for illicit financial flows described in paragraph (1), including examples of that engagement and coordination.

(4) Identify foreign sanctions evaders and loopholes within the sanctions regimes of foreign partners of the United States.

(5) Expand the number of real estate geographic targeting orders or other regulatory actions, as appropriate, to degrade illicit financial activity relating to the Russian Federation in relation to the financial system of the United States.

(6) Provide support to counter those involved in illicit finance relating to the Russian Federation across all appropriate law enforcement, intelligence, regulatory, and financial authorities of the Federal Government, including by imposing sanctions with respect to or prosecuting those involved.

(7) In the case of the Department of the Treasury and the Department of Justice, investigate or otherwise develop major cases, including a description of those cases.

(c) **BRIEFING.**—After submitting a report under this section, the Secretary of the Treasury shall provide briefings to the appropriate congressional committees with respect to that report.

(d) **COORDINATION.**—The Secretary of the Treasury shall coordinate with the Attorney General, the Director of National Intelligence, the Secretary of Homeland Security, and the Secretary of State in preparing each report under this section.

(e) **FORM.**—Each report submitted under this section shall be submitted in unclassified form, but may contain a classified annex.

(f) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Finance of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives.

(2) **ILLICIT FINANCE.**—The term “illicit finance” means the financing of terrorism, narcotics trafficking, or proliferation, money laundering, or other forms of illicit financing domestically or internationally, as defined by the President.

**Subtitle B—Countering Russian Influence in Europe and Eurasia**

**SEC. 251. FINDINGS.**

Congress makes the following findings:

(1) The Government of the Russian Federation has sought to exert influence throughout Europe and Eurasia, including in the former states of the Soviet Union, by providing resources to political parties, think tanks, and civil society groups that sow distrust in democratic institutions and actors, promote xenophobic and illiberal views, and otherwise undermine European unity. The

Government of the Russian Federation has also engaged in well-documented corruption practices as a means toward undermining and buying influence in European and Eurasian countries.

(2) The Government of the Russian Federation has largely eliminated a once-vibrant Russian-language independent media sector and severely curtails free and independent media within the borders of the Russian Federation. Russian-language media organizations that are funded and controlled by the Government of the Russian Federation and disseminate information within and outside of the Russian Federation routinely traffic in anti-Western disinformation, while few independent, fact-based media sources provide objective reporting for Russian-speaking audiences inside or outside of the Russian Federation.

(3) The Government of the Russian Federation continues to violate its commitments under the Memorandum on Security Assurances in connection with Ukraine’s Accession to the Treaty on the Non-Proliferation of Nuclear Weapons, done at Budapest December 5, 1994, and the Conference on Security and Co-operation in Europe Final Act, concluded at Helsinki August 1, 1975 (commonly referred to as the “Helsinki Final Act”), which laid the ground-work for the establishment of the Organization for Security and Co-operation in Europe, of which the Russian Federation is a member, by its illegal annexation of Crimea in 2014, its illegal occupation of South Ossetia and Abkhazia in Georgia in 2008, and its ongoing destabilizing activities in eastern Ukraine.

(4) The Government of the Russian Federation continues to ignore the terms of the August 2008 ceasefire agreement relating to Georgia, which requires the withdrawal of Russian Federation troops, free access by humanitarian groups to the regions of South Ossetia and Abkhazia, and monitoring of the conflict areas by the European Union Monitoring Mission.

(5) The Government of the Russian Federation is failing to comply with the terms of the Minsk Agreement to address the ongoing conflict in eastern Ukraine, signed in Minsk, Belarus, on February 11, 2015, by the leaders of Ukraine, Russia, France, and Germany, as well as the Minsk Protocol, which was agreed to on September 5, 2014.

(6) The Government of the Russian Federation is—

(A) in violation of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988 (commonly known as the “INF Treaty”); and

(B) failing to meet its obligations under the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002 (commonly known as the “Open Skies Treaty”).

**SEC. 252. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) the Government of the Russian Federation bears responsibility for the continuing violence in Eastern Ukraine, including the death on April 24, 2017, of Joseph Stone, a citizen of the United States working as a monitor for the Organization for Security and Co-operation in Europe;

(2) the President should call on the Government of the Russian Federation—

(A) to withdraw all of its forces from the territories of Georgia, Ukraine, and Moldova;

(B) to return control of the borders of those territories to their respective governments; and

(C) to cease all efforts to undermine the popularly elected governments of those countries;

(3) the Government of the Russian Federation has applied, and continues to apply, to the countries and peoples of Georgia and Ukraine, traditional uses of force, intelligence operations, and influence campaigns, which represent clear and present threats to the countries of Europe and Eurasia;

(4) in response, the countries of Europe and Eurasia should redouble efforts to build resilience within their institutions, political systems, and civil societies;

(5) the United States supports the institutions that the Government of the Russian Federation seeks to undermine, including the North Atlantic Treaty Organization and the European Union;

(6) a strong North Atlantic Treaty Organization is critical to maintaining peace and security in Europe and Eurasia;

(7) the United States should continue to work with the European Union as a partner against aggression by the Government of the Russian Federation, coordinating aid programs, development assistance, and other counter-Russian efforts;

(8) the United States should encourage the establishment of a commission for media freedom within the Council of Europe, modeled on the Venice Commission regarding rule of law issues, that would be chartered to provide governments with expert recommendations on maintaining legal and regulatory regimes supportive of free and independent media and an informed citizenry able to distinguish between fact-based reporting, opinion, and disinformation;

(9) in addition to working to strengthen the North Atlantic Treaty Organization and the European Union, the United States should work with the individual countries of Europe and Eurasia—

(A) to identify vulnerabilities to aggression, disinformation, corruption, and so-called hybrid warfare by the Government of the Russian Federation;

(B) to establish strategic and technical plans for addressing those vulnerabilities;

(C) to ensure that the financial systems of those countries are not being used to shield illicit financial activity by officials of the Government of the Russian Federation or individuals in President Vladimir Putin's inner circle who have been enriched through corruption;

(D) to investigate and prosecute cases of corruption by Russian actors; and

(E) to work toward full compliance with the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (commonly referred to as the "Anti-Bribery Convention") of the Organization for Economic Co-operation and Development; and

(10) the President of the United States should use the authority of the President to impose sanctions under—

(A) the Sergei Magnitsky Rule of Law Accountability Act of 2012 (title IV of Public Law 112-208; 22 U.S.C. 5811 note); and

(B) the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114-328; 22 U.S.C. 2656 note).

#### SEC. 253. STATEMENT OF POLICY.

The United States, consistent with the principle of *ex injuria jus non oritur*, supports the policy known as the "Stimson Doctrine" and thus does not recognize territorial changes effected by force, including

the illegal invasions and occupations of Abkhazia, South Ossetia, Crimea, Eastern Ukraine, and Transnistria.

#### SEC. 254. COORDINATING AID AND ASSISTANCE ACROSS EUROPE AND EURASIA.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the Countering Russian Influence Fund \$250,000,000 for fiscal years 2018 and 2019.

(b) USE OF FUNDS.—Amounts in the Countering Russian Influence Fund shall be used to effectively implement, prioritized in the following order and subject to the availability of funds, the following goals:

(1) To assist in protecting critical infrastructure and electoral mechanisms from cyberattacks in the following countries:

(A) Countries that are members of the North Atlantic Treaty Organization or the European Union that the Secretary of State determines—

(i) are vulnerable to influence by the Russian Federation; and

(ii) lack the economic capability to effectively respond to aggression by the Russian Federation without the support of the United States.

(B) Countries that are participating in the enlargement process of the North Atlantic Treaty Organization or the European Union, including Albania, Bosnia and Herzegovina, Georgia, Macedonia, Moldova, Kosovo, Serbia, and Ukraine.

(2) To combat corruption, improve the rule of law, and otherwise strengthen independent judiciaries and prosecutors general offices in the countries described in paragraph (1).

(3) To respond to the humanitarian crises and instability caused or aggravated by the invasions and occupations of Georgia and Ukraine by the Russian Federation.

(4) To improve participatory legislative processes and legal education, political transparency and competition, and compliance with international obligations in the countries described in paragraph (1).

(5) To build the capacity of civil society, media, and other nongovernmental organizations countering the influence and propaganda of the Russian Federation to combat corruption, prioritize access to truthful information, and operate freely in all regions in the countries described in paragraph (1).

(6) To assist the Secretary of State in executing the functions specified in section 1287(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 22 U.S.C. 2656 note) for the purposes of recognizing, understanding, exposing, and countering propaganda and disinformation efforts by foreign governments, in coordination with the relevant regional Assistant Secretary or Assistant Secretaries of the Department of State.

(c) REVISION OF ACTIVITIES FOR WHICH AMOUNTS MAY BE USED.—The Secretary of State may modify the goals described in subsection (b) if, not later than 15 days before revising such a goal, the Secretary notifies the appropriate congressional committees of the revision.

(d) IMPLEMENTATION.—

(1) IN GENERAL.—The Secretary of State shall, acting through the Coordinator of United States Assistance to Europe and Eurasia (authorized pursuant to section 601 of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5461) and section 102 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (22 U.S.C. 5812)), and in consultation with the Administrator for the United States Agency for Inter-

national Development, the Director of the Global Engagement Center of the Department of State, the Secretary of Defense, the Chairman of the Broadcasting Board of Governors, and the heads of other relevant Federal agencies, coordinate and carry out activities to achieve the goals described in subsection (b).

(2) METHOD.—Activities to achieve the goals described in subsection (b) shall be carried out through—

(A) initiatives of the United States Government;

(B) Federal grant programs such as the Information Access Fund; or

(C) nongovernmental or international organizations, such as the Organization for Security and Co-operation in Europe, the National Endowment for Democracy, the Black Sea Trust, the Balkan Trust for Democracy, the Prague Civil Society Centre, the North Atlantic Treaty Organization Strategic Communications Centre of Excellence, the European Endowment for Democracy, and related organizations.

(3) REPORT ON IMPLEMENTATION.—

(A) IN GENERAL.—Not later than April 1 of each year, the Secretary of State, acting through the Coordinator of United States Assistance to Europe and Eurasia, shall submit to the appropriate congressional committees a report on the programs and activities carried out to achieve the goals described in subsection (b) during the preceding fiscal year.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include, with respect to each program or activity described in that subparagraph—

(i) the amount of funding for the program or activity;

(ii) the goal described in subsection (b) to which the program or activity relates; and

(iii) an assessment of whether or not the goal was met.

(e) COORDINATION WITH GLOBAL PARTNERS.—

(1) IN GENERAL.—In order to maximize cost efficiency, eliminate duplication, and speed the achievement of the goals described in subsection (b), the Secretary of State shall ensure coordination with—

(A) the European Union and its institutions;

(B) the governments of countries that are members of the North Atlantic Treaty Organization or the European Union; and

(C) international organizations and quasi-governmental funding entities that carry out programs and activities that seek to accomplish the goals described in subsection (b).

(2) REPORT BY SECRETARY OF STATE.—Not later than April 1 of each year, the Secretary of State shall submit to the appropriate congressional committees a report that includes—

(A) the amount of funding provided to each country referred to in subsection (b) by—

(i) the European Union or its institutions;

(ii) the government of each country that is a member of the European Union or the North Atlantic Treaty Organization; and

(iii) international organizations and quasi-governmental funding entities that carry out programs and activities that seek to accomplish the goals described in subsection (b); and

(B) an assessment of whether the funding described in subparagraph (A) is commensurate with funding provided by the United States for those goals.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to apply to or limit United States foreign assistance not

provided using amounts available in the Countering Russian Influence Fund.

(g) **ENSURING ADEQUATE STAFFING FOR GOVERNANCE ACTIVITIES.**—In order to ensure that the United States Government is properly focused on combating corruption, improving rule of law, and building the capacity of civil society, media, and other nongovernmental organizations in countries described in subsection (b)(1), the Secretary of State shall establish a pilot program for Foreign Service officer positions focused on governance and anticorruption activities in such countries.

**SEC. 255. REPORT ON MEDIA ORGANIZATIONS CONTROLLED AND FUNDED BY THE GOVERNMENT OF THE RUSSIAN FEDERATION.**

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report that includes a description of media organizations that are controlled and funded by the Government of the Russian Federation, and any affiliated entities, whether operating within or outside the Russian Federation, including broadcast and satellite-based television, radio, Internet, and print media organizations.

(b) **FORM OF REPORT.**—The report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

**SEC. 256. REPORT ON RUSSIAN FEDERATION INFLUENCE ON ELECTIONS IN EUROPE AND EURASIA.**

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees and leadership a report on funds provided by, or funds the use of which was directed by, the Government of the Russian Federation or any Russian person with the intention of influencing the outcome of any election or campaign in any country in Europe or Eurasia during the preceding year, including through direct support to any political party, candidate, lobbying campaign, nongovernmental organization, or civic organization.

(b) **FORM OF REPORT.**—Each report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

(c) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP.**—The term “appropriate congressional committees and leadership” means—

(A) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, the Select Committee on Intelligence, and the majority and minority leaders of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Armed Services, the Committee on Homeland Security, the Committee on Appropriations, the Permanent Select Committee on Intelligence, and the Speaker, the majority leader, and the minority leader of the House of Representatives.

(2) **RUSSIAN PERSON.**—The term “Russian person” means—

(A) an individual who is a citizen or national of the Russian Federation; or

(B) an entity organized under the laws of the Russian Federation or otherwise subject to the jurisdiction of the Government of the Russian Federation.

**SEC. 257. UKRAINIAN ENERGY SECURITY.**

(a) **STATEMENT OF POLICY.**—It is the policy of the United States—

(1) to support the Government of Ukraine in restoring its sovereign and territorial integrity;

(2) to condemn and oppose all of the destabilizing efforts by the Government of the Russian Federation in Ukraine in violation of its obligations and international commitments;

(3) to never recognize the illegal annexation of Crimea by the Government of the Russian Federation or the separation of any portion of Ukrainian territory through the use of military force;

(4) to deter the Government of the Russian Federation from further destabilizing and invading Ukraine and other independent countries in Central and Eastern Europe and the Caucasus;

(5) to assist in promoting reform in regulatory oversight and operations in Ukraine's energy sector, including the establishment and empowerment of an independent regulatory organization;

(6) to encourage and support fair competition, market liberalization, and reliability in Ukraine's energy sector;

(7) to help Ukraine and United States allies and partners in Europe reduce their dependence on Russian energy resources, especially natural gas, which the Government of the Russian Federation uses as a weapon to coerce, intimidate, and influence other countries;

(8) to work with European Union member states and European Union institutions to promote energy security through developing diversified and liberalized energy markets that provide diversified sources, suppliers, and routes;

(9) to continue to oppose the NordStream 2 pipeline given its detrimental impacts on the European Union's energy security, gas market development in Central and Eastern Europe, and energy reforms in Ukraine; and

(10) that the United States Government should prioritize the export of United States energy resources in order to create American jobs, help United States allies and partners, and strengthen United States foreign policy.

(b) **PLAN TO PROMOTE ENERGY SECURITY IN UKRAINE.**—

(1) **IN GENERAL.**—The Secretary of State, in coordination with the Administrator of the United States Agency for International Development and the Secretary of Energy, shall work with the Government of Ukraine to develop a plan to increase energy security in Ukraine, increase the amount of energy produced in Ukraine, and reduce Ukraine's reliance on energy imports from the Russian Federation.

(2) **ELEMENTS.**—The plan developed under paragraph (1) shall include strategies for market liberalization, effective regulation and oversight, supply diversification, energy reliability, and energy efficiency, such as through supporting—

(A) the promotion of advanced technology and modern operating practices in Ukraine's oil and gas sector;

(B) modern geophysical and meteorological survey work as needed followed by international tenders to help attract qualified investment into exploration and development of areas with untapped resources in Ukraine;

(C) a broadening of Ukraine's electric power transmission interconnection with Europe;

(D) the strengthening of Ukraine's capability to maintain electric power grid stability and reliability;

(E) independent regulatory oversight and operations of Ukraine's gas market and electricity sector;

(F) the implementation of primary gas law including pricing, tariff structure, and legal regulatory implementation;

(G) privatization of government owned energy companies through credible legal frameworks and a transparent process compliant with international best practices;

(H) procurement and transport of emergency fuel supplies, including reverse pipeline flows from Europe;

(I) provision of technical assistance for crisis planning, crisis response, and public outreach;

(J) repair of infrastructure to enable the transport of fuel supplies;

(K) repair of power generating or power transmission equipment or facilities; and

(L) improved building energy efficiency and other measures designed to reduce energy demand in Ukraine.

(3) **REPORTS.**—

(A) **IMPLEMENTATION OF UKRAINE FREEDOM SUPPORT ACT OF 2014 PROVISIONS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report detailing the status of implementing the provisions required under section 7(c) of the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8926(c)), including detailing the plans required under that section, the level of funding that has been allocated to and expended for the strategies set forth under that section, and progress that has been made in implementing the strategies developed pursuant to that section.

(B) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State shall submit to the appropriate congressional committees a report detailing the plan developed under paragraph (1), the level of funding that has been allocated to and expended for the strategies set forth in paragraph (2), and progress that has been made in implementing the strategies.

(C) **BRIEFINGS.**—The Secretary of State, or a designee of the Secretary, shall brief the appropriate congressional committees not later than 30 days after the submission of each report under subparagraph (B). In addition, the Department of State shall make relevant officials available upon request to brief the appropriate congressional committees on all available information that relates directly or indirectly to Ukraine or energy security in Eastern Europe.

(D) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this paragraph, the term “appropriate congressional committees” means—

(i) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(ii) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(c) **SUPPORTING EFFORTS OF COUNTRIES IN EUROPE AND EURASIA TO DECREASE THEIR DEPENDENCE ON RUSSIAN SOURCES OF ENERGY.**—

(1) **FINDINGS.**—Congress makes the following findings:

(A) The Government of the Russian Federation uses its strong position in the energy sector as leverage to manipulate the internal politics and foreign relations of the countries of Europe and Eurasia.

(B) This influence is based not only on the Russian Federation's oil and natural gas resources, but also on its state-owned nuclear power and electricity companies.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the United States should assist the efforts of the countries of Europe and Eurasia to enhance their energy security through diversification of energy supplies in order to lessen dependencies on Russian Federation energy resources and state-owned entities; and

(B) the Export-Import Bank of the United States and the Overseas Private Investment Corporation should play key roles in supporting critical energy projects that contribute to that goal.

(3) USE OF COUNTERING RUSSIAN INFLUENCE FUND TO PROVIDE TECHNICAL ASSISTANCE.—Amounts in the Countering Russian Influence Fund pursuant to section 254 shall be used to provide technical advice to countries described in subsection (b)(1) of such section designed to enhance energy security and lessen dependence on energy from Russian Federation sources.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of State a total of \$30,000,000 for fiscal years 2018 and 2019 to carry out the strategies set forth in subsection (b)(2) and other activities under this section related to the promotion of energy security in Ukraine.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as affecting the responsibilities required and authorities provided under section 7 of the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8926).

#### SEC. 258. TERMINATION.

The provisions of this subtitle shall terminate on the date that is 5 years after the date of the enactment of this Act.

#### SEC. 259. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

Except as otherwise provided, in this subtitle, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Armed Services, the Committee on Homeland Security, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

#### Subtitle C—Combating Terrorism and Illicit Financing

#### PART 1—NATIONAL STRATEGY FOR COMBATING TERRORIST AND OTHER ILLICIT FINANCING

#### SEC. 261. DEVELOPMENT OF NATIONAL STRATEGY.

(a) IN GENERAL.—The President, acting through the Secretary, shall, in consultation with the Attorney General, the Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, the Director of the Office of Management and Budget, and the appropriate Federal banking agencies and Federal functional regulators, develop a national strategy for combating the financing of terrorism and related forms of illicit finance.

(b) TRANSMITTAL TO CONGRESS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a comprehensive national strategy developed in accordance with subsection (a).

(2) UPDATES.—Not later than January 31, 2020, and January 31, 2022, the President shall submit to the appropriate congressional committees updated versions of the national strategy submitted under paragraph (1).

(c) SEPARATE PRESENTATION OF CLASSIFIED MATERIAL.—Any part of the national strategy that involves information that is properly classified under criteria established by the President shall be submitted to Congress separately in a classified annex and, if requested by the chairman or ranking member of one of the appropriate congressional committees, as a briefing at an appropriate level of security.

#### SEC. 262. CONTENTS OF NATIONAL STRATEGY.

The strategy described in section 261 shall contain the following:

(1) EVALUATION OF EXISTING EFFORTS.—An assessment of the effectiveness of and ways in which the United States is currently addressing the highest levels of risk of various forms of illicit finance, including those identified in the documents entitled “2015 National Money Laundering Risk Assessment” and “2015 National Terrorist Financing Risk Assessment”, published by the Department of the Treasury and a description of how the strategy is integrated into, and supports, the broader counter terrorism strategy of the United States.

(2) GOALS, OBJECTIVES, AND PRIORITIES.—A comprehensive, research-based, long-range, quantifiable discussion of goals, objectives, and priorities for disrupting and preventing illicit finance activities within and transiting the financial system of the United States that outlines priorities to reduce the incidence, dollar value, and effects of illicit finance.

(3) THREATS.—An identification of the most significant illicit finance threats to the financial system of the United States.

(4) REVIEWS AND PROPOSED CHANGES.—Reviews of enforcement efforts, relevant regulations and relevant provisions of law and, if appropriate, discussions of proposed changes determined to be appropriate to ensure that the United States pursues coordinated and effective efforts at all levels of government, and with international partners of the United States, in the fight against illicit finance.

(5) DETECTION AND PROSECUTION INITIATIVES.—A description of efforts to improve, as necessary, detection and prosecution of illicit finance, including efforts to ensure that—

(A) subject to legal restrictions, all appropriate data collected by the Federal Government that is relevant to the efforts described in this section be available in a timely fashion to—

(i) all appropriate Federal departments and agencies; and

(ii) as appropriate and consistent with section 314 of the International Money Laundering Abatement and Financial Anti-Terrorism Act of 2001 (31 U.S.C. 5311 note), to financial institutions to assist the financial institutions in efforts to comply with laws aimed at curbing illicit finance; and

(B) appropriate efforts are undertaken to ensure that Federal departments and agencies charged with reducing and preventing illicit finance make thorough use of publicly available data in furtherance of this effort.

(6) THE ROLE OF THE PRIVATE FINANCIAL SECTOR IN PREVENTION OF ILLICIT FINANCE.—A discussion of ways to enhance partnerships between the private financial sector and Federal departments and agencies with regard to the prevention and detection of illicit finance, including—

(A) efforts to facilitate compliance with laws aimed at stopping such illicit finance while maintaining the effectiveness of such efforts; and

(B) providing guidance to strengthen internal controls and to adopt on an industry-wide basis more effective policies.

(7) ENHANCEMENT OF INTERGOVERNMENTAL COOPERATION.—A discussion of ways to combat illicit finance by enhancing—

(A) cooperative efforts between and among Federal, State, and local officials, including State regulators, State and local prosecutors, and other law enforcement officials; and

(B) cooperative efforts with and between governments of countries and with and between multinational institutions with expertise in fighting illicit finance, including the Financial Action Task Force and the Egmont Group of Financial Intelligence Units.

(8) TREND ANALYSIS OF EMERGING ILLICIT FINANCE THREATS.—A discussion of and data regarding trends in illicit finance, including evolving forms of value transfer such as so-called cryptocurrencies, other methods that are computer, telecommunications, or Internet-based, cyber crime, or any other threats that the Secretary may choose to identify.

(9) BUDGET PRIORITIES.—A multiyear budget plan that identifies sufficient resources needed to successfully execute the full range of missions called for in this section.

(10) TECHNOLOGY ENHANCEMENTS.—An analysis of current and developing ways to leverage technology to improve the effectiveness of efforts to stop the financing of terrorism and other forms of illicit finance, including better integration of open-source data.

#### PART 2—ENHANCING ANTITERRORISM TOOLS OF THE DEPARTMENT OF THE TREASURY

#### SEC. 271. IMPROVING ANTITERROR FINANCE MONITORING OF FUNDS TRANSFERS.

(a) STUDY.—

(1) IN GENERAL.—To improve the ability of the Department of the Treasury to better track cross-border fund transfers and identify potential financing of terrorist or other forms of illicit finance, the Secretary shall carry out a study to assess—

(A) the potential efficacy of requiring banking regulators to establish a pilot program to provide technical assistance to depository institutions and credit unions that wish to provide account services to money services businesses serving individuals in Somalia; and

(B) whether such a pilot program could be a model for improving the ability of United States persons to make legitimate funds transfers through transparent and easily monitored channels while preserving strict compliance with the Bank Secrecy Act (Public Law 91-508; 84 Stat. 1114) and related controls aimed at stopping money laundering and the financing of terrorism; and

(C) consistent with current legal requirements regarding confidential supervisory information, the potential impact of allowing money services businesses to share certain State examination information with depository institutions and credit unions, or whether another appropriate mechanism could be identified to allow a similar exchange of information to give the depository institutions and credit unions a better understanding of whether an individual money services business is adequately meeting its

anti-money laundering and counter-terror financing obligations to combat money laundering, the financing of terror, or related illicit finance.

(2) **PUBLIC INPUT.**—The Secretary should solicit and consider public input as appropriate in developing the study required under subsection (a).

(b) **REPORT.**—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate and the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives a report that contains all findings and determinations made in carrying out the study required under subsection (a).

**SEC. 272. SENSE OF CONGRESS ON INTERNATIONAL COOPERATION REGARDING TERRORIST FINANCING INTELLIGENCE.**

It is the sense of Congress that the Secretary, acting through the Under Secretary for Terrorism and Financial Crimes, should intensify work with foreign partners to help the foreign partners develop intelligence analytic capacities, in a financial intelligence unit, finance ministry, or other appropriate agency, that are—

(1) commensurate to the threats faced by the foreign partner; and

(2) designed to better integrate intelligence efforts with the anti-money laundering and counter-terrorist financing regimes of the foreign partner.

**SEC. 273. EXAMINING THE COUNTER-TERROR FINANCING ROLE OF THE DEPARTMENT OF THE TREASURY IN EMBASSIES.**

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate and the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives a report that contains—

(1) a list of the United States embassies in which a full-time Department of the Treasury financial attaché is stationed and a description of how the interests of the Department of the Treasury relating to terrorist financing and money laundering are addressed (via regional attachés or otherwise) at United States embassies where no such attachés are present;

(2) a list of the United States embassies at which the Department of the Treasury has assigned a technical assistance advisor from the Office of Technical Assistance of the Department of the Treasury;

(3) an overview of how Department of the Treasury financial attachés and technical assistance advisors assist in efforts to counter illicit finance, to include money laundering, terrorist financing, and proliferation financing; and

(4) an overview of patterns, trends, or other issues identified by the Department of the Treasury and whether resources are sufficient to address these issues.

**SEC. 274. INCLUSION OF SECRETARY OF THE TREASURY ON THE NATIONAL SECURITY COUNCIL.**

(a) **IN GENERAL.**—Section 101(c)(1) of the National Security Act of 1947 (50 U.S.C. 3021(c)(1)) is amended by inserting “the Secretary of the Treasury,” before “and such other officers”.

(b) **RULE OF CONSTRUCTION.**—The amendment made by subsection (a) may not be construed to authorize the National Security

Council to have a professional staff level that exceeds the limitation set forth under section 101(e)(3) of the National Security Act of 1947 (50 U.S.C. 3021(e)(3)).

**SEC. 275. INCLUSION OF ALL FUNDS.**

(a) **IN GENERAL.**—Section 5326 of title 31, United States Code, is amended—

(1) in the heading of such section, by striking “coin and currency”;

(2) in subsection (a)—

(A) by striking “subtitle and” and inserting “subtitle or to”; and

(B) in paragraph (1)(A), by striking “United States coins or currency (or such other monetary instruments as the Secretary may describe in such order)” and inserting “funds (as the Secretary may describe in such order),”; and

(3) in subsection (b)—

(A) in paragraph (1)(A), by striking “coins or currency (or monetary instruments)” and inserting “funds”; and

(B) in paragraph (2), by striking “coins or currency (or such other monetary instruments as the Secretary may describe in the regulation or order)” and inserting “funds (as the Secretary may describe in the regulation or order)”.

(b) **CLERICAL AMENDMENT.**—The table of contents for chapter 53 of title 31, United States Code, is amended in the item relating to section 5326 by striking “coin and currency”.

**PART 3—DEFINITIONS**

**SEC. 281. DEFINITIONS.**

In this subtitle—

(1) the term “appropriate congressional committees” means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, Committee on Armed Services, Committee on the Judiciary, Committee on Homeland Security and Governmental Affairs, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on the Judiciary, Committee on Homeland Security, and the Permanent Select Committee on Intelligence of the House of Representatives;

(2) the term “appropriate Federal banking agencies” has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813);

(3) the term “Bank Secrecy Act” means—

(A) section 21 of the Federal Deposit Insurance Act (12 U.S.C. 1829b);

(B) chapter 2 of title I of Public Law 91–508 (12 U.S.C. 1951 et seq.); and

(C) subchapter II of chapter 53 of title 31, United States Code;

(4) the term “Federal functional regulator” has the meaning given that term in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809);

(5) the term “illicit finance” means the financing of terrorism, narcotics trafficking, or proliferation, money laundering, or other forms of illicit financing domestically or internationally, as defined by the President;

(6) the term “money services business” has the meaning given the term under section 1010.100 of title 31, Code of Federal Regulations;

(7) the term “Secretary” means the Secretary of the Treasury; and

(8) the term “State” means each of the several States, the District of Columbia, and each territory or possession of the United States.

**Subtitle D—Rule of Construction**

**SEC. 291. RULE OF CONSTRUCTION.**

Nothing in this title or the amendments made by this title (other than sections 216 and 236(b)) shall be construed to limit the authority of the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

**SEC. 292. SENSE OF CONGRESS ON THE STRATEGIC IMPORTANCE OF ARTICLE 5 OF THE NORTH ATLANTIC TREATY.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) The principle of collective defense of the North Atlantic Treaty Organization (NATO) is immortalized in Article 5 of the North Atlantic Treaty in which members pledge that “an armed attack against one or more of them in Europe or North America shall be considered an attack against them all”.

(2) For almost 7 decades, the principle of collective defense has effectively served as a strategic deterrent for the member nations of the North Atlantic Treaty Organization and provided stability throughout the world, strengthening the security of the United States and all 28 other member nations.

(3) Following the September 11, 2001, terrorist attacks in New York, Washington, and Pennsylvania, the Alliance agreed to invoke Article 5 for the first time, affirming its commitment to collective defense.

(4) Countries that are members of the North Atlantic Treaty Organization have made historic contributions and sacrifices while combating terrorism in Afghanistan through the International Security Assistance Force and the Resolute Support Mission.

(5) The recent attacks in the United Kingdom underscore the importance of an international alliance to combat hostile nation states and terrorist groups.

(6) At the 2014 NATO summit in Wales, the member countries of the North Atlantic Treaty Organization decided that all countries that are members of NATO would spend an amount equal to 2 percent of their gross domestic product on defense by 2024.

(7) Collective defense unites the 29 members of the North Atlantic Treaty Organization, each committing to protecting and supporting one another from external adversaries, which bolsters the North Atlantic Alliance.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress—

(1) to express the vital importance of Article 5 of the North Atlantic Treaty, the charter of the North Atlantic Treaty Organization, as it continues to serve as a critical deterrent to potential hostile nations and terrorist organizations;

(2) to remember the first and only invocation of Article 5 by the North Atlantic Treaty Organization in support of the United States after the terrorist attacks of September 11, 2001;

(3) to affirm that the United States remains fully committed to the North Atlantic Treaty Organization and will honor its obligations enshrined in Article 5; and

(4) to condemn any threat to the sovereignty, territorial integrity, freedom, or democracy of any country that is a member of the North Atlantic Treaty Organization.

**TITLE III—SANCTIONS WITH RESPECT TO NORTH KOREA**

**SEC. 301. SHORT TITLE.**

This title may be cited as the “Korean Interdiction and Modernization of Sanctions Act”.

**SEC. 302. DEFINITIONS.**

(a) AMENDMENTS TO DEFINITIONS IN THE NORTH KOREA SANCTIONS AND POLICY ENHANCEMENT ACT OF 2016.—

(1) APPLICABLE EXECUTIVE ORDER.—Section 3(1)(A) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202(1)(A)) is amended—

(A) by striking “or Executive Order 13694” and inserting “Executive Order No. 13694”; and

(B) by inserting “or Executive Order No. 13722 (50 U.S.C. 1701 note; relating to blocking the property of the Government of North Korea and the Workers’ Party of Korea, and Prohibiting Certain Transactions With Respect to North Korea),” before “to the extent”.

(2) APPLICABLE UNITED NATIONS SECURITY COUNCIL RESOLUTION.—Section 3(2)(A) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202(2)(A)) is amended by striking “or 2094 (2013)” and inserting “2094 (2013), 2270 (2016), or 2321 (2016)”.

(3) FOREIGN PERSON.—Section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202) is amended—

(A) by redesignating paragraphs (5) through (14) as paragraphs (6) through (15), respectively; and

(B) by inserting after paragraph (4) the following new paragraph:

“(5) FOREIGN PERSON.—The term ‘foreign person’ means—

“(A) an individual who is not a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

“(B) an entity that is not a United States person.”.

(4) LUXURY GOODS.—Paragraph (9) of section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202), as redesignated by paragraph (3) of this subsection, is amended—

(A) in subparagraph (A), by striking “and” at the end;

(B) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new subparagraph:

“(C) also includes any items so designated under an applicable United Nations Security Council resolution.”.

(5) NORTH KOREAN PERSON.—Section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202), as amended by paragraph (3) of this subsection, is further amended—

(A) by redesignating paragraphs (13) through (15) as paragraphs (14) through (16), respectively; and

(B) by inserting after paragraph (12) the following new paragraph:

“(13) NORTH KOREAN PERSON.—The term ‘North Korean person’ means—

“(A) a North Korean citizen or national; or

“(B) an entity owned or controlled by the Government of North Korea or by a North Korean citizen or national.”.

(b) DEFINITIONS FOR PURPOSES OF THIS ACT.—In this title:

(1) APPLICABLE UNITED NATIONS SECURITY COUNCIL RESOLUTION; LUXURY GOODS.—The terms “applicable United Nations Security Council resolution” and “luxury goods” have the meanings given those terms, respectively, in section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202), as amended by subsection (a).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES; GOVERNMENT OF NORTH KOREA; UNITED STATES PERSON.—The terms “appropriate congressional committees”, “Government of

North Korea”, and “United States person” have the meanings given those terms, respectively, in section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202).

(3) FOREIGN PERSON; NORTH KOREAN PERSON.—The terms “foreign person” and “North Korean person” have the meanings given those terms, respectively, in paragraph (5) and paragraph (13) of section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202(5) and 9202(13)), as added by subsection (a).

(4) PROHIBITED WEAPONS PROGRAM.—The term “prohibited weapons program” means—

(A) any program related to the development of nuclear, chemical, or biological weapons, and their means of delivery, including ballistic missiles; and

(B) any program to develop related materials with respect to a program described in subparagraph (A).

**Subtitle A—Sanctions to Enforce and Implement United Nations Security Council Sanctions Against North Korea**

**SEC. 311. MODIFICATION AND EXPANSION OF REQUIREMENTS FOR THE DESIGNATION OF PERSONS.**

(a) EXPANSION OF MANDATORY DESIGNATIONS.—Section 104(a) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9214(a)) is amended—

(1) in paragraph (9), by striking “; or” and inserting “or any defense article or defense service (as such terms are defined in section 47 of the Arms Export Control Act (22 U.S.C. 2794));”; and

(2) by redesignating paragraph (10) as paragraph (15);

(3) by inserting after paragraph (9) the following new paragraphs:

“(10) knowingly, directly or indirectly, purchases or otherwise acquires from North Korea any significant amounts of gold, titanium ore, vanadium ore, copper, silver, nickel, zinc, or rare earth minerals;

“(11) knowingly, directly or indirectly, sells or transfers to North Korea any significant amounts of rocket, aviation, or jet fuel (except for use by a civilian passenger aircraft outside North Korea, exclusively for consumption during its flight to North Korea or its return flight);

“(12) knowingly, directly or indirectly, provides significant amounts of fuel or supplies, provides bunkering services, or facilitates a significant transaction or transactions to operate or maintain, a vessel or aircraft that is designated under an applicable Executive order or an applicable United Nations Security Council resolution, or that is owned or controlled by a person designated under an applicable Executive order or applicable United Nations Security Council resolution;

“(13) knowingly, directly or indirectly, insures, registers, facilitates the registration of, or maintains insurance or a registration for, a vessel owned or controlled by the Government of North Korea, except as specifically approved by the United Nations Security Council;

“(14) knowingly, directly or indirectly, maintains a correspondent account (as defined in section 201A(d)(1)) with any North Korean financial institution, except as specifically approved by the United Nations Security Council; or”; and

(4) in paragraph (15), as so redesignated, by striking “(9)” and inserting “(14)”.

(b) EXPANSION OF ADDITIONAL DISCRETIONARY DESIGNATIONS.—

(1) IN GENERAL.—Section 104(b)(1) of the North Korea Sanctions and Policy Enhance-

ment Act of 2016 (22 U.S.C. 9214(b)(1)) is amended—

(A) in subparagraph (A), by striking “pursuant to an applicable United Nations Security Council resolution;” and inserting the following: “pursuant to—

“(i) an applicable United Nations Security Council resolution;

“(ii) any regulation promulgated under section 404; or

“(iii) any applicable Executive order;”;

(B) in subparagraph (B)(iii), by striking “or” at the end;

(C) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following new subparagraphs:

“(D) knowingly, directly or indirectly, purchased or otherwise acquired from the Government of North Korea significant quantities of coal, iron, or iron ore, in excess of the limitations provided in applicable United Nations Security Council resolutions;

“(E) knowingly, directly or indirectly, purchased or otherwise acquired significant types or amounts of textiles from the Government of North Korea;

“(F) knowingly facilitated a significant transfer of funds or property of the Government of North Korea that materially contributes to any violation of an applicable United Nations Security Council resolution;

“(G) knowingly, directly or indirectly, facilitated a significant transfer to or from the Government of North Korea of bulk cash, precious metals, gemstones, or other stores of value not described under subsection (a)(10);

“(H) knowingly, directly or indirectly, sold, transferred, or otherwise provided significant amounts of crude oil, condensates, refined petroleum, other types of petroleum or petroleum byproducts, liquefied natural gas, or other natural gas resources to the Government of North Korea (except for heavy fuel oil, gasoline, or diesel fuel for humanitarian use or as excepted under subsection (a)(11));

“(I) knowingly, directly or indirectly, engaged in, facilitated, or was responsible for the online commercial activities of the Government of North Korea, including online gambling;

“(J) knowingly, directly or indirectly, purchased or otherwise acquired fishing rights from the Government of North Korea;

“(K) knowingly, directly or indirectly, purchased or otherwise acquired significant types or amounts of food or agricultural products from the Government of North Korea;

“(L) knowingly, directly or indirectly, engaged in, facilitated, or was responsible for the exportation of workers from North Korea in a manner intended to generate significant revenue, directly or indirectly, for use by the Government of North Korea or by the Workers’ Party of Korea;

“(M) knowingly conducted a significant transaction or transactions in North Korea’s transportation, mining, energy, or financial services industries; or

“(N) except as specifically approved by the United Nations Security Council, and other than through a correspondent account as described in subsection (a)(14), knowingly facilitated the operation of any branch, subsidiary, or office of a North Korean financial institution.”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) take effect on the date of the enactment of this Act and apply with respect to conduct described in subparagraphs (D) through (N) of section 104(b)(1) of

the North Korea Sanctions and Policy Enhancement Act of 2016, as added by paragraph (1), engaged in on or after such date of enactment.

(c) MANDATORY AND DISCRETIONARY ASSET BLOCKING.—Section 104(c) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9214(c)) is amended—

(1) by striking “of a designated person” and inserting “of a person designated under subsection (a)”;

(2) by striking “The President” and inserting the following:

“(1) MANDATORY ASSET BLOCKING.—The President”; and

(3) by adding at the end the following new paragraph:

“(2) DISCRETIONARY ASSET BLOCKING.—The President may also exercise such powers, in the same manner and to the same extent described in paragraph (1), with respect to a person designated under subsection (b).”.

(d) DESIGNATION OF ADDITIONAL PERSONS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report including a determination as to whether reasonable grounds exist, and an explanation of the reasons for any determination that such grounds do not exist, to designate, pursuant to section 104 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9214), as amended by this section, each of the following:

(A) The Korea Shipowners’ Protection and Indemnity Association, a North Korean insurance company, with respect to facilitating imports, exports, and reexports of arms and related materiel to and from North Korea, or for other activities prohibited by such section 104.

(B) Chinpo Shipping Company (Private) Limited, a Singapore corporation, with respect to facilitating imports, exports, and reexports of arms and related materiel to and from North Korea.

(C) The Central Bank of the Democratic People’s Republic of Korea, with respect to the sale of gold to, the receipt of gold from, or the import or export of gold by the Government of North Korea.

(D) Kungang Economic Development Corporation (KKG), with respect to being an entity controlled by Bureau 39 of the Workers’ Party of the Government of North Korea.

(E) Sam Pa, also known as Xu Jinghua, Xu Songhua, Sa Muxu, Samo, Sampa, or Sam King, and any entities owned or controlled by such individual, with respect to transactions with KKG.

(F) The Chamber of Commerce of the Democratic People’s Republic of Korea, with respect to the exportation of workers in violation of section 104(a)(5) or of section 104(b)(1)(M) of such Act, as amended by subsection (b) of this section.

(2) FORM.—The report submitted under paragraph (1) may contain a classified annex.

#### SEC. 312. PROHIBITION ON INDIRECT CORRESPONDENT ACCOUNTS.

(a) IN GENERAL.—Title II of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9221 et seq.) is amended by inserting after section 201 the following new section:

#### “SEC. 201A. PROHIBITION ON INDIRECT CORRESPONDENT ACCOUNTS.

“(a) IN GENERAL.—Except as provided in subsection (b), if a United States financial institution has or obtains knowledge that a correspondent account established, maintained, administered, or managed by that institution for a foreign financial institution is

being used by the foreign financial institution to provide significant financial services indirectly to any person, foreign government, or financial institution designated under section 104, the United States financial institution shall ensure that such correspondent account is no longer used to provide such services.

“(b) EXCEPTION.—A United States financial institution is authorized to process transfers of funds to or from North Korea, or for the direct or indirect benefit of any person, foreign government, or financial institution that is designated under section 104, only if the transfer—

“(1) arises from, and is ordinarily incident and necessary to give effect to, an underlying transaction that has been authorized by a specific or general license issued by the Secretary of the Treasury; and

“(2) does not involve debiting or crediting a North Korean account.

“(c) DEFINITIONS.—In this section:

“(1) CORRESPONDENT ACCOUNT.—The term ‘correspondent account’ has the meaning given that term in section 5318A of title 31, United States Code.

“(2) UNITED STATES FINANCIAL INSTITUTION.—The term ‘United States financial institution’ means has the meaning given that term in section 510.310 of title 31, Code of Federal Regulations, as in effect on the date of the enactment of this section.

“(3) FOREIGN FINANCIAL INSTITUTION.—The term ‘foreign financial institution’ has the meaning given that term in section 1010.605 of title 31, Code of Federal Regulations, as in effect on the date of the enactment of this section.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the North Korea Sanctions and Policy Enhancement Act of 2016 is amended by inserting after the item relating to section 201 the following new item:

“Sec. 201A. Prohibition on indirect correspondent accounts.”.

#### SEC. 313. LIMITATIONS ON FOREIGN ASSISTANCE TO NONCOMPLIANT GOVERNMENTS.

Section 203 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9223) is amended—

(1) in subsection (b)—

(A) in the heading, by striking “TRANSACTIONS IN LETHAL MILITARY EQUIPMENT” and inserting “TRANSACTIONS IN DEFENSE ARTICLES OR DEFENSE SERVICES”;

(B) in paragraph (1), by striking “that provides lethal military equipment to the Government of North Korea” and inserting “that provides to or receives from the Government of North Korea a defense article or defense service, as such terms are defined in section 47 of the Arms Export Control Act (22 U.S.C. 2794), if the President determines that a significant type or amount of such article or service has been so provided or received”; and

(C) in paragraph (2), by striking “1 year” and inserting “2 years”;

(2) in subsection (d), by striking “or emergency” and inserting “maternal and child health, disease prevention and response, or”; and

(3) by adding at the end the following new subsection:

“(e) REPORT ON ARMS TRAFFICKING INVOLVING NORTH KOREA.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, and annually thereafter for 5 years, the Secretary of State shall submit to the appropriate congressional committees a report that specifically describes the compli-

ance of foreign countries and other foreign jurisdictions with the requirement to curtail the trade described in subsection (b)(1).

“(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.”.

#### SEC. 314. AMENDMENTS TO ENHANCE INSPECTION AUTHORITIES.

Title II of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9221 et seq.), as amended by section 102 of this Act, is further amended by striking section 205 and inserting the following:

#### “SEC. 205. ENHANCED INSPECTION AUTHORITIES.

“(a) REPORT REQUIRED.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, and annually thereafter for 5 years, the President shall submit to the appropriate congressional committees a report—

“(A) identifying the operators of foreign sea ports and airports that knowingly—

“(i) significantly fail to implement or enforce regulations to inspect ships, aircraft, cargo, or conveyances in transit to or from North Korea, as required by applicable United Nations Security Council resolutions;

“(ii) facilitate the transfer, transshipment, or conveyance of significant types or quantities of cargo, vessels, or aircraft owned or controlled by persons designated under applicable United Nations Security Council resolutions; or

“(iii) facilitate any of the activities described in section 104(a);

“(B) describing the extent to which the requirements of applicable United Nations Security Council resolutions to de-register any vessel owned, controlled, or operated by or on behalf of the Government of North Korea have been implemented by other foreign countries;

“(C) describing the compliance of the Islamic Republic of Iran with the sanctions mandated in applicable United Nations Security Council resolutions;

“(D) identifying vessels, aircraft, and conveyances owned or controlled by the Reconnaissance General Bureau of the Workers’ Party of Korea; and

“(E) describing the diplomatic and enforcement efforts by the President to secure the full implementation of the applicable United Nations Security Council resolutions, as described in subparagraphs (A) through (C).

“(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

“(b) SPECIFIC FINDINGS.—Each report required under subsection (a) shall include specific findings with respect to the following ports and airports:

“(1) The ports of Dandong, Dalian, and any other port in the People’s Republic of China that the President deems appropriate.

“(2) The ports of Abadan, Bandar-e-Abbas, Chabahar, Bandar-e-Khomeini, Bushehr Port, Asaluyeh Port, Kish, Kharg Island, Bandar-e-Lenge, and Khorramshahr, and Tehran Imam Khomeini International Airport, in the Islamic Republic of Iran.

“(3) The ports of Nakhodka, Vanino, and Vladivostok, in the Russian Federation.

“(4) The ports of Latakia, Banias, and Tartous, and Damascus International Airport, in the Syrian Arab Republic.

“(c) ENHANCED SECURITY TARGETING REQUIREMENTS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Homeland Security may, using a layered approach, require enhanced screening procedures to determine whether physical inspections are



warranted of any cargo bound for or landed in the United States that—

“(A) has been transported through a sea port or airport the operator of which has been identified by the President in accordance with subsection (a)(1) as having repeatedly failed to comply with applicable United Nations Security Council resolutions;

“(B) is aboard a vessel or aircraft, or within a conveyance that has, within the last 365 days, entered the territory or waters of North Korea, or landed in any of the sea ports or airports of North Korea; or

“(C) is registered by a country or jurisdiction whose compliance has been identified by the President as deficient pursuant to subsection (a)(2).

“(2) EXCEPTION FOR FOOD, MEDICINE, AND HUMANITARIAN SHIPMENTS.—Paragraph (1) shall not apply to any vessel, aircraft, or conveyance that has entered the territory or waters of North Korea, or landed in any of the sea ports or airports of North Korea, exclusively for the purposes described in section 208(b)(3)(B), or to import food, medicine, or supplies into North Korea to meet the humanitarian needs of the North Korean people.

“(d) SEIZURE AND FORFEITURE.—A vessel, aircraft, or conveyance used to facilitate any of the activities described in section 104(a) under the jurisdiction of the United States may be seized and forfeited, or subject to forfeiture, under—

“(1) chapter 46 of title 18, United States Code; or

“(2) part V of title IV of the Tariff Act of 1930 (19 U.S.C. 1581 et seq.).”

**SEC. 315. ENFORCING COMPLIANCE WITH UNITED NATIONS SHIPPING SANCTIONS AGAINST NORTH KOREA.**

(a) IN GENERAL.—The Ports and Waterways Safety Act (33 U.S.C. 1221 et seq.) is amended by adding at the end the following new section:

**“SEC. 16. PROHIBITION ON ENTRY AND OPERATION.**

“(a) PROHIBITION.—

“(1) IN GENERAL.—Except as otherwise provided in this section, no vessel described in subsection (b) may enter or operate in the navigable waters of the United States or transfer cargo in any port or place under the jurisdiction of the United States.

“(2) LIMITATIONS ON APPLICATION.—

“(A) IN GENERAL.—The prohibition under paragraph (1) shall not apply with respect to—

“(i) a vessel described in subsection (b)(1), if the Secretary of State determines that—

“(I) the vessel is owned or operated by or on behalf of a country the government of which the Secretary of State determines is closely cooperating with the United States with respect to implementing the applicable United Nations Security Council resolutions (as such term is defined in section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016); or

“(II) it is in the national security interest not to apply the prohibition to such vessel; or

“(ii) a vessel described in subsection (b)(2), if the Secretary of State determines that the vessel is no longer registered as described in that subsection.

“(B) NOTICE.—Not later than 15 days after making a determination under subparagraph (A), the Secretary of State shall submit to the Committee on Foreign Affairs and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Foreign Relations and the Committee on Commerce, Science, and

Transportation of the Senate written notice of the determination and the basis upon which the determination was made.

“(C) PUBLICATION.—The Secretary of State shall publish a notice in the Federal Register of each determination made under subparagraph (A).

“(b) VESSELS DESCRIBED.—A vessel referred to in subsection (a) is a foreign vessel for which a notice of arrival is required to be filed under section 4(a)(5), and that—

“(1) is on the most recent list of vessels published in Federal Register under subsection (c)(2); or

“(2) more than 180 days after the publication of such list, is knowingly registered, pursuant to the 1958 Convention on the High Seas entered into force on September 30, 1962, by a government the agents or instrumentalities of which are maintaining a registration of a vessel that is included on such list.

“(c) INFORMATION AND PUBLICATION.—The Secretary of the department in which the Coast Guard is operating, with the concurrence of the Secretary of State, shall—

“(1) maintain timely information on the registrations of all foreign vessels over 300 gross tons that are known to be—

“(A) owned or operated by or on behalf of the Government of North Korea or a North Korean person;

“(B) owned or operated by or on behalf of any country in which a sea port is located, the operator of which the President has identified in the most recent report submitted under section 205(a)(1)(A) of the North Korea Sanctions and Policy Enhancement Act of 2016; or

“(C) owned or operated by or on behalf of any country identified by the President as a country that has not complied with the applicable United Nations Security Council resolutions (as such term is defined in section 3 of such Act); and

“(2) not later than 180 days after the date of the enactment of this section, and periodically thereafter, publish in the Federal Register a list of the vessels described in paragraph (1).

“(d) NOTIFICATION OF GOVERNMENTS.—

“(1) IN GENERAL.—The Secretary of State shall notify each government, the agents or instrumentalities of which are maintaining a registration of a foreign vessel that is included on a list published under subsection (c)(2), not later than 30 days after such publication, that all vessels registered under such government's authority are subject to subsection (a).

“(2) ADDITIONAL NOTIFICATION.—In the case of a government that continues to maintain a registration for a vessel that is included on such list after receiving an initial notification under paragraph (1), the Secretary shall issue an additional notification to such government not later than 120 days after the publication of a list under subsection (c)(2).

“(e) NOTIFICATION OF VESSELS.—Upon receiving a notice of arrival under section 4(a)(5) from a vessel described in subsection (b), the Secretary of the department in which the Coast Guard is operating shall notify the master of such vessel that the vessel may not enter or operate in the navigable waters of the United States or transfer cargo in any port or place under the jurisdiction of the United States, unless—

“(1) the Secretary of State has made a determination under subsection (a)(2); or

“(2) the Secretary of the department in which the Coast Guard is operating allows provisional entry of the vessel, or transfer of cargo from the vessel, under subsection (f).

“(f) PROVISIONAL ENTRY OR CARGO TRANSFER.—Notwithstanding any other provision of this section, the Secretary of the department in which the Coast Guard is operating may allow provisional entry of, or transfer of cargo from, a vessel, if such entry or transfer is necessary for the safety of the vessel or persons aboard.

“(g) RIGHT OF INNOCENT PASSAGE AND RIGHT OF TRANSIT PASSAGE.—This section shall not be construed as authority to restrict the right of innocent passage or the right of transit passage as recognized under international law.

“(h) FOREIGN VESSEL DEFINED.—In this section, the term ‘foreign vessel’ has the meaning given that term in section 110 of title 46, United States Code.”

(b) CONFORMING AMENDMENTS.—

(1) SPECIAL POWERS.—Section 4(b)(2) of the Ports and Waterways Safety Act (33 U.S.C. 1223(b)(2)) is amended by inserting “or 16” after “section 9”.

(2) DENIAL OF ENTRY.—Section 13(e) of the Ports and Waterways Safety Act (33 U.S.C. 1232(e)) is amended by striking “section 9” and inserting “section 9 or 16”.

**SEC. 316. REPORT ON COOPERATION BETWEEN NORTH KOREA AND IRAN.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 5 years, the President shall submit to the appropriate congressional committees and leadership a report that includes—

(1) an assessment of the extent of cooperation (including through the transfer of goods, services, technology, or intellectual property) between North Korea and Iran relating to their respective nuclear, ballistic missile development, chemical or biological weapons development, or conventional weapons programs;

(2) the names of any Iranian or North Korean persons that have knowingly engaged in or directed—

(A) the provision of material support to such programs; or

(B) the exchange of information between North Korea and Iran with respect to such programs;

(3) the names of any other foreign persons that have facilitated the activities described in paragraph (1); and

(4) a determination whether any of the activities described in paragraphs (1) and (2) violate United Nations Security Council Resolution 2231 (2015).

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may contain a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.—In this section, the term “appropriate congressional committees and leadership” means—

(1) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the majority and minority leaders of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Ways and Means, and the Speaker, the majority leader, and the minority leader of the House of Representatives.

**SEC. 317. REPORT ON IMPLEMENTATION OF UNITED NATIONS SECURITY COUNCIL RESOLUTIONS BY OTHER GOVERNMENTS.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 5 years, the President shall submit to the appropriate congressional committees and leadership a report that evaluates the degree to which

the governments of other countries have knowingly failed to—

(1) close the representative offices of persons designated under applicable United Nations Security Council resolutions;

(2) expel any North Korean nationals, including diplomats, working on behalf of such persons;

(3) prohibit the opening of new branches, subsidiaries, or representative offices of North Korean financial institutions within the jurisdictions of such governments; or

(4) expel any representatives of North Korean financial institutions.

(b) **FORM.**—The report required under subsection (a) shall be submitted in unclassified form but may contain a classified annex.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.**—In this section, the term “appropriate congressional committees and leadership” means—

(1) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the majority and minority leaders of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Ways and Means, and the Speaker, the majority leader, and the minority leader of the House of Representatives.

**SEC. 318. BRIEFING ON MEASURES TO DENY SPECIALIZED FINANCIAL MESSAGING SERVICES TO DESIGNATED NORTH KOREAN FINANCIAL INSTITUTIONS.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter for 5 years, the President shall provide to the appropriate congressional committees a briefing that includes the following information:

(1) A list of each person or foreign government the President has identified that directly provides specialized financial messaging services to, or enables or facilitates direct or indirect access to such messaging services for—

(A) any North Korean financial institution (as such term is defined in section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202)) designated under an applicable United Nations Security Council resolution; or

(B) any other North Korean person, on behalf of such a North Korean financial institution.

(2) A detailed assessment of the status of efforts by the Secretary of the Treasury to work with the relevant authorities in the home jurisdictions of such specialized financial messaging providers to end such provision or access.

(b) **FORM.**—The briefing required under subsection (a) may be classified.

**Subtitle B—Sanctions With Respect to Human Rights Abuses by the Government of North Korea**

**SEC. 321. SANCTIONS FOR FORCED LABOR AND SLAVERY OVERSEAS OF NORTH KOREANS.**

(a) **SANCTIONS FOR TRAFFICKING IN PERSONS.**—

(1) **IN GENERAL.**—Section 302(b) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9241(b)) is amended—

(A) in paragraph (1), by striking “and” at the end;

(B) in paragraph (2), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new paragraph:

“(3) a list of foreign persons that knowingly employ North Korean laborers, as described in section 104(b)(1)(M).”.

(2) **ADDITIONAL DETERMINATIONS; REPORTS.**—With respect to any country identified in section 302(b)(2) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9241(b)(2)), as amended by paragraph (1), the report required under section 302(a) of such Act shall—

(A) include a determination whether each person identified in section 302(b)(3) of such Act (as amended by paragraph (1)) who is a national or a citizen of such identified country meets the criteria for sanctions under—

(i) section 111 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7108) (relating to the prevention of trafficking in persons); or

(ii) section 104(a) or 104(b)(1) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9214(a)), as amended by section 101 of this Act;

(B) be included in the report required under section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)) (relating to the annual report on trafficking in persons); and

(C) be considered in any determination that the government of such country has made serious and sustained efforts to eliminate severe forms of trafficking in persons, as such term is defined for purposes of the Trafficking Victims Protection Act of 2000.

(b) **SANCTIONS ON FOREIGN PERSONS THAT EMPLOY NORTH KOREAN LABOR.**—

(1) **IN GENERAL.**—Title III of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9241 et seq.) is amended by inserting after section 302 the following new sections:

**“SEC. 302A. REBUTTABLE PRESUMPTION APPLICABLE TO GOODS MADE WITH NORTH KOREAN LABOR.**

“(a) **IN GENERAL.**—Except as provided in subsection (b), any significant goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part by the labor of North Korean nationals or citizens shall be deemed to be prohibited under section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) and shall not be entitled to entry at any of the ports of the United States.

“(b) **EXCEPTION.**—The prohibition described in subsection (a) shall not apply if the Commissioner of U.S. Customs and Border Protection finds, by clear and convincing evidence, that the goods, wares, articles, or merchandise described in such paragraph were not produced with convict labor, forced labor, or indentured labor under penal sanctions.

**“SEC. 302B. SANCTIONS ON FOREIGN PERSONS EMPLOYING NORTH KOREAN LABOR.**

“(a) **IN GENERAL.**—Except as provided in subsection (c), the President shall designate any person identified under section 302(b)(3) for the imposition of sanctions under subsection (b).

“(b) **IMPOSITION OF SANCTIONS.**—

“(1) **IN GENERAL.**—The President shall impose the sanctions described in paragraph (2) with respect to any person designated under subsection (a).

“(2) **SANCTIONS DESCRIBED.**—The sanctions described in this paragraph are sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to block and prohibit all transactions in property and interests in property of a person designated under subsection (a), if such property and interests in property are in the United States, or are or come within the possession or control of a United States person.

“(c) **EXCEPTION.**—

“(1) **IN GENERAL.**—A person may not be designated under subsection (a) if the President

certifies to the appropriate congressional committees that the President has received reliable assurances from such person that—

“(A) the employment of North Korean laborers does not result in the direct or indirect transfer of convertible currency, luxury goods, or other stores of value to the Government of North Korea;

“(B) all wages and benefits are provided directly to the laborers, and are held, as applicable, in accounts within the jurisdiction in which they reside in locally denominated currency; and

“(C) the laborers are subject to working conditions consistent with international standards.

“(2) **RECERTIFICATION.**—Not later than 180 days after the date on which the President transmits to the appropriate congressional committees an initial certification under paragraph (1), and every 180 days thereafter, the President shall—

“(A) transmit a recertification stating that the conditions described in such paragraph continue to be met; or

“(B) if such recertification cannot be transmitted, impose the sanctions described in subsection (b) beginning on the date on which the President determines that such recertification cannot be transmitted.”.

(2) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of the North Korea Sanctions and Policy Enhancement Act of 2016 is amended by inserting after the item relating to section 302 the following new items:

“Sec. 302A. Rebuttable presumption applicable to goods made with North Korean labor.

“Sec. 302B. Sanctions on foreign persons employing North Korean labor.”.

**SEC. 322. MODIFICATIONS TO SANCTIONS SUSPENSION AND WAIVER AUTHORITIES.**

(a) **EXEMPTIONS.**—Section 208(a) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9228(a)) is amended in the matter preceding paragraph (1)—

(1) by inserting “201A,” after “104,”; and

(2) by inserting “302A, 302B,” after “209,”.

(b) **HUMANITARIAN WAIVER.**—Section 208(b) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9228(b)(1)) is amended—

(1) by inserting “201A,” after “104,” in each place it appears; and

(2) by inserting “302A, 302B,” after “209(b),” in each place it appears.

(c) **WAIVER.**—Section 208(c) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9228(c)) is amended in the matter preceding paragraph (1)—

(1) by inserting “201A,” after “104,”; and

(2) by inserting “302A, 302B,” after “209(b),”.

**SEC. 323. REWARD FOR INFORMANTS.**

Section 36(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(b)), is amended—

(1) in paragraph (9), by striking “or” at the end;

(2) in paragraph (10), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

“(11) the identification or location of any person who, while acting at the direction of or under the control of a foreign government, aids or abets a violation of section 1030 of title 18, United States Code; or

“(12) the disruption of financial mechanisms of any person who has engaged in the conduct described in sections 104(a) or 104(b)(1) of the North Korea Sanctions and

Policy Enhancement Act of 2016 (22 U.S.C. 2914(a) or (b)(1)).”.

**SEC. 324. DETERMINATION ON DESIGNATION OF NORTH KOREA AS A STATE SPONSOR OF TERRORISM.**

(a) DETERMINATION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a determination whether North Korea meets the criteria for designation as a state sponsor of terrorism.

(2) FORM.—The determination required by paragraph (1) shall be submitted in unclassified form but may include a classified annex, if appropriate.

(b) STATE SPONSOR OF TERRORISM DEFINED.—For purposes of this section, the term “state sponsor of terrorism” means a country the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979 (50 U.S.C. 4605(j)) (as in effect pursuant to the International Emergency Economic Powers Act), section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), section 40 of the Arms Export Control Act (22 U.S.C. 2780), or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.

**Subtitle C—General Authorities**

**SEC. 331. AUTHORITY TO CONSOLIDATE REPORTS.**

Any reports required to be submitted to the appropriate congressional committees under this title or any amendment made by this title that are subject to deadlines for submission consisting of similar units of time may be consolidated into a single report that is submitted to appropriate congressional committees pursuant to the earlier of such deadlines. The consolidated reports must contain all information required under this title or any amendment made by this title, in addition to all other elements mandated by previous law.

**SEC. 332. RULE OF CONSTRUCTION.**

Nothing in this title shall be construed to limit—

(1) the authority or obligation of the President to apply the sanctions described in section 104 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9214), as amended by section 311 of this Act, with regard to persons who meet the criteria for designation under such section, or in any other provision of law; or

(2) the authorities of the President pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

**SEC. 333. REGULATORY AUTHORITY.**

(a) IN GENERAL.—The President shall, not later than 180 days after the date of the enactment of this Act, promulgate regulations as necessary for the implementation of this title and the amendments made by this title.

(b) NOTIFICATION TO CONGRESS.—Not fewer than 10 days before the promulgation of a regulation under subsection (a), the President shall notify and provide to the appropriate congressional committees the proposed regulation, specifying the provisions of this title or the amendments made by this title that the regulation is implementing.

**SEC. 334. LIMITATION ON FUNDS.**

No additional funds are authorized to carry out the requirements of this title or of the amendments made by this title. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

**GENERAL LEAVE**

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill represents a very broad, bipartisan House-Senate agreement that the United States must enforce tougher sanctions against North Korea, against Russia, against Iran.

I thank the gentleman from New York (Mr. ENGEL), the ranking member of the Foreign Affairs Committee, for his determined and excellent work on this legislation. This is a very important bill.

These three regimes in different parts of the world are threatening vital U.S. interests and they are destabilizing their neighbors. It is well past time that we forcefully respond.

Under Vladimir Putin, Russia has invaded its neighbor, Ukraine, seizing its territory and destabilizing its government. It poses a threat to our NATO allies in Europe, as Moscow works to undermine democratic values with determination and sophistication, as U.S. intelligence agencies have made clear. This former KGB colonel attempted to interfere with our own election. Left unchecked, Russia is sure to continue its aggression.

Putin's forces continue to prop up the murderous Assad regime in Syria, prolonging a deadly conflict that has driven tens of millions of people from their homes, while enabling the use of chemical weapons and other systematic human rights abuses against the people of Syria.

The Russia sanctions in this bill are substantially similar to those that overwhelmingly passed the other body. They give the administration important economic leverage, they give it diplomatic leverage by targeting the things that matter to Vladimir Putin and that matter to his allies the most, and that is their corrupt efforts to profit from the country's oil wealth and their ability to sell weapons overseas.

To focus their impact, we clarified several provisions that could have inadvertently handed Russian companies control of global energy projects and impacted pipelines that our European allies rely on in an effort to end their dependence on Russian gas. So this strengthens the bill.

To ensure these economic sanctions remain in place as long as Putin's aggression continues, this bill empowers Congress to review and to disapprove any sanctions relief. This strong oversight is necessary, it is appropriate. After all, it is Congress that the Constitution empowers to regulate commerce with foreign nations.

Mr. Speaker, Russia has found a willing partner in Iran. The regime's Iranian Revolutionary Guard are fighting alongside Russian forces in Syria. At the same time, Tehran continues to threaten Israel by providing funding and advanced rockets and missiles to Hezbollah. Hezbollah is its leading terrorist proxy. It continues to hold Americans hostage, while developing intercontinental ballistic missiles capable of delivering nuclear weapons.

To strengthen the U.S. response to the threat from Iran, this bill includes provisions originally introduced by my counterpart, Senator CORKER, which increase sanctions on those involved in the regime's human rights abuses and its support for terrorism, as well as its efforts on the ballistic missile program, which the Iranian Revolutionary Guard forces control.

Finally, I am proud that this bill includes the text of H.R. 1644, the Korean Interdiction and Modernization of Sanctions Act, which we passed in May. We passed it here out of the House by a vote of 419-1. These provisions, which were strengthened in consultation with the other body, expand sanctions targeting North Korea's nuclear weapons program, but they also go after those around the world who employ North Korean slave labor.

This is a human rights abuse. It is one that operates by having a situation where the indentured workers are fed, but the check, instead of going to the workers, goes to the regime, and that money then goes into the nuclear weapons program. It is estimated that this earns hundreds of millions of dollars for the regime in hard currency.

So with every test, Kim Jong-un's regime comes closer to being able to mount a nuclear warhead on a missile that is capable of reaching the U.S. mainland. We simply cannot pass up an opportunity to increase pressure in response to this threat.

Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself as much time as I might consume.

Mr. Speaker, I rise in support of this legislation. I want to, first of all, thank my colleagues on both sides of the aisle for all the hard work that has gone into this legislation so far. I want to especially thank our chairman, ED ROYCE, who has been my partner on this committee for nearly 5 years. We have passed excellent legislation. The legislation today just adds to it, and it shows what you can do when you work in a bipartisan way, so I want to thank

the chairman for all his hard work and all his courtesies.

Mr. Speaker, I support this bill. I certainly plan to vote for it, but it seems we may be on the floor before we have ironed out all the differences with the other body. I hope that is not the case.

In particular, there have been issues with the North Korea sanctions. It was another Royce-Engel bill, which already passed in the House and, frankly, should have been taken up by the other body on a separate track; instead, it is now put into this bill. I hope we don't face further delays when this bill gets back to the other House.

Our job isn't done, obviously, until we get this thing across the finish line; and we need to do that because this bill is critical to our national security.

It does far more than just send a message to leaders in Russia, Iran, and North Korea. It exacts a heavy price for their aggressive and destabilizing behavior.

Just like the bill we already passed, this legislation would update and expand our sanctions on North Korea, closing loopholes that have allowed money to flow to the Kim regime, funding its illegal weapons program. It would crack down on the trading partners, banks, and shipping vessels that enable the regime, and go after the regime's most lucrative enterprises, whether exported goods or the pilfered wages of North Korean laborers sent abroad to work.

With respect to Iran, this bill would go after so many of the things Iran's leaders do to drive violence and instability, from Tehran's ballistic missile program and its support for terrorism to the regime's abhorrent human rights record and efforts to build up its military. I have said this again and again, that we need to hold the regime's feet to the fire on all these issues. This bill does exactly that.

Finally, on Russia, this bill is a strong, direct response to Vladimir Putin's efforts to undermine American democracy. It imposes new sanctions on those who want to do business with Putin's cronies or with Russia's military or intelligence. It strengthens existing sanctions for Russia's illegal annexation of Crimea and armed intervention in eastern Ukraine. It pushes back against Russia's cybercrimes, including the hacking of our election to help Donald Trump—a story which Congress and the special counsel are still trying to get to the bottom of—as well as Putin's support for the murderous Assad regime in Syria. And it gives Congress a strong oversight role in making sure that these Russian sanctions are not lifted prematurely.

This administration has shown over and over that they are willing to cozy up to Putin, but here is the truth: Russia is not our ally. Putin wants to harm the United States, splinter our alliances, and undermine Western de-

mocracy. This Congress will not allow him to succeed, so I am glad to support this bipartisan bill.

I thank the chairman once again. We need to keep working to make sure this bill gets to the President's desk.

Mr. Speaker, I reserve the balance of my time.

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Mr. ROYCE of California. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. MCCAUL), and I just want to thank him for his good work to strengthen the bill, as he will discuss, and for his focus on pipelines that primarily carry oil and gas through Russia that compete with Russian gas and drives down the price of gas.

Mr. MCCAUL. Mr. Speaker, I rise in strong support of increased sanctions on Russia, Iran, and North Korea. I thank Chairman ROYCE and Ranking Member ELIOT ENGEL for their leadership on this issue. I cannot overstate the importance of sending a strong message to our adversaries that there will be consequences for their bad behavior.

Back in October of last year, at the height of the Presidential campaign, I was briefed by our intelligence community. They told me that Russia engaged in a blatant effort to meddle in our domestic affairs and, specifically, our democratic process. I was an outspoken supporter of the need for a strong response then, and I remain so now.

However, in the process of making Russia pay an economic cost for their bad behavior, we must ensure we are not harming U.S. interests at home and abroad.

I want to thank Chairman ROYCE for clarifying that Section 232 of this bill only applies to Russian energy export pipelines. We should not be in the business of sanctioning pipelines that help provide energy independence from Russia. Putin uses this as a tool to provide political leverage over his neighbors.

So, again, I want to thank Chairman ROYCE for his leadership in working with me on this, I think, clarification to the Senate companion and for his leadership in the House on this important issue.

Mr. ENGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE), my colleague on the Foreign Affairs Committee.

Mr. CICILLINE. Mr. Speaker, I rise in support of H.R. 3364, the Russia, Iran, and North Korea Sanctions Act. I thank my colleagues, Chairman ROYCE and Ranking Member ENGEL, for all of their work, together with the Senate, to reach this important agreement.

This legislation will ensure that Russia, Iran, and North Korea, and those who seek to help them, will suffer consequences for their bad behavior. Passage of this legislation is important to hold Iran accountable for its support for terrorism, human rights violations,

and continued defiance of international treaties, including on ballistic missiles.

Today we are taking an important step toward holding the Iranian Government, including the IRGC, and anyone who seeks to support them, accountable for their bad actions. Anyone who contributes to Iran's ballistic missile program, supplies it with weapons, or assists the Iranian Government in their vast human rights abuses will be subject to sanction.

It is important to note that these sanctions do not violate the JCPOA and, in my view, strengthen the nuclear deal by showing our allies and Iran that the United States is serious about continuing to enforce violations of international law.

I am also pleased to see additional sanctions imposed upon Russia and North Korea in this legislation. The human suffering that North Korea has brought upon its own people is unimaginable. Such a depraved leader as Kim Jong-un getting his hands on nuclear weapons that can be used against American allies is an outcome that we simply cannot tolerate.

Finally, Russia engaged in an unprecedented attack against our democracy when it interfered in our 2016 election. This is the fundamental foundation of our democracy, our election, and we simply cannot allow any foreign power to interfere in our electoral process.

Given our President's complete unwillingness to hold Russia accountable for their attack—and let's not mistake it for anything else; it was an attack on America—it has become necessary for Congress to assert its role in this area and ensure that Russia will be held accountable.

So, again, I thank Chairman ROYCE, Ranking Member ENGEL, Leader PELOSI, Whip HOYER, and members of the Senate who worked together to get this bill to the floor. I urge my colleagues to support this legislation.

Mr. ROYCE of California. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH), the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for yielding. I thank him and ELIOT ENGEL for sponsoring this important bill.

This bill brings together a critical arsenal of stiff and timely sanctions against Iran, Russia, and North Korea.

The administration was absolutely right in early February to put Iran on notice regarding its continued testing of ballistic missiles. This bill underscores that warning by imposing expanded sanctions against Iran's missile program, demonstrating that the United States will not sit idly by as Iran augments its ability to militarily blackmail the United States, Israel, and our allies.

It also, as the world's largest sponsor of terrorism, imposes terror sanctions on the Islamic Revolutionary Guard Corps. It very importantly, as well, authorizes the imposition of sanctions on individuals responsible for Iran's human rights abuses.

The State Department suggests there are as many as 800 political prisoners in Iran alone. It also reminds us and draws attention to Iran's despicable practice of arresting American citizens to use them as bargaining chips.

On Russia, Mr. Speaker, the Putin government's invasion of Ukraine and annexation of Crimea; indiscriminate bombing in Syria; and threatening behavior toward our NATO allies, above all, in the Baltics makes it—important in respects—the worst actor in the global stage today. Putin's government has passed from threats to aggressive actions against our friends, allies, and innocent people abroad.

Let's not forget that in 2008—and I was there in Tbilisi as it was happening—the Russians invaded Georgia and annexed South Ossetia and Abkhazia.

As to North Korea, a gulag masquerading as a country, we must cut off all economic lifelines to Kim Jong-un, and punish Pyongyang's clients and its enablers. A regime that murdered Otto Warmbier and then, of course, is working on more missiles and the means to deliver them needs to be taken seriously. This legislation does that with very stiff sanctions.

I thank, again, Chairman ROYCE, ELIOT ENGEL, Majority Leader MCCARTHY, and STENY HOYER as the principal sponsors of the bill.

Mr. Speaker, I rise today to support H.R. 3364, the Countering America's Adversaries Through Sanctions Act, introduced by my good friend, Chairman ED ROYCE. I'm proud to be a co-sponsor. This bill brings together a critical arsenal of stiff and timely sanctions trained at some of the gravest national security threats our country faces today.

The Trump Administration was absolutely right in early February to put Iran "on notice" regarding its continued testing of ballistic missiles. This bill underscores that warning by imposing expanded sanctions against Iran's missile program—demonstrating that the United States will not sit idly by as Iran augments its ability to blackmail Israel and other allies.

The stakes could hardly be higher. Iran possesses the largest ballistic missile program in the region and its medium-range ballistic missiles are already able to strike Israel and our allies and installations in the Gulf from deep within Iranian territory. Iran's growing space launch program—a thinly veiled testing scheme for intercontinental ballistic missiles—is cause for greater alarm still.

Iran is also the world's largest state sponsor of terrorism. By requiring the imposition of terror sanctions on the Islamic Revolutionary Guard Corps, H.R. 3364 treats the IRGC as what it truly is: Iran's principal means of exporting terrorism around the world, particularly to Israel, Syria, Lebanon, Yemen, and Bahrain.

The U.S. cannot tolerate this brinksmanship and blackmail. Iran dreams of nothing less than regional hegemony and Israel's annihilation. There is no room for compromise with such an adversary. Now is the time to act: Iran is entrenching its influence in Syria and Iraq and insuring these gains with the credibility of its missile threat and militant proxies. We must pass this bill to bring maximum pressure to bear against a mounting threat.

Importantly, this bill also authorizes the imposition of sanctions on individuals responsible for Iran's horrifying human rights abuses. In May, the State Department reported to Congress that: "The Iranian regime's repression of its own people includes reports of over 800 political prisoners, composed of peaceful civic activists, journalists, women's rights activists, religious and ethnic minorities, and opposition political figures."

This bill would also draw increased attention to Iran's despicable practice of arresting American citizens to use them as bargaining chips. On Friday, the Trump Administration rightfully called Iran out for using these detentions as "a tool of state policy" and threatened "new and serious" consequences if this practice continues. We must not forget the lives and families of Robert Levinson, Siamak and Baquer Namazi, Xiyue Wang, and others that have been torn apart by Iran's cynical schemes.

Mr. Speaker, regarding Russia, the Putin government's invasion of Ukraine and annexation of Crimea, indiscriminate bombing in Syria, and threatening behavior toward our NATO allies, above all in the Baltics, makes it among the worst actors on the global stage today. Putin's government has passed from threats to aggressive action against our friends, allies and innocent civilians abroad. And it did so long ago, when it invaded Georgia in 2008.

I was there, in Tbilisi, several weeks after that invasion began, to work to secure the exit of two young children, constituents of mine, trapped behind Russian lines in South Ossetia. I will never forget the quiet courage of the Georgian people in Tbilisi—not entirely surprised by Putin's invasion—they were too wise for that—uncertain whether the Russian army would proceed to Tbilisi, and determined to soldier on in defense of their country.

And then in 2014 the Russian government annexed Crimea and invaded eastern Ukraine—each of these incursions was marked by massive human rights violations, violence toward anyone suspected of being unsympathetic to the Russian imperialist cause, and created massive humanitarian crises of displaced persons, which the Russian government did nothing to relieve.

These acts of aggression underscore the seriousness with which we must take the Russian government's testing of our limits and our will, by buzzing our ships and planes, harassing our diplomats, and intimidating our allies—as it does for example with the Zapad exercises set to take place in September near the Polish, Lithuanian, Latvian, and Estonian borders.

We know from experience that the best way to maintain the peace and keep our country secure is to respond strongly to Russian expansionism and intimidation attempts—this sanctions bill does just that.

The large number of political assassinations that have scarred Russian public life since Putin arrived on the scene—the most notorious but not the only attack on the rights of Russian citizens for which the Putin government is responsible. These brutal crimes only underscore the need to respond strongly to Putin's attempts to intimidate us and our allies.

Congress has responded strongly to Putin's aggressions and crimes before, for example with the Sergei Magnitsky Rule of Law and Accountability Act and the Global Magnitsky legislation, of which I was the House chief sponsor, taking the lessons of the earlier act and applied them globally, while in its name further memorializing the heroic sacrifice of Sergei Magnitsky. The Magnitsky legislation was so strongly detested by the Putin government that in early 2013, having cosponsored the original Magnitsky legislation, the Russian government refused to issue me a visa to visit Russia to work on international child adoption issues. A State Department official commented to me at the time that as far he knew, I was the first Congressman denied a visa since the Brezhnev era.

So, in addition to enacting this new legislation, I want to join Vladimir Kara-Murza's call that the Magnitsky legislation continue to be implemented energetically and fully. Kara-Murza is a Russian democracy activist who twice was nearly killed by sophisticated poisons while visiting Russia—he testified for me at the Helsinki Commission after the first poisoning attempt, in October 2015. Many of the Putin government's murders are motivated by economic crimes and implementation of the Magnitsky legislation should also include U.S. government advocacy on behalf of U.S. investors defrauded by Russian expropriations—the Yukos oil company is the most notorious case of this.

As to North Korea—a gulag masquerading as a country—we must cut off all economic lifelines to Kim Jong un and punish Pyongyang's clients and its enablers. A regime that murders Otto Warmbier does not deserve respect and should be considered an imminent threat to the US and its allies because of its nuclear proliferation.

We cannot negotiate our way out of these strategic problems. Carrots have not worked, we need bigger sticks.

We know sanctions are working. Thae Yong Ho (Thay Young Ho)—North Korea's former deputy ambassador to Britain and the highest ranking defector in twenty years—said that international sanctions are beginning to squeeze the regime. He also said that the spread of information from the outside world is having a real impact. So it shouldn't be a surprise that South Korea has reported that high-level defections are surging.

This legislation provides crucial tools and I support them wholeheartedly—as I supported them in May of this year.

The Trump Administration will find that it can use the tools we offer today to much greater use than did the last White House. With hundreds of thousands of North Korean laborers abroad—sending as much as \$2 billion a year back to the regime in hard currency—we should look at targeting this expatriate labor and the governments and corporations that employ them.

Loopholes in our sanctions on North Korea's shipping and financial sectors must be closed. And when we discover that foreign banks have helped Kim Jong un skirt sanctions—as those in China have repeatedly done—we must give those banks and businesses a stark choice: do business with Kim Jong un or the U.S.

Cut off Kim Jong un's economic lifelines, punish those who keep his murderous regime afloat, and signal to China and its client state in North Korea that the era of "strategic patience" is finally over.

Mr. Speaker, I urge my colleagues to strongly support this critical measure at a perilous moment for our country and the rest of the planet.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. CASTRO), our colleague on the Foreign Affairs Committee and a member of the Intelligence Committee.

Mr. CASTRO of Texas. Mr. Speaker, I thank Ranking Member ENGEL for yielding.

I also thank Chairman ROYCE for his leadership on the sanctions package. The American people have been waiting some time for the sanctions package to finally pass.

This bill dials up our current sanctions on North Korea, Iran, and Russia to hold their governments accountable for their destabilizing actions.

The Russia piece in this package is particularly necessary. Russia has flagrantly violated international law by invading Ukraine and interfering in American and European elections. These sanctions are a clear signal that the United States will hold President Putin and his close associates accountable for their actions. They are also a declaration that Congress can and will act, even when President Trump refuses to do so.

In addition to these sanctions, Congress must continue to investigate to determine the scope of Russia's attack on America's democracy and establish which Americans, if any, aided in those efforts.

Again, I thank Ranking Member ENGEL, Chairman ROYCE, and everyone in this Congress who has supported these sanctions.

Mr. ROYCE of California. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HENSARLING), chairman of the Committee on Financial Services.

Mr. HENSARLING. Mr. Speaker, I thank the gentleman for yielding and certainly for his leadership on this very important bill.

I rise in support of the Russia, Iran, and North Korean Sanctions Act.

Mr. Speaker, I particularly want to highlight the provisions that are the product of the hard work of the Financial Services Committee's Subcommittee on Terrorism and Illicit Finance. The inclusion of these provisions will undoubtedly assist our government's anti-money laundering and counterterrorist financing efforts.

For instance, this bill includes language directing the President, acting through the Secretary of the Treasury, to develop and maintain a national strategy for combating the financing of terrorism and related forms of illicit financing.

The opportunistic nature of terrorist groups, combined with the emergence of financial technology, creates new challenges for our law enforcement community and their efforts to disrupt terror finance.

The national strategy should also seek to enhance partnerships with the private sector that prevent and detect illicit financing, and increase efforts to facilitate compliance with our anti-money laundering and counterterrorist financing laws.

I would like to commend Congressman TED BUDD for introducing the National Strategy for Combating Terrorists, Underground, and Other Illicit Financing Act, which is almost entirely incorporated in section 2 of the underlying legislation.

I would also like to recognize Congressman PEARCE and Congressman PITTSINGER, the chairman and vice chairman of the Terrorism and Illicit Finance Subcommittee of our committee, whose leadership on these issues has been instrumental to achieve the legislation that is before us today.

Mr. Speaker, we know that Thomas Jefferson once famously said: "The price of liberty is eternal vigilance." And that is indeed true.

Thanks, in no small part, to the hard work of the Subcommittee on Terrorism and Illicit Finance, the bill before us today ensures that we remain vigilant to address the evolving threats to our financial system. I am proud to support it and I encourage all Members to support it.

Again, I thank Chairman ROYCE for his leadership today on this bill and in our committee.

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), who was instrumental in putting this bill forward, who has been with us every step of the way and so invaluable to this finished product, the distinguished Democratic whip.

Mr. HOYER. Mr. Speaker, I thank Ranking Member ENGEL for yielding. And I thank Mr. ROYCE for his hard work on this bill.

I have said this before and I will say it again: Mr. ROYCE, as chairman, and Mr. ENGEL, as ranking member, are an example for, frankly, all of us on how to work together productively in a bipartisan fashion to reach a result that is good for our country, for our people, and indeed for international security.

I also want to thank Senators CARDIN and CORKER for their leadership and their involvement.

This legislation is the product of very careful and sometimes difficult

negotiations on a bipartisan basis. It is a strong, tough, and appropriate response to Russia's attempts to meddle in our election process, its support for violent separatists in Ukraine, its illegal occupation of Crimea, and, yes, its unhelpful activity in Syria.

It also imposes new sanctions on Iran's ballistic missile program, which threatens the United States, our Gulf allies, and Israel.

Russia's power comes from its ability to coerce other nations by its energy distribution, in many instances. This bill seeks to make it harder for Russia to use that type of coercion, and empower other nations to join us in standing up against Russian aggression. These sanctions will only be successful, however, if they are truly bipartisan and if Congress continues to play its important and necessary oversight role.

Democrats and Republicans are coming together on this bill, Mr. Speaker, to ensure that the President cannot alter sanctions toward Russia without congressional review. This is critical at a moment when our allies are uncertain about where this administration stands with respect to Russian aggression.

I remain open to additional sanctions on Russia's energy sector at a later date if the Russian leader and his associates fail to heed the message of this bill that their business as usual cannot and must not continue.

Once this bill passes the Senate, as I believe it will, Russia will know that sanctions levied because of its malevolent acts will be lifted only with the concurrence, either tacitly or expressly, of the Congress of the United States. There will be no side deals or turning a blind eye to its actions.

This legislation, Mr. Speaker, will also make it clear that Russia's interference in Ukraine comes with consequences, and it puts pressure on Iran to end its ballistic missile program.

In addition, it deters, hopefully, North Korea from pursuing its dangerous development of nuclear weapons and vehicles to deliver those weapons as close as the western part of this country.

I urge my colleagues to support this legislation and to send it to the Senate as quickly as possible.

Mr. ROYCE of California. Mr. Speaker, I wanted to recognize the good work of the Democratic whip, Mr. STENY HOYER, and also the Republican leader, KEVIN MCCARTHY, on this legislation and to thank them.

Mr. HOYER. Will the gentleman yield?

Mr. ROYCE of California. I yield to the gentleman from Maryland.

Mr. HOYER. Frankly, all four of us—yourself and your leadership, Mr. ENGEL, the majority leader, and I—were privileged to work together in a way that, as I said at the beginning,



was constructive and that, I think, has resulted in a very good product.

Mr. ROYCE of California. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. SESSIONS), the chairman of the Rules Committee, for the purpose of a colloquy.

□ 1500

Mr. SESSIONS. Mr. Speaker, I want to thank the chairman for yielding me this time, and I rise to applaud him for the hard work and the responsible actions that the chairman has taken, not only to ensure this piece of legislation is prepared, but bettered and ready to go back to the Senate.

I think we have a forceful sanctions bill that is before the House today, and one that targets not only Iran and Russia, but also the North Korean regime.

As you know, the bill that was passed by the Senate risked giving Russian energy firms a competitive advantage across the globe by inadvertently denying American companies access to neutral third-party energy markets where there would simply be a small or de minimis Russian presence.

The bill before us today prevents Russia from being able to weaponize these sanctions against U.S. energy firms. I want to thank Chairman ROYCE for his hard work on this issue.

I also want to ensure that we have an understanding of the definition of the word “controlling” in section 223(d) of H.R. 3364. For purposes of clarification and legislative intent, the term “controlling” means the power to direct, determine, or resolve fundamental, operational, and financial decisions of an oil project through the ownership of a majority of the voting interests of the oil project.

Mr. Speaker, I would ask the gentleman, the young chairman, if he agrees with that definition.

Mr. ROYCE of California. Will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman from California.

Mr. ROYCE of California. Yes. Yes, that is my understanding.

Mr. SESSIONS. I want to thank the gentleman for not only this clarification, but making sure that we are most specific in what we are undertaking.

Mr. Speaker, I would also like to note that the Shah Deniz Pipeline and the Southern Gas Corridor projects will continue to be able to bring gas from the Caspian Sea, which is a huge find, to our European allies, reducing their dependency on Russian energy.

Mr. ROYCE of California. That is my understanding.

Mr. SESSIONS. Mr. Speaker, I want to thank the gentleman, and I would thank him for his time on this colloquy.

Mr. ENGEL. Mr. Speaker, I now yield 1½ minutes to the gentleman from California (Mr. SHERMAN), one of my

senior colleagues on the Foreign Affairs Committee, the ranking member of the Terrorism, Nonproliferation, and Trade Subcommittee.

Mr. SHERMAN. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in strong support of this bill, which is really a combination of three bills. First, as to North Korea, it embodies a bill passed on this floor in May introduced by Chairman ROYCE, Ranking Member ENGEL, Mr. YOHIO, and myself from the Asia and the Pacific Subcommittee. We will expand our sanctions on North Korea's precious metals, minerals, jet fuel, coal, and across the board, and especially banking sanctions.

But keep in mind, ultimately, we have got to force China to decide whether they are going to support North Korea or whether they are going to have access to American markets. We can't let them have both.

As to Iran, this bill designates the entire Iran Revolutionary Guard Corps, as the Quds Force has already been designated, as subject to terrorism sanctions, and provides an arms embargo. Let us remember that the real face of this regime in Tehran is not their dapper foreign minister, but rather it is the hundreds of thousands who have died in Syria as a result of Iranian action.

Speaking of countries that have supported Assad, finally and perhaps most importantly, this bill provides sanctions against Russia necessary because of its action in the Ukraine and its interference in our elections.

We hit Russia in a very important way by dealing with the technology they would need to explore oil. Unfortunately, even under this very strong bill, it would take a two-thirds vote for us to block a sanctions waiver should our resolution be vetoed.

Mr. ROYCE of California. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. POE), chairman of the Foreign Affairs' Subcommittee on Terrorism, Nonproliferation, and Trade.

Mr. POE of Texas. Mr. Speaker, I thank the chairman, and I also thank the ranking member for their work on this legislation.

Mr. Speaker, I have spoken to our military leaders, and they said that the biggest threat to the United States is North Korea. Strategic patience is over. It is time for strategic sanctions. This bill will go a long way to tighten the screws on little Kim and bring the dictator to his knees. We can no longer stand by meekly while North Korea terrorizes the world.

This bill includes my bill that has already passed the House that calls on the State Department to reassess if North Korea should be on the State Sponsors of Terrorism list. Let us not forget that North Korea helped supply Syria with chemical weapons. It has given Iran ballistic missiles and advice on how to develop its own nukes.

North Korea and Iran's evil cooperation is even going on as we speak today. They are now working together to develop an intercontinental ballistic missile that can reach American shores.

This bill also puts China in the crosshairs. Chinese banks have enabled the Korean regime to avoid sanctions and build its illegal weapons programs. China even provided the vehicle used to launch North Korea's new ICBM.

China also uses slave labor from North Korea to help North Korea avoid sanctions already in place. China needs to understand how its support for Kim will not only endanger the United States and South Korea, but it also endangers its own security.

Mr. Speaker, by targeting these rogue nations, we show we will not go away quietly in the darkness of silence.

And that is just the way it is.

Mr. ENGEL. Mr. Speaker, I yield 1½ minutes to the gentleman from Virginia (Mr. CONNOLLY), one of our senior members on the Foreign Affairs Committee.

Mr. CONNOLLY. Mr. Speaker, I thank my friend, the distinguished ranking member, Mr. ENGEL.

Mr. Speaker, today, this House comes together on a bipartisan basis to address sanctions and the rules on the girding sanctions for North Korea, Iran, and, most importantly perhaps, Russia. Importantly, because there has been a lot of doubt about whether this Congress would ever again speak eloquently and forcefully about Russian behavior.

Today, we answer that question. Overwhelmingly, we say Russia's behavior is unacceptable in many ways, not least of which is the incursion of sovereign territory of its neighbors, specifically Georgia, Ukraine, including Crimea.

I vote easily and enthusiastically for the resolution today, but it must not be construed, because it references the Minsk agreement, that that means that we don't mean to continue sanctions on the Crimean invasion. We do.

Mr. CHABOT and I, and I know the chairman and the ranking member of our committee, will continue to be vigilant on that until that illegal annexation is ended.

Mr. Speaker, I commend the leadership for bringing this resolution to the floor, and I am proud today to be a Member of this body and speaking with one voice about Russian behavior and the need for sanctioning it.

Mr. Speaker, this Congress does not trust the President of the United States to manage U.S.-Russia relations.

Case in point—the first major legislative accomplishment of the Republican-led Congress in the Trump era will be a sanctions package that limits, in every imaginable way, the president's ability to appease Putin.

President Trump and his administration have given the American public little reason to trust them on all things Russia.



The President obstructed justice by firing FBI Director James Comey, the law enforcement officer tasked with investigating illegal collusion between the Trump campaign and Russia.

Attorney General Jeff Sessions potentially perjured himself by failing to disclose secret meetings with the Russian Ambassador.

Donald Trump, Jr. obscured a meeting he had with the Trump campaign's chairman, the president's son-in-law, and Russian operatives until the New York Times forced his hand and he had to publish emails that confirmed his collusion with individuals associated with Russian intelligence operations.

And now the president is attempting to intimidate his own Attorney General into prosecuting political opponents and upending the Russia investigation.

Today, we will pass this sanctions package, the strongest ever, and send a clear message to President Putin that there are consequences to invading peaceful neighbors and attacking American democratic institutions.

I reserve an important objection to the fact that this bill allows a waiver of Crimea-related sanctions on the condition that the Minsk agreement is being implemented.

Minsk does not mention Crimea, and therefore its implementation should have no bearing on the U.S.-led effort to combat the illegal and forcible annexation of Crimea sovereign Ukrainian territory.

However, I will vote for this bill because it sends a powerful and unified message to Russia, Iran, and North Korea at time when the foreign policy emanating from the White House is unsteady and confused.

Mr. ROYCE of California. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LANCE), a member of the Committee on Energy and Commerce.

Mr. LANCE. Mr. Speaker, I rise today in strong support of this sanctions bill. The governments of Iran, North Korea, and Russia do not share American values or interests and are active threats to our national security. These regimes will see a united message from the Congress of the United States with an overwhelming vote in favor of strong sanctions.

Iran is the world's leading state sponsor of terrorism. North Korea, the most dangerous and isolated place on Earth, has tested long-range missiles demonstrating a frightening potential to target our West Coast. Russia has intolerably involved itself in our Nation's democratic electoral process. Its invasion of Crimea and actions in Ukraine are totally unacceptable.

Mr. Speaker, let us act decisively today and put these states on notice: violate international law by threatening the United States and thereby face the consequences.

Mr. Speaker, I urge a "yes" vote.

Mr. ENGEL. Mr. Speaker, I now yield 2 minutes to the gentlewoman from California (Ms. MAXINE WATERS), the ranking member of the Financial Services Committee.

Ms. MAXINE WATERS of California. Mr. Speaker, I thank Ranking Member

ENGEL for his leadership and for yielding me time. I thank Chairman ROYCE for his leadership and the way that he has worked with our side of the aisle.

Mr. Speaker, I rise in support of the Russia, Iran, and North Korea Sanctions Act, legislation that is desperately needed to prevent this administration from rolling back sanctions tied to Russia's invasion of Ukraine and interference in our election.

This bill's enhanced sanctions on Russia are important in light of the actions of Russian President Vladimir Putin, not to mention the many ties between the Trump administration and the Kremlin.

In a recent development, the Treasury Department confirmed that ExxonMobil violated existing Russian sanctions while under the leadership of Rex Tillerson, who is now Donald Trump's Secretary of State. Indeed, in 2014, Exxon signed documents related to oil and gas projects in Russia with Igor Sechin, president of Rosneft, a Russian state-owned oil giant. Sechin was one of the individuals subject to sanctions. Exxon was fined a mere \$2 million—a slap on the wrist for a company that earned \$7.8 billion in profits in 2016.

Russia is continuing its aggression in Ukraine. It is supporting the murderous regime of Bashar al-Assad in Syria. It interfered in the 2016 U.S. election. That is why we must strengthen the sanctions against Russia, and we must block Rex Tillerson and Donald Trump from waiving or lifting those sanctions without review.

Before closing, I would also note that the legislation before us also includes several measures championed by Democrats on the Financial Services Committee. These provisions will focus the government on creating a national strategy to combat the financing of terrorism, enhance Treasury's tools for combating money laundering vulnerabilities such as the well-known risk in high-end real estate, and help address the de-risking trend that is driving fund transfers into the shadows.

Mr. ROYCE of California. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. BUDD), a member of the Committee on Financial Services.

Mr. BUDD. Mr. Speaker, I rise today in strong support of H.R. 3364. In particular, I am proud of the bipartisan language in the bill which would create a national strategy for combating terrorism and illicit finance. The financing of terrorism and related forms of illicit finance present a direct threat to our national security and financial system.

It is critical for the government to create and maintain a unified strategy to fight financial crime, both to accommodate new and developing threats and to help Congress develop legislative and funding priorities now and in the future.

Additionally, a national strategy should seek to enhance intergovernmental cooperation, to identify illicit financing trends, and to encourage Federal agencies to work with the private financial sector to do the same.

Mr. Speaker, this bill does these things and will go a long way in making sure we are keeping pace with the ever-changing terror finance landscape.

I would like to thank Chairman HENSARLING for his extraordinary conservative leadership on the Financial Services Committee and for helping to include this language in the overall bill.

Additionally, I want to thank the chairman of the Terrorism and Illicit Finance Subcommittee, Mr. PEARCE, and for his support, and for my colleague, Ms. SINEMA, for her work on this as well.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from Arizona (Ms. SINEMA), my friend on the Financial Services Committee.

Ms. SINEMA. Mr. Speaker, I rise today in support of H.R. 3364. The authoritarian regimes in Iran, Russia, and North Korea continue to undermine global peace and security and threaten the safety of the United States and our allies.

Russia's coordinated efforts to undermine democracies and free and fair elections around the world is particularly troubling and demand a strong response.

I thank Chairman ROYCE and Ranking Member ENGEL for their bipartisan legislation that counters these belligerent regimes and ensures strong oversight by Congress and the American people.

The safety and security of our communities and our country must come before partisanship.

I also thank the chair and ranking member for introducing our bipartisan legislation introduced with Congressman BUDD to establish a whole-of-government strategy to combat the financing of terrorism.

Current U.S. efforts to counter the financing of terrorism lack sufficient coordination, and the U.S. has no unified national strategy to guide our counter-financing efforts. Money is the lifeblood of any organization. We must establish a comprehensive and effective strategy to deny money to terrorists. This strategy will enhance detection, deterrence, and prosecution and ultimately strengthen our broader national security goals.

Mr. Speaker, I thank the chair and ranking member for advancing this important bipartisan national security bill, and I urge my colleagues to vote "yes."

Mr. ROYCE of California. Mr. Speaker, I reserve the balance of my time.

□ 1515

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from Ohio

(Mr. RYAN), my friend on the Appropriations Committee.

Mr. RYAN of Ohio. Mr. Speaker, I want to thank the chairman and the ranking member for their leadership on this.

This clearly is a big issue pressing the country, and I just wanted to rise in support of what is happening here today; of taking a firmer stance on Russia, Iran, and North Korea; trying to stabilize the peninsula; trying to take care of the funding that is coming out of Iran to all of these terrorist groups across the country and across the world.

What is happening with these sanctions here in the targeting of Russian gas pipelines—their number one export—I think is entirely appropriate. The Nord Stream 2, which carries gas from Russia through the Baltics to Germany—and I know Germany isn't happy about it, but this is something that we have to do.

The point I want to make is that we have to address this issue in a comprehensive way. We must continue to focus on how we get our gas here in the United States, our natural gas to Europe, to our allies, so they are not so dependent on Russia. We have got to have the sanctions, but we also have got to be shipping liquid natural gas to some of these allies of ours so they are not so dependent on the Russians, which is part and parcel of this entire approach.

Mr. ROYCE of California. Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, it is now my pleasure to yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY), a respected member of the Energy and Commerce Committee.

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentleman for yielding.

I rise in support of today's sanction legislation, which I am so happy to find has complied with the Iran nuclear agreement, something I worked very hard on, as did many here.

Experts, the international community, and even some of President Trump's own advisers agree that the Iran nuclear agreement is working. In June, the International Atomic Energy Agency certified that Iran is within the limits set by this historic deal. There are serious issues left to be addressed with Iran, especially in regards to human rights violations and ballistic missiles, which this bill covers.

The Iran deal took Iran's nuclear weapons off the table and allowed us to deal with these remaining challenges. Withdrawing or violating the agreement would be an enormous mistake. This bill upholds our agreement with Iran while also holding Russia and North Korea accountable for their actions.

Mr. Speaker, I urge all of my colleagues to support this legislation.

Mr. ROYCE of California. Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I rise to stress two critical aspects of this legislation.

First, it would impose tough sanctions on Russia for its serious international violations, the seizure of Crimea, its violent incursion into Ukraine, its cyber interference in the 2016 U.S. election. Perhaps most importantly, in the present context, it would prevent President Trump from removing or softening existing sanctions without congressional approval.

Second, the bill addresses Iran's unacceptable behavior in the non-nuclear realm, such as ballistic missile development, human rights violations, financing of terrorism, without violating the nuclear deal with Iran.

The JCPOA celebrated its second anniversary 2 weeks ago. It has given the international community 24/7 access to Iran's nuclear sites, provided an enforcement mechanism to ensure that Iran's nuclear-related activity is solely peaceful, and elongated Iran's breakout time to over a year. It has made the world a safer place.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ENGEL. Mr. Speaker, I yield an additional 30 seconds to the gentleman from North Carolina.

Mr. PRICE of North Carolina. Mr. Speaker, as the United States continues to monitor the JCPOA and Iran's behavior, it is important that Congress continue to refrain from actions that would violate the deal, threaten the deal, or impose careless sanctions that—under the guise of being tough on Iran—would make the United States less safe.

This legislation meets that test, and I urge its adoption.

Mr. ROYCE of California. Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

On Vladimir Putin's orders, Russia attacked American democracy last year. That makes Russia a threat to this country, just like Iran, just like North Korea.

When the United States faces a real threat, we have an obligation to respond. So far, a response to Russia has fallen far short. That ends with this legislation.

Along with Pyongyang and Tehran, Moscow needs to understand that if you violate international law, you threaten the security of the United States and our allies, there will be consequences.

Now, I wish we were going to pass this incentive to the President's desk today. So after we vote today, leaders in both houses have an obligation to clear away any remaining issues and get this bill signed into law as soon as possible.

So long as Russia remains a threat, so long as Iran and North Korea defy global norms with their destructive agendas, none of us are off the hook.

I want to also thank the Democratic leader, Ms. PELOSI, for her advice and counsel on this bill. Let's pass this bill and keep pressing this bill forward.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, I would like to again thank my colleagues; the ranking member of the Foreign Affairs Committee, Mr. ENGEL; our counterparts, Senators CORKER and CARDIN; the majority leader, Mr. MCCARTHY; the minority whip, Mr. HOYER; as well as the leadership on both sides of the aisle in the other body. They deserve credit for their efforts.

Let me also say it is critically important that we stand shoulder to shoulder with our European allies encountering Russian aggression. That is why, in the bipartisan House-Senate negotiations, we secured important changes to improve transatlantic cooperation. So I am confident that, under the text of this House bill that we will pass today, these concerns have been addressed.

Let me also say that every time North Korea tests a ballistic missile or a nuclear device, it gets closer to having the ability to strike the U.S. mainland with a nuclear weapon.

For years, the policies of successive administrations have failed to get North Korea to change.

Why?

Because diplomatic pressure has been applied only in spurts. It has been lifted prematurely for North Korean promises that have never materialized.

So we need leverage, and leverage comes from real sustained pressure. That is why I have authored tough new sanctions to crack down on the regime, to shut off the regime's access to the hard currency it needs to fund its nuclear program, and we have included that in this bill.

These sanctions passed in this House in May by a vote of 419-1, and it is time for the other body to pick them up. By including these North Korean sanctions in the legislation, we ensure that our colleagues do so.

We cannot afford any more delay, and that is why I worked with the other body to make small changes to the North Korean sanctions in this bill, to ensure swift passage in both Houses. I am confident this bill, including the North Korean sanctions bill, will soon become law.

Let me say that congressional engagement in foreign affairs is strongest when we all speak with one voice. I urge my colleagues to vote in favor of the bill and join us in sending a clear message to Vladimir Putin, to Kim Jong-un, and to the radical regime in

Tehran that efforts to threaten the United States and to destabilize our allies will be met with a united American response.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise today in support of H.R. 3364 or the bill entitled "Russia, Iran, and North Korea Sanctions Act."

As a senior member of the Committee on Homeland Security and its Subcommittees on Counterterrorism and Intelligence, and Cybersecurity, Infrastructure Protection, and Security Technologies, I am reminded daily that there are actors and nation-states that threaten the security of our nation.

Within the past year, the United States has experienced a series of aggressions that threaten not only our nation's security, but also the very democratic principles that are the foundation upon which our country was built.

These hostile acts have been orchestrated and perpetrated by our long-time adversaries—Russia, Iran, and North Korea.

Within that short time span, their actions have been so egregious that it is inexcusable that this administration has failed to respond to these acts of aggression with strength and resolve.

Mr. Speaker, U.S. intelligence agencies have confirmed that Russian hackers launched cyberattacks during one of the most sacred processes in our republic—the U.S. presidential election.

Specifically, we know that Russia was behind the cyber theft of DNC documents and that Russian hackers intentionally targeted 21 U.S. state election systems during the 2016 presidential campaign.

This administration refused to acknowledge Russia's tampering in last year's election until it became impossible to deny what everyone knows to be true.

Further, Iran's support of groups who actively operate against U.S. interests is disturbing even in the face of the implementation of the JCPOA in January 2016.

North Korea is growing increasingly belligerent, launching 17 missiles since the beginning of this year as it attempts to improve its missile capabilities with each launch.

Although North Korea has launched missiles in the past, never have they occurred in such a rapid, unpredictable succession.

In a show of bipartisanship, our counterparts in the Senate led the charge in adopting legislation that would stop Russia, Iran, and North Korea from operating with such impunity.

On June 15, 2017, the Senate passed an amended version of S. 722, the "Countering Iran's Destabilizing Activities Act of 2017" that not only penalizes Iran but also punishes Russia for its interference in the 2016 U.S. presidential election.

The fact that that legislation was passed 98–2 demonstrated congressional willingness to set clear boundaries for what is and is not acceptable behavior especially for our adversaries.

The House must act just as decisively by passing H.R. 3364.

H.R. 3364 will work to avert and penalize any threat posed by adversaries in several ways.

One of the most important provisions of this act is that it will prevent the Trump Administration from repealing existing Obama-era Russian sanctions tied to Ukraine and election interference.

H.R. 3364 will also impose new sanctions on Russia while strengthening other sanctions.

Furthermore, it will require congressional oversight for altering sanctions related to Russia.

With respect to Iran, H.R. 3364 will mandate new sanctions on those who support the development of Iran's ballistic missile program.

H.R. 3364 requires the imposition of sanctions on Iran for human rights violations as well as sanctions on the Islamic Revolutionary Guard Corps.

Finally, H.R. 3364 clamps down on North Korea by updating and expanding sanctions in direct response to its repeated aggression.

In addition, H.R. 3364 also makes it more difficult for North Korea to secure the funding for its illegal weapon program.

Mr. Speaker, it is time that this body acts to show that the United States will not tolerate and will respond to threats to our homeland, our national security.

That is why I urge all Members to join me in voting for H.R. 3364.

Mr. BLUMENAUER. Mr. Speaker, today I voted for H.R. 3364, the Countering America's Adversaries Through Sanctions Act (Roll No. 413). This legislation is an important step forward in punishing Russia for its annexation of Crimea in 2014 and for the country's alleged interference in the 2016 United States presidential election.

The bill also updates and expands sanctions on North Korea at a time when the country continues to pursue dangerous weapons programs.

Further, I commend leadership and committee members in the House and Senate for ensuring that the Iran sanctions portion of this legislation does not violate the Joint Comprehensive Plan of Action (JCPOA) reached between Iran, the United States, and five major world powers, including Russia and China. While the Iranian ballistic missile program is deeply concerning and must be addressed, undermining the nuclear agreement, which has forced Iran to remove thousands of centrifuges from service and halt all uranium enrichment, would be a mistake of tragic proportions.

The bipartisan support for the bill should be a signal to the administration to refrain from taking action that would encourage Iran to change course.

To be sure, Iran has some unsavory hardline people in key positions of leadership, but these hardliners just suffered a major defeat in the Iranian elections. President Hassan Rouhani has been a voice of and a force for moderation—and people voted for him.

We must proceed with the utmost caution and develop a thoughtful approach to ensure we continue to keep Iran away from the nuclear threshold, while also countering the regime's nefarious activities.

Mr. McGOVERN. Mr. Speaker, I rise in support of H.R. 3364—but with reservations.

I strongly support the section of this bill that provides a role for the Congress before any president may waive sanctions or provide re-

lief from sanctions against Russia. Russia sought to undermine America's 2016 election. It attempted to subvert our democracy. It did so deliberately, methodically, and ruthlessly, spreading lies and misinformation and exploiting weaknesses in computer systems and records to steal private information and release it in sensationalistic fashion.

These attacks against our democracy were and are totally unacceptable and must be condemned. I remain bewildered that the current president of the United States still fails to acknowledge that these actions happened and that the Russian government, at the very highest level, is responsible—even though there is a consensus among all U.S. domestic and international intelligence and law enforcement agencies that this is the case.

Sanctions imposed by the Obama Administration in response to this multifaceted operation were lifted by President Trump. This legislation rectifies that situation by re-imposing those sanctions and ensuring that they cannot be removed without congressional consultation and consent.

In addition, Russia continues to threaten its neighbors, especially Ukraine, for which economic and military sanctions are now in place.

But I am somewhat reluctant in my support for this legislation because of the provisions included on Iran. Like all my colleagues, I am worried about Iran's continued testing and development of ballistic missile technology. It is threatening and provocative to Iran's neighbors and the region. I also oppose Iran's support for regional militant and terrorist organizations, and for choosing to side with the brutal regime of Bashir al-Assad in the Syrian conflict, as did Russia.

I do support, however, Iran's continuing compliance with the terms of the Joint Comprehensive Plan of Action (JCPOA)—or the Iran nuclear deal. I worry that the sanctions against Iran included in this bill will be used and manipulated to undermine the JCPOA. I am worried that we now have a president and an Administration actively seeking to abrogate this international nuclear agreement. And I strongly oppose any action that would violate, let alone abandon, the JCPOA.

The Trump Administration—and the White House in particular—seem hell-bent on putting us on a path that leads to yet another costly war in the Middle East and to a nuclear-armed Iran. This would be a calamity of the greatest order, one that would place our friends and allies in the region in even greater danger than what they now face. We must not go there.

While I will vote in favor of H.R. 3364, I do so with grave misgivings about how President Trump will seek to exploit the sanctions against Iran provided in this bill to violate U.S. obligations under the JCPOA, which will, in turn, give permission to Iran to develop a nuclear weapon, and bring us all to the brink of war in the Middle East.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in support of H.R. 3364.

I rise in support of the Countering America's Adversaries through Sanctions Act, to strengthen sanctions against Russia, North Korea, and Iran. These sanctions have been a long time coming.

Russian aggression towards the United States and our allies is at a level not seen

since the Cold War. Although you wouldn't know it from the conduct of our president, Russia is unparalleled in its willingness to use illicit "active measures" to try to weaken the rules-based international order that has benefited the world for decades. Although the techniques in many ways aren't new—we saw similar tactics during the Cold War—the power of social media and the Internet have only amplified Russia's capabilities.

It's thought that Russia has been behind the hacking of the attempted hacking of campaigns, infrastructure systems, and government entities in many of our European allies, including Denmark, France, Georgia, the Netherlands, Germany, Ukraine, and Estonia. In Ukraine, Russia is thought to be behind a power blackout in 2015.

Many of Russia's attempts have failed, but in Russia's influence campaign in the 2016 presidential election, it was partially successful. Russia and its government-backed hackers have undermined the integrity of our democratic processes and our system of representative government, the foundation of our country, since its inception. It may not have succeeded in changing the outcome of the election, but it has accomplished one of its goals, to sow discord and mistrust in an already-divided country. We must not let it accomplish its other aims.

President Trump has often seemed more admiring of Vladimir Putin and Russian officials than he has of his own country. In many cases, he's been friendlier to the Russian government than to his own advisors. As president, astonishingly, he's talked about a joint cyber-security task force with our biggest cyber adversary.

This bill is a crucial step in ensuring that we make clear to Russia that we will not accept the meddling of foreign governments in our democratic processes or the endangerment or intimidation of our allies and our people. We must make sure that Russia is not emboldened by our president's apparent determination to improve relations with Russia at any cost, and that it does not continue to endanger our democracy, our infrastructure, or our allies.

Make no mistake—Russia poses a huge threat to the United States. If the U.S. government fails to respond, Ukraine's power blackout should serve as a warning of what is to come, to ignore at our peril. Russia's appetite for cyber and information warfare and its willingness to employ criminals and malicious hackers forsworn by other countries make it especially dangerous. We must protect our people and our infrastructure, and this bill makes sure that Congress has the ability to do that.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 3364.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROYCE of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further pro-

ceedings on this motion will be postponed.

#### PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF THE RULE SUBMITTED BY BUREAU OF CONSUMER FINANCIAL PROTECTION RELATING TO ARBITRATION AGREEMENTS

Mr. HENSARLING. Mr. Speaker, pursuant to House Resolution 468, I call up the joint resolution (H.J. Res. 111) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements", and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 468, the joint resolution is considered read.

The text of the joint resolution is as follows:

#### H.J. RES. 111

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress disapproves the rule submitted by the Bureau of Consumer Financial Protection relating to "Arbitration Agreements" (82 Fed. Reg. 33210 (July 19, 2017)), and such rule shall have no force or effect.

The SPEAKER pro tempore. The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

#### GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and submit extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HENSARLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, hardworking Americans want something different in their Nation's Capital. They want to change the toxic culture in Washington, D.C., that for far too long has allowed unaccountable bureaucrats to overreach and overregulate.

The best way we can change Washington is to begin to drain the bureaucratic swamp, but it is not easy because we have seen in the last 6 months the swamp fights back. The most recent example of this is a rule issued by one of the swampiest of Washington bureaucracies, the Orwellian-named Consumer Financial Protection Bureau.

We all know that this is a rogue agency with a checkered past, chock-

full of rampant allegations of abuse, racial and gender discrimination, and Big Government nannyism, which constantly makes credit more expensive and less available to hardworking Americans.

Mr. Speaker, so radical is this agency and so extreme in lacking accountability that a three-judge panel of the D.C. Circuit Court of Appeals declared the Bureau's governing structure unconstitutional.

Now, this unaccountable bureaucracy has joined forces in an unholy alliance with one of the Democratic Party's favorite special interest groups; namely, the trial lawyers lobby. And this unholy alliance will specifically deprive consumers of a low-cost, easy way to resolve legal disputes that can be accomplished without hiring trial attorneys.

What the Bureau and the wealthy trial lawyers want is to take away arbitration for consumers and, instead, force them into class action lawsuits, which just so happens to require consumers to hire the very trial lawyers who will benefit most from this rule.

Americans were promised a Consumer Financial Protection Bureau, but, instead, they obviously got a trial lawyer enrichment bureau. Oh, by the way, the director of this swampy bureaucracy rushed this regulation onto the books because it is widely reported he is on the way out the door to run for political office in Ohio.

Let's be clear, Mr. Speaker, one accountable bureaucrat has decided that he knows better than the American people, and he has acted unilaterally to dictate the terms of contracts in a way that will actually increase consumer costs and reduce consumer choice. In a free and Democratic society, no one unelected individual should possess this much power.

Mr. Speaker, making consumers pay more for less is the exact opposite of consumer protection, but it is exactly what this regulation means for every American.

This regulation will perpetuate a justice gap that takes away a quicker, less expensive legal option for low-income and middle-income Americans.

Even the CFPB's own study says this: the Bureau's own study found that 87 percent of the class actions it examined resulted in no consumer benefit whatsoever. In the mere 13 percent that actually provided some benefit, Mr. Speaker, the average payout per consumer was \$32.

How much did the trial attorneys make?

31,000 times that amount.

So, again, Mr. Speaker, we have an average payout of \$32 for the consumers and millions for the trial attorneys. So no wonder the powerful trial attorneys lobby is so eager to see this rule go into effect.

The Bureau's own study also concludes that arbitration is less expensive for consumers and up to 12 times faster than litigation.

□ 1530

Consumers who obtain relief in arbitration recovered in a CFPB study an average of \$5,389. Again, Mr. Speaker, compare that to \$32 the average consumer received under the CFPB study.

Now, we are about to hear from some Members on the other side of the aisle that somehow consumers will lose their day in court and that somehow big banks will be helped. The CFPB's own study shows that not a single class action it examined, not a single one, resulted in trial by a judge or a jury. So no consumer got his or her day in court under the Bureau's preferred class actions. Instead, we know consumers are far more likely to obtain decisions on the merits in arbitration.

With this rule, we once again see our colleagues in the other party hurting small community banks and credit unions. I have a statement that has been published already from the Independent Community Bankers of America. They are not Wall Street. This is small town community banks, and their statement says they strongly oppose the CFPB rule.

Also, I have a statement from the Credit Union National Association—again, Mr. Speaker, not Wall Street, but credit unions, our neighborhood credit unions. They say that the CFPB's rule will limit options for resolving disputes and could increase the number of frivolous lawsuits and that credit union members “could suffer when costs rise and resources are depleted as a result of this rule.”

Indeed, the CFPB, itself, estimates its final rule will increase costs for American businesses over \$1 billion per year. That is money that our community banks and credit unions won't be able to lend to our small businesses, to our families, and to American workers.

The CFPB's rule is bad for consumers, it is bad for community banks, it is bad for credit unions, and it is bad for our economy. Washington should be focused on creating more jobs, not more class action lawsuits.

So, Mr. Speaker, it is time to fight the bureaucratic swamp. It is time to pass the resolution offered by the gentleman from Pennsylvania (Mr. ROTHFUS). I appreciate his leadership in helping protect consumers instead of enriching trial lawyers.

Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.J. Res. 111 is an affront to hardworking Americans across the country. Using the Congressional Review Act, this joint resolution repeals the Consumer Financial Protec-

tion Bureau's final rule to curb forced arbitration clauses in contracts for consumer financial products.

Today, many banks require consumers wanting to open a bank account, get a credit card, or take out a private student loan to enter into forced arbitration agreements that take away their rights to collectively sue the bank for any harm. Instead, consumers must go through bank-friendly arbiters to resolve their grievances. These contracts are literally buried deep into the fine print, enshrouded in legalese. Consumers don't know what they are giving up—but the banks do.

Arbitration proceedings, which happen behind closed doors, have no judge and no jury. Their proceedings and their outcomes heavily favor big businesses and Wall Street. Studies have shown that forced arbitration favors big business and results in less compensation for American consumers who have been abused or defrauded, if they receive any at all.

Simply put, forced arbitration is an instrument that benefits large corporations and Wall Street banks, and it hurts consumers. For example, everybody remembers Wells Fargo. Wells Fargo continues to use forced arbitration to prevent consumers from working together to sue the bank for opening up millions of fraudulent accounts using their personal information. Just weeks ago, the Consumer Bureau used a critical rule to finally clamp down on forced arbitration clauses. The Consumer Bureau should be applauded for taking this step to help consumers by fully restoring their legal rights.

Once again, the Consumer Bureau has acted to make our financial marketplaces fairer and transparent. As is their practice, the Consumer Bureau issued this rule after careful deliberation and exhaustive review. As part of this deliberative process, they issued a 728-page report on the issue, considered views from all stakeholders, and consulted carefully with the other Federal financial regulators.

The Consumer Bureau's final rule has widespread support, including from over 310 consumer, civil rights, faith-based, and senior groups, 256 law professors and scholars, and the Military Coalition, an organization that represents 5.5 million current and former servicemembers and their families.

Now, this rule was just finalized, but congressional Republicans are already shamefully forging ahead to cut it off at the knees. This resolution wouldn't just nullify the rule, it would also prevent the Consumer Bureau from ever issuing a rule that is “substantially similar.” That means, if Republicans pass this resolution into law, then, for the foreseeable future, consumers will be robbed of important legal rights and generally left at the mercy of industry-friendly auditors.

Let's be clear. There is absolutely no valid public policy rationale for repealing this rule. It is a part of a pattern from congressional Republicans of irrational hostility toward the Consumer Bureau and its work and a callous disregard for the issues facing America's consumers. But just as they have with the “Wrong” CHOICE Act, Republicans are pushing an anticonsumer agenda that puts profits over people.

Enough is enough. We must hold true to a fundamental principle of our democracy that each of us has a right to trial if we so choose. The rule fully restores this right to American consumers by giving them a choice between arbitration or the free exercise of their Seventh Amendment right to a trial by jury through whatever means they choose.

So I urge all of my colleagues to vote “no” on this senseless and harmful resolution, and I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS), who is the sponsor of the legislation and vice chairman of our Financial Institutions and Consumer Credit Subcommittee.

Mr. ROTHFUS. Mr. Speaker, I thank the chairman for yielding and for his leadership on getting this legislation to the floor.

Mr. Speaker, the CFPB's anticonsumer, anti-arbitration, pro-trial lawyer rule is just the latest example of the harm that can be done by an out-of-control, Washington-knows-best bureaucracy. This is a teaching moment for the country about how, when elites in Washington pander to special interests, they end up hurting the very people they claim to be protecting.

We all want fairer outcomes for consumers, but the CFPB's unfair, deceptive, and abusive rule will deprive millions of Americans of a convenient, fast, and effective way to resolve their disputes.

According to the CFPB's own study, only 13 percent of class actions provided a benefit to consumers, and the average payout was—get this—\$32. How is that pro-consumer? The same study, on the other hand, showed that consumers who obtain relief through arbitration recover over \$5,300, on average. Again, that is \$5,300 in arbitration against \$32 through a class action.

Meanwhile, trial lawyers in class actions earn about \$1 million, on average. Consider that—\$1 million for the plaintiffs' lawyers, a \$32 coupon, \$32 cash, for a consumer. In other words, trial lawyers stand to earn 31,000 times more than a consumer in a class action.

In arbitration, however, consumers get meaningful relief. Yet the CFPB

has finalized a rule that would effectively get rid of arbitration and promote class actions as the preferred dispute resolution process. This hardly seems fair.

The CFPB's anti-arbitration rule is an invitation to trial lawyers to take all they can get. Banks, credit unions, and other businesses that American consumers interact with on a daily basis will be forced to hold greater reserves because of the risk of future costly litigation. This will increase costs for consumers, and it will lead to less access or more expensive financial services for millions of Americans. It could also harm the safety and soundness of the financial system, according to the Comptroller of the Currency, one of the main Federal banking regulators.

The Dodd-Frank Act requires that any move by the CFPB to regulate arbitration agreements needs to be in the public interest and for the protection of consumers. I fail to see how forcing consumers to accept a coupon for their troubles and handing millions of dollars in payouts to trial lawyers meets either of those goals.

Only at the CFPB could endangering local banks and credit unions and restricting consumer access to financial services be cast as a win for the American people. But, again, this is what you get from the least accountable agency in history, an agency with, according to the D.C. Circuit Court of Appeals, massive and unchecked power that is headed by a Director who possesses more unilateral authority than any single commissioner or board member in any other independent agency in the U.S. Government.

It has long been understood that expeditious, fair resolution of disputes is in the public interest and part of the public policy of this country. The CFPB rule we are reviewing today challenges that premise, as did the Dodd-Frank section that spawned this rule. But it is the people, acting through their elected Representatives, who have the final say in this matter.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HENSARLING. Mr. Speaker, I yield the gentleman from Pennsylvania an additional 30 seconds.

Mr. ROTHFUS. Mr. Speaker, I introduced H.J. Res. 111 so that Congress can, through the Congressional Review Act, strike down this unfair, deceptive, and abusive rule and push back against an out-of-control agency. I ask my colleagues to support this legislation and stand for consumers, fairness, and the American economy.

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri (Mr. LUETKEMEYER) be allowed to control the remainder of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1½ minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), who is a senior member of the Financial Services Committee and ranking member of the Subcommittee on Capital Markets, Securities, and Investments.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the ranking member for yielding to me and for her leadership on this committee and in so many other ways.

Mr. Speaker, I rise today in strong opposition to this resolution. My friends on the other side of the aisle keep talking about what this bill does, but let me tell you what it does not do.

I want to be absolutely clear that this rule does not say that arbitration is bad for consumers, and it does not say that consumers can't use arbitration. The only thing that the CFPB's rule says is that financial institutions cannot force consumers to waive their right to participate in class action lawsuits and only use arbitration. This protects an individual customer's rights. This is critically important because the evidence shows that consumers receive a great deal more relief from class action litigation against institutions than they do in arbitration.

So my friends on the other side of the aisle always say that they believe in consumer choice and customer choice and that customers should be able to choose what is best for them and not be dictated to by this Congress, but mandatory arbitration clauses restrict choice for consumers. They prohibit consumers from choosing class action lawsuits over arbitration.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield the gentlewoman an additional 10 seconds.

Mrs. CAROLYN B. MALONEY of New York. The CFPB's rule would restore this consumer choice, further empowering people, customers, empowering them to make their own decisions for themselves. This should be welcomed by any American. This should be welcomed.

Mr. Speaker, I urge a "no" vote on this resolution.

Mr. LUETKEMEYER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of this resolution which would block the Consumer Financial Protection Bureau from denying the American people use of arbitration as a means to resolve consumer complaints.

I went to the CFPB website last night, and the first thing I saw read: "We are the Consumer Financial Protection Bureau, a U.S. Government agency that makes sure banks, lenders, and other financial companies treat you fairly."

If we handed out grades to government agencies based on their ability to meet a mission statement, the CFPB would most decidedly receive an F. That is because the Bureau's arbitration rule does absolutely nothing to ensure that consumers are treated fairly. In fact, this rule is proof of what House Republicans have said for years: the CFPB does not operate in the best interests of the American consumers.

The Bureau's own study, which we have cited several times already and will continue to cite, shows that arbitration helps consumers and that the alternatives are far less successful.

□ 1545

Mr. Speaker, the truth of the matter is that this rule is anticonsumer. It hurts the very people the CFPB is supposed to protect, and it is yet another example of Washington bureaucrats looking out for their friends instead of the American people.

Today, this body will cast a vote to ensure U.S. consumers are treated fairly and that they have the tools necessary to get the best possible settlement in their case.

Mr. Speaker, if the CFPB can't adhere to a simple mission statement and provide actual consumer protections, Congress will do it for them.

I want to again thank Chairman HENSARLING and the gentleman from Pennsylvania (Mr. ROTHFUS) for their leadership on this issue and so many more issues that impact consumers.

Mr. Speaker, I ask my colleagues to support this legislation, and I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, the Republicans are siding with Big Business again, against our consumers.

Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the distinguished leader and a strong supporter of consumers and the Consumer Financial Protection Bureau.

Ms. PELOSI. Mr. Speaker, I commend my distinguished ranking member of the Financial Services Committee for her brilliant leadership, for her bipartisanship, and for always trying to find a way to help America's consumers and protect America's taxpayers.

Mr. Speaker, I am very sad today because of what is happening on both sides of the Capitol. The cruelty, carelessness, and contempt Republicans are showing for working families boggles the mind. Now, Senate Republicans are careening toward shattering the healthcare of millions of Americans, with no regard or appreciation for the consequence.

Every chance they get, they stack the deck against America's working families. Here, on this side of the Capitol, Republicans are stacking the deck even further against America's working families by seeking to deny those

families their fundamental right to obtain justice in court.

Eight years ago, unchecked recklessness on Wall Street ignited a financial meltdown that devastated families across the country. Democrats proudly took bold action and passed Dodd-Frank, the strongest set of consumer financial protections in history. But today, House Republicans are once again trying to destroy those protections for America's consumers.

Last month, Republicans passed what we called the "Wrong" CHOICE Act, the Dodd-Frank repeal, which was a giveaway to the financial industry at the expense of hardworking families.

Republicans are waging a war on the Consumer Financial Protection Bureau, a bureau that has returned nearly \$12 billion to 29 million wronged Americans, many of them seniors, veterans, and members of the Armed Forces.

Forcing consumers into arbitration—indeed, forced arbitration—gives financial services providers a free pass to get away with abuse. It denies, again, veterans, servicemembers, and seniors justice against the predatory financial marketplace practices. Sadly, it reflects a Republican Party that works relentlessly to empower Wall Street and to rig the system against consumers. It denies them consumer class action.

More than 800 years ago, the Magna Carta first laid out a basic right to justice as the foundation of a fair society. Even under a king, the Magna Carta declared, this much was owed the people: "... to no one will we deny or delay right or justice."

Every day, Americans take a similar solemn pledge: "liberty and justice for all." Republicans' attack on consumers insult those pledges and deny Americans their justice.

All the American people deserve a better deal than what they are getting from the Republicans in Congress. Democrats are going to fight back. We will fight to protect hardworking American consumers. We will fight to put leverage back into the hands of the American people.

Who has the leverage? If I am a financial institution and I know that you have no leverage, that you cannot act in a class action way, you can just imagine what I have in store for you. But if I think you have leverage and you can act in a different way and not be forced into arbitration, I might have more respect for our financial relationship with each other.

We will put the leverage back in the hands of the American people. We will fight this resolution. I call upon my Republican colleagues to join Democrats in voting "no" because this bill is an unfair and unjust bill.

Who is it unfair to? America's working families, America's consumers, and America's taxpayers.

I urge a "no" vote.

Mr. LUETKEMEYER. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. HUIZENGA), chairman of the Capital Markets, Securities, and Investments Subcommittee.

Mr. HUIZENGA. Mr. Speaker, let's talk about a stacked deck: trial attorneys putting cash over conscience. That is not the answer that we are in search of, but it is the answer that others who are opposed to this certainly are.

The CFPB, the so-called Consumer Financial Protection Bureau, has a study itself that shows that consumers who actually use arbitration reach more favorable outcomes than those who are roped into lawsuits with cash-starved trial lawyers.

It is astounding that only 13 percent of these lawsuits provide any benefit to actual consumers, but the Bureau is still pushing this ill-advised rule. Arbitration decisions also come much more quickly for consumers. Again, the Bureau's own study concludes that arbitration decisions come 12 times faster than lawsuits.

So let's review quickly: a faster, more favorable outcome for consumers versus helping trial lawyers line their pockets. This should not be hard.

In fact, Mr. Speaker, according to the D.C. Circuit Court, unelected Bureau Director Cordray has more unilateral authority than any other single commissioner or board member in any other independent agency in the entire U.S. Government.

Congress must begin to use its authority to hold this agency accountable for its anticonsumer policies and actually provide the checks and balances that our Founders would have intended. That is the stacked deck that we have right now, folks.

The Bureau's flawed arbitration rule does absolutely nothing to protect the consumers it is charged with protecting. Instead, it is nothing more than a windfall for trial lawyers and well-connected Washington elites. The rule's only accomplishment will be to create more class action lawsuits, lining trial lawyers' pockets with more cash while providing no real protection to consumers.

This anticonsumer rule will have the effect of making consumers wait longer for worse decisions as they seek resolutions for their disputes. In no way, shape, or form does this rule actually do what the Bureau was created to do: protect consumers.

This CRA is an important step in allowing Congress to rein in this rogue agency. I urge my colleagues to support this resolution.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. VELÁZQUEZ), a senior member of the Financial Services Committee and ranking member of the Small Business Committee.

Ms. VELÁZQUEZ. Mr. Speaker, I thank the ranking member for yielding.

Mr. Speaker, the right to seek redress in the courts is one of the most fundamental rights we have as Americans. Unfortunately, companies routinely try to undermine this right by including mandatory arbitration clauses in contracts we use every day, including credit cards, student loans, auto loans, and cell phones.

These clauses often state that a consumer must resolve a dispute they are having with a third party often chosen by the company at a location that is chosen by the company. Companies also use these clauses to block class action lawsuits brought by consumers.

Now, once again, thanks to the CFPB, contracts that have these clauses will no longer be permitted to prohibit consumers from banding together or joining a class action. This rule helps hold companies accountable and protects consumers. That is why more than 280 consumer, civil rights, labor, community, and nonprofit organizations support this rule. That is also why unscrupulous firms are lobbying so aggressively to block this rule.

Stand up for consumers. Vote "no" on this joint resolution.

Mr. LUETKEMEYER. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. BARR), chairman of the Financial Services Monetary Policy and Trade Subcommittee.

Mr. BARR. Mr. Speaker, make no mistake: the anti-arbitration rule recently finalized by the Consumer Financial Protection Bureau is not consumer protection. It is a giveaway to special interest trial lawyers that will expose financial firms to ruinous liability; limit consumer access to affordable, high-quality financial services and products; and undermine consumers' ability to resolve disputes more quickly and more cost-effectively than class action lawsuits.

The Bureau's own study found that, while trial lawyers earn millions of dollars in fees, in 90 percent of class action lawsuits, consumers were awarded absolutely nothing—nothing. Of the remaining 10 percent, the average payout to consumers was a mere \$32. That same CFPB study found that the average arbitration payout was almost \$5,400, or over 150 times more than the average class action recovery.

Even more troubling, the Bureau's unilateral decision to ban alternative dispute resolution will result in increased litigation costs for financial services firms, undermining their safety and soundness, forcing consumers to pay higher prices and making it more difficult to obtain credit cards and other financial services and products. That is not pro-consumer.

For these reasons, I am a proud co-sponsor of Congressman ROTHFUS' bill that would disapprove this misguided



resolution to the Congressional Review Act.

Congress should be making the laws of the land, not unaccountable, unelected bureaucrats at the CFPB circumventing the democratic process. That is why, in addition to invalidating this bad anticonsumer, pro-trial lawyer, anti-arbitration rule, Congress must act swiftly to rein in the Bureau and subject this agency to the congressional appropriations process, reclaiming Congress' constitutional power of the purse over this out-of-control agency.

I urge my colleagues to vote "yes" on this resolution of disapproval to block this ill-advised, anticonsumer rule and reclaim its authority under Article I of the Constitution.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. ELLISON), a leading member on this consumer issue.

Mr. ELLISON. Mr. Speaker, if you listen to my friends on the other side of the aisle, they are going to tell you that having access to a lawyer in a court is a bad thing, but it is the foundation of American justice. The foundation of American justice is that, if somebody rips you off, you can sue them in court.

These arbitration clauses are the fine print, Mr. Speaker, that you find in these contracts that say, if you have a dispute with this particular company, you can only go to arbitration. And these arbitrators are almost always picked by the company themselves.

The fact is this is not justice. It is a railroad court. It is not a real court, and consumers are less well off. That is why over 100,000 individual consumers across the country wrote in to support the rule during the public comment period.

If my friends on the other side of the aisle are right, how come they don't have 100,000 people saying that their position is correct?

The people have spoken. They have engaged in the comment period and said: We want to be able to go to court to hold these people accountable.

Wells Fargo ripped off literally hundreds of thousands of Americans. In 2 million transactions, they opened up accounts people never asked for.

If you sue them, you might just be limited to an arbitration clause, which limits your award, and they pick the judge. Why not be able to join with other Americans and sue in court the good, old-fashioned way: get some discovery, get some money back, get some justice? This is what it is all about.

We believe that the American people deserve to take them to court if they take your money and rip you off. That is what we are standing up for today.

This is nothing but a U.S. Chamber, Big Business giveaway that they are talking about. We stand on the side of

American consumers. American consumers want to take them to court.

□ 1600

Mr. LUETKEMEYER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Colorado (Mr. TIPTON), vice chairman of the Oversight and Investigations Subcommittee.

Mr. TIPTON. Mr. Speaker, this resolution of disapproval will repeal the CFPB's Arbitration Agreements rule, a rule that consumers are going to be able to be protected by, according to the CFPB. That is their stated mission: to protect the consumers.

Let us look at the data that has been provided by the CFPB. Just 13 percent of the class action suits actually provided a benefit to the consumers. And what was that whopping benefit? Thirty-two dollars. Thirty-two dollars that they are willing to celebrate over as compensation for people who have been harmed.

Let us look at the other side of the ledger. What are trial lawyers receiving? On average, \$1 million. So while our friends may want to stand up for the trial lawyers, for their million-dollar paychecks, we are going to choose to stand with the American consumer to make sure that they are going to be able to receive the justice that they deserve, and one way to be able to do that is going to be through arbitration.

When we look at the CFPB's own statistics, the average arbitration payout is not your \$32. It is almost \$5,400, which has been received in terms of compensation that is going to be paid.

This latest rule, Mr. Speaker, joins a growing list of CFPB actions that have hurt consumers. Since the Bureau's inception, they have rolled out rules and regulations 3½ times faster than other Federal agencies, and according to the research from the American Action Forum, just 26 of these regulations have added an additional \$2.8 billion in regulatory costs.

The practical effect of the Bureau's actions are measurable, especially in rural districts like mine: no mortgage credit for young families trying to purchase their first home, community banks that spend more time on compliance than serving their community, and small businesses that cannot get the capital that they need to grow.

The Arbitration Agreements rule is nothing more than the latest sleight-of-hand by the Bureau taking money out of pockets of consumers and gifting it to trial lawyers.

The SPEAKER pro tempore (Mr. VALADAO). The time of the gentleman has expired.

Mr. LUETKEMEYER. Mr. Speaker, I yield an additional 30 seconds to the gentleman.

Mr. TIPTON. Mr. Speaker, the CFPB would lead you to believe that a multiyear class action lawsuit—and that is according to the CFPB's own es-

timates, average attorneys' fees of \$388 million, and that is a win for consumers.

The judgment is not on the side of consumers. They may want to stand for the trial lawyers. We are going to stand for the consumers. Let's repeal this and institute the CRA for the arbitration rule.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. CAPUANO), a senior member of the Financial Services Committee and a strong progressive member.

Mr. CAPUANO. Mr. Speaker, I thank the gentlewoman for yielding.

Let us be honest. There are no legitimate consumer groups who support repealing this rule. The consumer groups are actually with the consumers, and they want this rule.

So let us be clear. This rule is being repealed for the biggest financial institutions in the country.

Let us be clear. I do not oppose arbitration as an option. I do oppose it as the only alternative allowed. Very simply, you go to a bank, they open up a bank account in your name, they steal your money, they move it over. If you catch them, you go to the bank, you file arbitration, they give you your \$100 back and maybe a dollar's worth of interest, and it is over.

They don't tell you there is 2 million, 3 million, 5 million other people with the same situation who don't know about it. Because it is arbitration, no one talks about it. It is done in private.

I am not opposed to arbitration as a way to avoid court when possible. I am vehemently opposed to taking options away from consumers that say you cannot individually stand for your rights. That is what this bill does. That is all it does.

If you care about consumers, you would work with us to try to find a simpler way. You don't want to do it. You want to help the big boys. Good luck.

Mr. LUETKEMEYER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. WILLIAMS), the vice chairman of the Monetary Policy and Trade Subcommittee.

Mr. WILLIAMS. Mr. Speaker, a few weeks ago, the Consumer Financial Protection Bureau implemented their most recent arbitration rule. While this rule claims consumer protection, it does the very opposite. It will cost Americans more of their hard-earned money and time.

The CFPB is arguably the most powerful and yet unaccountable government agency in the history of this country. By intentional design, the CFPB is not accountable to Congress or the taxpayer.

According to the D.C. Circuit, the unelected CFPB Director, Richard Cordray, "possesses more unilateral authority than any single commissioner or board member in any other

independent agency in the U.S. Government."

What does this mean exactly? Well, it means that no one is checking the Director's actions. The CFPB is able to evade all limits and restraints proposed by the government. Because of this, Director Cordray is only looking out for one person—that is himself.

The CFPB chose to ignore their own study because the results did not fit the narrative they were trying to impose on Americans. This study showed that the average consumer receives \$5,400—we have heard this already—in cash relief when using arbitration, as opposed to an inadequate \$32 through class action suits.

In addition, the study concluded that the use of arbitration produced a higher recovery rate and shorter timeline for the consumer, and that is good. Regardless of this study, Director Cordray has refused to acknowledge that taxpayers will feel the immediate damage that comes from limiting their options by being forced to pay more for less.

Bottom line, this is just another example of overregulation by the CFPB taking away the option of arbitration that will hurt all Americans.

As a small business owner, I have gone both ways. Arbitration wins every single time for those involved. It is called fairness.

Mr. Speaker, I commend Representative KEITH ROTHFUS for leading the way on this much-needed CRA. I encourage all my colleagues to join us in repealing this harmful rule and ensuring the Bureau is not able to issue any similar rule relating to arbitration.

In God We Trust.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. SHERMAN), a senior member of the Financial Services Committee and Foreign Affairs Committee.

Mr. SHERMAN. Mr. Speaker, which is more fraudulent? On the one hand, we have Wells Fargo, 3 million phony accounts, and then they use their forced arbitration provision to tell people that if you signed up for a legitimate account and there was some language in there that created arbitration, that it even applies to the phony accounts.

Well, what is even more fraudulent? The supporters of this bill who say that the rule deprives people of the option of arbitration. It hardly does that. It simply prohibits forced arbitration.

But more important are the numbers. Arbitration is typically used by someone with a \$50,000 claim. Class action lawsuits, it is 50,000 people with a \$32 claim. So then they say: Well, arbitration provides more. Of course it provides more. Because the average person in the pool has got a \$50,000 claim, and class action only produces \$32 because it is designed for a situation where you

have a million plaintiffs or a half a million plaintiffs each with a \$32 claim.

You cannot compare the two except to say that arbitration is unavailable to anyone with a claim of less than \$1,000.

Mr. LUETKEMEYER. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from New York (Ms. TENNEY), a member of the Financial Services Committee.

Ms. TENNEY. Mr. Speaker, I rise in support of H.J. Res. 111.

Mr. Speaker, the Consumer Financial Protection Bureau finalized a rule forbidding financial service firms from including a mandatory arbitration clause in contracts with consumers. The rule is not only bad for consumers, it highlights the need for accountability in Washington.

Unelected bureaucrats wield too much power with too little oversight, and this rule would force consumer class actions and eliminate arbitration options. As an attorney, I know that many class action lawsuits are all too often more about cash for plaintiffs' trial lawyers than protection for consumers. In fact, the CFPB's own study even admitted that arbitration is faster, less expensive, and pays out consumers much higher compared to the class action lawsuit.

Of course, many trial lawyers oppose arbitration because it denies them of exorbitant class action lawsuit fees. It is an inexpensive alternative to courtroom litigation.

If consumers are lucky enough to be part of the successful class action, the average individual payment is, as my colleague just pointed out, only about \$32. Remarkably, the trial lawyers raked in \$425 million in class action fees between 2010 and 2013, according to a study by Forbes.

Of the arbitrations reviewed by the CFPB in which consumers were victorious, the average individual payout was \$5,389. Why would the Consumer Financial Protection Bureau want to take a fair and elective alternative for resolving disputes away from consumers when they benefit from them?

The consumers have the option to do as they please, but I believe the CFPB's antiarbitration rule would do nothing but harm consumers, line the pocket of trial lawyers, and literally take money out of the hands of consumers.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. FOSTER), a member of the Financial Services Committee.

Mr. FOSTER. Mr. Speaker, I urge my colleagues to vote "no" on H.J. Res. 111 to block the Consumer Financial Protection Bureau's arbitration rule.

The CFPB is charged with protecting consumers from unfair and abusive behaviors by banks and financial firms. To that end, the CFPB's rules would prohibit provisions requiring that a

bank customer surrender the right to participate in class actions.

This practice undermines a consumer's right to be compensated for damages, particularly when they get nicked and dined by the fine print in financial contracts.

Class actions often represent the only realistic option for consumers who are ripped off to the tune of a few dozen or a few hundred dollars, and they reduce the burden on the courts by consolidating claims, thereby saving money for both plaintiffs and defendants.

Opponents of the CFPB's rule hope that, by prohibiting the consolidation of claims, they can make potential damages so small that the individual claims are not viable.

Meritorious claims from aggrieved plaintiffs who have suffered actual damages would go uncompensated, and equally importantly, wrongdoers would go unpunished.

I urge my colleagues to stand up for consumers and ensure that they can be fairly compensated by actual damages and wrongdoers punished.

Mr. LUETKEMEYER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. TROTT), a member of the Financial Services Committee.

Mr. TROTT. Mr. Speaker, I rise in support of H.J. Res. 111, which will block the CFPB's harmful arbitration rule.

I want to start with a little story. Last year, I opened up the mail, and I got a wonderful surprise. I got a check for \$3.92. Apparently, I was part of some class action lawsuit, didn't know it, dug into the facts, didn't feel I had been harmed, didn't know who the attorneys were, but I got \$3.92, almost enough to buy a latte. I did a little digging around and turns out the lawyers representing the plaintiff class made millions of dollars.

Now, we have heard a lot of conflicting stories here today about this bill being harmful to consumers. Here are the facts.

In a class action lawsuit, a typical consumer gets \$32; in arbitration, a typical consumer gets \$5,400; in a class action lawsuit, it takes 12 times longer for the consumer to get the money.

But how can this be? Well, in my prior life, I represented a lot of clients who were involved in class action lawsuits. Here is your typical class action lawsuit.

It involves a highly technical violation, not the Wells Fargo example, where there is little or no harm to the consumer, goes on for years, costs millions of dollars in legal fees, and at the end of the day, there is a settlement for \$3.92.

I will make a deal with my friends on the other side of the aisle. I will buy anyone a latte who comes clean with the American people and tells them why they are opposing this bill.

The reason why they are opposing this bill is the Trial Lawyers Association makes millions of dollars, and that money lines the pockets of their campaign coffers. It is not about consumers. It is about lawyers protecting lawyers, and it is about protecting the bureaucrats in the swamp.

I ask all my colleagues to join me in supporting this joint resolution.

Ms. MAXINE WATERS of California. Mr. Speaker, I am sick and tired of my colleagues on the opposite side of the aisle talking about this \$32.

Republicans keep discussing that consumers get \$32 in class action, but they ignore how few consumers win in arbitration. Big banks win 93.1 percent of the time in arbitration. The deck is stacked against consumers, not Wall Street.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. JOHNSON), a leading member on this consumer arbitration issue.

Mr. JOHNSON of Georgia. Mr. Speaker, I thank the Congresswoman, and I rise in strong support for the Consumer Financial Protection Bureau on the important topic of forced arbitration.

I urge my colleagues to vote "no" on H.J. Res. 111. Forced arbitration is a modern twist to an old trick, tricking people out of their day in court. Forced arbitration tricks people out of their constitutional right to a jury trial on their claim against corporate special interests. Forced arbitration prohibits consumers from taking their case to court for a jury trial and forces the consumer into the back room with a secret arbitrator selected by the corporation who then decides the case for the corporation. It doesn't take a genius to know what happens when you get behind those closed doors.

The outcome will be against the consumer. It is not fair; it is not right; and it is not justice.

□ 1615

Corporate special interests trick consumers into giving up their rights to a jury trial by hiding forced arbitration clauses in the fine print of consumer agreements that they require consumers to accept when there is no other choice.

Consider the latest example from Wells Fargo, which was caught red-handed engaging in unscrupulous banking practices to the detriment of their customers. They were ruining the credit of their customers by opening millions of fake accounts in the names of their unsuspecting customers.

When Wells Fargo got caught, their customers were barred from going to court because they had unknowingly agreed to the forced arbitration. If this is not adding insult to injury, I don't know what is.

Congress authorized CFPB to consider banning or limiting forced arbitration in cases of consumer financial

products or services. The CFPB found that forced arbitration clauses denied consumers the ability to obtain justice. That is why Congress should vote in approval of the rule for the CFPB and reject H.J. Res. 111.

Mr. LUETKEMEYER. Mr. Speaker, how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from Missouri has 6 minutes remaining. The gentlewoman from California has 13¾ minutes remaining.

Mr. LUETKEMEYER. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LOUDERMILK), a member of the Financial Services Committee.

Mr. LOUDERMILK. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, Ronald Reagan had a unique gift of communicating in a way that reflected the ideas and the thoughts of the American people. He also understood that out-of-control government bureaucracy had a well-deserved reputation of working in its own best interest, not in the best interest of the American people.

President Reagan best defined this mistrust of government when he stated: "The most terrifying words in the English language are: I'm from the government and I'm here to help."

The skepticism Americans have of their too-big-to-be-useful government has only increased since Reagan spoke those words. And it is rules and regulations, such as the one we are discussing here today, that fosters the distrust Americans have of their government. The CFPB's decision to ban arbitration with preference to class action lawsuits will cause harm to both consumers and businesses.

Arbitration has proven to be an effective tool that benefits both parties in a dispute, and has shown to be more favorable to consumers than traditional litigation in the courts. The average compensation, as you have heard, to consumers when using arbitration is \$5,400. In contrast, the average settlement for consumers in a class action lawsuit is \$32.

Not only is arbitration more financially beneficial to consumers, it is less costly and less time-consuming than fighting through the courts. Disputes which use arbitration are usually settled in 2 to 7 months; however, lawsuits can take an average of 2 years to settle.

Even the CFPB has recognized that arbitration is more efficient, less costly, and more beneficial to consumers; so it boggles the mind trying to figure out why they are pursuing a course that would harm Americans.

It is the responsibility of Congress to rein in government when it is outside the constitutional boundaries of its office or pursues a course of action that is harmful to the citizens. In this case, the CFPB is in violation of both of these principles.

I support this legislation that would roll back the CFPB's ban on arbitration.

Again, I thank the chairman for the time, and I thank the gentleman from Pennsylvania (Mr. ROTHFUS) for sponsoring this bill.

Ms. MAXINE WATERS of California. Mr. Speaker, my colleagues on the opposite side of the aisle hate Mr. Cordray so much because he has been so effective, returning \$12 billion to consumers, that they would harm the American public rather than admit that they are wrong.

Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), the ranking member of the Committee on Education and the Workforce.

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise in opposition of H.J. Res. 111, which will overturn the Consumer Financial Protection Bureau's rule, prohibiting forced arbitration for many consumer contracts, including student loan contracts.

Banks and large corporations often take advantage of ordinary Americans by burying forced arbitration clauses and boiler plate fine print in standard contracts.

When corporations force consumers to secretly arbitrate with handpicked firms, which rely on those same corporations for repeat business, the system is rigged.

Take, for example, Matthew, who enrolled in a for-profit aviation school that closed before Matthew could finish his degree. At the recommendation of the school, he had taken out \$56,000 in private student loans.

With debt and no credential because the school had closed, Matthew joined a class action with thousands of other students. But due to a class action ban in the loan contract, the court ruled that thousands of individual students must individually settle their disputes with the bank in arbitration.

That means each individual student had to hire their own lawyer, take time off to present their case, and everything else you have to do to present a case. That is why most victims of this kind of fraud will never collect what they are owed.

If each victim only loses a little bit, virtually nobody will bring a claim. With the class action, at least you can achieve an injunction so the corporation will stop. Each plaintiff might receive a little bit, but without the class action, the corporation is free to continue the fraud.

Without this rule, the banks will continue to use forced arbitration clauses to advance their special interests at the expense of innocent victims who will be ripped off.

Mr. Speaker, that is why we need to stand with consumers. I urge my colleagues to do that: stand with consumers, reject this repeal of the important rule, and vote "no" on H.J. Res. 111.

Mr. LUETKEMEYER. Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE), the ranking member on the Subcommittee on Regulatory Reform, Commercial and Antitrust Law.

Mr. CICILLINE. Mr. Speaker, I thank the gentlewoman for yielding to me.

Mr. Speaker, I rise in strong opposition to H.J. Res. 111, which would repeal protections for our men and women in uniform and other everyday consumers against the use of forced arbitration by megabanks and other financial service providers.

Earlier this month, the CFPB finalized strong rules to protect the rights of hardworking Americans to band together in our justice system to hold corporate wrongdoers accountable. This protection is particularly critical for our Nation's men and women in uniform and their loved ones.

For over a decade, under both Democratic and Republican administrations, the Defense Department has warned Congress about the effects of forced arbitration in servicemembers' contracts. Often buried in the fine print of financial contracts, these clauses waive the rights of veterans and servicemembers to a day in court before a dispute even arises.

If these arbitration provisions were so beneficial to consumers and to servicemen and -women, why do you have to sneak these mandatory provisions into the contract?

There is overwhelming support for this rule among military service organizations who agree that forced arbitration clauses block access to the justice system and funnel the claims of servicemembers into private, costly arbitration systems.

Since the Second World War, Congress has continuously expanded and strengthened the rights and protections for servicemembers and veterans out of a sense of obligation that we must honor and protect our men and women in uniform. But this resolution would end vital financial protections for those who have sacrificed so much in service to our country and the fundamental idea that we are a nation of laws and institutions that guarantee the rights and prosperity of every American.

Mr. Speaker, I urge my colleagues to oppose this resolution, to preserve this rule, to stand up for the men and women in uniform, to stand up for the American consumer, and to stop being errand boys for the megabanks.

Mr. LUETKEMEYER. Mr. Speaker, I continue to reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. SARBANES), the leader of the Democracy Reform Task Force.

Mr. SARBANES. Mr. Speaker, I thank the gentlewoman for yielding to me.

Mr. Speaker, here we are again: the special interests are running the show in Washington. Pointblank, this resolution will make it harder for Americans to get justice. Specifically, this will unwind critical new rules that allow financial consumers to take collective action. You heard that right. This is an effort to take away your ability to sue big banks when they run you over. Instead, the majority wants to force you into unfair, bureaucratic arbitration processes that severely disadvantage you in favor of the Wall Street firms.

I always ask the same question when the Republicans bring these measures up here to gut consumer protections: Who back home is asking for this? Who is coming to the townhalls and begging to repeal this rule? Who is asking you to make it harder to seek damages when someone is being harmed by a big bank?

Nobody is asking for this. In fact, as KEITH ELLISON said a few minutes ago, there are 100,000 people who are beseeching us to support this rule to protect them out there. Nobody is asking to repeal this rule or shut this rule down.

I know who wants it here in Washington. It is the big money special interests, the so-called swamp. We can't let this happen. The American people should be furious.

Mr. Speaker, I urge my colleagues to oppose this reckless, shameful effort.

Mr. LUETKEMEYER. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. KUSTOFF).

Mr. KUSTOFF of Tennessee. Mr. Speaker, I rise today in support of H.J. Res. 111, which uses the Congressional Review Act to disapprove and nullify the rule issued by the CFPB on July 10, 2017.

Time and time again, we have seen the CFPB abuse their power and authority to unilaterally issue rules without seeking any input from Congress.

Since its establishment, the CFPB has displayed complete disregard for due process, as it has issued enforcement actions against companies that are unjustly accused of wrongdoing.

Frankly, the CFPB's recent antiarbitration rule is no different. This rule would change the ability for consumers to resolve disputes with financial services companies through arbitration, which has consistently provided consumers with expedient, efficient, and less costly resolutions.

In short, making consumers pay more for less is the exact opposite of consumer protection, and is the reason we need to reject this harmful rule.

I applaud the work of Chairman HENSARLING and the other members of this committee on this work to hold the CFPB accountable.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS), the ranking member of the Higher Education and Workforce Training Subcommittee.

Mrs. DAVIS of California. Mr. Speaker, as representatives of the people, our job is to protect working families. So let's be clear, we should be protecting consumers, including members of our military who sacrifice so much for us.

When a predatory lender forces arbitration, it puts consumers into a system where their grievances don't get the fair treatment of a court. Instead, a law firm handpicked by the corporation will decide the outcome, putting the consumer at an extreme disadvantage from the start.

The CFPB issued a long, overdue rule to prohibit this unfair practice that benefits wealthy special interests at the expense of the American people.

So why would we take a step back?

Even worse, these predatory lenders often prey on our military, so we should be protecting our military to have transparent and just legal options. Forced arbitration is just the opposite.

Mr. Speaker, we need a process that works for consumers. This resolution will only bring us back to a broken system.

Mr. Speaker, I urge my colleagues to join me in striking down this resolution.

Mr. LUETKEMEYER. Mr. Speaker, how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from Missouri has 3 minutes remaining. The gentlewoman from California has 7½ minutes remaining.

Mr. LUETKEMEYER. Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. TAKANO), the vice ranking member of the Veterans' Affairs Committee.

Mr. TAKANO. Mr. Speaker, I rise today to strongly oppose this CRA opposition, which rolls back critical protections for American consumers.

Passing this resolution would set a nearly irreversible policy that allows Wall Street companies to commit pervasive fraud while avoiding the accountability that comes with a class action lawsuit.

Access to our courts and the transparency and fairness they provide is a fundamental right enshrined in our Constitution. It is a sad irony that many of those that would be denied their constitutional rights through this resolution are the servicemembers and veterans who have risked their lives to protect those rights.

When the American consumer takes on a Wall Street corporation, it is already a David versus Goliath situation. Now Republicans want to steal David's

slingshot. Mr. Speaker, don't let them steal David's slingshot. Don't let them steal America's slingshot.

Mr. Speaker, I strongly encourage my colleagues to reject this resolution.

Mr. LUETKEMEYER. Mr. Speaker, I continue to reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentlewoman from Oregon (Ms. BONAMICI), a senior member on the Committee on Education and the Workforce.

□ 1630

Ms. BONAMICI. Mr. Speaker, I thank the ranking member for yielding.

Mr. Speaker, I rise today in strong opposition to H.J. Res. 111, a resolution that will undermine the Consumer Financial Protection Bureau and allow financial institutions to continue taking advantage of consumers.

The CFPB's arbitration rule protects consumers, including students, servicemembers, and seniors, by allowing them access to justice in court and to participate in class action lawsuits against unscrupulous financial institutions.

I am a former consumer protection lawyer. I have no problem with arbitration clauses when they are agreed to by parties with equal bargaining power, but we have seen what happens when institutions include nonnegotiable forced arbitration clauses in the fine print of consumer contracts.

Private student loan providers, payday lenders, credit card companies, and banks have consumers sign away their rights to access the court system when they are cheated. The CFPB rule will address that inequity and provide consumers with a remedy.

We must reject this effort to roll back consumer protections and allow the CFPB to continue to do their important work. Please vote "no."

Mr. LUETKEMEYER. Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. MCEACHIN), a member of the House Armed Services Committee.

Mr. MCEACHIN. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise to oppose this resolution, which would stack the deck against hardworking families, small businesses, and nearly any group or individual who needs financial services.

Mr. Speaker, universal access to fair and impartial courts is a principle that is enshrined in both the Sixth and Seventh Amendments of our Constitution. It is the cornerstone of our justice system. Without that access, we cannot hold bad actors accountable; families and small businesses suffer; justice is denied.

Forced arbitration clauses protect the powerful by denying Americans

their day in court. Big corporations have enormous leverage. They offer essential services and have few competitors.

For many consumers, having a cell phone or a checking account means accepting arbitration. Often there are no other options.

The CFPB has sought to correct that injustice. The Bureau's arbitration rule ensures that those who are wronged by a financial institution have meaningful recourse. At Wells Fargo and elsewhere, recent events have shown why that recourse is essential.

When our courts are out of the picture, accountability can slip; cutting corners becomes less risky and more attractive.

Mr. Speaker, I ask my colleagues to oppose this resolution.

Mr. LUETKEMEYER. Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. CARTWRIGHT), a member of the Committee on Appropriations and the Committee on Oversight and Government Reform.

Mr. CARTWRIGHT. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, there is one thing about us Americans that separates us from the rest of the world: we have a Bill of Rights in this country, and it includes the Seventh Amendment, and my colleague, Mr. MCEACHIN, just mentioned it, the Seventh Amendment: the right of trial by jury shall be preserved. It is what makes us Americans.

And watch out. When you hear them attacking legal fees and lawyers making money, that means they are attacking your rights. They are trying to take them away.

For too long, big banks have gotten away with taking advantage of their customers, from fake accounts to subprime mortgages. American consumers have suffered a great deal of harm at the hands of Wall Street, and now we have a rule that will help consumers fight back. It is a rule from the Consumer Bureau that fixes a flaw in the judicial system that keeps victims from accessing justice by banding together with class actions.

Don't let them take your rights away. Let's fight this resolution.

Mr. LUETKEMEYER. Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. CAPUANO), a Member who is outraged by the attack on consumers by the opposite side of the aisle.

Mr. CAPUANO. Mr. Speaker, I am glad to be outraged on this one.

About a month ago, the majority party took away the ability of people using the internet to keep their information private. You allowed every person on the internet, every company, to

access everything about anybody who uses the internet. The country hated it. During that entire debate, you told America: We are out to protect you; we are protecting you.

No one believed it, and here we are again today. You are out to protect the consumers, with no consumer groups who agree with you. You are basically telling people: Trust us more than you trust yourselves; therefore, in order to do that, we will take away your right to protect yourself in a court of law.

No one buys it. No one buys it. Leave us alone. Let me defend myself. I don't need you to defend me. America wants to be left alone. Leave them alone.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. LUETKEMEYER. Mr. Speaker, that is what arbitration is all about, to allow the individual to defend himself.

Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I am now prepared to close, and I yield myself the balance of my time.

Mr. Speaker, today we have heard Democrats speak about the importance of the Consumer Financial Protection Bureau's rule to stop forced arbitration clauses in contracts for consumer financial products and the harm that would result from this joint resolution to repeal the rule.

Forced arbitration clauses severely limit consumers' legal rights and prevent groups of consumers from holding financial institutions accountable for wrongdoing. The Consumer Bureau's rule helps to ensure that financial institutions are held accountable and fully protects the legal rights of consumers, including servicemembers and veterans.

The majority has shamefully moved to nullify the Consumer Bureau's good work in a move that ultimately enables financial institutions to get off the hook when they commit wrongdoing, with less redress for consumers.

Studies have shown that forced arbitration favors big business and results in less compensation for American consumers who have been abused or defrauded, if they receive any at all.

This resolution steamrolls over the Consumer Bureau's sensible rule without regard for the harm that will result for American consumers and families. This is also despite the broad support for the rule from consumer advocacy, civil rights, and faith-based groups, legal scholars, and advocates for servicemembers.

Congress must not curtail the legal rights of consumers, must not repeal the Consumer Bureau's forced arbitration rule. Vote to protect consumer rights. Vote to fully restore the American principle of right to trial by jury. Vote "no" on H.J. Res. 111.

Mr. Speaker, I would simply like to say that I keep hearing my colleagues

talk about how fast consumers are taken care of under the arbitration rule. Yes, because they are getting railroaded.

As I mentioned, they are in the back room without representation. These are people who have been forced to sign these arbitration agreements, not even knowing that they signed them.

Most people who go out now to get a credit card or to get a loan of some kind, they are forced into these agreements and they don't even know it. They are shocked and surprised when they cannot join with others who have been ripped off in class action lawsuits.

So don't pay attention to all of the information that you have received from the opposite side. Remember that the banks and big businesses win 93.1 percent of the time, not consumers.

Whose side are you on? Are you on the side of consumers or are you protecting big business?

Mr. Speaker, I yield back the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. HENSARLING), the chairman of the Financial Services Committee, and I think we are going to have some answers to those important questions that the ranking member just asked.

Mr. HENSARLING. Mr. Speaker, I thank the gentleman from Missouri (Mr. LUETKEMEYER) for yielding, and I appreciate his leadership on this issue, as I do the gentleman from Pennsylvania as well.

Mr. Speaker, since 1925, this institution, the United States Congress, has recognized the right of consumers to engage in arbitration, which we know for so many consumers is their avenue for redress of grievance. We know that this has been upheld on multiple occasions by the Supreme Court. We have almost 100 years of precedence. And now this rogue agency, the Orwellian-named CFPB, decides to promulgate a rule, and it is not even an agency. Mr. Speaker, it is one unelected, unaccountable individual who has decided that Americans no longer have the right to contract, they no longer have the right to decide that they would prefer to arbitrate instead of go through a class action lawsuit.

Mr. Speaker, let's let people know what this is truly about. What this is about is the trial attorneys relief act. Theirs are the voices that we are hearing on the other side of the aisle, and we are hearing them loud and clear, because what we know is that, in class action lawsuits, consumers end up with almost nothing and the trial lawyers make out like bandits.

Even in the CFPB's own study, they figured out that those who go through class action are doing well to get \$32.35, yet the trial lawyers make out with millions. We also know in the CFPB's own study that those who went

through arbitration ended up with settlements of \$5,389.

Mr. Speaker, here are just a couple of different class action lawsuits that have happened recently. A Dell Computers class action lawsuit: \$500,000 for class members, \$7 million for the lawyers; Subway sandwiches: \$50,000 for the class members, \$500,000 for the trial attorneys.

Oh, here is a good one, Mr. Speaker, Coca-Cola class action: \$0 for class members, \$1.2 million for the lawyers; L.A. Fitness International: \$7,000 for class members, \$200,000 for lawyers.

Mr. Speaker, the American people are not foolish. It is time to drain the swamp and to start off with the bureaucracy that is taking away their rights to have dispute resolution through arbitration. They are tired of seeing others go and kowtow to the trial lawyers lobby in this town to give them what they want. It is time to make sure that Americans' consumer rights can be protected, and so it is time that we pass this Congressional Review Act for all Americans.

Mr. LUETKEMEYER. Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, as Chairman of the Judiciary Committee, I have worked long and hard to preserve the availability of fair, affordable arbitration to consumers. Hearings before the Judiciary Committee have demonstrated repeatedly that arbitration allows consumers to resolve disputes quickly, fairly and at lower costs than litigation. It also helps consumers to preserve relationships with companies with whom they contract, by avoiding the acrimony of litigation.

The Consumer Financial Protection Bureau's Arbitration Rule threatens to undo all of that, not to benefit consumers, but to benefit one special interest—the plaintiffs class-action trial bar.

By prohibiting consumers and companies from contracting to arbitrate individual matters, rather than litigate disputes through class actions, it ensures a steady stream of class-action litigation—and handsome class-action attorneys' fees—for the trial bar. But for consumers, it burdens their freedom of contract, subjects them to long, drawn-out class-action litigation, and sets up scenarios in which large portions of any recoveries they obtain will go, not to them, but to class-action lawyers with whom they are forced to deal.

For companies, meanwhile, the Rule threatens to force them into choosing whether to continue to fund their arbitration programs or, instead, to shutter those programs to preserve funds for high-dollar class-action defense.

I urge my colleagues to vote for this resolution and against the CFPB's special-interest, anti-consumer rule.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong opposition to H.J. Res. 111, which would repeal the Arbitration Rule recently created by the Consumer Financial Protection Bureau.

The Arbitration Rule is an important victory for consumer protection, because it prevents banks and other financial institutions from stripping consumers of their constitutionally-guaranteed right to a day in court.

The "forced arbitration" clauses that this rule addresses prevents a consumer from filing a lawsuit against a company, and always forces the consumer into a private and confidential arbitration process that operates outside of the legal system.

Additionally, these clauses, which are often buried in the fine-print of agreements and do not allow the consumer any authority to change them, frequently prohibit class-action claims.

This means that even if there are thousands of consumers who have been hurt by a bank or financial institution in a similar way, they would not be able to join their complaints into one case.

By forcing each and every consumer to endure arbitration on his or her own, outcomes for cases with the exact same complaints will vary unjustly, because arbitration does not set legal precedent.

Mr. Speaker, these forced arbitration clauses essentially amount to a rip-off clause.

It is clear that this rip-off clause is stacked against the consumer and is meant to shield predatory banks, payday lenders, credit card companies and other financial institutions from accountability when they cheat or plunder consumers.

In April of this year, it was revealed that Wells Fargo opened as many as 149,857 fraudulent bank accounts in my home state of Texas, including many in Houston.

But the rip-off clause prevented consumers from getting justice.

The Consumer Financial Protection Bureau's Arbitration Rule rightfully aims to protect consumers from being forced to sign away their legal rights when doing something as simple as opening a bank account, obtaining a credit card, financing a home, or obtaining a private student loan.

The CFPB's Arbitration Rule makes it easier for consumers to file a lawsuit if they are harmed by a bank or financial institution, and increases transparency in the arbitration process.

The Arbitration Rule strongly serves the public interest.

H.J. Res. 111 is only the latest in a long series of attacks that Republicans have leveled against the Consumer Financial Protection Bureau since its very creation in 2011.

The Bureau is a tremendous ally in the fight for consumer protection, and it is imperative that its work be allowed to continue.

It is unconscionable that Republicans are working so hard to repeal a rule that only serves to protect consumers from harmful and predatory practices by the financial services industry.

I urge all of my colleagues to join me in rejecting this harmful resolution.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 468, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Ms. MAXINE WATERS of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on passage of H.J. Res. 111 will be followed by a 5-minute vote on the motion to suspend the rules and pass H.R. 3364.

The vote was taken by electronic device, and there were—ayes 231, noes 190, not voting 12, as follows:

## [Roll No. 412]

## AYES—231

|               |                 |                 |
|---------------|-----------------|-----------------|
| Abraham       | Frelinghuysen   | McKinley        |
| Aderholt      | Gaetz           | McMorris        |
| Allen         | Gallagher       | Rodgers         |
| Amash         | Garrett         | McSally         |
| Amodei        | Gianforte       | Meehan          |
| Arrington     | Gibbs           | Messer          |
| Babin         | Gohmert         | Mitchell        |
| Bacon         | Goodlatte       | Moolenaar       |
| Banks (IN)    | Gosar           | Mooney (WV)     |
| Barletta      | Gowdy           | Mullin          |
| Barr          | Granger         | Murphy (PA)     |
| Barton        | Graves (GA)     | Newhouse        |
| Bergman       | Graves (LA)     | Noem            |
| Biggs         | Griffith        | Norman          |
| Bilirakis     | Grothman        | Nunes           |
| Bishop (MI)   | Guthrie         | Olson           |
| Bishop (UT)   | Handel          | Palazzo         |
| Black         | Harper          | Paulsen         |
| Blackburn     | Harris          | Pearce          |
| Blum          | Hartzler        | Perry           |
| Bost          | Hensarling      | Pittenger       |
| Brady (TX)    | Herrera Beutler | Poe (TX)        |
| Brat          | Hice, Jody B.   | Poliquin        |
| Bridenstine   | Higgins (LA)    | Posey           |
| Brooks (AL)   | Hill            | Ratcliffe       |
| Brooks (IN)   | Holding         | Reed            |
| Buck          | Hollingsworth   | Reichert        |
| Bucshon       | Hudson          | Rice (SC)       |
| Budd          | Huizenga        | Roby            |
| Burgess       | Hultgren        | Roe (TN)        |
| Byrne         | Hunter          | Rogers (AL)     |
| Calvert       | Hurd            | Rogers (KY)     |
| Carter (GA)   | Issa            | Rohrabacher     |
| Carter (TX)   | Jenkins (KS)    | Rokita          |
| Chabot        | Jenkins (WV)    | Rooney, Francis |
| Cheney        | Johnson (LA)    | Rooney, Thomas  |
| Coffman       | Johnson (OH)    | J.              |
| Cole          | Johnson, Sam    | Ros-Lehtinen    |
| Collins (GA)  | Jordan          | Roskam          |
| Collins (NY)  | Joyce (OH)      | Ross            |
| Comer         | Katko           | Rothfus         |
| Comstock      | Kelly (MS)      | Rouzer          |
| Conaway       | Kelly (PA)      | Royce (CA)      |
| Cook          | King (IA)       | Russell         |
| Cramer        | King (NY)       | Rutherford      |
| Crawford      | Kinzinger       | Sanford         |
| Culberson     | Knight          | Schweikert      |
| Curbelo (FL)  | Kustoff (TN)    | Scott, Austin   |
| Davidson      | Labrador        | Sensenbrenner   |
| Davis, Rodney | LaHood          | Sessions        |
| Denham        | LaMalfa         | Shimkus         |
| Dent          | Lamborn         | Shuster         |
| DeSantis      | Lance           | Simpson         |
| DesJarlais    | Latta           | Smith (MO)      |
| Diaz-Balart   | Lewis (MN)      | Smith (NE)      |
| Donovan       | LoBiondo        | Smith (NJ)      |
| Duffy         | Long            | Smith (TX)      |
| Duncan (SC)   | Loudermilk      | Smucker         |
| Duncan (TN)   | Love            | Stefanik        |
| Dunn          | Lucas           | Stewart         |
| Emmer         | Luetkemeyer     | Stivers         |
| Estes (KS)    | MacArthur       | Taylor          |
| Farenthold    | Marchant        | Tenney          |
| Faso          | Marino          | Thompson (PA)   |
| Ferguson      | Marshall        | Thornberry      |
| Fitzpatrick   | Masse           | Tiberi          |
| Fleischmann   | Mast            | Tipton          |
| Flores        | McCarthy        | Trott           |
| Fortenberry   | McCaul          | Turner          |
| Foxx          | McClintock      | Upton           |
| Franks (AZ)   | McHenry         | Valadao         |

Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)

Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack

Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

## NOES—190

|                   |                |
|-------------------|----------------|
| Adams             | Garamendi      |
| Aguilar           | Gomez          |
| Barragan          | Gonzalez (TX)  |
| Bass              | Gottheimer     |
| Beatty            | Green, Al      |
| Bera              | Green, Gene    |
| Beyer             | Grijalva       |
| Bishop (GA)       | Gutiérrez      |
| Blumenauer        | Hanabusa       |
| Blunt Rochester   | Hastings       |
| Bonamici          | Heck           |
| Boyle, Brendan F. | Higgins (NY)   |
|                   | Himes          |
| Brady (PA)        | Hoyer          |
| Brown (MD)        | Huffman        |
| Brownley (CA)     | Jackson Lee    |
| Bustos            | Jayapal        |
| Butterfield       | Jeffries       |
| Capuano           | Johnson (GA)   |
| Carbajal          | Johnson, E. B. |
| Cárdenas          | Jones          |
| Carson (IN)       | Kaptur         |
| Cartwright        | Keating        |
| Castor (FL)       | Kelly (IL)     |
| Castro (TX)       | Kennedy        |
| Chu, Judy         | Khanna         |
| Cicilline         | Kihuen         |
| Clark (MA)        | Kildee         |
| Clarke (NY)       | Kilmer         |
| Clay              | Kind           |
| Cleaver           | Krishnamoorthi |
| Clyburn           | Kuster (NH)    |
| Cohen             | Langevin       |
| Connolly          | Larsen (WA)    |
| Conyers           | Larson (CT)    |
| Cooper            | Lawrence       |
| Correa            | Lee            |
| Costa             | Levin          |
| Courtney          | Lewis (GA)     |
| Crist             | Lieu, Ted      |
| Cuellar           | Lipinski       |
| Davis (CA)        | Loebach        |
| DeFazio           | Lofgren        |
| DeGette           | Lowenthal      |
| Delaney           | Lowe           |
| DeLauro           | Lujan Grisham, |
| DelBene           | M.             |
| Demings           | Luján, Ben Ray |
| DeSaulnier        | Lynch          |
| Deutsch           | Maloney,       |
| Dingell           | Carolyn B.     |
| Doggett           | Maloney, Sean  |
| Doyle, Michael F. | Matsui         |
|                   | McCollum       |
| Ellison           | McEachin       |
| Engel             | McGovern       |
| Eshoo             | McNerney       |
| Españat           | Meeks          |
| Esty (CT)         | Meng           |
| Evans             | Moore          |
| Foster            | Moulton        |
| Frankel (FL)      | Murphy (FL)    |
| Fudge             | Nader          |
| Gabbard           | Neal           |
| Gallego           | Nolan          |

Buchanan  
Costello (PA)  
Crowley  
Cummings

## NOT VOTING—12

□ 1706

Ms. BASS changed her vote from “aye” to “no.”

Mr. ADERHOLT changed his vote from “no” to “aye.”

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. LAWSON of Florida. Mr. Speaker, On rollcall vote No. 412 I was unavoidably detained. Had I been present, I would have voted “no.”

## COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3364) to provide congressional review and to counter aggression by the Governments of Iran, the Russian Federation, and North Korea, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 419, nays 3, not voting 11, as follows:

## [Roll No. 413]

## YEAS—419

|                   |                   |                 |
|-------------------|-------------------|-----------------|
| Abraham           | Castor (FL)       | Ellison         |
| Adams             | Castro (TX)       | Emmer           |
| Aderholt          | Chabot            | Engel           |
| Aguilar           | Cheney            | Eshoo           |
| Allen             | Chu, Judy         | Españat         |
| Amodei            | Cicilline         | Estes (KS)      |
| Arrington         | Clark (MA)        | Esty (CT)       |
| Babin             | Clarke (NY)       | Evans           |
| Bacon             | Clay              | Farenthold      |
| Banks (IN)        | Cleaver           | Faso            |
| Barletta          | Clyburn           | Ferguson        |
| Barr              | Coffman           | Fitzpatrick     |
| Barragan          | Cohen             | Fleischmann     |
| Barton            | Cole              | Flores          |
| Bass              | Collins (GA)      | Fortenberry     |
| Beatty            | Collins (NY)      | Foster          |
| Bera              | Comer             | Foxx            |
| Bergman           | Comstock          | Frankel (FL)    |
| Beyer             | Conaway           | Franks (AZ)     |
| Biggs             | Connolly          | Frelinghuysen   |
| Bilirakis         | Conyers           | Fudge           |
| Bishop (GA)       | Cook              | Gabbard         |
| Bishop (MI)       | Cooper            | Gaetz           |
| Bishop (UT)       | Correa            | Gallagher       |
| Black             | Costa             | Gallego         |
| Blackburn         | Courtney          | Garamendi       |
| Blum              | Cramer            | Garrett         |
| Blumenauer        | Crawford          | Gianforte       |
| Blunt Rochester   | Crist             | Gibbs           |
| Bonamici          | Cuellar           | Gohmert         |
| Bost              | Culberson         | Gomez           |
| Boyle, Brendan F. | Curbelo (FL)      | Gonzalez (TX)   |
|                   | Davidson          | Goodlatte       |
| Brady (PA)        | Davis (CA)        | Gosar           |
| Brady (TX)        | Davis, Rodney     | Gottheimer      |
| Brat              | DeFazio           | Gowdy           |
| Bridenstine       | DeGette           | Granger         |
| Brooks (AL)       | Delaney           | Graves (GA)     |
| Brooks (IN)       | DeLauro           | Graves (LA)     |
| Brown (MD)        | DelBene           | Green, Al       |
| Brownley (CA)     | Demings           | Green, Gene     |
| Buchanan          | Denham            | Griffith        |
| Buck              | Dent              | Grijalva        |
| Bucshon           | DeSantis          | Grothman        |
| Burgess           | DeSaulnier        | Guthrie         |
| Bustos            | DesJarlais        | Gutiérrez       |
| Butterfield       | Deutsch           | Hanabusa        |
| Byrne             | Diaz-Balart       | Handel          |
| Calvert           | Dingell           | Harper          |
| Capuano           | Doggett           | Harris          |
| Carbajal          | Donovan           | Hartzler        |
| Cárdenas          | Doyle, Michael F. | Hastings        |
| Carson (IN)       |                   | Heck            |
| Carter (GA)       | Duffy             | Hensarling      |
| Carter (TX)       | Duncan (SC)       | Herrera Beutler |
| Cartwright        | Dunn              | Hice, Jody B.   |



|                |                 |                |
|----------------|-----------------|----------------|
| Higgins (LA)   | McCarthy        | Sánchez        |
| Higgins (NY)   | McCaul          | Sanford        |
| Hill           | McClintock      | Sarbanes       |
| Himes          | McCollum        | Schakowsky     |
| Holding        | McEachin        | Schiff         |
| Hollingsworth  | McGovern        | Schneider      |
| Hoyer          | McHenry         | Schrader       |
| Hudson         | McKinley        | Schweikert     |
| Huffman        | McMorris        | Scott (VA)     |
| Huizenga       | Rodgers         | Scott, Austin  |
| Hultgren       | McNerney        | Scott, David   |
| Hunter         | McSally         | Sensenbrenner  |
| Hurd           | Meehan          | Serrano        |
| Issa           | Meeks           | Sessions       |
| Jackson Lee    | Meng            | Sewell (AL)    |
| Jayapal        | Messer          | Shea-Porter    |
| Jeffries       | Mitchell        | Sherman        |
| Jenkins (KS)   | Moolenaar       | Shimkus        |
| Jenkins (WV)   | Mooney (WV)     | Shuster        |
| Johnson (GA)   | Moore           | Simpson        |
| Johnson (LA)   | Moulton         | Sinema         |
| Johnson (OH)   | Mullin          | Sires          |
| Johnson, E. B. | Murphy (FL)     | Slaughter      |
| Johnson, Sam   | Murphy (PA)     | Smith (MO)     |
| Jones          | Nadler          | Smith (NE)     |
| Jordan         | Neal            | Smith (NJ)     |
| Joyce (OH)     | Newhouse        | Smith (TX)     |
| Kaptur         | Noem            | Smith (WA)     |
| Katko          | Nolan           | Smucker        |
| Keating        | Norcross        | Soto           |
| Kelly (IL)     | Norman          | Speier         |
| Kelly (MS)     | Nunes           | Stefanik       |
| Kelly (PA)     | O'Halleran      | Stewart        |
| Kennedy        | O'Rourke        | Stivers        |
| Khanna         | Olson           | Suozi          |
| Kihuen         | Palazzo         | Swalwell (CA)  |
| Kildee         | Pallone         | Takano         |
| Kilmer         | Panetta         | Taylor         |
| Kind           | Pascarell       | Tenney         |
| King (IA)      | Paulsen         | Thompson (CA)  |
| King (NY)      | Payne           | Thompson (MS)  |
| Kinzinger      | Pearce          | Thompson (PA)  |
| Knight         | Pelosi          | Thornberry     |
| Krishnamoorthi | Perlmutter      | Tiberi         |
| Kuster (NH)    | Perry           | Tipton         |
| Kustoff (TN)   | Peters          | Titus          |
| Labrador       | Peterson        | Tonko          |
| LaHood         | Pingree         | Torres         |
| LaMalfa        | Pittenger       | Trott          |
| Lamborn        | Pocan           | Tsongas        |
| Lance          | Poe (TX)        | Turner         |
| Langevin       | Poliquin        | Upton          |
| Larsen (WA)    | Polis           | Valadao        |
| Larson (CT)    | Posey           | Vargas         |
| Latta          | Price (NC)      | Veasey         |
| Lawrence       | Quigley         | Vela           |
| Lawson (FL)    | Raskin          | Velázquez      |
| Lee            | Ratcliffe       | Visclosky      |
| Levin          | Reed            | Wagner         |
| Lewis (GA)     | Reichert        | Walberg        |
| Lewis (MN)     | Rice (NY)       | Walden         |
| Lieu, Ted      | Rice (SC)       | Walker         |
| Lipinski       | Richmond        | Walorski       |
| LoBiondo       | Roby            | Walters, Mimi  |
| Loeback        | Roe (TN)        | Walz           |
| Lofgren        | Rogers (AL)     | Wasserman      |
| Long           | Rogers (KY)     | Schultz        |
| Loudermilk     | Rohrabacher     | Waters, Maxine |
| Love           | Rokita          | Watson Coleman |
| Lowenthal      | Rooney, Francis | Weber (TX)     |
| Lowey          | Rooney, Thomas  | Webster (FL)   |
| Lucas          | J.              | Welch          |
| Luetkemeyer    | Ros-Lehtinen    | Wenstrup       |
| Lujan Grisham, | Rosen           | Westerman      |
| M.             | Roskam          | Williams       |
| Luján, Ben Ray | Ross            | Wilson (FL)    |
| Lynch          | Rothfus         | Wilson (SC)    |
| MacArthur      | Rouzer          | Wittman        |
| Maloney,       | Roybal-Allard   | Womack         |
| Carolyn B.     | Royce (CA)      | Woodall        |
| Maloney, Sean  | Ruiz            | Yarmuth        |
| Marchant       | Ruppersberger   | Yoder          |
| Marino         | Rush            | Yoho           |
| Marshall       | Russell         | Young (AK)     |
| Mast           | Rutherford      | Young (IA)     |
| Matsui         | Ryan (OH)       | Zeldin         |

## NAYS—3

|       |             |        |
|-------|-------------|--------|
| Amash | Duncan (TN) | Massie |
|-------|-------------|--------|

## NOT VOTING—11

|               |              |         |
|---------------|--------------|---------|
| Budd          | Davis, Danny | Palmer  |
| Costello (PA) | Graves (MO)  | Renacci |
| Crowley       | Meadows      | Scalise |
| Cummings      | Napolitano   |         |

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1713

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall votes No. 407 through No. 413 due to my spouse's health situation in California. Had I been present, I would have voted "nay" on H.R. 3180—Intelligence Authorization Act for Fiscal Year 2018, as amended. I would have also voted "nay" on S. 114—A bill to authorize appropriations for the Veterans Choice Program, and for other purposes, as amended. I would have also voted "yea" on H.R. 3218—Harry W. Colmery Veterans Educational Assistance Act of 2017, as amended. I would have also voted "nay" on the Motion on Ordering the Previous Question on the Rule providing for consideration of H.J. Res. 111. I would have also voted "nay" on H. Res. 468—Rule providing for consideration of H.J. Res. 111—Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements." I would have also voted "nay" on the Passage of H.J. Res. 111—Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements." I would have also voted "yea" on H.R. 3364—Russia, Iran, and North Korea Sanctions Act.

## PERSONAL EXPLANATION

Mr. CROWLEY. Mr. Speaker, on July 24 and 25, 2017, I was absent for recorded votes 407 through 413 because I was attending my son's induction into the Naval Academy Preparatory School in Rhode Island. Had I been present, I would have voted:

On rollcall 407 I would have voted "no"  
On rollcall 408 I would have voted "no"  
On rollcall 409 I would have voted "yes"  
On rollcall 410 I would have voted "no"  
On rollcall 411 I would have voted "no"  
On rollcall 412 I would have voted "no"  
On rollcall 413 I would have voted "yes"

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 391

Mr. JOHNSON of Louisiana. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 391, a bill originally introduced by Representative Chaffetz of Utah, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

The SPEAKER pro tempore (Mr. FERGUSON). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

APPOINTMENT OF INDIVIDUAL TO HEALTH INFORMATION TECHNOLOGY ADVISORY COMMITTEE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 4003(e) of the 21st Century Cures Act (Pub. L. 114-255), and the order of the House of January 3, 2017, of the following individual on the part of the House to the Health Information Technology Advisory Committee:

Ms. Cynthia A. Fisher, Newton, Massachusetts

THANKING ELLEN MURPHY AND KATIE ORREL FOR THEIR SERVICE AT STAR FOUNDATION

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Ms. Ellen Murphy and Ms. Katie Orrel, who will retire at the end of the year after more than 40 combined years of volunteer service at the Southern Technology Advocacy Research Foundation, known as STAR, in Brunswick, Georgia.

Ms. Murphy and Ms. Orrel created the STAR Foundation in 1997 to help area citizens gain meaningful and rewarding employment opportunities through career training classes. The training classes at STAR include how to balance a checkbook, to use a computer, and how to write a resume.

Ms. Orrel teaches personal financial management and interviewing skills, and pushes her students to do their very best every day. At the same time, Ms. Murphy has been the executive director at STAR since its inception over 20 years ago, and has done a great job to grow the organization and reach more students.

I would like to thank Ms. Murphy and Ms. Orrel once more for helping south Georgians to advance their careers.

SANCTIONS ON THE RUSSIAN FEDERATION

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, I rise today to acknowledge all of my colleagues who voted "yes" on continuous and strengthened sanctions on the Russian Federation. That was the correct vote, and I commend the leadership of Ohio's Senator SHERROD BROWN, the leading Democrat in the other body on the Banking Committee who fought for this package.

The bill also holds Iran, North Korea, as well as Russia accountable. Specifically, Russia for interference in our

Democratic Republic, but also for its ongoing human rights violations, its illegal invasion and occupation of Crimea, and continued military violence in eastern Ukraine with over 10,000 dead due to Russian aggression.

This bill will impose sanctions on people involved in human rights abuses, those who launch cyber attacks and those who supplied weapons to the Assad government in Syria. President Trump and his staff regularly question the intelligence that shows Russia interfered in our election.

Given the President's priorities lately, it is imperative that Congress send a clear message and make it more difficult to undercut sanctions without congressional approval.

This package tells the world: Congress won't stand by idly. But what a sad day we have reached when there is doubt whether sanctions against Putin's Russia, liberty's proven adversary, will be even signed by this President of the United States.

#### STOP FUNDING PALESTINIAN TERRORISTS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, last Friday night, an Israeli family sat down for Shabbat dinner to celebrate the birth of a new grandchild, but a 19-year-old Palestinian terrorist put an end to this joyous occasion.

The terrorist brutally attacked the Solomon family with a large knife. Pictures of the family's home show a white floor stained red with the blood of the innocents.

A father and two of his children were murdered that night. Upon learning of the tragic event, Palestinians in Gaza took to the streets to sing, dance, and celebrate. No Palestinian leader has even condemned this grizzly attack.

Mr. Speaker, unfortunately, this is our U.S. tax dollars at work. The millions the United States sends to the Palestinians are funneled to terrorists and their families through the so-called martyrs fund. The leaders we prop up glorify terrorists and incite violence.

The American people refuse to continue this insanity. We refuse to continue enabling terror against the Israeli people.

And that is just the way it is.

#### INVEST BORDER WALL FUNDS IN OTHER PROVEN METHODS TO KEEP US SAFE

(Mr. CORREA asked and was given permission to address the House for 1 minute.)

Mr. CORREA. Mr. Speaker, on Friday we are voting on a crucial funding program for armed services. Yet somehow

it also includes \$1.6 billion to begin funding the construction of an unnecessary border wall. Without discussion, the funding for the border wall was added.

This wall won't make us safer, and it won't stop drug smugglers, and it will not keep out the bad hombres.

If we are serious about protecting our borders, then let's invest the \$1.6 billion in programs that have a proven record of success. Let's invest in drug detection canine teams. Let's rebuild our Coast Guard. And let's strengthen our partnership with Canadian and Mexican law enforcement.

These are the proven methods that will keep America safe.

#### PUERTO RICO'S TERRITORIAL GOVERNMENT

(Miss GONZÁLEZ-COLÓN of Puerto Rico asked and was given permission to address the House for 1 minute.)

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Speaker, Puerto Rico's territorial constitution is 65 years old today. An act of Congress authorized the island's people to pass a charter of the local government.

It did not, however, eliminate Federal authority to govern Puerto Rico in local matters. The island's constitution names the territorial government a "freely associated State" in Spanish, but we are not a freely associated State because we are not a sovereign nation.

Under the U.S. Constitution, Puerto Rico remains subject to a territorial clause until it becomes a State. Proof of that power is PROMESA, which installed Federal appointees to make final decisions on Puerto Rico's fiscal matters.

The Americans I represent want to exercise self-government in local matters once again; but, more importantly, want to fully possess that power as the States do.

#### SECURE FIREARM STORAGE

(Mr. SCHNEIDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHNEIDER. Mr. Speaker, communities throughout our country are suffering from an epidemic of gun violence.

In far too many cases, stolen guns represent a growing source of the weapons used in these crimes. According to the Bureau of Alcohol, Tobacco, Firearms and Explosives, last year alone, nearly 18,000 firearms were reported stolen or lost just from Federal firearm licensees, or FFLs. That is Federally licensed dealers, manufacturers, and importers.

Today I introduced the SECURE Firearms Storage Act to help address the stolen-gun problem by requiring all

FFLs to securely store their inventory when not open for business.

Additionally, this bill would require the Attorney General to review and put forth further commonsense security measures to reduce the risk of theft, and require new applicants to detail their security plans before a new license is issued.

There are simply too many innocent lives being destroyed by these stolen guns. I invite my colleagues to join me on this bill to make commonsense improvements for gun safety.

#### RURAL AMERICA'S CONTRIBUTIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. ARRINGTON) is recognized for 60 minutes as the designee of the majority leader.

#### GENERAL LEAVE

Mr. ARRINGTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the topic of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ARRINGTON. Mr. Speaker, I rise today in support of my friends, my family, my neighbors, and my fellow Americans in rural communities all across this land. I am proud to represent 29 counties in rural west Texas. I am grateful that I grew up in a small town—the town of Plainview, Texas, a little farming community.

We are the sum of many things and many contributions and influences, and I am thankful for the influences of that town. I am grateful to my coaches and my teachers. I was inspired by Ms. Becky Taylor, my first government teacher at Plainview High School. I have countless people to thank, and as I walk the Halls here, and as I stand on the floor of the House and cast my vote for the people I represent, I think about all of those people who have made an investment.

You see, in rural America, they take responsibility for their community. They believe in making investment in all of those young people who are working their way through the school system, who have big dreams to make a difference in the world, and I was one of them.

I pray I could be a champion for rural America. I pray I will be an effective legislator and that I will be a strong voice for a people that feel often that they don't have a voice. Maybe it is because we don't have the votes, and maybe it is because we don't have as many people, but what we don't have in numbers of people, we more than make up for in our contribution to this

country in the food, in the fuel, in the fiber that we produce in rural America.

The folks who I represent help put food on the table of all Americans. They put clothes on the backs of all Americans. They help fuel this great American economy. They give us energy independence.

They allow us to have an affordable, safe, and abundant supply of food. We take it for granted. When you ask folks around the country, especially in urban and suburban areas, "Where does your food come from," many answer, "The grocery store or the food truck."

□ 1730

My colleagues and I are standing today to speak about the virtue and the values of rural America and the contribution to this great experiment in democracy and liberty. We know that it is by the blood, sweat, and tears of farmers and ranchers all across this great land.

I love everything about rural America, Mr. Speaker. I love the people, I love the values, and I love our way of life. We are not just the energy basin, and we are not just the breadbasket. We are the backbone of this country. If you lose rural America, then you lose something very special. You lose those traditional American values that are at the heart of the greatness of this country.

They are counting on us—all of us who represent rural communities—to fight for them. If you think about this Presidential election, more than 70 percent of rural communities and people living in rural areas in the swing States voted for our President. They felt voiceless and powerless. They felt like they were losing their country, and they wanted their country back. They were tired of political correctness. They were tired of do-nothing institutions and politicians that said they were going to change things and then—status quo.

They know, as well as anybody, what is at stake in the next few years and the next several years. This window of time is special. They came out strong in support of our President because they wanted something different. They wanted results.

Rural America defines leadership different than we do. They define leadership as working together to solve problems and deliver results. If you don't deliver results, you are not a leader in rural America. The proof is in the pudding. So I am especially excited about this opportunity in the life of our Nation. I am exceptionally honored to serve in this august body with so much history.

I am overjoyed that I wear the rural America jersey when I stand on this floor. I am going to do all I can to fight for the future of this country, which means I am going to fight for rural America's traditional values, and I'm

not going to apologize for it because, again, where we come from is a lot of who we are, and who we are is a whole lot more important than what we do.

I am rural America. I am traditional values. I am from the land of farmers, ranchers, and public schoolteachers who believe they can have an impact on a kid and inspire him to believe he can change the world. You are looking at one of them.

Mr. Speaker, I thank Miss Becky Taylor, I thank Coach Cunningham, I thank Coach Irlebeck, and I thank youth minister Karl Shackelford. I could go on and on.

I stand on the shoulders of a lot of good people in small town, middle America, and I don't stand alone. I stand in the company of great men whom I have met since I have been here. I know a lot of Americans look at this United States Congress as dysfunctional and do-nothing, and do you know what? They are right in many ways. But I look at the individuals, and I see some of the most impressive, patriotic people who want to make a difference.

I am thankful that in this fight for the heart and soul of this country, in this battle for the identity of our Nation, this constitutional Republic, I have got folks in the foxhole with me.

To start my foxhole friends who stand on the side of rural America, I want to introduce a great American, a dear friend, and the president of our freshman class. He comes from a big swath of rural Michigan, Michigan's First District. He is a general, he is a soldier, he is a businessman, and he is a proud granddad. When I think of JACK BERGMAN, I think of a leader. He is a leader.

I am proud to serve with JACK BERGMAN.

Mr. Speaker, I yield to the gentleman from Michigan (Mr. BERGMAN).

Mr. BERGMAN. Mr. Speaker, how do I even start after getting an introduction like that other than to say that I am so blessed to be part of what I will put up against any Congress as the finest freshman class that has come across this floor to be sworn in. I am just proud to be one of Mr. ARRINGTON's colleagues.

Mr. Speaker, when you talk about rural America, how do you know it if you have never been part of it? I was born, raised, and grew up in a little Minnesota farming town. My dad came from the Upper Peninsula of Michigan because there was no work there for 18-year-olds. He went to Minneapolis looking for work. Of course, he found it, and then he found my mom. You know how that goes. So she told him that is where he was going to live for a while, and so that is where I was born.

I had to walk all of a half a mile to work on a farm to help. It was about a 200-head dairy farm that also had some corn and some soybeans, and they had

hay. I learned how to bale hay, I learned how to not fall off the wagon, and I learned how to shoot the silage into the silo and not fall into the silo when you are doing it.

One of the least favorite jobs was cleaning up the dairy barn because it had those unique aromas. On a hot August day, you learn that they are all unique, but they are all important to the betterment of what we are trying to accomplish here.

When you work with your hands—I have seen firsthand how rural America works, the dedication, the hard work, and the life that on a daily basis begins before the sun rises and, in many cases, ends long after the sun sets—that is commitment. It is not only commitment to your family, it is commitment to yourself, and it is commitment to your God that you know that you are blessed with what we have in our land.

It is such important work. DANIEL WEBSTER said:

"Let us not forget that the cultivation of the earth is the most important labor of man."

"The farmers, therefore, are the founders of civilization."

It is so easy to believe that when the lights go off at the grocery store at night that the food just magically appears on the shelves. It is amazing how that just happens. Well, we know it doesn't just happen. It is the last in a series of long steps. Rural America knows better than anyone what it takes to get the food on those shelves. Rural America feeds the world, produces resources that are used in other industries, acts as job creators and the foundation of the economy, provides food security, and contributes to the moral fabric of our society.

Farmers face so many challenges already. They are at the mercy of the weather, crop volatility, and ever-changing prices. Why is the government so insistent on adding more rocks to the pack of the farmer who is already overburdened in so many ways? They don't need any more headaches.

I have often said that if something works in Michigan's First District, it will work anywhere. We are largely rural. We have got a lot of big water shoreline, and part of that big water shoreline provides the water to cultivate our fields. We grow a lot of potatoes up there. Anybody who really loves potato chips, chances are they came from a potato that started in Michigan. We grow sugar beets, cherries, and apples, just to name a few. In fact, just this past weekend, back in the district, I had a chance to really taste the cherries that we picked off the tree because it is that time of the year.

We should be looking forward and looking to rural America as the example for success, not trying to hold it back with bureaucratic regulations and out-of-control government spending. It

is time to cut through the red tape. Rural and urban survival depend on it. Power belongs in the hands of the individual—the farmers, the loggers, the fishermen, the miners, the ranchers, and every other hardworking man and woman in so many districts around the country and especially in our First District of Michigan.

Mr. Speaker, speaking of hands, people who work with the land know when you are working with your hands that you don't just go right to the harvest. You first must till the land. You have to plant. You have to manage the growing season. Only then, after that long process that you cannot shortcut in any way, then comes a successful harvest. It has to happen in order. There is no other way. So anyone who expects good things happen easily has never been a farmer and has never been working with their hands.

It is our job not just to honor but to raise rural Americans up as an example that hard work and traditional American values are still something to be admired so deeply.

Mr. Speaker, it is an honor just to be talking about this subject tonight. It actually makes me want to somehow figure out a way to get back to the district right away to finish up the cherry harvest. It looks like we are going to have a really good one this year because God has blessed us with good weather.

Rural America is who we are, and it is who we fight for. I am proud to be a Member of the 115th Congress.

Mr. Speaker, I thank the gentleman from Texas (Mr. ARRINGTON) for the opportunity to speak on something that is so passionate and dear to my heart.

Mr. ARRINGTON. Mr. Speaker, I thank the gentleman from Michigan for his wonderful, beautiful, and heartfelt words about where he comes from, how that shaped him, and how deeply he believes in the people in the country, as we say in west Texas. He talked about a lot of things. He talked about the folks who work the land, and he talked about traditional American values. Mr. Speaker, I think you are going to hear some common themes from my colleagues this evening.

The gentleman also mentioned the burden of Big Government. I said, coming into this office and after 8 years of the advent and explosion of Big Government, that when our economy in urban and suburban is like a patient who is sick, the rural patients are in the ICU because small businesses, community banks, and family farmers bear a disproportionate burden when it comes to the trillions of dollars and the cumulative effect of all the rules and regulations out of the last year.

So rescuing the American economy is about helping a sick patient. Rescuing the rural economy is getting the patient stabilized and off life support so we can live to farm, to fight, and to

have the kind of quality of life that we love for another day.

Mr. Speaker, I have got a good friend that I have made since I came to the United States Congress. The gentleman is from the 12th District of the great State of Georgia. He is a son of a farmer. I bet he knows something about working the land. I bet he knows something about a work ethic. I bet his daddy taught him something about that.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. ALLEN) who is my friend and a businessman. The gentleman received the Augusta Metro Chamber of Commerce Small Business of the Year Award, and he will talk about rural America and why it is so important to making America great.

Mr. ALLEN. Mr. Speaker, I thank my friend, Congressman ARRINGTON, for this Special Order and for this opportunity to talk about what makes America great.

Mr. Speaker, I am a product of rural America. I did learn a lot about work ethic and about values. I can't think of any other way to grow up, to be honest with you. Sure it was difficult, and sure I probably had some times where I thought I would like to be somewhere else. But I will tell you, there was nothing like it, and I take and cherish those memories. I have tried to instill those in my children as well.

□ 1745

It is the greatest honor of my life to represent the people of Georgia's 12th Congressional District, which is largely rural. We have 18 counties. About 15 of those counties would be considered rural. My district is home to the Masters Tournament and the growing cyber industry in Augusta, but it is our rural farms that are the true heart of my district.

Georgia's 12th District is rural, and I am proud to say it is truly God's country. You won't find more steadfast, faithful Americans than in rural Georgia.

Agriculture is the number one industry in my home State of Georgia. It is also the number one industry in my district. Our farmers have been forgotten by out-of-touch politicians and unelected bureaucrats here in Washington, particularly over the last 8 years.

Farm income, for example, is down more than 55 percent, largely due to what our President has talked about, which is our trade policies. However, as of last November, we are approaching a new day. This is President Trump's day and President Trump's America. That is why I am proud to have a President that knows that rural Americans deserve more.

In April, President Trump created the Interagency Task Force on Agriculture and Rural Prosperity to be led by Secretary of Agriculture and fellow

Georgian, Sonny Perdue. This task force was created with one goal in mind: to promote economic growth and innovation in rural America. As a member of the House Agriculture Committee, I look forward to working with Secretary Perdue on this mission, as well as the next farm bill, which is critical to the lifeblood of our farmers.

From looking at cotton to peanuts, to specialty crops and the programs they are using, I have participated in numerous hearings on how to make the next farm bill successful for all of our farmers. I am working hard to make sure the commodities most important to Georgia's 12th District are protected.

We also have a crisis in our community banking system. Community banks are the lifeblood of the creation of small business. We continually lose our community banks. That is why I am so proud of Chairman JEB HENSARLING and his work to pass the CHOICE Act.

The CHOICE Act reduces the regulatory burden on our community banks. It allows them to thrive and to provide the capital to grow the small business community in our rural areas. Small business in our rural communities accounts for about 75 percent of all new job growth.

We also have to fix healthcare. We are losing a number of our community hospitals. I know in Congressman ARRINGTON's district, in small towns, the community hospital is the largest employer in that community, and it is critical that we repurpose those hospitals, that we fix healthcare and we provide healthcare for our rural areas.

We also need to look at technology. There is a tremendous need for broadband and expanding our broadband capabilities. I know the President is talking about a major infrastructure package. Broadband needs to be a part of that infrastructure package because the 12th District of Georgia, through technology, could be the new Silicon Valley of the East Coast. We would like to see that trickle down into our rural areas, and it can, but we have to have the capability of the broadband.

As far as the future of rural America, we are seeing tremendous strides made as far as technology, as far as farming. Last year, I planted peanuts. I was operating a tractor, which I remember operating as a child and a teenager and having to pay attention to all the moving parts. I tell you, I sat on this tractor and I planted 17 inches over from the year before, and I never touched the steering wheel. The technology is amazing.

I was with a group of farmers the other day and we were talking about God is blessing us with a lot of rain and if it continues, we are going to have a bountiful crop, a great yield. They said: Yeah, we are good 8 inches down,

but the other 8 inches we are a little concerned about. They have these probes that are measuring how much water we are receiving.

So we have a lot going on in our rural areas. We just, as a body here, need to provide our farmers, our small business people, with the tools they need to get the job done, and they will get the job done.

Again, I want to thank my distinguished colleague from Texas, Congressman ARRINGTON, for shining the spotlight on rural America tonight. It is the lifeblood of this country. I want to see rural America become everything it needs to be.

We are seeing improvement in the economy through many pieces of this legislation that we are passing. I hear it from the business community and some of our city centers. It is time for that to trickle down into rural America.

Again, I thank the gentleman for shining this spotlight.

Mr. ARRINGTON. Mr. Speaker, I thank my colleague from Georgia for his personal experience in agriculture, in a farming family, and a man who loves all that is good about rural America and knows that what is good about rural America is what is helping make this country great.

I have got other colleagues that I want to invite to speak. We have got folks from Illinois, Michigan, and some colleagues from Texas.

I am looking at a guy from the Commonwealth of Kentucky, another new friend, a dear friend, and a friend of agriculture. He is a guy who not only knows agriculture because he took a loan out right after graduating from Western Kentucky and started a farming operation—he claims it is successful today. I believe him—he was also the ag commissioner of Kentucky. He served in the Kentucky House, and now he is lending his expertise and his love for this country and all things about rural America to the First District of Kentucky.

Mr. Speaker, I yield to the gentleman from Kentucky (Mr. COMER).

Mr. COMER. Mr. Speaker, I thank Representative ARRINGTON for shining the spotlight on rural America today.

I am proud to be a product of rural America. The great thing about growing up in rural America is you learn values, you learn morals, and you learn a work ethic. Not every individual in America has that opportunity. So those of us that grew up with that upbringing in rural America should appreciate that.

That is why, when I took the oath of office as a brand-new Congressman back in November, I said my number one priority is to promote agriculture and restore and revive rural America. I believe we can. I believe in the future of rural America. But we are going to have to work together.

Rural America has many challenges right now. The number one challenge is the economy. We need to help create good-paying jobs in rural America, because in rural America we are faced with a brain drain. That is why our best and brightest young people graduate from the good public schools that we have in rural America, they go off to college or technical school, but they don't come back. There aren't the same opportunities, unfortunately, in many of the rural communities as there are in the more urban and suburban areas.

I believe that we can change that because rural America has so much to offer. We have work ethic. We have available skilled workers. We have communities where everyone knows everyone. Everyone has a spirit of community. We have good churches, good schools, and good rural hospitals.

So I believe that we need to spread that message as Members of Congress. As Members of Congress, we also need to invest in rural America.

As was mentioned earlier, one of the President's main priorities is an infrastructure bill. I believe that we need to invest in infrastructure. I believe in a limited government, but I do believe it is the government's responsibility to do certain things. One of those things that is the government's responsibility is to invest and maintain infrastructure. When we talk about infrastructure, it is not just interstates and airports. It is also things that we need in rural America, like broadband and wireless technology.

I believe that we can create an environment with public-private partnerships where we can make that investment to help revive rural America and help to create jobs in rural America to keep our best and brightest in rural America.

Growing up in Monroe County, which is a rural community in south-central Kentucky, I had the opportunity to go to Monroe County schools, where I knew every student in my class. I knew the teachers, I knew where they lived, I knew where they go to church. I played every sport I could play and excelled in none, but I enjoyed that opportunity and learned a lot about it. Of course, we went to church on Sundays.

Throughout my business career as a farmer, the president of the Monroe County Chamber of Commerce, a State representative, and as a commissioner of agriculture, I always worked hard to try to promote and be positive about rural America. Now as a Member of Congress, I want to join with my fellow colleagues that represent rural areas like the First Congressional District of Kentucky and make sure that we make that investment to where we can take rural America to the next level.

So I appreciate Congressman ARRINGTON creating this opportunity tonight to talk about rural America. I

pledge to work with him and our colleagues to see that we can make a brighter future for rural America.

Mr. ARRINGTON. Mr. Speaker, I thank the gentleman from Kentucky for his passion and his resolve to be a voice for rural America and for agriculture. It has been great to serve alongside of him on the Agriculture Committee.

I have got another dear, new friend and fellow freshman Member of Congress who is a great American. He hales from the great State of Louisiana, my wife's home State. He represents the Third District. I was about to say I have a couple more racehorses for rural America in the stable. He actually was raised on a horse ranch near Covington, Louisiana.

He is a veteran and highly decorated law enforcement officer. He is a man of deep and abiding faith. I say that God probably hears all of our prayers, but when he speaks and prays with that thick Louisiana accent, I think he enjoys his prayers more.

Mr. Speaker, I yield to the gentleman from Louisiana (Mr. HIGGINS) and prayerfully ask him to speak about rural America and why it is important to this country.

Mr. HIGGINS of Louisiana. Mr. Speaker, I thank the gentleman from Texas for yielding.

I recognize my friend, Representative JOHEY ARRINGTON, as exactly the type of American that our Founding Fathers envisioned serving within the House of the we the people.

Mr. Speaker, I rise this evening to highlight the importance of American agriculture and the spirit of the American farmer. Being raised on a horse ranch, I learned at an early age the value of work and that rural America wasn't just a place, but a way of life.

Now my wife and I live in a 1,000-square-foot, 65-year-old, wood-frame home in the middle of farm country in south Louisiana. We have nine pecan trees, two magnolia trees, and two bushes with flowers on them. I am not sure what they are, but I know she knows. She enjoys them. They bloom once a year.

Other than that, it is just an honor to represent my district, which is deeply agriculturally centered: farmers, ranchers, fishermen, oil and gas workers, petrochemical workers. They are salt-of-the-earth folks who know what it is to earn a living. They understand sweat. They understand labor. In representing my district in Louisiana, these are the industries that stand up our rural communities. They are the backbone of our economy.

My district is home to the heart of sugarcane for the entire country. Cane farmers in south Louisiana account for about 20 percent of all sugar production in the United States.

My district is also home to the rice capital of America. Crowley, Louisiana, right in the heart of Cajun

country, is home to more rice mills than anywhere else in our Nation.

Those two crops, alone, account for billions of dollars in economic output every year and employ tens of thousands of hardworking Americans.

Given a level playing field and opportunities to compete on a global scale, American farmers will always win.

□ 1800

That is why we are working to put American farmers first to open new markets, expand American exports, and create jobs in our communities. We are rolling back regulations that slow growth, stifle innovation, and restrict the agricultural industry's access to the resources and manpower it needs to thrive.

We have made great strides this year to help our farmers, and we will continue to do so. Just last week, a groundbreaking rice export agreement with China, the world's largest rice consumer, was announced. This opens a massive new market to United States rice farmers.

These are the type of landmark policy victories that elevate American farmers and bring economic growth to our rural communities. I am committed to an America First agriculture policy where American farmers compete and win. Agriculture is a critical industry that bolsters economic growth and ensures American independence and national security.

In my home State, we understand that our economy is run on the sweat of hardworking American patriots.

As Congress moves forward, I will continue to work tirelessly with my colleagues on behalf of our farmers and producers to provide Louisiana's agricultural industry with critically needed support. I am proud to represent a district so strongly rooted in the spirit of rural America, and I am honored to stand with my colleagues today in loud and vocal support for the Americans who we serve in rural America.

Mr. ARRINGTON. Mr. Speaker, I thank the gentleman from the great State of Louisiana for his comments and his heartfelt commitment to his district, to the farmers, and the ranchers like the ranch he grew up on. This is personal for CLAY HIGGINS, and I know when he says he is going to be a champion for rural America, you can take that to the bank, and I want to thank him for his comments.

I have other colleagues who are here and want to speak loudly and proudly for the folks from rural America who are counting on us. What we lack in numbers up here, we got to make up for in strength of leadership. I am looking at the bench right now, and I am believing that we can overcome those numbers with effectiveness and with the strength of leadership and courage that it takes to get something done in this town and in this institution.

The next gentleman who I want to introduce to the American people who are watching with great anticipation is another freshman wonder from the great State of Georgia, whose district is home to a portion of western Georgia. He went off and got his dental degree and came back to where he grew up, West Point, Georgia, came back home to small town America, and I reckon he did for a lot of reasons, but probably at the top of the list was he wanted to raise his kids in small town America.

Mr. Speaker, I yield to the gentleman from Georgia's Third District (Mr. FERGUSON), to talk about that and anything else, and there are lots of great things to talk about with respect to rural America.

Mr. FERGUSON. Mr. Speaker, I would like to thank my colleague, the Representative from Texas (Mr. ARRINGTON), for highlighting this most important part of our American culture, the rural America.

As you mentioned, I came from a small town, like many small towns across this Nation, and we have seen our area fall into decline, but we have seen what happens when you have a tremendous rebirth in your local economy.

But there are so many parts of our great Nation in my great State of Georgia that simply don't have the opportunities that other areas do, and that is not necessarily new. It is something that we have faced in America before, and our country has always stepped up to find the right answers, to give access to success to the people in rural America and, in my case, rural Georgia.

And if you think about that, we have done that in multiple ways. We have built infrastructure there that includes highways. We have built electric grids to the rural parts of our communities, telecommunications. It has been absolutely amazing to see what happens and the benefits to this Nation that come when we invest in infrastructure to rural Georgia and to rural Alabama and any other State in this great Nation.

One of the things that we have got to recognize is all of the wonderful things that we have going on that have been highlighted by our colleagues here tonight, the agricultural industry that exists, from everything like our colleague from Louisiana talked about, my colleague from Georgia, the farming communities. In our area, we have a tremendous number of cattle farmers, dairy farmers, folks who grow pine trees.

All of those things are important, but we have got to talk about enhancing that in a new direction for rural America. As has been talked about here tonight, a big part of that has to be new infrastructure and an information highway known as rural broadband that goes into America.

We have companies right now throughout this great Nation that are wanting to invest in many areas. A lot of times all they are asking us to do is to get out of the way and let the private sector take over and do it.

If we do that and we build that infrastructure but we fail to educate our children in a 21st century economy, then we have built infrastructure that will never reach its full capacity.

So not only is building broadband to the rural community so vitally important, pairing our education system to that is vitally important, too. I believe in our rural communities there is a wealth of talent, people of all backgrounds, ages, demographics that have incredible talents that are yet to be tapped into.

I believe that we can tap into those talents, and I believe that those talents can be highlighted, they can be brought out, and they can be enhanced by allowing our education systems to be adaptive, to be able to train these young people, young adults, the future of rural America, to give them the skills that they need so that they can become a competitive part of the 21st century economy.

I think that many of our States that have large metropolitan areas like we do in Georgia with Metro Atlanta have a desire to tap into this wealth of talent in this workforce that exists in rural Georgia, and I believe that it gives families a chance to stay together because it creates economic opportunities for families in rural Georgia that simply do not exist right now.

So think of a vision for rural America where we are connected with new infrastructure and information technology systems that allow the talent that we have congregated in rural Georgia, every small town across this great Nation, to be able to harness that power, to tie it back into our metropolitan centers, to create vibrant economic opportunities, let us figure out ways to harness that economic opportunity to be able to generate revenue to further enhance our school systems and enhance our communities in rural America.

We have incredible talent, and we need to bring that talent to the top. We need to make sure that the talent stays in rural Georgia and all of our communities, and I believe that we can do that.

We have got to make the commitment to build infrastructure across this Nation as we have in the past, and I believe the future of rural America is with rural broadband creating business and educational opportunities where we are going to harness tremendous talent and reap tremendous benefits.

Rural America is so important to the fabric of our Nation. It is so important to the people, to the leadership, to our economy, to who we are. The greatness

and the freedoms that we enjoy are exemplified nowhere better than in rural America.

I am proud to be from rural America, I am proud to raise my family there, and I believe that the future is bright.

Mr. ARRINGTON. Mr. Speaker, I thank the gentleman from Georgia for his comments, and what a strong leader he has been for our freshmen class, and what a great representation of his district in the great State of Georgia.

And who knows better about the challenges of sustaining rural communities than a mayor who is fighting the fight at the local level. And so I am just so grateful that he spoke from his heart this evening about our friends and family and our neighbors back home in small town America.

I have got another good friend and a guy who knows something about rural America. His district takes up almost the entire State of Nebraska. He has had Nebraska as his home and his family's home for six generations.

He served at the local level and at the State level, but his greatest claim to fame is that he married a good friend of mine who served with me in the George W. Bush White House, Andrea. And I didn't know him before Andrea, but she has done a great job of cleaning him up, and I look forward to his comments.

Mr. Speaker, I yield to the Representative from Nebraska's Third District (Mr. SMITH).

Mr. SMITH of Nebraska. Mr. Speaker, I thank Congressman ARRINGTON for yielding. It is great to join him and others here this evening to really celebrate rural America.

A lot happens in rural America. Oftentimes, it kind of flies under the radar. That is okay. That is generally the way rural Americans like it. It is interesting. As I represent the 75 counties of Nebraska's Third District, it is part of two different time zones and just a diverse perspective there of many different Nebraskans.

I would say that anecdotally, at least, the most common request among my constituents is to be left alone. And it is interesting that when we talk about policies like waters of the U.S. or various—healthcare, interestingly, you know, a lot of promises were made there that haven't panned out, and so I am grateful that I can represent so many Nebraskans who are focused on solutions, and I seek to really reflect their ideas as solutions here in Washington.

Obviously, there is a lot happening now. I would say all too much or all too often there is so much bickering that we can't get to the solutions that we know will help the American people.

I am proud to represent the top producing agriculture district in the country, and of course, with 75 counties, we have a lot of production, whether it is

livestock, whether it is row crops. I am happy to have helped start the Modern Agriculture Caucus, and I am grateful for colleagues participating in this effort to focus on new ways of doing things in terms of agriculture.

We know that, obviously, agriculture has been around a long time, and things change. Resources can change oftentimes, but I am glad that we can focus on new ways of doing things that we know are good for the environment. We conserve resources, natural resources and others, as we focus on research that has led to increased yields for our crops so that we can help feed the world.

We know that many countries around the world look to America as leaders in agriculture, especially production agriculture, and so I am glad to help reflect to those successes, help celebrate those successes.

Who would have thought that not so long ago, who would have thought that today, we can have record yields amidst a drought. That not only helps producers, that helps consumers, and that literally helps every person around the world.

And America is a big country, we know that, and oftentimes there seems to be somewhat of a disconnect between rural America and urban America.

Interestingly, I like to share this story. There was a very well-meaning civil servant who visited rural Nebraska a while back, and we were touring part of Nebraska. We turned onto a gravel road, and this well-meaning individual said it had been about 20 years since he traveled on a gravel road.

I don't think there was any intended disrespect at all, but certainly a difference of perspective. And so here we are, literally raising the awareness of all of America in terms of what we can do in rural America as we do focus on helping feed the world, helping feed America, certainly, but applying biotechnology out across the fields and across the prairies of rural America.

And when it comes to trade, we know that we are good at producing agriculture products. We want to sell our products around the world, especially when 96 percent of these customers reside outside our country. So that is why I hope that we can focus on trade policies moving forward so that we can bring some prosperity to the home front amidst a struggling ag economy.

Let us be honest about that. Crop prices are not what they were, but property taxes are still high, input costs are still high, and we want to do what we can to bring stronger market prices to agriculture.

□ 1815

That is why we want to and we need to focus on the global economy that is so important.

I am grateful to have the opportunity to stand here and really celebrate rural

America, as we do have so many of the solutions that our country needs right now.

Mr. ARRINGTON. Mr. Speaker, I am honored that the gentleman from Nebraska joined us to lift our voices high, as our flag of rural America flies high in this House. We think about those families, those middle and working class families, every day as we govern on behalf of the people we represent.

Mr. Speaker, I have got another gentleman who I am learning a great deal from as I serve with him on the House Agriculture Committee and the House Committee on Veterans' Affairs. He is a very passionate man from the great State of Illinois' 12th District. He is a firefighter, the son and grandson of coal miners, and a proud daddy.

Mr. Speaker, I yield to the gentleman from Illinois (Mr. BOST).

Mr. BOST. Mr. Speaker, I thank the gentleman from Texas for hosting this Special Order on rural America.

I am a proud resident of a rural district in southern Illinois. If you are from Illinois, you understand that the "S" is capitalized on the word "southern"; and that is because it is a unique area in itself. It is nowhere near—and there are great people in the Chicago area, but we are farther—well, actually the district starts just across from St. Louis and goes south to where the Mississippi River and the Ohio River come together. There are a lot of farming communities there.

In my opinion, though, we don't talk enough about our rural communities here on the House floor. So, I am really glad that we are having that opportunity tonight.

In so many ways, you have to realize that our rural areas are the backbone of this country. But if you listen to the media and the advertisers and the Hollywood producers, you would think there wasn't anything between the East Coast and the West Coast. But, let me tell you, I am here today to say that there is.

Too many of these small communities are struggling, trying to get through, and, quite often, are weighed down by things that we do here in Washington. They want investment. They care about the growth of their communities and they care about jobs.

But when the press talks about jobs, the same industries that come up every time are the tech startups, the consulting firms, the real estate companies, and the new restaurant chains. Those are all good, but one group that doesn't get talked about enough is our farmers.

And let me tell you, that is not something new. It has happened over many years. This Nation's farmers have planted and kept us fed for all the years this great Nation has been in existence.

And I am going to tell you that Benjamin Franklin called farming the only



honest way to acquire wealth. Thomas Jefferson said our government would remain virtuous as long as it remained chiefly agricultural. Illinois' own Abraham Lincoln was born into farming and described agriculture as a great calling.

In southern Illinois, beginning farmers tell me their cost of doing business is climbing and their income is shrinking.

This is not the first time this has happened. I want to kind of express a story that took place several years ago.

Right now, in the Agriculture Committee, we are working on the farm bill. Well, the first farm bill came into existence because then-President Ronald Reagan began to hear from the farmers around this Nation of the problems that they were facing and the concerns that they had. And one in particular farmer, a man by the name of Herman Krone, who lives in a little town called Du Quoin, Illinois, about 18 to 20 miles from my home, wrote a letter. Because back then you didn't send emails and you didn't send texts. You actually wrote letters. He sent it to the President, not thinking that he would get a response, but he just wanted to voice his concern of his son Rick, and was Rick going to stay in the family business. Well, he really couldn't because of the high risk of doing business in our agricultural communities.

Well, one night—as a matter of fact, it was a Sunday night, if I remember correctly, because I heard this story from Herman himself before he passed—the phone rang. Now, I understand it wasn't a cell phone, like we have now. It was actually hardwired to the wall. The phone rang, he reached over and picked it up, and someone asked: Is this Herman Krone? Mr. Krone?

He said: Yes.

They said: Can you hold for the President?

Herman said: The president of what?

The man on the other end said: The President of the United States, Mr. Ronald Reagan.

He said: Well, you are kidding me?

The man said: No, Mr. Krone. It really is.

Sure enough, the President himself called Herman.

He said: Herman, I read your letter, and I realize that you understand what the problems are that the rural farmers are facing today.

He said: I will tell you what I would like to do. I would like to come to your farm. You bring a group of your agricultural people together and I want to talk with them.

And, sure enough, the next month or so, President Ronald Reagan came. The conversation he had, along with other conversations he had around this United States, led to the first farm bill.

We are working on that farm bill right now. But farming and ranching

operations are getting squeezed, due to low commodity prices, just like they were then. And the need for increased credit, in order to expand the diversity, has to be done.

Small family-owned businesses are most affected. We hear about corporate farming, but the fact is, 97 percent of American farms are family-owned farms.

That is why one of the bills that I have introduced is known as the BALE Act, which is to modernize the Guaranteed and Direct Loan program at the USDA to better reflect the costs of farming because times have changed. It is our job here in this House to remember that we are dealing with those rural areas and the farmers that are in them.

Now, this will help the next generation of producers make their mark on the industry. As Republicans and Democrats, we need to work together on more ideas like this one. We need to keep focused on the heartland because these are the red-blooded Americans who love their country and deserve a voice.

By addressing the needs of hardworking families who are too often forgotten, we can strengthen these communities for generations to come. It really is all about the next generation.

Each one of us in this House hopes and prays that this Nation holds and grows, and the next generation has to come up. We need that generation of farmers to make sure that they stay on the farm.

Mr. ARRINGTON. Mr. Speaker, I thank the gentleman from Illinois for his heartfelt comments about rural America. I am so proud to be shoulder to shoulder with him in this righteous cause.

Mr. Speaker, I now have the greatest privilege of the night for me, because this man has been a mentor and a friend for many years and has probably done as much as anybody to welcome me and coach me up so I can represent west Texas to the best my abilities. He is from the 25th District of Texas, and he is an all-American baseball player. Let me tell you, he won back then and he is winning now. I am just so proud that he is on the side of rural America and helping rural America win in the outcomes of public policy so we can keep it strong and vibrant and keep America great.

Mr. Speaker, I yield to the gentleman from Texas (Mr. WILLIAMS).

Mr. WILLIAMS. Mr. Speaker, I thank the gentleman for that nice introduction. I thank him for what he is doing, and I thank him for bringing rural America together tonight in the people's House.

Mr. Speaker, I would like to take this time to recognize rural America and the impact it has on our Nation. Rural America makes up 72 percent of our country's land, and roughly 46.2 million Americans simply call it home.

Our country has been relying on rural America since the beginning. It is where our roots are, where our values are, and where our heritage began.

The 25th District of Texas, which I am honored to represent, has tens of thousands of hardworking men and women who are employed in the agricultural industry. These men and women make up a large driving force that help supply our Nation's families with products we would be unable to get otherwise.

But it is more than that. These folks instill values, such as hard work, ethics, taking days on and not taking days off, doing the right thing, and taking care of your neighbor. This is the fabric of our Nation that is passed on from generation to generation.

Mr. Speaker, I would like to highlight a few specific rural areas in my district that are truly making a difference.

Located in Stephenville, Texas, the Tarleton State University's Southwest Regional Dairy Center is a one-of-a-kind facility. This establishment is home to hundreds of cows that are used for teaching purposes, research for higher education, and directly contributes to the dairy industry in Texas and all of the Southwest. I am proud to represent this unique institution that not only provides goods to our Nation, but also serves as a learning institute, so we can train the dairy farmers of tomorrow.

I would also like to recognize the Comanche Peak Nuclear Power Plant, located in rural Glen Rose, Texas. This power plant has been providing reliable clean power to Texas' electric grid for almost 27 years. Taking up approximately 10,000 acres of land, this plant can power about 1.15 million homes. Their standard of quality is what has made Comanche Peak one of the best nuclear power plants in the Nation, and I am proud to represent it in our district.

It is because of rural places like these and the people that work there that our country is able to run dependably and efficiently. It is why America is the greatest country in the world. And we sometimes think Texas might be the best place in America.

I applaud their efforts, and I look forward to continuing to represent them here in the United States Congress. And I remind you that you need to go see the 25th District. You are going to like it.

But the people in the 25th District just ask several things. They just ask that we believe in the Constitution. They just ask that we have a conscience. They just ask that we listen to them. And they also just ask that we read the Bible. I am proud to represent the people in the 25th District.

In God we trust.

Mr. ARRINGTON. Mr. Speaker, I thank the gentleman from the great

State of Texas. I appreciate his friendship, his mentorship, and that acid test that he taught me when I first stepped foot on the floor of the House of Representatives—your conscience, your constituents, the Bible, the Constitution. If you vote that way, you are going to do right by your children and grandchildren.

Mr. Speaker, I thank ROGER WILLIAMS, a great American.

Mr. Speaker, I have another colleague here. He came here because he feels so passionate about rural America. I am so grateful that he is here.

Mr. Speaker, I yield to my colleague from the great State of Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I thank Mr. ARRINGTON for his dedication to rural America. That is the heartland. I thank him for knowing that and representing his district so well.

Mr. ARRINGTON. Mr. Speaker, I thank the gentleman from Texas for those remarks.

Mr. Speaker, I yield back the balance of my time.

#### HEALTHCARE

The SPEAKER pro tempore (Mr. FITZPATRICK). Under the Speaker's announced policy of January 3, 2017, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, I want to follow along on my Republican colleagues, as they were talking about rural America.

As a son of rural America, I agree with much of what they said about the role of the Federal Government in providing support in so many different ways to rural America. Many of the programs that they were talking about are really found in the effort of the U.S. Government to rebuild rural America following or during the days of the Great Depression.

Mr. Speaker, I want to put up here on my easel one of the key documents. This is actually etched in the marble at the Franklin Delano Roosevelt Memorial here in Washington, D.C. I think it is instructive as we talk about rural America and what is going on in rural America today, and really across all of America.

During the height of the Depression, Franklin Delano Roosevelt said these words:

"The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little."

During those days of the Depression, rural America was hurting, it was devastated, and many of the programs that we just heard about from our Republican colleagues were put in place at that time.

In 2010, the Congress of the United States, together with President Obama, put in place another program that significantly helped rural America. Today—in fact, just a couple of hours ago—the United States Senate moved to remove from rural America the pillar of healthcare that has provided millions of those 46 million Americans in rural America with healthcare.

□ 1830

Through the expansion of the Medicaid program, the Medi-Cal program in California, many of my constituents in rural America were able to get healthcare for the first time, and they were also able to get insurance because of the cost share reduction program where their insurance premiums on the exchanges were reduced to a level that they could afford.

A significant program for rural America is now in jeopardy as a result of the Congress of the United States passing legislation a couple of months ago that would repeal the Affordable Care Act and replace it with whole cloth, ripping apart the Medicaid Expansion program so that across this Nation some 16 million Americans would lose their Medicaid coverage immediately, and more beyond that.

So in the initial year, 2018, 10 million Americans, many of them in rural America, would lose their health coverage. Across this Nation in the out-years, by 2025, 24 million Americans would lose their health coverage as a result of the actions of the Republicans here in Congress.

Today, just a couple of hours ago, the Senate decided to move forward to make it even worse, to repeal and maybe not even replace, so that 32 million people would lose their coverage if that were to happen. Eighteen million in 2018 and 2019 would lose their health coverage under the program that was proposed by the U.S. Senate last week.

Unbelievable that, here on the floor, we heard a discussion about rural America and the needs of rural America.

I am here to tell you, as the son of rural America, I grew up on a ranch 2 miles from a community that had 500 people in it, that had a three-room schoolhouse and just five of us in the eighth grade class. I have raised my children in a community twice as large, a thousand people in rural America, and I know that the people in my community today depend upon the Affordable Care Act, ObamaCare, for the healthcare coverage that they now have.

In California, over 5 million Californians gained coverage. The uninsured rate dropped by 50 percent, from 18 to just over 9 percent.

Why? Why on Earth would we neglect this, these statements, this moral imperative set down by Franklin Delano

Roosevelt. It is not what we are going to do for the wealthy.

And keep this in mind, that the legislation that passed this House and repeated over in the Senate would be the largest transfer of wealth of any legislation ever—ever—by the Congress of the United States, transferring more than a trillion dollars from the men and women who have been able to gain coverage in their healthcare.

This is real money taken out of their pockets as these programs disappear because of the repeal and the replacement: a trillion dollars taken from the working men and women and the poor in America and transferred to the wealthy. That is what the legislation did that passed this House; that is what is being considered in the Senate at this moment: a monumental transfer of wealth, the largest transfer of wealth in any single piece of legislation.

How can it be, if this is the test, not what we are doing for the wealthy, not for those who have much, but, rather, for those in rural America and urban America who have so little?

America ought to be upset. America ought to be outraged at what is happening today.

We need to build America. We need a better America. We need better jobs. We need better wages. We need better healthcare, better education.

That is what we need, but where is this Congress going? It is going in exactly the opposite direction. It is taking money out of the pockets of Americans, rural and urban and everybody in between, transferring a trillion dollars from their pockets to the super-wealthy.

Who are they? Five members, including the President, in the Cabinet of the United States are among the super-wealthy, the 400 wealthiest families in America. They are there in the Cabinet, in the President's office.

What do they stand to gain? A \$4 million, \$5 million, \$6 million, \$7 million reduction in their taxes.

What do the working men and women of America stand to gain? Their healthcare is going to be taken away from them, not just in the reduction of the cost sharing, but also in the fact that, as we know it today, the insurance market itself will be so destabilized, so destabilized by the proposed action of the Senate and the House, that it will really enter a death spiral, because the proposed laws allow the healthy to opt out, and those who need insurance would continue to try to get their insurance in an ever-increasing market of people who have high health expenses. That is called a death spiral.

I know this. I was the insurance commissioner in California for 8 years, and we fought all those 8 years, from 1991 until I left that office in 2006, we fought to try to put in place laws that are now in place as a result of ObamaCare. The insurance companies

cannot discriminate on the basis of preexisting conditions. The fact that you are a woman, the fact that you are older, they cannot discriminate. But the bill that is now being debated in the Senate and will be back here in the House allows for a return to those days of discrimination.

So if you happen to need healthcare, if you happen to have a preexisting condition, if you happen to have high blood pressure, diabetes, or you happen to be 60 years or 50 years of age, you will be hit with a heavy increase in your premiums, perhaps two- to three-fold increases. That is what they are promising Americans.

We can't let it happen. And interestingly enough, America is pushing back. They say: No more. No more. What we want is better healthcare. We don't want to lose our healthcare policy. What we want is better education. We want you in Congress to work on the education systems, on the skills that my children need, your children need to be able to get a decent job.

Americans want higher wages. They don't want their healthcare ripped away as is happening here. They want us to focus on infrastructure. They want us to focus on the well-paying jobs that occur from infrastructure. Better jobs, better wages, better healthcare, better education—that is where we are going.

And by God, we are going to protect the Affordable Care Act and we are going to stand with Americans. We are going to stand with Americans all across this Nation that say: No, we are not going to let it happen.

Mr. Trump, I know that you promised a repeal, but you are wrong, Mr. President, you are wrong.

Mr. Speaker, I pass that message on to the President. You should not take away from working men and women who, for the first time, are able to get their healthcare and are able to afford the private sector market or are able to get on the Medicaid programs. You should not take it away so that you can give, to the superwealthy, a trillion dollars. It is outrageous.

I need to take a deep breath. I am a bit riled up. I am a bit riled up when I hear my colleagues come in and talk about rural America, where I know, from my experience in my district, there is an opioid epidemic and methamphetamines, and I know that those people are dependent upon the Medicaid program that they intend to rip away.

Okay. Calm down, JOHN. Don't get too excited. Don't get too mad. Take a deep breath and turn it over to my colleague from the East Coast.

Congressman TONKO, you and I have been on this floor many times talking about making it in America, about jobs, about making it better for education. Give me a chance to take a deep breath.

Mr. TONKO. Mr. Speaker, I thank the gentleman from California for yielding.

Certainly I understand the anger, Representative GARAMENDI, and I know I am not alone. I know all of my colleagues are hearing the outbursts in our given districts about the foolishness and the hard-heartedness of taking away a very valuable asset. Healthcare coverage is so important now to the American public, but in a particular way, it is near and dear to those who most recently realized that coverage.

I will tell you, being on this floor when the Affordable Care Act was passed, that was a monumental effort. It was difficult to launch that program. It took a lot of hard work, years of messaging, going to hearings, working those amendments that were suggested into the discussion, and making certain that the package met the mission that we embarked upon. So it is important now to make certain that we only go forward and upward from this moment.

Like many programs before the Affordable Care Act—Social Security, Medicare, Medicaid—they were difficult to launch; but unlike those programs, Congress and the Presidents in those given eras came forward and said: Okay. What did we learn from that launch? How can we improve upon the package? How can we strengthen some of the dynamics of concern?

Here we have people, as you indicated, that are not only unwilling to make those reforms possible, but disguising what they call healthcare reform in the name of a tax package for the wealthy. How vulgar is that, when you can sweep the dollars, the savings from denying people healthcare coverage, and utilize it to relieve taxes for those most comfortable in our society? For those 400 households of which you spoke, the on-average relief was on the order of \$7 million. Imagine that: taking away healthcare from people who live paycheck to paycheck in some cases, and using that to provide for tax relief for those most comfortable.

That is not in keeping with the spirit of this legislation. It is not in keeping with the harmony that was necessary to create this legislation.

The spirit was to speak to the fundamental needs of healthcare for individuals and families across this country to be able to get past difficult moments and situations like preexisting conditions, preexisting conditions that can be with an individual toddler from the moment of birth, as we have heard in the news.

This hard-hearted approach, this senseless attitude, this insensitive expression to Americans across this country by these reform efforts, today we know that the United States Senate went forth with a vote to proceed on their efforts. What will it be? Straight-

forward repeal, as the President recommends, where 30-plus million people lose their healthcare coverage, you rip it away from those tens of millions? Or will it be repeal and delay? Or will it be repeal and replace?

So far with the iterations, the versions of healthcare reform that have come forth from this House, that were approved in this House and sent over to the Senate, those devised by the Senate have been heartless.

This is about expressing compassion, about being just and fair.

Just this weekend I was with groups of constituents. The first that comes to mind is a fundraising effort for individuals who live with cystic fibrosis. Before I was even to walk into the room, where hundreds of people gathered to support the efforts for this cause, individual sets of parents came to me and said: Keep up the fight to keep Medicaid in the equation.

□ 1845

Our daughter, our son, can't do it without Medicaid. And these people were proud of their given children, adult children, in some cases, who had graduated with honors, played athletics and were athletes, star athletes in their high school years who, then, earned full scholarships to college. And his daughter made him most proud; he cited that moment of pride when he witnessed her on her campus wheeling her IV to class.

That is what we see out there, motivation, inspiration, respect for people who live with difficult challenges in life. And we were responding as a compassionate society, one that should separate us from the rest of the world because, within our abundance, we want to share that with everybody.

And it is so wonderful, Representative GARAMENDI, that you would bring that quote from the memorial, that speaks to the abundance of those who have where we are, evidently, with some of the constructs of legislation here, adding to that abundance, at the expense of those who have precious little. And so we can do better than this.

One other gathering that I attended was for developmentally disabled, differently-abled individuals whose programs focus and strengthen their abilities; again, people approaching me saying: Keep up the fight for Medicaid.

We cannot, our consumers cannot, do it. Our loved ones cannot do it without Medicaid. And I think the rejection of Medicaid expansion in this House that was offered by this House, by this town, by Washington, to the many States across the country, the rejection by those States, I believe, was sheer politics. And so, we denied people in States who pay Federal taxes the benefits of Medicaid expansion.

What sense does that make? What heart does that show? We are better than that. We are better than that.

Finally, I will say this, because I know we have colleagues who are looking to share their thoughts and their stories. I looked at some constituents this weekend, in the eyes, and in heartfelt conversation said: Do you think it is fair, do you think it is just to rip away healthcare from people so you can afford a tax cut for the very wealthy? Is it fair to deny preexisting condition coverage for individuals? Is it unfair to take it away?

What about the essential health benefits package, those of our neighbors and friends who struggle, who live with mental illness and mental health disorders, those who are dealing with the illness of addiction? Is it fair not to help them?

I looked at them, and I said: Okay, I know who you voted for. This is a nation where we have the freedom of choice. But when we vote for whom-ever, it is also our duty, our responsibility to see if they are acting accordingly. Do you think your candidate of choice is being fair and just?

They couldn't answer me about that situation. They wanted to redirect the conversation. Why?

Because I think it is difficult to say that people, leaders in this town, the President and leaders in the House and the leaders in the Senate, are not listening to America; and so it is unfair to utilize the sweeping of services, of healthcare and response to tens of millions of individuals and families, and utilize those dollars for a tax cut for the wealthy.

We are going to watch this aggressively, with laser sharp focus. The people of America have spoken. They are continuing to speak. They don't like the injustices. They don't like the unfairness. They don't like the calculated ripping away of healthcare insurance for tens of millions of people. Whether it is 30, 23, 22, 21, whatever the iteration, shame on us for allowing something like that to happen.

America deserves to be—as an industrialized nation that did not have access, affordability, and quality of care as givens for many households in this country, they need to express those terms in a much better format.

Mr. Speaker, I thank Representative GARAMENDI for leading us in a discussion this hour to alert people to the fact that the Democrats in this House are still battling for those families that would have healthcare coverage ripped from them so that we can afford a tax cut for the wealthy.

Mr. GARAMENDI. Mr. Speaker, I thank the gentleman from New York.

The view from the great State of New York and the State of California, somewhere in between those two States lies the State of New Mexico. I yield to the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) to share with us the view from the great State of New Mexico.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I want to thank my colleague, Mr. GARAMENDI, and certainly thank Mr. TONKO for their incredible statements about what is really at risk and why it is at risk.

I think it is very important for viewers, and our constituents, and families, to really understand that this is not a healthcare debate. This is not a healthcare reform measure.

Nothing that has occurred and passed in the House or in the Senate has involved serious discussion or debate of any kind of healthcare reform because what this really is, as you stated, is a tax break, not just for the wealthiest of Americans, but for two critical corporations, insurance companies and pharmaceutical companies, who, I assure you, do not need additional tax breaks, who are still making record profits. And when we look at the pharmaceutical industry, in particular, it has been one of the most profitable industries in America's history.

So this is an effort to provide more benefits to the three groups who do not need these benefits; and the way in which they pay for it is to remove healthcare benefits from millions of Americans. And as the gentleman pointed out, 32 million Americans are at risk of losing their healthcare, and many more who are in jeopardy of having to pay far more for the benefits that are necessary and lifesaving.

I really wanted to weigh in because States like mine, rural, frontier, very poor States, in fact, we have the most to lose of any State in the Nation if this draconian measure, which is one step closer, is passed in the Senate after today's procedural vote.

It means \$11.4 billion out of our economy. It is a devastating blow to one of the poorest States in the Nation, who has one of the highest percentages of individuals in Medicaid to the expansion.

For the first time in my lifetime, I am seeing New Mexicans in a position to have access to care, the right care at the right time at the right place. If this country is going to get healthcare right, then we have got to make sure that people have access so we are not the sickest population in one of the wealthiest countries in the world.

The only way that you do that is providing access. We provide access in the Affordable Care Act by giving people subsidies and asking insurance companies to treat their beneficiaries and enrollees fairly, right? Subsidies to afford those premiums, by making sure that they have to cover preexisting conditions, by making sure that they are not making women and other populations pay more for their care.

This is a Congress that has an obligation to address the things that both Republicans in Congress and pharmaceutical companies and insurance companies have done to us, not for us. Pre-

miums are still too often too high; copays still too often too high; and deductibles, still too high.

But is that the fault of the Democrats or an administration that worked to make sure that insurance companies got payments to deal with the rising costs of folks with serious catastrophic illnesses and chronic disease? No, it is Republicans who refuse to continue to fund those risk corridors and those cost-sharing mechanisms.

Did we do anything in this Congress to require pharmaceutical companies who sell the very same drugs for 10 cents on a dollar to nations around the world, to make sure that you got a fair drug price, after your tax dollars helped those same pharmaceutical companies do the research required? And then we give them patent protections to make the most possible money, including now protections on generic brand drugs?

No, we did nothing to hold that industry accountable, which would mean lower costs for consumers.

But what I know happens for sure with this bill is, not only do they rip the rug out from under any of those protections by hardworking New Mexicans and hardworking Americans who deserve the protection and the knowledge that their healthcare will be there for them tomorrow, we also close every rural community health center, every rural hospital at risk in the country, which is why no hospitals, no doctors, no insurance companies, no pharmaceutical companies—because who are they going to sell these proceeds to—are supporting this bill.

And the Senate is ignoring every Republican Governor whose State took up Medicaid, who is saying this is a disaster. They want something else.

Yet this is the path we are under because it would be more important to give tax breaks than to do this—to protect Mr. Templeton in my State, who was diagnosed with prostate cancer in December 2016. He began treatments in January 2017.

He explained in an email that, without the ACA, he is not able to afford any of his treatments. He said: "Am I being sentenced to death by Congress? How many more U.S. citizens are out there like me?"

The answer to Mr. Templeton's question is there are at least 32 million.

As I close with what I think is an outrageous effort by Republicans in the House and the Senate, and by that procedural vote in the Senate, is at the same time they are looking at ripping healthcare away from millions of Americans, they are willing to put \$1.6 billion into a wall that they promised that Americans would not pay for.

Here is an idea. You have got \$1.6 billion to invest; invest that to protect folks with their costs under the ACA. Give more subsidies.

Let's deal with Medicaid fairly. Let's make sure that we drop prescription

drug costs. Let's lower copays. Let's invest in rural community health centers more. Let's have a targeted effort to deal, as you said, with opioid and substance abuse problems that were created by pharmaceutical companies. Let's do that.

If you really care, this is money that would hire more nurses. This is money that would hire thousands more teachers. This is money that would put thousands of New Mexicans and Americans back to work in better, safer, more productive infrastructure for our futures—our very future, Mr. GARAMENDI, Mr. Speaker, at stake by the wrong path and the draconian efforts today in the Senate.

I thank the gentleman for the opportunity to highlight how terrible these efforts are and how important it is for us to encourage our supporters to fight for fairness and justice in this country.

Mr. GARAMENDI. Mr. Speaker, America has been enlightened by the gentlewoman's very forthright statement. The voice of New Mexico has been heard here on the House floor, Ms. MICHELLE LUJAN GRISHAM. I cannot tell you how much I appreciate that message from New Mexico and what it means with the repeal of the Affordable Care Act. Thank you so very much for doing that, a very powerful statement, a very powerful voice on behalf of New Mexicans and Americans.

Somewhere between New Mexico and New York lies the State of Ohio, and, Ms. KAPTUR, you have represented that State so very well for a few years here. We won't say exactly how many years. But over those years, you have always been the voice for the working men and women of Ohio.

Mr. Speaker, I yield to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I thank Congressman GARAMENDI and Congressman TONKO for their comments. It is a pleasure to be with them tonight, and also Congresswoman MICHELLE LUJAN GRISHAM. She really has been such a leader, not just for New Mexico, but for the whole issue of health across our country. I am really pleased to join all of them.

And I will just say, as a member of the Appropriations Committee, the American people should know, this past week we tried very hard to pass an amendment that would simply ask the executive branch to report back to us on how much money we were spending as a country in Medicare, Medicaid, at the VA, the Department of Defense, for certain classes of drugs in our country.

Now, don't you think it would be right for us to know, since we are spending tax dollars, that if we are spending more money on, let's say, a diabetic medicine than a heart medicine, whatever medicine it is, it would be good for us to do cost accounting to go back and look at what we are paying?

Do you know we were not able to get that simple reporting-back amendment on how much pharmaceuticals are costing the people of the United States, because the Republican members of our committee blocked it.

□ 1900

Ms. KAPTUR. They voted "no." They don't want to know how much the American people are spending through their tax dollars at the Federal level because the goal is to figure out how this money was being spent and to hold those companies responsible to look at what costs were over time and so forth.

It is amazing and it is really wrong what the pharmaceutical industry is doing to the people of this country. They are killing people. People cannot afford the medicine that they need.

Yesterday, and I give this as homework, in *The New York Times*, there was a great story titled, "When Health Law Isn't Enough, the Desperate Line Up at Tents." It was written by what must be a brilliant young reporter named Trip Gabriel, and it reported about a charity group in our country called the Remote Area Medical Expedition. They were in Wise, Virginia, somewhere south of here.

What it is is a group of charitable citizens who are in optometry. They are doctors. They are dentists. They donate their time over a weekend, and they go to places in our country that don't have medical care.

So no American should assume that everybody has care and that everybody has insurance, even with the current system.

I will tell you, if you want your eyes opened, read that story.

Over one weekend, over 2,000 people came. There were people there who were diabetic who had no medication. One woman, they reported in the story, came with a dispenser for insulin, but the needle was broken. Her glucose reading was over 500.

They talked about people who were there for glasses. They couldn't afford glasses. One woman was diagnosed with vision of 20/100 in one eye, and they were looking for glasses that would fit her.

They had a gentleman who was coughing, and he thought he had black lung disease. It turned out what he really had was sleep apnea. Finally somebody diagnosed what his problem was.

They start out with the story about a gentleman who showed up at that event, and he took them to the trunk of his car and showed them the pliers he was using to rip out his teeth because he had so many decayed teeth and he hadn't been to the dentist in years. They had dentists. They had all kinds of physicians. They had nurses trying to help people.

I read that article and I thought: This is America? This is America?

Here are just the first few sentences, if I might. It says: "Anthony Marino, 54, reached into his car trunk to show a pair of needle-nosed pliers like the ones he used to yank out a rotting tooth."

"Shirley Akers, 58, clutched a list of 20 medications she takes, before settling down to a sleepless night in the cab of a pickup truck."

"Robin Neal, 40, tried to inject herself with a used-up insulin pen, but it broke, and her blood sugar began to skyrocket."

"As the sun set in the mountains of southwest Virginia, hundreds of hurting souls were camped out or huddled in vehicles, eager for an early place in line when the gates swung open at 5 a.m. for the Nation's largest pop-up free clinic."

That free clinic is called the Remote Area Medical Expedition. I just read that. There were several photos in the paper. This is America.

So, for the Senate, particularly the leader of Senate who comes from Kentucky, a State that is noted to have very poor medical care, where there are large rural areas where many people, including those who are single who get none of this coverage—right? The single are especially discriminated against—how that could be pushed forward by someone from the State of Kentucky, I simply don't understand it.

And here in this House, where we tried so hard to save the Affordable Care Act and to make necessary changes to it, a lot of those changes are needed in these rural States that don't have enough people to really set up a large enough exchange. We need to lump two or three States together so you get a pool that is insurable. We know how to fix this. But we don't need to take more people off health insurance, millions and millions and millions, because we have millions who still are uninsured, and we have industries like the pharmaceutical industry fighting us against trying to get affordable medications to our constituents.

I want to thank you for being here tonight and for fighting the good fight for the American people. Really, to have almost a trillion dollars of money given away over the next 10, 15 years to the wealthiest people in our country? You know what? They have doctors. They can afford insurance. Frankly, they don't need more money. They might benefit by a little less money, actually. Their heirs certainly would. We need a little rigor out there, even among the wealthy in our country, to help us to heal this Nation and to deal with its real medical problems.

I will just say this. We were checking today on the diabetic costs across our country. One facility in Ohio, just one veterans facility, over 30,000 veterans in that facility have been diagnosed with diabetes. Many, many of those

veterans go for the treatment of dialysis in order to help them to deal with their condition. For 1 year, that treatment costs \$100,000. Over a 10-year period, it costs \$1 million per person who goes through dialysis.

Imagine if we were able to prescribe food as medicine, which hospitals are doing in many places, and help people learn how to not become so severely diabetic. We would save so much money across this country, including with our veterans. And more important than money, we would save their lives. We would save the amputations. We would save all of the costs that diabetes incurs over the years. So people would learn how to be healthier.

I want to thank you for being here. I am proud of you two gentlemen, Congressman GARAMENDI and Congressman TONKO. You are honorable gentlemen. You have come here from both ends of the country, New York and California. We are here tonight because we know what the American people want. They want affordable healthcare. They want affordable medicine. They are willing to do their part, and nobody should be left out.

We can find that answer as the United States of America. We don't have to accept this set of death panels that they are figuring out over there in the Senate: who is going to die, who is not going to have health insurance, who is going to be shortchanged. Because when that wheel of fortune turns, you never know who in your family is going to get sick. You simply don't know, and no one should be without coverage.

I thank you for being here on the floor tonight and for doing what the American people expect us to do, and that is to defend and protect them.

Mr. GARAMENDI. Ms. KAPTUR, thank you for your comments. For years you have been the strong voice of working men and women in the State of Ohio. Thank you for bringing us the message from mid-America.

Also, in your wrap-up, you began to talk about the issue of prevention. One of things that the Affordable Care Act does so very well—ObamaCare, if you will—is prevention, particularly for seniors. There is a free annual healthcare checkup for seniors as a result of the Affordable Care Act.

When seniors get that healthcare checkup, they also are able to understand that they have high blood pressure, incipient diabetes or other illnesses that ultimately, as Ms. KAPTUR so correctly pointed out, become extraordinarily expensive if they are not treated.

One other fact is that the Medicaid program in America, more than 50 percent of the total expenses in the Medicaid program are for men and women who are in the nursing homes. We are not just talking about families and children. We are talking about the el-

derly that are being cared for in nursing homes.

Now, the result of the repeal of the Affordable Care Act and the reduction of the Medicaid expenditure is that those men and women who are in the nursing homes will no longer have the support to keep them in a nursing home.

So what comes of those men and women? What happens to them if they are no longer able to have care in a nursing home?

Just let that question hang there because it is a question that our Republican colleagues and the Senate must answer, because the repeal and replace legislation or repeal legislation and wait legislation goes right to the heart of the Medicaid program and the support that enables those seniors in nursing homes to receive that service.

In addition to that, what comes of the Medicare program? We know that the Medicare program solvency was significantly increased to about 15 years. It is not going to go bankrupt in the near term as was predicted before the Affordable Care Act but, rather, extended into the out-years. So the solvency of the Medicare program would be reduced, and the free medical checkups, we are not sure whether they would be able to continue or not.

So it is not just men and women who are not yet 65 years of age, but it is men and women who are 65 that would see significant pressure on the services that they now receive, and quite probably reductions in the services that they would receive both in the Medicare as well as in the Medicaid program.

Mr. TONKO, why don't we chat for a few moments back and forth here.

You in New York, you are faced with the same problems that my constituents in California would be faced with, and that is a repeal seriously hurts people, I mean, physically hurts them. They will not be able to get the medical services that they currently have.

I yield to the gentleman from New York.

Mr. TONKO. I thank the gentleman from California for yielding, and, Representative GARAMENDI, I am so honored to associate my comments with those of yours, to connect with you in this effort to make certain that we stop this foolishness coming from this House and the United States Senate that totally rejects the pleas of Americans across this country to make certain that the dynamics that drove the Affordable Care Act still stay in place, and that being affordability, accessibility, and quality of care. Those are such essential forces. They are the underpinning of the foundation of the Affordable Care Act.

When I heard your expression of concern here tonight and pinpointing those various elements of the positive reinforcement that comes from the Af-

fordable Care Act legislation, hearing the voice of two Congresswomen here from New Mexico and Ohio on the floor joining us, it reminds me that our force is the essential force on the Hill in Washington to make certain that the people's voices are heard. There is anger out there, there is injustice, there is unfairness, and it has to be addressed.

I am proud of the efforts that have been made in my State. I know that you talked about the progress in California. In New York, I am proud of what the Governor, Governor Cuomo, and the legislature did in building those exchanges. It took response from each of the 50 States to make this work, or at least we had hoped each State would respond fully. But in New York, we are managing that effort through sound exchanges.

I get worried when I see tweets from the President when things didn't work for awhile in the Senate, when they couldn't move forward with the repeal or repeal and delay or repeal and replace: Well, we will just let the Affordable Care Act die of its own right.

What are you talking about? That sounds to me like a poor attitude, one that wouldn't do the very best to underpin, through the agencies that are connected to this legislation, to reinforce the markets out there. That is part of this response.

When I hear an attitude like that expressed, I am concerned about what the voice over to these agencies will be saying: Look, we need to be a good partner, a sound partner, an effective partner with the Affordable Care Act.

I don't know if we would get that. So that worries me if your attitude is let it just die and crumble. Why? Why can't you put the American public before politics?

Let's do our best effort. Let's, in earnest, do our best. Let's be genuine in our approach.

I think it is absolutely incredible. You know, as the Republicans, Representative GARAMENDI, in the Senate race to pass TrumpCare, a bill that would rip coverage away from tens of millions of people, perhaps as many as 30 million—if you would allow me to share a few stories from my district, I think it is so important to put a face onto these discussions. I have documented some of the recent stories we have heard from constituents.

Cathryn, a 30-year-old in my district, left work to return to school to pursue graduate studies in social work, and she used the ACA exchange, their plans, to bridge gaps in employer-based coverage.

□ 1915

The ACA plans provided her with essential preventative healthcare services and ensured that a major health event would not leave her bankrupt as she was doing what we asked people to

do: develop your talent and your skills to serve the general public.

So she was pursuing graduate studies. The security and affordability of Catherine's ACA plan was tremendously reassuring, allowing her to take risks in order to build a career in service to others. That is what the ACA afforded Catherine to do, a 30-year-old in my district.

Robert, a 52-year-old in my district, purchased insurance on a healthcare exchange while suffering from diabetes. Before buying an exchange plan, Robert spent hundreds and hundreds of dollars each month just to purchase insulin, and no other health coverage.

Because of the ban on discrimination that could be utilized against him based on his preexisting conditions, Robert can now afford a health plan that covers himself and his family.

A couple of other examples, if you will allow me.

Tracey, a 38-year-old from my district, a certified nursing assistant, needs multiple drug prescriptions to treat preexisting conditions, including diabetes. The Affordable Care Act has made it possible for Tracey to get health coverage for herself and her family. Without the ACA, Tracey would not be able to pay her doctors or her drug companies. As recently as January, Tracey was still paying off old bills for her medical care.

This has provided hope for people. We need to make certain we don't have people digging deeper into their pockets for healthcare coverage. We want to relieve that pressure that is upon them. We want to make prescription drugs affordable. We want to make certain that efficiencies are there in the system so we can save, but get the care to people.

That is the difference that we need to cite here. The contrast is that we are trying to make this ACA better and make it work, and we are asking for a bipartisan, bicameral, executive legislative partnership to make it better. Is that too much to ask?

Let me share one more story.

Elliot, a 56-year-old in the 20th Congressional District of New York lost his job in September last year after his company made a massive layoff, even though he just started his job. So through no fault of his own, he lost his employment. Elliot was then left to figure out how to support himself and his 19-year-old son who was a Syracuse University student. A COBRA plan would have cost \$2,000 a month. Because of Medicaid, Elliot and his son now have quality health coverage as Elliot continues to look for work and his son is pursuing his college education.

These are real stories, real hardships, real challenges, real help, real assistance that has come in the way of these families. We don't need to take that good news and suffocate it. We need to build upon these stories.

Now, Senate Republicans are racing to pass a bill that would open the doors to less coverage, rip it away from tens of millions of people, and in many ways perhaps provide for an imposition of lifetime limits on care.

What does that do?

It is a death sentence for far too many people. It would impact severely upon those who are struggling with cancer—working their hardest to defeat that, working with their doctor, their medical community to defeat that impact of cancer in their lives—heart disease, and other long-term illnesses.

My friends, this is about being a compassionate voice. It is about utilizing the advancements in medical care, technology, making affordable our healthcare system, making affordable prescription drug costs.

There is improvements that we want to make, not give a tax cut for the rich, which has been a terrible response. People would say: Oh, the Affordable Care Act is not working.

So if there were improvements required, be fair, be only honest with the public you represent, be there for them.

Finally, the last point I will make right here is Medicaid and the changing profile of Medicaid in many of our States. In New York, people need to see where the growth in Medicaid is. And because we have a disproportionate senior population in upstate New York, you are seeing the growth of Medicaid the farther north you go.

I ask my colleagues to be sensitive to their constituent base. Don't be heartless. Don't be cruel in the outcome. Walk away from this.

The silence is deafening at times when it comes to some of the proposals being sent by leadership in this House and in the Senate. Silence is not what is called for here. Outspoken rejection of some of these harsh measures is what we need, and bipartisan cooperation, bicameral activity is what will serve the public best.

So I thank the gentleman for yielding. I thank him for bringing us together in what is a very important discussion here in this Special Order.

Mr. GARAMENDI. I thank Mr. TONKO so very much for his comments. He covered the issues very well.

I want to go to two issues really quickly that need to, I think, be wrapped up here.

First of all, the President talks about the Affordable Care Act dying, and it is not going to make it. That could happen because of actions that he is specifically telling the administration to take.

There are three different areas, one of which is being very late in providing the cost-sharing funding programs for those people who are purchasing insurance. It is discretionary right now. We ought to make that mandatory and not

given the President the option of not providing those funds. If those funds are not provided, then, yes, the exchanges will collapse.

Secondly, we know that there is the cross subsidization from one insurance company to another called reinsurance that tries to balance out the risk pool of each individual insurance company. Some insurance companies, for many different reasons, wind up with a very high risk, high cost population. Others are able to have a very low risk. The risk needs to be balanced out between those two. If that is not done, then there will be a death spiral amongst the insurance companies.

Thirdly, under the Affordable Care Act, people are mandated to buy insurance or else pay a penalty. That penalty is enforced by the Internal Revenue Service, which has been specifically given instructions by the President not to enforce the law. That will lead to those young and healthy invincibles not buying insurance because there is no penalty. That will cause the insurance pool to become more risky and, again, start that death spiral that is so much talked about.

The death spiral can be avoided, and the Affordable Care Act is drafted and written in such a way as to avoid it. So my plea to the President is: Use the law. Do not cause the Affordable Care Act to collapse.

Mr. Speaker, please pass on to the President that the President has within his power to maintain the Affordable Care Act. He also has within his power to cause the Affordable Care Act to collapse.

Now, the final point—and help me with this, Mr. TONKO—is that the Democrats have known for 5 years that there are improvements that need to take place within the Affordable Care Act, and we have pleaded with our Republican colleagues to allow those improvements to take place. We have had a deaf ear from our Republican colleagues. So as we go into this possible crisis, let it be known that the Democrats are seeking improvements in a variety of areas. We heard about the drug prices. I know, Mr. TONKO, you were talking in your earlier presentation about some of the improvements that can be made. So jump in here. Interrupt me, if you will.

Mr. TONKO. To repeat what my colleague just said, I will say that we want to work with the American public. We have said over and over again that it is about affordability, accessibility, quality of care. Share with us the improvements that you think will work. Let us know of the hurdles in the road that you have faced.

Remind us that Medicaid serves the needs of our parents and grandparents in nursing homes. Remind us that those who are born with challenges in life are served well by healthcare coverage and Medicaid. Remind us that



those living with developmental disabilities, showcasing their abilities requires Medicaid to make it work; chronic illnesses requiring an insurance clause that addresses preexisting conditions, building upon an essential health benefits package.

We are with you. We walk with you. We raise our voices with you. We lift our hearts with you. We want to be victorious with you and for you. Let's not let them rip away this health insurance for the opportunity to provide tax cuts for the very wealthy.

Again, I thank the gentleman for the opportunity to speak forcefully in this given Special Order. It is so important to save the Affordable Care Act, make it stronger, and respond to the needs of people across this country who are speaking out.

Mr. GARAMENDI. I thank Mr. TONKO so very much, once again, from the East Coast and the West Coast, I hope, to a message that America has listened to.

I just looked out here in the audience and I noticed that our colleague from Texas is here to speak.

Mr. Speaker, I yield to the gentleman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank Mr. GARAMENDI for yielding. I was detained at another meeting, but I could not help but conclude our very important Special Order.

And I do want to emphasize that we have a better deal. We have the opportunity to be able to stabilize the markets.

We heard from Mr. COHEN today, who is from the great State of California, who says: The Affordable Care Act does work. Subsidies do work. And if we go the route of the Senate—the tragic vote today—Americans will wind up paying more for premiums than their own income.

So I join in saying we can fix and stabilize—fix the Affordable Care Act, stabilize the healthcare system, and ensure that 49 million people do not lose their insurance by 2026; or with the Senate bill, 32 million don't lose their insurance.

So I simply conclude with this: I met with a family who has an autistic child—a young woman who wants to live on her own. She can't do that without the Affordable Care Act.

I met with a young man by the name of Matthew, who spent \$700,000 over a 2-year period because he has a chronic illness; \$73,000 on his medication in the last 6 months. The American people need us to do for them what the government can do, and that is to ensure a healthcare system for all.

That is what the Affordable Care Act's underlying premise is. That is what Democrats have as their message. Mr. GARAMENDI, I believe in saving lives. That is what I want to do with the Affordable Care Act.

Mr. GARAMENDI. Mr. Speaker, I thank Ms. JACKSON LEE very much for her comments.

Indeed, we do look for a better deal, better jobs, better wages, better education. That is our goal, and we can do that.

Mr. Speaker, I yield back the balance of my time.

#### TRIBUTE TO FORMER CONGRESSMAN RALPH REGULA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Ohio (Mr. GIBBS) for 30 minutes.

#### GENERAL LEAVE

Mr. GIBBS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the topic of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GIBBS. Mr. Speaker, I rise to pay tribute to a good friend who passed away last week: the former Congressman from Ohio, Ralph Regula.

Ralph Regula served in this body for 36 years, from 1973 to 2009. He ran in 1972 to replace former Congressman Frank Bow. He got on the Appropriations Committee in 1975, and I remember him telling the story of how that happened. When Gerald Ford was in the leadership here in the House, he praised former President Gerald Ford for getting him on the Appropriations Committee, in which he became a cardinal, in all the many years he was on the Appropriations Committee.

Some major things that he helped do in his time here in Congress were: he found funding for the Cuyahoga Valley National Park; he formed the Ohio and Erie Canal National Heritage Corridor; and he worked with his wife to create the National First Ladies' Library in Canton.

Having had many conversations with him over the years, I know all the work he did to support the National Institutes of Health, medical research, and also National Parks around the country that he so treasured.

Last week, when Congressman Regula passed away, he left his wife, Mary, and three grown children: Martha, Richard, and David.

Congressman Regula was born December 3, 1924, in Beach City, Ohio.

From 1944 to 1946, he served in the United States Navy. He earned his undergraduate degree from the University of Mount Union in 1948, where The Ralph and Mary Regula Center of Public Service and Civic Engagement is housed.

He earned his law degree in 1952, and went to law school at night while working as a teacher.

□ 1930

He also served on the Ohio State Board of Education from 1960 to 1964.

He served in the Ohio senate. He was elected in 1966, and he served in the Ohio house one term when he was elected in 1964.

During his time in the State house, he created the Northeast Ohio Medical University complex and Stark State College, which is paying many dividends to the residents of northeast Ohio.

Ralph was a good friend, and he always made sure that the staff knew that constituents came first. He even had a lapel pin button made up to remind his staff. He truly did. So my little memento that I remember was when I came here in the early 1980s, representing as a farmer in the Ohio Farm Bureau, we had an appointment at that time, and Ralph was my Congressman. Ralph was a farmer, too, and loved his beef cattle. He was an early riser. We had an early meeting well before 8 a.m. Another county Farm Bureau president from Wayne County and I got there in his office, Steve Grimes, and Ralph Regula said to us: Did you guys eat breakfast yet?

We said: No.

He said: Come with me.

I guess he took us down to the Members' dining room. I remember this because I brought this picture. How I got this picture was one of the agricultural media reporters tagged along and took this picture. It was in one of the local agricultural papers back in Ohio. My parents were so proud of the fact that our Congressman—my Congressman—would meet with us and take us to breakfast in the Capitol that they called the paper and got the print, and they framed it.

A few years ago, I had the privilege to speak at the McKinley Day Dinner in Stark County when I was redistricted in that area. Ralph and Mary were there. I brought this picture and passed it around to show them. Of course, this picture is 33 years old. What is really neat about it is we both had brown hair. I remember Ralph and Mary got a big kick out of that.

Another time that I remember that was really a treasure is he had Senator THAD COCHRAN come to his house one weekend, and he invited all the agricultural leaders from the district to have breakfast there one Saturday morning. I remember that quite well as a great experience.

A lot of people said that Ralph Regula cared. He really did care. He really cared about the constituents he represented. He was a true public servant.

Another issue is he had a relationship at the time with President Reagan. They hit it off really good because they got talking about their farms. Of course, Ralph Regula had a beef cattle farm outside of Navarre, Ohio, in Stark County. They were talking about how to build fence. Ralph used to tell that story, and you can tell that he held that dear to him.

I first met Congressman Regula in 1974. He was the commencement speaker at the first graduating class which I was in at the Ohio State University Agricultural Technical Institute in Wooster, and Ralph was a fairly new Congressman at the time. But he came and spoke. I remember that. That was my first chance to get to know Congressman Regula at the time.

I do have here some notes from his former staff. I just want to read them because I think words say a lot. Ralph left an impression not just on his constituents but also on his staff.

Susan Ross, who worked for Congressman Regula, offered some insight and stories about Ralph.

Ralph's motto was "Constituents First," according to Susan. One day, Ralph got a frantic call from a woman whose daughter was gravely ill in Mexico. She needed help immediately, as she didn't have a passport and couldn't find her birth certificate. By the next day, she was on her way to Mexico to help her daughter return to the U.S. Ralph made sure that his constituent could get a copy of her birth certificate and called the State Department to get her a passport within just a few hours. Considering the bureaucracy of government, this is a minor miracle. That is how committed he was to the people of Ohio.

Ralph would go out of his way to help people. Ralph had a red pickup truck, and after the September 11 attack in 2001, he drove it home with the luggage of several constituents who were stranded here because of the attacks and no way to rent a car and obviously the planes were not flying.

A former schoolteacher himself, he would say to the teachers: The lower the grade, the more you should be paid; and when you look out at your class, you have 30 little mirrors looking back at you.

Susan wrote: We are so grateful for the chance to work alongside and learn from this giant of a man. His accomplishments are legendary, and his legacy can be seen across all of Ohio. It was an honor and privilege to call him our boss.

When former staff members say those kinds of things about their former boss, that says a lot.

I had the privilege to know Ralph for three decades. Two of those decades he was my Congressman, and then the last decade he wasn't because of redistricting. I had a different Congressman and a different congressional district. Then 4 or 5 years ago now, redistricting, they moved me into the Stark County, Ohio, area, and Ralph became a constituent of mine. There were a few times here a few years ago that Ralph came in and visited me in the office, and we had some great conversations.

It seemed a little strange because I can remember, in the 1980s and the 1990s, I would be visiting Ralph here in

the Rayburn Building for pork producers in the Farm Bureau talking about agricultural policy and talking to another farmer who is also a Congressman, too. Those are fond memories that I will treasure for the rest of my life.

I think that we are so glad that so many are standing out here tonight to pay tribute to Congressman Ralph Regula because he was a true public servant and loved his constituents, loved Stark County, Ohio, and loved his farm. So it is a privilege to make a few remarks tonight to pay tribute to him for his 36 years of service in this Chamber and this body and all the service he did throughout his life to help the people of Stark County, Ohio, the 16th Congressional District in the State of Ohio, and the United States.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. TIBERI) who is from the Columbia area and who served some of the time here when Congressman Regula was here.

Mr. TIBERI. Mr. Speaker, I thank Congressman GIBBS for yielding.

The Akron Beacon Journal, a few days ago, wrote an extraordinary editorial about Ralph Regula. The last paragraph sums Congressman Regula up best: "What would benefit Congress and the country today are more lawmakers like Ralph Regula, devoted to their districts without losing sight of the larger picture. He wasn't just superb at legislating. He delivered what governing requires." I couldn't say it any better.

We in Ohio lost a truly wonderful person, a great American. Ohio has lost three of them in the last year who I served with here in the United States Congress who made this body a better place and who made this country a better place: nearly a year ago, Steve LaTourette from northeastern Ohio; earlier this year, Mike Oxley; and now Ralph Regula.

Ralph Regula was the dean of the delegation even before I got here, and he was the dean of the delegation when I came here in 2001. One of the great things that Ralph Regula did on our side of the aisle when we were in the minority and then when we were in the majority is he strategically placed members of our team from Ohio throughout all the committees. So you had people on the Appropriations Committee, you had people on the Ways and Means Committee, on the Energy and Commerce Committee, and on the Armed Services Committee. Ralph was so thoughtful that way trying to make sure that we represented our State in all sorts of ways.

I got to know Ralph mostly sitting in that corner with Dave Hobson, Ralph Regula, and Steve LaTourette. The dean of the delegation didn't speak loudly. He often spoke softly, but his words were meaningful—and usually right. He was a thoughtful guy who

cared about our State, who cared about our country, and who taught so many of us how to legislate not just on the Appropriations Committee, but actually how to get things done. I have fond memories of the lessons that he gave us on an ongoing basis.

I only got to serve with Ralph for 8 years. There are others in the room who got to serve with him a lot longer. But it is safe to say what the Akron Beacon Journal said is right: He knew how to get things done.

He did it in a bipartisan way, he did it with his constituents in mind, and he did it because it was the right thing to do.

There is a long list of things that he accomplished and that got done. He didn't brag about it. He just did it in his soft-spoken, nice, gentlemanly way. The gentleman from Navarre contributed and gave more than he ever got. His former staff knows, the former Members on both sides know it, and he will always be remembered for that great spirit that he had around this place—a true gentleman describes the gentleman from Navarre. It was an honor and a privilege to serve with him.

Mr. GIBBS. Mr. Speaker, I yield to the gentleman from Ohio (Mr. STIVERS).

Mr. STIVERS. Mr. Speaker, I rise today in memory of an incredible leader from my home State of Ohio but also for the United States: Congressman Ralph Regula. He was a teacher, a patriot, and a veteran. He served during World War II in the United States Navy. He had been a schoolteacher and a school principal, and he devoted his life to public service.

His career in government began with service in the Ohio house of representatives and the Ohio senate before he came to Congress in 1972. For nearly four decades in Congress, Congressman Regula became known as a leader who was willing to reach across the aisle to get things done—to compromise—both on Capitol Hill and with the White House. He worked to pass legislation that helped his district and the American people.

His spirit of bipartisanship carried throughout his career when he remained an outspoken advocate, even in his retirement, for bipartisanship. He was truly an example of how to get things done.

Through his role on the House Appropriations Committee, he served as an important advocate for Ohio, including funding for the Cleveland Clinic and support for the Great Lakes. He was the quintessential example of what it means to be a public servant.

Mr. Speaker, my thoughts go out to his wife, Mary, and the rest of his family.

Mr. GIBBS. Mr. Speaker, I yield to the gentleman from Ohio (Mr. LATTA) who is from Bowling Green, Ohio.

Mr. LATTA. Mr. Speaker, I thank the gentleman for yielding. I, too, would like to express my sympathies to Mary and all the Regula family on Ralph's passing.

I got to know Ralph a long time ago because my dad served here for 30 years. Dad was elected in 1958, Ralph was elected in 1972, and toward the end of their terms that they were here together—of course, Ralph served on for 36 years—their offices were very close to one another. I know that in those days sometimes you had a little more time than we seem to have today, but folks could actually go to one another's office and sit down and chat. I know that Dad and Ralph were very good friends.

What has been said by my other colleagues is true; Ralph worked hard. He served his district well, he worked hard, he did his job, he served the people of his district, and he served the people of this country.

At all times, though, he always was a gentleman. I know that for a fact because I know that when I was younger, I always liked to be able to come here with my dad, I was able to sit in a lot of meetings, and Ralph was an incredible individual.

One of the things that my dad always said was that there was always a difference in life between people who wanted to be politicians and public servants. Dad said that it was very simple: A politician is a person who sees how much they can take from the people they represent for their own benefit, while public servants see how much they can give of themselves to the people they represent. Ralph did this over and over and over again, giving of himself.

Marcia and I do want to express our regret to Mary and all of Ralph's family on his passing because, again, we have lost a great friend, a great colleague, and it is tough to say goodbye.

Mr. GIBBS. Mr. Speaker, I am sure the gentleman shares a lot of childhood memories running around here with his dad being a Congressman and Congressman Regula for all those years.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. CHABOT) who is from the Cincinnati area.

Mr. CHABOT. Mr. Speaker, I want to thank Mr. GIBBS for organizing this Special Order here this evening in which we are honoring Ralph Regula, our former colleague.

I had the pleasure of serving with Congressman Regula for 14 years here in this great institution.

Ralph Regula was truly a gentleman in the truest sense of the word. He served Ohio and our Nation with a dignity and grace that few will ever match. When I think of the phrase "disagreeing without being disagreeable," I think of Ralph Regula.

□ 1945

Ralph was a lot of things. He was an attorney, a teacher, a school principal,

a veteran, a farmer, and a loving husband, father, and grandfather. But perhaps most of all, he was dedicated to serving the people of the 16th Congressional District and his country.

He was born in Beach City, Ohio, in 1924—the same year my mom was born, by the way. Ralph first served his country, as my father did, in World War II. My dad was in the Army and served in Europe. Ralph was in the Navy from 1942 to 1946 during World War II.

Ralph then graduated from Mount Union College in Alliance, Ohio, where he met his wife, Mary, and later obtained his law degree from William McKinley School of Law in Canton.

Ralph had a passion for education. Before getting into politics, he served his community as a schoolteacher, as I also did. He was then a principal and even ran for the Ohio Board of Education.

As a former teacher myself, as I mentioned, I know the time you spend with students helps shape the way you view the world. Ralph was no different. He brought those experiences with him here to Washington, D.C., and put his passion to work on the Appropriations Committee.

Prior to being elected to Congress, Ralph got his start in politics as a member of the Ohio House of Representatives and, later, the Ohio Senate. In 1972, he ran for Congress and won, beginning a long and impressive congressional tenure.

Ralph served 18 terms, 36 years, and he was a leader on the Appropriations Committee. In that role, he helped to shape the country, but he never forgot where he came from: Stark County, Ohio.

Back in 1998, Ralph and his wife, Mary, were instrumental in the establishment of the National First Ladies' Library in Canton, and they both remained very involved in the library's operations over the years.

Many Ohioans and Cantonians remember him for his staunch support of Stark County's park system, the Cuyahoga Valley National Park, and the Towpath Trail.

While many around the Nation will remember Ralph Regula as an important figure on the Appropriations Committee, a role he served in for many, many years, I will remember him as a respected colleague and someone I was proud to call a friend.

Ralph was a soft-spoken, old-school gentleman. By the time I was elected to Congress back in 1994, Ralph Regula was the dean of the Ohio delegation. A few years after Congressman Regula retired, I became the dean of the Ohio Republican delegation, and I tried to model my approach to the role that he set. He set a great example for all of us who serve here in the House because he truly was a gentleman.

Tonight, as we remember our former dean, I hope that we also remember his

ability to work across the aisle. Ralph always treated everyone with respect and genuinely listened to the viewpoints of others. He believed that bipartisanship was a virtue and would work tirelessly to find common ground. I think we can all learn from his example.

I would note that MARCY KAPTUR, who is one of our more respected Democratic colleagues in the House, is here this evening. I think it is a tribute to the bipartisanship that Ralph Regula showed over the years. I know that she worked not only with him, but with many of us in a bipartisan manner. That is just the way that Ralph Regula operated.

Mr. Speaker, Ralph Regula was a decent, hardworking family man who was dedicated to Ohio, and particularly the 16th Congressional District and the people of Stark County. He was a public servant and a role model. He will be deeply missed.

To Ralph's wife, Mary; his daughter, Martha; his sons, David and Richard; and the entire Regula family, please know that we are saddened by your loss. We share that loss. We appreciate the time that you allowed Ralph to serve our Nation. You are in our thoughts and our prayers. God bless you all.

Mr. GIBBS. Mr. Speaker, I yield to the gentlewoman from Toledo (Ms. KAPTUR), who serves on the Appropriations Committee and who, I am sure, has some interesting tales to tell about Congressman Regula.

Ms. KAPTUR. Mr. Speaker, I thank the kind gentleman for yielding, and I thank him for arranging this Special Order this evening. I thank Congressman CHABOT for his kind words and all the Members who have come to pay tribute to our beloved colleague, Ralph Regula.

Mr. Speaker, I rise tonight to honor my late friend and respected colleague who served 18 terms and was a gentleman farmer, the very Honorable Congressman Ralph Regula of Ohio. Ralph passed away earlier this month in Bethlehem Township, Ohio. He was 92.

To his beloved wife, Mary, for whom we all hold deep affection, and their family—Martha, Richard, David, and their children—please let me extend heartfelt sympathy and deepest affection.

I had the privilege of serving with Ralph for 26 years, many of those on the Appropriations Committee.

As others have mentioned, Ralph Straus Regula was born in Beach City, Ohio, on December 3, 1924, right before the Great Depression.

In 1948, he graduated from Mount Union College in Alliance, Ohio, and went on to receive a degree in law as a night student from William McKinley School of Law in Canton, and then went on to serve in the United States Navy during World War II.

Some of my memories of Ralph include him pulling into the congressional garage on so many occasions in his spiffy red pickup truck, always thinking about what was happening back in Ohio on his farm. That truck had many purposes.

So many evenings we were in the same building and I could see him walking down the hall with Mary, his wife, well after 9 p.m. in the evening after having put in a very long day here in Congress.

The press never reports about the Members who are dutiful and do their work. They generally focus on those who run into a little bit of trouble or get into a fracas, but Ralph Regula was the type of citizen who holds this Republic together.

He was first elected in 1972 and was a longstanding, prominent figure in our body, serving 36 years in the House by the time of his retirement. At the time he retired, he was dean of the Ohio delegation and number three in seniority on the Republican side of the powerful Appropriations Committee. His service embraced the tenure of seven U.S. Presidents.

As a lawmaker, Ralph was a champion of cross-party collaboration, as others have referenced, and he was a moral compass in an era of personal enrichment. Ralph is remembered as a hardworking, constructive, affable, intelligent, and effective Member. He set a very high standard.

I tried to write words that remind me of Ralph—certainly “talented,” “honest,” “hardworking,” “sensible,” “understated,” “straightforward,” and “even-tempered.”

If you never met him, he was sort of a cross between Andy Griffith and Robert Redford. He was even-tempered and not vindictive—and he had reason to be vindictive. He described himself as a conservative in spending but a progressive in programs.

A proud Canton resident, he worked tirelessly to honor the legacy of his hometown hero, President William McKinley. Regula sought to preserve the fellow Ohioan's memory by fighting to keep the name Mount McKinley for the summit in Alaska, homage to the man who represented his same district.

During my time in the House, I have had the pleasure of serving alongside Ralph on the Appropriations Committee, where he was distinguished for sensible solutions that worked for Americans and for Ohioans.

When he served on the Labor, Health, and Human Services Subcommittee, he instructed me, when I got to Congress: This is where you really help people.

Ralph was dedicated to that. He had such a heart, but he didn't wear it on his sleeve. He supported working people. There are many votes he cast in favor of the minimum wage. His father was a coal miner. He understood what

it was to do that kind of work for a living.

On the centennial of the Metro Parks' creation, we remember his adoration and commitment to our public lands, founding one of northeast Ohio's proudest landmarks, the Cuyahoga National Valley Park. He dedicated so many of his years to creating that park, the Ohio and Erie Canal system, and expanding that park to among the top 10 most visited in the United States of America.

He attended to Ohio while he attended to the Nation. He had the guts to pass new user fees for all national parks to raise money to improve them, so he was thinking of the future.

He was the founder and leader of the Steel Caucus in this House—that was one of the first places that I met him—and an early and effective voice about foreign dumping and about the importance of manufacturing in America, the importance of that steel industry and having fair trade among nations.

With his wife, Mary, he was instrumental in creating the National First Ladies' Library in Canton, Ohio, a most amazing place, with important untold stories about valorous women in our country that, for years, had been largely hidden from the public.

I recommend that the public go to the website of that library and just read about the First Ladies of this country—not just who they were, but what they endured. I learned so much that I didn't know.

Ralph brought phenomenal experience to his public service. Others talked about how he had practiced law, serving in the Navy, held a degree in business administration, served as a school administrator, a teacher, a principal, State legislator, and served on the Ohio Board of Education. He was so level-headed.

An article in the *The Washington Post* reported that he introduced language in appropriations bills and procedural maneuvers to fight efforts to change Alaska's Mount McKinley name. Obviously, he held the seat that was once occupied by President McKinley, the 25th President, who, sadly, was assassinated in 1901.

As a graduate of the old William McKinley School of Law in Canton, Mr. Regula did not want to see the name of his fellow Buckeye erased from the tallest peak in North America. Ralph said: The law says it is Mount McKinley, and no President can change the law by the flick of a pen.

When he set his mind to it, he prevailed. His vast experience on the legislative front led him and drove his successful efforts to invest millions and millions of dollars in the improvement of healthcare for the American people, as well as Ohio institutions such as the Cleveland Clinic, University Hospitals, Case Western Reserve University, and MetroHealth.

He championed the Great Lakes and fought mightily to find a way to clean up coal. I can remember being on the Republican side of the aisle. He said: Congresswoman KAPTUR, you have got to help me clean up coal.

He was always looking for a way to try to make life better. He advocated for the National Endowment for the Arts. He worked to clean up Florida's Everglades and led the construction of the popular children's farm here in Washington at the National Zoo.

When people come to public service at the national level, they learn that it is very hard to accomplish things over a brief period of time. It takes a long time. It takes decades to do something of merit. Ralph certainly achieved that.

In 2010, the *Cleveland Plain Dealer* quoted him. I will end my tribute to him this evening with a quote that he gave to the *Plain Dealer*. He said: “Inflammatory rhetoric may satisfy the partisans, but it does little or nothing to move the legislative ball to the goal line.” He was talking about the necessity of breaking legislative gridlock and advocating bipartisan compromise.

I think by Congressman BOB GIBBS being on floor tonight, by my being on the floor tonight, in a bipartisan spirit, giving tribute to Ralph Regula, this is a life that Members of Congress can learn from: real achievement, real merit, real honor. He brought real meaning to the word the “Honorable” Ralph Straus Regula.

May God let him rest in peace and bless his spirit.

Mr. GIBBS. Mr. Speaker, in closing, we heard tonight that we will miss Ralph Regula. He was a dedicated public servant. He didn't grandstand. He worked hard, and he got the job done for the people of Ohio and the people of this country. We will sorely miss him.

Best regards to his beloved wife, Mary, and three children and the rest of the Regula family. It was an honor and privilege to know Ralph Regula.

Mr. RENACCI. Mr. Speaker, I join my colleagues today to offer my tribute on behalf of my predecessor, mentor, and most importantly my friend, the late Congressman Ralph Regula. We not only had the chance to share the same district but we celebrated the same birthday, something that always made our connection feel stronger.

Congressman Regula represented the 16th District of Ohio in the United States House of Representatives from 1973 until his retirement in 2009. For thirty-six years and eighteen terms, Ralph Regula brought common-sense, Ohio values to Washington each and every day.

Ralph came to Washington, often in his ubiquitous red pickup truck, to do a job for the American People. His was an office held in trust for a time and then relinquished with grace when that season of his life was over.

Ralph Regula began his career as a teacher and grade school principal. Throughout his long career in public service he always encouraged students who approached him to

"Learn something new every day". It was more than advice: it was a heartfelt wish that every young person he met would embrace a lifetime of learning and go on to become the very best versions of themselves.

As a public servant, Ralph Regula was a thoughtful, conscientious man of the people. From humble beginnings as village solicitor in Navarre, Ohio, Ralph brought his experience as an educator to the Ohio Board of Education, and from there, to the Ohio state house where he served in the Ohio House of Representatives and the Ohio Senate. In 1972, Ralph Regula was elected to Congress to represent the 16th District of Ohio, an office he always said he held in trust for the people he represented back home in Ohio. His constituents sent him back to Washington eighteen times, asking for and receiving his best service and judgment on their behalf in the People's House.

In Congress, Ralph Regula served most of his tenure in the Committee on Appropriations. Ralph would say he was one of the keepers of America's checkbook. In that role, Ralph brought his own brand of fiscal conservatism to bear on the great issues facing the United States. As chairman of the Committee on Appropriations Interior subcommittee, Ralph was instrumental in securing the future of Cuyahoga Valley National Park.

I have no doubt that Ralph Regula will be remembered for many things during his time in Congress. I think his sense of fairness and his bi-partisan approach to lawmaking will, no doubt, be among the best attributes recalled by his friends and colleagues. Debate ended at the doors to the House, but the friendship always endured.

Ralph was foremost, though, a family man. The great love of his life, Mary, was his partner through thick and thin. Partners in all things, Ralph and Mary built a life together and raised three wonderful children: David, Richard and Martha.

In closing, Mr. Speaker let me just say this: It truly was the honor of a lifetime to know Congressman Ralph Regula and call him my predecessor, mentor, and my friend. He will be dearly missed by all.

Mr. RYAN of Ohio. Mr. Speaker, it was my distinct honor and privilege to have served in the House of Representatives with Ralph Regula, who passed away on Wednesday, July 19, 2017.

In 2007, I became a member of the Committee on Appropriations where Ralph had served for many years. He was Chairman of the Subcommittee on Interior and later as Chairman of the Labor and Health & Human Services Subcommittee. Ralph taught me a lot about how to achieve success in the Committee by working together cooperatively with Republicans and Democrats alike.

Ralph was the Dean of the Ohio Delegation and I often heard him tell the story of the Cuyahoga Valley National Park. The Park was established in 1974 with Ralph's leadership and his partners John Seiberling and Charles Vanik. I particularly recall his story of how the law was signed. Ralph understood that Secretary of the Interior Rogers Morton opposed the Park and was recommending that President Gerald Ford veto the bill. Ralph called former National Republican Committee Chair-

man Ray Bliss of Akron and asked him to call the President to explain the importance of the Park in Ohio and to point out that the Park could be a political issue in the Presidential campaign. President Ford saw the wisdom in the advice and signed the bill into law.

Ralph was born on December 3, 1924 in Beach City, Ohio. Ralph served in the Navy during World War II and graduated in 1948 from what is now known as the University of Mount Union in Alliance, Ohio. Originally, a teacher and principal who attended law school at night, Ralph served in the Ohio House and Senate before his election to an open Congressional seat in 1972. Ralph was married to his wife Mary for 66 years, and together they shared three adoring children.

Ralph was an important voice in protecting important education programs including Pell Grants and health care programs including investment in medical research. Ralph helped to establish the Ohio & Erie Canalway, which include towpaths and historic sites. He also secured funding to help establish the National First Ladies' Library, which was founded by his wife Mary and located in Canton, Ohio.

Many friends and family members of the Congressman will be gathering to ride the Ohio and Erie Canal Towpath Trail from Cleveland to Zoar this Friday. Ralph's son Richard Regula will be leading this fitting commemoration in celebration of Congressman Regula's legacy.

Ralph was always a champion of bipartisanship, oftentimes stating, "Listening to the points of view of others, finding common ground to cooperate and making friends on the 'other side of the aisle' helps to achieve ultimate success."

I extend my deepest condolences to Ralph's family and friends. He was a true patriot who leaves behind a positive legacy in both Washington and Ohio. He will be deeply missed.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 8 p.m.), the House stood in recess.

□ 2139

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOODALL) at 9 o'clock and 39 minutes p.m.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3219, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 115-259) on the resolution (H. Res. 473) providing for consideration of the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30,

2018, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### ADJOURNMENT

Mr. COLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 40 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 26, 2017, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2076. A letter from the Secretary, Department of Defense, transmitting a letter authorizing Captain Daniel L. Cheever, United States Navy, to wear the insignia of the grade of rear admiral (lower half) while serving as Commander, Naval Aviation Warfighting Development Center, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

2077. A letter from the Attorney-Advisor, Legal Division, Consumer Financial Protection Bureau, transmitting the Bureau's Major final rule — Amendments to Federal Mortgage Disclosure Requirements under the Truth in Lending Act (Regulation Z) [Docket No.: CFPB-2016-0038] (RIN: 3170-AA61) received July 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

2078. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Minority and Women Inclusion Amendments (RIN: 2590-AA78) received July 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

2079. A letter from the Secretary, Department of Education, transmitting the Department's final regulations — Elementary and Secondary Education Act of 1965, As Amended by the Every Student Succeeds Act—Accountability and State Plans [Docket ID: ED 2016-OESE-0032] (RIN: 1810-AB27) received July 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

2080. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's Fiscal Year 2015 and Fiscal Year 2016 Distribution of Funds Under Section 330(r)(3) of the Public Health Service Act Report to Congress; to the Committee on Energy and Commerce.

2081. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-101, "Medical Marijuana Certified Business Enterprise Preference Temporary Amendment Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

2082. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-100, "Closing of a Public Alley in

Square 2960, S.O. 15-53893, Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

2083. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's 2017 Annual Performance Plan, pursuant to 31 U.S.C. 1115(b); Public Law 111-352, Sec. 3; (124 Stat. 3867); to the Committee on Oversight and Government Reform.

2084. A letter from the Acting Associate Administrator for Legislative and Intergovernmental Affairs, National Aeronautics and Space Administration, transmitting the Administration's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

2085. A letter from the Secretary, Department of Transportation, transmitting the Department's Status of Actions Addressing the Safety Issue Areas on the National Transportation Safety Board's (NTSB) Most Wanted List, pursuant to 49 U.S.C. 1135(e)(1); Public Law 103-272, Sec. 1(d) (as amended by Public Law 111-216, Sec. 202(b)); (124 Stat. 2351); to the Committee on Transportation and Infrastructure.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 3178. A bill to amend title XVIII of the Social Security Act to improve the delivery of home infusion therapy and dialysis and the application of the Stark rule under the Medicare program, and for other purposes; with an amendment (Rept. 115-254, Pt. 1). Ordered to be printed.

Mr. HENSARLING: Committee on Financial Services. H.R. 2246. A bill to repeal the mandatory flood insurance coverage requirement for commercial properties located in flood hazard areas and to provide for greater transfer of risk under the National Flood Insurance Program to private capital and reinsurance markets, and for other purposes; with an amendment (Rept. 115-255). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2053. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to enhance and support mining and mineral engineering programs in the United States by funding activities at mining schools, and for other purposes; with an amendment (Rept. 115-256). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2939. A bill to prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture, and for other purposes (Rept. 115-257, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 3210. A bill to require the Director of the National Background Investigations Bureau to submit a report on the backlog of personnel security clearance investigations, and for other purposes;

with an amendment (Rept. 115-258). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE: Committee on Rules. House Resolution 473. Resolution providing for consideration of the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes (Rept. 115-259). Referred to the House Calendar.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Agriculture discharged from further consideration. H.R. 2939 referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FARENTHOLD:

H.R. 3377. A bill to prohibit importation of seafood products of countries that do not prohibit the practice of shark finning, and for other purposes; to the Committee on Ways and Means.

By Mrs. WALORSKI (for herself, Ms. DELBENE, Mr. JOHNSON of Ohio, Mr. RUIZ, and Mr. SESSIONS):

H.R. 3378. A bill to amend title XVIII of the Social Security Act to require reporting of certain data by providers and suppliers of air ambulance services for purposes of reforming reimbursements for such services under the Medicare program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COFFMAN (for himself, Mr. CICILLINE, Mr. FASO, and Mr. TAKANO):

H.R. 3379. A bill to amend the Internal Revenue Code of 1986 to provide for an increase in the earned income tax credit for individuals with no qualifying children, and for other purposes; to the Committee on Ways and Means.

By Ms. VELÁZQUEZ (for herself, Mr. ELLISON, Ms. JAYAPAL, Mr. DEFazio, Ms. SHEA-PORTER, Mrs. CAROLYN B. MALONEY of New York, and Mrs. WATSON COLEMAN):

H.R. 3380. A bill to cancel the registration of all uses of the pesticide chlorpyrifos, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DANNY K. DAVIS of Illinois (for himself, Ms. LEE, Ms. ROYBAL-ALLARD, and Mr. CONNOLLY):

H.R. 3381. A bill to establish in the Administration for Children and Families of the Department of Health and Human Services the Federal Interagency Working Group on Reducing Child Poverty to develop a national strategy to eliminate child poverty in the United States, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. CLARK of Massachusetts (for herself and Mr. BUCSHON):

H.R. 3382. A bill to amend the Public Health Service Act to better address substance use and substance use disorders among young people; to the Committee on Energy and Commerce.

By Mr. ESTES of Kansas:

H.R. 3383. A bill to designate the flood control project in Sedgwick County, Kansas, commonly known as the Wichita-Valley Center Flood Control Project, as the "M.S. 'Mitch' Mitchell Floodway"; to the Committee on Transportation and Infrastructure.

By Mrs. HARTZLER:

H.R. 3384. A bill to amend the Richard B. Russell National School Lunch Act by repealing the paid lunch equity requirements; to the Committee on Education and the Workforce.

By Mr. SAM JOHNSON of Texas (for himself, Mr. SCHWEIKERT, and Mr. CURBELO of Florida):

H.R. 3385. A bill to require the Commissioner of Social Security to update the medical-vocational guidelines used in disability determinations; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas (for himself and Mr. KELLY of Pennsylvania):

H.R. 3386. A bill to amend titles II and XVI of the Social Security Act to provide for quality reviews of benefit decisions, and for other purposes; to the Committee on Ways and Means.

By Mr. HARPER:

H.R. 3387. A bill to amend the Safe Drinking Water Act to improve public water systems and enhance compliance with such Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LATTA (for himself and Ms. SCHAKOWSKY):

H.R. 3388. A bill to provide for information on highly automated driving systems to be made available to prospective buyers; to the Committee on Energy and Commerce.

By Ms. BARRAGAN:

H.R. 3389. A bill to give priority in allocation of rental assistance vouchers under the Veterans Affairs Supported Housing program of the Department of Housing and Urban Development to areas having the largest populations of homeless veterans, and for other purposes; to the Committee on Financial Services.

By Ms. CASTOR of Florida (for herself and Mr. SOTO):

H.R. 3390. A bill to amend the Higher Education Act of 1965 to reduce the interest rate caps for Federal Direct student loans, to eliminate loan origination fees on all Federal Direct student loans, and to provide for refinancing of Federal Direct student loans and Federal family education loans; to the Committee on Education and the Workforce.

By Mr. HARRIS (for himself, Mr. BLUMENAUER, Mr. GRIFFITH, and Ms. LOFGREEN):

H.R. 3391. A bill to amend the Controlled Substances Act to make marijuana accessible for use by qualified marijuana researchers for medical purposes, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Louisiana:

H.R. 3392. A bill to provide for stability of title to certain land in the State of Louisiana, and for other purposes; to the Committee on Natural Resources.



By Mr. TED LIEU of California (for himself, Mr. CARTWRIGHT, and Ms. KUSTER of New Hampshire):

H.R. 3393. A bill to increase cybersecurity education and job growth, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committees on Ways and Means, Education and the Workforce, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. McMORRIS RODGERS (for herself, Mr. CARTER of Georgia, Mr. HECK, Mr. KENNEDY, Mr. KHANNA, Mr. LAMALFA, Mr. MCGOVERN, Mr. O'HALLERAN, Mr. RASKIN, Mr. VELA, Mr. YOUNG of Iowa, Mr. CAPUANO, Mr. CARTWRIGHT, Mr. CROWLEY, Mr. DENHAM, Mr. ESPAILLAT, Mr. FASO, Ms. JENKINS of Kansas, Mr. KILMER, Mr. MOULTON, Mr. NEWHOUSE, Mr. TAKANO, Mr. VALADAO, Mr. COHEN, Mr. CONYERS, Mr. COURTNEY, Mr. DANNY K. DAVIS of Illinois, Mr. DEFAZIO, Ms. DELAURO, Ms. DELBENE, Mr. GARAMENDI, Mr. LARSEN of Washington, Mr. LONG, Mr. LUCAS, Mr. MARINO, Mr. MURPHY of Pennsylvania, Mr. NOLAN, Ms. ROSLEHTINEN, Mr. RUSH, Ms. SCHAKOWSKY, Ms. SEWELL of Alabama, Ms. WILSON of Florida, Mr. SERRANO, Ms. TSONGAS, Ms. BONAMICI, Mr. RUIZ, Ms. CLARK of Massachusetts, Mr. COLE, Mr. ROGERS of Kentucky, and Mr. LARSON of Connecticut):

H.R. 3394. A bill to reauthorize section 340H of the Public Health Service Act to continue to encourage the expansion, maintenance, and establishment of approved graduate medical residency programs at qualified teaching health centers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MEEHAN (for himself and Mr. NORCROSS):

H.R. 3395. A bill to amend the Internal Revenue Code of 1986 to allow tax free distributions from section 529 college savings plans for certain expenses associated with registered apprenticeship programs; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 3396. A bill to amend the Internal Revenue Code of 1986 to change the classification of employers and employees for services providers; to the Committee on Ways and Means.

By Ms. ROSEN (for herself, Mr. KNIGHT, Mr. EVANS, Mr. MEEKS, Mr. TONKO, Ms. HANABUSA, Mr. BEYER, Ms. ESTY of Connecticut, Mr. CRIST, Ms. SLAUGHTER, and Mr. SOTO):

H.R. 3397. A bill to direct the National Science Foundation to support STEM education research focused on early childhood; to the Committee on Science, Space, and Technology.

By Mr. YOUNG of Alaska (for himself and Ms. GABBARD):

H.R. 3398. A bill to amend the Real ID Act of 2005 to permit Freely Associated States to meet identification requirements under such Act, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. JACKSON LEE (for herself, Mr. COHEN, Ms. HANABUSA, Mr. GUTIÉRREZ, Mrs. CAROLYN B. MALONEY of New York, Mr. CASTRO of Texas, Mr. TED LIEU of California,

Mr. CLEAVER, Mr. BUTTERFIELD, Mr. LEWIS of Georgia, Mr. CONNOLLY, Mr. MEEKS, Mr. RASKIN, Mrs. LAWRENCE, Ms. BASS, Mr. KRISHNAMOORTHY, Mr. KILDEE, and Mr. BEYER):

H. Res. 474. A resolution expressing disapproval of any action by the President to remove the Special Counsel investigating Russian interference in the 2016 Presidential election and opposition to the granting of pardons to any person for offenses against the United States arising out of Russia's activities to bring about the election of Donald J. Trump as President of the United States; to the Committee on the Judiciary.

By Mr. POLIQUIN (for himself and Mr. HECK):

H. Res. 475. A resolution expressing support for the designation of the month of September 2017 as "National Month for Renters"; to the Committee on Financial Services.

### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. FARENTHOLD:

H.R. 3377.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

By Mrs. WALORSKI:

H.R. 3378.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. COFFMAN:

H.R. 3379.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I and the 16th Amendment to the U.S. Constitution.

By Ms. VELÁZQUEZ:

H.R. 3380.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

By Mr. DANNY K. DAVIS of Illinois:

H.R. 3381.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Ms. CLARK of Massachusetts:

H.R. 3382.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. ESTES of Kansas:

H.R. 3383.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of

and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mrs. HARTZLER:

H.R. 3384.

Congress has the power to enact this legislation pursuant to the following:

Article I: Section 8: Clause 3 The United States Congress shall have power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. SAM JOHNSON of Texas:

H.R. 3385.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution, to "provide for the common defense and general welfare of the United States."

By Mr. SAM JOHNSON of Texas:

H.R. 3386.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution, to "provide for the common defense and general welfare of the United States."

By Mr. HARPER:

H.R. 3387.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. LATTA:

H.R. 3388.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Ms. BARRAGAN:

H.R. 3389.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Ms. CASTOR of Florida:

H.R. 3390.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution

By Mr. HARRIS:

H.R. 3391.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. JOHNSON of Louisiana:

H.R. 3392.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, clause 2

By Mr. TED LIEU of California:

H.R. 3393.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of the U.S. Constitution.

By Mrs. McMORRIS RODGERS:

H.R. 3394.

Congress has the power to enact this legislation pursuant to the following:

To regulate Commerce as enumerated by Article I, Section 8, Clause 1 of the Constitution

By Mr. MEEHAN:

H.R. 3395.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.



By Mr. PAULSEN:

H.R. 3396.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution.

By Ms. ROSEN:

H.R. 3397.

Congress has the power to enact this legislation pursuant to the following:

Clause 8 of Section 8 of Article I of the Constitution

By Mr. YOUNG of Alaska:

H.R. 3398.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 and Article 4, Section 3, Clause 2.

### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 36: Mr. CARTER of Georgia.  
 H.R. 37: Mr. HARPER.  
 H.R. 44: Ms. GABBARD and Mrs. WALORSKI.  
 H.R. 52: Mr. CLAY.  
 H.R. 112: Mr. LAWSON of Florida and Mr. GAETZ.  
 H.R. 126: Mr. POCAN.  
 H.R. 149: Ms. CLARKE of New York, Mr. RUSH, and Mr. GONZALEZ of Texas.  
 H.R. 150: Mr. GONZALEZ of Texas.  
 H.R. 256: Mr. CARTER of Georgia.  
 H.R. 350: Mr. POLIQUIN and Mr. FRANCIS ROONEY of Florida.  
 H.R. 380: Mr. CARTER of Georgia.  
 H.R. 432: Mr. LARSON of Connecticut.  
 H.R. 444: Ms. SLAUGHTER and Mr. SOTO.  
 H.R. 465: Mr. DAVIDSON.  
 H.R. 490: Mr. GALLAGHER.  
 H.R. 564: Mr. WOODALL.  
 H.R. 692: Mr. CARTER of Georgia.  
 H.R. 718: Mr. CARTER of Georgia.  
 H.R. 754: Mrs. LOVE, Mr. CARTWRIGHT, Ms. ESHOO, Mr. HILL, Mr. SIRES, Mr. HASTINGS, Mr. SERRANO, and Miss RICE of New York.  
 H.R. 771: Ms. ROSEN.  
 H.R. 772: Mr. ROUZER.  
 H.R. 785: Mr. FLEISCHMANN and Mr. CRAWFORD.  
 H.R. 820: Mr. CAPUANO and Mr. LONG.  
 H.R. 825: Mr. CURBELO of Florida.  
 H.R. 846: Mr. PRICE of North Carolina.  
 H.R. 849: Mr. JOHNSON of Louisiana.  
 H.R. 850: Mr. GRAVES of Missouri, Mr. LAMBORN, and Mrs. WAGNER.  
 H.R. 873: Mr. CARTER of Georgia, Mr. QUIGLEY, Mr. ABRAHAM, and Ms. HERRERA BEUTLER.  
 H.R. 918: Ms. ESTY of Connecticut.  
 H.R. 986: Mr. VALADAO.  
 H.R. 997: Mr. WITTMAN.  
 H.R. 1002: Mr. BOST.  
 H.R. 1057: Mrs. ROBY, Mr. HOLDING, and Mr. ROTHFUS.  
 H.R. 1094: Mr. COOPER.  
 H.R. 1124: Mr. FLORES and Mr. POLIQUIN.  
 H.R. 1133: Mr. CARTER of Georgia.  
 H.R. 1136: Mr. COLLINS of Georgia.  
 H.R. 1227: Mr. KHANNA.  
 H.R. 1264: Mr. RATCLIFFE.  
 H.R. 1267: Mr. GENE GREEN of Texas.  
 H.R. 1281: Mr. SIRES and Mr. LARSON of Connecticut.  
 H.R. 1291: Mr. SMITH of Washington.  
 H.R. 1298: Mr. WALZ.  
 H.R. 1300: Mr. HIGGINS of New York.  
 H.R. 1307: Mr. CARBAJAL and Mr. LARSEN of Washington.  
 H.R. 1339: Mr. WALBERG.  
 H.R. 1360: Mr. SMITH of Texas.

H.R. 1400: Mr. FERGUSON.

H.R. 1406: Ms. FRANKEL of Florida, Mr. JOYCE of Ohio, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. MCSALLY, and Mr. SERRANO.

H.R. 1436: Mr. BANKS of Indiana.

H.R. 1444: Ms. ROSEN.

H.R. 1470: Mr. COFFMAN.

H.R. 1494: Mr. UPTON, Ms. DELAURO, Mr. FERGUSON, Mr. FRELINGHUYSEN, Mrs. LOWEY, and Mr. SOTO.

H.R. 1555: Ms. LOFGREN and Mr. LUCAS.

H.R. 1645: Mr. STIVERS.

H.R. 1650: Mr. LANGEVIN.

H.R. 1676: Mr. CURBELO of Florida and Mr. QUIGLEY.

H.R. 1697: Mr. WILLIAMS, Mr. BRADY of Texas, Mr. BUDD, Mr. DIAZ-BALART, and Mr. LONG.

H.R. 1698: Mr. JODY B. HICE of Georgia and Ms. GABBARD.

H.R. 1731: Mr. MARINO and Mr. GIBBS.

H.R. 1739: Mr. KHANNA, Ms. BROWNLEY of California, Mr. KIND, and Ms. MOORE.

H.R. 1795: Mr. LEWIS of Georgia and Mr. SMITH of Washington.

H.R. 1810: Mr. KHANNA.

H.R. 1825: Mr. POLIQUIN.

H.R. 1828: Mrs. NOEM.

H.R. 1846: Ms. KUSTER of New Hampshire and Mr. MCGOVERN.

H.R. 1861: Ms. VELÁZQUEZ.

H.R. 1868: Mr. TAKANO.

H.R. 1896: Mr. FORTENBERRY.

H.R. 1897: Mr. FORTENBERRY.

H.R. 1902: Mr. SABLÁN.

H.R. 1963: Mr. RASKIN.

H.R. 1999: Mr. CARTER of Georgia.

H.R. 2004: Mr. HIGGINS of Louisiana.

H.R. 2016: Mr. COHEN.

H.R. 2030: Mr. GONZALEZ of Texas.

H.R. 2040: Mr. FERGUSON.

H.R. 2044: Mr. LOESACK.

H.R. 2051: Mr. RENACCI.

H.R. 2123: Mr. JONES.

H.R. 2158: Mr. NORCROSS.

H.R. 2193: Mr. MARSHALL and Ms. SÁNCHEZ.

H.R. 2234: Mr. SMITH of Washington.

H.R. 2261: Mr. KHANNA.

H.R. 2276: Mrs. BLACKBURN.

H.R. 2286: Mr. CURBELO of Florida.

H.R. 2291: Mr. KILMER.

H.R. 2298: Ms. JENKINS of Kansas.

H.R. 2307: Ms. MOORE.

H.R. 2315: Ms. VELÁZQUEZ and Ms. MCCOLLUM.

H.R. 2318: Mr. NORCROSS.

H.R. 2326: Mr. COSTELLO of Pennsylvania and Mr. CONNOLLY.

H.R. 2327: Mr. CARTER of Georgia, Ms. LOFGREN, Mr. MOULTON, Mr. ROSKAM, and Mr. LOUDERMILK.

H.R. 2340: Mr. YOUNG of Alaska and Mr. PETERSON.

H.R. 2408: Mr. CURBELO of Florida and Ms. SLAUGHTER.

H.R. 2450: Mr. TIBERI.

H.R. 2465: Mr. KENNEDY, Mrs. NAPOLITANO, Mr. RUSH, Ms. MATSUI, and Mr. COURTNEY.

H.R. 2472: Mr. SOTO, Mrs. McMORRIS RODGERS, and Mr. KHANNA.

H.R. 2478: Mr. MCHENRY.

H.R. 2491: Mr. SCHNEIDER.

H.R. 2499: Mr. CUMMINGS.

H.R. 2501: Mr. GALLEGO.

H.R. 2526: Mr. NORCROSS.

H.R. 2591: Mr. THOMAS J. ROONEY of Florida.

H.R. 2617: Mr. RUTHERFORD.

H.R. 2641: Mr. MOONEY of West Virginia and Mr. PAULSEN.

H.R. 2666: Mr. SCHWEIKERT and Ms. MCSALLY.

H.R. 2670: Mr. CUMMINGS.

H.R. 2683: Mr. CRIST.

H.R. 2692: Mr. COHEN.

H.R. 2705: Mr. CARTER of Georgia.

H.R. 2713: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 2719: Mr. BEYER, Ms. WASSERMAN SCHULTZ, Mr. HECK, Mr. CRIST, Mr. DEUTCH, and Mr. MOULTON.

H.R. 2723: Mr. BANKS of Indiana, Mr. LABRADOR, Mr. LONG, Mr. MCCAUL, Mr. LAMBORN, Mrs. NOEM, and Mrs. WAGNER.

H.R. 2740: Mr. MCGOVERN, Ms. BONAMICI, Ms. KUSTER of New Hampshire, Mr. BUDD, Mr. CLAY, Mr. BRADY of Texas, and Mr. MCEACHIN.

H.R. 2771: Mr. VALADAO.

H.R. 2790: Mr. JONES, Mr. LOWENTHAL, Mr. RUPPERSBERGER, and Mrs. MURPHY of Florida.

H.R. 2819: Mr. BRAT.

H.R. 2820: Mr. FITZPATRICK and Ms. STEFANIK.

H.R. 2821: Mr. BLUMENAUER.

H.R. 2830: Mr. LIPINSKI, Mr. FASO, Mr. COFFMAN, and Mr. BEYER.

H.R. 2832: Mr. PARENTHOLD, Mr. WALKER, Mr. PITTENGER, and Mr. BANKS of Indiana.

H.R. 2851: Mr. GOTTHEIMER and Mr. FITZPATRICK.

H.R. 2864: Mr. WILLIAMS, Mr. HILL, and Mr. MESSER.

H.R. 2890: Mr. ROSKAM, Mr. KIND, and Mr. FOSTER.

H.R. 2899: Mr. CUMMINGS.

H.R. 2901: Mr. REICHERT.

H.R. 2902: Mr. BLUMENAUER and Mr. POLIS.

H.R. 2903: Mr. SOTO.

H.R. 2925: Mr. HUFFMAN.

H.R. 2933: Ms. WILSON of Florida, Ms. BONAMICI, and Mrs. BUSTOS.

H.R. 2936: Mr. VALADAO and Mr. WALDEN.

H.R. 2946: Mr. WALZ.

H.R. 2968: Mr. BLUMENAUER.

H.R. 2976: Ms. JUDY CHU of California.

H.R. 2978: Mr. NEAL.

H.R. 2996: Mr. SMITH of Texas, Mr. PARENTHOLD, Mr. LUETKEMEYER, Mr. PITTENGER, Mr. GRAVES of Missouri, Mr. LAMBORN, Mr. BISHOP of Michigan, and Mrs. WAGNER.

H.R. 2999: Mr. POCAN and Ms. ESHOO.

H.R. 3011: Mr. WITTMAN.

H.R. 3024: Ms. CLARK of Massachusetts.

H.R. 3035: Mr. HIMES and Mr. COURTNEY.

H.R. 3048: Mr. PETERSON.

H.R. 3053: Mr. COHEN and Mr. ROUZER.

H.R. 3055: Mr. LOUDERMILK.

H.R. 3056: Mr. LOUDERMILK.

H.R. 3089: Mr. BLUMENAUER.

H.R. 3100: Mr. O'HALLERAN, Mr. CUELLAR, Mr. CRIST, Mr. COSTA, Mr. LIPINSKI, Mr. BISHOP of Georgia, Mr. CORREA, Mr. GONZALEZ of Texas, Mrs. MURPHY of Florida, Mr. SCHNEIDER, and Mr. THOMPSON of California.

H.R. 3107: Mr. WITTMAN.

H.R. 3110: Mr. DELANEY, Mrs. CAROLYN B. MALONEY of New York, Ms. SINEMA, and Mr. CURBELO of Florida.

H.R. 3111: Ms. BARRAGÁN, Mr. MCGOVERN, and Ms. MCCOLLUM.

H.R. 3117: Mr. JOHNSON of Louisiana.

H.R. 3152: Mr. SCOTT of Virginia.

H.R. 3199: Mrs. DINGELL, Ms. CLARKE of New York, and Ms. JUDY CHU of California.

H.R. 3205: Mr. O'ROURKE.

H.R. 3227: Ms. GABBARD.

H.R. 3236: Mr. JOHNSON of Louisiana.

H.R. 3261: Ms. STEFANIK.

H.R. 3265: Mr. COOK.

H.R. 3269: Ms. SLAUGHTER and Mr. PASCRELL.

H.R. 3274: Mr. BUCSHON, Mr. AMODEI, Mr. MOOLENAAR, Mr. BYRNE, Mr. DOGGETT, Mr. KING of New York, Mr. COSTA, Mr. HOYER,

Mr. JOHNSON of Georgia, Ms. JACKSON LEE, and Ms. KUSTER of New Hampshire.

H.R. 3282: Mr. STIVERS, Mr. LUCAS, Mr. ALLEN, Mr. YOUNG of Iowa, and Mr. LAMALFA.

H.R. 3284: Mrs. DEMINGS and Mr. KING of New York.

H.R. 3285: Mr. CURBELO of Florida.

H.R. 3300: Ms. LOFGREN.

H.R. 3301: Mr. HOLDING.

H.R. 3314: Mrs. NAPOLITANO, Mr. RASKIN, Mr. EVANS, and Ms. SCHAKOWSKY.

H.R. 3316: Ms. ESTY of Connecticut, Mr. KHANNA, and Ms. SLAUGHTER.

H.R. 3324: Mr. CONNOLLY.

H.R. 3329: Mr. FITZPATRICK.

H.R. 3330: Mr. LOUDERMILK and Mr. PITTENGER.

H.R. 3332: Mr. KIND, Ms. ESTY of Connecticut, Mr. MCGOVERN, Ms. PELOSI, Mr. KENNEDY, Mr. KILMER, Mr. HOYER, Mr. SCHRADER, Mr. LIPINSKI, Mr. NEAL, Mr. CRIST, Ms. DEGETTE, Ms. JACKSON LEE, Mr. CLEAVER, Mr. BLUMENAUER, Mr. SEAN PATRICK MALONEY of New York, Ms. ROYBAL-ALLARD, Mr. WELCH, Mr. LEWIS of Georgia, Mr. BUTTERFIELD, and Mr. THOMPSON of California.

H.R. 3361: Mr. THOMPSON of California, Mr. RUSH, and Ms. ESTY of Connecticut.

H.R. 3364: Mr. COHEN and Mr. SMITH of New Jersey.

H.J. Res. 113: Mr. CARBAJAL.

H. Con. Res. 28: Mr. FASO.

H. Con. Res. 59: Ms. LOFGREN, Mr. CRAWFORD, and Ms. ROYBAL-ALLARD.

H. Con. Res. 70: Mr. ALLEN.

H. Con. Res. 72: Mr. COLE.

H. Res. 31: Mr. ZELDIN.

H. Res. 129: Mr. CRAWFORD.

H. Res. 220: Mr. NORCROSS.

H. Res. 257: Mr. DENT and Mrs. MURPHY of Florida.

H. Res. 279: Mr. DESANTIS.

H. Res. 311: Mr. ENGEL.

H. Res. 317: Mr. KILDEE.

H. Res. 327: Mr. KIND.

H. Res. 359: Mr. SMITH of New Jersey.

H. Res. 401: Ms. NORTON, Mr. SERRANO, Mr. RASKIN, Mr. GUTIÉRREZ, Mr. THOMPSON of California, Ms. BASS, Mr. SUOZZI, and Mr. PETERS.

H. Res. 422: Mr. CONNOLLY.

H. Res. 433: Mr. ROKITA.

H. Res. 446: Ms. JUDY CHU of California, Mr. EVANS, Mr. KRISHNAMOORTHY, Ms. LEE, Mr. MCEACHIN, Mr. PASCRELL, Ms. SCHAKOWSKY, Mr. SCHNEIDER, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Mr. WELCH, Mr. MCGOVERN, Ms.

MOORE, Mr. SERRANO, Mr. SWALWELL of California, Mrs. TORRES, Mr. BROWN of Maryland, Ms. KAPTUR, Mr. KHANNA, Mr. RICHMOND, Ms. ROYBAL-ALLARD, Ms. MAXINE WATERS of California, and Mr. DEUTCH.

H. Res. 449: Ms. LEE.

H. Res. 456: Mr. BLUMENAUER.

H. Res. 457: Mr. RASKIN, Mrs. BUSTOS, Ms. TITUS, Mr. CONYERS, Mr. MOULTON, Ms. BORDALLO, and Ms. SHEA-PORTER.

H. Res. 462: Mr. ALLEN.

H. Res. 466: Mr. CLAY, Ms. HERRERA BEUTLER, Mr. MESSER, Mr. GALLEGU, and Mr. FITZPATRICK.

## PETITIONS, ETC.

Under clause 3 of rule XII,

60. The SPEAKER presented a petition of David Koehler, State Senator, 46th District, Illinois, relative to Senate Resolution No. 377, urging the Congress to adopt a farm bill that supports and promotes the development of local and regional food systems; which was referred to the Committee on Agriculture.

**SENATE—Tuesday, July 25, 2017**

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. HATCH).

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our Father in Heaven, we sing of Your steadfast love and proclaim Your faithfulness to all generations. Make us one Nation, truly wise, with righteousness exalting us in due season.

Today, inspire our lawmakers to walk in the light of Your countenance. Abide with them so that Your wisdom will influence each decision they make. Lord, keep them from evil so that they will not be brought to grief, enabling them to avoid the pitfalls that lead to ruin. Empower them to glorify You in all they say and do as You fill their hearts with thankful praise. May they never fail to acknowledge their total dependence upon You.

We pray in Your Holy Name. Amen.

**PLEDGE OF ALLEGIANCE**

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**RECOGNITION OF THE MAJORITY LEADER**

The PRESIDENT pro tempore. The majority leader is recognized.

**NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018—MOTION TO PROCEED**

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 175, H.R. 2810.

The PRESIDENT pro tempore. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to Calendar No. 175, H.R. 2810, a bill to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The PRESIDENT pro tempore. The majority leader.

**WELCOMING BACK SENATOR MCCAIN**

Mr. MCCONNELL. Mr. President, I wish to start this morning with a few words about our friend and colleague from Arizona, Senator MCCAIN, whom

we will have an opportunity to welcome back today.

As I noted last week, we all know Senator MCCAIN is a fighter. That is evidenced by his remarkable life of public service, just as it is again evidenced by his quick return to the Senate this afternoon. I know he is eager to get back to work, and we are all very pleased to have him back with us today.

**HEALTHCARE**

Mr. President, on the vote we will have today in a couple of hours, Senators will have an important decision to make. Seven years after ObamaCare was imposed on our country, we will vote on the critical first step to finally move beyond its failures.

Many of us have made commitments to our constituents to provide relief from this failed leftwing experiment. Now we have a real opportunity to keep those commitments by voting to begin debate and ultimately to send smarter healthcare solutions to the President's desk for his signature. Just yesterday, the President reiterated his intention to sign them.

Yesterday, the administration released a statement urging all Senators to vote in favor of the motion to proceed so that we can “move forward on repealing ObamaCare and replacing it with true reforms that expand choice and lower costs.” I wish to express my appreciation to the administration for its continued close work with us on this issue at every step of the way. From the President and Vice President to Secretary Price and Administrator Verma, as well as so many others, the engagement we have seen has been important to our efforts, and it has sent an unmistakable signal to the country that this administration not only understands the pain middle-class families have felt under ObamaCare but is actually committed to doing something about it.

By now, we are all keenly aware of the pain ObamaCare has caused for literally millions of families. Premiums have skyrocketed, doubling on average in the vast majority of States on the Federal exchange. Insurance options have declined under ObamaCare, leaving many with as few as one or even zero insurers to choose from. Many Americans now face the real possibility of having no options at all and could find themselves trapped, forced by law to purchase ObamaCare insurance but left by ObamaCare without any means to do so. All the while, markets continue to collapse under ObamaCare in States across the country.

It is a troubling indication of what is to come unless we act. Fortunately,

the American people have granted us the opportunity to do so. We finally have an administration that cares about those suffering under ObamaCare's failures and a President who will sign a law to actually do something about it. We have a House that recently passed its own legislation to help address these problems. We have a Senate with a great chance before us to do our part now.

If other Senators agree and join me in voting yes on the motion to proceed, we can move one step closer to sending legislation to the President for his signature. I hope everyone will seize the moment. I certainly will. Only then can we open up a robust debate process. Only then will Senators have the opportunity to offer additional ideas on healthcare.

Inaction will do nothing to solve ObamaCare's problems or bring relief to those who need it. In fact, it will make things worse for our constituents all across the country.

I wish to reiterate what the President said yesterday:

Any senator who votes against starting debate is telling America that you are [just] fine with the ObamaCare nightmare. . . .

That's a position that even Democrats have found hard to defend. Remember President Clinton called ObamaCare “the craziest thing in the world” and a Democratic Governor said it's “no longer affordable.”

You won't hear me say this often, but they are right.

I hope colleagues will consider ObamaCare's history of failures—the unaffordable costs, the scarce choices, the burden on middle-class families—as they cast their vote this afternoon. I urge them to remember the families who are hurting under this collapsing law.

Numerous Kentuckians, like so many others across the Nation, have conveyed their heartbreaking stories with my office through phone calls, letters, meetings, and dozen of healthcare forums all across Kentucky. These families are suffering under ObamaCare. They need relief. I will be thinking about them as I vote to proceed to the bill today. I know many other colleagues will do the same.

Our constituents are hurting under ObamaCare. They are counting on us to do the right thing right now. That means voting to allow the Senate to finally move beyond ObamaCare's failures. That is what I intend to do. That is what I urge every colleague to do.

We can do better than ObamaCare. We have a responsibility to the American people to do that. Today's vote to begin debate is the first step, and we should take it.

Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SULIVAN). Without objection, it is so ordered.

#### ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following my remarks, the Democratic leader be recognized to use his leader time for up to 20 minutes; and that following his remarks, the Senator from Nebraska, Mrs. FISCHER, be recognized to suggest the absence of a quorum.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

#### HEALTHCARE

Mr. SCHUMER. Mr. President, in a few short hours, we will vote on the motion to proceed to the House Republican healthcare bill. I will have more to say on the matter prior to the vote.

At the moment, no one knows the plan that is being cooked up in the Republican leader's office, but it seems to be his intention to do whatever it takes to pass anything, no matter how small, to get the House and Senate Republicans into a conference on healthcare.

Surprisingly, I have heard that my friend, the junior Senator from Kentucky, will vote yes on the motion to proceed. He announced it himself. It is true he will likely get a vote on the motion to repeal without replace, but surely he knows that will fail. Why then would the junior Senator from Kentucky—a man who has preached the repeal of the Affordable Care Act root and branch, a man who proselytized that Republicans should stop at nothing short of full repeal—why would the junior Senator from Kentucky vote on the motion to proceed knowing he will not get what he wants? It is because, I believe, he and some of the others in this body know that if the Senate manages to pass something to get to conference in the House, the likely compromise in the conference is either a full repeal of the Affordable Care Act or something close to it. It will certainly mean drastic cuts in Medicaid, huge tax cuts for the rich, no healthcare for those with preexisting conditions, and millions and millions losing healthcare, particularly in our poorer and more brutal States. That is the only thing our Republicans have been able to agree on.

The hard-right Freedom Caucus in the House would never accept a Republican bill that only repeals a few regu-

lations in the ACA but leaves much of it in place. No, they want full repeal, and, at minimum, deep cuts to Medicaid, huge tax breaks for the wealthy, and millions in every State in this Nation losing their healthcare.

To my Republican friends who have repeatedly said that full repeal without replace would be a disaster and to my Republican friends who have opposed the deep and drastic cuts to Medicaid, I say: Don't be fooled by this ruse. A vote in favor of the motion to proceed will mean deep cuts to Medicaid, maybe even deeper than in the House bill. It will mean people with preexisting conditions will be left high and dry. It will mean huge tax breaks for the wealthiest of Americans. It will mean millions will lose their coverage.

So with all the complaining, why are we here at this late moment? Because even the House bill was too drastic for many of the Members here, and it is now being ignored on this motion to proceed, and because we all know the ruse that is going on. The ruse is this: Send it back to the House; then, we will see what they send us. We know what they will send us. We may not know every detail. It will either be full repeal without replace or something far too close to that, and all of the work and all of the anguish that so many of my colleagues on the other side of the aisle have shown in the last several weeks will be wasted because they know darn well what is going to happen when there is a conference.

There are no Democratic votes in the House. The Freedom Caucus calls the shots. They will either ask for full repeal or something very close to it. Make no mistake about it. A vote in favor of the motion to proceed this afternoon will be a permission slip to slash Medicaid, hurt millions, and give huge tax cuts for the wealthy—something the vast majority of Americans in every State, a large percentage of Republicans and Trump voters, abhor.

One last plea to my colleagues: Do not fall for the ruse that the majority leader is putting together. We know what is going on. We all know. Our constituents will not be fooled—oh, no. We on this side are not fooled—oh, no. I hope my colleagues who, out of compassion and care for the people in their States, have made such a fuss up to now will not be fooled either.

#### COMMENTS OF THE PRESIDENT ON ATTORNEY GENERAL SESSIONS

Mr. President, in recent days, President Trump has gone out of his way to undermine his own Attorney General, his first supporter—what has been reported to be his best friend in the Senate. He has tweeted scathing criticism of Attorney General Sessions and chastised him publicly for recusing himself from the Russia investigation and several other perceived failures, in the eyes of the President.

We should all take a moment to think of how shocking these comments

are on a human basis. This is the first person who stuck his neck out for Donald Trump and who was with him through thick and thin. Now, even if the President has disagreements with him—which I think are ill-founded and self-centered and wrong—you don't ridicule him in public—someone who is your close friend. That speaks to character.

But I would like to speak to the major issue before us, which is related. It is clear that President Trump is trying to bully his own Attorney General out of office. How can anyone draw a different conclusion? If President Trump had serious criticisms of his Attorney General, why not talk to him in person? Why air his grievances so publicly? He wants him out. Here is the danger. Many Americans must be wondering if the President is trying to pry open the Office of Attorney General to appoint someone during the August recess who will fire Special Counsel Mueller and shut down the Russia investigation.

First, let me state for the record now, before this scheme gains wings, that Democrats will never go along with the recess appointment if that situation arises. We have some tools in our toolbox to stymie such action. We are ready to use every single one of them at any time, day or night. It is so vital to the future of the Republic.

Second, I cannot imagine that my friends on the Republican side, particularly in the Republican leadership—my friend the majority leader, who I have great respect for, and Speaker RYAN—would be complicit in creating a constitutional crisis. They must work with us and not open the door to a constitutional crisis during the August recess.

#### SANCTIONS BILL

Mr. President, on one last item, I know there is a lot going on today, but I just want to mention one item from the House of Representatives. Later, the House is going to take up and, hopefully, pass with near unanimity a sanctions bill that includes strong sanctions against Russia, Iran, and North Korea. It is critical that the Senate act promptly on this legislation.

I will work with the majority leader, as I have in recent weeks, to ensure its swift passage so we can get it to the President's desk before we leave for recess.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KENNEDY). Without objection, it is so ordered.

# RECESS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate recess until 2:15 p.m. today for the weekly conference meetings.

There being no objection, the Senate, at 12:32 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Democratic leader be recognized for 5 minutes for debate only and that I then be recognized for 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Democratic leader.

### HEALTHCARE

Mr. SCHUMER. Mr. President, in a short time, we will vote on the motion to proceed to debate the House Republican healthcare bill. Several months into this new process, with Republicans in the majority in both Chambers, the American people have not been treated to a high-minded debate or to much debate at all.

The very first action of this Congress was for the majority to pass reconciliation instructions on healthcare—a process which has locked out Democrats from the very beginning. The very first thing this Republican Congress said to the American people is that healthcare is going to be a partisan project, undertaken by Republicans and Republicans alone. Right out of the gate, Democrats were locked out. The majority leader elected to forge a bill in secret and bypass the committee process entirely—no public hearings, no open debate, no opportunity for the minority to amend the bill or even to read it before it emerged from the leader's office. Their plan all along was to keep their bill hidden for as long as possible, evade scrutiny, hide the truth from the American people, and then jam the bill through in the dead of night on a party line.

Now, here we are, after so much cloak-and-dagger legislating, about to vote on proceeding to a debate on one of the most important issues of our time—one-sixth of the economy and tens of millions' health and even lives affected without knowing exactly what we will be debating on. Perhaps nothing could sum up the process that has

gotten us here quite as well as this. The best the majority leader has been able to cook up is a vague plan to do whatever it takes to pass something—anything—to get the bill to a House and Senate conference on healthcare.

My colleagues, plain and simple, it is a ruse. The likeliest result of a conference between the House and Senate is the full repeal of the Affordable Care Act or something very close to it. It will, certainly, mean drastic cuts in Medicaid, huge tax cuts for the wealthy, no help for those with pre-existing conditions, and tens of millions losing healthcare, particularly in poorer and more rural States.

The hard-right Freedom Caucus in the House would never accept a Republican bill that only repeals a few regulations in the ACA but leaves much in place.

I would say to my colleagues, particularly those on the other side of the aisle who have heartily fought hard for not cutting Medicaid drastically, for keeping preexisting conditions, for not giving tax cuts to the rich while you are cutting healthcare for the poor, do not go along with this motion to proceed, because you know and I know what it will lead to. All of the things that you have been trying to avoid will emerge from that conference, and you will hurt the people of your States dramatically.

We all know what is happening here. The leader could not get the votes on a full repeal because it is so damaging to America. He could not get the votes even on his own bill. Instead, the plan is to come up with a proposal that is simply a means to repeal, a means to dramatic cuts, a means to getting us in conference, and we all know what the result of that conference will be.

I would plead one last time with my friends on the other side of the aisle—and I know you have sincerely tried to modify and change things—to turn back. We can go through regular order. We want to work with you. We know that the ACA is not perfect, but we also know that what you have proposed is much worse. We can work together to improve healthcare in this country. Turn back now before it is too late and millions and millions and millions of Americans are hurt so badly in ways from which they will never, ever recover.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, 7 years ago, Democrats imposed ObamaCare on our country. They said that costs would go down. Costs skyrocketed. They said that choice would go up. Choice plummeted. Now ObamaCare's years-long lurch toward total collapse is nearing a seemingly inevitable conclusion, and it will hurt even more Americans on the way down.

This, my friends, is the ObamaCare status quo. This is the status quo. We

have had to accept it for a long time. We do not have to accept it any longer.

The American people elected a House with a vision of a better way on healthcare. Then they elected a Senate. Then they elected a President. Now, having been given the responsibility to govern, we have a duty to act. The President is ready with his pen. The House has passed legislation. Today, it is the Senate's turn. That starts with a vote that we will take momentarily. The critical first step in that process is the motion to proceed. It is the vote that determines whether this debate can proceed at all, whether we will even take it up after four straight elections in which this was a huge commitment to the American people. It is the vote that determines whether the Senators of both parties can offer their amendments and ideas on healthcare.

I told the people of my State, over this period, that I would vote to move beyond ObamaCare, and that is what I am going to do today by voting yes. I ask all of my colleagues to join me in doing so. We have already shown that it is possible to put legislation on the President's desk that moves us beyond ObamaCare and its years of failure. We did that 2 years ago. President Obama vetoed what we passed before. President Trump will sign what Congress passes this time.

I thank the President and the administration for all they have done on this issue already. They have worked with us every step of the way, and they, like us, know the consequences of failing to act.

Look, we cannot let this moment slip by. We cannot let it slip by. We have been talking about this for too long. We have wrestled with this issue. We have watched the consequences of the status quo. The people who sent us here expect us to begin this debate, to have the courage to tackle the tough issues. They did not send us here just to do the easy stuff. They expect us to tackle the big problems. Obviously, we cannot get an outcome if we do not start the debate, and that is what the motion to proceed is all about.

Many of us on this side of the aisle have waited for years for this opportunity and thought that it would probably never come. Some of us were a little surprised by the election last year, but with a surprise election comes great opportunities to do things that we thought were never possible. All we have to do today is to have the courage to begin the debate with an open amendment process and let the voting take us where it will.

That is what is before us, colleagues. Will we begin the debate on one of the most important issues confronting America today? It is my hope that the answer will be yes.

### ORDER OF PROCEDURE

Mr. President, I ask unanimous consent that, following the vote, Senator

MCCAIN be recognized to speak for debate only for up to 15 minutes and that the time not count on H.R. 1628.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMERICAN HEALTH CARE ACT OF 2017—MOTION TO PROCEED

Mr. McCONNELL. Mr. President, I move to proceed to Calendar No. 120, H.R. 1628.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 120, H.R. 1628, a bill to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

Mr. McCONNELL. Mr. President, I ask for the yeas and nays.

(Disturbance in the Visitors' Galleries.)

The PRESIDING OFFICER. The Sergeant at Arms will restore order in the Chamber. The Sergeant at Arms will restore order in the Chamber, please.

(Disturbance in the Visitors' Galleries.)

The PRESIDING OFFICER. The Sergeant at Arms will restore order in the Chamber.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

Mr. McCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 50, nays 50, as follows:

[Rollcall Vote No. 167 Leg.]

#### YEAS—50

|           |           |          |
|-----------|-----------|----------|
| Alexander | Flake     | Perdue   |
| Barrasso  | Gardner   | Portman  |
| Blunt     | Graham    | Risch    |
| Boozman   | Grassley  | Roberts  |
| Burr      | Hatch     | Rounds   |
| Capito    | Heller    | Rubio    |
| Cassidy   | Hoeven    | Sasse    |
| Cochran   | Inhofe    | Scott    |
| Corker    | Isakson   | Shelby   |
| Cornyn    | Johnson   | Strange  |
| Cotton    | Kennedy   | Sullivan |
| Crapo     | Lankford  | Thune    |
| Cruz      | Lee       | Tillis   |
| Daines    | McCain    | Toomey   |
| Enzi      | McConnell | Wicker   |
| Ernst     | Moran     | Young    |
| Fischer   | Paul      |          |

#### NAYS—50

|              |            |           |
|--------------|------------|-----------|
| Baldwin      | Feinstein  | Menendez  |
| Bennet       | Franken    | Merkley   |
| Blumenthal   | Gillibrand | Murkowski |
| Booker       | Harris     | Murphy    |
| Brown        | Hassan     | Murray    |
| Cantwell     | Heinrich   | Nelson    |
| Cardin       | Heitkamp   | Peters    |
| Carper       | Hirono     | Reed      |
| Casey        | Kaine      | Sanders   |
| Collins      | King       | Schatz    |
| Coons        | Klobuchar  | Schumer   |
| Cortez Masto | Leahy      | Shaheen   |
| Donnelly     | Manchin    | Shaw      |
| Duckworth    | Markey     | Stabenow  |
| Durbin       | McCaskill  | Tester    |

|            |        |            |
|------------|--------|------------|
| Udall      | Warner | Whitehouse |
| Van Hollen | Warren | Wyden      |

The VICE PRESIDENT. As a reminder to our guests, expressions of approval or disapproval are not permitted.

On this vote, the yeas are 50, the nays are 50. The Senate being equally divided, the Vice President votes in the affirmative.

The motion is agreed to.

#### AMERICAN HEALTH CARE ACT OF 2017

The VICE PRESIDENT. The clerk will report the bill.

The legislative clerk read as follows: A bill (H.R. 1628) to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

The VICE PRESIDENT. The senior Senator from Arizona is recognized.

#### ROLE OF THE SENATE

Mr. MCCAIN. Mr. President, I have stood in this place many times and addressed as "President" many Presiding Officers. I have been so addressed when I have sat in that chair, and that is as close as I will ever be to a Presidency. It is an honorific we are almost indifferent too; isn't it? In truth, presiding over the Senate can be a nuisance, a bit of a ceremonial bore, and it is usually relegated to the more junior Members of the majority.

But as I stand here today—looking a little worse for wear, I am sure—I have a refreshed appreciation for the protocols and customs of this body and for the other 99 privileged souls who have been elected to this Senate.

I have been a Member of the U.S. Senate for 30 years. I had another long, if not as long, career before I arrived here, another profession that was profoundly rewarding and in which I had experiences and friendships that I revere. Make no mistake, my service here is the most important job I have had in my life. I am so grateful to the people of Arizona for the privilege—for the honor—of serving here and the opportunities it gives me to play a small role in the history of the country I love.

I have known and admired men and women in the Senate who played much more than a small role in our history—true statesmen, giants of American politics. They came from both parties and from various backgrounds. Their ambitions were frequently in conflict. They held different views on the issues of the day. They often had very serious disagreements about how best to serve the national interest.

But they knew that however sharp and heartfelt their disputes and however keen their ambitions, they had an obligation to work collaboratively to ensure the Senate discharged its constitutional responsibilities effectively. Our responsibilities are important—vitally important—to the continued suc-

cess of our Republic. Our arcane rules and customs are deliberately intended to require broad cooperation to function well at all. The most revered Members of this institution accepted the necessity of compromise in order to make incremental progress on solving America's problems and to defend her from her adversaries.

That principled mindset and the service of our predecessors who possessed it come to mind when I hear the Senate referred to as the world's greatest deliberative body. I am not sure we can claim that distinction with a straight face today. I am sure it wasn't always deserved in previous eras either. I am sure there have been times when it was, and I was privileged to witness some of those occasions.

Our deliberations today, not just our debates but the exercise of all our responsibilities—authorizing government policies, appropriating the funds to implement them, exercising our advice and consent role—are often lively and interesting. They can be sincere and principled, but they are more partisan, more tribal more of the time than at any time I can remember. Our deliberations can still be important and useful, but I think we would all agree they haven't been overburdened by greatness lately. Right now, they aren't producing much for the American people.

Both sides have let this happen. Let's leave the history of who shot first to the historians. I suspect they will find we all conspired in our decline, either by deliberate actions or neglect. We have all played some role in it. Certainly, I have. Sometimes, I have let my passion rule my reason. Sometimes I made it harder to find common ground because of something harsh I said to a colleague. Sometimes I wanted to win more for the sake of winning than to achieve a contested policy.

Incremental progress, compromises that each side criticizes but also accepts, and just plain muddling through to chip away at problems and to keep our enemies from doing their worst aren't glamorous or exciting. It doesn't feel like a political triumph. It is usually the most we can expect from our system of government, operating in a country as diverse, quarrelsome, and free as ours.

Considering the injustice and cruelties inflicted by autocratic governments and how corruptible human nature can be, the problem-solving our system does make possible, the fitful progress it produces, and the liberty and justice it preserves, are a magnificent achievement.

Our system doesn't depend on our nobility. It accounts for our imperfections and gives an order to our individual strivings that has helped make ours the most powerful and prosperous society on Earth. It is our responsibility to preserve that, even when it requires us to do something less satisfying than winning, even when we must

give a little to get a little, even when our efforts managed just 3 yards in a cloud of dust, while critics on both sides denounced us for timidity, for our failure to triumph.

I hope we can again rely on humility, on our need to cooperate, on our dependence on each other to learn how to trust each other again and, by so doing, better serve the people who elected us. Stop listening to the bombastic loudmouths on the radio and television and the internet. To hell with them. They don't want anything done for the public good. Our incapacity is their livelihood.

Let's trust each other. Let's return to regular order. We have been spinning our wheels on too many important issues because we keep trying to find a way to win without help from across the aisle. That is an approach that has been employed by both sides: mandating legislation from the top down, without any support from the other side, with all the parliamentary maneuvers it requires. We are getting nothing done, my friends. We are getting nothing done.

All we have really done this year is confirm Neil Gorsuch to the Supreme Court. Our healthcare insurance system is a mess. We all know it, those who support ObamaCare and those who oppose it. Something has to be done. We Republicans have looked for a way to end it and replace it with something else without paying a terrible political price. We haven't found it yet. I am not sure we will. All we have managed to do is make more popular a policy that wasn't very popular when we started trying to get rid of it. I voted for the motion to proceed to allow debate to continue and amendments to be offered.

I will not vote for this bill as it is today. It is a shell of a bill right now. We all know that. I have changes urged by my State's Governor that will have to be included to earn my support for final passage of any bill. I know many of you will have to see the bill changed substantially for you to support it. We have tried to do this by coming up with a proposal behind closed doors in consultation with the administration, then springing it on skeptical Members, trying to convince them it is better than nothing—that it is better than nothing—asking us to swallow our doubts and force it past a unified opposition. I don't think that is going to work in the end and probably shouldn't.

The administration and congressional Democrats shouldn't have forced through Congress, without any opposition support, a social and economic change as massive as ObamaCare, and we shouldn't do the same with ours. Why don't we try the old way of legislating in the Senate—the way our rules and customs encourage us to act. If this process ends in failure, which

seems likely, then let's return to regular order. Let the Health, Education, Labor, and Pensions Committee, under Chairman ALEXANDER and Ranking Member MURRAY, hold hearings, try to report a bill out of committee with contributions from both sides—something that my dear friends on the other side of the aisle didn't allow to happen 9 years ago. Let's see if we can pass something that will be imperfect, full of compromises, and not very pleasing to implacable partisans on either side but that might provide workable solutions to problems Americans are struggling with today.

What have we to lose by trying to work together to find those solutions? We are not getting much done apart. I don't think any of us feels very proud of our incapacity. Merely preventing your political opponents from doing what they want isn't the most inspiring work. There is greater satisfaction in respecting our differences but not letting them prevent agreements that don't require abandonment of core principles; agreements made in good faith, that help improve lives and protect the American people. The Senate is capable of that. We know that. We have seen it before. I have seen it happen many times. And the times when I was involved, even in a modest way with working on a bipartisan response to a national problem or threat, are the proudest moments of my career and by far the most satisfying.

This place is important. The work we do is important. Our strange rules and seemingly eccentric practices that slow our proceedings and insist on our cooperation are important. Our Founders envisioned the Senate as the more deliberative, careful body that operates at a greater distance than the other body from the public passions of the hour. We are an important check on the powers of the Executive. Our consent is necessary for the President to appoint jurists and powerful government officials and, in many respects, to conduct foreign policy. Whether or not we are of the same party, we are not the President's subordinates, we are his equal.

As his responsibilities are onerous, many, and powerful, so are ours. We play a vital role in shaping and directing the judiciary, the military, and the Cabinet; in planning and supporting foreign and domestic policies. Our success in meeting all these awesome constitutional obligations depends upon cooperation among ourselves.

The success of the Senate is important to the continued success of America. This country—this big, boisterous, brawling, intemperate, restless, striving, daring, beautiful, bountiful, brave, good, and magnificent country—needs us to help it thrive. That responsibility is more important than any of our personal interests or political affiliations. We are the servants of a great nation,

“a . . . nation, conceived in Liberty, and dedicated to the proposition that all men are created equal.” More people have lived free and prosperous lives here than in any other Nation. We have acquired unprecedented wealth and power because of our governing principles, and because our government defended those principles.

America has made a greater contribution than any other nation to an international order that has liberated more people from tyranny and poverty than ever before in history. We have been the greatest example, the greatest supporter, and the greatest defender of that order. We aren't afraid. We don't covet other people's land and wealth. We don't hide behind walls. We breach them. We are a blessing to humanity.

What greater cause could we hope to serve than helping keep America the strong, aspiring, inspirational beacon of liberty and defender of dignity of all human beings and their right to freedom and equal justice? That is the cause that binds us and is so much more powerful and worthy than the small differences that divide us.

What a great honor and extraordinary opportunity it is to serve in this body. It is a privilege to serve with all of you. I mean it. Many of you have reached out in the last few days with your concern and your prayers. It means a lot to me. It really does. I have had so many people say such nice things about me recently that I think some of you must have me confused with someone else. I appreciate it, though, every word, even if much of it isn't deserved.

I will be here for a few days—I hope managing the floor debate on the Defense authorization bill, which I am proud to say is again a product of bipartisan cooperation and trust among the members of the Senate Armed Services Committee. After that, I am going home for a while to treat my illness. I have every intention of returning here and giving many of you cause to regret all the nice things you said about me, and I hope to impress on you again that it is an honor to serve the American people in your company.

Thank you, fellow Senators.

Mr. President, I yield the floor.

(Applause, Senators rising.)

The PRESIDING OFFICER (Mr. HOEVEN).

The majority leader.

AMENDMENT NO. 267

(Purpose: Of a perfecting nature.)

Mr. MCCONNELL. Mr. President, I call up amendment No. 267.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 267.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.



Mrs. MURRAY. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will read the amendment.

The legislative clerk continued with the reading of the amendment.

(Disturbance in the Visitors' Galleries.)

The PRESIDING OFFICER. The Sergeant at Arms will restore order in the Gallery.

(Disturbance in the Visitors' Galleries.)

The PRESIDING OFFICER (Mr. STRANGE). The Sergeant at Arms will restore order in the Gallery.

The clerk will continue.

The legislative clerk continued with the reading of the amendment.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The PRESIDING OFFICER. Who yields time?

If no one yields time, time will be charged equally.

The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that, for the duration of the Senate's consideration of H.R. 1628, the majority and Democratic managers of the bill, while seated or standing at the managers' desks, be permitted to deliver floor remarks, retrieve, review, and edit documents and send email and other data communications from text displayed on wireless personal digital assistant devices and tablet devices.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, I ask unanimous consent that the use of calculators be permitted on the floor during the consideration of H.R. 1628.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, what is the regular order with respect to the pending amendment?

The PRESIDING OFFICER. It is 2 hours equally divided.

Mr. ENZI. Thank you, Mr. President.

I suggest the absence of a quorum and ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Objection.

The PRESIDING OFFICER. Objection is heard.

Mr. ENZI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WELCOMING BACK SENATOR MCCAIN

Mr. NELSON. Mr. President, I am so encouraged by the words of our dear friend and fellow Senator, Mr. JOHN MCCAIN.

First of all, I am so encouraged by seeing that fighting spirit of JOHN MCCAIN and so glad to see him back. In the midst of everything he is facing, that he would come and insert himself to give us some considerable words of wisdom—it was such an enormous, emotional experience when JOHN walked in. Then, to have all of us seated here because of the vote that was occurring—and not a Senator left after the vote was concluded because we wanted to hear from JOHN and did so willingly. His eloquent words about how we all need to come together and stop being driven apart by partisan reasons were timely, and they were well received.

Mr. President, this Senator never thought we would see a vote to advance a bill which, to so many, feels as though it is going to harm so many of our fellow Americans. Obviously, we can disagree on specifics, but we have seen that particular expression of opinion of harm over and over. We have seen it in the coverage of the townhall meetings, where people stand up and say: If I didn't have this healthcare, I would be dead.

This Senator has seen it in Florida over and over, as I have had people come up to me wherever I am—in a meeting, on the street corner, in the airport, wherever—and say: Senator, please don't let them take my healthcare away from me.

Indeed, when people explained their particular circumstances, four different families—one family, if they did not have the waiver on Medicaid, indeed, that fellow would not only not be alive, but even if he were alive, he would be in an institution instead of being able to be cared for or three other families who brought forth testimonies about how the Affordable Care Act has given them insurance they had never been able to get before. It was at a price they could afford and involved coverage they never could have had.

In other cases, people had preexisting conditions. This Senator, as a former elected insurance commissioner of Florida, has seen insurance companies refuse to insure people because they had a preexisting condition. If you had asthma, that was a preexisting condition; if you had a bad rash, that was a preexisting condition, and they were not going to insure you. Also, insurance policies never had the guarantee of lifetime coverage but instead the policy said you had lifetime caps. There was a dollar figure which, if you exceeded it, the insurance policy was not going to cover any more.

If we are really serious about wanting to fix the situation, if our brothers and sisters on the other side of the aisle are not successful in proceeding with what the majority leader is going to be coming forth with, if that is voted down, and if we are serious about it, take what is left, which is the exist-

ing law—the Affordable Care Act—and fix it.

Senator COLLINS, a former insurance commissioner, appointed in the State of Maine, and this Senator, a former elected insurance commissioner in the State of Florida, are already working on a reinsurance fund which would insure the insurance companies against catastrophe. I asked for this to be costed out in the State of Florida. This fix would lower premiums 13 percent in the State of Florida.

In the words of Senator MCCAIN, if we really want to get together and fix the problems, we can. Yet, in the midst of hearing from constituents all around the country who have shared their personal stories about how the existing law has helped, we are in the parliamentary position we are in, where we will proceed on trying to repeal what is the existing law.

For some people, they don't care about the politics. As a matter of fact, for a lot of people, they don't care about the politics. They just want access to healthcare. They want what is genuinely described as health insurance—whether it is a Medicaid type of insurance or whether it is an actual policy through a private insurance company offered on the health exchanges in the States or whether it is the guarantees of the coverage in an individual policy that they might buy, they just want healthcare. That is the reason you have health insurance in the first place.

Now, I have heard some fixes say: Oh, let's cut back on Medicaid, which, remember, is spread over millions and millions of people, just like Medicare is spread over millions and millions of people. The difference there is age. If you are 65, you are eligible for Medicare.

There are some people we overlook in the system who depend on Medicaid. How about veterans? Veterans' healthcare has been taken care of while on Active Duty in the U.S. military. Then their healthcare is transferred to the Veterans' Administration, but there are a lot of veterans who are not getting their healthcare through the VA. They get their healthcare through Medicaid. If you start cutting back on Medicaid, which are the versions of the so-called replace bills we have seen—if you start cutting back on Medicaid and make a capped program or a block grant program, we already know the figures. It has been costed out by the CBO. The figures tell us it is close to an \$800 billion cut over a decade. When you start doing that, the people who rely on Medicaid at the edges, like some poor people or like seniors in nursing homes—by the way, in my State, 65 to 70 percent of the seniors in nursing homes are on Medicaid, and some of those veterans I told you about are not on VA healthcare but Medicaid.

How about some of the children's programs on Medicaid? If you start cutting that back to the tune of about \$800 billion over a decade, you are going to knock out a lot of these people. That is not something we want to do. That is why, when explained, you have such low numbers who support what is being attempted as a replacement if you repeal the Affordable Care Act. We should be focused on working together to improve the Affordable Care Act, not to make it worse.

I pretty much have said it all. The bills we have seen coming forth as replacements change the age ratio from the existing law, the Affordable Care Act, of 3 to 1 in the healthcare exchanges so you can charge an older person three times as much as a young, healthy individual—not in the replacement bills we see coming up. It is 5 to 1. What does that mean? That means for those older Americans, before they turn 65 and become eligible for Medicare, they are going to be paying more for their insurance premiums. Is that what we want to do? I don't think so.

You cannot ignore these facts. I ask those who come forth with these replacements, why in the world do you do this? Why do you support a bill that will hurt so many Americans, which has been demonstrated over and over? Why do you support a bill that will hurt so many of your constituents that your constituents cry out to you, please, don't do this? And they give personal testimonies.

I urge our colleagues, after the emotional appeal of Senator MCCAIN, to do things in a bipartisan way. Take a moment, reflect on what your constituents have said—not just some of your constituents. Listen to all of your constituents and ask yourself, are you doing the right thing?

Let's improve our Nation's healthcare system. Let's not make it worse. Let's do it in the spirit of the uplifting words of Senator MCCAIN and what he said: Let's do it together in a bipartisan way.

I yield the floor.

Mr. HATCH. Mr. President, I rise today to once again remind my Senate colleagues what is at stake with the procedural vote that took place today.

The Senate voted on the motion to proceed to the House-passed budget reconciliation bill. The Senate will now start working in earnest to consider and, hopefully, pass legislation that would repeal and replace ObamaCare with a 2-year transition period, or other, specific replacement policies.

That is a complicated undertaking to say the least. However, the first vote on the motion to proceed was relatively simple. While pundits and talking heads have already analyzed this particular vote to death, all of the talk boils down to a single question: Do Republicans want to repeal and replace ObamaCare?

I don't want to belittle or discredit the concerns some of my colleagues have raised about the various legislative proposals that are out there. However, we won't be voting on any particular policy or proposal.

On the contrary, the vote was simply to determine whether the Senate is actually going to consider the budget reconciliation bill. Members were not voting for or against any particular healthcare proposal; they were simply voting on whether the Senate will actually debate any such measure.

That being the case, the vote was a simple one. Anyone who supports the larger effort to repeal and replace ObamaCare should be willing to at least debate the various proposals that have been put forward.

That is the very definition of a no-brainer.

The final pieces of ObamaCare were signed into law in March 2010, more than 7 years ago. Since then, the law has been one of the key focal points of legislative and political debate and discourse nationwide. Very few topics in our Nation's history have been the subject of more public debate and fierce disagreement.

After all this time, one thing is very clear: ObamaCare has failed the American people.

The vast majority of Americans are dissatisfied with the healthcare status quo. These people want answers from Congress that will bring down their healthcare costs, reduce their tax burdens, and put them back in charge of their own healthcare. For more than 7 years now, virtually every Republican in Congress has been promising to provide those solutions.

We have never been closer to making good on those promises than we are right now with a Republican President ready to take action to support congressional efforts to repeal and replace this unworkable law.

Make no mistake, none of the major proposals that have been put forward are perfect. In fact, in my personal view, they are all far from perfect. But, at the end of the day, any bill—particularly a bill as wide and sweeping as one that addresses a large portion of our healthcare system—that is “perfect” in the eyes of one Senator is likely fatally flawed in the eyes of 99 others.

Translation: When it comes to legislating successfully, the word “perfect” shouldn't be in anyone's vocabulary.

Like any aspect of governing, drafting and passing important legislation is about compromise and prioritization. It is about recognizing which fights need to be fought now and which ones can wait for another day.

I have been here a while. In that time, I have noticed a few things.

Some who are elected to this Chamber would rather fight the good ideological fight for legislative purity than get the majority of what they want—

but not everything—through compromise. These people tend to claim that even the most embarrassing legislative losses are victories, so long as they can say that they went down swinging.

Now, don't get me wrong; speaking in terms of advocating good policy I have never been one to back down from a fight. In fact, I have battled some of the most revered and admired Senators in our Nation's history right here on the Senate floor.

One reason I think I have developed a reputation as an effective legislator is I don't believe that fighting for a cause is an end unto itself. Fights are only meaningful if there is an objective in mind. While I am no mathematician, I believe getting 60, 70, or 80 percent of what you want out of a bill is better than getting nothing, even if, on the way to getting nothing, you have fought a valiant fight for that perfect—yet ultimately unattainable—outcome.

The fight to repeal ObamaCare, at least from where I have been standing, has always had an objective in mind. That objective, of course, has been to actually repeal ObamaCare.

We have fought for that objective for more than 7 years. Now, we find ourselves on the cusp of being able to take major steps toward that larger goal.

No, we don't have a perfect bill to vote on. However, the fact remains that we are close to being able to pass legislation that would accomplish the majority of our goals and keep most of the promises we have all made to repeal and replace ObamaCare.

Before we can do any of that, we need to at least get a chance to consider and debate the matter on the floor. That is what this afternoon's vote was to determine: whether we are committed enough to this effort to at least take that step.

I remind my Republican colleagues that, when the ObamaCare reconciliation bill was brought up for debate in 2010, all of our friends on the other side, who were present at the time, except for one Member, voted in favor of the motion to proceed. They supported their leader. Leader MCCONNELL is owed the same loyalty.

Any Senator who has fought with us to undo the damage caused by ObamaCare should be willing, at the very, very least, to take that step and allow the floor debate to actually happen.

I hope we all will. Toward that end, I urged my colleagues to vote in favor of the motion to proceed to the House-passed reconciliation bill to allow the Senate to begin debate on repealing and replacing ObamaCare.

The PRESIDING OFFICER. Who yields time?

If no one yields time, time will be charged equally to both sides.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Thank you, Mr. President.

History was made on the floor of the Senate Chamber today. I don't think it has ever happened before. Think about this: 50 out of 100 Senators came to the floor with the Vice President of the United States and voted to begin debate on a bill they have never seen—a bill they have never seen—because we don't know what the Republicans are going to offer as the alternative to the Affordable Care Act.

There have been a lot of different versions. Technically, the one that is before us now is the version that passed the House of Representatives, but I think the Republican leader, Senator MCCONNELL, has known from the beginning that has no chance whatsoever. So many Republicans have taken a look at what the House passed and said: We can't vote for that. You have to give us something different. The problem the Senate Republicans ran into is that they couldn't come up with anything better.

They tried. They wrote several different versions, and every time they would write a version of the new Affordable Care Act, it got worse for the American people, and here is what I mean. Under one proposal for the Republicans—not the one before us, but the Senate Republicans—1 million people in my home State of Illinois would have lost their health insurance. There are 12.5 million people in Illinois, and 1 million would have lost their health insurance because of dramatic cutbacks in Medicaid and cutbacks in the premium support that is given to a lot of working families to buy regular health insurance in the health insurance market.

It was so terrible that every time Republicans came up with a Senate proposal, two or two of them would announce: Can't buy it, won't vote for it—and ran away from it.

So Senator MCCONNELL came to the floor today and said: I am begging you, just vote to open debate on a bill that I haven't written yet, and 50 Republican Senators did, and the Vice President broke the tie, the 50-to-50 tie to move forward, and here we are.

Let me start by tossing flowers—and this will probably get them in trouble—to two Republican Senators, SUSAN COLLINS of Maine and LISA MURKOWSKI of Alaska. They were the only two Republican Senators who had the courage to stand up and say: This is wrong. We shouldn't do this to the American people. They are the only two who are willing to say that we should have done this differently.

There is an interesting thing that happened at the end of this. At the very last moment, the very last vote that was cast was cast by Senator JOHN MCCAIN. Everybody knows JOHN has been diagnosed with a serious form of cancer. He made it back from Arizona

here to cast his vote, and he asked for 15 minutes after the rollcall to make a speech. I don't think many, if any, Senators left the Chamber. Democrats and Republicans stuck around to hear his speech after the vote. Can I tell you that is unusual in the Senate? Most of us race for the doors and go up to our offices and watch on television and may catch a piece of this speech and a piece of the other speech, but we sat and listened because of our respect for JOHN MCCAIN.

He is my friend. We came from the House of Representatives together many years ago. I served with him in the Senate when we put together a bipartisan group to rewrite the immigration laws for America—four Democrats, four Republicans. I sat across the table with JOHN for months. We went back and forth through all the provisions on immigration. JOHN even conceded today that he has an interesting temper. There were days when JOHN MCCAIN was Mount Vesuvius, just exploding in every direction, and you had to step back. And there were days when he smothered you with kindness. That is the way he is. We love him for it.

He came today to give a speech that every American should read if you want to understand how a Democratic Senator can stand on the floor and give compliments and praise to a Republican Senator, which I am about to do. Senator MCCAIN said that we have to do something about this country of ours—the political divisions. I will not get the words perfectly, but he said to us: Will you please start ignoring these radio and TV and internet talking heads who want us to fail and make a living by laughing at us? Will you ignore those people? Instead, look to what this institution, the U.S. Senate, is all about and what we should be doing to solve the problems for the people we represent.

JOHN MCCAIN went on to say: Why don't we have debates on the floor of the Senate anymore?

Do you know what? He is right. We are 7 months into this year's Senate session. We have not had one bill on the floor of the Senate that we have debated and amended—not one. This is a first, and it is in this kind of convoluted reconciliation process where you speed up the amendments.

Think about this. We are amending your healthcare policy that affects you and your family. We are amending how you will buy health insurance as an individual and how your company will buy health insurance for you. We are amending, basically, whether your insurance policy is going to protect your family or not. Listen to how it works.

People propose an amendment, and then we debate it. Do you know how long we debate it? We debate it for 1 minute on both sides. Disgraceful. JOHN MCCAIN called us on it today and

asked: Why have we reached this point when an issue this important is going through a process that is totally partisan?

You see, the Republicans decided early on that they were not going to invite us to the party; that they were going to write this healthcare bill by themselves, in secret. Senator MCCONNELL picked 13 Republican Senators, and they sat for I don't know how long—months, weeks—and wrote a bill. One of them I mentioned earlier was ultimately rejected by the Republicans themselves. JOHN MCCAIN challenged us and said: For goodness' sake. He has been in the Senate—and I have too—during a time when it was much different. He really begged us, pleaded, and urged us to get back to that time when we worked together on a bipartisan basis to solve problems. JOHN MCCAIN was right. I did not agree with his vote to put us in this position we are in at this moment, but I was encouraged by the way he closed. He turned to Senator MCCONNELL, who was sitting right there, and said to him: Do not count on my vote on final passage. I want to see what we do in this bill. I want to see how we debate this bill.

One Republican Senator like JOHN MCCAIN can make the difference as to whether this process stops and a real bipartisan process starts. Isn't that what the American people expect of us?

Seated in the Chair, the Presiding Officer, is a brandnew Senator from the State of Alabama.

Welcome, Senator STRANGE.

He comes here because Senator Sessions went on to become the Attorney General. He has seen the Senate for a couple of months or 3 months, maybe—5 months now—and I am sure he has his impressions of this body. They may be different than what he thought about it before he was elected. Yet I can tell him for sure that this is a much different Senate than the one PATTY MURRAY was elected to, that it is much different than the one I was elected to. Even for MIKE ENZI, my friend from Wyoming, it is much different than the one he saw.

I see my colleague here, Senator SCHATZ, from Hawaii.

How long have you been here now, BRIAN?

Mr. SCHATZ. Four-and-a-half years.

Mr. DURBIN. Four-and-a-half years.

He is a newbie, and he has not seen the Senate I am describing.

Can you believe there was a time in the Senate when we would bring an important measure to the floor on many different issues, and Members would come to the floor—I am not making this up—and actually hand an amendment to the clerk and say: I would like to offer an amendment to the bill. Then we would debate it, and then we would vote on it. Sometimes you won, sometimes you lost, and you moved on

to the next amendment. That actually happened on the Senate floor. For the people who are new to the Senate, I am sure they do not believe me, but it did happen over and over and over. We had a healthy respect for one another. The amendments went back and forth, and we ended up seeing bills passed that made a difference in America.

What we are doing now is a disgrace to this institution, and it does not honor the Senate, its Members, or our Constitution when what is at stake is so important. In looking at some of the provisions that have been brought before us in the Senate's Republican repeal bills to repeal the Affordable Care Act, I do not know how they can do it. I do not know how Senators could go home and say in their home States: A million of you are going to lose your health insurance because of something I just voted for.

Health insurance means a lot to me personally. I have said it on the floor. There was a time in my life when I was a brandnew law student and was married. God sent me and my wife this beautiful little baby. She had some health issues, and we had no health insurance, as I was a law student. We ended up sitting in the charity ward of a local hospital here in Washington, hoping our baby girl would have a good, talented, capable doctor walk through the door and see her. I was not sure because I did not have health insurance. I will never forget that as long as I live, and I thought to myself that it will never happen to me again. I am going to have health insurance no matter what it takes. It meant that much to me, and it means that much to everybody.

There is not a single one of us who does not want the peace of mind of knowing that if we get sick or if someone we love gets sick, he will have access to good hospitals and good doctors. That is what health insurance is all about. As the Republican proposals eliminate health insurance for 60 million, 20 million, 30 million Americans, you ask yourself: How can you do that to this country?

The cuts they make in Medicaid have really educated America about Medicaid. People know about Social Security. They know what that is all about. We all pay into it and wait to receive our Social Security checks when we reach that age. They also know about Medicare. You have to be 65 years of age. It is pretty good coverage, isn't it? The ones who receive it think it is a pretty good deal to have Medicare coverage when they reach the age of 65, but Medicaid was one of those mystery programs. People were not sure. What does it do? The Medicaid Program in America does the following:

In Illinois, that program takes care of half of the new mothers and their babies. Half of them are paid for by Medicaid—prenatal care to make sure

the baby is healthy, the delivery of the baby. Afterward, the mom and baby are taken care of, paid for by Medicaid. This is one out of every two births in Illinois.

Medicaid also sends provisions—money—to your local school districts. I will bet you did not know that. If your local school district has a special education program—and virtually all of them do—they receive Medicaid to pay for some basics. It pays for counselors for special ed students. Sometimes transportation in a local school district in downstate Illinois or feeding tubes for some severely disabled students are paid for by Medicaid. You may not know that for disabled people, Medicaid is their health insurance. Many of them have no place else to turn.

I mentioned on the floor before that a mother in Champaign, IL, with an autistic child, said: Senator, if it were not for Medicaid, my son would have to go into an institution. I couldn't afford it.

Medicaid is his health insurance.

I have not touched the most expensive part of Medicaid of which you may not know, which is that two out of three people in nursing homes depend on Medicaid to get basic medical care. Medicare is not enough. They need the help of Medicaid. So if it is Mom or Dad or Grandma or Grandpa who is in a nursing home, two out of three of them depend on Medicaid.

The Republican bill to replace the Affordable Care Act says we are going to cut the spending on Medicaid, that 25 to 35 percent will be cut. That is why Governors of both political parties have screamed bloody murder: You cannot do that. You are cutting the Federal contribution to Medicaid in our States. Who is going to pay for that baby? Who is going to pay for the mom? Who is going to pay the school district? Who is going to pay for the disabled? Who will take care of the folks in nursing homes?

Why did they make that deep of a cut in Medicaid—a program that is so important to so many people? There is the tough part. That deep of a cut was made in Medicaid so Republicans, in their healthcare proposal, could include a tax break for the wealthiest people in America, for health insurance companies, and—get this—for pharmaceutical companies. To give them tax breaks, they had to cut Medicaid coverage for all of the people whom I just described.

Is it any wonder that many Republicans backed away from this? Senator HELLER, of Nevada, talked to Governor Sandoval—both Republicans—and said he could not support an early version of the bill because of the deep cuts in Medicaid.

If this is supposed to be an improvement over the Affordable Care Act, which part of it is an improvement? Is

it in cutting Medicaid coverage for all of those people, saying that your health insurance policy does not have to cover people with preexisting conditions, raising the cost of healthcare premiums, particularly for people between the ages of 50 and 64, eliminating health insurance for millions? Is that an improvement over the current system? It is not. It is a disaster.

The question is, By the end of this debate, after we have gone through this crazy process of voting up and down quickly and with very little debate, will one more Republican Senator stand up and say unacceptable? Two of them have. If one more will join them, then we can get down to the real business we should face. The real business is being the Senate again with regular order, which means taking the measure to the HELP Committee. Senator MURRAY, of Washington, is the ranking Democrat. Senator LAMAR ALEXANDER is the chairman from Tennessee. I respect him and like him a lot. The two of them ought to have hearings on a bill to change the affordable care system and make it work better, bring down the cost of premiums, and expand health insurance coverage. I think that is what we should be all about.

Now, there is a basic difference in philosophy here. I will close with this, but this is what drives us. Answer the following question, and I can tell you how you are going to vote on this bill:

Do you believe healthcare is a right for every American or do you believe it is a privilege; that if you have enough money and you are lucky enough, you can get it, and if you don't, you go without.

If you answer the question that it is a right, that it should be a right in America, then you have to reject this approach. You cannot take helpless people, some of whom are working hard in two and three jobs at a time and who have no healthcare benefits, and say to them: Sorry. Our system will not take care of you.

One last point. The irony of that is that if you do not give people health insurance, if you do not give them protection, they still get sick, they still go to the hospital, and they still get care. What happens to the bills they cannot pay? Everybody else pays them. Before the Affordable Care Act, each of us paid \$1,000 a year in premiums just to cover for the people who could not afford health insurance.

We think there is a better way. We think Americans should have access to affordable health insurance across the board, and we think we can achieve that if we work together on a bipartisan basis. So I hope one more Republican Senator will join Senators COLLINS and MURKOWSKI and bring us back to what JOHN MCCAIN described on the floor today to the Senate—of having a real debate about real issues and really caring about the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent that after my remarks, the senior Senator from Hawaii be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, what is happening today on the Senate floor is outrageous. I still cannot quite believe my colleagues as their staff members stood behind them in the Senate Chamber to my right. All of them have health insurance that is paid for by taxpayers. All of us—all of them, all of the staff, all of the Senators, all of the House Members—have insurance paid for by taxpayers. Yet they would come to the Senate floor with their votes entrusted to them and given to them by the voting public in their districts and their States. All of them have health insurance that is paid for by the taxpayers, and they would vote to take insurance away from hundreds of thousands of people in my State and in Washington and in Wyoming and in Alabama and in Hawaii.

Millions of people around the country, most of whom have jobs—people who are working \$8-, \$10-, \$12-, \$15-an-hour jobs—are not as well paid as the staff who stand behind us as these floor sessions go on, and they would take insurance away from people like them. I am still just incredulous that that would have happened. This bill affects all of our constituents. It would upend one-fifth of the American economy. Yet the people whom we serve have no idea what is in this bill. We really do not know what is in it.

Over the weekend, people said Senator McConnell was going to bring us all to the floor on Tuesday to vote on the healthcare law. This is the law to repeal the Affordable Care Act. I was part of writing the Affordable Care Act as a member of the Health, Education, Labor, and Pensions Committee. That bill took months and months and months, dozens of hearings, and hundreds of amendments. The committee adopted, and I supported, 150 Republican amendments. It was the way we should do things here. Instead, Senator McConnell met just down this hall—I know the camera does not quite show this. Down this hall in his office, he met with lobbyists from Wall Street, with lobbyists from the drug companies, and with lobbyists from the insurance companies. I do not think the Presiding Officer was part of this—he is, perhaps, too junior—but four or five Republican Senators were in there, and they wrote a bill that, alas, was good for drug companies, was good for insurance companies, and was good for Wall Street. It just left out the public.

Now, we do not really know what is in the bill this time. One of the things we do know is, all of the options are

bad for my State of Ohio and that all of the options are bad for the people who elected us to serve here. Let me talk about those options.

First, behind door No. 1, we have the repeal of the Affordable Care Act with no replacement. Again, behind door No. 1, I do not know if that is what this bill is. I do know it is one of the options. So behind door No. 1 is repeal with no replacement. That means repealing the entire Affordable Care Act with no plan to replace it. It creates dangerous uncertainty that of course will drive prices up for everyone. When insurance companies, when the people who have insurance now have no idea what is going to happen, of course it drives prices up. Of course, it means insurance companies will pull out of Wyoming and Alabama and Washington State and Hawaii and Ohio.

According to the nonpartisan Congressional Budget Office, 18 million Americans will lose their health insurance next year, and premiums will go up 20 percent. Professionals hold these jobs. They are people who are not Republicans, who are not Democrats, who are just like the Parliamentarian, who is not aligned with either party. The Congressional Budget Office is just like that.

Again, think about that. Think of the Members of the Senate. Think of the Senate's staff who line up along this wall during floor sessions. All of us have insurance. Yet we are going to take it away. According to this plan behind door No. 1, we are going to take it away from 18 million Americans. There would be less coverage, and premiums would go up 20 percent—higher costs. By the end of this decade, 32 million Americans—that is like 1 out of 10 Americans—who currently have insurance would be without health coverage and premiums would double. So 32 million people lose their insurance within the decade and premiums double.

Let's talk about Barbara. Barbara, whom I met in Toledo just recently, is 63. She is not old enough for Medicare; she relies on the healthcare exchanges. Repeal with no replacement would create massive uncertainty for Ohioans.

The people in this body who voted yes today—does the Senate staff who stands behind here who have insurance from—taxpayers like Barbara—do they think about Barbara? Do they think about somebody who reads in the paper that the Senate took the first—still reversible but barely—step toward taking their insurance away? Do they ever think about people like Barbara? Do they, as President Lincoln said, ever get out and get their public opinion pass and listen to people like Barbara? She is 63 years old, and she doesn't know if she will have insurance next month. Imagine that. Do the staff back here, do the Senators who get insurance from taxpayers—do they think: Oh, maybe my insurance won't exist a

few months from now. Do they think about that? I am guessing they don't.

Repeal with no replacement creates massive uncertainty for Ohioans like her. We have already seen this year what that uncertainty does to Ohio families, with insurance companies that have been forced to pull out of the market as Congress and the White House create more and more uncertainty. When Aetna pulled out of Dayton and other communities in Ohio—in that part of Ohio—they and others left nearly 20 counties in Ohio without any insurer next year. When they did that, they announced it was because of the uncertainty in this Congress, that nobody really quite knows what is happening.

So that is door No. 1—repeal with no replacement, higher cost, less coverage.

Let's look at door No. 2. Behind door No. 2 is the plan that MITCH MCCONNELL negotiated in secret. As I said, straight down this hall, go to the right, that is MITCH MCCONNELL's office. That is where the drug company lobbyists hung out; that is where the insurance company lobbyists hung out; that is where the Wall Street lobbyists hung out and a small number of Senators, and then they slammed the door shut. That is how they wrote this bill. The Presiding Officer knows this from his constituents in Florida. The drug companies wrote the bill. The insurance companies wrote the bill. Wall Street wrote the bill. And, alas, the bill: tax cuts for insurance companies and tax cuts for the drug companies. The 400 richest families in America—many of them contribute huge numbers of dollars, with lots of zeroes on them, to my Republican colleagues who voted for this bill. The 400 richest families in America will get—under this McConnell door No. 2, there are not just higher costs with less coverage for the public, but 400 families will average a \$7 million tax cut for each of the next 10 years. Four hundred families will get a \$7 million tax cut for each of the next 10 years.

The McConnell plan would increase healthcare costs for working families. We know that. They would slap on higher costs. They would slap an age tax on Ohioans over 50 when they buy insurance. And when it comes to healthcare costs, Senator HELLER from Nevada said it best: There is nothing in this bill that would lower premiums.

So they give tax cuts to rich people. They give tax breaks to the insurance and the drug companies. They cut Medicaid. But there is nothing in this bill, according to Senator HELLER, a Republican from Nevada, that would lower premiums. There are, however, those massive tax breaks for drug companies that have been jacking up prices on lifesaving medicines like insulin and those drug companies that played a role in creating the opioid epidemic

that devastates my State. More people in my State—as the Presiding Officer, who also represents a large State, knows—more people in my State died of opioid overdose than any other State in the United States.

What does this plan do for the opioid epidemic? I have had dozens—maybe not dozens—I have done at least 15 or 20 roundtables around Ohio to talk about the opioid epidemic with doctors and counselors, psychologists and therapists and nurses, people who are recovering from addiction and their families, and others. One thing they all agree on is that the single best tool to help with opioid addiction is, alas, Medicaid. The single best tool to combat the opioid epidemic is Medicaid. This bill would take away the No. 1 tool we have to fight that.

So 220,000 Ohioans right now struggling with opioid addiction, getting treatment for opioid addiction—220,000—they are getting their addiction treatment because they have the Affordable Care Act and insurance provided by the Affordable Care Act. We are going to take that away from them.

At one of my roundtables in Cincinnati—the Talbot House—a father sitting next to his daughter, who I believe was in her early thirties, looked at me and said: My daughter would be dead from an opioid overdose had it not been for Medicaid expansion. I thank Governor Kasich for having the courage to stand up against his President and stand up against the Republican leadership in this town and do the right thing in expanding Medicaid.

This plan, door No. 2, has higher costs, less coverage, and would kick many of those 220,000 people off their insurance. It would disrupt treatment for hundreds of thousands of Ohioans as they fight for their lives. It would pull the rug out from under local police and communities in the midst of an epidemic.

A number of police officers told me that when they go to a home—a police officer or a firefighter or another first responder—when they go to a home where somebody is unconscious because of an opioid epidemic, first they give them Narcan to revive them, and the second thing they do is sign them up for Medicaid. They sign them up for Medicaid so they can get treatment. Otherwise, there is a very good chance that person will die.

The most important tool for fighting opioid addiction is Medicaid. Yet this body voted today—2 Republicans stood up and voted against this—today, 50 Republicans and the Vice President of the United States, who honored us with his presence today with the tie-breaking vote, voted essentially to kick those people off their treatment.

So door No. 2, the insurance company lobbyist plan: higher costs, less coverage. The same plan written by lobbyists.

Let's talk about door No. 3. Behind door No. 3 are higher costs and less coverage. It is the same plan written by lobbyists, just with taxpayer dollars thrown in to buy off votes. Same result—higher costs and less coverage.

They can't just throw money at this bill and make it better.

Take opioids. They want to take away Medicaid, which is the No. 1 tool we have to get people treated, and then they throw in a \$45 billion Federal grant program instead.

Governor Kasich said that those dollars—taking away Medicaid, taking away treatment, taking away insurance from the 700,000 Ohioans in Medicaid expansion and hundreds of thousands of Ohioans later—Governor Kasich is a Republican, and he and I see this pretty much the same way. Governor Kasich said that putting that money in after taking away Medicaid is like spitting in the ocean.

The director of Ohio's Medicaid Program said the Republican Senate plan would be devastating for Ohio. For instance, if someone had cancer, I don't think the best treatment for cancer is to cut off their insurance and then give them a Federal grant to pay their oncologist—not even a Federal grant to pay their oncologist. You don't treat people by a Federal grant, you treat people by insurance and all of the wraparound part of insurance that matters.

It is not just those fighting addiction—I talked a lot about opioids—it is kids with special healthcare needs. It is Ohio schools. There is a program called Medicaid in Schools that helps young people struggling with various kinds of physical and mental illnesses in the schools. That is helpful.

It is rural hospitals. I have been on the phone with literally four dozen hospital CEOs in this State—at least four dozen, a number of them a number of times—and small hospitals in rural communities know that they may close if this bill, the one behind door No. 3, is adopted.

It is seniors in nursing homes, and it is their families who help care for them. Few people realize that three in five nursing home residents in my State rely on Medicaid to cover the cost of their care. That is 60 percent. They are our parents and our grandparents. These are middle-class families and working-class families who end up in nursing homes. They run out of money at the end of their lives. That is Medicaid dollars. Two-thirds of Medicaid dollars don't go to children or opioid addiction, they go to nursing homes to take care of our parents and grandparents.

I met with families again in Toledo last week who rely on Medicaid to help afford nursing home care.

Bob's mother Blanche lives at a home in Perrysburg, a suburb of Toledo.

My mother and father worked all their lives. My mother is 95 and receives a pension

of only \$1,500 a month. Medicaid keeps her alive so she is able to spend time with her kids and her grandkids.

I remember Margaret Mead, the great anthropologist, who said that wisdom and knowledge are passed from grandparent to grandchild. A child can spend time with her grandparents, as my daughters got to spend time with their grandparents, especially my grandmother in her last years. It didn't just bring great joy to the grandparents, it imparts wisdom and understanding and education to the grandchildren. Medicaid does that, too, when people have insurance, when people are taken care of in nursing homes and assisted living.

We talk about people like Blanche who worked hard to build a good life for their families. They paid their taxes. They paid their insurance premiums. They paid into Medicare and Social Security. So we are going to cut their Medicaid in the last years of their lives. They shouldn't have to lose everything because they need more intensive care in the later years of their lives, and neither should their families, who are already squeezed—people in their forties and fifties and early sixties—who worry about their children's education on the one hand and then worry about paying for nursing home care for their parents on the other.

Another huge portion of the people Medicaid helps are Ohioans who are workers, who pay taxes, who have children with a disability or with serious special needs. Nearly 500,000 kids in Ohio—20 percent of Ohio kids, 2 in 10—have special healthcare needs. Boaz, whom I met in Cleveland, was born with several heart defects. He wouldn't be alive today without treatment covered by Medicaid. Benjamin Dworning from Akron, born with Down syndrome, visited my office recently with his parents.

It is not just kids with special needs who will lose out. Ohio schools could lose \$12 million a year. Twenty-two percent of rural hospitals would be at risk of closing. It goes on and on.

These are all problems created by this bill behind door No. 3, written by lobbyists, written down the hall in Senator McConnell's office by drug company and insurance company and Wall Street lobbyists. That is the bill—undisclosed, unknown until he regurgitated it on the Senate floor and gave us this bill.

Cleveland.com wrote: "As for the proposed \$200 billion to ease the path for ACA funding losses, this too would pale compared with the losses themselves."

Again, Governor Kasich—he, a Republican; I, a Democrat—said this is spitting in the ocean.

So that is what is behind door No. 3—higher costs, less coverage.

That brings us to door No. 4. What is behind the last door? We have no idea. It is the ultimate mystery plan.

Remember what Washington uncertainty has already done to Ohio families? There are 20 counties with no insurer next year.

As an editor at the Columbus Dispatch—Ohio's most conservative newspaper—said to me about a month and a half ago, uncertainty is like carbon monoxide for business, a silent killer.

Now, the Republican Party, which fashions itself as the party of business, seems to have specialized over the last 10 years in injecting uncertainty into the economy—uncertainties such as, are we going to pass the Export-Import Bank, which Senator MURRAY worked so hard on, so our companies can export American-manufactured, well-made products? Are we going to pay our debts or are we not going to meet our obligations and shut down the government? Are we going to leave hanging out there the Affordable Care Act repeal? All of these things create uncertainty, and as a result, business investment freezes. We know what happens. So who knows what kind of damage this latest vote will do in the insurance market.

What we know for certain is that this mystery plan behind door No. 4 will mean higher costs and it will mean less coverage, because nothing so far—nothing that has been put on the table—could result in anything else. The math doesn't work. How can anyone stand here—again, staff standing by the wall here and Members of the Senate, all getting insurance provided by taxpayers—how can you stand here and threaten to take away the insurance of others and at the same time drive up costs?

The Affordable Care Act is not perfect. Of course, it is not. We have work to do. Senator SCHUMER talked today about it. Sit down with us. We would love to work through many of the items and get more young, healthy people into the insurance pool, to stabilize the insurance market, to go after the high cost of prescription drugs and maybe, even to consider Medicare at 55. We were one vote away from opening up Medicare in a revenue-neutral way for people between 55 and 64 who might have lost their insurance as they get sick or as they get older. There are all of those options, but don't start with repeal, throwing millions of Americans off of their insurance.

I agree with Governor Kasich one more time. Yesterday, Governor Kasich said: Until Congress can step back from political gamesmanship—which we saw in spades today, as Senator JOHNSON and Majority Leader MCCONNELL were negotiating the last parts of the bill, and as, more or less, 98 of us sat here and watched and wondered what was going on and saw that political gamesmanship—and come together with a workable bipartisan plan, it is a mistake for the Senate to proceed with the vote we just took on Tuesday. He said that yesterday.

Instead of down the hall Senator MCCONNELL working with insurance company and drug company lobbyists, instead of listening to the drug companies so that he puts the tax break for drug companies in the bill, let's listen to the people of Kentucky, Wyoming, Texas, Louisiana, Alabama, North Carolina, Ohio, Hawaii, and Washington. Let's listen to the people of the States of my colleagues in this body.

Let's work on a bipartisan plan to fix what is not working in the Affordable Care Act. Let's keep what is working and make healthcare work better for the people whom we serve.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from Hawaii.

Mr. SCHATZ. Mr. President, how much time remains?

The PRESIDING OFFICER. There is 5½ minutes.

Mr. SCHATZ. Mr. President, we just took one of the most reckless legislative actions in this body's history. We are blowing up the American healthcare system, and we don't even know what comes next.

I want to be clear. The Senate has never before voted on major legislation that would reorder about one-sixth or one-fifth of the American economy and impact millions of lives without actually knowing what the bill would even do.

There has been no bipartisanship. There has been talk of it, but there have been no real discussions. There have been no public hearings. Let me say something about hearings. This is not a technical point. This is the way a legislative body does its work. This is the way we figure out whether our bill is any good or not.

This is the way the Senate has always worked. We don't do major legislation without hearings. But that is what we are doing today, and that is because people don't want to disclose what is in this bill.

It is true that we don't know exactly what is in the bill, but we can be sure of a few things. First, whatever problems there are with the ACA, this bill doesn't even bother to take a swing at them. To the extent people are worried about high deductibles, it will increase the deductibles. To the degree people are worried about the choices on the exchanges, it doesn't even try to solve that problem.

We don't know exactly how much Medicaid will be cut, whether it is just rolling back the Medicaid expansion or making these radical structural reforms, but we know there will be deep cuts to Medicaid. This will hurt people. It will hurt people in nursing homes. It will hurt people with drug addiction. Medicaid is a program that works for tens of millions of Americans, and it will be slashed massively.

We don't know whether they are going to get rid of the capital gains tax or just other revenue, but we know

they are going to reduce many of the taxes in the original Affordable Care Act, and they are going to pay for it by cutting Medicaid.

So under the guise of fixing the ACA, they are actually doing nothing about ACA. What they are doing is cutting taxes and cutting Medicaid. We don't know exactly what is in the bill, but we do know that.

People are going to be hurt—people with preexisting conditions, families with loved ones struggling with opioid abuse, people in nursing homes, people who rely on Planned Parenthood, and the tens of millions of people who will lose their insurance almost instantly. That is why every group—from the American Medical Association to the nurses, to the American Cancer Society, to the March of Dimes, to the National Physicians Alliance, and the AARP—opposes this bill. There are 14 different versions of this bill, but, actually, these organizations oppose them all.

There are some core elements of the vote we took that are going to be true no matter what. It will cut Medicaid and cut taxes. It will reduce patient protections. It will reduce the number of people who have insurance.

It was all done with no hearings, with no Democrats, with no experts on healthcare. This thing is going to be dropped on us without enough time to review it and without enough time to interact with our home State and figure out the impact.

Make no mistake, the reason they will not tell you what is going to be in the final bill is because the moment they do, this thing will come crashing down. What the American people have to do is to make sure that this thing comes crashing down anyway. We have to do it for the tens of millions of Americans who depend on Medicaid and the ACA. We have to do it for our rural hospitals. We have to do it for the people with preexisting conditions. We have to do it for the people without power, without money, without the ability to walk 200 yards from this gilded Chamber and get the best healthcare in the world.

I will be fine. All the Members of this Chamber will be fine. But our job is not to take care of ourselves. Our job is to represent our constituents, and this bill has earned the title of most unpopular major bill in American history, most unpopular major legislation in American history.

There is still time to walk back from the brink.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays with respect to amendment No. 267.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.



The yeas and nays were ordered.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 270 TO AMENDMENT NO. 267  
(Purpose: Of a perfecting nature.)

Mr. MCCONNELL. Mr. President, I call up amendment No. 270.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 270 to amendment No. 267.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will read the amendment.

The senior assistant legislative clerk continued with the reading of the amendment.

(Mr. DAINES assumed the Chair.)

The bill clerk continued with the reading of the amendment.

(Mr. ROUNDS assumed the Chair.)

The legislative clerk continued with the reading of the amendment.

The senior assistant legislative clerk continued with the reading of the amendment.

The bill clerk continued with the reading of the amendment.

The assistant bill clerk continued with the reading of the amendment.

(Mr. DAINES assumed the Chair.)

The legislative clerk continued with the reading of the amendment.

The senior assistant legislative clerk continued with the reading of the amendment.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. ENZI. Mr. President, I ask unanimous consent that there be 1 hour for debate on amendment No. 270, equally divided between the two managers or their designees; that following the use or yielding back of time, Senator MURRAY or her designee be recognized to make a point of order against the amendment, and that Senator ENZI or his designee then be recognized to make a motion to waive; further, that following the vote on the motion to waive, Senator ENZI or his designee be recognized to offer a second-degree amendment, No. 271, and that Senator MURRAY or her designee be recognized to offer a motion to commit; finally, that the time from 10 a.m. until 12

noon be equally divided between the managers or their designees; that at 12 noon tomorrow, Senator MURRAY or her designee be recognized to make points of order, and that Senator ENZI or his designee be recognized to make a motion to waive; that following the motion to waive, the Senate vote in relation to the amendment No. 271; that following disposition of the amendment, the time until 2:15 p.m. be equally divided on the Murray motion to commit, with a vote on the motion at 2:15 p.m. I further ask that following disposition of the Murray motion, Senator MURRAY or her designee be recognized to offer an additional motion to commit.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, the pitch to Republican Senators this afternoon before the first vote was that it was nothing but a little bit of throat clearing—just a first step to get the conversation started.

Let's be clear, nobody can pretend the stakes aren't real now. In a few minutes, the Senate will be voting on yet another version of the Senate TrumpCare bill. I call it the BCRA 3.0. It features a special gut punch to consumer protection offered by Senator CRUZ.

My view is, the Cruz proposal is a prescription for misery for millions of Americans dealing with serious illness and bedlam in the private insurance market. Forget, colleagues, all the talk about bringing costs down. This bill is going to send health expenses like deductibles and copayments into the stratosphere.

TrumpCare 3.0, BCRA 3.0, tells insurance companies: Look, you are off the hook for basic consumer protection. You get to bring back annual and lifetime caps on coverage, and those caps would hit people who get their healthcare through their employer, as well as those who buy it for themselves in the individual market. You can forget about essential health benefits. You get to flood the market with bargain-basement insurance plans, as long as you offer one, single, comprehensive option, the kind of plan that actually works for people with preexisting conditions and, by the way, you get to price that through the roof.

Under the Cruz proposal, we will be looking at a tale of two healthcare systems in America. The young and healthy are going to opt for the bare-bones insurance plans that don't cover much of anything, but there are millions of people in this country who cannot get by with skimpy Cruz-plan insurance. They are people who have had a cancer scare or suffer from diabetes. They are people who get hurt on the ski slopes or in a car accident. The

only coverage that works for them will come with an astronomical pricetag.

There was no hearing in the Finance Committee, no hearing in the HELP Committee. Senators are flying in the dark, and as far as I can tell, the proposal is going to be before us without having been scored by the CBO.

Let me close with this. It is not too late for Republican Senators to put a stop to this shadowy, unacceptable process. Nobody in this Chamber—not one Senator—has to choose between TrumpCare and straight repeal or any partisan plan. I hope my colleagues will reject TrumpCare 3.0, BCRA 3.0 and say it is time to stop this my-way-or-the-highway process and say, after rejecting this ill-advised amendment, that they would like to return to the regular order, where we look to bipartisan approaches.

I urge my colleagues to oppose and to oppose strongly this first amendment that we will vote on tonight, BCRA 3.0. It is a prescription for trouble for millions of consumers, and I think it is going to cause chaos for the reasons I described in the private insurance market.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I rise tonight to talk about the Portman amendment and about the broader substitute that repeals and replaces the Affordable Care Act, otherwise known as ObamaCare.

Is this replacement perfect? No. I don't think any replacement is. But it is a big improvement over the status quo. The status quo on healthcare is simply no longer sustainable.

It isn't working for Ohio. We heard a lot about the middle-class squeeze in Ohio, and it is real. Wages are flat and expenses are up. For most folks, the biggest single expense is healthcare costs. It is the fastest growing expense because of higher premiums and higher deductibles.

It wasn't supposed to be this way. In fact, when the Affordable Care Act—ObamaCare—was enacted in 2010, we heard a lot of promises about lower costs. They promised that ObamaCare would bring down premium costs by 2,500 bucks for the average family, but we now know that families have seen their premiums skyrocket. According to the Ohio Department of Insurance, health insurance premiums on the individual market in Ohio have nearly doubled since the Affordable Care Act went into effect 7 years ago. Small business premiums have gone up 82 percent. Premiums for this year are up double-digits, and next year we all expect the same. No one can afford that.

To make matters worse, we have seen a sharp increase in deductibles. For a lot of people covered by insurance, they feel as though they really don't have health care insurance at all because their out-of-pocket expenses are

so high and deductibles are so high, they really can't access it.

These higher premiums and deductibles have already made healthcare unaffordable for a lot of hard-working Ohioans. But it is not just about costs, it is also about choice. Some people are losing their coverage altogether because the policies established in the Affordable Care Act were set up for failure.

Fifteen of the 23 nonprofit insurers set up around the country as co-ops around the Affordable Care Act have now gone bankrupt. One was in Ohio. Last year in my State, 22,000 hard-working Ohioans lost their coverage because our co-op declared bankruptcy. Many of them, by the way, had already paid their deductibles on that, and they lost that as well.

Worse than that even, right now there are 19 counties in Ohio without a single insurance company in the exchange market, the individual market—not one insurance company. Another 27 counties in Ohio have only 1 insurer. That is not competition. That is not choice. Far too many Ohioans—thousands of them—if they want health insurance, are told they have to move out of their county to another county.

Less competition has also meant less choices and higher costs for Ohio families and cost shifting on to employer-based plans. As these insurance companies have lost money, some of them haven't left Ohio, but they shifted their costs to other people. That is why so many people's costs have gone up.

Without competition and choice in the market, we are never going to be able to lower healthcare costs for families and small businesses. That is one more reason why the status quo on healthcare, the system we have now, is not sustainable.

The Affordable Care Act has failed to meet the promises that were made, but we can do better, and we have to do better. It is our job to do better, but we should do it in a way that protects low-income beneficiaries of Medicaid, that protects the most vulnerable in our State. We can do that too.

At the outset of this debate and consistently throughout the debate, I have said my goal was to create a more workable healthcare system that lowers the cost of coverage and provides access to affordable care while protecting the most vulnerable. This most recent version of the Better Care Reconciliation Act—as my colleague just called it, BCRA.3—is an improvement over the House bill, but it is also an improvement over the previous Senate bill. This measure includes reforms that will help lower premiums on families and small businesses. The No. 1 priority out there should be to lower those costs. This bill will help lower those premiums.

Throughout the process, I have expressed my concerns about how we deal

with Medicaid, which is a critically important Federal program that provides healthcare benefits to about 70 million Americans who live below the Federal poverty line. The Affordable Care Act allowed States, including Ohio, to expand Medicaid eligibility actually above the poverty line, to 138 percent of poverty, and to cover single adults.

With our growing debt and deficits, we know the current Medicaid Program is not financially sustainable over the long term, and we have to look for innovation and reform to protect and preserve it now so that Ohioans can count on this program in the future and so that those who need it will have it.

My point all along has been that these reforms can and should be done in a way that doesn't pull the rug out from under people and gives States time to adjust. So, in this Senate bill, I have worked to put Medicaid expansion on a glidepath for 6 years, with the current law for 3 years and then a transition for another 3 years. That transition would be to a new healthcare system. This is a big improvement over the House bill, which had a cliff in 2 years without a glidepath.

Just as important, in this substitute before us, Governors would have new flexibility in this legislation to design innovative Medicaid Programs that meet the needs of their States and their expansion populations.

One issue I have focused on a lot in this discussion has been the opioid epidemic. In my own State of Ohio, this epidemic has had a devastating effect. About 200,000 Ohioans now suffer from drug addiction, primarily from heroin and prescription drugs and the new synthetic heroins, such as fentanyl. Unbelievably, I will tell you that about half of the funds we spend in expanded Medicaid in Ohio go for one purpose, and that is mental health and substance abuse treatment, primarily driven by addiction to heroin and prescription drugs and fentanyl.

We have to deal with this issue in a smart way. In this latest version of the substitute, that is why I fought to provide not only that transition for those on expanded Medicaid but also an additional and unprecedented \$45 billion in new resources for States to address the opioid epidemic. I am pleased to say that in the legislation we are going to vote on tonight, it is included. We want those receiving opioid treatment under Medicaid expansion to maintain access to treatment as they work to get back on their feet. This new funding is critical to help with regard to that treatment and longer term recovery.

An additional issue I have been working on is to ensure that those on expanded Medicaid are able to find affordable healthcare options under a new system, whether it is under the new Medicaid structure or affordable

healthcare options in the private sector on the private market. Over the past few weeks, I have worked with the President, the Vice President, administration officials, and many of my colleagues on ways to improve this bill further in this regard, to help out low-income Ohioans and others who are trying to find affordable coverage. That is why this proposal before us, the Portman amendment, is so important.

By the way, it is called the Portman amendment, but it is the result of the work of a lot of different Senators, some of whom I saw on the floor earlier and one I see here tonight. Senator CAPITO, who has been a leader on this, and Senators HOEVEN, GARDNER, SULLIVAN, CASSIDY, YOUNG, BOOZMAN, HELLER, MURKOWSKI, and others, have worked on this proposal.

I am pleased that we have received a commitment that the Senate will vote tonight on this approach to help those on Medicaid expansion and other low-income Americans get access to affordable healthcare in the private market.

This plan has two parts. First, it provides an additional \$100 billion to the long-term stability fund in the Better Care Reconciliation Act to help people with out-of-pocket expenses, such as deductibles and copays, thus ensuring that those who transition from Medicaid expansion into private insurance under a new system not only have the tax credit to help them, which is part of the underlying bill, but also have this additional help for affordable coverage options.

Second, it is a Medicaid wraparound that allows States to provide cost-sharing assistance to low-income individuals who transition from Medicaid to private insurance and receive a tax credit on the exchange. The States could use this flexibility in combination with this long-term stability fund increase—the additional dollars I am talking about—to assist individuals with their deductibles, out-of-pocket expenses, and copays.

It would also allow the States to capture Federal Medicaid matched dollars to supplement the tax credits under the Better Care Act without having to seek and renew existing waiver authority.

This Medicaid wraparound is already available through a waiver, but we think it is critically important to put it in a statute so that other administrators and the current ones—Seema Verma has said she supports this waiver being granted—but others will grant it, and you don't have to renew this waiver or beg for a waiver. It is a commonsense way to help get people who are going into private plans the help they need to be able to afford the premiums, deductibles, and copays.

This is a commonsense approach to help ensure that these low-income Americans have access to affordable care, and I urge my colleagues to support it.

We must do better than the Affordable Care Act. I have heard from people across Ohio on both sides of this debate. Trust me, I have heard a lot. There is a lot of passion. I understand that. But it is interesting, the common denominator in many of these discussions is that doing nothing is not sustainable. Pretty much everybody acknowledges that the status quo is not working. Ohioans deserve action.

In my view, to throw in the towel and give up on finding a better alternative is to give up on Ohio's families, give up on Ohio's small businesses, and I am not willing to do that.

We all know the Affordable Care Act has not lived up to its promises to the American people. Today, after 7 years of consistently calling for repeal and replace, I am supporting a sensible plan to do just that. Is it perfect? No. I don't think any substitute is. Replacement is hard. But it is an improvement on the unsustainable status quo, and it does help keep our promise to the American people to do better.

I urge my colleagues to support the legislation before us.

I yield back my time.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Thank you, Mr. President.

Mr. President, earlier today the Senate voted on a bill to dismantle this country's healthcare—a cruel bill that would affect every single American and one-sixth of our economy; a heartless bill that was crafted in secret, without public debate and without input from the families who will be impacted; an inhumane bill that would make health insurance unaffordable for millions of Americans and leave millions more with no access at all.

Despite this legislative malpractice, despite numerous independent analyses and nonpartisan Congressional Budget Office findings that millions of Americans will lose coverage and face increased costs, despite Americans from across the country pleading with Republicans not to rip away their coverage or take a machete to Medicaid, despite all that, President Trump and Republican leadership put politics ahead of people and voted to repeal the Affordable Care Act. That is a travesty.

I have often said that the proudest vote of my career was the one I cast in favor of the Affordable Care Act. The second proudest vote is today, voting no on this cruel, heartless, inhumane bill.

To all of my constituents in Massachusetts, please know that I vote no with you in mind.

Massachusetts is the home of universal healthcare. We have a model for the Affordable Care Act. Because of our belief that healthcare is a right and not just a privilege, 98 percent of Massachusetts residents have healthcare

coverage. That was a dream of the great Teddy Kennedy, the lion of this Chamber, and it is a reality in Massachusetts.

We cast this historic vote today to proceed to debate on healthcare legislation, but rest assured, the fight to protect the Affordable Care Act is far from over.

It is a testament to how divided the Republican Party is over how to replace the healthcare law that we still don't know which version of TrumpCare we will proceed to vote on for final passage. It is not because Republicans haven't had time—they have had 7 years to craft a plan to repeal the Affordable Care Act. Rather, the chaos we have seen so far from Senate Republicans is because millions of Americans are finally benefiting from insurance coverage, many for the first time, and they don't want these protections taken away.

In many ways, it doesn't matter which bill they bring up for a vote because all versions of the Republican healthcare bill are terrible. Republicans still have no idea how they will go about protecting those with pre-existing conditions and ensure that millions aren't kicked off their current insurance plan.

Senate Republicans have so far proposed three bills that would each devastate the healthcare sector, take a machete to Medicaid, and make the poorest in our country pay for tax breaks for the wealthiest. These bills are the bad, the worse, and the ugly.

First, the bad.

Senate Republicans proposed legislation at the end of June—just a month ago—that would rip away health insurance from 22 million Americans and give the top 400 wealthiest people in our country a tax break worth \$33 billion.

Then the worse.

They introduced yet another bill that would also kick 22 million Americans off of their health insurance and cut Medicaid by \$750 billion. They tried to buy Republican votes with a separate opioid fund, but that craven, political Hail Mary was not fooling anyone.

Then the ugly.

When Republican leadership realized that they did not have the votes for either of these cruel replacement bills, they decided to just repeal the healthcare law without any kind of replacement. This proposal would take coverage away from 32 million Americans and double premiums over the next decade.

That is the slate of Republican healthcare bills—the bad, the worse, and the ugly. All of these healthcare proposals have one thing in common: heartlessness. They all reduce coverage. They all increase costs for Americans. They all eviscerate Medicaid, causing irreparable damage to a program that provides coverage for 70

million Americans, and they all hand over billions in tax breaks to the wealthiest in our country, who do not need them or deserve them. Even in Massachusetts, the Republican proposals would mean more than 260,000 people would lose coverage, often the lowest income residents in the State. It would cost the State more than \$8 billion by the year 2025.

There are no changes, no so-called fixes, no modifications to make any of these bills less cruel. Each of the Republican proposals will just exacerbate the most devastating public health crisis facing the country—the battle against opioid overdose deaths.

Leader MCCONNELL said today that he would be thinking about the families who are hurting in Kentucky when he casts his vote to kick at least 20 million Americans off of their health insurance coverage. Yet do you know who will really be hurting? It will be the families of the nearly 1,000 people who died of an opioid overdose in Kentucky last year.

In a blatantly craven attempt to make TrumpCare more palatable, moderate Republicans from States that have been ravaged by the opioid crisis included a paltry opioid fund in the most recent version of the GOP replacement fund. Those are crumbs compared to the amount that the Affordable Care Act would likely spend on covering opioid use disorder treatments if we would just leave the law alone to work as intended. This opioid fund is not a fix; it is a falsehood. It is a false promise to the people who are suffering from opioid addiction. It is a false future that will not include critical Medicaid funding for treatment and recovery services, and it is a false bargain that Republicans will make at the expense of families who are desperate for opioid addiction treatment.

The American people will not be fooled. They realize that opioid funding in this proposal is nothing more than a public health pittance—a wholly inadequate response to our Nation's preeminent public health crisis. No amount of money in an opioid fund can replicate the access to treatment that is provided through the comprehensive health insurance program that the Affordable Care Act represents. Families of those who suffer from substance abuse disorders have been shouting from the rooftops that cutting Medicaid and hamstringing access to health insurance coverage will only make a difficult situation worse.

We should be making health coverage and treatment access more robust, not weaker. Today, only 1 in 10 people with substance addiction receives treatment, and it has been estimated that 2 million people who live with opioid use disorders are not receiving any treatment for their disorders. It should not be a surprise to anyone that the epidemic of opioid abuse will only worsen

as long as we have a system that makes it easier to abuse drugs than to get help.

These Republican proposals will be a death sentence for millions of people with substance use disorders. A vision without funding is a hallucination. They are cutting the funding for substance abuse. Republicans are turning their backs on their vow to combat the opioid epidemic, and President Trump is beginning to break his own promise from the campaign trail to “expand treatment for those who have become so badly addicted.” Instead, they are moving forward with a proposal that threatens insurance coverage for 2.8 million Americans with a substance use disorder—all to give hundreds of billions in tax breaks to billionaires and big corporations—and slashing funding for our Nation’s preeminent public health crisis is just part of it.

Creating a separate fund for opioid use disorders just further stigmatizes the disease and pushes it back into the shadows. This is not how we treat chronic health conditions in this country, and it is insulting to those 33,000 Americans who lost their lives just last year from opioid overdoses.

This latest political maneuver proves yet again that TrumpCare has never been about creating health. It has always been and still is about concentrating wealth—tax breaks for the rich coming from the cuts in healthcare coverage for those who need it the most in our country. They are abandoning hard-working families so that they must fend for themselves while they bestow those gifts of billions in tax breaks to the wealthy. That is shameful.

The GOP replacement plan also imposes an age tax on older Americans, allowing insurance companies to charge older Americans five times more than younger Americans for the same coverage. That is unconscionable.

The GOP plan reduces access to care for those with preexisting conditions—Americans with cancer, diabetes, women who have had children. They want to force them to pay for a Cadillac, but they then hand over to them a tricycle. That is just plain wrong.

On this floor, it is going to be a battle to the very end on this bill, and I am going to keep speaking and keep fighting until my Republican colleagues understand how important these issues are to every single family in our country.

The American people who believe in quality, affordable healthcare will not be silenced by today’s vote. Instead, we will be invigorated to call out the callousness in any of these bills that would threaten the economic security for low-income and working families in order to fill the already overflowing bank accounts of the 1 percent. Oh, no. This fight is just beginning out here on the Senate floor because the lives of all

Americans who would be hurt by the Senate’s vote today to begin debate on repealing the Affordable Care Act are simply too important for us to stop fighting.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, today is an important step in a very long journey. Some 7 years ago, ObamaCare passed into law, and in the 7 years that ObamaCare has been on the books, we have seen the results of this catastrophic law. We have seen the devastation that has resulted. ObamaCare is the biggest job killer in this country.

You and I and the Senators who have listened to their constituents across the country have heard over and over again from small businesses that have been hammered by ObamaCare. As I have listened to small businesses in the State of Texas over and over again, they have described ObamaCare as the single biggest challenge they face.

Indeed, thanks to ObamaCare, we have discovered two new categories of people who have been hurt by the Federal Government—the so-called 49ers and the so-called 29ers. The 49ers are the millions of small businesses that have 47, 48, 49 employees and yet do not grow to 50 because at 50, they would be subject to ObamaCare, and in being subject to ObamaCare, they would go out of business. There are literally millions of new jobs that are waiting to happen, waiting to grow, small businesses ready to expand that ObamaCare penalizes so punitively that they do not expand.

By the way, those jobs that would be the 50th and 51st and 52nd are typically low-income jobs. They are jobs for people who are just starting out in their careers. They are jobs for people who are minorities, who are African Americans, who are Hispanics. They are jobs for people like my father in 1957—washing dishes, making 50 cents an hour, but he was glad to have freedom in this new country.

Then there are the 29ers, the people all across this country who are forcibly put into part-time work at 28, 29 hours a week because ObamaCare defines a “full-time employee” as 30 hours a week. People all over the country are being hurt. Single moms who are trying to feed their kids are being hurt because they have been forced into part-time work so that they end up working two or three part-time jobs at 28, 29 hours a piece, and none of them provide healthcare. The burden on them has been enormous.

It hasn’t just been jobs, although that is a big part of it; it has also been the millions of Americans who have had their health insurance canceled because of ObamaCare. We all know President Obama looked at the TV cameras and said: If you like your health insurance plan, you can keep

your health insurance plan, and if you like your doctor, you can keep your doctor.

PolitiFact—that left-leaning news site—labeled Obama’s promise as 2013’s Lie of the Year, and it was. It was a deliberate lie, as Jonathan Gruber, the architect of ObamaCare, said that they were banking on what they called the stupidity of the American people—selling it based on a lie.

Then there is the impact on premiums. President Obama promised the American people that under ObamaCare the average family’s premiums would drop \$2,500 a year. That wasn’t just a little bit wrong; it was wildly and dramatically wrong. In fact, the average family’s premiums have risen over \$5,000 a year.

People are hurting because health insurance is unaffordable. I hear from Texans over and over and over again: I cannot afford health insurance anymore.

I will say that the harms from ObamaCare—the people suffering under this failed law—have been mounting and mounting and mounting, and for 7 years, the Democrats have been content to do nothing. Barack Obama as President and Democrats having majorities in the Senate did nothing for the 49ers who could not get new jobs; nothing for the 29ers, the single moms forced to work part time; nothing for the millions of people who had the insurance plans that they liked canceled; nothing for the millions of people who could not go see their own doctors anymore; nothing for the millions of people whose premiums had skyrocketed.

After 7 years of stonewalling and blockading and saying “We do not hear you” to the American people, now our friends on the Democratic aisle are suddenly insisting that they want to do something. Today, we had a vote to take the first step in doing something—in honoring the promise every Republican made to repeal this disaster.

The bill before the Senate is not perfect. No one would expect it to be perfect. Bismarck’s comments about sausage-making are certainly true in this process here today. Yet I will say that in the bill before the Senate, which is not likely to pass tonight—but I believe, at the end of the process, the contours within it are likely to be what we enact, at least the general outlines—there are at least four positive elements that are significant.

No. 1, it repeals the individual mandate.

The IRS fines about 6.5 million people a year because they do not have enough money to buy insurance. Think about that for a second. You are struggling to make ends meet, and you do not have the money to buy health insurance. Not only do you not have insurance, but the IRS slaps you with a fine—millions of dollars of fines. In the

State of Texas, there are roughly a million people who are getting fined by the IRS, roughly half of whom make \$25,000 a year or less and nearly 80 percent of whom make \$50,000 a year or less. The Democratic solution is, if you do not have the money for healthcare, the IRS is going to fine you on top of it, and you still do not get healthcare. That is a terrible outcome.

This bill will repeal the individual mandate, repeal the IRS fines on 6.5 million Americans and the job-killing fines of the individual mandate.

It also repeals the employer mandate, which is the driver of the 29ers and 49ers. For 7 years, the Democrats had no answer to the single mom forced to work part time. Repealing the employer mandate provides relief to everyone who finds himself in those camps.

No. 3, this bill has a major reform that allows people to use health savings accounts—pretax money—to pay for insurance premiums. That means, for millions of Americans, their effective premium rates instantly drop 20 to 30 percent by using pretax money. That is a major reform for empowering you, the consumer, to choose the healthcare for your family.

No. 4, the bill before the Senate includes the consumer freedom amendment—an amendment that I have introduced like the health savings account amendment. It is an amendment that says you, the consumer, should have the freedom to choose the healthcare that is best for your family. You should have the freedom. You shouldn't have to buy what the Federal Government mandates that you must buy; you should choose what meets the needs for you and your family.

The consumer freedom amendment was designed to bring together and serve as a compromise for those who support the mandates in title I. The consumer freedom amendment says that insurance companies, if they offer plans that meet those title I mandates—all the protections for pre-existing conditions—they can also sell any other plan that consumers desire. So it takes away nothing. If you like your ObamaCare plans, those are still there. It just adds new options and lets you decide: Do you want the ObamaCare option or do you want something else that is affordable? So rather than getting fined by the IRS, you can actually purchase something you and your family can afford.

Now, our friends on the Democratic aisle have been unwilling to look at any option expanding consumer freedom; they just say it won't work. What we know won't work is ObamaCare. We know premiums have risen over \$5,000 a year. What happens with the consumer freedom amendment? And this is critical. Over the past 2 weeks, the Department of Health and Human Services conducted a study on the impact of the

consumer freedom amendment. They concluded, No. 1, it would expand insurance coverage by 2.2 million people. Our friends on the Democratic aisle are constantly alleging that repealing ObamaCare will reduce coverage. Well, HHS found the consumer freedom amendment expands it by 2.2 million people.

But what does it do to premiums? This is powerful. HHS found that it will reduce premiums by over \$7,000 a year. If you are a single mom, if you are a school teacher, if you are a truck-driver, \$7,000 a year is a lot of money. It is the difference between making ends meet and not, perhaps. HHS found specifically that for those choosing freedom plans—the less expensive options—premiums would drop \$7,260 a year.

But what about those on the exchanges? What about those purchasing plans subject to all of the mandates? HHS found those plans would also drop, they projected by \$5,580 a year. So consumers benefit across the board with lower premiums.

This has been a process. At the end of this process, it is not clear what the Senate is going to pass, what is going to bring together and unite the Republican conference because, sadly, the Democrats are not willing to help us provide more consumer freedom, to help us lower premiums, to help us provide relief to the 49ers and 29ers who have been hammered by this bill. But I believe the key to getting this done—and I believe we can and will get to yes. We are not likely to get to yes tonight, but we can and will get to yes. I think the key to it is the consumer freedom amendment, if we are lowering premiums. If Texans, if Montanans, if people across this country are going home and seeing premiums \$5,000 a year cheaper with protections for pre-existing conditions or \$7,000 cheaper if you want a catastrophic plan on a freedom plan, that is a win for everyone. It is a win for conservatives. It is a win for moderates. It should be a win for Democrats. If Democrats were not engaged in this partisan fight, Democrats ought to be saying that lowering premiums \$5,000 or \$7,000 is a win for our citizens. That, I believe, will be the key to getting this done.

Let me finally say that there is rhetoric about insurance companies. Do you know who loves ObamaCare? It is insurance companies. Under ObamaCare, the profits of the top 10 insurance companies have doubled. When you have the IRS fining people to force them to purchase their product and driving up premiums so they are unaffordable, ObamaCare effectively sets up a cartel for the large insurance companies.

Consumer freedom puts you, the consumer, in charge of your choices. Instead of the giant insurance companies, instead of the Federal Government, it

puts you in charge. Freedom is the key to unifying our conference, and lowering premiums is the key, and I believe we can and will get this done.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, we are now considering the Cruz amendment, which he titles consumer freedom, but there could not be a more misnamed amendment to come to the floor.

Americans know this as the fake insurance amendment. This is the amendment that says: Hey, insurance companies, we are going to do you a big favor and let you sell these policies that aren't worth the paper they are written on. And, Hey, isn't this wonderful, says my colleague from Texas, because, you know what, people will only have to pay a few dollars per month for those worthless policies, and that is freedom.

Well, I will tell you that if my colleague had been out talking to people in rural America, as I have been, if he had been out there talking to people in red America, as I have been, he would be hearing that people are terrified about this effort to annihilate health insurance.

One out of three people in Oregon have been able to be on the Oregon Health Plan because of ObamaCare. It has had an incredible impact on our rural healthcare centers. Many of them have doubled their number of employees. About 20,000 employees across the State have been added. Oh, we just heard a speech about it being a job killer, but, in fact, it has employed thousands and thousands more people in the healthcare industry across America. Little communities that didn't have folks being able to take on mental health can now take on mental health issues. Rural communities that didn't have a drug treatment program now have a drug treatment program. Rural hospitals that were going out of business now have a strong financial foundation. And that is just the beginning.

Entrepreneurs across this Nation were tied up in their companies, afraid to leave and pursue their vision because they couldn't get healthcare by themselves. Now, they can, so they are starting one business after another after another after another, and what we have seen is month after month after month of growth in employment in this Nation.

Oh, we can tell you about the amendment that my colleague from Texas is putting forward and what it does in terms of offering these fake policies, but that is only the beginning of it because what it is designed to do is carve off those who are young, carve off those who are healthy, and put them into one pool, and then those with pre-existing conditions, those who are sick,

those who are older, have to go to another pool in which the rates go way up and create a death spiral. So whether we call this fake insurance for the young and healthy or a death spiral insurance for the old and those with health problems or preexisting conditions, it is really blowing up the insurance market at both ends.

Don't take my word for it; take the experts' word for it. We have a Republican Senator who said that there is a real feeling that there is subterfuge to get around the preexisting conditions, referring to this amendment. And then we have a staffer for a Republican who says: "And outside health policy folks have said this would set up a death spiral for the markets."

OK, but let's turn to the American Enterprise Institute, an extremely conservative organization. What does their scholar say? He says, "This means that people with those kinds of illnesses will end up paying more." And then he goes on to say, "The people who don't know something will happen and come down with something, those are the ones at issue."

Or let's turn to the American Action Forum Deputy Director Tara O'Neill Hayes, who says: "I think that really would be the definition of a death spiral."

Or we can turn to the former CBO Director, Douglas Holtz-Eakin, who says "What that will do is allow insurers to offer cheap policies to young invincibles. And on the exchange you're going to get all the sick people."

He continues and says: "That's a recipe for meltdown. You've split the risk pool into two exchanges."

And he says: "I think it would end up being bad politics."

I am not concerned about bad politics, but I am concerned about those folks whom I have been meeting out in rural America, out in red America, because they are coming to my townhalls and they are saying: Stop this diabolical plan. The Cruz amendment only makes it a lot worse by creating the fake policies for the young and healthy—the young invincibles—and the death spiral insurance for everyone else.

So someone can stand up here and speak glibly about how this is going to fix job creation in America, but what it really says is healthcare for the wealthy—not healthcare, but wealth care.

It is so interesting to see this whole coalition of individuals who want to pass a bill that not only demolishes healthcare for 22 million, but gives hundreds of billions of dollars to the very richest in America. My colleague mentioned a moment ago that the richest 400 families would get \$33 billion. No, not \$33,000 apiece or \$33 million—\$33 billion. They feel it is so important to rip healthcare from ordinary work-

ing families to deliver benefits to the wealthiest Americans. That is the opposite—opposite—of what we should be doing in America.

Franklin Roosevelt said that the test of our progress is not whether we add more abundance to those who have much; it is whether we do enough for those who have too little. What that translates to is whether we provide a foundation of affordable healthcare so that every family in America has a foundation to thrive. That is what we are fighting for.

This amendment is absolutely a bomb going off in healthcare on both ends of the spectrum, with the young and with the old, with the healthy and with the sick, and with those with preexisting conditions.

So let's defeat this amendment and make sure we don't make a really terrible bill a lot worse.

**THE PRESIDING OFFICER.** The Senator from Texas.

**MR. CRUZ.** Mr. President, unfortunately, there is far too much scaremongering that occurs in the political world. But as John Adams famously said: "Facts are stubborn things."

My friend from Oregon just described the consumer freedom amendment as "a bomb going off in healthcare." That is interesting rhetoric, but it is disconnected from the actual facts.

Let's talk about what my friend from Oregon neglected to mention or respond to in any way, shape, or form. He said not a single word about HHS finding that the consumer freedom amendment would expand insurance coverage by 2.2 million people. He had not a word to say in response to that. What he did say is that those who might choose freedom plans would be choosing what he called junk insurance.

Well, it is very nice that ObamaCare mandates that every person must buy a full-fledged Cadillac plan with all the coverage in the world. The problem is, there are millions of people who can't afford it. Not only can they not afford it, they get fined by the IRS because they can't afford it. My friend from Oregon said not a word about the 6.5 million people being fined by the IRS, roughly 50 percent of whom make \$25,000 a year or less.

It is interesting that Democrats are advocating fining people who make \$25,000 a year or less because they can't afford insurance. And what they say is: Look, we are going to fine you until you can afford to buy the full Cadillac plan. Well, you know what, if you are a young woman, you are 28 years old, you are just starting your career, you are making \$30,000 a year, you may not be able to afford the full Cadillac plan, but you might like some coverage. You might like catastrophic coverage. So if you get a cold, you break your arm, you cover that out of your health savings account perhaps. But if, God forbid, you get some terrible disease or

hit by a truck, you would like to have an insurance policy.

Sadly, our friends the Democrats say that you are out of luck. If you can't pay for the full-fledged Cadillac, you get nothing. They think your choices are junk insurance.

Remember when Barack Obama said that if you like your insurance plan, you can keep it? Well, listen to how the Democrats have moved today. If they don't like your insurance plan, you can't keep it. If they think your plan is junk, you can't keep it, and they are going to fine you through the IRS. I think you know better what your family wants.

The consumer freedom amendment doesn't take away a single choice. If you like the ObamaCare plans, they are still on the market with all of those mandates. But the Democrats are terrified of freedom. They are terrified that if people actually had the choice, they might not choose the full Cadillac; they might make a different choice.

But then in the world of scaremongering, my friend from Oregon also said: Well, those on the ObamaCare exchanges would go into a death spiral, would see their premiums spike.

Remember that John Adams quote about facts being stubborn things? Here is something else my friend from Oregon ignored, said nothing about. HHS found that for those on the exchanges, with all the title I mandates, including preexisting conditions, their premiums would drop by over \$5,500 a year.

So the question is, Who is more trustworthy, the experts at HHS analyzing what would occur with competition and choices in the marketplace or the rhetoric and scaremongering that sadly is being offered from the other side?

It would be one thing if they were confronting facts, if they were actually addressing real facts; instead, it is nothing but angry rhetoric.

My friend from Oregon described repealing ObamaCare and empowering consumers and lowering premiums as "wealth care." Well, there is an irony in that; in that, No. 1, roughly half of the people paying the IRS fines are making less than \$25,000 a year. It is the Democrats who are fining low-income people.

No. 2, do you know who agrees with the Democrats on this? The insurance companies. Indeed, my friend from Oregon was reading from the insurance companies. Why have the top 10 insurance companies had their profits double? Because of the Democrats' mandate you have to buy their products. Do you know where the Democrats and the insurance companies agree? None of them want premiums to lower.

Of course, the insurance companies don't want more competition, more options, and your premiums going down. They want to stick it to you as much

as they can. Sadly, I don't understand why, but the Democrats are standing arm in arm with the insurance companies, saying their profits need to increase even more. I don't know, maybe they cynically believe eventually it will push it to single-payer socialized medicine. I don't know why they do it, but what is wealth care is ObamaCare fattening the insurance companies at the expense of working men and women.

Facts matter, and if our friends on the Democratic side of the aisle want to raise accusations, they need to stay in the realm of reality and deal with actual facts: You want lower premiums, you want more choices, more options, more competition. You want higher premiums, you want fewer choices, less options, less competition. That is what ObamaCare does, and it is why millions of people are hurting and frustrated. It is why today is an important day.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, of course my colleague from Texas made this big rant a little while ago about how ObamaCare is a job killer. When I pointed out it has created jobs all over our country in healthcare, no response. When I pointed out it has created the opportunity for entrepreneurs to create jobs and healthcare jobs, no response. When I pointed out it creates fake insurance that doesn't cover anything when you get sick, no response. All he has to say is that it makes insurance a little cheaper.

Yes, it is worth the paper it is printed on. Well, not even that, actually, because you pay \$40 or \$50 a month, you go to the hospital, not covered. If you get in an accident and you need an MRI, not covered. You and your spouse have the opportunity and have a child, not covered. Not covered, not covered, not covered. Fake insurance.

It is the experts who say it throws it into a death spiral. It is the experts who say it in conservative think tanks and in liberal think tanks. So what does he have to say? We have something from the Trump team that says it is OK—not a CBO score because he is afraid it will show it makes it worse than the existing bill.

So let's talk about real facts. Next time, don't bring in a political statistic from the Trump team. Let's get a CBO score on this. Then let's have that debate. You had plenty of time to get it and you didn't get it.

This is a terrible amendment. We must defeat it.

Mr. CRUZ. Will the Senator from Oregon yield for a question?

Mr. MERKLEY. I believe my colleague has the remainder of the time.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, despite all Senate Republican leaders' efforts to keep this mean bill hidden from public view, patients and families know the truth.

This legislation would cause families' healthcare costs to spike. It will gut Medicaid, and it will deny tens of millions of people their healthcare coverage. It will defund Planned Parenthood and take away critical healthcare services that women and men rely on, especially in our rural areas where it is already hard enough to get the care you need. TrumpCare would also completely pull the rug out from under patients with preexisting conditions. I could go on.

I hope every one of my colleagues joins me in voting against this awful legislation, but this vote is far from the last time Senate Republicans need to reject TrumpCare, if they are really serious about protecting patients and families from the damage it would do, because if any version of this awful bill leaves the Senate, extreme Republicans in the House are going to do everything they can to make it even more damaging—and anyone who believes differently is refusing to see the writing on the wall.

I urge my Democratic and Republican colleagues to vote against this bill and every other version of it that we are going to see in the coming hours and days.

Mr. President, I yield back all of our time.

The PRESIDING OFFICER. Is all time yielded back?

The Senator from Washington.

Mrs. MURRAY. Mr. President, I raise a point of order that the pending amendment violates section 311(a)(2)(B) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of amendment No. 270 and, if adopted, for the provisions of the adopted amendment included in any subsequent amendment to H.R. 1628 and any amendment between Houses or conference report thereon, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 43, nays 57, as follows:

[Rollcall Vote No. 168 Leg.]

YEAS—43

|           |           |          |
|-----------|-----------|----------|
| Alexander | Flake     | Roberts  |
| Barrasso  | Gardner   | Rounds   |
| Blunt     | Grassley  | Rubio    |
| Boozman   | Hatch     | Sasse    |
| Burr      | Hoeven    | Scott    |
| Capito    | Inhofe    | Shelby   |
| Cassidy   | Isakson   | Strange  |
| Cochran   | Johnson   | Sullivan |
| Cornyn    | Kennedy   | Thune    |
| Crapo     | Lankford  | Tillis   |
| Cruz      | McCain    | Toomey   |
| Daines    | McConnell | Wicker   |
| Enzi      | Perdue    | Young    |
| Ernst     | Portman   |          |
| Fischer   | Risch     |          |

NAYS—57

|              |            |            |
|--------------|------------|------------|
| Baldwin      | Gillibrand | Murkowski  |
| Bennet       | Graham     | Murphy     |
| Blumenthal   | Harris     | Murray     |
| Booker       | Hassan     | Nelson     |
| Brown        | Heinrich   | Paul       |
| Cantwell     | Heitkamp   | Peters     |
| Cardin       | Heller     | Reed       |
| Carper       | Hirono     | Sanders    |
| Casey        | Kaine      | Schatz     |
| Collins      | King       | Schumer    |
| Coons        | Klobuchar  | Shaheen    |
| Corker       | Leahy      | Stabenow   |
| Cortez Masto | Lee        | Tester     |
| Cotton       | Manchin    | Udall      |
| Donnelly     | Markey     | Van Hollen |
| Duckworth    | McCaskill  | Warner     |
| Durbin       | Menendez   | Warren     |
| Feinstein    | Merkley    | Whitehouse |
| Franken      | Moran      | Wyden      |

The PRESIDING OFFICER (Mr. YOUNG). On this vote, the yeas are 43, the nays are 57.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENT NO. 271 TO AMENDMENT NO. 267

(Purpose: Of a perfecting nature.)

Mr. ENZI. Mr. President, I call up the Paul amendment No. 271.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Wyoming [Mr. ENZI], for Mr. PAUL, proposes an amendment numbered 271 to amendment No. 267.

Mr. ENZI. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The PRESIDING OFFICER. The Senator from Indiana.

MOTION TO COMMIT

Mr. DONNELLY. Mr. President, I have a motion to commit at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Indiana [Mr. DONNELLY] moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and



(2) strike provisions that will—

(A) reduce or eliminate benefits or coverage for individuals who are currently eligible for Medicaid;

(B) prevent or discourage a State from expanding its Medicaid program to include groups of individuals or types of services that are optional under current law; or

(C) shift costs to States to cover this care.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the text of my motions to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Klobuchar moves to commit the bill H.R. 1628 to the Committee on Finance of the Senate with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) provide a tax credit to individuals who do not qualify for the credit under section 36B of the Internal Revenue Code of 1986 equal to 25 percent of the premiums for health insurance paid by such individuals during the taxable year.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Klobuchar moves to commit the bill H.R. 1628 to the Committee on Finance of the Senate with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) provide a tax credit to small businesses for each employee enrolled in their health plan who is 50 years of age or older.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Klobuchar moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) would help rural hospitals stay open, maintain emergency room care, and provide access to outpatient services.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Ms. Klobuchar moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) repeal the noninterference clause under the Medicare part D prescription drug program in order to allow the Secretary of Health and Human Services to negotiate for the best possible price for prescription drugs.

Mr. PETERS. Mr. President, I intend to move to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any

day on which the Senate is not in session, with changes that,

No. 1, are within the jurisdiction of such committee; and, No. 2, would ensure that the bill does not increase costs, reduce benefits, or eliminate health coverage for any veteran or dependent of a veteran enrolled in traditional Medicaid, expanded Medicaid, or a qualified health plan offered through an exchange.

I am offering this motion because the legislation as written could harm millions of veterans and their dependents currently enrolled in traditional Medicaid, expanded Medicaid, and ACA exchange plans. The following Senators support my motion to commit: DUCKWORTH, STABENOW, CARPER, WHITEHOUSE, SHAHEEN, BLUMENTHAL, HIRONO, REED, DURBIN and BALDWIN. I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Mr. Peters moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such Committee; and

(2) would ensure that the bill does not increase costs, reduce benefits, or eliminate health coverage for any veteran or dependent of a veteran enrolled in traditional Medicaid, expanded Medicaid, or a qualified health plan offered through an Exchange.

The PRESIDING OFFICER. The Senator from Wyoming.

#### MORNING BUSINESS

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO SABRA FIELD

Mr. LEAHY. Mr. President, Vermont is a place of natural, exquisite beauty. From the expansive, rolling Green Mountains, to the crystal shores of Lake Champlain, Vermont is home to some of the most iconic geographic scenery our country has to offer. I am so proud to call Vermont my home.

Vermont is also continually ranked as having the most artists per capita than any other State. Our many artists—writers, photographers, painters, sculptors, potters, and more—help capture the iconic beauty that has long made Vermont a destination for visitors from across the country and around the world. One such artist, Sabra Field, is among the most gifted and extraordinary of them.

Sabra first came to Vermont in 1953 to attend Middlebury College. An Okla-

homa native, she has since been lauded as a “Vermont Living Treasure.” Perhaps most well-known for her vivid landscapes, Ms. Field’s impressive and iconic paintings are now of signature familiarity across our State and beyond. Any Vermonter who sees a painting of purple mountain majesties against a starry, blue night sky knows they are looking at one of her paintings. In 1991, Sabra was commissioned by the U.S. Postal Service to create a postage stamp of a red barn, blue sky, and green hills, a stamp which sold more than 60 million copies. She has also designed images for IBM, the Rockefeller Center, and UNICEF.

Yet what most suspect only to be Ms. Field’s effort to capture Vermont’s impressive geography may be surprised to discover that the meaning behind her artwork spans much further. In a new exhibit of Sabra’s six-decade long career, showcased by the Middlebury College Museum of Art, her artistry takes on a deeper meaning, as told by the artist herself.

The Middlebury exhibit showcases some of Ms. Field’s most iconic pieces, with each painting accompanied by a description of the memory or inspiration behind it. For instance, in a caption situated under an illustration of a family of hippopotamuses, Sabra writes of her first child who was hit by a car just short of his 10th birthday and died tragically 2 days later. In a 2011 panorama painted of Hawaii, she captions the story of the passing of her late husband, Spencer, who passed away on his favorite island of Kauai from complications related to cancer. The exhibit also depicts her work beyond that of a pastoralist, with self-portraits and paintings inspired by her personal exploration of spirituality, mythology, the cosmos, world history, and life after death.

These images and others reveal the often somber trials of Ms. Field’s life. They also expose the ways in which her artistry has helped her heal and grow over time. Ms. Field is hoping this new exhibit will help avoid her being known as purely a pastoralist, as she feels her art is both an expression of beauty and a representation of the obstacles and rebounds of her life.

Marcelle and I would like to congratulate Sabra on her new exhibit at Middlebury College and on her career of record accomplishments. Her treasured paintings have long been a gift to Vermont and the world, and we know her work’s timeless beauty will tell stories for generations to come. Our home proudly displays many of her works of art. We are so proud to call Sabra our dear friend.

I ask unanimous consent that a copy of the article “Sabra Field Show Reveals Personal Peaks and Valleys,” published in the Vermont Digger on July 16, 2017, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Vermont Digger, July 16, 2017]

SABRA FIELD SHOW REVEALS PERSONAL  
PEAKS AND VALLEYS

(By Kevin O'Connor)

MIDDLEBURY.—The first words of a new exhibit celebrating one of Vermont's most recognized artists sum up the seeming dilemma: "What can one say about Sabra Field's work that has not already been said?"

Plenty, the 82-year-old printmaker soon proves. Take her 1962 illustration of a family of sunny, smiling hippos.

"Here is the birth announcement for my first child, Barclay Giddings Johnson III, 'Clay' for short," she writes in an accompanying caption. "He was a handsome boy, a fearless skier, full of the joy of life, loved and admired by adults and kids alike. Hit by a car just short of his 10th birthday, he died two days later."

Next comes a 1965 self-portrait featuring more shadows than light.

"This is me the year I grew up, age 30," she writes, "when my parents died within a week of each other."

Then there's the 2011 panorama "Sea, Sand, Stones" that Field composed while visiting Hawaii with her husband.

"Spun died suddenly on our favorite island, Kauai, from complications dating back to cancer seven years earlier," she writes. "A set of these prints now hangs in Wilcox Memorial Hospital in Lihue in Spun's memory. The ER doctor who tried so hard to save him has become a good friend."

Most Vermonterers think of Field for works as colorful and carefree as the red barn, blue sky and green hills she created for a 1991 U.S. postage stamp that sold more than 60 million copies.

"Over the course of her career she has received any number of accolades, and has been variously described as 'the Grant Wood of Vermont,' 'the artist laureate of Vermont,' and as someone who 'has touched more lives than any Vermont artist in history,'" says Richard Saunders, a Middlebury College professor and director of its Museum of Art.

But the surprisingly personal "Sabra Field, Then and Now: A Retrospective" on campus through Aug. 13 reveals as much about her private struggles as her professional success.

"THE DIRECTION OF ONE'S WISHES"

Field, born in Oklahoma and raised in New York, first came to Vermont in 1953 to attend Middlebury, where she graduated 60 years ago ("I went to Middlebury because there was no math requirement," she confides in the show's catalog). She has given the college an archive copy of every print she has ever created.

Writing her own captions, the artist uses the 100-work exhibit to chronicle her career, starting with a 1971 image of swaying green stripes titled "Grass."

"My first 'home run,'" she notes. "I inadvertently hit a universal theme that got copied and got me to begin registering work with the Library of Congress."

On another wall, Field's 2001 "Eastern Mountains" features a more detailed landscape of emerald, turquoise and gold.

"The trip from coastal Maine to Vermont crosses the White Mountains in New Hampshire and gives a view of the Upper Valley perhaps not as broad and agricultural as in my dreams," she writes. "Memory alters in the direction of one's wishes."

"Eastern Mountains" proves the point. Field began the first proofs on Sept. 11, 2001, just before seeing television coverage of that day's terrorist attacks.

Every peak in this artist's world is framed by valleys, the exhibit shows. Consider the 1960 work "Daisies."

"This was published as a print and also as a hand-printed greeting card," she explains, "an enterprise found to be hugely unprofitable."

Next comes a 1969 self-portrait Field produced after leaving her first marriage.

"I divorced and moved from a Connecticut prep school," she notes, "to an old tavern in rural Vermont."

Then again, every valley in this artist's world is followed by peaks. That two-century-old structure, in the Windsor County settlement of East Barnard, is where Field began to design, draw and cut the woodblock prints that have sustained her for the past 50 years.

"I became part of a different culture where I could live and work at home in a quiet hamlet that was good for kids and without pretense," she continues in the caption.

"Here I am sitting in front of my window overlooking a dirt road with alfalfa on the other side and a quote from George Weld on the window frame that reads 'Therefore Choose Life.'"

"LIKE ARTISTS ALWAYS HAVE BEEN"

Field's subsequent 1972 suite of prints depicting the words of the 23rd Psalm allowed her to mark the death of her firstborn son through images ranging from a wintry day ("Yea, though I walk through the valley of the shadow of death, I will fear no evil") to a starry summer night ("Surely goodness and mercy will follow me all the days of my life").

As writer Nancy Price Graff notes in an essay that anchors the exhibit's catalog: "For the first time, she turned to Vermont's landscape to illustrate humankind's spiritual connection to nature and nature's capacity to heal those who give themselves to it."

Adds Saunders: "While on the one hand she has been accused by some of sanitizing the world and removing the nitty-gritty details that surround us, others would say this is a natural part of a desire to see beyond the mundane and urge us to sense the spiritualism that surrounds us."

And Field: "I know I see Vermont through rose-colored glasses. I know what dire poverty we suffer here. But I guess I am like artists always have been. They want to see things at their best."

As an example, the artist pictures herself in a 1988 self-portrait working in front of a seemingly limitless horizon.

"Reagan started a recession, sales started to slump," she confides in the caption. "An amazing start up, The Mountain School of Milton Academy, hired me to teach gifted high school juniors a few days a week and the commute to Vershire, Vermont, was so beautiful it resulted in many new prints."

(The self-portrait, its subject adds, features a "fabulous Ralph Lauren red suede skirt I remembered trying on in New York City" but ultimately never buying.)

The exhibit includes several landscapes that viewers may recognize from cards, calendars and Vermont PBS pledge drives.

"I believe prints are a popular art form, meant for collectors of modest incomes, as well as those who can spend a lot," the artist explains. "It's been that way since the first woodblock prints were sold to pilgrims as souvenirs at the shrines of Europe in Medieval times."

But Field's art wasn't always seen as marketable. Take the story behind her 1977 "Mountain Suite."

"Vermont Life magazine requested a seasonal suite to sell," she writes. "Then they declined to buy them from me."

The artist went on to distribute the four images herself. (On her website they now sell for \$250 each.) Vermont Life, for its part, profiled her in 1979 and put one of her prints on its cover in 1986.

"LIFE AFTER LIFE? YOU TELL ME"

Success has allowed Field to travel the world and take creative chances. Her 12-panel "Pandora Suite," depicting the Greek myth of the first goddess to appear in human form, came in response to the United States' 2003 invasion of Iraq.

"Her work has changed so much over time," the artist's brother, Tony Harwood, says in an hour long documentary, "Sabra: The Life & Work of Printmaker Sabra Field," that plays as part of the show. "Sabra felt economically comfortable enough to focus on possibly nonmarketable subjects."

But however far she strays, Field always returns to her roots. Consider the recently completed "Cloud Way," which she deems the retrospective's signature image.

"Believe me when I tell you I did the (preparation) to begin this print while on holiday in Sicily," she writes. "I was homesick for the stretch of the White River along which I travel to reach the coop in South Roylton."

The show also includes illustrations from her new children's book "Where Do They Go?"—which the artist, joined by writer Julia Alvarez, will discuss July 29 at Woodstock's Bookstock literary festival.

The latter work "gently addresses the emotional side of death," its publisher states. But Field is aggressive in not letting age stop her creativity. The exhibit features a recent work titled "Floating Woman."

"One morning I woke with a dream of floating up to the heavens," she writes. "I walked into the studio and made a little drawing."

Another self-portrait, she realized. "Mortality? Resurrection? Life after life? You tell me."

Field caps her show with a 50-year-old print that quotes the late scribe James Baldwin.

"My future was doubtful that summer of 1967," she writes in the caption. "These words by a black American writer living in Paris described this white American printmaker in New England, and they still do: 'It seems to me that one ought to rejoice in the fact of death, ought to decide indeed to earn one's death by confronting with passion the conundrum of life.'"

BUDGETARY REVISIONS

Mr. ENZI. Mr. President, section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017, allows the chairman of the Senate Budget Committee to revise the allocations, aggregates, and levels in the budget resolution for legislation related to healthcare reform. The authority to adjust is contingent on the legislation not increasing the deficit over the period of the total of fiscal years 2017–2026.

I find that S. Amdt. 267 fulfills the conditions of deficit neutrality found in section 3001 of S. Con. Res. 3. Accordingly, I am revising the allocations

to the Committee on Finance, the Committee on Health, Education, Labor, and Pensions, HELP, and the budgetary aggregates to account for the budget effects of the amendment. I am also adjusting the unassigned to committee savings levels in the budget resolution to reflect that, while there are savings in the amendment attributable to both the HELP and Finance committees, the Congressional Budget Office and Joint Committee on Taxation are unable to produce unique estimates for each provision due to inter-

actions and other effects that are estimated simultaneously.

I ask unanimous consent that the tables, which provide details about the adjustment, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

| BUDGET AGGREGATES                                                                                                                                                  |           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| BUDGET AUTHORITY AND OUTLAYS                                                                                                                                       |           |
| (Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017) |           |
| \$s in millions                                                                                                                                                    | 2017      |
| Current Aggregates:                                                                                                                                                |           |
| Spending:                                                                                                                                                          |           |
| Budget Authority .....                                                                                                                                             | 3,329,289 |
| Outlays .....                                                                                                                                                      | 3,268,171 |
| Adjustments:                                                                                                                                                       |           |
| Spending:                                                                                                                                                          |           |
| Budget Authority .....                                                                                                                                             | — 4,100   |
| Outlays .....                                                                                                                                                      | — 4,500   |
| Revised Aggregates:                                                                                                                                                |           |
| Spending:                                                                                                                                                          |           |
| Budget Authority .....                                                                                                                                             | 3,325,189 |
| Outlays .....                                                                                                                                                      | 3,263,671 |

#### BUDGET AGGREGATE REVENUES

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017)

| \$s in millions     | 2017      | 2017–2021  | 2017–2026  |
|---------------------|-----------|------------|------------|
| Current Aggregates: |           |            |            |
| Revenue .....       | 2,682,088 | 14,498,573 | 32,351,660 |
| Adjustments:        |           |            |            |
| Revenue .....       | — 6,200   | — 305,300  | — 891,500  |
| Revised Aggregates: |           |            |            |
| Revenue .....       | 2,675,888 | 14,193,273 | 31,460,160 |

#### REVISION TO ALLOCATION TO THE COMMITTEE ON FINANCE

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017)

| \$s in millions        | 2017      | 2017–2021  | 2017–2026  |
|------------------------|-----------|------------|------------|
| Current Allocation:    |           |            |            |
| Budget Authority ..... | 2,277,203 | 13,101,022 | 31,274,627 |
| Outlays .....          | 2,262,047 | 13,073,093 | 31,233,186 |
| Adjustments:           |           |            |            |
| Budget Authority ..... | — 200     | — 1,000    | 13,600     |
| Outlays .....          | — 200     | — 1,000    | 13,600     |
| Revised Allocation:    |           |            |            |
| Budget Authority ..... | 2,277,003 | 13,100,022 | 31,288,227 |
| Outlays .....          | 2,261,847 | 13,072,093 | 31,246,786 |

#### REVISION TO ALLOCATION TO THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017)

| \$s in millions        | 2017   | 2017–2021 | 2017–2026 |
|------------------------|--------|-----------|-----------|
| Current Allocation:    |        |           |           |
| Budget Authority ..... | 17,204 | 90,282    | 176,893   |
| Outlays .....          | 15,841 | 89,820    | 183,421   |
| Adjustments:           |        |           |           |
| Budget Authority ..... | 400    | — 1,000   | — 9,200   |
| Outlays .....          | 0      | 500       | — 6,000   |
| Revised Allocation:    |        |           |           |
| Budget Authority ..... | 17,604 | 89,282    | 167,693   |
| Outlays .....          | 15,841 | 90,320    | 177,421   |

#### REVISION TO ALLOCATION TO THE UNASSIGNED COMMITTEE

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017)

| \$s in millions        | 2017      | 2017–2021   | 2017–2026    |
|------------------------|-----------|-------------|--------------|
| Current Allocation:    |           |             |              |
| Budget Authority ..... | — 844,671 | — 4,649,869 | — 10,724,965 |
| Outlays .....          | — 835,437 | — 4,608,689 | — 10,648,885 |
| Adjustments:           |           |             |              |
| Budget Authority ..... | — 4,300   | — 364,900   | — 1,432,100  |
| Outlays .....          | — 4,300   | — 364,900   | — 1,432,100  |
| Revised Allocation:    |           |             |              |
| Budget Authority ..... | — 848,971 | — 5,014,769 | — 12,157,065 |
| Outlays .....          | — 839,737 | — 4,973,589 | — 12,080,985 |

#### TRIBUTE TO SCOTT ALVAREZ

Mr. CRAPO. Mr. President, today the Senator from Ohio and I wish to speak about Scott Alvarez, general counsel of the Board of Governors of the Federal Reserve System.

Mr. Alvarez is retiring after a 36-year career with the Board of Governors, including the last 12 as general counsel.

He joined the board's legal division in 1981, immediately after graduating from Georgetown Law School, and worked as a staff attorney on bank regulatory issues for many years, until he was named general counsel in 2004.

In that role, he served as a key adviser to Chairmen Greenspan and Bernanke and Chair Yellen.

He was also general counsel of the Federal Open Market Committee, and he was the chief lawyer in carrying out some of the Fed's other roles, including overseeing the payments system and issuing currency.

I have enjoyed working with Mr. Alvarez over the years and have appreciated the insights and feedback he has

provided to me and the Banking Committee.

On a personal note, his help was particularly valuable in 2006, when the Senate passed the Financial Services Regulatory Relief Act of 2006, which was then signed into law by President Bush.

I want to thank Mr. Alvarez for his assistance on that bill and others and for his service to the Federal Reserve and to the country.

Mr. BROWN. Mr. President, I want to echo the comments of the senior Senator from Idaho, the chairman of the Banking Committee, and thank Mr. Alvarez for his service at the Federal Reserve.

I specifically want to thank him for his service during the financial crisis of 2008. Our country faced daunting challenges during that period, and the Federal Reserve and the government's response to the financial crisis was not an easy undertaking.

The crisis demanded great effort and ingenuity from many people. It required close coordination across the executive branch, the regulatory agencies, Congress, and the private sector. Working with key decisionmakers at the board and throughout the government, Mr. Alvarez played an important role in developing and articulating the legal dimensions to virtually every initiative taken by the Federal Reserve to address the crisis.

Mr. Alvarez also worked closely with Congress during consideration of the Dodd-Frank Wall Street Reform and Consumer Protection Act and played a crucial role in implementing rulemakings required of the Federal Reserve by Dodd-Frank. I am particularly grateful for the work he did to implement strong rules to increase the capital and leverage requirements for the Nation's largest banks—a necessary and critical step after the crisis—and the work that he did with my office in making one of the first substantive amendments to Dodd-Frank related to capital standards for insurance companies.

Scott Alvarez has served the Federal Reserve and the American people with great distinction and deserves thanks for a job well done.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO DR. TEMPLE GRANDIN

• Mr. GARDNER. Mr. President, today I wish to honor Dr. Temple Grandin's induction into the National Women's Hall of Fame. Dr. Grandin is an internationally recognized leader for her work in animal sciences and autism awareness. I would also like to wish Dr. Grandin a happy 70th birthday.

Dr. Grandin has contributed immensely to the study of animal

sciences and the agriculture industry. She has been an esteemed college professor at Colorado State University for more than 20 years, and much of her research and inventions have become standard industry procedure, like humane cattle slaughter. She began her career in the early 1970s and was one of only a handful of women working in animal sciences. She paved the way for other women to thrive in this industry.

In addition to her professorship, Dr. Grandin has become a well-known advocate and spokeswoman for autism awareness. She has published countless books about living with autism and has been recognized on the Time Magazine's Top 100 Most Influential People under the "Heroes" category. She has received honorary doctorate degrees from 13 universities across the country and around the world. Dr. Grandin has also received numerous industry awards for her significant contributions to agriculture, as well as her advocacy for autism awareness.

Dr. Grandin has undoubtedly left a lasting impression on the animal sciences and autism advocacy. I congratulate her induction into the prestigious National Women's Hall of Fame and again wish Dr. Grandin a very happy birthday.●

##### TRIBUTE TO JAKOB HELLER

• Mr. HELLER. Mr. President, today I wish to recognize my nephew, Jakob Heller, on his upcoming achievement of becoming an Eagle Scout, one of the highest honors in the Boy Scouts. On August 2, 2017, Jakob officially becomes an Eagle Scout, which serves as a symbol of his dedication to the Scouts' mission of creating responsible, participating citizens and leaders.

In order to become an Eagle Scout, Jakob completed tests and earned merit badges that required mastering specific outdoor skills and providing services to his community. He also demonstrated a commitment to his team and the Boy Scout mission and oath.

Jakob comes from a military family, and like many military families, they are constantly on the move. Jakob's father served in the U.S. Navy, and after retirement, he moved his family to southern West Virginia where they have been living for the last 5 years. I am happy to note that, following his Eagle Scout ceremony, Jakob and his family will be moving to Carson City, NV, where his grandparents and extended family anxiously await his arrival.

Jakob is a talented young man who excels academically and participates in a number of extracurricular activities. In addition to his academic accomplishments, he is a gifted musician who plays the trumpet in the marching band and the French horn in the school's concert band. He is also a

member of the cross-country team and participates in track and field, where he shines in sprint relays, hurdle events, and the long jump. His ability to balance school, athletics, and Boy Scouts is truly remarkable.

Furthermore, Jakob is preparing for a future in computer programming. Like many kids his age, he loves playing video games and is interested in becoming a video game programmer. Additionally, he is part of his school's robotics club and programs robots to compete in challenging competitions. With such extensive experience at a young age, I am confident Jakob will have a bright future as a computer programmer.

Jakob is responsible and dependable and understands the importance of his family, friends, and community. Boy Scouts has had a positive impact on his life, and I know that he will serve as an excellent role model for other members of his family and friends.

In closing, I ask my colleagues and all Nevadans to join me in congratulating this new Nevada resident, my nephew Jakob Heller. I cannot be more proud of this young man, and I look forward to witnessing his many contributions to our community in the years ahead.●

##### TRIBUTE TO PAUL KASTER

• Mr. ROBERTS. Mr. President, today I wish to recognize the distinguished accomplishment of Kansan Paul Kaster on the occasion of his 2017 National Federation of Independent Business, NFIB, Young Entrepreneur Award.

Mr. Kaster, of Leawood, KS, is the founder and owner of Crooked Branch Studio, which specializes in woodworking. I ask that my colleagues join me in recognizing Paul on his outstanding achievements. I wish him nothing but the best for his future entrepreneurial and educational endeavors.●

##### MONROE COUNTY BICENTENNIAL

• Ms. STABENOW. Mr. President, today I wish to pay special tribute to Monroe County, MI, which is celebrating its bicentennial this year.

Located on the shores of Lake Erie, Monroe County was founded on July 14, 1817. It is named in honor of President James Monroe, who visited the Michigan Territory in August 1817, shortly after the county's founding. The county has the proud distinction of being the second county founded in Michigan.

The people of Monroe are proud of their history. This history has inspired generations of hard-working and fiercely independent people who are committed to preserving their history, protecting their natural resources, and innovating for their future.

Monroe County is home to the River Raisin National Battlefield Park,

which commemorates the January 1813 battles of the War of 1812. The battles marked one of the greatest defeats for the United States during the war, and the rally cry, "Remember the Raisin" inspired support for the rest of the war. I was honored to help lead the effort in Congress with Congressman Dingell and Senator Levin to pass the legislation that made the park part of the National Park System. The park has now become an economic driver, attracting economic development to the surrounding area.

Monroe County is also home to La-Z-Boy Furniture, the inventors of the world's first reclining chair. The company was founded in 1927 and employs more than 6,300 people nationwide. The corporate headquarters is still based in Monroe.

One of the most famous Monroe County residents is General George Armstrong Custer, who spent much of his life in Monroe. One of the youngest Americans to ever be promoted to brigadier general, Custer is known for his successes during the Civil War and his death at the Battle of the Little Bighorn, also known as Custer's Last Stand.

As a leader of the Senate Agriculture Committee, I am especially proud of Monroe County's agricultural heritage. The county has over 270 historic farms—the most of any county in Michigan.

Numerous events and celebrations have been planned in the county throughout the year to mark this special milestone. Congratulations to Monroe County on 200 years of impressive history, growth, and success.●

#### TRIBUTE TO DEVIN MARTIN

● Mr. THUNE. Mr. President, today I recognize Devin Martin, one of my Washington, DC, interns, for all of the hard work he has done for me and my staff at the Senate Republican Conference.

Devin is a graduate of Huntley High School in Huntley, IL. Currently, he is attending the University of South Dakota in Vermillion, SD, where he is majoring in journalism and political science. Devin is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Devin Martin for all of the fine work he has done and wish him continued success in the years to come.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages

from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

At 12:29 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 282. An act to amend the Servicemembers Civil Relief Act to authorize spouses of servicemembers to elect to use the same residences as the servicemembers.

H.R. 1058. An act to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs, and for other purposes.

H.R. 1690. An act to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs.

H.R. 1848. An act to direct the Secretary of Veterans Affairs to carry out a pilot program on the use of medical scribes in Department of Veterans Affairs medical centers, and for other purposes.

H.R. 2006. An act to amend title 38, United States Code, to improve the procurement practices of the Department of Veterans Affairs, and for other purposes.

H.R. 2056. An act to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes.

H.R. 2333. An act to amend the Small Business Investment Act of 1958 to increase the amount of leverage made available to small business investment companies.

H.R. 2364. An act to amend the Small Business Investment Act of 1958 to increase the amount that certain banks and savings associations may invest in small business investment companies, subject to the approval of the appropriate Federal banking agency, and for other purposes.

H.R. 2749. An act to amend title 38, United States Code, to improve the oversight of contracts awarded by the Secretary of Veterans Affairs to small business concerns owned and controlled by veterans, and for other purposes.

H.R. 2781. An act to direct the Secretary of Veterans Affairs to certify the sufficient participation of small business concerns owned and controlled by veterans and small business concerns owned by veterans with service-connected disabilities in contracts under the Federal Strategic Sourcing Initiative, and for other purposes.

H.R. 3218. An act to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

The message further announced that the Clerk of the House of Representatives request the Senate to return to the House the joint resolution (H.J. Res. 76) granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the es-

tablishment of the Washington Metro-rail Safety Commission.

At 5:34 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 111. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements".

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 282. An act to amend the Servicemembers Civil Relief Act to authorize spouses of servicemembers to elect to use the same residences as the servicemembers; to the Committee on Veterans' Affairs.

H.R. 1058. An act to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1690. An act to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

H.R. 1848. An act to direct the Secretary of Veterans Affairs to carry out a pilot program on the use of medical scribes in Department of Veterans Affairs medical centers, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2006. An act to amend title 38, United States Code, to improve the procurement practices of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2056. An act to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 2333. An act to amend the Small Business Investment Act of 1958 to increase the amount of leverage made available to small business investment companies; to the Committee on Small Business and Entrepreneurship.

H.R. 2364. An act to amend the Small Business Investment Act of 1958 to increase the amount that certain banks and savings associations may invest in small business investment companies, subject to the approval of the appropriate Federal banking agency, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2749. An act to amend title 38, United States Code, to improve the oversight of contracts awarded by the Secretary of Veterans Affairs to small business concerns owned and controlled by veterans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2781. An act to direct the Secretary of Veterans Affairs to certify the sufficient participation of small business concerns owned and controlled by veterans and small business concerns owned by veterans with service-connected disabilities in contracts under

the Federal Strategic Sourcing Initiative, and for other purposes; to the Committee on Veterans' Affairs.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2289. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled "Fiscal Year 2016 Operational Energy Annual Report"; to the Committees on Appropriations; and Armed Services.

EC-2290. A communication from the Acting Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals relative to the "National Defense Authorization Act for Fiscal Year 2018"; to the Committee on Armed Services.

EC-2291. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalty Inflation Adjustment" (RIN3133-AE67) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2292. A communication from the Secretary of Commerce, transmitting, pursuant to law, the annual report on the activities of the U.S. Economic Development Administration (EDA) for fiscal year 2016; to the Committee on Environment and Public Works.

EC-2293. A communication from the Director of Congressional Affairs, Office of General Counsel, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Revision of Fee Schedules; Fee Recovery for Fiscal Year 2017" ((RIN3150-AJ73) (NRC-2016-0081)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Environment and Public Works.

EC-2294. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on Ways to Improve Upon the Part D Appeal Process"; to the Committee on Finance.

EC-2295. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data, and defense services to Australia to support the P-8 Production, Sustainment, and Follow-on Development Memorandum of Understanding in the amount of \$100,000,000 or more (Transmittal No. DDTC 17-042); to the Committee on Foreign Relations.

EC-2296. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of firearms abroad controlled under Category I of the United States Munitions List of pistols to El Salvador in the amount of \$1,000,000 or more (Transmittal No. DDTC 16-134); to the Committee on Foreign Relations.

EC-2297. A communication from the Deputy Assistant Secretary of Legislative Affairs, Department of the Treasury, transmitting, pursuant to law, a report to Congress

from the Chairman of the National Advisory Council on International Monetary and Financial Policies; to the Committee on Foreign Relations.

EC-2298. A communication from the Chief Counsel, Foreign Claims Settlement Commission of the United States, Department of Justice, transmitting, pursuant to law, the Commission's annual report for 2016; to the Committee on Foreign Relations.

EC-2299. A communication from the Assistant General Counsel for Regulatory Services, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Elementary and Secondary Education Act of 1965, as Amended by the Every Student Succeeds Act—Accountability and State Plans" ((RIN1810-AB27) (Docket No. ED-2016-OESE-0032)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2300. A communication from the Chair, Advisory Council on Alzheimer's Research, Care, and Services, transmitting, pursuant to law, a report that includes recommendations for improving federally and privately funded Alzheimer's programs; to the Committee on Health, Education, Labor, and Pensions.

EC-2301. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Teacher Preparations Issues" (RIN1840-AD07) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-2302. A communication from the Chief of the Border Security Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Technical Amendments: Electronic Information for Cargo Exported from the United States" (CBP Dec. 17-06) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-2303. A communication from the Acting Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals relative to the "National Defense Authorization Act for Fiscal Year 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-2304. A communication from the Director of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "VA Veteran-Owned Small Business Verification Guidelines" (RIN2900-AP93) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Veterans' Affairs.

EC-2305. A joint communication from the Interim Deputy Secretary of Veterans Affairs and the Senior Official performing the duties of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report entitled "Veterans Affairs and Department of Defense Joint Executive Committee Fiscal Year 2016 Annual Report"; to the Committee on Veterans' Affairs.

EC-2306. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (4); Amdt. No. 3750" (RIN2120-AA65) received in the Of-

fice of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2307. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (76); Amdt. No. 3747" (RIN2120-AA65) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2308. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (114); Amdt. No. 3749" (RIN2120-AA65) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2309. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (129); Amdt. No. 3748" (RIN2120-AA65) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2310. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-3984)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2311. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9573)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2312. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-8185)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2313. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-0461)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2314. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-

EC-2338. A communication from the Management and Program Analyst, Federal



Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and E Airspace for the following North Dakota Towns; Wahpeton, ND; Hettinger, ND; Fargo, ND; Grand Fork, ND; Carrington, ND; Cooperstown, ND; Pembina, ND; Rugby, ND; Devils Lake, ND; Bottineau, ND; Valley City, ND; and Gwinner, ND" ((RIN2120-AA66) (Docket No. FAA-2016-9118)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2339. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Hilo, HI" ((RIN2120-AA66) (Docket No. FAA-2017-0222)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2340. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Arcata, CA; Fortuna, CA; and Establishment of Class E Airspace; Arcata, CA, and Eureka, CA" ((RIN2120-AA66) (Docket No. FAA-2015-6751)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2341. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Finleyville, PA" ((RIN2120-AA66) (Docket No. FAA-2016-9496)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2342. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Grayling, AK" ((RIN2120-AA66) (Docket No. FAA-2016-9333)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2343. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Sacramento, CA" ((RIN2120-AA66) (Docket No. FAA-2016-9476)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2344. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Eugene, OR" ((RIN2120-AA66) (Docket No. FAA-2017-0224)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2345. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Multiple Restricted Areas; Townsend, GA" ((RIN2120-AA66) (FAA-2017-0585)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2346. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Temporary Restricted Areas R-2509E, R-2509W, and R-2509N; Twentynine Palms, CA" ((RIN2120-AA66) (Docket No. FAA-2016-9536)) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2347. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; St. Louis River (Duluth-Superior Harbor), between the towns of Duluth, MN and Superior, WI" ((RIN1625-AA09) (Docket No. USCG-2017-0212)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2348. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Safety Zones; Recurring Marine Events in Sector Columbia River" ((RIN1625-AA08 and RIN1625-AA00) (Docket No. USCG-2017-0224)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2349. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Oswego Harborfest 2017 Breakwall and Barge Fireworks Display, Oswego Harbor, Oswego, NY" ((RIN1625-AA00) (Docket No. USCG-2017-0359)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2350. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lake Michigan, Whiting, Indiana" ((RIN1625-AA00) (Docket No. USCG-2017-0195)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2351. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Port Huron Blue Water Fest Fireworks, St. Clair River, Port Huron, MI" ((RIN1625-AA00) (Docket No. USCG-2017-0500)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2352. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Potomac River, Montgomery County, MD" ((RIN1625-AA00) (Docket No. USCG-2017-0448)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2353. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lakewood Independence Day Fireworks Display; Lake Erie, Lakewood, OH" ((RIN1625-AA00) (Docket No. USCG-

2017-0533)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2354. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Bay Village Independence Day Celebration Fireworks Display; Lake Erie, Bay Village, OH" ((RIN1625-AA00) (Docket No. USCG-2017-0568)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2355. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Marine Events held in the Captain of the Port Long Island Sound Zone" ((RIN1625-AA00) (Docket No. USCG-2017-0440)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2356. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Marine Events held in the Captain of the Port Long Island Sound Zone" ((RIN1625-AA00) (Docket No. USCG-2017-0243)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2357. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; St. Ignace Fireworks Displays, St. Ignace, MI" ((RIN1625-AA00) (Docket No. USCG-2017-0472)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2358. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Cleveland Triathlon Swim Event; Lake Erie, Cleveland, OH" ((RIN1625-AA00) (Docket No. USCG-2017-0580)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2359. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Thunder on the Outer Harbor; Buffalo Outer Harbor, Buffalo, NY" ((RIN1625-AA00) (Docket No. USCG-2017-0331)) received in the Office of the President of the Senate on July 13, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2360. A communication from the Vice President of Government Affairs and Corporate Communications, National Railroad Passenger Corporation, Amtrak, transmitting, pursuant to law, Amtrak's audited Consolidated Financial Statements for the years ended September 30, 2016 and September 30, 2015 with report of independent auditors; to the Committee on Commerce, Science, and Transportation.

EC-2361. A communication from the Deputy Assistant Chief Counsel, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Competitive Passenger Rail Service Pilot Program"

(RIN2130-AC60) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2362. A communication from the Acting Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Offers of Financial Assistance" (RIN2140-AB27) received in the Office of the President of the Senate on July 19, 2017; to the Committee on Commerce, Science, and Transportation.

### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-76. A resolution adopted by the House of Representatives of the State of Michigan urging the United States Congress to continue full funding for the Facility for Rare Isotope Beams on the campus of Michigan State University; to the Committee on Commerce, Science, and Transportation.

#### HOUSE RESOLUTION NO. 113

Whereas, The President's proposed 2018 budget includes a \$17 million cut in federal funding for the Facility for Rare Isotope Beams (FRIB) at Michigan State University. This could delay the project's anticipated completion date, increasing costs by an estimated \$20 million; and

Whereas, Currently, the state-of-the-art project is on budget and ahead of schedule and is about three quarters completed. The FRIB will be the world's most powerful rare isotope beam facility upon completion; at least 1,000 times more powerful than Michigan State University's existing cyclotrons; and

Whereas, The FRIB will more than double the research opportunities available in the field of nuclear physics. Its cutting-edge discoveries will provide applications for society in such areas as cancer research, homeland security, and commercial innovation. A world class scientific facility such as the FRIB will address the U.S. innovation deficit and provide opportunities to train the next generation of scientific and business leaders; and

Whereas, The FRIB will have a huge impact on Michigan. It will contribute an estimated \$4.4 billion in statewide economic activity over the course of its lifespan. It is expected to create over 1,000 jobs, generate wages of \$1.7 billion, and strengthen and diversify the state's economy through investments in research and innovation; and

Whereas, It is critically important that federal funding continue to provide a solid foundation for cutting-edge scientific research at the FRIB. A funding shortfall and delay could mean canceled contracts and missed opportunities in the region's burgeoning particle science industry. Continuation of full funding is essential to keeping FRIB construction on time and on budget; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Congress to continue full funding for the Facility for Rare Isotope Beams on the campus of Michigan State University; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-77. A joint resolution adopted by the Legislature of the State of Alaska making application to the United States Congress to call a convention of the state to propose a countermand amendment to the United States Constitution as provided under Article V; and urging the legislatures of the other 49 states to make the same application; to the Committee on the Judiciary.

#### HOUSE JOINT RESOLUTION NO. 14

Whereas the state's sovereignty has been infringed upon by the federal government, including by the federal government's recent denial of and refusal to work with state officials on the construction of a lifesaving road from King Cove to Cold Bay; and

Whereas the state's access to a fair permitting process for projects that will develop the state's natural resources and provide revenue streams to the state, including oil exploration in the Arctic National Wildlife Refuge and large-scale mining projects throughout the state, has been continually denied by the United States Environmental Protection Agency and other agencies of the federal government; and

Whereas the United States Congress has, at times, exceeded its delegated powers, the President of the United States has, at times, exceeded the constitutional authority of the office of the President of the United States, and the federal courts have, at times, exceeded their authority by issuing decisions on public policy matters reserved to the states in violation of the principles of federalism and separation of powers, all of which have adversely affected the state and its people; and

Whereas, under the authority of art. V, Constitution of the United States, the several states should apply to the United States Congress to call a convention of the states to amend the United States Constitution and adopt a countermand amendment to authorize the states, upon a vote of three-fifths of the state legislatures, to nullify and repeal a federal statute, executive order, judicial decision, regulatory decision by a federal government agency, or government mandate imposed on the states by law that adversely affects the interests of the states, in order to properly exercise the states' constitutional authority to check federal power, preserve state sovereignty, and protect the rights of the states and the people; and

Whereas the states have the authority to define and limit the agenda of a convention to a single-issue "countermand amendment convention" called for by the states as provided under art. V, Constitution of the United States; and

Whereas the delegates sent by the states to a countermand amendment convention shall have the limited authority to deliberate on and decide whether the countermand amendment, as preapproved by state legislatures, should be sent back to the state legislatures for ratification; Be it

*Resolved*, That, under art. V, Constitution of the United States, the Alaska State Legislature directs the United States Congress to call a single-issue convention of the states, called a "countermand amendment convention," for the sole purpose of deciding whether the proposed countermand amendment should be sent back to the state legislatures for ratification; and be it further

*Resolved*, That the Alaska State Legislature directs the United States Congress to convene the countermand amendment convention within 60 days after the date it receives the 34th call for that convention from state legislatures; and be it further

*Resolved*, That this application constitutes a continuing application in accordance with

art. V, Constitution of the United States, until at least two-thirds of the legislatures of the several states have applied for a similar convention of the states; and be it further

*Resolved*, That the Alaska State Legislature urges the legislatures of the other 49 states to apply to the United States Congress to call a single-issue countermand convention of the states under art. V, Constitution of the United States.

Copies of this resolution shall be sent to the Honorable Barack Obama, President of the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable John Boehner, Speaker of the U.S. House of Representatives; the Honorable Mitch McConnell, Majority Leader of the U.S. Senate; the Honorable Nancy Erickson, Secretary of the U.S. Senate; the Honorable Karen L. Haas, Clerk of the U.S. House of Representatives; the Honorable Lisa Murkowski and the Honorable Dan Sullivan, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; and the presiding officers of the legislatures of each of the other 49 states.

### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. BURR for the Select Committee on Intelligence.

Robert P. Storch, of the District of Columbia, to be Inspector General of the National Security Agency.

\*Isabel Marie Keenan Patelunas, of Pennsylvania, to be Assistant Secretary for Intelligence and Analysis, Department of the Treasury.

\*Susan M. Gordon, of Virginia, to be Principal Deputy Director of National Intelligence.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. UDALL (for himself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. DURBIN, Mrs. GILLIBRAND, Mr. MARKEY, Mrs. HARRIS, Mr. CARDIN, and Mr. MERKLEY):

S. 1624. A bill to prohibit the use of chlorpyrifos on food, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BLUMENTHAL:

S. 1625. A bill for the relief of Nury Chavarria; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself, Mrs. FEINSTEIN, and Mr. MARKEY):

S. 1626. A bill to improve the safety of the air supply on commercial aircraft, and for

other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. GILLIBRAND (for herself, Mr. BLUMENTHAL, Mr. MURPHY, and Mr. CASEY):

S. 1627. A bill to extend the authorization of the Highlands Conservation Act; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself, Mrs. ERNST, and Mr. FRANKEN):

S. 1628. A bill to revise counseling requirements for certain borrowers of student loans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. ROUNDS, Mr. BROWN, Ms. COLLINS, Mr. CARPER, Mr. COONS, Mr. WHITEHOUSE, Mrs. SHAHEEN, Ms. CORTEZ MASTO, and Ms. HIRONO):

S. 1629. A bill to reauthorize the Department of Defense Experimental Program to Stimulate Competitive Research, and for other purposes; to the Committee on Armed Services.

By Mr. CASEY (for himself, Ms. BALDWIN, and Mr. BROWN):

S. 1630. A bill to establish in the Administration for Children and Families of the Department of Health and Human Services the Federal Interagency Working Group on Reducing Child Poverty to develop a national strategy to eliminate child poverty in the United States, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORKER:

S. 1631. A bill to authorize the Department of State for Fiscal Year 2018, and for other purposes; to the Committee on Foreign Relations.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRASSLEY (for himself, Mr. JOHNSON, Ms. BALDWIN, Mr. CARPER, Mr. WYDEN, Mr. MARKEY, Mr. BOOZMAN, Mrs. MCCASKILL, Mr. TILLIS, Mrs. ERNST, Mrs. FISCHER, Mr. PETERS, and Mrs. FEINSTEIN):

S. Res. 231. A resolution designating July 30, 2017, as "National Whistleblower Appreciation Day"; to the Committee on the Judiciary.

## ADDITIONAL COSPONSORS

S. 170

At the request of Mr. RUBIO, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 170, a bill to provide for nonpreemption of measures by State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 259

At the request of Mr. NELSON, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 259, a bill to modify the prohibition on recognition by United States

courts of certain rights relating to certain marks, trade names, or commercial names.

S. 266

At the request of Mr. HATCH, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 266, a bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 407

At the request of Mr. CRAPO, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 445

At the request of Mr. CARDIN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 445, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 448

At the request of Mr. BROWN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 448, a bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program.

S. 474

At the request of Mr. GRAHAM, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 474, a bill to condition assistance to the West Bank and Gaza on steps by the Palestinian Authority to end violence and terrorism against Israeli citizens.

S. 602

At the request of Ms. COLLINS, the names of the Senator from Michigan (Mr. PETERS) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 602, a bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation.

S. 654

At the request of Mr. TOOMEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 654, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 720

At the request of Mr. PORTMAN, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

S. 822

At the request of Mr. INHOFE, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 822, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes.

S. 1002

At the request of Mr. MORAN, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1002, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1018

At the request of Mr. CARDIN, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1018, a bill to provide humanitarian assistance for the Venezuelan people, to defend democratic governance and combat widespread public corruption in Venezuela, and for other purposes.

S. 1146

At the request of Mrs. SHAHEEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1146, a bill to enhance the ability of the Office of the National Ombudsman to assist small businesses in meeting regulatory requirements and develop outreach initiatives to promote awareness of the services the Office of the National Ombudsman provides, and for other purposes.

S. 1182

At the request of Ms. CANTWELL, her name was added as a cosponsor of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

S. 1199

At the request of Mrs. MCCASKILL, the names of the Senator from Montana (Mr. TESTER) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 1199, a bill to

amend the Homeland Security Act of 2002 to reauthorize the Border Enforcement Security Task Force program within the Department of Homeland Security, and for other purposes.

S. 1251

At the request of Mr. WARNER, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 1251, a bill to require the Secretary of Labor to establish a pilot program for providing portable benefits to eligible workers, and for other purposes.

S. 1286

At the request of Ms. KLOBUCHAR, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1286, a bill to lift the trade embargo on Cuba.

S. 1290

At the request of Mr. LEE, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1290, a bill to help individuals receiving assistance under means-tested welfare programs obtain self-sufficiency, to provide information on total spending on means-tested welfare programs, to provide an overall spending limit on means-tested welfare programs, and for other purposes.

S. 1331

At the request of Ms. STABENOW, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1331, a bill to establish the Great Lakes Mass Marking Program, and for other purposes.

S. 1332

At the request of Ms. STABENOW, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1332, a bill to establish the Great Lakes Aquatic Connectivity and Infrastructure Program, and for other purposes.

S. 1398

At the request of Ms. STABENOW, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1398, a bill to direct the Secretary of the Army, acting through the Chief of Engineers, to release an interim report related to aquatic nuisance species control, and for other purposes.

S. 1462

At the request of Mrs. SHAHEEN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1462, a bill to amend the Patient Protection and Affordable Care Act to improve cost sharing subsidies.

S. 1480

At the request of Mr. KING, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1480, a bill to amend the Internal Revenue Code of 1986 to include biomass heating appliances for tax credits available for energy-efficient building property and energy property.

S. 1575

At the request of Mr. WHITEHOUSE, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1575, a bill to amend the Internal Revenue Code of 1986 to provide a tax credit for taxpayers who remove lead-based hazards.

S. 1585

At the request of Mr. WHITEHOUSE, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1585, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

S. 1598

At the request of Mr. TESTER, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 1598, a bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

At the request of Mr. ISAKSON, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1598, *supra*.

S. 1600

At the request of Ms. HIRONO, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1600, a bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to make improvements in the old-age, survivors, and disability insurance program, and to provide for Social Security benefit protection.

S. 1619

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1619, a bill to amend the Servicemembers Civil Relief Act to extend the interest rate limitation on debt entered into during military service to debt incurred during military service to consolidate or refinance student loans incurred before military service.

S. 1620

At the request of Mr. COTTON, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1620, a bill to enhance the security of Taiwan and bolster its participation in the international community, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. UDALL (for himself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. DURBIN, Mrs. GILLIBRAND, Mr. MARKEY, Ms. HARRIS, Mr. CARDIN, and Mr. MERKLEY):

S. 1624. A bill to prohibit the use of chlorpyrifos on food, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. UDALL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1624

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Protect Children, Farmers, and Farmworkers from Nerve Agent Pesticides Act of 2017".

#### SEC. 2. FINDINGS.

Congress finds as follows:

(1) In 1996, Congress unanimously passed the Food Quality Protection Act of 1996 (Public Law 104-170; 110 Stat. 1489) (referred to in this section as "FQPA"), a comprehensive overhaul of Federal pesticide and food safety policy. That Act amended the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) (referred to in this section as "FIFRA") and the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), the laws that govern how the Environmental Protection Agency (referred to in this section as the "EPA") registers pesticides and pesticide labels for use in the United States and establishes tolerances or acceptable levels for pesticide residues on food.

(2) The FQPA directs the EPA to ensure with "reasonable certainty" that "no harm" will result from food, drinking water, and other exposures to a pesticide. If EPA cannot make this safety finding, it must prohibit residues and use of the pesticide on food. The FQPA mandates that EPA must consider children's special sensitivity and exposure to pesticide chemicals and must make an explicit determination that the pesticide can be used with a "reasonable certainty of no harm" to children. In determining acceptable levels of pesticide residue, EPA must account for the potential health harm from pre- and postnatal exposures. The economic benefits of pesticides cannot be used to override this health-based standard for children from food and other exposures.

(3) Chlorpyrifos is a widely used pesticide first registered by EPA in 1965. Chlorpyrifos is an organophosphate pesticide, a class of pesticides developed as nerve agents in World War II and adapted for use as insecticides after the war. Chlorpyrifos and other organophosphate pesticides affect the nervous system through inhibition of cholinesterase, an enzyme required for proper nerve functioning. Acute poisonings occur when nerve impulses pulsate through the body, causing symptoms like nausea, vomiting, convulsions, respiratory paralysis, and, in extreme cases, death. Based on dozens of peer-reviewed scientific articles, EPA determined that exposure during pregnancy to even low levels of chlorpyrifos that caused only minimal cholinesterase inhibition (10 percent or less) in the mothers could lead to measurable long-lasting and possibly permanent neurobehavioral and functional deficits in prenatally exposed children.

(4) People, including pregnant women, are exposed to chlorpyrifos through residues on food, contaminated drinking water, and toxic spray drift from nearby pesticide applications. Chlorpyrifos is used on an extensive

variety of crops, including fruit and nut trees, vegetables, wheat, alfalfa, and corn. Between 2006 and 2012, chlorpyrifos was applied to more than 50 percent of the Nation's apple and broccoli crops, 45 percent of onion crops, 46 percent of walnut crops, and 41 percent of cauliflower crops.

(5) Chlorpyrifos is acutely toxic and associated with neurodevelopmental harms in children. Prenatal exposure to chlorpyrifos is associated with elevated risks of reduced IQ, loss of working memory, delays in motor development, attention-deficit disorders, and structural changes in the brain.

(6) There is no nationwide chlorpyrifos use reporting. The United States Geological Survey estimates annual pesticide use on agricultural land in the United States, and estimates that chlorpyrifos use on crops in 2014 ranged from 5,000,000 to 7,000,000 pounds of chlorpyrifos.

(7) In its 2016 report, the Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel recognized "the growing body of literature with laboratory animals (rats and mice) indicating that gestational and/or early postnatal exposure to chlorpyrifos may cause persistent effects into adulthood along with epidemiology studies which have evaluated prenatal chlorpyrifos exposure in mother-infant pairs and reported associations with neurodevelopment outcomes in infants and children."

(8) Chlorpyrifos has long been of concern to EPA. Residential uses of chlorpyrifos ended in 2000 after EPA found unsafe exposures to children. EPA also discontinued use of chlorpyrifos on tomatoes and restricted its use on apples and grapes in 2000, and obtained no-spray buffers around schools, homes, playfields, day cares, hospitals, and other public places, ranging from 10 to 100 feet. In 2015, EPA proposed to ban all chlorpyrifos food tolerances, based on unsafe drinking water contamination, which would end use of chlorpyrifos on food in the United States. After updating the risk assessment for chlorpyrifos in November 2016 to protect against prenatal exposures associated with brain impacts, EPA found that expected residues from use on food crops exceeded the safety standard, and additionally the majority of estimated drinking water exposures from currently allowed uses of chlorpyrifos also exceeded acceptable levels, reinforcing the need to revoke all food tolerances for the pesticide.

(9) Chlorpyrifos threatens the healthy development of children. Children experience greater exposure to chlorpyrifos and other pesticides because, relative to adults, they eat and drink more proportional to their body weight. A growing body of evidence shows that prenatal exposure to very low levels of chlorpyrifos can lead to lasting and possibly permanent neurological impairments. In November 2016, EPA released a revised human health risk assessment for chlorpyrifos that confirmed that there are no acceptable uses for the pesticide, all food uses exceed acceptable levels, with children ages 1 to 2 exposed to levels of chlorpyrifos that are 140 times what the EPA considers acceptable.

(10) Chlorpyrifos threatens agricultural workers. Farm workers are exposed to chlorpyrifos from mixing, handling, and applying the pesticide, as well as from entering fields where chlorpyrifos was recently sprayed. Chlorpyrifos is one of the pesticides most often linked to acute pesticide poisonings, and in many States, it is regularly identified among the 5 pesticides linked

to the highest number of pesticide poisoning incidents. This is significant given widespread under-reporting of pesticide poisonings due to such factors as inadequate reporting systems, fear of retaliation from employers, and reluctance to seek medical treatment. According to the EPA, all workers who mix and apply chlorpyrifos are exposed to unsafe levels of the pesticide even with maximum personal protective equipment and engineering controls. Field workers are currently allowed to re-enter fields within 1 to 5 days after chlorpyrifos is sprayed based on current restricted entry intervals on the registered chlorpyrifos labels but unsafe exposures continue on average 18 days after applications.

(11) Chlorpyrifos threatens families in agricultural communities. Rural families are exposed to unsafe levels of chlorpyrifos on their food and in their drinking water. They are also exposed to toxic levels of chlorpyrifos when it drifts from the fields to homes, schools, and other places people gather. EPA's 2016 revised human health risk assessment found that chlorpyrifos drift reaches unsafe levels at 300 feet away from the edge of the treated field, and the chemical chlorpyrifos is found at unsafe levels in the air at schools, homes, and communities in agricultural areas. The small buffers put in place in 2012 leave children unprotected from this toxic pesticide drift.

(12) Chlorpyrifos threatens drinking water. EPA's 2014 and 2016 risk assessments have found that chlorpyrifos levels in drinking water are unsafe. People living and working in agricultural communities are likely to be exposed to higher levels of chlorpyrifos and other organophosphate pesticides in their drinking water.

(13) In 2015, leading scientific and medical experts, along with children's health advocates, came together, under "Project TENDR: Targeting Environmental Neuro-Developmental Risks" (referred to in this section as "TENDR"), to issue a call to action to reduce widespread exposures to chemicals that interfere with fetal and children's brain development. Based on the available and peer-reviewed scientific evidence, the TENDR authors identified prime examples of neurodevelopmentally toxic chemicals "that can contribute to learning, behavioral, or intellectual impairment, as well as specific neurodevelopmental disorders such as ADHD or autism spectrum disorder," and listed organophosphate pesticides, among them. In the United States, based on reporting from parents, 1 in 6 children have a developmental disability or other developmental delay. The TENDR Consensus Statement concludes that "to help reduce the unacceptably high prevalence of neurodevelopmental disorders in our children, we must eliminate or significantly reduce exposures to chemicals that contribute to these conditions."

### SEC. 3. PROHIBITIONS RELATING TO CHLORPYRIFOS.

Section 402 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 342) is amended by adding at the end the following:

"(j) Notwithstanding any other provision of law, if it bears or contains chlorpyrifos, including any residue of chlorpyrifos, or any other added substance that is present on or in the food primarily as a result of the metabolism or other degradation of chlorpyrifos."

### SEC. 4. REVIEW OF ORGANOPHOSPHATE PESTICIDES.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Environmental Protec-

tion Agency (referred to in this section as the "Administrator") shall offer to enter into a contract with the National Research Council to conduct a cumulative and aggregate risk assessment that addresses all populations, and the most vulnerable subpopulations, including infants, children, and fetuses, of exposure to organophosphate pesticides.

(b) CONTENTS OF REVIEW.—The review under subsection (a) shall—

(1) assess the neurodevelopmental effects and other low-dose effects of exposure to organophosphate pesticides, including in the most vulnerable subpopulations, including—

(A) during the prenatal, childhood, adolescent, and early life stages; and

(B) agricultural workers;

(2) assess the cumulative and aggregate risks from exposure described in paragraph (1), which shall aggregate all routes of exposure, including diet, pesticide drift, volatilization, occupational, and take-home exposures; and

(3) be completed and submitted to the Administrator not later than October 1, 2019.

(c) REGULATORY ACTION.—

(1) APPLICABILITY.—This subsection shall apply if the Administrator becomes aware of any exposure to any organophosphate pesticide, including exposures described in paragraphs (1) and (2) of subsection (b), that does not meet, as applicable—

(A) the standard under section 408(b)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(b)(2)); or

(B) any standard under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.).

(2) ACTION.—Not later than 90 days after the date on which the Administrator becomes aware of any exposure under paragraph (1), the Administrator shall take any appropriate regulatory action, regardless of whether the review under subsection (a) is completed, including—

(A) revocation or modification of a tolerance under section 408 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a); or

(B) modification, cancellation, or suspension of a registration under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.).

(d) EFFECT.—Nothing in this section authorizes or requires the Administrator to delay in carrying out or completing, with respect to an organophosphate pesticide, any registration review under section 3(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(g)), any tolerance review under section 408 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), or any registration or modification, cancellation, or suspension of a registration under section 3 or 6 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a, 136d), if—

(1) the organophosphate pesticide does not meet applicable requirements established under those provisions of law; or

(2) the review, registration, modification, cancellation, or suspension is required—

(A) by statute;

(B) by judicial order; or

(C) to respond to a petition.

By Mr. REED (for himself, Mr. ROUNDS, Mr. BROWN, Ms. COLLINS, Mr. CARPER, Mr. COONS, Mr. WHITEHOUSE, Mrs. SHAHEEN, Ms. CORTEZ MASTO, and Ms. HIRONO):

S. 1629. A bill to reauthorize the Department of Defense Experimental Program to Stimulate Competitive Research, and for other purposes; to the Committee on Armed Services.

Mr. REED. Mr. President, today I am introducing the DEPSCoR Reauthorization Act of 2017 along with Senators ROUNDS, BROWN, COLLINS, CARPER, COONS, WHITEHOUSE, SHAHEEN, CORTEZ MASTO, and HIRONO.

The purpose of this bill is to ensure that we have universities in all 50 States capable of working with the Department of Defense on advanced research topics. A truly National network of university researchers who understand the needs of the Department of Defense puts us in the best possible position to respond to the ever-changing threats our armed forces face. This network will also meet the workforce needs of our defense laboratories by training graduate students in defense-relevant research. This bill reauthorizes the DEPSCoR program, which is modeled on the NSF's successful EPSCoR program for States that receive relatively low amounts of Federal science funding. The bill will focus the DEPSCoR program on defense research, while allowing the scientists and engineers of our defense laboratories to work directly with university researchers from DEPSCoR-eligible States.

Seven years ago, Congress asked the National Academy of Sciences to study the EPSCoR programs. The study concluded that it was in the National interest to engage scientific talent in all 50 States, and that EPSCoR programs were a valuable part of a National strategy to maintain global scientific leadership. The report emphasized that successfully engaging all 50 States required the involvement of technology-driven agencies, including the Department of Defense, to complement the basic science focus of the NSF.

Until 2009, the Department of Defense managed an EPSCoR-like program, known as DEPSCoR. An independent evaluation of DEPSCoR, conducted by the Institute for Defense Analyses, showed that DEPSCoR research contributed to the DoD mission, producing high-quality research and new technologies that were operationally deployed in areas such as missile guidance and communications.

DEPSCoR also successfully developed defense research capabilities in States historically underserved by Federal research and development (R&D) funding. Since DEPSCoR stopped receiving Congressional support, defense research in DEPSCoR-eligible States has plummeted, with the decreases far larger than the relatively modest amounts going to DEPSCoR awards. This shows that DEPSCoR was doing what Congress intended the program to do: develop competitive defense researchers in all 50 States.

The impact of cancelling DEPSCoR went far beyond research grants. Developing university research capabilities in all 50 States is critical to meeting DoD workforce needs. The Defense Laboratory Enterprise is more national in scope than NASA or the Department of Energy's National Laboratory system, with facilities in 24 States, including DEPSCoR-eligible States. The 2016 review of DoD laboratories by the Defense Science Board reported that these laboratories depend on locally trained scientists and engineers. Without relevant training provided through DoD-supported research projects at nearby universities, these facilities may struggle to find highly qualified scientists and engineers.

Because of these concerns, I have been working with my colleague on the Armed Services Committee, Senator ROUNDS of South Dakota, to revive this program. This reauthorization uses the lessons learned from the previous iteration of DEPSCoR to improve the program, making it more responsive to Department of Defense needs.

I invite our colleagues to join us in supporting this legislation.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 231—DESIGNATING JULY 30, 2017, AS “NATIONAL WHISTLEBLOWER APPRECIATION DAY”

Mr. GRASSLEY (for himself, Mr. JOHNSON, Ms. BALDWIN, Mr. CARPER, Mr. WYDEN, Mr. MARKEY, Mr. BOOZMAN, Mrs. MCCASKILL, Mr. TILLIS, Mrs. ERNST, Mrs. FISCHER, Mr. PETERS, and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 231

Whereas, in 1777, before the passage of the Bill of Rights, 10 sailors and marines blew the whistle on fraud and misconduct that was harmful to the United States;

Whereas the Founding Fathers unanimously supported the whistleblowers in words and deeds, including by releasing government records and providing monetary assistance for the reasonable legal expenses necessary to prevent retaliation against the whistleblowers;

Whereas, on July 30, 1778, in demonstration of their full support for whistleblowers, the members of the Continental Congress unanimously enacted the first whistleblower legislation in the United States that read: “*Resolved*, That it is the duty of all persons in the service of the United States, as well as all other the inhabitants thereof, to give the earliest information to Congress or other proper authority of any misconduct, frauds or misdemeanors committed by any officers or persons in the service of these states, which may come to their knowledge” (legislation of July 30, 1778, reprinted in *Journals of the Continental Congress, 1774–1789*, ed. Worthington C. Ford et al. (Washington, D.C., 1904–37), 11:732);

Whereas whistleblowers risk their careers, jobs, and reputations by reporting waste, fraud, and abuse to the proper authorities;

Whereas, in providing the proper authorities with lawful disclosures, whistleblowers save the taxpayers of the United States billions of dollars each year and serve the public interest by ensuring that the United States remains an ethical and safe place; and

Whereas it is the public policy of the United States to encourage, in accordance with Federal law (including the Constitution of the United States, rules, and regulations) and consistent with the protection of classified information (including sources and methods of detection of classified information), honest and good faith reporting of misconduct, fraud, misdemeanors, and other crimes to the appropriate authority at the earliest time possible: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates July 30, 2017, as “National Whistleblower Appreciation Day”; and

(2) ensures that the Federal Government implements the intent of the Founding Fathers, as reflected in the legislation enacted on July 30, 1778, by encouraging each executive agency to recognize National Whistleblower Appreciation Day by—

(A) informing employees, contractors working on behalf of United States taxpayers, and members of the public about the legal right of a United States citizen to “blow the whistle” to the appropriate authority by honest and good faith reporting of misconduct, fraud, misdemeanors, or other crimes; and

(B) acknowledging the contributions of whistleblowers to combating waste, fraud, abuse, and violations of laws and regulations of the United States.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 262. Mrs. SHAHEEN (for herself and Mr. SASSE) submitted an amendment intended to be proposed by her to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 263. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1519, supra; which was ordered to lie on the table.

SA 264. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 265. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 266. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 267. Mr. MCCONNELL proposed an amendment to the bill H.R. 1628, supra.

SA 268. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 269. Mr. REED (for himself, Mr. ROUNDS, Mr. BROWN, Ms. COLLINS, Mr. CARPER, Mr. COONS, Mr. WHITEHOUSE, Mrs. SHAHEEN, Ms. CORTEZ MASTO, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for



military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 270. Mr. McCONNELL proposed an amendment to amendment SA 267 proposed by Mr. McCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

SA 271. Mr. ENZI (for Mr. PAUL) proposed an amendment to be proposed to amendment SA 267 proposed by Mr. McCONNELL to the bill H.R. 1628, supra.

SA 272. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. McCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 273. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. McCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 274. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. McCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 275. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. McCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 276. Mr. Kaine (for himself, Mr. CARPER, Mr. COONS, Mrs. SHAHEEN, Mr. CARDIN, Ms. HASSAN, Ms. KLOBUCHAR, Ms. STABENOW, Mr. WARNER, Ms. HEITKAMP, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 277. Mr. Kaine submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 278. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 279. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 280. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 262.** Mrs. SHAHEEN (for herself and Mr. SASSE) submitted an amendment intended to be proposed by her to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

#### **SEC. 1235. SYRIA STUDY GROUP.**

(a) **ESTABLISHMENT.**—There is hereby established a working group to be known as the “Syria Study Group” (in this section referred to as the “Group”).

(b) **PURPOSE.**—The purpose of the Group is to examine and make recommendations with respect to the military and diplomatic strategy of the United States with respect to the conflict in Syria.

(c) **COMPOSITION.**—

(1) **MEMBERSHIP.**—The Group shall be composed of 8 members appointed as follows:

(A) One member appointed by the chair of the Committee on Armed Services of the Senate.

(B) One member appointed by the ranking minority member of the Committee on Armed Services of the Senate.

(C) One member appointed by the chair of the Committee on Foreign Relations of the Senate.

(D) One member appointed by the ranking minority member of the Committee on Foreign Relations of the Senate.

(E) One member appointed by the chair of the Committee on Armed Services of the House of Representatives.

(F) One member appointed by the ranking minority member of the Committee on Armed Services of the House of Representatives.

(G) One member appointed by the chair of the Committee on Foreign Affairs of the House of Representatives.

(H) One member appointed by the ranking minority member of the Committee on Foreign Affairs of the House of Representatives.

(2) **Co-CHAIRS.**—

(A) The chair of the Committee on Armed Services of the Senate, the chair of the Committee on Armed Services of the House of Representatives, the chair of the Committee on Foreign Relations of the Senate, and the chair of the Committee on Foreign Affairs of the House of Representatives shall jointly designate one member of the Group to serve as co-chair of the Group.

(B) The ranking minority member of the Committee on Armed Services of the Senate, the ranking minority member of the Committee on Armed Services of the House of Representatives, the ranking minority member of the Committee on Foreign Relations of the Senate, and the ranking minority member of the Committee on Foreign Affairs of the House of Representatives shall jointly designate one member of the Group to serve as co-chair of the Group.

(3) **PERIOD OF APPOINTMENT; VACANCIES.**—Members shall be appointed for the life of the Group. Any vacancy in the Group shall be filled in the same manner as the original appointment.

(d) **DUTIES.**—

(1) **REVIEW.**—The Group shall review the current situation with respect to the United States military and diplomatic strategy in Syria, including a review of current United States objectives in Syria and the desired end state in Syria.

(2) **ASSESSMENT AND RECOMMENDATIONS.**—The Group shall—

(A) conduct a comprehensive assessment of the current situation in Syria, its impact on neighboring countries, resulting regional and geopolitical threats to the United States, and current military, diplomatic, and political efforts to achieve a stable Syria; and

(B) develop recommendations on a military and diplomatic strategy for the United States with respect to the conflict in Syria.

(e) **COOPERATION FROM UNITED STATES GOVERNMENT.**—

(1) **IN GENERAL.**—The Group shall receive the full and timely cooperation of the Secretary of Defense, the Secretary of State, and the Director of National Intelligence in providing the Group with analyses, briefings, and other information necessary for the discharge of the duties of the Group.

(2) **LIAISON.**—The Secretary of Defense, the Secretary of State, and the Director of National Intelligence shall each designate at least one officer or employee of their respective organizations to serve as a liaison officer to the Group.

(f) **REPORT.**—

(1) **FINAL REPORT.**—Not later than September 30, 2018, the Group shall submit to the President, the Secretary of Defense, the Committee on Armed Services of the Senate, the Committee on Armed Services of the House of Representatives, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the findings, conclusions, and recommendations of the Group under this section. The report shall do each of the following:

(A) Assess the current security, political, humanitarian, and economic situation in Syria.

(B) Assess the current participation and objectives of various external actors in Syria.

(C) Assess the consequences of continued conflict in Syria.

(D) Provide recommendations for a diplomatic resolution of the conflict in Syria, including options for a gradual political transition to a post-Assad Syria and actions necessary for reconciliation.

(E) Provide a roadmap for a United States and coalition strategy to reestablish security and governance in Syria, including recommendations for the synchronization of stabilization, development, counterterrorism, and reconstruction efforts.

(F) Address any other matters with respect to the conflict in Syria that the Group considers appropriate.

(2) **INTERIM BRIEFING.**—Not later than June 30, 2018, the Group shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the status of its review and assessment under subsection (d), together with a discussion of any interim recommendations developed by the Group as of the date of the briefing.

(3) **FORM OF REPORT.**—The report submitted to Congress under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(g) **FACILITATION.**—The United States Institute of Peace shall take appropriate actions to facilitate the Group in the discharge of its duties under this section.

(h) **TERMINATION.**—The Group shall terminate six months after the date on which it submits the report required by subsection (f)(1).

(i) **FUNDING.**—Of the amounts authorized to be appropriated for fiscal year 2018 for the Department of Defense by this Act, \$1,500,000 is available to fund the activities of the Group.

**SA 263.** Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction,



and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X of division A, insert the following:

**SEC. 1088. FOREIGN AGENTS REGISTRATION.**

(a) **SHORT TITLE.**—This section may be cited as the “Foreign Agents Registration Modernization and Enforcement Act”.

(b) **CIVIL INVESTIGATIVE DEMAND AUTHORITY.**—The Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.) is amended—

(1) by redesignating sections 8, 9, 10, 11, 12, 13, and 14 as sections 9, 10, 11, 12, 13, 14, and 16, respectively; and

(2) by inserting after section 7 (22 U.S.C. 617) the following:

**“CIVIL INVESTIGATIVE DEMAND AUTHORITY**

“SEC. 8. (a) Whenever the Attorney General has reason to believe that any person or enterprise may be in possession, custody, or control of any documentary material relevant to an investigation under this Act, the Attorney General, before initiating a civil or criminal proceeding with respect to the production of such material, may serve a written demand upon such person to produce such material for examination.

“(b) Each such demand under subsection (a) shall—

“(1) state the nature of the conduct constituting the alleged violation which is under investigation and the provision of law applicable to such violation;

“(2) describe the class or classes of documentary material required to be produced under such demand with such definiteness and certainty as to permit such material to be fairly identified;

“(3) state that the demand is immediately returnable or prescribe a return date which will provide a reasonable period within which the material may be assembled and made available for inspection and copying or reproduction; and

“(4) identify the custodian to whom such material shall be made available.

“(c) A demand under subsection (a) may not—

“(1) contain any requirement that would be considered unreasonable if contained in a subpoena duces tecum issued by a court of the United States in aid of grand jury investigation of such alleged violation; or

“(2) require the production of any documentary evidence that would be privileged from disclosure if demanded by a subpoena duces tecum issued by a court of the United States in aid of a grand jury investigation of such alleged violation.”.

(c) **INFORMATIONAL MATERIALS.**—

(1) **DEFINITIONS.**—Section 1 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611) is amended—

(A) in subsection (c), by striking “Expect as provided in subsection (d) hereof,” and inserting “Except as provided in subsection (d).”; and

(B) by inserting after subsection (i) the following:

“(j) The term ‘informational materials’ means any oral, visual, graphic, written, or pictorial information or matter of any kind, including matter published by means of advertising, books, periodicals, newspapers, lectures, broadcasts, motion pictures, or any means or instrumentality of interstate or foreign commerce or otherwise.”.

(2) **INFORMATIONAL MATERIALS.**—Section 4 of the such Act (22 U.S.C. 614) is amended—

(A) in subsection (a)—

(i) by inserting “, including electronic mail and social media,” after “United States mails”; and

(ii) by striking “, not later than forty-eight hours after the beginning of the transmittal thereof, file with the Attorney General two copies thereof” and inserting “file such materials with the Attorney General in conjunction with, and at the same intervals as, disclosures required under section 2(b).”; and

(B) in subsection (b)—

(i) by striking “It shall” and inserting “(1) Except as provided in paragraph (2), it shall”; and

(ii) by inserting at the end the following:

“(2) Foreign agents described in paragraph (1) may omit disclosure required under that paragraph in individual messages, posts, or transmissions on social media on behalf of a foreign principal if the social media account or profile from which the information is sent includes a conspicuous statement that—

“(A) the account is operated by, and distributes information on behalf of, the foreign agent; and

“(B) additional information about the account is on file with the Department of Justice in Washington, District of Columbia.

“(3) Informational materials disseminated by an agent of a foreign principal as part of an activity that is exempt from registration, or an activity which by itself would not require registration, need not be filed under this subsection.”.

(d) **FEES.**—

(1) **REPEAL.**—The Department of Justice and Related Agencies Appropriations Act, 1993 (title I of Public Law 102-395) is amended, under the heading “SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES”, by striking “In addition, notwithstanding 31 U.S.C. 3302, for fiscal year 1993 and thereafter, the Attorney General shall establish and collect fees to recover necessary expenses of the Registration Unit (to include salaries, supplies, equipment and training) pursuant to the Foreign Agents Registration Act, and shall credit such fees to this appropriation, to remain available until expended.”.

(2) **REGISTRATION FEE.**—The Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611 et seq.), as amended by this Act, is further amended by adding after section 14, as redesignated by subsection (b)(1), the following:

**“FEES**

“SEC. 15. The Attorney General shall—

“(1) establish and collect a registration fee, as part of the initial filing requirement, to help defray the expenses of the FARA Registration Unit; and

“(2) credit such fees to the amount appropriated to carry out the activities of the National Security Division, which shall remain available until expended.”.

(e) **REPORTS TO CONGRESS.**—Section 12 of the Foreign Agents Registration Act of 1938, as amended, as redesignated by subsection (b)(1), is amended to read as follows:

**“REPORTS TO CONGRESS**

“SEC. 12. The Assistant Attorney General for National Security, through the FARA Registration Unit of the National Security Division, shall submit a semiannual report to Congress regarding the administration of this Act. Each report under this section shall include, for the applicable reporting period, the identification of—

“(1) registrations filed pursuant to this Act;

“(2) the nature, sources, and content of political propaganda disseminated and distributed by agents of foreign principal;

“(3) the number of investigations initiated based upon a perceived violation of section 8; and

“(4) the number of such investigations that were referred to the Attorney General for prosecution.”.

**SA 264.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Beginning on page 41, strike lines 9 through 16 and insert the following:

(i) in subparagraph (B)(ii)—

(I) in subclause (IV), by striking the semicolon and inserting “; and”;

(II) in subclause (V), by striking “2018 is 90 percent; and” and inserting “2018 and each subsequent year through 2023 is 90 percent.”; and

(III) by striking subclause (VI).

**SA 265.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Beginning on page 61, strike line 15 and all that follows through page 62, line 13, and insert the following:

“(3) **APPLICABLE ANNUAL INFLATION FACTOR.**—In paragraph (2), the term ‘applicable annual inflation factor’ means, for a fiscal year—

“(A) for each of the 1903A enrollee categories described in subparagraphs (C), (D), and (E) of subsection (e)(2), the percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) from September of the previous fiscal year to September of the fiscal year involved, plus 1 percentage point; and

“(B) for each of the 1903A enrollee categories described in subparagraphs (A) and (B) of subsection (e)(2), the percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) from September of the previous fiscal year to September of the fiscal year involved, plus 2 percentage points.

**SA 266.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 40, strike lines 1 through 19 and insert the following:

“(E) 90 percent for calendar quarters in 2020;

“(F) 88 percent for calendar quarters in 2021;

“(G) 86 percent for calendar quarters in 2022;

“(H) 84 percent for calendar quarters in 2023;

“(I) 82 percent for calendar quarters in 2024;

“(J) 80 percent for calendar quarters in 2025;

“(K) 78 percent for calendar quarters in 2026;

“(L) 76 percent for calendar quarters in 2027;

“(M) 74 percent for calendar quarters in 2028; and

“(N) 72 percent for calendar quarters in 2029.”; and

(iv) by adding after and below subparagraph (H) (as added by clause (iii)), the following flush sentence:

“The Federal medical assistance percentage determined for a State and year under subsection (b) shall apply to expenditures for medical assistance to newly eligible individuals (as so described) and expansion enrollees (as so defined), in the case of a State that has elected to cover newly eligible individuals before March 1, 2017, for calendar quarters after 2029, and, in the case of any other State, for calendar quarters (or portions of calendar quarters) after February 28, 2017.”; and

**SA 267.** Mr. McCONNELL proposed an amendment to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; as follows:

Strike all after the first word and insert the following:

# **1. SHORT TITLE.**

This Act may be cited as the “Obamacare Repeal Reconciliation Act of 2017”.

## **TITLE I**

### **SEC. 101. RECAPTURE EXCESS ADVANCE PAYMENTS OF PREMIUM TAX CREDITS.**

Subparagraph (B) of section 36B(f)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

“(iii) NONAPPLICABILITY OF LIMITATION.—This subparagraph shall not apply to taxable years ending after December 31, 2017, and before January 1, 2020.”.

### **SEC. 102. PREMIUM TAX CREDIT.**

(a) PREMIUM TAX CREDIT.—

(1) REPEAL.—

(A) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by striking section 36B.

(B) EFFECTIVE DATE.—The amendment made by this paragraph shall apply to taxable years beginning after December 31, 2019.

(b) REPEAL OF ELIGIBILITY DETERMINATIONS.—

(1) IN GENERAL.—The following sections of the Patient Protection and Affordable Care Act are repealed:

(A) Section 1411 (other than subsection (i), the last sentence of subsection (e)(4)(A)(ii), and such provisions of such section solely to the extent related to the application of the last sentence of subsection (e)(4)(A)(ii)).

(B) Section 1412.

(2) EFFECTIVE DATE.—The repeals in paragraph (1) shall take effect on January 1, 2020.

(c) PROTECTING AMERICANS BY REPEAL OF DISCLOSURE AUTHORITY TO CARRY OUT ELIGIBILITY REQUIREMENTS FOR CERTAIN PROGRAMS.—

(1) IN GENERAL.—Paragraph (21) of section 6103(1) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(D) TERMINATION.—No disclosure may be made under this paragraph after December 31, 2019.”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on January 1, 2020.

### **SEC. 103. SMALL BUSINESS TAX CREDIT.**

(a) SUNSET.—

(1) IN GENERAL.—Section 45R of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(j) SHALL NOT APPLY.—This section shall not apply with respect to amounts paid or incurred in taxable years beginning after December 31, 2019.”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after December 31, 2019.

### **SEC. 104. INDIVIDUAL MANDATE.**

(a) IN GENERAL.—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B)(iii), by striking “2.5 percent” and inserting “Zero percent”, and

(2) in paragraph (3)—

(A) by striking “\$695” in subparagraph (A) and inserting “\$0”, and

(B) by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

### **SEC. 105. EMPLOYER MANDATE.**

(a) IN GENERAL.—

(1) Paragraph (1) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2015)” after “\$2,000”.

(2) Paragraph (1) of section 4980H(b) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2015)” after “\$3,000”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

### **SEC. 106. FEDERAL PAYMENTS TO STATES.**

(a) IN GENERAL.—Notwithstanding section 504(a), 1902(a)(23), 1903(a), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396a(a)(23), 1396b(a), 1397a, 1397d(a)(4), 1397bb(a)(7), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the 1-year period beginning on the date of enactment of this Act, no Federal funds provided from a program referred to in this subsection that is considered direct spending for any year may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) DEFINITIONS.—In this section:

(1) PROHIBITED ENTITY.—The term “prohibited entity” means an entity, including its affiliates, subsidiaries, successors, and clinics—

(A) that, as of the date of enactment of this Act—

(i) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(ii) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(iii) provides for abortions, other than an abortion—

(I) if the pregnancy is the result of an act of rape or incest; or

(II) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(B) for which the total amount of Federal and State expenditures under the Medicaid

program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as part of a nationwide health care provider network, exceeded \$1,000,000.

(2) DIRECT SPENDING.—The term “direct spending” has the meaning given that term under section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

### **SEC. 107. MEDICAID.**

The Social Security Act (42 U.S.C. 301 et seq.) is amended—

(1) in section 1902—

(A) in subsection (a)(10)(A), in each of clauses (i)(VIII) and (ii)(XX), by inserting “and ending December 31, 2019,” after “January 1, 2014,”; and

(B) in subsection (a)(47)(B), by inserting “and provided that any such election shall cease to be effective on January 1, 2020, and no such election shall be made after that date” before the semicolon at the end;

(2) in section 1905—

(A) in the first sentence of subsection (b), by inserting “(50 percent on or after January 1, 2020)” after “55 percent”;

(B) in subsection (y)(1), by striking the semicolon at the end of subparagraph (D) and all that follows through “thereafter”; and

(C) in subsection (z)(2)—

(i) in subparagraph (A), by inserting “through 2019” after “each year thereafter”; and

(ii) in subparagraph (B)(ii)(VI), by striking “and each subsequent year”;

(3) in section 1915(k)(2), by striking “during the period described in paragraph (1)” and inserting “on or after the date referred to in paragraph (1) and before January 1, 2020”;

(4) in section 1920(e), by adding at the end the following: “This subsection shall not apply after December 31, 2019.”;

(5) in section 1937(b)(5), by adding at the end the following: “This paragraph shall not apply after December 31, 2019.”; and

(6) in section 1943(a), by inserting “and before January 1, 2020,” after “January 1, 2014.”.

### **SEC. 108. REPEAL OF DSH ALLOTMENT REDUCTIONS.**

Section 1923(f) of the Social Security Act (42 U.S.C. 1396r–4(f)) is amended by striking paragraphs (7) and (8).

### **SEC. 109. REPEAL OF THE TAX ON EMPLOYEE HEALTH INSURANCE PREMIUMS AND HEALTH PLAN BENEFITS.**

(a) IN GENERAL.—Chapter 43 of the Internal Revenue Code of 1986 is amended by striking section 4980I.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2019.

(c) SUBSEQUENT EFFECTIVE DATE.—The amendment made by subsection (a) shall not apply to taxable years beginning after December 31, 2025, and chapter 43 of the Internal Revenue Code of 1986 is amended to read as such chapter would read if such subsection had never been enacted.

### **SEC. 110. REPEAL OF TAX ON OVER-THE-COUNTER MEDICATIONS.**

(a) HSAs.—Subparagraph (A) of section 223(d)(2) of the Internal Revenue Code of 1986 is amended by striking “Such term” and all that follows through the period.

(b) ARCHER MSAs.—Subparagraph (A) of section 220(d)(2) of the Internal Revenue Code of 1986 is amended by striking “Such term” and all that follows through the period.

(c) **HEALTH FLEXIBLE SPENDING ARRANGEMENTS AND HEALTH REIMBURSEMENT ARRANGEMENTS.**—Section 106 of the Internal Revenue Code of 1986 is amended by striking subsection (f).

(d) **EFFECTIVE DATES.**—

(1) **DISTRIBUTIONS FROM SAVINGS ACCOUNTS.**—The amendments made by subsections (a) and (b) shall apply to amounts paid with respect to taxable years beginning after December 31, 2016.

(2) **REIMBURSEMENTS.**—The amendment made by subsection (c) shall apply to expenses incurred with respect to taxable years beginning after December 31, 2016.

**SEC. 111. REPEAL OF TAX ON HEALTH SAVINGS ACCOUNTS.**

(a) **HSAs.**—Section 223(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking “20 percent” and inserting “10 percent”.

(b) **ARCHER MSAs.**—Section 220(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking “20 percent” and inserting “15 percent”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to distributions made after December 31, 2016.

**SEC. 112. REPEAL OF LIMITATIONS ON CONTRIBUTIONS TO FLEXIBLE SPENDING ACCOUNTS.**

(a) **IN GENERAL.**—Section 125 of the Internal Revenue Code of 1986 is amended by striking subsection (i).

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to plan years beginning after December 31, 2017.

**SEC. 113. REPEAL OF TAX ON PRESCRIPTION MEDICATIONS.**

Subsection (j) of section 9008 of the Patient Protection and Affordable Care Act is amended to read as follows:

“(j) **REPEAL.**—This section shall apply to calendar years beginning after December 31, 2010, and ending before January 1, 2018.”.

**SEC. 114. REPEAL OF MEDICAL DEVICE EXCISE TAX.**

Section 4191 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(d) **APPLICABILITY.**—The tax imposed under subsection (a) shall not apply to sales after December 31, 2017.”.

**SEC. 115. REPEAL OF HEALTH INSURANCE TAX.**

Subsection (j) of section 9010 of the Patient Protection and Affordable Care Act is amended by striking “, and” at the end of paragraph (1) and all that follows through “2017”.

**SEC. 116. REPEAL OF ELIMINATION OF DEDUCTION FOR EXPENSES ALLOCABLE TO MEDICARE PART D SUBSIDY.**

(a) **IN GENERAL.**—Section 139A of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: “This section shall not be taken into account for purposes of determining whether any deduction is allowable with respect to any cost taken into account in determining such payment.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

**SEC. 117. REPEAL OF CHRONIC CARE TAX.**

(a) **IN GENERAL.**—Subsection (a) of section 213 of the Internal Revenue Code of 1986 is amended by striking “10 percent” and inserting “7.5 percent”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

**SEC. 118. REPEAL OF MEDICARE TAX INCREASE.**

(a) **IN GENERAL.**—Subsection (b) of section 3101 of the Internal Revenue Code of 1986 is amended to read as follows:

“(b) **HOSPITAL INSURANCE.**—In addition to the tax imposed by the preceding subsection, there is hereby imposed on the income of every individual a tax equal to 1.45 percent of the wages (as defined in section 3121(a)) received by such individual with respect to employment (as defined in section 3121(b)).”.

(b) **SECA.**—Subsection (b) of section 1401 of the Internal Revenue Code of 1986 is amended to read as follows:

“(b) **HOSPITAL INSURANCE.**—In addition to the tax imposed by the preceding subsection, there shall be imposed for each taxable year, on the self-employment income of every individual, a tax equal to 2.9 percent of the amount of the self-employment income for such taxable year.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to remuneration received after, and taxable years beginning after, December 31, 2017.

**SEC. 119. REPEAL OF TANNING TAX.**

(a) **IN GENERAL.**—The Internal Revenue Code of 1986 is amended by striking chapter 49.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to services performed after September 30, 2017.

**SEC. 120. REPEAL OF NET INVESTMENT TAX.**

(a) **IN GENERAL.**—Subtitle A of the Internal Revenue Code of 1986 is amended by striking chapter 2A.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

**SEC. 121. REMUNERATION.**

Paragraph (6) of section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(I) **TERMINATION.**—This paragraph shall not apply to taxable years beginning after December 31, 2016.”.

**TITLE II**

**SEC. 201. THE PREVENTION AND PUBLIC HEALTH FUND.**

Subsection (b) of section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11) is amended—

(1) in paragraph (3), by striking “each of fiscal years 2018 and 2019” and inserting “fiscal year 2018”; and

(2) by striking paragraphs (4) through (8).

**SEC. 202. SUPPORT FOR STATE RESPONSE TO SUBSTANCE ABUSE PUBLIC HEALTH CRISIS AND URGENT MENTAL HEALTH NEEDS.**

(a) **IN GENERAL.**—There are authorized to be appropriated, and are appropriated, out of monies in the Treasury not otherwise obligated, \$750,000,000 for each of fiscal years 2018 and 2019, to the Secretary of Health and Human Services (referred to in this section as the “Secretary”) to award grants to States to address the substance abuse public health crisis or to respond to urgent mental health needs within the State. In awarding grants under this section, the Secretary may give preference to States with an incidence or prevalence of substance use disorders that is substantial relative to other States or to States that identify mental health needs within their communities that are urgent relative to such needs of other States. Funds appropriated under this subsection shall remain available until expended.

(b) **USE OF FUNDS.**—Grants awarded to a State under subsection (a) shall be used for one or more of the following public health-related activities:

(1) Improving State prescription drug monitoring programs.

(2) Implementing prevention activities, and evaluating such activities to identify ef-

fective strategies to prevent substance abuse.

(3) Training for health care practitioners, such as best practices for prescribing opioids, pain management, recognizing potential cases of substance abuse, referral of patients to treatment programs, and overdose prevention.

(4) Supporting access to health care services provided by Federally certified opioid treatment programs or other appropriate health care providers to treat substance use disorders or mental health needs.

(5) Other public health-related activities, as the State determines appropriate, related to addressing the substance abuse public health crisis or responding to urgent mental health needs within the State.

**SEC. 203. COMMUNITY HEALTH CENTER PROGRAM.**

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting “, and an additional \$422,000,000 for fiscal year 2017” after “2017”.

**SEC. 204. FUNDING FOR COST-SHARING PAYMENTS.**

There is appropriated to the Secretary of Health and Human Services, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for payments for cost-sharing reductions authorized by the Patient Protection and Affordable Care Act (including adjustments to any prior obligations for such payments) for the period beginning on the date of enactment of this Act and ending on December 31, 2019. Notwithstanding any other provision of this Act, payments and other actions for adjustments to any obligations incurred for plan years 2018 and 2019 may be made through December 31, 2020.

**SEC. 205. REPEAL OF COST-SHARING SUBSIDY PROGRAM.**

(a) **IN GENERAL.**—Section 1402 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) is repealed.

(b) **EFFECTIVE DATE.**—The repeal made by subsection (a) shall apply to cost-sharing reductions (and payments to issuers for such reductions) for plan years beginning after December 31, 2019.

**SA 268.** Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . MEDICAL BANKRUPTCY FAIRNESS.**

(a) **DEFINITIONS.**—

(1) **IN GENERAL.**—Section 101 of title 11, United States Code, is amended—

(A) by inserting after paragraph (39A) the following:

“(39B) The term ‘medical debt’ means any debt incurred voluntarily or involuntarily—

“(A) as a result of the diagnosis, cure, mitigation, or treatment of injury, deformity, or disease of an individual; or

“(B) for services performed by a medical professional in the prevention of disease or illness of an individual.

“(39C) The term ‘medically distressed debtor’ means—

“(A) a debtor who, during the 3 years before the date of the filing of the petition—

“(i) incurred or paid aggregate medical debts for the debtor, a dependent of the debtor, or a nondependent parent, grandparent, sibling, child, grandchild, or spouse of the debtor that were not paid by any third-party payor and were greater than the lesser of—

“(I) 10 percent of the debtor’s adjusted gross income (as such term is defined in section 62 of the Internal Revenue Code of 1986); or

“(II) \$10,000;

“(ii) did not receive domestic support obligations, or had a spouse or dependent who did not receive domestic support obligations, of at least \$10,000 due to a medical issue of the person obligated to pay that would cause the obligor to meet the requirements under clause (i) or (iii), if the obligor was a debtor in a case under this title; or

“(iii) experienced a change in employment status that resulted in a reduction in wages, salaries, commissions, or work hours or resulted in unemployment due to—

“(I) an injury, deformity, or disease of the debtor; or

“(II) care for an injured, deformed, or ill dependent or nondependent parent, grandparent, sibling, child, grandchild, or spouse of the debtor; or

“(B) a debtor who is the spouse of a debtor described in subparagraph (A).”.

(2) CONFORMING AMENDMENTS.—Section 104 of title 11, United States Code, is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by inserting “101(39C)(A),” after “101(19)(A),”; and

(B) in subsection (b), by inserting “101(39C)(A),” after “101(19)(A),”.

(b) EXEMPTIONS.—

(1) EXEMPT PROPERTY.—Section 522 of title 11, United States Code, is amended by adding at the end the following:

“(r)(1) If a medically distressed debtor exempts property listed in subsection (b)(2), the debtor may, in lieu of the exemption provided under subsection (d)(1), elect to exempt the debtor’s aggregate interest, not to exceed \$250,000 in value, in property described in paragraph (3) of this subsection.

“(2) If a medically distressed debtor exempts property listed in subsection (b)(3) and the exemption provided under applicable law specifically for the kind of property described in paragraph (3) is for less than \$250,000 in value, the debtor may elect to exempt the debtor’s aggregate interest, not to exceed \$250,000 in value, in any such property.

“(3) The property described in this paragraph is—

“(A) real property or personal property that the debtor or a dependent of the debtor uses as a residence;

“(B) a cooperative that owns property that the debtor or a dependent of the debtor uses as a residence; or

“(C) a burial plot for the debtor or a dependent of the debtor.”.

(2) CONFORMING AMENDMENTS.—Section 104 of title 11, United States Code, is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by inserting “522(r),” after “522(q),”; and

(B) in subsection (b), by inserting “522(r),” after “522(q),”.

(c) WAIVER OF ADMINISTRATIVE REQUIREMENTS.—

(1) CASE UNDER CHAPTER 7.—Section 707(b) of title 11, United States Code, is amended by adding at the end the following:

“(8) Paragraph (2) does not apply in any case in which the debtor is a medically distressed debtor.”.

(2) CASE UNDER CHAPTER 13.—Section 1325(b)(1) of title 11, United States Code, is amended—

(A) in subparagraph (A), by striking “or” at the end;

(B) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(C) the debtor is a medically distressed debtor.”.

(d) CREDIT COUNSELING.—Section 109(h)(4) of title 11, United States Code, is amended by inserting “a medically distressed debtor or” after “apply with respect to”.

(e) STUDENT LOAN UNDUE HARDSHIP.—Section 523(a)(8) of title 11, United States Code, is amended by inserting “the debtor is a medically distressed debtor or” before “accepting”.

(f) ATTESTATION BY DEBTOR.—Section 521 of title 11, United States Code, is amended by adding at the end the following:

“(k) If the debtor seeks relief as a medically distressed debtor, the debtor shall file a statement of medical expenses relevant to the determination of whether the debtor is a medically distressed debtor, which statement shall declare under penalty of perjury that such medical expenses were not incurred for the purpose of bringing the debtor within the meaning of the term medically distressed debtor.”.

(g) EFFECTIVE DATE; APPLICATION OF AMENDMENTS.—

(1) EFFECTIVE DATE.—Except as provided in paragraph (2), this section and the amendments made by this section shall take effect on the date of enactment of this Act.

(2) APPLICATION OF AMENDMENTS.—The amendments made by this section shall apply only with respect to cases commenced under title 11, United States Code, on or after the date of enactment of this Act.

**SA 269.** Mr. REED (for himself, Mr. ROUNDS, Mr. BROWN, Ms. COLLINS, Mr. CARPER, Mr. COONS, Mr. WHITEHOUSE, Mrs. SHAHEEN, Ms. CORTEZ MASTO, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in Subtitle B of title II, insert the following:

**SEC. \_\_\_\_.** **REAUTHORIZATION OF DEPARTMENT OF DEFENSE ESTABLISHED PROGRAM TO STIMULATE COMPETITIVE RESEARCH.**

(a) MODIFICATION OF PROGRAM OBJECTIVES.—Subsection (b) of section 257 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 10 U.S.C. 2358 note) is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(2) by inserting before paragraph (2), as redesignated by paragraph (1), the following new paragraph (1):

“(1) To increase the number of university researchers in eligible States capable of performing science and engineering research responsive to the needs of the Department of Defense.”; and

(3) in paragraph (2), as redesignated by paragraph (1), by inserting “relevant to the mission of the Department of Defense and” after “that is”.

(b) MODIFICATION OF PROGRAM ACTIVITIES.—Subsection (c) of such section is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph (3):

“(3) To provide assistance to science and engineering researchers at institutions of higher education in eligible States through collaboration between Department of Defense laboratories and such researchers.”.

(c) MODIFICATION OF ELIGIBILITY CRITERIA FOR STATE PARTICIPATION.—Subsection (d) of such section is amended—

(1) in paragraph (2)(B), by inserting “in areas relevant to the mission of the Department of Defense” after “programs”; and

(2) by adding at the end the following new paragraph:

“(3) The Under Secretary shall not remove a designation of a State under paragraph (2) because the State exceeds the funding levels specified under subparagraph (A) of such paragraph unless the State has exceeded such funding levels for at least two consecutive years.”.

(d) MODIFICATION OF NAME.—

(1) IN GENERAL.—Such section is amended—

(A) in subsections (a) and (e) by striking “Experimental” each place it appears and inserting “Established”; and

(B) in the section heading, by striking “experimental” and inserting “established”.

(2) CLERICAL AMENDMENT.—Such Act is amended, in the table of contents in section 2(b), by striking the item relating to section 257 and inserting the following new item:

“Sec. 257. Defense established program to stimulate competitive research.”.

(3) CONFORMING AMENDMENT.—Section 307 of the 1997 Emergency Supplemental Appropriations Act for Recovery from Natural Disasters, and for Overseas Peacekeeping Efforts, Including Those in Bosnia (Public Law 105-18) is amended by striking “Experimental” and inserting “Established”.

**SA 270.** Mr. MCCONNELL proposed an amendment to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; as follows:

Strike all after line one and insert the following:

This Act may be cited as the “Better Care Reconciliation Act of 2017”.

**TITLE I**

**SEC. 101. ELIMINATION OF LIMITATION ON RECAPTURE OF EXCESS ADVANCE PAYMENTS OF PREMIUM TAX CREDITS.**

Subparagraph (B) of section 36B(f)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

“(iii) NONAPPLICABILITY OF LIMITATION.—This subparagraph shall not apply to taxable years ending after December 31, 2017.”.

**SEC. 102. RESTRICTIONS FOR THE PREMIUM TAX CREDIT.**

(a) ELIGIBILITY FOR CREDIT.—

(1) IN GENERAL.—Section 36B(c)(1) of the Internal Revenue Code of 1986 is amended—

(A) by striking “equals or exceeds 100 percent but does not exceed 400 percent” in subparagraph (A) and inserting “does not exceed 350 percent”; and

(B) by striking subparagraph (B) and redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively.

(2) TREATMENT OF CERTAIN ALIENS.—

(A) IN GENERAL.—Paragraph (2) of section 36B(e) of the Internal Revenue Code of 1986 is

amended by striking “an alien lawfully present in the United States” and inserting “a qualified alien (within the meaning of section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996)”.

(B) AMENDMENTS TO PATIENT PROTECTION AND AFFORDABLE CARE ACT.—

(i) Section 1411(a)(1) of the Patient Protection and Affordable Care Act is amended by striking “or an alien lawfully present in the United States” and inserting “or a qualified alien (within the meaning of section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996)”.

(ii) Section 1411(c)(2)(B) of such Act is amended by striking “an alien lawfully present in the United States” each place it appears in clauses (i)(I) and (ii)(II) and inserting “a qualified alien (within the meaning of section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996)”.

(iii) Section 1412(d) of such Act is amended—

(I) by striking “not lawfully present in the United States” and inserting “not citizens or nationals of the United States or qualified aliens (within the meaning of section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996)”, and

(II) by striking “INDIVIDUALS NOT LAWFULLY PRESENT” in the heading and inserting “CERTAIN ALIENS”.

(b) MODIFICATION OF LIMITATION ON PREMIUM ASSISTANCE AMOUNT.—

(1) USE OF BENCHMARK PLAN.—

(A) IN GENERAL.—Section 36B(b) of the Internal Revenue Code of 1986 is amended—

(i) by striking “applicable second lowest cost silver plan” each place it appears in paragraph (2)(B)(i) and (3)(C) and inserting “applicable median cost benchmark plan”,

(ii) by striking “such silver plan” in paragraph (3)(C) and inserting “such benchmark plan”, and

(iii) in paragraph (3)(B)—

(I) by redesignating clauses (i) and (ii) as clauses (iii) and (iv), respectively, and by striking all that precedes clause (iii) (as so redesignated) and inserting the following:

“(B) APPLICABLE MEDIAN COST BENCHMARK PLAN.—The applicable median cost benchmark plan with respect to any applicable taxpayer is the qualified health plan offered in the individual market in the rating area in which the taxpayer resides which—

“(i) provides a level of coverage that is designed to provide benefits that are actuarially equivalent to 58 percent of the full actuarial value of the benefits (as determined under rules similar to the rules of paragraphs (2) and (3) of section 1302(d) of the Patient Protection and Affordable Care Act) provided under the plan,

“(ii) has a premium which is the median premium of all qualified health plans described in clause (i) which are offered in the individual market in such rating area (or, in any case in which no such plan has such median premium, has a premium nearest (but not in excess of) such median premium).”, and

(II) by striking “clause (ii)(I)” in the flush text at the end and inserting “clause (iv)(I)”.

(B) WAIVER OF ACTUARIAL VALUE STANDARD FOR BENCHMARK PLANS.—Section 36B(b)(3)(B) of the Internal Revenue Code of 1986, as amended by subparagraph (A), is amended by adding at the end the following new sentence: “If, for any plan year before 2027, the Secretary of the Treasury, in consultation with the Secretary of Health and Human Services, determines that there will be no plan offered in a rating area in the individual market that meets the level of coverage described in clause (i), the Secretary of the Treasury may increase the 58 percent amount in such clause.”.

(2) MODIFICATION OF APPLICABLE PERCENTAGE.—Section 36B(b)(3)(A) of the Internal Revenue Code of 1986 is amended—

(A) in clause (i), by striking “from the initial premium percentage” and all that follows and inserting “from the initial percentage to the final percentage specified in such table for such income tier with respect to a taxpayer of the age involved:

| “In the case of household income (expressed as a percent of the poverty line) within the following income tier: | Up to Age 29 |         | Age 30-39 |         | Age 40-49 |         | Age 50-59 |         | Over Age 59 |         |
|-----------------------------------------------------------------------------------------------------------------|--------------|---------|-----------|---------|-----------|---------|-----------|---------|-------------|---------|
|                                                                                                                 | Initial %    | Final % | Initial % | Final % | Initial % | Final % | Initial % | Final % | Initial %   | Final % |
| Up to 100%                                                                                                      | 2            | 2       | 2         | 2       | 2         | 2       | 2         | 2       | 2           | 2       |
| 100%-133%                                                                                                       | 2            | 2.5     | 2         | 2.5     | 2         | 2.5     | 2         | 2.5     | 2           | 2.5     |
| 133%-150%                                                                                                       | 2.5          | 4       | 2.5       | 4       | 2.5       | 4       | 2.5       | 4       | 2.5         | 4       |
| 150%-200%                                                                                                       | 4            | 4.3     | 4         | 5.3     | 4         | 6.3     | 4         | 7.3     | 4           | 8.3     |
| 200%-250%                                                                                                       | 4.3          | 4.3     | 5.3       | 5.9     | 6.3       | 8.05    | 7.3       | 9       | 8.3         | 10      |
| 250%-300%                                                                                                       | 4.3          | 4.3     | 5.9       | 5.9     | 8.05      | 8.35    | 9         | 10.5    | 10          | 11.5    |
| 300%-350%                                                                                                       | 4.3          | 6.4     | 5.9       | 8.9     | 8.35      | 12.5    | 10.5      | 15.8    | 11.5        | 16.2”.  |

(B) by striking “0.504” in clause (ii)(III) and inserting “0.4”, and

(C) by adding at the end the following new clause:

“(iii) AGE DETERMINATIONS.—For purposes of clause (i), the age of the taxpayer taken into account under clause (i) with respect to any taxable year is the age attained before the close of the taxable year by the oldest individual taken into account on such taxpayer’s return who is covered by a qualified health plan taken into account under paragraph (2)(A).”.

(c) ELIMINATION OF ELIGIBILITY EXCEPTIONS FOR EMPLOYER-SPONSORED COVERAGE.—

(1) IN GENERAL.—Section 36B(c)(2) of the Internal Revenue Code of 1986 is amended by striking subparagraph (C).

(2) AMENDMENTS RELATED TO QUALIFIED SMALL EMPLOYER HEALTH REIMBURSEMENT ARRANGEMENTS.—Section 36B(c)(4) of such Code is amended—

(A) by striking “which constitutes affordable coverage” in subparagraph (A), and

(B) by striking subparagraphs (B), (C), (E), and (F) and redesignating subparagraph (D) as subparagraph (B).

(d) MODIFICATIONS TO DEFINITION OF QUALIFIED HEALTH PLAN.—

(1) IN GENERAL.—Section 36B(c)(3)(A) of the Internal Revenue Code of 1986 is amended by inserting at the end the following new sen-

tence: “Such term shall not include a plan that includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest).”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after December 31, 2017.

(e) ALLOWANCE OF CREDIT FOR CATASTROPHIC PLANS.—Section 36B(c)(3)(A) of the Internal Revenue Code of 1986, as amended by this Act, is amended by striking “, except that such term shall not include a qualified health plan that is a catastrophic plan described in section 1302(e) of such Act”.

(f) INCREASED PENALTY ON ERRONEOUS CLAIMS OF CREDIT.—Section 6676(a) of the Internal Revenue Code of 1986 is amended by inserting “(25 percent in the case of a claim for refund or credit relating to the health insurance coverage credit under section 36B)” after “20 percent”.

(g) EFFECTIVE DATE.—Except as otherwise provided in this section, the amendments made by this section shall apply to taxable years beginning after December 31, 2019.

**SEC. 103. MODIFICATIONS TO SMALL BUSINESS TAX CREDIT.**

(a) SUNSET.—

(1) IN GENERAL.—Section 45R of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(j) SHALL NOT APPLY.—This section shall not apply with respect to amounts paid or incurred in taxable years beginning after December 31, 2019.”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after December 31, 2019.

(b) DISALLOWANCE OF SMALL EMPLOYER HEALTH INSURANCE EXPENSE CREDIT FOR PLAN WHICH DOES NOT INCLUDE PROTECTIONS FOR LIFE.—

(1) IN GENERAL.—Subsection (h) of section 45R of the Internal Revenue Code of 1986 is amended—

(A) by striking “Any term” and inserting the following:

“(1) IN GENERAL.—Any term”, and

(B) by adding at the end the following new paragraph:

“(2) EXCLUSION OF CERTAIN HEALTH PLANS.—The term ‘qualified health plan’ does not include any health plan that includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest).”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after December 31, 2017.

**SEC. 104. INDIVIDUAL MANDATE.**

(a) IN GENERAL.—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B)(iii), by striking “2.5 percent” and inserting “Zero percent”, and

(2) in paragraph (3)—

(A) by striking “\$695” in subparagraph (A) and inserting “\$0”, and

(B) by striking subparagraph (D).

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply to months beginning after December 31, 2015.

#### **SEC. 105. EMPLOYER MANDATE.**

(a) **IN GENERAL.**—

(1) Paragraph (1) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2015)” after “\$2,000”.

(2) Paragraph (1) of section 4980H(b) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2015)” after “\$3,000”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply to months beginning after December 31, 2015.

#### **SEC. 106. STATE STABILITY AND INNOVATION PROGRAM.**

(a) **IN GENERAL.**—Section 2105 of the Social Security Act (42 U.S.C. 1397ee) is amended by adding at the end the following new subsections:

“(h) **SHORT-TERM ASSISTANCE TO ADDRESS COVERAGE AND ACCESS DISRUPTION AND PROVIDE SUPPORT FOR STATES.**—

“(1) **APPROPRIATION.**—There are authorized to be appropriated, and are appropriated, out of monies in the Treasury not otherwise obligated, \$15,000,000,000 for each of calendar years 2018 and 2019, and \$10,000,000,000 for each of calendar years 2020 and 2021, to the Administrator of the Centers for Medicare & Medicaid Services (in this subsection and subsection (i) referred to as the ‘Administrator’) to fund arrangements with health insurance issuers to assist in the purchase of health benefits coverage by addressing coverage and access disruption and responding to urgent health care needs within States. Funds appropriated under this paragraph shall remain available until expended.

“(2) **PARTICIPATION REQUIREMENTS.**—

“(A) **GUIDANCE.**—Not later than 30 days after the date of enactment of this subsection, the Administrator shall issue guidance to health insurance issuers regarding how to submit a notice of intent to participate in the program established under this subsection.

“(B) **NOTICE OF INTENT TO PARTICIPATE.**—To be eligible for funding under this subsection, a health insurance issuer shall submit to the Administrator a notice of intent to participate at such time (but, in the case of funding for calendar year 2018, not later than 35 days after the date of enactment of this subsection and, in the case of funding for calendar year 2019, 2020, 2021, 2022, 2023, 2024, 2025, or 2026, not later than March 31 of the previous year) and in such form and manner as specified by the Administrator and containing—

“(i) a certification that the health insurance issuer will use the funds in accordance with the requirements of paragraph (5); and

“(ii) such information as the Administrator may require to carry out this subsection.

“(3) **PROCEDURE FOR DISTRIBUTION OF FUNDS.**—The Administrator shall determine an appropriate procedure for providing and distributing funds under this subsection that includes reserving an amount equal to 1 percent of the amounts appropriated under paragraph (1) for a calendar year for providing and distributing funds to health insurance issuers in States where the cost of insurance premiums are at least 75 percent higher than the national average.

“(4) **NO MATCH.**—Neither the State percentage applicable to payments to States under subsection (i)(5)(B) nor any other matching requirement shall apply to funds provided to health insurance issuers under this subsection.

“(5) **USE OF FUNDS.**—Funds provided to a health insurance issuer under paragraph (1) or (6) shall be subject to the requirements of paragraphs (1)(D) and (7) of subsection (i) in the same manner as such requirements apply to States receiving payments under subsection (i) and shall be used only for the activities specified in paragraph (1)(A)(ii) of subsection (i).

“(6) **ADDITIONAL SUPPORT FOR STABILIZING PREMIUMS AND PROMOTING CHOICE IN PLANS OFFERED IN THE INDIVIDUAL MARKET.**—

“(A) **APPROPRIATION.**—In addition to the amounts appropriated under paragraph (1), there is appropriated, out of any money in the Treasury not otherwise obligated, \$10,000,000,000 for each of calendar years 2020 through 2026, for the purpose of funding arrangements with health insurance issuers to support the offering of qualified health plans in States in which such issuers also offer coverage in accordance with section 212(a) of the Better Care Reconciliation Act.

“(B) **USE OF FUNDS.**—

“(i) **IN GENERAL.**—The Administrator shall use amounts appropriated under subparagraph (A) to establish a Federal fund for the purpose of providing health insurance coverage by making payments to health insurance issuers that offer a plan in accordance with section 212(a) of the Better Care Reconciliation Act, to assist such health insurance issuers in covering high risk individuals enrolled in qualified health plans through an Exchange in rating areas in which coverage is offered in accordance with section 212(a) of such Act. The Administrator shall determine an appropriate procedure for making such payments.

“(ii) **PRIORITY USES.**—In making payments from the amounts appropriated under subparagraph (A), the Administrator shall prioritize payments—

“(I) based on the percentage of rating areas in the State that meet the conditions in section 212(b) of such Act; and

“(II) to health plans certified under section 212(b)(2) of such Act in States for which paragraphs (1) through (6) of section 212(c) of such Act are not applicable.

“(i) **LONG-TERM STATE STABILITY AND INNOVATION PROGRAM.**—

“(1) **APPLICATION AND CERTIFICATION REQUIREMENTS.**—To be eligible for an allotment of funds under this subsection, a State shall submit to the Administrator an application, not later than March 31, 2018, in the case of allotments for calendar year 2019, and not later than March 31 of the previous year, in the case of allotments for any subsequent calendar year) and in such form and manner as specified by the Administrator, that contains the following:

“(A) A description of how the funds will be used to do 1 or more of the following:

“(i) To establish or maintain a program or mechanism to help high-risk individuals in the purchase of health benefits coverage, including by reducing premium costs for such individuals, who have or are projected to have a high rate of utilization of health services, as measured by cost, and who do not have access to health insurance coverage offered through an employer, enroll in health insurance coverage under a plan offered in the individual market (within the meaning of section 5000A(f)(1)(C) of the Internal Revenue Code of 1986).

“(ii) To establish or maintain a program to enter into arrangements with health insurance issuers to assist in the purchase of health benefits coverage by stabilizing premiums and promoting State health insurance market participation and choice in plans offered in the individual market (within the meaning of section 5000A(f)(1)(C) of the Internal Revenue Code of 1986).

“(iii) To provide payments for health care providers for the provision of health care services, as specified by the Administrator.

“(iv) To provide health insurance coverage by funding assistance to reduce out-of-pocket costs, such as copayments, coinsurance, and deductibles, of individuals enrolled in plans offered in the individual market (within the meaning of section 5000A(f)(1)(C) of the Internal Revenue Code of 1986).

“(B) A certification that the State shall make, from non-Federal funds, expenditures for 1 or more of the activities specified in subparagraph (A) in an amount that is not less than the State percentage required for the year under paragraph (5)(B)(ii).

“(C) A certification that the funds provided under this subsection shall only be used for the activities specified in subparagraph (A).

“(D) A certification that none of the funds provided under this subsection shall be used by the State for an expenditure that is attributable to an intergovernmental transfer, certified public expenditure, or any other expenditure to finance the non-Federal share of expenditures required under any provision of law, including under the State plans established under this title and title XIX or under a waiver of such plans.

“(E) Such other information as necessary for the Administrator to carry out this subsection.

“(2) **ELIGIBILITY.**—Only the 50 States and the District of Columbia shall be eligible for an allotment and payments under this subsection and all references in this subsection to a State shall be treated as only referring to the 50 States and the District of Columbia.

“(3) **ONE-TIME APPLICATION.**—If an application of a State submitted under this subsection is approved by the Administrator for a year, the application shall be deemed to be approved by the Administrator for that year and each subsequent year through December 31, 2026.

“(4) **LONG-TERM STATE STABILITY AND INNOVATION ALLOTMENTS.**—

“(A) **APPROPRIATION; TOTAL ALLOTMENT.**—For the purpose of providing allotments to States under this subsection, there is appropriated, out of any money in the Treasury not otherwise appropriated—

“(i) for calendar year 2019, \$8,000,000,000;

“(ii) for calendar year 2020, \$29,000,000,000;

“(iii) for calendar year 2021, \$29,000,000,000;

“(iv) for calendar year 2022, \$33,200,000,000;

“(v) for calendar year 2023, \$33,200,000,000;

“(vi) for calendar year 2024, \$33,200,000,000;

“(vii) for calendar year 2025, \$33,200,000,000;

and

“(viii) for calendar year 2026, \$33,200,000,000.

“(B) **ALLOTMENTS.**—

“(i) **IN GENERAL.**—In the case of a State with an application approved under this subsection with respect to a year, the Administrator shall allot to the State, in accordance with an allotment methodology specified by the Administrator that ensures that the spending requirements in paragraphs (6) are met for the year and that reserves an amount that is at least 1 percent of the amount appropriated under subparagraph (A) for a calendar year for allotments to each



State where the cost of insurance premiums are at least 75 percent higher than the national average, from amounts appropriated for such year under subparagraph (A), such amount as specified by the Administrator with respect to the State and application and year.

“(ii) ANNUAL REDISTRIBUTION OF PREVIOUS YEAR’S UNUSED FUNDS.—

“(I) IN GENERAL.—In carrying out clause (i), with respect to a year (beginning with 2021), the Administrator shall, not later than March 31 of such year—

“(aa) determine the amount of funds, if any, remaining unused under subparagraph (A) from the previous year; and

“(bb) if the Administrator determines that any funds so remain from the previous year, redistribute such remaining funds in accordance with an allotment methodology specified by the Administrator to States that have submitted an application approved under this subsection for the year.

“(II) APPLICABLE STATE PERCENTAGE.—The State percentage specified for a year in paragraph (5)(B)(ii) shall apply to funds redistributed under subclause (I) in that year.

“(C) AVAILABILITY OF ALLOTTED STATE FUNDS.—

“(i) IN GENERAL.—Amounts allotted to a State pursuant to subparagraph (B)(i) for a year shall remain available for expenditure by the State through the end of the second succeeding year.

“(ii) AVAILABILITY OF AMOUNTS REDISTRIBUTED.—Amounts redistributed to a State under subparagraph (B)(ii) in a year shall be available for expenditure by the State through the end of the second succeeding year.

“(5) PAYMENTS.—

“(A) ANNUAL PAYMENT OF ALLOTMENTS.—Subject to subparagraph (B), the Administrator shall pay to each State that has an application approved under this subsection for a year, from the allotment determined under paragraph (4)(B) for the State for the year, an amount equal to the Federal percentage of the State’s expenditures for the year.

“(B) STATE EXPENDITURES REQUIRED BEGINNING 2022.—For purposes of subparagraph (A), the Federal percentage is equal to 100 percent reduced by the State percentage for that year, and the State percentage is equal to—

“(i) in the case of calendar year 2019, 0 percent;

“(ii) in the case of calendar year 2020, 0 percent;

“(iii) in the case of calendar year 2021, 0 percent;

“(iv) in the case of calendar year 2022, 7 percent;

“(v) in the case of calendar year 2023, 14 percent;

“(vi) in the case of calendar year 2024, 21 percent;

“(vii) in the case of calendar year 2025, 28 percent; and

“(viii) in the case of calendar year 2026, 35 percent.

“(C) ADVANCE PAYMENT; RETROSPECTIVE ADJUSTMENT.—

“(i) IN GENERAL.—If the Administrator deems it appropriate, the Administrator shall make payments under this subsection for each year on the basis of advance estimates of expenditures submitted by the State and such other investigation as the Administrator shall find necessary, and shall reduce or increase the payments as necessary to adjust for any overpayment or underpayment for prior years.

“(ii) MISUSE OF FUNDS.—If the Administrator determines that a State is not using funds paid to the State under this subsection in a manner consistent with the description provided by the State in its application approved under paragraph (1), the Administrator may withhold payments, reduce payments, or recover previous payments to the State under this subsection as the Administrator deems appropriate.

“(D) FLEXIBILITY IN SUBMITTAL OF CLAIMS.—Nothing in this subsection shall be construed as preventing a State from claiming as expenditures in the year expenditures that were incurred in a previous year.

“(6) REQUIRED USES.—

“(A) PREMIUM STABILIZATION AND INCENTIVES FOR INDIVIDUAL MARKET PARTICIPATION.—In determining allotments for States under this subsection for each of calendar years 2019, 2020, and 2021, the Administrator shall ensure that at least \$5,000,000,000 of the amounts appropriated for each such year under paragraph (4)(A) are used by States for the purposes described in paragraph (1)(A)(ii) and in accordance with guidance issued by the Administrator not later than 30 days after the date of enactment of this subsection that specifies the parameters for the use of funds for such purposes.

“(B) ASSISTANCE WITH OUT-OF-POCKET COSTS.—In determining allotments for States under this subsection for each of calendar years 2020 through 2026, the Administrator shall ensure that at least \$15,000,000,000 of the amounts appropriated for each of calendar years 2020 and 2021 under paragraph (4)(A), and at least \$14,000,000,000 of the amounts appropriated for each of calendar years 2022 through 2026 under such paragraph, are used by States for the purposes described in paragraph (1)(A)(iv) and in accordance with guidance issued by the Administrator not later than September 1, 2019, that specifies the parameters for the use of funds for such purposes.

“(7) EXEMPTIONS.—Paragraphs (2), (3), (5), (6), (8), (10), and (11) of subsection (c) do not apply to payments under this subsection.”.

(b) OTHER TITLE XXI AMENDMENTS.—

(1) Section 2101 of such Act (42 U.S.C. 1397aa) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by striking “The purpose” and inserting “Except with respect to short-term assistance activities under section 2105(h) and the Long-Term State Stability and Innovation Program established in section 2105(i), the purpose”; and

(B) in subsection (b), in the matter preceding paragraph (1), by inserting “subsection (a) or (g) of” before “section 2105”.

(2) Section 2105(c)(1) of such Act (42 U.S.C. 1397ee(c)(1)) is amended by striking “and may not include” and inserting “or to carry out short-term assistance activities under subsection (h) or the Long-Term State Stability and Innovation Program established in subsection (i) and, except in the case of funds made available under subsection (h) or (i), may not include”.

(3) Section 2106(a)(1) of such Act (42 U.S.C. 1397ff(a)(1)) is amended by inserting “subsection (a) or (g) of” before “section 2105”.

**SEC. 107. BETTER CARE RECONCILIATION IMPLEMENTATION FUND.**

(a) IN GENERAL.—There is hereby established a Better Care Reconciliation Implementation Fund (referred to in this section as the “Fund”) within the Department of Health and Human Services to provide for Federal administrative expenses in carrying out this Act.

(b) FUNDING.—There is appropriated to the Fund, out of any funds in the Treasury not otherwise appropriated, \$500,000,000.

**SEC. 108. REPEAL OF THE TAX ON EMPLOYEE HEALTH INSURANCE PREMIUMS AND HEALTH PLAN BENEFITS.**

(a) IN GENERAL.—Chapter 43 of the Internal Revenue Code of 1986 is amended by striking section 49801.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2019.

(c) SUBSEQUENT EFFECTIVE DATE.—The amendment made by subsection (a) shall not apply to taxable years beginning after December 31, 2025, and chapter 43 of the Internal Revenue Code of 1986 is amended to read as such chapter would read if such subsection had never been enacted.

**SEC. 109. REPEAL OF TAX ON OVER-THE-COUNTER MEDICATIONS.**

(a) HSAs.—Subparagraph (A) of section 223(d)(2) of the Internal Revenue Code of 1986 is amended by striking “Such term” and all that follows through the period.

(b) ARCHER MSAs.—Subparagraph (A) of section 220(d)(2) of the Internal Revenue Code of 1986 is amended by striking “Such term” and all that follows through the period.

(c) HEALTH FLEXIBLE SPENDING ARRANGEMENTS AND HEALTH REIMBURSEMENT ARRANGEMENTS.—Section 106 of the Internal Revenue Code of 1986 is amended by striking subsection (f).

(d) EFFECTIVE DATES.—

(1) DISTRIBUTIONS FROM SAVINGS ACCOUNTS.—The amendments made by subsections (a) and (b) shall apply to amounts paid with respect to taxable years beginning after December 31, 2016.

(2) REIMBURSEMENTS.—The amendment made by subsection (c) shall apply to expenses incurred with respect to taxable years beginning after December 31, 2016.

**SEC. 110. REPEAL OF TAX ON HEALTH SAVINGS ACCOUNTS.**

(a) HSAs.—Section 223(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking “20 percent” and inserting “10 percent”.

(b) ARCHER MSAs.—Section 220(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking “20 percent” and inserting “15 percent”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions made after December 31, 2016.

**SEC. 111. REPEAL OF LIMITATIONS ON CONTRIBUTIONS TO FLEXIBLE SPENDING ACCOUNTS.**

(a) IN GENERAL.—Section 125 of the Internal Revenue Code of 1986 is amended by striking subsection (i).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to plan years beginning after December 31, 2017.

**SEC. 112. REPEAL OF TAX ON PRESCRIPTION MEDICATIONS.**

Subsection (j) of section 9008 of the Patient Protection and Affordable Care Act is amended to read as follows:

“(j) REPEAL.—This section shall apply to calendar years beginning after December 31, 2010, and ending before January 1, 2018.”.

**SEC. 113. REPEAL OF MEDICAL DEVICE EXCISE TAX.**

Section 4191 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(d) APPLICABILITY.—The tax imposed under subsection (a) shall not apply to sales after December 31, 2017.”.

**SEC. 114. REPEAL OF HEALTH INSURANCE TAX.**

Subsection (j) of section 9010 of the Patient Protection and Affordable Care Act is



amended by striking “, and” at the end of paragraph (1) and all that follows through “2017”.

**SEC. 115. REPEAL OF ELIMINATION OF DEDUCTION FOR EXPENSES ALLOCABLE TO MEDICARE PART D SUBSIDY.**

(a) IN GENERAL.—Section 139A of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: “This section shall not be taken into account for purposes of determining whether any deduction is allowable with respect to any cost taken into account in determining such payment.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

**SEC. 116. REPEAL OF CHRONIC CARE TAX.**

(a) IN GENERAL.—Subsection (a) of section 213 of the Internal Revenue Code of 1986 is amended by striking “10 percent” and inserting “7.5 percent”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

**SEC. 117. REPEAL OF TANNING TAX.**

(a) IN GENERAL.—The Internal Revenue Code of 1986 is amended by striking chapter 49.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to services performed after September 30, 2017.

**SEC. 118. PURCHASE OF INSURANCE FROM HEALTH SAVINGS ACCOUNT.**

(a) PURCHASE OF HIGH DEDUCTIBLE HEALTH PLANS.—

(1) IN GENERAL.—Paragraph (2) of section 223(d) of the Internal Revenue Code of 1986, as amended by section 109(a), is amended—

(A) by striking “and any dependent (as defined in section 152, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof) of such individual” in subparagraph (A) and inserting “any dependent (as defined in section 152, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof) of such individual, and any child (as defined in section 152(f)(1)) of such individual who has not attained the age of 27 before the end of such individual’s taxable year”;

(B) by striking subparagraph (B) and inserting the following:

“(B) HEALTH INSURANCE MAY NOT BE PURCHASED FROM ACCOUNT.—Except as provided in subparagraph (C), subparagraph (A) shall not apply to any payment for insurance.”, and

(C) by striking “or” at the end of subparagraph (C)(iii), by striking the period at the end of subparagraph (C)(iv) and inserting “, or”, and by adding at the end the following: “(v) a high deductible health plan but only to the extent of the portion of such expense in excess of—

“(I) any amount allowable as a credit under section 36B for the taxable year with respect to such coverage,

“(II) any amount allowable as a deduction under section 162(l) with respect to such coverage, or

“(III) any amount excludable from gross income with respect to such coverage under section 106 (including by reason of section 125) or 402(1).”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to amounts paid for expenses incurred for, and distributions made for, coverage under a high deductible health plan beginning after December 31, 2017.

(b) CONSUMER FREEDOM PLANS.—

(1) IN GENERAL.—Section 223(d)(2)(C) of the Internal Revenue Code of 1986, as amended by subsection (a) and section 122, is amended—

(A) by striking “or” at the end of clause (iv), by striking the period at the end of clause (v), and by adding at the end the following:

“(vi) any plan which—

“(I) is offered by a health insurance issuer which meets the conditions described in section 212(b) of the Better Care Reconciliation Act of 2017 for the plan year, and

“(II) would not be permitted to be offered in the market but for such section.”, and

(B) by inserting “or (vi)” after “clause (v)” in the last sentence thereof.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall to taxable years beginning after December 31, 2019.

**SEC. 119. MAXIMUM CONTRIBUTION LIMIT TO HEALTH SAVINGS ACCOUNT INCREASED TO AMOUNT OF DEDUCTIBLE AND OUT-OF-POCKET LIMITATION.**

(a) SELF-ONLY COVERAGE.—Section 223(b)(2)(A) of the Internal Revenue Code of 1986 is amended by striking “\$2,250” and inserting “the amount in effect under subsection (c)(2)(A)(ii)(I)”.

(b) FAMILY COVERAGE.—Section 223(b)(2)(B) of such Code is amended by striking “\$4,500” and inserting “the amount in effect under subsection (c)(2)(A)(ii)(II)”.

(c) COST-OF-LIVING ADJUSTMENT.—Section 223(g)(1) of such Code is amended—

(1) by striking “subsections (b)(2) and” both places it appears and inserting “subsection”, and

(2) in subparagraph (B), by striking “determined by” and all that follows through “calendar year 2003,” and inserting “determined by substituting ‘calendar year 2003’ for ‘calendar year 1992’ in subparagraph (B) thereof.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

**SEC. 120. ALLOW BOTH SPOUSES TO MAKE CATCH-UP CONTRIBUTIONS TO THE SAME HEALTH SAVINGS ACCOUNT.**

(a) IN GENERAL.—Section 223(b)(5) of the Internal Revenue Code of 1986 is amended to read as follows:

“(5) SPECIAL RULE FOR MARRIED INDIVIDUALS WITH FAMILY COVERAGE.—

“(A) IN GENERAL.—In the case of individuals who are married to each other, if both spouses are eligible individuals and either spouse has family coverage under a high deductible health plan as of the first day of any month—

“(i) the limitation under paragraph (1) shall be applied by not taking into account any other high deductible health plan coverage of either spouse (and if such spouses both have family coverage under separate high deductible health plans, only one such coverage shall be taken into account),

“(ii) such limitation (after application of clause (i)) shall be reduced by the aggregate amount paid to Archer MSAs of such spouses for the taxable year, and

“(iii) such limitation (after application of clauses (i) and (ii)) shall be divided equally between such spouses unless they agree on a different division.

“(B) TREATMENT OF ADDITIONAL CONTRIBUTION AMOUNTS.—If both spouses referred to in subparagraph (A) have attained age 55 before the close of the taxable year, the limitation referred to in subparagraph (A)(iii) which is subject to division between the spouses shall include the additional contribution amounts determined under paragraph (3) for both spouses. In any other case, any additional contribution amount determined under paragraph (3) shall not be taken into account under subparagraph (A)(iii) and shall not be subject to division between the spouses.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

**SEC. 121. SPECIAL RULE FOR CERTAIN MEDICAL EXPENSES INCURRED BEFORE ESTABLISHMENT OF HEALTH SAVINGS ACCOUNT.**

(a) IN GENERAL.—Section 223(d)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(D) TREATMENT OF CERTAIN MEDICAL EXPENSES INCURRED BEFORE ESTABLISHMENT OF ACCOUNT.—If a health savings account is established during the 60-day period beginning on the date that coverage of the account beneficiary under a high deductible health plan begins, then, solely for purposes of determining whether an amount paid is used for a qualified medical expense, such account shall be treated as having been established on the date that such coverage begins.”.

(b) EFFECTIVE DATE.—The amendment made by this subsection shall apply with respect to coverage under a high deductible health plan beginning after December 31, 2017.

**SEC. 122. EXCLUSION FROM HSAS OF HIGH DEDUCTIBLE HEALTH PLANS WHICH DO NOT INCLUDE PROTECTIONS FOR LIFE.**

(a) IN GENERAL.—Subparagraph (C) of section 223(d)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following flush sentence:

“A high deductible health plan shall not be treated as described in clause (v) if such plan includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest).”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to coverage under a high deductible health plan beginning after December 31, 2017.

**SEC. 123. FEDERAL PAYMENTS TO STATES.**

(a) IN GENERAL.—Notwithstanding section 504(a), 1902(a)(23), 1903(a), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396a(a)(23), 1396b(a), 1397a, 1397d(a)(4), 1397bb(a)(7), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the 1-year period beginning on the date of enactment of this Act, no Federal funds provided from a program referred to in this subsection that is considered direct spending for any year may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) DEFINITIONS.—In this section:

(1) PROHIBITED ENTITY.—The term “prohibited entity” means an entity, including its affiliates, subsidiaries, successors, and clinics—

(A) that, as of the date of enactment of this Act—

(i) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(ii) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(iii) provides for abortions, other than an abortion—

(I) if the pregnancy is the result of an act of rape or incest; or

(II) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(B) for which the total amount of Federal and State expenditures under the Medicaid program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as part of a nationwide health care provider network, exceeded \$350,000,000.

(2) **DIRECT SPENDING.**—The term “direct spending” has the meaning given that term under section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

#### SEC. 124. MEDICAID PROVISIONS.

The Social Security Act is amended—

(1) in section 1902(a)(47)(B) (42 U.S.C. 1396a(a)(47)(B)), by inserting “and provided that any such election shall cease to be effective on January 1, 2020, and no such election shall be made after that date” before the semicolon at the end;

(2) in section 1915(k)(2) (42 U.S.C. 1396n(k)(2)), by striking “during the period described in paragraph (1)” and inserting “on or after the date referred to in paragraph (1) and before January 1, 2020”; and

(3) in section 1920(e) (42 U.S.C. 1396r-1(e)), by striking “under clause (i)(VIII), clause (i)(IX), or clause (ii)(XX) of subsection (a)(10)(A)” and inserting “under clause (i)(VIII) or clause (ii)(XX) of section 1902(a)(10)(A) before January 1, 2020, section 1902(a)(10)(A)(i)(IX).”.

#### SEC. 125. MEDICAID EXPANSION.

(a) **IN GENERAL.**—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended—

(1) in section 1902 (42 U.S.C. 1396a)—

(A) in subsection (a)(10)(A)—

(i) in clause (i)(VIII), by inserting “and ending December 31, 2019,” after “2014.”; and

(ii) in clause (ii), in subclause (XX), by inserting “and ending December 31, 2017,” after “2014.”, and by adding at the end the following new subclause:

“(XXIII) beginning January 1, 2020, who are expansion enrollees (as defined in subsection (nn)(1));”; and

(B) by adding at the end the following new subsection:

“(nn) **EXPANSION ENROLLEES.**—

“(1) **IN GENERAL.**—In this title, the term ‘expansion enrollee’ means an individual—

“(A) who is under 65 years of age;

“(B) who is not pregnant;

“(C) who is not entitled to, or enrolled for, benefits under part A of title XVIII, or enrolled for benefits under part B of title XVIII;

“(D) who is not described in any of subclauses (I) through (VII) of subsection (a)(10)(A)(i); and

“(E) whose income (as determined under subsection (e)(14)) does not exceed 133 percent of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved.

“(2) **APPLICATION OF RELATED PROVISIONS.**—Any reference in subsection (a)(10)(G), (k), or (gg) of this section or in section 1903, 1905(a), 1920(e), or 1937(a)(1)(B) to individuals described in subclause (VIII) of subsection (a)(10)(A)(i) shall be deemed to include a reference to expansion enrollees.”; and

(2) in section 1905 (42 U.S.C. 1396d)—

(A) in subsection (y)(1)—

(i) in the matter preceding subparagraph (A), by striking “, with respect to” and all that follows through “shall be equal to” and inserting “and that has elected to cover newly eligible individuals before March 1, 2017, with respect to amounts expended by such State before January 1, 2020, for medical assistance for newly eligible individuals described in subclause (VIII) of section 1902(a)(10)(A)(i), and, with respect to amounts expended by such State after December 31, 2019, and before January 1, 2024, for medical assistance for expansion enrollees (as defined in section 1902(nn)(1)), shall be equal to the higher of the percentage otherwise determined for the State and year under subsection (b) (without regard to this subsection) and”; and

(ii) in subparagraph (D), by striking “and” after the semicolon;

(iii) by striking subparagraph (E) and inserting the following new subparagraphs:

“(E) 90 percent for calendar quarters in 2020;

“(F) 85 percent for calendar quarters in 2021;

“(G) 80 percent for calendar quarters in 2022; and

“(H) 75 percent for calendar quarters in 2023.”; and

(iv) by adding after and below subparagraph (H) (as added by clause (iii)), the following flush sentence:

“The Federal medical assistance percentage determined for a State and year under subsection (b) shall apply to expenditures for medical assistance to newly eligible individuals (as so described) and expansion enrollees (as so defined), in the case of a State that has elected to cover newly eligible individuals before March 1, 2017, for calendar quarters after 2023, and, in the case of any other State, for calendar quarters (or portions of calendar quarters) after February 28, 2017.”; and

(B) in subsection (z)(2)—

(i) in subparagraph (A)—

(I) by inserting “through 2023” after “each year thereafter”; and

(II) by striking “shall be equal to” and inserting “and, for periods after December 31, 2019 and before January 1, 2024, who are expansion enrollees (as defined in section 1902(nn)(1)) shall be equal to the higher of the percentage otherwise determined for the State and year under subsection (b) (without regard to this subsection) and”; and

(ii) in subparagraph (B)(ii)—

(I) in subclause (III), by adding “and” at the end; and

(II) by striking subclauses (IV), (V), and (VI) and inserting the following new subclause:

“(IV) 2017 and each subsequent year through 2023 is 80 percent.”.

(b) **SUNSET OF MEDICAID ESSENTIAL HEALTH BENEFITS REQUIREMENT.**—Section 1937(b)(5) of the Social Security Act (42 U.S.C. 1396u-7(b)(5)) is amended by adding at the end the following: “This paragraph shall not apply after December 31, 2019.”.

#### SEC. 126. RESTORING FAIRNESS IN DSH ALLOTMENTS.

Section 1923(f)(7) of the Social Security Act (42 U.S.C. 1396r-4(f)(7)) is amended by adding at the end the following new subparagraph:

“(C) **NON-EXPANSION STATES.**—

“(i) **IN GENERAL.**—In the case of a State that is a non-expansion State for a fiscal year—

“(I) subparagraph (A) shall not apply to the DSH allotment for such State and fiscal year; and

“(II) the DSH allotment for the State for fiscal year 2020 (including for a non-expansion State that has a DSH allotment determined under paragraph (6)) shall be increased by the amount calculated according to clause (iii).

“(ii) **NO CHANGE IN REDUCTION FOR EXPANSION STATES.**—In the case of a State that is an expansion State for a fiscal year, the DSH allotment for such State and fiscal year shall be determined as if clause (i) did not apply.

“(iii) **AMOUNT CALCULATED.**—For purposes of clause (i)(II), the amount calculated according to this clause for a non-expansion State is the following:

“(I) For each State, the Secretary shall calculate a ratio equal to the State’s fiscal year 2016 DSH allotment divided by the number of uninsured individuals in the State for such fiscal year (determined on the basis of the most recent information available from the Bureau of the Census).

“(II) The Secretary shall identify the States whose ratio as so determined is below the national average of such ratio for all States.

“(III) The amount calculated pursuant to this clause is an amount that, if added to the State’s fiscal year 2016 DSH allotment, would increase the ratio calculated pursuant to subclause (I) up to the national average for all States.

“(iv) **DISREGARD OF INCREASE.**—The DSH allotment for a non-expansion State for the second, third, and fourth quarters of fiscal year 2024 and fiscal years thereafter shall be determined as if there had been no increase in the State’s DSH allotment for fiscal year 2020 under clause (i)(II).

“(v) **NON-EXPANSION AND EXPANSION STATE DEFINED.**—In this subparagraph:

“(I) The term ‘expansion State’ means with respect to a fiscal year, a State that, on or after January 1, 2021, provides eligibility under subclause (XXIII) of section 1902(a)(10)(A)(ii) for medical assistance under this title (or provides eligibility for individuals described in such subclause under a waiver of the State plan approved under section 1115).

“(II) The term ‘non-expansion State’ means, with respect to a fiscal year, a State that is not an expansion State, except that—

“(aa) in the case of a State that provides eligibility under clause (i)(VIII), (ii)(XX), or (ii)(XXIII) of section 1902(a)(10)(A) for medical assistance under this title (or provides eligibility for individuals described in any of such clauses under a waiver of the State plan approved under section 1115) for any quarter occurring during the period that begins on October 1, 2017, and ends on December 31, 2020 the State shall be treated as a non-expansion State for purposes of clause (i) only for quarters beginning on or after the first day of the first month for which the State no longer provides such eligibility; and

“(bb) in the case of a State identified by the Secretary under clause (iii)(II) that is a non-expansion State on January 1, 2021, but which provided such eligibility on January 1, 2020, the DSH allotment for such State for each of fiscal years 2021 through 2023 and the first fiscal quarter of 2024 shall be determined as if the State’s DSH allotment for fiscal year 2020 had been increased under clause (i)(II).”.

#### SEC. 127. REDUCING STATE MEDICAID COSTS.

(a) **IN GENERAL.**—

(1) **STATE PLAN REQUIREMENTS.**—Section 1902(a)(34) of the Social Security Act (42 U.S.C. 1396a(a)(34)) is amended by striking “in or after the third month” and all that follows through “individual)” and inserting “in or after the month in which the individual (or, in the case of a deceased individual, another individual acting on the individual’s behalf) made application (or, in the case of an individual who is 65 years of age or older or who is eligible for medical assistance under the plan on the basis of being blind or disabled, in or after the third month before such month)”.

(2) **DEFINITION OF MEDICAL ASSISTANCE.**—Section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)) is amended by striking “in or after the third month before the month in which the recipient makes application for assistance” and inserting “in or after the month in which the recipient makes application for assistance, or, in the case of a recipient who is 65 years of age or older or who is eligible for medical assistance on the basis of being blind or disabled at the time application is made, in or after the third month before the month in which the recipient makes application for assistance,”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall apply to medical assistance with respect to individuals whose eligibility for such assistance is based on an application for such assistance made (or deemed to be made) on or after October 1, 2017.

#### **SEC. 128. PROVIDING SAFETY NET FUNDING FOR NON-EXPANSION STATES.**

Title XIX of the Social Security Act is amended by inserting after section 1923 (42 U.S.C. 1396r-4) the following new section:

“**ADJUSTMENT IN PAYMENT FOR SERVICES OF SAFETY NET PROVIDERS IN NON-EXPANSION STATES**

“**SEC. 1923A.** (a) **IN GENERAL.**—Subject to the limitations of this section, for each year during the period beginning with fiscal year 2018 and ending with fiscal year 2022, each State that is one of the 50 States or the District of Columbia and that, as of July 1 of the preceding fiscal year, did not provide for eligibility under clause (i)(VIII), (ii)(XX), or (ii)(XXIII) of section 1902(a)(10)(A) for medical assistance under this title (or a waiver of the State plan approved under section 1115) (each such State or District referred to in this section for the fiscal year as a ‘non-expansion State’) may adjust the payment amounts otherwise provided under the State plan under this title (or a waiver of such plan) to health care providers that provide health care services to individuals enrolled under this title (in this section referred to as ‘eligible providers’) so long as the payment adjustment to such an eligible provider does not exceed the provider’s costs in furnishing health care services (as determined by the Secretary and net of payments under this title, other than under this section, and by uninsured patients) to individuals who either are eligible for medical assistance under the State plan (or under a waiver of such plan) or have no health insurance or health plan coverage for such services.

“(b) **INCREASE IN APPLICABLE FMAP.**—Notwithstanding section 1905(b), the Federal medical assistance percentage applicable with respect to expenditures attributable to a payment adjustment under subsection (a) for which payment is permitted under subsection (c) shall be equal to—

“(1) 100 percent for calendar quarters in fiscal years 2018, 2019, 2020, and 2021; and

“(2) 95 percent for calendar quarters in fiscal year 2022.

“(c) **ANNUAL ALLOTMENT LIMITATION.**—Payment under section 1903(a) shall not be made to a State with respect to any payment adjustment made under this section for all calendar quarters in a fiscal year in excess of the product of \$2,000,000,000 multiplied by the ratio of—

“(1) the population of the State with income below 138 percent of the poverty line in 2015 (as determined based the table entitled ‘Health Insurance Coverage Status and Type by Ratio of Income to Poverty Level in the Past 12 Months by Age’ for the universe of the civilian noninstitutionalized population for whom poverty status is determined based on the 2015 American Community Survey 1-Year Estimates, as published by the Bureau of the Census), to

“(2) the sum of the populations under paragraph (1) for all non-expansion States.

“(d) **DISQUALIFICATION IN CASE OF STATE COVERAGE EXPANSION.**—If a State is a non-expansion for a fiscal year and provides eligibility for medical assistance described in subsection (a) during the fiscal year, the State shall no longer be treated as a non-expansion State under this section for any subsequent fiscal years.”.

#### **SEC. 129. ELIGIBILITY REDETERMINATIONS.**

(a) **IN GENERAL.**—Section 1902(e)(14) of the Social Security Act (42 U.S.C. 1396a(e)(14)) (relating to modified adjusted gross income) is amended by adding at the end the following:

“(j) **FREQUENCY OF ELIGIBILITY REDETERMINATIONS.**—Beginning on October 1, 2017, and notwithstanding subparagraph (H), in the case of an individual whose eligibility for medical assistance under the State plan under this title (or a waiver of such plan) is determined based on the application of modified adjusted gross income under subparagraph (A) and who is so eligible on the basis of clause (i)(VIII), (ii)(XX), or (ii)(XXIII) of subsection (a)(10)(A), at the option of the State, the State plan may provide that the individual’s eligibility shall be redetermined every 6 months (or such shorter number of months as the State may elect).”.

(b) **INCREASED ADMINISTRATIVE MATCHING PERCENTAGE.**—For each calendar quarter during the period beginning on October 1, 2017, and ending on December 31, 2019, the Federal matching percentage otherwise applicable under section 1903(a) of the Social Security Act (42 U.S.C. 1396b(a)) with respect to State expenditures during such quarter that are attributable to meeting the requirement of section 1902(e)(14) (relating to determinations of eligibility using modified adjusted gross income) of such Act shall be increased by 5 percentage points with respect to State expenditures attributable to activities carried out by the State (and approved by the Secretary) to exercise the option described in subparagraph (J) of such section (relating to eligibility redeterminations made on a 6-month or shorter basis) (as added by subsection (a)) to increase the frequency of eligibility redeterminations.

#### **SEC. 130. OPTIONAL WORK REQUIREMENT FOR NONDISABLED, NONELDERLY, NON-PREGNANT INDIVIDUALS.**

(a) **IN GENERAL.**—Section 1902 of the Social Security Act (42 U.S.C. 1396a), as previously amended, is further amended by adding at the end the following new subsection:

“(oo) **OPTIONAL WORK REQUIREMENT FOR NONDISABLED, NONELDERLY, NONPREGNANT INDIVIDUALS.**—

“(1) **IN GENERAL.**—Beginning October 1, 2017, subject to paragraph (3), a State may elect to condition medical assistance to a nondisabled, nonelderly, nonpregnant indi-

vidual under this title upon such an individual’s satisfaction of a work requirement (as defined in paragraph (2)).

“(2) **WORK REQUIREMENT DEFINED.**—In this section, the term ‘work requirement’ means, with respect to an individual, the individual’s participation in work activities (as defined in section 407(d)) for such period of time as determined by the State, and as directed and administered by the State.

“(3) **REQUIRED EXCEPTIONS.**—States administering a work requirement under this subsection may not apply such requirement to—

“(A) a woman during pregnancy through the end of the month in which the 60-day period (beginning on the last day of her pregnancy) ends;

“(B) an individual who is under 19 years of age;

“(C) an individual who is the only parent or caretaker relative in the family of a child who has not attained 6 years of age or who is the only parent or caretaker of a child with disabilities; or

“(D) an individual who is married or a head of household and has not attained 20 years of age and who—

“(i) maintains satisfactory attendance at secondary school or the equivalent; or

“(ii) participates in education directly related to employment.”.

(b) **INCREASE IN MATCHING RATE FOR IMPLEMENTATION.**—Section 1903 of the Social Security Act (42 U.S.C. 1396b) is amended by adding at the end the following:

“(aa) The Federal matching percentage otherwise applicable under subsection (a) with respect to State administrative expenditures during a calendar quarter for which the State receives payment under such subsection shall, in addition to any other increase to such Federal matching percentage, be increased for such calendar quarter by 5 percentage points with respect to State expenditures attributable to activities carried out by the State (and approved by the Secretary) to implement subsection (oo) of section 1902.”.

#### **SEC. 131. PROVIDER TAXES.**

Section 1903(w)(4)(C) of the Social Security Act (42 U.S.C. 1396b(w)(4)(C)) is amended by adding at the end the following new clause:

“(iii) For purposes of clause (i), a determination of the existence of an indirect guarantee shall be made under paragraph (3)(i) of section 433.68(f) of title 42, Code of Federal Regulations, as in effect on June 1, 2017, except that—

“(I) for fiscal year 2021, ‘5.8 percent’ shall be substituted for ‘6 percent’ each place it appears;

“(II) for fiscal year 2022, ‘5.6 percent’ shall be substituted for ‘6 percent’ each place it appears;

“(III) for fiscal year 2023, ‘5.4 percent’ shall be substituted for ‘6 percent’ each place it appears;

“(IV) for fiscal year 2024, ‘5.2 percent’ shall be substituted for ‘6 percent’ each place it appears; and

“(V) for fiscal year 2025 and each subsequent fiscal year, ‘5 percent’ shall be substituted for ‘6 percent’ each place it appears.”.

#### **SEC. 132. PER CAPITA ALLOTMENT FOR MEDICAL ASSISTANCE.**

(a) **IN GENERAL.**—Title XIX of the Social Security Act is amended—

(1) in section 1903 (42 U.S.C. 1396b)—

(A) in subsection (a), in the matter before paragraph (1), by inserting “and section 1903A(a)” after “except as otherwise provided in this section”; and

(B) in subsection (d)(1), by striking “to which” and inserting “to which, subject to section 1903A(a),”; and

(2) by inserting after such section 1903 the following new section:

**“SEC. 1903A. PER CAPITA-BASED CAP ON PAYMENTS FOR MEDICAL ASSISTANCE.**

“(a) APPLICATION OF PER CAPITA CAP ON PAYMENTS FOR MEDICAL ASSISTANCE EXPENDITURES.—

“(1) IN GENERAL.—If a State which is one of the 50 States or the District of Columbia has excess aggregate medical assistance expenditures (as defined in paragraph (2)) for a fiscal year (beginning with fiscal year 2020), the amount of payment to the State under section 1903(a)(1) for each quarter in the following fiscal year shall be reduced by  $\frac{1}{4}$  of the excess aggregate medical assistance payments (as defined in paragraph (3)) for that previous fiscal year. In this section, the term ‘State’ means only the 50 States and the District of Columbia.

“(2) EXCESS AGGREGATE MEDICAL ASSISTANCE EXPENDITURES.—In this subsection, the term ‘excess aggregate medical assistance expenditures’ means, for a State for a fiscal year, the amount (if any) by which—

“(A) the amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State and fiscal year; exceeds

“(B) the amount of the target total medical assistance expenditures (as defined in subsection (c)) for the State and fiscal year.

“(3) EXCESS AGGREGATE MEDICAL ASSISTANCE PAYMENTS.—In this subsection, the term ‘excess aggregate medical assistance payments’ means, for a State for a fiscal year, the product of—

“(A) the excess aggregate medical assistance expenditures (as defined in paragraph (2)) for the State for the fiscal year; and

“(B) the Federal average medical assistance matching percentage (as defined in paragraph (4)) for the State for the fiscal year.

“(4) FEDERAL AVERAGE MEDICAL ASSISTANCE MATCHING PERCENTAGE.—In this subsection, the term ‘Federal average medical assistance matching percentage’ means, for a State for a fiscal year, the ratio (expressed as a percentage) of—

“(A) the amount of the Federal payments that would be made to the State under section 1903(a)(1) for medical assistance expenditures for calendar quarters in the fiscal year if paragraph (1) did not apply; to

“(B) the amount of the medical assistance expenditures for the State and fiscal year.

“(5) PER CAPITA BASE PERIOD.—

“(A) IN GENERAL.—In this section, the term ‘per capita base period’ means, with respect to a State, a period of 8 (or, in the case of a State selecting a period under subparagraph (D), not less than 4) consecutive fiscal quarters selected by the State.

“(B) TIMELINE.—Each State shall submit its selection of a per capita base period to the Secretary not later than January 1, 2018.

“(C) PARAMETERS.—In selecting a per capita base period under this paragraph, a State shall—

“(i) only select a period of 8 (or, in the case of a State selecting a base period under subparagraph (D), not less than 4) consecutive fiscal quarters for which all the data necessary to make determinations required under this section is available, as determined by the Secretary; and

“(ii) shall not select any period of 8 (or, in the case of a State selecting a base period under subparagraph (D), not less than 4) consecutive fiscal quarters that begins with a

fiscal quarter earlier than the first quarter of fiscal year 2014 or ends with a fiscal quarter later than the third fiscal quarter of 2017.

“(D) BASE PERIOD FOR LATE-EXPANDING STATES.—

“(i) IN GENERAL.—In the case of a State that did not provide for medical assistance for the 1903A enrollee category described in subsection (e)(2)(D) as of the first day of the fourth fiscal quarter of fiscal year 2015 but which provided for such assistance for such category in a subsequent fiscal quarter that is not later than the fourth quarter of fiscal year 2016, the State may select a per capita base period that is less than 8 consecutive fiscal quarters, but in no case shall the period selected be less than 4 consecutive fiscal quarters.

“(ii) APPLICATION OF OTHER REQUIREMENTS.—Except for the requirement that a per capita base period be a period of 8 consecutive fiscal quarters, all other requirements of this paragraph shall apply to a per capita base period selected under this subparagraph.

“(iii) APPLICATION OF BASE PERIOD ADJUSTMENTS.—The adjustments to amounts for per capita base periods required under subsections (b)(5) and (d)(4)(E) shall be applied to amounts for per capita base periods selected under this subparagraph by substituting ‘divided by the ratio that the number of quarters in the base period bears to 4’ for ‘divided by 2’.

“(E) ADJUSTMENT BY THE SECRETARY.—If the Secretary determines that a State took actions after the date of enactment of this section (including making retroactive adjustments to supplemental payment data in a manner that affects a fiscal quarter in the per capita base period) to diminish the quality of the data from the per capita base period used to make determinations under this section, the Secretary may adjust the data as the Secretary deems appropriate.

“(b) ADJUSTED TOTAL MEDICAL ASSISTANCE EXPENDITURES.—Subject to subsection (g), the following shall apply:

“(1) IN GENERAL.—In this section, the term ‘adjusted total medical assistance expenditures’ means, for a State—

“(A) for the State’s per capita base period (as defined in subsection (a)(5)), the product of—

“(i) the amount of the medical assistance expenditures (as defined in paragraph (2) and adjusted under paragraph (5)) for the State and period, reduced by the amount of any excluded expenditures (as defined in paragraph (3) and adjusted under paragraph (5)) for the State and period otherwise included in such medical assistance expenditures; and

“(ii) the 1903A base period population percentage (as defined in paragraph (4)) for the State; or

“(B) for fiscal year 2019 or a subsequent fiscal year, the amount of the medical assistance expenditures (as defined in paragraph (2)) for the State and fiscal year that is attributable to 1903A enrollees, reduced by the amount of any excluded expenditures (as defined in paragraph (3)) for the State and fiscal year otherwise included in such medical assistance expenditures and includes non-DSH supplemental payments (as defined in subsection (d)(4)(A)(ii)) and payments described in subsection (d)(4)(A)(iii) but shall not be construed as including any expenditures attributable to the program under section 1928 (relating to State pediatric vaccine distribution programs). In applying subparagraph (B), non-DSH supplemental payments (as defined in subsection (d)(4)(A)(ii)) and payments described in subsection

(d)(4)(A)(iii) shall be treated as fully attributable to 1903A enrollees.

“(2) MEDICAL ASSISTANCE EXPENDITURES.—In this section, the term ‘medical assistance expenditures’ means, for a State and fiscal year or per capita base period, the medical assistance payments as reported by medical service category on the Form CMS-64 quarterly expense report (or successor to such a report form, and including enrollment data and subsequent adjustments to any such report, in this section referred to collectively as a ‘CMS-64 report’) for quarters in the year or base period for which payment is (or may otherwise be) made pursuant to section 1903(a)(1), adjusted, in the case of a per capita base period, under paragraph (5).

“(3) EXCLUDED EXPENDITURES.—In this section, the term ‘excluded expenditures’ means, for a State and fiscal year or per capita base period, expenditures under the State plan (or under a waiver of such plan) that are attributable to any of the following:

“(A) DSH.—Payment adjustments made for disproportionate share hospitals under section 1923.

“(B) MEDICARE COST-SHARING.—Payments made for medicare cost-sharing (as defined in section 1905(p)(3)).

“(C) SAFETY NET PROVIDER PAYMENT ADJUSTMENTS IN NON-EXPANSION STATES.—Payment adjustments under subsection (a) of section 1923A for which payment is permitted under subsection (c) of such section.

“(D) EXPENDITURES FOR PUBLIC HEALTH EMERGENCIES.—Any expenditures that are subject to a public health emergency exclusion under paragraph (6).

“(4) 1903A BASE PERIOD POPULATION PERCENTAGE.—In this subsection, the term ‘1903A base period population percentage’ means, for a State, the Secretary’s calculation of the percentage of the actual medical assistance expenditures, as reported by the State on the CMS-64 reports for calendar quarters in the State’s per capita base period, that are attributable to 1903A enrollees (as defined in subsection (e)(1)).

“(5) ADJUSTMENTS FOR PER CAPITA BASE PERIOD.—In calculating medical assistance expenditures under paragraph (2) and excluded expenditures under paragraph (3) for a State for the State’s per capita base period, the total amount of each type of expenditure for the State and base period shall be divided by 2.

“(6) AUTHORITY TO EXCLUDE STATE EXPENDITURES FROM CAPS DURING PUBLIC HEALTH EMERGENCY.—

“(A) IN GENERAL.—During the period that begins on January 1, 2020, and ends on December 31, 2024, the Secretary may exclude, from a State’s medical assistance expenditures for a fiscal year or portion of a fiscal year that occurs during such period, an amount that shall not exceed the amount determined under subparagraph (B) for the State and year or portion of a year if—

“(i) a public health emergency declared by the Secretary pursuant to section 319 of the Public Health Service Act existed within the State during such year or portion of a year; and

“(ii) the Secretary determines that such an exemption would be appropriate.

“(B) MAXIMUM AMOUNT OF ADJUSTMENT.—The amount excluded for a State and fiscal year or portion of a fiscal year under this paragraph shall not exceed the amount by which—

“(i) the amount of State expenditures for medical assistance for 1903A enrollees in areas of the State which are subject to a declaration described in subparagraph (A)(i) for

the fiscal year or portion of a fiscal year; exceeds

“(i) the amount of such expenditures for such enrollees in such areas during the most recent fiscal year or portion of a fiscal year of equal length to the portion of a fiscal year involved during which no such declaration was in effect.

“(C) AGGREGATE LIMITATION ON EXCLUSIONS AND ADDITIONAL BLOCK GRANT PAYMENTS.—The aggregate amount of expenditures excluded under this paragraph and additional payments made under section 1903B(c)(3)(E) for the period described in subparagraph (A) shall not exceed \$5,000,000,000.

“(D) REVIEW.—If the Secretary exercises the authority under this paragraph with respect to a State for a fiscal year or portion of a fiscal year, the Secretary shall, not later than 6 months after the declaration described in subparagraph (A)(i) ceases to be in effect, conduct an audit of the State’s medical assistance expenditures for 1903A enrollees during the year or portion of a year to ensure that all of the expenditures so excluded were made for the purpose of ensuring that the health care needs of 1903A enrollees in areas affected by a public health emergency are met.

“(C) TARGET TOTAL MEDICAL ASSISTANCE EXPENDITURES.—

“(1) CALCULATION.—In this section, the term ‘target total medical assistance expenditures’ means, for a State for a fiscal year and subject to paragraph (4), the sum of the products, for each of the 1903A enrollee categories (as defined in subsection (e)(2)), of—

“(A) the target per capita medical assistance expenditures (as defined in paragraph (2)) for the enrollee category, State, and fiscal year; and

“(B) the number of 1903A enrollees for such enrollee category, State, and fiscal year, as determined under subsection (e)(4).

“(2) TARGET PER CAPITA MEDICAL ASSISTANCE EXPENDITURES.—In this subsection, the term ‘target per capita medical assistance expenditures’ means, for a 1903A enrollee category and State—

“(A) for fiscal year 2020, an amount equal to—

“(i) the provisional FY19 target per capita amount for such enrollee category (as calculated under subsection (d)(5)) for the State; increased by

“(ii) the applicable annual inflation factor (as defined in paragraph (3)) for fiscal year 2020; and

“(B) for each succeeding fiscal year, an amount equal to—

“(i) the target per capita medical assistance expenditures (under subparagraph (A) or this subparagraph) for the 1903A enrollee category and State for the preceding fiscal year; increased by

“(ii) the applicable annual inflation factor for that succeeding fiscal year.

“(3) APPLICABLE ANNUAL INFLATION FACTOR.—In paragraph (2), the term ‘applicable annual inflation factor’ means—

“(A) for fiscal years before 2025—

“(i) for each of the 1903A enrollee categories described in subparagraphs (C), (D), and (E) of subsection (e)(2), the percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) from September of the previous fiscal year to September of the fiscal year involved; and

“(ii) for each of the 1903A enrollee categories described in subparagraphs (A) and (B) of subsection (e)(2), the percentage increase described in clause (i) plus 1 percentage point; and

“(B) for fiscal years after 2024, for all 1903A enrollee categories, the percentage increase in the consumer price index for all urban consumers (U.S. city average) from September of the previous fiscal year to September of the fiscal year involved.

“(4) DECREASE IN TARGET EXPENDITURES FOR REQUIRED EXPENDITURES BY CERTAIN POLITICAL SUBDIVISIONS.—

“(A) IN GENERAL.—In the case of a State that had a DSH allotment under section 1923(f) for fiscal year 2016 that was more than 6 times the national average of such allotments for all the States for such fiscal year and that requires political subdivisions within the State to contribute funds towards medical assistance or other expenditures under the State plan under this title (or under a waiver of such plan) for a fiscal year (beginning with fiscal year 2020), the target total medical assistance expenditures for such State and fiscal year shall be decreased by the amount that political subdivisions in the State are required to contribute under the plan (or waiver) without reimbursement from the State for such fiscal year, other than contributions described in subparagraph (B).

“(B) EXCEPTIONS.—The contributions described in this subparagraph are the following:

“(i) Contributions required by a State from a political subdivision that, as of the first day of the calendar year in which the fiscal year involved begins—

“(I) has a population of more than 5,000,000, as estimated by the Bureau of the Census; and

“(II) imposes a local income tax upon its residents.

“(ii) Contributions required by a State from a political subdivision for administrative expenses if the State required such contributions from such subdivision without reimbursement from the State as of January 1, 2017.

“(5) ADJUSTMENTS TO STATE EXPENDITURES TARGETS TO PROMOTE PROGRAM EQUITY ACROSS STATES.—

“(A) IN GENERAL.—Beginning with fiscal year 2020, the target per capita medical assistance expenditures for a 1903A enrollee category, State, and fiscal year, as determined under paragraph (2), shall be adjusted (subject to subparagraph (C)(i)) in accordance with this paragraph.

“(B) ADJUSTMENT BASED ON LEVEL OF PER CAPITA SPENDING FOR 1903A ENROLLEE CATEGORIES.—Subject to subparagraph (C), with respect to a State, fiscal year, and 1903A enrollee category, if the State’s per capita categorical medical assistance expenditures (as defined in subparagraph (D)) for the State and category in the preceding fiscal year—

“(i) exceed the mean per capita categorical medical assistance expenditures for the category for all States for such preceding year by not less than 25 percent, the State’s target per capita medical assistance expenditures for such category for the fiscal year involved shall be reduced by a percentage that shall be determined by the Secretary but which shall not be less than 0.5 percent or greater than 3 percent; or

“(ii) are less than the mean per capita categorical medical assistance expenditures for the category for all States for such preceding year by not less than 25 percent, the State’s target per capita medical assistance expenditures for such category for the fiscal year involved shall be increased by a percentage that shall be determined by the Secretary but which shall not be less than 0.5 percent or greater than 3 percent.

“(C) RULES OF APPLICATION.—

“(i) BUDGET NEUTRALITY REQUIREMENT.—In determining the appropriate percentages by which to adjust States’ target per capita medical assistance expenditures for a category and fiscal year under this paragraph, the Secretary shall make such adjustments in a manner that does not result in a net increase in Federal payments under this section for such fiscal year, and if the Secretary cannot adjust such expenditures in such a manner there shall be no adjustment under this paragraph for such fiscal year.

“(ii) ASSUMPTION REGARDING STATE EXPENDITURES.—For purposes of clause (i), in the case of a State that has its target per capita medical assistance expenditures for a 1903A enrollee category and fiscal year increased under this paragraph, the Secretary shall assume that the categorical medical assistance expenditures (as defined in subparagraph (D)(ii)) for such State, category, and fiscal year will equal such increased target medical assistance expenditures.

“(iii) NONAPPLICATION TO LOW-DENSITY STATES.—This paragraph shall not apply to any State that has a population density of less than 15 individuals per square mile, based on the most recent data available from the Bureau of the Census.

“(iv) DISREGARD OF ADJUSTMENT.—Any adjustment under this paragraph to target medical assistance expenditures for a State, 1903A enrollee category, and fiscal year shall be disregarded when determining the target medical assistance expenditures for such State and category for a succeeding year under paragraph (2).

“(v) APPLICATION FOR FISCAL YEARS 2020 AND 2021.—In fiscal years 2020 and 2021, the Secretary shall apply this paragraph by deeming all categories of 1903A enrollees to be a single category.

“(D) PER CAPITA CATEGORICAL MEDICAL ASSISTANCE EXPENDITURES.—

“(i) IN GENERAL.—In this paragraph, the term ‘per capita categorical medical assistance expenditures’ means, with respect to a State, 1903A enrollee category, and fiscal year, an amount equal to—

“(I) the categorical medical expenditures (as defined in clause (ii)) for the State, category, and year; divided by

“(II) the number of 1903A enrollees for the State, category, and year.

“(ii) CATEGORICAL MEDICAL ASSISTANCE EXPENDITURES.—The term ‘categorical medical assistance expenditures’ means, with respect to a State, 1903A enrollee category, and fiscal year, an amount equal to the total medical assistance expenditures (as defined in paragraph (2)) for the State and fiscal year that are attributable to 1903A enrollees in the category, excluding any excluded expenditures (as defined in paragraph (3)) for the State and fiscal year that are attributable to 1903A enrollees in the category.

“(d) CALCULATION OF FY19 PROVISIONAL TARGET AMOUNT FOR EACH 1903A ENROLLEE CATEGORY.—Subject to subsection (g), the following shall apply:

“(1) CALCULATION OF BASE AMOUNTS FOR PER CAPITA BASE PERIOD.—For each State the Secretary shall calculate (and provide notice to the State not later than April 1, 2018, of) the following:

“(A) The amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State for the State’s per capita base period.

“(B) The number of 1903A enrollees for the State in the State’s per capita base period (as determined under subsection (e)(4)).

“(C) The average per capita medical assistance expenditures for the State for the State’s per capita base period equal to—

“(i) the amount calculated under subparagraph (A); divided by

“(ii) the number calculated under subparagraph (B).

“(2) FISCAL YEAR 2019 AVERAGE PER CAPITA AMOUNT BASED ON INFLATING THE PER CAPITA BASE PERIOD AMOUNT TO FISCAL YEAR 2019 BY CPI-MEDICAL.—The Secretary shall calculate a fiscal year 2019 average per capita amount for each State equal to—

“(A) the average per capita medical assistance expenditures for the State for the State’s per capita base period (calculated under paragraph (1)(C)); increased by

“(B) the percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) from the last month of the State’s per capita base period to September of fiscal year 2019.

“(3) AGGREGATE AND AVERAGE EXPENDITURES PER CAPITA FOR FISCAL YEAR 2019.—The Secretary shall calculate for each State the following:

“(A) The amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State for fiscal year 2019.

“(B) The number of 1903A enrollees for the State in fiscal year 2019 (as determined under subsection (e)(4)).

“(4) PER CAPITA EXPENDITURES FOR FISCAL YEAR 2019 FOR EACH 1903A ENROLLEE CATEGORY.—The Secretary shall calculate (and provide notice to each State not later than January 1, 2020, of) the following:

“(A)(i) For each 1903A enrollee category, the amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State for fiscal year 2019 for individuals in the enrollee category, calculated by excluding from medical assistance expenditures those expenditures attributable to expenditures described in clause (iii) or non-DSH supplemental expenditures (as defined in clause (ii)).

“(ii) In this paragraph, the term ‘non-DSH supplemental expenditure’ means a payment to a provider under the State plan (or under a waiver of the plan) that—

“(I) is not made under section 1923;

“(II) is not made with respect to a specific item or service for an individual;

“(III) is in addition to any payments made to the provider under the plan (or waiver) for any such item or service; and

“(IV) complies with the limits for additional payments to providers under the plan (or waiver) imposed pursuant to section 1902(a)(30)(A), including the regulations specifying upper payment limits under the State plan in part 447 of title 42, Code of Federal Regulations (or any successor regulations).

“(iii) An expenditure described in this clause is an expenditure that meets the criteria specified in subclauses (I), (II), and (III) of clause (ii) and is authorized under section 1115 for the purposes of funding a delivery system reform pool, uncompensated care pool, a designated State health program, or any other similar expenditure (as defined by the Secretary).

“(B) For each 1903A enrollee category, the number of 1903A enrollees for the State in fiscal year 2019 in the enrollee category (as determined under subsection (e)(4)).

“(C) For the State’s per capita base period, the State’s non-DSH supplemental and pool payment percentage is equal to the ratio (expressed as a percentage) of—

“(i) the total amount of non-DSH supplemental expenditures (as defined in subparagraph (A)(ii) and adjusted under subparagraph (E)) and payments described in subparagraph (A)(iii) (and adjusted under subparagraph (E)) for the State for the period; to

“(ii) the amount described in subsection (b)(1)(A) for the State for the State’s per capita base period.

“(D) For each 1903A enrollee category an average medical assistance expenditures per capita for the State for fiscal year 2019 for the enrollee category equal to—

“(i) the amount calculated under subparagraph (A) for the State, increased by the non-DSH supplemental and pool payment percentage for the State (as calculated under subparagraph (C)); divided by

“(ii) the number calculated under subparagraph (B) for the State for the enrollee category.

“(E) For purposes of subparagraph (C)(i), in calculating the total amount of non-DSH supplemental expenditures and payments described in subparagraph (A)(iii) for a State for the per capita base period, the total amount of such expenditures and the total amount of such payments for the State and base period shall each be divided by 2.

“(5) PROVISIONAL FY19 PER CAPITA TARGET AMOUNT FOR EACH 1903A ENROLLEE CATEGORY.—Subject to subsection (f)(2), the Secretary shall calculate for each State a provisional FY19 per capita target amount for each 1903A enrollee category equal to the average medical assistance expenditures per capita for the State for fiscal year 2019 (as calculated under paragraph (4)(D)) for such enrollee category multiplied by the ratio of—

“(A) the product of—

“(i) the fiscal year 2019 average per capita amount for the State, as calculated under paragraph (2); and

“(ii) the number of 1903A enrollees for the State in fiscal year 2019, as calculated under paragraph (3)(B); to

“(B) the amount of the adjusted total medical assistance expenditures for the State for fiscal year 2019, as calculated under paragraph (3)(A).

“(e) 1903A ENROLLEE; 1903A ENROLLEE CATEGORY.—Subject to subsection (g), for purposes of this section, the following shall apply:

“(1) 1903A ENROLLEE.—The term ‘1903A enrollee’ means, with respect to a State and a month and subject to subsection (i)(1)(B), any Medicaid enrollee (as defined in paragraph (3)) for the month, other than such an enrollee who for such month is in any of the following categories of excluded individuals:

“(A) CHIP.—An individual who is provided, under this title in the manner described in section 2101(a)(2), child health assistance under title XXI.

“(B) IHS.—An individual who receives any medical assistance under this title for services for which payment is made under the third sentence of section 1905(b).

“(C) BREAST AND CERVICAL CANCER SERVICES ELIGIBLE INDIVIDUAL.—An individual who is eligible for medical assistance under this title only on the basis of section 1902(a)(10)(A)(ii)(XVIII).

“(D) PARTIAL-BENEFIT ENROLLEES.—An individual who—

“(i) is an alien who is eligible for medical assistance under this title only on the basis of section 1903(v)(2);

“(ii) is eligible for medical assistance under this title only on the basis of subclause (XII) or (XXI) of section 1902(a)(10)(A)(ii) (or on the basis of a waiver that provides only comparable benefits);

“(iii) is a dual eligible individual (as defined in section 1915(h)(2)(B)) and is eligible for medical assistance under this title (or under a waiver) only for some or all of medicare cost-sharing (as defined in section 1905(p)(3)); or

“(iv) is eligible for medical assistance under this title and for whom the State is providing a payment or subsidy to an employer for coverage of the individual under a group health plan pursuant to section 1906 or section 1906A (or pursuant to a waiver that provides only comparable benefits).

“(E) BLIND AND DISABLED CHILDREN.—An individual who—

“(i) is a child under 19 years of age; and

“(ii) is eligible for medical assistance under this title on the basis of being blind or disabled.

“(2) 1903A ENROLLEE CATEGORY.—The term ‘1903A enrollee category’ means each of the following:

“(A) ELDERLY.—A category of 1903A enrollees who are 65 years of age or older.

“(B) BLIND AND DISABLED.—A category of 1903A enrollees (not described in the previous subparagraph) who—

“(i) are 19 years of age or older; and

“(ii) are eligible for medical assistance under this title on the basis of being blind or disabled.

“(C) CHILDREN.—A category of 1903A enrollees (not described in a previous subparagraph) who are children under 19 years of age.

“(D) EXPANSION ENROLLEES.—A category of 1903A enrollees (not described in a previous subparagraph) who are eligible for medical assistance under this title only on the basis of clause (i)(VIII), (ii)(XX), or (ii)(XXIII) of section 1902(a)(10)(A).

“(E) OTHER NONELDERLY, NONDISABLED, NON-EXPANSION ADULTS.—A category of 1903A enrollees who are not described in any previous subparagraph.

“(3) MEDICAID ENROLLEE.—The term ‘Medicaid enrollee’ means, with respect to a State for a month, an individual who is eligible for medical assistance for items or services under this title and enrolled under the State plan (or a waiver of such plan) under this title for the month.

“(4) DETERMINATION OF NUMBER OF 1903A ENROLLEES.—The number of 1903A enrollees for a State and fiscal year or the State’s per capita base period, and, if applicable, for a 1903A enrollee category, is the average monthly number of Medicaid enrollees for such State and fiscal year or base period (and, if applicable, in such category) that are reported through the CMS-64 report under (and subject to audit under) subsection (h).

“(f) SPECIAL PAYMENT RULES.—

“(1) APPLICATION IN CASE OF RESEARCH AND DEMONSTRATION PROJECTS AND OTHER WAIVERS.—In the case of a State with a waiver of the State plan approved under section 1115, section 1915, or another provision of this title, this section shall apply to medical assistance expenditures and medical assistance payments under the waiver, in the same manner as if such expenditures and payments had been made under a State plan under this title and the limitations on expenditures under this section shall supersede any other payment limitations or provisions (including limitations based on a per capita limitation) otherwise applicable under such a waiver.

“(2) TREATMENT OF STATES EXPANDING COVERAGE AFTER JULY 1, 2016.—In the case of a State that did not provide for medical assistance for the 1903A enrollee category described in subsection (e)(2)(D) as of July 1,



2016, but which subsequently provides for such assistance for such category, the provisional FY19 per capita target amount for such enrollee category under subsection (d)(5) shall be equal to the provisional FY19 per capita target amount for the 1903A enrollee category described in subsection (e)(2)(E).

“(3) IN CASE OF STATE FAILURE TO REPORT NECESSARY DATA.—If a State for any quarter in a fiscal year (beginning with fiscal year 2019) fails to satisfactorily submit data on expenditures and enrollees in accordance with subsection (h)(1), for such fiscal year and any succeeding fiscal year for which such data are not satisfactorily submitted—

“(A) the Secretary shall calculate and apply subsections (a) through (e) with respect to the State as if all 1903A enrollee categories for which such expenditure and enrollee data were not satisfactorily submitted were a single 1903A enrollee category; and

“(B) the growth factor otherwise applied under subsection (c)(2)(B) shall be decreased by 1 percentage point.

“(g) RECALCULATION OF CERTAIN AMOUNTS FOR DATA ERRORS.—The amounts and percentage calculated under paragraphs (1) and (4)(C) of subsection (d) for a State for the State's per capita base period, and the amounts of the adjusted total medical assistance expenditures calculated under subsection (b) and the number of Medicaid enrollees and 1903A enrollees determined under subsection (e)(4) for a State for the State's per capita base period, fiscal year 2019, and any subsequent fiscal year, may be adjusted by the Secretary based upon an appeal (filed by the State in such a form, manner, and time, and containing such information relating to data errors that support such appeal, as the Secretary specifies) that the Secretary determines to be valid, except that any adjustment by the Secretary under this subsection for a State may not result in an increase of the target total medical assistance expenditures exceeding 2 percent.

“(h) REQUIRED REPORTING AND AUDITING; TRANSITIONAL INCREASE IN FEDERAL MATCHING PERCENTAGE FOR CERTAIN ADMINISTRATIVE EXPENSES.—

“(1) REPORTING OF CMS-64 DATA.—

“(A) IN GENERAL.—In addition to the data required on form Group VIII on the CMS-64 report form as of January 1, 2017, in each CMS-64 report required to be submitted (for each quarter beginning on or after October 1, 2018), the State shall include data on medical assistance expenditures within such categories of services and categories of enrollees (including each 1903A enrollee category and each category of excluded individuals under subsection (e)(1)) and the numbers of enrollees within each of such enrollee categories, as the Secretary determines are necessary (including timely guidance published as soon as possible after the date of the enactment of this section) in order to implement this section and to enable States to comply with the requirement of this paragraph on a timely basis.

“(B) REPORTING ON QUALIFIED INPATIENT PSYCHIATRIC HOSPITAL SERVICES.—Not later than 60 days after the date of the enactment of this section, the Secretary shall modify the CMS-64 report form to require that States submit data with respect to medical assistance expenditures for qualified inpatient psychiatric hospital services (as defined in section 1905(h)(3)).

“(C) REPORTING ON CHILDREN WITH COMPLEX MEDICAL CONDITIONS.—Not later than January 1, 2020, the Secretary shall modify the CMS-64 report form to require that States

submit data with respect to individuals who—

“(i) are enrolled in a State plan under this title or title XXI or under a waiver of such plan;

“(ii) are under 21 years of age; and

“(iii) have a chronic medical condition or serious injury that—

“(I) affects two or more body systems;

“(II) affects cognitive or physical functioning (such as reducing the ability to perform the activities of daily living, including the ability to engage in movement or mobility, eat, drink, communicate, or breathe independently); and

“(III) either—

“(aa) requires intensive healthcare interventions (such as multiple medications, therapies, or durable medical equipment) and intensive care coordination to optimize health and avoid hospitalizations or emergency department visits; or

“(bb) meets the criteria for medical complexity under existing risk adjustment methodologies using a recognized, publicly available pediatric grouping system (such as the pediatric complex conditions classification system or the Pediatric Medical Complexity Algorithm) selected by the Secretary in close collaboration with the State agencies responsible for administering State plans under this title and a national panel of pediatric, pediatric specialty, and pediatric subspecialty experts.

“(2) AUDITING OF CMS-64 DATA.—The Secretary shall conduct for each State an audit of the number of individuals and expenditures reported through the CMS-64 report for the State's per capita base period, fiscal year 2019, and each subsequent fiscal year, which audit may be conducted on a representative sample (as determined by the Secretary).

“(3) AUDITING OF STATE SPENDING.—The Inspector General of the Department of Health and Human Services shall conduct an audit (which shall be conducted using random sampling, as determined by the Inspector General) of each State's spending under this section not less than once every 3 years.

“(4) TEMPORARY INCREASE IN FEDERAL MATCHING PERCENTAGE TO SUPPORT IMPROVED DATA REPORTING SYSTEMS FOR FISCAL YEARS 2018 AND 2019.—In the case of any State that selects as its per capita base period the most recent 8 consecutive quarter period for which the data necessary to make the determinations required under this section is available, for amounts expended during calendar quarters beginning on or after October 1, 2017, and before October 1, 2019—

“(A) the Federal matching percentage applied under section 1903(a)(3)(A)(i) shall be increased by 10 percentage points to 100 percent;

“(B) the Federal matching percentage applied under section 1903(a)(3)(B) shall be increased by 25 percentage points to 100 percent; and

“(C) the Federal matching percentage applied under section 1903(a)(7) shall be increased by 10 percentage points to 60 percent but only with respect to amounts expended that are attributable to a State's additional administrative expenditures to implement the data requirements of paragraph (1).

“(5) HHS REPORT ON ADOPTION OF T-MSIS DATA.—Not later than January 1, 2025, the Secretary shall submit to Congress a report making recommendations as to whether data from the Transformed Medicaid Statistical Information System would be preferable to CMS-64 report data for purposes of making the determinations necessary under this section.”.

(b) ENSURING ACCESS TO HOME AND COMMUNITY BASED SERVICES.—Section 1915 of the Social Security Act (42 U.S.C. 1396n) is amended by adding at the end the following new subsection:

“(1) INCENTIVE PAYMENTS FOR HOME AND COMMUNITY-BASED SERVICES.—

“(1) IN GENERAL.—The Secretary shall establish a demonstration project (referred to in this subsection as the ‘demonstration project’) under which eligible States may make HCBS payment adjustments for the purpose of continuing to provide and improving the quality of home and community-based services provided under a waiver under subsection (c) or (d) or a State plan amendment under subsection (i).

“(2) SELECTION OF ELIGIBLE STATES.—

“(A) APPLICATION.—A State seeking to participate in the demonstration project shall submit to the Secretary, at such time and in such manner as the Secretary shall require, an application that includes—

“(i) an assurance that any HCBS payment adjustment made by the State under this subsection will comply with the health and welfare and financial accountability safeguards taken by the State under subsection (c)(2)(A); and

“(ii) such other information and assurances as the Secretary shall require.

“(B) SELECTION.—The Secretary shall select States to participate in the demonstration project on a competitive basis except that, in making selections under this paragraph, the Secretary shall give priority to any State that is one of the 15 States in the United States with the lowest population density, as determined by the Secretary based on data from the Bureau of the Census.

“(3) TERM OF DEMONSTRATION PROJECT.—The demonstration project shall be conducted for the 4-year period beginning on January 1, 2020, and ending on December 31, 2023.

“(4) STATE ALLOTMENTS AND INCREASED FMAP FOR PAYMENT ADJUSTMENTS.—

“(A) IN GENERAL.—

“(i) ANNUAL ALLOTMENT.—Subject to clause (ii), for each year of the demonstration project, the Secretary shall allot an amount to each State that is an eligible State for the year.

“(ii) LIMITATION ON FEDERAL SPENDING.—The aggregate amount that may be allotted to eligible States under clause (i) for all years of the demonstration project shall not exceed \$8,000,000,000, and in no case may the aggregate amount of payments made by the Secretary to eligible States for payment adjustments under this subsection exceed such amount.

“(B) PAYMENTS TO ELIGIBLE STATES AND LIMITATIONS ON PAYMENTS.—

“(i) IN GENERAL.—Subject to clauses (ii) and (iii), for each year of the demonstration project, notwithstanding section 1905(b), the Federal medical assistance percentage applicable with respect to expenditures by an eligible State that are attributable to HCBS payment adjustments shall be equal to (and shall in no case exceed) 100 percent.

“(ii) LIMITATION ON HCBS PAYMENT ADJUSTMENTS FOR INDIVIDUAL PROVIDERS.—Payment under section 1903(a) shall not be made to an eligible State for expenditures for a year that are attributable to an HCBS payment adjustment that is paid to a single provider and exceeds a percentage which shall be established by the Secretary of the payment otherwise made to the provider.

“(iii) LIMITATION OF PAYMENT TO AMOUNT OF ALLOTMENT.—Payment under section 1903(a) shall not be made to an eligible State for expenditures for a year that are attributable to



an HCBS payment adjustment to the extent that the aggregate amount of HCBS payment adjustments made by the State in the year exceeds the amount allotted to the State for the year under subparagraph (A)(i).

“(5) REPORTING AND EVALUATION.—

“(A) IN GENERAL.—As a condition of receiving the increased Federal medical assistance percentage described in paragraph (4)(B)(i), each eligible State shall collect and report information, as determined necessary by the Secretary, for the purposes of providing Federal oversight and evaluating the State’s compliance with the health and welfare and financial accountability safeguards taken by the State under subsection (c)(2)(A).

“(B) FORMS.—Expenditures by eligible States on HCBS payment adjustments shall be separately reported on the CMS-64 Form and in T-MSIS.

“(6) DEFINITIONS.—In this subsection:

“(A) ELIGIBLE STATE.—The term ‘eligible State’ means a State that—

“(i) is one of the 50 States or the District of Columbia;

“(ii) has in effect—

“(I) a waiver under subsection (c) or (d); or

“(II) a State plan amendment under subsection (i);

“(iii) submits an application under paragraph (2)(A); and

“(iv) is selected by the Secretary to participate in the demonstration project.

“(B) HCBS PAYMENT ADJUSTMENT.—The term ‘HCBS payment adjustment’ means a payment adjustment made by an eligible State to the amount of payment otherwise provided under a waiver under subsection (c) or (d) or a State plan amendment under subsection (i) for a home and community-based service which is provided to a 1903A enrollee (as defined in section 1903A(e)(1)) who is in the enrollee category described in subparagraph (A) or (B) of section 1903A(e)(2).”

**SEC. 133. FLEXIBLE BLOCK GRANT OPTION FOR STATES.**

Title XIX of the Social Security Act, as amended by section 132, is further amended by inserting after section 1903A the following new section:

**“SEC. 1903B. MEDICAID FLEXIBILITY PROGRAM.**

“(a) IN GENERAL.—Beginning with fiscal year 2020, any State (as defined in subsection (e)) that has an application approved by the Secretary under subsection (b) may conduct a Medicaid Flexibility Program to provide targeted health assistance to program enrollees.

“(b) STATE APPLICATION.—

“(1) IN GENERAL.—To be eligible to conduct a Medicaid Flexibility Program, a State shall submit an application to the Secretary that meets the requirements of this subsection.

“(2) CONTENTS OF APPLICATION.—An application under this subsection shall include the following:

“(A) A description of the proposed Medicaid Flexibility Program and how the State will satisfy the requirements described in subsection (d).

“(B) The proposed conditions for eligibility of program enrollees.

“(C) The applicable program enrollee category (as defined in subsection (e)(1)).

“(D) A description of the types, amount, duration, and scope of services which will be offered as targeted health assistance under the program, including a description of the proposed package of services which will be provided to program enrollees to whom the State would otherwise be required to make medical assistance available under section 1902(a)(10)(A)(i).

“(E) A description of how the State will notify individuals currently enrolled in the State plan for medical assistance under this title of the transition to such program.

“(F) Statements certifying that the State agrees to—

“(i) submit regular enrollment data with respect to the program to the Centers for Medicare & Medicaid Services at such time and in such manner as the Secretary may require;

“(ii) submit timely and accurate data to the Transformed Medicaid Statistical Information System (T-MSIS);

“(iii) report annually to the Secretary on adult health quality measures implemented under the program and information on the quality of health care furnished to program enrollees under the program as part of the annual report required under section 1139B(d)(1);

“(iv) submit such additional data and information not described in any of the preceding clauses of this subparagraph but which the Secretary determines is necessary for monitoring, evaluation, or program integrity purposes, including—

“(I) survey data, such as the data from Consumer Assessment of Healthcare Providers and Systems (CAHPS) surveys;

“(II) birth certificate data; and

“(III) clinical patient data for quality measurements which may not be present in a claim, such as laboratory data, body mass index, and blood pressure; and

“(v) on an annual basis, conduct a report evaluating the program and make such report available to the public.

“(G) An information technology systems plan demonstrating that the State has the capability to support the technological administration of the program and comply with reporting requirements under this section.

“(H) A statement of the goals of the proposed program, which shall include—

“(i) goals related to quality, access, rate of growth targets, consumer satisfaction, and outcomes;

“(ii) a plan for monitoring and evaluating the program to determine whether such goals are being met; and

“(iii) a proposed process for the State, in consultation with the Centers for Medicare & Medicaid Services, to take remedial action to make progress on unmet goals.

“(I) Such other information as the Secretary may require.

“(3) STATE NOTICE AND COMMENT PERIOD.—

“(A) IN GENERAL.—Before submitting an application under this subsection, a State shall make the application publicly available for a 30 day notice and comment period.

“(B) NOTICE AND COMMENT PROCESS.—During the notice and comment period described in subparagraph (A), the State shall provide opportunities for a meaningful level of public input, which shall include public hearings on the proposed Medicaid Flexibility Program.

“(4) FEDERAL NOTICE AND COMMENT PERIOD.—

The Secretary shall not approve of any application to conduct a Medicaid Flexibility Program without making such application publicly available for a 30 day notice and comment period.

“(5) TIMELINE FOR SUBMISSION.—

“(A) IN GENERAL.—A State may submit an application under this subsection to conduct a Medicaid Flexibility Program that would begin in the next fiscal year at any time, subject to subparagraph (B).

“(B) DEADLINES.—Each year beginning with 2019, the Secretary shall specify a dead-

line for submitting an application under this subsection to conduct a Medicaid Flexibility Program that would begin in the next fiscal year, but such deadline shall not be earlier than 60 days after the date that the Secretary publishes the amounts of State block grants as required under subsection (c)(4).

“(c) FINANCING.—

“(1) IN GENERAL.—For each fiscal year during which a State is conducting a Medicaid Flexibility Program, the State shall receive, instead of amounts otherwise payable to the State under this title for medical assistance for program enrollees, the amount specified in paragraph (3)(A).

“(2) AMOUNT OF BLOCK GRANT FUNDS.—

“(A) IN GENERAL.—The block grant amount under this paragraph for a State and year shall be equal to the sum of the amounts determined under subparagraph (B) for each 1903A enrollee category within the applicable program enrollee category for the State and year.

“(B) ENROLLEE CATEGORY AMOUNTS.—

“(i) FOR INITIAL YEAR.—Subject to subparagraph (C), for the first fiscal year in which a 1903A enrollee category is included in the applicable program enrollee category for a Medicaid Flexibility Program conducted by the State, the amount determined under this subparagraph for the State, year, and category shall be equal to the Federal average medical assistance matching percentage (as defined in section 1903A(a)(4)) for the State and year multiplied by the product of—

“(I) the target per capita medical assistance expenditures (as defined in section 1903A(c)(2)) for the State, year, and category; and

“(II) the number of 1903A enrollees in such category for the State for the second fiscal year preceding such first fiscal year, increased by the percentage increase in State population from such second preceding fiscal year to such first fiscal year, based on the best available estimates of the Bureau of the Census.

“(ii) FOR ANY SUBSEQUENT YEAR.—For any fiscal year that is not the first fiscal year in which a 1903A enrollee category is included in the applicable program enrollee category for a Medicaid Flexibility Program conducted by the State, the block grant amount under this paragraph for the State, year, and category shall be equal to the amount determined for the State and category for the most recent previous fiscal year in which the State conducted a Medicaid Flexibility Program that included such category, except that such amount shall be increased by the percentage increase in the consumer price index for all urban consumers (U.S. city average) from April of the second fiscal year preceding the fiscal year involved to April of the fiscal year preceding the fiscal year involved.

“(C) CAP ON TOTAL POPULATION OF 1903A ENROLLEES FOR PURPOSES OF BLOCK GRANT CALCULATION.—

“(i) IN GENERAL.—In calculating the amount of a block grant for the first year in which a 1903A enrollee category is included in the applicable program enrollee category for a Medicaid Flexibility Program conducted by the State under subparagraph (B)(i), the total number of 1903A enrollees in such 1903A enrollee category for the State and year shall not exceed the adjusted number of base period enrollees for the State (as defined in clause (ii)).

“(ii) ADJUSTED NUMBER OF BASE PERIOD ENROLLEES.—The term ‘adjusted number of base period enrollees’ means, with respect to a State and 1903A enrollee category, the

number of 1903A enrollees in the enrollee category for the State for the State's per capita base period (as determined under section 1903A(e)(4)), increased by the percentage increase, if any, in the total State population from the last April in the State's per capita base period to April of the fiscal year preceding the fiscal year involved (determined using the best available data from the Bureau of the Census) plus 3 percentage points.

“(D) AVAILABILITY OF ROLLOVER FUNDS.—

“(i) IN GENERAL.—To the extent that the block grant amount available to a State for a fiscal year under this paragraph exceeds the amount of Federal payments made to the State for such fiscal year under paragraph (3)(A), the Secretary shall make such funds available to the State for the succeeding fiscal year if the State—

“(I) satisfies the State maintenance of effort requirement under paragraph (3)(B); and

“(II) is conducting a Medicaid Flexibility Program in such succeeding fiscal year.

“(ii) USE OF FUNDS.—Funds made available to a State under this subparagraph shall only be used for expenditures related to the State plan under this title or to the State Medicaid Flexibility Program.

“(3) FEDERAL PAYMENT AND STATE MAINTENANCE OF EFFORT.—

“(A) FEDERAL PAYMENT.—Subject to subparagraphs (D) and (E), the Secretary shall pay to each State conducting a Medicaid Flexibility Program under this section for a fiscal year, from its block grant amount under paragraph (2) for such year, an amount for each quarter of such year equal to the Federal average medical assistance percentage (as defined in section 1903A(a)(4)) of the total amount expended under the program during such quarter as targeted health assistance, and the State is responsible for the balance of the funds to carry out such program.

“(B) STATE MAINTENANCE OF EFFORT EXPENDITURES.—For each year during which a State is conducting a Medicaid Flexibility Program, the State shall make expenditures for targeted health assistance under the program in an amount equal to the product of—

“(i) the block grant amount determined for the State and year under paragraph (2); and

“(ii) the enhanced FMAP described in the first sentence of section 2105(b) for the State and year.

“(C) REDUCTION IN BLOCK GRANT AMOUNT FOR STATES FAILING TO MEET MOE REQUIREMENT.—

“(i) IN GENERAL.—In the case of a State conducting a Medicaid Flexibility Program that makes expenditures for targeted health assistance under the program for a fiscal year in an amount that is less than the required amount for the fiscal year under subparagraph (B), the amount of the block grant determined for the State under paragraph (2) for the succeeding fiscal year shall be reduced by the amount by which such expenditures are less than such required amount.

“(ii) DISREGARD OF REDUCTION.—For purposes of determining the amount of a State block grant under paragraph (2), any reduction made under this subparagraph to a State's block grant amount in a previous fiscal year shall be disregarded.

“(iii) APPLICATION TO STATES THAT TERMINATE PROGRAM.—In the case of a State described in clause (i) that terminates the State Medicaid Flexibility Program under subsection (d)(2)(B) and such termination is effective with the end of the fiscal year in which the State fails to make the required amount of expenditures under subparagraph

(B), the reduction amount determined for the State and succeeding fiscal year under clause (i) shall be treated as an overpayment under this title.

“(D) REDUCTION FOR NONCOMPLIANCE.—If the Secretary determines that a State conducting a Medicaid Flexibility Program is not complying with the requirements of this section, the Secretary may withhold payments, reduce payments, or recover previous payments to the State under this section as the Secretary deems appropriate.

“(E) ADDITIONAL FEDERAL PAYMENTS DURING PUBLIC HEALTH EMERGENCY.—

“(i) IN GENERAL.—In the case of a State and fiscal year or portion of a fiscal year for which the Secretary has excluded expenditures under section 1903A(b)(6), if the State has uncompensated targeted health assistance expenditures for the year or portion of a year, the Secretary may make an additional payment to such State equal to the Federal average medical assistance percentage (as defined in section 1903A(a)(4)) for the year or portion of a year of the amount of such uncompensated targeted health assistance expenditures, except that the amount of such payment shall not exceed the amount determined for the State and year or portion of a year under clause (ii).

“(ii) MAXIMUM AMOUNT OF ADDITIONAL PAYMENT.—The amount determined for a State and fiscal year or portion of a fiscal year under this subparagraph shall not exceed the Federal average medical assistance percentage (as defined in section 1903A(a)(4)) for such year or portion of a year of the amount by which—

“(I) the amount of State expenditures for targeted health assistance for program enrollees in areas of the State which are subject to a declaration described in section 1903A(b)(6)(A)(i) for the year or portion of a year; exceeds

“(II) the amount of such expenditures for such enrollees in such areas during the most recent fiscal year involved (or portion of a fiscal year of equal length to the portion of a fiscal year involved) during which no such declaration was in effect.

“(iii) UNCOMPENSATED TARGETED HEALTH ASSISTANCE.—In this subparagraph, the term ‘uncompensated targeted health assistance expenditures’ means, with respect to a State and fiscal year or portion of a fiscal year, an amount equal to the amount (if any) by which—

“(I) the total amount expended by the State under the program for targeted health assistance for the year or portion of a year; exceeds

“(II) the amount equal to the amount of the block grant (reduced, in the case of a portion of a year, to the same proportion of the full block grant amount that the portion of the year bears to the whole year) divided by the Federal average medical assistance percentage for the year or portion of a year.

“(iv) REVIEW.—If the Secretary makes a payment to a State for a fiscal year or portion of a fiscal year, the Secretary shall, not later than 6 months after the declaration described in section 1903A(b)(6)(A)(i) ceases to be in effect, conduct an audit of the State's targeted health assistance expenditures for program enrollees during the year or portion of a year to ensure that all of the expenditures for which the additional payment was made were made for the purpose of ensuring that the health care needs of program enrollees in areas affected by a public health emergency are met.

“(4) DETERMINATION AND PUBLICATION OF BLOCK GRANT AMOUNT.—Beginning in 2019 and

each year thereafter, the Secretary shall determine for each State, regardless of whether the State is conducting a Medicaid Flexibility Program or has submitted an application to conduct such a program, the amount of the block grant for the State under paragraph (2) which would apply for the upcoming fiscal year if the State were to conduct such a program in such fiscal year, and shall publish such determinations not later than June 1 of each year.

“(d) PROGRAM REQUIREMENTS.—

“(1) IN GENERAL.—No payment shall be made under this section to a State conducting a Medicaid Flexibility Program unless such program meets the requirements of this subsection.

“(2) TERM OF PROGRAM.—

“(A) IN GENERAL.—A State Medicaid Flexibility Program approved under subsection (b)—

“(i) shall be conducted for not less than 1 program period;

“(ii) at the option of the State, may be continued for succeeding program periods without resubmitting an application under subsection (b), provided that—

“(I) the State provides notice to the Secretary of its decision to continue the program; and

“(II) no significant changes are made to the program; and

“(iii) shall be subject to termination only by the State, which may terminate the program by making an election under subparagraph (B).

“(B) ELECTION TO TERMINATE PROGRAM.—

“(i) IN GENERAL.—Subject to clause (ii), a State conducting a Medicaid Flexibility Program may elect to terminate the program effective with the first day after the end of the program period in which the State makes the election.

“(ii) TRANSITION PLAN REQUIREMENT.—A State may not elect to terminate a Medicaid Flexibility Program unless the State has in place an appropriate transition plan approved by the Secretary.

“(iii) EFFECT OF TERMINATION.—If a State elects to terminate a Medicaid Flexibility Program, the per capita cap limitations under section 1903A shall apply effective with the day described in clause (i), and such limitations shall be applied as if the State had never conducted a Medicaid Flexibility Program.

“(3) PROVISION OF TARGETED HEALTH ASSISTANCE.—

“(A) IN GENERAL.—A State Medicaid Flexibility Program shall provide targeted health assistance to program enrollees and such assistance shall be instead of medical assistance which would otherwise be provided to the enrollees under this title.

“(B) CONDITIONS FOR ELIGIBILITY.—

“(i) IN GENERAL.—A State conducting a Medicaid Flexibility Program shall establish conditions for eligibility of program enrollees, which shall be instead of other conditions for eligibility under this title, except that the program must provide for eligibility for program enrollees to whom the State would otherwise be required to make medical assistance available under section 1902(a)(10)(A)(i).

“(ii) MAGI.—Any determination of income necessary to establish the eligibility of a program enrollee for purposes of a State Medicaid Flexibility Program shall be made using modified adjusted gross income in accordance with section 1902(e)(14).

“(4) BENEFITS AND SERVICES.—

“(A) REQUIRED SERVICES.—In the case of program enrollees to whom the State would

otherwise be required to make medical assistance available under section 1902(a)(10)(A)(i), a State conducting a Medicaid Flexibility Program shall provide as targeted health assistance the following types of services:

“(i) Inpatient and outpatient hospital services.

“(ii) Laboratory and X-ray services.

“(iii) Nursing facility services for individuals aged 21 and older.

“(iv) Physician services.

“(v) Home health care services (including home nursing services, medical supplies, equipment, and appliances).

“(vi) Rural health clinic services (as defined in section 1905(1)(1)).

“(vii) Federally-qualified health center services (as defined in section 1905(1)(2)).

“(viii) Family planning services and supplies.

“(ix) Nurse midwife services.

“(x) Certified pediatric and family nurse practitioner services.

“(xi) Freestanding birth center services (as defined in section 1905(1)(3)).

“(xii) Emergency medical transportation.

“(xiii) Non-cosmetic dental services.

“(xiv) Pregnancy-related services, including postpartum services for the 12-week period beginning on the last day of a pregnancy.

“(B) OPTIONAL BENEFITS.—A State may, at its option, provide services in addition to the services described in subparagraph (A) as targeted health assistance under a Medicaid Flexibility Program.

“(C) BENEFIT PACKAGES.—

“(i) IN GENERAL.—The targeted health assistance provided by a State to any group of program enrollees under a Medicaid Flexibility Program shall have an aggregate actuarial value that is equal to at least 95 percent of the aggregate actuarial value of the benchmark coverage described in subsection (b)(1) of section 1937 or benchmark-equivalent coverage described in subsection (b)(2) of such section, as such subsections were in effect prior to the enactment of the Patient Protection and Affordable Care Act.

“(ii) AMOUNT, DURATION, AND SCOPE OF BENEFITS.—Subject to clause (i), the State shall determine the amount, duration, and scope with respect to services provided as targeted health assistance under a Medicaid Flexibility Program, including with respect to services that are required to be provided to certain program enrollees under subparagraph (A) except as otherwise provided under such subparagraph.

“(iii) MENTAL HEALTH AND SUBSTANCE USE DISORDER COVERAGE AND PARITY.—The targeted health assistance provided by a State to program enrollees under a Medicaid Flexibility Program shall include mental health services and substance use disorder services and the financial requirements and treatment limitations applicable to such services under the program shall comply with the requirements of section 2726 of the Public Health Service Act in the same manner as such requirements apply to a group health plan.

“(iv) PRESCRIPTION DRUGS.—If the targeted health assistance provided by a State to program enrollees under a Medicaid Flexibility Program includes assistance for covered outpatient drugs, such drugs shall be subject to a rebate agreement that complies with the requirements of section 1927, and any requirements applicable to medical assistance for covered outpatient drugs under a State plan (including the requirement that the State provide information to a manufac-

turer) shall apply in the same manner to targeted health assistance for covered outpatient drugs under a Medicaid Flexibility Program.

“(D) COST SHARING.—A State conducting a Medicaid Flexibility Program may impose premiums, deductibles, cost-sharing, or other similar charges, except that the total annual aggregate amount of all such charges imposed with respect to all program enrollees in a family shall not exceed 5 percent of the family's income for the year involved.

“(5) ADMINISTRATION OF PROGRAM.—Each State conducting a Medicaid Flexibility Program shall do the following:

“(A) SINGLE AGENCY.—Designate a single State agency responsible for administering the program.

“(B) ENROLLMENT SIMPLIFICATION AND COORDINATION WITH STATE HEALTH INSURANCE EXCHANGES.—Provide for simplified enrollment processes (such as online enrollment and reenrollment and electronic verification) and coordination with State health insurance exchanges.

“(C) BENEFICIARY PROTECTIONS.—Establish a fair process (which the State shall describe in the application required under subsection (b)) for individuals to appeal adverse eligibility determinations with respect to the program.

“(6) APPLICATION OF REST OF TITLE XIX.—

“(A) IN GENERAL.—To the extent that a provision of this section is inconsistent with another provision of this title, the provision of this section shall apply.

“(B) APPLICATION OF SECTION 1903A.—With respect to a State that is conducting a Medicaid Flexibility Program, section 1903A shall be applied as if program enrollees were not 1903A enrollees for each program period during which the State conducts the program.

“(C) WAIVERS AND STATE PLAN AMENDMENTS.—

“(i) IN GENERAL.—In the case of a State conducting a Medicaid Flexibility Program that has in effect a waiver or State plan amendment, such waiver or amendment shall not apply with respect to the program, targeted health assistance provided under the program, or program enrollees.

“(ii) REPLICATION OF WAIVER OR AMENDMENT.—In designing a Medicaid Flexibility Program, a State may mirror provisions of a waiver or State plan amendment described in clause (i) in the program to the extent that such provisions are otherwise consistent with the requirements of this section.

“(iii) EFFECT OF TERMINATION.—In the case of a State described in clause (i) that terminates its program under subsection (d)(2)(B), any waiver or amendment which was limited pursuant to subparagraph (A) shall cease to be so limited effective with the effective date of such termination.

“(D) NONAPPLICATION OF PROVISIONS.—With respect to the design and implementation of Medicaid Flexibility Programs conducted under this section, paragraphs (1), (10)(B), (17), and (23) of section 1902(a), as well as any other provision of this title (except for this section and as otherwise provided by this section) that the Secretary deems appropriate, shall not apply.

“(e) DEFINITIONS.—For purposes of this section:

“(1) APPLICABLE PROGRAM ENROLLEE CATEGORY.—The term ‘applicable program enrollee category’ means, with respect to a State Medicaid Flexibility Program for a program period, any of the following as specified by the State for the period in its application under subsection (b):

“(A) 2 ENROLLEE CATEGORIES.—Both of the 1903A enrollee categories described in subparagraphs (D) and (E) of section 1903A(e)(2).

“(B) EXPANSION ENROLLEES.—The 1903A enrollee category described in subparagraph (D) of section 1903A(e)(2).

“(C) NONELDERLY, NONDISABLED, NONEXPANSION ADULTS.—The 1903A enrollee category described in subparagraph (E) of section 1903A(e)(2).

“(2) MEDICAID FLEXIBILITY PROGRAM.—The term ‘Medicaid Flexibility Program’ means a State program for providing targeted health assistance to program enrollees funded by a block grant under this section.

“(3) PROGRAM ENROLLEE.—

“(A) IN GENERAL.—The term ‘program enrollee’ means, with respect to a State that is conducting a Medicaid Flexibility Program for a program period, an individual who is a 1903A enrollee (as defined in section 1903A(e)(1)) who is in the applicable program enrollee category specified by the State for the period.

“(B) RULE OF CONSTRUCTION.—For purposes of section 1903A(e)(3), eligibility and enrollment of an individual under a Medicaid Flexibility Program shall be deemed to be eligibility and enrollment under a State plan (or waiver of such plan) under this title.

“(4) PROGRAM PERIOD.—The term ‘program period’ means, with respect to a State Medicaid Flexibility Program, a period of 5 consecutive fiscal years that begins with either—

“(A) the first fiscal year in which the State conducts the program; or

“(B) the next fiscal year in which the State conducts such a program that begins after the end of a previous program period.

“(5) STATE.—The term ‘State’ means one of the 50 States or the District of Columbia.

“(6) TARGETED HEALTH ASSISTANCE.—The term ‘targeted health assistance’ means assistance for health-care-related items and medical services for program enrollees.”.

#### SEC. 134. MEDICAID AND CHIP QUALITY PERFORMANCE BONUS PAYMENTS.

Section 1903 of the Social Security Act (42 U.S.C. 1396b), as amended by section 130, is further amended by adding at the end the following new subsection:

“(bb) QUALITY PERFORMANCE BONUS PAYMENTS.—

“(1) INCREASED FEDERAL SHARE.—With respect to each of fiscal years 2023 through 2026, in the case of one of the 50 States or the District of Columbia (each referred to in this subsection as a ‘State’) that—

“(A) equals or exceeds the qualifying amount (as established by the Secretary) of lower than expected aggregate medical assistance expenditures (as defined in paragraph (4)) for that fiscal year; and

“(B) submits to the Secretary, in accordance with such manner and format as specified by the Secretary and for the performance period (as defined by the Secretary) for such fiscal year—

“(i) information on the applicable quality measures identified under paragraph (3) with respect to each category of Medicaid eligible individuals under the State plan or a waiver of such plan; and

“(ii) a plan for spending a portion of additional funds resulting from application of this subsection on quality improvement within the State plan under this title or under a waiver of such plan,

the Federal matching percentage otherwise applied under subsection (a)(7) for such fiscal year shall be increased by such percentage (as determined by the Secretary) so that the aggregate amount of the resulting increase

pursuant to this subsection for the State and fiscal year does not exceed the State allotment established under paragraph (2) for the State and fiscal year.

“(2) ALLOTMENT DETERMINATION.—The Secretary shall establish a formula for computing State allotments under this paragraph for each fiscal year described in paragraph (1) such that—

“(A) such an allotment to a State is determined based on the performance, including improvement, of such State under this title and title XXI with respect to the quality measures submitted under paragraph (3) by such State for the performance period (as defined by the Secretary) for such fiscal year; and

“(B) the total of the allotments under this paragraph for all States for the period of the fiscal years described in paragraph (1) is equal to \$8,000,000,000.

“(3) QUALITY MEASURES REQUIRED FOR BONUS PAYMENTS.—For purposes of this subsection, the Secretary shall, pursuant to rulemaking and after consultation with State agencies administering State plans under this title, identify and publish (and update as necessary) peer-reviewed quality measures (which shall include health care and long-term care outcome measures and may include the quality measures that are overseen or developed by the National Committee for Quality Assurance or the Agency for Healthcare Research and Quality or that are identified under section 1139A or 1139B) that are quantifiable, objective measures that take into account the clinically appropriate measures of quality for different types of patient populations receiving benefits or services under this title or title XXI.

“(4) LOWER THAN EXPECTED AGGREGATE MEDICAL ASSISTANCE EXPENDITURES.—In this subsection, the term ‘lower than expected aggregate medical assistance expenditures’ means, with respect to a State the amount (if any) by which—

“(A) the amount of the adjusted total medical assistance expenditures for the State and fiscal year determined in section 1903A(b)(1) without regard to the 1903A enrollee category described in section 1903A(e)(2)(E); is less than

“(B) the amount of the target total medical assistance expenditures for the State and fiscal year determined in section 1903A(c) without regard to the 1903A enrollee category described in section 1903A(e)(2)(E).”.

#### SEC. 135. GRANDFATHERING CERTAIN MEDICAID WAIVERS; PRIORITIZATION OF HCBS WAIVERS.

(a) MANAGED CARE WAIVERS.—

(1) IN GENERAL.—In the case of a State with a grandfathered managed care waiver, the State may, at its option through a State plan amendment, continue to implement the managed care delivery system that is the subject of such waiver in perpetuity under the State plan under title XIX of the Social Security Act (or a waiver of such plan) without submitting an application to the Secretary for a new waiver to implement such managed care delivery system, so long as the terms and conditions of the waiver involved (other than such terms and conditions that relate to budget neutrality as modified pursuant to section 1903A(f)(1) of the Social Security Act) are not modified.

(2) MODIFICATIONS.—

(A) IN GENERAL.—If a State with a grandfathered managed care waiver seeks to modify the terms or conditions of such a waiver, the State shall submit to the Secretary an application for approval of a new waiver under such modified terms and conditions.

(B) APPROVAL OF MODIFICATION.—

(i) IN GENERAL.—An application described in subparagraph (A) is deemed approved unless the Secretary, not later than 90 days after the date on which the application is submitted, submits to the State—

(I) a denial; or

(II) a request for more information regarding the application.

(ii) ADDITIONAL INFORMATION.—If the Secretary requests additional information, the Secretary has 30 days after a State submission in response to the Secretary's request to deny the application or request more information.

(3) GRANDFATHERED MANAGED CARE WAIVER DEFINED.—In this subsection, the term ‘grandfathered managed care waiver’ means the provisions of a waiver or an experimental, pilot, or demonstration project that relate to the authority of a State to implement a managed care delivery system under the State plan under title XIX of such Act (or under a waiver of such plan under section 1115 of such Act) that—

(A) is approved by the Secretary of Health and Human Services under section 1915(b), 1932, or 1115(a)(1) of the Social Security Act (42 U.S.C. 1396n(b), 1396u–2, 1315(a)(1)) as of January 1, 2017; and

(B) has been renewed by the Secretary not less than 1 time.

(b) HCBS WAIVERS.—The Secretary of Health and Human Services shall implement procedures encouraging States to adopt or extend waivers related to the authority of a State to make medical assistance available for home and community-based services under the State plan under title XIX of the Social Security Act if the State determines that such waivers would improve patient access to services.

#### SEC. 136. COORDINATION WITH STATES.

Title XIX of the Social Security Act is amended by inserting after section 1904 (42 U.S.C. 1396d) the following:

##### “COORDINATION WITH STATES

“SEC. 1904A. No proposed rule (as defined in section 551(4) of title 5, United States Code) implementing or interpreting any provision of this title shall be finalized on or after January 1, 2018, unless the Secretary—

“(1) provides for a process under which the Secretary or the Secretary's designee solicits advice from each State's State agency responsible for administering the State plan under this title (or a waiver of such plan) and State Medicaid Director—

“(A) on a regular, ongoing basis on matters relating to the application of this title that are likely to have a direct effect on the operation or financing of State plans under this title (or waivers of such plans); and

“(B) prior to submission of any final proposed rule, plan amendment, waiver request, or proposal for a project that is likely to have a direct effect on the operation or financing of State plans under this title (or waivers of such plans);

“(2) accepts and considers written and oral comments from a bipartisan, nonprofit, professional organization that represents State Medicaid Directors, and from any State agency administering the plan under this title, regarding such proposed rule; and

“(3) incorporates in the preamble to the proposed rule a summary of comments referred to in paragraph (2) and the Secretary's response to such comments.”.

#### SEC. 137. OPTIONAL ASSISTANCE FOR CERTAIN INPATIENT PSYCHIATRIC SERVICES.

(a) STATE OPTION.—Section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended—

(1) in subsection (a)—

(A) in paragraph (16)—

(i) by striking “and, (B)” and inserting “(B)”; and

(ii) by inserting before the semicolon at the end the following: “, and (C) subject to subsection (h)(4), qualified inpatient psychiatric hospital services (as defined in subsection (h)(3)) for individuals who are over 21 years of age and under 65 years of age”; and

(B) in the subdivision (B) that follows paragraph (29), by inserting “(other than services described in subparagraph (C) of paragraph (16) for individuals described in such subparagraph)” after “patient in an institution for mental diseases”; and

(2) in subsection (h), by adding at the end the following new paragraphs:

“(3) For purposes of subsection (a)(16)(C), the term ‘qualified inpatient psychiatric hospital services’ means, with respect to individuals described in such subsection, services described in subparagraph (B) of paragraph (1) that are not otherwise covered under subsection (a)(16)(A) and are furnished—

“(A) in an institution (or distinct part thereof) which is a psychiatric hospital (as defined in section 1861(f)); and

“(B) with respect to such an individual, for a period not to exceed 30 consecutive days in any month and not to exceed 90 days in any calendar year.

“(4) As a condition for a State including qualified inpatient psychiatric hospital services as medical assistance under subsection (a)(16)(C), the State must (during the period in which it furnishes medical assistance under this title for services and individuals described in such subsection)—

“(A) maintain at least the number of licensed beds at psychiatric hospitals owned, operated, or contracted for by the State that were being maintained as of the date of the enactment of this paragraph or, if higher, as of the date the State applies to the Secretary to include medical assistance under such subsection; and

“(B) maintain on an annual basis a level of funding expended by the State (and political subdivisions thereof) other than under this title from non-Federal funds for inpatient services in an institution described in paragraph (3)(A), and for active psychiatric care and treatment provided on an outpatient basis, that is not less than the level of such funding for such services and care as of the date of the enactment of this paragraph or, if higher, as of the date the State applies to the Secretary to include medical assistance under such subsection.”.

(b) SPECIAL MATCHING RATE.—Section 1905(b) of the Social Security Act (42 U.S.C. 1395d(b)) is amended by adding at the end the following: “Notwithstanding the previous provisions of this subsection, the Federal medical assistance percentage shall be 50 percent with respect to medical assistance for services and individuals described in subsection (a)(16)(C).”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to qualified inpatient psychiatric hospital services furnished on or after October 1, 2018.

#### SEC. 138. ENHANCED FMAP FOR MEDICAL ASSISTANCE TO ELIGIBLE INDIANS.

Section 1905(b) of the Social Security Act (42 U.S.C. 1395d(b)) is amended, in the third sentence, by inserting “and with respect to amounts expended by a State as medical assistance for services provided by any other provider under the State plan to an individual who is a member of an Indian tribe who is eligible for assistance under the State plan” before the period.

**SEC. 139. MEDICAID OPTION TO PROVIDE CONSUMER-FOCUSED COST-SHARING ASSISTANCE FOR LOW-INCOME INDIVIDUALS ENROLLING IN QUALIFIED HEALTH PLANS.**

Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), is amended by inserting after section 1906A the following new section:

**“CONSUMER-FOCUSED COST-SHARING ASSISTANCE FOR LOW-INCOME INDIVIDUALS ENROLLING IN QUALIFIED HEALTH PLANS**

**“SEC. 1906B. (a) IN GENERAL.**—A State may elect to provide cost-sharing assistance (as defined in subsection (c)) for an eligible low-income individual (as defined in subsection (b)) who is enrolled in a qualified health plan offered on an Exchange if the State meets the requirements of this section and the offering of such assistance is cost-effective (as defined in subsection (d)).

**“(b) ELIGIBLE LOW-INCOME INDIVIDUAL DEFINED.**—For purposes of this section, the term ‘eligible low-income individual’ means an individual—

“(1) whose income (as determined under section 1902(e)(14)) does not exceed 133 percent of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved;

“(2) who is eligible for premium assistance for the purchase of a qualified health plan under section 36B of the Internal Revenue Code of 1986 and is enrolled in such a plan;

“(3) who would be described in subparagraph (D) or (E) of section 1903A(e)(2) if the individual were eligible for medical assistance under the State plan; and

“(4) who satisfies such additional criteria for the provision of cost-sharing assistance under this section as the State may establish.

**“(c) COST-SHARING ASSISTANCE DEFINED.**—

**“(1) IN GENERAL.**—For purposes of this section, the term ‘cost-sharing assistance’ includes amounts expended for all or part of the costs of premiums, deductibles, coinsurance, copayments, or similar charges, and all or part of any amounts paid for medical care (within the meaning of section 213(d) of the Internal Revenue Code of 1986).

**“(2) OPTION OF ADDITIONAL BENEFITS.**—Such term may include, at the option of a State, such additional benefits as the State may specify.

**“(d) COST-EFFECTIVE DEFINED.**—

**“(1) IN GENERAL.**—For purposes of this section, with respect to a State and year, cost-sharing assistance shall be considered to be ‘cost-effective’ with respect to a State if the aggregate amount of Federal cost-sharing and premium assistance (as defined in paragraph (2)) for the State and year do not exceed the Federal cost-sharing assistance limit (as defined in paragraph (3)) for the State and year.

**“(2) AGGREGATE AMOUNT OF FEDERAL COST-SHARING AND PREMIUM ASSISTANCE.**—The term ‘aggregate amount of Federal cost-sharing and premium assistance’ means, for a State and year, the sum of—

“(A) the product of—

“(i) the Federal average medical assistance matching percentage (as defined in section 1903A(a)(4)) for the State and year; and

“(ii) the amount of cost-sharing assistance provided to eligible low-income individuals by the State for the year; and

“(B) the amount of Federal expenditures attributable to advance payments for premium tax credits under section 1412(c)(2) of the Patient Protection and Affordable Care Act made on behalf of eligible low-income individuals in the State for the year.

**“(3) FEDERAL COST-SHARING ASSISTANCE LIMIT.**—The term ‘Federal cost-sharing assistance limit’ means, for a State and year, the product of—

“(A) the Federal average medical assistance matching percentage (as defined in section 1903A(a)(4)) for the State and year; and

“(B) the sum of the products, for each of the 1903A enrollee categories described in subparagraph (D) and (E) of section 1903A(e)(2), of—

“(i) the target per capita medical assistance expenditures for the State, year, and category; and

“(ii) the number of eligible low-income individuals in the State for the year who, if they were eligible for medical assistance, would be described in the category.

**“(e) OTHER PROVISIONS.**—

**“(1) TREATMENT AS MEDICAL ASSISTANCE.**—Expenditures for cost-sharing assistance provided by a State for a year in accordance with this section shall be considered, for purposes of section 1903, to be expenditures for medical assistance, except that—

“(A) notwithstanding section 1905(b), the Federal medical assistance percentage applicable to the total amount expended for such assistance shall be equal to the Federal average medical assistance matching percentage (as defined in section 1903A(a)(4)) for such State and year; and

“(B) in no case shall the amount of Federal payments made to a State for a year with respect to amounts expended for such assistance exceed the amount of the Federal cost-sharing assistance limit for the State and year applicable under subsection (d)(3).

**“(2) SCALING OF ASSISTANCE.**—A State may provide cost-sharing assistance under this section on a sliding scale based on income and percentage of full actuarial value that the State may determine.

**“(3) NOT CONSIDERED MINIMUM ESSENTIAL COVERAGE.**—Cost-sharing assistance provided under this section shall not be considered to be minimum essential coverage (as defined in section 5000A(f) of the Internal Revenue Code of 1986).

**“(4) NONAPPLICATION OF OTHER REQUIREMENTS.**—Sections 1902(a)(1) (relating to statewideness), 1902(a)(10)(B) (relating to comparability), 1916, and 1916A (relating to cost-sharing for medical assistance), and any other provision of this title which would be directly contrary to the authority under this section shall not apply to the provision of cost-sharing assistance under this section.”.

**SEC. 140. SMALL BUSINESS HEALTH PLANS.**

**(a) TAX TREATMENT OF SMALL BUSINESS HEALTH PLANS.**—A small business health plan (as defined in section 801(a) of the Employee Retirement Income Security Act of 1974) shall be treated—

(1) as a group health plan (as defined in section 2791 of the Public Health Service Act (42 U.S.C. 300gg-91)) for purposes of applying title XXVII of the Public Health Service Act (42 U.S.C. 300gg et seq.) and title XXII of such Act (42 U.S.C. 300bb-1);

(2) as a group health plan (as defined in section 5000(b)(1) of the Internal Revenue Code of 1986) for purposes of applying sections 4980B and 5000 and chapter 100 of the Internal Revenue Code of 1986; and

(3) as a group health plan (as defined in section 733(a)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191b(a)(1))) for purposes of applying parts 6 and 7 of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1161 et seq.).

**(b) RULES.**—Subtitle B of title I of the Employee Retirement Income Security Act of

1974 (29 U.S.C. 1021 et seq.) is amended by adding at the end the following new part:

**“PART 8—RULES GOVERNING SMALL BUSINESS RISK SHARING POOLS**

**“SEC. 801. SMALL BUSINESS HEALTH PLANS.**

**“(a) IN GENERAL.**—For purposes of this part, the term ‘small business health plan’ means a fully insured group health plan, offered by a health insurance issuer in the large group market, whose sponsor is described in subsection (b).

**“(b) SPONSOR.**—The sponsor of a group health plan is described in this subsection if such sponsor—

“(1) is a qualified sponsor and receives certification by the Secretary;

“(2) is organized and maintained in good faith, with a constitution or bylaws specifically stating its purpose and providing for periodic meetings on at least an annual basis;

“(3) is established as a permanent entity;

“(4) is established for a purpose other than providing health benefits to its members, such as an organization established as a bona fide trade association, franchise, or section 7705 organization; and

“(5) does not condition membership on the basis of a minimum group size.

**“SEC. 802. FILING FEE AND CERTIFICATION OF SMALL BUSINESS HEALTH PLANS.**

**“(a) FILING FEE.**—A small business health plan shall pay to the Secretary at the time of filing an application for certification under subsection (b) a filing fee in the amount of \$5,000, which shall be available to the Secretary for the sole purpose of administering the certification procedures applicable with respect to small business health plans.

**“(b) CERTIFICATION.**—

**“(1) IN GENERAL.**—Not later than 6 months after the date of enactment of this part, the Secretary shall prescribe by interim final rule a procedure under which the Secretary—

“(A) will certify a qualified sponsor of a small business health plan, upon receipt of an application that includes the information described in paragraph (2);

“(B) may provide for continued certification of small business health plans under this part;

“(C) shall provide for the revocation of a certification if the applicable authority finds that the small business health plan involved fails to comply with the requirements of this part;

“(D) shall conduct oversight of certified plan sponsors, including periodic review, and consistent with section 504, applying the requirements of sections 518, 519, and 520; and

“(E) will consult with a State with respect to a small business health plan domiciled in such State regarding the Secretary’s authority under this part and other enforcement authority under sections 502 and 504.

**“(2) INFORMATION TO BE INCLUDED IN APPLICATION FOR CERTIFICATION.**—An application for certification under this part meets the requirements of this section only if it includes, in a manner and form which shall be prescribed by the applicable authority by regulation, at least the following information:

“(A) Identifying information.

“(B) States in which the plan intends to do business.

“(C) Bonding requirements.

“(D) Plan documents.

“(E) Agreements with service providers.

**“(3) REQUIREMENTS FOR CERTIFIED PLAN SPONSORS.**—Not later than 6 months after the date of enactment of this part, the Secretary

shall prescribe by interim final rule requirements for certified plan sponsors that include requirements regarding—

“(A) structure and requirements for boards of trustees or plan administrators;

“(B) notification of material changes; and

“(C) notification for voluntary termination.

“(c) FILING NOTICE OF CERTIFICATION WITH STATES.—A certification granted under this part to a small business health plan shall not be effective unless written notice of such certification is filed by the plan sponsor with the applicable State authority of each State in which the small business health plan operates.

“(d) EXPEDITED AND DEEMED CERTIFICATION.—

“(1) IN GENERAL.—If the Secretary fails to act on a complete application for certification under this section within 90 days of receipt of such complete application, the applying small business health plan sponsor shall be deemed certified until such time as the Secretary may deny for cause the application for certification.

“(2) PENALTY.—The Secretary may assess a penalty against the board of trustees, plan administrator, and plan sponsor (jointly and severally) of a small business health plan sponsor that is deemed certified under paragraph (1) of up to \$500,000 in the event the Secretary determines that the application for certification of such small business health plan sponsor was willfully or with gross negligence incomplete or inaccurate.

#### “SEC. 803. PARTICIPATION AND COVERAGE REQUIREMENTS.

“(a) COVERED EMPLOYERS AND INDIVIDUALS.—The requirements of this subsection are met with respect to a small business health plan if, under the terms of the plan—

“(1) each participating employer must be—

“(A) a member of the sponsor;

“(B) the sponsor; or

“(C) an affiliated member of the sponsor, except that, in the case of a sponsor which is a professional association or other individual-based association, if at least one of the officers, directors, or employees of an employer, or at least one of the individuals who are partners in an employer and who actively participates in the business, is a member or such an affiliated member of the sponsor, participating employers may also include such employer; and

“(2) all individuals commencing coverage under the plan after certification under this part must be—

“(A) active or retired owners (including self-employed individuals with or without employees), officers, directors, or employees of, or partners in, participating employers; or

“(B) the dependents of individuals described in subparagraph (A).

“(b) PARTICIPATING EMPLOYERS.—In applying requirements relating to coverage renewal, a participating employer shall not be deemed to be a plan sponsor.

“(c) PROHIBITION OF DISCRIMINATION AGAINST EMPLOYERS AND EMPLOYEES ELIGIBLE TO PARTICIPATE.—The requirements of this subsection are met with respect to a small business health plan if—

“(1) under the terms of the plan, no participating employer may provide health insurance coverage in the individual market for any employee not covered under the plan, if such exclusion of the employee from coverage under the plan is based on a health status-related factor with respect to the employee and such employee would, but for such exclusion on such basis, be eligible for coverage under the plan; and

“(2) information regarding all coverage options available under the plan is made readily available to any employer eligible to participate.

#### “SEC. 804. DEFINITIONS; RENEWAL.

“For purposes of this part:

“(1) AFFILIATED MEMBER.—The term ‘affiliated member’ means, in connection with a sponsor—

“(A) a person who is otherwise eligible to be a member of the sponsor but who elects an affiliated status with the sponsor, or

“(B) in the case of a sponsor with members which consist of associations, a person who is a member or employee of any such association and elects an affiliated status with the sponsor.

“(2) APPLICABLE STATE AUTHORITY.—The term ‘applicable State authority’ means, with respect to a health insurance issuer in a State, the State insurance commissioner or official or officials designated by the State to enforce the requirements of title XXVII of the Public Health Service Act for the State involved with respect to such issuer.

“(3) FRANCHISOR; FRANCHISEE.—The terms ‘franchisor’ and ‘franchisee’ have the meanings given such terms for purposes of sections 436.2(a) through 436.2(c) of title 16, Code of Federal Regulations (including any such amendments to such regulation after the date of enactment of this part) and, for purposes of this part, franchisor or franchisee employers participating in such a group health plan shall not be treated as the employer, co-employer, or joint employer of the employees of another participating franchisor or franchisee employer for any purpose.

“(4) HEALTH PLAN TERMS.—The terms ‘group health plan’, ‘health insurance coverage’, and ‘health insurance issuer’ have the meanings given such terms in section 733.

“(5) INDIVIDUAL MARKET.—

“(A) IN GENERAL.—The term ‘individual market’ means the market for health insurance coverage offered to individuals other than in connection with a group health plan.

“(B) TREATMENT OF VERY SMALL GROUPS.—

“(i) IN GENERAL.—Subject to clause (ii), such term includes coverage offered in connection with a group health plan that has fewer than 2 participants as current employees or participants described in section 732(d)(3) on the first day of the plan year.

“(ii) STATE EXCEPTION.—Clause (i) shall not apply in the case of health insurance coverage offered in a State if such State regulates the coverage described in such clause in the same manner and to the same extent as coverage in the small group market (as defined in section 2791(e)(5) of the Public Health Service Act) is regulated by such State.

“(6) PARTICIPATING EMPLOYER.—The term ‘participating employer’ means, in connection with a small business health plan, any employer, if any individual who is an employee of such employer, a partner in such employer, or a self-employed individual who is such employer with or without employees (or any dependent, as defined under the terms of the plan, of such individual) is or was covered under such plan in connection with the status of such individual as such an employee, partner, or self-employed individual in relation to the plan.

“(7) SECTION 7705 ORGANIZATION.—The term ‘section 7705 organization’ means an organization providing services for a customer pursuant to a contract meeting the conditions of subparagraphs (A), (B), (C), (D), and (E) (but not (F)) of section 7705(e)(2) of the Inter-

nal Revenue Code of 1986, including an entity that is part of a section 7705 organization control group. For purposes of this part, any reference to ‘member’ shall include a customer of a section 7705 organization except with respect to references to a ‘member’ or ‘members’ in paragraph (1).”

(c) PREEMPTION RULES.—Section 514 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1144) is amended by adding at the end the following:

“(f) The provisions of this title shall supersede any and all State laws insofar as they may now or hereafter preclude a health insurance issuer from offering health insurance coverage in connection with a small business health plan which is certified under part 8.”

(d) PLAN SPONSOR.—Section 3(16)(B) of such Act (29 U.S.C. 102(16)(B)) is amended by adding at the end the following new sentence: “Such term also includes a person serving as the sponsor of a small business health plan under part 8.”

(e) SAVINGS CLAUSE.—Section 731(c) of such Act is amended by inserting “or part 8” after “this part”.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect 1 year after the date of the enactment of this Act. The Secretary of Labor shall first issue all regulations necessary to carry out the amendments made by this section within 6 months after the date of the enactment of this Act.

## TITLE II

### SEC. 201. THE PREVENTION AND PUBLIC HEALTH FUND.

Subsection (b) of section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11) is amended—

(1) in paragraph (3), by striking “each of fiscal years 2018 and 2019” and inserting “fiscal year 2018”; and

(2) by striking paragraphs (4) through (8).

### SEC. 202. SUPPORT FOR STATE RESPONSE TO OPIOID AND SUBSTANCE ABUSE CRISIS.

There is authorized to be appropriated, and is appropriated, to the Secretary of Health and Human Services, out of monies in the Treasury not otherwise obligated—

(1) \$4,972,000,000 for each of fiscal years 2018 through 2026, to provide grants to States to support substance use disorder treatment and recovery support services for individuals who have or may have mental or substance use disorders, including counseling, medication assisted treatment, and other substance abuse treatment and recovery services as such Secretary determines appropriate; and

(2) \$50,400,000 for each of fiscal years 2018 through 2022, for research on addiction and pain related to the substance abuse crisis. Funds appropriated under this section shall remain available until expended.

### SEC. 203. COMMUNITY HEALTH CENTER PROGRAM.

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting “, and an additional \$422,000,000 for fiscal year 2017” after “2017”.

### SEC. 204. CHANGE IN PERMISSIBLE AGE VARIATION IN HEALTH INSURANCE PREMIUM RATES.

Section 2701(a)(1)(A)(iii) of the Public Health Service Act (42 U.S.C. 300gg(a)(1)(A)(iii)) is amended by inserting after “(consistent with section 2707(c))” the following: “or, for plan years beginning on or after January 1, 2019, 5 to 1 for adults (consistent with section 2707(c)) or such other

ratio for adults (consistent with section 2707(c)) as the State may determine”.

**SEC. 205. MEDICAL LOSS RATIO DETERMINED BY THE STATE.**

Section 2718(b) of the Public Health Service Act (42 U.S.C. 300gg–18(b)) is amended by adding at the end the following:

“(4) **SUNSET.**—Paragraphs (1) through (3) and subsection (d) shall not apply for plan years beginning on or after January 1, 2019, and after such date any reference in law to such paragraphs and subsection shall have no force or effect.

“(5) **MEDICAL LOSS RATIO DETERMINED BY THE STATE.**—For plan years beginning on or after January 1, 2019, each State shall—

“(A) set the ratio of the amount of premium revenue a health insurance issuer offering group or individual health insurance coverage may expend on non-claims costs to the total amount of premium revenue; and

“(B) determine the amount of any annual rebate required to be paid to enrollees under such coverage if the ratio of the amount of premium revenue expended by the issuer on non-claims costs to the total amount of premium revenue exceeds the ratio set by the State under subparagraph (A).”.

**SEC. 206. STABILIZING THE INDIVIDUAL INSURANCE MARKETS.**

(a) **ENROLLMENT WAITING PERIODS.**—Section 2702(b)(1) of the Public Health Services Act (42 U.S.C. 300gg–1(b)(1)) is amended by inserting “, and as described in paragraph (3)” before the period.

(b) **CREDITABLE COVERAGE REQUIREMENT.**—Section 2702(b)(2) of the Public Health Services Act (42 U.S.C. 300gg–1(b)(2)) is amended by striking “paragraph (3)” and inserting “paragraph (4)”.

(c) **APPLICATION OF WAITING PERIODS.**—Section 2702(b) of the Public Health Services Act (42 U.S.C. 300gg–1(b)) is amended—

(1) in paragraph (3)—

(A) by striking “with respect to enrollment periods under paragraphs (1) and (2)”, inserting “in accordance with this subsection”; and

(B) by redesignating such paragraph as paragraph (4); and

(2) by inserting after paragraph (2), the following:

“(3) **WAITING PERIODS.**—

“(A) **IN GENERAL.**—With respect to health insurance coverage that is effective on or after January 1, 2019, a health insurance issuer described in subsection (a) that offers such coverage in the individual market shall impose a 6 month waiting period (as defined in the same manner as such term is defined in section 2704(b)(4) for group health plans) on any individual who enrolls in such coverage and who cannot demonstrate—

“(i) in the case of an individual submitting an application during an open enrollment period, 12 months of continuous creditable coverage without experiencing a significant break in such coverage as described in subparagraphs (A) and (B) of section 2704(c)(2); or

“(ii) in the case of an individual submitting an application during a special enrollment period—

“(I) 12 months of continuous creditable coverage as described in clause (i); or

“(II) at least 1 day of creditable coverage during the 60-day period immediately preceding the date of submission of such application.

“(B) **INDIVIDUALS ENROLLED IN OTHER COVERAGE.**—Such a waiting period shall not apply to an individual who is enrolled in health insurance coverage in the individual market on the day before the effective date

of the coverage in which the individual is newly enrolling.

“(C) **WAITING PERIOD DESCRIBED.**—For purposes of subparagraph (A)—

“(i) in the case of an individual that submits an application during an open enrollment period or under a special enrollment period for which the individual qualifies, coverage under the plan begins on the first day of the first month that begins 6 months after the date on which the individual submits an application for health insurance coverage; and

“(ii) in the case of an individual that submits an application outside of an open enrollment period and does not qualify for enrollment under a special enrollment period, coverage under the plan begins on the later of—

“(I) the first day of the first month that begins 6 months after the day on which the individual submits an application for health insurance coverage; or

“(II) the first day of the next plan year.

“(D) **CERTIFICATES OF CREDITABLE COVERAGE.**—The Secretary shall require health insurance issuers and health care sharing ministries (as defined in section 5000A(d)(2)(B) of the Internal Revenue Code of 1986) to provide certification of periods of creditable coverage and waiting periods, in a manner prescribed by the Secretary, for purposes of verifying that the continuous coverage requirements of subparagraph (A) are met.

“(E) **CONTINUOUS CREDITABLE COVERAGE DEFINED.**—For purposes of this paragraph, the term ‘creditable coverage’—

“(i) has the meaning given such term in section 2704(c)(1); and

“(ii) includes membership in a health care sharing ministry (as defined in section 5000A(d)(2)(B) of the Internal Revenue Code of 1986).

“(F) **EXCEPTIONS.**—Notwithstanding subparagraph (A), a health insurance issuer may not impose a waiting period with respect to the following individuals:

“(i) A newborn who is enrolled in such coverage within 30 days of the date of birth.

“(ii) A child who is adopted or placed for adoption before attaining 18 years of age and who is enrolled in such coverage within 30 days of the date of the adoption.

“(iii) Other individuals, as the Secretary determines appropriate.”.

**SEC. 207. WAIVERS FOR STATE INNOVATION.**

(a) **IN GENERAL.**—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (B)—

(I) by amending clause (i) to read as follows:

“(i) a description of how the State plan meeting the requirements of a waiver under this section would, with respect to health insurance coverage within the State—

“(I) take the place of the requirements described in paragraph (2) that are waived; and

“(II) provide for alternative means of, and requirements for, increasing access to comprehensive coverage, reducing average premiums, providing consumers the freedom to purchase the health insurance of their choice, and increasing enrollment in private health insurance; and”; and

(II) in clause (ii), by striking “that is budget neutral for the Federal Government” and inserting “, demonstrating that the State plan does not increase the Federal deficit”; and

(ii) in subparagraph (C), by striking “the law” and inserting “a law or has in effect a certification”;

(B) in paragraph (3)—

(i) in the first sentence, by inserting “or would qualify for a reduction in” after “would not qualify for”;;

(ii) by adding after the second sentence the following: “A State may request that all of, or any portion of, such aggregate amount of such credits or reductions be paid to the State as described in the first sentence.”;

(iii) in the paragraph heading, by striking “PASS THROUGH OF FUNDING” and inserting “FUNDING”;

(iv) by striking “With respect” and inserting the following:

“(A) **PASS THROUGH OF FUNDING.**—With respect”; and

(v) by adding at the end the following:

“(B) **ADDITIONAL FUNDING.**—There is authorized to be appropriated, and is appropriated, to the Secretary of Health and Human Services, out of monies in the Treasury not otherwise obligated, \$2,000,000,000 for fiscal year 2017, to remain available until the end of fiscal year 2019, to provide grants to States for purposes of submitting an application for a waiver granted under this section and implementing the State plan under such waiver.

“(C) **AUTHORITY TO USE LONG-TERM STATE INNOVATION AND STABILITY ALLOTMENT.**—If the State has an application for an allotment under section 2105(i) of the Social Security Act for the plan year, the State may use the funds available under the State’s allotment for the plan year to carry out the State plan under this section, so long as such use is consistent with the requirements of paragraphs (1) and (7) of section 2105(i) of such Act (other than paragraph (1)(B) of such section). Any funds used to carry out a State plan under this subparagraph shall not be considered in determining whether the State plan increases the Federal deficit.”; and

(C) in paragraph (4), by adding at the end the following:

“(D) **EXPEDITED PROCESS.**—The Secretary shall establish an expedited application and approval process that may be used if the Secretary determines that such expedited process is necessary to respond to an urgent or emergency situation with respect to health insurance coverage within a State.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “may” and inserting “shall”; and

(II) by striking “only if” and inserting “unless”; and

(ii) by striking “plan—” and all that follows through the period at the end of subparagraph (D) and inserting “application is missing a required element under subsection (a)(1) or that the State plan will increase the Federal deficit, not taking into account any amounts received through a grant under subsection (a)(3)(B).”;

(B) in paragraph (2)—

(i) in the paragraph heading, by inserting “OR CERTIFY” after “LAW”;

(ii) in subparagraph (A), by inserting before the period “, and a certification described in this paragraph is a document, signed by the Governor, and the State insurance commissioner, of the State, that provides authority for State actions under a waiver under this section, including the implementation of the State plan under subsection (a)(1)(B)”; and

(iii) in subparagraph (B)—



(I) in the subparagraph heading, by striking “OF OPT OUT”; and

(II) by striking “may repeal a law” and all that follows through the period at the end and inserting the following: “may terminate the authority provided under the waiver with respect to the State by—

“(i) repealing a law described in subparagraph (A); or

“(ii) terminating a certification described in subparagraph (A), through a certification for such termination signed by the Governor, and the State insurance commissioner, of the State.”;

(3) in subsection (d)(2)(B), by striking “and the reasons therefore” and inserting “and the reasons therefore, and provide the data on which such determination was made”; and

(4) in subsection (e), by striking “No waiver” and all that follows through the period at the end and inserting the following: “A waiver under this section—

“(1) shall be in effect for a period of 8 years unless the State requests a shorter duration;

“(2) may be renewed for unlimited additional 8-year periods upon application by the State; and

“(3) may not be cancelled by the Secretary before the expiration of the 8-year period (including any renewal period under paragraph (2)).”.

(b) **APPLICABILITY.**—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) shall apply as follows:

(1) In the case of a State for which a waiver under such section was granted prior to the date of enactment of this Act, such section 1332, as in effect on the day before the date of enactment of this Act shall apply to the waiver and State plan.

(2) In the case of a State that submitted an application for a waiver under such section prior to the date of enactment of this Act, and which application the Secretary of Health and Human Services has not approved prior to such date, the State may elect to have such section 1332, as in effect on the day before the date of enactment of this Act, or such section 1332, as amended by subsection (a), apply to such application and State plan.

(3) In the case of a State that submits an application for a waiver under such section on or after the date of enactment of this Act, such section 1332, as amended by subsection (a), shall apply to such application and State plan.

**SEC. 208. ALLOWING ALL INDIVIDUALS PURCHASING HEALTH INSURANCE IN THE INDIVIDUAL MARKET THE OPTION TO PURCHASE A LOWER PREMIUM CATASTROPHIC PLAN.**

(a) **IN GENERAL.**—Section 1302(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18022(e)) is amended by adding at the end the following:

“(4) **CONSUMER FREEDOM.**—For plan years beginning on or after January 1, 2019, paragraph (1)(A) shall not apply with respect to any plan offered in the State.”.

(b) **RISK POOLS.**—Section 1312(c) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(c)) is amended—

(1) in paragraph (1), by inserting “and including, with respect to plan years beginning on or after January 1, 2019, enrollees in catastrophic plans described in section 1302(e)” after “Exchange”; and

(2) in paragraph (2), by inserting “and including, with respect to plan years beginning on or after January 1, 2019, enrollees in catastrophic plans described in section 1302(e)” after “Exchange”.

**SEC. 209. APPLICATION OF ENFORCEMENT PENALTIES.**

(a) **IN GENERAL.**—Section 2723 of the Public Health Service Act (42 U.S.C. 300gg-22) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “and of section 1303 of the Patient Protection and Affordable Care Act” after “this part”; and

(B) in paragraph (2), by inserting “or in such section 1303” after “this part”; and

(2) in subsection (b)—

(A) in paragraphs (1) and (2)(A), by inserting “or section 1303 of the Patient Protection and Affordable Care Act” after “this part” each place such term appears;

(B) in paragraph (2)(C)(i), by inserting “and section 1303 of the Patient Protection and Affordable Care Act” after “this part”.

(b) **EFFECT OF WAIVER.**—A State waiver pursuant to section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) shall not affect the authority of the Secretary to impose penalties under section 2723 of the Public Health Service Act (42 U.S.C. 300gg-22).

**SEC. 210. FUNDING FOR COST-SHARING PAYMENTS.**

There is appropriated to the Secretary of Health and Human Services, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for payments for cost-sharing reductions authorized by the Patient Protection and Affordable Care Act (including adjustments to any prior obligations for such payments) for the period beginning on the date of enactment of this Act and ending on December 31, 2019. Notwithstanding any other provision of this Act, payments and other actions for adjustments to any obligations incurred for plan years 2018 and 2019 may be made through December 31, 2020.

**SEC. 211. REPEAL OF COST-SHARING SUBSIDY PROGRAM.**

(a) **IN GENERAL.**—Section 1402 of the Patient Protection and Affordable Care Act is repealed.

(b) **EFFECTIVE DATE.**—The repeal made by subsection (a) shall apply to cost-sharing reductions (and payments to issuers for such reductions) for plan years beginning after December 31, 2019.

**SEC. 212. CONDITIONS FOR RECEIVING ADDITIONAL SUPPORT FOR STABILIZING PREMIUMS AND PROMOTING CHOICE IN PLANS OFFERED IN THE INDIVIDUAL MARKET.**

(a) **FEDERAL FUNDING FOR PLANS.**—If, for any of plan years 2020 through 2026 for which funds are available under subsection (h)(6) of section 2105 of the Social Security Act (42 U.S.C. 1397ee), a health insurance issuer (as defined in section 2791(b)(2) of the Public Health Service Act (42 U.S.C. 300gg-91(b)(2)) meets the conditions of subsection (b) with respect to an entire rating area within a State (as defined in section 2701(a)(2) of the Public Health Service Act (42 U.S.C. § 300gg(a)(2))), the provisions described in subsection (c) shall be treated as not applying (directly or through reference) for those plan years to health insurance coverage offered off the Exchange by such issuer in the individual market in the rating area in the State for such plan year (other than with respect to health insurance coverage certified under subsection (b)(2)), provided that such coverage offered off the Exchange complies with the applicable State health insurance requirements.

(b) **CONDITIONS FOR FEDERAL FUNDING FOR PLANS.**—The conditions of this subsection for a health insurance issuer for a plan year are that the health insurance issuer, on or before

May 3 of the calendar year preceding the plan year involved—

(1) certifies to the Secretary and the applicable State insurance commissioner that such issuer will apply subsection (a) with respect to health insurance coverage in a rating area within a State for such plan year; and

(2) certifies to the Secretary that such issuer will make available through the Exchange in the rating area in the State in such plan year at least one gold level and one silver level qualified health plan (as described in section 1302(d)(1) of the Patient Protection and Affordable Care Act, 42 U.S.C. 18022(d)(1)) and one health plan that provides the level of coverage described in section 36B(b)(3)(B)(i) of the Internal Revenue Code of 1986.

(c) **NON-APPLICABLE PROVISIONS DESCRIBED.**—The provisions described in this subsection are the following:

(1) Subsections (b), (c)(1)(B), and (d) of section 1302 of the Patient Protection and Affordable Care Act (42 U.S.C. 18022).

(2) Section 2701(a)(1) of the Public Health Service Act (42 U.S.C. 300gg(a)(1)).

(3) Subsections (a) and (b)(2) of section 2702 of the Public Health Service Act (42 U.S.C. §§ 300gg-1).

(4) Section 2704 of the Public Health Service Act (42 U.S.C. §§ 300gg-3).

(5) Subsections (a) through (j) of section 2705 of the Public Health Service Act (42 U.S.C. §§ 300gg-4).

(6) Section 2707 of the Public Health Service Act (42 U.S.C. 300gg-6).

(7) Section 2708 of the Public Health Service Act (42 U.S.C. 300gg-7).

(8) Section 2713(a) of the Public Health Service Act (42 U.S.C. 300gg-13(a)).

(9) Section 2718(b)(1) of the Public Health Service Act (42 U.S.C. §§ 300gg-18(b)(1)).

(d) **CONTINUOUS COVERAGE.**—For purposes of section 2702(b) of the Public Health Service Act (42 U.S.C. 300gg-1), health insurance coverage offered off the Exchange in accordance with subsection (a) shall not be deemed creditable coverage, as defined in section 2704(c) of the Public Health Service Act (42 U.S.C. 300gg-3(c)).

(e) **NONAPPLICATION OF RISK ADJUSTMENT PROGRAM.**—Section 1343 of the Patient Protection and Affordable Care Act (42 U.S.C. 18063) shall not apply to health insurance coverage offered off the Exchange in accordance with subsection (a) or to the issuer of such coverage with respect to that coverage.

(f) **EFFECT OF WAIVER.**—A State that receives a waiver under section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) shall not be permitted to use pass through funding under subsection (a)(3)(C) of such section either to provide assistance to individuals who enroll in health insurance coverage offered in accordance with subsection (a) or to make payments to issuers for any health insurance coverage offered in accordance with subsection (a).

(g) **FUNDING FOR STATES.**—

(1) **APPROPRIATION.**—There is appropriated to the Secretary of Health and Human Services, out of any money in the Treasury not otherwise appropriated, \$2,000,000,000 for the period beginning on January 1, 2020, and ending on December 31, 2026, for the purpose of providing allotments for States in which a health insurance issuer offers coverage in accordance with subsection (a). Amounts paid to any such State from such an allotment shall be used to offset costs attributable to the State's regulation and oversight of such coverage. Funds appropriated under this paragraph shall remain available until expended.

(2) **PROCEDURE FOR DISTRIBUTION OF FUNDS.**—The Secretary of Health and Human Services shall determine an appropriate procedure for providing and distributing funds under this subsection.

(h) **TAX CREDIT NOT AVAILABLE.**—Health insurance coverage offered off the Exchange in accordance with subsection (a) shall not be taken into account as a qualified health plan for purposes of calculating the amount of the premium tax credit under section 36B of the Internal Revenue Code of 1986.

**SA 271.** Mr. ENZI submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. McCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; as follows:

Strike all after the first line and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Obamacare Repeal Reconciliation Act of 2017”.

#### TITLE I

#### SEC. 101. RECAPTURE EXCESS ADVANCE PAYMENTS OF PREMIUM TAX CREDITS.

Subparagraph (B) of section 36B(f)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

“(iii) **NONAPPLICABILITY OF LIMITATION.**—This subparagraph shall not apply to taxable years ending after December 31, 2017, and before January 1, 2020.”.

#### SEC. 102. PREMIUM TAX CREDIT.

(a) **PREMIUM TAX CREDIT.**—

(1) **MODIFICATION OF DEFINITION OF QUALIFIED HEALTH PLAN.**—

(A) **IN GENERAL.**—Section 36B(c)(3)(A) of the Internal Revenue Code of 1986 is amended by inserting before the period at the end the following: “or a plan that includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest)”.

(B) **EFFECTIVE DATE.**—The amendment made by this paragraph shall apply to taxable years beginning after December 31, 2017.

(2) **REPEAL.**—

(A) **IN GENERAL.**—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by striking section 36B.

(B) **EFFECTIVE DATE.**—The amendment made by this paragraph shall apply to taxable years beginning after December 31, 2019.

(b) **REPEAL OF ELIGIBILITY DETERMINATIONS.**—

(1) **IN GENERAL.**—The following sections of the Patient Protection and Affordable Care Act are repealed:

(A) Section 1411 (other than subsection (i), the last sentence of subsection (e)(4)(A)(ii), and such provisions of such section solely to the extent related to the application of the last sentence of subsection (e)(4)(A)(ii)).

(B) Section 1412.

(2) **EFFECTIVE DATE.**—The repeals in paragraph (1) shall take effect on January 1, 2020.

(c) **PROTECTING AMERICANS BY REPEAL OF DISCLOSURE AUTHORITY TO CARRY OUT ELIGIBILITY REQUIREMENTS FOR CERTAIN PROGRAMS.**—

(1) **IN GENERAL.**—Paragraph (21) of section 6103(1) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(D) **TERMINATION.**—No disclosure may be made under this paragraph after December 31, 2019.”.

(2) **EFFECTIVE DATE.**—The amendment made by paragraph (1) shall take effect on January 1, 2020.

#### SEC. 103. SMALL BUSINESS TAX CREDIT.

(a) **SUNSET.**—

(1) **IN GENERAL.**—Section 45R of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(j) **SHALL NOT APPLY.**—This section shall not apply with respect to amounts paid or incurred in taxable years beginning after December 31, 2019.”.

(2) **EFFECTIVE DATE.**—The amendment made by this subsection shall apply to taxable years beginning after December 31, 2019.

(b) **DISALLOWANCE OF SMALL EMPLOYER HEALTH INSURANCE EXPENSE CREDIT FOR PLAN WHICH INCLUDES COVERAGE FOR ABORTION.**—

(1) **IN GENERAL.**—Subsection (h) of section 45R of the Internal Revenue Code of 1986 is amended—

(A) by striking “Any term” and inserting the following:

“(1) **IN GENERAL.**—Any term”, and

(B) by adding at the end the following new paragraph:

“(2) **EXCLUSION OF HEALTH PLANS INCLUDING COVERAGE FOR ABORTION.**—The term ‘qualified health plan’ does not include any health plan that includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest)”.

(2) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply to taxable years beginning after December 31, 2017.

#### SEC. 104. INDIVIDUAL MANDATE.

(a) **IN GENERAL.**—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B)(iii), by striking “2.5 percent” and inserting “Zero percent”, and

(2) in paragraph (3)—

(A) by striking “\$695” in subparagraph (A) and inserting “\$0”, and

(B) by striking subparagraph (D).

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply to months beginning after December 31, 2015.

#### SEC. 105. EMPLOYER MANDATE.

(a) **IN GENERAL.**—

(1) Paragraph (1) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2015)” after “\$2,000”.

(2) Paragraph (1) of section 4980H(b) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2015)” after “\$3,000”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply to months beginning after December 31, 2015.

#### SEC. 106. FEDERAL PAYMENTS TO STATES.

(a) **IN GENERAL.**—Notwithstanding section 504(a), 1902(a)(23), 1903(a), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396a(a)(23), 1396b(a), 1397a, 1397d(a)(4), 1397bb(a)(7), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the 1-year period beginning on the date of enactment of this Act, no Federal funds provided from a program referred to in this subsection that is considered direct spending for any year may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) **DEFINITIONS.**—In this section:

(1) **PROHIBITED ENTITY.**—The term “prohibited entity” means an entity, including its affiliates, subsidiaries, successors, and clinics—

(A) that, as of the date of enactment of this Act—

(i) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(ii) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(iii) provides for abortions, other than an abortion—

(I) if the pregnancy is the result of an act of rape or incest; or

(II) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(B) for which the total amount of Federal and State expenditures under the Medicaid program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as part of a nationwide health care provider network, exceeded \$1,000,000.

(2) **DIRECT SPENDING.**—The term “direct spending” has the meaning given that term under section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

#### SEC. 107. MEDICAID.

The Social Security Act (42 U.S.C. 301 et seq.) is amended—

(1) in section 1902—

(A) in subsection (a)(10)(A), in each of clauses (i)(VIII) and (ii)(XX), by inserting “and ending December 31, 2019,” after “January 1, 2014,”; and

(B) in subsection (a)(47)(B), by inserting “and provided that any such election shall cease to be effective on January 1, 2020, and no such election shall be made after that date” before the semicolon at the end;

(2) in section 1905—

(A) in the first sentence of subsection (b), by inserting “(50 percent on or after January 1, 2020)” after “55 percent”;

(B) in subsection (y)(1), by striking the semicolon at the end of subparagraph (D) and all that follows through “thereafter”; and

(C) in subsection (z)(2)—

(i) in subparagraph (A), by inserting “through 2019” after “each year thereafter”; and

(ii) in subparagraph (B)(ii)(VI), by striking “and each subsequent year”;

(3) in section 1915(k)(2), by striking “during the period described in paragraph (1)” and inserting “on or after the date referred to in paragraph (1) and before January 1, 2020”;

(4) in section 1920(e), by adding at the end the following: “This subsection shall not apply after December 31, 2019.”;

(5) in section 1937(b)(5), by adding at the end the following: “This paragraph shall not apply after December 31, 2019.”; and

(6) in section 1943(a), by inserting “and before January 1, 2020,” after “January 1, 2014,”.

**SEC. 108. REPEAL OF DSH ALLOTMENT REDUCTIONS.**

Section 1923(f) of the Social Security Act (42 U.S.C. 1396r-4(f)) is amended by striking paragraphs (7) and (8).

**SEC. 109. REPEAL OF THE TAX ON EMPLOYEE HEALTH INSURANCE PREMIUMS AND HEALTH PLAN BENEFITS.**

(a) IN GENERAL.—Chapter 43 of the Internal Revenue Code of 1986 is amended by striking section 4980I.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2019.

(c) SUBSEQUENT EFFECTIVE DATE.—The amendment made by subsection (a) shall not apply to taxable years beginning after December 31, 2025, and chapter 43 of the Internal Revenue Code of 1986 is amended to read as such chapter would read if such subsection had never been enacted.

**SEC. 110. REPEAL OF TAX ON OVER-THE-COUNTER MEDICATIONS.**

(a) HSAS.—Subparagraph (A) of section 223(d)(2) of the Internal Revenue Code of 1986 is amended by striking “Such term” and all that follows through the period.

(b) ARCHER MSAS.—Subparagraph (A) of section 220(d)(2) of the Internal Revenue Code of 1986 is amended by striking “Such term” and all that follows through the period.

(c) HEALTH FLEXIBLE SPENDING ARRANGEMENTS AND HEALTH REIMBURSEMENT ARRANGEMENTS.—Section 106 of the Internal Revenue Code of 1986 is amended by striking subsection (f).

(d) EFFECTIVE DATES.—

(1) DISTRIBUTIONS FROM SAVINGS ACCOUNTS.—The amendments made by subsections (a) and (b) shall apply to amounts paid with respect to taxable years beginning after December 31, 2016.

(2) REIMBURSEMENTS.—The amendment made by subsection (c) shall apply to expenses incurred with respect to taxable years beginning after December 31, 2016.

**SEC. 111. REPEAL OF TAX ON HEALTH SAVINGS ACCOUNTS.**

(a) HSAS.—Section 223(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking “20 percent” and inserting “10 percent”.

(b) ARCHER MSAS.—Section 220(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking “20 percent” and inserting “15 percent”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions made after December 31, 2016.

**SEC. 112. REPEAL OF LIMITATIONS ON CONTRIBUTIONS TO FLEXIBLE SPENDING ACCOUNTS.**

(a) IN GENERAL.—Section 125 of the Internal Revenue Code of 1986 is amended by striking subsection (i).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to plan years beginning after December 31, 2017.

**SEC. 113. REPEAL OF TAX ON PRESCRIPTION MEDICATIONS.**

Subsection (j) of section 9008 of the Patient Protection and Affordable Care Act is amended to read as follows:

“(j) REPEAL.—This section shall apply to calendar years beginning after December 31, 2010, and ending before January 1, 2018.”

**SEC. 114. REPEAL OF MEDICAL DEVICE EXCISE TAX.**

Section 4191 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(d) APPLICABILITY.—The tax imposed under subsection (a) shall not apply to sales after December 31, 2017.”

**SEC. 115. REPEAL OF HEALTH INSURANCE TAX.**

Subsection (j) of section 9010 of the Patient Protection and Affordable Care Act is amended by striking “, and” at the end of paragraph (1) and all that follows through “2017”.

**SEC. 116. REPEAL OF ELIMINATION OF DEDUCTION FOR EXPENSES ALLOCABLE TO MEDICARE PART D SUBSIDY.**

(a) IN GENERAL.—Section 139A of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: “This section shall not be taken into account for purposes of determining whether any deduction is allowable with respect to any cost taken into account in determining such payment.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

**SEC. 117. REPEAL OF CHRONIC CARE TAX.**

(a) IN GENERAL.—Subsection (a) of section 213 of the Internal Revenue Code of 1986 is amended by striking “10 percent” and inserting “7.5 percent”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

**SEC. 118. REPEAL OF MEDICARE TAX INCREASE.**

(a) IN GENERAL.—Subsection (b) of section 3101 of the Internal Revenue Code of 1986 is amended to read as follows:

“(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there is hereby imposed on the income of every individual a tax equal to 1.45 percent of the wages (as defined in section 3121(a)) received by such individual with respect to employment (as defined in section 3121(b)).”

(b) SECA.—Subsection (b) of section 1401 of the Internal Revenue Code of 1986 is amended to read as follows:

“(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there shall be imposed for each taxable year, on the self-employment income of every individual, a tax equal to 2.9 percent of the amount of the self-employment income for such taxable year.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to remuneration received after, and taxable years beginning after, December 31, 2017.

**SEC. 119. REPEAL OF TANNING TAX.**

(a) IN GENERAL.—The Internal Revenue Code of 1986 is amended by striking chapter 49.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to services performed after September 30, 2017.

**SEC. 120. REPEAL OF NET INVESTMENT TAX.**

(a) IN GENERAL.—Subtitle A of the Internal Revenue Code of 1986 is amended by striking chapter 2A.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

**SEC. 121. REMUNERATION.**

Paragraph (6) of section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(I) TERMINATION.—This paragraph shall not apply to taxable years beginning after December 31, 2016.”

**TITLE II****SEC. 201. THE PREVENTION AND PUBLIC HEALTH FUND.**

Subsection (b) of section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u-11) is amended—

(1) in paragraph (3), by striking “each of fiscal years 2018 and 2019” and inserting “fiscal year 2018”; and

(2) by striking paragraphs (4) through (8).

**SEC. 202. SUPPORT FOR STATE RESPONSE TO SUBSTANCE ABUSE PUBLIC HEALTH CRISIS AND URGENT MENTAL HEALTH NEEDS.**

(a) IN GENERAL.—There are authorized to be appropriated, and are appropriated, out of monies in the Treasury not otherwise obligated, \$750,000,000 for each of fiscal years 2018 and 2019, to the Secretary of Health and Human Services (referred to in this section as the “Secretary”) to award grants to States to address the substance abuse public health crisis or to respond to urgent mental health needs within the State. In awarding grants under this section, the Secretary may give preference to States with an incidence or prevalence of substance use disorders that is substantial relative to other States or to States that identify mental health needs within their communities that are urgent relative to such needs of other States. Funds appropriated under this subsection shall remain available until expended.

(b) USE OF FUNDS.—Grants awarded to a State under subsection (a) shall be used for one or more of the following public health-related activities:

(1) Improving State prescription drug monitoring programs.

(2) Implementing prevention activities, and evaluating such activities to identify effective strategies to prevent substance abuse.

(3) Training for health care practitioners, such as best practices for prescribing opioids, pain management, recognizing potential cases of substance abuse, referral of patients to treatment programs, and overdose prevention.

(4) Supporting access to health care services provided by Federally certified opioid treatment programs or other appropriate health care providers to treat substance use disorders or mental health needs.

(5) Other public health-related activities, as the State determines appropriate, related to addressing the substance abuse public health crisis or responding to urgent mental health needs within the State.

**SEC. 203. COMMUNITY HEALTH CENTER PROGRAM.**

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114-10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting “, and an additional \$422,000,000 for fiscal year 2017” after “2017”.

**SEC. 204. FUNDING FOR COST-SHARING PAYMENTS.**

There is appropriated to the Secretary of Health and Human Services, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for payments for cost-sharing reductions authorized by the Patient Protection and Affordable Care Act (including adjustments to any prior obligations for such payments) for the period beginning on the date of enactment of this Act and ending on December 31, 2019. Notwithstanding any other provision of this Act, payments and other actions for adjustments to any obligations incurred for plan years 2018 and 2019 may be made through December 31, 2020.

**SEC. 205. REPEAL OF COST-SHARING SUBSIDY PROGRAM.**

(a) IN GENERAL.—Section 1402 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) is repealed.

(b) EFFECTIVE DATE.—The repeal made by subsection (a) shall apply to cost-sharing reductions (and payments to issuers for such

reductions) for plan years beginning after December 31, 2019.

**SA 272.** Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. HEALTH INSURANCE COVERAGE FOR MEMBERS OF CONGRESS AND CONGRESSIONAL STAFF.**

(a) TREATMENT OF CONGRESSIONAL STAFF.—

(1) IN GENERAL.—Section 1312(d)(3)(D) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(d)(3)(D)) is amended—

(A) in clause (i)—

(i) in the matter preceding subclause (I)—

(I) by striking “and congressional staff”; and

(II) by striking “or congressional staff”; and

(ii) in subclause (II), by inserting “to individuals” before “offered”; and

(B) by adding at the end the following:

“(iii) NO GOVERNMENT CONTRIBUTION.—For a Member of Congress enrolled in a health plan through an Exchange, there shall be no Government contribution under section 8906 of title 5, United States Code, or any other provision of law.”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect with respect to plan years beginning on or after January 1, 2018.

(b) REGULATIONS.—The Director of the Office of Personnel Management shall update the regulations entitled, “Federal Employees Health Benefits Program: Members of Congress and Congressional Staff” (78 Fed. Reg. 60653), published on October 2, 2013, in accordance with the amendments made by subsection (a). The updated regulations shall provide that the Office of Personnel Management shall not offer a Small Business Health Options Program for Members of Congress;

**SA 273.** Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

**SECTION 1. SUNSET OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND THE HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.**

(a) PATIENT PROTECTION AND AFFORDABLE CARE ACT.—Effective with respect to plan years beginning on or after January 1, 2020, the Patient Protection and Affordable Care Act (Public Law 111-148), including the amendments made by such Act, shall have no force or effect.

(b) HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.—Effective with respect to plan years beginning on or after January 1, 2020, the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), including the amendments made by such Act, shall have no force or effect.

**SA 274.** Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. MAXIMUM CONTRIBUTION LIMIT TO HEALTH SAVINGS ACCOUNT INCREASED TO AMOUNT OF DEDUCTIBLE AND OUT-OF-POCKET LIMITATION.**

(a) SELF-ONLY COVERAGE.—Section 223(b)(2)(A) of the Internal Revenue Code of 1986 is amended by striking “\$2,250” and inserting “the amount in effect under subsection (c)(2)(A)(ii)(I)”.

(b) FAMILY COVERAGE.—Section 223(b)(2)(B) of such Code is amended by striking “\$4,500” and inserting “the amount in effect under subsection (c)(2)(A)(ii)(II)”.

(c) COST-OF-LIVING ADJUSTMENT.—Section 223(g)(1) of such Code is amended—

(1) by striking “subsections (b)(2) and” both places it appears and inserting “subsection”; and

(2) in subparagraph (B), by striking “determined by” and all that follows through “calendar year 2003.” and inserting “determined by substituting ‘calendar year 2003’ for ‘calendar year 1992’ in subparagraph (B) thereof.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

**SA 275.** Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. ALLOWING ALL INDIVIDUALS PURCHASING HEALTH INSURANCE IN THE INDIVIDUAL MARKET THE OPTION TO PURCHASE A LOWER PREMIUM CATASTROPHIC PLAN.**

(a) IN GENERAL.—Section 1302(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18022(e)) is amended by adding at the end the following:

“(4) CONSUMER FREEDOM.—For plan years beginning on or after January 1, 2019, paragraph (1)(A) shall not apply with respect to any plan offered in the State.”.

(b) RISK POOLS.—Section 1312(c) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(c)) is amended—

(1) in paragraph (1), by inserting “and including, with respect to plan years beginning on or after January 1, 2019, enrollees in catastrophic plans described in section 1302(e)” after “Exchange”; and

(2) in paragraph (2), by inserting “and including, with respect to plan years beginning on or after January 1, 2019, enrollees in catastrophic plans described in section 1302(e)” after “Exchange”.

**SA 276.** Mr. KAINE (for himself, Mr. CARPER, Mr. COONS, Mrs. SHAHEEN, Mr. CARDIN, Ms. HASSAN, Ms. KLOBUCHAR, Ms. STABENOW, Mr. WARNER, Ms.

HEITKAMP, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Individual Health Insurance Marketplace Improvement Act”.

**SEC. 2. FINDINGS.**

Congress makes the following findings:

(1) Before the passage of the Patient Protection and Affordable Care Act (Public Law 114-148) in 2010, Americans with pre-existing conditions faced unfair barriers to accessing health insurance coverage and health care costs had risen rapidly for decades.

(2) Since 2010, the rate of uninsured Americans has declined to a historic low, with more than 20,000,000 Americans gaining access to health insurance coverage.

(3) Since 2010, America has experienced the slowest growth in the price of health care in over five decades.

(4) Thanks to the Patient Protection and Affordable Care Act (Public Law 114-148), Americans can no longer be denied insurance or charged more on the basis of their health status, more Americans than ever have insurance, and the health care they receive is continually improving.

(5) Starting in 2016, independent, non-partisan organizations, including the Congressional Budget Office, have determined that the individual health insurance markets have stabilized and improved.

(6) The cost-sharing reduction payments in the Patient Protection and Affordable Care Act provide stability in the individual health insurance market, lower insurance premiums by nearly 20 percent, and encourage competition among health insurers. The payments reduce costs for approximately 6,000,000 people with incomes below 250 percent of the poverty line by an average of about \$1,100 per person and should be increased to help more Americans.

(7) Risk mitigation programs, such as the reinsurance program for the Medicare Part D prescription drug benefit program, have provided additional stability to the health insurance markets, restrained premium growth, and lowered taxpayer costs by helping health insurers predict and bear risk associated with managing health care costs for a population.

(8) From 2014 to 2016, the temporary reinsurance program established under the Affordable Care Act helped to stabilize the new insurance marketplaces and reduced insurance premiums in the individual health insurance market by as much as 10 percent.

(9) Throughout his Presidential campaign, the President of the United States repeatedly promised the American people that his health care plan will result in reduced rates of uninsured, lower costs, and higher quality care, stating on January 14, 2017, that “We’re going to have insurance for everybody. There was a philosophy in some circles that if you can’t pay for it, you don’t get it. That’s not going to happen with us”; and on January 25, 2017, that “I can assure you, we are going to have a better plan, much better health care, much better service treatment, a plan where you can have access to the doctor that you want and the plan that you want. We’re gonna have a much better health care plan at much less money”.

(10) The goal of any health care legislation should be to build on the Affordable Care Act to continue expanding coverage and make health care more affordable for Americans. Improving affordability and expanding coverage will also broaden the individual market risk pool, contributing to lower premiums and strengthening market stability.

### SEC. 3. SENSE OF THE SENATE.

It is the sense of the Senate that, with the reinsurance program under section 4 bringing additional stability to the individual marketplace for the 2018 plan year, the Senate should work in a bipartisan manner to find solutions to improve the health care system.

### SEC. 4. INDIVIDUAL MARKET REINSURANCE FUND.

#### (a) ESTABLISHMENT OF FUND.—

(1) IN GENERAL.—There is established the “Individual Market Reinsurance Fund” to be administered by the Secretary to provide funding for an individual market stabilization reinsurance program in each State that complies with the requirements of this section.

(2) FUNDING.—There is appropriated to the Fund, out of any moneys in the Treasury not otherwise appropriated, such sums as are necessary to carry out this section (other than subsection (c)) for each calendar year beginning with 2018. Amounts appropriated to the Fund shall remain available without fiscal or calendar year limitation to carry out this section.

#### (b) INDIVIDUAL MARKET REINSURANCE PROGRAM.—

(1) USE OF FUNDS.—The Secretary shall use amounts in the Fund to establish a reinsurance program under which the Secretary shall make reinsurance payments to health insurance issuers with respect to high-cost individuals enrolled in qualified health plans offered by such issuers that are not grandfathered health plans or transitional health plans for any plan year beginning with the 2018 plan year. This subsection constitutes budget authority in advance of appropriations Acts and represents the obligation of the Secretary to provide payments from the Fund in accordance with this subsection.

(2) AMOUNT OF PAYMENT.—The payment made to a health insurance issuer under subsection (a) with respect to each high-cost individual enrolled in a qualified health plan issued by the issuer that is not a grandfathered health plan or a transitional health plan shall equal 80 percent of the lesser of—

(A) the amount (if any) by which the individual's claims incurred during the plan year exceeds—

(i) in the case of the 2018, 2019, or 2020 plan year, \$50,000; and

(ii) in the case of any other plan year, \$100,000; or

(B) for plan years described in—

(i) subparagraph (A)(i), \$450,000; and

(ii) subparagraph (A)(ii), \$400,000.

(3) INDEXING.—In the case of plan years beginning after 2018, the dollar amounts that appear in subparagraphs (A) and (B) of paragraph (2) shall each be increased by an amount equal to—

(A) such amount; multiplied by

(B) the premium adjustment percentage specified under section 1302(c)(4) of the Affordable Care Act, but determined by substituting “2018” for “2013”.

#### (4) PAYMENT METHODS.—

(A) IN GENERAL.—Payments under this subsection shall be based on such a method as the Secretary determines. The Secretary may establish a payment method by which interim payments of amounts under this sub-

section are made during a plan year based on the Secretary's best estimate of amounts that will be payable after obtaining all of the information.

#### (B) REQUIREMENT FOR PROVISION OF INFORMATION.—

(i) REQUIREMENT.—Payments under this subsection to a health insurance issuer are conditioned upon the furnishing to the Secretary, in a form and manner specified by the Secretary, of such information as may be required to carry out this subsection.

(ii) RESTRICTION ON USE OF INFORMATION.—Information disclosed or obtained pursuant to clause (i) is subject to the HIPAA privacy and security law, as defined in section 3009(a) of the Public Health Service Act (42 U.S.C. 300jj-19(a)).

(5) SECRETARY FLEXIBILITY FOR BUDGET NEUTRAL REVISIONS TO REINSURANCE PAYMENT SPECIFICATIONS.—If the Secretary determines appropriate, the Secretary may substitute higher dollar amounts for the dollar amounts specified under subparagraphs (A) and (B) of paragraph (2) (and adjusted under paragraph (3), if applicable) if the Secretary certifies that such substitutions, considered together, neither increase nor decrease the total projected payments under this subsection.

#### (c) OUTREACH AND ENROLLMENT.—

(1) IN GENERAL.—During the period that begins on January 1, 2018, and ends on December 31, 2020, the Secretary shall award grants to eligible entities for the following purposes:

(A) OUTREACH AND ENROLLMENT.—To carry out outreach, public education activities, and enrollment activities to raise awareness of the availability of, and encourage enrollment in, qualified health plans.

(B) ASSISTING INDIVIDUALS TRANSITION TO QUALIFIED HEALTH PLANS.—To provide assistance to individuals who are enrolled in health insurance coverage that is not a qualified health plan enroll in a qualified health plan.

(C) ASSISTING ENROLLMENT IN PUBLIC HEALTH PROGRAMS.—To facilitate the enrollment of eligible individuals in the Medicare program or in a State Medicaid program, as appropriate.

(D) RAISING AWARENESS OF PREMIUM ASSISTANCE AND COST-SHARING REDUCTIONS.—To distribute fair and impartial information concerning enrollment in qualified health plans and the availability of premium assistance tax credits under section 36B of the Internal Revenue Code of 1986 and cost-sharing reductions under section 1402 of the Patient Protection and Affordable Care Act, and to assist eligible individuals in applying for such tax credits and cost-sharing reductions.

#### (2) ELIGIBLE ENTITIES DEFINED.—

(A) IN GENERAL.—In this subsection, the term “eligible entity” means—

(i) a State; or

(ii) a nonprofit community-based organization.

(B) ENROLLMENT AGENTS.—Such term includes a licensed independent insurance agent or broker that has an arrangement with a State or nonprofit community-based organization to enroll eligible individuals in qualified health plans.

(C) EXCLUSIONS.—Such term does not include an entity that—

(i) is a health insurance issuer; or

(ii) receives any consideration, either directly or indirectly, from any health insurance issuer in connection with the enrollment of any qualified individuals or employees of a qualified employer in a qualified health plan.

(3) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to awarding grants to States or eligible entities in States that have geographic rating areas at risk of having no qualified health plans in the individual market.

(4) FUNDING.—Out of any moneys in the Treasury not otherwise appropriated, \$500,000,000 is appropriated to the Secretary for each of calendar years 2018 through 2020, to carry out this subsection.

#### (d) REPORTS TO CONGRESS.—

(1) ANNUAL REPORT.—The Secretary shall submit a report to Congress, not later than January 21, 2019, and each year thereafter, that contains the following information for the most recently ended year:

(A) The number and types of plans in each State's individual market, specifying the number that are qualified health plans, grandfathered health plans, or health insurance coverage that is not a qualified health plan.

(B) The impact of the reinsurance payments provided under this section on the availability of coverage, cost of coverage, and coverage options in each State.

(C) The amount of premiums paid by individuals in each State by age, family size, geographic area in the State's individual market, and category of health plan (as described in subparagraph (A)).

(D) The process used to award funds for outreach and enrollment activities awarded to eligible entities under subsection (c), the amount of such funds awarded, and the activities carried out with such funds.

(E) Such other information as the Secretary deems relevant.

(2) EVALUATION REPORT.—Not later than January 31, 2022, the Secretary shall submit to Congress a report that—

(A) analyzes the impact of the funds provided under this section on premiums and enrollment in the individual market in all States; and

(B) contains a State-by-State comparison of the design of the programs carried out by States with funds provided under this section.

#### (e) DEFINITIONS.—In this section:

(1) SECRETARY.—The term “Secretary” means the Secretary of the Department of Health and Human Services.

(2) FUND.—The term “Fund” means the Individual Market Reinsurance Fund established under subsection (a).

(3) GRANDFATHERED HEALTH PLAN.—The term “grandfathered health plan” has the meaning given that term in section 1251(e) of the Patient Protection and Affordable Care Act.

(4) HIGH-COST INDIVIDUAL.—The term “high-cost individual” means an individual enrolled in a qualified health plan (other than a grandfathered health plan or a transitional health plan) who incurs claims in excess of \$50,000 during a plan year.

(5) STATE.—The term “State” means each of the 50 States and the District of Columbia.

(6) TRANSITIONAL HEALTH PLAN.—The term “transitional health plan” means a plan continued under the letter issued by the Centers for Medicare & Medicaid Services on November 14, 2013, to the State Insurance Commissioners outlining a transitional policy for coverage in the individual and small group markets to which section 1251 of the Patient Protection and Affordable Care Act does not apply, and under the extension of the transitional policy for such coverage set forth in the Insurance Standards Bulletin Series guidance issued by the Centers for Medicare & Medicaid Services on March 5, 2014, February 29, 2016, and February 13, 2017.

**SA 277.** Mr. Kaine submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XXVIII, add the following:

**SEC. 2850. ESTABLISHMENT OF A VISITOR SERVICES FACILITY ON THE ARLINGTON RIDGE TRACT.**

(a) ARLINGTON RIDGE TRACT DEFINED.—In this section, the term “Arlington Ridge tract” means the parcel of Federal land located in Arlington County, Virginia, known as the “Nevius Tract” and transferred to the Department of the Interior in 1953, that is bounded generally by—

(1) Arlington Boulevard (United States Route 50) to the north;

(2) Jefferson Davis Highway (Virginia Route 110) to the east;

(3) Marshall Drive to the south; and

(4) North Meade Street to the west.

(b) ESTABLISHMENT OF VISITOR SERVICES FACILITY.—Notwithstanding section 2863(g) of the Military Construction Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1332), the Secretary of the Interior may construct a structure for visitor services, including a public restroom facility, on the Arlington Ridge tract in the area of the United States Marine Corps War Memorial.

**SA 278.** Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle J of title VIII, add the following:

**SEC. 899D. INCLUSION OF SBIR AND STTR PROGRAMS IN TECHNICAL ASSISTANCE.**

Section 2418(c) of title 10, United States Code, is amended—

(1) by striking “issued under” and inserting the following: “issued—

“(1) under”;

(2) by striking “and on” and inserting “, and on”;

(3) by striking “requirements.” and inserting “requirements; and”; and

(4) by adding at the end the following new paragraph:

“(2) under section 9 of the Small Business Act (15 U.S.C. 638), and on compliance with those requirements.”.

**SA 279.** Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . PROTECTION OF SECOND AMENDMENT RIGHTS.**

(a) ENSURING THE QUALITY OF CARE.—Section 2717(c) of the Public Health Service Act (42 U.S.C. 300gg-17(c)) is amended by inserting “, or the Better Care Reconciliation Act of 2017 or an amendment made by that Act,” after “the Patient Protection and Affordable Care Act or an amendment made by that Act” each place that term appears.

(b) FEDERAL HEALTH DATABASES; NICS.—No funds made available to the Department of Health and Human Services or any other agency under this Act may be used to examine a Federal health database for the name of an individual to be submitted to the National Instant Criminal Background Check System (commonly known as “NICS”) established under section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note).

**SA 280.** Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Obamacare Repeal Reconciliation Act of 2017”.

**TITLE I**

**SEC. 101. RECAPTURE EXCESS ADVANCE PAYMENTS OF PREMIUM TAX CREDITS.**

Subparagraph (B) of section 36B(f)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

“(iii) NONAPPLICABILITY OF LIMITATION.—This subparagraph shall not apply to taxable years ending after December 31, 2017, and before January 1, 2020.”.

**SEC. 102. PREMIUM TAX CREDIT.**

(a) PREMIUM TAX CREDIT.—

(1) MODIFICATION OF DEFINITION OF QUALIFIED HEALTH PLAN.—

(A) IN GENERAL.—Section 36B(c)(3)(A) of the Internal Revenue Code of 1986 is amended by inserting before the period at the end the following: “or a plan that includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest)”.

(B) EFFECTIVE DATE.—The amendment made by this paragraph shall apply to taxable years beginning after December 31, 2017.

(2) REPEAL.—

(A) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by striking section 36B.

(B) EFFECTIVE DATE.—The amendment made by this paragraph shall apply to taxable years beginning after December 31, 2019.

(b) REPEAL OF ELIGIBILITY DETERMINATIONS.—

(1) IN GENERAL.—The following sections of the Patient Protection and Affordable Care Act are repealed:

(A) Section 1411 (other than subsection (i), the last sentence of subsection (e)(4)(A)(ii), and such provisions of such section solely to the extent related to the application of the last sentence of subsection (e)(4)(A)(ii)).

(B) Section 1412.

(2) EFFECTIVE DATE.—The repeals in paragraph (1) shall take effect on January 1, 2020.

(c) PROTECTING AMERICANS BY REPEAL OF DISCLOSURE AUTHORITY TO CARRY OUT ELIGIBILITY REQUIREMENTS FOR CERTAIN PROGRAMS.—

(1) IN GENERAL.—Paragraph (21) of section 6103(l) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(D) TERMINATION.—No disclosure may be made under this paragraph after December 31, 2019.”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on January 1, 2020.

**SEC. 103. SMALL BUSINESS TAX CREDIT.**

(a) SUNSET.—

(1) IN GENERAL.—Section 45R of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(j) SHALL NOT APPLY.—This section shall not apply with respect to amounts paid or incurred in taxable years beginning after December 31, 2019.”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after December 31, 2019.

(b) DISALLOWANCE OF SMALL EMPLOYER HEALTH INSURANCE EXPENSE CREDIT FOR PLAN WHICH INCLUDES COVERAGE FOR ABORTION.—

(1) IN GENERAL.—Subsection (h) of section 45R of the Internal Revenue Code of 1986 is amended—

(A) by striking “Any term” and inserting the following:

“(1) IN GENERAL.—Any term”, and

(B) by adding at the end the following new paragraph:

“(2) EXCLUSION OF HEALTH PLANS INCLUDING COVERAGE FOR ABORTION.—The term ‘qualified health plan’ does not include any health plan that includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest).”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after December 31, 2017.

**SEC. 104. INDIVIDUAL MANDATE.**

(a) IN GENERAL.—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B)(iii), by striking “2.5 percent” and inserting “Zero percent”, and

(2) in paragraph (3)—

(A) by striking “\$695” in subparagraph (A) and inserting “\$0”, and

(B) by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

**SEC. 105. EMPLOYER MANDATE.**

(a) IN GENERAL.—

(1) Paragraph (1) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2015)” after “\$2,000”.

(2) Paragraph (1) of section 4980H(b) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2015)” after “\$3,000”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

**SEC. 106. FEDERAL PAYMENTS TO STATES.**

(a) IN GENERAL.—Notwithstanding section 504(a), 1902(a)(23), 1903(a), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396a(a)(23), 1396b(a), 1397a, 1397d(a)(4), 1397bb(a)(7), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the 1-year period beginning on the date of enactment of this Act, no Federal funds provided from a program referred to in this subsection that is considered direct spending for



any year may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) DEFINITIONS.—In this section:

(1) PROHIBITED ENTITY.—The term “prohibited entity” means an entity, including its affiliates, subsidiaries, successors, and clinics—

(A) that, as of the date of enactment of this Act—

(i) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(ii) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(iii) provides for abortions, other than an abortion—

(I) if the pregnancy is the result of an act of rape or incest; or

(II) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(B) for which the total amount of Federal and State expenditures under the Medicaid program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as part of a nationwide health care provider network, exceeded \$1,000,000.

(2) DIRECT SPENDING.—The term “direct spending” has the meaning given that term under section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

#### SEC. 107. MEDICAID.

The Social Security Act (42 U.S.C. 301 et seq.) is amended—

(1) in section 1902—

(A) in subsection (a)(10)(A), in each of clauses (i)(VIII) and (ii)(XX), by inserting “and ending December 31, 2019,” after “January 1, 2014.”; and

(B) in subsection (a)(47)(B), by inserting “and provided that any such election shall cease to be effective on January 1, 2020, and no such election shall be made after that date” before the semicolon at the end;

(2) in section 1905—

(A) in the first sentence of subsection (b), by inserting “(50 percent on or after January 1, 2020)” after “55 percent”;

(B) in subsection (y)(1), by striking the semicolon at the end of subparagraph (D) and all that follows through “thereafter”; and

(C) in subsection (z)(2)—

(i) in subparagraph (A), by inserting “through 2019” after “each year thereafter”; and

(ii) in subparagraph (B)(ii)(VI), by striking “and each subsequent year”;

(3) in section 1915(k)(2), by striking “during the period described in paragraph (1)” and inserting “on or after the date referred to in paragraph (1) and before January 1, 2020”;

(4) in section 1920(e), by adding at the end the following: “This subsection shall not apply after December 31, 2019.”;

(5) in section 1937(b)(5), by adding at the end the following: “This paragraph shall not apply after December 31, 2019.”; and

(6) in section 1943(a), by inserting “and before January 1, 2020,” after “January 1, 2014.”.

#### SEC. 108. REPEAL OF DSH ALLOTMENT REDUCTIONS.

Section 1923(f) of the Social Security Act (42 U.S.C. 1396r-4(f)) is amended by striking paragraphs (7) and (8).

#### SEC. 109. REPEAL OF THE TAX ON EMPLOYEE HEALTH INSURANCE PREMIUMS AND HEALTH PLAN BENEFITS.

(a) IN GENERAL.—Chapter 43 of the Internal Revenue Code of 1986 is amended by striking section 4980I.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2019.

(c) SUBSEQUENT EFFECTIVE DATE.—The amendment made by subsection (a) shall not apply to taxable years beginning after December 31, 2025, and chapter 43 of the Internal Revenue Code of 1986 is amended to read as such chapter would read if such subsection had never been enacted.

#### SEC. 110. REPEAL OF TAX ON OVER-THE-COUNTER MEDICATIONS.

(a) HSAS.—Subparagraph (A) of section 223(d)(2) of the Internal Revenue Code of 1986 is amended by striking “Such term” and all that follows through the period.

(b) ARCHER MSAS.—Subparagraph (A) of section 220(d)(2) of the Internal Revenue Code of 1986 is amended by striking “Such term” and all that follows through the period.

(c) HEALTH FLEXIBLE SPENDING ARRANGEMENTS AND HEALTH REIMBURSEMENT ARRANGEMENTS.—Section 106 of the Internal Revenue Code of 1986 is amended by striking subsection (f).

(d) EFFECTIVE DATES.—

(1) DISTRIBUTIONS FROM SAVINGS ACCOUNTS.—The amendments made by subsections (a) and (b) shall apply to amounts paid with respect to taxable years beginning after December 31, 2016.

(2) REIMBURSEMENTS.—The amendment made by subsection (c) shall apply to expenses incurred with respect to taxable years beginning after December 31, 2016.

#### SEC. 111. REPEAL OF TAX ON HEALTH SAVINGS ACCOUNTS.

(a) HSAS.—Section 223(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking “20 percent” and inserting “10 percent”.

(b) ARCHER MSAS.—Section 220(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking “20 percent” and inserting “15 percent”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions made after December 31, 2016.

#### SEC. 112. REPEAL OF LIMITATIONS ON CONTRIBUTIONS TO FLEXIBLE SPENDING ACCOUNTS.

(a) IN GENERAL.—Section 125 of the Internal Revenue Code of 1986 is amended by striking subsection (i).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to plan years beginning after December 31, 2017.

#### SEC. 113. REPEAL OF TAX ON PRESCRIPTION MEDICATIONS.

Subsection (j) of section 9008 of the Patient Protection and Affordable Care Act is amended to read as follows:

“(j) REPEAL.—This section shall apply to calendar years beginning after December 31, 2010, and ending before January 1, 2018.”.

#### SEC. 114. REPEAL OF MEDICAL DEVICE EXCISE TAX.

Section 4191 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(d) APPLICABILITY.—The tax imposed under subsection (a) shall not apply to sales after December 31, 2017.”.

#### SEC. 115. REPEAL OF HEALTH INSURANCE TAX.

Subsection (j) of section 9010 of the Patient Protection and Affordable Care Act is amended by striking “, and,” at the end of paragraph (1) and all that follows through “2017”.

#### SEC. 116. REPEAL OF ELIMINATION OF DEDUCTION FOR EXPENSES ALLOCABLE TO MEDICARE PART D SUBSIDY.

(a) IN GENERAL.—Section 139A of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: “This section shall not be taken into account for purposes of determining whether any deduction is allowable with respect to any cost taken into account in determining such payment.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

#### SEC. 117. REPEAL OF CHRONIC CARE TAX.

(a) IN GENERAL.—Subsection (a) of section 213 of the Internal Revenue Code of 1986 is amended by striking “10 percent” and inserting “7.5 percent”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

#### SEC. 118. REPEAL OF MEDICARE TAX INCREASE.

(a) IN GENERAL.—Subsection (b) of section 3101 of the Internal Revenue Code of 1986 is amended to read as follows:

“(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there is hereby imposed on the income of every individual a tax equal to 1.45 percent of the wages (as defined in section 3121(a)) received by such individual with respect to employment (as defined in section 3121(b)).”.

(b) SECA.—Subsection (b) of section 1401 of the Internal Revenue Code of 1986 is amended to read as follows:

“(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there shall be imposed for each taxable year, on the self-employment income of every individual, a tax equal to 2.9 percent of the amount of the self-employment income for such taxable year.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to remuneration received after, and taxable years beginning after, December 31, 2017.

#### SEC. 119. REPEAL OF TANNING TAX.

(a) IN GENERAL.—The Internal Revenue Code of 1986 is amended by striking chapter 49.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to services performed after September 30, 2017.

#### SEC. 120. REPEAL OF NET INVESTMENT TAX.

(a) IN GENERAL.—Subtitle A of the Internal Revenue Code of 1986 is amended by striking chapter 2A.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

#### SEC. 121. REMUNERATION.

Paragraph (6) of section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(I) TERMINATION.—This paragraph shall not apply to taxable years beginning after December 31, 2016.”.

### TITLE II

#### SEC. 201. THE PREVENTION AND PUBLIC HEALTH FUND.

Subsection (b) of section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u-11) is amended—



(1) in paragraph (3), by striking “each of fiscal years 2018 and 2019” and inserting “fiscal year 2018”; and

(2) by striking paragraphs (4) through (8).

**SEC. 202. SUPPORT FOR STATE RESPONSE TO SUBSTANCE ABUSE PUBLIC HEALTH CRISIS AND URGENT MENTAL HEALTH NEEDS.**

(a) IN GENERAL.—There are authorized to be appropriated, and are appropriated, out of monies in the Treasury not otherwise obligated, \$750,000,000 for each of fiscal years 2018 and 2019, to the Secretary of Health and Human Services (referred to in this section as the “Secretary”) to award grants to States to address the substance abuse public health crisis or to respond to urgent mental health needs within the State. In awarding grants under this section, the Secretary may give preference to States with an incidence or prevalence of substance use disorders that is substantial relative to other States or to States that identify mental health needs within their communities that are urgent relative to such needs of other States. Funds appropriated under this subsection shall remain available until expended.

(b) USE OF FUNDS.—Grants awarded to a State under subsection (a) shall be used for one or more of the following public health-related activities:

(1) Improving State prescription drug monitoring programs.

(2) Implementing prevention activities, and evaluating such activities to identify effective strategies to prevent substance abuse.

(3) Training for health care practitioners, such as best practices for prescribing opioids, pain management, recognizing potential cases of substance abuse, referral of patients to treatment programs, and overdose prevention.

(4) Supporting access to health care services provided by Federally certified opioid treatment programs or other appropriate health care providers to treat substance use disorders or mental health needs.

(5) Other public health-related activities, as the State determines appropriate, related to addressing the substance abuse public health crisis or responding to urgent mental health needs within the State.

**SEC. 203. COMMUNITY HEALTH CENTER PROGRAM.**

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114-10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting “, and an additional \$422,000,000 for fiscal year 2017” after “2017”.

**SEC. 204. FUNDING FOR COST-SHARING PAYMENTS.**

There is appropriated to the Secretary of Health and Human Services, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for payments for cost-sharing reductions authorized by the Patient Protection and Affordable Care Act (including adjustments to any prior obligations for such payments) for the period beginning on the date of enactment of this Act and ending on December 31, 2019. Notwithstanding any other provision of this Act, payments and other actions for adjustments to any obligations incurred for plan years 2018 and 2019 may be made through December 31, 2020.

**SEC. 205. REPEAL OF COST-SHARING SUBSIDY PROGRAM.**

(a) IN GENERAL.—Section 1402 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) is repealed.

(b) EFFECTIVE DATE.—The repeal made by subsection (a) shall apply to cost-sharing reductions (and payments to issuers for such reductions) for plan years beginning after December 31, 2019.

**AUTHORITY FOR COMMITTEES TO MEET**

Mr. ENZI. Mr. President, I have 7 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

**COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY**

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Tuesday, July 25, 2017 at 8:30 a.m., in 106 Dirksen Senate Office Building, in order to conduct a hearing entitled “Commodities, Credit, and Crop Insurance: Perspectives on Risk Management Tools and Trends for the 2018 Farm Bill.”

**COMMITTEE ON THE JUDICIARY**

The Committee on the Judiciary is authorized to meet during the session of the Senate on July 25, 2017, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Nominations.”

**COMMITTEE ON INTELLIGENCE**

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Tuesday, July 25, 2017 from 2:30 pm, in room SH-219 of the Senate Hart Office Building to hold a Closed Business Meeting followed by a Closed Member Briefing.

**SUBCOMMITTEE ON SEAPOWERS**

The Subcommittee on Seapower of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, July 25, 2017, at 2:30 p.m., in open session, to receive testimony on options and considerations for achieving a 355-ship Navy from naval analysts.

**SUBCOMMITTEE ON OCEAN, ATMOSPHERE, FISHERIES, AND COAST GUARD**

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Tuesday, July 25, 2017, at 10 AM in room 253 of the Russell Senate Office Building. The Committee will hold Subcommittee Hearing on “Efforts on Marine Debris in the Oceans and Great Lakes.”

**SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY**

The Subcommittee on Clean air and Nuclear Safety of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, July 25, 2017, at

10 AM, in Room 406 of the Dirksen Senate office building, to conduct a hearing entitled, “Developing and Deploying Advanced Clean Energy Technologies.”

**SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, AND INTERNATIONAL CYBER SECURITY POLICY**

The Committee on Foreign Relations Subcommittee on East Asia, the Pacific, and International Cyber Security Policy is authorized to meet during the session of the Senate on Tuesday, July 25, 2017 at 2:30 p.m., to hold a hearing entitled “Assessing the Maximum Pressure and Engagement Policy toward North Korea.”

**PRIVILEGES OF THE FLOOR**

Mr. ENZI. Mr. President, I ask unanimous consent that Paul Vinovich and Greg D’Angelo, from my staff, be given all-access floor passes to the Senate floor and that Robert Creager, Tiffany Mortimore, Sean Ross, and Sam Safari, interns for the Budget Committee, be granted floor privileges during the consideration of H.R. 1628.

The PRESIDING OFFICER. Without objection, it is so ordered.

**ORDERS FOR WEDNESDAY, JULY 26, 2017**

Mr. ENZI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, July 26; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration of H.R. 1628, with the time until 11:30 a.m. equally divided between the two leaders or their designees; finally, that the previous order with respect to the vote time in relation to amendment No. 271 be modified to occur at 11:30 a.m. tomorrow, and the vote on the pending motion to commit occur at 3:30 p.m. tomorrow, with all other provisions remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

**ADJOURNMENT UNTIL 9:30 A.M. TOMORROW**

Mr. ENZI. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 9:58 p.m., adjourned until Wednesday, July 26, 2017, at 9:30 a.m.

**NOMINATIONS**

Executive nominations received by the Senate:

## DEPARTMENT OF AGRICULTURE

SAMUEL H. CLOVIS, JR., OF IOWA, TO BE UNDER SECRETARY OF AGRICULTURE FOR RESEARCH, EDUCATION, AND ECONOMICS, VICE CATHERINE E. WOTEKI.

## DEPARTMENT OF DEFENSE

MARK T. ESPER, OF VIRGINIA, TO BE SECRETARY OF THE ARMY, VICE ERIC K. FANNING.

ANTHONY KURTA, OF MONTANA, TO BE A PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE, VICE LAURA JUNOR, RESIGNED.

ROBERT L. WILKIE, OF NORTH CAROLINA, TO BE UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS, VICE JESSICA GARFOLA WRIGHT, RESIGNED.

## DEPARTMENT OF THE INTERIOR

JOSEPH BALASH, OF ALASKA, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR, VICE JANICE MARION SCHNEIDER.

## DEPARTMENT OF STATE

KATHLEEN M. FITZPATRICK, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC REPUBLIC OF TIMOR-LESTE.

A. WESS MITCHELL, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (EUROPEAN AND EURASIAN AFFAIRS), VICE VICTORIA NULAND.

## DEPARTMENT OF HOMELAND SECURITY

DANIEL ALAN CRAIG, OF MARYLAND, TO BE DEPUTY ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND SECURITY, VICE JOSEPH L. NIMMICH.

## IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. ROBERT P. ASHLEY, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be major general*

BRIG. GEN. DARRELL J. GUTHRIE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. BRIAN E. MILLER

## IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

CLAIR E. SMITH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

MORGAN E. MCCLELLAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

ANDREW B. BRIDGFORTH  
RONALD J. MITCHELL

## EXTENSIONS OF REMARKS

CONGRATS DAVID MORGAN

**HON. FRANCIS ROONEY**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today to recognize David Morgan of Naples, Florida. David is a rising senior at Seacrest Country Day School and has committed to play golf at the University of Virginia.

This past week, David advanced to the match play round at the 70th U.S. Junior Amateur Championship at Flint Hills National Golf Club in Andover, Kansas. For 70 years, the USGA has organized the U.S. Junior Amateur Championship for players under the age of 19. It is designed to determine the best junior golfer in the United States. He was one of just 64 golfers in the entire country to advance to this stage, achieving a dream held by every young golfer. This was truly an extraordinary accomplishment.

I congratulate David and wish him the best of luck during his senior-year season as well as in his future at Virginia as a student-athlete.

CONGRATULATING THE CHURCH  
OF OUR LORD JESUS CHRIST ON  
98 SUCCESSFUL YEARS OF WORSHIP

**HON. TERRI A. SEWELL**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to celebrate the 98th anniversary of the founding of The Church of Our Lord Jesus Christ, and welcome them to Birmingham, Alabama for their 98th International Holy Convocation. Since its founding in 1919, the church has strengthened communities across America, and diligently worked towards uniting all of God's Children.

Beginning in 1914, the late Bishop Lawson was drawn to the ministry, and began to tenaciously spread the word of God. A few short years later in 1919, Bishop Lawson moved to New York City and founded the Refuge Church of Christ, which ultimately transformed into the Church of Our Lord Jesus Christ. The congregation grew rapidly and is still welcoming new members from across the world into its family with open hearts.

Faith based communities were central in advancing civil rights and voting rights in our country 50 years ago, and continue the fight for social justice. I have the honor of representing Alabama's 7th Congressional District, which is also known as the Civil Rights District—including historic cities such as Birmingham, Montgomery, and my hometown of Selma. While in Congress, I continue to derive

inspiration from the faith leaders and foot soldiers of the Civil Rights and Voting Rights Movements, many of whom are my constituents.

Again, I want to extend my congratulations to The Church of Our Lord Jesus Christ for 98 years of faith based service, and I hope that during their visit to Birmingham, they are inspired by the great civil rights history of the Magic City.

HONORING THE WENTZVILLE  
CIVIL AIR PATROL ON THEIR NUMEROUS  
ACCOMPLISHMENTS  
DURING THE PAST YEAR

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor the Wentzville Civil Air Patrol on their numerous accomplishments during the past year.

In 2016, the Wentzville Civil Air Patrol served as an outstanding organization from Missouri's Third Congressional District. In October, the group attended the 2016 Wing Conference where it received numerous awards including the Quality Unit Award, the Squadron Commander of the Year award, the Cadet Program of the Year award, and the Squadron of the Year award. In addition to these awards, it was named Squadron of Distinction for the North Central Region. This distinguished title requires competing against 25 other squadrons in Missouri then against the winners of seven other states at the national level. Recently, the Wentzville Civil Air Patrol competed at the National Cadet Competition against 15 teams from across the United States. The group performed admirably and achieved 2nd Place in Robotics, the 2nd Place Team Leadership Award, and the Overall Team Spirit Award.

The Wentzville Civil Air Patrol comes from an outstanding tradition of service and protection. The Civil Air Patrol was founded on December 1, 1941 and the Cadet Program started October 1, 1942. On February 1, 1982, the Wentzville Composite Squadron was chartered under Commander Frank Lancaster. The membership roster includes 48 active members, 30 cadets, and 18 senior members who meet every Monday.

The members of Wentzville Civil Patrol are dedicated to the local community. Historically, the organization has assisted the St. Charles County Fair Board with parking cars during the fair, volunteered during Living Lord Lutheran Church's "Back to School" event, presented the colors for the Veterans Day event at Heritage Elementary School in Wentzville, and worked alongside Wreaths Across America during their ceremonies at the Wentzville and Wright City Cemeteries.

Mr. Speaker, I ask you to join me in congratulating Wentzville Civil Air Patrol on their accomplishments. The commitment of this organization to each other and their community deserves our utmost appreciation and gratitude.

HONORING THE LIFE OF MR.  
VICTOR G. MCNETT

**HON. JOHN KATKO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. KATKO. Mr. Speaker, I rise today to honor the life of Syracuse native Mr. Victor G. McNett.

Mr. McNett served with his brother in the U.S. Army's 27th Infantry Division during World War II in Pearl Harbor, Saipan, and Okinawa. Mr. McNett then returned home and joined the Syracuse Police Department, where he served in the department's crime laboratory as a photographer, search technician, and fingerprint analyst. Mr. McNett later became the Director of the Crime Laboratory before retiring as a Lieutenant in the Syracuse Police Department in 1973. Mr. McNett served Central New York diligently as a member of the Syracuse Police Department, and was honored with numerous awards throughout his 27 years of service.

Mr. McNett was predeceased in death by his wife of 43 years, Virginia McNett, and daughter, Susan McNett. He is survived by three children: Linda, Eric, and Douglas McNett; six grandchildren; two great-grandsons; his brother, Duane; and sister, Phyllis.

Mr. McNett's love for country and family never faltered over the course of his life. He decided to share that love with the world in his memoir, "Victor G. McNett, A Life of Service to Country, City, and Family." May Mr. Victor G. McNett's name and legacy forever be remembered, and may he rest peacefully.

IN RECOGNITION OF ALEXANDER  
POZIN, WORLD WAR II VETERAN

**HON. JOHN H. RUTHERFORD**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. RUTHERFORD. Mr. Speaker, I rise today to ask the United States House of Representatives to join me in recognizing Mr. Alexander Pozin, a World War II veteran, who recently celebrated his 100th birthday.

Alexander Pozin was born on May 1st, 1917, in Odessa, Ukraine. That same year in Russia, the Communist Revolution took place, leaving the Pozin family in a state of poverty.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

After working many different jobs to provide for his family, Pozin graduated from law school in 1939, and went on to become a successful lawyer. However, in June of 1944, Pozin was called to serve in the Russian Army as a fighter and bomber pilot in the 210th Division of the Soviet Air Force. By the end of the war, Pozin had reached the rank of Lieutenant Colonel, and had earned 18 medals from the Soviet government.

Following his career in the military, Mr. Pozin moved to the United States. He became a professor at Stenson University, where he specialized in Slavic languages.

Today, Mr. Pozin is a resident of St. Augustine, Florida. Here, his philanthropic endeavors have had a valuable and visible impact on the St. Augustine community. He has volunteered with Learn to Read St. Johns County, and the Council on Aging's Senior Center in St. Augustine. It is within these organizations that Mr. Pozin has connected with other individuals who weathered the storm of World War II, and shared his heroic and inspiring story.

Mr. Speaker, I applaud Mr. Alexander Pozin for his service in World War II, and for his commitment to philanthropy and his community.

#### PERSONAL EXPLANATION

### HON. THOMAS J. ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. THOMAS J. ROONEY of Florida. Mr. Speaker, I was not present for these Roll Call votes.

Had I been present, I would have voted YEA on Roll Call No. 407, YEA on Roll Call No. 408, and YEA on Roll Call No. 409.

CELEBRATING THE LIFE OF MICHAEL BECKER, FOUNDER OF HELLO GORGEOUS!

### HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mrs. WALORSKI. Mr. Speaker, I rise today to honor the life of Michael Becker and to celebrate the positive impact he had on our community.

In 2006, Michael and his wife Kim founded the non-profit Hello Gorgeous!, which brings joy to women fighting cancer by giving them a red-carpet experience complete with a makeover and spa.

Reaching 15 states with mobile day-spas and affiliate salons, Hello Gorgeous! has provided unforgettable experiences to thousands of women all over the country.

The organization Michael and Kim built together and the mission they devoted themselves to brings happiness and hope where it is needed most.

Their passion, drive, and faith inspire us all, and their selfless generosity is an example we should strive to follow.

Mr. Speaker, it is an honor and a privilege to represent such kind and giving people. Mi-

chael lived a life full of love, laughter, and spirit.

My thoughts are with Kim and everyone at Hello Gorgeous!, in whose work I have no doubt Michael's memory will live on.

#### PERSONAL EXPLANATION

### HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House Chamber for Roll Call votes 407, 408, and 409 on Monday, July 24, 2017. Had I been present, I would have voted Nay on Roll Call votes 407 and 408. I would have also voted Yea on Roll Call vote 409.

IN RECOGNITION OF THE 50TH ANNIVERSARY OF THE SCHUYLKILL AREA COMMUNITY FOUNDATION

### HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor the Schuylkill Area Community Foundation, which celebrated its 50th anniversary on July 19. For 50 years, the Schuylkill Area Community Foundation has worked with individuals, businesses, and professional advisors to help nonprofit organizations and residents in Schuylkill County.

On January 16, 1967, the Schuylkill Community Foundation was established as Ashland Trust by founding members Frederick T. Kull, Wesley T. Fetterolf, Harry Strouse, and Emil R. Ermert. In 1997, Ashland Trusts was renamed the Schuylkill Area Community Foundation as it expanded its operations to include all of Schuylkill County. Its mission is to serve the interests of its philanthropic donors and to be stewards of the financial gifts that support the community in a wide variety of ways.

The Schuylkill Area Community Foundation envisions a county that embraces philanthropy to sustain generations today and tomorrow. Today, the Schuylkill Community Foundation develops, manages, and distributes aid to meet the present and coming needs of the county's residents. It currently manages 162 charitable endowment funds that vary in interests and causes. Supporters of all kinds find that working with the Foundation is an ideal way for them to give back to their community.

It is an honor to recognize the Schuylkill Community Foundation as it celebrates its 50th year of service to the people of Schuylkill County. May the Foundation continue to assist in the cultivation of a better life in the county for many years to come.

#### PERSONAL EXPLANATION

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. GRAVES of Missouri. Mr. Speaker, on July 24, 2017, I missed a series of Roll Call votes. Had I been present, I would have voted YEA on No. 407, 408, and 409.

#### LT. SCOTT WILSON

### HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise in recognition of Lt. Scott Wilson of the Greater Naples Fire and Rescue District. On Sunday, July 23, Lt. Wilson took part in the 10th Annual Brotherhood Ride to honor the 20 first-responders who fell in the line of duty in 2016. This weeklong ride started in North Naples and will finish in South Miami.

The purpose of this 600-mile ride is to bring awareness and support for the first-responders' fallen colleagues. Over the last decade, the group has raised over \$379,000 for the families of our fallen heroes. Lt. Wilson has participated in every ride this group has completed.

We are fortunate to have leaders like Lt. Wilson serve our community. I thank him and all our first-responders for making Collier and Lee counties the perfect place to live.

#### RECOGNIZING JONATHAN FELD

### HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. BUCK. Mr. Speaker, I rise today to recognize Jonathan Feld for his hard work and dedication to the people of Colorado's Fourth District as an intern in my Washington, D.C. office for the Summer of 2017.

The work of this young man has been exemplary, and I know he has a bright future. He served as a tour guide, interacted with constituents, and learned a great deal about our nation's legislative process. I was glad to be able to offer this educational opportunity, and look forward to seeing him build his career in public service.

Jonathan plans to continue pursuing his degree at the end of this internship. I wish him the best as he pursues his career path. Mr. Speaker, it is an honor to recognize Jonathan Feld for his service the last several months to the people of Colorado's 4th district.

## PERSONAL EXPLANATION

**HON. ROGER WILLIAMS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. WILLIAMS. Mr. Speaker, I was unable to vote on Roll Call No. 407, 408 and 409. Had I been present, I would have voted YEA on Roll Call No. 407, YEA on Roll Call No. 408, and YEA on Roll Call No. 409.

## RECOGNITION OF MR. YA THAO MOUA

**HON. BETTY McCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Ms. McCOLLUM. Mr. Speaker, I rise today to honor the life and legacy of Mr. Ya Thao Moua. Mr. Moua was a constituent who passed away on July 2, 2017, at the age of 72.

In 1960, at age 15, Mr. Moua joined the Auto Defense de Choc (ADC), a militia training program for the Royal Lao Armed Forces, backed by the Central Intelligence Agency. He rose in the ranks to serve as a Captain and eventually as an Assistant Chief Commander.

On November 11, 1969, he sustained grave injuries when he was struck by an ammunition crate dropped by a United States aircraft on a routine ammunition drop.

Mr. Moua's military service in the Royal Kingdom of Laos in support of the U.S. efforts to counter the communist offensive throughout the war is commendable.

Between 1971 and 1974, Mr. Moua served as a police officer in the city of Long Cheng. In 1974, he was elected as a Tasseng, the equivalent of a county supervisor, where he led efforts to improve education, build new infrastructure, and conserve the environment.

Facing mounting political persecution, Mr. Moua fled to Thailand in 1975. Living with his family in United Nations refugee camps, he worked for many years advocating for peace and freedom in Laos.

Upon resettlement to the United States in 1994, Mr. Moua became an outstanding civic leader. He served the Hmong American community in Minnesota in a variety of important capacities.

Born on August 4, 1945 in the village of Thum Xouan Phou Kam Npob, Mouang Xieng Hong, Xiengkhouang Province, Mr. Moua was the second child of eight siblings born to Mr. Cher Lue Moua and Yer Yang.

Mr. Moua was a loving husband and father. He is survived by his wife, Sia Xiong, 15 children, and 48 grandchildren and great-grandchildren. Mr. Moua was also a devoted brother and a caring uncle, including to my dear friend and former Minnesota State Senator Mee Moua.

Please join me in honoring the life and legacy of Mr. Ya Thao Moua.

## IN RECOGNITION OF CRAIG WRIGHT, RECIPIENT OF THE EMERGENCY MEDICAL SERVICE PROVIDER OF THE YEAR AWARD

**HON. JOHN H. RUTHERFORD**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. RUTHERFORD. Mr. Speaker, I rise today to ask the United States House of Representatives to join me in recognizing the 2016 Emergency Medical Services Provider of the Year, Craig Wright.

Mr. Wright currently works at the Naval Submarine Base Kings Bay Fire Department, where he exhibits his heroism and humility on a daily basis. His individual actions have had positive and substantial impacts on the residents of Kings Bay.

Mr. Wright attributes his success to the unity experienced among him and his co-workers in the fire department, stating that nothing he "did individually can't be contributed to the whole team." The resulting feeling of family between the Kings Bay fire fighters yielded a Fire Department of the Year award, for the fifth year in a row. Again, Mr. Wright and all of the fire fighters emphasized their camaraderie and loyalty as the keys to their success.

Mr. Speaker, I applaud Craig Wright for his service to the Kings Bay Fire Department and to his fellow fire fighters. His commitment has strengthened the community and all of its members.

## CONGRATULATING JENNIFER LOWE, PAUL PARK, HENA RAFIQ, CHRISTA SCHMIDT, AND NOELLE SMITH ON RECEIVING FULBRIGHT AWARDS

**HON. KENNY MARCHANT**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. MARCHANT. Mr. Speaker, I rise today to recognize Jennifer Lowe and Christa Schmidt of Farmers Branch, TX, Paul Park and Hena Rafiq of Irving, TX, and Noelle Smith of Dallas, TX, for their exemplary academic work which earned these scholars Fulbright awards for 2016–2017. Jennifer attends Pitzer College, Christa attends Saint Olaf College, Paul attends Saint John's University in Minnesota, Hena attends the Southern Methodist University, and Noelle attends Davidson College.

Established by Congress in 1946, the Fulbright program selects U.S. citizens to further their knowledge in an educational exchange program, allowing those chosen to study, research, or teach abroad. With only 1,600 Fulbright awards going to U.S. students each year, it is a tremendous honor for five of the recipients to be residents of the 24th District of Texas. These recipients will be focusing on the conditions and challenges that face the regions to which they will be traveling, as well as establishing meaningful U.S. relationships with these communities. Jennifer, Paul, Hena, Christa, and Noelle will be traveling to India,

Thailand, Kosovo, Malaysia, and Mexico, respectively. When these fine students return, they will share the wealth of knowledge and experiences they garnered while abroad and be better equipped to excel in their fields.

Mr. Speaker, on behalf of the 24th District of Texas, I would like to congratulate Jennifer, Paul, Hena, Christa, and Noelle again for receiving this incredibly prestigious award. I wish them the best of luck with their travels, and I know that they will achieve greatness in their future endeavors.

## PERSONAL EXPLANATION

**HON. PETER WELCH**

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. WELCH. Mr. Speaker, due to travel delays, I was unable to vote on Roll Call 407, 408, and 409. Had I been present, I would have voted Nay on Roll Call 407, Nay on Roll Call 408, and Aye on Roll Call 409.

## HONORING DAN MORGADO, TOWN MANAGER OF SHREWSBURY, MASSACHUSETTS

**HON. JAMES P. McGOVERN**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. McGOVERN. Mr. Speaker, I rise today in recognition of Dan Morgado, who has been Town Manager of Shrewsbury, Massachusetts for the past 20 years. Anyone who serves in this chamber will tell you, Mr. Speaker, that our local public servants are the unsung heroes that keep our democracy running. Public servants like Dan wake up every day in cities and towns across America asking how they can help their neighbors, strengthen their communities, and build better places for all of us to live and work.

However, Mr. Speaker, Dan was no ordinary public servant. Under his leadership, an incredible amount has been accomplished in Shrewsbury. A new senior center, high school and middle school were built. Two new fire stations went up—and a third was rebuilt. Millions of dollars in improvements to water and sewer infrastructure were completed, along with a renovation to the town library. Town center traffic and beautification projects were successfully finished. Mr. Speaker, Dan has left an indelible mark on the Town of Shrewsbury.

However, it isn't only what Dan accomplished in Shrewsbury that brings me here today, it's how he did it. From candid conversations that brought everyone to the table to stabilize health insurance costs—to making the hard decision to fully fund pension obligations and put Shrewsbury on track towards fiscal responsibility—Dan's impeccable character, calm demeanor, and selfless values serve as a model for others to follow.

Mr. Speaker, on behalf of the people of Shrewsbury, the residents of Massachusetts, and everyone who he has touched through

years of dedicated service, thank you to Dan Morgado. We owe you a heartfelt debt of gratitude for all you have done and wish you great satisfaction in your endeavors to come.

#### PERSONAL EXPLANATION

### HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. RENACCI. Mr. Speaker, had I been present, I would have voted YEA on Roll Call No. 407, YEA on Roll Call No. 408, and YEA on Roll Call No. 409.

#### NORM ALPERT

### HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today in recognition of Norm Alpert in his 30th year as owner and founder of WAVV 101.1 FM in Naples. 30 years ago, Norm moved to the area and started his radio station to provide the people of our area quality jazz music to bring timeless entertainment to our community.

Norm fulfilled the American dream by starting his business from the ground up. He has proven to have found his calling, as his station consistently ranks among the top stations in the region. Further, he has helped our economy by providing jobs and advertising for businesses that reach across the state.

I congratulate Norm on his successes and look forward to see what he will accomplish and bring to the community in the years to come.

#### RECOGNIZING TYLER WESLEY

### HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. BUCK. Mr. Speaker, I rise today to recognize Tyler Wesley for his hard work and dedication to the people of Colorado's Fourth District as an intern in my Washington, D.C. office for the Summer of 2017.

The work of this young man has been exemplary, and I know he has a bright future. He served as a tour guide, interacted with constituents, and learned a great deal about our nation's legislative process. I was glad to be able to offer this educational opportunity, and look forward to seeing him build his career in public service.

Tyler plans to continue working as a public servant at the end of this internship. I wish him the best as he pursues his career path. Mr. Speaker, it is an honor to recognize Tyler Wesley for his service the last several months to the people of Colorado's 4th district.

#### RECOGNIZING CATHERINE LIPTAK

### HON. DAVE BRAT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. BRAT. Mr. Speaker, I rise today to congratulate a smart and ambitious young lady from my district, Catherine Liptak.

Catherine came into my office yesterday to discuss with me her participation in the Congress-Bundestag Youth Exchange for Young Professionals (CBYX). On Tuesday, Catherine left for a year to live with a host family as she studies and interns in Germany.

She told me, "Part of the mission of the CBYX program is cultural diplomacy, and I am eager for the opportunity to serve as a representative for the United States abroad, as well as learn about the German lifestyle, and discussing similarities and differences between the two nations. I hope that through my professional work, as well as through volunteering and other activities, I will foster connections with German peers and other members of the community where I will live, and gain a deeper appreciation for these cross-cultural connections."

Catherine is the very best of what Virginia and this country has to offer. As a recent graduate from the University of Virginia where she achieved a Bachelor of Arts in History and Russian and East European Studies, Catherine is taking with her a great education and firm foundation.

She will do a great job as she lives and works in Germany. I'm looking forward to her updates and look forward to her safe return to America.

#### HONORING THE SERVICE OF MAJOR JENNIFER CURTIS

### HON. TED BUDD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. BUDD. Mr. Speaker, I rise today to honor the service of Major Jennifer Curtis. Major Curtis has retired from the Air Force after 20 years of service in the military. She showed exceptional bravery when the base she was serving at was struck by a Taliban rocket attack, one of the 126 she would endure during her tour of duty in that country. For 20 minutes, she was the only medic on the scene, and fought to save the lives of six Special Forces members who had been wounded by shrapnel in the attack. Thanks to her heroism, and that of her comrades, all six men survived. For this, she was awarded the Bronze Star and the Air Force Combat Medal.

In the heat of battle, she served with distinction. But she also exhibited quiet heroism, the day to day efforts that separate the exceptional from the great. She travelled with the special forces to different parts of Afghanistan on 62 different occasions, providing women in rural areas with the tools they need to empower themselves and their communities.

I wish her well in her next chapter of life, and congratulate her on her service to our county and our Republic.

#### FINANCIAL NET WORTH

### HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. SENSENBRENNER. Mr. Speaker, I am making my financial net worth as of March 31, 2017, a matter of public record. I have filed similar statements for each of the thirty-eight preceding years I have served in the Congress.

#### ASSETS

##### REAL PROPERTY

Single family residence at 609 Ft. Williams Parkway, City of Alexandria, Virginia, at assessed valuation. (Assessed at \$1,441,186). Ratio of assessed to market value: 100 percent (Unencumbered): \$1,441,186.00

Condominium at N76 W14726 North Point Drive, Village of Menomonee Falls, Waukesha County, Wisconsin, at assessor's estimated market value. (Unencumbered): \$138,000.00

Undivided 25/44ths interest in single family residence at N52 W32654 Maple Lane, Village of Chenequa, Waukesha County, Wisconsin, at 25/44ths of assessor's estimated market value of \$1,528,600: \$868,522.73

Total Real Property: \$2,447,708.73

| Common & preferred stock                      | # of shares | \$ per share | Value          |
|-----------------------------------------------|-------------|--------------|----------------|
| Abbott Laboratories, Inc. ....                | 12200       | 44.41        | \$541,802.00   |
| AbbVie Inc. ....                              | 8129        | 65.16        | 529,685.64     |
| Allstate Corporation                          | 370         | 81.49        | 30,151.30      |
| AT & T ....                                   | 7275        | 41.55        | 302,276.25     |
| JP Morgan Chase ...                           | 4539        | 87.84        | 398,705.76     |
| Benton County Mining Company .....            | 333         | 0.00         | 0.00           |
| BP PLC .....                                  | 3604        | 34.52        | 124,410.08     |
| Centerpoint Energy                            | 300         | 27.57        | 8,271.00       |
| Chemours Company                              | 240         | 38.50        | 9,240.00       |
| Chenequa Country Club Realty Co. ..           | 1           | 0.00         | 0.00           |
| Comcast .....                                 | 634         | 37.59        | 23,832.06      |
| Darden Restaurants, Inc. ....                 | 2160        | 83.67        | 180,727.20     |
| Discover Financial Services .....             | 156         | 68.39        | 10,668.84      |
| Dun & Bradstreet, Inc. ....                   | 1250        | 107.94       | 134,925.00     |
| E.I. DuPont de Nemours Corp. ....             | 1200        | 80.33        | 96,396.00      |
| Eastman Chemical Co. ....                     | 540         | 80.80        | 43,632.00      |
| Exxon Mobil Corp. ...                         | 9728        | 82.01        | 797,793.28     |
| Four Corners Property Trust Inc. ....         | 983         | 22.83        | 22,441.89      |
| Frontier Comm. ....                           | 591         | 2.14         | 1,264.74       |
| Gartner Inc. ....                             | 651         | 107.99       | 70,301.49      |
| General Electric Co.                          | 15600       | 29.80        | 464,880.00     |
| General Mills, Inc. ..                        | 5760        | 59.01        | 339,897.60     |
| NRG Energy .....                              | 28          | 18.70        | 523.60         |
| GlassBridge Ent. ....                         | 9           | 4.82         | 43.38          |
| Kellogg Corp. ....                            | 3200        | 72.61        | 232,352.00     |
| 3M Company .....                              | 2000        | 191.33       | 382,660.00     |
| Express Scripts .....                         | 6656        | 65.91        | 438,696.96     |
| Monsanto Company                              | 2852,315    | 113.20       | 322,882.06     |
| Moody's .....                                 | 5000        | 112.04       | 560,200.00     |
| Morgan Stanley .....                          | 312         | 42.84        | 13,366.08      |
| NCR Corp. ....                                | 68          | 45.68        | 3,106.24       |
| Newell Rubbermaid                             | 1676        | 47.17        | 79,056.92      |
| Nokia .....                                   | 74          | 5.42         | 401.08         |
| PG & E Corp. ....                             | 175         | 66.36        | 11,613.00      |
| Pfizer .....                                  | 30415       | 34.21        | 1,040,497.15   |
| Century Link .....                            | 95          | 23.57        | 2,239.15       |
| Tenneco Inc. ....                             | 182         | 62.42        | 11,360.44      |
| Unisys Corp. ....                             | 16          | 13.95        | 223.20         |
| US Bancorp .....                              | 3081        | 51.50        | 158,671.50     |
| Verizon .....                                 | 1918        | 48.75        | 93,502.50      |
| Vodafone Group PLC                            | 323         | 26.43        | 8,536.89       |
| WEC Energy Group                              | 2044        | 60.63        | 123,927.72     |
| Total common & preferred stocks & bonds ..... |             |              | \$7,615,162.00 |

| Life insurance policies        | Face \$   | Surrender \$ |
|--------------------------------|-----------|--------------|
| Northwestern Mutual #00 .....  | 12,000.00 | 131,374.18   |
| Northwestern Mutual #61 .....  | 30,000.00 | 316,129.88   |
| Massachusetts Mutual #75 ..... | 10,000.00 | 19,025.55    |

| Life insurance policies               | Face \$    | Surrender \$   |
|---------------------------------------|------------|----------------|
| Massachusetts Mutual #44 .....        | 100,000.00 | 516,414.11     |
| American General Life Ins. #59L ..... | 175,000.00 | 39,842.02      |
| Total life insurance policies .....   |            | \$1,022,785.74 |

| Bank & IRA accounts                                          | Balance      |
|--------------------------------------------------------------|--------------|
| JP Morgan Chase Bank, checking account .....                 | \$53,074.00  |
| JP Morgan Chase Bank, savings account .....                  | 25,567.97    |
| BMO Harris Bank, checking account .....                      | 8,711.42     |
| Burke & Herbert Bank, Alexandria, VA, checking account ..... | 5,658.19     |
| JP Morgan, IRA accounts .....                                | 146,399.70   |
| Total bank & IRA accounts .....                              | \$239,411.28 |

| Miscellaneous                                                              | Value           |
|----------------------------------------------------------------------------|-----------------|
| 2009 Ford Taurus .....                                                     | \$4,749.00      |
| 2013 Ford Taurus .....                                                     | 14,001.00       |
| Office furniture & equipment (estimated) .....                             | 1,000.00        |
| Furniture, clothing & personal property (estimated) .....                  | 180,000.00      |
| Stamp collection (estimated) .....                                         | 210,000.00      |
| Deposits in Congressional Retirement Fund .....                            | 248,843.59      |
| Deposits in Federal Thrift Savings Plan .....                              | 589,790.50      |
| Traveler's checks .....                                                    | 7,800.00        |
| 17 ft. Boston Whaler boat & 70 hp Johnson outboard motor (estimated) ..... | 4,500.00        |
| 20 ft. Pontoon boat & 40 hp Mercury outboard motor (estimated) .....       | \$7,500.00      |
| Total Miscellaneous .....                                                  | \$1,268,184.09  |
| Total Assets .....                                                         | \$12,593,251.84 |

Liabilities: None.  
Total Liabilities: \$0.00.  
Net Worth: \$12,593,251.84.

## STATEMENT OF 2016 TAXES PAID

|                                        |              |
|----------------------------------------|--------------|
| Federal Income Tax .....               | \$131,533.00 |
| Wisconsin Income Tax .....             | 35,186.00    |
| Menomonee Falls, WI Property Tax ..... | 2,303.00     |
| Chenequa, WI Property Tax .....        | 20,328.00    |
| Alexandria, VA Property Tax .....      | 15,464.00    |

I further declare that I am trustee of a trust established under the will of my late father, Frank James Sensenbrenner, Sr., for the benefit of my sister, Margaret A. Sensenbrenner, and of my two sons, F. James Sensenbrenner, III, and Robert Alan Sensenbrenner. I am further the direct beneficiary of five trusts, but have no control over the assets of either trust. I am also trustee of separate trusts established for the benefit of each son.

Also, I am neither an officer nor a director of any corporation organized under the laws of the State of Wisconsin or of any other state or foreign country.

F. JAMES SENSENBRENNER, JR.

## PERSONAL EXPLANATION

## HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Ms. FRANKEL of Florida. Mr. Speaker, on Roll Call vote 410, I was not present because I was unavoidably detained. Had I been present, I would have voted NAY.

IN RECOGNITION OF ELDER ERVIN PETERSON

## HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor an outstanding Man of God,

Elder Ervin Peterson, who will celebrate his 20th Anniversary as the distinguished pastor of New Hope Full Gospel Ministries, Inc. His anniversary celebration will take place Thursday, August 3rd through August 5th, 2017 at New Hope Full Gospel Ministries, Inc. in Albany, GA.

A native of Calhoun County, Elder Peterson was born to Mr. Willie J. and Truezella Peterson, as one of eleven children, in 1955. He is the loving husband of Minister Deborah Peterson, the father of (5) children, Mrs. Yolanda Bryant, Mrs. Shamika Washington (Clifford), Ms. Jasmine Peterson, Ms. Audriauna Peterson, and Kamron Peterson; and, (8) grandchildren, William Bryant, IV, Deja Bryant, Jela Bryant, Bayleigh Bryant, J'Naia Crapps, Mariah Lumpkin, Calvin Grant, and Xavier Williams.

Elder Peterson was called to preach the gospel in 1981 and was ordained in August 1982. Under the guidance of the Holy Spirit and the late Elder W.H. Norwood, Elder Peterson quickly learned the covenant, doctrine, and ordinances of the Primitive Baptist Association of which he served as Moderator from 1995–1996. While many of his churches were great distances away from his home, he served his members faithfully no matter the distance, nor the task.

Ephesians 4:11–12 says “And he gave some, apostles; and some, prophets; and some, evangelists; and some, pastors and teachers; For the perfecting of the saints, for the work of the ministry, for the edifying of the body of Christ”. In June 1997, after receiving a vision from the Lord, New Hope Full Gospel Ministries, Inc. was born. Elder Peterson and a few devoted followers developed a small ministry with firm foundation and a dynamic vision. Elder Peterson's love for God and his people is evident in the many lives he touches. A man of great integrity, he not only continues to labor for Christ, but he continues to strive for excellence in his profession as a licensed plumber and HVAC technician.

Elder Peterson is a great and inspirational leader, but none of this would have been possible without the love and support of his wife, family, and the New Hope Full Gospel Ministries, Inc. church family.

Mr. Speaker, I ask my colleagues to join me, my wife Vivian, and the more than 730,000 residents of Georgia's Second Congressional District in thanking Elder Ervin Peterson for 20 outstanding years of service to New Hope Full Gospel Ministries, Inc. and a lifetime of service in the ministry of Jesus Christ.

## PERSONAL EXPLANATION

## HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. JENKINS of West Virginia. Mr. Speaker, due to President Trump's visit to my Congressional District for an event with Secretaries Zinke, Price, and Perry and Boy Scouts from across the United States, I missed votes.

Had I been present, I would have voted YEA on Roll Call No. 407, YEA on Roll Call No. 408, and YEA on Roll Call No. 409.

## RECOGNIZING ETHAN BOND

## HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Mr. BUCK. Mr. Speaker, I rise today to recognize Ethan Bond for his hard work and dedication to the people of Colorado's Fourth District as an intern in my Washington, D.C. office for the Summer of 2017.

The work of this young man has been exemplary, and I know he has a bright future. He served as a tour guide, interacted with constituents, and learned a great deal about our nation's legislative process. I was glad to be able to offer this educational opportunity, and look forward to seeing him build his career in public service.

Ethan plans to continue pursuing his degree at the end of this internship. I wish him the best as he pursues his career path. Mr. Speaker, it is an honor to recognize Ethan Bond for his service the last several months to the people of Colorado's 4th district.

## RECOGNITION OF MEGHAN RICE

## HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Ms. McCOLLUM. Mr. Speaker, I rise today to recognize the accomplishments of Ms. Meghan Rice of Woodbury, Minnesota. Ms. Rice was recently presented with the Girl Scout Gold Award from the Girl Scouts of the United States of America. Achieving this award requires extraordinary leadership, passion, and tenacity; all things that she has exhibited to the highest degree.

After visiting a partner-church in San Nicolas, Honduras in 2014, Ms. Rice decided she wanted to deepen a partnership with parishioners there. In conjunction with Crossroads Church and Milk & Honey Missions, she raised \$2,000 to build a new playground for the San Nicolas community. She partnered with her high school Spanish class to translate English board games to Spanish and donated them as well. However, Ms. Rice was not finished; she made sure her project was sustainable by establishing an annual Honduras Awareness Month to raise funds for expenses going forward. Despite having completed her Gold Award project, Ms. Rice intends to return to Honduras this summer to construct a garden, kitchen, and library.

She creates a safe place for local children to play and promotes community engagement; Ms. Rice's Gold Award project is a tremendous example of American citizen diplomacy. It is wonderful to see a dedicated young leader succeed in the international sphere.

Mr. Speaker, I rise to honor Meghan Rice of Woodbury, Minnesota for the service she has done. She serves as a superb example of compassionate leadership, and her future is sure to be bright.



HONORING MAJOR GENERAL  
WILLIAM E. RAPP

**HON. LOU BARLETTA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. BARLETTA. Mr. Speaker, it is an honor to congratulate Major General William E. Rapp on his retirement from the U.S. Army and on his receipt of the Distinguished Service Medal for his 33 years of steadfast service. This exceptional achievement is proof of Major General Rapp's commitment to ensuring our nation's safety and his dedication to educating its military leaders.

Over the course of Major General Rapp's notable career, he has been sent on multiple command tours and combat deployments. He has also taken on numerous assignments in critical and joint operations, displaying a wide range of skill and expertise. From 2008 to 2009, he was appointed as the Commander of the Northwestern Division of the Army Corps of Engineers, taking on responsibility for a 5,000-person organization and overseeing vital projects. From there, Major General Rapp moved into the role of 72nd Commandant at the U.S. Military Academy, West Point, where he diligently supervised the leadership development and military training of 4,400 members of the U.S. Corps of Cadets.

From 2011 to 2012, Major General Rapp courageously served overseas as the Commanding General of the U.S. National Support Element Command in Afghanistan, providing logistical and administrative support to over 190,000 individuals. He continued his service during his next assignment as U.S. Army Chief of Legislative Liaison. In that role, he developed, coordinated, and executed the Army's strategic communication effort with Congress, fostering and strengthening ties between the two bodies.

Major General Rapp's dedication to serving his country proved motivational to others, and in June of 2014, he was named the 50th Commandant of the U.S. Army War College and the Commanding General of the Carlisle Barracks. He worked tirelessly to inspire professionalism in students and to instill in them a high level of strategic leadership and reflective thinking. He has become a role model for not only War College faculty and students, but also his own children, who have all pursued military educations and careers. Major General Rapp's career exemplifies the highest levels of service to the nation and reflects great credit upon himself and the United States Army.

Mr. Speaker, please join me in recognizing Major General Rapp for all he has sacrificed to serve our country and for all that he has contributed to the Armed Services community. I wish him the very best in his retirement and in all his future endeavors.

IN SUPPORT OF H.R. 3178, THE  
MEDICARE PART B IMPROVE-  
MENT ACT

**HON. TERRI A. SEWELL**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Ms. SEWELL of Alabama. Mr. Speaker, I rise to express my strong support for H.R. 3178, the Medicare Part B Improvement Act. I am proud to be a cosponsor of the bill introduced by Reps. BLACK, DELBENE, and THOMPSON included in the underlying bill. This policy modernizes Medicare payment policies for the use of telehealth for ESRD related visits.

My home state of Alabama and the neighboring states of Mississippi and Tennessee are home to the highest rates of kidney disease in the country. Expanding opportunities for home dialysis and telehealth is very important to these patients and their families.

I've visited with kidney disease patients in dialysis facilities across my district, from small dialysis clinics to the ESRD unit at Children's Hospital in Birmingham. The treatment is taxing for patients and families, who have to go to their clinic to receive treatment 3 days a week for 4 hours at a time to simply sustain life.

For patients and their families, this bill will have a substantial impact on their quality of life, by expanding access to home dialysis therapy. Technology has allowed for the creation of home dialysis devices. Our Medicare dialysis patients deserve access to these advanced technologies. I strongly believe we must modernize our dialysis payment policies to keep pace with the rapid pace of innovation in so that Medicare patients are not left behind.

I support the underlying bill and urge my colleagues to vote yes on the Medicare Part B Improvement Act of 2017.

HONORING THE LIFE OF  
SERGEANT CHAD E. JENSON

**HON. TED LIEU**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. TED LIEU of California. Mr. Speaker, I rise to celebrate the life of Sergeant Chad E. Jenson—beloved son, husband, stepfather, and United States Marine—who passed away on July 10, 2017 in the line of duty.

Chad grew up in Redondo Beach, where his family still resides. He attended Mira Costa High School and helped lead the Manhattan Beach school's football team to a championship in 2009. Chad was deeply admired for his selflessness and unwavering optimism by teammates, classmates, and teachers alike.

Chad had a deep desire to serve his country and he enlisted in the U.S. Marine Corps in September 2010 after graduation from high school. In 2013, Chad joined the U.S. Marine Corps Forces Special Operations Command and by 2014, he had attained the rank of Sergeant—a remarkable accomplishment for any

enlisted member of the military to receive so rapidly. He proudly served with the elite 2nd Raider Battalion, Special Operations Command which was based at Camp Lejeune in North Carolina. Chad was a critical skills operator and was awaiting his first deployment.

Chad constantly strived to perfect his own skills and become a stronger leader. He maintained a high standard of integrity which he shared with those around him. His awards include a U.S. Marine Corps Good Conduct Medal, a Global War on Terrorism Service Medal, National Defense Service Medal, Navy Meritorious Unit commendation, two certificates of commendation, three letters of appreciation and two meritorious masts. Chad was the embodiment of the U.S. Marine Corps' values: honor, courage, and commitment.

Chad is survived by his wife, Jessica, and stepson, Jackson, whom I hope take comfort in the way Chad lived his life as a patriotic, selfless and caring young man who served his community and his nation. May his memory be a blessing to us all.

HONORING THE 100TH ANNIVER-  
SARY OF ST. PAUL MISSIONARY  
BAPTIST CHURCH

**HON. MARCY KAPTUR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Ms. KAPTUR. Mr. Speaker, I rise today with great pleasure and enthusiasm to congratulate St. Paul Missionary Baptist Church in Toledo on the church's 100th anniversary. The history of this amazing congregation begins in the home of Mrs. Mamie Porter on Howard Street in Toledo, where, on July 12, 1917, the families of Westly Davis, Robert Christian and Sally McElya met for their first worship service.

During the course of the next year, the congregation grew which resulted in the formal organization of the church, which they named St. Paul. From the start, the church was a community anchor.

Over the years that followed, there were numerous challenges and difficulties that the small congregation overcame, including worshipping in several locations, until finding a home at 654 Hamilton for many years. The current location of St. Paul's, 1502 N. Detroit Avenue, was purchased in 1958 from the United Brethren Church and has been the congregation's home since that time.

There have been a number of shepherds of the St. Paul congregation. Rev. Joseph Smith served as a visionary and dedicated leader of the congregation from 1928 until his death in 1969. To date he is the longest serving Pastor.

On October 25, 1969, Rev. John H. McKissick assumed the leadership of St. Paul. Inspired by the guidance of Rev. and Mrs. McKissick, the church initiated a Watch Care Program, a Department of Evangelism and an Annual Week-End Youth Seminar. A Credit Union was also established as a benefit for the members.

After 16 years of dedicated service Rev. McKissick retired on December 31, 1985,

however, he remained as Interim until the search for a new pastor was concluded.

From 1986 to 2003, the following Pastors served the congregation of St. Paul: Dr. Irece T. Bradley, Rev. Julius Minor (Interim), Rev. Floyd Smith and Rev. James R. Glover.

During this timeframe new programs and ministries were established, such as: Moments in Mission, Christian Education, The Sharing Place, Tiny Tot Worship and the Mass Choir.

Rev. James H. Willis, Sr. was elected as Pastor on October 19, 2003. He has exemplified enthusiasm and an unwavering commitment to the spiritual growth of the church. Some of the ministries established during his tenure include: Noon Day Prayer and Bible Study, Young Adult Ministry, Young Adult Monthly Faith Friday, Young Adult Praise Dance Ministry and Young Adult Usher Board. A Youth Minister was appointed in 2016.

St. Paul has modernized its ministry by providing a live stream of Sunday morning worship service, establishing a text alert notification system and installing a projector unit in the sanctuary.

The St. Paul Church Family is blessed to still have 28 "Pioneers" who have maintained membership for over 50 years, and most of them still remain actively engaged in church activities.

St. Paul Missionary Baptist Church is a magnificent example of all that a spiritual home should be, rendering indelible service to the Toledo community for the past 100 years. Living the Gospel, St. Paul's congregation looks back on a century of spreading the Word and sharing Christ's message of Love while looking forward to a future of spiritual service.

Romans 10:17 tells us, "Consequently, faith comes from hearing the message, and the message is heard through the word about Christ." I am pleased to join our community in recognizing the milestone centennial celebration of St. Paul Missionary Baptist Church.

#### RECOGNIZING THE CONTRIBUTIONS OF DAVID A. FOGEL

#### HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Ms. DeGETTE. Mr. Speaker, today I wish to honor the contributions to Colorado of an extraordinary constituent and friend, David A. Fogel, who on July 27th will receive the Elaine Wolf 'Dor V'Dor Award for outstanding service to Kavod Senior Life.

"Kavod" is the Hebrew word for "honor" or "respect." Kavod Senior Life is an inclusive, Denver-based non-profit providing affordable and subsidized housing, community activities and services to more than 400 low-income people of all faiths age 62 and up who have qualifying mobility impairment disabilities.

David has served Kavod Senior Life as a member of the board since 2009 and was its president from 2013 to 2015.

A man of faith with a commitment to serving others, David has dedicated his time and his considerable energy to our community through leadership positions in Denver B'nai B'rith, the

South Denver Optimist Club, the Anti-Defamation League, and more.

David's wide-ranging career in the law has also been imbued with the ideal of service and making life better for others. He has served as Assistant U.S. Attorney for Colorado and Assistant Public Defender, had two assignments as Special Assistant Attorney General for Colorado, and is now in private practice at his firm, Fogel & Bluestein.

David is also a part-time instructor at the Osher Lifelong Learning Institute. His commitment to education and his desire to share his experience extends for many years, 16 of which he spent as an instructor at the University of Denver College of Law.

David has been a mentor, not just to his former law students, but to many people across the community. I met David years ago when he was Chair of the Denver Democratic Party, and his wisdom and upbeat disposition inspire me to this day.

I'm among countless Coloradans who, through the years, have been lucky enough to get to know David and to work by his side. We appreciate his compassion, kindness and generosity in all his professional and community roles. His spirit and energy have helped make Denver a city with a welcoming spirit that embraces diversity and justice.

#### PERSONAL EXPLANATION

#### HON. MICHAEL T. McCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. McCAUL. Mr. Speaker, on July 24, 2017, I missed the voting session due to family obligations. If present, I would have voted as follows:

YES—H.R. 3180—Intelligence Authorization Act for Fiscal Year 2018

YES—S. 114—A bill to authorize appropriations for the Veterans Choice Program

YES—H.R. 3218—Harry W. Colmery Veterans Educational Assistance Act

I intended to vote yes on all of these measures. After World War II, my father—who was a B-17 bombardier navigator in the Army Air Corps—became the first in our family to attend college thanks to the GI Bill. I am ecstatic that the House passed H.R. 3218 to expand this vital program for our Veterans and their families who sacrifice so much.

#### PERSONAL EXPLANATION

#### HON. BRENDA L. LAWRENCE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mrs. LAWRENCE. Mr. Speaker, on July 24, 2017, I was not able to cast my votes during the series. Had I been present, I would have voted: NO on H.R. 3180—Intelligence Authorization Act for Fiscal Year 2018, as amended, NO on S. 114—A bill to authorize appropriations for the Veterans Choice Program, and for other purposes, as amended, and YES on H.R. 3218—Harry W. Colmery Veterans Educational Assistance Act of 2017, as amended.

#### COMMEMORATING 10TH ANNIVERSARY OF TRAE DAY IN HOUSTON, TEXAS

#### HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Ms. JACKSON LEE. Mr. Speaker, I rise to commemorate the 10th anniversary of "Trae Day."

Trae Tha Truth, is an American hip hop recording artist from Houston, Texas.

Apart from his solo career, Trae is also known as a member of the underground rap collective Screwed Up Click, as well as one-half of the Southern Hip Hop duo ABN, and one of the founding members of the group Guerilla Maab, alongside fellow rappers Z-Ro and Dougie D.

Trae Tha Truth currently hosts Banned Radio on XXL, on Dash Radio.

Trae Tha Truth's music is inspired by the experiences of the disenfranchised, which is rooted in the inner-cities of America, and is driven by loss, love and loyalty.

Trae Tha Truth's music is powerful and real, his voice is a tractor trailer shoveling gravel that booms, bangs, and thumps.

Trae Day is an annual festival commemorating the actual holiday the City of Houston gave Trae for his role as a civic leader, which made him the first rapper in Texas to be given an official holiday by the city.

Among his civic activities, Trae Tha Truth has founded a nonprofit organization, counseled incarcerated persons, and sponsored at-risk high school students.

Trae Tha Truth is very modest and rarely discusses his accomplishments but what is important to know about him is that he is a rapper who uses his gift to help people.

#### TRIBUTE TO DR. LEO TWIGGS

#### HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2017*

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a great South Carolinian and personal friend, Dr. Leo Twiggs.

Dr. Twiggs hails from St. Stephen, South Carolina, and currently lives in Orangeburg. His artwork has won him fame and recognition across the state and around the world. Recently, he received the Order of the Palmetto, the state's highest civilian honor at a ceremony held at the Statehouse in Columbia. During that ceremony, he also received the highest honor the state presents in the arts—a Lifetime Achievement Award from the South Carolina Arts Commission at the 2017 Elizabeth O'Neill Verner Governor's Awards for the Arts. In 1980, Dr. Twiggs was the first visual artist ever to receive the Elizabeth O'Neill Verner Award.

Dr. Twiggs' powerful artwork employs batik, an ancient Indonesian technique of manual wax-resistant dyeing applied to whole cloth. He recently spent several weeks manually dyeing and dipping fabric pieces to achieve a

texturally rich and deep-toned series titled, "Requiem for Mother Emanuel," to honor the victims of the Charleston massacre of June 17, 2015. His new series of paintings is titled, "The Nine," and focuses on the individual Charleston church shooting victims themselves.

Mr. Speaker, Dr. Twiggs has spoken of the "powerful kind of catharsis" of his work, and his fondness for batik includes how the art form draws an individual into a piece. His unique paintings have received international acclaim. Several paintings have been displayed in U.S. embassies in Rome, Senegal, Sierra Leone and elsewhere; and his works have appeared in numerous textbooks, other publications and documentaries. He has designed official White House Christmas ornaments for former Presidents Barack Obama and George W. Bush. Dr. Twiggs is particularly proud that the new National Museum of African American History and Culture in Washington, D.C. has accepted two of his paintings for display.

Dr. Twiggs has served on many important boards and commissions, including the South Carolina State Museum, the South Carolina Governor's School for the Arts & Humanities, and the South Carolina Hall of Fame. His tenure in the latter capacity saw the induction of late Judge Matthew Perry, a personal hero of mine, former Governor Richard Riley, longtime former Charleston Mayor Joe Riley, and Ernest A. Finney, the first African American elected to the state Supreme Court since Reconstruction who later became the first African American Chief Justice of the state Supreme Court. Dr. Twiggs also influenced the induction of two pioneering African American women Septima Clark, another personal hero from my younger days and Marian Wright Edelman, a woman whose work I have long admired.

Dr. Twiggs was the first African American to earn a Doctorate of Art Education from the University of Georgia. He graduated Summa Cum Laude from Claflin University and received his Masters of Arts from New York University. He found the Art Department at South Carolina State University, my alma mater, and is credited with developing the I.P. Stanback Museum and Planetarium on campus. He was named Professor Emeritus in 2000. The Georgia Museum of Art organized a retrospective of his works that toured the southeast from 2004 to 2006: His lovely wife Rosa hails from my hometown of Sumter, South Carolina.

Mr. Speaker, it is with great pride that I call to your attention and to the attention of the Members of the 115th Congress, the accomplishments of this outstanding South Carolinian, Dr. Leo Twiggs.

#### SENATE VOTE ON ACA REPEAL

#### HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2017

Ms. JACKSON LEE. Mr. Speaker, today, in a move that is a betrayal to the American people, the Senate voted 51 to 50 on a motion to advance debate on a piece of Republican legislation that would do away with most of the Affordable Care Act.

Reaching a 51–50 vote, where the tie was broken by Vice President MIKE PENCE, has been a struggle for Republican Members of the Senate because they realize that a repeal of Obamacare would result in tragedy for millions of Americans.

I want you to know that I oppose this and previous versions of Obamacare repeal for several compelling reasons:

1. Trumpcare forces families to pay higher premiums and deductibles, increasing out-of-pocket costs.

2. Trumpcare will take away health care from 24 million hardworking Americans.

3. Trumpcare would gut essential health benefits and protections for Americans with pre-existing conditions.

4. Trumpcare forces Americans aged 50–64 to pay premiums five times higher than what others pay for health coverage, no matter how healthy they are.

5. Trumpcare shortens the life of the Medicare Trust Fund and ransacks funds that seniors depend on to get the long-term care they need.

Eighty-five months ago, on March 23, 2010, President Barack Obama redeemed a promise that had been unfulfilled for nearly a 100 years, when he signed into law the landmark Affordable Care Act passed by the Democratic controlled 111th Congress.

Seven years later, the verdict is in on the Affordable Care Act: the American people have judged it a success.

As reflected in the most recent public opinion polls, 61% of Americans approve of Obamacare and oppose efforts to repeal it, the highest approval rates on record to date and continuing an inexorable upward trend over the past several years.

The reason Americans are adamantly opposed to Republican repeal efforts, including the third iteration of Trumpcare now before us, is that Obamacare is no longer a bogey cooked up in Republican talking points but a life-saving and life affirming measure that they have experienced in their own lives.

Americans think it is beyond crazy to repeal a law that has brought to more than 20 million Americans the peace of mind and security that comes with knowing they have access to affordable, high quality health care.

Mr. Speaker, before the passage of the Affordable Care Act, 17.1 percent of Americans lacked health insurance; today nearly nine of ten (89.1 percent) are insured, which is the highest rate since Gallup began tracking insurance coverage in 2008.

Because of the Affordable Healthcare Act:

1. Insurance companies are banned from discriminating against anyone, including 17 million children, with a preexisting condition, or charging higher rates based on gender or health status;

2. 6.6 million young adults up to age 26 can stay on their parents' health insurance plans;

3. 100 million Americans no longer have annual or lifetime limits on healthcare coverage;

4. 6.3 million seniors in the "donut hole" have saved \$6.1 billion on their prescription drugs;

5. 3.2 million seniors now get free annual wellness visits under Medicare, and

6. 360,000 small businesses are using the Health Care Tax Credit to help them provide health insurance to their workers;

7. Pregnancy is no longer a pre-existing condition and women can no longer be charged a higher rate just because they are women.

We are becoming a nation of equals when it comes to access to affordable healthcare insurance.

Mr. Speaker, with all of this progress, and the prospect for more through further refinements, who in their right mind would want to go back to how it used to be?

The answer seems to be only the President and House Republicans who call the Affordable Care Act and its enviable record of success a "disaster."

Americans know a disaster when they see one and they see one in the making: it is called "Trumpcare," masquerading as the "American Health Care Act," which will force Americans to pay more, get less, decimate the Medicare and Medicaid programs, and give a massive tax cut for top 1 percent.

Americans are right to be alarmed and angered by what the Trump Republicans are trying to do by rushing to vote on a Trumpcare bill before it can be scored by highly respected and nonpartisan Congressional Budget Office.

What we do know for sure is that this Trumpcare bill is a massive \$900 billion tax cut for the wealthy, paid for on the backs of America's seniors, the vulnerable, the poor, and working class households.

Trump gave the game away on March 20, 2017 in one of his trademark pep rallies:

"We want a very big tax cut, but cannot do that until we keep our promise to repeal and replace the disaster known as Obamacare."

This "Robin Hood in reverse" bill is unprecedented and breathtaking in its audacity—no bill ever tried to give so much to the rich while taking so much from the poor and working class.

When they were forced to pull Trumpcare 1.0 from the floor because they lacked the votes to pass, House Republican leaders responded by adding an amendment (Trumpcare 2.0) that made the original bill even worse.

Trumpcare 2.0 would allow states to jettison existing essential health benefit requirements, thereby permitting health plans covering millions of people once again to exclude coverage for maternity and newborn care, pediatric dental and vision services, mental health and substance use services, and other crucial benefits.

All this accomplished was a hemorrhaging of support from the moderate wing of the Republican Conference who feared the repercussions of leaving millions of Americans with preexisting conditions without health insurance so the Trump Republicans invented Trumpcare 3.0 to provide \$8 billion over five years to offset the cost of setting up separate pools or premium assistance programs for people with pre-existing conditions.

Mr. Speaker, this pittance is not designed or intended to help real people with real pre-existing conditions, but to provide the cover for House Republicans to walk the plank.

According to the Kaiser Family Foundation, at least \$25 billion per year would be required, not \$8 billion spread out over five years as provided for in Trumpcare 3.0.

Trumpcare represents the largest transfer of wealth from the bottom 99 percent to the top 1 percent in American history.

This callous Republican scheme gives gigantic tax cuts to the rich, and pays for it by taking insurance away from 24 million people, leaving \$2 billion over a decade without demanding in return any reduction in the cost of prescription and brand-name drugs.

In addition, Republicans are giving the pharmaceutical industry a big tax repeal, worth nearly \$25 billion over a decade without demanding in return any reduction in the cost of prescription and brand-name drugs.

To paraphrase Winston Churchill, of this bill, it can truly be said that "never has so much been taken from so many to benefit so few."

The Pay-More-For-Less plan destroys the Medicaid program under the cover of repealing the Affordable Care Act Medicaid expansion.

CBO estimates 14 million Americans will lose Medicaid coverage by 2026 under the Republican plan.

In addition to terminating the ACA Medicaid expansion, the bill converts Medicaid to a per-capita cap that is not guaranteed to keep pace with health costs starting in 2020.

The combined effect of these policies is to slash \$880 billion in federal Medicaid funding over the next decade.

The cuts get deeper with each passing year, reaching 25 percent of Medicaid spending in 2026.

These steep cuts will force states to drop people from Medicaid entirely or ration care for those who most need access to comprehensive coverage.

The Pay-More-For-Less plan undermines the health care safety net for vulnerable populations.

Currently, Medicaid provides coverage to more than 70 million Americans, including children, pregnant women, seniors in Medicare, people who are too disabled to work, and parents struggling to get by on poverty-level wages.

In addition to doctor and hospital visits, Medicaid covers long-term services like nursing homes and home and community-based services that allow people with chronic health conditions and disabilities to live independently.

To date, 31 states and D.C. have expanded Medicaid eligibility to low-income adults, which, when combined with the ACA's other coverage provisions, has helped to reduce the nation's uninsured rate to the lowest in history.

Trumpcare throws 24 million Americans off their health insurance by 2026 according to the Congressional Budget Office.

Mr. Speaker, low-income people will be hit especially hard because 14 million people will lose access to Medicaid by 2026 according to CBO.

Trumpcare massively shifts who gets insured in the nongroup market.

According to CBO, "fewer lower-income people would obtain coverage through the nongroup market under the legislation than current law," and, "a larger share of enrollees in the nongroup market would be younger people and a smaller share would be older people."

The projected 10 percent reduction in premiums is not the result of better care or efficiency—it is in large part the result of higher-cost and older people being pushed out of a market that is also selling plans that provide less financial protection.

People with low incomes suffer the greatest losses in coverage.

CBO projects the uninsured rate for people in their 30s and 40s with incomes below 200 percent of poverty will reach 38 percent in 2026 under this bill, nearly twice the rate projected under current law.

Among people aged 50–64, CBO projects 30 percent of those with incomes below 200 percent of poverty will be uninsured in 2026.

Under current law, CBO projects the uninsured rate would only be 12 percent.

Being uninsured is not about "freedom."

Speaker RYAN has argued that people will happily forgo insurance coverage because this bill gives them that "freedom."

The argument makes as much sense as the foolish claim that slaves came to America as "immigrants" seeking a better life.

The freedom to be uninsured is no freedom at all to people in their 50s and 60s with modest incomes who simply cannot afford to pay thousands of dollars toward premiums.

They do not really have a choice.

The claim of our Republican friends that Trumpcare provides more freedom to all Americans calls to mind the words of Anatole France:

"The law, in its majestic equality, forbids the rich as well as the poor to sleep under bridges, to beg in the streets, and to steal bread from the market."

Trumpcare raises costs for Americans nearing retirement, essentially imposing an "Age Tax."

The bill allows insurance companies to charge older enrollees higher premiums than allowed under current law, while reducing the size of premium tax credits provided.

Again, these changes hit low-income older persons the hardest.

A 64-year-old with an income of \$26,500 buying coverage in the individual market will pay \$12,900 more toward their premiums in 2026, on average.

Trumpcare raises costs for individuals and families with modest incomes, particularly older Americans.

Mr. Speaker, a recent analysis found that in 2020, individuals with incomes of about \$31,000 would pay on average \$4,000 more out of pocket for health care—which is like getting a 13 percent pay cut.

And the older you are, the worse it gets.

An analysis by the Urban Institute estimates that for Americans in their 50s and 60s, the tax credits alone would only be sufficient to buy plans with major holes in them, such as a \$30,000 deductible for family coverage and no coverage at all of brand-name drugs or many therapy services.

Another reason I oppose the Trumpcare bill before us is because its draconian cuts in Medicaid funding and phase-out of Medicaid expansion put community health centers at risk.

Community health centers are consumer-driven and patient-centered organizations that serve as a comprehensive and cost effective primary health care option for America's most underserved communities.

Community health centers serve as the health care home for more than 25 million patients in nearly 10,000 communities across the country.

Across the country, 550 new clinics have opened to receive 5 million new patients since 2009.

Community health centers serve everyone regardless of ability to pay or insurance status:

1. 71 percent of health center patients have incomes at or below 100 percent of poverty and 92 percent have incomes less than 200 percent of poverty;

2. 49 percent of health center patients are on Medicaid; and

3. 24 percent are uninsured;

4. Community health centers annually serve on average 1.2 million homeless patients and more than 300,000 veterans.

Community health centers reduce health care costs and produce savings—on average, health centers save 24 percent per Medicaid patient when compared to other providers.

Community health centers integrate critical medical and social services such as oral health, mental health, substance abuse, case management, and translation, under one roof.

Community health centers employ nearly 190,000 people and generate over \$45 billion in total economic activity in some of the nation's most distressed communities.

Community health centers are on the front lines of every major health crisis our country faces, from providing access to care (and employment) to veterans to addressing the opioid epidemic to responding to public health threats like the Zika virus.

We should be providing more support and funding to community health centers, not making it more difficult for them to serve the communities that desperately need them by slashing Medicaid funding.

The Trumpcare Republican plan leaves rural Americans worse off.

Health insurance has historically been more expensive in rural areas because services cost more and it is hard to have a stable individual market with a small population.

Mr. Speaker, under the Affordable Care Act, premium subsidies are tied to local costs, which helps keep premium costs down.

But they are not under the Republican plan. So, under the Republican plan residents in rural areas, who tend to be older and poorer, will pay much more and get much less health insurance.

At the end of the day, the powerful and compelling reasons to reject Trumpcare lie in the real world experiences of the American people.

Mr. Speaker, let me briefly share with you the positive, life affirming difference made by the Affordable Care Act in the lives of just three of the millions of Americans it has helped.

JOAN FANWICK

"If Obamacare is repealed, I don't know if I'll live to see the next President.

"After nearly a decade of mysterious health scares, I was diagnosed with an autoimmune disorder called Sjogren's syndrome last year, when I was a junior at Temple University.

"It's a chronic illness with no known cause or cure, and without close medical surveillance and care, it can lead to life-threatening complications (like the blood infections I frequently experience).

"For me, having this disorder means waking up every morning and taking 10 different medications.

"It also means a nurse visiting my apartment every Saturday to insert a needle into the port in my chest, so I can give myself IV fluids throughout the week.

"Without insurance, my medical expenses would cost me about \$1,000 per week—more than \$50,000 per year. And that doesn't even include hospitalizations.

"My medical bills aren't cheap under Obamacare, but I can afford them.

"Under Obamacare, insurance companies aren't allowed to cut you off when your costs climb so right now, the most I personally have to pay out of pocket is \$1,000 per year."

BRIAN NORGAARD

"I am a small business owner and leadership trainer who Obamacare has helped tremendously."

Brian Norgaard, a Dallas, Texas resident, called my office to express his opposition to Trumpcare and to share how the Affordable Care Act has helped small business owners like himself:

"I am a small business owner and leadership trainer who Obamacare has helped tremendously."

"My wife and I both own small businesses in the Dallas, Texas area and as a result of the huge savings we received after paying lower healthcare premiums under Obamacare, we were able to reinvest those savings into both of our businesses and the community.

"And the healthcare we received was quality, at that."

ASHLEY WALTON

"For cancer survivors, we literally live and die by insurance."

Ashley Walton was 25 when a mole on her back turned out to be melanoma.

She had it removed, but three years later she discovered a lump in her abdomen.

She was then unemployed and uninsured, and so she put off going to a doctor.

She tried to buy health insurance. Every company rejected her.

Ashley eventually became eligible for California's Medicaid program, which had been expanded under the Affordable Care Act.

The 32-year-old Oakland resident credits her survival to the ACA.

Without it, "I would likely be dead, and my family would likely be bankrupt from trying to save me."

Before any of our Republican colleagues supporting this bill cast their vote, I urge them to reflect on the testimony of Joan, Brian, and Ashley, and on this question posed by a constituent to Sen. COTTON of Arkansas at a recent town hall:

"I've got a husband dying and we can't afford—let me tell you something.

"If you can get us better coverage than this Obamacare, go for it.

"Let me tell you what we have, plus a lot of benefits that we need.

"We have \$29 per month for my husband. Can you beat that? Can you?

"With all the congestive heart failures, and open heart surgeries, we're trying. \$29 per month. And he's a hard worker. \$39 for me."

Like a horror film of yore with monsters and vampires, both the original Trumpcare and its sequels threaten to return this country to the days when annual and lifetime dollar-based limits on the use of essential health benefits shifted tremendous financial and health risks to working families.

Insurance companies could charge people with pre-existing conditions many times more than they charge healthy people—just as they did before the Affordable Care Act.

Millions of Americans with pre-existing conditions would be at risk of losing health coverage or face premiums so high only the very wealthy could afford them—the same people who benefit from the massive tax cuts in the original bill.

That is why we cannot rest until Trumpcare, one of the most monstrously cruel and morally bankrupt legislative proposals, is dead and buried.

To paraphrase a famous former reality television personality, "believe me, Trumpcare is a disaster."

We should reject it and keep instead "something terrific" and that is the Affordable Care Act, regarded lovingly by millions of Americans as "Obamacare."

I commend my colleague, Congressman GARAMENDI, for holding this Special Order to denounce Trumpcare.

I urge our colleagues in the Senate to listen to their constituents and do what is right: vote no to repeal Obamacare.

## HOUSE OF REPRESENTATIVES—Wednesday, July 26, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. COFFMAN).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 26, 2017.

I hereby appoint the Honorable MIKE COFFMAN to act as Speaker pro tempore on this day.

PAUL D. RYAN,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

### DEFENDING DACA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, this past Saturday, I was a guest at Lincoln United Methodist Church in Chicago, where we had an emergency meeting to discuss how we would defend the DACA—Deferred Action for Childhood Arrivals—initiative started 5 years ago.

DACA has allowed nearly 800,000 DREAMers—immigrants who were brought to the U.S. as children and who grew up here—to work and live here if they meet certain requirements, go through a background check, and renew their application periodically.

Now, Republicans, led by the Governor of Texas, are planning to sue the President if he doesn't rescind DACA. And given this President and his opinion of Mexicans, Latinos, and immigrants, we are not expecting the President to put up much of a fight.

So for a few weeks now, I have been telling people to prepare for the end of DACA, maybe as soon as September. You can watch the speech on Facebook

or YouTube. A lot of Trump supporters got angry about what I said on Saturday. They didn't even take the time to watch or listen to my speech, no. They got fired up by Breitbart, the only publication I can count on to cover everything I say.

Breitbart said I was unhinged and said in the headline that I said it is time to eliminate Trump and bring him to his knees. The Washington Times didn't watch the speech but saw Breitbart's fair and balanced coverage and said I threatened Trump with physical violence.

FOX News then echoed the idea that evening, saying I was threatening violence and would bring our violent movement to every neighborhood in America. So by the time you got to The Daily Stormer—that whipped cream on top of the White Nationalists/Neo-Nazi banana split—they cited the FOX News story and read the headline, "Subversive Beanman Luis Gutiérrez Calls for Trump's Elimination."

If FOX, Breitbart, and Daily Stormer report something, it has got to be true, I thought. So I went back to the video to see if I had threatened to assassinate the President.

And you know what? I didn't. Here is what I said this past Saturday: "I am going to make sure that I am there, to make sure of one thing, that we write those articles of impeachment and take the Trump administration to trial before the Senate and eliminate him as President of the United States. He cannot fire Comey, threaten to fire Mueller, and say 'I am the king,' 'I am a dictator.'"

This is the quote, and I clearly am talking about the impeachment process, which I believe to be nonviolent. I mean, former President Bill Clinton went through it, and he is still alive. In fact, in shorthand, I am saying we should go through regular order.

And that is nothing new for me. I have stood on this floor and called on the chairman of the Judiciary Committee to begin the process of hearings and witnesses, just as the Senate Judiciary Committee is doing, because that is our job.

Just a moment. Later in the speech, I said: "This is a democracy, and we will make democracy work. We will make it work for everyone, whether you are gay, straight, Brown, White, documented or undocumented, we are going to make sure democracy works for you . . ." Meaning the people packed in the church that day, and really everyone else.

I continued saying: "And we are starting here this afternoon at this marvelous church in Chicago. Get ready. Our movement is coming somewhere in your neighborhood."

So what Breitbart imagined as an incitement to violence was really a call to action for people to get involved in their democracy, which, last time I looked, is still a form of government we aspire to in this country, and it is still nonviolent.

But my favorite part of the Breitbart headline and the whole bloodthirsty Brown people motif that drove the coverage from Breitbart to FOX to Daily Stormer is that I said I wanted to bring President Trump to his knees.

But what I actually said was, Gandhi, by employing the techniques and practices of nonviolent resistance, brought the British Empire to its knees. Which is actually true, and we should learn from his example.

Indeed, Dr. King, a disciple of Gandhi, applied those strategies to the American civil rights movement to great success. And were it not for Dr. King and the other heroes who laid down their lives during the civil rights movement, I would not be standing here before you, and we wouldn't even be standing up or talking about The Daily Stormer, Breitbart, or Trump in defending immigrants and other vulnerable communities.

So we owe the civil rights movement a great debt. I want to follow in those footsteps.

So I read the headlines in Breitbart and I went back to look at what I actually said. You know what? I stand by it and I won't back down.

### OCEAN ACIDIFICATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to talk about the alarming crisis that is ocean acidification. This is not only an environmental issue, but it is an economic issue as well, and one that greatly impacts my congressional district in south Florida.

South Florida's world-famous beaches, delicious seafood, incomparable fishing, boating, and sailing, and spectacular marine life are all dependent on a healthy ocean. However, our oceans are becoming more and more acidic as seawater absorbs increasing amounts of carbon pollution, causing what is known as ocean acidification.

This increased acidity makes it harder for corals, oysters, shrimp, lobster, and other sea animals to develop their shells or skeletons, which they rely on for survival to grow. These organisms are extremely important to the vitality of our ecosystem.

In addition, corals host a vast number of ocean species, protects coastlines from large waves and hurricanes, and attract visitors with its beauty.

Data from the National Oceanic and Atmospheric Administration—NOAA—also suggests that tourism, recreation, and fishing related to south Florida's coral reefs alone generates more than \$4.4 billion in local sales and \$2 billion in local income.

Ocean Conservancy, which is a tremendous environmental advocacy group, has been a champion in raising awareness about the negative impact of ocean acidification. Recently, they premiered an outstanding documentary, a short film which highlighted two gentlemen who either work for or own ocean-dependent businesses that are located in my congressional district.

Dale Palomino, right over here, this fine-looking young man, he is the general manager and head chef at Captain's Tavern Restaurant and Seafood Market, a family-owned business in Miami and one of my favorite places to dine with my husband, Dexter, and our grandkids.

And Captain Ray Rosher, right here, who owns and operates Miss Britt Charter Fishing and R&R Tackle in Coconut Grove, also located in my congressional district.

In addition, this film highlights ocean expert, Dr. Chris Langdon, a professor from my alma mater, the University of Miami—Go Canes. His research on coral reef ecosystems has allowed us to better understand the capacity and limitations of coral to adapt to a changing physical and chemical environment. Dr. Langdon has also been a leader in bringing stakeholders together to learn about the threats posed by ocean acidification to commercial and recreational fishing and tourism industries throughout Florida.

These two gentleman know a lot about the impact of ocean acidification on their business because saltwater recreational and commercial fishing combined support an estimated 175,000 jobs across our beautiful Sunshine State.

Mr. Speaker, it is truly astounding the amount of jobs and revenue that come out of ocean-related industries. Our country enjoys thousands of miles of coastlines with so many people benefiting from their environment and providing jobs and nutrients for their family. From the oyster hatcheries in the Pacific Northwest, to the lobster in Maine, and South to the reefs and fish in Florida, the real world implications of ocean acidification will spell trouble

for these ocean-dependent jobs, which is why we must not wait until the tragedy truly unfolds.

My constituents and I are also blessed to live, to work, and to play in the paradise that is south Florida. Our kids and our grandkids, they want to enjoy the same positive experiences we have, but in order to do so, it is vital that we act now.

In Congress, we need to do a better job at listening to all stakeholders who are speaking out, and we need to continue to promote the valuable work of researchers, people like Dr. Langdon, the work that they are doing to ensure that these important marine research institutions and organizations have the resources they need.

My district is home to a community that cares deeply about the ocean, and it is because of the efforts of folks like these two gentlemen and Dr. Langdon of south Florida that I have learned more about the issues and what is at stake.

I remain committed to continue to work with my colleagues, with industry experts, with all stakeholders in tackling head-on these important issues and lead in mitigation and adaptation solutions to the changing ocean around us and, indeed, across the globe.

#### RETURNING TO REGULAR ORDER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, yesterday we watched as Senator JOHN MCCAIN returned to the Capitol after having been diagnosed with cancer and undergoing a serious operation. All of us are praying for his swift and full recovery.

In earlier days, as we all know, he faced danger with courage. He is doing the same again right now. When he spoke yesterday from the Senate floor, he talked about a time when legislators, Republicans and Democrats, despite their differences, worked together to make progress, albeit incremental, on major issues through discussion and compromise.

He lamented, as do I, the recent tendency to seek total partisan victory or nothing at all, something we see as much in the House as in the Senate.

Senator MCCAIN said this: "We've been spinning our wheels on too many important issues because we keep trying to find a way to win without help from across the aisle."

He concluded in that paragraph: "... we are getting nothing done."

Instead, Senator MCCAIN proposed legislators ought to return to regular order. Regular order, for those who aren't familiar with the day-to-day workings of Congress, simply means doing things in the proper way: drafting a bill in committee, holding open hearings, marking up with amend-

ments, reporting it out, and then bringing it to the floor for amendment and debate before voting on it. This process, this regular order of business affords every member an opportunity, regardless of party or district, to have input and help shape the policy. That is the way it should be.

The product of such a process, as Senator MCCAIN described it, would be "something that will be imperfect, full of compromises, and not very pleasing to implacable partisans on either side." But he concluded it was one that "might provide workable solutions to problems Americans are struggling with today."

Mr. Speaker, that is how our system is supposed to work.

□ 1015

I started my career in this body in 1981. Shortly thereafter, I joined the Appropriations Committee. I like to tell people that I served on the Labor, Health and Human Services, Education, and Related Agencies Subcommittee, and there were 13 of us. The Democrats were in the majority, and there were eight Democrats and five Republicans. I used to tell people that you could take the 13 of us, throw us up in the air, have us come down in random seats, have a markup, and you would have been hard-pressed to identify which party each member represented. Today, lamentably, Mr. Speaker, it would take you about a minute to determine those differences.

Our Speaker said on October 29, 2015: "We will advance major legislation one issue at a time." Mr. Speaker, we are about to consider a so-called minibus. The former chairman, my Republican friend, Mr. ROGERS, is seated here in this Chamber with us. He and I both recall a time when we considered one bill at a time. We brought it to the floor, we amended it, we debated it, and we voted on it one bill at a time.

That is what Speaker RYAN was referring to when he said: "We will advance major legislation one issue at a time." Apparently, Mr. Speaker, that has become inconvenient or impossible, but it is not the regular order that we are pursuing.

Speaker RYAN went on to say: "We will not duck the tough issues. We will take them head on." Mr. Speaker, we will adopt a rule that will duck the issue that will preclude full debate, and it deals with President Trump's proposal to build a wall that many in his administration believe will be ineffective in accomplishing the objective that we all support, and that is keeping our country secure and making sure that those who come into this country are known to us and don't sneak into the country.

But the wall will not work and we will not be able to debate that fully because it will be included in the rule. I suggest, Mr. Speaker, that is ducking



the issue. It will be deemed passed. We won't vote on it. We will vote for the rule or against the rule, and the wall and \$1.6 billion will be deemed passed.

Mr. Speaker, that is not how our system is supposed to work. Neither side ought to let the perfect become the enemy of the good. Neither side can claim credit for all of the best ideas. That is why working together is imperative.

That was my experience when I served for 23 years on the Appropriations Committee. That is why regular order is so important. It protects the American people. It protects each Member who is here representing some 700,000 people, give or take. That is why regular order is so important. It facilitates dialogue and debate. It brings out every view and idea and provides the framework for compromise.

Compromise is the essence of democracy, and I suggest it is the essence of successful families, whether they be countries or Mom and Dad and kids. They come together and they agree, not because they get everything they want or the other side gets nothing they want, but because both sides compromise.

Mr. Speaker, I agree with Senator McCAIN: we need to return to regular order.

Speaker RYAN, as I have said, told us shortly after his elevation that he wants "the House to work its will." Minibuses don't allow that, omnibuses don't allow that, and, frankly, CRs don't allow that.

The Speaker adopted, in principle, an open and transparent process. Sadly, Mr. Speaker, we haven't always seen that. But there is still an opportunity for the 115th Congress to reflect that vision.

That is what Senator McCAIN was talking about yesterday. He was appealing to the best of us, the American in us, not the partisan in us, not the confrontationalist in us, but the seeker of productive compromise in a democracy. The Congress and our country will be better if we return to regular order.

#### AFGHANISTAN IS THE GRAVEYARD OF EMPIRES

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, on July 18, I wrote to President Trump about my concern about the fact that he and Secretary of Defense Mattis are discussing how many more American troops must be sent to Afghanistan. Mr. Speaker, you being a marine, you know that I represent Marine Corps Base Camp Lejeune and Marine Corps Air Station Cherry Point. We have been there 16 years. Nothing has changed. In fact, it has gotten worse.

I would like to read just a few sentences from my letter. Again, this was delivered to the White House on July 18. I am going to read just sentences very quickly.

"Disappointed because after 16 years in Afghanistan, Congress deserves another vote on this conflict. Disappointed because almost \$1 trillion of taxpayers' money has been spent with no direct goal or strategy. And most importantly, I am disappointed because we continue to lose American lives.

"Sir, I am writing today because you seem to have had a change of heart on this issue."

I gave four examples of positions he has taken and tweets that he has sent out. I am just going to read two of them, Mr. Speaker.

"In August of 2011, you agreed with Ron Paul and said the U.S. was 'wasting lives and money in Iraq and Afghanistan.'"

Another tweet: "The next year, you said on Twitter, 'Do not allow our very stupid leaders to sign a deal that keeps us in Afghanistan through 2024—with all costs by USA . . .'"

And the last I would like to read: "You also tweeted that year, 'Let's get out of Afghanistan. Our troops are being killed by the Afghanis we train and we waste billions there. Nonsense! Rebuild the USA.'"

I further stated: "Mr. President, I agree with those remarks, and so does the 31st Commandant of the Marine Corps, my friend and unofficial advisor, General Chuck Krulak. As he said in a recent email to me, 'No one has ever conquered Afghanistan . . . and many have tried. We will join the list of nations that have tried and failed.'"

I do not understand why this Congress and the leadership of this House will not let us have another debate. I put a bill in with JOHN GARAMENDI, H.R. 1666, for the only reason that, after 16 years, we have not debated the future of Afghanistan.

A report was out last night that the Russians are sending sophisticated weapons to the Taliban in Afghanistan, who will be fighting and killing Americans. I continue to call on the House leadership to please let us meet our constitutional responsibility and debate.

I have said, with H.R. 1666, that JOHN GARAMENDI and I have put in, join us in forcing a debate on the House and then vote against us, but give us a debate.

I further said to the President: "Once you come to a consensus"—and this is raising the troop levels—"I suggest you publicly go before the American people and U.S. military to explain the benchmarks you choose for Afghanistan."

Why are we going to send more Americans to fight and die in Afghanistan?

And also give the American people an idea of what we are trying to achieve. For 16 years, there are very few of the

marines in my district who have been there three, four, and five times, and I will say to them, "What have we accomplished?" and they will say back to me, "Very little. Very little." Yet we sit here in Congress and we fund billions of dollars. We will have a vote in 2 days to spend billions of dollars on Afghanistan, and there is very little accountability. This is not what this House needs to be doing, especially when we are sending our young men and women to give their life for this country.

Mr. Speaker, I include in the RECORD this letter to President Trump and ask President Trump to please stay strong in his beliefs and that it is a waste of money, life, and time to be in Afghanistan.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 18, 2017.

President DONALD J. TRUMP,  
The White House,  
Washington, DC.

DEAR MR. PRESIDENT: Many of us in the U.S. House of Representatives believe we have been denied our sacred duty to debate and declare war. You could say that I am disappointed by this. Disappointed because after 16 years in Afghanistan, Congress deserves another vote on this conflict. Disappointed because almost \$1 trillion of taxpayers' money has been spent with no direct goal or strategy. And most importantly, I am disappointed because we continue to lose American lives.

Sir, I am writing today because you seem to have had a change of heart on this issue:

1. In August of 2011, you agreed with Ron Paul and said the U.S. was "wasting lives and money in Iraq and Afghanistan."

2. In 2012, you referred to Afghanistan as a "complete waste," and declared it was "time to come home."

3. The next year, you said on Twitter, "Do not allow our very stupid leaders to sign a deal that keeps us in Afghanistan through 2024—with all costs by U.S.A. . . ."

4. You also tweeted that year, "Let's get out of Afghanistan. Our troops are being killed by the Afghanis we train and we waste billions there. Nonsense! Rebuild the USA."

Mr. President, I agree with those remarks, and so does the 31st Commandant of Marines Corps, my friend, and unofficial advisor, General Chuck Krulak. As he said in a recent email to me, "NO ONE has ever conquered Afghanistan . . . and many have tried. We will join the list of Nations that have tried and failed."

Mr. President, that is why I am asking you to review this thinking before approving any troop level increases from General Mattis. I believe you would see great benefit and wisdom in asking Congress to debate and vote on troop level increases as well. You would then have the American people and their elected officials share a decision to send more of our sons and daughters into harm's way. Once you come to a consensus, I suggest you publicly go before the American people and U.S. military to explain the benchmarks you choose for Afghanistan. Previous administrations have not been able to clarify those endpoints, which is unfair to taxpayers and our troops. In the end, we all share this responsibility, and it is time that not only Congress but also the American people have a say. Sixteen years is enough!

Afghanistan is the graveyard of empires! We do not want a tombstone to read "United States of America."

Respectfully,

WALTER B. JONES,  
Member of Congress.

Mr. JONES. Mr. Speaker, I close by showing the face of a little girl who is standing there with her mother and wondering why her daddy is in a flag-draped coffin, and I could not explain to her. He died in Afghanistan. I don't know why he is dead in a flag-draped coffin.

God bless our men and women in uniform, and God bless America.

#### RENEGOTIATION OF TRADE AGREEMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Mr. Speaker, last week, the Trump administration released its NAFTA renegotiating objectives, which laid out its plan for how to fix that bad trade deal for America's workers, but it lacks specifics.

Yes, America needs a better deal, better jobs, better wages, for a better future for our people and the people of our continent. As renegotiations begin in August, let us remember the devil is in the details. The President's rhetoric alone is not enough. Action is what creates jobs.

Nearly 30 years ago, NAFTA was sold as the epitome of a modern trade agreement. Its supporters promised U.S. job growth. They guaranteed trade balances and even surpluses. They said there would be increased economic trade flexibility for North American industries and new buyers of American goods.

But guess what. Those promises didn't materialize. Instead, U.S. workers faced enormous job loss, declining wages, sublevel wage competition from desperate millions in Mexico, whose workers have no rights.

The recent tragedy in San Antonio with all of those desperate workers in that truck is the tip of an iceberg of labor exploitation on this continent that was caused by NAFTA, enhanced by NAFTA. It is so ugly.

The cold, critical measure of the job-hemorrhaging truth this country has passed since NAFTA's passage is our trade balance. That is how many more products and services our country exports rather than imports from off-shore sweatshops. That translates into jobs.

Since the inception of NAFTA, our trade deficit has ballooned to unprecedented levels. This chart basically goes through what has been happening recently. Each month and each year, we go deeper and deeper into trade deficit, not just with Mexico, but a number of other countries. But there has not been a single year of trade balance with

Mexico since NAFTA's passage, just more job dissolution and job loss.

Just in May, the United States experienced an overall \$46 billion trade deficit with the world, of which NAFTA is a part. But since NAFTA's passage—get this—our country has accumulated nearly \$2 trillion net negative balance with Mexico and Canada, and that translates into lost jobs here at home, and the American people know it.

This import deficit supports millions of jobs abroad, not U.S. workers. It means less money left in the wallets of hardworking Americans as consumer dollars feed the greed of rapacious corporate interests that feed on desperate workers.

Look at NAFTA's job numbers. Between 1997 and 2010, our country bled over 696,000 manufacturing jobs to Mexico alone. You would recognize the names of the firms. It is an alphabet soup of companies: AlliedSignal, Lucent Technologies, Mr. Coffee, Rockwell Automation, UTC Aerospace Systems, Weyerhaeuser, and so many more.

□ 1030

Unfortunately, the Midwest has suffered the most from this job hemorrhage. For Ohio, the trade deficit with Mexico alone resulted in tens of thousands of lost jobs. Ohio workers have had their net incomes go down by \$7,000 per family since NAFTA's passage. Neighboring Michigan lost over 300,000 jobs since 2000 alone to Mexico.

There is little doubt the original NAFTA agreement failed to create a modern opportunity for America's workers. It undercut them.

Today, the Trump administration has a chance to change this. President Trump campaigned and promised to build high-quality jobs and bring them back to the United States. How can a renegotiated NAFTA do this? It must include the most modern and enforceable continental labor agreements to yield rising standards of living so wages and job training across borders are equalized. If NAFTA were working, more good U.S. jobs could be created, outnumbering job losses.

Mr. Trump promised a good deal for Americans as a candidate. Now he has to deliver on that promise. The old expression, "Don't tell me what they say, show me what they do," will be the true test of this administration's renegotiation of NAFTA.

The President must take bold action in renegotiating NAFTA, and it must resolve in reversing these negative balances and making them positive. He must stand up for America's workers, for their jobs, not just for global corporate interests, whose shareholders have been making a fortune off the backs of desperate labor.

Making America Great Again was more than a slogan to the people in Ohio and the greater Midwest, looking

to shake up what was called the swamp. We need a better deal for America, better jobs, better wages for a better future, and we can start by renegotiating NAFTA.

#### HONORING HENRY O. LINEBERGER, JR.

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. HOLDING) for 5 minutes.

Mr. HOLDING. Mr. Speaker, I rise today to honor and recognize the life of Dr. Henry O. Lineberger, Jr.

Henry was born in Raleigh, North Carolina, on January 5, 1927. He graduated from Broughton High School in 1944, as president of his senior class. From there, he went on to the U.S. Naval Academy, where he served as part of the Medical Corps during World War II.

Mr. Speaker, after the war, Henry enrolled at Duke University, where he met his wife, Betty Rushing. After they were married in 1950, they moved to Chapel Hill, where Henry studied at the University of North Carolina School of Dentistry as part of that dentistry school's inaugural class.

Following school, Henry and Betty moved to Raleigh in 1954, where he opened his first dental practice.

Mr. Speaker, Henry Lineberger practiced dentistry in Raleigh for more than 50 years, and during that time, he served on numerous dental boards, including the North Carolina Board of Dental Examiners, and he was known by his patients as being available day or night.

Henry was an active member of the Edenton Street United Methodist Church, where he enjoyed teaching Sunday school and gathering for fellowship. In fact, Mr. Speaker, Henry's Christian faith was the foundation of his life, and he spent a number of years immersed in Bible study.

Henry shared his love for Duke football and basketball with his children and his grandchildren. His grandchildren, by the way, Mr. Speaker, like to call Dr. Lineberger "Pinky." But despite his best efforts to turn them into Duke fans, they all attended the University of North Carolina at Chapel Hill.

Sadly, Mr. Speaker, Henry Lineberger passed away on July 11. He is remembered by his family as a caring husband, father, and grandfather, and he will be deeply missed by his community that he helped build.

#### WE CAN PIVOT TOWARDS BIPARTISAN ACTION CONSISTENT WITH THE AFFORDABLE CARE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, this is really an amazing time on Capitol Hill. The Republican internal battles and inability to deliver a coherent, effective alternative to fulfill all their contradictory campaign promises on healthcare has done more than just expose their political and policy dysfunction. They are obviously flirting with a serious political backlash.

They have managed to make the Affordable Care Act, ObamaCare, with all of its shortcomings, popular with the majority of the American public for the first time ever, including so many small business people.

They made the public more aware and concerned about Medicaid, that has expanded and made such a difference in Kentucky, in Oregon, in States all across the country, providing care for people otherwise who had not had it.

They have managed to accelerate the move towards single payer by more than a decade: Medicare for all, Medicaid for more. I don't know the exact form, but we are going to be moving in that direction, and the Republicans have helped raise the awareness and accelerate that progress, but I hope that we are going to be able to take steps to make progress sooner.

In the meantime, I suspect that the Affordable Care Act, the core reforms and structure, are going to, in fact, stay in place. This is because there aren't the votes in the Senate to do anything more; and frankly, it doesn't look like there are votes to do much in the House, the so-called skinny bill notwithstanding.

But I hope that we can pivot towards modest, bipartisan actions that are consistent with the Affordable Care Act, but don't depend on it. We have a number of bipartisan initiatives that are teed up and ready to go.

I have worked for years with Congresswoman DIANE BLACK from Tennessee, on value-based insurance design. This bipartisan legislation would reward value over volume and make insurance much more effective in paying for what we need.

I have an initiative with Congressman JASON SMITH and with Senator TODD YOUNG dealing with kidney health. This would enable providers to leverage those weekly sessions for dialysis for some of our most vulnerable Americans in terms of their health. Dialysis costs 1 percent of the entire Federal budget. We should be able to use that time and attention to deliver wraparound services, more care and less strain on people with multiple health needs.

We ought to be able to act on empowering our citizens and their families to know what they are facing at end of life. I have bipartisan legislation with my friend and colleague, Congressman ROE from Tennessee, along those lines.

Congress ought to accept the challenge from President Trump to deal

meaningfully with prescription drug costs. There is support on both sides of the aisle. We can save billions of dollars for Americans and the taxpayers, and we can provide better care.

There are mental health initiatives with our friend TIM MURPHY. Bipartisan progress was made in the last Congress, but there is much more that needs to be done.

In fact, we can work together to overcome the opposition of Chairman SESSIONS and the Rules Committee denying the House the right to vote on extending our veterans access bill to allow consultation about medical marijuana. No one can listen to the heartbreaking stories of veterans and their families about what medical marijuana has done to sufferers of PTSD, chronic pain, traumatic brain injury. It is legal in 29 states, but the Rules Committee denied the right of the House to vote on extending that service to our veterans and their doctors, despite the horrible record that the VA has in preventing veteran suicide, and where the opioid addiction rate for the VA is twice the general population.

These are things we can do tomorrow, not dealing with denying millions of people care through the Affordable Care Act and the various permutations that are spinning around now.

Do our job, work together, follow regular order, deal with bipartisan initiatives that will benefit the American people, save the taxpayer money, and improve the health of all Americans.

#### TRIBUTE TO SARAH MEECE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. ROGERS) for 5 minutes.

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to my long-time adviser and expert caseworker, Sarah Meece, upon her much-deserved retirement after dedicating more than 40 years of service by my side. When I reflect upon Sarah's career, I stand in awe of her loyalty, her unwavering patience, her persistent advocacy, and undying compassion for those in need.

As Congressman, I have the duty and the privilege of assisting the people of southern and eastern Kentucky as they grapple with Federal agencies. At the heart of those cases has stood Sarah Meece providing expert advice and staunch support for individuals in our region who need help with Social Security, disability, and retirement claims, among many other issues. In fact, over the last 36 years, Sarah has worked on approximately 150,000 cases, representing an unmatched record of assistance for more than 4,000 individuals each year.

Sarah has gained so much notoriety in her field that staff from other congressional offices, and officials even from the administration, contact her

for guidance in case work. And in this line of work, there are very few, if any, medals or certificates of honor to honor those worthy of recognition like Sarah; nonetheless, her drive and consistency has never failed.

Day in and day out, Sarah has answered countless phone calls, set up personal meetings, listened to some of the most heartbreaking stories from families who were denied benefits on multiple occasions, those in desperate need of recouping benefits, others who lost hope in a mountain of Federal paperwork. Sarah's reward has been the simple words of appreciation from the thousands upon thousands of individuals who she has helped over the years. In my eyes, she deserves so much more.

While I wish Sarah the best in her years of retirement, the absence of her daily presence in the office will be insurmountable. When I was elected Commonwealth's Attorney for Pulaski and Rockcastle Counties in 1969, Sarah Meece was there. When I was the Republican nominee for Lieutenant Governor in 1979, Sarah Meece was there. When I was elected to Congress in 1980, Sarah Meece was there. In fact, she has been with me every day since, even volunteering her personal time for campaign work along the way, ensuring we both could continue serving the public for another 2 years.

During her tenure, Sarah welcomed U.S. Presidents and Vice Presidents to our region, befriended eight Kentucky Governors and their staffs, and assisted hundreds of local leaders across southern and eastern Kentucky as they navigated through Federal issues.

However, it is the people living in the hills and hollers of Kentucky's Fifth Congressional District who have driven her passion-filled public service. With every call and every personal visit, Sarah offered an encouraging word of hope to our constituents. Very few people can find the silver lining in every cloud like Sarah does, or bring a smile and a laugh to a broken heart. Her comical candor and illustrative storytelling have been a bright spot in everyone's day.

I am forever grateful to have such a great friend and loyal adviser over these last 4 decades. Sarah's life's work has given countless families hope in their darkest hour and comforted them through lengthy and complex Federal issues.

Simply put, Sarah is irreplaceable, both her institutional knowledge of Federal casework and her kind, enduring spirit.

Mr. Speaker, if every congressional office and Federal agency had a Sarah Meece, our Nation would operate much better. She has been the jewel of my congressional operations and the truest friend to the people of southern and eastern Kentucky.

My wife, Cynthia, and I wish Sarah and her husband, Bud, many joyful and

restful years of retirement with their children and grandchildren.

□ 1045

#### OUR MILITARY DESERVES BETTER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. KENNEDY) for 5 minutes.

Mr. KENNEDY. Mr. Speaker, when our bravest men and women raise their hand and volunteered to defend our Nation, they defend all of her people, rich and poor, young and old, Democrat and Republican, gay and straight, Americans of all races, religions, ethnicities, beliefs, gender identities.

Our soldiers do not discriminate. They do not offer to pay the ultimate sacrifice for some Americans and not for others. Their government owes them that same courtesy, that same decency in return.

Instead, this morning, our President has told thousands of American soldiers that they will fight for us, but we will not fight for them; that their deeply personal medical decisions are somehow the public's business; that although they are willing to sacrifice their lives to protect our freedom, we will not offer them the most basic freedom in return.

Today, the President of the United States looked American soldiers in the eye and dared to question their patriotism, their courage. He doubted their commitment to their brothers and sisters in uniform. He said that our military couldn't or wouldn't stand for all of us.

To the thousands of brave transgender men and women serving today in uniform, please know that a grateful Nation does not take your service, your patriotism for granted.

You deserve better from your President. You deserve better from your government. You deserve better from your country.

#### THE SECRET SERBIAN RESCUE MISSION OF WORLD WAR II

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, during the long, dark, lamentable days of World War II, Serbians and Americans forged a bond in a secret mission that remained classified for almost 60 years.

What was known as Operation Halyard became the largest rescue operation of American airmen in history. It would not have been possible without the courage of the Serbian people.

In 1944, as the Allies advanced into fortress Europe, American bombers based in southern Italy began to strike Germany's vital oil supplies in Romania. The 15th Air Force launched nearly 20,000 sorties into Eastern Europe to

degrade Hitler's war machine. To do this, they had to fly over Nazi-occupied Yugoslavia. As many as 1,500 pilots and airmen were shot down during these dangerous flights.

Serbians who had been resisting German forces since 1941 risked their own lives to rescue American aircrews and hide them from patrolling Nazis. One of them was Serbian George Dudich, the father of Elaine Dudich, my chief of staff when I was a judge in Texas.

For months, George Dudich and the other Serbians aided downed Americans, caring for and protecting the pilots, and then smuggling the aircrews back to Allied lines.

By August 1944, hundreds of other downed aircrews were being sheltered by the Serbian guerillas. The OSS, the predecessor to the CIA, devised a plan to evacuate the Allied pilots in a daring mission coordinated with the Serbian resistance.

On August 10, unarmed American C-47s flew numerous sorties deep into enemy territory and landed at an improvised airfield built and protected by local Serbians near the village of Pranjani. By the 18th, more than 500 Allied airmen had been secretly rescued and flown back to Italy.

Here on this poster you see the Serbian resistance, along with American aircrews that had been downed, moving them to hiding from the Nazis that were patrolling the areas. For over 60 years, this bold, unbelievable secret operation was kept classified.

Our alliance with Serbia and the Serbian people goes back even further to the First World War. One hundred years ago, Serbia stood up to the aggression from the larger Austrian-Hungarian empire. We should admire such defiance against overwhelming odds.

Serbia's stand against tyranny also set events in motion that would lead the U.S. to take up the cause of freedom in Europe in World War I. That common devotion to liberty and the spirit of the Halyard mission still lives today with the close ties between the United States and Serbia.

As was the case in both World Wars, Serbia and the United States still face shared threats. We work together now to preserve each others' security. Serbian soldiers serve along with U.S. forces in fighting terrorism in Afghanistan, and Serbia is a partner in keeping terrorism from spreading in Serbia and in Europe.

However, Russian propaganda efforts in the country are particularly strong and anti-Western. We must be vigilant to thwart the Kremlin's efforts to poison our relationship with Serbia.

Fortunately, Serbia's integration into the West has continued to move in spite of Russian disinformation. In 2006, Serbia joined NATO's Partnership for Peace and, in 2015, signed an Individual Partnership Action Plan with the alliance to strengthen cooperation.

Serbia has no stronger supporter for increased integration with the EuroAtlantic community than the United States. So for more than 100 years, we have been friends with the Serbian people. And as co-chair of the Serbian Caucus, along with the gentleman from Missouri (Mr. CLEAVER), I want to welcome Serbian Ambassador Matkovic and his staff to the House Chamber today.

With our shared events in Operation Halyard, our combined history, and our fight for freedom, the American people are forever grateful for those Serbs who came to America's rescue during those bleak days of World War II.

And that is just the way it is.

#### HONORING THE STRUGGLE FOR CIVIL RIGHTS IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. COHEN) for 5 minutes.

Mr. COHEN. Mr. Speaker, I rise today in support of H.R. 1927, which is on the floor this afternoon, the African American Civil Rights Network Act. This is to honor the sad, yet heroic struggle for civil rights in America, a struggle for those who participated in the civil rights movement, a struggle for people that were, in fact, soldiers in a war for justice and democracy.

We appropriately and regularly honor the soldiers who wore uniforms and went to Europe and Asia to defend our country, and we appropriately and properly give them benefits that they deserve for what they did to protect democracy and justice.

But what we forget is those citizens in America who had to fight their own government and their own country for those same rights of justice and democracy.

Enslaved for over 250 years, and then treated in a netherworld of segregation for 100 years, and then slowly creeping in after Brown v. Board of Education in 1954 and the Voting Rights Act and the Civil Rights Act of the sixties and to this day, those who fought for civil rights deserve to be recognized as soldiers for justice and democracy, and this bill will honor their work with the Civil Rights Network Act in our country.

They used protests to gain public attention and, eventually, to spur judicial and legislative action. It goes all the way back to W.E.B. DuBois and others who fought when they weren't so popular and on television.

H.R. 1927 would establish a Civil Rights Network to commemorate and honor the history of the civil rights movement. And I want to encourage that the proposed sites include the Memphis Heritage Trail, which has applied for funding as part of that historical network.

It was in Memphis, unfortunately, in April of 1968, where Dr. Martin Luther

King, Jr., was slain. Dr. King gave his last speech in Memphis the night before at the Mason Temple, the "I Have Been to the Mountaintop" speech. And it was in Memphis where he started his last march about a week earlier, marching from the historic Clayborn Temple with the AFSCME workers—the American Federation of State, County, and Municipal Employees—who were garbage workers not recognized as a union and not recognized as men. "I am a man." Dr. King came to Memphis as part of his fight for justice and freedom.

The Clayborn Temple has risen from the ashes and is being renewed in Memphis as a place for events, worship, concerts, and protests. The National Civil Rights Museum has risen at the Lorraine Motel, where Dr. King was slain; the National Civil Rights Museum, which is outstanding and, next year, will commemorate the 50th anniversary of the assassination. Our own JOHN LEWIS will be there.

H.R. 1927 would help to memorialize these events and these places across the United States and others, from North Carolina, where the sit-ins started, and Nashville, to the voting rights march in Selma, the atrocities in Birmingham, and Rosa Parks and the bus boycott in Montgomery.

Julian Bond, our own JOHN LEWIS, Rosa Parks, Viola Liuzzo, Ida B. Wells, Michael Schwerner, James Cheney, Andrew Goodman, Joseph Lowery, Roy Wilkins, and others will be recognized.

I look forward to voting for H.R. 1927 and saying that it more appropriately represents and remembers heroes, fighters for justice, democracy and freedom; not recognized as such, but, in fact, such.

#### SUPPORT FOR SANCTIONS AGAINST RUSSIA, IRAN, AND NORTH KOREA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Missouri (Mrs. WAGNER) for 5 minutes.

Mrs. WAGNER. Mr. Speaker, I rise today to voice my support of the Russia, Iran, and North Korea Sanctions Act. These countries actively undermine U.S. national security and threaten the safety and freedoms we enjoy in the United States.

Yesterday, Congress acted swiftly, voting 419-3 to defend the interests of the American people. I commend the leadership of House Foreign Affairs Committee Chairman ROYCE and Majority Leader MCCARTHY for moving forward strong, meaningful legislation targeting the regimes carrying out brutal human rights violations against vulnerable peoples across the globe and threatening our national security.

The Obama administration, time and again, failed to hold these regimes accountable, and the outcomes of that inaction have had lasting ramifications on global stability and security.

U.S. officials are warning that North Korea will soon be able to launch a nuclear-capable intercontinental ballistic missile. And, to be clear, North Korea will soon have the capacity to kill American citizens on American soil. These are alarming developments and the United States must act aggressively to strengthen our own missile defense and immediately restrict North Korea's access to cash.

Murderous, tyrannical regimes have no place in the world, and I am confident that these bills will hold corrupt dictators accountable and advance justice for some of the world's most repressed populations.

#### AN IMPRESSIVE MILESTONE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. EMMER) for 5 minutes.

Mr. EMMER. Mr. Speaker, I rise today in celebration of the Elk River Municipal Utilities Commission's recent 70th anniversary.

The Elk River Municipal Utilities Commission was created or established in 1915, when a private citizen started Elk River Power and Light. The business was eventually purchased by the village of Elk River and operated by the city council.

Later on, when their responsibilities expanded to include water, the council created the Elk River Municipal Utilities Commission.

Throughout the years, this organization has not only seen their responsibilities expand, but their jurisdiction expand as well. In fact, today, the commission covers Otsego, Dayton, and Big Lake, in addition to the Elk River area, providing services to more than 11,000 Minnesota customers.

Thank you to everyone that makes the Elk River Municipal Utilities work, and congratulations on 70 years of great service to our communities.

#### AN INCREDIBLE ANNIVERSARY

Mr. EMMER. Mr. Speaker, I rise today to celebrate the 160th anniversary of the Anoka-Champlin Fire Department. Since 1857, this fire department has been dedicated to protecting lives and property in our communities.

To give a little perspective on the history of the organization, the Anoka-Champlin Fire Department has been serving the great State of Minnesota since it was still a territory and before the Civil War.

□ 1100

Due to their hard work and often lifesaving efforts, Anoka and Champlin have been allowed to grow into thriving communities.

I want to thank the cities of Anoka and Champlin for continuing to support this important organization. Thank you for your service and commitment to our communities and their citizens.

Congratulations on your anniversary and upcoming celebration. It is well deserved.

#### TWO LIVES HONORED FOR SAVING ANOTHER

Mr. EMMER. Mr. Speaker, I rise today to honor two men from my State whose quick thinking saved the life of another earlier this year.

Dr. Bob Schwegler and Dr. Tom Cress were both golfing with Steve Blattner at the Albany Golf Course when Steve began to suffer a cardiac event. Instead of panicking, both doctors successfully performed lifesaving measures on Steve, and with the assistance of the Albany Fire Department, their efforts were successful in saving Steve's life.

As a result of their heroic actions, Dr. Schwegler and Dr. Cress were recently presented with lifesaving awards by Stearns County Sheriff Don Gudmundson and Lieutenant Vic Weiss at the Stearns County Board of Commissioners meeting.

Thank you, Bob Schwegler, Tom Cress, and the Albany Fire Department, for your heroic actions. We appreciate your service.

#### A PERFECT SCORE

Mr. EMMER. Mr. Speaker, I rise today to congratulate a student in my district for an incredible academic achievement. Tyler Wilson of Andover, Minnesota, received a perfect score on his ACT this year, making him, no doubt, a valuable candidate for most colleges and universities across this country.

To give an idea on how extraordinary that achievement is, only 0.1 percent of all individuals who take the ACT receive a perfect score.

Tyler is going into his senior year at Andover High School. He hopes to attend either Drake University or the University of Minnesota in the Twin Cities, with the goal of pursuing a career as a pharmacist.

We wish Tyler the best of luck on his senior year in high school, and we are excited to see what this scholar will accomplish in the future.

Congratulations again, Tyler. We are all so proud of you.

#### RECOGNIZING NATIONAL COUNCIL ON INDEPENDENT LIVING ON 35 YEARS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate the National Council on Independent Living for celebrating its 35th anniversary this year. Their persistent advocacy has had a tremendous impact on the disability community and has not gone unnoticed.

Mr. Speaker, as you may know, before I was elected to serve in Congress, I worked for many years as a therapist,

a rehab services manager, and worked in the community with individuals living with intellectual disabilities and as a licensed nursing home administrator.

Working with individuals facing life-changing diseases and disabilities has been one of the greatest joys of my life, after my wife and children and two grandsons. There is something extraordinary about supporting an individual as they set out on challenging journeys toward rehabilitation and autonomy. My passion for improving the quality of care for my patients and helping them achieve independence is what brought me here to Congress.

Last year, I was proud to turn my experience into advocacy by guiding the Special Needs Trust Fairness Act through the legislative process. This commonsense bill empowered those living with disabilities to set up their own special needs trusts, an action which was barred by previous law. After receiving overwhelming bipartisan support in both the House and Senate, language from the bill was included in the 21st Century Cures Act, which was signed into law on December 13, 2016.

Mr. Speaker, safeguarding the rights of Americans living with disabilities is a cause I am honored to fight for, and I look forward to continuing my efforts.

#### HONORING THE LIFE OF DR. HOWARD KIRTLAND

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I would like to recognize a member of the medical community whom we recently lost.

Today, I honor the life and memory of Dr. Howard Kirtland, who passed away last week after years of selfless service to his community and employees through his practice, Venango Hematology and Oncology, as well as the Kirtland Cancer Foundation.

Dr. Kirtland was well-known for his kindness and generosity throughout the community. Those closest to him will be deeply impacted by the loss of a man who was loved for his mentorship, selflessness, and incredible work ethic.

Dr. Kirtland founded the Kirtland Cancer Foundation with his personal resources to financially assist cancer patients and their families, as well as providing scholarship money to students affected by the disease.

Dr. Kirtland was born in San Antonio, Texas, and raised in Poughkeepsie, New York. During his residency at the University of Virginia, he left school to enlist in the Army. He served in Vietnam before moving to Franklin, Pennsylvania, in the Pennsylvania Fifth Congressional District, to start his practice.

On behalf of the people of Pennsylvania, I recognize and honor Dr. Kirtland for his incredible life of service to those around him. He will be greatly missed.

#### BORDER SECURITY

The SPEAKER pro tempore (Mr. MCCLINTOCK). The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, as an FBI agent, my job was to keep the American people safe from all enemies, both foreign and domestic.

On the national security front, those components include a sound counterterrorism strategy, a sound counterintelligence strategy, a sound cybersecurity strategy, a sound foreign policy, and a sound border security strategy.

Before us today, Mr. Speaker, is the issue of border security, an issue that, quite frankly, has been largely ignored over the past several decades by both parties. As a result, our national security remains compromised at a point in time where we live in a more dangerous world now than we ever have.

When you combine the fact that our enemies are now both more sophisticated and better funded, coupled with our border security apparatus which is underfunded, outdated, and compromised, this is a recipe for disaster for our Nation. The time is now to act on securing our border: north, south, east, and west—all of its components in all of our geographic regions.

As a member of the Homeland Security Committee, I have spent time on the border with our brave women and men on the front lines, working with CPB officers and Border Patrol agents. I have spent time both on the ocean and in the sky with brave women and men in our Coast Guard. Mr. Speaker, they are pleading for our help, and shame on us if we do not deliver for them.

Their requests are simple: increase their manpower to provide them with a sufficient number of agents to interdict not just drugs and guns from cartels, but also criminals and terrorists who seek to do us harm; invest in the technology that they need to do their jobs, to include drones and aerial surveillance, infrared technology, heat sensors, motion detectors both above and below the ground, and an array of 21st century, high-tech options that serve as force multipliers along the border.

They need physical barriers in various forms along various stretches of the border in order to slow down the cartels and allow for sufficient response time for the agents to interdict. Moreover, we must invest heavily in a robust human intelligence program, giving our agents the resources they need to recruit human sources on the other side of the border to provide our agents with the advance notice of both the sources and the methods of criminal conspiracies that are forming along the border.

In addition, we must bolster the Office of Inspector General to crack down on border corruption through the use of drug testing, financial screening, and polygraph examinations.

Mr. Speaker, the concept of border security is a multipronged challenge that requires action on all fronts, not just one or two, and I urge my friends and colleagues on both sides of the aisle: Please do not politicize this issue.

Securing operational control of our border is a national security emergency. My former law enforcement colleagues who are putting their life on the line every day while protecting our borders are asking for our help. Let us not let them down.

#### THE TAYLOR FORCE ACT

The SPEAKER pro tempore (Mr. THOMPSON of Pennsylvania). The Chair recognizes the gentleman from Florida (Mr. CURBELO) for 5 minutes.

Mr. CURBELO of Florida. Mr. Speaker, I rise today in support of H.R. 1164, the Taylor Force Act. This legislation conditions financial assistance from the United States on the Palestinian Authority's termination of support for terror committed by individuals under its jurisdictional control. In order for the Palestinian Authority to receive aid, it would also be required to condemn acts of terror and cease providing payments to those who have committed such acts.

The bill is named after Taylor Force, a former U.S. Army officer who was stabbed to death during a terrorist attack in Tel Aviv.

This legislation is a commonsense solution that we must address. The Palestinian Authority, under the leadership of Mahmoud Abbas, has continued to support efforts that undermine attempts at peace between the Palestinians and our great ally Israel.

The blatant encouragement of terrorist activity by the Palestinian Authority must end. Why should we be rewarding this kind of behavior?

The Palestinian Authority perpetuates terrorism by paying salaries to terrorists who are in prison. To make matters worse, those salaries increase the longer they are in jail, thus encouraging these terrorists to commit more violent acts.

This is unacceptable. The United States must do something to end this conduct because the reality is it is costing innocent lives. I believe the goals of H.R. 1164, the Taylor Force Act, are a step in the right direction, and I urge my colleagues to join me in calling for its consideration and passage in the House.

#### LOW INCOME HOUSING

Mr. CURBELO of Florida. Mr. Speaker, I rise today to draw much-needed attention to our Nation's rental affordability crisis, from rural America to the suburbs, to the big cities, this problem grows in severity each day, limiting Americans' abilities to provide quality food, medical care, and safety for their families.

My home State of Florida has been particularly hard-hit, ranking third among States with the greatest number of severely cost-burdened renters. In my district, the Florida Keys continue to face an affordable housing crisis that has made it difficult for the workers and entrepreneurs of its ever-growing economy.

That is why, earlier this year, I attended the opening of the first-ever affordable housing project for low-income seniors outside of Key West. I have also been working to ensure Naval Air Station Key West, which currently has 166 units on base that have sat vacant for several years, is put to better use. While the process is slow, I am grateful for the Navy's assistance as we work to explore the possibility of opening these units for more affordable housing in the Keys.

Mr. Speaker, finding solutions to making housing more affordable for our constituents, especially the most vulnerable, is a priority of mine here in Congress. I am proud to stand with Mr. TIBERI of Ohio and over 70 bipartisan Members to support his efforts to reform and strengthen low-income housing tax credits. It is time for Congress to work towards responsible solutions and make the rental affordability crisis a priority.

#### PASSAGE OF SANCTIONS PACKAGE

Mr. CURBELO of Florida. Mr. Speaker, I rise today to celebrate the passage of sanctions against the Iranian, Russian, and North Korean regimes. This package of sanctions sends a strong message to these regimes that the United States will not tolerate their rogue actions.

These sanctions will hold accountable those involved in the Iranian regime's ballistic missile program, those who attempt to destabilize the region and threaten Israel, as well as those responsible for Iran's ongoing human rights abuses. The legislation also sets us on a path to deter conventional Iranian activities in the region and imposes sanctions on any individual that contributes to Iran's ballistic missiles or to terrorism.

The sanctions against North Korea will respond to its increasingly hostile threats against the United States and our allies in Asia. By increasing the President's authority to impose sanctions on persons in violation of United National Security Council resolutions regarding North Korea, we are ensuring action can be taken swiftly when necessary.

Last, but certainly not least, we have strengthened sanctions against Russia in response to cyber attacks and interference in Ukraine. Specifically, we are increasing sanctions on human rights abusers, those who supply weapons to the Assad regime in Syria, and those conducting cyber activity on behalf of the Russian Government.

Given the seriousness of Russia's aggression, we are strengthening the ex-

isting sanctions contained in executive orders on Russia and mandating a congressional review if any sanctions are relaxed, suspended, or terminated. I strongly encourage the President to sign this bill into law and will continue to impress upon all of my colleagues the need to not treat Russia lightly.

These threats posed to our national security by Iran, Russia, and North Korea cannot be understated. With passage of this sanctions package, Congress is doing its job to ensure they will be held accountable.

#### SALUTING THE FIREFIGHTERS AND AGENCIES OF CAL FIRE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, I want to begin by saluting the more than 5,000 firefighters from 40 cooperating agencies that assembled under the coordination of CAL FIRE to battle the Detwiler fire that threatened Yosemite Valley and its gateway communities.

I spent Saturday at the command centers in Mariposa and Merced Counties, and what I said is what I have seen time and again at so many fires we are having these days in the Sierras: cool, calm professionalism; selflessness; and devotion to duty.

□ 1115

CAL FIRE is an agency that works. I want particularly to salute and thank Nancy Koerperich, CAL FIRE's unit fire chief for Madera, Merced, and Mariposa. She and her operation literally saved several towns, including Mariposa and Coulterville, from annihilation last week.

Sheriff Doug Binnewies of Mariposa County is rightly being hailed for his courage and leadership in directing the orderly evacuation of the town of Mariposa as the fire bore down upon it.

You can literally see how the fire burned right up to the town's edge. I can't tell you how many homes I saw where firefighters stopped it literally within a few feet of their front doors. CAL FIRE Battalion Chief Jeremy Rahn told me that the difference between saving and losing so many homes was defensible space.

CAL FIRE has produced a superb phone app to assist homeowners in preparing their homes so that if, God forbid, the need arises, firefighters will be able to defend them. It also provides fire alerts, and anyone in the mountain community should have it. It is free for downloading at your phone's app store.

I cannot say enough about the firefighters who have been working in triple-digit heat on 24-hour shifts to battle the flames or the air crews that dropped a staggering 500,000 gallons of fire retardant in a single day at the

height of the conflagration. Their effectiveness can be seen by red borders of fire retardant that separate the blackened ground of the fire on one side from the landscape they saved on the other.

They not only saved these communities and hundreds of homes, they also stopped the fire within just a few miles of the Stanislaus National Forest, a forest that is dying because of Federal environmental restrictions on forest management. The firefighters warned that, if the fire had reached these vast stands of dead trees, the fire would have exploded with atomic force. And that is the fine point of the matter.

I spoke with Mariposa County Supervisor Marshall Long and many of the other firefighters at the Mariposa command center, and the one thing that they stressed time and again is that they need relief from the regulations that are making it almost impossible to create firebreaks, thin the forests, or remove the excess fuels.

These policies, imposed 45 years ago through legislation like the National Environmental Policy Act and the Endangered Species Act, promised to improve the forest environment. After 45 years of experience with these laws, I think we are entitled to ask: Well, how is the forest environment doing? The answer is damning. These laws have made it virtually impossible to keep our forests properly managed, and the result has been severe tree overcrowding.

The Sierra Nevada normally support between 20 and 100 trees per acre, depending upon the topography. The average tree density is now 266 trees per acre. This extreme overcrowding has stressed the trees to the point they can no longer resist drought and beetle infestation and disease. This has caused a massive tree die-off, and we have entire national forests now just waiting to explode with over 100 million dead trees.

The heroic firefighters of the Detwiler fire have kept it out of these hazard zones, but the hazard zones are still there. And consider this: we are only at the very beginning of the fire season that combines fresh brush from last year's rains with millions of dead trees that were too stressed from overcrowding to survive the drought. The firefighters I spoke with on Saturday bitterly complained that they can't even cut firebreaks to isolate these zones because of the same so-called environmental laws.

The House has pending before it the Resilient Federal Forests Act of 2017 that would allow us to restore good forest management, but we may already have run afoul of what Churchill called history's "terrible, chilling words: too late."

Mr. Speaker, I call for expeditious consideration of the Resilient Federal Forests Act and other legislation aimed at restoring management to our



forests in the hope that firefighters can hold these fires at bay until we restore good management to our public lands.

#### RECESS

The SPEAKER pro tempore (Mr. CURBELO of Florida). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 19 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

#### PRAYER

Reverend William D. Johnson, Jr., Harbour Lake Baptist Church, Goose Creek, South Carolina, offered the following prayer:

Dear Heavenly Father, we thank You for the day that You have bestowed upon us. May our actions glorify You in all that we do. We humbly request that You, Lord, place Your providential hand of protection upon every Member, their families, and those who guard and protect this Chamber.

O gracious God, remind us daily that while we are here to represent the people, our authority comes from You, for there is no authority except from God, and those who exist are established by God.

May there be renewal of prayer across the United States. God, place a burden upon us that we may seek You before we undertake any endeavor.

God bless the House of Representatives, and God bless these United States of America.

I ask this in the name of Jesus Christ.

Amen.

#### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from California (Mr. LOWENTHAL) come forward and lead the House in the Pledge of Allegiance.

Mr. LOWENTHAL led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

#### OUR CHILDREN ARE NOT FOR SALE

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, sitting a mere 20 feet away from the man that raped and trafficked her daughter, Jennifer waited anxiously in the courtroom as the judge prepared to announce the sentence.

The amount of pain and turmoil this criminal inflicted on her family could never be undone.

A few years ago, this man pulled up alongside Jennifer's daughter as she walked down the street. He lured the 15-year-old into his car, and he sexually assaulted her. He then took her to a motel and began forcing her to have sex with numerous men for money. He posted an ad about her online offering buyers a chance to "play with innocence." He literally stole her youth, her happiness, and he sold her to the highest bidder.

When Jennifer finally heard the judge's sentence, she wept with tears of joy—180 years in prison for the trafficker, from the right-thinking judge.

Let the word get out to deviants and traffickers and buyers: Our children are not for sale. There is a price to pay for the trafficker who sells our kids.

And that is just the way it is.

#### TOXIC ALGAL BLOOMS

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Madam Speaker, according to the national environmental officials, for the first time this year, toxic algal blooms have formed on the shores of Lake Erie.

This toxic accumulation of algae represents a direct threat to the people of western New York, but they also threaten the surrounding Great Lakes communities, representing 20 percent of the world's freshwater drinking supply.

This past year, toxic blooms have been so extreme that they have infiltrated clean drinking water sources, turning once clean waters into toxic swamps. These hazardous blooms threaten the local economy, which is dependent on fishing, recreation, and tourism. Furthermore, they represent a critical danger to wildlife present on Lake Erie.

At a time when the House is considering defunding environmental efforts, I would remind my colleagues of the tremendous progress that we have made to the Great Lakes Restoration

Initiative to clean up our Nation's lakes and rivers. This is no time to turn back.

#### HONORING EDNA BERNICE HARVEY TURMAN

(Mr. CRAWFORD asked and was given permission to address the House for 1 minute.)

Mr. CRAWFORD. Mr. Speaker, I rise today in honor of Edna Bernice Harvey Turman, who is celebrating her 100th birthday on August 15 of this year.

Edna was born in 1917 and grew up just south of my own hometown, Jonesboro, in a community called Apt with her mother and father, Bill and Molly Harvey.

She began working at Harvey's grocery store, and afterwards she met a man named Raymond Turman. The pair married in 1936 and farmed and raised cattle together.

During World War II, Edna and Raymond farmed for the government and sold soybeans, cotton, creamed milk, and formed butter.

Edna and Raymond had five children: Mary, Barbara, Billy Ray, Garry, and Ronnie. Edna also has 9 grandchildren, 12 great-grandchildren, and 8 great-great-grandchildren.

An active member of her community and county, Edna is very passionate about her church, was a member of the International Order of the Rainbow for Girls, and even helped run the voting location in south Craighead County for several years.

Today, besides being a happy grandmother, great-grandmother, and great-great-grandmother, Edna still lives on the old homestead and works in her yard. Edna truly is a member of the greatest generation of Americans by which all the following generations are measured, and whether we realize it or not, it was people like Edna who built our communities and continue to shape the America we live in today. I hope you will join me in wishing her a happy 100th birthday.

#### JCPOA NEGOTIATIONS

(Mr. LOWENTHAL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOWENTHAL. Mr. Speaker, "irresponsible, reckless, duplicitous," all words used to describe Iran during the JCPOA negotiations.

Soon, if this administration abrogates the JCPOA, those words would apply to us: "irresponsible" for shredding an agreement that makes the world a safer place, "reckless" in giving Iran an excuse to immediately restart the nuclear program, and "duplicious" in breaking an international agreement for no legitimate reason but to fulfill a campaign promise.

Make no mistake, Iran is still a bad actor. It destabilizes the region. It funds terrorist activities. That is why we voted to increase nonnuclear sanctions on Iran yesterday. But the Iran nuclear agreement is being adhered to, and it is working.

Under this administration, are we, as a nation, no longer as good as our word?

#### HONORING THE LIFE OF CURRY TOMMY HAYNES

(Mr. JODY B. HICE of Georgia asked and was given permission to address the House for 1 minute.)

Mr. JODY B. HICE of Georgia. Mr. Speaker, I rise today to honor the life of Curry Tommy Haynes, a longtime Georgia resident and brave hero of the Vietnam war, who joined our Heavenly Father on July 16 after a long battle with cancer.

Mr. Haynes was one of the most decorated soldiers in our Nation's history, earning 10 Purple Heart awards for his bravery in combat in the jungles of Vietnam. Mr. Haynes remained an active member of the community after returning from duty by launching the Newton County EMT services, teaching locals to fly and skydive, and serving as a VA counselor to his fellow servicemembers.

Mr. Speaker, while serving in Vietnam as part of the U.S. Army 173rd Airborne Brigade, Company C of the 503rd Infantry, Mr. Haynes was wounded multiple times. He was shot in the arm, the thighs, the hand; he lost two fingers in one enemy ambush alone. Yet despite the multiple injuries, he never quit fighting.

In 2015, he was presented with a special letter of proclamation issued by Georgia Governor Nathan Deal during a special ceremony recognizing his sacrifice.

When asked how he survived combat with his numerous injuries, Mr. Haynes simply replied: I don't believe in luck. I owe it all to Jesus Christ.

Mr. Speaker, I ask my colleagues to please stand with me and join me in a moment of silence to honor the life and legacy of this American hero who deserves the respect of all Americans.

#### BORDER WALL FUNDING

(Ms. JUDY CHU of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JUDY CHU of California. Mr. Speaker, the inclusion of \$1.6 billion to fund an ineffective divisive border wall is a direct attack on immigrant communities across our Nation. Funding this immoral wall does nothing to help our country. It only helps to promote President Trump's campaign of fear.

The wall itself mirrors President Trump's approach to policy: divisive, ineffective, and motivated by hate.

This is exemplified by the Trump administration's reckless disregard of the humanitarian cost of building a border wall, which will force immigrants and asylum seekers to take greater risks and more dangerous routes that will likely result in more deaths. Furthermore, this wall will literally divide immigrant households and tear families apart.

Instead of funding ineffective efforts to protect our homeland from dangerous threats, this administration would rather fulfill a campaign promise that does the exact opposite. It makes us less safe by targeting immigrant communities and closing off America from our neighbors.

American taxpayers should not be forced to foot the bill for President Trump's xenophobic anti-immigrant agenda.

#### AUGUST 21 TOTAL SOLAR ECLIPSE

(Mr. BOST asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOST. Mr. Speaker, on August 21, a total solar eclipse will stretch from coast to coast in the United States for the first time in 99 years, and I am proud to say that my district in southern Illinois is the prime viewing spot.

In fact, my home county of Jackson County near Carbondale, and also my front yard, is where the eclipse will be at its apex.

For 2 minutes and 38 seconds, it will be like total darkness in the middle of the day. The city's population of 26,000 is expected to multiply many times over from visitors around the world coming for tourism and to see this astronomical Super Bowl.

So I would encourage my colleagues and the American people to visit for some world championship southern Illinois barbecue, the beautiful outdoors, the wonderful wineries, and welcome one and all people for the best viewing moments of this solar eclipse.

#### WORK TOGETHER TO IMPROVE ACA

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, while the Senate is moving forward this week on their deeply flawed and really unpopular healthcare bill, millions of Americans know that they will lose healthcare under TrumpCare. They will face skyrocketing costs, premiums will go up, prescription drug prices will go up.

Republicans need to drop this obsession with repeal and work with Democrats to fix the problems that we know exist in the Affordable Care Act. No law is perfect. At least no law that has ever been written here is perfect.

And the American people, at least the folks I talk to back home, they are exhausted. They are sick of this partisanship. We have some ideas that you might like. You have some ideas that maybe we could accept. We ought to get together and figure out a way to make healthcare work for every American and not obsess about the notion that anything signed by the previous President, by definition, is bad law.

Let us do what the American people sent us here to do.

#### RECOGNITION OF LIEUTENANT COMMANDER MIGUEL SANTIESTEBAN

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to recognize Lieutenant Commander Miguel Santiesteban, who is receiving the U.S. Navy's nomination to be commander. Having fled Castro's regime at a young age, Miguel moved with his family to south Florida.

Driven by his desire to serve our great country, Miguel joined the Navy in 1989. While stationed in Japan as a deck seaman, Miguel was one of the few selected to attend the Hospital Corpsman "A" School.

He earned a master's degree in healthcare service administration at my alma mater, Florida International University.

Miguel was commissioned in 2001 and completed his first duty assignment at the U.S. Naval Hospital in Guantanamo Bay, Cuba. He is currently an administrative officer for research and development at the U.S. Navy Bureau of Medicine and Surgery.

Miguel has earned many accolades, including the Defense Meritorious Service Medal, the NATO Medal, and the National Defense Service Medal several times. Miguel lives the Navy's core values of honor, courage, commitment.

I join Lieutenant Commander Miguel Santiesteban's family and friends in congratulating him on this well-deserved nomination. We are so proud of you, Miguel.

□ 1215

#### A BETTER DEAL

(Ms. KUSTER of New Hampshire asked and was given permission to address the House for 1 minute.)

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise today because it is long past time that the American people got a better deal.

All Americans want the same thing: a fair chance to get ahead and a better deal than the raw deal that many have right now.

Granite Staters in my district want to have the skills to get ahead in the

21st century economy. We want better pay and better jobs. Many women, and increasingly more men, are what we know as the “sandwich” generation, caring for young children and aging parents and relatives, often at the same time.

That is why we need paid family leave and sick leave. We need to expand our educational system and skills training for all types of opportunities.

Just this week, the Girl Scouts of America announced 23 new merit badges in science, technology, engineering, and mathematics. This is symbolic of what we need to do as a nation. Encourage young people, boys and girls, to pursue their interests in the fields that will be the cornerstone of the 21st century economy.

America deserves a better deal, and that is what we are offering.

#### HUMAN TRAFFICKING

(Mr. CULBERSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CULBERSON. Mr. Speaker, last year, over 7,000 cases of human trafficking were reported in the United States. Unfortunately, the city with the largest number of cases was our hometown of Houston, Texas.

Human trafficking is an absolutely despicable and deplorable crime that demands swift action.

As chairman of the Commerce, Justice, Science, and Related Agencies Subcommittee, I have spearheaded efforts to make sure that our Federal law enforcement officers have all the resources they need to crack down on these human traffickers, who are exploiting our children and young women coming across our borders.

We have to work together to provide justice and relief for these victims. That is why Congress has passed 16 bipartisan bills to combat this human trafficking epidemic.

These bills ensure that all law enforcement officers at the State, Federal, and local level have the resources they need and the support they need to fight this overwhelming crisis.

I am proud to support these measures, and I will continue to work with my colleagues to ensure that we crack down and drop the hammer on human traffickers.

#### FUNDING TO BUILD A BORDER WALL

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Speaker, I rise today in strong opposition to the proposed border wall funding.

Instead of wasting \$1.6 billion in taxpayers' dollars on an unnecessary border wall, the DHS should focus its lim-

ited resources on more important border security priorities.

This includes upgrading and hiring more personnel for ports of entry, the main path for illegal drugs. This could include better and more technology so that border security agents will have a better idea what is happening along the borders.

The border wall will be dangerous. Violence, poverty, and family ties ensure that migrants will continue attempting the risky journey through the border region's hostile zones.

The border wall will be divisive. We need to do our job, Mr. Speaker, and come together as a Congress for a comprehensive immigration plan; at the least, reform of our immigration policies. Building a wall sends a toxic message to one of our closest neighbors, a country on which we, the United States, depend on.

#### RECOGNIZING HUCK PLYLER

(Mr. WESTERMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WESTERMAN. Mr. Speaker, I rise today to honor a young man whose thoughtfulness and generosity has stirred the hearts, souls, and patriotic spirits of people across my district in Arkansas.

Earlier this year, 6-year-old Huck Plyler from Hope, Arkansas, started what is now known as Huck's Military Care Package Project. Huck's project is comprised of putting together care packages for nearly 700 members of the Arkansas National Guard currently deployed to the Horn of Africa.

Huck's care packages include items such as nonperishable snacks, lip balm, sunscreen, personal hygiene products, socks, and more.

When asked why he decided to start this project, Huck's answer was: “We do this because they help us, so we help them.”

Though simple, this reply is wise beyond his years.

Huck's dedication to this project has enabled him to collect enough donated items and monetary donations to send over 50 boxes to our troops thus far.

Mr. Speaker, Huck's kindness and thoughtfulness brings honor to himself; his parents, Caleb and Brianna Plyler; and to the benevolent people of Hempstead County and Arkansas.

I commend and thank Huck for his hard work and commitment to our military members serving overseas. It is young men and women like Huck that give me hope for the future, hope that the giving and caring spirit is still alive and well in our young people and country today.

#### A BETTER DEAL

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, earlier this week, Democrats unveiled A Better Deal for the American people. This is an economic agenda that will create 10 million good-paying, full-time jobs; raise pay; lower costs; and give workers the tools that they need to get ahead.

A job is much more than just a paycheck. It is about knowing that your hard work is valued and honored. It is about being treated with the dignity and respect that every human being deserves. We don't have enough of that in this country today.

People in my State and all across America feel like the system is completely stacked against them. And do you know what? They are right.

Our Tax Code rewards companies that ship jobs overseas. Millionaires and billionaires don't pay their fair share. Corporate special interests spend secretly in our elections. It doesn't have to be this way; and with A Better Deal, it won't be this way.

We are going to invest in our infrastructure, we are going to build a new manufacturing economy, double investments in apprenticeships, and we are going to make sure that working families are valued again.

The American people have had enough broken promises to last them a lifetime, but Democrats are going to deliver real results to them with A Better Deal, better jobs, better wages, for a better future.

#### CONGRATULATING JACK AND MARIANNE COX

(Mr. McCLINTOCK asked and was given permission to address the House for 1 minute.)

Mr. McCLINTOCK. Mr. Speaker, I rise to congratulate Jack and Marianne Cox on the occasion of their upcoming golden wedding anniversary.

Jack served for many years as chief of staff for Congressman Barry Goldwater, Jr. In fact, I first met him in that capacity when I was still in high school. I have done quite a bit of aging since then. Jack and Marianne have not, which I find annoying, but there it is.

Jack was the quintessential congressional chief of staff. He was always one step behind Barry, whispering names in his ear as he went from handshake to handshake.

Jack was also one of the moving forces behind the creation of the Republican Study Committee.

Somehow he also found time to marry and raise a family in those years. And, even more surprisingly, Marianne put up with it.

Jack and Marianne have sort of retired to the town of Copperopolis, and I extend to them heartiest congratulations on the celebration of this family milestone.

## THE RIGHT TO HEALTHCARE

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, even as our colleagues in the Senate try, once again, today to strip lifesaving healthcare away from millions of Americans, I find that there is reason to hope and to have faith not in this Congress, where the work of cruel indifference to suffering precedes once again, but, rather, in the American people, because it has been the efforts of ordinary citizens whose calls and letters and protests have been making all the difference in this issue. It has been the collective voices of people telling their stories of struggle and survival who have slowed the system roller of repeal.

I salute each and every one of them. Your voices count. Your stories are important. Keep them coming because you, your health, and your healthcare matter.

## RECOGNIZING LOUISE JOHNSON

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize the outstanding service of Mrs. Louise Johnson, this year's recipient of the Friends of the Fair Award from the Clinton County Fair.

Mrs. Johnson has dedicated herself to the people and organizations of Clinton County for many years, particularly the Clinton County Fair.

She served as chair of the Hershey Baking Contest for 22 years, as co-chair for Open Show for 19 years, and created the Sizzling Senior Talent Show in 2010.

Beyond her involvement at the fair, Mrs. Johnson has served at the Monument Church of Christ for more than six decades, teaching Sunday school, playing the piano, and serving as treasurer.

She has further enriched the community by teaching crochet classes, serving residents at Haven Skilled Rehabilitation and Nursing, and assisting at Lock Haven Hospital.

Mr. Speaker, the time and dedication Mrs. Johnson has given to her community is truly inspiring. I am so proud to congratulate her on this well-deserved award.

I congratulate Mrs. Johnson, and I thank her for all that she has given in services to the communities of both Centre and Clinton Counties.

## BORDER SECURITY

(Ms. SÁNCHEZ asked and was given permission to address the House for 1 minute.)

Ms. SÁNCHEZ. Mr. Speaker, after more than 6 months of failing to pass any major legislative bills, House Republicans are becoming desperate for a win. So desperate, they decided to sneak in \$1.6 billion into a funding bill to start construction on an unworkable wall along our border. While I support real border security, this stunt is a far cry from that.

I believe in investing our Federal dollars wisely. Instead of building a medieval solution that will not work, why don't we use those billions of dollars for a big, beautiful jobs package? Or big, beautiful bridges, roads, and infrastructure throughout this country? Or to ensure that our children can access higher education and job training, healthcare, and housing?

Instead, my Republican colleagues are attempting to distract us from their failures by passing this bill. You would think that with their back against a wall, they wouldn't be this eager to start building another one.

## CONGRATULATING THE SERGEANT ANDREW BRUCHER VETERANS OF FOREIGN WARS POST 5499

(Mr. FASO asked and was given permission to address the House for 1 minute.)

Mr. FASO. Mr. Speaker, today I rise to congratulate the Sergeant Andrew Brucher Veterans of Foreign Wars Post 5419, located in Kauneonga Lake, New York, which will soon be celebrating its 50th anniversary.

At the anniversary dinner, the post will honor two very special people: Mrs. Mabel Brucher, a Gold Star mother whose son Post 5499 is named for; and Mr. Raymond Jankowski, a veteran of the Second World War and founding charter member of Post 5499.

Honoring those who have served our Nation should be a top priority for all Americans, and the VFW is an essential organization that fosters camaraderie among American veterans and advocates on their behalf.

Congratulations to Post 5499. I look forward to honoring this important milestone with members of the post this weekend.

## BORDER WALL

(Mr. CÁRDENAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CÁRDENAS. Mr. Speaker, today I rise to oppose the inclusion of \$1.6 billion that would be a waste of taxpayer money on this useless wall. The funds will go towards an unnecessary wall along the Southern border. This wall that the President promised voters that Mexico would pay for is now being put on the taxpayers' backs.

\$1.6 billion can be used for better things. It can pay for thousands of jobs

in the U.S. and workforce development programs and apprenticeships.

And one other thing: agents protecting our border don't even want it. They do not see themselves as defenders of a wall.

Mr. President, please come back to reality. This is not "Game of Thrones."

This administration needs to stop demonizing people outside of our borders. We need to fix our immigration system, and we can do it in a humane and pragmatic and effective way, and in a way that will supercharge our economy and actually create American jobs.

The SPEAKER pro tempore (Mr. POE of Texas). Members are reminded to address their remarks to the Chair and not to the President.

□ 1230

## IN RECOGNITION OF BRIAN BERG

(Mr. SCHRADER asked and was given permission to address the House for 1 minute.)

Mr. SCHRADER. Mr. Speaker, as the House co-chair of the bipartisan Paper and Packaging Caucus, I rise today to recognize an individual from my district who has dedicated his entire professional life to an industry that is the lifeblood of a rural community in my State, Toledo, Oregon. I am talking about Brian Berg, who, after 41 years with Georgia-Pacific, will be retiring Friday.

For 50 years, GP has been an integral part of Lincoln County and a community partner, providing paper and packaging products that are used around the world.

For over 41 years, Brian has been a leader at GP in helping ensure that the mill continues to thrive and be successful and provide for this community now and into the future.

I want to thank Brian for his dedication, his service, and his commitment to an industry that has been critical to my district and many of my constituents. I wish you all the best and hope you get to enjoy some time with your lovely wife, Janet, and kids, Savannah, Ashley, and Riley.

## PRESIDENT TRUMP WILL DENY TRANSGENDER PEOPLE THE RIGHT TO SERVE IN THE MILITARY

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute.)

Mr. BLUMENAUER. Mr. Speaker, today, Donald Trump announced via Twitter, how else, that he is going to reverse the Obama-era decision and deny transgender people the right to openly serve in our military.

I think it is shameful to divide Americans, in the face of their service and sacrifice, for his political gain.

This is not about national security, it is not about saving money, and it is

not about fabricated claims of disruption. What is disruptive is discrimination against an entire class of Americans who are or who want to protect and defend America. That is the same argument that was used against women in the service, against gays and lesbians.

We ought to welcome any American who is qualified and willing to serve to protect our great country, to protect America and our values, even as the President undermines both.

**PROVIDING FOR CONSIDERATION OF H.R. 3219, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018**

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 473 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

**H. RES. 473**

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed two hours equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-30 shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived.

SEC. 2. (a) No further amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution, amendments en bloc described in section 3 of this resolution, and pro forma amendments described in section 4 of this resolution.

(b) Each further amendment printed in the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment except as provided by section 4 of this resolution, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(c) All points of order against further amendments printed in the report of the Committee on Rules or against amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Appropriations or his designee to offer amendments en bloc consisting of further amendments printed in the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees, shall not be subject to amendment except as provided by section 4 of this resolution, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

SEC. 4. During consideration of the bill for amendment, the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 20 pro forma amendments each at any point for the purpose of debate.

SEC. 5. At the conclusion of consideration of the bill for amendment pursuant to this resolution, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

SEC. 6. (a) During consideration of H.R. 3219, it shall not be in order to consider an amendment proposing both a decrease in an appropriation designated pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 and an increase in an appropriation not so designated, or vice versa.

(b) This paragraph shall not apply to an amendment between the Houses.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 1 hour.

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), my good friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

**GENERAL LEAVE**

Mr. COLE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COLE. Mr. Speaker, yesterday, the Rules Committee met and reported a rule for consideration of H.R. 3219, the Make America Secure Appropriations Act, 2018. The rule provides for 2 hours of debate equally divided and controlled by the chair and ranking member of the Appropriations Committee.

Mr. Speaker, the appropriations package in front of us represents the end product of many months of work by the Appropriations Committee. In this package, we will be considering four appropriations bills: Defense, Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs. Together, the four parts of the bill make up the Make America

Secure Appropriations Act for fiscal year 2018.

The legislation ensures that our most important government services will be funded responsibly and appropriately and that we will fulfill our most important responsibilities as legislators: funding the government and keeping it open to serve our constituents.

The bill provides a total of \$658.1 billion for defense, an increase of \$68.1 billion in discretionary funding above the fiscal year 2017 levels, and an increase of \$28.3 billion over the President's request. It also includes \$73.9 billion in Overseas Contingency Operations and Global War on Terrorism funding.

These funds will help us enhance our military readiness, and the substantial increase marks an end to the ongoing erosion of our national military strength that occurred during the Obama administration.

Importantly, this bill also provides an increase in funding for veterans. Over the past several years, the House has worked to improve the Department of Veterans Affairs and to ensure that all veterans receive the care and benefits to which they are entitled.

The Department of Veterans Affairs will receive a 5 percent increase in this bill, including \$74 billion for the Veterans Health Administration.

The increased funding represents an important step toward fulfilling our promise to improve care, reduce wait times at the VA, and enhance benefits for our Nation's veterans.

The Energy and Water portion of this appropriations bill provides \$37.6 billion in funding for fiscal year 2018, a decrease of \$209 million from fiscal year 2017.

The bill includes an increase in funding for the National Nuclear Security Administration that includes funds to restart the licensing process for Yucca Mountain, the national disposal repository for spent nuclear fuel. It also provides \$6.16 billion for the Army Corps of Engineers, a \$10 million increase over fiscal year 2017.

H.R. 3219 also provides \$3.58 billion for the Legislative Branch. It does not recommend funding levels for the Senate, as per our longstanding tradition.

The bill includes a significant increase in funding for U.S. Capitol Police and adds additional funds for securing offices in Washington and in congressional districts. Importantly, it continues the freeze on Member pay.

The package before us represents the House fulfilling its primary responsibility: to fund the government. This package funds hundreds, if not thousands, of Member priorities, particularly on the defense side.

I applaud my colleagues on the Appropriations Committee for their months of working and making this bill a reality. It shows what the House can do as we move forward toward completion of the fiscal year appropriations process.

Mr. Speaker, I urge support of the rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Oklahoma (Mr. COLE) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, it is hard to know where to begin, because this process is so lousy, but I want to rise today in opposition to this rule and the so-called underlying bill, H.R. 3219, the GOP fiscal year 2018 so-called security minibus appropriations bill.

This rule makes in order 72 amendments for debate on the House floor, blocking 100 amendments. It continues the terrible closed process that this Republican majority has used since they took control of the House in 2011.

When Speaker RYAN took the gavel, he promised a fair and open process with regular order where both the majority and the minority would have the opportunity to have their voices heard, and I am happy to provide the full text of that speech to my Republican friends.

I guess we were misinformed, because our collective voices are repeatedly silenced in this Chamber, not just Democrats, but Republicans as well.

Speaker RYAN's broken promise was clearly on display last week when he waited until the dead of night to strip out of the Defense Appropriations bill a provision requiring Congress to debate the issue of the 2001 AUMF. That provision was adopted by the full House Appropriations Committee on a bipartisan basis as an amendment offered by our respected colleague, Representative BARBARA LEE. The bipartisan Lee amendment would sunset the outdated 2001 AUMF and give Congress 8 months to enact a new one, ensuring that Congress finally debate and vote on the many wars in which the United States is engaged.

If the Republican leadership doesn't like the lead provision, then the Rules Committee could have made in order an amendment to strike it from the bill. That would have given Members the chance to vote up or down either to keep or remove the provision. That would have been regular order, that would have been fair, that would have been open, but, instead, House Republican leadership took it upon themselves to replace Ms. LEE's provision with alternative language calling upon the administration to produce a report.

Republicans on the Rules Committee defended this action, saying that the Lee amendment legislated on an appropriations bill. The trouble with that logic, Mr. Speaker, is that the language that replaced Ms. LEE's amendment also legislates on an appropriations bill. That is right. House Republicans put in an amendment that violates the same rule.

If this leadership is going to silence Members on flimsy procedural grounds, they probably shouldn't break those same rules on the same day.

Even more shameful, the Republican leadership's continued actions to block every effort and refuse to allow Congress to debate and vote on these wars, I believe, is an insult to the men and women in uniform, who put their lives on the line every day to protect our country, and to their families.

Americans deserve better, and the bipartisan voices calling for action will not be silenced, but this is just one example of regular order being abandoned in order to advance an extreme agenda.

Tomorrow, House Republicans will use another legislative trick, the self-executing rule, to stick taxpayers with a \$1.6 billion bill for President Trump's reckless and ineffective border wall with Mexico.

Now, instead of bringing that measure to the floor for an up-or-down vote in an open process where all voices could be heard, the Republican leadership is sticking this provision into the rule so that as soon as the rule is approved, the measure will automatically become part of the bill.

President Trump, as you may recall, promised the American people that he would make Mexico pay for this wall. He repeated it over and over and over again during the campaign. But now, House Republicans want to take \$1.6 billion of hard-earned tax dollars from millions of Americans to fund it.

□ 1245

Let me point out, Mr. Speaker, this \$1.6 billion is only targeted at 74 miles of the border: two small tracts in Texas and one small tract in California.

And how did this provision on the border wall make its way into this minibus of appropriations bills? It was literally lifted out of the Homeland Security appropriations bill and its few sentences air-dropped into this package.

Where is the rest of the Homeland Security bill, Mr. Speaker? Sitting in limbo, that is where it is.

I guess there weren't any other national security priorities in the Homeland Security Appropriations bill that merited the very special treatment that the 74 miles of this lousy wall seem to be getting. I see that the only priority that matters for my Republican friends when it comes to the security of our Nation is 74 miles of wall costing \$1.6 billion.

Mr. Speaker, this is a disgrace. This is just a disgrace.

And then, because it will be part of a self-executing rule, Republicans won't even have to vote on this Republican priority. They will just vote on the rule and, bingo, it is all taken care of. There will be no separate vote on this. You get the funding for the wall, but nothing on record that says you voted

to waste \$1.6 billion on 74 miles of border wall. Republicans can go home and say they delivered on the wall. I guess they better hope that their constituents don't ask them to show them the vote.

But as I said, Mr. Speaker, this is a disgrace on funding. It is a disgrace on funding priorities, and it is a real disgrace on process. I mean, we should be ashamed of the process in which this bill is being brought to the floor.

I wish I could say that I am surprised by all of this, but the fact is that House Republicans have been doing this kind of thing for quite some time now. This week, you may have read about this: Kellyanne Conway claimed that even if President Trump says something that isn't true, it is not a lie if he believes it.

Well, you can't make this stuff up. Well, I take that back. I guess you can make everything up.

It seems clear that this warped logic has infected this Chamber, with the House Republican leadership employing this same kind of thinking and underhanded methods on a regular basis. They defend a process that is indefensible, plain and simple.

This is a rigged process. Let's be honest. This is a rigged process.

Is this really how we want Congress and this House to conduct the business of the American people? Is this how we will conduct the appropriations process not only now, but in the future: no debate for individual appropriations bills and severely limiting amendments overall? no regular order and a subversion of the committee process?

Soon, maybe there will be no amendments on appropriations bills at all. This is a slippery slope, and I urge my Republican colleagues to carefully consider the dangerous road that we are going down.

Americans deserve better from their leaders in Congress, especially when it comes to deciding how the American people's hard-earned tax dollars will be spent. Republicans talk about fiscal responsibility, but what I see here today is another reckless and bloated budget proposal that empties the Treasury vaults for wasteful military spending when we have so many critical priorities here at home that are in desperate need of funding.

Now, apparently, House Republicans have no problem with spending \$1.6 billion on President Trump's border wall with Mexico, but when it comes to investing in our own communities here at home, they can't be bothered.

How about investing in our kids' schools? Why aren't we doing more to ensure that our young people have the resources and the support they need to get additional education? Make college more affordable, for example. Wouldn't that be a radical idea?

Republicans love to talk about personal responsibility and the need for

Americans to work. Why aren't we investing \$1.6 billion more in job training programs and finding ways to increase wages?

We should be making sure that more families have access to good jobs and that no one in America who works full-time has to raise their family in poverty.

President Trump had what feels like countless infrastructure weeks, but we have yet to see Republicans propose any legislation to make good on their promise to finally invest in America's infrastructure and finally fix our Nation's crumbling roads and bridges.

Instead of making any of these policies the top priorities that they should be in this Congress, Republicans are just offering more of the same: empty rhetoric and broken promises.

Now, to be clear, the legislation that we will consider today, H.R. 3219, does fund some important priorities. Our national security must be our number one priority with policies that are both strong and smart. I strongly support our men and women in uniform and believe that Congress should provide our troops everything that they need. Yet Republicans have deliberately created a security bill that raises serious concerns.

Let's recap for a second, Mr. Speaker. The final version of this bill will include \$1.6 billion for the President's useless and immoral border wall. It strips out the bipartisan Lee amendment that would have ensured Congress finally grapples with the wars that we are sending our troops to fight instead of continuing to write the White House a series of blank checks. And to top it all off, Mr. Speaker, the four bills contained in H.R. 3219 blow through the Budget Control Act cap on defense spending by \$72 billion, threatening a 13 percent sequester cut to all defense accounts.

While obliterating the defense spending cap, House Republicans have proposed reducing nondefense spending to \$5 billion below its cap. It is legislative malpractice that Republicans have ignored this reality and have done nothing to work with Democrats to write a new bipartisan budget agreement to raise the Budget Control Act caps for both defense and nondefense spending. Republicans are setting us up for a train wreck, a government shutdown, or worse.

This is not good, Mr. Speaker. This should concern every single Member of this Chamber, both Democrat and Republican. And so I urge my colleagues to reject this rule and finally take a stand against this process, which is rigged and closed and restrictive, and to oppose the underlying bill.

I reserve the balance of my time.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume before I go to my first speaker in order to respond to some of my friend's points. I

want to begin by talking about the amendment process just very quickly.

It is worth noting 72 amendments are made in order here; 47 of those were actually Democratic amendments. Many of the amendments that my friend referred to that had been submitted to the Rules Committee, at least a third of them, were knocked out because they were simply out of order.

But my friend is correct: it is not an open rule. I do remind him that the first people to eliminate open rules on appropriations bills were not Republicans. It was actually the Democratic majority in 2009 that ended the practice and, for 2 years, allowed almost no amendments on any appropriations bills, and most appropriations bills never came to the floor. So I think my friends bear a considerable amount of responsibility for where we find ourselves today.

I do want to talk a little bit, too, briefly, about my friend's comments about the AUMF, because he has been a good friend and a close ally in an area that we have a similar concern.

I agree with my friend. We need to debate this, and we need to have an AUMF that is more in tune with the times and, frankly, reintroduces congressional power and congressional oversight. I have worked with my friend in the past on that. I am going to continue to work with him on it going forward.

But in the case of the Lee amendment, which, in full disclosure, I supported in the Appropriations Committee, the chairman of the committee of jurisdiction, which is not the Appropriations Committee, made it known that he would lodge a point of order; so, in other words, that would never get to the floor.

In place, we have put something that, frankly, will at least require the administration, on the passage of this bill or the Defense Authorization Act, in which it is also found, to submit a report that justifies where the administration is legally, lays out their strategy, lays out their costs, and gives us a chance to begin a debate.

As a sign of good faith, I am happy to report that the Foreign Relations Committee, which actually does have jurisdiction here, actually had their first hearing on a new AUMF earlier this week. So I think we are trying to get to the same place. My friend may have a different way to get there, but I agree with him, we need to reexamine, re-debate, and, I think, reenact a new AUMF. I think we are trying to get there in a step-by-step, logical progression.

Finally, while my friend is concerned about where we will end up in this process and, I think, legitimately so, I also want to point out we have actually managed to come together here the last couple of years and, I suspect, will again.

In fiscal year 2016, we had the same series of events, and yet Congress came to an agreement on full funding that was bipartisan and passed by substantial numbers of both parties participating, a majority in each party. The same thing was true in fiscal year 2017. My hope is that it will be true again in fiscal year 2018.

But this is an important part of the process. We need to go through this. At the end of the day, and I tell this to my friends on the right and the left, we will end up with a bicameral, bipartisan appropriations bill. There is simply no other way to fund the Government of the United States, and we pledge to work toward that.

Mr. Speaker, I yield 3 minutes to the gentleman from Alabama (Mr. BYRNE), my good friend, a member of the Rules Committee, but also a distinguished member of the House Armed Services Committee.

Mr. BYRNE. Mr. Speaker, I rise in strong support of this rule and the underlying bill. The Make America Secure Appropriations Act is all about protecting the American people and securing our homeland.

Unfortunately, years of underfunding have severely hurt our military. With this bill, we can make real progress towards rebuilding the military and adding more troops, sailors, airmen, and marines to the force.

Building on our pledge to boost the Navy to a 355-ship fleet, the bill funds 11 new ships. Included in this are three littoral combat ships, of which the Independence class vessel is built by a fantastic workforce in southwest Alabama.

Having state-of-the-art facilities and resources is vital to the success of our military. To help repair dilapidated and aging military infrastructure, the bill provides a 25 percent increase in military construction funding.

Supporting our servicemembers and their families is also a high priority of this bill, as it provides for the largest military pay raise in 8 years.

That is not all it does. It also provides for our Nation's veterans, the very people who devoted their lives to protecting our country and the values we hold so dear. This bill provides the highest level of funding for the Department of Veterans Affairs in our Nation's history. This will help cut down on the claims backlog and move forward with a new electronic medical health records system.

I am also pleased that this bill will allow us to begin increasing our Nation's border security in an effort to keep bad actors out of our country. The American people sent a strong message last November that they wanted a wall securing our southern border. This bill will begin this process by providing over \$1.5 billion requested by President Trump for physical barrier construction along the southern border.



Mr. Speaker, over this last weekend a lot of people in America went to see a movie called “Dunkirk” about the evacuation of over 300,000 British and French troops back over to England. Prime Minister Winston Churchill had only been in office a couple of weeks at that point in time, but he had predicted for years before that in speeches before the House of Commons that that day was coming, and they took his speeches and they put them together in a book called, “While England Slept.” With this bill, we are sending a strong message to the world that America is not asleep.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Let me just remind my colleagues here that we are debating the rule, and this is about process.

The gentleman from Oklahoma earlier talked about waivers and that the Lee AUMF language would be subject to a point of order. Well, the language that my Republican friends replaced the Lee amendment with is protected by a waiver of all points of order because it was also legislating on an appropriations bill. As I pointed out last night in the Rules Committee, you made in order amendment No. 19 by Mr. GRIFFITH, which violates section 306 of the Congressional Budget Act, and you provided a waiver for that.

My Republican friends routinely grant waivers in bills that come before the Rules Committee. The problem is that the waivers are only granted for your amendments and never for our amendments, and that is just not fair and that is not right.

So if your policy is going to be we are going to grant no waivers, then it ought to apply not just to Democrats; it ought to apply to Republicans, too. But there is this double standard here, and voices that you disagree with always seem to end up being cut off.

So, Mr. Speaker, I just point that out because this process and the reason why so many of us are angry about this process is it is so blatantly unfair.

The gentleman from Alabama talked about how we all want to commit to upholding the national security of this Nation. I agree with him, but I would say we are not doing our jobs if this floor is not a place where we can have a free-flowing debate, where Members can offer different ideas and be able to have a vote on them. I would just say, with all due respect to my Republican colleagues, you do not have a monopoly on all good ideas.

□ 1300

You know, we have a couple of good ideas, too, and maybe some of your Members agree with that as well.

The other thing we are going to object to is, again, the way my Republican friends self-execute controversial measures like this border wall at \$1.6 billion, basically denying an up-or-

down vote. Maybe it is to protect your Members in swing districts; I have no idea. Maybe you don't think you have the votes to do it. But if you don't have the votes to do it, it ought not to be in this bill. That is just, to me, a sound way to approach legislating. All the normal rules seem to be thrown out the window here.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), the distinguished ranking member of the Appropriations Subcommittee on Interior, Environment, and Related Agencies.

Ms. MCCOLLUM. Mr. Speaker. I rise in strong opposition to the Make America Secure Appropriations Act, 2018.

Mr. Speaker, we are in a constrained fiscal environment, and we need to make smart choices about the future of our country. I am disappointed to see that many of the choices that the Republican leaders have made in this bill are completely out of balance with the needs of the American people.

Republicans have chosen to exclude eight of the appropriations bills from this legislation: funding for roads and bridges to drive on, quality healthcare for our family, protecting our clean air and our drinking water, and the education of future generations. These critical investments that all Americans depend upon are left by the wayside with no path forward.

Republicans have chosen to put forward a bill that exceeds the defense caps by \$72 billion. With no budget agreement in sight, this bill would trigger sequestration cuts that our military leaders have warned us would have catastrophic consequences for our men and women in uniform.

Republicans have also once again declined to make commonsense cuts to defense spending by denying the Pentagon's request for a new BRAC round. Make no mistake: this will waste billions of dollars over the next decade.

At a time when countries like China are emphasizing research and investments in clean energy, Republicans have chosen to eliminate funding for ARPA-E, doing great harm—great harm—to America's global competitiveness in advanced research energy.

Mr. Speaker, these choices are simply unacceptable to my constituents and to the American people, and I urge my Republican colleagues to work with Democrats to put forward appropriate funding bills that will advance the appropriations bills for all of America and to make America the strong country it should be.

Mr. COLE. Mr. Speaker, before I go to my next speaker, I yield myself such time as I may consume to respond to my friends.

First, to my good friend from Massachusetts, and he is very much my good friend, but when I was in the minority, I asked repeatedly, I used to come up

to the Rules Committee, as a former member of the Rules Committee, and I always got the warmest, most gracious reception, but I don't think I ever got an amendment approved. You can legislate on appropriations bills if the chairman of the authorizing committee consents to allow you to do it.

I have a great deal of sympathy with my friend's position on Ms. LEE's amendment. I actually supported that amendment in subcommittee, but I recognize that we are not the appropriate committee, and if a different authorizing chairman wanted to do something, he could.

Finally, with all due respect to my friend, we are not the ones that began this process of eliminating open rules on appropriations. My friend's party is. We actually tried to restore it. I regret that we did not succeed in that. This was not something I like doing, but, frankly, it has gotten around here where people are more interested in “got you” amendments than real amendments, and that is basically what has happened here. I hope we can revisit that someday and go back to the traditional way of doing this.

Finally, to my good friend from Minnesota, I want to make a pledge to her, and she knows it is sincere: we will work together. I don't think this bill ultimately will be passed without bipartisan cooperation, and I look at the 2015, 2016, and 2017 bills that all did end up as cooperative measures.

Just to refresh my friend's memory, it was back in April that we passed a \$1 trillion-plus spending bill for fiscal year 2017 that was extremely bipartisan. A majority of my friends on the other side of the aisle voted for it, the majority of my friends voted for it, and the President of the United States signed it.

This is a long and lengthy process to fund the government, and I suspect, at the end of it, we will come together. That is certainly what I am going to try to do as I work through the process.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. GIBBS), a member of the Transportation and Infrastructure Committee.

Mr. GIBBS. Mr. Speaker, I rise in support of the rule for H.R. 3219. This bill provides funding for the Federal Government's most critical function—national defense—with the Make America Secure Appropriations Act, as we are making sure the men and women who protect and defend our country have the best equipment and training in the world, and that they get the pay raise they deserve.

Additionally, I am pleased to see my provisions I have worked on were included in this legislation to protect Lake Erie by preventing the Army Corps of Engineers from using open lake placement as a method of disposal of dredged material unless a State

water quality certification is provided. This is ensuring that Lake Erie remains on the path towards a healthier natural resource.

The bill also gives the EPA Administrator and the Secretary of the Army further authorization to withdraw the waters of the United States rule.

Finally, this legislation provides the resources to better secure our border and protect our citizens and our national security. We are making good on our promises to build the wall.

Mr. Speaker, I urge my colleagues to support this rule and the underlying legislation.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy.

Mr. Speaker, I rise in strong opposition to this rule. I had a real bipartisan amendment that had been in order repeatedly in recent sessions, gaining bipartisan support, to be able to deal with the crisis that our veterans face in terms of addiction, opioids.

The VA, sadly, has a horrible record in terms of how they deal with these veterans. They suffer suicide 50 percent higher than the general public. The opioid addiction rate is twice the general population.

Mr. Speaker, I have been working for years in the area of medical marijuana. Twenty-nine States have now legalized it. I wish my friends on the Rules Committee had taken the time to listen to the stories of veterans and their families about what difference it made for people suffering from PTSD, chronic pain, and traumatic brain injury.

Medical marijuana has helped change their lives, and it is not addictive and doesn't kill them the way the abuse of opioids has. Yet the VA, in its infinite wisdom, doesn't even allow VA doctors to talk to veterans about medical marijuana in the States where it is legal.

Our amendment is simple. It would eliminate that prohibition. It wouldn't dispense marijuana on public land. It allowed the VA doctor to work with the patients—the people who know them best.

It passed last year with 40 votes on a bipartisan basis. There were 18 bipartisan cosponsors for the amendment, 9 and 9, Republican and Democrat. It has already passed the Senate by a 3-to-1 margin in committee.

It was actually approved by the House last Congress, but in conference committee, it was stripped out, led by former Senator Kirk. I sincerely believe that one of the reasons he is a former Senator is because Illinois veterans and their families were outraged about that action to reverse what Congress did.

Now we are not even allowed to vote on it. I think that is incomprehensible. I don't think it is fair to our veterans.

My friends on the Rules Committee are on the wrong side of history. In Florida, last November, 71 percent of the people voted for medical marijuana.

Our veterans deserve the right to work with their VA physicians to do what is right for them and their families and, hopefully, avoid the epidemic of opioid overdoses, overprescriptions, and not being able to treat them with a methodology that is not highly addictive and not dangerous.

Mr. Speaker, there is no reason on God's green earth that we shouldn't have been allowed to at least vote on this bipartisan amendment to protect our veterans.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to respond very quickly to my good friend from Oregon. I just remind him this is a long and winding road. It is a long process. As he said, the Senate may very well move in a different direction.

I tend to focus here on veterans' issues as issues that have largely brought us together. Quite frankly, this bill has a very substantial increase in spending at the VA, and that is something that I know, in committee, garnered wide bipartisan support. Let's wait and see where we go.

I just want to say I think there will be continuing discussion about this, but there is also a concern, always, on something like this that is controversial. We have seen our friends do this before. Sometimes you will put an amendment in but you won't vote for the final bill.

When you are trying to calculate whether you pass something, you can't have amendments that cost you votes, that don't get you votes. I am not suggesting that is my friend's purpose. It is not at all. I know it is not. I know he is very sincere in this. I am saying that could easily be the effect.

All I can tell you is we will continue to work through the bill. I suspect when we get there, at the end of the day, this will be a very bipartisan bill. It will pass with a very bipartisan majority.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 30 seconds to the gentleman from Oregon (Mr. BLUMENAUER) so he may respond.

Mr. BLUMENAUER. Mr. Speaker, I would just say this was an opportunity to bring us together. It passed last Congress on the floor of the House with a 40-vote margin. There is more support now, today, in the public and in the other body.

This was an opportunity to avoid unnecessary controversy, to send a signal to our veterans, to change a destructive policy from the Veterans Administration that is overwhelmingly supported by the American public. If you would have allowed us to vote on the

floor of the House, I will guarantee you we would have had even more votes this time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, when Speaker RYAN took the gavel, he promised to have "a process that is more open, more inclusive, more deliberative, and more participatory."

My friends like to highlight a number of amendments made in order today as if this is a good process. I would remind you, Mr. Speaker, that, rather than taking up one issue at a time, this is a rule for three appropriations bills. I say to my friends, you guys are worse than you used to be.

There are 10 amendments allowed for the Legislative Branch. Last year you made in order 13. We have fewer amendments this year.

For the Military Construction and Veterans Affairs bill, there are 16 amendments. Just a short time ago, in fiscal year 2016, we had a modified open rule. This rule is clearly much worse.

We have the same situation with the Energy and Water bill. We have a structured rule this year, while we had a modified open rule just 2 years ago. The process in the House is getting worse.

For the first time in history, we have a Speaker of the House who has never allowed a truly open rule. Now, we were not perfect, Mr. Speaker, but Speaker PELOSI allowed the Rules Committee to report open rules. Speaker Boehner allowed open rules. Every Speaker in modern history allowed some open rules, but we don't even get modified open rules anymore.

Mr. Speaker, we are seeing an alarming rise in the number of self-executing rules, what Republicans used to call "deem and pass rules." Now, let me explain what that is.

In his book, "Young Guns: A New Generation of Conservative Leaders," our dear Speaker, Mr. RYAN, described the self-execution process. This is on page 98, if you are following along. But he called this process, "legislative trickery to enact legislation that does not have majority backing."

Now, sometime today we are going to go back up to the Rules Committee to do a little legislative trickery to fund the President's border wall.

News flash: Mexico is not paying for the wall. The language that the Speaker intends to deem passed without a vote uses good old-fashioned American greenbacks to pay for Trump's wall. The American taxpayers are going to be stuck with this bill for this ridiculous wall.

Mr. Speaker, this process is not good; it is not a better way; it is rotten; and the rule the majority will put on this floor tomorrow will be even worse. We are jamming through these important appropriation bills together, limiting debate, and moving further away from regular order.

□ 1315

We don't need this rule, and we don't need a self-executing rule tomorrow. Now, if we defeat the previous question on this rule, I will offer an amendment to open up this process and consider the Department of Defense, Military Construction and Veterans Affairs, and Energy and Water Appropriation bills each under an open rule.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. LUTKEMEYER). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Let me just conclude with this, Mr. Speaker: Members have a chance to vote for an open amendment process on these appropriations bills. That is what this PQ vote is about. Republicans will not control this House forever, and I hope that no Member who votes against this open rule amendment today will have the audacity to criticize any future Democratic majorities.

If they do, Mr. Speaker, I assure you, we will remind them of this vote.

To discuss our proposal, I yield 2 minutes to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Speaker, a lot of Members don't know what a previous question motion is, and that is not really a surprise, because it is usually used to set up some issues, and it is a party-line vote. This is different.

This is different because this would allow amendments to be offered to these appropriations bills. Now, the amendment process in appropriations is one of the few times that Members of Congress have an opportunity to offer an amendment. And it is not just Democrats. It is Republicans, too.

I recall very well—I am a member, I am a co-chair of the Fourth Amendment Caucus. It is Congressman TED POE and myself. And what members of the Fourth Amendment Caucus did was we put together an amendment that actually reformed section 702 of the PATRIOT Act. What it said was you can't query the database accumulated under section 702 without a warrant. It is pretty obvious the Fourth Amendment protects Americans. That passed by a huge bipartisan vote twice. We don't get to offer that amendment this time because it is not an open rule.

So I am just asking that we treat this previous question vote as very different than the usual garden variety previous question vote, because this is different. This isn't about ideology. This isn't about 30-second adds and all that nonsense that we both do. No. This is about having the opportunity—Republicans and Democrats, Members

of Congress—to offer an amendment in important areas, especially the Fourth Amendment.

So please vote “yes” on the previous question this time, and let's have open rules. Let's have democracy in America.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

I just want to quickly respond to my friends and remind them that it wasn't Republicans that got rid of open rules on appropriations. It was my friends. So you can't set one standard for yourself, and then say: But you now have to go back to the way it was. We now have to be treated as a minority, in contrast to the way that we treated you.

I am sorry, that is just difficult. We actually tried to do that for a couple of years, and we did come back to open rules. And I would still prefer that, to tell you the truth. I have lost this argument in my own conference.

But if my friends will recall, last year on, I believe, the Energy and Water Appropriations bill, they slipped an amendment in. It was perfectly legitimate for them to do so. It was an open rule. They got that amendment adopted. They did not vote for the bill, even though the amendment was adopted. We lost a lot of votes, in consequence, because of the amendment.

So there is always that calculus when you put these things together. There is a difference between an amendment that is a substantive amendment, and an amendment that is unrelated and a poison-pill amendment. Our side just decided they weren't going to subject themselves to that any longer. I am not sure that I agree with that decision, but that is the reality of where we are.

There is a second consideration here, too, in terms of limitation that I think is worth noting. We are moving under an expedited situation because we began this process late. I want to take responsibility for that on our side of the aisle.

I think all of the appropriations bills could have and should have been finished for FY17 in December of 2016. Instead, we started to allow the new administration to have input. We pushed that off and did a 4-month continuing resolution. During that period, we did not negotiate back and forth. We finally passed a bill in April. So we are moving with exceptional speed.

I think it is pretty remarkable at this point that all 12 appropriations bills have been reported out of committee, and are preparing to go here. Our leadership made, I think, a smart decision, in that here are four that all relate to a common theme of security for the country. Let's get those done. That is sort of first things first.

Let's come back and deal with the other eight in September. It is my hope that that is what we will do, probably in packages again. But we are trying to move quickly.

It is also finally worth noting that, again, this process, compared to the process my Democratic friends followed, is far more open. There are far more amendments now, even under a structured rule like this, than they allowed when they were in the majority on appropriations bills.

We can go get the numbers and count, but we are at least trying to get back to getting the bills to the floor and having a pretty generous latitude for serious amendments. We will always disagree over which ones are made in order. A lot of Republican amendments weren't made in order either, but 72 amendments on an appropriations bill is a lot of amendments.

Hopefully, this process can get better as we go forward. I want to work with my friends in that regard, but I am still very proud of the product that we are presenting and very proud of the number of amendments that are being allowed.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter signed by a number of civil rights groups, education groups, environmental groups, and women's groups in opposition to this minibus.

JULY 25, 2017.

Re Oppose H.R. 3219 Security Minibus—Vote No on Border wall.

HOUSE OF REPRESENTATIVES,  
Washington, DC.

DEAR REPRESENTATIVE: On behalf of our coalition of almost 90 environmental, faith, immigration, and civil rights organizations, we are writing to strongly urge you to oppose funding for the continued construction of a border wall along the U.S.-Mexico border. The construction of a border wall serves as a symbol of hostility towards immigrants, and undermines the civil rights of communities living along our southern border. It also imposes environmental costs and natural disaster threats on border communities, especially indigenous communities, harms native wildlife and wastes tens of billions in taxpayer dollars.

As the House moves to consider the Fiscal Year 2018 Security Minibus, H.R. 3219, we are profoundly concerned about the inclusion of \$1.6 billion slated for border wall. In addition to spending billions of taxpayer dollars, adding funding for the border wall in this legislative package undermines a fair and transparent legislative process. Instead of allowing legislators and the public to fully consider the impacts of funding wall construction, the Majority is using rushed and underhanded legislative maneuvers to circumvent the vast and legitimate opposition that exists for this measure, even within their own party.

Including border wall funding in a Security Minibus is based on the false premise that our borders are somehow violent and insecure. This false premise has been used to justify and advance anti-immigrant, anti-border, pro-criminalization, and anti-environment legislation that has negative economic

and civil rights impacts on border communities. The fact is that communities along the border are some of the safest in the country. According to the FBI's Uniformed Crime Reports, cities on the border are safer than cities away from the border. Places like El Paso, Texas have long topped the lists of safest cities for their low crime and violence. Additionally, according to the American Immigration Council, communities with more immigrants are likely to be safer than places with fewer immigrants.

Border walls are an ineffective tool in curbing undocumented migration between the United States and nations south of the border. Rather than deter migration, the current 650-mile barrier along the U.S.-Mexico border has forced vulnerable migrant populations to pursue more dangerous routes of travel. The continued construction of a border wall portrays an attitude of hatred and animosity towards our neighboring nations. Additionally, construction of this wall would undermine indigenous border communities, potentially destroying elements of their history, archeology, and culture. Border security measures must consider the historic Tribal lands and families occupying the southern border.

Finally, the current proposal in Fiscal Year 2018 Security Minibus calls for the construction of 60 miles of levee border wall in the South Texas Rio Grande Valley; 28 miles would be levee-border wall, with 2.9 miles slated to be built in the Santa Ana Wildlife Refuge. This Refuge is home to diverse wildlife species, ecotourism opportunities, and rich natural beauty. When levee border walls are constructed, they negatively impact wildlife migration, pose severe flooding risks, destroy natural habitats, and lead to potential increased extinction rates. In order to construct existing border-walls, dozens of laws protecting our environment, public health, and sacred natural lands were waived. Our nation's natural habitats, vibrant wildlife, and healthy ecosystems are an unacceptable sacrifice to make for ineffective security measures.

For all of the above reasons, we strongly urge you to vote NO on the Fiscal Year 2018 Security Minibus, and oppose funding for border walls, levees, or additional infrastructure along the southern border of the United States.

Thank you for your consideration.  
Sincerely,

#### CIVIL RIGHTS

Mi Familia Vota, American-Arab Anti-Discrimination Committee, Southeast Asia Resource Action Center (SEARAC), HONOR PAC, UnidosUS (formerly NCLR), American Civil Liberties Union, Asian Americans Advancing Justice Atlanta, The City Project, National Council of Asian Pacific Americans (NCAPA), League of United Latin American Citizens, EPCF.

#### COMMUNITY GROUPS

Southern Border Communities Coalition, Indivisible, SER Jobs for Progress National Inc., Junta for Progressive Action, National Black Justice Coalition.

#### EDUCATION/HIGHER EDUCATION

National Education Association, Hispanic Association of Colleges and Universities (HACU).

#### ENVIRONMENTAL/ENVIRONMENTAL JUSTICE

Earthjustice, Wildlands Network, Sierra Club, International League of Conservation Photographers, Students for a Just and Stable Future, Earthworks, Friends of the Earth, Environmental Protection Informa-

tion Center, Turtle Island Restoration Network, Center for Biological Diversity, Jesus People Against Pollution, Food Empowerment Project.

San Juan Citizens Alliance, Ocean Futures Society, SustainUS, Natural Resources Defense Council, Southwest Environmental Center, Conservationist Wilderness Areas Committee, Defenders of Wildlife, Clean Water Action, West Berkeley Alliance for Clean Air and Safe Jobs, NextGen America, La Union Hace La Fuerza, Comité Civico del Valle.

#### RELIGIOUS/FAITH ORGANIZATIONS

American Friends Service Committee, Frontera de Cristo, Friends Committee on National Legislation, NETWORK Lobby for Catholic Social Justice, Ajo Samaritans, Franciscan Action Network, Franciscan Peace Center, American Friends Service Committee, Reformed Church of Highland Park, Cruzando Fronteras, Southern Arizona Interfaith, Southside Presbyterian Church, Church World Service.

School Sisters of Notre Dame, Mennonite Central Committee U.S. Washington Office, Sisters of Mercy of the Americas—Institute Justice Team, National Justice for Our Neighbors, American Friends Service Committee (AFSC), Maryknoll Office for Global Concerns, Leadership Conference of Women Religious, Columban Center for Advocacy and Outreach, Latino Commission on AIDS, Hispanic Health Network.

#### HUMAN RIGHTS/WOMEN'S RIGHTS

National Latina Institute for Reproductive Health, OneAmerica, Green Valley/Sahuarita Samaritans, Coalicion Derechos Humanos, National Immigrant Justice Center, No More Deaths, Architects, Designers, Planners For Social Responsibility (ADPSR), Lidia DelPiccolo—Morris, National Asian Pacific American Women's Forum (NAPAWF), Tucson Samaritans, People Helping People in the Border Zone, Friends of Broward Detainees.

#### IMMIGRANT RIGHTS

Massachusetts Immigrant and Refugee Advocacy Coalition, Detention Watch Network, Immigrant Legal Resource Center, End Streamline Coalition.

#### LABOR/WORKERS RIGHTS

Asian Pacific American Labor Alliance, AFL-CIO (APALA), Jobs With Justice, Arkansas United Community Coalition.

#### LATINO CIVIL/HUMAN RIGHTS/LATINO LABOR

Hispanic Federation, Labor Council for Latin American Advancement, Latinos for a Secure Retirement.

#### LGBTQ RIGHTS

National Center for Transgender Equality, Equality California, Entre Hermanos.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter signed by 18 environmental groups opposed to H.R. 3219.

JULY 26, 2017.

DEAR REPRESENTATIVE: On behalf of our millions of members, the undersigned organizations urge you to oppose H.R. 3219, the so-called Make American Secure Appropriations Act, 2018, which includes the Defense, Military Construction and Veterans Affairs, Legislative Branch, and Energy and Water funding bills. This package includes provisions that are harmful to water and ocean resources, cuts funding for clean energy innovation, undermines safe nuclear waste storage, and attacks border communities. Furthermore, this bill continues the House

Leadership's pattern of adding harmful policy riders into spending bills in an attempt to avoid regular order. Lastly, the inclusion of \$1.6 billion for the continued construction of a failed, divisive, and anti-environmental wall along the southern border of the United States would be the latest example of inserting harmful, controversial and even radical policy proposals onto spending bills, which undermines the legislative process and the already complex budget process. This bill reflects a set of values that is not shared by the American people—one of clean air and clean water, one of equity and prosperity, one of safety and security.

#### BORDER WALL PROVISIONS

The border wall is a powerful symbol of hatred toward immigrants and undermines the civil rights of communities along our southern border, and it would increase the environmental and natural disaster risks to border communities, harm wildlife, and waste billions of taxpayer dollars on an ineffective border security tool. The current proposal would lead to the construction of 60 miles of new border wall to be built in the Rio Grande Valley of Texas, including levee-border walls and 2.9 miles built within the Santa Ana National Wildlife Refuge. This refuge is home to diverse wildlife species, ecotourism opportunities, and rich natural beauty. When levee-border walls are constructed, they negatively impact wildlife migration, pose severe flooding risks, destroy natural habitats, and can increase the risk of wildlife extinctions occurring. In order to construct existing border walls, dozens of laws protecting our environment, public health, and sacred natural lands were waived. Our nation's natural habitats, vibrant wildlife, and healthy ecosystems are an unacceptable sacrifice to make for ineffective security measures.

#### WATER PROVISIONS

The Energy and Water Appropriations division includes damaging policy riders and report language in contravention of regular order. Specifically, Sec. 108(a) aims to allow the Trump administration to disregard countless laws as it carries out a scheme to undermine clean water safeguards. The provision would authorize EPA and the Army Corps to repeal the Clean Water Rule without following basic and longstanding processes aimed at giving people a voice in their government's actions. For instance, a repeal could ignore Clean Water Act and Administrative Procedure Act requirements to meaningfully consider public comment. It could also interfere with the courts' ability to review if the withdrawal is "arbitrary or capricious." This fact reveals the real motivation for the rider—its proponents want to shield the Trump administration's repeal of carefully-developed clean water protections from public scrutiny and from independent judicial review. Without the Clean Water Rule, the streams that help supply public drinking water systems serving one in three Americans will remain at risk.

Additionally, Sec. 107 would exempt certain discharges of dredged or fill material from Army Corps' permitting under the Clean Water Act. The Act already exempts these kinds of activities from such permits, but requires permitting when the impacts to waterways would be more harmful. This rider would have the effect of nullifying Congress's direction to subject those non-exempt discharges to pollution control officials' review. Another rider would undermine the restoration of the San Joaquin River, the second longest river in California. Sec. 203

would prohibit spending any funds to implement the legal settlement between the United States, fishing and conservation groups, and Friant water users regarding the restoration of the river. The settlement ended 20 years of litigation and continues to be supported by water users, conservation and fishing groups, and state and federal governments.

Finally, the bill also includes a provision to halt implementation of the National Ocean Policy (Sec. 505), an important planning tool to coordinate the work of dozens of federal and state agencies with overlapping and sometimes conflicting responsibilities for addressing ocean development. These riders, and any further damaging policy provisions that will be offered, undercut the public process for determining how to implement the laws that Congress has passed. They are bad policies that will put America's health and safety at risk and they have no place on a funding bill.

#### ENERGY PROVISIONS

The bill also dramatically cuts federal clean energy spending, which has consistently proven its worth by directing RD&D funds that drive job creation, economic growth and reduce health and environmental costs. The committee bill cuts funding for the Office of Energy Efficiency and Renewable Energy by \$1 billion (48% reduction) hurting important programs that support the development and deployment of wind energy, solar energy, advanced manufacturing, sustainable transportation technologies, and building technologies. Recklessly, the bill eliminates funding for the Advanced Research Projects Agency—Energy (ARPA-E) and the Title 17 loan guarantee program. Defunding ARPA-E cripples our ability to commercialize new technologies that will serve to meet our future clean energy needs. Furthermore, the Title 17 loan guarantee program has a strong track record of lowering the risks on deploying projects that can make cleaner and cheaper energy a reality.

The bill also includes \$120 million in a continued attempt to push the unworkable, long ago rejected proposal to dispose of nuclear waste in Yucca Mountain, Nevada. It also includes a rider in Sec. 507 that prevents funds being used to close the facility. Decades from now others will face the precise predicament we find ourselves in today if Congress tries to ram through unworkable nuclear waste solutions contentiously opposed by States, lacking a sound legal structure of science-based foundation, and devoid of public understanding and consent. The current efforts to quickly open Yucca Mountain and an interim storage facility simply will not work.

This bill also rejects the sensible plan to cancel the risky and enormously costly mixed oxide (MOX) program, intended to dispose of excess plutonium from the U.S. nuclear weapons program by turning it into nuclear reactor fuel. Instead this bill mandates that the Department of Energy waste an additional \$340 million on construction of the MOX fuel fabrication plant. Congress should reject the MOX program and support an improved approach for disposing of excess plutonium.

We strongly oppose this minibus package, which would put our energy future at risk and would harm border communities, and it includes poison pill riders that will harm our nation's public health, air, water, lands, and wildlife. We also urge opposition to any

amendments that would harm health and the environment.

Sincerely,

Alaska Wilderness League, Clean Water Action, Defenders of Wildlife, Earthjustice, Environment America, Environmental Protection Information Center, Klamath Forest Alliance, League of Conservation Voters, Natural Resources Defense Council, NextGen, Public Citizen, Restore America's Estuaries, San Juan Citizens Alliance, Save EPA, Sierra Club, Western Environmental Law Center, Western Watersheds Project, Wildlands Network.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter from the Coalition on Human Needs against this minibus.

COALITION ON HUMAN NEEDS,  
Washington, DC, July 25, 2017.

DEAR REPRESENTATIVE: On behalf of the Coalition on Human Needs, I strongly urge you to vote against the package of military-related appropriations bills expected to come to the House floor this week. These appropriations bills—including those for Defense, Military Construction and Veterans' Affairs, Legislative Branch, and Energy and Water—should not be taken up until there is a bipartisan agreement to lift the sequestration caps called for in the Budget Control Act in a way that provides for increased funding for domestic and international (non-defense discretionary, or NDD) appropriations, not just for the military.

As you know, defense appropriations exceed the Budget Control Act cap for FY 2018 by \$72 billion. Without legislation to raise the caps, sequestration will eliminate that increase through across-the-board cuts to military programs. Legislation to lift the caps requires bipartisan support, and we expect that support will not be forthcoming without an agreement to raise the caps for non-defense discretionary spending as well.

The Coalition on Human Needs, which is made up of organizations representing millions of human service providers, faith organizations, policy experts, civil rights, labor, and other advocates concerned with meeting the needs of low-income and vulnerable people, strongly believes that our national security depends on a balanced approach that invests in our domestic needs. Our people gain economic security from access to education and training, affordable housing, a reliable and modern infrastructure, and child care and other work supports. We need public health protections from epidemics and environmental protections to ensure clean air and water and to protect against climate disasters. Stopping the erosion in domestic human needs programs is necessary for our security and our future. NDD programs apart from Veterans Affairs will be cut by \$22 billion in FY 2018, 5 percent below the previous year and 17 percent below the level in FY 2010, taking inflation into account. This harsh cut abandons previous congressional commitments to provide defense and non-defense programs with equal relief from sequestration. We urge you to vote against this package of defense-related bills because they should not be considered without a comprehensive agreement to lift the caps for all the programs that contribute to our security.

We also ask you to vote against this package of appropriations bills because it includes wasteful funding for the border wall that will not increase our security, and to oppose extraneous and irresponsible policy riders such as those restricting opportunities

for young people in the Deferred Action for Childhood Arrivals program to enter the military or weakening the Congressional Budget Office.

Please vote no on this package of appropriations bills, and instead make it a top priority to achieve a bipartisan agreement to lift sequestration caps for non-defense programs, not solely for the military.

Sincerely yours,

DEBORAH WEINSTEIN,  
*Executive Director.*

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter to my colleagues from AFSCME opposed to this bill.

AFSCME,  
Washington, DC, July 24, 2017.

HOUSE OF REPRESENTATIVES,  
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the 1.6 million members of the American Federation of State, County and Municipal Employees (AFSCME), I urge you to oppose the "Minibus" appropriations bill which packages together the Defense, Military Construction and Veterans' Affairs, Legislative Branch, and Energy and Water funding bills.

Congress should not craft funding bills that unilaterally violate the Budget Control Act (BCA) and the parity principle. In this case, defense is increased far above the cap while non-defense discretionary (NDD) spending is severely underfunded. In fact, passing this bill will not promote American security; rather it charts a direct course for deep cuts to the military. The defense funding levels would trigger sequestration in January of 2018, requiring cuts of \$72 billion. Further, dramatically increasing only defense funding endangers investments in essential public services. This is evidenced by House Appropriations bills' deep cuts of \$5 billion below the current non-defense caps and deep cuts that harm labor, health, human services, education, housing, transportation and other important programs. Instead of reaching a bipartisan agreement as called for by many members of Congress, this bill makes it harder to address urgent needs in other non-defense programs.

A budget deal remains the most likely path toward enactment of appropriation bills that responsibly meet the nation's national security commitments and domestic needs. AFSCME urges Congress to focus attention on a budget solution that provides commensurate increases for both defense and non-defense funding. This is the best way to avoid a fall budget showdown that would leave defense and all government programs, including state and local governments, in the lurch with considerable budget uncertainty and the threat of deep and damaging cuts.

We also oppose this minibus package, because it includes poison pill riders. This bill creates a new level of egregious riders by air-dropping in controversial funding for a border wall that is unrelated to any of the four bills.

It's time to address the most basic of congressional responsibilities, which means passing clean funding bills in a timely manner under regular order.

Sincerely,

SCOTT FREY,  
*Director of Federal Government Affairs.*

Mr. MCGOVERN. Mr. Speaker, finally, I include in the RECORD a letter sent to my colleagues in opposition to this bill from American Federation of Teachers.

AMERICAN FEDERATION OF TEACHERS,  
Washington, DC, July 26, 2017.  
HOUSE OF REPRESENTATIVES,  
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the 1.6 million members of the American Federation of Teachers, I write to express our strong opposition to the Make America Secure Appropriations Act, 2018 (H.R. 3219), the fiscal year 2018 appropriations "minibus" bill that bundles together the appropriations bills for defense, energy and water development, military construction, Veterans Affairs and the legislative branch. We oppose this bill because it moves in the wrong direction by failing to lift the sequester caps in a manner that maintains parity between defense and nondefense discretionary funding, and by including ideological poison pill riders.

Our national security is critical, but it requires investments that help working families seize the opportunities they need and deserve, and appropriations bills must invest in critical public services that enable these opportunities. Sequester caps have unduly restricted these kinds of foundational investments; without removing arbitrary caps, crucial investments will suffer. Yet instead of working toward a bipartisan deal to lift these punitive funding caps in a way that treats nondefense discretionary funding equitably, the speaker is moving forward with a minibus package that promotes a strategy to drastically cut nondefense programs as a means to increase defense funding. This must not be an either-or choice: National security requires strength at home and opportunities for our next generation, not the elimination of the funding they need to create those opportunities.

In addition, the well-being of the nation is further undermined in this bill by the inclusion of ideological poison pill policy riders. We particularly object to the inclusion of funding for an ill-conceived and mean-spirited border wall that is unrelated to any of the four appropriations bills included in the minibus.

As the defense portion of this bill violates the Budget Control Act, the increases in funding proposed by this bill are imaginary. The cuts this bill proposes are not.

I urge you to reject this bill and work to raise the sequester caps, to allow balanced funding bills—ones that adequately invest in the health, safety and education of our nation, and do not include ideological poison pill policy riders—to move forward. Until this has been accomplished, we urge you to oppose this bill.

Sincerely,

RANDI WEINGARTEN,  
President.

Mr. MCGOVERN. Mr. Speaker, let me just say to my good friend from Oklahoma: The Republicans presided over the most closed Congress in history in the last session. In history. And this year you are on your way to beating that record.

The gentleman talks about exceptional speed in which we are moving these appropriations bills to the floor. I am not so much impressed with exceptional speed when it comes to the spending of billions of taxpayer dollars. I want to make sure we get it right. That is why we are asking for an open process.

The gentleman talked about poison pills. Let me go back to the Barbara Lee AUMF amendment. I hardly con-

sider that a poison pill when it was unanimously approved in the Appropriations Committee, and the gentleman even voted for it.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, vote against the rule, vote against the bill. But the bill does contain one provision that I want to applaud the committee for including, and that is section 8907, which states: "None of the funds made available by this act may be used in contravention of the War Powers Act."

I first proposed this language in 2011. It failed at first, but now it has been included in every Defense Appropriations bill since FY12. It is necessary to enforce the War Powers Act because every Attorney General since the 1970s has advised Presidents that the War Powers Act isn't binding on the President, and that the President can send unlimited numbers of troops anywhere in the world to fight any battle without a declaration of war.

That is why we need this language, because Attorney General Mukasey, a Republican Attorney General, testified before the Foreign Affairs Committee yesterday that by including this language in the appropriations bill, Congress enforces the War Powers Act and its proper role in international affairs.

I thank the committee for including this language.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

I certainly would never expect my friend to vote for the rule. I mean, I don't think I have ever voted for a Democratic rule. I know very few Democrats have ever voted for our rules. I don't think I know any. So that is kind of a normal part of the Chamber.

I want to commend the gentleman for getting that language into the bill. Again, I respect the gentleman's right to not vote for the bill. It is a big bill. There are lots of different things in it.

But I think he makes an important point, indirectly, that there are lots of overlapping things where we do agree inside this bill. My friends are certainly free to vote "no," and I suspect many will.

There are many occasions in a bill like this, particularly related to defense and particularly related to veterans, where the component parts actually have enormous bipartisan support. That is certainly true in the Veterans Administration. It is certainly true with the gentleman's provision that he has gotten in now successive bills even under Republican Congresses.

I want to commend him for his work in that regard. I agree very much with his intention. My friend from Massachusetts and I may have some differences on this and that process, but that is another person that I agree with in terms of the War Powers Act

and in terms of trying to get a new AUMF and reclaim congressional power.

I actually think, strangely enough, even though we disagree on this, that this bill starts us maybe down that road again by requiring the administration to submit a report to justify legally where we are at and why, to tell us the strategy, to lay out the costs.

I commend my friend, the chairman of the Foreign Affairs Committee, Mr. ROYCE, for holding a hearing on that. I see us moving back in that way toward regular order and, hopefully, toward common ground.

Again, I understand my friend's objections, even when I don't agree with him. But I also thank my friend from California for pointing out that there are parts where we do agree. They are important, and they are incorporated in this bill. Maybe we can make it better in the amendment process.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I include in the RECORD a letter from Amnesty International rejecting the border wall funding.

AMNESTY INTERNATIONAL,  
Washington, DC, July 26, 2017.

AMNESTY INTERNATIONAL USA URGES HOUSE TO REJECT SOUTHERN BORDER WALL FUNDING

DEAR REPRESENTATIVE: On behalf of Amnesty International USA and our more than one million members and supporters nationwide, we strongly urge you to reject any and all requests included in H.R. 3219 (Department of Defense Appropriations Act, 2018 AKA Make America Secure Appropriations Act, 2018) for the funding of a southern border wall. The construction of such a wall would pose serious human rights consequences and would violate international law and standards in two major ways.

First, Congress should not approve funding for a wall that will cut through tribal land unless the U.S. government first obtains the free, prior, and informed consent of affected Nations, as prescribed by Article 19 of the United Nations ("UN") Declaration on the Rights of Indigenous Peoples. The U.S. must consult in good faith with Native American Nations who would be impacted by the construction of the proposed wall. The National Congress of American Indians and the Legislative Council of the Tohono O'odham, the second-largest tribe in the United States by land holdings, have both passed resolutions opposing the construction of the wall without tribal consent. Without the free, prior, and informed consent of affected Native American Nations, the House cannot approve border wall funding without violating the UN Declaration on the Rights of Indigenous Peoples.

Second, the construction of a border wall risks escalation of the already serious violations experienced by asylum seekers seeking to enter the U.S. In order to provide a fair asylum process, the U.S. must ensure the existence of sufficiently located, secure, regulated border crossing points for asylum seekers. This is essential to ensure that the U.S. government does not violate the principle of non-refoulement, which is enshrined in the 1951 UN Convention Relating to the Status of Refugees and binding on States Party to the 1967 Protocol.



Amnesty International strongly urges you to reject funding for a southern border wall, in order to uphold U.S. obligations with respect to Native Americans and arriving asylum seekers.

Sincerely,

JOANNE LIN,  
Senior Managing Director, Advocacy  
and Government Relations.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter opposing the funding for the wall from the League of United Latin American Citizens.

LEAGUE OF UNITED LATIN  
AMERICAN CITIZENS,  
Washington, DC, July 19, 2017.

House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the League of United Latin American Citizens (LULAC), the nation's oldest and largest Latino civil rights organization, I write to oppose any legislative attempts to keep funding the construction of a wall on the U.S.-Mexico border, the expansion of a Trump deportation force, and the increase of detention beds in immigrant incarceration centers.

As the House moves to consider the Fiscal Year 18 Department of Homeland Security Appropriation bill, and other security related bills, LULAC is deeply concerned about language that would provide billions for the construction of a costly and divisive wall along the Southern border, as well as hundreds of millions to hire a deportation force and expand immigrant incarceration.

The continued criminalization of immigrants, militarization of the border, and rush to build a costly, ineffective, and destructive wall on the U.S.-Mexico border are aims of radical politicians seeking to advance a xenophobic, anti-Latino agenda in this Congress. Unfortunately, this administration has failed to focus on legitimate staffing concerns at ports of entry, rebuilding port infrastructure, and protecting the land, water, and environment of the border. Instead, it is looking to seize the private property of border residents, destroy the natural habitat and wildlife in border communities, endanger border water supplies, and turn immigrant neighbors, families, and children into criminals who merit incarceration and deportation.

The House of Representatives should not enable these aims and should oppose any language seeking to advance the radical right-wing agenda of demonizing border communities and scapegoating immigrants. LULAC opposes any DHS appropriation bill, or any other appropriation vehicle, that funds border walls/levees, the hiring of Trump's deportation force and the continued expansion immigrant incarceration.

Sincerely,

ROGER C. ROCHA, Jr.,  
LULAC National President.

Mr. MCGOVERN. I include in the RECORD a fact sheet by the Washington Office on Latin America entitled: "Key points about the \$1.6 billion border wall."

JULY 24, 2017.

Please find below a rigorously sourced analysis of the \$1.6 billion in funding for a wall along the U.S.-Mexico border. The border wall funding is expected to be attached to the appropriations "minibus" in the Rules Committee later this week.

As a leading research and advocacy organization with years of field research and expe-

rience working on migration and border security issues, WOLA (the Washington Office on Latin America) outlines a number of reasons why this proposal will be costly, ineffective, and divisive.

WOLA believes that these are overwhelming reasons to oppose President Trump's request for a border wall and to vote against its inclusion in a bill claiming to fund national security. Regardless of party, it is clear that \$1.6 billion spent to start building the wall is money wasted.

Please don't hesitate to reach out to me if you have any questions or would like more information.

Best regards,

ADAM ISACSON.

[From the Washington Office on Latin  
America, July 24, 2017]

#### KEY POINTS ABOUT THE \$1.6 BILLION BORDER WALL

#### A COSTLY, INEFFECTIVE, AND DIVISIVE BORDER WALL DOESN'T BELONG IN A "NATIONAL SEC- URITY" APPROPRIATION

The House of Representatives is rushing to the floor four Fiscal Year (FY) 2018 appropriations bills related to national security, which will be combined into a so-called "minibus." In addition, the House Republican leadership is expected to carve out the most controversial part of the Homeland Security appropriations bill—President Trump's full request to fund the border wall—and use a procedural maneuver in the Rules Committee to attach it to this week's funding bill. Along with money for our military, veterans, and other defense-related items, the House is expected to consider \$1.6 billion to start building President Trump's proposed border wall.

#### THE BORDER WALL WOULD BE COSTLY

The bill would fund the Trump administration's full request for \$1.6 billion to build 60 miles of new border wall and fortify 14 miles of existing wall. That comes out to \$21.2 million per mile. This is more than four times the \$4.84 million per mile cost of fencing built since 2011.

At the rate proposed by President Trump, building additional fencing along the 1,317 border miles that lack it would cost \$28 billion. And that figure doesn't count the cost of building in more difficult terrain, access roads, maintenance, or acquiring land in Texas, where almost all border landholdings are privately held.

Building the wall carries a huge opportunity cost. \$1.6 billion could support many more important border security priorities. These include upgrading and hiring more personnel for ports of entry, the main vector for illegal drugs. The ports have \$5 billion in unmet infrastructure needs. They could include more technology so that border-security agencies have a better idea of what is happening along the border. This would make continued National Guard deployments unnecessary. They could include greatly increased investment in moving costs and bonuses for Border Patrol agents who agree to relocate from quieter border sectors to busier ones in need of manpower.

#### THE BORDER WALL WOULD BE INEFFECTIVE

The proposed border wall will not stop drug trafficking. To understand drug trafficking across the U.S.-Mexico border, it's first necessary to understand the difference between "ports of entry"—the 44 official land border crossings—and the vast spaces between them, where fencing exists or where Trump's wall would be built. The ports of entry are where U.S. border authorities seize

the majority of heroin and opioids, methamphetamine, and cocaine. "The big issue, really, right now on drugs coming into the United States is the ports of entry," Homeland Security Secretary John Kelly told a Senate committee in April. Building a wall would have no effect on smuggling at ports of entry.

Meanwhile, in the rural border areas where the White House proposes to build, a wall really isn't much of a barrier. It slows individuals down for the 10 or 15 minutes it takes to climb over. In a populated area, where authorities can respond quickly, that 10 or 15 minutes makes a big difference. But almost all of these areas already have high fences, because of the hundreds of miles of building that followed the Secure Fence Act of 2006. In emptier areas, reducing a border crosser's head start by 10 to 15 minutes is hardly a deterrent—and in Texas, the Rio Grande already serves that purpose.

#### THE BORDER WALL WOULD BE DANGEROUS

More wall-building could have tragic consequences. Violence, poverty, and family ties ensure that migrants will continue attempting the risky journey through the border region's inhospitable wilderness zones. Every year, U.S. authorities find the remains of hundreds of migrants, dead of dehydration and exposure in deserts and scrublands. With more fencing, migrants may attempt the crossing in even more remote areas, where the probability of death will be even higher.

#### THE BORDER WALL WOULD BE DIVISIVE

Building a wall sends a toxic message to one of our two closest neighbors, a country on whose cooperation the United States' national security and economic prosperity depends. Mexico is the United States' third-largest trading partner. Our common border is 1,970 miles long. Mexico collaborates on efforts to guard against extra-regional terrorists hypothetically using its territory to enter the United States. After 12 years of steadily declining migration, more Mexican citizens leave the United States than enter it each year. In January, it extradited its most notorious drug lord to the United States.

It makes no sense to undermine this relationship by building a permanent barrier along our border with Mexico. It makes no sense to jeopardize badly needed cooperation by portraying Mexico as a sinister source of threats that should foot the bill for the wall (which, the 2018 appropriation makes clear, it will not have to do). Mexico certainly has problems, particularly corruption and human rights abuse. But these are aspects of the relationship the United States must work on, rather than push Mexico away with an aggressive construction project.

#### THE BORDER WALL SHOULD BE REJECTED

WOLA believes that these are overwhelming reasons to oppose President Trump's request for a border wall and to vote against its inclusion in a bill claiming to fund national security. Regardless of party, it is clear that \$1.6 billion spent to start building the wall is money wasted. Let's stop this now before it becomes even larger, more costly, more counterproductive, and more divisive.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD an NBC News article on how the border wall is being planned to decimate the National Butterfly Center in the wildlife corridor of the lower Rio Grande Valley.



[From NBC News, July 26, 2017]

# BORDER WALL PUSH CREATES FLAP IN HOUSE—AND AT THE NATIONAL BUTTERFLY CENTER

(By Suzanne Gamboa)

WASHINGTON.—A national butterfly preserve is the latest flashpoint in the border wall debate as Democrats accuse the GOP of rigging the process to slip wall funding into a pack of House spending bills possibly up for a vote this week.

While there are not specific details on exactly where \$1.6 billion proposed for President Trump's border wall will be spent, an amendment sponsored by Rep. JOHN CARTER, R-Texas, calls for \$498 million to go to 28 miles of "new bollard levee wall" in Hidalgo County in Texas' Rio Grande Valley—home to the National Butterfly Center.

The amendment also calls for \$251 million to repair secondary border fencing in the San Diego area and \$38.2 million for planning future border wall construction. Another \$784 million is for 32 miles of "border bollard fencing" in Starr County, Texas, also in the Rio Grande Valley.

The butterfly center's executive director Marianna Treviño Wright said she found a work crew on the butterfly center's property last week, and she worried that their efforts might be related to construction of the proposed border wall. The workers had chain saws and work trucks and had cut and shred brush, trees and plants, she said. Treviño Wright said she found surveyor stakes and "X" marks on the property. She posted photos on the center's web site and Facebook page.

The 100-acre center is part of the wildlife corridor of the lower Rio Grande Valley, which is a migratory flyway for birds, butterflies and a host of other wildlife. The center's property already is bisected by earthen levees. Two thirds of the property is below the levee, Treviño Wright said.

"The property we have acquired here used to be a commercial onion farm and we have spent the last 15 years fundraising for our efforts and growing plants and purchasing materials to revegetate this area, to plant native, host and nectar plants and provide breeding and feeding areas to support wildlife, especially butterflies," she said.

"We do have folks who come from around the state, nation, world for the birds and butterflies and other things we have here on the property. Sometimes people show up looking for indigo snakes," Treviño Wright said.

In a previously issued statement, the Army Corps of Engineers denied that its contractors cleared or removed trees at the center, but acknowledged the crew placed X markings on the ground for mapping and wooden stakes flagging proposed locations to bore holes for possible construction. The agency said its contractor collected two soil samples from the levee but did so away from the butterfly center.

Neither U.S. Customs and Border Protection, the Army Corps of Engineers, nor other agencies have outlined plans for the proposed border wall on the center property.

Still, Treviño Wright and her supporters worry about what the center called on Facebook the "government secret activity on our property."

There also is angst over the possibility of border wall construction in another refuge along the Rio Grande—the San Ana Wildlife Refuge. It is considered the "crown jewel" of wildlife refuges and one of the nation's top birding spots. The Texas Observer first reported that crews were taking core samples,

setting off a reaction among birders who flock to the spot that boasts 400 species of birds.

The American Birding Association put out a plea to its members to write and call their members of Congress asking that they stop construction of the wall.

Carlos Diaz, a spokesman for Customs and Border Protection, told NBC News he did not have information on what plans or hopes there are for putting fencing or a wall on the butterfly center's property or the Santa Ana Refuge.

In a previously issued news release following a meeting with Rio Grande Valley mayors last week, Customs and Border Protection and the Army Corps of Engineers said in a news release they are conducting research activities in areas slated for construction of new or replacement border wall, with \$20 million in reprogrammed funds approved by Congress.

Also money provided for fiscal 2017 is being used to replace pedestrian barriers in San Diego and El Centro, California; replace vehicle barriers and pedestrian barriers in El Paso, Texas and install 35 new gates at gaps in border fencing built already in the Rio Grande Valley, according to Army Corps of Engineers information provided by Diaz.

In a hearing Monday held by the U.S. House Rules Committee, Rep. Jim McGovern, D-Mass., pointed out that American taxpayers are footing the tab for the border wall work, not Mexico as Trump had promised. That's a point that should be debated and could be if the border wall funding was given it's own vote, he said.

"This is a rigged process," McGovern said. With Congress closing in on a summer recess, the House is trying to push through a batch of four spending bills the GOP has said are critical for security. But the GOP plan to include \$1.6 million for 74 miles of President Donald Trump's border "wall" means those who oppose the border wall funding have to vote against the military spending.

Rep. Pete Sessions, R-Texas, who chairs the Rules Committee, said Monday he made the amendment providing the border wall money "self-executing," setting up the dilemma for opponents of the wall funding.

"You are dadgum right I put it in there," Sessions said.

"We are going to comply with allowing the president to have things he wants also," he said.

Rep. Ruben Gallego, D-Ariz., called the move "sneaky" and said House Speaker Paul Ryan and GOP House members were doing Trump's "dirty work."

"They want to make sure Trump can build his wall, but they also want desperately to avoid a clean up or down vote on the issue," Gallego told reporters in a call Monday.

Ashlee Strong, a spokeswoman for Ryan, said in an email that House and Senate Republicans' agenda includes a commitment to increased border security "and we are following through on that promise."

Mr. MCGOVERN. Mr. Speaker, process matters. And I have come to the conclusion, after having served here for some time now, that a lousy process leads to a lousy product and lousy legislation.

I know many of my colleagues were moved, like I was yesterday, when Senator JOHN MCCAIN appeared on the Senate floor and not only engaged in Senate business, but actually gave a very eloquent, passionate speech.

I want to quote Senator MCCAIN from yesterday. He said: "Let's return to

regular order. We've been spinning our wheels on too many important issues because we keep trying to find a way to win without help from across the aisle. That's an approach that's been employed by both sides, mandating legislation from the top down, without any support from the other side, with all the parliamentary maneuvers that requires."

"We're getting nothing done."

I agree with Senator MCCAIN, and I believe that a majority in this House, Democrats and Republicans, agree with Senator MCCAIN. But at some point we have to stop saying: "Well, we will get better. We will get better. It will be better next time. It will be better next time."

Because what is happening is, it is getting worse each time we bring legislations or appropriations to the floor. We are getting more and more restrictive. We are shutting out more and more voices, not just Democratic voices, but Republican voices as well.

This is a deliberative body. We ought to be able to deliberate a little bit. And both Democrats and Republicans have good ideas. Let us use this opportunity to change things, to go back to the regular order that Senator MCCAIN talked so eloquently about yesterday.

There is an opportunity to do that. It doesn't stop us considering the appropriations bills, but what it says is that we will do so under an open rule. We will go back to the way we all say we want it to be, an open process.

If you like some of these amendments, you vote for them. You make this legislation better. If you don't like the amendments, then you vote against them. I mean, that is the way this body is supposed to operate; none of this underhanded, self-executing of controversial provisions that may not have the support of the majority in this House.

Let's go back to regular order. This is the moment. This is a defining moment.

□ 1330

Democrats and Republicans, if you really mean it when you say you want regular order, then you have to vote for regular order once in a while. You can't keep on making excuses. I think this is the moment that we have on these appropriations bills to send a message to the leadership that we want things done differently here. We want to open things up. I think that is what the majority on both sides really want. But the question is whether or not we all have the guts to vote for an open process. So we have an opportunity to do that.

Mr. Speaker, I urge my colleagues to defeat the previous question so we can bring this legislation up today under an open rule. Let everybody offer their amendments. Let's bring it up. Let's do this today. No more excuses.

If you mean what you say when you say you want regular order, this is the

opportunity to vote for it. So please vote “no” on the previous question. And I oppose the underlying bill. Maybe I won’t if we can fix it through regular order. Maybe we can add a number of amendments, and even I would support some of these amendments.

Let’s give it a chance. Let’s work in a bipartisan way. Let’s go back to the days when we did have open rules on appropriations. This is the opportunity to do it. Vote “no” on the previous question.

Mr. Speaker, I yield back the balance of my time.

Mr. COLE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I thank, as always, my good friend for a spirited and thoughtful debate. He always makes good points. Frankly, I always find myself more comfortable when we are on the same side—as we occasionally are—than when we are on opposite sides.

My friend has made many valuable contributions to this institution, particularly pushing us relentlessly in the right direction of reclaiming our war-making authority. Having said that, it is always great to call for a new system, a new way, or a return to open rules without admitting you are the ones that abandoned them. We actually tried to restore them. I regret we failed in that, quite frankly, but I will have to say both sides have gotten used to not doing open rules because they don’t want to cast tough votes. That is why my friends abandoned the open rule process when they were in the majority in 2009, and, honestly, that is why we abandoned it last year.

I regret that. I will work with my friend probably not today but going forward in trying to reclaim that because I think when we lost it, we diminished the power of every individual Member in Congress. We thought we were protecting them, but the reality is they now can no longer come to the floor as an individual and present their own idea.

But at least in this case there are 72 amendments. The majority of them are from my friend’s side of the aisle. I would hope going forward, particularly when we consider the next eight appropriations bills, we will continue to be very generous in that regard.

Mr. Speaker, in closing, I want to encourage all Members to support the rule. H.R. 3219 represents the first step toward fulfilling our primary obligation as Members of Congress: to fund the government.

We should all be proud of what we have accomplished in putting this bill forward.

The bill contains the provisions of four of the bills passed out of the Appropriations Committee representing the work of the Subcommittees on Defense; Energy and Water Development, and Related Agencies; Legislative

Branch; and Military Construction, Veterans Affairs, and Related Agencies.

The bill will significantly increase funding for national defense and ensure that the men and women in the Armed Forces have the tools they need. We also increase funding to our veterans to ensure our fighting men and women will be taken care of long after they leave the service of their country, and we fund key Member priorities in the areas of Energy and Water Development, and Related Agencies; and Legislative Branch.

Mr. Speaker, I applaud my colleagues for their hard work.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 473 OFFERED BY  
MR. MCGOVERN

Strike all after the resolved clause and insert:

That at any time after the adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 2. At any time after the adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2998) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2018, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After

general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. At any time after the adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3266) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2018, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3219, H.R. 2998, or H.R. 3266.

#### THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is ENTITLED to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution. . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 230, nays 193, not voting 10, as follows:

[Roll No. 414]

YEAS—230

|               |                 |                   |
|---------------|-----------------|-------------------|
| Abraham       | Goodlatte       | Olson             |
| Aderholt      | Gosar           | Palazzo           |
| Allen         | Gowdy           | Paulsen           |
| Amash         | Granger         | Pearce            |
| Amodei        | Graves (GA)     | Perry             |
| Arrington     | Graves (LA)     | Pittenger         |
| Babin         | Griffith        | Poe (TX)          |
| Bacon         | Grothman        | Poliquin          |
| Banks (IN)    | Guthrie         | Posey             |
| Barletta      | Handel          | Ratcliffe         |
| Barr          | Harper          | Reed              |
| Barton        | Harris          | Reichert          |
| Bergman       | Hartzler        | Renacci           |
| Biggs         | Hensarling      | Rice (SC)         |
| Bilirakis     | Herrera Beutler | Roby              |
| Bishop (MI)   | Hice, Jody B.   | Roe (TN)          |
| Bishop (UT)   | Higgins (LA)    | Rogers (AL)       |
| Black         | Hill            | Rogers (KY)       |
| Blackburn     | Holding         | Rohrabacher       |
| Blum          | Hudson          | Rokita            |
| Bost          | Huizenga        | Rooney, Francis   |
| Brady (TX)    | Hultgren        | Rooney, Thomas J. |
| Bridenstine   | Hunter          | Ros-Lehtinen      |
| Brooks (AL)   | Hurd            | Roskam            |
| Brooks (IN)   | Issa            | Ross              |
| Buchanan      | Jenkins (KS)    | Rothfus           |
| Buck          | Jenkins (WV)    | Rouzer            |
| Bucshon       | Johnson (LA)    | Royce (CA)        |
| Budd          | Johnson (OH)    | Russell           |
| Burgess       | Johnson, Sam    | Rutherford        |
| Byrne         | Jordan          | Sanford           |
| Calvert       | Joyce (OH)      | Schweikert        |
| Carter (GA)   | Katko           | Scott, Austin     |
| Carter (TX)   | Kelly (MS)      | Sensenbrenner     |
| Chabot        | Kelly (PA)      | Sessions          |
| Cheney        | King (IA)       | Shimkus           |
| Coffman       | King (NY)       | Shuster           |
| Cole          | Kinzinger       | Simpson           |
| Collins (GA)  | Knight          | Smith (MO)        |
| Collins (NY)  | Kustoff (TN)    | Smith (NE)        |
| Comer         | Labrador        | Smith (NJ)        |
| Conaway       | LaHood          | Smith (TX)        |
| Cook          | LaMalfa         | Smucker           |
| Costello (PA) | Lamborn         | Stefanik          |
| Cramer        | Lance           | Stewart           |
| Crawford      | Latta           | Stivers           |
| Culberson     | Lewis (MN)      | Taylor            |
| Curbelo (FL)  | LoBiondo        | Tenney            |
| Davidson      | Long            | Thompson (PA)     |
| Davis, Rodney | Loudermilk      | Thornberry        |
| Denham        | Love            | Tiberi            |
| Dent          | Lucas           | Tipton            |
| DeSantis      | Luetkemeyer     | Trott             |
| DesJarlais    | MacArthur       | Turner            |
| Diaz-Balart   | Marchant        | Upton             |
| Donovan       | Marino          | Valadao           |
| Duffy         | Marshall        | Wagner            |
| Duncan (SC)   | Mast            | Walberg           |
| Duncan (TN)   | McCarthy        | Walden            |
| Dunn          | McCaul          | Walker            |
| Emmer         | McClintock      | Walorski          |
| Estes (KS)    | McHenry         | Walters, Mimi     |
| Farenthold    | McKinley        | Weber (TX)        |
| Faso          | McMorris        | Webster (FL)      |
| Ferguson      | Rodgers         | Wenstrup          |
| Fitzpatrick   | McSally         | Williams          |
| Fleischmann   | Meadows         | Wilson (SC)       |
| Flores        | Meehan          | Wittman           |
| Fortenberry   | Messer          | Womack            |
| Fox           | Mitchell        | Woodall           |
| Franks (AZ)   | Moorenaar       | Yoder             |
| Frelinghuysen | Mooney (WV)     | Yoho              |
| Gaetz         | Mullin          | Young (AK)        |
| Gallagher     | Murphy (PA)     | Young (IA)        |
| Garrett       | Newhouse        | Zeldin            |
| Gianforte     | Noem            |                   |
| Gibbs         | Norman          |                   |
| Gohmert       | Nunes           |                   |

NAYS—193

|                 |                |                |
|-----------------|----------------|----------------|
| Adams           | Gallego        | Nolan          |
| Aguilar         | Garamendi      | Norcross       |
| Barragán        | Gomez          | O'Halleran     |
| Bass            | Gonzalez (TX)  | O'Rourke       |
| Beatty          | Gottheimer     | Pallone        |
| Bera            | Green, Al      | Panetta        |
| Beyer           | Green, Gene    | Pascarell      |
| Bishop (GA)     | Grijalva       | Payne          |
| Blumenauer      | Gutiérrez      | Pelosi         |
| Blunt Rochester | Hanabusa       | Perlmutter     |
| Bonamici        | Hastings       | Peters         |
| Boyle, Brendan  | Heck           | Peterson       |
| F.              | Higgins (NY)   | Pingree        |
| Brady (PA)      | Himes          | Pocan          |
| Brown (MD)      | Hoyer          | Polis          |
| Brownley (CA)   | Huffman        | Price (NC)     |
| Bustos          | Jackson Lee    | Quigley        |
| Butterfield     | Jayapal        | Raskin         |
| Capuano         | Jeffries       | Rice (NY)      |
| Carbajal        | Johnson (GA)   | Richmond       |
| Cárdenas        | Johnson, E. B. | Rosen          |
| Carson (IN)     | Jones          | Roybal-Allard  |
| Cartwright      | Kaptur         | Ruiz           |
| Castor (FL)     | Keating        | Ruppersberger  |
| Castro (TX)     | Kelly (IL)     | Rush           |
| Chu, Judy       | Kennedy        | Ryan (OH)      |
| Cicilline       | Khanna         | Sánchez        |
| Clark (MA)      | Kihuen         | Sarbanes       |
| Clarke (NY)     | Kildee         | Schakowsky     |
| Clay            | Kilmer         | Schiff         |
| Cleaver         | Kind           | Schneider      |
| Clyburn         | Krishnamoorthi | Schrader       |
| Cohen           | Langevin       | Scott (VA)     |
| Connolly        | Larsen (WA)    | Scott, David   |
| Conyers         | Larson (CT)    | Serrano        |
| Cooper          | Lawrence       | Sewell (AL)    |
| Correa          | Lawson (FL)    | Shea-Porter    |
| Costa           | Lee            | Sherman        |
| Courtney        | Levin          | Sinema         |
| Crist           | Lewis (GA)     | Sires          |
| Crowley         | Lieu, Ted      | Slaughter      |
| Cuellar         | Lipinski       | Smith (WA)     |
| Davis (CA)      | Loebsock       | Soto           |
| Davis, Danny    | Lofgren        | Speier         |
| DeFazio         | Lowenthal      | Suozi          |
| DeGette         | Lowe           | Swalwell (CA)  |
| Delaney         | Lujan Grisham, | Takano         |
| DeLauro         | M.             | Thompson (CA)  |
| DelBene         | Luján, Ben Ray | Thompson (MS)  |
| Demings         | Lynch          | Titus          |
| DeSaulnier      | Maloney,       | Tonko          |
| Deutch          | Carolyn B.     | Torres         |
| Dingell         | Maloney, Sean  | Tsongas        |
| Doggett         | Massie         | Vargas         |
| Doyle, Michael  | Matsui         | Veasey         |
| F.              | McCollum       | Vela           |
| Ellison         | McEachin       | Velázquez      |
| Engel           | McGovern       | Visclosky      |
| Eshoo           | McNerney       | Walz           |
| Espallat        | Meeks          | Wasserman      |
| Esty (CT)       | Meng           | Schultz        |
| Evans           | Moore          | Waters, Maxine |
| Foster          | Moulton        | Watson Coleman |
| Frankel (FL)    | Murphy (FL)    | Welch          |
| Fudge           | Nadler         | Wilson (FL)    |
| Gabbard         | Neal           | Yarmuth        |

NOT VOTING—10

□ 1355

Mr. SEAN PATRICK MALONEY of New York changed his vote from "yea" to "nay."

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. BRAT. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 414.

Mr. WESTERMAN. Mr. Speaker, I was delayed in returning to the floor. If present, I would have voted "yea."

Stated against:

Ms. KUSTER of New Hampshire. Mr. Speaker, I was unavoidably detained. Had I

been present, I would have voted “nay” on rollcall No. 414.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

#### RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 192, not voting 9, as follows:

[Roll No. 415]

#### AYES—232

|               |                 |                   |
|---------------|-----------------|-------------------|
| Abraham       | Fortenberry     | McClintock        |
| Aderholt      | Fox             | McHenry           |
| Allen         | Frelinghuysen   | McKinley          |
| Amodi         | Gaetz           | McMorris          |
| Arrington     | Gallagher       | Rodgers           |
| Babin         | Garrett         | McSally           |
| Bacon         | Gianforte       | Meadows           |
| Banks (IN)    | Gibbs           | Meehan            |
| Barletta      | Gohmert         | Messer            |
| Barr          | Goodlatte       | Mitchell          |
| Barton        | Gosar           | Moolenaar         |
| Bergman       | Gotthelmer      | Mooney (WV)       |
| Biggs         | Gowdy           | Mullin            |
| Bilirakis     | Granger         | Murphy (PA)       |
| Bishop (MI)   | Graves (GA)     | Newhouse          |
| Bishop (UT)   | Graves (LA)     | Noem              |
| Black         | Griffith        | Norman            |
| Blackburn     | Grothman        | Nunes             |
| Blum          | Guthrie         | Olson             |
| Bost          | Handel          | Palazzo           |
| Brady (TX)    | Harper          | Paulsen           |
| Brat          | Harris          | Pearce            |
| Bridenstine   | Hartzler        | Perry             |
| Brooks (AL)   | Hensarling      | Pittenger         |
| Brooks (IN)   | Herrera Beutler | Poe (TX)          |
| Buchanan      | Hice, Jody B.   | Poliquin          |
| Buck          | Higgins (LA)    | Posey             |
| Bucshon       | Hill            | Ratcliffe         |
| Budd          | Holding         | Reed              |
| Burgess       | Hudson          | Reichert          |
| Byrne         | Huizenga        | Renacci           |
| Calvert       | Hultgren        | Rice (SC)         |
| Carter (GA)   | Hunter          | Roby              |
| Carter (TX)   | Hurd            | Roe (TN)          |
| Chabot        | Issa            | Rogers (AL)       |
| Cheney        | Jenkins (KS)    | Rogers (KY)       |
| Coffman       | Jenkins (WV)    | Rohrabacher       |
| Cole          | Johnson (LA)    | Rokita            |
| Collins (GA)  | Johnson (OH)    | Rooney, Francis   |
| Collins (NY)  | Johnson, Sam    | Rooney, Thomas J. |
| Comer         | Jordan          | Ros-Lehtinen      |
| Comstock      | Joyce (OH)      | Roskam            |
| Conaway       | Katko           | Ross              |
| Cook          | Kelly (MS)      | Rothfus           |
| Costello (PA) | Kelly (PA)      | Rouzer            |
| Cramer        | King (IA)       | Royce (CA)        |
| Crawford      | King (NY)       | Russell           |
| Culberson     | Kinzing         | Rutherford        |
| Curbelo (FL)  | Knight          | Sanford           |
| Davidson      | Kustoff (TN)    | Schweikert        |
| Davis, Rodney | Labrador        | Scott, Austin     |
| Denham        | LaHood          | Sensenbrenner     |
| Dent          | LaMalfa         | Sessions          |
| DesSantis     | Lamborn         | Shimkus           |
| DesJarlais    | Lance           | Shuster           |
| Diaz-Balart   | Latta           | Simpson           |
| Donovan       | Lewis (MN)      | Sinema            |
| Duffy         | LoBiondo        | Smith (MO)        |
| Duncan (SC)   | Long            | Smith (NE)        |
| Duncan (TN)   | Loudermilk      | Smith (NJ)        |
| Dunn          | Love            | Smith (TX)        |
| Emmer         | Lucas           | Smucker           |
| Estes (KS)    | Luetkemeyer     | Stefanik          |
| Farenthold    | Marchant        | Stewart           |
| Faso          | Marino          | Stivers           |
| Ferguson      | Marshall        | Taylor            |
| Fitzpatrick   | Mast            | Tenney            |
| Fleischmann   | McCarthy        | Thompson (PA)     |
| Flores        | McCaul          |                   |

Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg

Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams

Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

#### NOES—192

Adams  
Aguilar  
Amash  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan F.

Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Cuellar  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
DeSaulnier  
Deutsch  
Dingell  
Doggett  
Doyle, Michael F.

Cummings  
Franks (AZ)  
Graves (MO)

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1402

So the resolution was agreed to.  
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Gabbard  
Gallego  
Garamendi  
Gomez  
Gonzalez (TX)  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lieu, Ted  
Lipinski  
Loebsock  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham, M.  
Luján, Ben Ray  
Lynch  
Maloney,  
Carolyn B.  
Maloney, Sean  
Massie  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler

Neal  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascarell  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Richmond  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sires  
Slaughter  
Smith (WA)  
Soto  
Speier  
Suozi  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)

Stated for:

Mr. FRANKS of Arizona. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 415.

#### PERSONAL EXPLANATION

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall votes No. 414 and No. 415 due to my spouse's health situation in California. Had I been present, I would have voted “nay” on the Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 3219. I would have also voted “nay” on H. Res. 473—Rule providing for consideration of H.R. 3219—“Make America Secure Appropriations Act, 2018.”

#### PERMISSION TO MODIFY INSTRUCTIONS IN AMENDMENT NOS. 60, 61, AND 66 PRINTED IN HOUSE REPORT 115-259

Mr. COLE. Mr. Speaker, I ask unanimous consent that the instructions in each of the amendments numbered 60, 61, and 66 printed in House Report 115-259 be modified by striking “the division” and inserting “division D”.

The SPEAKER pro tempore (Mr. BOST). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

#### SECURELY EXPEDITING CLEARANCES THROUGH REPORTING TRANSPARENCY ACT OF 2017

Mr. MITCHELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3210) to require the Director of the National Background Investigations Bureau to submit a report on the backlog of personnel security clearance investigations, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3210

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Securely Expediting Clearances Through Reporting Transparency Act of 2017” or the “SECRET Act of 2017”.*

#### SEC. 2. REPORT ON BACKLOG OF PERSONNEL SECURITY CLEARANCE INVESTIGATIONS.

*Not later than 90 days after the date of enactment of this Act, and quarterly thereafter for 5 years, the Director of the National Background*

*Investigations Bureau of the Office of Personnel Management shall submit to Congress a report on the backlog of security clearance investigations that includes—*

*(1) the size of the personnel security clearance investigation process backlog; and*

*(2) the average length of time, for each sensitivity level, to carry out an initial investigation and a periodic investigation.*

**SEC. 3. REPORT ON SECURITY CLEARANCE INVESTIGATIONS OF PERSONNEL OF THE EXECUTIVE OFFICE OF THE PRESIDENT.**

*Not later than 90 days after the date of enactment of this Act, the Director of the National Background Investigations Bureau of the Office of Personnel Management shall submit to Congress a report that explains the process for conducting and adjudicating security clearance investigations for personnel of the Executive Office of the President, including White House personnel.*

**SEC. 4. REPORT ON DUPLICATIVE COSTS.**

*Not later than 120 days after the date of enactment of this Act, the Director of the National Background Investigations Bureau of the Office of Personnel Management shall submit to Congress a report on the cost of duplicating resources under the control or direction of the National Background Investigations Bureau for implementation of the plan referenced in section 951(a)(1) of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 1564 note).*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. MITCHELL) and the gentleman from Virginia (Mr. CONNOLLY) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MITCHELL. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 3210, the SECRET Act of 2017, introduced by my colleague, the gentleman from California (Mr. KNIGHT).

Mr. Speaker, the backlog of security clearance investigations causes tremendous waste for Federal employees and contractors and jeopardizes our national security.

There are thousands of jobs waiting to be filled in important national security positions and at least as many qualified Americans eagerly ready to fill them, but they can't, because they are waiting on their background investigation.

As of June 2017, the backlog stood at 650,000 clearances for employees, new hires, and contractors waiting either for an investigation or a reinvestigation. Many of those people are unable to perform their jobs while waiting, leading to contract delays and a pure waste of time.

Mr. Speaker, in order to fix the problem, you have to start by under-

standing the problem. Fixing the background investigation backlog requires information on the size, scope, and nature of the problem.

Currently, Congress receives information about the size of the backlog through briefings—only through briefings. We receive no regular data on the backlog and have no way to track progress over time.

My colleagues from California and Virginia, Representative KNIGHT and Representative GERALD CONNOLLY, authored this bipartisan bill to provide Congress the information it needs to assess these backlog investigations.

H.R. 3210, Securely Expediting Clearances Through Reporting Transparency Act, requires a simple quarterly report from the National Background Investigations Bureau known as NBIB.

The report will disclose the size of the backlog and the average length of an investigation broken down by level of clearance. Additionally, this bill requires two nonpartisan reports to help Congress plan potential reforms to the background investigation security clearance process.

NBIB will be required to issue a report describing the general security clearance procedure in the Executive Office of the President. The bill also requires NBIB to issue a report on the duplicative costs that would likely arise from transferring responsibility for background investigations to the Department of Defense.

Like the quarterly backlog report, this report will help Congress determine whether proposed options to reduce the backlog would do so or actually would increase it.

This bill is an important first step in addressing the security clearance investigation backlog, thereby reducing waste and increasing our Nation's security.

Mr. Speaker, I urge my colleagues to support this bipartisan good government bill.

Mr. Speaker, I reserve the balance of my time.

Mr. CONNOLLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my friend from Michigan for his remarks. Congressman STEVE KNIGHT and I introduced H.R. 3210, the Securely Expediting Clearances Through Reporting Transparency Act, or SECRET, to enable Congress to monitor the efficiency of the background investigation process. This bipartisan bill was passed unanimously by the Oversight and Government Reform Committee.

H.R. 3210 imposes a commonsense requirement on the National Background Investigations Bureau to report to Congress on backlogs that develop in the background investigation process.

Backlogs have plagued us in the past, as my friend from Michigan just said. In 2004, when the Department of Defense was the lead agency performing

background investigations, the Government Accountability Office determined the backlog was 375 days, more than 1 year. Over 100,000 new investigations or reinvestigations were delayed by that backlog.

In response, Congress transferred responsibility for those investigations to the Office of Personnel Management, and more recently, created the National Background Investigations Bureau within the Office of Personnel Management.

H.R. 3210 will provide Congress with the transparency needed to conduct oversight of the National Background Investigations Bureau and to help prevent backlogs like that in the future.

I am also pleased that the bill includes an amendment I offered in committee to require a report to Congress on duplicative costs to assist us in making decisions that protect taxpayers.

Last year, a provision in the National Defense Authorization Act asked the Department of Defense to develop a separate plan, to transfer responsibility for those background investigations of DOD personnel to the Pentagon instead of the National Background Investigations Bureau.

The Bureau would continue to perform other background investigations for all the other government agencies, except the Pentagon. If that plan were implemented, resources and capabilities that are currently under the direction of the Bureau would have to be duplicated by the Department of Defense.

H.R. 3210 would require a report to Congress on the cost of those duplicative resources and efforts. For Congress to make an informed choice on who should be responsible for conducting background investigations, we have got to know the costs.

Finally, the Oversight Committee also adopted an amendment offered by my friend and colleague, the Congressman from Illinois (Mr. KRISHNAMOORTHY), that would require a report on the process for performing and adjudicating background investigations for personnel in the Executive Office of the President.

This would help Congress ensure that those with access to the most sensitive information in the White House are thoroughly vetted.

And I thank the gentleman for his thoughtful amendment which also passed unanimously in our committee.

Mr. Speaker, I urge adoption of H.R. 3210. I am proud to be the original Democratic cosponsor.

Mr. Speaker, I reserve the balance of my time.

Mr. MITCHELL. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. KNIGHT), the sponsor of the bill.

Mr. KNIGHT. Mr. Speaker, I would like to thank Mr. CONNOLLY for his help and his partnership in the SECRET Act. Today, I rise in support of

this straightforward bipartisan legislation, the SECRET Act, or Securely Expediting Clearances Through Reporting Transparency Act.

I am proud to say that this bill originated from concerns voiced by my constituents. California's 25th District serves as a hub for many national security programs, and by extension, requires a highly skilled, security-cleared industrial base and workforce. But this doesn't just affect southern California. This is a national issue and must be addressed now.

Many employers are either unable to recruit workers due to excessive backlog of security clearance investigations or are forced to place employees in unfulfilling positions while they wait unacceptable amounts of time for their investigations to be completed.

□ 1415

Mr. Speaker, we are fortunate to live in a country with selfless citizens who seek to serve our Nation in critical national security positions and work towards safety at home and abroad. We need these bright minds to solve incredibly difficult problems and develop the next generation of American-made technology. We should reward them for choosing to work toward something greater than themselves, not punish them with jobs they don't want just because our bureaucracies can't move fast enough.

I introduced the SECRET Act so Congress can do its job of oversight better. The transparency afforded in this bill will better inform us of how substantial the security clearance backlog is and how long it takes for investigations to be completed. Equipped with that information, we will hold the executive branch accountable and keep our country safe.

I thank Chairman GOWDY and his committee staff for the diligent work on this bill, and I urge my colleagues for their support.

Mr. CONNOLLY. Mr. Speaker, I thank my colleague and friend, Mr. KNIGHT, for this bill. His leadership is really critical.

In my district, like his, thousands and thousands of jobs are open because of this issue. We simply haven't gotten the security clearances done in an expeditious way. We want them thorough, but we also, frankly, want our national security being addressed at full throttle, and that means full employment in these jobs.

I couldn't agree more with his sentiments, and I thank him again for his leadership.

Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Illinois (Mr. KRISHNAMOORTHY), my friend and colleague and one of the up-and-coming stars of the Oversight and Government Reform Committee.

Mr. KRISHNAMOORTHY. Mr. Speaker, I thank the gentleman from Vir-

ginia for yielding, and I thank Mr. KNIGHT and Mr. MITCHELL for their leadership on this. I also want to thank Ranking Member ELIJAH CUMMINGS for all that he has done to try to get the answers about executive branch background checks.

For over 6 months, various Oversight and Government Reform Committee members have been working to get basic answers from the White House about its process for granting security clearances. In a February 2017 hearing, my colleague, Congresswoman PLASKETT, asked the Director of the National Background Investigations Bureau if any senior administration officials with access to sensitive material were under criminal investigation. Chairman Chaffetz specifically asked the Office of Personnel Management to get back to Representative PLASKETT about her request. Unfortunately, neither OPM nor NBIB have answered these basic questions. That is why I am pleased that the Oversight and Government Reform Committee unanimously adopted my amendment during consideration of H.R. 3210 last week.

My amendment is very simple. It requires the NBIB to report to Congress on the process for conducting and adjudicating security clearances at the White House.

This bill is a necessary first step for Congress to conduct the oversight necessary to ensure that all personnel in the U.S. Government, regardless of administration, regardless of office, regardless of the President who happens to be in office at the time, will be thoroughly vetted and will not pose a threat to our national security.

I encourage all Members to support this bipartisan bill.

Mr. MITCHELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this issue that Mr. KRISHNAMOORTHY refers to is an issue that spans administrations and requires attention not for partisan matters, but for the safety and security of our country.

I am pleased with the amendment. I supported the amendment in committee, and, as noted, it did pass unanimously.

The reason I support this bill is because it pursues some commonsense goals. Think about it: 650,000 outstanding requests, and the only way we get information on that is we get a briefing, no routine reporting.

I have no further speakers, and I reserve the balance of my time to close.

Mr. CONNOLLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my friend from Michigan for those comments, and I again thank him for his leadership. I thank Mr. KNIGHT for his vision for this bill. I am pleased to be an original cosponsor, and I am pleased to make sure this was shepherded through committee on a unanimous vote.

I think we all recognize the criticality of classified background checking to make sure people trusted with our Nation's secrets, in fact, have been properly checked and vetted. But, on the other hand, backlogs hurt our national security, and so expediting it and accelerating reporting on it are really critical, it seems to me, for both intelligence, homeland security, and defense work that protects our citizens.

This is a very important step forward, and I urge its passage.

Mr. Speaker, I yield back the balance of my time.

Mr. MITCHELL. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, as I noted, I am new here in Congress, and I was astonished to find that we had no routine reporting on security clearances. I was astonished to find how much of a backlog we face and the damage it is doing to national security inefficiency.

I support this bill because it pursues a commonsense goal: transparency and efficient operation of the government. I support the amendment on transparency on oversight of the clearances in the White House because I think it is something that should have happened a long time ago.

Mr. Speaker, I urge my colleagues to adopt the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. MITCHELL) that the House suspend the rules and pass the bill, H.R. 3210, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### ESCAMBIA COUNTY LAND CONVEYANCE ACT

Mr. McCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2370) to authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2370

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Escambia County Land Conveyance Act".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) COUNTY.—The term "County" means Escambia County, Florida.

(2) NON-FEDERAL LAND.—The term "non-Federal land" means the former Santa Rosa



Island National Monument land in the State that was conveyed by the United States to the County under the Act of July 30, 1946 (60 Stat. 712, chapter 699), and by deed dated January 15, 1947.

(3) STATE.—The term “State” means the State of Florida.

**SEC. 3. RECONVEYANCE OF NON-FEDERAL LAND TO ESCAMBIA COUNTY, FLORIDA.**

(a) IN GENERAL.—Notwithstanding the restrictions on conveyance in the Act of July 30, 1946 (60 Stat. 712, chapter 699), and the deed to the non-Federal land from the United States to the County dated January 15, 1947, and subject to subsections (c) through (g), the County may convey all right, title, and interest of the County in and to the non-Federal land or any portion of the non-Federal land, to any person or entity, without any restriction on conveyance or reconveyance imposed by the United States in that Act or deed.

(b) EFFECT ON LEASEHOLD INTERESTS.—No person or entity holding a leasehold interest in the non-Federal land as of the date of enactment of this Act shall be required to involuntarily accept a fee interest to the non-Federal land in place of the leasehold interest in the non-Federal land.

(c) CONVEYANCE OF LAND WITHIN SANTA ROSA COUNTY, FLORIDA.—

(1) IN GENERAL.—As a condition of the authority granted to the County to convey the non-Federal land under subsection (a), all right, title, and interest of the County in and to any portion of the non-Federal land that is within the jurisdictional boundaries of Santa Rosa County, Florida, shall be conveyed by the County to Santa Rosa County, Florida, by the date that is 2 years after the date of enactment of this Act.

(2) REQUIREMENTS.—A conveyance under paragraph (1) shall—

(A) be absolute;

(B) terminate—

(i) any subjugation of Santa Rosa County, Florida, to the County; or

(ii) any regulation of Santa Rosa County, Florida, by the County; and

(C) be without consideration, except that the County may require Santa Rosa County, Florida, to pay the actual costs associated with the conveyance of the non-Federal land to Santa Rosa County, Florida.

(3) ASSUMPTION OF OWNERSHIP; IMPOSITION OF RESTRICTIONS.—On conveyance of the non-Federal land to Santa Rosa County, Florida, under paragraph (1), Santa Rosa County, Florida—

(A) shall assume ownership of the non-Federal land free of the restrictions on the non-Federal land described in subsection (g); and

(B) may establish any lawful restrictions on, or criteria for the reconveyance of, the non-Federal land to any leaseholder of the non-Federal land.

(4) RECONVEYANCE.—Santa Rosa County, Florida, or any other person to whom Santa Rosa County, Florida, reconveys the non-Federal land may reconvey the non-Federal land or any portion of the non-Federal land conveyed to Santa Rosa County, Florida, under paragraph (1).

(d) INCORPORATION OR ANNEXATION.—An owner or leaseholder of the non-Federal land conveyed under this section may pursue incorporation, annexation, or any other governmental status for the non-Federal land, if the owner or leaseholder complies with the legal conditions required for incorporation, annexation, or the other governmental status.

(e) JURISDICTION.—The non-Federal land shall be subject to the jurisdiction of the

county or unit of local government in which the non-Federal land is located.

(f) PROCEEDS.—Any proceeds from the conveyance of the non-Federal land by the County or Santa Rosa County, Florida (other than amounts paid for the direct and incidental costs associated with the conveyance), under this section shall—

(1) be considered to be windfall profits; and

(2) revert to the United States.

(g) PRESERVATION.—As a condition of the grant of the authority to convey the non-Federal land under subsection (a), the County shall preserve in perpetuity the areas of the non-Federal land that, as of the date of enactment of this Act, are dedicated for conservation, preservation, public recreation access, and public parking, in accordance with any resolutions of the Board of Commissioners of the County.

(h) DETERMINATION OF COMPLIANCE.—The County and Santa Rosa County, Florida—

(1) except as provided in subsection (c)(1), shall not be subject to a deadline or requirement to make any conveyance or reconveyance of the non-Federal land authorized under this section; and

(2) may establish terms for the conveyance or reconveyance of the non-Federal land authorized under this section, subject to this Act and applicable State law.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCCLINTOCK) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MCCLINTOCK. Mr. Speaker, it is my pleasure to yield such time as he may consume to the gentleman from Florida (Mr. GAETZ), the author of this measure.

Mr. GAETZ. Mr. Speaker, I thank Chairman MCCLINTOCK as well as the great leadership of the House Natural Resources Committee.

This legislation impacts residents on Navarre Beach and Pensacola Beach in Florida's First Congressional District. Some of those residents are now being double taxed because they have been forced to pay ad valorem property tax payments to the government in addition to lease payments. This legislation will grant fee simple title to these affected residents so that they are not double taxed and simply make an ad valorem payment like all other Floridians.

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2370, introduced by Representative GAETZ, settles a long-standing land management issue in his Florida district. Specifically, the bill transfers land associated with the

former Santa Rosa Island National Monument to Escambia County. Once it is transferred to Escambia County, the bill authorizes a second transfer to Santa Rosa County, without any conditions or further restrictions.

The land in question was provided to the county by the Federal Government in 1947 under the condition it remain in use for a public purpose. In 1956, the county decided a 100-year lease to neighboring Santa Rosa County was in the public interest. In the 61 years since, the counties have grown and prospered, but due to the terms of the original conveyance and subsequent lease, there is some confusion about Santa Rosa County's power to tax.

This bill will clear up some administrative challenges that have arisen out of this unusual arrangement, a goal that we support. However, it will also allow for developments that conflict with the terms of the original conveyance.

As drafted, this bill authorizes activities that will do significant environmental damage to a fragile coastal barrier island and potentially lead to the privatization of land on Santa Rosa Island. Neither of these results is in the public interest or consistent with congressional intent.

Congress granted Escambia County this land with one condition, which this bill completely ignores. We understand how important this bill is for Escambia and Santa Rosa Counties, but honoring the original intent of this land grant is as important as well.

It is our hope that we can work with our colleagues in the Senate to make improvements to this legislation that will continue to protect the interests of the American taxpayers in this land deal.

Mr. Speaker, I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to begin by assuaging the concerns raised by my friend from Missouri. A provision in the bill—and I will simply read it—I think, answers his concerns rather clearly. It says:

“... the county shall preserve in perpetuity the areas of the non-Federal land that, as of the date of enactment of this act, are dedicated for conservation, preservation, public recreation access, and public parking, in accordance with any resolutions of the Board of Commissioners of the county.”

As my friend has pointed out, Congress established the Santa Rosa National Monument and directed the Secretary of the Interior to convey the Federal land in the monument to Escambia County, Florida, back in 1946. Just 6 months later, the land was deeded to the county. Under the terms of the conveyance, Escambia County was given the authority to lease the



property on Santa Rosa Island; however, they were not allowed to issue title on the property or otherwise dispose of it or reconvey it.

In the intervening years since then, Santa Rosa Island has experienced tremendous economic growth. This growth prompted county leaders to assess property taxes on the leased lands. The imposition of taxes led to several lawsuits centered on the question of whether island residents and businessowners paying lease fees for their land could be taxed, despite not having outright ownership of the property.

Courts have reached different conclusions based on differences in the language of particular leases, which has created fairness issues for the county governments of Escambia and Santa Rosa. One property may be subject to property taxes, while a virtually identical property next door may not. This uneven treatment has prompted interest in removing the deed restriction prohibiting reconveyance, which then allows the county governments to convey ownership and create a uniform tax treatment for all properties on the beach.

Recently, both Escambia County and neighboring Santa Rosa County passed resolutions asking for a Federal solution to allow current Santa Rosa Island leaseholders the option of attaining fee simple title while protecting public access to the beaches and conservation areas on the island.

I commend my colleague, Congressman GAETZ, for listening to his constituents and working to find a solution.

Mr. Speaker, I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, in closing, I appreciate my friend from California for that explanation. Hopefully, my colleague, Representative GAETZ, will try to strike a balance between protecting our environment, protecting the pristine nature of that island, as well as looking out for the best interests of his constituents when this bill gets to the Senate. So, therefore, we will not oppose it.

Mr. Speaker, I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I thank the gentleman for his comments.

I would simply add that one of the overarching objectives of the Federal Lands Subcommittee is to restore the Federal Government as a good neighbor to those communities impacted by the public lands. This bill is an example of that principle at work, and I would urge adoption of the measure.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill, H.R. 2370.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1430

#### AFRICAN AMERICAN CIVIL RIGHTS NETWORK ACT OF 2017

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1927) to amend title 54, United States Code, to establish within the National Park Service the African American Civil Rights Network, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1927

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “African American Civil Rights Network Act of 2017”.

#### SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to recognize—

(A) the importance of the African American civil rights movement; and

(B) the sacrifices made by the people who fought against discrimination and segregation; and

(2) to authorize the National Park Service to coordinate and facilitate Federal and non-Federal activities to commemorate, honor, and interpret—

(A) the history of the African American civil rights movement;

(B) the significance of the civil rights movement as a crucial element in the evolution of the Civil Rights Act of 1964 (42 U.S.C. 2000a et seq.); and

(C) the relevance of the African American civil rights movement in fostering the spirit of social justice and national reconciliation.

#### SEC. 3. U.S. CIVIL RIGHTS NETWORK PROGRAM.

(a) IN GENERAL.—Subdivision 1 of Division B of subtitle III of title 54, United States Code, is amended by inserting after chapter 3083 the following:

#### “CHAPTER 3084—U.S. CIVIL RIGHTS NETWORK

“Sec.

“308401. Definition of network.

“308402. U.S. Civil Rights Network.

“308403. Cooperative agreements and memoranda of understanding.

“308404. Sunset.

#### “§ 308401. Definition of network

“In this chapter, the term ‘Network’ means the African American Civil Rights Network established under section 308402(a).

#### “§ 308402. U.S. Civil Rights Network

“(a) IN GENERAL.—The Secretary shall establish, within the Service, a program to be known as the ‘U.S. Civil Rights Network’.

“(b) DUTIES OF SECRETARY.—In carrying out the Network, the Secretary shall—

“(1) review studies and reports to complement and not duplicate studies of the historical importance of the African American civil rights movement that may be underway or completed, such as the Civil Rights Framework Study;

“(2) produce and disseminate appropriate educational materials relating to the Afri-

can American civil rights movement, such as handbooks, maps, interpretive guides, or electronic information;

“(3) enter into appropriate cooperative agreements and memoranda of understanding to provide technical assistance under subsection (c); and

“(4)(A) create and adopt an official, uniform symbol or device for the Network; and

“(B) issue regulations for the use of the symbol or device adopted under subparagraph (A).

“(c) ELEMENTS.—The Network shall encompass the following elements:

“(1) All units and programs of the Service that are determined by the Secretary to relate to the African American civil rights movement during the period from 1939 through 1968.

“(2) With the consent of the property owner, other Federal, State, local, and privately owned properties that—

“(A) relate to the African American civil rights movement;

“(B) have a verifiable connection to the African American civil rights movement; and

“(C) are included in, or determined by the Secretary to be eligible for inclusion in, the National Register of Historic Places.

“(3) Other governmental and nongovernmental facilities and programs of an educational, research, or interpretive nature that are directly related to the African American civil rights movement.

#### “§ 308403. Cooperative agreements and memoranda of understanding

“To achieve the purposes of this chapter and to ensure effective coordination of the Federal and non-Federal elements of the Network described in section 308402(c) with System units and programs of the Service, the Secretary may enter into cooperative agreements and memoranda of understanding with, and provide technical assistance to the heads of other Federal agencies, States, units of local government, regional governmental bodies, and private entities.

#### “§ 308404. Sunset

“This program shall expire on the date that is 7 years after the date of enactment of this chapter.”.

(b) CLERICAL AMENDMENT.—The table of chapters for title 54, United States Code, is amended by inserting after the item relating to chapter 3083 the following:

“3084 U.S. Civil Rights Network .....308401”.

#### SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCCLINTOCK) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McCLINTOCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1927, the African American Civil Rights Network Act, introduced by our distinguished committee colleague, Congressman LACY CLAY from Missouri, directs the National Park Service to identify and create a national network of historic sites, research facilities, and educational programs connected to the modern African-American civil rights movement. The network will be comprised of existing units and programs of the National Park Service related to the African-American civil rights movement as well as the properties and programs of other Federal, State, local, and private entities that join the network.

Establishing this network of historic sites connected to the African-American civil rights movement will help preserve the legacy and the struggle of the many courageous individuals who risked their lives to secure racial equality and to put the full measure of the Declaration of Independence and its sacred principles into action.

Mr. Speaker, I urge adoption of this measure, and I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of the African American Civil Rights Network Act of 2017, updated and bipartisan legislation that I was proud to introduce along with my distinguished colleague from Missouri's Eighth Congressional District, Congressman JASON SMITH. I appreciate his leadership and true friendship as well.

Our legislation, which has already earned 72 cosponsors, would authorize the National Park Service to establish a program to preserve and protect the memory of the people and places that were significant in the struggle to securing equal rights for African Americans during the 20th century's civil rights era between 1939 and 1968.

The purpose of this legislation is to recognize, protect, and share the remarkable American story of the modern struggle for civil rights, a unique national experience that touches every American regardless of their age, region, or heritage, and yet this very American story is often left untold, without the level of honesty and accuracy that it surely deserves.

In fact, the generation now coming of age has only scant knowledge of the history of the civil rights struggle. Young Americans find it difficult to believe that racial segregation was once considered normal and necessary in the United States.

I truly believe that the healing potential for this legislation is essential to bringing our Nation together. The historic network that H.R. 1927 would create would offer tremendous edu-

cational opportunities by recognizing those brave souls from all walks of life who fought to make the promises enshrined in our Constitution finally ring true for every American regardless of the color of their skin.

Across this great country, precious historic waypoints along the routes of that still largely untold story are at risk of being lost forever.

My hope is that the historic civil rights trails and the programs that will grow from this act will honestly tell the truth, the full and sometimes painful story of the struggle for civil rights, not just for African Americans, but to foster healing, tolerance, and understanding among all Americans.

This bill is similar to legislation that created the National Underground Railroad Network to Freedom Act of 1998, which is currently administered by the National Park Service. It directs the Secretary of the Interior to identify and create a national network of historic sites, stories, research facilities, and educational programs connected to the modern African-American civil rights movement.

This legislation has also earned the strong support of the National Urban League, the National Trust for Historic Preservation, the National Parks Conservation Association, and the NAACP.

Mr. Speaker, let me also commend the gentleman from California for his support of this legislation that came out of his subcommittee. I appreciate his help and strong support of it.

I look at this opportunity as something that we should all want to embrace the transformative power of the real American story. We should seize it. This bill advances that worthy goal for our Nation, and I urge my colleagues to support this important act.

Mr. Speaker, I reserve the balance of my time.

Mr. McCLINTOCK. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Utah (Mrs. LOVE).

Mrs. LOVE. Mr. Speaker, I thank Chairman McCLINTOCK for yielding.

Mr. Speaker, I rise in support of H.R. 1927. Nearly a decade ago, the National Park Service, with the help of the Organization of American Historians, completed a study to help identify significant sites related to the modern civil rights movement. Through this effort, the National Park Service found that many sites with a connection to the movement had not been formally recognized and that many were in severe disrepair and at risk of being permanently lost.

This legislation establishes a network of sites to include all National Park Service's units and programs, as well as other Federal, State, local, and privately owned properties for the National Register of Historic Places.

A similar network was created previously by Congress to identify and

commemorate the sites and stories related to the underground railroad. This bill would allow the National Park Service to build partnerships with other public and private entities to help preserve the remaining sites.

As part of my religious beliefs, I believe that knowing who you are, where you come from, is a foundation of knowing where you are and where you will be going.

History teaches us important lessons that we need to learn and grow from. Because of great leaders like Martin Luther King, President Abraham Lincoln, Rosa Parks, and many unsung heroes, I am here today as a Member of Congress representing the great State of Utah. We can be proud of who we are and what we believe in, that all men are created equal in the eyes of God.

It is imperative that here in the United States, that we don't make people feel like victims, and that all Americans are not afraid of, but empowered by, their history and our future.

Mr. Speaker, I commend Representative CLAY for his sponsorship of this bill, and I urge my colleagues to support H.R. 1927.

Mr. McCLINTOCK. Mr. Speaker, I reserve the balance of my time to close.

Mr. CLAY. Mr. Speaker, in closing, I would like to commend my colleague, Mrs. LOVE from Utah. And it goes to show you that we can reach across the aisle and find common ground. I appreciate her support of this legislation, as well as I urge my colleagues to vote in favor of the bill.

Mr. Speaker, I yield back the balance of my time.

Mr. McCLINTOCK. Mr. Speaker, I would like to reciprocate the kind words of the gentleman from Missouri (Mr. CLAY). It has been a pleasure working with him on this bill.

Shakespeare put it best:

This story shall a good man teach his son.

This bill tells that story of how the full measure of our Nation's founding principles came to fruition.

I would ask for Members' support and adoption of this measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. McCLINTOCK) that the House suspend the rules and pass the bill, H.R. 1927, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CALLING FOR UNCONDITIONAL RELEASE OF U.S. CITIZENS AND PERMANENT RESIDENTS HELD FOR POLITICAL PURPOSES BY THE GOVERNMENT OF IRAN

Mr. ROYCE of California. Mr. Speaker, I move to suspend the rules and

agree to the resolution (H. Res. 317) calling for the unconditional release of United States citizens and legal permanent resident aliens being held for political purposes by the Government of Iran, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 317

Whereas Iran has taken as hostages several United States citizens, including Siamak and Baquer Namazi and Xiyue Wang, as well as United States legal permanent resident, Nizar Zakka;

Whereas Siamak Namazi was detained on October 15, 2015, falsely accused, and convicted on October 18, 2016, for “collaborating with a hostile government” and has been held for extended periods in solitary confinement and under constant interrogation;

Whereas former UNICEF official Baquer Namazi, the 80-year old father of Siamak Namazi, was detained on February 22, 2016, falsely accused, and sentenced to 10 years in prison for the same crime as his son;

Whereas former United Nations Secretary-General Ban Ki-moon urged Iranian authorities to release Baquer Namazi, whose health status is deteriorating, to allow his family to care for him;

Whereas UNICEF has issued four public statements on Baquer Namazi’s behalf;

Whereas Xiyue Wang, a graduate student at Princeton University, was arrested in Iran on or about August 7, 2016, while studying Farsi and researching the late Qajar dynasty as background for his doctoral dissertation, detained by Iran in Evin prison for almost a year, falsely charged with espionage, and sentenced to 10 years in prison;

Whereas Robert Levinson, a United States citizen and retired agent of the Federal Bureau of Investigation, traveled to Kish Island, Iran, and disappeared on March 9, 2007;

Whereas the United States Government had “secured a commitment from the Iranians . . . to try and gather information about Mr. Levinson’s possible whereabouts” but has not received any information thus far;

Whereas Nizar Zakka, a United States legal permanent resident alien and Lebanese national, who is also in a weakened physical state, was unlawfully detained around September 18, 2015, after presenting at a conference in Iran at Iran’s invitation, and was later falsely charged with being a spy and sentenced to 10 years at the Evin prison;

Whereas, on April 13, 2017, the Department of the Treasury sanctioned the Tehran Prisons Organization and its former head, Sohrab Soleimani, and White House Press Secretary Sean Spicer noted “The sanctions against human rights abusers in Iran’s prisons come at a time when Iran continues to unjustly detain in its prisons various foreigners, including US citizens Siamak Namazi and Baquer Namazi”;

Whereas, on April 25, 2017, at the meeting of the Joint Commission overseeing implementation of the Joint Comprehensive Plan of Action, the Department of State reported that the United States delegation had “raised with the Iranian delegation its serious concerns regarding the cases of U.S. citizens detained and missing in Iran, and called on Iran to immediately release these U.S. citizens so they can be reunited with their families”;

Whereas elements of the Iranian regime are reportedly using nationals, dual-nation-

als, and permanent residents from the United States, Canada, the United Kingdom, France, and other countries to exact political or financial concessions; and

Whereas reports indicate that the Government of Iran is seeking additional payments or other concessions, including relief from economic sanctions, from the families of hostages and their governments as a condition of release, a practice banned by the 1979 International Convention Against the Taking of Hostages and other international legal norms: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) calls on the Government of the Islamic Republic of Iran to release unconditionally Siamak Namazi, Baquer Namazi, Xiyue Wang, Nizar Zakka, and any other United States citizen, legal permanent resident alien, or foreign national being unjustly detained in Iran;

(2) urges the President to make the release of United States citizens and legal permanent resident aliens held hostage by the Government of Iran the highest of priorities;

(3) requests that the United States and its allies whose nationals have been detained consider establishing a multinational task force to secure the release of the detainees;

(4) urges the Government of Iran to take meaningful steps towards fulfilling its repeated promises to assist in locating and returning Robert Levinson, including immediately providing all available information from all entities of the Government of Iran regarding the disappearance of Robert Levinson to the United States Government;

(5) encourages the President to take meaningful action to secure the release of Siamak Namazi, Baquer Namazi, Xiyue Wang, Nizar Zakka, and any other United States citizen, legal permanent resident alien, or foreign national being unjustly detained in Iran if the Government of Iran does not release such United States citizens, legal permanent resident aliens, and foreign nationals; and

(6) encourages the President to take meaningful action to secure the return of Robert Levinson if the Government of Iran does not locate and return him.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this particular resolution calls for the unconditional release of American citizens and legal permanent residents that are being held as prisoners right now, being held in jail by the Iranian regime.

I would like to begin by thanking the ranking member and the chair of our

Middle East Subcommittee—and that is both Ms. ILEANA ROS-LEHTINEN, the chair, who is with us, and Mr. TED DEUTCH—for their tireless work on behalf of these victims and on behalf of the families. They have introduced this resolution along with Congresswoman NITA LOWEY and Congressman Judge TED POE.

The reason for it, as you all know, is that Iran just continues to engage in this despicable practice of detaining people who are visiting Iran, and then they come up with fabricated criminal charges, and then these innocent people are held captive; but not just held captive, it is the brutal conditions which they find themselves in.

When we have talked to those and they have shown us what they have been through, these former prisoners in Iran, these Americans, they describe being subjected to electric shock, to forced drug withdrawal, through whippings, solitary confinement, they are denied medical care oftentimes, and routinely forced to sleep on the floor, if they are permitted to sleep at all.

Right now we have a number of U.S. citizens, Siamak and Baquer Namazi, Xiyue Wang, and U.S. permanent resident Nizar Zakka.

These U.S. citizens and permanent residents were imprisoned after being falsely accused of collaborating with a hostile government or accused of espionage. Their families are paralyzed with fear about how they are being treated.

Why is Iran so intent on holding Americans on bogus politicized charges?

It is because the Iranian regime believes it can use detained Americans as leverage to demand concessions, like ransom or sanctions relief, in violation of the International Convention Against the Taking of Hostages.

□ 1445

U.S. citizen Robert Levinson, he is still missing, and this is after 10 years. He disappeared 10 years ago in Iran, and Iran has not remotely fulfilled its commitment to try to locate him.

Our committee has held multiple hearings with these prisoners’ families, most recently yesterday, when family Members testified before our Middle East and North Africa Subcommittee, and we thank them for their bravery in sharing their stories.

We stand in solidarity with these citizens and with their families as we call for their release. We can’t imagine the horror that one would be experiencing, but our hearts are with you, and we are committed to advocate on behalf of you and your loved ones.

H. Res. 317 calls on Iran to let these Americans, and all individuals being unjustly detained by Iran, come home. And it also calls on Iran to fulfill its many promises to help find Bob Levinson. It also urges the President to

prioritize release of these captives and encourages him to take meaningful action to secure their release.

Last week, the administration called on Iran to release these unjustly detained U.S. citizens, or to face new and serious consequences. We appreciate the administration's actions so far and, with this resolution, urge continual attention to this matter until all of these prisoners have been safely returned to their families.

Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of this measure. Let me thank Chairman ROYCE, because here again is another piece of legislation from the Foreign Affairs Committee that we have shown we can work together within a bipartisan manner; so I am pleased to stand with the chairman.

I am also pleased to stand with the gentlewoman from Florida, former chairman, and my good friend as well, ILEANA ROS-LEHTINEN. She is now chair of the Foreign Affairs Subcommittee on the Middle East and North Africa, along with the resolution's other lead sponsors, the gentlewoman from New York (Mrs. LOWEY), the gentleman from Florida (Mr. DEUTCH), the Middle East and North Africa Subcommittee's ranking member, and the gentleman from Texas (Mr. POE).

We are here today to talk about Americans illegally detained by the Iranian regime, and those Americans have had no stronger champions than the Members I have mentioned before through the years.

Mr. Speaker, it is just outrageous that the Government of Iran continues to hold American citizens and residents on trumped-up charges.

Siamak Namazi and his 80-year-old father, a former UNICEF official in poor health; Baquer Namazi; Karan Vafadari, an American citizen, and his wife, Afarin Niasari; Nizar Zakka, who was detained after attending a conference at Iran's invitation; another American citizen who has been kept anonymous by family for fear of that person's well-being; and, of course, Robert Levinson, who disappeared in Iran more than 10 years ago. How cruel—10 years. His family doesn't know where he is. His family doesn't know how he is.

This is a regime, the Iranian regime, which talks about piety and religion, and they don't have any feeling of humankind from one person to another.

The detainment and disappearance of these people, and citizens of America's friends and allies, the pain and suffering and uncertainty that their families endure every single day, and the lack of cooperation and information coming out of Tehran, are a pretty clear indication of how this regime operates and what its values are.

The measure we are considering today underscores what Congress has said before: This behavior is unacceptable, and it must stop. We call on the government in Iran to release these men and women immediately, without precondition.

The people of Iran are the real captives of this regime, but these American citizens are our citizens, and we demand their release. The Government of Iran must do what it has long promised by providing information on the disappearance of Robert Levinson, and we urge the Trump administration to make resolving this issue a top priority.

So I am glad to stand with my colleagues on both sides to support this measure. I, again, thank my friend from Florida (Ms. ROS-LEHTINEN) for, as always, outstanding, stellar, and heartfelt work on these issues.

I thank Chairman ROYCE again, and all the people I mentioned before.

Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield 6 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), who chairs the Foreign Affairs Subcommittee on the Middle East and North Africa, the author of this measure.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank Chairman ROYCE, as well as my good friend, the ranking member, Mr. ENGEL, for their help in bringing H. Res. 317 to the floor today and for their tireless efforts to hold the Iranian regime accountable for all of its illicit activity, including the taking of American citizens and U.S. legal permanent residents as hostages. They have been incredible supporters of this movement, and I thank them for their unwavering support.

Of course, I want to thank Ranking Member NITA LOWEY for her help—I had the opportunity of meeting one of the family members with her before this presentation—and Judge POE, who is always at our side; and my south Florida colleague and my dear friend, TED DEUTCH, the ranking member on our Middle East and North Africa Subcommittee. We have all joined together in authoring and introducing this resolution.

The resolution, Mr. Speaker, is important for all of us. But for TED DEUTCH, for my friend from south Florida, I know how very personal this is for him because it is his constituent, Bob Levinson, who continues to be held by Iran 10 years after his disappearance.

Just yesterday, Ted and I convened a hearing in our Middle East and North Africa Subcommittee with some of the family members who are named in this very resolution.

Doug Levinson, for example, Bob's youngest child, testified.

Babak Namazi, son of Baquer and brother of Siamak testified.

Omar Zakka, son of Nizar, testified.

All three of them testified before our subcommittee, and their stories were moving, they were heartfelt, and they were heartbreaking. Each one, along with their families, forced to live in their own personal hell.

In Doug Levinson's case, Mr. Speaker, he presented photos, emails, even videos of his father who, after more than 10 years, is the Nation's longest held hostage in our history. What a sad distinction.

We heard how Iran has reportedly and repeatedly failed to live up to its promise to assist in Bob's case and help return him to his loved ones, including the five grandchildren that Bob has yet to meet.

We heard Omar plead for his father's life, as Nizar is now 1 month into his fifth hunger strike. But this time, Mr. Speaker, Nizar has vowed that there will be no turning back. Nizar says that he will continue with his hunger strike for himself and the others who are unjustly held by Iran, stating, it is "liberty or death; there is no turning back."

So can you imagine, Mr. Speaker, being 19 years old, a teenager, and he is testifying in front of us yesterday, and he is hearing his father say that he is willing to die in Iran in pursuit of truth and justice, and his throat was breaking as he is testifying in front of us.

We also heard Babak distress over the health of his father and his brother, two loved ones. Mr. Namazi's father has lost more than 30 pounds in Iran's notorious prisons. He is 81 years old. He suffers from a severe heart condition. He had to be hospitalized twice in just the past few months. Babak fears that his father's physical and mental condition—they are both rapidly deteriorating.

His brother, he fears, has given up hope because of the horrific conditions he is being held under. He is kept in isolation. He is mentally abused. He is physically abused. That is horrifying. That is heartbreaking.

Though we heard the sorrow in their voices, Mr. Speaker, we also heard defiance and determination. Defiant in accepting the Iranian regime's absurd claims against Bob, against Baquer, against Siamak, against Nizar; defiant in accepting that their fates are sealed, that there is nothing more that can be done; defiant in remaining silent as their loved ones suffer under the terror regime in Tehran.

We saw their determination—determination as each of the witnesses before us yesterday vowed that their fight is not nearly over, that they remain determined that they can force the return of their loved ones.

And they looked to us, Mr. Speaker, they looked to us to use our positions as Members of the United States House of Representatives to pressure the Iranian regime to release all American

citizens, all American legal permanent residents, unconditionally.

They looked to us to demand that Iran be held accountable for its tactic of taking our people hostage in order to get financial or political concessions. They looked to us to stand up and to decry this practice for what it is—morally corrupt, ethically corrupt, and legally wrong.

That is why NITA, and TED, and Judge POE, and Chairman ROYCE, and Ranking Member ENGEL, and I introduced this resolution before us today, and that is why Ted and I convened our hearing yesterday; and that is why, today, I am urging all of our colleagues to stand in solidarity with us, with the family members, with the hostages, and demand that Iran release all American citizens and legal permanent residents that it is holding hostage immediately and unconditionally.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ROYCE of California. I yield the gentlewoman an additional 1 minute.

Ms. ROS-LEHTINEN. Mr. Speaker, I hope that our colleagues will indeed stand with us. I hope that this resolution sends a strong message to Iran that this practice will not be tolerated. And I hope that it sends a strong message to our own administration that Congress is heavily invested in the fate of Americans being held by Iran and that we will demand action to win their unconditional release, their immediate release.

Mr. ENGEL. Mr. Speaker, it is now my pleasure to yield 3 minutes to the gentlewoman from New York (Mrs. LOWEY), my esteemed colleague, friend, and ranking member of the Appropriations Committee. We have districts that are adjoining.

Mrs. LOWEY. Mr. Speaker, I, too, want to thank my very good friends, Chairman ED ROYCE, Ranking Member ELIOT ENGEL, my fellow New Yorker, and the strong advocate, LEANA ROS-LEHTINEN. I want to thank them for advancing this very important resolution.

I rise in strong support of H. Res. 317, which I introduced with my friends, Representatives LEANA ROS-LEHTINEN, TED DEUTCH, and TED POE. This resolution calls for the unconditional release of U.S. citizens and legal permanent residents being held on baseless charges by the Government of Iran.

Two of these prisoners, Siamek Namazi and Baquer Namazi, were previously my constituents when they last lived in the United States. I have had the honor of getting to know Babak Namazi, the courageous brother and son of these two prisoners, who has tirelessly worked to free them from unjust imprisonment.

While the Iranian Government continues to try and exact concessions with these prisoners from the United States, Baquer Namazi, an 80-year-old

former UNICEF leader, suffers from increasingly poor health in Evin Prison. A man who spent his entire life serving the world's most vulnerable should not, cannot, spend his final years in such terrible conditions.

But this is just one prisoner's story. Each of the United States' citizen and legal permanent resident prisoners is suffering while imprisoned on trumped-up charges. Each has family members who worry, every hour of the day, whether they will ever see their loved ones again.

□ 1500

The United States must do all we can to ensure these prisoners return home. This resolution sends a strong message to the Government of Iran. These heinous attempts will not pay off. All of the prisoners must be released immediately. And Iran must fulfill its previous promises to locate and return Representative DEUTCH's constituent, Robert Levinson, a U.S. citizen missing in Iran since 2007.

Mr. Speaker, once again, I thank everyone who helped advance this resolution.

Mr. ROYCE of California. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. POE). He is the chairman of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade.

Mr. POE of Texas. Mr. Speaker, I thank the gentleman for yielding me time. I want to thank him and the ranking member for moving this legislation forward.

Mr. Speaker, Iran is the number one state sponsor of terrorism in the whole world. Out of 195 countries, they are the worst country in the world when it comes to exporting terrorism.

The mullahs in Tehran not only support worldwide terrorist groups, terrorist groups that have American blood on their hands, they resort to terrorist tactics to extort and blackmail the American people.

For decades, Iran has held American citizens in prisons unlawfully. They detain these Americans under the charge of espionage. We all know that this is just a ploy to extract concessions from the United States.

Earlier this month, we learned that Iran threw another American citizen in jail last year. This time it was a Princeton Ph.D. student conducting research in Iran for his dissertation. This student is now being held in Iran's most notorious prison, Evin Prison. If anyone thought that Iran was going to moderate as a result of the nuclear deal, these ongoing unlawful detentions are evidence to the contrary.

Iran has been emboldened, and there is no indication they will stop this tactic of terror. We need to get the attention of the barbaric mullahs that seem to take delight in imprisoning Americans and even Iranian citizens for political reasons.

We know at least eight Americans currently languish in Iranian jails. Iran is not content with just holding these Americans. They are actively working to extract payments and concessions from the United States, like sanctions relief, as a condition for their release. This is old-fashioned textbook extortion.

This resolution will send a clear message to the mullahs: Release the Americans and return them to their homes. Let the American hostages go.

I was glad to see the new sanctions imposed by the Treasury in April on the Tehran Prisons Organization. More pressure is needed by our country.

I urge the administration to spare no effort to secure the release of American hostages. These hostages have been held by Iran too long, and Iran has proven that they do not respond very well to carrots. Since we gave away the courthouse and the mineral rights in the Iranian deal, maybe it is time we pull out the stick. As Teddy Roosevelt said: "Speak softly, and carry a big stick."

And that is just the way it is.

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. KILDEE), who has worked tirelessly to free his constituent from the Iranian regime.

Mr. KILDEE. Mr. Speaker, I thank my friend for yielding to me.

Mr. Speaker, I rise in support of H. Res. 317, calling for the unconditional release of United States citizens held by Iran.

Unfortunately, I am all too familiar with this issue. My constituent, and now my good friend, Amir Hekmati, a Marine veteran, was held by the Iranian regime in Evin Prison for 4½ brutal years.

Thankfully, after a long struggle with the help of many voices across the country and across the world, including my friends, the ranking member and the chairman of this committee, who both used their good offices to advance the interests of Mr. Hekmati, ultimately he was freed. On January 16, 2016, he came home.

But it is long past time for Iran to release those Americans that they are holding, particularly Mr. Levinson, with whom I became quite familiar and whose family I came to know during the period of time that I sought freedom for Mr. Hekmati. Mr. Levinson's family has endured 10 unspeakable years of anguish trying to bring their father and husband home.

If Iran ever wants to be taken seriously in the global community, it has to stop this practice of taking innocent people as political prisoners, people like Amir Hekmati, people like Mr. Levinson, and those other Americans being held today.

It is also important to note, both for us here in this body, across the country, particularly for those watching in

other parts of the world, including Iran, that there are times when we have divisions in this country. There are times when we have divisions in our government, even on the floor of this House of Representatives. This is not one of them. We stand absolutely united as Democrats, as Republicans, as Independents, as Americans, saying to the Iranian Government and speaking through the Iranian people to their government: You cannot take political prisoners and hold them and expect to be taken seriously as a member of the global community.

Mr. Speaker, I encourage all of my colleagues, Democrats and Republicans, to send that strong message, to pass this resolution. I thank the sponsors of this resolution. I thank the chair and ranking member for their leadership on this issue now, and particularly at a time when my constituent most needed it, and I pray for the same success for those Americans that are being held now.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, yesterday this House spoke in no uncertain terms, in a bipartisan fashion, about what we think of Iran's dangerous and destabilizing behavior. An overwhelming bipartisan majority voted to slap tough new sanctions on Iran for its ballistic missile program, for the regime's support for terrorism, and for the awful record of human rights abuses against the Iranian people.

Tehran should know that we mean business. We will not back down on any of these issues, and we certainly will not forget that Americans are being wrongfully held.

I am glad to go on record once again, along with my colleagues, Chairman ROYCE, ILEANA ROS-LEHTINEN, NITA LOWEY, everyone who has spoken today, shining a line on this abuse, to put it front and center in our foreign policy, to call on Iran's leaders to release these people, and to say they will not be forgiven as long as these people are unlawfully held.

Mr. Speaker, I urge all my colleagues to vote "yes." I am happy that we are bringing this important issue to the fore, and I yield back the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just say that the individuals that we are talking about, the Americans that are being held in captivity and their families, have been suffering for far too long. I think our country needs to take decisive action to secure their release, and I believe that we have got to make sure that Iran and all other hostile actors who would follow Iran down this road know that taking U.S. prisoners does not pay.

I again thank Mr. ENGEL and the gentlewoman and gentleman from Florida,

ILEANA ROS-LEHTINEN and TED DEUTCH, for their leadership, along with NITA LOWEY and TED POE.

Mr. Speaker, I urge my colleagues to support this resolution as the next step toward bringing these innocent people back home to the United States, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, H. Res. 317, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018

##### GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material in the consideration of H.R. 3219, and that I may include tabular material on the same.

The SPEAKER pro tempore (Ms. ROS-LEHTINEN). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 473 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3219.

The Chair appoints the gentleman from Illinois (Mr. BOST) to preside over the Committee of the Whole.

□ 1511

##### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes, with Mr. BOST in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time. General debate shall be confined to the bill and not exceed 2 hours equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentlewoman from New York (Mrs. LOWEY) each will control 60 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield myself 6 minutes.

Mr. Chairman, I rise today to present an amendment to H.R. 3219, the Make

America Secure Appropriations Act. This legislative package provides critical appropriations for national security, including for the Department of Defense, the Department of Veterans Affairs, the Department of Energy's nuclear programs, and the Legislative Branch bill.

My colleagues, this is the primary constitutional duty of the Congress: to ensure the safety of the homeland and the American people.

This legislation is carefully crafted to meet that responsibility: funding our critical military priorities, supporting veterans, and making our borders more secure.

The core of this package is full-year funding for the Department of Defense and the intelligence community. I thank Chairwoman GRANGER for her leadership.

In total, the Defense portion of the bill provides \$658.1 billion for these functions, an increase of \$68.1 billion in base discretionary funding above the fiscal year 2017 enacted levels.

There is no doubt that this is a significant increase from the current spending levels, and certainly from the last 8 years. But this increase is vitally important to continue the process we started this spring: to rebuild, repair, and re-equip our Armed Forces that we started in the 2017 appropriations package.

□ 1515

Mr. Chairman, Secretary of Defense Mattis has quite correctly made readiness and modernization of our forces his top priorities.

It is a fact today that we have too many aircraft that cannot fly, too many ships that cannot sail, and too many troops who cannot deploy either because they are not properly trained or there are not enough of them.

So how did we get there? Because in recent years, we have been just getting by—reducing investments in our military as the world becomes more dangerous, and avoiding tough choices.

The package before us today will sustain a much-needed rebuilding of our military after a half decade of cuts, while our troops remained in constant combat, as they do today.

We provided prioritized funding to necessary but unfunded equipment and weapons platforms. We have boosted missile defense, a program that has taken on critical importance as North Korea, unabatedly, tries to marry its nuclear warheads with new ballistic missiles.

We increased funding for the vital training that prepares our warfighter for any contingency. This legislation also supports our military families. After all, they serve, too. We included a 2.4 percent pay increase for our servicemen and -women, the largest such raise in 8 years, and they deserve it.

Within the Military Construction and Veterans portion of this bill—and I

thank Chairman DENT for his leadership—military infrastructure funding has increased by 25 percent above current levels. We continue our efforts to rebuild our Armed Forces by ensuring that our warfighters have the support they need.

We cannot forget those who have served. This measure increases funding to the Department of Veterans Affairs to 5 percent over current levels to provide veterans and their families with access to medical care and other benefits they have earned and deserve.

Within the Energy and Water section of this legislation—I thank Chairman SIMPSON for his leadership—funding is prioritized for critical nuclear programs that will help strengthen our security and deter threats around the globe.

We also support the maintenance of our Nation's waterways and support the work of the Army Corps to also ensure the resilience and security of our electricity infrastructure.

We recommit to opening Yucca Mountain as a safe and secure location to permanently store the Nation's nuclear fuel and high-level radioactive wastes, and we promote basic science programs, which lay the foundation for new energy technologies.

Finally, Mr. Chairman, this package also includes funding for important legislative branch functions—and I thank Chairman YODER for his leadership—improving security to ensure that our Members, our staffs, and visitors to this wonderful Capitol complex are always well protected.

Mr. Chairman, before I close, I offer thanks to members of the Appropria-

tions Committee for their hard work and tough decisions over the past few months producing two appropriations bills, fiscal year 2017 and 2018, in less than 3 months.

As you know, we received the President's budget on May 23, just over 2 months ago, and since then, we have worked nonstop to put all 12 bills through the committee in record time. Each and every one of these bills deserves to be sent to the President's desk. I look forward to completing our work on all of our bills.

I also would like to extend my personal thanks to the entire committee and to our remarkable staff for their hard work on these bills and the eight yet to come.

Mr. Chairman, I reserve the balance of my time.



DIVISION A - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
(Amounts in thousands)

|                                                                   | FY 2017<br>Enacted | FY 2018<br>Request | Bill        | Bill vs.<br>Enacted | Bill vs.<br>Request |
|-------------------------------------------------------------------|--------------------|--------------------|-------------|---------------------|---------------------|
| <hr/>                                                             |                    |                    |             |                     |                     |
| TITLE I                                                           |                    |                    |             |                     |                     |
| MILITARY PERSONNEL                                                |                    |                    |             |                     |                     |
| Military Personnel, Army.....                                     | 40,042,962         | 41,533,674         | 41,427,054  | +1,384,092          | -106,620            |
| Military Personnel, Navy.....                                     | 27,889,405         | 28,917,918         | 28,707,918  | +818,513            | -210,000            |
| Military Personnel, Marine Corps.....                             | 12,735,182         | 13,278,714         | 13,165,714  | +430,532            | -113,000            |
| Military Personnel, Air Force.....                                | 27,958,795         | 28,962,740         | 28,738,320  | +779,525            | -224,420            |
| Reserve Personnel, Army.....                                      | 4,524,863          | 4,804,628          | 4,721,128   | +196,265            | -83,500             |
| Reserve Personnel, Navy.....                                      | 1,921,045          | 2,000,362          | 1,987,662   | +66,617             | -12,700             |
| Reserve Personnel, Marine Corps.....                              | 744,795            | 766,703            | 762,793     | +17,998             | -3,910              |
| Reserve Personnel, Air Force.....                                 | 1,725,526          | 1,824,334          | 1,808,434   | +82,908             | -15,900             |
| National Guard Personnel, Army.....                               | 7,899,423          | 8,379,376          | 8,252,426   | +353,003            | -126,950            |
| National Guard Personnel, Air Force.....                          | 3,283,982          | 3,413,187          | 3,406,137   | +122,155            | -7,050              |
| Total, Title I, Military Personnel.....                           | 128,725,978        | 133,881,636        | 132,977,586 | +4,251,608          | -904,050            |
| <hr/>                                                             |                    |                    |             |                     |                     |
| TITLE II                                                          |                    |                    |             |                     |                     |
| OPERATION AND MAINTENANCE                                         |                    |                    |             |                     |                     |
| Operation and Maintenance, Army.....                              | 32,738,173         | 38,945,417         | 38,483,846  | +5,745,673          | -461,571            |
| Operation and Maintenance, Navy.....                              | 38,552,017         | 45,439,407         | 45,980,133  | +7,428,116          | +540,726            |
| Operation and Maintenance, Marine Corps.....                      | 5,676,152          | 6,933,408          | 6,885,884   | +1,209,732          | -47,524             |
| Operation and Maintenance, Air Force.....                         | 36,247,724         | 39,429,232         | 38,592,745  | +2,345,021          | -836,487            |
| Operation and Maintenance, Defense-Wide .....                     | 32,373,949         | 34,585,817         | 33,771,769  | +1,397,820          | -814,048            |
| Operation and Maintenance, Army Reserve.....                      | 2,743,688          | 2,906,842          | 2,870,163   | +126,475            | -36,679             |
| Operation and Maintenance, Navy Reserve.....                      | 929,656            | 1,084,007          | 1,038,507   | +108,851            | -45,500             |
| Operation and Maintenance, Marine Corps Reserve.....              | 271,133            | 278,837            | 282,337     | +11,204             | +3,500              |
| Operation and Maintenance, Air Force Reserve.....                 | 3,069,229          | 3,267,507          | 3,233,745   | +164,516            | -33,762             |
| Operation and Maintenance, Army National Guard.....               | 6,861,478          | 7,307,170          | 7,275,820   | +414,342            | -31,350             |
| Operation and Maintenance, Air National Guard.....                | 6,615,095          | 6,939,968          | 6,735,930   | +120,835            | -204,038            |
| United States Court of Appeals for the Armed Forces.....          | 14,194             | 14,538             | 14,538      | +344                | ---                 |
| Environmental Restoration, Army.....                              | 170,167            | 215,809            | 215,809     | +45,642             | ---                 |
| Environmental Restoration, Navy.....                              | 289,262            | 281,415            | 288,915     | -347                | +7,500              |
| Environmental Restoration, Air Force.....                         | 371,521            | 293,749            | 308,749     | -62,772             | +15,000             |
| Environmental Restoration, Defense-Wide.....                      | 9,009              | 9,002              | 9,002       | -7                  | ---                 |
| Environmental Restoration, Formerly Used Defense Sites..          | 222,084            | 208,673            | 233,673     | +11,589             | +25,000             |
| Overseas Humanitarian, Disaster, and Civic Aid.....               | 123,125            | 104,900            | 107,900     | -15,225             | +3,000              |
| Cooperative Threat Reduction Account.....                         | 325,604            | 324,600            | 324,600     | -1,004              | ---                 |
| Operation and Maintenance, National Defense Restoration Fund..... | ---                | ---                | 5,000,000   | +5,000,000          | +5,000,000          |
| Total, Title II, Operation and maintenance.....                   | 167,603,260        | 188,570,298        | 191,654,065 | +24,050,805         | +3,083,767          |
| <hr/>                                                             |                    |                    |             |                     |                     |

DIVISION A - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
(Amounts in thousands)

|                                                                                       | FY 2017<br>Enacted | FY 2018<br>Request | Bill        | Bill vs.<br>Enacted | Bill vs.<br>Request |
|---------------------------------------------------------------------------------------|--------------------|--------------------|-------------|---------------------|---------------------|
| <hr/>                                                                                 |                    |                    |             |                     |                     |
| TITLE III                                                                             |                    |                    |             |                     |                     |
| PROCUREMENT                                                                           |                    |                    |             |                     |                     |
| Aircraft Procurement, Army.....                                                       | 4,587,598          | 4,149,894          | 4,456,533   | -131,065            | +306,639            |
| Missile Procurement, Army.....                                                        | 1,533,804          | 2,519,054          | 2,581,600   | +1,047,796          | +62,546             |
| Procurement of Weapons and Tracked Combat Vehicles,<br>Army.....                      | 2,229,455          | 2,423,608          | 3,556,175   | +1,326,720          | +1,132,567          |
| Procurement of Ammunition, Army.....                                                  | 1,483,566          | 1,879,283          | 1,811,808   | +328,242            | -67,475             |
| Other Procurement, Army.....                                                          | 6,147,328          | 6,469,331          | 6,356,044   | +208,716            | -113,287            |
| Aircraft Procurement, Navy.....                                                       | 16,135,335         | 15,056,235         | 17,908,270  | +1,772,935          | +2,852,035          |
| Weapons Procurement, Navy.....                                                        | 3,265,285          | 3,420,107          | 3,387,826   | +122,541            | -32,281             |
| Procurement of Ammunition, Navy and Marine Corps.....                                 | 633,678            | 792,345            | 735,651     | +101,973            | -56,694             |
| Shipbuilding and Conversion, Navy.....                                                | 21,156,886         | 19,903,682         | 21,503,726  | +346,840            | +1,600,044          |
| Other Procurement, Navy.....                                                          | 6,308,919          | 8,277,789          | 7,852,952   | +1,544,033          | -424,837            |
| Procurement, Marine Corps.....                                                        | 1,307,456          | 2,064,825          | 1,818,846   | +511,390            | -245,979            |
| Aircraft Procurement, Air Force.....                                                  | 14,253,623         | 15,430,849         | 16,553,196  | +2,299,573          | +1,122,347          |
| Missile Procurement, Air Force.....                                                   | 2,348,121          | 2,296,182          | 2,203,101   | -145,020            | -93,081             |
| Space Procurement, Air Force.....                                                     | 2,733,243          | 3,370,775          | 3,210,355   | +477,112            | -160,420            |
| Procurement of Ammunition, Air Force.....                                             | 1,589,219          | 1,376,602          | 1,316,977   | -272,242            | -59,625             |
| Other Procurement, Air Force.....                                                     | 17,768,224         | 19,603,497         | 19,318,814  | +1,550,590          | -284,683            |
| Procurement, Defense-Wide .....                                                       | 4,881,022          | 4,835,418          | 5,239,239   | +358,217            | +403,821            |
| Defense Production Act Purchases .....                                                | 64,065             | 37,401             | 67,401      | +3,336              | +30,000             |
| Procurement, National Defense Restoration Fund.....                                   | ---                | ---                | 12,622,931  | +12,622,931         | +12,622,931         |
| Total, Title III, Procurement.....                                                    | 108,426,827        | 113,906,877        | 132,501,445 | +24,074,618         | +18,594,568         |
| <hr/>                                                                                 |                    |                    |             |                     |                     |
| TITLE IV                                                                              |                    |                    |             |                     |                     |
| RESEARCH, DEVELOPMENT, TEST AND EVALUATION                                            |                    |                    |             |                     |                     |
| Research, Development, Test and Evaluation, Army.....                                 | 8,332,965          | 9,425,440          | 9,674,222   | +1,341,257          | +248,782            |
| Research, Development, Test and Evaluation, Navy.....                                 | 17,214,530         | 17,675,035         | 17,196,521  | -18,009             | -478,514            |
| Research, Development, Test and Evaluation, Air Force...                              | 27,788,548         | 34,914,359         | 33,874,980  | +6,086,432          | -1,039,379          |
| Research, Development, Test and Evaluation,<br>Defense-Wide .....                     | 18,778,550         | 20,490,902         | 20,698,353  | +1,919,803          | +207,451            |
| Operational Test and Evaluation, Defense.....                                         | 186,994            | 210,900            | 210,900     | +23,906             | ---                 |
| Research, Development, Test and Evaluation,<br>National Defense Restoration Fund..... | ---                | ---                | 1,000,000   | +1,000,000          | +1,000,000          |
| Total, Title IV, Research, Development, Test and<br>Evaluation.....                   | 72,301,587         | 82,716,636         | 82,654,976  | +10,353,389         | -61,660             |
| <hr/>                                                                                 |                    |                    |             |                     |                     |

DIVISION A - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
(Amounts in thousands)

|                                                                        | FY 2017<br>Enacted | FY 2018<br>Request | Bill       | Bill vs.<br>Enacted | Bill vs.<br>Request |
|------------------------------------------------------------------------|--------------------|--------------------|------------|---------------------|---------------------|
| -----                                                                  |                    |                    |            |                     |                     |
| TITLE V                                                                |                    |                    |            |                     |                     |
| REVOLVING AND MANAGEMENT FUNDS                                         |                    |                    |            |                     |                     |
| Defense Working Capital Funds.....                                     | 1,511,613          | 1,586,596          | 1,586,596  | +74,983             | ---                 |
| National Defense Sealift Fund.....                                     | ---                | 509,327            | ---        | ---                 | -509,327            |
| Total, Title V, Revolving and Management Funds....                     | 1,511,613          | 2,095,923          | 1,586,596  | +74,983             | -509,327            |
|                                                                        | =====              | =====              | =====      | =====               | =====               |
| TITLE VI                                                               |                    |                    |            |                     |                     |
| OTHER DEPARTMENT OF DEFENSE PROGRAMS                                   |                    |                    |            |                     |                     |
| Defense Health Program                                                 |                    |                    |            |                     |                     |
| Operation and maintenance.....                                         | 31,277,002         | 32,095,923         | 31,735,923 | +458,921            | -360,000            |
| Procurement.....                                                       | 402,161            | 895,328            | 895,328    | +493,167            | ---                 |
| Research, development, test and evaluation.....                        | 2,102,107          | 673,215            | 1,300,315  | -801,792            | +627,100            |
| Total, Defense Health Program 1/ .....                                 | 33,781,270         | 33,664,466         | 33,931,566 | +150,296            | +267,100            |
| Chemical Agents and Munitions Destruction, Defense:                    |                    |                    |            |                     |                     |
| Operation and maintenance.....                                         | 119,985            | 104,237            | 104,237    | -15,748             | ---                 |
| Procurement.....                                                       | 15,132             | 18,081             | 18,081     | +2,949              | ---                 |
| Research, development, test and evaluation.....                        | 388,609            | 839,414            | 839,414    | +450,805            | ---                 |
| Total, Chemical Agents 2/.....                                         | 523,726            | 961,732            | 961,732    | +438,006            | ---                 |
| Drug Interdiction and Counter-Drug Activities, Defense1/               | 998,800            | 790,814            | 854,814    | -143,986            | +64,000             |
| Joint Improvised-Threat Defeat Fund.....                               | ---                | 14,442             | ---        | ---                 | -14,442             |
| Joint Urgent Operational Needs Fund.....                               | ---                | 99,795             | ---        | ---                 | -99,795             |
| Office of the Inspector General 1/.....                                | 312,035            | 336,887            | 336,887    | +24,852             | ---                 |
| Total, Title VI, Other Department of Defense Programs.....             | 35,615,831         | 35,868,136         | 36,084,999 | +469,168            | +216,863            |
|                                                                        | =====              | =====              | =====      | =====               | =====               |
| TITLE VII                                                              |                    |                    |            |                     |                     |
| RELATED AGENCIES                                                       |                    |                    |            |                     |                     |
| Central Intelligence Agency Retirement and Disability System Fund..... | 514,000            | 514,000            | 514,000    | ---                 | ---                 |
| Intelligence Community Management Account (ICMA).....                  | 515,596            | 532,000            | 522,100    | +6,504              | -9,900              |
| Total, Title VII, Related agencies.....                                | 1,029,596          | 1,046,000          | 1,036,100  | +6,504              | -9,900              |
|                                                                        | =====              | =====              | =====      | =====               | =====               |

DIVISION A - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
(Amounts in thousands)

|                                                                                                         | FY 2017<br>Enacted | FY 2018<br>Request | Bill        | Bill vs.<br>Enacted | Bill vs.<br>Request |
|---------------------------------------------------------------------------------------------------------|--------------------|--------------------|-------------|---------------------|---------------------|
| TITLE VIII                                                                                              |                    |                    |             |                     |                     |
| GENERAL PROVISIONS                                                                                      |                    |                    |             |                     |                     |
| Additional transfer authority (Sec.8005).....                                                           | (4,500,000)        | (5,000,000)        | (4,500,000) | ---                 | (-500,000)          |
| FFRDC (Sec.8023).....                                                                                   | -60,000            | ---                | -210,000    | -150,000            | -210,000            |
| Rescissions (Sec.8040).....                                                                             | -2,002,622         | ---                | -891,381    | +1,111,241          | -891,381            |
| National grants (Sec.8047).....                                                                         | 44,000             | ---                | 44,000      | ---                 | +44,000             |
| Shipbuilding and conversion, Navy Judgment Fund.....                                                    | ---                | 5,000              | ---         | ---                 | -5,000              |
| O&M, Defense-wide transfer authority (Sec.8051).....                                                    | (30,000)           | (30,000)           | (30,000)    | ---                 | ---                 |
| John C. Stennis Center for Public Service Development<br>Trust Fund (O&M, Navy transfer authority)..... | (1,000)            | ---                | ---         | (-1,000)            | ---                 |
| Fisher House Foundation (Sec.8066).....                                                                 | 5,000              | ---                | 5,000       | ---                 | +5,000              |
| Revised economic assumptions (Sec.8073).....                                                            | -157,000           | ---                | -289,000    | -132,000            | -289,000            |
| Defense acquisition workforce development excess cash<br>balances (rescission) (Sec.8081).....          | -531,000           | ---                | -10,000     | +521,000            | -10,000             |
| Fisher House O&M Army Navy Air Force transfer authority<br>(Sec.8086).....                              | (11,000)           | (11,000)           | (11,000)    | ---                 | ---                 |
| Defense Health O&M transfer authority (Sec.8090).....                                                   | (122,375)          | (115,519)          | (115,519)   | (-6,856)            | ---                 |
| Working Capital Fund, Army excess cash balances<br>(Sec.8110).....                                      | -336,000           | ---                | -75,000     | +261,000            | -75,000             |
| Revised fuel costs (Sec.8111).....                                                                      | -1,155,000         | ---                | -1,007,267  | +147,733            | -1,007,267          |
| Ship Modernization, Operation, and Sustainment Fund<br>(rescission) .....                               | -1,391,070         | ---                | ---         | +1,391,070          | ---                 |
| Operation and Maintenance, Defense-Wide (Department of<br>the Interior Compact Review Agreement) .....  | ---                | 123,900            | ---         | ---                 | -123,900            |
| Military pay raise (Sec.8121).....                                                                      | ---                | ---                | 206,400     | +206,400            | +206,400            |
| Public Schools on Military Installations (Sec.8122).....                                                | ---                | ---                | 235,000     | +235,000            | +235,000            |
| Total, Title VIII, General Provisions.....                                                              | -5,583,692         | 128,900            | -1,992,248  | +3,591,444          | -2,121,148          |
| =====                                                                                                   |                    |                    |             |                     |                     |
| TITLE IX                                                                                                |                    |                    |             |                     |                     |
| OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM<br>(GWOT)                                       |                    |                    |             |                     |                     |
| Military Personnel                                                                                      |                    |                    |             |                     |                     |
| Military Personnel, Army (GWOT).....                                                                    | 1,948,648          | 2,635,317          | 2,635,317   | +686,669            | ---                 |
| Military Personnel, Navy (GWOT).....                                                                    | 327,427            | 377,857            | 377,857     | +50,430             | ---                 |
| Military Personnel, Marine Corps (GWOT).....                                                            | 179,733            | 103,800            | 103,800     | -75,933             | ---                 |
| Military Personnel, Air Force (GWOT).....                                                               | 705,706            | 912,779            | 912,779     | +207,073            | ---                 |
| Reserve Personnel, Army (GWOT).....                                                                     | 42,506             | 24,942             | 24,942      | -17,564             | ---                 |
| Reserve Personnel, Navy (GWOT).....                                                                     | 11,929             | 9,091              | 9,091       | -2,838              | ---                 |
| Reserve Personnel, Marine Corps (GWOT).....                                                             | 3,764              | 2,328              | 2,328       | -1,436              | ---                 |
| Reserve Personnel, Air Force (GWOT).....                                                                | 20,535             | 20,569             | 20,569      | +34                 | ---                 |
| National Guard Personnel, Army (GWOT).....                                                              | 196,472            | 184,589            | 184,589     | -11,883             | ---                 |
| National Guard Personnel, Air Force (GWOT).....                                                         | 5,288              | 5,004              | 5,004       | -284                | ---                 |
| Military Personnel, National Defense Restoration Fund<br>(GWOT).....                                    | ---                | ---                | 1,000,000   | +1,000,000          | +1,000,000          |
| Total, Military Personnel (OCO/GWOT).....                                                               | 3,442,008          | 4,276,276          | 5,276,276   | +1,834,268          | +1,000,000          |
| =====                                                                                                   |                    |                    |             |                     |                     |

DIVISION A - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
(Amounts in thousands)

|                                                                           | FY 2017<br>Enacted | FY 2018<br>Request | Bill       | Bill vs.<br>Enacted | Bill vs.<br>Request |
|---------------------------------------------------------------------------|--------------------|--------------------|------------|---------------------|---------------------|
| <b>Operation and Maintenance</b>                                          |                    |                    |            |                     |                     |
| Operation & Maintenance, Army (GWOT).....                                 | 15,693,068         | 16,126,403         | 16,126,403 | +433,335            | ---                 |
| Operation & Maintenance, Navy (GWOT).....                                 | 7,887,349          | 5,875,015          | 5,875,015  | -2,012,334          | ---                 |
| (Coast Guard) (by transfer) (GWOT).....                                   | ---                | (161,885)          | (161,885)  | (+161,885)          | ---                 |
| Operation & Maintenance, Marine Corps (GWOT).....                         | 1,607,259          | 1,116,640          | 1,116,640  | -490,619            | ---                 |
| Operation & Maintenance, Air Force (GWOT).....                            | 10,556,598         | 10,266,295         | 10,266,295 | -290,303            | ---                 |
| Operation & Maintenance, Defense-Wide (GWOT).....                         | 6,476,649          | 7,712,080          | 6,944,201  | +467,552            | -767,879            |
| (Coalition support funds) (GWOT).....                                     | (920,000)          | ---                | ---        | (-920,000)          | ---                 |
| Operation & Maintenance, Army Reserve (GWOT).....                         | 38,679             | 24,699             | 24,699     | -13,980             | ---                 |
| Operation & Maintenance, Navy Reserve (GWOT).....                         | 26,265             | 23,980             | 23,980     | -2,285              | ---                 |
| Operation & Maintenance, Marine Corps Reserve (GWOT)....                  | 3,304              | 3,367              | 3,367      | +63                 | ---                 |
| Operation & Maintenance, Air Force Reserve (GWOT).....                    | 57,586             | 58,523             | 58,523     | +937                | ---                 |
| Operation & Maintenance, Army National Guard (GWOT).....                  | 127,035            | 108,111            | 108,111    | -18,924             | ---                 |
| Operation & Maintenance, Air National Guard (GWOT).....                   | 20,000             | 15,400             | 15,400     | -4,600              | ---                 |
| Operation & Maintenance, National Defense Restoration<br>Fund (GWOT)..... | ---                | ---                | 2,000,000  | +2,000,000          | +2,000,000          |
| Subtotal, Operation and Maintenance.....                                  | 42,493,792         | 41,330,513         | 42,562,634 | +68,842             | +1,232,121          |
| Afghanistan Security Forces Fund (GWOT).....                              | 4,262,715          | 4,937,515          | 4,937,515  | +674,800            | ---                 |
| Counter-ISIL Train and Equip Fund (GWOT).....                             | 980,000            | 1,769,000          | 1,769,000  | +789,000            | ---                 |
| Total, Operation and Maintenance (OCO/GWOT).....                          | 47,736,507         | 48,037,028         | 49,269,149 | +1,532,642          | +1,232,121          |
| <b>Procurement</b>                                                        |                    |                    |            |                     |                     |
| Aircraft Procurement, Army (GWOT).....                                    | 313,171            | 424,686            | 424,686    | +111,515            | ---                 |
| Missile Procurement, Army (GWOT).....                                     | 405,317            | 559,283            | 557,583    | +152,266            | -1,700              |
| Procurement of Weapons and Tracked Combat Vehicles,<br>Army (GWOT).....   | 395,944            | 1,191,139          | 1,191,139  | +795,195            | ---                 |
| Procurement of Ammunition, Army (GWOT).....                               | 290,670            | 193,436            | 193,436    | -97,234             | ---                 |
| Other Procurement, Army (GWOT).....                                       | 1,343,010          | 405,575            | 405,575    | -937,435            | ---                 |
| Aircraft Procurement, Navy (GWOT).....                                    | 367,930            | 157,300            | 157,300    | -210,630            | ---                 |
| Weapons Procurement, Navy (GWOT).....                                     | 8,600              | 152,373            | 130,994    | +122,394            | -21,379             |
| Procurement of Ammunition, Navy and Marine Corps (GWOT)....               | 65,380             | 225,587            | 223,843    | +158,463            | -1,744              |
| Other Procurement, Navy (GWOT).....                                       | 99,786             | 220,059            | 207,984    | +108,198            | -12,075             |
| Procurement, Marine Corps (GWOT).....                                     | 118,939            | 65,274             | 64,071     | -54,868             | -1,203              |
| Aircraft Procurement, Air Force (GWOT).....                               | 927,249            | 740,778            | 510,836    | -416,413            | -229,942            |
| Missile Procurement, Air Force (GWOT).....                                | 235,095            | 395,400            | 381,700    | +146,605            | -13,700             |
| Procurement of Ammunition, Air Force (GWOT).....                          | 273,345            | 501,509            | 501,509    | +228,164            | ---                 |
| Other Procurement, Air Force (GWOT).....                                  | 3,529,456          | 4,008,887          | 3,998,887  | +469,431            | -10,000             |
| Procurement, Defense-Wide (GWOT).....                                     | 244,184            | 518,026            | 510,741    | +266,557            | -7,285              |
| National Guard and Reserve Equipment (GWOT) .....                         | 750,000            | ---                | 1,000,000  | +250,000            | +1,000,000          |
| Procurement, National Defense Restoration Fund (GWOT)...                  | ---                | ---                | 6,000,000  | +6,000,000          | +6,000,000          |
| Total, Procurement (OCO/GWOT).....                                        | 9,368,076          | 9,761,568          | 16,462,540 | +7,094,464          | +6,700,972          |

DIVISION A - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
(Amounts in thousands)

|                                                                                              | FY 2017<br>Enacted | FY 2018<br>Request | Bill              | Bill vs.<br>Enacted | Bill vs.<br>Request |
|----------------------------------------------------------------------------------------------|--------------------|--------------------|-------------------|---------------------|---------------------|
| <b>Research, Development, Test and Evaluation</b>                                            |                    |                    |                   |                     |                     |
| Research, Development, Test & Evaluation, Army (GWOT)...                                     | 100,522            | 119,368            | 119,368           | +18,846             | ---                 |
| Research, Development, Test & Evaluation, Navy (GWOT)...                                     | 78,323             | 130,365            | 124,865           | +46,542             | -5,500              |
| Research, Development, Test & Evaluation,<br>Air Force (GWOT).....                           | 67,905             | 135,358            | 144,508           | +76,603             | +9,150              |
| Research, Development, Test and Evaluation,<br>Defense-Wide (GWOT).....                      | 159,919            | 226,096            | 226,096           | +66,177             | ---                 |
| Research, Development, Test and Evaluation,<br>National Defense Restoration Fund (GWOT)..... | ---                | ---                | 1,000,000         | +1,000,000          | +1,000,000          |
| <b>Total, Research, Development, Test and<br/>Evaluation (OCO/GWOT).....</b>                 | <b>406,669</b>     | <b>611,187</b>     | <b>1,614,837</b>  | <b>+1,208,168</b>   | <b>+1,003,650</b>   |
| <b>Revolving and Management Funds</b>                                                        |                    |                    |                   |                     |                     |
| Defense Working Capital Funds (GWOT).....                                                    | 140,633            | 148,956            | 148,956           | +8,323              | ---                 |
| <b>Other Department of Defense Programs</b>                                                  |                    |                    |                   |                     |                     |
| Defense Health Program:                                                                      |                    |                    |                   |                     |                     |
| Operation & Maintenance (GWOT).....                                                          | 331,764            | 395,805            | 395,805           | +64,041             | ---                 |
| Drug Interdiction and Counter-Drug Activities, Defense<br>(GWOT).....                        | 215,333            | 196,300            | 196,300           | -19,033             | ---                 |
| Joint Improvised-Threat Defeat Fund (GWOT).....                                              | 339,472            | 483,058            | 483,058           | +143,586            | ---                 |
| Office of the Inspector General (GWOT).....                                                  | 22,062             | 24,692             | 24,692            | +2,630              | ---                 |
| <b>Total, Other Department of Defense Programs<br/>(OCO/GWOT).....</b>                       | <b>908,631</b>     | <b>1,099,855</b>   | <b>1,099,855</b>  | <b>+191,224</b>     | <b>---</b>          |
| <b>TITLE IX General Provisions</b>                                                           |                    |                    |                   |                     |                     |
| Additional transfer authority (GWOT) (Sec.9002).....                                         | (2,500,000)        | (4,500,000)        | (2,500,000)       | ---                 | (-2,000,000)        |
| Ukraine Security Assistance Initiative (GWOT) (Sec.9013)                                     | 150,000            | ---                | 150,000           | ---                 | +150,000            |
| Intelligence, Surveillance, and Reconnaissance (GWOT)<br>(Sec.9017).....                     | 500,000            | ---                | 500,000           | ---                 | +500,000            |
| Rescissions (GWOT) (Sec.9019).....                                                           | -819,000           | ---                | -587,613          | +231,387            | -587,613            |
| Coalition support funds (rescission) (GWOT) .....                                            | -11,524            | ---                | ---               | +11,524             | ---                 |
| <b>Total, General Provisions.....</b>                                                        | <b>-180,524</b>    | <b>---</b>         | <b>62,387</b>     | <b>+242,911</b>     | <b>+62,387</b>      |
| <b>Grand Total, Title IX (OCO/GWOT).....</b>                                                 | <b>61,822,000</b>  | <b>63,934,870</b>  | <b>73,934,000</b> | <b>+12,112,000</b>  | <b>+9,999,130</b>   |

DIVISION A - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
(Amounts in thousands)

|                                                                      | FY 2017<br>Enacted | FY 2018<br>Request | Bill | Bill vs.<br>Enacted | Bill vs.<br>Request |
|----------------------------------------------------------------------|--------------------|--------------------|------|---------------------|---------------------|
| <hr/>                                                                |                    |                    |      |                     |                     |
| TITLE X                                                              |                    |                    |      |                     |                     |
| ADDITIONAL APPROPRIATIONS (OCO/GWOT)                                 |                    |                    |      |                     |                     |
| Military Personnel                                                   |                    |                    |      |                     |                     |
| Military Personnel, Air Force (GWOT).....                            | 131,375            | ---                | ---  | -131,375            | ---                 |
| Operation and Maintenance                                            |                    |                    |      |                     |                     |
| Operation & Maintenance, Army (GWOT).....                            | 986,754            | ---                | ---  | -986,754            | ---                 |
| Operation & Maintenance, Navy (GWOT).....                            | 1,772,631          | ---                | ---  | -1,772,631          | ---                 |
| Operation & Maintenance, Marine Corps (GWOT).....                    | 255,250            | ---                | ---  | -255,250            | ---                 |
| Operation & Maintenance, Air Force (GWOT).....                       | 1,566,272          | ---                | ---  | -1,566,272          | ---                 |
| Operation & Maintenance, Defense-Wide (GWOT).....                    | 650,951            | ---                | ---  | -650,951            | ---                 |
| Operation & Maintenance, Navy Reserve (GWOT).....                    | 3,208              | ---                | ---  | -3,208              | ---                 |
| Operation & Maintenance, Air Force Reserve (GWOT).....               | 115,099            | ---                | ---  | -115,099            | ---                 |
| Operation & Maintenance, Army National Guard (GWOT).....             | 87,868             | ---                | ---  | -87,868             | ---                 |
| Operation & Maintenance, Air National Guard (GWOT).....              | 23,000             | ---                | ---  | -23,000             | ---                 |
| Counter-ISIL Train and Equip Fund (GWOT).....                        | 626,400            | ---                | ---  | -626,400            | ---                 |
| Counter-ISIL Overseas Contingency Operations Transfer Fund.....      | 1,610,000          | ---                | ---  | -1,610,000          | ---                 |
| <hr/>                                                                |                    |                    |      |                     |                     |
| Total, Operation and Maintenance OCO/GWOT Requirements.....          | 7,697,433          | ---                | ---  | -7,697,433          | ---                 |
| Procurement                                                          |                    |                    |      |                     |                     |
| Aircraft Procurement, Army (GWOT).....                               | 316,784            | ---                | ---  | -316,784            | ---                 |
| Missile Procurement, Army (GWOT).....                                | 579,754            | ---                | ---  | -579,754            | ---                 |
| Procurement of Weapons and Tracked Combat Vehicles, Army (GWOT)..... | 61,218             | ---                | ---  | -61,218             | ---                 |
| Procurement of Ammunition, Army (GWOT).....                          | 447,685            | ---                | ---  | -447,685            | ---                 |
| Other Procurement, Army (GWOT).....                                  | 412,109            | ---                | ---  | -412,109            | ---                 |
| Aircraft Procurement, Navy (GWOT).....                               | 314,257            | ---                | ---  | -314,257            | ---                 |
| Weapons Procurement, Navy (GWOT).....                                | 129,000            | ---                | ---  | -129,000            | ---                 |
| Procurement of Ammunition, Navy and Marine Corps (GWOT).....         | 103,100            | ---                | ---  | -103,100            | ---                 |
| Other Procurement, Navy (GWOT).....                                  | 151,297            | ---                | ---  | -151,297            | ---                 |
| Procurement, Marine Corps (GWOT).....                                | 212,280            | ---                | ---  | -212,280            | ---                 |
| Aircraft Procurement, Air Force (GWOT).....                          | 856,820            | ---                | ---  | -856,820            | ---                 |
| Space Procurement, Air Force (GWOT).....                             | 19,900             | ---                | ---  | -19,900             | ---                 |
| Procurement of Ammunition, Air Force (GWOT).....                     | 70,000             | ---                | ---  | -70,000             | ---                 |
| Other Procurement, Air Force (GWOT).....                             | 1,335,381          | ---                | ---  | -1,335,381          | ---                 |
| Procurement, Defense-Wide (GWOT).....                                | 510,635            | ---                | ---  | -510,635            | ---                 |
| <hr/>                                                                |                    |                    |      |                     |                     |
| Total, Procurement OCO/GWOT Requirements.....                        | 5,520,220          | ---                | ---  | -5,520,220          | ---                 |



DIVISION A - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
(Amounts in thousands)

|                                                                                                                                         | FY 2017<br>Enacted | FY 2018<br>Request | Bill          | Bill vs.<br>Enacted | Bill vs.<br>Request |
|-----------------------------------------------------------------------------------------------------------------------------------------|--------------------|--------------------|---------------|---------------------|---------------------|
| <b>Research, Development, Test and Evaluation</b>                                                                                       |                    |                    |               |                     |                     |
| Research, Development, Test & Evaluation, Army (GWOT)...                                                                                | 163,134            | ---                | ---           | -163,134            | ---                 |
| Research, Development, Test & Evaluation, Navy (GWOT)...                                                                                | 248,214            | ---                | ---           | -248,214            | ---                 |
| Research, Development, Test & Evaluation,<br>Air Force (GWOT).....                                                                      | 297,300            | ---                | ---           | -297,300            | ---                 |
| Research, Development, Test and Evaluation,<br>Defense-Wide (GWOT).....                                                                 | 279,185            | ---                | ---           | -279,185            | ---                 |
| Operational Test and Evaluation, Defense (GWOT) .....                                                                                   | 2,725              | ---                | ---           | -2,725              | ---                 |
| Total, RDTE OCO/GWOT Requirements.....                                                                                                  | 990,558            | ---                | ---           | -990,558            | ---                 |
| <b>Revolving and Management Funds</b>                                                                                                   |                    |                    |               |                     |                     |
| Defense Working Capital Funds (GWOT) .....                                                                                              | 285,681            | ---                | ---           | -285,681            | ---                 |
| <b>Other Department of Defense Programs</b>                                                                                             |                    |                    |               |                     |                     |
| Chemical Agents and Munitions Destruction, Defense<br>Research, Development, Test, and Evaluation<br>OCO/GWOT Requirements (GWOT) ..... | 127,000            | ---                | ---           | -127,000            | ---                 |
| <b>TITLE X General Provisions</b>                                                                                                       |                    |                    |               |                     |                     |
| Additional transfer authority (GWOT) (Sec.10002).....                                                                                   | (250,000)          | ---                | ---           | (-250,000)          | ---                 |
| Total, Title X (OCO/GWOT).....                                                                                                          | 14,752,267         | ---                | ---           | -14,752,267         | ---                 |
| <b>OTHER APPROPRIATIONS</b>                                                                                                             |                    |                    |               |                     |                     |
| <b>SECURITY ASSISTANCE APPROPRIATIONS ACT, 2017</b>                                                                                     |                    |                    |               |                     |                     |
| Military Personnel (OCO/GWOT).....                                                                                                      | 265,118            | ---                | ---           | -265,118            | ---                 |
| Operation and Maintenance (OCO/GWOT).....                                                                                               | 4,615,935          | ---                | ---           | -4,615,935          | ---                 |
| Procurement (OCO/GWOT).....                                                                                                             | 724,447            | ---                | ---           | -724,447            | ---                 |
| Research, Development, Test, and Evaluation<br>(OCO/GWOT).....                                                                          | 81,700             | ---                | ---           | -81,700             | ---                 |
| Other Department of Defense Programs (OCO/GWOT).....                                                                                    | 87,800             | ---                | ---           | -87,800             | ---                 |
| Total, Other Appropriations.....                                                                                                        | 5,775,000          | ---                | ---           | -5,775,000          | ---                 |
| Grand Total, Bill .....                                                                                                                 | 591,980,267        | 622,149,276        | 650,437,519   | +58,457,252         | +28,288,243         |
| Appropriations.....                                                                                                                     | (513,555,692)      | (558,214,406)      | (577,404,900) | (+63,849,208)       | (+19,190,494)       |
| Global War on Terrorism (GWOT).....                                                                                                     | (83,179,791)       | (63,934,870)       | (74,521,613)  | (-8,658,178)        | (+10,586,743)       |
| Rescissions.....                                                                                                                        | (-3,924,692)       | ---                | (-901,381)    | (+3,023,311)        | (-901,381)          |
| Rescissions (GWOT).....                                                                                                                 | (-830,524)         | ---                | (-587,613)    | (+242,911)          | (-587,613)          |
| (Transfer Authority).....                                                                                                               | 4,664,375          | 5,156,519          | 4,656,519     | -7,856              | -500,000            |
| (Transfer Authority) (GWOT).....                                                                                                        | 2,750,000          | 4,500,000          | 2,500,000     | -250,000            | -2,000,000          |

DIVISION A - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
(Amounts in thousands)

|                                                          | FY 2017<br>Enacted | FY 2018<br>Request | Bill        | Bill vs.<br>Enacted | Bill vs.<br>Request |
|----------------------------------------------------------|--------------------|--------------------|-------------|---------------------|---------------------|
| -----                                                    |                    |                    |             |                     |                     |
| CONGRESSIONAL BUDGET RECAP                               |                    |                    |             |                     |                     |
| Scorekeeping adjustments:                                |                    |                    |             |                     |                     |
| Lease of defense real property (permanent).....          | 37,000             | 38,000             | 38,000      | +1,000              | ---                 |
| Disposal of defense real property (permanent).....       | 8,000              | 8,000              | 8,000       | ---                 | ---                 |
| DHP, O&M to DOD-VA Joint Incentive Fund (permanent):     |                    |                    |             |                     |                     |
| Defense function.....                                    | -15,000            | -15,000            | -15,000     | ---                 | ---                 |
| Non-defense function.....                                | 15,000             | 15,000             | 15,000      | ---                 | ---                 |
| DHP, O&M to Joint DOD-VA Medical Facility                |                    |                    |             |                     |                     |
| Demonstration Fund (Sec.8090):                           |                    |                    |             |                     |                     |
| Defense function.....                                    | -122,375           | -115,519           | -115,519    | +6,856              | ---                 |
| Non-defense function.....                                | 122,375            | 115,519            | 115,519     | -6,856              | ---                 |
| O&M, Defense-wide transfer to Department                 |                    |                    |             |                     |                     |
| of the Interior:                                         |                    |                    |             |                     |                     |
| Defense function.....                                    | ---                | -123,900           | ---         | ---                 | +123,900            |
| Non-defense function.....                                | ---                | 123,900            | ---         | ---                 | -123,900            |
| Navy transfer to John C. Stennis Center for Public       |                    |                    |             |                     |                     |
| Service Development Trust Fund:                          |                    |                    |             |                     |                     |
| Defense function.....                                    | -1,000             | ---                | ---         | +1,000              | ---                 |
| Non-defense function.....                                | 1,000              | ---                | ---         | -1,000              | ---                 |
| Tricare accrual (permanent, indefinite auth.) 3/....     | 6,953,000          | 8,145,000          | 8,145,000   | +1,192,000          | ---                 |
| Total, scorekeeping adjustments.....                     | 6,998,000          | 8,191,000          | 8,191,000   | +1,193,000          | ---                 |
|                                                          | =====              | =====              | =====       | =====               | =====               |
| RECAPITULATION                                           |                    |                    |             |                     |                     |
| Title I - Military Personnel.....                        | 128,725,978        | 133,881,636        | 132,977,586 | +4,251,608          | -904,050            |
| Title II - Operation and Maintenance.....                | 167,603,260        | 188,570,298        | 191,654,065 | +24,050,805         | +3,083,767          |
| Title III - Procurement.....                             | 108,426,827        | 113,906,877        | 132,501,445 | +24,074,618         | +18,594,568         |
| Title IV - Research, Development, Test and Evaluation... | 72,301,587         | 82,716,636         | 82,654,976  | +10,353,389         | -61,660             |
| Title V - Revolving and Management Funds.....            | 1,511,613          | 2,095,923          | 1,586,596   | +74,983             | -509,327            |
| Title VI - Other Department of Defense Programs.....     | 35,615,831         | 35,868,136         | 36,084,999  | +469,168            | +216,863            |
| Title VII - Related Agencies.....                        | 1,029,596          | 1,046,000          | 1,036,100   | +6,504              | -9,900              |
| Title VIII - General Provisions (net).....               | -5,583,692         | 128,900            | -1,992,248  | +3,591,444          | -2,121,148          |
| Title IX - Global War on Terrorism (GWOT).....           | 61,822,000         | 63,934,870         | 73,934,000  | +12,112,000         | +9,999,130          |
| Title X - Additional Appropriations.....                 | 14,752,267         | ---                | ---         | -14,752,267         | ---                 |
| Total, Department of Defense.....                        | 586,205,267        | 622,149,276        | 650,437,519 | +64,232,252         | +28,288,243         |
| Other appropriations (PL 114-254).....                   | 5,775,000          | ---                | ---         | -5,775,000          | ---                 |
| Scorekeeping adjustments.....                            | 6,998,000          | 8,191,000          | 8,191,000   | +1,193,000          | ---                 |
| Total mandatory and discretionary.....                   | 598,978,267        | 630,340,276        | 658,628,519 | +59,650,252         | +28,288,243         |
|                                                          | =====              | =====              | =====       | =====               | =====               |

1/ Included in Budget under Operation and Maintenance

2/ Included in Budget under Procurement

3/ Contributions to Department of Defense

Medicare-Eligible Retiree Health Care Fund

(Sec. 725, P.L. 108-375). Budget request excludes  
proposal to amend TRICARE

DIVISION B - LEGISLATIVE BRANCH APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
(Amounts in thousands)

|                                                                                                | FY 2017<br>Enacted | FY 2018<br>Request | Bill      | Bill vs.<br>Enacted | Bill vs.<br>Request |
|------------------------------------------------------------------------------------------------|--------------------|--------------------|-----------|---------------------|---------------------|
| -----                                                                                          |                    |                    |           |                     |                     |
| TITLE I - LEGISLATIVE BRANCH                                                                   |                    |                    |           |                     |                     |
| HOUSE OF REPRESENTATIVES                                                                       |                    |                    |           |                     |                     |
| Payment to Widows and Heirs of Deceased Members of Congress (FY17 PL 114-223, Sec.142)1/.....  | 174                | ---                | ---       | -174                | ---                 |
| Salaries and Expenses                                                                          |                    |                    |           |                     |                     |
| House Leadership Offices                                                                       |                    |                    |           |                     |                     |
| Office of the Speaker.....                                                                     | 6,645              | 6,645              | 6,645     | ---                 | ---                 |
| Office of the Majority Floor Leader.....                                                       | 2,180              | 2,180              | 2,180     | ---                 | ---                 |
| Office of the Minority Floor Leader.....                                                       | 7,114              | 7,114              | 7,114     | ---                 | ---                 |
| Office of the Majority Whip.....                                                               | 1,887              | 1,887              | 1,887     | ---                 | ---                 |
| Office of the Minority Whip.....                                                               | 1,460              | 1,460              | 1,460     | ---                 | ---                 |
| Republican Conference.....                                                                     | 1,505              | 1,505              | 1,505     | ---                 | ---                 |
| Democratic Caucus.....                                                                         | 1,487              | 1,487              | 1,487     | ---                 | ---                 |
| Subtotal, House Leadership Offices.....                                                        | 22,278             | 22,278             | 22,278    | ---                 | ---                 |
| Members' Representational Allowances                                                           |                    |                    |           |                     |                     |
| Including Members' Clerk Hire, Official Expenses of Members, and Official Mail                 |                    |                    |           |                     |                     |
| Expenses.....                                                                                  | 562,632            | 567,000            | 562,632   | ---                 | -4,368              |
| Committee Employees                                                                            |                    |                    |           |                     |                     |
| Standing Committees, Special and Select.....                                                   | 127,053            | 129,062            | 127,053   | ---                 | -2,009              |
| Committee on Appropriations (including studies and investigations).....                        | 23,271             | 23,226             | 23,226    | -45                 | ---                 |
| Subtotal, Committee employees.....                                                             | 150,324            | 152,288            | 150,279   | -45                 | -2,009              |
| Salaries, Officers and Employees                                                               |                    |                    |           |                     |                     |
| Office of the Clerk.....                                                                       | 26,268             | 28,421             | 27,945    | +1,677              | -476                |
| Office of the Sergeant at Arms.....                                                            | 15,505             | 18,076             | 20,505    | +5,000              | +2,429              |
| Office of the Chief Administrative Officer.....                                                | 117,165            | 133,635            | 127,165   | +10,000             | -6,470              |
| Office of the Inspector General.....                                                           | 4,963              | 5,037              | 4,968     | +5                  | -69                 |
| Office of General Counsel.....                                                                 | 1,444              | 1,492              | 1,492     | +48                 | ---                 |
| Office of the Parliamentarian.....                                                             | 1,999              | 2,037              | 2,037     | +38                 | ---                 |
| Office of the Law Revision Counsel of the House.....                                           | 3,167              | 3,261              | 3,209     | +42                 | -52                 |
| Office of the Legislative Counsel of the House.....                                            | 8,979              | 9,437              | 9,437     | +458                | ---                 |
| Office of Interparliamentary Affairs.....                                                      | 814                | 816                | 814       | ---                 | -2                  |
| Other authorized employees.....                                                                | 1,183              | 584                | 584       | -599                | ---                 |
| Subtotal, Salaries, officers and employees.....                                                | 181,487            | 202,796            | 198,156   | +16,669             | -4,640              |
| Allowances and Expenses                                                                        |                    |                    |           |                     |                     |
| Supplies, materials, administrative costs and Federal tort claims.....                         | 3,625              | 3,625              | 3,625     | ---                 | ---                 |
| Official mail for committees, leadership offices, and administrative offices of the House..... | 190                | 190                | 190       | ---                 | ---                 |
| Government contributions.....                                                                  | 245,334            | 251,630            | 233,540   | -11,794             | -18,090             |
| Business Continuity and Disaster Recovery.....                                                 | 16,217             | 16,186             | 16,186    | -31                 | ---                 |
| Transition activities.....                                                                     | 2,084              | 2,273              | 2,273     | +189                | ---                 |
| Wounded Warrior program.....                                                                   | 2,500              | 2,500              | 2,500     | ---                 | ---                 |
| Office of Congressional Ethics.....                                                            | 1,658              | 1,699              | 1,670     | +12                 | -29                 |
| Miscellaneous items.....                                                                       | 720                | 722                | 720       | ---                 | -2                  |
| Subtotal, Allowances and expenses.....                                                         | 272,328            | 278,825            | 260,704   | -11,624             | -18,121             |
| =====                                                                                          |                    |                    |           |                     |                     |
| Total, House of Representatives (discretionary)...                                             | 1,189,049          | 1,223,187          | 1,194,049 | +5,000              | -29,138             |
| Total, House of Representatives (mandatory).....                                               | 174                | ---                | ---       | -174                | ---                 |

DIVISION B - LEGISLATIVE BRANCH APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
(Amounts in thousands)

|                                                          | FY 2017<br>Enacted | FY 2018<br>Request | Bill    | Bill vs.<br>Enacted | Bill vs.<br>Request |
|----------------------------------------------------------|--------------------|--------------------|---------|---------------------|---------------------|
| <b>JOINT ITEMS</b>                                       |                    |                    |         |                     |                     |
| Joint Economic Committee.....                            | 4,203              | 4,203              | 4,203   | ---                 | ---                 |
| Joint Committee on Taxation.....                         | 10,095             | 11,169             | 10,455  | +360                | -714                |
| Office of the Attending Physician                        |                    |                    |         |                     |                     |
| Medical supplies, equipment, expenses, and allowances... | 3,838              | 3,838              | 3,838   | ---                 | ---                 |
| Office of Congressional Accessibility Services           |                    |                    |         |                     |                     |
| Salaries and expenses.....                               | 1,429              | 1,444              | 1,444   | +15                 | ---                 |
| Total, Joint items.....                                  | 19,565             | 20,654             | 19,940  | +375                | -714                |
| <b>CAPITOL POLICE</b>                                    |                    |                    |         |                     |                     |
| Salaries.....                                            | 325,300            | 347,096            | 347,700 | +22,400             | +604                |
| General expenses.....                                    | 68,000             | 75,211             | 74,800  | +6,800              | -411                |
| Total, Capitol Police.....                               | 393,300            | 422,307            | 422,500 | +29,200             | +193                |
| <b>OFFICE OF COMPLIANCE</b>                              |                    |                    |         |                     |                     |
| Salaries and expenses.....                               | 3,959              | 4,056              | 3,959   | ---                 | -97                 |
| <b>CONGRESSIONAL BUDGET OFFICE</b>                       |                    |                    |         |                     |                     |
| Salaries and expenses.....                               | 46,500             | 49,945             | 48,500  | +2,000              | -1,445              |
| <b>ARCHITECT OF THE CAPITOL (AOC)</b>                    |                    |                    |         |                     |                     |
| Capital Construction and Operations.....                 | 92,957             | 98,360             | 93,000  | +43                 | -5,360              |
| Capitol building.....                                    | 32,584             | 54,898             | 45,300  | +12,716             | -9,598              |
| Capitol grounds.....                                     | 12,826             | 14,279             | 13,333  | +507                | -946                |
| House of Representatives buildings:                      |                    |                    |         |                     |                     |
| House office buildings.....                              | 185,731            | 176,948            | 169,294 | -16,437             | -7,654              |
| House Historic Buildings Revitalization Trust Fund..     | 17,000             | 10,000             | 10,000  | -7,000              | ---                 |
| Capitol Power Plant.....                                 | 95,646             | 117,205            | 115,694 | +20,048             | -1,511              |
| Offsetting collections.....                              | -9,000             | -9,000             | -9,000  | ---                 | ---                 |
| Subtotal, Capitol Power Plant.....                       | 86,646             | 108,205            | 106,694 | +20,048             | -1,511              |
| Library buildings and grounds.....                       | 47,080             | 121,182            | 76,097  | +29,017             | -45,085             |
| Capitol police buildings, grounds and security.....      | 20,033             | 54,177             | 33,249  | +13,216             | -20,928             |
| Botanic Garden.....                                      | 14,067             | 13,400             | 13,400  | -667                | ---                 |
| Capitol Visitor Center.....                              | 20,557             | 21,470             | 21,470  | +913                | ---                 |
| Total, Architect of the Capitol.....                     | 529,481            | 672,919            | 581,837 | +52,356             | -91,082             |
| <b>LIBRARY OF CONGRESS</b>                               |                    |                    |         |                     |                     |
| Salaries and expenses.....                               | 457,017            | 504,260            | 464,209 | +7,192              | -40,051             |
| Authority to spend receipts.....                         | -6,350             | -6,350             | -6,350  | ---                 | ---                 |
| Subtotal, Salaries and expenses.....                     | 450,667            | 497,910            | 457,859 | +7,192              | -40,051             |
| Copyright Office, Salaries and expenses.....             | 68,825             | 77,709             | 72,011  | +3,186              | -5,698              |
| Authority to spend receipts.....                         | -39,548            | -38,864            | -41,305 | -1,757              | -2,441              |
| Prior year unobligated balances.....                     | -6,179             | -7,429             | -2,260  | +3,919              | +5,169              |
| Subtotal, Copyright Office.....                          | 23,098             | 31,416             | 28,446  | +5,348              | -2,970              |
| Congressional Research Service, Salaries and expenses... | 107,945            | 119,279            | 111,474 | +3,529              | -7,805              |
| Books for the blind and physically handicapped,          |                    |                    |         |                     |                     |
| Salaries and expenses.....                               | 50,248             | 52,815             | 50,248  | ---                 | -2,567              |
| Copyright Office funding flexibility information         |                    |                    |         |                     |                     |
| technology (Sec.1103(b))(CBO estimate).....              | ---                | 2,000              | ---     | ---                 | -2,000              |
| Total, Library of Congress.....                          | 631,958            | 703,420            | 648,027 | +16,069             | -55,393             |

DIVISION B - LEGISLATIVE BRANCH APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
(Amounts in thousands)

|                                                                                               | FY 2017<br>Enacted | FY 2018<br>Request | Bill        | Bill vs.<br>Enacted | Bill vs.<br>Request |
|-----------------------------------------------------------------------------------------------|--------------------|--------------------|-------------|---------------------|---------------------|
| <hr/>                                                                                         |                    |                    |             |                     |                     |
| GOVERNMENT PUBLISHING OFFICE                                                                  |                    |                    |             |                     |                     |
| Congressional publishing .....                                                                | 79,736             | 79,528             | 79,528      | -208                | ---                 |
| Public Information Programs of the Superintendent of<br>Documents, Salaries and expenses..... | 29,500             | 29,000             | 29,000      | -500                | ---                 |
| Government Publishing Office Business Operations<br>Revolving Fund .....                      | 7,832              | 8,540              | 8,540       | +708                | ---                 |
|                                                                                               | =====              | =====              | =====       | =====               | =====               |
| Total, Government Publishing Office .....                                                     | 117,068            | 117,068            | 117,068     | ---                 | ---                 |
| GOVERNMENT ACCOUNTABILITY OFFICE                                                              |                    |                    |             |                     |                     |
| Salaries and expenses.....                                                                    | 567,856            | 614,478            | 568,306     | +450                | -46,172             |
| Offsetting collections.....                                                                   | -23,350            | -23,800            | -23,800     | -450                | ---                 |
|                                                                                               | =====              | =====              | =====       | =====               | =====               |
| Total, Government Accountability Office.....                                                  | 544,506            | 590,678            | 544,506     | ---                 | -46,172             |
| OPEN WORLD LEADERSHIP CENTER TRUST FUND                                                       |                    |                    |             |                     |                     |
| Payment to the Open World Leadership Center (OWLC)<br>Trust Fund.....                         | 5,600              | 5,800              | 5,600       | ---                 | -200                |
| JOHN C. STENNIS CENTER FOR PUBLIC SERVICE<br>TRAINING AND DEVELOPMENT                         |                    |                    |             |                     |                     |
| Stennis Center for Public Service.....                                                        | 430                | 430                | 430         | ---                 | ---                 |
| ADMINISTRATIVE PROVISIONS                                                                     |                    |                    |             |                     |                     |
| Scorekeeping adjustment (CBO estimate) 2/.....                                                | -1,000             | ---                | -2,000      | -1,000              | -2,000              |
| OTHER SCOREKEEPING ADJUSTMENTS                                                                |                    |                    |             |                     |                     |
| AOC House Office Buildings Fund (PL114-254)(CBO<br>estimate).....                             | ---                | -4,000             | -4,000      | -4,000              | ---                 |
|                                                                                               | =====              | =====              | =====       | =====               | =====               |
| Grand total (including scorekeeping adjustments)..                                            | 3,480,590          | 3,806,464          | 3,580,416   | +99,826             | -226,048            |
| Discretionary.....                                                                            | (3,480,416)        | (3,806,464)        | (3,580,416) | (+100,000)          | (-226,048)          |
| Mandatory 1/.....                                                                             | (174)              | ---                | ---         | (-174)              | ---                 |
|                                                                                               | =====              | =====              | =====       | =====               | =====               |

1/ FY2017 funds provided in Continuing Appropriations  
Act, 2017 (Public Law 114-223)

2/ FY2017 is Sec. 175 of Further Continuing  
Appropriations Act, 2017 (Public Law 114-254)

DIVISION B - LEGISLATIVE BRANCH APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
(Amounts in thousands)

|                                               | FY 2017<br>Enacted | FY 2018<br>Request | Bill        | Bill vs.<br>Enacted | Bill vs.<br>Request |
|-----------------------------------------------|--------------------|--------------------|-------------|---------------------|---------------------|
| <hr/>                                         |                    |                    |             |                     |                     |
| RECAPITULATION                                |                    |                    |             |                     |                     |
| House of Representatives (discretionary)..... | 1,189,049          | 1,223,187          | 1,194,049   | +5,000              | -29,138             |
| House of Representatives (mandatory) 1/.....  | 174                | ---                | ---         | -174                | ---                 |
| Joint Items.....                              | 19,565             | 20,654             | 19,940      | +375                | -714                |
| Capitol Police.....                           | 393,300            | 422,307            | 422,500     | +29,200             | +193                |
| Office of Compliance.....                     | 3,959              | 4,056              | 3,959       | ---                 | -97                 |
| Congressional Budget Office.....              | 46,500             | 49,945             | 48,500      | +2,000              | -1,445              |
| Architect of the Capitol.....                 | 529,481            | 672,919            | 581,837     | +52,356             | -91,082             |
| Library of Congress.....                      | 631,958            | 703,420            | 648,027     | +16,069             | -55,393             |
| Government Publishing Office .....            | 117,068            | 117,068            | 117,068     | ---                 | ---                 |
| Government Accountability Office.....         | 544,506            | 590,678            | 544,506     | ---                 | -46,172             |
| Open World Leadership Center.....             | 5,600              | 5,800              | 5,600       | ---                 | -200                |
| Stennis Center for Public Service.....        | 430                | 430                | 430         | ---                 | ---                 |
| Administrative Provisions 2/.....             | -1,000             | ---                | -2,000      | -1,000              | -2,000              |
| Other Scorekeeping adjustments.....           | ---                | -4,000             | -4,000      | -4,000              | ---                 |
|                                               | =====              | =====              | =====       | =====               | =====               |
| Grand total.....                              | 3,480,590          | 3,806,464          | 3,580,416   | +99,826             | -226,048            |
| Discretionary.....                            | (3,480,416)        | (3,806,464)        | (3,580,416) | (+100,000)          | (-226,048)          |
| Mandatory 1/.....                             | (174)              | ---                | ---         | (-174)              | ---                 |

1/ FY2017 funds provided in Continuing Appropriations Act, 2017 (Public Law 114-223)

2/ FY2017 is Sec. 175 of Further Continuing Appropriations Act, 2017 (Public Law 114-254)

DIVISION C - MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES  
APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
(Amounts in thousands)

|                                                                              | FY 2017<br>Enacted | FY 2018<br>Request | Bill             | Bill vs.<br>Enacted | Bill vs.<br>Request |
|------------------------------------------------------------------------------|--------------------|--------------------|------------------|---------------------|---------------------|
| <b>TITLE I - DEPARTMENT OF DEFENSE</b>                                       |                    |                    |                  |                     |                     |
| Military Construction, Army.....                                             | 513,459            | 920,394            | 923,994          | +410,535            | +3,600              |
| Military Construction, Navy and Marine Corps.....                            | 1,021,580          | 1,616,665          | 1,558,085        | +536,505            | -58,580             |
| Military Construction, Air Force.....                                        | 1,491,058          | 1,738,796          | 1,540,474        | +49,416             | -198,322            |
| Military Construction, Defense-Wide.....                                     | 2,025,444          | 3,114,913          | 2,791,272        | +765,828            | -323,641            |
| <b>Total, Active components.....</b>                                         | <b>5,051,541</b>   | <b>7,390,768</b>   | <b>6,813,825</b> | <b>+1,762,284</b>   | <b>-576,943</b>     |
| Military Construction, Army National Guard.....                              | 232,930            | 210,652            | 210,652          | -22,278             | ---                 |
| Military Construction, Air National Guard.....                               | 143,957            | 161,491            | 161,491          | +17,534             | ---                 |
| Military Construction, Army Reserve.....                                     | 68,230             | 73,712             | 73,712           | +5,482              | ---                 |
| Military Construction, Navy Reserve.....                                     | 38,597             | 65,271             | 65,271           | +26,674             | ---                 |
| Military Construction, Air Force Reserve.....                                | 188,950            | 63,535             | 63,535           | -125,415            | ---                 |
| <b>Total, Reserve components.....</b>                                        | <b>672,664</b>     | <b>574,661</b>     | <b>574,661</b>   | <b>-98,003</b>      | <b>---</b>          |
| North Atlantic Treaty Organization Security Investment Program.....          | 177,932            | 154,000            | 177,932          | ---                 | +23,932             |
| Chemical demilitarization construction, Defense-Wide..                       | ---                | ---                | ---              | ---                 | ---                 |
| Department of Defense Base Closure Account.....                              | 240,237            | 255,867            | 290,867          | +50,630             | +35,000             |
| <b>Total, Military Construction.....</b>                                     | <b>6,142,374</b>   | <b>8,375,296</b>   | <b>7,857,285</b> | <b>+1,714,911</b>   | <b>-518,011</b>     |
| Family Housing Construction, Army.....                                       | 157,172            | 182,662            | 182,662          | +25,490             | ---                 |
| Family Housing Operation and Maintenance, Army.....                          | 325,995            | 346,625            | 346,625          | +20,630             | ---                 |
| Family Housing Construction, Navy and Marine Corps....                       | 94,011             | 83,682             | 83,682           | -10,329             | ---                 |
| Family Housing Operation and Maintenance, Navy and Marine Corps.....         | 300,915            | 328,282            | 328,282          | +27,367             | ---                 |
| Family Housing Construction, Air Force.....                                  | 61,352             | 85,062             | 85,062           | +23,710             | ---                 |
| Family Housing Operation and Maintenance, Air Force...                       | 274,429            | 318,324            | 318,324          | +43,895             | ---                 |
| Family Housing Operation and Maintenance, Defense-Wide                       | 59,157             | 59,169             | 59,169           | +12                 | ---                 |
| DoD Military Unaccompanied Housing Improvement Fund...                       | ---                | 623                | 623              | +623                | ---                 |
| Department of Defense Family Housing Improvement Fund..                      | 3,258              | 2,726              | 2,726            | -532                | ---                 |
| <b>Total, Family Housing.....</b>                                            | <b>1,276,289</b>   | <b>1,407,155</b>   | <b>1,407,155</b> | <b>+130,866</b>     | <b>---</b>          |
| <b>ADMINISTRATIVE PROVISIONS</b>                                             |                    |                    |                  |                     |                     |
| Military Construction, Army (Sec. 126) (rescission)...                       | -29,602            | ---                | -10,000          | +19,602             | -10,000             |
| Military Construction, Navy and Marine Corps (H. Sec. 126) (rescission)..... | ---                | ---                | -10,000          | -10,000             | -10,000             |
| Military Construction, Air Force (Sec. 127) (rescission).....                | -51,460            | ---                | ---              | +51,460             | ---                 |
| Military Construction, Defense-Wide (Sec. 126) (rescission).....             | -141,600           | ---                | -27,440          | +114,160            | -27,440             |
| Military Construction, Defense-Wide - Planning and Design (Sec. 127).....    | -30,000            | ---                | ---              | +30,000             | ---                 |
| Military Construction, Army (Sec. 125).....                                  | 40,500             | ---                | 43,800           | +3,300              | +43,800             |
| Military Construction, Navy and Marine Corps (Sec. 125).....                 | 227,099            | ---                | 126,900          | -100,199            | +126,900            |
| Military Construction, Air National Guard (Sec. 125)...                      | ---                | ---                | 41,900           | +41,900             | +41,900             |
| Military Construction, Army National Guard (Sec. 125)...                     | 67,500             | ---                | 56,000           | -11,500             | +56,000             |
| Military Construction, Army Reserve (Sec. 125).....                          | 30,000             | ---                | 56,000           | +26,000             | +56,000             |
| NATO Security Investment Program (Sec. 127) (rescission).....                | -30,000            | ---                | ---              | +30,000             | ---                 |
| 42 USC 3374 (Sec. 128).....                                                  | -25,000            | ---                | ---              | +25,000             | ---                 |
| Military Construction, Air Force (Sec. 125).....                             | 149,500            | ---                | 70,300           | -79,200             | +70,300             |
| Military Construction, Air National Guard (Sec. 125)...                      | 11,000             | ---                | ---              | -11,000             | ---                 |
| Military Construction, Navy and Marine Corps (Sec. 126).....                 | 89,400             | ---                | ---              | -89,400             | ---                 |
| Military Construction, Air Force Reserve (Sec. 125)...                       | ---                | ---                | 44,100           | +44,100             | +44,100             |
| NATO Security Investment Program (Sec. 126).....                             | ---                | ---                | -25,000          | -25,000             | -25,000             |



DIVISION C - MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES  
 APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
 (Amounts in thousands)

|                                                                       | FY 2017<br>Enacted | FY 2018<br>Request | Bill        | Bill vs.<br>Enacted | Bill vs.<br>Request |
|-----------------------------------------------------------------------|--------------------|--------------------|-------------|---------------------|---------------------|
| Family Housing Construction, Army (Sec. 126).....                     | ---                | ---                | -18,000     | -18,000             | -18,000             |
| Family Housing Construction, Navy and Marine Corps<br>(Sec. 126)..... | ---                | ---                | -8,000      | -8,000              | -8,000              |
| Family Housing Construction, Air Force (Sec. 126).....                | ---                | ---                | -20,000     | -20,000             | -20,000             |
| =====                                                                 | =====              | =====              | =====       | =====               | =====               |
| Total, Administrative Provisions.....                                 | 307,337            | ---                | 320,560     | +13,223             | +320,560            |
| Appropriations.....                                                   | (614,999)          | ---                | (439,000)   | (-175,999)          | (+439,000)          |
| Rescissions.....                                                      | (-307,662)         | ---                | (-118,440)  | (+189,222)          | (-118,440)          |
| =====                                                                 | =====              | =====              | =====       | =====               | =====               |
| Total, title I, Department of Defense.....                            | 7,726,000          | 9,782,451          | 9,585,000   | +1,859,000          | -197,451            |
| Appropriations.....                                                   | (8,033,662)        | (9,782,451)        | (9,703,440) | (+1,669,778)        | (-79,011)           |
| Rescissions.....                                                      | (-307,662)         | ---                | (-118,440)  | (+189,222)          | (-118,440)          |
| =====                                                                 | =====              | =====              | =====       | =====               | =====               |

TITLE II - DEPARTMENT OF VETERANS AFFAIRS

Veterans Benefits Administration

|                                                        |               |               |               |              |           |
|--------------------------------------------------------|---------------|---------------|---------------|--------------|-----------|
| Compensation and pensions:                             |               |               |               |              |           |
| Advance from prior year.....                           | (86,083,128)  | (90,119,449)  | (90,119,449)  | (+4,036,321) | ---       |
| Subtotal, current year.....                            | 86,083,128    | 90,119,449    | 90,119,449    | +4,036,321   | ---       |
| Advance appropriation, FY 2019.....                    | 90,119,449    | 95,768,462    | 95,768,462    | +5,649,013   | ---       |
| Readjustment benefits:                                 |               |               |               |              |           |
| Advance from prior year.....                           | (16,340,828)  | (13,708,648)  | (13,708,648)  | (-2,632,180) | ---       |
| Subtotal.....                                          | 16,340,828    | 13,708,648    | 13,708,648    | -2,632,180   | ---       |
| Advance appropriation, FY 2019.....                    | 13,708,648    | 11,832,175    | 11,832,175    | -1,876,473   | ---       |
| Veterans insurance and indemnities:                    |               |               |               |              |           |
| Advance from prior year.....                           | (91,920)      | (107,899)     | (107,899)     | (+15,979)    | ---       |
| Current year request.....                              | 16,605        | 12,439        | 12,439        | -4,166       | ---       |
| Subtotal.....                                          | 108,525       | 120,338       | 120,338       | +11,813      | ---       |
| Advance appropriation, FY 2019.....                    | 107,899       | 109,090       | 109,090       | +1,191       | ---       |
| Veterans housing benefit program fund:                 |               |               |               |              |           |
| (Limitation on direct loans).....                      | (500)         | (500)         | (500)         | ---          | ---       |
| Administrative expenses.....                           | 198,856       | 178,626       | 178,626       | -20,230      | ---       |
| Vocational rehabilitation loans program account.....   | 36            | 30            | 30            | -6           | ---       |
| (Limitation on direct loans).....                      | (2,517)       | (2,356)       | (2,356)       | (-161)       | ---       |
| Administrative expenses.....                           | 389           | 395           | 395           | +6           | ---       |
| Native American veteran housing loan program account.. | 1,163         | 1,163         | 1,163         | ---          | ---       |
| General operating expenses, VBA.....                   | 2,856,160     | 2,844,000     | 2,894,000     | +37,840      | +50,000   |
| =====                                                  | =====         | =====         | =====         | =====        | =====     |
| Total, Veterans Benefits Administration.....           | 107,009,205   | 110,746,380   | 110,796,380   | +3,787,175   | +50,000   |
| Appropriations.....                                    | (3,073,209)   | (3,036,653)   | (3,086,653)   | (+13,444)    | (+50,000) |
| Advance appropriations, FY 2019.....                   | (103,935,996) | (107,709,727) | (107,709,727) | (+3,773,731) | ---       |
| =====                                                  | =====         | =====         | =====         | =====        | =====     |
| Advances from prior year appropriations.....           | (102,515,876) | (103,935,996) | (103,935,996) | (+1,420,120) | ---       |

Veterans Health Administration

|                              |              |              |              |              |     |
|------------------------------|--------------|--------------|--------------|--------------|-----|
| Medical services:            |              |              |              |              |     |
| Advance from prior year..... | (51,673,000) | (44,886,554) | (44,886,554) | (-6,786,446) | --- |
| Current year request.....    | 1,078,993    | 1,031,808    | 1,031,808    | -47,185      | --- |

DIVISION C - MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES  
 APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
 (Amounts in thousands)

|                                                                                                                                                             | FY 2017<br>Enacted | FY 2018<br>Request | Bill         | Bill vs.<br>Enacted | Bill vs.<br>Request |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--------------------|--------------|---------------------|---------------------|
| Supplemental funding for opioid abuse prevention<br>(P.L. 115-31) 1/.....                                                                                   | 50,000             | ---                | ---          | -50,000             | ---                 |
| Medical Services (Sec. 217) (rescission).....                                                                                                               | -7,246,181         | ---                | ---          | +7,246,181          | ---                 |
| Subtotal.....                                                                                                                                               | 45,555,812         | 45,918,362         | 45,918,362   | +362,550            | ---                 |
| Advance appropriation, FY 2019.....                                                                                                                         | 44,886,554         | 49,161,165         | 49,161,165   | +4,274,611          | ---                 |
| 1/ Funding for opioid abuse prevention was included<br>in the FY17 supplemental. In FY18, it is provided<br>within the amount recommended by the Committee. |                    |                    |              |                     |                     |
| Medical community care:                                                                                                                                     |                    |                    |              |                     |                     |
| Advance from prior year.....                                                                                                                                | ---                | (9,409,118)        | (9,409,118)  | (+9,409,118)        | ---                 |
| Current year request.....                                                                                                                                   | 7,246,181          | 254,000            | 254,000      | -6,992,181          | ---                 |
| Subtotal.....                                                                                                                                               | 7,246,181          | 9,663,118          | 9,663,118    | +2,416,937          | ---                 |
| Advance appropriation, FY 2019.....                                                                                                                         | 9,409,118          | 8,384,704          | 8,384,704    | -1,024,414          | ---                 |
| Medical support and compliance:                                                                                                                             |                    |                    |              |                     |                     |
| Advance from prior year.....                                                                                                                                | (6,524,000)        | (6,654,480)        | (6,654,480)  | (+130,480)          | ---                 |
| Current year request.....                                                                                                                                   | ---                | 284,397            | 284,397      | +284,397            | ---                 |
| Subtotal.....                                                                                                                                               | 6,524,000          | 6,938,877          | 6,938,877    | +414,877            | ---                 |
| Advance appropriation, FY 2019.....                                                                                                                         | 6,654,480          | 7,239,156          | 7,239,156    | +584,676            | ---                 |
| Medical facilities:                                                                                                                                         |                    |                    |              |                     |                     |
| Advance from prior year.....                                                                                                                                | (5,074,000)        | (5,434,880)        | (5,434,880)  | (+360,880)          | ---                 |
| Current year request.....                                                                                                                                   | 247,668            | 1,079,795          | 1,079,795    | +832,127            | ---                 |
| Subtotal.....                                                                                                                                               | 5,321,668          | 6,514,675          | 6,514,675    | +1,193,007          | ---                 |
| Advance appropriation, FY 2019.....                                                                                                                         | 5,434,880          | 5,914,288          | 5,914,288    | +479,408            | ---                 |
| Medical and prosthetic research.....                                                                                                                        | 675,366            | 640,000            | 698,228      | +22,862             | +58,228             |
| Medical care cost recovery collections:                                                                                                                     |                    |                    |              |                     |                     |
| Offsetting collections.....                                                                                                                                 | -2,637,000         | -2,507,000         | -2,507,000   | +130,000            | ---                 |
| Appropriations (indefinite).....                                                                                                                            | 2,637,000          | 2,507,000          | 2,507,000    | -130,000            | ---                 |
| Subtotal.....                                                                                                                                               | ---                | ---                | ---          | ---                 | ---                 |
| DoD-VA Joint Medical Funds (transfers out).....                                                                                                             | (-274,731)         | (-297,137)         | (-297,137)   | (-22,406)           | ---                 |
| DoD-VA Joint Medical Funds (by transfer).....                                                                                                               | (274,731)          | (297,137)          | (297,137)    | (+22,406)           | ---                 |
| DoD-VA Health Care Sharing Incentive Fund (Transfer<br>out).....                                                                                            | (-15,000)          | (-15,000)          | (-15,000)    | ---                 | ---                 |
| DoD-VA Health Care Sharing Incentive Fund (by<br>transfer).....                                                                                             | (15,000)           | (15,000)           | (15,000)     | ---                 | ---                 |
| Total, Veterans Health Administration.....                                                                                                                  | 68,437,059         | 73,989,313         | 74,047,541   | +5,610,482          | +58,228             |
| Appropriations.....                                                                                                                                         | (2,052,027)        | (3,290,000)        | (3,348,228)  | (+1,296,201)        | (+58,228)           |
| (By transfer).....                                                                                                                                          | (289,731)          | (312,137)          | (312,137)    | (+22,406)           | ---                 |
| Advance appropriations, FY 2019.....                                                                                                                        | (66,385,032)       | (70,699,313)       | (70,699,313) | (+4,314,281)        | ---                 |
| Advances from prior year appropriations.....                                                                                                                | (63,271,000)       | (66,385,032)       | (66,385,032) | (+3,114,032)        | ---                 |
| National Cemetery Administration                                                                                                                            |                    |                    |              |                     |                     |
| National Cemetery Administration.....                                                                                                                       | 286,193            | 306,193            | 306,193      | +20,000             | ---                 |
| Departmental Administration                                                                                                                                 |                    |                    |              |                     |                     |
| General administration.....                                                                                                                                 | 345,391            | 346,891            | 346,891      | +1,500              | ---                 |
| Board of Veterans Appeals.....                                                                                                                              | 156,096            | 155,596            | 156,096      | ---                 | +500                |
| Information technology systems.....                                                                                                                         | 4,278,259          | 4,055,500          | 4,135,500    | -142,759            | +80,000             |
| Office of Inspector General.....                                                                                                                            | 160,106            | 159,606            | 160,106      | ---                 | +500                |
| Construction, major projects.....                                                                                                                           | 528,110            | 512,430            | 410,530      | -117,580            | -101,900            |

DIVISION C - MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES  
 APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
 (Amounts in thousands)

|                                                                | FY 2017<br>Enacted | FY 2018<br>Request | Bill          | Bill vs.<br>Enacted | Bill vs.<br>Request |
|----------------------------------------------------------------|--------------------|--------------------|---------------|---------------------|---------------------|
| Construction, minor projects.....                              | 372,069            | 342,570            | 342,570       | -29,499             | ---                 |
| Grants for construction of State extended care facilities..... | 90,000             | 90,000             | 90,000        | ---                 | ---                 |
| Grants for the construction of veterans cemeteries....         | 45,000             | 45,000             | 45,000        | ---                 | ---                 |
|                                                                | =====              | =====              | =====         | =====               | =====               |
| Total, Departmental Administration.....                        | 5,975,031          | 5,707,593          | 5,686,693     | -288,338            | -20,900             |
| Administrative Provisions                                      |                    |                    |               |                     |                     |
| JIF rescission.....                                            | -40,000            | ---                | ---           | +40,000             | ---                 |
| General rescission (Sec. 233).....                             | -169,000           | ---                | -399,972      | -230,972            | -399,972            |
| General reduction (Sec. 234).....                              | -23,000            | ---                | -71,188       | -48,188             | -71,188             |
| Proposed mandatory disability exams language.....              | ---                | 40,000             | ---           | ---                 | -40,000             |
|                                                                | =====              | =====              | =====         | =====               | =====               |
| Total, Administrative Provisions.....                          | -232,000           | 40,000             | -471,160      | -239,160            | -511,160            |
|                                                                | =====              | =====              | =====         | =====               | =====               |
| Total, title II.....                                           | 181,475,488        | 190,789,479        | 190,365,647   | +8,890,159          | -423,832            |
| Appropriations.....                                            | (11,363,460)       | (12,380,439)       | (12,356,579)  | (+993,119)          | (-23,860)           |
| Rescissions.....                                               | (-209,000)         | ---                | (-399,972)    | (-190,972)          | (-399,972)          |
| (By transfer).....                                             | (289,731)          | (312,137)          | (312,137)     | (+22,406)           | ---                 |
| Advance Appropriations, FY 2019:                               |                    |                    |               |                     |                     |
| Mandatory.....                                                 | (103,935,996)      | (107,709,727)      | (107,709,727) | (+3,773,731)        | ---                 |
| Discretionary.....                                             | (66,385,032)       | (70,699,313)       | (70,699,313)  | (+4,314,281)        | ---                 |
| Advances from prior year appropriations:                       |                    |                    |               |                     |                     |
| Mandatory.....                                                 | (102,515,876)      | (103,935,996)      | (103,935,996) | (+1,420,120)        | ---                 |
| Discretionary.....                                             | (63,271,000)       | (66,385,032)       | (66,385,032)  | (+3,114,032)        | ---                 |
| (Limitation on direct loans).....                              | (3,017)            | (2,856)            | (2,856)       | (-161)              | ---                 |
| Discretionary.....                                             | (77,522,887)       | (83,067,313)       | (82,643,481)  | (+5,120,594)        | (-423,832)          |
| Advances from prior year less FY 2019 advances                 | (-3,114,032)       | (-4,314,281)       | (-4,314,281)  | (-1,200,249)        | ---                 |
|                                                                | =====              | =====              | =====         | =====               | =====               |
| Net discretionary.....                                         | (74,408,855)       | (78,753,032)       | (78,329,200)  | (+3,920,345)        | (-423,832)          |
| Mandatory.....                                                 | (103,952,601)      | (107,722,166)      | (107,722,166) | (+3,769,565)        | ---                 |
| Advances from prior year less FY 2019 advances                 | (-1,420,120)       | (-3,773,731)       | (-3,773,731)  | (-2,353,611)        | ---                 |
|                                                                | =====              | =====              | =====         | =====               | =====               |
| Net mandatory.....                                             | (102,532,481)      | (103,948,435)      | (103,948,435) | (+1,415,954)        | ---                 |
|                                                                | =====              | =====              | =====         | =====               | =====               |
| Total mandatory and discretionary.....                         | 176,941,336        | 182,701,467        | 182,277,635   | +5,336,299          | -423,832            |
|                                                                | =====              | =====              | =====         | =====               | =====               |
| TITLE III - RELATED AGENCIES                                   |                    |                    |               |                     |                     |
| American Battle Monuments Commission                           |                    |                    |               |                     |                     |
| Salaries and expenses.....                                     | 75,100             | 75,100             | 75,100        | ---                 | ---                 |
| Foreign currency fluctuations account.....                     | ---                | ---                | ---           | ---                 | ---                 |
|                                                                | =====              | =====              | =====         | =====               | =====               |
| Total, American Battle Monuments Commission.....               | 75,100             | 75,100             | 75,100        | ---                 | ---                 |
| U.S. Court of Appeals for Veterans Claims                      |                    |                    |               |                     |                     |
| Salaries and expenses.....                                     | 30,945             | 33,608             | 33,600        | +2,655              | -8                  |
| Department of Defense - Civil                                  |                    |                    |               |                     |                     |
| Cemeterial Expenses, Army                                      |                    |                    |               |                     |                     |
| Salaries and expenses.....                                     | 70,800             | 70,800             | 78,800        | +8,000              | +8,000              |
| Armed Forces Retirement Home - Trust Fund                      |                    |                    |               |                     |                     |
| Operation and maintenance.....                                 | 41,300             | 41,300             | 41,300        | ---                 | ---                 |
| Capital program.....                                           | 1,000              | 1,000              | 1,000         | ---                 | ---                 |

DIVISION C - MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES  
 APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
 (Amounts in thousands)

|                                                                            | FY 2017<br>Enacted | FY 2018<br>Request | Bill    | Bill vs.<br>Enacted | Bill vs.<br>Request |
|----------------------------------------------------------------------------|--------------------|--------------------|---------|---------------------|---------------------|
| Payment from General Fund.....                                             | 22,000             | 22,000             | 22,000  | ---                 | ---                 |
| Total, Armed Forces Retirement Home.....                                   | 64,300             | 64,300             | 64,300  | ---                 | ---                 |
| Total, title III.....                                                      | 241,145            | 243,808            | 251,800 | +10,655             | +7,992              |
| =====                                                                      |                    |                    |         |                     |                     |
| TITLE IV - OVERSEAS CONTINGENCY OPERATIONS                                 |                    |                    |         |                     |                     |
| Overseas Contingency Operations                                            |                    |                    |         |                     |                     |
| Army.....                                                                  | ---                | 124,000            | 131,458 | +131,458            | +7,458              |
| Additional funding for planning and design (P.L. 115-31).....              | 39,500             | ---                | ---     | -39,500             | ---                 |
| Navy.....                                                                  | 38,409             | ---                | 13,390  | -25,019             | +13,390             |
| Additional funding for construction (P.L. 115-31).....                     | 66,708             | ---                | ---     | -66,708             | ---                 |
| Subtotal.....                                                              | 105,117            | ---                | 13,390  | -91,727             | +13,390             |
| Air Force.....                                                             | 11,440             | 207,200            | 275,522 | +264,082            | +68,322             |
| Additional funding for construction (P.L. 115-31).....                     | 93,000             | ---                | ---     | -93,000             | ---                 |
| Subtotal.....                                                              | 104,440            | 207,200            | 275,522 | +171,082            | +68,322             |
| Defense-Wide.....                                                          | ---                | ---                | 22,400  | +22,400             | +22,400             |
| Army National Guard                                                        |                    |                    |         |                     |                     |
| Additional funding for planning and design (P.L. 115-31).....              | 12,000             | ---                | ---     | -12,000             | ---                 |
| Air National Guard                                                         |                    |                    |         |                     |                     |
| Additional funding for construction (P.L. 115-31).....                     | 13,000             | ---                | ---     | -13,000             | ---                 |
| Army Reserve                                                               |                    |                    |         |                     |                     |
| Additional funding for planning and design (P.L. 115-31).....              | 10,000             | ---                | ---     | -10,000             | ---                 |
| Navy Reserve                                                               |                    |                    |         |                     |                     |
| Additional funding for construction (P.L. 115-31).....                     | 4,525              | ---                | ---     | -4,525              | ---                 |
| Air Force Reserve                                                          |                    |                    |         |                     |                     |
| Additional funding for planning and design (P.L. 115-31).....              | 9,000              | ---                | ---     | -9,000              | ---                 |
| Subtotal.....                                                              | 297,582            | 331,200            | 442,770 | +145,188            | +111,570            |
| European Reassurance Initiative                                            |                    |                    |         |                     |                     |
| Army.....                                                                  | 18,900             | 15,700             | 15,700  | -3,200              | ---                 |
| Navy.....                                                                  | 21,400             | 18,500             | 18,500  | -2,900              | ---                 |
| Air Force.....                                                             | 68,280             | 270,830            | 159,130 | +90,850             | -111,700            |
| Additional funding for planning and design (P.L. 115-31).....              | 12,300             | ---                | ---     | -12,300             | ---                 |
| Subtotal.....                                                              | 80,580             | 270,830            | 159,130 | +78,550             | -111,700            |
| Defense-Wide.....                                                          | 5,000              | 1,900              | 1,900   | -3,100              | ---                 |
| Administrative Provision                                                   |                    |                    |         |                     |                     |
| Military Construction, Air Force (Sec. 101, P.L. 115-31) (rescission)..... | -12,300            | ---                | ---     | +12,300             | ---                 |
| Subtotal.....                                                              | 113,580            | 306,930            | 195,230 | +81,650             | -111,700            |

DIVISION C - MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES  
 APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
 (Amounts in thousands)

|                                              | FY 2017<br>Enacted | FY 2018<br>Request | Bill          | Bill vs.<br>Enacted | Bill vs.<br>Request |
|----------------------------------------------|--------------------|--------------------|---------------|---------------------|---------------------|
| <hr/>                                        |                    |                    |               |                     |                     |
| Counterterrorism Support                     |                    |                    |               |                     |                     |
| Air Force.....                               | 8,571              | ---                | ---           | -8,571              | ---                 |
|                                              | =====              | =====              | =====         | =====               | =====               |
| Total, title IV.....                         | 419,733            | 638,130            | 638,000       | +218,267            | -130                |
|                                              | =====              | =====              | =====         | =====               | =====               |
| Grand total.....                             | 189,862,366        | 201,453,868        | 200,840,447   | +10,978,081         | -613,421            |
| Appropriations.....                          | (19,638,267)       | (22,406,698)       | (22,311,819)  | (+2,673,552)        | (-94,879)           |
| Rescissions.....                             | (-516,662)         | ---                | (-518,412)    | (-1,750)            | (-518,412)          |
| Rescission of OCO.....                       | (-12,300)          | ---                | ---           | (+12,300)           | ---                 |
| Advance appropriations, FY 2019.....         | (170,321,028)      | (178,409,040)      | (178,409,040) | (+8,088,012)        | ---                 |
| Overseas contingency operations.....         | (432,033)          | (638,130)          | (638,000)     | (+205,967)          | (-130)              |
| Advances from prior year appropriations..... | (165,786,876)      | (170,321,028)      | (170,321,028) | (+4,534,152)        | ---                 |
| (By transfer).....                           | (289,731)          | (312,137)          | (312,137)     | (+22,406)           | ---                 |
| (Transfer out).....                          | (-289,731)         | (-312,137)         | (-312,137)    | (-22,406)           | ---                 |
| (Limitation on direct loans).....            | (3,017)            | (2,856)            | (2,856)       | (-161)              | ---                 |

DIVISION D - ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES  
APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
(Amounts in thousands)

|                                                                         | FY 2017<br>Enacted       | FY 2018<br>Request       | Bill                     | Bill vs.<br>Enacted    | Bill vs.<br>Request        |
|-------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|------------------------|----------------------------|
| -----                                                                   |                          |                          |                          |                        |                            |
| TITLE I - DEPARTMENT OF DEFENSE - CIVIL                                 |                          |                          |                          |                        |                            |
| DEPARTMENT OF THE ARMY                                                  |                          |                          |                          |                        |                            |
| Corps of Engineers - Civil                                              |                          |                          |                          |                        |                            |
| Investigations.....                                                     | 121,000                  | 86,000                   | 105,000                  | -16,000                | +19,000                    |
| Construction.....                                                       | 1,876,000                | 1,020,000                | 1,697,000                | -179,000               | +677,000                   |
| Mississippi River and Tributaries.....                                  | 362,000                  | 253,000                  | 301,000                  | -61,000                | +48,000                    |
| Operation and Maintenance.....                                          | 3,149,000                | 3,100,000                | 3,519,000                | +370,000               | +419,000                   |
| Regulatory Program.....                                                 | 200,000                  | 200,000                  | 200,000                  | ---                    | ---                        |
| Formerly Utilized Sites Remedial Action Program<br>(FUSRAP).....        | 112,000                  | 118,000                  | 118,000                  | +6,000                 | ---                        |
| Flood Control and Coastal Emergencies.....                              | 32,000                   | 35,000                   | 32,000                   | ---                    | -3,000                     |
| Expenses.....                                                           | 181,000                  | 185,000                  | 181,000                  | ---                    | -4,000                     |
| Office of Assistant Secretary of the Army (Civil<br>Works).....         | 4,764                    | 5,000                    | 4,764                    | ---                    | -236                       |
|                                                                         | =====                    | =====                    | =====                    | =====                  | =====                      |
| Total, title I, Department of Defense - Civil...<br>Appropriations..... | 6,037,764<br>(6,037,764) | 5,002,000<br>(5,002,000) | 6,157,764<br>(6,157,764) | +120,000<br>(+120,000) | +1,155,764<br>(+1,155,764) |
| TITLE II - DEPARTMENT OF THE INTERIOR                                   |                          |                          |                          |                        |                            |
| Central Utah Project                                                    |                          |                          |                          |                        |                            |
| Central Utah Project Completion Account.....                            | 10,500                   | 8,983                    | 8,983                    | -1,517                 | ---                        |
| Bureau of Reclamation                                                   |                          |                          |                          |                        |                            |
| Water and Related Resources.....                                        | 1,155,894                | 960,017                  | 1,091,790                | -64,104                | +131,773                   |
| Central Valley Project Restoration Fund.....                            | 55,606                   | 41,376                   | 41,376                   | -14,230                | ---                        |
| California Bay-Delta Restoration.....                                   | 36,000                   | 37,000                   | 37,000                   | +1,000                 | ---                        |
| Policy and Administration.....                                          | 59,000                   | 59,000                   | 59,000                   | ---                    | ---                        |
|                                                                         | -----                    | -----                    | -----                    | -----                  | -----                      |
| Total, Bureau of Reclamation.....                                       | 1,306,500                | 1,097,393                | 1,229,166                | -77,334                | +131,773                   |
|                                                                         | =====                    | =====                    | =====                    | =====                  | =====                      |
| Total, title II, Department of the Interior.....<br>Appropriations..... | 1,317,000<br>(1,317,000) | 1,106,376<br>(1,106,376) | 1,238,149<br>(1,238,149) | -78,851<br>(-78,851)   | +131,773<br>(+131,773)     |
| TITLE III - DEPARTMENT OF ENERGY                                        |                          |                          |                          |                        |                            |
| Energy Programs                                                         |                          |                          |                          |                        |                            |
| Energy Efficiency and Renewable Energy.....                             | 2,090,200                | 636,149                  | 1,103,908                | -986,292               | +467,759                   |
| Electricity Delivery and Energy Reliability.....                        | 230,000                  | 120,000                  | 218,500                  | -11,500                | +98,500                    |
| Nuclear Energy.....                                                     | 880,000                  | 570,000                  | 836,000                  | -44,000                | +266,000                   |
| Defense function.....                                                   | 136,616                  | 133,000                  | 133,000                  | -3,616                 | ---                        |
|                                                                         | -----                    | -----                    | -----                    | -----                  | -----                      |
| Subtotal.....                                                           | 1,016,616                | 703,000                  | 969,000                  | -47,616                | +266,000                   |
| Fossil Energy Research and Development.....                             | 618,000                  | 280,000                  | 634,600                  | +16,600                | +354,600                   |
| Fossil proviso.....                                                     | 50,000                   | ---                      | ---                      | -50,000                | ---                        |
| Subtotal.....                                                           | 668,000                  | 280,000                  | 634,600                  | -33,400                | +354,600                   |
| Naval Petroleum and Oil Shale Reserves.....                             | 14,950                   | 4,900                    | 4,900                    | -10,050                | ---                        |
| Strategic Petroleum Reserve.....                                        | 223,000                  | 180,000                  | 252,000                  | +29,000                | +72,000                    |
| Sale of crude oil.....                                                  | -340,000                 | -350,000                 | -350,000                 | -10,000                | ---                        |
| Use of sale proceeds.....                                               | 340,000                  | 350,000                  | 350,000                  | +10,000                | ---                        |
|                                                                         | -----                    | -----                    | -----                    | -----                  | -----                      |
| Subtotal.....                                                           | 223,000                  | 180,000                  | 252,000                  | +29,000                | +72,000                    |
| SPR petroleum account.....                                              | ---                      | 8,400                    | ---                      | ---                    | -8,400                     |
| Sale of crude oil (Sec. 307).....                                       | ---                      | ---                      | -8,400                   | -8,400                 | -8,400                     |
| Use of sale proceeds (Sec. 307).....                                    | ---                      | ---                      | 8,400                    | +8,400                 | +8,400                     |
|                                                                         | -----                    | -----                    | -----                    | -----                  | -----                      |
| Subtotal.....                                                           | ---                      | 8,400                    | ---                      | ---                    | -8,400                     |

DIVISION D - ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES  
APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
(Amounts in thousands)

|                                                                                      | FY 2017<br>Enacted | FY 2018<br>Request | Bill       | Bill vs.<br>Enacted | Bill vs.<br>Request |
|--------------------------------------------------------------------------------------|--------------------|--------------------|------------|---------------------|---------------------|
| Northeast Home Heating Oil Reserve.....                                              | 6,500              | 6,500              | 6,500      | ---                 | ---                 |
| Energy Information Administration.....                                               | 122,000            | 118,000            | 118,000    | -4,000              | ---                 |
| Non-defense Environmental Cleanup.....                                               | 247,000            | 218,400            | 222,400    | -24,600             | +4,000              |
| Uranium Enrichment Decontamination and Decommissioning<br>Fund.....                  | 768,000            | 752,749            | 768,000    | ---                 | +15,251             |
| Science.....                                                                         | 5,392,000          | 4,472,516          | 5,392,000  | ---                 | +919,484            |
| Nuclear Waste Disposal.....                                                          | ---                | 90,000             | 90,000     | +90,000             | ---                 |
| Advanced Research Projects Agency-Energy.....                                        | 306,000            | 20,000             | ---        | -306,000            | -20,000             |
| Rescission.....                                                                      | ---                | -46,367            | ---        | ---                 | +46,367             |
| Subtotal.....                                                                        | 306,000            | -26,367            | ---        | -306,000            | +26,367             |
| Title 17 Innovative Technology Loan Guarantee Program.<br>Offsetting collection..... | 37,000             | 2,000              | 2,000      | -35,000             | ---                 |
| Rescission.....                                                                      | -30,000            | -2,000             | -2,000     | +28,000             | ---                 |
| Subtotal.....                                                                        | 7,000              | -250,000           | -411,000   | -418,000            | -161,000            |
| Advanced Technology Vehicles Manufacturing Loans<br>program.....                     | 5,000              | 2,000              | 5,000      | ---                 | +3,000              |
| Tribal Energy Loan Guarantee Program.....                                            | 9,000              | ---                | 500        | -8,500              | +500                |
| Rescission.....                                                                      | -9,000             | ---                | ---        | +9,000              | ---                 |
| Subtotal.....                                                                        | ---                | ---                | 500        | +500                | +500                |
| Departmental Administration.....                                                     | 246,000            | 241,652            | 281,693    | +35,693             | +40,041             |
| Miscellaneous revenues.....                                                          | -103,000           | -96,000            | -96,000    | +7,000              | ---                 |
| Net appropriation.....                                                               | 143,000            | 145,652            | 185,693    | +42,693             | +40,041             |
| Office of the Inspector General.....                                                 | 44,424             | 49,000             | 49,000     | +4,576              | ---                 |
| Total, Energy programs.....                                                          | 11,283,690         | 7,510,899          | 9,609,001  | -1,674,689          | +2,098,102          |
| Atomic Energy Defense Activities                                                     |                    |                    |            |                     |                     |
| National Nuclear Security Administration                                             |                    |                    |            |                     |                     |
| Weapons Activities.....                                                              | 9,318,093          | 10,239,344         | 10,239,344 | +921,251            | ---                 |
| Rescission.....                                                                      | -64,126            | ---                | ---        | +64,126             | ---                 |
| Budget amendment rescission.....                                                     | -8,400             | ---                | ---        | +8,400              | ---                 |
| Subtotal.....                                                                        | 9,245,567          | 10,239,344         | 10,239,344 | +993,777            | ---                 |
| Defense Nuclear Nonproliferation.....                                                | 1,902,000          | 1,842,310          | 1,825,461  | -76,539             | -16,849             |
| Rescission.....                                                                      | -19,128            | -49,000            | -49,000    | -29,872             | ---                 |
| Subtotal.....                                                                        | 1,882,872          | 1,793,310          | 1,776,461  | -106,411            | -16,849             |
| Naval Reactors.....                                                                  | 1,420,120          | 1,479,751          | 1,486,000  | +65,880             | +6,249              |
| Rescission.....                                                                      | -307               | ---                | ---        | +307                | ---                 |
| Subtotal.....                                                                        | 1,419,813          | 1,479,751          | 1,486,000  | +66,187             | +6,249              |
| Federal Salaries and Expenses.....                                                   | 390,000            | 418,595            | 412,595    | +22,595             | -6,000              |
| Total, National Nuclear Security Administration.                                     | 12,938,252         | 13,931,000         | 13,914,400 | +976,148            | -16,600             |
| Environmental and Other Defense Activities                                           |                    |                    |            |                     |                     |
| Defense Environmental Cleanup.....                                                   | 5,405,000          | 5,537,186          | 5,405,000  | ---                 | -132,186            |
| Defense Uranium Enrichment Decontamination and<br>Decommissioning.....               | 563,000            | ---                | ---        | -563,000            | ---                 |
| Other Defense Activities.....                                                        | 784,000            | 815,512            | 825,000    | +41,000             | +9,488              |



DIVISION D - ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES  
APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
(Amounts in thousands)

|                                                        | FY 2017<br>Enacted | FY 2018<br>Request | Bill         | Bill vs.<br>Enacted | Bill vs.<br>Request |
|--------------------------------------------------------|--------------------|--------------------|--------------|---------------------|---------------------|
| Defense nuclear waste disposal.....                    | ---                | 30,000             | 30,000       | +30,000             | ---                 |
| Total, Environmental and Other Defense Activities.     | 6,752,000          | 6,382,698          | 6,260,000    | -492,000            | -122,698            |
| Total, Atomic Energy Defense Activities.....           | 19,690,252         | 20,313,698         | 20,174,400   | +484,148            | -139,298            |
| Power Marketing Administrations /1                     |                    |                    |              |                     |                     |
| Operation and maintenance, Southeastern Power          |                    |                    |              |                     |                     |
| Administration.....                                    | 1,000              | 6,379              | 6,379        | +5,379              | ---                 |
| Offsetting collections.....                            | -1,000             | -6,379             | -6,379       | -5,379              | ---                 |
| Subtotal.....                                          | ---                | ---                | ---          | ---                 | ---                 |
| Operation and maintenance, Southwestern Power          |                    |                    |              |                     |                     |
| Administration.....                                    | 45,643             | 30,288             | 30,288       | -15,355             | ---                 |
| Offsetting collections.....                            | -34,586            | -18,888            | -18,888      | +15,698             | ---                 |
| Subtotal.....                                          | 11,057             | 11,400             | 11,400       | +343                | ---                 |
| Construction, Rehabilitation, Operation and            |                    |                    |              |                     |                     |
| Maintenance, Western Area Power Administration.....    | 273,144            | 267,686            | 232,276      | -40,868             | -35,410             |
| Offsetting collections.....                            | -177,563           | -174,314           | -138,904     | +38,659             | +35,410             |
| Subtotal.....                                          | 95,581             | 93,372             | 93,372       | -2,209              | ---                 |
| Falcon and Amistad Operating and Maintenance Fund..... | 4,070              | 4,176              | 4,176        | +106                | ---                 |
| Offsetting collections.....                            | -3,838             | -3,948             | -3,948       | -110                | ---                 |
| Subtotal.....                                          | 232                | 228                | 228          | -4                  | ---                 |
| Total, Power Marketing Administrations.....            | 106,870            | 105,000            | 105,000      | -1,870              | ---                 |
| Federal Energy Regulatory Commission                   |                    |                    |              |                     |                     |
| Salaries and expenses.....                             | 346,800            | 367,600            | 367,600      | +20,800             | ---                 |
| Revenues applied.....                                  | -346,800           | -367,600           | -367,600     | -20,800             | ---                 |
| General Provisions                                     |                    |                    |              |                     |                     |
| Title III Rescissions:                                 |                    |                    |              |                     |                     |
| Department of Energy:                                  |                    |                    |              |                     |                     |
| Energy Programs and PMAs.....                          | -81,063            | ---                | ---          | +81,063             | ---                 |
| Atomic Energy Defense Activities (050).....            | -13,740            | ---                | ---          | +13,740             | ---                 |
| Fossil Energy Research and Development.....            | -240,000           | ---                | ---          | +240,000            | ---                 |
| Subtotal.....                                          | -334,803           | ---                | ---          | +334,803            | ---                 |
| Uranium lease and take-back revolving fund.....        | ---                | 10,000             | ---          | ---                 | -10,000             |
| Uranium lease and take-back revolving fund initial     |                    |                    |              |                     |                     |
| capitalization.....                                    | ---                | 1,000              | ---          | ---                 | -1,000              |
| Northeast gasoline supply reserve sale.....            | ---                | -70,000            | ---          | ---                 | +70,000             |
| Total, title III, Department of Energy.....            | 30,746,009         | 27,870,597         | 29,888,401   | -857,608            | +2,017,804          |
| Appropriations.....                                    | (31,181,773)       | (28,215,964)       | (30,348,401) | (-833,372)          | (+2,132,437)        |
| Rescissions.....                                       | (-435,764)         | (-345,367)         | (-460,000)   | (-24,236)           | (-114,633)          |
| TITLE IV - INDEPENDENT AGENCIES                        |                    |                    |              |                     |                     |
| Appalachian Regional Commission.....                   | 152,000            | 26,660             | 130,000      | -22,000             | +103,340            |
| Defense Nuclear Facilities Safety Board.....           | 30,872             | 30,600             | 30,600       | -272                | ---                 |
| Delta Regional Authority.....                          | 25,000             | 2,500              | 15,000       | -10,000             | +12,500             |
| Denali Commission.....                                 | 15,000             | 7,300              | 11,000       | -4,000              | +3,700              |
| Northern Border Regional Commission.....               | 10,000             | 850                | 5,000        | -5,000              | +4,150              |
| Southeast Crescent Regional Commission.....            | 250                | ---                | 250          | ---                 | +250                |

DIVISION D - ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES  
 APPROPRIATIONS ACT, FY 2018 (H.R. 3219)  
 (Amounts in thousands)

|                                            | FY 2017<br>Enacted | FY 2018<br>Request | Bill         | Bill vs.<br>Enacted | Bill vs.<br>Request |
|--------------------------------------------|--------------------|--------------------|--------------|---------------------|---------------------|
| Nuclear Regulatory Commission:             |                    |                    |              |                     |                     |
| Salaries and expenses.....                 | 905,000            | 939,137            | 939,137      | +34,137             | ---                 |
| Revenues.....                              | -794,580           | -803,409           | -779,829     | +14,751             | +23,580             |
| Subtotal.....                              | 110,420            | 135,728            | 159,308      | +48,888             | +23,580             |
| Office of Inspector General.....           | 12,129             | 12,859             | 12,859       | +730                | ---                 |
| Revenues.....                              | -10,044            | -10,555            | -10,555      | -511                | ---                 |
| Subtotal.....                              | 2,085              | 2,304              | 2,304        | +219                | ---                 |
| Total, Nuclear Regulatory Commission.....  | 112,505            | 138,032            | 161,612      | +49,107             | +23,580             |
| Nuclear Waste Technical Review Board.....  | 3,600              | 3,600              | 3,600        | ---                 | ---                 |
| Total, title IV, Independent agencies..... | 349,227            | 209,542            | 357,062      | +7,835              | +147,520            |
| Appropriations.....                        | (349,227)          | (209,542)          | (357,062)    | (+7,835)            | (+147,520)          |
| Grand total.....                           | 38,450,000         | 34,188,515         | 37,641,376   | -808,624            | +3,452,861          |
| Appropriations.....                        | (38,885,764)       | (34,533,882)       | (38,101,376) | (-784,388)          | (+3,567,494)        |
| Rescissions.....                           | (-435,764)         | (-345,367)         | (-460,000)   | (-24,236)           | (-114,633)          |

1/ Totals adjusted to net out alternative financing costs, reimbursable agreement funding, and power purchase and wheeling expenditures. Offsetting collection totals only reflect funds collected for annual expenses, excluding power purchase wheeling

Mrs. LOWEY. Mr. Chair, I yield myself 4 minutes.

Typically, the Legislative Branch, Military Construction and Veterans Affairs, Energy and Water, and Defense bills would be debated and amended by the full House individually. Regrettably, we are debating this \$790 billion so-called security minibus in only 2 hours for some reason other than necessity. Substantive amendments chosen at the discretion of the chairman of the Rules Committee will be debated for 10 minutes. We also expect \$1.6 billion in border wall funding to be added through a rules gimmick meant to prevent an up-or-down vote on the wall.

The undemocratic maneuver by the Rules Committee to unilaterally remove Congresswoman BARBARA LEE's amendment to debate a new AUMF, which received bipartisan support in the committee, is simply outrageous. All the promises of Republican leadership of returning to regular order have been broken.

I do, however, want to thank Chairman FRELINGHUYSEN for conducting business in the Appropriations Committee markups fairly and collegially, as the minority offered amendments late into the night.

On top of the many procedural inequities, however, the majority's increased defense spending is a mirage. Shattering budget control caps would trigger automatic, across-the-board cuts of 13 percent to every defense account. Yet, the majority pretends the sequester, which would cut \$72 billion in defense funding in this bill, isn't real.

I want to make it very clear that Democrats are ready to work with our Republican colleagues to raise the caps on defense, but we must also raise the caps on important domestic priorities. Playing politics with the bill that funds the troops by inserting the toxic border wall into it is really beyond the pale.

Why not include the FBI, or the entire Homeland Security bill? If the intention is to pass security-related bills, securing our homeland goes beyond the Department of Defense and our own budgets in the legislative branch.

The Republican approach to funding our government for FY18 all but guarantees a short-term, if not a full-year, continuing resolution—just like every year. Democratic votes will be needed to enact appropriation law, and I really do hope we will soon start to work together again to invest responsibly in both defense and nondefense priorities to grow the economy, create jobs, and secure the country.

As I conclude, I want to thank our distinguished chairman, Mr. FRELINGHUYSEN, and his outstanding staff, as well as my outstanding staff.

The CHAIR. The time of the gentleman has expired.

Mrs. LOWEY. Mr. Chair, I yield myself an additional 1 minute.

However, I urge my colleagues to vote "no" on this bill which would waste \$1.6 billion on Trump's border wall, use fraudulent defense numbers, gut critical investments in clean energy, include poison-pill riders, and leave the remaining spending bills with no path forward.

Mr. Chair, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chair, I am pleased to yield 4 minutes to the gentleman from Kentucky (Mr. ROGERS), the former chairman of the full committee and now the chairman of the State, Foreign Operations, and Related Programs Subcommittee.

Mr. ROGERS of Kentucky. Mr. Chairman, thank you for yielding the time. Congratulations to you on your maiden voyage in this role that you are occupying—very expertly, I might add. During the forced march that we undertook in the committee for the last 3 weeks, clearing all 12 bills through the full committee in a historically record time, we had a good drill sergeant, Mr. FRELINGHUYSEN. Thank you for doing a great job.

We held 74 oversight and budget hearings, heard from over 400 witnesses, with the overarching goal that each of the 12 bills we passed out of our committee addressed the needs of our constituents. I am proud to say that these bills do just that—advance our national defense and secure our borders, take care of our veterans, provide critical infrastructure funding, increase resources to combat the opioid epidemic, maintain our presence as a leader in global diplomacy—all the while maintaining fiscal discipline.

I am disappointed that we won't consider all 12 of these bills before the August recess, but this security package is an important step forward. It will ensure that we, as the Congress, uphold our most sacred responsibility to provide for our Nation's common defense.

Under the previous administration, our Department of Defense faced needless uncertainty. I am proud that we are now turning the tide, providing our troops and their commanders with the necessary resources to respond to threats from countries like Russia, China, and Iran, as well as crush the violent extremists who wish to do us harm.

As promised to the American people, we are rebuilding and modernizing our military as an international powerhouse by better equipping our troops, strengthening counterterrorism efforts, and reestablishing confidence with our allies. At a time when our enemies continue to advance around the globe, the U.S. must remain at the forefront of military readiness and advanced technology to strengthen national defense at home and abroad.

This bill also maintains our commitment to those brave men and women after their service has come to a close,

providing for greater oversight and accountability at the VA and modernizing electronic health records to help our veterans receive the high quality of care they deserve.

I am also pleased that this legislation includes the Energy and Water Appropriations bill, which funds many of our national security interests and builds upon our country's essential infrastructure needs. In particular, this bill protects the Appalachian Regional Commission, ARC, from proposed elimination, and ensures that its critical programs will continue in our hardest hit Appalachian coal communities.

Since 1965, ARC has led efforts to innovate, partner, and invest in the region to build community capacity and strengthen economic growth. These investments have led to the creation of thousands of new jobs. It has improved local water and sewer systems, improved our schools, increased access to healthcare, and provided critical assistance to emerging businesses. After 8 years of strangulation by regulation in the Obama administration's war on coal, Appalachia needs the ARC now more than ever.

Mr. Chairman, thank you again for allowing me to speak on behalf of this bill. Is it everything we wanted? No. It is critical that we prioritize our national security, and that is what this bill does.

Mr. Chairman, the motto of our Appropriations Committee is this: "A vision without funding is a hallucination." Now we have got a visionary leader in our chairman, but we have got to provide the funding to make the dreams that we have come true, and that is what Appropriations does.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 6 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I thank Ranking Member LOWEY for the time, and I also thank Chairman FRELINGHUYSEN on his maiden voyage—not his first voyage, but his first as chair of the full committee—and the members of our fine subcommittee, and especially the staff.

I want to thank Chairman SIMPSON for his fine leadership and value the hard work that he put into this bill and his congeniality throughout the process.

I also want to thank our staff on both sides of the aisle for the many hours of hard work and dedication: Taunja Berquam on our side, Donna Shahbaz for the majority, and TJ Lowdermilk on my own staff.

I appreciate that the chairman has allowed robust funding to the Corps of Engineers, which translates into real jobs from coast to coast.

□ 1530

I also am pleased that this bill restores the more than \$900 million that

the administration proposed to cut from the science account and provides reasonable funding for energy-saving weatherization in both cold and hot climates across our Nation.

Unfortunately, the artificially low allocation has forced the chairman to make deep cuts to some of the most important programs in the bill, most notably the Office of Energy Efficiency & Renewable Energy.

Too many here in Washington have been fooled by the rhetoric that poses a false choice between the environment and the economy. But, today, 288,000 Americans work in auto industry supply chain jobs manufacturing the parts that make vehicles cleaner and more fuel efficient. In addition, 360,000 people work in the solar industry. The single fastest growing job in America is wind turbine technician. An investment in clean energy is an investment in American jobs and our future.

The response of this bill?

An 83 percent cut from the Vehicle Technologies Office—now that is a backwards move;

A 60 percent cut to the Advanced Manufacturing Office—and this Member is unwilling to see that turn to the Chinese;

A 57 percent cut to solar energy—one of the fastest growing job sectors in our country;

A 65 percent cut to wind energy; and

ARPA-E, the most complex new energy technologies, zero; the program is eliminated.

These cuts cede the future to offshore competitors who are hacking into our intellectual property and the bank accounts of firms involved in these industries hundreds of times a month trying to coopt their energy technology that American taxpayers have helped to develop.

In an era where Wall Street chases short-term quarterly profits and ever-improving earnings reports, we owe it to our constituents and to our progeny to play the long game—making investments that may take decades to pay off, but they will. The longtime horizon in large initial capital investments of the energy sector for America means that, more than any other, path-breaking energy research needs Federal support until it becomes commercially viable because energy research is complex.

Though energy is an overlooked ingredient in economic supremacy, those nations that master its dimensions are leading in economic growth.

For decades, American Presidents have made statements targeting energy independence. That makes national security sense. But this year, that target is finally in sight. A recent Energy Information Administration report expects the United States to be a net energy exporter by 2026. The Department of Energy deserves great credit for bringing us to this point.

Beginning back in the old 1970s and eighties when this all got started, it took 30 years of Department of Energy support in concert with the private sector to unleash the fracking revolution that has helped change our world dramatically. Where was that technology developed? At the Department of Energy, and it didn't happen in a year or 2. It took years. The next revolution will be the clean energy revolution. We must not forfeit that game.

Finally, I would like to raise my concerns over the controversial riders that threaten not only the ultimate enactment of this bill, but also our most precious resource: water. Exempting the repeal of the Clean Water Rule from the Administrative Procedure Act cedes far too much authority to the executive branch and is something that I cannot support.

For that reason, and for the draconian cuts to clean energy, I must urge my colleagues to oppose the Energy and Water portion of this spending package. When those concerns are rolled together with busting the spending caps and building an expensive border wall that doesn't keep us safe or solve our immigration needs, I believe that there is no excuse for any Democrat to support the overall bill before us.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to yield 5 minutes to the gentlewoman from Texas (Ms. GRANGER) who is the chair of the Defense Subcommittee.

Ms. GRANGER. Mr. Chairman, today we consider the Make America Secure Appropriations Act which includes the Defense Appropriations bill for fiscal year 2018. I ask all Members for their support of this very important legislation.

Congress' number one responsibility is to provide for the defense of this Nation. It is this bill that fulfills that most fundamental constitutional duty. This is urgent because the world is more dangerous and unstable than any time in recent history.

North Korea is increasing the frequency of their missile tests, threatening American soil and our allies. On the Fourth of July, they launched an intercontinental ballistic missile.

Russia continues to create instability in Ukraine, the Baltics, and the Balkans. They recklessly support and protect President Assad, the tyrant who has murdered thousands of Syrian men, women, and children. These actions hinder our fight against ISIS.

China is militarizing the South China Sea and modernizing their military at an alarming pace. Just this week, Chinese fighter jets flew close to a U.S. reconnaissance aircraft in an aggressive and dangerous manner.

Iran is increasing its influence in Iraq, Syria, and Yemen, and they remain hostile. Just yesterday, an Iranian vessel pursued a U.S. Navy ship at

a high speed in the Persian Gulf, forcing our ship to fire warning shots to halt the aggression.

Meanwhile, ISIS and al-Qaida terrorists continue to spread their perverted version of Islam across Europe, Africa, Asia, and the Middle East.

All of our adversaries are acting in an aggressive and emboldened manner. We must ensure that the U.S. military is prepared to confront anyone who threatens us. This can only be done by reversing the years of budget instability, sequestration, and continuous cuts.

Since becoming chair, I have made it my priority to listen first and foremost to our defense and intelligence experts, and this bill before you reflects their expert advice. This bill provides Secretary of Defense Mattis the resources he needs to rebuild our military and form a new national defense strategy.

It has been an honor to work with my ranking member, Mr. VISCLOSKEY, who has played a valuable role in this process. I want to thank Mr. FRELINGHUYSEN, Ranking Member LOWEY, and all the members of the Defense Subcommittee for their involvement and their contributions.

I would also like to thank the staff of the Defense Subcommittee: Jennifer Miller, Sherry Young, Walter Hearne, Brooke Boyer, B.G. Wright, Adrienne Ramsay, Allison Deters, Cornell Teague, Collin Lee, and Matt Bower; as well as Rebecca Leggieri, Jennifer Chartrand, and Chris Bigelow on the minority staff.

From the personal staff, I thank Johnnie Kaberle, Jason Schenck, Joe DeVooght, and Adam Kahnke.

In closing, I must remind the House of Joint Chief of Staff Chairman Dunford's words when he told us that "without sustained, sufficient, and predictable funding, I assess that within 5 years we will lose our ability to project power; the basis of how we defend the homeland, advance U.S. interests, and meet our alliance commitments."

To ensure this doesn't happen, the bill includes \$28.6 billion above the President's request for a National Defense Restoration Fund. We must keep this funding intact.

We need to heed Secretary Mattis' warning and give our military what it needs—no less. This is not a partisan issue. Again, I ask all my colleagues for their support.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 6 minutes to the distinguished gentlewoman from California (Ms. ROYBAL-ALLARD) who is the ranking member of the Subcommittee on Homeland Security.

Ms. ROYBAL-ALLARD. Mr. Chairman, it is difficult to understand how a Make America Secure Appropriations minibus does not include the bill for the Department of Homeland Security which is responsible for security at our borders, security in the coastal maritime environment, security for air and

surface transportation, security of cyber networks and critical infrastructure, and helping State and local jurisdictions prepare for, prevent, and respond to terrorist attacks and natural disasters.

Instead of including the entire DHS funding bill in the minibus, the majority is expected to use a second rule to insert just one part of that bill—funding for the President's border wall—ignoring much more pressing and immediate security needs.

Furthermore, because the Department has failed to submit to Congress a required report laying out the long-term plan and justification for border infrastructure, Members of Congress are unable to responsibly evaluate the long-term border security strategy and comprehensively assess its costs, benefits, and trade-offs.

Given this enormous \$1.6 billion initial price tag, Members should, at a minimum, have the opportunity to vote on it separately and in the context of the entire Homeland Security bill. I submitted an amendment to prohibit the use of funds for border wall construction, and I hope the Rules Committee will make it in order.

While I do not support the DHS bill in its current form, I firmly believe the House would be in a stronger position to make a more informed and responsible decision on how best to invest these \$1.6 billion in the context of debating and amending the entire Department of Homeland Security funding bill.

For example, instead of using \$1.6 billion of taxpayer money for just 74 miles of border wall, we could pay for the first two heavy Coast Guard icebreakers which are critically needed to help the United States better counter the ever-increasing Russian presence in the Arctic.

Or we could invest in additional technology and hire thousands of new customs officers at every air, land, and sea port of entry in the United States, reducing wait times for travelers, better facilitating the flow of commerce and contributing to economic growth.

This would also enhance our ability to intercept more illegal narcotics and other contraband because, contrary to what some may think, the vast majority of the worst illicit drugs flowing into our country arrive through the ports of entry, not between the ports. In 2016, 86 percent of the heroin and 81 percent of the cocaine and methamphetamine came through the ports of entry. In other words, more physical barriers at the border—in addition to the 654 miles of fencing already in place—is a misguided and ineffective strategy to address drug smuggling.

In addition to the fact that we could be using these \$1.6 billion for more pressing security needs, I am concerned that, by including only border wall funding from the DHS Appropriations

bill, we would be sending a terrible message to frontline homeland security personnel—many of whom routinely put their personal safety at risk to serve our country—that the President's border wall is more important than all the work they do.

Mr. Chairman, when it comes to the security of our Nation and the American people, we in Congress have an obligation to act in their best interests and to invest their tax dollars wisely. If the only homeland security item in this bill is funding for 74 miles of border wall, we will fail to meet that obligation.

This bill should not include funding for a border wall, and the House should have an opportunity to vote on this funding in the context of the entire Homeland Security funding bill.

Mr. Chairman, I urge a “no” vote on this bill.

Mr. FRELINGHUYSEN. Mr. Chairman I am pleased to yield 5 minutes to the gentleman from Idaho (Mr. SIMPSON) who is the chair of the Energy and Water Development and Related Agencies Subcommittee on Appropriations.

Mr. SIMPSON. Mr. Chairman, it is my distinct honor to bring the fiscal year 2018 Energy and Water bill before you today.

Before I go into the details, I would like to recognize Chairman FRELINGHUYSEN. It is because of his leadership and unswerving commitment to the appropriations process that our committee has managed to bring 12 bills through the full committee process and have them ready for consideration by the House.

I would also like to thank Ranking Members LOWEY and KAPTUR. As always, their thoughtful approach to issues has made this a better bill.

The bill totals \$37.6 billion, which is \$209 million less than last year's level and \$3.2 billion above the request.

□ 1545

Increases over last year are targeted to those areas where they are needed most: to provide for our Nation's defense and support our Nation's infrastructure.

The bill provides strong support for the Department of Energy's national defense programs. Weapons activities is funded at \$10.24 billion, up \$921 million from last year's level, to keep our Nation's nuclear deterrent reliable and effective.

This increase will fully fund the ongoing stockpile life extension programs and will make substantial progress toward addressing the continued deterioration of infrastructure across the enterprise. The recommendations for Naval Reactors is \$1.49 billion, and includes full funding for the Columbia-class ballistic missile submarine, formerly referred to as the Ohio-class replacement.

Additionally, the bill provides funding increases across the Department of

Energy to defend against cyber attacks and, within Electricity Delivery and Energy Reliability, to strengthen energy sector cybersecurity preparedness, response, and recovery.

This bill addresses the critical infrastructure work of the Army Corps of Engineers, providing a total of \$6.2 billion, an increase of \$120 million more than last year.

This recommendation makes full use of all annual revenues from the Inland Waterways Trust Fund.

The harbor maintenance trust fund activities are funded at \$1.34 billion, which is \$40 million more than fiscal year 2017, an increase of \$375 million above the budget request, and the same as the WRDA target.

The bill provides \$74 million more than last year for flood and storm damage reduction activities.

This is a responsible bill, one that makes some difficult choices in order to prioritize the most critical Federal programs. As a result, as has been mentioned already, this bill eliminates the Advanced Research Projects Agency-Energy—or ARPA-E, as it is known—and the title 17 loan guarantee program of the Department of Energy, as proposed by the President.

I realized some people are concerned about that. These are programs that I happen to like also. But this is what happens when you are \$20 trillion in debt: you have to make tough choices. And that is what the Appropriations Committee is doing: making some of the difficult choices that we have to make.

This bill includes a number of targeted investments above the budget request to ensure a secure, independent, and prosperous energy future.

Mr. Chairman, this is a strong bill that will protect our national security interests, address our most pressing infrastructure needs, and advance our economy. I urge everyone to support it.

I would like to thank the staff of the Energy and Water Committee, both ranking and minority members, and of the full committee, for the work they have done in making sure we can get this bill to the floor.

Again, I urge Members to support this bill.

Mrs. LOWEY. Mr. Chairman, I yield 6 minutes to the gentleman from Ohio (Mr. RYAN), the distinguished ranking member of the Subcommittee on the Legislative Branch.

Mr. RYAN of Ohio. Mr. Chairman, while I rise to oppose this appropriations package, even though the Legislative Branch division of this package is worthy of our support, I commend Chairman YODER both for the product and for the way he reached across the aisle to work with me and other members of our committee and the minority in this process.

For all of their hard work, I would also like to thank Liz Dawson, who is

on their team; Jenny Panone and Tim Monahan from the Legislative Branch minority staff; Joe Eannello from Chairman YODER's office; Adam Berg on the minority staff; and Anne Sokolov and Ryan Keating on my team.

This year's Legislative Branch appropriations bill would, among other things, allow us to catch up on some deferred maintenance in our buildings; invest in information technology to modernize the Library of Congress, Congressional Research Service, and Copyright Office; and adjust to the new cybersecurity environment faced here in the United States Congress.

I am also pleased to see that this bill provides additional funds for the Sergeant at Arms and the Capitol Police to increase congressional security in the wake of the tragic shooting at our congressional baseball practice several months back.

Our goal is to give them the resources they need to maintain the security on the Capitol campus and increase their coverage of Members and gatherings of Members that might be targeted. It is the responsibility of the House to look out for our safety and the safety of our constituents and staff, and the funding included in this bill is a step in the right direction.

There are things I hope we can improve on as the bill moves forward. For example, I would like to see more money for personnel at the Library and CRS, not just for information technology; and more for the Government Accountability Office, which is flat-funded in this budget. Because of inflation, GAO will have 200 fewer employees than expected at the end of the year.

GAO's audits and investigations root out waste, fraud, and abuse in government, something that we all agree upon here should be done. With the Trump administration resisting all of this oversight, GAO is more important today than it ever has been.

While I would support the Legislative Branch bill if it came to the floor on its own, unfortunately, we are not considering it on its own.

I oppose tying \$1.6 billion of wasted taxpayer money for President Trump's border wall to the Legislative Branch bill. We need bipartisan, comprehensive immigration reform, which would include smarter, more effective enforcement of our laws.

A few years ago, the nonpartisan Congressional Budget Office said immigration reform would reduce our deficit by \$900 billion and increase real GDP growth by over 3 percent. But simply building a ridiculous wall that faces opposition from both Democrats and Republicans won't do anything for our economy, and it isn't even a cost-effective way to strengthen enforcement.

Besides, we were told repeatedly over the course of the last 18 months that

Mexico would pay for the wall. They would ask the President: Who is going to pay for the wall? Mexico is going to pay for the wall.

Why is there a single dime of American taxpayer money for a border wall that President Trump promised Mexico would finance?

I oppose the Republicans' partisan budget strategy. By refusing to work with Democrats on a bipartisan budget deal that raises the Budget Control Act caps, Republicans are seriously risking some combination of sequestration, stopgap funding bills, government shutdown, and a catastrophic default on our national debt.

Nondefense discretionary spending is one-sixth of the Federal budget. Having already cut it to the bone, they are now sawing off the limbs.

The Labor, Health and Human Services, and Education Appropriations bill; the Transportation bill; and the Financial Services bill that funds consumer protections and regulation of big banks will all see big cuts because of the draconian spending caps.

Today's package will squeeze out investments in our infrastructure, jobs programs, early childhood education, scientific research, and all the things that need to be priorities. We are turning our backs on working families across the country who depend on these programs every day.

We all believe in the free market system. We all believe in capitalism. We all want to reward risk-takers and provide a good environment for growth for those men and women who will make the investments to hire the workers. But capitalism is not a perfect system.

It is these programs in this bill that we need to fund to make sure that we grow the entire economy, that we have sustained growth, we invest in education, we invest in research, and we invest in transportation infrastructure, in order for us to grow the economy.

As former Appropriations Chairman David Obey used to say, those programs were about "knocking the rough edges off of capitalism." On this side of the aisle, we believe making those investments is best for the economy. That is what is at stake.

Yes, we must adequately fund defense, veterans programs, and the legislative branch of government. But that can't come at the expense of everything else.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. DENT), chairman of the Military Construction, Veterans Affairs, and Related Agencies Subcommittee on Appropriations.

Mr. DENT. Mr. Chairman, the Appropriations Act before you today includes, in division C, appropriations for Military Construction, Veterans Affairs, and Related Agencies for Fiscal Year 2018. Division C is exactly the same as the MILCON-VA bill reported

favorably out of the full committee on June 15.

Thanks to the leadership of Chairman RODNEY FRELINGHUYSEN from New Jersey, Ranking Member NITA LOWEY from New York, and the partnership of Ranking Member DEBBIE WASSERMAN SCHULTZ from Florida, this will provide necessary funding for the Department of Veterans Affairs and military construction projects. We were able to include the vast majority of the subcommittee's over 1,000 Member requests.

This division demonstrates our firm commitment to fully supporting our Nation's veterans and servicemembers. The total investment is \$89 billion for Military Construction, VA, and Related Agencies, which is \$6 billion above last year's level.

This division provides comprehensive support for servicemembers, military families, and veterans. We must make infrastructure investments if we value readiness. This bill increases military construction by 25 percent over last year's level, delivering on our promise to the troops in line with the President's focus on national defense.

It supports our troops with the facilities and services necessary to maintain readiness and morale at bases here in the States and overseas. It provides for Defense Department schools and health clinics that take care of our military families.

This division funds our veteran healthcare systems to ensure that our promise to care for those who have sacrificed in defense of this great Nation continues as those men and women return home. We owe this to our veterans, and we are committed to sustained oversight so that programs deliver what they promise and taxpayers are well-served by the investments we make.

The staff deserves credit for the sustained work and very long hours. I would like to recognize Sue Quantius, Sarah Young, Tracey Russell, Maureen Holohan, and Matt Washington on the committee staff, and Sean Snyder on my personal staff.

On the military construction piece, this division provides a total of \$10.2 billion for military construction projects and family housing, including base and overseas contingency operations funding, an increase over last year's level and \$197 million below the President's request.

This funding meets DOD's most critical needs, including priority projects for the combatant commanders and funding new mission requirements.

It provides \$737 million for military medical facilities. It provides \$249 million for Department of Defense education facilities for construction or renovation of four schools. It supports our Guard and Reserves through \$575 million for facilities in 22 States.

It also funds military family housing at \$1.4 billion. It provides \$178 million

for the NATO Security Investment Program, which is \$24 million over the President's request, to deal with increasing threats and necessary investments overseas. Given all that is happening by Russia's very bad behavior in Eastern Europe and elsewhere, this investment is absolutely essential.

We were able to also include an additional \$439 million in the services' unfunded priorities, which are priority projects that were not included in the budget request. It is very important to many Members of this body.

On Veterans Affairs, the legislation includes a total of \$78.3 billion in discretionary funding for the Department of Veterans Affairs. That is a \$3.9 billion increase, or 5 percent, above fiscal year 2017 level. It is the highest level of VA funding ever provided.

On VA medical care, the bill funds it at \$69 billion, the full request, including an additional \$2.6 billion beyond the advanced appropriations to cover unanticipated needs. Many Members expressed concerns about medical care issues, and were able to fully fund the budget request for mental health services at \$8.4 billion; suicide prevention outreach at \$186 million; homeless veterans treatment, services, housing, and job training at \$7.3 billion; opioid abuse prevention at \$50 million—we began that in the omnibus last year—rural health initiatives at \$250 million; and caregiver stipends at \$604 million.

□ 1600

We repeat last year's bill language regarding improved standards for the suicide prevention hotline. For disability claims processing, again another issue very important to so many Members in this body, but particularly to our veterans who are seeking services from the VA, or benefits, we provide \$2.9 billion, which is \$50 million over the request. As the number of disability applications increases, we need to be vigilant to be sure that the claims backlog doesn't reappear.

The Acting CHAIR (Mr. SMITH of Nebraska). The time of the gentleman has expired.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield an additional 30 seconds to the gentleman.

Mr. DENT. Mr. Chair, this legislation also contains \$65 million, as requested, as VA switches gears and moves from modernizing its own aging electronic health record to acquiring the record DOD is using. The bill continues to include language restricting most of the funding until the VA meets milestones and certifies interoperability to meet statutory requirements.

Our bill increases the request for VA research funding by \$58 million, to a total of \$698 million, recognizing strong congressional interest in the VA's research to combat devastating conditions like PTSD and traumatic brain injury.

In major construction, we continue oversight of those projects, holding back funding until it has contracted for outside management.

In closing, I ask Members to support this important piece of legislation. It is very important to our servicemembers, our veterans, and their families.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Democratic leader.

Ms. PELOSI. Mr. Chair, I thank the gentlewoman from New York, the distinguished ranking member of the Appropriations Committee, for yielding, and more importantly, for her great leadership to advance the values of our country in allocation of resources. And I always admire the work of Mr. FRELINGHUYSEN, our distinguished chairman, as well. We may have a matter of disagreement here today, though.

Mr. Chair, all of us, Members of Congress, all elected officials, people who serve in any office, take a solemn oath to support and defend the Constitution, and that is an oath to protect the American people.

Democrats, indeed all Americans, believe in a strong national defense. We believe in strong investments in our defense and in our brave men and women in uniform, in particular.

But far from strengthening our security, the falsely inflated numbers in this spending bill will create uncertainty for our military and hollow out America's communities at home.

We face serious threats in the world. We know that. Those threats demand serious consideration in Congress. We should be making serious decisions about our national security mission. What is our mission? What are the resources that we need?

We don't want to spend more than we need, but we don't want to spend less, and we should not be posturing in the Defense bill with false numbers and no real answers about the mission that these dollars would fund.

We do not give certainty to our defense or confidence to our troops when we legislate with phony numbers when we refuse to make honest choices about our Defense budget.

Instead of giving certainty to our heroes in uniform, this bill would breach the sequester spending limit by more than \$70 billion, forcing a mandatory 13 percent cut to all Defense accounts.

These phony numbers in this bill not only do violence to our Defense budget, they starve the strength of America by ransacking our domestic investments.

In order to be the strongest possible America, we must measure our strength not only in our military might, but in the health, education, and well-being of the American people.

And that is what the problem is, that we are stealing from the domestic budget with phony numbers for the De-

fense budget, which will be because of the sequester cut to the Defense accounts by 13 percent as we starve our domestic investments.

Besides the direct danger this bill poses to our military, it is laden with poison pills. It would squander billions of taxpayer dollars on President Trump's immoral, ineffective, and expensive border wall.

The President said, during the campaign, he said: "I promise a wall." No. He promised a wall that Mexico would pay for. He said it would cost \$4 billion to \$6 billion. The fact is it could cost as much as \$30 billion, \$40 billion, and he wants a down payment for that wall in this bill—one poison pill.

It also eliminates ARPA-E, the advanced energy research vital to our energy independence and to our national security to keep America the innovation superpower of the 21st century.

Democrats will continue to demand real leadership to strengthen our national defense.

Mr. Chair, on this day, July 26, 1948, President Harry Truman signed the executive order desegregating the U.S. military. How great that was for America. How great it is for our country to benefit from the service of so many people who had been serving all along but now with dignity and respect, which was justified.

So how sad it is on this same day that the President of the United States, 69 years ago, recognized the value of respecting our men and women in uniform, that the Commander in Chief, the President of the United States, fired 15,000 courageous men and women in uniform in a vile, hateful tweet. His actions regarding transgenders in the military were unworthy of their bravery and unworthy of the American people.

Let us be thankful for the blessings of all of our men and women in uniform, our veterans who have served us, and our military families to whom we owe so much. Their courage, their service and leadership, and their sacrifice are what truly makes us the land of the free and the home of the brave, and it insists that we be serious and real and evidence-based as we make decisions about how we invest in the security of our country.

Mr. Chair, I urge a "no" vote.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas (Mr. YODER), the chairman of the Legislative Branch Subcommittee on Appropriations.

Mr. YODER. Mr. Chairman, I rise today to speak in favor of the bill before us, paying particular attention to the work of the Legislative Branch Subcommittee.

I first want to thank my colleagues, Chairman FRELINGHUYSEN and Ranking Member LOWEY, for their leadership; and Ranking Member RYAN, who has been a gentleman and a scholar, for



working with me to develop this product, a great example of how representatives from opposite sides of the line can work together and create a model bipartisanism to build great legislation for the American people.

Our total recommendation for the fiscal year 2018 Legislative Branch is \$3.58 billion. In this bill, we focused on Capitol improvements, better security, more transparency and accountability all in a fiscally responsible manner.

First and foremost, Mr. Chairman, the House continues to lead by example in its frugal operations. With this bill, we will be spending 12 percent below the 2010 levels, showing the American people fiscal discipline starts here in our House operations first.

We also continue the policy of denying pay increases to Members of Congress for the eighth fiscal year in a row. This Republican Congress has tightened its belt since taking the majority, and we have never allowed a pay increase for Members of Congress, and we aren't allowing one today, saving taxpayers over \$68 million since 2011.

In light of the recent shooting where Republican Members of Congress were targeted for their beliefs and our colleague and majority whip, STEVE SCALISE, was seriously wounded, this bill takes new focus on the security related to Congress, and I would like to recognize the United States Capitol Police Special Agents Crystal Griner and David Bailey.

As we all know in this body, the U.S. Capitol Police protect us, our staff, and the more than 9 million visitors we get here each year with bravery, putting their lives on the line each and every day to keep us safe.

Special Agents Griner and Bailey put that heroism on display for the country and the world when they saved numerous Members of Congress from an attack at practice where some 25 of our colleagues were preparing for the Congressional Baseball Game for Charity. Their courage under fire saved the lives of countless Members of Congress, staff, and innocent bystanders, and both of them were wounded while carrying out their duties.

STEVE SCALISE, Matt Mika, and Zack Barth, who were also injured that day, and everyone else on that baseball field, are alive today because of those Capitol Police officers, and we continue to wish a speedy recovery to everyone who has been injured.

We, as a Congress, owe it to the Capitol Police to ensure they have the necessary resources to meet their mission in an increasingly polarized climate. And after working with Mr. RYAN, we believe we have appropriately prioritized those needs, taking a comprehensive approach to ensuring the safety and security of not only Members of Congress, but our staff, visitors, and the constituents we serve.

We provide resources and make structural changes that will address se-

curity concerns both here at the Capitol and in our home districts, including \$29 million in new resources to the Capitol Police for increased security, \$5 million to the House Sergeant at Arms for district office security, and support for House Administration's authorization to increase \$25,000 per MRA account to address Members' physical security when they are away from the Capitol complex. We also invest new resources in cybersecurity measures to protect attacks on our digital information.

After more than 20 hearings, briefings, and tours of various portions of the Capitol complex since January, we have included \$581 million in total for the Architect of the Capitol. We recognize the continuing challenge of preserving and maintaining our infrastructure and prioritizing critical projects in the current fiscal climate.

We have included funding to restore and renovate House office buildings, upgrade the Capitol Power Plant, and several other projects. We fund a Revitalization Fund to finance major repairs and renovations to facilities in the House for future years, and we are planning ahead to try and save costs.

Overall, we provided \$648 million for the Library of Congress, with new funding going to IT improvements library-wide, as well as specific copyright modernization initiatives.

In total, we provided \$48.5 million for the CBO. Members of this body on both sides of the aisle have their differences in opinion with CBO estimates and how it arrives at those conclusions. In some cases, frankly, the CBO is wrong, but, at the end of the day, it serves an important purpose and needs the appropriate resources to do its job.

We also increased funding for the Government Accountability Office to ensure that they root out fraud, waste, and abuse in government.

Mr. Chair, in crafting this project, Ranking Member RYAN and I sought the thoughtful feedback of Members throughout this committee and this body. There are various initiatives we can all be proud of, initiatives that serve our constituents and produce efficiencies and transparency in the way that Congress operates, including increasing openness and transparency and producing efficiencies by publishing nonconfidential CRS reports online, expanding the Wounded Warrior Project, which helps Members hire veterans. We increased total slots by more than 57 percent.

In conclusion, in all, this bill represents a frugal approach at funding the basic operations of Congress. We do so in a fiscally responsible manner, keeping House budgets historically low and prohibiting pay increases in Congress. We are improving transparency and accountability at the same time.

I would like to thank Ranking Member RYAN and his staff, Anne Sokolov

and Adam Berg, as well as my staff, Tim Monahan, Liz Dawson, Jenny Panone, and Joe Eannello, and to all the members of the subcommittee for their work and participation in the process this year.

Mr. Chair, I urge this body support this legislation.

Mrs. LOWEY. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

Mr. HOYER. Mr. Chairman, I served actively on the Appropriations Committee for 23 years. I am still a member on leave. Never, in the 36 years that I have been here, have I seen an omnibus appropriation bill or a minibus appropriation bill brought to the floor before the August break.

Regular order is to bring each bill to the floor, debate each bill on its merit, have the opportunity to offer amendments, and debate the merits of the amendments and of that particular bill. However, the majority party has not done its job, and I do not hold accountable the members of the Appropriations Committee. I want to make that clear.

But, for whatever reasons, regular order has not been followed, and so each Member of the Congress of the United States is confronted with either voting for all of the bill with component parts, the Legislative bill, Energy and Water, MILCON-VA, Defense bill, that they may not like, but if they vote "no," they will be accused of being against the security of the United States. That, my friends, is baloney.

In their pledge to America, Republicans said: "We will advance major legislation one issue at a time."

This belies that representation. The sponsors of this minibus package, Mr. Chair, claim it will make America more secure. I reject that argument.

Senior military leaders have said that the greatest long-term threat to our national security is the growing national debt and the impact of interest payments on the debt as they crowd out our ability to invest in defense and domestic priorities.

□ 1615

It is incumbent upon us, Mr. Chairman, to work together to pass a fiscally responsible budget agreement that lifts the sequester caps in a way consistent with the principle of parity between defense and nondefense spending.

Mr. Chairman, we were supposed to pass a budget on or before April 15. It is now July 26. We have passed no budget. There is no plan for overall spending. This, therefore, is a pig in a poke, and nobody on this House floor or in this country knows the ramifications of the passage of this bill on the eight domestic spending bills that remain unattended.

The Acting CHAIR. The time of the gentleman has expired.

Mrs. LOWEY. I yield an additional 2 minutes to the gentleman.

Mr. HOYER. It is incumbent upon us, Mr. Chairman, to work together to pass a fiscally responsible budget agreement that lifts the sequester caps. We cannot simply skip to appropriations without determining what our budget priorities are first. It is as critical for our national defense as it is for our ability to support economic growth.

Moreover, this is the earliest, as I have said before, that I can ever remember that the House considered either an omnibus or minibus appropriations bill. It is an acknowledgement by the majority that the House will not be able to move these bills through under regular order, given Republicans' internal divisions over spending bills. So instead of working with Democrats to craft individual appropriations bills that can pass the House, they are resorting to legislative tactics to push them through on partisan votes.

I will remind my friends across the aisle that they have been unable to enact a single funding bill in the past 7 years without ultimately appealing to Democratic votes. So I urge my colleagues to reject this minibus package and make it clear that we first ought to negotiate a budget agreement that provides certainty and clarity to the entire Federal Government, not just a handful of agencies. And we ought to do it through an open and transparent process, with Members permitted to offer amendments that can shape a budget and appropriations bills truly reflective of the Nation's priority as a whole.

Mr. Chairman, I urge my colleagues to vote "no" so that we can get on with an appropriations process that is in regular order, that makes common sense, that is transparent, and that will give the American public the best product that we can produce.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from California (Mr. CALVERT), the chairman of the Interior, Environment, and Related Agencies Subcommittee on Appropriations.

Mr. CALVERT. Mr. Chairman, I rise in strong support of H.R. 3219, the Make America Secure Appropriations Act.

First, I would like to commend Chairman FRELINGHUYSEN for his tireless work to report out all 12 appropriations bills in the Appropriations Committee. He did it in record time and deserves a great deal of credit for getting us to this point today. The four bills included in H.R. 3219 reflect hours of hearings, staff work, Member input, and bipartisan cooperation.

I would also like to express my gratitude to the chairs and ranking members of the Defense; Energy and Water

Development, and Related Agencies; Military Construction, Veterans Affairs, and Related Agencies; and Legislative Branch Subcommittees.

In particular, the Energy and Water division provides robust funding for water infrastructure—over \$67 million—to create needed water storage in the West. I want to thank Chairman SIMPSON and his staff for their hard work.

As a member of the Defense Subcommittee on Appropriations, I thank Chairwoman KAY GRANGER for her leadership and her unwavering support of our men and women in uniform.

I also would be remiss if I did not mention the professional staff of the subcommittee, who dedicated countless hours to craft a bill that meets the needs of the Department of Defense and reflects the will of Congress.

Our greatest responsibility as Members of Congress is to provide for the resources necessary to the men and women of our Armed Forces. This bill includes \$584.2 billion in base defense funding and \$73.9 billion for overseas contingency operations. It provides for a 2.4 percent military pay raise and additional funding to increase end strength.

The bill provides robust funding for shipbuilding, aviation, combat vehicles, and more. It invests in our greatest assets, the men and women who wear the uniform, through increased funds through training, equipment, and the best healthcare.

We are at a crossroads. Right now, our military continues to operate at high tempo to carry out the national security interests of the United States. However, in order to meet the next challenge, whatever that may be, we must invest now. We know the situation we are in.

National Security Advisor McMaster has stated that the U.S. is outgunned and outgunned by potential adversaries. Out of the 58 brigade combat teams, the Army only has 3 that are combat ready.

We have the lowest number of ships since World War I. And while capability is important, the vast oceans of the world desperately need our presence.

Only 7 out of 10 aircraft in the Air Force are ready to fly, and the average age of aircraft across the service is 27 years. Airmen are flying the same planes as their grandfathers.

Only 43 percent of the Marine Corps total aircraft inventory is considered flyable. Our marines deserve better.

Today we have a chance to correct the course we have been on for the last 8 years. The U.S. Constitution creates a government of the people to "establish justice, insure domestic tranquility, provide for the common defense." This bill fulfills the promise enshrined in our Constitution to secure the blessings of liberty by providing for the defense of our Nation.

Mrs. LOWEY. Mr. Chairman, I am delighted to yield 6 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), the ranking member of the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I thank the distinguished ranking member for yielding me time and for her hard work during this arduous process. And I would also like to thank Chairman FRELINGHUYSEN and Chairman DENT for their hard work as well.

As we all know, the Military Construction, Veterans Affairs, and Related Agencies bill has a strong reputation for common ground and bipartisanship. Chairman DENT, like always, set a cooperative tone and was inclusive throughout this process. He has worked tirelessly to address many Members' concerns, and I joined him in that effort, as well as critical issues impacting our veterans and Active and Reserve servicemembers.

The Military Construction portion of this minibus provides adequate funding for both the Active and Reserve components. In addition, the bill funds the NATO Security Investment Program at the FY17 level, sending a strong message to our Nation's allies that we stand with them as we continue to face evolving international threats.

For the Department of Veterans Affairs, this bill provides \$3.9 billion, which is a 5.3 percent increase over FY 2017.

I am also pleased that this bill will address the issue of breast cancer awareness and prevention and provides almost \$700 million for medical research, which will fund essential efforts, such as those to address TBI and PTSD, develop state-of-the-art prosthetics, care for victims of military sexual trauma, and treat veterans suffering from mental illness.

The bill also continues to fund important programs to combat veteran homelessness, provide our vets with effective and timely healthcare, and improve the veteran benefits application process and appeals process.

I am also extremely grateful for Chairman DENT's support for in vitro fertilization and coverage for assisted reproductive technologies for veterans who have sustained a service-connected injury that impacts their fertility. This issue is very important to me and to so many servicemembers. All veterans deserve to be able to start families. Moreover, providing access to IVF is consistent with the VA's goals to support veterans and improve their quality of life.

On a personal note, this bill will also address the issue of breast cancer awareness and prevention.

This past spring, our subcommittee visited the Washington VA Medical Center. We learned that the VA was relying on the controversial USPSTF

guidance for mammography in making coverage decisions.

Last Congress, we passed a law that barred private insurers from making coverage decisions based on these guidelines through 2018. However, the moratorium did not apply, we learned in that visit to the VA, and so women in their forties who were veterans could be denied coverage for mammograms. To its credit, the VA changed its guideline regarding screening, and with Chairman DENT's support, language is included to hold the VA to this better standard.

As I stated during my testimony before the Rules Committee, Mr. Chairman, it is my sincere belief that if the MILCON-VA bill were being considered as a stand-alone, as is tradition, under an open rule, it would receive strong bipartisan support. But, unfortunately, that is not what we are doing here today.

Instead of following regular order, we, instead, are taking up four bills at once and adding funds to begin construction on President Trump's irresponsible border wall that he promised Mexico would pay for, and now taxpayers are being stuck with the bill. This fiscally and morally irresponsible expenditure leaves the nondefense appropriations bills grossly underfunded.

Furthermore, contrary to popular belief, this bill isn't even great for defense. All this talk about making sure that we provide adequate resources for our defense and our national security ignores the fact that the Budget Control Act provides additional funds that would ultimately be sequestered without a cap adjustment. This minibus would breach this cap by more than \$72 billion, resulting in a mandatory 13.2 percent sequester of all defense accounts, including the Military Construction title.

And, by the way, I have said this repeatedly each time I have spoken on this legislation, and never once has anyone in the majority countered what I am suggesting. That is deeply troubling.

So even if this bill is signed into law, which it will not be, DOD would not receive one dollar of this increase.

Secretary Mattis testified "sequestration and the continued use of continuing resolutions would result in a steady erosion of military readiness." That is the only outcome this bill guarantees. By taking up this minibus today, we are setting ourselves up for failure, and we have set ourselves up for an early fall with no real progress to be made on the FY 2018 appropriations bills.

Mr. Chairman, we cannot continue to govern in this fashion. I believe it is time that we stop listening to the most extreme voices and get past these unrealistic beliefs that we can cut our way to prosperity. We cannot. If this failed philosophy persists, our work will only get more difficult.

It is clear that passing any appropriations bill that will be signed into law will require a bipartisan majority of both Houses. As a result of this irresponsible posture, I will sadly be voting against the minibus, and I look forward to working towards an appropriations product that both parties can work on together in true bipartisan tradition.

Mr. Chairman, lastly, before I close, I thank our staff in the MILCON-VA bill on both the majority and the minority side: Maureen Holohan, Sarah Young, Sue Quantius, Sean Snyder, and Tracey Russell with the majority; and Matt Washington, Rosalyn Kumar, and Jonathan Steinberg with the minority.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Mississippi (Mr. PALAZZO), a valuable member of the committee.

Mr. PALAZZO. Mr. Chairman, I rise in strong support of the Make America Secure Appropriations Act.

As a member of the Appropriations Committee, I have witnessed firsthand the hard work that Chairman FRELINGHUYSEN and his subcommittee chairmen have put into crafting this bill. They all should be congratulated for their work on this legislation, and so should their staffs.

I firmly believe that the number one constitutional responsibility of Congress is to provide for the common defense of this Nation against all enemies, both domestic and foreign. That commitment, by increasing defense funding and restoring the cuts and budget shortfalls that threaten our military readiness and our ability to project force around the globe, is honored here today.

Our bill also honors those who serve our country in the Armed Forces by giving them a much-deserved 2.4 percent pay raise and making critical investments in equipment and training that help them perform the missions we give them and, most importantly, help them return home safely to their loved ones and their families and communities. This includes 11 Navy ships, including two destroyers for our Navy and a new LHA for our Marines. And I am proud to say that some of these ships will be built in my district by the greatest shipbuilders on Earth.

The bill also honors the service of our veterans. Our commitment doesn't stop when our men and women in uniform stop serving. We must continue to support them after they leave service, and this bill does just that, funding mental healthcare, care for our homeless veterans, and other national priorities.

In addition, this bill makes critical investments in our Nation's border security, including fully funding the President's request for a physical barrier construction along our southern border. The President has promised this funding, the American people want

this funding, and today the House is making good on that promise—after all, border security is national security.

Mr. Chairman, this is a solid bill. It honors our commitments, it keeps Americans safe and fulfills our obligation to all those who serve this great country.

Mr. Chairman, I urge my colleagues to support the underlying legislation.

□ 1630

Mrs. LOWEY. Mr. Chairman, I yield 6 minutes to the gentleman from Indiana (Mr. VISCLOSKEY), the ranking member of the Subcommittee on Defense.

Mr. VISCLOSKEY. Mr. Chairman, I thank the ranking member for yielding to me.

Mr. Chairman, I, first of all, thank Chairwoman GRANGER. This is her first time leading the Defense Appropriations bill on the floor. She has done so under very difficult circumstances, with a steadfast commitment to maintaining the tradition of cooperative bipartisanship on our subcommittee, maintaining transparency, and taking a thoughtful approach to solving problems.

Mr. Chairman, I would also like to express my immense gratitude to Chairman FRELINGHUYSEN, Ranking Member LOWEY, the members of our subcommittee, and our exceptional staff for all of their hard work.

Mr. Chairman, we have a duty to provide predictable and timely appropriations to the Department of Defense and the rest of the Federal Government. This is a consistent request by our senior Defense leaders. However, the House bills exceed the cap of fiscal year 2018 defense spending established under the Budget Control Act of 2011 by \$72.5 billion.

If enacted as written and the budget control caps remain in place, the Department of Defense would face a sequestration of roughly 13 percent. The Department has still not recovered from the rash of problems caused the last time it was forced to deal with sequestration in 2013. In the second half of that fiscal year, the Department savaged its operations and maintenance accounts to continue ongoing contingency operations and to protect military personnel accounts. This resulted in the Navy idling an aircraft carrier at a pier in Norfolk, the Army canceling training rotations, and the Air Force reducing flight times for its combat aircraft, and widespread civilian furloughs. We simply cannot allow that to happen again in fiscal year 2018.

We have avoided sequestration in the last 4 fiscal years by adjusting the budget caps for both defense and non-defense appropriations. Those modest adjustments, done in a bipartisan and bicameral fashion, provided needed funding for our military, but also for our country's economic and physical

infrastructure, scientific research, public health systems, and veterans' care.

Besides my frustration with the process, I have concerns about the significant increase in funding that this bill will provide to the Department: \$60 billion more than last year and \$29 billion more than requested by the administration.

I support providing additional funds to the Department, as I believe we are asking too much of our brave servicemembers and their families, but, putting it mildly, the world is also an unsettled place and not trending towards stability. But that being said, I believe that the Department will have great difficulty spending so many additional dollars in a timely and efficient manner.

Vacancies continue in important leadership positions. Hiring restrictions on civilian employees and a handful of ongoing strategic reviews will all slow the decisionmaking process. It is also unlikely that Congress will complete its work in a timely manner by October 1, and that any dollars provided will have to be spent in a compressed time period.

Additionally, I am not convinced that the administration evaluates dollars being spent on the military with the same criteria as it does with the rest of the Federal Government.

In the Office of Management and Budget's Major Savings and Reform document for fiscal year 2018, it was a page-turner. With 150 proposals to allegedly save billions in discretionary programs, there was only one recommendation in 150—one for the Department of Defense, with a potential to save only \$2 billion by 2027. With a budget of roughly \$600 billion a year, representing nearly half the discretionary spending, it is beyond the pale that OMB could only come up with a single savings point for the Department of Defense.

One final point is that I am highly disappointed that the Republican leadership has watered down language during committee markup regarding the Authorization for Use of Military Force. Representative BARBARA LEE's language would have established an eminently reasonable approach to updating 2001 legislation in authorization.

Congress must stop hiding from the debate, and carry out its constitutional responsibilities to support our troops in uniform and the civilian support staff that helps them out.

Mr. Chairman, in closing, I would like, again, simply to reiterate my thanks to the members of our subcommittee and committee, and for our sterling staff who have done a superb job under the most difficult circumstances that I could imagine.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. LANCE), a strong supporter of national defense.

Mr. LANCE. Mr. Chairman, I thank Chairman FRELINGHUYSEN for yielding to me, and I thank him for his tremendous leadership as chairman of the Appropriations Committee. New Jersey and, indeed, the entire Nation are fortunate to have Mr. FRELINGHUYSEN as chairman of this critical committee.

Under the chairman's leadership, all spending bills have advanced out of the committee, and now, today, we consider a package that affirms one of Congress' most important responsibilities: to provide for the common defense.

Included in this legislative package is an important measure that opens reports by the Congressional Research Service and opens those reports to the public. I have been involved in this issue for some time. Mr. Chairman, I thank Chairman FRELINGHUYSEN and subcommittee Chairman YODER for their support of this measure.

American taxpayers spend more than \$100 million a year supporting the work of the Congressional Research Service. Their findings, reports, and analyses should be public information. It is good public policy to allow educators, students, members of the news media, and everyday citizens across the Nation to have access to CRS's nonpartisan, taxpayer-funded reports.

By providing public access to CRS reports, we can elevate our national discourse and make it easier for citizens to cut through the misinformation that is too often involved in the national debate. Citizens should have full access to the same neutral, unbiased information that many of us in Congress use to help us make important decisions.

CRS is governed by requirements for accuracy, objectivity, balance, and nonpartisanship—the very sort of analysis sought and valued by engaged constituents.

Mr. Chairman, I, again, commend the chairman for including this measure in the Legislative Branch title. This is one of many victories for taxpayers in this important bill.

Mrs. LOWEY. Mr. Chairman, I yield 3 minutes to the gentlewoman from Connecticut (Ms. DELAURO), the ranking member of the Subcommittee on Labor, HHS.

Ms. DELAURO. Mr. Chairman, I rise in opposition to this bill.

What does this bill do?

It would force the Office of Management and Budget to issue an across-the-board budget cut for defense spending come January.

Why?

Because the House appropriations bills exceed the defense budget spending cap by more than \$72 billion. I might add that both Democrats and Republicans voted for these spending caps for defense spending and for nondefense spending.

So the defense funding in the bill, their numbers are, in essence, fake.

These are fake numbers. Republicans have no plan to raise both our need to support our national security and military readiness and our need to support hardworking middle class families who are struggling to get by.

So if these bills are enacted, the only way to avoid this across-the-board defense spending cut is if we had another budget deal to revise the bipartisan Budget Control Act, which established spending caps for defense spending and for nondefense spending.

Now, add to that, since military pay is usually exempt from budget cuts, if this bill and the other House appropriations bills are signed into law, the Office of Management and Budget, by law, would be required to cut defense spending by more than 13 percent, or \$72 billion. We would need a new budget agreement so that we can increase both defense spending and nondefense spending to meet the needs of our country.

My friends, this is not going to happen; hardly likely.

The biggest economic challenge of our time is that too many people are in jobs that do not pay them enough to live on. We must invest in programs that provide opportunities for hardworking Americans to be able to improve themselves and for our economy to grow. We need a country that works for the middle class and for the vulnerable, not just the wealthy and those with the most lobbyists.

This budget process is irresponsible, and our military and our hardworking families will all be shortchanged. This is unacceptable.

Congress needs to negotiate another budget deal that increases both the defense and the nondefense spending caps. The spending levels in the Defense bill are impossible to achieve unless there is a new budget deal and it is reached.

So, again, the numbers are fake. If you vote "yes" on this, you are voting for a pig in a poke. I urge my colleagues to vote against this bill.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 4 minutes to the gentleman from Idaho (Mr. SIMPSON) for the purpose of a colloquy.

Mr. SIMPSON. Mr. Chairman, I yield to the gentleman from Alaska (Mr. YOUNG) for the purpose of a colloquy.

Mr. YOUNG of Alaska. Mr. Chairman, I thank both Chairman SIMPSON and Chairman FRELINGHUYSEN for their work on this legislation, but I would like to engage in this colloquy about the Denali Commission in Alaska.

My proposal would have restored funding for the Denali Commission to its fiscal year 2017 level to continue the great work that it does to support the constituents of the rural areas of Alaska. My proposal would also restore the 2017 funding levels for the Appalachian Regional Commission, the Delta Regional Authority, and the Northern Border Regional Commission.

The Denali Commission started in 1998 with Senator Stevens as an independent Federal agency designed to provide critical utilities, infrastructure, and economic support throughout Alaska. With the creation of the Denali Commission, Congress acknowledged the need for increased interagency cooperation and a focus on Alaska's remote communities.

The Denali Commission operates in the most geographically diverse and challenging area in America, twice the size of Texas. In fact, this area would encompass both the Delta Regional Authority and the Appalachian Regional Commission. I continue to believe the Denali Commission is a model of efficient and innovative government. The Commission has also improved the living conditions of rural areas of Alaska.

Mr. Chairman, Mr. SIMPSON has done the best he can, and you cannot believe all the programs that the Denali Commission provides for the State of Alaska and my constituents. I would appreciate Mr. SIMPSON looking at maybe a future time that we could fund it at the level that we were in 2017.

Mr. Chairman, I do urge Mr. SIMPSON, as the chairman, to understand how important the Denali Commission is to Alaska.

Mr. SIMPSON. Mr. Chairman, reclaiming my time, I appreciate my colleague's statement on the Denali Commission. He is a strong advocate for Alaska and the important work that the Denali Commission conducts in the State.

The House mark this year supports the Denali Commission and its efforts rather than the administration's request to terminate the agency.

The elimination of the Denali Commission would have deprived many communities of essential infrastructure and economic development projects.

In a time of economic change, these communities can scarcely afford to lose the millions of dollars in private investment leveraged by the Commission annually.

In the event the subcommittee receives additional funding in conference, I would be happy to work with my colleague to ensure the Denali Commission is provided sufficient funds to support their efforts in his State.

Mr. YOUNG of Alaska. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman.

Mr. YOUNG of Alaska. Mr. Chairman, I appreciate the fact that Mr. SIMPSON just mentioned it was eliminated by the administration, and he did restore some of the money. I am just requesting that, if he gets any more money, we would look for it in the Denali Commission so that the work it has done is well rewarded.

Mr. Chairman, I thank both the chairmen for the work they have done

establishing the Denali Commission in past years, and let's go forth.

Mr. SIMPSON. Mr. Chairman, I look forward to working with the gentleman from Alaska.

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Mrs. LOWEY. Mr. Chairman, I am delighted to yield 3 minutes to the distinguished gentleman from Washington (Mr. KILMER), the distinguished vice ranking member of the committee.

Mr. KILMER. Mr. Chair, I want to thank the chairman and our ranking member. I have great respect for both of them.

Mr. Chair, the most important responsibility we have is to keep our Nation and our citizens safe. In order to fulfill that responsibility, we have a commitment to those who serve, that they will have the training and equipment and support that they need to be the most capable fighting force the world has ever seen.

We also have a commitment to the men and women who serve that we will have their back, not only when they are on duty, but when they come home.

This Congress should support a pay raise for our Nation's troops. This Congress should support a cutting-edge Naval fleet. This Congress should make sure that we can say that every veteran will get the care that he or she has earned.

But this Congress should also be opposed to a bill that puts the Department of Defense right in the path of the across-the-board spending cuts known as sequestration.

Now, I admit, I had not heard of sequestration until I first ran for this job. It turns out it is a Latin word for stupid, because when you face our military leaders, even in my district, they have implored this Congress to do away with the bind that sequestration threatens to put them in. They think this is a bad idea.

But what we are doing this week ignores the advice of our top commanders and our military experts. Instead, it would put the Department of Defense on a collision course with sequestration. That would mean harmful cuts, across-the-board cuts to our military, regardless of priority.

The failure of this Congress to pass a legitimate budget is a disservice to our Armed Forces and to every man and woman who serves in it. We should be giving those in uniform certainty that their paychecks will arrive on time, that their gear will be the best, that they will get the training that they need, and that cuts won't hurt their readiness.

So let's get serious about a budget. Let's vote down this bill and do better. Pass a responsible bill.

Listen, a majority of the Members in this Chamber are willing to support a plan that not only funds our military, but also makes sure we don't approach

yet another government shutdown. That is what the American people sent us here to do, Mr. Chair. Let's listen to their voices.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to yield 4 minutes to the gentleman from Texas (Mr. SMITH), the distinguished chairman of the Science, Space, and Technology Committee.

Mr. SMITH of Texas. Mr. Chairman, I thank the chairman of the Appropriations Committee for yielding me time.

I am very pleased to support H.R. 3219, the Make America Secure Appropriations Act of 2018, especially because it includes H.R. 3266, which provides appropriations for the energy programs within the Science, Space, and Technology Committee's jurisdiction.

Chairman SIMPSON, who is on the floor behind me, has worked closely with us on the Science, Space, and Technology Committee to include responsible, pro-science funding levels for the Department of Energy.

Chairman SIMPSON, your leadership and cooperation have been exceptional and are much appreciated. Thank you for your leadership in passing this legislation that sets America on a path to remain the world's leader in innovation.

The appropriations included in this legislation are consistent with the America COMPETES Reauthorization Act, which passed the House last Congress. This bill also funds programs authorized in H.R. 589, the DOE Research and Innovation Act, which passed the House earlier this year and was the product of over 3 years of work by the Science, Space, and Technology Committee to advance basic research and set clear science priorities for the Department of Energy.

American industry relies on Federal support for basic research to produce the scientific breakthroughs that fuel technological innovation, new industries, economic growth, and good jobs.

Around the country, scientists at our National Labs and universities are conducting groundbreaking, basic science research that provides the foundation for next generation technology in energy, medicine, and manufacturing.

This legislation provides strong support for the Department of Energy's Office of Science at \$5.4 billion for fiscal year 2018. The Office of Science will get increased funding for research in basic energy sciences, high-performance computing, nuclear physics, high-energy physics, and fusion energy.

The strong support for the Office of Science in the appropriations bill will prioritize the basic research programs that are the core mission of the Department and the National Labs and lead to scientific discoveries that can provide benefits across the economy.

This legislation also includes responsible funding for DOE's applied programs, prioritizing early-stage research in electricity, energy efficiency, renewables, fossil, and nuclear.

An example of such critical early-stage energy research involves nuclear energy where the bill's funding supports the priorities outlined in the Nuclear Energy Innovation Capabilities Act, which passed the House as a part of H.R. 589. That legislation, sponsored by Energy Subcommittee Chairman RANDY WEBER of Texas, combines the strengths of the National Labs, universities, and the private sector to develop advanced nuclear technology. This technology is our best opportunity to provide reliable, emission-free electricity.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield the gentleman an additional 1 minute.

Mr. SMITH of Texas. I thank the chairman of the committee for yielding me an additional minute.

This appropriations bill also includes funding to begin design and construction for the research reactor authorized in H.R. 589, which will provide access to the fast neutrons necessary to enable the next generation of nuclear energy technology.

As we shape the future of the Department of Energy, our priority must be basic and early-stage research that only the Federal Government has the incentives and resources to support and pursue. This will empower private sector innovators to develop and demonstrate resulting new capabilities that will attract the capital investments needed to take energy technology to the marketplace, creating jobs and expanding our economy.

Mr. Chairman, I strongly encourage my colleagues to support this pro-science bill, pro-energy appropriations bill.

Mrs. LOWEY. Mr. Chairman, I am very pleased to yield 5 minutes to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. Mr. Chairman, I thank the ranking member for yielding.

I also want to thank the Appropriations chair from New Jersey and the staff, and also the ranking young lady from New York and the staff for being a bipartisan committee. The Appropriations Committee has been bipartisan.

While this bill before us is a step toward getting the job done of passing the appropriations bill before the end of the fiscal year, we know this is only the first step. We still have a lot more work to do.

I regret that the rule that we will take up tomorrow will likely include \$1.6 billion for a wall. We who live on the border, we understand and we believe in border security, border secu-

rity that is strong, sensible, common sense, and effective for the border. The wall is a 14th century solution to a 21st century challenge that we have.

The border wall is not the right solution for border security. Why?

Number one, private property rights. We believe in private property rights. In fact, there are some people that, for generations, have owned land along the border. I have several veterans that own land. In fact, there is one veteran in particular that buried his father—his father who served in World War II—and his family right along the riverbank. So if you put a wall, what is he going to do? Once you put the wall, how is he going to go visit the cemetery, the family cemetery along the border?

What about cattle, livestock? How are they going to have access to water along the river?

Number two, we have natural barriers along the Texas border. We have the rivers. You can see how the river snakes around. And what about the cliffs? Are you going to put a wall on top of this cliff? It just doesn't make sense.

Number three, what about taxpayers' dollars? Mexico is not going to pay for this wall. We know that the American taxpayer is going to pay for this, \$1.6 billion for 74 miles out of the 1,954 miles that we have. That is \$21.2 million per mile for this wall, compared to \$1 million of technology we wanted to put, technology cameras, sensors, aerostats for border security.

And, oh, by the way, so \$1.6 billion; all I need is \$100, buy myself a good ladder, and we will take care of that wall. So, again, we have got to be smart about border security.

Number four, environmental concerns, we have concerns with regard to wildlife refuges.

What about the 40 percent out of the 11 million people that we have here who did visa overstays?

So you can put the biggest wall, but people are going to fly, are going to drive across the bridge, are going to get a boat into Houston and just stay over their time.

What about a cap analysis so we know what are the real needs that we have? That is number six.

What about number seven, Mexico is an ally? It is not an enemy. Every day we have \$1.3 billion of trade with our friends to the south—every day, 1.3. That is over \$1 million of trade every single minute, 6 million American jobs that we have because of the trade that we have with our friends to the south.

We need strong, commonsense border security, and I know this because I live on the border. I drink the water. I breathe the air. I understand this very well.

The border area is very safe. Use FBI stats. The murder rate in my hometown of Laredo is three murders per

100,000. Here in Washington, D.C., it is 24.5 murders per 100,000. So if you want to talk about dangerous, when I leave the border to fly over to Washington, this is the most dangerous thing about my job.

So the wall is a 14th century solution to a 21st century problem. I ask you to vote "no" on the border wall.

Again, I want to thank the Appropriations Committee for being bipartisan. This is only the first step.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. WEBER).

Mr. WEBER of Texas. Mr. Chairman, I rise today in support of the Make America Secure Appropriations Act of 2018. I am particularly pleased to support language from H.R. 3266, which provides appropriations for energy programs within the Science, Space, and Technology Committee's jurisdiction.

For years, the Energy Subcommittee, which I chair, has listened to experts and gathered data to determine appropriate priorities for the DOE. The bill brought before the House floor reflects the findings of the committee. It funds basic and early-stage research, and it does so all the while reducing spending.

Importantly, this bill includes specific appropriations for programs authorized in my bill, the Nuclear Energy Innovation Capabilities Act, which establishes a clear timeline and parameters for DOE to complete a research reactor. This type of research requires access to fast neutrons currently only available in Russia.

The completion of our own research reactor is crucial, Mr. Chairman, in ensuring materials and nuclear fuels R&D takes place in these United States of America. The versatile neutron source, or fast test reactor, authorized in my legislation will provide the United States with this vital capability.

I want to thank Chairman FRELINGHUYSEN for specifically including \$35 million in funding, and Chairman SIMPSON, to begin the design and construction of vital research infrastructure in this appropriations bill.

America must maintain our nuclear capabilities and continue to develop cutting-edge technology here at home. This bill provides direction and robust funding for early-stage nuclear energy research. Without it, we will fall behind.

It is vital that we ensure this important research and development is fully funded. We cannot afford to miss the economic opportunities provided by next generation nuclear technology. I encourage my colleagues to support this pro-science, fiscally responsible legislation.

Mrs. LOWEY. Mr. Chairman, I am very pleased to yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I want to thank our ranking member for yielding to me.



I rise in opposition to funding for President Trump's border wall. I have visited the border of Texas and Mexico many times. Communities all along and beyond the border in my home State of Texas are opposed to this border wall.

Texas has deep and historic ties with our neighbor to the south, Mexico. The people of Texas and Mexico share a pride. A clear majority of our communities believe that the close ties between Texas and Mexico—cultural, economic, linguistic—benefit both Texas and Mexico.

The construction of this “big, fat, beautiful wall,” to quote President Trump, along a 2,000-mile-long U.S.-Mexico border is not only unnecessary, but would be harmful to our border communities and wildlife and natural habitats along the border, and become a symbol of spite and division toward Mexico and its people.

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Much of the border between the United States and Mexico is already separated by the Rio Grande River, a clear natural obstacle between the two countries. High traffic areas along our Southern border are further separated by over 650 miles of pedestrian and vehicle fencing currently on the border.

Congress has provided the Department of Homeland Security with robust funding since the Department's creation to sharply increase the number of Border Patrol officers and surveillance tools, including aerial drones along the border.

As a result of these substantial investments by the American people, the number of immigrants without authorization has steadily declined, while the number of border apprehensions are near a 40-year low.

The \$1.6 billion funded by taxpayer dollars included in this legislation for the President's border wall should be directed for genuine needs, like expanding education opportunities for our children, rebuilding our Nation's aging infrastructure.

Mr. Chairman, I ask my colleagues, if given the opportunity, to amend the legislation before this Chamber to remove the border wall funding. Otherwise, I urge my colleagues on both sides of the aisle to join me in opposing the minibus appropriations bill.

Mrs. LOWEY. Mr. Chairman, in closing, I want to reiterate that this bill is a departure from regular order, wastes \$1.6 billion on Trump's border wall, uses fraudulent defense numbers, guts critical investments in clean energy, includes poison-pill riders, leaves the remaining spending bills with no path forward.

Mr. Chairman, I urge my colleagues to vote “no,” and I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, before I close, I just want to take

this opportunity to thank Mrs. LOWEY for her work, and all of the staff here for the remarkable things they have been doing over the last 3 or 4 weeks. While we may disagree strongly on some issues, our committee, as Mr. CUELLAR said a few minutes ago, works in a bipartisan way to get our bills across the finish line.

To all the members of the committee and our staff and to the ranking member, I thank them for the amicable way that all of us conduct business. It is part of the history and tradition of our committee.

Mr. Chairman, I yield to the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, I think I closed prematurely without thanking you for your leadership. It has been really a pleasure working with you. I do hope that as we move the process forward, we will be able to have a final product that we can all be very proud of. Thank you again. You have been a very delightful person to work with.

And I thank the chairman, all my staff that has been so hardworking and so cooperative. We couldn't do this without them on both sides of the aisle. I thank the chairman.

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentlewoman for her comments.

Mr. Chairman, reclaiming my time, in closing, I would remind the House that just yesterday we voted overwhelmingly in a bipartisan way to impose tough new sanctions on three aggressor nations: Russia, Iran and North Korea. Each pose their unique threats to our vital interests, their neighbors, and to global stability.

But little in history would predict that sanction alone will change the maligned behavior of these three regimes.

That is why we need to get this bill across the finish line, to guarantee that our military is always prepared to meet any threat from anyone anywhere, whether it be China in the Pacific; international terrorist groups like ISIS, al-Qaida, Al-Nusra, al-Shabaab, Hezbollah, Hamas; and transnational drug smugglers and criminal gangs.

Mr. Chairman, I repeat: Congress' most important constitutional duty is to provide for the common defense. This appropriations package before us allows us to meet that solid responsibility.

I urge support of the bill, and I yield back the balance of my time.

Mr. GOWDY. Mr. Chair, the unique circumstances of the Waters of the United States (WOTUS) rulemaking warrant an expedited repeal of the rule. In November 2016, the Committee released a staff report titled “Politicization of the Waters of the United States Rulemaking,” detailing the findings of more than a year-long investigation into the Waters of the United States (WOTUS) rulemaking. The investigation revealed wide-

spread procedural violations, excessive unilateral and politically driven decision-making, and persistent failures of consultation and consideration of public comments.

The EPA's extraordinary efforts to push through this procedurally deficient and roundly disliked rulemaking created an insurmountable illegitimacy of the rulemaking that warrants immediate repeal. To facilitate this necessary action, Congress is exercising its authority to create exemptions to existing law in H.R. 3219, the Make America Secure Appropriations Act, 2018. Section 108 of the bill provides a single-use exemption from regulatory procedure and legal requirements to allow EPA and the Secretary of the Army to immediately withdraw the WOTUS rule. The immediate repeal of WOTUS will allow EPA and the Army Corps of Engineers to start with a clean slate as they conduct a joint rulemaking, between equal partners, with full consideration of the comments and concerns raised by the American public.

In future rulemakings, including any WOTUS replacement, Congress expects federal agencies to approach their mandate to consult with state, local, and tribal governments and give full consideration to public comments with a commitment to administrative procedure and effective rulemaking.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I would like to state my strong objection to the Energy and Water Development Appropriations portion of H.R. 3219. It would completely eliminate ARPA-E, an agency that has already demonstrated incredible success in advancing high-risk, high-reward energy technology solutions that neither the public nor the private sector had been willing or able to support in the past. This accomplishment was highlighted in a Congressionally mandated National Academies review of the agency released just last month. I would also note that ARPA-E recently announced that a group of 74 project teams has attracted over \$1.8 billion in private sector follow-on funding since the agency's founding in 2009. In addition, the agency announced that 56 projects have formed new companies and 68 projects have partnered with other government agencies for further development. Bipartisan industry leaders like Norm Augustine and Bill Gates have repeatedly called for tripling this agency's budget given the unique role that it is now playing in our energy innovation pipeline. And I'd be remiss if I didn't refer my colleagues to DOE Secretary Perry's March 8th tweet, issued just 8 days before the Trump Administration proposed to eliminate the agency, which states, and I quote, “Innovators like the ones supported by our ARPA-E program are key to advancing America's energy economy.” I couldn't have said it better myself.

In addition, this bill would eliminate DOE's innovation technology loan guarantee program. The Committee on Science, Space, and Technology held a hearing on this program a few months ago, and we learned that its record of accomplishment more than justifies our continued support. The DOE Loan Programs Office has been instrumental in launching the utility-scale PV industry, Tesla Motors, and the construction of our first new nuclear reactors in 30 years. In addition, it is now supporting the commercialization of new carbon



capture and reuse technologies. Overall the Loan Office's losses are only about 2 percent of its entire portfolio—a rate that is lower than many venture capitalists achieve. And even after accounting for those losses, the interest payments from these loans and loan guarantees have returned over \$1 billion to the Treasury. If we're aiming to create jobs and reduce the deficit, this is exactly the type of program we should be supporting.

Finally, this bill makes substantial cuts to many of the Department's other critical energy technology offices for the grid, fossil energy, and nuclear energy, as well as a massive 47 percent cut to the Office of Energy Efficiency and Renewable Energy. Our national infrastructure for clean energy research would be irreparably harmed if these cuts were actually implemented.

Now, I am not going to tell you that every program the Department currently implements is perfect, that reforms should never be considered, or that reasonable people can't simply disagree on the best way to allocate its resources even after a careful, rigorous review. One of my largest concerns now, especially given the incredibly severe damage that this bill would impose on our entire energy research enterprise, is that such a thoughtful review never actually took place.

In closing, I hope that we can all take a step back and more carefully consider the direction we want to move the Department in. I look forward to working with my colleagues on both sides of the aisle and in the Senate to restore federal support for these vital programs.

Mr. YOUNG of Iowa. Mr. Chair, I wanted to briefly discuss eating disorders and how it affects our servicemembers and their families. Eating disorders affects over 30 million Americans during their lifetimes, and have the highest mortality rate of any psychiatric illness. Studies show that eating disorders affect our servicemembers and their families at a higher rate than the civilian population, with 34 percent of female active duty servicemembers and 20 percent of children of servicemembers scoring at risk for an eating disorder.

Additionally, a Military Medicine study of female military members and veterans found significant relationships between eating disorders, PTSD and sexual trauma. As we have much to learn on how eating disorders affect our military members and their families, I would encourage the House to start considering how we can address this issue within our military.

Mr. WELCH. Mr. Chair, in communities across the country, our infrastructure is falling apart. This fact was highlighted once again when the American Society of Civil Engineers released its 2017 Infrastructure Report Card which gave our nation's infrastructure a D+ rating. That is not acceptable and we must do better.

One area of particular concern is the state of our nation's dams. In far too many communities, dams are in danger of breaching. As we recently saw at the Oroville Dam in California, dam breaches can cause catastrophic consequences to the surrounding communities.

Last year, Congress took a positive step to address this issue with the passage of the Water Infrastructure Improvement for the Na-

tion (WIIN) Act. In particular, Section 1177 of the WIIN Act authorized funding for the Army Corps of Engineers to begin working to rehab some of our nation's oldest, Corps-constructed dams that are classified as "high hazard potential". As many of you know, the failure of a dam that is classified as high-hazard potential is anticipated to cause loss of life.

While Section 1177 is a positive start, it needs to be funded so the Corps can get to work. My amendment would simply direct the Army Corps to use existing funds within its Construction Account to implement this provision up to its authorized level of \$10 million.

Both parties agree we need to improve our infrastructure. This is a modest proposal to address some of the most outdated, hazardous dams in the country.

I urge my colleagues to support this amendment.

Ms. BONAMICI. Mr. Chair, I rise today in strong opposition to H.R. 3219, the Make America Secure Appropriations Act. I am deeply disappointed that this bill includes an indefensible \$1.6 billion for the President's so-called border wall. It also violates the bipartisan Budget Control Act (BCA) spending caps, strips a long-overdue provision to sunset the 2001 Authorization for Use of Military Force (AUMF), and bars any efforts to close Guantanamo Bay.

H.R. 3219 includes Fiscal Year 2018 funding for the Legislative Branch, the Veterans' Affairs Department, the Department of Defense, and Energy and Water programs at the Department of Energy and Department of the Interior. Although I have many concerns with the bill, I am pleased that it increased funding for the Army Corps of Engineers, including funding for the Harbor Maintenance Trust Fund, which will help dredge and maintain Oregon ports. I am also grateful that a bipartisan amendment that I championed with Rep. SCOTT PERRY to increase funding for the Water Technologies Office at the Office of Energy Efficiency and Renewable Energy (EERE) was adopted. This will allow Oregon State University to continue their cutting-edge research and development of sustainable hydropower, pumped storage, and marine energy. I am deeply concerned, however, that the bill reduces overall EERE funding and eliminates the Advanced Research Project Agency-Energy (ARPA-E) program. I also do not support the inclusion of harmful policy riders that prevent implementation of National Oceans Policy protections and authorize the withdrawal of the Waters of the United States rule.

I am supportive of provisions in the bill that uphold our commitment to our nation's veterans. The bill provides robust funding for Medical and Prosthetic Research, and prioritizes funding to hire needed doctors, nurses, and medical staff at VA medical centers. Additionally, the bill addresses the ongoing disability claims backlog by requiring regional offices to report on processing performance and remediation efforts.

Unfortunately, the bill also included \$1.6 billion to fund parts of President Trump's border wall, a waste of money that will not secure the border and will have long lasting humanitarian, diplomatic, and environmental consequences. The bill also appropriates Defense spending at

\$621 billion, which is \$72 billion above the BCA caps. Without a fix to the caps, this funding level would trigger a mandatory 13.2 percent cut in all defense accounts. This reckless cut is irresponsible. Finally, the bill was stripped of a provision to sunset the 2001 Authorization for Use of Military Force (AUMF), which has been used for more than 15 years to justify ongoing military actions overseas. It is long past time for Congress to reassert our authority and responsibility to debate matters of military force. The Majority's decision to remove this provision—which passed out of the Appropriations Committee with broad bipartisan support—shows a disregard for our duties and the legislative process. Additionally the bill bars any funds from being used to close the detention center at Guantanamo Bay, or to transfer detainees. For those reasons, I am strongly opposed to H.R. 3219 and urge my colleagues to vote no.

Mr. KIND. Mr. Chair, I will vote against H.R. 3219, the Make America Secure Appropriations Act, because it is not a responsible way to spend taxpayer money. The bill blows through the spending limits in the Budget Control Act. Responsible governing means making hard choices and spending taxpayer money wisely. This bill did not serve either of those goals.

I am particularly concerned about the \$1.57 billion included in this bill to pay for the border wall between the United States and Mexico. For that much money, we could pay for over 94,000 students to get their four-year degrees at a UW-System school. Instead, we are spending that money on a project that will only balloon in price and cost even more to maintain. We need to make smart decisions about how to spend our limited resources. We should be investing in ourselves.

There are plenty of opportunities to pay for important defense priorities by eliminating waste in the Defense Department. In January of 2015, the non-partisan Defense Business Board released a report outlining opportunities for reform that would save \$125 billion in defense spending. That report is now collecting dust. That is money we could be spending on important defense priorities like troop readiness, training, and equipment. This spending bill is another missed opportunity at reform.

Despite voting against the bill, I was happy to see \$55 million provided to the VA to implement the Jason Simcakoski PROMISE Act. The funding will assist in increasing programs to help medical professionals and patients understand the risks associated with pain medication and examine alternative treatments. This will help address the opioid epidemic and give veterans and their families the tools they need and the accountability they deserve.

I understand how important it is to provide ample support for our military, which is why I recently voted in favor of the National Defense Authorization Act. Supporting the brave men and women who defend this nation is of paramount importance. We should not be inserting partisan riders into bills that should be bipartisan. I will continue to work with my colleagues to support our military and pursue fiscally responsible policies that invest in Americans.

Mr. BLUMENAUER. Mr. Chair, I will vote against H.R. 3219, the Department of Defense

Appropriations Act for Fiscal Year 2018, also ironically named the, "Make America Secure Appropriations Act" (Roll No. 435). I commend House appropriators for their work on this bill and realize that putting it together was no easy task. However, due to several poison pill provisions and deep budgetary issues, I could not support it.

Most concerning, the bill contains \$1.6 billion in funding to begin construction of a wall along the U.S.-Mexico border. A border wall serves only to instill fear and puts United States taxpayers on the hook for something that is unrealistic, costly, and unnecessary. It's immoral and goes against our values as Americans.

There are also severe budgetary concerns. The bill would increase defense spending more than \$72 billion above limits set in the Budget Control Act. House Republicans have refused to work with Democrats on a new budget agreement, and without a budget resolution, the funding levels in this legislation would be subject to a sequester. H.R. 3219 is an affront to smart spending and a testament to misguided governing.

The legislation increases funding levels for several redundant weapons programs, including certain dangerous nuclear weapons programs. The prioritizing of weapons systems over our troops and veterans is wrong and will result in the hollowing out of the Army, Navy, and Air Force conventional forces. We need to set clear spending priorities.

In addition, the bill contains a number of provisions that ignore basic environmental policy requirements and important investments in renewable energy. It includes a rider that would prevent the federal government from protecting clean water and even exempts discharged dredged or fill material from clean water act requirements. The bill would also eliminate the Department of Energy's advanced energy research program and the energy loan guarantee program and would slash energy efficiency & renewable energy investments by nearly \$1 billion. The so-called Making America Secure Act even prevents agencies from collaborating on federal ocean policies.

There was a bright spot. The House passed an amendment to defund painful experiments on dogs conducted by the Department of Veterans Affairs. It is critical that Congress work to strengthen animal protections, which is why I've laid out an ambitious agenda to help animals and crack down on abuse.

I hope we can work together going forward to pass a budget resolution that prioritizes appropriately.

Ms. SHEA-PORTER. Mr. Chair, I represent the First District of New Hampshire, which includes Pease Air Guard Base, formerly Pease Air Force Base. As a member of the House Armed Services Committee, I'm aware that our military's historic use of perfluorinated chemicals or PFCs has not only polluted the groundwater of Pease and the surrounding area, but also of bases and their environs nationwide. That's why I'm offering this amendment to authorize the Department of Defense to fund a nationwide health impact study—which the House-passed NDAA has just authorized—to be conducted by the Agency for Toxic Substances and Disease Registry begin-

ning in FY2018. Our service members, veterans, and other affected constituents deserve answers about how they and their children have been harmed by these chemicals, which are classified as emerging contaminants.

This contamination began in the 1970s, when more than 600 U.S. military fire-training sites used a firefighting foam that contained PFCs called perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS). Testing conducted by the Department of Defense at many of these sites has found PFC groundwater levels that exceed EPA guidelines many times over. At Pease, it is 12.5 times higher than the health advisory. The Department of Defense has so far spent \$200 million assessing and remediating the water at many of these sites. The House report accompanying the NDAA has extensive language identifying this problem and directing the Defense Department to report to the Committee on the process and timeline for identifying and resourcing long-term remediation on military bases or in the surrounding communities.

Because of widespread PFC use at sites across the United States, contaminated drinking water now poses a nationwide public health threat. According to the American Cancer Society (ACS), PFOA is especially problematic "because it can stay in the environment and in the human body for long periods." Many peer-reviewed studies indicate health dangers of PFCs, including links to testicular, kidney, and thyroid cancer, liver damage, impaired immune system function, decreased fertility, and harm to a developing fetus or child. But the ACS says "more research is needed to clarify these findings," because a comprehensive, long-term study of the health impacts of PFOA and PFOS has not yet been conducted.

That is why I see a clear and pressing need for this study. Our service men and women, veterans, and others who have been exposed to PFCs deserve answers on both the short- and long-term health impacts of these contaminants. Such a study's findings could enable them to take proactive measures, such as more frequent cancer screenings, to protect their own and their children's health.

Knowing that groundwater contamination exists and understanding the clear danger of long-term health risks, we can begin to remedy past mistakes by supporting the launch of this much-needed study on behalf of our troops, our veterans, their families, and affected civilians. This is a debt we owe our troops and military families, defense civilian workers, and others who served on or lived near these bases.

Please support our amendment to give our military members and veterans, their families and children, in and around bases across our country, the answers they deserve.

The Acting CHAIR (Mr. TIPTON). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

An amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-30 shall be considered as adopted and the bill, as amended, shall be considered as an original bill for the purpose of further

amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 3219

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### **SECTION 1. SHORT TITLE.**

*This Act may be cited as the "Defense, Military Construction, Veterans Affairs, Legislative Branch, and Energy and Water Development National Security Appropriations Act, 2018".*

#### **SEC. 2. ADDITIONAL REFERENCE.**

*This Act may also be referred to as the "Make America Secure Appropriations Act, 2018".*

#### **DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018**

*The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2018, for military functions administered by the Department of Defense and for other purposes, namely:*

##### **TITLE I**

##### **MILITARY PERSONNEL**

##### **MILITARY PERSONNEL, ARMY**

*For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$41,427,054,000.*

##### **MILITARY PERSONNEL, NAVY**

*For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$28,707,918,000.*

##### **MILITARY PERSONNEL, MARINE CORPS**

*For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$13,165,714,000.*

##### **MILITARY PERSONNEL, AIR FORCE**

*For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as*

amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$28,738,320,000.

#### RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$4,721,128,000.

#### RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,987,662,000.

#### RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$762,793,000.

#### RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,808,434,000.

#### NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under sections 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$8,252,426,000.

#### NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for per-

sonnel of the Air National Guard on duty under sections 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$3,406,137,000.

### TITLE II

#### OPERATION AND MAINTENANCE

##### OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law, \$38,483,846,000: Provided, That not to exceed \$12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes.

##### OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law, \$45,980,133,000: Provided, That not to exceed \$15,055,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes.

##### OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, \$6,885,884,000.

##### OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law, \$38,592,745,000: Provided, That not to exceed \$7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes.

##### OPERATION AND MAINTENANCE, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, \$33,771,769,000: Provided, That not more than \$15,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: Provided further, That not to exceed \$36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: Provided further, That of the funds provided under this heading, not less than \$38,458,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than \$3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legis-

lative affairs or legislative liaison office: Provided further, That \$9,385,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: Provided further, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: Provided further, That of the funds provided under this heading, \$415,000,000, of which \$100,000,000 to remain available until September 30, 2019, shall be available to provide support and assistance to foreign security forces or other groups or individuals to conduct, support or facilitate counterterrorism, crisis response, or other Department of Defense security cooperation programs: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

##### OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$2,870,163,000.

##### OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$1,038,507,000.

##### OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$282,337,000.

##### OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,233,745,000.

##### OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by

law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), \$7,275,820,000.

**OPERATION AND MAINTENANCE, AIR NATIONAL GUARD**

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, \$6,735,930,000.

**UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES**

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, \$14,538,000, of which not to exceed \$5,000 may be used for official representation purposes.

**ENVIRONMENTAL RESTORATION, ARMY  
(INCLUDING TRANSFER OF FUNDS)**

For the Department of the Army, \$215,809,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

**ENVIRONMENTAL RESTORATION, NAVY  
(INCLUDING TRANSFER OF FUNDS)**

For the Department of the Navy, \$288,915,000, to remain available until transferred: Provided, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

**ENVIRONMENTAL RESTORATION, AIR FORCE  
(INCLUDING TRANSFER OF FUNDS)**

For the Department of the Air Force, \$308,749,000, to remain available until trans-

ferred: Provided, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

**ENVIRONMENTAL RESTORATION, DEFENSE-WIDE  
(INCLUDING TRANSFER OF FUNDS)**

For the Department of Defense, \$9,002,000, to remain available until transferred: Provided, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

**ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES  
(INCLUDING TRANSFER OF FUNDS)**

For the Department of the Army, \$233,673,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

**OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID**

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), \$107,900,000, to remain available until September 30, 2018.

**COOPERATIVE THREAT REDUCTION ACCOUNT**

For assistance, including assistance provided by contract or by grants, under programs and activities of the Department of Defense Coopera-

tive Threat Reduction Program authorized under the Department of Defense Cooperative Threat Reduction Act, \$324,600,000, to remain available until September 30, 2019.

**OPERATION AND MAINTENANCE, NATIONAL DEFENSE RESTORATION FUND  
(INCLUDING TRANSFER OF FUNDS)**

In addition to amounts provided elsewhere in this Act, there is appropriated \$5,000,000,000, for the "Operation and Maintenance, National Defense Restoration Fund": Provided, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: Provided further, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: Provided further, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: Provided further, That the Secretary of Defense may transfer these funds only to operation and maintenance accounts: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense.

**TITLE III  
PROCUREMENT**

**AIRCRAFT PROCUREMENT, ARMY**

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$4,456,533,000, to remain available for obligation until September 30, 2020.

**MISSILE PROCUREMENT, ARMY**

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$2,581,600,000, to remain available for obligation until September 30, 2020.

**PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY**

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized

equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$3,556,175,000, to remain available for obligation until September 30, 2020.

#### PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,811,808,000, to remain available for obligation until September 30, 2020.

#### OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$6,356,044,000, to remain available for obligation until September 30, 2020.

#### AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$17,908,270,000, to remain available for obligation until September 30, 2020.

#### WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$3,387,826,000, to remain available for obligation until September 30, 2020.

#### PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$735,651,000, to remain available for obligation until September 30, 2020.

#### SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Ohio Replacement Submarine (AP), \$842,853,000;  
Carrier Replacement Program, \$1,869,646,000;  
Carrier Replacement Program (AP), \$2,561,058,000;  
Virginia Class Submarine, \$3,305,315,000;  
Virginia Class Submarine (AP), \$1,920,596,000;  
CVN Refueling Overhauls, \$1,569,669,000;  
CVN Refueling Overhauls (AP), \$75,897,000;  
DDG-1000 Program, \$164,976,000;  
DDG-51 Destroyer, \$3,499,079,000;  
DDG-51 Destroyer (AP), \$90,336,000;  
Littoral Combat Ship, \$1,566,971,000;  
Expeditionary Sea Base, \$635,000,000;  
LHA Replacement, \$1,695,077,000;  
TAO Fleet Oiler, \$449,415,000;  
TAO Fleet Oiler (AP), \$75,068,000;  
Ship to Shore Connector, \$390,554,000;  
Service Craft, \$23,994,000;  
Towing, Salvage, and Rescue Ship, \$76,204,000;  
LCU 1700, \$31,850,000;

For outfitting, post delivery, conversions, and first destination transportation, \$542,626,000; and

Completion of Prior Year Shipbuilding Programs, \$117,542,000.

In all: \$21,503,726,000, to remain available for obligation until September 30, 2022: Provided, That additional obligations may be incurred after September 30, 2022, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: Provided further, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: Provided further, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards: Provided further, That funds appropriated or otherwise made available by this Act for production of the common missile compartment of nuclear-powered vessels may be available for multiyear procurement of critical components to support continuous production of such compartments only in accordance with the

provisions of subsection (i) of section 2218a of title 10, United States Code (as added by section 1023 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328)).

#### OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$7,852,952,000, to remain available for obligation until September 30, 2020.

#### PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, \$1,818,846,000, to remain available for obligation until September 30, 2020.

#### AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$16,553,196,000, to remain available for obligation until September 30, 2020.

#### MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, rockets, and related equipment, including spare parts and accessories therefor; ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$2,203,101,000, to remain available for obligation until September 30, 2020.

#### SPACE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of spacecraft, rockets, and related equipment, including spare parts and accessories therefor; ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests

therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$3,210,355,000, to remain available for obligation until September 30, 2020.

#### PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,316,977,000, to remain available for obligation until September 30, 2020.

#### OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$19,318,814,000, to remain available for obligation until September 30, 2020.

#### PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$5,239,239,000, to remain available for obligation until September 30, 2020.

#### DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533), \$67,401,000, to remain available until expended.

#### PROCUREMENT, NATIONAL DEFENSE RESTORATION FUND

##### (INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated \$12,622,931,000, for the "Procurement, National Defense Restoration Fund": Provided, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: Provided further, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congres-

sional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: Provided further, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: Provided further, That the Secretary of Defense may transfer these funds only to procurement accounts: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense.

#### TITLE IV

#### RESEARCH, DEVELOPMENT, TEST AND EVALUATION

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$9,674,222,000, to remain available for obligation until September 30, 2019.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$17,196,521,000, to remain available for obligation until September 30, 2019: Provided, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique operational requirements of the Special Operations Forces.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$33,874,980,000, to remain available for obligation until September 30, 2019.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, \$20,698,353,000, to remain available for obligation until September 30, 2019: Provided, That, of the funds made available in this paragraph, \$250,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: Provided further, That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That

the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

#### OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, \$210,900,000, to remain available for obligation until September 30, 2019.

#### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NATIONAL DEFENSE RESTORATION FUND (INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated \$1,000,000,000, for the "Research, Development, Test and Evaluation, National Defense Restoration Fund": Provided, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: Provided further, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: Provided further, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: Provided further, That the Secretary of Defense may transfer these funds only to research, development, test and evaluation accounts: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense.

#### TITLE V

#### REVOLVING AND MANAGEMENT FUNDS DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, \$1,586,596,000.

#### TITLE VI

#### OTHER DEPARTMENT OF DEFENSE PROGRAMS

##### DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, \$33,931,566,000; of which \$31,735,923,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available for obligation until September 30, 2019, and of which up to \$15,349,700,000 may be available for contracts entered into under the TRICARE program; of which \$895,328,000, to remain available for obligation until September 30, 2020, shall be for procurement; and of which \$1,300,315,000, to remain available for obligation until September 30, 2019, shall be for research, development, test and evaluation: Provided, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than \$8,000,000 shall be available for HIV prevention educational activities undertaken in



connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations: Provided further, That of the funds provided under this heading for research, development, test and evaluation, not less than \$627,100,000 shall be made available to the United States Army Medical Research and Materiel Command to carry out the congressionally directed medical research programs.

#### CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$961,732,000, of which \$104,237,000 shall be for operation and maintenance, of which no less than \$49,401,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of \$21,045,000 for activities on military installations and \$28,356,000, to remain available until September 30, 2019, to assist State and local governments; \$18,081,000 shall be for procurement, to remain available until September 30, 2020, of which \$18,081,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and \$839,414,000, to remain available until September 30, 2019, shall be for research, development, test and evaluation, of which \$750,700,000 shall only be for the Assembled Chemical Weapons Alternatives program.

#### DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE (INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, \$854,814,000, of which \$532,648,000 shall be for counter-narcotics support; \$120,813,000 shall be for the drug demand reduction program; and \$201,353,000 shall be for the National Guard counter-drug program: Provided, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

#### OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$336,887,000, of which \$334,087,000 shall be for operation and maintenance, of which not to exceed \$700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which \$2,800,000, to remain available until September 30, 2019, shall be for research, development, test and evaluation.

#### TITLE VII

##### RELATED AGENCIES

##### CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, \$514,000,000.

##### INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, \$522,100,000.

#### TITLE VIII

##### GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: Provided further, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: Provided further, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: Provided, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

##### (TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$4,500,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: Provided further, That no part of the funds in this Act shall be available to prepare or present a request to the

Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2017: Provided further, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled Explanation of Project Level Adjustments in the explanatory statement regarding this Act, the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: Provided, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2018: Provided, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement: Provided, That this subsection shall not apply to transfers from the following appropriations accounts:

- (1) "Environmental Restoration, Army";
- (2) "Environmental Restoration, Navy";
- (3) "Environmental Restoration, Air Force";
- (4) "Environmental Restoration, Defense-Wide";
- (5) "Environmental Restoration, Formerly Used Defense Sites"; and
- (6) "Drug Interdiction and Counter-drug Activities, Defense".

##### (TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: Provided, That transfers may be made between such funds: Provided further, That transfers may be made between working capital funds and the "Foreign Currency



Fluctuations, Defense" appropriation and the "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer: Provided further, That except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of \$20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: Provided, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: Provided further, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed \$500,000,000 unless specifically provided in this Act: Provided further, That no multiyear procurement contract can be terminated without 30-day prior notification to the congressional defense committees: Provided further, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: Provided further, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used, subject to section 2306b of title 10, United States Code, for multiyear procurement contracts as follows: V-22 Osprey aircraft variants; SSN Virginia Class Submarine and Government-furnished equipment; and up to 10

DDG-51 Arleigh Burke class Flight III guided missile destroyers, the MK 41 Vertical Launching Systems, and associated Government-furnished systems and subsystems.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: Provided, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99-239: Provided further, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During the current fiscal year, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2019 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2019 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2019.

(c) As required by section 1107 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 2358 note) civilian personnel at the Department of Army Science and Technology Reinvention Laboratories may not be managed on the basis of the Table of Distribution and Allowances, and the management of the workforce strength shall be done in a manner consistent with the budget available with respect to such Laboratories.

(d) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: Provided, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: Provided further, That this section applies only to active components of the Army.

#### (TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protégé Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: Provided, That for the purpose of this section, the term "manufactured" shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): Provided further, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: Provided further, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8018. No more than \$500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8019. Of the funds made available in this Act, \$20,000,000 shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): Provided, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over \$500,000 and involves the expenditure of funds appropriated by an Act making appropriations for the Department of Defense with respect to any fiscal year:

Provided further, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8020. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8021. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed \$350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: Provided, That, upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8022. (a) Of the funds made available in this Act, not less than \$43,100,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) \$30,800,000 shall be available from “Operation and Maintenance, Air Force” to support Civil Air Patrol Corporation operation and maintenance, readiness, counter-drug activities, and drug demand reduction activities involving youth programs;

(2) \$10,600,000 shall be available from “Air-craft Procurement, Air Force”; and

(3) \$1,700,000 shall be available from “Other Procurement, Air Force” for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8023. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: Provided, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during the current fiscal year may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings not located on a military installation, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department

during fiscal year 2018, not more than 6,000 staff years of technical effort (staff years) may be funded for defense FFRDCs: Provided, That, of the specific amount referred to previously in this subsection, not more than 1,180 staff years may be funded for the defense studies and analysis FFRDCs: Provided further, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2019 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by \$210,000,000.

SEC. 8024. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: Provided, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: Provided further, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8025. For the purposes of this Act, the term “congressional defense committees” means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8026. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: Provided, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: Provided further, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8027. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memo-

randum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2018. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term Buy American Act means chapter 83 of title 41, United States Code.

SEC. 8028. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8029. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term Indian tribe means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103-454; 108 Stat. 4792; 25 U.S.C. 479a-1).

SEC. 8030. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than \$250,000.

SEC. 8031. None of the funds made available by this Act may be used to—

(1) disestablish, or prepare to disestablish, a Senior Reserve Officers' Training Corps program in accordance with Department of Defense Instruction Number 1215.08, dated June 26, 2006; or

(2) close, downgrade from host to extension center, or place on probation a Senior Reserve Officers' Training Corps program in accordance with the information paper of the Department of the Army titled “Army Senior Reserve Officers' Training Corps (SROTC) Program Review and Criteria”, dated January 27, 2014.

SEC. 8032. The Secretary of Defense shall issue regulations to prohibit the sale of any tobacco or tobacco-related products in military resale outlets in the United States, its territories and possessions at a price below the most competitive

price in the local community: Provided, That such regulations shall direct that the prices of tobacco or tobacco-related products in overseas military retail outlets shall be within the range of prices established for military retail system stores located in the United States.

SEC. 8033. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2019 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2019 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2019 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8034. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2019: Provided, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: Provided further, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947 (50 U.S.C. 3093) shall remain available until September 30, 2019.

SEC. 8035. Notwithstanding any other provision of law, funds made available in this Act and hereafter for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8036. Of the funds appropriated to the Department of Defense under the heading "Operation and Maintenance, Defense-Wide", not less than \$12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8037. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term Buy American Act means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America"

inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8038. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and the Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats;

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense; or

(4) an Air Force field operating agency established to administer the Air Force Mortuary Affairs Program and Mortuary Operations for the Department of Defense and authorized Federal entities.

SEC. 8039. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) \$10,000,000; and

(3) the contractor does not receive an advance for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the

employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

#### (RESCISSIONS)

SEC. 8040. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: Provided, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended:

"Aircraft Procurement, Navy", 2016/2018, \$274,000,000;

"Aircraft Procurement, Air Force", 2016/2018, \$82,700,000;

"Missile Procurement, Army", 2017/2019, \$19,319,000;

"Procurement of Weapons and Tracked Combat Vehicles, Army", 2017/2019, \$9,764,000;

"Other Procurement, Army", 2017/2019, \$10,000,000;

"Aircraft Procurement, Navy", 2017/2019, \$105,600,000;

"Weapons Procurement, Navy", 2017/2019, \$54,122,000;

"Shipbuilding and Conversion, Navy", 2017/2021, \$45,116,000;

"Aircraft Procurement, Air Force", 2017/2019, \$63,293,000;

"Missile Procurement, Air Force", 2017/2019, \$31,639,000;

"Space Procurement, Air Force", 2017/2019, \$15,000,000;

"Other Procurement, Air Force", 2017/2019, \$105,000,000;

"Research, Development, Test and Evaluation, Navy", 2017/2018, \$34,128,000;

“Research, Development, Test and Evaluation, Air Force”, 2017/2018, \$41,700,000;

SEC. 8041. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8042. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8043. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: Provided, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8044. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8045. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: Provided, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That this restriction shall not apply to the purchase of “commercial items”, as defined by section 103 of title 41, United States Code, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8046. None of the funds made available by this Act for Evolved Expendable Launch Vehicle service competitive procurements may be used unless the competitive procurements are open for award to all certified providers of Evolved Expendable Launch Vehicle-class systems: Provided, That the award shall be made to the provider that offers the best value to the government.

SEC. 8047. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, \$44,000,000 is hereby appropriated to the Department of Defense: Provided, That upon the determination of the Secretary of Defense that it shall serve the national interest, the Secretary shall make grants in the amounts specified as follows: \$20,000,000 to the United Service Organizations and \$24,000,000 to the Red Cross.

SEC. 8048. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8049. Notwithstanding any other provision in this Act, the Small Business Innovation Research program and the Small Business Technology Transfer program set-asides shall be taken proportionally from all programs, projects, or activities to the extent they contribute to the extramural budget.

SEC. 8050. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 8051. During the current fiscal year, no more than \$30,000,000 of appropriations made in this Act under the heading “Operation and Maintenance, Defense-Wide” may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8052. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101-510, as amended (31 U.S.C. 1551 note): Provided, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: Provided further, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8053. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the Na-

tional Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8054. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of United States Navy forces assigned to the Pacific fleet: Provided, That the command and control relationships which existed on October 1, 2004, shall remain in force until a written modification has been proposed to the House and Senate Appropriations Committees: Provided further, That the proposed modification may be implemented 30 days after the notification unless an objection is received from either the House or Senate Appropriations Committees: Provided further, That any proposed modification shall not preclude the ability of the commander of United States Pacific Command to meet operational requirements.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 8055. Of the funds appropriated in this Act under the heading “Operation and Maintenance, Defense-Wide”, \$25,000,000 shall be for continued implementation and expansion of the Sexual Assault Special Victims' Counsel Program: Provided, That the funds are made available for transfer to the Department of the Army, the Department of the Navy, and the Department of the Air Force: Provided further, That funds transferred shall be merged with and available for the same purposes and for the same time period as the appropriations to which the funds are transferred: Provided further, That this transfer authority is in addition to any other transfer authority provided in this Act.

SEC. 8056. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: Provided, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: Provided further, That this restriction does not apply to programs funded within the National Intelligence Program: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8057. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels,

ball and roller bearings, food, and clothing or textile materials as defined by section XI (chapters 50–65) of the Harmonized Tariff Schedule of the United States and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8058. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8059. Notwithstanding any other provision of law, funds appropriated in this Act under the heading “Research, Development, Test and Evaluation, Defense-Wide” for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8060. The Secretary of Defense shall continue to provide a classified quarterly report to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8061. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8062. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of “armor penetrator”, “armor piercing (AP)”, “armor piercing incendiary (API)”, or “armor-piercing incendiary tracer (API-T)”, except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either:

(1) rendered incapable of reuse by the demilitarization process; or

(2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8063. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8064. Of the amounts appropriated in this Act under the heading “Operation and Maintenance, Army”, \$66,881,780 shall remain avail-

able until expended: Provided, That, notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: Provided further, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: Provided further, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: Provided further, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8065. (a) None of the funds appropriated in this or any other Act may be used to take any action to modify—

(1) the appropriations account structure for the National Intelligence Program budget, including through the creation of a new appropriation or new appropriation account;

(2) how the National Intelligence Program budget request is presented in the unclassified P-1, R-1, and O-1 documents supporting the Department of Defense budget request;

(3) the process by which the National Intelligence Program appropriations are apportioned to the executing agencies; or

(4) the process by which the National Intelligence Program appropriations are allotted, obligated and disbursed.

(b) Nothing in section (a) shall be construed to prohibit the merger of programs or changes to the National Intelligence Program budget at or below the Expenditure Center level, provided such change is otherwise in accordance with paragraphs (a)(1)–(3).

(c) The Director of National Intelligence and the Secretary of Defense may jointly, only for the purposes of achieving auditable financial statements and improving fiscal reporting, study and develop detailed proposals for alternative financial management processes. Such study shall include a comprehensive counterintelligence risk assessment to ensure that none of the alternative processes will adversely affect counterintelligence.

(d) Upon development of the detailed proposals defined under subsection (c), the Director of National Intelligence and the Secretary of Defense shall—

(1) provide the proposed alternatives to all affected agencies;

(2) receive certification from all affected agencies attesting that the proposed alternatives will help achieve auditability, improve fiscal reporting, and will not adversely affect counterintelligence; and

(3) not later than 30 days after receiving all necessary certifications under paragraph (2), present the proposed alternatives and certifications to the congressional defense and intelligence committees.

SEC. 8066. In addition to amounts provided elsewhere in this Act, \$5,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: Provided, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8067. Of the amounts appropriated in this Act under the headings “Procurement, Defense-

Wide” and “Research, Development, Test and Evaluation, Defense-Wide”, \$705,800,000 shall be for the Israeli Cooperative Programs: Provided, That of this amount, \$92,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, subject to the U.S.-Israel Iron Dome Procurement Agreement, as amended; \$221,500,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which \$120,000,000 shall be for co-production activities of SRBMD missiles in the United States and in Israel to meet Israel’s defense requirements consistent with each nation’s laws, regulations, and procedures, subject to the U.S.-Israeli co-production agreement for SRBMD, as amended; \$205,000,000 shall be for an upper-tier component to the Israeli Missile Defense Architecture, of which \$120,000,000 shall be for co-production activities of Arrow 3 Upper Tier missiles in the United States and in Israel to meet Israel’s defense requirements consistent with each nation’s laws, regulations, and procedures, subject to the U.S.-Israeli co-production agreement for Arrow 3 Upper Tier, as amended; \$105,000,000 shall be for testing of the upper-tier component to the Israeli Missile Defense Architecture in the United States; and \$82,300,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: Provided further, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8068. Of the amounts appropriated in this Act under the heading “Shipbuilding and Conversion, Navy”, \$117,542,000 shall be available until September 30, 2018, to fund prior year shipbuilding cost increases: Provided, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: Provided further, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading “Shipbuilding and Conversion, Navy”, 2012/2018: Carrier Replacement Program \$20,000,000;

(2) Under the heading “Shipbuilding and Conversion, Navy”, 2008/2018: DDG-51 Destroyer \$19,436,000;

(3) Under the heading “Shipbuilding and Conversion, Navy”, 2012/2018: Littoral Combat Ship \$6,394,000;

(4) Under the heading “Shipbuilding and Conversion, Navy”, 2012/2018: LHA Replacement \$14,200,000;

(5) Under the heading “Shipbuilding and Conversion, Navy”, 2013/2018: DDG-51 Destroyer \$31,941,000;

(6) Under the heading “Shipbuilding and Conversion, Navy”, 2014/2018: Littoral Combat Ship \$20,471,000; and

(7) Under the heading “Shipbuilding and Conversion, Navy”, 2015/2018: LCAC \$5,100,000.

SEC. 8069. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2018 until the enactment of the Intelligence Authorization Act for Fiscal Year 2018.

SEC. 8070. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior

notification to the congressional defense committees.

SEC. 8071. The budget of the President for fiscal year 2018 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, the Procurement accounts, and the Research, Development, Test and Evaluation accounts: Provided, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: Provided further, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: Provided further, That these documents shall include budget exhibits OP-5 and OP-32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8072. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8073. Notwithstanding any other provision of this Act, to reflect savings due to favorable foreign exchange rates, the total amount appropriated in this Act is hereby reduced by \$289,000,000.

SEC. 8074. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act: Provided, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8075. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: Provided, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8076. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ-1C Gray Eagle Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8077. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2019.

SEC. 8078. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading "Shipbuilding and Conversion, Navy" shall

be considered to be for the same purpose as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8079. (a) Not later than 60 days after the date of enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2018: Provided, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8080. None of the funds made available by this Act may be used to eliminate, restructure, or realign Army Contracting Command—New Jersey or make disproportionate personnel reductions at any Army Contracting Command—New Jersey sites without 30-day prior notification to the congressional defense committees.

#### (RESCISSION)

SEC. 8081. Of the unobligated balances available to the Department of Defense, the following funds are permanently rescinded from the following accounts and programs in the specified amounts to reflect excess cash balances in the Department of Defense Acquisition Workforce Development Fund:

From "Department of Defense Acquisition Workforce Development Fund, Defense", \$10,000,000.

SEC. 8082. None of the funds made available by this Act for excess defense articles, assistance under section 333 of title 10, United States Code, or peacekeeping operations for the countries designated annually to be in violation of the standards of the Child Soldiers Prevention Act of 2008 (Public Law 110-457; 22 U.S.C. 2370c-1) may be used to support any military training or operation that includes child soldiers, as defined by the Child Soldiers Prevention Act of 2008, unless such assistance is otherwise permitted under section 404 of the Child Soldiers Prevention Act of 2008.

SEC. 8083. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 3024(d)) that—

(1) creates a new start effort;

(2) terminates a program with appropriated funding of \$10,000,000 or more;

(3) transfers funding into or out of the National Intelligence Program; or

(4) transfers funding between appropriations, unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

(b) None of the funds provided for the National Intelligence Program in this or any prior

appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 3024(d)) that results in a cumulative increase or decrease of the levels specified in the classified annex accompanying the Act unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

SEC. 8084. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8085. For the purposes of this Act, the term "congressional intelligence committees" means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 8086. During the current fiscal year, not to exceed \$11,000,000 from each of the appropriations made in title II of this Act for "Operation and Maintenance, Army", "Operation and Maintenance, Navy", and "Operation and Maintenance, Air Force" may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 8087. Not to exceed \$500,000,000 appropriated by this Act for operation and maintenance may be available for the purpose of making remittances and transfer to the Defense Acquisition Workforce Development Fund in accordance with section 1705 of title 10, United States Code.

SEC. 8088. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8089. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of \$1,000,000, unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or



(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a "covered subcontractor" is an entity that has a subcontract in excess of \$1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 8090. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to \$115,519,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84: Provided, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110-417: Provided further, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8091. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Defense or a component thereof in contravention of the provisions of section 130h of title 10, United States Code.

SEC. 8092. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$450,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 8093. Upon a determination by the Director of National Intelligence that such action is necessary and in the national interest, the Director may, with the approval of the Office of Management and Budget, transfer not to exceed \$1,500,000,000 of the funds made available in this Act for the National Intelligence Program: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen intelligence requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2017.

SEC. 8094. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and  
(2) is or was held on or after June 24, 2009, at United States Naval Station, Guantánamo Bay, Cuba, by the Department of Defense.

SEC. 8095. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and  
(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 8096. None of the funds appropriated or otherwise made available in this Act may be used to transfer any individual detained at United States Naval Station Guantánamo Bay, Cuba, to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity except in accordance with section 1034 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) and section 1034 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328).

SEC. 8097. None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

SEC. 8098. (a) None of the funds appropriated or otherwise made available by this or any other Act may be used by the Secretary of Defense, or any other official or officer of the Department of Defense, to enter into a contract, memorandum of understanding, or cooperative agreement with, or make a grant to, or provide a loan or loan guarantee to Rosoboronexport or any subsidiary of Rosoboronexport.

(b) The Secretary of Defense may waive the limitation in subsection (a) if the Secretary, in consultation with the Secretary of State and the Director of National Intelligence, determines that it is in the vital national security interest of the United States to do so, and certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge:

(1) Rosoboronexport has ceased the transfer of lethal military equipment to, and the maintenance of existing lethal military equipment for, the Government of the Syrian Arab Republic;

(2) The armed forces of the Russian Federation have withdrawn from Crimea, other than armed forces present on military bases subject to agreements in force between the Government of the Russian Federation and the Government of Ukraine; and

(3) Agents of the Russian Federation have ceased taking active measures to destabilize the control of the Government of Ukraine over eastern Ukraine.

(c) The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport with respect to a waiver issued by the Secretary of Defense pursuant to subsection (b), and not later than 90 days after the date on which such a waiver is issued by the Secretary of Defense, the Inspector General shall submit to the congressional defense committees a report containing the results of the review conducted with respect to such waiver.

SEC. 8099. None of the funds made available in this Act may be used for the purchase or manufacture of a flag of the United States unless such flags are treated as covered items under section 2533a(b) of title 10, United States Code.

SEC. 8100. (a) Of the funds appropriated in this Act for the Department of Defense, amounts may be made available, under such regulations as the Secretary of Defense may prescribe, to local military commanders appointed by the Secretary, or by an officer or employee designated by the Secretary, to provide at their discretion ex gratia payments in amounts consistent with subsection (d) of this section for damage, personal injury, or death that is incident to combat operations of the Armed Forces in a foreign country.

(b) An ex gratia payment under this section may be provided only if—

(1) the prospective foreign civilian recipient is determined by the local military commander to be friendly to the United States;

(2) a claim for damages would not be compensable under chapter 163 of title 10, United States Code (commonly known as the "Foreign Claims Act"); and

(3) the property damage, personal injury, or death was not caused by action by an enemy.

(c) NATURE OF PAYMENTS.—Any payments provided under a program under subsection (a) shall not be considered an admission or acknowledgement of any legal obligation to compensate for any damage, personal injury, or death.

(d) AMOUNT OF PAYMENTS.—If the Secretary of Defense determines a program under subsection (a) to be appropriate in a particular setting, the amounts of payments, if any, to be provided to civilians determined to have suffered harm incident to combat operations of the Armed Forces under the program should be determined pursuant to regulations prescribed by the Secretary and based on an assessment, which should include such factors as cultural appropriateness and prevailing economic conditions.

(e) LEGAL ADVICE.—Local military commanders shall receive legal advice before making ex gratia payments under this subsection. The legal advisor, under regulations of the Department of Defense, shall advise on whether an ex



gratia payment is proper under this section and applicable Department of Defense regulations.

(f) WRITTEN RECORD.—A written record of any ex gratia payment offered or denied shall be kept by the local commander and on a timely basis submitted to the appropriate office in the Department of Defense as determined by the Secretary of Defense.

(g) REPORT.—The Secretary of Defense shall report to the congressional defense committees on an annual basis the efficacy of the ex gratia payment program including the number of types of cases considered, amounts offered, the response from ex gratia payment recipients, and any recommended modifications to the program.

SEC. 8101. None of the funds available in this Act to the Department of Defense, other than appropriations made for necessary or routine refurbishments, upgrades or maintenance activities, shall be used to reduce or to prepare to reduce the number of deployed and non-deployed strategic delivery vehicles and launchers below the levels set forth in the report submitted to Congress in accordance with section 1042 of the National Defense Authorization Act for Fiscal Year 2012.

SEC. 8102. The Secretary of Defense shall post grant awards on a public Website in a searchable format.

SEC. 8103. None of the funds made available by this Act may be used to fund the performance of a flight demonstration team at a location outside of the United States: Provided, That this prohibition applies only if a performance of a flight demonstration team at a location within the United States was canceled during the current fiscal year due to insufficient funding.

SEC. 8104. None of the funds made available by this Act may be used by the National Security Agency to—

(1) conduct an acquisition pursuant to section 702 of the Foreign Intelligence Surveillance Act of 1978 for the purpose of targeting a United States person; or

(2) acquire, monitor, or store the contents (as such term is defined in section 2510(8) of title 18, United States Code) of any electronic communication of a United States person from a provider of electronic communication services to the public pursuant to section 501 of the Foreign Intelligence Surveillance Act of 1978.

SEC. 8105. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

SEC. 8106. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of any agency funded by this Act who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act unless explicitly provided for in a Defense Appropriations Act: Provided, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8107. None of the funds made available in this Act may be obligated for activities authorized under section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 112–81; 125 Stat. 1621) to initiate support for, or expand support to, foreign forces, irregular forces, groups, or individuals unless the congressional defense committees are notified in accordance with the direction contained in the classified annex accompanying this Act, not less than 15 days before initiating such support: Provided, That none of the funds made available in this Act may be

used under section 1208 for any activity that is not in support of an ongoing military operation being conducted by United States Special Operations Forces to combat terrorism: Provided further, That the Secretary of Defense may waive the prohibitions in this section if the Secretary determines that such waiver is required by extraordinary circumstances and, by not later than 72 hours after making such waiver, notifies the congressional defense committees of such waiver.

SEC. 8108. None of the funds made available by this Act may be used with respect to Iraq in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed forces into hostilities in Iraq, into situations in Iraq where imminent involvement in hostilities is clearly indicated by the circumstances, or into Iraqi territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of such Resolution (50 U.S.C. 1542 and 1543).

SEC. 8109. None of the funds provided in this Act for the T-AO Fleet Oiler or the Towing, Salvage, and Rescue Ship programs shall be used to award a new contract that provides for the acquisition of the following components unless those components are manufactured in the United States: Auxiliary equipment (including pumps) for shipboard services; propulsion equipment (including engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes.

SEC. 8110. The amount appropriated in title II of this Act for “Operation and Maintenance, Army” is hereby reduced by \$75,000,000 to reflect excess cash balances in Department of Defense Working Capital Funds.

SEC. 8111. Notwithstanding any other provision of this Act, to reflect savings due to lower than anticipated fuel costs, the total amount appropriated in title II of this Act is hereby reduced by \$1,007,267,000.

SEC. 8112. None of the funds made available by this Act may be used for Government Travel Charge Card expenses by military or civilian personnel of the Department of Defense for gaming, or for entertainment that includes topless or nude entertainers or participants, as prohibited by Department of Defense FMR, Volume 9, Chapter 3 and Department of Defense Instruction 1015.10 (enclosure 3, 14a and 14b).

SEC. 8113. None of the funds made available by this Act may be used to propose, plan for, or execute a new or additional Base Realignment and Closure (BRAC) round.

SEC. 8114. Of the amounts appropriated in this Act for “Operation and Maintenance, Navy”, \$289,255,000, to remain available until expended, may be used for any purposes related to the National Defense Reserve Fleet established under section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. 4405): Provided, That such amounts are available for reimbursements to the Ready Reserve Force, Maritime Administration account of the United States Department of Transportation for programs, projects, activities, and expenses related to the National Defense Reserve Fleet.

SEC. 8115. None of the funds made available by this Act for the Joint Surveillance Target Attack Radar System recapitalization program may be obligated or expended for pre-milestone B activities after March 31, 2018, except for source selection and other activities necessary to enter the engineering and manufacturing development phase.

SEC. 8116. None of the funds made available by this Act may be used to carry out the closure or realignment of the United States Naval Station, Guantánamo Bay, Cuba.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 8117. Additional readiness funds made available in title II of this Act for “Operation and Maintenance, Army”, “Operation and Maintenance, Navy”, “Operation and Maintenance, Marine Corps”, and “Operation and Maintenance, Air Force” may be transferred to and merged with any appropriation of the Department of Defense for activities related to the Zika virus in order to provide health support for the full range of military operations and sustain the health of the members of the Armed Forces, civilian employees of the Department of Defense, and their families, to include: research and development, disease surveillance, vaccine development, rapid detection, vector controls and surveillance, training, and outbreak response: Provided, That the authority provided in this section is subject to the same terms and conditions as the authority provided in section 8005 of this Act.

SEC. 8118. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is designed to block access to pornography websites.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities, or for any activity necessary for the national defense, including intelligence activities.

SEC. 8119. Notwithstanding any other provision of law, any transfer of funds appropriated or otherwise made available by this Act to the Global Engagement Center pursuant to section 1287 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) shall be made in accordance with section 8005 or 9002 of this Act, as applicable.

SEC. 8120. No amounts credited or otherwise made available in this or any other Act to the Department of Defense Acquisition Workforce Development Fund may be transferred to:

(1) the Rapid Prototyping Fund established under section 804(d) of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 2302 note); or

(2) credited to a military-department specific fund established under section 804(d)(2) of the National Defense Authorization Act for Fiscal Year 2016 (as amended by section 897 of the National Defense Authorization Act for Fiscal Year 2017).

#### (INCLUDING TRANSFER FUND)

SEC. 8121. In addition to amounts provided elsewhere in this Act for military personnel pay, including active duty, reserve and National Guard personnel, \$206,400,000 is hereby appropriated to the Department of Defense and made available for transfer only to military personnel accounts: Provided, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

SEC. 8122. In addition to amounts provided elsewhere in this Act, there is appropriated \$235,000,000, for an additional amount for “Operation and Maintenance, Defense-Wide”, to remain available until expended: Provided, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: Provided further, That in making such funds available, the Office of Economic Adjustment or

the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: Provided further, That as a condition of receiving funds under this section a local educational agency or State shall provide a matching share as described in the notice titled "Department of Defense Program for Construction, Renovation, Repair or Expansion of Public Schools Located on Military Installations" published by the Department of Defense in the Federal Register on September 9, 2011 (76 Fed. Reg. 55883 et seq.): Provided further, That these provisions apply to funds provided under this section, and to funds previously provided by Congress to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools to the extent such funds remain unobligated on the date of enactment of this section.

SEC. 8123. None of the funds made available by this Act may be used to carry out the changes to the Joint Travel Regulations of the Department of Defense described in the memorandum of the Per Diem Travel and Transportation Allowance Committee titled "UTD/CTD for MAP 118-13/CAP 118-13—Flat Rate Per Diem for Long Term TDY" and dated October 1, 2014.

SEC. 8124. In carrying out the program described in the memorandum on the subject of "Policy for Assisted Reproductive Services for the Benefit of Seriously or Severely Ill/Injured (Category II or III) Active Duty Service Members" issued by the Assistant Secretary of Defense for Health Affairs on April 3, 2012, and the guidance issued to implement such memorandum, the Secretary of Defense shall apply such policy and guidance, except that—

(1) the limitation on periods regarding embryo cryopreservation and storage set forth in part III(G) and in part IV(H) of such memorandum shall not apply; and

(2) the term "assisted reproductive technology" shall include embryo cryopreservation and storage without limitation on the duration of such cryopreservation and storage.

#### TITLE IX

#### OVERSEAS CONTINGENCY OPERATIONS/ GLOBAL WAR ON TERRORISM MILITARY PERSONNEL

##### MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", \$2,635,317,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", \$377,857,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", \$103,800,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", \$912,779,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War

on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army", \$24,942,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", \$9,091,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps", \$2,328,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force", \$20,569,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", \$184,589,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force", \$5,004,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### MILITARY PERSONNEL, NATIONAL DEFENSE RESTORATION FUND

##### (INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated \$1,000,000,000, for the "Military Personnel, National Defense Restoration Fund": Provided, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: Provided further, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: Provided further, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: Provided further, That the Secretary of Defense may transfer these funds only to military personnel accounts: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act: Pro-

vided further, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE

##### OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", \$16,126,403,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", \$5,875,015,000, of which up to \$161,885,000 may be transferred to the Coast Guard "Operating Expenses" account: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", \$1,116,640,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", \$10,266,295,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", \$6,944,201,000: Provided, That of the funds provided under this heading, not to exceed \$900,000,000, to remain available until September 30, 2019, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military and stability operations in Afghanistan and to counter the Islamic State of Iraq and the Levant: Provided further, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: Provided further, That funds provided under this heading may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military and stability operations in Afghanistan and to counter the Islamic State of Iraq and the Levant, and 15 days following notification to the appropriate congressional committees: Provided further, That funds provided under this heading may be used to support the Government of Jordan, in such amounts as the Secretary of Defense may determine, to enhance the ability of

the armed forces of Jordan to increase or sustain security along its borders, upon 15 days prior written notification to the congressional defense committees outlining the amounts intended to be provided and the nature of the expenses incurred: Provided further, That of the funds provided under this heading, not to exceed \$750,000,000, to remain available until September 30, 2019, shall be available to provide support and assistance to foreign security forces or other groups or individuals to conduct, support, or facilitate counterterrorism, crisis response, or other Department of Defense security cooperation programs: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", \$24,699,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", \$23,980,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", \$3,367,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", \$58,523,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", \$108,111,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", \$15,400,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OPERATION AND MAINTENANCE, NATIONAL DEFENSE RESTORATION FUND

##### (INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated \$2,000,000,000, for the "Operation and Maintenance, National Defense Restoration Fund": Provided, That such funds provided under this heading shall only be

available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: Provided further, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: Provided further, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: Provided further, That the Secretary of Defense may transfer these funds only to operation and maintenance accounts: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### AFGHANISTAN SECURITY FORCES FUND

For the "Afghanistan Security Forces Fund", \$4,937,515,000, to remain available until September 30, 2019: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, construction, and funding: Provided further, That the Secretary of Defense may obligate and expend funds made available to the Department of Defense in this title for additional costs associated with existing projects previously funded with amounts provided under the heading "Afghanistan Infrastructure Fund" in prior Acts: Provided further, That such costs shall be limited to contract changes resulting from inflation, market fluctuation, rate adjustments, and other necessary contract actions to complete existing projects, and associated supervision and administration costs and costs for design during construction: Provided further, That the Secretary may not use more than \$50,000,000 under the authority provided in this section: Provided further, That the Secretary shall notify in advance such contract changes and adjustments in annual reports to the congressional defense committees: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: Provided further, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: Provided further, That the Secretary of Defense

shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of \$20,000,000: Provided further, That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Afghanistan and returned by such forces to the United States: Provided further, That equipment procured using funds provided under this heading in this or prior Acts, and not yet transferred to the security forces of Afghanistan or transferred to the security forces of Afghanistan and returned by such forces to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: Provided further, That of the funds provided under this heading, not less than \$10,000,000 shall be for recruitment and retention of women in the Afghanistan National Security Forces, and the recruitment and training of female security personnel: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### COUNTER-ISIL TRAIN AND EQUIP FUND

For the "Counter-Islamic State of Iraq and the Levant Train and Equip Fund", \$1,769,000,000, to remain available until September 30, 2019: Provided, That such funds shall be available to the Secretary of Defense in coordination with the Secretary of State, to provide assistance, including training; equipment; logistics support, supplies, and services; stipends; infrastructure repair and renovation; and sustainment, to foreign security forces, irregular forces, groups, or individuals participating, or preparing to participate in activities to counter the Islamic State of Iraq and the Levant, and their affiliated or associated groups: Provided further, That these funds may be used in such amounts as the Secretary of Defense may determine to enhance the border security of nations adjacent to conflict areas including Jordan, Lebanon, Egypt, and Tunisia resulting from actions of the Islamic State of Iraq and the Levant: Provided further, That amounts made available under this heading shall be available to provide assistance only for activities in a country designated by the Secretary of Defense, in coordination with the Secretary of State, as having a security mission to counter the Islamic State of Iraq and the Levant, and following written notification to the congressional defense committees of such designation: Provided further, That the Secretary of Defense shall ensure that prior to providing assistance to elements of any forces or individuals, such elements or individuals are appropriately vetted, including at a minimum, assessing such elements for associations with terrorist groups or groups associated with the Government of Iran; and receiving commitments from such elements to promote respect for human rights and the rule of law: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: Provided further, That the Secretary of Defense may accept and retain contributions, including assistance in-kind, from foreign governments, including the Government of Iraq and other entities, to carry out assistance authorized under this heading: Provided further, That contributions of funds for the purposes provided herein from any foreign government or other entity may be credited to this Fund, to remain available until expended, and used for such purposes: Provided further, That the Secretary of Defense may

waive a provision of law relating to the acquisition of items and support services or sections 40 and 40A of the Arms Export Control Act (22 U.S.C. 2780 and 2785) if the Secretary determines that such provision of law would prohibit, restrict, delay or otherwise limit the provision of such assistance and a notice of and justification for such waiver is submitted to the congressional defense committees, the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives: Provided further, That the United States may accept equipment procured using funds provided under this heading, or under the heading, "Iraq Train and Equip Fund" in prior Acts, that was transferred to security forces, irregular forces, or groups participating, or preparing to participate in activities to counter the Islamic State of Iraq and the Levant and returned by such forces or groups to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: Provided further, That equipment procured using funds provided under this heading, or under the heading, "Iraq Train and Equip Fund" in prior Acts, and not yet transferred to security forces, irregular forces, or groups participating, or preparing to participate in activities to counter the Islamic State of Iraq and the Levant may be treated as stocks of the Department of Defense when determined by the Secretary to no longer be required for transfer to such forces or groups and upon written notification to the congressional defense committees: Provided further, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided under this heading, including, but not limited to, the number of individuals trained, the nature and scope of support and sustainment provided to each group or individual, the area of operations for each group, and the contributions of other countries, groups, or individuals: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### PROCUREMENT

##### AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", \$424,686,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", \$557,583,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", \$1,191,139,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", \$193,436,000, to remain

available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", \$405,575,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", \$157,300,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### WEAPONS PROCUREMENT, NAVY

For an additional amount for "Weapons Procurement, Navy", \$130,994,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for "Procurement of Ammunition, Navy and Marine Corps", \$223,843,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OTHER PROCUREMENT, NAVY

For an additional amount for "Other Procurement, Navy", \$207,984,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", \$64,071,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", \$510,836,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### MISSILE PROCUREMENT, AIR FORCE

For an additional amount for "Missile Procurement, Air Force", \$381,700,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### SPACE PROCUREMENT, AIR FORCE

For an additional amount for "Space Procurement, Air Force", \$2,256,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for "Procurement of Ammunition, Air Force", \$501,509,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", \$3,998,887,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", \$510,741,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

For procurement of rotary-wing aircraft; combat, tactical and support vehicles; other weapons; and other procurement items for the reserve components of the Armed Forces, \$1,000,000,000, to remain available for obligation until September 30, 2020: Provided, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: Provided further, That none of the funds made available by this paragraph may be used to procure manned fixed wing aircraft, or procure or modify missiles, munitions, or ammunition: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### PROCUREMENT, NATIONAL DEFENSE RESTORATION FUND

###### (INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated \$6,000,000,000, for the "Procurement, National Defense Restoration Fund": Provided, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: Provided further, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: Provided further, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: Provided further, That the Secretary of Defense may transfer these funds only to procurement accounts: Provided further, That the funds transferred shall

be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### RESEARCH, DEVELOPMENT, TEST AND EVALUATION

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for “Research, Development, Test and Evaluation, Army”, \$119,368,000, to remain available until September 30, 2019: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for “Research, Development, Test and Evaluation, Navy”, \$124,865,000, to remain available until September 30, 2019: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for “Research, Development, Test and Evaluation, Air Force”, \$144,508,000, to remain available until September 30, 2019: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for “Research, Development, Test and Evaluation, Defense-Wide”, \$226,096,000, to remain available until September 30, 2019: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NATIONAL DEFENSE RESTORATION FUND (INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated \$1,000,000,000, for the “Research, Development, Test and Evaluation, National Defense Restoration Fund”: Provided, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: Provided further, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: Provided further, That such allocation plan shall include a detailed justification for the use of such funds and a description of

how such investments are necessary to implement the strategy: Provided further, That the Secretary of Defense may transfer these funds only to research, development, test and evaluation accounts: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That none of the funds made available under this heading may be transferred to any program, project, or activity specifically limited or denied by this Act: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### REVOLVING AND MANAGEMENT FUNDS DEFENSE WORKING CAPITAL FUNDS

For an additional amount for “Defense Working Capital Funds”, \$148,956,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OTHER DEPARTMENT OF DEFENSE PROGRAMS

##### DEFENSE HEALTH PROGRAM

For an additional amount for “Defense Health Program”, \$395,805,000, which shall be for operation and maintenance: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for “Drug Interdiction and Counter-Drug Activities, Defense”, \$196,300,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### JOINT IMPROVISED-THREAT DEFEAT FUND (INCLUDING TRANSFER OF FUNDS)

For the “Joint Improvised-Threat Defeat Fund”, \$483,058,000, to remain available until September 30, 2020: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised-Threat Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: Provided further, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 5 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the “Office of the Inspector General”, \$24,692,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2018.

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to \$2,500,000 between the appropriations or funds made available to the Department of Defense in this title: Provided, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: Provided further, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in section 8005 of this Act.

SEC. 9003. Supervision and administration costs and costs for design during construction associated with a construction project funded with appropriations available for operation and maintenance or the “Afghanistan Security Forces Fund” provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: Provided, That, for the purpose of this section, supervision and administration costs and costs for design during construction include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the United States Central Command area of responsibility:

(1) passenger motor vehicles up to a limit of \$75,000 per vehicle; and

(2) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$450,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed \$5,000,000 of the amounts appropriated by this title under the heading “Operation and Maintenance, Army” may be used, notwithstanding any other provision of law, to fund the Commanders’ Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: Provided, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed \$2,000,000: Provided further, That not later than 45 days after the end of each 6 months of the fiscal year, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that 6-month period that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: Provided further, That, not later than 30 days after the end of each fiscal year quarter, the Army shall submit to the congressional defense committees quarterly commitment, obligation, and expenditure

data for the CERP in Afghanistan: Provided further, That, not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of \$500,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to allied forces participating in a combined operation with the armed forces of the United States and coalition forces supporting military and stability operations in Afghanistan and to counter the Islamic State of Iraq and the Levant: Provided, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148).

SEC. 9009. None of the funds provided for the "Afghanistan Security Forces Fund" (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: Provided, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of

\$50,000,000 annually and any non-standard equipment requirements in excess of \$100,000,000 using ASFF: Provided further, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding proviso and accompanying report language for the ASFF.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than \$250,000: Provided, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment unit cost of not more than \$500,000.

SEC. 9011. Up to \$500,000,000 of funds appropriated by this Act for the Defense Security Cooperation Agency in "Operation and Maintenance, Defense-Wide" may be used to provide assistance to the Government of Jordan to support the armed forces of Jordan and to enhance security along its borders.

SEC. 9012. None of the funds made available by this Act under the heading "Counter-ISIL Train and Equip Fund" may be used to procure or transfer man-portable air defense systems.

SEC. 9013. For the "Ukraine Security Assistance Initiative", \$150,000,000 is hereby appropriated, to remain available until September 30, 2018: Provided, That such funds shall be available to the Secretary of Defense, in coordination with the Secretary of State, to provide assistance, including training; equipment; lethal weapons of a defensive nature; logistics support, supplies and services; sustainment; and intelligence support to the military and national security forces of Ukraine, and for replacement of any weapons or defensive articles provided to the Government of Ukraine from the inventory of the United States: Provided further, That the Secretary of Defense shall, not less than 15 days prior to obligating funds provided under this heading, notify the congressional defense committees in writing of the details of any such obligation: Provided further, That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Ukraine and returned by such forces to the United States: Provided further, That equipment procured using funds provided under this heading in this or prior Acts, and not yet transferred to the military or National Security Forces of Ukraine or returned by such forces to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: Provided further, That amounts made available by this section are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 9014. Funds appropriated in this title shall be available for replacement of funds for items provided to the Government of Ukraine from the inventory of the United States to the extent specifically provided for in section 9013 of this Act.

SEC. 9015. None of the funds made available by this Act under section 9013 for "Assistance and Sustainment to the Military and National Security Forces of Ukraine" may be used to procure or transfer man-portable air defense systems.

SEC. 9016. (a) None of the funds appropriated or otherwise made available by this Act under the heading "Operation and Maintenance, Defense-Wide" for payments under section 1233 of

Public Law 110-181 for reimbursement to the Government of Pakistan may be made available unless the Secretary of Defense, in coordination with the Secretary of State, certifies to the congressional defense committees that the Government of Pakistan is—

(1) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al Qaeda, and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(2) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan's military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(3) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(4) preventing the proliferation of nuclear-related material and expertise;

(5) implementing policies to protect judicial independence and due process of law;

(6) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(7) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(b) The Secretary of Defense, in coordination with the Secretary of State, may waive the restriction in subsection (a) on a case-by-case basis by certifying in writing to the congressional defense committees that it is in the national security interest to do so: Provided, That if the Secretary of Defense, in coordination with the Secretary of State, exercises such waiver authority, the Secretaries shall report to the congressional defense committees on both the justification for the waiver and on the requirements of this section that the Government of Pakistan was not able to meet: Provided further, That such report may be submitted in classified form if necessary.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 9017. In addition to amounts otherwise made available in this Act, \$500,000,000 is hereby appropriated to the Department of Defense and made available for transfer only to the operation and maintenance, military personnel, and procurement accounts, to improve the intelligence, surveillance, and reconnaissance capabilities of the Department of Defense: Provided, That the transfer authority provided in this section is in addition to any other transfer authority provided elsewhere in this Act: Provided further, That not later than 30 days prior to exercising the transfer authority provided in this section, the Secretary of Defense shall submit a report to the congressional defense committees on the proposed uses of these funds: Provided further, That the funds provided in this section may not be transferred to any program, project, or activity specifically limited or denied by this Act: Provided further, That amounts made available by this section are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the authority to provide funding under this section shall terminate on September 30, 2018.

SEC. 9018. None of the funds made available by this Act may be used with respect to Syria in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed or military forces into hostilities in Syria, into situations in Syria



where imminent involvement in hostilities is clearly indicated by the circumstances, or into Syrian territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of that law (50 U.S.C. 1542 and 1543).

(RESCISSIONS)

SEC. 9019. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: Provided, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

“Other Procurement, Air Force”, 2017/2019, \$25,100,000;

“Afghanistan Security Forces Fund”, 2017/2018, \$100,000,000; and

“Counter-ISIL Train and Equip Fund”, 2017/2018, \$112,513,000.

“Operation and Maintenance, Defense-Wide, DSCA Coalition Support Fund”, 2017/2018, \$350,000,000.

SEC. 9020. Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 9021. (a) Not later than 30 days after the date of the enactment of this Act, the President shall submit to Congress a report on the United States strategy to defeat Al-Qaeda, the Taliban, the Islamic State of Iraq and Syria (ISIS), and their associated forces and co-belligerents.

(b) The report required under subsection (a) shall include the following:

(1) An analysis of the adequacy of the existing legal framework to accomplish the strategy described in subsection (a), particularly with respect to the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note) and the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243; 50 U.S.C. 1541 note).

(2) An analysis of the budgetary resources necessary to accomplish the strategy described in subsection (a).

(c) Not later than 30 days after the date on which the President submits to the appropriate congressional committees the report required by subsection (a), the Secretary of State and the Secretary of Defense shall testify at any hearing held by any of the appropriate congressional committees on the report and to which the Secretary is invited.

(d) In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

REFERENCES TO ACT

SEC. 10001. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

REFERENCES TO REPORT

SEC. 10002. Any reference to a “report accompanying this Act” contained in this division shall be treated as a reference to House Report 115–219. The effect of such Report shall be limited to this division and shall apply for purposes

of determining the allocation of funds provided by, and the implementation of, this division.

SPENDING REDUCTION ACCOUNT

SEC. 10003. \$0.

This division may be cited as the “Department of Defense Appropriations Act, 2018”.

**DIVISION B—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2018**

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 2018, and for other purposes, namely:

TITLE I

LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, \$1,194,050,766, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, \$22,278,891, including: Office of the Speaker, \$6,645,417, including \$25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, \$2,180,048, including \$10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, \$7,114,471, including \$10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, \$1,886,632, including \$5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, \$1,459,639, including \$5,000 for official expenses of the Minority Whip; Republican Conference, \$1,505,426; Democratic Caucus, \$1,487,258: Provided, That such amount for salaries and expenses shall remain available from January 3, 2018 until January 2, 2019.

MEMBERS’ REPRESENTATIONAL ALLOWANCES

INCLUDING MEMBERS’ CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members’ representational allowances, including Members’ clerk hire, official expenses, and official mail, \$562,632,498.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, \$127,053,373: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2018, except that \$3,150,200 of such amount shall remain available until expended for committee room upgrading.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, \$23,226,000, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2018.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, \$198,156,000, including: for salaries and expenses of the Office of the Clerk, including the positions of the Chaplain and the Historian, and including not more than \$25,000 for official representation and reception expenses, of which not more than \$20,000 is for the Family Room and not more than \$2,000 is for the Office of the Chaplain, \$27,945,000; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages and the Of-

fice of Emergency Management, and including not more than \$3,000 for official representation and reception expenses, \$20,505,000 of which \$6,696,000 shall remain available until expended; for salaries and expenses of the Office of the Chief Administrative Officer including not more than \$3,000 for official representation and reception expenses, \$127,165,000, of which \$2,108,000 shall remain available until expended; for salaries and expenses of the Office of the Inspector General, \$4,968,000; for salaries and expenses of the Office of General Counsel, \$1,492,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian, \$2,000 for preparing the Digest of Rules, and not more than \$1,000 for official representation and reception expenses, \$2,037,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, \$3,209,000; for salaries and expenses of the Office of the Legislative Counsel of the House, \$9,437,000; for salaries and expenses of the Office of Interparliamentary Affairs, \$814,000; for other authorized employees, \$584,000.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, \$260,704,004, including: supplies, materials, administrative costs and Federal tort claims, \$3,625,000; official mail for committees, leadership offices, and administrative offices of the House, \$190,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, \$233,540,004, to remain available until March 31, 2019; Business Continuity and Disaster Recovery, \$16,186,000 of which \$5,000,000 shall remain available until expended; transition activities for new members and staff, \$2,273,000, to remain available until expended; Wounded Warrior Program \$2,500,000, to remain available until expended; Office of Congressional Ethics, \$1,670,000; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, inter-parliamentary receptions, and gratuities to heirs of deceased employees of the House, \$720,000.

ADMINISTRATIVE PROVISIONS

REQUIRING AMOUNTS REMAINING IN MEMBERS’ REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT

SEC. 101. (a) Notwithstanding any other provision of law, any amounts appropriated under this Act for “HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS’ REPRESENTATIONAL ALLOWANCES” shall be available only for fiscal year 2018. Any amount remaining after all payments are made under such allowances for fiscal year 2018 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) REGULATIONS.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) DEFINITION.—As used in this section, the term “Member of the House of Representatives” means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

DELIVERY OF BILLS AND RESOLUTIONS

SEC. 102. None of the funds made available in this Act may be used to deliver a printed copy of a bill, joint resolution, or resolution to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) unless the Member requests a copy.



## DELIVERY OF CONGRESSIONAL RECORD

SEC. 103. None of the funds made available by this Act may be used to deliver a printed copy of any version of the Congressional Record to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

## LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES

SEC. 104. None of the funds made available in this Act may be used by the Chief Administrative Officer of the House of Representatives to make any payments from any Members' Representational Allowance for the leasing of a vehicle, excluding mobile district offices, in an aggregate amount that exceeds \$1,000 for the vehicle in any month.

## LIMITATION ON PRINTED COPIES OF U.S. CODE TO HOUSE

SEC. 105. None of the funds made available by this Act may be used to provide an aggregate number of more than 50 printed copies of any edition of the United States Code to all offices of the House of Representatives.

## DELIVERY OF REPORTS OF DISBURSEMENTS

SEC. 106. None of the funds made available by this Act may be used to deliver a printed copy of the report of disbursements for the operations of the House of Representatives under section 106 of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 5535) to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

## DELIVERY OF DAILY CALENDAR

SEC. 107. None of the funds made available by this Act may be used to deliver to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) a printed copy of the Daily Calendar of the House of Representatives which is prepared by the Clerk of the House of Representatives.

## DELIVERY OF CONGRESSIONAL PICTORIAL DIRECTORY

SEC. 108. None of the funds made available by this Act may be used to deliver a printed copy of the Congressional Pictorial Directory to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

## AMENDING THE HOUSE SERVICES REVOLVING FUND

SEC. 109. (a) COLLECTION OF CERTAIN SERVICE FEES.—Section 105(a) of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 5545(a)) is amended by adding at the end the following new paragraph:

“(7) The collection of a service fee from vendors of the Master Web Services Agreement or the Technology Services Contract for failure to abide by and maintain House of Representatives security policies.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

## ADJUSTMENTS TO COMPENSATION

SEC. 110. Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4501) (relating to cost of living adjustments for Members of Congress) during fiscal year 2018.

## JOINT ITEMS

For Joint Committees, as follows:

## JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, \$4,203,000, to be disbursed by the Secretary of the Senate.

## JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, \$10,455,000, to be disbursed

by the Chief Administrative Officer of the House of Representatives.

For other joint items, as follows:

## OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including:

(1) an allowance of \$2,175 per month to the Attending Physician;

(2) an allowance of \$1,300 per month to the Senior Medical Officer;

(3) an allowance of \$725 per month each to three medical officers while on duty in the Office of the Attending Physician;

(4) an allowance of \$725 per month to 2 assistants and \$580 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and

(5) \$2,780,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, \$3,838,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

## OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

## SALARIES AND EXPENSES

For salaries and expenses of the Office of Congressional Accessibility Services, \$1,444,000, to be disbursed by the Secretary of the Senate.

## ADMINISTRATIVE PROVISION

SEC. 1001. (a) ESTABLISHMENT OF SENIOR LEVEL POSITIONS.—Notwithstanding any order issued by the Speaker of the House of Representatives pursuant to paragraph (1) of section 31(d) of the Legislative Branch Appropriations Act, 1988 (2 U.S.C. 4532(1)), the chair of the Joint Committee on Taxation may establish and fix the compensation of senior level positions in the staff of the Joint Committee to meet critical scientific, technical, professional, or executive needs of the Joint Committee.

(b) LIMITATION ON COMPENSATION.—The annual rate of pay for any position established under this section may not exceed the annual rate of pay for level II of the Executive Schedule.

(c) CONFORMING AMENDMENT.—Subsection (e) of section 214 of the Postal Revenue and Federal Salary Act of 1967 (2 U.S.C. 4302) is repealed.

(d) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2018 and each succeeding fiscal year.

## CAPITOL POLICE

## SALARIES

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay, and Government contributions for health, retirement, social security, professional liability insurance, and other applicable employee benefits, \$347,700,000 of which overtime shall not exceed \$45,000,000 unless the Committee on Appropriations of the House and Senate are notified, to be disbursed by the Chief of the Capitol Police or his designee.

## GENERAL EXPENSES

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law En-

forcement Training Center, and not more than \$5,000 to be expended on the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, \$74,800,000, to be disbursed by the Chief of the Capitol Police or his designee: Provided, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2018 shall be paid by the Secretary of Homeland Security from funds available to the Department of Homeland Security.

## OFFICE OF COMPLIANCE

## SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), \$3,959,000, of which \$450,000 shall remain available until September 30, 2019: Provided, That not more than \$500 may be expended on the certification of the Executive Director of the Office of Compliance in connection with official representation and reception expenses.

## CONGRESSIONAL BUDGET OFFICE

## SALARIES AND EXPENSES

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than \$6,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, \$48,500,000.

## ARCHITECT OF THE CAPITOL

## CAPITAL CONSTRUCTION AND OPERATIONS

For salaries for the Architect of the Capitol, and other personal services, at rates of pay provided by law; for all necessary expenses for surveys and studies, construction, operation, and general and administrative support in connection with facilities and activities under the care of the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than \$5,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle, \$93,000,000.

## CAPITOL BUILDING

For all necessary expenses for the maintenance, care and operation of the Capitol, \$45,300,000, of which \$19,458,000 shall remain available until September 30, 2022.

## CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, \$13,333,000, of which \$3,195,000 shall remain available until September 30, 2022.

## HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, \$169,294,000, of which \$45,130,000 shall remain available until September 30, 2022, and of which \$62,000,000 shall remain available until expended for the restoration and renovation of the Cannon House Office Building.

In addition, for a payment to the House Historic Buildings Revitalization Trust Fund, \$10,000,000, to remain available until expended.

## CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and

sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Publishing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, \$106,694,000, of which \$28,057,000 shall remain available until September 30, 2022: Provided, That not more than \$9,000,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2018.

#### LIBRARY BUILDINGS AND GROUNDS

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, \$76,097,000, of which \$48,724,000 shall remain available until September 30, 2022.

#### CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY

For all necessary expenses for the maintenance, care and operation of buildings, grounds and security enhancements of the United States Capitol Police, wherever located, the Alternate Computer Facility, and Architect of the Capitol security operations, \$33,249,000, of which \$12,300,000 shall remain available until September 30, 2022.

#### BOTANIC GARDEN

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, \$13,400,000, of which \$2,600,000 shall remain available until September 30, 2022: Provided, That, of the amount made available under this heading, the Architect of the Capitol may obligate and expend such sums as may be necessary for the maintenance, care and operation of the National Garden established under section 307E of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146), upon vouchers approved by the Architect of the Capitol or a duly authorized designee.

#### CAPITOL VISITOR CENTER

For all necessary expenses for the operation of the Capitol Visitor Center, \$21,470,000.

#### ADMINISTRATIVE PROVISIONS

##### NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR OVER BUDGET

SEC. 1101. None of the funds made available in this Act for the Architect of the Capitol may be used to make incentive or award payments to contractors for work on contracts or programs for which the contractor is behind schedule or over budget, unless the Architect of the Capitol, or agency-employed designee, determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program.

#### SCRIMS

SEC. 1102. None of the funds made available by this Act may be used for scrims containing photographs of building facades during restoration or construction projects performed by the Architect of the Capitol.

#### LIBRARY OF CONGRESS

##### SALARIES AND EXPENSES

For all necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Library's catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, \$464,209,234, of which not more than \$6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2018, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than \$350,000 shall be derived from collections during fiscal year 2018 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: Provided, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than \$6,350,000: Provided further, That, of the total amount appropriated, not more than \$12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices: Provided further, That, of the total amount appropriated, \$8,653,000 shall remain available until expended for the digital collections and educational curricula program: Provided further, That, of the total amount appropriated, \$1,300,000 shall remain available until expended for upgrade of the Legislative Branch Financial Management System.

#### COPYRIGHT OFFICE

##### SALARIES AND EXPENSES

For all necessary expenses of the Copyright Office, \$72,011,000, of which not more than \$35,218,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2018 under section 708(d) of title 17, United States Code: Provided, That the Copyright Office may not obligate or expend any funds derived from collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That not more than \$6,087,000 shall be derived from collections during fiscal year 2018 under sections 111(d)(2), 119(b)(3), 803(e), 1005, and 1316 of such title: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than \$41,305,000: Provided further, That not more than \$100,000 of the amount appropriated is available for the maintenance of an "International Copyright Institute" in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: Provided further, That \$2,260,000 shall be derived from prior year unobligated balances: Provided further, That not more than \$6,500 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars: Provided further, That, notwithstanding any provi-

sion of chapter 8 of title 17, United States Code, any amounts made available under this heading which are attributable to royalty fees and payments received by the Copyright Office pursuant to sections 111, 119, and chapter 10 of such title may be used for the costs incurred in the administration of the Copyright Royalty Judges program, with the exception of the costs of salaries and benefits for the Copyright Royalty Judges and staff under section 802(e).

#### CONGRESSIONAL RESEARCH SERVICE

##### SALARIES AND EXPENSES

For all necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, \$111,474,000: Provided, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

#### BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

##### SALARIES AND EXPENSES

For all necessary expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), \$50,248,000: Provided, That, of the total amount appropriated, \$650,000 shall be available to contract to provide newspapers to blind and physically handicapped residents at no cost to the individual.

#### ADMINISTRATIVE PROVISION

##### REIMBURSABLE AND REVOLVING FUND ACTIVITIES

SEC. 1201. (a) IN GENERAL.—For fiscal year 2018, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed \$190,642,000.

(b) ACTIVITIES.—The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

#### GOVERNMENT PUBLISHING OFFICE

##### CONGRESSIONAL PUBLISHING

##### (INCLUDING TRANSFER OF FUNDS)

For authorized publishing of congressional information and the distribution of congressional information in any format; publishing of Government publications authorized by law to be distributed to Members of Congress; and publishing, and distribution of Government publications authorized by law to be distributed without charge to the recipient, \$79,528,000: Provided, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: Provided further, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: Provided further, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: Provided further, That any unobligated or unexpended balances in this account or accounts for

similar purposes for preceding fiscal years may be transferred to the Government Publishing Office Business Operations Revolving Fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate: Provided further, That notwithstanding sections 901, 902, and 906 of title 44, United States Code, this appropriation may be used to prepare indexes to the Congressional Record on only a monthly and session basis.

PUBLIC INFORMATION PROGRAMS OF THE  
SUPERINTENDENT OF DOCUMENTS  
SALARIES AND EXPENSES  
(INCLUDING TRANSFER OF FUNDS)

For expenses of the public information programs of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, \$29,000,000: Provided, That amounts of not more than \$2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for fiscal years 2016 and 2017 to depository and other designated libraries: Provided further, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Publishing Office Business Operations Revolving Fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

GOVERNMENT PUBLISHING OFFICE BUSINESS  
OPERATIONS REVOLVING FUND

For payment to the Government Publishing Office Business Operations Revolving Fund, \$8,540,000, to remain available until expended, for information technology development and facilities repair: Provided, That the Government Publishing Office is hereby authorized to make such expenditures, within the limits of funds available and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Publishing Office Business Operations Revolving Fund: Provided further, That not more than \$7,500 may be expended on the certification of the Director of the Government Publishing Office in connection with official representation and reception expenses: Provided further, That the business operations revolving fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: Provided further, That expenditures in connection with travel expenses of the advisory councils to the Director of the Government Publishing Office shall be deemed necessary to carry out the provisions of title 44, United States Code: Provided further, That the business operations revolving fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: Provided further, That activities financed through the business operations revolving fund may provide information in any format: Provided further, That the business operations revolving fund and the funds provided under the heading "Public Information Programs of the Superintendent of Documents" may not be used for contracted security services at the Government Publishing Office's passport facility in the District of Columbia.

GOVERNMENT ACCOUNTABILITY OFFICE  
SALARIES AND EXPENSES

For necessary expenses of the Government Accountability Office, including not more than \$12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under sections 901(5), (6), and (8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, \$544,505,919: Provided, That, in addition, \$23,800,000 of payments received under sections 782, 791, 3521, and 9105 of title 31, United States Code, shall be available without fiscal year limitation: Provided further, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: Provided further, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed.

OPEN WORLD LEADERSHIP CENTER TRUST  
FUND

For a payment to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center under section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), \$5,600,000: Provided, That funds made available to support Russian participants shall only be used for those engaging in free market development, humanitarian activities, and civic engagement, and shall not be used for officials of the central government of Russia.

JOHN C. STENNIS CENTER FOR PUBLIC SERVICE  
TRAINING AND DEVELOPMENT

For payment to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105), \$430,000.

TITLE II

GENERAL PROVISIONS

MAINTENANCE AND CARE OF PRIVATE VEHICLES

SEC. 201. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

FISCAL YEAR LIMITATION

SEC. 202. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2018 unless expressly so provided in this Act.

RATES OF COMPENSATION AND DESIGNATION

SEC. 203. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 (46 Stat. 32 et seq.) is appropriated for or the rate of compensation or designation of any office or position appro-

priated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: Provided, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

CONSULTING SERVICES

SEC. 204. The expenditure of any appropriation under this Act for any consulting service through procurement contract, under section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued under existing law.

COSTS OF LBFMC

SEC. 205. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed \$2,000.

LIMITATION ON TRANSFERS

SEC. 206. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

GUIDED TOURS OF THE CAPITOL

SEC. 207. (a) Except as provided in subsection (b), none of the funds made available to the Architect of the Capitol in this Act may be used to eliminate or restrict guided tours of the United States Capitol which are led by employees and interns of offices of Members of Congress and other offices of the House of Representatives and Senate.

(b) At the direction of the Capitol Police Board, or at the direction of the Architect of the Capitol with the approval of the Capitol Police Board, guided tours of the United States Capitol which are led by employees and interns described in subsection (a) may be suspended temporarily or otherwise subject to restriction for security or related reasons to the same extent as guided tours of the United States Capitol which are led by the Architect of the Capitol.

REFERENCES TO ACT

SEC. 208. Except as expressly provided otherwise, any reference to "this Act" contained in this division shall be treated as referring only to the provisions of this division.

REFERENCES TO REPORT

SEC. 209. Any reference to a "report accompanying this Act" contained in this division shall be treated as a reference to House Report 115-199. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

SPENDING REDUCTION ACCOUNT

SEC. 210. \$0.

This division may be cited as the "Legislative Branch Appropriations Act, 2018".

**DIVISION C—MILITARY CONSTRUCTION,  
VETERANS AFFAIRS, AND RELATED  
AGENCIES APPROPRIATIONS ACT, 2018**

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies

for the fiscal year ending September 30, 2018, and for other purposes, namely:

**TITLE I**  
**DEPARTMENT OF DEFENSE**  
**MILITARY CONSTRUCTION, ARMY**

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$923,994,000, to remain available until September 30, 2022: Provided, That, of this amount, not to exceed \$101,470,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, NAVY AND MARINE CORPS**

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$1,558,085,000, to remain available until September 30, 2022: Provided, That, of this amount, not to exceed \$219,069,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, AIR FORCE**

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,540,474,000, to remain available until September 30, 2022: Provided, That, of this amount, not to exceed \$97,852,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, DEFENSE-WIDE**  
**(INCLUDING TRANSFER OF FUNDS)**

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$2,791,272,000, to remain available until September 30, 2022: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That, of the amount, not to exceed \$185,717,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Sec-

retary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, ARMY NATIONAL GUARD**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$210,652,000, to remain available until September 30, 2022: Provided, That, of the amount, not to exceed \$16,271,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, AIR NATIONAL GUARD**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$161,491,000, to remain available until September 30, 2022: Provided, That, of the amount, not to exceed \$18,000,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, ARMY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$73,712,000, to remain available until September 30, 2022: Provided, That, of the amount, not to exceed \$6,887,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, NAVY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$65,271,000, to remain available until September 30, 2022: Provided, That, of the amount, not to exceed \$4,430,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, AIR FORCE RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$63,535,000, to remain available until September 30, 2022: Provided, That, of

the amount, not to exceed \$4,725,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That, the Chief of the Air Force Reserve shall take immediate action to address unfunded military construction requirements for access control points and security issues at Air Force Reserve facilities.

**NORTH ATLANTIC TREATY ORGANIZATION**

**SECURITY INVESTMENT PROGRAM**

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$177,932,000, to remain available until expended.

**DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT**

For deposit into the Department of Defense Base Closure Account, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$290,867,000, to remain available until expended.

**FAMILY HOUSING CONSTRUCTION, ARMY**

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$182,662,000, to remain available until September 30, 2022.

**FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY**

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$346,625,000.

**FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS**

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$83,682,000, to remain available until September 30, 2022.

**FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS**

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$328,282,000.

**FAMILY HOUSING CONSTRUCTION, AIR FORCE**

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$85,062,000, to remain available until September 30, 2022.

**FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE**

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$318,324,000.

**FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE**

For expenses of family housing for the activities and agencies of the Department of Defense

(other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$59,169,000.

#### DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, \$2,726,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

#### DEPARTMENT OF DEFENSE MILITARY UNACCOMPANIED HOUSING IMPROVEMENT FUND

For the Department of Defense Military Unaccompanied Housing Improvement Fund, \$623,000, to remain available until expended, for unaccompanied housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military unaccompanied housing and supporting facilities.

#### ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installa-

tion overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 116. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 117. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of

military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the Department of Defense Base Closure Account to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 119. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than \$15,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission.

SEC. 120. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 121. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 122. (a) Except as provided in subsection (b), none of the funds made available in this Act may be used by the Secretary of the Army to relocate a unit in the Army that—

(1) performs a testing mission or function that is not performed by any other unit in the Army and is specifically stipulated in title 10, United States Code; and

(2) is located at a military installation at which the total number of civilian employees of

the Department of the Army and Army contractor personnel employed exceeds 10 percent of the total number of members of the regular and reserve components of the Army assigned to the installation.

(b) **EXCEPTION.**—Subsection (a) shall not apply if the Secretary of the Army certifies to the congressional defense committees that in proposing the relocation of the unit of the Army, the Secretary complied with Army Regulation 5–10 relating to the policy, procedures, and responsibilities for Army stationing actions.

**SEC. 123.** Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14–R, Volume 3, Chapter 7, of March 2011, as in effect on the date of enactment of this Act.

**SEC. 124.** None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

**SEC. 125.** For an additional amount for the accounts and in the amounts specified, to remain available until September 30, 2022:

“Military Construction, Army”, \$43,800,000;  
“Military Construction, Navy and Marine Corps”, \$126,900,000;

“Military Construction, Air Force”, \$70,300,000;

“Military Construction, Army National Guard”, \$56,000,000;

“Military Construction, Army Reserve”, \$56,000,000

“Military Construction, Air National Guard”, \$41,900,000; and

“Military Construction, Air Force Reserve”, \$44,100,000.

Provided, That such funds may only be obligated to carry out construction projects identified in the respective military department's unfunded priority list for fiscal year 2018 submitted to Congress by the Secretary of Defense: Provided further, That such projects are subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That not later than 30 days after enactment of this Act, the Secretary of the military department concerned, or his or her designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

#### (RESCISSIONS OF FUNDS)

**SEC. 126.** Of the unobligated balances available to the Department of Defense from prior appropriation Acts, the following funds are hereby rescinded from the following accounts in the amounts specified:

“Military Construction, Army”, \$10,000,000;

“Military Construction, Navy and Marine Corps”, \$10,000,000

“Military Construction, Defense-Wide”, \$27,440,000;

“North Atlantic Treaty Organization Security Investment Program”, \$25,000,000;

“Family Housing Construction, Army”, \$18,000,000;

“Family Housing Construction, Navy and Marine Corps”, \$8,000,000; and

“Family Housing Construction, Air Force”, \$20,000,000.

Provided, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

**SEC. 127.** For the purposes of this Act, the term “congressional defense committees” means

the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

**SEC. 128.** None of the funds made available by this Act may be used to carry out the closure or realignment of the United States Naval Station, Guantánamo Bay, Cuba.

## TITLE II

### DEPARTMENT OF VETERANS AFFAIRS

#### VETERANS BENEFITS ADMINISTRATION

##### COMPENSATION AND PENSIONS

##### (INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$95,768,462,000, to remain available until expended and to become available on October 1, 2018: Provided, That not to exceed \$17,882,000 of the amount made available for fiscal year 2019 under this heading shall be reimbursed to “General Operating Expenses, Veterans Benefits Administration”, and “Information Technology Systems” for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the “Compensation and Pensions” appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to “Medical Care Collections Fund” to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

##### READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, \$11,832,175,000, to remain available until expended and to become available on October 1, 2018: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

##### VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, \$121,529,000, which shall be in addition to remain available until expended, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2017, of which \$109,090,000 shall become available on October 1, 2018.

##### VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the

program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That, during fiscal year 2018, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$178,626,000.

##### VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$30,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,356,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$395,000, which may be paid to the appropriation for “General Operating Expenses, Veterans Benefits Administration”.

##### NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$1,163,000.

##### GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$2,894,000,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That, of the funds made available under this heading, not to exceed 5 percent shall remain available until September 30, 2019.

##### VETERANS HEALTH ADMINISTRATION MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bio-engineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; \$1,031,808,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2017; and, in addition,



\$49,161,165,000, plus reimbursements, shall become available on October 1, 2018, and shall remain available until September 30, 2019: Provided, That, of the amount made available on October 1, 2018, under this heading, \$1,400,000,000 shall remain available until September 30, 2020: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

#### MEDICAL COMMUNITY CARE

For necessary expenses for furnishing health care to individuals pursuant to chapter 17 of title 38, United States Code, at non-Department facilities, \$254,000,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2017; and, in addition, \$8,384,704,000, plus reimbursements, shall become available on October 1, 2018, and shall remain available until September 30, 2019: Provided, That of the amount made available on October 1, 2018, under this heading, \$2,000,000,000 shall remain available until September 30, 2022.

#### MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), \$284,397,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2017; and, in addition, \$7,239,156,000, plus reimbursements, shall become available on October 1, 2018, and shall remain available until September 30, 2019: Provided, That, of the amount made available on October 1, 2018, under this heading, \$100,000,000 shall remain available until September 30, 2020.

#### MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services; \$1,079,795,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2017;

and, in addition, \$5,914,288,000, plus reimbursements, shall become available on October 1, 2018, and shall remain available until September 30, 2019: Provided, That, of the amount made available on October 1, 2018, under this heading, \$250,000,000 shall remain available until September 30, 2020.

#### MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$698,228,000, plus reimbursements, shall remain available until September 30, 2019.

#### NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$306,193,000, of which not to exceed 10 percent shall remain available until September 30, 2019.

#### DEPARTMENTAL ADMINISTRATION

##### GENERAL ADMINISTRATION

##### (INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$346,891,000, of which not to exceed 5 percent shall remain available until September 30, 2019: Provided, That funds provided under this heading may be transferred to "General Operating Expenses, Veterans Benefits Administration".

##### BOARD OF VETERANS APPEALS

For necessary operating expenses of the Board of Veterans Appeals, \$156,096,000, of which not to exceed 10 percent shall remain available until September 30, 2019.

##### INFORMATION TECHNOLOGY SYSTEMS

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$4,135,500,000, plus reimbursements: Provided, That \$1,230,320,000 shall be for pay and associated costs, of which not to exceed \$36,000,000 shall remain available until September 30, 2019: Provided further, That \$2,486,650,000 shall be for operations and maintenance, of which not to exceed \$174,000,000 shall remain available until September 30, 2019: Provided further, That \$418,530,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2019: Provided further, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a

certification of the amounts, in parts or in full, to be obligated and expended for each development project: Provided further, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That amounts made available for the "Information Technology Systems" account for development, modernization, and enhancement may be transferred among projects or to newly defined projects: Provided further, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: Provided further, That funds under this heading may be used by the Interagency Program Office through the Department of Veterans Affairs to define data standards, code sets, and value sets used to enable interoperability: Provided further, That, of the funds made available for information technology systems development, modernization, and enhancement for the development of an electronic health record, not more than 25 percent may be obligated or expended until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress:

(1) a detailed explanation of the solicitation submitted to Cerner Corporation for development of an electronic health record for the Department of Veterans Affairs;

(2) an explanation of how the electronic health record would replicate the Military Health System (MHS) Genesis record developed by Cerner for the Department of Defense, as well as the enhanced capabilities the Department of Veterans Affairs requires to achieve complete interoperability with the Department of Defense system and non-Department of Veterans Affairs providers who participate in the Department of Veterans Affairs healthcare system;

(3) a strategic plan for development of the electronic health record system, an associated implementation plan including timelines and performance milestones, a master schedule and annual and life-cycle cost estimates;

(4) information on plans to maintain current functionality and integration with Department of Defense records during the transition to MHS Genesis; and

(5) Department of Veterans Affairs plans to manage the transition process to MHS Genesis, including possible pilot programs, training for users, and use of change management tools: Provided further, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the report accompanying this Act.

##### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$160,106,000, of which not to exceed 10 percent shall remain available until September 30, 2019.

##### CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States



Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$410,530,000, of which \$372,000,000 shall remain available until September 30, 2022, and of which \$38,530,000 shall remain available until expended: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account and contracting officers who manage specific major construction projects, and funds provided for the purchase, security, and maintenance of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project that has not been notified to Congress through the budgetary process or that has not been approved by the Congress through statute, joint resolution, or in the explanatory statement accompanying such Act and presented to the President at the time of enrollment: Provided further, That funds made available under this heading for fiscal year 2018, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2018; and (2) by the awarding of a construction contract by September 30, 2019: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: Provided further, That, of the amount made available under this heading, \$117,300,000 for Veterans Health Administration major construction projects shall not be available until the Department of Veterans Affairs—

(1) enters into an agreement with an appropriate non-Department of Veterans Affairs Federal entity to serve as the design and/or construction agent for any Veterans Health Administration major construction project with a Total Estimated Cost of \$100,000,000 or above by providing full project management services, including management of the project design, acquisition, construction, and contract changes, consistent with section 502 of Public Law 114–58; and

(2) certifies in writing that such an agreement is executed and intended to minimize or prevent subsequent major construction project cost overruns and provides a copy of the agreement entered into and any required supplementary information to the Committees on Appropriations of both Houses of Congress.

#### CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and

engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$342,570,000, to remain available until September 30, 2022, along with unobligated balances of previous “Construction, Minor Projects” appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

#### GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$90,000,000, to remain available until expended.

#### GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$45,000,000, to remain available until expended.

#### ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2018 for “Compensation and Pensions”, “Readjustment Benefits”, and “Veterans Insurance and Indemnities” may be transferred as necessary to any other of the mentioned appropriations: Provided, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2018, in this or any other Act, under the “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities” accounts may be transferred among the accounts: Provided, That any transfers among the “Medical Services”, “Medical Community Care”, and “Medical Support and Compliance” accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: Provided further, That any transfers among the “Medical Services”, “Medical Community Care”, and “Medical Support and Compliance” accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to

or from the “Medical Facilities” account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for “Construction, Major Projects”, and “Construction, Minor Projects”) shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the “Medical Services” account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for “Compensation and Pensions”, “Readjustment Benefits”, and “Veterans Insurance and Indemnities” shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2017.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from “Compensation and Pensions”.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2018, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans’ Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the “General Operating Expenses, Veterans Benefits Administration” and “Information Technology Systems” accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2018 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2018 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a

prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management, the Office of Employment Discrimination Complaint Adjudication, the Office of Accountability Review, the Central Whistleblower Office, the Office of Diversity and Inclusion, and the Office of the Executive Director of Accountability and Whistleblower Protection, for all services provided at rates which will recover actual costs but not to exceed \$47,668,000 for the Office of Resolution Management, \$3,932,000 for the Office of Employment Discrimination Complaint Adjudication, \$10,057,000 for the Office of Accountability Review, \$6,646,000 for the Central Whistleblower Office, \$2,973,000 for the Office of Diversity and Inclusion, and \$917,000 for the Office of the Executive Director of Accountability and Whistleblower Protection: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the "General Administration" and "Information Technology Systems" accounts for use by the office that provided the service.

SEC. 211. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 212. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, Major Projects" and "Construction, Minor Projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, Major Projects" and "Construction, Minor Projects".

SEC. 213. Amounts made available under "Medical Services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 214. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to the "Medical Services" and "Medical Community Care" accounts to remain available until expended for the purposes of these accounts.

SEC. 215. The Secretary of Veterans Affairs may enter into agreements with Federally Qualified Health Centers in the State of Alaska

and Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, to provide healthcare, including behavioral health and dental care, to veterans in rural Alaska. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands which are not within the boundaries of the municipality of Anchorage or the Fairbanks North Star Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 216. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, Major Projects" and "Construction, Minor Projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 217. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a report on the financial status of the Department of Veterans Affairs for the preceding quarter: Provided, That, at a minimum, the report shall include the direction contained in the paragraph entitled "Quarterly reporting", under the heading "General Administration" in the joint explanatory statement accompanying Public Law 114-223.

(INCLUDING TRANSFER OF FUNDS)

SEC. 218. Amounts made available under the "Medical Services", "Medical Community Care", "Medical Support and Compliance", "Medical Facilities", "General Operating Expenses, Veterans Benefits Administration", "Board of Veterans Appeals", "General Administration", and "National Cemetery Administration" accounts for fiscal year 2018 may be transferred to or from the "Information Technology Systems" account: Provided, That such transfers may not result in a more than 10 percent aggregate increase in the total amount made available by this Act for the "Information Technology Systems" account: Provided further, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 219. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2018 for "Medical Services", "Medical Community Care", "Medical Support and Compliance", "Medical Facilities", "Construction, Minor Projects", and "Information Technology Systems", up to \$297,137,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: Provided further, That section 222 of title II of division A of Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017 (Public Law 114-223) is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2018, for "Medical Services", "Medical Community Care", "Medical Support and Compliance", and "Medical Facilities", up to \$306,378,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. Of the amounts available in this title for "Medical Services", "Medical Community Care", "Medical Support and Compliance", and "Medical Facilities", a minimum of \$15,000,000 shall be transferred to the DOD-VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

SEC. 223. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 224. The Secretary of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in a major construction project that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 225. None of the funds made available for "Construction, Major Projects" may be used for a project in excess of the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations unless the Secretary of Veterans Affairs receives approval from the Committees on Appropriations of both Houses of Congress.

SEC. 226. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report containing performance measures and data from each Veterans Benefits Administration Regional Office: Provided, That, at a minimum, the report shall include the direction contained in the section entitled "Disability claims backlog", under the heading "General Operating Expenses, Veterans Benefits Administration" in the joint explanatory statement accompanying Public Law 114-223: Provided further, That the report shall also include information on the number of appeals pending at the Veterans Benefits Administration as well as the Board of Veterans Appeals on a quarterly basis.

SEC. 227. Of the amounts made available for fiscal year 2018 for the "Medical Services" and "Medical Support and Compliance" accounts, not more than \$226,012,000 shall be available to develop an electronic health record: Provided, That not more than 25 percent of the amount made available for such purpose may be obligated or expended until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both House of Congress a detailed explanation of the activities to develop the Military Health System Genesis electronic health record to be funded by the Veterans Health Administration rather than the Office of Information Technology, a timeline for completion, master schedule, performance milestones, and annual and life-cycle Veterans Health Administration cost estimates.

SEC. 228. The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.

SEC. 229. The Secretary of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed \$2,000,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 230. The Secretary of Veterans Affairs, upon determination that such action is necessary to address needs of the Veterans Health Administration, may transfer to the "Medical Services" account any discretionary appropriations made available for fiscal year 2018 in this title (except appropriations made to the "General Operating Expenses, Veterans Benefits Administration" account) or any discretionary unobligated balances within the Department of Veterans Affairs, including those appropriated for fiscal year 2018, that were provided in advance by appropriations Acts: Provided, That transfers shall be made only with the approval of the Office of Management and Budget: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority provided by law: Provided further, That no amounts may be transferred from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That such authority to transfer may not be used unless for higher priority items, based on emergent healthcare requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: Provided further, That, upon determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation and shall be available for the same purposes as originally appropriated: Pro-

vided further, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

(INCLUDING TRANSFER OF FUNDS)

SEC. 231. Amounts made available for the Department of Veterans Affairs for fiscal year 2018, under the "Board of Veterans Appeals" and the "General Operating Expenses, Veterans Benefits Administration" accounts may be transferred between such accounts: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

SEC. 232. The Secretary of Veterans Affairs may not reprogram funds among major construction projects or programs if such instance of reprogramming will exceed \$5,000,000, unless such reprogramming is approved by the Committees on Appropriations of both Houses of Congress.

(RESCISSIONS OF FUNDS)

SEC. 233. Of the discretionary funds made available in Public Law 114-223 for the Department of Veterans Affairs for fiscal year 2018, \$313,730,000 are rescinded from "Medical Services", \$63,282,000 are rescinded from "Medical Support and Compliance", and \$22,960,000 are rescinded from "Medical Facilities".

SEC. 234. The amounts otherwise made available by this Act for the following accounts of the Department of Veterans Affairs are hereby reduced by the following amounts:

- (1) "Veterans Health Administration—Medical and Prosthetic Research", \$6,823,000.
- (2) "National Cemetery Administration", \$3,003,000.
- (3) "Departmental Administration—General Administration", \$3,600,000.
- (4) "Departmental Administration—Board of Veterans Appeals", \$1,579,000.
- (5) "Departmental Administration—General Operating Expenses, Veterans Benefits Administration", \$35,470,000.
- (6) "Departmental Administration—Information Technology Systems", \$18,997,000.
- (7) "Departmental Administration—Office of Inspector General", \$1,716,000.

SEC. 235. (a) The Secretary of Veterans Affairs shall ensure that the toll-free suicide hotline under section 1720F(h) of title 38, United States Code—

- (1) provides to individuals who contact the hotline immediate assistance from a trained professional; and
- (2) adheres to all requirements of the American Association of Suicidology.

(b)(1) None of the funds made available by this Act may be used to enforce or otherwise carry out any Executive action that prohibits the Secretary of Veterans Affairs from appointing an individual to occupy a vacant civil service position, or establishing a new civil service position, at the Department of Veterans Affairs with respect to such a position relating to the hotline specified in subsection (a).

(2) In this subsection—

- (A) the term "civil service" has the meaning given such term in section 201(1) of title 5, United States Code; and
- (B) the term "Executive action" includes—
  - (i) any Executive order, presidential memorandum, or other action by the President; and
  - (ii) any agency policy, order, or other directive.

SEC. 236. None of the funds in this or any other Act may be used to close Department of Veterans Affairs (VA) hospitals, domiciliaries, or clinics, conduct an environmental assessment,

or to diminish healthcare services at existing Veterans Health Administration medical facilities located in Veterans Integrated Service Network 8 or 23 as part of a planned realignment of VA services until the Secretary provides to the Committees on Appropriations of both Houses of Congress a report including the following elements:

(1) a national realignment strategy that includes a detailed description of realignment plans within each Veterans Integrated Services Network (VISN), including an updated Long Range Capital Plan to implement realignment requirements;

(2) an explanation of the process by which those plans were developed and coordinated within each VISN;

(3) a cost versus benefit analysis of each planned realignment, including the cost of replacing Veterans Health Administration services with contract care or other outsourced services;

(4) an analysis of how any such planned realignment of services will impact access to care for veterans living in rural or highly rural areas, including travel distances and transportation costs to access a VA medical facility and availability of local specialty and primary care;

(5) an inventory of VA buildings with historic designation and the methodology used to determine the buildings' condition and utilization;

(6) a description of how any realignment will be consistent with requirements under the National Historic Preservation Act; and

(7) consideration given for reuse of historic buildings within newly identified realignment requirements: Provided, That, this provision shall not apply to capital projects in VISN 23, or any other VISN, which have been authorized or approved by Congress.

SEC. 237. Section 8109(b) of title 38, United States Code, is amended—

(1) in paragraph (2), by striking "and" at the end;

(2) in paragraph (3), by striking the period and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(4) notwithstanding subsection (a) of section 1344 of title 31, may use a passenger carrier (as such term is defined in subsection (h)(1) of such section) to transport such an employee between a parking facility and the medical facility of the Department at which the employee works."

SEC. 238. None of the funds made available to the Secretary of Veterans Affairs by this or any other Act may be obligated or expended in contravention of the "Veterans Health Administration Clinical Preventive Services Guidance Statement on the Veterans Health Administration's Screening for Breast Cancer Guidance" published on May 10, 2017, as issued by the Veterans Health Administration National Center for Health Promotion and Disease Prevention.

SEC. 239. (a) Notwithstanding any other provision of law, the amounts appropriated or otherwise made available to the Department of Veterans Affairs for the "Medical Services" account may be used to provide—

(1) fertility counseling and treatment using assisted reproductive technology to a covered veteran or the spouse of a covered veteran; or

(2) adoption reimbursement to a covered veteran.

(b) In this section:

(1) The term "service-connected" has the meaning given such term in section 101 of title 38, United States Code.

(2) The term "covered veteran" means a veteran, as such term is defined in section 101 of title 38, United States Code, who has a service-connected disability that results in the inability of the veteran to procreate without the use of fertility treatment.

(3) The term "assisted reproductive technology" means benefits relating to reproductive

assistance provided to a member of the Armed Forces who incurs a serious injury or illness on active duty pursuant to section 1074(c)(4)(A) of title 10, United States Code, as described in the memorandum on the subject of "Policy for Assisted Reproductive Services for the Benefit of Seriously or Severely Ill/Injured (Category II or III) Active Duty Service Members" issued by the Assistant Secretary of Defense for Health Affairs on April 3, 2012, and the guidance issued to implement such policy, including any limitations on the amount of such benefits available to such a member except that—

(A) the time periods regarding embryo cryopreservation and storage set forth in part III(G) and in part IV(H) of such memorandum shall not apply; and

(B) such term includes embryo cryopreservation and storage without limitation on the duration of such cryopreservation and storage.

(4) The term "adoption reimbursement" means reimbursement for the adoption-related expenses for an adoption that is finalized after the date of the enactment of this Act under the same terms as apply under the adoption reimbursement program of the Department of Defense, as authorized in Department of Defense Instruction 1341.09, including the reimbursement limits and requirements set forth in such instruction.

(c) Amounts made available for the purposes specified in subsection (a) of this section are subject to the requirements for funds contained in section 508 of division H of the Consolidated Appropriations Act, 2017 (Public Law 115-31).

### TITLE III

#### RELATED AGENCIES

##### AMERICAN BATTLE MONUMENTS COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$75,100,000, to remain available until expended.

##### FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

##### UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$33,600,000: Provided, That of the amount, \$800,000 shall be transferred to the General Services Administration for planning and design of a courthouse: Provided further, That \$2,580,000 shall be available for the purpose of providing financial assistance as described and in accordance with the process and reporting procedures set forth under this heading in Public Law 102-229.

##### DEPARTMENT OF DEFENSE—CIVIL

##### CEMETERIAL EXPENSES, ARMY

##### SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National

Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed \$1,000 for official reception and representation expenses, \$78,800,000, of which not to exceed \$15,000,000 shall remain available until September 30, 2020. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the "Lease of Department of Defense Real Property for Defense Agencies" account.

##### ARMED FORCES RETIREMENT HOME

##### TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$64,300,000, of which \$1,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi: Provided, That of the amounts made available under this heading from funds available in the Armed Forces Retirement Home Trust Fund, \$22,000,000 shall be paid from the general fund of the Treasury to the Trust Fund.

##### ADMINISTRATIVE PROVISIONS

SEC. 301. Funds appropriated in this Act under the heading "Department of Defense—Civil, Cemeterial Expenses, Army", may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.

SEC. 302. Amounts deposited into the special account established under 10 U.S.C. 4727 are appropriated and shall be available until expended to support activities at the Army National Military Cemeteries.

### TITLE IV

#### OVERSEAS CONTINGENCY OPERATIONS

##### DEPARTMENT OF DEFENSE

##### MILITARY CONSTRUCTION, ARMY

For an additional amount for "Military Construction, Army", \$147,158,000, to remain available until September 30, 2022, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for "Military Construction, Navy and Marine Corps", \$31,890,000, to remain available until September 30, 2022, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for "Military Construction, Air Force" \$434,652,000, to remain available until September 30, 2022, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for "Military Construction, Defense-Wide", \$24,300,000, to remain

available until September 30, 2022, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### ADMINISTRATIVE PROVISION

SEC. 401. Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

### TITLE V

#### GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 503. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 504. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 505. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 506. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

SEC. 507. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 508. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 509. None of the funds made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 510. None of the funds made available in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

SEC. 511. None of the funds made available by this Act may be used by the Department of Defense or the Department of Veterans Affairs to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

SEC. 512. (a) *IN GENERAL.*—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantánamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

#### REFERENCES TO ACT

SEC. 513. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

#### REFERENCE TO REPORT

SEC. 514. Any reference to a “report accompanying this Act” contained in this division shall be treated as a reference to House Report 115–188. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

#### SPENDING REDUCTION ACCOUNT

SEC. 515. \$0.

This division may be cited as the “Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2018”.

### **DIVISION D—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2018**

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development and related agencies for the fiscal year ending September 30, 2018, and for other purposes, namely:

#### TITLE I

#### CORPS OF ENGINEERS—CIVIL

#### DEPARTMENT OF THE ARMY

#### CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

#### INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects, and related efforts prior to construction; for restudy of authorized projects; and for miscellaneous investigations, and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, \$105,000,000, to remain available until expended: Provided, That the Secretary shall initiate six new study starts during fiscal year 2018: Provided further, That the new study starts shall consist of five studies where the majority of the benefits are derived from navigation transportation savings or from flood and storm damage reduction and one study where the majority of benefits are derived from environmental restoration: Provided further, That the Secretary shall not deviate from the new starts proposed in the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

#### CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); \$1,697,000,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104–303; and of which such sums as are necessary to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects shall be derived from the Inland Waterways Trust Fund, except as otherwise specifically provided for in law: Provided, That the Secretary may initiate up to, but not more than, two new construction starts during fiscal year 2018: Provided further, That the new construction starts shall consist of two projects where the majority of the benefits are derived from navigation transportation savings, flood and storm damage reduction, or environmental restoration: Provided further, That for new construction projects, project cost sharing agreements shall be executed as soon as practicable but no later than August 31, 2018: Provided further, That no allocation for a new start shall be considered final and no work allowance shall be made until the Secretary provides to the Committees on Appropriations of both Houses of Congress an out-year funding scenario demonstrating the affordability of the selected new starts and the impacts on other projects: Provided further, That the Secretary may not deviate from the new starts proposed in the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

#### MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, \$301,000,000, to remain available until expended,

of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

#### OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, \$3,519,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104–303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: Provided, That 1 percent of the total amount of funds provided for each of the programs, projects, or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects, or activities.

#### REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, \$200,000,000, to remain available until September 30, 2019.

#### FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, \$118,000,000, to remain available until expended.

#### FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, \$32,000,000, to remain available until expended.

#### EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and

Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, \$181,000,000, to remain available until September 30, 2019, of which not to exceed \$5,000 may be used for official reception and representation purposes and only during the current fiscal year: Provided, That no part of any other appropriation provided in this title shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: Provided further, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

OFFICE OF THE ASSISTANT SECRETARY OF THE  
ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), \$4,764,000, to remain available until September 30, 2019: Provided, That not more than 75 percent of such amount may be obligated or expended until the Assistant Secretary submits to the Committees on Appropriations of both Houses of Congress a work plan that allocates at least 95 percent of the additional funding provided under each heading in this title (as designated under such heading in the report of the Committee on Appropriations accompanying this Act) to specific programs, projects, or activities.

GENERAL PROVISIONS—CORPS OF  
ENGINEERS—CIVIL  
(INCLUDING TRANSFER OF FUNDS)

SEC. 101. (a) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

- (1) creates or initiates a new program, project, or activity;
- (2) eliminates a program, project, or activity;
- (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by this Act;
- (4) reduces funds that are directed to be used for a specific program, project, or activity by this Act;
- (5) increases funds for any program, project, or activity by more than \$2,000,000 or 10 percent, whichever is less;
- (6) reduces funds for any program, project, or activity by more than \$2,000,000 or 10 percent, whichever is less.

(b) Subsection (a)(1) shall not apply to any project or activity authorized under section 205 of the Flood Control Act of 1948, section 14 of the Flood Control Act of 1946, section 208 of the Flood Control Act of 1954, section 107 of the River and Harbor Act of 1960, section 103 of the River and Harbor Act of 1962, section 111 of the River and Harbor Act of 1968, section 1135 of the Water Resources Development Act of 1986, section 206 of the Water Resources Development Act of 1996, or section 204 of the Water Resources Development Act of 1992.

(c) The Corps of Engineers shall submit reports on a quarterly basis to the Committees on Appropriations of both Houses of Congress detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 102. None of the funds made available in this title may be used to award or modify any contract that commits funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101.

SEC. 103. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to \$5,400,000 of funds provided in this title under the heading "Operation and Maintenance" to mitigate for fisheries lost due to Corps of Engineers projects.

SEC. 104. None of the funds in this Act shall be used for an open lake placement alternative for dredged material, after evaluating the least costly, environmentally acceptable manner for the disposal or management of dredged material originating from Lake Erie or tributaries thereto, unless it is approved under a State water quality certification pursuant to section 401 of the Federal Water Pollution Control Act (33 U.S.C. 1341); Provided further, That until an open lake placement alternative for dredged material is approved under a State water quality certification, the Corps of Engineers shall continue upland placement of such dredged material consistent with the requirements of section 101 of the Water Resources Development Act of 1986 (33 U.S.C. 2211).

SEC. 105. None of the funds made available in this title may be used for any acquisition that is not consistent with 48 CFR 225.7007.

SEC. 106. None of the funds made available by this Act may be used to carry out any water supply reallocation study under the Wolf Creek Dam, Lake Cumberland, Kentucky, project authorized under the Act of July 24, 1946 (60 Stat. 636, ch. 595).

SEC. 107. Notwithstanding section 404(f)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1344(f)(2)), none of the funds made available by this Act may be used to require a permit for the discharge of dredged or fill material under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) for the activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

SEC. 108. (a) AUTHORIZATION.—The Administrator of the Environmental Protection Agency and the Secretary of the Army may withdraw the Waters of the United States rule without regard to any provision of statute or regulation that establishes a requirement for such withdrawal.

(b) EFFECT OF WITHDRAWAL.—Except as otherwise provided by any Act or rule that takes effect after the date of enactment of this Act, if the Administrator of the Environmental Protection Agency and the Secretary of the Army withdraw the Waters of the United States rule under subsection (a), the Administrator and Secretary shall implement the provisions of law under which such rule was issued in accordance with the regulations and guidance in effect under such provisions immediately before the effective date of such rule.

(c) DEFINITIONS.—In this section the term "Waters of the United States rule" means the final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled "Clean Water Rule: Definition of 'Waters of the United States'" on June 29, 2015 (80 Fed. Reg. 37053).

SEC. 109. As of the date of enactment of this Act and each fiscal year thereafter, the Secretary of the Army shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, at a water resources development project covered under section 327.0 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act), if—

- (1) the individual is not otherwise prohibited by law from possessing the firearm; and
- (2) the possession of the firearm is in compliance with the law of the State in which the water resources development project is located.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, \$8,983,000, to remain available until expended, of which \$898,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: Provided, That of the amount provided under this heading, \$1,450,000 shall be available until September 30, 2019, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: Provided further, That for fiscal year 2018, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed \$1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, \$1,091,790,000, to remain available until expended, of which \$67,693,000 shall be available for transfer to the Upper Colorado River Basin Fund and \$5,551,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 6806 shall be derived from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which the funds were contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That of the amounts provided herein, funds may be used for high-priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, \$41,376,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102-575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102-575: Provided further, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.



CALIFORNIA BAY-DELTA RESTORATION  
(INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, \$37,000,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: Provided, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: Provided further, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

POLICY AND ADMINISTRATION

For expenses necessary for policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until September 30, 2019, \$59,000,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: Provided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed five passenger motor vehicles, which are for replacement only.

GENERAL PROVISIONS—DEPARTMENT OF  
THE INTERIOR

SEC. 201. (a) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act;

(4) restarts or resumes any program, project or activity for which funds are not provided in this Act, unless prior approval is received from the Committees on Appropriations of both Houses of Congress;

(5) transfers funds in excess of the following limits—

(A) 15 percent for any program, project or activity for which \$2,000,000 or more is available at the beginning of the fiscal year; or

(B) \$400,000 for any program, project or activity for which less than \$2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than \$500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category; or

(7) transfers, where necessary to discharge legal obligations of the Bureau of Reclamation, more than \$5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

(c) For purposes of this section, the term “transfer” means any movement of funds into or out of a program, project, or activity.

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees

on Appropriations of both Houses of Congress detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the “Cleanup Program—Alternative Repayment Plan” and the “SJVDP—Alternative Repayment Plan” described in the report entitled “Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995”, prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 203. None of the funds in this Act shall be available to implement the Stipulation of Settlement (Natural Resources Defense Council, et al. v. Kirk Rodgers, et al., Eastern District of California, No. Civ. 9 S-88-1658 LKK/GGH) or subtitle A of title X of Public Law 111-11.

TITLE III

DEPARTMENT OF ENERGY  
ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,103,908,000, to remain available until expended: Provided, That of such amount, \$125,849,000 shall be available until September 30, 2019, for program direction.

ELECTRICITY DELIVERY AND ENERGY  
RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$218,500,000, to remain available until expended: Provided, That of such amount, \$27,500,000 shall be available until September 30, 2019, for program direction.

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of

Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$969,000,000, to remain available until expended: Provided, That of such amount, \$70,000,000 shall be available until September 30, 2019, for program direction.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For Department of Energy expenses necessary in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), \$634,600,000, to remain available until expended: Provided, That of such amount \$60,000,000 shall be available until September 30, 2019, for program direction.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For Department of Energy expenses necessary to carry out naval petroleum and oil shale reserve activities, \$4,900,000, to remain available until expended: Provided, That notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

STRATEGIC PETROLEUM RESERVE

For Department of Energy expenses necessary for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), \$252,000,000, to remain available until expended: Provided, That as authorized by section 404 of the Bipartisan Budget Act of 2015 (Public Law 114-74; 42 U.S.C. 6239 note), the Secretary of Energy shall draw down and sell not to exceed \$350,000,000 of crude oil from the Strategic Petroleum Reserve in fiscal year 2018: Provided further, That the proceeds from such drawdown and sale shall be deposited into the “Energy Security and Infrastructure Modernization Fund” during fiscal year 2018 and shall be made available and shall remain available until expended for necessary expenses in carrying out the Life Extension II project for the Strategic Petroleum Reserve.

NORTHEAST HOME HEATING OIL RESERVE

For Department of Energy expenses necessary for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), \$6,500,000, to remain available until expended.

ENERGY INFORMATION ADMINISTRATION

For Department of Energy expenses necessary in carrying out the activities of the Energy Information Administration, \$118,000,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$222,400,000, to remain available until expended.



# URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For Department of Energy expenses necessary in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954 and title X, subtitle A, of the Energy Policy Act of 1992, \$768,000,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended, of which \$32,959,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

## SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 16 passenger motor vehicles for replacement only, including one ambulance and one bus, \$5,392,000,000, to remain available until expended: Provided, That of such amount, \$177,000,000 shall be available until September 30, 2019, for program direction.

## NUCLEAR WASTE DISPOSAL

For Department of Energy expenses necessary for nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended (hereinafter referred to as the "NWPAA"), including the acquisition of any real property or facility construction, or expansion, \$90,000,000, to remain available until expended, and to be derived from the Nuclear Waste Fund: Provided, That of the funds made available in this Act for nuclear waste disposal and defense nuclear waste disposal activities, 1.62 percent shall be provided to the Office of the Attorney General of the State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities and participate in licensing activities pursuant to the NWPAA: Provided further, That of the funds made available in this Act for nuclear waste disposal and defense nuclear waste disposal activities, 2.91 percent shall be provided to affected units of local government, as defined in the NWPAA, to conduct appropriate activities and participate in licensing activities under Section 116(c) of the NWPAA: Provided further, That of the amounts provided to affected units of local government, 7.5 percent of the funds provided for the affected units of local government shall be made available to affected units of local government in California with the balance made available to affected units of local government in Nevada for distribution as determined by the Nevada affected units of local government: Provided further, That of the funds made available in this Act for nuclear waste disposal and defense nuclear waste disposal activities, 0.16 percent shall be provided to the affected Federally-recognized Indian tribes, as defined in the NWPAA, solely for expenditures, other than salaries and expenses of tribal employees, to conduct appropriate activities and participate in licensing activities under section 118(b) of the NWPAA: Provided further, That of the funds made available in this Act for nuclear waste disposal and defense nuclear waste disposal activities, 3.0 percent shall be provided to Nye County, Nevada, 0.05 percent shall be provided to Clark County, Nevada, and 0.46 percent shall be provided to the State of Nevada as payment equal to taxes under section 116(c)(3) of the NWPAA: Provided further, That within 90 days of the completion of each Federal fiscal year, the Of-

fice of the Attorney General of the State of Nevada, each affected Federally-recognized Indian tribe, and each of the affected units of local government shall provide certification to the Department of Energy that all funds expended from such payments have been expended for activities authorized by the NWPAA and this Act: Provided further, That failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: Provided further, That none of the funds herein appropriated may be: (1) used for litigation expenses; or (2) used for interim storage activities; or (3) used to support multi-State efforts or other coalition building activities inconsistent with the restrictions contained in this Act: Provided further, That all proceeds and recoveries realized by the Secretary in carrying out activities authorized by the NWPAA, including but not limited to any proceeds from the sale of assets, shall be credited to this account, to remain available until expended, for carrying out the purposes of this account.

## TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

### (INCLUDING RESCISSIONS OF FUNDS)

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b) of the Energy Policy Act of 2005 (42 U.S.C. 16512(b)) under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: Provided, That for necessary administrative expenses to carry out this Loan Guarantee program, \$2,000,000 is appropriated, to remain available until September 30, 2019: Provided further, That \$2,000,000 of the fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections to this account to cover administrative expenses and shall remain available until expended, so as to result in a final fiscal year 2018 appropriation from the general fund estimated at not more than \$0: Provided further, That fees collected under section 1702(h) in excess of the amount appropriated for administrative expenses shall not be available until appropriated: Provided further, That the Department of Energy shall not subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 or subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.10 of title 10, Code of Federal Regulations: Provided further, That of the subsidy amounts provided by section 1425 of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112-10; 125 Stat. 126), for the cost of loan guarantees for renewable energy or efficient end-use energy technologies under section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513), \$160,660,000 is hereby rescinded: Provided further, That the authority provided in prior year appropriations Acts for commitments to guarantee loans under title XVII of the Energy Policy Act of 2005, excluding amounts for commitments made by October 1, 2017, is hereby rescinded.

## ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, \$5,000,000, to remain available until September 30, 2019.

## TRIBAL ENERGY LOAN GUARANTEE PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Tribal Energy Loan Guarantee Program, \$500,000, to remain available until September 30, 2019.

## DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), \$281,693,000, to remain available until September 30, 2019, including the hire of passenger motor vehicles and official reception and representation expenses not to exceed \$30,000, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total \$96,000,000 in fiscal year 2018 may be retained and used for operating expenses within this account, as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2018 appropriation from the general fund estimated at not more than \$185,693,000.

## OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$49,000,000, to remain available until September 30, 2019.

## ATOMIC ENERGY DEFENSE ACTIVITIES

### NATIONAL NUCLEAR SECURITY ADMINISTRATION

#### WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$10,239,344,000, to remain available until expended: Provided, That of such amount, \$105,600,000 shall be available until September 30, 2019, for program direction.

## DEFENSE NUCLEAR NONPROLIFERATION

### (INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,825,461,000, to remain available until expended: Provided, That funds provided by this Act for Project 99-D-143, Mixed Oxide Fuel Fabrication Facility, and by prior Acts that remain unobligated for such Project, may be made available only for construction and project support activities for such Project: Provided further, That of the unobligated balances from prior year appropriations available under this heading, \$49,000,000 is hereby rescinded: Provided further, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

## NAVAL REACTORS

## (INCLUDING TRANSFER OF FUNDS)

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, \$1,486,000,000, to remain available until expended, of which, \$82,500,000 shall be transferred to "Department of Energy—Energy Programs—Nuclear Energy", for the Advanced Test Reactor: Provided, That of such amount, \$46,651,000 shall be available until September 30, 2019, for program direction.

## FEDERAL SALARIES AND EXPENSES

For expenses necessary for Federal Salaries and Expenses in the National Nuclear Security Administration, \$412,595,000, to remain available until September 30, 2019, including official reception and representation expenses not to exceed \$12,000.

## ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

## DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$5,405,000,000, to remain available until expended: Provided, That of such amount, \$300,000,000 shall be available until September 30, 2019, for program direction.

## OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$825,000,000, to remain available until expended: Provided, That of such amount, \$284,400,000 shall be available until September 30, 2019, for program direction.

## DEFENSE NUCLEAR WASTE DISPOSAL

For Department of Energy expenses necessary for nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982, as amended, including the acquisition of real property or facility construction or expansion, \$30,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS  
BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are approved for official reception and representation expenses in an amount not to exceed \$5,000: Provided, That during fiscal year 2018, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN  
POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to

the southeastern power area, \$6,379,000, including official reception and representation expenses in an amount not to exceed \$1,500, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to \$6,379,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2018 appropriation estimated at not more than \$0: Provided further, That notwithstanding 31 U.S.C. 3302, up to \$51,000,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE, SOUTHWESTERN  
POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed \$1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, \$30,288,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to \$18,888,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2018 appropriation estimated at not more than \$11,400,000: Provided further, That notwithstanding 31 U.S.C. 3302, up to \$10,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATION  
AND MAINTENANCE, WESTERN AREA POWER  
ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, \$232,276,000, including official reception and representation expenses in an amount not to exceed \$1,500, to remain available until expended, of which

\$230,251,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to \$138,904,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2018 appropriation estimated at not more than \$93,372,000, of which \$91,347,000 is derived from the Reclamation Fund: Provided further, That notwithstanding 31 U.S.C. 3302, up to \$179,000,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND  
MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, \$4,176,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat. 255): Provided, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to \$3,948,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2018 appropriation estimated at not more than \$228,000: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred: Provided further, That for fiscal year 2018, the Administrator of the Western Area Power Administration may accept up to \$872,000 in funds contributed by United States power customers of the Falcon and Amistad Dams for deposit into the Falcon and Amistad Operating and Maintenance Fund, and such funds shall be available for the purpose for which contributed in like manner as if said sums had been specifically appropriated for such purpose: Provided further, That any such funds shall be available without further appropriation and without fiscal year limitation for use by the Commissioner of the United States Section of the International Boundary and Water Commission for the sole purpose of operating, maintaining, repairing, rehabilitating, replacing, or upgrading the hydroelectric facilities at these Dams in accordance with agreements reached between the Administrator, Commissioner, and the power customers.

FEDERAL ENERGY REGULATORY COMMISSION  
SALARIES AND EXPENSES

For expenses necessary for the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, official reception and representation expenses not to exceed \$3,000, and the hire of passenger motor vehicles, \$367,600,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed \$367,600,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2018 shall be retained and used for expenses necessary in this account, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2018 so as to result in a final fiscal year 2018 appropriation from the general fund estimated at not more than \$0.

GENERAL PROVISIONS—DEPARTMENT OF  
ENERGY

(INCLUDING TRANSFER OF FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

(b)(1) Unless the Secretary of Energy notifies the Committees on Appropriations of both Houses of Congress at least 3 full business days in advance, none of the funds made available in this title may be used to—

(A) make a grant allocation or discretionary grant award totaling \$1,000,000 or more;

(B) make a discretionary contract award or Other Transaction Agreement totaling \$1,000,000 or more, including a contract covered by the Federal Acquisition Regulation;

(C) issue a letter of intent to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B); or

(D) announce publicly the intention to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B).

(2) The Secretary of Energy shall submit to the Committees on Appropriations of both Houses of Congress within 15 days of the conclusion of each quarter a report detailing each grant allocation or discretionary grant award totaling less than \$1,000,000 provided during the previous quarter.

(3) The notification required by paragraph (1) and the report required by paragraph (2) shall include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, the account and program, project, or activity from which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

(c) The Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading “Department of Energy—Energy Programs”, enter into a multiyear contract, award a multiyear grant, or enter into a multiyear cooperative agreement unless—

(1) the contract, grant, or cooperative agreement is funded for the full period of performance as anticipated at the time of award; or

(2) the contract, grant, or cooperative agreement includes a clause conditioning the Federal Government's obligation on the availability of future year budget authority and the Secretary

notifies the Committees on Appropriations of both Houses of Congress at least 3 days in advance.

(d) Except as provided in subsections (e), (f), and (g), the amounts made available by this title shall be expended as authorized by law for the programs, projects, and activities specified in the “Bill” column in the “Department of Energy” table included under the heading “Title III—Department of Energy” in the report of the Committee on Appropriations accompanying this Act.

(e) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program, project, or activity funding level to increase or decrease by more than \$5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.

(f) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates, initiates, or eliminates a program, project, or activity;

(2) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act; or

(3) reduces funds that are directed to be used for a specific program, project, or activity by this Act.

(g)(1) The Secretary of Energy may waive any requirement or restriction in this section that applies to the use of funds made available for the Department of Energy if compliance with such requirement or restriction would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Secretary of Energy shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver.

(h) The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 302. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2018 until the enactment of the Intelligence Authorization Act for fiscal year 2018.

SEC. 303. None of the funds made available in this title shall be used for the construction of facilities classified as high-hazard nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Enterprise Assessments to ensure the project is in compliance with nuclear safety requirements.

SEC. 304. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under Department of Energy Order 413.3B, or any successive departmental guidance, for construction projects where the total project cost exceeds \$100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

SEC. 305. (a) None of the funds made available in this or any prior Act under the heading “De-

fense Nuclear Nonproliferation” may be made available to enter into new contracts with, or new agreements for Federal assistance to, the Russian Federation.

(b) The Secretary of Energy may waive the prohibition in subsection (a) if the Secretary determines that such activity is in the national security interests of the United States. This waiver authority may not be delegated.

(c) A waiver under subsection (b) shall not be effective until 15 days after the date on which the Secretary submits to the Committees on Appropriations of both Houses of Congress, in classified form if necessary, a report on the justification for the waiver.

SEC. 306. Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), upon a determination by the President in this fiscal year that a regional supply shortage of refined petroleum product of significant scope and duration exists, that a severe increase in the price of refined petroleum product will likely result from such shortage, and that a draw down and sale of refined petroleum product would assist directly and significantly in reducing the adverse impact of such shortage, the Secretary of Energy may draw down and sell refined petroleum product from the Strategic Petroleum Reserve. Proceeds from a sale under this section shall be deposited into the SPR Petroleum Account established in section 167 of the Energy Policy and Conservation Act (42 U.S.C. 6247), and such amounts shall be available for obligation, without fiscal year limitation, consistent with that section.

SEC. 307. (a) DRAWDOWN AND SALE.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), and in addition to sales authorized in sections 403 and 404 of the Bipartisan Budget Act of 2015 (42 U.S.C. 6241; 42 U.S.C. 6239 note) and section 5010 of the 21st Century Cures Act (42 U.S.C. 6241 note), the Secretary of Energy shall draw down and sell up to \$8,400,000 of crude oil from the Strategic Petroleum Reserve during this fiscal year.

(b) PROCEEDS.—Proceeds from a sale under this section shall be deposited into the SPR Petroleum Account during this fiscal year and shall be available for the costs of crude oil sales authorized in sections 403 and 404 of the Bipartisan Budget Act of 2015 (42 U.S.C. 6241; 42 U.S.C. 6239 note) and section 5010 of the 21st Century Cures Act (42 U.S.C. 6241 note), to remain available until expended.

(c) EMERGENCY PROTECTION.—The Secretary shall not draw down and sell crude oil under this section in amounts that would limit the authority to sell petroleum products under section 161(h) of the Energy Policy and Conservation Act (42 U.S.C. 6241(h)) in the full amount authorized by that subsection.

SEC. 308. (a) NEW REGIONAL RESERVES.—The Secretary of Energy may not establish any new regional petroleum product reserve unless funding for the proposed regional petroleum product reserve is explicitly requested in advance in an annual budget submission and approved by the Congress in an appropriations Act.

(b) The budget request or notification shall include—

(1) the justification for the new reserve;

(2) a cost estimate for the establishment, operation, and maintenance of the reserve, including funding sources;

(3) a detailed plan for operation of the reserve, including the conditions upon which the products may be released;

(4) the location of the reserve; and

(5) the estimate of the total inventory of the reserve.

SEC. 309. Of the amounts made available under this title, not more than \$267,901,000 may be transferred to the working capital fund established under section 653 of the Department of Energy Organization Act (42 U.S.C. 7263).

TITLE IV  
INDEPENDENT AGENCIES  
APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, and for expenses necessary for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, \$130,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD  
SALARIES AND EXPENSES

For expenses necessary for the Defense Nuclear Facilities Safety Board in carrying out activities authorized by chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.), \$30,600,000, to remain available until September 30, 2019.

DELTA REGIONAL AUTHORITY  
SALARIES AND EXPENSES

For expenses necessary for the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding sections 382C(b)(2), 382F(d), 382M, and 382N of said Act, \$15,000,000, to remain available until expended.

DENALI COMMISSION

For expenses necessary for the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, \$11,000,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: Provided, That funds shall be available for construction projects in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105–277), as amended by section 701 of appendix D, title VII, Public Law 106–113 (113 Stat. 1501A–280), and an amount not to exceed 50 percent for non-distressed communities: Provided further, That notwithstanding any other provision of law regarding payment of a non-Federal share in connection with a grant-in-aid program, amounts under this heading shall be available for the payment of such a non-Federal share for programs undertaken to carry out the purposes of the Commission.

NORTHERN BORDER REGIONAL COMMISSION

For expenses necessary for the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, \$5,000,000, to remain available until expended: Provided, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code.

SOUTHEAST CRESCENT REGIONAL COMMISSION

For expenses necessary for the Southeast Crescent Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, \$250,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION  
SALARIES AND EXPENSES

For expenses necessary for the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, \$939,137,000, including official representation expenses not to exceed \$25,000, to remain available until expended, of which \$30,000,000 shall be derived from the Nuclear Waste Fund: Provided, That of the amount appropriated herein, not more than \$9,500,000 may be made available for salaries, travel, and other support

costs for the Office of the Commission, to remain available until September 30, 2019, of which, notwithstanding section 201(a)(2)(c) of the Energy Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure shall only be approved by a majority vote of the Commission: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at \$779,829,000 in fiscal year 2018 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That of the amounts appropriated under this heading, not less than \$10,000,000 shall be for activities related to the development of regulatory infrastructure for advanced nuclear technologies, and \$16,200,000 shall be for international activities, except that the amounts provided under this proviso shall not be derived from fee revenues, notwithstanding 42 U.S.C. 2214: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2018 so as to result in a final fiscal year 2018 appropriation estimated at not more than \$159,308,000: Provided further, That of the amounts appropriated under this heading, \$10,000,000 shall be for university research and development in areas relevant to the Commission's mission, and \$5,000,000 shall be for a Nuclear Science and Engineering Grant Program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$12,859,000, to remain available until September 30, 2019: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at \$10,555,000 in fiscal year 2018 shall be retained and be available until September 30, 2019, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2018 so as to result in a final fiscal year 2018 appropriation estimated at not more than \$2,304,000: Provided further, That of the amounts appropriated under this heading, \$1,131,000 shall be for Inspector General services for the Defense Nuclear Facilities Safety Board, which shall not be available from fee revenues.

NUCLEAR WASTE TECHNICAL REVIEW BOARD  
SALARIES AND EXPENSES

For expenses necessary for the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, \$3,600,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2019.

GENERAL PROVISIONS—INDEPENDENT AGENCIES

SEC. 401. The Nuclear Regulatory Commission shall comply with the July 5, 2011, version of chapter VI of its Internal Commission Procedures when responding to Congressional requests for information.

SEC. 402. (a) The amounts made available by this title for the Nuclear Regulatory Commission may be reprogrammed for any program, project, or activity, and the Commission shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program funding level to increase or decrease by more than \$500,000 or 10 percent, whichever is less, during the time period covered by this Act.

(b)(1) The Nuclear Regulatory Commission may waive the notification requirement in sub-

section (a) if compliance with such requirement would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Nuclear Regulatory Commission shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver and shall provide a detailed report to the Committees of such waiver and changes to funding levels to programs, projects, or activities.

(c) Except as provided in subsections (a), (b), and (d), the amounts made available by this title for “Nuclear Regulatory Commission—Salaries and Expenses” shall be expended as directed in the report of the Committee on Appropriations accompanying this Act.

(d) None of the funds provided for the Nuclear Regulatory Commission shall be available for obligation or expenditure through a reprogramming of funds that increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act.

(e) The Commission shall provide a monthly report to the Committees on Appropriations of both Houses of Congress, which includes the following for each program, project, or activity, including any prior year appropriations—

- (1) total budget authority;
- (2) total unobligated balances; and
- (3) total unliquidated obligations.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) None of the funds made available in title III of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(b) None of the funds made available for any department, agency, or instrumentality of the United States Government may be transferred to accounts funded in title III of this Act, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(c) The head of any relevant department or agency funded in this Act utilizing any transfer authority shall submit to the Committees on Appropriations of both Houses of Congress a semi-annual report detailing the transfer authorities, except for any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality, used in the previous 6 months and in the year-to-date. This report shall include the amounts transferred and the purposes for which they were transferred, and shall not replace or modify existing notification requirements for each authority.

SEC. 503. None of the funds made available by this Act may be used in contravention of Executive Order No. 12898 of February 11, 1994 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations).

SEC. 504. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 505. None of the funds made available by this Act may be used to further implementation of the coastal and marine spatial planning and ecosystem-based management components of the National Ocean Policy developed under Executive Order No. 13547 of July 19, 2010.

SEC. 506. None of the funds made available by this Act may be used for the removal of any federally owned or operated dam unless the removal was previously authorized by Congress.

SEC. 507. None of the funds made available by this Act may be used to conduct closure of adjudicatory functions, technical review, or support activities associated with the Yucca Mountain geologic repository license application, or for actions that irrevocably remove the possibility that Yucca Mountain may be a repository option in the future.

#### REFERENCES TO ACT

SEC. 508. Except as expressly provided otherwise, any reference to "this Act" contained in this division shall be treated as referring only to the provisions of this division.

#### REFERENCE TO REPORT

SEC. 509. Any reference to a "report accompanying this Act" contained in this division shall be treated as a reference to House Report 115-259. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

#### SPENDING REDUCTION ACCOUNT

SEC. 510. \$0.

This Act may be cited as the "Energy and Water Development and Related Agencies Appropriations Act, 2018".

The Acting CHAIR. No further amendment to the bill shall be in order except those printed in House Report 115-259, amendments en bloc described in section 3 of House Resolution 473, and pro forma amendments described in section 4 of that resolution.

Each further amendment printed in the report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment except as provided by section 4 of House Resolution 473, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Appropriations or his designee to offer amendments en bloc consisting of amendments printed in the report not

earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees, shall not be subject to amendment, except as provided by section 4 of House Resolution 473, and shall not be subject to a demand for division of the question.

During consideration of the bill for amendment, the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 20 pro forma amendments each at any point for the purpose of debate.

#### AMENDMENT NO. 1 OFFERED BY MR. CONNOLLY

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 115-259.

Mr. CONNOLLY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 163, line 25, after the dollar amount, insert "(reduced by \$1,022,250)".

Page 164, line 23, after the dollar amount, insert "(reduced by \$1,022,250)".

Page 189, line 19, after the dollar amount, insert "(increased by \$1,000,000)".

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Mr. Chairman, I rise today to offer an amendment that would increase funding for the Government Accountability Office, offset by a minor decrease in the funding for the MRA accounts here in the House of Representatives.

I am offering the amendment for three reasons:

First, the bill significantly underfunds the GAO.

Second, the administration is actively thwarting congressional oversight, which we need more of, not less of.

Finally, Congress, which struck an aggressive posture in oversight during the previous administration, seems to have lost its way a bit in its constitutional duty to oversee the activities of this executive branch.

The GAO is a vital resource not only for congressional overseers, but also anyone interested in studying or improving the effectiveness of Federal agencies. The GAO is often referred to as the congressional watchdog. I am sure every Member of Congress has supported or requested a GAO report with the purpose of examining broad and discrete issues of executive branch oversight at some point in their career. It is a vital institution that saves taxpayer dollars.

Every dollar we invest in the GAO, Mr. Chairman, generates a \$112 return for the Federal Government and for the taxpayer. This oversight dividend amounted to \$63 billion in financial benefits for the Federal Government in fiscal year 2016 alone.

Unfortunately, the bill before us provides \$46.2 million less than the budget request for fiscal year 2018. This amendment would simply restore a modest \$1 million of it.

I know the lack of sufficient funding for the GAO has been a topic of discussion and debate between the majority and minority on the Appropriations Committee. I would note that the ranking member raised the issue in the "Additional Views" section of the committee report.

In the report, Ranking Member LOWEY and Representative TIM RYAN, who is with us on the floor, stated it is irresponsible to underfund the GAO, especially when administration officials have reportedly been ordered not to comply with Democratic oversight requests.

Which brings me to my second reason for offering the amendment: the indifferent and at times outright adversarial approach the Trump administration has decided to take to normal routine congressional oversight work. The administration has ignored the seven-member rule, for example, an authority enacted into law in 1928, which delegates authority to any seven members of my committee, the Committee on Oversight and Government Reform, to require any executive branch agency to submit any information requested of it relating to any matter within the jurisdiction of our committee.

The Trump administration released an opinion issued by the Office of Legal Counsel, arguing that agencies and departments could ignore requests for documents and other information from Members of the minority party.

On June 7, Republican Senator CHUCK GRASSLEY, who certainly knew the benefit of getting information requests in the minority answered, wrote a scathing letter to President Trump urging him to reject the opinion. The opinion stated that only requests from committees or their chairs are constitutionally authorized. Senator GRASSLEY, Republican chairman of the Judiciary Committee in the Senate, called the opinion nonsense.

In his letter to the President, he stated: "For OLC to fundamentally misunderstand and misstate such a simple fact exposes its shocking lack of professionalism and objectivity."

He also wrote: "Oversight brings transparency, and transparency brings accountability. And the opposite is true. Shutting down oversight requests doesn't drain the swamp."

Those are the words of CHUCK GRASSLEY.

As the vice ranking member of the Oversight and Government Reform

Committee, I have witnessed firsthand the committee's volte-face on issues of oversight.

Whereas, during the Obama administration, one would have thought that, like the British Empire, the Sun never set on the jurisdiction of our committee. Now, suddenly, the majority advances a tortured and narrow interpretation of the committee's role as the primary oversight body for the House of Representatives.

If the administration is going to ignore the minority in Congress and the majority is suddenly allergic to congressional oversight, the demands on the GAO are going to grow.

With that greater responsibility should come greater resources. First and foremost, the House should join Senator GRASSLEY and demand that this administration not impede congressional oversight activities.

In the absence of the administration acceding to this request, we have got to send a clear message about the importance to the executive branch of accountability by better funding the GAO.

This amendment will not solve the GAO funding created by this bill, but it would send a message to our colleagues in the Senate about the premium we place on the principle of robust oversight of the executive branch.

Mr. Chair, I rise today to offer an amendment which would increase funding for the Government Accountability Office (GAO) and offset that increase with a reduction in funding for the salaries and expenses of the House of Representatives.

I am offering this amendment for three reasons.

First, this bill significantly underfunds GAO. Second, this administration is actively thwarting congressional oversight.

And finally, Congress, which struck an aggressive posture on oversight during the Obama Administration, seems to have forgotten its Constitutional duty to oversee the activities of the Executive Branch.

GAO is a vital resource for not only Congressional overseers, but also anyone interested in studying or improving the effectiveness of federal agencies and the way in which they carry out their vital missions.

GAO is often referred to as the "congressional watchdog."

I am sure nearly every Member of Congress has supported or requested a GAO report with the purpose of examining broad and discrete issues of Executive Branch oversight.

It is a vital institution that helps ensure taxpayer dollars are invested wisely.

Every dollar we invest in GAO generates a \$112 return for the federal government. This oversight dividend amounted to \$63 billion in financial benefits for the federal government in fiscal year 2016.

Unfortunately, the bill before us provides \$46.2 million less than the budget request for FY 2018, which would result in the loss of 200 GAO staff by the end of the coming fiscal year.

I know the lack of sufficient funding for GAO has been a topic of discussion and debate be-

tween the Majority and the Minority on the Appropriations Committee.

I would note that the Ranking Member raised this issue in the "Additional Views" section of the Committee report for the Legislative Branch Appropriations Bill.

In the report, Ranking Member LOWEY and Representative TIM RYAN stated, "It is irresponsible to underfund the GAO, especially when Administration officials have reportedly been ordered not to comply with Democratic oversight requests."

Which brings me to my second reason for offering this amendment—the indifferent and, at times, hostile approach the Trump Administration has decided to take to Congressional oversight work.

The administration has ignored the Seven Member Rule, an authority that was enacted into law in 1928 which delegates authority to any seven members of the Committee on Oversight and Government Reform to require any Executive Branch agency to "submit any information requested of it relating to any matter within the jurisdiction of the committee."

The Trump Administration released an opinion issued by the Office of Legal Counsel on May 1, 2017, arguing that agencies and departments could ignore requests for documents and other information from Members of Congress other than Republican Committee Chairmen.

On June 7, 2017, Republican Senator CHUCK GRASSLEY wrote a scathing letter to President Trump urging him to reject the opinion issued by Office of Legal Counsel.

The opinion stated that only requests from committees or their chairs are "constitutionally authorized."

Senator GRASSLEY called the opinion "nonsense."

In his letter to the president he stated, "For OLC to so fundamentally misunderstand and misstate such a simple fact exposes its shocking lack of professionalism and objectivity. Indeed, OLC appears to have utterly failed to live up to its own standards. You are being ill-served and ill-advised."

He also wrote, "Oversight brings transparency, and transparency brings accountability. And, the opposite is true. Shutting down oversight requests doesn't drain the swamp, Mr. President. It floods the swamp."

And Congress is not blameless here.

As the Vice Ranking Member of the House Oversight and Government Reform Committee, I have witnessed firsthand that Committee's volte-face on issues of oversight.

Whereas, during the Obama Administration one would have thought that like the British Empire the sun never set on the jurisdiction of the Oversight Committee, now the Majority advances a tortured and narrow interpretation of the Committee's role as the primary oversight body for the House of Representatives.

If the Administration is going to ignore the Minority in Congress, and the Majority is suddenly allergic to Congressional oversight, the demands on GAO are only going to grow.

And with that greater responsibility should come greater resources.

First and foremost, the House should join Senator GRASSLEY and demand that this administration not impede Congressional oversight activities.

In the absence of the administration acceding to this demand, we must send a clear message about the importance of Executive Branch accountability by better funding GAO.

This amendment will not solve the GAO funding difficulties created by this bill, but it would send a message to our colleagues in the Senate about the premium we place on the principle of robust oversight of the Executive Branch.

Mr. Chair, I yield back the balance of my time.

Mr. YODER. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. YODER. Mr. Chairman, I thank the gentleman from Virginia for his amendment to add \$1 million to the already \$545 million that we spend on the Government Accountability Office.

The GAO plays an important role in being a government watchdog. They are the sort of watchdog of what happens in this city. And we are all certainly concerned, whether it is a Democrat or Republican President, that we want a GAO that can do its work and to root out fraud, waste, and abuse, provide economic data for Congress, help us to do our job in holding our government accountable, and help the American people hold our government accountable.

That is why we work on this bill, to keep funding steady for the GAO and to help centralize IG reports to make them ultimately public and online to increase transparency. But we have tight constraints on our budget.

Even so, while we work to fund additional security needs, critical infrastructure projects that need to be funded, and much-needed cybersecurity improvements, reducing the amount of money that goes to MRAs from our colleagues on both sides of the aisle would weaken our ability to represent our constituents, weaken our ability to effectively communicate with our constituents. I don't think that is the gentleman's intent here, but that would be the ultimate result.

We actually have a slight increase in what the GAO can spend in our budget, getting up to \$545 million. So there is a slight increase here, and that is at a time in which many budgets are being decreased across Congress. Many of our constituents are tightening their belts and learning how to do more with less in the challenges they face putting food on the table for their families and really working in a family budget. We have to do the same thing here in Congress, Mr. Chairman.

The GAO actually gets slightly more money this year, and they have the ability to continue to carry out their function at \$545 million. And I don't believe going to \$546 million is going to achieve the significant changes that maybe Mr. CONNOLLY would like to see.



Ultimately, we are not able to accommodate this request, Mr. Chairman. Our Member budgets are already 12 percent below what they were when the Republicans took over the House in 2010.

□ 1715

We are 12 percent below, even with this expenditure, and many Members are concerned that they don't have the resources to provide what they need to for their constituents. So cutting these budgets by \$1 million more would only exacerbate those problems.

Mr. Chairman, we would have to oppose this amendment. We want the GAO to remain strong, and that is why we slightly increased their funding, but we can't really rob the MRA budgets to add to that with the many challenges we have and many priorities in this Congress.

Mr. Chairman, I would oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The amendment was rejected.

AMENDMENT NO. 2 OFFERED BY MRS. LOVE

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 115-259.

Mrs. LOVE. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 164, line 23, after the dollar amount, insert "(reduced by \$11,025,000) (increased by \$11,025,000)".

The Acting CHAIR. Pursuant to House Resolution 473, the gentlewoman from Utah (Mrs. LOVE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Utah.

Mrs. LOVE. Mr. Chairman, I appreciate the opportunity to speak about my proposed amendment to the Legislative Branch Appropriations bill. My amendment will have zero budgetary impact, and the intent is to merely advocate for the expansion of permissible uses of the MRA funds that have already been designated for Member security.

Currently, the Appropriations Committee has provided MRA resources in the amount of \$25,000 per Member for providing Member security away from the Capitol complex; however, this money may not be currently spent on security at a Member's private residence.

In the current environment, however, many Members, myself included, have faced threats that extend to our homes and our families. For me, that included a person putting my address on Facebook and Twitter with a statement that stated: "We've signed your death certificate. You won't see us coming."

In fact, in recognition of this disturbing trend, a recent FEC advisory opinion held that the campaign funds may be used, "... to install or upgrade residential security systems that do not constitute structural improvements to a Members' homes."

My amendment proposes that MRA funds for Member security may be used in this same way. We do not face these threats because we are candidates for office but because we are sitting Members of Congress.

Mr. Chair, I yield 1 minute to the gentleman from Louisiana (Mr. RICHMOND), my colleague from Louisiana's Second Congressional District.

Mr. RICHMOND. Mr. Chair, I rise to support the gentlewoman from Utah's amendment. I think that it is very appropriate, and, unfortunately, we find ourselves in a time where this is needed. But we have the awesome responsibility, and we have to remind ourselves sometimes that we are the only 435 people in the country that will vote on this country going to war and making decisions that impact this country. Because of that, I think that we need to make sure that we safeguard ourselves in this rising time of new threats and dangers.

Look, we all signed up for public service and to serve our country and to make it a more perfect Union; however, a lot of our families and our neighbors and our constituents that show up at our functions didn't necessarily sign up for that. So for those reasons, I would just ask that my colleagues support it. I think it is a very prudent piece of legislation, amendment, at a very important time.

Mrs. LOVE. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. BRIDENSTINE), my colleague from Oklahoma's First Congressional District.

Mr. BRIDENSTINE. Mr. Chairman, I rise to thank the gentlewoman from Utah for offering this very important amendment at this time in American history. A lot of us have received threats, and I think this is a good amendment. I would like to thank the gentleman from Louisiana for stepping up to support it as well.

I would like to reiterate the point that this amendment could save lives, and it doesn't add a single penny to the budget, to the debt, to the deficit. This doesn't add a single penny, and yet it could be responsible for saving the lives of our colleagues.

So I would like to thank the gentlewoman from Utah for offering it and the gentleman from Louisiana for supporting it.

I would urge all of my colleagues to vote "yes" on this amendment.

Mrs. LOVE. Mr. Chair, I would like to go ahead and reiterate my thanks to the Appropriations Committee and to my colleagues for all of the support on this amendment.

Mr. Chair, I yield back the balance of my time.

Mr. YODER. Mr. Chairman, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Kansas is recognized for 5 minutes.

There was no objection.

Mr. YODER. Mr. Chairman, I would like to thank Mrs. LOVE for her eloquence and leadership on this issue. She has provided a very serious proposal at a time in which, in light of the recent tragedy at a baseball park here in the suburbs of Virginia and what we have seen across the country, there are threats made daily against Members of Congress, both Democratic and Republican. In fact, threats are up this year over what they were all of last year combined.

We know many of these threats are simply just hot air or anger being expressed in an overly vitriolic way. We have all seen it on social media, on Twitter, on Facebook pages, things that are just really shocking and lack the discourse and the civility that we need to solve problems in this country. But it reaches a different level when Members of Congress are put in threatening situations where they or their families legitimately believe that someone may try to harm them. So we must ensure that we do everything we can to protect this institution, that we protect this government, that we protect democracy.

The idea that anyone in this body could be targeted based on their political beliefs, like my friend and our colleague, our majority whip, STEVE SCALISE, was when he was shot at a baseball practice by somebody who was specifically targeting Republicans for their beliefs, that is sort of new in the world of the shootings that we have seen around the country, that someone would be specifically targeted for their beliefs.

It happened to Republicans now; it could happen to Democrats the next time. So I think we stand unified as a Congress that we must improve the security in order to protect democracy.

We signed up for this, of course, and as my colleague, Mr. RICHMOND, said, our families didn't. Home security relates to our children, our families, making sure there are cameras or whatever improvements need to be made so that people know that, if someone were to try to attack them at their home, they would be protected.

In this bill, we have addressed security here in Washington, D.C. We have addressed security at our district offices at home. We have even allowed personal security. But what we haven't done is allowed some support for home security.

We have seen, in recent weeks, that the FEC has said you can spend campaign dollars for this, and I think it is



a reasonable request that Mrs. LOVE is making, that others are standing up for, to allow the MRA to be utilized for that.

So I think what the gentlewoman is raising will help with peace of mind. It will help stem real attacks, is limited in its scope, and ultimately protects democracy. Members of Congress should not be intimidated or injured or worse because of what they believe in.

I ask the body to support this legislation, and I yield the balance of my time to the gentleman from Ohio (Mr. RYAN), the ranking member of the Legislative Branch Subcommittee.

Mr. RYAN of Ohio. Mr. Chairman, I just want to make it unanimous here. I want to thank the gentlewoman from Utah for offering this amendment and Mr. RICHMOND for coming here to support it.

Again, everything has been said. This is appropriate. We are in uncharted waters here. We were at the baseball practices. We saw what happened to our colleague.

We go out to events; we can have security. We go to our office; we can have security. You come home, and you can't. So I think this is appropriate.

I want to thank you for taking this issue up on behalf of the body. We have so many Members today that will take opportunities to diminish this body, and you stood up and showed some leadership in enhancing this body. I want to support this amendment, and I thank the chairman for allowing this to happen.

Mr. YODER. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Utah (Mrs. LOVE).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. KILDEE

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 115-259.

Mr. KILDEE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 163, line 25, after the dollar amount insert the following: "(increased by \$250,000)".

Page 167, line 3, after the dollar amount insert the following: "(increased by \$250,000)".

Page 167, line 14, after the dollar amount insert the following: "(increased by \$250,000)".

Page 176, line 18, after the dollar amount insert the following: "(reduced by \$250,000)".

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Michigan (Mr. KILDEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. KILDEE. Mr. Chairman, this amendment is actually quite simple. It would expand the House Wounded War-

rior Fellowship Program to ensure that even more wounded veterans have the opportunity to work here in Congress and contribute their talents to our work here.

We need more veterans in public service. This amendment would provide additional opportunities for veterans to continue to serve their country here in the House of Representatives as legislative fellows.

I think we know that these veterans bring a particular perspective and a particular set of experiences unlike anything else we hear, and this perspective should inform the conversations, the discussions, and the deliberations we have on all subjects, but particularly on subjects related to their experience and their particular perspective. We need these voices especially now more than ever.

We do talk a lot about ways to help veterans transition from their service to the world of work following their time in the military. This would increase the number of veterans that are given the opportunity to, right here, work alongside us and to provide us with their perspective.

This amendment is budget neutral and provides additional opportunities for veterans to help us in our work. I think it is the right thing. I urge my colleagues to support it.

I yield 1 minute to the gentleman from Ohio (Mr. RYAN), the ranking member of the subcommittee.

Mr. RYAN of Ohio. Mr. Chair, I thank the gentleman.

I think the Wounded Warrior Project we have going on here in the House of Representatives is a great project. It is a great opportunity, as you articulated, to get people into the legislative process, both in our district offices and here in Washington, D.C., and I want to voice my support for that.

Mr. YODER. Mr. Chair, I ask unanimous consent to claim the time in opposition, even though I do not oppose the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YODER. Mr. Chair, I want to thank Mr. KILDEE for his leadership in bringing this to this body's attention.

I think the work of our men and women in service defending our Nation is the highest priority for this Congress, and our support for them in services, in healthcare, in helping them find work, in education, in training, all the things they need when they come home, I think we are unified in our support that they should be recognized as the heroes they are when they come back and leave service.

Some of these men and women, in putting themselves in the field of battle have become wounded, and some-

times very severely. They have stood in the field of battle. They have stood up to our enemies. They have protected freedom around the globe and here at home, keeping us and our allies, our children, our families safe, keeping freedom and democracy safe; yet, when they come home, all too often, they don't have everything they need. All too often, they don't feel that the promises this government has made have been kept. So each and every day I think we are working on legislation to improve that.

We have passed bills in recent weeks here to continue and improve veterans' programs, but the House Wounded Warrior Program is a great example of how this Congress is leading by example by creating 2-year fellowships for disabled veterans.

The unemployment rate is higher for these men and women than it is for nonveterans, and disabled veterans in particular, and so this fellowship program provides a valuable job, a valuable experience, an opportunity for these men and women to help serve their country, which is in their DNA. It is who they are.

When they are done serving on the battlefield, they can come serve in our congressional offices, and it provides a great service for us. They provide the opportunity for us to have an expert on not only veterans' issues and military issues, but many issues. They can cover a whole range of things, providing better services for us and our constituents.

In our legislation, the underlying bill, we increased the total number of fellowships to 85 from 54 because there is a waiting list. This is a 57 percent increase over the previous number. And 79 Member offices are on the waiting list right now to participate in this program, so the demand is there.

We certainly know that there are many veterans who would love to serve in this capacity, and so we are excited to support this amendment putting more resources into this program, and we are going to work with the gentleman from Michigan to make sure that we can open up slots in a timely manner to help make sure we get these men and women into the offices so they can serve.

Mr. Chairman, we support this amendment, and I yield back the balance of my time.

□ 1730

Mr. KILDEE. Mr. Chairman, I would just like to express my appreciation to Chairman YODER for his support and for Ranking Member RYAN for their bipartisan support of this effort. It is the right thing to do. It will make a difference in the work that we do and especially will make a difference for those returning wounded warriors to give them a chance to start a career perhaps.

Mr. Chairman, I urge my colleagues to support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. KILDEE).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 115-259.

Mr. PERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 176, line 2, after the dollar amount, insert “(reduced by \$25,436,000)”.

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chairman, our Nation is \$20 trillion in debt, and there might be \$100 trillion or \$200 trillion in unfunded liabilities. I am not sure we really know what the answer is there. But we have got to find a way to reduce our spending and make sure that the things we are paying for are worthy and that we are getting something—we are actually getting what we are paying for.

I am offering an amendment to H.R. 3219 to reduce the appropriations to the Congressional Budget Office by 50.4 percent.

We all know and agree the Congressional Budget Office is tasked with determining the budget and economic impacts of proposed legislation which are critical to our everyday decisions. Oftentimes, they are late, and, unfortunately, too often they are woefully incorrect.

I don't mean to impugn the fine people who work at the CBO, but something is amiss. If we keep on accepting it, how are we ever going to get our policy right?

The CBO's fiscal analysis is consistently incorrect, and, as a result, has detrimental implications on a variety of policies.

This amendment reduces the CBO's fiscal year '18 appropriations by 50.4 percent which just happens to be the exact same percentage that the CBO was off when it predicted the enrollment numbers for the Affordable Care Act exchanges in 2016.

In 2010, the CBO projected that 21 million people would enroll in the exchange plans by 2016. The actual enrollment was about 10.4 million people. That is an error of 50.4 percent, Mr. Chairman.

Now, maybe the CBO's projections would have improved as the ACA continued to take shape after 2010, and that seems reasonable. That is not cor-

rect. That is wrong. It didn't improve. Four years later, the CBO predicted that, from 2016, between 23 and 25 million people would receive coverage through the exchanges. In 2014, the updated CBO analysis projected that 24 million people would receive coverage through the exchange in 2016. However, the actual 2016 enrollment in the ACA exchanges was 10.4 million people.

So it is less than half. They always predict about twice as much, or costs twice as much, and the numbers always seem to be half as much. That is a big deal.

We passed the American Health Care Act in here, and I went to my townhall, and CBO is saying: well, 23 to 24 million people are going to lose their insurance because of the American Health Care Act.

Well, yes, if you use the CBO's numbers which based the analysis on what they projected.

They don't even look at reality. We have got the reality right now. The reality is 10.4 million people, not 23 and 25 million—10.4. But that is how they view this thing, and that is what we vote on here. That is a problem.

I also want to highlight the failure of the CBO to forecast the cost of the Medicaid expansion. In 2013, the CBO projected that 34 million people would be on Medicaid or CHIP in 2016; however, in 2016, the CBO doubled, once again, they doubled their earlier estimates to 68 million people.

I mean, who gets to be off by that much and still receive—it is not like there is no accountability; there isn't any accountability, Mr. Chairman.

As a result, in March of 2016, the CBO increased its projection of Federal spending for Medicaid by \$146 billion. These are figures that we make decisions on around here.

Mr. Chairman, the CBO simply must be held accountable for its consistent failure to accurately or even reasonably predict budget and economic impacts of legislation. CBO is a critical contribution to our discussion and decisionmaking. We simply need to be able to depend on it as such.

Mr. Chairman, I reserve the balance of my time.

Mr. RYAN of Ohio. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. RYAN of Ohio. Mr. Chairman, I have been here long enough to recognize that, at times, the majority party will come to some level of disagreement with the Congressional Budget Office. We were here during the healthcare debate, we were here during tax cuts and all kinds of different things that happened in the last 15 years that I have been here.

They are not perfect, and they sometimes annoy us. As I can tell from my good friend on the other side, he is in the annoyance period with the Con-

gressional Budget Office. But this is an essential component to what we do here.

The Congressional Budget Office sincerely attempts to give us the best, most accurate information that they could possibly provide us, and those estimates change over time as circumstances change over time. When you are talking about one-sixth of the entire United States economy, it is going to be difficult to give you entirely accurate information.

But not having this essential service here, I think, would be detrimental to this Congress, detrimental to our ability to even gauge and forecast into the future, and so I oppose this amendment strongly and vigorously.

Mr. Chairman, I yield 3 minutes to the gentleman from Kentucky (Mr. YARMUTH) who I know also has a strong opinion on this matter.

Mr. YARMUTH. Mr. Chairman, I rise today in strong opposition to this amendment and urge my colleagues to reject it.

Some Republicans in Congress and the Trump administration are engaged in a steadily escalating campaign to tear down the Congressional Budget Office and anyone else who does not tell them what they want to hear. This amendment is a direct assault eliminating half of CBO's budget.

The CBO is our impartial referee. Its vigorous work has been indispensable for Congress as we consider legislation that impacts the lives of the American people. This amendment is not good for democracy, and it is not consistent with the principles of good government.

Republicans claim to care about fiscal responsibility, but this amendment would destroy the office we rely on to help us meet that standard.

My Republican colleagues are willing to compromise the integrity of this House solely because they cannot defend the bill repealing the Affordable Care Act. They cannot effectively explain to their constituents why they voted to leave more than 20 million Americans uninsured and dramatically increase the cost of insurance for millions more.

They are unable to justify cutting \$1 trillion from Medicaid and jeopardizing care for seniors in nursing homes, children, and families struggling to make ends meet. What they are doing in all of this is to provide cuts for the wealthiest Americans.

This amendment is a clear attempt to divert attention from that reality and to hide the truth from the American people. It will set a dangerous precedent.

As students, we would all like to grade our own papers, but we can't do that in Congress. We have to have somebody impartial who will grade them for us and tell us what this means to our budget and to the American people.

Congress created CBO to give us our own sense of budgetary information and expertise so we would not have to rely on administration estimates. CBO improves our ability to protect the power of the purse. For more than 40 years, the CBO has steadfastly fulfilled its mission providing impartial analysis and expertise to inform our decisionmaking.

The CBO Director and all personnel are appointed to their positions without regard to their political affiliation, solely based on their ability and qualifications. They show no allegiance or deference to any political ideology or party when preparing their analyses.

It is all too easy these days to take refuge in information that tells us only what we want to hear. But that does not lead to sound policy. CBO does not exist to give us the information that we want to hear. Its job is to give us the information that we need to make informed, responsible decisions. It is one of few institutions in Washington that serves that role.

It is beneath the Congress to attack the CBO which is only doing its job. It should be embarrassing to my Republican colleagues that they are launching these attacks simply because they do not have the courage to defend the damaging effects of their plan to repeal the Affordable Care Act. This needs to stop.

Mr. RYAN of Ohio. Mr. Chairman, I yield back the balance of my time.

Mr. PERRY. Mr. Chairman, may I inquire of the time remaining?

The Acting CHAIR. The gentleman from Pennsylvania has 1 minute remaining.

Mr. PERRY. Mr. Chairman, I don't disagree with my colleagues on the other side. I said that. We need the CBO. We created the CBO. Congress needs to have reliable information.

The problem is, it is not reliable. It is not reliable on the testimony that was just given against this amendment. That is the problem.

The CBO—right now where there are 10.4 enrollees—is telling us, in 2 years, there are going to be 25 million enrollees. Meanwhile, there are less exchanges open, and there are fewer insurers available. It is not going up; it is going down.

The CBO, when we say that they would reflect the current time, they absolutely don't. That is the problem. They don't even reflect reality when reality is right in front of them. The CBO needs to wake up. Who among us works for half the time and gets it doubly wrong and gets the same paycheck? The CBO.

Mr. Chairman, I urge my colleagues to vote for this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. RYAN of Ohio. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NUMBER 5 OFFERED BY MR. GRIFFITH

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 115-259.

Mr. GRIFFITH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division B (before the short title), insert the following:

SEC. \_\_\_\_\_. The Budget Analysis Division of the Congressional Budget Office, comprising 89 employees with annual salaries aggregating \$15,000,000, is hereby abolished. The duties imposed by law and regulation upon the employees of that Division are hereby transferred to the Office of the Director of the Congressional Budget Office.

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Virginia (Mr. GRIFFITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GRIFFITH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to read the amendment because I think there must be some confusion on this, and it will become important later in the debate:

"The Budget Analysis Division of the Congressional Budget Office, comprising 89 employees with annual salaries aggregating \$15 million is hereby abolished. The duties"—underlined duties, because it is only duties—"imposed by law and regulation upon the employees of that division are hereby transferred to the Office of the Director of the Congressional Budget Office."

That is the simple amendment, Mr. Chairman.

Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. MEADOWS).

Mr. MEADOWS. Mr. Chairman, I thank my esteemed colleagues for raising the issue, but it is more an issue of accuracy than anything else.

As we look at this, Mr. Chairman, it is real easy to look at CBO and realize that they are the one group that makes a weatherman's 10-day forecast look accurate. They consistently miss it all the time.

When you look at the 2002 farm bill, they missed it by \$137 billion. The 2008 farm bill, they missed by \$309 billion. Eventually, it adds up to real money.

But even with that, let's look at the sale of 64 million barrels of oil from the Strategic Oil Reserve. They actually said that there is no income from that and that it costs the government to get rid of 64 million barrels of oil. What kind of analysis does that?

So if my friend opposite wants to debate this over the accuracy, I welcome it.

Mr. Chair, it is time that we deal with this.

Mr. GRIFFITH. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, we have heard some of the problems with CBO from Mr. MEADOWS. We heard from Mr. PERRY immediately before on his amendment.

The CBO is meant to help Congress evaluate legislation. But I do not believe the agency, as currently constituted, has or can do so effectively.

□ 1745

Too often, predictions made by CBO turn out to be far off the mark.

We heard about the 2002 farm bill and the 2008 farm bill from Mr. MEADOWS. That is true, but people back home may not realize that, in fact, we don't do a farm bill every year. We do one roughly every 5 years, sometimes a little later than that, so there have not been so many to score.

One of our favorites on the Energy and Commerce Committee, on which I am pleased to serve, is the fact that, in 2015, we decided we would push forward and sell, as a nation, some broadband spectrum. CBO said zero dollars would be yielded from that sale.

Now, I use this all the time when I am talking to high school students, because you don't have to be a CBO person living in the ivory tower that they must live in to understand that broadband spectrum has value in today's society, and zero is not the right score. In the end, it brought in \$44 billion. When you take away the costs, it brought in a net \$40 billion. CBO was wrong.

CBO has overestimated on a number of things. Mr. PERRY talked about ObamaCare. But time after time after time, they have gotten things wrong. They said it cost more or didn't save as much.

In fact, I just saw, today, a report put out by Xcenda that the per-patient oncology drug costs were 0.06 to 2.3 times lower than what CBO said they were going to be from roughly 2003 to 2013, according to that study.

Mr. Chairman, I reserve the balance of my time.

Mr. RYAN of Ohio. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. RYAN of Ohio. Mr. Chairman, this amendment is breathtaking in its completely overt vindictiveness. Some Members don't like the calls the refs have made in games. You can have

your opposition and your opinion. Here, we are trying to get the referee fired. We cannot function as a group here if we are going to continue to try to demean and criticize this very group that is trying to help us do our job.

As I said a few minutes ago, the Democrats have had a long list of frustrations with the CBO, but did we have the President, the leader of our party, and a significant number of Members of the United States Congress start bad-mouthing the CBO? We did not.

We had our complaints, in all fairness, but we think that this group of professionals is essential to how this body functions.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACK), the distinguished chairman of the Budget Committee, if you are not going to just believe Democrats on this issue.

Mrs. BLACK. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise to voice my concerns about this amendment.

I think everyone in this House has a lot of issues, as has already been talked about, with the current modeling that is used by the Congressional Budget Office, and I am certainly one of these people, but this amendment is not the best way to accomplish our goal of obtaining better information and analysis from CBO.

The CBO is an important organization that provides vital information that Congress does need to make the best decisions. However, the modeling and scoring methods they currently are using need to be scrutinized, especially their behavioral predictions.

For example, in 2010, the CBO projected that 21 million Americans would be covered by ObamaCare in 2016, when, in reality, less than 13 million Americans have actually obtained coverage. In fact, during their scoring of the House Republican healthcare plan, CBO described their own estimates, which rely on behavioral predictions, as extremely uncertain.

That is why the House Budget Committee plans to hold a series of hearings this fall on CBO to gain a better understanding of their methods and how we can work to improve their ability to give Congress better information, which we obviously need. As chairman of the Budget Committee, I take this responsibility very seriously, and we will approach these hearings in the pursuit of truth and accuracy so we can make laws that better serve the American people.

We all realize that CBO has room for improvement, but this amendment being offered tonight is not the best way to achieve that. Instead, we need to have a deliberative discussion in the Budget Committee and amongst everyone in the House, and I look forward to doing exactly that in the coming weeks and months.

Mr. RYAN of Ohio. Mr. Chairman, may I inquire how much time is remaining.

The Acting CHAIR. The gentleman has 2 minutes remaining.

Mr. RYAN of Ohio. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL), the distinguished ranking member on the House Ways and Means Committee.

Mr. NEAL. Mr. Chairman, the previous speaker said: How could a group be so far off in their analysis? Well, they were that far off with the Bush tax cuts in 2001 and 2003. Alan Greenspan was certainly off. In his commentary about economic growth, we had the slowest growth since Herbert Hoover was President, based upon \$2.3 trillion worth of tax cuts.

So this is analysis. It is an economic forecast. It is not an algorithm. When you pick up the computer, you push a button, and all of a sudden you get a score.

I am in opposition to this amendment because they play a vital role every single day, even when they are not entirely accurate, in keeping a scorecard. Members and staff on both sides, particularly at the Ways and Means Committee, rely much upon their hardworking and nonpartisan analysis for what they do every day.

I have never, in 29 years in this House, said to a member of CBO: Are you a Republican or are you a Democrat?

When we demean professional achievement from economists who try and strive every single day to come up with an accurate forecast, we do this institution no good. We should have a high regard for what these people do every single day—and let me say this, by the way, more accurate than the Office of Management and Budget, in my recollection, who work for Presidents and who, generally, didn't come up with forecasts that Presidents might or might not like.

The CBO is an independent agency and we need to keep it here. Congress could not do its work without the CBO. As TIM RYAN said a few moments ago, this is the equivalent of let's beat up the referee after we don't like the outcome of the soccer game. Let's jump the referee and tell him: You better go back in and change the score so that we might meet, perhaps, popular polling forecasts, which I also might tell you, based on what happened in November, weren't so good, either, for all of us.

Regardless of what political party we are Members of, we should have regard for this House of Representatives and the independent role that CBO offers. Chairman KEVIN BRADY stands with me on this. Leave the CBO alone.

The Acting CHAIR. The time of the gentleman from Ohio has expired.

Mr. RYAN of Ohio. Mr. Chair, as the designee of Ranking Member LOWEY, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. RYAN of Ohio. Mr. Chairman, I yield to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chair, I thank the gentleman for yielding.

As one of the three co-chairs of the Blue Dog Coalition, a group of Democrats committed to bringing our Nation's deficit and debt under control, I rise in opposition to this amendment.

This amendment would, in fact, eliminate the division in the CBO area. Frankly, it serves, as we all know, a valuable role as a nonpartisan adviser to Congress on the costs and tradeoffs on legislation and the budget of the United States.

Although you don't see these folks on TV every day, the CBO staff consists of professionals who put facts and transparency first. Forecasting the economic impacts of legislation is complicated, and no estimate will ever be perfect, let's face that. The CBO, though, is transparent about that.

That said, estimates provided by the CBO are objective and are based on facts and transparent calculations. The staff who make these estimates up aren't swayed by the political rhetoric on either side of the spectrum on the House floor, and that is what lawmakers need in order to govern responsibly.

Without the CBO, lawmakers in Washington would be flying blind, developing major legislation without knowing what the real consequences are. Just like you wouldn't drive a car while blindfolded, you shouldn't be voting on legislation without knowing the real costs, intended or unintended. After all, these are taxpayer dollars.

This amendment is dangerous for our Nation, and there is no other way to describe it. As a society, one must accept facts as they are, whether the facts are in our favor or not. Facts are facts, I guess, unless you believe in alternative facts.

In fact, CBO acts as an umpire for us here in Congress, calling balls and strikes as best it can. You may not like the call, you may not like the strike zone, you may think it is simply wrong, but you don't attack the umpire. That is what this is: attacking the umpire because you don't like the call. If you attack the umpire, why don't you improve your game?

At the end of the day, what we are talking about here is taxpayer dollars. We need to keep the Congressional Budget Office intact, and I oppose this legislation, as do all of the Blue Dogs.

Mr. RYAN of Ohio. Mr. Chairman, I yield to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Chairman, I, too, rise in strong opposition to this mean-spirited amendment.

This attack on the integrity and professionalism of the Congressional

Budget Office is shameful and is part of a strategic assault on the objectivity and expertise in our civil service.

With this amendment, the Republicans are seeking to punish the non-partisan CBO because they don't agree with their finding regarding the Republican plan to replace ObamaCare.

I understand that, for Republicans and the Trump administration, it is an inconvenient truth that 23 million Americans would lose coverage under their plan, but just because you are losing the game doesn't mean you can fire the refs. Partisan talking points cannot replace unbiased analysis.

Let's not forget the CBO's Director was appointed by a Republican Speaker and praised effusively by then-Budget chairman and current Secretary of Health and Human Services, Tom Price.

Mr. Chairman, I represent more Federal employees than any other Member of the House. Most of these 89 positions at the CBO that this amendment seeks to eliminate are my constituents. It is simply unacceptable that we somehow suggest that they and others in the civil service are not honest.

The choice to pursue this political attack on the CBO through the so-called Holman rule should concern every Member of Congress. Back in January, when Republicans passed their rules package enabling Members to target individual Federal employees and their pay, I warned that the Holman rule would be abused and used as a way to politically target civil servants. That is exactly what we are seeing today.

Mr. Chairman, I urge my colleagues to oppose the amendment.

Mr. RYAN of Ohio. Mr. Chairman, let me just say quickly again and reiterate that we are living in a world now where facts are trying to be diminished, science is trying to be diminished, and we rely on these professionals to give us as accurate information as we can possibly obtain at the time from the professionals that are in this office. We rely on this office very much to make the decisions that we make here that have such great importance. While they are not always perfect, I think they always put forth a good product for us.

Mr. Chairman, I yield back the balance of my time.

Mr. GRIFFITH. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we have heard from our colleagues on the other side of the aisle that we ought to trust the CBO, that the referee should be taken at their word and that they are doing the best they can. But let's look at this amendment.

The CBO scored it, and they said:

CBO estimates that your amendment would have no net effect on budget authority or outlays in fiscal year 2018.

No net effect. Who here actually believes that eliminating 89 positions, as

the gentleman from Virginia, my friend, just said it is going to affect his people, who believes that 89 people being eliminated and \$15 million in aggregate salaries has no net effect on budget authority or outlays? I don't think any of us believe that.

So here is the conundrum that my friends have on the other side of this issue: a "yes" vote means that you agree with me that something needs to be reformed at CBO; a "no" vote means that you agree with CBO's assessment that this amendment abolishing 89 employees will have no effect. Therefore, I would submit to you that the CBO has, in effect, determined that their budget analysis division has no value. Therefore, if you actually support CBO, you must vote "present."

Mr. Chairman, I ask my colleagues to join me with a "yes," and let's start the reform at CBO so we can get accurate numbers. If you don't agree with this reform, I ask that you vote "present," or else you, too, are agreeing with the CBO that the budget analysis division has no value.

Mr. Chairman, I yield back the balance of my time.

Mr. CONNOLLY. Mr. Chair, I have great respect for gentlemen who offered this amendment.

They are my colleagues, and they are my friends.

Mr. MEADOWS and I work very closely together on the Government Operations Subcommittee. He is my Chairman, and he knows I value his collaboration.

Mr. GRIFFITH is a fellow Virginian, and I have the pleasure of serving on committees with Mr. JORDAN (OGR) and Mr. PERRY (HFAC).

And that is why it especially pains me to say this.

But this amendment, which uses the disgraceful Holman Rule to eviscerate the Congressional Budget Office's Budget Analysis Division, is so transparent and so cynical it makes me want to weep.

This amendment would punish the Congressional Budget Office for exposing the House Republican repeal of the Affordable Care Act as a cruel bill that would deprive 23 million Americans of healthcare.

CBO is being retaliated against for the earnest work it conducted on the Trump Budget, which demonstrated that the president's budget misrepresents deficit projections by \$2.3 trillion.

This amendment says facts don't matter anymore.

And that is something to mourn.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GRIFFITH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRIFFITH. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

□ 1800

AMENDMENT NO. 6 OFFERED BY MR. CICILLINE

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 115-259.

Mr. CICILLINE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 176, line 18, after the dollar amount, insert "(reduced by \$100,000) (increased by \$100,000)".

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Rhode Island (Mr. CICILLINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. CICILLINE. Mr. Chairman, my amendment to H.R. 3219 will help ensure that buildings such as the Capitol and the House and Senate office buildings have adequate baby changing tables.

Last year, this Congress passed into law my legislation called the BABIES Act requiring that both male and female restrooms in many public buildings be equipped with baby changing facilities that are physically safe, sanitary, and appropriate.

That legislation ensures that there are appropriate and sanitary facilities for parents and caretakers to change the diapers of infants and toddlers in publicly accessible Federal buildings controlled by the General Services Administration.

In the same vein, I was pleased that the Legislative Branch Subcommittee included report language in its fiscal year 2017 bill recognizing the importance of providing designated baby changing stations for members of the public who visited the Capitol complex and encouraging the Architect of the Capitol to take steps to provide baby changing stations at easily accessible locations.

I want to thank my colleagues on the Appropriations Committee and Chairman YODER for their support of these efforts. My amendment today to H.R. 3219 would similarly encourage the construction of safe, appropriate, and sanitary baby changing stations in Federal public buildings controlled by the Architect of the Capitol such as the Capitol complex, the House, and Senate office buildings, the Botanic Gardens, and the Library of Congress.

With more than 20 million visitors coming to Washington, D.C., each year, families are often surprised by the lack of adequate baby changing facilities in public buildings. Currently, there are only nine baby changing stations in the House office buildings, none of which are in the Rayburn Building, where my office is located. That means that when Rhode Island families who come to visit my office have to try to

find a changing station, they go all the way to Cannon or Longworth, or they have to decide to change their baby on the bathroom floor, which is a terrible option. It is not sanitary either for the parents or for the children.

Access to these changing stations in restrooms in Federal buildings will help in protecting the health and safety of children at a very de minimus cost, about \$200 per changing station. This nominal amount will go a very long way to encouraging a family-friendly environment and ensuring the safety and comfort of our constituents who visit us.

And I want to again thank Chairman YODER and Ranking Member RYAN for their support of this amendment, and I look forward to working with them to help ensure that our constituents are able to have a safe and enjoyable visit to our beautiful Capitol buildings.

Mr. Chair, I yield to the gentleman from Ohio (Mr. RYAN), the ranking member.

Mr. RYAN of Ohio. Mr. Chair, I thank the gentleman for yielding.

Let me just say briefly that I support this amendment. Making the Capitol complex and other buildings in the legislative branch more family friendly is an important priority. People come here from all over the country to meet with us, to see the sights, and to witness democracy in action.

If you have traveled far and wide with your family like I have, you know how much of a difference that it would make even for a brief part of your day, like the inevitability of having to change a diaper. This amendment will make it a little bit easier. So this is just a very thoughtful, practical pro-family amendment, and I encourage all of our colleagues to vote "yes."

Mr. CICILLINE. Mr. Chair, I yield to the gentleman from Kansas (Mr. YODER).

Mr. YODER. Mr. Chairman, I thank the gentleman from Rhode Island.

I, too, support the gentleman's efforts here, and, as a supporter of the BABIES Act, last year, H.R. 5147, I am happy to report, because of the language we included with the Architect of the Capitol last year, they presented a plan, which they are going to move forward with, which will install additional baby changing stations around campus, 54 of which will be going into House Office Buildings.

And as a father of two little girls, I have used these changing tables myself in restrooms from time to time, as Mr. RYAN has. I know he has got a young son. And so we know how important these are and how families, when they need to make a change, they need to make a change. They need to have a space to do that.

So we need to be family friendly here in the U.S. Capitol and in our House Office Buildings, and so I thank the gentleman for raising this important

issue. It deserves attention. I will be happy to continue to work with the gentleman, as well as the Architect of the Capitol, to ensure that adequate number of changing stations are installed around the Capitol complex for families, for the 9 million visitors that come to this Capitol every year, that many of those have families with young children, that they are able to, as well as the Members of Congress like Mr. RYAN and ourselves and many others who have young children, use these changing stations as well.

Mr. CICILLINE. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. RODNEY DAVIS of Illinois). The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. TAKANO

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 115-259.

Mr. TAKANO. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division B (before the short title), insert the following:

SEC. \_\_\_\_\_. There is appropriated, for salaries and expenses of the Office of Technology Assessment as authorized by the Technology Assessment Act of 1972 (2 U.S.C. 471 et seq.) \$2,500,000, to be derived from a reduction of \$2,647,000 in the amount provided in this Act for the item for "Architect of the Capitol, Capital Construction and Operations".

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from California (Mr. TAKANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. TAKANO. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise today in support of my amendment, which would restore funding to the Office of Technology Assessment, or otherwise known as OTA. I would like to thank my cosponsors, Representatives Esty, Foster, Langevin, Lieu, and Lujan.

The foundation for good policy is accurate and objective analysis, and, for more than two decades, the OTA set that foundation by providing relevant, unbiased technical and scientific assessments for Members of Congress and staff.

But in 1995, the OTA was defunded, stripping Congress of a valuable resource to understand both emerging technologies as well as the nuances of the legislative process. In its absence, the need for OTA has only grown. Many of the issues OTA studied 20 years ago are even more pressing today.

Antibiotic resistant bacteria, electronic surveillance in the digital age, and testing in America's schools, these

are the complex challenges our Nation will continue to face, and Congress should have access to the thorough and insightful analysis OTA can provide.

Investing in the OTA now will actually save us money in the future. In the last year it operated, the OTA's budget was \$23 million, but its studies on the synthetic fuels corporation saved taxpayers tens of billions of dollars. Our amendment restores a modest \$2.5 million to the OTA account for salaries and expenses to begin rebuilding the office.

The cost is offset by a reduction to the Architect of the Capitol's construction and operations account. This administrative account will not take resources from specific construction projects.

Mr. Chair, a great surgeon does not operate without modern tools, a master chef does not cook without fresh ingredients, and Members of Congress should not make policy decisions without relevant and unbiased information.

And with that in mind, I urge my colleagues to vote "yes" on this amendment, to restore funding to the Office of Technology Assessment.

Mr. Chair, I reserve the balance of my time.

Mr. YODER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR (Mr. PERRY). The gentleman from Kansas is recognized for 5 minutes.

Mr. YODER. Mr. Chairman, I appreciate my good friend and colleague and co-chair of the Deaf Caucus, Mr. TAKANO from California, for bringing this amendment, and unfortunately, I cannot support it, Mr. Chairman, and we would ask that the body reject it.

You know, Congress terminated funding for the Office of Technology Assessment in 1995, so some 22 years ago, but it is back from the dead to be here on the floor today to be reestablished.

At one point, funding totaled over \$20 million for the Office of Technology Assessment, but Congress did one of the things it has attempted to do in many areas, which is try to consolidate government, make government more efficient, make it do more with less, and so they transferred the functions from the Office of Technology Assessment over to the GAO.

We have heard debate on this floor within the last hour about the value of the GAO and the great work they do and how the GAO is a trustworthy organization and how it is important that we continue to fund them, yet, in this instance, they want to take these responsibilities away from the GAO.

In fact, in fiscal year 2008, a permanent technology assessment function within the GAO was established by a recommendation from the Senate Committee on Appropriations. They allocate at least \$2.5 million per year to technology assessment, and they have established the capability to produce technology assessments in many areas.



They have hired scientists, engineers, and other technical specialists to respond to congressional requests. They produce three to four technology assessment reports each year. The GAO uses its technical staff to support other reports for Congress that have technology implications, such as privacy and vulnerability of computer components in cars.

The GAO receives three to four requests per year specifically for technology assessments, and many others have a technology as an aspect.

They have been able to testify on these topics recently on the Zika virus and on transfer of technologies developed with Federal research funds to the marketplace. They provide thorough and balanced analysis of critical technological innovations that affect our society, the environment, and the economy.

And so creating another Federal agency that is going to require additional resources and to have it offset from investment in capital projects, to me, is the wrong direction. I think, in current law, we have more than enough resources heading in this direction. Taxpayers are counting on us to find ways to spend less money, to keep programs efficient, and so the idea that we create a new agency that has been gone for 20 years today and fund it for millions of dollars, to me, is inconsistent with the values we all, I think, espouse about making government more efficient, more effective.

Mr. Chairman, with that, I would oppose the amendment, and I yield back the balance of my time.

Mr. TAKANO. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 2½ minutes remaining.

Mr. TAKANO. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. FOSTER), a member of the Science Committee and also a physicist.

Mr. FOSTER. Mr. Chair, I thank my friend from California (Mr. TAKANO) and my colleagues, Representatives ESTY, LANGEVIN, LIEU, and LUJAN for cosponsoring this amendment.

Our amendment would provide \$2.5 million to revive the Office of Technology Assessment to provide Congress with unbiased, timely, and nonpartisan reports on a wide range of issues in science and technology.

This office is no less necessary today than when it was first started in 1972, or when it was defunded in 1995. As technology continues to advance at an increasingly rapid pace and our partisan divide seems to grow deeper, Congress needs this now more than ever.

The OTA did important work in a number of areas, but I would like to highlight just one of those areas in particular.

One of the last recommendations the OTA made was that the U.S. should

move rapidly to computerized health records and that standards should be put in place to ensure what we now call interoperability.

Had we heeded this advice rather than defunding the OTA, we could have saved hundreds of billions of dollars of taxpayer money and saved hundreds of thousands of American lives by ensuring accurate, up-to-date patient data that was accessible regardless of where the patient turned up for care.

This also could have helped slow or prevent the opioid epidemic by ensuring that patients would not be able to doctor shop to acquire numerous opioid prescriptions.

While we cannot slow down the rapid pace of technology, we can give our country back an important and proven tool.

So I urge my colleagues to join me in supporting this amendment to restore this vital source of credible, nonpartisan scientific expertise to the U.S. Congress.

Mr. TAKANO. Mr. Chair, I reiterate my support for the Office of Technology Assessment. Congress does not suffer from a lack of information, but it does suffer from a lack of trusted information to help make wise policy decisions.

Today, we do need the Office of Technology Assessment more than ever. I urge my colleagues to support this amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. TAKANO).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. TAKANO. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

#### AMENDMENT NO. 8 OFFERED BY MS. SHEA-PORTER

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 115-259.

Ms. SHEA-PORTER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division B (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to mail any mass mailing (as defined in subparagraph (E) of section 3210(a)(6) of title 39, United States Code) which is larger than 4¼ inches high x 6 inches long x 0.016 inches thick.

The Acting CHAIR. Pursuant to House Resolution 473, the gentlewoman from New Hampshire (Ms. SHEA-PORTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

Ms. SHEA-PORTER. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, my amendment is simple and straightforward. It would change the way our official taxpayer-funded mass mailings to constituents look by limiting the mailer to the size of a standard postcard.

As Members of Congress, it is our job to set the standard for responsible stewardship of taxpayer funds, and public resources should not be spent on excessive campaign-style mailers.

□ 1815

A significant part of our duties as elected representatives is to keep our constituents informed about what we are doing in our offices. I support mass mailings to our constituents, but we can keep them informed by sending a simple postcard, without all of the glitz and gloss.

Also, when official mail looks like campaign mailers, people are more likely to toss it out, thereby defeating the very purpose of informing our constituents. Our official mail should not look like campaign ads or junk mail. Our constituents don't want large mailers. They just want information. This amendment delivers.

Mr. Chairman, I reserve the balance of my time.

Mr. YODER. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. YODER. Mr. Chairman, I rise in opposition to the gentlewoman from New Hampshire's amendment on postcard sizes, primarily because this issue has yet to go through any sort of process. We don't have information on the floor to know how this would affect Member offices. It has not gone through the Franking Commission or come before our committee, so I don't think it is ready for consideration and debate.

Franked mailings of standard postcard size currently only account for roughly 10 percent of the total franked mailings that Members send. This amendment would prohibit Members from sending mass mailings on their own letterhead. They wouldn't be able to send printed newsletters, fliers, letters, or regular or large postcards, among others.

I think it would really have a dramatic impact on the ability of Members of Congress to communicate with their constituents. They wouldn't be able to send them a letter or they wouldn't be able to send them a newsletter.

I certainly am about saving money and about making government more efficient, but this idea, I think, is not ready for prime time. I appreciate my



colleague from New Hampshire bringing it forward, but I can't support it at this point, and I would oppose it.

Mr. Chairman, I yield as much time as he consume to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, the Franking Commission, of which I am the chairman, is a bipartisan commission made up of an equal number of members from both parties that approve all the franking and mailing materials that go out. We were not contacted by the gentlewoman from New Hampshire about this amendment, and that is one reason I am opposed.

There are a number of reasons why I am opposed to the amendment, the chief of which this amendment is going to negatively impact two very large constituencies—people in rural America that I serve, and many of us serve, and also areas where there is not ready access to electronic communications. Many Americans who don't have access to electronic communications will be the most affected by the fact that Members of Congress cannot contact their constituents via mail.

By limiting how Members can communicate with their constituents, Members may be more likely to make mistakes and violate the franking rules. We want to make sure that the franking rules work. Currently, postcards, communications that are 4½ by 6, the size mandated by this amendment, as Chairman YODER said, make up only 10 percent of all postal mail communications.

This amendment would severely limit what many Members, both Republicans and Democrats, are able to do. By reducing the size of any mailer to a postcard, Members of Congress of both parties wouldn't even be able to communicate via letterhead in a mass mailing, so this is an amendment that I oppose.

Mr. YODER. Mr. Chairman, I reserve the balance of my time.

Ms. SHEA-PORTER. Mr. Chairman, while I certainly appreciate my colleagues' opinions on this and I recognize that it is not a perfect solution, I don't think that this is a surprise.

We certainly have heard from our constituents, pretty much every election cycle, when they start talking about all the mass mailings they are receiving, with many pictures and lots of ideas about what has been accomplished by the incumbent in office. It has been around for a while. Like I said, I do appreciate it, but they are still able to mail directly to a response from their colleagues or from any of their constituents.

The reality is that most people are not looking at just a postcard in this world. They do look online. I understand what you are talking about. I have rural areas as well. They look online. Also, they can receive a number of other correspondence from us. It does

not in any way impact the correspondence when they write to us.

Mr. Chairman, I yield back the balance of my time.

Mr. YODER. Mr. Chairman, I yield as much time as he may consume to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, again, I wish our colleague would have gone through the process. If she would come to the Franking Commission, we would be glad to take her ideas into consideration.

But this amendment severely limits the ability of Members of Congress to reach out to their constituents. Members would not be able to send a mailer on official letterhead. Members who budgeted their funds wisely and printed postcards that they then send to their Members that might not fit this size would be a waste of taxpayer dollars because they would not be able to use those.

Also, under this amendment, many end-of-the-year communications that my colleague has sent from her office herself would not be eligible under this amendment right now.

So let's make sure that we have a discussion at the Franking Commission level. We would enjoy debating this issue with Members, Republicans and Democrats, who equally make up the Franking Commission. We would like to take your concerns into consideration, but give us a chance to do that. I urge my colleague to do that in the future.

Mr. Chairman, again, I oppose this amendment.

Mr. YODER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New Hampshire (Ms. SHEA-PORTER).

The amendment was rejected.

AMENDMENT NO. 9 OFFERED BY MR. RUSSELL

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 115-259.

Mr. RUSSELL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division B (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to deliver a printed copy of the Federal Register to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress), unless a printed copy is requested by the Member (or Delegate or Resident Commissioner).

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Oklahoma (Mr. RUSSELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. RUSSELL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment, which restructures the way the Federal Register is distributed to Members' offices, will save approximately \$1 million annually.

The Federal Register contains a large amount of information, including proposed rules and public notices, regulations, executive orders, and Presidential documents. This information is compiled by the great folks at the National Archives, and published daily by the Government Printing Office, or the GPO.

Since 1994, the GPO began publishing the Federal Register online. To improve the user experience, the digital version has been enhanced over time and is now fully searchable and downloadable, and is the preferred method that staff and Members use the Register, making for quick access to any document.

Sadly, despite these advances in technology, Members of Congress still receive printed copies of the Federal Register every day. This results in thousands of copies going directly into the trash, costing taxpayers \$1 million annually. Put another way, Mr. Chairman, this means that approximately 96 Americans have to work all year long and pay their taxes so that we can put these Federal Registers in the trash.

This amendment simply prevents the distribution of printed copies to Members' offices, unless the Member opts in to receiving a copy. Digital copies are already daily distributed.

This amendment is in line with H.R. 195, a bill I introduced, which passed this House unanimously without any opposition, and was cosponsored by Mr. CONNOLLY of Virginia.

Mr. Chairman, I urge my colleagues to support this amendment so that we can now make it law.

Mr. Chairman, I reserve the balance of my time.

Mr. YODER. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR (Mr. RODNEY DAVIS of Illinois). Is there objection to the request of the gentleman from Kansas?

There was no objection.

The Acting CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. YODER. Mr. Chairman, I thank my colleague from Oklahoma (Mr. RUSSELL) for continuing the tradition that he and others, particularly in Oklahoma, for some reason, have focused on cutting out government waste, finding sometimes small things, sometimes big things, and all things in between that we can reduce, cut, or eliminate that saves taxpayers' money.

Mr. Chair, \$1 million is big money in States like Kansas and Oklahoma and

across the country. It is real dollars to the people who get up and pay their taxes to this country. There are too many million-dollar expenditures that happen in this government that are overlooked and unnecessary because they are not maybe big enough for folks here to take time to pay attention to.

What Mr. RUSSELL is doing today is standing up for fiscal responsibility, for efficiency of government, and for helping the environment. This is wasted printed paper that is unnecessary. I think it is a good government measure that will help modernize and make our government more efficient and effective.

It is consistent with what this House has already done when it passed H.R. 195 earlier, which bars the distribution of the Federal Register to congressional offices and Federal agencies. That is in the Senate being marked up, maybe even today.

This is a smart amendment. It is the kind of thing that we need to keep doing more of to save money for taxpayers.

Mr. Chairman, I thank Mr. RUSSELL for his work, and I ask my colleagues to support the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. RUSSELL. Mr. Chairman, I appreciate my colleague from Kansas for his kind remarks. I also appreciate the colleagues from the other side of the aisle who have shown continued support for this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. RUSSELL).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 115-259.

AMENDMENT NO. 11 OFFERED BY MR. BERGMAN

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 115-259.

Mr. BERGMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 219, line 16, after the dollar amount, insert “(decreased by \$30,000,000)”.

Page 226, line 1, after the dollar amount, insert “(increased by \$30,000,000)”.

Page 226, line 8, after the dollar amount, insert “(increased by \$30,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Michigan (Mr. BERGMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. BERGMAN. Mr. Chairman, advances in technology have given us the opportunity to increase access and

streamline processes for veterans not only in the First District and across Michigan, but across the country. That said, we must ensure that technology is an asset and not an added burden to veterans, as it has been within the VA.

The Department of Veterans Affairs IT landscape has been the primary topic of hearings within the House Veterans’ Affairs Committee, due to its ever-expanding modernization timeline for outdated systems and lack of interoperability within and outside the Department.

The solution is undisputed. The VA must modernize its IT systems or continue to face uphill struggles in timely claims and appeals processing, community care, scheduling, and financial management.

Earlier this week, the House Veterans’ Affairs Committee received an update from Secretary Shulkin that shows a continued lack of planning and implementation of its data center optimization program, an issue which was initially pointed out by the GAO during a hearing back in February.

With all this in mind, I was understandably troubled when I saw the underlying bill provided \$52 million less for IT development and modernization than last year’s appropriation.

I understand that cuts need to be made, and that this bill aims to address other issues plaguing the VA, but it is imperative I make this point to the chairman and the ranking member.

Our veterans deserve immediate access to care and timely adjudication of their disability claims from an efficient, effective Department of Veterans Affairs. This simply cannot happen until the VA addresses the woeful state of its IT systems.

I ask that the chairman, the ranking member, and the rest of the House Veterans’ Affairs Committee work with me to address this issue going forward.

Mr. Chairman, I yield back the balance of my time, and I withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

□ 1830

Mr. DENT. Mr. Chair, as the designee of the gentleman from New Jersey (Mr. FRELINGHUYSEN), I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. DENT. Mr. Chair, I yield to the gentleman from Wisconsin (Mr. POCAN).

Mr. POCAN. Mr. Chair, I have a question for the chairman of the MILCON Committee about the language in his committee report regarding colorectal cancer screening in the VA.

Mr. Chairman, in his report, Mr. DENT encourages the VA to increase colorectal cancer screening in the Department of Veterans Affairs. In the

other body, they have language that directs the VA to offer each one of the seven approaches for screening that are currently approved by the United States Preventive Services Task Force and are more closely aligned with other Federal health programs.

Can I assume that the intention is the same and the efforts are aimed at urging the VA to offer all of the approved methods of screening?

Mr. DENT. Mr. Chair, the gentleman from Wisconsin is correct. It is our intention to urge the VA to offer all of the approved methods of screening.

Mr. POCAN. Mr. Chair, I thank the gentleman for that clarification.

Mr. DENT. I yield back the balance of my time.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. DENT OF PENNSYLVANIA

Mr. DENT. Mr. Chairman, pursuant to section 3 of House Resolution 473, as the designee of the gentleman from New Jersey (Mr. FRELINGHUYSEN), I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 12, 14, 15, 16, 17, 18, 22, 25, and 26 printed in House Report 115-259, offered by Mr. DENT of Pennsylvania:

AMENDMENT NO. 12 OFFERED BY MR. BARR OF KENTUCKY

Page 219, line 16, after the dollar amount insert the following: “(increased by \$5,000,000)”.

Page 225, line 6, after the dollar amount insert the following: “(reduced by \$5,000,000)”.

AMENDMENT NO. 14 OFFERED BY MR. KIHUEN OF NEVADA

Page 220, line 22, after the dollar amount, insert “(reduced by \$1,031,808,000) (increased by \$1,031,808,000)”.

AMENDMENT NO. 15 OFFERED BY MR. BEYER OF VIRGINIA

Page 220, line 22, after the dollar amount, insert “(reduced by \$2,500,000) (increased by \$2,500,000)”.

AMENDMENT NO. 16 OFFERED BY MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

Page 220, line 22, after the dollar amount, insert “(reduced by \$2,000,000) (increased by \$2,000,000)”.

AMENDMENT NO. 17 OFFERED BY MR. NORCROSS OF NEW JERSEY

Page 220, line 22, after the dollar amount, insert “(reduced by \$5,000,000) (increased by \$5,000,000)”.

AMENDMENT NO. 18 OFFERED BY MR. KEATING OF MASSACHUSETTS

Page 221, line 25, after the dollar amount insert the following: “(reduced by \$5,000,000) (increased by \$5,000,000)”.

AMENDMENT NO. 22 OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of division C (before the short title), insert the following:

SEC. \_\_\_\_ The amounts otherwise provided by this Act are revised by reducing the amount made available for “Department of Veterans Affairs—Departmental Administration—Information Technology Services” (and the amount specified under such heading for operations and maintenance), and by

increasing the amount made available in fiscal year 2018 for “Veterans Health Administration—Medical Services”, by \$2,500,000 and \$2,000,000, respectively.

AMENDMENT NO. 25 OFFERED BY MS. JACKSON  
LEE OF TEXAS

At the end of division C (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Secretary of Veterans Affairs in contravention of subchapter III of chapter 20 of title 38, United States Code.

AMENDMENT NO. 26 OFFERED BY MR. CONNOLLY  
OF VIRGINIA

At the end of division C (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to charge a veteran a fee for a veterans identification card pursuant to section 5706(c) of title 38, United States Code, if the veteran uses form DD-214 to apply for the identification card and indicates on the form that the veteran is “homeless”.

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Pennsylvania (Mr. DENT) and the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) each will control 10 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. DENT. Mr. Chair, these amendments have been made in order by the rule allowing consideration of H.R. 3219, and their inclusion in the en bloc has been agreed to by both sides.

I support the adoption of the en bloc package, and I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Mr. Chair, I rise in support of this amendment and support the en bloc amendments. I appreciate the chairman's inclusion of amendments from Democratic Members.

The amendments included range from therapy grants to combating opioid abuse. These amendments will deliver better care to our veterans.

The minority has no objection to this amendment, and I urge a “yes” vote on the en bloc amendment.

Mr. Chair, I reserve the balance of my time.

Mr. DENT. Mr. Chair, I have no further speakers on the amendments en bloc, and I yield back the balance of my time.

Ms. WASSERMAN SCHULTZ. Mr. Chair, I yield 2 minutes to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Chair, my amendment would direct the Vet Centers to use \$2.5 million of the additional funding allocated in the underlying bill to provide outdoor experiences for veterans as part of their continuum of care. This program would support veterans in developing a community of support to treat combat-related injuries, especially those related to their behavioral health.

The Vet Centers are uniquely positioned for the collaboration and development of alternative and supple-

mental approaches. We know that traditional mental health services are underutilized by veterans, but a 2014 University of Texas study found that, after just a one-week-long Outward Bound veterans wilderness expedition, those veterans who participated showed clinically significant improvements in mental health variables like sense of social connection and attitudes towards seeking psychological help. They also showed important decreases in depression and anxiety.

The Senate Appropriations Committee has already included the same language in their version of the MILCON-Veterans Administration Appropriations bill.

Mr. Chair, I encourage my colleagues to support this amendment. I am very grateful to the chairman of the subcommittee for including this in the en bloc amendments because it will enable Vet Centers to explore alternative avenues for engaging veterans in a supportive environment to help with both mental health and readjustment to civilian life.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. NORCROSS).

Mr. NORCROSS. Mr. Chair, I thank the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) for yielding and to my colleagues for including this amendment en bloc.

Mr. Chair, this amendment addresses the ongoing and, unfortunately, growing opioid epidemic in our communities. There are 60,000 overdose deaths each year.

I am vice chair of the Bipartisan Task Force to Combat the Heroin Epidemic. We are looking for ways to address this issue. It is a complex issue, and we want to take a variety of actions to help those suffering from the disease of addiction.

Veterans with post-traumatic stress disorder, PTSD, are at increased risk of abusing opioids according to the AMA, the American Medical Association. Many brave men and women who serve come back with what is described as invisible wounds. We know they are not invisible. We see it every day. I have spoken to those veterans who live in my community who suffer from PTSD and, unfortunately, from the disease of addiction.

My amendment would set aside \$5 million for the National Center for PTSD to study the connection between addiction and PTSD. Our veterans are suffering, and this investment will help them. Let's get to the bottom of the connection between PTSD and opioid abuse. It is a simple but necessary way to address the epidemic.

Ms. WASSERMAN SCHULTZ. Mr. Chair, I yield 1½ minutes to the gentleman from Nevada (Mr. KIHUEN), who has been a passionate advocate to improve services to his rural communities.

Mr. KIHUEN. Mr. Chair, I thank the ranking member and the chairman for accepting my amendment.

Mr. Chairman, veterans have made an incredible sacrifice for our country, and they deserve the highest quality treatment and care when they return to their civilian lives.

The Department of Veterans Affairs has the obligation to provide critical services to veterans and ensure that America's veterans have access to high-quality and affordable healthcare in their communities.

Recently, the VA decided not to renew its contract with the Ely Community Clinic in my district, and it is forcing veterans in Ely and the surrounding communities to rely solely on the Choice Program to access care.

We owe it to our veterans not to use the Choice Program as a crutch, but to make the proper investment in the healthcare of our veterans and the healthcare that they deserve. Veterans have already fought for their country. They shouldn't have to fight to keep their VA clinic in Ely.

The intention behind my amendment is to remind the VA that they have the responsibility to continue operating the healthcare clinic in Ely, Nevada, and to emphasize the importance of continuing to provide care in rural communities across the country.

The Choice Program was not intended to allow the VA to shirk its responsibility for certain veterans; instead, it was supposed to help veterans who have nowhere else to turn.

I was sent to Congress by the people of the Fourth Congressional District to fight for Nevada's veterans, and I will continue fighting to ensure that veterans in rural Nevada and communities across the country do not lose access to the VA and make sure that they receive the healthcare that they have earned and deserve.

Ms. WASSERMAN SCHULTZ. Mr. Chair, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, thank you for this opportunity to briefly explain Jackson Lee Amendment No. 22.

Before I begin, let me express my appreciation and thanks to my good friends, Chairman DENT and Ranking Member WASSERMAN SCHULTZ for their hard and constructive work in shepherding this important legislation to the floor.

Chairman DENT and I worked together constructively for many years on the Homeland Security Committee and he has always distinguished himself as one of the most bipartisan members of the House.

And Ranking Member WASSERMAN SCHULTZ has for years been one of the ablest Members of this body; I thank them both for their commitment to the important work of ensuring that our veterans receive the care and support they have earned from a grateful nation.

Jackson Lee Amendment No. 22 makes a modest but important improvement to the bill by increasing the amount of funding for the

"Supportive Services for Veterans' Families" account by \$2 million, offset by a reduction of \$2.5 million to the \$4 billion allocated to the VA's "Information Technology Systems" account.

Today, in our country, there are approximately 107,000 veterans (male and female) who are homeless on any given night.

And perhaps twice as many (200,000) experience homelessness at some point during the course of a year.

The VA's "Supportive Services for Veterans' Families" Program helps veterans; and their families, who may have fallen on hard times or hit a rough patch in life and need a little help from the country they selflessly risked their life to defend.

Homeless veterans or veterans facing homelessness who have minor age children are in need of special programs that allow for housing that welcomes children.

Jackson Lee Amendment No. 22 will enable this vital program to serve more veterans' families in need of help by providing a bit more funding for grants to private non-profit organizations and consumer cooperatives that provide supportive services to very low-income veteran families living in or transitioning to permanent housing.

The SSVF Program ensures that eligible veteran families receive the outreach, case management, and assistance in obtaining VA and other benefits.

These services may include health care, daily living, legal services, fiduciary and payee services, personal financial planning, child care, transportation, housing counseling.

The SSVF Program enables VA staff and local homeless service providers to work together to effectively address the unique challenges that make it difficult for some veterans and their families to remain stably housed.

Many homeless veterans, including in my own state of Texas, lack housing because they lost their job or could no longer afford rent; many suffer from an untreated mental illness that keeps them from working.

Every day the SSVF program makes a real difference in the lives of real people.

Veterans like the Air Force veteran who, hoping to utilize the skills he learned in the service, instead bounced from job to job after being discharged and found himself sleeping at night on the cold cement under a bridge in Chicago.

Through the Thresholds Veterans Project, funded through the SSVF, this hero received steady community service support and eventually was placed in his own studio apartment.

He now says, in his own words: "I have a home. I enjoy bein' inside."

Veterans like the one in Texas who because he lost his job at a manufacturing plant and was unable to pay the bills, was forced to seek shelter for himself and his family at a homeless shelter.

Fortunately, the homeless shelter was a SSVF grantee and was able to assist the veteran obtain employment and his family in securing affordable low-cost housing.

There are thousands of similar success stories made possible by the SSVF Program that I could share but all of them share a common theme: they involve veterans who served their country proudly, fell down on their luck, picked

themselves back up, and found affordable and sustainable housing for their families because of the assistance and support made possible by the SSVF program.

Ensuring that veterans have a place of their own to call home is the very least we can do.

I urge my colleagues to support the Jackson Lee Amendment and commit ourselves to the hard but necessary work of ending veteran homelessness in America.

I urge my colleagues to support Jackson Lee Amendment No. 22.

#### "HEROISM KNOWS NO GENDER"

Liz (Names and some identifying information have been changed to protect confidentiality) is an Army Veteran and a single mom. After losing her job, she struggled to pay the rent and provide for her daughter. Liz's landlord said she had always been an excellent tenant but his patience was wearing thin as her rent arrears continued to increase. Disheartened with a fruitless job search and unsure of where else to turn, Liz came to the Veterans Outreach Center (VOC). She was immediately connected with a Case Manager, an Employment Specialist, an Accredited State Veterans Benefits Counselor, and the SSVF team.

In order to avoid the immediate crisis of homelessness, the Services To Enable Positive Solutions (S.T.E.P.S) program at the VOC paid Liz's rent arrears, which had escalated to an amount that was insurmountable. Within a few short days of connecting with the team at VOC, Liz had a job interview that resulted in full-time, meaningful employment. In less than a week, she had a benefits review with an on-site counselor from the New York State Division of Veterans Affairs during which she applied for an increase in disability compensation. The payment of Liz's back rent allowed her and her daughter to keep a roof over their head. With a roof over their heads and their living situation stabilized, Liz was able to focus on her employment and securing her benefits, which are both components of an Individual Development Plan (IDP) that will help Liz sustain permanent housing in the future.

The VOC was able to stabilize Liz and her daughter while concurrently providing the supportive services necessary for her to maintain permanent housing. The temporary financial assistance was delivered to the landlord in a timely, efficient manner with the help of a S.T.E.P.S collaborative partner. Through coordinated case management, the aforementioned supportive services were provided quickly and effectively. The longterm result of this effort is yet to be determined, but at the 90-day benchmark, Liz has retained both her job and her home. She has realized this goal independently, without requesting any additional financial assistance. Consequently, the VOC was able to better the lives of a mom (a Veteran) and her child immeasurably through SSVF funding.

#### "YOUR UNSELFISH HELPING HAND GAVE US HOPE"

Mariano Salas and his family were the first clients to participate in Community Psychiatric Clinic's (CPC) SSVF program. Both Mariano and his wife had lost their jobs and they and their young daughter were facing homelessness. The SSVF program secured their housing and helped stabilize their lives. Here is Mariano's story in his own words:

"I was on the brink of giving up completely. But truthfully one thing I can say, no words express enough our sincerest gratitude to you in assisting my family and I during a very difficult hardship. Desperation,

fear and depression were daily emotions upon my family. But with your unselfish helping hand, you gave us hope, peace, and great big smiles on our faces. Your untiring assistance has given us tremendous hope for a better future. SSVF gave us a boost as we are working so hard to get decent paying jobs to support our family and put food on our table. Today, instead of focusing all our energies on fear of being homeless, we are focusing our energy on securing a stable job and to become self-sufficient. My wife is working now and I have interviews lined up so we can support ourselves and manage our daily living expenses. I am privileged and honored to have been served by SSVF. Thank you SSVF and GOD BLESS YOU ALL."

With deepest gratitude,  
Mariano Salas

Mr. Chair, thank you for this opportunity to explain describe Jackson Lee Amendment No. 25, which simply provides that:

"None of the funds made available by this Act for the Department of Veteran Affairs—Benefits for Homeless Veterans and Training and Outreach Programs may be used in contravention of the title 38, Part II, Chapter 20, Subchapter II and III of the U.S. Code.

This amendment will help ensure that the rate of homelessness among veterans in the United States does not increase.

I thank Subcommittee Chairman DENT and Ranking Member WASSERMAN SCHULTZ for their hard work in shepherding this important legislation to the floor.

I offer Jackson Lee Amendment No. 25 because I believe reducing and eliminating homelessness among veterans, those who risked their lives to protect our freedom, should also be one of the nation's highest priorities.

Homelessness among the American veteran population is on the rise in the United States and we must be proactive in giving back to those who have given so much to us.

Jackson Lee Amendment No. 25 will help remind us of our obligation to provide our veterans the assistance needed to avoid homelessness, which includes adequately funding for programs Veterans Administration Supportive Housing (VASH) that provide case-management services, adequate housing facilities, mental health support, and address other areas that contribute to veteran homelessness.

VASH is a jointly-administered permanent supportive housing program for disabled Veterans experiencing homelessness in which VA medical Centers provide referrals and case management while Public Housing Agencies (PHAs) administer the Section 8 housing vouchers.

Mr. Chair, our veterans deserve the best services available, and I believe that we could be doing much more for them.

Today, in our country, there are approximately 107,000 veterans (male and female) who are homeless on any given night.

And perhaps twice as many (200,000) experience homelessness at some point during the course of a year.

Many other veterans are considered near homeless or at risk because of their poverty, lack of support from family and friends, and dismal living conditions in cheap hotels or in overcrowded or substandard housing.

While significant progress has been made, ending homelessness among veterans remains a big challenge.

In my hometown of Houston for example, between the years 2010 and 2012, the number of homeless veterans increased from 771 to 1,162.

We must remain vigilant and continue to fight for those who put on the uniform and fought for us.

Providing a home for veterans to come home to every night is the very least we can do.

Mr. Chair, programs like VASH have succeeded in changing lives.

In 2012 alone, 35,905 veterans lived in the public housing provided by VASH.

I have seen the impact of such grants in my home state of Texas, and within my congressional district in Houston, and I am sure that this funding has positively impacted many communities across this country.

In Texas, there are committed groups in Houston, working to eradicate the issue of homelessness.

For example, the Michael E. DeBakey VA Medical Center has been involved in changing veterans' lives in a mighty way by providing Veterans and their families with access to affordable housing and medical services that will help them get back on their feet.

Mr. Chair, we cannot let this issue of homelessness continue.

I urge my colleagues to support Jackson Lee Amendment No. 25 and commit ourselves to the hard but necessary work of ending veteran homelessness in America.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Pennsylvania (Mr. DENT).

The en bloc amendments were agreed to.

AMENDMENT NO. 13 OFFERED BY MR. AL GREEN  
OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 115-259.

Mr. AL GREEN of Texas. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 220, line 22, after the dollar amount insert the following: "(increased by \$70,000,000)".

Page 225, line 6, after the dollar amount insert the following: "(reduced by \$70,000,000)".

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Texas (Mr. AL GREEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. AL GREEN of Texas. Mr. Chairman, I will be withdrawing my amendment, but I do desire to make some points.

I am grateful to the chairperson of the committee and the ranking member as well. I know them to be admirable persons who desire to do the very best for our veterans.

I would like to state, Mr. Chairman, that we have many people who are on the front line of democracy. These are the people who go to distant places, and a good many of them don't always return the same way they left, and, Mr. Chairman, as a result of this, they need special attention. They need medical attention.

We have a circumstance in our country that breaks the hearts of a good many Americans each and every day when they see persons standing on the streets with signs indicating that they are veterans and that they need help. Mr. Chairman, what we propose to do with this amendment is to provide that additional help that they need.

This amendment would accord an additional \$70 million to medical services for homeless veterans, the veterans that we see living in the streets of life, the veterans who are appealing to us for help. A good many of them need help that goes beyond something that is physically wrong with them. A good many of them may need some help because of some mental illness that they may have.

Mr. Chairman, in Texas, we have, on any given night, about 1,768 veterans who are living on the streets. According to the VA, about 40,000 veterans were homeless on a single night in January of 2016. This is a decrease from where we have been.

The decline is admirable and we ought not overlook the decline, but my belief is we can still do better and we can still help those who are in need of some services. So this amendment would accord the \$70 million and bring us back to our 2017 levels.

Mr. Chair, I would ask that the chairperson and the ranking member please understand that my desire is to be of service to our veterans.

Mr. Chairman, if I may engage in a colloquy at this time. You have heard my appeal. My hope is that Congressman DENT and I might be able to work together to do what we can to enhance the services that are needed to provide medical attention for homeless veterans. I am sure that Congressman DENT has seen the evidence of it, and the empirical evidence is available for us to review if we would like to, but I would like as much assistance as we can get.

Mr. DENT. Will the gentleman yield?

Mr. AL GREEN of Texas. I yield to the gentleman from Pennsylvania.

Mr. DENT. Mr. Chair, I thank the gentleman for his genuine concern and thoughtfulness with respect to veterans' homelessness. It is indeed a very severe problem. I do look forward to working with him on this issue, but I also want to mention that I think our bill does respond quite admirably in many ways to the homelessness challenge.

We support more than \$7.3 billion in medical care, housing, social service,

and job training assistance for homeless veterans, and that is about \$197 million more this year than in fiscal year 2017 and almost \$450 million more than 2 years ago. But Congressman GREEN is correct that we can always do more and that this challenge continues to plague us. We have made great progress in this country, but I pledge to work with Mr. GREEN on this issue.

Mr. AL GREEN. Mr. Chair, I thank Chairman DENT.

And if I may just say to the ranking member on our side, I greatly appreciate Congresswoman WASSERMAN SCHULTZ having helped us to bring this to the floor to this extent, and I look forward to working with her as well.

Mr. Chair, the need to help people who are willing to give it all for us is something that we can never overlook, and I am grateful.

Mr. Chair, I yield back the balance of my time, and I withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, as the designee of Ranking Member LOWEY, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Florida is recognized for 5 minutes.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, President Trump, the "Commander in Tweet," tweeted this morning announcing a ban on transgender military service, which was a completely baseless and hateful assault on transgender Americans. Make no mistake: this was not just a midnight tweet. This was a statement of this administration's discriminatory policies and a step backwards for our Nation.

While the President tweeted that his decision came after consulting, supposedly, with our Nation's top generals, that was apparently news to them, as it was met with utter surprise and silence from Pentagon leaders.

□ 1845

Additionally, the President may want to speak to his VA Secretary, as the VA has unequivocally stated VA's policy has not changed. The VA provides care, benefits, and other VA services to all veterans, including transgender veterans.

The President's policy reversal comes after our military has undertaken a measured and thoughtful process to make our military open to LGBT Americans to serve their Nation with pride and patriotism. This thoughtful process included the successful repeal of Don't Ask, Don't Tell, which had the support of civilian and military defense leaders and an overwhelming number of Americans.

Unlike the President's tweets, the decision to make our military more open was not made rashly or with the intention to discriminate.

With over 6,000 transgender Americans serving on Active Duty, in the National Guard, and in our Reserve forces, it would be reckless, dangerous, and cruel to remove brave servicemembers from their critical roles protecting the American people. It is reckless and dangerous to immediately leave vacant positions that are so vital to our national security.

It would be cruel to perniciously discharge these servicemembers less than honorably, an act that could gravely impact whether they are eligible for VA benefits.

Time and again, we see the dramatic and unintended consequences of this President's thoughtless actions.

As we fight for an open military, we will also fight to provide the proper care and resources to the over 130,000 transgender veterans that fought to defend this Nation.

Additionally, whatever my colleagues on the other side of the aisle may say, this decision was not based on a financial cost-benefit analysis.

Allowing transgender people to serve in the military would raise defense health spending by less than 0.1 percent annually, including funds for gender reassignment surgeries. That is just \$2.4 million to \$8.4 million.

In comparison, just so we are illustrative, the Pentagon spends \$84.24 million annually on erectile dysfunction prescriptions. Of that, \$41.6 million was specifically spent on Viagra.

Moreover, research has shown that greater inclusion has little or no impact on unit cohesion, operational effectiveness, or readiness. In fact, commanders have noted that these policies benefited all servicemembers by creating a more inclusive and diverse force.

Mr. Chairman, several things are clear:

This was not a decision based on fiscal responsibility.

This was not a decision based on military readiness.

This decision was apparently made to save the President's immoral, irresponsible border wall, because some Republican Members threatened to bring down the entire minibus appropriations bill that we are debating here today over transgender medical treatment in the military.

This decision, at the end of the day, was based purely on bigotry and hate, and it is one that we will vehemently oppose.

Mr. Chairman, I yield back the balance of my time.

AMENDMENT NO. 20 OFFERED BY MR. RATCLIFFE

The Acting CHAIR (Mr. LAHOOD). It is now in order to consider amendment No. 20 printed in House Report 115-259.

Mr. RATCLIFFE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division C (before the short title) insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to propose, plan for, or execute a new or additional Base Realignment and Closure (BRAC) round.

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Texas (Mr. RATCLIFFE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. RATCLIFFE. Mr. Chairman, I thank Chairman DENT and the ranking member for their hard work on behalf of the 63,000 veterans in my district, as well as servicemembers and veterans from all across the country.

I am also grateful for the support of Congressman SHUSTER in offering this amendment, an amendment which would simply prohibit any funds made available in this division from being used to propose, plan for, or execute a new or additional round of base realignment and closure, or BRAC.

Mr. Chairman, I am honored to represent the Fourth Congressional District of Texas, which is home to the Red River Army Depot. The Depot has supported the warfighter since 1941. Although the Depot community has weathered a lot of changes over the years, their commitment to mission has always remained the same. On the placards inside each vehicle there are the words: "We build it as if our lives depend on it. Theirs do."

The Red River Army Depot is a vital job creator for northeast Texas and my district, and it is a critical component to our national defense. And as we continue our constitutional obligation to appropriate money, we have to be careful stewards of taxpayer dollars, and focus our limited resources on addressing the critical national security objectives and military readiness.

Having another round of BRAC, Mr. Chairman, won't help us achieve this goal. According to the Government Accountability Office, the last round of BRAC in 2005 actually cost the American taxpayers \$35.1 billion, which is 67 percent more than the original cost estimate. At the same time, the expected savings from the last round of BRAC have been reduced by 73 percent.

Starting another BRAC would weaken our capabilities, and it would increase our vulnerability in the face of critical threats that face this Nation right now.

I thank my colleagues who have supported this important amendment for the past 2 years, and I look forward to having this amendment included in this year's Military Construction and VA Appropriations bill.

Mr. DENT. Will the gentleman yield?

Mr. RATCLIFFE. I yield to the gentleman from Pennsylvania.

Mr. DENT. I just want to say for the RECORD that I appreciate the gentleman's concern for his district. I am not

going to oppose the amendment, but I did want to say that, at some point, there will need to be a BRAC. There is a lot of excess capacity in the Army and the Air Force. But for fiscal year '18, I can accept this amendment, but down the road I see the need.

Mr. RATCLIFFE. Mr. Chairman, I thank the chairman for accepting the amendment, and I yield back the balance of my time.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Florida is recognized for 5 minutes.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I, like many Members, have concerns regarding another round of BRAC. I realize that this is a complicated issue for all Members of Congress, especially those with military facilities in their congressional districts.

I have had this conversation with my chairman, Mr. DENT, several times. And while we both share the concerns of those Members with military bases in their district and other military facilities, the gentleman is right. We are going to need to address that we have facilities all across the country that really need to be evaluated because they are, essentially, maintaining infrastructure that is no longer needed.

For example, the estimate of excess capacity for the Army is 22 percent. The Air Force's estimate of excess capacity is roughly 30 percent. Both the Army and the Air Force are strong supporters of another BRAC round.

While this amendment really has no effect because we don't actually have any funding in this bill for another BRAC round, it does send the message that Congress is unwilling to tackle what is arguably a tough issue.

This amendment would be, essentially, an abdication of our duties as Members of this House to ensure that taxpayer resources are being used in a wise and fiscally responsible way, and that is something that we hear from our friends on the other side of the aisle regularly.

And given that we have a very significant increase in the defense appropriations bill, when we have resources that we are expending or, essentially, wasting by not having a BRAC round, then we are, essentially, leaving that money on the table when we could provide it for our national defense.

So I urge my colleagues to oppose this amendment. And I recognize that the chairman is willing to accept it, but we should underscore that there are no funds in this bill for a round of BRAC, so, essentially, the acceptance of this amendment adopts the same posture that this bill already holds.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. RATCLIFFE).



The amendment was agreed to.

AMENDMENT NO. 21 OFFERED BY MR. BRAT

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in House Report 115-259.

Mr. BRAT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division C (before the short title) insert the following:

SEC. \_\_\_\_\_. (a) None of the funds appropriated or otherwise made available by this Act may be used by the Secretary of Veterans Affairs to purchase, breed, transport, house, feed, maintain, dispose of, or experiment on dogs as part of the conduct of any study assigned to pain category D or E, as defined by the Department of Agriculture.

(b) This section shall not apply to training programs or studies of service dogs described in section 1714 of title 38 United States Code or section 17.148 of title 38 of the Code of Federal Regulations.

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Virginia (Mr. BRAT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BRAT. Mr. Chairman, I rise today in support of my amendment to the bill, H.R. 3219.

I would like to thank DINA TITUS, TED POE, RO KHANNA, BRIAN MAST, and TED LIEU for cosponsoring this amendment.

In short, my amendment will stop funding for painful dog experiments at the VA. It also includes protections to ensure service dog training programs can continue unencumbered so that veterans affected by conditions from blindness to PTSD can receive the help they need.

My amendment combines three bipartisan issues: puppies, veterans, and government accountability.

Earlier this year, when my wife Laura and I read the news report about the VA's dog testing program at the Richmond VA Medical Center, we were disturbed by the descriptions of the types of experiments conducted on these puppies. From what I read, the type of work they were doing was on the level of torture. In Richmond, this included inducing heart attacks. At other labs, the VA was giving methamphetamine to narcoleptic Dobermans.

My family had a Doberman, and he was part of our family years back. I can't imagine conducting these tests on man's best friend.

I believe our veterans deserve to receive the highest quality of healthcare. The Richmond VA Hospital is staffed by talented healthcare professionals. However, the experiments being conducted at the Richmond dog research lab have questionable medical benefit. The resources, money, time, and space

being used to conduct these experiments would be better utilized to deliver high-quality healthcare to Richmond veterans. The VA's first priority should be caring for our veterans.

A recent report by the VA Office of Research Oversight that was made public by a FOIA request found widespread lapses in adhering to protocol, failure to follow Federal animal welfare regulations, and the lack of sufficient documentation to justify the severity of these disturbing experiments. Federal taxpayer dollars are better spent directly caring for our Nation's veterans.

Mr. Chairman, I urge my colleagues to support this amendment to defund these harmful experiments on man's best friend.

Mr. POE of Texas. Will the gentleman yield?

Mr. BRAT. I yield to the gentleman from Texas.

Mr. POE of Texas. Mr. Chairman, I thank the gentleman for yielding and for filing this amendment.

Mr. Chairman, the VA has been using taxpayer dollars to have experiments on dogs. It is hard to believe that would occur in our culture today.

I have had three Dalmatians over the years, and I know there are a lot of other people who have dogs. They have service dogs that are used by our vets and our agencies. And the thought that our Veterans Administration would go ahead and torture dogs in the name of science and experiments is not acceptable; it is just not.

If citizens committed these acts that the VA is committing on dogs, under most laws, that would be animal cruelty. They could be prosecuted and go to jail. But because it is the VA, because it is a government agency, that doesn't apply.

But we do want the agency to stop torturing dogs in the name of science. There are better ways that they can spend the money, better ways they can figure out how to help our veterans besides taking careless actions against, as my friend from Virginia said, man's best friend. And if it's going to be man's best friend, maybe we shouldn't be, or we should not be torturing those dogs for any reason. So I support the amendment.

Ms. TITUS. Will the gentleman yield?

Mr. BRAT. I yield to the gentleman from Nevada.

Ms. TITUS. Mr. Chairman, I, too, rise in support of this bipartisan amendment. I thank my colleagues, Mr. BRAT, Mr. POE, and Mr. KHANNA, for introducing it.

We want to prohibit funds from being used by the Department of the VA on studies that cause significant pain and distress to dogs.

As a former member of the House Veterans Affairs' Committee and a longtime advocate of animal protection, I firmly believe we should not be

using taxpayer dollars to fund painful and unnecessary experimental procedures when we have technological advances that can move us toward alternative methods.

□ 1900

We have seen the NIH in their chimpanzee research, and they said that available technologies are more accurate, faster, and less expensive than animal testing.

The U.S. military is moving away from using live animals in trauma medical testing. We have seen that when the Coast Guard gave up their live tissue training program.

The Los Angeles VA just recently announced it is suspending controversial and gruesome experiments on a colony of narcoleptic Dobermans. It is now time for the rest of the VA to do the same thing.

This amendment is supported by the Humane Society, the Animal Welfare Institute, and the White Coat Waste Project.

It is estimated that 44 percent of all households—and you heard my colleagues mention this—in the United States have a dog. In our culture, they are considered cherished pets, and they are a member of the family. They are not to be used for experiments. Even veterans themselves depend on dogs on the battlefield and at home for therapy.

Mr. Chairman, I urge my colleagues to support the amendment, and that is just the way it is.

Mr. BRAT. Mr. Chairman, I yield back the balance of my time.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendment, but I do not plan to oppose it.

The Acting CHAIR (Mr. GALLAGHER). Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. DENT. Mr. Chair, I yield to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), the ranking member.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, the VA conducts animal research at 74 of its facilities, and only 3 of these—Cleveland, Milwaukee, and Richmond—are still conducting experiments on dogs that involve inflicting significant pain and distress. Just yesterday, another whistleblower went public with graphic photos of mutilated dogs and other troubling information about dog testing at that facility.

In addition, a recent VA Office of Research Oversight investigation found that the VA failed to keep adequate records about sick and suffering dogs and has consistently underreported the number of dogs used in experiments to Federal authorities.

I want to be clear that this amendment, unfortunately, does not stop all



animal research at the VA, and it doesn't even stop all dog research at the VA—again, unfortunately. Far from it, in fact. This amendment rightly and simply prohibits taxpayers' dollars from being spent on research that causes dogs significant pain and distress.

Mr. Chairman, I urge my colleagues to support this amendment on behalf of Bailey, Demmy, Coqui, Minnie, and Maddie Schultz.

Mr. DENT. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BRAT).

The amendment was agreed to.

AMENDMENT NO. 23 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 23 printed in House Report 115-259.

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk made in order by the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division C (before the short title), insert the following

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement, administer, or enforce the prevailing wage requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act).

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, this is a Davis-Bacon amendment that addresses the MILCON component of the legislation that is before us.

This Congress has had this debate a number of times over the past years. The history of the Davis-Bacon Act goes back to, I will say, a couple of Republicans that got together and decided they didn't want the construction market to have to face the competition of African Americans coming out of Alabama to build a Federal building in New York City. They took such great offense to that that they wrote legislation that is known as the Davis-Bacon Act, and the language says it requires a prevailing wage.

I have spent 42 years in the construction business, if I count the work my son does as he owns that company today, and we have dealt with that, I would say, nearly every year, if not every year, throughout all that time.

What we have is the Federal Government interfering in the relationship between the employer and the employee and setting a wage scale that is called prevailing wage. But that is set by folks sitting inside a room with a closed door, and they come out of there

with the equivalent of a union wage mandated by the Federal Government. That is the net effect.

As we have kept records over the years, the increase in the cost of the projects for us has been between 8 and 35 percent, depending on how much is labor, how much is materials, and the nature of the job.

The Heritage Foundation has done a study or two. They come with a number kind of in that area. So I just boil it down to 20 percent. It is a 20 percent increase over the otherwise cost of a project, and that means this: without the Davis-Bacon wage scale imposed upon it by the Federal Government, the merit shop employees who meet plans and specs and do high-quality work—and there is nothing in our 42 years of history that would indicate otherwise—that we can build 5 miles of road instead of 4, we can build five barracks instead of four, we can build five bridges instead of four.

This is an unnecessary cost to the taxpayer. It brings efficiency to the expenditures of the taxpayers' money, and it does a lot better job of taking care of our military.

Mr. Chairman, I urge the adoption of my amendment, which simply does this: it says that none of the funds may be used to implement, administer, or enforce prevailing wage requirements that is referenced as Davis-Bacon.

Mr. Chairman, I urge its adoption, and I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Florida is recognized for 5 minutes.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I am opposed to the amendment.

Mr. Chairman, Davis-Bacon is a pretty simple concept, and a fair one at that. What the Davis-Bacon Act does is to protect the government as well as the workers in carrying out the policy that is very simple and very straightforward: paying decent wages on government contracts.

The Davis-Bacon Act requires that workers on federally funded construction projects be paid no less than the wages paid in the community for similar work. It requires that every contract for construction of which the Federal Government is a party in excess of \$2,000 contain a provision defining the minimum wages paid to various classes of laborers and mechanics.

Mr. Chairman, the House has taken numerous and repeated votes on this issue, and on every vote, this body has voted to maintain Davis-Bacon requirements. In fact, most recently, during consideration of the fiscal year 2018 National Defense Authorization Act, in a bipartisan fashion, the House firmly rejected a similar amendment 242-183.

Last year, we avoided including divisive language like this in this bill, and

it is my hope that we stop attacking the working class and defeat the amendment before us today and move on to more important matters as we surely have in front of us.

Mr. Chairman, I urge all Members to vote "no," and I reserve the balance of my time.

Mr. KING of Iowa. Mr. Chairman, as I listen to that rebuttal, I would like to bring back a little more of the history of this, and it is this: that Davis-Bacon, and I have been looking at this a long time, as far as I know, and I believe it is true, is the last remaining Jim Crow law that exists in Federal statute today.

We should take care to pull it out of the Federal code. Its legacy is badly tainted. It was built as a racist law, and that needs to be eliminated, and we need to have a merit shop society where people can compete rather than the Federal Government deciding with a board or a commission behind closed doors.

Let's build more roads, more bridges, more barracks, more airstrips. Let's put our money to the best use we can. That is in keeping with Donald Trump's philosophy: get more for less. That is what you get with the King amendment, more for less, and we get to eliminate at least the effectiveness of this Jim Crow law on our MILCON as a starter.

If we do this here, we have got an opportunity, then, to go forward with this and finally one day completely repeal Davis-Bacon.

Mr. Chairman, I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New Jersey (Mr. NORCROSS), who has been a passionate advocate and fighter for working men and women of this country.

Mr. NORCROSS. Mr. Chairman, I thank the Congresswoman for yielding me time.

I rise in strong opposition to this misguided Davis-Bacon amendment.

Why would anybody come to this floor and say: I want to lower the wages for the people I represent? Why would anybody want to do that? We are here to help people raise their local standards of living.

That is what this amendment would do: it would lower the wages for the working conditions of those very men and women that we were elected to serve. It would hurt the local economy, devalue the workers' pay.

Almost 100 years ago, two Republicans, Congressman James Davis and Robert Bacon, realized there was a problem with the Federal Government and contracts. The contracts were unfair to those local economies. In 1931, unanimously approved, Davis-Bacon prevailing wage, it ensured construction workers coming in are paid the same as local labor—as local labor. It

levels the playing field, ensures workers get paid a fair day's pay for a hard day's work—easy answers, very easy answers.

For my colleagues supporting this amendment, I have a few questions of you.

Do you want the Federal Government to make bad investments?

Do you want to cut those wages for the very people who elected you?

Do you want local workers to suffer, people coming into your town and your community, and cut the wages?

I don't think so. We are not here to lower the standards. We are here to raise the standards.

Speaking of President Trump, guess who used and paid prevailing wage? You have got it. Donald Trump in Atlantic City. He paid prevailing wages. He didn't have to. He did because he understood he wanted to help the people in that economy build a good product. This is what we are talking about: quality wages to people who go to work each and every day and play hard and work hard, follow the rules. That is what prevailing wage is, giving local communities a say in the Federal Government.

The Acting CHAIR. Members are reminded to direct their remarks to the Chair, not to others in the Chamber in the second person.

Mr. KING of Iowa. Mr. Chairman, may I inquire as to how much time is remaining on each side.

The Acting CHAIR. The gentleman from Iowa has 1½ minutes remaining. The gentlewoman from Florida has 1½ minutes remaining.

Mr. KING of Iowa. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, as I listen to the gentleman, unfair; there is no such thing as unfair when you have someone who applies for a job and they are willing to work for a wage, and we want to hire the best people we can hire. We want to keep the best people we hire, and we want to pay the best benefits we can.

But when we have the Federal Government interfering with the efficiency of our operations and deciding that this machine pays \$25 an hour and this machine pays \$35 an hour, and on this shovel, if you are leaning on it, that pays 20 bucks an hour, who is going to climb into which machine and do what? The efficiencies of our operations go downhill when you have got the Federal Government setting those kinds of things.

We had a project years ago where the center line of the highway—we worked on both sides of a highway. The center line of the highway was a difference between two different regions with different prevailing wage scales. It was almost twice as much money on the south side of the highway as it was on the north side of the highway. Well, where do you think my crews wanted to work? They wanted to work on the

south side of the highway. You have got to fight that constantly.

We don't need the Federal Government interfering. There used to be a gentleman from Massachusetts that would say that we should not have the Federal Government interfering between any relationship between two consenting adults. That is what an employment is, two consenting adults. It is a contract. We don't need the Federal Government there.

We need to build more projects for less money for the same standard of work. It is not unfair. It is high-quality work coming out of all the records of merit shop employees, and it is consistent with what America needs to do to compete with the rest of the world.

Mr. Chairman, I urge that the body come forward and vote for this amendment and block the Davis-Bacon wage scales and end up with an efficient form of construction for MILCON.

Mr. Chairman, I yield back the balance of my time.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is unfortunate that the gentleman from Iowa repeatedly engages in revisionist history when it comes to walking the Chamber through the history of why we have Davis-Bacon.

It was actually in 1927 that a contractor who was employing African-American workers was building a Veterans Bureau hospital—fitting that we are debating this on this bill in the district of Congressman Bacon. What Congressman Bacon found was that there were very serious issues related to low wages being paid, competitive pressure towards those lower wages, discrimination against the wages of migrant workers, and so he introduced Davis-Bacon initially to be able to make sure that workers on construction projects would be able to be paid the prevailing wages in the community.

These workers happened to be African American. That is about the only thing that is at all related to the so-called Jim Crow reference that the gentleman from Iowa made.

We need to make sure that, no matter where you work on a Federal Government project, construction workers, working people who are trying to make sure that they produce quality work, are able to produce that quality work by being paid the prevailing wage in a community based on those standards.

Mr. Chairman, I yield back the balance of my time.

□ 1915

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. WASSERMAN SCHULTZ. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

It is now in order to consider amendment No. 24 printed in House Report 115-259.

AMENDMENT NO. 27 OFFERED BY MR. BERGMAN

The Acting CHAIR. It is now in order to consider amendment No. 27 printed in House Report 115-259.

Mr. BERGMAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 267, line 23, after the dollar amount, insert “(increased by \$1,000,000)”.

Page 273, line 1, after the dollar amount, insert “(decreased by \$1,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Michigan (Mr. BERGMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. BERGMAN. Mr. Chairman, I rise today in support of my amendment to the Make America Secure Appropriations Act bill. My amendment simply adds \$1 million to the U.S. Corps of Engineers' investigations account to assist with projects across the country that the Army Corps is in charge of overseeing.

Projects like modernizing the Soo Locks, the lock system located in my district in the Upper Peninsula of Michigan which connects Lake Superior to the lower part of the Great Lakes through the St. Marys River.

This is a project that has been around for a long time on the books. Projects like this that have more than 4,500 vessels and 80 million tons of cargo moving through the Soo Locks each year, this lock system plays a critical role in the transport of raw materials and other goods through the Great Lakes region to ports around the entire country.

And currently, the construction of a new lock, which is integral not only to my district, but the entire United States, is caught in a mire of uncertainty, and it all comes down to one thing: funding.

I think it is appropriate that we are considering this amendment in the context of making America secure because it might be a surprise to some to learn that modernizing the Soo Locks is a matter of national security.

A recent Department of Homeland Security report has made clear that an unexpected interruption to the Poe—the largest lock in the system—would have disastrous economic impacts across the Nation, to include a \$1.1 trillion fall in national gross domestic product and a spike in national unemployment to a rate of 11.3 percent.

Again, this is the Department of Homeland Security saying this. And while Congress has authorized the construction of a new lock twice now over several years, the Soo has been tied up in economic reevaluations and studies that have ultimately kept Congress and the Corps from spending the necessary funds to complete the project.

This amendment sends a message to the Army Corps and reminds Congress that projects like the Soo Locks modernization must be a priority.

During a time when infrastructure projects and national security are at the forefront of our policy conversations, projects like the Soo Locks should not be delayed because of funding uncertainty or limits to the Army Corps of Engineers' ability to do its due diligence in conducting the studies.

I also wanted to take a minute and thank the chairman for working with me and understanding how significant and important the Soo Locks modernization and projects like this around the country are to our economy and our national security.

Mr. Chair, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Ms. KAPTUR. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chair, I rise in very reluctant opposition to this amendment. I agree with the goal. I agree with the fine Congressman's goal of getting that lock modernized, improving the access, and securing the Great Lakes region for generations to come. My problem lies in the offset coming out of the Energy Efficiency & Renewable Energy accounts.

So I would only ask the gentleman to consider advising his colleagues, who will go into conference, if we could find a different offset, it would sure be a lot more comfortable on this side of the aisle.

I want to congratulate him for his amendment and, again, reluctantly rise in opposition.

Mr. Chair, I yield back the balance of my time.

Mr. BERGMAN. Mr. Chair, I yield such time as he may consume to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Actually, the offset does not come out of EERE.

Ms. KAPTUR. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Ohio.

Ms. KAPTUR. May I inquire of the gentleman, where does the offset come from?

Mr. SIMPSON. It comes from Corps expenses and administration.

Ms. KAPTUR. Well, that changes my position.

Mr. SIMPSON. I knew we could get through this.

Let me just say, Mr. Chairman, I understand that the Soo Locks project is

of great importance to my colleague from Michigan, as well as other Members from the Great Lakes. I would be happy to work with them to see if we can advance this project to ensure continued navigation on the Great Lakes.

I have to remind my colleague that the amendment increases the funding level of an account. It does not direct that funding level to a particular activity, and, for that reason, the amendment does not constitute a major shift in funding between accounts, and I will support the amendment.

Mr. BERGMAN. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. BERGMAN).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 28 printed in House Report 115-259.

Mr. SIMPSON. Mr. Chairman, as the designee of Chairman FRELINGHUYSEN, I move to strike the last word.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I yield to the gentleman from New York (Mr. FASO) for the purpose of entering into a colloquy.

Mr. FASO. Mr. Chairman, I thank Chairman SIMPSON for yielding the time.

Mr. Chairman, I rise today in support of H.R. 3219, the Defense, Military Construction, Veteran Affairs, Legislative Branch, and Energy and Water Development National Security Appropriations Act.

Specifically, I would like to discuss division D of the bill, which appropriates additional funding to the Army Corps of Engineers. This bill allocates \$289.5 million to fund projects and activities to enhance the Nation's economic growth.

The Whaley Lake Dam, located in my district in Pawling, New York, Dutchess County, will be eligible to compete for these funds, and is authorized pursuant to section 5003 of the Water Resources Development Act of 2007. Originally built in the mid-1800s, the Whaley Lake Dam is in critical need of repair.

The outlet of the dam feeds a stream necessary to the movement of treated wastewater from multiple municipal water treatment facilities. Additionally, the town of Pawling is the home to nearly 9,000 residents, including 500 homes located on Whaley Lake specifically.

Mr. Chairman, could the chairman please confirm that the Whaley Lake Dam project could compete for funding included in the bill?

Mr. SIMPSON. Mr. Chairman, I thank Mr. FASO for the question. The gentleman is correct on his reading of the bill. Projects authorized under section 5003 of the 2007 water bill are eligible for this additional funding by the

Army Corps of Engineers. This is reflected in report language from the Energy and Water Development, and Related Agencies Subcommittee.

Mr. FASO. Mr. Chairman, I thank Chairman SIMPSON for this confirmation. I urge my colleagues to support this important bill.

Mr. SIMPSON. Mr. Chair, I yield back the balance of my time.

AMENDMENTS EN BLOC NO. 2 OFFERED BY MR. SIMPSON OF IDAHO

Mr. SIMPSON. Mr. Chairman, pursuant to section 3 of House Resolution 473, as the designee of the gentleman from New Jersey (Mr. FRELINGHUYSEN), I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2 consisting of amendment Nos. 29, 30, 33, 34, 45, 47, 48, 66, 67, 68, and 69 printed in House Report 115-259, offered by Mr. SIMPSON of Idaho:

AMENDMENT NO. 29 OFFERED BY MR. BEN RAY LUJÁN OF NEW MEXICO

Page 268, line 20, after the dollar amount, insert "(reduced by \$10,000,000) (increased by \$10,000,000)".

AMENDMENT NO. 30 OFFERED BY MR. WELCH OF VERMONT

Page 268, line 20, after the dollar amount, insert "(reduced by \$10,000,000) (increased by \$10,000,000)".

AMENDMENT NO. 33 OFFERED BY MR. CURBELO OF FLORIDA

Page 268, line 20, after the dollar amount, insert "(reduced by \$45,000,000) (increased by \$45,000,000)".

AMENDMENT NO. 34 OFFERED BY MR. NOLAN OF MINNESOTA

Page 270, line 22, after the dollar amount, insert "(increased by \$325,000)".

Page 273, line 1, after the dollar amount, insert "(reduced by \$325,000)".

AMENDMENT NO. 45 OFFERED BY MR. LARSON OF CONNECTICUT

Page 286, line 24, after the dollar amount, insert "(reduced by \$48,000,000) (increased by \$48,000,000)".

AMENDMENT NO. 47 OFFERED BY MR. TAKANO OF CALIFORNIA

Page 286, line 24, after the dollar amount, insert "(reduced by \$1,000,000) (increased by \$1,000,000)".

AMENDMENT NO. 48 OFFERED BY MR. DESAULNIER OF CALIFORNIA

Page 291, line 13, after the dollar amount, insert "(increased by \$1,200,000)".

Page 296, line 10, after the dollar amount, insert "(reduced by \$1,200,000)".

AMENDMENT NO. 66 OFFERED BY MR. STIVERS OF OHIO

At the end of division D (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this division may be used for the Cape Wind Energy Project on the Outer Continental Shelf off Massachusetts, Nantucket Sound.

AMENDMENT NO. 67 OFFERED BY MR. GALLAGHER OF WISCONSIN

At the end of division D (before the short title), insert the following:

SEC. \_\_\_\_ For "Department of Energy—Electricity Delivery and Energy Reliability" for energy storage systems demonstrations

as authorized by section 641 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17231), there is hereby appropriated, and the amount otherwise provided by this Act for "Department of Energy—Departmental Administration" is hereby reduced by, \$10,000,000.

AMENDMENT NO. 68 OFFERED BY MS. BROWNLEY  
OF CALIFORNIA

At the end of division D, before the short title, insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used in contravention of section 2102 of the Water Resources Reform and Development Act of 2014 or section 210 of the Water Resources Development Act of 1986.

AMENDMENT NO. 69 OFFERED BY MR. RODNEY  
DAVIS OF ILLINOIS

At the end of division D, before the short title, insert the following:

SEC. \_\_\_\_\_. None of the funds made available under title I of division D of this Act may be used to require an economic re-evaluation of any project authorized under title VIII of the Water Resources Development Act of 2007.

The Acting CHAIR. Pursuant to House Resolution 473 the gentleman from Idaho (Mr. SIMPSON) and the gentlewoman from Ohio (Ms. KAPTUR) each will control 10 minutes.

The Chair recognizes the gentleman from Idaho.

Mr. SIMPSON. Mr. Chairman, I appreciate that the en bloc amendments have been agreed to by both sides, and I would urge my Members to support the en bloc amendments.

Mr. Chair, I reserve the balance of my time.

Ms. KAPTUR. Mr. Chair, I rise in support of the en bloc amendment.

Mr. Chair, I yield 1½ minutes to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. Mr. Chairman, I rise today in support of my amendment which ensures that the Department of Energy continues to fund Energy Innovation Hubs in the Offices of Science, Energy Efficiency & Renewable Energy, and Nuclear Energy.

□ 1930

The current report language accompanying H.R. 3266, which is the Energy and Water Development Appropriations bill, directs the DOE not to fund these centers.

By passing this amendment, we will clearly express Congress' intent to continue funding these innovation hubs and request that the final report language be edited to reflect our intent.

The four existing innovation hubs conduct critical research across energy fields including nuclear, solar, advanced storage, and energy supply chains. These hubs are modeled off of the iconic Bell Laboratories, but private industry no longer sustains this type of research due to increasing pressure to make short-term profits.

That is why it is essential that the government conduct this research.

Mr. Chairman, I encourage my colleagues to support the en bloc and

amend the final report language so these vital innovation hubs continue to receive funding.

Ms. KAPTUR. Mr. Chairman, I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Idaho (Mr. SIMPSON).

The en bloc amendments were agreed to.

Mr. SIMPSON. Mr. Chairman, as the designee of Chairman FRELINGHUYSEN, I move to strike the last word.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I yield to the gentleman from New Jersey (Mr. LANCE) for the purpose of a colloquy.

Mr. LANCE. Mr. Chairman, first, I thank Chairman SIMPSON for the committee's continued support for the Rahway River flood control project in the district I serve. This project is essential to the safety and security of communities in the district. These communities have worked extensively with the district office of the Army Corps, which, together with their colleagues at Corps headquarters in Washington, prepared a Tentatively Selected Plan. We are waiting for Corps headquarters to schedule an agency milestone meeting to finalize the details and begin the process of compiling a chief's report.

Is it the committee's intent in providing funding that the Corps should complete the Rahway River feasibility study?

Mr. SIMPSON. I thank the gentleman for his question.

Yes. It has been the committee's intent that funds provided to date were to be used to complete the feasibility study and issue a chief's report. There is additional funding provided in this bill that could be allocated to the Rahway River study, if necessary.

Mr. LANCE. I would further ask your assistance to ensure that the extensive work, expertise, and planning at the district level and the extensive community involvement is also followed by the Army Corps headquarters.

There is growing concern in the communities I serve that Army Corps headquarters might shelve this project despite its continued authorization—as recently as the 2016 WRDA bill—and the ongoing funding from your subcommittee.

This would represent the worst kind of disconnect between the needs of communities in need and the bureaucracy of Washington. Doing nothing, wasting taxpayers' time and money, and allowing the current hazards to endure are not an acceptable outcome.

I would respectfully ask the full committee chairman and subcommittee chairman to assist in convening a meeting with the affected Members of

Congress and the Corps to ensure we continue to move forward with this chosen alternative, and proceed with the project now.

Mr. SIMPSON. I thank the gentleman for his comments.

We would be pleased to work with the gentleman from New Jersey on such a meeting and to ensure a successful conclusion to the feasibility study.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The Chair understands that Amendment No. 31 will not be offered.

Ms. KAPTUR. Mr. Chairman, as the designee of Ranking Member LOWEY, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, I want to express my appreciation to Congressman MIKE SIMPSON and all the members of our subcommittee on both sides of the aisle for completing our work on time and for reaching agreement on many of these amendments that will save the Members angst tonight, and, hopefully, we won't have to work beyond midnight.

I want to say, with the mark that we have received, we continue to move America forward on energy independence. We know that by 8 or 9 years it is projected that America will finally be exporting more energy than we are importing, and we will be 100 percent energy-efficient and energy-independent here at home.

That is quite an accomplishment thinking back to the period of time in our Nation's history in the last century when we, as a nation, were subjected to rising oil prices because of embargoes, particularly in the Middle East, and we fell into deep recession here in our country back in the 1970s; and subsequent to that, every time gasoline went over \$4 a gallon.

So when we consider the Energy and Water bill, I think we all have to pat America on the back for having had consistent enlightened leaders on both sides of the aisle who understood what was important in the Nation's best interests.

So as we consider this bill today—there were particular amendments on subjects that range as far afield as the Soo Locks and the Energy Information Administration, which we will get into in a moment, water projects that are some of the biggest job creators across this country—let's not lose sight of the big frame.

The big frame really is that this is a bill that makes America more secure and that allows us to make progress here at home from coast to coast. All of our ports and all of our water infrastructure that is so vital not just west of the Mississippi, but the Great Lakes region and our coasts, some of the challenges we face in the Everglades, these are issues that all of America

cares about, particularly when it is in your own backyard.

This is a really important bill for the country. It is not the largest bill that is considered as part of the appropriations process, but it is one that is extraordinarily important. And, of course, over half of our budget deals with our nuclear weapons complement and making sure that that great asset that we have is maintained, is the finest in the world, and is the best managed. So this subcommittee has quite a jurisdiction from coast to coast.

I really want to compliment all the Members who worked so very hard to bring our bill to the floor on time, within the mark that we were given. I thank staffs on both sides of the aisle as we proceed forward here.

I know that the efforts in this bill to fund the future and new energy sources that are coming forward are in America's national interests.

We look at the field of solar, for example. We have over 300,000 people working in the solar energy field, actually more than work in the coal fields now. Some of those solar companies are in districts that I represent. This is a new industry. Renewables now comprise 10 percent of all the energy that the country produces, and this has been a major accomplishment in just the last few decades.

A lot of photovoltaic research goes back to the 1980s. We are now looking at wind energy, the fastest growing job sector in America. It is really for wind technicians.

I thank the members of our committee on both sides of the aisle for appreciating the opportunity to grow this massive industry, including with investments such as LEEDCo in the State of Ohio; capturing the Saudi Arabia of wind, which is Lake Erie's complement.

So we feel a sense of accomplishment tonight as we bring this bill to the floor and we look at the horizons ahead. We know that we have to deal with the other body, we have to compromise out any of our differences, but I have a hunch that we are going to be able to do that very well.

I thank all those who may be listening this evening, particularly those who are working in our National Labs, the finest labs in the world that are inventing the future from coast to coast. Over a dozen and a half of those labs have America's best scientists working on not just energy research, but derivative spinoffs in the commercial sector that eventually benefit the entire country.

As I mentioned, the natural gas discovery that has really been responsible for leading us toward energy independence was made possible by the fracking technology developed over many years at the U.S. Department of Energy. So as you look at gas prices going down at the pump and you look at the competi-

tion in the energy industry, we have a lot of people, many unsung heroes across our country in these labs who work tirelessly on behalf of the American people. Some are retired and some are still in place, but we owe them a deep debt of gratitude for serving the American people so nobly.

We are going to have several other amendments that come before us tonight.

Mr. Chairman, I yield to the gentleman if he wishes to make a statement.

Mr. SIMPSON. Mr. Chairman, I thank the gentlewoman. It is wonderful to have someone who can talk with some intelligence about what we are doing here, and keep the attention of the body as we are waiting for Members to come to the floor.

Ms. KAPTUR. I think it is fair to say, Mr. Chairman, that you do such a fine job and move the bill along that people were anticipating their amendments would come up later in the evening. But, as usual, this is not just an energy efficient committee, but a very efficient committee.

Mr. Chair, I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker Pro Tempore (Mr. MITCHELL) having assumed the chair, Mr. GALLAGHER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes, had come to no resolution thereon.

#### PERMISSION TO CONSIDER AMENDMENT NO. 32 AND AMENDMENT NO. 35 PRINTED IN HOUSE REPORT 115-259 OUT OF SEQUENCE

Mr. SIMPSON. Mr. Speaker, I ask unanimous consent that, during further consideration of H.R. 3219, pursuant to House Resolution 473, amendment No. 32 and amendment No. 35, printed in House Report 115-259, may be offered out of sequence.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018

The SPEAKER pro tempore. Pursuant to House Resolution 473 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3219.

Will the gentleman from Wisconsin (Mr. GALLAGHER) kindly resume the chair.

□ 1945

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes, with Mr. GALLAGHER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole House rose earlier today, amendments en bloc offered by the gentleman from Idaho (Mr. SIMPSON) had been disposed of.

#### AMENDMENT NO. 36 OFFERED BY MR. MITCHELL

The Acting CHAIR. It is now in order to consider amendment No. 36 printed in House Report 115-259.

Mr. MITCHELL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 273, line 1, after the dollar amount, insert "(reduced by \$18,100,000)".

Page 273, line 19, after the dollar amount, insert "(reduced by \$476,400)".

Page 282, line 22, after the dollar amount, insert "(reduced by \$5,900,000)".

Page 296, line 10, after the dollar amount, insert "(reduced by \$28,169,300)".

Page 326, line 21, after the dollar amount, insert "(increased by \$52,645,700)".

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Michigan (Mr. MITCHELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. MITCHELL. Mr. Chair, I rise today in support of my fiscally responsible amendment that is one step in securing America's future.

My amendment is a simple 10 percent cut to administrative expenses of the U.S. Army Corps of Engineers, Office of the Assistant Secretary for Civil Works, Department of the Interior, and Department of Energy. These savings would be used to reduce the deficit.

Our national debt stands at \$20 trillion, and growing. Our unfunded liabilities add another \$100 trillion to \$200 trillion to the Federal debt, and that is only a guess. Our deficit last year was over \$500 billion. That is not sustainable. It jeopardizes our future and must be taken seriously. Paying lip service to the problem will not solve it. Talk is cheap. We must now be responsible, before it is too late.

I come from the world of private business and know the importance of having our fiscal house in order. I also know that being fiscally responsible starts with small steps, which, when added together, make a big impact.

Early in my career, I worked at Chrysler at the time when Lee Iacocca was CEO and went through the first

loan guarantee. His famous fiscal savvy and focus helped save Chrysler, which was destined for bankruptcy. If not for Iacocca taking strong but necessary measures, a great Michigan company would have been lost.

Lee Iacocca understood that fiscal responsibility starts on a small scale. He once said if he had a manager who couldn't cut administrative costs by 10 percent, he needed a new manager.

Mr. Chair, that is what I propose today, a 10 percent cut to administrative costs of government agencies, which is a small step that, when combined with others like it, could yield back results and big savings for taxpayers. Moreover, these cuts would restrain an overactive government bureaucracy.

The Republican-led Congress has worked hard to undo years of copious overregulation, but another solution is to have fewer regulators and fewer bureaucrats passing on regulations that make it hard for businesses to survive and taxpayers to live their lives.

Mr. Chair, I urge my colleagues to choose fiscal responsibility, choose a secure American future, make a modest cut in the administrations costs of our government, and support my amendment.

Mr. Chair, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to this amendment. I understand that reducing the size of the bureaucracy is an important issue for many Members, and should be for all of us.

As chair of the Energy and Water Development and Related Agencies Subcommittee, I am always open to hearing if my colleagues have particular concerns with agency budget requests. I could be supportive of thoughtful strategies for reducing the size of government by making agencies more efficient and carrying out their statutory goals. That is not what this amendment does. This amendment simply slashes 10 percent from each administrative account in the bill.

Most of these accounts have been held flat or even slightly decreased over the past several years. Reducing them an additional 10 percent, with no clear idea on how such cuts would be absorbed, is simply not the right way to address the size of the Federal Government. It could take longer to review and improve important water resource projects—I hear about that all the time from my colleagues—or to issue grants and approve research agreements—I hear about that all the time from my colleagues—or to respond to congressional information requests—I hear about that all the time from my colleagues.

These cuts would also put at risk the cybersecurity efforts of each agency, reducing their efforts to secure their own IT infrastructure. I don't think that is what the gentleman from Michigan intended, but that is a very possible result of this amendment.

Mr. Chair, for those reasons, I must urge a "no" vote on this amendment.

Ms. KAPTUR. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Ohio.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for yielding, and I also rise in opposition to this amendment.

I respect the gentleman from Michigan, particularly because he is from the Great Lakes region, too, and we need him as a strong voice for our Great Lakes, but I do think that cuts to these particular accounts really are counterproductive, for the following reasons.

First of all, the most important step any country can take to deal with the deficit is to grow the economy. This particular budget, this particular set of accounts, particularly the Army Corps of Engineers, has the type of construction and building accounts that produce income. They produce income for people who do the work, but they also improve our ports.

If you look all around Michigan, if you look at the Soo Locks, if you look at the assets just in our region of the country, the progress that a region can make, because it improves its ports and attendant roads and rails and so forth, creates opportunity for companies to locate and to grow.

We just had a phenomenal announcement in the city of Toledo this week by the Cleveland-Cliffs company. We have been working for 30 years to improve the port to connect rail and to have east to west, north to south highway improvements. By golly, it worked with a \$700 million investment by the private sector. It was just so exciting to bring ore from Michigan and Minnesota into the lower lakes. It was really quite incredible.

So these dollars yield results. They don't happen in one year. They take a while to happen, but they happen.

I also oppose the gentleman's amendment because there are \$62 billion of backlogged projects at the Army Corps of Engineers alone. I don't know if you saw the stories about the Department of the Interior. People are lined up to get into the national parks through those turnstiles, trying to get into our national parks.

We need to improve those parks. We need to make sure that we are doing things like dealing with the Forest Service so that the underbrush is cut out and that our forests aren't burning up all over the country.

We have such a maintenance backlog across this Nation, and with budgets of this size, we don't want to be in a posi-

tion where we under account for the funds that are being spent.

So to reduce funding for critical oversight in the administrative departments of these very large agencies, I think is not wise. In fact, it is penny-wise and pound-foolish in the end.

Mr. Chair, for all of those reasons—our jobs, the security of taxpayer funds, and for the sake of the future—I oppose the gentleman's amendment and urge my colleagues to join me.

Mr. SIMPSON. Mr. Chairman, I yield back the balance of my time.

Mr. MITCHELL. Mr. Chair, I certainly did not intend the adverse impacts that are outlined by the chairman or the ranking member, nor do I believe they will arise.

My experience in years of management is that, rather than detail item-by-item the cuts to be made, allow the leadership of agencies to determine where they can be more efficient. I honestly have to say, I can't imagine that we cannot be more efficient than we are in the Federal Government. I admit, my experience is somewhat more brief than many, but I am, frankly, shocked some days.

I urge support of my amendment. I realize it may not be popular, but, at some point in time, we need to start to cut the incredible costs of this government.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. MITCHELL).

The amendment was rejected.

AMENDMENT NO. 32 OFFERED BY MR. MAST

The Acting CHAIR. Pursuant to the order of the House of today, it is now in order to consider amendment No. 32 printed in House Report 115-259.

Mr. MAST. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 268, line 20, after the dollar amount, insert "(increased by \$500,000)".

Page 270, line 22, after the dollar amount, insert "(reduced by \$500,000)".

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Florida (Mr. MAST) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MAST. Mr. Chairman, I rise today because I represent the Treasure Coast of Florida, and it is facing an environmental disaster that, sadly, communities across the Nation face, from down along the Mississippi, up in Michigan, to the east coast of Florida. We face these disasters year after year. This disaster is toxic algal blooms.

The water that is discharged into my area comes out of Lake Okeechobee and goes into the Treasure Coast of Florida. It puts people out of business,

kills sea life, sea grass, manatees, and fish. It makes people sick. It destroys home values and businesses. It is all because of a guacamole-like toxic algal bloom that can occur year after year. This can't continue. Our communities can't wait any longer. Our lagoons, beaches, and water have to be restored.

My amendment increases the Aquatic Plant Control Research Program within the Army Corps of Engineers' Engineer Research and Development Center, or ERDC, by \$500,000 above the appropriated level.

The Aquatic Plant Control Research Program is the only federally authorized research program directed to develop the kind of technology for management of nonindigenous aquatic plant species, like these toxic blooms.

When I talk to the Corps about the issue in my community and the communities across the country, I am told that they don't have the technology to scale the type of equipment that cleans out fish tanks to the level that we are facing in these large bodies of water.

This amendment replaces the \$500,000 shortfall from last year's appropriation and makes important investments in the research in order to ensure that the Army Corps has all of the information required to develop that technology that can scale the size needed to successfully complete their mission.

Mr. Chair, I urge immediate passage, and I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Idaho is recognized for 5 minutes.

There was no objection.

Mr. SIMPSON. Mr. Chairman, I understand what the gentleman's concern is. In fact, it is a concern not only in Florida, but all over the country. It is a concern in Ohio. It is actually a concern in Idaho. You wouldn't think about that, but they are having some problems in Idaho with algal blooms, also. So it is something that we need to get on top of.

I would just like to clarify that the amendment does not direct funds to any particular activities so that doesn't necessarily mean that this will get done, but I understand what the gentleman is trying to do.

For that reason, and because it doesn't upset the balance of the bill, I will not oppose the amendment, but I want to work with him, as well as, I am sure, the ranking member, because this is an issue we have got to address across the country. I appreciate him bringing this matter and this issue to our attention so that we can talk about it.

Ms. KAPTUR. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Ohio.

Ms. KAPTUR. Mr. Chairman, I just wanted to add a bit to that.

I thank Congressman MAST very much for offering this amendment. I do think we need to work with the Corps. Obviously, this is a growing problem. We have heard from Florida colleagues. We have heard from colleagues in Nevada, throughout the Great Lakes region.

These algal blooms are truly frightening. In the Midwest, in the Great Lakes region, a major water system was shut down for 3 days in the city of Toledo, denying water to over half a million people for 3 days. It is quite frightening.

At the moment, there is no—and I say this for the Corps' benefit, because it would require cooperation with other agencies—ecosystem satellite mapping or drone technology currently that is able to photo large regions and home in on where the nutrients are that are causing the problem.

□ 2000

As I have gotten into this more deeply, we need high science, whether it is high-frequency infrared or whatever we use. We do not have the ability to home in on where the causes are coming from and then target the toxic portions of those algal blooms.

So a lot of work is needed, and I really appreciate the gentleman rising tonight. I know you have gotten the Corps' attention as you have gotten our attention, and we will work with the chairman to see if we can't make progress on this really vexing issue.

Mr. SIMPSON. Mr. Chair, I appreciate the gentlewoman's comments, and we not only need to work with the Corps, but we also need to work with the EPA in trying to address this issue because it is a lot broader than most people think.

Mr. Chair, I yield back the balance of my time.

Mr. MAST. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MAST).

The amendment was agreed to.

AMENDMENT NO. 35 OFFERED BY MR. HECK

The Acting CHAIR (Mr. DONOVAN). Pursuant to the order of the House of today, it is now in order to consider amendment No. 35 printed in House Report 115-259.

Mr. HECK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 270, line 22, after the dollar amount, insert "(increased by \$500,000)".

Page 273, line 1, after the dollar amount insert "(reduced by 500,000)".

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Washington (Mr. HECK) and a

Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HECK. Mr. Chairman, my amendment is about tackling a problem that, frankly, affects every single one of us in every single one of our districts, and that is storm water.

Most of us probably don't think about it very much, but, frankly, when rain falls—it does a lot of that in the Northwest—and flows through our streets and off the shoulders of our highways, it picks up all sorts and kinds of pollutants. We are talking, frankly, about some really nasty stuff: toxic chemicals like arsenic and flame retardants, as well as oil and pesticides.

Stop and think. The single largest contributor of water pollution in the United States of America is storm water runoff—up to 80 percent in some places.

Toxic storm water runoff harms our rivers and our lakes and our waterways. But it not only harms our environment, it harms our businesses that depend on clean water, like the shellfish industry of Washington State which employs, literally, thousands of people.

In Puget Sound, the largest estuary in America, storm water runoff literally can kill a salmon in a few hours. Well, salmon and other fish are a way of life in Washington, to the tune of a \$30 billion, with a B, economy.

Salmon also serve as a vital resource of immeasurable value. For the 19 federally recognized Tribes in the Puget Sound, salmon is their way of life. They are called the salmon people.

If we fail to address the problem posed by storm water, these resources will continue to decline, and our communities will continue to pay an avoidable price.

So what are we doing right now to stop this from happening? The answer is: a few things, but nowhere near enough.

If we are going to truly address the problem, the Federal Government needs to do the basic, and that is set an example. The good news is that Congress has recognized this in the past, because about 10 years ago this body passed a law which requires Federal agencies to reduce storm water runoff when they develop or redevelop property. That is a commonsense requirement, but we can't stop there.

Research shows that the most cost-effective and efficient way to reduce storm water runoff is through what is called green infrastructure, or low-impact development, things like rain gardens and permeable pavement and green roofs.

You probably won't be surprised when I share that the largest storm water research center in the United States of America is in my district at



our land-grant university, Washington State University's extension campus in Puyallup. So I am a witness to the promise and the potential of this approach.

This amendment simply provides funding for the Army Corps of Engineers to determine to what extent they are using these technologies and techniques to comply with the requirements already imposed by Congress.

Mr. Chairman, if we are going to help communities and businesses impacted by toxic storm water runoff, it is crucial that the Federal Government set the example and lead the way. So I ask you to join me as responsible stewards of taxpayer dollars and ensure that Federal agencies are using the latest and most efficient technology to manage storm water runoff.

Finally, I want to extend my deepest appreciation to the chair of the committee, my friend from Idaho, and the ranking member from Ohio very, very much. I urge adoption of this amendment.

Mr. Chair, I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Idaho is recognized for 5 minutes.

There was no objection.

Mr. SIMPSON. Mr. Chairman, I agree with what the gentleman is trying to do. I would just point out again that this amendment does not direct the funds to any particular activity, so it will actually take some coordination with us and some conversation with the Army Corps of Engineers to make sure that this goes in the area that we would like it to go to to study just what the gentleman was talking about.

But because it doesn't direct it to a particular activity, for that reason and because it does not upset the balance of the bill, I will not oppose the amendment. In fact, I will support the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. HECK).

The amendment was agreed to.

AMENDMENT NO. 37 OFFERED BY MS. KAPTUR

The Acting CHAIR. It is now in order to consider amendment No. 37 printed in House Report 115-259.

Ms. KAPTUR. Mr. Chairman, I rise as the designee of Congressman BEYER, and I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 277, beginning on line 12, strike section 108.

The Acting CHAIR. Pursuant to House Resolution 473, the gentlewoman from Ohio (Ms. KAPTUR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, my amendment would essentially strike the provision related to the waters of the United States, section 108. Unfortunately, Republican insistence on the inclusion of poison pill riders like this one has derailed several important pieces of legislation over the last few years, especially clean water rural riders.

However, let me be plain. This rider is worse than any of those previous versions, and it will not gain the Democratic votes necessary to become law. It actually is a roadblock in the way of us moving our bills forward.

This rider would exempt the repeal of the clean water rule from laws that would otherwise apply, including the Administrative Procedure Act, essentially allowing the President to act unilaterally, the executive branch to act unilaterally without any input from the public. That doesn't sound like America to me.

The Administrative Procedure Act was a Republican idea to make sure that government is accountable to its citizens and that their input be considered. People have come to expect this in their own communities. Exempting this action on clean water is a very slippery slope toward government by fiat, by an administration which deserves more scrutiny, I might add, on that front than any in our history.

So I urge all my colleagues to support the Kaptur-Beyer amendment.

Mr. Chair, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, this is going to be something that the ranking member and I happen to disagree on.

Poison pill riders—I have always liked that term, “poison pill riders.” What they are are policy changes. If they are policy changes you like, they are policy changes. If you don't like them, they are poison pill riders. So when they had the majority, they put what we considered poison pill riders in their bill, but they were policy changes, and that is what we do in some appropriations bills.

But I rise in strong opposition to this amendment. I have been debating this issue for, I don't know, probably 10 years. While the change in the administration means that we are able to reduce the number of the issues we need to address in this bill, some issues warrant continued congressional attention—WOTUS is one of them.

My reason for opposing the Obama administration's WOTUS rule remains the same. The rule would greatly expand Federal jurisdiction over the Clean Water Act. The Supreme Court has twice ruled that the definition used

under the Clean Water Act of navigable waters was hard to define and told them that they need a new definition.

Well, the EPA's design on a new definition is, okay, we will just control everything. So everybody thinks that those waters that are now under control of the Clean Water—I mean, of the WOTUS rule written by the Obama administration were unregulated before. They were not unregulated. They were regulated by the States, and the States did a good job of regulating those things.

But now the Federal Government has come in and taken control of all of those States. We think, and the courts have ruled, that this is too broad a definition of what they intended and what the Clean Water rule states.

Nobody wants dirty water—nobody. But what we want is a rule that separates what the Federal Government has the authority to control and what the States have the authority to control.

President Trump moved quickly on this issue by issuing an executive order in February, and a few weeks ago, the EPA and the Corps announced the first step in a two-step process: a proposed rule to rescind the WOTUS rule and recodify the previous regulatory text.

The second step will be a second rulemaking to reevaluate the definition of waters of the United States in a manner consistent with the Supreme Court decision.

The provision in this bill is supportive of these efforts. First, it provides clear authorization to withdraw the Obama administration's rule. Second, it clarifies what rule will be in effect if the WOTUS rule is withdrawn, specifically, the same rules that were in effect immediately prior to the promulgation of the final WOTUS rule. And third, it does not affect the Trump administration's ability to develop a new rule, one that will provide more clarity and certainty for the regulated community while staying within the legal bounds provided by the Supreme Court.

For these reasons, I have to oppose this amendment, and I strongly oppose this amendment.

Mr. Chair, I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I would just like to comment, in asking my colleagues to support this amendment, that the amendment itself is intended to address the two Supreme Court decisions. And in addition, if we leave this language in the bill, the chairman was correct, this is at the policy level. This doesn't belong in an appropriation bill. Let them deal with this in the courts and the authorizing committees.

I think it creates a very, very high speed bump that threatens our bill's passage as we move forward, so I ask my colleagues to support us on striking the provision related to the waters

of the United States, section 108 offered by myself and Mr. BEYER of Virginia.

Mr. Chairman, I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, I yield the balance of my time to the gentleman from West Virginia (Mr. JENKINS).

Mr. JENKINS of West Virginia. Mr. Chairman, I thank the gentleman so much for his leadership on this issue.

WOTUS, waters of the U.S., it has really been talked about for a number of years. This is a classic case of Barack Obama, the administration previous to the Trump administration, overreaching its authority. This is executive branch takeover, waters of the U.S., saying that we have got what is called navigable waters and using the executive authority to redefine what navigable waters are.

This hurts farmers. This hurts small businesses. The suggestion that just a puddle, a small creek is defined as a navigable water, we know that is simply not the case.

Let me remind folks about the three branches of government: legislative, executive, and judiciary. We have Supreme Court decisions that were putting a stop to the overreach of the Obama administration's WOTUS rule. Thank you to the courts.

We now have an opportunity as the legislative branch. We appreciate the work of the executive branch. We appreciate the fact that Donald Trump and Scott Pruitt and this administration are working to put a stop to it, because the Court said, as we all know, the Obama administration overreached.

Now what we are doing, what this appropriations bill provides is the voice of the legislative branch to say, yes, the prior administration overreached; the executive branch historically needs to be curtailed; the courts were right. We need to speak as the legislative branch giving the authority to stop this onerous rule.

I applaud the work of the Appropriations Committee. We need to put the legislative stamp of approval on what the Trump administration is doing to stop this overregulation.

I thank the chair, and I certainly oppose this proposed amendment.

Mr. SIMPSON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Ms. KAPTUR).

The amendment was rejected.

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AMENDMENT NO. 38 OFFERED BY MS. CASTOR OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 38 printed in House Report 115-259.

Ms. CASTOR of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 286, line 24, after the dollar amount, insert "(increased by \$177,000,000)".

Page 288, line 15, after the dollar amount, insert "(reduced by \$355,000,000)".

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Florida (Ms. CASTOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Ms. CASTOR of Florida. Mr. Chairman, this Republican bill weakens America's commitment to clean energy. It harms the huge number of jobs that are being created in the renewable energy sector. And it stalls consumer cost savings tied to energy efficiency.

Democrats have a different vision. It is one that lowers costs on our neighbors back home, and helps create the higher paying jobs of the future.

My amendment increases funding for the Energy Efficiency & Renewable Energy account by about \$177 million, and it reduces funding for the fossil Energy Research and Development account by about \$355 million.

Energy efficiency and renewable energy initiatives across America have a proven return on investment for taxpayers. This amendment is paid for by reducing, but not eliminating, accounts that do not have the same return on investment for taxpayers.

Investments in energy efficiency and renewables create jobs and help make our businesses more competitive. Energy efficiency reduces costs for consumers. And wouldn't that be a positive development for taxpayers back home, that the Congress is asking to put more money back into their pockets?

The amount proposed for energy efficiency and renewable energy in the Republican bill is so low that America will have to reduce the number of research, development, and demonstration projects that are often supported with industry, at our great national laboratories, and at our fantastic universities.

Mr. Chairman, America should be a leader in innovation and technological advancement. But, instead, the Republican bill says America should take a back seat. Well, America should not take a back seat to anyone. We are in the midst of a technological revolution when it comes to energy and energy efficiency.

Look what is happening all across America. We have a very diverse energy portfolio and a growing clean energy and efficiency sector. This is especially important as we tackle the costs and challenges of the changing climate.

Look at what we are today because of robust investments of the past decade. The solar industry is creating jobs 12 times faster than the overall U.S.

workforce. In 2016, 1 out of every 50 new jobs was in solar energy.

Republicans used to say they were for all-of-the-above sources of energy. Well, you can't say that anymore.

The Trump administration and House Republicans are ceding America's leadership role in the world by failing to invest in technologies that will save families and businesses money.

Instead, we should work together and face the challenges of the changing climate head-on and not bury our heads in the sand. Sixteen of the 17 hottest years on record have occurred since 2001; including 2016, which was the third consecutive record-breaking year.

The rising costs of the changing climate are a real threat to everyone, especially to the families I represent back home in Florida, which is why I filed another amendment that was not ruled in order, an amendment that would limit the Department of Energy from removing the term "climate change" from their publications.

That is right, the Trump administration has already removed mention of climate change from government websites, and has deleted a sentence linking climate change to sea level rise in a press release. Ignoring or trying to hide the cost of the changing climate will simply cost us more in the long run.

We should be working together on investing in a clean energy future, but that, unfortunately, seems farther away today, unless we adopt an amendment like mine and begin to understand the realities that we are facing.

If we don't unleash American ingenuity now, our neighbors back home will face higher AC bills, property insurance bills, flood insurance bills, and have to put more property taxes into replacing water and wastewater infrastructure.

I appreciate Ranking Member KAPTUR's vision. A little while ago, she was talking about our national labs—the fact that we have the best scientists in the world. Don't hamstring them by cutting back on our investments in clean energy and energy efficiency. She understands that this is our future that we are talking about. I appreciate her work. I appreciate the work of Chairman SIMPSON. I urge an "aye" vote on the Castor amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. MCKINLEY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MCKINLEY. Mr. Chairman, let's step back a minute on this issue.

As you can see from this chart, coal, natural gas, and oil—fossil fuels—make up 81 percent of this country's energy consumption—81 percent.

But the proportion of R&D funding, you can see, is only 18 percent, which is

far below what is currently being spent on renewables and nuclear.

The reality is that America and the entire world are going to be dependent on fossil fuels for years to come. The Energy Information Administration estimates that by the year 2040, fossil energy will still make up 78 percent of the energy used around the globe.

Are my friends on the other side serious about addressing these emissions?

Shouldn't America's goal be to develop the technologies so that we can utilize coal and natural gas around the world in the cleanest, most efficient way possible?

Shouldn't America be that global leader on energy technology?

You can't do that without research.

Mr. Chairman, we can't be cutting research on fossil fuels and technology. We should actually be increasing it.

Fossil fuels will be around for the foreseeable future. I think we have a responsibility for our children and our grandchildren to make sure that it is burned and used in the most efficient, clean manner that we can, and this requires research.

Mr. Chairman, the House has soundly defeated similar amendments to this in the past, year after year, and I hope they will defeat this one, too.

Mr. Chairman, I reserve the balance of my time.

Ms. CASTOR of Florida. Mr. Chairman, I appreciate the remarks of the gentleman from West Virginia. He is a well-spoken advocate for his State.

I am not zeroing out the fossil fuel research for R&D, but, instead, we have got to look towards the future.

Where are the jobs being created now?

It is in renewable energy and energy efficiency, things that are going to put money back into the pockets of consumers and unleash this technological revolution so America can stay the leader in the world.

Mr. Chairman, I ask for an "aye" vote on the Castor amendment, and I yield back the balance of my time.

Mr. MCKINLEY. Mr. Chairman, I appreciate Ms. CASTOR's remarks, and I enjoy working with her in committee. But the realization is fossil fuels are consumed in all 50 States. It is not West Virginia we are dealing with.

I think Ms. CASTOR is concerned about her State, the water quality in her State, and that is what this research is going to take care of.

We have got to maximize the amount of money that has been put into it. In the past, we had far more amount of money in this.

We need to preserve what we have, and, actually, I am hoping we can plus it up a little bit.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. CASTOR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. CASTOR of Florida. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Florida will be postponed.

AMENDMENT NO. 39 OFFERED BY MR. NORCROSS

The Acting CHAIR. It is now in order to consider amendment No. 39 printed in House Report 115-259.

Mr. NORCROSS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 286, line 24, after the dollar amount, insert "(increased by \$161,725,000)".

Page 288, line 15, after the dollar amount, insert "(reduced by \$323,450,000)".

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from New Jersey (Mr. NORCROSS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. NORCROSS. Mr. Chairman, this important amendment looks to the future and what we need for our 21st century clean energy economy. It redirects funds so we are sufficiently investing in renewable energy jobs of tomorrow.

It is a simple change. The amendment simply moves \$162 million to the Office of Energy Efficiency & Renewable Energy. It leaves the amount in that account, and the underlying bill still exceeds what the administration requested.

Certainly my colleague from West Virginia understands that investing in the future in technology is extremely important.

This bill provides \$354 million more for fossil fuels. But by providing the additional resources for energy efficiency and renewable energy, we can better meet the needs of the future economy. I happen to agree, we need to invest in all of the above. But we also must invest in solar, wind, water, and geothermal. In fact, New Jersey is second in the Nation leading in solar and renewables. We must seek that cost-effective way of reducing energy costs for our manufacturing plants, our office buildings, and certainly our homes.

We shouldn't underfund our energy future, let's make that clear. We should invest in it, the way we are in this bill. But we can redirect a small portion of that for future needs of renewable energy.

Tomorrow might be too late to do the investigation and that research. We can do it today because we need a long-term strategy that takes the best of what we do here in America and continues that. If it is clean coal, we can

do that. If it is solar, we can do that. If it is wind, we can do that. We have the ability to do all that, and add high-paying jobs.

Let's make this simple change and reallocate just a small portion of the fund. I encourage my colleagues to support this amendment and embrace the clean energy future.

Mr. Chairman, I reserve the balance of my time.

Mr. JENKINS of West Virginia. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Chairman, I rise in opposition to the gentleman from New Jersey's amendment.

The fossil Energy Research and Development account actually helps the Nation use the full extent of our resources safely, wisely, and efficiently. I always hear Members say—and I have heard it several times tonight already—that they support an "all-of-the-above" energy strategy.

Unfortunately, this amendment does just the opposite. It picks energy winners and losers. The level of funding for fossil Energy R&D in this year's bill recognizes the important role fossil energy plays in our Nation's future.

At a time when fossil power generation is actually expanding around the globe, the activities funded in the bill advance our Nation's position as a leader in fossil energy technologies.

I just hosted a conference in my home State of West Virginia on something that is getting a lot of attention lately: rare earth elements.

I want everybody just to think about that phone that they hold in their hand or, if they are watching on TV, that TV in their home.

Guess what. These phones and those TVs have what is called rare earth elements. And you would think by the term "rare earth," it must mean, gosh, they are rare, hard to find.

Guess what. Rare earth elements are found in many places. Amazingly, coal contains an abundant supply of rare earth elements.

This is important to our national security because, currently, China has a monopoly on the rare earth element market. Ninety percent of all rare earth elements that are in every phone and every TV are controlled by China. But we know that coal, through research, can unlock an abundant supply of these critical elements that we need for everyday technology.

So this just isn't about energy production. This is about everyday items that impact our life.

□ 2030

So for our Nation's security and electric grid reliability and use of our domestic fossil fuel resources, investment in fossil R&D is critical. Each of these

programs represent a partnership with the private sector that provides an even greater leverage to Federal funds. Therefore, I urge our Members to vote against the gentleman from New Jersey's amendment so we can support fossil energy R&D for our country and for our future.

Mr. Chair, I reserve the balance of my time.

Mr. NORCROSS. Mr. Chair, in many ways, I think my colleague from the other side of the aisle is agreeing with me. We need to do research, that R&D that he is speaking about, but it is about balance. The dollars that were in the underlying bill far exceeded that of what the administration asked for.

We are simply saying, let's not pick one winner, let's pick them all, and see where that technology of tomorrow is taking us.

Mr. Chair, I yield 2 minutes to the Congresswoman from Maine (Ms. PINGREE) for her remarks.

Ms. PINGREE. Mr. Chair, I thank the gentleman for yielding.

Mr. Chair, I rise today in strong support of the Norcross amendment, and I want to thank my colleague for calling attention to this issue and the importance of EERE.

I represent the State of Maine, and we have over 3,000 miles of tidal coastline and millions of acres of forest. We are famous for our natural resources and the recreational opportunities that they provide, so it would be no surprise that these resources are providing our residents with an abundance of renewable energy sources.

Our State's natural resources and our efforts have made us one of the leaders in renewable energy development. From solar, to wind, to tidal, to biomass, Maine is a leader in renewable energy.

Because our State is largely a rural one, with many diverse energy needs in our rural and island communities, we are particularly attentive to rising energy costs and the need to have more ways to solve them.

This amendment today would restore funds to the EERE account, and it will help the State of Maine, like so many other States like it that are working hard to move our energy policy to the 21st century.

We have traditionally been in one of the most oil-dependent States in the country, but this will help us address rising energy costs with more tools and technologies at our disposal.

Mr. Chair, I urge my colleagues to support renewable energy, and I support this amendment.

Mr. JENKINS of West Virginia. Mr. Chair, I rise in opposition to the gentleman from New Jersey's amendment.

Let me simply state, while he politely suggests we have agreement, bottom line, his amendment guts the fossil energy R&D. It takes over \$300 million out of the fossil research and de-

velopment, the kinds of research and development that can generate rare Earth elements and other things that we have talked about, in addition to use for our power generation.

Mr. Chair, I simply oppose this amendment and ask for its rejection.

Mr. Chair, I yield back the balance of my time.

Mr. NORCROSS. Mr. Chair, may I inquire how much time I have left.

The Acting CHAIR. The gentleman from New Jersey has 30 seconds remaining.

Mr. NORCROSS. Mr. Chair, this is the first time I have ever heard "gutting" by giving millions of additional dollars over the administration.

I have worked in nuclear power houses, I have worked in coal power houses, gas-fired, I have worked in solar fields. This is absolutely about the future of our energy needs. We don't know what it holds, but I do know that investing in research and development is the way to go.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. NORCROSS).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. NORCROSS. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 40 OFFERED BY MR. QUIGLEY

The Acting CHAIR. It is now in order to consider amendment No. 40 printed in House Report 115-259.

Mr. QUIGLEY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 286, line 24, after the dollar amount insert "(increased \$921,000,000)".

Page 297, line 21, after the dollar amount insert "(reduced by \$921,000,000)".

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Illinois (Mr. QUIGLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. QUIGLEY. Mr. Chairman, some of us in this room are old enough to remember duck and cover. As kids, the notion was that, if you hid under a half-inch plywood piece of desk under a thermonuclear attack, you would be safe. It is not a particularly rational idea, but not much more rational than our current nuclear posture.

For decades, Presidents and Members of Congress from both parties have worked together to prevent the use and

spread of nuclear weapons and materials. Starting with President Reagan's leadership, American Presidents have reduced the size of America's nuclear arsenal from its Cold War peak. In fact, Republican Presidents have cut the arsenal far more aggressively than their Democratic counterparts, yet this year's Energy and Water bill doubles down on an outdated Cold War strategy by unnecessarily diverting precious resources to build new nukes.

It remains unclear how these weapons will solve 21st century national security threats such as terrorism, cyber attacks, or global warming.

Rather than wasting dollars to keep up the status quo, we must find ways to replace the U.S. nuclear arsenal while maintaining a force capable of deterring nuclear attack against the U.S. and its allies.

In 2013, the Pentagon determined that the U.S. could reduce its deployed strategic nuclear force by one-third below its current levels and still meet security requirements. According to the former vice chair of the Joint Chiefs of Staff, the military utility of U.S. tactical nuclear weapons, such as the B61, is practically nil. Defense Secretary Mattis has raised doubts about the need for the new ICBMs, and they need to take a closer look at the new nuclear-armed cruise missile.

Rather than wasting tax dollars to keep up the status quo, we must find ways to replace the U.S. nuclear arsenal while maintaining a force capable of nuclear deterrent.

It is worse than that. This bill proposes to add nearly \$1 billion to the nuclear weapons activities account by gutting the Department of Energy office responsible for research and application of technology to increase energy efficiency and renewable energy. DOE's EERE has traditionally enjoyed bipartisan support and is crucial to research and development in clean renewable energies, energy use reduction technologies, vehicle engines, geothermal technology, and advanced batteries.

This is a government success story. The \$12 billion we invested in EERE, through 2012, yielded a more than \$230 billion benefit to the U.S. economy, and EERE has an annual return on investment of more than 20 percent. Entire industries are built on the back of the work EERE does, stimulating a robust domestic clean energy economy.

The role of EERE is also critical to furthering the transition to a low-carbon economy and ensuring long-term, robust, sustainable economic growth. That is why this amendment would take \$922 million from nuclear weapons activities and give it back to EERE.

Just to be clear, this would still be a cut to that office. The current bill funds EERE at \$986 million less than the current enacted level, but it would go a long way towards fixing this mistake.

Mr. Chair, I urge committee members to support this amendment, and I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to this amendment—not just opposition to this amendment, but strong opposition to this amendment.

This bill fully funds the request of \$10.2 billion for weapons activities, which is, as the gentleman stated, an increase of \$921 million over fiscal year 2017.

I have got to tell you, from his comments, you would think we were growing the nuclear stockpile. The reality is we are decreasing the size of the nuclear stockpile currently under the new START program. But even having done that, we have to fund the modernization of our nuclear stockpile, and it is one of my highest priorities in this bill.

The activities the gentleman proposes to cut are the primary reasons the Energy and Water bill is being included as a division in the Defense minibus, because maintaining the nuclear weapons stockpile is essential to our Nation's national security.

The increase provided in this bill to weapons activities is needed to extend the life of four nuclear warheads and to address the continued deterioration of the infrastructure at the Department of Energy's nuclear sites. These investments are long overdue and must be funded if our Nation is to have a credible nuclear deterrent, regardless of the size of that nuclear deterrent.

I would say that the Department of Defense is carrying out a nuclear posture review that will inform future funding needs. Until that concludes, there is no change in our Nation's nuclear defense requirements, and Congress, I believe, must fully fund those requirements if our Nation is to have a credible nuclear deterrent.

Increases are also needed, as I said, to address the aging infrastructure at the Department of Energy's nuclear energy sites.

Mr. Chair, I strongly oppose this amendment that the gentleman from Illinois is offering and would encourage my colleagues to vote against it.

Mr. Chair, I reserve the balance of my time.

Mr. QUIGLEY. Mr. Chairman, respectfully, what the gentleman is talking about has been done many times. Again, in 2013, the Pentagon said we could do this with one-third of the weapons we have now.

The cost of restoring a weapon like the B61 is more than its weight in gold. We have already been told we have too many. So the plan here is, let's restore as many as possible, build as many as we possibly can, and maybe in the future we will be told again that we don't

need this many. In the meantime, we are using those resources to cut necessary programs.

Mr. Chair, I ask for Members' support, and I yield back the balance of my time.

Mr. SIMPSON. Mr. Chair, I would say that the Secretary of Energy is required to report to the President on the safety and reliability of our nuclear stockpile. This is part of that requirement by the Department of Energy so that they can assure the President that our nuclear stockpile is safe and reliable. Modernizing these nuclear weapons makes sense.

Now, we can sit and argue whether we need all these nuclear weapons or not—I happen to think we can get by on quite a number fewer nuclear weapons—but we still have to maintain the nuclear weapons stockpile that we currently have and let the Department of Defense do their Nuclear Posture Review and make a determination of what ought to be the ultimate number of nuclear weapons we have, but, as long as we have this, we have got to make sure they are safe and they are reliable.

Mr. Chair, I would encourage my colleagues to vote against this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. QUIGLEY).

The amendment was rejected.

AMENDMENT NO. 41 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 41 printed in House Report 115-259.

Mr. POLIS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 286, line 24, after the dollar amount, insert "(increased by \$986,292,000)".

Page 288, line 15, after the dollar amount, insert "(reduced by \$634,600,000)".

Page 297, line 21, after the dollar amount, insert "(reduced by \$352,000,000)".

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, my amendment would simply restore the funding cuts to the Energy Efficiency & Renewable Energy account just to fund at the same levels it was funded last year. That is \$986 million. And I will tell you where we find those funds and take it from in a minute. It takes them from two programs: the fossil fuel energy and research account and the nuclear weapons account.

So we should invest in our future for energy efficiency and renewable energy

rather than throwing more money at the past and into nuclear weapons.

Fossil fuel research and development is a dead end for America, for our economy, for the clean air that we need, and for our water. Continuing to fund fossil fuels, whether it makes them marginally cleaner or not, is simply throwing money at the past rather than the future.

Regardless of how clean we make fossil fuel extraction, it is never as clean or, more importantly, as sustainable as renewable energy, and definitely won't be as cheap or sustainable as clean energy.

I am the proud sponsor of a bill for our country to reach 100 percent renewable energy by 2050, but to be able to do that, we need the investment in research and development.

Frankly, investing in nuclear weapons when we already have enough nuclear capabilities to destroy every man, woman, and child on this planet seven times over is simply wasteful. Nuclear weapons receive over \$10 billion, while renewable energy receives a measly \$986 million.

I was talking to one of my constituents a little while ago, Nancy Cronk from Colorado, and she agreed that we simply spend too much on potentially having the capability of destroying the world through nuclear weapons, rather than investing in a renewable energy future.

We don't live in Cold War times. We don't need Cold War-level spending for facilities that the military hasn't used in over 20 years.

□ 2045

We should be following the advice, in this case, of the Department of Defense and focusing on the renewable energy account, which helps fund national labs like the National Renewable Energy Laboratory in Golden.

The most recent study of the National Renewable Energy Laboratory's economic impact alone shows it totaled over \$800 million nationally. In addition, CU Boulder and NREL jointly operate the Renewable and Sustainable Energy Institute, which is located in Colorado, which helps advance renewable energy science, engineering, and analysis through industry partnerships and education.

That is the future of our country, Mr. Chairman, and the future of the world. And by undercutting our investment in our future and throwing money at the past, and being able to kill every man, woman, and child seven times instead of six times, we are losing the forest through the trees, and we are making our country less secure, not more secure.

The Building Technologies Offices, NREL, and many others receiving funds under this account do amazing work to pull us into the 21st century, like using 3D printing for wind blades.

Not only that, their work helps save consumers money because of energy efficiency.

In fact, an estimate shows that from 2009 to 2015, the work of the Energy Efficiency & Renewable Energy program has saved consumers more than \$543 billion and reduced carbon pollution by 2.3 billion metric tons.

Mr. Chairman, I urge my colleagues to adopt this amendment, and I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I am not opposed to the EERE. I actually like the program. But we had to make some difficult decisions, and our highest priority is maintaining our nuclear stockpile and making sure that our defense activities were fully funded.

Secondly, it was making sure that the Army Corps of Engineers was fully funded at the WRDA level that our colleagues here on the floor always insist on. That means we had to make some difficult decisions within the Department of Energy. EERE, we did the best we could.

But when the gentleman says, you know, we are not living in the Cold War anymore, so we don't need the nuclear weapons and stuff and we don't need these facilities and stuff, you are right, we are not living in the Cold War anymore. It is scarier times right now than it was in the Cold War.

You never need those facilities until you need those facilities, and you better have had them by then. That is the problem. It is not looking forward.

So I oppose this amendment because we have done our best within the weapons activities to make sure that we do what our Nation requires, and that is to make sure that we have a safe, reliable, and secure nuclear stockpile.

And we ought to let the Defense Department come out with their Nuclear Posture Review and tell us what they believe we need as a weapons system, altogether, when that review comes out.

I oppose it also because it takes money for the arguments made by my friends from West Virginia, because it takes money out of the fossil energy research. As they said every time I have asked the Department of Energy, "What do you think the amount of energy we are going to consume over the next 20 or 30 years that comes from hydrocarbons, coal, and natural gas, is going to be in the future," it is actually a larger part, not a smaller part.

And while I have been to NREL, I think NREL is a great lab. They do some incredible work out there. We want to support them. We want to make sure that they stay open and that they can do the job that we have asked them to do and that our other labs can also.

But this amendment, I think, is directly the wrong direction to go.

Mr. JENKINS of West Virginia. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from West Virginia.

Mr. JENKINS of West Virginia. Mr. Chairman, I will be very brief.

By my calculation, this is about the third or fourth amendment from the minority trying to take money out of a very important future-looking initiative, the fossil energy R&D, and redirect it elsewhere. They keep trying to raid this important funding.

I am sitting here with my colleague from West Virginia, who NETL is actually physically in his district. There is no stronger champion of NETL than the gentleman from West Virginia. This is hundreds of jobs in our State, in his district, but the impact of their work reaches across the country and literally around the world.

I spoke on a previous attack on this funding a moment ago. I defend strongly the work of the fossil energy R&D. And to suggest this is just looking to yesterday is missing the point that I made a moment ago talking about rare earth elements and unlocking the potential that these fossil resources have in so many ways, not just energy production.

So I thank the chairman of the subcommittee for recognizing and supporting fossil energy R&D; and my colleague from West Virginia, who is such a staunch supporter of NETL, and my ability to work with him.

Please, I encourage people to reject the gentleman's amendment.

Mr. SIMPSON. Mr. Chairman, I yield back the balance of my time.

Mr. POLIS. Mr. Chairman, I thank the chairman for recognizing the importance of the Energy Efficient & Renewable Energy account. It is an incredibly high priority for economic development. We talked about the jobs and technology transfers that come out of that fund. We also talked about its need for energy independence in our future.

I hope the chairman is willing to work on finding other agreeable funding sources to hold that account harmless and plus it up.

I want to highlight a couple of other important projects funded from the EERE account, large and small. One example is the EERE's Vehicle Technologies Office which awarded \$500,000. It doesn't sound like a lot, but it makes an enormous difference on the ground for the Clean City Coalition to support Project FEVER, to foster the development of Colorado State's acceleration of plug-in electric vehicles, which are in extremely high demand.

The Clean Cities project helped to develop a comprehensive electric vehicle strategy, including supply readiness and implementation. The project has already saved over 7.5 billion gallons of petroleum.

These are just some of the many projects that we should be focused on because they are truly our future. Rather than expanding our nuclear arsenal, rather than throwing money into the past with additional fossil fuel research, we can move toward cleaner air, cleaner water, more jobs, a stronger economy, and energy independence through clean, renewable energy.

That is why I ask you to support my amendment that will increase EERE funding and decrease funding for fossil fuel research and unnecessary and dangerous nukes that would destroy the world more than is reasonably needed as a deterrent.

Mr. Chairman, I urge my colleagues to adopt my amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The amendment was rejected.

AMENDMENT NO. 42 OFFERED BY MR. MCKINLEY

The Acting CHAIR. It is now in order to consider amendment No. 42 printed in House Report 115-259.

Mr. MCKINLEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

On page 286, line 24, after the dollar amount, insert "(reduced by \$33,400,000)".

On page 288 line 15, after the dollar amount, insert "(increased by \$33,400,000)".

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from West Virginia (Mr. MCKINLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chairman, this amendment is simple. We are merely restoring the Fossil Energy Research & Development program back to the levels of 2017—merely back to the levels of 2017.

We must put it in perspective. It is still \$300 million less than it was under President Bush.

Let's also put it in perspective. As I showed earlier on the chart, the consumption of fossil fuels make up 81 percent of all the country's energy consumption; 81 percent fossil fuels of coal, natural gas, and oil. But the level of research is only at 18 percent of the money that we have currently.

Now, I just heard a minute ago someone say this is pretty balanced. Look, I may be just an engineer, but I don't think 18 percent is the equivalent of 81 percent. There is something wrong with that.

I am not here to argue that America shouldn't be investing in renewables and nuclear. That wouldn't be appropriate. But the reality is that America and the entire world will be relying on fossil energy for years to come.

The Energy Information Administration estimated that by 2040, fossil energy is still going to make up 78 percent of the world's consumption. So shouldn't it be America's goal to lead the world, to have that mantle of leadership, to develop the technologies that we can export to other countries around the world that are going to continue to use coal and gas and oil in the cleanest and most efficient way? Shouldn't we, again, be that global leader on this?

But we can't do this without leadership.

Mr. Chairman, let's consider the history of this, the fossil research from the Federal Government. Just remember the threat years ago, back in the eighties, we had of acid rain. It was the research in our Federal labs all across America that reduced the emissions of SO<sub>x</sub> and NO<sub>x</sub> gases and addressing cleaned up acid rain and reduced it.

The reduction in CO<sub>2</sub> emissions around the globe and around America have come as a result of fossil fuel research. On a per capita basis today, we are now emitting—on a per capita basis, this is the lowest level of CO<sub>2</sub> emissions we have had in over 50 years, thanks to fossil fuel research.

And the shale gas revolution that made America the biggest producer of gas in the world, it originated in our Federal laboratories in research. That is just part of where we have been.

Now go into the future. Someone said this is a fuel of the past. How can it be when the R&D money—look what they are working on in our labs all across America, virtually in every one of our districts across this country. We are doing a carbon capture, utilization, and storage. We are doing chemical looping. They are studying and understanding methane hydrates.

You talked earlier about rare earth elements are being detected now in coal seams all across America.

What about oxy-combustion?

All of that is coming out of current research, fresh research that we will be able to export around the world so that other countries will be able to burn their coal more cleanly.

So, look, Congress should not be in the way, picking winners or losers, and it shouldn't jeopardize the work of our laboratories. If we are serious about reducing emissions, Congress should be putting more money into this program, not reducing it.

In an ideal world, the funding level for R&D should be much higher. As I said, under President Bush it was \$300 million more than it is today. But I understand the fiscal constraints we have.

So let's utilize our domestic energy source, energy supply in the most efficient and clean way possible. We do that through our research from our Federal laboratories.

Mr. Chairman, I urge the House to support this amendment, and I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. I respect Congressman MCKINLEY's amendment and his desire to help America and help his own State. And for my entire career, I have voted for clean coal research and development because southern Ohio has a whole lot of Btus underground in the form of coal.

However, I really object to the gentleman taking the funds from the Energy Efficiency & Renewable Energy account. I would like you to know that that account, in this bill, is cut \$986 million below last year's level, and that is a deep concern because that is the part of our economy that is growing.

Ten percent of the jobs produced in the energy sector are in renewables, and we actually employ more people in solar and in wind energy than we do in coal extraction. So we know that a major part of our future lies in new energy technologies, these developing technologies which have been proving themselves.

An additional cut of \$33.4 million in the EERE account would further weaken these new technologies. And I will guarantee you that the technologies are so valuable that the Russians and the Chinese are hacking into these companies repeatedly because of their importance to the future, and they recognize where the future is headed. And we have got a real job on our hands to hold on to these technologies because of that and because of their market manipulation.

China is a great market manipulator. She has a state-run economy, and it is not fair. If they can't steal the technology directly—if you invest over there and you take your technology there, they steal your IT there.

□ 2100

So just since 2003, our country has spent \$2.6 trillion importing foreign petroleum. When you think about the importance of America being energy independent here at home, coal, clean coal, has a role to play in that, but these new technologies have a major role to play as well. We all support a diverse energy portfolio to eliminate our reliance on imported energy—some would say addiction to imported energy. We have been breaking that addiction.

We should be advancing technology to clean up fossil energy, yes, and this bill already does that with sufficient funding to the fossil energy accounts. Our country should be leading investment in these technologies, not just for our own energy security, but also for economic opportunities and the jobs that this expanding market is already providing us.

We can't really afford to cede this market to any other country in the

world, and I oppose this amendment and urge my colleagues to do the same.

Mr. Chairman, I yield back the balance of my time.

Mr. MCKINLEY. Mr. Chairman, let me just close quickly by saying we are not talking about West Virginia. We are talking about all across the country. These laboratories are located in colleges and universities all across America.

Coal is something that is expanding. Our exports are up 58 percent. People around the world are going to use coal. I think it is the responsibility for us to show them how to burn it cleanly. China is going to increase their use by 43 percent. India is going to double its consumption in that same timeframe.

When you compare the amount of research, only 18 percent currently of all the Federal dollars for research is in fossil fuel, but 56 percent is in renewable. That is not balanced.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY).

The amendment was agreed to.

Mr. SIMPSON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEBER of Texas) having assumed the chair, Mr. DONOVAN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes, had come to no resolution thereon.

#### REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 3219, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 115-261) on the resolution (H. Res. 478) providing for further consideration of the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes, and providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018

The SPEAKER pro tempore. Pursuant to House Resolution 473 and rule XVIII, the Chair declares the House in the Committee of the Whole House on



the state of the Union for the further consideration of the bill, H.R. 3219.

Will the gentleman from New York (Mr. DONOVAN) kindly resume the chair.

□ 2104

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes, with Mr. DONOVAN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 42 printed in House Report 115-259, offered by the gentleman from West Virginia (Mr. MCKINLEY) had been disposed of.

AMENDMENT NO. 43 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 43 printed in House Report 115-259.

Mr. PERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 286, line 24, after the dollar amount, insert “(increased by \$15,000,000)”.

Page 296, line 10, after the dollar amount, insert “(reduced by \$15,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chairman, I would like to begin by thanking the chairman of the full committee for his extraordinary work and for the chairman of the subcommittee for this auspicious opportunity.

I have been listening to the arguments recently that we have had on the floor regarding the most recent amendments between fossil fuels and renewables, and I am hoping to strike a sweet spot here. I am not picking on fossil fuels, and I am going to talk about a renewable that I think everybody has an affinity for and an agreement with.

This amendment simply increases funding for hydroelectric through the EERE by \$15 million and decreases funding to the bureaucracy. There is no increase to the budget. This amendment just increases the appropriation for the Office of Energy and Efficiency and Renewable Energy because hydropower is available in every region of the country; 2,200 hydropower plants provide America's most abundant source of clean, renewable electricity. I would say it is the first renewable. It accounts for 67 percent of domestic re-

newable generation and, clearly, 7 percent of total electricity generation.

By 2025, hydropower would create almost a million and a half new, good, high-paying jobs. It can be implemented in rivers, harbors, coastal areas, et cetera, to capture energy from currents and tides. Harnessing this energy will create a truly and absolutely renewable and green source of energy without any emissions and with little fanfare to everybody involved.

Hydro is predictable year-round power output, while other renewable source outputs can be variable in some areas and necessitate the use of large battery banks and alternate power sources. For instance, sometimes when the wind doesn't blow, believe it or not, if you don't know it, there is a gas-fired generator often associated with those windmill farms that has to come on because base load isn't being serviced.

Hydropower facilities are quiet, unobtrusive, while many people report that considerable noise is generated by wind power and that land is taken up by huge solar farms.

Hydropower is base load energy. That means it is on all the time, 24 hours a day, 365 days a year, just sitting there turning out the power so that you can hit the light switch when you come home and not wonder: Is the power going to be on? It backs up other intermittent sources of energy.

Hydropower is safe. It harms neither fish nor man. It all faces a comprehensive and regular regulatory approval process.

Mr. Chairman, I reserve the balance of my time.

Ms. BONAMICI. I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentlewoman from Oregon is recognized for 5 minutes.

There was no objection.

Ms. BONAMICI. Mr. Chair, I rise today in support of Mr. PERRY's amendment and the power and potential of clean marine hydrokinetic energy, and I first want to thank Chairman SIMPSON and Ranking Member KAPTUR for their leadership in supporting the Water Power Technologies Office. The Water Power Technologies Office invests in research and development that supports hydropower, pumped storage, and marine energy.

Furthermore, I want to thank the chair and ranking member for including \$30 million in the 2017 omnibus for the creation of a wave energy test center, which is now located at Oregon State University. This robust investment will help the United States lead in the field of marine hydrokinetic energy. The increase this amendment proposes will support hydropower and the development of innovative hydropower technologies, along with marine and hydrokinetic energy technologies.

Development of these new technologies can offer the United States leadership in an emerging area of abundant renewable energy.

Marine and hydrokinetic energy, in particular, energy from waves, currents, and tides, is an exciting frontier in the renewable energy sector. Currently, Oregon State University, University of Washington, and the University of Alaska Fairbanks are partnering to support the testing and research activities of the Northwest National Marine Renewable Energy Center. This center will provide visionary entrepreneurs with a domestic location to test wave energy devices, along with other technologies, rather than traveling to Scotland to use the European test center. Without continued Federal investment, Europe will remain the leader in this important work.

When fully developed, wave and tidal energy systems could generate a significant amount of total energy used in the United States. As Congress promotes technologies that can help lower our constituents' energy bills, we must explore new and innovative solutions like marine and hydrokinetic renewable energy.

Thank you again to the chairman and ranking member for their hard work and legislative leadership on this issue, and thank you to Representative PERRY for his leadership.

Mr. Chair, I urge support for this amendment, and I reserve the balance of my time.

Mr. PERRY. Mr. Chairman, a lot of what we hear is that our constituents wish that we would work together more often, and I thank the gentlewoman for her comments and her support; and I think it is just proof that we can work together for something that we agree on, which is clean power, the power to just power our future, and that comes from hydroelectricity.

I don't know why it is not as sexy as it should be. I think it is one of the greatest marvels of technology starting back since the beginning of time and when power was first generated, and I don't understand why we don't rely on it more.

To that end, literally 60,000 megawatts of preliminary permits and projects await final approval and are pending before FERC in 45 States right now. Eighty thousand—80,000—nonpowered dams in the United States, of which 600 have immediate hydro capability, right now could be producing energy.

Mr. Chair, 80,000 nonpowered dams in the United States, just think about that. And the State I hail from and I am privileged to represent a portion of, Pennsylvania, has 678 megawatts of untapped hydropower right now.

Mr. Chairman, I would just urge all of our colleagues to vote for this amendment.

I, again, appreciate the chairmen of the committee and of the subcommittee for this opportunity, and I yield back the balance of my time.

Ms. BONAMICI. Mr. Chairman, may I inquire as to the remaining time, please.

The Acting CHAIR. The gentlewoman has 2½ minutes remaining.

Ms. BONAMICI. I yield 2 minutes to the gentlewoman from Maine (Ms. PINGREE), a strong supporter of hydropower.

Ms. PINGREE. Mr. Chairman, thank you very much to my colleague from Oregon for yielding me time.

Mr. Chairman, I, too, want to rise in support, today, of the Perry amendment.

I thank my colleague from Oregon and my colleague from Pennsylvania for their leadership on this important renewable energy issue.

I also want to thank the chair of the subcommittee, Mr. SIMPSON, whom I am fortunate to also serve on the Interior Committee with. Mr. SIMPSON has worked hard on this bill to increase some of the levels of funding above the abysmal levels that were proposed by the administration's budget earlier this year.

And also, to our ranking member, Ms. KAPTUR, my friend from Ohio, I thank her for her commitment to renewable energy and our energy future.

The amendment before us today would provide a modest increase in funding to the Department of Energy's Water Power Program. It is a bipartisan effort, and I am pleased to be part of that. It comes from the fact that many parts of the country are seeking the real benefits of tidal energy that generates incredible power, or of hydrokinetic power that taps the power of flowing water.

In response to my colleague from Pennsylvania, in Maine, we think tidal energy is very sexy.

The Department of Energy supports private sector research, development, and implementation of hydropower, pumped storage, and marine tidal energy. It supports cutting-edge research and makes sure that the office supports all three types of water-based technologies.

Last year, nearly 100 teams competed in a competition for an Energy Department-funded wave energy prize, with 20 finalists coming from 10 States, showing the breadth of interest in this work. Congress needs to support multifaceted work at a level that will continue to allow for innovation.

Mr. Chairman, I urge all my colleagues to support renewable energy, support water power, and support the Perry amendment.

Ms. BONAMICI. Mr. Chairman, I strongly support this amendment and encourage all of you to do the same.

As the sponsor of the amendment explained, this does not take additional

money, cuts down on bureaucracy, and puts the dollars into important work, like marine and hydrokinetic renewable energy.

Mr. Chairman, I urge support, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The amendment was agreed to.

□ 2115

AMENDMENT NO. 44 OFFERED BY MS. ESTY OF CONNECTICUT

The Acting CHAIR. It is now in order to consider amendment No. 44 printed in House Report 115-259.

Ms. ESTY of Connecticut. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 286, line 24, after the dollar amount, insert "(increased by \$20,000,000)".

Page 288, line 15, after the dollar amount, insert "(reduced by \$40,000,000)".

The Acting CHAIR. Pursuant to House Resolution 473, the gentlewoman from Connecticut (Ms. ESTY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. ESTY of Connecticut. Mr. Chairman, I rise in support of my amendment to increase funding for the Advanced Manufacturing Office by \$20 million.

I want to thank my colleagues, Representative TOM REED, JOHN KATKO, and JACKY ROSEN for their partnership in this bipartisan amendment.

Our amendment is about protecting and creating millions of good-paying jobs in Connecticut and across the country. Our amendment will help us ensure that the technologically advanced products of the future will be manufactured, not in China, not in India, but right here in the United States of America.

The Department of Energy's Advanced Manufacturing Office is the only technology development office within the Federal Government that is dedicated to enhancing American manufacturing competitiveness. The Advanced Manufacturing Office works to help manufacturers improve energy and material efficiency, technology, and productivity.

Unfortunately, the appropriations bill before us today cuts funding to the Advanced Manufacturing Office by \$155.5 million from fiscal year 2017 enacted levels, and that is a mistake.

Manufacturing is one of the most important sectors of the U.S. economy. In 2016, manufacturing contributed \$2.18 trillion to our economy and employed 12.3 million workers. In my home State of Connecticut, manufacturing has long been our economic backbone.

Connecticut is home to nearly 5,000 manufacturing companies that provide good-paying jobs for 76,000 Connecticut residents. This amendment helps American manufacturers all across the country to be more competitive by reducing energy costs.

Manufacturing is very energy intensive. In fact, according to the National Association of Manufacturers, manufacturers consume more than 30 percent of our Nation's energy. That translates to \$130 billion in costs to U.S. manufacturers every year.

Adequately funding the Advanced Manufacturing Office, will help reduce energy costs to manufacturers, freeing up their budgets to invest in research and development, expand their facilities, and, most importantly, hire more people.

Our amendment also helps American manufacturers become more competitive by addressing critical workforce needs in energy efficiency.

Last year, I visited Forum Plastics, a plastic molding company based in Waterbury, Connecticut. I met with employees to discuss the expectations and challenges facing manufacturers in America today, and one of the topics that came up was how businesses struggle to hire workers with the right skills. Yet, that same year, Forum Plastics partnered with the Advanced Manufacturing Office to carry out an industrial assessment project.

The Industrial Assessment Centers program is a tool for employers to recruit individuals with hands-on experience in energy efficiency.

Mr. Chairman, now is not the time to roll back investments in American manufacturing. It is the time to increase our support for U.S. manufacturing. I know all of us in this Chamber are committed to promoting good-paying jobs in the communities we represent, but it is not enough to say we are committed.

We need to make job creation a priority, and that means making American manufacturing a priority. I urge my colleagues to support our amendment which increases funding to the Department of Energy's Advanced Manufacturing Office by \$20 million, fully paid for by a reduction in the more than \$350 million plus-up to funding for the Office of Fossil Energy Research & Development.

This bipartisan amendment is a win for American manufacturing and a win for our economy. I urge my colleagues to support our bipartisan amendment, and I reserve the balance of my time.

Mr. SIMPSON. I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chair, first, let me say, it was not a \$300-some-odd-million plus-up in the fossil energy research. In fact, I think the fossil energy research account was down from last year.

It was more than the President requested, but it is not a plus-up from what it was in 2017.

Mr. Chairman, I rise in opposition to this amendment. The amendment would increase funding for the Energy Efficiency & Renewable Energy by \$20 million but has to use \$40 million from the Fossil Energy Research & Development account as an offset.

This bill was the result of some tough choices. I have to admit, they were some tough choices. It is not that I oppose the program that the good lady advocates for, but there were some tough choices. We had to prioritize research and development that will increase our energy independence.

Our domestic energy resources are vast, and this bill strikes a balance to lay the foundations for future energy generation technologies, while maintaining full support for the resources we use most today.

Increasing funding for EERE by diverting funding from fossil energy strikes the wrong balance when considering the Nation's electricity needs. Fossil fuels produce 65 percent of the electricity we use today and will continue to provide the majority of the Nation's energy needs in the future.

This amendment would reduce funding for a program that ensures that we use our Nation's fossil fuel resources as well, and as cleanly as possible. For all of the reasons that team fossil talked about earlier tonight, I must oppose the amendment and urge my Members to do the same.

Mr. Chair, I reserve the balance of my time.

Ms. ESTY of Connecticut. Mr. Chair, how much time do I have remaining?

The Acting CHAIR. The gentlewoman has 30 seconds remaining.

Ms. ESTY of Connecticut. Mr. Chair, again, I urge my colleagues to support this. If we can help our manufacturers be more efficient in their use of energy, we can help them be more competitive, hire more people, and develop that clean energy technology for coal.

Mr. Chair, I urge my colleagues to support the amendment, and I yield back the balance of my time.

Mr. SIMPSON. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. ESTY).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Ms. ESTY of Connecticut. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Connecticut will be postponed.

The Chair understands that amendment No. 46 will not be offered.

AMENDMENT NO. 49 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 49 printed in House Report 115-259.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 296, line 10, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 473, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chair, in these difficult times, I want to thank the chairman and ranking member, Chairman SIMPSON and Ranking Member KAPTUR of the subcommittee, for shepherding this legislation to the floor, and for their efforts, and the commitment that we all have to preserving America's great natural environment and resources so that they can serve and be enjoyed by generations to come.

My amendment increases funding for the DOE departmental administration by \$1 million, which should be used to enhance the Department's Environmental Justice program activities.

The Environmental Justice program is an essential tool in the effort to improve the lives of low-income and minority communities, as well as the environment at large. Twenty years ago, this particular program was established directing Federal agencies to identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations.

So we have engaged with Historically Black Colleges, minority-serving institutions, Tribal colleges, and other organizations to improve and develop the sustainability through developing young people and faculty to work on these important issues.

The crisis in Flint, Michigan, teaches us how important it is that minority groups and low-income communities are not placed at a disadvantage when it comes to environmental threats and hazards like lead in drinking water or nesting areas for mosquitos carrying the Zika virus. I particularly remember convening a Zika task force in Houston to ensure that areas in my community, because of the sitting water and a lot of heat, did not breed these mosquitos to create a devastating condition in some of our communities.

This Environmental Justice program is extremely important, involving community education and advisory

projects, community capacity building through technology, the Community Leaders Institute, but, more importantly, it works on important research.

Mr. Chair, might I find out how much time I have remaining?

The Acting CHAIR. The gentlewoman has 2½ minutes remaining.

Ms. JACKSON LEE. Mr. Chair, I want to make note of the fact that in some of the universities that participate in this program, the chairs—meaning the faculty chairs—are a team of world-class scholars, researchers, and educators from 14 Historically Black Colleges and Universities, one Hispanic-serving institution, who advance research, enhance academics, promote partnerships, and effect outreach in the environmental sciences.

Finally, the Minority Serving Institutions Program that includes a wide array of institutions provides funding to minority-serving institutions to advance scientific research, student internships, faculty fellowships, and curriculum development.

Mr. Chair, the more we can invest in science and research, helping to improve our environment—and let me make it very clear, in urban and rural areas. This is not an urban program only. It is urban and rural areas. The more we can help our communities be clean and environmentally safe and secure, the more we create a better quality of life for all people, no matter what their economic station in life or where they live.

Mr. Chair, I want to thank Chairman SIMPSON and Ranking Member KAPTUR for shepherding this legislation to the floor and for their commitment to preserving America's great natural environment and resources so that they can serve and be enjoyed by generations to come.

My amendment increases funding for DOE departmental administration by \$1,000,000 which should be used to enhance the Department's Environmental Justice program activities.

Mr. Chair, the Environmental Justice Program is an essential tool in the effort to improve the lives of low income and minority communities as well as the environment at large.

Twenty years ago, on February 11, 1994, President Clinton issued Executive Order 12898, directing federal agencies to identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations.

A healthy environment sustains a productive and healthy community which fosters personal and economic growth.

Maintaining funds for environmental justice that go to Historically Black Colleges and Universities, Minority Serving Institutions, Tribal Colleges, and other organizations is imperative to protecting sustainability and growth of the community and environment.

The funding of these programs is vital to ensuring that minority groups are not placed at a disadvantage when it comes to the environment and the continued preservation of their homes.

The crisis in Flint, Michigan teaches us how important it that minority groups and low-income communities are not placed at a disadvantage when it comes to environment threats and hazards like lead in drinking water or nesting areas for mosquitos carrying the Zika virus.

Through education about the importance of environmental sustainability, we can promote a broader understanding of science and how citizens can improve their surroundings.

Funds that would be awarded to this important cause would increase youth involvement in STEM fields and also promote clean energy, weatherization, clean-up, and asset revitalization. These improvements would provide protection to our most vulnerable groups.

This program provides better access to technology for underserved communities. Together, the Department of Energy and Department of Agriculture have distributed over 5,000 computers to low income populations.

The Community Leaders Institute is another vital component of the Environmental Justice Program. It ensures that those in leadership positions understand what is happening in their communities and can therefore make informed decisions in regards to their communities.

In addition to promoting environmental sustainability, CLI also brings important factors including public health and economic development into the discussion for community leaders.

The CLI program has been expanded to better serve Native Americans and Alaska Natives, which is a prime example of how various other minority groups can be assisted as well.

Through community education efforts, teachers and students have also benefitted by learning about radiation, radioactive waste management, and other related subjects.

The Department of Energy places interns and volunteers from minority institutions into energy efficiency and renewable energy programs. The DOE also works to increase low income and minority access to STEM fields and help students attain graduate degrees as well as find employment.

Since 2002, the Tribal Energy Program has also funded 175 energy projects amounting to over \$41.8 million in order to help tribes invest in renewable sources of energy.

With the continuation of this kind of funding, we can provide clean energy options to our most underserved communities and help improve their environments, which will yield better health outcomes and greater public awareness.

We must help our low income and minority communities and ensure equality for those who are most vulnerable in our country.

I ask my colleagues to join me and support the Jackson Lee Amendment for the Environmental Justice Program.

Mr. Chair, I ask my friends and my colleagues to support the Jackson Lee amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT NO. 50 OFFERED BY MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

The Acting CHAIR. It is now in order to consider amendment No. 50 printed in House Report 115-259.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 297, line 21, after the dollar amount, insert “(reduced by \$98,000,000) (increased by \$98,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 473, the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Mexico.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chair, my amendment ensures that NNSA has adequate work space to fulfil its national security mission. In my home State of New Mexico, over 1,000 Federal and contract employees at NNSA currently work in a network of old and rapidly deteriorating facilities on Kirtland Air Force Base in New Mexico.

A portion of the existing facility includes a 60-year-old former military barracks, which creates a number of health, safety, and quality-of-life issues for its employees. These employees are involved in some of our Nation's most important national security work, including managing our Nation's nuclear deterrent and reducing global nuclear and radiological threats.

The NNSA administrator, Lieutenant General Klotz, said that:

The highly talented employees in Albuquerque are frankly forced to work in facilities that are inadequate to NNSA's current mission.

Furthermore, because of the age of the buildings, NNSA is forced to spend approximately \$6 million every year on maintenance and repairs just to keep them habitable.

In fact, the \$40 million worth of deferred maintenance alone on the old buildings is approximately one-fifth of what it would cost to build a new, modern, and reliable facility. So this is a perfect opportunity to save money in the long run.

I strongly support NNSA's efforts to replace the existing complex with a single new building that will provide safe, reliable, and sustainable infrastructure that improves the safety and working environment for approximately 1,200 employees.

The new state-of-the-art facility will meet enhanced environmental standards and consolidate staff for a more efficient delivery and support of the important national security work at NNSA.

□ 2130

The current total project cost is \$202 million, and I agree with Chairman

SIMPSON that we have an obligation to ensure that every single taxpayer dollar for this project is used efficiently and effectively.

I know that the chairman shares my concerns to ensure that NNSA has the infrastructure and resources it needs to fulfill its national security mission now and in the future. That is why I am pleased that he has agreed to work with me on this issue to ensure that we are fulfilling our oversight responsibilities while moving the construction of the Albuquerque complex project forward.

With that, I am prepared to withdraw my amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Idaho is recognized for 5 minutes.

There was no objection.

Mr. SIMPSON. Mr. Chairman, I understand the gentlewoman's concern and thank her for her advocacy for this project.

The committee has been supportive of this project and has provided \$42 million in prior years. The bill includes an additional \$18 million to ensure that the project moves forward, and I am happy to work with her as the project advances and understand this amendment will be withdrawn, and I appreciate that.

Mr. Chairman, I yield back the balance of my time.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I appreciate the chairman's words and respect his work prior to this and in this current effort to get this space and the facility infrastructure issues addressed. I look forward to working with him on a variety of ideas to make sure that we get this project completed in a timely and effective manner.

Mr. Chairman, I yield back the balance of my time, and I withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 51 OFFERED BY MR. FOSTER

The Acting CHAIR. It is now in order to consider amendment No. 51 printed in House Report 115-259.

Mr. FOSTER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 297, line 21, after the dollar amount, insert “(reduced by \$10,000,000) (increased by \$10,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Illinois (Mr. FOSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. FOSTER. Mr. Chairman, my amendment is a symbolic adjustment to the NNSA budget intended to raise awareness about two areas of emerging national security risk that I believe deserve more attention and investment.

As the only Ph.D. physicist in Congress, I feel a special responsibility to speak out on issues of national security, especially when they concern emerging technological threats that Congress may not be sufficiently aware of.

Any student of the history of warfare is well aware of the dangers of fighting the last war, and for more than 70 years, nuclear weapons have held center stage among threats to our national security and global safety because of their unique capabilities to threaten the existence of mankind. That threat remains, but I fear that the balance of our defensive investments do not adequately reflect emerging threats.

We now appear to be in the process of deciding to spend over \$1 trillion to upgrade our nuclear weapons despite the fact that our existing systems are far more sufficient to deter any rational actor. There is no adversary of ours who is not intimidated by our nuclear arsenal but who will suddenly fall in line if we add just one more upgrade or additional weapons manufacturing capability. Put simply, another generation of nuclear weapons will not make us significantly safer.

On the other hand, we live in a world where newly emerging and potentially equally great threats loom: first, bioterror, driven by recent breakthroughs in genetic engineering and off-the-shelf biotechnology; and, second, lethal autonomous weapons systems driven by recent breakthroughs in machine vision, facial recognition, and artificial intelligence. These are small, inexpensive lethal drones and similar devices that use machine vision and artificial intelligence to target individuals or groups of humans, potentially without any human involvement in the kill decision.

For those of my colleagues unfamiliar with these technologies, perform an internet search for the term “lethal autonomous weapons systems,” sometimes abbreviated “LAWS”; or read the recent press coverage of the ab initio synthesis of the horsepox virus, a close variant of the smallpox virus that killed millions; then search for the term “biohacking.”

For more detailed information, I urge my colleagues to request a classified or unclassified briefing on recent studies of these subjects by the National Academies of Sciences, Engineering, and Medicine.

Both of these technologies pose unique threats to our national security for two reasons:

The first is because of the small physical footprint of a terror facility

based on either of these technologies. Either a bioterror laboratory or a small shop to produce and program small lethal drones could easily fit in a basement or small apartment. There is no radiological signature to detect them as there is with nuclear material.

The second is because of the low cost and general availability of key enabling technological components. The monetary investment necessary for a capable terror facility is in the range of hundreds of thousands of dollars, perhaps less.

The relevant technologies are already in wide use in industry.

Contrast this with the threats of nuclear proliferation, where the multibillion-dollar investment to enrich and separate nuclear fissile material pretty much limits nuclear weapons either to established nation-states or perhaps terrorist organizations with access to fissile material from poorly guarded facilities.

Anyone who is unconvinced that we need to take these emerging threats seriously needs only to look at what happened in cybersecurity. One of the painful lessons we have learned in recent years is that everything evil that can be done with computer viruses has, in fact, been done. In large part, this is because of the low barriers to entry and the difficulty of attributing an attack. Both of these features are shared fully by both bioterror and lethal autonomous weapons systems.

So if we are going to stay ahead of these threats, we need to be strategic about our investments. It is time to reconsider the wisdom of pouring hundreds of billions of dollars into Cold War weapons which contribute negligibly to our national security and past time to consider a much more rapid increase in investments in defensive measures against lethal autonomous weapons systems and against bioterror, because by the time they become a reality, it will be too late to react.

As a leader in technology and innovation, the United States should act now to circumvent any danger these technologies could pose.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Idaho is recognized for 5 minutes.

There was no objection.

Mr. SIMPSON. Mr. Chairman, I understand the gentleman's concern on this issue and appreciate the fact that he brought it up for discussion here tonight.

I would note that the weapons activities accounts provides funding to ensure the reliability of our Nation's nuclear weapons stockpile. The NNSA

does not use funds within this account to counter proliferation of biological weapons, although I understand it is an important issue, and I agree with them we need to address this issue.

However, this amendment increases and decreases the same account and has no effect on the bill overall, so I will accept the gentleman's amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. FOSTER. Mr. Chairman, I urge my colleagues to support this amendment and to take the time to educate themselves about these emerging threats.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. FOSTER).

The amendment was agreed to.

AMENDMENT NO. 52 OFFERED BY MR. GARAMENDI

The Acting CHAIR. It is now in order to consider amendment No. 52 printed in House Report 115-259.

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 297, line 21, after the dollar amount insert “(reduced by \$118,017,000)”.

Page 298, line 11, after the dollar amount insert “(increased by \$118,017,000)”.

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think we ought to be on a roll here, given the last amendment being accepted on a “yes” vote.

This amendment would make America more secure by focusing our very limited tax dollars on programs to keep nuclear material out of the hands of terrorists rather than excess national laboratory infrastructure spending.

According to The Washington Post, the world dodged a bullet when ISIS failed to realize that it had the ingredients for a dirty bomb under its control in Mosul for more than 3 years. This underscores the importance of the need for U.S. leadership and resources to secure nuclear material around the world.

My amendment would provide an increase of \$118 million for the Defense Nuclear Nonproliferation, DNN, funding. DNN funding includes critical programs such as the nuclear smuggling and detection program, which works with partner countries to improve intelligence, law enforcement, and border security capabilities to detect nuclear material trafficking.

It also supports programs to improve the security of radiological material around the world and to remove it from areas when nuclear materials cannot be adequately and safely secured.

The Make America Secure Appropriations Act makes significant cuts to these programs which keep nuclear material out of the hands of terrorists and those who would then use that material to do us harm. For example, there is a 30 percent cut from the nuclear smuggling detection funding, a 79 percent cut from the highly enriched uranium reduction programs, and, overall, a \$150 million cut to this program.

At the same time, the underlying legislation would increase by 38 percent, a plus-up above what the administration recommended for the weapons activities infrastructure recapitalization budget line. This increase was not requested by the administration and is not supported by the Senate. The underlying bill already includes a \$59 million increase in infrastructure recapitalization spending and a \$71 million increase over the fiscal year 2017-enacted level for maintenance and repair facilities.

We can go on and on. We have heard discussions here already about the trillion-dollar-plus expansion of the nuclear weapons programs.

Specifically, this money that I would move out of this particular infrastructure recapitalization account is for the construction of a new facility to build nuclear plutonium pits. These pits are presumably going to be needed for a weapon that is almost certainly not going to be built, which is the interoperable new bomb.

The interoperable weapon is to go on existing and remodeled rockets for the Navy and for the Air Force, neither of whom thinks it is a particularly good idea. So that program, should it ever come to pass, could be delayed, and we could then use this \$118 million now to deal with a known problem.

If, in the future, we decide that we need to be able to produce somewhere between 30 and 80 new pits a year, there is time enough to do that. The account that calls for the maintenance of the existing facilities will provide sufficient funds to meet all of the known needs, with the exception of the interoperable nuclear weapon, which, in all probability, is not ever going to be built or needed.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, although I am opposed to the amendment, I have to admit that I do enjoy our annual discussion on this.

I oppose this amendment because the bill already shows strong support for

the nonproliferation programs of the NNSA. Funding for nuclear defense nonproliferation is \$1.83 billion—\$76.5 million below fiscal year 2017 and \$16.8 million below the budget request.

Within nonproliferation, the bill largely supports funding as requested, but makes a limited number of realignments within the account to emphasize the importance of nonproliferation research and development activities and to meet international commitments for plutonium disposition.

Our understanding—and this is the important point. Our understanding is that budget request is down because NNSA still has significant unexpended balances in this account due to slow progress on international nonproliferation agreements.

Specifically, the NNSA reported in May that it had approximately \$2.2 billion in funds available to carry out its nonproliferation mission, of which over \$680 million is left over from prior years. For years, NNSA has struggled to execute funding in its nonproliferation budget because it could not obtain agreement from other nations to do the work as quickly as planned or as we would maybe like to.

This amendment also targets funding from the weapons activities infrastructure recapitalization program. Created in fiscal year 2014 by Congress, the recapitalization program has been highly successful in addressing the aging and deteriorating infrastructure at NNSA sites. Replacing things like telephone poles, leaking fireman valves, roofing, and addressing other basic infrastructure needs are essential to the safe and continued operation of these nuclear security sites.

The budget request proposed to cut the program, and the bill increases funding \$118 million above the request to restore that program to the fiscal year 2017 level. We should not divert funding needed to address these urgent infrastructure needs, and I urge my colleagues to vote “no” on this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. GARAMENDI. Mr. Chairman, may I inquire as to the time remaining.

The Acting CHAIR. The gentleman from California has 2 minutes remaining.

Mr. GARAMENDI. That might be sufficient. Mr. Chairman, although I doubt I will persuade the worthy chairman with whom we have had this little tussle back and forth.

The fact of the matter is that there are two accounts to deal with this issue of the nuclear sites and the maintenance of them.

□ 2145

One is a maintenance facility, which is plussed-up and sufficient to maintain and upgrade the existing facilities, par-

ticularly the plutonium pit, the metallurgical facility, as well as continue the construction of the highly enriched uranium facilities.

Those are already available and that money is in those accounts. It turns out that this money for recapitalization is for the construction of a new pit production facility. The NNSA claims that it needs that facility to build additional pits beyond the 20 to 30 that could be constructed in the refurbished existing pit.

The need for the new pit production facility is specifically for the interoperable nuclear warhead, which is not likely to be needed. And should it be decided at a future date to be needed, there is plenty of time to build the facility and construct the additional nuclear plutonium pits. The bottom line is that this money is not needed now for that facility.

Could the money be used in the nonproliferation?

It could.

Why were those agreements delayed?

Because of many different reasons, but the fact of the matter is that those agreements are going to be going forward. The fact of the matter is that there is a continuing problem of loose nukes and materials around the world, which can cause a problem. The Mosul situation is one of many examples.

The cuts that do take place in smuggling, in research, and the like are serious. We ought to be paying attention.

Mr. Chairman, I look forward to the continuation of this discussion, and I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, I would just say that this infrastructure need is not for a new pit facility. They would need to come to us and ask us what they were going to do with funding, and request funding for that. They did not do that. This is for infrastructure needs and upgrades.

But the other thing is that I am as much a nonproliferation activist as anyone in this body. I think it is important work. But the reality is that there are \$681 million unexpended from previous years, not because funding is not available—the money is there—but they haven't been able to get agreements with other countries. Unfortunately, you can't do work in other countries without having agreements with those countries.

So, consequently, we are—I guess you could maybe say—overfunded in nonproliferation if we can't spend the money on that activity. That is the problem.

Why would we put the money into that when we need the money in infrastructure and building and repairing the buildings and facilities that NNSA has?

It just doesn't make any sense to me.

I am sure if this amendment is defeated, we will have this discussion next year, and I hope my colleagues will vote against this.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARAMENDI. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 53 OFFERED BY MS. ROSEN

The Acting CHAIR. It is now in order to consider amendment No. 53 printed in House Report 115-259.

Ms. ROSEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 301, line 3, after the dollar amount, insert “(reduced by \$30,000,000)”.

Page 326, line 21, after the dollar amount, insert “(increased by \$30,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 473, the gentlewoman from Nevada (Ms. ROSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Nevada.

Ms. ROSEN. Mr. Chairman, I rise in support of my amendment to strip funding for defense nuclear waste disposal and return this money to the Treasury in order to reduce the deficit.

The \$30 million allocated under the appropriations bill being considered here tonight has the potential to be used to expand Yucca Mountain so that it can be used to store defense waste, in addition to civilian nuclear waste.

If there is one issue a majority of Nevadans agree on, it is that we wholeheartedly oppose becoming the Nation's dumping ground for radioactive waste.

First, for my non-Nevada friends, some history. In 1987, Congress amended the Nuclear Waste Policy Act and targeted Yucca Mountain, located less than 100 miles northwest of Las Vegas, as the sole site for our Nation's geological repository. It is a fancy way of choosing Nevada as their nuclear dump.

For over 30 years, the State of Nevada and local communities have rejected this misguided project on safety, public health, and environmental grounds. In fact, we have filed 218 contentions against the Department of Energy's license application, citing safety and environmental issues in its assessments.

Numerous scientific studies have deemed Yucca Mountain unsafe based on the fact that it sits above an aquifer and is in a seismically active area that

just experienced a 4.1 magnitude earthquake.

Any plans involving Yucca Mountain, including the recently introduced Nuclear Waste Policy Amendments Acts, or any proposed plans to commingle defense and civilian nuclear waste at Yucca, ignore the environmental, safety, and security concerns of Nevadans who would be forced to store nuclear waste that they had no role in creating.

Using Yucca Mountain as the Nation's dumping ground would require transporting over 70,000 metric tons of radioactive waste, much of it through my district and through the heart of Las Vegas, a city that attracts over 43 million visitors annually and generates over \$59 billion in revenue.

Not only does this project endanger those in Nevada, Mr. Chairman, it also threatens the health and safety of millions of Americans from over 329 congressional districts across this country who live along the proposed transportation route.

As if this wasn't bad enough, now the Nation's most egregious nuclear waste producers and even some of my colleagues across the aisle are suggesting that we commingle defense waste with civilian waste from power plants, inappropriately increasing the amount of high-level radioactive material dumped in Nevada by 37 percent. This means more nuclear material coming to Yucca, and more waste traveling through 44 States and Washington, D.C.

There are also concerns that this will hinder the Air Force's readiness and our country's ability to defend itself. Last week, the Las Vegas Review-Journal ran a story featuring Heather Wilson, Secretary of the Air Force, and her concerns with the Yucca Mountain project.

She cited how it will directly impact Nellis Air Force Base's ability to complete its mission to train servicemembers for war, because there is no route across the range that would not impact testing and training.

Her concerns, unfortunately, are not new. Since 2003, the Air Force has consistently stated that they know of no route through the Nevada Test and Training Range that would avoid sensitive areas or not negatively impact readiness activities.

I understand that our country's nuclear waste must go somewhere, but this decades-old battle has proven that Yucca is not the place. We must stop wasting billions of taxpayer dollars by resurrecting a project that has been dead for over 30 years, and, instead, identify viable alternatives for the long-term repository in areas that are proven safe and whose communities consent to storage.

Mr. Chairman, I am prepared to withdraw my amendment, with the understanding that we will begin a serious discussion on how to properly handle

our country's waste, instead of continuing down the path of forcing this waste on my State.

I fully understand we have to put our country's defense and civilian waste somewhere. But for the first time, let's bring Nevadans to the table and let's share the responsibility of facing the consequences of nuclear production.

Mr. Chairman, I yield back the balance of my time and withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 54 OFFERED BY MS. PINGREE

The Acting CHAIR. It is now in order to consider amendment No. 54 printed in House Report 115-259.

Ms. PINGREE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 325, strike lines 17 through 21.

The Acting CHAIR. Pursuant to House Resolution 473, the gentlewoman from Maine (Ms. PINGREE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Maine.

Ms. PINGREE. Mr. Chairman, I rise in support of the Pingree-Carabajal-Bonamici-Langevin-Lowenthal-Cicilline-Schneider-Beyer amendment, which is widely supported.

All of the cosponsors of this amendment care passionately about the need for ocean planning, and I commend the leadership of my colleagues on this issue each and every year that we fight this battle for sensible ocean policy.

We need, as a Congress, to recognize the importance of our oceans and ocean planning. Ocean planning works, and is working already in New England, where we have a success story of fishermen, lobstermen, Native American Tribes, local communities, and other stakeholders developing voluntary regional ocean plans.

I have heard from many of my constituents working in Maine's island communities about the importance not only of ocean planning, but of eco-based management of our oceans, a core part of moving forward to a 21st century fishery.

Our fishery is changing, and coastal communities want to be attentive to changes in our ecosystems to resource development and other uses for our oceans. For example, our plan in New England ensures that there is advanced ecological data available to help decisionmakers, enhance ocean stakeholder engagement through the collection of stakeholder-driven information, and facilitates agency coordination.

The language in today's underlying bill would make it even more difficult for Federal agencies, State, and local communities to work together on the future of our ocean resources.



For those of us representing coastal districts, this rider is a bad addition to the bill, and we need to strike it.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I reserve the balance of my time.

Ms. PINGREE. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. SCHNEIDER).

Mr. SCHNEIDER. Mr. Chair, I rise today in strong support and as a proud cosponsor of this amendment. I do so in defense of one of our most magnificent natural resources: the Great Lakes.

The Great Lakes contain a fifth of the world's and 95 percent of our Nation's surface water. The Lakes are an important asset to our economy and the quality of life of our Nation, and in my district in particular.

The National Ocean Policy also helps protect the vitality of our Great Lakes ecosystem. However, section 505 of this bill will undermine our National Ocean Policy and the ability of agencies to coordinate with States, local governments, and other agencies to protect these beautiful waters. That is why I support striking section 505.

We have a profound obligation to be responsible stewards of the environment and to pass on a clean, healthy, and dynamic environment for future generations.

Mr. Chair, I support the Pingree amendment.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to this amendment.

While there may be instances—and I am sure there are—in which greater coordination would be helpful in ensuring our coastal resources are available for future generations, any such coordination must be done carefully to protect against Federal overreach.

As we saw with the Obama administration's WOTUS rule to redefine waters of the United States, thorough and strong Congressional oversight is needed to ensure that we protect private property rights.

Unfortunately, the way the Obama administration developed the National Ocean Policy increased the opportunities for Federal overreach. The implementation plan is so broad and so sweeping that it may allow the Federal Government to affect agricultural practices, mining, energy producers, fishermen, and anyone else whose actions may have an impact on the oceans.

The facts is that the previous administration did not work with Congress. This is their National Ocean Policy. They never brought it to Congress.

If you are going to do something this sweeping, you need to have congressional input. They never came to Con-

gress to develop its plan, and they had even refused to provide relevant information to Congress. So we can't be sure how sweeping it actually could be if left unchecked.

□ 2200

That is why I support the language of the underlying bill and, therefore, oppose this amendment. But I understand their concern. But why not bring it to Congress? Why not have Congress enact the National Ocean Policy instead of just relying on the executive branch to do whatever they want to do? That is the problem the Natural Resources Committee has with this. It is a problem I have with this, and that is why I oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. PINGREE. Mr. Chairman, if my good colleague could guarantee me he could give me the votes on the floor, I would be happy to bring a bill like that forward to Congress.

Mr. Chair, I yield 1 minute to my colleague from California (Mr. LOWENTHAL).

Mr. LOWENTHAL. Mr. Chairman, my district is a poster child for the need for ocean coordination and information sharing. In my district, we have the busiest port complex in North America, we have offshore drilling, we have San Clemente Island, which is a naval training ground where they have a ship-to-shore firing range. We have abundant wildlife in the district. On top of that, sea level rise and extreme weather threatens neighborhoods and businesses all along the coast of my district.

With so much activity happening, it simply makes sense to have the various stakeholders at the table, to make sure ships come in and out of port safely, to ensure that our thriving economy stays thriving, and to give the military space to train. We want these collaborations to happen because we want to have a sustainable ocean economy.

By developing regional plans and having a framework for multi-stakeholder involvement, we can promote a robust ocean economy that also conserves our precious ocean resources. The country and my district needs a comprehensive approach to our ocean resources, which the National Ocean Policy provides.

Mr. Chair, I urge my colleagues to vote "yes" on this amendment.

Ms. PINGREE. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman from Maine has 1½ minutes remaining.

Ms. PINGREE. Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I will just say it is kind of interesting that I don't disagree with anything Ms. PINGREE is saying. The problem is, there is a process, and Congress needs to be involved.

The last administration did not involve Congress. If it is a good policy, why don't we just let the administration do it? If you can't get the votes on the floor, doesn't that tell you something?

Maybe you need to go and work this out and bring the policy to the floor. But if we are just going to let the administration do that, I don't know, maybe we will let this administration just enact a tax policy because we have a tough time doing it here in Congress. I don't know, maybe we will let them enact the healthcare policy because we can't get together on the floor to see what to do about our healthcare system, so let's just let the administration do it all.

It is exactly what you are doing with this. You bring an actual ocean policy to the floor, if I think it is a good bill and necessary, I will vote for it. I can't tell you what I will vote for yet because I haven't seen it.

But just because Congress hasn't acted doesn't give the administrative branch of government the right to interject itself and take on the legislative branch of government's responsibility.

Mr. Chairman, I reserve the balance of my time.

Ms. PINGREE. Mr. Chair, with all due respect, I think there are frequently moments when the administration overrides the opinion of the Congress or don't always agree and the administration gets their way. Take the decision the administration made this morning on military policy, which was contrary to the vote we took just this week on the appropriations process.

Mr. Chair, I yield 1 minute to the gentleman from California (Mr. CARBAJAL).

Mr. CARBAJAL. Mr. Chair, I want to thank all of my colleagues for their leadership and work on this important amendment to strike this harmful rider, to prevent implementation of the National Ocean Policy.

The National Ocean Policy ensures we are able to implement marine planning efforts based on management components of the National Ocean Policy. It also allows coordination between Federal agencies to make sure they are working in a collaborative manner to improve our ocean's health.

This brings all stakeholders together, including conservationists, fishermen, scientists, shipping companies, and those who live and work in our ocean communities, and it will allow them to have a voice in finding solutions for effective management of our oceans.

Healthy sustainable ecosystems and economic growth are not mutually exclusive. That is why we need to make sure we strike this harmful rider.

Mr. Chair, I urge my colleagues to support this amendment.

The Acting CHAIR. The time of the gentlewoman from Maine has expired.

Mr. SIMPSON. Mr. Chair, I will just say, the usurpation by the administrative branch of government over Congress happens with both Republican and Democratic administrations. I remember someone standing up and saying: Well, if Congress won't do it, I have a pen and a phone.

This is Congress surrendering our responsibility, and even though you might like the outcome of what they do, it is the wrong thing to do, and Congress needs to stand up at times and take back our responsibility than just saying: Well, I don't really like the way it was done, but I like the policy, so I will just support it. And that is what we are doing here. That is the problem with the National Ocean Policy.

Again, I would encourage the supporters of this, and who knows, I might be one of them, to bring it to Congress. Let's debate it. Let's have a good healthy debate on this floor. Go through the committee process, go through the regular order, and then it is something that we might be able to support in the appropriations process.

Other than that, I would urge my colleagues to vote against this amendment.

Mr. Chair, I yield back the balance of my time.

Ms. KAPTUR. Mr. Chair, as the designee of Ranking Member LOWEY, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chair, I rise in support of the gentlewoman's amendment to support the growth of vibrant coastal economies and creation of fisheries and agriculture jobs.

The National Ocean Policy is helping agencies and States collaborate to reduce illegal, unreported, and unregulated fishing, and one can just take a look that the ocean policy supports almost 2 million fisheries-related jobs in our country and \$5.3 billion in commercial fish landings, as well as enhanced tourism, and the National Ocean Policy doesn't cost us anything.

I just want to remind people that our country currently imports 91 percent of consumed seafood, with half coming from foreign agriculture. So this policy is extraordinarily important.

Mr. Chairman, I yield to the gentleman from Rhode Island (Mr. CICILLINE) for the purpose of entering into a colloquy.

Mr. CICILLINE. Mr. Chair, I thank the gentlewoman for yielding, and I rise today to speak in strong support of the amendment offered by my colleague, Congresswoman PINGREE, which would strike the harmful provision that undermines the importance of the National Ocean Policy.

For over 7 years, the National Ocean Policy has helped guide ocean management through spurring coordination among government agencies. Ocean

planning and coordination is an important aspect in supporting economic growth, protecting coastal habitats, and strengthening coastal communities.

The National Ocean Policy does not create any regulations, supersede current regulations, or modify any agency's established mission, jurisdiction, or authority. Rather, it helps coordinate the implementation of existing regulations by Federal agencies to establish a more efficient and effective decisionmaking process.

Throughout the northeast, the Regional Ocean Council allows our States to pool resources and businesses to have a strong voice in decisions that will impact their communities and facilitate coordination with Federal partners.

I am proud to say that the Northeast Regional Ocean Council is the first in the Nation to release a draft regional ocean plan. My home State of Rhode Island, the ocean State, has benefited greatly from the National Ocean Policy. With help from NOP, the Block Island Wind Farm project was successfully completed and today is capable of powering an estimated 17,000 homes.

At a time when our oceans are facing significant challenges and changes, maintaining coordination and planning is necessary in continuing to strengthen our country's coastal communities and ocean industries. Allowing Federal agencies to coordinate implementation of over 100 ocean laws and giving State and local governments a voice in the ocean planning process is smart policy, and I urge my colleagues to support this amendment and strike this ill-advised provision.

Ms. KAPTUR. Mr. Chair, may I ask how much time do I have remaining?

The Acting CHAIR. The gentlewoman from Ohio has 2 minutes remaining.

Ms. KAPTUR. Mr. Chair, I yield to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. Mr. Chair, I thank the gentlewoman for yielding.

Mr. Chairman, the establishment of a National Ocean Policy was a landmark step for our country. I particularly want to commend Senator SHELDON WHITEHOUSE from Rhode Island for his leadership on this issue.

Ocean planning just makes sense, as we have seen in Rhode Island during implementation of our Special Area Management Plan. Instead of haphazard policymaking or turning the ocean into a political football, we brought all stakeholders to the table, commercial and recreational fishermen, energy development companies, conservationists, and other local interests.

The National Ocean Policy builds on this type of collaboration. It is a bottom-up approach, and it empowers local communities who use our oceans.

I want to echo the words also of my colleague, the Congressman from

Rhode Island (Mr. CICILLINE), in support of this amendment, and I urge my colleagues to allow this forward-thinking approach to continue. I thank the gentlewoman for yielding.

Ms. KAPTUR. Mr. Chair, I thank the gentleman so much for coming to the floor tonight, and I want to thank all of our colleagues who have spoken out so eloquently on the importance of National Ocean Policy in supporting the Pingree, et al. amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Maine (Ms. PINGREE).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Ms. PINGREE. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Maine will be postponed.

AMENDMENT NO. 55 OFFERED BY MR. KIHUEN

The Acting CHAIR. It is now in order to consider amendment No. 55 printed in House Report 115-259.

Mr. KIHUEN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 326, strike lines 1 through 7.

The CHAIR. Pursuant to House Resolution 473, the gentleman from Nevada (Mr. KIHUEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nevada.

Mr. KIHUEN. Mr. Chairman, my amendment strikes language in the bill that would prohibit the closure of the Yucca Mountain project, which includes the storage of high-level nuclear waste in my district.

As you may know, in 1987, Nevada was targeted as our Nation's nuclear waste dump through the "Screw Nevada" bill. In the 30 years since the bill passed, Congress has wasted \$3.7 billion of taxpayer money.

Yucca Mountain sits in a seismically active area less than 100 miles away from Las Vegas, which holds an urban area with over 2 million residents. Mr. Chairman, just last week, there was an earthquake 33 miles away from Yucca Mountain. This place is not safe for our nuclear waste.

Moreover, the city sees tens of thousands of visitors traveling to Las Vegas each and every year, many of whom are your constituents from your districts. In 2016 alone, over 40 million visitors traveled to Las Vegas.

I have grave concerns with the transportation of nuclear waste to Yucca Mountain should this project continue against the will of my constituents. This project will not just impact my

constituents. It impacts constituents in 329 congressional districts in 44 different States and Washington, D.C. Putting a nuclear repository in our backyard means that this high-level nuclear waste must travel through your backyards first.

Your constituents will see high-level nuclear waste transported through their communities on rail and truck. A simple car crash or train derailment would leave your constituents at risk and cost our taxpayers more money to clean up the mess.

As it stands, Mr. Chairman, this transportation plan also damages our national security and the ability of the Nevada Test and Training Range, the largest air and ground range in the contiguous United States, to meet and train our servicemembers.

□ 2215

Mr. Chairman, I have been to Yucca Mountain. I have driven through the desert that is home to the bighorn sheep and desert tortoises and ancient petroglyphs and relics of the westward expansion. It is clear that reopening Yucca Mountain threatens the health and safety of Nevadans and Americans from across the country.

Our State, which has no nuclear energy-producing facilities, should not be the dumping ground for the rest of the country's nuclear waste. And the bottom line is this: If any of my colleagues would support this bill to bring Yucca Mountain nuclear waste to our State, then I am sure you support bringing it to your State. I am sure we can find a location in your State, and I would love to work with you on that. I am sure you wouldn't like your neighbors bringing their trash to your backyard. Don't bring it to my backyard either. Don't bring it to my constituents. Don't bring it to Nevada.

I urge your support for my amendment. Prevent billions and billions of dollars, taxpayer dollars, being wasted by continuing to pursue the Yucca Mountain project.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR (Mr. WALKER). The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I would tell the gentleman that they have brought a lot of nuclear waste to the State of Idaho. We process it there. It was Rocky Flats that was, they say, cleaned up. It wasn't cleaned up; it was moved to Idaho because we got most of their stuff there. That is kind of what happens.

Mr. Chairman, I rise to oppose this amendment. I think we all understand why my colleagues from Nevada oppose Yucca Mountain, their position on Yucca Mountain; however, I cannot

support this amendment. It is time to move forward with the Yucca licensing process.

The previous administration ignored the law. I repeat that—ignored the law. Ignoring our obligation to take responsibility for this spent fuel, and breaking trust with 32 States stopped this process in its tracks.

I don't think I have to state why that happened. It wasn't because of science or anything else. We all know why they stopped the licensing process at Yucca Mountain.

The decision has already cost taxpayers \$6 billion in claims, and the Department of Energy estimates at least another \$24 billion in claims.

This administration has taken swift action to put us back on track, and the budget request proposed in this bill includes \$150 million for Yucca licensing efforts. Licensing efforts will continue to involve experts in geochemistry, hydrology, geology, seismology, volcanology, and more to ensure that Yucca Mountain, already one of the most studied pieces of land on Earth—I would say the most studied piece of land on Earth. There were 52 or 53 National Academy of Sciences studies on Yucca Mountain that have been done. But it will get a careful review from all aspects of its license applications.

Once that application is finished, all Members of this body and of the Senate will have the opportunity to decide whether we move forward to construct and use the facility. But killing the process at this point is shortsighted, and, therefore, I oppose the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. KIHUEN. Mr. Chairman, I yield the balance of my time to the gentleman from Nevada (Ms. ROSEN), my esteemed colleague.

Ms. ROSEN. Mr. Chairman, I want to echo the sentiments of my colleague from Nevada (Mr. KIHUEN) by making one thing perfectly clear: Nevadans are completely against becoming the Nation's nuclear dumping ground. And make no mistake, that is exactly what this appropriations bill does.

Without Mr. KIHUEN's amendment, of which I am proud to be a cosponsor, Congress will tie the hands of this administration by explicitly prohibiting, even considering, closing Yucca Mountain or conducting a technical review before licensing activities begin.

You heard that right. The underlying bill forbids any funds from being used to conduct activities that preclude Yucca Mountain from becoming the Nation's dumping ground for radioactive waste, no matter the science, no matter the evidence.

And we already have the evidence that bringing America's nuclear waste to Yucca is bad for Nevadans and bad for Americans. We know that Yucca is unsafe for nuclear waste because it is

seismically active and sits above an aquifer. And with 70,000 metric tons of radioactive waste through my district and through the heart of Las Vegas, those visitors from all across the country and the world will be exposed.

Mr. KIHUEN. Mr. Chair, I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, I would just say in response: Then change the law. The law is that Yucca Mountain is the waste repository for high-level nuclear waste. All we are asking is to continue the licensing process.

As I said during my opening statement, Congress will have a chance to vote on whether to proceed with the construction of this facility. That is the reality. But we have got to get off the dime and start moving and handling this nuclear waste or it is going to cost us billions and billions and billions more.

I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Nevada (Mr. KIHUEN).

The amendment was rejected.

AMENDMENT NO. 56 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 56 printed in House Report 115-259.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division D, before the short title, insert the following:

SEC. \_\_\_\_\_. The amounts otherwise provided by this Act are revised by reducing the amount made available for "Corps of Engineers-Civil-Investigations", and increasing the amount made available for the same account, by \$3,000,000.

The Acting CHAIR. Pursuant to House Resolution 473, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, I am going to take this opportunity just to show this picture to my colleagues on the floor of the House and the headline that says: "Urban Flooding in Houston is on the Rise."

I clearly just used the city of Houston by coincidence, but I will tell you that this is what we are facing, really, across America.

The opening sentence of the article says: "Before you can fix a problem, you need to know what's causing it."

My amendment is just that. My amendment—as I thank Chairman SIMPSON and Ranking Member KAPTUR for their work on this legislation in doing the best that we can under the

circumstances of trying to preserve the balance—speaks to the need for robust funding for the U.S. Army Corps of Engineers' investigations account by redirecting \$3 million for increased funding for postdisaster watershed assessment studies, like the one that has been contemplated in many areas around the country.

As the Federal agency that collects and studies basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and conducts detailed studies, plans, and specifications for river and harbor and flood and storm damage reduction, the U.S. Army Corps of Engineers plays a critical role in building, maintaining, and expanding the most critical of the Nation's infrastructure.

When questioning the Army Corps of Engineers about a certain area in my community covering a number of bayous, which we are called The Bayou City—Sims Bayou, Greens Bayou, Brays Bayou, White Oak Bayou, Hunting Bayou, and Clear Creek Bayou—it is the same all over the Nation: the Army Corps of Engineers said they need to study the issue to know how to best resolve it.

My amendment is just that. It is resources to be directed to ensure that we are allowed to study issues so that we can focus the dollars correctly as we attempt to work collaboratively with our local communities.

I ask my colleagues to support this amendment, and I make this point: such a study is certainly needed, given the frequency and severity of historic-level flood events in many parts around our Nation and in the area in which I live.

On April 15, 2016, an estimated 240 billion gallons of water fell in the Houston area over a 12-hour period.

Let me be very mindful, this is not an earmark. It simply says that we should have the resources to study these issues so that we can direct monies in the right way.

Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman from Texas has 2½ minutes remaining.

Ms. JACKSON LEE. Mr. Chairman, let me conclude my remarks by indicating that I believe this particular amendment will be helpful in general to, in essence, provide funding for the U.S. Army Corps of Engineers' investigations account and ensuring that a postdisaster watershed assessment can result.

Mr. Chairman, I want to thank Ms. KAPTUR in particular. We have spoken about this for probably over a 2-year period. I think the very fact that my particular area can be cited as an example of what happens when you have urban flooding is just an example.

Over this past summer, we know that we have had some serious loss of life

when rivers have overflowed or areas where water is and people have been recreating have overflowed, and so the idea of saving lives is part of my amendment as well.

Mr. Chair, I want to thank Chairman SIMPSON and Ranking Member KAPTUR for shepherding this legislation to the floor and for their commitment to preserving America's great natural environment and resources so that they can serve and be enjoyed by generations to come.

My amendment speaks to the need for robust funding for the U.S. Army Corps of Engineers "Investigations" account by redirecting \$3 million for increased funding for post-disaster watershed assessment studies, like the one that is being contemplated for the Houston/Harris County metropolitan area.

As the federal agency that collects and studies basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and conducts detailed studies, plans, and specifications for river and harbor, and flood and storm damage reduction, the U.S. Army Corps of Engineers plays a critical role in the building, maintaining, and expanding of the most critical of the nation's infrastructure.

We understand this very well in my home state of Texas and the Eighteenth Congressional District that I represent.

The Army Corps of Engineers has been working with the Harris County Flood Control District since 1937 to reduce the risk of flooding within Harris County.

Current projects include 6 federal flood risk management projects: Sims Bayou, Greens Bayou, Brays Bayou, White Oak Bayou, Hunting Bayou, and Clear Creek.

In addition to these ongoing projects, the Army Corps of Engineers operates and maintains the Addicks and Barker (A&B) Detention Dams in northwest Harris County.

Mr. Chair, I am pleased that the bill provides that the Secretary of the Army may initiate up to six new study starts during fiscal year 2018, and that five of those studies are to consist of studies where the majority of the benefits are derived from flood and storm damage reduction or from navigation transportation savings.

I am optimistic that one of those new study starts will be the Houston Regional Watershed Assessment Flood Risk Management Feasibility study.

Such a study is certainly needed given the frequency and severity of historic-level flood events in recent years in and around the Houston metropolitan area.

On April 15, 2016, an estimated 240 billion gallons of water fell in the Houston area over a 12 hour period, which resulted in several areas exceeding the 100 to 500 year flood event record.

The areas that experience these historic rainfalls were west of I-45, north of I-10, and Greens Bayou.

Additionally, an estimated 140 billion gallons of water fell over the Cypress Creek, Spring Creek, and Addicks watershed in just 14 hours.

The purpose of the Houston Regional Watershed Assessment is to identify risk reduction measures and optimize performance from a multi-objective systems performance per-

spective of the regional network of nested and intermingled watersheds, reservoir dams, flood flow conveyance channels, storm water detention basins, and related Flood Risk Management (FRM) infrastructure.

Special emphases of the study, which covers 22 primary watersheds within Harris County's 1,756 square miles, will be placed on extreme flood events that exceed the system capacity resulting in impacts to asset conditions/functions and loss of life.

Mr. Chair, during the May 2015 Houston flood, 3,015 homes were flooded and 8 persons died; during the April 2016 Houston flood, 5,400 homes were flooded and 8 deaths recorded.

The economic damage caused by the 2015 Houston flood is estimated at \$3 billion; the 2016 estimate is being compiled and is estimated to be well above \$2 billion.

Mr. Chair, minimizing the risk of flood damage to the Houston and Harris County metropolitan area, the nation's 4th largest, is a matter of national significance because the region is one of the nation's major technology, energy, finance, export and medical centers:

1. Port of Houston is the largest bulk port in the world;

2. Texas Medical Center is a world renowned teaching, research and treatment center;

3. Houston is home to the largest conglomeration of foreign bank representation and second only to New York City as home to the most Fortune 500 companies; and

4. The Houston Watershed Assessment study area sits within major Hurricane Evacuation arteries for the larger Galveston Gulf Coast region.

I ask my colleagues to join me and support Jackson Lee Amendment No. 56.

I thank Chairman SIMPSON and Ranking Member KAPTUR for their work in shepherding this bill to the floor.

[From the Houston Public Media]

URBAN FLOODING IN HOUSTON IS ON THE RISE

(By Marissa Cummings)

Before you can fix a problem, you need to know what's causing it.

Dr. Sam Brody, Professor at A&M Galveston, is doing exactly that.

He focuses on urban flooding and says Houston is the poster child.

"The bigger driver of this urban flood problem is human development, it's the spread of impervious surfaces and I calculated the Houston region increased its pavement by 25 percent over a 15 year period from 1996 to 2010," says Brody.

He is also contributing to national research that will help alleviate urban flooding across the U.S.

Stephen Costello, Houston's Flood Czar, agrees with Brody's assessment.

Part of the solution he says is investing in innovative infrastructure.

"But there has to be a commitment on the part of the community to invest in infrastructure," Costello says. "And that's what the voters should be looking at saying 'OK, so let's make sure we continue to invest in the infrastructure,' and that's where the public needs to get involved."

Although, we cannot stop flooding from happening, Costello says we need to mitigate and reduce the risk.

Mr. Chairman, I urge my colleagues to support the Jackson Lee amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

#### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 115-259 on which further proceedings were postponed, in the following order:

Amendment No. 4 by Mr. PERRY of Pennsylvania.

Amendment No. 5 by Mr. GRIFFITH of Virginia.

Amendment No. 7 by Mr. TAKANO of California.

Amendment No. 23 by Mr. KING of Iowa.

Amendment No. 38 by Ms. CASTOR of Florida.

Amendment No. 39 by Mr. NORCROSS of New Jersey.

Amendment No. 44 by Ms. ESTY of Connecticut.

Amendment No. 52 by Mr. GARAMENDI of California.

Amendment No. 54 by Ms. PINGREE of Maine.

Amendment No. 56 by Ms. JACKSON LEE of Texas.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

#### AMENDMENT NO. 4 OFFERED BY MR. PERRY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 107, noes 314, not voting 12, as follows:

[Roll No. 416]

AYES—107

|             |             |             |
|-------------|-------------|-------------|
| Abraham     | Brat        | Comer       |
| Allen       | Bridenstine | Cramer      |
| Babin       | Brooks (AL) | Culberson   |
| Bacon       | Buck        | Davidson    |
| Banks (IN)  | Budd        | DeSantis    |
| Barr        | Burgess     | DesJarlais  |
| Barton      | Byrne       | Duffy       |
| Biggs       | Carter (GA) | Duncan (SC) |
| Bishop (UT) | Chabot      | Duncan (TN) |
| Blackburn   | Cheney      | Dunn        |

|               |             |
|---------------|-------------|
| Estes (KS)    | King (IA)   |
| Farenthold    | Labrador    |
| Ferguson      | LaHood      |
| Flores        | LaMalfa     |
| Franks (AZ)   | Lamborn     |
| Gaetz         | Latta       |
| Gallagher     | Love        |
| Garrett       | Lucas       |
| Gibbs         | Luetkemeyer |
| Gohmert       | Marchant    |
| Goodlatte     | Marino      |
| Gosar         | Marshall    |
| Gowdy         | Massie      |
| Graves (GA)   | McCaul      |
| Griffith      | McKinley    |
| Grothman      | Meadows     |
| Harris        | Messer      |
| Hensarling    | Mooney (WV) |
| Hice, Jody B. | Mullin      |
| Hudson        | Norman      |
| Huizenga      | Olson       |
| Hunter        | Palazzo     |
| Jenkins (WV)  | Palmer      |
| Johnson, Sam  | Pearce      |
| Jordan        | Perry       |
| Kelly (MS)    | Pittenger   |

#### NOES—314

|                 |                 |
|-----------------|-----------------|
| Adams           | Davis, Danny    |
| Aguilard        | Davis, Rodney   |
| Amash           | DeFazio         |
| Amodei          | DeGette         |
| Arrington       | Delaney         |
| Barletta        | DeLauro         |
| Barragán        | DelBene         |
| Bass            | Demings         |
| Beatty          | Denham          |
| Bera            | Dent            |
| Bergman         | DeSaulnier      |
| Beyer           | Deutch          |
| Bilirakis       | Diaz-Balart     |
| Bishop (GA)     | Dingell         |
| Bishop (MI)     | Doggett         |
| Black           | Donovan         |
| Blumenauer      | Doyle, Michael  |
| Blunt Rochester | F.              |
| Bonamici        | Ellison         |
| Bost            | Emmer           |
| Boyle, Brendan  | Engel           |
| F.              | Eshoo           |
| Brady (PA)      | Españillat      |
| Brady (TX)      | Esty (CT)       |
| Brooks (IN)     | Evans           |
| Brown (MD)      | Faso            |
| Brownley (CA)   | Fitzpatrick     |
| Buchanan        | Fleischmann     |
| Buchson         | Portenberry     |
| Bustos          | Foster          |
| Butterfield     | Fox             |
| Calvert         | Frankel (FL)    |
| Capuano         | Frelinghuysen   |
| Carbajal        | Fudge           |
| Cárdenas        | Gabbard         |
| Carson (IN)     | Gallego         |
| Carter (TX)     | Galleo          |
| Cartwright      | Garamendi       |
| Castor (FL)     | Gianforte       |
| Castro (TX)     | Gomez           |
| Chu, Judy       | Gonzalez (TX)   |
| Cicilline       | Gottheimer      |
| Clark (MA)      | Granger         |
| Clarke (NY)     | Graves (LA)     |
| Clay            | Graves (MO)     |
| Cleaver         | Green, Al       |
| Clyburn         | Green, Gene     |
| Coffman         | Grijalva        |
| Cohen           | Guthrie         |
| Cole            | Gutiérrez       |
| Collins (GA)    | Hanabusa        |
| Collins (NY)    | Handel          |
| Comstock        | Harper          |
| Conaway         | Hartzler        |
| Connolly        | Hastings        |
| Conyers         | Heck            |
| Cook            | Herrera Beutler |
| Cooper          | Higgins (LA)    |
| Correa          | Higgins (NY)    |
| Costa           | Hill            |
| Courtney        | Himes           |
| Crawford        | Holding         |
| Crist           | Hoyer           |
| Crowley         | Huffman         |
| Cuellar         | Hultgren        |
| Curbelo (FL)    | Hurd            |
| Davis (CA)      | Issa            |
|                 | Jackson Lee     |

|                 |
|-----------------|
| Poe (TX)        |
| Posey           |
| Ratcliffe       |
| Renacci         |
| Rohrabacher     |
| Rokita          |
| Rooney, Francis |
| Rothfus         |
| Rouzer          |
| Scott, Austin   |
| Sensenbrenner   |
| Smith (MO)      |
| Stewart         |
| Wagner          |
| Walberg         |
| Weber (TX)      |
| Webster (FL)    |
| Wenstrup        |
| Westerman       |
| Williams        |
| Wilson (SC)     |
| Wittman         |
| Yoho            |
| Young (AK)      |
| Zeldin          |

|                |               |
|----------------|---------------|
| Moolenaar      | Ros-Lehtinen  |
| Moore          | Rosen         |
| Moulton        | Roskam        |
| Murphy (FL)    | Ross          |
| Nadler         | Roybal-Allard |
| Neal           | Ruiz          |
| Newhouse       | Ruppersberger |
| Noem           | Rush          |
| Nolan          | Russell       |
| Norcross       | Rutherford    |
| Nunes          | Sánchez       |
| O'Halleran     | Sanford       |
| O'Rourke       | Sarbanes      |
| Pallone        | Schakowsky    |
| Panetta        | Schiff        |
| Pascarell      | Schneider     |
| Paulsen        | Schrader      |
| Payne          | Schweikert    |
| Pelosi         | Scott (VA)    |
| Perlmutter     | Scott, David  |
| Peters         | Serrano       |
| Peterson       | Sessions      |
| Pingree        | Sewell (AL)   |
| Pocan          | Shea-Porter   |
| Poliquin       | Sherman       |
| Polis          | Shimkus       |
| Price (NC)     | Shuster       |
| Quigley        | Simpson       |
| Raskin         | Sinema        |
| Reed           | Sires         |
| Reichert       | Slaughter     |
| Rice (NY)      | Smith (NE)    |
| Rice (SC)      | Smith (NJ)    |
| Richmond       | Smith (TX)    |
| Roby           | Smith (WA)    |
| Roe (TN)       | Smucker       |
| Rogers (AL)    | Soto          |
| Rogers (KY)    | Speier        |
| Rooney, Thomas | Stefanik      |
| J.             | Stivers       |

#### NOT VOTING—12

|               |               |            |
|---------------|---------------|------------|
| Aderholt      | Hollingsworth | Napolitano |
| Blum          | Jeffries      | Royce (CA) |
| Costello (PA) | Loudermilk    | Ryan (OH)  |
| Cummings      | Murphy (PA)   | Scalise    |

□ 2248

Mrs. BLACK, Messrs. RICE, HOLDING, TIPTON, GUTHRIE, ROSKAM, and EMMER changed their vote from “aye” to “no.”

Messrs. FERGUSON, BROOKS of Alabama, JENKINS of West Virginia, PERRY, MESSER, CARTER of Georgia, and GARRETT changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. MURPHY of Pennsylvania. Mr. Chair, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 416.

#### AMENDMENT NO. 5 OFFERED BY MR. GRIFFITH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. GRIFFITH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 116, noes 309, not voting 8, as follows:

[Roll No. 417]

## AYES—116

|              |               |                 |
|--------------|---------------|-----------------|
| Abraham      | Garrett       | Messer          |
| Allen        | Gibbs         | Mooney (WV)     |
| Amash        | Gohmert       | Mullin          |
| Babin        | Goodlatte     | Murphy (PA)     |
| Banks (IN)   | Gosar         | Norman          |
| Barr         | Gowdy         | Olson           |
| Barton       | Graves (GA)   | Palmer          |
| Biggs        | Griffith      | Pearce          |
| Bilirakis    | Grothman      | Perry           |
| Bishop (UT)  | Harper        | Pittenger       |
| Blackburn    | Harris        | Poe (TX)        |
| Blum         | Hensarling    | Posey           |
| Brat         | Hice, Jody B. | Ratcliffe       |
| Bridenstine  | Higgins (LA)  | Renacci         |
| Brooks (AL)  | Hudson        | Rohrabacher     |
| Buck         | Huizenga      | Rokita          |
| Budd         | Hunter        | Rooney, Francis |
| Burgess      | Jenkins (WV)  | Rothfus         |
| Byrne        | Johnson (LA)  | Rouzer          |
| Carter (GA)  | Johnson, Sam  | Royce (CA)      |
| Chabot       | Jordan        | Scott, Austin   |
| Cheney       | Kelly (MS)    | Sensenbrenner   |
| Collins (GA) | King (IA)     | Smith (MO)      |
| Comer        | Labrador      | Stewart         |
| Cramer       | LaHood        | Taylor          |
| Crawford     | LaMalfa       | Wagner          |
| Davidson     | Lamborn       | Walberg         |
| DeSantis     | Latta         | Weber (TX)      |
| DesJarlais   | Loudermilk    | Webster (FL)    |
| Duffy        | Love          | Webster (FL)    |
| Duncan (SC)  | Lucas         | Westerman       |
| Duncan (TN)  | Luetkemeyer   | Williams        |
| Dunn         | Marchant      | Wilson (SC)     |
| Estes (KS)   | Marshall      | Wittman         |
| Farenthold   | Massie        | Yoho            |
| Flores       | Mast          | Young (AK)      |
| Franks (AZ)  | McCaul        | Young (IA)      |
| Gaetz        | McKinley      | Zeldin          |
| Gallagher    | Meadows       |                 |

## NOES—309

|                 |                |                 |
|-----------------|----------------|-----------------|
| Adams           | Comstock       | Gallego         |
| Aderholt        | Conaway        | Garamendi       |
| Aguilar         | Connolly       | Gianforte       |
| Amodei          | Conyers        | Gomez           |
| Arrington       | Cook           | Gonzalez (TX)   |
| Bacon           | Cooper         | Gottheimer      |
| Barletta        | Correa         | Granger         |
| Barragán        | Costa          | Graves (LA)     |
| Bass            | Courtney       | Graves (MO)     |
| Beatty          | Crist          | Green, Al       |
| Bera            | Crowley        | Green, Gene     |
| Bergman         | Cuellar        | Grijalva        |
| Beyer           | Culberson      | Guthrie         |
| Bishop (GA)     | Curbelo (FL)   | Gutiérrez       |
| Bishop (MI)     | Davis (CA)     | Hanabusa        |
| Black           | Davis, Danny   | Handel          |
| Blumenauer      | Davis, Rodney  | Hartzler        |
| Blunt Rochester | DeFazio        | Hastings        |
| Bonamici        | DeGette        | Heck            |
| Bost            | Delaney        | Herrera Beutler |
| Boyle, Brendan  | DeLauro        | Higgins (NY)    |
| F.              | DelBene        | Hill            |
| Brady (PA)      | Demings        | Himes           |
| Brady (TX)      | Denham         | Holding         |
| Brooks (IN)     | Dent           | Hoyer           |
| Brown (MD)      | DeSaulnier     | Huffman         |
| Brownley (CA)   | Deutch         | Hultgren        |
| Buchanan        | Diaz-Balart    | Hurd            |
| Bucshon         | Dingell        | Issa            |
| Bustos          | Doggett        | Jackson Lee     |
| Butterfield     | Donovan        | Jayapal         |
| Calvert         | Doyle, Michael | Jenkins (KS)    |
| Capuano         | F.             | Johnson (GA)    |
| Carbajal        | Ellison        | Johnson (OH)    |
| Cárdenas        | Emmer          | Johnson, E. B.  |
| Carson (IN)     | Engel          | Jones           |
| Carter (TX)     | Eshoo          | Joyce (OH)      |
| Cartwright      | Españillat     | Kaptur          |
| Castor (FL)     | Esty (CT)      | Katko           |
| Castro (TX)     | Evans          | Keating         |
| Chu, Judy       | Faso           | Kelly (IL)      |
| Ciilline        | Ferguson       | Kelly (PA)      |
| Clark (MA)      | Fitzpatrick    | Kennedy         |
| Clarke (NY)     | Fleischmann    | Khanna          |
| Clay            | Fortenberry    | Kihuen          |
| Cleaver         | Foster         | Kildee          |
| Clyburn         | Fox            | Kilmer          |
| Coffman         | Frankel (FL)   | Kind            |
| Cohen           | Frelinghuysen  | King (NY)       |
| Cole            | Fudge          | Kinzing         |
| Collins (NY)    | Gabbard        | Knight          |

|                |                |                |
|----------------|----------------|----------------|
| Krishnamoorthi | O'Halleran     | Sherman        |
| Kuster (NH)    | O'Rourke       | Shimkus        |
| Kustoff (TN)   | Palazzo        | Shuster        |
| Lance          | Pallone        | Simpson        |
| Langevin       | Panetta        | Sinema         |
| Larsen (WA)    | Pascarella     | Sires          |
| Larson (CT)    | Paulsen        | Slaughter      |
| Lawrence       | Payne          | Smith (NE)     |
| Lawson (FL)    | Pelosi         | Smith (NJ)     |
| Lee            | Perlmutter     | Smith (TX)     |
| Levin          | Peters         | Smith (WA)     |
| Lewis (GA)     | Peterson       | Soto           |
| Lewis (MN)     | Pingree        | Speier         |
| Lieu, Ted      | Pocan          | Stefanik       |
| Lipinski       | Poliquin       | Stivers        |
| LoBiondo       | Polis          | Suozzi         |
| Loeb           | Price (NC)     | Swalwell (CA)  |
| Lofgren        | Quigley        | Takano         |
| Long           | Raskin         | Tenney         |
| Lowenthal      | Reed           | Thompson (CA)  |
| Lowe           | Reichert       | Thompson (MS)  |
| Lujan Grisham, | Rice (NY)      | Thompson (PA)  |
| M.             | Rice (SC)      | Thornberry     |
| Luján, Ben Ray | Richmond       | Tiberi         |
| Lynch          | Roby           | Tipton         |
| MacArthur      | Roe (TN)       | Titus          |
| Maloney, Sean  | Rogers (AL)    | Tonko          |
| Marino         | Rogers (KY)    | Torres         |
| Matsui         | Rooney, Thomas | Trott          |
| McCarthy       | J.             | Tsongas        |
| McClintock     | Ros-Lehtinen   | Turner         |
| McCollum       | Rosen          | Upton          |
| McEachin       | Roskam         | Valadao        |
| McGovern       | Ross           | Vargas         |
| McHenry        | Roybal-Allard  | Veasey         |
| McMorris       | Ruiz           | Vela           |
| Rodgers        | Ruppersberger  | Velázquez      |
| McNerney       | Rush           | Visclosky      |
| McSally        | Russell        | Walden         |
| Meehan         | Rutherford     | Walker         |
| Meeks          | Sánchez        | Walorski       |
| Meng           | Sanford        | Walters, Mimi  |
| Mitchell       | Sarbanes       | Walz           |
| Moolenaar      | Schakowsky     | Wasserman      |
| Moore          | Schiff         | Schultz        |
| Moulton        | Schneider      | Waters, Maxine |
| Murphy (FL)    | Schrader       | Watson Coleman |
| Nadler         | Schweikert     | Welch          |
| Neal           | Scott (VA)     | Wilson (FL)    |
| Newhouse       | Scott, David   | Womack         |
| Noem           | Serrano        | Woodall        |
| Nolan          | Sessions       | Yarmuth        |
| Norcross       | Sewell (AL)    | Yoder          |
| Nunes          | Shea-Porter    |                |

## NOT VOTING—8

|               |            |            |
|---------------|------------|------------|
| Costello (PA) | Jeffries   | Napolitano |
| Cummings      | Maloney,   | Ryan (OH)  |
| Hollingsworth | Carolyn B. | Scalise    |

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. COLLINS of Georgia) (during the vote). There is 1 minute remaining.

□ 2253

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 7 OFFERED BY MR. TAKANO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. TAKANO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. All Members are reminded we are in a 2-minute vote series. Please stay close to the floor.

This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 191, noes 236, not voting 6, as follows:

[Roll No. 418]

## AYES—191

|                 |                |                |
|-----------------|----------------|----------------|
| Adams           | Fudge          | Nolan          |
| Aguilar         | Gallego        | Norman         |
| Amash           | Garamendi      | O'Halleran     |
| Barragán        | Gomez          | O'Rourke       |
| Bass            | Gonzalez (TX)  | Pallone        |
| Beatty          | Granger        | Panetta        |
| Bera            | Green, Al      | Payne          |
| Beyer           | Grijalva       | Pelosi         |
| Bishop (GA)     | Gutiérrez      | Perlmutter     |
| Blumenauer      | Hanabusa       | Peters         |
| Blunt Rochester | Hastings       | Pingree        |
| Bonamici        | Heck           | Pocan          |
| Boyle, Brendan  | Higgins (NY)   | Polis          |
| F.              | Himes          | Price (NC)     |
| Brown (MD)      | Hoyer          | Quigley        |
| Brownley (CA)   | Huffman        | Raskin         |
| Bustos          | Hultgren       | Rice (NY)      |
| Butterfield     | Jackson Lee    | Richmond       |
| Carbajal        | Jayapal        | Ros-Lehtinen   |
| Cárdenas        | Johnson (GA)   | Rosen          |
| Carson (IN)     | Johnson, E. B. | Roybal-Allard  |
| Cartwright      | Kaptur         | Ruiz           |
| Castor (FL)     | Keating        | Ruppersberger  |
| Castro (TX)     | Kelly (IL)     | Rush           |
| Chu, Judy       | Kennedy        | Russell        |
| Ciilline        | Khanna         | Ryan (OH)      |
| Clark (MA)      | Kihuen         | Sánchez        |
| Clarke (NY)     | Kildee         | Sarbanes       |
| Clay            | Kilmer         | Schakowsky     |
| Cleaver         | Kind           | Schiff         |
| Clyburn         | Krishnamoorthi | Schneider      |
| Cohen           | Kuster (NH)    | Scott (VA)     |
| Connolly        | Lance          | Scott, David   |
| Conyers         | Langevin       | Serrano        |
| Cooper          | Larsen (WA)    | Sewell (AL)    |
| Correa          | Larson (CT)    | Shea-Porter    |
| Costa           | Lawrence       | Sherman        |
| Courtney        | Lawson (FL)    | Sinema         |
| Crist           | Lee            | Slaughter      |
| Crowley         | Levin          | Smith (TX)     |
| Cuellar         | Lewis (GA)     | Smith (WA)     |
| Curbelo (FL)    | Lieu, Ted      | Soto           |
| Davis (CA)      | Lipinski       | Speier         |
| Davis, Danny    | Loeb           | Suozzi         |
| DeFazio         | Lofgren        | Swalwell (CA)  |
| DeGette         | Loudermilk     | Takano         |
| Delaney         | Lowenthal      | Thompson (CA)  |
| DeLauro         | Lowe           | Thompson (MS)  |
| DelBene         | Lujan Grisham, | Titus          |
| Demings         | M.             | Tonko          |
| DeSaulnier      | Luján, Ben Ray | Torres         |
| Deutch          | Lynch          | Tsongas        |
| Dingell         | Maloney, Sean  | Vargas         |
| Doggett         | Marchant       | Veasey         |
| Doyle, Michael  | Matsui         | Vela           |
| F.              | McCaul         | Velázquez      |
| Ellison         | McEachin       | Visclosky      |
| Engel           | McGovern       | Walz           |
| Eshoo           | McNerney       | Wasserman      |
| Españillat      | Meeks          | Schultz        |
| Esty (CT)       | Meng           | Waters, Maxine |
| Evans           | Moore          | Watson Coleman |
| Farenthold      | Moulton        | Welch          |
| Foster          | Murphy (FL)    | Wilson (FL)    |
| Frankel (FL)    | Nadler         | Yarmuth        |

## NOES—236

|             |             |               |
|-------------|-------------|---------------|
| Abraham     | Brady (PA)  | Collins (GA)  |
| Aderholt    | Brady (TX)  | Collins (NY)  |
| Allen       | Brat        | Comer         |
| Amodei      | Bridenstine | Comstock      |
| Arrington   | Brooks (AL) | Conaway       |
| Babin       | Brooks (IN) | Cook          |
| Bacon       | Buchanan    | Cramer        |
| Banks (IN)  | Buck        | Crawford      |
| Barletta    | Bucshon     | Culberson     |
| Barr        | Budd        | Davidson      |
| Barton      | Burgess     | Davis, Rodney |
| Bergman     | Byrne       | Denham        |
| Biggs       | Calvert     | Dent          |
| Bilirakis   | Capuano     | DeSantis      |
| Bishop (MI) | Carter (GA) | DesJarlais    |
| Bishop (UT) | Carter (TX) | Diaz-Balart   |
| Black       | Chabot      | Donovan       |
| Blackburn   | Cheney      | Duncan (SC)   |
| Blum        | Coffman     | Duncan (TN)   |
| Bost        | Cole        |               |

Dunn  
Emmer  
Estes (KS)  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gabbard  
Gaetz  
Gallagher  
Garrett  
Gianforte  
Gibbs  
Gohmert  
Goodlatte  
Gosar  
Gottheimer  
Gowdy  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green, Gene  
Griffith  
Grothman  
Guthrie  
Hadel  
Harper  
Harris  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hudson  
Huizenga  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight

Kustoff (TN)  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Latta  
Lewis (MN)  
LoBiondo  
Long  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Maloney  
Carolyn B.  
Marino  
Marshall  
Massie  
Mast  
McCarthy  
McClintock  
McCollum  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Murphy (PA)  
Neal  
Newhouse  
Noem  
Norcross  
Nunes  
Olson  
Palazzo  
Palmer  
Pascrell  
Paulsen  
Pearce  
Perry  
Peterson  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)

## NOT VOTING—6

Costello (PA)  
Cummings

Hollingsworth  
Jeffries

Napolitano  
Scalis

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 2257

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

Stated again:

Mr. LOUDERMILK. Mr. Chair, on rollcall No. 418, I mistakenly voted “yes” when I intended to vote “no.”

AMENDMENT NO. 23 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 178, noes 249, not voting 6, as follows:

[Roll No. 419]

AYES—178

Abraham  
Aderholt  
Allen  
Amash  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barr  
Barton  
Bergman  
Biggs  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Constock  
Conaway  
Long  
Cramer  
Crawford  
Culberson  
Davidson  
Dent  
DeSantis  
DesJarlais  
Duncan (SC)  
Duncan (TN)  
Dunn  
Estes (KS)  
Farenthold  
Ferguson  
Fleischmann  
Flores  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gaetz

Gallagher  
Garrett  
Gibbs  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Griffith  
Grothman  
Guthrie  
Hadel  
Harper  
Harris  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hudson  
Huizenga  
Hurd  
Issa  
Jenkins (KS)  
Johnson (LA)  
Johnson, Sam  
Jones  
Jordan  
Kelly (MS)  
King (IA)  
Kustoff (TN)  
Labrador  
LaMalfa  
Lamborn  
Latta  
Taylor  
Thompson (PA)  
Thornberry  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Mooney (WV)  
Mullin

Noem  
Norman  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger  
Poe (TX)  
Posey  
Ratcliffe  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Rutherford  
Sanford  
Schradler  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Sires  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Mooney (WV)  
Mullin

NOES—249

Adams  
Aguilar  
Amodei  
Barletta  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Bost  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)

Bucshon  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cardenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly

Conyers  
Cook  
Cooper  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Cuellar  
Curbelo (FL)  
Davis (CA)  
Davis, Danny  
Davis, Rodney  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Demings

Denham  
DeSaulnier  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Donovan  
Doyle, Michael  
F.  
Duffy  
Ellison  
Emmer  
Engel  
Eshoo  
Espallat  
Esty (CT)  
Evans  
Faso  
Fitzpatrick  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gianforte  
Gomez  
Gonzalez (TX)  
Gottheimer  
Graves (MO)  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Hultgren  
Hunter  
Jackson Lee  
Jayapal  
Jenkins (WV)  
Johnson (GA)  
Johnson (OH)  
Johnson, E. B.  
Joyce (OH)  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kelly (PA)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
King (NY)  
Kinzinger  
Knight  
Krishnamoorthi  
Kuster (NH)

LaHood  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lewis (MN)  
Lieu, Ted  
Lipinski  
LoBiondo  
Loebach  
Lofgren  
Lowenthal  
Lowey  
Lujan Grisham, M.  
Luján, Ben Ray  
Lynch  
MacArthur  
Maloney, Carolyn B.  
Maloney, Sean  
Marino  
Mast  
Matsui  
McCollum  
McEachin  
McGovern  
McKinley  
McNerney  
Meehan  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Murphy (PA)  
Nadler  
Neal  
Newhouse  
Nolan  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascrell  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Poliquin  
Polis  
Price (NC)  
Quigley  
Raskin  
Reed  
Reichert  
Renacci

Rice (NY)  
Richmond  
Ros-Lehtinen  
Rosen  
Roskam  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Scott (VA)  
Scott, Austin  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (NJ)  
Smith (WA)  
Soto  
Speier  
Stefanik  
Stivers  
Suozi  
Swalwell (CA)  
Takano  
Tenney  
Thompson (CA)  
Thompson (MS)  
Tiberi  
Titus  
Tonko  
Torres  
Tsongas  
Turner  
Upton  
Valadao  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walden  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth  
Young (AK)  
Zeldin

## NOT VOTING—6

Costello (PA)  
Cummings

Hollingsworth  
Jeffries

Napolitano  
Scalise

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 2300

Messrs. GAETZ and JONES changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

AMENDMENT NO. 38 OFFERED BY MS. CASTOR OF FLORIDA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Florida (Ms. CASTOR) on which further proceedings were postponed and on which the noes prevailed by voice vote.



The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

# RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 246, not voting 6, as follows:

[Roll No. 420]

## AYES—181

|                 |                |                |
|-----------------|----------------|----------------|
| Adams           | Garamendi      | O'Rourke       |
| Aguilar         | Gomez          | Pallone        |
| Amash           | Gottheimer     | Panetta        |
| Barragán        | Green, Al      | Pascarell      |
| Bass            | Grijalva       | Payne          |
| Bera            | Gutiérrez      | Pelosi         |
| Beyer           | Hanabusa       | Perlmutter     |
| Bishop (GA)     | Hastings       | Peters         |
| Blum            | Heck           | Pingree        |
| Blumenauer      | Higgins (NY)   | Pocan          |
| Blunt Rochester | Hoyer          | Polis          |
| Bonamici        | Huffman        | Price (NC)     |
| Boyle, Brendan  | Jackson Lee    | Quigley        |
| F.              | Jayapal        | Raskin         |
| Brady (PA)      | Johnson (GA)   | Reichert       |
| Brown (MD)      | Johnson, E. B. | Rice (NY)      |
| Brownley (CA)   | Katko          | Ros-Lehtinen   |
| Bustos          | Keating        | Rosen          |
| Butterfield     | Kelly (IL)     | Roybal-Allard  |
| Capuano         | Kennedy        | Ruiz           |
| Carbajal        | Khanna         | Ruppersberger  |
| Cárdenas        | Kihuen         | Rush           |
| Carson (IN)     | Kildee         | Ryan (OH)      |
| Cartwright      | Kilmer         | Sánchez        |
| Castor (FL)     | Kind           | Sanford        |
| Castro (TX)     | King (IA)      | Sarbanes       |
| Chu, Judy       | Krishnamoorthi | Schakowsky     |
| Ciicilline      | Kuster (NH)    | Schiff         |
| Clark (MA)      | Langevin       | Schrader       |
| Clarke (NY)     | Lawrence       | Scott (VA)     |
| Clay            | Lawson (FL)    | Scott, David   |
| Cleaver         | Lee            | Serrano        |
| Clyburn         | Levin          | Sewell (AL)    |
| Cohen           | Lewis (GA)     | Shea-Porter    |
| Connolly        | Lieu, Ted      | Sherman        |
| Conyers         | Lipinski       | Sires          |
| Cooper          | Loeback        | Slaughter      |
| Crist           | Lofgren        | Smith (WA)     |
| Crowley         | Lowenthal      | Soto           |
| Curbelo (FL)    | Lowey          | Speier         |
| Davis (CA)      | Lujan Grisham, | Suozi          |
| Davis, Danny    | M.             | Swalwell (CA)  |
| DeFazio         | Luján, Ben Ray | Takano         |
| DeGette         | Lynch          | Thompson (CA)  |
| Delaney         | Maloney,       | Titus          |
| DelBene         | Carolyn B.     | Tonko          |
| Demings         | Maloney, Sean  | Torres         |
| DeSaulnier      | Matsui         | Tsongas        |
| Deutch          | McCollum       | Vargas         |
| Dingell         | McEachin       | Vela           |
| Doggett         | McGovern       | Velázquez      |
| Ellison         | McNerney       | Visclosky      |
| Engel           | Meeks          | Walz           |
| Eshoo           | Meng           | Wasserman      |
| Espallat        | Moore          | Schultz        |
| Evans           | Moulton        | Waters, Maxine |
| Fitzpatrick     | Murphy (FL)    | Watson Coleman |
| Foster          | Nadler         | Welch          |
| Frankel (FL)    | Neal           | Wilson (FL)    |
| Fudge           | Nolan          | Yarmuth        |
| Gabbard         | Norcross       | Young (IA)     |
| Galleo          | O'Halleran     |                |

## NOES—246

|            |             |             |
|------------|-------------|-------------|
| Abraham    | Beatty      | Bridenstine |
| Aderholt   | Bergman     | Brooks (AL) |
| Allen      | Biggs       | Brooks (IN) |
| Amodei     | Bilirakis   | Buchanan    |
| Arrington  | Bishop (MI) | Buck        |
| Babin      | Bishop (UT) | Bucshon     |
| Bacon      | Black       | Budd        |
| Banks (IN) | Blackburn   | Burgess     |
| Barletta   | Bost        | Byrne       |
| Barr       | Brady (TX)  | Calvert     |
| Barton     | Brat        | Carter (GA) |

|                 |              |                 |
|-----------------|--------------|-----------------|
| Carter (TX)     | Himes        | Poe (TX)        |
| Chabot          | Holding      | Poliquin        |
| Cheney          | Hudson       | Posey           |
| Coffman         | Huizenga     | Ratcliffe       |
| Cole            | Hultgren     | Reed            |
| Collins (GA)    | Hunter       | Renacci         |
| Collins (NY)    | Hurd         | Rice (SC)       |
| Comer           | Issa         | Richmond        |
| Comstock        | Jenkins (KS) | Roby            |
| Conaway         | Jenkins (WV) | Roe (TN)        |
| Cook            | Johnson (LA) | Rogers (AL)     |
| Correa          | Johnson (OH) | Rogers (KY)     |
| Costa           | Johnson, Sam | Rohrabacher     |
| Courtney        | Jones        | Rokita          |
| Cramer          | Jordan       | Rooney, Francis |
| Crawford        | Joyce (OH)   | Rooney, Thomas  |
| Cuellar         | Kaptur       | J.              |
| Culberson       | Kelly (MS)   | Roskam          |
| Davidson        | Kelly (PA)   | Ross            |
| Davis, Rodney   | King (NY)    | Rothfus         |
| DeLauro         | Kinzing      | Rouzer          |
| Denham          | Knigh        | Royce (CA)      |
| Dent            | Kustoff (TN) | Russell         |
| DeSantis        | Labrador     | Rutherford      |
| DesJarlais      | LaHood       | Schneider       |
| Diaz-Balart     | LaMalfa      | Schweikert      |
| Donovan         | Lamborn      | Scott, Austin   |
| Doyle, Michael  | Lance        | Sensenbrenner   |
| F.              | Larsen (WA)  | Sessions        |
| Duffy           | Larson (CT)  | Shimkus         |
| Duncan (SC)     | Latta        | Shuster         |
| Duncan (TN)     | Lewis (MN)   | Simpson         |
| Dunn            | LoBlondo     | Sinema          |
| Emmer           | Long         | Smith (MO)      |
| Estes (KS)      | Loudermilk   | Smith (NE)      |
| Esty (CT)       | Love         | Smith (NJ)      |
| Farenthold      | Lucas        | Smith (TX)      |
| Faso            | Luetkemeyer  | Smucker         |
| Ferguson        | MacArthur    | Stefanik        |
| Fleischmann     | Marchant     | Stewart         |
| Flores          | Marino       | Stivers         |
| Fortenberry     | Marshall     | Taylor          |
| Fox             | Massie       | Tenney          |
| Franks (AZ)     | Mast         | Thompson (MS)   |
| Frelinghuysen   | McCarthy     | Thompson (PA)   |
| Gaetz           | McCaul       | Thornberry      |
| Gallagher       | McClintock   | Tiberi          |
| Garrett         | McHenry      | Tipton          |
| Gianforte       | McKinley     | Trott           |
| Gibbs           | McMorris     | Turner          |
| Gohmert         | Rodgers      | Upton           |
| Gonzalez (TX)   | McSally      | Valadao         |
| Goodlatte       | Meadows      | Veasey          |
| Gosar           | Meehan       | Wagner          |
| Gowdy           | Messer       | Walberg         |
| Granger         | Mitchell     | Walden          |
| Graves (GA)     | Mooleenaar   | Walker          |
| Graves (LA)     | Mooney (WV)  | Walorski        |
| Graves (MO)     | Mullin       | Walters, Mimi   |
| Green, Gene     | Murphy (PA)  | Weber (TX)      |
| Griffith        | Newhouse     | Webster (FL)    |
| Grothman        | Noem         | Wenstrup        |
| Guthrie         | Norman       | Westerman       |
| Handel          | Nunes        | Williams        |
| Harper          | Olson        | Wilson (SC)     |
| Harris          | Palazzo      | Wittman         |
| Hartzler        | Palmer       | Womack          |
| Hensarling      | Paulsen      | Woodall         |
| Herrera Beutler | Pearce       | Yoder           |
| Hice, Jody B.   | Perry        | Yoho            |
| Higgins (LA)    | Peterson     | Young (AK)      |
| Hill            | Pittenger    | Zeldin          |

## NOT VOTING—6

|               |               |            |
|---------------|---------------|------------|
| Costello (PA) | Hollingsworth | Napolitano |
| Cummings      | Jeffries      | Scalise    |

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 2303

Mr. WELCH changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 39 OFFERED BY MR. NORCROSS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. NOR-

CROSS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

# RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 241, not voting 6, as follows:

[Roll No. 421]

## AYES—186

|                 |                |                |
|-----------------|----------------|----------------|
| Adams           | Garamendi      | Pallone        |
| Aguilar         | Gomez          | Panetta        |
| Amash           | Gottheimer     | Pascarell      |
| Barragán        | Green, Al      | Payne          |
| Bass            | Grijalva       | Pelosi         |
| Beatty          | Gutiérrez      | Perlmutter     |
| Bera            | Hanabusa       | Peters         |
| Beyer           | Hastings       | Pingree        |
| Bishop (GA)     | Heck           | Pocan          |
| Blum            | Higgins (NY)   | Polis          |
| Blumenauer      | Hoyer          | Price (NC)     |
| Blunt Rochester | Huffman        | Quigley        |
| Bonamici        | Jackson Lee    | Raskin         |
| Boyle, Brendan  | Jayapal        | Reichert       |
| F.              | Johnson (GA)   | Rice (NY)      |
| Brady (PA)      | Johnson, E. B. | Rice (SC)      |
| Brooks (AL)     | Katko          | Ros-Lehtinen   |
| Brown (MD)      | Keating        | Rosen          |
| Brownley (CA)   | Kelly (IL)     | Roybal-Allard  |
| Bustos          | Kennedy        | Ruiz           |
| Butterfield     | Khanna         | Ruppersberger  |
| Capuano         | Kihuen         | Rush           |
| Carbajal        | Kildee         | Ryan (OH)      |
| Cárdenas        | Kilmer         | Sánchez        |
| Carson (IN)     | Kind           | Sanford        |
| Cartwright      | King (IA)      | Sarbanes       |
| Castor (FL)     | Krishnamoorthi | Schakowsky     |
| Castro (TX)     | Kuster (NH)    | Schiff         |
| Chu, Judy       | Langevin       | Schrader       |
| Ciicilline      | Larsen (WA)    | Scott (VA)     |
| Clark (MA)      | Lawrence       | Scott, David   |
| Clarke (NY)     | Lawson (FL)    | Serrano        |
| Clay            | Lee            | Sewell (AL)    |
| Cleaver         | Levin          | Shea-Porter    |
| Clyburn         | Lewis (GA)     | Sherman        |
| Cohen           | Lieu, Ted      | Sires          |
| Connolly        | Lipinski       | Slaughter      |
| Conyers         | Loeback        | Smith (WA)     |
| Cooper          | Lofgren        | Soto           |
| Crist           | Lowenthal      | Speier         |
| Crowley         | Lowey          | Suozi          |
| Curbelo (FL)    | Lujan Grisham, | Swalwell (CA)  |
| Davis (CA)      | M.             | Takano         |
| Davis, Danny    | Luján, Ben Ray | Thompson (CA)  |
| DeFazio         | Lynch          | Titus          |
| DeGette         | Maloney,       | Tonko          |
| Delaney         | Carolyn B.     | Torres         |
| Demings         | Maloney, Sean  | Tsongas        |
| DeSaulnier      | Matsui         | Vargas         |
| Deutch          | McCollum       | Veasey         |
| Dingell         | McEachin       | Vela           |
| Doggett         | McGovern       | Velázquez      |
| Ellison         | McNerney       | Visclosky      |
| Engel           | Meeks          | Walz           |
| Eshoo           | Meng           | Wasserman      |
| Espallat        | Moore          | Schultz        |
| Evans           | Moulton        | Waters, Maxine |
| Fitzpatrick     | Murphy (FL)    | Watson Coleman |
| Foster          | Nadler         | Welch          |
| Frankel (FL)    | Neal           | Wilson (FL)    |
| Fudge           | Nolan          | Yarmuth        |
| Gabbard         | Norcross       | Young (IA)     |
| Galleo          | O'Halleran     |                |
|                 | O'Rourke       |                |

## NOES—241

|           |            |             |
|-----------|------------|-------------|
| Abraham   | Babin      | Barton      |
| Aderholt  | Bacon      | Bergman     |
| Allen     | Banks (IN) | Biggs       |
| Amodei    | Barletta   | Bilirakis   |
| Arrington | Barr       | Bishop (MI) |

Bishop (UT) Grothman Paulsen  
Black Guthrie Pearce  
Blackburn Handel Perry  
Bost Harper Peterson  
Brady (TX) Harris Pittenger  
Brat Hartzler Poe (TX)  
Bridenstine Hensarling Poliquin  
Brooks (IN) Herrera Beutler Posey  
Buchanan Hice, Jody B. Ratcliffe  
Buck Higgins (LA) Reed  
Bucshon Hill Renacci  
Budd Himes Richmond  
Burgess Holding Roby  
Byrne Hudson Roe (TN)  
Calvert Huizenga Rogers (AL)  
Carter (GA) Hultgren Rogers (KY)  
Carter (TX) Hunter Rohrabacher  
Chabot Hurd Rokita  
Cheney Issa Rooney, Francis  
Coffman Jenkins (KS) J.  
Cole Jenkins (WV) Roskam  
Collins (GA) Johnson (LA) Ross  
Collins (NY) Johnson (OH) Rothfus  
Comer Johnson, Sam Rouzer  
Comstock Jones Royce (CA)  
Conaway Jordan Russell  
Cook Joyce (OH) Ruthford  
Correa Kaptur Schneider  
Costa Kelly (MS) Schweikert  
Courtney Kelly (PA) Scott, Austin  
Cramer King (NY) Sensenbrenner  
Crawford Kinzinger Sessions  
Cuellar Knight Shimkus  
Culberson Kustoff (TN) Shuster  
Davidson Labrador Simpson  
Davis, Rodney LaHood Sinema  
DeLauro LaMalfa Smith (MO)  
Denham Lamborn Smith (NE)  
Dent Lance Smith (NJ)  
DeSantis Larson (CT) Smith (TX)  
DesJarlais Latta Smucker  
Diaz-Balart Lewis (MN) Stefanik  
Donovan LoBiondo Stewart  
Doyle, Michael Long Stivers  
F. Loudermilk Taylor  
Duffy Love Tenney  
Duncan (SC) Lucas Thompson (MS)  
Duncan (TN) Luetkemeyer Thompson (PA)  
Dunn MacArthur Thornberry  
Emmer Marchant Tiberi  
Estes (KS) Marino Tipton  
Esty (CT) Marshall Trott  
Farenthold Massie Turner  
Faso Mast Upton  
Ferguson McCarthy Valadao  
Fleischmann McCaul Wagner  
Flores McClintock Walberg  
Fortenberry McHenry Walden  
Foxy McKinley Walker  
Franks (AZ) McMorris Walorski  
Frelinghuysen Rodgers Walters, Mimi  
Gaetz McSally Weber (TX)  
Gallagher Meadows Webster (FL)  
Garrett Meehan Wenstrup  
Gianforte Messer Westerman  
Gibbs Mitchell Williams  
Gohmert Moolenaar Wittman  
Gonzalez (TX) Mooney (WV) Womack  
Goodlatte Mullin Woodall  
Gosar Murphy (PA) Yoder  
Gowdy Newhouse Yoho  
Granger Noem Young (AK)  
Graves (GA) Norman Zeldin  
Graves (LA) Nunes  
Graves (MO) Olson  
Green, Gene Palazzo  
Griffith Palmer

## NOT VOTING—6

Costello (PA) Hollingsworth Napolitano  
Cummings Jeffries Scalise

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 2306

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

AMENDMENT NO. 44 OFFERED BY MS. ESTY OF  
CONNECTICUT

The Acting CHAIR. The unfinished  
business is the demand for a recorded

vote on the amendment offered by the  
gentlewoman from Connecticut (Ms.  
ESTY) on which further proceedings  
were postponed and on which the noes  
prevailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 203, noes 224,  
not voting 6, as follows:

[Roll No. 422]

## AYES—203

Adams Gallego Pallone  
Aguilar Garamendi Panetta  
Amash Gomez Pascarell  
Bacon Gottheimer Payne  
Barragan Green, Al Pelosi  
Bass Grijalva Perlmutter  
Bera Gutierrez Peters  
Beyer Hanabusa Pingree  
Bishop (GA) Hastings Pocan  
Blum Heck Poliquin  
Blumenauer Higgins (NY) Polis  
Blunt Rochester Himes Price (NC)  
Bonamici Hoyer Pollis  
Boyle, Brendan Huffman Raskin  
F. Jackson Lee Reed  
Brady (PA) Jayapal Reichert  
Brooks (AL) Johnson (GA) Rice (NY)  
Brown (MD) Johnson, E. B. Rice (SC)  
Brownley (CA) Kaptur Rosen  
Bustos Katko Roybal-Allard  
Butterfield Keating Ruiz  
Capuano Kelly (IL) Ruppertsberger  
Carbajal Kennedy Rush  
Cardenas Khanna Ryan (OH)  
Carson (IN) Kihuen Sanchez  
Cartwright Kildee Sanford  
Castor (FL) Kilmer Sarbanes  
Castro (TX) Kind Schakowsky  
Chu, Judy King (IA) Schiff  
Cicilline Krishnamoorthi Schneider  
Clark (MA) Kuster (NH) Schrader  
Clarke (NY) Langevin Scott (VA)  
Clay Larsen (WA) Scott, David  
Cleaver Larson (CT) Serrano  
Clyburn Lawrence Sewell (AL)  
Coffman Lawson (FL) Shea-Porter  
Cohen Lee Sherman  
Connolly Levin Sinema  
Conyers Lewis (GA) Sires  
Cooper Lieu, Ted Slaughter  
Costa Lipinski Smith (NJ)  
Courtney LoBiondo Smith (WA)  
Crist Loebsack Soto  
Crowley Lofgren Soto  
Davis (CA) Lowenthal Speier  
Davis, Danny Lowey Stefanik  
DeFazio Lujan Grisham, M.  
DeGette M. Lujan, Ben Ray  
Delaney DelBene Lynch  
DeLauro Maloney, Carolyn B.  
DelBene Maloney, Sean  
Demings Mast  
DeSaulnier Matsui  
Deutch Dingell McCollum  
Dingell Doggett McEachin  
Doyle, Michael F. McGovern  
Ellison McNeerney Meeks  
Engel Meeks Meng  
Eshoo Moore  
Espaillat Moulton  
Esty (CT) Murphy (FL)  
Evans Nadler  
Faso Neal  
Fitzpatrick Nolan  
Fortenberry Norcross  
Foster O'Halleran  
Frankel (FL) O'Rourke  
Gabbard

Abraham Goodlatte Norman  
Aderholt Gosar Nunes  
Allen Gowdy Olson  
Amodei Granger Palazzo  
Arrington Graves (GA) Palmer  
Babin Graves (LA) Paulsen  
Banks (IN) Graves (MO) Pearce  
Barletta Green, Gene Perry  
Barr Griffith Peterson  
Barton Grothman Pittenger  
Beatty Guthrie Poe (TX)  
Bergman Handel Posey  
Biggs Harper Ratcliffe  
Bilirakis Harris Renacci  
Bishop (MI) Hartzler Richmond  
Bishop (UT) Hensarling Roby  
Black Herrera Beutler Roe (TN)  
Blackburn Hice, Jody B. Rogers (AL)  
Bost Higgins (LA) Rogers (KY)  
Brady (TX) Hill Rohrabacher  
Brat Holding Rokita  
Bridenstine Hudson Rooney, Francis  
Brooks (IN) Huizenga Rooney, Thomas  
Buchanan Hultgren J.  
Buck Hunter Ros-Lehtinen  
Bucshon Hurd Roskam  
Budd Issa Ross  
Burgess Jenkins (KS) Rothfus  
Byrne Jenkins (WV) Rouzer  
Calvert Johnson (LA) Royce (CA)  
Carter (GA) Johnson (OH) Russell  
Carter (TX) Johnson, Sam Rutherford  
Chabot Jones Schweikert  
Cheney Jordan Scott, Austin  
Cole Joyce (OH) Sensenbrenner  
Collins (GA) Kelly (MS) Sessions  
Collins (NY) Kelly (PA) Shimkus  
Comer King (NY) Shuster  
Comstock Kinzinger Simpson  
Conaway Knight Smith (MO)  
Cook Kustoff (TN) Smith (NE)  
Correa Labrador Smith (TX)  
Cramer LaHood Smucker  
Crawford LaMalfa Stewart  
Cuellar Lamborn Stivers  
Culberson Lance Taylor  
Curbelo (FL) Latta Tenney  
Davidson Lewis (MN) Thompson (PA)  
Davis, Rodney Long Loudermilk  
Denham Love Thornberry  
Dent Lucas Tiberi  
DeSantis Luetkemeyer Tipton  
DesJarlais MacArthur Trott  
Diaz-Balart Marchant Turner  
Donovan Marino Valadao  
Duffy Marshall Veasey  
Duncan (SC) Massie Wagner  
Duncan (TN) McCarthy Walberg  
Dunn McCaul Walden  
Emmer McCintock Walker  
Estes (KS) McHenry Walorski  
Farenthold Meehan Walters, Mimi  
Flores McKinley Weber (TX)  
Foxy McMorris Webster (FL)  
Franks (AZ) Rodgers Wenstrup  
Frelinghuysen McSally Westerman  
Fudge Meadows Williams  
Gaetz Meehan Wittman  
Gallagher Moolenaar Womack  
Garrett Mooney (WV) Woodall  
Gianforte Mullin Yoder  
Gibbs Murphy (PA) Yoho  
Gohmert Newhouse Young (AK)  
Gonzalez (TX) Noem Zeldin

## NOES—224

## NOT VOTING—6

Costello (PA) Hollingsworth Napolitano  
Cummings Jeffries Scalise

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 2309

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

AMENDMENT NO. 52 OFFERED BY MR. GARAMENDI

The Acting CHAIR. The unfinished  
business is the demand for a recorded

vote on the amendment offered by the gentleman from California (Mr. GARAMENDI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 247, not voting 6, as follows:

[Roll No. 423]

## AYES—180

|                 |                |                |
|-----------------|----------------|----------------|
| Adams           | Frankel (FL)   | Norcross       |
| Aguilar         | Fudge          | O'Rourke       |
| Amash           | Gabbard        | Pallone        |
| Barragán        | Gallego        | Panetta        |
| Bass            | Garamendi      | Pascarell      |
| Beatty          | Gomez          | Payne          |
| Bera            | Gonzalez (TX)  | Pelosi         |
| Beyer           | Green, Al      | Perlmutter     |
| Bishop (GA)     | Green, Gene    | Peters         |
| Blumenauer      | Grijalva       | Pingree        |
| Blunt Rochester | Gutiérrez      | Pocan          |
| Bonamici        | Hanabusa       | Polis          |
| Boyle, Brendan  | Hastings       | Price (NC)     |
| F.              | Heck           | Quigley        |
| Brady (PA)      | Higgins (NY)   | Raskin         |
| Brown (MD)      | Himes          | Rice (NY)      |
| Brownley (CA)   | Huffman        | Richmond       |
| Bustos          | Jackson Lee    | Rosen          |
| Butterfield     | Jayapal        | Roybal-Allard  |
| Capuano         | Johnson (GA)   | Ruiz           |
| Carbajal        | Johnson, E. B. | Rush           |
| Cárdenas        | Kaptur         | Ryan (OH)      |
| Carson (IN)     | Keating        | Sánchez        |
| Cartwright      | Kelly (IL)     | Sarbanes       |
| Castor (FL)     | Kennedy        | Schakowsky     |
| Castro (TX)     | Khanna         | Schiff         |
| Chu, Judy       | Kihuen         | Schneider      |
| Cicilline       | Kildee         | Schrader       |
| Clark (MA)      | Kilmer         | Scott (VA)     |
| Clarke (NY)     | Kind           | Scott, David   |
| Clay            | Krishnamoorthi | Serrano        |
| Cleaver         | Kuster (NH)    | Sewell (AL)    |
| Clyburn         | Langevin       | Shea-Porter    |
| Cohen           | Larsen (WA)    | Sherman        |
| Connolly        | Larson (CT)    | Sires          |
| Conyers         | Lawrence       | Slaughter      |
| Correa          | Lawson (FL)    | Smith (WA)     |
| Costa           | Lee            | Soto           |
| Courtney        | Levin          | Speier         |
| Crowley         | Lewis (GA)     | Suozi          |
| Cuellar         | Lieu, Ted      | Takano         |
| Davis (CA)      | Lipinski       | Thompson (CA)  |
| Davis, Danny    | Loebach        | Thompson (MS)  |
| DeFazio         | Lofgren        | Titus          |
| DeGette         | Lowenthal      | Tonko          |
| Delaney         | Lowe           | Torres         |
| DeLauro         | Lynch          | Tsongas        |
| DelBene         | Maloney,       | Vargas         |
| Demings         | Carolyn B.     | Veasey         |
| DeSaulnier      | Matsui         | Vela           |
| Deutch          | McCollum       | Velázquez      |
| Dingell         | McEachin       | Visclosky      |
| Doggett         | McGovern       | Walz           |
| Doyle, Michael  | McNerney       | Wasserman      |
| F.              | Meeks          | Schultz        |
| Ellison         | Meng           | Waters, Maxine |
| Engel           | Moore          | Watson Coleman |
| Eshoo           | Moulton        | Welch          |
| Espallat        | Murphy (FL)    | Wilson (FL)    |
| Esty (CT)       | Nadler         | Yarmuth        |
| Evans           | Neal           |                |
| Foster          | Nolan          |                |

## NOES—247

|          |            |          |
|----------|------------|----------|
| Abraham  | Arrington  | Barletta |
| Aderholt | Babin      | Barr     |
| Allen    | Bacon      | Barton   |
| Amodei   | Banks (IN) | Bergman  |

|               |                 |                 |
|---------------|-----------------|-----------------|
| Biggs         | Harper          | Pearce          |
| Billirakis    | Harris          | Perry           |
| Bishop (MI)   | Hartzler        | Peterson        |
| Bishop (UT)   | Hensarling      | Pittenger       |
| Black         | Herrera Beutler | Poe (TX)        |
| Blackburn     | Hice, Jody B.   | Poliquin        |
| Blum          | Higgins (LA)    | Posey           |
| Bost          | Hill            | Ratcliffe       |
| Brady (TX)    | Holding         | Reed            |
| Brat          | Hoyer           | Reichert        |
| Bridenstine   | Hudson          | Renacci         |
| Brooks (AL)   | Huizenga        | Rice (SC)       |
| Brooks (IN)   | Hultgren        | Roby            |
| Buchanan      | Hunter          | Roe (TN)        |
| Buck          | Hurd            | Rogers (AL)     |
| Bucshon       | Issa            | Rogers (KY)     |
| Budd          | Jenkins (KS)    | Rohrabacher     |
| Burgess       | Jenkins (WV)    | Rokita          |
| Byrne         | Johnson (LA)    | Rooney, Francis |
| Calvert       | Johnson (OH)    | Rooney, Thomas  |
| Carter (GA)   | Johnson, Sam    | J.              |
| Carter (TX)   | Jones           | Ros-Lehtinen    |
| Chabot        | Jordan          | Roskam          |
| Cheney        | Joyce (OH)      | Ross            |
| Coffman       | Katko           | Rothfus         |
| Cole          | Kelly (MS)      | Rouzer          |
| Collins (GA)  | Kelly (PA)      | Royce (CA)      |
| Collins (NY)  | King (IA)       | Ruppersberger   |
| Comer         | King (NY)       | Russell         |
| Comstock      | Kinzing         | Rutherford      |
| Conaway       | Knight          | Sanford         |
| Cook          | Kustoff (TN)    | Schweikert      |
| Cooper        | Labrador        | Scott, Austin   |
| Cramer        | LaHood          | Sensenbrenner   |
| Crawford      | LaMalfa         | Sessions        |
| Crist         | Lamborn         | Shimkus         |
| Culberson     | Lance           | Shuster         |
| Curbelo (FL)  | Latta           | Simpson         |
| Davidson      | Lewis (MN)      | Sinema          |
| Davis, Rodney | LoBiondo        | Smith (MO)      |
| Denham        | Long            | Smith (NE)      |
| Dent          | Loudermilk      | Smith (NJ)      |
| DeSantis      | Love            | Smith (TX)      |
| DesJarlais    | Lucas           | Smucker         |
| Diaz-Balart   | Luetkemeyer     | Stefanik        |
| Donovan       | Lujan Grisham,  | Stewart         |
| Duffy         | M.              | Stivers         |
| Duncan (SC)   | Luján, Ben Ray  | Swalwell (CA)   |
| Duncan (TN)   | MacArthur       | Taylor          |
| Dunn          | Maloney, Sean   | Tenney          |
| Emmer         | Marchant        | Thompson (PA)   |
| Estes (KS)    | Marino          | Thornberry      |
| Farenthold    | Marshall        | Tiberi          |
| Faso          | Masie           | Tipton          |
| Ferguson      | Mast            | Trott           |
| Fitzpatrick   | McCarthy        | Turner          |
| Fleischmann   | McCaull         | Upton           |
| Flores        | McClintock      | Valadao         |
| Fortenberry   | McHenry         | Wagner          |
| Fox           | McKinley        | Walberg         |
| Franks (AZ)   | McMorris        | Walden          |
| Frelinghuysen | Rodgers         | Walker          |
| Gaetz         | McSally         | Walorski        |
| Gallagher     | Meadows         | Walters, Mimi   |
| Garrett       | Meehan          | Weber (TX)      |
| Gianforte     | Messer          | Webster (FL)    |
| Gibbs         | Mitchell        | Westerman       |
| Gohmert       | Moolenaar       | Williams        |
| Goodlatte     | Mooney (WV)     | Wilson (SC)     |
| Gosar         | Mullin          | Wittman         |
| Gotthaimer    | Murphy (PA)     | Womack          |
| Gowdy         | Newhouse        | Woodall         |
| Granger       | Noem            | Yoder           |
| Graves (GA)   | Norman          | Yoho            |
| Graves (LA)   | Nunes           | Young (AK)      |
| Graves (MO)   | O'Halleran      | Young (IA)      |
| Griffith      | Olson           | Zeldin          |
| Grothman      | Palazzo         |                 |
| Guthrie       | Palmer          |                 |
| Handel        | Paulsen         |                 |

## NOT VOTING—6

|               |               |            |
|---------------|---------------|------------|
| Costello (PA) | Hollingsworth | Napolitano |
| Cummings      | Jeffries      | Scalise    |

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2312

Ms. KAPTUR changed her vote from “no” to “aye.”  
So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 54 OFFERED BY MS. PINGREE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Maine (Ms. PINGREE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 235, not voting 6, as follows:

[Roll No. 424]

## AYES—192

|                 |                |               |
|-----------------|----------------|---------------|
| Adams           | Evans          | McGovern      |
| Aguilar         | Fitzpatrick    | McNerney      |
| Barragán        | Fortenberry    | Meeks         |
| Bass            | Foster         | Meng          |
| Beatty          | Frankel (FL)   | Moore         |
| Bera            | Fudge          | Moulton       |
| Beyer           | Gabbard        | Murphy (FL)   |
| Bishop (GA)     | Gallego        | Nadler        |
| Blumenauer      | Garamendi      | Neal          |
| Blunt Rochester | Gomez          | Nolan         |
| Bonamici        | Gotthaimer     | Norcross      |
| Boyle, Brendan  | Green, Al      | O'Halleran    |
| F.              | Green, Gene    | O'Rourke      |
| Brady (PA)      | Grijalva       | Pallone       |
| Brown (MD)      | Gutiérrez      | Panetta       |
| Brownley (CA)   | Hanabusa       | Pascarell     |
| Bustos          | Hastings       | Payne         |
| Butterfield     | Heck           | Pelosi        |
| Capuano         | Higgins (NY)   | Perlmutter    |
| Carbajal        | Himes          | Peters        |
| Cárdenas        | Hoyer          | Pingree       |
| Carson (IN)     | Huffman        | Pocan         |
| Cartwright      | Jackson Lee    | Poliquin      |
| Castor (FL)     | Jayapal        | Polis         |
| Castro (TX)     | Johnson (GA)   | Price (NC)    |
| Chu, Judy       | Johnson, E. B. | Quigley       |
| Cicilline       | Kaptur         | Raskin        |
| Clark (MA)      | Keating        | Rice (NY)     |
| Clarke (NY)     | Kelly (IL)     | Richmond      |
| Clay            | Kennedy        | Rosen         |
| Cleaver         | Khanna         | Roybal-Allard |
| Clyburn         | Kihuen         | Ruiz          |
| Cohen           | Kildee         | Ruppersberger |
| Connolly        | Kilmer         | Rush          |
| Conyers         | Kind           | Ryan (OH)     |
| Correa          | Krishnamoorthi | Sánchez       |
| Costa           | Kuster (NH)    | Sarbanes      |
| Courtney        | Langevin       | Schakowsky    |
| Crist           | Larsen (WA)    | Schiff        |
| Crowley         | Larson (CT)    | Schneider     |
| Cuellar         | Lawrence       | Schrader      |
| Davis (CA)      | Lawson (FL)    | Scott (VA)    |
| Davis, Danny    | Lee            | Scott, David  |
| DeFazio         | Levin          | Serrano       |
| DeGette         | Lewis (GA)     | Sewell (AL)   |
| Delaney         | Lieu, Ted      | Shea-Porter   |
| DeLauro         | Lipinski       | Sherman       |
| DelBene         | Loebach        | Sinema        |
| Demings         | Lofgren        | Sires         |
| DeSaulnier      | Lowenthal      | Slaughter     |
| Deutch          | Lowe           | Smith (WA)    |
| Dingell         | Lujan Grisham, | Soto          |
| Doggett         | M.             | Speier        |
| Doyle, Michael  | Luján, Ben Ray | Suozi         |
| F.              | Lynch          | Swalwell (CA) |
| Ellison         | Maloney,       | Takano        |
| Engel           | Carolyn B.     | Thompson (CA) |
| Eshoo           | Maloney, Sean  | Thompson (MS) |
| Espallat        | Matsui         | Titus         |
| Esty (CT)       | McCollum       | Tonko         |
|                 | McEachin       | Torres        |

Tsongas  
Vargas  
Veasey  
Vela  
Velázquez

Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine

Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

□ 2315

So the amendment was rejected.  
The result of the vote was announced  
as above recorded.

AMENDMENT NO. 56 OFFERED BY MS. JACKSON  
LEE

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentlewoman from Texas (Ms. JACKSON  
LEE) on which further proceedings were  
postponed and on which the noes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 234, noes 192,  
not voting 7, as follows:

[Roll No. 425]

AYES—234

NOES—235

Abraham  
Aderholt  
Allen  
Amash  
Amodel  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barton  
Bergman  
Biggs  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Cramer  
Crawford  
Culberson  
Curbelo (FL)  
Davidson  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer  
Estes (KS)  
Farenthold  
Faso  
Ferguson  
Flores  
Foxx  
Franks (AZ)  
Frelinghuysen  
Gaetz  
Gallagher  
Garrett  
Gianforte  
Gibbs  
Gohmert  
Gonzalez (TX)  
Goodlatte

NOT VOTING—6

Costello (PA)  
Cummings

Hollingsworth  
Jeffries

Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Pittenger  
Poe (TX)  
Posey  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Sanford  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trotter  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

NOT VOTING—6

Costello (PA)  
Cummings

Hollingsworth  
Jeffries

Napolitano  
Scalise

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

Abraham  
Adams  
Aguilar  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brooks (IN)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Carter (TX)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Coffman  
Cohen  
Collins (GA)  
Connolly  
Conyers  
Cooper  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Cuellar  
Culberson  
Curbelo (FL)  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
Dent  
DeSaulnier

Deutch  
Diaz-Balart  
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Heck  
Herrera Beutler  
Higgins (LA)  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Hurd  
Jackson Lee  
Jayapal  
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NOT VOTING—7

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NOT VOTING—7

Costello (PA)  
Cummings  
Hollingsworth

Jeffries  
Napolitano  
Scalise

NOT VOTING—7

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2320

Messrs. THOMAS J. ROONEY of Florida, KATKO, HIGGINS of Louisiana, JENKINS of West Virginia, and MOONEY of West Virginia changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 57 OFFERED BY MS. JACKSON LEE

The Acting CHAIR (Mr. WALKER). It is now in order to consider amendment No. 57 printed in House Report 115-259.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division D, before the short title, insert the following:

SEC. \_\_\_\_\_. The amounts otherwise provided by this Act are revised by reducing the amount made available for “Corps of Engineers—Civil—Construction”, and increasing the amount made available for the same account, by \$100,000,000.

The Acting CHAIR. Pursuant to House Resolution 473, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, I again thank the chairman and the ranking member of the subcommittee for this very critical work.

My amendment speaks to the need for robust funding for the U.S. Army Corps of Engineers’ construction account by redirecting \$100 million for increased funding for critical construction projects like those projects that are current and future projects throughout the Nation.

As a Federal agency that collects and studies basic information pertaining to river and harbor, and flood and storm damage reduction, it is important that the Army Corps of Engineers and the construction unit have the funding to focus its resources around the Nation again.

The U.S. Army Corps of Engineers plays a critical role in the building, maintaining, and expanding of the most critical of the Nation’s infrastructures.

The Energy and Water Development, and Related Agencies Subcommittee has an important responsibility, and it is to ensure the safety of the Nation’s waterways.

Some of these waterways are in and around many of our States, particularly in the State of Texas. Not only do we have a concept of bayous, but, for example, we are surrounded in many parts by the Gulf. We have an enormous amount of water in rivers, and

the Army Corps of Engineers is particularly important as it relates to flooding.

But we have seen flooding across America. So this particular amendment is to ensure that resources are there as Americans face unusual flooding that has been occurring over the last decades.

I will give you an example. During May 2015, in the Houston flood, 3,015 homes were flooded and eight people died. During the April 2016 Houston flood, 5,400 homes were flooded and eight deaths were recorded. The economic damage caused by the 2015 Houston flood is estimated at \$3 billion.

I want my colleagues to know that this amendment is not for a region or an area. It is really to help the Nation.

Mr. Chairman, I would like to conclude by simply thanking the committee and staff and, again, reminding individuals that we can save lives through the work of the Army Corps of Engineers in stopping flooding that impacts not only my region of the country, but really across the country.

I conclude with one final statement: We in our community are entering hurricane season. This will be a very important amendment as we enter hurricane season all over the Nation.

Mr. Chair, I want to thank Chairman SIMPSON and Ranking Member KAPTUR for shepherding this legislation to the floor and for their commitment to preserving America’s great natural environment and resources so that they can serve and be enjoyed by generations to come.

My amendment speaks to the need for robust funding for the U.S. Army Corps of Engineers “Construction” account by redirecting \$100 million for increased funding for critical construction projects, like those current and future projects proposed for the Houston/Harris County metropolitan area.

As the federal agency that collects and studies basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and conducts detailed studies, plans, and specifications for river and harbor, and flood and storm damage reduction, the U.S. Army Corps of Engineer plays a critical role in the building, maintaining, and expanding the most critical of the nation’s infrastructure.

We understand this very well in my home state of Texas and the Eighteenth Congressional District that I represent.

The Army Corps of Engineers has been working with the Harris County Flood Control District since 1937 to reduce the risk of flooding within Harris County.

Current projects include 6 federal flood risk management projects:

1. Sims Bayou
2. Greens Bayou
3. Brays Bayou
4. White Oak Bayou
5. Hunting Bayou, and
6. Clear Creek.

In addition to these ongoing projects, the Army Corps of Engineers operates and maintains the Addicks and Barker (A&B) Detention Dams in northwest Harris County.

Such a study is certainly needed given the frequency and severity of historic-level flood events in recent years in and around the Houston metropolitan area, it is clear that much more needs to be done to minimize the vulnerability of the nation’s 4th largest metropolitan area and economic engine from the flood damage.

On April 15, 2016, an estimated 240 billion gallons of water fell in the Houston area over a 12 hour period, which resulted in several areas exceeding the 100 to 500 year flood event record.

The areas that experienced these historic rain falls were west of I-45, north of I-10, and Greens Bayou.

Additionally, an estimated 140 billion gallons of water fell over the Cypress Creek, Spring Creek, and Addicks watershed in just 14 hours.

Mr. Chair, during the May 2015 Houston flood, 3,015 homes were flooded and 8 persons died; during the April 2016 Houston flood, 5,400 homes were flooded and 8 deaths recorded.

The economic damage caused by the 2015 Houston flood is estimated at \$3 billion; the 2016 estimate is being compiled and is estimated to be well above \$2 billion.

Mr. Chair, minimizing the risk of flood damage to the Houston and Harris County metropolitan area, the nation’s 4th largest, is a matter of national significance because the region is one of the nation’s major technology, energy, finance, export and medical centers:

1. Port of Houston is the largest bulk port in the world;

2. Texas Medical Center is a world renowned teaching, research and treatment center;

3. Houston is home to the largest conglomeration of foreign bank representation and second only to New York City as home to the most Fortune 500 companies; and

4. The Houston Watershed Assessment study area sits within major Hurricane Evacuation arteries for the larger Galveston Gulf Coast region.

I ask my colleagues to join me and support Jackson Lee Amendment No. 57.

I thank Chairman SIMPSON and Ranking Member KAPTUR for their work in shepherding this bill to the floor.

Mr. Chairman, I ask support for the Jackson Lee amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT NO. 58 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 58 printed in House Report 115-259.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division D (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act for “Department of Energy—Energy Programs—Science” may be used in

contravention of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.).

The Acting CHAIR. Pursuant to House Resolution 473, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, my amendment is a very simple amendment that promotes STEM education, which is really a vital part of the future of this Nation.

In particular, my amendment says: "None of the funds made available by this act for 'Department of Energy—Energy Programs—Science' may be used in contravention of the Department of Energy Organization Act."

This amendment was approved and adopted just in the last session. Twenty years ago, on February 11, we were directed to identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations.

The Department of Energy ceased to provide equal access in these opportunities for underrepresented groups in STEM, including minorities, Native Americans, and women.

Mr. Chairman, women and minorities make up 70 percent of college students, but only 45 percent of undergraduates are STEM degree holders. This large pool of untapped talent is a great potential source of STEM professional, but it also deprives the United States of its best minds to be able to help it in the 21st century.

As the Nation's demographics are shifting and now more children under the age of 1 are minorities, it is critical that we close the gap in the number of minorities who seek system opportunities.

Mr. Chairman, there are still a great many scientific riddles left to be solved. And perhaps one of these days, a minority engineer or biologist will come up with some of the solutions.

As many have done in the past, the larger point is that we need more STEM educators and more minorities to qualify them. My amendment turns our importance to the importance of energy and science education programs, funded in part by this bill, and will help to ensure that members of underrepresented communities are not placed at a disadvantage when it comes to environmental sustainability, preservation, and health.

□ 2330

Mr. Chairman, in closing, let me take note of some of the colleagues that I have had the privilege of being neighbors to. NASA's Johnson Space Center is, if I might say, one of the neighbors of my community, great respect for the astronauts; Major Bolden, who serves as head of NASA; and Mae Jemison is

my neighbor, the first African-American woman who went into space. I want more of those individuals coming from our Nation's schools, and I ask my colleagues to support this amendment that will encourage those in low-income communities and minorities, Native Americans, and others to join in and support the opportunities for STEM education.

Mr. Chair, I want to thank Chairman SIMPSON and Ranking Member KAPTUR for shepherding this legislation to the floor and for their commitment to preserving America's great natural environment and resources so that they can serve and be enjoyed by generations to come.

Jackson Lee Amendment No. 58 simply provides that:

"None of the funds made available by this Act for 'Department of Energy—Energy Programs—Science' be used in contravention of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.)."

This amendment was approved and adopted in identical form on April 29, 2015, during the 114th Congress as an amendment to H.R. 2028, the Energy and Water Resources Appropriations Act of 2016.

Mr. Chair, twenty years ago, on February 11, 1994, President Clinton issued Executive Order 12898, directing federal agencies to identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations.

The Department of Energy seeks to provide equal access in these opportunities for underrepresented groups in STEM, including minorities, Native Americans, and women.

Mr. Chair, women and minorities make up 70 percent of college students, but only 45 percent of undergraduate STEM degree holders.

This large pool of untapped talent is a great potential source of STEM professionals.

As the nation's demographics are shifting and now most children under the age of one are minorities, it is critical that we close the gap in the number of minorities who seek STEM opportunities.

I encourage Energy Secretary Perry to surpass the commitment of his predecessors' toward increasing the nation's economic competitiveness and enabling more of our people to realize their full potential.

Mr. Chair, there are still a great many scientific riddles left to be solved—and perhaps one of these days a minority engineer or biologist will come up with some of the solutions.

The larger point is that we need more STEM educators and more minorities to qualify for them.

The energy and science education programs funded in part by this bill will help ensure that members of underrepresented communities are not placed at a disadvantage when it comes to the environmental sustainability, preservation, and health.

Through education about the importance of environmental sustainability, we can promote a broader understanding of science and how citizens can improve their surroundings.

Through community education efforts, teachers and students have also benefitted by

learning about radiation, radioactive waste management, and other related subjects.

The Department of Energy places interns and volunteers from minority institutions into energy efficiency and renewable energy programs.

The DOE also works to increase low income and minority access to STEM fields and help students attain graduate degrees as well as find employment.

With the continuation of this kind of funding, we can increase diversity, provide clean energy options to our most underserved communities, and help improve their environments, which will yield better health outcomes and greater public awareness.

But most importantly businesses will have more consumers to whom they may engage in related commercial activities.

My amendment will help ensure that underrepresented communities are able to participate and contribute equitably in the energy and scientific future.

I ask my colleagues to join me and support Jackson Lee Amendment No. 58.

Mr. Chairman, I ask for support of the Jackson Lee amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT NO. 59 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 59 printed in House Report 115-259.

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division D (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to prepare, propose, or promulgate any regulation or guidance that references or relies on the analysis contained in—

(1) "Technical Support Document: Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866", published by the Interagency Working Group on Social Cost of Carbon, United States Government, in February 2010;

(2) "Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866", published by the Interagency Working Group on Social Cost of Carbon, United States Government, in May 2013 and revised in November 2013;

(3) "Revised Draft Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in NEPA Reviews", published by the Council on Environmental Quality on December 24, 2014 (79 Fed. Reg. 77801);

(4) "Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866", published by the Interagency Working Group on Social Cost of Carbon, United States Government, in July 2015;

(5) "Addendum to the Technical Support Document on Social Cost of Carbon for Regulatory Impact Analysis Under Executive

Order 12866: Application of the Methodology to Estimate the Social Cost of Methane and the Social Cost of Nitrous Oxide", published by the Interagency Working Group on Social Cost of Greenhouse Gases, United States Government, in August 2016; or

(6) "Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866", published by the Interagency Working Group on Social Cost of Greenhouse Gases, United States Government, in August 2016.

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer a commonsense amendment that will protect American jobs and the economy by prohibiting funds from being used to implement the Obama administration's flawed Social Cost of Carbon, or SCC, valuation. This job-killing and unlawful guidance sneakily attempts to pave the way for cap-and-trade-like mandates.

Congress and the American people have repeatedly rejected cap-and-trade proposals. Knowing that he could not lawfully enact a carbon tax plan, President Obama attempted to circumvent Congress by playing loose and fast with the Clean Air Act to unilaterally implement this unlawful new requirement under the guise of guidance.

The Obama administration continuously used the SCC valuation models, which can be easily manipulated, to try and justify new job-killing regulations.

Although President Trump issued an executive order in March to disband the Interagency Working Group on Social Cost of Greenhouse Gases, Federal agencies continue to work on the SCC valuation.

My amendment is necessary to strengthen the intent of President Trump's executive order while also ensuring that it is Congress, not the executive branch, which sets tax and environmental policy.

The committee wisely issued guidance in the bill report to delay the promulgation of SCC regulations until a new working group is convened. My amendment explicitly prohibits funds from being used to implement the deeply flawed Social Cost of Carbon guidance in the bill text.

The House has a clear, consistent, and strong record of opposition to the Social Cost of Carbon. My colleagues voted in favor of my amendment in FY17 appropriations by a clear majority of 230-188.

In fact, the House has decisively voted 10 times to block, defund, or oppose the Social Cost of Carbon since 2013. My amendment ensures this Chamber's position remains consistent and crystal clear in FY18.

Roger Martella, a self-described lifelong environmentalist and career environmental lawyer, testified at the May 2015 House Natural Resources Committee hearing on the revised SCC guidance and the flaws associated with the Social Cost of Carbon model, stating that the "Social Cost of Carbon" estimates suffer from a number of significant flaws that should exclude them from the NEPA process."

Amongst these flaws are, one, that the "projected costs of carbon emissions can be manipulated by changing key parameters such as timeframes, discount rates, and other values that have no relation to a given project undergoing review."

Two, "OMB and the other Federal agencies developed the draft Social Cost of Carbon estimates without any known peer review or opportunity for public comment during the development process."

Three, "OMB's draft Social Cost of Carbon estimates are based primarily on global rather than domestic costs and benefits."

Four, "there is still considerable uncertainty in many of the assumptions and data elements used to create the draft Social Cost of Carbon estimates, such as the damage functions and modeled time horizons."

Mr. Martella's testimony was spot on. Congress, not Washington bureaucrats, should dictate our country's climate change policy. The sweeping and costly changes that the Social Cost of Carbon metric would impose are not only misguided and unwise, they are also based on fundamentally flawed policies that sidestepped Congress, did not go through the normal regulatory process, and received no public comment.

Worse yet, the model utilized to predict the Social Cost of Carbon can be easily manipulated to arrive at the desired outcome.

Regardless of one's positions on climate change, my colleagues surely must respect the constitutional role of the legislative branch and oppose bureaucratic efforts to circumvent Congress to impose an extremist environmental agenda that is not based on best available science.

Congress must provide certainty to business and consumers that the costly and scientifically bankrupt Social Cost of Carbon valuation will not creep its way into our regulatory process.

My amendment provides that certainty.

Over the last 2 years, this effort has received support from the American Energy Alliance, Americans for Limited Government, Americans for Tax Reform, Arch Coal, Competitive Enterprise Institute, the Council for Citizens Against Government Waste, FreedomWorks, National Mining Association, the National Taxpayers Union, and Taxpayers Protection Alliance.

Congress, not anonymous Washington bureaucrats, should dictate our country's tax and climate change policy. I urge my colleagues to support my amendment to, once again, block the flawed Social Cost of Carbon.

I commend the chairman and the committee for their efforts on this legislation, and I urge support of my amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, I think the gentleman has a point of view that I do not support, but in terms of this amendment, it really is not necessary. It is redundant. On March 28 of this year, Executive Order No. 13783, signed by President Donald Trump, has rescinded every one of the analyses that the gentleman referenced in his proposed amendment. So this amendment does less than nothing. It has already been dealt with through executive order.

I would just encourage my colleagues to let's move the agenda along this evening where we will have significant debate perhaps on other matters.

Mr. Chairman, I urge my colleagues to oppose this amendment because it is redundant at this point, and I yield back the balance of my time.

Mr. GOSAR. Mr. Chairman, I want to reiterate even though President Trump issued an executive order in March to disband the Interagency Working Group on Social Cost of Greenhouse Gases, Federal agencies continue to work on the SCC valuation. So I, at the very least, would expect everybody to support this.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT NO. 60 OFFERED BY MS. DEL BENE

The Acting CHAIR. It is now in order to consider amendment No. 60 printed in House Report 115-259.

Ms. DELBENE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division D, before the short title, insert the following:

SEC. \_\_\_\_\_. None of the funds made available in this division may be used for the procurement of anchor chain that is not subject to the restrictions in section 225.7007-1 of title 48, Code of Federal Regulations.

The Acting CHAIR. Pursuant to House Resolution 473, the gentlewoman from Washington (Ms. DELBENE) and a Member opposed each will control 5 minutes.



The Chair recognizes the gentlewoman from Washington.

Ms. DELBENE. Mr. Chairman, I rise today to offer an important amendment to this year's Energy and Water Development Appropriations bill. It fixes a serious problem that must be addressed to protect hardworking Americans in my district and across the country.

Both parties can agree that our Nation should be spending taxpayer dollars on goods manufactured here at home, not overseas, whenever we can. Doing so not only supports American jobs in our communities but also reinforces our national security. Even President Trump called for strengthening enforcing laws that promote American industry and American workers. So I hope my colleagues from both sides of the aisle can come together on this issue.

Particularly in these uncertain times, it is imperative that we protect American production capabilities by supporting U.S. manufacturers.

Every year since 1991, Congress has included a provision in the Department of Defense Appropriations bill to require that military agencies purchase anchor chain from American businesses. For the last 2 years, the House and Senate have supported an amendment of mine clarifying that this requirement applies to the Army Corps of Engineers. Unfortunately, the Corps has continued to ignore clear congressional intent and has made several acquisitions of foreign-made anchor chain from countries like China and Korea.

Until the Army Corps follows the policy, I will keep fighting to support U.S. manufacturers and their workers, and I hope the whole Chamber will join me in this effort.

My amendment strengthens the existing language in this bill to better protect the critical production capability, support our manufacturing industry, and put American workers first.

Mr. Chairman, I urge my colleagues to vote "yes" on this amendment, and I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I recognize the underlying bill has language on this issue, but I understand that the requirement may not be as comprehensive as my colleague supports. I am concerned that the amendment before us may have unintended consequences. If my colleague would withdraw the amendment today, I will commit to working together as this bill moves through the legislative process to see if we can address her concerns in a manner acceptable to everyone. Otherwise, I will have to oppose the amendment.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I rise to support the intent of the gentlewoman's amendment. I am very glad to hear what the gentlewoman is saying. She is trying to do everything she can to support American-made products and particularly American-made anchor chain. I would be willing to work with the chairman and the gentlewoman as the process goes forward to ensure we purchase American-made products. I just wanted to express that support. I thank the gentleman for his offer.

Mr. SIMPSON. Mr. Chairman, if the gentlewoman is willing to withdraw the amendment, we will work together to see if we can solve this.

Mr. Chairman, I yield back the balance of my time.

Ms. DELBENE. Mr. Chairman, I appreciate the gentleman's willingness to work with me on this important issue and also Representative KAPTUR for her support.

Our Nation can't afford to lose its critical production capability. We should not allow American workers to be left behind, so I look forward to working with the gentleman and the gentlewoman.

Mr. Chairman, I yield back the balance of my time, and I withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 61 OFFERED BY MR. BURGESS

The Acting CHAIR. It is now in order to consider amendment No. 61 printed in House Report 115-259.

Mr. BURGESS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division D (before the short title) insert the following new section:

SEC. \_\_\_\_ None of the funds made available in this division may be used—

(1) to implement or enforce section 430.32(x) of title 10, Code of Federal Regulations; or

(2) to implement or enforce the standards established by the tables contained in section 325(i)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)(1)(B)) with respect to BPAR incandescent reflector lamps, BR incandescent reflector lamps, and ER incandescent reflector lamps.

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Mr. Chairman, I rise today to offer an amendment to prevent the distortion of the free market by the Federal Government.

Since its passage in 2007 of the Energy Independence and Security Act, I

have heard from virtually tens of thousands of constituents about the language in that act and how it will take away consumer choice when constituents are deciding which lightbulbs they will use in their homes. Mr. Chairman, they are right.

Mr. Chairman, in the interest of time, I want to point out this exact amendment has been accepted for the past 6 years by the House. Three of those years it was accepted by voice vote. It was included in the annual appropriations legislation signed into law by President Obama every year since its first inclusion in 2011, and has been a priority of the Republican Conference since its adoption into law. It allows consumers to continue to have a choice and to have a say about what type of lightbulb they will put into their homes. Congress should fight to preserve the free market. It is common sense.

Mr. Chairman, I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, with all the respect I have for Congressman BURGESS, I oppose this damaging rider which would block the Department of Energy from implementing or enforcing commonsense energy efficiency standards for lightbulbs.

This rider was a bad idea when it was first offered 7 years ago, and it is even more unsupportable now. Why do I say that? Because every claim made by proponents of the rider have been proven wrong.

Number one, we have been told, including by Dr. BURGESS, that the energy efficiency standards would ban incandescent lightbulbs. That is simply false. You can go to the store today and see shelves of modern energy efficient incandescent lightbulbs that meet the standard, and they are the same as the old bulbs except they last longer, use less electricity, and save consumers money.

Then we heard for years that the energy efficiency standards restrict consumer choice.

□ 2345

If you have shopped for lightbulbs lately, which I have, you know that isn't true. In fact, modern incandescent bulbs, compact fluorescent lightbulbs, and LEDs of every shape, size, and color are now available.

Consumers have never had more choice, and the efficiency standard spurred innovation that dramatically expanded options for consumers. I am amazed how many shelves lightbulbs now occupy in the stores.

Critics of the efficiency standards claim that they would cost consumers money. In fact, the opposite is true. When the standards are in full effect,

the average American family will save about \$100 per year. That is pretty good. That is \$12.5 billion in savings for consumers and businesses nationwide every year. That is \$12.5 billion. But this rider threatens those savings. That is why consumer groups have consistently opposed this rider.

Here is the reality. The 2007 consensus energy efficiency standards for lightbulbs were enacted with bipartisan support and continue to enjoy overwhelming industry support. U.S. manufacturers are already meeting the efficiency standards.

The effect of the rider is to allow foreign manufacturers to sell old, inefficient lightbulbs in the United States that violate the efficiency standards. That is unfair to domestic manufacturers who have invested millions of dollars in U.S. plants to make efficient bulbs that meet the standards.

Why on Earth would we want to pass a rider that favors foreign manufacturers who ignore our laws and penalize U.S. manufacturers who are following our laws?

But it gets even worse. The mere existence of this rider poses and additional threat to U.S. manufacturing. The bipartisan 2007 Energy bill required the Department of Energy to establish updated lightbulb efficiency standards by January 1 of this year. It also provided that, if final updated standards are not issued by then, a more stringent backstop standard of 45 lumens per watt automatically takes effect, and incandescent lightbulbs currently cannot meet this backstop standard.

Well, we are well into 2017, and the Burgess lightbulb rider has remained on the books. So, earlier this year, the Department of Energy had to go forward with finalizing the 45-lumens-per-watt backstop standard.

Approving this rider year after year is ultimately what blocked the Department of Energy from issuing the required efficiency standards in time to avoid such stringent measures. Ironically, it is this rider that would effectively ban the incandescent lightbulb in 2020.

The Burgess rider directly threatens existing lightbulb manufacturing jobs in the United States. It would stifle innovation and punish companies that have invested in domestic manufacturing. This rider aims to reverse years of technological progress, only to kill jobs, increase electricity bills for our consumers, and worsen pollution.

It is time to choose common sense over rigid ideology. It is time to listen to the manufacturing companies, consumer groups, and efficiency advocates who all agree that this rider is harmful.

Mr. Chairman, I urge all Members to vote "no" on the Burgess lightbulb rider, and I yield back the balance of my time.

Mr. BURGESS. Mr. Chairman, I will disagree on the economics that were just presented. But apart from the economics of the lightbulb mandate, that is, in fact, only part of the story.

With the extreme expansion of Federal powers undertaken in the last administration, when the Democrats were in charge of Congress for 4 years, Americans have just now begun to see how far the Constitution's Commerce Clause has been manipulated from its original intent. The lightbulb mandate is a perfect example of this manipulation.

The Commerce Clause was intended by our Founding Fathers to be a limitation on Federal authority, not a catchall in order to allow for any topic to be regulated by Washington. Indeed, it is clear that the Founding Fathers never intended for this clause to be used to allow the Federal Government to regulate and pass mandates on consumer products that do not pose a risk to either human health or safety.

Mr. Chairman, in December of 2007, when this bill was first passed, the columnist George Will observed on television one Sunday morning that it is the job of the Federal Government to defend the borders and deliver the mail. But instead of keeping up with those two tasks, we instead decided to ban the incandescent bulb. It was wrong in 2007. It is wrong in 2017.

Mr. Chairman, I urge adoption of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

The amendment was agreed to.

AMENDMENT NO. 62 OFFERED BY MRS. BLACKBURN

The Acting CHAIR. It is now in order to consider amendment No. 62 printed in House Report 115-259.

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division D (before the short title), insert the following:

SEC. \_\_\_\_\_. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 1 percent.

The Acting CHAIR. Pursuant to House Resolution 473, the gentlewoman from Tennessee (Mrs. BLACKBURN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, first of all, I want to begin by thanking the committee for their hard work on this appropriations bill.

Every year, I come to this floor through the appropriations process to present amendments calling for 1 per-

cent across-the-board cuts. So many years I have come down here to talk about how the spending continues to increase. Indeed, our budget does increase. But I have to tell you, the chairman and his team have done an incredible job this year.

The outlays that we see in this bill this year are \$209 million—think about that—less than the budget authority from last year. That is significant, and it should be recognized and should be praised, because that is the type of work that we need to see.

Now, I do continue to present the 1 percent across-the-board amendment because we are facing a time in our Nation where 1 percent makes a difference, just as we are seeing from the good work that they have done.

Passing this amendment for the 1 percent across-the-board spending reduction would save us an additional \$376 million. It is important to do because our Nation is facing \$20 trillion in debt. Because of that, we have to ask ourselves: Is it important to spend some of the money that is being spent on programs that we see taking place in the Department of Energy?

It causes us to look at these programs and talk about priorities, where we should spend those precious dollars that are not Federal dollars. They are taxpayer dollars that are coming out of the pockets of hardworking men and women.

Indeed, we have, many times, quoted Admiral Mullins' comments from July 6, 2010, that the greatest threat to our Nation's security is our Nation's debt. Because of that, I recognize and applaud the good work that has been done, but I encourage support for my amendment and the continued honing and prioritizing of what takes the taxpayer money that is spent by this body.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, let me first say that I compliment the gentlewoman for her consistency. She is a true budget hawk in trying to make sure that we ultimately balance this budget. It is tough work to do that.

We have actually, as she mentioned, reduced spending in this bill over last year. Could we reduce it another 1 percent across the board? The problem is we have to choose some priority in the bill.

The highest priority we had was our Nation's defense, the nuclear weapons program. Even though the overall bill is down \$206 million, the defense activities are actually up nearly a billion dollars.

We then have to look at the infrastructure of this Nation and the fact that we have deteriorating infrastructure, and Congress has told us that

each year we have to meet what is called the WRDA target. We have to spend with the Army Corps of Engineers to meet the infrastructure of our harbors, dams, and inland waterways and restore those things, because it is very important to our commerce and something the Congress supports greatly.

So when we have had to increase the Army Corps of Engineers funding over what was spent last year and then we have had to increase weapons activity, that means the Department of Energy has been significantly reduced over what they were last year.

We have had to make some very hard choices. We have cut the EERE, Energy Efficiency and Renewable Energy, program in half from \$2 billion to \$1 billion, roughly.

We have had to eliminate the ARPA-E program, a program that I happen to support, but we just don't have the money for it.

We have had to eliminate the loan guarantee program, a program that, again, I support, but we just don't have the money for it.

So we have made some significant reductions while prioritizing basic science research and those types of activities within the Department of Energy. I think we have done a good job, given a pretty skinny budget. We have made tough choices. That is okay. That is what we do all the time in the Appropriations Committee.

The reality is, if we are ever going to balance this budget, if anybody looks at the numbers, right now we are spending about 70 percent of our total Federal budget on mandatory programs. We have been reducing discretionary spending over the years. As a portion of the total budget, it has gone down every year.

If we don't get a hold of mandatory spending—Medicare, Medicaid, Social Security, and interest on the debt—within 10 years we will have enough money for our mandatory programs and defense, nothing else—zero.

We are not going to balance this budget by reducing discretionary spending. Keeping control of it, you bet, that is what we have been doing. That is what the Appropriations Committee has been doing since 2010, or earlier. We have actually been reducing spending. It is very important that we do that. But we have to get a hold of mandatory spending if we are going to balance the budget.

So while I appreciate what the gentlewoman is trying to do, I agree with her, we need to balance this budget. We need to balance this budget. Unfortunately, this is not the way to do it.

So I have to oppose this amendment and hope my colleagues would oppose it also.

Mr. Chairman, I yield back the balance of my time.

Mrs. BLACKBURN. Mr. Chairman, I will tell you every comment that Mr.

SIMPSON made about the mandatory spending is something that I agree with. Yes, we have to do that. But just as we in Congress have reduced our Legislative Branch budget by about 20 percent over the last few years, and just as our Appropriations Committee has done a wonderful job of pulling back on the spending that is done to discretionary, we need to give that same challenge to the bureaucracy, to those rank-and-file Federal employees and challenge them to go save a penny on a dollar out of what they are appropriated. Find a way to yield savings to the work that they do and help us with this process to rein in spending.

Mr. Chairman, I encourage support of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

AMENDMENT NO. 63 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 63 printed in House Report 115-259.

Mr. PERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division D (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement or enforce the final rule published by the Secretary of Energy entitled "Energy Conservation Program: Test Procedures for Central Air Conditioners and Heat Pumps" published on January 5, 2017 (82 Fed. Reg. 1426).

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all, I want to thank the Appropriations Committee for the extraordinary work they have done in a very limited amount of time.

This amendment would prohibit the use of funds to implement or enforce the final rule published by the former Secretary of Energy, entitled: "Test Procedures for Central Air Conditioners and Heat Pumps."

Mr. Chairman, this is simply an example of too much Washington, too much government. I am sure it was

well-intended, but I am not sure if the good idea fairies in Washington really realized fully what they did.

□ 0000

Certainly we want to have test standards and so on and so forth, but the one-size-fits-all approach that comes out of Washington misses some folks and can cause some irreparable damage to businesses all around the country.

And all around the country there are small manufacturers that are trying to build some air-conditioners. In particular, there is one in the district that I represent that builds custom-made air-conditioners and heat pumps for skyscrapers and high-rise buildings.

If I can picture the scene, the original units are put in when the buildings are being constructed. So there are cranes available, there are openings in the walls and in the structure, and they just move the stuff in, and then they close it all up.

In 10, 15, 20, 30 years later when they go to replace it, well, the walls are in, the windows are in, the people are in, the offices are in. There is no crane available, and they have to piece this thing together through the elevator and into the closet. So this company, like other ones around the country, make custom-made ones, each one for a specific application—each one.

But the Department of Energy, and this rule in particular, says that this company must test each model that they make for these efficiency standards—each one—an arduous test taking months, if not years, in documentation for one application.

Again, I am sure the Department of Energy was well-intended. However, this rule is going to put a business out. They work in the city of York, a fine city in central Pennsylvania, right downtown where we want manufacturing to happen, where people can walk to work. These folks are trying. They are struggling to survive in this economy, and the only thing that is going to put them out is this regulation, Mr. Chairman.

While well-intended, it is not going to be helpful. These folks are trying to do the right thing, but the government is getting in the way.

Believe it or not, Consumer Reports actually recommended against buying some of these systems under this testing rule because the systems had higher costs and poor repair records.

Believe it or not, Mr. Chairman, the free market actually fixes most of this stuff. Most of us want to buy more efficient things that are cheaper, that are easier to maintain, and have a better record. This is Consumer Reports talking. This isn't PERRY's record. This is Consumer Reports talking.

Let us not put this company out of business. Let us not put these companies out of business. Let us be responsible. I urge passage.

Mr. Chairman, I reserve the balance of my time.

Ms. KAPTUR. Mr. Chair, I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chair, I rise in strong opposition to this particular amendment.

I say to the gentleman: For the company in your district, the regulations include the opportunity for waiver. And I would hope that the company in your district would be able to work that out.

The amendment that the gentleman proposes seeks to prohibit the Department of Energy from implementing testing procedures for the energy efficiency standards set for heat pumps and air-conditioners.

I, as the consumer, whether I am buying a heat pump, a furnace, a refrigerator—and every American who now shops looks for those—that is like the sticker. That is what you really look for, and you want to know how much you are going to pay every year for what that product will cost you for energy. And the better product you have, and you are able to put that on a label and it is verified by the Department of Energy, that helps sales.

The original standards that were created were supported and have been supported by the Edison Electric Institute, the association which represents all investor-owned utilities. The amendment, by the way, is opposed by the Air Conditioning, Heating, and Refrigeration Institute, which represents manufacturers of HVAC systems that employ over 1.3 million Americans. And industry opposes the amendment, environmentalists oppose it, because it would cost an average—a cumulative cost to Americans of \$12.2 billion over 30 years.

So there is a lot of opposition to this. It is important to note that these standards were negotiated in a collaborative process by industry groups, environmental nonprofits, and consumer advocates with the Department of Energy. A rider like this one damages the integrity of the negotiated rulemaking process, which is designed to provide certainty and voice to the industry and education and information to consumers.

Test procedures are simple and important. The Department of Energy develops them to make sure companies are rating their product accurately so consumers don't get stuck paying higher bills than they expect, so you know what you buy.

Let's be clear. This amendment would effectively nullify the efficiency standards for heating and cooling systems, in spite of the fact that these standards project that it will save billions of dollars over the period that they are applied, and that is equivalent to having 1 million fewer homes con-

nected to the grid over the same period. It is an enormous savings.

If there is a particular company that is unfairly impacted by these rules, there are outlets for regulatory relief through waivers, as I have mentioned, and this amendment would neuter those standards and thereby allow cheap imports to undercut American products by exploiting the lack of standards.

We don't want to go back to that. I look for those yellow labels. To protect American manufacturers, to save Americans money on their utility bills, and to reduce air pollution, I strongly oppose this amendment, and I urge my colleagues to vote "no."

The gentleman may have a good intention in offering this amendment, but I don't think you want to take away the benefits to the American people for one company in your district when that company, in fact, can negotiate and receive a waiver. I would just ask my colleagues to vote "no."

Mr. Chairman, I yield back the balance of my time.

Mr. PERRY. Mr. Chairman, we are in agreement that the regulations have to be in place. I, too, like the yellow sticker, just like she does; and somehow the yellow stickers are in place without this new rule. They are there right now. You have been seeing them for years. This is new—this is a new regulation.

I would contend that, yeah, the manufacturers have gotten on board and they have negotiated this rule. Because what choice did they have, right?

The Federal Government is going to regulate. They are going to do it. You either get in the game and play ball or you know what happens to the bat. Right? They didn't want to be in that position, so they took the best they could.

I am telling you and it is my contention that the free market is going to figure this out because we all want the most efficient, the most cost-effective, and the most maintenance-effective, whether it is an air-conditioner, whether it is a car, or whether it is an electric toothbrush.

We don't need the Federal Government telling us to do it. By the way, this company has applied for a waiver, years in the making. They literally have the president of the company spending almost, he said, 85 percent of his time dealing with Federal regulation compliance.

The president of the company is the guy who wants to hire these 125 people, go make sales, and produce things. Instead, all he is doing is dealing with the Federal Government. Somehow, somehow we all got to this point.

It feels pretty cool in the Capitol right now, right? It feels pretty cool in the House of Representatives.

The yellow labels were there before this regulation ever happened.

Mr. Chairman, I ask and urge the Members to vote in favor of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. KAPTUR. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 64 OFFERED BY MR. BUDD

The Acting CHAIR. It is now in order to consider amendment No. 64 printed in House Report 115-259.

Mr. BUDD. Mr. Chairman, as the designee of the gentleman from Florida (Mr. FRANCIS ROONEY), I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the division D (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement, administer, or enforce the prevailing wage requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act).

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from North Carolina (Mr. BUDD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. BUDD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Davis-Bacon Act hinders economic growth and increases the Federal deficit. It imposes enormous burdens, stifles contractor productivity, ignores skill differences for different jobs, and imposes rigid craftwork rules.

The Congressional Budget Office has estimated that the Davis-Bacon Act will raise Federal construction costs by \$13 billion between 2015 and 2023.

Now, wages are often set at or above the union scale, despite the fact that only 13 percent of the private construction workforce is even unionized nationwide, Mr. Chairman.

□ 0010

The Davis-Bacon wage determinations have also been known to be lower than the current market rate, which is equally problematic and especially detrimental for local contractors. It is just erratic.

The GAO, the Government Accountability Office, has repeatedly criticized DOL's Davis-Bacon wage determination process for its lack of transparency in the published wage rates

and its tendency to gather erroneous data through unscientific wage surveys.

Repealing the DBA would allow the government to build more infrastructure and create 155,000 new construction-related jobs at the very same cost to the taxpayers. In fact, repealing Davis-Bacon would have saved the Federal Government \$10.9 billion, and that was back in 2011.

This amendment would uphold the government's responsibility to deliver quality infrastructure improvements at the best possible price to the taxpayers, which is certainly what we owe them. It is imperative that all levels of government guarantee the general public that their tax dollars are being spent in the most effective way possible.

Mr. Chairman, I thank the gentleman from Florida (Mr. FRANCIS ROONEY) for his work on this amendment, and I withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

The Chair understands that amendment No. 65 will not be offered.

AMENDMENT NO. 70 OFFERED BY MR. MITCHELL

The Acting CHAIR (Mr. PERRY). It is now in order to consider amendment No. 70 printed in House Report 115-259.

Mr. MITCHELL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division D (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to delay the release of the Great Lakes and Mississippi River Interbasin Study (GLMRIS) Brandon Road Study.

The Acting CHAIR. Pursuant to House Resolution 473, the gentleman from Michigan (Mr. MITCHELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. MITCHELL. Mr. Chairman, I rise today as an advocate of the Great Lakes. It is with that spirit I propose my amendment to prevent funds to be used to further delay the release of the Brandon Road Study.

Anyone who has spent time in my home State of Michigan or any of the Great Lakes States knows the beauty and importance of the lakes. In addition to their majesty, the Great Lakes supply 90 percent of the United States freshwater supply. Thirty million people live at the Great Lakes Basin, and they are all impacted by the quality of our lakes, whether as a water source, source of business, recreational opportunity, or the lakes' inherent value as a natural wonder. Any risk to the Great Lakes is a significant problem, no matter how you measure that risk.

One of the threats facing our lakes is the potential entry of invasive species,

the most pressing of which, at this time, is the threat of Asian carp entering the Great Lakes.

Asian carp have no natural predators in the lakes, meaning once they enter the Great Lakes, there is no way to stop their spread. Their unrestrained growth would disrupt the entire ecosystem.

In addition to the damage to native wildlife in the lakes, the introduction of Asian carp would damage several multibillion-dollar industries, including the fishing and boating industries which support countless jobs in my home State of Michigan and the Great Lakes.

Given the threat imposed by invasive species, the Army Corps of Engineers has been studying the best way to prevent introduction of the Asian carp into the Great Lakes Basin. Their study, the Brandon Road Study, was initially slated to be released on February 28 but has been delayed until further notice.

Delaying this study impedes the ability of all interested parties to develop a long-term strategy to thwart this threat. The continued delays create a great risk, yet no reason for delaying that release has been provided.

In late June, a live Asian carp was caught in the Illinois waterway about 2 miles below the T.J. O'Brien Lock and Dam, 9 miles from Lake Michigan. This is the first time an Asian carp has been discovered in such close proximity to our lakes.

Though further study is necessary to determine how this carp entered the area, it is an alarming warning that the window is quickly closing to prevent large-scale devastation to the Great Lakes' ecosystem.

The best way to mitigate the damage of Asian carp in our lakes is to stop it from happening altogether. For several months, members of the Great Lakes Task Force have requested the release of the Brandon Road Study, to no avail. I stand here today to again call on the Army Corps to release the study, which we have already paid for and they have conducted.

My amendment would prevent the Corps from using any more money—our money—to delay the release of the study.

Mr. Chairman, I urge my colleagues to support my amendment for the sake of the Great Lakes and for the well-being of our entire region.

Mr. Chairman, I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, I rise in strong support of this amendment offered by my friends, Mr. MITCHELL and Mr. HUIZENGA and, I have no doubt, many fellow travelers from the Great Lakes delegation on both sides of the aisle. I find it somewhat unusual that it is the last amendment this evening after midnight. I wish it had come up about 6 o'clock on the evening news.

This is an issue we know well, as Mr. HUIZENGA, Mr. MITCHELL, and certainly our chairman, Mr. SIMPSON, has heard a great deal about this now, and our ranking members on the full committee as well.

We introduced a bill last month with the same ultimate effect of preventing the spread of Asian carp into the Great Lakes. The Great Lakes represent a \$7 billion fishery, deeply threatened by these critters, Asian carp, that shouldn't even be in this country but began their movement up the Mississippi River when they were brought in to do bottom cleaning in Mississippi in the special fish tanks that were set up down there many years ago as bottom feeders. There was some type of storm and they hopped out. The walls were breached, and they began their journey up the Mississippi until now. They are within just a few miles of Lake Michigan.

Just a few weeks ago, a 28-inch Asian carp was caught beyond the protective barriers, which is a temporary solution, only 9 miles from Lake Michigan. Yet, even in this time of greatest danger, the Brandon Road Study, which Congressman MITCHELL outlined, which merely identifies options for preventing Asian carp from reaching the Great Lakes, has not been released by the U.S. Army Corps of Engineers.

This amendment would prevent the administration from expending any more funds to further delay the release of this study for public comment.

My colleagues should know that this study is already completed. After working on it for years at a cost of nearly \$7 million, it now sits on a shelf at the Corps, and they are unwilling to release it for reasons we do not understand.

Asian carp represent a serious economic and environmental threat to the entire Great Lakes. These mean critters are voracious eaters. They destroy native species and overwhelm their new ecosystems. They have gotten into the Ohio River, and they have gotten into rivers near Peoria. They eat up everything in their sight. They completely upend native ecosystems, and it is truly terrifying what they will do to our lakes, as you can see in this photograph. They are prolific, they are large, and they are predatory.

We should be aggressively pursuing action to prevent the spread of the Asian carp to the Great Lakes, yet the roadmap to getting there is locked in bureaucratic purgatory.

Finally, I would like to point out that this is not a partisan issue. Our substantively similar bill has 15 Republican and 16 Democratic cosponsors, who represent the vast majority of the Great Lakes coastline. In these hyperpartisan times, our constituents are united in their love for the Great Lakes, their desire to protect them, and their understanding of how vital they are to the future of this country and continent.

Mr. Chairman, I urge support for this amendment from all of my colleagues in order to save the national treasures that are the Great Lakes.

Mr. Chairman, I thank Congressman MITCHELL and Congressman HUIZENGA for taking the lead this evening from the great Wolverine State—and we Buckeyes don't often say that, do we—for embracing what is truly important to all of us, and I urge my colleagues to support the Mitchell-Huizenga amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, as the designee of Chairman FRELINGHUYSEN, I move to strike the last word.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, while I would like to support this amendment, unfortunately, I can't. But, believe me, I understand and have learned from Ms. KAPTUR and the members of the Great Lakes States when I was chairman of the Interior, Environment, and Related Agencies Subcommittee. And now she sits on the Interior, Environment, and

Related Agencies Subcommittee with me, and they have all come and talked to me about this problem.

This, unfortunately, pits kind of one State against another, and what I am trying to do is find a solution to this, because I happen to agree with these individuals that it seems rather silly that we go out and ask for a report to be done and then can't seem to get it released—not only the final report, we can't even get a draft report released that will go out for comment. That doesn't make any sense to me.

□ 0020

But I know that there are Members who also have concerns about that, but that is, frankly, why you release a draft report, so that you can get the comments.

During full committee consideration on the Energy and Water bill, we discussed a similar amendment that was offered by Ms. KAPTUR, my ranking member, Mr. JOYCE, and Mr. MOOLENAAR; and I committed to them at the time that I would work with all interested parties and Members to try to move these efforts forward, and I am happy to reiterate that commitment now.

What I am asking is if the gentleman will withdraw the amendment, give me a chance, and I commit to try to get this report out, because I think it needs to get done, and I think, together, we can convince the Army Corps and maybe the administration that it needs to get done. So that would be my request.

Mr. Chair, I yield back the balance of my time.

Mr. MITCHELL. Mr. Chair, in deference to Mr. SIMPSON, I will work with him and others in the Great Lakes Legislative Caucus to see if we can't move forward on this issue.

Mr. Chairman, I yield back the balance of my time, and I withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

Mr. SIMPSON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MITCHELL) having assumed the chair, Mr. PERRY, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes, had come to no resolution thereon.

#### ADJOURNMENT

Mr. SIMPSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 22 minutes a.m.), under its previous order, the House adjourned until today, Thursday, July 27, 2017, at 10 a.m. for morning-hour debate.

#### EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel pursuant to Public Law 95-384 are as follows:

##### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017

| Name of Member or employee | Date    |           | Country         | Per diem <sup>1</sup> |                                                      | Transportation   |                                                      | Other purposes   |                                                      | Total            |                                                      |
|----------------------------|---------|-----------|-----------------|-----------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|
|                            | Arrival | Departure |                 | Foreign currency      | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> |
| Hon. Mark Sanford .....    | 5/11    | 5/14      | Greenland ..... |                       | 718.00                                               |                  | ( <sup>3</sup> )                                     |                  |                                                      |                  | 718.00                                               |
| Committee total .....      |         |           |                 |                       | 718.00                                               |                  |                                                      |                  |                                                      |                  | 718.00                                               |

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Military air transportation.

HON. DIANE BLACK, Chairman, July 13, 2017.

##### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017

| Name of Member or employee  | Date    |           | Country         | Per diem <sup>1</sup> |                                                      | Transportation   |                                                      | Other purposes   |                                                      | Total            |                                                      |
|-----------------------------|---------|-----------|-----------------|-----------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|
|                             | Arrival | Departure |                 | Foreign currency      | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> |
| Hon. Barbara Comstock ..... | 4/7     | 4/10      | Egypt .....     |                       | 660.77                                               |                  | 7,679.14                                             |                  |                                                      |                  | 8,339.91                                             |
|                             | 4/10    | 4/10      | Lebanon .....   |                       |                                                      |                  | 416.08                                               |                  |                                                      |                  | 416.08                                               |
| Hon. Frank Lucas .....      | 4/11    | 4/13      | Jordan .....    |                       | 826.03                                               |                  | 5,915.14                                             |                  |                                                      |                  | 6,741.17                                             |
| Hon. Lamar Smith .....      | 5/11    | 5/14      | Greenland ..... |                       | 743.00                                               |                  | ( <sup>3</sup> )                                     |                  |                                                      |                  | 743.00                                               |
| Hon. Brian Babin .....      | 5/11    | 5/14      | Greenland ..... |                       | 743.00                                               |                  | ( <sup>3</sup> )                                     |                  |                                                      |                  | 743.00                                               |
| Hon. Neal Dunn .....        | 5/11    | 5/14      | Greenland ..... |                       | 743.00                                               |                  | ( <sup>3</sup> )                                     |                  |                                                      |                  | 743.00                                               |
| Hon. Ami Bera .....         | 5/11    | 5/14      | Greenland ..... |                       | 718.00                                               |                  | ( <sup>3</sup> )                                     |                  |                                                      |                  | 718.00                                               |
| Hon. Jerry McNerney .....   | 5/11    | 5/14      | Greenland ..... |                       | 718.00                                               |                  | ( <sup>3</sup> )                                     |                  |                                                      |                  | 718.00                                               |
| Ashley Smith .....          | 5/11    | 5/14      | Greenland ..... |                       | 718.00                                               |                  | ( <sup>3</sup> )                                     |                  |                                                      |                  | 718.00                                               |
| Cliff Shannon .....         | 5/11    | 5/14      | Greenland ..... |                       | 718.00                                               |                  | ( <sup>3</sup> )                                     |                  |                                                      |                  | 718.00                                               |

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017—Continued

| Name of Member or employee | Date    |           | Country         | Per diem <sup>1</sup> |                                                      | Transportation   |                                                      | Other purposes   |                                                      | Total            |                                                      |
|----------------------------|---------|-----------|-----------------|-----------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|------------------------------------------------------|
|                            | Arrival | Departure |                 | Foreign currency      | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> | Foreign currency | U.S. dollar equivalent or U.S. currency <sup>2</sup> |
| Joseph Brazauskas .....    | 5/11    | 5/14      | Greenland ..... |                       | 718.00                                               |                  | (?)                                                  |                  |                                                      |                  | 718.00                                               |
| Jennifer Wickre .....      | 5/11    | 5/14      | Greenland ..... |                       | 718.00                                               |                  | (?)                                                  |                  |                                                      |                  | 718.00                                               |
| Ashlee Vinyard .....       | 5/11    | 5/14      | Greenland ..... |                       | 718.00                                               |                  | (?)                                                  |                  |                                                      |                  | 718.00                                               |
| Rebekah Eskandani .....    | 5/11    | 5/14      | Greenland ..... |                       | 718.00                                               |                  | (?)                                                  |                  |                                                      |                  | 718.00                                               |
| Committee total .....      |         |           |                 |                       | 10,202.80                                            |                  | 14,010.36                                            |                  |                                                      |                  | 24,213.16                                            |

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.<sup>3</sup> Military air transportation.

HON. LAMAR SMITH, Chairman, July 13, 2017.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2086. A letter from the Acting Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's affirmation of interim rule as final rule — Sweet Onions Grown in the Walla Walla Valley of Southeast Washington and Northeast Oregon; Decreased Assessment Rate [Docket No.: AMS-SC-16-0116; SC17-956-1 FIR] received July 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

2087. A letter from the Acting Under Secretary for Acquisition, Technology, and Logistics, Department of Defense, transmitting the Department's Selected Acquisition Report for the Army Major Defense Acquisition Programs; to the Committee on Armed Services.

2088. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled "Premarket Approval of Pediatric Uses of Devices — FY 2015"; to the Committee on Energy and Commerce.

2089. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Incorporation by Reference of American Society of Mechanical Engineers Codes and Code Cases [NRC-2011-0088] (RIN: 3150-AI97) received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2090. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's revision 4 of RG 1.20 rule — Comprehensive Vibration Assessment Program for Reactor Internals During Preoperational and Startup Testing [Regulatory Guide 1.20] received July 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2091. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's regulatory guide withdrawal — Evaluation of Shipper-Receiver Differences in the Transfer of Special Nuclear Material (Regulatory Guide 5.28, Revision 0); Internal Transfers of Special Nuclear Material (Regulatory Guide 5.49, Revision 0); Shipping and Receiving Control of Strategic Special Nuclear Material (Regulatory Guide 5.57, Revision 1) received July 26, 2017, pursuant to 5 U.S.C.

801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2092. A letter from the Chief Executive Officer, U.S. Anti-Doping Agency, transmitting the Agency's 2016 Annual Report, pursuant to 21 U.S.C. 2002(b); Public Law 109-469, Sec. 702(b); (120 Stat. 3534); to the Committee on Energy and Commerce.

2093. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

2094. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-016, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2095. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 16-134, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2096. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-042, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2097. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-020, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2098. A letter from the Acting Chairman, National Transportation Safety Board, transmitting the Board's FY 2017 inventory of commercial and inherently governmental activities performed, pursuant to 31 U.S.C. 501 note; Public Law 105-270, Sec. 2(c)(1)(A); (112 Stat. 2382); to the Committee on Oversight and Government Reform.

2099. A letter from the Chief, Legal, External Affairs and Performance Branch, Office of Government Ethics, transmitting a notice of a designation of acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2100. A letter from the Chief, Regulatory Coordination Division, Office of Policy and

Strategy, Department of Homeland Security, transmitting the Department's temporary rule — Exercise of Time-Limited Authority to Increase the Fiscal Year 2017 Numerical Limitation for the H-2B Temporary Non-agricultural Worker Program [CIS No.: 2605-17; DHS Docket No.: USCIS-2017-0004] (RIN: 1615-AC12) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

2101. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Severn River, Sherwood Forest, MD [Docket No.: USCG-2017-0468] (RIN: 1625-AA00) received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2102. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Navigation and Navigable Waters, and Shipping; Technical, Organizational, and Conforming Amendments [Docket No.: USCG-2016-0498] received July 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2103. A letter from the Chief, Trade and Commercial Regulations Branch, U.S. Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Technical Corrections to U.S. Customs and Border Protection Regulations [CBP Dec. 17-08] received July 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

2104. A letter from the Board Members, Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds, transmitting the 2017 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds, pursuant to 42 U.S.C. 910(a); Aug. 14, 1935, ch. 531, title VII, Sec. 709 (as added by Public Law 98-21, Sec. 143); (97 Stat. 102); to the Committee on Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah. Committee on Natural Resources. H.R. 2937. A bill to amend



the Surface Mining Control and Reclamation Act of 1977 to authorize partnerships between States and nongovernmental entities for the purpose of reclaiming and restoring land and water resources adversely affected by coal mining activities before August 3, 1977, and for other purposes (Rept. 115-260). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEWHOUSE. Committee on Rules. House Resolution 478. Resolution providing for further consideration of the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes, and providing for consideration of motions to suspend the rules (Rept. 115-261). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ELLISON:

H.R. 3399. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for interest and taxes relating to land used for dwelling purposes owned or leased by cooperative housing corporations; to the Committee on Ways and Means.

By Mr. BISHOP of Utah:

H.R. 3400. A bill to promote innovative approaches to outdoor recreation on Federal land and to open up opportunities for collaboration with non-Federal partners, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, Transportation and Infrastructure, Energy and Commerce, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself and Mr. PALLONE):

H.R. 3401. A bill to amend chapter 301 of subtitle VI of title 49, United States Code, to update or provide new motor vehicle safety standards for highly automated vehicles, and for other purposes; to the Committee on Energy and Commerce.

By Mr. POLIQUIN (for himself, Mr. SCHRADER, Ms. HERRERA BEUTLER, Mr. KIND, Mr. GARAMENDI, Mr. WALZ, Mr. ROKITA, Mr. MESSER, and Mr. VALADAO):

H.R. 3402. A bill to amend the fresh fruit and vegetable program under the Richard B. Russell National School Lunch Act to include canned, dried, frozen, or pureed fruits and vegetables; to the Committee on Education and the Workforce.

By Mr. BROWN of Maryland (for himself, Mr. RUPPERSBERGER, and Mr. WITTMAN):

H.R. 3403. A bill to provide for an inter-agency cyber victim coordinator to respond to data breaches and other cyber attacks on Federal employees; to the Committee on Oversight and Government Reform.

By Mr. CÁRDENAS:

H.R. 3404. A bill to provide for the establishment in the National Highway Traffic Safety Administration of a Highly Automated Vehicle Advisory Council; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as

fall within the jurisdiction of the committee concerned.

By Mrs. MIMI WALTERS of California (for herself and Ms. MATSUI):

H.R. 3405. A bill to amend title 49, United States Code, to expand the exemption from the motor vehicle safety standards for testing or evaluation purposes to cover manufacturers of highly automated vehicles and automated driving system components, and for other purposes; to the Committee on Energy and Commerce.

By Mr. UPTON (for himself and Mrs. DINGELL):

H.R. 3406. A bill to amend section 30113 of title 49, United States Code, to increase the annual number of vehicles that may be exempted for the development of new vehicle safety features, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KINZINGER (for himself and Ms. CLARKE of New York):

H.R. 3407. A bill to amend chapter 301 of subtitle VI of title 49, United States Code, to require a cybersecurity plan for highly automated vehicles, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LANCE (for himself and Mrs. DINGELL):

H.R. 3408. A bill to amend section 30113 of title 49, United States Code to establish new exemptions for motor vehicle safety standards, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. BLACKBURN (for herself, Mr. VEASEY, Mr. LANCE, Mr. THOMPSON of Mississippi, Mr. BISHOP of Utah, Mrs. BEATTY, Mr. BISHOP of Michigan, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 3409. A bill to amend the Federal Trade Commission Act to prohibit pyramid promotional schemes and to ensure that compensation is not based upon recruitment of participants into a plan or operation, but on sales to individuals who use and consume the products or services sold, and for other purposes; to the Committee on Energy and Commerce.

By Ms. JACKSON LEE (for herself, Mr. CONYERS, Mr. CICILLINE, Ms. MOORE, Mrs. NAPOLITANO, Mr. HASTINGS, Ms. WILSON of Florida, Mr. MCNERNEY, Mr. DANNY K. DAVIS of Illinois, Mr. RUSH, Ms. PLASKETT, Mr. COHEN, Ms. DELAUNO, Mr. JOHNSON of Georgia, Mr. MCGOVERN, Ms. BASS, Ms. SEWELL of Alabama, Mr. AL GREEN of Texas, and Mr. RICHMOND):

H.R. 3410. A bill to enhance public health and safety by improving the effectiveness and efficiency of the Federal prison system for incarcerated pregnant women and mothers by establishing a pilot program of critical-stage, developmental nurseries in Federal prisons for children born to inmates, with risk and needs assessments, and risk and recidivism reduction; to the Committee on the Judiciary.

By Mr. COSTELLO of Pennsylvania (for himself and Mrs. DINGELL):

H.R. 3411. A bill to establish in the National Highway Traffic Safety Administration an Automated Driving System Cybersecurity Advisory Council to make recommendations regarding cybersecurity for the testing, deployment, and updating of automated driving systems; to the Committee on Energy and Commerce.

By Mr. MULLIN:

H.R. 3412. A bill to amend section 30103 of title 49, United States Code, to establish sole authority for the National Highway Traffic Safety Administration over the regulation of

highly automated vehicles, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BILIRAKIS (for himself and Mrs. DINGELL):

H.R. 3413. A bill to establish in the National Highway Traffic Safety Administration an Advisory Council on Improving Mobility Access for Underserved Populations and Senior Citizens; to the Committee on Transportation and Infrastructure.

By Mr. HARPER (for himself and Mrs. DINGELL):

H.R. 3414. A bill to establish in the National Highway Traffic Safety Administration a Disability Mobility Advisory Council to make recommendations regarding advancing mobility access for the disabled community with respect to the deployment of automated driving systems; to the Committee on Transportation and Infrastructure.

By Mr. POE of Texas (for himself and Mrs. CAROLYN B. MALONEY of New York):

H.R. 3415. A bill to amend title XVIII of the Social Security Act to ensure appropriate care for victims of sexual assault, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKINLEY (for himself and Mr. WELCH):

H.R. 3416. A bill to establish in the National Highway Traffic Safety Administration a Rural and Mountainous Advisory Council to make recommendations regarding the testing and deployment of highly automated vehicles and automated driving systems in areas that are rural, remote, mountainous, insular, or unmapped; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY:

H.R. 3417. A bill to authorize the Secretary of Health and Human Services to carry out a pilot program to improve community-based care infrastructure; to the Committee on Energy and Commerce.

By Mrs. LAWRENCE (for herself, Mr. FRANKS of Arizona, Ms. BASS, Mr. LANGEVIN, and Ms. MOORE):

H.R. 3418. A bill to require States to inform children in foster care under the responsibility of the State who have attained 14 years of age of all government programs under which the child may be eligible for financial assistance for expenses related to higher education; to the Committee on Ways and Means.

By Mr. BIGGS (for himself, Mr. GOHMERT, Mr. FRANKS of Arizona, and Mr. JONES):

H.R. 3419. A bill to repeal the Department of Agriculture bioenergy subsidy programs and other related subsidy programs; to the Committee on Agriculture, and in addition to the Committees on Oversight and Government Reform, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER (for himself and Mr. CICILLINE):

H.R. 3420. A bill to amend the Internal Revenue Code of 1986 to provide for carbon dioxide and other greenhouse gas emission fees,

reduce the rate of the corporate income tax, provide tax credits to workers, deliver additional benefits to retired and disabled Americans, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, Veterans' Affairs, Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCSHON (for himself and Mr. WELCH):

H.R. 3421. A bill to amend title 49, United States Code, to require the Secretary of Transportation to establish a database of exemptions for motor vehicles from the Federal motor vehicle safety standards, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CARSON of Indiana (for himself and Ms. STEFANIK):

H.R. 3422. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize an interstate teaching application program; to the Committee on Education and the Workforce.

By Mr. DELANEY (for himself, Mr. COLE, Mr. PETERS, and Mr. TROTT):

H.R. 3423. A bill to establish the Commission on Long Term Social Security Solvency, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself, Mr. LEVIN, and Mr. DOGGETT):

H.R. 3424. A bill to prohibit the award of Federal Government contracts to inverted domestic corporations, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESANTIS (for himself, Mr. COOK, Mr. DIAZ-BALART, Mr. SESSIONS, Mr. WALKER, Mr. ROKITA, Mr. ROSS, Mr. LAMBORN, Mr. MEADOWS, Mr. ZELDIN, Mr. MOONEY of West Virginia, Mr. KING of Iowa, Mr. JORDAN, Mr. FRANCIS ROONEY of Florida, Mr. RUTHERFORD, Mr. BISHOP of Michigan, Mr. GARRETT, Mr. COLLINS of New York, Mr. RATCLIFFE, and Mr. POSEY):

H.R. 3425. A bill to amend the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 to secure the authority of State and local governments to adopt and enforce measures restricting investment in business enterprises in Iran, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. DINGELL (for herself, Mr. KILMER, Ms. MCCOLLUM, Ms. DELAURO, Ms. KAPTUR, Ms. SLAUGHTER, Ms. MATSUI, Ms. SCHAKOWSKY, and Miss RICE of New York):

H.R. 3426. A bill to amend title XVIII of the Social Security Act to remove the exclusion of Medicare coverage for hearing aids and examinations therefor, and for other purposes;

to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICHAEL F. DOYLE of Pennsylvania (for himself, Mr. YODER, and Ms. LOFGREN):

H.R. 3427. A bill to provide for Federal agencies to develop public access policies relating to research conducted by employees of that agency or from funds administered by that agency; to the Committee on Oversight and Government Reform.

By Mr. EMMER (for himself and Mr. DEFazio):

H.R. 3428. A bill to establish a website for Federal Government apps, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. GONZALEZ of Texas (for himself, Mr. O'ROURKE, and Mr. YOUNG of Alaska):

H.R. 3429. A bill to prohibit the removal from the United States of certain veterans, to expedite their naturalization, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Armed Services, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GUTHRIE:

H.R. 3430. A bill to establish in the National Highway Traffic Safety Administration a Highly Automated Vehicle Information Sharing Advisory Council to make recommendations regarding the development of a framework that allows manufacturers of highly automated vehicles to share information related to testing or deployment events on public streets; to the Committee on Energy and Commerce.

By Mr. HIGGINS of Louisiana (for himself, Mr. GRAVES of Louisiana, and Mr. ABRAHAM):

H.R. 3431. A bill to amend the Internal Revenue Code of 1986 to allow the volumetric excise tax credit for liquid fuel derived from natural gas through the Fischer-Tropsch process; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 3432. A bill to amend title II of the Social Security Act relating to the reimbursement of travel expenses; to the Committee on Ways and Means.

By Ms. KELLY of Illinois (for herself and Mr. BOST):

H.R. 3433. A bill to amend the Agricultural Act of 2014 to increase the number of base acres upon which agricultural producers are authorized to grow fruits and vegetables without a resulting reduction in payment acres on their farm when the resulting produce is used to help alleviate a food desert, and for other purposes; to the Committee on Agriculture.

By Mr. LEVIN (for himself, Ms. SLAUGHTER, Ms. DELAURO, Mr. SCHIFF, and Mr. RASKIN):

H.R. 3434. A bill to amend the Internal Revenue Code of 1986 to modify the rules relating to inverted corporations; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself and Mr. GARAMENDI):

H.R. 3435. A bill to prohibit the transportation of certain volatile crude oil by rail; to the Committee on Transportation and Infrastructure.

By Ms. MCSALLY (for herself, Mr. GOSAR, Mr. FRANKS of Arizona, Mr. SCHWEIKERT, and Ms. SINEMA):

H.R. 3436. A bill to require the Secretary of Homeland Security to prepare a southwest border threat analysis, and for other purposes; to the Committee on Homeland Security.

By Mrs. NOEM:

H.R. 3437. A bill to prevent States from counting certain expenditures as State spending to reduce TANF work requirements; to the Committee on Ways and Means.

By Mrs. NOEM:

H.R. 3438. A bill to increase the employment, job retention, and earnings of former TANF recipients; to the Committee on Ways and Means.

By Mr. PITTENGER:

H.R. 3439. A bill to facilitate better information sharing to assist in the fight against the funding of terrorist activities, and for other purposes; to the Committee on Financial Services.

By Ms. ROYBAL-ALLARD (for herself and Ms. ROS-LEHTINEN):

H.R. 3440. A bill to authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MESSER (for himself, Mr. CRAMER, Mr. HARPER, and Mr. JODY B. HICE of Georgia):

H. Con. Res. 73. Concurrent resolution effectuating the Compact for a Balanced Budget; to the Committee on the Judiciary.

By Mrs. NAPOLITANO (for herself, Mr. CUREBELO of Florida, Ms. BORDALLO, Mr. GRIJALVA, Ms. VELAZQUEZ, Mr. GALLEGOS, Mr. SERRANO, Ms. ROYBAL-ALLARD, Mr. CARBAJAL, Mr. KIHUEN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. HUFFMAN, Mr. POLIS, Mr. GOMEZ, Mr. SABLON, Mr. O'ROURKE, Mr. RUIZ, Mr. CORREA, and Mrs. TORRES):

H. Res. 476. A resolution supporting the inclusion and meaningful engagement of Latinos in environmental protection and conservation efforts; to the Committee on Natural Resources.

By Mr. GAETZ (for himself, Mr. JORDAN, Mr. BIGGS, Mr. JOHNSON of Louisiana, Mr. GOHMERT, Mr. DESANTIS, Mr. KING of Iowa, Mr. FARENTHOLD, Mr. RUTHERFORD, Mr. FRANKS of Arizona, Mr. POE of Texas, Mr. MEADOWS, Mr. GARRETT, Mr. YOHIO, Mr. BLUM, Mr. DESJARLAIS, Mr. PERRY, Mr. JODY B. HICE of Georgia, Mr. BRAT, Mr. DUNCAN of South Carolina, Mr. HARRIS, Mr. MOONEY of West Virginia, Mr. MCKINLEY, Mr. GOSAR, and Mr. AMODEI):

H. Res. 477. A resolution expressing the sense of the House of Representatives that a special counsel should be appointed by the Attorney General or his designee to investigate misconduct by former Attorney General Loretta Lynch and former Federal Bureau of Investigation Director James B. Comey with regard to the investigation of former Secretary of State Hillary Clinton for mishandling of classified data and use of an unauthorized email server; to the Committee on the Judiciary.

## MEMORIALS

Under clause 3 of rule XII,

95. The SPEAKER presented a memorial of the Legislature of the State of New Jersey, relative to Assembly Resolution No. 138, condemning the immigration Executive Order and firing of the Acting Attorney General; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY  
STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ELLISON:

H.R. 3399.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 7, Clause 1 and Section 8, Clause 1.

By Mr. BISHOP of Utah:

H.R. 3400.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, clause 2 and Article I, Section 8, clause 18

By Ms. SCHAKOWSKY:

H.R. 3401.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. POLIQUIN:

H.R. 3402.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 empowers Congress to "regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. BROWN of Maryland:

H.R. 3403.

Congress has the power to enact this legislation pursuant to the following:

Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

By Mr. CÁRDENAS:

H.R. 3404.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3  
To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

By Mrs. MIMI WALTERS of California:

H.R. 3405.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

"The Congress shall have Power to regulate Commerce . . . among the several States . . ."

By Mr. UPTON:

H.R. 3406.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, To Regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. KINZINGER:

H.R. 3407.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, granting authority to regulate interstate commerce

By Mr. LANCE:

H.R. 3408.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

By Mrs. BLACKBURN:

H.R. 3409.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Necessary and Proper Clause

By Ms. JACKSON LEE:

H.R. 3410.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. COSTELLO of Pennsylvania:

H.R. 3411.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Mr. MULLIN:

H.R. 3412.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3 of the U.S. Constitution

By Mr. BILIRAKIS:

H.R. 3413.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 (which states that "The Congress shall have the Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States") and Article 1, Section 8, Clause 3 (which states that the Congress shall have the Power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes") of the Constitution of the United States.

By Mr. HARPER:

H.R. 3414.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. POE of Texas:

H.R. 3415.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I of the Constitution which states that Congress has the power "to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. McKINLEY:

H.R. 3416.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. SCHAKOWSKY:

H.R. 3417.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mrs. LAWRENCE:

H.R. 3418.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BIGGS:

H.R. 3419.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. BLUMENAUER:

H.R. 3420.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. BUCSHON:

H.R. 3421.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. CARSON of Indiana:

H.R. 3422.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution.

By Mr. DELANEY:

H.R. 3423.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Ms. DELAURO:

H.R. 3424.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 3 of the United States Constitution

By Mr. DESANTIS:

H.R. 3425.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; and Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department Officer thereof.

By Mrs. DINGELL:

H.R. 3426.

Congress has the power to enact this legislation pursuant to the following:

Article I Section VIII

By Mr. MICHAEL F. DOYLE of Pennsylvania:

H.R. 3427.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3:

The Congress shall have the power to regulate commerce with foreign nations, and among the several states, and with Indian tribes.

Article I, Section 8, Clause 18:

The Congress shall have the power to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all of the Power vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. EMMER:

H.R. 3428.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes

By Mr. GONZALEZ of Texas:  
H.R. 3429.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution; Article I, Section 8, Clause 4 of the U.S. Constitution; Article I, Section 8, Clause 11 of the U.S. Constitution; Article I, Section 8, Clause 12, of the U.S. Constitution; Article I, Section 8, Clause 13, of the U.S. Constitution; Article I, Section 8, Clause 14, of the U.S. Constitution; Article I, Section 8, Clause 15, of the U.S. Constitution; Article I, Section 8, Clause 16 of the U.S. Constitution; and Article I, Section 8, Clause 18 of the U.S. Constitution.

By Mr. GUTHRIE:

H.R. 3430.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have power . . . To regulate commerce with foreign nations, and among the several states, and with the Indian tribes

By Mr. HIGGINS of Louisiana:

H.R. 3431.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. Art. I sec. 8 cl. 18.

By Mr. SAM JOHNSON of Texas:

H.R. 3432.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution, to "provide for the common defense and general welfare of the United States."

By Ms. KELLY of Illinois:

H.R. 3433.

Congress has the power to enact this legislation pursuant to the following:

US Const. Art. I, Sec. 8, Cl. 3 ("The Congress shall have Power To regulate Commerce with foreign Nations, and among the several states, and with the Indian tribes[.]") (This bill would amend federal crop insurance law to incentivize farmers to grow more fruits and vegetables—thereby altering the supply of crops, and therefore food prices) (Cf. Wickard v. Filburn).

US Const. Preamble; Art 1., Sec. 8, Cl. 18 ([T]o . . . promote the general Welfare . . . The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.") (This bill promotes the general welfare of the United States by expanding access to fresh produce in underserved communities, while promoting crop diversity and therefore farmer income).

By Mr. LEVIN:

H.R. 3434.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. LOWEY:

H.R. 3435.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Ms. MCSALLY:

H.R. 3436.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1—The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

Article 1, Section 8, Clause 18—To make Laws which shall be necessary and proper for carrying into Execution the foregoing Power, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mrs. NOEM:

H.R. 3437.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mrs. NOEM:

H.R. 3438.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. PITTENGER:

H.R. 3439.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to the Commerce Clause, Article I, Section 8, Clause 3.

By Ms. ROYBAL-ALLARD:

H.R. 3440.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 19: Ms. TENNEY, Mr. ROHRBACHER, Mr. LOBIONDO, Mr. CURBELO of Florida, Mr. PEARCE, Mr. WILLIAMS, Mr. FITZPATRICK, Mrs. RADEWAGEN, Mr. FARENTHOLD, and Mr. PETERSON.

H.R. 38: Mr. ISSA.

H.R. 44: Mr. WESTERMAN.

H.R. 233: Ms. TSONGAS.

H.R. 299: Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. SPEIER, and Mrs. MCMORRIS RODGERS.

H.R. 360: Mr. BLUMENAUER.

H.R. 449: Ms. ESHOO.

H.R. 490: Mr. HILL.

H.R. 502: Mr. SHERMAN, Mr. PAYNE, and Mr. RYAN of Ohio.

H.R. 525: Mr. SANFORD.

H.R. 620: Mr. CUELLAR and Mr. RUSSELL.

H.R. 631: Mr. LONG, Mr. ROSS, and Mr. WITTMAN.

H.R. 671: Mr. PAYNE.

H.R. 719: Mr. MEADOWS and Mr. LAMBORN.

H.R. 772: Mr. SHIMKUS.

H.R. 788: Mr. COLLINS of New York and Mr. THOMPSON of California.

H.R. 818: Mr. FITZPATRICK.

H.R. 820: Mr. ROYCE of California, Mr. CRIST, Mr. KUSTOFF of Tennessee, and Mr. WELCH.

H.R. 849: Mr. LUCAS.

H.R. 866: Ms. NORTON and Ms. BARRAGÁN.

H.R. 873: Mr. EVANS and Mrs. BEATTY.

H.R. 909: Miss GONZÁLEZ-COLÓN of Puerto Rico.

H.R. 931: Mr. CALVERT.

H.R. 959: Ms. SLAUGHTER and Ms. BARRAGÁN.

H.R. 1057: Mr. MCNERNEY, Mr. DEFazio, Ms. SPEIER, Mr. RICE of South Carolina, and Mr. BOST.

H.R. 1098: Ms. MCCOLLUM.

H.R. 1144: Ms. GABBARD.

H.R. 1164: Mrs. NOEM, Mr. WALBERG, Mr. LONG, Mr. SMITH of New Jersey, and Mr. AMODEI.

H.R. 1171: Mr. HUFFMAN.

H.R. 1189: Mr. BRADY of Pennsylvania.

H.R. 1200: Mr. MEEHAN.

H.R. 1212: Mr. GUTHRIE.

H.R. 1276: Mr. CARBAJAL.

H.R. 1291: Ms. ESTY of Connecticut.

H.R. 1318: Mr. LANCE.

H.R. 1341: Mr. FITZPATRICK.

H.R. 1361: Mr. TONKO.

H.R. 1406: Mr. PALLONE.

H.R. 1432: Mr. CONYERS.

H.R. 1450: Mr. ROSKAM.

H.R. 1528: Mr. BEN RAY LUJÁN of New Mexico, Mr. AMODEI, and Ms. MCCOLLUM.

H.R. 1606: Mr. KING of Iowa and Mr. OLSON.

H.R. 1626: Mr. CARBAJAL.

H.R. 1673: Mr. JEFFRIES.

H.R. 1686: Mr. CORREA.

H.R. 1762: Mr. PERLMUTTER.

H.R. 1776: Ms. MCCOLLUM.

H.R. 1796: Mr. MCGOVERN, Mrs. ROBY, and Mr. KHANNA.

H.R. 1825: Mr. FLORES.

H.R. 1861: Ms. JENKINS of Kansas.

H.R. 1864: Mr. RENACCI.

H.R. 1910: Mr. MCHENRY.

H.R. 1951: Mr. SCHNEIDER.

H.R. 2000: Mr. CONYERS.

H.R. 2001: Mr. CONYERS.

H.R. 2029: Mr. WENSTRUP, Mr. BERGMAN, Mr. LAMALFA, and Mr. YOHO.

H.R. 2061: Mr. CONNOLLY, Mr. CURBELO of Florida, Mr. SCHNEIDER, Mr. DONOVAN, and Mr. ROYCE of California.

H.R. 2069: Mr. RASKIN and Mr. BACON.

H.R. 2118: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 2133: Mr. ARRINGTON and Mr. FITZPATRICK.

H.R. 2173: Ms. CLARK of Massachusetts.

H.R. 2205: Mr. BACON.

H.R. 2285: Mr. DUNCAN of Tennessee.

H.R. 2299: Mr. CURBELO of Florida and Mr. HUNTER.

H.R. 2319: Ms. SINEMA.

H.R. 2327: Ms. MCCOLLUM, Ms. DELBENE, and Mr. WILSON of South Carolina.

H.R. 2408: Mr. KINZINGER, Mr. ROYCE of California, Mr. KRISHNAMOORTHY, Ms. JUDY CHU of California, Mr. VISCLOSKEY, Mr. PAYNE, Mr. MOULTON, Mr. PETERS, Mr. DONOVAN, Ms. TSONGAS, and Mrs. WATSON COLEMAN.

H.R. 2418: Mr. BLUMENAUER.

H.R. 2432: Mr. LAMBORN.

H.R. 2482: Mr. SWALWELL of California and Mr. KRISHNAMOORTHY.

H.R. 2585: Ms. GABBARD.

H.R. 2603: Mr. OLSON.

H.R. 2644: Mr. RODNEY DAVIS of Illinois.

H.R. 2651: Mr. BYRNE, Ms. ESTY of Connecticut, and Mr. KATKO.

H.R. 2663: Mr. FLORES.

H.R. 2666: Mrs. RADEWAGEN.

H.R. 2669: Mr. COOPER and Mr. KENNEDY.

H.R. 2715: Ms. BARRAGÁN.

H.R. 2723: Mr. CHABOT.

H.R. 2732: Mr. CONNOLLY and Mr. ZELDIN.

H.R. 2740: Mr. BISHOP of Utah, Mr. CURBELO of Florida, Mr. SERRANO, Mr. MEEHAN, Mr. LIPINSKI, Mr. MOONEY of West Virginia, and Mr. WEBSTER of Florida.

H.R. 2741: Mr. BUDD.

H.R. 2803: Ms. KUSTER of New Hampshire and Mr. PERLMUTTER.

H.R. 2821: Mr. PAULSEN.

H.R. 2851: Mr. THOMPSON of Pennsylvania.

H.R. 2852: Ms. SHEA-PORTER.

H.R. 2856: Mr. O'HALLERAN, Ms. HANABUSA, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. VEASEY, and Mr. BROWN of Maryland.

H.R. 2876: Mr. RYAN of Ohio, Mrs. BEATTY, Mrs. DINGELL, Mr. LARSEN of Washington, Ms. SPEIER, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. ESHOO, Mr. SCHNEIDER, Mr. SOTO, Mr. MOULTON, Mr. CORREA, Mr. CUMMINGS, Mr. BUTTERFIELD, Mr. COOPER, and Mr. ELLISON.

H.R. 2925: Mr. ELLISON.  
H.R. 2926: Mr. SESSIONS.  
H.R. 2957: Mr. DESJARLAIS, Mr. WALZ, Mr. VELA, Mr. STEWART, and Mr. HUFFMAN.  
H.R. 2960: Mr. TAKANO.  
H.R. 2968: Mr. RASKIN.  
H.R. 2989: Mr. BISHOP of Michigan and Mr. FITZPATRICK.  
H.R. 2991: Mr. FITZPATRICK, Mr. THOMPSON of Pennsylvania, Mr. MURPHY of Pennsylvania, Mr. KELLY of Pennsylvania, and Mr. ROTHFUS.  
H.R. 2996: Mr. RICE of South Carolina, Mr. ALLEN, and Mr. MEADOWS.  
H.R. 3048: Mr. McNERNEY.  
H.R. 3053: Mr. ROHRABACHER, Mr. YOUNG of Alaska, Mr. DUNCAN of South Carolina, Mr. LAHOOD, Mr. HILL, and Mr. COURTNEY.  
H.R. 3067: Mr. WOODALL.  
H.R. 3071: Mr. JODY B. HICE of Georgia.  
H.R. 3082: Ms. BORDALLO.  
H.R. 3117: Mr. ABRAHAM.  
H.R. 3131: Mr. CRAMER.  
H.R. 3212: Mr. OLSON.  
H.R. 3214: Ms. LOFGREN.  
H.R. 3215: Mr. VELA, Mr. HASTINGS, and Mr. RASKIN.  
H.R. 3222: Mr. SMITH of Washington.  
H.R. 3227: Mr. KHANNA.  
H.R. 3236: Mr. COLE.  
H.R. 3239: Mr. COSTA and Ms. GABBARD.  
H.R. 3248: Mr. KIND.  
H.R. 3258: Ms. MAXINE WATERS of California, Ms. DELAURO, Mr. VARGAS, Mr. TAKANO, Mr. CORREA, Ms. SHEA-PORTER, Ms. TITUS, Ms. NORTON, Mr. RASKIN, Mr. ENGEL, and Ms. SPEIER.  
H.R. 3274: Mr. MACARTHUR, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CLYBURN, Ms.

NORTON, Mr. HIGGINS of New York, Mr. ROHRABACHER, Mr. LAMBORN, Ms. JENKINS of Kansas, Mr. CLAY, Mr. WESTERMAN, Mr. VALADAO, Mrs. RADEWAGEN, Mr. SCOTT of Virginia, Mr. BISHOP of Michigan, Mr. COLLINS of New York, and Mr. BRENDAN F. BOYLE of Pennsylvania.  
H.R. 3282: Mr. SENSENBRENNER, Ms. JENKINS of Kansas, Mr. ROKITA, Mr. BRADY of Texas, Mr. MARCHANT, Mrs. WALORSKI, Mr. THOMPSON of Pennsylvania, and Mr. SMITH of Missouri.  
H.R. 3296: Mr. EVANS.  
H.R. 3312: Ms. SEWELL of Alabama, Mr. HASTINGS, and Mr. PEARCE.  
H.R. 3314: Ms. BARRAGÁN, Mr. BLUMENAUER, and Ms. LEE.  
H.R. 3323: Mr. RASKIN.  
H.R. 3327: Mr. LOBIONDO.  
H.R. 3329: Mr. ROSKAM, Mr. O'HALLERAN, Ms. HANABUSA, and Mr. MURPHY of Pennsylvania.  
H.R. 3332: Mr. CARSON of Indiana, Mrs. WALORSKI, Mrs. BLACK, Mr. SMITH of Nebraska, Mrs. NOEM, Mr. BISHOP of Michigan, Mr. REED, Mr. MARCHANT, Mr. HOLDING, Mr. NUNES, Mr. TIBERI, Mr. SAM JOHNSON of Texas, Mr. BRADY of Texas, Mr. MEEHAN, Mr. REICHERT, Mr. PAULSEN, Mr. CURBELO of Florida, Mr. ROSKAM, Mr. BUCHANAN, Mr. RENACCI, Mr. SMITH of Missouri, Mr. SCHWEIKERT, Mr. DONOVAN, Mr. HUDSON, Mr. KINZINGER, Mr. GARRETT, Mr. SIMPSON, Mr. ROUZER, Mr. BERGMAN, Mr. COFFMAN, Mr. HURD, Mr. RATCLIFFE, Mr. LAMALFA, Mr. GIBBS, Mr. STEWART, Mrs. HARTZLER, Mr. WENSTRUP, Mr. PITTINGER, Mr. OLSON, Mr.

LUCAS, Mr. LAHOOD, Mr. BACON, and Mr. GRAVES of Louisiana.  
H.R. 3359: Mr. KING of New York.  
H.R. 3361: Mr. FOSTER.  
H.R. 3380: Mr. SIRES, Mr. MEEKS, Mr. BLUMENAUER, Ms. BARRAGÁN, Mr. KHANNA, and Mr. EVANS.  
H.R. 3394: Mr. BEN RAY LUJÁN of New Mexico, Mr. VARGAS, and Mr. GRIJALVA.  
H.J. Res. 1: Mr. FLORES, Mr. KING of Iowa, and Mr. CHABOT.  
H.J. Res. 2: Mr. FLORES, Mr. KING of Iowa, and Mr. CHABOT.  
H.J. Res. 51: Mr. LUCAS.  
H. Con. Res. 10: Mr. PASCARELL.  
H. Con. Res. 13: Mr. HOLLINGSWORTH.  
H. Res. 30: Mr. MCCAUL.  
H. Res. 129: Ms. BORDALLO, Mr. MESSER, and Mrs. BEATTY.  
H. Res. 201: Mrs. LOWEY and Mr. POE of Texas.  
H. Res. 259: Mr. BUCSHON and Mr. WILSON of South Carolina.  
H. Res. 274: Mr. WITTMAN.  
H. Res. 279: Mr. NORCROSS.  
H. Res. 317: Ms. JAYAPAL, Mr. GARRETT, Mr. ROHRABACHER, Mr. SENSENBRENNER, and Mr. SIMPSON.  
H. Res. 400: Mr. ROSS and Mrs. MCMORRIS RODGERS.  
H. Res. 401: Mr. CORREA and Ms. JAYAPAL.  
H. Res. 435: Mr. VEASEY and Mrs. BEATTY.  
H. Res. 446: Ms. BASS and Mrs. LOWEY.  
H. Res. 456: Mr. THOMPSON of Mississippi.  
H. Res. 474: Mr. CONYERS.

**SENATE—Wednesday, July 26, 2017**

The Senate met at 9:30 a.m. and was called to order by the Honorable RAND PAUL, a Senator from the Commonwealth of Kentucky.

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Beautiful Savior, You have been our dwelling place in all generations, and we are sustained by Your steadfast love. Today, surround our Senators with the shield of Your favor, as they labor to keep our Nation strong.

Lord, teach them to be obedient to Your commands, doing Your good will as Your presence fills them with joy. May they be quick to listen, slow to speak, and slow to anger. Manifest Your power throughout their labors, so that this Nation will be exalted by righteousness.

May Your angels guard us in all our ways.

We pray in Your mighty Name. Amen.

**PLEDGE OF ALLEGIANCE**

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 26, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAND PAUL, a Senator from the Commonwealth of Kentucky, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mr. PAUL thereupon assumed the Chair as Acting President pro tempore.

**RECOGNITION OF THE MAJORITY LEADER**

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

**HEALTHCARE**

Mr. MCCONNELL. Mr. President, the Senate took a critical step yesterday afternoon to finally leave the failed experiment of ObamaCare in the past. It marks an important moment for our country. It signals a positive development for the countless Americans who continue to suffer under ObamaCare's skyrocketing costs and diminishing options.

I thank every colleague who voted to begin the debate. I thank the President, his administration, and our friends in the House for the roles they have played.

Now we have to keep working hard. We are determined to do everything we can to succeed. We know our constituents are counting on us. We will work through an open amendment process. I know Members in both parties have healthcare ideas they would like to offer. If you have one, bring it to the floor.

Last night the Senate considered a comprehensive ObamaCare repeal-and-replace substitute. That amendment was subject to a 60-vote threshold because the Congressional Budget Office had not provided a score for that provision as yet, but it represented a number of important healthcare reform ideas developed by our Members.

Later today, the Senate will vote on another alternative that is based on the ObamaCare repeal legislation that passed Congress in 2015 and was vetoed by President Obama.

We will consider many different proposals throughout this process from Senators on both sides of the aisle. Ultimately, we want to get legislation to finally end the failed ObamaCare status quo through Congress and to the President's desk for his signature.

This certainly will not be easy. Hardly anything in this process has been. We know that moving beyond the failures of ObamaCare is the right thing to do. We have put a lot of hard work already into this. We have had important successes, as we saw with the vote to proceed yesterday. We have to keep up the work now so we can get this done.

**RESERVATION OF LEADER TIME**

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

**CONCLUSION OF MORNING BUSINESS**

The ACTING PRESIDENT pro tempore. Morning business is closed.

**AMERICAN HEALTH CARE ACT OF 2017**

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 1628, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1628) to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

Pending:

McConnell amendment No. 267, of a perfecting nature.

Enzi (for PAUL) amendment No. 271 (to amendment No. 267), of a perfecting nature.

Donnelly motion to commit the bill to the Committee on Finance with instructions to report back with instructions.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 11:30 a.m. will be equally divided between the leaders or their designees.

Who yields time?

If no one yields time, time will be charged equally to both sides.

**RECOGNITION OF THE MINORITY LEADER**

The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, I ask unanimous consent that my speaking time be taken from leader time, not the debate time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, as the Senate continues the debate on the Republican healthcare bill, it seems the Republican majority is no clearer on what the endgame is because there is no good way out of this.

Last night, the Senate Republican TrumpCare bill—after months of backroom negotiating and provisions aimed at all kinds of individual States and Members—died, with nine Republicans voting against the measure and many others who voted for it gritting their teeth unhappily.

Later today, we will vote on a bill to repeal the Affordable Care Act without replacing it. I know that you, Mr. President, have championed that bill. Based on public comments and public criticism from the other side of the aisle, repeal without replace will fail as well. It is becoming clearer that in the end, the majority leader might push a much scaled-back version of repeal in the hopes of passing something—a so-called skinny repeal—just to get to conference. My colleagues, make no mistake about it, skinny repeal is equal to full repeal. It is a Trojan horse, designed to get the House and Senate into conference where a hard-right flank of the House Republicans, the Freedom Caucus, will demand full

repeal or something very close to it. They will demand all the things—deep cuts to Medicaid, generous tax breaks for the wealthy, elimination of pre-existing conditions, slashing the kinds of things people need for nursing homes and opioid treatment and disabled kids—that many of my Republican colleagues in the Senate have very sincerely tried to undo.

There is no such thing as skinny repeal. It is a ruse to get to full repeal, with all the concomitant cuts to Medicaid and tax breaks which are so unpopular and which so many of my Republican colleagues here on the other side have opposed. It is clear House and Senate Republicans are miles apart. They are divided on major issues—on Medicaid, tax breaks, and preexisting conditions. The differences between House Republicans and Senate Republicans are virtually irreconcilable. So what is the point of a conference?

You can imagine a conference that turns into an endless game of hot potato; the Republican leader and the Senate passing the potato to the House; the Republican leader of the House passing the potato back to the Senate because neither wants to be responsible for what is inevitable: the demise of TrumpCare. Of course, it is likely a conference could probably produce no agreement at all, keeping the incredibly toxic and unpopular TrumpCare bill the topic of conversation for another 3 months, stalling the legislative agenda for another 3 months, and in the end getting nothing done.

My Republican colleagues should consider that. Many of them want to work with us on so many issues. Above all, NDAA, which my dear friend JOHN MCCAIN, who we pray for every day, wants to get to right away, and the Energy bill, which my colleague from Washington and her chair, the senior Member from Alaska, could bring to the floor and get moving in a bipartisan way. Leader MCCONNELL has made it clear he wants to move nominations.

If we stop playing this game with TrumpCare and send it back to committee and do regular order, as JOHN MCCAIN preached so well yesterday, we could move on to all these other things in a good, strong bipartisan way and start to get things done. My Republican colleagues should consider that carefully.

We Democrats want to start working with our Republican colleagues on the issues I mentioned. We also want to work on improving ACA. No one has ever said ObamaCare was perfect. I have called five or six of my Republican colleagues on the other side and said if we stop this effort with TrumpCare—with repeal or repeal and replace with something far worse than the present—we can go back to committee and improve the present

healthcare system and get premiums lower, make healthcare better, and stabilize the system so there is more competition. We will do that.

My good friend the Senator from Wyoming, not the Senator sitting here but his colleague—I heard he was saying to some Members: Oh, the Democrats will never negotiate. SCHUMER will never negotiate. I saw him last night on the floor, and I assured him we will. That is our goal. He accepted that in good faith, which I very much respect.

So the bottom line is simple. I say to my Republican colleagues, when you find yourself in a hole, the first rule is stop digging. By continuing this process—trying to send something, anything, to conference with the House—Republicans are just digging a deeper and deeper hole for themselves and for this body. I implore my Republican colleagues to stop digging and come work with Democrats. We can work to improve our Nation's healthcare system, but Republicans have to turn back soon, and they are running out of chances.

One more thing I would add. I heard my friend the Republican leader say we are going to have a full amendment process. He is trying to convince the folks on the other side that, oh, we will do a bunch of amendments, and then we will have no choice, we will have to send something to conference because we couldn't get anything major done. That is a lot of bunk. We have had no hearings, we had no amendments, we had no bipartisan discussions, and we will not even be able to have debate on many amendments on one of the most major bills affecting us, that affects tens of millions of people's health, and affects one-sixth of the economy. Don't fall for this, oh, we are having a full process. I like my friend the Republican leader. We get along well, but sometimes he says things that when I hear them, I get a little twinge in the stomach. We have a full and open amendment process, he said three or four times. Everyone in this Chamber knows that is not the case. Don't be deluded into thinking, well, we tried. We haven't tried until we go back to regular order.

#### COMMENTS OF THE PRESIDENT ON ATTORNEY GENERAL SESSIONS

Mr. President, on another matter, President Trump continues to find new ways to humiliate his own Attorney General, Jeff Sessions, a man who stuck his neck out for the President before any other Senator would. I heard President Trump say: I was already popular. As I remember it, when Jeff Sessions supported him, he was an underdog, and everyone said: Wow, Jeff Sessions is doing that out of loyalty and friendship with Donald Trump, not because he was jumping on a train that was headed down the track. Maybe he saw that, but no one else did, and now the President humiliates him.

I would say to my fellow Americans—Democratic, Republican, liberal, conservative—every American should be troubled by the character of this person who humiliates and turns his back on a close friend after only 6 months. We are already far beyond the dangers of a chilling effect at the Department of Justice. The President is taking almost every opportunity in public to demonstrate an open hostility toward the Attorney General. It seems clear the President's intention is to make life unbearable for the Attorney General, hoping to prompt his resignation. All Americans should be wondering why the President is publicly demeaning and humiliating such a close friend and supporter—a member of his own Cabinet. They should wonder if the President is trying to pry open the office of Attorney General to appoint someone during the August recess who will fire Special Counsel Mueller and shut down the Republican investigation. Let me say, if such a situation arises, Democrats will use every tool in our toolbox to stymie such a recess appointment.

Second, I can't imagine my friends on the Republican side, particularly my friends in the Republican leadership, the majority leader and Speaker RYAN—I can't imagine they would be complicit in creating a constitutional crisis. They must work with us and not open the door to a constitutional crisis during the August recess.

#### SANCTIONS BILL

Mr. President, one final point because I know my colleagues are waiting: sanctions—finally, a word on them. Yesterday, the House of Representatives passed nearly unanimously, 419 to 3, a sanctions bill that was a product of bicameral, bipartisan negotiations and includes strong sanctions against Russia, Iran, and North Korea. The Senate must act quickly on the legislation from the House.

I understand that earlier today the chairman of the Foreign Relations Committee indicated he plans to strip out a section of this package that relates to North Korea. This is yet another delay generated by Republicans to prevent this bill from landing on the President's desk before we leave for the recess. Even as we debate other items here on the floor, we shouldn't delay this legislation any longer.

I will work with the majority leader to schedule another vote on the sanctions bill so that we can send the legislation to the President's desk before the recess, and I expect the vote will constitute a veto-proof majority, just like the vote in the House.

Mr. SCHUMER. Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Washington.

#### EXPORT-IMPORT BANK

Ms. CANTWELL. Mr. President, I saw the remarks of the President of the



United States in Youngstown, OH, and it has brought me to the floor this morning because the focus of some of his speech was on the economy and job creation. Well, I can tell the President right now that we need his urgent attention to making sure that we create jobs right now. It is not about something in the future; it is about right now.

There are over 40 projects worth \$30 billion being held up because the Export-Import Bank does not have a quorum. It is incredibly important to get a functioning bank and to get a board that supports having the support of a credit agency to work with the private sector to finance the sale of U.S.-made products.

The President seems to embrace the notion that we should make things in America. I think we should make things in America, but I don't think that we sell them only in America. I actually want to sell the great manufactured products of the United States of America to overseas markets, to the 95 percent of consumers who are outside the United States. But because this administration has not shown the leadership to get a functioning Export-Import Bank, we continue to struggle. Those \$30 billion in projects are being held up because we don't have a functioning quorum.

GE Aviation in Ohio—I wish he would have visited them because they decided to move part of their operations to Canada and Brazil, instead of expanding in Ohio, to take advantage of countries that actually have a credit agency. GE Aircraft Engines decided to open a turbine prop engine facility in Europe for the same reason. We are losing jobs simply because we don't have a tool to work with private-sector banking to make sure that the sale of U.S.-manufactured products actually gets done to countries and organizations in those countries that don't have the proper financing. GE supposedly said that they weren't going to move their corporate headquarters to Ohio because they did not support the reauthorization of the Export-Import Bank.

Between 2012 and 2016, the Export-Import Bank supported more than 255 export deals in Ohio from all sizes of companies, such as Haltec, which exports auto parts, and Anglo American Hardwoods, which exports wood products to the GE Aviation that I mentioned and GE Aircraft Engines. These deals were worth more than \$2 billion.

What I am so frustrated about is that this administration has not kept its word in support of the Export-Import Bank. We continue today with the folly of having our Trade Ambassador show up before the Finance Committee and say that the Export-Import Bank is controversial. I reminded him that it was actually supported by a majority of Democrats and a majority of Repub-

licans in the U.S. Senate. It was also supported by a majority of Republicans in the House of Representatives and the Democrats in the House of Representatives. So how could it be so controversial if we reauthorized it?

But the White House has continued to have a double-edged strategy, pretend that they support the Export-Import Bank, and yet send up the name of a nominee to chair the bank who wants to destroy the bank and has made that intention clear.

If we want jobs in Ohio, we need to get the Export-Import Bank approving deals from manufacturers that are ready to close sales and create more jobs, so let's focus on the task at hand. I hope the President will stand up and clearly articulate the need and support for an Export-Import Bank and stop sending us the name of someone who just wants to destroy it.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

REQUESTS FOR AUTHORITY FOR COMMITTEES TO MEET

Mr. ENZI. Mr. President, I have 12 requests for committees to meet during today's session of the Senate. They do not have the approval of the Democratic leader; therefore, they will not be permitted to meet past 11:30 this morning, but I ask unanimous consent that a list of committees requesting authority to meet be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Committee on Commerce, Science, and Transportation,  
Committee on Environment and Public Works,  
Committee on Foreign Relations,  
Committee on Homeland Security and Governmental Affairs,  
Committee on Indian Affairs,  
Committee on the Judiciary,  
Committee on Veterans' Affairs,  
Committee on Aging,  
Subcommittee on Public Lands, Forests, and Mining,  
Subcommittee on Africa and Global Healthy Policy,  
Subcommittee on Investigations.

Mr. ENZI. Mr. President, I listened with a lot of interest to the Democratic leader's comments this morning and his proposal that there would be cooperation if we went to a system of putting it back through committees and doing that, but I have to say that we would have a lot more confidence in getting a solution if there were a single positive suggestion from the other side for a change. Until that happens, there isn't much confidence on our side that the promise of bipartisanship is going to happen.

They keep saying that it isn't perfect, but they don't put forward ideas for any of the changes. We have been suggesting changes for several years,

and we have been told each time that it just needed a little more time, that it was a perfect bill.

Soon we will be trying to do a budget. It would be nice if we had some suggestions on budget items that were positive things. I put out that offer as well.

The reason we are having this is that more than 7 years ago, President Obama and congressional Democrats imposed a risky, partisan healthcare experiment on America that ultimately led to skyrocketing healthcare costs and collapsing insurance markets for millions of Americans across the country. This riverboat gamble has caused a stark and dramatic outcome. Currently, there are projected to be 50 counties across the Nation that will not have a single insurer participating in the ObamaCare exchange.

To add further insult, Americans seeking affordable coverage in these almost 50 counties will still be fined under the ObamaCare mandate for not having health insurance. In other words, many Americans will either be forced to pay for insurance they cannot afford or pay a penalty for not having health insurance under this so-called Affordable Care Act, which they can't even access. Where are these people supposed to go? What can we do to help? Again, we are looking for some positive suggestions.

My colleagues on both sides of the aisle know that this healthcare experiment has failed and that we must work together to free Americans from these mandates and put healthcare decisions back in people's control.

Today, Senate Republicans are taking an important step to rescue the millions of hard-working families trapped by ObamaCare's taxes and mandates. We are trying to repair the Nation's broken healthcare system because we now have a President in the White House who shares our commitment to improve America's healthcare system and make better care available to all Americans.

One of our top priorities in Congress has been to provide relief for hard-working Americans from ObamaCare, which has pushed insurance markets to the brink of collapse. In Wyoming and across the country, premiums for hard-working families are soaring while choices for patients have dwindled. As I travel across Wyoming, I have a lot of people who tell me that their health insurance costs more than their mortgage and, if they ever need healthcare, they have a deductible that is bigger than that.

Simply put, ObamaCare stumbled out of the starting gate on the very first date the healthcare.gov website launched. You might remember how you couldn't get on the website or how you got kicked off after you had done a lot to put in information. Yes, ObamaCare stumbled out of the starting gate on the very first day that the

healthcare.gov website was launched, and it has consistently failed to deliver on its core promises while hurting far more Americans than it is helping.

One thing both parties should agree on is that an accessible and affordable healthcare system should be available to each and every American family, and I truly hope my colleagues on both sides of the aisle will work with us to find common ground on healthcare that truly delivers better care.

Millions of Americans have been suffering under President Obama's healthcare law, and this past fall our Nation voted for a change. These hard-working Americans made it clear that fixing our healthcare must be a top priority for Congress and the President. This week, we are delivering on that promise of relief from ObamaCare.

Making America's healthcare system more efficient and effective has always been an important and challenging endeavor for the public and private sector alike. President Obama and his congressional Democrats pushed Washington into the healthcare market, inflicting far greater uncertainty, cost, and disruption into the healthcare landscape than anyone ever imagined. By taking the important steps necessary to untangle Americans from this unworkable, unpopular, and unaffordable law, hard-working families can expect to see stability in the skyrocketing healthcare costs and egregious penalties imposed on them by the ill-named ObamaCare concept of "affordable care."

If you are young and healthy, ObamaCare has made it an easy choice to opt out of health coverage. But for those not so fortunate, for those who must have coverage, soaring healthcare costs are becoming a stunning reality. I have constituents in Wyoming who have written to me with worry and concern about their surging health insurance premiums.

I assume that my 99 other colleagues have received many letters like one I received from a family in Gillette, WY. They recently wrote me that under ObamaCare they are paying more than \$2,400 a month—essentially taking on more than another mortgage.

In their letter to me, they write:

Mike, we are small business owners in Gillette, WY. Between Obama trying to kill the coal, oil and gas industries and his insurance fraud, we are stuck between a rock and a hard place. I just paid a \$2400 Blue Cross Blue Shield of Wyoming Health insurance bill. I can't keep doing that. I am a real person with real problems created by my own government. HELP MIKE HELP.

That last line of this letter is especially moving: "HELP MIKE HELP." This is why Republicans in Congress and the President have focused on doing just that—helping hard-working Americans like this family in Wyoming. They are looking to us to provide real leadership and rescue them from the failed ObamaCare law.

The previous administration seemed to focus only on protecting their self-described signature legislative achievement. Our focus must be to address ObamaCare's tangled and expensive web of regulations. For families like my constituents, the situation is grim and only getting worse by the day.

One of the most disturbing parts of this law is that Americans are now essentially double-charged by having to pay more in taxes to fund the very healthcare law that is driving up the cost of their insurance premiums. Let me explain further. ObamaCare taxes have increased insurance premiums and limited options for patients and healthcare providers, including taxes on prescription drugs, over-the-counter medications, health insurance premiums, and medical devices.

Unless Congress acts, American households will be forced to pay nearly \$1 trillion in new taxes and penalties over the next 10 years. Individual and employer mandate penalties forced millions of hard-working families into expensive and terribly inadequate ObamaCare plans that they did not want and could not afford. ObamaCare's crushing regulations mean smaller paychecks for families and prevent small businesses from expanding and hiring new workers.

For every American, ObamaCare has meant more government, more bureaucracy, and more rules and regulations, along with soaring healthcare costs and few choices. Working together, we can begin to lift these burdens and higher costs this law has imposed on all Americans. The bill we are debating this week will begin to provide relief from ObamaCare that millions of hard-working Americans have long demanded.

Fortunately, America now has a Congress and a President committed to helping stabilize the collapsing insurance markets that have left millions of Americans with no options.

The goal of the Republican healthcare bill will be to improve the affordability of health insurance, preserve access to care for Americans with preexisting conditions—yes, to preserve access to care for Americans with preexisting conditions—and to safeguard and strengthen Medicaid for those who truly need it. This will be accomplished by giving States more flexibility and ensuring that those who rely on this program won't have the rug pulled out from under them. Most importantly, we will free the American people from the onerous ObamaCare mandates to purchase insurance that they don't want and can't afford.

The American people have endured a lot under ObamaCare—including every broken promise. We all remember President Obama's promise to each and every American that if they liked their health plan, they could keep it. Well, Americans soon learned they couldn't

keep their plan or their doctor or any extra money in their wallet. The main reason for this is because ObamaCare invaded the insurance marketplace and drastically reduced Americans' choice of healthcare plans and with it the competition necessary to contain the costs of health insurance. It was no surprise that the President's promise—if you like your plan, you can keep it—became the ultimate example of the unfulfilled and unattainable promises of ObamaCare.

For many Senators, especially from rural States like mine, the real impact of ObamaCare on our health insurance market is much more disturbing. Wyoming currently only has one health insurer in the individual market, both on and off the ObamaCare exchange. Let me say that again so there is no mistake. There is only one health insurer either on or off the ObamaCare exchange for all of Wyoming. One health insurer for all of Wyoming. Many States are experiencing a similar crisis, with only one insurer left standing since others have entirely abandoned the exchanges.

For residents of Wyoming and millions of other Americans, the Obama administration's public relations campaign—on which it spent millions of taxpayer dollars—touted choice that ultimately became false advertising. This is the actual "choice" for millions of Americans: one and none—but the "none" will cost you because of the mandate penalty. You can't afford it, so you don't get it, and then it costs you because of the mandate penalty.

What about the promise of lower healthcare costs that provided the foundation for my colleagues on the other side of the aisle to pass this flawed bill? Even President Obama's administration admitted that ObamaCare is failing to address costs, with average premiums rising by 25 percent for silver-level plans on the Federal exchange. That means families have to decide whether to purchase unaffordable insurance or pay a fine. In most cases, they are literally paying more money for less control of their healthcare.

Last October's dramatic premium increase was clearly on the minds of voters when they cast their ballots in the November election. Let me say that again. Last October's dramatic premium increase was clearly on the minds of voters when they cast their ballots in the November election. There is trying to be some blame put on us for those increases, but that was before last November's election.

This is a crucial time for healthcare in America. We do not have the luxury of ignoring the crisis in health insurance markets and the crushing premiums faced by families across the country. Healthcare costs for my constituents in Wyoming continue to be among the highest in the Nation, with other States not far behind.

We must act now to rescue the millions of Americans who are suffering under ObamaCare in order to provide relief to those who have been harmed by this law. Unwinding this failed law to make meaningful changes has not been easy, but Americans are relying on us to accomplish this task and keep the promise to rescue them from ObamaCare. Our goal is to create a healthcare system where Washington gets out of the way and families are again empowered to control their own healthcare, with more choices and lower costs.

So this is where we find ourselves today. Congress and the President are fulfilling their promise to provide relief for millions of hard-working Americans trapped by Obamacare's taxes and mandates. We are not tied to any single idea. We hope our Democratic colleagues will ultimately join us in this worthy endeavor. The American people are expecting us to act. We must not let them down.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Massachusetts.

**Ms. WARREN.** Mr. President, since the Republicans have announced that their top legislative priority in this Congress would be to rip away healthcare from millions of Americans, I have come down to the floor many times to beg them to reconsider. I shared stories about families in Massachusetts who gained quality healthcare coverage for the first time after the passage of the Affordable Care Act. I shared statements and letters from hospitals and doctors in Massachusetts talking about the incredible difference healthcare coverage makes for the patients who walk through their doors. I have also shared many, many stories from parents with children who have complex medical needs—all of those children depending on Medicaid.

I know that families, doctors, hospitals, nursing homes, and patients lying in their hospital beds haven't just been sharing their stories with me; they have been begging every Republican in the Senate to listen to them as well. People share their stories because they want to make a difference. These are the stories of families we represent. They are the reason we are here in the Senate. They are supposed to be our guiding light for the choices we make and the way we vote.

Senate Republicans who voted yesterday to move forward with their effort to rip away Americans' healthcare are not listening to the people they represent. Their vote was irresponsible. It was reckless. It was cruel. It was immoral. But more than that, this was a vote that is not who we are as a country.

Let's be very clear about what is happening on the floor of the Senate right now. Fifty Republicans have voted to open debate on a series of bills, each of

which would have devastating effects for healthcare in this country. Now the Republicans don't know which of these bills will actually be the ones they will be asked to vote on. Only some of the bills have been analyzed by the number crunchers over at the Congressional Budget Office, the CBO, to estimate exactly how many people would be kicked off insurance and how high premiums would go, but every version that the CBO did examine over the last few weeks was very ugly, with tens of millions of people losing their coverage and costs skyrocketing for millions more.

The latest plan Senator MCCONNELL has been floating behind the scenes would have Republicans ultimately vote on what is called a skinny repeal bill. This bill would make a limited set of changes to the Affordable Care Act—just the important stuff. What is important to Senator MCCONNELL? It seems to be the part of the Affordable Care Act that makes the health insurance system actually work, because the skinny bill would repeal the parts of the ACA that say everyone needs health insurance coverage. This is the individual mandate.

Republican leadership is telling their Members that if they vote for this skinny bill, they can hammer out the rest of the details in conference with the House of Representatives. But make no mistake—this isn't a more moderate version of the Republicans' ugly plan to repeal the Affordable Care Act. This isn't compromise. In fact, this may be the worst idea they have had yet because if Senate Republicans vote to repeal the individual mandate, they are getting rid of the linchpin of the insurance markets in this country. That is because this provision—the one the Republicans want to junk—is what keeps the price of insurance affordable for people with preexisting conditions.

Don't just take my word for it. Independent experts have looked at what would happen if the Republicans repeal the individual mandate. Boy, it is not pretty. Just yesterday, the American Academy of Actuaries—these are the experts who study how insurance works. They do that for a living. These are their numbers. They wrote to Senate leadership begging them not to go forward with this reckless plan. They wrote that eliminating this part of the health law “would likely have significant implications for health care coverage and costs both to consumers and the federal government.” They said that it would “lead to premium increases.” It would “weaken insurer solvency.”

Let me do the translation on this. The actuaries—those who study insurance for a living—are saying that what the Republicans are thinking of voting on is a provision to jack up insurance costs through the roof and rip away coverage from those who can't afford to pay those higher costs.

We should be very clear about the consequences. If the Republicans go through with that vote, they will be responsible for every dollar of premium increases that occur over the weeks and months that follow as this bill sits in a conference with the House and insurance companies jack up prices because they don't know what they might be required to cover. Senate Republicans will be responsible for every single person who has to drop coverage because they can't afford those price increases. The Senate Republicans will be responsible for every single person who didn't go to the doctor when they needed to or didn't schedule surgery when they needed to because they no longer have health insurance. Senate Republicans will be responsible for every family in this country who misses a mortgage payment or can't pay their electricity bill or is forced into bankruptcy because their medical debts have become too big to ever pay off.

Every time I have come to the floor to talk about this terrible Republican bill, I have said that I am ready to work on bipartisan proposals that will actually improve healthcare in this country, and I say it again. I am still ready to do that, but we cannot move forward while Senate Republicans are still trying to take healthcare coverage away from millions of Americans and drive up costs for millions more.

Republicans seem to think they can wear us down, that they can keep us here until we get too tired or we give up or we just give in, but, boy, that is where they are wrong. They do not have a clue what they are up against because we are fighting for families. We are fighting for little kids. We are fighting for our neighbors. We are fighting for parents and brothers and sisters and loved ones. We are fighting for the American people. When you fight for the American people, the wind is always at your back, and your heart is always strong.

So Democrats will be here, fighting for as long as it takes to beat back these shameful healthcare bills. We hear the American people. We hear you. We are on your side, and we will never give up.

Thank you, Mr. President.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Virginia.

**Mr. WARNER.** Mr. President, first of all, I thank my friend, the Senator from Massachusetts, for her comments today and for her relentless willingness to take on this fight and so many other fights that are so important to our country.

I come to join her call to point out some of the challenges in this legislation but also to make an appeal to my friends on the other side that this does not have to be the way we go. I have been one who has acknowledged for

many years that there are challenges in the Affordable Care Act and that there are areas in which there could be common interests in finding solutions, but what we have before us now is a series of “bad, badder, and baddest” choices. In effect, we have a series of options that ask: Do we want to pass legislation that would take 16 million Americans off healthcare? Do we want to pass legislation that would take 22 million people off healthcare? Do we want to pass legislation that would take 32 million Americans off health insurance?

What parts of these choices do my Republican colleagues really embrace?

I think that in the 8 years I have been here, I have never seen a series of pieces of legislation that have been so unpopular, even before they are passed, than this litany of options from full repeal to skinny repeal and all of the variations in between.

As has been said by the Senator from Massachusetts and I know by the Senator from Washington State as well, the American people know this. That is why our phones are ringing in our offices and I know in our Senate Republican colleagues’ offices. People are saying do not pass this kind of legislation.

I think about the fact that in the last couple of weeks, the parents of a number of children and young adults who have enormous disabilities have come to my office. In Virginia, we run a very skinny Medicaid Program. Frankly, it has not been very generous. Some of the individuals who have come to my office have waited 5, 6 years—one person has waited 10 years—to get a Medicaid waiver. These families, these children, in any of the proposals that have been put forward, would be the first to lose their coverage.

Family after family talked about the fact that, right now, both parents can work because they have a little bit of relief to take care of their disabled young adults in certain cases. In many cases, it is because the young adults can at least find someplace to do some productive work themselves. Yet, if they were to lose the Medicaid waiver, one of the parents would have to stop working, and the child would have to stop his form of employment. Net-net, it would be a loss not only to that family, but it would be a loss to our economy.

I mentioned that I used to be the Governor of Virginia. In 2016, Virginia received about \$4 billion in Federal Medicaid funds—51 percent of the State’s funding for people covered by Medicaid. As I mentioned, we are ranked one of the skinniest programs in the country. Unfortunately, we rank about 47th, I believe, in terms of our payments. Yet, under any of these proposals that decimate Medicaid, Virginia would be penalized for running an efficient program.

Again, one of the ironies of this is that the States that are the least penalized in the Republican proposals, in terms of the \$700 billion-plus of Medicaid cuts, are actually the States that have more generous programs. They are often States that are represented by Democratic Governors. In what way do these proposals help our Republican colleagues or, for that matter, their constituents?

We have heard, as well, that the American Cancer Society, the American Medical Association, the American Academy of Pediatrics, the American Hospital Association, and AARP—a who’s who of groups affiliated with healthcare—have come in and pleaded: Please, do not do this, this way—any one of these litany of proposals that we will be dealing with over the next few days.

From what I have heard on an individual basis—and I take enormous pride in the fact that in my time here—and sometimes it has even gotten me crosswise with the ranking member of the HELP Committee—I have tried to reach out on virtually every piece of legislation I have worked on to find a Republican partner. I actually got put in a timeout by a previous leader for doing too much of that.

What I hear from my Republican colleagues is, they do not want to own this. They know, in many ways, that this is walking the plank on what is both bad policy, bad politics, bad for their constituents, but the notion that somehow they have to provide a win for a President who has provided zero leadership before they can take some kind of August recess is literally the worst reasoning I have heard in my 8 years in the Senate as to why to pass a piece of legislation, particularly a piece of legislation that affects one-sixth of our economy. In many ways, it is almost one-third of the people who will be affected by some of these changes.

I think many of us were touched yesterday when we saw Senator McCAIN, who is an American hero and who himself is having to grapple with enormous healthcare challenges, come back to the floor and, frankly, admonish us appropriately but also say that while he was going to vote to start debate on this bill, the real way we ought to go about doing this is to roll up our sleeves, in a bipartisan fashion, and take this legislation back to where it should start, which is in the HELP Committee, where the Senator from Washington serves, in the Budget Committee, whose chairman is on the floor, and in the Finance Committee. Two of those three committees I have the honor of serving on.

I commit to my Republican colleagues that I will work with them. I have laid out a series of ideas, some of which they have endorsed in terms of there potentially being cheaper op-

tions, in terms of selections; the idea, as long as we protect consumers, of allowing insurance policies to be sold across State lines and other ideas in terms of reinsurance that other colleagues have worked on. There are a host of ideas we all agree on. Let’s start with that premise, in terms of coming to a solution, not coming up with legislation that is cooked up behind closed doors that even my strongest Republican colleagues have acknowledged they cannot vote on when they only get an hour to look at it.

Think about all of the same criticisms—some of them valid—that were made against the Democrats when we passed the ACA; although I would continue to remind my friends that we had, literally, hundreds of amendments which were Republican amendments that were accepted into that legislation. It was not a perfect process, but let’s learn from that and take this advantage right now. Listen to the American public, and let’s work together to get this right.

The other item that will come about from any of this Republican legislation put forward, even from the skinniest of their proposals, would dramatically affect those individuals with preexisting conditions. I have three daughters. One of my daughters has juvenile diabetes. She has had it for 18 years. Another daughter has asthma and a very strange set of allergic reactions that have actually caused her to have been hospitalized 38 times in the last 40 months.

I am an extraordinarily lucky individual. I know that both through health insurance and because I had the resources, every time my two children got sick, I could make sure they got the medical attention they deserved. I cannot imagine talking to any Virginia family or Washington family or Wyoming family or Arkansas family who has a child with those same afflictions and trying to explain to them that my kids who have juvenile diabetes, asthma, and allergic reactions—through no fault of their own and that have caused this number of hospitalizations—have a right to healthcare and that their kids who have preexisting conditions do not have that right.

Our country is much better than this. We can figure out a way to get this right, but we are not going to get it right if we continue to have this ploy of one closed-door, cooked-up deal after another that is put forward, with no review and no real attempt to find a common solution.

I do not come to the floor that often, and I do not often talk about the medical needs of my family. This is for the sake of not only my kids who get the coverage they need and deserve but for all the kids who now get the coverage they did not have prior to the ACA and who have it now. It is the idea that insurance companies cannot discriminate

against you because you have pre-existing conditions.

Let's see if we can make sure we maintain that commitment. In the greatest country in the world, as Senator McCAIN so eloquently put it yesterday, let's see if we can work through to a way that makes this body, once again, the greatest deliberative body in the world. Let's see if we can find that common ground that would allow us to put forward legislation that at the end of the day, we would all be proud of. That is a goal worth working on.

My hope is, over the coming days, we will find that common group of Senators who will say we are going to take that path rather than the path we are on right now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I hope all Senators in this Chamber took the time to listen to the very wise words from the Senator from Virginia as to the fact that we are facing real issues in this country and that when we work together and go through the regular process of having committee hearings and no secret negotiations or backroom deals, we can lead this country in the way it should be led.

I thank the Senator for coming to the floor and reminding us that is how we get things done in a way that America accepts it.

Yet we are not here after having had committee hearings or process or anything. We are here because of backroom deals that have brought us to this floor at a time when no one can accept the fact that all of the proposals are as a result, so far, of how many millions of people will lose insurance—22 million, 15 million, 24 million. That is what we are debating here, and that is a terrible debate. That is not what we should be talking about, but those are the proposals we are being offered.

Again, the Democrats are here. We are not giving up, and we are going to fight any effort to pass TrumpCare until the last possible moment because that will be the result. We are going to speak out for families nationwide—children, parents, patients, people with disabilities, seniors, and people who have called and tweeted and marched and filled our office halls. So many people are worried and, frankly, scared right now. These are families who are being kept in the dark by our Republican colleagues and who are being left to wonder what might happen to their healthcare, their financial security, and even their lives.

It is appalling the majority of Republicans who are willing to go along with this plan and move to begin debate without even knowing what bill they will be debating. Yet, last night, the vast majority of the Senate did something unusual. It showed just how much agreement there actually can be

among us, when 57 Republicans and Democrats agreed to reject a full TrumpCare replacement bill and sent a message that we agreed with Senator McCAIN in that we should stop letting the “bombastic loudmouths” drive our work and instead return to regular order and get back to work on policies that actually help the people we are here to represent.

There are responsible Republicans who disagree with the way the Republican leaders have hidden their legislation from Democrats and the public throughout this process, who think there should be an open, transparent process, with both sides at the table, and who want hearings and public debate rather than backroom deals and secret negotiations. I do as well, and I know many of my Democratic colleagues agree.

Now that it is clear that there is absolutely no path to full TrumpCare in the Senate, what is the reason for continuing this damaging, rushed, deeply partisan effort on the floor to jam just any bill through the Senate? Together we can do a lot better than the lowest common denominator bill that simply sends TrumpCare to conference with the House and then gives the Freedom Caucus a blank check to gut Medicaid and put insurance companies back in charge of people's healthcare, and more. Let's be clear. The only reason to pass a cobbled-together, last-minute bill on the floor is to keep the extreme conservative dream of repealing ObamaCare alive, no matter what that means for patients and families.

I truly believe there is a better way to get this done right, and it is to stop what Senate Republican leaders are doing right now and start over.

So, once again, I ask my Republican colleagues to drop this partisan effort and join us at the table. Let's work together to improve families' healthcare, as so many of us truly want to do. My door is open, and I am ready to get started.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, no one should normalize what is happening on this Senate floor right now. We are all waiting for the white smoke to come out of Republican leadership offices so that the millions and millions of very scared people in my State will be able to see what is about to happen to their lives.

This isn't a game. People's lives are at stake. People's health is at stake. Yet, because this debate is now devoid of policy and substance and seemingly just about delivering a political victory to Republicans, we wait and we wait and we wait.

People are scared. All over the Capitol today there are parents of children with disabilities, many of whom rely

on Medicaid in order to keep their children alive. I have spent a lot of time with them over the course of the last 6 months because, to them, the measure of a civilization is how it treats the most vulnerable, and their kids, with these deep disabilities, are among the most vulnerable. For much of the last 6 months I have seen anger in their eyes—anger that Congress would choose to hurt their kids or to force their family to go bankrupt.

Yesterday, I saw something new in their eyes. I saw fear. I saw deep, debilitating fear because they sense that we are on the precipice of doing something that they didn't think was possible—a piece of legislation passing the Senate and the House that would deliberately and intentionally hurt their children.

There is no way around it. It is not hyperbole. The House bill that we are debating right now guts Medicaid to the point where 15 million people—the most vulnerable Americans—would lose access to healthcare.

I know it is very hard for people in this Chamber to understand because we all have really good healthcare. But when you have an expensive disease or your child has an expensive disease and you lose insurance, you can't pay for it. You can sell your house, you can sell your car, and you can exhaust your savings. For some families, that will cover 6 months' worth of expenses for their sick child. At some point, the patient dies if they don't have access to healthcare.

So people are scared. They are really scared. They are scared not just at the consequences of the House bill eventually passing, but they are also scared at the casualness with which this debate seems to treat their plight.

There are rumors now that, at the end of this process, we are going to vote on what has been described as a stripped-down, gutted version of the original Republican healthcare bill. It might have one or two provisions in it—maybe the elimination of the individual mandate, maybe the elimination of a few taxes. The intent would be to essentially punt the more comprehensive debate about what our healthcare system is going to look like to a conference committee.

I want to talk about that for a few moments and what the consequences of that are. First, I want to talk about what the consequences are, if that end result is achieved, for the Senate. Why do my colleagues choose to run for the Senate if they are prepared to surrender the biggest policy decision they will likely face to the House of Representatives? Why go through all the trouble of running, of raising all the money, of getting all the votes to become a Senator if you aren't prepared to actually render an opinion and pass a bill on the biggest priority issue facing this country right now—the future of the American healthcare system?

Republicans have been unable to come up with a bill that can get 50 votes. Why? Because they refuse to engage with Democrats. Now the solution is to punt by passing a stripped-down version of the bill, handing all power to the House of Representatives, surrendering to the House of Representatives. What is the point of being a U.S. Senator if you aren't actually going to make policy, if you are just going to hand over the keys of policymaking to the House of Representatives? This is the U.S. Senate.

I disagreed with Senator MCCAIN's vote yesterday, but I heard the speech he gave to us that this should be the place in which we make the big, tough decisions about the future of the American economy. The Senate will put an "out of business" sign on the outside of this Chamber if we pass a scaled-down version of this bill that admits we can't come to a conclusion.

What is the point of being a Senator if you just hand this debate over to the House of Representatives? By the way, that is what will happen. If the Senate goes to conference with the House of Representatives and there is only one bill in that conference—and that is what will happen if a stripped-down version of this bill goes into conference and the House has a comprehensive reform bill—the House bill will be the only one in the conference committee, and the House bill will become law. The House bill will survive. It may have some small cosmetic amendments to it, but all of the power will be given to the House of Representatives in those negotiations because there is only one idea that will be present.

Let's go back for a moment and remember what was in that House bill that so many of my Republican colleagues told me was deeply objectionable to them and would never get a vote on the Senate floor. Twenty-three million people will lose insurance. Rates will go up by 15 to 20 percent. People with preexisting conditions in most States likely will lose all protections available to them. Insurance plans will not have to cover maternity care, mental illness, or addiction any longer. Medicaid will be gone as we know it. My small State, with an \$8 billion Medicaid Program, will have a \$3 billion cut. Children will lose their ability to stay alive because they lose their healthcare insurance. Seniors in nursing homes will be put out on the street. That is not hyperbole. That is real. That is what happens when you kick 23 million people off of insurance.

That bill or some version of it would emerge from the conference committee because the Senate would have defaulted to it by going to conference with nothing. But that is just the long-term consequence. The short-term consequence is that this scaled-down bill reportedly will include an elimination of the individual mandate. Insurance markets will fall apart.

Everybody here knows, whether you are a Republican or a Democrat, that the only way you guarantee that people get priced the same if they are sick or not sick is to require people to buy insurance when they are not sick. In fact, the Republicans know that because in their bill that they wrote behind closed doors, they included an individual mandate. They did. It was designed in a different way. They said that if you don't buy insurance, you will be penalized by being locked out of the insurance market for 6 months. But they had a penalty for people who don't buy insurance, just like the Affordable Care Act has a penalty. Republicans and Democrats understand that in order for the insurance markets to work as they are regulated today, you need to encourage people to buy insurance when they are healthy and penalize them if they don't. The Republican bill does that, just like the Affordable Care Act does that.

If you pass a bill that removes that mandate, then every insurance adjuster, every actuary who works for a major healthcare insurance company, will tell you that the markets will crater because individuals won't buy insurance until they get sick, knowing that they can't be charged any more. Healthy people will not buy insurance. Rates will go up. Insurers will flee the markets. The entire thing collapses.

That is the short-term consequence of telegraphing to the insurance companies that you are getting rid of the individual mandate. Even if that is not the final result, that telegraph signal, at a point where insurers are already rethinking the markets because of the sabotage campaign that President Trump has undertaken, would be catastrophic.

This is not a game. These stakes are big. The casualness with which people are approaching this debate is scaring the life out of people in my State, out of parents of kids with disabilities and folks who are dealing with sickness and illness all across this country.

It is not too late. We don't have a communicable disease. We aren't going to physically harm Republicans if they come talk to us. It is time to abandon this Republican-only approach and come work with Democrats. Let's jointly own the problems that still exist in the healthcare system and jointly own the solution. People are scared of what is happening in the Senate today, and there is a different way.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. What is the time situation?

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Wyoming controls 24 minutes. The Senator from Washington controls 1 minute.

The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I want to say that the field hearings I

had have shown me that people not only fear but will be justifiably hurt forever by this sabotage of our exchanges and by the repeal of the Affordable Care Act. Whether it is called a skinny repeal or any other name, it will fundamentally decimate Medicaid, it will put Americans who are in nursing homes out on the streets, and it will mean that people who need treatment for opioids—the consequences to them and many others whom I have seen in Connecticut and around the country will be absolutely devastating.

This shameful and senseless step toward gutting the Affordable Care Act has left millions not only in fear but in potential real jeopardy. We can do better, and the people of Connecticut and around the country know we can do better.

We owe it to our democracy to go through the regular order, as Senator MCCAIN urged us to do, and to make sure that we fulfill our promise, our oath that we will uphold the Constitution and do what is right for the American people.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BLUMENTHAL. Mr. President, I yield the floor.

Mr. ENZI. Mr. President, I yield such time as the Senator from Kentucky needs.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, as a physician and an eye surgeon, I have seen ObamaCare up close, and it is not working for Americans.

If you look across the country and say "Is it working?" you find that ObamaCare premiums have doubled for those in the individual marketplace in just a few short years. You find that the ObamaCare insurance mandates have caused 4.7 million people to lose the insurance they chose. If you like your doctor, you can keep him or her—that was the promise, and it was a lie. Some 4.7 million people were told that they couldn't choose the insurance they want and couldn't choose their doctor.

It is estimated that there are 800,000 fewer jobs because of ObamaCare. How does that happen? Well, if you work 32 hours a week and your employer has to provide insurance at 30 hours, guess what happens. Some people get moved to 28 hours. You add up all those hours, and millions of people are working fewer hours.

Who are the people who got shafted by ObamaCare? Often, working-class people. In my State, there are 25,000 people who pay a fine because they can't afford ObamaCare. These 25,000 people make less than \$25,000 a year. They are our working class.

ObamaCare punishes them and says: You have to pay a fine.

They say: I wish I had insurance, but ObamaCare added all these mandates, things that I can't afford.

Sure, everybody wants to have everything under the Sun covered by their insurance, but when you mandate that, you elevate the price of insurance. So what has happened? Young, healthy people have lost their insurance and don't buy insurance in droves.

ObamaCare says: You can come back any time after you are sick and buy your insurance.

That sounds good, but what it leads to is the death spiral of ObamaCare. ObamaCare premiums have doubled because the young, healthy people are saying it costs too much and the sicker people are the only ones left in insurance.

This is what happens when you let the government get involved in the marketplace. If you allow the marketplace to work—what is the one universal feature of capitalism? You get the lowest amount of cost and the most amount of goods distributed to the most amount of people.

Right now under ObamaCare, 50 percent of America has one choice. What does that mean? A monopoly. Who wants the insurance company to have a monopoly? When the insurance companies have monopolies, the prices get doubled.

There are now some parts of our country that have no choice in the individual market. If you are a plumber or a welder or a carpenter, you have to buy insurance in the individual market. In many places in America, you have no choice. In half of America, if you buy insurance by yourself, if you are not part of a large group, in half of America, there is one choice—a monopoly and monopoly prices.

In my State alone, 50,000 Kentuckians have to pay a tax. They have to pay a fine because they can't afford ObamaCare. They are regular working people, and they do work and they do pay taxes. They pay a fine. We pay \$16 million in fines in just my State. Across America, this is happening.

How did it become an American sort of legislation or plan to force people to buy stuff they don't want and then to extract money out of their paycheck if they don't do what you tell them?

Ultimately, Americans should remember that ObamaCare is predicated on force and coercion. ObamaCare dictates what kind of insurance you can get and makes you pay a fine if you don't get what the politicians tell you you must get.

President Obama basically told you that you were too stupid to make your own choices. These people who want to dictate to you are elitists. They think they know better than you what kind of insurance you should get. If you don't buy the insurance they dictate, they will fine you. If you don't pay the fine, they will jail you. How is that consistent with the American ideal of freedom?

This debate is about more than actuarial tables. We get dragged down into

this debate, and we think it is all this healthcare wonkiness, this and that. It is about freedom of choice. It is about whether you as an American can make the choice whether you want insurance or don't want insurance, whether you want insurance that is really expensive or not.

They put a special tax in there if you have good insurance. First they tell you what kind of insurance to buy, and then they tell you that your insurance is too good. If you are in a union or you are an executive and you have great insurance, ObamaCare tells you they are going to tax you because your insurance is too good. These busybodies think they know everything about what you want. They are going to dictate what kind of insurance you can get, and then when you buy it, they are going to tell you that you have too much, so you have to pay a tax. That isn't the American way.

Today we will vote on a bill we have voted on many times. The Senate itself voted on this 2 years ago. It is the identical bill. We are going to vote on a bill we voted on 2 years ago. I hope everybody who voted for it before will vote for it again. It is what we call a clean repeal. It is not cluttered with insurance company bailouts. It is not cluttered with this and that, new Federal regulations. It is just trying to peel back ObamaCare.

While it is a clean repeal, it is only a partial repeal. Why? It is only a partial repeal because we have these arcane Senate rules that say we can't repeal the whole thing. Because we are only repealing part of it, ObamaCare will remain. Even if we are successful with this bill, at least half or more of ObamaCare remains. Bad things remain. All of the mandates on what you have to purchase on your insurance will remain. That doesn't mean we shouldn't do this.

The other side does not want to help. The other side has never met a regulation they want to repeal and has never met a tax they want to lower. So if you want to get rid of the taxes, it has to be done today.

People say: Well, this doesn't have the replacement.

Well, sure we should replace ObamaCare. I have been advocating that from the beginning. But we have to figure out what that replacement is. And the only way we are going to be forced into a bipartisan compromise is if we repeal it. If we do not repeal it today, there is no impetus from either side to work on replacing it. If you repeal it, even the other side will say: Oh, my goodness, we have to do something because they repealed these subsidies in this Medicaid expansion. They will say: We will work with you now. But everything else is false.

They will not work on repealing one regulation or one tax. That heavy lift is left to Republicans, and my hope is

that Republicans would band together and say: Sure, this isn't everything I wanted. It is not everything I want. It is a partial repeal. It leaves in place a lot of ObamaCare that we should get rid of, and we should continue to try to get rid of these Federal mandates on insurance.

This is a beginning, and it is all we are being offered up as a beginning, but it is a victory for those of us in America who have said: Enough is enough. My government shouldn't be telling me what I can buy and what I cannot buy. My government should not tell me which doctor I can choose and which doctor I have to leave behind. The government should not be involved in my healthcare business. I want to be left alone. The right to privacy, the right to be left alone is a fundamental right of Americans. That is what this is about.

It is about freedom of choice. It is not about actuarial tables. It is not about the Federal Government designing a perfect healthcare system. The Federal Government cannot deliver the mail. They lose a billion dollars a quarter delivering your mail. Do you want them in charge of your doctor? Do you want them in charge of your insurance? This is the one chance we get today. We will have a chance to repeal ObamaCare. We will have a chance to fulfill our promise to the American voters.

There is a partisan divide. Democrats are for keeping it; Republicans are for repealing it. But Republicans made a promise. We made a promise to the American people to repeal it. There may be some Republicans today who say: I am not voting to repeal any longer; things have changed. The problem is that we are not going to get toward a solution if we don't begin to repeal. The other thing about this repeal is that there is a 2-year window in which part of the repeal doesn't take place for 2 years. Over those 2 years, my guess is that we will have impetus from the other side to actually begin to negotiate. Currently, there are 27 million people in America without insurance. From all the talk, you would think that ObamaCare has covered everyone, and somehow Republicans are against that.

Count me as one Republican who wants to figure out how we insure the 27 million who don't have insurance. Of the 27 million people who don't have insurance under ObamaCare, half of them don't buy insurance because it is too expensive. Why is it too expensive? Because ObamaCare dictates about 15 different things that every insurance policy has to have: Vision, hearing, pregnancy—you name it; it is all on there. Everyone wants it. If you put it on every insurance policy, not everyone is going to be able to afford it. You force people out of the market. So 27 million people don't have insurance,



and half say they can't get it because it is too expensive.

Where is the problem in insurance? If you are here today visiting in Washington, and you work for Toyota or Ford or General Motors or any big American company—any big corporation in our country—if you work for them, my guess is that you are not worried about your wife getting sick and they fire you from your job or raise your rates. What happens when you have group insurance is, if your family member gets sick, you don't lose your job. Your insurance rates really don't change, and you continue on with your life. You still have the tragedy to deal with of someone in your family being sick. But if you have group insurance, it seems to work in our country.

What we are talking about is the individual insurance market. We are talking about the plumber, the pest control guy, the carpenter, the welder, the farmer—people who are in a small business. Either they have a few employees or it is just them. That is what we are talking about. It is horribly broken. I don't wish it on any American. I wish no American had to buy any insurance in the individual market. In fact, what I am proposing would so disrupt the individual market that maybe everyone would leave. I am trying to give an exit ramp to everyone in the individual market to get out of the individual market because the individual market is a terrible place to be.

If you are a farmer in America and you buy insurance for you and your wife, and your wife gets breast cancer, you are not only deathly afraid for her health, you are deathly afraid your insurance rates will be doubled, tripled, or you will be dropped. I don't care if you are a Republican, Independent, or a Democrat. People in the individual market do worry. We have had people here worried that people are going to lose their health insurance. The individual market is a terrible place to be.

So what should we do? Should we give hundreds of billions of dollars to the insurance company and say: Please insure these people and make sure their rates aren't too high. I don't like that because I am not for crony capitalism. These companies make billions of dollars a year in profit. I am not for giving them one penny of your money.

Do you know what I want? I want something that doesn't cost anything, that doesn't cost one penny and would completely transform healthcare and insurance in this country. I want to legalize—I want to make it open to every American that you can go out with an association across State lines and buy your insurance as part of a group. What would that mean? In my State, the Farm Bureau has 33,000 people. But when you go to the Farm Bureau to buy your insurance, you get an individual policy. A farmer, his wife, and

their family get a policy. It is just them. They are not really protected by the group. They don't get the leverage of price, and they are not protected. If they get sick, their rates are based on them and their family. Why don't we let them join together? There are probably a million farmers in the Farm Bureau throughout the American Farm Bureau. What if the American Farm Bureau had an association and one person negotiated for them? I don't think we can overstate the negotiating value of a group.

In China recently, they negotiated for patented medicines, and they reduced the price by 67 percent. Groups can negotiate prices down. This is a free market reform. This is collective bargaining for consumers. I can't see why either side—I am still hopeful, no matter where this goes, that at some point in time, when partisan fervor dies down, we can go to the other side and say: What's so wrong with collective bargaining? I thought you were for collective bargaining for labor. Why not be for collective bargaining for consumers? Let the consumers band together. AARP has 33 million people. What if one person negotiated the rate for their insurance and their drugs? My guess is that they would have the lowest drug prices in the world, and more people would want to join AARP. What if the credit unions—there are about 20 million people in credit unions, maybe more, across the United States. What if you could join your credit union and became part of a national association to buy your insurance? The leverage of 20 million people would be maybe 40, 50 times bigger than America's biggest corporation.

Right now, if you are General Motors and you are a big corporation, you have leverage to bring prices down. What if you were in a corporation 20 times bigger than General Motors—an association that negotiated your prices? This is freedom, though; this isn't a government plan. This is the Federal Government saying that you are allowed to do what you want. You are allowed to collectively bargain as consumers.

I think there is every chance that we could fix a lot of the market. Would there be anybody left behind? Yes. I mean, we have terrible tragedies. I spent my adult career in medicine. I have seen the terrible tragedies, the terrible disabilities, the terrible neurologic disorders people are born with and have to live their lives with. Those exceptions will be treated and are treated.

Frankly, one of the misunderstandings of this debate is that any Republican is up here talking about trying to take away stuff from those who are disabled, can't work, and do have to have care. That is traditional Medicaid. They will continue to be cared for. Under this, we are talking only

about able-bodied people. Should able-bodied people—people who walk around, hop out of their truck—should they be working? Should they be providing for their health insurance? Yes. Can there be a transition zone? Yes. We have transition programs between unemployment back to employment. We shouldn't have people permanently unemployed—people permanently on benefits who don't work or won't work. There should be work requirements. I am not afraid to say that every able-bodied person on Medicaid ought to work. There should be a work requirement. I meet many people on both sides of the aisle who are for that.

I don't say they should work as punishment. I think everyone in America should work as a reward. I think work is a reward. I don't care whether you are from the lowest job on the totem pole to the top, to the chief executive. Work is where you get self-esteem. No one can give you self-esteem. Your self-esteem comes from work. I think we are wrong. In fact, I think what we have done—in some cases, we now have multigenerational dependency on government, and they are so distraught and so lacking in self-esteem that it also compounds the drug problem that we have.

Some say that we need more Medicaid money to fight the drug problem. I worry that more Medicaid trips to the doctor may actually be part of the drug problem—that much of the dependency is coming from OxyContin, which the drug company says was not addictive, but everyone got put on OxyContin because it supposedly wasn't addictive. A lot of our heroin and OxyContin problem came out of going to the doctor.

If we were to get everyone out of the individual market into group insurance, there would be some people left behind. My hope is it would be a small number of people, and we would know after a year or two. Let's see what it is. We already have a safety net. The other side is acting as if there is no safety net. We have had a safety net for decade after decade. The safety net is Medicaid. If your child has a disability, no one is trying to take that away from him.

The thing is, we have to try to fix what we have. We need to understand that what we are looking at—what we are trying to fix isn't just some kind of policy that nobody can understand. Healthcare policy is very technical and detailed. This is about freedom.

Do you think that every American should get to choose whether they have insurance and what kind of insurance they have? This is what it is about. It is freedom of choice. It isn't about whether we want people to be insured. When you hear these hyperbolic statements saying that all these people are going to die—Republicans want people to die—those hyperbolic statements aren't really helpful to the debate.

I do not question the motives of any of the Democrats as far as wanting to provide care. I never questioned President Obama's desire to help people get insurance. To me, it is more of a question of what will work. What distributes goods better: socialism or capitalism? Look at the Soviet Union. We defeated the Soviet Union because capitalism defeated socialism. Socialism doesn't work.

When the government fixes the prices, it doesn't work. Are we going to have some government involvement? Yes. But because Government is so pitiful at anything they do, we should minimize government's involvement in any industry. If we say that government has to be involved to take care of the poor, let's do it at the State level, not the Federal level.

People ask me: Are the people in government inherently stupid? I say no, but it is a debatable question. The reason is this: Government doesn't get the proper incentives, and they are too distant from the people, and we have a printing press.

What is the fundamental deceit of ObamaCare? This is the fundamental problem of all government, but the fundamental deceit of ObamaCare is this: They said that everyone is going to get free healthcare. Everyone is going to have Medicaid, and you don't have to pay for it, and the States don't have to pay for it. We are going to have the Federal Government pay for it. But the problem is the Federal Government can't pay for most of the things we already have. We already had Medicaid we can't pay for—Medicare we were short of money for. We already have Social Security that we are short of money for. What do we do? We borrow the money. Our deficit this year will be \$500 billion. Our deficit is projected next year to be \$1 trillion. That is the real question. It isn't, do you want to help people? It is, how are you going to pay for it? If this were done at the State level, what would happen? If the State of Kentucky wants to keep the expansion—we have expanded Medicare to 450,000 people. The question should be, should we double the State income tax in Kentucky? If that went to the State legislature, they have to balance competing concerns. If we double the State tax to pay for it—we live right next to Tennessee, which has no State income tax—would we possibly lose existing businesses or existing jobs or would we encourage new businesses not to come to Kentucky? That would be a valid debate. We want to help people, but what are the ramifications of it?

In Washington, it is said that there are no ramifications because everything goes to the debt. Everything just piles up. We have \$20 trillion in debt. Whose fault is it? Both parties. Under George Bush, the debt went from \$5 trillion to \$10 trillion. Under President Obama, it went from \$10 trillion to \$20

trillion. Both parties are at fault, but the entitlements are consuming us.

How would we possibly move forward with a bill that sets up a new insurance entitlement, as some of the Republican plans wanted to do? We can't pay for the current entitlements. As we look forward today to the solution, what I would say is that there are alternatives. We really shouldn't question the motives of those across the aisle, and they shouldn't question ours.

I want more people to have insurance at a lower cost. We should have a disagreement on how it works. I think capitalism works better than socialism. I think we should minimize government's involvement because government is not very good at distributing anything. Just look at the mail.

I also think there are exciting opportunities for saying how we could insure the 27 million who are not insured currently. Twenty-seven million people under ObamaCare are without insurance. The question shouldn't be about debating over the past. It should be over debating the future. The future should be about trying to figure out how we insure those 27 million. I think there are a lot of opportunities that involve more freedom of choice, more freedom to choose your doctor, more freedom to choose what insurance works for you. My goodness, that is what this debate is about. It is not about healthcare policy. It is about freedom of choice, and I hope every Senator today will vote for freedom of choice.

Thank you.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Mr. ENZI. I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will continue to call the roll.

The legislative clerk continued with the call of the roll.

Mr. ENZI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

Mr. ENZI. Madam President, I ask unanimous consent that the actions scheduled to take place at 11:30 this morning occur at 3:30 p.m. today and that all other provisions of the previous unanimous consent agreement remain in place.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The time until 3:30 p.m. is now equally divided.

The Senator from Oregon.

Mr. WYDEN. Madam President, on this matter of repealing the Affordable Care Act, soon the Senate is going to vote on just whether or not to repeal the Affordable Care Act. I think it is important to note that this would walk back months and months of Republican promises to directly link repealing the Affordable Care Act with a replacement—a replacement that would improve coverage, lower premiums, and be better for the American people. In fact, the President of the United States said repeatedly over the last few months that these would be inextricably linked, that repeal and replace would go hand-in-hand. That is not what is on offer right now. What is on offer are specific changes that would actually harm Americans.

For example, no more middle-class tax credits for healthcare—that is something that is critically important to the millions of middle-class folks who are walking on an economic tight-rope every month, balancing their food costs against their fuel costs, their fuel costs against their medical costs.

I was struck this morning when I heard that, under this repeal approach, there is not going to be any real pain, that everything is just put off. Make no mistake about it. The pain for our families under this repeal measure is going to start right away. Nobody says they are going to be part of a marketplace if they believe it is not going to exist in a few years. Seventeen million fewer Americans are going to have healthcare 1 year from now. An analysis from the Congressional Budget Office—and this is only a week old—said that half of the country will have zero insurance choices in the private marketplace under this scheme.

I would like to repeat that so people understand that, as to this idea that there is really no pain here and that nothing starts for a long time, the Congressional Budget Office—our non-partisan, impartial umpire—doesn't agree with that. They said just last week that half of the country will have zero insurance choices in the private marketplace under this scheme. That goes up to 75 percent of Americans with no options in later years.

So my view is that this is just legislative malpractice, first because of the pain and harm it is going to cause so many Americans. The Congressional Budget Office says that kind of misery is going to kick in quickly.

Second—and I don't think this has been discussed on the floor—this walks back months and months of Republican promises. The American people were told again and again that repeal and replace were going to be directly linked. The President said it multiple times. Then he went over the top and

told people that they were going to have lower costs and better coverage.

Mr. SANDERS. Madam President, will my friend from Oregon yield for a question?

Mr. WYDEN. I am happy to yield to my friend.

Mr. SANDERS. Madam President, our friend from Oregon is pointing out that this legislation would impact virtually every American because, in one way or another, we all interface with the healthcare system.

I would ask my friend to confirm: This legislation would impact what percentage of the U.S. economy?

Mr. WYDEN. I would say to my colleague, the ranking member of the Budget Committee, that we are talking about one-sixth of the American economy.

Mr. SANDERS. One-sixth of the American economy is over \$3 trillion every single year.

Now, when we are dealing with legislation that impacts virtually every American, over \$3 trillion every year, would my friend from Oregon please tell me this—and I know that he is the ranking member of the Finance Committee, and I am on the Health, Education, Labor, and Pensions Committee: How many hearings have been held in the Finance Committee to discuss the economic implications of this legislation? Were there five, ten? How many hearings on this enormously complicated and important issue have there been?

Mr. WYDEN. My colleague is being logical, and heaven forbid that logic should be introduced into this, because we would automatically assume that on a matter like this—we are talking about one-sixth of the American economy—the Senate Finance Committee would have hearings. There have been no hearings.

Mr. SANDERS. No hearings?

Mr. WYDEN. None.

Mr. SANDERS. There have been no hearings on a bill that impacts one-sixth of the American economy and every single American.

Now, let me ask my friend from Oregon this. Obviously, before my Republican colleagues would go forward on radical legislation like this that would throw some 32 million Americans off of the health insurance they have, they have obviously consulted with doctors and hospitals to get their views as to the impact this legislation would have on patients and hospitals all over America.

What kind of testimony did the doctors make on this bill or the hospital administrators make?

Mr. WYDEN. I can tell my colleagues that Senator MURRAY and I, the two of us—the ranking member on the Budget Committee and I—have actually made public the overwhelming opposition from providers on this. So, in effect, providers and patients are standing together in opposition to this.

Mr. SANDERS. Right, so if my understanding is correct—and I am quite sure it is—the American Medical Association, which is not one of the great progressive groups in America but the group that represents the physicians in this country, A, they have not been able to make testimony. But, B, what is their view on this legislation? What do the doctors of America feel about this important legislation?

Mr. WYDEN. They are opposed, as I have indicated. I think it is particularly important to see this provider-patient partnership that this time is saying the patients come first and this bill hurts patients.

Mr. SANDERS. But we have not heard yet from one doctor making public testimony at a hearing.

Mr. WYDEN. That is correct.

Mr. SANDERS. In other words, this bill is not saying to doctors: What will this mean to your patients? What happens if 32 million people are thrown off of medication? How many of them will get sick? How many of them will die?

No testimony.

How about hospitals? What kind of testimony have we heard from hospital administrators, those in rural America, about the impact of this legislation on rural hospitals in Vermont and rural hospitals in Oregon?

Mr. WYDEN. What I can tell my colleagues is that, again, those hospitals have not been in front of the Finance Committee.

One of the things I appreciate about so many colleagues on this side of the aisle is that they said: Well, if we are not going to hear from these providers, like the hospitals, in the committee, we are going to go out to the country and listen to them. I have had townhall meetings throughout rural Oregon, as my colleague Senator MERKLEY has had. The rural hospitals, which are the economic engines of so many rural communities, are opposed to this legislation.

Mr. SANDERS. Let me ask my friend from Oregon: What kind of testimony have we heard as to the impact of this legislation on older working people, in terms of what it might mean in increased premiums? Have we heard much discussion? Has the AARP, which is strongly opposed to this legislation, been able to come forward at a public hearing and express their point of view?

Mr. WYDEN. The AARP has also not been in front of the Senate Finance Committee. I want to say again that Senators have said: If they are not going to be in front of the Senate Finance Committee, where we ought to actually hear testimony in line with the regular order, we are going to go out to the country and listen to AARP members and organizations. They are overwhelmingly opposed to this because people between 55 and 64 would pay five times as much as younger peo-

ple, and they would get fewer tax credits.

Mr. SANDERS. Madam President, would my colleague please repeat that. I think it is important for older Americans to hear this.

We had a candidate running for President of the United States by the name of Donald Trump, and he ran all over this country and said he was going to stand up for working families and he was going to stand up for the working class of this country.

Please repeat what this legislation would mean if somebody were a 62-year-old worker in Vermont or in Oregon. What kind of premium increases might he or she see?

Mr. WYDEN. It is hundreds and hundreds of dollars and, in a number of instances, more. The reality is that I think they are going to have a lot of trouble getting coverage at all. The reality is, when you pour gasoline on the fires of uncertainty—and this is particularly important right now as plans are thinking about signing up—that makes it more likely you aren't going to have plans at all. The Congressional Budget Office has also found that the Paul legislation makes that worse.

Mr. SANDERS. Now, while the AARP and other senior groups have not been able to testify, would my friend from Oregon tell me what their views are on this particular legislation because of its impact on older workers and seniors in general?

Mr. WYDEN. While the senior groups have not been able to come before the Finance Committee to discuss this issue, I can say—and I have been working with a number of these organizations since my days with the Gray Panthers—that they are overwhelmingly opposed to this. I think, in particular, this idea that we heard from the Congressional Budget Office last week—that half of the country will have zero insurance choices in the private marketplace under this repeal scheme, and that it goes up—will just cause even more seniors to be against it.

Mr. SANDERS. But it is not only older workers because we have as an aging population more and more people in nursing homes. Would my friend from Oregon describe what happens under this legislation if somebody has a mom or a dad in a nursing home, struggling with Alzheimer's or some other terrible illness?

Mr. WYDEN. Under this legislation, you would have a massive rollback of the Medicaid Program. So for all of those older people who scrimped and saved all of their lives—they didn't take that vacation; they tried to make sure they could educate their kids—Medicaid picks up the costs of two out of three nursing home beds in America. This legislation would produce a massive rollback of the Medicaid Program, and I believe so many older people are going to find long-term care unaffordable—millions.

Mr. SANDERS. I think it is important to repeat that because this is not something that I think most Americans are aware of. Medicaid now pays, as I understand it, for two out of three nursing home beds in this country; is that correct?

Mr. WYDEN. That is correct.

Mr. SANDERS. And a massive cut in Medicaid would be devastating to those families who have loved ones in nursing homes?

Mr. WYDEN. That is correct. It would be accompanied with further misery because it would leave the millions suffering from opioid addiction with nowhere to turn for coverage as a result of this massive rollback in Medicaid coverage under this amendment.

Mr. SANDERS. I have asked my colleague from Oregon a little bit about some of the cruel and devastating impacts this legislation would have, but we have to be honest and acknowledge that there are some beneficiaries in this legislation as well.

Would my friend describe the beneficiaries in the House bill, in particular? While millions were thrown off of Medicaid, while 23 million people lost their health insurance, some people actually did gain from this bill, and we have to acknowledge that; is that true?

Mr. WYDEN. Yes, the fortunate few would benefit under the House bill. There is no question about it.

To give my colleagues an idea of how regressive those efforts are, they would actually be retroactive. So this idea that these tax cuts for the well-to-do were in some way going to create jobs is just absurd. They are made retroactive. So they aren't going to be creating jobs going forward.

Mr. SANDERS. Correct me if I am wrong, but my recollection is that in the House bill there were \$300 billion in tax breaks going to the top 1 percent at exactly the same time that 23 million Americans were thrown off of their health insurance; is that correct?

Mr. WYDEN. A few hundred families benefit so greatly that it could actually cover Medicaid expansion in several States.

Ms. STABENOW. Will the distinguished Senator from Oregon allow me a question?

This is a very, very important debate. On the point that my colleague just made, isn't it correct that there is nothing in any of these versions that lowers the cost of prescription drugs, which is the No. 1 issue for people in this country, as it relates to healthcare, or for businesses? I hear it all the time. There is nothing in here to lower the cost of prescription drugs, but there are tax cuts in here for the prescription drug companies. Is that correct?

Mr. WYDEN. That is correct. The special interests get very, very substantial tax breaks. Those working-

class people lose tax credits, so they actually lose, and, in effect, those dollars can be used for the tax cuts for the fortunate.

Ms. STABENOW. There is nothing to go further to use the buying power with Medicare to negotiate prescription drugs or to allow, with safe FDA approval, for people in Michigan to be able to drive across a bridge to Windsor and be able to get the very same prescription drugs for 40 percent less. There is nothing in there about that, is that correct?

Mr. WYDEN. There is nothing that would give Medicare bargaining power to make sure seniors get a better deal. There is nothing for the kind of effort our colleague from Vermont and Senator KLOBUCHAR have pursued, which would allow, under circumstances where there were safety precautions, for pharmaceuticals to come from other countries. There is nothing to go after pharmaceutical middlemen. So, yes, there is nothing in these bills to hold down the cost of pharmaceuticals.

Mr. SANDERS. If I could, let me ask my colleagues from Oregon or Michigan maybe to speculate here.

If the House bill were to be successful—and we are going to do everything in our ability to make sure it is not successful—and Medicaid were severely cut back, what do my colleagues think will eventually happen in the near future—not eventually, but in the short term, to programs like Medicare and Social Security? Would it be a reasonable assumption that this is the beginning of the effort on the part of the Koch brothers and Republicans in the Congress to begin dismantling virtually every Federal program that helps working people? Is it not true that the House Budget Committee has already passed legislation that would move toward voucherizing Medicare and privatizing it?

Mr. WYDEN. My colleague is right. There is a very regressive effort going forward in the House, the House Budget Committee, and, clearly, this is to try to set up tax cuts for the fortunate few.

I was struck by the fact that the President has talked about a 15-percent corporate rate. You lose \$100 billion for every point you lower the corporate rate. The corporate rate is now 35 percent. If you move it to 15, that is \$2 trillion that goes out the door.

Yes, I am very troubled that the House effort plus this legislation is really an effort to begin the unraveling of America's social safety net, and the funds that provide for those very vulnerable people would be used for these additional tax breaks.

Ms. STABENOW. I wonder if the Senators are aware that in Michigan—and I share in the deep concerns of the Senator from Vermont about those opportunities that people have paid into, by the way. This is not free. This is not an

entitlement. People pay into Medicare, pay into Social Security, which has lifted a generation of seniors out of poverty and allowed seniors and people with disabilities to live longer because of Medicare, and it has created a better quality of life—Medicaid, as well.

There is a great success story in Michigan that I would share on the Medicaid front. Of course, three out of five Michigan seniors in nursing homes with Alzheimer's or other kinds of challenges get their healthcare from Medicaid. In addition to Medicare, Medicaid is there for middle-class seniors, for low-income seniors, and so on.

When our distinguished Senator from Oregon talks about dollars—saving dollars or costing dollars—an interesting thing has happened by setting up Healthy Michigan and expanding Medicaid healthcare to minimum-wage working people. We are actually saving money.

Ninety-seven percent of our children can now see a doctor in Michigan. That is great. They have cut in half the number of people who walk into the emergency room who can't pay. We all pay if somebody walks in and gets the most expensive treatment through the emergency room.

The State of Michigan will save \$432 million in taxpayer money next year because they are focusing on children going to a doctor, people getting preventive care, not using the emergency room. It saves money.

Instead of doing these tax-cut provisions for the wealthiest and for the pharmaceutical companies that take dollars away, actually doing the right thing on healthcare in Michigan is a great success story for saving taxpayer dollars.

Mr. WYDEN. I think my colleague is making an important point, as well as my friend from Vermont.

Part of the reason that many Republicans want these tax cuts for the fortunate few is arcane to people, pretty complicated. What they really want to do is get them now, to put them in the budget baseline in order to open up the opportunity when tax reform comes along to have even more tax breaks for the fortunate few. So, yes, Medicare and Medicaid are going to face real challenges.

In fact, as my colleagues know, the Affordable Care Act had a modest additional tax on people who earn over \$250,000 a year, and it was to go just to Medicare. You see your paycheck—everyone gets a paycheck—and the Medicare tax is right on it. The only people under these Republican plans who would get the Medicare tax cut would be couples who make over \$250,000 a year.

When my colleague from Vermont asks “What does this mean for Medicare?” it isn't necessarily about some bill far off in the future. It is about right now. By the way, taking that

money away—the money that comes just from the modest additional tax on couples over \$250,000—reduces Medicare solvency by several years. It actually reduces Medicare solvency, which breaks yet another Trump promise not to in any way injure Medicare.

Mr. SANDERS. I have a meeting that I have to get to. I want to summarize this. My friends from Oregon and Michigan can correct me if I am wrong.

We are looking at a bill that came from the House and various proposals being introduced in the Senate, which essentially says that we are going to throw over 20 million Americans off of the health insurance they currently have. What I haven't heard much discussion about is what happens to someone who today has health insurance and is struggling with cancer, maybe getting chemotherapy or radiation therapy right now. What happens to someone who is in treatment for diabetes? What happens to someone with a serious heart condition, who had a stroke and is on Medicaid? What happens to those people when their health insurance is simply cut?

Mr. WYDEN. Two points are raised by my colleague—very good points. First, in the immediate, those people will go to the hospital emergency room, which means that, once again, we are turning back the clock toward approaches that don't provide better care at lower costs.

I wish to also mention, when we are listening to folks at home—because they don't get to testify here in the Senate—people appreciate the part of the Affordable Care Act that ensures their lifetime limits on what they can be charged by insurers. Almost all of these Republican bills create an arrangement where a State could waive that protection. Not only would people who are facing cancer and serious illnesses and probably have to go to the hospital emergency room a fair amount be hurt now, but people who have employer-based coverage are going to be hurt in the future. So 160 million people don't even know what is coming out.

Ms. STABENOW. If I might ask one final question, would my colleague agree that rather than this approach, in which we don't even know, moment to moment, what we are voting on here—unlike what we did in the Finance Committee in 2009, where there were 100 hearings in the Finance Committee and the HELP Committee before we even voted on anything on the Affordable Care Act. Rather than that process, we are looking at a situation where everything coming before us will take away healthcare for tens of millions of people and raise costs on everyone. Would my colleague agree that it would be better to stop this process and go back to a bipartisan effort to lower costs and increase healthcare coverage? Would my colleague agree,

as well, that we know that there are people paying too much for copays and premiums, and that needs to be addressed?

In the private marketplace, there is not enough competition among insurance companies. In some places, there are none in the individual market. We need to work together to lower costs, starting with prescription drugs, and to also continue to increase the opportunity for people to get healthcare coverage. That is what we ought to be doing together and doing it in a thoughtful way and getting input and actually solving the real problems.

Mr. WYDEN. My colleague has described how the Senate works best when she says: Look, bipartisanship is not about taking each other's lousy ideas. Bipartisanship is about both sides getting together, having hearings, listening to all alternatives and ideas, and often coming up with something no one has thought of.

My colleague knows a lot about bipartisanship in healthcare because my colleague was part of our effort in 2008 when we put together the first bipartisan universal coverage bill in the history of the Senate—seven Democrats, seven Republicans. By the way, a number of those Republicans are still serving in the Senate today. We know that is a better path.

To wrap up this portion of the debate, I wish to say to my colleagues that the best way to proceed is with a kind of two-part effort. The first is to say that we all agree the Affordable Care Act is not perfect. We are going to take steps immediately to stabilize the private insurance market.

We have a number of our colleagues—Senator SHAHEEN, with her effort to make sure people can get some help when they have deductibles and copayments; our colleague from Virginia, Senator KAINE, with reinsurance; Senator MCCASKILL with a fine idea to help areas that are bare in terms of no coverage. We have to move to stabilize the private market quickly because at the end of August, the plans are essentially signing contracts for premiums for 2018.

My colleague is absolutely right. We ought to knock off this partisan our-way-or-the-highway approach, move on a bipartisan basis to take steps to improve the Affordable Care Act now after we have hearings, input, and the opportunity to have people in front of the committees of jurisdiction. After that, we then move to the broader array of issues, starting with the immediate challenge my colleague has led on, which is clamping down on the cost of pharmaceuticals. You take steps to stabilize the market immediately, and then you move again in a bipartisan way on what our constituents are talking about at every community meeting, which is that their Social Security checks, the benefits they get, aren't

coming close to keeping up with the rise in the cost of prescriptions.

I thank my colleague for her very helpful questions and our colleague from Vermont, Senator SANDERS.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Madam President, I don't need to tell anyone why we are here. We are here because ObamaCare is fundamentally broken. That is clear. It is evident. Everybody knows that.

A combination of soaring premiums and rapidly decreasing insurer participation has left the law's centerpiece—the healthcare exchanges—literally on the brink of collapse. Insurers are fleeing. Nationwide, 141 insurers have registered to offer plans on the exchanges in 2018, which represents a 38-percent drop from 2017, and that is on top of a nearly 30-percent drop in insurer participation from 2016 to 2017.

If the trend of the past 2 years continues, the final number of insurers offering plans on the exchanges in 2018 is likely to be roughly half the number that offered plans in 2016—a year ago. At least 40 counties around the country are likely to have no ObamaCare insurer in 2018 and another 1,300-plus counties are likely to have just one choice of insurer.

President Obama once said that shopping on the exchanges would be like buying a TV on Amazon. For a lot of people next year, it is going to be like shopping for a TV on Amazon, if Amazon only offered one brand of TV. Of course, for some people it is going to be like shopping for a TV on Amazon only to discover that Amazon has no TVs at all.

Another thing ObamaCare was supposed to do was make health insurance more affordable. That hasn't worked too well. Premiums on the exchanges have soared and soared again. Between 2013 and 2017, the average individual market monthly premium in the healthcare.gov States increased by 105 percent. How many families in this country can afford to have their health insurance premium more than double in just 5 years—and there is no end in sight.

Here are some of the premium hikes insurers are proposing for 2018:

In Maryland, one insurer has proposed an average premium increase of 52 percent; an Iowa insurer is seeking an average 43.5-percent premium increase; a North Carolina insurer is pursuing an average 22.9-percent hike; a Virginia insurer is looking for an average rate increase of 38 percent; a Delaware insurer is looking for an average rate hike of 33.6 percent; a Maine insurer is seeking an average rate hike of 40 percent; and in New Mexico, one insurer is seeking a rate increase of nearly 80 percent.

Again, those are rate hikes for just 1 year. That is after years of dramatic

premium increases on the exchanges. Suffering under ObamaCare isn't limited to high premiums and decreasing choices. There are the Americans who have lost their healthcare plans, and the Americans who have lost access to the doctors they liked, the huge deductibles that left some Americans unable to use their insurance, and the ObamaCare tax hikes that have hurt small businesses and driven up the cost of health insurance.

ObamaCare has failed. Americans are suffering. Doing nothing is not an option. Yesterday we moved forward to debate legislation to provide relief to the millions of Americans who have been hurt by ObamaCare. We are going to have a full debate and give people a chance to help shape the final bill.

I hope that at the end of the week, we will be able to pass a strong bill to start undoing the harm ObamaCare has caused. We owe the American people nothing less. We made a commitment to the American people; that if they elected us, we would do everything we could to give them relief from ObamaCare. It is time to make good on that promise.

Chances to do away with damaging government programs don't come around every day. Once you give the government power, it can be pretty hard to wrest it away. This week, we have the chance to start repealing a really bad government program. We need to take it. If we don't act to help the American people, no one will. Democrats have made it clear that if they were in power, they would be doubling down on ObamaCare's failures.

The head of the Democratic Party in the U.S. Senate openly stated single-payer healthcare is on the table for Democrats. A number of colleagues on the Democratic side have proposed that legislation. An analysis of one of our Democratic colleague's single-payer plan estimated that it would cost \$32 trillion over 10 years. Well, that would require a tax hike so staggering the Washington Post pointed out that even the Senator who proposed it—an avowed Socialist—didn't offer anything close to what would be needed to pay for it.

We are the only hope Americans have of getting out from under ObamaCare's burdens. This week, we have a chance to pass legislation to finally provide them with relief. I heard my colleagues get up and talk about the impact the proposed legislation that is before us would have on people across this country and American workers. I have to say, I talked to a lot of rank-and-file, hard-working South Dakotans and South Dakota families who have been hit so hard by these premium increases. I talked to families—a mom and dad with two kids who are paying more than \$2,000 a month in premiums to get insurance in the individual marketplace.

In my State of South Dakota, premiums since 2013—the last 5 years—have gone up 124 percent. They have literally doubled. Do you know what that means in South Dakota? That is almost a \$3,600 increase in just the last 5 years. What average family who is trying to raise kids, trying to pay the bills, trying to save for retirement, trying to put something aside for college education, trying to pay the mortgage and the utility bill—how many families can put up with a healthcare bill that has gone up in the last 5 years by almost \$3,600? That is a crisis. That is why we are here.

Our colleagues on the other side want to turn a deaf ear and blind eye to what is happening out there. We can't afford to do that because the status quo is unsustainable. There is absolutely no way the American people who are suffering under the harms caused by ObamaCare can continue to abide the status quo.

It is up to us to take the steps that are necessary to move us in a different direction, a better path that brings stability to the marketplace, that gives people more choices, more options, greater competition, and brings down premiums and deductibles and the costs that are driving family budgets through the roof.

What we have seen since ObamaCare has been implemented are higher costs, higher taxes, and fewer options. It is as simple as that. That is what we are up against, and that is why it is time for us to act. I hope when we conclude this process at the end of this week—and we have an opportunity for everybody to offer their amendments—we will move forward with the bill and fulfill our promise to the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I appreciate the remarks of my friend.

I would simply note that nothing he has said explains why you would want to strip hundreds of millions of dollars out of Medicaid or why you want to deny coverage to elderly folks who get Medicaid support for their nursing homes, people who are in the throes of addiction getting medical support for opioid treatment, children are often born on Medicaid—why you want to do all that. Nor does it explain why you would want to give big tax breaks to the most well-off people in the country.

Fine, let's fix the markets, if that is the problem, but this isn't really about that. This is stripping money out of Medicaid to give it to very wealthy people who are doing quite well already, in my view.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Madam President, Karen from Missoula County wrote to

me about how her daughter can't afford to buy insurance. ObamaCare imposes a tax penalty on Americans who don't buy insurance. In fact, in 2014 and 2015 alone, they collected over \$5 billion in fines.

It turns out, this tax has hurt poor and middle-income Americans the worst. That is why I refer to this as ObamaCare's "poverty" tax. For Karen from Missoula, paying ObamaCare's poverty tax is cheaper for her so she pays the IRS a fine because she can't afford healthcare insurance.

Take Debbie from Roundup, MT. She lost her own healthcare insurance. She couldn't afford the \$1,700 per month premiums so she, too, was subject to ObamaCare's poverty tax and was forced to pay the IRS.

Take Mike from Kalispell, MT. He is concerned for his son who can't afford a health insurance plan either. The poverty tax he is forced to pay to the IRS is expensive. It is hard to come up with money to pay it. There are American families who can't afford health insurance because of ObamaCare, and what does ObamaCare do? It fines them. This is adding insult to injury.

These are just a few of the stories I have received from my constituents back home in Montana, where ObamaCare is doing more harm than good. Yes, it is doing some good, but it is doing more harm than good. In fact, 40 percent of the 34,250 Montanans who paid ObamaCare's poverty tax made less than \$25,000 a year; 80 percent made less than \$50,000 a year. This is not a tax on the rich. In fact, just 3.4 percent make more than \$100,000. This is a tax on the poor.

Instead of helping these vulnerable Montanans to make ends meet, ObamaCare puts a poverty tax on them for being too poor to afford health insurance. In fact, in Montana alone, they paid nearly \$7.8 million to the IRS. This individual mandate—this poverty tax—is immoral. It is unfair. It is a tax on freedom. It needs to be repealed immediately, and these poverty taxes must be paid back to the poor who have paid them.

Our friends across the aisle will say we want to get rid of taxes on the rich, but the rich aren't paying this tax. The poor are paying this tax. I think the right thing to do—the handshake agreement we have back in Montana as Montanans, where a man or woman's word is worth something—the right thing to do is, they should be paid back.

That is why I will be offering an amendment on the floor when we debate. We should pay back this poverty tax to the poor who have paid it. The poverty tax is just one of the many problems of ObamaCare, and I look forward to continued debate.

By the way, if you take this to the higher level here nationwide, nearly 8 million Americans have paid this poverty tax. As we looked at every State's

numbers, it all is about the same: Somewhere between 40 percent and 50 percent of those Americans make less than \$25,000 a year. In Indiana, it is 176,000 Indianans.

We have them for every State. Look at West Virginia. West Virginians, 45,000 have paid the poverty tax; 49 percent make less than \$25,000 a year.

Take North Dakota. We share, in Montana, the same fence line with North Dakota. They are our neighbor. Over 20,000 North Dakotans paid the poverty tax. North Dakotans paid \$4.6 million, and 40 percent of them make less than \$25,000 a year.

Missouri: 143,000 Missourians paid the poverty tax, and nearly 48 percent of those Missourians make less than \$25,000 a year.

Wisconsin: 115,000 paid the poverty tax, and 45 percent make less than \$25,000.

I have a lot of other States. I would urge my colleagues to take a look at their respective States, and I ask: Can you look in the mirror and say we should be charging this poverty tax on those who make less than \$25,000 a year?

Madam President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Thank you, Madam President.

I come to the floor—I know my colleague from Indiana, Senator DONNELLY, is going to be down here to talk a little bit about his motion, and I want to support him in that, along with the Senator from Pennsylvania, Mr. CASEY, because we are here to say we need to stop this war on Medicaid.

Throughout this healthcare process, it has been very clear that there are many on the other side of the aisle who just want to cut or gut Medicaid. What we are saying is, if you are serious about protecting Medicaid and stopping the war on Medicaid, then you should support the Donnelly-Cantwell-Casey amendment, which would recommit the bill to the Finance Committee with instructions to strike the language about Medicaid. It would make sure a state can expand Medicaid Program, and it would say: Don't cost-shift to the States.

With this motion, we are saying to our Republican colleagues: We don't want to cut people off of Medicaid. We want the committee to do exactly what the Republican Governors are saying, which is, quit beating up on Medicaid and focus instead on fixing the individual market. The individual market is 7 percent of the overall market for health insurance.

What we have found with the expansion of Medicaid that has been done by both Democratic and Republican Governors is great success.

I hope my Republican colleagues will heed the warnings of our Nation's Republican Governors and Democratic

Governors. In June, a letter from seven bipartisan Governors was sent to Senate leaders. This is a letter by the Governors of Ohio, Montana, Nevada, Louisiana, Colorado, Massachusetts, and Pennsylvania. It shows the diversity of both our Nation and political parties. It says:

We believe that, first and foremost, Congress should focus on improving our nation's private health insurance system.

Then they say:

Medicaid provisions included in this bill [that has been proposed by the House] are particularly problematic. Instead, we recommend Congress address factors we can all agree need fixing.

So the message was clear from these Governors, including Republican Governors, and I hope my colleagues will listen to them. The Nation's Governors know because they have had to provide and be a partner on Medicaid for their citizens. They know how it affects their economy, and they know what it does when families in their States get access to healthcare. It reduces the bankruptcy rate. It helps people stay employed. It boosts GDP. All of these things are benefits of Medicaid expansion that we have seen in Washington State. It cut the uncompensated care cost in half. It also resulted in the creation of new jobs.

A nonpartisan study found that if the current bill we are debating, the House bill, is passed, state economies will shrink by \$93 billion. So pulling the rug out from under Medicaid recipients would hurt jobs and hurt economies in Nevada, Alaska, and West Virginia. West Virginia would lose more than 10,000 jobs, more than \$1 billion in gross State product, and more than \$1.7 billion in business output. Nevada would lose 3,300 healthcare jobs and Alaska would lose 2,600.

So all of these things are ways for us to say: If you are serious now—before you go home for the August recess—about protecting Medicaid and stopping this ridiculous war on Medicaid, vote for our motion. Stand up and say you understand that we may have challenges in the individual market, but it doesn't mean that we should cut people off of access to healthcare through Medicaid.

I thank the Presiding Officer.

I yield the floor.

THE PRESIDING OFFICER (Mr. PERDUE). Who yields time?

If no one yields time, time will be charged equally to both sides.

The Senator from Indiana.

Mr. DONNELLY. Mr. President, I rise today to offer a motion that would protect Medicaid, the Medicaid expansion, and the Healthy Indiana Plan—known as HIP 2.0—in my home State of Indiana.

I first want to thank my colleagues for their support of this motion. I am proud to have Senators CASEY, CANTWELL, BLUMENTHAL, LEAHY, BROWN,

HARRIS, HASSAN, FRANKEN, FEINSTEIN, UDALL, SHAHEEN, CARPER, COONS, WHITEHOUSE, Kaine, VAN HOLLEN, CORTEZ MASTO, BALDWIN, MENENDEZ, REED, DUCKWORTH, MANCHIN, MARKEY, STABENOW, DURBIN, WYDEN, MURPHY, WARREN, GILLIBRAND, CARDIN, KLOBUCHAR, HEINRICH, HIRONO, BOOKER, PETERS, WARNER, and NELSON as supporters of this effort.

I also want to extend a special thank-you to my friend Senator BOB CASEY of Pennsylvania. Senator CASEY has been a tireless advocate for protecting the Medicaid Program and the critical services it provides, not just to the people of Pennsylvania but to millions of Americans across our beloved country. Senator CASEY has done incredible work to remind all Americans of the important role Medicaid plays in our communities and the millions of children, families, students, and seniors who have coverage through Medicaid.

My motion is simple. It would send this bill back to the Finance Committee to get the consideration it never received, and it would require the committee to strike provisions that reduce or eliminate benefits for those currently eligible for Medicaid, prevent States from expanding Medicaid, or shift costs to States to cover that care.

In my State of Indiana, we have seen the success of a bipartisan approach to expanding the Medicaid Program and helping our fellow citizen access health insurance. I was proud to work with then-Indiana Governor and now-Vice President MIKE PENCE when he used the Affordable Care Act to establish HIP 2.0. More than 400,000 Hoosiers have been able to access coverage through HIP 2.0, many for the first time in their lives. HIP 2.0 has helped reduce the uninsured rate in Indiana by 30 percent. Our Vice President called HIP 2.0—that is the Medicaid expansion in Indiana—a national model.

Then-Governor PENCE is hardly the only Republican Governor to praise the Medicaid expansion as a way to cover more of our citizens. Governor Sandoval of Nevada said just yesterday that he “will continue to do all I can to protect the thousands of Nevadans whose lives are healthier and happier as a result of the expansion of Medicaid.” Governor Kasich of Ohio has offered similar sentiments as he has fought to protect the Medicaid coverage for his State.

Nationwide, 31 States and Washington, DC, expanded coverage to more than 14 million Americans, many of whom have health insurance for the first time in their lives. All of that progress is at risk with the current bill.

Many of our States, including Indiana, have been devastated by the opioid abuse and heroin use epidemics. This public health crisis hasn't been confined to simply one neighborhood or



one economic bracket; it has been felt in communities across my State and all communities across our country.

Vice President PENCE said in his farewell address as Governor: "With HIP 2.0, we have also made great strides expanding treatment for those who struggle in the grip of drug addiction." I agree with the Vice President. HIP 2.0 and the Medicaid expansion have made treatment and recovery services more accessible for thousands of Americans struggling with addiction as they work to get back on their feet.

I don't think there is a single Member of this entire body—the U.S. Senate—who hasn't heard from the relative of someone who is battling addiction or from someone who has lost a loved one due to this epidemic. Gutting Medicaid and ending programs like HIP 2.0 as we know them would not make life better for Hoosiers or for the other 14 million Americans who have gained coverage through the Medicaid expansion. It would actually do the opposite.

Too often, this debate has been about statistics and not about the people who would be harmed. But healthcare, at the end of the day, is inherently personal. It is about the health and the economic well-being of our loved ones. It is about not having to go to the ER just to visit a doctor. It is about our financial security so our families and our friends aren't one illness away from bankruptcy.

The proposal before us wouldn't just impact Medicaid expansion; it would harm millions of working Americans who count on Medicaid for basic healthcare. It would affect more families than that, including those families who have insurance through their jobs but also use Medicaid to access care for chronic or complex conditions.

In 2015, 63 percent of Medicaid households had at least one full-time worker, and another 14 percent had part-time workers. That is almost 80 percent. For these hard-working Americans, Medicaid provides their families with financial security and stability and the healthcare they need so they can keep working.

Last month I stood on this floor and shared the stories of Hoosiers, including those who have Medicaid for themselves or to ensure that their children have the care they need. I have met with these families and heard their struggles, their fears, and their pain. I have listened as they pleaded with all of us here to protect their ability to access Medicaid. Many of these Hoosiers or their children are struggling with very complex medical needs that made it impossible for them to get coverage in the past. They would be priced out of the market under this current legislation. I cannot support a bill that takes care away from these families or from their children.

My faith teaches me that we are all God's children, and every man, woman,

and child should have the chance to live up to their God-given potential. There is nothing we wouldn't do to take care of our kids. These aren't just Indiana values. These are values in every town in every corner of our country.

My faith also teaches me that we all deserve to live, work, and retire with dignity. In Indiana, 62 percent of Hoosier nursing home residents use Medicaid to help pay for their care. According to the Kaiser Family Foundation, Medicaid supports more than 1.4 million Americans in nursing homes across our country. Their care would be threatened by this bill, which is part of why seniors' groups have been so vocal in their opposition to the proposed Medicaid cuts in this bill.

I have also heard from a number of school superintendents all across my State opposing the Medicaid cuts because of the harm it would cause to the thousands of students across the Hoosier State. Schools use Medicaid funding for certain health-related services they provide, including individualized education plans, special transportation for children with disabilities, social workers, physical and occupational therapists, and medical equipment at the schools.

Some school districts use Medicaid to help pay for health professionals or for full-time registered nurses at schools across the country, where they assist students with complex medical needs and treat students with everything from illnesses to asthma attacks.

As school districts and local governments across the country continue to make even more difficult budget choices, cutting off this critically important source of funding creates just one more huge challenge. In addition to trying to make up the lost funding, our communities and States could be impacted in other areas as well, including infrastructure, other education spending, police and fire, and other local priorities.

The plan from my friends across the aisle undermines coverage for millions, but we haven't even had a hearing on their proposal. Committees haven't been able to go through regular order to examine the merits of Medicaid and the Medicaid expansion and how gutting them would harm millions of people—children with really complex medical conditions, those struggling with substance abuse disorders, and seniors in nursing homes trying to live with dignity and peace.

My motion sends this bill back to the Finance Committee to ensure that we are protecting those Americans who are the most vulnerable among our society. It would allow us to move toward strengthening healthcare for our country.

If you believe we should support children and families with complex medical conditions, then you should sup-

port this motion. If you want to protect the 1.4 million seniors using Medicaid for nursing home care, then you should vote for this motion. If you want to continue the progress we have made fighting the opioid abuse and heroin use epidemics, then I ask for your vote in this effort.

I firmly believe we can improve healthcare and build upon the gains we have made if we work together—not as Democrats or as Republicans but as Senators and Americans—in a bipartisan manner. This is not a political game. The consequences are as serious as it gets, and the American people are counting on us.

I urge my colleagues to support this motion.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. I thank the Presiding Officer, and I want to start by thanking my friend and our colleague, Senator JOE DONNELLY, for standing up for Hoosiers and, in standing up for Hoosiers, standing up for all Americans whose healthcare is threatened if we continue to proceed down this very dangerous road in the Senate.

He talked about the opioid epidemic. Just last week I met with a dad by the name of Rick Warner and the brother and sister of a young man by the name of Jamie Warner who had recently graduated from the University of Maryland. He was a Terp.

Jamie died of an opioid overdose. He was part of the opioid epidemic that is sweeping the country. Rick Warner and his family were here in the Senate asking Senators—in fact, pleading with Senators, Republicans and Democrats alike—not to pass this healthcare bill.

He had lost his son Jamie, and he is determined that other moms and dads not lose their children to opioid overdose. This bill—make no mistake—will make those tragedies much more likely by taking away access to care in the way Senator DONNELLY just mentioned.

Yesterday, with the tie-breaking vote of Vice President PENCE, the Senate began down a very dangerous path, but we can get off that path. We can make sure we do not reach the end of that very dangerous journey. It was as if yesterday we lit the fuse and the fire is traveling down that fuse and at the end of the fuse is the plan to totally blow up the Affordable Care Act, which will wreak havoc on our healthcare system. That is why we have to put out the fire on that fuse right here in the Senate. We have the power to do that. We have the power to prevent the chaos and harm that will be created in our healthcare system if we continue down this path.

The reality, we know, is that all the healthcare plans that we have seen emerge to date—whether it was House plan 1 or House plan 2, or Senate plan 1 or Senate plan 2, or the proposal to

repeal entirely the Affordable Care Act, which would cause great harm—have the same rotten core. All of them have the same nasty DNA, and that is this: They would deny access to affordable care for tens of millions of our fellow Americans in order to give tax breaks to the very powerful and very rich and to big corporations. In fact, the proposal we are voting on very soon, which is entirely repealing the Affordable Care Act with no replacement, will result, according to the nonpartisan Congressional Budget Office—these are the nonpartisan referees who look at these proposals and tell the American people what the impact will be—in 32 million fewer of our fellow Americans having access to affordable care than today. They also tell us that we will double the health insurance premiums compared to today. And for what? They give a gigantic tax break to the wealthiest Americans.

Warren Buffett, a name most Americans know, said about a month ago: For goodness' sake, I don't need a \$670,000 a year tax cut in order to throw tens of millions of Americans off of affordable care. Don't do that. I don't need it.

Make no mistake. This has never been about healthcare. It has been about wealth care. I want people to think about this. If this were really about healthcare, why is it that all of the folks involved in providing healthcare to the American people are against it—the nurses, doctors, and hospitals?

People hear a lot of facts and figures from Senators and from the House. Some people may dismiss those numbers, but why don't we ask the people whose daily business it is to take care of the American people? What the doctors say is that all of these Republican plans violate their Hypocratic oath. What is the Hypocratic oath? It is the oath that every doctor in the country takes and the first principle is to first, do no harm.

Doctors, nurses, and hospitals all want to make people better. They all want to cure us. They all want to improve our health situation, but their No. 1 rule is not to make things worse, and all of these bills make things worse. That is what the numbers show us, and that is what the doctors, hospitals, and nurses show us. I think it is worse to have 32 million fewer Americans have access to affordable care.

What about our colleagues? Don't they think that is worse? I think it is worse when you double health insurance premiums and raise the cost of healthcare to Americans. That sounds like it is worse to me, not better.

It is not just all the folks who provide healthcare. Why don't we ask all of the patient advocacy groups across America about this so-called healthcare bill? What do they say?

The American Cancer Society: Bad bill—don't pass it. It will create harm.

It will be a setback in our fight against cancer.

The American Diabetes Association says the same thing: Bad news for patients with diabetes.

The American Heart Association tells us that this will be bad and harmful to people with heart disease.

There is the Alzheimer's association, and we can go down the list. Every single patient advocacy group in America that has taken a position on this bill says it is a bad bill, it is dangerous to our health, and it will do harm.

So I don't know how our Republican colleagues can bring Senate bill 1, Senate bill 2, or Senate bill 3 before this House and call it a healthcare bill when all the people who provide healthcare to our constituents say it is harmful to their health and when every patient advocacy group that has weighed in says that it is bad for their health. How is that a healthcare bill?

It is good for one group of Americans—those who will get a windfall tax break, but many of them, like Warren Buffett, are saying: Hey, I don't want this.

Now there are some very big corporations that are wanting their tax breaks, and, yes, as corporations, they are going to get this windfall benefit at the expense of everybody else in America and at the expense of our healthcare system.

So let's not go down this path. The way to avoid going down this path is to vote down all of these amendments and make sure that we don't put this bill into the House of Representatives, where they have already passed a bill that is harmful to Americans' health.

In fact, I think people will remember that President Trump had this big celebration in the Rose Garden of the White House after the House passed that bill. They were slapping each other on their backs before the cameras.

Yet, behind closed doors, what did President Trump have to say about the House bill? Behind closed doors, he called it a mean bill, and it is a mean bill. These Senate bills, when it comes to cuts in Medicaid that our colleague Senator DONNELLY was talking about, are even meaner than the House bill, with deeper long-term cuts. This is not according to me. It is according to the nonpartisan Congressional Budget Office.

Those cuts get translated into stories of people like Rick Warner, the dad I talked about at the beginning of my comments who lost his son Jamie. Those numbers get translated into harm to people throughout this country who have been crying out. We heard some of them in the Gallery just yesterday. What did they say? "Kill the bill. Don't kill us."

The reality is, when you deny access to affordable care to millions of Americans, you are putting their lives at

risk, and when you raise premiums and costs, you are putting people's livelihoods at risk. So let's not go down this path.

The motion by Senator DONNELLY and others will do what Senator JOHN MCCAIN asked us to do yesterday—to go back to regular order, to go back to the committee process, to go back to the way this democratic institution is supposed to work, which is when we hear from our constituents, we hear from the doctors, we hear from the nurses. We do not cover our eyes and ears to the facts and the truth.

That open process is designed to protect the American people. It is designed to protect the American people from bills just like this one for which this Senate took that dangerous first step down the road on proposals that only 11 percent of the American people think is a good idea—11 percent. I cannot even find that 11 percent myself. I have gone all over the State of Maryland, to those parts of our State that voted for Donald Trump for President and to those that did not. I cannot find 11 percent in Maryland who are for this bill. That is why what we call the regular order around here is supposed to protect the public interest—because when you have a committee hearing on a bill like this and the doctors and the nurses and the hospitals all come out and testify against it, they let people know how bad it is. Instead, we have had this process in secret, behind closed doors. In many cases, we do not even know what the next amendments after this one that is coming up are going to be. We do not know what the Republican leader is cooking up behind closed doors.

Let's do what Senator MCCAIN urged us all to do. Let's get back to regular order. Let's get back to a process that is designed to provide transparency because with transparency comes accountability. It lets the American public know exactly what we are doing and how we are going to impact their lives.

Here is what I do know. Everybody across this country who knows about this bill—everyone I have spoken to and from the phone calls we are getting and the emails we are getting and at the rallies and the townhalls—is catching on. Why would we just steamroll over all of that important public sentiment coming from all political views? The American Cancer Society is not a Republican or a Democratic organization. The American Diabetes Association is not partisan. These groups are crying out and saying: Stop.

So let's get off this path, this very dangerous path. Let's get back to regular order. We all know our healthcare system is not perfect. We all know the Affordable Care Act is not perfect. Senator DONNELLY and I and others and many of our Republican colleagues have put forward much more narrow plans that focus on improving our

healthcare system, not on blowing it up entirely. That is the path we should take.

I hope all of our Senators will agree not to continue to let that fire burn on the fuse until it gets to the end and blows up our healthcare system. Let's stop now. Let's get together, and let's have a committee process. Let's do something that really improves our healthcare system and not something that destroys it.

Thank you, Mr. President.

The PRESIDING OFFICER. Who yields time?

If no one yields time, time will be divided equally between both sides.

The majority whip.

Mr. CORNYN. Mr. President, I am advised we are not in a quorum call. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. CORNYN. Mr. President, yesterday we took a giant step toward delivering on our promise to the American people to provide relief from the failures of the Affordable Care Act, otherwise known as ObamaCare.

Over the last 7 years, we have discussed what our solution would look like, and everybody who has been willing to participate in that conversation—sadly, not our Democratic colleagues, who simply refuse to do so, but every Member of our conference—has engaged in discussions and has had input on how best to accomplish the goal of providing people affordable coverage, increased access, market stability, and better care.

We can talk about all of the details, but basically what this boils down to is how to provide people with access to quality, affordable health care. I know some of our friends across the aisle thought the Affordable Care Act was it, but it failed. It started with the promises that were made by President Obama when he sold this to the American people, saying: If you like your policy, you can keep your policy; if you like your doctor, you can keep your doctor. He said that premiums would go down \$2,500 for a family of four, none of which have proved to be true—none of which have proved to be true.

Now we find that in many parts of the country, insurance companies are pulling out, limiting if not denying altogether people's access to coverage within the exchanges. We know what has happened to premiums. Since 2013, they have gone up 105 percent nationally—a 105-percent increase in premiums.

People find that their deductibles are so high that they effectively are self-insured. They have been denied the benefit of their own insurance. Nominally, they may have insurance, but the fact is, if you go to the hospital, you are going to be responsible personally for what is not covered by that deductible.

Even our colleagues across the aisle admit that ObamaCare has failed to provide stable access to insurance markets, but their solution has been to pay more money to insurance companies. I would call that an insurance company bailout without any reform, without any changes in the basic structure of ObamaCare, which has caused this failure.

What we have tried to do on this side of the aisle—and we have repeatedly invited our Democratic colleagues to join us because optimally this would be a bipartisan effort, but so far they have refused to participate whatsoever and really are focused solely on trying to blow up the current process.

What we have said we want to accomplish are four things. We want to stabilize the insurance markets. We want to bring premiums down so they are more affordable. We want to protect people with preexisting conditions. We want to put Medicaid—the safety net for low-income Americans—on a sustainable path.

Of course, as you might imagine with something as complex as healthcare, we have had a number of opinions on how best to achieve these goals. Even as approaches and ideas have differed, one thing has remained constant: the belief that the status quo is simply unacceptable. It is unacceptable.

Take, for example, one of my constituents in Texas, who wrote me recently to say that his monthly insurance premium under the Affordable Care Act had nearly tripled, to \$690, and his deductible, to my earlier point, went from \$1,500 to \$6,000.

I don't know many people—unless they happen to be well-to-do—who can afford to absorb those sorts of increases in premiums and deductibles. Because his coverage went from a PPO, a preferred provider organization, to an HMO, a health maintenance organization, some of his doctors are no longer in the network, forcing him to switch healthcare providers entirely.

This story is certainly not unique. It is typical. This is the norm under the Affordable Care Act. I often hear from Texans who would rather drop their coverage and pay the costly fine rather than have to pay for insurance that will cost them more and more each month, which they can't afford.

Here is a telling statistic. More than 400,000 Texans who earn less than \$25,000 a year have decided to pay the penalty rather than to be forced to buy the insurance they can't afford, so many of them pay the penalty because of the individual mandate in the Affordable Care Act. They are left with nothing, other than having to pay the penalty as required by the law. That is not a solution. That is why I hope that someday we can get out of this rut and off of the talking points on each side and say: What can we do to try to provide people access to affordable health care? That is the key.

People are going to make their own decisions based on their own economic self-interest. If you are a young person, you might decide: What I would like to do is to buy a policy that will cover me in emergency circumstances if I have to go to the hospital, but I don't want to have to pay for all the bells and whistles that raise the price. You can't do that under the Affordable Care Act and take advantage of the tax subsidies that everybody else can. It is basically a false promise.

I also heard from another small business owner in Donna, TX, who was forced to fire four employees just to comply with the employer mandate or otherwise owe the government more than \$100,000 in fines that he said could bankrupt his business. Those are the kinds of decisions that ObamaCare is forcing. Rather than hire enough people—or if you have more than 50—you decide you need to fire people in order to avoid these penalties that come from the employer mandate. That is not good for the economy. That is not good for the job prospects of hard-working Texans.

I shared the story of a constituent in Needville, TX, who, after a 50-percent increase in his monthly premiums, still lost his doctor because the doctor wouldn't accept his ObamaCare plan.

Then there is the emergency room employee in North Texas, who wrote me to say that she has seen a significant increase in the Medicare and Medicaid patients in the emergency room because fewer and fewer doctors would accept these patients.

In my State, only about one-third of doctors will accept a new Medicaid patient because it pays at such a low rate. We have a better idea that will make people up to 350 percent of the Federal poverty level eligible for a tax credit they can use to buy private insurance, which will increase their access to care and make it more affordable. We have coupled that with something called the innovation and stability fund, in which we have taken the authority out of Washington and sent it back to the States to let Governors and State legislators and regulators at the local level design policies that meet the needs of the people in the States.

The basic structural failure of ObamaCare was to assume that you could write a one-size-fits-all plan for 320 million-plus people that would work. It hasn't. We know that. That is not speculation; this is based on experience.

I know my colleagues across the aisle have heard similar stories from their constituents, as well, but apparently they don't seem to care very much about that. Otherwise, they would join with us in trying to improve the status quo, which they have refused so far to do.

One thing about the procedure that we are undertaking here is that any

Senator who wants to offer an amendment to improve the bill or even offer a complete substitute to the bill is entitled to do so, and they will get a vote on that. Our colleagues on the Democratic side, despite hearing from their own constituents that they are hurting as a result of the status quo, appear not willing to lift a finger to help them.

Indeed, the only proposal I have heard from the other side—I have heard two. One is an insurance company bailout, which does nothing to effect reforms that would ultimately address the structural problems with ObamaCare or else they say: We want to have a single-payer system, which will bankrupt the country. Those are their solutions.

On Monday, I noted that in an effort to try to unite their deeply divided party after last year's elections, our Democratic colleagues unveiled an economic agenda aimed at, they say, lifting up lower and middle-class Americans. That is an admirable goal.

If Democrats are really serious about helping lower and middle-income Americans, one glaring and immediate action they could take is to join us in alleviating the burdens placed on these very same folks by ObamaCare—the types of people I have been talking about back in Texas, whom I know exist in their States as well.

If the Democratic leader refuses to help get rid of one of the biggest economic burdens on lower and middle-income Americans, then his plan is not worth the paper it is printed on. What they are offering is false hope. Unless you are willing to deal concretely with the problem here and now, that is just another campaign promise—one they will not be able to keep until they address what the failures of the Affordable Care Act have imposed on low- and middle-income Americans.

Simply stated, ObamaCare is a failed experiment. It has failed because Washington has tried to do too much at the expense of individual choices, individual liberties, and family control over what are deeply personal decisions.

With each day that passes, ObamaCare keeps getting worse. The premiums for 2018 will soon be announced by the insurance companies, and we are going to see double-digit increases again, over and above what ObamaCare has seen so far—105-percent increases since 2013 alone—on top of that.

After yesterday's vote, we now have the opportunity to provide relief from this failed law. I know Members have a lot of ideas about how to fix the mess that ObamaCare has left us, but that was precisely why it was so important for us to get on the bill yesterday, so Members on both sides of the aisle can offer amendments and share their ideas.

Do you know how many Democrats voted to get on the bill and begin the debate and offer amendments? Zero, zip, nada. Their protestations that they somehow want to do things on a bipartisan basis really have fallen flat, as demonstrated by their own failure to act.

If they were really interested in working with us to do something on a bipartisan basis, why wouldn't they take advantage of this opportunity to do so?

Last night we began the process of considering amendments, including one from my colleague in Texas, Senator CRUZ, who has a plan to provide people who choose a lower cost premium insurance product the opportunity to do so, as long as the State also requires a comprehensive plan as well. This is something that is ideal for many people who want an insurance safety net but don't necessarily want their health insurance to pay for their regular medical expenses or doctor visits. They can handle those through a health savings account or some other way.

Later today we will continue to work toward bringing relief to millions of Americans suffering from the failure of ObamaCare. Yesterday was a big step toward ending ObamaCare and the first step toward ending the mandates, the penalties on low- and middle-class Texans who are having to choose between buying unaffordable insurance or paying a penalty that their government is forcing them to pay. We are going to end that.

We are going to end the job-killing employer mandate, which is forcing employers either to lay people off or not hire additional people because they don't want to run into the additional costs required by the employer mandate.

Then there is the single mom, whom I met in Tyler, TX, a few years back. She said: I want to work full time. I want to work at least 40 hours a week, but the restaurant where I work figured out that if they put me on part time, 29 hours a week, then they wouldn't be required to meet the mandates of the Affordable Care Act.

What this single mother, who wanted to work full time, was forced to do because of ObamaCare was to work part time. Do you know what? She can't make it on 29 hours a week, so she has to get two jobs. Effectively, she had to go from 40 hours a week doing a job she enjoyed, which helped her pay the bills, to working two jobs in order to make ends meet.

We can and we should do better, and we invite our colleagues across the aisle to join us, if they will.

People keep talking about a secret process. Well, this is about as open and transparent as it gets. Everybody will have an opportunity to offer an amendment, to discuss what is in the amendment, and to vote on it. To the extent

that the Senate's work product differs from what the House of Representatives provides us, we can go to a conference and work out those differences. That is how the legislative process is supposed to work. Sitting on your hands and complaining about something while offering no effort to try to help solve the problem simply boils down to hollow words. Unfortunately, that is all we have been hearing so far.

We hope our colleagues will change their minds and join us. Insurance bailouts with reform are not the answer, a single-payer system is not the answer because it will bankrupt the country, but we are more than happy to entertain any reasonable proposal from our colleagues across the aisle. We will guarantee they get a chance to debate it and to have a vote on their amendment. I don't think they could ask for anything more.

The PRESIDING OFFICER (Mr. COTTON). The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, as we all know, we are continuing to debate what amounts to repealing the Affordable Care Act without any indication of what is going to replace it—what is actually in the Republican leader's bill. I think this is worth repeating because we are talking about changing one-sixth of the U.S. economy, impacting every American family, and yet we still have no idea what the bill actually is.

We do know this. A partisan bill to take away health insurance from tens of millions of Americans, written behind closed doors, opposed by every healthcare stakeholder group and by an overwhelming majority of the American people should not pass the Senate.

As I have repeatedly said, the only constructive way forward is for Democrats and Republicans to come together in a good-faith, bipartisan effort to repair and strengthen the current law. Bipartisanship should not be our last resort, as Senator MCCONNELL has suggested. It should be a starting point. It should be the foundation of what we do in this body. This is how the great majority of the American people want us to conduct the Senate's business. This is what I hear from my constituents in New Hampshire, and this is especially true with healthcare legislation which affects families all across this country.

Make no mistake, every bill proposed by the Republican leadership has been designed as a bullet to the heart of the Affordable Care Act. Republican proposals will collapse the individual marketplaces, make it impossible to provide affordable coverage for people with preexisting conditions, and take healthcare coverage away from up to 32 million Americans, including the most vulnerable.

I hope nobody is fooled by this latest partisan measure to roll back the Affordable Care Act and take healthcare coverage away from tens of millions of Americans. I hope every Senator will, at long last, heed Senator MCCAIN's call for bipartisanship—as we have been hearing at townhalls and in countless messages from our constituents. The American people want us to make commonsense, bipartisan changes to the current law. We need to work together to build on the strengths of the Affordable Care Act, which has dramatically reduced the number of uninsured Americans and has given us valuable tools for fighting the opioid epidemic which is ravaging so many communities in America. This is the best way forward for both the Senate and our country.

Republican leaders have spent the last 7 months pushing deeply unpopular bills to repeal the Affordable Care Act, including their effort to dramatically cut Medicaid—not just the expansion of Medicaid under the Affordable Care Act but the Medicaid Program that has done so much to protect and provide healthcare for children across this country, for pregnant women, for those with disabilities and older Americans, so many of whom are in nursing homes who would lose that care if we dramatically cut the Medicaid Program as the Republican proposals have tried to do.

At the recent National Governors Association meeting, Democratic and Republican Governors alike urged Congress to reject the Republican leaders' healthcare bill—in particular, its harsh and unsustainable cuts to Medicaid. The Republican Governor, John Kasich, was especially forceful in urging Members of Congress to work together to find bipartisan solutions. He urged Congress to give first priority to stabilizing the healthcare marketplaces.

We should listen to the Governors, but most importantly we should listen to our constituents—to the great majority of our constituents who want to preserve what is working in the Affordable Care Act and see us change what is not working. Instead of legislation to take healthcare away from people, it is time now for an inclusive, bipartisan approach to provide quality, affordable healthcare for every American.

Thank you.

I yield the floor.

THE PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, yesterday, on the floor of the Senate, there was a speech which will be remembered for a long time. Our friend and colleague Senator JOHN MCCAIN came to the floor just days after he had been diagnosed with a serious cancer challenge. He made the trip from Arizona to Washington to vote on the floor on this healthcare debate, then asked for 15 minutes of time afterward to speak

to the Senate. Of course, he was given that opportunity.

During the time that we learned about his diagnosis and he was home, virtually every one of us sent our personal best wishes to him and his family. Our love and respect for JOHN MCCAIN is deeply felt in the U.S. Senate, and virtually everyone stayed on the floor to hear his speech. Look around the floor now. There aren't many people, right? As good as my speech may be, it is not going to touch the quality of what John delivered yesterday. I wanted to be here for it and so did my colleagues on the Democratic side and on the Republican side.

JOHN said a lot about who we are and what we are in the U.S. Senate. Fewer than 2,000 individuals, in the history of the United States of America, have had the honor to stand here and speak on the floor of the Senate. This is a rare opportunity. For many of us, it is a dream come true and one we couldn't imagine, but what JOHN said yesterday, to summarize part of his statement, is that we ought to understand our responsibilities, as well, as Senators.

We ought to be honest about what we now face in America when it comes to the political discourse, the political debate. What we face now is a divided country, a divided Senate, divided House, and yet a yearning by all Americans for us to step up and do something; make America a better nation; help America's families, the workers, the businesses; step forward and solve a problem. JOHN reminded us yesterday that to do that, we needed to move to what he called the regular order.

It may not mean much to those who are just watching this debate and don't follow the Senate closely, but the regular order is to introduce a bill into the Senate, send it to a committee, have the committee staff review it, experts take a look at it, call for a committee hearing so the American people can see what is in the bill, debate the back-and-forth at the hearing, then have members offer amendments—changes. Some will win, some will lose. Then the bill can come to the floor of the Senate for a similar process. It is an open, public process. That is what regular order is, and that is what JOHN MCCAIN spoke to.

Let me, at this point, quote what he said verbatim. I like this paragraph a lot so I am going to add it here. Here is what JOHN MCCAIN said yesterday on the floor of the Senate:

I hope we can again rely on humility, our need to cooperate, on our dependence on each other to learn how to trust each other again and, by so doing, better serve the people who elected us.

I like this part:

Stop listening to the bombastic loudmouths on the radio and television and the internet.

JOHN MCCAIN said:

To hell with them. They don't want anything done for the public good. Our incapacity is their livelihood.

Let's trust each other. Let's return to regular order. We have been spinning our wheels on too many important issues because we keep trying to find a way to win without help from across the aisle. That is an approach that has been employed by both sides; mandating legislation from the top down, without any support from the other side, with all the parliamentary maneuvers it requires. We are getting nothing done, my friends. We are getting nothing done.

JOHN said it yesterday and it still applies and he is right. I say that as a Democrat with respect for him as a Republican, but if we are not going to do more than just listen and be warmed by his words and applaud his speech, what should we do at this moment?

What is pending before us on the floor of the U.S. Senate is legislation that will change healthcare for every single American—every one of them. It will change it for us in the Senate, but it will change it for the 12.5 million people I represent in Illinois too. Every one of them will be changed by this bill. What is in this bill that will change it? We honestly can't tell you. The bill has not been written. We aren't able to see it. We are being told before the end of the week we will actually get a copy of the bill. I am not making that up.

We have tried several amendments on the floor, and they failed—one has failed. Several are likely to fail this afternoon, but there is no bill before us. We can't explain to the American people what this is ultimately going to be, except in the most general terms of what is being debated. That is embarrassing. It is embarrassing on the floor of the Senate.

What we should do is take this critical matter that affects every American and every American's healthcare and send it to a committee—the HELP Committee, chaired by Senator LAMAR ALEXANDER, Republican of Tennessee; Ranking Member PATTY MURRAY, who is a Senator from Washington; the Finance Committee, Senator HATCH of Utah, Republican; Senator WYDEN of Oregon, Democrat. They need to sit down and look at these bills carefully.

Let's not make a mistake at the expense of the people who sent us here. Let's stand up for sound, thoughtful judgment. Let's stand up for a Senate that works, as JOHN MCCAIN challenged us. Is that what the American people wish? I think it is at the heart of all of it. I think JOHN MCCAIN really set a standard we ought to live up to. Let's stop this waste of time over a debate over a bill that cannot even be printed. Let's take this to the regular order. Let's do it the right way, to the credit of the Senate and to the credit of our country.

We took an oath, each and every one of us, to swear to uphold the Constitution. That Constitution, that document we revere, spells out exactly what we should do at this moment, which is stop what we are doing on this floor,

stop wasting the time of the American people and endangering their healthcare and take this to a debate that is befitting a great Constitution and a great nation and a great Senate.

I yield the floor.

I do it with the hopes that those who speak after me, of both political parties, will first sit down and read what JOHN MCCAIN said yesterday and let their applause for his remarks be reflected in what they do on the floor of the Senate today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I thank my colleague for an excellent statement and for appealing to the better angels.

Mr. President, I am rising to speak about the Donnelly amendment, which is very much needed because the President—and now Republicans—are walking back a clear commitment.

The President said in the campaign that he would not cut Medicaid, he wouldn't touch it, but even before the inauguration, the Trump team eagerly signed on to a Republican plan to slash it by more than \$700 billion. They stared into television cameras, looked American voters in the eyes, and said that somehow these massive cuts to Medicaid wouldn't in any way harm the seniors. Medicaid picks up 2 out of 3 dollars with respect to seniors in nursing home beds and special needs kids and disabled youngsters.

When we hear that Medicaid picks up the cost of two out of three nursing home beds and compare that to the President's statement that he wouldn't cut Medicaid—wouldn't cut it—when we are now faced with a plan to cut it by more than \$700 billion, one, that is walking back the President's solemn pledge in the campaign, and, two, it is going to make it harder for older people in this country to be able to afford long-term care.

The majority has brought the TrumpCare debate and the extreme Medicaid cuts that I just described directly to the floor of this Senate without a single committee hearing to justify this ill-advised policy.

Our colleague from Indiana, Senator DONNELLY, has put forward an important amendment to stop this ideological crusade to unravel the Medicaid safety net. Senator DONNELLY's proposal would send this partisan attack on Medicaid back to the Senate Finance Committee, where it should have been raised and struck down in the first place.

Mr. President, I am the ranking Democrat on the Senate Finance Committee. My focus in public life has always been to try to find common ground with people of common sense. And I wrote with colleagues—many of whom still serve on the Republican side and on the Democratic side—a uni-

versal coverage bill that pulled together both sides of the political spectrum.

So unless you provide an opportunity to have a discussion about the Medicaid safety net in the Senate Finance Committee, you are not going to be able to have policies that get to common ground on this vital issue. What you are going to have is what is really on offer now—an anti-Medicaid crusade that is a grave threat to the health and well-being of tens of millions of Americans.

Over the last few months, I have heard Republican colleagues say that Medicaid is a disincentive to work and that there are too many able-bodied adults enrolled. If you look at the facts, that is not what the program is all about. Medicaid is a vital source of coverage for our neighbors and friends who live in poverty. It tells those families that healthcare is covered while they work to climb the economic ladder in the private sector.

In addition to that, for the older people I have mentioned—these are the folks who have done everything right in life. They went to school, they found jobs, they worked hard in their careers, they raised families, and they scrimped and saved all through their lives. Growing old in America is pretty costly. So what happens is that millions of seniors who have done everything right spend down their savings, and that is when Medicaid steps in to help. It covers two out of three seniors living in nursing homes. It is a major source of funding for community-based care, and people generally don't know that. Now they may have heard about nursing homes, but it also picks up the costs for community-based care, where older people are more comfortable, and it often costs less than institutional care.

Seniors who lose those benefits due to TrumpCare Medicaid cuts are going to have to find somewhere else to live. A lot of families want to be able to help elderly parents and grandparents. It is going to be pretty hard because a lot of them are walking on an economic tightrope, and if they go looking for nursing home care, it is going to cost on average more than \$90,000.

So it is seniors, and it is disabled folks who count on Medicaid to have a chance to be productive. With the Medicaid benefits under threat, people with disabilities are going to find it hard to be able to attain the productive role in our society that they so fervently want to have. Our communities are so much better off when folks with disabilities can contribute, and Medicaid makes that possible. It covers services that many private insurers don't. It helps people make it out of bed and provides safe transportation to jobs. It helps them avoid unnecessary illnesses. It is not a disincentive for people with disabilities to work; having the support of Medicaid is what makes it possible for disabled folks to work.

Across the country, there are millions of kids with special needs who rely on Medicaid every day for services—behavioral care services, mental health services. Mom or dad might have good insurance through work, but private plans don't always cover the care those vulnerable kids need.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. WYDEN. Mr. President, I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I have commented on the secret process that went on in this discussion, but I will close with this: One version of TrumpCare has already been voted down here in the last day. Nobody knows where this debate will wind up, but what is important now is that Senators support the Donnelly motion. The Donnelly motion is going to ensure that the Finance Committee, where Senator ENZI serves so admirably, and all of our colleagues, Democrats and Republicans, is going to be able to look at this issue in a way that is going to bring the Senate together, not divide it, as we would be without the Donnelly motion.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I appreciate my colleagues across the aisle accommodating me for 3 minutes, and I ask that—

The PRESIDING OFFICER. There is no Democratic time remaining.

The Senator from Wyoming.

Mr. ENZI. Mr. President, Senator BLUMENTHAL, the Senator from Connecticut—I ask for 3 minutes from our time, and we will all that as long as we preserve the full time for the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. BLUMENTHAL. Mr. President, we have seen in the course of this debate some very high points and some points that I think in some ways we regretted. One of the high points for me was the return of Senator MCCAIN, and I want to join all of my colleagues in saying how heartfelt our gratitude is for his return and his eloquence here about the need for us to work together.

Yet yesterday we also saw, in my view, a shameful and disgraceful mockery of our democracy when Senators proceeded, in effect, to a slogan, a shell of a bill, not a really substantive measure. Yet that shell itself will undermine the exchanges and insurance coverage for millions and millions of Americans by creating uncertainty, and this process itself will aggravate that fear.

I have now held five field hearings in Connecticut, and at each one I have heard from countless people with tears

in their eyes telling me what the Affordable Care Act and Medicaid have meant to them, what repeal of it will mean to them, and how devastating and cataclysmic the damage will be.

Thousands of constituents have written, have called, and have also contacted others of my colleagues, as I have urged them to do, and I want to say how grateful I am to them for their continued activism and advocacy. We need to maintain this fight. I have heard from moms and dads about what would happen to their children. One said to me: We can't thrive as a nation or as individuals if we can't afford to be healthy.

So I ask my colleagues to listen to their constituents, to the people in their States, people like Conner and Mackenzie and Amelie and Evan and Amanda and Michelle and Jennifer and Gay. I described them on the floor in my previous talks. These voices and faces need to be brought here because there have been no hearings, no regular order, no democratic process, as we have an obligation to do.

If at some point my colleagues abandon this effort to repeal and decimate the Affordable Care Act, I stand ready to come across the aisle to work together to drive down the costs of healthcare—particularly pharmaceutical drugs—and to open the exchanges to more competition and create more choices for consumers among insurance companies. There are steps we can take together to improve this process. As Senator MCCAIN urged us so powerfully, we need to go back to regular order, come together, and work across the aisle. There is no panacea. There is no instant solution. But we need to work together.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I come to the floor today to speak to three amendments that I have either submitted or plan to submit on the matter before the Senate here today, the repeal and hopefully complete replacement of ObamaCare.

There are two issues that concern me the most and that I have fought for and debated.

In this process, how can we bring down gross premium levels that have skyrocketed under ObamaCare? According to HHS, on a national average, premiums have increased 105 percent. They have more than doubled. And of course it is far worse than that in many places.

Janice Fenniman was a 62-year-old woman when I met her a couple of years ago. Prior to ObamaCare, she was paying \$276 per month. In 2016, just 2 years into the implementation of ObamaCare, she was paying \$786 per month. Last time I talked to her, she would be paying over \$900 a month, but

the problem is, she can't afford it, so she is just taking a risk and going uninsured until she reaches the age of 65 and is qualified for Medicare.

The other issue I want to speak about is literally the unsustainable nature of Medicaid. The other thing I fought for is reducing the disparity between States that have expanded Medicaid and those that haven't, like Wisconsin, that have done a great job managing Medicaid. My concern is that Medicaid expansion, which is directed toward able-bodied, working-age, childless adults, is funded by the Federal Government 90 to 100 percent, depending on which year you are looking at, versus traditional Medicaid targeted toward—40 percent of Medicaid spending is targeted toward children, the disabled, and the elderly. Medicaid expansion is putting at risk the sustainability of traditional Medicaid. So my three amendments deal with those issues, and let me first take up the first two amendments dealing with premiums.

I have a few charts. Unfortunately, in Washington, DC, there is not a whole lot of people who understand the problem-solving process. Let me describe it briefly.

It starts with information. It starts with defining the problem, doing a root cause analysis, having the courage to recognize and acknowledge the truth in reality. Based on that reality, you try to set achievable goals. From my standpoint, the achievable goals should be to bring down gross premium levels back to a reasonable level where they were prior to the implementation of this completely faulty architecture of ObamaCare and preserving and sustaining traditional Medicaid.

This chart, I realize, is a little busy, but let me walk you through it. This shows the trend line of ObamaCare, in terms of what we have experienced from 2010 to 2017, plus the estimates of the Congressional Budget Office as it relates to the Senate bill we voted on yesterday.

Let's take a look at this. Back in 2010 to 2013, you see the trend line here. In 2013, on the national average, an individual is paying about \$232 per month for healthcare. Now had that trend line just continued, had we not passed this faulty architecture of ObamaCare, we could reasonably expect that in about 10 years, premiums for an individual being about \$303 per month.

What has happened—again, according to HHS—those premiums have gone from \$232 per month to this year \$476 per month on a nationwide average. That is a 105-percent increase.

One of the problems with CBO scoring is it is difficult to interpret. What I tried to do for my colleagues is put in chart form exactly what CBO is saying. In their scoring of the Senate bill, they said next year premiums would be 20 percent above the current baseline. Of course, they don't give you the base-

line, and they don't really give you the premiums so I had to try to cobble those together. This is pretty accurate. That would put premiums next year at about \$546 versus \$232 about 4 years ago. The following year it would be 10 percent above the baseline. So it would start decreasing with the Senate bill, and the third year would be 30 percent below baseline. You would see a dramatic drop. You would be at \$441 per month. Then the trend over the next 7 or 8 years would be 20 percent below the baseline, \$574.

Take a look at this. Had we never passed ObamaCare, premiums should be in the \$300-a-month level versus \$574. This is the damage done by ObamaCare, and this, I am very sad to report, is not what we are adequately addressing because we do not have the courage to do the root cause analysis and be honest with the American public about what is happening.

Let me read you a dictation from the family I just heard from yesterday. Sheri and Vern Kolby, whom we heard about from one of our State legislators who contacted one of my regional directors. He sent me an email telling me their story.

I called Sheri last night. She didn't have time. She was just off her shift. Her husband is working way more than 40 hours a week—basically, that is 60 hours a week. The people whom President Clinton was talking about, people busting it, working 60 hours a week, their premiums have doubled and their coverage has been cut in half. So my staff reached out, and we basically dictated her story, her and her husband Vern's story.

This is not her letter to me but her voice based on what was told to me by my staff. This is Sheri Kolby from River Falls, WI.

My husband and I have preexisting conditions. We need affordable healthcare through ObamaCare or whatever works. Vern is a milkman now, driving a tank to farms to pick up milk, and there are only seven employees at his company which doesn't provide coverage. I am a florist. Now, I am the only full-time employee so they don't have health coverage at my work either. We signed up for ObamaCare in 2014 for the entire 12-month period.

We went on healthcare.gov, but the site crashed, so we had to call a phone number which was jammed. Finally, I got hold of someone and got through an hour and a half of questionnaires. Then you get information in the mail about what your premium will be and your subsidy, and you make your monthly payment.

We were getting monthly letters telling us we had to fax in our pay stubs to make sure we were still qualifying for the subsidized premiums. We did that every month, but then next March, when we filed our taxes, that is when my tax preparer said, "You better sit down. Not only did you pay your premium, but they want your subsidy back." That was about \$15,000.

We were earning too much to qualify for the subsidies, even though we held blue-collar jobs. If we stayed on ObamaCare, we



would have to pay the entire premium unsubsidized. In 2015, we made \$59,000 and ended paying almost \$30,000 for premiums and deductibles. That was 51 percent of our income.

In covering our deductibles and our out-of-pocket costs, we used up almost all of our 401(k)s. It just multiplied and multiplied. When a huge amount of money was due the IRS, we decided we had to sell our house.

Sheri and Vern Kolby had to sell their house so it wouldn't be taken away in foreclosure because of Obama's skyrocketing premiums.

Now we can only get a 3-month plan. That is all that is available. Private catastrophic plans are few and far between.

And I will add, parenthetically, also way overpriced because of the faulty architecture of ObamaCare.

There aren't a lot of companies that offer plans in Pierce County. We are kind of in a funnel and that funnel keeps narrowing. In May, I went back to healthcare.gov, but coverage would have cost \$1,200 per month, about \$14,400 per year in premiums for a policy with a \$14,000 deductible. If you made \$200,000, you could pay that, but we are not even close to that. We usually fluctuate between \$50,000 and \$60,000. We are blue collar. We pay our bills on time, we respect people, and we want to live a good life, and we have just been dumped on. It has got to stop.

It may come to a point where we might not have insurance, but we will just end up owing the hospital if something else happens. My husband works 60 to 70 hours a week, and I work 30. We drive a '98 Wrangler. We are not running around in a Ferrari. We don't spend money beyond our means. We don't take trips to Tahiti, and we are not trying to swindle the system, but it has been a very stressful experience.

We have been married 28 years, and we have stayed together through so much, but we are not old enough to even think about retirement for a long time so I don't know what we will do.

These are the forgotten men and women of this healthcare debate—the people who are busting it, who don't get subsidized, who can't afford insurance coverage because of the faulty architecture of ObamaCare, and we are not courageous or honest enough to really address it.

We did get from HHS a study that they commissioned and they had the results in May.

I would like to put up my next chart here.

Basically, what they did is they studied the cause, and I have the study right here. Basically this is the question they are asking: What portion of the increase in premiums is attributable to the effects of guaranteed issue and community rating?

Now I realize those are very popular elements of ObamaCare. The problem is, they cause premiums to skyrocket. That last graph—way above what they would have been without that architecture—pricing people out of the market, forcing American taxpayers to pay far more in subsidies than we otherwise would have to do or would be necessary had we never passed ObamaCare.

Well, here is the result of their study. They studied four States: Georgia,

Ohio, Tennessee, and I can't remember the last one, but I am going to focus on Tennessee.

What this graph shows—I realize it is kind of hard to see—but in Tennessee, between 2013 and 2017, premiums increased \$327 per month, from \$104 per month to \$431 a month for a 41-year-old male. That is a threefold increase, 314 percent. What caused it, 73 to 76 percent was increased risk. Again, increased risk is basically defined as the guaranteed issue covering preexisting conditions and community rating—things that are popular but again that cause premiums to double and in Janice Fenniman's case, more than tripled.

One thing I want to point out about that, when you hear that talking point, premiums that double and triple, look at the inverse of that. If we could roll back the clock, go back 4 years, premiums would be one-half to one-third of what they are today. People would be able to afford coverage, and the American taxpayer would be supporting those whom we want to support with a whole lot less dollars.

Now, the good news, if we were honest, if we were courageous, and if we actually addressed the root cause analysis, which has been done, which we have largely ignored, the good news is, you can actually cover people with high costs and preexisting conditions without collapsing insurance markets. They are called high-risk pools or, in the case of Maine, invisible high-risk pools. The people in it don't even realize they are in it, but it has worked phenomenally well.

Maine passed guaranteed issues, and just like they did under ObamaCare, guaranteed issues caused premiums to skyrocket. You can see the premium rate from their old Anthem HealthChoice plan back in 2011. Once they supplanted—they didn't even repeal the guaranteed issue, but they just supplanted this with an invisible high-risk pool—their premiums were cut in half. This is doable. It is possible, but it is only possible if we take a look at best practice, if we are willing to have the courage to admit exactly what is causing the problem.

I have two amendments designed to address the increase in premiums. First—and I realize this will probably not even be voted on—would be a simple one-sentence amendment that would repeal all of ObamaCare, not partial repeal, not just two-thirds repeal but repeal that would concentrate on removing all of those market reforms. I would call them market distortions that cause premiums to skyrocket, that cause people like Sheri and Vern Kolby to lose their house. That is my first amendment.

The second amendment really relates to exactly what ObamaCare was originally designed to do, which was put Members of Congress in the exact same position of people like Sheri and Vern Kolby.

Back in July of 2009, November 18, as this was being debated in the HELP and the Finance Committee, Senators Coburn and GRASSLEY introduced language to those bills that would make Members of Congress have to purchase their health insurance plans on any kind of program or the State-based exchanges, whatever was passed under the Democrats' healthcare plan.

On December 24, 2009, the Senate passed the Patient Protection and Affordable Care Act, an Orwellian-named bill that did neither, that had Senator Coburn's basic language from the HELP Committee that was going to require Members of Congress to purchase their coverage through the exchanges. What was interesting is, it did not include an employer contribution. Those were barred.

On March 24, after the House had passed their version of the Patient Protection and Affordable Care Act and the Healthcare Education Reconciliation Act, Senator GRASSLEY again offered an amendment to allow an employer contribution to Members of Congress and their staffs' healthcare plans. That amendment was defeated with 56 Democratic Senators defeating it. Three Democratic Senators voted for it, and every Republican Senator voted for it, allowing the Federal contribution. So Congress specifically said in the Patient Protection and Affordable Care Act, Members of Congress and their staffs must purchase their healthcare through the State exchanges, and they cannot obtain an employer contribution for those plans.

Let's fast forward to October 2, 2013. Members of Congress and their staff panicked. They went running to the Obama White House and said: You have to fix this. We know what we passed. We know what the law says, but we have to weasel our way around this—and they did. So the Office of Personnel Management issued a rule, first of all, that Congress was a small business that could purchase their insurance on a shop exchange which required a small business, which is defined in the law as less than 100 employees—I just want you to know that Congress has about 11,000 employees. There is no way this Congress is a small employer, but that was the technique that they were able to work their way around this law. So right now Members of Congress and staffs are the only Americans who get the special treatment of being able to purchase insurance on ObamaCare exchanges and get an employer contribution.

Millions of Americans did lose their insurance because of ObamaCare. They had to purchase the overpriced insurance policies out of the exchanges, but they have no access to employer contributions. So my second amendment would put only Members of Congress—I don't think we should penalize our staff—but I want to put Members of

Congress in the exact same position as Sheri and Vern and thousands and maybe tens of thousands, maybe hundreds of thousands, maybe millions of Americans who are making too much, busting it, working 60 hours a week. Their premiums have doubled, sometimes tripled. Coverage is cut in half, and they can't afford it. They are taking a risk. Congress is still advantaged because we are making more than \$59,000. We are making \$174,000.

The reason I am offering this amendment—I know it will not be popular—is that the only way Congress will have the courage to act is if they are affected every bit as much as the American public. I urge all of my colleagues to be honest, to be courageous, and to make sure they do not exempt themselves from the pain, from the harm, from the damage of ObamaCare, so that they will commit themselves to actually fixing this problem.

Those are my first two amendments that have to do with premiums. I urge my colleagues to support them. I think that they are good amendments and are worthy of support.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. There are 30 minutes remaining.

Mr. JOHNSON. Mr. President, let me move on to my second point.

Again, I come from a State whose Governor showed real courage in recognizing that traditional Medicaid was unsustainable and was in trouble. The last thing we really should be doing to an unsustainable entitlement program is to throw more promises on top of that and make it even more unsustainable. I think it is extremely important that we recognize that Medicaid expansion is directed toward able-bodied, childless, working-age adults. That is, again, funded at a much higher level by the Federal Government, at 90 to 100 percent, versus traditional Medicaid, which is really targeted to those we want to help—children. Forty percent of traditional Medicaid goes toward children, the disabled, and the elderly.

My next amendment is designed to try and make traditional Medicaid more sustainable, not by pulling the rug out from anyone but simply by limiting further enrollment and allowing Medicaid expansion to phase out based on attrition. Let me show you a couple of facts, because we hear an awful lot of demagoguery. We hear an awful lot of scaremongering. I hear it in Wisconsin, as people who are on traditional Medicaid and who are largely unaffected by this bill other than in the out years are scared that their traditional Medicaid is going to be taken away from them.

Here are the facts. Back in 2008, the Federal Government spent about \$200 billion on traditional Medicaid. With the implementation of ObamaCare, we

began increasing that pretty dramatically with Medicaid expansion. Over the next decade or so, we will spend close to \$90 billion per year, on average, on Medicaid expansion—again, targeted toward able-bodied, working-age, childless adults. This was the former trend line, and this is the current trend line for traditional Medicaid.

Now, you hear about all of this slashing of Medicaid. Here is the current baseline. This is what the Senate bill would have done to traditional Medicaid and to Medicaid expansion. Yes, you can see some relatively significant cuts to Medicaid expansion, but to traditional Medicaid, you see, really, not all that much—about \$164 billion over 10 years.

My amendment would say, without pulling the rug out from anyone: Let's end further enrollment in Medicaid expansion, and as that program phases out through attrition, let's devote the money that we save to traditional Medicaid—supporting and sustaining the elderly, children, and the disabled.

This is what happens to traditional Medicaid under my amendment. First of all, this is what happens under the Senate bill. You do not see any year in which Medicaid is actually cut. It is always rising. We boost it a little bit further and do not increase the deficit by any more, under the Senate bill, by doing that.

My last point is this, and then I will move on and yield the floor. This is what I am talking about in terms of dollars. Under current law, traditional Medicaid will spend \$4 trillion over the next decade and Medicaid expansion almost \$1 trillion, for a total of \$5 trillion spending. Under the Senate bill that was originally proposed, original Medicaid would have been cut by about \$164 billion, which is still close to \$4 trillion, and Medicaid expansion, obviously, would have been reduced by a fair amount.

Under what I call my sustainability amendment, traditional Medicaid would actually increase in spending slightly and not harm anybody—not children, not the disabled, not the elderly. Obviously, with Medicaid expansion, just by allowing it to phase out through attrition—not pulling the rug out from anyone—in the end, you would be spending the same amount on the Senate bill. From my standpoint, I think that we preserve and sustain Medicaid.

Again, I urge my colleagues to support all three of my amendments. I hope to get a vote. If not a vote, I hope that they are considered if this thing goes to a House-Senate conference.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I thank my colleague from Wisconsin, my fellow accountant, for doing a good job of accounting there and providing some

charts that very explicitly show what he has been working on, what he has been encouraging people to do, and some solutions. That is what we keep looking for within the criticism that we are getting from the other side of the aisle—some solutions.

Earlier this year, Congress took an important first step in fulfilling the promise of repealing ObamaCare by passing a budget resolution that paved the way for this debate that we are having right now and paved the way for some real healthcare reforms that we are currently debating. These reforms are focused on rescuing the millions of hardworking families who are trapped by ObamaCare's taxes and mandates.

You heard one example from the Senator from Wisconsin of a family who is paying exorbitantly high prices for their healthcare only to find out that they have \$16,000 in deductibles, which makes it very difficult to utilize it at all. Is that insurance, if you have to pay \$16,000 before the rest kicks in?

What we are doing here is working to stabilize collapsing insurance markets that have left millions of Americans with no options. We improve the affordability of health insurance. We preserve access to care for Americans who have preexisting conditions while we safeguard Medicaid for those who need it the most by giving States more flexibility. We ensure that those who rely on this program will not have the rug pulled out from under them. Most importantly, we liberate the American people from the onerous ObamaCare mandates of purchasing insurance they do not want and/or cannot afford.

Additionally, these bills can reduce the Federal deficit, the amount the Federal Government overspends each year, by billions of dollars. They can also end up saving taxpayers billions more by improving and reforming the way Medicaid operates. These aspects of the bill are enormously important. This will be the first time in a generation that we will have even attempted to rein in any of these programs and put them on a sustainable path—the ones that are threatening to bankrupt our country—without pulling the rug out from under people, as you saw from the charts by the Senator from Wisconsin.

By reducing spending, lowering the tax burden on hard-working families, and curbing our national debt, which now stands at almost \$20 trillion and is on its way rapidly to \$29 trillion, we will be ensuring a brighter and stable fiscal future for our children and our grandchildren. Actually, with that kind of debt, we are almost ensuring a brighter and stable future for ourselves. We are in trouble.

While my colleagues complain about using the reconciliation process to untangle the country from this unworkable, unpopular, and unaffordable law,

they should remember that they actually employed the exact same procedure to secure the passage of ObamaCare, without having any input or assistance from Republicans, and rushed it through both Houses of Congress in less than a week. Senate Republicans are responsibly utilizing this reconciliation process to address the healthcare crisis that has been thrust upon America by former President Obama and congressional Democrats.

There is also the common misconception that some of my friends across the aisle have promoted—the idea that ObamaCare is a runaway success and that repeal will be tearing down a functioning program. This is, simply, not true. My Democratic colleagues know it is not true. Former President Obama knows that it is not true, and the American people, certainly, know it is not true.

Here is the reality. ObamaCare has put our health insurance markets on the brink of collapse in many parts of the country. As I pointed out in an earlier speech, that began in October of last year, which was before the elections. It has nothing to do with what has transpired since the elections. ObamaCare put our health insurance markets on the brink of collapse in many parts of the country, and what the Republicans are tackling now is what President Obama and congressional Democrats simply could not bring themselves to do when they had control, which was to fix the problems they had created. This may be because ObamaCare has enshrined their idea that bigger government is better and that any changes, unless done by Executive action under the President, were out of the question.

In their zeal to protect this flawed program, they may have missed it when President Obama himself admitted last year that the law had real problems.

He said:

There are going to be people who are hurt by premium increases or lack of competition and choice.

He went on to say that these problems are simply called “growing pains.”

Now, these growing pains have forced millions of Americans across the country to grapple with impossibly high health insurance premiums for plans they do not want, out-of-reach deductibles to help with common prescriptions, and disappearing insurance providers to even be allowed to shop for better coverage.

As I noted earlier, for more and more Americans, there is only a single insurer from which they can select health plans, and they may soon not have a single ObamaCare insurer, as 50 counties already do not have one, and others are threatened. Thousands only have one choice. In fact, on the Federal exchanges, one in five consumers will

only be able to select plans from a single insurer. Many residents across the country will have only one choice of health insurer. This includes my home State of Wyoming, as well as the entire State of Alaska.

What does this lack of competition mean? Premiums are surging for hard-working families, who now have to choose between unreasonable insurance rates or an unreasonable fine. If my colleagues wanted yet further evidence that competition lowers prices, they need look no further than their constituent mail.

In Wyoming, some families will be forced to pay more than 30 percent of their total income on premiums in order to obtain healthcare coverage, which often includes deductibles of over \$1,000. One family faced premiums of more than \$1,600 a month. As an alternative, their tax penalty for not carrying coverage was only \$1,700 for the year. That is a \$1,600-a-month premium charge or a \$1,700 penalty for not covering it for the whole year.

So guess what they did? They paid the fine because they could not afford the insurance premium, let alone the deductible. I think \$5.3 million in fines were collected in Wyoming from the people who could not afford the insurance. They took the lesser alternative of paying a tax penalty, which gave them nothing.

For those who are lucky enough to be able to afford insurance, particularly in the individual market, under the new health law, premiums are expected to increase faster in 2017 than in previous years. Some States will see insurance premiums rise by as much as 53 percent. That is in 1 year. We are talking about a 4-year doubling of cost. This will be a 50-percent cost increase in 1 year. That is truly a healthcare emergency. Not doing anything and accepting the status quo is simply unacceptable to millions of Americans suffering under this law.

Now that we have discussed why we are doing this, it is important to also ask how we hope to help these suffering Americans. It is vital that we stabilize collapsing insurance markets that have left millions of Americans with no options, while reestablishing the affordability of health insurance.

Our bill will also preserve access to care for Americans with preexisting conditions, and it will safeguard Medicaid for those who need it most by giving States more flexibility, yet ensuring that those who rely on this program will not have the rug pulled out from under them—contrary to the scare tactics being put forth by ObamaCare’s defenders.

Most importantly, Congress is working to free the American people from the onerous mandates to purchase insurance they don’t want or can’t afford.

Congressional Republicans and our President are focused on securing the

future of Americans’ healthcare system and truly understand the importance of restoring the trust of hard-working taxpayers.

What we are doing here under reconciliation, which is a budget process, will not solve all the problems. There will be an opportunity for bipartisan investigation, support, and changes if the other side is willing to do that. There are some things that need to be done immediately to protect the American taxpayers and the people who want to have healthcare.

So I ask everyone to focus on securing the future of America’s healthcare system and to try to understand the importance of restoring the trust of hard-working taxpayers.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from Alabama.

Mr. STRANGE. Mr. President, I ask unanimous consent to speak for up to 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. STRANGE. Mr. President, I rise today in defense of those who cannot defend themselves. After 8 years of policies that have undermined the sanctity of life, we have an opportunity today to extend the protections of the Hyde amendment wider than ever before.

After 8 years of a failed social experiment that subverted the will of a majority of Americans and denied rights of conscience and religious freedom, we have an opportunity to ensure that taxpayer dollars will not contribute to the scourge of abortion under any circumstance.

As we consider options to fix our nation’s failing healthcare system, partisan lines cut deeper on abortion than on any other issue. However, we should all be able to agree that taxpayer funds have no place in funding abortions.

I also hope we can agree that our society cannot be truly prosperous until it respects the rights of the most vulnerable among us. If we fail to stand for those who cannot stand for themselves, then the words of our founding documents, the words inscribed in the halls of this building, and the truths we each hold in our hearts mean nothing.

To that end, I will be offering a motion to waive the point of order on Hyde amendment protections as we work to solve our healthcare crisis. Today, and every day, I stand for life. I am joined by colleagues who understand what is at stake, and I thank Senator ENZI for his leadership.

I yield the floor.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE ON AMENDMENT NO. 271

The question is on agreeing to the amendment.

Mr. CORNYN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 45, nays 55, as follows:

[Rollcall Vote No. 169 Leg.]

#### YEAS—45

|          |           |          |
|----------|-----------|----------|
| Barrasso | Flake     | Perdue   |
| Blunt    | Gardner   | Risch    |
| Boozman  | Graham    | Roberts  |
| Burr     | Grassley  | Rounds   |
| Cassidy  | Hatch     | Rubio    |
| Cochran  | Hoeven    | Sasse    |
| Corker   | Inhofe    | Scott    |
| Cornyn   | Isakson   | Shelby   |
| Cotton   | Johnson   | Strange  |
| Crapo    | Kennedy   | Sullivan |
| Cruz     | Lankford  | Thune    |
| Daines   | Lee       | Tillis   |
| Enzi     | McConnell | Toomey   |
| Ernst    | Moran     | Wicker   |
| Fischer  | Paul      | Young    |

#### NAYS—55

|              |            |            |
|--------------|------------|------------|
| Alexander    | Gillibrand | Murray     |
| Baldwin      | Harris     | Nelson     |
| Bennet       | Hassan     | Peters     |
| Blumenthal   | Heinrich   | Portman    |
| Booker       | Heitkamp   | Reed       |
| Brown        | Heller     | Sanders    |
| Cantwell     | Hirono     | Schatz     |
| Capito       | Kaine      | Schumer    |
| Cardin       | King       | Shaheen    |
| Carper       | Klobuchar  | Stabenow   |
| Casey        | Leahy      | Tester     |
| Collins      | Manchin    | Udall      |
| Coons        | Markey     | Van Hollen |
| Cortez Masto | McCain     | Warner     |
| Donnelly     | McCaskey   | Warren     |
| Duckworth    | Menendez   | Whitehouse |
| Durbin       | Merkley    | Wyden      |
| Feinstein    | Murkowski  |            |
| Franken      | Murphy     |            |

The amendment (No. 271) was rejected.

VOTE ON MOTION TO COMMIT

The PRESIDING OFFICER (Mr. GARDNER). The question is on agreeing to the Donnelly motion to commit.

Mr. ENZI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a second sufficient?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 48, nays 52, as follows:

[Rollcall Vote No. 170 Leg.]

#### YEAS—48

|            |              |            |
|------------|--------------|------------|
| Baldwin    | Casey        | Gillibrand |
| Bennet     | Coons        | Harris     |
| Blumenthal | Cortez Masto | Hassan     |
| Booker     | Donnelly     | Heinrich   |
| Brown      | Duckworth    | Heitkamp   |
| Cantwell   | Durbin       | Hirono     |
| Cardin     | Feinstein    | Kaine      |
| Carper     | Franken      | King       |

Klobuchar  
Leahy  
Manchin  
Markey  
McCaskill  
Menendez  
Merkley  
Murphy

Murray  
Nelson  
Peters  
Reed  
Sanders  
Schatz  
Schumer  
Shaheen

Stabenow  
Tester  
Udall  
Van Hollen  
Warner  
Warren  
Whitehouse  
Wyden

#### NAYS—52

Alexander  
Barrasso  
Blunt  
Boozman  
Burr  
Capito  
Cassidy  
Cochran  
Collins  
Corker  
Cornyn  
Cotton  
Crapo  
Cruz  
Daines  
Enzi  
Ernst  
Fischer

Flake  
Gardner  
Graham  
Grassley  
Hatch  
Heller  
Hoeven  
Inhofe  
Isakson  
Johnson  
Kennedy  
Lankford  
Lee  
McCain  
McConnell  
Moran  
Murkowski  
Paul

Perdue  
Portman  
Risch  
Roberts  
Rounds  
Rubio  
Sasse  
Scott  
Shelby  
Strange  
Sullivan  
Thune  
Tillis  
Toomey  
Wicker  
Young

The motion was rejected.

The PRESIDING OFFICER. The Senator from Pennsylvania.

#### MOTION TO COMMIT

Mr. CASEY. Mr. President, I have a motion to commit to the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Pennsylvania (Mr. CASEY) moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the American Health Care Act of 2017 that would harm individuals with disabilities as defined in the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) by reducing their access to affordable health care or limiting coverage or benefits under Medicaid or in the private health insurance market.

Mr. CASEY. Mr. President, first, I thank my friend from Indiana, Senator DONNELLY, for his remarks this afternoon and also for his efforts to help to protect and preserve Medicaid so that hundreds of thousands of people in our States and across the country can continue to live in the community.

I want to point out that today is the 27th anniversary of the signing of the Americans with Disabilities Act. This legislation, known as the Americans with Disabilities Act, is 27 years old. It is a piece of legislation that both recognizes and guarantees the rights of people with disabilities. It is, at its heart, a civil rights bill, one that promotes and promises liberty and freedom for people with disabilities—the liberty and freedom that all Americans are promised, that our founding documents guarantee, and that we in the Senate are charged with protecting for all citizens.

We should be celebrating the liberty and freedom of people with disabilities, but instead of having a celebration of the Americans with Disabilities Act on this anniversary day, the Senate Republican bill—which, I guess, is basically the House bill that we are on

right now—threatens that freedom and threatens that liberty that was accorded in the Americans with Disabilities Act with regard to those with disabilities.

Now, I have heard a lot of speeches on this floor by my Republican colleagues about freedom and liberty in the context of healthcare—lots of speeches about both of those words. I would argue that, if you consider this legislation and the Senate versions of it that came after the House bill, all of these Republican healthcare bills were really, simply, about decimating Medicaid, limiting community-based care, and cutting long-term services and support, which will rob people with disabilities of their rights that the Americans with Disabilities Act advanced.

I think everyone here knows the disabilities story. I will just do a quick summary.

For centuries, people with disabilities have been placed against their will in institutions like this one. This is a building in Pennsylvania. When it was open and operating, it was known as Pennhurst. There were lots of places like this across the country, not just in one or two States. These institutions were, in fact, over time, warehouses, in which people had few, if any, rights. They were told what time to wake up, what time to go to bed, and when to eat. They were told they could never leave. That was the basic set of rules they lived by when they lived in institutions like that. These were places where choice was unknown and where freedom, liberty, and self-determination were also unknown.

Over the past 50 years, we have made some improvements—slow improvements—with the voices of people with disabilities leading the way. Throughout those 50 years, individuals and families have fought for their freedom and have worked to create laws that protect their freedom.

For example, the 1973 Rehabilitation Act Amendments and the Americans with Disabilities Act affirmed and protected the rights of people with disabilities to have access to all of society. The 1999 Olmstead Supreme Court decision reaffirmed the right of people with disabilities to live where they want to live and to be free of the confines of an institution.

Let's take it from the institution down to the individual—to individuals like Jensen, who is pictured right here. People like Jensen, who were once forced to live in nursing homes, now live where they want to live and pursue their dreams. Yet we know that rights alone do not equal freedom and liberty for people with disabilities.

Medicaid provides the supports that are necessary to live in the community and to have that full measure of freedom and that full measure of choice. Medicaid protects the hard-won rights of people with disabilities to have real

choices. Medicaid home-based and community-based supports mean that people with disabilities can live in their own apartments, hold jobs, and contribute to their communities. Medicaid makes it possible to use the talents, skills, and knowledge of people with disabilities. Medicaid makes their rights a reality.

Do not take my word for it. Just ask the people who were here today in the Gallery, the people who are outside this Chamber and are walking the halls of the Senate, walking throughout the buildings, marching, demonstrating, and greeting people on the streets, with some of them staying overnight at one place to make their voices heard. Ask the members of ADAPT. Ask the members of the National Council on Independent Living. Ask The Arc's 700 affiliates around the country. Ask the folks from Easterseals, the Association of University Centers on Disabilities, the Autistic Self Advocacy Network, and on and on and on—groups across the country that are telling us with one voice: Do not move forward with cuts to Medicaid as have been proposed in each of these bills.

These Americans will tell you that their rights are not real without community supports. This bill will drive people back into those institutions that I just showed you a picture of.

In the midst of voting on my amendment—which would basically say: Let's go back to the committee of jurisdiction—in this case, the Finance Committee—and spend some time to have some hearings, have some regular order, which some have called for here, and really consider this issue seriously—I know there will be talk that some will reject my amendment and will introduce and maybe have a vote on a sense of the Senate.

There is a time and a place for that kind of measure when the Senate speaks with one voice on a matter. This is not one of those times. This is a time when we have to do more than just have a sense of the Senate. We have to be serious about a particular matter of public policy—in this case, of making sure that we protect people with disabilities so that they have all of the rights and all of the promises fulfilled in the Americans with Disabilities Act and other legislation.

So we are hearing that there might be a sense of the Senate offered as a side-by-side to the amendment that I will offer. This is totally inadequate in terms of the serious issue that we are here to talk about—in this case, protecting people with disabilities. It is a totally inadequate response to that. The people with disabilities who are in the Gallery, who are in the reception area, or who are back at home in congressional districts and States—those folks in each and every community around the country—want to ensure that the promise that we made to them

in the ADA and in other measures will be kept—that we will keep our promise. If Medicaid community-based services are slashed, statements by the Senate will not help very much.

What will we likely have in front of us in the next couple of hours or between today and tomorrow?

I know it has been described in a lot of ways, if the Republicans want to get there. Here is the way I describe it. It is a congressional Republican scheme that they are working on to get to repeal—not repeal and replace. In this case, it would be repeal and decimate—decimating Medicaid, repealing the entire Patient Protection and Affordable Care Act.

Some here will argue that they can support this because this next version—this scheme—will not include Medicaid and will likely not even include tax cuts for the very wealthy. Cuts to Medicaid have been the core part of every House version of healthcare and every Senate bill that we have seen so far. They will get to those cuts one way or another, and they will also get to the tax cuts for the superrich.

The bill that we are debating, H.R. 1628, as you know, creates block grants in the context of Medicaid. Block-granting, in a sense, may be sending to the States a limited amount of money and saying: Good luck when you have to balance your budget and pay for Medicaid services. It will have per capita caps, which would, again, limit what States can do in terms of the dollars they have, or it would just continue to have cuts to Medicaid, as every bill has had, the likes of which we have never seen—sometimes over \$800 billion, sometimes over \$700 billion, but it is in that neighborhood of hundreds and hundreds of billions of dollars of cuts to Medicaid. This next version of the Senate bill will do the same.

When you consider the cuts to Medicaid juxtaposed with the tax breaks given to the superrich—really giveaways—there is no other word that I can come up with other than “obscene.” There are probably other words, but that is, I think, a good description of what that is. That is one of the reasons that these measures have been so unpopular across the board with every income group. Those folks who would get those big giveaways—I think most of them would not want them if they knew the price of that tax giveaway to someone with a lot of money would be to decimate Medicaid.

So passing this version of the bill—passing a scaled-down scheme—means that Republicans have not abandoned their Medicaid cuts. They are going to get to that as soon as they can. This is simply what we are going to see over the next couple of hours—a back door to cutting and capping Medicaid—and anyone who believes otherwise is probably deceiving themselves.

What we need are serious policies crafted to ensure long-term supports and services that provide and guarantee community-based services that promote choice and freedom for people with disabilities. This bill doesn't promise freedom or liberty. It doesn't promise the choice to live in a community and to be part of a family, like this family, where one member of that family has a disability and gets to live in a house with other members of the family. That is not possible for many Americans without Medicaid.

For people with disabilities, this bill is anything but a bill that would enhance freedom or enhance choice. This bill would, in fact, be an anti-freedom bill when it comes to people with disabilities. It is not a key to liberty. It is really just a pathway to institutional care, where we were years ago and where we have come from, from whence we have made progress. It is a return to limited choices, a lack of rights, and a place where freedom is not possible.

In conclusion, let me thank the Members of the Senate who have supported this motion: Senators STABENOW, DUCKWORTH, HASSAN, VAN HOLLEN, MURRAY, BROWN, BLUMENTHAL, CARPER, DURBIN, KAINE, BALDWIN, WYDEN, MARKEY, MURPHY, HARRIS, CARDIN, WARREN, HIRONO, REED, NELSON, KLOBUCHAR, WARNER, SHAHEEN, COONS, BENNET, KING, MENENDEZ, WHITEHOUSE, LEAHY, and BOOKER. I want to thank them for joining me in this effort.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Louisiana.

Mr. CASSIDY. Mr. President, we are struggling right now to find a replacement for the Affordable Care Act. The American people have voted in four successive elections for such a replacement, culminating in the election of Donald Trump to be President of the United States.

Now, one can ask oneself, if the Affordable Care Act is so great, why would the American people continue to want to have a different program? I think the wisdom of the American people is that they do not want the government so intrusive in their lives, and secondly, there is a sense that somehow the Affordable Care Act is not entirely fair, that perhaps there are some who do better under the Affordable Care Act than others. Our country is about equity.

By the way, I am a physician, and for 25 years I have worked in the public hospital system of Louisiana trying to get healthcare for those who otherwise

did not have it. I am all about those who do not have insurance or those who are fully insured getting better care. Ultimately, to have better care, there has to be adequate financing for that care. So we begin to look at the numbers that underlie how the Affordable Care Act—ObamaCare, if you will—finances healthcare across the Nation. It is very interesting.

If you look at the numbers from Health and Human Services, three States—Massachusetts, California, and New York—get 37 percent of the money that ObamaCare spends on Medicaid expansion and health insurance access. Three States get 37 percent. And although I don't have an accurate depiction of what the demography is, I estimate their population to be roughly 18 percent, if that much, of our Nation's total population. So they get twice as much, if you will, on a per-beneficiary basis than the rest of the Nation put together. That is not fair. And if we are going to provide access for patients—our fellow Americans—to healthcare, ultimately we have to have adequate financial resources to do so.

My colleague Senator GRAHAM will speak in more detail about the inequities between the States, but let me just say as a guideline, how do we create equity? How do we create fairness so it is not just three States that benefit, but wherever you live, if the Federal taxpayers are contributing to your access to insurance, you get about the same amount whether you are in Louisiana, Colorado, South Carolina, Mississippi, or in California, Massachusetts, or New York? That is about equity.

What we attempt to do—and we are going to submit this as part of the Graham-Cassidy amendment—is we attempt to establish fairness for all Americans in terms of the support they receive from the Federal taxpayer. What we will do, beginning in 2020, is begin to equalize the payments between those States receiving very little, those States receiving a lot more, and those States that are kind of right where they should be. We do this by beginning with a formula that acknowledges that the poorer the people, the more support they need; the older the person, the higher their medical expenses. So between poverty and age, it is a good starting point about how to divide those dollars. Between 2020 and 2026, we will actually gradually move those high-cost States down, those lower cost States up, and keep those just-about-right States just about right, until at the end, wherever that American lives, she or he is getting about the same amount as every other patient receiving support across the country.

When we say this—I am a physician. I know that if you have more disease burden in one State, that is a costlier population. If your average age is greater in one State, that is another

aspect of a costlier population. We can go through those sorts of factors. So we do put wiggle room at the end, so that if a State is higher cost because they have more disease, they would get a little bit more money. But on the whole, if you net it out, wherever that American lives, she or he would get about the same amount of money.

Senator GRAHAM will go over this in more detail, but it turns out that the average American receiving benefits under the Affordable Care Act—if you combine Medicaid expansion and the tax credits people receive, the average credit is somewhere in the mid-\$6,000 range; call it \$6,400, \$6,500. But if you look at what some States receive, in Massachusetts, it is about \$18,000 per person. Now, that is a lot of money. So if the average is \$6,600 and in one State it is \$18,000, that is not fair.

Now, I would submit that if we equalize that treatment; if we just treat people fairly; if no matter where you live, the amount you get is not dependent upon the State in which you live but upon your need, then we can actually provide access. We can fulfill President Trump's campaign pledges of continuing coverage, caring for those with preexisting conditions, lowering premiums—lowering premiums—and eliminating mandates.

By the way, it isn't just Republican-represented States that would benefit. We can look at West Virginia. These are some preliminary numbers. West Virginia would receive in 2020 about 43 percent more than they would based upon current trajectories. Indiana would receive about 48 percent more. Let's look at Montana. Montana would receive about—my gosh—Montana would receive over 100 percent more than they are currently scheduled to receive.

This takes the money that has already been allocated, and instead of focusing it on three States—there are a few more; call it seven, but those are the States that really bring it home—if, instead of all of this Federal largess going to three States, we distribute it fairly, all Americans can do better. All Americans can do better.

Ultimately, we should be about fairness in this Chamber, not about partisan politics.

I thank the Chair for the privilege of addressing this issue, and I now defer to my colleague from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, let me just tell my colleagues where I am coming from.

Under the current system—ObamaCare as we know it—the money to help people buy insurance and the money for Medicaid expansion, those two pools of money—here is what happens under ObamaCare: California is 21.39 percent of all the money, and they are 12.15 percent of the population.

Maryland gets 2.35 percent of the money, and they are 1.86 percent of the population. Massachusetts gets 6.67 percent of all the money, and they are 2.11 percent. New York gets 8.62 percent, and they are 6.11 percent. That is a lot of math for a guy who didn't do well in math. So 39 percent of all the money goes to four States that represent 22 percent of the population. I like these people. They are all good Americans. I just don't like them that much. The bottom line is, the rest of us—46 States—get 60 percent to divide up among ourselves. How can that be?

Senator CASSIDY explained that the current system is weighted to the benefit of four States at the expense of the rest of us. I would like to fix that, and if you don't live in one of those States, you will want to fix it too.

What I want to do is take the money that we are spending under ObamaCare and block grant it back to the States so that we can level out the disparity in funding but go even further and allow people in each State to develop healthcare systems that meet the needs of that State.

If you are for single-payer healthcare, you will hate this idea because that will be the end of single-payer healthcare because the money and the power will leave Washington and it will go back to people where they live. It will be healthcare closest to the patient. So if you believe that government is better—closer to the voter, closer to the people—if the idea of government close to the people is a good idea, I would argue that healthcare closer to the patient is a good idea.

I regret we didn't think of this sooner.

What Senator CASSIDY said is that our goal is to make sure that no matter in what State you live, you are going to get X amount of dollars, and it is going to be fairly equal no matter where you live. If you live in a State with a unique disease problem or an aged State, you will get a little bit more because you will need a little bit more.

The model we have today is really disproportionate. It doesn't work. It is driving up healthcare costs all over the country. People are dropping coverage because the ObamaCare mandates are too expensive.

So what we are doing is we are leaving the taxes on the wealthy in place. To my conservative friends, I am sorry, but that is what we are going to have to do to make this work. We eliminate the medical device tax because that hurts innovation. We eliminate the individual employer mandate because that stifles the whole idea of having creativity at the State level. We leave the taxes on the wealthier Americans in place. We are able to take that money, plus money we would give to insurance companies to stabilize the

national market, and block grant it back to the States with a formula that is fairer.

Let me tell my colleagues what that would look like. Let me drill down to what two States do, by the way. California and Massachusetts by themselves are 28 percent of all ObamaCare money and 14 percent of the population.

Let's look at Alabama. Beginning in 2020, you are going to get 200 percent more. How can that be? It is where you start from. The people in Alabama are going to get a lot more money because when you look at the money coming through the ObamaCare system to the good people of Alabama and how we spend per patient, you are way behind. You are going to get a lot of money to catch up with what should be the national average.

Our friends in California are going to get a 38-percent reduction, but we are going to give you time to adjust for that. There is going to be a wind-down period. It is not going to happen overnight. There will be a fund that can help you if you can prove you have a unique population of people who are sicker and older.

To my good friend from Colorado, you get 42 percent more. How can that be? Under ObamaCare, the money that was going to these four States gets a little higher percentage if you block grant. Not only will you get 42 percent more money than ObamaCare would give the good people of Colorado, you actually get a chance to spend the money unique to the needs of Colorado.

Let's go to Oklahoma, since we have a guy from Oklahoma here whom we like a lot. You get 200 percent. Congratulations. Why do you get 200 percent? You are starting way behind everybody else. The bottom line is, we want to catch you up beginning in 2020. We are going to have to take away from some other people because they are hoggyish.

New York, California, we want to help you transition, but the rest of us are not going to sit on the sidelines anymore and watch you take most of the money. We are going to begin to level this out.

Where is South Carolina? I have a unique interest in that State. How did we do? We get 123 percent. That shows you where we start from.

In about 6 years, we are all going to meet. It is going to take 6 or 7 years to level this all out, and we are going to get more. Other States are going to get a little bit less. The ones that are about where they need to be will get about the same.

The big benefit for all of us is, the people in your backyard get to make decisions about healthcare rather than a Washington bureaucrat whom you will never meet. The big thing about this to me is, you have a voice now as a consumer.

Right now, if you don't like your healthcare under ObamaCare, whom do you complain to? Do you complain to your Congressman? I guess your Senator. At the end of the day, most of ObamaCare is administered by the Federal Government through a bureaucracy. We don't manage healthcare in the Senate.

Under this construct, the same amount of money is going to go back to your backyard, and you will get a better deal if you are starting on the tail end of this now. If you don't like what is going on in your State, you can actually complain to somebody whom you vote for in the statehouse. You can go to your State capital and complain to your Governor.

The likelihood that the person you are complaining to goes to the same hospital as you and your family goes up. Wouldn't it be nice to be able to complain to somebody who is in the same boat you are who goes to the same healthcare network because they live in your neighborhood?

To me, the most innovative thing we could do in healthcare in America is allow people in their own backyard to design healthcare systems that meet the unique needs of that State and give consumers a voice that really can be heard because, under this model, your statehouse and your Governor are going to have a lot of flexibility. They can't spend it on roads and bridges. They have to spend it on healthcare.

If they get really efficient, the savings they will accrue stays in that State to even do more for healthcare so you will have a race for efficiency rather than just a race to write bigger and bigger checks.

The big benefit to me is, if you are a healthcare consumer, you will finally have somebody you know you can talk to about what works and what doesn't.

We are about to talk about how we end this debate. I hope this idea will be looked at by not just Republicans but Democrats. If you are from West Virginia—our good friend JOE MANCHIN—West Virginia gets 43 percent more dollars under the block grant than they would ObamaCare. West Virginia gets to determine how to spend that money more under the block grant than they would under ObamaCare. You can't spend it on roads and bridges, but you have to spend it on healthcare.

There are three things we are trying to achieve. We are not going to let four States take most of the money, a disproportionate share of the money. Over time, we are going to create a system—no matter where you live—you are going to get roughly the same amount of money from the Federal Government, but the money comes in a block grant so the people in that State can use it without being dictated to by a Washington bureaucrat as long as it is on healthcare. The biggest thing we give you is a chance to have a voice

about your healthcare because the people in charge of your healthcare will be in your own backyard, not in Washington, somebody who doesn't know you, you will never get to meet, and quite frankly doesn't understand your world.

I hope we can rally around this. These are not 100 percent done numbers. Generally speaking, this is pretty accurate. It came from the Labor-HHS people. It may change a little bit, but when you start the debate with four States getting 40 percent of the money, clearly most of us are going to get more. When you see these big numbers like our friends in Oklahoma and Montana, the reason you are getting so much more now is that the current system leaves you behind in an unfair way.

My goal is, if you live in Oklahoma, New York, and California, the Federal Government is going to provide healthcare resources as equal as possible, but those resources will be managed by people in the State, not bureaucrats in Washington.

I hope over the coming day and a half that maybe we can rally around an idea that we should have started with to begin with. I don't mind being generous when it comes to putting money on the table to make sure people can afford healthcare. The tradeoff is as follows. We leave most of the ObamaCare taxes in place because we need a funding stream to level out the inequities. We are going to have a tax cut bill later. I want a flatter tax, a smaller corporate tax, and lower individual taxes, but this revenue stream coming from wealthy Americans is going to be used in a different fashion. It is going to provide resources to States that they can manage, unlike ObamaCare where one-size-fits-all.

To me, this is a tradeoff. To the people in West Virginia, I am not asking you to take less and have a tax cut for rich people. We are going to keep the wealthy taxes in place. I am asking the people of West Virginia to take 43 percent more money. It is not a trick. Use it wisely.

Thank you all. I hope over the next day we can inform you about how your State benefits. To those States who are going to have to ramp down, the only reason you are ramping down is you are taking so much more from the rest of us. Quite frankly, that is not fair. We want to be fair to you and give you a chance to adjust, but the rest of us should stand up and say it is not fair that an American in California or New York or Massachusetts—all fine States—gets 40 percent of the money. That is not right.

It is not right to have a one-size-fits-all healthcare system because you will not get the best product. The best product will come from innovation. Your strongest voice will come from having a say to people who live in your



same community, talking to a politician who sends their kids to the same hospital you do. That is what this is all about.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. LEE). Time will be equally charged to both sides.

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized in morning business for as much time as I shall consume.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. Mr. President, there seems to be some confusion. I will take whatever time you designate is left. I wanted to talk longer.

The things the Senator from South Carolina was talking about are pretty amazing. I look at my State of Oklahoma. Did you know our premiums in the State of Oklahoma under ObamaCare have tripled? They have gone up 201 percent.

When you look and you see the options that are out there, what really disturbs me—I understand one big difference between Democrats and Republicans is Democrats are disciplined, Republicans aren't, so they are all voting against any kind of a change. I guess they all love ObamaCare.

I can assure you, though, if you look at the charts the Senator from South Carolina was showing, you would wonder why in the world they would all be gathering around when they would dramatically benefit by taking one of the alternatives to ObamaCare.

I didn't come down to talk about that, but I have to say, from a State where our premiums have gone up—tripled—you stop and you ask: What is this going to look like when we get the new bill done?

We don't know exactly what it is going to look like. It is going to have the individual mandates done away with. It is going to have the taxes reduced. It is going to have block grants going to the States.

Look at my State of Oklahoma. That will increase the amount of money that will be coming in, with less taxes, by 200 percent. I dare say, there are a lot of Democrats who would find that in the same situation.

One last note about that, as I go back and I work around the State, I find there are a lot of people who are saying: I don't like this alternative.

I would only say, not just in Oklahoma but anywhere in the Nation, if you oppose what is going to be the alternative, what you are saying is, you would rather have ObamaCare.

COMMENDING ATTORNEY GENERAL SESSIONS

Mr. President, actually, I came to the floor for a different reason. It is probably the most awkward situation I have been in before. Since they cut me down to 8½ minutes, I will have to come back to the floor and embellish a

little bit more. I am in an awkward situation. First of all, I believe that we have a President in President Trump who is doing a great job.

I look around and I see what is happening to us. We are now a leader in the free world again. All kinds of things have happened that are very good. Yet I have to say the Attorney General, Jeff Sessions, if I could single out three people in the U.S. Senate whom I respect more, he would be among those.

I am fortunate enough to have known him since the middle eighties, back during the Reagan administration. I knew him very well when he was elected the first time in 1996. Here is a guy who is an outstanding guy, who does things, gets things done. Look at his accomplishments as Attorney General. In that short period of time, what he has done is, he has been working to crack down on immigration. He has performed some real miracles there, and he has worked on protecting law enforcement. In fact, a law enforcement group came out and singled him out as the most prominent and most popular Attorney General we have had.

Look what he has done in his time, what he has introduced. Child abuse—he did the Child Abuse Act. He did it himself. Nobody else helped him. His quote was: "There is no higher duty than protecting our Nation's children." The Prison Rape Elimination Act, the first Federal law dealing with sexual assault on prisoners. A lot of those are young prisoners. We all know the stories. He is the guy who passed that, and nobody else was in on that deal—just him. Forensic sciences, he has been able to be a champion there.

I would have to say that the major thing he did during the time in his early years was that he was the one who was standing up against segregation. He was the one who single-handedly put himself in a situation where he was taking on the bad guys, and he was desegregating the schools in Alabama. He was key to the prosecution of the Klansmen for abducting and killing a Black teenager. We all remember that. Who was that? Who did that? That was Jeff Sessions. So he gets things done. He was the one who was responsible for bankrupting the Klan in his State of Alabama. Here is a guy who has the sensitivity. I have never known a person I could respect more. That is what bothers me.

I think we have a President who is doing a good job, and the only area where I disagree with him—he has this fight going with Jeff Sessions.

Let me just say this: There is no one I hold in higher regard. He is about the most knowledgeable person, compassionate person, and honorable person we could have in that job.

When there is more time on the schedule, I will come back and elaborate a little bit more on my hero Jeff

Sessions and how he ought to remain in that office and do a great job for the United States.

With that, I will comply with the request and yield my time.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that Senator ENZI or his designee be recognized to offer the Heller amendment No. 288 and that the time until 6:10 p.m. be equally divided in the usual form on the Casey motion to commit and the Heller amendment. I further ask that at 6:10 p.m., the Senate vote in relation to the Casey motion, followed by a vote in relation to the Heller amendment, with 2 minutes of debate equally divided in the usual form between the votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Delaware.

Mr. ENZI addressed the Chair.

Mr. CARPER. I am happy to yield.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENT NO. 288 TO AMENDMENT NO. 267

Mr. ENZI. Mr. President, I call up the Heller amendment No. 288.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Wyoming [Mr. ENZI], for Mr. HELLER, proposes an amendment numbered 288 to amendment No. 267.

Mr. ENZI. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To express the sense of the Senate that Medicaid expansion is a priority and that Obamacare must be improved)

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ . SENSE OF THE SENATE.

It is the Sense of the Senate that—

(1) the committee of jurisdiction of the Senate—

(A) should review the issue of Medicaid expansion and coverage for low-income Americans, and the incentives such expansion provides States for certain services;

(B) should consider legislation that provides incentives for States to prioritize Medicaid services for individuals who have the greatest medical need, including individuals with disabilities;

(C) should not consider legislation that reduces or eliminates benefits or coverage for individuals who are currently eligible for Medicaid;

(D) should not consider legislation that prevents or discourages a State from expanding its Medicaid program to include groups or individuals or types of services that are operational under current law; and

(E) should not consider legislation that shifts costs to States to cover such care;

(2) Obamacare should be repealed because it increases health care costs, limits patient choice of health plans and doctors, forces Americans to buy insurance that they do not want, cannot afford, or may not be able to access, and increases taxes on middle class

families, which is evidenced by the facts that—

(A) premiums for health plans offered on the Federal Exchange have doubled on average over the last 4 years, and those increases are projected to continue;

(B) 70 percent of counties have only a few options for Obamacare insurance in 2017, and at least 40 counties are expected to have zero insurers planning on their Exchange for 2018;

(C) 2,300,000 Americans on the Exchange are projected to have only one insurer to choose from for plan year 2018; and

(D) the Joint Committee on Taxation has identified significant and widespread tax increases on individuals earning less than \$200,000; and

(3) Obamacare should be replaced with patient-centered legislation that—

(A) provides access to quality, affordable private health care coverage for Americans and their families by increasing competition, State flexibility, and individual choice; and

(B) strengthens Medicaid and empowers States through increased flexibility to best meet the needs of each State's population.

Mr. ENZI. I thank the Senator for yielding.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. I was happy to yield. Good to see you.

Mr. President, I want to say a few words about ObamaCare. If you ask most people in this country "What is ObamaCare?" my guess is, they probably wouldn't know. Those who do might think it has something to do with the exchanges that would allow people to have coverage who don't have coverage on their own. They are not in a large group plan and they are not insured by their employer. They are not covered by Medicaid. They are not covered by Medicare. Maybe they are not a veteran. And 5 or 6 or 7 percent of the people today get their coverage from something called the exchanges.

We have large purchasing pools in each State that are insured by private health insurance. That was not invented by Barack Obama. People call it ObamaCare, but its roots go back well before he was a U.S. Senator, much less before he was President of the United States. The idea of these large purchasing pools in each State—called exchanges—goes back to, as far as I can tell, 1993, when the new First Lady, Hillary Clinton, was offering to begin work to find a way to do what I think every President since Harry Truman has tried to do, and that is three things: provide better coverage for people in this country, do so at less cost, and cover everybody. I believe that has been the goal of every President since Harry Truman.

When Lyndon Johnson was President, some notable progress was made with the introduction of Medicare and Medicaid. But there were still a lot of people who, in 1993—in fact, in 2003 and 2008 and 2009—who didn't have healthcare coverage in this country, tens of millions of people.

In 1993, when Hillary Clinton worked on what was called—in some cases deri-

sively—HillaryCare, she and others said to Republicans: Well, where is your idea? What is your idea? At least we have an idea. The Republicans apparently turned to the Heritage Foundation and said: Help us come up with an alternative. And Heritage did. The alternative they came up with was a market-based approach to providing coverage for people. The idea was that in every State across the country, something called an exchange or marketplace would be created, which is really a large purchasing pool for people who don't have coverage.

So the idea of the exchanges originally suggested by Hillary were introduced in the U.S. Senate by a Republican Senator from Rhode Island named John Chafee, who was a very good man, a marine veteran, a former Governor, and a greatly admired U.S. Senator. He offered legislation to do five things. As far as I can tell, all ideas were suggested by the Heritage Foundation.

No. 1, create purchasing pools in every State. People who didn't have coverage could buy their coverage as a member of a much larger purchasing pool, and by doing that, bring down the cost of coverage.

The second thing in the Chafee legislation in 1993 was to allow folks who bought their coverage through the exchanges to be eligible for a slight tax credit—the lower their income, the bigger the tax credit. When their income reached a certain level, the tax credit would go away.

The third component of the Chafee proposal—again, going back to Heritage—was the idea of individual mandates. You can't make people get coverage, but in the case of the Chafee legislation, provide for a monetary fine for people who failed to get coverage. Over time, the amount of that fine would go up. The idea was to make sure that younger, healthier people would get healthcare coverage, and they would sign up for coverage in the exchanges. That way, the insurance companies would have a healthy mix of people to insure. Otherwise, people would wait until they were really sick—they need to go see a doctor, go to the hospital, or have an operation—to get their coverage, and then the health insurance companies would be left with a tough mix of people to insure. Financially, that would be very challenging for health insurance companies. They said: We need something to ensure that young, healthy people get their coverage through the exchanges.

The fourth piece of the 1993 legislation offered by Senator Chafee said that employers of a certain size, with a certain number of employees, have to cover their employees. You don't have to cover them 100 percent for their insurance and their family's insurance, but they have to be covered with insurance and have access to health insurance through their employer.

The fifth and last piece of ObamaCare, which is really the Heritage Foundation's idea, was a prohibition against health insurance companies saying to people who have a preexisting condition—they had to cover people with preexisting conditions in these exchanges.

That is what people think of and call ObamaCare.

Barack Obama is a bright guy. I knew him before he was a U.S. Senator. I knew him when he was a State senator. He didn't invent it. It was not made up in his head. The source of those ideas was originally the Heritage Foundation. I actually think they are good ideas. I thought they were good ideas then, and I think they are good ideas now.

Somewhere between 1993 and 2009, when we debated on this floor the Affordable Care Act—including exchanges, tax credits, the individual mandate, the employer mandate, a prohibition against insurance companies not covering people with preexisting conditions—somewhere between 1993 and the debate here in 2009 on the Affordable Care Act, a Governor of Massachusetts said: Why don't we try to be the first State to provide healthcare coverage for everybody? And they took that Chafee legislation—the Heritage Foundation idea—dusted it off, and turned it into RomneyCare. It actually worked pretty well. They sure covered a whole lot of people in that State who hadn't been covered before. They covered a lot of people who were not eligible for Medicaid, not eligible for Medicare, maybe not a veteran. They were not receiving coverage from a large group plan, so they now had an option to get coverage in the exchanges.

For those who chose not to in Massachusetts, they had to pay a fine. As it turns out, it was not a very big fine, and it went up over time but not quickly and not very high. So did some people who were young and healthy get coverage in the exchanges in Massachusetts? Yes. If you asked some of the people who were involved with Governor Romney at that time, they would say that if they had to do it over again, the fine would have started a little bigger and gone up a little faster in order to make sure healthier, insurable people got into the exchanges for their coverage.

Well, in 2009, we were here on this floor and debating what some people still call ObamaCare, but it is something else. It is really RomneyCare. It is really ChafeeCare. It is really HeritageCare. But it ain't ObamaCare. It is a market-based idea to get coverage for people. I think it happens to be a good idea.

Right now, this administration has done their dead level best to destabilize the exchanges. They made it a question of whether the individual mandates will be enforced. If young, healthy people decline to sign up for coverage, will

there be a fine they would have to pay? Will it go up over time? This administration has thrown big doubt on that. As a result, a lot of young people haven't signed up. They are not sure they really need to.

We had something in place for a couple of years called CRAs, cost-sharing arrangements. Think, if you will, about people who are buying their healthcare coverage on the exchanges. Their income is under 250 percent of poverty. For several years now, they have been able to get help paying down their copays and their deductibles when they get their coverage on the exchanges.

What this administration has sought to do is throw doubt on whether those cost-sharing arrangements will continue. What has happened as a result is the health insurance companies, which lost their shirts in 2014, raised premiums, deductibles, and copays. They lost money again in 2015, but less. They raised premiums, deductibles, and copays, and lost money in 2016, but less. Some of them even actually made some money. They were not in a death spiral. According to Standard and Poor's, they were actually coming to a stronger financial position.

Enter into that this administration throwing doubt on whether the exchange are going to be around, the individual mandate is going to be enforced, these cost-sharing reductions are going to continue to be offered. That is why a lot of the health insurance companies in this country decided they are going to get out in different States. They are not going to offer coverage in a number of States, a number of counties. That is why. Businesses need certainty and they need predictability, and that includes health insurance costs. Frankly, they didn't have that certainty and predictability.

If we are smart about it, we will hit the "pause" button and maybe, before we do anything else, provide the certainty and the stability in the exchanges that are needed. And for the health insurance companies, make sure they will offer coverage without having to fear that they will be back in 2014 and lose their shirts again. That is not why they are in business.

There are three things that need to be done in order to stabilize the exchanges.

The first thing that needs to be done is the individual mandate, which we have by law. It says: If you don't have healthcare coverage, get your coverage on the exchange. If you choose not to, you have to pay a fine. Over time, that fine goes up.

We need to preserve something that works like the individual mandate—maybe, ideally, the individual mandate as it is, and if we can't get the votes for that, then something that works at least as well as the individual mandate in making sure people—healthy people too—get their coverage on the exchanges if they are eligible.

The second thing we ought to do is reinsurance. Senator KAINE, myself, and others, including some recovering Governors who serve here in the Senate, have cosponsored legislation that we have described as reinsurance. I am told it has been around forever in the insurance business, and it is one of the reasons the Medicare Part D drug program is successful and works.

The way it works, quite simply, is this: Say an individual who has serious medical problems gets their coverage in the exchanges. They first start in 2018. In 2018, 2019, and 2020, for a person who has significant health challenges and is expensive to insure, the first \$50,000 of their cost to the insurer in a year would be borne by the insurer. Between \$50,000 and \$500,000 for one individual for one year, the Federal Government would pay 80 percent of that. It is reinsurance.

For anything over that in those 3 years, 2018 through 2020, the first 3 years, anything between \$50 and \$500,000, the Federal Government would pay 80 percent.

Starting in 2021 and beyond, the reinsurance program would continue, but it would be a little bit different. In 2021 and beyond, the first \$100,000 of costs incurred by an individual covered by a policy in the exchange—the first \$100,000 would be on the insurance company. They would have the liability. Anything between \$100,000 and \$500,000 in one year for that individual, 80 percent of that cost would be borne by the Federal Government. Anything above \$500,000 from 2021 and beyond would be borne, again, by the insurance company. It is called reinsurance.

The last piece of the three is to make it clear that these cost-sharing reductions are reduced and make sure that the copays and the deductibles will continue to be subsidized by the Federal Government. It will reduce the out-of-pocket costs for people whose income is below 250 percent of poverty.

If we do those three things, the insurance companies tell us we will stabilize the exchanges. They will have a healthy group of people to insure. More insurance companies will come in to provide coverage in States and in counties. More insurance companies providing policies and coverage leads to competition. The competition leads to better quality coverage, and the competition leads to lower prices—lower prices for individuals who are getting their coverage in the exchanges and lower prices, we are told, for Uncle Sam. The Federal Government, the costs to the Treasury, will be reduced, as well, if we do these three things.

Again, we are told by the health insurance companies that have been reluctant to stay in the exchanges, if we do those three things, we would reduce the cost of premiums in the exchanges by 25 to 35 percent. That helps individuals get their coverage, and it helps

the government, too, in reducing our exposure. I think that makes a lot of sense.

Unfortunately, what our colleagues here on the floor are talking about doing—and the rumors we hear about some kind of skinny repeal—certainly, it doesn't stabilize the exchanges. It does more to destabilize the exchanges. That isn't where we need to go.

We need to hit the pause button and say: Let's stabilize the exchanges, and then let's revert to regular order. People have ideas on health insurance. Let's introduce bills. Let's have hearings with witnesses who come in and say what is good or what is bad. The witnesses could include Governors, health insurance folks, providers, normal people.

Let's have a debate. Let Members offer amendments in committee, have votes, report the bills out, and eventually bring them here and go through the same thing. We call that regular order. JOHN MCCAIN, in his return speech yesterday—thank God he is back—called again and again for return to regular order. We need to do that, and if we do, we will end up not with a Democratic victory or a Republican victory or a Trump victory, we might win a victory for democracy and actually doing what is right and what needs to be done. That, most of all, is what we need to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I rise today in support of Senator CASEY's motion to strike provisions from TrumpCare that would harm individuals with disabilities by reducing their access to affordable healthcare or limiting coverage or benefits under Medicaid or in the private health insurance market.

Today, as Senator CASEY noted, we celebrate the 27th anniversary of the Americans with Disabilities Act, recognizing the enormous contributions that Americans who experience disabilities have made in communities in New Hampshire and across our Nation.

Unfortunately, Senate Republicans are proposing massive cuts to traditional Medicaid, which threaten the support that individuals who experience disabilities need to thrive in their homes, their schools, and their communities.

A few weeks ago, I visited an organization called Granite State Independent Living in Concord, NH. It is a nonprofit that helps individuals with disabilities of all ages to try to have an independent life for themselves. What struck me the most was the consistent theme that I heard over and over from different people who experience different disabilities. They said that because of services like personal care attendants, transportation help, and other medical supports, they were able

to work and live more independent lives.

Many shared their biggest fears about what would happen if they didn't receive the support—a real possibility if plans to decimate Medicaid go into effect. Their biggest fear is that independence would go away. There were fears of becoming a burden for their families or having family members have to give up their jobs or having to be put in a nursing home because that would be the only way they could survive.

Person after person talked about how much they wanted to contribute to American life—to their communities, to their States, and to our economy. I kept thinking that all of these people were expressing such an American value with their desires to roll up their sleeves, do everything they could to make a difference, to be self-sufficient, to be independent.

The ability for Americans who experience disabilities to reach their full potential is truly put at risk with some of these TrumpCare proposals, and just a little while ago on the floor, I heard a discussion that perhaps there might be a proposal put forward on the floor—maybe this evening—that would record a sense of the Senate that the Senate wants to make sure that whatever action it takes will not hurt people with disabilities. It will support people with disabilities.

There is no doubt that a kind word can go a long way on a difficult day, but as someone who has raised a child who has experienced severe disabilities, as someone who has spent a lot of time talking to people with disabilities and their families, I can tell you that sympathy and empathy only go so far.

The people I know who experience disabilities want to do everything they can to support themselves, to be independent, to be able to reach their full potential. There is a difference between charity and justice, and while none of us would ever reject the kindness that so many people demonstrate to people with disabilities, what we really should be working toward is making sure people with disabilities have the same access to healthcare, to education, to the workforce that will allow them to have what every American wants, which is an independent life where they are free to chart their own course, support themselves, move forward.

We celebrate the 27th anniversary of the Americans with Disabilities Act today—one of our great moments in this country, as we have reminded ourselves of our Founders' vision. Our Founders said that every single person counts, and while they didn't honor that principle perfectly at our founding, while they did not count everyone at first, they have had the confidence that every generation of Americans would move forward, bringing in more and more people from the margins into

the heart and soul of our democracy, our communities, our economy, and, in doing that, we would unleash the talent and energy of more and more Americans. It is that talent and energy that has been the secret of our country's success. It is our vision that continues to drive us forward.

On this day of all days, when we celebrate the progress we have made to honor the freedom, strength, and productivity of Americans who experience disabilities, the last thing we should do is pull the rug out from under those very people by decimating the Medicaid Program that provides them the kind of support that actually allows them to be free, to work hard, to be with their families, to make a difference, to be treated like every other American, to have the rights of every other American, and to feel like every other American.

We can't afford to go back to the days when we marginalized or didn't assist some of our most vulnerable people—people who want to participate and contribute to their communities and to the country they love. So I urge my colleagues to vote in favor of Senator CASEY's motion and make clear that individuals with disabilities deserve the right to receive the support they need at home, at school, and in their communities, so they can be free and thrive.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I have listened very carefully to the majority leader and his requests that we come forward and bring amendments to the floor—all of our ideas about how we can improve our healthcare system so that this would be an opportunity through budget reconciliation for us to deal with those issues.

I asked my staff to prepare amendments in order to protect the Medicaid system from cuts. I asked my staff to prepare amendments to protect the essential health benefits that are in the Affordable Care Act because it is important that we preserve those benefits, whether it is mental health and addiction services or one that is particularly important to Maryland; that is, pediatric dental. In Maryland, we all recall the loss of a 12-year-old not too many years ago because he couldn't get dental care—Deamonte Driver.

I asked my staff to take a look at preparing amendments to protect minority health and health disparities because the Affordable Care Act made tremendous advancements in trying to close that gap on the disparities in minority health and health disparities. I asked my staff to take a look at the tax provisions because we want to make sure that we are not giving tax cuts to wealthy people at the expense of cutting the Medicaid system. I asked

them to look at this in a lot of different ways.

Listening to the majority leader, I also have introduced legislation that I will talk about that could build on the Affordable Care Act, and I was wondering what bill I should amend? What is the bill that we are considering? It is not the bill that Senator MCCONNELL brought forward because that bill was defeated. It is not the repeal—and we are starting with a blank slate—because that was defeated. I don't believe it is the House bill because that has been discredited, called a mean bill by the President, as well as by Members of this body, who said it has no chance of passing. So my dilemma is that I don't know what I should be amending.

I expect we will get to see another bill somewhere along the process with virtually no notice and no opportunity to read and no opportunity to amend, but the majority leader says I am going to have that opportunity. Yet we don't know what the bill is that I am supposed to be addressing my amendments to.

We know that all the bills we have seen today—every single one from the Republicans—have been scored by the Congressional Budget Office as to tens of millions of Americans losing their insurance coverage—tens of millions. I understand it is about 33 million if we just repeal the Affordable Care Act, 22 million if we use the type of replacement that the majority leader was suggesting. All of those move in the wrong direction.

We also know that in every one of these proposals to date, insurance premiums are going to go up, not down.

That is one thing I have heard from my constituents. They would like to see us bring down the growth rate of health insurance costs and healthcare, not increase it. So, yes, I would like to be able to offer amendments, but I don't know what to offer amendments to.

I also am concerned when I see that every one of the bills that have been suggested by the Republicans would reverse the protections that we put in law against the wrong practices—the discriminatory practices—of insurance companies. I have talked to many of my constituents who tell me that if we reimpose caps, either yearly or lifetime—they have the circumstance where their child was born with a disability and that cap would have been expended within a matter of months—they would be left without insurance coverage. They tell me about how pre-existing conditions could be jeopardized. All of us have some form of pre-existing condition, and, on a lot of these plans that are being suggested where you could choose the type of coverage you want, insurance companies are not going to offer the benefits you need. People who have challenges are going to be most discriminated

against. So I don't quite understand how I can offer amendments and we could have a vote on the floor when we don't know what we are trying to amend.

I must state that there is a common theme here, and we know it. We know that there is now talk that the majority leader might bring up, sometime during this process, what has been called in the press a "skinny" bill. I call it a slow death of the Affordable Care Act, and, in fact, I am afraid it might be a fast death of the Affordable Care Act because, if the reports are accurate, one of the provisions that the majority leader is looking to bring in as the final bill that we would vote on would eliminate the requirement that companies have to provide insurance coverage to their employees and individuals must have coverage.

Now that seems innocent enough, except for the tens of millions who are going to lose their insurance coverage—people who are working for companies that decide to terminate their policies, healthy people who decide not to buy insurance policies. I believe you are going to find that there still will be tens of millions of people losing their insurance coverage, and that is unacceptable. But it goes beyond that. That proposal will also increase premium costs by a very large percent. Why?

Think about this for a moment. If you don't have to buy insurance and you are young and healthy, are you going to buy insurance or not? Many will say no until they need the insurance, and then they will buy the insurance. Actuaries tell us that without the requirement to have insurance, the insurance pools will contain a very high percentage of adverse risks—people at higher risk—and when that happens, the purpose of insurance to spread the risk is no longer done. It means premiums will go up dramatically. That doesn't help the people who are going to need it.

What you also find when you eliminate this requirement is that people get what we call job locked. They may have a company that provides health benefits, but now they may have to leave that company. But if they want to leave that company and start a job or go to another job that doesn't have insurance, they are locked into where they work. All of that adds to anxiety, adds to lack of coverage, adds to people who don't have health insurance, adds to people not getting adequate healthcare, adds to bankruptcies, adds to the problems that we addressed with the Affordable Care Act.

But there is another explanation here. Maybe this is just a shell bill that is going to go back—hopefully, as the Republicans believe, but I hope it does not happen—to the House, and then we will put in the Medicaid cuts and the tax relief and all the other things that

are not in the bill. This is just a shell to get us back to one of the bills that couldn't get the votes here on the floor, where tens of millions of people will lose their insurance coverage, premiums will go up, and insurance company arbitrary and discriminatory practices will return.

Every one of these proposals—every single one—moves us in the wrong direction in healthcare. We recognize that we can improve our healthcare system. I am for improving our healthcare system. I think we can work together—Democrats and Republicans—to improve our healthcare system.

So here is my request: Vote for the Casey motion. Why? For two reasons. One, I would hope that on this anniversary of the ADA, or the Americans with Disabilities Act, we would want to do no harm to those with disabilities in our healthcare system and they would have adequate coverage. I was in a celebration over the weekend in Baltimore City with the disabilities community. We celebrated one of the great victories in America, the Americans with Disabilities Act—a bipartisan bill, with Democrats and Republicans coming together in a proud moment, in the best traditions of the Senate, to say that people with disabilities will be treated fairly in America. On this day we should adopt the Casey motion on the issue of protecting people with disabilities.

But there is a second issue here.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CARDIN. Mr. President, I ask unanimous consent to speak for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. I will try to conclude my remarks. On this day that we are celebrating the anniversary of the Americans with Disabilities Act, let's do right by that. There is a second part to the Casey motion that sends it back to committee so we can use the regular process, as Senator MCCAIN talked about yesterday. Let's have the committee hearings, as Senator ALEXANDER talked about. Let's have the committee markups and work together. I introduced legislation that would bring down the cost of healthcare and lower the rate of increase of individual premiums. I do that by suggesting more competition in the individual marketplace, by having a public option, by providing stronger subsidies to lower income families, by making sure that cost-sharing is in fact paid for so we don't have that uncertainty, with the reinsurance that Senator CARPER was talking about to deal with the overall cost of healthcare, by dealing with prescription drug costs, and by dealing with coordinated care so that we can deal with the whole patient rather than their individual disease.

All of those issues would improve the Affordable Care Act, but before we get there, we have to get off of this train. We have to stop this disastrous course. I am going to do everything in my power to make sure that, as to the bill we have, whenever it comes forward, we stop it right here, and then work together, Democrats and Republicans, to improve our healthcare system, not to take away insurance coverage and increase costs for so many Americans.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, I rise in support of Senator CASEY's motion protecting people with disabilities.

The PRESIDING OFFICER. I am sorry. There is no Democratic time remaining.

The Senator from Nevada.

Mr. HELLER. Mr. President, I rise today to talk about my amendment, Heller amendment No. 288.

My amendment reinforces the important role Medicaid has played in my home State and in the States of many of my colleagues here today.

Let me explain the impact Medicaid has had on the State of Nevada. As many of you know, the State of Nevada was the first to expand Medicaid. Before Nevada made that decision, the State's uninsured rate was at 23 percent, and it was one of the highest in the country. So think about that for a minute. One in four Nevadans did not have healthcare coverage. Under expanded Medicaid today, Nevadans' uninsured rate is between 11 percent and 12 percent. I have also seen the number of uninsured people living in Nevada's rural communities cut in half, and I have seen major gains with the number of children in our State with healthcare coverage.

In fact, Nevada has seen one of the most significant decreases in uninsured children in the country. In 2013, our State had the highest rate of uninsured children in the country. We were ranked 50th in the nation. Now I can proudly say that Nevada is the most improved State when it comes to addressing our rates of uninsured children. Our State has made significant progress since the State's decision to expand Medicaid, and that has made a big impression on me.

Over the past few months, I have had the privilege of meeting with Nevadans here in Washington, DC, as well as back home, to discuss healthcare. The resounding message I continue to hear is that, because of Medicaid expansion, more than 200,000 Nevadans have health insurance today who otherwise wouldn't. The other resounding message I hear is that drastic cuts to the Medicaid Program threaten the critical services that Nevadans rely on.

Let me read you a letter I received from a woman in Las Vegas. She said:

My oldest child has Down Syndrome and has depended on Medicaid since the day she was born, and was denied healthcare because of preexisting conditions that she was born with. My husband and I are hardworking Americans. We started our own business 5 years ago and have seen that business grow more and more each year. We do not rely on the government for assistance, other than Medicaid coverage. Without it, we would be unable to afford the numerous appointments with specialists and surgeries that keep our daughter happy, healthy, and progressing in life.

This is one example of the real stories behind the numbers, and I want to do everything I can to make sure they are protected and their coverage is not threatened. I want to make sure their daughter has healthcare coverage today and tomorrow.

Medicaid also plays a crucial role in Nevada when it comes to covering the elderly and people with disabilities. More than 30,000 of Nevada's seniors receive healthcare through Medicaid, including nursing home care and services that help them live at home. In fact, more than half of Nevada's nursing home residents are covered by Medicaid. Nearly 50,000 people with disabilities in Nevada now have access to care that helps them live independently, thanks to Medicaid.

Karen from Henderson recently contacted me and said that her adult son has MS and depends on Medicaid to help cover the cost of his medication, which costs \$300 per month. Without Medicaid, he can't afford it.

One Nevadan traveled all the way from Las Vegas to talk with me about her two sons with cystic fibrosis. She is worried about any legislation that would jeopardize access to care for people with serious, chronic illnesses, such as the ones her sons are struggling with.

In total, over 631,000 people in Nevada are covered by the Medicaid Program. That is low-income children, pregnant women, seniors, and people with disabilities. It is why I have said since the beginning of the healthcare debate, that I will only support a solution that protects Nevada's most vulnerable. The House bill didn't go far enough to do that, and neither did the Senate's bill, and that is why I voted against it last night.

Nevada faces unique challenges when it comes to healthcare. I have spent the past few months trying to find ways to protect Nevadans who depend on Medicaid and provide coverage for those with preexisting conditions, all the while bringing down costs and improving quality and access to care. I have also been having discussions with Nevadans in Washington and back home to hear from them how potential changes could impact their care.

Whether it is a mom in Reno who has a son with a heart condition and is terrified about the future of his treatments or the nurses from Las Vegas

who came all the way to DC because they are worried that their patients could lose coverage, I have been listening and I do understand.

Make no mistake, ObamaCare needs fixing. It has led to higher costs and fewer choices in my State. For the past 7 years, I have said that we need more competition to drive down costs and increase competition for Nevadans. My discussions with Nevadans in Washington and back home have also allowed me the opportunity to hear from them how potential changes could impact their care. I believe we can achieve these goals while recognizing the role that Medicaid plays in our States and ensuring that those who have coverage today are protected.

My role as a Senator is doing the very best I can for my State, and that means standing up for Nevadans who depend on Medicaid. We are having this debate because I do believe there are commonsense solutions that can improve our healthcare system, and I voted to give us the opportunity to have that discussion and to fight for them. But, as I have said all along, healthcare reform cannot be balanced on the backs of Nevada's low-income families and sickest individuals. That is something I cannot and I will not stand for.

We can work to find a way to lower costs, increase choices, and improve the quality of care for Nevadans everywhere, but we can do it in a way that also protects our most vulnerable. That is why for the past few months I have been working with my colleagues in the Senate who also understand the unique challenges expansion States face, and we have been fighting for solutions that will protect those who currently rely on the Medicaid Program. It hasn't been easy, but that is the way it is supposed to be, and that is OK.

I am here to roll up my sleeves, get to work, and fight for policies that will be in the best interests of all Nevadans. So I encourage my colleagues to support this amendment, Heller No. 288, today to reiterate the value of Medicaid in our States. We have much work ahead of us to do to improve the healthcare system for Nevadans and Americans across this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, I speak in support of Senator CASEY's motion protecting people with disabilities.

It is appalling that the Republican Party is working to strip healthcare from the disability community on the very anniversary of the day when we passed monumental legislation that improved the lives of Americans with disabilities.

It was 27 years ago that the Americans with Disabilities Act—one of the most important pieces of legislation of

our time—was signed into law, and it is a shame that as we celebrate our great achievement for equality, we are moving backward rather than building on the progress our community has worked so hard on to make it so Americans with disabilities can live healthy, productive, independent lives. We cannot afford to move backward, and I will not sit quietly by and let that happen and neither will my constituents.

I have heard from thousands of Illinoisans who are struggling to understand why lawmakers are considering ripping away the care that is keeping them alive and allowing them to be independent and productive members of our community. I want to share just one of their stories with you.

It is about a woman by the name of Jessica Baker, from Mascoutah, IL. Nearly 10 years ago, when she was a healthy and young 19-year-old, her entire life changed. Jessica was driving on the highway on a foggy morning. Because of the lack of visibility on the road, a truckdriver ahead of her ran through two cars. Jessica, just feet behind the truck, never saw the brake light go off. She struck that semitruck and became part of a 20-car pile-up. This young, healthy woman's life completely changed in an instant.

Jessica is now 29 years old and is a quadriplegic. She depends on Medicaid for her healthcare needs. She is living an independent life and has done well under the ACA. Now she fears she will lose her care that the law has helped her to receive. Jessica was a healthy, vital person whose life changed in an instant.

I understand how that feels. I went from being a soldier—one of the most physically fit people among my peers—to becoming wheelchair bound. So many of our brave men and women take that risk every single day, and we must be completely honest with ourselves as any American's life can change in the blink of an eye. The healthy can become sick, and the able-bodied can become disabled in a single moment. Any one of us can end up at the mercy of our healthcare system.

After her accident, Jessica had to fight for her life and relearn how to live as a thriving young person. Now Senate Republicans and President Trump are threatening her life by eliminating her access to care. As proud as I am to be a part of the Senate Chamber, which passed the monumental ADA, I am also appalled by what the Republicans in this body are doing today.

Yesterday's vote to proceed on a debate on a bill that would rob tens of millions of their health insurance is utterly shameful. It would jeopardize a program that 1 in 10 veterans, 2 out of 3 nursing home residents, and children with autism, Down syndrome, and special needs depend on. That is simply unacceptable. Senate Republicans have



done everything they can to hide their legislation from the American people, crafting it in secret, behind closed doors. However, one thing remains clear; that the fight to protect healthcare is not over.

This is the time for the American people to keep speaking up, to make their voices heard, and Senate Republicans must listen. They must listen to their constituents and to the most vulnerable among us, like the members of the disability community who have been here day after day, literally, fighting for their lives. Day after day, I see people who come into my office who say: Save me. Save my child. Save our lives.

That is why I am working every single day to not only push back against these Republican efforts to strip away care from those who need it the most but also to bring people together on commonsense improvements to our current healthcare system. We cannot be a nation that says: If you are sick or ill, we are going to leave you behind. That is simply not who we are. We are the greatest democracy on the face of the Earth, and we do not leave our most vulnerable behind.

Thank you.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I know the Chair said I may speak for a few minutes before the vote. I spoke earlier so I will not reiterate every argument.

Really, what we are doing with this particular amendment is sending this legislation to the Finance Committee so as to focus it as the motion itself says: When this bill would be recommended to the Finance Committee, the Finance Committee could examine it from the perspective, in this case, of people with disabilities and to focus on changes that could be made in order to prevent harm to individuals with disabilities as defined in the Americans with Disabilities Act of 1990.

The reason we mention that particularly is that is the seminal piece of legislation to protect people with disabilities who would be harmed by this legislation because you cannot just have rights that are guaranteed without the support for those rights. Medicaid provides that support so folks, if they want to live at home or if they want to live in a community-based setting, can do that, but they can only do that with the help of Medicaid. It is a pretty simple amendment to make sure there is some adequate review of the impact on Americans with disabilities.

We have, in Pennsylvania, for example, over 720,000 people who have a disability and depend upon Medicaid. I want to make sure every one of those Pennsylvanians has all of the protections we say we are guaranteeing with disability legislation—with laws like the Americans with Disabilities Act

and with the protections Medicaid provides.

This is critically important. At a time when we are talking about freedom and liberty in the context of healthcare, I would hope we would take steps to guarantee that freedom and liberty apply to those with disabilities so that as the Americans with Disabilities Act has enshrined in our law, they may be able to choose the kind of places they want to live and choose the settings within which they want to live their lives, to be able to have the freedom to choose that by way of the support they can get from Medicaid. I hope that is something that is reasonable enough so as to get support from both sides of the aisle.

I know my friend from Nevada is offering a sense of the Senate in the next vote. I just do not think that a sense of the Senate, in any way, is commensurate with the gravity of this problem. There is a time and a place for a sense of the Senate—when we are expressing a sentiment that is bipartisan—but we need more than sentimentality here. We need more than good wishes. We need to make sure we get this policy right as it relates to people with disabilities.

Mr. President, I yield the floor.

The PRESIDING OFFICER. All time has expired.

#### VOTE ON MOTION TO COMMIT

The question occurs on agreeing to the Casey motion to commit.

The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Wisconsin (Mr. JOHNSON).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 48, nays 51, as follows:

[Rollcall Vote No. 171 Leg.]

#### YEAS—48

|              |            |            |
|--------------|------------|------------|
| Baldwin      | Gillibrand | Murray     |
| Bennet       | Harris     | Nelson     |
| Blumenthal   | Hassan     | Peters     |
| Booker       | Heinrich   | Reed       |
| Brown        | Heitkamp   | Sanders    |
| Cantwell     | Hirono     | Schatz     |
| Cardin       | Kaine      | Schumer    |
| Carper       | King       | Shaheen    |
| Casey        | Klobuchar  | Stabenow   |
| Coons        | Leahy      | Tester     |
| Cortez Masto | Manchin    | Udall      |
| Donnelly     | Markey     | Van Hollen |
| Duckworth    | McCaskill  | Warner     |
| Durbin       | Menendez   | Warren     |
| Feinstein    | Merkley    | Whitehouse |
| Franken      | Murphy     | Wyden      |

#### NAYS—51

|           |         |         |
|-----------|---------|---------|
| Alexander | Boozman | Cassidy |
| Barrasso  | Burr    | Cochran |
| Blunt     | Capito  | Collins |

|          |           |          |
|----------|-----------|----------|
| Corker   | Heller    | Risch    |
| Cornyn   | Hoeben    | Roberts  |
| Cotton   | Inhofe    | Rounds   |
| Crapo    | Isakson   | Rubio    |
| Cruz     | Kennedy   | Sasse    |
| Daines   | Lankford  | Scott    |
| Enzi     | Lee       | Shelby   |
| Ernst    | McCain    | Strange  |
| Fischer  | McConnell | Sullivan |
| Flake    | Moran     | Thune    |
| Gardner  | Murkowski | Tillis   |
| Graham   | Paul      | Toomey   |
| Grassley | Perdue    | Wicker   |
| Hatch    | Portman   | Young    |

#### NOT VOTING—1

Johnson

The motion was rejected.

#### AMENDMENT NO. 288

The PRESIDING OFFICER. There is now 2 minutes equally divided before the vote on the Heller amendment.

The Senator from Nevada.

Mr. HELLER. Mr. President, I have an amendment at the desk that would express the importance of Medicaid in our individual States. I would like to read from it two provisions that I think are important to this whole body; that is, the Senate prioritizes “Medicaid services for individuals who have the greatest medical need, including individuals with disabilities;” also, that we “should not consider legislation that reduces or eliminates benefits or coverage for individuals who are currently eligible for Medicaid.”

That is the amendment. I want everyone to express for their own States how important the Medicaid Program is for their States, and I would urge a “yes” vote from my colleagues.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I raise a point of order that the pending amendment violates section 313(b)(1)(A) of the Congressional Budget Act of 1974.

I am glad that the Senator from Nevada is concerned about Medicaid, but I would remind the Senate that yesterday the vast majority of Republicans voted to throw 15 million people off of Medicaid on their way to end health insurance for 22 million Americans.

Our job as a nation is to guarantee healthcare to every man, woman, and child and join the rest of the industrialized world, not throw disabled children off of the healthcare they currently have.

I urge a “no” vote.

Mr. President, I raise a point of order that the pending amendment violates section 313(b)(1)(A) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of amendment No. 288 and, if adopted, for the provisions of the adopted amendment included in any subsequent



amendment to H.R. 1628 and any amendment between Houses or conference report thereon, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 10, nays 90, as follows:

[Rollcall Vote No. 172 Leg.]

#### YEAS—10

|         |           |          |
|---------|-----------|----------|
| Capito  | Gardner   | Portman  |
| Cassidy | Heller    | Sullivan |
| Collins | McCain    |          |
| Enzi    | Murkowski |          |

#### NAYS—90

|              |            |            |
|--------------|------------|------------|
| Alexander    | Franken    | Nelson     |
| Baldwin      | Gillibrand | Paul       |
| Barrasso     | Graham     | Perdue     |
| Bennet       | Grassley   | Peters     |
| Blumenthal   | Harris     | Reed       |
| Blunt        | Hassan     | Risch      |
| Booker       | Hatch      | Roberts    |
| Boozman      | Heinrich   | Rounds     |
| Brown        | Heitkamp   | Rubio      |
| Burr         | Hirono     | Sanders    |
| Cantwell     | Hoeven     | Sasse      |
| Cardin       | Inhofe     | Schatz     |
| Carper       | Isakson    | Schumer    |
| Casey        | Johnson    | Scott      |
| Cochran      | Kaine      | Shaheen    |
| Coons        | Kennedy    | Shelby     |
| Corker       | King       | Stabenow   |
| Cornyn       | Klobuchar  | Strange    |
| Cortez Masto | Lankford   | Tester     |
| Cotton       | Leahy      | Thune      |
| Crapo        | Lee        | Tillis     |
| Cruz         | Manchin    | Toomey     |
| Daines       | Markey     | Udall      |
| Donnelly     | McCaskill  | Van Hollen |
| Duckworth    | McConnell  | Warner     |
| Durbin       | Menendez   | Warren     |
| Ernst        | Merkley    | Whitehouse |
| Feinstein    | Moran      | Wicker     |
| Fischer      | Murphy     | Wyden      |
| Flake        | Murray     | Young      |

The PRESIDING OFFICER (Mrs. ERNST). On this vote, the yeas are 10, the nays are 90.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 340, AS MODIFIED, TO  
AMENDMENT NO. 267

Mr. MCCONNELL. Madam President, I call up amendment No. 340, as modified.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. DAINES, proposes an amendment numbered 340, as modified, to amendment No. 267.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

(Purpose: To provide for comprehensive health insurance coverage for all United States residents, improved health care delivery, and for other purposes)

Strike all after the first word and, insert the following:

#### SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Expanded & Improved Medicare For All Act”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions and terms.

#### TITLE I—ELIGIBILITY AND BENEFITS

Sec. 101. Eligibility and registration.

Sec. 102. Benefits and portability.

Sec. 103. Qualification of participating providers.

Sec. 104. Prohibition against duplicating coverage.

#### TITLE II—FINANCES

##### Subtitle A—Budgeting and Payments

Sec. 201. Budgeting process.

Sec. 202. Payment of providers and health care clinicians.

Sec. 203. Payment for long-term care.

Sec. 204. Mental health services.

Sec. 205. Payment for prescription medications, medical supplies, and medically necessary assistive equipment.

Sec. 206. Consultation in establishing reimbursement levels.

##### Subtitle B—Funding

Sec. 211. Overview: funding the Medicare For All Program.

Sec. 212. Appropriations for existing programs.

#### TITLE III—ADMINISTRATION

Sec. 301. Public administration; appointment of Director.

Sec. 302. Office of Quality Control.

Sec. 303. Regional and State administration; employment of displaced clerical workers.

Sec. 304. Confidential electronic patient record system.

Sec. 305. National Board of Universal Quality and Access.

#### TITLE IV—ADDITIONAL PROVISIONS

Sec. 401. Treatment of VA and IHS health programs.

Sec. 402. Public health and prevention.

Sec. 403. Reduction in health disparities.

#### TITLE V—EFFECTIVE DATE

Sec. 501. Effective date.

#### SEC. 2. DEFINITIONS AND TERMS.

In this Act:

(1) MEDICARE FOR ALL PROGRAM; PROGRAM.—The terms “Medicare For All Program” and “Program” mean the program of benefits provided under this Act and, unless the context otherwise requires, the Secretary with respect to functions relating to carrying out such program.

(2) NATIONAL BOARD OF UNIVERSAL QUALITY AND ACCESS.—The term “National Board of Universal Quality and Access” means such Board established under section 305.

(3) REGIONAL OFFICE.—The term “regional office” means a regional office established under section 303.

(4) SECRETARY.—The term “Secretary” means the Secretary of Health and Human Services.

(5) DIRECTOR.—The term “Director” means, in relation to the Program, the Director appointed under section 301.

#### TITLE I—ELIGIBILITY AND BENEFITS

##### SEC. 101. ELIGIBILITY AND REGISTRATION.

(a) IN GENERAL.—All individuals residing in the United States (including any territory

of the United States) are covered under the Medicare For All Program entitling them to a universal, best quality standard of care. Each such individual shall receive a card with a unique number in the mail. An individual’s Social Security number shall not be used for purposes of registration under this section.

(b) REGISTRATION.—Individuals and families shall receive a Medicare For All Program Card in the mail, after filling out a Medicare For All Program application form at a health care provider. Such application form shall be no more than 2 pages long.

(c) PRESUMPTION.—Individuals who present themselves for covered services from a participating provider shall be presumed to be eligible for benefits under this Act, but shall complete an application for benefits in order to receive a Medicare For All Program Card and have payment made for such benefits.

(d) RESIDENCY CRITERIA.—The Secretary shall promulgate a rule that provides criteria for determining residency for eligibility purposes under the Medicare For All Program.

(e) COVERAGE FOR VISITORS.—The Secretary shall promulgate a rule regarding visitors from other countries who seek premeditated non-emergency surgical procedures. Such a rule should facilitate the establishment of country-to-country reimbursement arrangements or self pay arrangements between the visitor and the provider of care.

##### SEC. 102. BENEFITS AND PORTABILITY.

(a) IN GENERAL.—The health care benefits under this Act cover all medically necessary services, including at least the following:

- (1) Primary care and prevention.
- (2) Approved dietary and nutritional therapies.
- (3) Inpatient care.
- (4) Outpatient care.
- (5) Emergency care.
- (6) Prescription drugs.
- (7) Durable medical equipment.
- (8) Long-term care.
- (9) Palliative care.
- (10) Mental health services.
- (11) The full scope of dental services, services, including periodontics, oral surgery, and endodontics, but not including cosmetic dentistry.
- (12) Substance abuse treatment services.
- (13) Chiropractic services, not including electrical stimulation.
- (14) Basic vision care and vision correction (other than laser vision correction for cosmetic purposes).
- (15) Hearing services, including coverage of hearing aids.
- (16) Podiatric care.

(b) PORTABILITY.—Such benefits are available through any licensed health care clinician anywhere in the United States that is legally qualified to provide the benefits.

(c) NO COST-SHARING.—No deductibles, copayments, coinsurance, or other cost-sharing shall be imposed with respect to covered benefits.

SEC. 103. QUALIFICATION OF PARTICIPATING PROVIDERS.

(a) REQUIREMENT TO BE PUBLIC OR NON-PROFIT.—

(1) IN GENERAL.—No institution may be a participating provider unless it is a public or not-for-profit institution. Private physicians, private clinics, and private health care providers shall continue to operate as private entities, but are prohibited from being investor owned.

(2) CONVERSION OF INVESTOR-OWNED PROVIDERS.—For-profit providers of care opting

to participate shall be required to convert to not-for-profit status.

(3) **PRIVATE DELIVERY OF CARE REQUIREMENT.**—For-profit providers of care that convert to non-profit status shall remain privately owned and operated entities.

(4) **COMPENSATION FOR CONVERSION.**—The owners of such for-profit providers shall be compensated for reasonable financial losses incurred as a result of the conversion from for-profit to non-profit status.

(5) **FUNDING.**—There are authorized to be appropriated from the Treasury such sums as are necessary to compensate investor-owned providers as provided for under paragraph (3).

(6) **REQUIREMENTS.**—The payments to owners of converting for-profit providers shall occur during a 15-year period, through the sale of U.S. Treasury Bonds. Payment for conversions under paragraph (3) shall not be made for loss of business profits.

(7) **MECHANISM FOR CONVERSION PROCESS.**—The Secretary shall promulgate a rule to provide a mechanism to further the timely, efficient, and feasible conversion of for-profit providers of care.

(b) **QUALITY STANDARDS.**—

(1) **IN GENERAL.**—Health care delivery facilities must meet State quality and licensing guidelines as a condition of participation under such program, including guidelines regarding safe staffing and quality of care.

(2) **LICENSURE REQUIREMENTS.**—Participating clinicians must be licensed in their State of practice and meet the quality standards for their area of care. No clinician whose license is under suspension or who is under disciplinary action in any State may be a participating provider.

(c) **PARTICIPATION OF HEALTH MAINTENANCE ORGANIZATIONS.**—

(1) **IN GENERAL.**—Non-profit health maintenance organizations that deliver care in their own facilities and employ clinicians on a salaried basis may participate in the program and receive global budgets or capitation payments as specified in section 202.

(2) **EXCLUSION OF CERTAIN HEALTH MAINTENANCE ORGANIZATIONS.**—Other health maintenance organizations which principally contract to pay for services delivered by non-employees shall be classified as insurance plans. Such organizations shall not be participating providers, and are subject to the regulations promulgated by reason of section 104(a) (relating to prohibition against duplicating coverage).

(d) **FREEDOM OF CHOICE.**—Patients shall have free choice of participating physicians and other clinicians, hospitals, and inpatient care facilities.

#### **SEC. 104. PROHIBITION AGAINST DUPLICATING COVERAGE.**

(a) **IN GENERAL.**—It is unlawful for a private health insurer to sell health insurance coverage that duplicates the benefits provided under this Act.

(b) **CONSTRUCTION.**—Nothing in this Act shall be construed as prohibiting the sale of health insurance coverage for any additional benefits not covered by this Act, such as for cosmetic surgery or other services and items that are not medically necessary.

### **TITLE II—FINANCES**

#### **Subtitle A—Budgeting and Payments**

##### **SEC. 201. BUDGETING PROCESS.**

(a) **ESTABLISHMENT OF OPERATING BUDGET AND CAPITAL EXPENDITURES BUDGET.**—

(1) **IN GENERAL.**—To carry out this Act there are established on an annual basis consistent with this title—

(A) an operating budget, including amounts for optimal physician, nurse, and other health care professional staffing;

(B) a capital expenditures budget;

(C) reimbursement levels for providers consistent with subtitle B; and

(D) a health professional education budget, including amounts for the continued funding of resident physician training programs.

(2) **REGIONAL ALLOCATION.**—After Congress appropriates amounts for the annual budget for the Medicare For All Program, the Director shall provide the regional offices with an annual funding allotment to cover the costs of each region's expenditures. Such allotment shall cover global budgets, reimbursements to clinicians, health professional education, and capital expenditures. Regional offices may receive additional funds from the national program at the discretion of the Director.

(b) **OPERATING BUDGET.**—The operating budget shall be used for—

(1) payment for services rendered by physicians and other clinicians;

(2) global budgets for institutional providers;

(3) capitation payments for capitated groups; and

(4) administration of the Program.

(c) **CAPITAL EXPENDITURES BUDGET.**—The capital expenditures budget shall be used for funds needed for—

(1) the construction or renovation of health facilities; and

(2) for major equipment purchases.

(d) **PROHIBITION AGAINST CO-MINGLING OPERATIONS AND CAPITAL IMPROVEMENT FUNDS.**—It is prohibited to use funds under this Act that are earmarked—

(1) for operations for capital expenditures; or

(2) for capital expenditures for operations.

#### **SEC. 202. PAYMENT OF PROVIDERS AND HEALTH CARE CLINICIANS.**

(a) **ESTABLISHING GLOBAL BUDGETS; MONTHLY LUMP SUM.**—

(1) **IN GENERAL.**—The Medicare For All Program, through its regional offices, shall pay each institutional provider of care, including hospitals, nursing homes, community or migrant health centers, home care agencies, or other institutional providers or pre-paid group practices, a monthly lump sum to cover all operating expenses under a global budget.

(2) **ESTABLISHMENT OF GLOBAL BUDGETS.**—The global budget of a provider shall be set through negotiations between providers, State directors, and regional directors, but are subject to the approval of the Director. The budget shall be negotiated annually, based on past expenditures, projected changes in levels of services, wages and input, costs, a provider's maximum capacity to provide care, and proposed new and innovative programs.

(b) **THREE PAYMENT OPTIONS FOR PHYSICIANS AND CERTAIN OTHER HEALTH PROFESSIONALS.**—

(1) **IN GENERAL.**—The Program shall pay physicians, dentists, doctors of osteopathy, pharmacists, psychologists, chiropractors, doctors of optometry, nurse practitioners, nurse midwives, physicians' assistants, and other advanced practice clinicians as licensed and regulated by the States by the following payment methods:

(A) Fee for service payment under paragraph (2).

(B) Salaried positions in institutions receiving global budgets under paragraph (3).

(C) Salaried positions within group practices or non-profit health maintenance organizations receiving capitation payments under paragraph (4).

(2) **FEE FOR SERVICE.**—

(A) **IN GENERAL.**—The Program shall negotiate a simplified fee schedule that is fair and optimal with representatives of physicians and other clinicians, after close consultation with the National Board of Universal Quality and Access and regional and State directors. Initially, the current prevailing fees or reimbursement would be the basis for the fee negotiation for all professional services covered under this Act.

(B) **CONSIDERATIONS.**—In establishing such schedule, the Director shall take into consideration the following:

(i) The need for a uniform national standard.

(ii) The goal of ensuring that physicians, clinicians, pharmacists, and other medical professionals be compensated at a rate which reflects their expertise and the value of their services, regardless of geographic region and past fee schedules.

(C) **STATE PHYSICIAN PRACTICE REVIEW BOARDS.**—The State director for each State, in consultation with representatives of the physician community of that State, shall establish and appoint a physician practice review board to assure quality, cost effectiveness, and fair reimbursements for physician delivered services.

(D) **FINAL GUIDELINES.**—The Director shall be responsible for promulgating final guidelines to all providers.

(E) **BILLING.**—Under this Act physicians shall submit bills to the regional director on a simple form, or via computer. Interest shall be paid to providers who are not reimbursed within 30 days of submission.

(F) **NO BALANCE BILLING.**—Licensed health care clinicians who accept any payment from the Medicare For All Program may not bill any patient for any covered service.

(G) **UNIFORM COMPUTER ELECTRONIC BILLING SYSTEM.**—The Director shall create a uniform computerized electronic billing system, including those areas of the United States where electronic billing is not yet established.

(3) **SALARIES WITHIN INSTITUTIONS RECEIVING GLOBAL BUDGETS.**—

(A) **IN GENERAL.**—In the case of an institution, such as a hospital, health center, group practice, community and migrant health center, or a home care agency that elects to be paid a monthly global budget for the delivery of health care as well as for education and prevention programs, physicians and other clinicians employed by such institutions shall be reimbursed through a salary included as part of such a budget.

(B) **SALARY RANGES.**—Salary ranges for health care providers shall be determined in the same way as fee schedules under paragraph (2).

(4) **SALARIES WITHIN CAPITATED GROUPS.**—

(A) **IN GENERAL.**—Health maintenance organizations, group practices, and other institutions may elect to be paid capitation payments to cover all outpatient, physician, and medical home care provided to individuals enrolled to receive benefits through the organization or entity.

(B) **SCOPE.**—Such capitation may include the costs of services of licensed physicians and other licensed, independent practitioners provided to inpatients. Other costs of inpatient and institutional care shall be excluded from capitation payments, and shall be covered under institutions' global budgets.

(C) **PROHIBITION OF SELECTIVE ENROLLMENT.**—Patients shall be permitted to enroll or disenroll from such organizations or entities without discrimination and with appropriate notice.

(D) HEALTH MAINTENANCE ORGANIZATIONS.—Under this Act—

(i) health maintenance organizations shall be required to reimburse physicians based on a salary; and

(ii) financial incentives between such organizations and physicians based on utilization are prohibited.

#### SEC. 203. PAYMENT FOR LONG-TERM CARE.

(a) ALLOTMENT FOR REGIONS.—The Program shall provide for each region a single budgetary allotment to cover a full array of long-term care services under this Act.

(b) REGIONAL BUDGETS.—Each region shall provide a global budget to local long-term care providers for the full range of needed services, including in-home, nursing home, and community based care.

(c) BASIS FOR BUDGETS.—Budgets for long-term care services under this section shall be based on past expenditures, financial and clinical performance, utilization, and projected changes in service, wages, and other related factors.

(d) FAVORING NON-INSTITUTIONAL CARE.—All efforts shall be made under this Act to provide long-term care in a home- or community-based setting, as opposed to institutional care.

#### SEC. 204. MENTAL HEALTH SERVICES.

(a) IN GENERAL.—The Program shall provide coverage for all medically necessary mental health care on the same basis as the coverage for other conditions. Licensed mental health clinicians shall be paid in the same manner as specified for other health professionals, as provided for in section 202(b).

(b) FAVORING COMMUNITY-BASED CARE.—The Medicare For All Program shall cover supportive residences, occupational therapy, and ongoing mental health and counseling services outside the hospital for patients with serious mental illness. In all cases the highest quality and most effective care shall be delivered, and, for some individuals, this may mean institutional care.

#### SEC. 205. PAYMENT FOR PRESCRIPTION MEDICATIONS, MEDICAL SUPPLIES, AND MEDICALLY NECESSARY ASSISTIVE EQUIPMENT.

(a) NEGOTIATED PRICES.—The prices to be paid each year under this Act for covered pharmaceuticals, medical supplies, and medically necessary assistive equipment shall be negotiated annually by the Program.

(b) PRESCRIPTION DRUG FORMULARY.—

(1) IN GENERAL.—The Program shall establish a prescription drug formulary system, which shall encourage best-practices in prescribing and discourage the use of ineffective, dangerous, or excessively costly medications when better alternatives are available.

(2) PROMOTION OF USE OF GENERICS.—The formulary shall promote the use of generic medications but allow the use of brand-name and off-formulary medications.

(3) FORMULARY UPDATES AND PETITION RIGHTS.—The formulary shall be updated frequently and clinicians and patients may petition their region or the Director to add new pharmaceuticals or to remove ineffective or dangerous medications from the formulary.

#### SEC. 206. CONSULTATION IN ESTABLISHING REIMBURSEMENT LEVELS.

Reimbursement levels under this subtitle shall be set after close consultation with regional and State Directors and after the annual meeting of National Board of Universal Quality and Access.

### Subtitle B—Funding

#### SEC. 211. OVERVIEW: FUNDING THE MEDICARE FOR ALL PROGRAM.

(a) IN GENERAL.—The Medicare For All Program is to be funded as provided in subsection (c)(1).

(b) MEDICARE FOR ALL TRUST FUND.—There shall be established a Medicare For All Trust Fund in which funds provided under this section are deposited and from which expenditures under this Act are made.

(c) FUNDING.—

(1) IN GENERAL.—There are appropriated to the Medicare For All Trust Fund amounts sufficient to carry out this Act from the following sources:

(A) Existing sources of Federal Government revenues for health care.

(B) Increasing personal income taxes on the top 5 percent income earners.

(C) Instituting a modest and progressive excise tax on payroll and self-employment income.

(D) Instituting a modest tax on unearned income.

(E) Instituting a small tax on stock and bond transactions.

(2) SYSTEM SAVINGS AS A SOURCE OF FINANCING.—Funding otherwise required for the Program is reduced as a result of—

(A) vastly reducing paperwork;

(B) requiring a rational bulk procurement of medications under section 205(a); and

(C) improved access to preventive health care.

(3) ADDITIONAL ANNUAL APPROPRIATIONS TO MEDICARE FOR ALL PROGRAM.—Additional sums are authorized to be appropriated annually as needed to maintain maximum quality, efficiency, and access under the Program.

#### SEC. 212. APPROPRIATIONS FOR EXISTING PROGRAMS.

Notwithstanding any other provision of law, there are hereby transferred and appropriated to carry out this Act, amounts from the Treasury equivalent to the amounts the Secretary estimates would have been appropriated and expended for Federal public health care programs, including funds that would have been appropriated under the Medicare program under title XVIII of the Social Security Act, under the Medicaid program under title XIX of such Act, and under the Children's Health Insurance Program under title XXI of such Act.

### TITLE III—ADMINISTRATION

#### SEC. 301. PUBLIC ADMINISTRATION; APPOINTMENT OF DIRECTOR.

(a) IN GENERAL.—Except as otherwise specifically provided, this Act shall be administered by the Secretary through a Director appointed by the Secretary.

(b) LONG-TERM CARE.—The Director shall appoint a director for long-term care who shall be responsible for administration of this Act and ensuring the availability and accessibility of high quality long-term care services.

(c) MENTAL HEALTH.—The Director shall appoint a director for mental health who shall be responsible for administration of this Act and ensuring the availability and accessibility of high quality mental health services.

#### SEC. 302. OFFICE OF QUALITY CONTROL.

The Director shall appoint a director for an Office of Quality Control. Such director shall, after consultation with State and regional directors, provide annual recommendations to Congress, the President, the Secretary, and other Program officials on how to ensure the highest quality health

care service delivery. The director of the Office of Quality Control shall conduct an annual review on the adequacy of medically necessary services, and shall make recommendations of any proposed changes to the Congress, the President, the Secretary, and other Medicare For All Program officials.

#### SEC. 303. REGIONAL AND STATE ADMINISTRATION; EMPLOYMENT OF DISPLACED CLERICAL WORKERS.

(a) ESTABLISHMENT OF MEDICARE FOR ALL PROGRAM REGIONAL OFFICES.—The Secretary shall establish and maintain Medicare For All regional offices for the purpose of distributing funds to providers of care. Whenever possible, the Secretary should incorporate pre-existing Medicare infrastructure for this purpose.

(b) APPOINTMENT OF REGIONAL AND STATE DIRECTORS.—In each such regional office there shall be—

(1) one regional director appointed by the Director; and

(2) for each State in the region, a deputy director (in this Act referred to as a "State Director") appointed by the governor of that State.

(c) REGIONAL OFFICE DUTIES.—Regional offices of the Program shall be responsible for—

(1) coordinating funding to health care providers and physicians; and

(2) coordinating billing and reimbursements with physicians and health care providers through a State-based reimbursement system.

(d) STATE DIRECTOR'S DUTIES.—Each State Director shall be responsible for the following duties:

(1) Providing an annual State health care needs assessment report to the National Board of Universal Quality and Access, and the regional board, after a thorough examination of health needs, in consultation with public health officials, clinicians, patients, and patient advocates.

(2) Health planning, including oversight of the placement of new hospitals, clinics, and other health care delivery facilities.

(3) Health planning, including oversight of the purchase and placement of new health equipment to ensure timely access to care and to avoid duplication.

(4) Submitting global budgets to the regional director.

(5) Recommending changes in provider reimbursement or payment for delivery of health services in the State.

(6) Establishing a quality assurance mechanism in the State in order to minimize both under utilization and over utilization and to assure that all providers meet high quality standards.

(7) Reviewing program disbursements on a quarterly basis and recommending needed adjustments in fee schedules needed to achieve budgetary targets and assure adequate access to needed care.

(e) FIRST PRIORITY IN RETRAINING AND JOB PLACEMENT; 2 YEARS OF SALARY PARITY BENEFITS.—The Program shall provide that clerical, administrative, and billing personnel in insurance companies, doctors offices, hospitals, nursing facilities, and other facilities whose jobs are eliminated due to reduced administration—

(1) should have first priority in retraining and job placement in the new system; and

(2) shall be eligible to receive two years of Medicare For All employment transition benefits with each year's benefit equal to salary earned during the last 12 months of employment, but shall not exceed \$100,000 per year.

(f) **ESTABLISHMENT OF MEDICARE FOR ALL EMPLOYMENT TRANSITION FUND.**—The Secretary shall establish a trust fund from which expenditures shall be made to recipients of the benefits allocated in subsection (e).

(g) **ANNUAL APPROPRIATIONS TO MEDICARE FOR ALL EMPLOYMENT TRANSITION FUND.**—Sums are authorized to be appropriated annually as needed to fund the Medicare For All Employment Transition Benefits.

(h) **RETENTION OF RIGHT TO UNEMPLOYMENT BENEFITS.**—Nothing in this section shall be interpreted as a waiver of Medicare For All Employment Transition benefit recipients' right to receive Federal and State unemployment benefits.

#### **SEC. 304. CONFIDENTIAL ELECTRONIC PATIENT RECORD SYSTEM.**

(a) **IN GENERAL.**—The Secretary shall create a standardized, confidential electronic patient record system in accordance with laws and regulations to maintain accurate patient records and to simplify the billing process, thereby reducing medical errors and bureaucracy.

(b) **PATIENT OPTION.**—Notwithstanding that all billing shall be preformed electronically, patients shall have the option of keeping any portion of their medical records separate from their electronic medical record.

#### **SEC. 305. NATIONAL BOARD OF UNIVERSAL QUALITY AND ACCESS.**

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—There is established a National Board of Universal Quality and Access (in this section referred to as the "Board") consisting of 15 members appointed by the President, by and with the advice and consent of the Senate.

(2) **QUALIFICATIONS.**—The appointed members of the Board shall include at least one of each of the following:

(A) Health care professionals.

(B) Representatives of institutional providers of health care.

(C) Representatives of health care advocacy groups.

(D) Representatives of labor unions.

(E) Citizen patient advocates.

(3) **TERMS.**—Each member shall be appointed for a term of 6 years, except that the President shall stagger the terms of members initially appointed so that the term of no more than 3 members expires in any year.

(4) **PROHIBITION ON CONFLICTS OF INTEREST.**—No member of the Board shall have a financial conflict of interest with the duties before the Board.

(b) **DUTIES.**—

(1) **IN GENERAL.**—The Board shall meet at least twice per year and shall advise the Secretary and the Director on a regular basis to ensure quality, access, and affordability.

(2) **SPECIFIC ISSUES.**—The Board shall specifically address the following issues:

(A) Access to care.

(B) Quality improvement.

(C) Efficiency of administration.

(D) Adequacy of budget and funding.

(E) Appropriateness of reimbursement levels of physicians and other providers.

(F) Capital expenditure needs.

(G) Long-term care.

(H) Mental health and substance abuse services.

(I) Staffing levels and working conditions in health care delivery facilities.

(3) **ESTABLISHMENT OF UNIVERSAL, BEST QUALITY STANDARD OF CARE.**—The Board shall specifically establish a universal, best quality of standard of care with respect to—

(A) appropriate staffing levels;

(B) appropriate medical technology;

(C) design and scope of work in the health workplace;

(D) best practices; and

(E) salary level and working conditions of physicians, clinicians, nurses, other medical professionals, and appropriate support staff.

(4) **TWICE-A-YEAR REPORT.**—The Board shall report its recommendations twice each year to the Secretary, the Director, Congress, and the President.

(c) **COMPENSATION, ETC.**—The following provisions of section 1805 of the Social Security Act shall apply to the Board in the same manner as they apply to the Medicare Payment Assessment Commission (except that any reference to the Commission or the Comptroller General shall be treated as references to the Board and the Secretary, respectively):

(1) Subsection (c)(4) (relating to compensation of Board members).

(2) Subsection (c)(5) (relating to chairman and vice chairman).

(3) Subsection (c)(6) (relating to meetings).

(4) Subsection (d) (relating to director and staff; experts and consultants).

(5) Subsection (e) (relating to powers).

#### **TITLE IV—ADDITIONAL PROVISIONS**

##### **SEC. 401. TREATMENT OF VA AND IHS HEALTH PROGRAMS.**

(a) **VA HEALTH PROGRAMS.**—This Act provides for health programs of the Department of Veterans' Affairs to initially remain independent for the 10-year period that begins on the date of the establishment of the Medicare For All Program. After such 10-year period, the Congress shall reevaluate whether such programs shall remain independent or be integrated into the Medicare For All Program.

(b) **INDIAN HEALTH SERVICE PROGRAMS.**—This Act provides for health programs of the Indian Health Service to initially remain independent for the 5-year period that begins on the date of the establishment of the Medicare For All Program, after which such programs shall be integrated into the Medicare For All Program.

##### **SEC. 402. PUBLIC HEALTH AND PREVENTION.**

It is the intent of this Act that the Program at all times stress the importance of good public health through the prevention of diseases.

##### **SEC. 403. REDUCTION IN HEALTH DISPARITIES.**

It is the intent of this Act to reduce health disparities by race, ethnicity, income and geographic region, and to provide high quality, cost-effective, culturally appropriate care to all individuals regardless of race, ethnicity, sexual orientation, or language.

#### **TITLE V—EFFECTIVE DATE**

##### **SEC. 501. EFFECTIVE DATE.**

Except as otherwise specifically provided, this Act shall take effect on the first day of the first year that begins more than 1 year after the date of the enactment of this Act, and shall apply to items and services furnished on or after such date.

The **PRESIDING OFFICER.** The Democratic leader.

Mr. SCHUMER. Madam President, I rise this evening to announce the Democrats will offer no further amendments to the pending legislation until the Republican leader shows us what the final legislation will be.

Clearly, the Senate bill—repeal and replace—has failed. Senator PAUL's bill—repeal without replace—has also failed. We know the Republicans are not going to take a final vote on the

underlying House bill, which is still the pending legislation.

Now the Republican leadership team has been telling the press about a yet-to-be-disclosed final bill. If the reports are true, the Republicans will offer a skinny repeal plan.

We just heard from the nonpartisan Congressional Budget Office that under such a plan as reported in the press, 16 million Americans would lose their health insurance and millions more would pay a 20-percent—20-percent—increase in their premiums—at least 20 percent.

I thank Senator MURRAY and Senator WYDEN for working with CBO so that we could figure out what exactly is going on, if this skinny bill is the bill that is brought to the floor.

My Republican friends come to the floor every day to assail the problem of high premiums. If the reporting is accurate and skinny repeal is their plan, it makes premiums far higher than they are today. We don't know if skinny repeal is going to be their final bill, but if it is, the CBO says that it would cause costs to go up and millions to lose insurance.

In the meantime, Democrats are not going to continue to try and amend the House plan that is already dead. Certainly, we are not going to do that while there is some secret legislation—skinny repeal it is reported—waiting to emerge from the leader's office.

The Republican leader has said that this is a robust amendment process. No, it isn't—far from it. We don't even know what bill to direct our amendments to. Certainly, a process that bypassed the committees and public hearings was never an open and transparent process. There was never a robust amendment process to this bill, but now it has gotten even worse. Since the beginning of this debate, we have just been taking votes on amendments to a piece of dead legislation.

What kind of process is this? Anyone who listened, as we all did, so intently to Senator MCCAIN's wonderful speech yesterday and applauded the sentiment that he mentioned—getting back to regular order and proper procedure—anyone who listened to that speech would blush at this sham of an amendment process thus far. We don't even have a final bill to amend. The idea that this is a robust amendment process, I would say to my dear friend the leader, defies credulity. No one believes it. I bet not a single person on either side of the aisle believes it. So Democrats are not going to participate in this one-sided and broken process.

Once the majority leader shows his hand, reveals what his bill will actually be, Democrats will use the opportunity to try to amend the bill. But we have to see it first, and we ought to see it soon in broad daylight, not at the eleventh hour.

Until we see the real bill, Democrats will offer no further amendments.

Thank you, and I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, let me join the Democratic leader in expressing my dismay in what has been going on on the Senate floor with respect to healthcare.

For over 7 years, my colleagues on the other side of the aisle have been talking about how they intended to repeal the Affordable Care Act in order to replace it with something better and improve our healthcare system. President Trump has said time and again that he would provide better healthcare at a lower cost. He said that everyone would be covered. Yet we have seen no solutions from the other side that would accomplish these goals. We have been trying to work with Republicans, not just this year but for the last several years to improve our healthcare system. In fact, we worked with them to craft the Affordable Care Act in the first place, holding public hearings and meetings with both Democrats and Republicans around the table. The Affordable Care Act included well over 150 Republican amendments. Yet they refused to work with us on our final passage of the law and refused to work with us on the current law and healthcare ever since.

However, today we have seen a couple of glimpses of bipartisanship. First, the Senate voted last night, both Democrats and Republicans, to reject the TrumpCare bill that would have provided tax breaks to special interests while decimating Medicaid. I am glad the Senate has spoken on that issue and said that we do not support this effort. This afternoon, Democrats and Republicans voted to reject a bill that would have repealed the Affordable Care Act with no replacement. A majority of Senators voted to say that effort was unacceptable.

Now that we have taken those votes, Senators have had their say on what they think is the best path forward, and to me, these votes show that most Senators want to work in a bipartisan fashion to improve our healthcare system. I have heard many of my colleagues on the other side of the aisle say just that, as Senator MCCAIN said so eloquently yesterday.

I think, if my colleagues are willing to sit down and negotiate in good faith on legislation to improve our healthcare system and bring down costs, we could come up with a bill that would get the support of the majority of this body. My colleague Senator SHAHEEN, for example, introduced legislation to help stabilize the individual market, something I think most of us would agree is an important step forward in improving the Affordable Care Act. However, we are now hurdling toward a vote with absolutely no plan to improve the healthcare system. My Republican colleagues are scram-

bling to get enough votes just to pass anything at all.

Right now we are debating the bill, but what does that mean when we have not yet seen the bill we are eventually going to vote on? This is not a meaningful exercise with opportunities to amend and improve legislation. We are simply killing time so that the Republican leadership can unveil a new bill, if they are able to come up with one, that they can convince enough of their Members to support. Hours or minutes before final passage this could be sprung upon us, and we would then be forced to take a vote. That is not the way the legislative process should work.

What kind of message does this send to our constituents? This is an example of legislating at its worst.

This is why many Americans don't trust Washington to have their backs. We don't know what Republicans intend to pass at the end of this debate, but we do know that they intend to pass something that is harmful. The CBO score, which the Democratic leader suggested, based upon the reports of what is pending, suggests significant losses in coverage across the country and significant increases in the cost of healthcare insurance for Americans. Based on what we have seen so far, each proposal would send the healthcare market into a death spiral, impacting all of our constituents—not just the Medicaid recipients, not just those who are in the exchanges—and even private employers who provide insurance coverage for their workers would see increases.

As I mentioned earlier, the bill we voted on this afternoon would repeal the Affordable Care Act with no replacement. In that case, the non-partisan Congressional Budget Office said this would cause 32 million Americans to lose health insurance over the next decade, including 17 million next year alone, and health insurance markets would collapse.

As I indicated, fortunately, that failed, with both Democrats and Republicans voting against it, but it looks like Senate Republican leadership is still trying to cobble together yet another version, taking some of the worst elements of the repeal act. What is worse, there will be no opportunity to review the bill, no chance for CBO to analyze the bill and provide feedback, no opportunities for stakeholders, patients, and States to weigh in.

It is telling that the only path forward they have for their repeal effort is to pass a bill no one has literally read. The only chance they have to get support for their effort is to hide, essentially, the impact of the bill because on the merits it appears devastating to our constituents.

Nevertheless, as much as they try to hide this bill, the American people will find out. They will find out when they

get the bill for their health insurance. They will find out when they go to their doctor and discover the treatment they had last year that was covered under the Affordable Care Act is no longer covered. They will find out when the only insurance company in their State decides to leave. They will find out when their employer says: We are no longer providing healthcare to our employees. They will find out when they start a family and discover that maternity care is no longer covered and, if the child needs medical care early in life, the insurance company can say: No, thank you; we don't have to cover the child. There is a pre-existing condition.

Just last night I got a call from a woman in Charlestown, RI—Amy. She urged me to continue fighting to preserve the Affordable Care Act. She is a hairdresser and her husband is a commercial fisherman. Because they are both self-employed, they are not able to get coverage through work. They have been able to access care through our State's health insurance marketplace, HealthSource RI. As Amy said, she and her husband are hard-working, middle-income taxpayers, but they never have been able to afford coverage without the help of the Affordable Care Act. They would not have been able to do that. Amy recently got sick and had to be hospitalized. She has coverage because of ObamaCare. She was able to get the treatment she needed. Without coverage, she would have been left to pay a bill of \$78,000. Amy told me that she and her husband would have had to sell their house to afford that, and, probably even with that, they would have been left impoverished.

Is that really what my colleagues want for their constituents?

My constituents know what is at stake. I have heard from thousands and thousands of them throughout the year, urging me to keep fighting for healthcare, asking me to put an end to this repeal effort. However, Democrats cannot do this alone. We need more Republicans like some of my colleagues, Senator COLLINS and Senator MURKOWSKI, to come forward and say: Enough is enough. Even if you have problems with the current system, let's try to work together to solve the problems. We might not always agree, but we will try our best to come to a consensus. There is no harm in trying to come up with a bipartisan solution. It is not too late to reverse course and return to regular order, to start again, to start right, and to do it, as my colleague on the Armed Services Committee, Chairman MCCAIN, said, the good old fashioned way, with Senator ALEXANDER and Senator MURRAY on the HELP Committee and my colleagues on the Finance Committee working their way through, carefully and deliberately, listening, amending, moving forward legislation so that we

can come to this body not with a few minutes' notice but fully prepared to vote on something that is critical to every family in the country.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Thank you, Madam President.

Madam President, I rise this evening to speak in opposition to the Republican plan to dismantle our healthcare system. Their effort to repeal the Affordable Care Act and gut Medicaid would put the health, as well as the financial security of millions of Americans, at risk.

Let me tell you how this would affect Minnesotans such as Annie and her 5-year-old son Carter. Carter has autism spectrum disorder and relies on Medicaid to help cover necessary therapy services. When Carter was 2, he did not talk, make eye contact, or interact with anyone. But now, because of the treatment he receives under Medicaid, Carter speaks full sentences and is entering kindergarten. Annie explains how none of that would be possible without Medicaid. If Republicans succeed in imposing drastic cuts to Medicaid, which is what they want to do, and States are forced to cut back services, Annie and her family would not be able to afford the therapy that Carter needs to thrive.

Think about that. Think about what that does to one life. Think about the other millions that would be affected in such a negative, tragic way.

There is also Mari and Chrysann, both from Moorhead, MN. Moorhead is in northwestern Minnesota, right across the river from Fargo. Mari took care of her aging mother in her home as long as she could, but when Chrysann's health began to decline, Mari helped her mom move to a nursing home where she could access the higher level of care she needed.

Mari and her husband work full time and still have children at home. I visited the nursing home where Mari spoke, and she got emotional when she told me that if it were not for Medicaid, her family would not have any other way to pay for her mother's care. She does not know how she would care for her mom or what would happen to her.

Chrysann, Mari's mom, is worried too. She spoke at this roundtable at the nursing home. She is worried about how the Republican plan will affect her own future and those of others who are in similar situations in nursing homes. Sixty-four percent of Americans in nursing homes have their care paid for by Medicaid. Chrysann told me this plan is not about taking care of people but simply about "survival of the fittest."

Is that really the healthcare system we support in the United States of America—the survival of the fittest?

How about Chuck? Chuck is the CEO of Perham Health. It is a rural hospital that is doing really innovative work in Northwest Minnesota. It is kind of central, north. It is in rural Minnesota, not unlike the rural areas in the Presiding Officer's State.

Chuck told me: "Cutting Medicaid as drastically as they are proposing will force us to cut staff in areas that are actually saving the system money today."

These cuts would affect nurses who run the hospital's medical homes, community paramedics, and other staff who are helping to keep people out of the Emergency Department, reduce readmissions, and keep people healthy overall. This is part of the innovation they are doing there. This is part of the innovation that Minnesota leads the Nation in.

Perham Health is one of the largest employers in town so taking away jobs does not just impact the patients and the hospital, it affects the community and rural economy. Cutting jobs and getting rid of successful reforms just does not make sense, and this would be repeated over and over and over again in rural America.

Again, the question is, Why are Republicans pursuing such a reckless and irresponsible strategy?

All of the bills they have proposed thus far will increase patient costs, including premiums and out-of-pocket costs, will increase the number of uninsured Americans, and will rip apart our healthcare safety net. These are not the changes Americans want. In fact, this is the opposite of what Americans want and are asking for.

Now, over the last day, we have heard a lot more about another path Republicans may pursue—a scaled-back plan that eliminates a handful of the ACA provisions, including the employer mandate and individual mandate. While these two changes may be politically expedient, they would, according to the Congressional Budget Office, drive up premiums and cause millions of Americans to become uninsured.

What is more, as the New York Times points out, this plan does nothing to address the criticisms Leader McConnell, President Trump, and their allies continue to lodge against the Affordable Care Act. For example, this approach does nothing to improve competition and choice in the individual market and, in fact, injects far more uncertainty into individual health insurance markets, which are already rattled by the administration's deliberate efforts to sabotage them.

Should this plan pass the Senate, it will surely get much worse when the differences between the plan and the House bill are reconciled in the conference committee. According to news reports, a number of my Republican colleagues are arguing that passing this scaled-back version of repeal is

really just a means to get to conference, where Members can further negotiate the House and Senate repeal and replace bills. In fact, some are even suggesting that the provisions in the House-passed bill would be a guidepost for negotiations.

I think all of us remember how awful, far-reaching, and—according to President Trump—mean the House-passed bill is. What is more, we can see the worst provisions of the Better Care Reconciliation Act resurface in the conference committee, which is the Senate repeal and replace bill that was defeated on a bipartisan basis.

Overall, pursuing this path is dangerous, given the tremendous number of unknowns. Not only would this half-baked—that is being generous—quarter-baked, scaled-back version of the ACA repeal destabilize health insurance markets, but it would also serve as a vehicle for Republicans to take up the most controversial measures included in the defeated BCRA and the House-passed bill.

Why on Earth would we support that?

Frankly, it is also delusional to believe that a small group of House and Senate leaders can craft a workable solution in a matter of days or weeks. They have had 7 years to come up with an alternative. They do not have one so how can we expect them to, all of a sudden, come up with a viable plan that affects one-sixth of our economy?

Look, this whole process has been and continues to be irresponsible. In fact, this is one of the most irresponsible policymaking processes I have seen in my time in the U.S. Senate. What we should do is just what Senator McCain called for in his speech yesterday, which is to pursue regular order, work together—Republicans and Democrats—and seek out compromise. If we reject this wrongheaded effort, then I and many of my colleagues are ready and committed to work in a bipartisan way on reforms that will expand coverage, lower costs, and improve care.

Let's have bipartisan hearings on the individual market, on drug prices, and more. Let's call in nonpartisan expert witnesses. Let's have meaningful committee and floor debates. Let's fix what needs fixing in the Affordable Care Act. Annie, Carter, Mari, Chrysann, Chuck, and millions of other Americans need us to do just that.

To my colleagues on the other side of the aisle, please, stand up to the bullying, stand up to the lies, and work with us to improve people's lives, not make them worse. Paul Wellstone said that politics is not about winning, that it is not about power, that it is not about money. Politics is about working to improve people's lives, and that is what we should be doing. You owe it to your constituents. You owe it to yourselves.

Thank you.

I yield the floor.



The PRESIDING OFFICER. The Senator from Rhode Island.

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, something else happened this afternoon in Washington that I wish to relate today on the floor, which is that the American Enterprise Institute hosted the launch of Senator SCHATZ's and my American Opportunity Carbon Fee Act. I am delighted the American Enterprise Institute did that. Their conservative credentials are rock solid, but they do not fear debate, and they were extraordinarily helpful and open-minded in allowing us to make the announcement and in hosting a discussion on the bill that followed.

Virtually every person on the Republican side who has thought the climate change problem through to a solution has come to the same place—a revenue-neutral, border-adjustable price on carbon. That means that all of the revenues are returned to the American people.

Former Treasury Secretaries Baker, Shultz, and Paulson—all Republicans—former EPA Administrators Ruckelshaus, Thomas, Reilly, and Whitman—all Republicans—and leading economists and former Presidential economic advisers Arthur Laffer, Gregory Mankiw, and Douglas Holtz-Eakin—all Republicans—along with many others, support a revenue-neutral, border-adjustable carbon fee. Well, that is what we do.

You all know the phrase “offering an olive branch.” Former Republican Congressman Bob Inglis described our proposal as an olive limb, not a branch, when pairing a carbon tax with corporate tax reduction. He said it provides what he called “an opportunity for conservatives to show how free enterprise can solve climate change.”

When I first came to the Senate in 2007, this place was humming with bipartisan action on climate change for years—but, in 2010, a dead stop. The Republican Party disappeared from the field after the fossil fuel industry secured from five Justices on the Supreme Court the infamous *Citizens United* decision. The fossil fuel industry, as if it saw the decision coming, immediately launched a veritable Soviet May Day parade of political artillery and rocketry. No special interest had that kind of political muscle before *Citizens United*. The combination of this industry political weaponry, plus the proliferation of dark money, plus the shady science simulacrum of climate denial has been formidable.

Despite this, there is room for optimism. There are Republicans who are willing to work with us. They just need some prospect of safe passage through the political kill zone that the fossil fuel industry has created.

Over 1,000 American companies have voiced their support for the Paris climate agreement, including corporate

powerhouses like Walmart, Goldman Sachs, PepsiCo, and Google. If American companies were to mobilize in Congress just like they did for the Paris Agreement, that would be a game-changer.

But notwithstanding all of that corporate support, the big business trade associations and lobbying groups have lined up against action on climate change. The so-called U.S. Chamber of Commerce—probably more accurately described as the U.S. chamber of carbon—is one of climate action's most implacable enemies, despite the good climate policies of so many of its member companies. How is it representing its members? It is incredible.

The American Petroleum Institute represents Shell, BP, Total, and Exxon—companies that claim to support the Paris Agreement and the Climate Leadership Council's carbon fee proposal—but API opposes anything getting done.

We all know here that corporate America commands extraordinary attention in our political system. If American corporations aligned their political engagement on climate change with their actual position on climate change, which should not be asking too much of them, we could get going.

So, in a spirit of hopefulness, Senator SCHATZ and I reintroduced at the American Enterprise Institute our American Opportunity Carbon Fee Act, a framework that I hope both Republicans and Democrats can embrace. The bill would establish an economy-wide carbon fee on carbon dioxide and other greenhouse gas emissions. The fee would be assessed where it is easiest to administer, minimizing the compliance burden. Other greenhouse gases would be tied to their carbon dioxide equivalency with a bumper for fluorocarbons to account for their high greenhouse gas potency. Sequestering, utilizing, or encapsulating carbon dioxide emissions would earn you a credit. The market would begin to work in this space.

Our bill sets the 2018 fee per ton of carbon emitted at \$49—the central range of the social cost of carbon last estimated by the Office of Management and Budget. That fee would increase each year at a real 2 percent until emissions fall 80 percent below 2005 levels, and then it would follow inflation.

Border adjustments for energy-intensive goods traded with countries that have weaker or no carbon pricing will make sure that we protect our industries at home. We took care to design the border adjustments in harmony with World Trade Organization rules.

This carbon fee would produce meaningful reductions in carbon emissions. The nonpartisan Resources for the Future projects a 36-percent drop by 2025, compared to the benchmark year of 2005, exceeding the U.S.-Paris Agreement commitment significantly.

In addition to the environmental value, of course, a carbon fee also generates revenue—in this case, nearly \$2.1 trillion in revenue over 10 years. Our plan would return every dime of that to the American people. Here is how.

First, the bill lowers the top corporate income tax rate from 35 percent to 29 percent—a longstanding goal of Republicans. This would cut American corporate taxes by almost \$600 billion over the first decade.

Second, it provides workers with a \$550 refundable tax credit—\$1,100 for a couple—against payroll taxes. The tax credits, which would grow with inflation, would return almost \$900 billion to the pocketbooks of American households over the first 10 years.

Third, it would provide a matching benefit to Social Security beneficiaries, veterans program beneficiaries, and certain other retirees. These benefits would total nearly \$500 billion over 10 years.

Finally, the bill would establish a block grant program, delivering the remaining funds to our States—over \$100 billion to help workers in coal country, for instance, or provide coastal protection for seaside States facing terrible threats of sea level rise, at the discretion of the State, to meet local needs and concerns.

I understand the suffering in coal country. Coal country will continue to decline as natural gas drives coal out of the energy market. There is now no mechanism to remedy that inevitability.

Remember Huey Long's old slogan, “Every Man a King”? With a carbon fee, we could make every miner a king—a solid pension, retirement at any time, full health benefits for life, a cash bonus based on years worked, a voucher for a new vehicle, a college plan for their kids. These things become doable with carbon fee revenues.

It is not the miners' fault that the coal industry has collapsed. They worked hard. They did dangerous work. It is a rigorous occupation to be a coal miner, and they are entitled to respect. Give them their dignity. Make them kings. With a small fraction of the revenue from a carbon fee, we could assure every single coal miner a lifetime of comfort, security, and financial stability.

Senator SCHATZ and I extend an open hand, an olive branch. Give Senator SCHATZ and me a Republican to negotiate with. That shouldn't be too much to ask. Then let's talk about the economics. Let's talk about where the revenue should go. And because I know it is a part of the Baker-Schultz-Paulson proposal, let's talk about where we can get fact-based, scientifically rigorous analytics of which regulations might become unnecessary or duplicative of a carbon fee's emission reductions.

Let's restart the bipartisan conversation we had going until 2010.



Let me close with an appeal to our patriotic sense. America holds herself out as an exemplary nation, a "City on a Hill." The tactics of climate denial and political menace the fossil fuel industry has deployed around here have degraded our city.

There is a remorseless functioning of the laws of physics, of chemistry, and of biology. Deny them all you want, but time will tell. And even now, everyone, from our Secretary of Defense to every single Senator's home State, State university, understands that climate change is real and urgent, is teaching the science of climate change in those universities, and is warning of the dire consequences.

When the Presiding Officer left the Environment and Public Works Committee the other day, I was talking about the Leopold Center at Iowa State University and the powerful language in which they describe the present effects on agriculture of climate change and the danger of disruption to the fundamental systems of the planet. That is the home State universities telling us what the facts are.

So one day there will be a reckoning, and the longer our American democracy lies incapacitated at the hands of the fossil fuel industry, the worse the outcome will be, and the worse the outcome, the greater the harm to the country we love that holds its example up to the world.

We are all extremely fond of JOHN MCCAIN. JOHN MCCAIN returned to the Senate yesterday and called our country "the strong, inspiring, inspirational beacon of liberty and defender of dignity of all human beings." Some beacon, if we continue to get this wrong because of what one industry did to our politics, using political menace, dark money, and fake science.

America deserves better than what we are doing in this Chamber on this issue.

I thank the Presiding Officer.

I yield the floor.

Mr. TESTER. Madam President, I intend to offer the following motion to H.R. 1628 and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators KING, HEINRICH, BALDWIN, BENNET, BROWN, CANTWELL, CARPER, COONS, DONNELLY, FEINSTEIN, FRANKEN, HARRIS, HEITKAMP, KLOBUCHAR, LEAHY, MANCHIN, MCCASKILL, SHAHEEN, STABENOW, UDALL, VAN HOLLEN, and WARREN.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Tester moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would force the closure of rural hospitals or otherwise

reduce access to affordable health care in rural areas.

Ms. KLOBUCHAR. Madam President, I ask unanimous consent that the text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Klobuchar moves to commit the bill H.R. 1628 to the Committee on Finance of the Senate with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) provide a tax credit equal to 25 percent of the premiums for health insurance paid during the taxable year for individuals who—

(A) do not qualify for the credit under section 36B of the Internal Revenue Code of 1986;

(B) are not enrolled in or eligible for Medicaid coverage; and

(C) in the case of individuals residing in a State that has not expanded Medicaid as provided under the Patient Protection and Affordable Care Act, would not be eligible for Medicaid coverage even if the State did so expand Medicaid.

Mr. KING. Madam President, I intend to move, with the support of Senator BLUMENTHAL, that H.R. 1628 be committed to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days with changes that will direct the Secretary of Health and Human Services to establish 10 pilot projects in 10 States that have experienced high rates of opioid substance use disorder and neonatal abstinence syndrome to further research the efficacy of early intervention and case management model of care for mothers and babies. Success to be evaluated by determining the rate of child protective services intervention, foster care for minor children and successful long term recovery. At least five projects are required to be granted for projects focused primarily on rural populations.

I ask unanimous consent that the text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. King moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) direct the Secretary of Health and Human Services to establish 10 pilot projects in 10 States that have experienced high rates of opioid substance use disorder and neonatal abstinence syndrome (including 5 such projects focused primarily on rural populations) to further research the efficacy of early intervention and case management model of care for mothers and babies, and provide that the success of such projects shall be evaluated by determining the rate of

foster care for minor children and successful long term recovery.

Ms. DUCKWORTH. Madam President, I ask unanimous consent that the text of my motions to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Duckworth moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) would eliminate any provision that would result in a reduction in funding for the Ryan White HIV/AIDS Program of the Health Resources and Services Administration.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Duckworth moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) would eliminate any provision that would result in a decrease in health care for patients who receive employer-sponsored health insurance coverage.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Duckworth moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) strike provisions in the bill that would result in a decrease in care for any veteran who depends on orthotics, prosthetics, and complex rehabilitation technology.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Duckworth moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) strike provisions in the bill that would result in a decrease in care for any individual who depends on orthotics, prosthetics, and complex rehabilitation technology.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Duckworth moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) would eliminate any provision that would result in increased epinephrine prices for patients.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Duckworth moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) would eliminate any provision that would result in increased insulin prices for patients.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Duckworth moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) would eliminate any provision that would result in an increase in the price of naloxone, a medication designed to rapidly reverse opioid overdose.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Duckworth moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that no veteran or former service member of the United States Armed Forces will lose access to mental health care services currently funded in any part through Medicaid.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Duckworth moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) revise the bill in a manner that prevents any veteran or former member of the Armed Forces from losing access to nursing home care funded through Medicaid.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Duckworth moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) revise the bill in a manner that prevents any veteran or former member of the Armed Forces from losing access to spinal cord injury services, prosthetics or sensory aid services, or other specialty services due to changes in Medicaid or other programs.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Duckworth moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) maintain all lactation standards that were established under the Patient Protection and Affordable Care Act (Public Law 111-148).

Mr. DONNELLY. Madam President, I intend to offer the following motion to H.R. 1628 and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators CASEY, CANTWELL, BLUMENTHAL, LEAHY, BROWN, HARRIS, HASSAN, FRANKEN, FEINSTEIN, UDALL, SHAHEEN,

CARPER, COONS, WHITEHOUSE, KAINE, VAN HOLLEN, CORTEZ MASTO, BALDWIN, MENENDEZ, REED, DUCKWORTH, MANCHIN, MARKEY, STABENOW, DURBIN, WYDEN, MURPHY, WARREN, GILLIBRAND, CARDIN, KLOBUCHAR, HEINRICH, HIRONO, BOOKER, PETERS, and NELSON.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Donnelly moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) strike provisions that will—  
(A) reduce or eliminate benefits or coverage for individuals who are currently eligible for Medicaid;

(B) prevent or discourage a State from expanding its Medicaid program to include groups of individuals or types of services that are optional under current law; or

(C) shift costs to States to cover this care.

Mr. WARNER. Madam President, I intend to offer the following motion to H.R. 1628 and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators STABENOW, BALDWIN, KAINE, COONS, KING, CARPER, NELSON, and PETERS.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Warner moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee;

(2) eliminates the harm that would be caused by the termination of the Medicaid expansion; and

(3) ensures that every State that expands Medicaid coverage can receive the full enhanced Federal medical assistance percentage available as if they expanded in 2014, regardless of when they expand Medicaid.

Mr. WARNER. Madam President, I intend to offer the following motions to H.R. 1628 and I ask unanimous consent that they be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Warner moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee;

(2) eliminates the harm that would be caused by the Medicaid per capita caps; and

(3) ensure that any changes to Medicaid made in the bill do not adversely impact the ability of school districts to comply with the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Warner moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that nothing in the bill impacts the ability of local educational agencies with an urban-centric district locale code of 32, 33, 41, 42, or 43 to meet the health care needs of their students and staff.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Warner moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that individuals with employer-sponsored health insurance coverage will not lose comprehensive coverage on account of the amendments to the waiver program under section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052).

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Warner moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee;

(2) strike subsection (c)(1) of section 102 (relating to affordability of employer-sponsored coverage); and

(3) offsets any increased spending that results from such changes.

Mr. NELSON. Madam President, I intend to offer the following motion to commit on older Americans to H.R. 1628 and I ask that it be printed in the RECORD. The motion is supported by Senators CASEY, LEAHY, BROWN, HARRIS, FEINSTEIN, HIRONO, BLUMENTHAL, WHITEHOUSE, BALDWIN, FRANKEN, CARPER, VAN HOLLEN, MENENDEZ, COONS, UDALL, REED, MANCHIN, WARREN, STABENOW, DURBIN, CARDIN, KING, KLOBUCHAR, and WARNER.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Nelson moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that harm older Americans by increasing their premiums, cutting Federal Medicaid funding that supports those in nursing homes, or weakening Medicare.

Mr. UDALL. Madam President, I intend to offer the following motions to H.R. 1628 and I ask unanimous consent that they be printed in the RECORD.

I ask that the RECORD reflect the support of Senator HEINRICH.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Udall moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes to ensure that the bill does not limit the ability of State Medicaid programs to continue to make medical assistance available to low-income adults under the eligibility options under clause (i)(VIII) or clause (ii)(XX) of section 1902(a)(10)(A) of the Social Security Act, and does not reduce Federal payments to States for providing such assistance.

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Udall moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) ensure that no provision of the bill reduces access to substance abuse and mental health services.

Mr. UDALL. Madam President, I intend to offer the following motions to H.R. 1628 and I ask unanimous consent that they be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Udall moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes to exempt any State with an unemployment rate of 4 percent or higher from any provision that would reduce or limit Federal payments to the State for spending on the State Medicaid program, including any provision that would impose a per capita cap on such payments.

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Udall moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, after having held a hearing to assess the impact of the bill on Medicaid, as the Congressional Budget Office has not prepared a statement of the costs which would be incurred in carrying out the bill and the effect on revenue of the bill.

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Udall moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) ensure that States that have a 4 percent or higher unemployment rate cannot implement work requirements to determine Medicaid eligibility.

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Udall moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes to ensure that qualified health plans offered through the Consumer Operated and Oriented Plan (CO-OP) program are treated

in the same manner as other qualified health plans under the State waiver program under section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052).

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Udall moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) ensure that no provision adversely impacts Medicaid coverage or services for children age 18 or younger.

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Udall moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such Committee; and
- (2) would ensure that no provision eliminates or reduces funding for public health programs.

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Udall moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) ensure that no provision of the bill eliminates or reduces access to pediatric dental coverage.

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Udall moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) ensure that medically underserved areas with limited providers are not subject to any reductions in Federal Medicaid funding.

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Udall moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) ensure that no State may use funds described in section 1332(a)(3) of the Patient Protection and Affordable Care Act for purposes unrelated to the public health.

Mr. CASEY. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators STABENOW, DUCKWORTH, HASSAN, VAN HOLLEN, MURRAY, BROWN, BLUMENTHAL, CARPER, DURBIN, KAINE, BALDWIN, WYDEN, MARKEY, MURPHY, HARRIS, CARDIN, WARREN, HIRONO, REED, and NELSON.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Casey moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the American Health Care Act of 2017 that would harm individuals with disabilities as defined in the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) by reducing their access to affordable health care or limiting coverage or benefits under Medicaid or in the private health insurance market.

Ms. Duckworth. Madam President, I ask unanimous consent that the text of this motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Duckworth moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) strike any provision in the bill that results in a decrease in maternal care for new mothers, including pre-natal care, delivery, and post-natal care.

Ms. WARREN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators MARKEY, CARPER, DURBIN, STABENOW, HIRANO, VAN HOLLEN, and BROWN.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) ensure that no provision of the bill would increase costs for community health centers, including by increasing the number of uninsured individuals or by reducing Federal funding of the Medicaid program that helps provide coverage for many patients receiving care at community health centers.

Mr. KING. Madam President, I intend to move, with the support of Senator BLUMENTHAL, that H.R. 1628 be committed to the Committee on Finance with instructions to report the same back to the Senate in 3 days with changes that will require tax rebates to individuals who, through no fault of their own, received lump-sum Social Security disability insurance settlements which resulted in loss of advance premium tax credits for that year and not include as income retirement and savings drawdowns used to pay medical bills.

I ask unanimous consent that this statement be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. King moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) require—

(A) tax rebates to individuals who, through no fault of their own, received lump sum social security disability insurance settlements which were calculated in the year they were received and disqualified the individuals from receiving advanced premium tax credits in that year; and

(B) that income drawn from retirement and savings accounts utilized to pay medical bills not be counted as income for purposes of the premium tax credit.

Mr. WHITEHOUSE. Madam President, I intend to file the following motion to H.R. 1628 and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators BROWN, FRANKEN, VAN HOLLEN, CARDIN, and FEINSTEIN.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Whitehouse moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) establish a public health insurance option.

Ms. WARREN. Madam President, I intend to offer the following motions to H.R. 1628, and I ask unanimous consent that they be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that will lead to an increased likelihood of bankruptcies for American families, including provisions that would allow insurers to impose annual or lifetime limits on insurance benefits or that would eliminate insurance coverage.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that reduce funding for special education programs, including provisions that break President Trump's promise not to cut Medicaid.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with in-

structions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that harm individuals with Alzheimer's disease by increasing their premiums or cutting Federal Medicaid funding that supports those in nursing homes.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that harm babies born prematurely by cutting Federal Medicaid funding that supports medications, special equipment, and therapies to help these babies thrive and protect their family from bankruptcy.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that reduce coverage for prescription drug benefits, lead to increased out-of-pocket prescription drug costs, or allow States to apply for waivers to drop prescription drug coverage from the list of essential health benefits.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that make it harder for a person with breast cancer to access health care.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that make it harder for a person with cervical cancer to access health care.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that make it harder for a victim of human trafficking to access health care.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to re-

port the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that make it harder for a pregnant woman to access health care.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that make it harder for a victim of sexual violence to access health care.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for children with a rare disease.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for foster children.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for people with a disability.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for people living in a nursing home.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for people receiving home and community based services.



## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for people receiving long term services and supports.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for people seeking treatment for opioid addiction.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for people with any substance use disorder.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for people seeking mental health care.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for people with brain cancer.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for people receiving chemotherapy or radiation treatment.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for people living in a rural area.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for veterans.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for people over the age of 50.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for people with ALS.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for people with multiple sclerosis.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for people with diabetes.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for people receiving Social Security benefits, including SSI and SSDI.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with in-

structions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for people with heart disease.

## MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Warren moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health insurance unaffordable for people with prostate cancer.

Mr. HEINRICH. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Heinrich moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that would ensure that the bill would not result in a decrease in the number of children enrolled in Medicaid, or the Children's Health Insurance Program.

Mr. HEINRICH. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Heinrich moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that would ensure that the bill would not result in an increase in the rate of uninsured individuals in rural areas, a decrease in Medicaid enrollment or a reduction in the scope of Medicaid benefits offered in rural areas, reduced wages or a shortage of employment opportunities in the health care profession for prospective employees and previously insured individuals living in rural areas, or a decrease in revenue or Federal funds available to rural health care providers, including hospitals, clinics, and community health centers.

Mr. CARDIN. Madam President, I intend to offer a motion to commit the reconciliation bill to the Finance Committee with instructions to report the bill back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes eliminating provisions that would weaken access to essential health benefits, reduce access to affordable preventive services, and undermine the prohibition of annual and lifetime limits and caps on out-of-pocket expenditures for health insurance plans.

I am offering this motion because the reconciliation bill affects tens of millions of Americans who gained health coverage under the Patient Protection and Affordable Care Act, ACA. The reconciliation bill allows insurers to eliminate coverage of essential health benefits. Insurance companies could exclude essential benefits like maternity care, substance use disorder treatment, mental healthcare, prescription drugs, and hospitalization—the very services people buy insurance to obtain. Before the ACA, one-third of individual market health plans did not cover substance use disorder services, nearly one-fifth of those plans did not cover mental health, and only nine States required all insurers on the individual market to cover maternity care.

Allowing States to waive essential health benefits would also allow insurance companies to reinstate annual and lifetime caps. This means that a premature baby could exceed its lifetime limit within its first few months of life or that a cancer patient could hit an annual cap just a couple of months into treatment.

Before the ACA, too many people and families were hurt physically and financially because they could not afford access to healthcare. They didn't get the tests they needed. Perhaps they did not catch a preventable disease early enough—so the treatment costs skyrocketed. We saw too many families go through bankruptcy because they could not afford the healthcare that they needed. We saw too many people literally cutting their prescription pills in half, hoping to stretch out their medicine because they could not afford more, even though they knew they were compromising their health. We cannot go back to this cruel, dreadful situation.

The following Senators support my motion to commit: Senators CARPER, BROWN, BLUMENTHAL, WARREN, NELSON, VAN HOLLEN, DUCKWORTH, and STABENOW. I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Cardin moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions in the bill that would weaken access to essential health benefits, reduce access to affordable preventive services, and undermine the prohibition of annual and lifetime limits and caps on out-of-pocket expenditures for health insurance plans.

Mr. CARDIN. Madam President, I intend to offer a motion to commit the reconciliation bill to the Senate

Health, Education, Labor & Pensions, HELP, Committee with instructions to report the bill back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes that would eliminate provisions in the bill that would increase health disparities among certain populations, including disparities on the basis of race and ethnicity, socioeconomic status, gender, religion, disability status, geographic location, and sexual identity and orientation.

I am offering this motion because communities of color and disenfranchised communities have faced significant barriers to accessing affordable health coverage, and these barriers have contributed to health disparities, which are evident in higher rates of diabetes, heart disease, hepatitis B, HIV/AIDS and infant mortality, among other conditions. The Patient Protection and Affordable Care Act's vital coverage reforms, which include Medicaid expansion, cost sharing reductions, eliminating annual and lifetime limits, and creating coverage options for individuals with preexisting conditions, has led to sharp declines in the uninsured rates for minorities and low-income populations. With the implementation of the major ACA coverage provisions in 2014, the uninsured rate dropped dramatically and continued to fall in 2015. In 2015, the non-elderly uninsured rate was 10.5 percent, the lowest rate in decades, with the most dramatic changes seen among low-income Latino Americans, African Americans, and Asian Americans.

Minorities now make up more than 35 percent of the American population, and that number is expected to rise in the future. Every community across this great Nation deserves optimal health. A person's ethnic or racial background should never determine the length or quality of his or her life. We must work to bridge health equity across communities, ensure that all Americans have access to affordable, high-quality healthcare, and continue our efforts to eliminate health disparities.

The following Senators support my motion to commit: Senators BOOKER, HIRONO, BROWN, CARPER, STABENOW, MARKEY, BLUMENTHAL, VAN HOLLEN, and NELSON. I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Cardin moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminates provisions of the bill that would increase health disparities among cer-

tain populations, including disparities on the basis of race and ethnicity, socioeconomic status, gender, religion, disability status, geographic location, and sexual identity and orientation.

Ms. BALDWIN. Madam President, I intend to offer the following motion to commit H.R. 1628 with instructions, on behalf of myself and Senator HIRONO, to the Committee on Health, Education, Labor, and Pensions to eliminate provisions that threaten to make healthcare unaffordable for those with preexisting conditions. I ask unanimous consent that it be printed in the RECORD.

The motion is supported by Senators BLUMENTHAL, DURBIN, STABENOW, FEINSTEIN, LEAHY, BROWN, HARRIS, FRANKEN, CARPER, COONS, UDALL, SHAHEEN, VAN HOLLEN, MENENDEZ, REED, MANCHIN, CARDIN, MURPHY, DUCKWORTH, WARREN, WYDEN, WHITEHOUSE, HEINRICH, WARNER, KLOBUCHAR, NELSON, BENNET, MARKEY, BOOKER, and KING.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Baldwin moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make health care unaffordable for those with pre-existing conditions.

Mrs. MCCASKILL. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senator DONNELLY.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mrs. McCaskill moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with—

(1) changes that are within the jurisdiction of such committee and are comparable to the amendment described in paragraph (2); or

(2) the following amendment: At the appropriate place, insert the following:

#### SEC. \_\_\_\_ ACCESS TO COVERAGE FOR INDIVIDUALS IN AREAS WITHOUT ANY AVAILABLE EXCHANGE PLANS.

Part 2 of subtitle D of title I of the Patient Protection and Affordable Care Act (42 U.S.C. 18031 et seq.) is amended by adding at the end the following:

#### “SEC. 1314. ACCESS TO COVERAGE FOR INDIVIDUALS IN AREAS WITHOUT ANY AVAILABLE EXCHANGE PLANS.

“(a) IN GENERAL.—

“(1) COVERAGE THROUGH DC SHOP EXCHANGE.—Not later than 3 months after the date of enactment of this section, the Secretary, in consultation with the Secretary of the Treasury and the Director of the Office of Personnel Management, shall establish a mechanism to ensure that, for any plan year



beginning on or after the date described in subsection (c), any individual described in paragraph (2) may enroll in health insurance coverage in the small group market through the Exchange operating in the District of Columbia, including the health insurance coverage that is available to Members of Congress and congressional staff (as defined in section 1312(d)(3)(D)).

“(2) INDIVIDUAL DESCRIBED.—An individual described in this paragraph is any individual who—

“(A) is eligible to purchase health insurance coverage through the Exchange operating in the State of residence of the individual; and

“(B) resides in a rating area or county in which the Secretary certifies that no qualified health plan is offered through an Exchange established under this title.

“(b) PREMIUM ASSISTANCE TAX CREDITS AND COST-SHARING.—Any individual described in subsection (a)(2) who enrolls in health insurance coverage through the Exchange operating in the District of Columbia pursuant to subsection (a)(1) shall be eligible for any premium tax credit under section 36B of the Internal Revenue Code of 1986, or reduced cost-sharing under section 1402, that the individual would otherwise be eligible for if enrolling in health insurance coverage in the individual market through the Exchange operating in the State of the individual.

“(c) DATE DESCRIBED.—The date described in this subsection is the date on which the Secretary establishes the mechanism under subsection (a)(1).”

Mr. NELSON. Madam President, I intend to offer the following motion to commit about children with a Zika-related condition to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Nelson moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee;

(2) ensure that no children who are born with or develop a Zika-related condition will lose their existing health insurance coverage whether obtained through an Exchange or Medicaid.

Mr. CARDIN. Madam President, I intend to offer a motion to commit the reconciliation bill to the Finance Committee with instructions to report the bill back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes that would eliminate provisions that hand out tax breaks to large corporations and the most affluent Americans while the bill makes cuts to Medicaid, which serves millions of our most needy Americans, including the elderly poor and poor children.

I am offering this motion because the Finance Committee should review the implications of depriving millions of Americans, including children, veterans, individuals with disabilities, and older people, of their health insurance

while at the same time providing large tax breaks to the richest Americans and biggest corporations. H.R. 1628 off-sets those tax breaks by voraciously cutting the Medicaid Program. Republicans are using the Medicaid Program as a pay-for for these large tax breaks. As a result, the Republican bill harms far more people than it will help. Former President John F. Kennedy said, “To govern is to choose.” The Republicans have made a cruel choice, and I object to it.

The following Senators support my motion to commit: Senators HARRIS, VAN HOLLEN, CASEY, UDALL, COONS, MARKEY, BOOKER, and LEAHY. I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Cardin moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that hand out tax breaks to large corporations and high-income taxpayers in connection with a bill that makes cuts to Medicaid.

Mr. KING. Madam President, I intend to move, with the support of Mr. BLUMENTHAL and Mrs. SHAHEEN, that H.R. 1628 be committed to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that preserve, maintain, sustain, and expand the Prevention and Public Health Fund established under section 4002 of the Patient Protection and Affordable Care Act, 42 USC 300u-11.

I request unanimous consent that this motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. King moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) preserve, maintain, sustain, and expand the Prevention and Public Health Fund established under section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u-11).

Mr. KING. Madam President, I intend to move, with the support of Mr. BLUMENTHAL and Mrs. SHAHEEN, that H.R. 1628 be committed to the Committee on Health, Education, Labor, and Pensions with instructions to re-

port the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that will support the preservation, maintenance, sustenance, and expansion of the National Health Service Corps and public health nursing programs by preserving such programs and their funding.

I request unanimous consent that this motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. King moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) support the preservation, maintenance, sustenance, and expansion of the National Health Service Corps programs and public health nursing programs by preserving such programs and their funding.

Mr. KING. Madam President, I intend to move, with the support of Mr. BLUMENTHAL and Mrs. SHAHEEN, that H.R. 1628 be committed to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that will protect, preserve, maintain, sustain, and expand all programs related to addressing, identifying the causes of, and reducing infant mortality.

I request unanimous consent that this motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. King moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) will protect, preserve, maintain, sustain, and expand all programs related to addressing, identifying causes of, and reducing infant mortality.

Mr. KING. Madam President, I intend to move, with the support of Mr. BLUMENTHAL, Mr. CASEY, Mrs. SHAHEEN, and Mr. COONS, that H.R. 1628 be committed to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that will support the promotion of maternal and child health, including the reduction of infant, child, and maternal mortality, through the use of home-visiting services by extending funding for maternal, infant, and early childhood

home-visiting programs under section 511 of the Social Security Act, 42 USC 711, through the 10-year budget window.

I request unanimous consent that this motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. King moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) supports the promotion of maternal and child health, including the reduction of infant, child, and maternal mortality, through the use of home visiting services by extending funding for maternal, infant, and early childhood home visiting programs under section 511 of the Social Security Act (42 U.S.C. 711) through the 10-year budget window.

Mr. MERKLEY. Madam President, I intend to offer the following motions to H.R. 1628, and I ask unanimous consent that they be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for people with diabetes.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing out of pocket health care costs for people with diabetes.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for pregnant women.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for parents of children ages 3-10.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the

Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for parents of infants.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for Korean War veterans.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for Vietnam War veterans.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for veterans of the wars in Afghanistan.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for veterans of the War in Iraq.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for World War II veterans.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for Social Security recipients.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for Medicare beneficiaries.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with in-

structions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for individuals with pre-existing conditions.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for people with cancer.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for children with cancer.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for people with brain cancer.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for people with leukemia.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for people with cervical cancer.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for people with colorectal cancer.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for people with lymphoma.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the

Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for people with HIV.

**MOTION TO COMMIT WITH INSTRUCTIONS**

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for people with multiple sclerosis.

### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for people with muscular dystrophy.

### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for people with Parkinson's Disease.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for people with Lou Gehrig's disease (ALS).

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing health insurance premiums for people with autism.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing out of pocket health care costs for pregnant women.

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing out of pocket health care costs for children ages 3 to 10 years old.

### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the

structions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing out of pocket health care costs for people with lung cancer.

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing out of pocket health care costs for people with melanoma.

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing out of pocket health care costs for people with ovarian cancer.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing out of pocket health care costs for people with pancreatic cancer.

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing out of pocket health care costs for people with prostate cancer.

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing out of pocket health care costs for people with breast cancer.

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing out of pocket health care costs for people with asthma.

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of increasing out of pocket health care costs for people with Alzheimer's Disease.

### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the

structions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of eliminating Medicaid coverage for Korean War veterans.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of eliminating Medicaid coverage for Vietnam veterans.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of eliminating Medicaid coverage for veterans of the Wars in Afghanistan.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of eliminating Medicaid coverage for veterans of the War in Iraq.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of eliminating Medicaid coverage for World War II veterans.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of eliminating Medicaid coverage for Social Security recipients.

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of eliminating Medicaid coverage for Medicare beneficiaries.

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of eliminating Medicaid coverage for individuals with pre-existing conditions.

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the



Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of eliminating Medicaid coverage for people with HIV.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of eliminating Medicaid coverage for people with multiple sclerosis.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of eliminating Medicaid coverage for people with muscular dystrophy.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of eliminating Medicaid coverage for people with Parkinson's Disease.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Merkley moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days with changes that are within the jurisdiction of such Committee to strike provisions in the Better Care Reconciliation Act of 2017 that could have the effect of eliminating Medicaid coverage for people with Lou Gehrig's Disease (ALS).

Mr. VAN HOLLEN. Madam President, I ask unanimous consent that the text of my motions to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that threaten to charge individuals with childhood cancer more for preventative health care.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that threaten to charge individuals with metastatic cancer more for preventative health care.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Health, Edu-

cation, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that threaten to charge individuals with Amyotrophic lateral sclerosis (ALS) more for preventative health care.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that threaten to charge individuals with asthma more for preventative health care.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that threaten to charge individuals with autism more for preventative health care.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that threaten to charge individuals with blast injuries more for preventative health care.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that threaten to charge individuals with congenital heart defects more for preventative health care.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that would weaken coverage provided by Medicaid to individuals with a mental health illness.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that would weaken coverage provided by Medicaid to individuals with Alzheimer's disease.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that would weaken coverage provided by Medicaid to individuals with any rare disease.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that would weaken coverage provided by Medicaid to individuals with lupus.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that would weaken coverage provided by Medicaid to individuals with Down syndrome.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that threaten to make prescription drugs unaffordable for individuals with breast cancer.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that threaten to make prescription drugs unaffordable for individuals with blast injuries.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that threaten to make prescription drugs unaffordable for individuals with autism.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and



(2) eliminate provisions that threaten to charge individuals with opioid addiction more for preventative health care.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to charge individuals with a mental health illness more for preventative health care.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to charge individuals with Alzheimer's disease more for preventative health care.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to charge individuals with any rare disease more for preventative health care.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to charge individuals with Down syndrome more for preventative health care.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to charge individuals with any lupus more for preventative health care.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make prescription drugs unaffordable for individuals with metastatic cancer.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make prescription drugs unaffordable for individuals with Down syndrome.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make prescription drugs unaffordable for individuals with childhood cancer.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance of the Senate with instructions to report the same back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes that would ensure that no individual with income of more than \$750,000,000 annually would benefit from any of the TrumpCare tax cuts.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would weaken coverage provided by Medicaid to individuals with congenital heart defects.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would weaken coverage provided by Medicaid to individuals with diabetes.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would weaken coverage provided by Medicaid to individuals with opioid addiction.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would threaten to make prescription drugs unaffordable for individuals with asthma.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make prescription drugs unaffordable for individuals with Amyotrophic Lateral Sclerosis (ALS).

Mr. VAN HOLLEN. Mr. President, I intend to file a motion to commit the reconciliation bill to the Finance Committee with instructions to report the same back to the Senate within 3 days, not counting any day on which the Senate is not in Session, with changes that would eliminate provisions that threaten to make prescription drugs unaffordable for those with childhood cancer. I am offering this motion because the Finance Committee should review the implications of depriving millions of Americans of health insurance while at the same time providing tax breaks to the wealthiest Americans. I ask unanimous consent that the full text of my motion to commit be printed in the RECORD following my remarks.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make prescription drugs unaffordable for individuals with Multiple Sclerosis.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to make prescription drugs unaffordable for individuals with Parkinson's disease.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to charge individuals with diabetes more for preventative health care.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance of the Senate with instructions to report the same back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes that would ensure that no individual with income of more than \$1,000,000 annually would benefit from any of the TrumpCare tax cuts.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance of the Senate with instructions to report the same back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes that would ensure that

(1) are within the jurisdiction of such committee: and

(2) eliminate provisions that threaten to make prescription drugs unaffordable for individuals with a mental health illness.

### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that threaten to make prescription drugs unaffordable for individuals with Alzheimer's disease.

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that threaten to make prescription drugs unaffordable for individuals with any rare disease.

### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that threaten to make prescription drugs unaffordable for individuals with lupus.

### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that would reduce financial assistance, such as tax credits, for low- and moderate-income Americans.

### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminate provisions that threaten to charge individuals with breast cancer more for preventative health care.

### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (2) eliminate provisions that threaten to charge individuals with Parkinson's disease more for preventative health care

### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Van Hollen moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate.

in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that threaten to charge individuals with Multiple Sclerosis more for preventative health care.

Ms. HEITKAMP. Madam President, I intend to offer the following motions to H.R. 1628, and I ask unanimous consent that they be printed in the RECORD. Both motions are supported by Senators FRANKEN and UDALL.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Heitkamp moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that all Native children with family incomes that do not exceed 133 percent of the Federal poverty line (as determined under section 1902(e)(14) of the Social Security Act (42 U.S.C. 1396a(e)(14))) continue to receive the same level of Medicaid benefits and protections that they are eligible for under current law, such as early and periodic screening, diagnostic, and treatment services, and cost-sharing protections.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Heitkamp moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would limit access to health care for Native American youth, including members of Indian tribes and Native Hawaiians, with respect to services related to—

(A) mental and behavioral health care; (B) trauma-informed and trauma-specific interventions; and

(C) suicide prevention.

Mr. FRANKEN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators SHAHEEN and BLUMENTHAL.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Franken moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that are within the jurisdiction of the Committee and that strike provisions that would unravel the rural health safety net by further reducing revenue to rural providers, put health care and other community jobs at risk, or otherwise force rural providers to cut back on services.

Mr. FRANKEN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask that it be printed in the RECORD. The motion is supported by Senator BLUMENTHAL.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Franken moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that are within the jurisdiction of the Committee and that strike provisions that would increase premiums and other health care costs for farmers or other individuals and families living in rural areas.

Mr. FRANKEN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senator UDALL.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Franken moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that no provision of the bill would—

(A) exacerbate the state of emergency regarding opioids in Indian country;

(B) reduce funding for the Indian Health Service or Medicaid such that Indians or Alaskan Natives would experience a decrease in access or services; or

(C) cause any cost or shift to the Indian Health Service for services that are currently paid for by Medicaid.

Mr. FRANKEN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Franken moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that are within the jurisdiction of the Committee and that strike provisions that would further limit the amount of revenues that States could collect through provider tax arrangements to fund the State share of Medicaid spending.

Mr. FRANKEN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators BALDWIN, CASEY, COONS, and BLUMENTHAL.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Franken moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that are within the jurisdiction of the Committee and that strike provisions

that threaten the affordability of health plans offered by employers to their employees, or otherwise fail to address plan affordability for employees and their dependents.

Mr. FRANKEN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators BALDWIN, DUCKWORTH, REED, CARPER, BLUMENTHAL, BROWN, WARREN, STABENOW, BOOKER, UDALL, FEINSTEIN, SHAHEEN, COONS, NELSON, and VAN HOLLEN.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Franken moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that are within the jurisdiction of the Committee and that strike provisions that result in increased prescription drug costs for patients and families.

Mr. FRANKEN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators CANTWELL and KLOBUCHAR.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Franken moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that are within the jurisdiction of the Committee and that strike provisions that would jeopardize funding for State basic health programs, or otherwise force States to pay more for providing health coverage under a State basic health program.

Mrs. MCCASKILL. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators DONNELLY and STABENOW.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mrs. MCCASKILL moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with—

(1) changes that are within the jurisdiction of such committee and are comparable to the amendment described in paragraph (2); or

(2) the following amendment: At the appropriate place, insert the following:

**SEC. \_\_\_\_ ACCESS TO COVERAGE FOR INDIVIDUALS IN AREAS WITHOUT ANY AVAILABLE EXCHANGE PLANS.**

Part 2 of subtitle D of title I of the Patient Protection and Affordable Care Act (42 U.S.C. 18031 et seq.) is amended by adding at the end the following:

**“SEC. 1314. ACCESS TO COVERAGE FOR INDIVIDUALS IN AREAS WITHOUT ANY AVAILABLE EXCHANGE PLANS.**

“(a) IN GENERAL.—

“(1) COVERAGE THROUGH DC SHOP EXCHANGE.—Not later than 3 months after the date of enactment of this section, the Secretary, in consultation with the Secretary of the Treasury and the Director of the Office of Personnel Management, shall establish a mechanism to ensure that, for any plan year beginning on or after the date described in subsection (c), any individual described in paragraph (2) may enroll in health insurance coverage in the small group market through the Exchange operating in the District of Columbia, including the health insurance coverage that is available to Members of Congress and congressional staff (as defined in section 1312(d)(3)(D)).

“(2) INDIVIDUAL DESCRIBED.—An individual described in this paragraph is any individual who—

“(A) is eligible to purchase health insurance coverage through the Exchange operating in the State of residence of the individual; and

“(B) resides in a rating area or county in which the Secretary certifies that no qualified health plan is offered through an Exchange established under this title.

“(b) PREMIUM ASSISTANCE TAX CREDITS AND COST-SHARING.—Any individual described in subsection (a)(2) who enrolls in health insurance coverage through the Exchange operating in the District of Columbia pursuant to subsection (a)(1) shall be eligible for any premium tax credit under section 36B of the Internal Revenue Code of 1986, or reduced cost-sharing under section 1402, that the individual would otherwise be eligible for if enrolling in health insurance coverage in the individual market through the Exchange operating in the State of the individual.

“(c) DATE DESCRIBED.—The date described in this subsection is the date on which the Secretary establishes the mechanism under subsection (a)(1).”.

Mr. MURPHY. Madam President, I intend to offer the following motions to H.R. 1628, and I ask unanimous consent that they be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Murphy moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate all tax cuts in the bill for the pharmaceutical industry.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Murphy moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate all tax cuts in the bill for—

(A) the health insurance and pharmaceutical industries; and

(B) the wealthiest 1 percent of Americans.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Murphy moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate all tax cuts in the bill for the health insurance industry.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Murphy moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate all tax cuts in the bill for insurance companies for the purposes of executive compensation.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Murphy moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate all tax cuts in the bill for the tanning bed industry.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Murphy moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would reduce access to mental health treatment.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Murphy moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would reduce access to health care for cancer patients.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Murphy moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would reduce access to health care for Medicaid beneficiaries receiving home and community-based services.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Murphy moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate all tax cuts in the bill that would negatively impact the solvency of the Medicare Hospital Insurance Trust Fund under section 1817 of the Social Security Act (42 U.S.C. 1395i).

Mrs. SHAHEEN. Madam President, I intend to offer the following five motions to commit to H.R. 1628, and I ask unanimous consent that they be printed in the RECORD.

The first motion would send the reconciliation bill to the Health, Education, Labor and Pensions Committee with instructions to strike repeal of cost sharing reductions, CSRs, and advanced premium tax credits and replace this section with my legislation, the Marketplace Certainty Act, which would make CSRs permanent and extend them to those making up to 400 percent of the Federal poverty line. I want to reiterate what I previously said for the RECORD, that the Affordable Care Act, ACA, already prescribes that such payments are to be made from such a permanent appropriation pursuant to 31 U.S.C. 1324.

The first motion is supported by Senators CARPER, REED, MURPHY, BALDWIN, HIRONO, KLOBUCHAR, BLUMENTHAL, HEINRICH, COONS, HEITKAMP, STABENOW, CARDIN, MARKEY, WARNER, and VAN HOLLEN.

The second motion would send the reconciliation bill to the Finance Committee with instructions to strike repeal of cost sharing reductions, CSRs, and advanced premium tax credits and replace this section with my legislation, the Marketplace Certainty Act, which would make CSRs permanent and extend them to those making up to 400 percent of the Federal poverty line. Similar to the first motion, I want to reiterate what I previously said for the RECORD, that the ACA already prescribes that such payments are to be made from such a permanent appropriation pursuant to 31 U.S.C. 1324.

The second motion is supported by Senators CARPER, REED, MURPHY, BALDWIN, HIRONO, KLOBUCHAR, BLUMENTHAL, HEINRICH, COONS, HEITKAMP, STABENOW, CARDIN, MARKEY, WARNER, and VAN HOLLEN.

The third motion would send the reconciliation bill to the Finance Committee with instructions to strike provisions that would weaken or eliminate the small employer health insurance credit, prohibit the ability of entrepreneurs to purchase affordable health coverage through the individual marketplace, or allow discriminatory rating rules that prohibit small businesses from providing affordable, comprehensive benefits to their employees.

The third motion is supported by Senators BLUMENTHAL, CARPER, UDALL, BALDWIN, BROWN, PETERS, and STABENOW.

The fourth motion would send the reconciliation bill to the Health, Education, Labor and Pensions Committee with instructions to strike provisions that would allow insurers to establish diabetes as a preexisting condition or reduce funding for diabetes research, treatment, prevention and education.

The fourth motion is supported by Senators HIRONO, KLOBUCHAR, BLUMENTHAL, MENENDEZ, and VAN HOLLEN.

The fifth motion would send the reconciliation bill to the Finance Committee with instructions to strike language that would remove mental healthcare services from the list of essential health benefits or prohibit States from providing Medicaid coverage for more than 30 consecutive days of inpatient psychiatric services.

The fifth motion is supported by Senators HIRONO and BLUMENTHAL.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mrs. Shaheen moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that nothing in the bill would—  
(A) establish diabetes as a pre-existing condition such that insurers could charge higher premiums for diabetes patients; or

(B) reduce funding allocated to diabetes research, treatment, prevention, and education.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mrs. Shaheen moves to commit the bill H.R. 1628 to the Committee on Finance of the Senate with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) strike any language that would repeal advanced premium tax credits under the Patient Protection and Affordable Care Act to insurance companies.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mrs. Shaheen moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions of the Senate with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee;

(2) strike any language that would repeal or prevent the Federal government from paying cost sharing reductions under the Patient Protection and Affordable Care Act to insurance companies; and

(3) increase cost sharing reductions under such Act such that the plan's share of the allowed cost of benefits provided under a plan is 95 percent, 90 percent, and 85 percent respectively, rather than 94 percent, 87 percent, and 73 percent as under current law.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mrs. Shaheen moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that—  
(A) mental health care services are not removed from the list of essential health benefits; and

(B) States are permitted to provide Medicaid coverage for more than 30 consecutive days of inpatient psychiatric services.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mrs. Shaheen move to commit the bill H.R. 1628 to the Committee on Finance of the Sen-

ate with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee;

(2) strike any language that—

(A) weakens or eliminates the tax credit to help small businesses purchase health insurance under section 45R of the Internal Revenue Code of 1986;

(B) inhibits the ability of entrepreneurs to purchase affordable health coverage through the individual marketplace; or

(C) employs discriminatory rating rules that prohibit small businesses from providing affordable, comprehensive benefits to their employees;

(3) expand the tax credit for employee health insurance expenses of small employers to include employers with a greater number of employees, to extend the credit period, and to raise the level of other limitations under the credit; and

(4) offset such amendments with modifications to the rules relating to inverted corporations.

Mr. UDALL. Madam President, I intend to offer a motion to commit H.R. 1628 to the Finance Committee to review the impacts of this bill on the Indian Health Service, Tribal Health Programs, Urban Indian Health Programs, or Indian Tribes or other Tribal organizations, or with respect to services provided to individuals who are American Indian or Alaska Native.

I ask unanimous consent that it be printed in the RECORD, and it is supported by Senators CANTWELL, CORTEZ MASTO, HEINRICH, HEITKAMP, FRANKEN, MURRAY, MERKLEY, SCHATZ, STABENOW, and TESTER.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Udall moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee;

(2) provide that any reduction or limitation of Federal payments to help cover the cost of private health insurance not apply with respect to private health insurance purchased by American Indians or Alaska Natives; and

(3) provide that any reduction or limitation of Federal payments for spending under the Medicaid program shall not apply with respect to services provided by the Indian Health Service, an Indian Health Program, an Urban Indian Organization, or Indian tribes or other tribal organizations, or with respect to services provided to individuals who are American Indians or Alaska Natives.

Mr. MENENDEZ. Madam President, I intend to offer a motion to commit the reconciliation bill to the Committee on Health, Education, Labor and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that prohibit eliminating or reducing funding to States unless the Congressional

Budget Office certifies that such changes will not increase the number of uninsured Americans, decrease Medicaid enrollment in Medicaid expansion States, reduce the likelihood non-expansion States will expand, or increase the State share of Medicaid spending.

I am offering this motion to ensure individuals who gained coverage due to the Affordable Care Act's Medicaid expansion do not lose their coverage and States that expanded Medicaid are not penalized by this bill.

The following Senators support my motion to commit: DURBIN, HEINRICH, UDALL, BOOKER, SHAHEEN, and BLUMENTHAL.

I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Menendez moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) prohibit eliminating or reducing funding available to States to provide comprehensive, affordable health care to low-income Americans by eliminating or reducing the availability of Federal financial assistance to States available under section 1905(y)(1) or 1905(z)(2) of the Social Security Act (42 U.S.C. 1396d(y)(1), 1396d(z)(2)) or other means, unless the Director of the Congressional Budget Office certifies any such changes will not—

(A) increase the number of uninsured Americans;

(B) decrease Medicaid enrollment in States that have opted to expand eligibility for medical assistance under that program for low-income, non-elderly individuals under the eligibility option established by the Affordable Care Act under section 1902(a)(10)(A)(i)(VIII) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)(VIII));

(C) reduce the likelihood that any State that has not opted to expand Medicaid under the eligibility option established by the Affordable Care Act under section 1902(a)(10)(A)(i)(VIII) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)(VIII)) would opt to use that eligibility option to expand eligibility for medical assistance under that program for low-income, non-elderly individuals; or

(D) increase the State share of Medicaid spending under that eligibility option.

Mr. MENENDEZ. Madam President, I intend to offer a motion to commit the reconciliation bill to the Committee on Health, Education, Labor and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that No. 1, are within the jurisdiction of such committee; and No. 2, ensure that the bill shall not take effect until the Secretary of Health and Human Services certifies under oath, with standing

given to each State attorney general for any charges of perjury, that no individual with a preexisting condition will be unable to receive the necessary medications to sustain their life, limbs, eyesight, or other necessary healthcare and medications for the preexisting condition due to a State cutting essential health benefits, minimum services, or necessary medication from the insurance plans offered through their exchanges. I am offering this motion because individuals with preexisting condition must not lose access to the medications they need to manage their conditions and live full, productive lives.

The following Senators support my motion to commit: SHAHEEN and BLUMENTHAL.

I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Menendez moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that the bill shall not take effect until the Secretary of Health and Human Services certifies under oath, with standing given to each State Attorney General for any charges of perjury, that no individual with a preexisting condition will be unable to receive the necessary medications to sustain their life, limbs, eyesight, or other necessary healthcare and medications for the preexisting condition due to a State cutting essential health benefits, minimum services, or necessary medication from the insurance plans offered through their Exchanges.

Mr. MENENDEZ. Madam President, I intend to offer a motion to commit the reconciliation bill to the Committee on Finance with Instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that No. 1, are within the jurisdiction of such committee; and No. 2, add automatic sunset to the bill and reinstate the Affordable Care Act if the uninsured rate increases 10 percent as compared to the rate at the beginning of fiscal year 2017. I am offering this motion because any bill that increases the uninsured rate is a giant step backward.

I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Menendez moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) add an automatic sunset to the bill and reinstate the Affordable Care Act if the uninsured rate increases 10 percent as compared to the rate at the beginning of fiscal year 2017.

Mr. MENENDEZ. Madam President, I intend to offer a motion to commit the reconciliation bill to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that No. 1, are within the jurisdiction of such committee; and No. 2, add an automatic sunset to the bill and reinstate the Affordable Care Act if the uninsured rate increases 20 percent as compared to the rate at the beginning of fiscal year 2017. I am offering this motion because any bill that increases the uninsured rate is a giant step backward.

I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Menendez moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) add an automatic sunset to the bill and reinstate the Affordable Care Act if the uninsured rate increases 20 percent as compared to the rate at the beginning of fiscal year 2017.

Mr. MENENDEZ. Madam President, I intend to offer a motion to commit the reconciliation bill to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that No. 1, are within the jurisdiction of such committee; and No. 2, ensure that the bill shall not take effect until the Secretary of Health and Human Services certifies under oath, with standing given to each State attorney general for any charges of perjury, that no domestic violence victim will have less coverage for any condition arising from the abuse than they have under current law. I am offering this motion because survivors of domestic or sexual abuse must receive the care they need to deal with their past trauma.

The following Senator supports my motion to commit: BLUMENTHAL.

I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Menendez moves to commit the bill H.R. 1628 to the Committee on Finance with

instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that the bill shall not take effect until the Secretary of Health and Human Services certifies under oath, with standing given to each State Attorney General for any charges of perjury, that no domestic or sexual violence victim will have less coverage for any condition arising from the abuse than they have under current law.

Mr. MENENDEZ. Madam President, I intend to offer a motion to commit the reconciliation bill to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that No. 1, are within the jurisdiction of such committee; and No. 2, add an automatic sunset to the bill and reinstate the Affordable Care Act if, (A), premiums increase by more than 10 percent for the average senior aged 50 to 64 within any 365-day period in the next 10 years; or, B, out-of-pocket costs increase by more than 10 percent for the average senior aged 50 to 64 within any 365-day period in the next 10 years. I am offering this motion to provide relief for older Americans who will be harmed by harmful provisions in this bill.

The following Senator supports my motion to commit: SHAHEEN.

I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Menendez moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) add an automatic sunset to the bill and reinstate the Affordable Care Act if—

(A) premiums increase by more than 10 percent for the average senior aged 50 to 64 within any 365 day period in the next 10 years; or

(B) out-of-pocket costs increase by more than 10 percent for the average senior aged 50 to 64 within any 365 day period in the next 10 years.

Mr. MENENDEZ. Madam President, I intend to offer a motion to commit the reconciliation bill to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that No. 1, are within the jurisdiction of such committee; and No. 2, ensure that the procedure for distribution of funds from the State Stability and Innovation Program also factor in the number of uninsured in the State when reviewing the cost of premiums in the State as compared to the national average

and prioritize States with a larger number of uninsured.

I am offering this motion to ensure States with higher populations receive their fair share of the funds.

I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Menendez moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that the procedure for distribution of funds from the State Stability and Innovation Program also factor in the number of uninsured in the State when reviewing the cost of premiums in the State as compared to the national average and prioritize States with a larger number of uninsured.

Mr. MENENDEZ. Madam President, I intend to offer a motion to commit the reconciliation bill to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that No. 1, are within the jurisdiction of such committee; and No. 2, ensure that no State can deny a woman who becomes pregnant Medicaid coverage regardless of income. I am offering this motion because all women deserve access to maternity care and we know a healthy pregnancy will help ensure a healthy baby.

The following Senators support my motion to commit: SHAHEEN and BLUMENTHAL.

I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Menendez moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that no State can deny a woman who becomes pregnant Medicaid coverage regardless of income.

Mr. MENENDEZ. Madam President, I intend to offer a motion to commit the reconciliation bill to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that No. 1, are within the jurisdiction of such committee; and No. 2, ensure that there is not a disproportionate impact on women and minorities from reductions in Medicaid funding.

I am offering this motion because these healthcare repeal bills have one

thing in common: the changes proposed will disproportionately harm women and minorities.

The following Senators support my motion to commit: SHAHEEN and BLUMENTHAL.

I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Menendez moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that there is not a disproportionate impact on women and minorities from reductions in Medicaid funding.

Mr. MENENDEZ. Madam President, I intend to offer a motion to commit the reconciliation bill to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that No. 1, are within the jurisdiction of such committee; No. 2, strike section providing amending Section 2701(a)(1)(a)(iii) of the Public Health Service Act; and No. 3, preserve the existing permissible age variation in health insurance premium rates under the Affordable Care Act. I am offering this motion this change in permissible age variation will harm older Americans.

The following Senator supports my motion to commit: SHAHEEN.

I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Menendez moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee;

(2) strike the provision that amends section 2701(a)(1)(A)(iii) of the Public Health Service Act (42 U.S.C. 300gg(a)(1)(A)(iii)); and

(3) preserve the existing permissible age variation in health insurance premium rates under such section 2701(a)(1)(A)(iii), as added by the Patient Protection and Affordable Care Act.

Mr. MENENDEZ. Madam President, I intend to offer a motion to commit the reconciliation bill to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that No. 1, are within the jurisdiction of such committee; and No. 2, ensure that the bill will not take effect until the Sec-

retary of Health and Human Services certifies under oath—with standing given to each State attorney general to bring perjury charges—that no individual with autism or any caretaker of an individual with autism will have higher out-of-pocket costs as compared to average costs for similarly situated individuals in fiscal year 2017. I am offering this motion because individuals with autism and their caretakers face high costs of medical care and any legislation increasing those costs will prove burdensome for American families.

The following Senator supports my motion to commit: BOOKER.

I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Menendez moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that the bill will not take effect until the Secretary of Health and Human Services certifies under oath (with standing given to each State Attorney General to bring perjury charges) that no individual with autism or any caretaker of an individual with autism will have higher out of pocket costs as compared to average costs for similarly situated individuals in fiscal year 2017.

Mr. MENENDEZ. Madam President, I intend to offer a motion to commit the reconciliation bill to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that No. 1, are within the jurisdiction of such committee; and No. 2, eliminate provision that would harm children by reducing their access to affordable healthcare or limiting coverage or benefits under Medicaid.

The following Senators support my motion to commit: BOOKER, BALDWIN, BLUMENTHAL, WHITEHOUSE, LEAHY, BROWN, PETERS, VAN HOLLEN, HARRIS, FRANKEN, FEINSTEIN, UDALL, COONS, CARPER, REED, DUCKWORTH, DURBIN, GILLIBRAND, STABENOW, WYDEN, HIRONO, CARDIN, CASEY, BENNETT, WARREN, HEINRICH, NELSON, and SHAHEEN.

I am offering the motion to protect American children from being harmed by the upheaval that will result in insurance markets from this bill becoming law.

I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Menendez moves to commit the bill H.R. 1628 to the Committee on Finance with



instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that would harm children by reducing their access to affordable health care or limiting coverage or benefits under Medicaid or in the private insurance market.

Mr. MENENDEZ. Madam President, I intend to offer a motion to commit the reconciliation bill to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that No. 1, are within the jurisdiction of such committee; and No. 2, ensure that States cannot waive essential health benefits for individuals with autism.

I am offering this motion because individuals with autism should not lose access to these critical health insurance benefits.

The following Senator supports my motion to commit: BOOKER.

I ask unanimous consent that the full text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Menendez moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that States cannot waive essential health benefits for individuals with autism.

Mr. BLUMENTHAL. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Blumenthal moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes that ensure that no tax cuts in the bill go to individuals making over \$200,000 per year and married people filing joint tax returns making over \$250,000 per year at the expense of funding for Medicaid.

Mr. BLUMENTHAL. Madam President, I intend to offer the following motion, Conner's amendment, to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Blumenthal moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instruc-

tions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that States would not be able to submit waivers asking for the imposition of lifetime or annual out-of-pocket limits on insurance coverage, or the removal of any essential health benefits.

Mr. BLUMENTHAL. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senator SHAHEEN.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Blumenthal moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that there will be no Medicaid cuts in services provided to veterans.

Mr. BLUMENTHAL. Madam President, I intend to offer the following motion, Sean and Frank's amendment, to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Blumenthal moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that no individual who is enrolled in Medicaid and has or is recovering from a substance use disorder will lose coverage or services.

Mr. BLUMENTHAL. Madam President, I intend to offer the following motion, Justice's amendment, to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Blumenthal moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that mental health and substance use disorder treatments and services are guaranteed as an essential health benefit.

Mr. BLUMENTHAL. Madam President, I intend to offer the following motion, Gay's amendment, to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Blumenthal moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that the bill will not increase the percentage of individuals in our Nation who do not have health insurance.

Mr. BLUMENTHAL. Madam President, I intend off the following motion, Amelie, Amanda, and Evan's amendment, to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senator SHAHEEN.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Blumenthal moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that no Medicaid beneficiary will lose coverage or health services due to provisions or cuts in this bill.

Mr. BLUMENTHAL. Madam President, I intend to offer the following motion, Michelle's amendment, to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Blumenthal moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that no State may ask for a waiver allowing for the imposition of pre-existing condition coverage limitations.

Mr. BLUMENTHAL. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators CARPER, BROWN, REED, KING, COONS, WARREN, STABENOW, FEINSTEIN, KLOBUCHAR, MARKEY, DURBIN, CASEY, FRANKEN, SHAHEEN, CARDIN, UDALL, VAN HOLLEN, HIRONO, and MURRAY.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Blumenthal moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that there will be no funding reductions for disease prevention efforts of

public health, including funding for the Prevention and Public Health Fund established under section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u-11).

Mr. BOOKER. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators BLUMENTHAL, DUCKWORTH, and VAN HOLLEN.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Booker moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) ensure that consumers' deductibles in the private health insurance market will not increase as a result of the enactment of the bill.

Mr. BOOKER. Mr. President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators BLUMENTHAL, CASEY, MENENDEZ, SHAHEEN, and VAN HOLLEN.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Booker moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) would ensure that the bill does not disrupt access to long term services and supports.

Mr. BOOKER. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators BLUMENTHAL and VAN HOLLEN.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Booker moves to commit the bill H.R. 1628 to the Committee on Finance of the Senate with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) ensure that individuals with household income between 350 percent and 400 percent of the poverty line do not lose Federal financial assistance with the cost of health care.

Mr. BOOKER. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators BLUMENTHAL, DUCKWORTH, MARKEY, SHAHEEN, and VAN HOLLEN.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Booker moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) ensure that there would be no reduction in access to the essential health benefits required under the Patient Protection and Affordable Care Act, including for people with employer-sponsored health plans, as a result of the enactment of the bill.

Mr. BOOKER. Madam President, I intend to offer the following motion to H.R. 1628, and I ask that it be printed in the RECORD. The motion is supported by Senators STABENOW, BLUMENTHAL, MENENDEZ, SHAHEEN, and VAN HOLLEN.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Booker moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) ensure that our Nation's maternal morbidity and mortality rates do not increase, and that disparities in maternal morbidity and mortality do not increase, as a result of the enactment of the bill.

Mr. BOOKER. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Booker moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such committee; and
- (2) eliminates provisions of the bill that would increase health disparities among certain populations, including disparities on the basis of race and ethnicity, socioeconomic status, gender, religion, disability status, geographic location, and sexual identity and orientation.

Mr. DURBIN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators BLUMENTHAL, COONS, and CARPER.

For years, Republicans painted a drastic, dire picture of the Affordable Care Act. Just this week, President Trump talked about the so-called forgotten victims of the ACA.

The ACA isn't perfect—no law is—but to say it hasn't been a landmark achievement for our Nation and for my State would be absolutely wrong.

Our country's uninsured rate is at the lowest level in our Nation's history. In Illinois, our uninsured rate has been cut in half. These insurance gains are thanks to the Affordable Care Act.

Insurance companies can no longer deny someone coverage or charge them sky-high premiums because of a pre-existing condition, benefitting roughly 5 million Illinoisans.

Insurance companies can no longer charge women more than men, drop someone from coverage when they get sick, charge seniors exorbitantly more than younger people for insurance, or refuse to cover important and essential health benefits.

I think these consumer protections represent a step forward in healthcare for people nationwide, and I don't believe we should get rid of them.

So my motion would instruct the Finance Committee to report out a bill—within 3 days—that would let any State keep the ACA if they want.

These Republican repeal proposals are cruel and dangerous. States ought to be able to keep the ACA if they want, including all the record coverage gains, consumer protections and benefits, and Federal funding for the Medicaid expansion and tax credits.

If Senator CRUZ wants to rip away health insurance "root and branch" from his constituents, that is fine.

But this motion protects any State who thinks we have made too much progress to turn back.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Durbin moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pension with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

- (1) are within the jurisdiction of such Committee; and
- (2) permit a State to continue to implement the provisions of the Patient Protection and Affordable Care Act (Public Law 111-148), as in effect on the date of enactment of this Act, if the Governor of that State elects to continue such implementation, including provisions relating to health insurance coverage gains, consumer protections and benefits (including protections related to coverage of pre-existing conditions, essential health benefits, and the premium levels that older enrollees may be charged relative to younger enrollees), and Federal funding provided under that Act (including levels of Medicaid funding for the Medicaid expansion population, Federal funding for tax credits, and cost sharing reduction subsidies).

Mr. DURBIN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators BLUMENTHAL and CARPER.

Some of the strongest opponents to the secretive and devastating Republican repeal effort are our hospitals, especially our rural hospitals, critical access hospitals, and safety net hospitals in underserved urban communities.

In particular, they warn us that the devastating cuts in Medicaid will dramatically increase uncompensated care costs.

The Illinois Hospital Association tells us that slashing Medicaid like these Republican repeal bills do will cost Illinois between 60,000 and 95,000 healthcare jobs.

You see, not only are our rural hospitals critical lifelines for healthcare in their communities, they are often the best jobs in town; yet these drastic Medicaid cuts will increase uncompensated care costs by billions, forcing cutbacks in services, staff, and expansion.

So my motion would instruct the Finance Committee to report out a bill—within 3 days—that would protect funding for these hospitals and prohibit increases in uncompensated care costs for these critical facilities.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Durbin moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pension with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such Committee; and

(2) would prohibit increases in uncompensated costs or reductions in funding for rural hospitals, hospitals in underserved areas, or critical access hospitals.

Mr. DURBIN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators BLUMENTHAL and CARPER.

Medicaid covers one in two births in Illinois. It helps pay for two out of every three seniors in nursing homes, and it is the largest payor of opioid and substance abuse treatment.

But guess what else Medicaid does? It helps 45 percent of school districts provide medical and therapy services for lower-income kids and those with special needs.

That is right, Illinois schools currently receive about \$144 million in Medicaid funding each year.

They use this money to provide dental screenings, therapy services for kids with disabilities, to purchase handicap equipment, and employing trained staff.

What would happen to kids nationwide if the \$4 billion in Medicaid funding for schools went away?

My motion would to commit would instruct the Finance Committee to report out a bill—within 3 days—that would protect funding for schools and students and says, if you want to slash Medicaid, it won't be on the backs of our kids.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. DURBIN moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensures no reduction in Medicaid funding for items or services provided in, or under arrangements with, any kindergarten through grade 12 elementary school in the Nation.

Mr. DURBIN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators BLUMENTHAL and CARPER.

When thinking about Medicaid, we often talk about low-income children or pregnant women. But do you know the most expensive part of Medicaid?

It is providing long-term care for your grandmother, your grandfather—at home or in the nursing home.

When Social Security and Medicare aren't enough, Medicaid steps in to care for millions of seniors over age 65.

Medicaid helps pay for two out of three seniors currently in nursing homes.

These Republican proposals to slash Medicaid are so devastating that the American Association of Retired Persons, AARP, has come out in loud opposition to all the repeal bills.

My motion to commit would instruct the Finance Committee to report out a bill—within 3 days—that protects the millions of seniors who rely on Medicaid for their care and says, if you want to slash Medicaid, it will not be on the backs of our vulnerable seniors.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Durbin moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensures no seniors on Medicaid lose benefits, have reduced provider payments for services furnished to them, or have any increase in out-of-pocket costs.

Mr. DURBIN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senator BLUMENTHAL.

Over the past few months, I have met with many heroes in the disability community, including a woman in Illinois who has a 23-year-old son with autism. She told me that Medicaid allows her son to be at home and function independently.

She told me that, without Medicaid, her son would have to be in a facility she couldn't afford.

You know what else all of these advocates and fighters tell me? They tell me that the Republican healthcare repeal proposals—all of which decimate the Medicaid Program in order to give tax breaks to the wealthy—would be devastating for people with disabilities.

Medicaid is a lifeline for 11 million people with disabilities. It is the core of our commitment to care for them, and it helps us meet our basic obligations as a society.

That is why my motion to commit would instruct the Finance Committee to report out a bill—within 3 days—that protects children and adults on Medicaid with disabilities from increased costs and fewer benefits.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Durbin moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensures no individuals with disabilities on Medicaid lose benefits, have reduced provider payments for services furnished to them, or have any increase in out-of-pocket costs.

Mr. DURBIN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senator BLUMENTHAL.

Under the ACA, our Nation has seen the largest decline in the child uninsured rate, and in Illinois, we have seen a 40 percent drop. Today more than 95 percent of kids in our country are insured.

Half of all children born in Illinois are covered by Medicaid.

That means they are guaranteed quality, comprehensive health coverage, from vaccinations and vision checks, to dental health, mental health, and lead poisoning screenings.

Medicaid serves low-income children in schools, and I have visited many school-based health clinics that provide critical access and services for our kids.

But every single Republican healthcare repeal proposal would slash Medicaid for our most vulnerable kids, jeopardizing the services they receive and their ability to access care.

That is why my motion to commit would instruct the Finance Committee to report out a bill—within 3 days—that protects our kids and tells Republicans they will not be a bargaining chip in this cruel repeal effort.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Durbin moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the

Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensures no children on Medicaid lose benefits, have reduced provider payments for services furnished to them, or have any increase in out-of-pocket costs.

Mr. DURBIN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators BLUMENTHAL and CARPER.

Thanks to the Affordable Care Act, Medicare is now financially stable for an additional 11 years.

Because of the healthcare reforms that improve the delivery of healthcare, seniors are now paying \$700 less annually in premiums and cost-sharing.

The ACA is also closing the dreaded Medicare “donut hole”—the gap where seniors were faced with high costs for their drugs—saving 11 million seniors an average for \$2,127 each year on their medications.

But Republicans want to jeopardize this progress.

Instead of strengthening Medicare for the long run, many of the Republican repeal bills would give a huge tax giveaway to wealthy Americans—cutting years off Medicare’s solvency.

That is why my motion to commit would instruct the Finance Committee to report out a bill—within 3 days—that does not shorten Medicare’s solvency.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Durbin moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that the bill will not shorten the solvency of the Federal Hospital Insurance Trust Fund under section 1817 of the Social Security Act (42 U.S.C. 1395i).

Mr. DURBIN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD.

When Republicans talk about the challenges facing Obamacare, they tend to be a bit misleading. Let’s set the record straight.

What they are really talking about is within the individual market, where 6 percent of Americans get their coverage and more than 70 percent of those people get subsidies to help cover their costs.

One problem Republicans like to cite is lack of competition, that private, for-profit insurers are pulling out, leaving few choices.

We call these “bare counties,” and they are more common in rural areas

and in States that did not expand Medicaid.

I agree that we need more competition in the individual market.

As a solution, my motion to commit instructs the Finance Committee—within 3 days—to report out a bill that requires insurers offering Medicare Advantage plans in a particular county, to also offer an individual market plan in that county.

Medicare Advantage insurance plans make huge profits off the Federal Government, yet many of those same insurers are refusing to participate in the individual exchange.

To address bare counties, my motion says that, if you have a provider network and you are making money off the Federal Government, then you should also help improve choice by offering a plan in the exchange.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Durbin moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) require each insurer who offers a Medicare Advantage plan under part C of the Medicare program in a specific county to also offer health insurance coverage through the individual market in that county.

Mr. DURBIN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senator BLUMENTHAL.

All of these Republican repeal bills shift costs onto consumers, patients, hospitals, and State budgets.

None of them do anything to actually address what is driving the increase in healthcare costs. And one of those biggest drivers? Pharmaceutical costs—Blue Cross of Illinois tells me they spend more on prescription drugs than inpatient hospital care.

So what can we do to address prescription drugs? Listen to the American Medical Association, which called for a ban on direct-to-consumer pharmaceutical advertising.

According to the AMA, these ads are, “driving demand for expensive treatments despite the clinical effectiveness of less costly alternatives.” In short, pharma advertises their drugs because they know you will tell your doctor you need it—driving up the cost—regardless of whether it’s right for you. That is why they spend billions on it.

But the moment of truth on when patients find out about the cost is when they are checking out at the pharmacy. That is wrong.

So my motion to commit would instruct the Finance Committee—within 3 days—to report out a bill that helps

lower the cost of healthcare by tackling the driving cost of prescription drugs, requiring pharmaceutical companies to disclose the price of their drug in their ads.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Durbin moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pension with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such Committee; and

(2) would require pharmaceutical companies to disclose the price of their drug to doctors as part of their educational outreach, or to patients through direct-to-consumer advertising.

Mr. DURBIN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senator BLUMENTHAL.

All of these Republican repeal bills shift costs onto consumers, patients, hospitals, and state budgets.

None of them do anything to actually address what is driving the increase in healthcare costs. And one of those biggest drivers? Pharmaceutical costs—Blue Cross of Illinois tells me they spend more on prescription drugs than inpatient hospital care.

So what can we do to address prescription drugs? Have Medicare negotiate drug prices on behalf of seniors. Even the President says he supports this policy.

Medicaid can negotiate drug costs, the Veterans Administration can negotiate drug costs, why shouldn’t Medicare be able to leverage its 50 million beneficiaries to get a better deal?

This motion is simple; it is something the President has talked about, something the American people support.

This motion to commit would instruct the Finance Committee—within 3 days—to report out a bill that would require the Secretary of Health and Human Services to begin negotiating drug prices on behalf of seniors in Medicare.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Durbin moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) require the Secretary of Health and Human Services to, beginning not later than one year after the date of enactment of this Act, negotiate the price of drugs covered by the Medicare program on behalf of Medicare beneficiaries.

Mr. DURBIN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senator DUCKWORTH.

The process Republicans have undertaken to repeal our healthcare law has been secretive, wrong, and undemocratic.

At first, it was 13 chosen apostles—all men—meeting in secret to craft their repeal measure.

At this moment, I don't know who is hiding in the shadows writing their repeal measure.

But what I do know is that there have been no hearings, no opportunity for public input, and no opportunity for myself and Senator DUCKWORTH—as representatives of Illinois—to offer input.

If myself and Senator DUCKWORTH have been locked out of the process from the beginning, why then should our constituents have to pay the price for this partisan Republican effort?

So our motion is simple. It says that this Republican repeal bill cannot unfairly impose hardships on our Illinois constituents. It cannot increase costs on my constituents, cut services or benefits or eligibility for my constituents, eliminate essential health benefits for my constituents, or impose lifetime limits or discriminate against my constituents with preexisting conditions.

If Senator CRUZ who has been allowed to have input on this repeal bill—wants to rip away health insurance “root and branch” from his constituents, that is fine.

But this motion protects my constituents in Illinois.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Durbin moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pension with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such Committee;

(2) prohibit increases in health insurance premiums or out-of-pocket health care costs for residents of Illinois;

(3) prohibit reductions in eligibility or services, or any increases in cost-sharing (including premiums and co-payments) related to the eligibility of residents of Illinois to participate in the Medicaid program;

(4) prohibit health insurance issuers from imposing annual or lifetime limits on residents of Illinois;

(5) prohibit health insurance issuers from charging residents of Illinois who have pre-existing conditions more than the amount charged to healthy residents; or

(6) prohibit health insurance issuers from stopping coverage of any essential health benefits provided under section 1302 of the Patient Protection and Affordable Care Act (42 U.S.C. 18022).

Mr. DURBIN. Madam President, I intend to offer the following motion to

H.R. 1628, and I ask unanimous consent that it be printed in the RECORD.

The Commonwealth of Kentucky has benefitted immensely from the Affordable Care Act.

Its uninsured rate has fallen 61 percent, one of the sharpest declines of any State.

Kentucky chose to expand Medicaid, allowing 150,000 people to gain coverage.

More than 1.4 million Kentuckians are no longer subjected to lifetime or annual caps on their benefits.

Kentucky, sadly, has been one of the States hardest hit by the opioid epidemic. Thanks to the ACA, substance abuse treatment has increased 740 percent among Kentucky residents on Medicaid.

Today, 881,000 Kentuckians—33 percent of adults—have a preexisting condition that, before Obamacare, could have left them uninsurable.

So to ensure the health and well-being of the residents of my neighboring State, Kentucky, this amendment says you cannot increase costs; cut services, benefits, or eligibility; eliminate essential health benefits; or impose lifetime limits or discriminate against Kentuckians with preexisting conditions.

If the Senators representing the Commonwealth want to rip away health insurance from their constituents, undermine protections for Kentuckians with preexisting conditions, and raise costs on older Kentuckians, well, count this neighboring Senator in to fight on their behalf.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Durbin moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pension with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such Committee;

(2) prohibit increases in health insurance premiums or out-of-pocket health care costs for residents of Kentucky;

(3) prohibit reductions in eligibility or services, or any increases in cost-sharing (including premiums and co-payments) related to the eligibility of residents of Kentucky to participate in the Medicaid program;

(4) prohibit health insurance issuers from imposing annual or lifetime limits on residents of Kentucky;

(5) prohibit health insurance issuers from charging residents of Kentucky who have pre-existing conditions more than the amount charged to healthy residents; or

(6) prohibit health insurance issuers from stopping coverage of any essential health benefits provided under section 1302 of the Patient Protection and Affordable Care Act (42 U.S.C. 18022).

Ms. STABENOW. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators

CARDIN, MURPHY, DURBIN, BALDWIN, BLUMENTHAL, BROWN, COONS, DUCKWORTH, FEINSTEIN, FRANKEN, HEINRICH, KLOBUCHAR, MARKEY, MENENDEZ, NELSON, PETERS, SHAHEEN, VAN HOLLEN, and WARREN.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Stabenow moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that no American will face reduced access to mental health care and services, and that the bill will not reduce the number of individuals with mental illness enrolled in health insurance coverage.

Ms. STABENOW. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators BOOKER, BALDWIN, BLUMENTHAL, BROWN, CARPER, CASEY, COONS, FEINSTEIN, GILLIBRAND, HASSAN, HIRONO, MARKEY, MENENDEZ, PETERS, SHAHEEN, VAN HOLLEN, and WARREN.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Stabenow moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that the bill would not reduce the percentage or number of health plans that cover pregnancy, maternity, and newborn care, and would not increase out-of-pocket costs for such care.

Ms. STABENOW. Madam President, I intend to offer the following motions to H.R. 1628, and I ask unanimous consent that they be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Stabenow moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) lower the cost of prescription drugs, including costs for families with private health insurance coverage and seniors enrolled in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Stabenow moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days, not counting any day

on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) establishes a refundable tax credit for out-of-pocket health care costs for which a deduction is otherwise allowed under current law.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Stabenow moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate within 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) reinstates, increases, and simplifies the small employer health insurance tax credit.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Stabenow moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) increase competition in the individual health insurance market in order to reduce premium costs and out-of-pocket expenses.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Stabenow moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that no American loses coverage of the essential health benefits under section 1302(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 18022(b)), including ambulatory patient services, emergency services, hospitalization, maternity and newborn care, mental health and substance use disorder services, prescription drugs, rehabilitative and habilitative services, laboratory services, preventive and wellness services and chronic disease management, and pediatric services.

Ms. HASSAN. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators CASEY, BALDWIN, BROWN, BOOKER, FRANKEN, KAINE, STABENOW, DUCKWORTH, LEAHY, COONS, BLUMENTHAL, DURBIN, WARREN, WYDEN, PETERS, WARNER, KING, MARKEY, CARDIN, MENENDEZ, NELSON, REED, UDALL, CARPER, BENNET, HIRONO, CANTWELL, HEINRICH, and VAN HOLLEN.

I would like to take a moment to thank my colleagues for their support.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Ms. Hassan moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that no provision in the bill would reduce or eliminate the amount, dura-

tion, or scope of Medicaid services available in schools under current law.

Mr. MARKEY. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators WARNER, BROWN, CARPER, REED, BLUMENTHAL, WARREN, KING, KLOBUCHAR, MENENDEZ, and VAN HOLLEN.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Markey moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that nothing in the bill would increase costs or decrease benefits for any individual with Alzheimer's disease or another dementia, including provisions that would reduce long term care coverage under the Medicaid program for Americans with Alzheimer's disease.

Mr. MARKEY. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators MANCHIN, WHITEHOUSE, BROWN, BLUMENTHAL, WARREN, KING, NELSON, WARNER, and VAN HOLLEN.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Markey moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that nothing in the bill would increase out-of-pocket costs or reduce access to treatment, including medication-assisted treatment for Americans suffering from substance use disorders, including those with an opioid use disorder.

Mr. MARKEY. Madam President, I intend to offer the following motion to H.R. 1628, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators CARPER, WARREN, CASEY, BROWN, HIRONO, STABENOW, MENENDEZ, and VAN HOLLEN.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Markey moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that nothing in the bill would increase the amount of uncompensated care provided by hospitals.

Mr. BENNET. Madam President, I intend to offer the following motions to H.R. 1628, and I ask unanimous consent that they be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Bennet moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that the health insurance coverage made available to Members of Congress shall not be more generous than the coverage available to Medicaid enrollees who are subject to the per capita cap under section 1903A of the Social Security Act, as added by the bill.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Bennet moves to commit the bill H.R. 1628 to the Committee on Finance of the Senate with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) strike the repeal of the tax on excessive remuneration of health insurers, and direct the savings from not repealing such tax to funding for treatment of opioid addiction.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Bennet moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) would ensure that, if the annual number of deaths due to opioid overdoses increases in any one of the 50 States or the District of Columbia in any year after the date of enactment, sections 126 (relating to the repeal of the Medicaid expansion) and 133 (relating to the per capita caps on Federal Medicaid spending) shall be repealed and the provisions of title XIX of the Social Security Act affected by such sections shall be restored as if such sections had not been enacted.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Bennet moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pension with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) would reinstate funding for risk corridors in order to increase health plan choices and affordability and to prevent the further collapse of cooperatives.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Bennet moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that the bill will not result in increased uncompensated care payments to hospitals under the Medicare program in



order to protect the solvency of such program.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Bennet moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such Committee; and

(2) provide that if the Secretary of Health and Human Services determines that uncompensated care at rural hospitals (defined as low-volume or critical access hospitals) has increased as a result of the implementation of this Act, then this Act shall be repealed and those provisions of law that were amended or repealed by this Act (including provisions of the Patient Protection and Affordable Care Act (Public Law 111-148), the Internal Revenue Code of 1986, and the Social Security Act) shall be restored or revived as if this Act had not been enacted.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Bennet moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pension with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such Committee; and

(2) provide that if the United States Census Bureau determines in its 2018 Health Insurance Coverage in the United States report that at least 2,000,000 individuals have lost their health insurance coverage, as compared to the 2016 Health Insurance Coverage in the United States report, as a result of the implementation of this Act, then this Act shall be repealed and those provisions of law that were amended or repealed by this Act (including provisions of the Patient Protection and Affordable Care Act (Public Law 111-148), the Internal Revenue Code of 1986, and the Social Security Act) shall be restored or revived as if this Act had not been enacted.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Bennet moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) would protect all children who are currently eligible for Medicaid.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Bennet moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee;

(2) would exempt any group of individuals that is eligible for Medicaid under current law, including children, adults with disabilities, pregnant women, seniors, those who need access to opioid addiction treatment, adults in school, and caretakers, from the Medicaid per capita caps; and

(3) would establish under title XIX of the Social Security Act a \$10,000,000 fund to eliminate waste, fraud, and abuse in State Medicaid programs.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Bennet moves to commit the bill H.R. 1628 to the Committee on Health, Education,

Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such Committee; and

(2) would strike section 207 of the bill and prohibit States from waiving essential health benefits.

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Bennet moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such Committee; and

(2) would strike section 205 of the bill and prohibit States from changing the medical loss ratio.

Mr. MANCHIN. Madam President, I intend to offer the following motion to commit that would send H.R. 1628 to the Finance Committee with instructions to eliminate any provision that would hurt the clinics serving miners with Black Lung by increasing the number of uninsured individuals. I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators MANCHIN, BROWN, WARNER, KAINE, and COONS.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Manchin moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) would eliminate any provision that would weaken the financial viability of the Black Lung Clinics serving coal miners with pneumoconiosis, including any provision that would cause an increase in the rate of uninsured individuals in the communities served by those clinics.

Mr. MANCHIN. Madam President, I intend to offer the following motion to commit that would send H.R. 1628 to the Finance Committee to include provisions of S. 523, as introduced in the Senate on March 2, 2017, the Budgeting for Opioid Addiction Treatment Act, commonly referred to as the LifeBOAT Act. This amendment would increase funding for substance use disorder treatment by establishing a 1-cent fee on every milligram of an opioid medication. It would exempt medication assisted treatment and include a rebate for cancer and hospice patients. I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators MANCHIN, MURPHY, WHITEHOUSE, KING, KLOBUCHAR, NELSON, HEITKAMP, SHAHEEN, BALDWIN, and BLUMENTHAL.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Manchin moves to commit the bill H.R. 1628 to the Committee on Finance with

instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee;

(2) include the provisions of S. 523, as introduced in the Senate on March 2, 2017, the Budgeting for Opioid Addiction Treatment Act (commonly referred to as the "LifeBOAT Act"); and

(3) offsets any increased spending that results from such changes.

Mr. MANCHIN. Madam President, I intend to offer the following motion to commit that would send H.R. 1628 to the Finance Committee with instructions to include provisions that would improve health literacy and access to wellness programs and provisions to encourage State and local governments to educate their constituents about healthy choices. I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senator BLUMENTHAL.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Manchin moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) would—

(A) improve health literacy and access to wellness programs, including through Medicaid managed care and health insurance plans that offer education and wellness incentives; and

(B) encourage State and local health officials to expand health literacy and wellness programs, particularly among the newly insured.

Mr. REED. Madam President, I intend to offer the following motion to H.R. 1628 and ask unanimous consent that it be printed in the RECORD.

I move to commit the bill, H.R. 1628, to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that, No. 1, are within the jurisdiction of such committee; and No. 2, ensure that no senior will lose access to long-term care service including nursing home care and home and community-based care under the Medicaid Program. Medicaid is the largest payer of nursing home care, with 900,000 individuals across the country and 4,756 individuals in Rhode Island who reside in nursing homes having their care paid for by Medicaid. This bill would decimate Medicaid, harming seniors and their families. This motion is supported by Senators BLUMENTHAL and SHAHEEN.

There being no objection, the material was ordered to be printed in the RECORD, as follows:



## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Reed moves to commit the bill H.R. 1628 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that no senior will lose access to long term care services (including nursing home care and home and community-based care) under the Medicaid program.

Mr. REED. Madam President, I have a motion to commit the bill, H.R. 1628, to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that, No. 1, are within the jurisdiction of such committee; and No. 2, ensure that any cuts to Medicaid shall cease to apply in States with fewer than 26 weeks of unemployment insurance under State law and shall be reversed in States with increased unemployment in a quarter and include a study on available job opportunities for those most likely to lose health insurance coverage in the next 10 years as a result of the bill. Like most of the country, Rhode Island was hit hard by the recession, and Medicaid provided a critical safety net. Medicaid can adapt to cover those who have lost their jobs or are facing other economic hardships, saving families from having to choose whether to take their kids to the doctor or put food on the table. Under this bill, States will be unable to expand coverage during a recession to those in need and will likely be forced to make devastating across the board cuts.

I ask unanimous consent that the motion be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

## MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Reed moves to commit the bill H.R. 1628 to the Committee on Finance of the Senate with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) ensure that any cuts to Medicaid shall cease to apply in States with fewer than 26 weeks of unemployment insurance under State law and shall be reversed in States with increased unemployment in a quarter, and include a study on available job opportunities for those most likely to lose health insurance coverage in the next ten years as a result of the bill.

Mrs. MURRAY. Madam President, with the support of Senators GILLIBRAND, BLUMENTHAL, SHAHEEN, STABENOW, HIRONO, BALDWIN, CORTEZ MASTO, HASSAN, VAN HOLLEN, LEAHY, WHITEHOUSE, BROWN, HARRIS, FRANKEN, FEINSTEIN, UDALL, KAINE, COONS, CANTWELL, MENENDEZ, REED, DUCKWORTH, DURBIN, WARREN, BOOKER, BALDWIN, CARPER, NELSON, HEINRICH, and KLOBUCHAR, I intend to make a motion to commit H.R. 1628, the American Health Care Act, to the Senate Committee on Health, Education, Labor, and Pensions for further consideration to ensure that it does not endanger the health of women. This closed-door, fast-track process is no way to make decisions that affect the health of every single woman in this country. It is imperative that we fix this legislation in an open, regular-order committee process.

I ask unanimous consent that the motion be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

## MOTION TO COMMIT WITH INSTRUCTIONS

Mrs. Murray moves to commit the bill H.R. 1628 to the Committee on Health, Education, Labor, and Pensions with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) eliminate provisions that make it harder for women to access health care, by—

(A) preventing women from accessing care through trusted health care providers;

(B) allowing or requiring insurance companies to offer plans that do not fully cover women's health care needs;

(C) charging women more for coverage; or

(D) ripping away women's access to the coverage they receive today.

The PRESIDING OFFICER. The Senator from Wyoming.

## MORNING BUSINESS

Mr. ENZI. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## BUDGETARY REVISIONS

Mr. ENZI. Madam President, section 3001 of S. Con. Res. 3, the concurrent resolution on the budget for fiscal year

2017, allows the chairman of the Senate Budget Committee to revise the allocations, aggregates and levels in the budget resolution for legislation related to healthcare reform. The authority to adjust is contingent on the legislation not increasing the deficit over the period of the total of fiscal years 2017 to 2026.

I find that amendment No. 271 fulfills the conditions of deficit neutrality found in sec. 3001 of S. Con. Res. 3. Accordingly, I am revising the allocations to the Committee on Finance, the Committee on Health, Education, Labor, and Pensions, HELP and the budgetary aggregates to account for the budget effects of the amendment. I am also adjusting the unassigned to committee savings levels in the budget resolution to reflect that while there are savings in the amendment attributable to both the HELP and Finance committees, the Congressional Budget Office and Joint Committee on Taxation are unable to produce unique estimates for each provision due to interactions and other effects that are estimated simultaneously.

This adjustment supersedes the adjustment I previously made for the processing of S. Amdt. 267. This adjustment applies while this amendment is under consideration. Should the amendment be withdrawn, fail, or lose its pending status, this adjustment will be null and void and the adjustment for amendment No. 267 shall remain active.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

## BUDGET AGGREGATES BUDGET AUTHORITY AND OUTLAYS

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017)

|                        | \$ in millions | 2017      |
|------------------------|----------------|-----------|
| Current Aggregates:    |                |           |
| Spending:              |                |           |
| Budget Authority ..... |                | 3,329,289 |
| Outlays .....          |                | 3,268,171 |
| Adjustments:           |                |           |
| Spending:              |                |           |
| Budget Authority ..... |                | - 4,100   |
| Outlays .....          |                | - 4,500   |
| Revised Aggregates:    |                |           |
| Spending:              |                |           |
| Budget Authority ..... |                | 3,325,189 |
| Outlays .....          |                | 3,263,671 |

## BUDGET AGGREGATE REVENUES

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017)

|                     | \$ in millions | 2017      | 2017–2021  | 2017–2026  |
|---------------------|----------------|-----------|------------|------------|
| Current Aggregates: |                |           |            |            |
| Revenue .....       |                | 2,682,088 | 14,498,573 | 32,351,660 |
| Adjustments:        |                |           |            |            |
| Revenue .....       |                | - 6,200   | - 305,300  | - 891,500  |
| Revised Aggregates: |                |           |            |            |
| Revenue .....       |                | 2,675,888 | 14,193,273 | 31,460,160 |

## REVISION TO ALLOCATION TO THE COMMITTEE ON FINANCE

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017)

|                        | \$ in millions | 2017      | 2017–2021  | 2017–2026  |
|------------------------|----------------|-----------|------------|------------|
| Current Allocation:    |                |           |            |            |
| Budget Authority ..... |                | 2,277,203 | 13,101,022 | 31,274,627 |
| Outlays .....          |                | 2,262,047 | 13,073,093 | 31,233,186 |
| Adjustments:           |                |           |            |            |
| Budget Authority ..... |                | –200      | –1,000     | 13,600     |
| Outlays .....          |                | –200      | –1,000     | 13,600     |
| Revised Allocation:    |                |           |            |            |
| Budget Authority ..... |                | 2,277,003 | 13,100,022 | 31,288,227 |
| Outlays .....          |                | 2,261,847 | 13,072,093 | 31,246,786 |

## REVISION TO ALLOCATION TO THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017)

|                        | \$ in millions | 2017   | 2017–2021 | 2017–2026 |
|------------------------|----------------|--------|-----------|-----------|
| Current Allocation:    |                |        |           |           |
| Budget Authority ..... |                | 17,204 | 90,282    | 176,893   |
| Outlays .....          |                | 15,841 | 89,820    | 183,421   |
| Adjustments:           |                |        |           |           |
| Budget Authority ..... |                | 400    | –1,000    | –9,200    |
| Outlays .....          |                | 0      | 500       | –6,000    |
| Revised Allocation:    |                |        |           |           |
| Budget Authority ..... |                | 17,604 | 89,282    | 167,693   |
| Outlays .....          |                | 15,841 | 90,320    | 177,421   |

## REVISION TO ALLOCATION TO THE UNASSIGNED COMMITTEE

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 3001 of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017)

|                        | \$ in millions | 2017     | 2017–2021  | 2017–2026   |
|------------------------|----------------|----------|------------|-------------|
| Current Allocation:    |                |          |            |             |
| Budget Authority ..... |                | –844,671 | –4,649,869 | –10,724,965 |
| Outlays .....          |                | –835,437 | –4,608,689 | –10,648,885 |
| Adjustments:           |                |          |            |             |
| Budget Authority ..... |                | –4,300   | –364,900   | –1,432,100  |
| Outlays .....          |                | –4,300   | –364,900   | –1,432,100  |
| Revised Allocation:    |                |          |            |             |
| Budget Authority ..... |                | –848,971 | –5,014,769 | –12,157,065 |
| Outlays .....          |                | –839,737 | –4,973,589 | –12,080,985 |

HONORING CHIEF EDWARD  
SWITALSKI

Mr. PETERS. Madam President, today, I wish to honor the 38-year public service career of Comstock, MI, fire chief Edward Switalski. Known for his bravery and devotion to his family and community, Chief Switalski was killed in the line of duty on June 14, 2017, having been struck and killed by a motorist on Interstate 94 in Kalamazoo County, as he was responding to a previous car crash at that site. He is survived by his wife, Holly, and two daughters, Alison and Emily.

Chief Switalski's dream of becoming a firefighter arrived early. As a child, he volunteered to clean equipment and perform other tasks for his local fire department. His career began as a part-time paramedic at Pleasantview Fire District in Illinois in 1982; while there, he rose to become battalion chief before retiring after 32 years of service and moving to Michigan to be closer to his daughters.

While in Illinois, Chief Switalski won numerous awards and citations, including one for running into the basement of a burning building in an attempt to rescue one of his colleagues. The chief was also a compassionate volunteer who traveled to New Orleans to help rebuild the community in the wake of the devastating Hurricane Katrina.

After his relocation to Michigan, Switalski became the chief of the Com-

stock, MI, fire department in 2013. Chief Switalski quickly became known as a visionary leader who would often pick up open firefighting shifts in his small department. Active in the community, the chief was involved in numerous organizations and was a member of Zion Lutheran Church in Kalamazoo.

Colleagues have paid numerous tributes to Chief Switalski. A former chief of his remarked he “did not know anyone who enjoyed being a firefighter more than he did.” The public safety chaplain of a neighboring fire department said that, on June 14, “we lost a great man on Earth that day, but we gained one in heaven.” The leader of a local ambulance service called Chief Switalski “an extraordinary man who had a deep compassion for his family and the communities that he served. He was a man of integrity, who believed in doing the right thing.”

It was entirely appropriate that United States and State of Michigan flags flew at half-staff on all State buildings on the day of the chief's funeral.

Chief Switalski was a brave and selfless public servant who was taken from our world much too soon. The tremendous outpouring of support demonstrated at his funeral service is a reminder of the risks undertaken every day by our first responders and the gratitude the public has for their vital work.

## TRIBUTE TO LOU D'ALLESANDRO

Ms. HASSAN. Madam President, today I wish to recognize Senator Lou D'Allesandro and congratulate him on his 20 years of service in the New Hampshire Senate and to honor his extraordinary career of public service to the State of New Hampshire.

Senator D'Allesandro is serving his 10th term in the New Hampshire Senate representing Manchester and previously served three terms on the New Hampshire Executive Council and two terms in the New Hampshire House of Representatives. Serving with distinction, he has always sought to best represent his constituents and is well known in New Hampshire for his leadership, his willingness to work constructively to better the Granite State, and for the responsiveness and care he has shown throughout his years in public service.

In addition to his many legislative achievements, Senator D'Allesandro served our country honorably in uniform in the U.S. Marine Corps and is an accomplished educator. Senator D'Allesandro was instrumental in getting NCAA status for SNHU and has remained extremely involved in New Hampshire education, having served as chairman of the New England Board of Higher Education. Appointed the first basketball coach in Southern New Hampshire University history in 1963, Senator D'Allesandro led the SNHU

Penmen to three straight titles and compiled a record of 114-40 in 7 years of coaching collegiate athletics. He holds honorary doctorates from Franklin Pierce University, Daniel Webster College, and the New Hampshire Institute of Art, as well as degrees from the University of New Hampshire, Rivier University, New England College, and the New Hampshire Institute of Art. He is a member of the National Football Foundation and College Hall of Fame, Inc., and is a director of the New Hampshire Hockey Hall of Fame.

As one may gather, Senator D'Allesandro is passionate about bettering the lives of New Hampshire's young people through education, and I sincerely thank him for his years supporting, in so many ways, our colleges and universities. I also thank his wonderful wife, Pat, who has stood by Lou's side and, in doing so, has also served the people of New Hampshire. I am honored to call Lou D'Allesandro a friend, and as Senator for New Hampshire, I join my voice with the voices of so many other Granite Staters to express gratitude to Senator D'Allesandro for his extraordinary commitment to public service, his selfless contributions to higher education, and the positive impact he has made on the State of New Hampshire. Of course, I join all Granite Staters in wishing Lou a great American day.

#### TRIBUTE TO JOHN MICHELS

Mr. WYDEN. Madam President, Team Wyden will shortly lose one of its stalwarts, but before John Michels of my Portland office takes his well-deserved retirement after two decades of service to the people of Oregon, I want to take just a few minutes to recognize his many, many contributions.

John joined my office in the late 1990s through a work-study program run by the Department of Veterans Affairs. He had previously worked in construction, and he served as a jet engine mechanic in the U.S. Navy before coming to my office, so suffice it to say that he was no stranger to long hours and tough assignments.

As a member of Team Wyden, John put his shoulder to the wheel to help other veterans when backlogs, bureaucracy, or red tape held up the care or the recognition they had earned. In his years of service, John has managed thousands of cases for Oregon constituents struggling with one Federal agency or another.

John has also always been a practical soul and has a passion for tinkering and fixing things. He brought these skills to bear as our resident IT expert and computer whisperer in Oregon.

Anybody who has worked in the government can tell you it can be tough. The pace can be grueling, the cynicism can be frustrating, and the bureaucracy can be maddening, but as John

will attest, there are few more rewarding experiences than helping a veteran receive overdue recognition or bringing a new VA facility to a rural community or ensuring seniors and people with disabilities receive the Social Security benefits they so richly deserve.

John is not the type of person to trumpet his service from the rooftops, but he has an enormous heart and a passion for public service. The bottom line is that John has found ways to help me help countless people across Oregon.

Now, as John knows, we never really let anybody leave Team Wyden, so I am sure we will still call upon his wealth of knowledge and experience. In the meantime, I want to thank him for all the help he has provided over these past two decades. I have been fortunate to have him on my team, and we will all miss him greatly.

#### ADDITIONAL STATEMENTS

##### SESQUICENTENNIAL CELEBRATION OF CHEYENNE, WYOMING

• Mr. BARRASSO. Madam President, I want to take a moment to commemorate the sesquicentennial of the city of Cheyenne, WY.

The city of Cheyenne is an irreplaceable catalyst in Wyoming's birth and development. Christened on July 4, 1867, Cheyenne was named after the Cheyenne Tribe found in the Dakota territory. As the population jumped from 400 to 3,000 and beyond, Cheyenne earned nickname "The Magic City of the Plains" in reference to how it seemingly sprouted overnight and kept on growing. This unfettered momentum showed enough potential that in 1886, 4 years before Wyoming became the 44th State, the construction of a State capitol was approved in Cheyenne. Among these barren plains, a wellspring of prosperity and opportunity was found for the independent, brave folks who were willing to work hard to build it. In that, Cheyenne's legacy perfectly captures Wyoming's spirit.

Cheyenne, WY, is a railroad town through and through. General Grenville Dodge, chief engineer for the Union Pacific Railroad, selected this dusty spot as a connecting point in the Nation's first transcontinental railroad. Thousands of men and their families came here to lay track up the Gangplank, the unique geography that allows a gradual grading from the plains to the Laramie Mountains. Supply stores, banks, and dentists all sprang up in their wake to accommodate the booming town. Now, Interstate 80 runs alongside the Gangplank from Cheyenne to Laramie, where the climb from the plains to the mountains continues today. On March 3, 2006, the Cheyenne Train Depot become a na-

tional historic landmark, solidifying the railroads irremovable stitching in the fabric of Cheyenne, WY, and the rest of the Nation.

During Cheyenne's first fragile years, soldiers were stationed at Fort D.A. Russell to protect the railroad. The base was established on the same day as the city, and construction began in October 1867. It later became the F.E. Warren Air Force base that continues to be crucial to Cheyenne today. The base was expected to last 6 months, then to dry up along with the town itself as folks followed the train tracks to find more work. However, Cheyenne endured—and the base along with it. It became a permanent Army installation in 1884, and soon ramshackle wood housings were replaced with brick buildings. In 1930, it was renamed F.E. Warren Base by President Herbert Hoover to honor Wyoming's first Governor, Francis Emroy Warren. It was officially renamed F.E. Warren Air Force Base in 1949, making it the oldest continually active base in the Air Force system. The base is currently responsible for 15 missile alert facilities and 150 Minute Man III missiles and is known throughout Wyoming as a fixture in the Cheyenne community. The F.E. Warren Base and some 4,000 personnel on site continue to be a massively positive presence in the Cheyenne neighborhood, especially at Cheyenne Frontier Days.

As with the F.E. Warren Air Force Base, there would be no Cheyenne without Cheyenne Frontier Days. The first frontier day took place on September 13, 1897, kicked off with a parade led by Buffalo Bill Cody. This event started as the brainchild of passenger agent Frank Angier, hired by railroad officials to increase the number of passengers. This was following the devastation of the prosperous cattle trade by the blizzards of 1886 to 1887, which killed thousands of cattle and the businesses of their barons. Cheyenne needed a boost, and the Cheyenne Frontier Days became the perfect solution. The first rodeo was attended by 400 folks, and more and more have been coming back ever since. Today Frontier Days is the world's largest outdoor rodeo, while also boasting world famous musical acts. In 2016, 259,193 people attended the event to watch professional cowboys compete for over \$1 million while enjoying the festive celebration of cowboy culture. This event symbolizes the western spirit that beats from within Cheyenne throughout the rest of Wyoming.

In honor of the 150th anniversary of Cheyenne, WY, I urge my esteemed colleagues to visit this "Magic City" themselves. I congratulate all the folks who work to preserve Cheyenne's rich history and continue its valuable legacy. I stand proudly with them in celebrating this historical achievement.●

# TRIBUTE TO ELLEN SCHLECHTER

• Mr. ROUNDS. Madam President, today I recognize the distinguished accomplishment of a young South Dakotan, Ellen Schlechter, a 2017 recipient of the National Federation of Independent Businesses NFIB Young Entrepreneur Award. Ellen is a recent high school graduate from Orient, SD, and the founder and owner of The Calving Book App, a convenient and simple way to keep calf records on a user's smartphone, tablet, or computer.

Growing up raising cattle, Ellen recognized a need in the agricultural sector for an application that would allow producers to document all of their cattle records in one place. Two years after the launch of The Calving Book App, Ellen has introduced an advanced version of the app and been featured in numerous ag publications and on local media in our State.

I extend my congratulations to Ellen for being recognized by the NFIB for her accomplishments and entrepreneurial spirit, and I thank her for the work she has done to help our producers become more efficient. I wish her continued success in the years to come.●

# TRIBUTE TO ABIGAIL KOSIAK

• Mr. THUNE. Madam President, today I recognize the hard work of my Commerce, Science, and Transportation Committee intern Abigail Kosiak. Abigail hails from Sioux Falls, SD, and is a rising junior at Utah State University.

While interning on the Commerce Committee, Abigail worked in the committee's front office, assisted the Communications, Technology, Innovation, and the Internet Subcommittee and gave tours of the Capitol. She is a dedicated worker who was committed to getting the most out of her internship. I extend my sincere thanks and appreciation to Abigail for all of the fine work she did for the Commerce Committee and wish her continued success in the years to come.●

# MESSAGE FROM THE HOUSE

At 10:06 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2182. An act to require the Comptroller General of the United States to submit a report to Congress on the alternatives for the final disposition of Plum Island, including preservation of the island for conservation, education, and research, and for other purposes.

H.R. 3178. An act to amend title XVIII of the Social Security Act to improve the delivery of home infusion therapy and dialysis and the application of the Stark rule under the Medicare program, and for other purposes.

H.R. 3364. An act to provide congressional review and to counter aggression by the Governments of Iran, the Russian Federation, and North Korea, and for other purposes.

The message also announced that pursuant to section 4003(e) of the 21st Century Cures Act (Public Law 114-255), and the order of the House of January 3, 2017, the Speaker appoints the following individual on the part of the House of Representatives to the Health Information Technology Advisory Committee: Ms. Cynthia A. Fisher of Newton, Massachusetts.

# MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3178. An act to amend title XVIII of the Social Security Act to improve the delivery of home infusion therapy and dialysis and the application of the Stark rule under the Medicare program, and for other purposes; to the Committee on Finance.

# INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MORAN (for himself, Mr. SCHATZ, Mr. INHOFE, Mr. BLUMENTHAL, Mr. YOUNG, and Mr. UDALL):

S. 1632. A bill to establish an additional fund in the Treasury to meet existing statutory obligations to reimburse costs reasonably incurred as a result of the reorganization of broadcast television spectrum, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN:

S. 1633. A bill to promote innovative approaches to outdoor recreation on Federal land and to open up opportunities for collaboration with non-Federal partners, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BLUMENTHAL (for himself and Mr. MARKEY):

S. 1634. A bill to require auto dealers to fix outstanding safety recalls before selling or leasing a used passenger motor vehicle; to the Committee on Commerce, Science, and Transportation.

By Ms. HIRONO:

S. 1635. A bill to amend title 38, United States Code, to extend authority for operation of the Department of Veterans Affairs Regional Office in Manila, the Republic of the Philippines; to the Committee on Veterans' Affairs.

By Mr. DURBIN (for himself, Mr. REED, Mr. BROWN, Mr. FRANKEN, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. MERKLEY, Mr. VAN HOLLEN, Ms. DUCKWORTH, Ms. HIRONO, and Ms. WARREN):

S. 1636. A bill to amend the Internal Revenue Code of 1986 to modify the rules relating to inverted corporations; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. REED, Mr. FRANKEN, Ms. DUCKWORTH, and Mr. WHITEHOUSE):

S. 1637. A bill to prohibit the award of Federal Government contracts to inverted do-

mestic corporations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. GRASSLEY (for himself, Ms. STABENOW, Mr. FRANKEN, Mr. Kaine, Mr. KING, and Mr. SCOTT):

S. 1638. A bill to provide priority under certain federally assisted housing programs to assist youths who are aging out of foster care, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WHITEHOUSE (for himself and Mr. SCHATZ):

S. 1639. A bill to amend the Internal Revenue Code of 1986 to provide for carbon dioxide and other greenhouse gas emission fees, reduce the rate of the corporate income tax, provide tax credits to workers, deliver additional benefits to retired and disabled Americans, and for other purposes; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. COONS, Ms. DUCKWORTH, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HIRONO, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mrs. MURRAY, Mr. PETERS, Mr. SANDERS, Mr. SCHATZ, Mrs. SHAHEEN, Mr. UDALL, Mr. VAN HOLLEN, and Ms. WARREN):

S. 1640. A bill to reform the financing of Senate elections, and for other purposes; to the Committee on Finance.

# SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BENNET (for himself, Mr. HELLER, Mr. MENENDEZ, Mr. UDALL, Mr. COONS, Mrs. FEINSTEIN, Mr. CARDIN, Mr. PETERS, Mr. VAN HOLLEN, Ms. HARRIS, Mr. HEINRICH, Mr. MERKLEY, Mr. FRANKEN, Mr. CARPER, Ms. STABENOW, Ms. CANTWELL, Mrs. MURRAY, and Ms. CORTEZ MASTO):

S. Res. 232. A resolution supporting the inclusion and meaningful engagement of Latinos in environmental protection and conservation efforts; to the Committee on Energy and Natural Resources.

By Mr. REED (for himself, Mr. MURKOWSKI, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Mrs. SHAHEEN, Mr. PETERS, and Mr. TESTER):

S. Res. 233. A resolution designating August 16, 2017, as "National Airborne Day"; to the Committee on the Judiciary.

# ADDITIONAL COSPONSORS

S. 223

At the request of Ms. COLLINS, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 223, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 298

At the request of Mr. TESTER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 298, a bill to require Senate candidates

to file designations, statements, and reports in electronic form.

S. 339

At the request of Mr. NELSON, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 339, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 364

At the request of Ms. KLOBUCHAR, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 364, a bill to amend the Food Security Act of 1985 to exempt certain recipients of Department of Agriculture conservation assistance from certain reporting requirements, and for other purposes.

S. 540

At the request of Mr. THUNE, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 540, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 671

At the request of Mr. MORAN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 671, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain amounts realized on the disposition of property raised or produced by a student farmer, and for other purposes.

S. 711

At the request of Mr. THUNE, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 711, a bill to amend the Internal Revenue Code of 1986 to provide for S corporation reform, and for other purposes.

S. 859

At the request of Mr. PETERS, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 859, a bill to authorize the Director of the United States Geological Survey to conduct monitoring, assessment, science, and research, in support of the binational fisheries within the Great Lakes Basin, and for other purposes.

S. 910

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 910, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 1172

At the request of Mrs. SHAHEEN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1172, a bill to impose

sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights against lesbian, gay, bisexual, and transgender (LGBT) individuals, and for other purposes.

S. 1182

At the request of Mr. YOUNG, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

S. 1326

At the request of Mr. MURPHY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1326, a bill to require the Secretary of the Treasury to mint coins in recognition of American innovation and significant innovation and pioneering efforts of individuals or groups from each of the 50 States, the District of Columbia, and the United States territories, to promote the importance of innovation in the United States, the District of Columbia, and the United States territories, and for other purposes.

S. 1332

At the request of Ms. STABENOW, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1332, a bill to establish the Great Lakes Aquatic Connectivity and Infrastructure Program, and for other purposes.

S. 1354

At the request of Mr. CARPER, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1354, a bill to establish an Individual Market Reinsurance fund to provide funding for State individual market stabilization reinsurance programs.

S. 1425

At the request of Mr. WICKER, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1425, a bill to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009, and for other purposes.

S. 1498

At the request of Ms. COLLINS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1498, a bill to establish in the Smithsonian Institution a comprehensive American women's history museum, and for other purposes.

S. 1591

At the request of Mr. VAN HOLLEN, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1591, a bill to impose sanctions with respect to the Democratic People's Republic of Korea, and for other purposes.

S. 1595

At the request of Mr. RUBIO, the names of the Senator from Texas (Mr.

CORNIN) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 1595, a bill to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes.

S. 1598

At the request of Mr. TESTER, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Wisconsin (Ms. BALDWIN), the Senator from California (Mrs. FEINSTEIN), the Senator from Delaware (Mr. COONS) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 1598, a bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

At the request of Mr. ISAKSON, the names of the Senator from Arizona (Mr. MCCAIN) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 1598, supra.

S. 1608

At the request of Mr. FLAKE, the names of the Senator from Texas (Mr. CORNYN), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Louisiana (Mr. KENNEDY) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 1608, a bill to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes.

S. 1615

At the request of Ms. CORTEZ MASTO, her name was added as a cosponsor of S. 1615, a bill to authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children and for other purposes.

S.J. RES. 47

At the request of Mr. CRAPO, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S.J. Res. 47, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements".

S. RES. 162

At the request of Mr. LANKFORD, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. Res. 162, a resolution reaffirming the commitment of the United States to promoting religious freedom, and for other purposes.

AMENDMENT NO. 268

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 268 intended to be proposed to H.R. 1628, a

bill to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

AMENDMENT NO. 276

At the request of Mr. KAINE, the names of the Senator from New Mexico (Mr. HEINRICH), the Senator from Maine (Mr. KING) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of amendment No. 276 intended to be proposed to H.R. 1628, a bill to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017.

STATEMENTS ON INTRODUCED  
BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. REED, Mr. BROWN, Mr. FRANKEN, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. MERKLEY, Mr. VAN HOLLEN, Ms. DUCKWORTH, Ms. HIRONO, and Ms. WARREN):

S. 1636. A bill to amend the Internal Revenue Code of 1986 to modify the rules relating to inverted corporations; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1636

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Stop Corporate Inversions Act of 2017”.

SEC. 2. MODIFICATIONS TO RULES RELATING TO  
INVERTED CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 7874 of the Internal Revenue Code of 1986 is amended to read as follows:

“(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

“(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

“(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting ‘80 percent’ for ‘60 percent’, or

“(B) such corporation is an inverted domestic corporation.

“(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

“(A) the entity completes after May 8, 2014, the direct or indirect acquisition of—

“(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

“(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

“(B) after the acquisition, either—

“(i) more than 50 percent of the stock (by vote or value) of the entity is held—

“(I) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by

reason of holding stock in the domestic corporation, or

“(II) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership, or

“(iii) the management and control of the expanded affiliated group which includes the entity occurs, directly or indirectly, primarily within the United States, and such expanded affiliated group has significant domestic business activities.

“(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term ‘substantial business activities’ shall have the meaning given such term under regulations in effect on January 18, 2017, except that the Secretary may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.

“(4) MANAGEMENT AND CONTROL.—For purposes of paragraph (2)(B)(ii)—

“(A) IN GENERAL.—The Secretary shall prescribe regulations for purposes of determining cases in which the management and control of an expanded affiliated group is to be treated as occurring, directly or indirectly, primarily within the United States. The regulations prescribed under the preceding sentence shall apply to periods after May 8, 2014.

“(B) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—Such regulations shall provide that the management and control of an expanded affiliated group shall be treated as occurring, directly or indirectly, primarily within the United States if substantially all of the executive officers and senior management of the expanded affiliated group who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the expanded affiliated group are based or primarily located within the United States. Individuals who in fact exercise such day-to-day responsibilities shall be treated as executive officers and senior management regardless of their title.

“(5) SIGNIFICANT DOMESTIC BUSINESS ACTIVITIES.—For purposes of paragraph (2)(B)(ii), an expanded affiliated group has significant domestic business activities if at least 25 percent of—

“(A) the employees of the group are based in the United States,

“(B) the employee compensation incurred by the group is incurred with respect to employees based in the United States,

“(C) the assets of the group are located in the United States, or

“(D) the income of the group is derived in the United States,

determined in the same manner as such determinations are made for purposes of determining substantial business activities under regulations referred to in paragraph (3) as in effect on January 18, 2017, but applied by treating all references in such regulations to ‘foreign country’ and ‘relevant foreign country’ as references to ‘the United States’. The

Secretary may issue regulations decreasing the threshold percent in any of the tests under such regulations for determining if business activities constitute significant domestic business activities for purposes of this paragraph.”

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of such Code is amended by striking “after March 4, 2003,” and inserting “after March 4, 2003, and before May 8, 2014.”

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking “subsection (a)(2)(B)(ii)” and inserting “subsections (a)(2)(B)(ii) and (b)(2)(B)(i)”, and

(ii) by inserting “or (b)(2)(A)” after “(a)(2)(B)(i)” in subparagraph (B),

(B) in paragraph (3), by inserting “or (b)(2)(B)(i), as the case may be,” after “(a)(2)(B)(ii)”,

(C) in paragraph (5), by striking “subsection (a)(2)(B)(ii)” and inserting “subsections (a)(2)(B)(ii) and (b)(2)(B)(i)”, and

(D) in paragraph (6), by inserting “or inverted domestic corporation, as the case may be,” after “surrogate foreign corporation”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after May 8, 2014.

By Mr. DURBIN (for himself, Mr. REED, Mr. FRANKEN, Ms. DUCKWORTH, and Mr. WHITEHOUSE):

S. 1637. A bill to prohibit the award of Federal Government contracts to inverted domestic corporations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1637

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “American Business for American Companies Act of 2017”.

SEC. 2. PROHIBITION ON AWARDING CONTRACTS  
TO INVERTED DOMESTIC CORPORATIONS.

(a) CIVILIAN CONTRACTS.—

(1) IN GENERAL.—Chapter 47 of title 41, United States Code, is amended by adding at the end the following new section:

“§ 4713. Prohibition on awarding contracts to  
inverted domestic corporations

“(a) PROHIBITION.—

“(1) IN GENERAL.—The head of an executive agency may not award a contract for the procurement of property or services to—

“(A) any foreign incorporated entity that such head has determined is an inverted domestic corporation or any subsidiary of such entity; or

“(B) any joint venture if more than 10 percent of the joint venture (by vote or value) is held by a foreign incorporated entity that such head has determined is an inverted domestic corporation or any subsidiary of such entity.

“(2) SUBCONTRACTS.—

“(A) IN GENERAL.—The head of an executive agency shall include in each contract for

the procurement of property or services awarded by the executive agency with a value in excess of \$10,000,000, other than a contract for exclusively commercial items, a clause that prohibits the prime contractor on such contract from—

“(i) awarding a first-tier subcontract with a value greater than 10 percent of the total value of the prime contract to an entity or joint venture described in paragraph (1); or

“(ii) structuring subcontract tiers in a manner designed to avoid the limitation in paragraph (1) by enabling an entity or joint venture described in paragraph (1) to perform more than 10 percent of the total value of the prime contract as a lower-tier subcontractor.

“(B) PENALTIES.—The contract clause included in contracts pursuant to subparagraph (A) shall provide that, in the event that the prime contractor violates the contract clause—

“(i) the prime contract may be terminated for default; and

“(ii) the matter may be referred to the suspension or debarment official for the appropriate agency and may be a basis for suspension or debarment of the prime contractor.

“(b) INVERTED DOMESTIC CORPORATION.—

“(1) IN GENERAL.—For purposes of this section, a foreign incorporated entity shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

“(A) the entity completes on or after May 8, 2014, the direct or indirect acquisition of—

“(i) substantially all of the properties held directly or indirectly by a domestic corporation; or

“(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership; and

“(B) after the acquisition, either—

“(i) more than 50 percent of the stock (by vote or value) of the entity is held—

“(I) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation; or

“(II) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership; or

“(ii) the management and control of the expanded affiliated group which includes the entity occurs, directly or indirectly, primarily within the United States, as determined pursuant to regulations prescribed by the Secretary of the Treasury, and such expanded affiliated group has significant domestic business activities.

“(2) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—

“(A) IN GENERAL.—A foreign incorporated entity described in paragraph (1) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group.

“(B) SUBSTANTIAL BUSINESS ACTIVITIES.—The Secretary of the Treasury (or the Secretary's delegate) shall establish regulations for determining whether an affiliated group has substantial business activities for purposes of subparagraph (A), except that such regulations may not treat any group as hav-

ing substantial business activities if such group would not be considered to have substantial business activities under the regulations prescribed under section 7874 of the Internal Revenue Code of 1986, as in effect on January 18, 2017.

“(3) SIGNIFICANT DOMESTIC BUSINESS ACTIVITIES.—

“(A) IN GENERAL.—For purposes of paragraph (1)(B)(ii), an expanded affiliated group has significant domestic business activities if at least 25 percent of—

“(i) the employees of the group are based in the United States;

“(ii) the employee compensation incurred by the group is incurred with respect to employees based in the United States;

“(iii) the assets of the group are located in the United States; or

“(iv) the income of the group is derived in the United States.

“(B) DETERMINATION.—Determinations pursuant to subparagraph (A) shall be made in the same manner as such determinations are made for purposes of determining substantial business activities under regulations referred to in paragraph (2) as in effect on January 18, 2017, but applied by treating all references in such regulations to ‘foreign country’ and ‘relevant foreign country’ as references to ‘the United States’. The Secretary of the Treasury (or the Secretary's delegate) may issue regulations decreasing the threshold percent in any of the tests under such regulations for determining if business activities constitute significant domestic business activities for purposes of this paragraph.

“(c) WAIVER.—

“(1) IN GENERAL.—The head of an executive agency may waive subsection (a) with respect to any Federal Government contract under the authority of such head if the head determines that the waiver is—

“(A) required in the interest of national security; or

“(B) necessary for the efficient or effective administration of Federal or federally funded—

“(i) programs that provide health benefits to individuals; or

“(ii) public health programs.

“(2) REPORT TO CONGRESS.—The head of an executive agency issuing a waiver under paragraph (1) shall, not later than 14 days after issuing such waiver, submit a written notification of the waiver to the relevant authorizing committees of Congress and the Committees on Appropriations of the Senate and the House of Representatives.

“(d) APPLICABILITY.—

“(1) IN GENERAL.—Except as provided in paragraph (2), this section shall not apply to any contract entered into before the date of the enactment of this section.

“(2) TASK AND DELIVERY ORDERS.—This section shall apply to any task or delivery order issued after the date of the enactment of this section pursuant to a contract entered into before, on, or after such date of enactment.

“(3) SCOPE.—This section applies only to contracts subject to regulation under the Federal Acquisition Regulation.

“(e) DEFINITIONS AND SPECIAL RULES.—

“(1) DEFINITIONS.—In this section, the terms ‘expanded affiliated group’, ‘foreign incorporated entity’, ‘person’, ‘domestic’, and ‘foreign’ have the meaning given those terms in section 835(c) of the Homeland Security Act of 2002 (6 U.S.C. 395(c)).

“(2) SPECIAL RULES.—In applying subsection (b) of this section for purposes of subsection (a) of this section, the rules described under 835(c)(1) of the Homeland Security Act of 2002 (6 U.S.C. 395(c)(1)) shall apply.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 47 of title 41, United States Code, is amended by inserting after the item relating to section 4712 the following new item:

“4713. Prohibition on awarding contracts to inverted domestic corporations.”.

(b) DEFENSE CONTRACTS.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2340. Prohibition on awarding contracts to inverted domestic corporations

“(a) PROHIBITION.—

“(1) IN GENERAL.—The head of an agency may not award a contract for the procurement of property or services to—

“(A) any foreign incorporated entity that such head has determined is an inverted domestic corporation or any subsidiary of such entity; or

“(B) any joint venture if more than 10 percent of the joint venture (by vote or value) is owned by a foreign incorporated entity that such head has determined is an inverted domestic corporation or any subsidiary of such entity.

“(2) SUBCONTRACTS.—

“(A) IN GENERAL.—The head of an executive agency shall include in each contract for the procurement of property or services awarded by the executive agency with a value in excess of \$10,000,000, other than a contract for exclusively commercial items, a clause that prohibits the prime contractor on such contract from—

“(i) awarding a first-tier subcontract with a value greater than 10 percent of the total value of the prime contract to an entity or joint venture described in paragraph (1); or

“(ii) structuring subcontract tiers in a manner designed to avoid the limitation in paragraph (1) by enabling an entity or joint venture described in paragraph (1) to perform more than 10 percent of the total value of the prime contract as a lower-tier subcontractor.

“(B) PENALTIES.—The contract clause included in contracts pursuant to subparagraph (A) shall provide that, in the event that the prime contractor violates the contract clause—

“(i) the prime contract may be terminated for default; and

“(ii) the matter may be referred to the suspension or debarment official for the appropriate agency and may be a basis for suspension or debarment of the prime contractor.

“(b) INVERTED DOMESTIC CORPORATION.—

“(1) IN GENERAL.—For purposes of this section, a foreign incorporated entity shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

“(A) the entity completes on or after May 8, 2014, the direct or indirect acquisition of—

“(i) substantially all of the properties held directly or indirectly by a domestic corporation; or

“(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership; and

“(B) after the acquisition, either—

“(i) more than 50 percent of the stock (by vote or value) of the entity is held—

“(I) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation; or

“(II) in the case of an acquisition with respect to a domestic partnership, by former



partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership; or

“(ii) the management and control of the expanded affiliated group which includes the entity occurs, directly or indirectly, primarily within the United States, as determined pursuant to regulations prescribed by the Secretary of the Treasury, and such expanded affiliated group has significant domestic business activities.

“(2) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—

“(A) IN GENERAL.—A foreign incorporated entity described in paragraph (1) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group.

“(B) SUBSTANTIAL BUSINESS ACTIVITIES.—The Secretary of the Treasury (or the Secretary’s delegate) shall establish regulations for determining whether an affiliated group has substantial business activities for purposes of subparagraph (A), except that such regulations may not treat any group as having substantial business activities if such group would not be considered to have substantial business activities under the regulations prescribed under section 7874 of the Internal Revenue Code of 1986, as in effect on January 18, 2017.

“(3) SIGNIFICANT DOMESTIC BUSINESS ACTIVITIES.—

“(A) IN GENERAL.—For purposes of paragraph (1)(B)(ii), an expanded affiliated group has significant domestic business activities if at least 25 percent of—

“(i) the employees of the group are based in the United States;

“(ii) the employee compensation incurred by the group is incurred with respect to employees based in the United States;

“(iii) the assets of the group are located in the United States; or

“(iv) the income of the group is derived in the United States.

“(B) DETERMINATION.—Determinations pursuant to subparagraph (A) shall be made in the same manner as such determinations are made for purposes of determining substantial business activities under regulations referred to in paragraph (2) as in effect on January 18, 2017, but applied by treating all references in such regulations to ‘foreign country’ and ‘relevant foreign country’ as references to ‘the United States’. The Secretary of the Treasury (or the Secretary’s delegate) may issue regulations decreasing the threshold percent in any of the tests under such regulations for determining if business activities constitute significant domestic business activities for purposes of this paragraph.

“(c) WAIVER.—

“(1) IN GENERAL.—The head of an agency may waive subsection (a) with respect to any Federal Government contract under the authority of such head if the head determines that the waiver is required in the interest of national security or is necessary for the efficient or effective administration of Federal or federally funded programs that provide health benefits to individuals.

“(2) REPORT TO CONGRESS.—The head of an agency issuing a waiver under paragraph (1) shall, not later than 14 days after issuing such waiver, submit a written notification of the waiver to the Committees on Armed

Services and Appropriations of the Senate and the House of Representatives.

“(d) APPLICABILITY.—

“(1) IN GENERAL.—Except as provided in paragraph (2), this section shall not apply to any contract entered into before the date of the enactment of this section.

“(2) TASK AND DELIVERY ORDERS.—This section shall apply to any task or delivery order issued after the date of the enactment of this section pursuant to a contract entered into before, on, or after such date of enactment.

“(3) SCOPE.—This section applies only to contracts subject to regulation under the Federal Acquisition Regulation and the Defense Supplement to the Federal Acquisition Regulation.

“(e) DEFINITIONS AND SPECIAL RULES.—

“(1) DEFINITIONS.—In this section, the terms ‘expanded affiliated group’, ‘foreign incorporated entity’, ‘person’, ‘domestic’, and ‘foreign’ have the meaning given those terms in section 835(c) of the Homeland Security Act of 2002 (6 U.S.C. 395(c)).

“(2) SPECIAL RULES.—In applying subsection (b) of this section for purposes of subsection (a) of this section, the rules described under 835(c)(1) of the Homeland Security Act of 2002 (6 U.S.C. 395(c)(1)) shall apply.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of title 10, United States Code, is amended by inserting after the item relating to section 2339 the following new item:

“2340. Prohibition on awarding contracts to inverted domestic corporations.”

(c) REGULATIONS REGARDING MANAGEMENT AND CONTROL.—

(1) IN GENERAL.—The Secretary of the Treasury (or the Secretary’s delegate) shall, for purposes of section 4713(b)(1)(B)(ii) of title 41, United States Code, and section 2340(b)(1)(B)(ii) of title 10, United States Code, as added by subsections (a) and (b), respectively, prescribe regulations for purposes of determining cases in which the management and control of an expanded affiliated group is to be treated as occurring, directly or indirectly, primarily within the United States. The regulations prescribed under the preceding sentence shall apply to periods after May 8, 2014.

(2) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—The regulations prescribed under paragraph (1) shall provide that the management and control of an expanded affiliated group shall be treated as occurring, directly or indirectly, primarily within the United States if substantially all of the executive officers and senior management of the expanded affiliated group who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the expanded affiliated group are based or primarily located within the United States. Individuals who in fact exercise such day-to-day responsibilities shall be treated as executive officers and senior management regardless of their title.

By Mr. DURBIN (for himself, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. COONS, Ms. DUCKWORTH, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HIRONO, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mrs. MURRAY, Mr. PETERS, Mr. SANDERS, Mr. SCHATZ, Mrs.

SHAHEEN, Mr. UDALL, Mr. VAN HOLLEN, and Ms. WARREN):

S. 1640. A bill to reform the financing of Senate elections, and for other purposes; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1640

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the ‘Fair Elections Now Act’.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—FAIR ELECTIONS FINANCING OF SENATE ELECTION CAMPAIGNS**

**Subtitle A—Fair Elections Financing Program**

Sec. 101. Findings and declarations.

Sec. 102. Eligibility requirements and benefits of Fair Elections financing of Senate election campaigns.

Sec. 103. Prohibition on joint fundraising committees.

Sec. 104. Exception to limitation on coordinated expenditures by political party committees with participating candidates.

**TITLE II—IMPROVING VOTER INFORMATION**

Sec. 201. Broadcasts relating to all Senate candidates.

Sec. 202. Broadcast rates for participating candidates.

Sec. 203. FCC to prescribe standardized form for reporting candidate campaign ads.

**TITLE III—RESPONSIBILITIES OF THE FEDERAL ELECTION COMMISSION**

Sec. 301. Petition for certiorari.

Sec. 302. Filing by Senate candidates with Commission.

Sec. 303. Electronic filing of FEC reports.

**TITLE IV—PARTICIPATION IN FUNDING OF ELECTIONS**

Sec. 401. Refundable tax credit for Senate campaign contributions.

**TITLE V—REVENUE PROVISIONS**

Sec. 501. Fair Elections Fund revenue.

**TITLE VI—MISCELLANEOUS PROVISIONS**

Sec. 601. Severability.

Sec. 602. Effective date.

**TITLE I—FAIR ELECTIONS FINANCING OF SENATE ELECTION CAMPAIGNS**

**Subtitle A—Fair Elections Financing Program**

**SEC. 101. FINDINGS AND DECLARATIONS.**

(a) UNDERMINING OF DEMOCRACY BY CAMPAIGN CONTRIBUTIONS FROM PRIVATE SOURCES.—The Senate finds and declares that the current system of privately financed campaigns for election to the United States Senate has the capacity, and is often perceived by the public, to undermine democracy in the United States by—

(1) creating a culture that fosters actual or perceived conflicts of interest by encouraging Senators to accept large campaign contributions from private interests that are directly affected by Federal legislation;

(2) diminishing or appearing to diminish Senators’ accountability to constituents by

compelling legislators to be accountable to the major contributors who finance their election campaigns;

(3) undermining the meaning of the right to vote by allowing monied interests to have a disproportionate and unfair influence within the political process;

(4) imposing large, unwarranted costs on taxpayers through legislative and regulatory distortions caused by unequal access to lawmakers for campaign contributors;

(5) making it difficult for some qualified candidates to mount competitive Senate election campaigns;

(6) disadvantaging challengers and discouraging competitive elections; and

(7) burdening incumbents with a preoccupation with fundraising and thus decreasing the time available to carry out their public responsibilities.

(b) **ENHANCEMENT OF DEMOCRACY BY PROVIDING ALLOCATIONS FROM THE FAIR ELECTIONS FUND.**—The Senate finds and declares that providing the option of the replacement of large private campaign contributions with allocations from the Fair Elections Fund for all primary, runoff, and general elections to the Senate would enhance American democracy by—

(1) reducing the actual or perceived conflicts of interest created by fully private financing of the election campaigns of public officials and restoring public confidence in the integrity and fairness of the electoral and legislative processes through a program which allows participating candidates to adhere to substantially lower contribution limits for contributors with an assurance that there will be sufficient funds for such candidates to run viable electoral campaigns;

(2) increasing the public's confidence in the accountability of Senators to the constituents who elect them, which derives from the program's qualifying criteria to participate in the voluntary program and the conclusions that constituents may draw regarding candidates who qualify and participate in the program;

(3) helping to reduce the ability to make large campaign contributions as a determinant of a citizen's influence within the political process by facilitating the expression of support by voters at every level of wealth, encouraging political participation, and incentivizing participation on the part of Senators through the matching of small dollar contributions;

(4) potentially saving taxpayers billions of dollars that may be (or that are perceived to be) currently allocated based upon legislative and regulatory agendas skewed by the influence of campaign contributions;

(5) creating genuine opportunities for all Americans to run for the Senate and encouraging more competitive elections;

(6) encouraging participation in the electoral process by citizens of every level of wealth; and

(7) freeing Senators from the incessant preoccupation with raising money, and allowing them more time to carry out their public responsibilities.

#### **SEC. 102. ELIGIBILITY REQUIREMENTS AND BENEFITS OF FAIR ELECTIONS FINANCING OF SENATE ELECTION CAMPAIGNS.**

The Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is amended by adding at the end the following:

#### **“TITLE V—FAIR ELECTIONS FINANCING OF SENATE ELECTION CAMPAIGNS**

##### **“Subtitle A—General Provisions**

#### **“SEC. 501. DEFINITIONS.**

“In this title:

“(1) **ALLOCATION FROM THE FUND.**—The term ‘allocation from the Fund’ means an allocation of money from the Fair Elections Fund to a participating candidate pursuant to section 522.

“(2) **BOARD.**—The term ‘Board’ means the Fair Elections Oversight Board established under section 531.

“(3) **FAIR ELECTIONS QUALIFYING PERIOD.**—The term ‘Fair Elections qualifying period’ means, with respect to any candidate for Senator, the period—

“(A) beginning on the date on which the candidate files a statement of intent under section 511(a)(1); and

“(B) ending on the date that is 30 days before—

“(i) the date of the primary election; or

“(ii) in the case of a State that does not hold a primary election, the date prescribed by State law as the last day to qualify for a position on the general election ballot.

“(4) **FAIR ELECTIONS START DATE.**—The term ‘Fair Elections start date’ means, with respect to any candidate, the date that is 180 days before—

“(A) the date of the primary election; or

“(B) in the case of a State that does not hold a primary election, the date prescribed by State law as the last day to qualify for a position on the general election ballot.

“(5) **FUND.**—The term ‘Fund’ means the Fair Elections Fund established by section 502.

“(6) **IMMEDIATE FAMILY.**—The term ‘immediate family’ means, with respect to any candidate—

“(A) the candidate's spouse;

“(B) a child, stepchild, parent, grandparent, brother, half-brother, sister, or half-sister of the candidate or the candidate's spouse; and

“(C) the spouse of any person described in subparagraph (B).

“(7) **MATCHING CONTRIBUTION.**—The term ‘matching contribution’ means a matching payment provided to a participating candidate for qualified small dollar contributions, as provided under section 523.

“(8) **NONPARTICIPATING CANDIDATE.**—The term ‘nonparticipating candidate’ means a candidate for Senator who is not a participating candidate.

“(9) **PARTICIPATING CANDIDATE.**—The term ‘participating candidate’ means a candidate for Senator who is certified under section 515 as being eligible to receive an allocation from the Fund.

“(10) **QUALIFYING CONTRIBUTION.**—The term ‘qualifying contribution’ means, with respect to a candidate, a contribution that—

“(A) is in an amount that is—

“(i) not less than the greater of \$5 or the amount determined by the Commission under section 531; and

“(ii) not more than the greater of \$150 or the amount determined by the Commission under section 531;

“(B) is made by an individual—

“(i) who is a resident of the State in which such candidate is seeking election; and

“(ii) who is not otherwise prohibited from making a contribution under this Act;

“(C) is made during the Fair Elections qualifying period; and

“(D) meets the requirements of section 512(b).

“(11) **QUALIFIED SMALL DOLLAR CONTRIBUTION.**—The term ‘qualified small dollar contribution’ means, with respect to a candidate, any contribution (or series of contributions)—

“(A) which is not a qualifying contribution (or does not include a qualifying contribution);

“(B) which is made by an individual who is not prohibited from making a contribution under this Act; and

“(C) the aggregate amount of which does not exceed the greater of—

“(i) \$150 per election; or

“(ii) the amount per election determined by the Commission under section 531.

“(12) **QUALIFYING MULTICANDIDATE POLITICAL COMMITTEE CONTRIBUTION.**—

“(A) **IN GENERAL.**—The term ‘qualifying multicandidate political committee contribution’ means any contribution to a candidate that is made from a qualified account of a multicandidate political committee (within the meaning of section 315(a)(2)).

“(B) **QUALIFIED ACCOUNT.**—For purposes of subparagraph (A), the term ‘qualified account’ means, with respect to a multicandidate political committee, a separate, segregated account of the committee that consists solely of contributions which meet the following requirements:

“(i) All contributions to such account are made by individuals who are not prohibited from making contributions under this Act.

“(ii) The aggregate amount of contributions from each individual to such account and all other accounts of the political committee do not exceed the amount described in paragraph (11)(C).

#### **“SEC. 502. FAIR ELECTIONS FUND.**

“(a) **ESTABLISHMENT.**—There is established in the Treasury a fund to be known as the ‘Fair Elections Fund’.

“(b) **AMOUNTS HELD BY FUND.**—The Fund shall consist of the following amounts:

“(1) **APPROPRIATED AMOUNTS.**—

“(A) **IN GENERAL.**—Amounts appropriated to the Fund.

“(B) **SENSE OF THE SENATE REGARDING APPROPRIATIONS.**—It is the sense of the Senate that—

“(i) there should be imposed on any payment made to any person (other than a State or local government or a foreign nation) who has a contract with the Government of the United States in excess of \$10,000,000 a tax equal to 0.50 percent of amount paid pursuant to each contract, except that the aggregate tax on each contract for any taxable year shall not exceed \$500,000; and

“(ii) the revenue from such tax should be appropriated to the Fund.

“(2) **VOLUNTARY CONTRIBUTIONS.**—Voluntary contributions to the Fund.

“(3) **OTHER DEPOSITS.**—Amounts deposited into the Fund under—

“(A) section 513(c) (relating to exceptions to contribution requirements);

“(B) section 521(c) (relating to remittance of allocations from the Fund);

“(C) section 533 (relating to violations); and

“(D) any other section of this Act.

“(4) **INVESTMENT RETURNS.**—Interest on, and the proceeds from, the sale or redemption of, any obligations held by the Fund under subsection (c).

“(c) **INVESTMENT.**—The Commission shall invest portions of the Fund in obligations of the United States in the same manner as provided under section 9602(b) of the Internal Revenue Code of 1986.

“(d) **USE OF FUND.**—

“(1) **IN GENERAL.**—The sums in the Fund shall be used to provide benefits to participating candidates as provided in subtitle C.

“(2) **INSUFFICIENT AMOUNTS.**—Under regulations established by the Commission, rules similar to the rules of section 9006(c) of the Internal Revenue Code shall apply.

**"Subtitle B—Eligibility and Certification"****"SEC. 511. ELIGIBILITY."**

"(a) IN GENERAL.—A candidate for Senator is eligible to receive an allocation from the Fund for any election if the candidate meets the following requirements:

"(1) The candidate files with the Commission a statement of intent to seek certification as a participating candidate under this title during the period beginning on the Fair Elections start date and ending on the last day of the Fair Elections qualifying period.

"(2) The candidate meets the qualifying contribution requirements of section 512.

"(3) Not later than the last day of the Fair Elections qualifying period, the candidate files with the Commission an affidavit signed by the candidate and the treasurer of the candidate's principal campaign committee declaring that the candidate—

"(A) has complied and, if certified, will comply with the contribution and expenditure requirements of section 513;

"(B) if certified, will comply with the debate requirements of section 514;

"(C) if certified, will not run as a non-participating candidate during such year in any election for the office that such candidate is seeking; and

"(D) has either qualified or will take steps to qualify under State law to be on the ballot.

"(b) GENERAL ELECTION.—Notwithstanding subsection (a), a candidate shall not be eligible to receive an allocation from the Fund for a general election or a general runoff election unless the candidate's party nominated the candidate to be placed on the ballot for the general election or the candidate otherwise qualified to be on the ballot under State law.

**"SEC. 512. QUALIFYING CONTRIBUTION REQUIREMENT."**

"(a) IN GENERAL.—A candidate for Senator meets the requirement of this section if, during the Fair Elections qualifying period, the candidate obtains—

"(1) a number of qualifying contributions equal to the greater of—

"(A) the sum of—

"(i) 2,000; plus

"(ii) 500 for each congressional district in the State with respect to which the candidate is seeking election; or

"(B) the amount determined by the Commission under section 531; and

"(2) a total dollar amount of qualifying contributions equal to the greater of—

"(A) 10 percent of the amount of the allocation such candidate would be entitled to receive for the primary election under section 522(c)(1) (determined without regard to paragraph (5) thereof) if such candidate were a participating candidate; or

"(B) the amount determined by the Commission under section 531.

"(b) REQUIREMENTS RELATING TO RECEIPT OF QUALIFYING CONTRIBUTION.—Each qualifying contribution—

"(1) may be made by means of a personal check, money order, debit card, credit card, or electronic payment account;

"(2) shall be accompanied by a signed statement containing—

"(A) the contributor's name and the contributor's address in the State in which the contributor is registered to vote; and

"(B) an oath declaring that the contributor—

"(i) understands that the purpose of the qualifying contribution is to show support for the candidate so that the candidate may qualify for Fair Elections financing;

"(ii) is making the contribution in his or her own name and from his or her own funds;

"(iii) has made the contribution willingly; and

"(iv) has not received anything of value in return for the contribution; and

"(3) shall be acknowledged by a receipt that is sent to the contributor with a copy kept by the candidate for the Commission and a copy kept by the candidate for the election authorities in the State with respect to which the candidate is seeking election.

"(c) VERIFICATION OF QUALIFYING CONTRIBUTIONS.—The Commission shall establish procedures for the auditing and verification of qualifying contributions to ensure that such contributions meet the requirements of this section.

**"SEC. 513. CONTRIBUTION AND EXPENDITURE REQUIREMENTS."**

"(a) GENERAL RULE.—A candidate for Senator meets the requirements of this section if, during the election cycle of the candidate, the candidate—

"(1) except as provided in subsection (b), accepts no contributions other than—

"(A) qualifying contributions;

"(B) qualified small dollar contributions;

"(C) qualifying multicandidate political committee contributions;

"(D) allocations from the Fund under section 522;

"(E) matching contributions under section 523; and

"(F) vouchers provided to the candidate under section 524;

"(2) makes no expenditures from any amounts other than from—

"(A) qualifying contributions;

"(B) qualified small dollar contributions;

"(C) qualifying multicandidate political committee contributions;

"(D) allocations from the Fund under section 522;

"(E) matching contributions under section 523; and

"(F) vouchers provided to the candidate under section 524; and

"(3) makes no expenditures from personal funds or the funds of any immediate family member (other than funds received through qualified small dollar contributions and qualifying contributions).

For purposes of this subsection, a payment made by a political party in coordination with a participating candidate shall not be treated as a contribution to or as an expenditure made by the participating candidate.

"(b) CONTRIBUTIONS FOR LEADERSHIP PACS, ETC.—A political committee of a participating candidate which is not an authorized committee of such candidate may accept contributions other than contributions described in subsection (a)(1) from any person if—

"(1) the aggregate contributions from such person for any calendar year do not exceed \$150; and

"(2) no portion of such contributions is disbursed in connection with the campaign of the participating candidate.

"(c) EXCEPTION.—Notwithstanding subsection (a), a candidate shall not be treated as having failed to meet the requirements of this section if any contributions that are not qualified small dollar contributions, qualifying contributions, qualifying multicandidate political committee contributions, or contributions that meet the requirements of subsection (b) and that are accepted before the date the candidate files a statement of intent under section 511(a)(1) are—

"(1) returned to the contributor; or

"(2) submitted to the Commission for deposit in the Fund.

**"SEC. 514. DEBATE REQUIREMENT."**

"A candidate for Senator meets the requirements of this section if the candidate participates in at least—

"(1) 1 public debate before the primary election with other participating candidates and other willing candidates from the same party and seeking the same nomination as such candidate; and

"(2) 2 public debates before the general election with other participating candidates and other willing candidates seeking the same office as such candidate.

**"SEC. 515. CERTIFICATION."**

"(a) IN GENERAL.—Not later than 5 days after a candidate for Senator files an affidavit under section 511(a)(3), the Commission shall—

"(1) certify whether or not the candidate is a participating candidate; and

"(2) notify the candidate of the Commission's determination.

"(b) REVOCATION OF CERTIFICATION.—

"(1) IN GENERAL.—The Commission may revoke a certification under subsection (a) if—

"(A) a candidate fails to qualify to appear on the ballot at any time after the date of certification; or

"(B) a candidate otherwise fails to comply with the requirements of this title, including any regulatory requirements prescribed by the Commission.

"(2) REPAYMENT OF BENEFITS.—If certification is revoked under paragraph (1), the candidate shall repay to the Fund an amount equal to the value of benefits received under this title plus interest (at a rate determined by the Commission) on any such amount received.

**"Subtitle C—Benefits"****"SEC. 521. BENEFITS FOR PARTICIPATING CANDIDATES."**

"(a) IN GENERAL.—For each election with respect to which a candidate is certified as a participating candidate, such candidate shall be entitled to—

"(1) an allocation from the Fund to make or obligate to make expenditures with respect to such election, as provided in section 522;

"(2) matching contributions, as provided in section 523; and

"(3) for the general election, vouchers for broadcasts of political advertisements, as provided in section 524.

"(b) RESTRICTION ON USES OF ALLOCATIONS FROM THE FUND.—Allocations from the Fund received by a participating candidate under section 522 and matching contributions under section 523 may only be used for campaign-related costs.

"(c) REMITTING ALLOCATIONS FROM THE FUND.—

"(1) IN GENERAL.—Not later than the date that is 45 days after an election in which the participating candidate appeared on the ballot, such participating candidate shall remit to the Commission for deposit in the Fund an amount equal to the lesser of—

"(A) the amount of money in the candidate's campaign account; or

"(B) the sum of the allocations from the Fund received by the candidate under section 522 and the matching contributions received by the candidate under section 523.

"(2) EXCEPTION.—In the case of a candidate who qualifies to be on the ballot for a primary runoff election, a general election, or a general runoff election, the amounts described in paragraph (1) may be retained by the candidate and used in such subsequent election.

**“SEC. 522. ALLOCATIONS FROM THE FUND.**

“(a) IN GENERAL.—The Commission shall make allocations from the Fund under section 521(a)(1) to a participating candidate—

“(1) in the case of amounts provided under subsection (c)(1), not later than 48 hours after the date on which such candidate is certified as a participating candidate under section 515;

“(2) in the case of a general election, not later than 48 hours after—

“(A) the date of the certification of the results of the primary election or the primary runoff election; or

“(B) in any case in which there is no primary election, the date the candidate qualifies to be placed on the ballot; and

“(3) in the case of a primary runoff election or a general runoff election, not later than 48 hours after the certification of the results of the primary election or the general election, as the case may be.

“(b) METHOD OF PAYMENT.—The Commission shall distribute funds available to participating candidates under this section through the use of an electronic funds exchange or a debit card.

“(c) AMOUNTS.—

“(1) PRIMARY ELECTION ALLOCATION; INITIAL ALLOCATION.—Except as provided in paragraph (5), the Commission shall make an allocation from the Fund for a primary election to a participating candidate in an amount equal to 67 percent of the base amount with respect to such participating candidate.

“(2) PRIMARY RUNOFF ELECTION ALLOCATION.—The Commission shall make an allocation from the Fund for a primary runoff election to a participating candidate in an amount equal to 25 percent of the amount the participating candidate was eligible to receive under this section for the primary election.

“(3) GENERAL ELECTION ALLOCATION.—Except as provided in paragraph (5), the Commission shall make an allocation from the Fund for a general election to a participating candidate in an amount equal to the base amount with respect to such candidate.

“(4) GENERAL RUNOFF ELECTION ALLOCATION.—The Commission shall make an allocation from the Fund for a general runoff election to a participating candidate in an amount equal to 25 percent of the base amount with respect to such candidate.

“(5) UNCONTESTED ELECTIONS.—

“(A) IN GENERAL.—In the case of a primary or general election that is an uncontested election, the Commission shall make an allocation from the Fund to a participating candidate for such election in an amount equal to 25 percent of the allocation which such candidate would be entitled to under this section for such election if this paragraph did not apply.

“(B) UNCONTESTED ELECTION DEFINED.—For purposes of this subparagraph, an election is uncontested if not more than 1 candidate has campaign funds (including payments from the Fund) in an amount equal to or greater than 10 percent of the allocation a participating candidate would be entitled to receive under this section for such election if this paragraph did not apply.

“(d) BASE AMOUNT.—

“(1) IN GENERAL.—Except as otherwise provided in this subsection, the base amount for any candidate is an amount equal to the greater of—

“(A) the sum of—

“(i) \$750,000; plus

“(ii) \$150,000 for each congressional district in the State with respect to which the candidate is seeking election; or

“(B) the amount determined by the Commission under section 531.

“(2) INDEXING.—In each even-numbered year after 2021—

“(A) each dollar amount under paragraph (1)(A) shall be increased by the percent difference between the price index (as defined in section 315(c)(2)(A)) for the 12 months preceding the beginning of such calendar year and the price index for calendar year 2020;

“(B) each dollar amount so increased shall remain in effect for the 2-year period beginning on the first day following the date of the last general election in the year preceding the year in which the amount is increased and ending on the date of the next general election; and

“(C) if any amount after adjustment under subparagraph (A) is not a multiple of \$100, such amount shall be rounded to the nearest multiple of \$100.

**“SEC. 523. MATCHING PAYMENTS FOR QUALIFIED SMALL DOLLAR CONTRIBUTIONS.**

“(a) IN GENERAL.—The Commission shall pay to each participating candidate an amount equal to 600 percent of the amount of qualified small dollar contributions received by the candidate from individuals who are residents of the State in which such participating candidate is seeking election after the date on which such candidate is certified under section 515.

“(b) LIMITATION.—The aggregate payments under subsection (a) with respect to any candidate shall not exceed the greater of—

“(1) 400 percent of the allocation such candidate is entitled to receive for such election under section 522 (determined without regard to subsection (c)(5) thereof); or

“(2) the percentage of such allocation determined by the Commission under section 531.

“(c) TIME OF PAYMENT.—The Commission shall make payments under this section not later than 2 business days after the receipt of a report made under subsection (d).

“(d) REPORTS.—

“(1) IN GENERAL.—Each participating candidate shall file reports of receipts of qualified small dollar contributions at such times and in such manner as the Commission may by regulations prescribe.

“(2) CONTENTS OF REPORTS.—Each report under this subsection shall disclose—

“(A) the amount of each qualified small dollar contribution received by the candidate;

“(B) the amount of each qualified small dollar contribution received by the candidate from a resident of the State in which the candidate is seeking election; and

“(C) the name, address, and occupation of each individual who made a qualified small dollar contribution to the candidate.

“(3) FREQUENCY OF REPORTS.—Reports under this subsection shall be made no more frequently than—

“(A) once every month until the date that is 90 days before the date of the election;

“(B) once every week after the period described in subparagraph (A) and until the date that is 21 days before the election; and

“(C) once every day after the period described in subparagraph (B).

“(4) LIMITATION ON REGULATIONS.—The Commission may not prescribe any regulations with respect to reporting under this subsection with respect to any election after the date that is 180 days before the date of such election.

“(e) APPEALS.—The Commission shall provide a written explanation with respect to any denial of any payment under this section and shall provide the opportunity for review

and reconsideration within 5 business days of such denial.

**“SEC. 524. POLITICAL ADVERTISING VOUCHERS.**

“(a) IN GENERAL.—The Commission shall establish and administer a voucher program for the purchase of airtime on broadcasting stations for political advertisements in accordance with the provisions of this section.

“(b) CANDIDATES.—The Commission shall only disburse vouchers under the program established under subsection (a) to participants certified pursuant to section 515 who have agreed in writing to keep and furnish to the Commission such records, books, and other information as it may require.

“(c) AMOUNTS.—The Commission shall disburse vouchers to each candidate certified under subsection (b) in an aggregate amount equal to the greater of—

“(1) \$100,000 multiplied by the number of congressional districts in the State with respect to which such candidate is running for office; or

“(2) the amount determined by the Commission under section 531.

“(d) USE.—

“(1) EXCLUSIVE USE.—Vouchers disbursed by the Commission under this section may be used only for the purchase of broadcast airtime for political advertisements relating to a general election for the office of Senate by the participating candidate to which the vouchers were disbursed, except that—

“(A) a candidate may exchange vouchers with a political party under paragraph (2); and

“(B) a political party may use vouchers only to purchase broadcast airtime for political advertisements for generic party advertising (as defined by the Commission in regulations), to support candidates for State or local office in a general election, or to support participating candidates of the party in a general election for Federal office, but only if it discloses the value of the voucher used as an expenditure under section 315(d).

“(2) EXCHANGE WITH POLITICAL PARTY COMMITTEE.—

“(A) IN GENERAL.—A participating candidate who receives a voucher under this section may transfer the right to use all or a portion of the value of the voucher to a committee of the political party of which the individual is a candidate (or, in the case of a participating candidate who is not a member of any political party, to a committee of the political party of that candidate's choice) in exchange for money in an amount equal to the cash value of the voucher or portion exchanged.

“(B) CONTINUATION OF CANDIDATE OBLIGATIONS.—The transfer of a voucher, in whole or in part, to a political party committee under this paragraph does not release the candidate from any obligation under the agreement made under subsection (b) or otherwise modify that agreement or its application to that candidate.

“(C) PARTY COMMITTEE OBLIGATIONS.—Any political party committee to which a voucher or portion thereof is transferred under subparagraph (A)—

“(i) shall account fully, in accordance with such requirements as the Commission may establish, for the receipt of the voucher; and

“(ii) may not use the transferred voucher or portion thereof for any purpose other than a purpose described in paragraph (1)(B).

“(D) VOUCHER AS A CONTRIBUTION UNDER FECA.—If a candidate transfers a voucher or any portion thereof to a political party committee under subparagraph (A)—

“(i) the value of the voucher or portion thereof transferred shall be treated as a contribution from the candidate to the committee, and from the committee to the candidate, for purposes of sections 302 and 304;

“(ii) the committee may, in exchange, provide to the candidate only funds subject to the prohibitions, limitations, and reporting requirements of title III of this Act; and

“(iii) the amount, if identified as a ‘voucher exchange’, shall not be considered a contribution for the purposes of sections 315 and 513.

“(e) VALUE; ACCEPTANCE; REDEMPTION.—

“(1) VOUCHER.—Each voucher disbursed by the Commission under this section shall have a value in dollars, redeemable upon presentation to the Commission, together with such documentation and other information as the Commission may require, for the purchase of broadcast airtime for political advertisements in accordance with this section.

“(2) ACCEPTANCE.—A broadcasting station shall accept vouchers in payment for the purchase of broadcast airtime for political advertisements in accordance with this section.

“(3) REDEMPTION.—The Commission shall redeem vouchers accepted by broadcasting stations under paragraph (2) upon presentation, subject to such documentation, verification, accounting, and application requirements as the Commission may impose to ensure the accuracy and integrity of the voucher redemption system.

“(4) EXPIRATION.—

“(A) CANDIDATES.—A voucher may only be used to pay for broadcast airtime for political advertisements to be broadcast before midnight on the day before the date of the Federal election in connection with which it was issued and shall be null and void for any other use or purpose.

“(B) EXCEPTION FOR POLITICAL PARTY COMMITTEES.—A voucher held by a political party committee may be used to pay for broadcast airtime for political advertisements to be broadcast before midnight on December 31st of the odd-numbered year following the year in which the voucher was issued by the Commission.

“(5) VOUCHER AS EXPENDITURE UNDER FECA.—The use of a voucher to purchase broadcast airtime constitutes an expenditure as defined in section 301(9)(A).

“(f) DEFINITIONS.—In this section:

“(1) BROADCASTING STATION.—The term ‘broadcasting station’ has the meaning given that term by section 315(f)(1) of the Communications Act of 1934.

“(2) POLITICAL PARTY.—The term ‘political party’ means a major party or a minor party as defined in section 9002 (3) or (4) of the Internal Revenue Code of 1986 (26 U.S.C. 9002 (3) or (4)).

#### “Subtitle D—Administrative Provisions

#### “SEC. 531. FAIR ELECTIONS OVERSIGHT BOARD.

“(a) ESTABLISHMENT.—There is established within the Federal Election Commission an entity to be known as the ‘Fair Elections Oversight Board’.

“(b) STRUCTURE AND MEMBERSHIP.—

“(1) IN GENERAL.—The Board shall be composed of 5 members appointed by the President by and with the advice and consent of the Senate, of whom—

“(A) 2 shall be appointed after consultation with the majority leader of the Senate;

“(B) 2 shall be appointed after consultation with the minority leader of the Senate; and

“(C) 1 shall be appointed upon the recommendation of the members appointed under subparagraphs (A) and (B).

“(2) QUALIFICATIONS.—

“(A) IN GENERAL.—The members shall be individuals who are nonpartisan and, by reason of their education, experience, and attainments, exceptionally qualified to perform the duties of members of the Board.

“(B) PROHIBITION.—No member of the Board may be—

“(i) an employee of the Federal Government;

“(ii) a registered lobbyist; or

“(iii) an officer or employee of a political party or political campaign.

“(3) DATE.—Members of the Board shall be appointed not later than 60 days after the date of the enactment of this Act.

“(4) TERMS.—A member of the Board shall be appointed for a term of 5 years.

“(5) VACANCIES.—A vacancy on the Board shall be filled not later than 30 calendar days after the date on which the Board is given notice of the vacancy, in the same manner as the original appointment. The individual appointed to fill the vacancy shall serve only for the unexpired portion of the term for which the individual's predecessor was appointed.

“(6) CHAIRPERSON.—The Board shall designate a Chairperson from among the members of the Board.

“(c) DUTIES AND POWERS.—

“(1) ADMINISTRATION.—

“(A) IN GENERAL.—The Board shall have such duties and powers as the Commission may prescribe, including the power to administer the provisions of this title.

“(2) REVIEW OF FAIR ELECTIONS FINANCING.—

“(A) IN GENERAL.—After each general election for Federal office, the Board shall conduct a comprehensive review of the Fair Elections financing program under this title, including—

“(i) the maximum dollar amount of qualified small dollar contributions under section 501(11);

“(ii) the maximum and minimum dollar amounts for qualifying contributions under section 501(10);

“(iii) the number and value of qualifying contributions a candidate is required to obtain under section 512 to qualify for allocations from the Fund;

“(iv) the amount of allocations from the Fund that candidates may receive under section 522;

“(v) the maximum amount of matching contributions a candidate may receive under section 523;

“(vi) the amount and usage of vouchers under section 524;

“(vii) the overall satisfaction of participating candidates and the American public with the program; and

“(viii) such other matters relating to financing of Senate campaigns as the Board determines are appropriate.

“(B) CRITERIA FOR REVIEW.—In conducting the review under subparagraph (A), the Board shall consider the following:

“(i) QUALIFYING CONTRIBUTIONS AND QUALIFIED SMALL DOLLAR CONTRIBUTIONS.—The Board shall consider whether the number and dollar amount of qualifying contributions required and maximum dollar amount for such qualifying contributions and qualified small dollar contributions strikes a balance regarding the importance of voter involvement, the need to assure adequate incentives for participating, and fiscal responsibility, taking into consideration the number of primary and general election participating candidates, the electoral performance of those candidates, program cost, and any other information the Board determines is appropriate.

“(ii) REVIEW OF PROGRAM BENEFITS.—The Board shall consider whether the totality of the amount of funds allowed to be raised by participating candidates (including through qualifying contributions and small dollar contributions), allocations from the Fund under section 522, matching contributions under section 523, and vouchers under section 524 are sufficient for voters in each State to learn about the candidates to cast an informed vote, taking into account the historic amount of spending by winning candidates, media costs, primary election dates, and any other information the Board determines is appropriate.

“(C) ADJUSTMENT OF AMOUNTS.—

“(i) IN GENERAL.—Based on the review conducted under subparagraph (A), the Board shall provide for the adjustments of the following amounts:

“(I) the maximum dollar amount of qualified small dollar contributions under section 501(11)(C);

“(II) the maximum and minimum dollar amounts for qualifying contributions under section 501(10)(A);

“(III) the number and value of qualifying contributions a candidate is required to obtain under section 512(a)(1);

“(IV) the base amount for candidates under section 522(d);

“(V) the maximum amount of matching contributions a candidate may receive under section 523(b); and

“(VI) the dollar amount for vouchers under section 524(c).

“(ii) REGULATIONS.—The Commission shall promulgate regulations providing for the adjustments made by the Board under clause (i).

“(D) REPORT.—Not later than March 30 following any general election for Federal office, the Board shall submit a report to Congress on the review conducted under paragraph (1). Such report shall contain a detailed statement of the findings, conclusions, and recommendations of the Board based on such review.

“(d) MEETINGS AND HEARINGS.—

“(1) MEETINGS.—The Board may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Board considers advisable to carry out the purposes of this Act.

“(2) QUORUM.—Three members of the Board shall constitute a quorum for purposes of voting, but a quorum is not required for members to meet and hold hearings.

“(e) REPORTS.—Not later than March 30, 2019, and every 2 years thereafter, the Board shall submit to the Senate Committee on Rules and Administration a report documenting, evaluating, and making recommendations relating to the administrative implementation and enforcement of the provisions of this title.

“(f) ADMINISTRATION.—

“(1) COMPENSATION OF MEMBERS.—

“(A) IN GENERAL.—Each member, other than the Chairperson, shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

“(B) CHAIRPERSON.—The Chairperson shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay prescribed for level III of the Executive Schedule under section 5314 of title 5, United States Code.

“(2) PERSONNEL.—

“(A) DIRECTOR.—The Board shall have a staff headed by an Executive Director. The Executive Director shall be paid at a rate

equivalent to a rate established for the Senior Executive Service under section 5382 of title 5, United States Code.

“(B) STAFF APPOINTMENT.—With the approval of the Chairperson, the Executive Director may appoint such personnel as the Executive Director and the Board determines to be appropriate.

“(C) ACTUARIAL EXPERTS AND CONSULTANTS.—With the approval of the Chairperson, the Executive Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

“(D) DETAIL OF GOVERNMENT EMPLOYEES.—Upon the request of the Chairperson, the head of any Federal agency may detail, without reimbursement, any of the personnel of such agency to the Board to assist in carrying out the duties of the Board. Any such detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

“(E) OTHER RESOURCES.—The Board shall have reasonable access to materials, resources, statistical data, and other information from the Library of Congress and other agencies of the executive and legislative branches of the Federal Government. The Chairperson of the Board shall make requests for such access in writing when necessary.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out the purposes of this subtitle.

#### “SEC. 532. ADMINISTRATION PROVISIONS.

“The Commission shall prescribe regulations to carry out the purposes of this title, including regulations—

“(1) to establish procedures for—

“(A) verifying the amount of valid qualifying contributions with respect to a candidate;

“(B) effectively and efficiently monitoring and enforcing the limits on the raising of qualified small dollar contributions;

“(C) monitoring the raising of qualifying multicandidate political committee contributions through effectively and efficiently monitoring and enforcing the limits on individual contributions to qualified accounts of multicandidate political committees;

“(D) effectively and efficiently monitoring and enforcing the limits on the use of personal funds by participating candidates;

“(E) monitoring the use of allocations from the Fund and matching contributions under this title through audits or other mechanisms; and

“(F) the administration of the voucher program under section 524; and

“(2) regarding the conduct of debates in a manner consistent with the best practices of States that provide public financing for elections.

#### “SEC. 533. VIOLATIONS AND PENALTIES.

“(a) CIVIL PENALTY FOR VIOLATION OF CONTRIBUTION AND EXPENDITURE REQUIREMENTS.—If a candidate who has been certified as a participating candidate under section 515(a) accepts a contribution or makes an expenditure that is prohibited under section 513, the Commission shall assess a civil penalty against the candidate in an amount that is not more than 3 times the amount of the contribution or expenditure. Any amounts collected under this subsection shall be deposited into the Fund.

“(b) REPAYMENT FOR IMPROPER USE OF FAIR ELECTIONS FUND.—

“(1) IN GENERAL.—If the Commission determines that any benefit made available to a participating candidate under this title was not used as provided for in this title or that

a participating candidate has violated any of the dates for remission of funds contained in this title, the Commission shall so notify the candidate and the candidate shall pay to the Fund an amount equal to—

“(A) the amount of benefits so used or not remitted, as appropriate; and

“(B) interest on any such amounts (at a rate determined by the Commission).

“(2) OTHER ACTION NOT PRECLUDED.—Any action by the Commission in accordance with this subsection shall not preclude enforcement proceedings by the Commission in accordance with section 309(a), including a referral by the Commission to the Attorney General in the case of an apparent knowing and willful violation of this title.”.

#### SEC. 103. PROHIBITION ON JOINT FUNDRAISING COMMITTEES.

Section 302(e) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30102(e)) is amended by adding at the end the following new paragraph:

“(6) No authorized committee of a participating candidate (as defined in section 501) may establish a joint fundraising committee with a political committee other than an authorized committee of a candidate.”.

#### SEC. 104. EXCEPTION TO LIMITATION ON COORDINATED EXPENDITURES BY POLITICAL PARTY COMMITTEES WITH PARTICIPATING CANDIDATES.

Section 315(d) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116(d)) is amended—

(1) in paragraph (3)(A), by striking “in the case of” and inserting “except as provided in paragraph (5), in the case of”; and

(2) by adding at the end the following new paragraph:

“(6)(A) The limitation under paragraph (3)(A) shall not apply with respect to any expenditure from a qualified political party-participating candidate coordinated expenditure fund.

“(B) In this paragraph, the term ‘qualified political party-participating candidate coordinated expenditure fund’ means a fund established by the national committee of a political party, or a State committee of a political party, including any subordinate committee of a State committee, for purposes of making expenditures in connection with the general election campaign of a candidate for election to the office of Senator who is a participating candidate (as defined in section 501), that only accepts qualified coordinated expenditure contributions.

“(C) In this paragraph, the term ‘qualified coordinated expenditure contribution’ means, with respect to the general election campaign of a candidate for election to the office of Senator who is a participating candidate (as defined in section 501), any contribution (or series of contributions)—

“(i) which is made by an individual who is not prohibited from making a contribution under this Act; and

“(ii) the aggregate amount of which does not exceed \$500 per election.”.

### TITLE II—IMPROVING VOTER INFORMATION

#### SEC. 201. BROADCASTS RELATING TO ALL SENATE CANDIDATES.

(a) LOWEST UNIT CHARGE; NATIONAL COMMITTEES.—Section 315(b)(1) of the Communications Act of 1934 (47 U.S.C. 315(b)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking “to such office” and inserting the following: “to such office, or by a national committee of a political party on behalf of such candidate in connection with such campaign,”; and

(2) in subparagraph (A), by inserting “for preemptible use thereof” after “station”.

(b) PREEMPTION; AUDITS.—Section 315 of the Communications Act of 1934 (47 U.S.C. 315) is amended—

(1) by redesignating subsections (c) and (d) as subsections (f) and (g), respectively and moving them to follow the existing subsection (e);

(2) by redesignating the existing subsection (e) as subsection (c); and

(3) by inserting after subsection (c) (as redesignated by paragraph (2)) the following:

“(d) PREEMPTION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), and notwithstanding the requirements of subsection (b)(1)(A), a licensee shall not preempt the use of a broadcasting station by a legally qualified candidate for Senate who has purchased and paid for such use.

“(2) CIRCUMSTANCES BEYOND CONTROL OF LICENSEE.—If a program to be broadcast by a broadcasting station is preempted because of circumstances beyond the control of the station, any candidate or party advertising spot scheduled to be broadcast during that program shall be treated in the same fashion as a comparable commercial advertising spot.

“(e) AUDITS.—During the 30-day period preceding a primary or primary runoff election and the 60-day period preceding a general or special election, the Commission shall conduct such audits as it deems necessary to ensure that each licensee to which this section applies is allocating television broadcast advertising time in accordance with this section and section 312.”.

(c) REVOCATION OF LICENSE FOR FAILURE TO PERMIT ACCESS.—Section 312(a)(7) of the Communications Act of 1934 (47 U.S.C. 312(a)(7)) is amended—

(1) by striking “or repeated”;

(2) by inserting “or cable system” after “broadcasting station”; and

(3) by striking “his candidacy” and inserting “the candidacy of the candidate, under the same terms, conditions, and business practices as apply to the most favored advertiser of the licensee”.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—Section 315 of the Communications Act of 1934 (47 U.S.C. 315) is amended—

(1) in subsection (f), as redesignated by subsection (b)(1)—

(A) in the matter preceding paragraph (1), by striking “For purposes of this section—” and inserting the following: “DEFINITIONS.—For purposes of this section:”;

(B) in paragraph (1)—

(i) by striking “the term” and inserting “BROADCASTING STATION.—The term”; and

(ii) by striking “; and” and inserting a period; and

(C) in paragraph (2), by striking “the terms” and inserting “LICENSEE; STATION LICENSEE.—The terms”; and

(2) in subsection (g), as redesignated by subsection (b)(1), by striking “The Commission” and inserting “REGULATIONS.—The Commission”.

#### SEC. 202. BROADCAST RATES FOR PARTICIPATING CANDIDATES.

Section 315(b) of the Communications Act of 1934 (47 U.S.C. 315(b)), as amended by section 201, is amended—

(1) in paragraph (1)(A), by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”; and

(2) by adding at the end the following:

“(3) PARTICIPATING CANDIDATES.—In the case of a participating candidate (as defined in section 501(9) of the Federal Election Campaign Act of 1971), the charges made for the

use of any broadcasting station for a television broadcast shall not exceed 80 percent of the lowest charge described in paragraph (1)(A) during—

“(A) the 45 days preceding the date of a primary or primary runoff election in which the candidate is opposed; and

“(B) the 60 days preceding the date of a general or special election in which the candidate is opposed.

“(4) RATE CARDS.—A licensee shall provide to a candidate for Senate a rate card that discloses—

“(A) the rate charged under this subsection; and

“(B) the method that the licensee uses to determine the rate charged under this subsection.”.

#### **SEC. 203. FCC TO PRESCRIBE STANDARDIZED FORM FOR REPORTING CANDIDATE CAMPAIGN ADS.**

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Federal Communications Commission shall initiate a rulemaking proceeding to establish a standardized form to be used by each broadcasting station, as defined in section 315(f) of the Communications Act of 1934 (47 U.S.C. 315(f)) (as redesignated by section 201(b)(1)), to record and report the purchase of advertising time by or on behalf of a candidate for nomination for election, or for election, to Federal elective office.

(b) CONTENTS.—The form prescribed by the Federal Communications Commission under subsection (a) shall require a broadcasting station to report to the Federal Communications Commission and to the Federal Election Commission, at a minimum—

(1) the station call letters and mailing address;

(2) the name and telephone number of the station's sales manager (or individual with responsibility for advertising sales);

(3) the name of the candidate who purchased the advertising time, or on whose behalf the advertising time was purchased, and the Federal elective office for which he or she is a candidate;

(4) the name, mailing address, and telephone number of the person responsible for purchasing broadcast political advertising for the candidate;

(5) notation as to whether the purchase agreement for which the information is being reported is a draft or final version; and

(6) with respect to the advertisement—

(A) the date and time of the broadcast;

(B) the program in which the advertisement was broadcast; and

(C) the length of the broadcast airtime.

(c) INTERNET ACCESS.—In its rulemaking under subsection (a), the Federal Communications Commission shall require any broadcasting station required to file a report under this section that maintains an Internet website to make available a link to each such report on that website.

#### **TITLE III—RESPONSIBILITIES OF THE FEDERAL ELECTION COMMISSION**

##### **SEC. 301. PETITION FOR CERTIORARI.**

Section 307(a)(6) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30107(a)(6)) is amended by inserting “(including a proceeding before the Supreme Court on certiorari)” after “appeal”.

##### **SEC. 302. FILING BY SENATE CANDIDATES WITH COMMISSION.**

Section 302(g) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30102(g)) is amended to read as follows:

“(g) FILING WITH THE COMMISSION.—All designations, statements, and reports required to be filed under this Act shall be filed with the Commission.”.

##### **SEC. 303. ELECTRONIC FILING OF FEC REPORTS.**

Section 304(a)(11) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104(a)(11)) is amended—

(1) in subparagraph (A), by striking “under this Act—” and all that follows and inserting “under this Act shall be required to maintain and file such designation, statement, or report in electronic form accessible by computers.”;

(2) in subparagraph (B), by striking “48 hours” and all that follows through “filed electronically)” and inserting “24 hours”; and

(3) by striking subparagraph (D).

#### **TITLE IV—PARTICIPATION IN FUNDING OF ELECTIONS**

##### **SEC. 401. REFUNDABLE TAX CREDIT FOR SENATE CAMPAIGN CONTRIBUTIONS.**

(a) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to refundable credits) is amended by inserting after section 36B the following new section:

##### **“SEC. 36C. CREDIT FOR SENATE CAMPAIGN CONTRIBUTIONS.**

“(a) IN GENERAL.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this subtitle an amount equal to 50 percent of the qualified My Voice Federal Senate campaign contributions paid or incurred by the taxpayer during the taxable year.

“(b) LIMITATIONS.—

“(1) DOLLAR LIMITATION.—The amount of qualified My Voice Federal Senate campaign contributions taken into account under subsection (a) for the taxable year shall not exceed \$50 (twice such amount in the case of a joint return).

“(2) LIMITATION ON CONTRIBUTIONS TO FEDERAL SENATE CANDIDATES.—No credit shall be allowed under this section to any taxpayer for any taxable year if such taxpayer made aggregate contributions in excess of \$300 during the taxable year to—

“(A) any single Federal Senate candidate, or

“(B) any political committee established and maintained by a national political party.

“(3) PROVISION OF INFORMATION.—No credit shall be allowed under this section to any taxpayer unless the taxpayer provides the Secretary with such information as the Secretary may require to verify the taxpayer's eligibility for the credit and the amount of the credit for the taxpayer.

“(c) QUALIFIED MY VOICE FEDERAL SENATE CONTRIBUTIONS.—For purposes of this section, the term ‘My Voice Federal Senate campaign contribution’ means any contribution of cash by an individual to a Federal Senate candidate or to a political committee established and maintained by a national political party if such contribution is not prohibited under the Federal Election Campaign Act of 1971.

“(d) FEDERAL SENATE CANDIDATE.—For purposes of this section—

“(1) IN GENERAL.—The term ‘Federal Senate candidate’ means any candidate for election to the office of Senator.

“(2) TREATMENT OF AUTHORIZED COMMITTEES.—Any contribution made to an authorized committee of a Federal Senate candidate shall be treated as made to such candidate.

“(e) INFLATION ADJUSTMENT.—

“(1) IN GENERAL.—In the case of a taxable year beginning after 2019, the \$50 amount under subsection (b)(1) shall be increased by an amount equal to—

“(A) such dollar amount, multiplied by

“(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar

year in which the taxable year begins, determined by substituting ‘calendar year 2018’ for ‘calendar year 1992’ in subparagraph (B) thereof.

“(2) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of \$5, such amount shall be rounded to the nearest multiple of \$5.”.

(b) CONFORMING AMENDMENTS.—

(1) Section 6211(b)(4)(A) of such Code is amended by inserting “36C,” after “36B.”.

(2) Section 1324(b)(2) of title 31, United States Code, is amended by inserting “36C,” after “36B.”.

(3) The table of sections for subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 36B the following new item:

“Sec. 36C. Credit for Senate campaign contributions.”.

(c) FORMS.—The Secretary of the Treasury, or his designee, shall ensure that the credit for contributions to Federal Senate candidates allowed under section 36C of the Internal Revenue Code of 1986, as added by this section, may be claimed on Forms 1040EZ and 1040A.

(d) ADMINISTRATION.—At the request of the Secretary of the Treasury, the Federal Election Commission shall provide the Secretary of the Treasury with such information and other assistance as the Secretary may reasonably require to administer the credit allowed under section 36C of the Internal Revenue Code of 1986, as added by this section.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2018.

#### **TITLE V—REVENUE PROVISIONS**

##### **SEC. 501. FAIR ELECTIONS FUND REVENUE.**

(a) IN GENERAL.—The Internal Revenue Code of 1986 is amended by inserting after chapter 36 the following new chapter:

##### **“CHAPTER 37—TAX ON PAYMENTS PURSUANT TO CERTAIN GOVERNMENT CONTRACTS**

“Sec. 4501. Imposition of tax.

##### **“SEC. 4501. IMPOSITION OF TAX.**

“(a) TAX IMPOSED.—There is hereby imposed on any payment made to a qualified person pursuant to a contract with the Government of the United States a tax equal to 0.50 percent of the amount paid.

“(b) LIMITATION.—The aggregate amount of tax imposed per contract under subsection (a) for any calendar year shall not exceed \$500,000.

“(c) QUALIFIED PERSON.—For purposes of this section, the term ‘qualified person’ means any person which—

“(1) is not a State or local government, a foreign nation, or an organization described in section 501(c)(3) which is exempt from taxation under section 501(a), and

“(2) has a contract with the Government of the United States with a value in excess of \$10,000,000.

“(d) PAYMENT OF TAX.—The tax imposed by this section shall be paid by the person receiving such payment.

“(e) USE OF REVENUE GENERATED BY TAX.—It is the sense of the Senate that amounts equivalent to the revenue generated by the tax imposed under this chapter should be appropriated for the financing of a Fair Elections Fund and used for the public financing of Senate elections.”.

(b) CONFORMING AMENDMENT.—The table of chapters of the Internal Revenue Code of 1986 is amended by inserting after the item relating to chapter 36 the following:



“CHAPTER 37—TAX ON PAYMENTS PURSUANT TO CERTAIN GOVERNMENT CONTRACTS”.

(C) **EFFECTIVE DATE.**—The amendments made by this section shall apply to contracts entered into after the date of the enactment of this Act.

#### TITLE VI—MISCELLANEOUS PROVISIONS

##### SEC. 601. SEVERABILITY.

If any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

##### SEC. 602. EFFECTIVE DATE.

Except as otherwise provided for in this Act, this Act and the amendments made by this Act shall take effect on January 1, 2019.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 232—SUPPORTING THE INCLUSION AND MEANINGFUL ENGAGEMENT OF LATINOS IN ENVIRONMENTAL PROTECTION AND CONSERVATION EFFORTS

Mr. BENNET (for himself, Mr. HELLER, Mr. MENENDEZ, Mr. UDALL, Mr. COONS, Mrs. FEINSTEIN, Mr. CARDIN, Mr. PETERS, Mr. VAN HOLLEN, Ms. HARRIS, Mr. HEINRICH, Mr. MERKLEY, Mr. FRANKEN, Mr. CARPER, Ms. STABENOW, Ms. CANTWELL, Mrs. MURRAY, and Ms. CORTEZ MASTO) submitted the following resolution; which was referred to the Committee on Energy and Natural Resources:

S. RES. 232

Whereas Latinos are the largest ethnic group in the United States, with more than 56,600,000 Latinos making up 17.6 percent of the population of the United States;

Whereas the Latino community is projected to grow to nearly ¼ of the population of the United States by 2050;

Whereas Latinos should have greater representation in the decisionmaking process relating to, and management of, public land;

Whereas Latino conservation initiatives break down barriers, improve access to public land, and encourage outreach to, and new opportunities for, the Latino community to use public land;

Whereas Latino conservation efforts can range from outdoor activities, such as hiking and kayaking, to educational activities and community gatherings;

Whereas increased access to outdoor recreation opportunities encourages Latino families and youth to engage with the outdoors and demonstrate the commitment of the Latino families and youth to conservation;

Whereas each person should have the opportunity to discover his or her history, culture, and heritage by exploring and experiencing the public land of the United States;

Whereas access to green spaces provides for healthier and more active lifestyles, which helps address numerous health disparity issues facing the Latino community, such as diabetes, obesity, and cardiovascular disease;

Whereas the participation of Latinos in conservation efforts can encourage the interest and involvement of Latinos in careers in conservation;

Whereas the people of the United States must ensure that the public land and natural surroundings of the United States are protected for future generations; and

Whereas the members of the largest ethnic group in the United States, as the environmental stewards of tomorrow, will play a significant role in securing the future success and preservation of the public land of the United States, especially as that group continues to grow: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the role of Latinos in protecting and preserving the land, water, and wildlife of the United States;

(2) supports the inclusion and meaningful engagement of Latinos in environmental protection and conservation efforts; and

(3) encourages Latinos in the United States to participate in ceremonies, activities, and programs that engage the community in the outdoors and bring awareness to the importance of conservation.

##### SENATE RESOLUTION 233—DESIGNATING AUGUST 16, 2017, AS “NATIONAL AIRBORNE DAY”

Mr. REED (for himself, Ms. MURKOWSKI, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Mrs. SHAHEEN, Mr. PETERS, and Mr. TESTER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 233

Whereas the members of the airborne forces of the Armed Forces of the United States have a long and honorable history as bold and fierce warriors who, for the national security of the United States and the defense of freedom and peace, project the ground combat power of the United States by air transport to the far reaches of the battle area and to the far corners of the world;

Whereas, on June 25, 1940, experiments with airborne operations by the United States began when the Army Parachute Test Platoon was first authorized by the Department of War;

Whereas, in July 1940, 48 volunteers began training for the Army Parachute Test Platoon;

Whereas August 16 marks the anniversary of the first official Army parachute jump, which took place on August 16, 1940, to test the innovative concept of inserting United States ground combat forces behind a battle line by means of a parachute;

Whereas the success of the Army Parachute Test Platoon in the days immediately before the entry of the United States into World War II validated the airborne operational concept and led to the creation of a formidable force of airborne formations that included the 11th, 13th, 17th, 82nd, and 101st Airborne Divisions;

Whereas, included in those divisions, and among other separate formations, were many airborne combat, combat support, and combat service support units that served with distinction and achieved repeated success in armed hostilities during World War II;

Whereas the achievements of the airborne units during World War II prompted the evolution of those units into a diversified force of parachute and air-assault units that, over the years, have fought in Korea, Vietnam, Grenada, Panama, the Persian Gulf region, and Somalia, and have engaged in peacekeeping operations in Lebanon, the Sinai Peninsula, the Dominican Republic, Haiti, Bosnia, and Kosovo;

Whereas, since the terrorist attacks of September 11, 2001, the members of the United States airborne forces, including members of the XVIII Airborne Corps, the 82nd Airborne Division, the 101st Airborne Division, the 173rd Airborne Brigade Combat Team, the 4th Brigade Combat Team (Airborne) of the 25th Infantry Division, the 75th Ranger Regiment, special operations forces of the Army, Marine Corps, Navy, and Air Force, and other units of the Armed Forces, have demonstrated bravery and honor in combat, stability, and training operations in Afghanistan and Iraq;

Whereas the modern-day airborne forces also include other elite forces composed of airborne trained and qualified special operations warriors, including Army Special Forces, Marine Corps Reconnaissance units, Navy SEALs, and Air Force combat control and pararescue teams;

Whereas, of the members and former members of the United States airborne forces, thousands have achieved the distinction of making combat jumps, dozens have earned the Medal of Honor, and hundreds have earned the Distinguished Service Cross, the Silver Star, or other decorations and awards for displays of heroism, gallantry, intrepidity, and valor;

Whereas the members and former members of the United States airborne forces are all members of a proud and honorable tradition that, together with the special skills and achievements of those members, distinguishes the members as intrepid combat parachutists, air assault forces, special operation forces, and, in the past, glider troops;

Whereas individuals from every State of the United States have served gallantly in the airborne forces, and each State is proud of the contributions of its paratrooper veterans during the many conflicts faced by the United States;

Whereas the history and achievements of the members and former members of the United States airborne forces warrant special expressions of the gratitude of the people of the United States; and

Whereas, since the airborne forces, past and present, celebrate August 16 as the anniversary of the first official jump by the Army Parachute Test Platoon, August 16 is an appropriate day to recognize as National Airborne Day: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates August 16, 2017, as “National Airborne Day”; and

(2) calls on the people of the United States to observe National Airborne Day with appropriate programs, ceremonies, and activities.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 281. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 282. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 283. Mr. ROUNDS submitted an amendment intended to be proposed by him to the

SA 338. Mr. KING (for himself, Mr. BLUMENTHAL, and Mrs. SHAHEEN) submitted

an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 339. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 340. Mr. MCCONNELL (for Mr. DAINES) proposed an amendment to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, supra.

SA 341. Mr. UDALL (for himself, Ms. CANTWELL, Ms. CORTEZ MASTO, Ms. HEITKAMP, Mr. FRANKEN, Mrs. MURRAY, Mr. SCHATZ, Ms. STABENOW, Mr. TESTER, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 342. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 343. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 344. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 345. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 346. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 347. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 348. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 349. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 350. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 351. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 352. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 353. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 354. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 355. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 356. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 357. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 358. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 359. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 360. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 361. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 362. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 363. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 364. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 365. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 366. Mr. Kaine (for himself, Mr. BLUMENTHAL, Mr. CARPER, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 367. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 368. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 369. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 370. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 371. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 372. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 373. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 374. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 375. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 376. Ms. DUCKWORTH (for herself, Mr. DURBIN, Mrs. ERNST, and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 377. Mr. MENENDEZ (for himself, Mr. DURBIN, Mr. BLUMENTHAL, Mr. BOOKER, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 378. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 379. Mr. MARKEY (for himself, Ms. WARREN, Mr. CARPER, Mr. CASEY, Mr. BROWN, Ms. HIRONO, Ms. STABENOW, Mr. MENENDEZ, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 380. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 381. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 382. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 383. Mr. FRANKEN (for himself, Mr. CORNYN, Ms. HEITKAMP, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 384. Mr. MANCHIN (for himself, Mr. MURPHY, Mr. WHITEHOUSE, Mr. KING, Ms. KLOBUCHAR, Mr. NELSON, Ms. HEITKAMP, Mrs. SHAHEEN, Ms. BALDWIN, Mr. BLUMENTHAL, and Mr. WARREN) submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 385. Mr. MANCHIN (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 386. Mr. MANCHIN (for himself, Mr. BROWN, Mr. WARNER, Mr. KAINE, Mr. COONS, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 387. Mr. CARDIN (for himself, Mr. CARPER, Mr. NELSON, Ms. WARREN, Mr. BLUMENTHAL, Mr. BROWN, Mr. VAN HOLLEN, Ms. STABENOW, Ms. DUCKWORTH, and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 388. Mr. CRAPO (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 389. Mr. STRANGE submitted an amendment intended to be proposed by him

to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 390. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

SA 391. Mr. GRAHAM (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed by him to the bill H.R. 1628, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 281.** Mr. PAUL submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the end of title I, insert the following:  
**SEC. 122. SMALL BUSINESS HEALTH PLANS.**

(a) **TAX TREATMENT OF SMALL BUSINESS HEALTH PLANS.**—A small business health plan (as defined in section 801(a) of the Employee Retirement Income Security Act of 1974) shall be treated—

(1) as a group health plan (as defined in section 2791 of the Public Health Service Act (42 U.S.C. 300gg-91)) for purposes of applying title XXVII of the Public Health Service Act (42 U.S.C. 300gg et seq.) and title XXII of such Act (42 U.S.C. 300bb-1);

(2) as a group health plan (as defined in section 5000(b)(1) of the Internal Revenue Code of 1986), for purposes of applying sections 4980B and 5000 and chapter 100 of the Internal Revenue Code of 1986; and

(3) as a group health plan (as defined in section 733(a)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191b(a)(1))) for purposes of applying parts 6 and 7 of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1161 et seq.).

(b) **RULES.**—Subtitle B of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1021 et seq.) is amended by adding at the end the following new part:

#### **"PART 8—RULES GOVERNING SMALL BUSINESS RISK SHARING POOLS**

##### **"SEC. 801. SMALL BUSINESS HEALTH PLANS.**

"(a) **IN GENERAL.**—For purposes of this part, the term 'small business health plan' means—

"(1) a fully insured group health plan, offered by a health insurance issuer in the large group market; or

"(2) a self-insured group health plan,

whose sponsor is described in subsection (b).

"(b) **SPONSOR.**—The sponsor of a group health plan is described in this subsection if such sponsor—

"(1) is a qualified sponsor and receives certification by the Secretary;

"(2) is organized and maintained in good faith, with a constitution or bylaws specifically stating its purpose and providing for periodic meetings on at least an annual basis;

"(3) is established as a permanent entity; and

"(4) does not condition membership on the basis of a minimum group size.

##### **"SEC. 802. FILING FEE AND CERTIFICATION OF SMALL BUSINESS HEALTH PLANS.**

"(a) **FILING FEE.**—A small business health plan shall pay to the Secretary at the time

of filing an application for certification under subsection (b) a filing fee in the amount of \$5,000, which shall be available to the Secretary for the sole purpose of administering the certification procedures applicable with respect to small business health plans.

"(b) **CERTIFICATION.**—

"(1) **IN GENERAL.**—Not later than 6 months after the date of enactment of this part, the Secretary shall prescribe by interim final rule a procedure under which the Secretary—

"(A) will certify a qualified sponsor of a small business health plan, upon receipt of an application that includes the information described in paragraph (2);

"(B) may provide for continued certification of small business health plans under this part;

"(C) shall provide for the revocation of a certification if the applicable authority finds that the small business health plan involved fails to comply with the requirements of this part;

"(D) shall conduct oversight of certified plan sponsors, including periodic review, and consistent with section 504, applying the requirements of sections 518, 519, and 520; and

"(E) will consult with a State with respect to a small business health plan domiciled in such State regarding the Secretary's authority under this part and other enforcement authority under sections 502 and 504.

"(2) **INFORMATION TO BE INCLUDED IN APPLICATION FOR CERTIFICATION.**—An application for certification under this part meets the requirements of this section only if it includes, in a manner and form which shall be prescribed by the applicable authority by regulation, at least the following information:

"(A) Identifying information.

"(B) States in which the plan intends to do business.

"(C) Bonding requirements.

"(D) Plan documents.

"(E) Agreements with service providers.

"(3) **REQUIREMENTS FOR CERTIFIED PLAN SPONSORS.**—Not later than 6 months after the date of enactment of this part, the Secretary shall prescribe by interim final rule requirements for certified plan sponsors that include requirements regarding—

"(A) structure and requirements for boards of trustees or plan administrators;

"(B) notification of material changes; and

"(C) notification for voluntary termination.

"(c) **FILING NOTICE OF CERTIFICATION WITH STATES.**—A certification granted under this part to a small business health plan offered by a health insurance issuer, as described in section 801(a)(1), shall not be effective unless written notice of such certification is filed by the plan sponsor with the applicable authority of each State in which the small business health plan operates.

"(d) **EXPEDITED AND DEEMED CERTIFICATION.**—

"(1) **IN GENERAL.**—If the Secretary fails to act on a complete application for certification under this section within 90 days of receipt of such complete application, the applying small business health plan sponsor shall be deemed certified until such time as the Secretary may deny for cause the application for certification.

"(2) **PENALTY.**—The Secretary may assess a penalty against the board of trustees, plan administrator, and plan sponsor (jointly and severally) of a small business health plan sponsor that is deemed certified under paragraph (1) of up to \$500,000 in the event the Secretary determines that the application

for certification of such small business health plan sponsor was willfully or with gross negligence incomplete or inaccurate.

##### **"SEC. 803. PARTICIPATION AND COVERAGE REQUIREMENTS.**

"(a) **COVERED EMPLOYERS AND INDIVIDUALS.**—The requirements of this subsection are met with respect to a small business health plan if, under the terms of the plan—

"(1) each participating employer must be—

"(A) a member of the sponsor;

"(B) the sponsor; or

"(C) an affiliated member of the sponsor, except that, in the case of a sponsor which is a professional association or other individual-based association, if at least one of the officers, directors, or employees of an employer, or at least one of the individuals who are partners in an employer and who actively participates in the business, is a member or such an affiliated member of the sponsor, participating employers may also include such employer;

"(2) a participating employer is not deemed to be a plan sponsor in applying requirements relating to coverage renewal; and

"(3) all individuals commencing coverage under the plan after certification under this part must be—

"(A) an active or retired owner (including a self-employed individual with or without employees), officer, director, or employee of, or partner in, a participating employer;

"(B) an eligible individual; or

"(C) a dependent of an individual described in subparagraph (A) or (B).

"(b) **PROHIBITION OF DISCRIMINATION AGAINST EMPLOYERS AND EMPLOYEES ELIGIBLE TO PARTICIPATE.**—The requirements of this subsection are met with respect to a small business health plan if—

"(1) under the terms of the plan, no participating employer may provide health insurance coverage in the individual market for any employee not covered under the plan, if such exclusion of the employee from coverage under the plan is based on a health status-related factor with respect to the employee and such employee would, but for such exclusion on such basis, be eligible for coverage under the plan; and

"(2) information regarding all coverage options available under the plan is made readily available to any employer eligible to participate.

##### **"SEC. 804. DEFINITIONS; RENEWAL.**

"For purposes of this part:

"(1) **AFFILIATED MEMBER.**—The term 'affiliated member' means, in connection with a sponsor—

"(A) a person who is otherwise eligible to be a member of the sponsor but who elects an affiliated status with the sponsor, or

"(B) in the case of a sponsor with members which consist of associations, a person who is a member or employee of any such association and elects an affiliated status with the sponsor.

"(2) **APPLICABLE AUTHORITY.**—The term 'applicable authority' means—

"(A) with respect to a health insurance issuer in a State, the State insurance commissioner or official or officials designated by the State to enforce the requirements of title XXVII of the Public Health Service Act for the State involved with respect to such issuer; and

"(B) with respect to a group health plan, the Secretary of Labor.

"(3) **ELIGIBLE INDIVIDUAL.**—The term 'eligible individual' means any individual who—

"(A) is a member of a sponsor; and

"(B)(i) is not employed or self-employed; or

“(ii) is employed by an employer who does not offer the individual the option to enroll in a group health plan.

“(4) FRANCHISOR; FRANCHISEE.—The terms ‘franchisor’ and ‘franchisee’ have the meanings given such terms for purposes of sections 436.2(a) through 436.2(c) of title 16, Code of Federal Regulations (including any such amendments to such regulation after the date of enactment of this part) and, for purposes of this part, franchisor or franchisee employers participating in such a group health plan shall not be treated as the employer, co-employer, or joint employer of the employees of another participating franchisor or franchisee employer for any purpose.

“(5) HEALTH PLAN TERMS.—The terms ‘group health plan’, ‘health insurance coverage’, and ‘health insurance issuer’ have the meanings given such terms in section 733.

“(6) INDIVIDUAL MARKET.—

“(A) IN GENERAL.—The term ‘individual market’ means the market for health insurance coverage offered to individuals other than in connection with a group health plan.

“(B) TREATMENT OF VERY SMALL GROUPS.—

“(i) IN GENERAL.—Subject to clause (ii), such term includes coverage offered in connection with a group health plan that has fewer than 2 participants as current employees or participants described in section 732(d)(3) on the first day of the plan year.

“(ii) STATE EXCEPTION.—Clause (i) shall not apply in the case of health insurance coverage offered in a State if such State regulates the coverage described in such clause in the same manner and to the same extent as coverage in the small group market (as defined in section 2791(e)(5) of the Public Health Service Act) is regulated by such State.

“(7) PARTICIPATING EMPLOYER.—The term ‘participating employer’ means, in connection with a small business health plan, any employer, if any individual who is an employee of such employer, a partner in such employer, or a self-employed individual who is such employer, including a self-employed individual with no additional employees (or any dependent, as defined under the terms of the plan, of such individual) is or was covered under such plan in connection with the status of such individual as such an employee, partner, or self-employed individual in relation to the plan.”

(c) PREEMPTION RULES.—Section 514 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1144) is amended by adding at the end the following:

“(f)(1) Except as provided in subsection (b)(4), the provisions of this title shall supersede any and all State laws insofar as they may now or hereafter preclude a health insurance issuer from offering health insurance coverage in connection with a small business health plan which is certified under part 8 or preclude a self-insured small business health plan which is certified under part 8 from operating.

“(2) Nothing in subparagraph (1) shall be construed to limit the authority of a State to otherwise regulate health plans offered by a health insurance issuer in such State.”

(d) PLAN SPONSOR.—Section 3(16)(B) of such Act (29 U.S.C. 102(16)(B)) is amended by adding at the end the following new sentence: “Such term also includes a person serving as the sponsor of a small business health plan under part 8.”

(e) SAVINGS CLAUSE.—Section 731(c) of such Act is amended by inserting “or part 8” after “this part”.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect 1 year

after the date of the enactment of this Act. The Secretary of Labor shall first issue all regulations necessary to carry out the amendments made by this section within 6 months after the date of the enactment of this Act.

**SA 282.** Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

**SEC. 710. EXCEPTION TO INCREASE IN COST-SHARING REQUIREMENTS FOR TRICARE PHARMACY BENEFITS PROGRAM FOR BENEFICIARIES WHO LIVE MORE THAN 40 MILES FROM A MILITARY TREATMENT FACILITY.**

(a) IN GENERAL.—Notwithstanding paragraph (6) of section 1074g(a) of title 10, United States Code, as amended by section 706(a), the Secretary of Defense may not increase after the date of the enactment of this Act any cost-sharing amounts under such paragraph with respect to covered beneficiaries described in subsection (b).

(b) COVERED BENEFICIARIES DESCRIBED.—Covered beneficiaries described in this subsection are eligible covered beneficiaries (as defined in section 1074g(g) of title 10, United States Code) who live more than 40 miles driving distance from the closest military treatment facility to the residence of the beneficiary.

(c) REPORT ON EFFECT OF INCREASE.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the potential effect, without regard to subsection (a), of the increase in cost-sharing amounts under section 1074g(a)(6) of title 10, United States Code, on covered beneficiaries described in subsection (b).

(2) ELEMENTS.—The report required by paragraph (1) shall include an assessment of how much additional costs would be required of covered beneficiaries described in subsection (b) per year as a result of increases in cost-sharing amounts described in such paragraph, including the average amount per individual and the aggregate amount.

**SA 283.** Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XVI, add the following:

**SEC. 1630C. SENSE OF CONGRESS ON USE OF INTERGOVERNMENTAL PERSONNEL ACT MOBILITY PROGRAM AND DEPARTMENT OF DEFENSE INFORMATION TECHNOLOGY EXCHANGE PROGRAM TO OBTAIN PERSONNEL WITH CYBER SKILLS AND ABILITIES FOR THE DEPARTMENT OF DEFENSE.**

It is the sense of Congress that—

(1) the Department of Defense should fully use the Intergovernmental Personnel Act Mobility Program (IPAMP) and the Department of Defense Information Technology Exchange Program (ITEP) to obtain cyber personnel across the Government by leveraging cyber capabilities found at the State and local government level and in the private sector in order to meet the needs of the Department for cybersecurity professionals; and

(2) the Department should implement at the earliest practicable date a strategy that includes policies and plans to fully use such programs to obtain such personnel for the Department.

**SA 284.** Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . REDUCING MEDICAID FRAUD, WASTE, ABUSE, AND OTHER IMPROPER PAYMENTS.**

Not later than 6 months after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with the Comptroller General of the United States and representatives of State auditors, shall issue guidance establishing a national strategy for reducing fraud, waste, abuse, and other improper payments in Medicaid.

**SA 285.** Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . EXPLANATION OF BENEFITS.**

Subpart I of part A of title XXVII of the Public Health Service Act (42 U.S.C. 300gg et seq.) is amended by adding at the end the following:

**“SEC. 2710. EXPLANATION OF BENEFITS.**

“Each health insurance issuer offering health insurance coverage in the individual market or group market shall include the Current Procedural Terminology (‘CPT’) code with each explanation of benefits.”

**SA 286.** Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . EMERGENCY ROOM PHYSICIANS.**

The Secretary of Health and Human Services shall promulgate regulations requiring hospitals to employ only emergency room physicians who have a contract with the same health insurance issuers with which the hospital has a contract.

**SA 287.** Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. WORK REQUIREMENT FOR NON-DISABLED, NONELDERLY, NONPREGNANT INDIVIDUALS.**

Section 1902 of the Social Security Act (42 U.S.C. 1396a), as previously amended, is further amended by adding at the end the following new subsection:

“(oo) **WORK REQUIREMENT FOR NON-DISABLED, NONELDERLY, NONPREGNANT INDIVIDUALS.**—

“(1) **IN GENERAL.**—Beginning October 1, 2017, subject to paragraph (3), States shall condition medical assistance to a non-disabled, nonelderly, nonpregnant individual under this title upon such an individual’s satisfaction of a work requirement (as defined in paragraph (2)).

“(2) **WORK REQUIREMENT DEFINED.**—In this section, the term ‘work requirement’ means, with respect to an individual, the individual’s participation in work activities (as defined in section 407(d)) for such period of time as determined by the State, and as directed and administered by the State.

“(3) **REQUIRED EXCEPTIONS.**—States may not apply a work requirement under this subsection to—

“(A) a woman during pregnancy through the end of the month in which the 60-day period (beginning on the last day of her pregnancy) ends;

“(B) an individual who is under 19 years of age;

“(C) an individual who is a regular participant in a drug addiction or alcoholic treatment and rehabilitation program;

“(D) an individual who is the only parent or caretaker relative in the family of a child who has not attained 6 years of age or who is the only parent or caretaker of a child with disabilities; or

“(E) an individual who is married or a head of household and has not attained 20 years of age and who—

“(i) maintains satisfactory attendance at secondary school or the equivalent; or

“(ii) participates in education directly related to employment.”.

**SA 288.** Mr. HELLER submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. SENSE OF THE SENATE.**

It is the Sense of the Senate that—

(1) the committee of jurisdiction of the Senate—

(A) should review the issue of Medicaid expansion and coverage for low-income Americans, and the incentives such expansion provides States for certain services;

(B) should consider legislation that provides incentives for States to prioritize Medicaid services for individuals who have the

greatest medical need, including individuals with disabilities;

(C) should not consider legislation that reduces or eliminates benefits or coverage for individuals who are currently eligible for Medicaid;

(D) should not consider legislation that prevents or discourages a State from expanding its Medicaid program to include groups or individuals or types of services that are operational under current law; and

(E) should not consider legislation that shifts costs to States to cover such care;

(2) Obamacare should be repealed because it increases health care costs, limits patient choice of health plans and doctors, forces Americans to buy insurance that they do not want, cannot afford, or may not be able to access, and increases taxes on middle class families, which is evidenced by the facts that—

(A) premiums for health plans offered on the Federal Exchange have doubled on average over the last 4 years, and those increases are projected to continue;

(B) 70 percent of counties have only a few options for Obamacare insurance in 2017, and at least 40 counties are expected to have zero insurers planning on their Exchange for 2018;

(C) 2,300,000 Americans on the Exchange are projected to have only one insurer to choose from for plan year 2018; and

(D) the Joint Committee on Taxation has identified significant and widespread tax increases on individuals earning less than \$200,000; and

(3) Obamacare should be replaced with patient-centered legislation that—

(A) provides access to quality, affordable private health care coverage for Americans and their families by increasing competition, State flexibility, and individual choice; and

(B) strengthens Medicaid and empowers States through increased flexibility to best meet the needs of each State’s population.

**SA 289.** Mr. DAINES submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 5, strike lines 20 through 22 and insert the following:

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply to months beginning after December 31, 2013.

(c) **TAXPAYER REFUND PROGRAM.**—

(1) **IN GENERAL.**—The Secretary of the Treasury shall implement a program under which taxpayers who have paid a penalty under section 5000A of the Internal Revenue Code of 1986 for any taxable year receive 1 payment in refund of all such penalties paid, without regard to whether or not an amended return is filed. Such payment shall be made not later than April 15, 2018.

(2) **WAIVER OF STATUTE OF LIMITATIONS.**—Solely for purposes of claiming the refund under paragraph (1), the period prescribed by section 6511(a) of the Internal Revenue Code of 1986 with respect to any payment of a penalty under section 5000A shall be extended until the date prescribed by law (including extensions) for filing the return of tax for the taxable year that includes December 31, 2017.

**SA 290.** Ms. WARREN (for herself, Mr. MARKEY, Mr. CARPER, Mr. DURBIN,

Ms. STABENOW, Ms. HIRONO, Mr. VAN HOLLEN, and Mr. BROWN) submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would increase costs for community health centers, including by increasing the number of uninsured individuals or by reducing Federal funding of the Medicaid program that helps provide coverage for many patients receiving care at community health centers, shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 291.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would lead to an increased likelihood of bankruptcies for American families, including provisions that would allow insurers to impose annual or lifetime limits on insurance benefits or that would eliminate insurance coverage, shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 292.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would reduce funding for special education programs, including provisions that break President Trump’s promise not to cut Medicaid, shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 293.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would harm individuals with Alzheimer’s disease by increasing

their premiums or cutting Federal Medicaid funding that supports those in nursing homes, shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 294.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would harm babies born prematurely by cutting Federal Medicaid funding that supports medications, special equipment, and therapies to help these babies thrive and protect their family from bankruptcy, shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 295.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would reduce coverage for prescription drug benefits, lead to increased out-of-pocket prescription drug costs, or allow States to apply for waivers to drop prescription drug coverage from the list of essential health benefits, shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 296.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would make it harder for a person with breast cancer to access health care, shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 297.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would make it harder for a person with cervical cancer to access health care, shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 298.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would make it harder for a victim of human trafficking to access health care, shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 299.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would make it harder for a pregnant woman to access health care, shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 300.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would make it harder for a victim of sexual violence to access health care, shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 301.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would threaten to

make health insurance unaffordable for children with a rare disease shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 302.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would threaten to make health insurance unaffordable for foster children shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 303.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would threaten to make health insurance unaffordable for people with a disability shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 304.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would threaten to make health insurance unaffordable for people living in a nursing home shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 305.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would threaten to make health insurance unaffordable for people receiving home and community based services shall be null and void and this Act shall be applied and administered as if such



**SA 318.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would threaten to make health insurance unaffordable for people receiving Social Security benefits, including SSI and SSDI shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 319.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would threaten to make health insurance unaffordable for people with heart disease shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 320.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would threaten to make health insurance unaffordable for people with prostate cancer shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 321.** Mr. NELSON submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. HEALTHCARE FRAUD REMOVAL.**

(a) 10-YEAR PROHIBITION ON DEDUCTION OF TRADE OR BUSINESS EXPENSES FOR BUSINESSES ENGAGED IN FRAUD OR ILLEGAL TRANSACTIONS.—Subsection (c) of section 162 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(4) 10-YEAR PROHIBITION ON DEDUCTION OF TRADE OR BUSINESS EXPENSES.—In the case of a taxpayer subject to a criminal penalty for engaging in fraud, an illegal bribe or kickback, or any other illegal transaction (as such term is defined by the Secretary) under any law of the United States, or under any law of a State (but only if such State law is generally enforced), no deduction shall be allowed under subsection (a) for any taxable year during the 10-year period subsequent to the date on which such criminal penalty was imposed.”.

(b) HEALTH CARE FRAUD PENALTIES.—Section 1347(a) of title 18, United States Code, is amended, in the undesignated matter following paragraph (2)—

(1) by striking “10 years” and inserting “15 years”; and

(2) by striking “20 years” and inserting “25 years”.

(c) ESTABLISHMENT OF HEALTH CARE FRAUD EXCISE TAX.—

(1) HEALTH CARE FRAUD EXCISE TAX.—

(A) IN GENERAL.—Subchapter C of chapter 100 of subtitle K of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

**“SEC. 9835. HEALTH CARE FRAUD EXCISE TAX.**

“(a) IN GENERAL.—In the case of any payment relating to health care benefits, items, or services which is made by health insurance issuer (as defined in section 9832(c)(2)) to a person engaged in a violation of section 1347(a) of title 18, United States Code, there is hereby imposed a tax equal to 20 percent of such payment.

“(b) NO KNOWLEDGE REQUIREMENT.—With respect to the tax imposed under subsection (a), the health insurance issuer shall not be required to have knowledge of the violation under section 1347(a) of title 18, United States Code.”.

(B) CLERICAL AMENDMENT.—The table of sections for such subchapter is amended by adding at the end the following new item:

“Sec. 9835. Health care fraud excise tax.”.

(C) EFFECTIVE DATE.—The amendments made by this paragraph shall apply to payments made after the date of the enactment of this Act.

(2) HEALTH CARE FRAUD TRUST FUND.—

(A) IN GENERAL.—Subchapter A of chapter 98 of the Internal Revenue Code of 1986 is amended by adding at the end the following section:

**“SEC. 9512. HEALTH CARE FRAUD TRUST FUND.**

“(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the ‘Health Care Fraud Trust Fund’, consisting of any amount appropriated or credited to the Trust Fund as provided in this section or section 9602(b).

“(b) TRANSFERS TO TRUST FUND.—There is hereby appropriated to the Health Care Fraud Trust Fund amounts equivalent to the revenues received in the Treasury from the tax imposed by section 9835.

“(c) EXPENDITURES.—Amounts in the Health Care Fraud Trust Fund shall be available, without further appropriation, to the Secretary of Health and Human Services for providing grants to—

“(1) local law enforcement authorities for health care fraud prevention efforts, with priority given to authorities operating in areas experiencing high rates of health care fraud or drug abuse; and

“(2) qualified drug addiction treatment centers.

“(d) DEFINITIONS.—

“(1) LOCAL LAW ENFORCEMENT AUTHORITY.—The term ‘local law enforcement authority’ means any officially recognized law enforcement agency legally organized under a political subdivision of a state or possession of the United States.

**SA 322.** Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. POINT OF ORDER AGAINST LEGISLATION THAT WOULD DECREASE MEDICAID OR CHIP ENROLLMENT OF CHILDREN.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that, as determined by the Director of the Congressional Budget Office, would result in a decrease in the number of children enrolled in Medicaid under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) or the Children’s Health Insurance Program under title XXI of such Act (42 U.S.C. 1397aa et seq.).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

**SA 323.** Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. POINT OF ORDER AGAINST LEGISLATION THAT WOULD AFFECT ADVERSELY IMPACT UNINSURED INDIVIDUALS IN RURAL AREAS.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would result in an increase in the rate of uninsured individuals in rural areas, a decrease in Medicaid enrollment or a reduction in the scope of Medicaid benefits offered in rural areas, reduced wages or a shortage of employment opportunities in the health care profession for prospective employees and previously insured individuals living in rural areas, or a decrease in revenue or Federal funds available to rural health care providers, including hospitals, clinics, and community health centers.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

**SA 324.** Mr. HEINRICH (for himself and Mr. UDALL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXXI, add the following:

**SEC. 3116. PLUTONIUM CAPABILITIES.**

(a) REPORT.—Not later than 30 days after the date of the enactment of this Act, the

Administrator for Nuclear Security shall submit to the congressional defense committees, the Secretary of Defense, and the Director of Cost Assessment and Program Evaluation of the Department of Defense a report on the recommended alternative endorsed by the Administrator for recapitalization of plutonium science and production capabilities of the nuclear security enterprise. The report shall identify the recommended alternative endorsed by the Administrator and contain the analysis of alternatives, including costs, upon which the Administrator relied in making such endorsement.

(b) **CERTIFICATION.**—Not later than 60 days after the date on which the Secretary of Defense receives the notification under subsection (a), the Chairman of the Nuclear Weapons Council shall submit to the congressional defense committees the written certification of the Chairman regarding whether the recommended alternative endorsed by the Administrator—

(1) is acceptable to the Secretary of Defense and the Nuclear Weapons Council and meets the requirements of the Secretary for plutonium pit production capacity and capability;

(2) is likely to meet the pit production timelines and milestones required by section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a);

(3) is likely to meet pit production timelines and requirements responsive to military requirements;

(4) is cost effective and has reasonable near-term and lifecycle costs that are minimized, to the extent practicable, as compared to other alternatives, and has tested and documented the sensitivity of the cost estimates for each alternative to risks and changes in key assumptions;

(5) contains minimized and manageable risks as compared to other alternatives;

(6) can be acceptably reconciled with any differences in the conclusions made by the Office of Cost Assessment and Program Evaluation of the Department of Defense in the business case analysis of plutonium pit production capability issued in 2013; and

(7) has documented the assumptions and constraints used in the analysis of alternatives.

(c) **FAILURE TO CERTIFY.**—If the Chairman is unable to submit the certification under subsection (b), the Chairman shall submit to the congressional defense committees and the Administrator written notification describing why the Chairman is unable to make such certification.

(d) **ASSESSMENT.**—Not later than 120 days after the date on which the Director of Cost Assessment and Program Evaluation receives the notification under subsection (a), the Director shall provide to the congressional defense committees a briefing containing the assessment of the Director of the analysis of alternatives conducted by the Administrator to select a preferred alternative for recapitalizing plutonium science and production capabilities.

**SA 325.** Mr. HEINRICH (for himself and Mr. UDALL) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

**SEC. \_\_\_\_.** **AIR FORCE PILOT PROGRAM ON EDUCATION AND TRAINING AND CERTIFICATION OF SECONDARY AND POST-SECONDARY STUDENTS AS AIRCRAFT TECHNICIANS.**

(a) **PILOT PROGRAM REQUIRED.**—

(1) **IN GENERAL.**—The Secretary of the Air Force shall carry out a pilot program to assess the feasibility and advisability of—

(A) providing education and training to secondary and post-secondary students in the skills and qualifications required to lead to certification as an aircraft technician for the Air Force with skills levels 3–5; and

(B) certifying individuals who successfully complete education and training under the pilot program as aircraft technicians for the Air Force at the applicable skill level.

(2) **DESIGNATION.**—The pilot program carried out pursuant to this section may be known as the “Air Force Dual Credit Maintainers Program” (in this section, referred to as the “pilot program”).

(b) **ELIGIBLE PARTICIPANTS.**—Individuals eligible to participate in the pilot program are individuals in secondary or post-secondary school who—

(1) have education, skills, or both appropriate for further education and training leading to certification as an aircraft technician of the Air Force; and

(2) seek to pursue education and training under the pilot program in order to become certified as aircraft technicians of the Air Force.

(c) **SECONDARY SCHOOLS AND INSTITUTIONS OF HIGHER EDUCATION.**—

(1) **IN GENERAL.**—The Secretary shall carry out the pilot program through secondary schools and institutions of higher education selected by the Secretary for purposes of the pilot program.

(2) **LOCATIONS.**—The secondary schools and institutions of higher education selected pursuant to paragraph (1) shall, to the extent practicable, be located in the vicinity of installations of the Air Force at which there is, or is anticipated to be, a shortfall in aircraft technicians with skill levels 3–5.

(3) **COORDINATION.**—The pilot program may be carried out at a secondary school only with the approval of the local educational agency concerned. The pilot program may be carried out at an institution of higher education only with the approval of the board of trustees or other appropriate leadership of the institution.

(4) **GRANTS.**—In carrying out the pilot program, the Secretary may award a grant to any secondary school or institution of higher education participating in the pilot program for purposes of providing education and training under the pilot program.

(d) **CURRICULUM AND ASSOCIATED EQUIPMENT.**—In carrying out the pilot program, the Secretary shall support curriculum development by secondary and post-secondary educational institutions, and any associated training equipment, to be used in providing education and training under the pilot program.

(e) **EMPLOYMENT AS AIR FORCE AIRCRAFT TECHNICIANS.**—As part of the pilot program, the Secretary may employ, and may afford an emphasis on employment, in the Department of the Air Force as aircraft technicians of the Air Force any individuals who obtain certification under the pilot program as aircraft technicians of the Air Force.

(f) **SUNSET.**—The authority of the Secretary to carry out the pilot program shall expire on the date that is five years after the date of the enactment of this Act. Expiration

of the authority to carry out the pilot program shall not be construed to require the termination of any education or training, or the provision of any certifications, for individuals participating in education or training under the pilot program on the date of the expiration of authority to carry out the pilot program.

(g) **FUNDING.**—

(1) **IN GENERAL.**—The amount authorized to be appropriated for fiscal year 2018 for the Department of Defense by this division is hereby increased by \$5,000,000, with the amount of the increase to be available for the pilot program, including for the award of grants pursuant to subsection (c)(4) and for support of the development of curriculum and training equipment pursuant to subsection (d).

(2) **OFFSET.**—The amount authorized to be appropriated for fiscal year 2018 by section 301 is hereby reduced by \$5,000,000, with the amount of the reduction to be applied against amounts available for operation and maintenance, Defense-wide, for SAG 4GTV Office of the Inspector General.

**SA 326.** Mr. LANKFORD (for himself, Mr. CRUZ, Mrs. FISCHER, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** **JUDGMENT FUND TRANSPARENCY.**

(a) **TRANSPARENCY REQUIREMENT.**—Section 1304 of title 31, United States Code, is amended by adding at the end the following:

“(d)(1) Unless the disclosure of such information is otherwise prohibited by law (other than section 552a of title 5) or court order, the Secretary of the Treasury shall make available to the public on a website, as soon as practicable, but not later than 30 days after the date on which the Secretary makes a payment under this section, the following information with regard to that payment:

“(A) The name of the specific agency or entity whose actions gave rise to the claim or judgment.

“(B) The name of the plaintiff or claimant who is 18 years or older.

“(C) The name of counsel for the plaintiff or claimant.

“(D) The amount paid representing principal liability, and any amounts paid representing any ancillary liability, including attorney fees, costs, and interest.

“(E) A brief description of the facts that gave rise to the claim.

“(F) The name of the agency that submitted the claim.

“(2) In addition to the information described in paragraph (1), if a payment under this section is made to a foreign state, the Secretary of the Treasury shall make available to the public in accordance with paragraph (1), the following information with regard to that payment:

“(A) A description of the method of payment.

“(B) A description of the currency denominations used for the payment.

“(C) The name and location of each financial institution owned or controlled, directly

or indirectly, by a foreign state or an agent of a foreign state to which the payment was disbursed, including any financial institution owned or controlled, directly or indirectly, by a foreign state or an agent of a foreign state that is holding the payment as of the date on which the information is made available.

“(3) In this subsection, the term ‘foreign state’ has the meaning given the term in section 1603 of title 28.

“(e) No payment may be made under this section to a state sponsor of terrorism, as defined in section 1605A(h) of title 28.”

(b) IMPLEMENTATION.—The Secretary of the Treasury shall carry out the amendment made by this section not later than 90 days after the date of enactment of this Act.

**SA 327.** Mrs. SHAHEEN (for herself and Mr. SASSE) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

**SEC. \_\_\_\_ . SYRIA STUDY GROUP.**

(a) ESTABLISHMENT.—There is hereby established a working group to be known as the “Syria Study Group” (in this section referred to as the “Group”).

(b) PURPOSE.—The purpose of the Group is to examine and make recommendations with respect to the military and diplomatic strategy of the United States with respect to the conflict in Syria.

(c) COMPOSITION.—

(1) MEMBERSHIP.—The Group shall be composed of 8 members appointed as follows:

(A) One member appointed by the chair of the Committee on Armed Services of the Senate.

(B) One member appointed by the ranking minority member of the Committee on Armed Services of the Senate.

(C) One member appointed by the chair of the Committee on Foreign Relations of the Senate.

(D) One member appointed by the ranking minority member of the Committee on Foreign Relations of the Senate.

(E) One member appointed by the chair of the Committee on Armed Services of the House of Representatives.

(F) One member appointed by the ranking minority member of the Committee on Armed Services of the House of Representatives.

(G) One member appointed by the chair of the Committee on Foreign Affairs of the House of Representatives.

(H) One member appointed by the ranking minority member of the Committee on Foreign Affairs of the House of Representatives.

(2) CO-CHAIRS.—

(A) The chair of the Committee on Armed Services of the Senate, the chair of the Committee on Armed Services of the House of Representatives, the chair of the Committee on Foreign Relations of the Senate, and the chair of the Committee on Foreign Affairs of the House of Representatives shall jointly designate one member of the Group to serve as co-chair of the Group.

(B) The ranking minority member of the Committee on Armed Services of the Senate,

the ranking minority member of the Committee on Armed Services of the House of Representatives, the ranking minority member of the Committee on Foreign Relations of the Senate, and the ranking minority member of the Committee on Foreign Affairs of the House of Representatives shall jointly designate one member of the Group to serve as co-chair of the Group.

(3) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Group. Any vacancy in the Group shall be filled in the same manner as the original appointment.

(d) DUTIES.—

(1) REVIEW.—The Group shall review the current situation with respect to the United States military and diplomatic strategy in Syria, including a review of current United States objectives in Syria and the desired end state in Syria.

(2) ASSESSMENT AND RECOMMENDATIONS.—The Group shall—

(A) conduct a comprehensive assessment of the current situation in Syria, its impact on neighboring countries, resulting regional and geopolitical threats to the United States, and current military, diplomatic, and political efforts to achieve a stable Syria; and

(B) develop recommendations on a military and diplomatic strategy for the United States with respect to the conflict in Syria.

(e) COOPERATION FROM UNITED STATES GOVERNMENT.—

(1) IN GENERAL.—The Group shall receive the full and timely cooperation of the Secretary of Defense, the Secretary of State, and the Director of National Intelligence in providing the Group with analyses, briefings, and other information necessary for the discharge of the duties of the Group.

(2) LIAISON.—The Secretary of Defense, the Secretary of State, and the Director of National Intelligence shall each designate at least one officer or employee of their respective organizations to serve as a liaison officer to the Group.

(f) REPORT.—

(1) FINAL REPORT.—Not later than September 30, 2018, the Group shall submit to the President, the Secretary of Defense, the Committee on Armed Services of the Senate, the Committee on Armed Services of the House of Representatives, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the findings, conclusions, and recommendations of the Group under this section. The report shall do each of the following:

(A) Assess the current security, political, humanitarian, and economic situation in Syria.

(B) Assess the current participation and objectives of various external actors in Syria.

(C) Assess the consequences of continued conflict in Syria.

(D) Provide recommendations for a diplomatic resolution of the conflict in Syria, including options for a gradual political transition to a post-Assad Syria and actions necessary for reconciliation.

(E) Provide a roadmap for a United States and coalition strategy to reestablish security and governance in Syria, including recommendations for the synchronization of stabilization, development, counterterrorism, and reconstruction efforts.

(F) Address any other matters with respect to the conflict in Syria that the Group considers appropriate.

(2) INTERIM BRIEFING.—Not later than June 30, 2018, the Group shall provide to the Com-

mittees on Armed Services of the Senate and the House of Representatives a briefing on the status of its review and assessment under subsection (d), together with a discussion of any interim recommendations developed by the Group as of the date of the briefing.

(3) FORM OF REPORT.—The report submitted to Congress under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(g) FACILITATION.—The United States Institute of Peace shall take appropriate actions to facilitate the Group in the discharge of its duties under this section.

(h) TERMINATION.—The Group shall terminate six months after the date on which it submits the report required by subsection (f)(1).

(i) FUNDING.—Of the amounts authorized to be appropriated for fiscal year 2018 for the Department of Defense by this Act, \$1,500,000 is available to fund the activities of the Group.

**SA 328.** Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . FOREIGN AGENTS REGISTRATION.**

(a) SHORT TITLE.—This section may be cited as the “Foreign Agents Registration Modernization and Enforcement Act”.

(b) CIVIL INVESTIGATIVE DEMAND AUTHORITY.—The Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.) is amended—

(1) by redesignating sections 8, 9, 10, 11, 12, 13, and 14 as sections 9, 10, 11, 12, 13, 14, and 16, respectively; and

(2) by inserting after section 7 (22 U.S.C. 617) the following:

“CIVIL INVESTIGATIVE DEMAND AUTHORITY

“SEC. 8. (a) Whenever the Attorney General has reason to believe that any person or enterprise may be in possession, custody, or control of any documentary material relevant to an investigation under this Act, the Attorney General, before initiating a civil or criminal proceeding with respect to the production of such material, may serve a written demand upon such person to produce such material for examination.

“(b) Each such demand under subsection (a) shall—

“(1) state the nature of the conduct constituting the alleged violation which is under investigation and the provision of law applicable to such violation;

“(2) describe the class or classes of documentary material required to be produced under such demand with such definiteness and certainty as to permit such material to be fairly identified;

“(3) state that the demand is immediately returnable or prescribe a return date which will provide a reasonable period within which the material may be assembled and made available for inspection and copying or reproduction; and

“(4) identify the custodian to whom such material shall be made available.

“(c) A demand under subsection (a) may not—

“(1) contain any requirement that would be considered unreasonable if contained in a subpoena duces tecum issued by a court of the United States in aid of grand jury investigation of such alleged violation; or

“(2) require the production of any documentary evidence that would be privileged from disclosure if demanded by a subpoena duces tecum issued by a court of the United States in aid of a grand jury investigation of such alleged violation.”.

(c) INFORMATIONAL MATERIALS.—

(1) DEFINITIONS.—Section 1 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611) is amended—

(A) in subsection (c), by striking “Expect as provided in subsection (d) hereof,” and inserting “Except as provided in subsection (d).”; and

(B) by inserting after subsection (i) the following:

“(j) The term ‘informational materials’ means any oral, visual, graphic, written, or pictorial information or matter of any kind, including matter published by means of advertising, books, periodicals, newspapers, lectures, broadcasts, motion pictures, or any means or instrumentality of interstate or foreign commerce or otherwise.”.

(2) INFORMATIONAL MATERIALS.—Section 4 of the such Act (22 U.S.C. 614) is amended—

(A) in subsection (a)—

(i) by inserting “, including electronic mail and social media,” after “United States mails”; and

(ii) by striking “, not later than forty-eight hours after the beginning of the transmittal thereof, file with the Attorney General two copies thereof” and inserting “file such materials with the Attorney General in conjunction with, and at the same intervals as, disclosures required under section 2(b).”; and

(B) in subsection (b)—

(i) by striking “It shall” and inserting “(1) Except as provided in paragraph (2), it shall”; and

(ii) by inserting at the end the following:

“(2) Foreign agents described in paragraph (1) may omit disclosure required under that paragraph in individual messages, posts, or transmissions on social media on behalf of a foreign principal if the social media account or profile from which the information is sent includes a conspicuous statement that—

“(A) the account is operated by, and distributes information on behalf of, the foreign agent; and

“(B) additional information about the account is on file with the Department of Justice in Washington, District of Columbia.

“(3) Informational materials disseminated by an agent of a foreign principal as part of an activity that is exempt from registration, or an activity which by itself would not require registration, need not be filed under this subsection.”.

(d) FEES.—

(1) REPEAL.—The Department of Justice and Related Agencies Appropriations Act, 1993 (title I of Public Law 102-395) is amended, under the heading “SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES”, by striking “In addition, notwithstanding 31 U.S.C. 3302, for fiscal year 1993 and thereafter, the Attorney General shall establish and collect fees to recover necessary expenses of the Registration Unit (to include salaries, supplies, equipment and training) pursuant to the Foreign Agents Registration Act, and shall credit such fees to this appropriation, to remain available until expended.”.

(2) REGISTRATION FEE.—The Foreign Agents Registration Act of 1938, as amended (22

U.S.C. 611 et seq.), as amended by this Act, is further amended by adding after section 14, as redesignated by subsection (b)(1), the following:

#### “FEES

“SEC. 15. The Attorney General shall—

“(1) establish and collect a registration fee, as part of the initial filing requirement, to help defray the expenses of the FARA Registration Unit; and

“(2) credit such fees to the amount appropriated to carry out the activities of the National Security Division, which shall remain available until expended.”.

(e) REPORTS TO CONGRESS.—Section 12 of the Foreign Agents Registration Act of 1938, as amended, as redesignated by subsection (b)(1), is amended to read as follows:

#### “REPORTS TO CONGRESS

“SEC. 12. The Assistant Attorney General for National Security, through the FARA Registration Unit of the National Security Division, shall submit a semiannual report to Congress regarding the administration of this Act. Each report under this section shall include, for the applicable reporting period, the identification of—

“(1) registrations filed pursuant to this Act;

“(2) the nature, sources, and content of political propaganda disseminated and distributed by agents of foreign principal;

“(3) the number of investigations initiated based upon a perceived violation of section 8; and

“(4) the number of such investigations that were referred to the Attorney General for prosecution.”.

**SA 329.** Ms. BALDWIN (for herself, Mr. REED, Mr. KAINE, and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title VIII, add following:

#### **SEC. \_\_\_\_ . SUPPORT OF AMERICA'S DEFENSE WORKERS.**

(a) SHORT TITLE.—This section may be cited as the “Supporting America’s Defense Workers Act”.

(b) INEFFECTIVENESS OF SECTION 863.—Section 863 shall have no force or effect, and the amendments specified in section 863 shall not be made.

**SA 330.** Mr. TILLIS submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 104, line 15, strike “mental health services” and insert “mental health services for conditions that are defined in the Diagnostic and Statistical Manual of Mental Disorders at the time of the enrollee’s diagnosis, including Autism Spectrum Disorder.”.

**SA 331.** Mr. COONS (for himself and Mr. BLUMENTHAL) submitted an amend-

ment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Beginning on page 102, strike line 1 and all that follows through page 104, line 12, and insert the following:

#### **SEC. 203. EXPANSION AND MODIFICATION OF CREDIT FOR EMPLOYEE HEALTH INSURANCE EXPENSES OF SMALL EMPLOYERS.**

(a) EXPANSION OF DEFINITION OF ELIGIBLE SMALL EMPLOYER.—Subparagraph (A) of section 45R(d)(1) of the Internal Revenue Code of 1986 is amended by striking “25” and inserting “50”.

(b) AMENDMENT TO PHASEOUT DETERMINATION.—Subsection (c) of section 45R of the Internal Revenue Code of 1986 is amended to read as follows:

“(c) PHASEOUT OF CREDIT AMOUNT BASED ON NUMBER OF EMPLOYEES AND AVERAGE WAGES.—The amount of the credit determined under subsection (b) (without regard to this subsection) shall be adjusted (but not below zero) by multiplying such amount by the product of—

“(1) the lesser of—

“(A) a fraction the numerator of which is the excess (if any) of 50 over the total number of full-time equivalent employees of the employer and the denominator of which is 30, and

“(B) 1, and

“(2) the lesser of—

“(A) a fraction—

“(i) the numerator of which is the excess (if any) of—

“(I) the dollar amount in effect under subsection (d)(3)(B) for the taxable year, multiplied by 3, over

“(II) the average annual wages of the employer for such taxable year, and

“(ii) the denominator of which is the dollar amount so in effect under subsection (d)(3)(B), multiplied by 2, and

“(B) 1.”.

(c) EXTENSION OF CREDIT PERIOD.—Paragraph (2) of section 45R(e) of the Internal Revenue Code of 1986 is amended by striking “2-consecutive-taxable year period” and all that follows and inserting “3-consecutive-taxable year period beginning with the 1st taxable year beginning after 2016 in which—

“(A) the employer (or any predecessor) offers 1 or more qualified health plans to its employees through an Exchange, and

“(B) the employer (or any predecessor) claims the credit under this section.”.

(d) AVERAGE ANNUAL WAGE LIMITATION.—Subparagraph (B) of section 45R(d)(3) of the Internal Revenue Code of 1986 is amended to read as follows:

“(B) DOLLAR AMOUNT.—For purposes of paragraph (1)(B) and subsection (c)(2), the dollar amount in effect under this paragraph is the amount equal to 110 percent of the poverty line (within the meaning of section 36B(d)(3)) for a family of 4.”.

(e) ELIMINATION OF UNIFORM PERCENTAGE CONTRIBUTION REQUIREMENT.—Paragraph (4) of section 45R(d) of the Internal Revenue Code of 1986 is amended by striking “a uniform percentage (not less than 50 percent)” and inserting “at least 50 percent”.

(f) ELIMINATION OF CAP RELATING TO AVERAGE LOCAL PREMIUMS.—Subsection (b) of section 45R of the Internal Revenue Code of 1986 is amended by striking “the lesser of” and all that follows and inserting “the aggregate amount of nonelective contributions the employer made on behalf of its employees during the taxable year under the arrangement

described in subsection (d)(4) for premiums for qualified health plans offered by the employer to its employees through an Exchange.”.

(g) **AMENDMENT RELATING TO ANNUAL WAGE LIMITATION.**—Subparagraph (B) of section 45R(d)(1) of the Internal Revenue Code of 1986 is amended by striking “twice” and inserting “three times”.

(h) **EFFECTIVE DATE.**—The amendments made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2016.

**SA 332.** Mr. COONS (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . ANNUAL AND LIFETIME LIMITS.**

A State granted a waiver under section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052), as amended by this Act, shall ensure that the provisions of section 2711 of the Public Health Service Act (42 U.S.C. 300gg-11) shall continue to apply to health insurance issuers in the State with respect to any essential health benefit as defined by the Secretary of Health and Human Services under section 1302(b) of the Patient Protection and Affordable Care Act.

**SA 333.** Mr. COONS (for himself, Mr. DURBIN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . LEVEL OF COVERAGE.**

A State granted a waiver with respect to essential health benefits coverage under section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052), as amended by this Act, shall ensure that new essential health benefits provided under the waiver provide at least a level of coverage that is equal to the essential health benefits coverage provided to Members of Congress.

**SA 334.** Mr. COONS (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . NOTICE REQUIREMENT.**

The President shall notify in writing any individual who receives a cut in health care benefits, lower quality health insurance, or loses health insurance altogether that these changes are the result of this Act and the amendments made by this Act.

**SA 335.** Mr. KING (for himself, Mr. BLUMENTHAL, Mr. CASEY, Mrs. SHA-

HEEN, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . MATERNAL, INFANT, AND EARLY CHILDHOOD HOME VISITING PROGRAMS.**

Section 511(j)(1) of the Social Security Act (42 U.S.C. 711(j)(1)) is amended—

(1) in subparagraph (G), by striking “and” after the semicolon;

(2) in subparagraph (H), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(I) for each of fiscal years 2018 through 2027, \$400,000,000.”.

**SA 336.** Mr. KING (for himself, Mr. BLUMENTHAL, and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . REDUCING INFANT MORTALITY.**

The Secretary of Health and Human Services shall implement programs to protect, preserve, maintain, sustain, and expand all programs related to addressing, identifying the cause of, and reducing infant mortality.

**SA 337.** Mr. KING (for himself, Mr. BLUMENTHAL, and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . NATIONAL HEALTH SERVICE CORPS.**

There are authorized to be appropriated, and there are appropriated, for each of fiscal years 2018 through 2026, \$400,000,000 to carry out the National Health Service Corps program under subpart II of part D of title III of the Public Health Service Act (42 U.S.C. 254d et seq.) and the scholarship program and loan repayment program under subpart III of part D of title III of the Public Health Service Act (42 U.S.C. 254i et seq.).

**SA 338.** Mr. KING (for himself, Mr. BLUMENTHAL, and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike section 201.

**SA 339.** Mr. GRASSLEY submitted an amendment intended to be proposed to

amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . PRESERVATION OF RIGHT TO MAINTAIN EXISTING COVERAGE.**

(a) **IN GENERAL.**—Section 1251 of the Patient Protection and Affordable Care Act (42 U.S.C. 18011) is amended:

(1) in subsection (e), by inserting “other than a plan or coverage described in subsection (f)” before the period; and

(2) by adding at the end the following:

“(f) **PRESERVATION OF EXISTING OPTIONS.**—In the case of a group health plan or health insurance coverage (other than a qualified health plan offered on an exchange established pursuant to this Act) offered to the members of an agricultural organization exempt from Federal income tax under section 501(c)(5) of the Internal Revenue Code of 1986, in existence since 1918, that has been providing health coverage to members since 1970, to the extent permitted by applicable State law—

“(1) this subtitle and subtitle A (and the amendments made by such subtitles) shall not apply, and

“(2) such plan or coverage shall not be subject to any requirement of this Act that does not apply to a grandfathered plan.

This subsection shall apply to such plan or coverage, including with respect to new enrollees.”.

(b) **EFFECTIVE DATE.**—This section shall be effective for plan and policy years beginning on or after January 1, 2018.

**SA 340.** Mr. MCCONNELL (for Mr. DAINES) proposed an amendment to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; as follows:

In lieu of the matter proposed to be inserted, insert the following:

**1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Expanded & Improved Medicare For All Act”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions and terms.

**TITLE I—ELIGIBILITY AND BENEFITS**

Sec. 101. Eligibility and registration.

Sec. 102. Benefits and portability.

Sec. 103. Qualification of participating providers.

Sec. 104. Prohibition against duplicating coverage.

**TITLE II—FINANCES**

**Subtitle A—Budgeting and Payments**

Sec. 201. Budgeting process.

Sec. 202. Payment of providers and health care clinicians.

Sec. 203. Payment for long-term care.

Sec. 204. Mental health services.

Sec. 205. Payment for prescription medications, medical supplies, and medically necessary assistive equipment.

Sec. 206. Consultation in establishing reimbursement levels.



### Subtitle B—Funding

Sec. 211. Overview: funding the Medicare For All Program.

Sec. 212. Appropriations for existing programs.

### TITLE III—ADMINISTRATION

Sec. 301. Public administration; appointment of Director.

Sec. 302. Office of Quality Control.

Sec. 303. Regional and State administration; employment of displaced clerical workers.

Sec. 304. Confidential electronic patient record system.

Sec. 305. National Board of Universal Quality and Access.

### TITLE IV—ADDITIONAL PROVISIONS

Sec. 401. Treatment of VA and IHS health programs.

Sec. 402. Public health and prevention.

Sec. 403. Reduction in health disparities.

### TITLE V—EFFECTIVE DATE

Sec. 501. Effective date.

### SEC. 2. DEFINITIONS AND TERMS.

In this Act:

(1) **MEDICARE FOR ALL PROGRAM; PROGRAM.**—The terms “Medicare For All Program” and “Program” mean the program of benefits provided under this Act and, unless the context otherwise requires, the Secretary with respect to functions relating to carrying out such program.

(2) **NATIONAL BOARD OF UNIVERSAL QUALITY AND ACCESS.**—The term “National Board of Universal Quality and Access” means such Board established under section 305.

(3) **REGIONAL OFFICE.**—The term “regional office” means a regional office established under section 303.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Health and Human Services.

(5) **DIRECTOR.**—The term “Director” means, in relation to the Program, the Director appointed under section 301.

### TITLE I—ELIGIBILITY AND BENEFITS

#### SEC. 101. ELIGIBILITY AND REGISTRATION.

(a) **IN GENERAL.**—All individuals residing in the United States (including any territory of the United States) are covered under the Medicare For All Program entitling them to a universal, best quality standard of care. Each such individual shall receive a card with a unique number in the mail. An individual’s Social Security number shall not be used for purposes of registration under this section.

(b) **REGISTRATION.**—Individuals and families shall receive a Medicare For All Program Card in the mail, after filling out a Medicare For All Program application form at a health care provider. Such application form shall be no more than 2 pages long.

(c) **PRESUMPTION.**—Individuals who present themselves for covered services from a participating provider shall be presumed to be eligible for benefits under this Act, but shall complete an application for benefits in order to receive a Medicare For All Program Card and have payment made for such benefits.

(d) **RESIDENCY CRITERIA.**—The Secretary shall promulgate a rule that provides criteria for determining residency for eligibility purposes under the Medicare For All Program.

(e) **COVERAGE FOR VISITORS.**—The Secretary shall promulgate a rule regarding visitors from other countries who seek premeditated non-emergency surgical procedures. Such a rule should facilitate the establishment of country-to-country reimbursement arrangements or self pay arrange-

ments between the visitor and the provider of care.

#### SEC. 102. BENEFITS AND PORTABILITY.

(a) **IN GENERAL.**—The health care benefits under this Act cover all medically necessary services, including at least the following:

- (1) Primary care and prevention.
- (2) Approved dietary and nutritional therapies.
- (3) Inpatient care.
- (4) Outpatient care.
- (5) Emergency care.
- (6) Prescription drugs.
- (7) Durable medical equipment.
- (8) Long-term care.
- (9) Palliative care.
- (10) Mental health services.

(11) The full scope of dental services, services, including periodontics, oral surgery, and endodontics, but not including cosmetic dentistry.

(12) Substance abuse treatment services.

(13) Chiropractic services, not including electrical stimulation.

(14) Basic vision care and vision correction (other than laser vision correction for cosmetic purposes).

(15) Hearing services, including coverage of hearing aids.

(16) Podiatric care.

(b) **PORTABILITY.**—Such benefits are available through any licensed health care clinician anywhere in the United States that is legally qualified to provide the benefits.

(c) **NO COST-SHARING.**—No deductibles, copayments, coinsurance, or other cost-sharing shall be imposed with respect to covered benefits.

#### SEC. 103. QUALIFICATION OF PARTICIPATING PROVIDERS.

(a) **REQUIREMENT TO BE PUBLIC OR NON-PROFIT.**—

(1) **IN GENERAL.**—No institution may be a participating provider unless it is a public or not-for-profit institution. Private physicians, private clinics, and private health care providers shall continue to operate as private entities, but are prohibited from being investor owned.

(2) **CONVERSION OF INVESTOR-OWNED PROVIDERS.**—For-profit providers of care opting to participate shall be required to convert to not-for-profit status.

(3) **PRIVATE DELIVERY OF CARE REQUIREMENT.**—For-profit providers of care that convert to non-profit status shall remain privately owned and operated entities.

(4) **COMPENSATION FOR CONVERSION.**—The owners of such for-profit providers shall be compensated for reasonable financial losses incurred as a result of the conversion from for-profit to non-profit status.

(5) **FUNDING.**—There are authorized to be appropriated from the Treasury such sums as are necessary to compensate investor-owned providers as provided for under paragraph (3).

(6) **REQUIREMENTS.**—The payments to owners of converting for-profit providers shall occur during a 15-year period, through the sale of U.S. Treasury Bonds. Payment for conversions under paragraph (3) shall not be made for loss of business profits.

(7) **MECHANISM FOR CONVERSION PROCESS.**—The Secretary shall promulgate a rule to provide a mechanism to further the timely, efficient, and feasible conversion of for-profit providers of care.

(b) **QUALITY STANDARDS.**—

(1) **IN GENERAL.**—Health care delivery facilities must meet State quality and licensing guidelines as a condition of participation under such program, including guidelines regarding safe staffing and quality of care.

(2) **LICENSURE REQUIREMENTS.**—Participating clinicians must be licensed in their State of practice and meet the quality standards for their area of care. No clinician whose license is under suspension or who is under disciplinary action in any State may be a participating provider.

(c) **PARTICIPATION OF HEALTH MAINTENANCE ORGANIZATIONS.**—

(1) **IN GENERAL.**—Non-profit health maintenance organizations that deliver care in their own facilities and employ clinicians on a salaried basis may participate in the program and receive global budgets or capitation payments as specified in section 202.

(2) **EXCLUSION OF CERTAIN HEALTH MAINTENANCE ORGANIZATIONS.**—Other health maintenance organizations which principally contract to pay for services delivered by non-employees shall be classified as insurance plans. Such organizations shall not be participating providers, and are subject to the regulations promulgated by reason of section 104(a) (relating to prohibition against duplicating coverage).

(d) **FREEDOM OF CHOICE.**—Patients shall have free choice of participating physicians and other clinicians, hospitals, and inpatient care facilities.

#### SEC. 104. PROHIBITION AGAINST DUPLICATING COVERAGE.

(a) **IN GENERAL.**—It is unlawful for a private health insurer to sell health insurance coverage that duplicates the benefits provided under this Act.

(b) **CONSTRUCTION.**—Nothing in this Act shall be construed as prohibiting the sale of health insurance coverage for any additional benefits not covered by this Act, such as for cosmetic surgery or other services and items that are not medically necessary.

### TITLE II—FINANCES

#### Subtitle A—Budgeting and Payments

#### SEC. 201. BUDGETING PROCESS.

(a) **ESTABLISHMENT OF OPERATING BUDGET AND CAPITAL EXPENDITURES BUDGET.**—

(1) **IN GENERAL.**—To carry out this Act there are established on an annual basis consistent with this title—

(A) an operating budget, including amounts for optimal physician, nurse, and other health care professional staffing;

(B) a capital expenditures budget;

(C) reimbursement levels for providers consistent with subtitle B; and

(D) a health professional education budget, including amounts for the continued funding of resident physician training programs.

(2) **REGIONAL ALLOCATION.**—After Congress appropriates amounts for the annual budget for the Medicare For All Program, the Director shall provide the regional offices with an annual funding allotment to cover the costs of each region’s expenditures. Such allotment shall cover global budgets, reimbursements to clinicians, health professional education, and capital expenditures. Regional offices may receive additional funds from the national program at the discretion of the Director.

(b) **OPERATING BUDGET.**—The operating budget shall be used for—

(1) payment for services rendered by physicians and other clinicians;

(2) global budgets for institutional providers;

(3) capitation payments for capitated groups; and

(4) administration of the Program.

(c) **CAPITAL EXPENDITURES BUDGET.**—The capital expenditures budget shall be used for funds needed for—

(1) the construction or renovation of health facilities; and



(2) for major equipment purchases.

(d) PROHIBITION AGAINST CO-MINGLING OPERATIONS AND CAPITAL IMPROVEMENT FUNDS.—It is prohibited to use funds under this Act that are earmarked—

(1) for operations for capital expenditures; or

(2) for capital expenditures for operations.

#### SEC. 202. PAYMENT OF PROVIDERS AND HEALTH CARE CLINICIANS.

(a) ESTABLISHING GLOBAL BUDGETS; MONTHLY LUMP SUM.—

(1) IN GENERAL.—The Medicare For All Program, through its regional offices, shall pay each institutional provider of care, including hospitals, nursing homes, community or migrant health centers, home care agencies, or other institutional providers or pre-paid group practices, a monthly lump sum to cover all operating expenses under a global budget.

(2) ESTABLISHMENT OF GLOBAL BUDGETS.—The global budget of a provider shall be set through negotiations between providers, State directors, and regional directors, but are subject to the approval of the Director. The budget shall be negotiated annually, based on past expenditures, projected changes in levels of services, wages and input, costs, a provider's maximum capacity to provide care, and proposed new and innovative programs.

(b) THREE PAYMENT OPTIONS FOR PHYSICIANS AND CERTAIN OTHER HEALTH PROFESSIONALS.—

(1) IN GENERAL.—The Program shall pay physicians, dentists, doctors of osteopathy, pharmacists, psychologists, chiropractors, doctors of optometry, nurse practitioners, nurse midwives, physicians' assistants, and other advanced practice clinicians as licensed and regulated by the States by the following payment methods:

(A) Fee for service payment under paragraph (2).

(B) Salaried positions in institutions receiving global budgets under paragraph (3).

(C) Salaried positions within group practices or non-profit health maintenance organizations receiving capitation payments under paragraph (4).

(2) FEE FOR SERVICE.—

(A) IN GENERAL.—The Program shall negotiate a simplified fee schedule that is fair and optimal with representatives of physicians and other clinicians, after close consultation with the National Board of Universal Quality and Access and regional and State directors. Initially, the current prevailing fees or reimbursement would be the basis for the fee negotiation for all professional services covered under this Act.

(B) CONSIDERATIONS.—In establishing such schedule, the Director shall take into consideration the following:

(i) The need for a uniform national standard.

(ii) The goal of ensuring that physicians, clinicians, pharmacists, and other medical professionals be compensated at a rate which reflects their expertise and the value of their services, regardless of geographic region and past fee schedules.

(C) STATE PHYSICIAN PRACTICE REVIEW BOARDS.—The State director for each State, in consultation with representatives of the physician community of that State, shall establish and appoint a physician practice review board to assure quality, cost effectiveness, and fair reimbursements for physician delivered services.

(D) FINAL GUIDELINES.—The Director shall be responsible for promulgating final guidelines to all providers.

(E) BILLING.—Under this Act physicians shall submit bills to the regional director on a simple form, or via computer. Interest shall be paid to providers who are not reimbursed within 30 days of submission.

(F) NO BALANCE BILLING.—Licensed health care clinicians who accept any payment from the Medicare For All Program may not bill any patient for any covered service.

(G) UNIFORM COMPUTER ELECTRONIC BILLING SYSTEM.—The Director shall create a uniform computerized electronic billing system, including those areas of the United States where electronic billing is not yet established.

(3) SALARIES WITHIN INSTITUTIONS RECEIVING GLOBAL BUDGETS.—

(A) IN GENERAL.—In the case of an institution, such as a hospital, health center, group practice, community and migrant health center, or a home care agency that elects to be paid a monthly global budget for the delivery of health care as well as for education and prevention programs, physicians and other clinicians employed by such institutions shall be reimbursed through a salary included as part of such a budget.

(B) SALARY RANGES.—Salary ranges for health care providers shall be determined in the same way as fee schedules under paragraph (2).

(4) SALARIES WITHIN CAPITATED GROUPS.—

(A) IN GENERAL.—Health maintenance organizations, group practices, and other institutions may elect to be paid capitation payments to cover all outpatient, physician, and medical home care provided to individuals enrolled to receive benefits through the organization or entity.

(B) SCOPE.—Such capitation may include the costs of services of licensed physicians and other licensed, independent practitioners provided to inpatients. Other costs of inpatient and institutional care shall be excluded from capitation payments, and shall be covered under institutions' global budgets.

(C) PROHIBITION OF SELECTIVE ENROLLMENT.—Patients shall be permitted to enroll or disenroll from such organizations or entities without discrimination and with appropriate notice.

(D) HEALTH MAINTENANCE ORGANIZATIONS.—Under this Act—

(i) health maintenance organizations shall be required to reimburse physicians based on a salary; and

(ii) financial incentives between such organizations and physicians based on utilization are prohibited.

#### SEC. 203. PAYMENT FOR LONG-TERM CARE.

(a) ALLOTMENT FOR REGIONS.—The Program shall provide for each region a single budgetary allotment to cover a full array of long-term care services under this Act.

(b) REGIONAL BUDGETS.—Each region shall provide a global budget to local long-term care providers for the full range of needed services, including in-home, nursing home, and community based care.

(c) BASIS FOR BUDGETS.—Budgets for long-term care services under this section shall be based on past expenditures, financial and clinical performance, utilization, and projected changes in service, wages, and other related factors.

(d) FAVORING NON-INSTITUTIONAL CARE.—All efforts shall be made under this Act to provide long-term care in a home- or community-based setting, as opposed to institutional care.

#### SEC. 204. MENTAL HEALTH SERVICES.

(a) IN GENERAL.—The Program shall provide coverage for all medically necessary

mental health care on the same basis as the coverage for other conditions. Licensed mental health clinicians shall be paid in the same manner as specified for other health professionals, as provided for in section 202(b).

(b) FAVORING COMMUNITY-BASED CARE.—The Medicare For All Program shall cover supportive residences, occupational therapy, and ongoing mental health and counseling services outside the hospital for patients with serious mental illness. In all cases the highest quality and most effective care shall be delivered, and, for some individuals, this may mean institutional care.

#### SEC. 205. PAYMENT FOR PRESCRIPTION MEDICATIONS, MEDICAL SUPPLIES, AND MEDICALLY NECESSARY ASSISTIVE EQUIPMENT.

(a) NEGOTIATED PRICES.—The prices to be paid each year under this Act for covered pharmaceuticals, medical supplies, and medically necessary assistive equipment shall be negotiated annually by the Program.

(b) PRESCRIPTION DRUG FORMULARY.—

(1) IN GENERAL.—The Program shall establish a prescription drug formulary system, which shall encourage best-practices in prescribing and discourage the use of ineffective, dangerous, or excessively costly medications when better alternatives are available.

(2) PROMOTION OF USE OF GENERICS.—The formulary shall promote the use of generic medications but allow the use of brand-name and off-formulary medications.

(3) FORMULARY UPDATES AND PETITION RIGHTS.—The formulary shall be updated frequently and clinicians and patients may petition their region or the Director to add new pharmaceuticals or to remove ineffective or dangerous medications from the formulary.

#### SEC. 206. CONSULTATION IN ESTABLISHING REIMBURSEMENT LEVELS.

Reimbursement levels under this subtitle shall be set after close consultation with regional and State Directors and after the annual meeting of National Board of Universal Quality and Access.

#### Subtitle B—Funding

#### SEC. 211. OVERVIEW: FUNDING THE MEDICARE FOR ALL PROGRAM.

(a) IN GENERAL.—The Medicare For All Program is to be funded as provided in subsection (c)(1).

(b) MEDICARE FOR ALL TRUST FUND.—There shall be established a Medicare For All Trust Fund in which funds provided under this section are deposited and from which expenditures under this Act are made.

(c) FUNDING.—

(1) IN GENERAL.—There are appropriated to the Medicare For All Trust Fund amounts sufficient to carry out this Act from the following sources:

(A) Existing sources of Federal Government revenues for health care.

(B) Increasing personal income taxes on the top 5 percent income earners.

(C) Instituting a modest and progressive excise tax on payroll and self-employment income.

(D) Instituting a modest tax on unearned income.

(E) Instituting a small tax on stock and bond transactions.

(2) SYSTEM SAVINGS AS A SOURCE OF FINANCING.—Funding otherwise required for the Program is reduced as a result of—

(A) vastly reducing paperwork;

(B) requiring a rational bulk procurement of medications under section 205(a); and

(C) improved access to preventive health care.

(3) **ADDITIONAL ANNUAL APPROPRIATIONS TO MEDICARE FOR ALL PROGRAM.**—Additional sums are authorized to be appropriated annually as needed to maintain maximum quality, efficiency, and access under the Program.

**SEC. 212. APPROPRIATIONS FOR EXISTING PROGRAMS.**

Notwithstanding any other provision of law, there are hereby transferred and appropriated to carry out this Act, amounts from the Treasury equivalent to the amounts the Secretary estimates would have been appropriated and expended for Federal public health care programs, including funds that would have been appropriated under the Medicare program under title XVIII of the Social Security Act, under the Medicaid program under title XIX of such Act, and under the Children's Health Insurance Program under title XXI of such Act.

**TITLE III—ADMINISTRATION**

**SEC. 301. PUBLIC ADMINISTRATION; APPOINTMENT OF DIRECTOR.**

(a) **IN GENERAL.**—Except as otherwise specifically provided, this Act shall be administered by the Secretary through a Director appointed by the Secretary.

(b) **LONG-TERM CARE.**—The Director shall appoint a director for long-term care who shall be responsible for administration of this Act and ensuring the availability and accessibility of high quality long-term care services.

(c) **MENTAL HEALTH.**—The Director shall appoint a director for mental health who shall be responsible for administration of this Act and ensuring the availability and accessibility of high quality mental health services.

**SEC. 302. OFFICE OF QUALITY CONTROL.**

The Director shall appoint a director for an Office of Quality Control. Such director shall, after consultation with State and regional directors, provide annual recommendations to Congress, the President, the Secretary, and other Program officials on how to ensure the highest quality health care service delivery. The director of the Office of Quality Control shall conduct an annual review on the adequacy of medically necessary services, and shall make recommendations of any proposed changes to the Congress, the President, the Secretary, and other Medicare For All Program officials.

**SEC. 303. REGIONAL AND STATE ADMINISTRATION; EMPLOYMENT OF DISPLACED CLERICAL WORKERS.**

(a) **ESTABLISHMENT OF MEDICARE FOR ALL PROGRAM REGIONAL OFFICES.**—The Secretary shall establish and maintain Medicare For All regional offices for the purpose of distributing funds to providers of care. Whenever possible, the Secretary should incorporate pre-existing Medicare infrastructure for this purpose.

(b) **APPOINTMENT OF REGIONAL AND STATE DIRECTORS.**—In each such regional office there shall be—

(1) one regional director appointed by the Director; and

(2) for each State in the region, a deputy director (in this Act referred to as a "State Director") appointed by the governor of that State.

(c) **REGIONAL OFFICE DUTIES.**—Regional offices of the Program shall be responsible for—

(1) coordinating funding to health care providers and physicians; and

(2) coordinating billing and reimbursements with physicians and health care pro-

viders through a State-based reimbursement system.

(d) **STATE DIRECTOR'S DUTIES.**—Each State Director shall be responsible for the following duties:

(1) Providing an annual State health care needs assessment report to the National Board of Universal Quality and Access, and the regional board, after a thorough examination of health needs, in consultation with public health officials, clinicians, patients, and patient advocates.

(2) Health planning, including oversight of the placement of new hospitals, clinics, and other health care delivery facilities.

(3) Health planning, including oversight of the purchase and placement of new health equipment to ensure timely access to care and to avoid duplication.

(4) Submitting global budgets to the regional director.

(5) Recommending changes in provider reimbursement or payment for delivery of health services in the State.

(6) Establishing a quality assurance mechanism in the State in order to minimize both under utilization and over utilization and to assure that all providers meet high quality standards.

(7) Reviewing program disbursements on a quarterly basis and recommending needed adjustments in fee schedules needed to achieve budgetary targets and assure adequate access to needed care.

(e) **FIRST PRIORITY IN RETRAINING AND JOB PLACEMENT; 2 YEARS OF SALARY PARITY BENEFITS.**—The Program shall provide that clerical, administrative, and billing personnel in insurance companies, doctors offices, hospitals, nursing facilities, and other facilities whose jobs are eliminated due to reduced administration—

(1) should have first priority in retraining and job placement in the new system; and

(2) shall be eligible to receive two years of Medicare For All employment transition benefits with each year's benefit equal to salary earned during the last 12 months of employment, but shall not exceed \$100,000 per year.

(f) **ESTABLISHMENT OF MEDICARE FOR ALL EMPLOYMENT TRANSITION FUND.**—The Secretary shall establish a trust fund from which expenditures shall be made to recipients of the benefits allocated in subsection (e).

(g) **ANNUAL APPROPRIATIONS TO MEDICARE FOR ALL EMPLOYMENT TRANSITION FUND.**—Sums are authorized to be appropriated annually as needed to fund the Medicare For All Employment Transition Benefits.

(h) **RETENTION OF RIGHT TO UNEMPLOYMENT BENEFITS.**—Nothing in this section shall be interpreted as a waiver of Medicare For All Employment Transition benefit recipients' right to receive Federal and State unemployment benefits.

**SEC. 304. CONFIDENTIAL ELECTRONIC PATIENT RECORD SYSTEM.**

(a) **IN GENERAL.**—The Secretary shall create a standardized, confidential electronic patient record system in accordance with laws and regulations to maintain accurate patient records and to simplify the billing process, thereby reducing medical errors and bureaucracy.

(b) **PATIENT OPTION.**—Notwithstanding that all billing shall be performed electronically, patients shall have the option of keeping any portion of their medical records separate from their electronic medical record.

**SEC. 305. NATIONAL BOARD OF UNIVERSAL QUALITY AND ACCESS.**

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—There is established a National Board of Universal Quality and Access (in this section referred to as the "Board") consisting of 15 members appointed by the President, by and with the advice and consent of the Senate.

(2) **QUALIFICATIONS.**—The appointed members of the Board shall include at least one of each of the following:

(A) Health care professionals.

(B) Representatives of institutional providers of health care.

(C) Representatives of health care advocacy groups.

(D) Representatives of labor unions.

(E) Citizen patient advocates.

(3) **TERMS.**—Each member shall be appointed for a term of 6 years, except that the President shall stagger the terms of members initially appointed so that the term of no more than 3 members expires in any year.

(4) **PROHIBITION ON CONFLICTS OF INTEREST.**—No member of the Board shall have a financial conflict of interest with the duties before the Board.

(b) **DUTIES.**—

(1) **IN GENERAL.**—The Board shall meet at least twice per year and shall advise the Secretary and the Director on a regular basis to ensure quality, access, and affordability.

(2) **SPECIFIC ISSUES.**—The Board shall specifically address the following issues:

(A) Access to care.

(B) Quality improvement.

(C) Efficiency of administration.

(D) Adequacy of budget and funding.

(E) Appropriateness of reimbursement levels of physicians and other providers.

(F) Capital expenditure needs.

(G) Long-term care.

(H) Mental health and substance abuse services.

(I) Staffing levels and working conditions in health care delivery facilities.

(3) **ESTABLISHMENT OF UNIVERSAL, BEST QUALITY STANDARD OF CARE.**—The Board shall specifically establish a universal, best quality of standard of care with respect to—

(A) appropriate staffing levels;

(B) appropriate medical technology;

(C) design and scope of work in the health workplace;

(D) best practices; and

(E) salary level and working conditions of physicians, clinicians, nurses, other medical professionals, and appropriate support staff.

(4) **TWICE-A-YEAR REPORT.**—The Board shall report its recommendations twice each year to the Secretary, the Director, Congress, and the President.

(c) **COMPENSATION, ETC.**—The following provisions of section 1805 of the Social Security Act shall apply to the Board in the same manner as they apply to the Medicare Payment Assessment Commission (except that any reference to the Commission or the Comptroller General shall be treated as references to the Board and the Secretary, respectively):

(1) Subsection (c)(4) (relating to compensation of Board members).

(2) Subsection (c)(5) (relating to chairman and vice chairman).

(3) Subsection (c)(6) (relating to meetings).

(4) Subsection (d) (relating to director and staff; experts and consultants).

(5) Subsection (e) (relating to powers).

**TITLE IV—ADDITIONAL PROVISIONS**

**SEC. 401. TREATMENT OF VA AND IHS HEALTH PROGRAMS.**

(a) **VA HEALTH PROGRAMS.**—This Act provides for health programs of the Department of Veterans' Affairs to initially remain independent for the 10-year period that begins on

the date of the establishment of the Medicare For All Program. After such 10-year period, the Congress shall reevaluate whether such programs shall remain independent or be integrated into the Medicare For All Program.

(b) **INDIAN HEALTH SERVICE PROGRAMS.**—This Act provides for health programs of the Indian Health Service to initially remain independent for the 5-year period that begins on the date of the establishment of the Medicare For All Program, after which such programs shall be integrated into the Medicare For All Program.

#### **SEC. 402. PUBLIC HEALTH AND PREVENTION.**

It is the intent of this Act that the Program at all times stress the importance of good public health through the prevention of diseases.

#### **SEC. 403. REDUCTION IN HEALTH DISPARITIES.**

It is the intent of this Act to reduce health disparities by race, ethnicity, income and geographic region, and to provide high quality, cost-effective, culturally appropriate care to all individuals regardless of race, ethnicity, sexual orientation, or language.

### **TITLE V—EFFECTIVE DATE**

#### **SEC. 501. EFFECTIVE DATE.**

Except as otherwise specifically provided, this Act shall take effect on the first day of the first year that begins more than 1 year after the date of the enactment of this Act, and shall apply to items and services furnished on or after such date.

**SA 341.** Mr. UDALL (for himself, Ms. CANTWELL, Ms. CORTEZ MASTO, Ms. HEITKAMP, Mr. FRANKEN, Mrs. MURRAY, Mr. SCHATZ, Ms. STABENOW, Mr. TESTER, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### **SEC. \_\_\_\_ . POINT OF ORDER AGAINST LEGISLATION THAT WOULD REDUCE OR LIMIT FEDERAL PAYMENTS FOR HEALTH INSURANCE OR HEALTH CARE FOR AMERICAN INDIANS OR ALASKA NATIVES.**

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would—

(1) reduce or limit Federal payments to help cover the cost of private health insurance with respect to private health insurance purchased by American Indians or Alaska Natives; or

(2) reduce or limit Federal payments for spending under the Medicaid program with respect to services provided by the Indian Health Service, an Indian Health Program, an Urban Indian Organization, or Indian tribes or other tribal organizations, or with respect to services provided to individuals who are American Indians or Alaska Natives.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

**SA 342.** Mr. MURPHY submitted an amendment intended to be proposed by

him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### **SEC. \_\_\_\_ . PROTECTION OF INDIVIDUALS' HEALTH PLANS.**

This Act (and the amendments made by this Act) shall not take effect until the Chief Actuary of the Centers for Medicare & Medicaid Services certifies to Congress that the implementation of this Act (and amendments) will not result in increased premiums under employer-sponsored insurance.

**SA 343.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### **SEC. \_\_\_\_ . PROTECTION OF INDIVIDUALS' HEALTH PLANS.**

This Act (and the amendments made by this Act) shall not take effect until the Chief Actuary of the Centers for Medicare & Medicaid Services certifies to Congress that the implementation of this Act (and amendments) will not result in increased deductibles under employer-sponsored insurance.

**SA 344.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### **SEC. \_\_\_\_ . PROTECTION OF INDIVIDUALS' HEALTH PLANS.**

This Act (and the amendments made by this Act) shall not take effect until the Chief Actuary of the Centers for Medicare & Medicaid Services certifies to Congress that the implementation of this Act (and amendments) will not result in the loss of pregnancy, maternity, and newborn care (both before and after birth) under qualified health plans.

**SA 345.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### **SEC. \_\_\_\_ . PROTECTION OF INDIVIDUALS' HEALTH PLANS.**

This Act (and the amendments made by this Act) shall not take effect until the Chief Actuary of the Centers for Medicare & Medicaid Services certifies to Congress that the implementation of this Act (and amendments) will not result in the loss of mental health and substance use disorder services, including behavioral health treatment (including counseling and psychotherapy) under qualified health plans.

**SA 346.** Mr. MURPHY submitted an amendment intended to be proposed by

him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### **SEC. \_\_\_\_ . NO INCREASES IN DEDUCTIBLES.**

This Act (and the amendments made by this Act) shall not take effect until the Chief Actuary of the Centers for Medicare & Medicaid Services certifies to Congress that the implementation of this Act (and amendments) will not result in increased deductibles under qualified health plans.

**SA 347.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### **SEC. \_\_\_\_ . PROTECTION OF INDIVIDUALS' HEALTH PLANS.**

This Act (and the amendments made by this Act) shall not take effect until the Chief Actuary of the Centers for Medicare & Medicaid Services certifies to Congress that the implementation of this Act (and amendments) will not result in the loss of coverage for people under qualified health plans.

**SA 348.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### **SEC. \_\_\_\_ . NO INCREASES IN UNCOMPENSATED CARE.**

This Act (and the amendments made by this Act) shall not take effect until the Chief Actuary of the Centers for Medicare & Medicaid Services certifies to Congress that the implementation of this Act (and amendments) will not increase uncompensated care at nonprofit or hospitals operated by the Federal Government.

**SA 349.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 129, strike lines 3 through 10 and insert the following:

#### **SEC. 221. SUPPORT FOR STATE RESPONSE TO OPIOID ADDICTION.**

There is authorized to be appropriated, and is appropriated, out of monies in the Treasury not otherwise obligated, \$10,000,000,000 for fiscal year 2018 to the Secretary of Health and Human Services to provide grants to States to support treatment for opioid addiction. Funds appropriated under this section shall remain available until expended.

**SA 350.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of

the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . PROTECTION OF INDIVIDUALS' HEALTH PLANS.**

This Act (and the amendments made by this Act) shall not take effect until the Chief Actuary of the Centers for Medicare & Medicaid Services certifies to Congress that the implementation of this Act (and amendments) will not result in individuals losing access to their current health plans, if such individuals wish to keep such plans.

**SA 351.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 129, strike lines 3 through 10 and insert the following:

**SEC. 221. SUPPORT FOR STATE RESPONSE TO DOMESTIC VIOLENCE.**

There is authorized to be appropriated, and is appropriated, out of monies in the Treasury not otherwise obligated, \$10,000,000,000 for fiscal year 2018 to the Secretary of Health and Human Services to provide grants to States to support assistance for victims of domestic violence. Funds appropriated under this section shall remain available until expended.

**SA 352.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 129, strike lines 3 through 10 and insert the following:

**SEC. 221. SUPPORT FOR STATE RESPONSE TO PEDIATRIC CANCERS.**

There is authorized to be appropriated, and is appropriated, out of monies in the Treasury not otherwise obligated, \$10,000,000,000 for fiscal year 2018 to the Secretary of Health and Human Services to provide grants to States to support treatment of pediatric cancers. Funds appropriated under this section shall remain available until expended.

**SA 353.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 129, strike lines 3 through 10 and insert the following:

**SEC. 221. SUPPORT FOR STATE RESPONSE TO CANCER.**

There is authorized to be appropriated, and is appropriated, out of monies in the Treasury not otherwise obligated, \$10,000,000,000 for fiscal year 2018 to the Secretary of Health and Human Services to provide grants to States to support treatment of adults with cancer. Funds appropriated under this section shall remain available until expended.

**SA 354.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for

reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 129, strike lines 3 through 10 and insert the following:

**SEC. 221. SUPPORT FOR STATE RESPONSE TO CHILDREN WITH PRE-EXISTING CONDITIONS.**

There is authorized to be appropriated, and is appropriated, out of monies in the Treasury not otherwise obligated, \$10,000,000,000 for fiscal year 2018 to the Secretary of Health and Human Services to provide grants to States to support treatment of children with pre-existing conditions. Funds appropriated under this section shall remain available until expended.

**SA 355.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 129, strike lines 3 through 10 and insert the following:

**SEC. 221. SUPPORT FOR STATE RESPONSE TO ADULTS WITH PRE-EXISTING CONDITIONS.**

There is authorized to be appropriated, and is appropriated, out of monies in the Treasury not otherwise obligated, \$10,000,000,000 for fiscal year 2018 to the Secretary of Health and Human Services to provide grants to States to support treatment of adults with pre-existing conditions. Funds appropriated under this section shall remain available until expended.

**SA 356.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 129, strike lines 3 through 10 and insert the following:

**SEC. 221. SUPPORT FOR STATE RESPONSE TO DEPRESSION.**

There is authorized to be appropriated, and is appropriated, out of monies in the Treasury not otherwise obligated, \$10,000,000,000 for fiscal year 2018 to the Secretary of Health and Human Services to provide grants to States to support treatment of individuals with depression. Funds appropriated under this section shall remain available until expended.

**SA 357.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 129, strike lines 3 through 10 and insert the following:

**SEC. 221. SUPPORT FOR STATE RESPONSE TO MENTAL ILLNESS.**

There is authorized to be appropriated, and is appropriated, out of monies in the Treasury not otherwise obligated, \$10,000,000,000 for fiscal year 2018 to the Secretary of Health and Human Services to provide grants to States to support treatment of individuals with mental illness. Funds appropriated

under this section shall remain available until expended.

**SA 358.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 129, strike lines 3 through 10 and insert the following:

**SEC. 221. SUPPORT FOR STATE RESPONSE TO HEART DISEASE.**

There is authorized to be appropriated, and is appropriated, out of monies in the Treasury not otherwise obligated, \$10,000,000,000 for fiscal year 2018 to the Secretary of Health and Human Services to provide grants to States to support treatment of individuals with heart disease. Funds appropriated under this section shall remain available until expended.

**SA 359.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 129, strike lines 3 through 10 and insert the following:

**SEC. 221. SUPPORT FOR STATE RESPONSE TO ALZHEIMER'S DISEASE.**

There is authorized to be appropriated, and is appropriated, out of monies in the Treasury not otherwise obligated, \$10,000,000,000 for fiscal year 2018 to the Secretary of Health and Human Services to provide grants to States to support treatment of individuals with Alzheimer's disease. Funds appropriated under this section shall remain available until expended.

**SA 360.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 129, strike lines 3 through 10 and insert the following:

**SEC. 221. SUPPORT FOR STATE RESPONSE TO BREAST CANCER.**

There is authorized to be appropriated, and is appropriated, out of monies in the Treasury not otherwise obligated, \$10,000,000,000 for fiscal year 2018 to the Secretary of Health and Human Services to provide grants to States to support treatment of individuals with breast cancer. Funds appropriated under this section shall remain available until expended.

**SA 361.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 129, strike lines 3 through 10 and insert the following:

**SEC. 221. SUPPORT FOR STATE RESPONSE TO PARKINSON'S DISEASE.**

There is authorized to be appropriated, and is appropriated, out of monies in the Treasury not otherwise obligated, \$10,000,000,000

for fiscal year 2018 to the Secretary of Health and Human Services to provide grants to States to support treatment of individuals with Parkinson's disease. Funds appropriated under this section shall remain available until expended.

**SA 362.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 129, strike lines 3 through 10 and insert the following:

**SEC. 221. SUPPORT FOR STATE RESPONSE TO POST-TRAUMATIC STRESS DISORDER.**

There is authorized to be appropriated, and is appropriated, out of monies in the Treasury not otherwise obligated, \$10,000,000,000 for fiscal year 2018 to the Secretary of Health and Human Services to provide grants to States to support treatment of individuals with post-traumatic stress disorder. Funds appropriated under this section shall remain available until expended.

**SA 363.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

On page 129, strike lines 3 through 10 and insert the following:

**SEC. 221. SUPPORT FOR STATE RESPONSE TO DIABETES.**

There is authorized to be appropriated, and is appropriated, out of monies in the Treasury not otherwise obligated, \$10,000,000,000 for fiscal year 2018 to the Secretary of Health and Human Services to provide grants to States to support treatment of individuals with diabetes. Funds appropriated under this section shall remain available until expended.

**SA 364.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . PROTECTION OF INDIVIDUALS' HEALTH CARE.**

This Act (and the amendments made by this Act) shall not take effect until the Chief Actuary of the Centers for Medicare & Medicaid Services certifies to Congress that the implementation of this Act (and amendments) will not result in the loss of coverage under the Medicaid program.

**SA 365.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . PROTECTION OF INDIVIDUALS' HEALTH CARE.**

This Act (and the amendments made by this Act) shall not take effect until the Chief

Actuary of the Centers for Medicare & Medicaid Services certifies to Congress that the implementation of this Act (and amendments) will not result in the loss of mental health and substance use disorder services, including behavioral health treatment (including counseling and psychotherapy) under the Medicaid program.

**SA 366.** Mr. KAINE (for himself, Mr. BLUMENTHAL, Mr. CARPER, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike subtitles B through C of title I.

**SA 367.** Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 312, strike line 21 and all that follows through page 313, line 9.

**SA 368.** Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 821.

**SA 369.** Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

**SEC. \_\_\_\_ . REPORT ON POSSIBLE IMPROVEMENTS TO PROCESSING RETIREMENTS AND MEDICAL DISCHARGES.**

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, submit to the congressional defense committees and the Committees on Veterans' Affairs of the Senate and the House of Representatives a report on possible improvements to the transition of members of the Armed Forces to veteran status.

(b) **ELEMENTS.**—The report under subsection (a) shall address the following:

(1) Feasibility of requiring members of the Armed Forces to apply for benefits administered by the Secretary of Veterans Affairs before such members complete discharge from the Armed Forces.

(2) Feasibility of requiring members of the Armed Forces to undergo compensation and pension examinations (to be administered by the Secretary of Defense) for purposes of obtaining benefits described in paragraph (1) before such members complete discharge from the Armed Forces.

(3) Possible improvements to the timeliness of the process for transitioning members who undergo medical discharge to care provided by the Secretary of Veterans Affairs.

**SA 370.** Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

**SEC. \_\_\_\_ . TRAINING REQUIREMENT FOR HEALTH CARE PROFESSIONALS OF THE DEPARTMENT OF DEFENSE PRESCRIBING OPIOIDS FOR TREATMENT OF PAIN.**

(a) **TRAINING.**—

(1) **IN GENERAL.**—The Secretary of Defense shall ensure that health care professionals of the Department of Defense, other than pharmacists, who are authorized to prescribe or otherwise dispense opioids for the treatment of pain—

(A) complete the training described in paragraph (2) not less frequently than once every three years; or

(B) are licensed in a State that requires training that is equivalent to or greater than the training described in paragraph (2) with respect to the prescribing or dispensing of opioids for the treatment of pain.

(2) **TRAINING DESCRIBED.**—

(A) **IN GENERAL.**—The training described in this paragraph is not fewer than 12 hours of training (through classroom situations, seminars at professional society meetings, electronic communications, or otherwise) that is provided by organizations specified in subparagraph (B) with respect to—

(i) pain management treatment guidelines and best practices;

(ii) early detection of opioid addiction; and

(iii) the treatment and management of opioid-dependent patients.

(B) **ORGANIZATIONS SPECIFIED.**—The organizations specified in this subparagraph are the following:

(i) The American Society of Addiction Medicine.

(ii) The American Academy of Addiction Psychiatry.

(iii) The American Medical Association.

(iv) The American Osteopathic Association.

(v) The American Psychiatric Association.

(vi) The American Academy of Pain Management.

(vii) The American Pain Society.

(viii) The American Academy of Pain Medicine.

(ix) The American Board of Pain Medicine.

(x) The American Society of Interventional Pain Physicians.

(xi) Such other organizations as the Secretary of Defense determines appropriate for purposes of this subsection.

(b) ESTABLISHMENT OF TRAINING MODULES.—

(1) IN GENERAL.—The Secretary of Defense shall establish or support the establishment of one or more training modules to be used to provide the training required under subsection (a).

(2) SUPPORT FOR ORGANIZATIONS.—The Secretary may support the establishment of a training module under paragraph (1) by—

(A) an organization specified in paragraph (2)(B) of subsection (a); or

(B) any other organization that the Secretary determines is appropriate to provide the training required under such subsection.

**SA 371.** Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

**SEC. \_\_\_\_ . PROVISION OF SUPPORT BY DEPARTMENT OF DEFENSE TO DEPARTMENT OF VETERANS AFFAIRS REGARDING ELECTRONIC HEALTH RECORD SYSTEM.**

(a) IN GENERAL.—The Secretary of Defense may support the Secretary of Veterans Affairs, to the extent the Secretary of Defense and the Secretary of Veterans Affairs jointly consider feasible and advisable, in the development and implementation of an electronic health record system that—

(1) is derivative of the Military Health System Genesis record being developed and implemented by the Secretary of Defense as of the date of the enactment of this Act; and

(2) achieves complete interoperability with the Military Health System Genesis.

(b) ANNUAL REVIEW.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly conduct an annual review of the efforts undertaken by the Secretary of Defense and the Secretary of Veterans Affairs to achieve complete interoperability between the electronic health record of the Department of Veterans Affairs and the Military Health System Genesis.

(c) ANNUAL REPORT.—

(1) REPORTS.—Not later than 60 days after completing each annual review under subsection (b), the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate and the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives a report on the review.

(2) ELEMENTS.—Each report under paragraph (1) shall include an assessment of the following:

(A) Milestones reached as part of the schedule developed by the Department of Defense and the Department of Veterans Affairs of the development and implementation of an electronic health record system under subsection (a).

(B) Costs associated with such development and implementation.

(C) Actions, if any, of the Secretary of Defense in supporting the Secretary of Vet-

erans Affairs pursuant to subsection (a) with respect to the development and implementation of an electronic health record system and in achieving complete interoperability with the Military Health System Genesis.

(D) Status of the adoption of the national standards and architectural requirements identified by the Interagency Program Office of the Department of Defense and the Department of Veterans Affairs in collaboration with the Office of the National Coordinator for Health Information Technology of the Department of Health and Human Services.

(e) TERMINATION.—The requirements under subsections (b) and (c) shall terminate on the date on which the Secretary of Defense and the Secretary of Veterans Affairs jointly certify to the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate and the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives that the electronic health records of both the Department of Defense and the Department of Veterans Affairs are completely interoperable.

(f) INTEROPERABILITY DEFINED.—In this section, the term "interoperability" means the ability of different electronic health records systems or software to meaningfully exchange information in real time and provide useful results to one or more systems.

**SA 372.** Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

**SEC. \_\_\_\_ . COUNSELING AND TREATMENT FOR SUBSTANCE USE DISORDERS AND CHRONIC PAIN MANAGEMENT FOR MEMBERS WHO SEPARATE FROM THE ARMED FORCES.**

Section 1145(a)(6)(B)(i) of title 10, United States Code, is amended—

(1) in subclause (I)—

(A) by inserting ", substance use disorder," after "post-traumatic stress disorder"; and

(B) by striking "and" at the end;

(2) by redesignating subclause (II) as subclause (III); and

(3) by inserting after subclause (I) the following new subclause (II):

"(II) chronic pain management services, including counseling and treatment of co-occurring mental health disorders and alternatives to opioid analgesics; and"

**SA 373.** Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . RESPONSIBILITIES OF COMMERCIAL MARKET REPRESENTATIVES.**

Section 4(h) of the Small Business Act (15 U.S.C. 633(h)) is amended to read as follows:

"(h) COMMERCIAL MARKET REPRESENTATIVES.—

"(1) DUTIES.—The principal duties of a commercial market representative employed by the Administrator and reporting to the senior official appointed by the Administrator with responsibilities under sections 8, 15, 31, and 36 (or the designee of the official) shall be to advance the policies established in section 8(d)(1) relating to subcontracting, including—

"(A) helping prime contractors to find small business concerns that are capable of performing subcontracts;

"(B) for contractors awarded contracts containing the clause described in section 8(d)(3), providing—

"(i) counseling on the responsibility of the contractor to maximize subcontracting opportunities for small business concerns;

"(ii) instruction on methods and tools to identify potential subcontractors that are small business concerns; and

"(iii) assistance to increase awards to subcontractors that are small business concerns through visits, training, and reviews of past performance;

"(C) providing counseling on how a small business concern may promote the capacity of the small business concern to contractors awarded contracts containing the clause described in section 8(d)(3); and

"(D) conducting periodic reviews of contractors awarded contracts containing the clause described in section 8(d)(3) to assess compliance with subcontracting plans required under section 8(d)(6).

"(2) CERTIFICATION REQUIREMENTS.—

"(A) IN GENERAL.—Consistent with the requirements of subparagraph (B), a commercial market representative referred to in section 15(q)(3) shall have a Level I Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification.

"(B) DELAY OF CERTIFICATION REQUIREMENT.—The certification described in subparagraph (A) is not required—

"(i) for any person serving as a commercial market representative on the date of enactment of the National Defense Authorization Act for Fiscal Year 2018, until the date that is 1 calendar year after the date on which the person was appointed as a commercial market representative; or

"(ii) for any person serving as a commercial market representative on or before November 25, 2015, until November 25, 2020.

"(3) JOB POSTING REQUIREMENTS.—The duties and certification requirements described in this subsection shall be included in any initial job posting for the position of a commercial market representative."

**SA 374.** Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IX, add the following:



**SEC. \_\_\_\_\_. DESIGNATION OF OFFICE WITHIN OFFICE OF THE SECRETARY OF DEFENSE TO OVERSEE USE OF FOOD ASSISTANCE PROGRAMS BY MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall designate an office or official within the Office of the Secretary of Defense for purposes as follows:

(1) To discharge responsibility for overseeing the efforts of the Department of Defense to collect, analyze, and monitor data on the use of food assistance programs by members of the Armed Forces on active duty.

(2) To establish and maintain relationships with other departments and agencies of the Federal Government to facilitate the discharge of the responsibility specified in paragraph (1).

**SA 375.** Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII, add the following:

**SEC. 832. OPTIMIZATION OF MICRO-PURCHASE THRESHOLD TO INCREASE GOVERNMENT EFFICIENCY.**

(a) **INCREASE IN THRESHOLD.**—Section 1902(a)(1) of title 41, United States Code, is amended—

(1) by striking “sections 2338 and 2339” and inserting “section 2339”; and

(2) by striking “\$3,000” and inserting “\$10,000”.

(b) **CONFORMING AND CLERICAL AMENDMENTS.**—

(1) Section 2338 of title 10, United States Code, is repealed.

(2) The table of sections at the beginning of chapter 137 of such title is amended by striking the item relating to section 2338.

(c) **CONVENIENCE CHECKS.**—A convenience check may not be used for an amount in excess of one half of the micro-purchase threshold under section 1902(a) of title 41, United States Code, or a lower amount set by the head of the agency. Use of convenience checks shall comply with controls prescribed in Office of Management and Budget Circular A-123, Appendix B.

**SA 376.** Ms. DUCKWORTH (for herself, Mr. DURBIN, Mrs. ERNST, and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXVIII, add the following:

**SEC. \_\_\_\_\_. CERTIFICATION RELATED TO CERTAIN ACQUISITIONS OR LEASES OF REAL PROPERTY.**

Section 2662(a) of title 10, United States Code, is amended—

(1) in paragraph (2), by striking the period at the end and inserting the following: “, as well as the certification described in paragraph (5).”; and

(2) by adding at the end the following:

“(5) For purposes of paragraph (2), the certification described in this paragraph with respect to an acquisition or lease of real property is a certification that the Secretary concerned—

“(A) evaluated the feasibility of using space in property under the jurisdiction of the Department of Defense to satisfy the purposes of the acquisition or lease; and

“(B) determined that—

“(i) space in property under the jurisdiction of the Department of Defense is not reasonably available to be used to satisfy the purposes of the acquisition or lease;

“(ii) acquiring the property or entering into the lease would be more cost-effective than the use of the Department of Defense property; or

“(iii) the use of the Department of Defense property would interfere with the ongoing military mission of the property.”.

**SA 377.** Mr. MENENDEZ (for himself, Mr. DURBIN, Mr. BLUMENTHAL, Mr. BOOKER, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. POINT OF ORDER AGAINST ELIMINATING OR REDUCING FEDERAL FUNDING TO STATES UNDER THE MEDICAID EXPANSION.**

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would eliminate or reduce funding to States available under law in effect on the date of the adoption of this section to provide comprehensive, affordable health care to low-income Americans by eliminating or reducing the availability of Federal financial assistance to States available under section 1905(y)(1) or 1905(z)(2) of the Social Security Act (42 U.S.C. 1396d(y)(1), 1396d(z)(2)) or other means, unless the Director of the Congressional Budget Office certifies that the legislation would not—

(1) increase the number of uninsured Americans;

(2) decrease Medicaid enrollment in States that have opted to expand eligibility for medical assistance under that program for low-income, non-elderly individuals under the eligibility option established by the Affordable Care Act under section 1902(a)(10)(A)(i)(VIII) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)(VIII));

(3) reduce the likelihood that any State that, as of the date of the adoption of this section, has not opted to expand Medicaid under the eligibility option established by the Affordable Care Act under section 1902(a)(10)(A)(i)(VIII) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)(VIII)) would opt to use that eligibility option to expand eligibility for medical assistance under that program for low-income, non-elderly individuals; and

(4) increase the State share of Medicaid spending under that eligibility option.

(b) **WAIVER AND APPEAL.**—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

**SA 378.** Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would reduce the Federal Government's financial commitment to currently active and successful Medicaid waivers under section 1115 of the Social Security Act that are promoting the objectives of title XIX of such Act shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 379.** Mr. MARKEY (for himself, Ms. WARREN, Mr. CARPER, Mr. CASEY, Mr. BROWN, Ms. HIRONO, Ms. STABENOW, Mr. MENENDEZ, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. NULLIFICATION OF CERTAIN PROVISIONS.**

If the Congressional Budget Office determines that the provisions of, or the amendments made by, this Act would increase the amount of uncompensated care provided by hospitals, such provisions or amendments shall be null and void and this Act shall be applied and administered as if such provisions and amendments had not been enacted.

**SA 380.** Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. MEMBERS OF CONGRESS.**

Notwithstanding any other provision of law, if, as a result of the enactment of this Act, the rate of uninsured individuals in the United States is higher on the date that is 1 year after the date of enactment of this Act than such rate was on the date of enactment of this Act, Members of Congress shall not be eligible for an employer contribution to their health plan premiums until the rate of uninsured individuals in the United States is equal to or lower than such rate on the date of enactment of this Act.

**SA 381.** Mr. MARKEY submitted an amendment intended to be proposed by



him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . NULLIFICATION OF CERTAIN PROVISIONS.**

If the Congressional Budget Office determines that the provisions of, or the amendments made by, this Act would increase the average premium or out-of-pocket health care costs for individuals who have attained 50 years of age, such provisions or amendments shall be null and void and this Act shall be applied and administered as if such provisions and amendments had not been enacted.

**SA 382.** Mr. MARKEY submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . REPEAL OF CERTAIN PROVISIONS IF PERCENTAGE OF UNINSURED INCREASES.**

Not later than 30 days after the date that is 1 year after the date of enactment of this Act, the Director of the Congressional Budget Office shall determine whether the percentage of uninsured individuals in America is higher than the percentage of such individuals as of such date of enactment. If the percentage of such individuals has increased during that 1-year period as a result of changes made by this Act, effective as of the date of such determination, the provisions of, and the amendments made by, this Act that terminate the Medicaid expansion and impose Medicaid per capita caps shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 383.** Mr. FRANKEN (for himself, Mr. CORNYN, Ms. HEITKAMP, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

**PART II—RESERVE COMPONENT BENEFITS PARITY**

**SEC. \_\_\_\_ . ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR PRE-MOBILIZATION HEALTH CARE.**

Section 1074(d)(2) of title 10, United States Code, is amended by striking “in support of a contingency operation under” and inserting “under section 12304b of this title or”.

**SEC. \_\_\_\_ . ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR TRANSITIONAL HEALTH CARE.**

Section 1145(a)(2)(B) of title 10, United States Code, is amended by striking “in support of a contingency operation” and insert-

ing “under section 12304b of this title or a provision of law referred to in section 101(a)(13)(B) of this title”.

**SEC. \_\_\_\_ . CONSIDERATION OF SERVICE ON ACTIVE DUTY TO REDUCE AGE FOR ELIGIBILITY FOR RETIRED PAY FOR NON-REGULAR SERVICE.**

Section 12731(f)(2)(B)(i) of title 10, United States Code, is amended by striking “under a provision of law referred to in section 101(a)(13)(B) or under section 12301(d)” and inserting “under section 12301(d) or 12304b of this title or a provision of law referred to in section 101(a)(13)(B)”.

**SEC. \_\_\_\_ . ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR HIGH-DEPLOYMENT ALLOWANCE FOR LENGTHY OR NUMEROUS DEPLOYMENTS AND FREQUENT MOBILIZATIONS.**

Section 436(a)(2)(C)(ii) of title 37, United States Code, is amended by inserting after “under” the first place it appears the following: “section 12304b of title 10 or”.

**SEC. \_\_\_\_ . ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR POST-9/11 EDUCATIONAL ASSISTANCE.**

Section 3301(1)(B) of title 38, United States Code, is amended by striking “or 12304” and inserting “12304, 12304a, or 12304b”.

**SEC. \_\_\_\_ . ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR NONREDUCTION IN PAY WHILE SERVING IN THE UNIFORMED SERVICES OR NATIONAL GUARD.**

Section 5538(a) of title 5, United States Code, is amended in the matter preceding paragraph (1) by inserting after “under” the following: “section 12304b of title 10 or”.

**SEC. \_\_\_\_ . EFFECT OF ORDER TO SERVE ON ACTIVE DUTY ON ELIGIBILITY FOR OR USE OF CERTAIN MILITARY BENEFITS.**

(a) EXCEPTION TO VOLUNTARY SEPARATION PAY REPAYMENT REQUIREMENT FOR MEMBERS WHO RETURN TO ACTIVE DUTY.—Section 1175a(j)(2) of title 10, United States Code, is amended by striking “or 12304” and inserting “12304, 12304a, or 12304b”.

(b) TIME LIMITATION FOR TRAINING AND REHABILITATION FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES.—Section 3103(f) of title 38, United States Code, is amended by striking “or 12304” and inserting “12304, 12304a, or 12304b”.

**SEC. \_\_\_\_ . RETROACTIVE APPLICABILITY OF AMENDMENTS.**

The amendments made by this part shall apply with respect to any order for a member of a reserve component to serve on active duty under section 12304a or 12304b of title 10, United States Code, issued on or after January 1, 2012.

**SA 384.** Mr. MANCHIN (for himself, Mr. MURPHY, Mr. WHITEHOUSE, Mr. KING, Ms. KLOBUCHAR, Mr. NELSON, Ms. HEITKAMP, Mrs. SHAHEEN, Ms. BALDWIN, Mr. BLUMENTHAL, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 267 proposed by Mr. MCCONNELL to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ 01. STEWARDSHIP FEE ON OPIOID PAIN RELIEVERS.**

(a) IN GENERAL.—Subchapter E of chapter 32 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

**“SEC. 4192. OPIOID PAIN RELIEVERS.**

“(a) IN GENERAL.—There is hereby imposed on the sale of any active opioid by the manufacturer, producer, or importer a fee equal to 1 cent per milligram so sold.

“(b) ACTIVE OPIOID.—For purposes of this section—

“(1) IN GENERAL.—The term ‘active opioid’ means any controlled substance (as defined in section 102 of the Controlled Substances Act, as in effect on the date of the enactment of this section) which is opium, an opiate, or any derivative thereof.

“(2) EXCLUSION FOR CERTAIN PRESCRIPTION MEDICATIONS.—Such term shall not include any prescribed drug which is used exclusively for the treatment of opioid addiction as part of a medically assisted treatment effort.

“(3) EXCLUSION OF OTHER INGREDIENTS.—In the case of a product that includes an active opioid and another ingredient, subsection (a) shall apply only to the portion of such product that is an active opioid.”.

(b) CLERICAL AMENDMENTS.—

(1) The heading of subchapter E of chapter 32 of the Internal Revenue Code of 1986 is amended by striking “Medical Devices” and inserting “Other Medical Products”.

(2) The table of subchapters for chapter 32 of such Code is amended by striking the item relating to subchapter E and inserting the following new item:

“SUBCHAPTER E. OTHER MEDICAL PRODUCTS”.

(3) The table of sections for subchapter E of chapter 32 of such Code is amended by adding at the end the following new item:

“Sec. 4192. Opioid pain relievers.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to sales on or after the date that is 1 year after the date of the enactment of this Act.

(d) REBATE OR DISCOUNT PROGRAM FOR CERTAIN CANCER AND HOSPICE PATIENTS.—

(1) IN GENERAL.—The Secretary of Health and Human Services, in consultation with patient advocacy groups and other relevant stakeholders as determined by such Secretary, shall establish a mechanism by which—

(A) any amount paid by an eligible patient in connection with the stewardship fee under section 4192 of the Internal Revenue Code of 1986 (as added by this section) shall be rebated to such patient in as timely a manner as possible, or

(B) amounts paid by an eligible patient for active opioids (as defined in section 4192(b) of such Code) are discounted at time of payment or purchase to ensure that such patient does not pay any amount attributable to such fee, with as little burden on the patient as possible. The Secretary shall choose whichever of the options described in subparagraph (A) or (B) is, in the Secretary’s determination, most effective and efficient in ensuring eligible patients face no economic burden from such fee.

(2) ELIGIBLE PATIENT.—For purposes of this section, the term “eligible patient” means—

(A) a patient for whom any active opioid (as so defined) is prescribed to treat pain relating to cancer or cancer treatment;

(B) a patient participating in hospice care; and

(C) in the case of the death or incapacity of a patient described in subparagraph (A) or (B) or any similar situation as determined by the Secretary of Health and Human Services, the appropriate family member, medical proxy, or similar representative or the estate of such patient.

**SEC. — 02. BLOCK GRANTS FOR PREVENTION AND TREATMENT OF SUBSTANCE ABUSE.**

(a) **GRANTS TO STATES.**—Section 1921(b) of the Public Health Service Act (42 U.S.C. 300x-21(b)) is amended by inserting “, and, as applicable, for carrying out section 1923A” before the period.

(b) **NONAPPLICABILITY OF PREVENTION PROGRAM PROVISION.**—Section 1922(a)(1) of the Public Health Service Act (42 U.S.C. 300x-22(a)(1)) is amended by inserting “except with respect to amounts made available as described in section 1923A,” before “will expend”.

(c) **OPIOID TREATMENT PROGRAMS.**—Subpart II of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x-21 et seq.) is amended by inserting after section 1923 the following:

**“SEC. 1923A. ADDITIONAL SUBSTANCE ABUSE TREATMENT PROGRAMS.**

“A funding agreement for a grant under section 1921 is that the State involved shall provide that any amounts made available by any increase in revenues to the Treasury in the previous fiscal year resulting from the enactment of section 4192 of the Internal Revenue Code of 1986, reduced by any amounts rebated or discounted under section 01(d) of the \_\_\_\_\_ Act (as described in section 1933(a)(1)(B)(i)) be used exclusively for substance abuse (including opioid abuse) treatment efforts in the State, including—

“(1) treatment programs—

“(A) establishing new addiction treatment facilities, residential and outpatient, including covering capital costs;

“(B) establishing sober living facilities;

“(C) recruiting and increasing reimbursement for certified mental health providers providing substance abuse treatment in medically underserved communities or communities with high rates of prescription drug abuse;

“(D) expanding access to long-term, residential treatment programs for opioid addicts (including 30-, 60-, and 90-day programs);

“(E) establishing or operating support programs that offer employment services, housing, and other support services to help recovering addicts transition back into society;

“(F) establishing or operating housing for children whose parents are participating in substance abuse treatment programs, including capital costs;

“(G) establishing or operating facilities to provide care for babies born with neonatal abstinence syndrome, including capital costs; and

“(H) other treatment programs, as the Secretary determines appropriate; and

“(2) recruitment and training of substance use disorder professionals to work in rural and medically underserved communities.”.

(d) **ADDITIONAL FUNDING.**—Section 1933(a)(1)(B)(i) of the Public Health Service Act (42 U.S.C. 300x-33(a)(1)(B)(i)) is amended by inserting “, plus any increase in revenues to the Treasury in the previous fiscal year resulting from the enactment of section 4192 of the Internal Revenue Code of 1986, reduced by any amounts rebated or discounted under section 01(d) of the \_\_\_\_\_ Act” before the period.

**SEC. — 03. REPORT.**

Not later than 2 years after the date described in section 01(c), the Secretary of Health and Human Services shall submit to Congress a report on the impact of the amendments made by sections 01 and 02 on—

(1) the retail cost of active opioids (as defined in section 4192 of the Internal Revenue Code of 1986, as added by section 01);

(2) patient access to such opioids, particularly cancer and hospice patients, including the effect of the discount or rebate on such opioids for cancer and hospice patients under section 01(d);

(3) how the increase in revenue to the Treasury resulting from the enactment of section 4192 of the Internal Revenue Code of 1986 is used to improve substance abuse treatment efforts in accordance with section 1923A of the Public Health Service Act (as added by section 02); and

(4) suggestions for improving—

(A) access to opioids for cancer and hospice patients; and

(B) substance abuse treatment efforts under such section 1923A.

**SA 385.** Mr. MANCHIN (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. —. HEALTH EDUCATION AND LITERACY FOR MEDICAID BENEFICIARIES.**

(a) **GUIDELINES.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the “Secretary”) shall issue guidelines that require States to provide health education and literacy training to Medicaid enrollees. The guidelines shall include information on the following:

(1) Making healthy choices, including nutrition, exercise, and smoking cessation.

(2) How to manage chronic diseases.

(3) How to navigate the healthcare system, including finding a primary care physician and seeking care at the appropriate location.

(4) Helping Medicaid enrollees select a primary care physician and make appointments, when appropriate.

(b) **STATE IMPLEMENTATION.**—Not later than 2 years after the date of enactment of this Act, each State with a State Medicaid plan under title XIX of the Social Security Act shall implement the guidelines issued under subsection (a) and demonstrate to the Secretary that enrollees are receiving the health education and literacy training required under such guidelines. In implementing such guidelines, a State shall take into consideration barriers to enrollee participation, including transportation, health status, language barriers, and such other barriers as the Secretary may designate.

**SA 386.** Mr. MANCHIN (for himself, Mr. BROWN, Mr. WARNER, Mr. KAINE, Mr. COONS, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. —. NULLIFICATION OF CERTAIN PROVISIONS.**

The provisions of, and the amendments made by, this Act that would weaken the financial viability of the Black Lung Clinics serving coal miners with pneumoconiosis, including any provision that would cause an increase in the rate of uninsured individuals in the communities served by those clinics,

shall be null and void and this Act shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 387.** Mr. CARDIN (for himself, Mr. CARPER, Mr. NELSON, Ms. WARREN, Mr. BLUMENTHAL, Mr. BROWN, Mr. VAN HOLLEN, Ms. STABENOW, Ms. DUCKWORTH, and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. —. STRIKING PROVISIONS THAT WEAKEN THE ACCESSIBILITY AND AFFORDABILITY OF HEALTH BENEFITS AND SERVICES.**

Any provision of this Act that would weaken access to essential health benefits, reduce access to affordable preventive services, or undermine the prohibition of annual and lifetime limits and caps on out-of-pocket expenditures for health insurance plans shall be null and void and of no effect.

**SA 388.** Mr. CRAPO (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXVIII, add the following:

**SEC. 2826. LAND CONVEYANCE, MOUNTAIN HOME AIR FORCE BASE, IDAHO.**

(a) **CONVEYANCE AUTHORIZED.**—The Secretary of the Air Force may convey, without consideration, to the City of Mountain Home, Idaho (in this section referred to as the “City”), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 4.25 miles of railroad spur located near Mountain Home Air Force Base, Idaho, as further described in subsection (b), for the purpose of economic development.

(b) **MAP AND LEGAL DESCRIPTION.**—

(1) **FINALIZING LEGAL DESCRIPTIONS.**—As soon as practicable after the date of the enactment of this Act, the Secretary of the Air Force shall finalize a map and the legal description of the property to be conveyed under subsection (a).

(2) **MINOR ERRORS.**—The Secretary of the Air Force may correct any minor errors in the map or the legal description.

(3) **AVAILABILITY.**—The map and legal description shall be on file and available for public inspection.

(c) **PAYMENT OF COSTS OF CONVEYANCE.**—

(1) **PAYMENT REQUIRED.**—The Secretary may require the City to cover all costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under this section, including survey costs, costs for environmental documentation, and any other administrative

costs related to the conveyance. If amounts are collected from the City in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance, or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) **USE RESERVATION.**—The Secretary may reserve a right to temporarily use, for urgent reasons of national defense and at no cost to the United States, all or a portion of the railroad spur conveyed under subsection (a).

(e) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

**SA 389.** Mr. STRANGE submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. 1. PREMIUM ASSISTANCE FOR LOW INCOME INDIVIDUALS.**

(a) **IN GENERAL.**—Subsection (h) of section 2105 of the Social Security Act (42 U.S.C. 1397ee), as added by this Act, is amended to read as follows:

“(h) **SHORT-TERM ASSISTANCE TO ADDRESS COVERAGE AND ACCESS DISRUPTION AND PROVIDE SUPPORT FOR STATES AND DIRECT PREMIUM ASSISTANCE.**—

“(1) **APPROPRIATION.**—There are authorized to be appropriated, and are appropriated, out of monies in the Treasury not otherwise obligated—

“(A) \$15,000,000,000 for each of calendar years 2018 and 2019, and \$10,000,000,000 for each of calendar years 2020 and 2021, to remain available until expended, to the Administrator of the Centers for Medicare & Medicaid Services (in this subsection and subsection (i) referred to as the ‘Administrator’) to fund arrangements with health insurance issuers to assist in the purchase of health benefits coverage by addressing coverage and access disruption and responding to urgent health care needs within States; and

“(B) such sums as are necessary for calendar year 2019 and each calendar year thereafter to the Secretary of the Treasury for the purpose of making payments to the Administrator to allow the Administrator to make the premium assistance payments described in paragraph (2).

“(2) **PREMIUM ASSISTANCE PAYMENTS.**—For calendar year 2019 and each calendar year thereafter, with respect to each individual enrolled in a qualified health plan (as defined in section 1301(a) of the Patient Protection and Affordable Care Act) for whom an ad-

vance payment has been determined under section 1412 of such Act (as reported by the Secretary under subsection (c)(4)(B) of such section), the Administrator shall pay to the issuer of such plan the amount described in subsection (c)(4)(D) of such section.

“(3) **PARTICIPATION REQUIREMENTS.**—

“(A) **GUIDANCE.**—Not later than 30 days after the date of enactment of this subsection, the Administrator shall issue guidance to health insurance issuers regarding how to submit a notice of intent to participate in the program established under this subsection.

“(B) **NOTICE OF INTENT TO PARTICIPATE.**—To be eligible for funding under this subsection, a health insurance issuer shall submit to the Administrator a notice of intent to participate at such time (but, in the case of funding for calendar year 2018, not later than 35 days after the date of enactment of this subsection and, in the case of funding for any subsequent calendar year, not later than March 31 of the previous year) and in such form and manner as specified by the Administrator and containing—

“(i) a certification that the health insurance issuer will use the funds in accordance with the requirements of paragraph (6); and

“(ii) such information as the Administrator may require to carry out this subsection.

“(4) **PROCEDURE FOR DISTRIBUTION OF FUNDS.**—The Administrator shall determine an appropriate procedure for providing and distributing funds under this subsection that includes reserving an amount equal to 1 percent of the amount appropriated under paragraph (1)(A) for a calendar year for providing and distributing funds to health insurance issuers in States where the cost of insurance premiums are at least 75 percent higher than the national average.

“(5) **NO MATCH.**—Neither the State percentage applicable to payments to States under subsection (i)(5)(B) nor any other matching requirement shall apply to funds provided to health insurance issuers under this subsection.

“(6) **USE OF FUNDS.**—Funds provided to a health insurance issuer under paragraphs (1) and (2) shall be subject to the requirements of paragraphs (1)(D) and (7) of subsection (i) in the same manner as such requirements apply to States receiving payments under subsection (i) and shall be used only for the activities specified in paragraph (1)(A)(ii) of subsection (i) or, in the case of funds provided under paragraph (2), for reducing the amount of the premiums charged to individuals as required under section 1412(c)(4)(E) of the Patient Protection and Affordable Care Act.

“(7) **MISUSE OF FUNDS.**—If the Administrator determines that a health insurance issuer is not using funds provided under this subsection in a manner consistent with the requirements applicable to such funds, the Administrator may withhold payments, reduce payments, or recover previous payments to such health insurance issuer under this subsection as the Administrator deems appropriate.”.

(b) **PASS-THROUGH OF FUNDING.**—Subsection (i) of section 2105 of the Social Security Act (42 U.S.C. 1397ee), as added by this Act, is amended by adding at the end the following new paragraph:

“(8) **PASS-THROUGH OF FUNDING.**—Beginning in calendar year 2019, notwithstanding the other requirements of funds provided to States under this subsection, except for the requirements of paragraphs (1)(D) and (7), with respect to a State waiver under section

1332 of the Patient Protection and Affordable Care Act under which, due to the structure of the State plan, individuals would not qualify for advance payments under section 1412 of such Act (or under which the amount of such payments would be reduced), the Secretary shall provide for an alternative means by which the aggregate amount of such payments which would have been paid on behalf of participants in the Exchange established under such Act for or by the State if the State had not received such a waiver, shall be paid to the State for the purpose of assisting in the purchase of health benefits coverage by implementing the State plan under the waiver. Such amount shall be determined annually by the Secretary, taking into consideration the experience of other States with respect to participation in an Exchange and payments provided under such section to residents of the other States. A State may request that all of, or any portion of, the amount determined under this paragraph for the State for a year be paid to the State as described in subsection (h)(2).”.

(c) **CONFORMING AMENDMENTS.**—

(1) Section 2101(a) of the Social Security Act (42 U.S.C. 1397aa(a)), as previously amended by this Act, is amended in the matter preceding paragraph (1), by striking “short-term assistance”.

(2) Section 2105(c)(1) of the Social Security Act (42 U.S.C. 1397ee(c)(1)), as previously amended by this Act, is amended by striking “short-term assistance”.

(3) Section 1332(a) of the Patient Protection and Affordable Care Act (42 U.S.C. 18052(a)), as previously amended by this Act, is amended—

(A) in paragraph (2), by adding at the end the following new subparagraph:

“(E) Section 2105(h)(1)(B) of the Social Security Act.”; and

(B) in paragraph (3), by striking subparagraph (A) and redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.

(d) **PHASEDOWN OF TAX CREDITS.**—

(1) **IN GENERAL.**—Subsection (b) of section 36B of the Internal Revenue Code of 1986, as amended by section 102, is further amended by adding at the end the following new paragraph:

“(4) **PHASEDOWN OF PREMIUM ASSISTANCE CREDIT AMOUNT IN YEARS AFTER 2018.**—In the case of any taxable year beginning after 2018, the premium assistance credit amount is 1/10 of the amount determined under paragraph (1) (without regard to this paragraph).”.

(2) **COORDINATION WITH DIRECT PREMIUM ASSISTANCE.**—

(A) **IN GENERAL.**—Subsection (c) of section 1412 of the Patient Protection and Affordable Care Act is amended by adding at the end the following new paragraph:

“(4) **COORDINATION WITH DIRECT PREMIUM ASSISTANCE.**—In the case of calendar, taxable, and plan years beginning after December 31, 2018—

“(A) solely for purposes of this section, the premium tax credit under section 36B of the Internal Revenue Code of 1986 shall be determined without regard to subsection (b)(4) thereof;

“(B) in addition to the persons described in paragraph (1), the Secretary shall notify the Administrator of the Centers for Medicare and Medicaid Services of the advance determination under this section;

“(C) notwithstanding subparagraph (A), only 1/10 of the advance payment determined under this section (but for this paragraph) shall be paid to the issuer of a qualified health plan as provided in paragraph (2);

“(D) the remaining ¼ of the advance payment so determined shall be paid to the Administrator of the Centers for Medicare and Medicaid Services for the purposes described in section 2105(h)(2) of the Social Security Act; and

“(E) an issuer of a qualified health plan receiving a payment from the Administrator of the Centers for Medicare and Medicaid Services under section 2105(h)(2) of the Social Security Act shall treat such payment for purposes of paragraph (2)(B) in the same manner as an advance payment under paragraph (2).”.

(B) RECAPTURE OF EXCESS PAYMENTS AND INFORMATION REPORTING.—Subsection (f) of section 36B of the Internal Revenue Code of 1986 is amended—

(i) by striking “advance payments to a taxpayer under section 1412 of the Patient Protection and Affordable Care Act for a taxable year exceed” in paragraph (2)(A) and inserting “aggregate sum of any advance payments to a taxpayer under section 1412 of the Patient Protection and Affordable Care Act and any premium assistance paid to a health insurance issuer with respect to such taxpayer under section 2105(h)(2) of the Social Security Act for a taxable year exceeds”;

(ii) by inserting “or subsection (b)(4)” after “paragraph (1)” in paragraph (2)(A);

(iii) by striking “or cost-sharing reductions under section 1402 of such Act” in paragraph (3)(B) and inserting “, premium assistance under section 2105(h)(2) of the Social Security Act, or cost-sharing reductions under section 1402 of the Patient Protection and Affordable Care Act”;

(iv) by striking “such Act” in paragraph (3)(C) and inserting “the Patient Protection and Affordable Care Act, and any premium assistance under section 2105(h)(2) of the Social Security Act”;

(v) by striking “excess advance payments” in paragraph (3)(F) and inserting “an excess aggregate amount of advance payments and premium assistance payments for purposes of paragraph (2)”.

(C) REGULATIONS.—Subsection (g) of section 36B of such Code is amended by inserting “and payments for premium assistance” after “the credit” both places it appears.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to years beginning after December 31, 2018.

**SA 390.** Mr. BLUNT submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** **SIMPLIFICATION OF SEASONAL RULES FOR PURPOSES OF EMPLOYER SHARED RESPONSIBILITY REQUIREMENT.**

(a) FULL-TIME EMPLOYEE EXCEPTION FOR DETERMINING ASSESSABLE PAYMENT.—Paragraph (4) of section 4980H(c) of the Internal Revenue Code of 1986 is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following new subparagraph:

“(B) EXCEPTION FOR SEASONAL EMPLOYEES.—Such term shall not include any seasonal employee.”.

(b) APPLICABLE LARGE EMPLOYER.—Subparagraph (B) of section 4980H(c)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

“(B) EXCEPTION FOR SEASONAL EMPLOYEES.—For purposes of this paragraph, seasonal employees shall not be taken into account as employees.”.

(c) SEASONAL EMPLOYEE.—Subsection (c) of section 4980H of the Internal Revenue Code of 1986 is amended—

(1) by redesignating paragraphs (5), (6), and (7) as paragraphs (6), (7), and (8), respectively; and

(2) by inserting after paragraph (4) the following new paragraph:

“(5) SEASONAL EMPLOYEE.—The term ‘seasonal employee’ means an employee who is employed in a position for which the customary annual employment is not more than 6 months and which requires performing labor or services which are ordinarily performed at certain seasons or periods of the year.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in section 1513 of the Patient Protection and Affordable Care Act.

**SA 391.** Mr. GRAHAM (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

**TITLE I**

**SEC. 101. ELIMINATION OF LIMITATION ON RECAPTURE OF EXCESS ADVANCE PAYMENTS OF PREMIUM TAX CREDITS.**

Subparagraph (B) of section 36B(f)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

“(iii) NONAPPLICABILITY OF LIMITATION.—This subparagraph shall not apply to taxable years ending after December 31, 2017.”.

**SEC. 102. PREMIUM TAX CREDIT.**

(a) PREMIUM TAX CREDIT.—

(1) MODIFICATION OF DEFINITION OF QUALIFIED HEALTH PLAN.—

(A) IN GENERAL.—Section 36B(c)(3)(A) of the Internal Revenue Code of 1986 is amended by inserting before the period at the end the following: “or a plan that includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest)”.

(B) EFFECTIVE DATE.—The amendment made by this paragraph shall apply to taxable years beginning after December 31, 2017.

(2) REPEAL.—

(A) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by striking section 36B.

(B) EFFECTIVE DATE.—The amendment made by this paragraph shall apply to taxable years beginning after December 31, 2019.

(b) REPEAL OF ELIGIBILITY DETERMINATIONS.—

(1) IN GENERAL.—The following sections of the Patient Protection and Affordable Care Act are repealed:

(A) Section 1411 (other than subsection (i), the last sentence of subsection (e)(4)(A)(ii), and such provisions of such section solely to the extent related to the application of the last sentence of subsection (e)(4)(A)(ii)).

(B) Section 1412.

(2) EFFECTIVE DATE.—The repeals in paragraph (1) shall take effect on January 1, 2020.

(c) PROTECTING AMERICANS BY REPEAL OF DISCLOSURE AUTHORITY TO CARRY OUT ELIGI-

BILITY REQUIREMENTS FOR CERTAIN PROGRAMS.—

(1) IN GENERAL.—Paragraph (21) of section 6103(1) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(D) TERMINATION.—No disclosure may be made under this paragraph after December 31, 2019.”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on January 1, 2020.

**SEC. 103. MODIFICATIONS TO SMALL BUSINESS TAX CREDIT.**

(a) SUNSET.—

(1) IN GENERAL.—Section 45R of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(j) SHALL NOT APPLY.—This section shall not apply with respect to amounts paid or incurred in taxable years beginning after December 31, 2019.”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after December 31, 2019.

(b) DISALLOWANCE OF SMALL EMPLOYER HEALTH INSURANCE EXPENSE CREDIT FOR PLAN WHICH INCLUDES COVERAGE FOR ABORTION.—

(1) IN GENERAL.—Subsection (h) of section 45R of the Internal Revenue Code of 1986 is amended—

(A) by striking “Any term” and inserting the following:

“(1) IN GENERAL.—Any term”, and

(B) by adding at the end the following new paragraph:

“(2) EXCLUSION OF HEALTH PLANS INCLUDING COVERAGE FOR ABORTION.—The term ‘qualified health plan’ does not include any health plan that includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest).”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after December 31, 2017.

**SEC. 104. INDIVIDUAL MANDATE.**

(a) IN GENERAL.—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B)(iii), by striking “2.5 percent” and inserting “Zero percent”; and

(2) in paragraph (3)—

(A) by striking “\$695” in subparagraph (A) and inserting “\$0”; and

(B) by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

**SEC. 105. EMPLOYER MANDATE.**

(a) IN GENERAL.—

(1) Paragraph (1) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2015)” after “\$2,000”.

(2) Paragraph (1) of section 4980H(b) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2015)” after “\$3,000”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

**SEC. 106. SHORT TERM ASSISTANCE FOR STATES AND MARKET-BASED HEALTH CARE GRANT PROGRAM.**

(a) IN GENERAL.—Section 2105 of the Social Security Act (42 U.S.C. 1397ee) is amended by adding at the end the following new subsections:

“(h) SHORT-TERM ASSISTANCE TO ADDRESS COVERAGE AND ACCESS DISRUPTION AND PROVIDE SUPPORT FOR STATES.—

“(1) APPROPRIATION.—There are authorized to be appropriated, and are appropriated, out

of monies in the Treasury not otherwise obligated, \$20,000,000,000 for each of calendar years 2018 and 2019, and \$15,000,000,000 for calendar year 2020, to the Administrator of the Centers for Medicare & Medicaid Services (in this subsection and subsection (i) referred to as the ‘Administrator’) to fund arrangements with health insurance issuers to assist in the purchase of health benefits coverage by addressing coverage and access disruption and responding to urgent health care needs within States. Funds appropriated under this paragraph shall remain available until expended.

“(2) PARTICIPATION REQUIREMENTS.—

“(A) GUIDANCE.—Not later than 30 days after the date of enactment of this subsection, the Administrator shall issue guidance to health insurance issuers regarding how to submit a notice of intent to participate in the program established under this subsection.

“(B) NOTICE OF INTENT TO PARTICIPATE.—To be eligible for funding under this subsection, a health insurance issuer shall submit to the Administrator a notice of intent to participate at such time (but, in the case of funding for calendar year 2018, not later than 35 days after the date of enactment of this subsection and, in the case of funding for calendar year 2019, 2020, or 2021, not later than March 31 of the previous year) and in such form and manner as specified by the Administrator and containing—

“(i) a certification that the health insurance issuer will use the funds in accordance with the requirements of paragraph (5); and

“(ii) such information as the Administrator may require to carry out this subsection.

“(3) PROCEDURE FOR DISTRIBUTION OF FUNDS.—The Administrator shall determine an appropriate procedure for providing and distributing funds under this subsection.

“(4) USE OF FUNDS.—Funds provided to a health insurance issuer under paragraph (1) shall be subject to the requirements of paragraphs (1)(D) and (7) of subsection (i) in the same manner as such requirements apply to States receiving payments under subsection (i) and shall be used only for the activities specified in paragraph (1)(A)(ii) of subsection (i).

“(i) MARKET-BASED HEALTH CARE GRANT PROGRAM.—

“(1) APPLICATION AND CERTIFICATION REQUIREMENTS.—To be eligible for an allotment of funds under this subsection, a State shall submit to the Administrator an application, not later than March 31, 2019, in the case of allotments for calendar year 2020, and not later than March 31 of the previous year, in the case of allotments for any subsequent calendar year) and in such form and manner as specified by the Administrator, that contains the following:

“(A) A description of how the funds will be used to do 1 or more of the following:

“(i) To establish or maintain a program or mechanism to help high-risk individuals in the purchase of health benefits coverage, including by reducing premium costs for such individuals, who have or are projected to have a high rate of utilization of health services, as measured by cost, and who do not have access to health insurance coverage offered through an employer, enroll in health insurance coverage under a plan offered in the individual market (within the meaning of section 5000A(f)(1)(C) of the Internal Revenue Code of 1986).

“(ii) To establish or maintain a program to enter into arrangements with health insurance issuers to assist in the purchase of

health benefits coverage by stabilizing premiums and promoting State health insurance market participation and choice in plans offered in the individual market (within the meaning of section 5000A(f)(1)(C) of the Internal Revenue Code of 1986).

“(iii) To provide payments for health care providers for the provision of health care services, as specified by the Administrator.

“(iv) To provide health insurance coverage by funding assistance to reduce out-of-pocket costs, such as copayments, coinsurance, and deductibles, of individuals enrolled in plans offered in the individual market (within the meaning of section 5000A(f)(1)(C) of the Internal Revenue Code of 1986).

“(v) To establish or maintain a program or mechanism to help individuals purchase health benefits coverage, including by reducing premium costs for plans offered in the individual market (within the meaning of section 5000A(f)(1)(C) of the Internal Revenue Code of 1986) for individuals who do not have access to health insurance coverage offered through an employer.

“(vi) Subject to paragraph (4)(B)(iii), to provide wraparound, optional services to individuals enrolled in the State plan for medical assistance under title XIX who are not only eligible for such assistance on the basis of section 1902(a)(10)(A)(ii)(XXIII).

“(B) A certification that the State shall make, from non-Federal funds, expenditures for 1 or more of the activities specified in subparagraph (A) in an amount that is not less than the State percentage required for the year under paragraph (5)(B)(ii).

“(C) A certification that the funds provided under this subsection shall only be used for the activities specified in subparagraph (A).

“(D) A certification that none of the funds provided under this subsection shall be used by the State for an expenditure that is attributable to an intergovernmental transfer, certified public expenditure, or any other expenditure to finance the non-Federal share of expenditures required under any provision of law, including under the State plans established under this title and title XIX or under a waiver of such plans.

“(E) Such other information as necessary for the Administrator to carry out this subsection.

“(2) ELIGIBILITY.—Only the 50 States and the District of Columbia shall be eligible for an allotment and payments under this subsection and all references in this subsection to a State shall be treated as only referring to the 50 States and the District of Columbia.

“(3) ONE-TIME APPLICATION.—If an application of a State submitted under this subsection is approved by the Administrator for a year, the application shall be deemed to be approved by the Administrator for that year and each subsequent year through December 31, 2026.

“(4) MARKET-BASED HEALTH CARE GRANT ALLOTMENTS.—

“(A) APPROPRIATION.—For the purpose of providing allotments to States under this subsection, there is appropriated, out of any money in the Treasury not otherwise appropriated—

“(i) for calendar year 2020, **[\$140,000,000,000];**

“(ii) for calendar year 2021, **[\$143,000,000,000];**

“(iii) for calendar year 2022, **[\$146,000,000,000];**

“(iv) for calendar year 2023, **[\$149,000,000,000];**

“(v) for calendar year 2024, **[\$152,000,000,000];**

“(vi) for calendar year 2025, **[\$155,000,000,000];** and

“(vii) for calendar year 2026, **[\$158,000,000,000].**

“(B) ALLOTMENTS; AVAILABILITY OF ALLOTMENTS.—

“(i) IN GENERAL.—In the case of a State with an application approved under this subsection with respect to a year, the Administrator shall allot to the State for the year, from amounts appropriated for such year under subparagraph (A), the amount determined for the State and year under paragraph (5).

“(ii) AVAILABILITY OF ALLOTMENTS; UNUSED AMOUNTS.—

“(I) IN GENERAL.—Amounts allotted to a State for a calendar year under this subparagraph shall remain available for obligation by the State through March 31 of the second calendar year following the year for which the allotment is made.

“(II) UNUSED AMOUNTS TO BE USED FOR DEFICIT REDUCTION.—Amounts allotted to a State for a calendar year that remain unobligated on April 1 of the following year shall be deposited into the general fund of the Treasury and shall be used for deficit reduction.

“(iii) LIMITATION.—In no case may a State use more than 10 percent of the amount allotted to the State for a year under this subparagraph for the purpose described in clause (vi) of paragraph (1)(A).

“(5) DETERMINATION OF ALLOTMENT AMOUNTS.—

“(A) CALENDAR YEAR 2020.—Subject to subparagraph (B), the amount determined under this paragraph for a State for calendar year 2020 shall be equal to the sum of each of the following component amounts which is applicable to the State:

“(i) With respect to each State, an amount equal to 10 percent of the amount appropriated for calendar year 2020 under paragraph (4)(A) multiplied by the ratio of—

“(I) the number of individuals in the State whose income for calendar year 2019 was not less than 100 percent, and not greater than 138 percent, of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved; over

“(II) the number of individuals in all States whose income for calendar year 2019 was not less than 100 percent, and not greater than 138 percent, of the poverty line (as so defined) applicable to a family of the size involved.

“(ii) With respect to each State, an amount equal to 20 percent of the amount so appropriated multiplied by the ratio of—

“(I) the number of individuals in the State who are not less than 45 and not more than 64 years old; over

“(II) the number of individuals in all States who are not less than 45 and not more than 64 years old.

“(iii) With respect to each State that, for calendar year 2016, had a State average per capita income that did not exceed \$52,500, an amount equal to 25 percent of the amount so appropriated multiplied by the ratio of—

“(I) the number of individuals in the State whose income for calendar year 2019 was not less than 100 percent, and not greater than 138 percent, of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved; over

“(II) the number of individuals in all States that, for calendar year 2016, had a State average per capita income that did not exceed \$52,500, whose income for calendar year 2019 was not less than 100 percent, and not greater than 138 percent, of the poverty

line (as so defined) applicable to a family of the size involved.

“(iv) With respect to each State that, for calendar year 2016, had an average population density of fewer than 15 individuals per square mile, an amount equal to 1 percent of the amount so appropriated divided by the number of such States.

“(v) With respect to each State that, for calendar year 2016, had an average population density that was greater than 14 individuals per square mile but fewer than 80 individuals per square mile, an amount equal to 3.5 percent of the amount so appropriated, divided by the number of such States.

“(vi) With respect to each State that, for calendar year 2016, had an average population density that was greater than 79 individuals per square mile but fewer than 115 individuals per square mile, an amount equal to 5.5 percent of the amount so appropriated, divided by the number of such States.

“(vii) With respect to each State that was an expansion State for calendar year 2017, an amount equal to 35 percent of the amount so appropriated multiplied by the ratio of—

“(I) the number of individuals in the State whose income for calendar year 2016 was not less than 100 percent, and not greater than 138 percent of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved; over

“(II) the number of individuals in all States that were expansion States for calendar year 2017 whose income for calendar year 2016 was not less than 100 percent, and not greater than 138 percent, of the poverty line (as so defined) applicable to a family of the size involved.

“(B) CALENDAR YEAR 2020 ALLOTMENT PARAMETERS.—The Secretary shall adjust the amounts of allotments determined under this paragraph for States for calendar year 2020 under subparagraph (A) as necessary to ensure that a State's allotment for calendar year 2026 (prior to any redistribution of unallotted funds under subparagraph (G)) shall in no case be—

“(i) greater than 3 times the sum of—

“(I) the amount of Federal payments made to the State for calendar year 2016 for medical assistance provided to individuals under clause (i)(VIII) or (ii)(XX) of section 1902(a)(10)(A) (including medical assistance provided to individuals who are not newly eligible (as defined in section 1905(y)(2)) individuals described in subclause (VIII) of section 1902(a)(10)(A)(i));

“(II) the amount of Federal payments made to the State for calendar year 2016 for operating a Basic Health Program under section 1331 of the Patient Protection and Affordable Care Act for such year;

“(III) the amount of advance payments of premium assistance credits allowable under section 36B of the Internal Revenue Code of 1986 made under section 1412(a) of the Patient Protection and Affordable Care Act in calendar year 2016 on behalf of individuals who purchased insurance through the Exchange established for or by the State pursuant to title I of such Act; and

“(IV) the amount of Federal payments for cost-sharing reductions provided for calendar year 2016 under section 1402 of such Act to individuals who purchased insurance through the Exchange established for or by the State pursuant to title I of such Act; or

“(ii) less than 75 percent of the sum of the amounts described in subclauses (I) through (IV) of clause (i).

“(C) CALENDAR YEARS AFTER 2020 AND BEFORE 2026.—Subject to subparagraph (F), For calendar years after 2020 and before 2026, the

amount determined under this paragraph for a State and year shall be equal to—

“(i) for calendar years before 2025—

“(I) the amount determined for the State under subparagraph (A) (after adjustment under subparagraph (B), if applicable) or this subparagraph for the previous year; increased by

“(II) the percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) from October 1 of the previous calendar year to October 1 of the calendar year involved;

“(ii) for calendar year 2025—

“(I) the amount determined for the State under this subparagraph for the previous year; increased by

“(II) the percentage increase in the consumer price index for all urban consumers (U.S. city average) from October 1 of the previous calendar year to October 1 of the calendar year involved.

“(D) CALENDAR YEAR 2026.—Subject to subparagraph (E), the amount determined under this paragraph for a State for calendar year 2026 shall be equal to the sum of each of the following component amounts which is applicable to the State:

“(i) With respect to each State, an amount equal to 15.5 percent of the amount appropriated for calendar year 2026 under paragraph (4)(A) multiplied by the ratio of—

“(I) the number of individuals in the State whose income for calendar year 2025 was not less than 100 percent, and not greater than 138 percent, of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved; over

“(II) the number of individuals in all States whose income for calendar year 2025 was not less than 100 percent, and not greater than 138 percent, of the poverty line (as so defined) applicable to a family of the size involved.

“(ii) With respect to each State, an amount equal to 30 percent of the amount so appropriated multiplied by the ratio of—

“(I) the number of individuals in the State who are not less than 45 and not more than 64 years old; over

“(II) the number of individuals in all States who are not less than 45 and not more than 64 years old.

“(iii) With respect to each State that, for calendar year 2025, had a State average per capita income that did not exceed \$52,500, an amount equal to 39 percent of the amount so appropriated multiplied by the ratio of—

“(I) the number of individuals in the State whose income for calendar year 2025 was not less than 100 percent, and not greater than 138 percent, of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved; over

“(II) the number of individuals in all States that, for calendar year 2025, had a State average per capita income that did not exceed \$52,500, whose income for calendar year 2019 was not less than 100 percent, and not greater than 138 percent, of the poverty line (as so defined) applicable to a family of the size involved.

“(iv) With respect to each State that, for calendar year 2025, had an average population density of fewer than 15 individuals per square mile, an amount equal to 1.5 percent of the amount so appropriated divided by the number of such States.

“(v) With respect to each State that, for calendar year 2025, had an average population density that was greater than 14 individuals per square mile but fewer than 80 individuals per square mile, an amount equal

to 5.5 percent of the amount so appropriated, divided by the number of such States.

“(vi) With respect to each State that, for calendar year 2025, had an average population density that was greater than 79 individuals per square mile but fewer than 115 individuals per square mile, an amount equal to 8.5 percent of the amount so appropriated, divided by the number of such States.

“(E) CALENDAR YEAR 2026 ALLOTMENT PARAMETERS.—The Secretary shall adjust the amounts of allotments determined under this paragraph for States for calendar year 2026 as necessary to ensure that a State's allotment for calendar year 2026 (prior to any adjustment which may be applicable under subparagraph (F) or distribution under subparagraph (G)) shall in no case be—

“(i) greater than 3.5 times the sum of—

“(I) the amount of Federal payments made to the State for calendar year 2016 for medical assistance provided to individuals under clause (i)(VIII) or (ii)(XX) of section 1902(a)(10)(A) (including medical assistance provided to individuals who are not newly eligible (as defined in section 1905(y)(2)) individuals described in subclause (VIII) of section 1902(a)(10)(A)(i));

“(II) the amount of Federal payments made to the State for calendar year 2016 for operating a Basic Health Program under section 1331 of the Patient Protection and Affordable Care Act for such year;

“(III) the amount of advance payments of premium assistance credits allowable under section 36B of the Internal Revenue Code of 1986 made under section 1412(a) of the Patient Protection and Affordable Care Act in calendar year 2016 on behalf of individuals who purchased insurance through the Exchange established for or by the State pursuant to title I of such Act; and

“(IV) the amount of Federal payments for cost-sharing reductions provided for calendar year 2016 under section 1402 of such Act to individuals who purchased insurance through the Exchange established for or by the State pursuant to title I of such Act; or

“(ii) less than 75 percent of the sum of the amounts described in subclauses (I) through (IV) of clause (i).

“(F) LOW INCOME POPULATION ADJUSTMENT.—

“(i) FOR CALENDAR YEARS 2021 THROUGH 2025.—For each of calendar years 2021, 2022, 2023, 2024, and 2025 if a State's low income per capita allotment amount for the year (as defined in clause (iii))—

“(I) exceeds the mean low income per capita allotment amount for all States for the year by not less than 15 percent, the State's allotment for the year (as determined under subparagraph (C)) shall be reduced by a percentage that shall be determined by the Secretary but which shall not be less than 0.5 percent or greater than 5 percent; or

“(II) is not less than 15 percent below the mean low income per capita allotment amount for all States for the year, the State's allotment for the year (as so determined) shall be increased by a percentage that shall be determined by the Secretary but which shall not be less than 0.5 percent or greater than 5 percent.

“(ii) FOR CALENDAR YEAR 2026.—For calendar year 2026, Secretary shall adjust the allotment for the year for each State with a low income per capita allotment amount (as defined in clause (iii)) that exceeds the mean low income per capita allotment amount for all States for the year by more than 10 percent or is below such mean amount by not less than 10 percent in such a manner that the low income per capita allotment for each



such State (after the adjustment under this clause) is within 10 percent of such mean amount.

“(iii) **LOW INCOME PER CAPITA ALLOTMENT AMOUNT.**—The term ‘low income per capita allotment amount’ means, with respect to a State and year—

“(I) the State’s allotment for the year, as determined under subparagraph (C); divided by

“(II) the number of individuals in the State—

“(aa) whose income for the previous calendar year did not exceed 138 percent of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved; and

“(bb) who, during the previous calendar year, were not enrolled under the State plan under title XIX (except that, in the case of an individual who is enrolled under the State plan under clause (i)(VIII), (ii)(XX), or (ii)(XXIII) of section 1902(a)(10)(A) or is described in any such clause and is enrolled under a waiver of such plan, shall not be considered to be enrolled under such State plan for purposes of this clause).

“(iv) **RULES OF APPLICATION.**—

“(I) **BUDGET NEUTRALITY REQUIREMENT.**—In determining the appropriate percentages by which to adjust States’ allotments for a calendar year under this subparagraph, the Secretary shall make such adjustments in a manner that does not result in a net increase in Federal payments under this section for such year, and if the Secretary cannot adjust such expenditures in such a manner there shall be no adjustment under this paragraph for such year.

“(II) **NONAPPLICATION TO LOW-DENSITY STATES.**—This paragraph shall not apply to any State that has a population density of less than 15 individuals per square mile, based on the most recent data available from the Bureau of the Census.

“(G) **DISTRIBUTION OF UNALLOTTED FUNDS.**—To the extent that any funds appropriated for a calendar year under paragraph (4)(A) remain unallotted after the determinations and adjustments made under the preceding subparagraphs of this paragraph, the Secretary shall increase the allotments so determined and adjusted for States that have a low income per capita allotment amount that is below the mean low income per capita allotment amount for all States in a manner to be determined by the Secretary.

“(H) **EXPANSION STATE DEFINED.**—In this paragraph, the term ‘expansion State’ means, with respect to a State and year, a State that provided for eligibility for medical assistance under the State plan established under title XIX on the basis of clause (i)(VIII) or (ii)(XX) of section 1902(a)(10)(A) (or provided eligibility for individuals described in either such clause under a waiver approved under section 1115) during calendar year 2017.

“(6) **PAYMENTS.**—

“(A) **ANNUAL PAYMENT OF ALLOTMENTS.**—Subject to subparagraph (B), the Administrator shall pay to each State that has an application approved under this subsection for a year, from the amount allotted to the State under paragraph (4)(B) for the year, an amount equal to the Federal percentage of the State’s expenditures for the year.

“(B) **STATE EXPENDITURES REQUIRED BEGINNING 2022.**—For purposes of subparagraph (A), the Federal percentage is equal to 100 percent reduced by the State percentage for that year, and the State percentage is equal to—

“(i) in the case of calendar year 2020, 3 percent;

“(ii) in the case of calendar year 2021, 3 percent;

“(iii) in the case of calendar year 2022, 4 percent;

“(iv) in the case of calendar year 2023, 4 percent;

“(v) in the case of calendar year 2024, 5 percent;

“(vi) in the case of calendar year 2025, 5 percent; and

“(vii) in the case of calendar year 2026, 5 percent.

“(C) **ADVANCE PAYMENT; RETROSPECTIVE ADJUSTMENT.**—

“(i) **IN GENERAL.**—If the Administrator deems it appropriate, the Administrator shall make payments under this subsection for each year on the basis of advance estimates of expenditures submitted by the State and such other investigation as the Administrator shall find necessary, and shall reduce or increase the payments as necessary to adjust for any overpayment or underpayment for prior years.

“(ii) **MISUSE OF FUNDS.**—If the Administrator determines that a State is not using funds paid to the State under this subsection in a manner consistent with the description provided by the State in its application approved under paragraph (1), the Administrator may withhold payments, reduce payments, or recover previous payments to the State under this subsection as the Administrator deems appropriate.

“(D) **FLEXIBILITY IN SUBMITTAL OF CLAIMS.**—Nothing in this subsection shall be construed as preventing a State from claiming as expenditures in the year expenditures that were incurred in a previous year.

“(7) **EXEMPTIONS.**—Paragraphs (2), (3), (5), (6), (8), (10), and (11) of subsection (c) do not apply to payments under this subsection.”.

(b) **OTHER TITLE XXI AMENDMENTS.**—

(1) Section 2101 of such Act (42 U.S.C. 1397aa) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by striking “The purpose” and inserting “Except with respect to short-term assistance activities under section 2105(h) and the Market-Based Health Care Grant Program established in section 2105(i), the purpose”; and

(B) in subsection (b), in the matter preceding paragraph (1), by inserting “subsection (a) or (g) of” before “section 2105”.

(2) Section 2105(c)(1) of such Act (42 U.S.C. 1397ee(c)(1)) is amended by striking “and may not include” and inserting “or to carry out short-term assistance activities under subsection (h) or the Market-Based Health Care Grant Program established in subsection (i) and, except in the case of funds made available under subsection (h) or (i), may not include”.

(3) Section 2106(a)(1) of such Act (42 U.S.C. 1397ff(a)(1)) is amended by inserting “subsection (a) or (g) of” before “section 2105”.

**SEC. 107. BETTER CARE RECONCILIATION IMPLEMENTATION FUND.**

(a) **IN GENERAL.**—There is hereby established a Better Care Reconciliation Implementation Fund (referred to in this section as the “Fund”) within the Department of Health and Human Services to provide for Federal administrative expenses in carrying out this Act.

(b) **FUNDING.**—There is appropriated to the Fund, out of any funds in the Treasury not otherwise appropriated, \$2,000,000,000.

**SEC. 108. REPEAL OF THE TAX ON EMPLOYEE HEALTH INSURANCE PREMIUMS AND HEALTH PLAN BENEFITS.**

(a) **IN GENERAL.**—Chapter 43 of the Internal Revenue Code of 1986 is amended by striking section 4980I.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2019.

(c) **SUBSEQUENT EFFECTIVE DATE.**—The amendment made by subsection (a) shall not apply to taxable years beginning after December 31, 2025, and chapter 43 of the Internal Revenue Code of 1986 is amended to read as such chapter would read if such subsection had never been enacted.

**SEC. 109. REPEAL OF TAX ON OVER-THE-COUNTER MEDICATIONS.**

(a) **HSAs.**—Subparagraph (A) of section 223(d)(2) of the Internal Revenue Code of 1986 is amended by striking “Such term” and all that follows through the period.

(b) **ARCHER MSAs.**—Subparagraph (A) of section 220(d)(2) of the Internal Revenue Code of 1986 is amended by striking “Such term” and all that follows through the period.

(c) **HEALTH FLEXIBLE SPENDING ARRANGEMENTS AND HEALTH REIMBURSEMENT ARRANGEMENTS.**—Section 106 of the Internal Revenue Code of 1986 is amended by striking subsection (f).

(d) **EFFECTIVE DATES.**—

(1) **DISTRIBUTIONS FROM SAVINGS ACCOUNTS.**—The amendments made by subsections (a) and (b) shall apply to amounts paid with respect to taxable years beginning after December 31, 2016.

(2) **REIMBURSEMENTS.**—The amendment made by subsection (c) shall apply to expenses incurred with respect to taxable years beginning after December 31, 2016.

**SEC. 110. REPEAL OF TAX ON HEALTH SAVINGS ACCOUNTS.**

(a) **HSAs.**—Section 223(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking “20 percent” and inserting “10 percent”.

(b) **ARCHER MSAs.**—Section 220(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking “20 percent” and inserting “15 percent”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to distributions made after December 31, 2016.

**SEC. 111. REPEAL OF MEDICAL DEVICE EXCISE TAX.**

Section 4191 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(d) **APPLICABILITY.**—The tax imposed under subsection (a) shall not apply to sales after December 31, 2017.”.

**SEC. 112. REPEAL OF ELIMINATION OF DEDUCTION FOR EXPENSES ALLOCABLE TO MEDICARE PART D SUBSIDY.**

(a) **IN GENERAL.**—Section 139A of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: “This section shall not be taken into account for purposes of determining whether any deduction is allowable with respect to any cost taken into account in determining such payment.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

**SEC. 113. REPEAL OF CHRONIC CARE TAX.**

(a) **IN GENERAL.**—Subsection (a) of section 213 of the Internal Revenue Code of 1986 is amended by striking “10 percent” and inserting “7.5 percent”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

**SEC. 114. PURCHASE OF INSURANCE FROM HEALTH SAVINGS ACCOUNT.**

(a) **IN GENERAL.**—Paragraph (2) of section 223(d) of the Internal Revenue Code of 1986 is amended—



(1) by striking “and any dependent (as defined in section 152, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof) of such individual” in subparagraph (A) and inserting “any dependent (as defined in section 152, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof) of such individual, and any child (as defined in section 152(f)(1)) of such individual who has not attained the age of 27 before the end of such individual’s taxable year”;

(2) by striking subparagraph (B) and inserting the following:

“(B) HEALTH INSURANCE MAY NOT BE PURCHASED FROM ACCOUNT.—Except as provided in subparagraph (C), subparagraph (A) shall not apply to any payment for insurance.”, and

(3) by striking “or” at the end of subparagraph (C)(iii), by striking the period at the end of subparagraph (C)(iv) and inserting “, or”, and by adding at the end the following:

“(v) a high deductible health plan but only to the extent of the portion of such expense in excess of—

“(I) any amount allowable as a credit under section 36B for the taxable year with respect to such coverage,

“(II) any amount allowable as a deduction under section 162(l) with respect to such coverage, or

“(III) any amount excludable from gross income with respect to such coverage under section 106 (including by reason of section 125 or 402(l)).”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to amounts paid for expenses incurred for, and distributions made for, coverage under a high deductible health plan beginning after December 31, 2017.

#### SEC. 115. PRIMARY CARE ENHANCEMENT.

(a) TREATMENT OF DIRECT PRIMARY CARE SERVICE ARRANGEMENTS.—Section 223(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(6) TREATMENT OF DIRECT PRIMARY CARE SERVICE ARRANGEMENTS.—An arrangement under which an individual is provided coverage restricted to primary care services in exchange for a fixed periodic fee or payment for such services—

“(A) shall not be treated as a health plan for purposes of paragraph (1)(A)(ii), and

“(B) shall not be treated as insurance for purposes of subsection (d)(2)(B).”

(b) CERTAIN PROVIDER FEES TO BE TREATED AS MEDICAL CARE.—Section 213(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(12) PERIODIC PROVIDER FEES.—The term ‘medical care’ shall include periodic fees paid for a defined set of primary care medical services provided on an as-needed basis.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2016.

#### SEC. 116. MAXIMUM CONTRIBUTION LIMIT TO HEALTH SAVINGS ACCOUNT INCREASED TO AMOUNT OF DEDUCTIBLE AND OUT-OF-POCKET LIMITATION.

(a) SELF-ONLY COVERAGE.—Section 223(b)(2)(A) of the Internal Revenue Code of 1986 is amended by striking “\$2,250” and inserting “the amount in effect under subsection (c)(2)(A)(ii)(I)”.

(b) FAMILY COVERAGE.—Section 223(b)(2)(B) of such Code is amended by striking “\$4,500” and inserting “the amount in effect under subsection (c)(2)(A)(ii)(II)”.

(c) COST-OF-LIVING ADJUSTMENT.—Section 223(g)(1) of such Code is amended—

(1) by striking “subsections (b)(2) and” both places it appears and inserting “subsection”, and

(2) in subparagraph (B), by striking “determined by” and all that follows through “‘calendar year 2003’.” and inserting “determined by substituting ‘calendar year 2003’ for ‘calendar year 1992’ in subparagraph (B) thereof.”

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

#### SEC. 117. ALLOW BOTH SPOUSES TO MAKE CATCH-UP CONTRIBUTIONS TO THE SAME HEALTH SAVINGS ACCOUNT.

(a) IN GENERAL.—Section 223(b)(5) of the Internal Revenue Code of 1986 is amended to read as follows:

“(5) SPECIAL RULE FOR MARRIED INDIVIDUALS WITH FAMILY COVERAGE.—

“(A) IN GENERAL.—In the case of individuals who are married to each other, if both spouses are eligible individuals and either spouse has family coverage under a high deductible health plan as of the first day of any month—

“(i) the limitation under paragraph (1) shall be applied by not taking into account any other high deductible health plan coverage of either spouse (and if such spouses both have family coverage under separate high deductible health plans, only one such coverage shall be taken into account),

“(ii) such limitation (after application of clause (i)) shall be reduced by the aggregate amount paid to Archer MSAs of such spouses for the taxable year, and

“(iii) such limitation (after application of clauses (i) and (ii)) shall be divided equally between such spouses unless they agree on a different division.

“(B) TREATMENT OF ADDITIONAL CONTRIBUTION AMOUNTS.—If both spouses referred to in subparagraph (A) have attained age 55 before the close of the taxable year, the limitation referred to in subparagraph (A)(iii) which is subject to division between the spouses shall include the additional contribution amounts determined under paragraph (3) for both spouses. In any other case, any additional contribution amount determined under paragraph (3) shall not be taken into account under subparagraph (A)(iii) and shall not be subject to division between the spouses.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

#### SEC. 118. SPECIAL RULE FOR CERTAIN MEDICAL EXPENSES INCURRED BEFORE ESTABLISHMENT OF HEALTH SAVINGS ACCOUNT.

(a) IN GENERAL.—Section 223(d)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(D) TREATMENT OF CERTAIN MEDICAL EXPENSES INCURRED BEFORE ESTABLISHMENT OF ACCOUNT.—If a health savings account is established during the 60-day period beginning on the date that coverage of the account beneficiary under a high deductible health plan begins, then, solely for purposes of determining whether an amount paid is used for a qualified medical expense, such account shall be treated as having been established on the date that such coverage begins.”

(b) EFFECTIVE DATE.—The amendment made by this subsection shall apply with respect to coverage under a high deductible health plan beginning after December 31, 2017.

#### SEC. 119. EXCLUSION FROM HSAS OF HIGH DEDUCTIBLE HEALTH PLANS INCLUDING COVERAGE FOR ABORTION.

(a) IN GENERAL.—Subparagraph (C) of section 223(d)(2) of the Internal Revenue Code of

1986 is amended by adding at the end the following flush sentence:

“A high deductible health plan shall not be treated as described in clause (v) if such plan includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest).”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to coverage under a high deductible health plan beginning after December 31, 2017.

#### SEC. 120. FEDERAL PAYMENTS TO STATES.

(a) IN GENERAL.—Notwithstanding section 504(a), 1902(a)(23), 1903(a), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396a(a)(23), 1396b(a), 1397a, 1397d(a)(4), 1397bb(a)(7), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the 1-year period beginning on the date of enactment of this Act, no Federal funds provided from a program referred to in this subsection that is considered direct spending for any year may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) DEFINITIONS.—In this section:

(1) PROHIBITED ENTITY.—The term “prohibited entity” means an entity, including its affiliates, subsidiaries, successors, and clinics—

(A) that, as of the date of enactment of this Act—

(i) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(ii) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(iii) provides for abortions, other than an abortion—

(I) if the pregnancy is the result of an act of rape or incest; or

(II) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(B) for which the total amount of Federal and State expenditures under the Medicaid program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as part of a nationwide health care provider network, exceeded \$1,000,000.

(2) DIRECT SPENDING.—The term “direct spending” has the meaning given that term under section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

#### SEC. 121. MEDICAID.

The Social Security Act (42 U.S.C. 301 et seq.) is amended—

(1) in section 1902—

(A) in subsection (a)(10)(A), in each of clauses (i)(VIII) and (ii)(XX), by inserting “and ending December 31, 2019,” after “January 1, 2014,”; and

(B) in subsection (a)(47)(B), by inserting “and provided that any such election shall

cease to be effective on January 1, 2020, and no such election shall be made after that date” before the semicolon at the end;

(2) in section 1905—

(A) in the first sentence of subsection (b), by inserting “(50 percent on or after January 1, 2020)” after “55 percent”;

(B) in subsection (y)(1), by striking the semicolon at the end of subparagraph (D) and all that follows through “thereafter”; and

(C) in subsection (z)(2)—

(i) in subparagraph (A), by inserting “through 2019” after “each year thereafter”; and

(ii) in subparagraph (B)(ii)(VI), by striking “and each subsequent year”;

(3) in section 1915(k)(2), by striking “during the period described in paragraph (1)” and inserting “on or after the date referred to in paragraph (1) and before January 1, 2020”;

(4) in section 1920(e), by adding at the end the following: “This subsection shall not apply after December 31, 2019.”;

(5) in section 1937(b)(5), by adding at the end the following: “This paragraph shall not apply after December 31, 2019.”; and

(6) in section 1943(a), by inserting “and before January 1, 2020,” after “January 1, 2014.”.

#### SEC. 122. REPEAL OF MEDICAID EXPANSION.

Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended—

(1) in section 1902 (42 U.S.C. 1396a)—

(A) in subsection (a)(10)(A)—

(i) in clause (i)(VIII), by inserting “and ending December 31, 2019,” after “2014.”;

(ii) in clause (ii)(XX), by inserting “and ending December 31, 2017,” after “2014.”; and

(iii) in clause (ii), by adding at the end the following new subclause:

“(XXIII) beginning January 1, 2020, who are expansion enrollees (as defined in subsection (nn)(1));”;

(B) by adding at the end the following new subsection:

“(nn) EXPANSION ENROLLEES.—In this title:

“(1) IN GENERAL.—The term ‘expansion enrollee’ means an individual—

“(A) who is under 65 years of age;

“(B) who is not pregnant;

“(C) who is not entitled to, or enrolled for, benefits under part A of title XVIII, or enrolled for benefits under part B of title XVIII;

“(D) who is not described in any of subclauses (I) through (VII) of subsection (a)(10)(A)(i); and

“(E) whose income (as determined under subsection (e)(14)) does not exceed 133 percent of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved.

“(2) APPLICATION OF RELATED PROVISIONS.—Any reference in subsection (a)(10)(G), (k), or (gg) of this section or in section 1903, 1905(a), 1920(e), or 1937(a)(1)(B) to individuals described in subclause (VIII) of subsection (a)(10)(A)(i) shall be deemed to include a reference to expansion enrollees.”;

(2) in section 1905 (42 U.S.C. 1396d)—

(A) in subsection (y)(1), by striking “; and” at the end of subparagraph (D) and all that follows through “thereafter”; and

(B) in subsection (z)(2)—

(i) in subparagraph (A), by striking “each year thereafter” and inserting “through 2019”; and

(ii) in subparagraph (B)(ii), by striking “is 80 percent” in subclause (IV) and all that follows through “100 percent” and inserting “and subsequent years is 80 percent”.

#### SEC. 123. REDUCING STATE MEDICAID COSTS.

(a) IN GENERAL.—

(1) STATE PLAN REQUIREMENTS.—Section 1902(a)(34) of the Social Security Act (42

U.S.C. 1396a(a)(34)) is amended by striking “in or after the third month” and all that follows through “individual” and inserting “in or after the month in which the individual (or, in the case of a deceased individual, another individual acting on the individual’s behalf) made application (or, in the case of an individual who is 65 years of age or older or who is eligible for medical assistance under the plan on the basis of being blind or disabled, in or after the third month before such month)”.

(2) DEFINITION OF MEDICAL ASSISTANCE.—Section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)) is amended by striking “in or after the third month before the month in which the recipient makes application for assistance” and inserting “in or after the month in which the recipient makes application for assistance, or, in the case of a recipient who is 65 years of age or older or who is eligible for medical assistance on the basis of being blind or disabled at the time application is made, in or after the third month before the month in which the recipient makes application for assistance.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to medical assistance with respect to individuals whose eligibility for such assistance is based on an application for such assistance made (or deemed to be made) on or after October 1, 2017.

#### SEC. 124. ELIGIBILITY REDETERMINATIONS.

(a) IN GENERAL.—Section 1902(e)(14) of the Social Security Act (42 U.S.C. 1396a(e)(14)) (relating to modified adjusted gross income) is amended by adding at the end the following:

“(J) FREQUENCY OF ELIGIBILITY REDETERMINATIONS.—Beginning on October 1, 2017, and notwithstanding subparagraph (H), in the case of an individual whose eligibility for medical assistance under the State plan under this title (or a waiver of such plan) is determined based on the application of modified adjusted gross income under subparagraph (A) and who is so eligible on the basis of clause (i)(VIII), (ii)(XX), or (ii)(XXIII) of subsection (a)(10)(A), at the option of the State, the State plan may provide that the individual’s eligibility shall be redetermined every 6 months (or such shorter number of months as the State may elect).”.

(b) INCREASED ADMINISTRATIVE MATCHING PERCENTAGE.—For each calendar quarter during the period beginning on October 1, 2017, and ending on December 31, 2019, the Federal matching percentage otherwise applicable under section 1903(a) of the Social Security Act (42 U.S.C. 1396b(a)) with respect to State expenditures during such quarter that are attributable to meeting the requirement of section 1902(e)(14) (relating to determinations of eligibility using modified adjusted gross income) of such Act shall be increased by 5 percentage points with respect to State expenditures attributable to activities carried out by the State (and approved by the Secretary) to exercise the option described in subparagraph (J) of such section (relating to eligibility redeterminations made on a 6-month or shorter basis) (as added by subsection (a)) to increase the frequency of eligibility redeterminations.

#### SEC. 125. OPTIONAL WORK REQUIREMENT FOR NONDISABLED, NONELDERLY, NONPREGNANT INDIVIDUALS.

(a) IN GENERAL.—Section 1902 of the Social Security Act (42 U.S.C. 1396a), as previously amended, is further amended by adding at the end the following new subsection:

“(oo) OPTIONAL WORK REQUIREMENT FOR NONDISABLED, NONELDERLY, NONPREGNANT INDIVIDUALS.—

“(1) IN GENERAL.—Beginning October 1, 2017, subject to paragraph (3), a State may elect to condition medical assistance to a nondisabled, nonelderly, nonpregnant individual under this title upon such an individual’s satisfaction of a work requirement (as defined in paragraph (2)).

“(2) WORK REQUIREMENT DEFINED.—In this section, the term ‘work requirement’ means, with respect to an individual, the individual’s participation in work activities (as defined in section 407(d)) for such period of time as determined by the State, and as directed and administered by the State.

“(3) REQUIRED EXCEPTIONS.—States administering a work requirement under this subsection may not apply such requirement to—

“(A) a woman during pregnancy through the end of the month in which the 60-day period (beginning on the last day of her pregnancy) ends;

“(B) an individual who is under 19 years of age;

“(C) an individual who is the only parent or caretaker relative in the family of a child who has not attained 6 years of age or who is the only parent or caretaker of a child with disabilities; or

“(D) an individual who is married or a head of household and has not attained 20 years of age and who—

“(i) maintains satisfactory attendance at secondary school or the equivalent; or

“(ii) participates in education directly related to employment.”.

(b) INCREASE IN MATCHING RATE FOR IMPLEMENTATION.—Section 1903 of the Social Security Act (42 U.S.C. 1396b) is amended by adding at the end the following:

“(aa) The Federal matching percentage otherwise applicable under subsection (a) with respect to State administrative expenditures during a calendar quarter for which the State receives payment under such subsection shall, in addition to any other increase to such Federal matching percentage, be increased for such calendar quarter by 5 percentage points with respect to State expenditures attributable to activities carried out by the State (and approved by the Secretary) to implement subsection (oo) of section 1902.”.

#### SEC. 126. PROVIDER TAXES.

Section 1903(w)(4)(C) of the Social Security Act (42 U.S.C. 1396b(w)(4)(C)) is amended by adding at the end the following new clause:

“(iii) For purposes of clause (i), a determination of the existence of an indirect guarantee shall be made under paragraph (3)(i) of section 433.68(f) of title 42, Code of Federal Regulations, as in effect on June 1, 2017, except that—

“(I) for fiscal year 2021, ‘5.8 percent’ shall be substituted for ‘6 percent’ each place it appears;

“(II) for fiscal year 2022, ‘5.6 percent’ shall be substituted for ‘6 percent’ each place it appears;

“(III) for fiscal year 2023, ‘5.4 percent’ shall be substituted for ‘6 percent’ each place it appears;

“(IV) for fiscal year 2024, ‘5.2 percent’ shall be substituted for ‘6 percent’ each place it appears; and

“(V) for fiscal year 2025 and each subsequent fiscal year, ‘5 percent’ shall be substituted for ‘6 percent’ each place it appears.”.

#### SEC. 127. PER CAPITA ALLOTMENT FOR MEDICAL ASSISTANCE.

(a) IN GENERAL.—Title XIX of the Social Security Act is amended—

(1) in section 1903 (42 U.S.C. 1396b)—

(A) in subsection (a), in the matter before paragraph (1), by inserting “and section

1903A(a)” after “except as otherwise provided in this section”; and

(B) in subsection (d)(1), by striking “to which” and inserting “to which, subject to section 1903A(a),”; and

(2) by inserting after such section 1903 the following new section:

**“SEC. 1903A. PER CAPITA-BASED CAP ON PAYMENTS FOR MEDICAL ASSISTANCE EXPENDITURES.**

“(a) APPLICATION OF PER CAPITA CAP ON PAYMENTS FOR MEDICAL ASSISTANCE EXPENDITURES.—

“(1) IN GENERAL.—If a State which is one of the 50 States or the District of Columbia has excess aggregate medical assistance expenditures (as defined in paragraph (2)) for a fiscal year (beginning with fiscal year 2020), the amount of payment to the State under section 1903(a)(1) for each quarter in the following fiscal year shall be reduced by  $\frac{1}{4}$  of the excess aggregate medical assistance payments (as defined in paragraph (3)) for that previous fiscal year. In this section, the term ‘State’ means only the 50 States and the District of Columbia.

“(2) EXCESS AGGREGATE MEDICAL ASSISTANCE EXPENDITURES.—In this subsection, the term ‘excess aggregate medical assistance expenditures’ means, for a State for a fiscal year, the amount (if any) by which—

“(A) the amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State and fiscal year; exceeds

“(B) the amount of the target total medical assistance expenditures (as defined in subsection (c)) for the State and fiscal year.

“(3) EXCESS AGGREGATE MEDICAL ASSISTANCE PAYMENTS.—In this subsection, the term ‘excess aggregate medical assistance payments’ means, for a State for a fiscal year, the product of—

“(A) the excess aggregate medical assistance expenditures (as defined in paragraph (2)) for the State for the fiscal year; and

“(B) the Federal average medical assistance matching percentage (as defined in paragraph (4)) for the State for the fiscal year.

“(4) FEDERAL AVERAGE MEDICAL ASSISTANCE MATCHING PERCENTAGE.—In this subsection, the term ‘Federal average medical assistance matching percentage’ means, for a State for a fiscal year, the ratio (expressed as a percentage) of—

“(A) the amount of the Federal payments that would be made to the State under section 1903(a)(1) for medical assistance expenditures for calendar quarters in the fiscal year if paragraph (1) did not apply; to

“(B) the amount of the medical assistance expenditures for the State and fiscal year.

“(5) PER CAPITA BASE PERIOD.—

“(A) IN GENERAL.—In this section, the term ‘per capita base period’ means, with respect to a State, a period of 8 (or, in the case of a State selecting a period under subparagraph (D), not less than 4) consecutive fiscal quarters selected by the State.

“(B) TIMELINE.—Each State shall submit its selection of a per capita base period to the Secretary not later than January 1, 2018.

“(C) PARAMETERS.—In selecting a per capita base period under this paragraph, a State shall—

“(i) only select a period of 8 (or, in the case of a State selecting a base period under subparagraph (D), not less than 4) consecutive fiscal quarters for which all the data necessary to make determinations required under this section is available, as determined by the Secretary; and

“(ii) shall not select any period of 8 (or, in the case of a State selecting a base period

under subparagraph (D), not less than 4) consecutive fiscal quarters that begins with a fiscal quarter earlier than the first quarter of fiscal year 2014 or ends with a fiscal quarter later than the third fiscal quarter of 2017.

“(D) BASE PERIOD FOR LATE-EXPANDING STATES.—

“(i) IN GENERAL.—In the case of a State that did not provide for medical assistance for the 1903A enrollee category described in subsection (e)(2)(D) as of the first day of the fourth fiscal quarter of fiscal year 2015 but which provided for such assistance for such category in a subsequent fiscal quarter that is not later than the fourth quarter of fiscal year 2016, the State may select a per capita base period that is less than 8 consecutive fiscal quarters, but in no case shall the period selected be less than 4 consecutive fiscal quarters.

“(ii) APPLICATION OF OTHER REQUIREMENTS.—Except for the requirement that a per capita base period be a period of 8 consecutive fiscal quarters, all other requirements of this paragraph shall apply to a per capita base period selected under this subparagraph.

“(iii) APPLICATION OF BASE PERIOD ADJUSTMENTS.—The adjustments to amounts for per capita base periods required under subsections (b)(5) and (d)(4)(E) shall be applied to amounts for per capita base periods selected under this subparagraph by substituting ‘divided by the ratio that the number of quarters in the base period bears to 4’ for ‘divided by 2’.

“(E) ADJUSTMENT BY THE SECRETARY.—If the Secretary determines that a State took actions after the date of enactment of this section (including making retroactive adjustments to supplemental payment data in a manner that affects a fiscal quarter in the per capita base period) to diminish the quality of the data from the per capita base period used to make determinations under this section, the Secretary may adjust the data as the Secretary deems appropriate.

“(b) ADJUSTED TOTAL MEDICAL ASSISTANCE EXPENDITURES.—Subject to subsection (g), the following shall apply:

“(1) IN GENERAL.—In this section, the term ‘adjusted total medical assistance expenditures’ means, for a State—

“(A) for the State’s per capita base period (as defined in subsection (a)(5)), the product of—

“(i) the amount of the medical assistance expenditures (as defined in paragraph (2) and adjusted under paragraph (5)) for the State and period, reduced by the amount of any excluded expenditures (as defined in paragraph (3) and adjusted under paragraph (5)) for the State and period otherwise included in such medical assistance expenditures; and

“(ii) the 1903A base period population percentage (as defined in paragraph (4)) for the State; or

“(B) for fiscal year 2019 or a subsequent fiscal year, the amount of the medical assistance expenditures (as defined in paragraph (2)) for the State and fiscal year that is attributable to 1903A enrollees, reduced by the amount of any excluded expenditures (as defined in paragraph (3)) for the State and fiscal year otherwise included in such medical assistance expenditures and includes non-DSH supplemental payments (as defined in subsection (d)(4)(A)(ii)) and payments described in subsection (d)(4)(A)(iii) but shall not be construed as including any expenditures attributable to the program under section 1928 (relating to State pediatric vaccine distribution programs). In applying subparagraph (B), non-DSH supplemental payments

(as defined in subsection (d)(4)(A)(ii)) and payments described in subsection (d)(4)(A)(iii) shall be treated as fully attributable to 1903A enrollees.

“(2) MEDICAL ASSISTANCE EXPENDITURES.—In this section, the term ‘medical assistance expenditures’ means, for a State and fiscal year or per capita base period, the medical assistance payments as reported by medical service category on the Form CMS-64 quarterly expense report (or successor to such a report form, and including enrollment data and subsequent adjustments to any such report, in this section referred to collectively as a ‘CMS-64 report’) for quarters in the year or base period for which payment is (or may otherwise be) made pursuant to section 1903(a)(1), adjusted, in the case of a per capita base period, under paragraph (5).

“(3) EXCLUDED EXPENDITURES.—In this section, the term ‘excluded expenditures’ means, for a State and fiscal year or per capita base period, expenditures under the State plan (or under a waiver of such plan) that are attributable to any of the following:

“(A) DSH.—Payment adjustments made for disproportionate share hospitals under section 1923.

“(B) MEDICARE COST-SHARING.—Payments made for medicare cost-sharing (as defined in section 1905(p)(3)).

“(C) SAFETY NET PROVIDER PAYMENT ADJUSTMENTS IN NON-EXPANSION STATES.—Payment adjustments under subsection (a) of section 1923A for which payment is permitted under subsection (c) of such section.

“(D) EXPENDITURES FOR PUBLIC HEALTH EMERGENCIES.—Any expenditures that are subject to a public health emergency exclusion under paragraph (6).

“(4) 1903A BASE PERIOD POPULATION PERCENTAGE.—In this subsection, the term ‘1903A base period population percentage’ means, for a State, the Secretary’s calculation of the percentage of the actual medical assistance expenditures, as reported by the State on the CMS-64 reports for calendar quarters in the State’s per capita base period, that are attributable to 1903A enrollees (as defined in subsection (e)(1)).

“(5) ADJUSTMENTS FOR PER CAPITA BASE PERIOD.—In calculating medical assistance expenditures under paragraph (2) and excluded expenditures under paragraph (3) for a State for the State’s per capita base period, the total amount of each type of expenditure for the State and base period shall be divided by 2.

“(6) AUTHORITY TO EXCLUDE STATE EXPENDITURES FROM CAPS DURING PUBLIC HEALTH EMERGENCY.—

“(A) IN GENERAL.—During the period that begins on January 1, 2020, and ends on December 31, 2024, the Secretary may exclude, from a State’s medical assistance expenditures for a fiscal year or portion of a fiscal year that occurs during such period, an amount that shall not exceed the amount determined under subparagraph (B) for the State and year or portion of a year if—

“(i) a public health emergency declared by the Secretary pursuant to section 319 of the Public Health Service Act existed within the State during such year or portion of a year; and

“(ii) the Secretary determines that such an exemption would be appropriate.

“(B) MAXIMUM AMOUNT OF ADJUSTMENT.—The amount excluded for a State and fiscal year or portion of a fiscal year under this paragraph shall not exceed the amount by which—

“(i) the amount of State expenditures for medical assistance for 1903A enrollees in

areas of the State which are subject to a declaration described in subparagraph (A)(i) for the fiscal year or portion of a fiscal year; exceeds

“(ii) the amount of such expenditures for such enrollees in such areas during the most recent fiscal year or portion of a fiscal year of equal length to the portion of a fiscal year involved during which no such declaration was in effect.

“(C) AGGREGATE LIMITATION ON EXCLUSIONS AND ADDITIONAL BLOCK GRANT PAYMENTS.—The aggregate amount of expenditures excluded under this paragraph and additional payments made under section 1903B(c)(3)(E) for the period described in subparagraph (A) shall not exceed \$5,000,000,000.

“(D) REVIEW.—If the Secretary exercises the authority under this paragraph with respect to a State for a fiscal year or portion of a fiscal year, the Secretary shall, not later than 6 months after the declaration described in subparagraph (A)(i) ceases to be in effect, conduct an audit of the State’s medical assistance expenditures for 1903A enrollees during the year or portion of a year to ensure that all of the expenditures so excluded were made for the purpose of ensuring that the health care needs of 1903A enrollees in areas affected by a public health emergency are met.

“(c) TARGET TOTAL MEDICAL ASSISTANCE EXPENDITURES.—

“(1) CALCULATION.—In this section, the term ‘target total medical assistance expenditures’ means, for a State for a fiscal year, the sum of the products, for each of the 1903A enrollee categories (as defined in subsection (e)(2)), of—

“(A) the target per capita medical assistance expenditures (as defined in paragraph (2)) for the enrollee category, State, and fiscal year; and

“(B) the number of 1903A enrollees for such enrollee category, State, and fiscal year, as determined under subsection (e)(4).

“(2) TARGET PER CAPITA MEDICAL ASSISTANCE EXPENDITURES.—In this subsection, the term ‘target per capita medical assistance expenditures’ means, for a 1903A enrollee category and State—

“(A) for fiscal year 2020, an amount equal to—

“(i) the provisional FY19 target per capita amount for such enrollee category (as calculated under subsection (d)(5)) for the State; increased by

“(ii) the applicable annual inflation factor (as defined in paragraph (3)) for fiscal year 2020; and

“(B) for each succeeding fiscal year, an amount equal to—

“(i) the target per capita medical assistance expenditures (under subparagraph (A) or this subparagraph) for the 1903A enrollee category and State for the preceding fiscal year; increased by

“(ii) the applicable annual inflation factor for that succeeding fiscal year.

“(3) APPLICABLE ANNUAL INFLATION FACTOR.—In paragraph (2), the term ‘applicable annual inflation factor’ means—

“(A) for fiscal years before 2025—

“(i) for each of the 1903A enrollee categories described in subparagraphs (C), (D), and (E) of subsection (e)(2), the percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) from September of the previous fiscal year to September of the fiscal year involved; and

“(ii) for each of the 1903A enrollee categories described in subparagraphs (A) and (B) of subsection (e)(2), the percentage in-

crease described in clause (i) plus 1 percentage point; and

“(B) for fiscal years after 2024, for all 1903A enrollee categories, the percentage increase in the consumer price index for all urban consumers (U.S. city average) from September of the previous fiscal year to September of the fiscal year involved.

“(4) ADJUSTMENTS TO STATE EXPENDITURES TARGETS TO PROMOTE PROGRAM EQUITY ACROSS STATES.—

“(A) IN GENERAL.—Beginning with fiscal year 2020, the target per capita medical assistance expenditures for a 1903A enrollee category, State, and fiscal year, as determined under paragraph (2), shall be adjusted (subject to subparagraph (C)(i)) in accordance with this paragraph.

“(B) ADJUSTMENT BASED ON LEVEL OF PER CAPITA SPENDING FOR 1903A ENROLLEE CATEGORIES.—Subject to subparagraph (C), with respect to a State, fiscal year, and 1903A enrollee category, if the State’s per capita categorical medical assistance expenditures (as defined in subparagraph (D)) for the State and category in the preceding fiscal year—

“(i) exceed the mean per capita categorical medical assistance expenditures for the category for all States for such preceding year by not less than 25 percent, the State’s target per capita medical assistance expenditures for such category for the fiscal year involved shall be reduced by a percentage that shall be determined by the Secretary but which shall not be less than 0.5 percent or greater than 2 percent; or

“(ii) are less than the mean per capita categorical medical assistance expenditures for the category for all States for such preceding year by not less than 25 percent, the State’s target per capita medical assistance expenditures for such category for the fiscal year involved shall be increased by a percentage that shall be determined by the Secretary but which shall not be less than 0.5 percent or greater than 2 percent.

“(C) RULES OF APPLICATION.—

“(i) BUDGET NEUTRALITY REQUIREMENT.—In determining the appropriate percentages by which to adjust States’ target per capita medical assistance expenditures for a category and fiscal year under this paragraph, the Secretary shall make such adjustments in a manner that does not result in a net increase in Federal payments under this section for such fiscal year, and if the Secretary cannot adjust such expenditures in such a manner there shall be no adjustment under this paragraph for such fiscal year.

“(ii) ASSUMPTION REGARDING STATE EXPENDITURES.—For purposes of clause (i), in the case of a State that has its target per capita medical assistance expenditures for a 1903A enrollee category and fiscal year increased under this paragraph, the Secretary shall assume that the categorical medical assistance expenditures (as defined in subparagraph (D)(ii)) for such State, category, and fiscal year will equal such increased target medical assistance expenditures.

“(iii) NONAPPLICATION TO LOW-DENSITY STATES.—This paragraph shall not apply to any State that has a population density of less than 15 individuals per square mile, based on the most recent data available from the Bureau of the Census.

“(iv) DISREGARD OF ADJUSTMENT.—Any adjustment under this paragraph to target medical assistance expenditures for a State, 1903A enrollee category, and fiscal year shall be disregarded when determining the target medical assistance expenditures for such State and category for a succeeding year under paragraph (2).

“(v) APPLICATION FOR FISCAL YEARS 2020 AND 2021.—In fiscal years 2020 and 2021, the Secretary shall apply this paragraph by deeming all categories of 1903A enrollees to be a single category.

“(D) PER CAPITA CATEGORICAL MEDICAL ASSISTANCE EXPENDITURES.—

“(i) IN GENERAL.—In this paragraph, the term ‘per capita categorical medical assistance expenditures’ means, with respect to a State, 1903A enrollee category, and fiscal year, an amount equal to—

“(I) the categorical medical expenditures (as defined in clause (ii)) for the State, category, and year; divided by

“(II) the number of 1903A enrollees for the State, category, and year.

“(ii) CATEGORICAL MEDICAL ASSISTANCE EXPENDITURES.—The term ‘categorical medical assistance expenditures’ means, with respect to a State, 1903A enrollee category, and fiscal year, an amount equal to the total medical assistance expenditures (as defined in paragraph (2)) for the State and fiscal year that are attributable to 1903A enrollees in the category, excluding any excluded expenditures (as defined in paragraph (3)) for the State and fiscal year that are attributable to 1903A enrollees in the category.

“(d) CALCULATION OF FY19 PROVISIONAL TARGET AMOUNT FOR EACH 1903A ENROLLEE CATEGORY.—Subject to subsection (g), the following shall apply:

“(1) CALCULATION OF BASE AMOUNTS FOR PER CAPITA BASE PERIOD.—For each State the Secretary shall calculate (and provide notice to the State not later than April 1, 2018, of) the following:

“(A) The amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State for the State’s per capita base period.

“(B) The number of 1903A enrollees for the State in the State’s per capita base period (as determined under subsection (e)(4)).

“(C) The average per capita medical assistance expenditures for the State for the State’s per capita base period equal to—

“(i) the amount calculated under subparagraph (A); divided by

“(ii) the number calculated under subparagraph (B).

“(2) FISCAL YEAR 2019 AVERAGE PER CAPITA AMOUNT BASED ON INFLATING THE PER CAPITA BASE PERIOD AMOUNT TO FISCAL YEAR 2019 BY CPI-MEDICAL.—The Secretary shall calculate a fiscal year 2019 average per capita amount for each State equal to—

“(A) the average per capita medical assistance expenditures for the State for the State’s per capita base period (calculated under paragraph (1)(C)); increased by

“(B) the percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) from the last month of the State’s per capita base period to September of fiscal year 2019.

“(3) AGGREGATE AND AVERAGE EXPENDITURES PER CAPITA FOR FISCAL YEAR 2019.—The Secretary shall calculate for each State the following:

“(A) The amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State for fiscal year 2019.

“(B) The number of 1903A enrollees for the State in fiscal year 2019 (as determined under subsection (e)(4)).

“(4) PER CAPITA EXPENDITURES FOR FISCAL YEAR 2019 FOR EACH 1903A ENROLLEE CATEGORY.—The Secretary shall calculate (and provide notice to each State not later than January 1, 2020, of) the following:

“(A)(i) For each 1903A enrollee category, the amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State for fiscal year 2019 for individuals in the enrollee category, calculated by excluding from medical assistance expenditures those expenditures attributable to expenditures described in clause (iii) or non-DSH supplemental expenditures (as defined in clause (ii)).

“(ii) In this paragraph, the term ‘non-DSH supplemental expenditure’ means a payment to a provider under the State plan (or under a waiver of the plan) that—

“(I) is not made under section 1923;

“(II) is not made with respect to a specific item or service for an individual;

“(III) is in addition to any payments made to the provider under the plan (or waiver) for any such item or service; and

“(IV) complies with the limits for additional payments to providers under the plan (or waiver) imposed pursuant to section 1902(a)(30)(A), including the regulations specifying upper payment limits under the State plan in part 447 of title 42, Code of Federal Regulations (or any successor regulations).

“(iii) An expenditure described in this clause is an expenditure that meets the criteria specified in subclauses (I), (II), and (III) of clause (ii) and is authorized under section 1115 for the purposes of funding a delivery system reform pool, uncompensated care pool, a designated State health program, or any other similar expenditure (as defined by the Secretary).

“(B) For each 1903A enrollee category, the number of 1903A enrollees for the State in fiscal year 2019 in the enrollee category (as determined under subsection (e)(4)).

“(C) For the State’s per capita base period, the State’s non-DSH supplemental and pool payment percentage is equal to the ratio (expressed as a percentage) of—

“(i) the total amount of non-DSH supplemental expenditures (as defined in subparagraph (A)(i) and adjusted under subparagraph (E)) and payments described in subparagraph (A)(iii) (and adjusted under subparagraph (E)) for the State for the period; to

“(ii) the amount described in subsection (b)(1)(A) for the State for the State’s per capita base period.

“(D) For each 1903A enrollee category an average medical assistance expenditures per capita for the State for fiscal year 2019 for the enrollee category equal to—

“(i) the amount calculated under subparagraph (A) for the State, increased by the non-DSH supplemental and pool payment percentage for the State (as calculated under subparagraph (C)); divided by

“(ii) the number calculated under subparagraph (B) for the State for the enrollee category.

“(E) For purposes of subparagraph (C)(i), in calculating the total amount of non-DSH supplemental expenditures and payments described in subparagraph (A)(iii) for a State for the per capita base period, the total amount of such expenditures and the total amount of such payments for the State and base period shall each be divided by 2.

“(5) PROVISIONAL FY19 PER CAPITA TARGET AMOUNT FOR EACH 1903A ENROLLEE CATEGORY.—Subject to subsection (f)(2), the Secretary shall calculate for each State a provisional FY19 per capita target amount for each 1903A enrollee category equal to the average medical assistance expenditures per capita for the State for fiscal year 2019 (as calculated under paragraph (4)(D)) for such enrollee category multiplied by the ratio of—

“(A) the product of—

“(i) the fiscal year 2019 average per capita amount for the State, as calculated under paragraph (2); and

“(ii) the number of 1903A enrollees for the State in fiscal year 2019, as calculated under paragraph (3)(B); to

“(B) the amount of the adjusted total medical assistance expenditures for the State for fiscal year 2019, as calculated under paragraph (3)(A).

“(e) 1903A ENROLLEE; 1903A ENROLLEE CATEGORY.—Subject to subsection (g), for purposes of this section, the following shall apply:

“(1) 1903A ENROLLEE.—The term ‘1903A enrollee’ means, with respect to a State and a month and subject to subsection (i)(1)(B), any Medicaid enrollee (as defined in paragraph (3)) for the month, other than such an enrollee who for such month is in any of the following categories of excluded individuals:

“(A) CHIP.—An individual who is provided, under this title in the manner described in section 2101(a)(2), child health assistance under title XXI.

“(B) IHS.—An individual who receives any medical assistance under this title for services for which payment is made under the third sentence of section 1905(b).

“(C) BREAST AND CERVICAL CANCER SERVICES ELIGIBLE INDIVIDUAL.—An individual who is eligible for medical assistance under this title only on the basis of section 1902(a)(10)(A)(ii)(XVIII).

“(D) PARTIAL-BENEFIT ENROLLEES.—An individual who—

“(i) is an alien who is eligible for medical assistance under this title only on the basis of section 1903(v)(2);

“(ii) is eligible for medical assistance under this title only on the basis of subclause (XII) or (XXI) of section 1902(a)(10)(A)(ii) (or on the basis of a waiver that provides only comparable benefits);

“(iii) is a dual eligible individual (as defined in section 1915(h)(2)(B)) and is eligible for medical assistance under this title (or under a waiver) only for some or all of Medicare cost-sharing (as defined in section 1905(p)(3)); or

“(iv) is eligible for medical assistance under this title and for whom the State is providing a payment or subsidy to an employer for coverage of the individual under a group health plan pursuant to section 1906 or section 1906A (or pursuant to a waiver that provides only comparable benefits).

“(E) BLIND AND DISABLED CHILDREN.—An individual who—

“(i) is a child under 19 years of age; and

“(ii) is eligible for medical assistance under this title on the basis of being blind or disabled.

“(2) 1903A ENROLLEE CATEGORY.—The term ‘1903A enrollee category’ means each of the following:

“(A) ELDERLY.—A category of 1903A enrollees who are 65 years of age or older.

“(B) BLIND AND DISABLED.—A category of 1903A enrollees (not described in the previous subparagraph) who—

“(i) are 19 years of age or older; and

“(ii) are eligible for medical assistance under this title on the basis of being blind or disabled.

“(C) CHILDREN.—A category of 1903A enrollees (not described in a previous subparagraph) who are children under 19 years of age.

“(D) EXPANSION ENROLLEES.—A category of 1903A enrollees (not described in a previous subparagraph) who are eligible for medical assistance under this title only on the basis

of clause (i)(VIII), (ii)(XX), or (ii)(XXIII) of section 1902(a)(10)(A).

“(E) OTHER NONELDERLY, NONDISABLED, NON-EXPANSION ADULTS.—A category of 1903A enrollees who are not described in any previous subparagraph.

“(3) MEDICAID ENROLLEE.—The term ‘Medicaid enrollee’ means, with respect to a State for a month, an individual who is eligible for medical assistance for items or services under this title and enrolled under the State plan (or a waiver of such plan) under this title for the month.

“(4) DETERMINATION OF NUMBER OF 1903A ENROLLEES.—The number of 1903A enrollees for a State and fiscal year or the State’s per capita base period, and, if applicable, for a 1903A enrollee category, is the average monthly number of Medicaid enrollees for such State and fiscal year or base period (and, if applicable, in such category) that are reported through the CMS-64 report under (and subject to audit under) subsection (h).

“(f) SPECIAL PAYMENT RULES.—

“(1) APPLICATION IN CASE OF RESEARCH AND DEMONSTRATION PROJECTS AND OTHER WAIVERS.—In the case of a State with a waiver of the State plan approved under section 1115, section 1915, or another provision of this title, this section shall apply to medical assistance expenditures and medical assistance payments under the waiver, in the same manner as if such expenditures and payments had been made under a State plan under this title and the limitations on expenditures under this section shall supersede any other payment limitations or provisions (including limitations based on a per capita limitation) otherwise applicable under such a waiver.

“(2) TREATMENT OF STATES EXPANDING COVERAGE AFTER JULY 1, 2016.—In the case of a State that did not provide for medical assistance for the 1903A enrollee category described in subsection (e)(2)(D) as of July 1, 2016, but which subsequently provides for such assistance for such category, the provisional FY19 per capita target amount for such enrollee category under subsection (d)(5) shall be equal to the provisional FY19 per capita target amount for the 1903A enrollee category described in subsection (e)(2)(E).

“(3) IN CASE OF STATE FAILURE TO REPORT NECESSARY DATA.—If a State for any quarter in a fiscal year (beginning with fiscal year 2019) fails to satisfactorily submit data on expenditures and enrollees in accordance with subsection (h)(1), for such fiscal year and any succeeding fiscal year for which such data are not satisfactorily submitted—

“(A) the Secretary shall calculate and apply subsections (a) through (e) with respect to the State as if all 1903A enrollee categories for which such expenditure and enrollee data were not satisfactorily submitted were a single 1903A enrollee category; and

“(B) the growth factor otherwise applied under subsection (c)(2)(B) shall be decreased by 1 percentage point.

“(g) RECALCULATION OF CERTAIN AMOUNTS FOR DATA ERRORS.—The amounts and percentage calculated under paragraphs (1) and (4)(C) of subsection (d) for a State for the State’s per capita base period, and the amounts of the adjusted total medical assistance expenditures calculated under subsection (b) and the number of Medicaid enrollees and 1903A enrollees determined under subsection (e)(4) for a State for the State’s per capita base period, fiscal year 2019, and any subsequent fiscal year, may be adjusted by the Secretary based upon an appeal (filed by the State in such a form, manner, and

time, and containing such information relating to data errors that support such appeal, as the Secretary specifies) that the Secretary determines to be valid, except that any adjustment by the Secretary under this subsection for a State may not result in an increase of the target total medical assistance expenditures exceeding 2 percent.

“(h) REQUIRED REPORTING AND AUDITING; TRANSITIONAL INCREASE IN FEDERAL MATCHING PERCENTAGE FOR CERTAIN ADMINISTRATIVE EXPENSES.—

“(1) AUDITING OF CMS-64 DATA.—The Secretary shall conduct for each State an audit of the number of individuals and expenditures reported through the CMS-64 report for the State's per capita base period, fiscal year 2019, and each subsequent fiscal year, which audit may be conducted on a representative sample (as determined by the Secretary).

“(2) AUDITING OF STATE SPENDING.—The Inspector General of the Department of Health and Human Services shall conduct an audit (which shall be conducted using random sampling, as determined by the Inspector General) of each State's spending under this section not less than once every 3 years.

“(3) TEMPORARY INCREASE IN FEDERAL MATCHING PERCENTAGE TO SUPPORT IMPROVED DATA REPORTING SYSTEMS FOR FISCAL YEARS 2018 AND 2019.—In the case of any State that selects as its per capita base period the most recent 8 consecutive quarter period for which the data necessary to make the determinations required under this section is available, for amounts expended during calendar quarters beginning on or after October 1, 2017, and before October 1, 2019—

“(A) the Federal matching percentage applied under section 1903(a)(3)(A)(i) shall be increased by 10 percentage points to 100 percent; and

“(B) the Federal matching percentage applied under section 1903(a)(3)(B) shall be increased by 25 percentage points to 100 percent.

“(4) HHS REPORT ON ADOPTION OF T-MSIS DATA.—Not later than January 1, 2025, the Secretary shall submit to Congress a report making recommendations as to whether data from the Transformed Medicaid Statistical Information System would be preferable to CMS-64 report data for purposes of making the determinations necessary under this section.”

(b) ENSURING ACCESS TO HOME AND COMMUNITY BASED SERVICES.—Section 1915 of the Social Security Act (42 U.S.C. 1396n) is amended by adding at the end the following new subsection:

“(1) INCENTIVE PAYMENTS FOR HOME AND COMMUNITY-BASED SERVICES.—

“(1) IN GENERAL.—The Secretary shall establish a demonstration project (referred to in this subsection as the ‘demonstration project’) under which eligible States may make HCBS payment adjustments for the purpose of continuing to provide and improving the quality of home and community-based services provided under a waiver under subsection (c) or (d) or a State plan amendment under subsection (i).

“(2) SELECTION OF ELIGIBLE STATES.—

“(A) APPLICATION.—A State seeking to participate in the demonstration project shall submit to the Secretary, at such time and in such manner as the Secretary shall require, an application that includes—

“(i) an assurance that any HCBS payment adjustment made by the State under this subsection will comply with the health and welfare and financial accountability safeguards taken by the State under subsection (c)(2)(A); and

“(ii) such other information and assurances as the Secretary shall require.

“(B) SELECTION.—The Secretary shall select States to participate in the demonstration project on a competitive basis except that, in making selections under this paragraph, the Secretary shall give priority to any State that is one of the 15 States in the United States with the lowest population density, as determined by the Secretary based on data from the Bureau of the Census.

“(3) TERM OF DEMONSTRATION PROJECT.—The demonstration project shall be conducted for the 4-year period beginning on January 1, 2020, and ending on December 31, 2023.

“(4) STATE ALLOTMENTS AND INCREASED FMAP FOR PAYMENT ADJUSTMENTS.—

“(A) IN GENERAL.—

“(i) ANNUAL ALLOTMENT.—Subject to clause (ii), for each year of the demonstration project, the Secretary shall allot an amount to each State that is an eligible State for the year.

“(ii) LIMITATION ON FEDERAL SPENDING.—The aggregate amount that may be allotted to eligible States under clause (i) for all years of the demonstration project shall not exceed \$8,000,000,000.

“(B) FMAP APPLICABLE TO HCBS PAYMENT ADJUSTMENTS.—For each year of the demonstration project, notwithstanding section 1905(b) but subject to the limitations described in subparagraph (C), the Federal medical assistance percentage applicable with respect to expenditures by an eligible State that are attributable to HCBS payment adjustments shall be equal to (and shall in no case exceed) 100 percent.

“(C) INDIVIDUAL PROVIDER AND ALLOTMENT LIMITATIONS.—Payment under section 1903(a) shall not be made to an eligible State for expenditures for a year that are attributable to an HCBS payment adjustment—

“(i) that is paid to a single provider and exceeds a percentage which shall be established by the Secretary of the payment otherwise made to the provider; or

“(ii) to the extent that the aggregate amount of HCBS payment adjustments made by the State in the year exceeds the amount allotted to the State for the year under clause (i).

“(5) REPORTING AND EVALUATION.—

“(A) IN GENERAL.—As a condition of receiving the increased Federal medical assistance percentage described in paragraph (4)(B), each eligible State shall collect and report information, as determined necessary by the Secretary, for the purposes of providing Federal oversight and evaluating the State's compliance with the health and welfare and financial accountability safeguards taken by the State under subsection (c)(2)(A).

“(B) FORMS.—Expenditures by eligible States on HCBS payment adjustments shall be separately reported on the CMS-64 Form and in T-MSIS.

“(6) DEFINITIONS.—In this subsection:

“(A) ELIGIBLE STATE.—The term ‘eligible State’ means a State that—

“(i) is one of the 50 States or the District of Columbia;

“(ii) has in effect—

“(I) a waiver under subsection (c) or (d); or

“(II) a State plan amendment under subsection (i);

“(iii) submits an application under paragraph (2)(A); and

“(iv) is selected by the Secretary to participate in the demonstration project.

“(B) HCBS PAYMENT ADJUSTMENT.—The term ‘HCBS payment adjustment’ means a payment adjustment made by an eligible

State to the amount of payment otherwise provided under a waiver under subsection (c) or (d) or a State plan amendment under subsection (i) for a home and community-based service which is provided to a 1903A enrollee (as defined in section 1903A(e)(1)) who is in the enrollee category described in subparagraph (A) or (B) of section 1903A(e)(2).”

## SEC. 128. FLEXIBLE BLOCK GRANT OPTION FOR STATES.

Title XIX of the Social Security Act, as previously amended, is further amended by inserting after section 1903A the following new section:

### “SEC. 1903B. MEDICAID FLEXIBILITY PROGRAM.

“(a) IN GENERAL.—Beginning with fiscal year 2020, any State (as defined in subsection (e)) that has an application approved by the Secretary under subsection (b) may conduct a Medicaid Flexibility Program to provide targeted health assistance to program enrollees.

“(b) STATE APPLICATION.—

“(1) IN GENERAL.—To be eligible to conduct a Medicaid Flexibility Program, a State shall submit an application to the Secretary that meets the requirements of this subsection.

“(2) CONTENTS OF APPLICATION.—An application under this subsection shall include the following:

“(A) A description of the proposed Medicaid Flexibility Program and how the State will satisfy the requirements described in subsection (d).

“(B) The proposed conditions for eligibility of program enrollees.

“(C) The applicable program enrollee category (as defined in subsection (e)(1)).

“(D) A description of the types, amount, duration, and scope of services which will be offered as targeted health assistance under the program, including a description of the proposed package of services which will be provided to program enrollees to whom the State would otherwise be required to make medical assistance available under section 1902(a)(10)(A)(i).

“(E) A description of how the State will notify individuals currently enrolled in the State plan for medical assistance under this title of the transition to such program.

“(F) Statements certifying that the State agrees to—

“(i) submit regular enrollment data with respect to the program to the Centers for Medicare & Medicaid Services at such time and in such manner as the Secretary may require;

“(ii) submit timely and accurate data to the Transformed Medicaid Statistical Information System (T-MSIS);

“(iii) report annually to the Secretary on adult health quality measures implemented under the program and information on the quality of health care furnished to program enrollees under the program as part of the annual report required under section 1139B(d)(1);

“(iv) submit such additional data and information not described in any of the preceding clauses of this subparagraph but which the Secretary determines is necessary for monitoring, evaluation, or program integrity purposes, including—

“(I) survey data, such as the data from Consumer Assessment of Healthcare Providers and Systems (CAHPS) surveys;

“(II) birth certificate data; and

“(III) clinical patient data for quality measurements which may not be present in a claim, such as laboratory data, body mass index, and blood pressure; and



“(v) on an annual basis, conduct a report evaluating the program and make such report available to the public.

“(G) An information technology systems plan demonstrating that the State has the capability to support the technological administration of the program and comply with reporting requirements under this section.

“(H) A statement of the goals of the proposed program, which shall include—

“(i) goals related to quality, access, rate of growth targets, consumer satisfaction, and outcomes;

“(ii) a plan for monitoring and evaluating the program to determine whether such goals are being met; and

“(iii) a proposed process for the State, in consultation with the Centers for Medicare & Medicaid Services, to take remedial action to make progress on unmet goals.

“(I) Such other information as the Secretary may require.

“(3) STATE NOTICE AND COMMENT PERIOD.—

“(A) IN GENERAL.—Before submitting an application under this subsection, a State shall make the application publicly available for a 30 day notice and comment period.

“(B) NOTICE AND COMMENT PROCESS.—During the notice and comment period described in subparagraph (A), the State shall provide opportunities for a meaningful level of public input, which shall include public hearings on the proposed Medicaid Flexibility Program.

“(4) FEDERAL NOTICE AND COMMENT PERIOD.—The Secretary shall not approve of any application to conduct a Medicaid Flexibility Program without making such application publicly available for a 30 day notice and comment period.

“(5) TIMELINE FOR SUBMISSION.—

“(A) IN GENERAL.—A State may submit an application under this subsection to conduct a Medicaid Flexibility Program that would begin in the next fiscal year at any time, subject to subparagraph (B).

“(B) DEADLINES.—Each year beginning with 2019, the Secretary shall specify a deadline for submitting an application under this subsection to conduct a Medicaid Flexibility Program that would begin in the next fiscal year, but such deadline shall not be earlier than 60 days after the date that the Secretary publishes the amounts of State block grants as required under subsection (c)(4).

“(c) FINANCING.—

“(1) IN GENERAL.—For each fiscal year during which a State is conducting a Medicaid Flexibility Program, the State shall receive, instead of amounts otherwise payable to the State under this title for medical assistance for program enrollees, the amount specified in paragraph (3)(A).

“(2) AMOUNT OF BLOCK GRANT FUNDS.—

“(A) IN GENERAL.—The block grant amount under this paragraph for a State and year shall be equal to the sum of the amounts determined under subparagraph (B) for each 1903A enrollee category within the applicable program enrollee category for the State and year.

“(B) ENROLLEE CATEGORY AMOUNTS.—

“(i) FOR INITIAL YEAR.—Subject to subparagraph (C), for the first fiscal year in which a 1903A enrollee category is included in the applicable program enrollee category for a Medicaid Flexibility Program conducted by the State, the amount determined under this subparagraph for the State, year, and category shall be equal to the Federal average medical assistance matching percentage (as defined in section 1903A(a)(4)) for the State and year multiplied by the product of—

“(I) the target per capita medical assistance expenditures (as defined in section 1903A(c)(2)) for the State, year, and category; and

“(II) the number of 1903A enrollees in such category for the State for the second fiscal year preceding such first fiscal year, increased by the percentage increase in State population from such second preceding fiscal year to such first fiscal year, based on the best available estimates of the Bureau of the Census.

“(ii) FOR ANY SUBSEQUENT YEAR.—For any fiscal year that is not the first fiscal year in which a 1903A enrollee category is included in the applicable program enrollee category for a Medicaid Flexibility Program conducted by the State, the block grant amount under this paragraph for the State, year, and category shall be equal to the amount determined for the State and category for the most recent previous fiscal year in which the State conducted a Medicaid Flexibility Program that included such category, except that such amount shall be increased by the percentage increase in the consumer price index for all urban consumers (U.S. city average) from April of the second fiscal year preceding the fiscal year involved to April of the fiscal year preceding the fiscal year involved.

“(C) CAP ON TOTAL POPULATION OF 1903A ENROLLEES FOR PURPOSES OF BLOCK GRANT CALCULATION.—

“(i) IN GENERAL.—In calculating the amount of a block grant for the first year in which a 1903A enrollee category is included in the applicable program enrollee category for a Medicaid Flexibility Program conducted by the State under subparagraph (B)(i), the total number of 1903A enrollees in such 1903A enrollee category for the State and year shall not exceed the adjusted number of base period enrollees for the State (as defined in clause (ii)).

“(ii) ADJUSTED NUMBER OF BASE PERIOD ENROLLEES.—The term ‘adjusted number of base period enrollees’ means, with respect to a State and 1903A enrollee category, the number of 1903A enrollees in the enrollee category for the State for the State’s per capita base period (as determined under section 1903A(e)(4)), increased by the percentage increase, if any, in the total State population from the last April in the State’s per capita base period to April of the fiscal year preceding the fiscal year involved (determined using the best available data from the Bureau of the Census) plus 3 percentage points.

“(3) FEDERAL PAYMENT AND STATE MAINTENANCE OF EFFORT.—

“(A) FEDERAL PAYMENT.—Subject to subparagraphs (D) and (E), the Secretary shall pay to each State conducting a Medicaid Flexibility Program under this section for a fiscal year, from its block grant amount under paragraph (2) for such year, an amount for each quarter of such year equal to the Federal average medical assistance percentage (as defined in section 1903A(a)(4)) of the total amount expended under the program during such quarter as targeted health assistance, and the State is responsible for the balance of the funds to carry out such program.

“(B) STATE MAINTENANCE OF EFFORT EXPENDITURES.—For each year during which a State is conducting a Medicaid Flexibility Program, the State shall make expenditures for targeted health assistance under the program in an amount equal to the product of—

“(i) the block grant amount determined for the State and year under paragraph (2); and

“(ii) the enhanced FMAP described in the first sentence of section 2105(b) for the State and year.

“(C) REDUCTION IN BLOCK GRANT AMOUNT FOR STATES FAILING TO MEET MOE REQUIREMENT.—

“(i) IN GENERAL.—In the case of a State conducting a Medicaid Flexibility Program that makes expenditures for targeted health assistance under the program for a fiscal year in an amount that is less than the required amount for the fiscal year under subparagraph (B), the amount of the block grant determined for the State under paragraph (2) for the succeeding fiscal year shall be reduced by the amount by which such expenditures are less than such required amount.

“(ii) DISREGARD OF REDUCTION.—For purposes of determining the amount of a State block grant under paragraph (2), any reduction made under this subparagraph to a State’s block grant amount in a previous fiscal year shall be disregarded.

“(iii) APPLICATION TO STATES THAT TERMINATE PROGRAM.—In the case of a State described in clause (i) that terminates the State Medicaid Flexibility Program under subsection (d)(2)(B) and such termination is effective with the end of the fiscal year in which the State fails to make the required amount of expenditures under subparagraph (B), the reduction amount determined for the State and succeeding fiscal year under clause (i) shall be treated as an overpayment under this title.

“(D) REDUCTION FOR NONCOMPLIANCE.—If the Secretary determines that a State conducting a Medicaid Flexibility Program is not complying with the requirements of this section, the Secretary may withhold payments, reduce payments, or recover previous payments to the State under this section as the Secretary deems appropriate.

“(E) ADDITIONAL FEDERAL PAYMENTS DURING PUBLIC HEALTH EMERGENCY.—

“(i) IN GENERAL.—In the case of a State and fiscal year or portion of a fiscal year for which the Secretary has excluded expenditures under section 1903A(b)(6), if the State has uncompensated targeted health assistance expenditures for the year or portion of a year, the Secretary may make an additional payment to such State equal to the Federal average medical assistance percentage (as defined in section 1903A(a)(4)) for the year or portion of a year of the amount of such uncompensated targeted health assistance expenditures, except that the amount of such payment shall not exceed the amount determined for the State and year or portion of a year under clause (ii).

“(ii) MAXIMUM AMOUNT OF ADDITIONAL PAYMENT.—The amount determined for a State and fiscal year or portion of a fiscal year under this subparagraph shall not exceed the Federal average medical assistance percentage (as defined in section 1903A(a)(4)) for such year or portion of a year of the amount by which—

“(I) the amount of State expenditures for targeted health assistance for program enrollees in areas of the State which are subject to a declaration described in section 1903A(b)(6)(A)(i) for the year or portion of a year; exceeds

“(II) the amount of such expenditures for such enrollees in such areas during the most recent fiscal year involved (or portion of a fiscal year of equal length to the portion of a fiscal year involved) during which no such declaration was in effect.

“(iii) UNCOMPENSATED TARGETED HEALTH ASSISTANCE.—In this subparagraph, the term ‘uncompensated targeted health assistance



expenditures' means, with respect to a State and fiscal year or portion of a fiscal year, an amount equal to the amount (if any) by which—

“(I) the total amount expended by the State under the program for targeted health assistance for the year or portion of a year; exceeds

“(II) the amount equal to the amount of the block grant (reduced, in the case of a portion of a year, to the same proportion of the full block grant amount that the portion of the year bears to the whole year) divided by the Federal average medical assistance percentage for the year or portion of a year.

“(iv) REVIEW.—If the Secretary makes a payment to a State for a fiscal year or portion of a fiscal year, the Secretary shall, not later than 6 months after the declaration described in section 1903A(b)(6)(A)(i) ceases to be in effect, conduct an audit of the State's targeted health assistance expenditures for program enrollees during the year or portion of a year to ensure that all of the expenditures for which the additional payment was made were made for the purpose of ensuring that the health care needs of program enrollees in areas affected by a public health emergency are met.

“(4) DETERMINATION AND PUBLICATION OF BLOCK GRANT AMOUNT.—Beginning in 2019 and each year thereafter, the Secretary shall determine for each State, regardless of whether the State is conducting a Medicaid Flexibility Program or has submitted an application to conduct such a program, the amount of the block grant for the State under paragraph (2) which would apply for the upcoming fiscal year if the State were to conduct such a program in such fiscal year, and shall publish such determinations not later than June 1 of each year.

“(d) PROGRAM REQUIREMENTS.—

“(1) IN GENERAL.—No payment shall be made under this section to a State conducting a Medicaid Flexibility Program unless such program meets the requirements of this subsection.

“(2) TERM OF PROGRAM.—

“(A) IN GENERAL.—A State Medicaid Flexibility Program approved under subsection (b)—

“(i) shall be conducted for not less than 1 program period;

“(ii) at the option of the State, may be continued for succeeding program periods without resubmitting an application under subsection (b), provided that—

“(I) the State provides notice to the Secretary of its decision to continue the program; and

“(II) no significant changes are made to the program; and

“(iii) shall be subject to termination only by the State, which may terminate the program by making an election under subparagraph (B).

“(B) ELECTION TO TERMINATE PROGRAM.—

“(i) IN GENERAL.—Subject to clause (ii), a State conducting a Medicaid Flexibility Program may elect to terminate the program effective with the first day after the end of the program period in which the State makes the election.

“(ii) TRANSITION PLAN REQUIREMENT.—A State may not elect to terminate a Medicaid Flexibility Program unless the State has in place an appropriate transition plan approved by the Secretary.

“(iii) EFFECT OF TERMINATION.—If a State elects to terminate a Medicaid Flexibility Program, the per capita cap limitations under section 1903A shall apply effective with the day described in clause (i), and such

limitations shall be applied as if the State had never conducted a Medicaid Flexibility Program.

“(3) PROVISION OF TARGETED HEALTH ASSISTANCE.—

“(A) IN GENERAL.—A State Medicaid Flexibility Program shall provide targeted health assistance to program enrollees and such assistance shall be instead of medical assistance which would otherwise be provided to the enrollees under this title.

“(B) CONDITIONS FOR ELIGIBILITY.—

“(i) IN GENERAL.—A State conducting a Medicaid Flexibility Program shall establish conditions for eligibility of program enrollees, which shall be instead of other conditions for eligibility under this title, except that the program must provide for eligibility for program enrollees to whom the State would otherwise be required to make medical assistance available under section 1902(a)(10)(A)(i).

“(ii) MAGI.—Any determination of income necessary to establish the eligibility of a program enrollee for purposes of a State Medicaid Flexibility Program shall be made using modified adjusted gross income in accordance with section 1902(e)(14).

“(4) BENEFITS AND SERVICES.—

“(A) REQUIRED SERVICES.—In the case of program enrollees to whom the State would otherwise be required to make medical assistance available under section 1902(a)(10)(A)(i), a State conducting a Medicaid Flexibility Program shall provide as targeted health assistance the following types of services:

“(i) Inpatient and outpatient hospital services.

“(ii) Laboratory and X-ray services.

“(iii) Nursing facility services for individuals aged 21 and older.

“(iv) Physician services.

“(v) Home health care services (including home nursing services, medical supplies, equipment, and appliances).

“(vi) Rural health clinic services (as defined in section 1905(l)(1)).

“(vii) Federally-qualified health center services (as defined in section 1905(l)(2)).

“(viii) Family planning services and supplies.

“(ix) Nurse midwife services.

“(x) Certified pediatric and family nurse practitioner services.

“(xi) Freestanding birth center services (as defined in section 1905(l)(3)).

“(xii) Emergency medical transportation.

“(xiii) Non-cosmetic dental services.

“(xiv) Pregnancy-related services, including postpartum services for the 12-week period beginning on the last day of a pregnancy.

“(B) OPTIONAL BENEFITS.—A State may, at its option, provide services in addition to the services described in subparagraph (A) as targeted health assistance under a Medicaid Flexibility Program.

“(C) BENEFIT PACKAGES.—

“(i) IN GENERAL.—The targeted health assistance provided by a State to any group of program enrollees under a Medicaid Flexibility Program shall have an aggregate actuarial value that is equal to at least 95 percent of the aggregate actuarial value of the benchmark coverage described in subsection (b)(1) of section 1937 or benchmark-equivalent coverage described in subsection (b)(2) of such section, as such subsections were in effect prior to the enactment of the Patient Protection and Affordable Care Act.

“(ii) AMOUNT, DURATION, AND SCOPE OF BENEFITS.—Subject to clause (i), the State shall determine the amount, duration, and scope

with respect to services provided as targeted health assistance under a Medicaid Flexibility Program, including with respect to services that are required to be provided to certain program enrollees under subparagraph (A) except as otherwise provided under such subparagraph.

“(iii) MENTAL HEALTH AND SUBSTANCE USE DISORDER COVERAGE AND PARITY.—The targeted health assistance provided by a State to program enrollees under a Medicaid Flexibility Program shall include mental health services and substance use disorder services and the financial requirements and treatment limitations applicable to such services under the program shall comply with the requirements of section 2726 of the Public Health Service Act in the same manner as such requirements apply to a group health plan.

“(iv) PRESCRIPTION DRUGS.—If the targeted health assistance provided by a State to program enrollees under a Medicaid Flexibility Program includes assistance for covered outpatient drugs, such drugs shall be subject to a rebate agreement that complies with the requirements of section 1927, and any requirements applicable to medical assistance for covered outpatient drugs under a State plan (including the requirement that the State provide information to a manufacturer) shall apply in the same manner to targeted health assistance for covered outpatient drugs under a Medicaid Flexibility Program.

“(D) COST SHARING.—A State conducting a Medicaid Flexibility Program may impose premiums, deductibles, cost-sharing, or other similar charges, except that the total annual aggregate amount of all such charges imposed with respect to all program enrollees in a family shall not exceed 5 percent of the family's income for the year involved.

“(5) ADMINISTRATION OF PROGRAM.—Each State conducting a Medicaid Flexibility Program shall do the following:

“(A) SINGLE AGENCY.—Designate a single State agency responsible for administering the program.

“(B) ENROLLMENT SIMPLIFICATION AND COORDINATION WITH STATE HEALTH INSURANCE EXCHANGES.—Provide for simplified enrollment processes (such as online enrollment and reenrollment and electronic verification) and coordination with State health insurance exchanges.

“(C) BENEFICIARY PROTECTIONS.—Establish a fair process (which the State shall describe in the application required under subsection (b)) for individuals to appeal adverse eligibility determinations with respect to the program.

“(6) APPLICATION OF REST OF TITLE XIX.—

“(A) IN GENERAL.—To the extent that a provision of this section is inconsistent with another provision of this title, the provision of this section shall apply.

“(B) APPLICATION OF SECTION 1903A.—With respect to a State that is conducting a Medicaid Flexibility Program, section 1903A shall be applied as if program enrollees were not 1903A enrollees for each program period during which the State conducts the program.

“(C) WAIVERS AND STATE PLAN AMENDMENTS.—

“(i) IN GENERAL.—In the case of a State conducting a Medicaid Flexibility Program that has in effect a waiver or State plan amendment, such waiver or amendment shall not apply with respect to the program, targeted health assistance provided under the program, or program enrollees.

“(ii) REPLICATION OF WAIVER OR AMENDMENT.—In designing a Medicaid Flexibility

Program, a State may mirror provisions of a waiver or State plan amendment described in clause (i) in the program to the extent that such provisions are otherwise consistent with the requirements of this section.

“(iii) EFFECT OF TERMINATION.—In the case of a State described in clause (i) that terminates its program under subsection (d)(2)(B), any waiver or amendment which was limited pursuant to subparagraph (A) shall cease to be so limited effective with the effective date of such termination.

“(D) NONAPPLICATION OF PROVISIONS.—With respect to the design and implementation of Medicaid Flexibility Programs conducted under this section, paragraphs (1), (10)(B), (17), and (23) of section 1902(a), as well as any other provision of this title (except for this section) that the Secretary deems appropriate, shall not apply.

“(e) DEFINITIONS.—For purposes of this section:

“(1) APPLICABLE PROGRAM ENROLLEE CATEGORY.—The term ‘applicable program enrollee category’ means, with respect to a State Medicaid Flexibility Program for a program period, any of the following as specified by the State for the period in its application under subsection (b):

“(A) 2 ENROLLEE CATEGORIES.—Both of the 1903A enrollee categories described in subparagraphs (D) and (E) of section 1903A(e)(2).

“(B) EXPANSION ENROLLEES.—The 1903A enrollee category described in subparagraph (D) of section 1903A(e)(2).

“(C) NONELDERLY, NONDISABLED, NONEXPANSION ADULTS.—The 1903A enrollee category described in subparagraph (E) of section 1903A(e)(2).

“(2) MEDICAID FLEXIBILITY PROGRAM.—The term ‘Medicaid Flexibility Program’ means a State program for providing targeted health assistance to program enrollees funded by a block grant under this section.

“(3) PROGRAM ENROLLEE.—

“(A) IN GENERAL.—The term ‘program enrollee’ means, with respect to a State that is conducting a Medicaid Flexibility Program for a program period, an individual who is a 1903A enrollee (as defined in section 1903A(e)(1)) who is in the applicable program enrollee category specified by the State for the period.

“(B) RULE OF CONSTRUCTION.—For purposes of section 1903A(e)(3), eligibility and enrollment of an individual under a Medicaid Flexibility Program shall be deemed to be eligibility and enrollment under a State plan (or waiver of such plan) under this title.

“(4) PROGRAM PERIOD.—The term ‘program period’ means, with respect to a State Medicaid Flexibility Program, a period of 5 consecutive fiscal years that begins with either—

“(A) the first fiscal year in which the State conducts the program; or

“(B) the next fiscal year in which the State conducts such a program that begins after the end of a previous program period.

“(5) STATE.—The term ‘State’ means one of the 50 States or the District of Columbia.

“(6) TARGETED HEALTH ASSISTANCE.—The term ‘targeted health assistance’ means assistance for health-care-related items and medical services for program enrollees.”.

#### SEC. 129. MEDICAID AND CHIP QUALITY PERFORMANCE BONUS PAYMENTS.

Section 1903 of the Social Security Act (42 U.S.C. 1396b), as previously amended, is further amended by adding at the end the following new subsection:

“(bb) QUALITY PERFORMANCE BONUS PAYMENTS.—

“(1) INCREASED FEDERAL SHARE.—With respect to each of fiscal years 2023 through 2026, in the case of one of the 50 States or the District of Columbia (each referred to in this subsection as a ‘State’) that—

“(A) equals or exceeds the qualifying amount (as established by the Secretary) of lower than expected aggregate medical assistance expenditures (as defined in paragraph (4)) for that fiscal year; and

“(B) submits to the Secretary, in accordance with such manner and format as specified by the Secretary and for the performance period (as defined by the Secretary) for such fiscal year—

“(i) information on the applicable quality measures identified under paragraph (3) with respect to each category of Medicaid eligible individuals under the State plan or a waiver of such plan; and

“(ii) a plan for spending a portion of additional funds resulting from application of this subsection on quality improvement within the State plan under this title or under a waiver of such plan,

the Federal matching percentage otherwise applied under subsection (a)(7) for such fiscal year shall be increased by such percentage (as determined by the Secretary) so that the aggregate amount of the resulting increase pursuant to this subsection for the State and fiscal year does not exceed the State allotment established under paragraph (2) for the State and fiscal year.

“(2) ALLOTMENT DETERMINATION.—The Secretary shall establish a formula for computing State allotments under this paragraph for each fiscal year described in paragraph (1) such that—

“(A) such an allotment to a State is determined based on the performance, including improvement, of such State under this title and title XXI with respect to the quality measures submitted under paragraph (3) by such State for the performance period (as defined by the Secretary) for such fiscal year; and

“(B) the total of the allotments under this paragraph for all States for the period of the fiscal years described in paragraph (1) is equal to \$8,000,000,000.

“(3) QUALITY MEASURES REQUIRED FOR BONUS PAYMENTS.—For purposes of this subsection, the Secretary shall, pursuant to rulemaking and after consultation with State agencies administering State plans under this title, identify and publish (and update as necessary) peer-reviewed quality measures (which shall include health care and long-term care outcome measures and may include the quality measures that are overseen or developed by the National Committee for Quality Assurance or the Agency for Healthcare Research and Quality or that are identified under section 1139A or 1139B) that are quantifiable, objective measures that take into account the clinically appropriate measures of quality for different types of patient populations receiving benefits or services under this title or title XXI.

“(4) LOWER THAN EXPECTED AGGREGATE MEDICAL ASSISTANCE EXPENDITURES.—In this subsection, the term ‘lower than expected aggregate medical assistance expenditures’ means, with respect to a State the amount (if any) by which—

“(A) the amount of the adjusted total medical assistance expenditures for the State and fiscal year determined in section 1903A(b)(1) without regard to the 1903A enrollee category described in section 1903A(e)(2)(E); is less than

“(B) the amount of the target total medical assistance expenditures for the State

and fiscal year determined in section 1903A(c) without regard to the 1903A enrollee category described in section 1903A(e)(2)(E).”.

#### SEC. 130. OPTIONAL ASSISTANCE FOR CERTAIN INPATIENT PSYCHIATRIC SERVICES.

(a) STATE OPTION.—Section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended—

(1) in subsection (a)—  
(A) in paragraph (16)—  
(i) by striking “and, (B)” and inserting “(B)”; and

(ii) by inserting before the semicolon at the end the following: “, and (C) subject to subsection (h)(4), qualified inpatient psychiatric hospital services (as defined in subsection (h)(3)) for individuals who are over 21 years of age and under 65 years of age”; and

(B) in the subdivision (B) that follows paragraph (29), by inserting “(other than services described in subparagraph (C) of paragraph (16) for individuals described in such subparagraph)” after “patient in an institution for mental diseases”; and

(2) in subsection (h), by adding at the end the following new paragraphs:

“(3) For purposes of subsection (a)(16)(C), the term ‘qualified inpatient psychiatric hospital services’ means, with respect to individuals described in such subsection, services described in subparagraph (B) of paragraph (1) that are not otherwise covered under subsection (a)(16)(A) and are furnished—

“(A) in an institution (or distinct part thereof) which is a psychiatric hospital (as defined in section 1861(f)); and

“(B) with respect to such an individual, for a period not to exceed 30 consecutive days in any month and not to exceed 90 days in any calendar year.

“(4) As a condition for a State including qualified inpatient psychiatric hospital services as medical assistance under subsection (a)(16)(C), the State must (during the period in which it furnishes medical assistance under this title for services and individuals described in such subsection)—

“(A) maintain at least the number of licensed beds at psychiatric hospitals owned, operated, or contracted for by the State that were being maintained as of the date of the enactment of this paragraph or, if higher, as of the date the State applies to the Secretary to include medical assistance under such subsection; and

“(B) maintain on an annual basis a level of funding expended by the State (and political subdivisions thereof) other than under this title from non-Federal funds for inpatient services in an institution described in paragraph (3)(A), and for active psychiatric care and treatment provided on an outpatient basis, that is not less than the level of such funding for such services and care as of the date of the enactment of this paragraph or, if higher, as of the date the State applies to the Secretary to include medical assistance under such subsection.”.

(b) SPECIAL MATCHING RATE.—Section 1905(b) of the Social Security Act (42 U.S.C. 1395d(b)) is amended by adding at the end the following: “Notwithstanding the previous provisions of this subsection, the Federal medical assistance percentage shall be 50 percent with respect to medical assistance for services and individuals described in subsection (a)(16)(C).”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to qualified inpatient psychiatric hospital services furnished on or after October 1, 2018.

**SEC. 131. ENHANCED FMAP FOR MEDICAL ASSISTANCE TO ELIGIBLE INDIANS.**

Section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) is amended, in the third sentence, by inserting “and with respect to amounts expended by a State as medical assistance for services provided by any other provider under the State plan to an individual who is a member of an Indian tribe who is eligible for assistance under the State plan” before the period.

**SEC. 132. SMALL BUSINESS HEALTH PLANS.**

(a) **TAX TREATMENT OF SMALL BUSINESS HEALTH PLANS.**—A small business health plan (as defined in section 801(a) of the Employee Retirement Income Security Act of 1974) shall be treated—

(1) as a group health plan (as defined in section 2791 of the Public Health Service Act (42 U.S.C. 300gg-91)) for purposes of applying title XXVII of the Public Health Service Act (42 U.S.C. 300gg et seq.) and title XXII of such Act (42 U.S.C. 300bb-1);

(2) as a group health plan (as defined in section 5000(b)(1) of the Internal Revenue Code of 1986) for purposes of applying sections 4980B and 5000 and chapter 100 of the Internal Revenue Code of 1986; and

(3) as a group health plan (as defined in section 733(a)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191b(a)(1))) for purposes of applying parts 6 and 7 of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1161 et seq.).

(b) **RULES.**—Subtitle B of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1021 et seq.) is amended by adding at the end the following new part:

**“PART 8—RULES GOVERNING SMALL BUSINESS RISK SHARING POOLS**

**“SEC. 801. SMALL BUSINESS HEALTH PLANS.**

“(a) **IN GENERAL.**—For purposes of this part, the term ‘small business health plan’ means a fully insured group health plan, offered by a health insurance issuer in the large group market, whose sponsor is described in subsection (b).

“(b) **SPONSOR.**—The sponsor of a group health plan is described in this subsection if such sponsor—

“(1) is a qualified sponsor and receives certification by the Secretary;

“(2) is organized and maintained in good faith, with a constitution or bylaws specifically stating its purpose and providing for periodic meetings on at least an annual basis;

“(3) is established as a permanent entity;

“(4) is established for a purpose other than providing health benefits to its members, such as an organization established as a bona fide trade association, franchise, or section 7705 organization; and

“(5) does not condition membership on the basis of a minimum group size.

**“SEC. 802. FILING FEE AND CERTIFICATION OF SMALL BUSINESS HEALTH PLANS.**

“(a) **FILING FEE.**—A small business health plan shall pay to the Secretary at the time of filing an application for certification under subsection (b) a filing fee in the amount of \$5,000, which shall be available to the Secretary for the sole purpose of administering the certification procedures applicable with respect to small business health plans.

“(b) **CERTIFICATION.**—

“(1) **IN GENERAL.**—Not later than 6 months after the date of enactment of this part, the Secretary shall prescribe by interim final rule a procedure under which the Secretary—

“(A) will certify a qualified sponsor of a small business health plan, upon receipt of

an application that includes the information described in paragraph (2);

“(B) may provide for continued certification of small business health plans under this part;

“(C) shall provide for the revocation of a certification if the applicable authority finds that the small business health plan involved fails to comply with the requirements of this part;

“(D) shall conduct oversight of certified plan sponsors, including periodic review, and consistent with section 504, applying the requirements of sections 518, 519, and 520; and

“(E) will consult with a State with respect to a small business health plan domiciled in such State regarding the Secretary’s authority under this part and other enforcement authority under sections 502 and 504.

“(2) **INFORMATION TO BE INCLUDED IN APPLICATION FOR CERTIFICATION.**—An application for certification under this part meets the requirements of this section only if it includes, in a manner and form which shall be prescribed by the applicable authority by regulation, at least the following information:

“(A) Identifying information.

“(B) States in which the plan intends to do business.

“(C) Bonding requirements.

“(D) Plan documents.

“(E) Agreements with service providers.

“(3) **REQUIREMENTS FOR CERTIFIED PLAN SPONSORS.**—Not later than 6 months after the date of enactment of this part, the Secretary shall prescribe by interim final rule requirements for certified plan sponsors that include requirements regarding—

“(A) structure and requirements for boards of trustees or plan administrators;

“(B) notification of material changes; and

“(C) notification for voluntary termination.

“(c) **FILING NOTICE OF CERTIFICATION WITH STATES.**—A certification granted under this part to a small business health plan shall not be effective unless written notice of such certification is filed by the plan sponsor with the applicable State authority of each State in which the small business health plan operates.

“(d) **EXPEDITED AND DEEMED CERTIFICATION.**—

“(1) **IN GENERAL.**—If the Secretary fails to act on a complete application for certification under this section within 90 days of receipt of such complete application, the applying small business health plan sponsor shall be deemed certified until such time as the Secretary may deny for cause the application for certification.

“(2) **PENALTY.**—The Secretary may assess a penalty against the board of trustees, plan administrator, and plan sponsor (jointly and severally) of a small business health plan sponsor that is deemed certified under paragraph (1) of up to \$500,000 in the event the Secretary determines that the application for certification of such small business health plan sponsor was willfully or with gross negligence incomplete or inaccurate.

**“SEC. 803. PARTICIPATION AND COVERAGE REQUIREMENTS.**

“(a) **COVERED EMPLOYERS AND INDIVIDUALS.**—The requirements of this subsection are met with respect to a small business health plan if, under the terms of the plan—

“(1) each participating employer must be—

“(A) a member of the sponsor;

“(B) the sponsor; or

“(C) an affiliated member of the sponsor, except that, in the case of a sponsor which is a professional association or other indi-

vidual-based association, if at least one of the officers, directors, or employees of an employer, or at least one of the individuals who are partners in an employer and who actively participates in the business, is a member or such an affiliated member of the sponsor, participating employers may also include such employer; and

“(2) all individuals commencing coverage under the plan after certification under this part must be—

“(A) active or retired owners (including self-employed individuals with or without employees), officers, directors, or employees of, or partners in, participating employers; or

“(B) the dependents of individuals described in subparagraph (A).

“(b) **PARTICIPATING EMPLOYERS.**—In applying requirements relating to coverage renewal, a participating employer shall not be deemed to be a plan sponsor.

“(c) **PROHIBITION OF DISCRIMINATION AGAINST EMPLOYERS AND EMPLOYEES ELIGIBLE TO PARTICIPATE.**—The requirements of this subsection are met with respect to a small business health plan if—

“(1) under the terms of the plan, no participating employer may provide health insurance coverage in the individual market for any employee not covered under the plan, if such exclusion of the employee from coverage under the plan is based on a health status-related factor with respect to the employee and such employee would, but for such exclusion on such basis, be eligible for coverage under the plan; and

“(2) information regarding all coverage options available under the plan is made readily available to any employer eligible to participate.

**“SEC. 804. DEFINITIONS; RENEWAL.**

“For purposes of this part:

“(1) **AFFILIATED MEMBER.**—The term ‘affiliated member’ means, in connection with a sponsor—

“(A) a person who is otherwise eligible to be a member of the sponsor but who elects an affiliated status with the sponsor; or

“(B) in the case of a sponsor with members which consist of associations, a person who is a member or employee of any such association and elects an affiliated status with the sponsor.

“(2) **APPLICABLE STATE AUTHORITY.**—The term ‘applicable State authority’ means, with respect to a health insurance issuer in a State, the State insurance commissioner or official or officials designated by the State to enforce the requirements of title XXVII of the Public Health Service Act for the State involved with respect to such issuer.

“(3) **FRANCHISOR; FRANCHISEE.**—The terms ‘franchisor’ and ‘franchisee’ have the meanings given such terms for purposes of sections 436.2(a) through 436.2(c) of title 16, Code of Federal Regulations (including any such amendments to such regulation after the date of enactment of this part) and, for purposes of this part, franchisor or franchisee employers participating in such a group health plan shall not be treated as the employer, co-employer, or joint employer of the employees of another participating franchisor or franchisee employer for any purpose.

“(4) **HEALTH PLAN TERMS.**—The terms ‘group health plan’, ‘health insurance coverage’, and ‘health insurance issuer’ have the meanings given such terms in section 733.

“(5) **INDIVIDUAL MARKET.**—

“(A) IN GENERAL.—The term ‘individual market’ means the market for health insurance coverage offered to individuals other than in connection with a group health plan.

“(B) TREATMENT OF VERY SMALL GROUPS.—

“(i) IN GENERAL.—Subject to clause (ii), such term includes coverage offered in connection with a group health plan that has fewer than 2 participants as current employees or participants described in section 732(d)(3) on the first day of the plan year.

“(ii) STATE EXCEPTION.—Clause (i) shall not apply in the case of health insurance coverage offered in a State if such State regulates the coverage described in such clause in the same manner and to the same extent as coverage in the small group market (as defined in section 2791(e)(5) of the Public Health Service Act) is regulated by such State.

“(6) PARTICIPATING EMPLOYER.—The term ‘participating employer’ means, in connection with a small business health plan, any employer, if any individual who is an employee of such employer, a partner in such employer, or a self-employed individual who is such employer with or without employees (or any dependent, as defined under the terms of the plan, of such individual) is or was covered under such plan in connection with the status of such individual as such an employee, partner, or self-employed individual in relation to the plan.

“(7) SECTION 7705 ORGANIZATION.—The term ‘section 7705 organization’ means an organization providing services for a customer pursuant to a contract meeting the conditions of subparagraphs (A), (B), (C), (D), and (E) (but not (F)) of section 7705(e)(2) of the Internal Revenue Code of 1986, including an entity that is part of a section 7705 organization control group. For purposes of this part, any reference to ‘member’ shall include a customer of a section 7705 organization except with respect to references to a ‘member’ or ‘members’ in paragraph (1).”

(c) PREEMPTION RULES.—Section 514 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1144) is amended by adding at the end the following:

“(f) The provisions of this title shall supersede any and all State laws insofar as they may now or hereafter preclude a health insurance issuer from offering health insurance coverage in connection with a small business health plan which is certified under part 8.”

(d) PLAN SPONSOR.—Section 3(16)(B) of such Act (29 U.S.C. 102(16)(B)) is amended by adding at the end the following new sentence: “Such term also includes a person serving as the sponsor of a small business health plan under part 8.”

(e) SAVINGS CLAUSE.—Section 731(c) of such Act is amended by inserting “or part 8” after “this part”.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect 1 year after the date of the enactment of this Act. The Secretary of Labor shall first issue all regulations necessary to carry out the amendments made by this section within 6 months after the date of the enactment of this Act.

## TITLE II

### SEC. 201. THE PREVENTION AND PUBLIC HEALTH FUND.

Subsection (b) of section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11) is amended—

(1) in paragraph (3), by striking “each of fiscal years 2018 and 2019” and inserting “fiscal year 2018”; and

(2) by striking paragraphs (4) through (8).

### SEC. 202. COMMUNITY HEALTH CENTER PROGRAM.

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting “, and an additional \$422,000,000 for fiscal year 2017” after “2017”.

### SEC. 203. CHANGE IN PERMISSIBLE AGE VARIATION IN HEALTH INSURANCE PREMIUM RATES.

Section 2701(a)(1)(A)(iii) of the Public Health Service Act (42 U.S.C. 300gg(a)(1)(A)(iii)) is amended by inserting after “(consistent with section 2707(c))” the following: “or, for plan years beginning on or after January 1, 2019, 5 to 1 for adults (consistent with section 2707(c)) or such other ratio for adults (consistent with section 2707(c)) as the State may determine”.

### SEC. 204. WAIVERS FOR STATE INNOVATION.

(a) IN GENERAL.—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (B)—

(I) by amending clause (i) to read as follows:

“(i) a description of how the State plan meeting the requirements of a waiver under this section would, with respect to health insurance coverage within the State—

“(I) take the place of the requirements described in paragraph (2) that are waived; and

“(II) provide for alternative means of, and requirements for, increasing access to comprehensive coverage, reducing average premiums, providing consumers the freedom to purchase the health insurance of their choice, and increasing enrollment in private health insurance; and”; and

(II) in clause (ii), by striking “that is budget neutral for the Federal Government” and inserting “, demonstrating that the State plan does not increase the Federal deficit”; and

(ii) in subparagraph (C), by striking “the law” and inserting “a law or has in effect a certification”; and

(B) in paragraph (3)—

(i) in the first sentence, by inserting “or would qualify for a reduction in” after “would not qualify for”; and

(ii) by adding after the second sentence the following: “A State may request that all of, or any portion of, such aggregate amount of such credits or reductions be paid to the State as described in the first sentence.”;

(iii) in the paragraph heading, by striking “PASS THROUGH OF FUNDING” and inserting “FUNDING”;

(iv) by striking “With respect” and inserting the following:

“(A) PASS THROUGH OF FUNDING.—With respect”; and

(v) by adding at the end the following:

“(B) ADDITIONAL FUNDING.—There is authorized to be appropriated, and is appropriated, to the Secretary of Health and Human Services, out of monies in the Treasury not otherwise obligated, \$2,000,000,000 for fiscal year 2017, to remain available until the end of fiscal year 2019, to provide grants to States for purposes of submitting an application for a waiver granted under this section and implementing the State plan under such waiver.

“(C) AUTHORITY TO USE MARKET-BASED HEALTH CARE GRANT ALLOTMENT.—If the State has an application for an allotment under section 2105(i) of the Social Security Act for the plan year, the State may use the

funds available under the State’s allotment for the plan year to carry out the State plan under this section, so long as such use is consistent with the requirements of paragraphs (1) and (7) of section 2105(i) of such Act (other than paragraph (1)(B) of such section). Any funds used to carry out a State plan under this subparagraph shall not be considered in determining whether the State plan increases the Federal deficit.”; and

(C) in paragraph (4), by adding at the end the following:

“(D) EXPEDITED PROCESS.—The Secretary shall establish an expedited application and approval process that may be used if the Secretary determines that such expedited process is necessary to respond to an urgent or emergency situation with respect to health insurance coverage within a State.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “may” and inserting “shall”; and

(II) by striking “only if” and inserting “unless”; and

(ii) by striking “plan—” and all that follows through the period at the end of subparagraph (D) and inserting “application is missing a required element under subsection (a)(1) or that the State plan will increase the Federal deficit, not taking into account any amounts received through a grant under subsection (a)(3)(B).”;

(B) in paragraph (2)—

(i) in the paragraph heading, by inserting “OR CERTIFY” after “LAW”;

(ii) in subparagraph (A), by inserting before the period “, and a certification described in this paragraph is a document, signed by the Governor, and the State insurance commissioner, of the State, that provides authority for State actions under a waiver under this section, including the implementation of the State plan under subsection (a)(1)(B).”; and

(iii) in subparagraph (B)—

(I) in the subparagraph heading, by striking “OF OPT OUT”; and

(II) by striking “may repeal a law” and all that follows through the period at the end and inserting the following: “may terminate the authority provided under the waiver with respect to the State by—

“(i) repealing a law described in subparagraph (A); or

“(ii) terminating a certification described in subparagraph (A), through a certification for such termination signed by the Governor, and the State insurance commissioner, of the State.”;

(3) in subsection (d)(2)(B), by striking “and the reasons therefore” and inserting “and the reasons therefore, and provide the data on which such determination was made”; and

(4) in subsection (e), by striking “No waiver” and all that follows through the period at the end and inserting the following: “A waiver under this section—

“(1) shall be in effect for a period of 8 years unless the State requests a shorter duration;

“(2) may be renewed for unlimited additional 8-year periods upon application by the State; and

“(3) may not be cancelled by the Secretary before the expiration of the 8-year period (including any renewal period under paragraph (2)).”

(b) APPLICABILITY.—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) shall apply as follows:

(1) In the case of a State for which a waiver under such section was granted prior to the

date of enactment of this Act, such section 1332, as in effect on the day before the date of enactment of this Act shall apply to the waiver and State plan.

(2) In the case of a State that submitted an application for a waiver under such section prior to the date of enactment of this Act, and which application the Secretary of Health and Human Services has not approved prior to such date, the State may elect to have such section 1332, as in effect on the day before the date of enactment of this Act, or such section 1332, as amended by subsection (a), apply to such application and State plan.

(3) In the case of a State that submits an application for a waiver under such section on or after the date of enactment of this Act, such section 1332, as amended by subsection (a), shall apply to such application and State plan.

**SEC. 205. ALLOWING ALL INDIVIDUALS PURCHASING HEALTH INSURANCE IN THE INDIVIDUAL MARKET THE OPTION TO PURCHASE A LOWER PREMIUM CATASTROPHIC PLAN.**

(a) IN GENERAL.—Section 1302(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18022(e)) is amended by adding at the end the following:

“(4) CONSUMER FREEDOM.—For plan years beginning on or after January 1, 2019, paragraph (1)(A) shall not apply with respect to any plan offered in the State.”.

(b) RISK POOLS.—Section 1312(c) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(c)) is amended—

(1) in paragraph (1), by inserting “and including, with respect to plan years beginning on or after January 1, 2019, enrollees in catastrophic plans described in section 1302(e)” after “Exchange”; and

(2) in paragraph (2), by inserting “and including, with respect to plan years beginning on or after January 1, 2019, enrollees in catastrophic plans described in section 1302(e)” after “Exchange”.

**SEC. 206. APPLICATION OF ENFORCEMENT PENALTIES.**

(a) IN GENERAL.—Section 2723 of the Public Health Service Act (42 U.S.C. 300gg–22) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “and of section 1303 of the Patient Protection and Affordable Care Act” after “this part”; and

(B) in paragraph (2), by inserting “or in such section 1303” after “this part”; and

(2) in subsection (b)—

(A) in paragraphs (1) and (2)(A), by inserting “or section 1303 of the Patient Protection and Affordable Care Act” after “this part” each place such term appears;

(B) in paragraph (2)(C)(ii), by inserting “and section 1303 of the Patient Protection and Affordable Care Act” after “this part”.

(b) EFFECT OF WAIVER.—A State waiver pursuant to section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) shall not affect the authority of the Secretary to impose penalties under section 2723 of the Public Health Service Act (42 U.S.C. 300gg–22).

**SEC. 207. FUNDING FOR COST-SHARING PAYMENTS.**

There is appropriated to the Secretary of Health and Human Services, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for payments for cost-sharing reductions authorized by the Patient Protection and Affordable Care Act (including adjustments to any prior obligations for such payments) for the period beginning on the date of enactment of this Act and ending on December 31, 2019. Notwithstanding any other provision of this Act, payments and other actions for adjustments to any obligations incurred for plan years 2018 and 2019 may be made through December 31, 2020.

**SEC. 208. REPEAL OF COST-SHARING SUBSIDY PROGRAM.**

(a) IN GENERAL.—Section 1402 of the Patient Protection and Affordable Care Act is repealed.

(b) EFFECTIVE DATE.—The repeal made by subsection (a) shall apply to cost-sharing reductions (and payments to issuers for such reductions) for plan years beginning after December 31, 2019.

**PRIVILEGES OF THE FLOOR**

Mr. SCHUMER. Mr. President, I ask unanimous consent that Bruce King, Charlie Ellsworth, Veronica Duron, and Matthew Fuentes of my staff be given all-access passes to the floor during the consideration of H.R. 1628.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that Julia Rhodes and Kyle Wesson, fellows in my office, be granted floor privileges for the remainder of the debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

**ORDERS FOR THURSDAY, JULY 27, 2017**

Mr. ENZI. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, July 27; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration of H.R. 1628, with the time until 2:15 p.m. equally divided between the two leaders or their designees; and finally, that at 2:15 p.m., the Senate vote in relation to the Daines amendment No. 340, as modified.

The PRESIDING OFFICER. Without objection, it is so ordered.

**ADJOURNMENT UNTIL 10 A.M. TOMORROW**

Mr. ENZI. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:57 p.m., adjourned until Thursday, July 27, 2017, at 10 a.m.

## EXTENSIONS OF REMARKS

HONORING FONA INTERNATIONAL,  
INC.

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 2017

Mr. ROSKAM. Mr. Speaker, I rise today to honor FONA International, Inc., a company located in Geneva, Illinois, which was recently named the number one small/medium workplace in Chicago by Fortune magazine and consulting firm Great Place to Work.

At FONA International, Inc. 97 percent of employees say they are proud of their workplace, have been offered training or development to further themselves professionally, and have access to a special and unique benefit system.

This was only possible due to the leadership of Joe and Mary Slawek. Since FONA International's founding in 1987 the Slaweks have been the driving force behind its exceptional corporate culture which stresses retaining and recognizing its employees. The Slaweks have championed innovative programs and initiatives which have earned their company a spot on the National Association for Business Resources' list of Chicago's 101 Best and Brightest Companies to Work for.

FONA International, Inc. is currently celebrating 30 years creating and producing flavors for the largest food, beverage, and nutrition companies in the world. Their excellent work over the years has made them an industry leader and they have even been awarded the 2016 Food Quality and Safety Award by Food Quality and Safety magazine.

Mr. Speaker and distinguished colleagues, please join me in congratulating FONA International, Inc. on being named the number one workplace in Chicagoland and for their legacy of achievement. FONA International Inc. is a company that truly cares not only for their customers, but also for their employees.

## PERSONAL EXPLANATION

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 2017

Mr. VISCLOSKY. Mr. Speaker, on July 17, 2017, I was absent from the House and missed Roll Call Vote 379. Had I been present for Roll Call Vote 379, on passage of H.R. 2210, I would have voted Yes.

RECOGNIZING THE 27TH ANNIVERSARY OF THE AMERICANS WITH  
DISABILITIES ACT

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 2017

Mr. SENSENBRENNER. Mr. Speaker, today I rise to recognize the 27th Anniversary of the passage of the Americans with Disabilities Act.

Congress passed the ADA to break down the physical and societal barriers that kept disabled Americans from fully participating in the American Dream. From creating standards for wheelchair accessibility in places open to the public, to requiring 911 phone lines to be equipped to respond to hearing-impaired callers, the ADA has transformed the lives of millions of Americans. The progress we've made is remarkable, and I'm proud to have been part of these efforts.

Throughout my career, I have seen few pieces of legislation that bring all people together as much as the ADA. Not only did this historic legislation pass both chambers with large bipartisan majorities, but the ADA Amendments Act passed unanimously in 2008. This legislation shows that Congress can come together to solve problems for the betterment of the American people.

I proudly stand with the thousands of advocates who come to Washington, D.C. this week to continue the fight for the rights of all Americans.

## VALERIA ALU'S 101ST BIRTHDAY

HON. PAUL MITCHELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 2017

Mr. MITCHELL. Mr. Speaker, I rise today to give special recognition to one of Michigan's oldest residents who will celebrate her 101st birthday on August 9th. Ms. Alu was born in 1916 and lived in the Detroit area for over 60 years, witnessing first-hand the incredible changes of the city before moving into Michigan's 10th District. Val, as she likes to be called, spent her life serving others by teaching immigrants the path to gain U.S. citizenship. Val also enjoys reading and has fond memories baking cookies with her daughter every day.

I would like to congratulate Ms. Valeria Alu on this amazing milestone, and thank her for countless years of service. I wish this centenarian a very healthy and happy birthday.

THE IMPORTANCE OF THE CHILD  
NUTRITION REAUTHORIZATION  
ACT

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 2017

Ms. SEWELL of Alabama. Mr. Speaker, today, I rise to express my strong support for reauthorization of the Child Nutrition Reauthorization Act (CNR). Every 5 years, we are provided with an opportunity to strengthen child nutrition and school meal programs so they meet the nutrition needs of our children. The last time we reauthorized Child Nutrition programs was in 2010 when President Obama signed the Health, Hunger-Free Kids Act of 2010. This Act included a number of improvements to the quality of school food and created a national afterschool meal program, in addition to several other positive provisions that have helped to address food insecurity since its passage. That law expired in 2015. Financial problems plaguing the CNR cannot be addressed unless Congress takes decisive action in reforming this legislation.

The issues of food insecurity and nutrition in this country impact far too many families. According to the USDA, 13 percent of American households are food insecure. Families in my district are disproportionately affected by food insecurity. For example, this inadequate access to food is a stark reality for individuals in Wilcox County, where thirty-three percent of the population has uncertain access to food. In Dallas, Greene and Sumter Counties, the food insecurity rate is higher than 29 percent.

Most troubling, though, is the alarming percentage of children in my district affected by the issue of food scarcity. In Tuscaloosa, 23 percent of children faced food scarcity in 2016. Furthermore, sixty-six percent of students in Tuscaloosa City Schools rely on free or reduced lunch programs. For these children, federal programs provide essential nutrition that they would not otherwise have access to.

Hunger can have serious, harmful effects on a child's health and ability to learn. Childhood hunger is associated with behavioral, attention, academic, and emotional problems. These struggles can lead to lower test scores, higher levels of school failure, other potentially lifelong health problems, and learning deficits. Prioritizing this issue is necessary to revitalize the crucial nutrition programs that many children in this country rely on. We cannot afford to leave our most vulnerable citizens without access to the proper resources they need in order to thrive and contribute to our society. That is why I am urging Congress to take action and renew the Child Nutrition Reauthorization Act.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

## PERSONAL EXPLANATION

**HON. RYAN A. COSTELLO**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. COSTELLO of Pennsylvania. Mr. Speaker, on July 24, 2017, I missed three recorded votes on the House floor so that I could be present for the birth of my daughter, Caroline. Had I been present, I would have voted yea on Roll Call 407, yea on Roll Call 408, and yea on Roll Call 409.

RECOGNIZING SOPHIE EUBANKS, 2017 NFIB YOUNG ENTREPRENEUR OF THE YEAR FINALIST

**HON. GEORGE HOLDING**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. HOLDING. Mr. Speaker, I rise today to recognize the distinguished accomplishment of a constituent in my district, Sophie Eubanks, on the occasion of her 2017 NFIB Young Entrepreneur Award.

Miss Eubanks, of Raleigh, NC, is the founder and owner The PinkyGirl, a web based monogramming apparel company.

Mr. Speaker, I ask that my colleagues join me in recognizing Miss Eubanks on her outstanding achievements. We wish her nothing but the best for her future entrepreneurial and educational endeavors.

CELEBRATING THE LIFE AND LEGACY OF EMILIO VARGAS, JR.

**HON. FILEMON VELA**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. VELA. Mr. Speaker, I rise today to honor the life of Emilio Vargas, Jr., a civil rights activist, local historian, and community leader who recently passed away at the age of 83. The Goliad native's reach was immense as he helped both his neighbors and Hispanics throughout Texas gain recognition at the State Capitol.

Mr. Vargas joined the U.S. Air Force in 1954 and served until 1958 when he was honorably discharged. He also served on the Goliad school board and as Precinct 1 Justice of the Peace from 1995 to 2006. Vargas was then employed by the Texas Department of State Health Service for over 30 years.

Mr. Vargas made it his mission to educate and empower people in communities across the state of Texas. Realizing that only through education could Hispanics advance, he set out to influence many lives, especially those of Hispanic youth. An avid historian, he worked tirelessly to share stories of struggle and the proud traditions of those whose heritage he shared. Through his tireless efforts with the Ignacio Zaragoza Society, one of the many nonprofits he served during his life, Emilio

shaped the lives of countless people in his community.

Emilio Vargas will be missed for his tremendous heart, his sense of duty and his unwavering belief that this land is a land for all.

Mr. Speaker, I honor Mr. Emilio Vargas, Jr. I ask my colleagues to join me in carrying on his legacy.

SELFRIDGE ANGB 100TH ANNIVERSARY

**HON. SANDER M. LEVIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. LEVIN. Mr. Speaker, I rise today to recognize the 100th Anniversary of Selfridge Air National Guard Base. Selfridge ANGB is home to the Air National Guard 127th Wing, which operates KC-135 Stratotankers and the A-10 Thunderbolt II. The base is also currently home to more than 20 tenant units from all branches of the military, the Coast Guard, and Border Patrol.

Opened in 1917, the base, then called Selfridge Field, was one of only nine military air fields in the United States as we entered World War I. The field remained a training ground through World War II. In 1943, the 332d Fighter Group of the historic Tuskegee Army was garrisoned at the base.

After World War II ended, Selfridge expanded its borders to its current size and was renamed Selfridge Air Force Base. The base continued to train pilots and stand ready through the Cold War. For twenty years, Selfridge AFB provided ground-controlled interception coverage for interceptor aircraft and surface-to-air missiles. When the Air Force's mission at Selfridge ended in 1970, the base was transferred to the Michigan Air National Guard, becoming Selfridge Air National Guard Base.

Today, Selfridge ANGB continues to be an important member of the southeast Michigan region, and a vital resource in the defense of our nation. The base works to bring aviation themed math and science education to our community through the STARBASE program. Selfridge ANGB also continues to excel at its mission, and was most recently awarded both the Carl A. Spaatz Award and the Air Force Meritorious Unit Award.

I encourage my colleagues to join me in celebrating and honoring the 100th Anniversary of Selfridge Air National Guard Base and the men and women of the 127th Wing who continue to serve our country admirably. As a beacon of community involvement and military excellence, we look forward to Selfridge ANGB's continued service for many years to come.

HONORING THE HONORABLE SAMUEL M. MORRIS

**HON. THOMAS MacARTHUR**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. MACARTHUR. Mr. Speaker, I rise today to honor the memory and life of the Honorable

Samuel M. Morris of the Third Congressional District of New Jersey, and to express my sincerest condolences to his family and loved ones he has left behind, as well as to recognize his career of public service.

Samuel was known for his unwavering focus on his goals. His talent for advocacy started in high school where he was an active member of the Debating Club at Point Pleasant Beach High School. He was a talented athlete, and was a member of the 1953 "miracle gulls" football team, which won the Group I State Championship.

In 1954, Samuel responded to our nation's call by joining and serving in the armed forces with the Engineers of the 11th Airborne. With a passion for learning, specifically the law, he continued his academic studies while serving his country, taking courses in German and International Law in Munich, Germany. Among his return home to the United States, Samuel completed his Bachelor's Degree in History and Political Science at Monmouth College and eventually received his Juris Doctor Degree from the Seton Hall University School of Law. Samuel went on to lead a successful legal career, first practicing for Mead, Gleason, Hansen, and Pantagesa Firm in Newark, New Jersey, specializing in Workers' Compensation Law. Samuel decided to open his own practice in his hometown of Brick, New Jersey. After years of establishing a successful private practice, Samuel was appointed to become the Brick Township Municipal Judge. He was so successful in that position, that he was called upon by other townships to help them establish their municipal court systems. He was known and well respected in every township that he presided over in the years to come.

Beyond his illustrious legal career, Samuel was a dedicated family man, who married his wife Lynn in 1956. Samuel enjoyed spending time with Lynn, their five children, and many grandchildren, and great-grandchildren.

Mr. Speaker, the people of New Jersey's Third Congressional District are tremendously honored to have had the Honorable Samuel M. Morris as a selfless and dedicated member of their community who devoted his career to bettering the world around him. It is with a heavy heart that I commemorate his veteran service, career, and life, and recognize the lasting legacy of public service that he has left behind, before the United States House of Representatives.

RECOGNIZING THE AMERICAN CHINESE COMMERCE ASSOCIATION (HK)

**HON. NYDIA M. VELÁZQUEZ**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Ms. VELÁZQUEZ. Mr. Speaker, it is my honor to recognize the American Chinese Commerce Association (HK) as they celebrate 20 years of exemplary service to the Asian American community.

Since it began, the American Chinese Commerce Association (HK) has been a voice for Chinese immigrants and Chinese Americans



living in New York City and around the globe. As one of the largest chambers of commerce in the United States, the association is committed to providing business opportunities in the American and Chinese business sectors. By assisting immigrants as they develop successful business enterprises, the association is a bold advocate for local small businesses and entrepreneurs.

When it comes to maintaining business and trade relationships between the U.S. and China, the American Chinese Commerce Association works to protect the best interests of both parties.

I sincerely congratulate American Chinese Commerce Association (HK) for its proud history and many achievements. The future is bright for many more years of successful and even life-changing work.

#### PERSONAL EXPLANATION

### HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. RENACCI. Mr. Speaker, had I been present, I would have voted YEA on Roll Call No. 410, YEA on Roll Call No. 411, YEA on Roll Call No. 412, and YEA on Roll Call No. 413.

#### IN RECOGNITION OF LARRY GREENE

### HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Ms. MATSUI. Mr. Speaker, today I stand to recognize Mr. Larry Greene's retirement from the position of Executive Director of the Sacramento Metropolitan Air Quality Management District. I ask all my colleagues to join me in honoring Mr. Greene and his outstanding dedication to cleaner air in my hometown of Sacramento.

Mr. Greene served our region for twenty-two years, helping to produce cleaner air, prolong lifespans, and protect the environment. He was a two-term president of the California Air Pollution Control Officers Association (CAPCOA), and holds a permanent seat on its Board of Directors. Larry's public service also included a term as President of the National Association of Clean Air Agencies. Before he delved into clean air policy, Mr. Greene served our country in the United States Army for 25 years, specializing in logistics management. Clearly, Larry Greene is the epitome of a public servant.

Since 1990, the Sacramento region has benefited from a 66 percent drop in nitrogen oxides, largely thanks to Mr. Greene's efforts. He has been the main proponent for many clean air programs, including the "Spare the Air" and "Check Before You Burn" campaigns. His success can be attributed to his methods of working as a partner for elected officials and community organizations that seek out solid, incentive-based solutions for busi-

nesses. Communities across our country that wish to improve their air quality should look no further than Larry for the model of what a clean air advocate can do.

Mr. Speaker, I stand to honor Mr. Larry Greene today and to wish him the best of luck in retirement. I ask all my colleagues to join me in paying tribute to Mr. Greene for his unwavering dedication to the air quality of the Sacramento region.

#### CELEBRATING THE EXPANSION OF THE SCIENCE BUILDING AT SUNY ADIRONDACK

### HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize the ribbon cutting for the new expansion of the science building at SUNY Adirondack.

SUNY Adirondack is a regional leader in education. Their dedicated faculty and motivated students share the college's interactive and community-oriented mission. Since its founding in 1961, SUNY Adirondack has created opportunities for growth and excellence in the North Country.

In service of this educational mission, SUNY Adirondack has been constructing two additions to its current science building. On one side, a new science wing features redesigned classrooms, increased laboratory spaces, and a greenhouse. These modernized and expanded facilities will house the nursing, science, technology, engineering, and math programs at the college. On the other side, a new Workforce Readiness Center is scheduled to be finished by the end of the year. The enlarged and renovated building, renamed 'Adirondack Hall,' embraces the dynamic and innovative learning style of the college.

On behalf of New York's 21st District, I want to congratulate SUNY Adirondack on their new facilities. We are grateful for their commitment to educating our community, and hope that this expansion serves them well for many years to come.

#### CELEBRATING THE 50TH ANNIVERSARY OF QUEEN OF PEACE PARISH IN HARLINGEN, TEXAS

### HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. VELA. Mr. Speaker, I rise today to honor the Queen of Peace Parish as they celebrate 50 years of service.

Located in the South Texas city of Harlingen, Queen of Peace Parish was founded in 1967 when the Congregation of the Sacred Hearts of Jesus and Mary ventured from Fairhaven, Massachusetts, to Harlingen to establish their presence in the newly formed Diocese of Brownsville. Since its formation, the parish has focused on families, and that continues to be a cornerstone today. For 50

years, its members have volunteered time and energy to helping those most in need.

The parish, through Fr. Regis Kwiatkowski SS.CC, inherited a tract of land designated for low-income housing development. The land was then sold to purchase a corner lot where the first rectory was built, originally just a farm house. Today the church building sits on that same piece of property, and September 2017 marks the anniversary of the congregation's presence in the community.

Queen of Peace Parish has made a lasting, positive impact in our community, and they will continue to play a role in the improvement of South Texas. I rise today to congratulate them for their half-century of success.

#### RECOGNIZING LA SOUPE

### HON. BRAD R. WENSTRUP

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. WENSTRUP. Mr. Speaker, I rise today to share the story of La Soupe, a local non-profit here in Cincinnati, with the rest of the country and to recognize them for their contributions to our community.

La Soupe is a non-profit organization run by a local chef, Suzy DeYoung. They take the food-waste donations of local grocery stores—food that would otherwise be thrown out at the end of the day—and turn it into delicious soups, that are then given to people who are hungry.

In 2016 alone, La Soupe successfully rescued 125,000 pounds of food from going to the landfill and donated over 95,000 servings to people living in food insecurity.

La Soupe's impact in the Greater Cincinnati area should be shared with the country as we work to address poverty, and the challenges that Americans experiencing poverty face every day. La Soupe is a prime example of why the federal government needs to focus on empowering local poverty and hunger initiatives to thrive. They know the community best—and are positioned to provide the local solutions that are needed to help their neighbors.

Thank you to Suzy, and the staff at La Soupe, for their dedication to the wellbeing of all members of our community. I look forward to watching the further success of La Soupe, and the impact it makes on Ohio's Second District, and the country.

#### RECOGNIZING THE DISTINGUISHED SERVICE OF DR. GARY OBERG

### HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. ROSKAM. Mr. Speaker, I rise today to recognize a dedicated public servant from Crystal Lake, Illinois, Dr. Gary Oberg. Dr. Oberg has been a school board member for the past 30 years and this past April he concluded his service to Crystal Lake School District 155.

Since joining the board in 1985, Dr. Oberg has seen 36,000 students graduate from Community High School District 155, worked with six superintendents, and witnessed the transition from blackboards and overhead projectors to tablets and high-tech whiteboards.

During his tenure, Dr. Oberg has been an exemplary leader and public servant. Dr. Oberg played a key role in building Prairie Ridge High School. While on the Building and Grounds Committee during that time, he helped incorporate principles of good environmental practices in its construction. He also oversaw the expansion of educational programs and schools including Cary-Grove High School's D and E wings, media center, and fine arts center, expansions at Crystal Lake South in 2003 and 2006, and the opening of Haber Oaks alternative high school in 2008.

Dr. Oberg has represented his community well and has been a strong voice for the City of Crystal Lake throughout his time in office. His long service to the students and families of Crystal Lake and to McHenry County is truly commendable. Although he is retiring, Crystal Lake will continue to benefit from his involvement as a member of the community.

Mr. Speaker and distinguished colleagues, please join me in congratulating Dr. Gary Oberg on 32 years of public service and in wishing him all the best for the days ahead.

FLORIDA INVENTORS HALL OF  
FAME 2017

**HON. GUS M. BILIRAKIS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor the eight inventors who have been recognized as the 2017 Inductees of the Florida Inventors Hall of Fame. In order to be named as an Inductee, these inventors were nominated by their peers nationwide and have undergone the scrutiny of the Florida Inventors Hall of Fame Selection Committee. As a result, their innovations have been identified as significantly impacting the quality of life, economic development, and welfare of their communities, the citizens of Florida, and the United States.

The Florida Inventors Hall of Fame was founded in 2013 by Paul R. Sanberg, Senior Vice President for Research, Innovation and Knowledge Enterprise, and Judy Genshaft, President, at the University of South Florida. It was recognized by the Florida Senate with Senate Resolution 1756, adopted on April 30, 2014. Its mission is to encourage individuals of all backgrounds to strive toward the betterment of Florida and society through continuous, groundbreaking innovation by celebrating the incredible scientific work that has been or is being accomplished in Florida and by its citizens.

Nomination to the Florida Inventors Hall of Fame is open to all Florida inventors (living or dead) who are or have been residents of Florida. The nominee must be a named inventor on a patent issued by the United States Patent and Trademark Office. The impact of the inventor and his or her invention should be

significant to society as a whole, and the invention should have been commercialized, utilized, or led to important innovations.

The 2017 Inductees of the Florida Inventors Hall of Fame are:

Issa Batarseh, director of the Florida Power Electronics Center at the University of Central Florida in Orlando, for inventing low cost, high efficiency micro-inverters for photovoltaic (PV) applications that led to the creation of the first compact single solar PV panel;

Michael J. DeLuca, electrical engineer and intellectual property counsel for NextEra Energy, Florida Power & Light, in Juno Beach, for his groundbreaking technology known today as "voltage scaling," which significantly increased the battery life of portable communication devices;

Kenneth M. Ford, co-founder and CEO of the Florida Institute for Human and Machine Cognition, in Pensacola and Ocala, for his pioneering work in artificial intelligence and human-centered computing, and for his significant contributions to the United States and Florida's technology and research communities;

Phillip Frost, physician, inventor, and current CEO of OPKO Health in Miami, who invented a revolutionary disposable punch biopsy tool, as well as various therapeutic methods for treating psoriasis, heart and respiratory diseases;

Richard D. Gitlin, State of Florida 21st Century World Class Scholar and Distinguished University Professor at the University of South Florida in Tampa, for development of the original digital subscriber line (DSL) and his subsequent inventive research and development in digital communications, broadband networking, and wireless systems that transformed communication technology;

Thomas H. Maren, (1918–1999), physician, Graduate Research Professor at the University of Florida (UF) in Gainesville, and charter member of the UF College of Medicine faculty, who made underlying discoveries that resulted in the invention and commercialization of Trusopt®, the first topical treatment for glaucoma; and

T. Dwayne McCay and Mary Helen McCay. Dwayne McCay, President of the Florida Institute of Technology (FIT) in Melbourne, and Mary Helen McCay, whose novel approaches in the area of metallurgical engineering, specific to laser-induced surface improvement (LISI), have greatly contributed to increased patient safety and improved medical outcomes in facilities nationwide.

Innovation and invention are the building blocks of our nation. I applaud these highly accomplished individuals and the organizations that support them in their quest to change the world in ways that truly benefit humanity. Furthermore, it is because of the perseverance of these inventors that future generations are encouraged to reach beyond their limits and push the boundaries of innovation.

IN RECOGNITION OF BELFRY HIGH SCHOOL FOOTBALL COACH PHILIP HAYWOOD, FOR BEING NAMED COACH OF THE YEAR BY THE NATIONAL HIGH SCHOOL ATHLETIC COACHES ASSOCIATION

**HON. HAROLD ROGERS**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. ROGERS of Kentucky. Mr. Speaker, it is my pleasure to rise today in recognition of the outstanding achievements of one of my constituents, the Head Football Coach of Belfry High School, Mr. Philip Haywood. Unparalleled among his peers, Coach Haywood was recently named Coach of the Year by the National High School Athletic Coaches Association. A native of Prestonsburg, he has coached Eastern Kentuckians for more than 40 years, and is the winningest coach in Kentucky history with a record of 417 wins and only 130 losses.

Clearly, this is not the first major award Coach Haywood has received—far from it. In 2013, Coach Haywood was named USA Today's National Coach of the Year, an award voted on by fans, and a clear indication of how beloved he is by those who know and appreciate football, both inside the Commonwealth and beyond it. In 2014, he received the Blanton Collier School Coach of the Year award, an honor reserved for only the best coaches in Kentucky. In 2016, he was inducted into the Kentucky High School Coaches Hall of Fame. To the surprise of no one, Coach Haywood has been named the Courier-Journal Coach of the Year five different times. His successes are many, and his impact far-reaching.

Accolades aside, what truly separates Coach Haywood from the rest of the field is his dedication to "Faith, Family, and Football," the title of a book he recently authored that speaks to the eternal. Coach Haywood has been a longtime youth leader and choir director in his local church, and has served as a Fellowship of Christian Athletes Huddle leader at Belfry for over 30 years. As a coach and mentor, he has taught his student-athletes the value of self-discipline, to overcome defeat, to be gracious in victory, and to persevere through every test. He has mentored hundreds of students, guiding them along the straight and narrow path. An exemplary model of success and virtue, I thank Coach Haywood for his many years of service to the Fifth District. His efforts, past and present, are much appreciated.

CELEBRATING THE LIFE AND LEGACY OF MOISES VICENTE VELA, SR.

**HON. FILEMON VELA**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. VELA. Mr. Speaker, I rise to honor the memory of Moises Vicente Vela, Sr., beloved patriarch of one of the most prominent and

loved families of the Rio Grande Valley, who passed away on June 11, 2017.

Judge Vela, or "Moe," as he was known to friends and family, was born and raised in Harlingen, Texas. Judge Vela returned to his hometown following his graduation from St. Mary's University School of Law in San Antonio. He later served as a municipal court judge in Harlingen and was one of the first Hispanics to serve as Cameron County judge.

Beloved by his community, Judge Vela was dedicated to improving the lives of those around him. From his involvement with the Boys and Girls Club of Harlingen, Lions Club, Jaycees, and the Vietnam War Selective Service Draft Board to his contributions as a former Chairman of the Board of Regents of Pan American University (UTRGV), Judge Vela deeply cared about creating a more prosperous future for residents of the Rio Grande Valley.

In spite of his 50 plus years of service to his community, Judge Vela considered his wife, five children, 10 grandchildren and five great-grandchildren his greatest accomplishment. He will be remembered as a kind and generous man, whose legacy will forever live on in South Texas.

Mr. Speaker, I ask my colleagues to join me today to honor Judge Vela for his lifetime of service to our community. The Rio Grande Valley has lost one of its finest, and his absence will be felt for a long time to come.

#### INTRODUCTION OF THE AMERICAN OPPORTUNITY CARBON FEE ACT

#### HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. BLUMENAUER. Mr. Speaker, this administration has made attacking the environment and rolling back progress we've made fighting climate change one of its top priorities. The most recent example is the U.S. withdrawal from the Paris climate agreement. They're taking us backwards. Future generations will shoulder the devastation of increased temperatures, rising sea levels, and environmental degradation.

We can't deny modern science. Human activities, including the burning of fossil fuels, are contributing to climate change. The United States is a major contributor to global carbon pollution and shows little sign of stopping. We have a moral responsibility to reverse this trend and place sensible limits on emissions.

In the absence of leadership from the White House, Congress must step up. That's why this week, my colleague Representative DAVID CICILLINE and I are joining our colleagues, Senators SHELDON WHITEHOUSE and BRIAN SCHATZ, in introducing legislation to finally put a clear price on carbon pollution and begin to drastically lower our emissions.

The American Opportunity Carbon Fee Act would place a \$49 fee on every metric ton of carbon emissions starting in 2018. This fee would increase every year to ensure that polluters pay their fair share. It also levels the playing field by pricing dirty energy accurately—so clean energy can better compete.

To ensure that the American people aren't hurt by this price on carbon, part of the fee would be returned to the public every year as a refundable tax credit. Additional funds would be used to help vulnerable communities who might be impacted by higher heating and electricity bills.

Putting a price on emissions is a crucial element of our transition to a low carbon future, helping us not just stave off the worst impacts of climate change, but also grow the "clean economy," create jobs, and save money.

Reducing the amount of carbon that we put into the air is just one part of the fight against climate change. When paired with investments in public transit, affordable housing, and clean energy jobs, particularly in those communities most impacted by climate change, this bill can kick-start much needed climate action.

I am under no illusion that this bill will move to the floor as is, but this is an important step to engaging in a bipartisan, bicameral discussion on how to best put a price on carbon. It's time to wake up, and I urge my colleagues to join us in finally taking meaningful Congressional action to address climate change.

#### RECOGNIZING SERGEANT FIRST CLASS EDWARD "GRADY" HALCOMB

#### HON. DENNIS A. ROSS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. ROSS. Mr. Speaker, I rise today to recognize Sergeant First Class Edward "Grady" Halcomb and his brave and selfless acts while serving as a medic for Company B, 1st Battalion of the 29th Infantry Division in the United States Army during the Korean War. Sergeant First Class Halcomb passed away on July 2, 2017.

A veteran of 20 years of service, Sergeant First Class Halcomb's strength and care for his fellow soldiers during the war was truly exemplary. At only 19 years old, he endured and witnessed unspeakable horrors that no one should ever have to experience. No matter how dangerous or grim the circumstances, he never gave up hope on his fellow soldiers, his country or himself.

His company was outnumbered by North Korean troops, depleted of all ammo, and captured. One of only 11 men left after battle, then-Private First Class Halcomb was forced to walk the 120-mile Seoul Death March to Pyongyang, North Korea, where he and more than 300 American troops were held as prisoners of war (POWs).

As numerous soldiers were dying daily from malnutrition and medical issues, Private First Class Halcomb risked his life day-after-day to protect and save his fellow soldiers by helping to negotiate food and medicine for them.

After 85 torturous and terrifying days of being POWs, Private First Class Halcomb and four other soldiers miraculously escaped and were rescued, only days before the rest of the prisoners were brutally murdered.

Sergeant First Class Grady Halcomb's valor, sacrifice and service to this country communicate an incredible testimony of a man who

put his life on the line for America and its people. Because of him, and soldiers like him, we are able to enjoy the benefits of living in the greatest nation on Earth.

Although we owe more to Sergeant First Class Halcomb than we can ever truly repay, one of my greatest honors and joys of being a Member of Congress was presenting him with the Distinguished Service Cross, for which he so richly deserved and humbly accepted after never seeking any recognition or glory for his heroic actions.

Not only was Sergeant First Class Halcomb a tremendous soldier, he was also an exceptional representation of the Polk County communities that I am honored to represent. Having the opportunity to meet him and his family is a treasure I will forever hold close to my heart.

The depth of appreciation, respect and admiration I have for Sergeant First Class Halcomb and his fellow soldiers is immeasurable. He will be dearly missed.

Let us never forget or take for granted the selfless and courageous acts by Sergeant First Class Halcomb and our service members to protect us and our freedoms every single day. May God bless them all, and may God bless the United States of America.

#### HONORING LEE BEALUK

#### HON. THOMAS MacARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. MACARTHUR. Mr. Speaker, I rise today to honor the leadership and contributions of Lee Bealuk, of the Third Congressional District of New Jersey, specifically all that he has done for the Township of Medford. Lee has served in a leadership capacity with Boy Scout Troop No. 20 of Medford for over 50 years, currently serving as Scoutmaster Emeritus and mentor to scouts who are working towards attaining the rank of Eagle Scout.

Lee has mentored 84 young men from Troop No. 20 who have achieved this rank, the highest within the Boy Scouts of America organization. Lee's accomplishments with Troop No. 20's Eagle Scouts are astonishing given that less than 5 percent of youth who participate in Boy Scouts achieve this rank. As a component of the Eagle Scout process, the candidate must develop, coordinate, and implement a community service project and with 84 Scouts earning this rank, the Township of Medford as well as many other local facilities, have been the beneficiaries of the projects undertaken by the Eagle Scout candidates.

Lee serves as the liaison between each Eagle Scout and the entities where the projects are conducted and his diligence in ensuring that all the logistics have been addressed is an excellent example to the Scout, while imparting other Boy Scout ideals including responsibility, community involvement, and civic duty. Lee's leadership skills and dedication are an asset to the Boy Scouts of America Troop No. 20, his community, his family, and his friends.

Mr. Speaker, the people of New Jersey's Third Congressional District are tremendously

honored to have Mr. Lee Bealuk as a selfless and devoted member of their community who has made a tremendous impact on our future generations of leaders. It is my honor to recognize his outstanding achievements and untiring dedication in mentoring the young men and fellow Scoutmasters who participate with Troop No. 20, especially those who commit to attaining the rank of Eagle Scout, and thank him for all that he has done, before the United State House of Representatives.

IN RECOGNITION OF THE CAREER  
OF TOM BEEDE

**HON. DORIS O. MATSUI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Ms. MATSUI. Mr. Speaker, today I stand to recognize Mr. Tom Beede's illustrious and successful career as President, CFO, and CEO of MetroList Services, Inc. On the occasion of his retirement, I ask all my colleagues to join me in honoring Mr. Beede and his outstanding career at MetroList.

Mr. Beede has served more than thirty-two years with MetroList and more than forty years in the MLS industry. Before his time with MetroList, he was an Account Manager for PRC Realty where he created the first MLS computer system for the Sacramento, El Dorado, and Placer Associations of Realtors. He was eventually hired by MetroList to help manage, build, and lead it as the first MLS company in the United States to own and operate its own MLS computer system.

In large part due to Mr. Beede's hard work and visionary leadership, MetroList became an organization with a culture of unparalleled customer service, subscriber value, and high level data integrity. His success can be attributed to his ability to bring the best products and services to MetroList's customers, and to his commitment to forming regional relationships and finding new, cost-effective ways to share MLS data.

Mr. Speaker, it gives me nothing but pride to stand and honor Mr. Tom Beede today and wish him the best of luck in retirement. I ask all of my colleagues to join me in paying tribute to Mr. Beede and his outstanding service to the Sacramento region.

RECOGNIZING ELLEN  
SCHLECHTER, 2017 NFIB YOUNG  
ENTREPRENEUR OF THE YEAR  
FINALIST

**HON. KRISTI L. NOEM**

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mrs. NOEM. Mr. Speaker, I rise today to recognize Ellen Schlechter, a South Dakotan and recipient of the 2017 National Federation of Independent Business Young Entrepreneur Award.

A resident of Orient, South Dakota, Ellen is the founder and owner of the Calving Book App. Being a South Dakota farmer and ranch-

er myself, I understand the onerous nature of calving season. Any effort to make this time of year more manageable should be pursued. Ellen's app makes it simple and convenient to keep, search, and share your operation's calving records on a phone, tablet, or computer. Data on breeding, preg-checking, and weaning can also be recorded. This might just be the next generation of ranch management.

Mr. Speaker, I ask that my colleagues join me in recognizing a fellow South Dakotan, Ellen Schlechter, for her bold, innovative steps as a young entrepreneur. I can't wait to see where this app goes next.

HONORING CHIEF ALONZO MORALES, TEXAS' FIREFIGHTER OF THE YEAR

**HON. FILEMON VELA**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. VELA. Mr. Speaker, I rise today to honor Chief Alonzo Morales, Texas Firefighter of the Year.

Chief Morales began working with the Goliad Volunteer Fire Department when he was eighteen years old. He has been with the department for 37 years, serving for the past 27 years as its Fire Chief.

In addition to his role with the Volunteer Fire Department, Morales is County Commissioner for Precinct Two, a post he has held since 2010.

Morales represented the Guadalupe District at the State Firefighters' and Fire Marshals' Association of Texas' conference in San Marcos earlier this summer. His district nominated him for Texas Firefighter of the Year before the conference, and he was interviewed by a panel of judges which selected him for the award.

Chief Morales has had a substantial positive impact on his community, dedicating his life to serving the city of Goliad and its surrounding county, and will undoubtedly continue to do so for years to come. I rise today to congratulate Chief Alonzo Morales for being honored as the Texas Firefighter of the Year.

CPL. EDWARD LEE BORDERS

**HON. JOHN SHIMKUS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. SHIMKUS. Mr. Speaker, I rise to honor and tell the story of Army Reserve Corporal Edward Lee Borders, a soldier who gave his life for this country in the Korean War.

Cpl. Borders served as a member of D Battery, 82nd Anti-Aircraft Artillery Battalion, 2nd Infantry Division, supporting South Korean Army attacks against units of the Chinese People's Volunteer Forces (CPVF). On February 11, 1951, the DPAA report shows that the CPVF was able to force the South Koreans to withdraw and leave the Support Force 21, which included Borders' unit, behind at Changbong-ni.

Cpl. Borders was reported as missing in action on February 13, 1951, when he did not report with his unit in Wonju. Three years later, he was declared dead, but his body was never identified. Cpl. Border's father put up a monument in a Harrisburg, Illinois cemetery with the hope of someday laying his son to rest.

For 66 years, the family could not glean any further information, despite consistent investigations from Borders' father and stepmother. However, recently Army Reserve Cpl. Edward Lee Borders' body was finally identified from the remains returned to the United States from North Korea between 1990 and 1994. Per his family's request, his remains are returning home to Illinois. After receiving plane-side honors, Cpl. Borders will be escorted to his final resting place by an honor guard and members of the Patriot Riders.

The Borders family will bury Cpl. Borders on July 29 in Harrisburg, Illinois, where he will receive a service with full military honors. Finally, the Borders family will be able to honor Army Reserve Cpl. Edward Lee Borders by laying him to rest at the monument placed in his name, thereby fulfilling the 66-year-old wish of a father to bury his son.

I am proud to acknowledge the Borders family for their love for our country and their family, and I thank Cpl. Edward Lee Borders for his service and his sacrifice.

RECOGNIZING MS. MAY LIANG MUI  
AND MR. BAITON YAN

**HON. NYDIA M. VELÁZQUEZ**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Ms. VELÁZQUEZ. Mr. Speaker, it is my honor to recognize Ms. May Liang Mui and Mr. Baitong Yan on their upcoming 2017 "No-Boundaries" International Art Exhibition.

A non-profit exhibition held annually, "No-Boundaries" harnesses the power of art and art education to promote social responsibility among students who hail from all corners of the globe. During this event, students have the opportunity to work alongside professional artists and cultivate a project that fuses art, culture and global human rights.

Held at the United Nations (UN) in New York City, UN officials will present awards to outstanding young art students. Taken to prove that art truly has no boundaries, students of all different backgrounds will gather to traverse cultural barriers and express themselves through art.

I applaud all those involved in organizing such a rich cultural event right in the center of New York City. I extend my best wishes for a successful and inspiring exhibition.

HONORING THE SERVICE OF MR.  
RYSZARD "RICHARD" LABA

**HON. JAMES P. McGOVERN**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. McGOVERN. Mr. Speaker, I rise today to honor Mr. Ryszard "Richard" Laba, a longtime resident of Northbridge, Massachusetts who served as a United States Army Military Policeman in Vietnam.

Mr. Laba was born in Poland and moved to the United States at 16 to live with his brother in Worcester, Massachusetts. At 21, he was drafted into the Army and served honorably in Vietnam between 1967 and 1969. Wounded in combat and exposed to the dangerous chemical Agent Orange, Mr. Laba returned home to Massachusetts.

Back home, Mr. Laba was a hard worker and a family man who loved his community. He served as an assistant foreman at the Worcester Gear Company for 39 years, retiring in 2003. He passed away on September 10, 2012 at the age of 66. He is survived by his wife Margaret, who has worked tirelessly to raise awareness about Vietnam veterans, like her husband, who have experienced the debilitating effects of Agent Orange.

Mr. Laba may not have been born an American, but he was so proud of his adopted country. His selflessness is an example for all who aspire to public service.

Mr. Speaker, while we cannot change the past, we can make every effort to express our most sincere gratitude to all Vietnam veterans and their families that are with us today.

On behalf of the people of Massachusetts, please join me in extending my deepest thanks to Richard Laba for his courageous service to our country. It is imperative that we continue to remind future generations of the character and integrity of those who served during the Vietnam War. I know my House colleagues will join me in remembering Richard, along with all those who served with him in Vietnam.

INTRODUCING THE INTERSTATE  
TEACHING MOBILITY ACT

**HON. ANDRÉ CARSON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. CARSON of Indiana. Mr. Speaker, today I rise to re-introduce the bipartisan Interstate Teaching Mobility Act. This broadly supported and bipartisan proposal would authorize the Secretary of Education to work with an outside entity to create a voluntary, interstate teacher licensing program that would allow eligible teachers to transfer their licenses between states.

Our country's systems of teacher licensure create problems for teachers, students, and schools alike. Licensing and certification requirements for teachers are inconsistent from state to state, and even within states, with hundreds of licensure tests in use and other requirements varying substantially. The level

of rigor is also highly variable—with the bar far too low in many cases. As a result of these differences, the majority of states do not accept out-of-state teaching credentials.

For teachers, this poses clear obstacles. A teacher licensed in one state who wishes to teach in another may have to complete additional requirements, such as exams or coursework, or pay additional fees, even if he has already completed an approved credentialing program or has a strong teaching record. As our nation's workforce becomes increasingly mobile, these requirements dramatically decrease the mobility of our nation's teaching workforce. For military spouses, who frequently relocate—among whom teaching is the second most common profession—or out-of-state college graduates wishing to teach in their home state, this problem is particularly acute. These roadblocks likely deter many prospective teachers from entering this vital profession.

The system also presents a real problem for school districts, as schools across the country face a growing teacher shortage. Across the board, teacher education enrollment dropped 35 percent from 2009 to 2014; however, the types of shortages vary across states. Limited licensure policies make it even more difficult for school administrators to fill teaching positions—and for students, the consequence results in less access to high-quality teachers.

The Interstate Teaching Mobility Act would direct the Department of Education to create a new, voluntary program for states to participate in an interstate teaching application process. Teachers licensed or certified in one participating state would be eligible to teach in another. A participating state would be required to adhere to standards of content knowledge, pedagogical assessment, and performance assessment identified as sufficiently rigorous by an outside organization. This would ensure high standards for our teachers, while maintaining the essential role of the states in setting specific requirements for teaching in the state or obtaining licenses in the state.

With programs like the one envisioned by this bill, teachers could far more easily transfer their skills to another participating state. Teachers would benefit from the ability to more easily relocate, while schools and districts would have superior options for filling teacher shortages. Above all, students will benefit from rigorous standards set by their home state and will have increased access to high-quality teachers.

I urge my colleagues to join me in supporting the Interstate Teaching Mobility Act.

HONORING THE LIFE AND LEGACY  
OF ROMEO LOMAS

**HON. FILEMON VELA**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. VELA. Mr. Speaker, I rise today to honor the life and legacy of Romeo Lomas for his dedicated service to his fellow Texans.

Romeo Lomas served as the longest tenured County Commissioner in Kleberg

County. He was adored by the people in his precinct, who convinced him to run for office in 1979 after a career as a barber and an enlistment in the U.S. Army. For 38 years, Mr. Lomas played an integral role in the development of his community by championing causes for the poor and elderly. Lomas was a staunch proponent of voting rights and encouraged citizens to participate in the electoral process. He was a strong advocate of equal opportunities for workers in Kleberg County and supported wage raises. While Mr. Lomas accomplished much in life, one of his greatest achievements during his time in office was the establishment of the Kleberg County Human Services Department which continues to provide hot meals and public transportation for disabled and elderly citizens in the area today.

Romeo Lomas was born on September 3, 1937 to Santiago and Estella Lomas in Kingsville, TX. He was married to Doris Lee Lomas, who lost her battle with cancer in July, 2014. He is survived by his daughter, Crystal Runyon, one granddaughter, Luna Lee Runyon, and a sister, Hilda Garcia.

Mr. Speaker, I ask my colleagues to join me today to honor Romeo Lomas for his lifetime of service to our community. I considered him a friend and a role model, and his loss will be felt for a long time to come.

HONORING DELILAH RUMBURG ON  
HER RETIREMENT AFTER 23  
YEARS OF SERVICE AS CHIEF  
EXECUTIVE OFFICER OF THE  
PENNSYLVANIA COALITION  
AGAINST RAPE

**HON. SCOTT PERRY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. PERRY. Mr. Speaker, today I offer my sincere congratulations to my constituent, Delilah Rumburg, on her upcoming retirement after more than 23 years of service as Chief Executive Officer of the Pennsylvania Coalition Against Rape (PCAR).

Delilah began her service to our community in 1981, at ACCESS York, a domestic violence shelter in the 4th Congressional District. In her own words, she knew she found her life's work and later joined PCAR as its CEO in 1995. Since then, she has lead PCAR's tremendous growth and outreach to communities in Pennsylvania and throughout the Nation. Delilah served on the Pennsylvania Task Force for Child Protection, as the Civilian Deputy Co-Chair of the Department of Defense Task Force on Sexual Assault in the Military Services, and as Co-Chair of the U.S. Department of Defense Task Force on Sexual Harassment and Violence at the Military Service Academies.

Delilah's tireless dedication, professionalism and passion towards ending sexual violence has touched the lives of countless people and challenged all with whom she served to be the best. Her legacy of service to our community and Nation truly is admirable.

On behalf of Pennsylvania's Fourth Congressional District, I commend and congratulate Delilah Rumburg on her tireless service,

and wish her and her family continued great success in their future adventures.

MARKING THE TWENTY-SEVENTH  
ANNIVERSARY OF THE AMERICANS  
WITH DISABILITIES ACT

**HON. STENY H. HOYER**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. HOYER. Mr. Speaker, I join in celebrating the twenty-seventh anniversary of the Americans with Disabilities Act (ADA), legislation I was proud to introduce and shepherd to passage with bipartisan support.

Few laws have had as broad an impact as the ADA, which reshaped the very landscape of America for people with differing abilities, literally opening doors and, with them, opportunities. It has enabled millions to live with greater independence and dignity, and it continues to inspire other nations to adopt their own laws guaranteeing equal access and equal opportunity for all.

I look forward to continuing to work with my colleagues in both parties to build on the ADA's successes and ensure that the promise of America can be kept in full for those with disabilities.

IN HONOR OF NEW YORK STATE  
ASSEMBLYWOMAN NETTIE  
MAYERSOHN'S BABY AIDS BILL

**HON. GRACE MENG**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Ms. MENG. Mr. Speaker, I rise today in honor of former New York State Assemblywoman Nettie Mayersohn, and her landmark law, commonly known as the "Baby AIDS" bill, that was enacted in New York State On June 26, 1996. The Baby AIDS bill requires mandatory testing of infants for the Human Immunodeficiency Virus (HIV) and HIV antibodies, and authorizes disclosing the results to infants' doctors and guardians.

Before the Baby AIDS bill became law, infants born in New York State were tested for the HIV antibody through studies that the New York State Department of Health initiated in 1987. But confidentiality laws at the time required these tests to be anonymous. Therefore, the guardians and doctors of the infants who tested positive were kept in the dark about the results. This caused nearly sixty percent of the 1,500–1,800 infants who tested positive per year to be sent home without diagnosis or treatment. As a mother myself, I cannot imagine the horror of being legally barred from knowing the health status of my child. That is why I am proud to recognize Assemblywoman Mayersohn for her relentless efforts on the behalf of New York families.

When Assemblywoman Mayersohn was informed that existing New York State law was preventing babies with HIV from being treated, she immediately took action by introducing the Baby AIDS bill in the New York State Assem-

bly in 1993. As lawmakers, we all know that bills can go through multiple versions and can face criticism from the community. The Baby AIDS bill was no different. Assemblywoman Mayersohn worked tirelessly to show opposition groups that the Baby AIDS bill would allow infants to receive the treatment that they desperately needed and their guardians and doctors to be informed about their condition. As Assemblywoman Mayersohn said, "I went to bed with it, and I woke up with it." Assemblywoman Mayersohn's efforts paid off, and it is no wonder that Assemblywoman Mayersohn's colleagues gave her a standing ovation after the final version of the Baby AIDS bill passed in the assembly in 1996.

Mr. Speaker, I am proud to say that due to Assemblywoman Mayersohn's hard work, every infant in New York State is legally required to be tested for HIV and require hospitals to inform the infant's parent or guardian of the results. Statistics gathered soon after the law was enacted showed a 98.8 percent success rate in the number of HIV infants identified and connected to treatment. According to the New York State Health Department, from 1998 to 2013, Assemblywoman Mayersohn's Baby Aids law saved an estimated 900 infants from a lifetime of HIV. I am truly honored to recognize Assemblywoman Mayersohn, fondly known as "Nettie", and her law that truly improved the quality of life for so many New Yorkers.

IN RECOGNITION OF THE CAREER  
OF STEVE HAMMOND

**HON. DORIS O. MATSUI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Ms. MATSUI. Mr. Speaker, I rise today in recognition of Steve Hammond on the occasion of his retirement as CEO of Visit Sacramento, the City of Sacramento's innovative tourism bureau. I ask all my colleagues to join me in honoring Mr. Hammond for his leadership and commitment in the community to promoting Sacramento and refining its image as a tourist destination.

Since being appointed to the position of CEO in 1999, Mr Hammond has overseen a hugely successful campaign to re-brand Sacramento as a major attraction to visitors. He has encouraged businesses to hold events and conventions in Sacramento, capitalized on the city's sports and entertainment opportunities, and spearheaded an inventive campaign to brand Sacramento as America's Farm-to-Fork Capital. By taking advantage of Sacramento's unique location in the heart of California's Central Valley, Mr. Hammond launched a movement that has revitalized Sacramento's restaurant scene and boosted business for local hotels and farmers.

In great part due to Mr. Hammond's dedication to his agency, Visit Sacramento's budget has grown from \$2 million to \$11 million, and its staff has more than doubled. In addition, Mr. Hammond is an extraordinarily active member of the community: He sits on the Boards of the Sacramento Downtown Partnership, the Sacramento Metropolitan Chamber of

Commerce, the Sacramento Regional Sports and Education Foundation, and the Sacramento Hotel Association.

Mr. Speaker, I stand to pay tribute to Steve Hammond, outgoing CEO of Visit Sacramento, as his friends and colleagues celebrate his well-earned retirement. I ask all my colleagues to join me in honoring his tenacity and dedication on behalf of the people of Sacramento, as well as his creativity in building up my beloved hometown as a destination for business, food, and culture.

TRIBUTE TO CHRISTOPHER  
WILLIAMSON

**HON. JAMES E. CLYBURN**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 26, 2017*

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Christopher Williamson, a dedicated individual who devotes his life to protecting and defending the communities of South Carolina. Mr. Williamson has recently been appointed as the South Carolina Highway Patrol's first African American commander.

From the time he joined in 1988, Williamson has led a rewarding career within the South Carolina Highway Patrol. Williamson is a native of Darlington, South Carolina and was born into a family whose values were founded on hard work, personal integrity and community service. He graduated from Fayetteville State University in 1985 with a Bachelor's Degree in Political Science and a minor in Police Science. Soon after college, Williamson began his career within the law enforcement realm as a Correctional Officer with the South Carolina Department of Corrections.

In 1986, Williamson accepted a position with the Darlington County Sheriff's Department as a Deputy and within two years, he joined the South Carolina Highway Patrol. His service on the Highway Patrol showed his great dedication, leadership, and dedication. He rose through the leadership ranks by eventually becoming Lieutenant Colonel in 2011 and last month, he was appointed the Commander of the South Carolina Highway patrol. As Commander, he is responsible for overseeing all Patrol operations statewide.

Mr. Williamson's service to his community is not limited to his position as Commander. In 2014 he received a master's degree in Clinical and Behavioral Counseling. He has served as a Youth Advocate Counselor in Berkley County, a Camp Counselor, and even founded his own non-profit organization that provides mentoring and life skill services for youth. He works hard to prepare youth within his county to become productive members of society. He is a fellow member of Omega Psi Phi Fraternity Inc., and he represents our fraternity by providing service to the world around him.

Mr. Williamson's career has taken him across the state of South Carolina and he has touched many lives. His humble upbringing and genuine qualities have enabled him to effectively serve his community. Throughout his career, he was actively involved in community service and has received numerous honors

and awards for these efforts. He has made history by being appointed to this position and I am proud to call him a fraternity brother and personal friend.

Mr. Speaker, I ask you and my colleagues to join me in recognizing this barrier-breaking public servant, and to wish him Godspeed and continued success. Col. Christopher Williamson is a pioneer and an innovator in the law-enforcement arena and has earned the respect of the great state of South Carolina.

#### CELEBRATING THE 75TH ANNIVERSARY OF NAS-KINGSVILLE

##### HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 2017

Mr. VELA. Mr. Speaker, I rise today to honor Naval Air Station (NAS) Kingsville as it marks 75 years of service to the U.S. Navy and our nation.

Located in Kingsville, Texas, the Naval Air Station was opened on July 4, 1942. Inspired by the establishment of the nearby Naval Air Station in Corpus Christi, a group of Kingsville civic leaders approached Navy officials at NAS Corpus Christi about creating a military airfield in February, 1941. While they did not receive official permission at that time, NAS Corpus Christi's commanding officer, Captain Alva D. Bernhard, expressed enthusiasm about the idea.

After the December 7, 1941 Japanese attack on Pearl Harbor, Captain Bernhard predicted a military build-up including the influx of new trainees which would exceed the capacity of NAS-Corpus Christi, and plans to construct a new airfield in Kingsville began.

The airfield was quickly built on 3,000 acres of land bought from the B.O. Sims family. During World War II, the airfield, designated as "P-4," housed four squadrons. The squadrons taught gunnery skills for combat air crews, in addition to fighter and bomber tactics. After the war, the base was given to the City of Kingsville, which leased it to the Texas College of Arts and Industries. It was primarily used by the Department of Agriculture and expanded under the college's ownership.

The base was reactivated as a military installation in April, 1951, as an auxiliary air station, and trained roughly 300 aviators a year during the mid-1960s. In 1967, Congress approved \$3.8 million in funding for NAS-Kingsville, allowing it to improve operation and maintenance facilities, as well as troop housing. The base was re-designated as a naval air station on August 9, 1968. In 1990, it became the headquarters for Training Air Wing Two, a mission that continues today.

Training Air Wing Two includes Training Squadron Twenty One and Training Squadron Twenty Two. Around 150 students report to Training Air Wing Two annually for Undergraduate Jet Pilot Training. The Naval Air Station at Kingsville currently occupies 23,000 acres of land, spread across four sites, and employs around 1,350 people, in addition to training 50 percent of Navy and Marine Corps tactical jet pilots every year. Its economic im-

pact on the surrounding community is also significant, as it provides roughly \$110 million dollars to the local area. This economic impact is matched by the installation's community outreach program, which includes school mentorship assistance and community self-help program assistance.

NAS-Kingsville has a long history of supporting both the local community and the country, and will continue to do so for years to come. I rise today to congratulate them on 75 successful years.

#### HONORING THE CHRISTIAN RECORDER

##### HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 2017

Mr. COOPER. Mr. Speaker, I rise today to honor the 165th Anniversary of The Christian Recorder. As the oldest periodical continually published by African-Americans in the United States, The Christian Recorder is the heart of the African Methodist Episcopal Church.

Originally founded in 1848 as The Christian Herald, the publication has been a leading voice for African-Americans ever since. It relocated to Nashville in 1852 with a new name, The Christian Recorder. Twenty-one editors have led The Christian Recorder including John Thomas III, the current leader and the first layperson to serve in this prestigious role.

The Christian Recorder is a reputable news service for religious news. It serves as the voice of two million members of the AME Church in thirty-nine countries around the world.

Its reach extends far beyond the Sunday School Union in Nashville where it is headquartered. From offering guidance to slaves during the Civil War to the battle for voting rights and fighting segregation, The Christian Recorder has been a pioneer for Civil Rights and equality for African-Americans.

I am proud to salute The Christian Recorder for its courageous efforts and its more than 165 years of service to the community.

#### HONORING NASHVILLE PUBLIC LIBRARY IN NASHVILLE, TENNESSEE

##### HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 2017

Mr. COOPER. Mr. Speaker, I rise today to honor Nashville Public Library as the 2017 Library of the Year. This national honor, awarded by Library Journal and Gale Cengage Learning, recognizes public libraries for their commitment to excellence, innovative programs and services, and dedication to the community.

Nashville Public Library is awesome, and unlike any other in America. It is also the location of my district office, perhaps the only congressional office in America located in a public library.

The Library partnered with Metro Nashville Public Schools to create the Limitless Libraries initiative, which allows students and teachers to order and borrow books, movies, laptops, iPads, and more. The Limitless Libraries program is a national model for getting library materials into students' hands every day, and this partnership has also helped turn several school libraries into exciting, interactive hubs for students.

Nashville Public Library reaches students outside the classroom, too.

Teenagers can work with professional mentors to create art or new inventions, work with robotics, and produce music and podcasts through the Library's unique Studio NPL program. The Library also engages children through its Bringing Books to Life! program, putting on productions at the Library's Children's Theater, and its well-known Puppet Truck. Puppeteers perform 20 shows a week at the theater, but also use the Puppet Truck to reach children and adults throughout Davidson County.

Most importantly is Nashville Public Library's Civil Rights Room. This chronicles Nashville's place in the Civil Rights movement, telling the stories of the heroes who fought against segregation and for equal rights. Last year the Library and the Nashville Public Library Foundation named our friend and colleague JOHN LEWIS their Literary Award Honoree. Congressman LEWIS' book, March, was also this year's selection in Nashville Reads, the Library's city-wide reading campaign, where everyone is invited to read a book and discuss it at libraries in the community.

Mr. Speaker, the writer and poet Jorge Luis Borges said, "I have always imagined that Paradise will be a kind of library." I agree.

Nashville Public Library is more than books inside a beautiful building. It is even more than Paradise. It is the heart of our community.

#### RECOGNIZING BLACK WOMEN'S EQUAL PAY DAY

##### HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 2017

Mrs. BEATTY. Mr. Speaker, Monday, July 31, 2017 marks Black Women's Equal Pay Day, which observes the amount of time it takes the average Black woman to earn the same pay that the average White man earns in one calendar year. In other words, Black women have to work all of 2016 and up to July 31, 2017 to earn what their white male counterparts made in 2016. This is shameful, and it is time for Congress to act to eradicate pay inequities once and for all.

Black women earn 60 percent of what their white male counterparts do, which is why it takes approximately eight additional months for them to reach pay parity with white men. The unfortunate reality of this wage gap is that this reality sets up Black women to fail. The 40 cents they fail to earn accumulates and limits them from fully participating in the U.S. economy. This money could be used to help pay down student loan debt, buy their first home, or purchase a car. It could help them



pay for quality child care, start a business, or help care for elderly family members.

But earning 40 percent less does not just affect Black women's current economic situation, it also affects their ability to plan for their future. Being underpaid for equal work contributes to a wealth gap, retirement gap, and inheritance gap, which hinders upward mobility for future generations. According to the Pew Research Center, 54 percent of Black children live with a single parent, and Black families have 13 times less wealth than white families. A lack of wealth and savings means Black families have less to pass down to their children.

If Congress fails to act to ensure wage equality, then all women will lag behind in pay equity until 2059. This is unacceptable. Years of progress has resulted in Black women working across all fields and reaching high levels of academic achievement and it is time for these advancements to result in equal pay for equal work. I call on Republican Leadership to bring to the House floor, the Paycheck Fairness Act, H.R. 1869, and the Raise the Wage Act, H.R. 15. As a proud cosponsor of both of these two pieces of legislation, I urge immediate consideration of these bills so that pay equity can be achieved once and for all.

RECOGNIZING MS. KATHERINE B.  
WHITMAN

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 2017

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful to Ms. Katherine B. Whitman for her dedicated service as a detailee to the House Armed Services Committee over the past six months. Katie is completing her Capitol Hill detail next month, and it is my hope that she has benefited as much from this experience as have we from her service on the subcommittee staff. Katie joined the committee during a year when the Department of Defense is struggling to recover from years of readiness account shortfalls. Katie's experience as a former surface warfare officer in the U.S. Navy along with her expertise as a budget analyst within the Office of Management and Budget proved critical in our successful effort to markup and adopt one of the broadest reaching National Defense Authorization Acts in recent memory. Her analytical prowess and tenacious appetite for data enabled an historic increase in fiscal year 2018 NDAA authorization of additional resourcing for the Department's facility readiness accounts by over 2 billion dollars.

I am grateful to Katie for enduring many late nights at work. Her "can-do" attitude and tire-

less work ethic have been infectious. Her willingness to tackle new issues, and to embrace the goals I have set for the staff, were truly commendable. I have no doubt that as Katie continues her career she will achieve great things for the Office of Management and Budget, the Department of Defense, and her country. I appreciate her dedicated staff work and wish her the best in all her future endeavors.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 27, 2017 may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

##### AUGUST 1

10 a.m.

Committee on Environment and Public Works

Subcommittee on Superfund, Waste Management, and Regulatory Oversight  
To hold an oversight hearing to examine the Environmental Protection Agency's Superfund program.

SD-406

Committee on Finance

To hold hearings to examine America's affordable housing crisis, focusing on challenges and solutions.

SD-215

2:30 p.m.

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine the nominations of Lance Allen Robertson, of Oklahoma, to be Assistant Secretary for Aging, Brett Giroir, of Texas, and Robert P. Kadlec, of New York, both to be a Medical Director in the Regular

Corps of the Public Health Service, and to be Assistant Secretary for Preparedness and Response, and Elinore F. McCance-Katz, of Rhode Island, to be Assistant Secretary for Mental Health and Substance Use, all of the Department of Health and Human Services, and Jerome M. Adams, of Indiana, to be Medical Director in the Regular Corps of the Public Health Service, and to be Surgeon General of the Public Health Service.

SD-430

##### AUGUST 2

Time to be announced

Committee on Small Business and Entrepreneurship

Business meeting to consider S. 154, to amend the Small Business Act to ensure small businesses affected by the onset of transmissible diseases are eligible for disaster relief, S. 650, to amend the Small Business Act to expand tax credit education and training for small businesses that engage in research and development, S. 690, to extend the eligibility of redesignated areas as HUBZones from 3 years to 7 years, S. 929, to improve the HUBZone program, S. 1038, to require the Administrator of the Small Business Administration to submit to Congress a report on the utilization of small businesses with respect to certain Federal contracts, and S. 1428, to amend section 21 of the Small Business Act to require cyber certification for small business development center counselors.

TBA

10 a.m.

Committee on Commerce, Science, and Transportation

Business meeting to consider pending calendar business.

SH-216

Committee on Energy and Natural Resources

Subcommittee on Water and Power

To hold hearings to examine increasing water security and drought preparedness through infrastructure, management, and innovation.

SD-366

Committee on Environment and Public Works

To hold hearings to examine the Federal Bureau of Investigation headquarters consolidation project.

SD-406

2 p.m.

Committee on Foreign Relations

To receive a closed briefing on the Authorizations for the Use of Military Force, focusing on Administration perspectives.

SVC-217